

From: [Bart Catching](#)
To: kris@eriksonlaw.com
Cc: [Sonja Wisser](#)
Subject: RE: Comp Growth Plan 2025
Date: Monday, February 12, 2024 1:50:37 PM

Kris,

We have received this site-specific request with attachments. The request will be added to the comprehensive plan record.

Mr. Erickson has already submitted a separate request for a different site, so his contact information is in the public notice update list already.

FYI – If your office wants to submit any more requests before the March 15th deadline, the simplest way is to use our public comment submittal link here:

<https://clark.wa.gov/community-planning/comp-plan-comments>

You can always follow up with a letter or other information later if needed, but this online form gets the basic information to us for initial intake.

Thanks and let me know if you have any questions.



Bart Catching, CFM
Planner III
COMMUNITY PLANNING

564.397.4909

From: kris@eriksonlaw.com <kris@eriksonlaw.com>
Sent: Monday, February 12, 2024 1:14 PM
To: Bart Catching <Bart.Catching@clark.wa.gov>
Subject: Comp Growth Plan 2025

EXTERNAL: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CONFIDENTIALITY NOTICE: This transmittal and any accompanying documents may contain information belonging to the sender which is protected by the attorney-client privilege. This information is confidential.

RESTRICTED USE: You may not use the information in this transmittal in any way if you are not the intended recipient. Do not read any part of this transmittal if you are not the person to whom it was directed. Call us immediately to arrange for a return of the documents if you received this transmittal in error.

TAX ADVICE NOTICE: According to Internal Revenue Service Circular 230, we are required to advise you as follows: Any tax advice contained in this communication is not intended to be used for the purposes of: (i) avoiding

tax related penalties, nor (ii) promoting, marketing, or recommending any transaction, plan, or arrangement. Taxpayers may rely upon professional advice to avoid tax related penalties only if contained in a comprehensive tax opinion that conforms to stringent requirements.

Mr. Catching:

Please see correspondence and exhibits attached, from attorney Mark A. Erikson, pertaining to the matter referenced above.

Thank you,

Kris Eklove
Office Manager
kris@eriksonlaw.com

Erikson & Associates, PLLC
110 West 13th Street
Vancouver, WA 98660
(360)696-1012

110 West 13th Street
Vancouver, Washington 98660-2904

(360) 696-1012 • Facsimile (360) 737-0751

Mark A. Erikson
Licensed in Oregon & Washington
mark@eriksonlaw.com

February 12, 2024

E-MAIL

Bart Catching
Community Development
Clark County
1300 Franklin Street
Vancouver, WA 98660
E-mail: bart.catching@clark.wa.gov

**Re: PROPERTY OWNER SUBMITTAL
COMPREHENSIVE GROWTH MANAGEMENT PLAN 2025**

Dear Mr. Catching:

I represent M & Z Properties, LLC, owner of Assessor's Parcel No's 169470-000 and 169485-000 located at 18110 NE Fourth Plain Blvd. The subject property comprises 18.39 acres (14.32 + 4.07), in two contiguous parcels, located 0.46 miles from the nearest Vancouver Urban Reserve as the crow flies.¹

My client seeks inclusion within the Vancouver Urban Growth Boundary, Comprehensive Plan amendment and rezone from R-5 to a mixed use commercial and residential designation that would facilitate general or community commercial and "missing middle" residential. The subject property is surrounded by R-5 designated properties which currently straddle Fourth Plain Blvd.

The context of this submittal is not so much "what" or "where," but "when." At some time in the near future, the subject property will be needed for expansion of the Vancouver Urban Growth Boundary. In 2019, PBS Engineering prepared a drawing of an "SR-500 & 182nd Avenue Roundabout Project."² We do not know the state of planning for the area, but the cost of construction, including bridges, would appear to require participation of several private developments. Hence, road improvements must await development projects to bear the cost, which cannot occur until the property is zoned for development.

¹Exhibits 1 and 2 (each shown on two pages so both parcels can be highlighted).

²Exhibit 3.

My client is not so focused on the designation, but inclusion within the boundary, and leaves it up to staff to propose a mixed use commercial and residential designation that would compliment County and City planning. As you know, the current R-5 zone is a defacto holding zone because one would not generally propose five-acre residential lots so close to the urban growth boundary. In fact, I have spent five years trying to preserve some profitable use to offset investment costs. Fortunately, we were successful in renewing the existing cell tower lease on a small portion of the property, and my client retains ownership and development rights over the remainder, but should not be required to finance the investment without any foreseeable return.

Please consider whether the present is a good time for bringing my client's property into the Vancouver Urban Growth Boundary.

Sincerely,

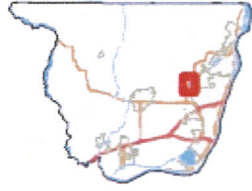
A handwritten signature in black ink, appearing to read 'Mark A. Erikson', written in a cursive style.

Mark A. Erikson
Attorney at Law

MAE/ke
OPOZO102.L01.wpd



Opoka - Growth Boundary

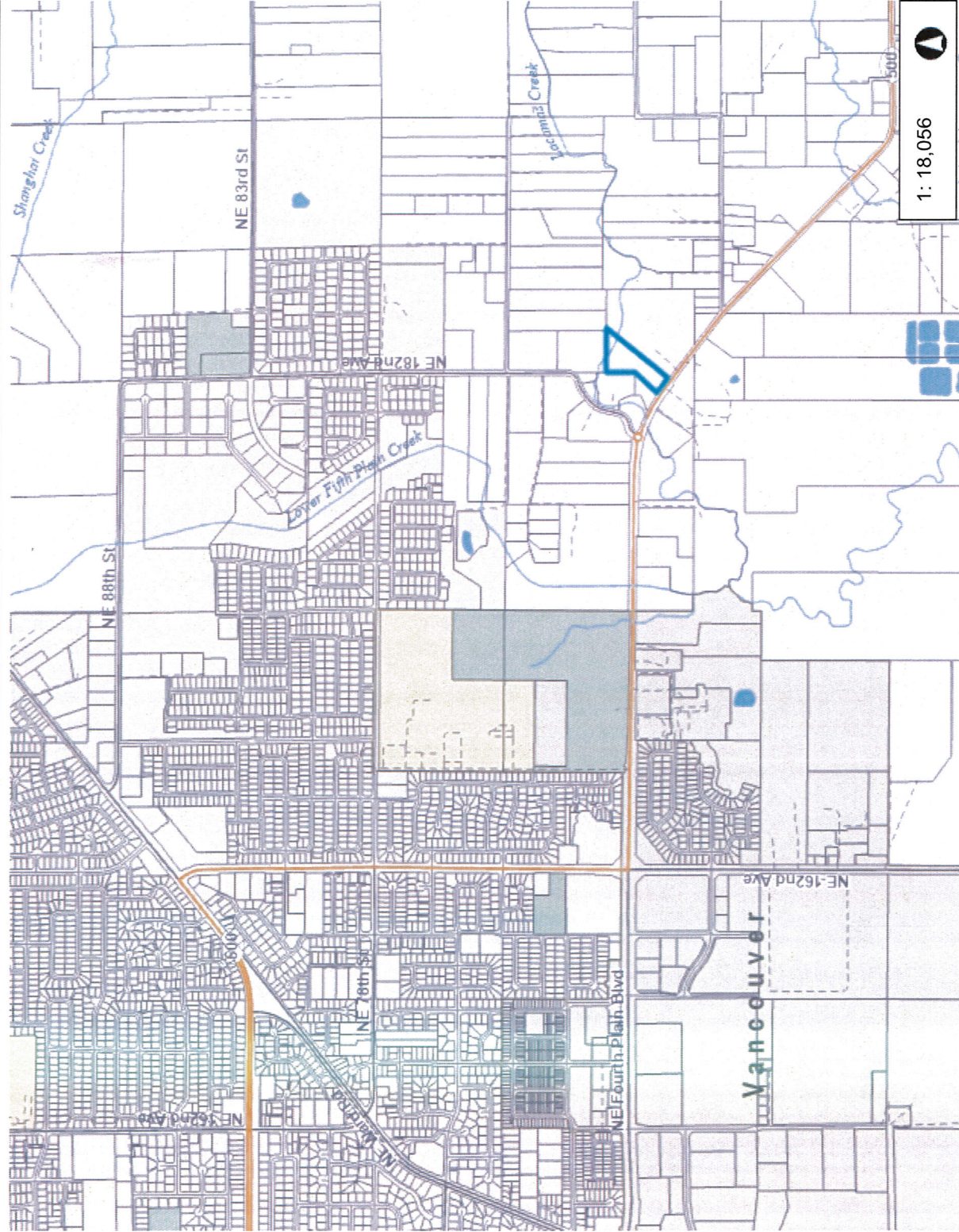


Legend
 Taxlots

EXHIBIT 1

Page 1 Of 2

Notes:



1: 18,056

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information. Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lines on the ground.

3,009.3 Feet

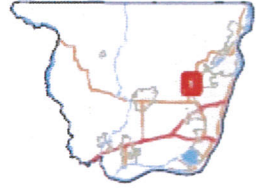
1,504.67

0

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>



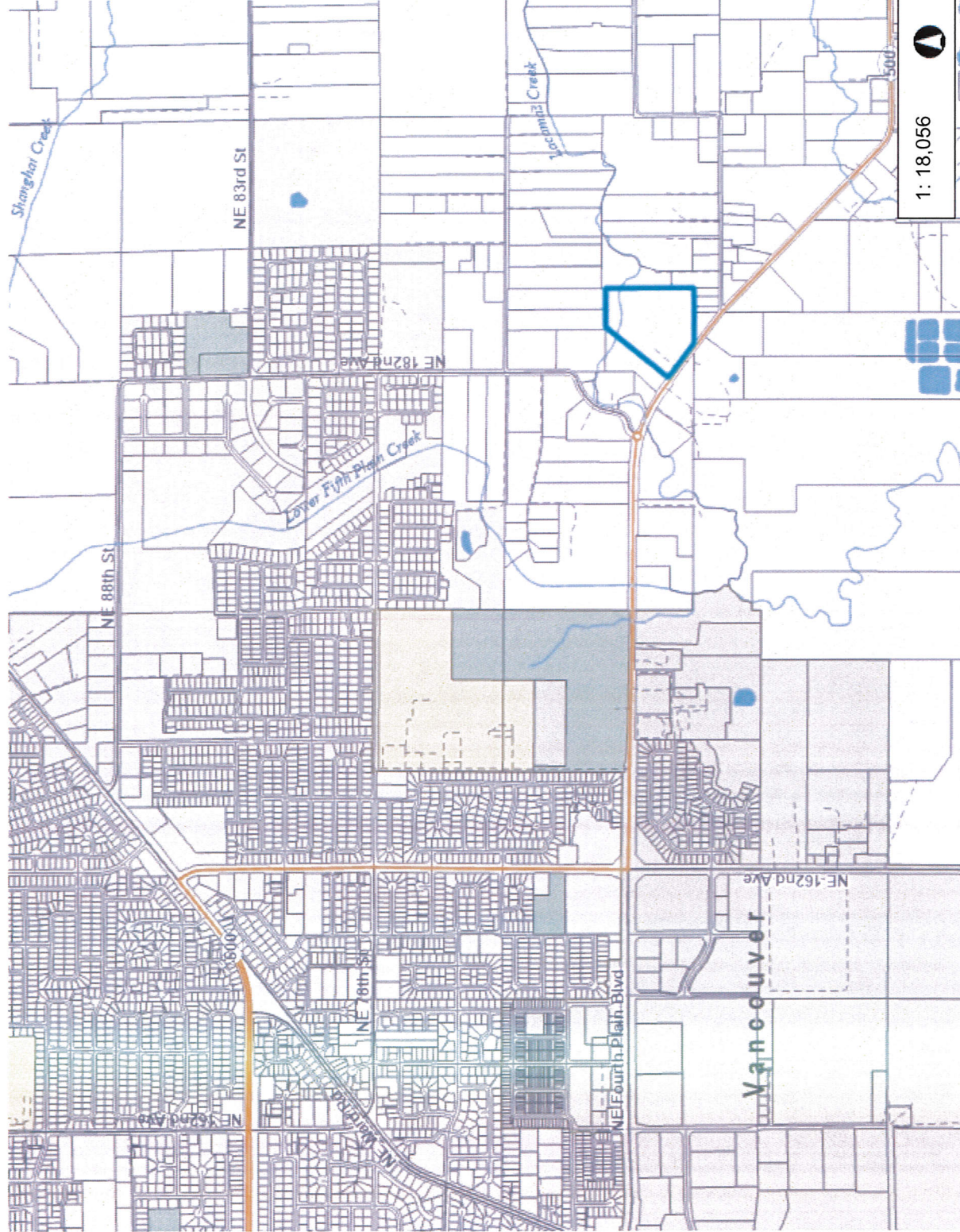
Opoka Growth Boundary 2



Legend
□ Taxlots

EXHIBIT 1
Page 2 **Of** 2

Notes:



1: 18,056

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3,009.3 0 1,504.67 3,009.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA, GIS - <http://gis.clark.wa.gov>



Opoka - Growth Boundary 2021 Aerial

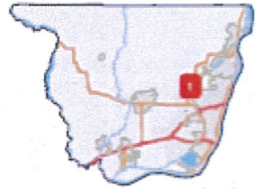


1: 18,056

3,009.3 0 1,504.67 3,009.3 Feet

WGS 1984 Web Mercator Auxiliary Sphere
Clark County, WA GIS - <http://gis.clark.wa.gov>

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Legend
 Taxlots

EXHIBIT 2
Page 1 Of 2

Notes:



Opoka Growth Boundary 2 - 2021 Aerial

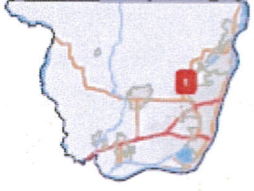


1 : 18,056

3,009.3 0 1,504.67 3,009.3 Feet

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information. Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lines on the ground.

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Clark County, WA GIS - <http://gis.clark.wa.gov>

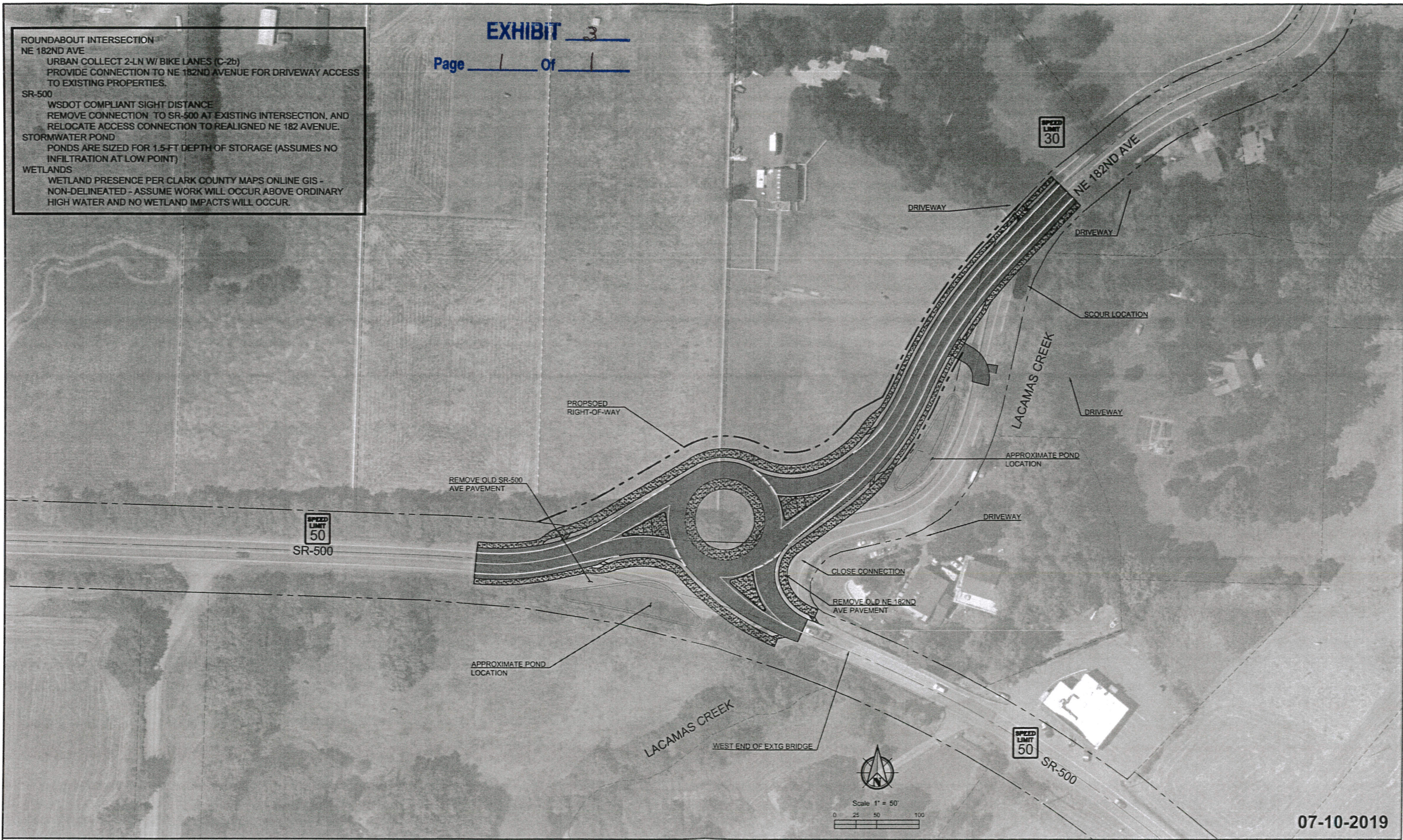


Legend
 Taxlots

EXHIBIT 2
Page 2 Of 2

Notes:

ROUNDABOUT INTERSECTION
 NE 182ND AVE
 URBAN COLLECT 2-LN W/ BIKE LANES (C-2b)
 PROVIDE CONNECTION TO NE 182ND AVENUE FOR DRIVEWAY ACCESS TO EXISTING PROPERTIES.
SR-500
 WSDOT COMPLIANT SIGHT DISTANCE
 REMOVE CONNECTION TO SR-500 AT EXISTING INTERSECTION, AND RELOCATE ACCESS CONNECTION TO REALIGNED NE 182 AVENUE.
STORMWATER POND
 PONDS ARE SIZED FOR 1.5-FT DEPTH OF STORAGE (ASSUMES NO INFILTRATION AT LOW POINT)
WETLANDS
 WETLAND PRESENCE PER CLARK COUNTY MAPS ONLINE GIS - NON-DELINEATED - ASSUME WORK WILL OCCUR ABOVE ORDINARY HIGH WATER AND NO WETLAND IMPACTS WILL OCCUR.



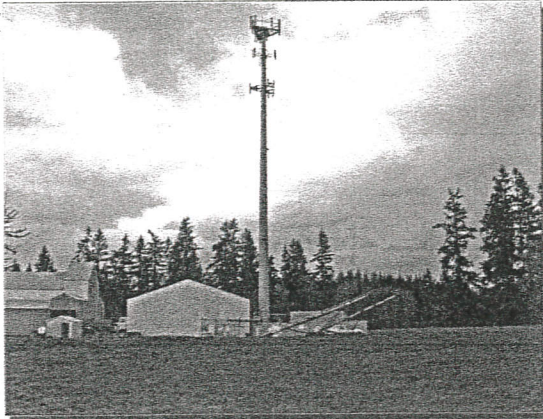
07-10-2019



NE 182ND / SR-500

SR-500 & 182ND AVE ROUNDABOUT PROJECT

PBS
 PBS Engineering and Environmental Inc.
 415 W 6th Street, Suite 601
 Vancouver, WA 98660
 360.695.3488
 pbsusa.com



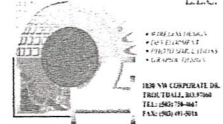
EXISTING

PROEBSTEL
PO01628A
18110 NE 4th PLAIN BLVD
VANCOUVER, WASHINGTON

•••T•••Mobile•

1500 N.E. Irving St. Suite 530
Portland, Oregon 97232
Phone: 503-442-2075
Fax: 503-736-3014

DDL DESIGNS &
ASSOCIATES
L.L.C.

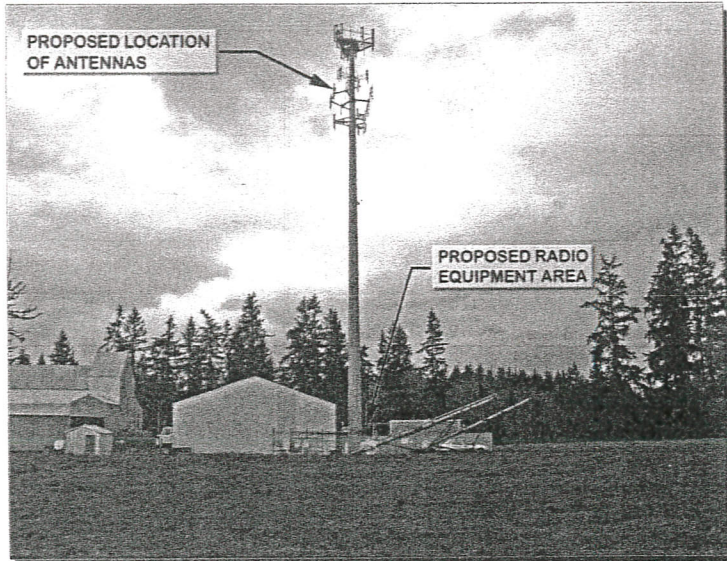


PROPOSED

**PHOTO
SIMULATION
EXHIBIT**

4

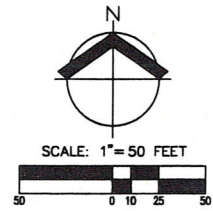
**CO-LOCATING ON EXISTING
MONOPOLE**



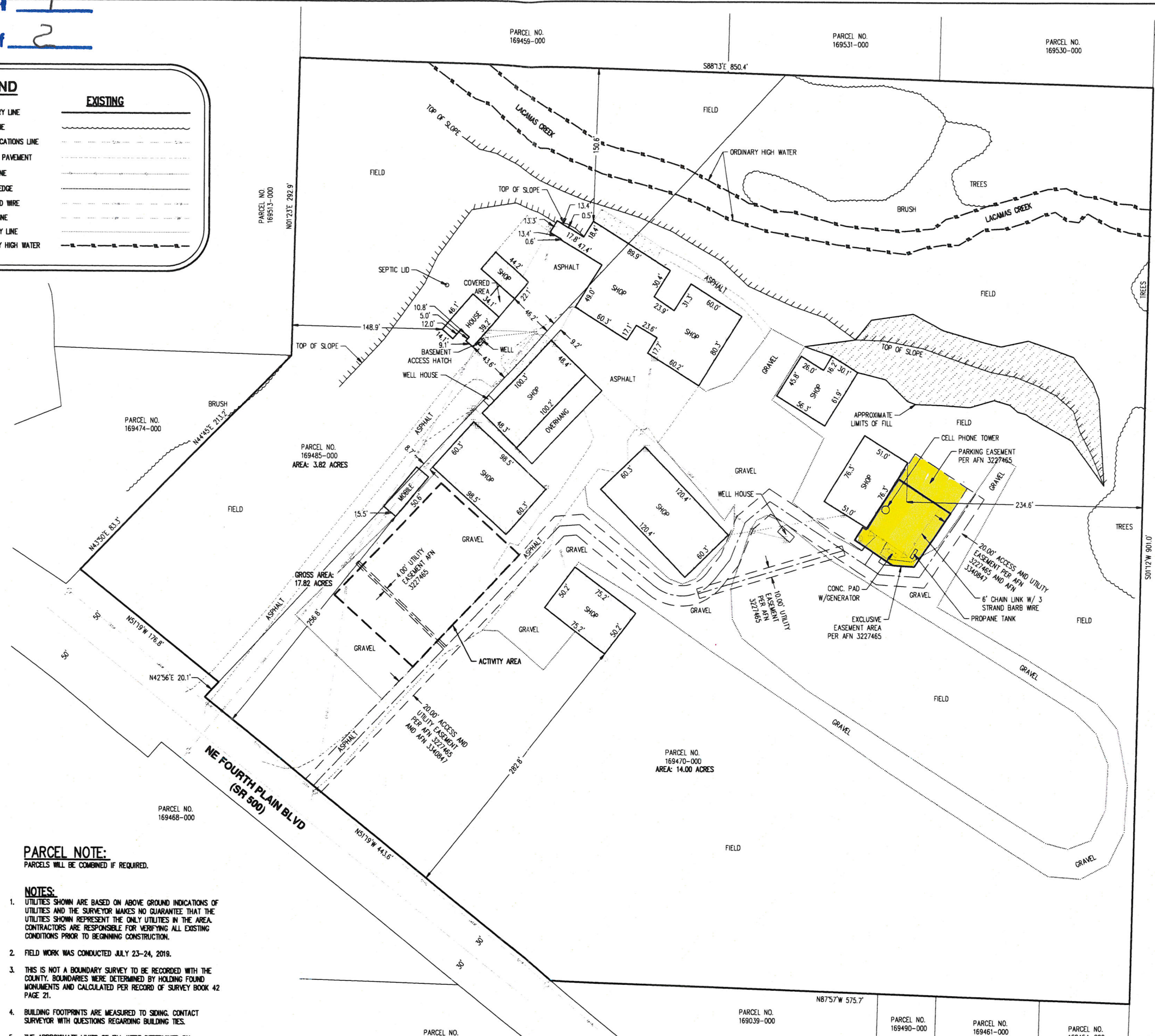
VIEW FROM THE SOUTH LOOKING NORTH - ADJACENT FIELD

LEGEND

EXISTING	LEGEND	EXISTING
COMMUNICATIONS JUNCTION BOX	BOUNDARY LINE	—————
COMMUNICATIONS RISER	BRUSHLINE	~~~~~
GUY WIRE ANCHOR	COMMUNICATIONS LINE	-----
UTILITY POLE	EDGE OF PAVEMENT	-----
POWER VAULT	FENCE LINE	-----
POWER JUNCTION BOX	GRAVEL EDGE	-----
POWER PEDESTAL	OVERHEAD WIRE	-----
SANITARY SEWER MANHOLE	POWER LINE	-----
STREET LIGHT	PROPERTY LINE	-----
	ORDINARY HIGH WATER	-----



VICINITY MAP
N.T.S.



APPLICANT /CONTACT
ERIKSON & ASSOCIATES, PLLC
110 WEST 13TH STREET
VANCOUVER, WA 98660
CONTACT: MARK ERIKSON
PH: 360-696-1012
E-MAIL: MARK@ERIKSONLAW.COM

OWNER
MICHAEL JOHN OPOKA SR, ZELDA LEE OPOKA
9715 E FLANDERS ROAD
MESA, AZ 85207
E-MAIL: MIKEOPOKA55@GMAIL.COM

- PARCEL NOTE:**
PARCELS WILL BE COMBINED IF REQUIRED.
- NOTES:**
- UTILITIES SHOWN ARE BASED ON ABOVE GROUND INDICATIONS OF UTILITIES AND THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
 - FIELD WORK WAS CONDUCTED JULY 23-24, 2019.
 - THIS IS NOT A BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY. BOUNDARIES WERE DETERMINED BY HOLDING FOUND MONUMENTS AND CALCULATED PER RECORD OF SURVEY BOOK 42 PAGE 21.
 - BUILDING FOOTPRINTS ARE MEASURED TO SIDING. CONTACT SURVEYOR WITH QUESTIONS REGARDING BUILDING TIES.
 - THE APPROXIMATE LIMITS OF FILL WERE DETERMINED BY COMPARING CURRENT SITE CONDITIONS WITH 2002 CLARK COUNTY LIDAR DATA.

AKS
AKS ENGINEERING & FORESTRY, LLC
9800 NE 126TH AVE, STE 2530
VANCOUVER, WA 98682
360.882.0419
WWW.AKS-ENG.COM

M&Z PROPERTIES
SITE PLAN
VANCOUVER WASHINGTON

PROPOSED PLAN

DESIGNED BY: CJC
DRAWN BY: CJC
MANAGED BY: JOH
CHECKED BY: JOH
DATE: 08/05/2022



JOB NUMBER
7557
SHEET
1 OF 1

AKS DRAWING FILE: 7557_20220805 PROPOSED PLANNING | LAYOUT | LAYOUT