



**Asa's View Subdivision
Preliminary Plat, Variance, Critical Areas Permit
Type III
Technical Completeness Review**
La Center City Hall
210 E 4th St

Site Address: 2313 NE Lockwood Creek Road

Parcel: 209064000 and 209121000

Legal Description: #102 and #39 of Section 2, T4N R1E WM

Project Description:

The applicant is proposing a 68-lot subdivision on the approximate 18.57-acre site. Lot sizes would range from 7,500 square feet to 10,201 square feet. The property is located on the south edge of NE Lockwood Creek Road at the eastern La Center City limits. The site is zoned LDR-7.5 and the comprehensive plan designation for the site is Urban Residential (UR). Access to the property would be from a public street entrance from NE Lockwood Creek Road

Date: September 26, 2022

Applicant's Representative:

Contact: Shawn Ellis
NW Consillo LLC
2410 NE 22nd Avenue
Portland, OR 97212
Sellispx@gmail.com

The City's planning consultant (WSP USA Inc.) and engineering staff reviewed application materials for the proposed Type III Preliminary Plat Review and Type II Variance. We are writing to notify you that the application is deemed **complete** as documented below.

Planning Comments

The pre-application conference notes (2021-016-PAC) contain a list of required submittal items based on LCMC 18.30.050, 18.30.150, and 18.210.

- *The information listed in LCMC 18.210.010(2), provided an environmental checklist is required for a technically complete application unless categorically exempt.*
 - Status: **Complete**. The applicant provided a SEPA Environmental checklist.
- *An application form with original signatures by the applicant and property owners. If there is more than one property owner, separate application forms and signatures are required.*
 - Status: **Complete**. The applicant provided an application form signed by the property owner.

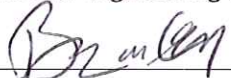
- *Proof of ownership document, such as copies of deeds and/or a policy of satisfactory commitment for title insurance.*
 - Status: **Complete.** The applicant provided a copy of the statutory warranty deed for the property confirming ownership by Gravitare Capital, LLC.
- *A legal description of the site.*
 - Status: **Complete.** The legal description is contained on the application form and an extended legal description is contained on the deed.
- *Site Plan. At a scale of no more than one inch equals 200 feet with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plan reduced to fit on an eight-and-one-half-inch by 11-inch page. Principal features of the plan shall be dimensioned.*
 - Status: **Complete.** The applicant provided preliminary plat plans including a site plan (with north arrow, date, graphic scale, lots, tracts, and rights-of-way) and an existing conditions plan. The plan is 1" = 80' and can be reduced to fit on an 8.5" x 11" sheet.
 - The preliminary park design includes the items as required in LCMC 18.147.030(b).
 - The plans show 20 trees on the north part of the site for removal while protecting one Oregon white oak tree. 109 street trees are to be planted and exceeds minimum mitigation for the trees to be removed on site. The applicant has not provided a tree protection plan meeting the requirements of LCMC 18.350.060 with adequate protection measures for the oak tree and will be conditioned to do so. Please note that the City can require changes to the design of the site to preserve trees based on the criteria in 18.350.080.
 - The applicant has modified grading since the first submittal to eliminate grading within the oak tree drip line. However, there are still presumed improvements for Lot 21 within the oak tree dripline. Please see further comments below regarding the critical areas report and, if improvements are proposed in this area including future buildings and yards, a mitigation plan for these impacts.
- *A copy of the pre-application conference summary*
 - Status: **Complete.**
- *A written description of how the proposed preliminary plat does or can comply with each applicable approval criterion for the preliminary plat, and basic facts and other substantial evidence that support the description.*
 - Status: **Complete.** The applicant provided a Project Narrative discussing compliance with selected standards.
 - Please also note that it appears that the proposed plat will exceed the minimum density of 4 units per net acre calling into question the narrow dimensions and requested variances for lots 55-59 and 64-68. The City is not obligated to approve more than the minimum density for the site and maximizing density is not a sufficient argument for approving a variance. The variance will be further reviewed during formal application review.
- *Names and addresses of owners of land within a radius of 300 feet:*


- Status: **Complete**. The applicant provided mailing labels for properties within 300 feet of the subject site.
- *Applications associated with the preliminary plat, such as exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the preliminary plat application as proposed.*
 - Status: **Complete**. The applicant discusses their variance in their Project Narrative document and variance fee has been paid.
 - The applicant provided additional information indicating that the 40-inch oak tree onsite is a priority, non-riparian habitat and therefore is also a critical area. It appears that the applicant's development plans would include impacts to the dripline of the oak tree including fencing between Lot 21 and the park and park landscaping. A critical areas report was provided stating any improvements within the tree's dripline will impact the tree. If any impacts are proposed within this area, the applicant will be conditioned to comply with required mitigations to offset impacts. Additional coordination with the applicant may be needed to ensure adequate measures are taken to mitigate impacts if they occur. The critical areas fee has been paid.
 - The applicant's geotechnical report indicates that the site is classified as Site Class D for ground shaking amplification which is a geologic hazard critical area under the City's critical areas ordinance. The application form is updated to note that the applicant is applying for critical areas permit for geologic hazards and the critical areas fee has been paid.
- *A wetlands delineation report **OR** letter from a certified wetland biologist stating that there are no wetlands/stream resources onsite.*
 - Status: **Complete**. The applicant submitted a letter from Environmental Technology Consultants and has determined that the mapped wetland resource is a roadside ditch, and therefore is not a critical area per LCMC 18.300.
- *A geotechnical study is required if the site will contain substantial fill or there are steep or unstable slopes on the site.*
 - Status: **Complete**. The applicant provided a geotechnical report addressing whether the site will contain substantial fill and if any steep and/or unstable slopes are present on site.
- *Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter 18.320 LCMC.*
 - Status: **Complete**. Sheets 5-7 of the preliminary plans file show stormwater drainage and grading. The applicant also provided a separate Drainage Design report, which discusses storm water and drainage. An attachment in Appendix D (geotechnical report) discusses drainage, grading and erosion control.
- *Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.*
 - Status: **Complete**. The applicant's preliminary grading and stormwater plan shows public water and sewer throughout the site.
- *A phasing plan, if proposed.*
 - Status: **Not applicable**.
- *An archeological predetermination*

- o Status: Complete. The applicant has provided an archaeological predetermination report, as required.
- *A traffic study.*
 - o Status: Complete. The applicant provided a Transportation Impact Study and a supplementary memorandum from a traffic consultant.
- *A signed Agreement to Pay Outside Professional Review Expenses Related to Land Use Application. (Provided during the meeting.)*
 - o Status: Complete.
- *Topographic Map*
 - o Status: Complete. The applicant's existing conditions plan (sheet 2 of the plans) provides existing topographic information.

Public Works and Engineering Comments

Public Works and Engineering do not have any comments at this time.

Signed:  Date: 9/30/22
Bryan Kast, P.E, Public Works Director

Signed:  Date: 9/30/22
Tony Cooper, P.E, City Engineer