



**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 69-lot subdivision on the approximate 18.57-acre site. Lot sizes would range from 7500 sf to 8732 sf with one lot proposed at 10,201 square feet. The property is located on the south edge of NE Lockwood Creek Rd at the eastern limits of the City of La Center. 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:** June 13, 2022

**Applicant's Representative:**

Contact: Shawn Ellis  
NW Consillo LLC  
2410 NE 22<sup>nd</sup> Avenue  
Portland, OR 97212  
[Sellispdx@gmail.com](mailto:Sellispdx@gmail.com)

The City's planning consultant (WSP USA Inc.) and engineering staff reviewed application materials for the proposed Type III Preliminary Plat Review. We are writing to notify you that the application is deemed **Incomplete** 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: **Incomplete.** 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 applicant **DID NOT** provide plans showing offsite features including lots, tracts, easements, rights-of-way and structures abutting.
  - The preliminary park design needs to include the items in LCMC 18.147.030(b) including:
    - Fronting on a road for 40% of its perimeter or having a public access easement over the park.
    - Having at least 75% of the area improved with usable active play areas and open space
    - Amenities including paved pedestrian circulation path, trash receptacles, bike racks, and play structure.
    - Vegetation for undeveloped portions of the park
    - Fencing or vegetative buffer abutting residential lots.
  - The plans do not show trees on the north part of the site for protection/removal per 18.350. The applicant needs to provide a tree protection plan meeting the requirements of 18.350.060 including documenting all trees on the site and within 15 feet of the site and protection measures for proposed trees to be preserved. 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.
  - Sheet no. 5 (preliminary grading plan) shows that there will be grading within the dripline area of the oak tree on the southeastern edge of the parcel. While the applicant has included a critical areas letter, it fails to establish whether the oak tree is a critical area, and if it is a critical area, the applicant has not provided a critical areas report for the Oak Tree.
- *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: **Incomplete.** The applicant provided a Project Narrative discussing compliance with selected standards, however not all applicable standards are discussed. The applicant does not discuss how they comply with the density requirements of the LDR-7.5 zone (LCMC 18.130.080), the preliminary plat approval criteria (LCMC 18.210.040), Supplementary Development Standards (LCMC 18.245), Critical Areas (LCMC 18.300; fish and wildlife habitat conservation areas and geologic hazards), or the tree removal criteria (LCMC 18.350.080).
- Please note that variances are not required for lots 1, 10, and 42 since the average lot width at the front and back setbacks exceeds 60 feet.
- 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: **Incomplete.** The applicant discusses their variance in their Project Narrative document. However, no variance fee has been paid. Please file the variance fee prior to the application being deemed complete.
  - The applicant notes the presence of a 40-inch oak on the site. Per LCMC 18.300.090(2)(a)(iv), priority habitat species areas are critical areas. Washington Department of Fish and Wildlife guidelines for Oregon white oaks indicate that single, large trees may be priority habitat. Please update the letter to indicate whether this oak is a priority habitat and is a critical area. If the oak is not a priority habitat, please submit documentation from WDFW field biologist Isaac Horowitz that verifies the oak is not priority habitat. If the oak is priority habitat, please submit a critical areas report as per LCMC 18.300.090(2)(d) including further documentation from WDFW as to the sufficient buffer width for the tree. If impacts including grading are proposed within the oak tree buffer or to the oak tree itself, a mitigation plan must be provided.
  - 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 should be updated to note that the applicant is applying for a critical areas permit for geologic hazards.
- *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 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 addressed 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: **Incomplete**. Sheets 5-7 are 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. However, the applicant has failed to provide preliminary erosion control plans.
- 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 applicants preliminary grading and stormwater plan shows public water and sewer throughout the site.
- A phasing plan, if proposed.
  - Status: **Not applicable**.
- An archeological predetermination
  - Status: **Complete**. The applicant has provided an archaeological predetermination report, as required.
- A traffic study.
  - 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.)
  - Status: **Complete**.
- Topographic Map
  - 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: 6/14/22  
 Bryan Kast, P.E, Public Works Director

Signed:  Date: 6/14/22  
 Tony Cooper, P.E, City Engineer