



Staff Report

Kays Subdivision Phase II Type II Plat

Alteration Decision Review

(2024-023-SUB) September 25, 2024

PROPOSAL:	<p>The applicant is requesting Plat Alteration approval to adjust the stormwater easement line between Lots 10 & 11 of Kay's Subdivision Phase II by moving the 10-foot stormwater easement located on existing Lot 10.</p> <p>The new location of the stormwater easement would include moving four (4) feet of the easement onto Lot 11 and six (6) feet of the easement onto Lot 10. Kay's Subdivision Phase II is a recorded plat located within the LDR-7.5 zone district.</p> <p>A Type II Plat alteration is required to change the face of the plat.</p>
LOCATION:	<ul style="list-style-type: none">▪ 985 & 1005 W Falcon Place, La Center, WA 98629▪ Kay's Place Phase II Bk 312 P166.▪ Assessor's Parcel numbers 986058847 & 986058872
APPLICABLE STANDARDS	<p>This staff report addresses the following standards and approval criteria: LCMC Title 18 Development Code. 18.30.030 Application Types & Classification; 18.30.090 Type II Procedure; RCW 58.17.215</p>
RECOMMENDATION:	<p>APPROVAL, subject to conditions</p>

CONTACT LIST

OWNER/APPLICANT

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WARAC LLC
7211 NE 43rd Avenue
Vancouver, WA 98661

APPLICANT'S REPRESENTATIVE

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Clark County Title
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Vancouver, WA 98660

LA CENTER STAFF

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I. OVERVIEW AND PROCEDURAL BACKGROUND

Proposal

The applicant is seeking plat alteration approval to adjust the existing 10-foot private stormwater easement located on Lot 10 and move the easement between Lots 10 & 11. The new private stormwater easement shall include a four (4) foot easement located on Lot 11 and a six (6) foot private stormwater easement on Lot 10 as shown on the attached “Current” and “Proposed” maps (see the attached exhibits). The subdivision is recorded as Kay’s Subdivision Phase II Bk 312 Pg 166 and located in the LDR-7.5 zone district.

There are no environmental constraints on Lots 10 & 11. A notice of application was mailed to all residents located within Kay’s Place II Subdivision on September 10, 2024. Staff did not receive any comments regarding the plat alteration.

Application Timeline:

- Plat Alteration application received on August 28, 2024
- Technically Complete Determination September 10, 2024
- Notice of Application mailed to all residents located within Kay’s Subdivision Phase II was mailed on September 10, 2024
- Appeal period ended September 24, 2024
- Final Staff Report and decision issued on September 25, 2024

Applicable Standards and Approval Criteria:

This staff report addresses the following standards and approval criteria: LCMC Title 18 Development Code. 18.30.030 Application Types & Classification; 18.30.090 Type II Procedure; RCW 58.17.215

Public Comment:

No comments were received during the comment period.

II. ENGINEERING REVIEW

The City engineer has no review comments.

III. LAND USE REVIEW

Chapter 18.30 - Procedures

Findings: The application is a Type II Plat Alteration Review subject to the procedures outlined in LCMC 18.30.090 & RCW 58.17.215. The applicant submitted the application on August 28, 2024 and the City deemed it technically complete on September 10, 2024. The city sent of application to all residence located within Kay's Subdivision Phase II on September 10, 2024, in accordance with 18.30.050 and RCW 58.17.215.

The property owners located within Kay's Subdivision Phase II did not request a public hearing.

Staff finds that the applicant has met the burden of proving they meet the applicable regulations or can be conditioned to do so as summarized in this staff report.

RCW 58.17.215 - Plat Alteration Review – Land Use Findings

Finding 1:

Plat Alteration reviews are a process that change the face of the plat for recorded plats. When any person is interested in the alteration of any subdivision or the altering of any portion thereof, except as provided in RCW 58.17.040 (6), that person shall submit an application to request the alteration. The application shall contain the signatures of the majority of those persons having ownership interest of the lots, tracts, parcels, sites, or divisions in the subdivision or portion to be altered.

WARAC LLC owns both project parcels (Lot's 10 & 11 of Kay's Subdivision Phase II) that are requesting the plat alteration, therefore finding #1 is met.

Finding 2:

Upon receipt of an application for an alteration, the legislative body shall provide notice of the application to all property owners of properties within the subdivision, and as provided for in RCW 58.17.080 58.17.090. The notice shall either establish a date for a public hearing or provide that a hearing may be requested by a person receiving the notice within 14 days of receipt of the notice of application.

A notice of application was mailed to all property owners located in the subdivision within 14 days of receipt of the application. The City of La Center did not receive a request for a public hearing, therefore finding #2 has been met.

Finding 3:

The City of La Center shall determine the public use and interest in the proposed alteration and may deny or approve the application for the alteration.

The City of La Center has determined that the plat alteration is for the adjustment of the private stormwater easement currently located on Lot 10 and will only change the face of the plat for Lots 10 & 11. Staff has determined that Finding 3 has been met.

September 25, 2024

Kays Subdivision Post Decision Review-2021-013PDR

Finding 4:

If a plat alteration is approved, the City of La Center shall order the applicant to produce a revised drawing of the approved alteration of the final plat, after the signature of the of the City of La Center's authority, the final plat shall be filed with Clark County Auditor to become the lawful plat of the property.

See Condition #1.

IV. CONCLUSIONS & RECOMMENDATION

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code and RCW 58.17.215. Therefore, **the subject application is approved, subject to the following condition:**

General Conditions

1. The applicant shall produce a revised drawing of the approved alteration of the final plat, after the signature of the of the City of La Center's authority, the final plat shall be filed with Clark County Auditor to become the lawful plat of the property.

2. APPEALS

A final decision regarding a Type II application may be appealed by the applicant, applicant's representative, or by any person, agency, or firm with an interest in the matter within 14 calendar days after the date of decision. Appeals shall contain all information specified in LCMC 18.30.130. The public record for this file is available at the City Hall Building, 210 E 4th Street, La Center, Washington between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Please contact Sarah Dollar at 360-263-7665 for further information.

Signed: _____



Date: September 25, 2024

Angie Merrill, Associate Planner City of La Center

V. Exhibits

Exhibit A

1. Existing Plat

Exhibit B

1. Proposed Plat

Exhibit A

Proposed Conditions

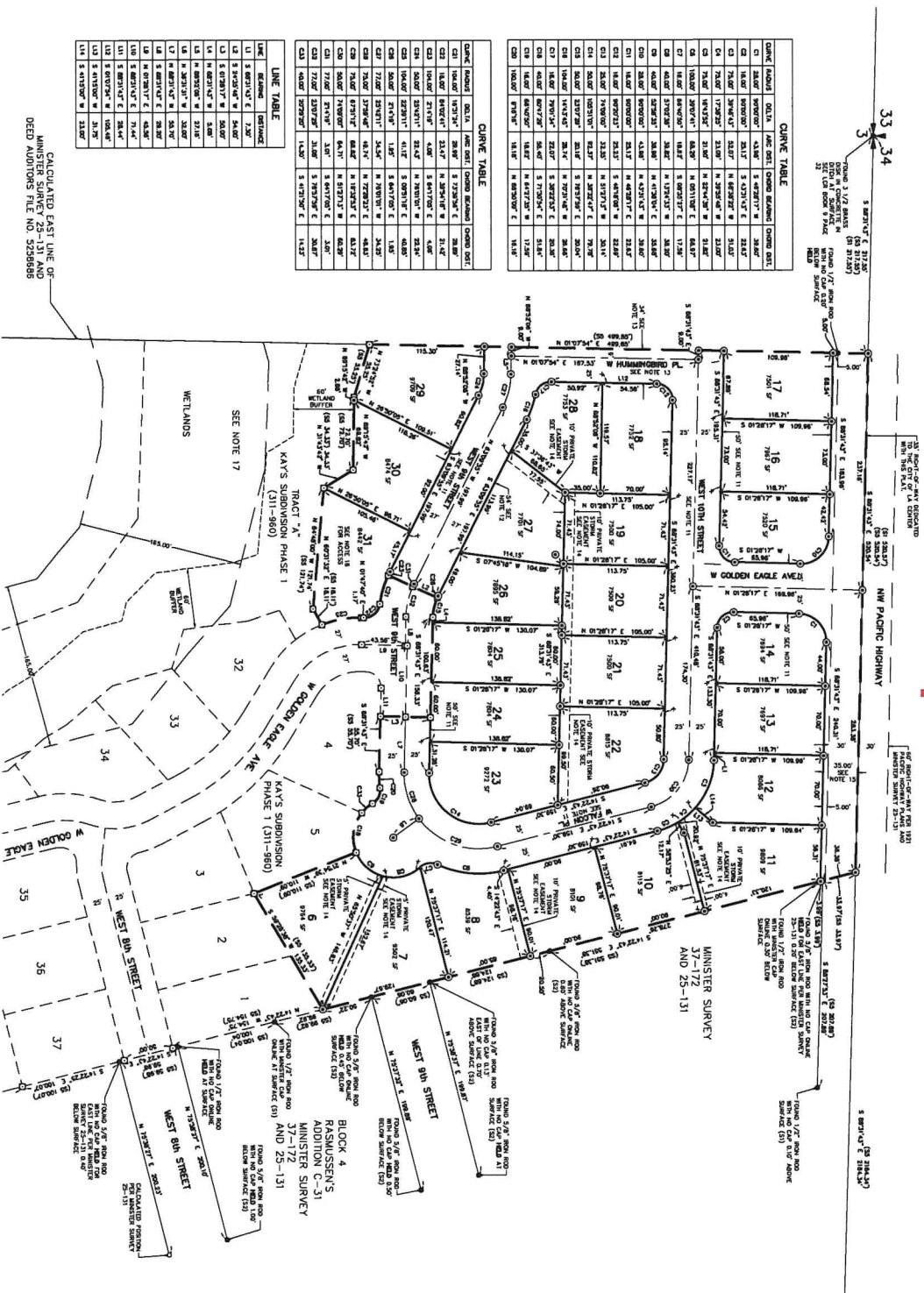


Exhibit B

BK 312 P166

Existing Conditions

KAY'S SUBDIVISION PHASE 2

A REPLAT OF TRACT "C" OF KAY'S
SUBDIVISION PHASE 1 (311-960) IN A PORTION
OF THE NW 1/4 OF THE NW 1/4 AND THE NE
1/4 OF THE NW 1/4 OF SECTION 3
IN A PORTION OF GOVERNMENT LOTS 3 AND 4
IN A PORTION OF THE JOHN TIMMONS AND THE
A. BREZEE D.L.C.
T. 4 N., R. 1 E., W. M.,
CITY OF LA CENTER
CLARK COUNTY, WASHINGTON
SHEET 2 OF 2

SURVEY REFERENCES:

- (S1) MINISTER SURVEY BOOK 25 PAGE 131
- (S2) RASMUSSEN'S ADDITION TO LACENTRE VOLUME C PAGE 31
- (S3) HART SURVEY BOOK 36 PAGE 30
- (S4) PETTJOHN UNRECORDED SURVEY BOOK CC PAGE 080
- (S5) KAY'S SUBDIVISION PHASE 1 BOOK 311 PAGE 960

LEGEND:

- INDICATES MONUMENT FOUND AS NOTED
- ⊙ INDICATES 1/2" x 24" REBAR WITH YELLOW PLASTIC CAP INSCRIBED "D.DENNY 35477", SET
- + INDICATES ROCK NAIL WITH BRASS WASHER INSCRIBED "35477", SET AT THE EXTENSION OF LOT LINE IN THE CURB FOR THE PURPOSE OF WITNESS CORNER
- ⊠ INDICATES FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP INSCRIBED "D.DENNY 35477", HELD PER KAY'S SUBDIVISION PHASE 1 311-960
- INDICATES CALCULATED POSITION NOTHING SET
- () INDICATES DEED DISTANCE PER AF NO. 4051768 UNLESS OTHERWISE NOTED
- SF INDICATES SQUARE FEET
- L.C.R. INDICATES LAND CORNER RECORD

CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	28.00'	90°00'00"	43.68'	S 48°28'17" W	39.60'
C2	16.00'	90°00'00"	25.13'	S 43°31'43" E	22.83'
C3	75.00'	39°46'43"	52.07'	N 68°38'23" W	51.03'
C4	75.00'	17°38'28"	23.06'	N 39°50'48" W	23.06'
C5	75.00'	16°43'52"	21.90'	N 22°44'39" W	21.82'
C6	100.00'	39°07'41"	66.29'	N 00°11'08" E	66.97'
C7	16.00'	68°49'00"	18.82'	S 08°30'27" E	17.59'
C8	40.00'	57°02'28"	39.86'	N 13°24'35" W	36.20'
C9	40.00'	57°02'28"	39.86'	N 41°28'04" E	39.86'
C10	28.00'	90°00'00"	43.68'	N 43°31'43" W	39.60'
C11	16.00'	90°00'00"	25.13'	N 48°28'17" E	22.83'
C12	16.00'	90°00'00"	25.13'	S 48°28'17" W	22.83'
C13	25.00'	74°09'00"	32.35'	N 51°21'13" W	30.14'
C14	50.00'	100°51'01"	92.37'	N 38°32'47" E	76.76'
C15	50.00'	23°07'28"	20.18'	S 78°37'58" E	20.04'
C16	104.00'	14°43'43"	26.74'	N 70°31'48" W	26.66'
C17	16.00'	78°01'34"	22.07'	S 38°22'53" E	20.36'
C18	40.00'	80°47'28"	56.40'	S 71°30'54" E	51.84'
C19	16.00'	68°49'00"	18.82'	N 64°27'38" W	17.59'
C20	100.00'	81°16'18"	18.18'	N 88°50'08" E	18.18'

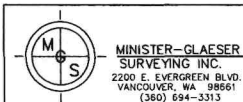
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C21	104.00'	16°31'24"	28.99'	S 72°39'56" E	29.89'
C22	16.00'	84°02'41"	23.47'	N 35°54'18" W	21.42'
C23	104.00'	21°41'07"	4.06'	S 64°17'00" E	4.06'
C24	50.00'	35°43'31"	22.43'	N 76°01'01" W	22.24'
C25	104.00'	22°30'11"	41.12'	S 09°51'08" E	40.80'
C26	50.00'	21°41'07"	1.95'	S 64°17'00" E	1.95'
C27	77.00'	25°42'11"	34.54'	N 76°01'01" W	34.20'
C28	75.00'	37°59'48"	48.74'	N 72°28'23" E	48.83'
C29	75.00'	87°51'12"	86.82'	N 19°32'53" E	83.72'
C30	50.00'	74°09'00"	64.71'	N 51°21'13" W	60.29'
C31	77.00'	21°41'07"	3.01'	S 76°17'00" E	3.01'
C32	77.00'	23°07'28"	31.06'	S 78°37'58" E	30.87'
C33	40.00'	20°29'20"	14.30'	S 41°21'50" E	14.23'

LINE	BEARING	DISTANCE
L1	S 88°31'43" E	7.20'
L2	S 24°35'46" W	54.00'
L3	S 01°28'17" W	50.00'
L4	N 88°31'43" E	5.06'
L5	N 88°32'04" E	27.18'
L6	N 36°31'31" W	32.00'
L7	N 88°31'43" E	56.70'
L8	S 88°31'43" E	29.20'
L9	N 01°28'17" E	43.50'
L10	S 88°31'43" E	71.44'
L11	S 88°31'43" E	28.44'
L12	S 01°28'17" W	106.48'
L13	S 41°25'00" W	31.70'
L14	S 41°25'00" W	23.00'

CALCULATED EAST LINE OF
MINISTER SURVEY 25-131 AND
DEED AUDITORS FILE NO. 5258686

MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES AS TO MATTERS OF
UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUESCENCE, ESTOPPEL, ETC.

A FIELD TRAVERSE WAS PERFORMED USING A FIVE SECOND TOTAL STATION. THE
FIELD TRAVERSE MET THE MINIMUM STANDARDS FOR SURVEYS AS DESIGNATED IN
WAC 332-130-090. ALL CORNERS NOTED AS FOUND WERE VISITED ON S-18-20



JOB NO. 20-173
DATE: 07-06-21
CALC BY: DAD
DRAWN BY: ASD
CHECKED BY: DAD
FILE: 20173.DWG

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