



Community Development Department

Building | Planning | Code Enforcement
 P.O. Box 9, 230 Davidson Avenue
 (360) 225-7299, www.ci.woodland.wa.us

Supplemental Staff Report
Lewis River Apartments
Site Plan Review, Shoreline Substantial Development Permit

Land Use Application Nos.:	CAP-23-001 BLA-23-001 (Boundary Line Adjustment) SPR-23-003 (Site Plan Review Type II) SEP-23-005 (SEPA) SSD-23-001 (Shoreline Substantial Development Permit)
Applicant & Property Owner:	Triangle Holdings LLC C/O Luke Sasse 9321 NE 72nd Ave C7 Vancouver, WA 98665
Site Location:	Lewis River Road, Southern frontage between Insel and Gun Club
Parcel No. & Size:	50650, 506520100, 5065201, 506520300, 506520400, 506520500, (and 506520200 which is City Property), 25 Acres
Zoning Designation:	HDR, High-Density Residential
Date Application Received:	January 18 th , 2023
Notice of Complete Application Issued:	March 1st, 2023
Notice of Application & Likely DNS issued:	March 6th, 2023
Comment Period & SEPA Appeal Period Ended:	March 22nd, 2023 in written form, April 11 th , 2023 for the testimony at the Hearing.
Staff Report Issued:	Original: April 4th, 2023 Supplemental: April 10th, 2023
DRC Recommendation:	Approve with Conditions
Hearing Date:	April 11 th , 2023, 9:00 AM https://zoom.us/j/99891428062?pwd=Y2EzNUlzTHM1YlB0dWI4TisvSIRGZz09

I. DESCRIPTION OF REQUEST

This supplemental staff report is in regards to the applicant's request to consider a plat alteration to the Short Plat of Lewis River Tracts recorded at Book 8, Page 53 on November 23, 1994. The plat alteration seeks to delete the 30 foot road and utility easement on the west boundary of the plat and the 60 foot road and utility easement on the south side of the plat and replace these with a new (to be determined) easement to provide access to the City park property.

II. FINDINGS OF FACT

Finding 1: The applicant has requested a plat alteration to the Short Plat of Lewis River Tracts recorded at Book 8, Page 53 on November 23, 1994. The plat alteration seeks to delete the 30 foot road and utility easement on the west boundary of the plat and the 60 foot road and utility easement on the south side of the plat and replace these with a new (to be determined) easement to provide access to the City park property.

Finding 2: Plat alterations are governed by RCW 58.17.215-218. RCW 58.17.215 requires the application to contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered. In this case, the lots are owned by applicant, so this requirement is met. The only criterion for a plat alteration is whether it is in the public interest. In this case, it is in the public interest to replace the 1994 plat easements with a new easement in a suitable location and form to provide alternate access to the City park.

Finding 3: RCW 58.17.218 states that the alteration of a subdivision is subject to RCW 64.04.175. RCW 64.04.175 states:

"Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat or other document creating the dedicated easement provides for an alternative method or methods to extinguish or alter the easement."

In this case, the only owners of rights under the easements the applicant seeks to extinguish are the applicant and the City. The applicant approves the extinguishment of the plat easements and subject to the following condition of approval, the City approves the extinguishment of the plat easements.

Finding 4: Public and utility access must be maintained to parcel 506520200. Should the applicant's proposed development make the existing access and utility easement

untenable, an alternate easement must be required that is acceptable to all parties. A condition of approval has been added requiring the applicant to record a new access and utility easement in a form and location agreed upon by both parties. *See Condition # 38.*

Conclusion: As proposed, the plat alteration to modify the existing 30-foot road and utility easement can meet the City's standards.

III. DECISION

Per WMC 19.08.030, staff recommends that above application for the plat alteration Permit be APPROVED WITH CONDITIONS by the City of Woodland's Hearing Examiner based on the criteria and standards outlined in Woodland Municipal Code (WMC). See Section IX for conditions of approval.

IV. CONDITIONS OF APPROVAL

39. Prior to recording the Declaration altering the Short Plat of Lewis River Tracts recorded at Book 8, Page 53 on November 23, 1994 to delete the 30 foot road and utility easement on the west boundary of the plat and the 60 foot road and utility easement on the south side of the plat, the applicant shall record a new easement in a form and location that is mutually agreed on by the applicant and the City that provides suitable alternative access to the City park land

V. APPEAL PROCEDURE

As per WMC 17.81.150 and 19.08.030, In cases where the examiner's jurisdictional authority is to render a decision, the decision of the examiner shall be final and conclusive unless appealed by a party of record. Final decisions may be appealed only if, within twenty-one calendar days after written notice of the decision is sent, a written appeal is filed in the superior court with jurisdiction, either Clark County or Cowlitz County, pursuant to Chapter 36.70C RCW or applicable state law.

Staff Contact: David Lukaczer, Associate Planner
City of Woodland
P.O. Box 9
230 Davidson Ave
Woodland, WA 98661
lukaczerd@ci.woodland.wa.us

Or

Travis Goddard, Community Development Director

City of Woodland
P.O. Box 9
230 Davidson Ave
Woodland, WA 98661
goddardt@ci.woodland.wa.us

Date: 4/10/2023

Signature:



Travis Goddard, Community Development Director

cc:

Applicant
Property Owner
Ryan Walters, P.E., Gibbs & Olson
Parties of Record
Department Heads
Building Official
Fire Marshal

Planning Commission
City Council
Mayor
File
Counter Copy
Website

ATTACHMENTS