

**NOTICE OF DECISION**  
**CITY OF CASCADE LOCKS PLANNING COMMISSION**  
**PLANNED DEVELOPMENT 06-02**

The City of Cascade Locks Planning Commission held a public hearing on February 9, 2006 to consider the application. The Commission's decision is based on the facts, findings and conclusions noted below.

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GENERAL INFORMATION

Application

To receive Preliminary Plan approval for Harmony Heaven as a Planned Development

Location

Bordered on the north I-84 and to the east of the small neighborhood along Saide Avenue

Comprehensive Plan Designation

Residential (R)

Zoning Designation

Low Density Residential (LDR) – 167,706 square feet or 3.85 acres  
Medium Density Residential (MDR) – 46,500 square feet or 1.07 acres

Owner

Heights Villa Apt. Corporation  
PO Box 2875  
Vancouver WA 98668

Applicant

Mimi Morissette  
Better World Acquisitions LLC  
1801 NE 82nd Street  
Vancouver WA 98665

## FINDINGS AND CONCLUSIONS

The applicable criteria for the review of this application are found in the Community Development Code Subdivision, Low Density Residential zone, Medium Density Residential Zone, Planned Development Overlay Zone, and Geologic Hazard Overlay Zone standards.

### Community Development Code Chapter 8-6.180.040 – Subdivision Approval Standards

1. *The proposed preliminary plat complies with provisions of this title and other applicable ordinances and regulations.*

The proposed subdivision complies with the Community Development Code and most other standards as is discussed earlier in this staff report and as modified by the conditions of approval.

(NOTE – Finding 1 is based on the Council approving a 100' street radius and the City Engineer approving the site grading and construction plans.)

2. *The proposed plat satisfies the provisions of ORS Chapter 92, Subdivisions and Partitions.*

The plat meets the standards by demonstrating accurate surveying and monumenting, by meeting design standards, and by being processed in accordance with State law.

3. *The proposed roads and streets are designed in accordance with the City's street standards.*

As modified in the conditions of approval, all streets and sidewalks conform to the standards identified in the Transportation System Plan as modified in accordance with the purpose of the Planned Development chapter of the Community Development Code; with the exception of the street radius standards that can only be waived by the City Council.

4. *The roads and streets are laid out so as to conform to the plats of subdivision and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the City determines it is in the public interest to modify the street or road pattern.*

The proposed development is designed to conform to the adjacent subdivision to the west.

5. *Oversized lots or remnant parcels shall be of such size and shape as to facilitate future redivision in accordance with the requirements of the zoning district and this title.*

There are no oversized or remnant parcels.

6. *The subdivision design will allow for efficient development of adjoining properties.*

The design stubs street and utility improvements into the property to the east allowing for its future development. Land to the south is separated from the subject property by a creek. That property will have to take its access from farther to the west.

7. *All subdivision proposals shall have appropriate public utilities and facilities such as sewer, gas, electrical, water, and storm water systems*

All public utility systems are required to be included within this project. Plans will be reviewed and approved by the City.

8. *An explanation has been provided for all improvements owned in common by either owners of the property within the subdivision or for the public.*

A Homeowners Association will be established in accordance with Oregon law. This Association will be responsible for the permanent ownership, management, and maintenance of all common property. All streets and utilities will be public improvements.

Community Development Code Chapter 8-6.56.040 – Low Density Residential Zone Dimensional Requirements

- A.1. *Lot area with public sanitary sewer system. A minimum of 6,500 for individual lots and an average minimum lot size of 7,500 square feet when two or more lots are created*

This standard is not applicable within a planned development.

- B. *A minimum average lot width of 50 feet.*

This standard is not applicable within a planned development.

- C. *A minimum average lot depth of 80 feet.*

This standard is not applicable within a planned development.

- D. *A minimum lot width at the street of 40 feet and 20 feet on a cul-de-sac or for a flag lot.*

This standard is not applicable within a planned development.

Community Development Code Chapter 8-6.60.040 – Medium Density Residential Zone Dimensional Requirements

*A.2. Attached single family dwellings. A minimum lot size of 3,500 square feet and an average minimum lot size of 4,000 square feet when two or more lots are created.*

This standard is not applicable within a planned development.

*A.3. Duplex, triplex, and fourplex dwellings. A minimum of 4,000 square feet per unit.*

This standard is not applicable within a planned development.

*B. A minimum average lot width of 40 feet for detached single family units, 30 feet for attached single family units, and 25 feet per unit for duplex, triplex, and fourplex units.*

This standard is not applicable within a planned development.

*C. A minimum average lot depth of 80 feet.*

This standard is not applicable within a planned development.

*D. A minimum lot width at the street of 30 feet and 20 feet on a cul-de-sac or for a flag lot.*

This standard is not applicable within a planned development.

Community Development Code Chapter 8-6.140 – Planned Development Overlay Zone Requirements

*8-6.140.050.A – Minimum Size*

The proposed development is 4.92 acres in size which meets the minimum size for the planned development of one acre.

*8-6.140.050.B – Owners Association*

The planned development will include a home owners association meeting the standards of this code provisions.

*8-6.140.050.C – Dimensional Standards*

All minimum size standards are met relative to the development plan. Individual homes will be required to meet the applicable standards at the time of building permits.

*8-6.140.050.D – Uses Allowed*

Residential uses are posed thereby complying with the use standards for a planned development in a residential zone.

*8-6.140.050.E – Open Space*

By using the formula of the Code, .98 acres are required. The development includes 1.23 acres of open space.

*8-6.140.060.A – Maximum Density*

The maximum density allowed is 24 housing units. Six additional dwelling ~~units~~<sup>units</sup> are justified as a density bonus as described in the staff report. 30 total dwelling units are allowed and are proposed.

*8-6.140.070 – Density Bonus*

A density bonus of 25% is justified as the applicant has satisfied several of the applicable standards for justifying a bonus.

*8-6.140.080 – Phased Development*

The proposed development will be built in one phase.

Community Development Code Chapter 8-6.124 – Geologic Hazard Overlay Zone Requirements

*A. 1. The development of permitted uses and improvements will not substantially increase the specific hazard potential*

The applicant's geologist's report concludes that the proposed and improvements will not substantially increase the specific hazard potential.

*A. 2. Any subsurface sewage disposal system or individual well for the proposed site will not become a health hazard as a result of geologic conditions.*

No wells or subsurface sewage disposal systems are proposed as the entire site will be on city utilities.

DECISION

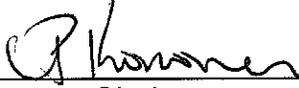
Based upon the above facts, findings, and conclusions, Planning Commission APPROVES the proposed Harmony Heaven Planned Development along with a Geologic Hazard permit and a reduced front yard setback of five feet subject to the following conditions:

1. All conditions of approval shall be satisfied prior to recording any and all plats with Hood River County.
2. The final plat shall be approved by the City Administrator as a Type II City Administrator Decision.
3. The final plat shall be in substantial compliance with the approved site plan, narrative submitted with the application, and testimony. Substantial compliance means that all dimensions and the number of lots shall be within the same general dimensions, location, and number as represented in the preliminary plan with changes only as required by conditions of approval, topography, or refinements in the final engineering process.
4. Public improvements including streets and utilities shall be designed and constructed in accordance with all applicable City standards and processes including obtaining applicable Public Works construction permits. All permits must be obtained prior to approval of the final plat and all work both completed and accepted, or appropriate improvements agreements with financial security filed with the City, prior to recording the final plat.
5. The radii for Harmony Heaven Drive's initial curve shall be 200 feet unless the Council approves a reduction.
6. Harmony Heaven Drive shall meet the design standard for a collector street with the exception of having a sidewalk on the east side only.
7. Harmony Heaven Drive shall be renamed Undine Street or the entire Undine Street shall be renamed in accordance with the City's Street Naming Standards. Harmony Place shall be renamed in accordance with the City's Street Naming Standards.
8. Harmony Place shall meet the design standards for a local residential street with a reduced right-of-way of 50 feet.
9. A storm drainage plan for the entire site shall be reviewed and approved by the Public Works Director prior to recording any plat.
10. All recommendations of the applicant's geologic engineer's report shall be followed. The final geotechnical engineering report shall be review and approved by the City's own geotechnical consultant prior to recording the final plat.
11. Prior to obtaining final inspection for any housing unit, two trees per lot will be planted on that lot in the yard adjacent to the street except in the case of a corner lot which will require two trees per street frontage located outside the vision clearance area. These trees will be selected from the City's approved street tree

list if they are to be within five feet of a sidewalk or curb. The trees will be maintained in healthy condition by the property owners. Trees will only be removed in the event of sickness or death of the tree or the creation of an unsafe situation. Such removal must be approved by the City Administrator or designee and must be based on the report of a licensed arborist. If a tree is removed it must be replaced within one year with a new tree with no less than a 1.5" caliper at chest height. Alternatives to these tree planting standards may be approved by the City Administrator as a Type II Administrative action for the purpose of preserving scenic views and siting houses on smaller lots. If the required number of trees for any lot is reduced below the requirement, the displaced trees will be planted and maintained in one of the common open spaces.

12. The property owner and developer will be required to maintain erosion control on the site at all time consistent with City of Cascade Locks and Hood River County standards.
13. Appropriate bonds or other approved financial security shall be provided to the City to secure completion of all public improvements to city standards.
14. A street lighting plan shall be approved by the Public Works Director and provided concurrently with each phase.
15. Fire hydrants will be required throughout the subdivision as directed by the Fire Chief.
16. Utility Easements as proscribed by the Public Works Director shall be included on the final plat adjacent to all right-of-way and along all private drives.
17. The final plat will include recorded covenants and restrictions establishing a Homeowners Association responsible for permanent ownership, management, and maintenance of all commonly held facilities or lands. The bylaws for the Homeowners Association will be reviewed and approved by the City prior to recording of the plat.
18. The applicant will provide all required signs including street signs, stop signs, and no-parking signs with the design and materials to be approved by the Public Works Director. The signs shall include appropriate signage for the one-way street system and the area with parking on one side only.
19. The final subdivision plat for the first phase shall be submitted within one year of this decision for approval by the City Administrator. An extension of time for filing of the final map may be granted by the Planning Commission, provided written application is made by the subdivider within one year after action on the tentative map.
20. The varied setback applies to lots 1-22 and can be used where required.

Signed this date: February 22, 2006



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Lynne Kononen, Chair  
City of Cascade Locks Planning Commission