

## *Planning Department*

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**To:** All Participants in the Cimarron Terrace PUD Hearings Process  
**From:** Clinton Spencer, City Planner  
**Subject:** Notice of Planning Commission Decision  
**Date:** May 18, 2010

This is the city's official notification to you that on May 12, 2010, the Hermiston Planning Commission approved a request for the Cimarron Terrace planned unit development proposal. Granting of the conditional use request was based upon testimony presented to the planning commission and findings of fact and subject to the following conditions:

- 1) Applicant shall dedicate to the city the 7.09 acre wetland area to the city for park purposes. As requested by the Parks and Recreation Department, the applicant shall install the following improvements on the park site prior to city acceptance of the park:
  - a. Utility stubs (water, sewer, and electricity) to the property.
  - b. A natural surface trail loop (department will work with developer to establish route).
  - c. Entrance paving and four paved parking spaces.
  - d. Simple kiosk (department will provide plans).
- 2) Applicant shall work with and receive certification from the Hermiston Irrigation District. The applicant should be aware that the City of Hermiston will not sign the final plat until the Hermiston Irrigation District has been satisfied and signs the final plat.
- 3) Applicant must sign a developer's agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for each phase of the Cimarron Terrace development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
- 4) Streetlights shall also be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
- 5) Per Section 157.164(E) of the Hermiston Code of Ordinances, where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of the facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development.

- 6) Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
- 7) The applicant will be required to completely pave E Theater Lane with two travel lanes of paving from the western boundary of the development to NE 10<sup>th</sup> Street when Phase IV as shown on the preliminary map is completed. Curbing, drainage and sidewalks will be required for the development frontage of Theater Lane only and will not be required off-site or on the north side of Theater Lane.
- 8) Each of the lots in the Alora Heights pressure zone shall be required to pay \$309.50 at the time of connection to water and sewer services. This money shall be used to fund future improvements to the Alora Heights booster station which operates near capacity.
- 9) A portion of the development site is too low to adequately gravity flow to the sewer service in E Oregon Avenue. Therefore, the developer will be required to either construct a second sewer line to service this portion of the development or construct a sewer pump station for service.
- 10) Sidewalks shall be installed along all new and existing street frontages within the development and along the southern boundary of E Theater Lane adjacent to the development.
- 11) The developer will install all necessary facilities to prevent the collection of surface water in any low spot and to adequately maintain all stormwater on-site.
- 12) The developer shall be responsible for obtaining access for NE 9<sup>th</sup> Street onto E Elm Avenue from the Oregon Department of Transportation. This shall include all required access permits from the State of Oregon as well as all necessary right-of-way acquisition from affected property owners.
- 13) The off-site portion of NE 9<sup>th</sup> Street between the development and E Elm Avenue shall be improved with paving only. Curbs and sidewalks are not necessary for the off-site portion.
- 14) All utilities shall be extended to the eastern property boundary to be available for future extensions in accordance with §157.164(E) of the Hermiston Code of Ordinances.
- 15) The developer shall dedicate 5 feet of right-of-way to E Theater Lane, bringing the south half of the right-of-way to 25 feet from centerline.
- 16) At such time that 80 dwellings are constructed outside the Alora pressure zone, the developer will be responsible for constructing a second water connection to provide redundancy to the development.
- 17) The developer shall erect a break-away barrier at E. Oregon Avenue during Phase 1 until such time when access to E. Elm Avenue is available.

§157.231 of the Hermiston Code of Ordinances allows an action of the planning commission to be appealed to the city council within 12 days after the date the decision is mailed. As a

participant in the hearings process, you have the right to appeal the planning commission's decision to the city council. The deadline for filing an appeal is June 1, 2010. A copy of the city's appeal application is attached for your reference.

If you have any questions, please feel free to contact me at (541)567-5521.