

From: [Tammy Wisco](#)
To: [Brent Bybee](#)
Cc: [Wade W Watson](#); [Jennifer VanCamp](#)
Subject: 01-SUB24: Response to Staff Report & Public Comments
Date: Monday, August 19, 2024 4:06:18 PM
Attachments: [2024.08.19 01-SUB24 Response to Staff Report & Public Comments.pdf](#)
[2024.03.29 Habitat correspondence with CCOA.pdf](#)

Hi Brent,

Please find attached Habitat's response to the staff report request for information about tree removal, as well as response some of the public comments. I've also attached a copy of the correspondence between Habitat and the CCOA regarding joining the CCOA and use of the park, for the record.

Thanks. Please let me know if you have any other questions.

Tammy Wisco, PE, AICP, MPA
Retia Consult

TO: City of La Pine Planning Department, Brent Bybee
FROM: Tammy Wisco, Retia Consult
DATE: August 19, 2024
RE: 01-SUB24, Response to Staff Report

In preparation for the continued hearing on August 21, the applicant (Sunriver La Pine Habitat for Humanity) provides the following responses to staff questions and public comments.

Tree Preservation

The staff report requests clarification from the applicant regarding tree preservation. While the La Pine Development Code currently does not include a tree preservation requirement, the applicant intends to preserve trees wherever feasible, in addition to planting a significant number of new trees throughout the subdivision. Trees will be preserved in the open space/buffer area along Findley Drive and within the wide Crescent Creek right-of-way. Street trees will be planted within the swales along all the new streets (Masten Mill, Barron Drive, Arnold Ave) and when at least one tree cannot be preserved in backyards, a new shade tree will be planted. For the initial phase of construction, the applicant proposes to remove only the trees required to be removed for the construction of the right of way and infrastructure. Tree removal on individual lots will be reviewed by the applicant at the time of building permit application and efforts will be made to preserve trees where possible.

Park

Some of the public comments reference the existing park and its relationship to the proposed subdivision. During the design process, the applicant corresponded with the Crescent Creek Owners Association (CCOA) to inquire whether the proposed subdivision could join the CCOA, and thereby, contribute to the maintenance of the park. The CCOA Director responded that no additional properties will be annexed into the CCOA and that the public is permitted to use the park as there is a public access easement in place. This correspondence is attached for the record.

It is also important to clarify that the proposed subdivision itself does not have an open space/park requirement. Rather, the open space/park requirement is for the quadrant, the area bounded by Findley Drive on the south, Half Moon Drive on the north, Huntington Rd on the west, and Hwy 97 on the east. The existing park in the northwest corner of the Crescent Creek/Findley intersection was designated as the park for Quadrant 2 during the original planning efforts by the County, which was then adopted by the City. Below for reference is Figure 9 of Deschutes County's Newberry Neighborhood planning documents (previously DCC 23.36.052), showing the park designation for the entire quadrant (annotations added).

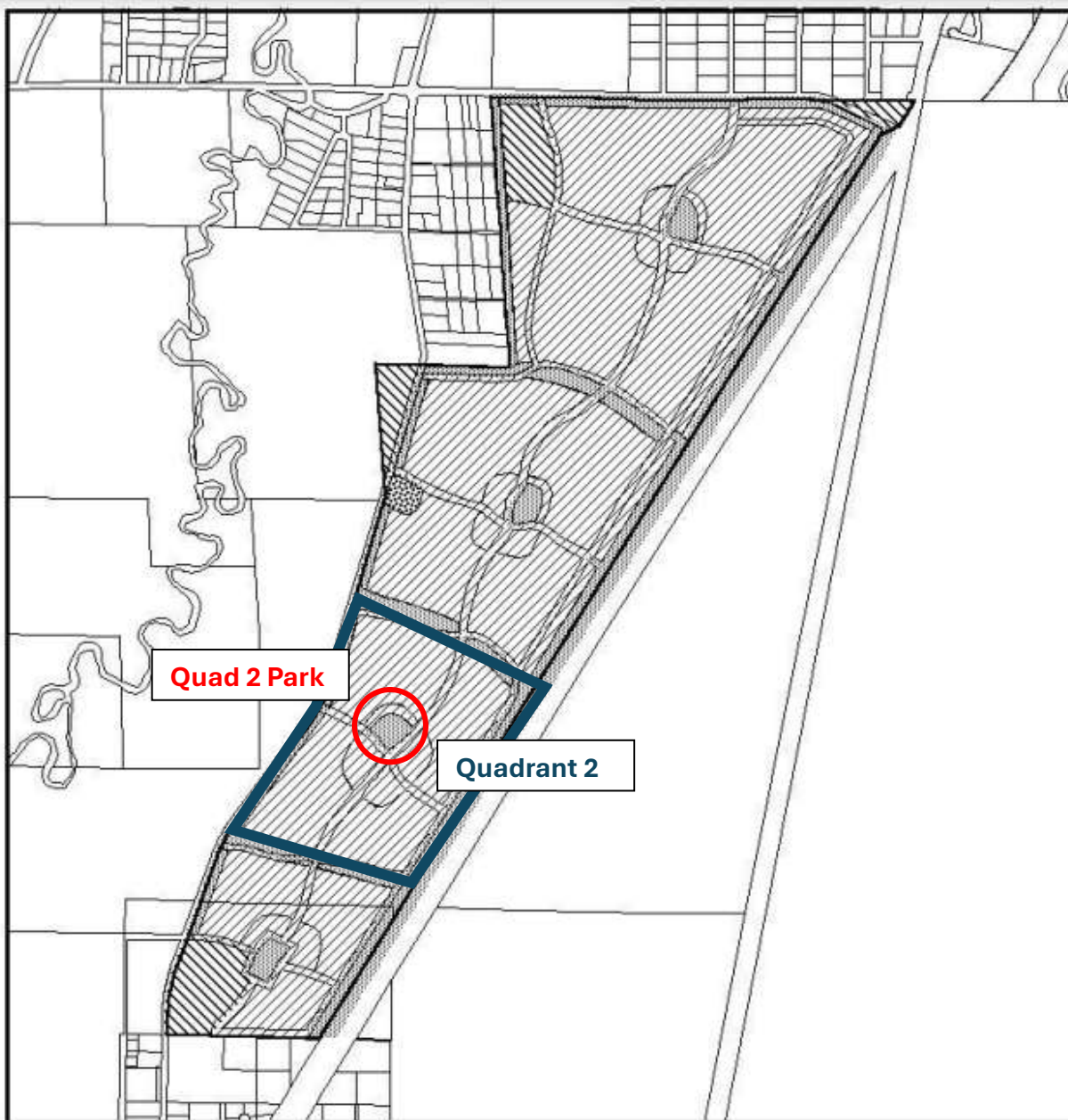


Figure 9
Neighborhood Planning Area
Comprehensive Plan Designations

SYMBOLS

- Collector Road Rights-of-way
- Neighborhood Planning Area Boundary
- Taxlots

COMPREHENSIVE PLAN DESIGNATIONS

- COMMERCIAL
- COMMUNITY FACILITY
- RESIDENTIAL
- PARK/OPEN SPACE

N
 August 23, 2001

100 0 200 Miles
 1320 660 1320 Feet



DESIGNER:
 The boundaries on this map were derived from digital data for Deschutes County, OR. Deschutes County is not responsible for the accuracy of the data. Deschutes County does not warrant the accuracy, reliability, or completeness of the information on this map. The user assumes all liability for any use of the information on this map. The user agrees to hold Deschutes County harmless for any use of the information on this map. The user agrees to hold Deschutes County harmless for any use of the information on this map.

VELOCITY TRANSPORTATION/RICHBW PROJECTS

RETIA CONSULT, LLC
 c. 210 896 3432
 P.O. Box 831, Bend, OR 97709

CC&Rs

The proposed subdivision will include detailed CC&Rs to manage the common space as well as memorialize rules for individual properties within the subdivision. Below is a list to highlight the many restrictions included in the CC&Rs.

- 4.1.d — restricts number of unrelated occupants and business activity
- 4.2 — HOA Board approval required for reconstruction and additions
- 4.3 & 4.4 — joint maintenance responsibilities and restrictions for adjacent townhouses
- 4.5 — exterior color restrictions
- 4.6 — fencing restrictions
- 4.8 — animals/pets restrictions
- 4.9 — maintenance requirements for building exteriors and lot
- 4.10 — no abandoned vehicles allowed and no parking of trailers, RV's or boats for >48 hours
- 4.17 — firearms and fireworks restrictions
- 4.19 — satellite dish restrictions
- 4.20 — no signage on exterior or in windows
- 4.24 — fines assessable for violation

Parking

In response to the public comment regarding street parking, the Park View subdivision proposed streets are all public local streets, as required by code, and are designed to meet the City's required street cross-section, which does include on street parking:



From: Daphne Brix daphneb@crystallakecm.com
Subject: RE: Crescent Creek Owners Association
Date: March 29, 2024 at 7:45 AM
To: WADE WATSON wadewatson@aol.com



That is correct, no more property will be annexed into the CCOA.

Daphne Brix

Director of Operations

O: 541-318-2636

A: 400 SW Bluff Drive Suite 103, Bend, Oregon 97702

From: WADE WATSON <wadewatson@aol.com>
Sent: Thursday, March 28, 2024 8:30 PM
To: Daphne Brix <daphneb@crystallakecm.com>
Subject: Re: Crescent Creek Owners Association

Thank you Daphne. For clarity, am I correct in saying that CCOA does not desire to annex any additional properties into the association?

Sent from Wade's iPhone

On Mar 28, 2024, at 2:46 PM, Daphne Brix <daphneb@crystallakecm.com> wrote:

Wade,

There is no issue with them using the park, it has a public access easement. Hope that helps.

Daphne Brix

Director of Operations

O: [541-318-2636](tel:541-318-2636)

A: 400 SW Bluff Drive Suite 103, Bend, Oregon 97702

From: WADE WATSON <wadewatson@aol.com>
Sent: Monday, March 18, 2024 3:44 PM
To: Daphne Brix <daphneb@crystallakecm.com>
Subject: Re: Crescent Creek Owners Association

Daphne—

I am surprised by your response. Perhaps there is a misunderstanding regarding what property we are discussing. The attached partition

documents demonstrate that the Parcel 2 property being purchased by Habitat is contiguous to and wraps around the park. Obviously, our homeowners will use the park, because there is no practical way to preclude it, and it seems that CCOA would want them to contribute to its maintenance. Additionally, I read the CC&R's and annexation is permitted by Section 2.2.

We coordinated closely with Jerry Jones and others at Pahlisch and were included in their January 2022 proposal for development of the entire 25-acre parcel 2a. Unfortunately, for Pahlisch and Habitat, the County selected DR Horton and then DR Horton terminated the Purchase and Sale Agreement.

Please share these specifics with the appropriate authority or provide me with contact information for whoever I should contact to discuss directly.

Thank you—
Wade Watson

On Mar 18, 2024, at 12:00 PM, Daphne Brix
<daphneb@crystallakecm.com> wrote:

Wade,
Yes, we do manage the Crescent Creek HOA, thank you for reaching out with your request.
I checked on your request to annex in additional property to Crescent Creek HOA and the response was that for many reasons, properties are not annexed into the HOA.
Best Regards,

Daphne Brix

Director of Operations

O: [541-318-2636](tel:541-318-2636)

A: 400 SW Bluff Drive Suite 103, Bend, Oregon 97702

-----Original Message-----

From: WADE WATSON <wadewatson@aol.com>

Sent: Saturday, March 16, 2024 5:48 PM

To: Daphne Brix <daphneb@crystallakecm.com>

Subject: Crescent Creek Owners Association

CAUTION: Outside email, potential spam

Daphne—

La Pine—

Your community management organization is listed on the Secretary of State's web site as the registered agent for the Crescent Creek Owners Association (CCOA). I think this is the HOA involved with Quadrants 2b and 2c of the Newberry Neighborhood in La Pine which were developed by Pahlisch Homes. Quadrants 2a and 2d are still raw land owned by Deschutes County.

Habitat for Humanity of La Pine Sunriver is purchasing 5 acres in Quadrant 2a from the County for the purposes of constructing 34 homes. If CCOA is the correct HOA for this location, we would like to investigate the potential of our homes being integrated into the CCOA.

Please let me know whether CCOA is the correct HOA and who we can contact to investigate the specifics.

BTW, I am a volunteer with Habitat and am handling the entitlement process.

Thanks

Wade Watson

<PP 08PA-23 - 20231226.pdf>