



PLANNING COMMISSION

Hermiston City Hall 180 NE 2nd St

Where Life is Sweet

May 10, 2023 at 7:00 PM

AGENDA

*Other ways of viewing or participating in live meetings are available through:
Zoom with Meeting ID: 839 4193 1958 Passcode: 616958 Telephone number to join is: 1 253
215 8782; or submitting comments to meetings@hermiston.or.us*

1. CALL TO ORDER - 7:00 PM

2. MINUTES

A. Minutes of the April 12, 2023 regular planning commission meeting

3. NEW BUSINESS

A. Replat- HSD Rocky Heights 4N2810 TL 100 4N2810AB TL 2002, 2003, 2100, 2101, 2103, 2104, 2200, 2201, 2203, 2400, & 2500 4N2810AC TL 100 - 650 W Standard Ave

B. Minor Partition- Amazon Data Services Inc 4N2824 Tax Lot 600 – 994 E Penney Ave

4. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION

5. ADJOURN

**** AMERICANS WITH DISABILITIES ACT NOTICE ****

Please contact Hermiston City Hall, 180 NE 2nd St, Hermiston, OR 97838 (Phone No. 541-567-5521) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TTY and TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900 or 711.



PLANNING COMMISSION

Regular Meeting Minutes
April 12, 2023

Chairman Saylor called the regular meeting to order at 7:04PM. Present were Commissioners Doherty, Hamm, Collins, Fialka, Kirkpatrick, and Caplinger. Commissioners Burn and Sargent were excused. Staff in attendance included Planning Director Clint Spencer, City Attorney Richard Tovey, and Heather La Beau.

Minutes

Commissioner Caplinger moved, and Commissioner Hamm seconded to approve the minutes of the March 8, 2023, regular meeting. Motion passed unanimously. Commissioner Fialka abstained.

Replat- 4N2810 TL 100 4N2810AB TL 2002, 2003, 2100, 2101, 2103, 2104, 2200, 2201, 2203, 2400, 2500 4N2810AC TL 100- 650 W Standard Ave

Planning Director Spencer presented the staff report with the attached maps. The replat moves boundary lines to cede the encroached areas to the residential properties that have placed fences and other structures on the school district's property. Staff recommends waiving the requirements for the lots that are already existing and not meeting the requirements.

There are similar encroachments on the Sandstone Middle School property that have not been remedied.

Testimony

Dr. Tricia Mooney, Superintendent of Hermiston School District- The encroachments came to the attention of the district while preparing for the Rocky Heights Elementary School development. After several meetings, the board of directors, working with legal counsel, determined it was in the best public interest to work with the property owners to replat the properties. A letter was written to the property owners encroaching on the Sandstone Middle School property informing them the fence is not an accurate reflection of the property line and not to build in the encroached area.

Acknowledging it's their property to do as they wish, Commissioner Doherty stated his displeasure in the school district giving up their property due to other's encroachments and paying for the process. It was also questioned if the district should give up the 3rd Street access.

Dr. Mooney responded that addressing each landowner individually would be more expensive and the land was not needed for the development. Some of the properties are tenant occupied and the tenants were not aware of the encroachments. The taxable lots are increasing in size of an area that was being used and not being taxed. The school district has submitted the necessary paperwork to the Bureau of Reclamation to abandon the ditch easement.

Jose Aparicio, Wenaha Group- Mr. Aparicio stated the abandonment of the ditch easement is being processed by the Bureau of Reclamation and Hermiston Irrigation District has acknowledged they are willing to vacate the easement. A fence is already installed on the proposed property line. Once the replat is complete, the surveyor will set new property corners for all the lots.



PLANNING COMMISSION

Regular Meeting Minutes
April 12, 2023

Commissioner Fialka moved, and Commissioner Hamm seconded to make the project file a part of the record. Motion passed. Commissioner Hamm moved, and Commissioner Collins seconded to approve the findings of fact. Motion passed. Commissioner Caplinger moved, and Commissioner Collins seconded to approve the preliminary plat with the conditions and direct the applicant to proceed to the final plat. Motion passed.

Façade Grant- Human Bean Coffee 4N2811CB Tax Lot 11800- 205 S Hwy 395

Planning Director Spencer presented the staff report for a faced grant application for the drive-up coffee shop on the corner of E Hurlburt Avenue and Hwy 395. This is the first application submitted with the revised scoring criteria. Photos of the site were shown and are attached. A walk-up window is oriented to E Hurlburt Ave.

Commissioners discussed traffic flow, stacking area, parking spaces, outdoor seating, and the walk-up window.

Testimony

Britney Beamer- Ms. Beamer is the franchise owner. She is excited to do something positive with the previously vacant site. Besides coffee, the shop will offer teas, smoothies, breakfast and lunch sandwiches as well as bakery items.

Cindy Granger- Ms. Granger stated the structure is a prefabricated building, built in Medford. The building cost of \$239,000 is inclusive. An itemized price list was not provided for specific items of the building, including exterior pieces. The tentative opening date is July 10 of this year.

Commissioners completed the scoresheets (attached) with a recommended match of 50%, up to \$20,000.

Planner Comments and Unscheduled Communication

Planning Director Spencer stated the pre-application process for the grant to update the TSP has been completed. Every city in Umatilla and Morrow counties have applied and it is estimated one grant will be awarded.

Amazon has broken ground on their first data center in Hermiston. Discussion followed regarding water use and discharge for the facility.

Commissioners discussed the UGB expansion project, Gettman Road development, the Hermiston Projects website, the sloping land of View Wood subdivision, and how electrical vehicle charging stations may impact parking standards.

Adjournment

Chairman Saylor adjourned the meeting at 8:30PM.



Hermiston Planning Commission

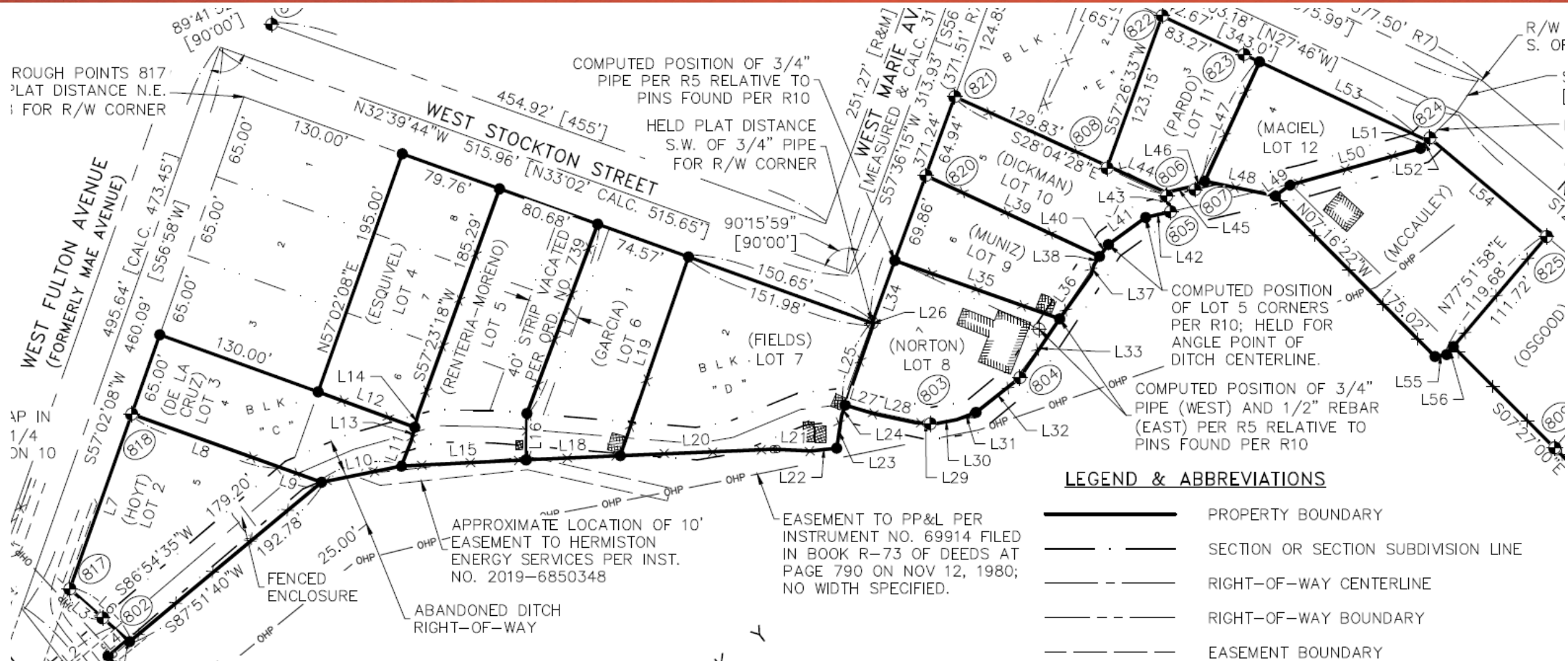
April 12, 2023



Rocky Heights Replat



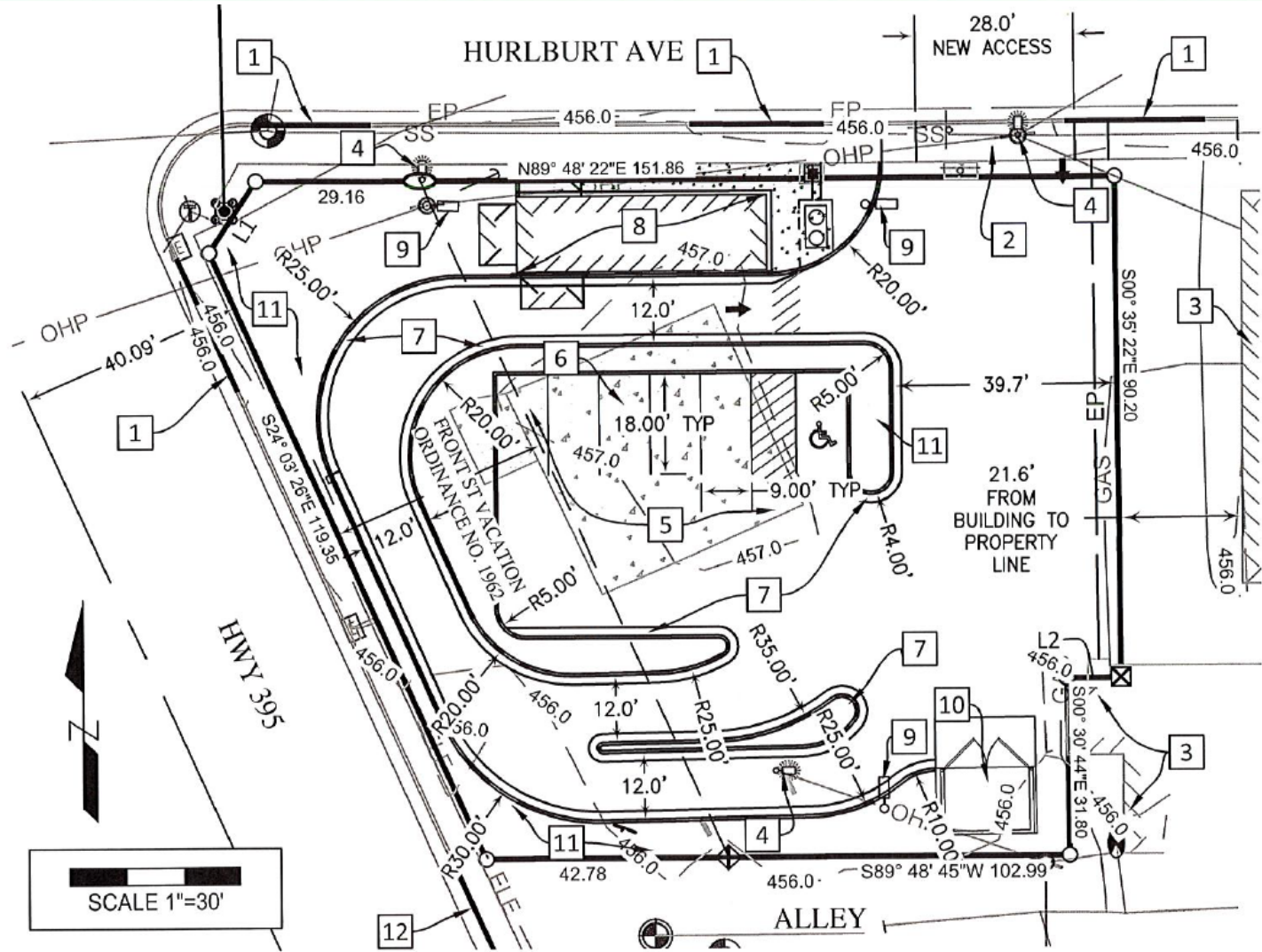
Rocky Heights Replat



Human Bean Façade Grant



Human Bean Façade Grant



Human Bean Façade Grant



Human Bean Façade Grant



© 2023 Google



Human Bean Façade Grant



Façade Grant Application Review

Applicant Meant 2B Enterprises LLC
Review Date 04-12-2023

Scoring 0 pts to 10 pts

0 points = Does not meet the criteria
5 points = Meets most of the criteria
10 points = Fully meets the criteria

Criteria	Score
Are the proposed improvements designed to contribute to the long-term health of the site and district? For example, landscape improvements are not as durable as masonry.	10
Does the proposal add new aesthetic elements beyond the existing site conditions?	10
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	10
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	8
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	10
Total	48

The maximum score possible for a grant is 50 points. An application meeting all of the review criteria would be eligible for a full 50% match. An application meeting a portion of the criteria would be eligible for a lesser match percentage. Grants are considered for up to 50% of the project budget up to a maximum award of \$20,000. For example, a \$50,000 project would be eligible for a maximum of \$20,000 match. A \$15,000 project would be eligible for a maximum of \$7,500 match.

Based on the scoring by the committee, grants are awarded using the following percentages:

- 41-50 points: 50% match ~~40~~
- 31-40 points: 40% match
- 21-30 points: 30% match
- 11-20 points: 20% match
- 1-10 points: 10% match

Façade Grant Application Review

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Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	10
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	10
Total	50

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Facade Grant Application Review

Applicant Meant 2B Enterprises LLC

Review Date 04-12-2023

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Criteria	Score
Are the proposed improvements designed to contribute to the long-term health of the site and district? For example, landscape improvements are not as durable as masonry.	10
Does the proposal add new aesthetic elements beyond the existing site conditions?	10
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	10
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	10
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	10
Total	50

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Façade Grant Application Review

Applicant Meant 2B Enterprises LLC

Review Date 04-12-2023

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10 points = Fully meets the criteria

Criteria	Score
Are the proposed improvements designed to contribute to the long-term health of the site and district? For example, landscape improvements are not as durable as masonry.	3
Does the proposal add new aesthetic elements beyond the existing site conditions?	10
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	5
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	5
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	5
Total	28

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Façade Grant Application Review

Applicant Meant 2B Enterprises LLC
Review Date 04-12-2023

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Criteria	Score
Are the proposed improvements designed to contribute to the long-term health of the site and district? For example, landscape improvements are not as durable as masonry.	6
Does the proposal add new aesthetic elements beyond the existing site conditions?	6
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	6
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	6
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	6
Total	30

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Commissioner Fialka

Façade Grant Application Review

Applicant Meant 2B Enterprises LLC

Review Date 04-12-2023

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Does the proposal add new aesthetic elements beyond the existing site conditions?	10
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	10
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	9
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	9
Total	48

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Criteria	Score
Are the proposed improvements designed to contribute to the long-term health of the site and district? For example, landscape improvements are not as durable as masonry.	8
Does the proposal add new aesthetic elements beyond the existing site conditions?	10
Will the proposed improvements enhance the economic well-being of the downtown as well as the site?	8
Are the proposed elements scaled properly for the site and of compatible color and materials for properties within 300 feet?	8
Will the proposed improvements enhance the value of the property and provide a good return on investment for the district?	7
Total	41

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Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of May 10, 2023

Title/Subject

Replat- HSD Rocky Heights 4N2810 TL 100 4N2810AB TL 2002, 2003, 2100, 2101, 2103, 2104, 2200, 2201, 2203, 2400, & 2500 4N2810AC TL 100 - 650 W Standard Ave

Summary and Background

PBS Engineering has submitted a final plat for the Hermiston School District’s replat of the Rocky Heights Elementary School property and twelve adjacent residential lots. The replat addresses encroachment issues that were mapped as part of the Rocky Heights rebuild.

The Rocky Heights site and one adjacent residential lot are zoned Medium Density Residential (R-2). Eleven of the adjacent parcels are zoned Multi-Structure Residential (R-4).

The planning commission’s approval of the preliminary plat was subject to three conditions of approval. Condition #3 required submission of a final plat. The final plat review is the subject of this session and is satisfied.

The criteria that are applicable to the decision to accept the final plat are contained in 154.56 of the Hermiston Code of Ordinances.

The final plat findings and conditions of approval are attached to this report as Exhibits A & B. A map showing the adjustment area is attached as Exhibit C. The final plat as prepared by the surveyor is attached as Exhibit D. An aerial photo of the property is attached as Exhibit E.

Tie-In to Council Goals

Approval of plats is a matter of administration of city ordinances.

Fiscal Information

The total assessed value of all lots within the replat is \$869,070. No new lots are being created and the assessed value impact will be negligible.

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the final plat.

Recommended Action/Motion

Staff recommends that the planning commission approve the final plat subject to the conditions of approval.

Motion to approve the final plat with the conditions.

Submitted By:

Clinton Spencer

Exhibit A
Findings of Fact
Rocky Heights Subdivision
650 W Standard Ave
May 10, 2023
Chapter 154: Subdivisions

Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- (A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown as required**
- (B) The lines of all proposed streets and alleys with their width and names. **Shown as required**
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- (D) The line of departure of one street from another. **Shown as required**
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required**
- (F) All lot lines together with an identification system for all lots and blocks. **Shown as required**
- (G) The location of all building lines and easements provided for public use, services or utilities. **Shown as required**
- (H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot. **Shown as required**
- (I) All necessary curve data. **Shown as required**
- (J) The location of all survey monuments and bench marks together with their descriptions. **Shown as required**
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required.**
- (M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable

and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed and none are referenced on the plat**

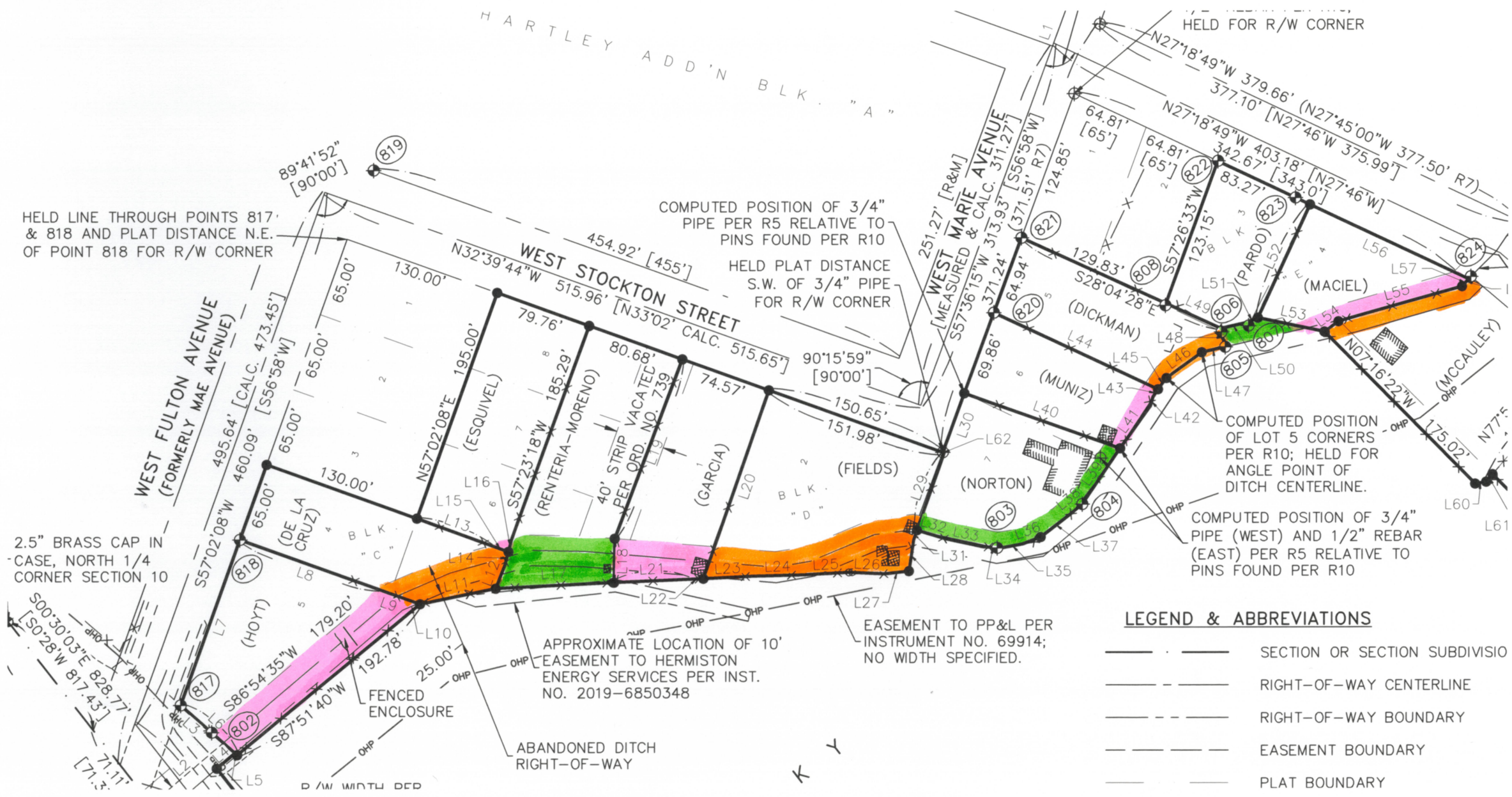
(N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required.**

(O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required.**

Exhibit B
Conditions of Approval
Rocky Heights Subdivision
650 W Standard Ave
May 10, 2023

Subject to the deliberations of the Planning Commission and public testimony received at the public meeting, the following draft conditions of approval are submitted.

1. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.
2. 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.



HELD LINE THROUGH POINTS 817 & 818 AND PLAT DISTANCE N.E. OF POINT 818 FOR R/W CORNER

COMPUTED POSITION OF 3/4" PIPE PER R5 RELATIVE TO PINS FOUND PER R10
HELD PLAT DISTANCE S.W. OF 3/4" PIPE FOR R/W CORNER

HELD FOR R/W CORNER

COMPUTED POSITION OF LOT 5 CORNERS PER R10; HELD FOR ANGLE POINT OF DITCH CENTERLINE.

COMPUTED POSITION OF 3/4" PIPE (WEST) AND 1/2" REBAR (EAST) PER R5 RELATIVE TO PINS FOUND PER R10

2.5" BRASS CAP IN CASE, NORTH 1/4 CORNER SECTION 10

APPROXIMATE LOCATION OF 10' EASEMENT TO HERMISTON ENERGY SERVICES PER INST. NO. 2019-6850348

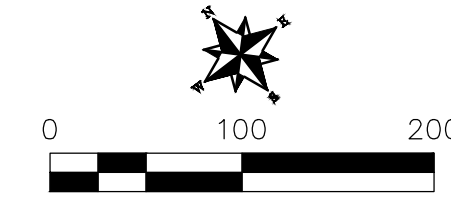
EASEMENT TO PP&L PER INSTRUMENT NO. 69914; NO WIDTH SPECIFIED.

ABANDONED DITCH RIGHT-OF-WAY

LEGEND & ABBREVIATIONS

— · — · —	SECTION OR SECTION SUBDIVISIO
— — — — —	RIGHT-OF-WAY CENTERLINE
— · — · — · —	RIGHT-OF-WAY BOUNDARY
- - - - -	EASEMENT BOUNDARY
— — — — —	PLAT BOUNDARY

ROCKY HEIGHTS SUBDIVISION
N.E. 1/4 SECTION 10, T4N R28E, W.M. HERMISTON, OREGON



BASIS OF BEARINGS
HORIZONTAL DATUM: NAD 83

OREGON STATE PLANE NORTH ZONE, HOLDING A BEARING OF S00°30'03"E BETWEEN THE BRASS CAP MONUMENT MARKING THE NORTH 1/4 CORNER OF SECTION 10 AND THE #4 IRON REBAR MARKING THE CENTER 1/4 CORNER OF SECTION 10, T4N R28E, W.M., HERMISTON, OREGON.

EQUIPMENT NOTE
THIS SURVEY WAS PERFORMED WITH DATA COLLECTED BY UAV (DRONE) AND CONVENTIONAL METHODS, USING RADIAL, RTK, AND SCANNER DATA COLLECTED USING SPECTRA SP80 NETWORK RECEIVERS HAVING ACCURACIES OF 8MM+1PPM HORIZONTAL AND 15MM+1PPM VERTICAL AND A TRIMBLE SX10 ROBOTIC SCANNER HAVING ACCURACIES OF 1MM+1.5PPM DISTANCE AND 1" ANGULAR. MONUMENTS SHOWN WERE VISITED IN DECEMBER, 2020.

INDEX
SHEET ONE: MAP, RECORD DOCUMENTS
SHEET TWO: MONUMENT TABLE, APPROVALS, AND SURVEYOR'S CERTIFICATE
SHEET THREE: ACKNOWLEDGEMENTS, NOTARIZED SIGNATURES
SHEET FOUR: NOTARIZED SIGNATURES

LEGEND & ABBREVIATIONS

- PROPERTY BOUNDARY
- SECTION OR SECTION SUBDIVISION LINE
- RIGHT-OF-WAY CENTERLINE
- RIGHT-OF-WAY BOUNDARY
- EASEMENT BOUNDARY
- PLAT BOUNDARY
- EXISTING PROPERTY/DITCH RIGHT-OF-WAY
- OVERHEAD UTILITY LINE
- FENCE LINE
- EDGE OF CONCRETE
- EDGE OF ASPHALT
- BUILDING
- FOUND MONUMENT AS NOTED
- CALCULATED POINT
- SET 5/8" X 30" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "WA 19619 / OR 02820"
- [123.45'] RECORD DIMENSION PER PLAT OF HARTLEY ADDITION OR HERMISTON HEIGHTS
- (123.45') RECORD DIMENSION AS NOTED - SEE RECORD DOCUMENTS
- CALC. CALCULATED PER RECORD
- (819) MONUMENT NOTE - SEE TABLE

RECORD DOCUMENTS

- (R1) PLAT BK. 6 PG. 13 "HERMISTON HEIGHTS" ROBBETT, 1947
- (R2) PLAT BK. 6 PG. 14 "HARTLEY ADDITION" ROBBETT, 1947
- (R3) COUNTY SURVEY NO. Q-0618-B THOMPSON FOR SCHOOL, 1961
- (R4) PLAT BK. 11 PG. 4 "ROCKWOOD ESTATES" WALLULIS, 1976
- (R5) COUNTY SURVEY NO. 84-050-AX EDWARDS FOR BONDURANT, 1984
- (R6) COUNTY SURVEY NO. Q-1186-A EDWARDS FOR MOULTON, 1979
- (R7) COUNTY SURVEY NO. 87-031-B EDWARDS FOR SCHOOL, 1987
- (R8) COUNTY SURVEY NO. 90-062-AX STAEBLER FOR NEUMANN, 1990
- (R9) COUNTY SURVEY NO. 91-026-A EDWARDS FOR DAVIS, 1991
- (R10) COUNTY SURVEY NO. 06-519-A EDWARDS FOR DICKMAN, 2006
- (R11) PLAT BK. 15 PG. 37 "SENTINEL SUBDIVISION" DELANO, 2008
- (R12) COUNTY SURVEY NO. 20-084-B MCKINNIS FOR ZAMORA, 2020

ORDINANCE NO. 739, BK. 324 PG. 140, DEED RECORDS, 1972

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

GREG FLOWERS, PLS OR 02820



PBS Engineering and Environmental Inc.
5 N Colville St, Ste 200
Walla Walla, WA 99362
509.956.3026
pbsusa.com

LOT AREA	ACRES	SQ. FEET
MUNIZ	0.2	8967.1
PARDO	0.2	9330.7
MACIEL	0.2	9079.6
DE LA CRUZ	0.3	12740.1
GARCIA	0.3	13534.9
NORTON	0.3	12860.4
DICKMAN	0.3	10935.1
HOYT	0.4	17024.0
ESQUIVEL	0.4	15459.0
RENTERIA-MORENO	0.4	16987.3
MCCAULEY	0.4	17936.1
FIELDS	0.5	20111.3
ROCKY HEIGHTS	21.7	944184.5

LINE	BEARING	DISTANCE
L1	N57°36'15"E	2.66'
L2	S86°56'42"W	77.09'
L3	S11°01'34"E	33.84'
L4	N86°56'42"E	19.37'
L5	N11°01'34"W	2.41'
L6	S11°01'34"E	61.50'
L7	N57°02'08"E	143.32'
L8	S32°39'44"E	120.75'
L9	S32°46'43"E	35.09'
L10	S63°53'32"E	62.92'
L11	N58°34'14"E	21.22'
L12	N32°19'04"W	79.48'
L13	S52°12'07"W	10.65'
L14	N52°12'07"E	10.22'
L15	N55°19'28"W	96.56'
L16	N38°25'11"E	35.86'
L17	S58°03'07"W	156.19'
L18	S55°00'05"E	72.83'
L19	S56°27'57"W	162.44'
L20	N54°50'56"W	118.38'
L21	N49°47'27"W	29.17'
L22	N58°51'23"W	19.79'
L23	N46°07'53"E	25.68'
L24	S56°41'38"W	8.48'
L25	S56°46'41"W	66.71'
L26	N32°39'44"W	1.33'
L27	S35°32'09"E	24.06'
L28	N40°24'51"W	31.87'

LINE	BEARING	DISTANCE
L29	N49°45'22"W	16.08'
L30	N63°01'00"W	16.11'
L31	S73°21'14"E	16.00'
L32	S89°10'40"W	43.20'
L33	S71°37'28"W	54.88'
L34	N57°36'15"E	51.35'
L35	N32°55'45"W	135.09'
L36	S72°58'38"W	42.40'
L37	S52°36'14"W	7.62'
L38	S70°41'11"W	7.59'
L39	S27°27'23"E	147.93'
L40	S74°44'00"W	11.51'
L41	S88°24'27"E	35.60'
L42	S65°30'27"E	19.53'
L43	S24°57'42"W	15.42'
L44	N28°04'28"W	49.39'
L45	S65°09'16"E	20.26'
L46	S74°18'52"E	11.03'
L47	N62°11'00"E	101.49'
L48	N40°41'51"W	55.54'
L49	N88°31'21"W	14.16'
L50	N68°08'35"W	104.65'
L51	N79°19'56"E	8.14'
L52	S79°19'56"W	10.80'
L53	S27°18'49"E	143.26'
L54	N12°22'28"W	118.14'
L55	N62°05'43"W	9.10'
L56	N77°51'58"E	7.97'

REGISTERED PROFESSIONAL LAND SURVEYOR
DRAFT
OREGON
JUNE 30, 1997
GREG E. FLOWERS
02820LS
RENEWS 12/31/2023

FOUND 1/2" REBAR FLUSH WITH SURFACE. ORIGIN UNKNOWN; HELD FOR CENTER 1/4 CORNER SECTION 10.

SURVEYOR'S NARRATIVE

THIS REPLAT WAS PERFORMED AT THE REQUEST OF WENAHA GROUP. SUBJECT PARCELS INCLUDE LOTS 4 THROUGH 8 OF BLOCK C, LOTS 1 AND 2 OF BLOCK D, AND LOTS 3 THROUGH 7 OF BLOCK E OF HARTLEY ADDITION, AND A PORTION OF THE TRACT OF LAND PER DEED ROLL 199, PAGE 186, IN RECORDS OF UMATILLA COUNTY, OREGON.

SUBJECT PARCELS WERE PREVIOUSLY SURVEYED IN 2020 TO SHOW THE BOUNDARIES OF ROCKY HEIGHTS ELEMENTARY SCHOOL PROPERTY AND THE ENCROACHMENTS UPON SAID BOUNDARY BY AND UPON ADJACENT PARCELS, IN ORDER TO ALLOW FOR FUTURE PROPERTY LINE ADJUSTMENTS WITH NEIGHBORING PARCEL OWNERS.

THE NORTH BOUNDARY OF THE SCHOOL PARCEL FOLLOWS THE CENTERLINE OF AN IRRIGATION DITCH WHICH HAS BEEN ABANDONED AND OF WHICH LITTLE VISIBLE PHYSICAL EVIDENCE REMAINS. THE DITCH CENTERLINE IS SHOWN ON THE PLAT OF HARTLEY ADDITION TO HERMISTON, HOWEVER SIGNIFICANT ERRORS EXIST WITHIN THE PLAT AND THE COURSES GIVEN FOR THE DITCH CANNOT BE MADE TO AGREE WITH THE ADJACENT LOT LINE DIMENSIONS WITHIN THE PLAT. A SURVEY WAS PERFORMED BY DENNIS EDWARDS IN 1987 TO RECALCULATE THE DITCH CENTERLINE USING THE ADJACENT LOT LINE DIMENSIONS AS WELL AS 1.5" IRON PIPES THAT EDWARDS FOUND. I HAVE FOLLOWED EDWARDS' SURVEY, AND USED THE COMPASS-RULE METHOD TO ADJUST HIS DIMENSIONS TO FIT THE VARIOUS SURVEY MONUMENTS FOUND IN THE FIELD. IT SHOULD BE NOTED THAT NO VACATION ORDER WAS FOUND FOR THE IRRIGATION DITCH RIGHT-OF-WAY IN AN EXAMINATION OF TITLE DOCUMENTS.

I HAVE HELD OTHER SURVEY RECORDS AND FOUND MONUMENTS AS SHOWN HEREIN TO ESTABLISH THE EAST BOUNDARY OF THE SCHOOL. THE SOUTH BOUNDARY IS THE RIGHT-OF-WAY OF WEST STANDARD AVENUE AS SHOWN ON THE PLAT OF ROCKWOOD ESTATES. THE WEST BOUNDARY IS THE RIGHT-OF-WAY OF NW 7TH STREET AS SHOWN ON COUNTY TAX MAP NO. 4N2810, HELD HEREIN AS A LINE PARALLEL WITH AND 60 FEET EAST OF THE NORTH-SOUTH CENTERLINE OF SECTION 10.

SURVEYOR'S CERTIFICATE

I, GREG E. FLOWERS, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE REPLAT OF "ROCKY HEIGHTS SUBDIVISION", BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (CENTER 1/4 CORNER) OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, STATE OF OREGON AND RUNNING THENCE N00°30'03"W, ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 10, A DISTANCE OF 619.78 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHWESTERLY PROLONGATION OF WEST STANDARD AVENUE; THENCE N89°21'24"W, ALONG SAID SOUTHWESTERLY PROLONGATION AND SAID CENTERLINE OF SAID WEST STANDARD AVENUE, A DISTANCE OF 60.00 FEET; THENCE N00°30'03"W, PARALLEL WITH THE NORTH-SOUTH CENTERLINE OF SAID SECTION, 10, A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF SAID WEST STANDARD AVENUE WITH THE EASTERLY RIGHT-OF-WAY OF NORTHWEST SEVENTH STREET WHICH IS A 5/8" X 30" IRON REBAR MARKING THE INITIAL POINT OF "ROCKY HEIGHTS SUBDIVISION" AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION:

BEGINNING AT A SET 5/8" REBAR WITH A PLASTIC CAP SET AT THE SOUTHWEST CORNER; THENCE ALONG THE EASTERLY RIGHT OF WAY OF NORTHWEST 7TH STREET, BEING PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 10, N00°30'03"W A DISTANCE OF 1,083.18 FEET; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED IRRIGATION DITCH AS SHOWN ON THE PLAT OF HARTLEY ADDITION AS SHOWN ON THE OFFICIAL PLAT THEREOF RECORDED IN VOLUME 6, PAGE 14 OF TOWN PLATS IN RECORDS OF UMATILLA COUNTY, OREGON, 86°56'42"E A DISTANCE OF 19.37 FEET TO THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF LOT 5 OF SAID HARTLEY ADDITION; THENCE ALONG THE WESTERLY LINE OF SAID LOT 5, N11°01'34"W A DISTANCE OF 59.09 FEET TO THE NORTHWEST QUARTER OF LOT 5 OF BLOCK C OF SAID HARTLEY ADDITION; THENCE ALONG THE NORTH LINE OF BLOCK C THEREOF, N57°02'08"E A DISTANCE OF 208.32 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID BLOCK C; THENCE ALONG THE EAST LINE OF SAID LOT 4, S32°39'44"E A DISTANCE OF 130.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE NORTH LINE OF LOTS 6, 7, AND 8 OF SAID BLOCK C, N57°02'08"E A DISTANCE OF 195.00 FEET TO THE NORTHEAST CORNER OF LOT 8; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF WEST STOCKTON STREET, S32°39'44"E A DISTANCE OF 385.66 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF BLOCK D OF SAID HARTLEY ADDITION; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF WEST MARIA AVENUE, N57°36'15"E A DISTANCE OF 186.15 FEET TO THE NORTHEAST CORNER OF LOT 5 OF BLOCK E OF SAID HARTLEY ADDITION; THENCE ALONG THE EAST LINE OF SAID LOT 5, S28°04'28"E A DISTANCE OF 129.83 FEET TO THE NORTHWEST CORNER OF LOT 3 OF SAID BLOCK E; THENCE ALONG THE NORTH LINE OF SAID LOT 3, N57°26'33"E A DISTANCE OF 123.15 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF NORTHWEST THIRD STREET, S27°18'49"E A DISTANCE OF 226.53 FEET TO THE SOUTHERLY LINE OF LOT 4, BLOCK E OF SAID HARTLEY ADDITION; THENCE S79°19'56"W A DISTANCE OF 8.14 FEET; THENCE N68°08'35"W A DISTANCE OF 104.65 FEET; THENCE N88°31'21"W A DISTANCE OF 14.16 FEET; THENCE S07°16'22"E A DISTANCE OF 175.02 FEET; THENCE S62°05'43"E A DISTANCE OF 9.10 FEET; THENCE N77°51'58"E A DISTANCE OF 7.97 FEET; THENCE S07°27'00"E A DISTANCE OF 243.79 FEET TO THE NORTHWEST CORNER OF LOT 5 OF SENTINEL SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN VOL 15, PG. 37 OF TOWN PLATS IN RECORDS OF UMATILLA COUNTY, OREGON; THENCE ALONG THE WESTERLY LINE OF SAID SENTINEL ADDITION, S24°02'36"E A DISTANCE OF 233.54 FEET; THENCE S00°32'16"E A DISTANCE OF 172.07 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF WEST STANDARD AVENUE, S89°21'24"W A DISTANCE OF 1,088.43 FEET TO THE POINT OF BEGINNING; HAVING AN AREA OF 1,091,210 SQUARE FEET, 25.05 ACRES, MORE OR LESS.

SAID SUBDIVISION IS LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, HERMISTON, UMATILLA COUNTY, OREGON. THE INITIAL POINT, BEING A SET 5/8" REBAR WITH A PLASTIC CAP SET AT THE SOUTHWEST CORNER, MARKS THE SOUTHWESTERLY CORNER OF SAID "ROCKY HEIGHTS SUBDIVISION".

GREG E. FLOWERS, P.L.S. 02820 OR.

NOTE

SHEET ONE: MAP, RECORD DOCUMENTS

SHEET THREE: ACKNOWLEDGEMENTS, NOTARIZED SIGNATURES

SHEET FOUR: NOTARIZED SIGNATURES

CITY OF HERMISTON PLANNING COMMISSION AND CITY COUNCIL

THIS IS TO CERTIFY THAT THIS REPLAT HAS BEEN APPROVED BY THIS PLANNING COMMISSION AND THIS CITY COUNCIL WHO HAVE REVIEWED IT THOROUGHLY AND ACKNOWLEDGE THAT IT MEETS ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCES AS ESTABLISHED BY THE CITY OF HERMISTON, OREGON AND IS NOW READY FOR FILING IN THE RECORD OF TOWN PLATS OF THE COUNTY OF UMATILLA, STATE OF OREGON.

THIS ____ DAY OF _____, 20____

CHAIRMAN OF THE HERMISTON PLANNING COMMISSION

THIS ____ DAY OF _____, 20____

MAYOR OF THE CITY OF HERMISTON - CITY COUNCIL

UMATILLA COUNTY SURVEYOR

THIS IS TO CERTIFY THAT I HAVE REVIEWED THIS REPLAT OF "ROCKY HEIGHTS SUBDIVISION" AND I HEREBY ACKNOWLEDGE THAT IT COMPLIES WITH THE STANDARDS SET FORTH IN ORS CHAPTER 92 AND I THEREFORE APPROVE THIS PLAT TO BE ACCEPTABLE FOR FILING IN THE "RECORD OF TOWN PLATS" OF THE COUNTY OF UMATILLA, STATE OF OREGON.

THIS ____ DAY OF _____, 20____

UMATILLA COUNTY SURVEYOR

UMATILLA COUNTY COMMISSIONERS

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS REPLAT OF "ROCKY HEIGHTS SUBDIVISION" AND IT IS HEREBY APPROVED FOR FILING IN THE "RECORD OF TOWN PLATS" OF THE COUNTY OF UMATILLA, STATE OF OREGON.

THIS ____ DAY OF _____, 20____

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

UMATILLA COUNTY ASSESSOR AND TAX COLLECTOR

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS REPLAT OF "ROCKY HEIGHTS SUBDIVISION" AND HAVE FOUND THAT ALL TAXES AND LIENS HAVE BEEN PAID ON THE LANDS PORTRAYED IN THIS PLAT AND WE HEREBY APPROVE THIS PLAT TO BE FILED IN THE OFFICE OF THE COUNTY RECORDS.

THIS ____ DAY OF _____, 20____

UMATILLA COUNTY ASSESSOR

UMATILLA COUNTY TAX COLLECTOR

HERMISTON IRRIGATION DISTRICT

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS REPLAT OF "ROCKY HEIGHTS SUBDIVISION" AND HEREBY APPROVE THE SAME TO BE FILED IN THE OFFICE OF THE COUNTY RECORDS.

THIS ____ DAY OF _____, 20____

HERMISTON IRRIGATION DISTRICT

ROCKY HEIGHTS SUBDIVISION

N.E. 1/4 SECTION 10, T4N R28E, W.M. HERMISTON, OREGON

OWNER/DEVELOPER

WENAHA GROUP
125 SE COURT AVE, SUITE A
PENDLETON, OR 97801

HERMISTON SCHOOL DISTRICT
305 SW 11TH ST
HERMISTON, OR 97838

RANDALL AND CARMAIN HOYT
645 W FULTON DR
HERMISTON, OR 97838

JESSICA DE LA CRUZ
510 E SUNSET DR
HERMISTON, OR 97838

RAMON ALVAREZ ESQUIVEL
2511 CURLEW ST
UMATILLA, OR 97882

ALBERTO RENTERIA-MORENO AND
LUIS ALBERTO RENTERIA JR.
925 NW STOCKTON ST
HERMISTON, OR 97838

JOSE AND REBECA GARCIA
608 W HERMISTON AVE
HERMISTON, OR 97838

ROBERT FIELDS
905 NW STOCKTON ST
HERMISTON, OR 97838

CHRIS NORTON AND CYNTHIA MOORE
435 W MARIE AVE
HERMISTON, OR 97838

JOSE AND HILDA MUNIZ
425 W MARIE AVE
HERMISTON, OR 97838

KAREN DICKMAN
415 W MARIE AVE
HERMISTON, OR 97838

USIEL PARDO ZAMORA
PO BOX 151
PATERSON, WA 99345

HAVIER AND JESSICA MACIEL
745 NW 3RD ST
HERMISTON, OR 97838

DOUGLAS MCCAULEY
735 NW 3RD ST
HERMISTON, OR 97838

MONUMENT TABLE

- 800: FOUND #5 REBAR AT N.W. CORNER BLK. 2 LOT 8, ROCKWOOD ESTATES. HELD FOR S. R/W LINE OF STANDARD AVE. POINT FALLS 45.15' E. OF MONUMENTED N-S SECTION CENTERLINE.
- 801: FOUND #4 REBAR FLUSH WITH SURFACE. ORIGIN UNKNOWN; HELD FOR CENTER 1/4 CORNER SECTION 10.
- 802: FOUND #4 REBAR PER R7; HELD FOR NORTH R/W LINE OF DITCH.
- 803: FOUND #4 REBAR PER R7; HELD FOR DITCH CENTERLINE.
- 804: FOUND #4 REBAR PER R7; HELD FOR DITCH CENTERLINE.
- 805: FOUND #4 REBAR WITH EDWARDS CAP PER R10; HELD FOR DITCH CENTERLINE.
- 806: FOUND 1.5" IRON PIPE ON NORTH R/W LINE OF DITCH PER R10 & R12.
- 807: FOUND 1.5" IRON PIPE ON NORTH R/W LINE OF DITCH PER R12.
- 808: FOUND #4 REBAR WITH MCKINNIS CAP AT N.W. CORNER LOT 3 BLK. "E" HARTLEY ADD'N. PER R12.
- 809: FOUND #4 REBAR PER R6; HELD FOR EAST LINE SCHOOL LANDS.
- 810: FOUND #4 REBAR AT N.W. CORNER LOT 5 SENTINEL SUBDIVISION PER R11.
- 811: FOUND #5 REBAR AT N.W. CORNER LOT 4 SENTINEL SUBDIVISION WITH F.S. & E. CAP PER R11.
- 812: FOUND #4 REBAR AT N.W. CORNER LOT 3 SENTINEL SUBDIVISION AT POSITION CALLED AS #5 REBAR PER R11. FALLS IN CONCRETE DUMPSTER PAD.
- 813: FOUND #5 REBAR AT ANGLE POINT LOT 3 SENTINEL SUBDIVISION WITH F.S. & E. CAP PER R11.
- 814: FOUND #5 REBAR WITH F.S. & E. CAP AT N.W. CORNER LOT 2 SENTINEL SUBDIVISION PER R11. REBAR HAS BEEN ENCASED IN A CONCRETE-FILLED 4" PVC PIPE.
- 815: FOUND #5 REBAR AT N.W. CORNER LOT 1 SENTINEL SUBDIVISION PER R11.
- 816: FOUND #5 REBAR 12" DEEP AT S.W. CORNER LOT 1 SENTINEL SUBDIVISION PER R11.
- 817: FOUND #4 REBAR PER R7. HELD FOR SOUTH R/W LINE FULTON AVE.
- 818: FOUND #4 REBAR AT N.E. CORNER LOT 5, BLK. "C" HARTLEY ADD'N.; ORIGIN UNKNOWN. HELD FOR SOUTH R/W LINE FULTON AVE.
- 819: FOUND #5 REBAR WITH CAP (ILLEGIBLE) AT N.W. CORNER LOT 23, BLK. "A" HARTLEY ADD'N.; ORIGIN UNKNOWN. FALLS ON N.E. R/W LINE OF STOCKTON STREET.
- 820: FOUND #4 REBAR WITH EDWARDS CAP AT N.W. CORNER LOT 5 BLK. "E" HARTLEY ADD'N. PER R10; HELD FOR SOUTH R/W LINE MARIE AVENUE.
- 821: FOUND #4 REBAR WITH EDWARDS CAP AT N.E. CORNER LOT 5 BLK. "E" HARTLEY ADD'N. PER R10; HELD FOR SOUTH R/W LINE MARIE AVENUE.
- 822: FOUND #5 REBAR WITH MCKINNIS CAP 0.3' N.E. OF R/W LINE; HELD FOR LINE BETWEEN LOTS 2 & 3, BLK. 5 HARTLEY ADD'N.
- 823: FOUND #5 REBAR WITH MCKINNIS CAP AT CORNER OF LOTS 3 & 4 ON R/W LINE.
- 824: FOUND 1/2" REBAR PER R9 ON DITCH CENTERLINE, N8248'13"E 10.66' FROM DITCH ANGLE POINT (N8216'30"E 10.65' R9); HELD FOR PROJECTION OF ROAD R/W TO THE SOUTH.
- 825: FOUND #4 REBAR WITH STAEBLER CAP PER R8; POINT FALLS 0.2' W. OF CALCULATED R/W AND 0.12' N. OF PROPERTY CORNER.
- 826: FOUND 2.5" BRASS CAP IN CASE AT P.I. HIGHLAND & S.W. 7TH, SOUTH 1/4 CORNER SECTION 10.
- 827: FOUND #5 REBAR AT N.E. CORNER BLK. 1 LOT 4, ROCKWOOD ESTATES. HELD FOR S. R/W LINE OF STANDARD AVE.
- 828: FOUND #5 REBAR AT N.E. CORNER BLK. 2 LOT 1, ROCKWOOD ESTATES. HELD FOR W. R/W LINE OF N.W. 6TH ST.

SHEET ONE: MAP, RECORD DOCUMENTS
SHEET THREE: ACKNOWLEDGEMENTS, NOTARIZED SIGNATURES
SHEET FOUR: NOTARIZED SIGNATURES

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

GREG FLOWERS, PLS OR 02820

REGISTERED PROFESSIONAL LAND SURVEYOR
DRAFT
OREGON JUNE 30, 1997
GREG E. FLOWERS 02820LS
RENEWS 12/31/2023


PBS Engineering and Environmental Inc.
5 N Colville St, Ste 200
Walla Walla, WA 99362
509.956.3026
pbsusa.com

CLIENT: HERMISTON SCHOOL DISTRICT		PROJECT NO.: 67661.001	
SURVEYOR: GREG E. FLOWERS		DATE: 04/06/2023	
CALC BY: MFW	DRAWN BY: MFW	SCALE: 1" = 100'	
SECTION: 10	TOWNSHIP: 4 NORTH	RANGE: 28 EAST	
CITY: HERMISTON	COUNTY: UMATILLA	SHEET <u>2</u> OF <u>4</u>	

OWNER'S DECLARATION

KNOW ALL MEN BY THESE PRESENT THAT WE, OWNERS OF THE LANDS SHOWN HEREIN, HAVE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES CAUSED THE SAID TO BE SURVEYED AND PLATTED AS SHOWN HEREON. THIS SUBDIVISION SHALL HEREAFTER BE KNOWN AND DESIGNATED BY THE NAME "ROCKY HEIGHTS SUBDIVISION". THE LEGAL DESCRIPTION FOR THIS LAND IS AS STATED IN THE SURVEYOR'S CERTIFICATE ON SHEET TWO OF FOUR HEREOF:

REPRESENTATIVE FOR HERMISTON SCHOOL DISTRICT DATE

PRINT NAME

RANDALL HOYT DATE

PRINT NAME

CARMAIN HOYT DATE

PRINT NAME

JESSICA DE LA CRUZ DATE

PRINT NAME

RAMON ALVAREZ ESQUIVEL DATE

PRINT NAME

ALBERTO RENTERIA-MORENO DATE

PRINT NAME

LUIS ALBERTO RENTERIA JR. DATE

PRINT NAME

JOSE GARCIA DATE

PRINT NAME

REBECA GARCIA DATE

PRINT NAME

ROBERT FIELDS DATE

PRINT NAME

CHRIS NORTON DATE

PRINT NAME

CYNTHIA MOORE DATE

PRINT NAME

JOSE MUNIZ DATE

PRINT NAME

HILDA MUNIZ DATE

PRINT NAME

KAREN DICKMAN DATE

PRINT NAME

USIEL PARDO ZAMORA DATE

PRINT NAME

HAVIER MACIEL DATE

PRINT NAME

JESSICA MACIEL DATE

PRINT NAME

DOUGLAS MCCAULEY DATE

PRINT NAME

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ HAS SIGNED THIS PLAT ON BEHALF OF HERMISTON SCHOOL DISTRICT, ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THIS PLAT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED ON THIS PLAT.

NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES _____

COMMISSION NO. _____

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

GREG FLOWERS, PLS OR 02820



ROCKY HEIGHTS SUBDIVISION
N.E. 1/4 SECTION 10, T4N R28E, W.M. HERMISTON, OREGON

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED RANDALL HOYT, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES _____

COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED CARMAIN HOYT, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES _____

COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED JESSICA DE LA CRUZ, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES _____

COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED RAMON ALVAREZ ESQUIVEL, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES _____

COMMISSION NO. _____

NOTE

SHEET ONE: MAP, RECORD DOCUMENTS

SHEET TWO: MONUMENT TABLE, APPROVALS, AND SURVEYOR'S CERTIFICATE

SHEET FOUR: NOTARIZED SIGNATURES

		PBS Engineering and Environmental Inc. 5 N Colville St, Ste 200 Walla Walla, WA 99362 509.956.3026 pbsusa.com	
CLIENT: HERMISTON SCHOOL DISTRICT	PROJECT NO.: 67661.001		
SURVEYOR: GREG E. FLOWERS	DATE: 04/06/2023		
CALC BY: MFW	DRAWN BY: MFW	SCALE: 1" = 100'	
SECTION: 10	TOWNSHIP: 4 NORTH	RANGE: 28 EAST	
CITY: HERMISTON	COUNTY: UMATILLA	SHEET <u>3</u> OF <u>4</u>	

ROCKY HEIGHTS SUBDIVISION
N.E. 1/4 SECTION 10, T4N R28E, W.M. HERMISTON, OREGON

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED ALBERTO RENTERIA-MORENO, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED LUIS ALBERTO RENTERIA JR., TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED JOSE GARCIA, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED REBECA GARCIA, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED ROBERT FIELDS, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

NOTE

SHEET ONE: MAP, RECORD DOCUMENTS
SHEET TWO: MONUMENT TABLE, APPROVALS, AND SURVEYOR'S CERTIFICATE
SHEET THREE: ACKNOWLEDGMENTS, NOTARIZED SIGNATURES

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED CHRIS NORTON, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED CYNTHIA MOORE, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED JOSE MUNIZ, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED HILDA MUNIZ, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED KAREN DICKMAN, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED USIEL PARDO ZAMORA, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED HAVIER MACIEL, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED JESSICA MACIEL, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____


ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
BEFORE ME THIS _____ DAY OF _____, 20____, APPEARED DOUGLAS MCCAULEY, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FORGOING REPLAT TO BE A FREE AND VOLUNTARY ACT AND DEED.

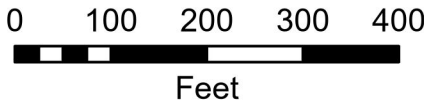
NOTARY PUBLIC DATE _____
MY APPOINTMENT EXPIRES _____
COMMISSION NO. _____

REGISTERED PROFESSIONAL LAND SURVEYOR
DRAFT
OREGON
JUNE 30, 1997
GREG E. FLOWERS
02820LS
RENEWS 12/31/2023





I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.
GREG FLOWERS, PLS OR 02820

 **PBS Engineering and Environmental Inc.**
5 N Colville St, Ste 200
Walla Walla, WA 99362
509.956.3026
pbsusa.com

CLIENT: HERMISTON SCHOOL DISTRICT	PROJECT NO.: 67661.001	
SURVEYOR: GREG E. FLOWERS	DATE: 04/06/2023	
CALC BY: MFW	DRAWN BY: MFW	SCALE: 1" = 100'
SECTION: 10	TOWNSHIP: 4 NORTH	RANGE: 28 EAST
CITY: HERMISTON	COUNTY: UMATILLA	SHEET 4 OF 4



Legend

-  Property Line
-  City Limits
-  Urban Growth Boundary
-  Area of Proposed Replat





Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of May 10, 2023

Title/Subject

Minor Partition- Amazon Data Services Inc 4N2824 Tax Lot 600 – 994 E Penney Ave

Summary and Background

Parametrix has submitted a minor partition application on behalf of Amazon Data Services for property located at 994 E Penney Ave. The property is approximately 100 acres in size and extends from E Penney Ave south to E Feedville Road. The proposed partition creates two lots in order to accommodate a new electrical substation necessary for the previously approved development of a data center on the site. Following partitioning, the data center lot (Parcel 1) will be 86.37 acres and the substation lot (Parcel 2) will be 13.79 acres.

The property is zoned Heavy Industrial/Outlying Commercial (M-2/C-2). The property is described as 4N 28 24 Tax Lot 600. The property is owned by Amazon Data Services Inc. The applicant has submitted this partition application as a preliminary plat subject to review under §154.35 of the Hermiston Code of Ordinances. Under the provisions of §154.35(B), a minor partition containing three or fewer lots may be exempt from a preliminary plat review and proceed directly to a final plat review. However, the applicant has not chosen to proceed directly to a final plat. Therefore, the planning commission must review the minor partition as a preliminary plat subject to the requirements of §154.35(C) at this meeting and then review the final plat at a subsequent meeting. The development of a utility substation on Parcel 2 is an outright permitted use in the M-2 zone and does not require additional review by the planning commission. Development of a substation was included in the noticing and review of the administrative site plan review for the site.

The property is bounded by E Penney Ave to the north, SE Kelli Blvd to the east, and E Feedville Road to the south. Water and sewer utilities are available in E Penney Ave. Parcel 2 will not require water and sewer services as an unmanned electrical substation. The City has approved a site plan for the development of a data center on Parcel 1 as of December 1, 2022. Additionally, the planning commission approved a parking variance for this development on December 14, 2022. A copy of the existing conditions of approval are attached for the planning commission's reference. Since there are existing conditions of approval which are tied directly to the impact of data center construction, no additional conditions of approval are proposed for this partition.

Public notice was provided for the proposed replat. Notice of the proposed land use a mailed by direct mail to all property owners within 100 feet on April 26, 2023. A sign informing the public of the proposal was placed on the property on April 26, 2023.

The criteria that are applicable to the decision to accept the proposed partition are contained in §154.15 through §154.35, §157.041 and §157.056 of the Hermiston Code of Ordinances.

The narrative and findings of fact for this application were prepared by Perkins Coie, the applicant’s counsel. These findings and narrative are attached to this report as Exhibit A. the existing conditions of approval for site development are attached as Exhibit B. The map showing the property boundary and adjacent streets and parcels is attached as Exhibit C. The preliminary plat as prepared by the surveyor is attached as Exhibit D. An aerial photo for the planning commission's reference is attached as Exhibit E. A copy of the data center site plan is attached as Exhibit F.

Tie-In to Council Goals

The land proposed for partitioning is part of the city’s industrial employment base. Development of said land leads directly to economic development and job creation.

Fiscal Information

The property has an assessed value of \$21,239 and is receiving farm deferral of property tax assessments. The property is proposed for an industrial development of several hundred million dollars which will substantially increase the assessed value of the property. However, enterprise zone property tax abatements have been issued for development on Lot 1 which will defer receipt of property tax revenue for fifteen years.

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the preliminary plat.

Recommended Action/Motion

Motion to make the project file a part of the record.

Motion to adopt findings of fact.

Motion to approve preliminary plat and direct applicant to proceed to final plat preparation.

Submitted By:

Clinton Spencer, Planning Director

Exhibit A
Findings of Fact for ADS Minor Partition
May 10, 2023
994 E Penney Ave

Section 3, Item B.

BEFORE THE CITY PLANNING COMMISSION
OF THE CITY OF HERMISTON, OREGON

In the Matter of a Request for Minor Partition to Divide Approximately 100.16 Acres of Property Described as Lot 2 of the “Stahl Replat” Located in Section 23 and 24, Township 4 North, Range 28 E, Generally Located North of Feedville Road, South of E. Penney Ave., East of Hermiston-Hinkle Rd., and West of SE Kelli Blvd.

NARRATIVE IN SUPPORT OF THE MINOR PARTITION APPLICATION PROPOSED BY AMAZON DATA SERVICES, INC.

I. INTRODUCTION

Amazon Data Services, Inc., a Delaware corporation (“Applicant”), submits this application (“Application”) to the City of Hermiston (“City”) requesting approval to partition real property described as Lot 2 of the “Stahl Replat” in the City limits (“Property”) into two parcels as depicted on the proposed tentative partition plan in Exhibit 1. This narrative explains how the Application satisfies the applicable requirements of the Hermiston City Code (“HCC”) and ORS Chapter 92. Accordingly, the City Planning Commission (“Commission”) should approve the Application.

II. DESCRIPTION OF SUBJECT PROPERTY AND SURROUNDING AREA

Applicant is the owner of the Property, which is approximately 100.16 acres in size and located north of Feedville Road, south of E. Penney Ave., east of Hermiston-Hinkle Rd., and west of SE Kelli Boulevard in the City. The Property is described as Lot 2 of the “Stahl Replat,” Map No. 4N282400, Tax Lot 600. An aerial photo of the Property and the surrounding vicinity is attached as Exhibit 2. A tax lot map that identifies the Property is attached as Exhibit 3. A copy of the “Stahl Replat” is attached as Exhibit 4. The Property is zoned C-2 and M-2. It is vacant. Surrounding properties are zoned and utilized as follows:

ADJACENT PROPERTY	ZONING	USE
To North	C-2/M-2 and C-2/M-1	Warehouse; Vacant
To South	EFU/FI	Vacant; Railroad
To East	C-2/M-2	Warehouse; Retail
To West	C-2/M-2	Vacant

III. DETAILS OF REQUEST

The proposal would partition the Property into two parcels—Parcel 1 and Parcel 2. Parcel 1 is proposed to be approximately 86.37 acres and has frontage on Feedville Road, SE Kelli Boulevard, and Penney Avenue. Parcel 2 is proposed to be approximately 13.79 acres in size and would be located in the southwestern section of the Property, with frontage on Feedville Road. The two parcels are depicted and described on the tentative partition plan attached as Exhibit 1. The purpose of the partition is to divide the Property into two separate parcels, which will ultimately be under separate ownership.

IV. THE APPLICATION COMPLIES WITH THE CITY’S CRITERIA FOR A MINOR PARTITION

The City’s Planning Department website lists the criteria for approving a preliminary plat for a minor partition. Those criteria are listed and responded to in this Section IV. Note that most of the criteria listed here are from the Hermiston City Code provisions that are addressed in Section V of this Application.

A. The proposed preliminary plat is in [] conformance with the Hermiston Comprehensive Plan.

RESPONSE: The Application requests approval of a tentative partition plan, which is a “limited land use decision” pursuant to ORS 197.015(12). As a result, the Application is only subject to comprehensive plan policies that are incorporated into the City’s land use regulations. ORS 197.195(1). Incorporation is not achieved by a general statement in a land use regulation that an application must show “compliance with” the comprehensive plan and no specific comprehensive plan goals or policies are identified in the land use regulation. Paterson v. City of Bend, 201 Or App 344, 350-351, 118 P3d 842 (2005). Item A of Hermiston’s CRITERIA FOR A MAJOR/MINOR PARTITION consists of a general statement requiring compliance with the City’s comprehensive plan. It does not expressly incorporate any specific comprehensive plan provisions into the City’s land use regulations. Therefore, the City is not permitted to review the Application for compliance with any specific comprehensive plan provision. Moreover, the City’s adopted and acknowledged land use regulations are consistent with and implement the City’s comprehensive plan. Therefore, compliance with these land use regulations will ensure that the Application is necessarily also consistent with the City’s comprehensive plan.

B. The proposed preliminary plat is in conformance with all applicable provisions of this code, other city codes and ordinances, and Oregon law.

RESPONSE: The City has adopted land use regulations that implement these various requirements. For the reasons addressed in Section V below, the Application is consistent with these regulations. The Application is consistent with Oregon law. The Application complies with this criterion.

C. For a minor partition, no creation of a street or road is required.

RESPONSE: The Application complies with this criterion. See Exhibit 1.

D. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads.

RESPONSE: The Application complies with this criterion. See Exhibit 1.

E. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition.

RESPONSE: The Application complies with this criterion. See Exhibit 1.

F. The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.

RESPONSE: The Application complies with this criterion. See Exhibit 1.

G. The proposed property is physically suitable for the type and proposed density of development and conforms to existing zone standards.

RESPONSE: See section below addressing lot size requirements. The Application does not propose any development of the land. The Application complies with this criterion. See Exhibit 1.

H. The existing sewer and water facilities are adequate to serve the proposed development.

RESPONSE: This Application does not propose any development of the land. A future application to develop either parcel will address necessary services, including sewer and water.

I. The resulting lots will conform to the minimum size standards required in that zone.

RESPONSE: See sections below addressing the minimum size standards required in M-2 and C-2. The Application complies with this criterion.

J. Separate water and sewer service will be provided to each parcel as it develops.

RESPONSE: This Application does not propose any development of the land. A future application to develop either parcel will address necessary services, including sewer and water.

V. THE APPLICATION COMPLIES WITH THE HERMISTON CITY CODE

HCC Chapter 154 establishes the application requirements, review procedures, and approval standards for the Application. As explained below, the Application satisfies the applicable provisions and should be approved.

154.02: PRELIMINARY ACTIONS:

Each subdivider of land shall confer with the city staff before preparing a preliminary subdivision plat or map in order to become thoroughly familiar with the subdivision requirements and with the proposals of the Comprehensive Plan affecting the territory in which the proposed subdivision lies.

RESPONSE: Applicant had a preliminary meeting with City staff, including Assistant City Manager Mark Morgan and Planning Director Clinton Spencer, on March 28, 2023. The Application is responsive to the preapplication discussion with the City.

154.04: JURISDICTION AND PROCEDURE

(A) It shall be unlawful for any person being the owner, agent or person having control of any land within the city to divide land by a major or minor partition not in accordance with the laws of the state and the regulations contained herein. The proposed partition shall first be submitted to the Planning Commission for approval or disapproval. After report and approval of the Planning Commission is made and filed, all minor partitions shall be permitted, but all major partitions shall be submitted to the City Council for its approval or disapproval. No plat or map shall be recorded and no lots shall be sold from a plat or map until approved by the City Council and recorded with the county.

RESPONSE: Applicant is seeking approval pursuant to HCC of the proposed minor partition to the Planning Commission. The Application complies with the laws of the state of Oregon. After report and approval by the Planning Commission is made and filed, Applicant will submit the final partition to the Planning Commission for approval before sending the final partition to the County for recording.

(B) The design and layout of all subdivisions shall conform with the requirements of §§ 154.15 through 154.21. The subdivider shall submit a preliminary plat or map in accordance with the specifications of § 154.35 hereof. The final plat or map shall be submitted in accordance with the provisions of §§ 154.45 and 154.46 hereof.

RESPONSE: Applicant addresses the specific provisions of §§ 154.15 through 154.21, and HCC 154.35. Based upon those responses, the Commission should find that the Application complies with this requirement.

154.15: RELATION TO ADJOINING STREET SYSTEM

(A) The function, location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets.

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1.

(B) The street system shall assure an adequate and safe traffic circulation system with intersection angles, grades, tangents, and curves appropriated for the traffic to be carried, considering the terrain.

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(C) Off-set streets should be avoided.

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(D) The angle of intersection between minor streets and major streets should not vary by more than 10 degrees from a right angle unless special intersection design is provided.

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(E) Streets obviously in alignment with existing streets shall bear the names of the existing streets. All proposed street names should be checked to avoid duplication of other street names.

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(F) If the subdivision abuts a present or proposed major arterial street, marginal interceptor streets running parallel to the arterial street may be required.

RESPONSE: The Property does not abut a present or proposed major arterial street. Therefore, this criterion is not applicable to the Application.

(G) Streets shall be interconnected and provide for continuation or appropriate extension to surrounding properties. Cul-de-sac streets shall be allowed only when one or more of the following conditions exist:

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(1) Physical or topographic conditions make a street connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands, or other bodies of water where a connection could not reasonably be provided.

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

(2) Buildings or other existing development on adjacent lands physically precludes a connection now or in the future, considering the potential for redevelopment.

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

(3) Where street connection would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of the date of adoption of the TSP which preclude a required street connection.

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

(4) Where cul-de-sacs are planned, multi-use paths connecting the end of the cul-de-sac to other streets or neighborhood activity centers shall be provided if feasible.

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

(5) Cul-de-sac streets shall be as short as possible and should not exceed a length of 400 feet. A cul-de-sac shall terminate with a turn-around.

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

154.16: STREET AND ALLEY WIDTH

(A) The width of streets and alleys shall be adequate to fulfill city standards as provided for in the Transportation System Plan (TSP). The standard cross-sections provide some flexibility in the right-of-way and paved width, depending on factors such as whether on-street parking and bike lanes are provided. Standards for streets and alleys are adopted in the TSP and incorporated into this section by reference:

Table 1: Urban Arterial Cross Sections

Table 2: Urban Collector Cross Sections

Table 3: Urban Local Street Cross Sections

Table 4: Rural Arterial/Collector/Local Road Cross Sections

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

(B) Where alleys are provided in residential blocks, a minimum width of 20 feet shall be required. Alleys are required in the rear of all business lots and shall be at least 25 feet wide. A five-foot cutoff shall be made at all acute angle alley intersections.

RESPONSE: The Property is not in a residential block and does not include an alley. Therefore, this criterion is not applicable to the Application.

154.17: EASEMENTS

(A) Width requirements. Easements of at least six feet in width shall be provided on each side of all rear lot lines and alongside lot lines, where necessary, for poles, wires, conduits, storm and sanitary sewers, gas, water or other mains. Easements of greater width may be required along or across lots where necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.

RESPONSE: The Property includes various easements, as shown on Exhibit 1. The Application does not propose development that may require additional easements. Therefore, this criterion is satisfied.

(B) Along streams. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use.

RESPONSE: The Property is not located along a stream. Therefore, this criterion is not applicable to the Application.

(C) For irrigation. Whenever any irrigation system is located and/or proposed to be created in an area which is being subdivided, the subdivider shall provide an adequate easement as approved by the Planning Commission and the Hermiston Irrigation District.

RESPONSE: The Application does not include nor propose an irrigation easement. Therefore, this criterion is not applicable to the Application.

154.18: BLOCKS

(A) In residential zones, block lengths shall not exceed 600 feet in length between intersecting through streets, except where topography or existing development creates conditions requiring longer blocks.

RESPONSE: The Property is not in a residential zone. Therefore, this criterion is not applicable to the Application.

(B) Where block lengths exceed 600 feet, the Planning Commission may require a six- to ten-foot-wide paved bicycle/pedestrian access way through the block to enhance bicycle and pedestrian circulation by providing short, direct connections between destinations.

RESPONSE: The Property is not in a residential zone, and through block connections on the Property would not enhance bicycle or pedestrian circulation due to the existing and surrounding uses of the Property and lack of connections. Therefore, the Application satisfies this criterion.

154:19: LOTS

(A) The lot arrangement and design shall be such that all lots will be properly related to topography and existing development patterns.

RESPONSE: The proposed lots are properly related to the topography and existing development patterns, aligning with the existing street network. The Application satisfies this criterion.

(B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless prevented by environmental or topographical constraints, existing development patterns, or to comply with other standards in this code. Lots with double frontage shall be avoided.

RESPONSE: The proposed parcel lines are at right angles to existing streets. The Application satisfies this criterion.

(C) The minimum width of residential lots shall be 60 feet at the building lines. No lot shall have a depth in excess of three times its width. Minimum sizes of lots shall conform to the standards established by the zoning code of the city for the zone in which the lots are located. Where zero lot line lots are proposed, the minimum lot width shall be a minimum of 60 feet for the aggregate of all attached housing with a minimum of 2,000 square feet for each individual lot.

RESPONSE: The Property is not a residential lot. Additionally, there is no minimum lot size for areas zoned to C-2 and M-2. HCC 157.056(D), 157.041; see HCC 157.055(D). Therefore, Application satisfies this criterion.

(D) Where corner lots rear upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.

RESPONSE: This provision does not apply to the proposed parcels in this Application, but Applicant acknowledges the requirements of this provision.

(E) Corner lots at street intersections which, in the opinion of the Planning Commission, are likely to be dangerous to traffic movement shall have the corner of the lot cut off either by a chord or circular arc sufficient to allow a minimum of six feet between the curb line and the lot corner when and if the streets are curbed with the curb installed on a radius of 20 feet.

RESPONSE: Applicant does not anticipate that the Planning Commission will deem its pre-existing corner lots as dangerous to traffic movement. Therefore, the Application satisfies this criterion.

(F) Where a flag lot is proposed, the following design standards shall apply:

(1) The access portion shall be at least 25 feet wide.

(2) Where two flag lots are proposed, the 25-foot access lane may be shared between the two lots, with each lot having 12.5 feet of access.

(a) When two lots share a 25-foot access the city will require access easements to be prepared granting each parcel full access to the entire 25-foot access for ingress and egress.

(b) No fencing shall be installed in a shared access which inhibits the right of access for either parcel.

(3) The access portion of an access lane shall be paved to a width of at least 20 feet.

(4) The access shall include sufficient easements and paved improvements to allow adequate maneuvering space for fire and emergency vehicles.

(5) The minimum parcel size, setback and lot coverage requirements of the underlying zone will apply to all flag lots.

(a) When determining minimum parcel size, the access lane shall not be included in the calculation of lot size or lot coverage.

(b) When determining setback requirements, the front lot line shall be established by projecting an extension of the access lane through the property.

(c) The minimum lot width shall be the same as that established in the underlying zone and shall be parallel to the extension of the access lane through the property.

(d) The minimum lot depth shall be the same as that established in the underlying zone and shall be perpendicular to the extension of the access lane through the property.

(6) No more than two parcels shall be created utilizing a single access flag. When more than two parcels are proposed, a new public street must be created.

RESPONSE: Neither Parcel 1 nor Parcel 2 is a flag lot. The Application satisfies this standard.

154.20: CHARACTER OF DEVELOPMENT

(A) Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, streets, trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made by trust agreements made a part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision of the facilities.

RESPONSE: The lot does not contain sewers, sewage treatment plants, water supply systems, park areas, streets, trees, or other physical facilities necessary or desirable for the welfare of the area and which are not or cannot be satisfactorily maintained by an existing public agency. Therefore, the Application satisfied this criterion.

154.21: ACCESS MANAGEMENT

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendation of the City Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by the appropriate taxing agency.

RESPONSE: The Application considers the recommendations of the Comprehensive Plan and satisfies this criterion. As a limited land use decision under ORS 197.015(12), the Application is only subject to the comprehensive plan policies that are incorporated into the City’s land use regulations. ORS 197.195(1). Notwithstanding the foregoing, the Application given consideration to the HCC 154.21 and is consistent with the criterion.

154.35: PRELIMINARY PLAT REQUIREMENTS

(A) Whenever any person desires to subdivide land into building lots and to dedicate streets, alleys or land for public use, the person shall submit four copies of the preliminary sketch plat conforming to the requirements of 154.15 through 154.21 to the Planning Commission before submission of the final plat.

RESPONSE: Applicant submits the required preliminary plat, conforming with the requirements of HCC 154.15 through 154.21 as detailed above, as Exhibit 1 as well as three additional copies attached to the application.

(B) The preliminary plat must be filed with the City Planner at least 30 days prior to the meeting of the Planning Commission. Minor partitions containing three lots or less may be exempted from the provisions of this section.

RESPONSE: The Application is for a minor partition containing two lots and is exempt from the provisions of this section. However, Applicant is providing this Application more than 30 days prior to the meeting of the Planning Commission.

(C) The preliminary plat shall show:

(1) The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto;

RESPONSE: Applicant’s preliminary plat, attached as Exhibit 1, satisfies the requirements of this criterion.

(2) The proposed location and width of streets, alleys, lots, building and setback lines and easements;

RESPONSE: The Application satisfies this criterion.

(3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat;

RESPONSE: The preliminary plat shows the existing sanitary and storm sewers, water mains, culverts, and other underground structures to the extent on or adjacent to the Property.

(4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract;

RESPONSE: The Application does not propose to change the title of the Stahl Replat. The subdivider and owner is Amazon Data Services, Inc., which is noted on the preliminary plat. See Exhibit 1.

(5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land;

RESPONSE: The Application complies with this criterion.

(6) Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot;

RESPONSE: The Application satisfies this criterion. See Exhibit 1.

(7) North point, scale and date;

RESPONSE: The plan includes the date, north point, and scale of drawing. See Exhibit 1.

(8) Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; and

RESPONSE: This Application dedicates land for City right-of-way and does not include a proposal for development that would require development details. The Applicant acknowledges the requirements of this criterion.

(9) All the above information unless waived by the Planning Commission.

RESPONSE: See above responses.

(D) After the preliminary plat has been submitted to the Planning Commission in accordance with these regulations, a final plat, together with copies of any deed restrictions, shall be prepared and submitted to the City Planner. The plat shall be filed in the office of the City Planner at least 14 days prior to the meeting of the Planning Commission at which approval thereof is asked. This final plat shall be submitted and prepared in accordance with the provisions of 154.45 through 154.46 hereof.

RESPONSE: Applicant intends to submit a final plat to the City Planner after approval of this Application by the Planning Commission. The final plat will comply with the provisions of HCC 154.45-154.46.

VI. CONCLUSION

For the reasons set forth in this narrative and on the basis of evidence included with this Application, the Commission should approve the Application.

EXHIBIT 1

TENTATIVE PARTITION PLAN

A PARTITION PLAT OF LOT 2, "STAHL REPLAT"
 LOCATED IN SECTION 23 AND 24, TOWNSHIP 4 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

SURVEY NOTES:

1. TOPOGRAPHIC AND UTILITY INFORMATION SHOWN HEREON IS FROM SURVEY WORK PERFORMED USING UAV (DRONE) DATA AND GROUND SURVEY DATA COLLECTED IN APRIL 2021.
2. THERE ARE NO WATERCOURSES OR AREAS SUBJECT TO FLOODING WITHIN THE PROPOSED PROPERTY
3. THERE ARE NO ROCK OUTCROPPINGS, LANDSLIDE HAZARD AREAS, WETLANDS, WOODED AREAS, OR OTHER UNIQUE FEATURES WITHIN THE PROPOSED PROPERTY.
4. THERE ARE NO KNOWN HISTORICAL SITES OR STRUCTURES WITHIN THE PROPOSED PROPERTY.

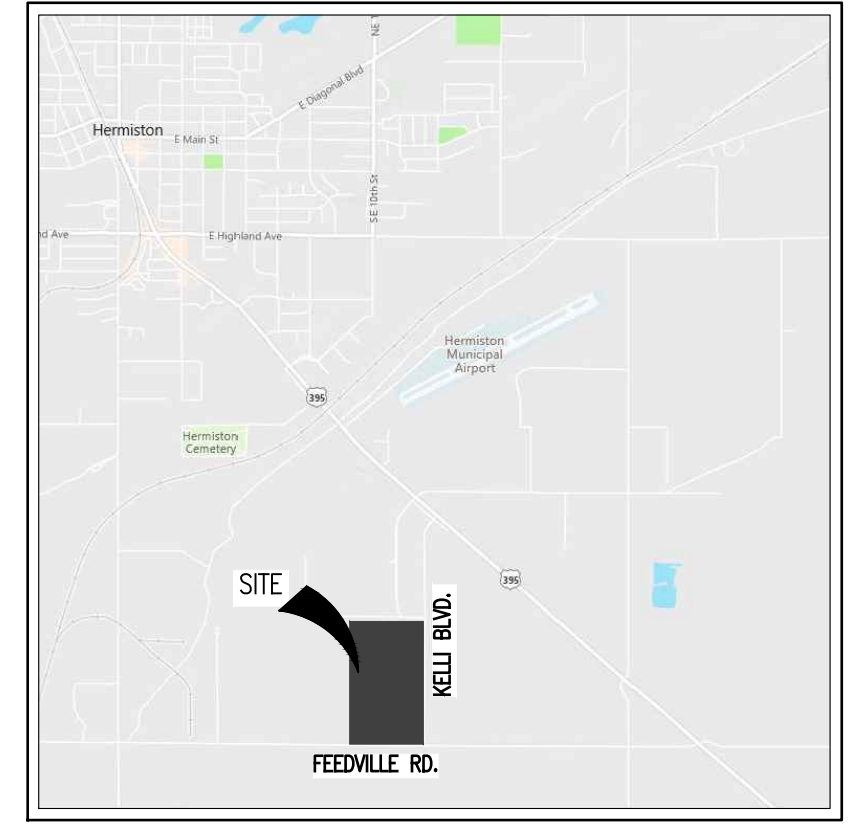
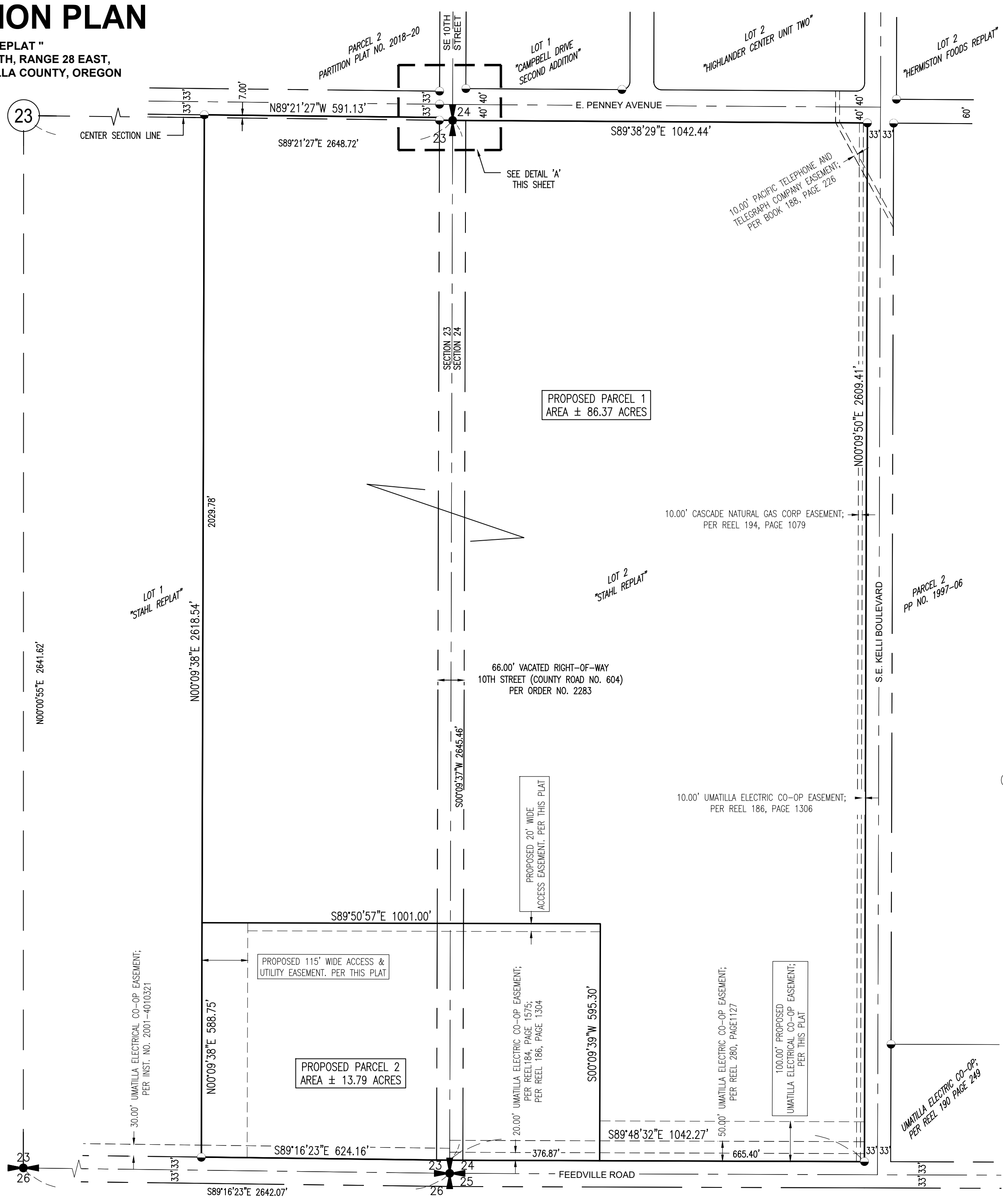
LEGEND

- FOUND REBAR & CAP AS NOTED
- FOUND REBAR AS NOTED
- FOUND ALUMINUM CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- CALCULATED CORNER AS NOTED
- ⊕ FOUND SECTION CORNER AS NOTED
- ⊕ FOUND QUARTER SECTION CORNER AS NOTED
- SUBJECT PROPERTY LINE
- - - EXISTING RIGHT-OF-WAY
- - - ADJOINING PROPERTY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY CENTERLINE

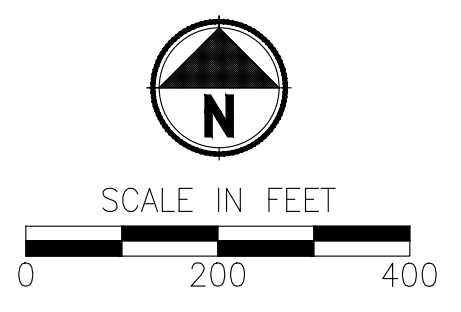
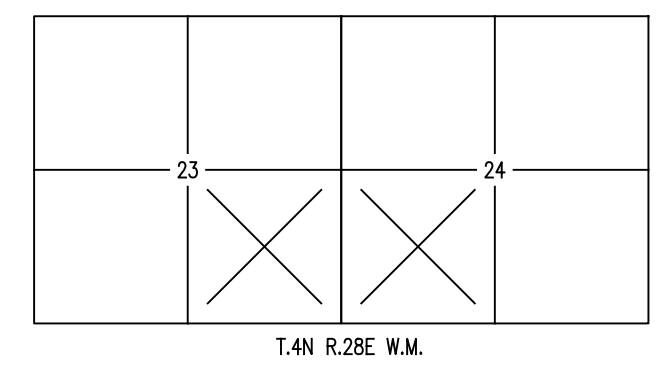
LEGAL DESCRIPTION

*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:

LOT 2 OF STAHL REPLAT, RECORD ON NOVEMBER 27, 2019, AS DOCUMENT NO. 2019-6940037, IN BOOK 16, PAGE 95, OFFICE OF THE UMATILLA COUNTY RECORDS, UMATILLA COUNTY OREGON.



VICINITY MAP
 N.T.S.



REGISTERED PROFESSIONAL LAND SURVEYOR
REVIEW COPY
 OREGON
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

OWNER: AMAZON DATA SERVICES INC.
 ADDRESS: PO BOX 80416, SEATTLE WASHINGTON, 98106-0416
 ZONING DESIGNATION: OUTLYING COMMERCIAL & HEAVY INDUSTRIAL (C-2 AND M-2) PER THE CITY OF HERMISTON
 NOTES: NO RECORD OF WATER RIGHTS WERE FOUND AFFECTING THIS PROPERTY

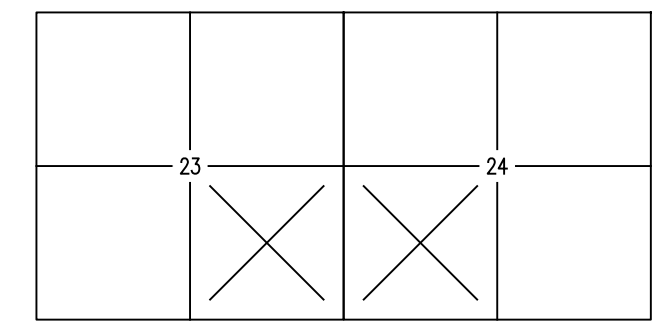
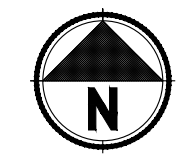
SURVEY PREPARED FOR: TENTATIVE PARTITION PLAN	
Parametrix ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES	
150 NW PACIFIC PARK LANE, SUITE 110 BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM	
PMX JOB NO. 8117-045	
SURVEYED	
DRAWN KDC/CAP	ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY
CHECKED CJD	
APPROVED CJD	
	SCALE 1" = 200'
	DATE APRIL 7, 2023

SHEET NO. 1 OF 2

EXHIBIT 1

TENTATIVE PARTITION PLAN

A PARTITION PLAN OF LOT 2, "STAHL REPLAT"
LOCATED IN SECTION 23 AND 24, TOWNSHIP 4 NORTH, RANGE 28 EAST,
WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

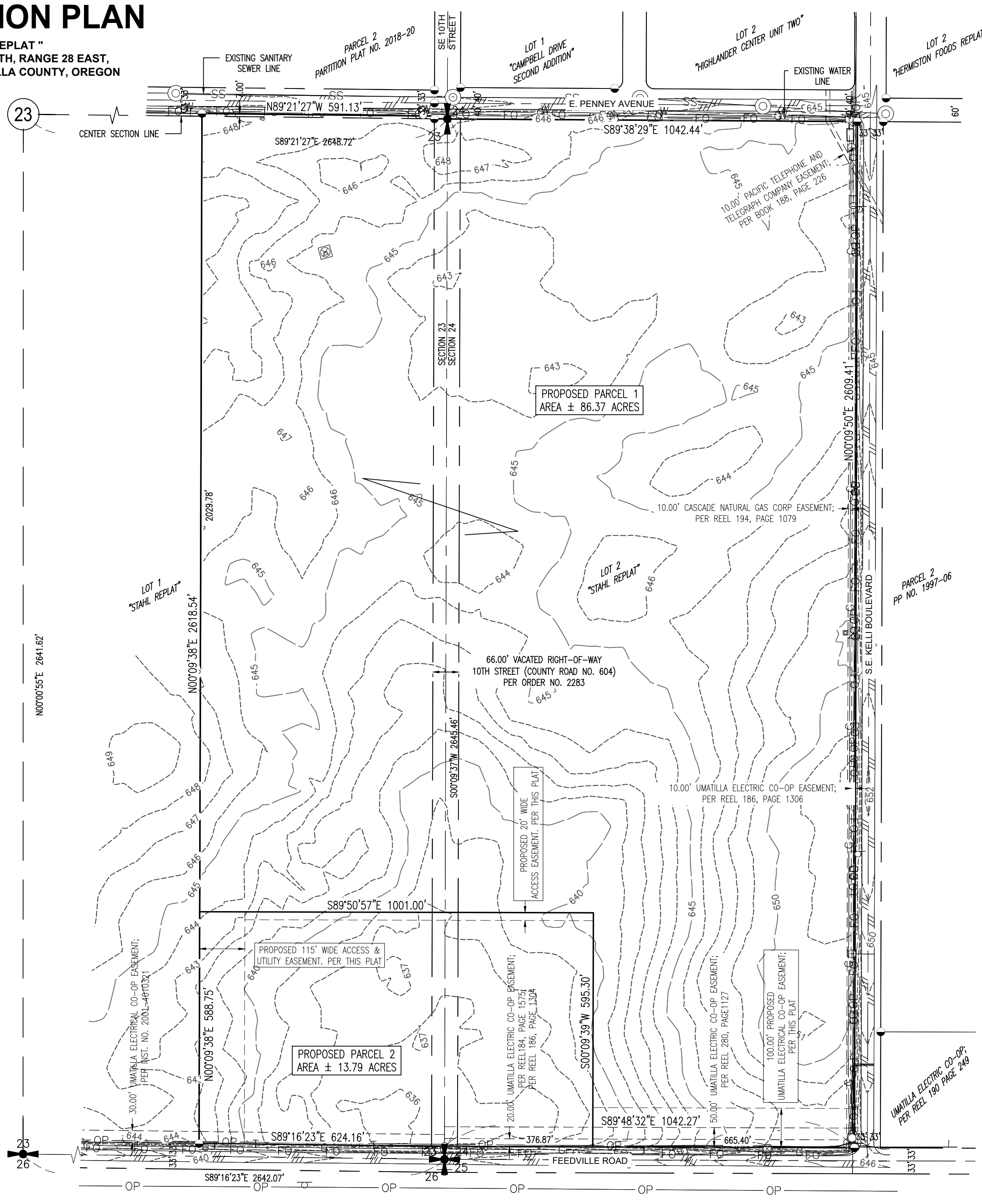


SURVEY NOTES

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2. THERE ARE NO WATERCOURSES OR AREAS SUBJECT TO FLOODING WITHIN THE PROPOSED PROPERTY
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LEGEND

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- FOUND ALUMINUM CAP AS NOTED
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- EASEMENT LINE
- EXISTING RIGHT-OF-WAY CENTERLINE
- EXISTING FENCE LINE
- EXISTING CONCRETE
- EXISTING PAVEMENT
- EXISTING FIBER OPTIC LOCATES
- EXISTING COMMUNICATIONS LOCATES
- EXISTING WATER LOCATES
- EXISTING GAS LOCATES
- EXISTING OVERHEAD POWER LINES
- EXISTING POWER LOCATES
- EXISTING SANITARY SEWER LOCATES
- EXISTING SIGN POST
- EXISTING GAS VALVE
- EXISTING GAS VALVE REGULATOR
- EXISTING SANITARY MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING IRRIGATION STATION
- EXISTING WATER VALVE
- EXISTING POWER POLE
- EXISTING GUY ANCHOR POLE
- EXISTING POWER PANEL
- EXISTING POWER METER
- EXISTING POWER TRANSFORMER
- EXISTING POWER JUNCTION BOX
- EXISTING GUY ANCHOR
- EXISTING COMMUNICATION PANEL
- EXISTING COMMUNICATION JUNCTION BOX
- EXISTING BOLLARD



LEGAL DESCRIPTION

*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:

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HORIZONTAL DATUM

HORIZONTAL DATUM FOR THIS SURVEY IS NAD 1983(2011), OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

VERTICAL DATUM

VERTICAL DATUM FOR THIS SURVEY IS NAVD 88, OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

REGISTERED PROFESSIONAL LAND SURVEYOR

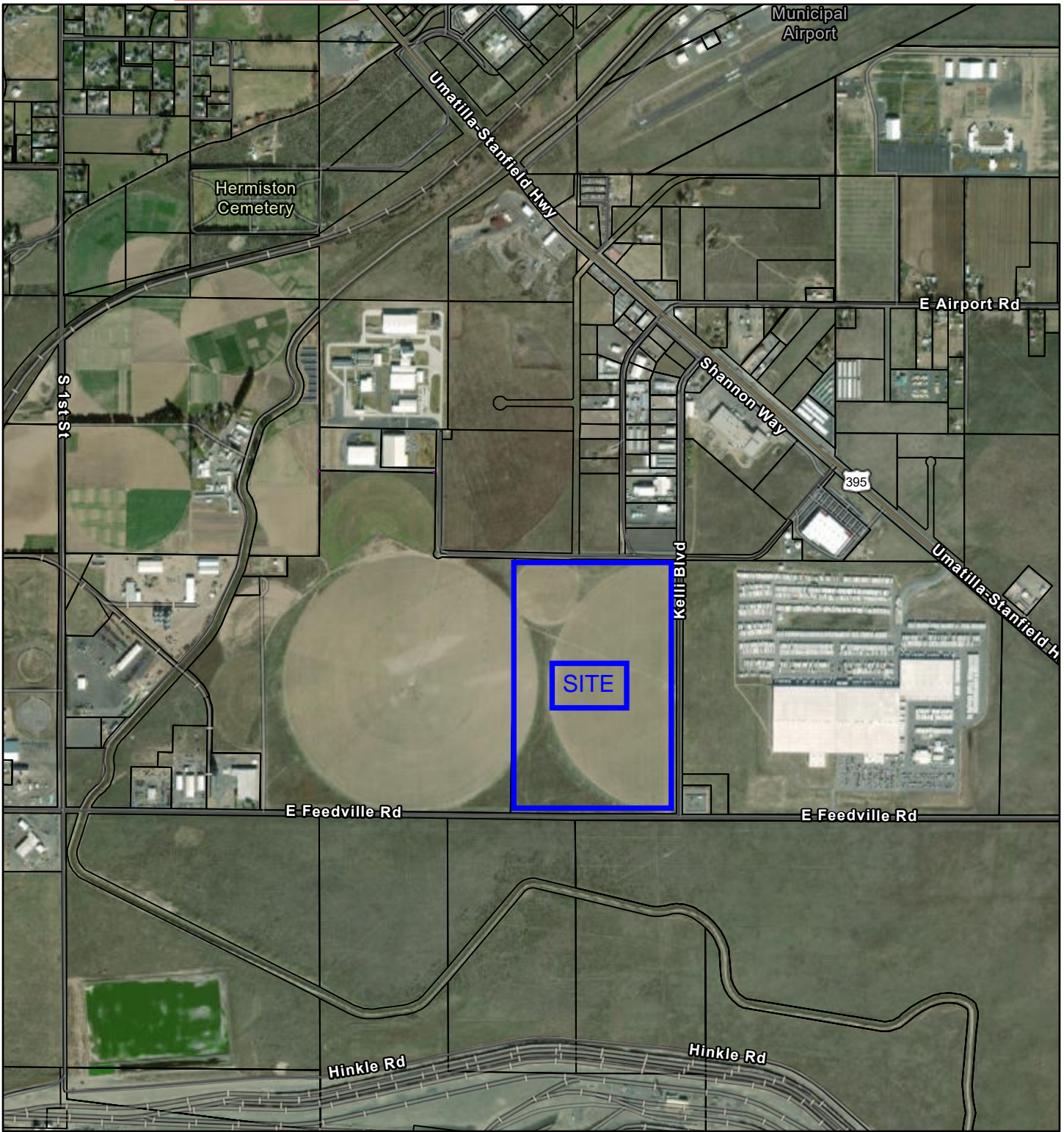
REVIEW

COPY

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905
RENEWS: 12-31-2023

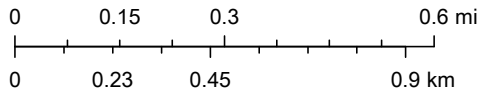
OWNER: AMAZON DATA SERVICES INC.
ADDRESS: PO BOX 80416, SEATTLE WASHINGTON, 98106-0416
ZONING DESIGNATION: OUTLYING COMMERCIAL & HEAVY INDUSTRIAL (C-2 AND M-2) PER THE CITY OF HERMISTON
NOTES: NO RECORD OF WATER RIGHTS WERE FOUND AFFECTING THIS PROPERTY

EXISTING CONDITIONS PLAN FOR: TENTATIVE PARTITION PLAN		
Parametrix ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES		
150 NW PACIFIC PARK LANE, SUITE 110 BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM		
PMX JOB NO.		8117-045
SURVEYED		
DRAWN	KDC/CAP	ONE INCH AT FULL SCALE, IF NOT, SCALE ACCORDINGLY
CHECKED	CJD	
APPROVED	CJD	
SCALE		1" = 200'
DATE		APRIL 7, 2023
		SHEET NO. 2 OF 2



2/6/2023, 9:45:02 AM

1:24,952



Oregon State Parks, State of Oregon GEO, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Maxar

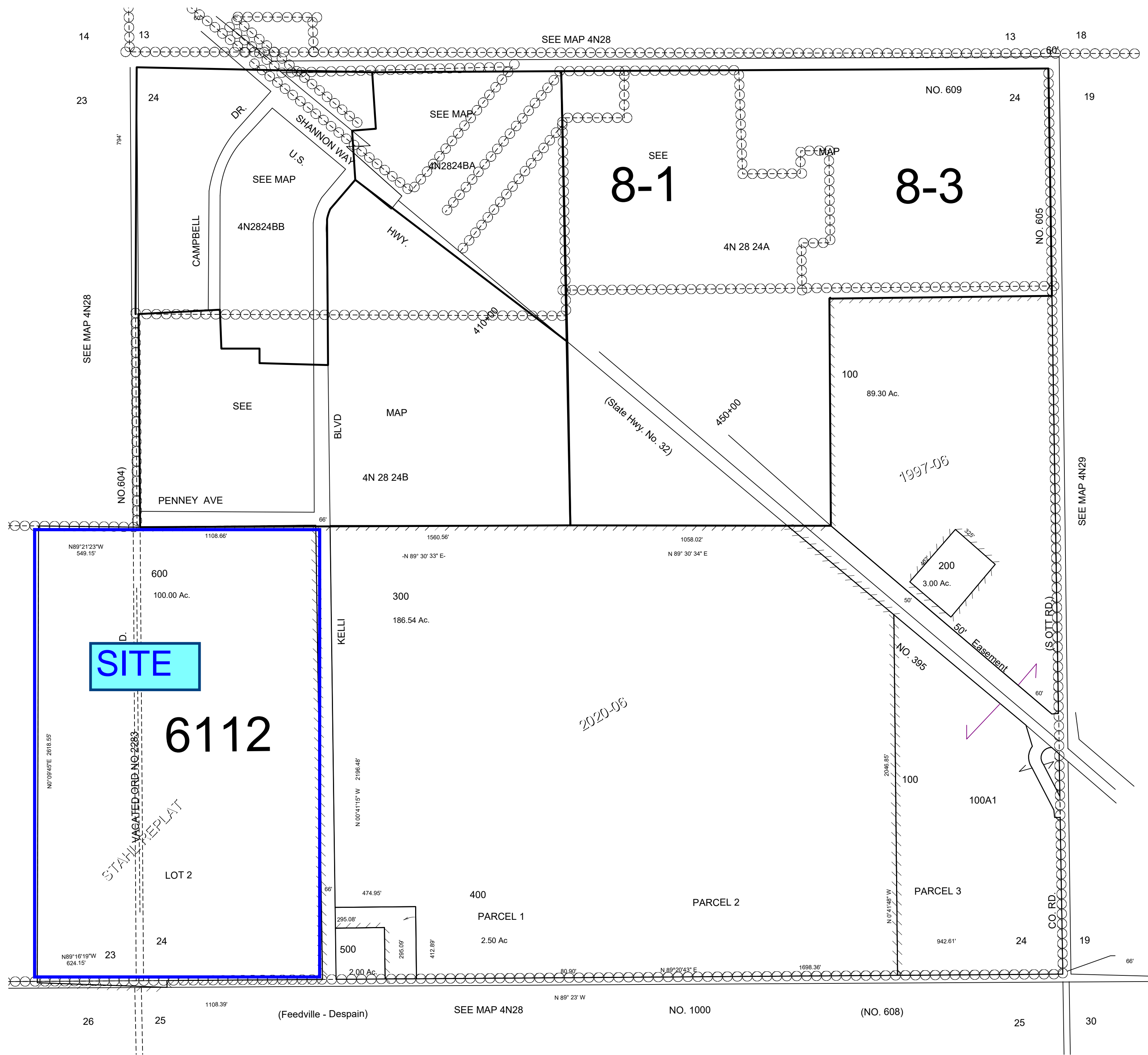
EXHIBIT 3 - TAX MAP

This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

SEC 24 T4N R28E WM UMATILLA COUNTY, OR

4N2824

SCALE: 1" = 400'



REVISED: 04-22-2021

4N2824

STAHL REPLAT

A Replat of Parcel 1 of Partion Plat 1997-06 & Parcel 2 of Partition Plat 2019-08 Township 4 North, Range 28 East, W.M., Sections 23 & 24

City of Hermiston, Umatilla County, Oregon

For:
Stanfield Hutterian Brethren
36345 Despain Gulch Road
Stanfield, Oregon 97875

SURVEYORS CERTIFICATE & NARRATIVE:

I, Ronald V. McKinnis, being a Registered Professional Surveyor of the State of Oregon, certify that I have correctly Surveyed and Monumented the lands as described in the Property Description on the face of this Plat, and that this Plat meets all the requirements as established by Chapter 92, Oregon Revised Statutes.

This survey is based on the previous survey by Posada for Cook, Partition Plat 2019-08 and my survey for Cook, Partition Plat 1997-06. The Bearing Base for this survey was the South Line of Section 23 along Feedville Road, as shown, consistent with Posada's survey and Edwards', R2. The Initial Point of this survey is the Brass Cap Quarter corner common to Sections 23 & 24. For the alignment of Kelli Blvd I held the original distance from the Southwest corner of Section 24 as found in R4 and the alignment of my two found pins along the East right of way of Kelli Blvd from R1. This survey was completed with a Trimble GPS RTK Total Station.

OWNER'S DECLARATION:

We, the undersigned owners of the lands as shown on this plat, do hereby acknowledge that we have caused this plat to be created, We authorized that this Plat be prepared in accordance with the provisions of ORS Chapter 92, and we recognize this Plat as the Official Plat and Map of the Partition as filed in the County of Umatilla, State of Oregon.

By OWNER:

Herb Stahl
Herb Stahl, for Stanfield Hutterian Brethren

On this 15th day of November, 2019, the above individual appeared personally before me and is known to me to be the identical individual who executed this plat declaration and acknowledged that he did so freely and voluntarily.

Before me: Tammra Rac Sinor
Notary Public for Oregon

My Printed Name is Tammra Rac Sinor

My Commission No. is 962927

My Commission Expires May 21, 2021

Umatilla County
Office of County Records
Recording Information
Seal

STATE OF OREGON,
COUNTY OF UMATILLA }
I certify that this instrument was received and recorded on 11-27-2019 at 8:46 o'clock a. m., in the record of PLATS of said County. BOOK 16 PAGE 95 OFFICE OF COUNTY RECORDS By: David A Stuvland Records Officer Fee \$ 120.00 No. 2019-6940037

APPROVALS:

I certify that I have examined and approved this Replat on this 19 day of Nov, 2019

David H. Kline
Umatilla County Surveyor

I certify that I have examined and approved this Replat on this 26 day of November, 2019

Sharon A. Eno
City of Hermiston Planning Commission

I certify that I have examined and approved this Replat on this 25th day of November, 2019

[Signature]
Mayor of City of Hermiston

I certify that I have examined and approved this Replat on this 15 day of Nov, 2019

Cynthia Kapatrik
Hermiston Irrigation District

I certify that I have examined and approved this Replat on this 16th day of November, 2019

[Signature]
Umatilla County Tax Assessor

I certify that I have examined and approved this Replat on this 18 day of Nov, 2019

[Signature]
Umatilla County Tax Collector

[Signature]
Umatilla County Commissioner

[Signature]
Umatilla County Commissioner

[Signature]
Umatilla County Commissioner

PROPERTY DESCRIPTIONS:

From Deed #2019-6840738
PARCEL 1 of Partition Plat 1997-06

From Deed #2019-6840737
PARCEL 2 of Partition Plat 2019-08

SURVEY RECORDS:

- R1 - McKinnis for Cook, P.P. 1997-06, C.S. #97-064-B
- R2 - Edwards for Cook, P.P. 2011-19, C.S. #C-1634-C
- R3 - Posada for Cook, P.P. 2019-08, C.S. #19-034-B
- R4 - Edwards for Umatilla Electric, C.S. #90-005-A
- R5 - Best for Hermiston Foods, LLC, C.S. #18-008-B

I do hereby certify that this is a true and exact copy of the Original Partition Plat as filed for Stanfield Hutterian Brethren in Umatilla County.

[Signature]

RECEIVED BY

Umatilla County Surveyor

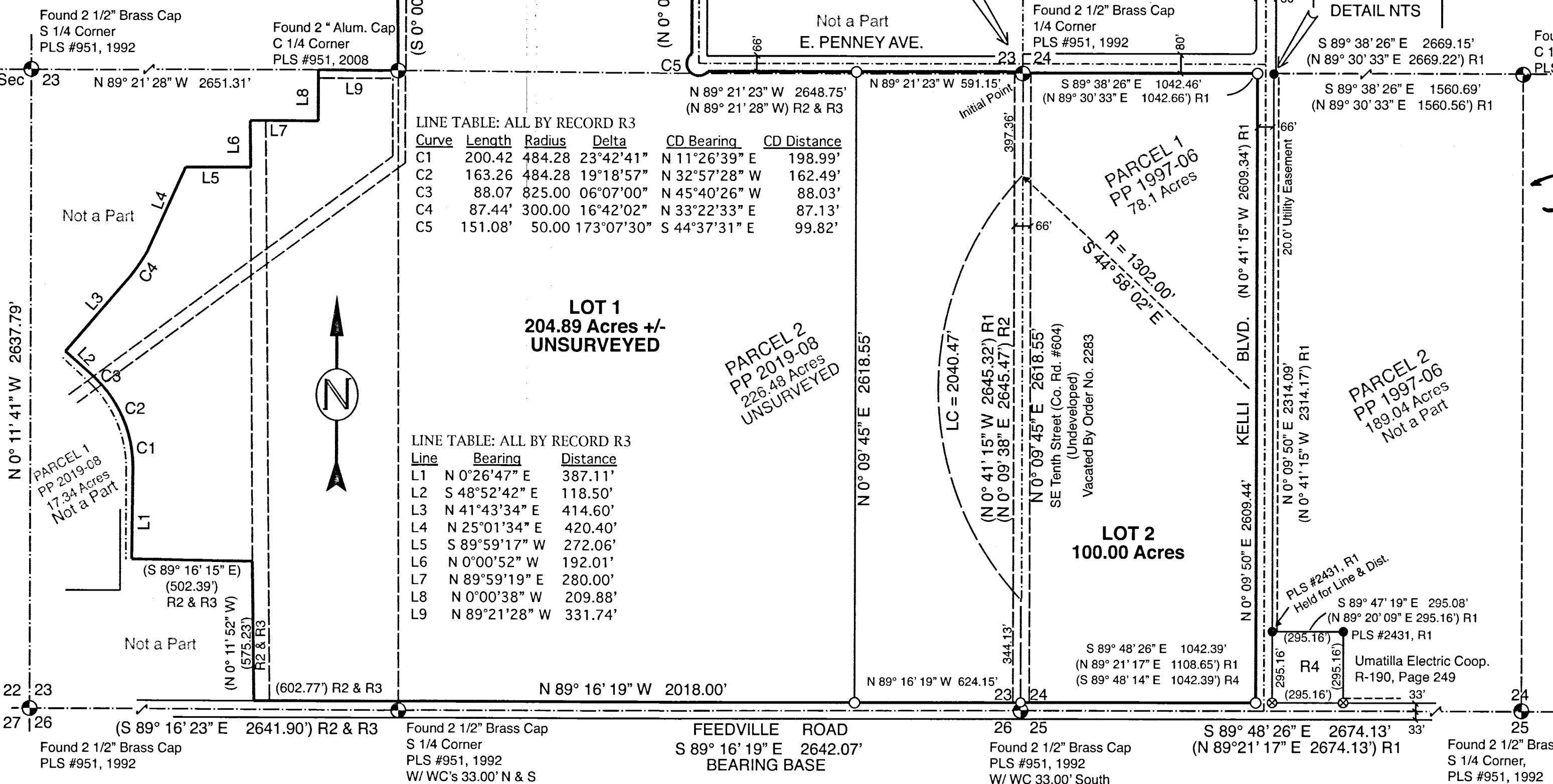
Date: 11/27/19

Rec'd By: CS

No.: 19-113-B

Found 2 1/2" Brass Cap
S 1/4 Corner
PLS #951, 1992

Found 2" Alum. Cap
C 1/4 Corner
PLS #951, 2008



LINE TABLE: ALL BY RECORD R3

Curve	Length	Radius	Delta	CD Bearing	CD Distance
C1	200.42	484.28	23°42'41"	N 11°26'39" E	198.99'
C2	163.26	484.28	19°18'57"	N 32°57'28" W	162.49'
C3	88.07	825.00	06°07'00"	N 45°40'26" W	88.03'
C4	87.44'	300.00	16°42'02"	N 33°22'33" E	87.13'
C5	151.08'	50.00	173°07'30"	S 44°37'31" E	99.82'

LINE TABLE: ALL BY RECORD R3

Line	Bearing	Distance
L1	N 0°26'47" E	387.11'
L2	S 48°52'42" E	118.50'
L3	N 41°43'34" E	414.60'
L4	N 25°01'34" E	420.40'
L5	S 89°59'17" W	272.06'
L6	N 0°00'52" W	192.01'
L7	N 89°59'19" E	280.00'
L8	N 0°00'38" W	209.88'
L9	N 89°21'28" W	331.74'

REGISTERED PROFESSIONAL LAND SURVEYOR
[Signature]
RONALD V. MCKINNIS
JAN. 23, 1990
2431
Expires 12-31-20

- ### LEGEND
- SET MONUMENTS - 5/8" x 30" Iron Rods W/ Plastic Caps Stamped - L.S. # 2431
 - FOUND SECTION MONUMENTS - As Noted
 - FOUND MONUMENTS - As Noted
 - ⊗ FOUND Original Monument Disturbed, Not Held
 - ⊙ CALCULATED POINT - Not Set
 - SECTION LINES
 - REPLAT BOUNDARIES
 - (000) R0 RECORD BEARING DISTANCE FOR NOTED REFERENCE

SCALE 1" = 400 Ft.
October, 2019

ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. MCKINNIS ENGINEERING
79980 Prindle Loop Road
Hermiston, Oregon 97838
(541)-567-2017

EXHIBIT 4 - STAHL REPLAT

Umatilla County
Received: 1/9/2020



AFFIDAVIT OF CORRECTION (REPLAT)

After Recording Return To:
R.V. McKinnis Engineering
79980 Pindle Loop Road
Hermiston, Oregon 97838

All Tax Statements Unchanged:
In Consideration of: None

I, Ronald V. McKinnis, being the duly sworn, depose and say that I am the Surveyor who surveyed STAHL REPLAT, as filed in instrument No. 2019-6940037 recorded on the 27th day of November, 2019 on Plat Book 16, Page 95 of the Plat Records of Umatilla County.

The following corrections to said plat are necessary and in accordance with ORS 92.170, I state that the following corrections be made:

PLAT: At a Point North 33.00 feet of the Section Corner common to Sections 23, 24, 25, & 26 the Plat Shows:
Set Monument 5/8" x 30" Iron Rod W/ Plasic Cap Stamped L.S. #2431.

Corrected to: Found 2 1/2" Brass Cap Witness Corner, PLS #951, 1992.

PLAT: At a Point West 33.00 feet of the Quarter Section Corner common to Sections 23 & 24, the Plat Shows:
Set Monument 5/8" x 30" Iron Rod W/ Plasic Cap Stamped L.S. #2431.

Additional Note of: Found Aluminum Cap Witness Corner 0.18' South.




Ronald V. McKinnis PLS #2431

STATE OF OREGON)
UMATILLA COUNTY) SS

This instrument was acknowledged and sworn before me this 7 Day of January, 2020

(NOTARY SEAL)





NOTARY PUBLIC FOR OREGON
My Commission Expires: 4-3-21

I hereby certify that I have examined this Affidavit of Correction and that the changes being made are permitted under ORS 92.170.



Dave Krumbein, Umatilla County Surveyor

1/9/2020

Date

December 1, 2022



Leif Van Acker
920 SW 6th Ave, Suite 1200
Portland, OR 97204

Re: **Notice of Decision** - Site Plan Approval – AWS Data Center

The City of Hermiston has reviewed and conditionally approved the application for construction of a new data center facility on property described as 4N 28 24 Tax Lot 600.

Assignment of Addresses

The new development will be addressed from E Penney Ave. The primary vehicular access on the site plan is from E Penney Ave and provides the basis for determination of front lot lines per 157.002 of the Hermiston Code of Ordinances. The four data center buildings will be addressed as 976 E Penney Ave, 982 E Penney Ave, 988 E Penney Ave, and 994 E Penney Ave (Moving from north to south respectively. See attached map).

Conditions of Approval

1. Applicant shall comply with all provisions of §92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of development.
2. All stormwater shall be retained on-site. The city engineer will review the proposed drainage plan and storm report as part of the civil drawing review process.
3. Civil drawings shall be submitted to the city engineer for review and approval prior to issuance of a building permit. Civil drawings shall be prepared in accordance with the design guidelines for plan preparation contained in the city’s standard plans and specifications located at:
<https://www.hermiston.or.us/commdev/page/hermiston-design-standards-specifications-and-plans>
4. Signage shall be installed consistent with the requirements of 155.37 of the Hermiston Code of Ordinances.
5. The property lies within an area subject to potential groundwater pollution hazards due to excessively well-drained soils. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may

PLANNING DEPARTMENT

- receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.
6. The site is bounded by E Penney Ave, SE Kelli Blvd, and E Feedville Road. E Penney Ave and SE Kelli Blvd are classified as urban minor collector streets in the city's transportation system plan. E Feedville Road is an urban major collector. The E Penney Ave and SE Kelli Blvd frontages adjacent to the parcel shall be improved to minor collector status using city standard ST10 in the standard specifications referenced in Condition #3 above.
 - a. Based on the length of the street frontages, the City will accept and recommends developing a phased improvement plan for these street upgrades as part of the civil drawing development.
 - b. The City recommends beginning the street upgrades at the Feedville/Kelli intersection closest to Building A (Phase 1) and constructing additional street improvements in phases as construction progresses, completing all required improvements concurrent with Building D (Phase 4).
 7. E Feedville Road is a county road and not a city street. As such, an access permit from Umatilla County is required prior to construction of the E Feedville Road driveway approach.
 8. All areas for the standing and maneuvering of vehicles shall be paved in accordance with §157.179(A) of the Hermiston Code of Ordinances.
 - a. According to the site plan, 213 parking spaces are proposed. Per §157.176 of the Hermiston Code of Ordinances, 861 spaces are required.
 - b. A major variance from the parking standard has been requested from the planning commission approving 213 spaces.
 - c. The planning commission will consider the variance request on December 14, 2022. If the variance is approved by the planning commission, no further action is required. If the variance is denied or modified by the planning commission, a revised parking plan shall be submitted for approval by the City prior to issuance of any building permits.
 9. Comments were received from the Oregon Department of Transportation on November 21, 2022. In the November 21 letter ODOT recommends that a TIA be prepared for this development and additional traffic calming measures for Highway 395 be considered. After reviewing the recommendation, the City has determined that the relatively low employee load (approx. 120 employees per shift at full buildout), limited public access, and additional off-site improvements constructed by the City, and in planning for the City (specifically the South Hermiston Industrial Park street improvements and the improvement of E Penney Ave to connect with Highway 395), a TIA is not merited with this phase. However, the City agrees that this area does warrant additional near-term consideration. At the time additional phases are constructed either on adjacent parcels to the west or south of Feedville Road,

PLANNING DEPARTMENT

a TIA prepared in coordination with the City of Hermiston and Umatilla County will be required.

You may now submit your plans to the city engineer for civil review and to the building department to obtain the necessary permits to begin construction of your facility. Additionally, you have the right to file an appeal of the city's decision. An appeal must be filed within 12 days of the date this letter is mailed. If no appeal is filed by 5 pm on December 13, 2022, the city's decision is considered final.

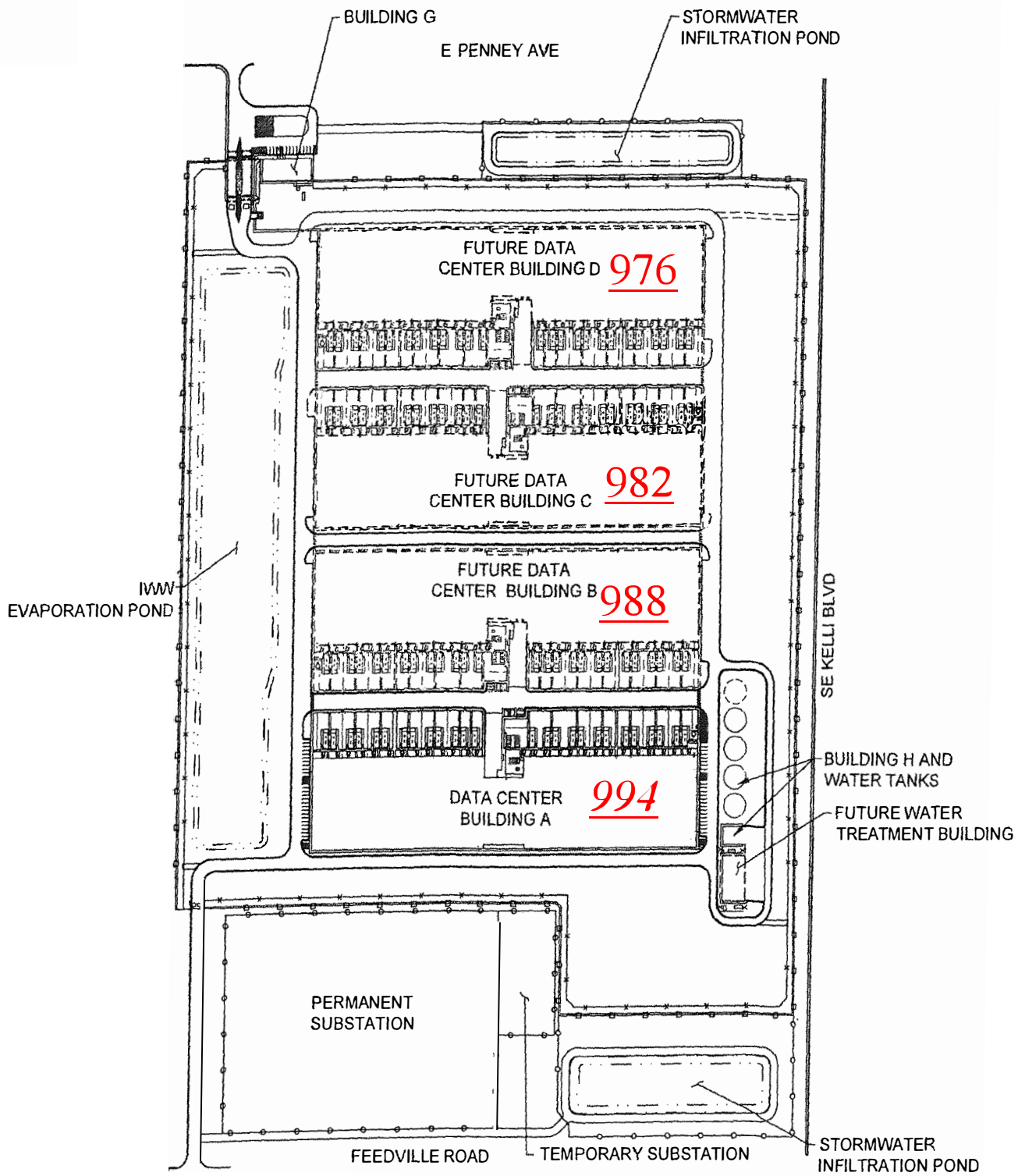
If you have any questions, please feel free to contact me at (541)567-5521.

Sincerely,



Clinton Spencer
City Planner

C: Joshua Lott, Anderson Perry
Byron Smith
Mark Morgan
Development Staff
Building Department





Oregon

Kate Brown, Governor

Section 3, Item B.

Department of Transportation

Region 5, District 12

1327 SE 3rd Street

Pendleton, OR 97801

November 21, 2022

Clint Spencer, Planning Director
City of Hermiston
180 NE 2nd Street
Hermiston, Oregon 97838

Subject: Land Use Review - 994 E Penney Avenue, Tax Lot 600, zoned Outlying Commercial/Heavy Industrial

The Oregon Department of Transportation (ODOT) has concerns with proposed development that could impact state highways and intersections.

The City's 2003 Transportation System Plan includes the US 395 Corridor Refinement Plan that projected traffic volumes to increase as this area develops and outlines initiatives aimed to respond to growth. The US 395 Corridor Refinement Plan was developed in partnership with the City, Umatilla County and ODOT. The corridor strategy strives to address an overall access and circulation management plan with appropriate improvements, such as US 395 intersection improvements, future traffic signals and local street extensions.

Potential options for traffic calming are also included in the City's TSP. As congestion and travel delays increase along US 395, a parallel route becomes more favorable to local traffic and necessary to accommodate future development. A fully continuous north-south route parallel to US 395 to tie into east-west roadways improves the continuity of the City's street grid system.

ODOT recommends a traffic impact analysis be prepared to identify the needed improvements for traffic circulation. We feel traffic calming measures combined with intersection improvements as the area develops is a necessity. These elements should be addressed with emphasis on development contributing fiscally to implement the transportation infrastructure improvements.

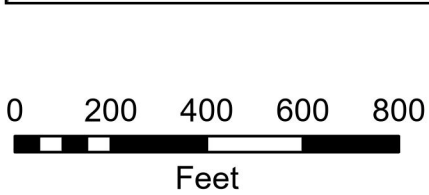
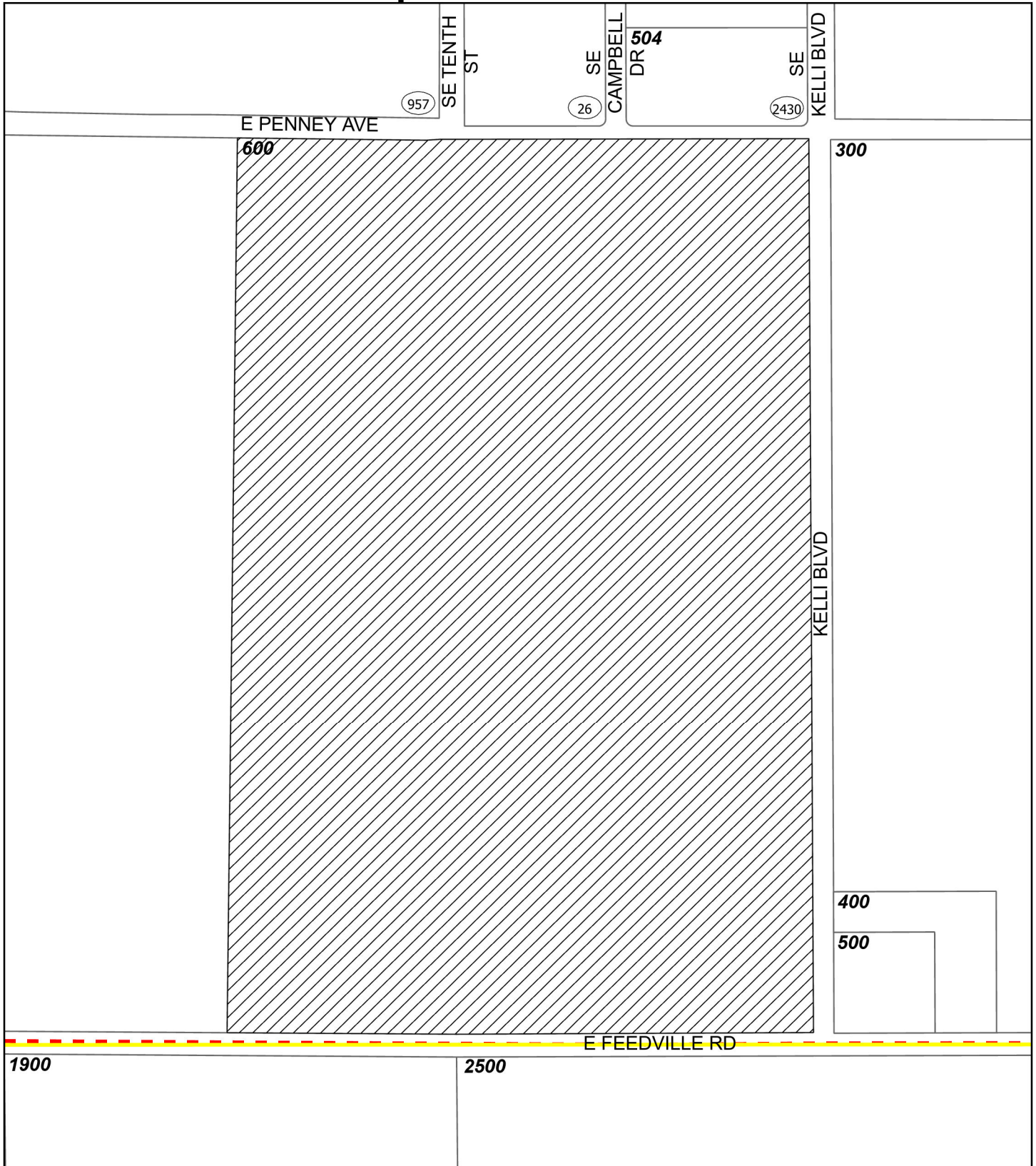
ODOT would like to work with the City and applicant to ensure that US 395 operates safely. The transportation system is more effective as mobility choices and connectivity are improved. Thank you for the opportunity to comment.

Richard Lani
District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, PE, ODOT Region 5 Traffic Engineer
Teresa Penninger, ODOT Region 5 Planning Manager
Dawn Hert, DLCD
Bob Waldher, Umatilla County

Notice of Proposed Land Use Action



- Legend
- Area of Proposed Minor Partition
 - Property Line
 - City Limits
 - Urban Growth Boundary

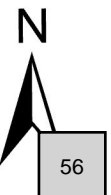


EXHIBIT 1

TENTATIVE PARTITION PLAN

A PARTITION PLAT OF LOT 2, "STAHL REPLAT"
 LOCATED IN SECTION 23 AND 24, TOWNSHIP 4 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

SURVEY NOTES:

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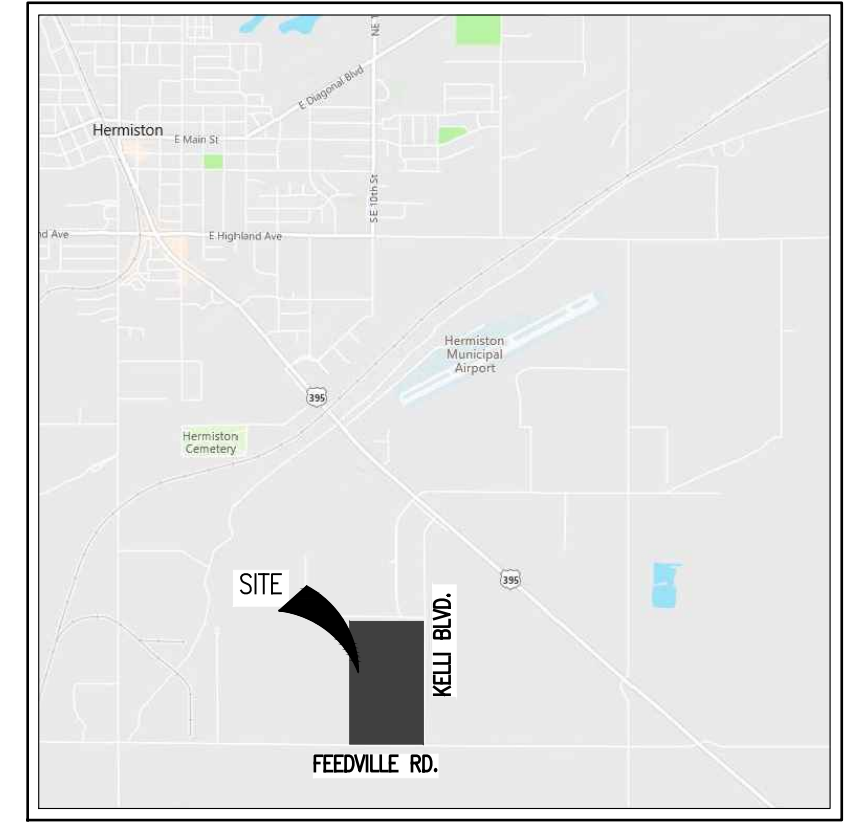
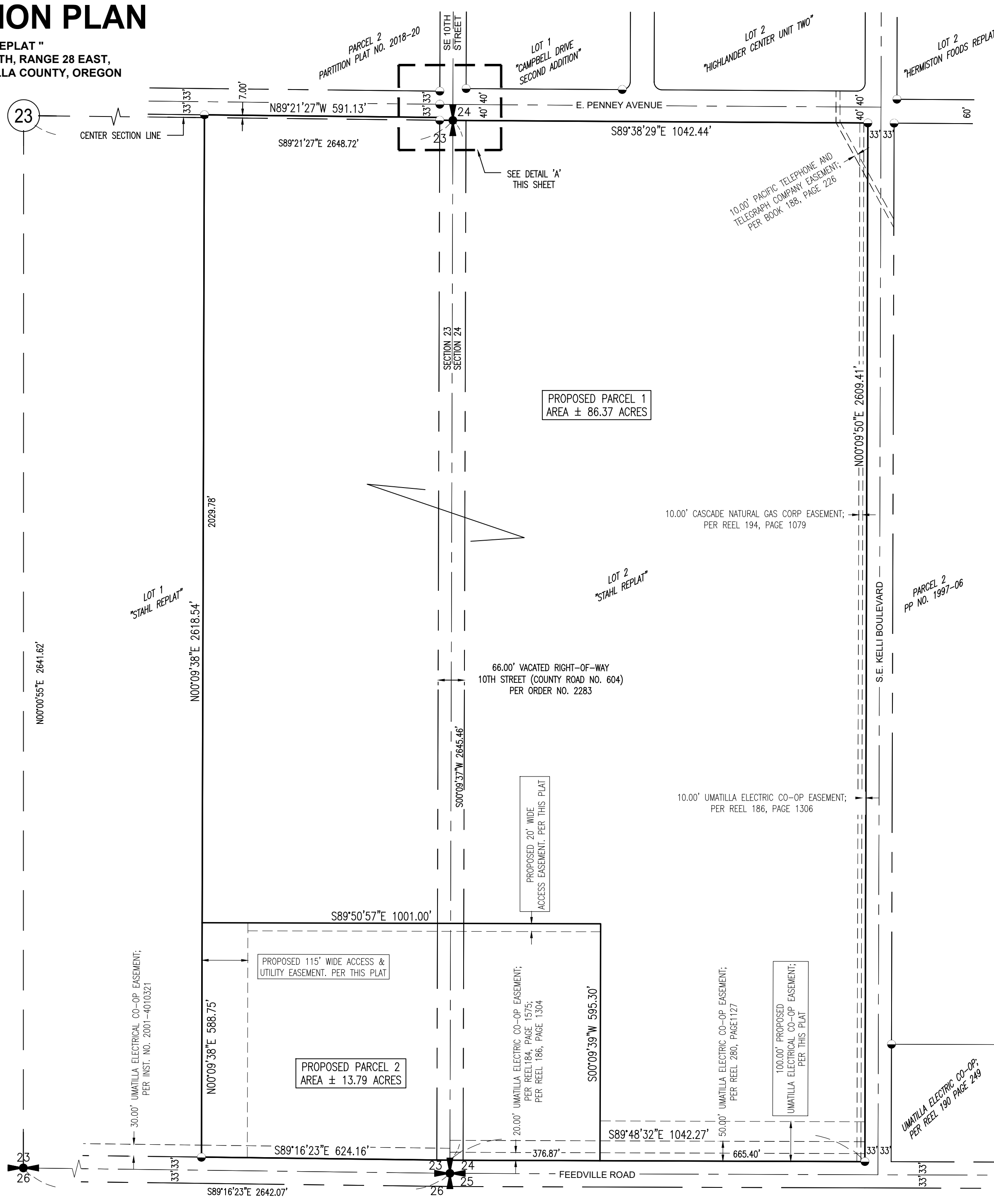
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- FOUND ALUMINUM CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- CALCULATED CORNER AS NOTED
- ✦ FOUND SECTION CORNER AS NOTED
- ✦ FOUND QUARTER SECTION CORNER AS NOTED
- SUBJECT PROPERTY LINE
- - - EXISTING RIGHT-OF-WAY
- - - ADJOINING PROPERTY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY CENTERLINE

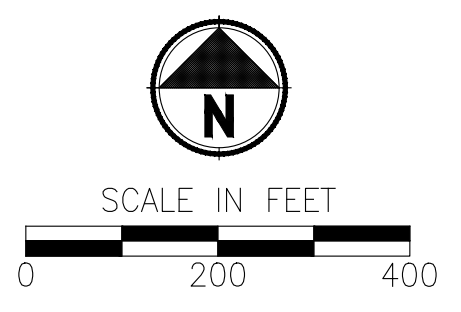
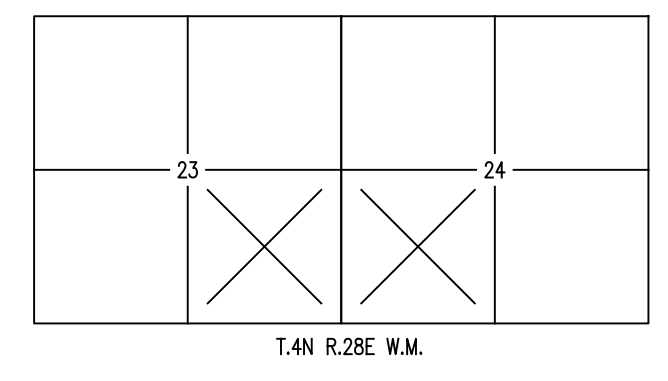
LEGAL DESCRIPTION

*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:

LOT 2 OF STAHL REPLAT, RECORD ON NOVEMBER 27, 2019, AS DOCUMENT NO. 2019-6940037, IN BOOK 16, PAGE 95, OFFICE OF THE UMATILLA COUNTY RECORDS, UMATILLA COUNTY OREGON.



VICINITY MAP
 N.T.S.



REGISTERED PROFESSIONAL LAND SURVEYOR
REVIEW COPY
 OREGON
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

OWNER: AMAZON DATA SERVICES INC.
 ADDRESS: PO BOX 80416, SEATTLE WASHINGTON, 98106-0416
 ZONING DESIGNATION: OUTLYING COMMERCIAL & HEAVY INDUSTRIAL (C-2 AND M-2) PER THE CITY OF HERMISTON
 NOTES: NO RECORD OF WATER RIGHTS WERE FOUND AFFECTING THIS PROPERTY

SURVEY PREPARED FOR: TENTATIVE PARTITION PLAN	
Parametrix ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES	
150 NW PACIFIC PARK LANE, SUITE 110 BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM	
PMX JOB NO. 8117-045	
SURVEYED	
DRAWN KDC/CAP	ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY
CHECKED CJD	
APPROVED CJD	
	SCALE 1" = 200'
	DATE APRIL 7, 2023

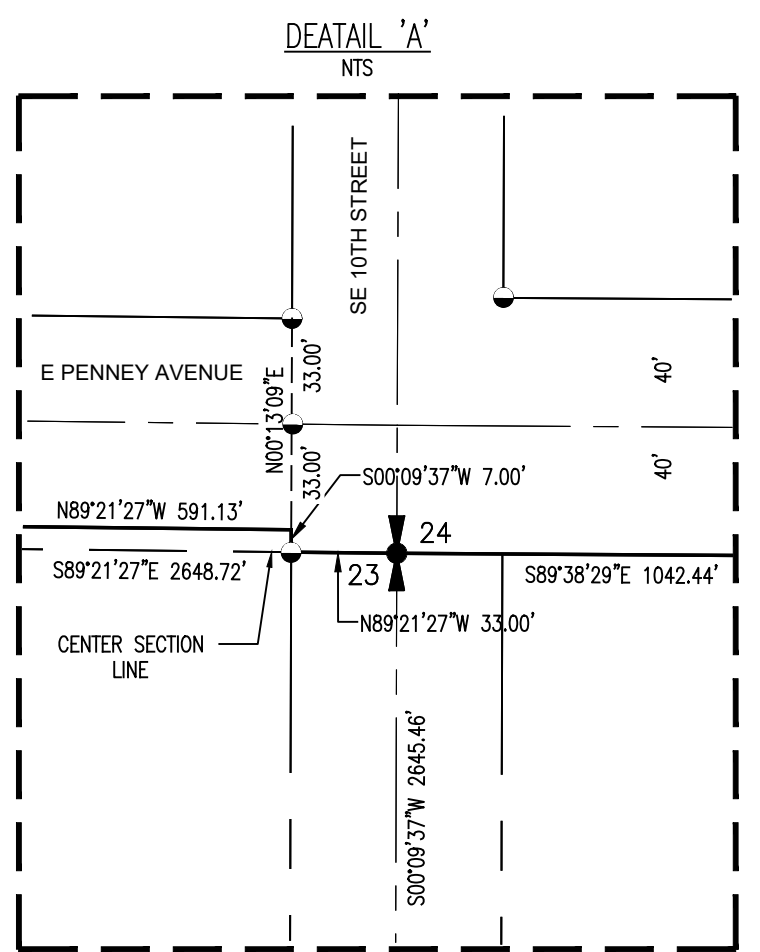
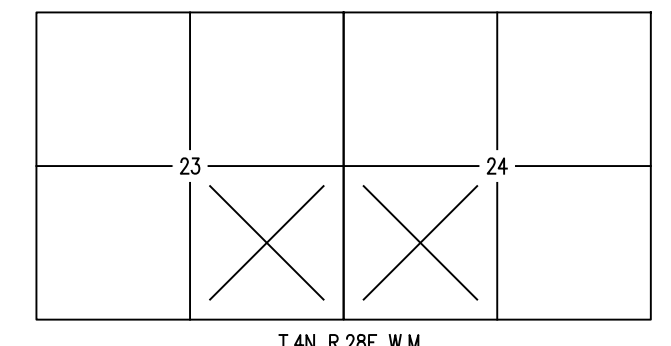
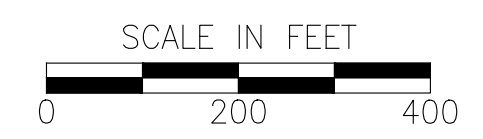
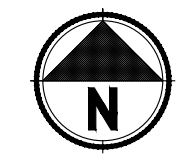


EXHIBIT 1

TENTATIVE PARTITION PLAN

A PARTITION PLAN OF LOT 2, "STAHL REPLAT"
 LOCATED IN SECTION 23 AND 24, TOWNSHIP 4 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

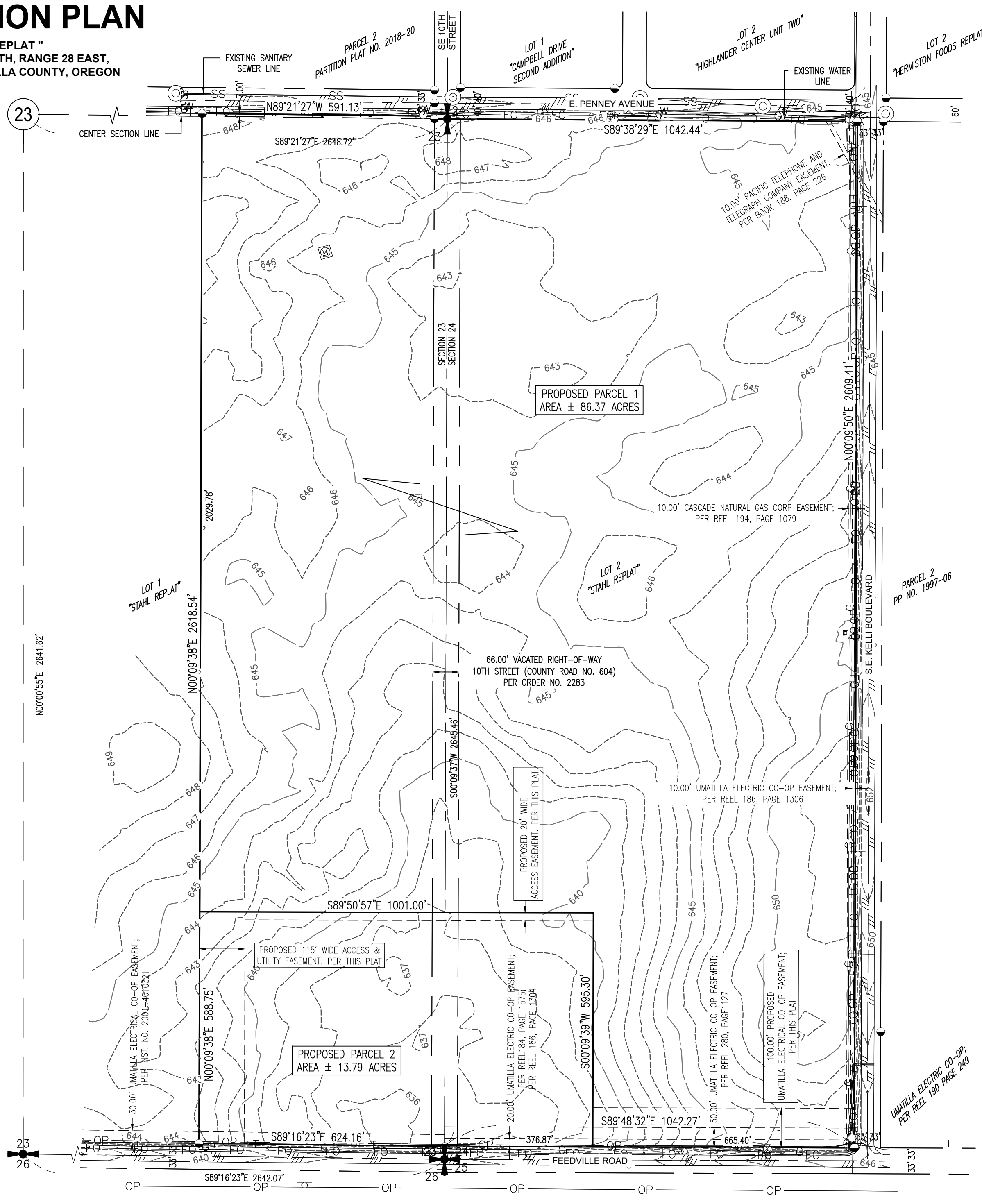


SURVEY NOTES

1. TOPOGRAPHIC AND UTILITY INFORMATION SHOWN HEREON IS FROM SURVEY WORK PERFORMED USING UAV (DRONE) DATA AND GROUND SURVEY DATA COLLECTED IN APRIL 2021.
2. THERE ARE NO WATERCOURSES OR AREAS SUBJECT TO FLOODING WITHIN THE PROPOSED PROPERTY
3. THERE ARE NO ROCK OUTCROPPINGS, LANDSLIDE HAZARD AREAS, WETLANDS, WOODED AREAS, OR OTHER UNIQUE FEATURES WITHIN THE PROPOSED PROPERTY.
4. THERE ARE NO KNOWN HISTORICAL SITES OR STRUCTURES WITHIN THE PROPOSED PROPERTY.

LEGEND

- FOUND REBAR & CAP AS NOTED
- FOUND REBAR AS NOTED
- FOUND ALUMINUM CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- CALCULATED CORNER AS NOTED
- FOUND SECTION CORNER AS NOTED
- FOUND QUARTER SECTION CORNER AS NOTED
- SUBJECT PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING ADJOINING PROPERTY LINE
- EASEMENT LINE
- EXISTING RIGHT-OF-WAY CENTERLINE
- EXISTING FENCE LINE
- EXISTING CONCRETE
- EXISTING PAVEMENT
- EXISTING FIBER OPTIC LOCATES
- EXISTING COMMUNICATIONS LOCATES
- EXISTING WATER LOCATES
- EXISTING GAS LOCATES
- EXISTING OVERHEAD POWER LINES
- EXISTING POWER LOCATES
- EXISTING SANITARY SEWER LOCATES
- EXISTING SIGN POST
- EXISTING GAS VALVE
- EXISTING GAS VALVE REGULATOR
- EXISTING SANITARY MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING IRRIGATION STATION
- EXISTING WATER VALVE
- EXISTING POWER POLE
- EXISTING GUY ANCHOR POLE
- EXISTING POWER PANEL
- EXISTING POWER METER
- EXISTING POWER TRANSFORMER
- EXISTING POWER JUNCTION BOX
- EXISTING GUY ANCHOR
- EXISTING COMMUNICATION PANEL
- EXISTING COMMUNICATION JUNCTION BOX
- EXISTING BOLLARD



LEGAL DESCRIPTION

*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:
 LOT 2 OF STAHL REPLAT, RECORD ON NOVEMBER 27, 2019, AS DOCUMENT NO. 2019-6940037, IN BOOK 16, PAGE 95, OFFICE OF THE UMATILLA COUNTY RECORDS, UMATILLA COUNTY OREGON.

HORIZONTAL DATUM

HORIZONTAL DATUM FOR THIS SURVEY IS NAD 1983(2011), OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

VERTICAL DATUM

VERTICAL DATUM FOR THIS SURVEY IS NAVD 88, OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
REVIEW
 OREGON
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

OWNER: AMAZON DATA SERVICES INC.
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



EXISTING CONDITIONS PLAN FOR: TENTATIVE PARTITION PLAN		
Parametrix ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES		
150 NW PACIFIC PARK LANE, SUITE 110 BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM		
PMX JOB NO.		8117-045
SURVEYED		
DRAWN	KDC/CAP	ONE INCH AT FULL SCALE, IF NOT, SCALE ACCORDINGLY
CHECKED	CJD	
APPROVED	CJD	
		SCALE 1" = 200'
		DATE APRIL 7, 2023
		SHEET NO. 2 OF 2

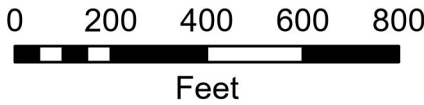
Notice of Proposed Land Use Action



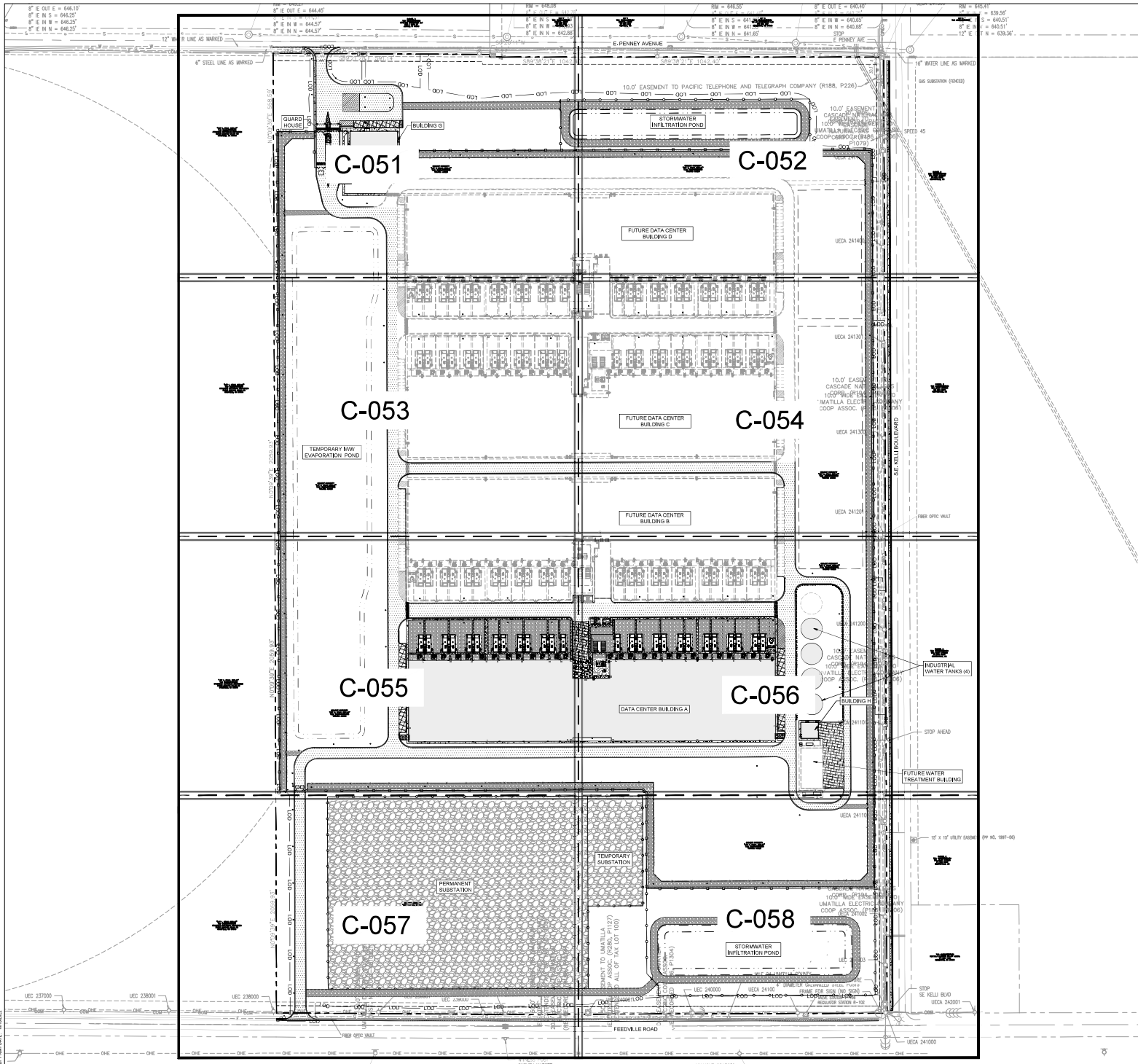
Maxar, Microsoft

Legend

-  Area of Proposed Minor Partition
-  Property Line
-  City Limits
-  Urban Growth Boundary



Section 3, Item B.



CONFIDENTIAL

PROJECT ADDRESS

EAST PENNEY AVENUE

CITY OF HERMISTON, OREGON

PROJECT DELIVERY PACKAGE

SITE PLAN REVIEW

SEAL AND SIGNATURE



THE LICENSED PROFESSIONAL SEAL AFFIXED TO THIS SHEET APPLIES ONLY TO THE MATERIAL AND DESIGN SHOWN ON THIS SHEET. ALL DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS NOT ENGINEERED THIS SEAL SHALL NOT BE CONSIDERED PART OF THE PROFESSIONAL DESIGN AND THE PROFESSIONAL EXPRESSLY DISCLAIMS ANY AND ALL RESPONSIBILITY FOR SUCH DRAWINGS OR DOCUMENTS NOT ENGINEERED THIS SEAL.

ISSUE DATE: 21OCT2022 PROJECT NO: 09080001

DESIGNED BY: HANLEY-HORN ENGINEER LEF VAN ACKER

DRAWN BY: DATE: RECEIVED BY:

21OCT2022 SITE PLAN REVIEW

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MECHANICAL ENGINEER	ELECTRICAL ENGINEER
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CIVIL ENGINEER	STRUCTURAL ENGINEER
JEFF VAN ACKER 4841 S LUTHER ST #450 PORTLAND, OR 97204	CHRISTOPHER M. BROWN 4841 S LUTHER ST #450 PORTLAND, OR 97204

LAND SURVEYOR	REGISTERED PROFESSIONAL ENGINEERING
DAVID M. HALL 1201 17TH STREET SUITE 100 DENVER, CO 80202	PHILIP W. BROWN 941 32nd St HERMISTON, OR 97138

PROJECT: EAST PENNEY AVENUE DATA CENTER

TITLE: OVERALL SITE PLAN

DRAWING:

SCALE: AS SHOWN

60

