



PLANNING COMMISSION

Hermiston City Hall 180 NE 2nd St

Where Life is Sweet

January 10, 2024 at 7:00 PM

AGENDA

*Other ways of viewing or participating in live meetings are available through:
Zoom with Meeting ID: 878 6809 7745 Passcode: 709002 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 December 13, 2023 regular Planning Commission meeting

3. HEARINGS

A. Annexation & Comprehensive Plan Map Amendment- Hermiston Home Works, Inc
4N2813 TL 200 & 500 - 1295 SE 10th St

B. *Continued from December 13, 2023*

Major Variance & Subdivision, Upland Meadows Subdivision - MonteVista Homes
4N2802A Tax Lot 500 - 811 E Theater Ave

4. NEW BUSINESS

A. Final Plat- Amazon Data Services Inc 4N2823 TL 200 - 908 E Penney Ave

5. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION

6. 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
December 13, 2023

Chairman Saylor called the regular meeting to order at 7:00PM. Present were Commissioners Fialka, Guerrero, Caplinger, Doherty, Hamm, and Kirkpatrick. Commissioners Collins and Sargent were excused. Youth Advisors Sarahi Gutierrez and Catherine Doherty were present. Staff in attendance included Planning Director Clint Spencer, City Attorney Richard Tovey, and Planning Assistant Heather La Beau.

Elect Chair & Vice-Chair

Commissioner Hamm nominated Commissioner Fialka for the position of Planning Commission Chairman to begin January of 2024. There were no other nominations. Roll Call. Motion passed 6-1.

Commissioner Caplinger moved to nominate Commissioner Doherty for Vice-Chair. Commissioner Doherty in turn nominated Commissioner Caplinger for the position. Commissioner Hamm seconded the nomination of Commissioner Caplinger for Vice-Chair to begin January 2024. Roll Call. Motion passed unanimously.

Minutes

Commissioner Fialka moved, and Commissioner Caplinger seconded to approve the minutes of the October 11, 2023, regular meeting. Motion passed.

Youth Advisory Council

Chairman Saylor thanked the youth advisors for attending and asked Youth Advisor Doherty to introduce herself as this is her first meeting with the planning commission.

Major Variance & Subdivision Upland Meadows MonteVista Homes 4N2802A TL 500- 811 E Theater Lane

The Hermiston Planning Commission is holding a public hearing to consider a request for a major variance and subdivision plat for property located at 811 E Theater Lane and described as 4N2802A tax Lot 500. The property is zoned Medium High Density Residential (R-3) and is owned by the Hermiston Irrigation District. The applicant, MonteVista Homes LLC is requesting variances from Sections 154.18 and 154.19 (C) of the Hermiston Code of Ordinances which establishes the maximum block length and minimum lot width for lots in residential zones. The applicant requests 19 lots be approved with widths between 55 and 58.96 feet and four blocks with a length of approximately 800 feet. The planning commission will also consider the preliminary plat that proposes to create a 261-lot subdivision.

Commissioner Kirkpatrick declared a conflict of interest as she is the Hermiston Irrigation District Manager (property owner) and stepped down from the dais.

Chairman Saylor opened the hearing at 7:08 and read the hearing guidelines.

Planning Director Spencer presented the staff report with the aid of PowerPoint slides (attached). The hearing will consider both variances and the subdivision plat. This increases the noticing requirements and the evidentiary burden.

Discussion included various street layout options, points of pedestrian/vehicle/fire access, and the 60-foot-wide flag at the northwest corner of the property.

Testimony

Luke Pickerill 389 W Scalehouse Ct Suite 110 Bend OR 97702- Mr. Pickerill, the owner of MonteVista Homes, shared a PowerPoint presentation (attached). Mr. Pickerill described the topographical features of



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Regular Meeting Minutes
December 13, 2023

the property and how it affects the proposed community. MonteVista Homes would like to donate the 60' wide flag to the school district while still providing pedestrian connectivity to the school. He stated the block length variance is necessary due to the alignment of NE 9th Place and the need to match grade throughout the development. Affordability is always a driver of the requests. Conforming to the block length would create an expensive street and reduce the number of lots. The community is walkable, with end lot driveways facing the east/west streets. The lot width reduction for the 19 lots is based on affordability. The Hope home is 45' wide and will fit on a 55' wide lot and meet the setback requirements of the R-3 zone. Three car garages and an RV pad are options on their home models and Luke estimates 50 to 75% of the homes built will opt to have a three-car garage. This is the same home plan built in Theater Park on lots 55' in width. Mr. Pickerill detailed the additional expenses of 2.5 feet of additional side yard.

In response to commissioner questions, Mr. Pickerill stated the subdivision is proposed to have on-street parking throughout and in his experience flag accesses are not well maintained and become unused. Pedestrians leaving the subdivision heading west can cross the street at 9th Place using a crossing beacon and use the existing sidewalk installed as part of the Loma Vista development.

Doug White 2098 NE 8th St- Mr. White owns property to the west of the proposed subdivision and requested clarification regarding sidewalk and vehicular access.

Commissioners discussed at length the 60' wide flag access and the discussions between the school district and developer. Ownership, installation, maintenance, fire access, pedestrian safety, and security were among the concerns. Commissioners recommend NE 9th Place be designated as No Parking.

Theater Park and Legacy are subdivisions with residential lots 50' wide. The narrower lot width aids the ability to keep homes more affordable, a prior goal of MonteVista Homes.

There was consensus that the longer block length is acceptable with the pedestrian access to the school at the northwest corner of the property.

Erica Nelson 389 W Scalehouse Ct Suite 110 Bend OR 97702- Ms. Nelson is an engineer with MonteVista Homes. The topographic and geometry consideration is key to the variance requests. The grade from south to north and the wider width needed on the east and west corner lots to allow for the high retaining walls contributes to the need for the variances.

The applicant was directed to develop more substantial Findings of Fact for both variances and determine a solution for the northeast corner access. Commissioner Doherty moved, and Commissioner Fialka seconded to continue the hearing to the January Planning Commission meeting. Motion passed.

Commissioner Kirkpatrick returned to the dais.

Replat Final Plat- CJ Evans Family Investments LLC 4N2824BB Tax Lots 800 & 900- 16 & 18 SE Campbell Drive

Planning Director Spencer presented the staff report. The replat is necessary to vacate the utility easement along the north/south lot line to allow the proposed building to be constructed over the area.

Findings of Fact
Design Standards



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§154.15 Relation to Adjoining Street System.

The development is bounded by SE Campbell Drive and SE 10th St. No new streets are proposed as part of this replat. This criterion is not applicable to the decision to accept the plat.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the plat. The property is currently serviced by SE Campbell Drive and SE 10th St. No new streets are proposed as part of this replat. This criterion is not applicable to the decision to accept the plat.

§154.17 Easements.

There are multiple easements noted on the plat. The surveyor's narrative includes reference to an additional easement that is not depicted graphically on the plat. The existing easements are for utility purposes.

No new easements are proposed as part of this replat. The easement common to the existing Lots 8 and 9, Block 1, Highlander Center will be vacated as a result of this replat.

§154.18 Blocks.

No new streets are proposed or required. This criterion is not applicable to this decision to accept the plat.

§154.19 Lots.

The new lot will be approximately 2.83 acres in size. There are no lot size or dimensional standards in the C-2 or M-1 zones. The lot is of adequate size, width, and depth to provide a viable commercial and industrial site.

§154.20 Character of Development.

The property is currently vacant and used as a laydown yard/parking area for the warehouse on the lot directly to the south. Future development on the property as the business expands is anticipated. The lot is generally flat and well suited for industrial development.

§154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed replat.

§154.22 Access Management

The existing access point will remain. This criterion is not applicable to the decision to accept the plat.

§154.35 Preliminary Plat Requirements



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(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. **The applicant has met the plat submission requirement.**

(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. **The applicant has met the plat submission date on October 30, 2023.**

(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; **Shown as required.**

(2) The proposed location and width of streets, alleys, lots, building and setback lines and easements; **Shown as required.**

(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; **Existing infrastructure is not shown on the preliminary plat.**

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

(5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land; **Shown as required.**

(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; **Contours are not shown on the preliminary plat.**

(7) North point, scale and date; **Shown as required.**

(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; **Not shown on preliminary plat.**

(9) All the above information unless waived by the Planning Commission. **Staff recommends the Planning Commission waive (3), (6), and (8) above. Review of civil drawings including infrastructure and drainage are required prior to development of the property.**



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(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. **The applicant has met this requirement.**

Minimum Improvements Required

§154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

154.61 General Improvements

SE Campbell Drive is a paved city street improved with curb and gutter. SE 10th St is a paved city street with no further improvements. At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontages.

§154.62 Water Lines

A water line is available in SE 10th St.

§154.63 Sanitary Sewer System

A sewer line is available in SE 10th St.

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**



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- (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.**

Chapter 157: Zoning

§157.041 Outlying Commercial Zone (C-2)/ §157.055 Light Industrial Zone (M-1)

Tax Lots 4N 28 24BB Tax Lot 800 and 4N 28 24BB Tax Lot 900 are each zoned C-2/M-1. There is no minimum or maximum lot size in this zone. The proposed lot is 2.83 acres in size.

Conditions of Approval

1. At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontage on SE Campbell Drive.
2. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the plat.



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After a clarifying discussion of existing easements, Commissioner Hamm moved, and Commissioner Doherty seconded to make the project file a part of the record. Motion passed. Commissioner Doherty moved and Commissioner Hamm seconded to adopt the Findings of Fact. Motion passed. Commissioner Fialka moved, and Commissioner Hamm seconded to impose the Conditions of Approval. Motion passed. Commissioner Fialka moved, and Commissioner Hamm seconded to approve the final plat subject to the conditions of approval. Motion passed.

Chairman Saylor called for a break at 8:52pm and reconvened the meeting at 8:58pm.

Parking Amendments Work Session

Planning Director Spencer reviewed the changes proposed during the first work session.

Preference was expressed to maintain a parking standard and review variances on specific cases as opposed to creating a change of use incentive.

Compact parking spaces are not something to consider. Bicycle parking requirement should be capped at 20. Additional restaurant categories can be added to accommodate different levels of parking requirements.

Planner Comments and Unscheduled Communication

Planning Director Spencer replied to a question that the former KFC property is being redeveloped to again be a KFC restaurant with drive-thru window.

The January meeting will include an annexation and comprehensive plan map amendment for property east of SE 10th St.

Adjournment

Chairman Saylor adjourned the meeting at 9:45PM.



Hermiston Planning Commission

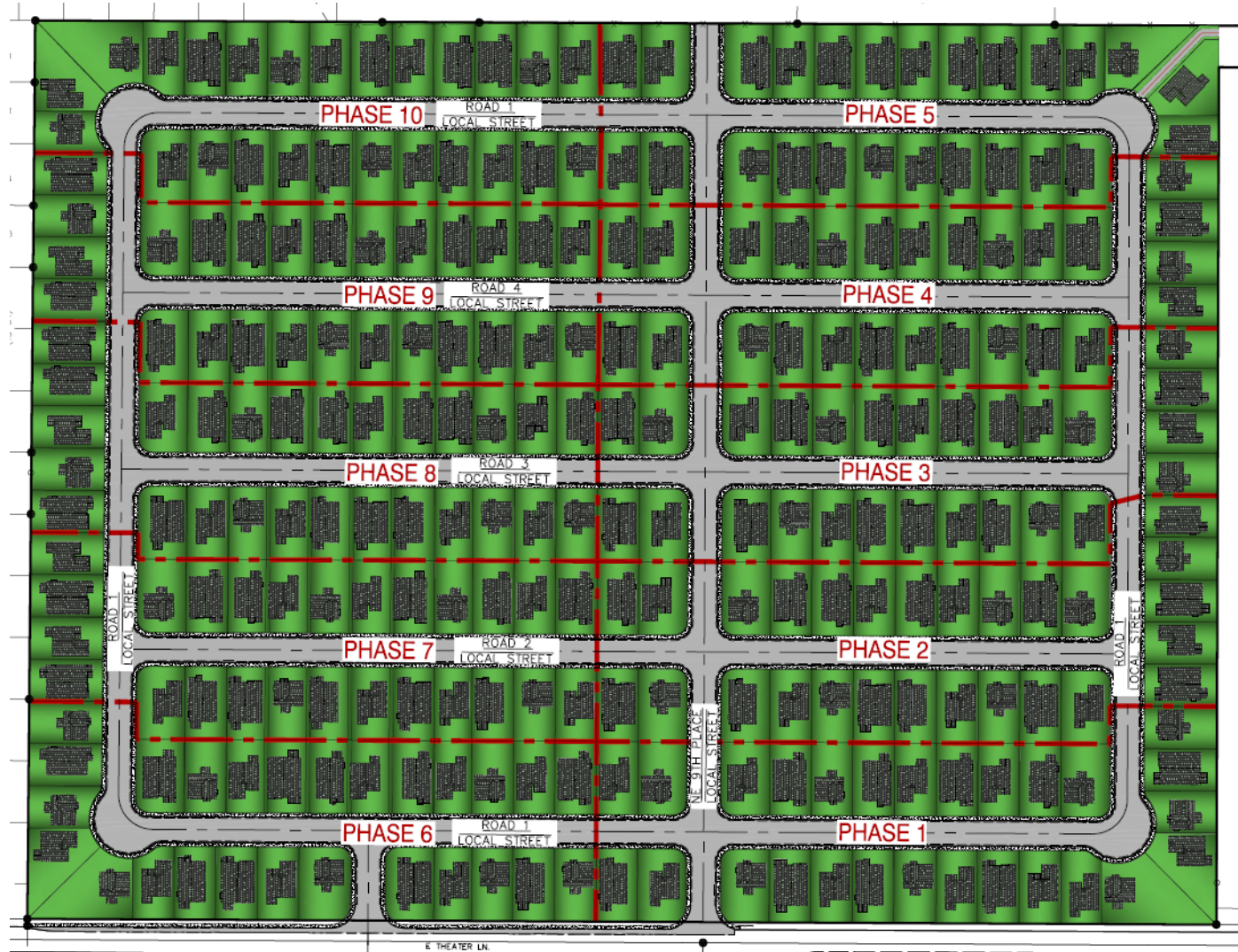
December 13, 2023



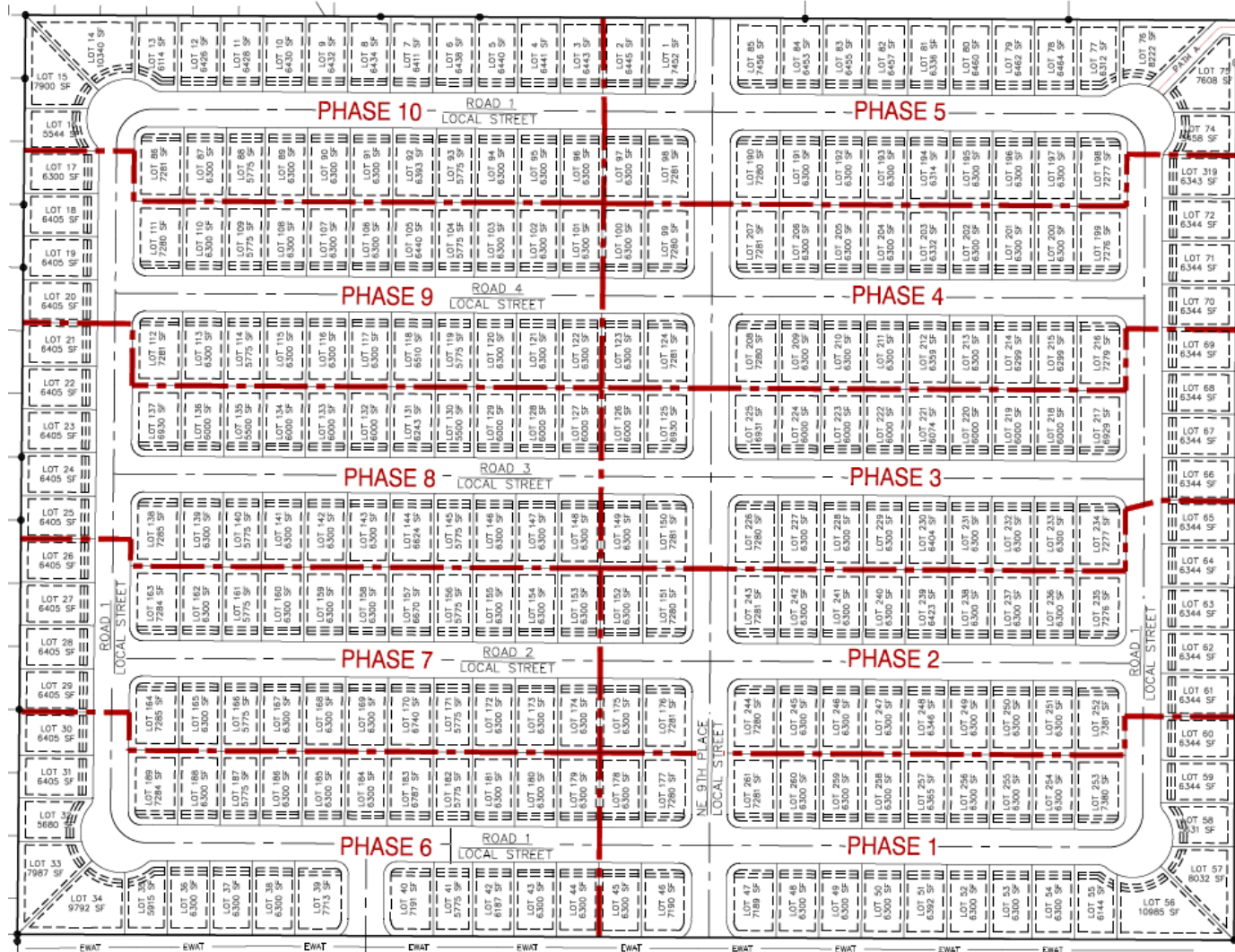
Upland Meadows Subdivision



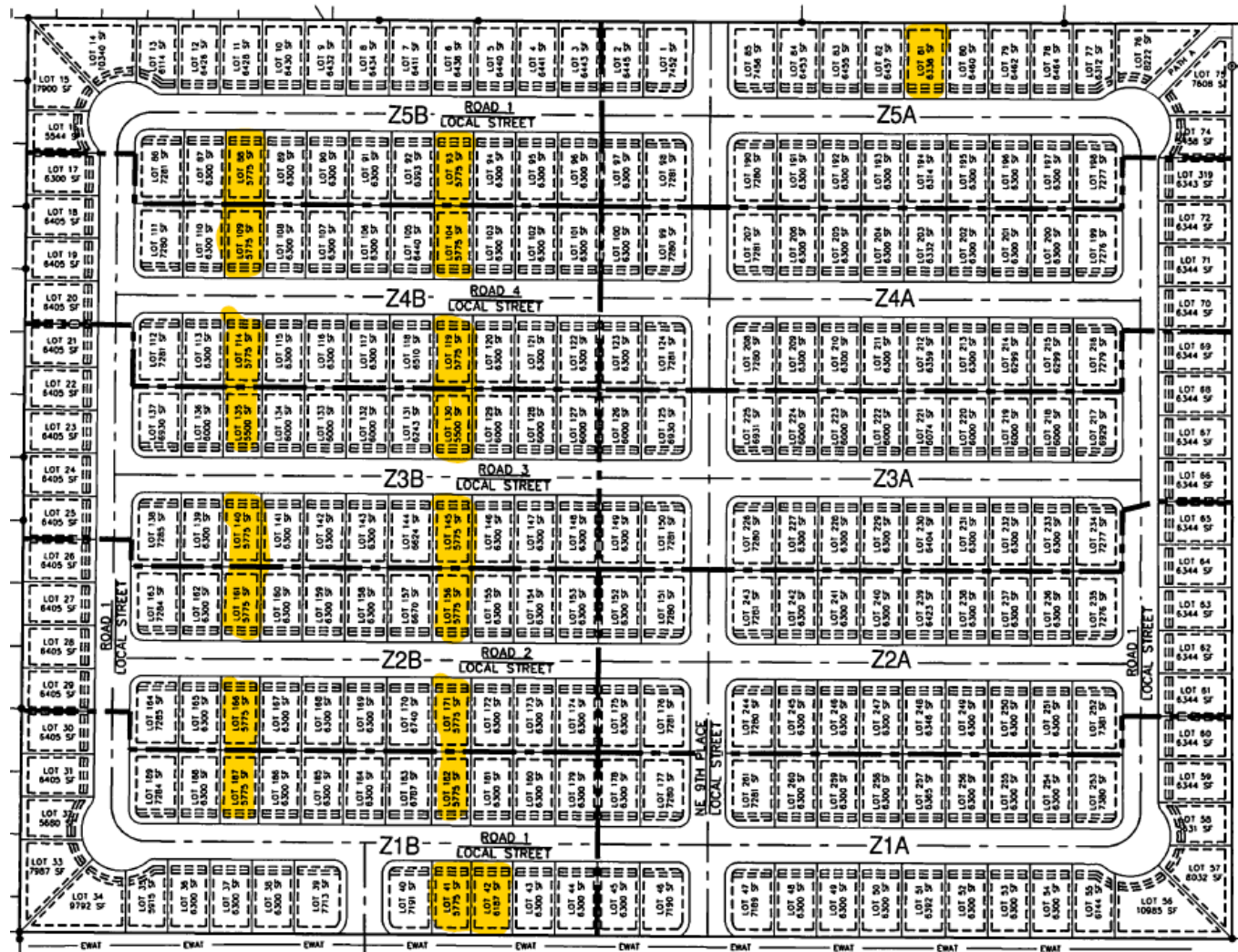
Upland Meadows Subdivision



Upland Meadows Subdivision



Upland Meadows Subdivision



Upland Meadows Subdivision



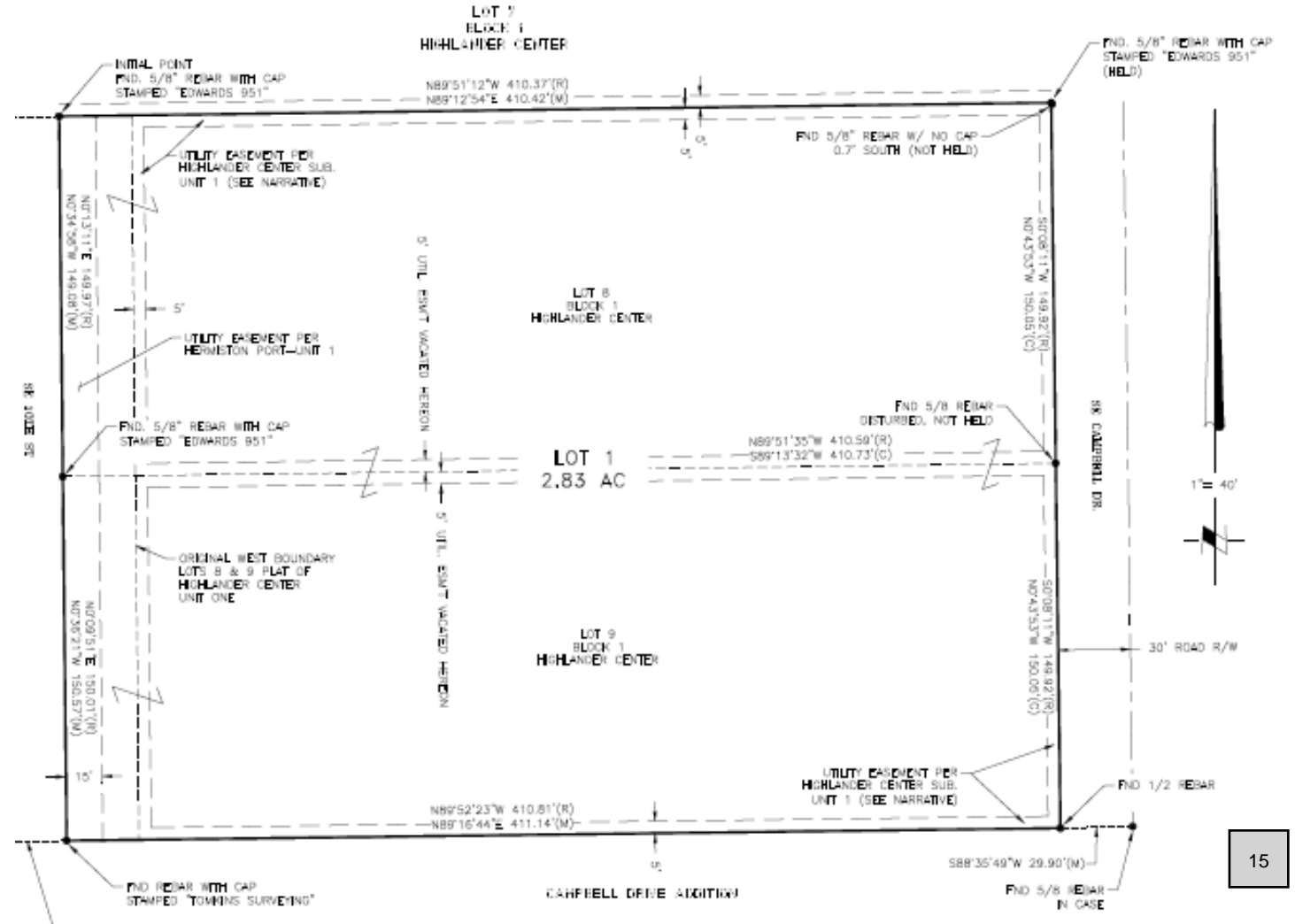
E
Theater
Lane
East and
West
Views



NE 10th St
Flag



CJ Evans Family Investments Replat



 **Monte Vista
Homes**

 **UPLAND
MEADOWS**

 **HERMISTON
OREGON**



Section 2, Item A.



MonteVista Home

Section 2, Item A.

is a thriving, award winning home builder and land development company.

01

We are a 2nd generation family owned and operated home builder based in Oregon. We build multi-generational homes designed for any new home buyer.

02

The initial company was established in 1989 and Luke Pickerill took sole ownership of the company in 2014. Since then, the company has grown significantly year over year while maintaining industry leading margins.

03

The key to our success is a combination of well communicated and achievable company wide goals, transparency in our successes and failures as it relates to sales and profit margins, and an experienced team of high level executives leading each branch of our business.

04

We provide a personal new home journey – creating real value in property and places. From our incredible onsite sales consultants who provide top-tier customer service to our back office production team who work diligently to ensure that every home is built multiple times before breaking ground. Our success lies in our teamwork and our commitment to our customers.

MISSION

To build the places where life's most important relationships are developed and our most treasured memories are made.



Monte Vista Homes WHO WE ARE

Section 2, Item A.



We build award winning homes and successful new home communities.

01

We are a group of experienced and strategic real estate and construction professionals with diverse backgrounds. Our team's combined knowledge offers decades of experience in:

- Land Acquisition and Development
- Home construction and construction management
- Strategic real estate market analysis, sales and marketing
- Expertise in financial and real estate sectors

02

With hands-on experience and a valuable network of relationships our team offers options and strategies to maximize profitable investments. Our credibility and professional reputation are second to none.

03

We are dedicated to building authentic, approachable homes. *Quality Elevated.* Personalized Choices enable our buyers to experience a remarkable new home journey.

04

Our even flow processes & curated customization ensure we deliver homes on-time, on budget and ever beautiful.



2023
2022
2021
2020
2019
2018
2017



2023
2022
2021
2020
2019
2013



2023 UPSTAIRS LIVING ROOM
2022 COVERED PATIO & BACKYARD
2020 OPEN FLOOR PLAN
2018 UPSTAIRS BONUS ROOM



2022
2021
2020
2016



2023
2022
2021
2020



2022
2021
2020



2023
2022
2021



2018



2022

OUR COMMUNITIES

Section 2, Item A.



2014
North Crest
South Crest



2014
Eagle's
Landing



2014
Sundance
Meadows



2015
Angus Acres



2015
Viewpoint
Ridge



2015
Highland
Summit
6 & 7



2016
Boyd
Crossing



2016
Desert
Shadows



2017
Eastridge



2017
Rooster
Rock



2017
Forest Creek



2018
27 Elm



2018
Highland
Summit
8 & 9



2019
Mirage



2019
Red Hills
Estates



2020
Theater
Park



2020
Dry Canyon



2020
Willowbrook



2021
Legacy



2021
Acapella



2021
Moon
Mountain



2022
McClannahan
Summit



2023
Canyon Trails



2023
Feather
Ridge

OUR HOMES



MonteVista Homes sells turnkey, single family homes. Our home plans are innovated for cost efficiency and space utilization. The heart of our business is based on quality, offering affordable housing with optional upgrades for the customer.

Section 2, Item A.

01

We design each community with a core set of floor plans based both on the economic *and* general buying demographics.

02

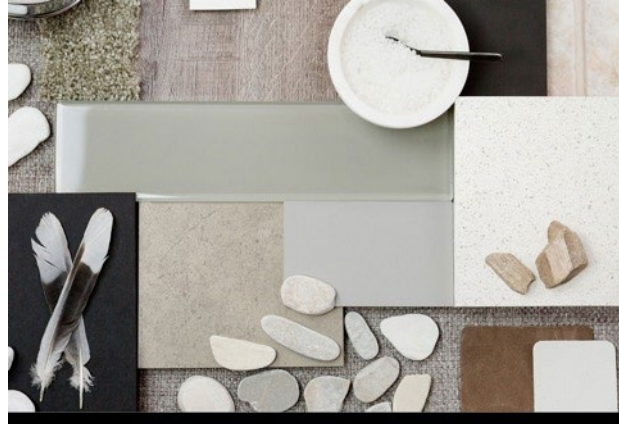
We provide a curated home buying experience. Building a home and trying to make decisions with so many color and product choices often leads to a more stressful experience. Also, *'it just ain't fun'* for our homebuyer.

MonteVista Homes makes the design process easy, fun and stress-less. We can guarantee a beautiful, professional look by bringing together products and colors into finely curated packages. We offer our buyers confidence that their finished home will reflect their needs, style and taste!



WHITE OWL WHITE ACCENTS CURRENT ON TREND ENERGETIC

NEUTRAL UNCOMPLICATED STYLING COMBINES THE BEST OF BOTH WORLDS IN THIS 'ON TREND' FAMILY OF COLORS. RICH ESPRESSO CABINETS CONVEY WARMTH WHILE THE SPECKLED BRIGHT KITCHEN QUARTZ COUNTERTOPS EMIT BRIGHTNESS AND LIGHT. NATURAL TONES CONVEY SIMPLICITY, YET FAVOR THE RICH STYLING OF THE BEIGE MARBLED LOOKING TILE OF THE FIREPLACE PAIRED WITH THE NATURAL TIMBER LOOK OF THE GREIGE WOOD LAMINATE FLOORING.



FOSSIL GREIGE CHARCOAL SATIN FINISH CONTRASTS

CONTEMPORARY GREIGE PAINTED CABINETS WITH LIGHT AND BRIGHT QUARTZ KITCHEN COUNTERTOPS CREATE A SLEEK BLEND OF MID-TONE GREIGE AS THE UNDERLYING THEME IN THIS MODERN PALETTE. COMBINED WITH OUR SIGNATURE GLASS TILE BACKSPLASH AND THE MODERN TIMBER FEEL WOOD LAMINATE FLOORING, THE TILED CHARCOAL ACCENTS OF THE FIREPLACE SERVE AS CONTRAST IN THIS CHIC POLISHED COLOR SCHEME.



Section 2, Item A.

SAND TRADITIONAL WARM CLEAN & BRIGHT CLASSIC

WARM AND WELCOMING MID-TONE BROWNS BLEND GRACEFULLY WITH BRIGHT AND LIGHT SURFACES IN THIS REFRESHING TAKE ON CLASSIC STYLING. RICH ESPRESSO CABINETRY CREATES COUNTERPOINT TO THE EARTH TONED QUARTZ KITCHEN COUNTERTOPS AND THE NEUTRAL GLASS TILE BACKSPLASH. MARBLED FIREPLACE TILING ENHANCES THE RICH WARM FEELING THAT CHARACTERIZES THIS CLASSIC LOOK.

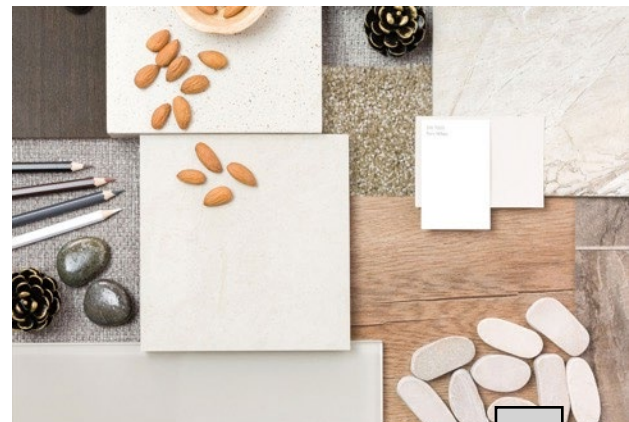
CURATED COLOR PACKAGES

Professionally designed and curated interior and exterior design packages lead with latest design trends. Focusing on 'Unique' and 'Individual', these cutting-edge, on-trend color packages commingle, cultivating a harmonic, elegant, and balanced ambience.



SUNSTONE GRAY WHITE CABINETS MODERN SERENE

WHITE WITH SUMMER-LIKE LIGHT COUPLED WITH TRUE GRAY TONED FEATURES IS THE HALLMARK OF THIS DYNAMICALLY CLEAN FEELING PALETTE. PEBBLED GRAY QUARTZ KITCHEN COUNTERS GRACE THE TOPS OF PAINTED WHITE SLEEK CABINETRY SET TOP MODERN TIMBER LOOKING WOOD LAMINATE FLOORING. WHITE ACCENTED TILING BLENDS WITH THE WHITE FIREPLACE MANTLE, CREATING A LIGHT AND BRIGHT FEELING.



TRAIL CLASSIC CONTEMPORARY RUSTIC

RUSTIC SHADES AND TEXTURES WITH WARM AND WELCOMING OVERTONES HIGHLIGHT THE ESSENCE OF THIS TRADITIONAL WARM PALETTE. EVOCATIVE DARK BROWN CABINETRY EQUALS OUT THE FLECKED WHITE QUARTZ KITCHEN COUNTERTOPS AND THE NEUTRAL GLASS TILE BACKSPLASH THAT HARMONIZE SO PERFECTLY IN CLASSIC FORM. OAK TONED WOOD LAMINATE FLOORING AND RICH MARBLED CREAM FIREPLACE TILING UNITES THIS PALETTE MASTERFULLY.

Section 2, Item A.

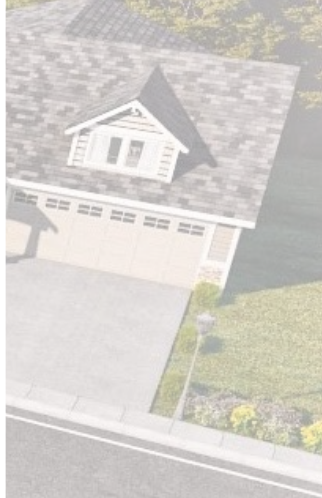
**AWARD WINNING
KITCHENS**

Section 2, Item A.

AWARD WINNING BATHS

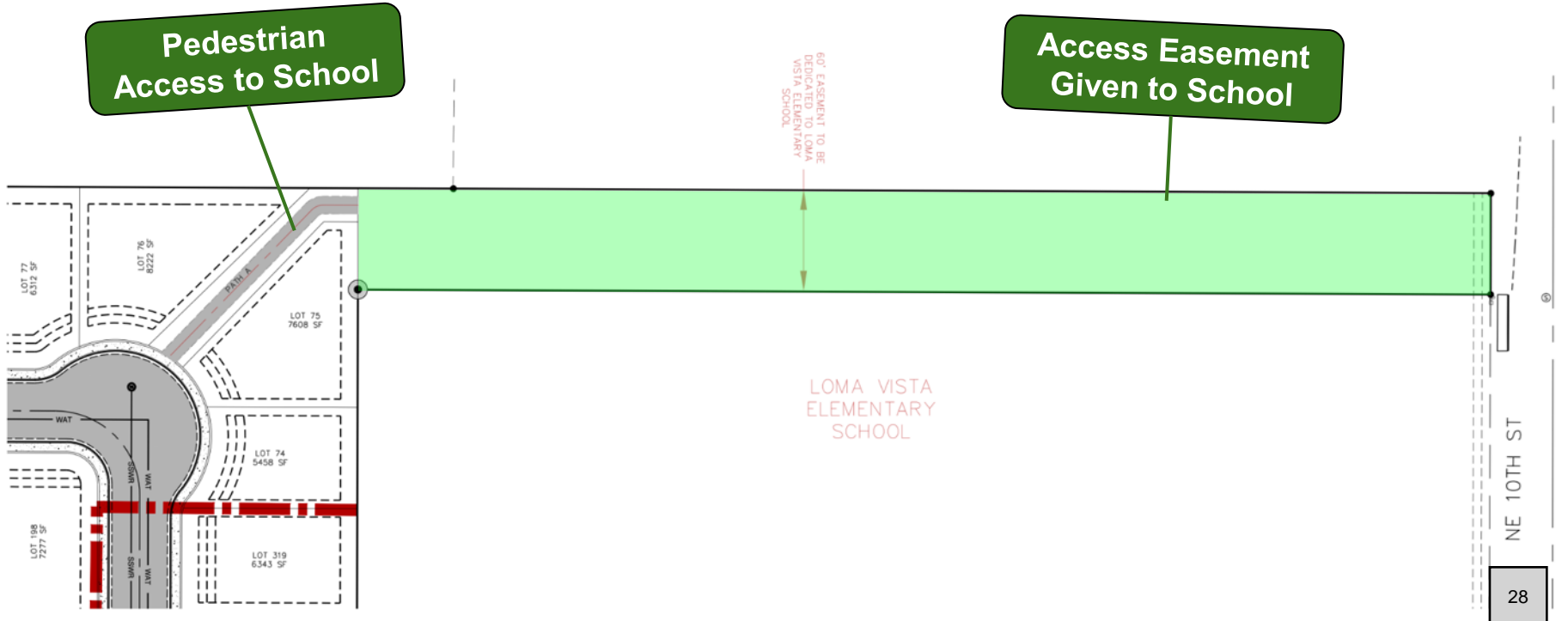


- **261 Homesites**
- **R3 Zoning**
- **Onsite RV parking**
- **3 Car Garage Options**
- **Beautiful homes, affordably priced**



SCHOOL CONNECTIVITY

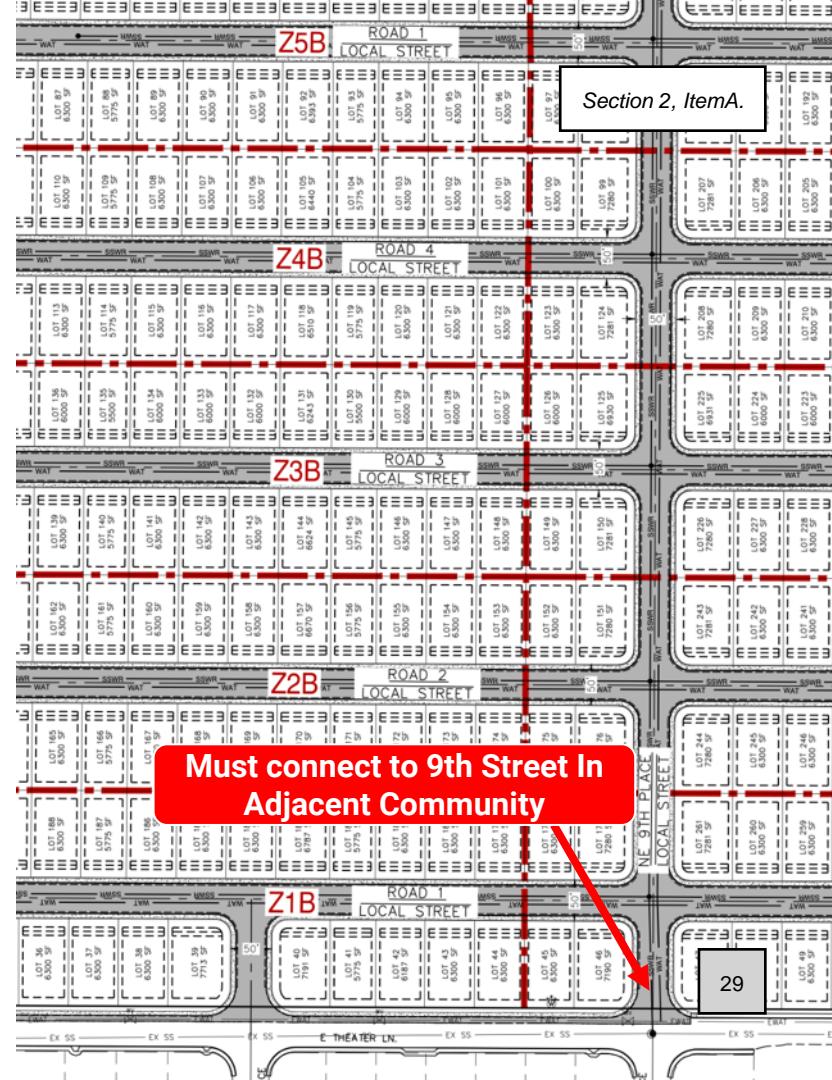
Section 2, Item A.



BLOCK LENGTH

We are proposing a variance to block length for the following reasons:

1. 9th Street Connection
2. Property Size / Shape
3. Property Topography
4. Affordability is Key!!!!
5. No Trails, a Maintenance Nightmare

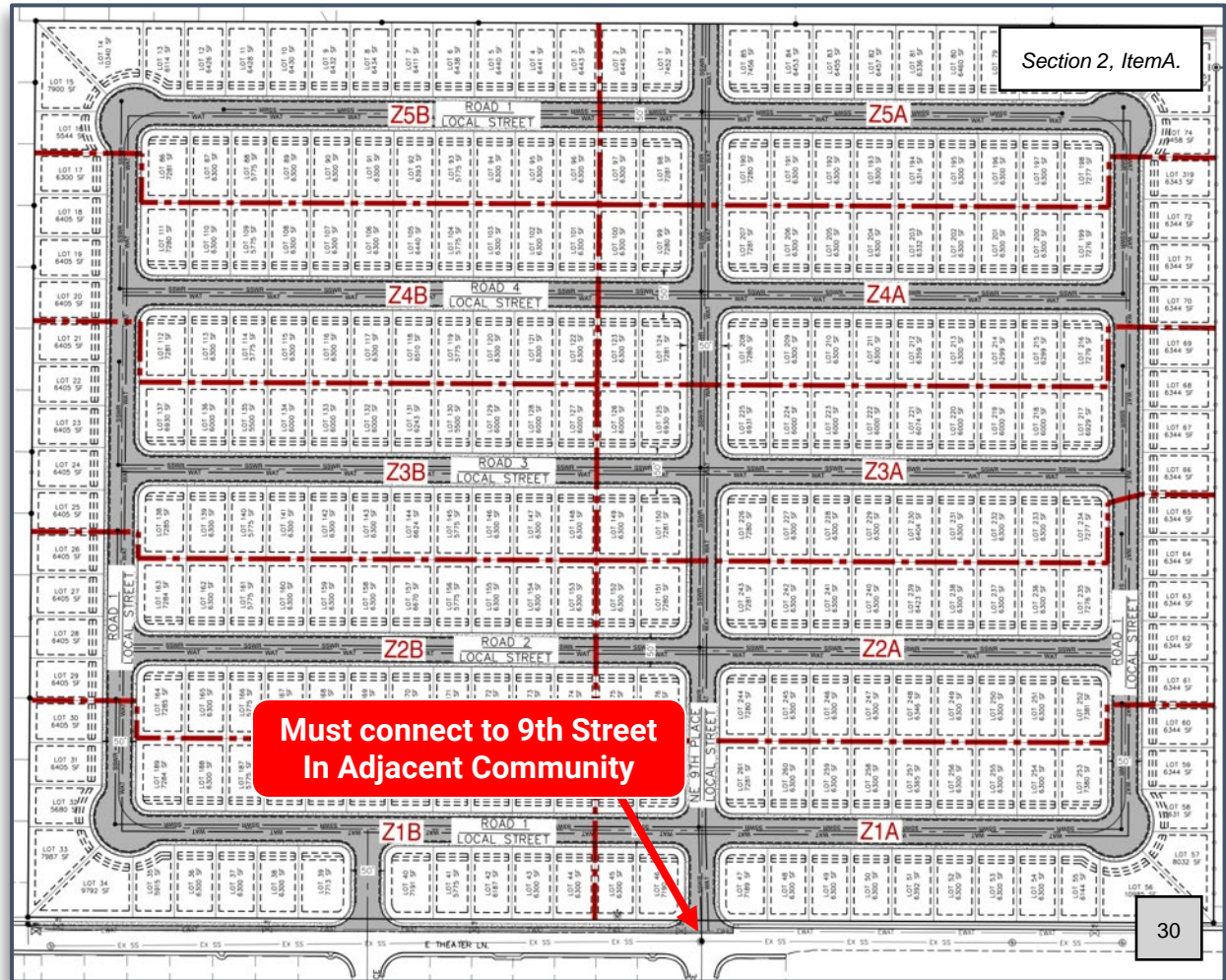


Must connect to 9th Street In Adjacent Community

BLOCK LENGTH

We are proposing a variance to block length for the following reasons:

1. 9th Street Connection
2. Property Size / Shape
3. Property Topography
4. Affordability is Key!!!!
5. No Trails, a Maintenance Nightmare



LOT WIDTH

5-ft reduction of the 60-ft lot width requirement, on 19 lots.

1. Affordability is Key!!!
2. 95% of MVH home designs are 40' wide
3. Hope Floor Plan is 45' wide (fits a 55' lot)
 - a. 1906 Square Feet
 - b. 4 Bedroom / 2 Bath
 - c. 3 Car Garage
 - d. Additional Off Street Parking



Section 2, Item A.

HOPE TUV

MonteVista Homes
Built with You in Mind
www.MonteVistaHomes.com

4 BED 2 BATH 1,906 SQ FT

T - CRAFTSMAN

U - TRADITIONAL

V - FARMHOUSE

STANDARD FEATURES

- Spacious Single Story Layout with 4 Bedrooms
- Gourmet Kitchen
- Quartz Countertops Throughout Home
- Stainless Steel Appliances
- Kitchen Island with Sink
- Large Pantry
- Open Great Room with Gas Fireplace
- Primary Suite with Walk-in Closet
- Dedicated Laundry Room
- 3 Car garage
- Covered Front Porch
- A/C Pre-Wired

OPTIONAL FEATURES

Optional features are plan or lot specific:

- Kitchen Island with Range & Hood
- Covered Rear or Side Patio
- Dining and Great Room with Vaulted Ceiling
- Coffered Ceiling in Primary Suite
- Primary Bath Closet
- Freestanding Soaking Tub
- Double Glass Doors for Bedroom 4/Den
- Built-in Bench
- Additional Bedroom Lighting
- Air Conditioning

*Photos of a similar home

www.MtVistaHomes.com

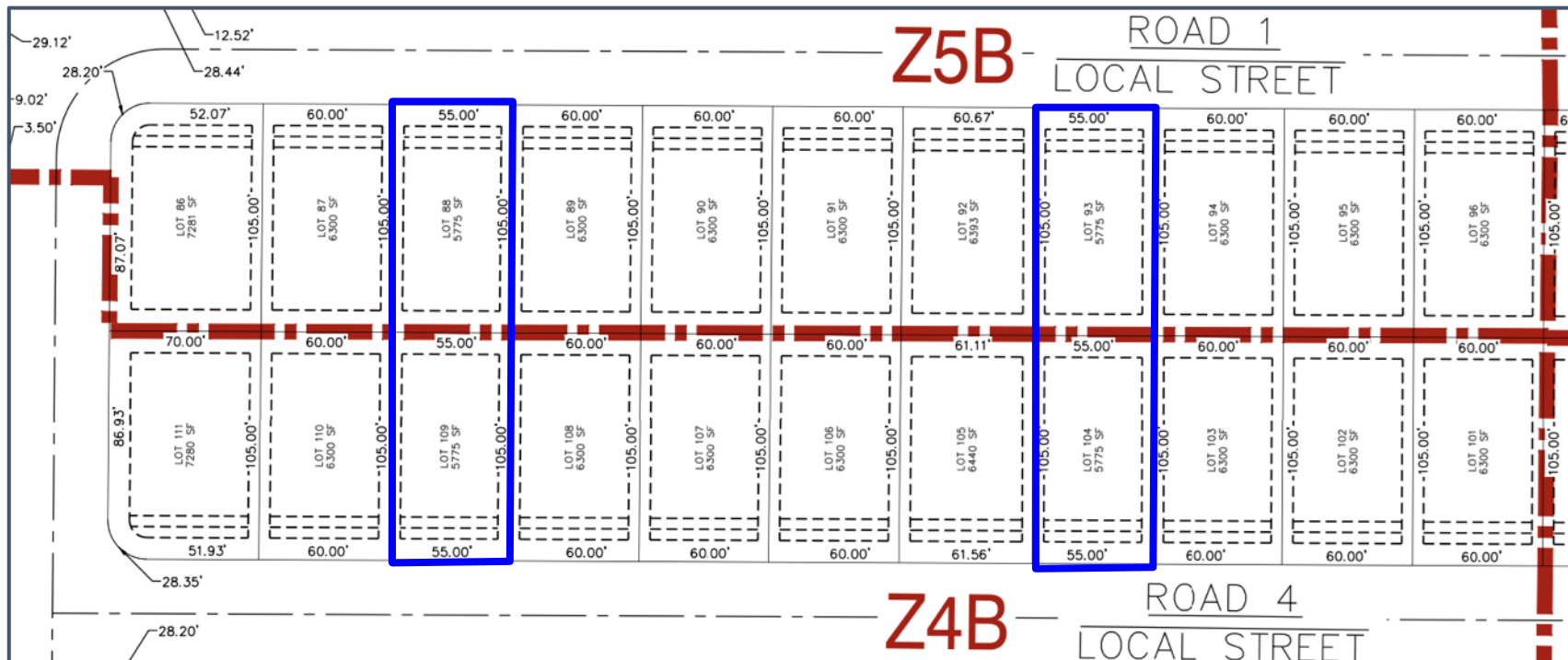
In a continual effort to improve our product, MonteVista Homes reserves the right to change product designs, features, materials, dimensions, specifications, prices and terms without prior notice. Square footage stated on registered and approved drawings may be representative of future homes and does not include what's excluded. Seller is a licensed real estate broker in the State of Oregon. Direct Mailbox, principal broker for The Home Realty Group.

CCB

31

LOT WIDTH

Section 2, Item A.



The Hope

55' Wide Lot

3 Car Garage

2x More Off Street Parking

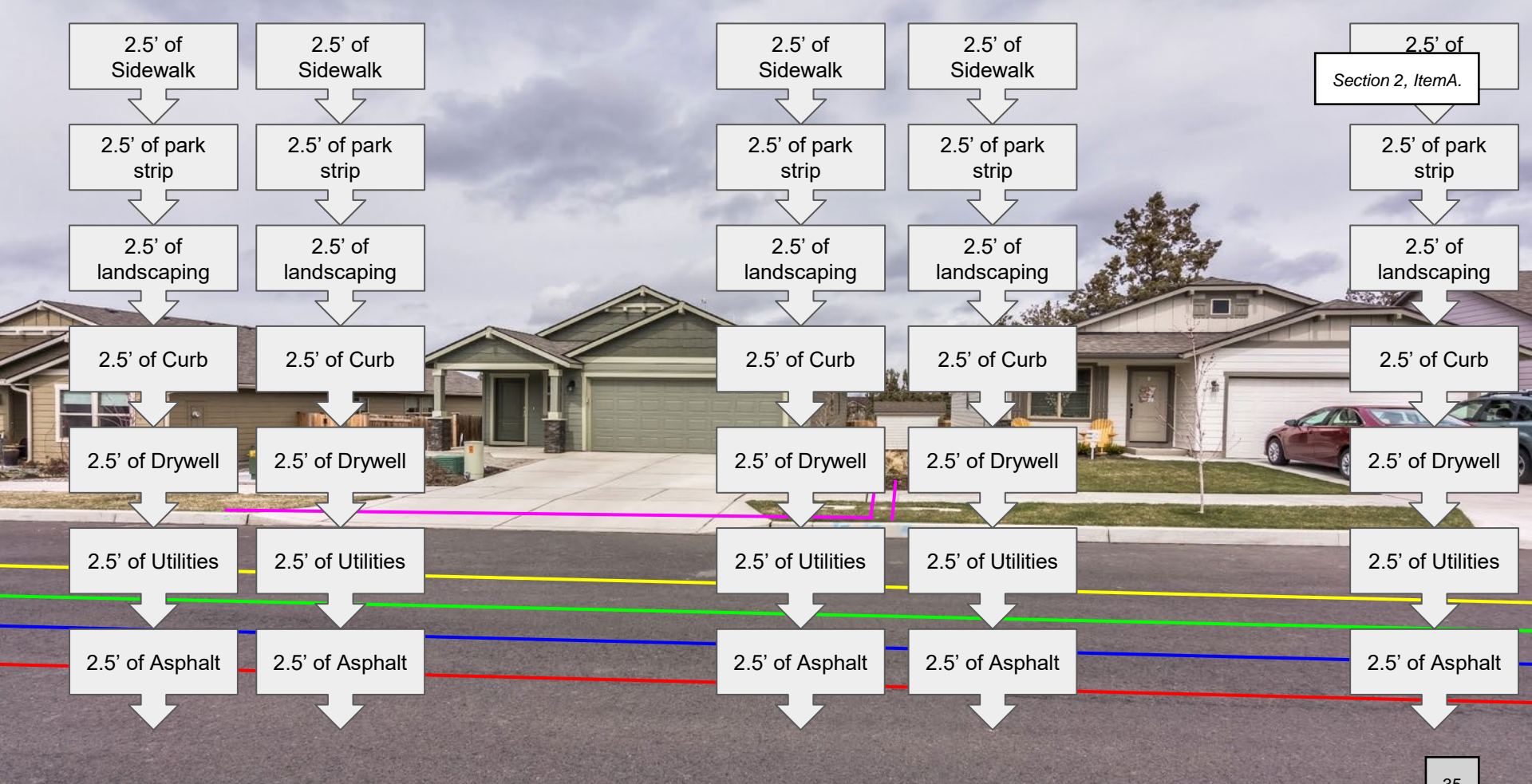
MonteVista Homes
A Division of The Home Depot



2.5'

5' side yard

55' Wide Lot



2.5' of Sidewalk

2.5' of Sidewalk

2.5' of Sidewalk

2.5' of Sidewalk

2.5' of Section 2, Item A.

2.5' of park strip

2.5' of park strip

2.5' of park strip

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2.5' of landscaping

2.5' of landscaping

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2.5' of Curb

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2.5' of Drywell

2.5' of Drywell

2.5' of Drywell

2.5' of Drywell

2.5' of Drywell

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt



UPLAND MEADOWS

 **MonteVista Homes**

“

THANK YOU ...

We sincerely appreciate your time and attention.



Monte Vista Homes



UPLAND MEADOWS



Section 2, Item A.





MonteVista Home

Section 2, Item A.

is a thriving, award winning home builder and land development company.

01

We are a 2nd generation family owned and operated home builder based in Oregon. We build multi-generational homes designed for any new home buyer.

02

The initial company was established in 1989 and Luke Pickerill took sole ownership of the company in 2014. Since then, the company has grown significantly year over year while maintaining industry leading margins.

03

The key to our success is a combination of well communicated and achievable company wide goals, transparency in our successes and failures as it relates to sales and profit margins, and an experienced team of high level executives leading each branch of our business.

04

We provide a personal new home journey – creating real value in property and places. From our incredible onsite sales consultants who provide top-tier customer service to our back office production team who work diligently to ensure that every home is built multiple times before breaking ground. Our success lies in our teamwork and our commitment to our customers.

MISSION

To build the places where life's most important relationships are developed and our most treasured memories are made.



Section 2, Item A.



UPLAND MEADOWS



Monte Vista Homes WHO WE ARE

Section 2, Item A.



We build award winning homes and successful new home communities.

01

We are a group of experienced and strategic real estate and construction professionals with diverse backgrounds. Our team's combined knowledge offers decades of experience in:

- Land Acquisition and Development
- Home construction and construction management
- Strategic real estate market analysis, sales and marketing
- Expertise in financial and real estate sectors

02

With hands-on experience and a valuable network of relationships our team offers options and strategies to maximize profitable investments. Our credibility and professional reputation are second to none.

03

We are dedicated to building authentic, approachable homes. *Quality Elevated.* Personalized Choices enable our buyers to experience a remarkable new home journey.

04

Our even flow processes & curated customization ensure we deliver homes on-time, on budget and ever beautiful.



2023
2022
2021
2020
2019
2018
2017



2023
2022
2021
2020
2019
2013



2023
UPSTAIRS LIVING ROOM
2022
COVERED PATIO & BACKYARD
2020
OPEN FLOOR PLAN
2018
UPSTAIRS BONUS ROOM

Section 2, Item A.



2022
2021
2020
2016



2023
2022
2021
2020



2022
2021
2020



2023
2022
2021



2018



2022

OUR COMMUNITIES

Section 2, Item A.



2014
North Crest
South Crest



2014
Eagle's
Landing



2014
Sundance
Meadows



2015
Angus Acres



2015
Viewpoint
Ridge



2015
Highland
Summit
6 & 7



2016
Boyd
Crossing



2016
Desert
Shadows



2017
Eastridge



2017
Rooster
Rock



2017
Forest Creek



2018
27 Elm



2018
Highland
Summit
8 & 9



2019
Mirage



2019
Red Hills
Estates



2020
Theater
Park



2020
Dry Canyon



2020
Willowbrook



2021
Legacy



2021
Acapella



2021
Moon
Mountain



2022
McClannahan
Summit



2023
Canyon Trails



2023
Feather
Ridge

OUR HOMES



MonteVista Homes sells turnkey, single family residential homes. Our home plans are innovated for cost efficiency and space utilization. The heart of our business is based on quality, offering affordable housing with optional upgrades for the customer.

Section 2, Item A.

01

We design each community with a core set of floor plans based both on the economic *and* general buying demographics.

02

We provide a curated home buying experience. Building a home and trying to make decisions with so many color and product choices often leads to a more stressful experience. Also, *'it just ain't fun'* for our homebuyer.

MonteVista Homes makes the design process easy, fun and stress-less. We can guarantee a beautiful, professional look by bringing together products and colors into finely curated packages. We offer our buyers confidence that their finished home will reflect their needs, style and taste!



WHITE OWL WHITE ACCENTS CURRENT ON TREND ENERGETIC

NEUTRAL UNCOMPLICATED STYLING COMBINES THE BEST OF BOTH WORLDS IN THIS 'ON TREND' FAMILY OF COLORS. RICH ESPRESSO CABINETS CONVEY WARMTH WHILE THE SPOCKLED BRIGHT KITCHEN QUARTZ COUNTERTOPS EMB BRIGHTNESS AND LIGHT. NATURAL TONES CONVEY SIMPLICITY, YET FAVOR THE RICH STYLING OF THE BEIGE MARBLED LOOKING TILE OF THE FIREPLACE PAIRED WITH THE NATURAL TIMBER LOOK OF THE GREIGE WOOD LAMINATE FLOORING.



FOSSIL GREIGE CHARCOAL SATIN FINISH CONTRASTS

CONTEMPORARY GREIGE PAINTED CABINETS WITH LIGHT AND BRIGHT QUARTZ KITCHEN COUNTERTOPS CREATE A SLEEK BLEND OF MID-TONE GREIGE AS THE UNDERLYING THEME IN THIS MODERN PALETTE. COMBINED WITH OUR SIGNATURE GLASS TILE BACKSPLASH AND THE MODERN TIMBER FEEL WOOD LAMINATE FLOORING, THE TILED CHARCOAL ACCENTS OF THE FIREPLACE SERVE AS CONTRAST IN THIS CHIC POLISHED COLOR SCHEME.



Section 2, Item A.

SAND TRADITIONAL WARM CLEAN & BRIGHT CLASSIC

WARM AND WELCOMING MID-TONE BROWNS BLEND GRACEFULLY WITH BRIGHT AND LIGHT SURFACES IN THIS REFRESHING TAKE ON CLASSIC STYLING. RICH ESPRESSO CABINETS CREATES COUNTERPOINT TO THE EARTH-TONED QUARTZ KITCHEN COUNTERTOPS AND THE NEUTRAL GLASS TILE BACKSPLASH. MARBLED FIREPLACE TILING ENHANCES THE RICH WARM FEELING THAT CHARACTERIZES THIS CLASSIC LOOK.

CURATED COLOR PACKAGES

Professionally designed and curated interior and exterior design packages lead with latest design trends. Focusing on 'Unique' and 'Individual', these cutting-edge, on-trend color packages commingle, cultivating a harmonic, elegant, and balanced ambience.



SUNSTONE GRAY WHITE CABINETS MODERN SERENE

WHITE WITH SUMMER-LIKE LIGHT COUPLED WITH TRUE GRAY TONED FEATURES IS THE HALLMARK OF THIS DYNAMICALLY CLEAN FEELING PALETTE. PEBBLED GRAY QUARTZ KITCHEN COUNTERTOPS GRACE THE TOPS OF PAINTED WHITE SLEEK CABINETS SET AGAINST MODERN TIMBER-LIKE WOOD LAMINATE FLOORING. WHITE ACCENTED TILING BLENDS WITH THE WHITE FIREPLACE MANTEL, CREATING A LIGHT AND BRIGHT FEELING.



TRAIL CLASSIC CONTEMPORARY RUSTIC EVERGREEN

RUSTIC SHADES AND TEXTURES WITH WARM AND WELCOMING OVERTONES HIGHLIGHT THE ESSENCE OF THIS TRADITIONAL WARM PALETTE. EVOCATIVE DARK BROWN CABINETS TRY EQUALS OUT THE FLECKED WHITE QUARTZ KITCHEN COUNTERTOPS AND THE NEUTRAL GLASS TILE BACKSPLASH THAT HARMONIZES SO PERFECTLY IN CLASSIC FORM. OAK-TONED WOOD LAMINATE FLOORING AND RICH CREAM FIREPLACE TILING UNITES THIS PALETTE MASTERFULLY.



Section 2, Item A.

AWARD WINNING KITCHENS





Section 2, Item A.

AWARD WINNING BATHS

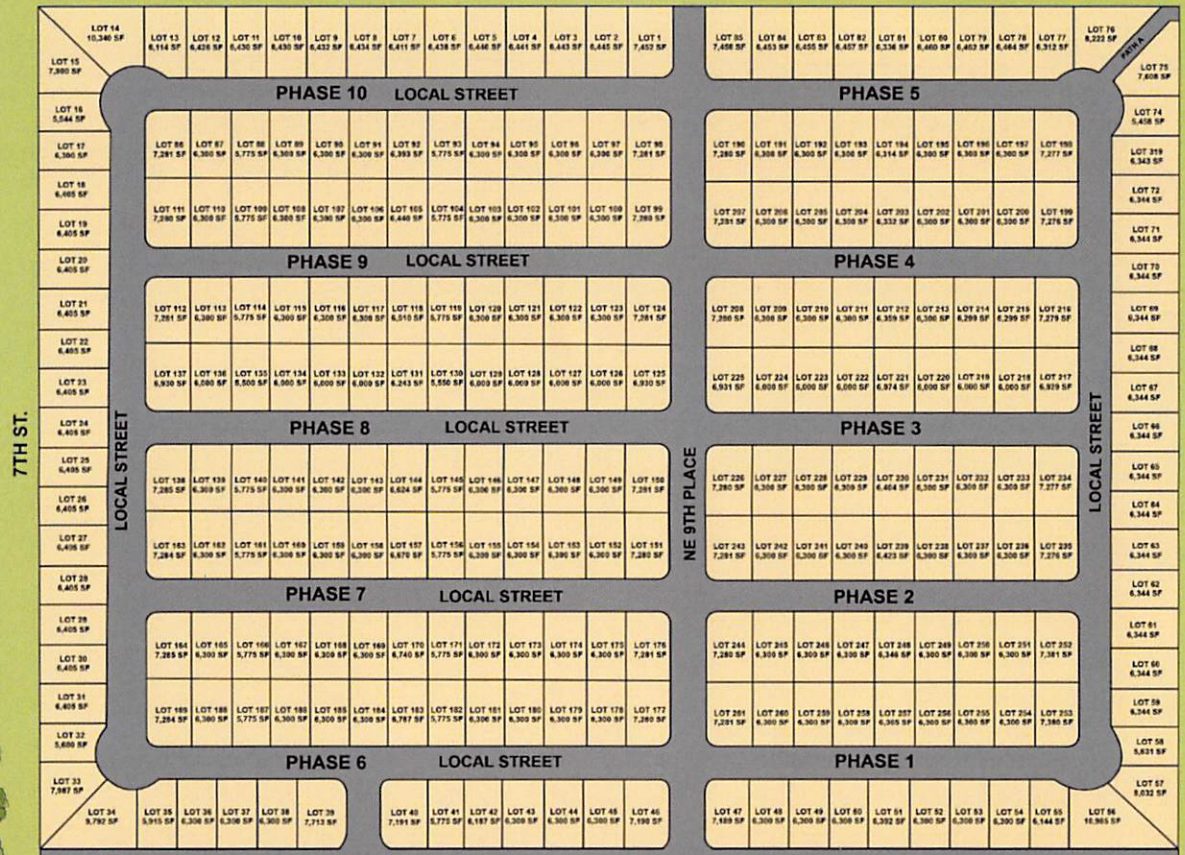




- **261 Homesites**
- **R3 Zoning**
- **Onsite RV parking**
- **3 Car Garage Options**
- **Beautiful homes, affordably priced**



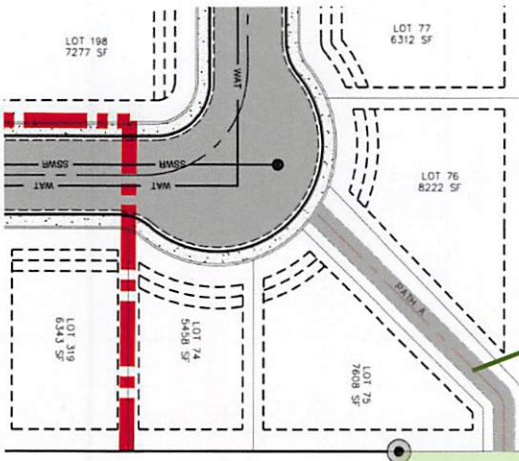
Section 2, Item A.



E THEATER LN.



SCHOOL CONNECTIVITY



**Pedestrian
Access to School**

60' EASEMENT TO BE
DEDICATED TO LOMA
VISTA ELEMENTARY
SCHOOL

**Access Easement
Given to School**

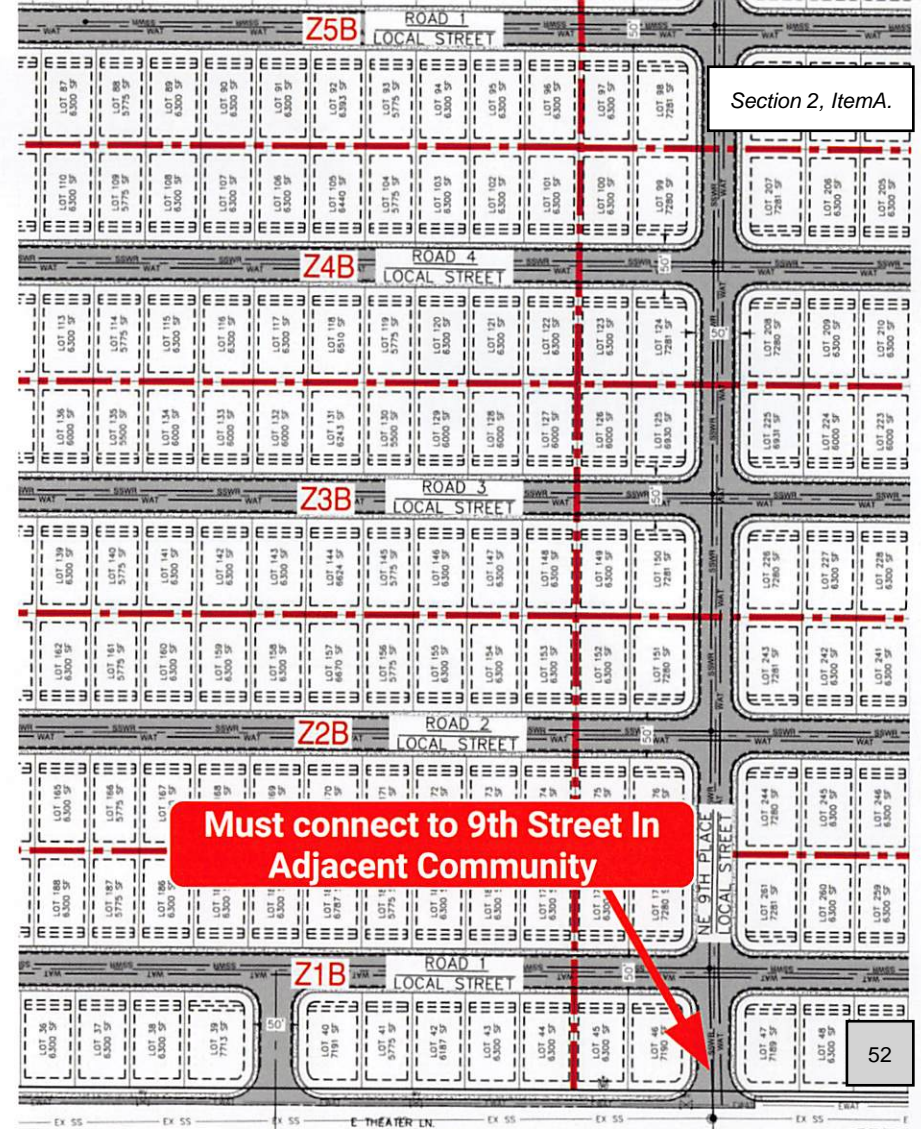
LOMA VISTA
ELEMENTARY
SCHOOL

NE 10TH ST

BLOCK LENGTH

We are proposing a variance to block length for the following reasons:

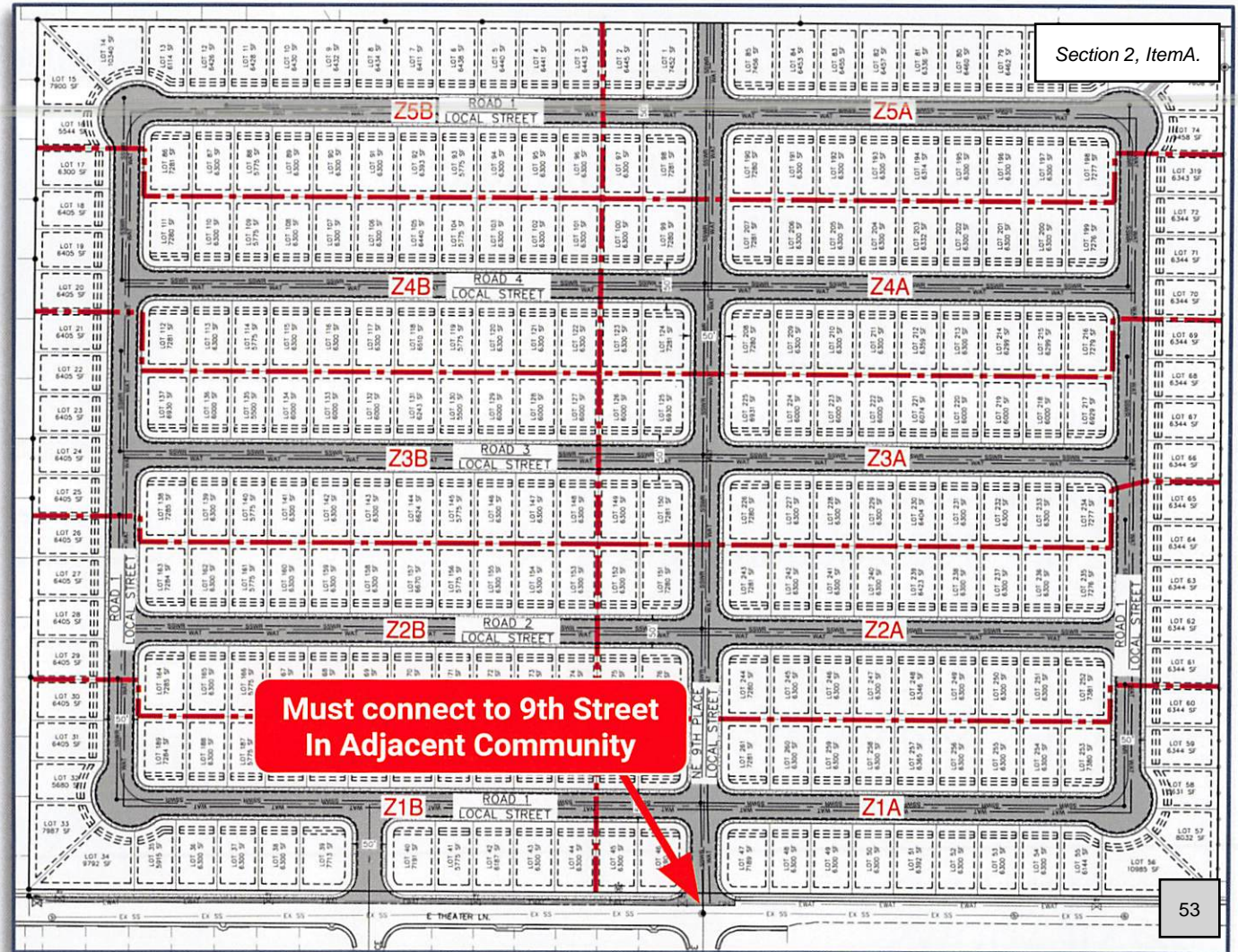
1. 9th Street Connection
2. Property Size / Shape
3. Property Topography
4. Affordability is Key!!!!
5. No Trails, a Maintenance Nightmare



BLOCK LENGTH

We are proposing a variance to block length for the following reasons:

1. 9th Street Connection
2. Property Size / Shape
3. Property Topography
4. Affordability is Key!!!!
5. No Trails, a Maintenance Nightmare



LOT WIDTH

5-ft reduction of the 60-ft lot width requirement, on 19 lots.


1. Affordability is Key!!!
2. 95% of MVH home designs are 40' wide
3. Hope Floor Plan is 45' wide (fits a 55' lot)
 - a. 1906 Square Feet
 - b. 4 Bedroom / 2 Bath
 - c. 3 Car Garage
 - d. Additional Off Street Parking

Section 2, Item A.


HOPE TUV

4 BED 2 BATH 1,906 SQ FT


T - CRAFTSMAN



U - TRADITIONAL



V - FARMHOUSE



STANDARD FEATURES




- Spacious Single Story Layout with 4 Bedrooms
- Gourmet Kitchen
- Quartz Countertops Throughout Home
- Stainless Steel Appliances
- Kitchen Island with Sink
- Large Pantry
- Open Great Room with Gas Fireplace
- Primary Suite with Walk-in Closet
- Dedicated Laundry Room
- 3 Car garage
- Covered Front Porch
- A/C Pre-Wired

OPTIONAL FEATURES

Optional features are plan or lot specific.

- Kitchen Island with Range & Hood
- Covered Rear or Side Patio
- Dining and Great Room with Vaulted Ceiling
- Coffered Ceiling in Primary Suite
- Primary Bath Closet
- Freestanding Soaking Tub
- Double Glass Doors for Bedroom 4/Den
- Built-in Bench
- Additional Bedroom Lighting
- Air Conditioning

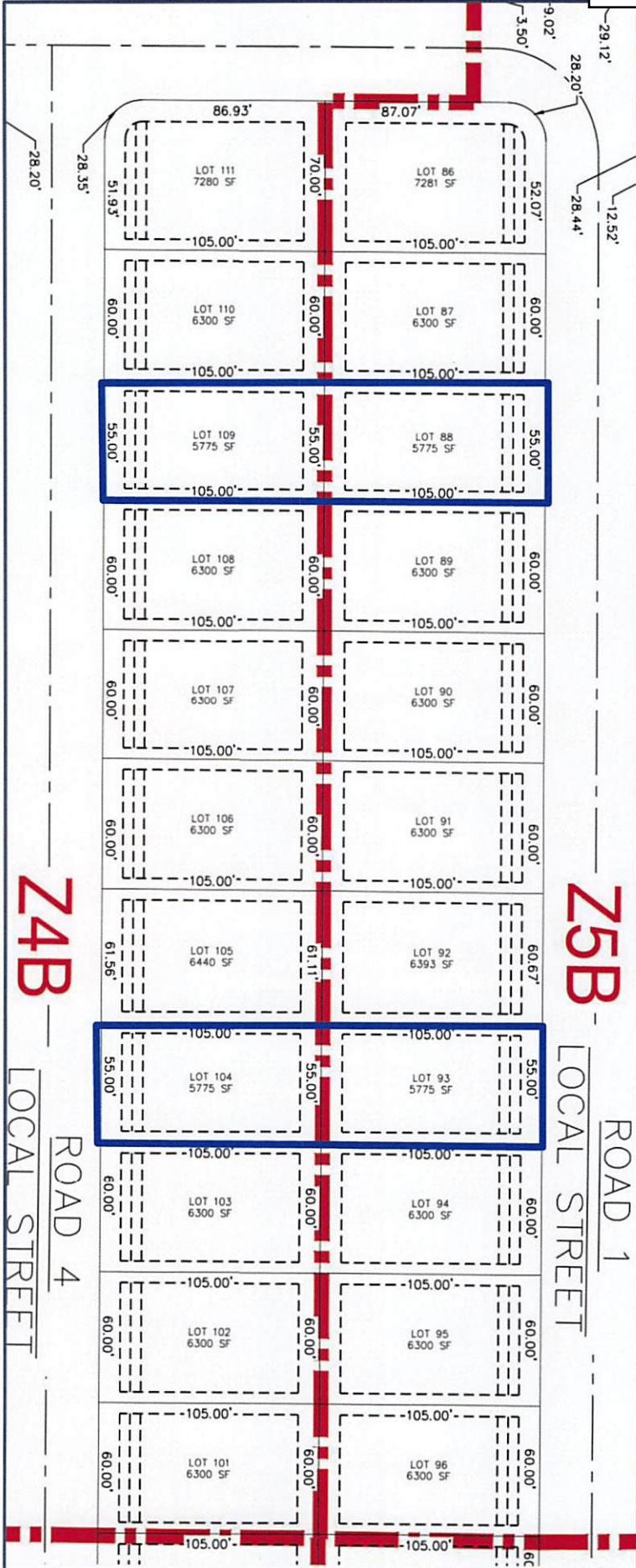
**Photos of a similar home*



www.MtVistaHomes.com

In a continual effort to improve our product, MonteVista Homes reserves the right to change product design, features, materials, dimensions, specifications, prices and terms without prior notice. Square footage stated or implied are approximate. Images may be representative of future home and show what's possible not what's included. Seller is a licensed real estate broker in the State of Oregon. Steven Wilson, principal broker for the North Realty Group.

CCER 203709
1.11.22



LOT WIDTH

The Hope

55' Wide Lot

3 Car Garage

2x More Off Street Parking

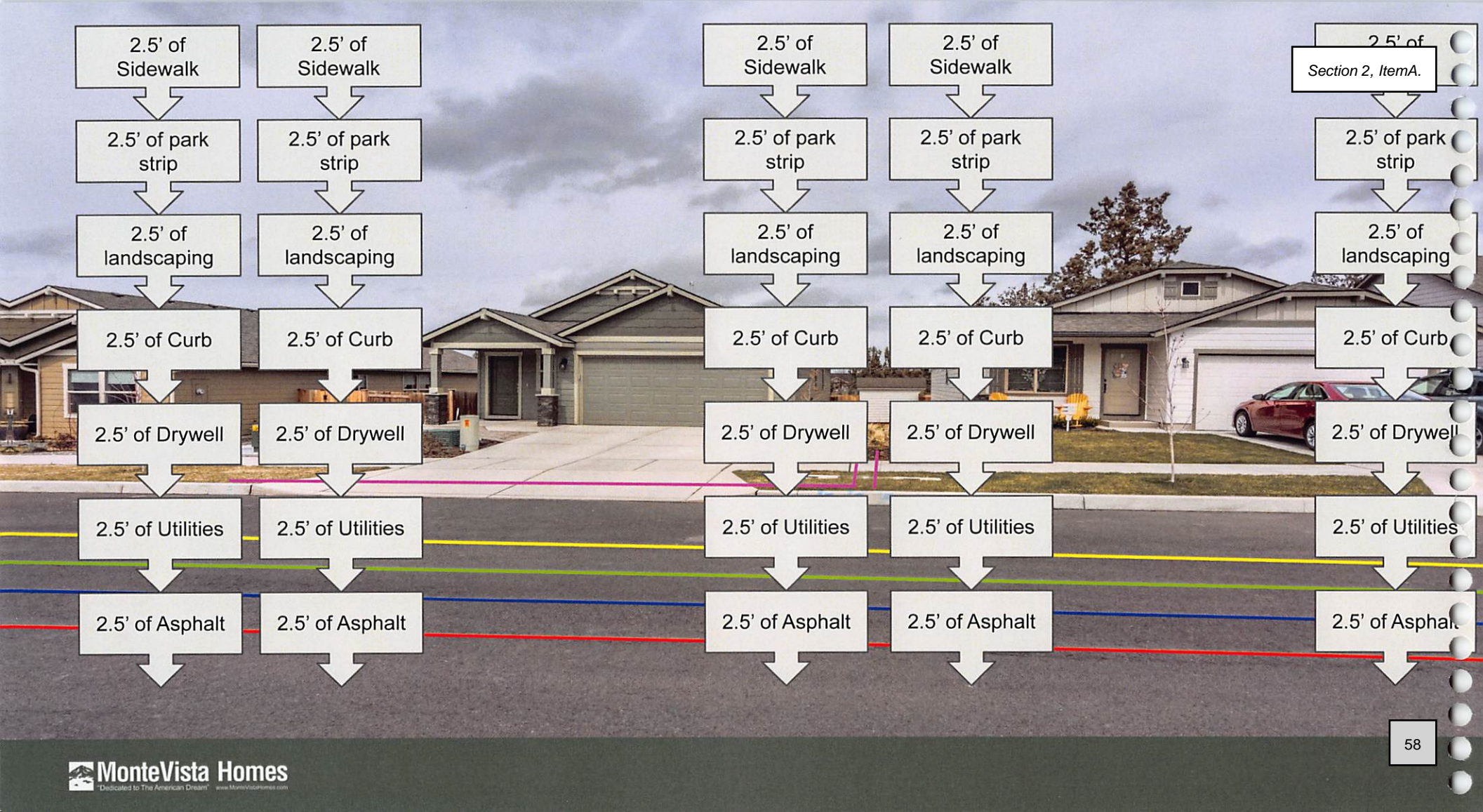
MonteVista Homes



2.5'

5' side yard

55' Wide Lot



2.5' of Sidewalk

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2.5' of Drywell

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2.5' of Drywell

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Utilities

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt

2.5' of Asphalt

PLACE MAKES A DIFFERENCE!

Place triggers action. People's love of place and sense of place leads to a desire to fight for their place. The impact on public health, civic pride and economic well-being is imperative to building thriving communities.

Place is also unique. Every community, large or small, has a distinctive character. Natural and man-made physical elements, social makeup, and combinations of public and private institutions both create and constrain opportunities for expanding and maintaining quality of life.

Upland Meadows will be a **place** people will choose to call “**home**”.





Section 2, Item A.



UPLAND MEADOWS

“

THANK YOU ...

We sincerely appreciate your time and attention.



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of January 10, 2024

Title/Subject

Continued from December 13, 2023

Major Variance & Subdivision, Upland Meadows Subdivision - MonteVista Homes 4N2802A Tax Lot 500 - 811 E Theater Ave

Summary and Background

The planning commission opened a hearing at the December 13 regular meeting to consider a request for two variances and a preliminary subdivision plat from Monte Vista Homes. After taking testimony and considering the evidence presented, the planning commission determined there was insufficient evidence to make a decision and continued the hearing to the January 10 meeting. The original December report is attached to this memo for reference. This memo includes clarifications and new information as requested by the planning commission.

The primary point of discussion centered around the plan for secondary access to NE 10th St. The fire code requires additional access for the development to be provided to NE 10th Street. There was debate between the city and developer as to the width and composition of the access as well as ultimate ownership of the area. Could the property be transferred to Loma Vista Elementary, transferred to the city, or maintained privately? After researching and discussing the issue all parties agreed that the city has an interest in acquiring the 60-foot access to NE 10th Street and maintaining the access.

The secondary emergency access will be developed in the following manner. A 30-foot wide right of way will be dedicated between Lots 75 and 76. The right of way between Lots 75 and 76 will be developed with a 20-foot-wide asphalt strip designed to accommodate fire engine travel and be gated to prevent other vehicle traffic. The 20-foot asphalt access will taper to 15 feet in width at the street intersection to enhance aesthetic appearance. As the access continues eastward into the 60-foot access, the paved portion will narrow to an 8-foot pedestrian path and the emergency vehicle access will become a 15-foot gravel road. All of this access, both between Lots 75 and 76, and the NE 10th St access, will be dedicated as public right of way to the city.

The entire 60-foot-wide and 670-foot-deep access flag will be dedicated to the city as right of way. Dedication of this area insures the future public access for potential development of Tax Lot 101 which abuts the entire north boundary of the access flag. Creation of a street at this location is not necessary for the functionality of the development but would be necessary for

subdivision of Tax Lot 101 in the future. This lot has the potential to accommodate lots.

A diagram provided by the developer is attached to this report as Exhibit A. Timing for construction of this access is paramount. Secondary access is required whenever more than 30 homes are constructed with a single point of access. It is not necessary to construct the asphalt portion of the access when 30 lots are completed, but gravel access shall be provided concurrent with construction of Lot 31. There are 27 lots proposed in Phase 1. Therefore, gravel emergency access shall be provided when civil improvement construction begins on the area labeled as Phase 2 on the preliminary plat.

The second point of discussion focused on the inadequacy of the findings supporting the variance requests. The planning commission did not object to the variance requests in principle but felt the supporting evidence did not adequately address the criteria. The applicant revised the burden of proof to better create findings that support the planning commission’s decision. The revised findings are attached as Exhibit B to this report.

The revised findings better address the unique topographical issues on the site. It falls to the judgement of the planning commission if the findings provide adequate evidence to support approval of the variance. It is the staff opinion that the findings may provide adequate evidence to support the approval when considered in combination with the evidence provided during the December 13 hearing.

Tie-In to Council Goals

Promotion of housing remains a council goal.

Fiscal Information

There are 261 single-family lots proposed for the subdivision. Each house should sell in the \$350,000 to \$475,000 range. At full build-out the development will generate approximately \$532,000 in revenue to the city each year.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve or reject the lot width variance
- Approve or reject the block length variance
- Approve the subdivision plat and conditions
- Approve the subdivision plat and modify the conditions
- Modify the subdivision plat
- Reject the subdivision plat

Recommended Action/Motion

Staff recommends that the planning commission approve the two variance requests and preliminary plat.

Motion to adopt findings of fact.

Motion to impose conditions of approval.

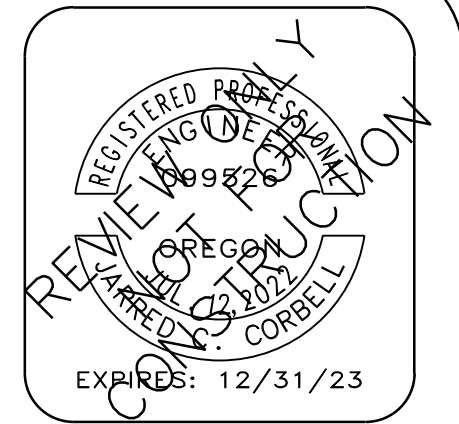
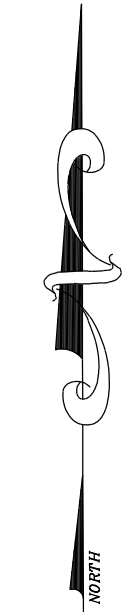
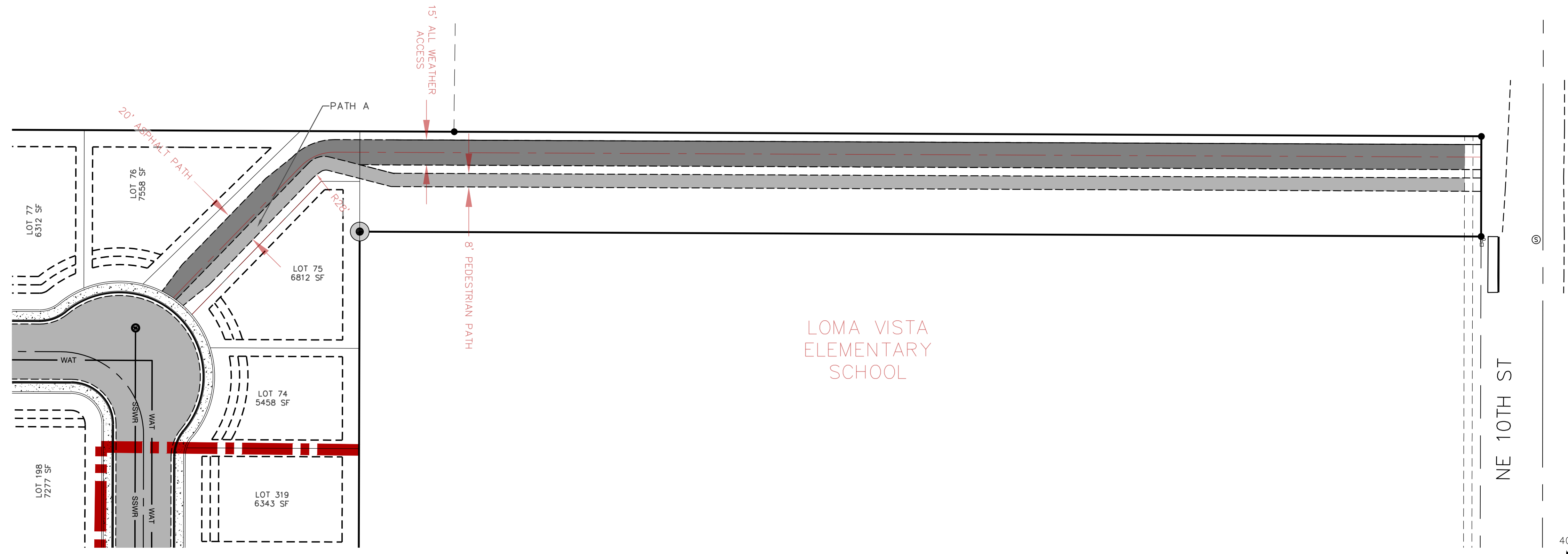
Motion for decision on lot width variance.

Motion for decision on block length variance.

Motion for decision on preliminary plat.

Submitted By:

Clinton Spencer, Planning Director



CCB#203709
MonteVista Homes
 Built with You in Mind
www.MonteVistaHomes.com

DESIGNED BY: EDN
 DRAWN BY: EDN
 DATE: 9/12/2023

UPLAND MEADOWS
 TRAIL CONNECTION

No.	REVISIONS:	DATE:

SHEET:
P4.0

EXHIBIT A

Findings of Fact

Upland Meadows Subdivision

January 10, 2024

**IN A MATTER BEFORE THE CITY OF HERMISTON
BURDEN OF PROOF STATEMENT
for the
Upland Meadows Subdivision**

APPLICANT: **MonteVista Homes**
389 SW Scalehouse Ct, Ste 110
Bend, OR 97702

OWNER: Hermiston Irrigation District
366 E Hurlburt Ave
Hermiston, OR 97838

ENGINEER: Jarred Corbell, P.E.
MonteVista Homes
389 SW Scalehouse Ct, Ste 110
Bend, OR 97702

LOCATION: The subject property is approximately 52 acres located directly west of Loma Vista Elementary School, on the north side of Theater Lane. The site has not been assigned an address but is identified as Tax Lot 500 on Umatilla County Tax Map 4N2802A0.

REQUEST: Approval of a 261-lot subdivision, in Phases, within the Medium-High Density Residential Zone (R-3).

I. APPLICABLE CRITERIA:

City of Hermiston Development Code

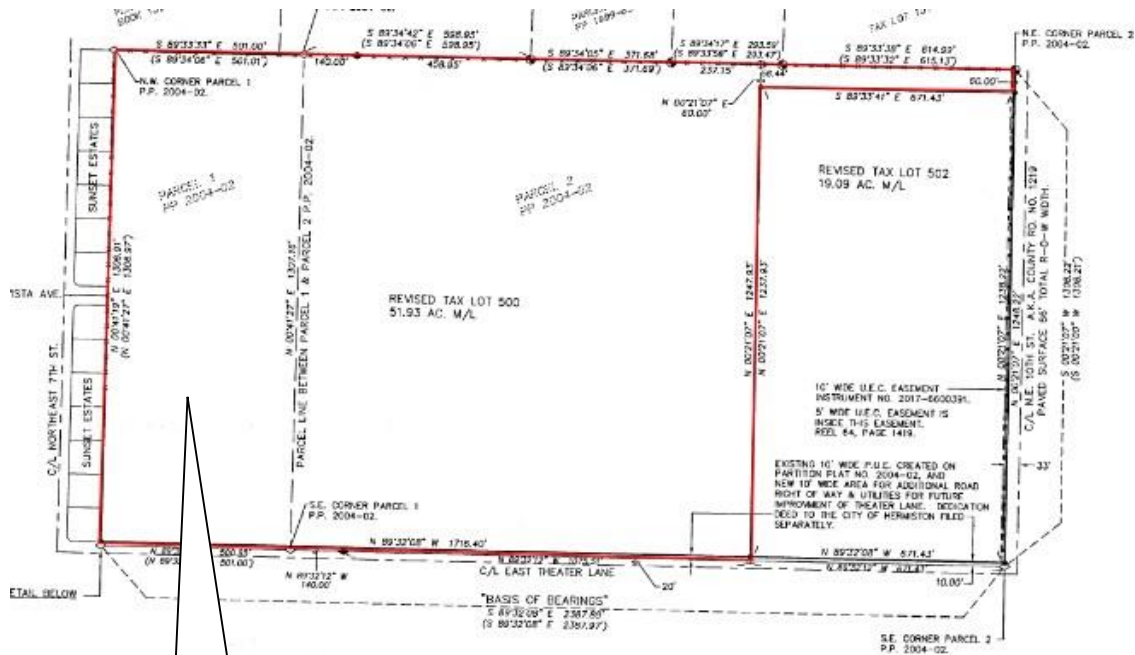
- Title XV-Land Usage

APPLICABLE STANDARDS:

- Chapter 154 Subdivisions
- Chapter 157 Zoning

II. GENERAL INFORMATION

- 1. LOCATION:** The subject property is approximately 52 acres located directly west of Loma Vista Elementary School, on the north side of Theater Lane. The site has not been assigned an address, but is identified as Tax Lot 500 on Umatilla County Tax Map 4N2802A0.
- 2. ZONING:** The subject property is within The City Limits of the City of Hermiston in the County of Umatilla and zoned in the City of Hermiston Comprehensive plan as Medium-High Density Residential Zone (R-3). The property is currently annexed into The City of Hermiston.



Source: Umatilla County Tax Map 4N2802A0

**SUBJECT
PROPERTY**



Source: Google Earth

3. SITE DESCRIPTION & SURROUNDING USES: The subject property contains relatively sloping topography from the north end of the project towards Theater Lane with approximately 30-feet of

fall. The site is vacant and covered with native grasses and brush. The parcel lies adjacent to Loma Vista Elementary and north of Theater Lane and has zero developed street access points.

Properties adjacent south and west lie within the City of Hermiston and are developed with single family homes on residential lots. To the north is partially undeveloped land coupled with commercial uses. To the east is Loma Vista Elementary school.

- 4. **PROPOSAL:** Approval of a 261-lot subdivision, in Phases, within the Medium-High Density Residential Zone (R-3).

III. REVIEW CRITERIA:

CONFORMANCE WITH CITY OF HERMISTON DEVELOPMENT CODE:

DESIGN STANDARDS

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.

(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.

(C) Off-set streets should be avoided.

(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.

(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.

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

(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:

(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.

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

(3) Where street connections 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.

(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.

(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.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99)

RESPONSE: As depicted on the preliminary plat submitted with this application, the proposed street network consists of a grid pattern based upon the foundation of Theater Lane, an existing east-west minor collector street. The grid pattern is extended north and provides for continuation into undeveloped lands to the north. Extension and connectivity is achieved with connection to N E 8th and 9th Place via Theater Lane in the southern end of the project. The proposed street network assures safe and adequate circulation in the transportation system as all intersections are adequately spaced and aligned. Vertical grades in the proposed street locations will be designed to reduce the existing slopes and create a safe and efficient design in compliance within standards and specifications. No dead-end cul-de-sacs are proposed. Proposed street names will be cleared for duplication and submitted for approval prior to filing of the Final Plat.

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

(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.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, the proposed street sections correspond to the Standards adopted in the TSP and Public Works Standards and Specs of the City of Hermiston. Improvements include the construction of a local street grid network.

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 along side 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.

(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.

(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.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, easements for public utilities are proposed along the frontage of all lots, as may be necessary for the installation of such. No stream or irrigation easements apply to the subject property.

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.

(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.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat, the proposed block lengths are in not in conformance with this Section. Please refer to Section 154.75 for additional information.

154.19 LOTS.

(A) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.

(B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

(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.

(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.

(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: As depicted on the Preliminary Plat submitted with this application, the proposed arrangement of subdivision lots is similar in form and design to the surrounding residential subdivisions. Side lot lines are proposed perpendicular to the rights of way and double frontage lots are only proposed along the short block fronting Theater Lane in order to prevent direct access to the Collector street. The dimensional properties of the proposed lots are proportional and meet the width to depth ratios in this section. An exception is being requested for the interior lot width. The minimum lot width in this zoning is 60 feet. On the proposed preliminary plat 19 lots would require an exception allowing a width reduction; ranging from 55 to 58.7 feet. Therefore, an exception to lot width is requested under the variance and analysis is included in this application (see section 154.75).

(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.

(Ord. 858, passed 4-14-75; Am. Ord. [2180](#), passed 7-25-11) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, flag style lots are not proposed in this application. Frontages provided are sufficient to construct individual driveway access to each lot.

154.20 CHARACTER OF DEVELOPMENT.

(A) The Planning Commission shall confer with the subdivider regarding the type and character of development that will be permitted in the subdivision and may agree with the subdivider as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, control the type of structures or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants should be included to provide for the proper protection and maintenance of the development in the future; provided, however, that the deed restrictions or covenants shall not contain (reversionary) clauses wherein any lot shall return to the subdivider because of violation thereon of the terms of the restrictions or covenants.

RESPONSE: A draft of protective Covenants will be provided and proposed to be filed for this subdivision at a later date but prior to Final Plat recordation.

(B) 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.

(Ord. 858, passed 4-14-75)

RESPONSE: As shown on the preliminary plat, the proposed development does not include open space tracts to be dedicated to the City.

154.21 PARKS, SCHOOL SITES AND THE LIKE.

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.

(Ord. 858, passed 4-14-75)

RESPONSE: As shown on the preliminary plat, the proposed development includes a 30-ft wide shared use trail tract through the NE corner of the property to provide access to the adjoining 60-ft wide tract running adjacent to the Loma Vista elementary school. The applicant proposes to transfer of both the 30-

ft wide and 60-ft wide tracts to the City of Hermiston but the applicant intends on improving a portion of the tract as a shared pedestrian trail, to be owned and maintained by the City.

154.22 ACCESS MANAGEMENT.

Access spacing policies set forth in the City Transportation System Plan and the Oregon Highway Plan will apply to any proposals for new access or change of existing access.

(Ord. [2004](#), passed 12-13-99)

RESPONSE: The subject property lies adjacent and north to Theater Lane, classified as a minor collector on the Transportation System plan (update 2014). The proposed Preliminary Plat indicates 2 new connections to Theater lane opposite existing connections of N E 8th Place and N E 9th Place. Based on these existing connections and points of connectivity, the existing spacing should be found adequate. Therefore, the spacing of the proposed street intersections is compliant with the TSP and City Standards.

The proposed development includes frontage for 1 driveway approach per lot. Per Table 6-1 of the Public Works Design Standards, each residential lot on a collector or local street is allowed 1 approach of 12-24 feet width (or 28' maximum for three car garages). However, the proposed block layout allows for one row of double frontage lots along Theater Lane. There will be no proposed driveway access points from Theater Lane.

SUBDIVISIONS PRELIMINARY PLAT

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.

(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.

(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;
- (2) The proposed location and width of streets, alleys, lots, building and setback lines and easements;
- (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;
- (4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract;

- (5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land;
- (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;
- (7) North point, scale and date;
- (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
- (9) All the above information unless waived by the Planning Commission.

(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.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat Map submitted with this application, the required information is provided, in conjunction with this narrative and materials provided.

REQUIRED MINIMUM IMPROVEMENTS

154.60 PERMANENT MARKERS.

All subdivisions, major partitions and minor partitions are required to be surveyed in accordance with ORS [92.050](#) through [92.080](#).

(Ord. 858, passed 4-14-75; Am. Ord. [1769](#), passed 9-28-92) Penalty, see § [154.99](#)

RESPONSE: This section is procedural and the requirement will be met before Umatilla County Surveyor’s Office will sign off on the final subdivision plat.

154.61 GENERAL IMPROVEMENTS.

As a condition to the approval of the final plat, the city shall require installation of certain grading, drainage, curb and gutter, sidewalk and street paving and all service utilities. A developer’s agreement shall be drafted guaranteeing installation of said improvements to standard city specifications. In lieu of completion of the work, the city may accept a bond, a letter of credit or other securities in an amount and under conditions to be specified. In case of forfeiture of securities, the city will do the work and will be reimbursed in the amount of the securities.

(Ord. 858, passed 4-14-75; Am. Ord. [1041](#), passed 3-14-77) Penalty, see § [154.99](#)

154.62 WATER LINES.

Where the city public water supply is reasonably accessible or procurable, each lot within the subdivided area shall be planned for connection to the water supply. In all other areas a private water supply shall be provided in accordance with regulations and recommendations of the State Department of Environmental Quality and under the supervision of and approval by same. Fire hydrants shall also be installed in all subdivisions within the city.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.63 SANITARY SEWERS.

Within the city limits, and in all areas beyond the city limits, but lying within the potential sewerage limits as shown by the Comprehensive Plan, the preliminary plat shall show the sanitary sewer layout for the area being subdivided. This layout shall comply with regulations of the State Department of Environmental Quality and shall be approved by the City Engineer.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.64 DRAINAGE.

- (A) All necessary facilities shall be installed sufficient to prevent the collection of surface water in any low spot and to maintain any natural water course.
- (B) All major and minor partitions of land shall meet the requirements of the National Flood Insurance Act of 1968 and as amended, as applied to lands within the city.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.65 SIDEWALKS.

- (A) All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family homes and duplexes if there is an existing sidewalk within 500 feet on the same side of the street.
- (B) In the case of arterial or collector streets, sidewalks shall be built during their construction and considered during their reconstruction.
- (C) If an interim street standard is being constructed which does not include bike lanes or sidewalks, a paved shoulder at least six feet wide shall be provided as an interim walkway.
- (D) The provisions of sidewalks may be waived where the street serves fewer than 50 trips per day (based on ITE standards) and cannot be continued or extended to other properties.
- (E) Standards for the design, width, and location of sidewalks are set forth in the Transportation System Plan and are adopted by reference.

(Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

154.66 BIKEWAYS.

- (A) The city's adopted Bicycle Plan is included in the Transportation System Plan, and adopted as part of the Comprehensive Plan by reference.
- (B) In the case of arterial or collector streets, bike lanes shall be built during their construction, and considered during their reconstruction.
- (C) Standards for the design, width, and location of bike lanes are set forth in the Transportation System Plan and are adopted by reference.

(Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As shown on the submitted Preliminary Plat, provisions have been made for the installation of public sewer, water, utility, and street improvements in conformance with this section. With approval of this land use action, engineered plans will be submitted for approval, and with such, the applicant can construct the necessary and required infrastructure to serve the development.

ADMINISTRATION AND ENFORCEMENT

154.75 VARIATIONS AND EXCEPTIONS.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties or substantial hardship or injustice, the City Council may vary or modify requirements so that the subdivider may develop the property in a reasonable manner but so that, at the same time, the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of these regulations preserved.

(Ord. 858, passed 4-14-75)

RESPONSE: In consideration of the physical and dimensional properties of the subject parcel, and the potential future development pattern of vacant or underdeveloped properties, the applicant requests exceptions to the following sections.

1. 154.18 Block Length – Due to the subdivision’s requirements to connect to local streets, we are bound by the 8th Street and 9th Street connectors to the south side of the project. By maintaining the 9th street connection throughout the subdivision, it is forcing the block lengths to be extended beyond the City’s 600-ft maximum by 200 feet, which also results in a 50-ft reduction for the blocks lengths to the east of 9th street. Due to topography and transportation considerations, it does not create a benefit to the project to integrate undue horizontal geometry to 9th street within the project limits. It is our opinion that this connection and block length increase does not create a health, welfare and safety concern.

2. 154.19(c) LOTS, 157. 027(C)(4) MEDIUM-HIGH DENSITY RESIDENTIAL ZONE (R-3)- Due to the physical dimensions of the properties of the subject parcel, and in consideration of market demands, the applicant requests a variance from the minimum lot width of 60' for 19-interior lots to range from 55-58.97' minimum width. The existing topography on the western and eastern borders of the property will require some form of retaining walls. Due to this, the depth of those lots must be increased to account for appropriate setbacks as well as retainage. This scenario, when combined with the required placement of 9th street and other right of way requirements for connectivity, as well as placing as many 60-ft wide lots as possible, yields 19 interior lots below standard. If the variance were not granted, this would result in 19 lots being lost and the remaining lots would absorb these widths resulting in many lots being well above 60-ft wide. This would cause undue land development costs being spread across less Units. The 19 Lots represent 6.8% of the total lots.

As a developer and builder, the applicant has the experience and capability of providing the product proposed within the project on lots that are overall consistent with Code, yet simply require less frontage

per lot, which reduces cost per lot for public improvements, and thereby improves the affordability for the end user. Additional exhibits will be provided and presented at the Commission Hearing.

RESIDENTIAL ZONES

157.025 SINGLE-FAMILY RESIDENTIAL ZONE (R-1).

(A) *Uses permitted outright.* In a R-1 zone, only the following uses and their accessory uses are permitted outright:

- (1) Single-family dwelling;
- (2) Residential care home;
- (3) Home occupations;
- (4) Accessory structures;
- (5) Family day care provider;
- (6) Manufactured dwelling placed on an individual lot outside of a manufactured dwelling park and subject to requirements of § [157.145](#). This requirement shall not be construed as abrogating a recorded restrictive covenant; and
- (7) Utility facilities as defined in § [157.143](#).

157.026 DUPLEX RESIDENTIAL ZONE (R-2).

(A) *Uses permitted outright.* In a R-2 zone, only the following uses and their accessory uses are permitted outright:

- (1) A use permitted in the R-1 zone; and
- (2) Two-family dwelling.

157.027 MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3).

(A) *Uses permitted outright.* In a R-3 zone, only the following uses and their accessory uses are permitted outright:

- (1) A use permitted in the R-2 zone;
- (2) Bed and breakfast, boarding, lodging or rooming house;
- (3) Multiple-family dwelling; and
- (4) Residential care facility.

(C) *Lot size.* In a R-3 zone, the lot size shall be as follows:

- (1) The minimum lot area for single-family dwellings shall be 5,000 square feet for an interior lot and 6,000 square feet for a corner lot;
- (2) The minimum lot area for two-family dwellings shall be 6,500 square feet for an interior lot and 7,200 square feet for a corner lot;
- (3) For multiple-family dwellings, the minimum lot area shall be 7,500 square feet or 2,000 square feet per dwelling unit, whichever is greater;

- (4) The minimum lot width at the front building line shall be 60 feet for an interior lot, 70 feet for a corner lot, and 25 feet for cul-de-sac lots; and
- (5) The minimum lot depth shall be 80 feet.

RESPONSE: The subject property is zoned Multiple Family Residential (R-3). The proposed use is permitted outright. As shown on the tentative plan, lot sizes vary from 5,775 sf up to 11,000 sf. Lots widths vary from 55 feet to 70 feet wide, and the typical lot depth is 105 feet. An exception is requested in section 154.75.

(D) *Setback requirements.* Except as provided in § [157.140](#), in a R-3 zone the yards shall be as follows:

- (1) The front yard shall be a minimum of 15 feet, measured from the foundation. The garage shall be constructed at 20 feet measured from the foundation. When a covered patio or covered porch is constructed in the front yard, the porch or patio may be constructed with a ten-foot setback;
- (2) Each side yard shall be a minimum of five feet, measured from the foundation, except that on corner lots the side yard on the street side shall be a minimum of ten feet measured from the foundation; and
- (3) The back yard shall be a minimum of ten feet, measured from the foundation. However, for any structure exceeding 15 feet in height, the rear yard shall be increased one foot, up to a maximum of 25 feet, for every foot, or fraction thereof, above 15 feet.

(E) *Height of buildings.* In a R-3 zone, no buildings shall exceed a height of 35 feet.

(F) *Lot coverage.* In a R-3 zone, buildings shall not occupy more than 45% of the lot area. Covered decks, porches, patios, and gazebos may occupy an additional five percent of the total lot area.

RESPONSE: The proposed subdivision provides lots of sufficient size and dimension to construct the proposed housing within the parameters of this section. The criteria in this section will be further analyzed with building permit application, where actual structures are proposed, and those particular dimensions can be identified for compliance.

157.150 TRANSPORTATION IMPROVEMENTS, STANDARDS, AND PROCEDURES.

(A) *Purpose.* The purpose of this section is to provide standards and procedures to implement provisions of the State Transportation Planning Rule (OAR 660, Division 12) and local, regional, and state transportation plans.

(B) *Applicability.* The provisions of this section shall apply to all development and subdivisions subject to the Development Standards of 157.160 et seq.

(C) *Notice and coordinated review.* If a proposed development or subdivision is within 200 feet of a state highway, or an arterial or collector street, notice of the proposal shall be provided to the Oregon Department of Transportation (ODOT) and Umatilla County. Notice will help identify agency standards and provide an opportunity for agency input and coordinated review of transportation impacts.

(D) *Zone changes.* In addition to the zone change approval criteria set forth in 157.226(E), all zone changes shall conform to the adopted Transportation System Plan (TSP). Proposed zone changes shall not substantially impact the functional classification or operation of transportation facilities. To ensure proper review and mitigation, a traffic impact study may be required for proposals that may impact transportation facilities.

(E) *Traffic impact study.* The applicant for a zone change, or a development or subdivision subject to the Development Standards of 157.160 et seq., shall submit a traffic impact study when the proposal affects a transportation facility if it:

- (1) Changes the functional classification of an existing or planned transportation facility;
- (2) Changes standards implementing a functional classification system;
- (3) Allows types or levels of land use that would result in levels of traffic or access that are inconsistent with the functional classification of a transportation facility; or
- (4) Would reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

RESPONSE: The subject property is adjacent to Theater Lane, a Minor Collector. Per the attached letter from Clemow Associates, taking into consideration the Traffic Impact Analysis of the Loma Vista Elementary School and our proposed trips, the proposed subdivision does not change the functional classification of Theater Lane.

This application proposes 261 single family lots. Analysis of trip generation is as follows:

USE	ITE Rate	Trips/Day	PM Peak
261 Single family detached	9.38/unit	2447	260

The proposed development includes a network of local roadways, and connections to Theater Lane; a Minor Collector. Therefore, the development is not expected to change the functional classification of any facility, or standards of implementation of the system plan. The development is consistent with the planned zoning designation and the functional classification of the transportation network will not reduce the level of service of said facilities to levels below those in the Transportation plan.

(F) *Transportation projects.* The following transportation projects are permitted outright in all zones in the city:

- (1) Normal operation, maintenance, repair, and preservation activities associated with transportation facilities.
- (2) Installation of culverts, pathways, fencing, guardrails, lighting, and similar types of improvements that take place within the public right-of-way.
- (3) Landscaping as part of a transportation facility.

- (4) Acquisition of right-of-way for public roads, highways, and other transportation projects identified in the TSP.
- (5) Transportation projects specifically identified in the TSP.
- (6) Emergency measures as necessary for the safety and protection of property.

RESPONSE: There are no proposed changes to Theater Lane.

(G) *Access management.* The following access management provisions shall apply to all development and subdivisions subject to the Development Standards of § 157.160 et seq.:

- (1) Development shall preserve the flow of traffic in terms of safety, capacity, functional classification, and level of services. Access management policies set forth in the city TSP and the Oregon Highway Plan will apply to any proposals for new access or change of existing access.
- (2) Residential driveways shall be located to optimize intersection operation and, where possible, to access off the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a minor collector, the driveway shall access from the local street as long as it can be located a sufficient distance from the intersection.
- (3) Properties that front on collector or arterial streets are encouraged to share an access with neighboring properties.
- (4) Access to state highways is regulated by the Oregon Department of Transportation (ODOT) as described in the Oregon Highway Plan. Umatilla County regulates access to county roads.
- (5) A system of joint use driveways, sidewalks, and cross access easements shall be established for commercial and office developments wherever feasible and shall incorporate the following:
 - (a) A design speed of ten m.p.h. and a maximum width of 20 feet to accommodate two-way travel aisles for automobiles, service vehicles, and loading vehicles.
 - (b) A unified access and circulation plan for coordinated or shared parking areas.
- (6) Pursuant to subsection (5) of this section, property owners shall record the following documents with the Umatilla County Recorder:
 - (a) An easement allowing cross access to and from other properties served by the joint use driveways, sidewalks, and cross access or service drive;
 - (b) A joint maintenance agreement defining maintenance responsibilities of property owners.
- (7) The Planning Director or the Planning Commission may modify or waive the requirements of subsections (5) and (6) of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

RESPONSE: This proposed subdivision creates a local road network with single family residential lots. Residential lots will be served by single driveway aprons accessing the local street network. Those lots double fronting along Theater Lane, a Minor Collector street, will contain access restrictions on the recorded subdivision plat, limiting driveways to the local street frontage.

This application does not propose commercial accesses, or access to a State Highway.

(H) *Street standards.* Standards for streets, sidewalks, bike lanes, planting strips and right-of-way widths 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

(I) *Right-of-way dedication and improvement.* Right-of-way shall be dedicated as part of the development approval process. Improvements shall take place consistent with adopted street standards concurrent with the development or under a development agreement approved by the City Planning Commission or City Council.

(J) *Bike lanes and bikeways.* Bike lanes and bikeways shall be provided in accordance with the adopted TSP. Except as amended or altered by the TSP, bike lanes shall be provided along collector and arterial streets. Bike lanes and bikeways shall be constructed consistent with ODOT bicycle plan standards.

(K) *Sidewalks.* Sidewalks shall be provided along both sides of public streets, consistent with the standards of the TSP. Options are provided for curbside or setback sidewalks.

(L) *Internal connections and bicycle parking.*

(1) Internal pedestrian circulation shall be provided within new commercial, office, institutional and multifamily residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, or similar techniques.

(2) Internal pedestrian systems shall connect with external existing or planned systems. Walkways shall be as direct as possible and shall limit out-of-direction travel. Walkways shall be paved with a hard surface material and shall be no less than five feet in width. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving material.

(3) Opportunities for at least one pedestrian walkway should be provided between adjacent commercial, office, and institutional development.

(4) Bicycle parking shall be provided for new commercial, office, institutional, and multifamily developments with more than 15 off-street parking spaces. Bicycle parking spaces must be a minimum of six feet in length, two feet in width, and have an overhead clearance of six feet. Bicycle parking spaces should be located as near as possible to building entrances used by automobile occupants.

(Ord. [2003](#), passed 12-13-99)

RESPONSE: As shown on the Preliminary Plat, the proposed road sections are consistent with the Public Works Standards and TSP. Additional right of way dedications will be shown on the final plat.

CONCLUSION- REQUEST for APPROVAL: Based on the plans and supporting documents submitted with this application, the approval criteria of Chapter 154 Subdivisions and Chapter 157 Zoning of Title XV, City of Hermiston Code being addressed in this narrative, the applicant requests approval of the 261 lot subdivision.

EXHIBIT C
Conditions of Approval
Upland Meadows Subdivision
January 10, 2024

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
3. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
4. 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 construction.
5. All streets shall be designated in accordance with §94.22 of the Hermiston Code of Ordinances as detailed in the findings of fact for Chapter 94. Specifically, Roads 2, 3, and 4 are streets running east/west and shall all be designated as Avenues. The NE 9th Place extension is properly designated on the preliminary plat and shall retain that designation. Road 1 forms a complete loop around the development and shall be designated as a Drive. A short section of road is in alignment with NE 8th Place and shall be designated as NE 8th Place.
6. Easements of at least 10 feet in width shall be provided along all street frontages.
7. The development abuts NE 10th Street. Although no access to NE 10th Street is proposed, the 60 feet of frontage for NE 10th Street shall be improved to urban major collector status concurrent with the Phase 5 improvements. Should the phasing of the development change from that proposed on the preliminary plat, the improvements shall be installed at the same time as the improvements corresponding to Phase 5 on the preliminary plat.
8. The north line of E Theater Lane along the entire frontage of the development shall be improved to urban minor collector status concurrent with each abutting phase improvements.

9. A connection to NE 10th Street is necessary for pedestrian access and secondary fire access.
 - a) Thirty feet of right of way shall be dedicated to the City between Lots 75 and 76. The right of way between Lots 75 and 76 shall be improved with 20 feet of asphalt paving and drainage improvements necessary to contain storm water within the right of way. The 20-foot asphalt access may taper to 15 feet where it intersects the public street shown as Road 1.
 - b) The sixty-foot-wide access to NE 10th Street shall be dedicated to the City as right of way. The secondary fire access shall be improved with 15 feet of gravel from the east boundary of Lot 75 to NE 10th Street. An additional 8 feet of asphalt shall be installed from the east boundary of Lot 75 to NE 10th Street to provide pedestrian access to Loma Vista Elementary and NE 10th Street. Drainage improvements necessary to contain storm water within the right of way shall be installed at the developer's expense.
 - c) The secondary fire access shall be installed in a temporary format acceptable to the Umatilla County Fire District #1 at such time that the development exceeds thirty lots. Completed improvements, including the asphalt pedestrian access, shall be entirely completed at such time that the phase containing Lots 75 and 76 on the preliminary plat is constructed.
 - d) Following completion of the secondary fire access, the City will assume maintenance responsibility for this improvement.
10. 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.
11. A notation shall be placed on the final plat stating that lots 34 through 56 shall not establish driveways onto E Theater Lane.
12. The Planning Commission recommends the City Council designate NE 9th Place as no parking.

Clinton Spencer

From: Mark Morgan
Sent: Thursday, December 28, 2023 4:47 PM
To: Clinton Spencer
Subject: 10th Street Access for HID Property

Clint,

Relative to the HID property which Monte Vista is proposing to develop, it is in the best long-term interests of the City for the City to maintain and own the 60' wide strip of land which extends out to and connects to 10th Street.

Although this strip of land will not be developed in to a full public street at this point, it will provide emergency access in the short term, and then long-term this property will provide flexibility to work with adjacent property owners to the north and northwest to facilitate development.

Thanks,

Mark Morgan
Assistant City Manager
(541) 567-5521
180 NE 2nd St.
Hermiston, OR 97838
Where Life is Sweet

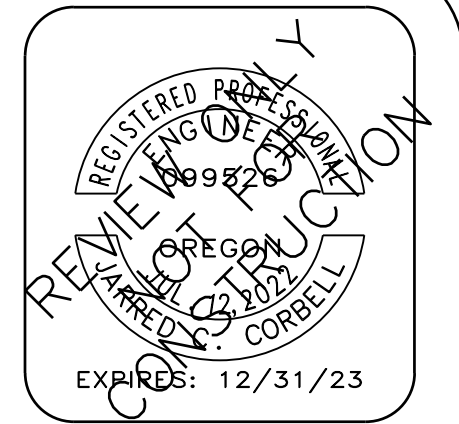
**Note: As of 1/1/24, my email domain has changed to "hermiston.gov"*

UPLAND MEADOWS

SUBDIVISION & VARIANCE APPLICATION

366 E HURLBURT AVE
HERMISTON, OR 97838
NOVEMBER, 2023

LEGEND			
ECABL	EXISTING CABLE	EXISTING	PROPOSED
EGAS	EXISTING GAS	SS	SS
EIRRG	EXISTING IRRIGATION	IR	IR
OHWR	EXISTING OVERHEAD LINES	SD	SD
EPOWR	EXISTING POWER	EW	EW
EX SS	EXISTING SANITARY SEWER	EW	EW
EX SD	EXISTING STORM DRAIN	EW	EW
ECOMM	EXISTING TELECOMMUNICATIONS	EW	EW
EWAT	EXISTING WATER	EW	EW
CABL	NEW CABLE	EW	EW
GAS	NEW GAS	EW	EW
IRRG	NEW IRRIGATION	EW	EW
POWR	NEW POWER	EW	EW
SSWR	NEW SANITARY SEWER	EW	EW
SD	NEW STORM DRAIN	EW	EW
COMM	NEW TELECOMMUNICATIONS	EW	EW
	NEW WATER	EW	EW
X X X X X	FENCE	EW	EW
---	EXISTING RIGHT-OF-WAY	EW	EW
---	EXISTING EDGE OF GRAVEL	EW	EW
---	EXISTING EDGE OF PAVEMENT	EW	EW
---	EXISTING CURB	EW	EW
---	NEW RIGHT-OF-WAY	EW	EW
---	NEW EDGE OF GRAVEL	EW	EW
---	NEW EDGE OF PAVEMENT	EW	EW
---	NEW CURB	EW	EW
		ZX	ZONES
		+	SIGN MAILBOX



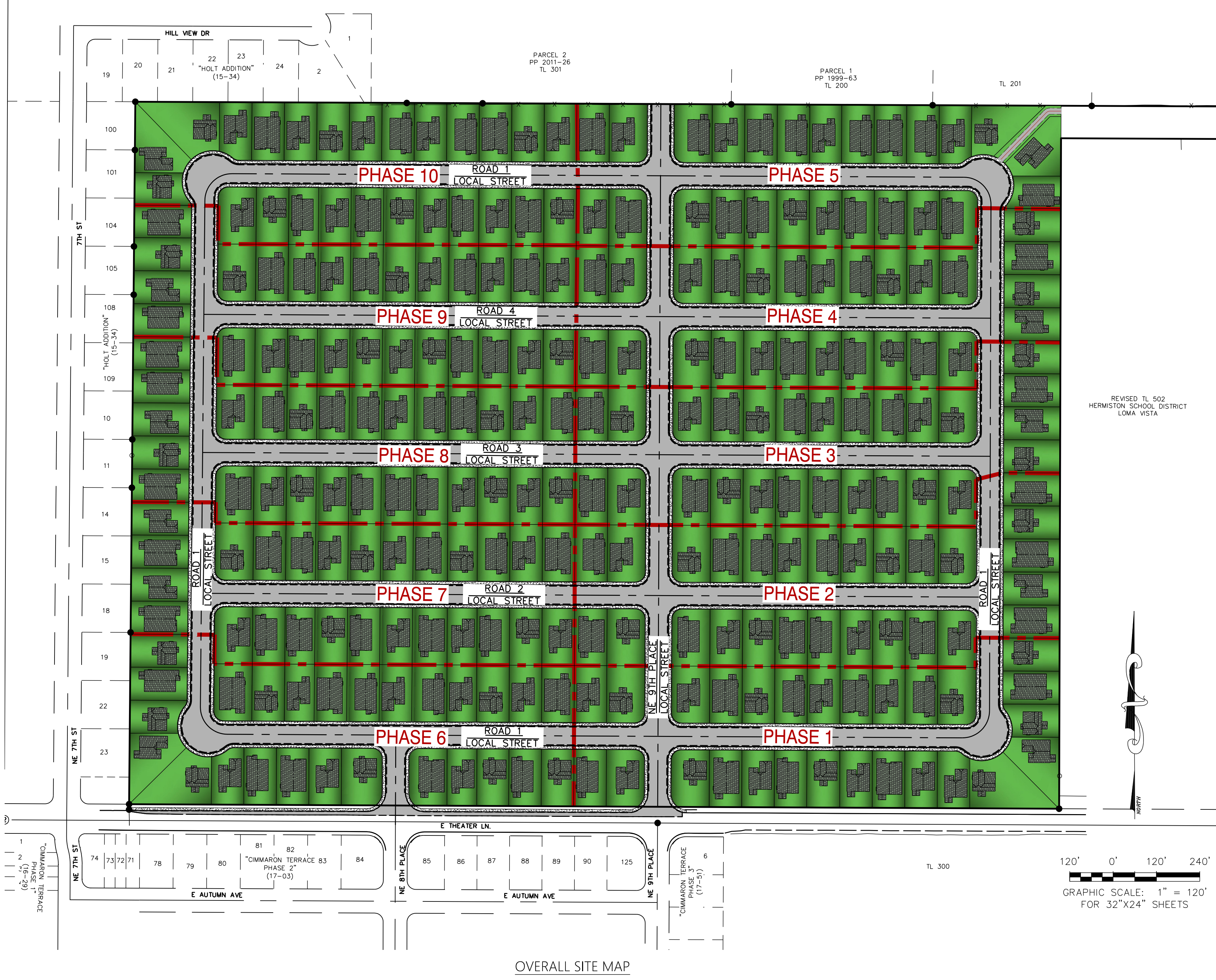
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UPLAND MEADOWS
COVER SHEET

No.	REVISIONS:	DATE:

SHEET:
P1.0



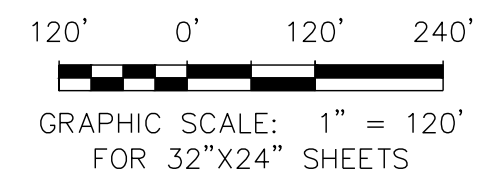
APPLICANT:
MONTE VISTA HOMES LLC
389 SW SCALEHOUSE CT., SUITE 110
BEND, OR 97701
CONTACT: JARRED CORBELL

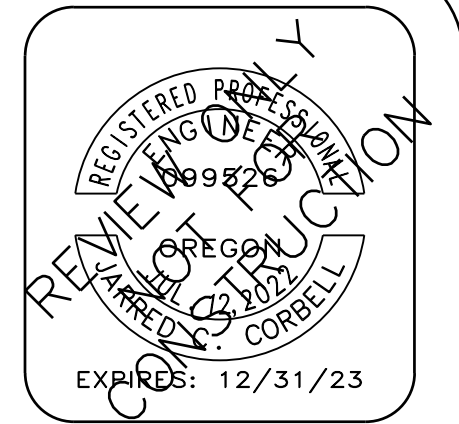
EXISTING SITE CONDITIONS:
VACANT

VARIANCE:
1. INTERIOR LOT WIDTH REDUCTION FROM 60' TO 55' ON 18 LOTS

SHEET INDEX:

P1.0	COVER SHEET
P1.1	EXISTING CONDITIONS OVERVIEW
P1.2	EXISTING CONDITIONS NE
P1.3	EXISTING CONDITIONS NW
P1.4	EXISTING CONDITIONS SE
P1.5	EXISTING CONDITIONS SW
P2.0	TENTATIVE PLAT OVERVIEW
P2.1	TENTATIVE PLAT NE
P2.2	TENTATIVE PLAT NW
P2.3	TENTATIVE PLAT SE
P2.5	TENTATIVE PLAT SW
P3.0	TENTATIVE UTILITY PLAN OVERVIEW
P3.1	TENTATIVE UTILITY PLAN NE
P3.2	TENTATIVE UTILITY PLAN NW
P3.3	TENTATIVE UTILITY PLAN SE
P3.4	TENTATIVE UTILITY PLAN SW
P4.1	TRAIL CONNECTION





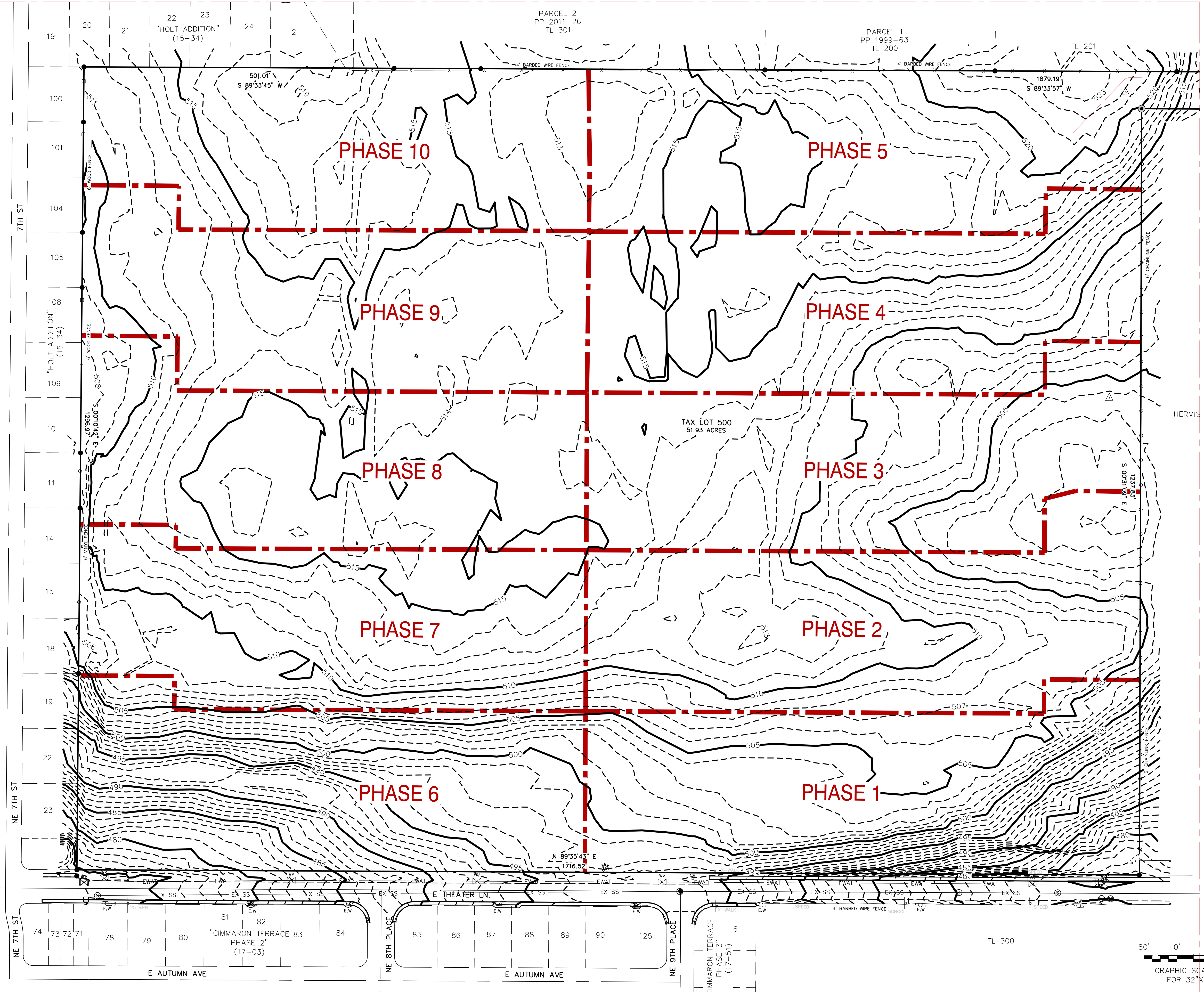
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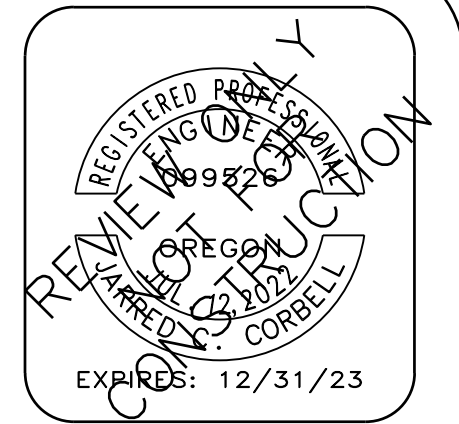
UPLAND MEADOWS
 EXISTING CONDITIONS
 OVERVIEW

No.	REVISIONS:	DATE:

SHEET:
P1.1



②
 "CIMMARON TERRACE"
 PHASE 1
 (16-29)
 1 1/2 1/4 1/8 1/16 1/32 1/64 1/128 1/256 1/512 1/1024



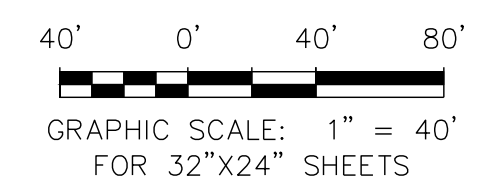
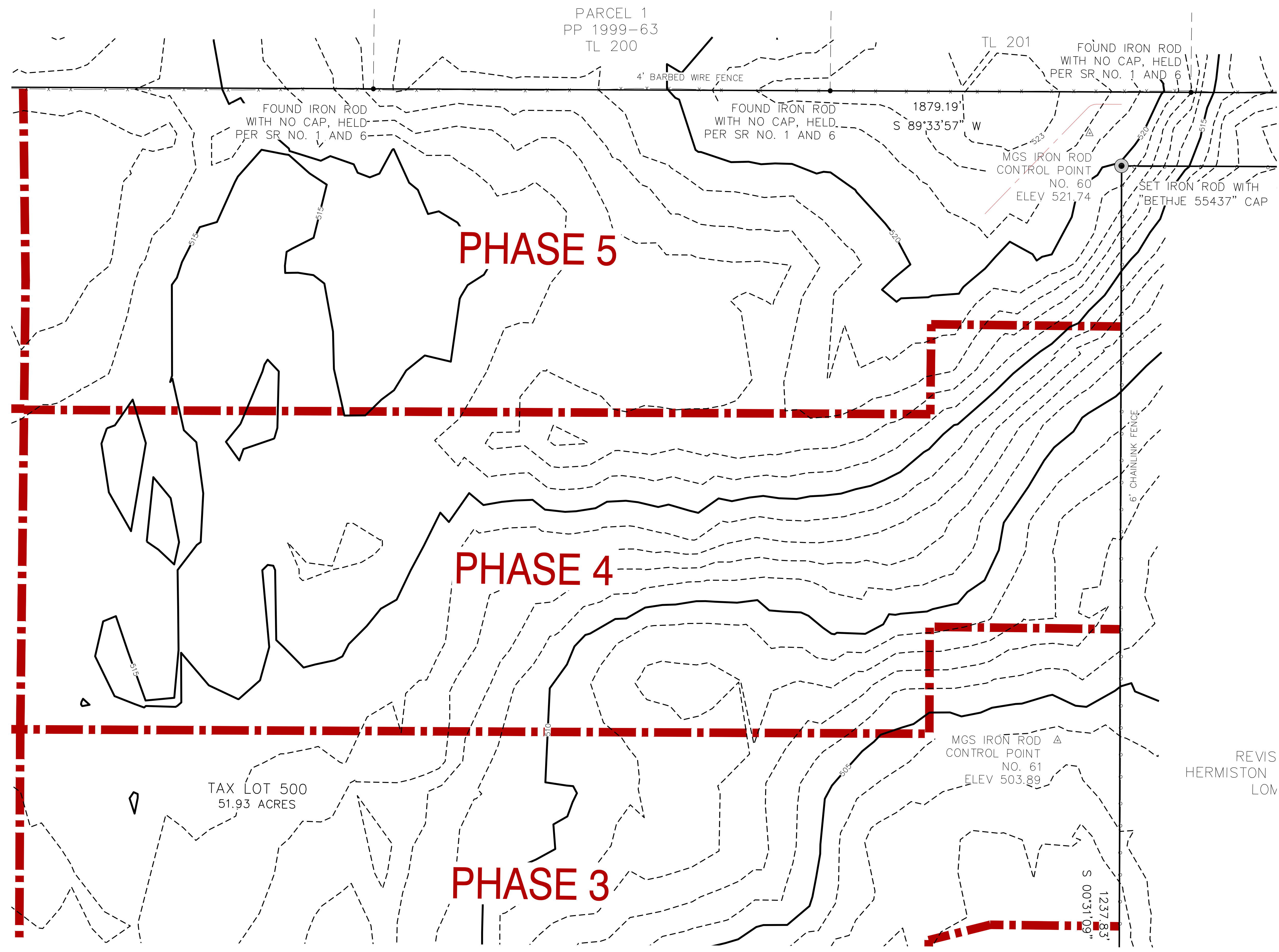
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UPLAND MEADOWS
 EXISTING CONDITIONS NE

No.	REVISIONS:	DATE:

SHEET:
P1.2



PARCEL 2
PP 2011-26
TL 301

7TH ST

19 20 21 "HOLT ADDITION" (15-34) 22 23 24 2

100
101
104
105
108
109
10
11

FOUND IRON ROD WITH GBW CAP, HELD PER SR NO. 1 AND 6

FOUND IRON ROD WITH 2431 CAP, HELD PER SR NO. 2

FOUND IRON ROD WITH 2431 CAP, HELD PER SR NO. 2

FOUND IRON ROD WITH NO CAP, HELD PER SR NO. 2

FOUND IRON ROD WITH 2431 CAP, HELD PER SR NO. 2

501.01' S 89°33'45" W

6' WOOD FENCE
S 00°10'42" E 1296.97'

4' BARBED WIRE FENCE

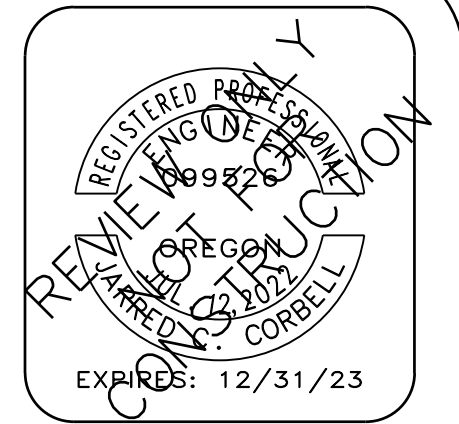
FOUND IRON ROD WITH GBW CAP, HELD PER SR NO. 1 AND 6

FOUND IRON ROD WITH WELLS CAP, HELD PER SR NO. 1 AND 6

PHASE 10

PHASE 9

PHASE 8



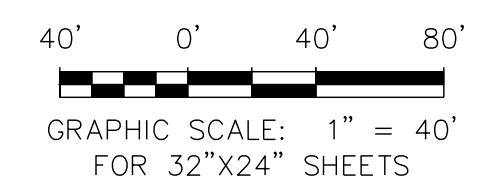
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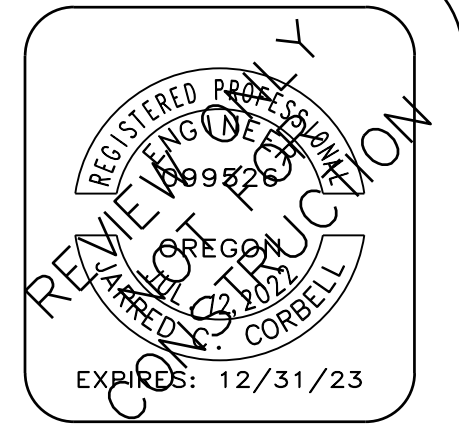
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UPLAND MEADOWS
EXISTING CONDITIONS NW

No.	REVISIONS:	DATE:

SHEET:
P1.3



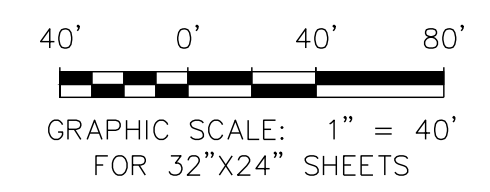
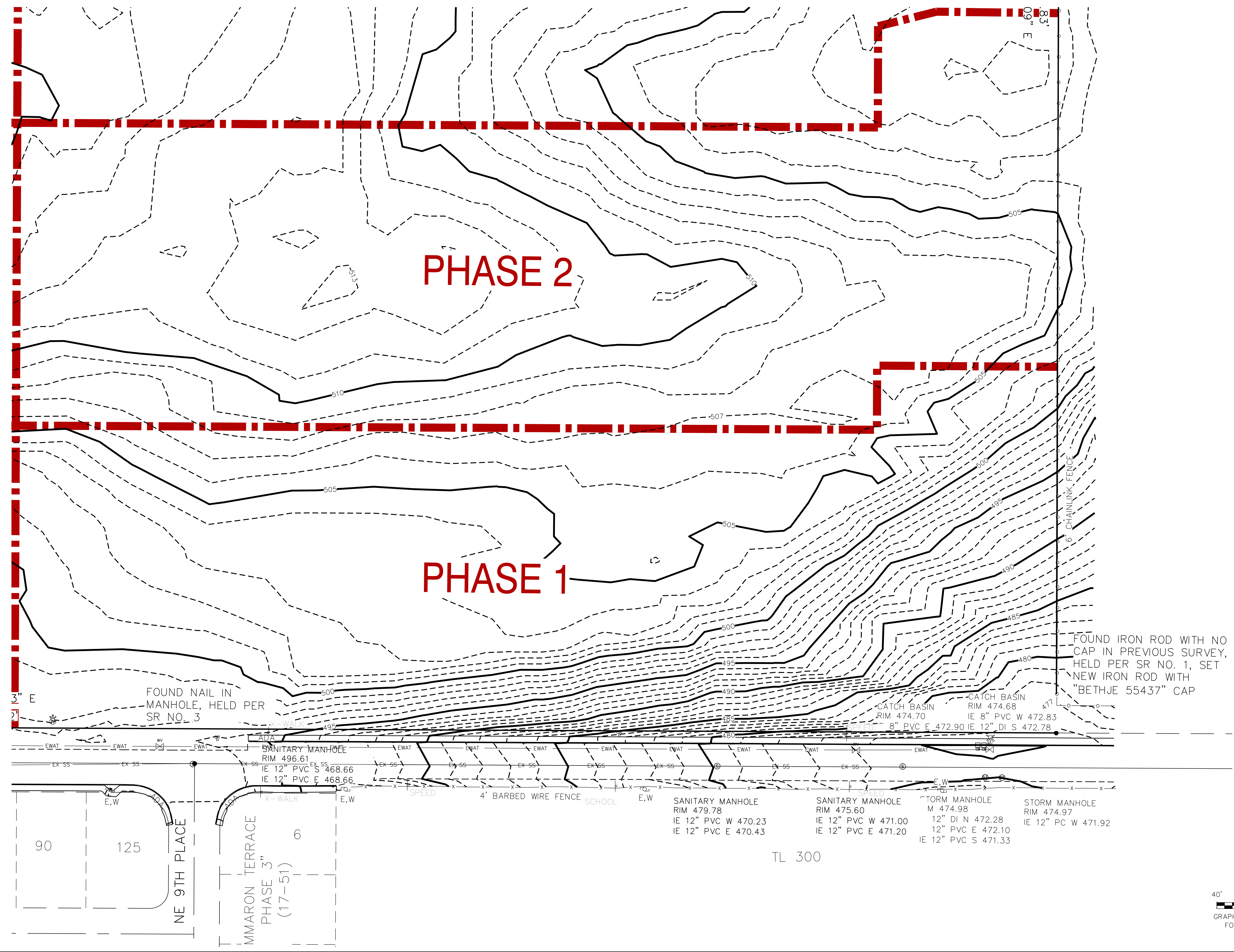


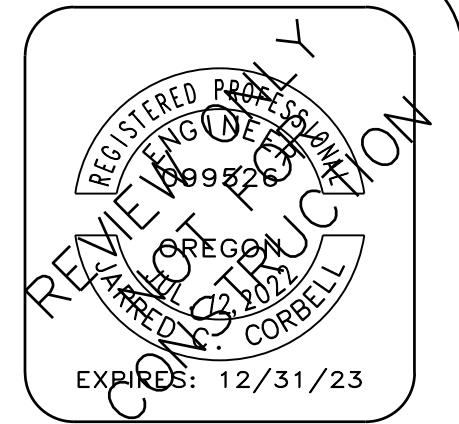
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UPLAND MEADOWS
EXISTING CONDITIONS SE

No.	REVISIONS:	DATE:

SHEET:
P1.4





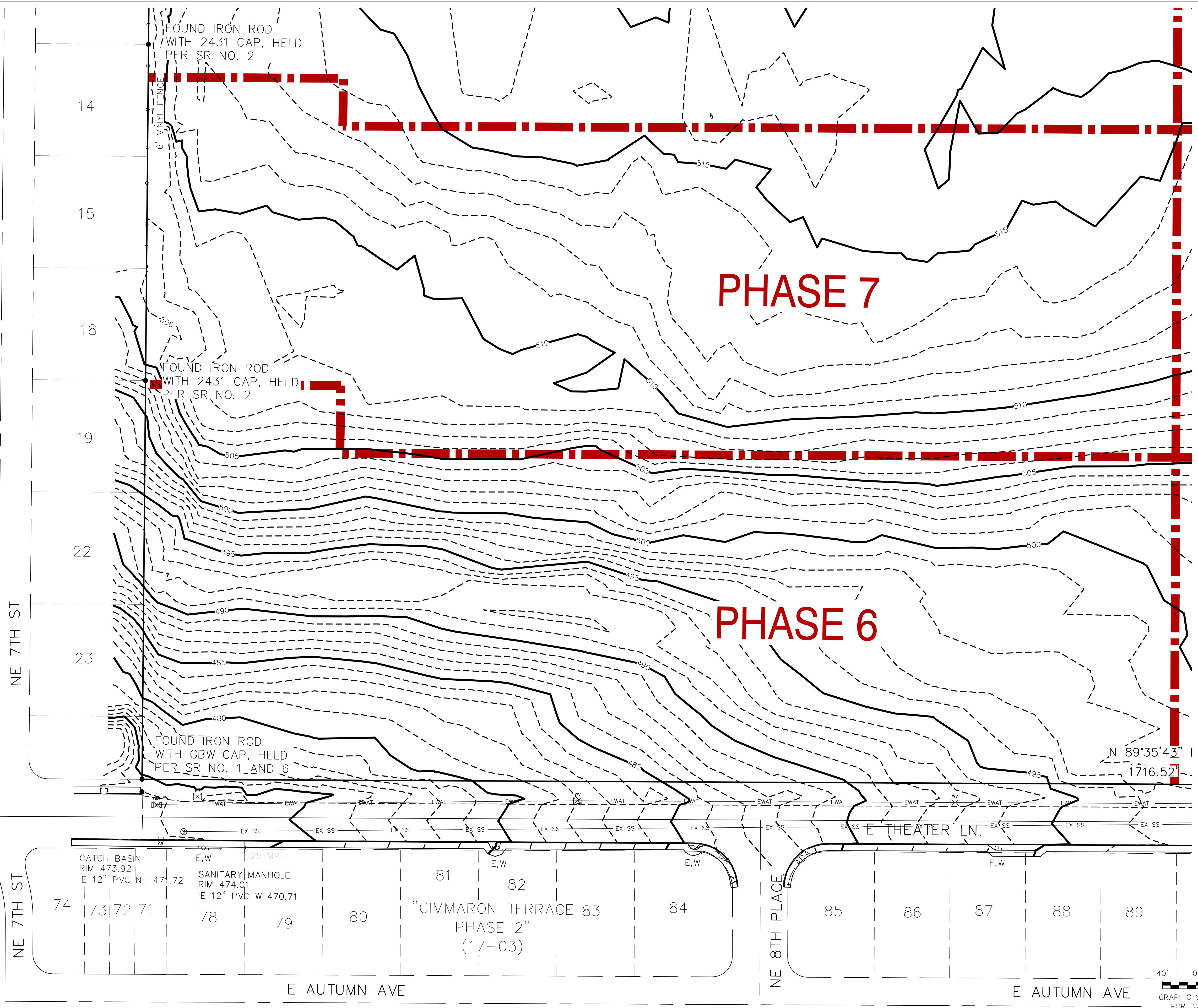
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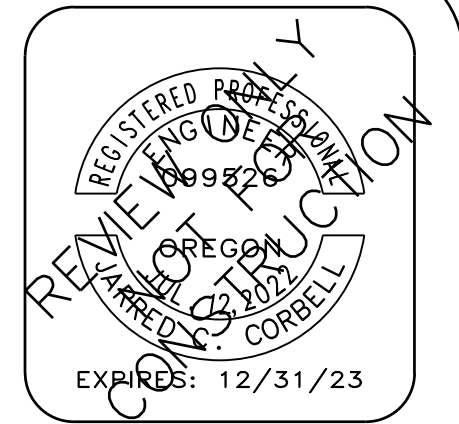
UPLAND MEADOWS
 EXISTING
 CONDITIONS SW

No.	REVISIONS:	DATE:

SHEET:
P1.5



1
 2
 (16-29)
 "CIMMARON TERRACE PHASE 1"



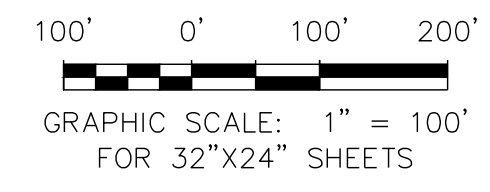
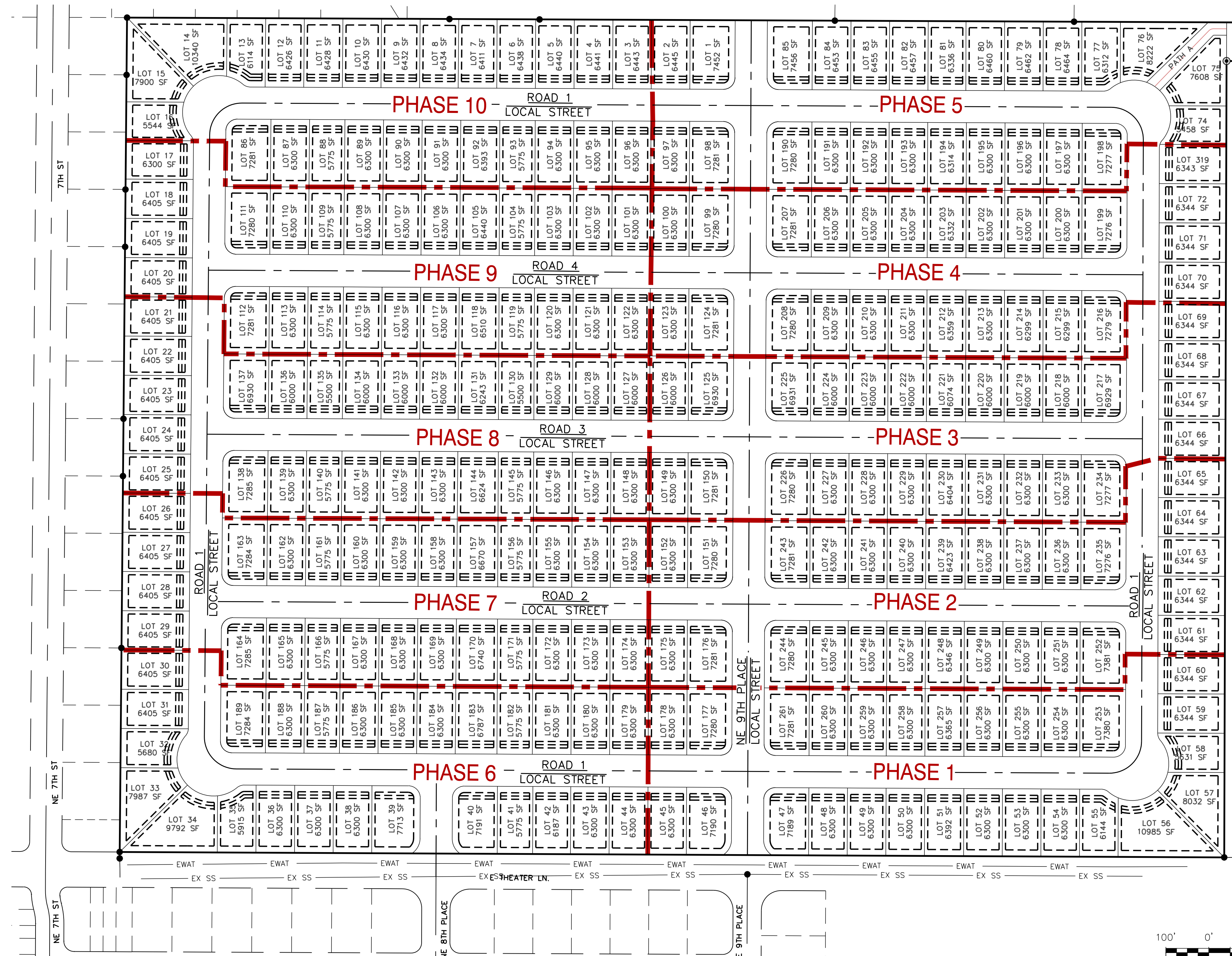
SITE DESIGN:
 ZONING: R3
 TOTAL ACRES: 51.93 ACRES
 TOTAL # OF LOTS: 261
 OPEN SPACE AREA: 3,237 S.F.

R3 LOT REQUIREMENTS:

MINIMUM INTERIOR LOT SIZE: 5,000 SF
 MINIMUM CORNER LOT SIZE: 6,000 SF
 MINIMUM INTERIOR LOT WIDTH: 60' (VARIANCE REQUESTED ON 18 LOTS TO ALLOW FOR A WIDTH REDUCTION OF 5' OR LESS)
 MINIMUM CORNER LOT WIDTH: 75'
 MINIMUM CUL-DE-SAC LOT WIDTH: 25'
 MINIMUM LOT DEPTH: 80'
 MAXIMUM BUILDING HEIGHT: 35'
 MAXIMUM LOT COVERAGE: 45% (DECKS AND PORCHES CAN COVER AN ADDITIONAL 5%)

SETBACKS:

FRONT: 15'
 GARAGE: 20'
 PORCH/PATIO: 10'
 SIDE: 5'
 CORNER: 10'
 REAR : 10' + 1' FOR EVERY FOOT THE BUILDING HEIGHT EXCEEDS 15'



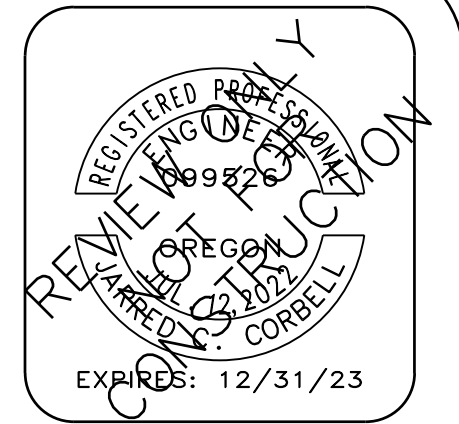
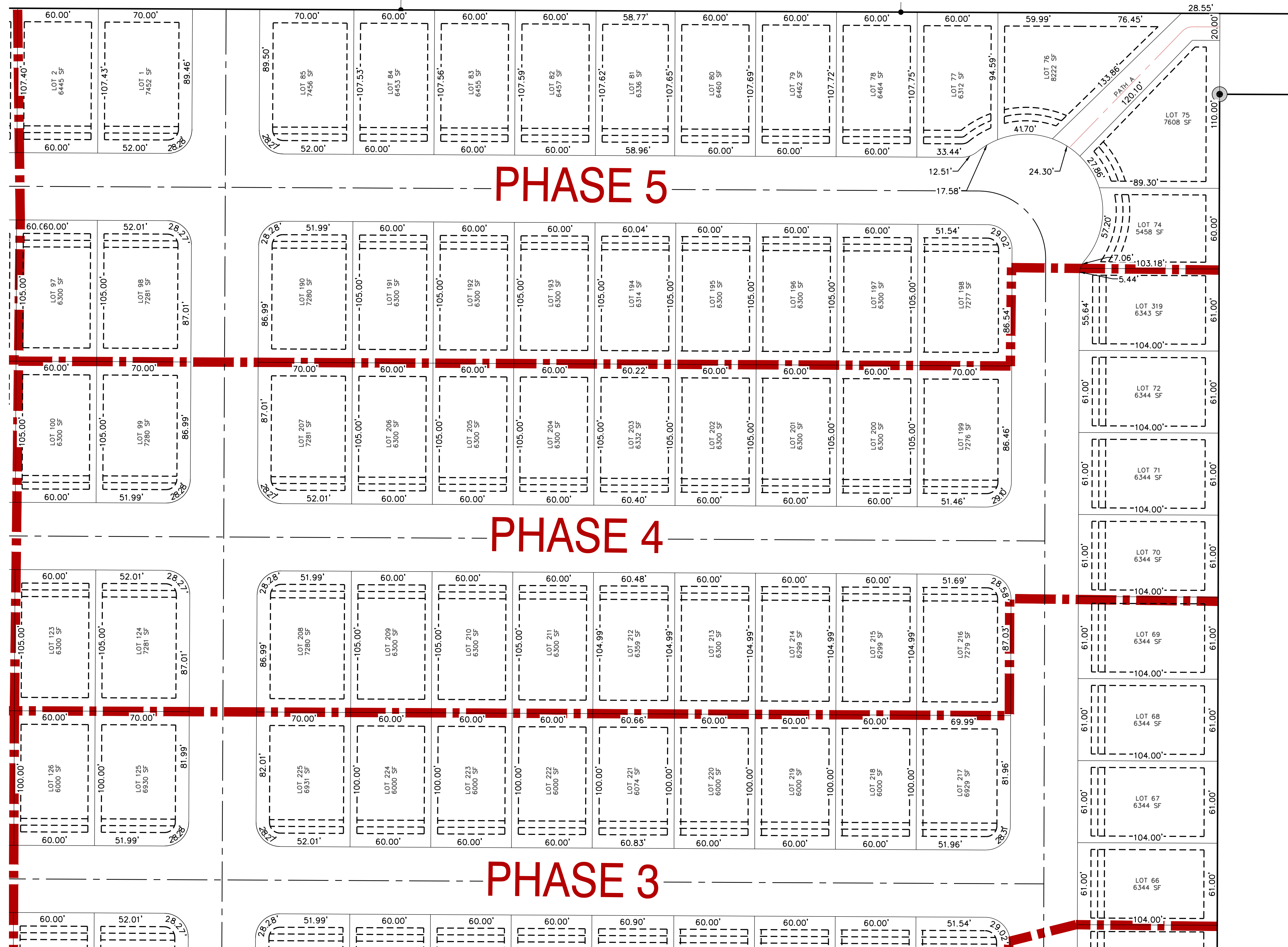
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UPLAND MEADOWS
 TENTATIVE PLAT
 OVERVIEW

No.	REVISIONS:	DATE:

SHEET:
P2.0



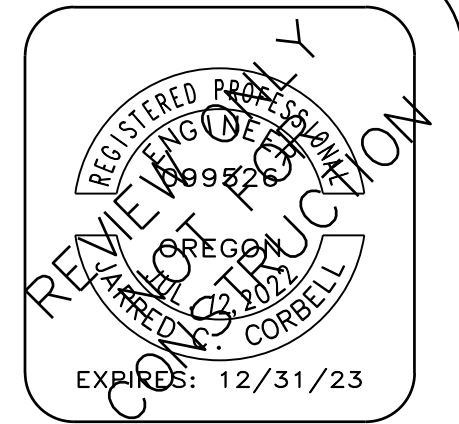
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UPLAND MEADOWS
 TENTATIVE PLAT NE

No.	REVISIONS:	DATE:

SHEET:
P2.1



CCB#203709

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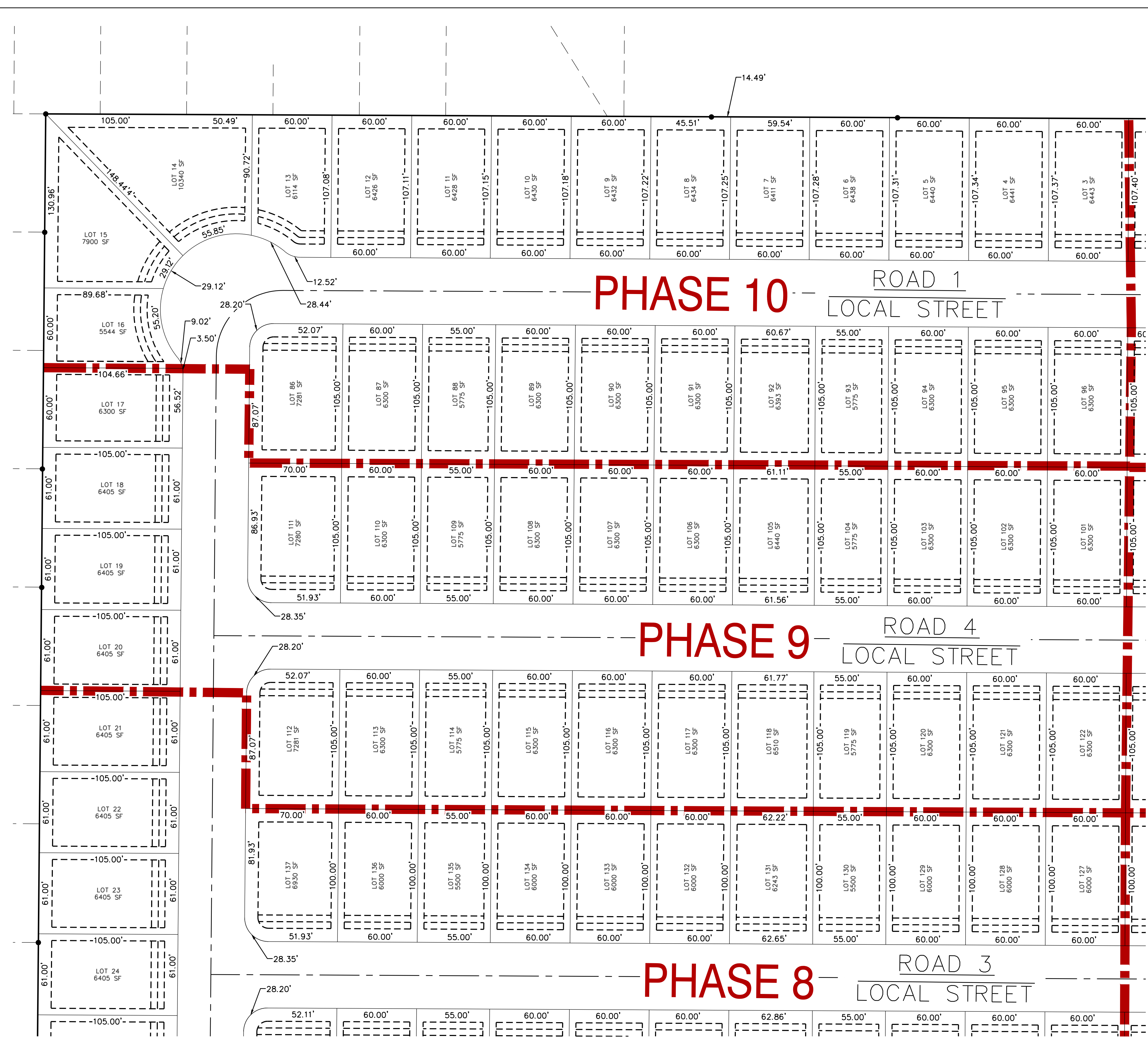
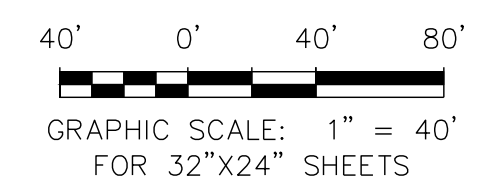
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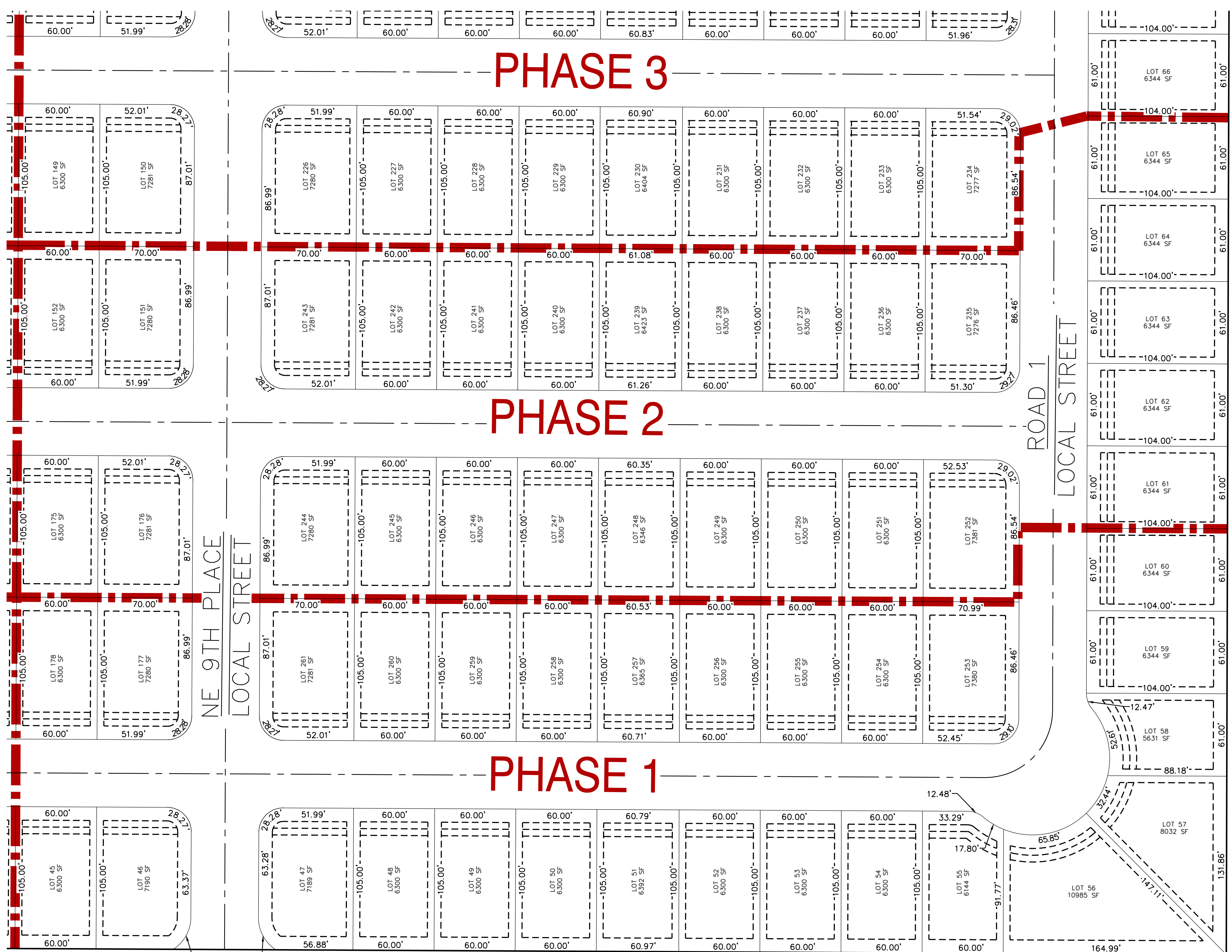
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UPLAND MEADOWS
 TENTATIVE PLAT NW

No.	REVISIONS:	DATE:

SHEET:
P2.2





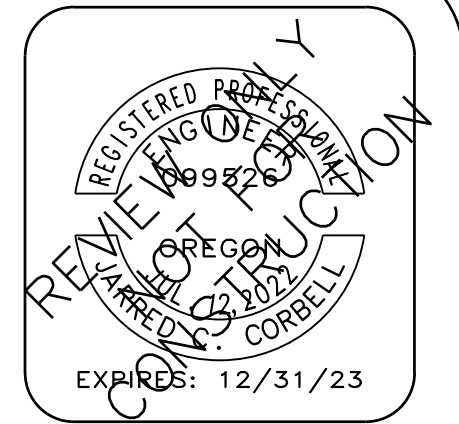
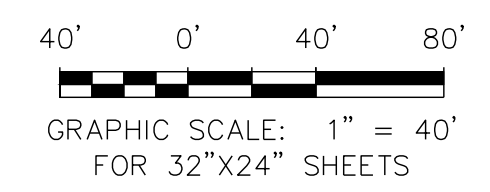
PHASE 3

PHASE 2

PHASE 1

NE 9TH PLACE
LOCAL STREET

ROAD 1
LOCAL STREET



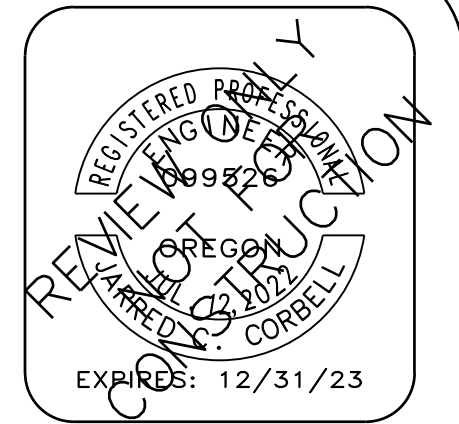
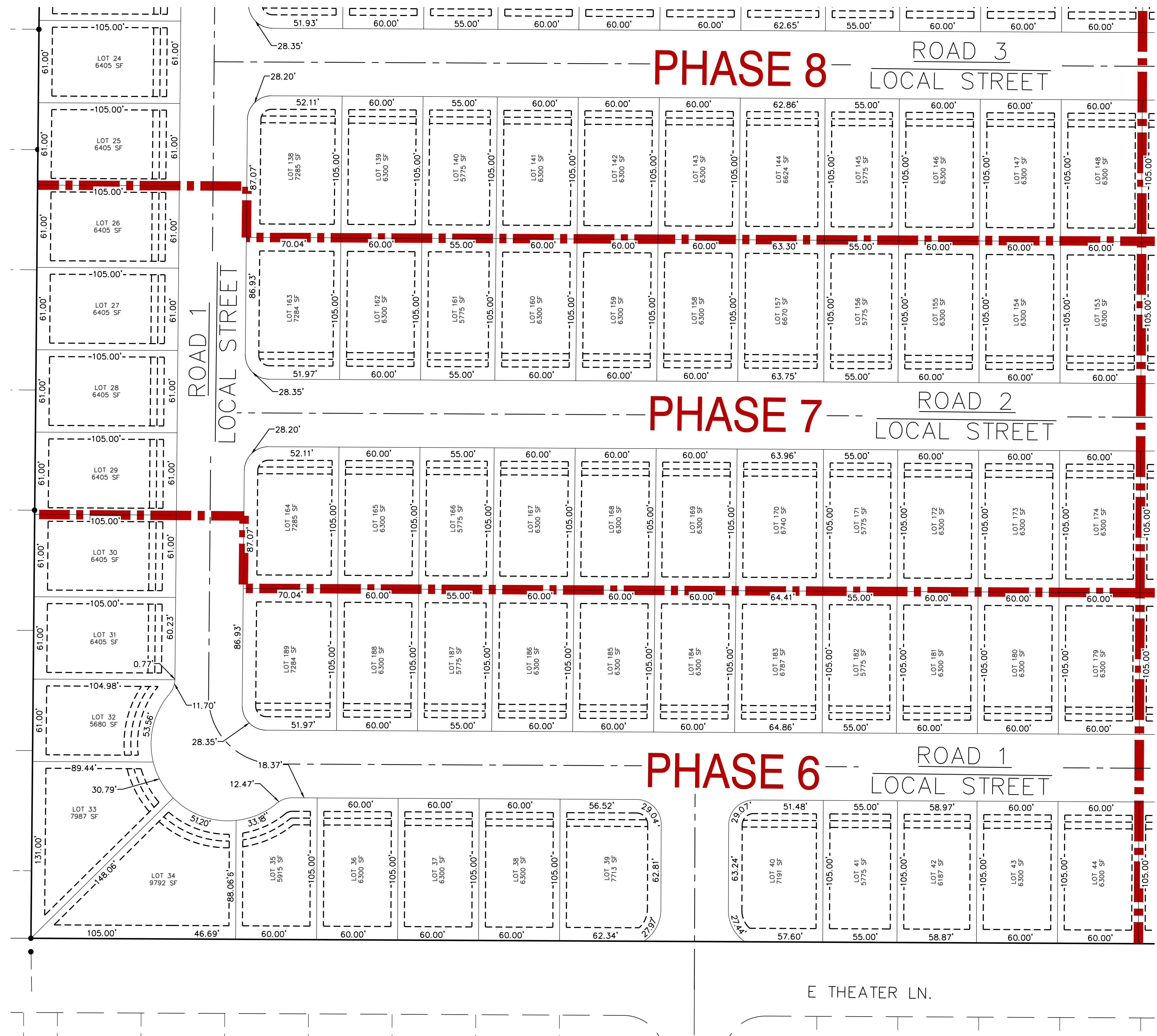
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UPLAND MEADOWS
 TENTATIVE PLAT SE

No.	REVISIONS:	DATE:

SHEET:
P2.3



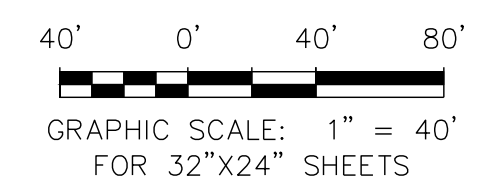
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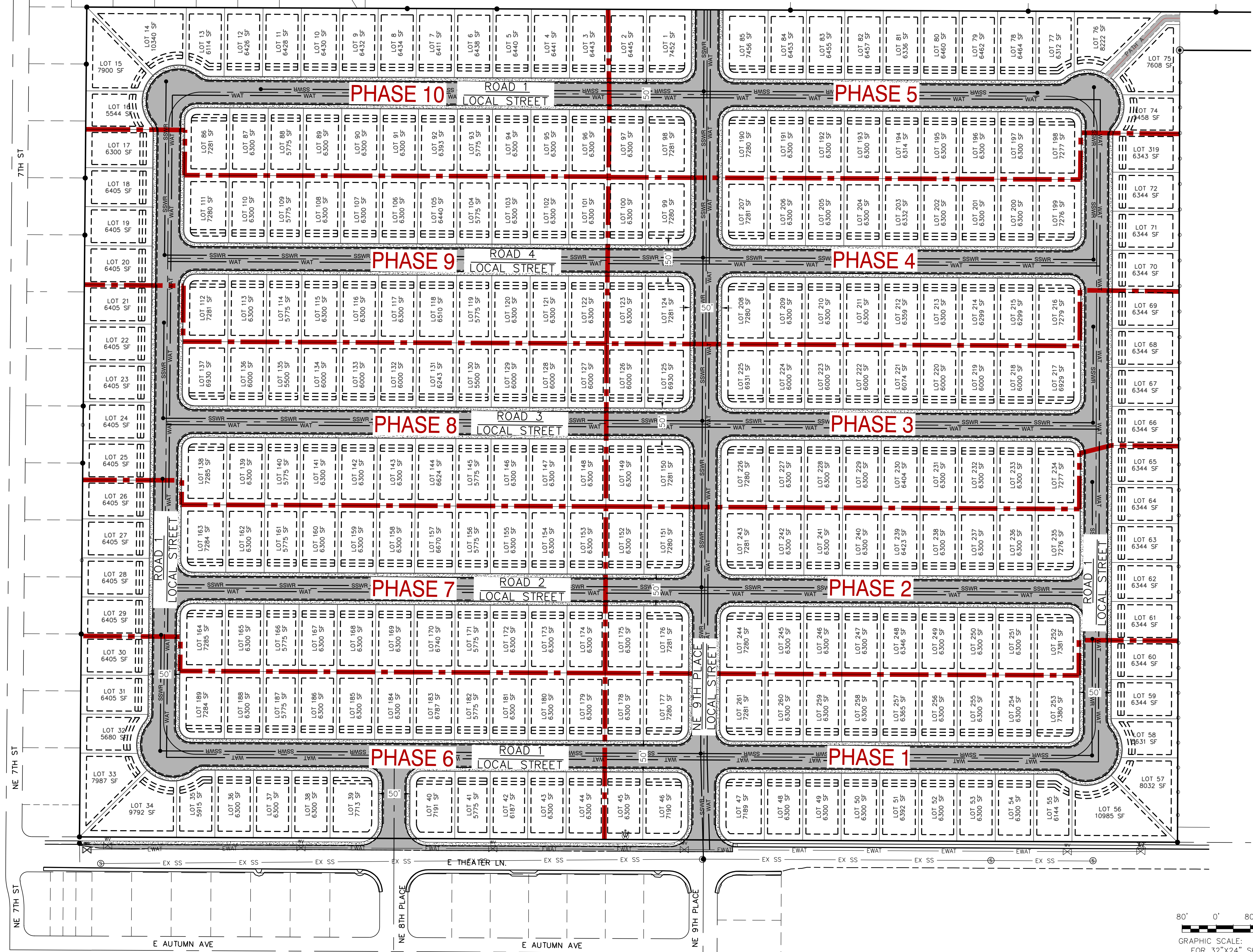
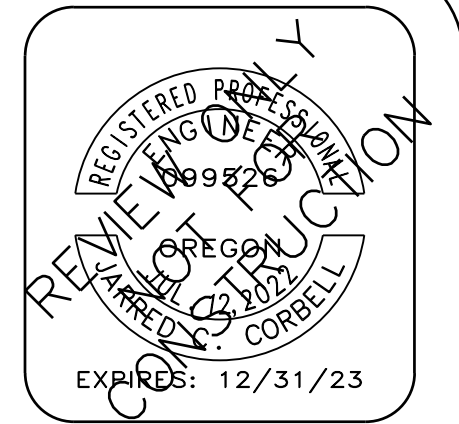
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UPLAND MEADOWS
 TENTATIVE PLAT SW

No.	REVISIONS:	DATE:

SHEET:
P2.4





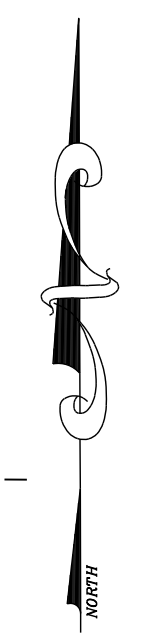
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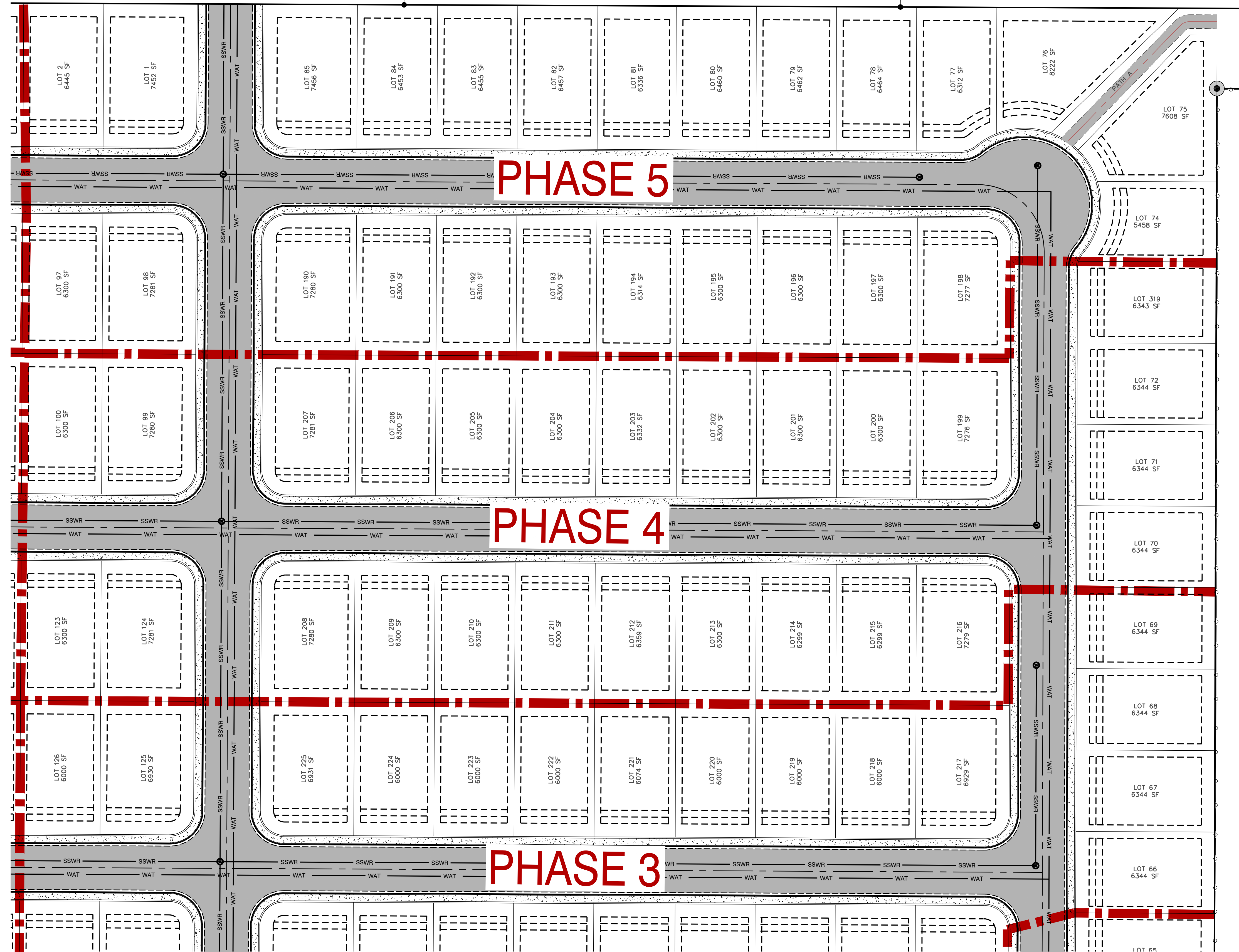
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UPLAND MEADOWS
TENTATIVE UTILITY
PLAN OVERVIEW

No.	REVISIONS:	DATE:

SHEET:
P3.0

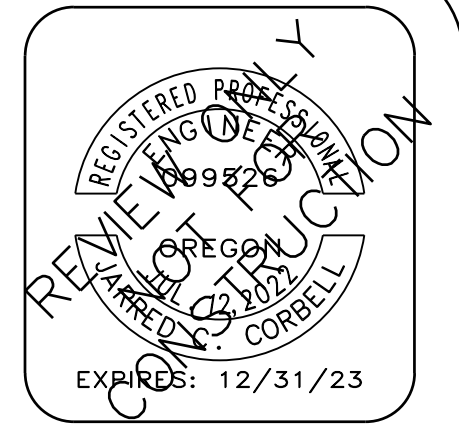




PHASE 5

PHASE 4

PHASE 3



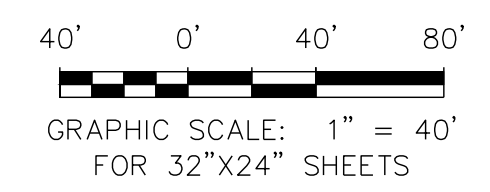
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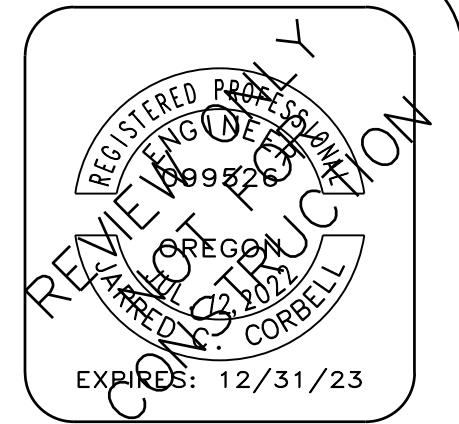
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UPLAND MEADOWS
 TENTATIVE UTILITY
 PLAN NE

No.	REVISIONS:	DATE:

SHEET:
P3.1





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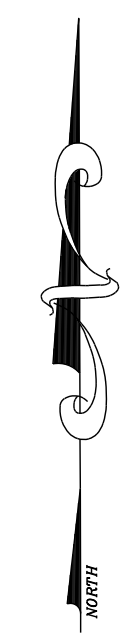
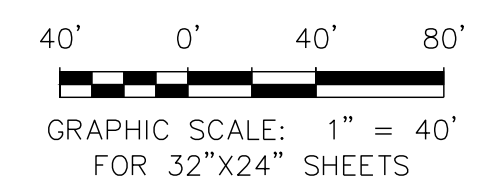
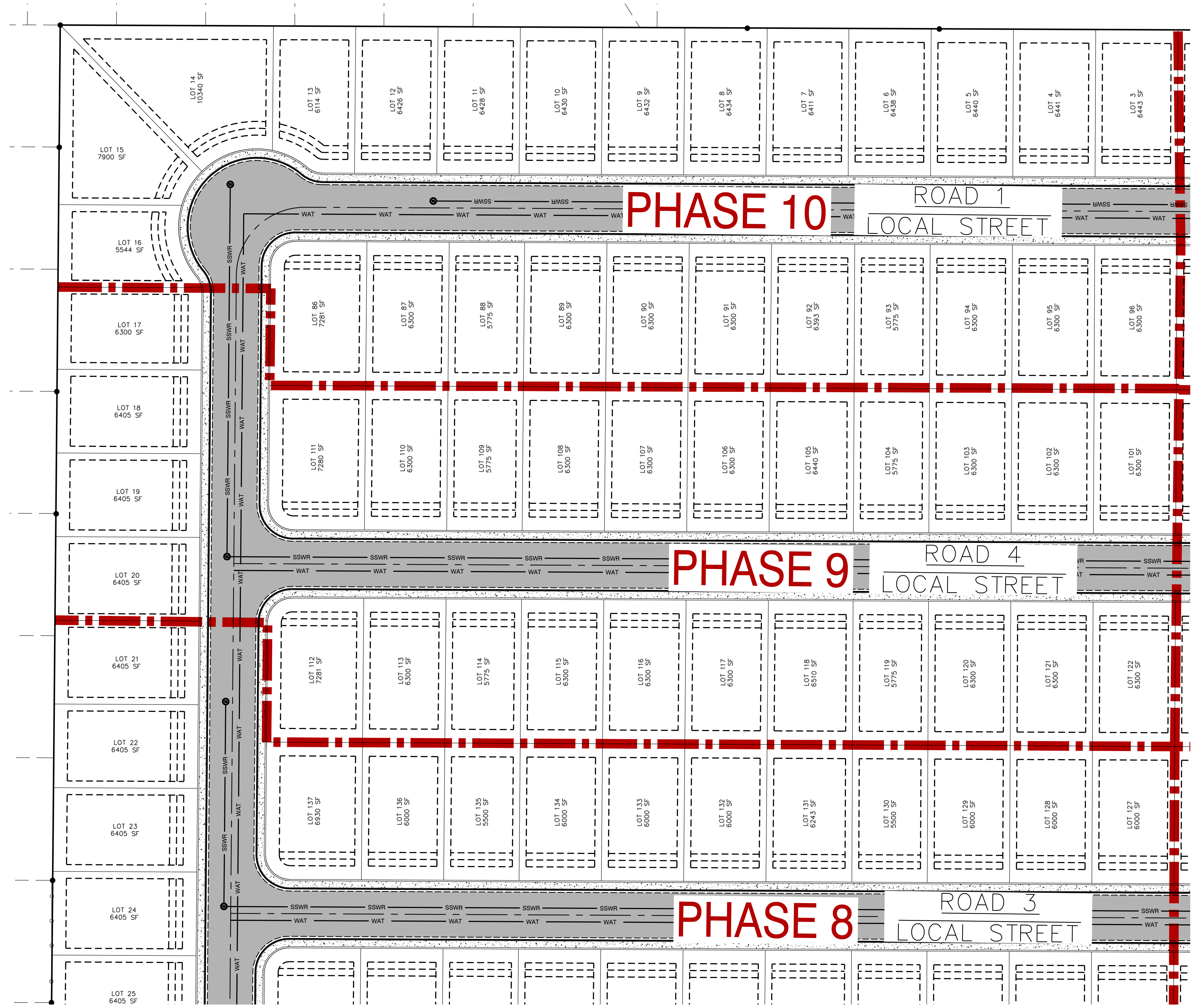
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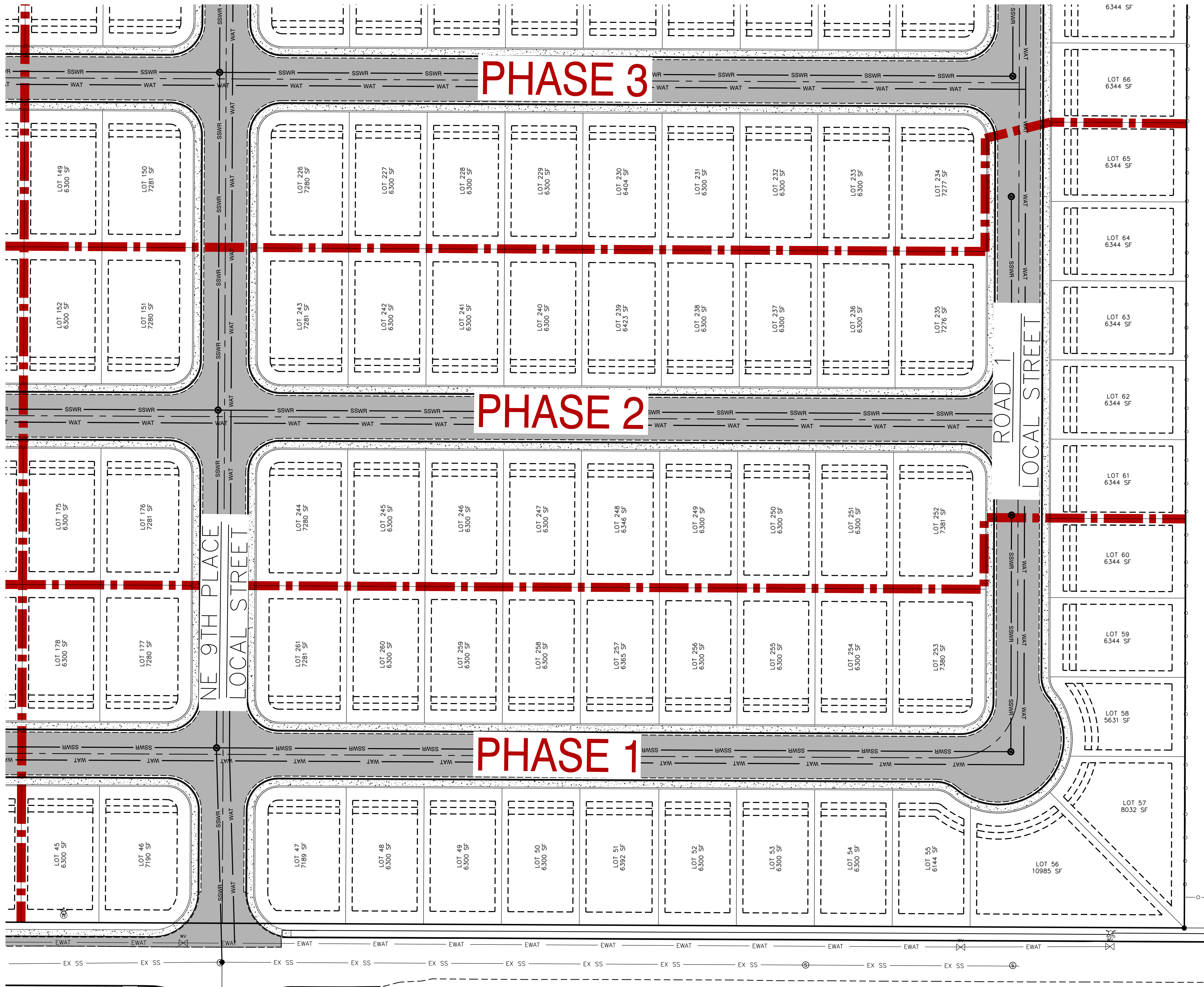
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UPLAND MEADOWS
 TENTATIVE UTILITY
 PLAN NW

No.	REVISIONS:	DATE:

SHEET:
P3.2





PHASE 3

PHASE 2

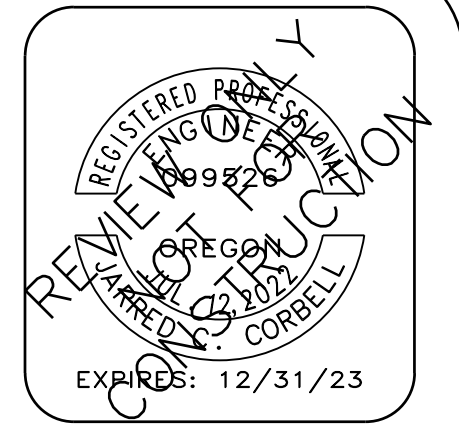
PHASE 1

NE 9TH PLACE
LOCAL STREET

ROAD 1
LOCAL STREET



40' 0' 40' 80'
 GRAPHIC SCALE: 1" = 40'
 FOR 32"x24" SHEETS



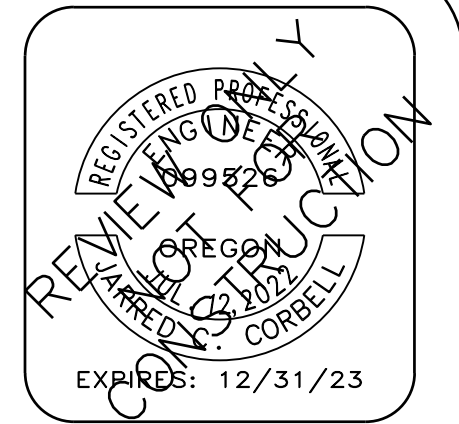
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UPLAND MEADOWS
 TENTATIVE UTILITY
 PLAN SE

No.	REVISIONS:	DATE:

SHEET:
P3.3



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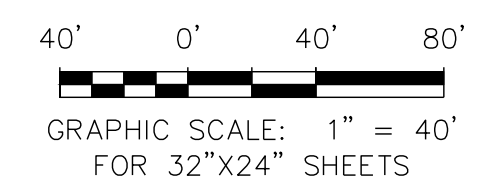
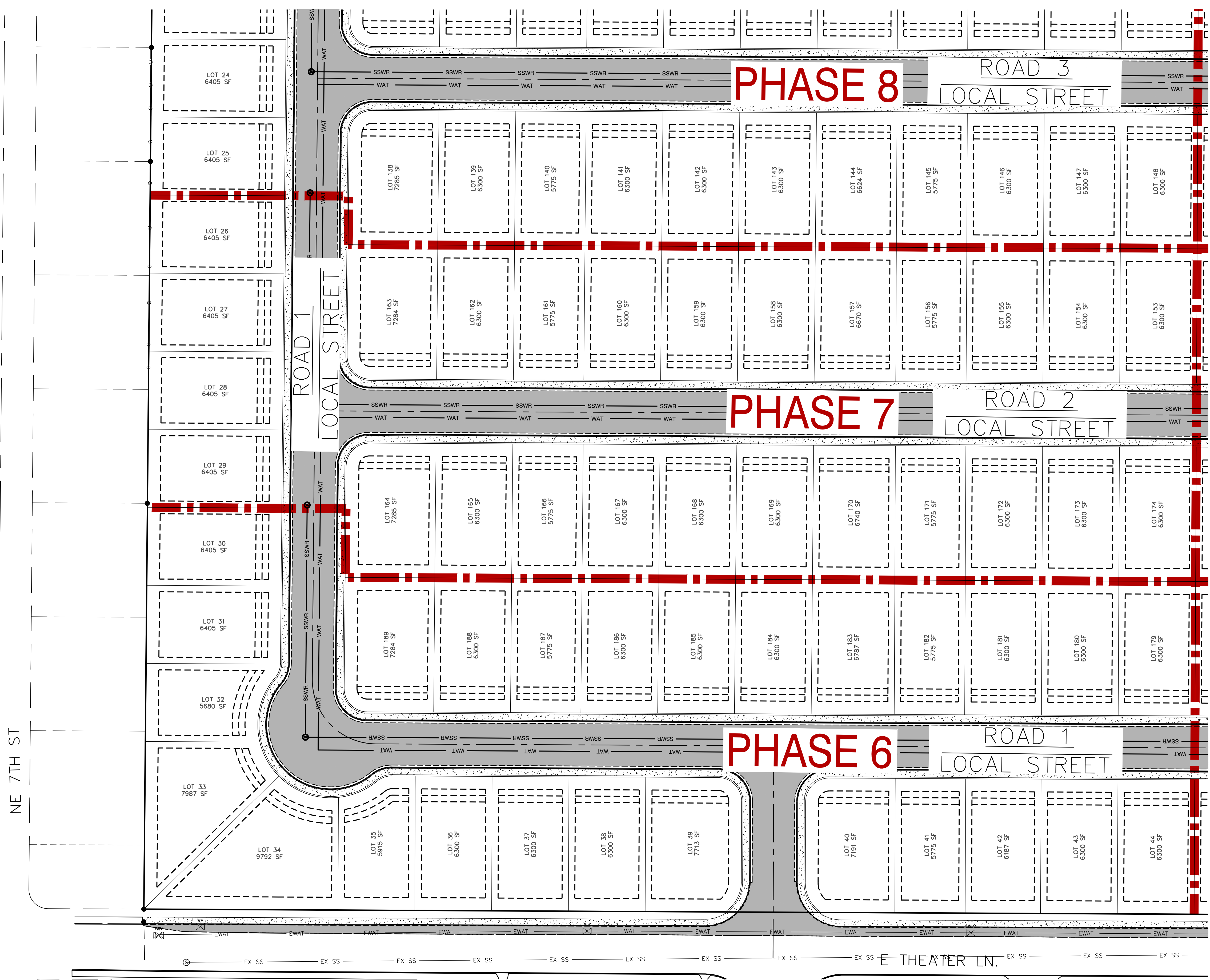
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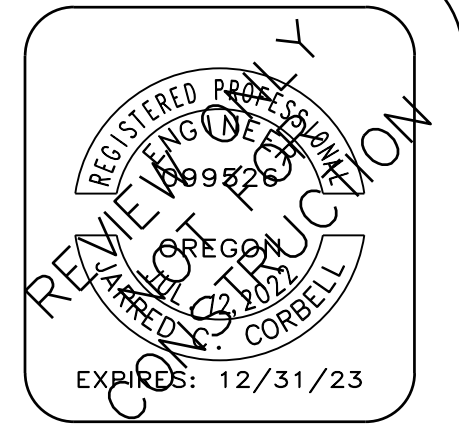
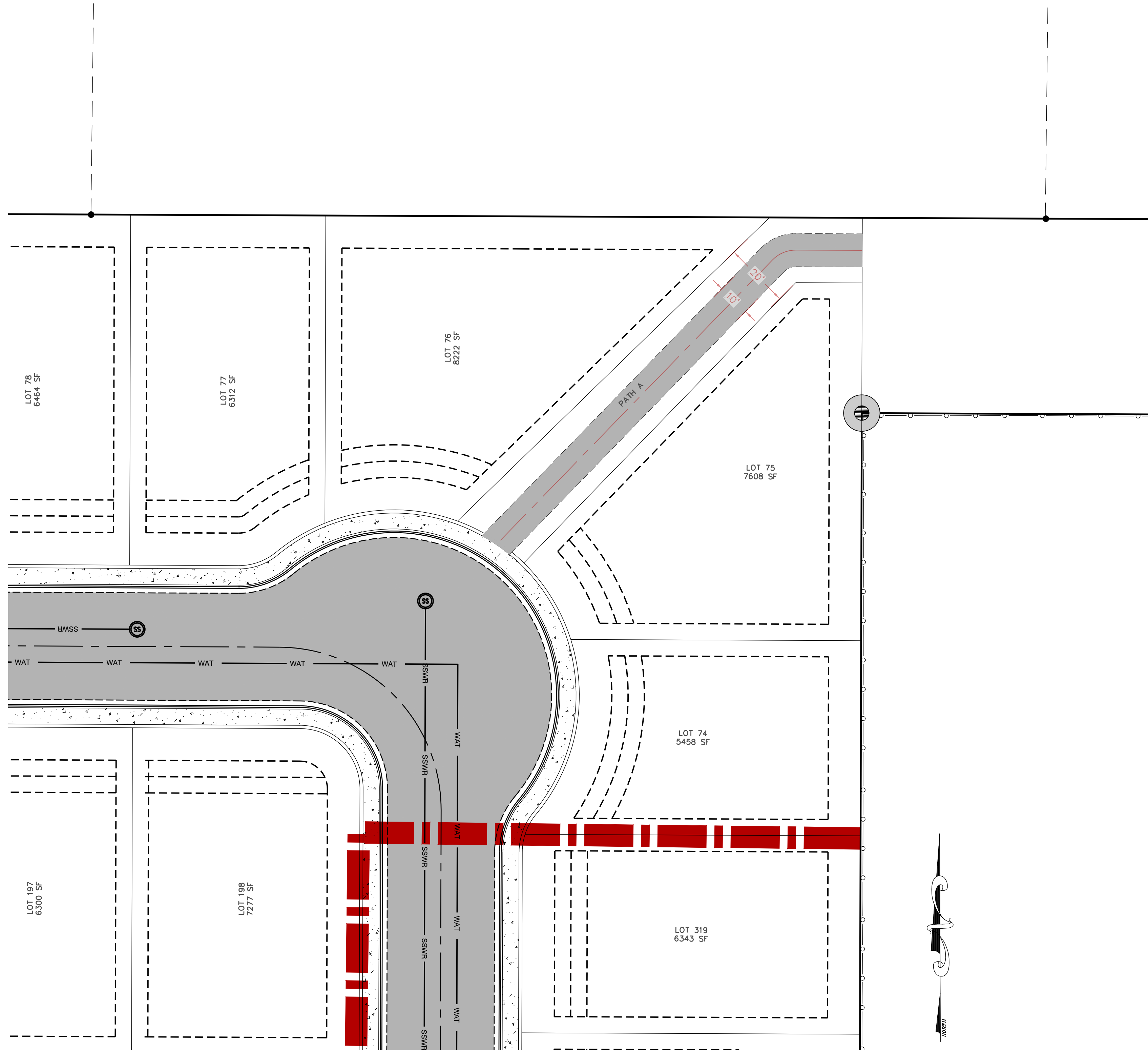
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UPLAND MEADOWS
TENTATIVE UTILITY
PLAN SW

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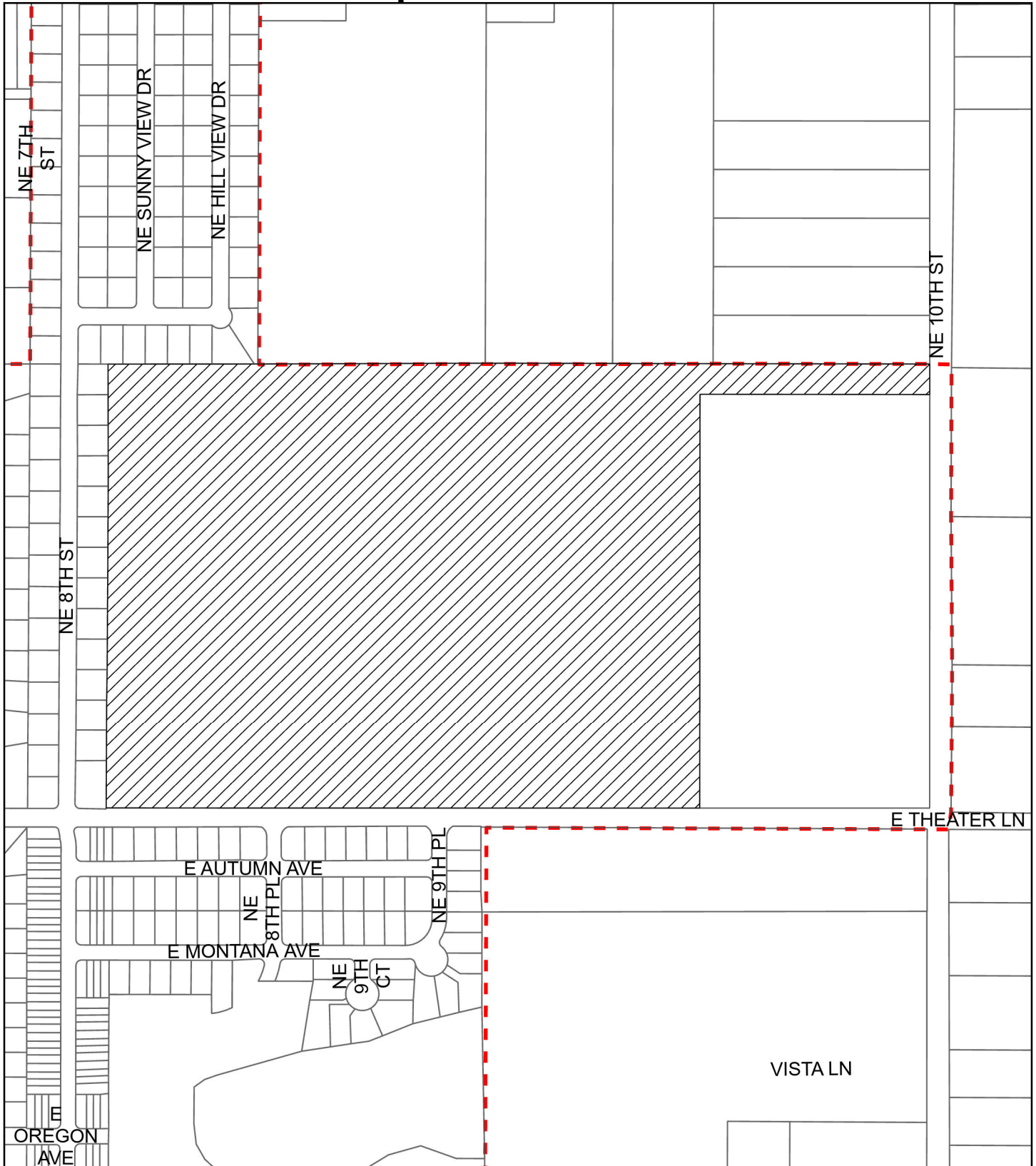
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UPLAND MEADOWS
TRAIL CONNECTION

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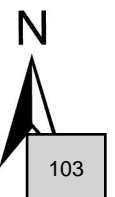
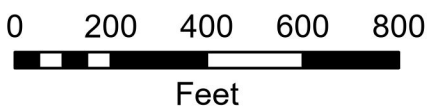
SHEET:
P4.0

Notice of Proposed Land Use Action

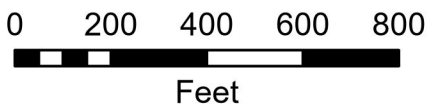


Legend

- Area of Proposed Subdivision and Lot Width Variance
- Property Line
- City Limits
- Urban Growth Boundary



Notice of Proposed Land Use Action



- Legend
- Area of Proposed Subdivision and Lot Width Variance
 - Property Line
 - City Limits
 - Urban Growth Boundary



Geophex Surveys Ltd., Maxar



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of December 13, 2023

Title/Subject

Major Variance & Subdivision, Upland Meadows Subdivision - MonteVista Homes 4N2802A Tax Lot 500 - 811 E Theater Ave

Summary and Background

MonteVista Homes has submitted two applications for land located at 811 E Theater Lane. The land is proposed for residential development and is known as the Upland Meadows Subdivision. The applicant has submitted a preliminary plat application for a 261 lot R-3 subdivision and a concurrent request for two major variances. The first variance requests to deviate from the lot width standards for 19 of the lots within the proposed development. The second variance requests to deviate from the block length standard of 600 feet in the subdivision design standards.

The property is described as 4N 28 02A Tax Lot 500 and is located on the north side of E Theater Lane between Loma Vista Elementary School and NE 8th Street. The property is approximately 51.93 acres and is designated as Medium-High Density Residential (R-3) on the city zoning map and as Medium Density Residential (M) on the city comprehensive plan map. The property is owned by the Hermiston Irrigation District and the applicant has a purchase agreement for the property if the development is approved.

Per §157.232 of the Hermiston Code of Ordinances, where multiple land use permits are considered for one property, all applications may be considered at one time. Therefore, staff will produce one report for both the major variance requests and preliminary plat request. The hearing will be conducted under the more restrictive quasi-judicial variance request requirements and will consider both the variances and preliminary plat.

Lot Width Variance

The variance request is necessary for the consideration of the preliminary plat as presented. Under city zoning rules, R-3 lots require a minimum lot width of 60 feet. Since 19 of the lots are between 55 and 58 feet in width, the plat does not meet zoning requirements unless a variance is granted by the planning commission. Therefore, if the planning commission does not grant a variance, the preliminary plat will require redesign. However, the planning commission may request a modification of the preliminary plat to be presented at the next meeting should the variance fail.

In requesting lot width deviations, the applicant is requesting to reduce the lot width from to between 58 and 55 feet for 19 lots. The application narrative makes the argument that the overall dimensions of the development site and road requirements make it necessary to reduce lot widths for four lots in each block in order to accommodate the increased lot width for corner lots (70 feet instead of 60 feet for internal lots) and the city's 50 foot right of way standard. The applicant has developed house plans intended to maximize the off-street parking and develop an optimal house on a 55-foot lot. The requested variance is intended to maximize the lot count within the development while also maintaining buildable lots by reducing the lot widths a minimal amount of 10% which would typically be an administrative variance at the staff level.

As noted, the variance request itself is a minor variance request. The Hermiston code allows for staff to approve deviations from the development standards of up to ten percent administratively. In this case, varying the lot width requirement in §157.027(C)(3) by less than six feet is a minor deviation. In this case the request varies the lot width between two and five feet. However, the minor variance standard in §157.225(A)(4) permits only one minor variance request to be considered. The requested variance totals 19 separate requests. Therefore, staff has referred the request to the planning commission as a major variance request.

Block Length Variance

The applicant has also requested a variance from §154.18(A) of the subdivision code which establishes a block length of 600 feet unless topography or development necessitates longer blocks. Where block length is proposed to exceed 600 feet, pedestrian access to enhance circulation and connections to destinations are required. The applicant is requesting to create block lengths of 792 feet for four of the blocks within the development. The request is to allow the longer block length and simultaneously not require additional pedestrian circulation. The plat does not meet subdivision design requirements unless a variance is granted by the planning commission. Therefore, if the planning commission does not grant a variance, the preliminary plat will require redesign. However, the planning commission may request a modification of the preliminary plat to be presented at the next meeting should the variance fail.

The application narrative notes that the subdivision must create new connections to E Theater Lane in alignment with NE 8th Place and NE 9th Place on the south side of Theater. City staff met with the developer to discuss alignment of the subdivision and future connectivity requirements. In order to properly service future development north of the site, it is necessary to create at least one connection exiting the north boundary of the development to allow future utility extensions and traffic circulation for future development. NE 8th Place does not align with potential future development and will align roughly with the boundary between the Sunset Estates development and land described as 4N 28 02A Tax Lot 301. NE 9th Place provides a more logical point of connection with Tax Lot 301, allowing for a better future street connection eventually connecting E Theater Lane and E Punkin Center Road.

It would be possible to bisect the development with a new north/south street creating two blocks slightly exceeding 600 feet, rather than one 790-foot block and one 550-foot block. However, adjustment of the street network to better balance the block length is hampered by the existing connections of NE 8th Place and NE 9th Place on the south side of E Theater Lane. The proposed street alignment aligns with NE 9th Place and creates a through street with potential connectivity to E Punkin Center in the future. Moving the block lengths will necessitate either creating a north/south street which does not align with the existing points of access to E Theater Lane or creating a new connection point midway between NE 8th Place and NE 9th Place. A new street connection between NE 8th Place and NE 9th Place will create unsatisfactory and unsafe turning

movements from both the Upland Meadows proposal and the Cimmaron Terrace development and is not recommended.

In order to better facilitate pedestrian connectivity to nearby destinations, the developer proposes to create a pedestrian trail between Lots 75 and 76 at the northeast corner of the development. This pedestrian trail will connect the development to Loma Vista Elementary School using a 20 foot right of way. This alternative provides a more efficient and beneficial pedestrian connection. It is more efficient as it provides shorter connectivity to Loma Vista Elementary. Student traffic may move directly to the school without creating pedestrian trips south to E Theater Lane, east to NE 10th Street, and then north to the school. At the longest point, this is a distance of nearly 4,000 feet. This alternative creates a shorter pedestrian trip of approximately 1,500 feet, a savings of 2,500 feet or about 10 minutes of walking time. It is also more beneficial as this connection is likely to be heavily utilized in a subdivision of 261 lots. A development of this size will be used by many elementary aged children each day for school commuting. Pedestrian paths running north/south mid-block are unlikely to be as heavily used.

The city has not historically had positive citizen acceptance of mid-block pedestrian paths and those that were platted and built near West Park elementary were eventually vacated and removed. Homeowners are not receptive to pedestrian paths along their side lot lines and erect taller fences to provide more yard privacy and ultimately creating narrow, dark corridors which collect trash and are unused. Lots adjacent to trails are also more difficult to sell. The maintenance required versus the amount of use the paths see is not a positive cost/benefit situation. City staff would prefer a pedestrian access to Loma Vista which is frequently used over a series of mid-block paths that are not used.

It is incumbent upon the planning commission to consider if the alternative proposed is acceptable, if mid-block paths will be required, or if block lengths exceeding 600 feet are not acceptable and an additional north/south street is required. Creation of an additional north/south street will require the loss of at least eight lots from the development.

Planning Commission Action on Variance Requests

The applicant has drafted narrative findings to support their variance request. Staff has reviewed the draft findings and determined the adequacy of the findings to specifically address the criteria in 157.225 is not sufficient. Staff recommends that should the planning commission agree with the variance requests, that the commission make a preliminary decision on the variances and direct the applicant to further develop the findings for final adoption at the January 10, 2024, meeting. The findings as written establish a rough basis for the requested variances but do not establish a relational nexus between the variance request and alternatives. For example, it is possible to build lots in conformance with the zoning code but resulting in the loss of potentially 18 lots as claimed in the application. What is the economic impact of conformance with the standard lot width? How does conformance with the standard compare with the allowed density in the R-3 zone? Is imposition of the development standards creating a hardship where the land cannot develop to the highest and best use allowed under the zoning? Does the cost of adding additional streets to limit block length and the resulting loss of lots create a hardship where the land is not feasible for development? These are factors that should be considered by the planning commission and cited using objective language in the findings. However, the planning commission may also choose to accept the findings as submitted, or modify the findings during the meeting and adopted revised findings.

Preliminary Plat Review

The preliminary plat review is written with the assumption that the variance request approved by the planning commission. Should either variance fail, the preliminary plat will require redesign and will be tabled at this meeting.

The proposed development sits on 51.93 acres of R-3 zoned land within the city limits. The development is served by E Theater Lane which is classified as an urban minor collector. The development also has potential vehicular access to NE 10th Street, classified as an urban major collector, but the development plan does not propose vehicular access to NE 10th Street. The development plan proposes an internal circulation network of seven new local streets and one new through street to provide future access and utilities to potential residential lands to the north and connectivity to E Punkin Center Road. Chris Clemow, a traffic engineer with Clemow and Associates, has reviewed the development for traffic impact. The review is based upon the traffic analysis prepared for Loma Vista Elementary and considers those findings and adds in the additional traffic impact from this development. It is the finding of the engineer that the proposed development will not change the functional classification of E Theater Lane and that the street network can accommodate the development with required improvements.

Two new points of access are proposed to E Theater Lane. These points of access are in alignment with existing points of access on the south side of Theater Lane. These access points form the bulk of access for the subdivision. A third point of access extends out of the development to the north providing future extension of NE 9th Place. However, the future utility of this access is dependent on future construction and may be many years in the future. In order to adequately provide access for fire and life services to the development the Umatilla County Fire District is requesting a secondary point of access to NE 10th Street. This secondary access is required by the fire code which requires developments of over 30 lots to provide at least two points of access. Under the code the two points of access must be separated by a distance of at least one-half of the length of diagonal dimension of the property being served. For Upland Meadows, the property has a diagonal dimension of 2,100 feet and the two proposed points of access have a spacing of 440 feet, not meeting the spacing requirement and requiring an additional point of access. The 60-foot-wide access connecting the property to NE 10th Street provides an additional point of access meeting this requirement. The access can be improved as a fire compliant access or as a public street. The planning commission may wish to discuss which better serves the needs of the city as a whole. After reviewing the requirements and circulation plan, it is the staff recommendation that a paved fire access is sufficient. Additionally, regardless of the ultimate disposition of the access, the NE 10th Street frontage of this 60-foot tract will be required to be improved to major collector status as a condition of development.

With the approval of the lot width variance for 19 of the lots, all of the lots are designed in accordance with the R-3 standards. Corner lots have the required extra lot width of 70 feet as required under §157.027(C)(3) and the remaining lots are at least 60 feet or an approved deviation to 55 feet or more. All lots have at least 80 feet of depth and are in fact closer to 105 feet in depth. All lots exceed the minimum lot size of 5,000 square feet and corner lots exceed 6,000 square feet. Twelve cul-de-sac lots are proposed, three at each corner of the development and accessing a cul-de-sac bulb. All twelve lots have at least 25 feet of street frontage as required by §157.027(C)(3).

Street names are not included on the preliminary plat. Chapter 94 of the Hermiston Code governs street names. Specifically, §94.22 governs street names and states:

- (A) All streets running northerly and southerly shall be denominated by numbers, that is, First Street, and shall be designated as "streets".

(B) A street lying between numbered streets shall be denominated by number and de "place", for example, First Place.

(C) All streets running in an easterly and westerly direction, with the exception of Main Street, shall be named and designated "avenues."

(D) Circular and semi-circular streets shall be designated as "drives."

Staff recommends that the planning commission condition the developer to develop street names in conformance with §94.22. Specifically, Roads 2, 3, and 4 are streets running east/west and shall all be designated as Avenues. The NE 9th Place extension is properly designated on the preliminary plat and shall retain that designation. Road 1 forms a complete loop around the development and shall be designated as a Drive. A short section of road is in alignment with NE 8th Place and shall be designated as NE 8th Place.

Specific findings addressing the subdivision design and compliance with the city code have been written by the applicant and are attached to this report as Exhibit A. The recommended conditions of approval are attached as Exhibit B. Additional exhibits are also attached, including an aerial photo of the site, property map, preliminary plat, a development map highlighting which lots are proposed for the width variance, and a traffic opinion from Clemow and Associates.

Notice was mailed to all property owners within 300 feet of the proposal and affected agencies by direct mail on November 29, 2023. A sign was placed on the property on November 29, 2023.

The criteria that are applicable to the preliminary plat are contained in §94.20 through §94.26, §154.15 through §154.35, §154.60 through §154.66, and §157.025 of the Hermiston Code of Ordinances.

Tie-In to Council Goals

Promotion of housing remains a council goal for 2023.

Fiscal Information

There are 261 single-family lots proposed for the subdivision. Each house should sell in the \$350,000 to \$475,000 range. At full build-out the development will generate approximately \$532,000 in revenue to the city each year.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve or reject the lot width variance
- Approve or reject the block length variance
- Approve the subdivision plat and conditions
- Approve the subdivision plat and modify the conditions
- Modify the subdivision plat
- Reject the subdivision plat

Recommended Action/Motion

Staff recommends that the planning commission tentatively approve the two variance and preliminary plat but require the applicant to submit more detailed findings of fact for consideration at the January meeting. Following adoption of the findings of fact, the planning commission will make a final decision on the variances and preliminary plat and begin the standard appeal period.

Motion for tentative decision on lot width variance.

Motion for tentative decision on block length variance.

Motion for tentative decision on preliminary plat.

Submitted By:

Clinton Spencer, Planning Director



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of January 10, 2024

Title/Subject

Final Plat- Amazon Data Services Inc 4N2823 TL 200 - 908 E Penney Ave

Summary and Background

Parametrix has submitted a final plat for Amazon Data Services, Inc’s major partition of property described as 4N2823 Tax lot 200 and addressed as 908 E Penney Ave. The property is zoned Outlying Commercial/Heavy Industrial (C-2/M-2).

The planning commission’s approval of the preliminary plat was subject to three conditions of approval.

The criteria that are applicable to the decision to accept the final plat are contained in 154.46 of the Hermiston Code of Ordinances.

The findings of fact are attached to this report as Exhibit A. The conditions of approval are attached as Exhibit B. The final plat as prepared by the surveyor is attached as Exhibit C. A map and aerial photo for the planning commission’s reference are attached as Exhibits D & E.

Tie-In to Council Goals

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

Fiscal Information

The assessed value of the property will substantially increase as it develops industrially. However, enterprise zone property tax abatements have been issued for development on Lot 1 which defers receipt of property tax revenue for several years.

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.

Section 4, Item A.

Motion to approve the final plat with the conditions.

Submitted By:

Clinton Spencer, Planning Director

Exhibit A
Findings of Fact
ADS Major Partition
908 E Penney Ave
January 10, 2024

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 for AWS Major Partition

January 10, 2024

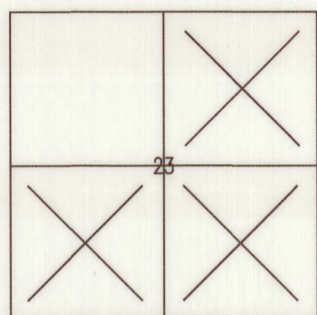
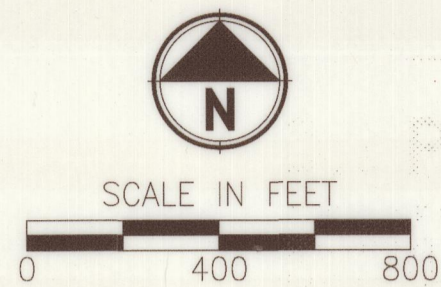
908 E Penney Ave

Subject to the public hearing and testimony presented to the planning commission, the following conditions of approval are proposed:

1. Portions of the property lie 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 receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.
2. The site is bounded by SE 9th St and E Feedville Road. An extension of E Penney Ave is proposed as part of the partition.
 - a. E Penney Avenue is classified as an urban minor collector. As a condition of approval of a permit to develop Parcel 1 or Parcel 2, the owner of Parcel 1 or Parcel 2 shall improve the E Penney Avenue frontage of the Development Site to minor collector status using city standards ST10 in the standard specifications.
 - b. E Feedville Road is classified as an urban major collector and is a county road. All points of access to E Feedville Road will require an access permit from the Umatilla County Road Department. As a condition of approval of a permit to develop Parcel 1 or Parcel 3, the owner of the lot being developed shall enter a street improvement agreement agreeing to participate in future improvements to E Feedville Road frontage of the Development Site to urban major collector status. Such agreement shall run with the land.
 - c. SE 9th Street is classified as an urban minor collector. As a condition of approval of a permit to develop Parcel 1, the owner of the lot being developed shall improve the SE 9th Street frontage of the respective Development Site to minor collector status using city standard ST10 in the standard specifications.

PARTITION PLAT NO. 2024-

A PARTITION PLAT OF PARCEL 1, PARTITION PLAT 2023-11, LOCATED IN SECTION 23, TOWNSHIP 4 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON



LEGEND

- SET 5/8" X30" IR W/ YPC CAP INSCRIBED "PARAMETRIX"
- FOUND 5/8" IR W/ YPC INSCRIBED "TELEK"; PER R3; HELD UNLESS NOTED OTHERWISE
- FOUND 5/8" IR W/ YPC INSCRIBED "EDWARDS 951"; PER R16; HELD UNLESS NOTED OTHERWISE
- FOUND 5/8" IR W/ YPC INSCRIBED "STRATTON 1111"; PER R18; HELD UNLESS NOTED OTHERWISE
- ▲ FOUND 5/8" YPC INSCRIBED "EDWARDS 951"; PER R19; HELD UNLESS NOTED OTHERWISE
- FOUND 5/8" IR W/ YPC INSCRIBED "LS 2431"; PER R23; HELD UNLESS NOTED OTHERWISE
- FOUND 5/8" IR W/ YPC INSCRIBED "PARAMETRIX"; PER R25; HELD
- ✚ FOUND SECTION CORNER AS NOTED; HELD
- ✚ FOUND QUARTER SECTION CORNER AS NOTED; HELD
- (R#) RECORD INFORMATION PER SURVEY REFERENCE NUMBER
- INST. NO. INSTRUMENT NUMBER PER UMATILLA COUNTY DEED RECORDS
- PP NO. PARTITION PLAT NUMBER PER UMATILLA COUNTY RECORDS
- ROW RIGHT-OF-WAY
- IR IRON ROD
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- UCSR UMATILLA COUNTY SURVEY RECORDS
- PLAT BOUNDARY
- - - EXISTING ROW CENTER LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT, AS NOTED
- - - EXISTING ROW LINE
- - - EXISTING CENTER SECTION LINE
- - - EXISTING SECTION LINE

2-1/2" BRASS CAP VISITED 02/2020

2-1/2" BRASS CAP VISITED 02/2020

REGISTERED PROFESSIONAL LAND SURVEYOR
CJD 12-11-23
 OREGON
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

UMATILLA COUNTY OFFICE OF RECORDS

SHEET INDEX

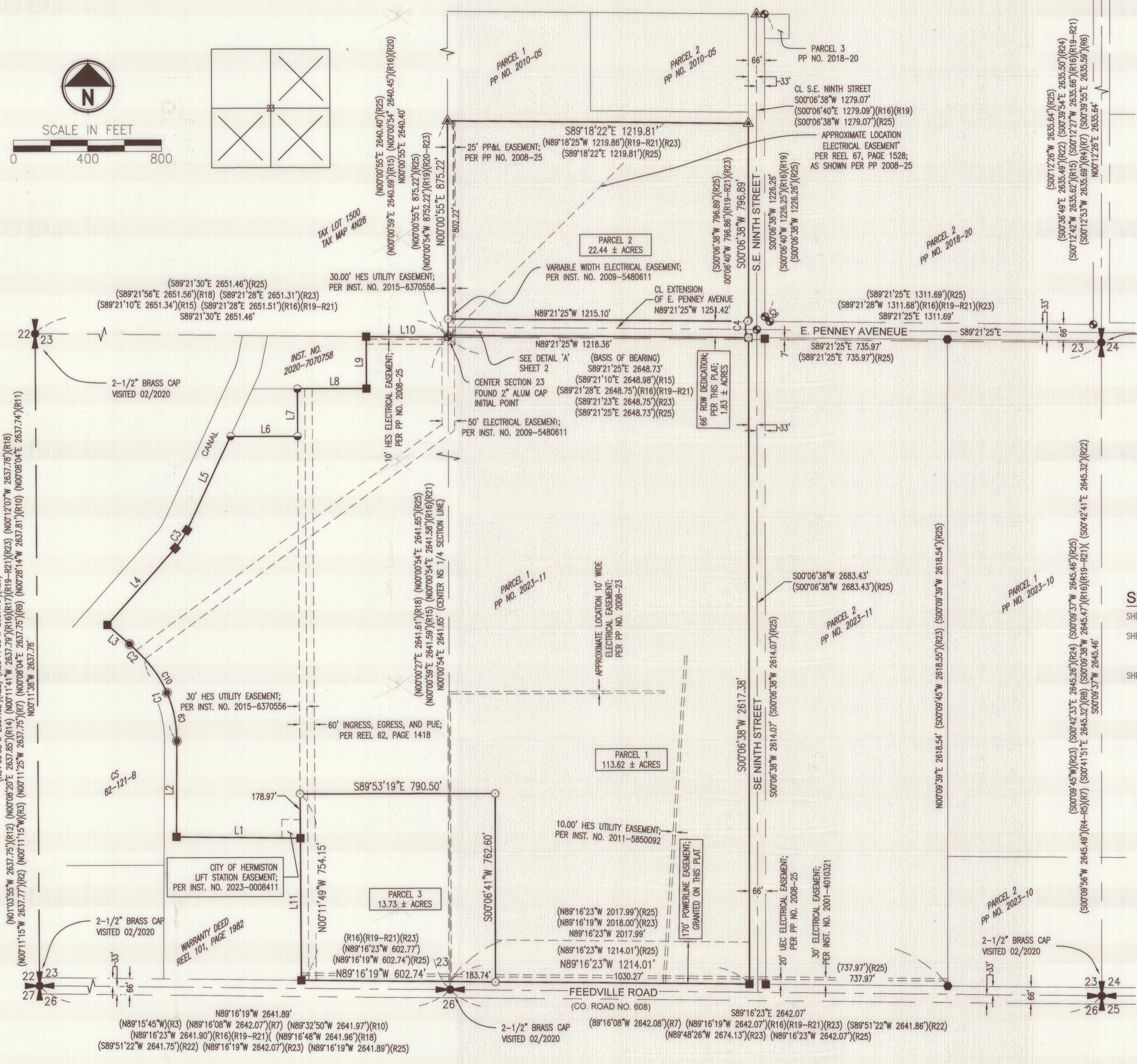
- SHEET 1) SURVEY AND LEGEND
- SHEET 2) ADDITIONAL MONUMENTATION AND MEASUREMENT DETAILS, REFERENCES, CURVE AND LINE TABLE, LEGEND
- SHEET 3) EXCEPTIONS, ACKNOWLEDGEMENT, APPROVALS, DECLARATION, PLAT NOTES, SURVEYOR'S NARRATIVE.

PREPARED FOR:
AMAZON DATA SERVICES

Parametrix

150 NW Pacific Park Lane, Suite 110 • Bend, OR 97701
 Ph: 541.508.7710

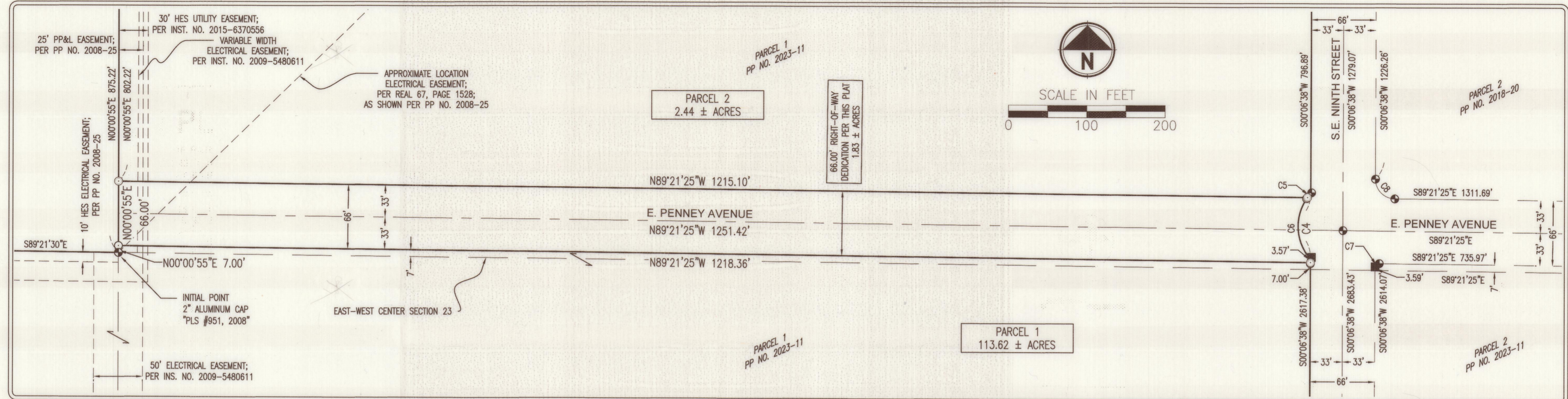
PMX JOB NO. 553-8117-056		SHEET NO. 1 OF 3
SURVEYED	CAP	
DRAWN	CAP	
CHECKED	CJD	
APPROVED	CJD	DATE DECEMBER 8, 2023
SCALE 1"=300'		
ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY		



PARTITION PLAT NO. 2024-

A PARTITION PLAT OF PARCEL 1, PARTITION PLAT 2023-11,
 LOCATED IN SECTION 23, TOWNSHIP 4 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

DETAIL 'A'
 SCALE: 1" = 100'



SURVEY REFERENCES

- 1) RECORD INFORMATION PER CS 03-181-A, BY DAVID H. KRUMBEIN, DATED JUNE 19, 1975, UCSR.
- 2) RECORD INFORMATION PER CS 82-58-B, BY THOMAS F. LAGIER, FILED AUGUST 1982, UCSR.
- 3) RECORD INFORMATION PER CS 82-121-B, BY THOMAS F. LAGIER, FILED NOVEMBER 23, 1982, UCSR.
- 4) RECORD INFORMATION PER CS 89-86-B, BY G. DENNIS EDWARDS, FILED OCTOBER 1989, UCSR.
- 5) RECORD INFORMATION PER CS 90-05-A, BY G. DENNIS EDWARDS, FILED JANUARY 1990, UCSR.
- 6) RECORD INFORMATION PER CS 96-22-B, BY PAUL W.P. TOMKINS, FILED FEBRUARY 1996, UCSR.
- 7) RECORD INFORMATION PER CS 92-95-C, BY G. DENNIS EDWARDS, FILED APRIL 1997, UCSR.
- 8) RECORD INFORMATION PER PP NO. 1997-06, INST. NO. 1997-229132, BY RONALD. V. MCKINNIS, RECORDED MARCH 18, 1997, UCR.
- 9) RECORD INFORMATION PER PP NO. 1997-14, INST. NO. 1997-230845, BY DAVID L. HADDOCK, RECORDED MAY 1, 1997, UCR.
- 10) RECORD INFORMATION PER PP NO. 1998-58, INST. NO. 1999-3620553, BY GARY B. WAGNER, RECORDED DECEMBER 14, 1999, UCR.
- 11) RECORD INFORMATION PER CS 02-080-B, BY ROBERT H. STRATTON, FILED APRIL 2002, UCSR.
- 12) RECORD INFORMATION PER CS 02-293-B, BY JOHN D. PUTNAM, FILED DECEMBER 2002, UCSR.
- 13) RECORD INFORMATION PER CS 05-204-B, BY G. DENNIS EDWARDS, FILED DECEMBER 2005, UCSR.
- 14) RECORD INFORMATION PER CS 08-48-B, BY WILLIAM R. WELLS, FILED MARCH 2008, UCSR.
- 15) RECORD INFORMATION PER CS 08-141-B, BY WILLIAM L. HANLEY, FILED OCTOBER 2008, UCSR.
- 16) RECORD INFORMATION PER PP NO. 2008-25, INST. NO. 2008-5430520, BY G. DENNIS EDWARDS, RECORDED OCTOBER 21, 2008, UCR.
- 17) RECORD INFORMATION PER CS 09-05-C, BY G. DENNIS EDWARDS, FILED JANUARY 2009, UCSR.
- 18) RECORD INFORMATION PER PP NO. 2009-25, INST. NO. 2009-5560050, BY ROBERT H. STRATTON, RECORDED SEPTEMBER 2, 2009, UCR.
- 19) RECORD INFORMATION PER PP NO. 2010-05, INST. NO. 2010-5640139, BY G. DENNIS EDWARDS, RECORDED APRIL 2, 2010, UCR.
- 20) RECORD INFORMATION PER PP NO. 2018-20, INST. NO. 2018-6800105, BY MICHAEL B. POSADA, RECORDED DECEMBER 5, 2018, UCR.
- 21) RECORD INFORMATION PER PP NO. 2019-08, INST. NO. 2019-6840322, BY MICHAEL B. POSADA, RECORDED APRIL 2, 2019, UCR.
- 22) RECORD INFORMATION PER CS 19-080-C, BY LANCE CLARK KING, FILED AUGUST 13, 2019, UCSR.
- 23) RECORD INFORMATION PER STAHL REPLAT, INST. NO. 2019-6940037, BY RONALD V. MCKINNIS, RECORDED NOVEMBER 27, 2019, IN PLAT BOOK 16, PAGE 45, UCR.
- 24) RECORD INFORMATION PER CS 22-006-C, BY BRIT L. PRIMM, FILED JANUARY 28, 2022, UCSR.
- 25) RECORD INFORMATION PER PP NO. 2023-11, BY CHRISTOPHER J. D'ORAZIO, RECORDED AUGUST 16, 2023, AS INST. NO. 2023-0005626, UCR.

LEGEND

- SET 5/8" X30" IR W/ YPC INSCRIBED "PARAMETRIX"
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- EXISTING SECTION LINE

LINE TABLE

LINE NO.	LENGTH	BEARING
L1(R25) (R16)(R19) (R20) (R21)(R23)	502.20' (502.53') (498.31') (502.39')	N89°15'29"W - (N89°16'51"W) (N89°16'15"W)
L2(R25) (R16)(R19) (R18) (R20) (R21)(R23)	387.08' (386.86') (387.22') (386.87') (387.11')	N0°25'14"E - - (N00°52'43"E) (N00°26'47"E)
L3(R25) (R21)(R23)	118.51' (118.50')	N48°54'15"W (N48°52'42"W)
L4(R25) (R21)(R23)	414.64' (414.60')	N41°43'57"E (N41°43'34"E)
L5(R25) (R21)(R23)	420.40' (420.40')	N25°01'57"E (N25°01'34"E)
L6(R25) (R18) (R19)(R20) (R21)	271.99' (272.06') (272.06') (272.06')	N89°59'34"E (N89°59'03"E) - (N89°59'17"E)
L7(R25) (R18) (R19)(R20) (R21) (R23)	191.98' (192.01') (192.01') (192.01') (192.01')	N0°11'49"W (N0°12'07"W) - (N0°11'52"W) (N0°00'52"W)
L8(R25) (R18) (R19)(R20) (R21)(R23)	280.00' (280.00') (280.00') (280.00')	S89°59'56"E (N89°59'03"W) - (N89°59'19"E)
L9(R25) (R16)(R19)(R20) (R18) (R21)(R23)	210.04' (210.00') (210.00') (209.88')	N0°01'49"W - (N0°00'54"W) (N0°00'38"W)
L10(R25) (R16)(R19)(R20) (R18) (R21)(R23)	331.73' (330.41') (331.64') (331.74')	S89°21'30"E (S89°21'28"E) (S89°21'56"E) (S89°21'28"E)
L11(R25) (R16)(R19) (R20)(R21)(R23)	575.17' - (575.17') (575.23')	N0°11'49"W - (N0°11'15"W) (N0°11'52"W)

CURVE TABLE

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1(R25) (R3)	363.68' -	484.28' (484.28')	43°01'38" (43°07'20")	355.19' -	N21°05'35"W -
C2(R25) (R3) (R21)(R23)	88.07' - (88.07')	825.00' (787.68') (825.00')	6°07'00" (6°21'35") (6°07'00")	88.03' - (88.03')	N45°39'54"W - (N45°40'26"W)
C3(R25) (R21)(R23)	87.44' (87.44')	300.00' (300.00')	16°42'02" (16°42'02")	87.13' (87.13')	N33°22'56"E (N33°22'33"E)
C4(R25)	72.97'	50.00'	83°36'58"	66.66'	S00°06'38"W
C5	5.38'	50.00'	6°10'08"	5.38'	S38°50'03"W
C6	67.59'	50.00'	77°26'50"	62.56'	S02°58'26"E
C7(R25)	5.45'	50.00'	6°14'39"	5.45'	N51°54'56"E
C8(R25) (R16)(R19) (R20)	31.23' (31.23') (31.23')	20.00' (20.00') (20.00')	89°28'08" (89°28'08") (89°28'02")	28.15' (28.15') (28.15')	S44°37'26"E (S44°37'24"E) (S44°37'21"E)
C9(R25) (R3) (R16)(R19)(R20) (R18)	200.42' (200.13') (200.50') (200.48')	484.28' (484.28') - (484.28')	23°42'41" - - (23°43'07")	198.99' - - (198.99')	N11°26'07"W - - (N11°26'39"W)
C10(R25) (R21)(R23)	163.26' (163.26')	484.28' (484.28')	19°18'57" (19°18'57")	162.49' (162.49')	N32°56'56"W (N32°57'28"W)

UMATILLA COUNTY
 OFFICE OF RECORDS

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

CJD 12-11-23
 OREGON
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

PREPARED FOR:
 AMAZON DATA SERVICES

Parametrix
 150 NW Pacific Park Lane, Suite 110 • Bend, OR 97701
 Ph: 541.508.7710

PMX JOB NO. 553-8117-056

SURVEYED	CAP	ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY
DRAWN	CAP	
CHECKED	CJD	SCALE 1"=100'
APPROVED	CJD	DATE DECEMBER 8, 2023

SHEET NO. 2 OF 3

PARTITION PLAT NO. 2024-

A PARTITION PLAT OF PARCEL 1, PARTITION PLAT 2023-11, LOCATED IN SECTION 23, TOWNSHIP 4 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

TITLE ENCUMBRANCES

AS DISCLOSED IN AMERITITLE REPORT NUMBER 5, FILE NUMBER 541274AM, EFFECTIVE DATE DECEMBER 3, 2022. (TITLE EXCEPTIONS 1-5 ARE GENERAL IN NATURE, AND NOT SHOWN HEREON)

- 6. TAXES DEFERRED, AS DISCLOSED BY THE TAX ROLL, THE PREMISES HEREIN DESCRIBED HAVE BEEN ZONED OR CLASSIFIED FOR FARM USE. AT ANY TIME THAT SAID LAND IS DISQUALIFIED FOR SUCH USE THE PROPERTY WILL BE SUBJECT TO ADDITIONAL TAXES OR PENALTIES AND INTEREST.
- 7. INTENTIONALLY DELETED
- 8. RESERVATION OF COAL AND IRON, INCLUDING THE TERMS AND PROVISIONS CONTAINED THEREIN, IN DEED FROM NORTHERN PACIFIC RAILWAY COMPANY, A CORPORATION.
RECORDED: APRIL 8, 1939
BOOK: 155, PAGE 274
THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED.
- 9. INTENTIONALLY DELETED
- 10. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: COLUMBIA BASIN ELECTRIC COOPERATIVE, INC.
RECORDED: JUNE 20, 1949
BOOK: 189, PAGE: 342
- 11. EASEMENT OR EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS CONTAINED IN INSTRUMENT, RECORDED:
MARCH 6, 1980
REEL: 62, PAGE: 1418
(AS SHOWN ON SURVEY)
- 12. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: UMATILLA ELECTRIC COOPERATIVE ASSOCIATION
RECORDED: MAY 19, 1980
REEL: 65, PAGE: 1433
- 13. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: PACIFIC POWER & LIGHT COMPANY RECORDED:
JULY 9, 1980
REEL: 67, PAGE: 1528
AMENDED BY INSTRUMENT, RECORDED: NOVEMBER 12, 1980
REEL: 73, PAGE: 798
- 14. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: PACIFIC TELEPHONE AND TELEGRAPH COMPANY
RECORDED: JANUARY 20, 1999
INSTRUMENT NO.: 1999-3440050
- 15. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: UMATILLA ELECTRIC COOPERATIVE ASSOCIATION
RECORDED: NOVEMBER 28, 2001
INSTRUMENT NO.: 2001-4010321
(AS SHOWN ON SURVEY)
- 16. EASEMENTS AS SHOWN ON THE PARTITION PLAT NO. 2008-25. (AS SHOWN ON SURVEY)
- 17. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: PACIFICORP
RECORDED: MARCH 17, 2009
INSTRUMENT NO.: 2009-5480611
(AS SHOWN ON SURVEY)
- 18. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: CITY OF HERMISTON, DBA HERMISTON ENERGY SERVICES
RECORDED: NOVEMBER 16, 2011
INSTRUMENT NO.: 2011-5850092
(AS SHOWN ON SURVEY)
- 19. AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: CITY OF HERMISTON, DBA HERMISTON ENERGY SERVICES
RECORDED: DECEMBER 14, 2015
INSTRUMENT NO.: 2015-6370556
(AS SHOWN ON SURVEY)

TITLE ENCUMBRANCES(CONT.)

- 20. RIGHTS OF TENANTS UNDER EXISTING LEASES OR TENANCIES.
- 21. THE COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE ASSURANCE PREDICATED UPON A CONVEYANCE OR ENCUMBRANCE BY THE CHURCH NAMED BELOW:

NAME OF CHURCH: STANFIELD HUTTERIAN BROTHERN
(a) PROOF OF INCORPORATION FROM THE STATE OR OTHER PLACE OF INCORPORATION
(b) A COPY OF ITS DISCIPLINE, BY-LAWS OR OTHER REGULATIONS AUTHORIZING REAL ESTATE TRANSACTIONS
(c) A COPY OF THE RESOLUTION AUTHORIZING THE PURCHASE, SALE OR ENCUMBRANCE OF REAL PROPERTY AND DESIGNATING THE APPROPRIATE OFFICERS TO REPRESENT THE CHURCH

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.
- 22. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS OR ANY OTHER FACTS, WHICH A CORRECT SURVEY WOULD DISCLOSE.

NOTE: ITEMS 23 AND 24 INTENTIONALLY OMITTED

*LIFT STATION EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF, AFFECTING PARCEL 1 OF THIS PLAT GRANTED TO THE CITY OF HERMISTON FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A WASTEWATER LIFT STATION AND ANCILLARY IMPROVEMENTS, AND INGRESS, EGRESS AND ACCESS.
RECORDED DECEMBER 7, 2023
INSTRUMENT NO. 2023-0008411, UMATILLA COUNTY RECORDS.
(SHOWN HEREON)

PROPERTY DESCRIPTION

PARCEL 1, PARTITION PLAT NUMBER 2023-11, (RECORDED AUGUST 16, 2023 AS INSTRUMENT NUMBER 2023-0005626, UMATILLA COUNTY OFFICIAL RECORDS), LOCATED IN SECTION 23, TOWNSHIP 4 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY OREGON

GENERAL NOTES

- 1. WATER RIGHTS AFFECTING THIS PROPERTY WERE NOT INVESTIGATED AS PART OF THIS PARTITION PLAT.
- 2. THIS PARTITION PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IMPOSED BY THE CITY OF HERMISTON "PRELIMINARY PLAT APPROVAL - 4N2823 TAX LOT 200" LETTER DATED MARCH 10, 2023.

OWNER'S DECLARATION & DEDICATION

I, THE AUTHORIZED REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE LANDS SHOWN ON THIS PLAT, HAVE CAUSED SAID LAND TO BE SURVEYED AND PLATTED IN PARCELS AND EASEMENTS AS SHOWN HEREON, AND DO HEREBY SUBMIT FOR RECORD AND APPROVAL SAID PARTITION.

AND DOES HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ROAD AND UTILITY PURPOSES, THE PUBLIC ROAD RIGHT-OF-WAY FOR E PENNEY AVENUE, AS SHOWN HEREON.

AND DOES HEREBY GRANT A 170-FOOT WIDE EASEMENT OVER PARCEL 1 FOR POWER LINES FOR THE BENEFIT OF PARCEL 3, AS SHOWN HEREON.

Handwritten Signature
DATE: 12/15/2023

AMAZON DATA SERVICES, INC., A DELAWARE CORPORATION

ACKNOWLEDGMENT

STATE OF Washington
COUNTY OF King
BEFORE ME THIS 15 DAY OF December 2023
APPEARED Brad Bashaw, VICE PRESIDENT OF AMAZON DATA SERVICES AND ACKNOWLEDGE THE FOREGOING DECLARATION

Handwritten Signature
NOTARY PUBLIC FOR State of Washington
Bayleigh Heineman
PRINTED NAME
COMMISSION NO. 22031731
MY COMMISSION EXPIRES 10/27/2026

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE LAND SHOWN HEREON INTO THREE PARCELS WITH A DEDICATION OF PUBLIC RIGHT-OF-WAY BEING AN EXTENSION OF SE 9TH STREET AS CONDITIONED IN CITY OF HERMISTON MAJOR PARTITION PLAT APPLICATION FOR 4N2823 TAX LOT 200, DATED OCTOBER 13, 2023.

THE INITIAL POINT OF THIS SURVEY IS THE C 1/4 CORNER OF SECTION 23, MARKED WITH A 2" ALUMINUM CAP STAMPED "PLS #951, 2008". THIS PARTITION PLAT IS A SUBDIVISION OF LOT 1 OF THE "STAHL REPLAT", RECORDED IN BOOK 16 OF PLATS, PAGE 95 UNDER INSTRUMENT NO. 2019-6940037. IT WAS FOUND THAT THIS LOT HAS BEEN PART OF MULTIPLE PARTITION PLATS STARTING AS PARCEL 2 OF PARTITION PLAT NO. 1999-58 AND THAT HAS BEEN LABELED AS UNSURVEYED IN PARTITION PLATS 2008-25, 2009-25, 2010-05, 2010-05, 2018-20, 2019-08 AND ON THE STAHL REPLAT. THERE WERE MULTIPLE CORNERS FOUND FROM THESE VARIOUS PARTITION PLATS AS NOTED HEREON AND 14 NEW MONUMENTS WERE SET FOR THE EXTERIOR BOUNDARY AND NEW LOT/RIGHT-OF-WAY CORNERS.

THE RIGHT-OF-WAY OF SE NINTH STREET WAS ESTABLISHED BY HOLDING THE RECORD CENTERLINE AND RIGHT-OF-WAY MONUMENTS, AND CURVE DATA, PER PARTITION PLAT 2008-25, 2010-05, AND 2023-11. THE MONUMENTS FOUND WERE IN REASONABLE TOLERANCE TO RECORD DIMENSIONS AND WERE HELD AS A RESULT.

THE RIGHT-OF-WAY OF FEEDVILLE ROAD (CO. ROAD NO. 608) WAS ESTABLISHED BY HOLDING THE FOUND SECTION AND 1/4 SECTION CORNERS FOR SECTION 23. SAID RIGHT-OF-WAY IS 33.00 FEET EACH SIDE OF SAID CENTER LINE. THE MONUMENTS FOUND WERE IN REASONABLE TOLERANCE TO RECORD DIMENSION AND WERE HELD AS RESULT. THIS RESOLUTION AGREES WITH THE PLATTED ROAD WIDTH AND RECORD WIDTH OF 66.00 FEET.

THE NORTH AND WEST LINES OF THAT PORTION LYING IN THE NORTHEAST QUARTER OF SECTION 23 IS SHOWN BASED ON THE MONUMENTS FOUND ALONG THE LINES AS SET ON PARTITION PLAT 2010-05 AND THE FOUND CENTER OF SECTION. THE MEASURED MONUMENTS WERE WITHIN TOLERANCE OF THE RECORD DIMENSIONS AND WERE HELD.

ALONG THE WEST LINE THE FOUND MONUMENTS FROM PARTITION PLAT 2009-25, SURVEY 82-121-B, AND PARTITION PLAT 2023-11 WERE HELD AND WERE WITHIN REASONABLE TOLERANCE OF RECORD DIMENSIONS.

THE EXTENSION OF E PENNEY AVENUE THAT IS BEING DEDICATED ON THIS PLAT WAS ESTABLISHED AS THE EXTENSION OF THE CENTERLINE BASED ON THE FOUND MONUMENTS ESTABLISHING THE EAST-WEST CENTER SECTION LINE AT THE EAST 1/4 CORNER OF SECTION 23 AND THE CENTER 1/4 OF SAID SECTION. THE SOUTH RIGHT-OF-WAY LINE BEING PARALLEL WITH AND 7.00 FEET SOUTHERLY OF SAID EAST-WEST CENTER SECTION LINE. THE CENTERLINE WAS OFFSET 33 -FEET ON EACH SIDE AND LENGTHENED OR SHORTENED TO INTERSECT WITH THE EXISTING RIGHTS-OF-WAY AND PROPERTY LINES.

NO OTHER UNUSUAL CIRCUMSTANCES WERE ENCOUNTERED DURING THE COURSE OF THIS SURVEY.

BASIS OF BEARINGS = SOUTH 89°21'25" EAST BETWEEN THE EAST ONE-QUARTER CORNER OF SECTION 23 AND THE CENTER OF SECTION 23 (INITIAL POINT).
DISTANCES ARE GROUND VALUES EXPRESSED IN INTERNATIONAL FEET.

SURVEYOR'S CERTIFICATE

I CHRISTOPHER J. D'ORAZIO A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND SHOWN ON THIS PLAT, AND THIS PLAT MEETS ALL REQUIREMENTS AS ESTABLISHED BY OREGON REVISED STATUTES CHAPTER 92, DESCRIBED AS FOLLOWS:

THE INITIAL POSITION FOR THIS PARTITION IS THE C 1/4 CORNER OF SECTION 23, MARKED WITH A 2" ALUMINUM CAP STAMPED "PLS #951, 2008"

REGISTERED PROFESSIONAL LAND SURVEYOR

Handwritten Signature 12-11-23
OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905
RENEWS: 12-31-2023

UMATILLA COUNTY OFFICE OF RECORDS

APPROVALS

CITY OF HERMISTON

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT ON THIS:

MAYOR OF THE CITY OF HERMISTON _____ DATE _____

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT ON THIS:

CITY OF HERMISTON PLANNING DIRECTOR _____ DATE _____

UMATILLA COUNTY COMMISSIONERS

APPROVED THIS _____ DAY OF _____, 2024

CHAIRMAN _____

UMATILLA COUNTY COMMISSIONER _____

UMATILLA COUNTY COMMISSIONER _____

UMATILLA COUNTY SURVEYOR

I CERTIFY I HAVE EXAMINED THE ACCOMPANYING PARTITION PLAT, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON, WITH REFERENCE TO THE FILING AND RECORDING OF SUCH PLATS, AND THEREFORE APPROVE SAID PLAT FOR SIGNATURE BY THE COUNTY COMMISSIONERS OF UMATILLA COUNTY, OREGON.

DATED THIS _____ DAY OF _____, 2024

UMATILLA COUNTY SURVEYOR _____

UMATILLA COUNTY TAX COLLECTOR

I, THE TAX COLLECTOR OF UMATILLA COUNTY, OREGON, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND COVERED BY THE ACCOMPANYING PARTITION PLAT AND THAT ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.

DATED THIS _____ DAY OF _____, 2024

UMATILLA COUNTY TAX COLLECTOR _____

PREPARED FOR:
AMAZON DATA SERVICES

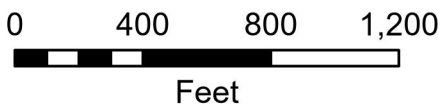
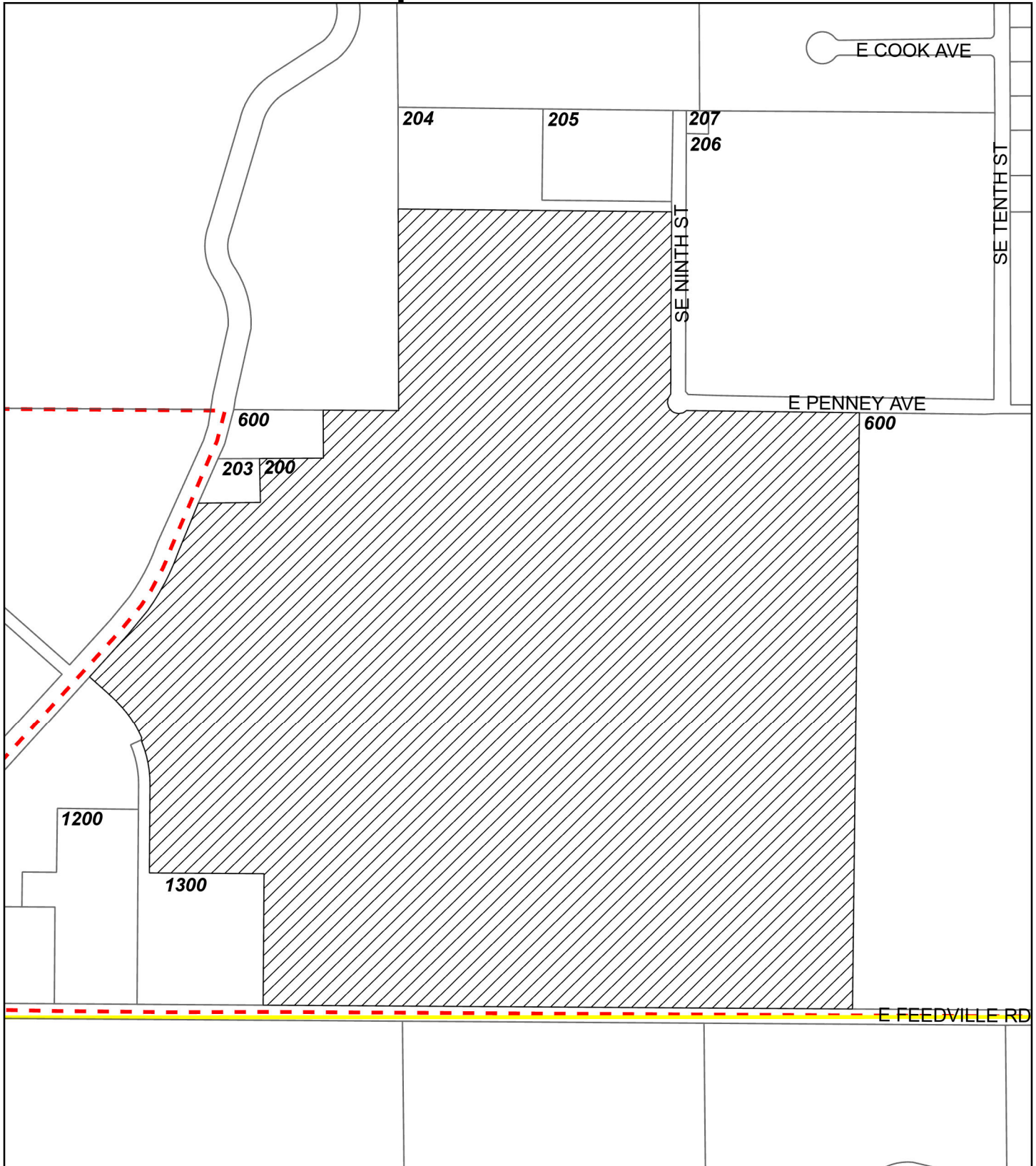
Parametrix

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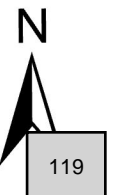
SURVEYED	CAP	ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY	SHEET NO. 3 OF 3
DRAWN	CAP		
CHECKED	CJD	SCALE 1"=400'	
APPROVED	CJD	DATE DECEMBER 8, 2023	

Notice of Proposed Land Use Action

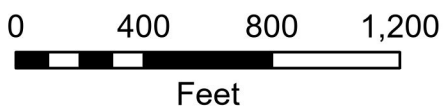
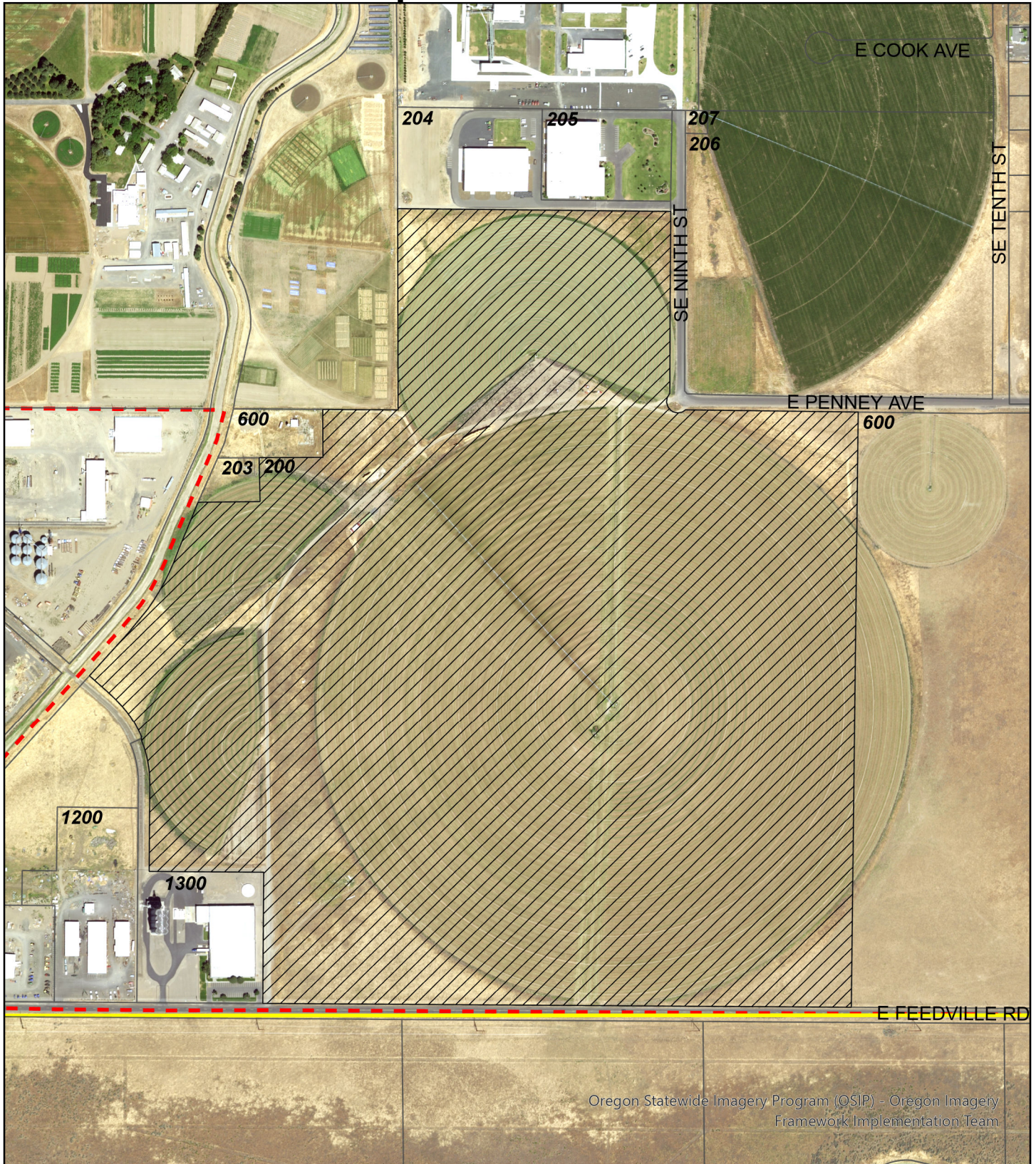


Legend

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



Notice of Proposed Land Use Action



Legend

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

