



Planning Department

180 NE 2nd Street

Hermiston, OR 97838

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planning@hermiston.or.us

To: Planning Commission
From: Clinton Spencer, City Planner *CS*
Subject: Final Plat – Cimmaron Terrace
Date: March 1, 2016

Mark Zoller has submitted a final plat for Cimmaron Terrace Phase 1. The proposed PUD is located on approximately 64 acres of land on the south side of E Theater Lane, east of the Pheasant Run Subdivision and north of E Elm Ave. The property is described as 4N 28 02D Tax Lots 400, 500 and 600. The applicant proposes as part of Phase 1 to create 78 lots each sized between 1,934 and 4,212 square feet. The property is zoned Multi Family Residential (R-3).

The applicant proposes to develop this subdivision as a planned unit development due to the need for several variations from the city's development code. PUDs are governed by §157.110 through §157.120 of the Hermiston Code of Ordinances. The applicant obtained approval from the planning commission in 2010 for the development. The planning commission reviewed the preliminary plan in February 2010 and the final plan in May 2010 in accordance with the PUD provisions in 157.117 of the Hermiston Zoning Ordinance.

Chapter 154: Subdivisions

§154.46 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 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. **Shown as required**
- (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**

Conditions from Preliminary Plat Approval

- 1) Applicant shall dedicate to the city the 7.09 acre wetland area to the city for park purposes. As requested by the Parks and Recreation Department, the applicant shall install the following improvements on the park site prior to city acceptance of the park:
 - a. Utility stubs (water, sewer, and electricity) to the property.
 - b. A natural surface trail loop (department will work with developer to establish route).
 - c. Entrance paving and four paved parking spaces.
 - d. Simple kiosk (department will provide plans).

The park dedication is not part of the Phase 1 development.

- 2) Applicant shall work with and receive certification from the Hermiston Irrigation District. The applicant should be aware that the City of Hermiston will not sign the final plat until the Hermiston Irrigation District has been satisfied and signs the final plat. **The applicant shall meet this condition of approval. The necessary signature block for the irrigation district is included on the final plat.**
- 3) Applicant must sign a developer's agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for each phase of the Cimmaron Terrace development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer. **The developer has signed an agreement with the city. Installation and construction of public improvements continues on the site. The developer anticipates completion of the public improvements before the next planning commission meeting.**
- 4) Streetlights shall also be installed at the applicant's cost. Once installed, the City will assume the monthly service charges. **Streetlights have been installed.**
- 5) Per Section 157.164(E) of the Hermiston Code of Ordinances, where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of the facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development. **Public facilities, in the form of water, sewer, and storm drainage facilities have been installed at the developer's cost.**
- 6) Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. **No facilities which will require the outdoor storage of hazardous chemicals and/or underground storage of fuel is proposed for the development.**
- 7) The applicant will be required to completely pave E Theater Lane with two travel lanes of paving from the western boundary of the development to NE 10th Street when Phase IV as shown on the preliminary map is completed. Curbing, drainage and sidewalks will be required for the development frontage of Theater Lane only and will not be required off-site or on the north side of Theater Lane. **The majority of the E Theater Lane paving will be completed at Phase IV of the development. Infill paving of E Theater Lane adjacent to Phase I of the development has been completed.**
- 8) Each of the lots in the Alora Heights pressure zone shall be required to pay \$309.50 at the time of connection to water and sewer services. This money shall be used to fund future improvements to the Alora Heights booster station which operates near capacity. **All of the dwellings in Phase I will be within the Alora Heights pressure zone. The city will collect this fee for each dwelling constructed in this phase.**

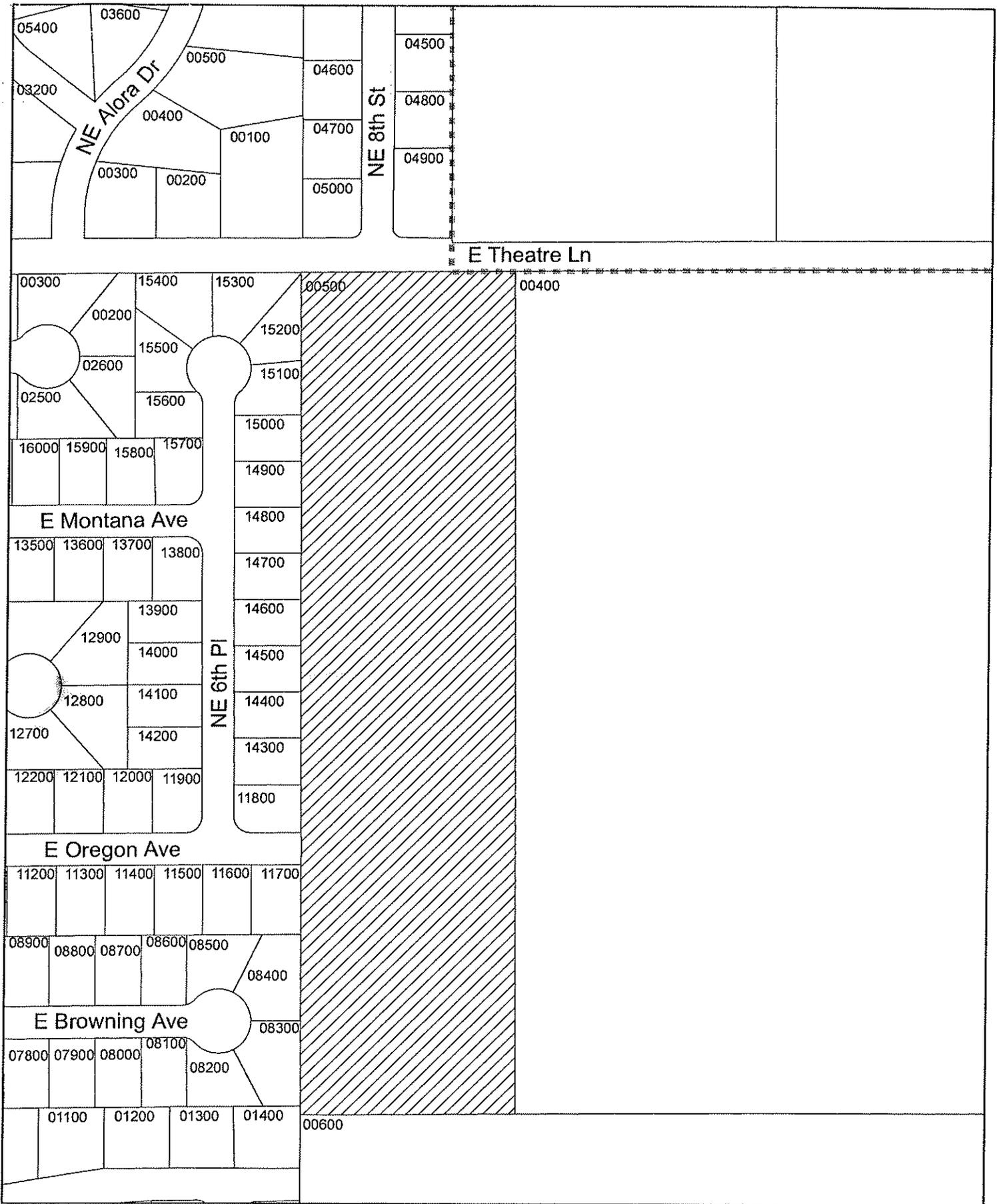
- 9) A portion of the development site is too low to adequately gravity flow to the sewer service in E Oregon Avenue. Therefore, the developer will be required to either construct a second sewer line to service this portion of the development or construct a sewer pump station for service. **This condition is not applicable to Phase I of the development.**
- 10) Sidewalks shall be installed along all new and existing street frontages within the development and along the southern boundary of E Theater Lane adjacent to the development. **The applicant will install sidewalks concurrent with each dwelling constructed in this phase.**
- 11) The developer will install all necessary facilities to prevent the collection of surface water in any low spot and to adequately maintain all stormwater on-site. **The applicant has met this approval condition relative to the public improvements for Phase I.**
- 12) The developer shall be responsible for obtaining access for NE 9th Street onto E Elm Avenue from the Oregon Department of Transportation. This shall include all required access permits from the State of Oregon as well as all necessary right-of-way acquisition from affected property owners. **This condition is not applicable to Phase I.**
- 13) The off-site portion of NE 9th Street between the development and E Elm Avenue shall be improved with paving only. Curbs and sidewalks are not necessary for the off-site portion. **This condition is not applicable to Phase I.**
- 14) All utilities shall be extended to the eastern property boundary to be available for future extensions in accordance with §157.164(E) of the Hermiston Code of Ordinances. **This condition is not applicable to Phase I.**
- 15) The developer shall dedicate 5 feet of right-of-way to E Theater Lane, bringing the south half of the right-of-way to 25 feet from centerline. **The final plat correctly dedicates five feet of right of way to E Theater Lane.**
- 16) At such time that 80 dwellings are constructed outside the Alora pressure zone, the developer will be responsible for constructing a second water connection to provide redundancy to the development. **This condition is not applicable to Phase I.**

Staff Recommendation

Staff has reviewed the final plat and determined it is prepared in accordance with all final plat requirements. Staff recommends the planning commission approve the final plat subject to the following conditions:

- 1) Applicant shall work with and receive certification from the Hermiston Irrigation District. The applicant should be aware that the City of Hermiston will not sign the

- final plat until the Hermiston Irrigation District has been satisfied and signs the final plat.
- 2) Applicant must sign a developer's agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for each phase of the Cimmaron Terrace 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 also be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
 - 4) Per Section 157.164(E) of the Hermiston Code of Ordinances, where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of the facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development.
 - 5) 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.
 - 6) The applicant will be required to completely pave E Theater Lane with two travel lanes of paving from the western boundary of the development to NE 10th Street when Phase IV as shown on the preliminary map is completed. Curbing, drainage and sidewalks will be required for the development frontage of Theater Lane only and will not be required off-site or on the north side of Theater Lane.
 - 7) Each of the lots in the Alora Heights pressure zone shall be required to pay \$309.50 at the time of connection to water and sewer services. This money shall be used to fund future improvements to the Alora Heights booster station which operates near capacity.
 - 8) Sidewalks shall be installed along all new and existing street frontages within the development and along the southern boundary of E Theater Lane adjacent to the development.
 - 9) The developer will install all necessary facilities to prevent the collection of surface water in any low spot and to adequately maintain all stormwater on-site.
 - 10) The developer shall dedicate 5 feet of right-of-way to E Theater Lane, bringing the south half of the right-of-way to 25 feet from centerline.
 - 11) At such time that 80 dwellings are constructed outside the Alora pressure zone, the developer will be responsible for constructing a second water connection to provide redundancy to the development.

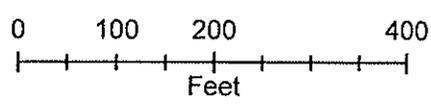


Legend

 Area of Final Plat

 Property Line

 City Limits



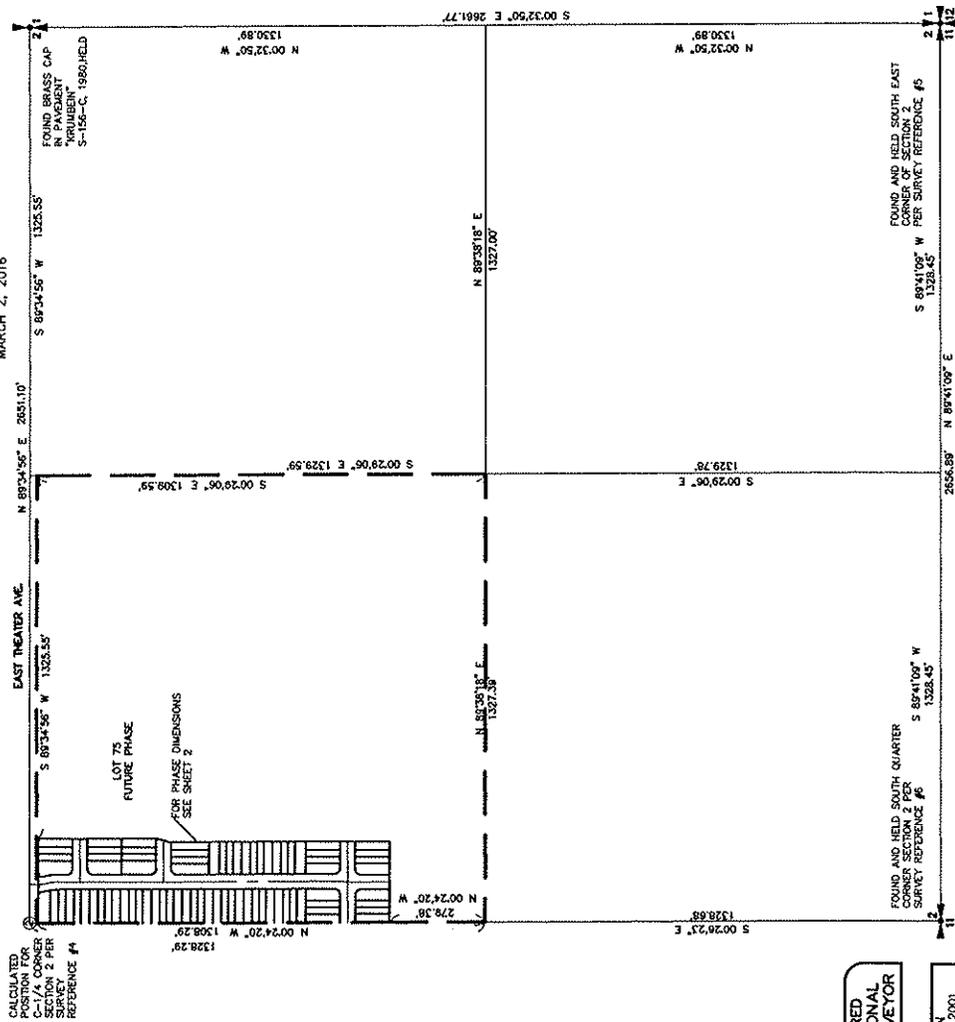
PREPARED BY: MINSTER AND GLAESER SURVEYING, INC.
6303 BURDEN BLVD., SUITE E, PASCO, WA 99301, (509) 544-7882

PLAT OF CIMMARON TERRACE PHASE 1

LOCATED IN A PORTION OF THE NW
1/4 OF THE SE 1/4
OF SECTION 2, T 4 N, R 28 E, W.M.
CITY OF HERMISTON
UMATILLA COUNTY, OREGON
MARCH 2, 2016

LEGAL DESCRIPTION:
TRACT 1: THE WEST 330 FEET OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH,
SECTION 2, TOWNSHIP 4 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA
COUNTY, OREGON.
TRACT 2: NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH,
RANGE 28, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON, EXCEPTING THEREFROM
THE WEST 330 FEET THEREOF.

EXCEPTING THEREFROM ANY AND ALL WATER RIGHTS OF WAY AND ROADS.



- SURVEY REFERENCE**
- 1) PACTHON PLAT NO. 2004-02
 - 2) PHEASANT RUN-PHASE FIVE BOOK 14 PAGE 37
 - 3) PHEASANT RUN-PHASE SIX BOOK 14 PAGE 38
 - 4) PHEASANT RUN-PHASE SEVEN BOOK 14 PAGE 39
 - 5) LEWIS SURVEY BOOK 14 PAGE 01-8
 - 6) PHEASANT RUN PHASE 1 BOOK 13 PAGE 138

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2001
KEVIN L. BETHJE
55437
Expires 12-31-2017

SURVEYOR'S CERTIFICATE
I, KEVIN L. BETHJE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM A PROFESSIONAL LAND SURVEYOR OF THE STATE OF OREGON, AND THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH THIS PLAT THE LAND REPRESENTED ON THIS PLAT, THE EXTERIOR BOUNDARIES OF WHICH ARE DESCRIBED HEREIN.

KEVIN L. BETHJE PROFESSIONAL LAND SURVEYOR CERTIFICATE NUMBER 55437.
DATED _____

CERTIFICATE OF OWNERSHIP AND DEDICATION:
WE, HANES-ZOLLER JOINT VENTURE, A PARTNERSHIP OF ZOLLER FAMILY LIMITED PARTNERSHIP, AND R.C. HANES LIMITED PARTNERSHIP OWNER OF THE TRACT OF LAND DESCRIBED ON THE ACCOMPANYING PLAT, DO HEREBY ACKNOWLEDGE THAT WE HAVE CAUSED THIS PLAT TO BE ESTABLISHED AND RECORDED IN THE PUBLIC RECORDS OF THE STATE OF OREGON AS SHOWN FOR PUBLIC USE. WE ESTABLISH AND ACKNOWLEDGE THIS PLAT AS THE OFFICIAL MAP AND PLAT OF CIMMARON TERRACE PHASE 1.

SIGNATURE _____ DATE _____

ACKNOWLEDGEMENT:

COUNTY OF _____
STATE OF _____
THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____ 2016, HANES-ZOLLER JOINT VENTURE PERSONALLY APPEARED BEFORE ME, AND BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE SIGNED THIS INSTRUMENT AS HIS VOLUNTARY ACT AND DEED IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

SIGNATURE OF NOTARY PUBLIC _____ DATE _____

PRINTED NAME _____
MY APPOINTMENT EXPIRES _____

UMATILLA COUNTY SURVEYOR:
I, _____ UMATILLA CO. SURVEYOR, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS OF THE UMATILLA COUNTY SURVEYOR'S OFFICE AND THE RECORDS WITH REFERENCE TO THE FILING AND RECORDING OF SUCH PLATS, AND I THEREFORE APPROVE SAID PLAT FOR THE APPROVAL OF THE COUNTY COMMISSIONERS OF UMATILLA COUNTY, OREGON, DATED THIS _____ DAY OF _____, 2016.

UMATILLA COUNTY SURVEYOR _____

CITY OF HERMISTON APPROVALS

WE CERTIFY THAT WE HAVE EXAMINED AND APPROVED THE PLAT OF CIMMARON ESTATES PHASE 1.

CITY OF HERMISTON PLANNING COMMISSION _____ DATE _____
CITY OF HERMISTON MAYOR _____ DATE _____

UMATILLA COUNTY COMMISSIONERS:
I, _____ COUNTY COMMISSIONER, DO HEREBY CERTIFY THAT THE RECORDS IN THE "RECORD OF TOWN PLATS" OF UMATILLA COUNTY, OREGON, BY THE UNDERSIGNED BY ITS ORDER, DATED THIS _____ DAY OF _____, 2016.

CHAIRMAN _____ COMMISSIONER _____
COMMISSIONER _____

ASSESSOR AND TAX COLLECTOR:
WE, THE ASSESSOR AND TAX COLLECTOR OF UMATILLA COUNTY, OREGON, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND COVERED BY THE ASSASSOR'S PLAT AND HAVE DETERMINED THAT THE PLAT IS CORRECTLY FILED AND WE HEREBY APPROVE SAID PLAT.
DATED THIS _____ DAY OF _____, 2016.

COUNTY ASSESSOR _____ COUNTY TAX COLLECTOR _____

HERMISTON IRRIGATION DISTRICT

THIS PLAT HAS BEEN HEREBY EXAMINED AND APPROVED.
DATED THIS _____ DAY OF _____, 2016.

HERMISTON IRRIGATION DISTRICT _____ TITLE _____

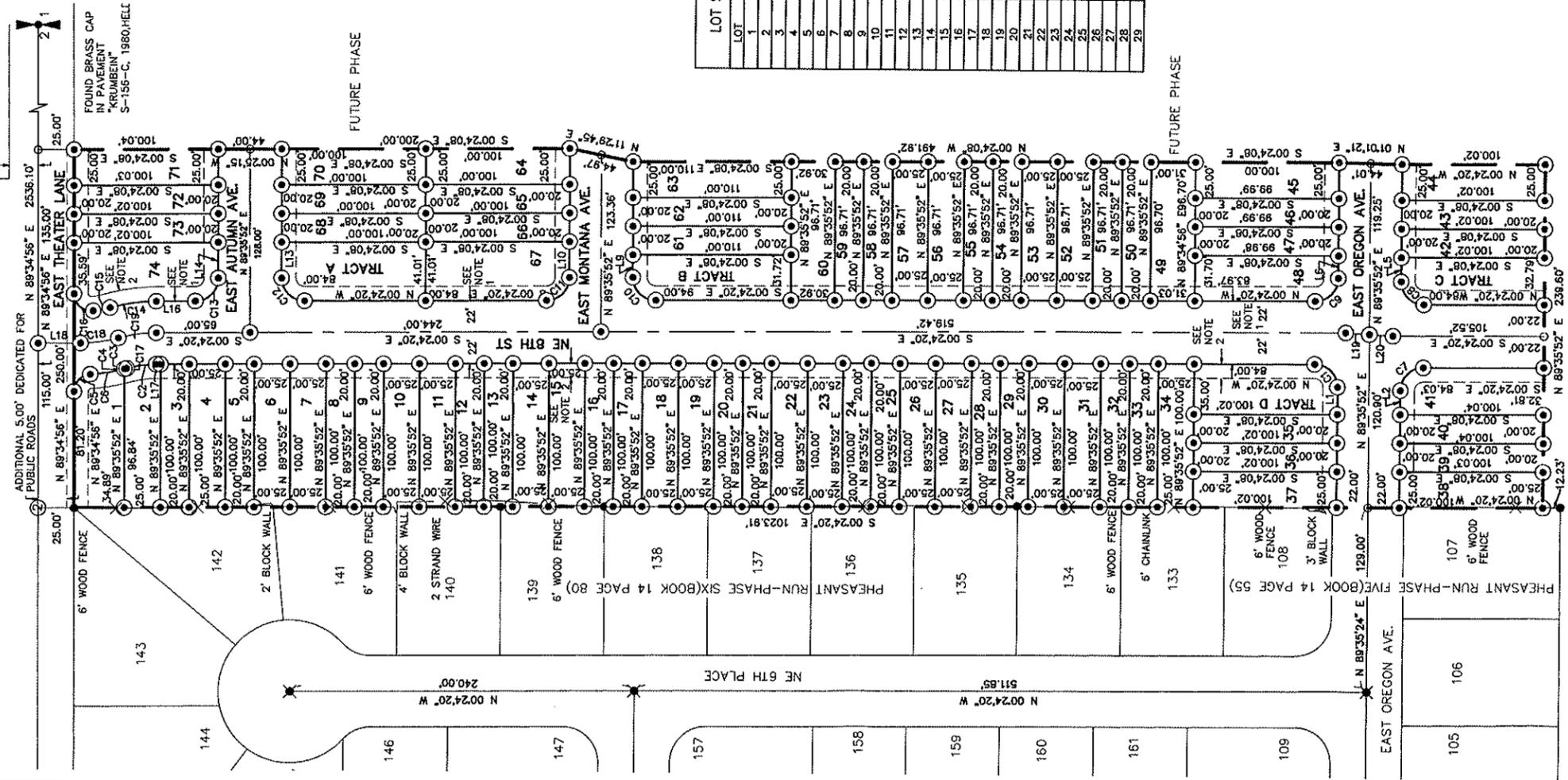
PREPARED BY: MINISTER AND GLAESER SURVEYING, INC.
 5303 BORDEN BLVD., SUITE E, PASCO, WA 99301, (509) 544-7802

CALCULATED POSITION FOR
 1/4 CORNER SECTION 2 PER
 PHEASANT RUN PHASE SIX
 BOOK 14 PAGE 80

20' RIGHT OF WAY CALCULATED
 PER SURVEY REFERENCE #1

PLAT OF CIMMARON TERRACE PHASE 1

LOCATED IN A PORTION OF THE NW
 1/4 OF THE SE 1/4
 OF SECTION 2, T 4 N, R 28 E, W.M.
 CITY OF HERMISTON
 UMATILLA COUNTY, OREGON
 MARCH 2, 2016



LINE	BEARING	DISTANCE
L1	N 89°35'52" E	19.00'
L2	N 89°35'52" E	16.80'
L3	N 89°35'52" E	16.80'
L6	N 89°35'52" E	15.69'
L9	N 89°35'52" E	15.72'
L10	N 89°35'52" E	25.00'
L13	S 89°35'52" W	25.01'
L14	S 89°35'52" W	25.00'
L16	N 00°24'20" W	27.00'
L17	N 00°24'20" W	2.92'
L18	S 02°24'31" W	29.54'
L19	S 03°24'31" W	16.54'
L20	S 03°24'31" W	16.54'

CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	16.00'	90°00'12"	25.13'	N 44°35'46" E	22.63'
C2	76.00'	15°12'01"	20.89'	N 08°00'21" W	20.63'
C3	122.00'	0°47'11"	1.67'	S 15°12'46" E	1.67'
C4	122.00'	11°13'26"	23.80'	S 08°12'27" E	23.86'
C5	12.00'	86°49'20"	18.18'	N 47°00'24" W	16.48'
C7	122.00'	11°13'26"	23.80'	S 09°12'27" E	23.86'
C8	16.00'	89°39'48"	25.13'	S 45°24'14" E	22.63'
C9	16.00'	90°00'12"	25.13'	S 44°35'46" W	22.63'
C10	16.00'	89°39'48"	25.13'	N 45°24'14" W	22.63'
C11	16.00'	90°00'12"	25.13'	N 44°35'46" E	22.63'
C12	16.00'	89°39'48"	25.13'	S 45°24'14" E	22.63'
C13	16.00'	90°00'12"	25.13'	N 44°35'46" E	22.63'
C14	122.00'	15°12'01"	32.37'	N 08°00'21" W	32.27'
C15	76.00'	8°43'33"	11.88'	S 11°14'35" E	11.87'
C16	12.00'	96°27'44"	20.20'	S 41°21'04" W	17.90'
C17	122.00'	0°47'11"	1.67'	S 15°12'46" E	1.67'
C18	100.00'	15°12'26"	26.54'	S 08°00'21" E	26.46'
C19	100.00'	15°12'14"	26.54'	N 08°00'27" W	26.46'

LOT	SQ. FT.
1	3295
2	2477
3	2000
4	2500
5	2000
6	2500
7	2000
8	2000
9	2500
10	2500
11	2000
12	2500
13	2000
14	2500
15	2500
16	2000
17	2000
18	2500
19	2500
20	2000
21	2000
22	2500
23	2500
24	2000
25	2000
26	2500
27	2500
28	2000
29	2000

LOT	SQ. FT.
30	2500
31	2500
32	2000
33	2000
34	2500
35	2000
36	2000
37	2500
38	2500
39	2000
40	2000
41	3227
42	2000
43	2000
44	2500
45	2500
46	2000
47	2000
48	3114
49	2999
50	1934
51	1934
52	2418
53	2418
54	2418
55	2418
56	2418
57	2418
58	2418
59	2418

LOT	SQ. FT.
60	2990
61	2200
62	2200
63	2760
64	2500
65	2000
66	2000
67	4046
68	2000
69	2000
70	2500
71	2500
72	2001
73	2000
74	4212
TRACT A	4046
TRACT B	3434
TRACT C	3728
TRACT D	3445

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 KEVIN L. BETHJE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON AND THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LAND REPRESENTED ON THIS PLAT, THE EXTERIOR BOUNDARIES OF WHICH ARE DESCRIBED HEREON.

KEVIN L. BETHJE PROFESSIONAL LAND SURVEYOR CERTIFICATE NUMBER 55437.
 DATED _____



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JANUARY 9, 2001
 KEVIN L. BETHJE
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Expires 12-31-2017



- SURVEY REFERENCE
- PARTITION PLAT NO. 2004-02
 - PHEASANT RUN-PHASE FOUR BOOK 14 PAGE 37
 - PHEASANT RUN-PHASE FIVE BOOK 14 PAGE 55
 - PHEASANT RUN-PHASE SIX BOOK 14 PAGE 80
 - LEWIS SURVEY BOOK 14 PAGE 01-B
 - PHEASANT RUN PHASE 1 BOOK 13 PAGE 135

- NOTES
- 44' RIGHT OF WAY DEDICATED TO THE CITY OF HERMISTON
 - 10' PUBLIC UTILITY EASEMENT
 - TRACTS A,B,C, AND D ARE FOR PARKING AND STORM WATER SWALES AND WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- INDICATES SET 5/8" X 30" IRON REBAR WITH YPC STAMPED: "BETHJE 38490"
- INDICATES FOUND 5/8" IRON ROD YPC STAMPED "LS 02817" HELD PER SR #3 AND 4
- INDICATES FOUND PK IN ASPHALT PER SURVEY REFERENCE 3 AND 4 HELD
- INDICATES CALCULATED POSITION NOTHING FOUND OR SET

MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUESCENCE, ESTOPPEL, ETC.