

RESOLUTION No. 620

A RESOLUTION INITIATING TO AMEND THE CITY OF STAYTON ZONE CODE DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PHASE III OF THE PLANNED UNIT DEVELOPMENT AT PROPERTY IDENTIFIED AS TAX LOT 1000, SE 1/4 SECTION 3, T9S, R1 W.

WHEREAS, a case involving a land use dispute regarding the preliminary plan and variance approval of a residential Planned Unit Development in the City of Stayton was filed by Quail Construction, Inc. and brought before the Marion County Circuit Court; and

WHEREAS, Motions were filed and ruled upon, and a trial on the merits commenced; and

WHEREAS, with the assistance of Marion County Circuit Court, the parties continued the trial and entered into settlement negotiations; and

WHEREAS, considerable discussion and negotiation occurred between the parties and with a judicial mediator, which resulted in an agreement between the parties as to all matters at issue in the case; and

WHEREAS, a stipulated judgement was the product of those negotiations, and was intended by the parties to contain and recite all agreements reached for the final resolution of all aspects of the dispute regarding the approval of the variance and preliminary plan of the Relator's Planned Unit Development in the City of Stayton which was the subject of the litigation; and

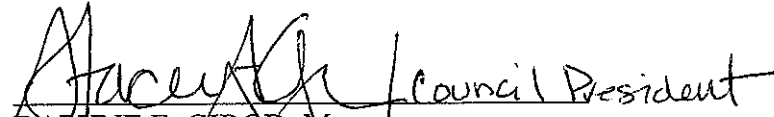
WHEREAS, the agreement of the parties for the final resolution of the case was approved and entered as a matter of record as the judgement of the Marion County Circuit Court; and

WHEREAS, the second condition of the agreement states, "Prior to approval of the Final Plat, the zone code designation on Phase III, as originally proposed, shall be amended from LD to MD to be consistent with the comprehensive plan designation for that area.";

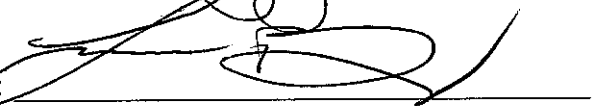
NOW THEREFORE BE IT RESOLVED that the City of Stayton hereby initiates the process to amend the zone code designation on Phases III of the originally proposed PUD design for property at Tax Lot 1000, SE 1/4 Section 3, T9S, R1 W from Low Density Residential to Medium Density Residential.

APPROVED BY THE STAYTON CITY COUNCIL this 18th day of May 1998.

Date: _____

By:  Council President
DAPHNE E. GIROD, Mayor

Date: 6-1-98

Attest: 
Thomas L. Barthel, City Administrator

APPROVED AS TO FORM:

Date: 6-1-98

By: 
Wallace W. Lien, Attorney