

ORDINANCE No. 826

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO SIGN PLAT III OF THE FINAL PHASE FOR MOUNTAIN ESTATES PLANNED UNIT DEVELOPMENT (PUD) a.k.a. SCENIC HEIGHTS PUD, THE PARCEL IS LOCATED BETWEEN SIXTH AVENUE AND TENTH AVENUE TO THE SOUTH OF KATHY STREET.

WHEREAS, the Stayton Municipal Code, Title 17., "Land Use and Development," (section 17.24.1060.5.d), requires that the Stayton City Council approve Planned Unit Developments (PUDs) by ordinance;

WHEREAS, the Stayton City Council reviewed and approved the Planned Unit Development located between Sixth and Tenth Avenues south of Kathy Street (the Freres PUD) by Order on July 18, 1994;

WHEREAS, the Stayton Municipal Code, Title 17., "Land Use and Development," (section 17.24.1060.5.f), states that the Stayton City Council shall authorize the city administrator to sign the final development plat provided there are no deviations from the approved provisions of the final plan; and

WHEREAS, the Stayton Municipal Code, Title 17., "Land Use and Development," (section 17.24.1060.5.c), allows final approval of planned unit developments in phases;

WHEREAS, the Stayton City Council, at its meeting on December 16, 1996, received an ordinance (#768) to approve the Freres PUD and to authorize the city administrator to sign the final plat and plats for subsequent phases;

WHEREAS, it was the wish of the Stayton City Council that plats for subsequent phases be brought for approval by council prior to authorizing the city administrator to sign the plats; and

WHEREAS, the Stayton City Council, at its meeting on February 20, 2001, received an ordinance to approve the Mountain Estates PUD a.k.a. Scenic Heights PUD (phase III of the development) and to authorize the city administrator to sign the final plat.


NOW, THEREFORE, the Stayton City Council hereby ordains as follows:

SECTION 1.: That the Stayton City Administrator is authorized to sign the final plat for Phase III, final phase of the development, for the Mountain Estates PUD a.k.a. Scenic Heights PUD.


Adopted by the Stayton City Council this 20th day of February 2001.

CITY OF STAYTON

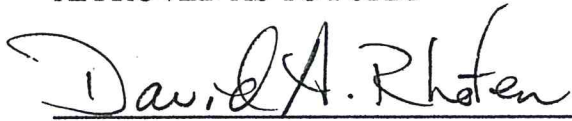
Date: 2/22/01

By: 
GERRY ABOUD, Mayor

Date: 2-23-2001

Attest: 
CHRIS CHILDS, City Administrator

APPROVED AS TO FORM


DAVID A. RHOTEN, City Attorney

VII. CONDITIONS OF APPROVAL

The Stayton City Council finds the planned unit development is in compliance with the Stayton Land Use and Development Code criteria with certain conditions. The Council therefore adopts the following Conditions of Approval.

- A. A final plat for the planned unit development, demonstrating compliance with code requirements and suitable for recording by Marion County, shall be submitted for final approval within one year of the date this Order of Approval is adopted by the Council. The plat shall comply with the platting provisions in SMC 17.24.1060.5, "Approval Procedures and Criteria for Final Planned Unit Development Plans," in the Stayton Land Use and Development Code. The final plat shall also include the following:
 - 1. The final plat shall substantially conform to the submitted subdivision site plan.
 - 2. All areas containing public facilities or utilities shall be shown and dedicated as public rights-of-way or dedicated as public utility easements on the final plat.
 - 3. Off-site utility easements shall be granted to the City of Stayton and recorded with Marion County prior to or concurrently with the filing of the final plat.

- B. Construction plans shall be submitted to and be approved by the Stayton Public Works Director and the City Engineer prior to the submittal of the final subdivision plat. Construction plans shall include, at a minimum, the following details:
 - 1. Street and surface drainage with cross section specifications and flow details for storm drainage.
 - 2. Storm sewer design and specifications in accordance with the master storm sewer plan of the City as modified by the City Engineer in September 1991.
 - 3. Water main design and specifications including provisions for adequate fire flow.
 - 4. Sewer line design and specifications.
 - 5. Geotechnical analysis by a registered professional engineer of the portion of the property containing the public street to ensure no public hazards resulting from steep slopes. The applicant shall make improvements to the public street consistent with the recommendations of the engineer.

The applicant shall be responsible for reimbursing the City for all engineering plans review and inspection costs incurred by the City.

- C. The applicant shall, in lieu of the park land dedication required by SMC 17.24.1070.6, "Park and Recreational Facilities," of the Stayton Land Use and Development Code, dedicate an open space area to the Santiam Memorial Hospital on the south side of Fir Street and north of the Santiam Memorial Hospital.
- D. Either all public facilities, including street improvements, shall be in place prior to obtaining a building permit for the development of any one lot, or the applicant shall provide a bond, letter of credit, or other financial instrument acceptable to the City of Stayton to ensure completion of the facilities and improvements. Construction of public improvements shall be in accordance with City-approved plans and specifications. Improvements shall include the following items in addition to any others which may be deemed necessary by the Director of Public Works or the City Engineer:
1. The east-west through-street shall contain a 60-foot right-of-way.
 2. The City shall install street name signs at all intersections at the applicant's expense.
 3. Sidewalks shall be installed along those portions of the local streets that do not front a developable lot. Otherwise, sidewalks will not be required on the public street prior to final subdivision approval, but shall be installed at property lines when application is made for the building permits for each individual lot.
 4. The private streets shall contain a 50-foot right-of-way with a 34-foot street improvement.
 5. AMENDED BY COUNCIL ACTION TO READ:

Systems Development Charges (SDC) to be paid at the time of building permit issuance.
- E. Geotechnical analysis of Lots 3., 4., and 6. By a registered professional engineer prior to obtaining a building permit for these lots. Development of these lots shall conform with the recommendations of the Engineer and may be used as the basis for a variance if necessary.
- F. Completion of the planned unit development, including development of the individual lots, shall comply with all applicable provisions in the Stayton Land Use and Development Code.

STAYTON CITY COUNCIL ORDER OF APPROVAL
Freres Planned Unit Development (File No. 05-07/94)