



# City of Stayton

*Department of Public Works*

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**Date:** 7/28/2025

**To:** Jennifer Siciliano, AICP — Community and Economic Development Director Through: Barry Buchanan, PE — Interim Public Works Director

Michael Schmidt — Engineering Associate

**From:** Lyle J. Misbach, PE, CFM

**Project Name:** Phillips Estates Phase III PUD, File Number 11-07/24 AKS Job No.: 12093-02-1005

**Project Site:** 1601 Oriole Street

**Subject:** [Public Works Recommendations— Tentative 22-Lot Conceptual Master Planned Development Plan](#)

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## **PROPOSAL**

A tentative Conceptual Master Planned Development Plan to divide an existing property into 22 residential lots ranging from 4,987 square feet to 7,999 square feet in size, along with 2.49 acres of open space. The subject development property (the "Subject Property") is approximately 7.11 acres in size, zoned LD (Low Density Residential), and located at 1601 Oriole Street - 97392 (Marion County Assessor's Map and Tax Lot number: 082W20DA / 00500). The tentative plan approval is being requested by Bill Martinak, as Applicant for the proposed development.

The following comments are based on our review of the proposed development as it relates to City infrastructure and in general conformance with applicable public works portions of the City of Stayton Municipal Code (SMC), City of Stayton Land Use Development Code (LUDC), City of Stayton utility Master Plans and Transportation System Plan (TSP), Public Works Design Standards (PWDS), and Public Works Construction Standards (PWCS). We recommend that City Staff include this memorandum as part of the discussion at the Pre-Application Meeting.

## **RECOMMENDED CONDITIONS OF APPROVAL**

The following conditions of approval shall be completed prior to City approval of the Final Plat:

1. Prior to submitting construction drawings for the planned Development, provide the City a statement discussing the Applicant's rationale behind the assumptions and choices made in deciding to deviate from conventional subdivision requirements and pursue a Master Planned Development.

*This condition does not make sense, given that at the time we submit construction drawings, we have land use approval for the Master Plan Development. Providing the assumptions and choices made in deciding to deviate from a conventional subdivision after land use is useless.*

2. Prior to submitting construction drawings for the proposed Development, provide the City a development schedule indicating the approximate dates when construction of the planned Development and its various phases are expected to be initiated and completed.

*We have included a rough schedule for the project noting starting construction in late spring of 2026 and expected completion and final acceptance in September of 2026.*

3. Prior to submitting construction drawings for the proposed Development, provide the City a statement of the Applicant's intentions with regard to the future selling or leasing of all portions of the planned Development.

*The project will be creating new lots that will be sold to buildings at market rate prices.*

4. Prepare the construction drawings for the proposed Development in accordance with the PWDS, SMC 17.24.050, and SMC 17.26.020.

*Conceptual plans are part of this application; final plans will be prepared in keeping with the above. They will address Condition 5 thru 7 below.*

5. The construction drawings for the proposed Development shall include a map of existing conditions showing the Applicant's entire property and the surrounding property to a distance of 300 feet.

*An Existing Conditions Plan has been provided, Sheets 102 and 103.*

6. The construction drawings for the proposed Development shall include an existing conditions map that identifies the resource areas, including wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies requiring protection.

*An Existing Conditions Plan has been provided, Sheets 102 and 103.*

7. The construction drawings for the proposed Development shall include an existing conditions map that identifies the location, size, and species of isolated trees and other vegetation having a diameter of 6 inches or greater at 4 feet above grade. The map shall also show the general location of groves of trees larger (in total) than 3,000 square feet and indicate the location of any specimen trees to be preserved in the development process in accordance with SMC Section 17.20.150.

**An Existing Conditions Plan has been provided, Sheets 102 and 103.**

8. The Final Plat and construction drawings for the proposed Development shall include a detailed layout and design of the open space area and the proposed ownership of the area.

**That will be provided. The current plan is to deed the open space to the City of Stayton**

9. Convey the open space, whether on or in conjunction with the Final Plat, in accordance with either SMC 17.24.100.2.d.4) a) or b).

**The current plan is to deed the open space to the City of Stayton**

10. If the open space is decided to be privately owned, the Applicant shall create an association of owners and provide evidence of the creation to the City prior to submittal of the Final Plat.

**The CC&R's are currently being created and will be recorded with the Plat.**

11. The proposed open space shall be designed in the construction drawings and configured on the Final Plat to preserve the existing delineated and mapped wetland areas.

**That will be provided with the Construction plans, Sheets 407 and 408.**

12. Include the design of the required pedestrian trails on the construction drawings and provide the required right-of-way or easements on the Final Plat in accordance with SMC 17.24.100.2.d.7.

**We have not proposed any pedestrian trails on this project. This condition should be eliminated.**

13. The required open space amenities shall be designed in accordance with SMC 17.24.100.2.d.8 and included on the construction drawings.

**This will be part of the final construction drawings, Sheets 407 and 408.**

14. The proposed streets shall be constructed in accordance with current PWDS. No variance to the street standards is requested or granted with this Master Planned Development.

**This will be part of the final construction drawings, Sheets 401, 402, and 403.**

15. Dedicate a 10-foot-wide public utility easement (PUE) along the development frontage(s) of Junco Street and all internal streets and street extensions.

**A draft final plat has been included the application showing the PUE as well as any other easements noted in 16 below. See attached Final PUD Plan.**

16. All necessary (existing and proposed) access and utility easements shall be shown and recorded on the Final Plat.

**The existing and proposed easement ill be shown and recorded on the Plat.**

17. Construct a minimum 8-inch City water main from the existing City water system in the right-of-way along the extension of Junco Street, terminating at the west line of the Subject Property.

**There is an existing 10" water main in Junco St that we are to connect to. Is it 8 inch from there to the west? The construction plans will address this as well as items noted in 18 & 19 below.**

18. Construct a minimum 8-inch City water main along the proposed internal street(s), connecting the existing City systems in Junco Street and Oriole Street.

**See Sheet 501.**

19. Protect the existing 8-inch City water main connection the water system in Oriole Street to the water system in Pheasant Avenue. This main shall be encompassed by the right-of-way dedicated on the Final Plat.

**See Sheet 501.**

20. Provide engineered calculations per City Standards to prove the adequacy of the new water system to provide domestic service and fire flows to each lot within the subdivision.

**Calculations will be provided**

21. Construct a minimum 8-inch City sanitary sewer main from the existing City sanitary sewer system in Oriole Street along the extension of the street, terminating at the end of the street extension. The Applicant's engineer shall verify that this main is able to serve proposed Lots 9 and 10 of the planned Development.

**This will be part of the final construction drawings.**

22. Design and construct engineered stormwater facilities, pursuant to the PWDS and SMC 17.24.040, to accommodate all new and replaced impervious surfaces in the proposed and existing rights-of-way as well as the future impervious surfaces on all proposed lots, including the proposed "WATER QUALITY AND OPEN SPACE" parcel.

**The storm water system for the project has been designed as part of the Phillips Off-site storm system. That design included the proposed lots in Phase 3 when the analysis was prepared. A MEMO has been included that addresses this item.**

23. Construct a minimum 18-foot-wide half-street improvement within a 30-foot-wide half-width right- of-way along the entire north line of the Subject Property **(to the west side of proposed lot No. 1)** as extension of Junco Street to the Neighborhood Collector street standard as specified in the PWDS and consistent with the provisions of SMC 17.24.050.1 and the Marion County Fire Code Applications Guide.

**This will be part of the final construction drawings.**

24. Construct full-width improvements of Oriole Street and Pheasant Avenue and the resulting intersection to the Local street standard as specified in the PWDS and consistent with the provisions of SMC 17.24.050.1 and the Marion County Fire Code Applications Guide.

**This will be part of the final construction drawings.**

25. Coordinate with the Oregon Department of State Lands (DSL) to verify what permits are required for construction of the proposed subdivision infrastructure, including but not limited to the construction and enhancement of the proposed City storm drainage facility across the proposed "WATER QUALITY AND OPEN SPACE" parcel. Evidence of permit issuance or waiver shall be provided to the City prior to the start of construction of any improvements on the Subject Property.

**A wetlands permit was issued for the subdivision; mitigation credits were acquired to offset the impacts of all of the wetlands that were identified on the subject property with phase 1 of the development site.**

26. Design and construct all proposed ground disturbance and improvements in or near existing wetland areas in accordance with the requirements of the PWDS and SMC 17.20.180.

**All wetlands on the site were mitigated with a prior permit, no impacts proposed.**

## FACTS

### **General**

1. Per the City's Local Wetland Inventory (LWI) and the Oregon Rapid Wetland Assessment Protocol (ORWAP), a mapped wetland bisects the Subject Property from the northwest to the southeast. This LWI-mapped wetland area was significantly expanded per a wetland delineation/determination in 2016, with which the Oregon Department of State Lands (DSL) concurred on August 3, 2016 under WD #2016-0230, to encompass approximately 1.86 acres of the Subject Property.  
**This expired delineation did not take into account the prior permit issued and mitigations payment made.**
2. Per Flood Insurance Rate Map (FIRM) Number 41047C0708G, the Subject Property is located outside of any mapped Special Flood Hazard Areas (SFHA). **Noted**
3. Per the Statewide Landslide Information Database for Oregon (SLIDO), the Subject Property is located outside of any mapped Landslide Susceptibility Areas. **Noted**

The following is informational data, not comments are needed.

#### **Streets**

1. Oriole Street
  - a. Standard - This street is designated as a Local street in the TSP. The standard for this street classification is a 34-foot-wide street improvement, including curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way.
  - b. Existing Condition — This street is constructed as a 34-foot-wide improvement, less sidewalks, within a 60-foot-wide right-of-way, terminating at the east line of the Subject Property.
2. Quail Run Avenue
  - a. Standard - This street is designated as a Local street in the TSP. The standard for this street classification is a 34-foot-wide street improvement, including curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way.
  - b. Existing Condition — This street is constructed as a 40-foot-wide full-street improvement within a 60-foot-wide right-of-way, terminating at the south line of the Subject Property.
3. Junco Street
  - a. Standard - This street is designated as a Neighborhood Collector street in the TSP. The standard for this street classification is a 36-foot-wide street improvement, including curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way.
  - b. Existing Condition — This street is constructed as an 18-foot-wide half-street improvement, including curbs and sidewalks on the south side of the street, within a 30-foot-wide right-of-way, terminating at the east line of the Subject Property.

#### **Water**

1. An 8-inch ductile iron City water main is located along the south side of Oriole Street east of the Subject Property, which also extends west through the Subject Property and interties with an existing 8-inch ductile iron City water main along the west side of Quail Run Avenue south of the Subject Property.
2. A 10-inch ductile iron City water main is located near the middle of the Junco Street improvements east of the Subject Property, terminating approximately 45 feet east of the east property line

#### **Sanitary Sewer**

1. An 8-inch PVC City sanitary sewer main is located in Oriole Street east of the Subject Property, terminating at a manhole approximately 175 feet east of the east property line.
2. An 8-inch PVC City sanitary sewer main is located in Quail Run Avenue south of the Subject Property, terminating at a manhole approximately 66 feet south of the south property line.
3. An 8-inch PVC City sanitary sewer main is located running north to south in Pheasant Avenue east of the Subject Property, terminating at a manhole approximately 130 feet east and then approximately 90 feet south of the east property line.

**Storm Drainage**

1. Per the City's GIS system, a "dry pond" City stormwater facility is located in the northwest 12 acres of the Subject Property.
2. A 12-inch HDPE City storm main is located along the north side of Oriole Street east of and flowing toward the Subject Property, terminating at a City open channel that flows west and into the existing City stormwater facility.
3. A 24-inch HDPE City storm main is located along the east side of Quail Run Avenue south of and flowing toward the Subject Property, terminating just south of the existing City "dry pond" stormwater facility in the northwest portion of the Subject Property.
4. Per the Stormwater Master Plan, stormwater runoff from this property and nearby storm drainage system drains to Salem Ditch.
5. Also per the Stormwater Master Plan, the portion of Quail Run Avenue south of the Subject Property experiences flooding during a 25-year storm event, and the plan improvement to construct a 30-inch and then parallel 36-inch and 42-inch storm drains and subsequent detention swale to redirect drainage from the existing "dry pond" stormwater facility area toward Mill Creek, approximately 2,400 feet north of the Subject Property.

## CRITERIA AND FINDINGS

### **SMC SECTION 17.24.090.3 — APPLICATION AND Information requirements for Conceptual APPROVAL OF A MASTER PLANNED Development.**

b. A statement of planning objectives to be achieved by the planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development such as the number of types of residential units, the range of lot sizes, and the size and scale of any non-residential uses. The statement shall also include a discussion of the rational behind the assumptions and choices made by the applicant.

**Finding** —The Applicant has not provided a statement discussing the rationale behind the assumptions and choices made by the Applicant.

**Condition:** Prior to submitting construction drawings for the planned Development, provide the City a statement discussing the **Applicant's** rationale behind the assumptions and choices made in deciding to deviate from conventional subdivision requirements and pursue a Master Planned Development.

**We have conceptual Master Plan Approval, so this has been addressed**

c. A development schedule indicating the approximate dates when construction of the planned development and its various phases are expected to be initiated and completed.

**Finding** —The Applicant has not provided a statement per the above application requirement.

Condition: Prior to submitting construction drawings for the proposed Development, provide the City a development schedule indicating the approximate dates when construction of the planned Development and its various phases are expected to be initiated and completed.

d. A statement of the applicants intentions with regard to the future selling or leasing of all or portions of the planned development.

**Finding** —The Applicant has not provided a statement per the above application requirement.

Condition: Prior to submitting construction drawings for the proposed Development, provide the City a statement of the Applicant's intentions with regard to the future selling or leasing of all portions of the planned Development.

**The intent is to create and sell finished Lots**

e. Existing Conditions map. At a minimum, the existing conditions map shall show the applicant's entire property and the surrounding property to a distance of 300 feet to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development.

**Finding** -The Applicant has not provided an existing conditions map meeting the above requirements. Condition: The construction drawings for the proposed Development shall include an existing conditions map showing the Applicant's entire property and the surrounding property to a distance of 300 feet.

**The included plans have required information on them.**

e (cont'd). The property boundaries, dimensions and gross area shall be identified by:

3) Resource areas, including wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies requiring protection.

Finding -The Applicant has not provided an existing conditions map meeting the above requirements. Condition: The construction drawings for the proposed Development shall include an existing conditions map that identifies the resource areas, including wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies requiring protection.

**This information is included in the attached drawings and will be part of the construction documents.**

6) The location, size and species of isolated trees and other vegetation having a diameter of 6 inches or greater at 4 feet above grade. The map shall also show the general location of groves of trees larger than 3,000 square feet and indicate the **location of any** specimen trees to be preserved in the development process in accordance with Section 17.20.150.

Finding —The Applicant has not provided an existing conditions map meeting the above requirements.

Condition: The construction drawings for the proposed Development shall include an existing conditions map that identifies the location, size, and species of isolated trees and other vegetation having a diameter of 6 inches or greater at 4 feet above grade. The map shall also show the general location of groves of trees larger (in total) than 3,000 square feet and indicate the location of any specimen trees to be preserved in the development process in accordance with SMC Section 17.20.150.

**This information is included in the attached drawings and will be part of the construction documents.**

#### SMC SECTION 17.24.100 — MASTER PLANNED DEVELOPMENT DESIGN STANDARDS

Master Planned Developments shall be subject to the following design criteria and objectives.

**2. DESIGN STANDARDS.** In addition to the applicable design standards of Sections 17.20.190, 17.20.200, 17.20.220, and 17.20.230, the following design standards shall be met by Master Planned **Developments**.

d. Open Space: Master Planned Developments shall contain a minimum of 25% open space, except in the downtown zones, where the open space requirement shall be 10%. Open space includes all areas not in a street right-of-way that are publicly dedicated or under common ownership.

3) The open space area shall be shown on the detailed plan and recorded with the final plat.

**Condition:** The Final Plat and construction drawings for the proposed Development shall include a detailed layout and design of the open space area and the proposed ownership of the area.

**This information is included in the attached drawings and will be part of the construction documents.**

4) The open space shall be conveyed in accordance with one of the following methods:

- a) At the sole discretion of the City Council, open space may be dedicated to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City Planner and Public Works Director with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities.
- b) By conveying title to a nonprofit corporation, lot-owners association or other legal entity, with a conservation easement deeded to the City. The terms of such lease or other instrument of conveyance must include provisions for maintenance suitable to the decision authority, with advice from the City Planner, Public Works Director, and City Attorney.

**Condition:** Convey the open space, whether on or in conjunction with the Final Plat, in accordance with either SMC 17.24.100.2.d.4) a) or b).

**This will be achieved with the final plat.**

5) Whenever any privately owned open space areas ... are provided, an association of owners shall be created under state law. Owners within the development shall automatically be members and shall be assessed levies for maintenance of the facilities.

**Condition:** If the open space is decided to be privately owned, the Applicant shall create an association of owners and provide evidence of the creation to the City prior to submittal of the Final Plat.

**The intent is to deed to the City of Stayton.**

6) Areas identified as open space shall preserve important natural features such as wetlands, hillsides or historical features and integrate them into the development design. If the development abuts wetlands, the wetlands and an area around their perimeter shall be included in the open space.

**Condition:** The proposed open space shall be designed in the construction drawings and configured on the Final Plat to preserve the existing delineated and mapped wetland areas.

**This information is included in the attached drawings and will be part of the construction documents.**

7) Pedestrian trails shall provide connectivity within the development and to the adjacent area and meet the requirements of the adopted Trails Master Plan.

- a) Any pedestrian paths shall be public.
- b) Paths with hard surface shall be a minimum of 10 feet in width centered within a 20-foot wide right of way or easement.
- c) Paths with soft surface shall be a **minimum** of 6 feet in width generally centered within a 16- foot wide right of way or easement.
- d) Paths shall have a **minimum** average **illumination** level of 1.0 foot candles.
  - i. If the path is a sidewalk or adjacent to an open space with lighting such as a park or playground, this standard may be met if the **surrounding lighting can** meet the standard.
  - ii. If there is no surrounding lighting, the path shall be provided with continuous pedestrian scale **lighting** that meets this standard.

**Condition:** Include the design of the required pedestrian trails on the construction drawings and provide the required right-of-way or easements on the Final Plat in accordance with SMC 17.24.100.2.d.7.

**No Trail Master Plan items are included in this development.**

8) A minimum of 10% of the open space shall include amenities such as but not limited to: plazas, playgrounds, picnic areas, park shelters, indoor or outdoor recreation facilities, and community buildings.

Condition: The required open space amenities shall be designed in accordance with SMC 17.24.100.2.d.8 and included on the construction drawings.

**This information is included in the attached drawings and will be part of the construction documents.**

e. Streets.

3) Approval of street designs shall be required from the Public Works Director after consultation with the Fire Chief.

Condition: The proposed streets shall be constructed in accordance with current PWDS. No variance to the street standards is requested or granted with this Master Planned Development.

**This information is included in the attached drawings and will be part of the construction documents.**

**The following sections to not apply in our opinion and has been addressed in the prior items.**

**SMC SECTION 17.24.040 — APPLICATION AND APPROVAL REQUIREMENTS FOR CONVENTIONAL SUBDIVISIONS ...**

**6. PRELIMINARY PLAN APPROVAL CRITERIA.** In determining whether to approve a subdivision ... preliminary plan, the decision authority shall determine that the applicant has demonstrated the following criteria and standards have been or will be met:

**b. Adequate urban services are available to the property.**

Condition: Dedicate a 10-foot-wide public utility easement (PUE) along the development frontage(s) of Junco Street and all internal streets and street extensions.

Condition: All necessary (existing and proposed) access and utility easements shall be shown and recorded on the Final Plat.

Condition: Construct a minimum 8-inch City water main from the existing City water system in the right-of-way along the extension of Junco Street, terminating at the west line of the Subject Property.

Condition: Construct a minimum 8-inch City water main along the proposed internal street(s), connecting the existing City systems in Junco Street and Oriole Street.

Condition: Protect the existing 8-inch City water main connection the water system in Oriole Street to the water system in Pheasant Avenue. This main shall be encompassed by the right-of-way dedicated on the Final Plat.

Condition: Provide engineered calculations per City Standards to prove the adequacy of the new water system to provide domestic service and fire flows to each lot within the subdivision.

Condition: Construct a minimum 8-inch City sanitary sewer main from the existing City sanitary sewer system in Oriole Street along the extension of the street, terminating at the end of the street extension. The Applicant's engineer shall verify that this main is able to serve proposed Lots 9 and 10 of the planned Development.

Condition: Design and construct engineered stormwater facilities, pursuant to the PWDS and SMC 17.24.040, to accommodate all new and replaced impervious surfaces in the proposed and existing rights-of-way as well as the future impervious surfaces on all proposed lots, including the proposed "WATER QUALITY AND OPEN SPACE" parcel.

**d. All streets shall be in a location and have a right of way and traveled way width in accordance with the City's Transportation System Plan. Street spacing and location and block dimensions shall meet the standards of Section 17.26.020.5.c.**

Condition: Construct a minimum 18-foot-wide half-street improvement within a 30-foot-wide half-width right-of-way along the entire north line of the Subject Property as extension of Junco Street to the Neighborhood Collector street standard as specified in the PWDS and consistent with the provisions of SMC 17.24.050.1 and the Marion County Fire Code Applications Guide.

Condition: Construct full-width improvements of Oriole Street and Pheasant Avenue and the resulting intersection to the Local street standard as specified in the PWDS and consistent with the provisions of SMC 17.24.050.1 and the Marion County Fire Code Applications Guide.

e. The design standards of Section 17.24.050 below are satisfied as well as the access management standards in Section 17.26.020.

Condition: Prepare the construction drawings for the proposed Development in accordance with the PWDS, SMC 17.24.050, and SMC 17.26.020.

**g. The subdivision ... preliminary plan provides adequate access and utilities to allow future development of the remainder of the parcel and adjacent parcels.**

Condition: Dedicate a 10-foot-wide public utility easement (PUE) along the development frontage(s) of Junco Street and all internal streets.

Condition: Construct a minimum 18-foot-wide half-street improvement within a 30-foot-wide half-width right-of-way along the entire north line of the Subject Property as extension of Junco Street to the Neighborhood Collector street standard as specified in the PWDS and consistent with the provisions of SMC 17.24.050.1 and the Marion County Fire Code Applications Guide.

Condition: Construct a minimum 8-inch City water main from the existing City water system in the right-of-way along the extension of Junco Street, terminating at the west line of the Subject Property.

Condition: Design and construct engineered stormwater facilities, pursuant to the PWDS and SMC 17.24.040, to accommodate all new and replaced impervious surfaces in the proposed and existing rights-of-way as well as the future impervious surfaces on all proposed lots, including the proposed "WATER QUALITY AND OPEN SPACE" parcel.

**j. All applicable standards of 17.20.180 shall be met and the applicant shall obtain any necessary permits from the Department of State Lands for appropriate mitigation.**

Condition: Coordinate with the Oregon Department of State Lands (DSL) to verify what permits are required for construction of the proposed subdivision infrastructure, including but not limited to the construction and enhancement of the proposed City storm drainage facility across the proposed "WATER QUALITY AND OPEN SPACE" parcel. Evidence of permit issuance or waiver shall be provided to the City prior to the start of construction of any improvements on the Subject Property.

Condition: Design and construct all proposed ground disturbance and improvements in or near existing wetland areas in accordance with the requirements of the PWDS and SMC 17.20.180.

