

STAYTON PLANNING COMMISSION AGENDA

7:00 pm

Monday, August 26, 2024

HYBRID MEETING

The Stayton Planning Commission will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be "attended" virtually. If you would like to virtually participate in the meeting, please contact the Planning and Development Department at wcuudd@staytonoregon.gov to receive an invitation to the online meeting.

1. **CALL TO ORDER** **Chair McKinley**
2. **MEETING MINUTES – Approval of July 29, 2024, Minutes**
3. **LAND USE FILE #3-01/24 –PUBLIC HEARING (Continuation) – Application for Preliminary Partition Plan to divide 313 N Evergreen Ave into 3 parcels, Ross Bochsler, Kardboard Box LLC, PO Box 516, Stayton OR 97383**
 - a. **Staff Introduction and Report**
 - b. **Applicant Presentation**
 - c. **Questions from the Commission**
 - d. **Questions and Testimony from the Public**
 - e. **Applicant Summary (Planning Commission continued the Public Hearing)**
 - f. **Staff Summary**
 - g. **Close of Hearing**
 - h. **Commission Deliberation**
 - i. **Commission Decision**
4. **LAND USE FILE #9-12/23 – PUBLIC HEARING – Legislative Amendments to permit use “General Merchandise Stores” in the Interchange Development ID Zone**
 - a. **Staff Introduction and Report**
 - b. **Applicant Presentation**
 - c. **Questions from the Commission**
 - d. **Questions and Testimony from the Public**
 - e. **Applicant Summary**
 - f. **Staff Summary**
 - g. **Close of Hearing**
 - h. **Commission Deliberation**
 - i. **Commission Decision**
5. **LAND USE FILE #10-06/24 – PUBLIC HEARING - Application for a Site Plan Review to develop a vacant lot at 101 Whitney Street in an Interchange Development (ID) zone into a 10,640 sq. ft. commercial building for a proposed Dollar General, including parking, access, and landscaping.**
 - a. **Staff Introduction and Report**
 - b. **Applicant Presentation**
 - c. **Questions from the Commission**
 - d. **Questions and Testimony from the Public**
 - e. **Applicant Summary (Planning Commission continued the Public Hearing)**
 - f. **Staff Summary**
 - g. **Close of Hearing**

- h. Commission Deliberation**
- i. Commission Decision**

- 6. OTHER BUSINESS**
- 7. ADJOURN**

DATE OF NEXT MEETING: Monday, September 30, 2024

STAYTON PLANNING COMMISSION MEETING MINUTES

Monday, July 29, 2024

COMMISSIONERS: Larry McKinley -Chair
Dixie Ellard
Peter Bellas
Richard Lewis
Amy Watts
Lucas Joyce

STAFF MEMBER: Jennifer Siciliano, Community & Economic Development Director

OTHERS PRESENT: Steve Sims, Council President, 2110 E Santiam St, Stayton OR 97383
Juli Bochsler, 1660 Mt Jefferson Dr, Stayton OR 97383
Ross Bochsler, 41203 Kingston Lyons Dr, Stayton OR 97383
Levi Warriner, 41203 Kingston Lyons Dr, Stayton OR 97383
Jack Yarbrough, 201 Whitney St, Stayton OR 97383

- 1. CALL TO ORDER:** Chair **McKinley** called the meeting to order at 7:01 pm
- 2. APPROVAL OF MINUTES:** Richard Lewis moved, and Peter Bellas seconded to approve the minutes from March 25, 2024, and May 28, 2024, as presented. Passed 4:0.
- 3. DISCUSSION OF CODE ADMENDMENT** – The issue before the Planning Commission is to consider adding a permitted use, with Site Plan Review, of “#17 General Merchandise Stores” to the Interchange Development (ID) Zone. This would be reflected by amending Table 17.16.070.1 Permitted Land Use in the Stayton Land Use and Development Code. The ID zone covers four (4) parcels in the city and has a limited number of permitted uses. A Land Use Code Amendment must either be initiated by the Planning Commission or the City Council per 17.12.175.3. Additionally, a study on the impact on transportation facilities is required to be conducted per 17.12.175.6, and this has been completed by the city’s traffic engineer, Kittelson & Associates, Inc. They conclude that the proposed change would not represent a significant effect on the transportation system as defined by TPR.

Dollar General has since submitted a Site Plan Review with a Public Hearing scheduled for August 29, 2024. Before a Site Plan Review with the use of a “General Merchandise Stores” can be approved, the use needs to be permitted with a Site Plan Review in the ID zone. The Planning Commission can vote at its July 2024 meeting to hold a Public Hearing for a Text Amendment at its August 2024 meeting before the hearing of Dollar General’s Site Plan Review.

ANALYSIS

For the Dollar General Site Plan Review to be considered, a Public Hearing for a Text Amendment to add the use “# 17 General Merchandise Stores” needs to be permitted with Site Plan Review in the Interchange Development (ID) zone to be reflected in the Table 17.16.070.1 Permitted Land Use in the Stayton Land Use and Development Code. The Planning Commission should vote to hold a Public Hearing on a Text Amendment. This Text Amendment would only be a recommendation for the City Council. The City Council provides the approval or denial of the Text Amendment.

Chair Mckinley explained the definition of the Interchange Development Zone. Explaining the use of the zone and “General Merchandise is not allowed in that zone.

Jack Yarbrough asked to talk, panel allowed it. Microphone was off and nothing was recorded.

Richard Lewis made a motion and Dixie Ellard second to allow a Public Hearing on the matter. Motion approved 5:0.

- 4. DISCUSSION OF CODE ADMENDMENT**—The issue before the Planning Commission is to consider holding a Public Hearing to recommend a detailed procedure for Amending Land Use Code. Stayton Land Use and Development Code 17.12.175 is only a framework as stated within the Code.

ANALYSIS

The Planning Commission should hold a Public Hearing to recommend a detailed procedure for Amending Land Use Code. The City Planner will review Oregon State Law ORS, as well as other Ordinances in similar municipalities to expand on the framework in 17.12.175 to provide a detailed process for Text Amendments that ensures alignment with Stayton’s Comprehensive Plan's text, goals, policies, and actions.

Hearing to be set for September Planning Commission meeting.

Motion to hold hearing to discuss Code Amendment. Amy Watts motioned and Richard Lewis Second. Motion approved 5:0.

- 5. LAND USE FILE #3-01/24 -PUBLIC HEARING -Application for Preliminary Partition Plan to divide 313 N Evergreen Ave into 3 parcels, Ross Bochsler, Kardboard Box LLC, PO Box 516, Stayton OR**

- a. **Commencement of Public Hearing-** Chair McKinley read the opening statement and opened the hearing at 7:02 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.
- b. **Staff Introduction/Report-** The issue before the Planning Commission is a public hearing on an application for a Preliminary Partition Plan to divide 313 N Evergreen Avenue into 3 parcels creating Lot 1 – 11,230 square feet with frontage on both Evergreen Avenue and Ida Street, Lot 2 – 11,146 square feet with frontage on W Ida Street and is vacant, and Lot 3 – 31,629 square feet with frontage on High Street. Sidewalk requirements were discussed and outlined.
- c. **Applicant Presentation-** Ross Bochsler, applicant, spoke about the future of the lots. Making 3 separate lots from the 1.24-acre lot. Applicant had some questions and concerns regarding approval. Requested some revisions to the Staff Report.
- d. **Questions from the Commission-** None
- e. **Questions and Testimony from the Public-** None
- f. **Applicant Summary-** Applicant requested the hearing be continued to revise the Staff Report to reflect requested changes.
- g. **Staff Summary-**Jennifer Siciliano spoke about the revisions to be made to Staff Report, also recommended to continue the hearing until next month.
- h. **Close of Hearing-** Chair McKinley did not close but continued the hearing at 7:45 pm.
- i. **Commission Deliberation-**
- j. **Commission Decision-** Watts moved and Bellas second that the Stayton Planning Commission continue the public hearing on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) until August 26, 2024. Approved 5:0.

6. OTHER BUSINESS –None

7. ADJOURN –Chair adjourned the meeting at 7:48 pm.

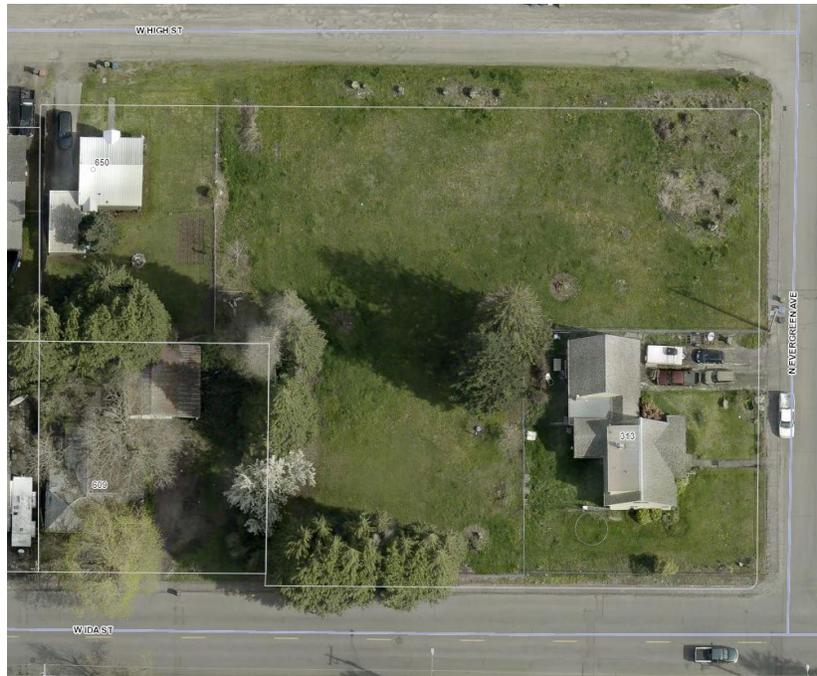
City of Stayton

MEMORANDUM - Revised -

TO: Chairperson Larry McKinley and Planning Commission Members
FROM: Jennifer Siciliano, Director of Community and Economic Development
DATE: August 21, 2024
SUBJECT: Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue
120 DAYS ENDS: November 1, 2024.

ISSUE

The issue before the Planning Commission is a public hearing on an application for a Preliminary Partition Plan to divide 313 N Evergreen Avenue into 3 parcels creating Lot 1 - 11,230 square feet with frontage on both W Evergreen Avenue and Ida Street, Lot 2, 11,146 square feet with frontage on W Ida Street and is vacant, and Lot 3, 31,629 square feet with frontage on W High Street.



BACKGROUND

313 N Evergreen is a parcel that is approximately 1.24 acres and fronts W Ida Street, N Evergreen Avenue, and W High Street. Two single-family homes are currently on the property and the proposed preliminary partition plans to provide a separate lot for each of these homes. The three parcel will be vacant and be able to be developed with a residential use.

W High Street is an unimproved local road without sidewalks. N Evergreen Avenue has a substandard sidewalk that will need to be replaced. W Ida Street has substandard sidewalks that also will need replacing and are not up to the current standards to be consistent with Stayton's Transportation System Plan. The Transportation System Plan has pedestrian and bike projects scheduled along the frontage of W Ida Street: pedestrian project P13, and bike project B9.

City of Stayton

The city has provided three water and sewer connections for future development of Lot 2 as part of Phase II upgrades to Ida Street.

The applicant will need to work with Marion County's Surveyor's Office when recording their final approved plan.

ANALYSIS

This report and the draft order presents the Planning Staffs summary and analysis concerning this application. It was developed with the input of other City departments and agencies.

Attached is an application for preliminary partition plan from Kardboard Box, LLC and Ross Bochsler. The application consists of a stamped plan, a narrative, and an application form. The complete application submission has been posted on the City's website.

As future developments progress on these partitioned parcels, depending on what is proposed in future developments, additional will be asked of the developer.

The attached draft order provides findings and analysis of each approval criteria for Preliminary Partition Plan.

RECOMMENDATION

The staff recommends option one to approve the draft order as presented.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the fourth option until additional information is provided by city staff.

1. Approve the application, adopting the draft order as presented.

I move the Stayton Planning Commission approve the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) and adopt the draft order presented by Staff.

2. Approve the application, adopting modifications to the draft order.

I move the Stayton Planning Commission approve the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) and adopt the draft order with the following changes...

3. Deny the application, directing staff to modify the draft order.

I move the Stayton Planning Commission deny the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the September 30, 2024, meeting.

4. Continue the hearing until September 30, 2024.

I move the Stayton Planning Commission continue the public hearing on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) until September 30, 2024.

5. Close the hearing but keep the record open for submission of written testimony.

City of Stayton

I move the Stayton Planning Commission close the hearing on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) but maintain the record open to submissions by the applicant until September 2, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on September 30, 2024.

6. Close the hearing and record, and continue the deliberation to the next meeting.

I move the Stayton Planning Commission continue the deliberation on the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #3-01/24) until September 30, 2024.

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Preliminary Partition Plan
The application of) File # 3-1/24
Ross Bochsler, Kardboard Box, LLC, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The application is to divide an existing parcel with two dwellings into three (3) parcels creating one vacate lot and two (2) parcels with a single-family home each.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner and applicant are Kardboard Box, LLC and Ross Bochsler.
2. The properties can be described on Marion County Assessors Map as 313 W Evergreen Avenue (tax lot 091W10CC03000).
3. The property has approximately the following frontage: 205 feet along W Ida Street, 200 feet along W Evergreen Ave, and 294 feet along W High Street. The property is approximately 1.25 acres.
4. The property is zoned Medium Density (CG) Residential.
5. The neighboring properties to the north across W High Street are a mix of Low Density (LD) Residential and Light Industrial (IL) zoned parcels. To the east across W Evergreen Avenue, the properties are zoned LD. To the south across W Ida Street, the parcels are zoned LD. The properties to the west across are zoned LD.

B. EXISTING CONDITIONS

The subject property is currently developed with two single family homes: one single-family home fronts W High Street and has the number 650 W High Street and the other home has the address 313 W Evergreen Avenue.

C. PROPOSAL

The proposal is to divide the parcel into three. Lot 1 will be 11,230 square feet with frontage on both W Evergreen Avenue and Ida Street with an existing single-family house with required setbacks. Lot 2 will be 11,146 square feet with frontage on W Ida Street and be vacant. Lot 3 will be 31,629 square feet with frontage on W High Street with an existing single-family house with required setbacks.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Marion County Public Works and Building Inspection, WAVE Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Santiam Water Control District, Stayton Fire District, Stayton Police Department, Salem Development Services, and Santiam Hospital.

A response from Marion County Building Inspection indicating they are not impacted. SCTC said they have no issues with this development. Stayton Fire Department stated that they had no comments.

Responses were received from Stayton's Public Works, City of Stayton's Transportation and Engineering Consultants, Marion County Surveyor Office, Pacific Power, Northwest Natural Gas, whose comments are reflected in the findings below.

E. PUBLIC COMMENTS

The Community and Economic Development Department received no public comments on this application prior to the hearing.

F. APPROVAL CRITERIA

Partitioning applications are required to satisfy approval criteria contained within the Stayton Municipal Code (SMC) 17.24.040.6 Preliminary Plan Approval Criteria and 17.24.050 Design Standards for Subdivisions and Partitions.

Pursuant to SMC 17.24.040.6 the following criteria must be demonstrated as being satisfied by the application:

- a. *(Repealed).*
- b. *Adequate urban services are available to the property.*

Finding: Water, sewer and other urban services are available to these 3 lots created by the partition and are adequate for future development. There is an 8-inch water line on W High Street, and W Evergreen Avenue, and a 16-inch water line in W Ida Street. There is an 8-inch sewer line on W High Street, a 10-inch sewer line W Evergreen Avenue, and a 15-inch sewer line in W Ida Street. Three water and sewer laterals lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

- c. *The proposed parcels or lots meet the minimum dimensional requirements of Section 17.16.070.2.*

Finding: The proposed partition creates three (3) lots that meet the minimum dimensional requirements of SMC 17.16.070.2. The three (3) lots are at least 7,000 square feet and have a lot width of at least 70 feet and an average width of 70 feet. The proposal creates three lots with approximately Lot 1 – 11,230 square feet and frontage of 202 feet, Lot 2 – 11,146 square feet and frontage of 105 feet, and Lot 3 – 31,834 square feet and frontage of 294 feet.

- 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.*

Finding: The proposed partition fronts W Ida Street, N Evergreen Avenue, and W High Street. W Ida Street is a collector street and N Evergreen Avenue, and W High Street are local roads. To have a required right-of-way of 60 feet for each road, there needs to be an additional 5 feet (plus additional 1 foot past the sidewalk if needed), 10 feet, and 5 feet (plus additional 1 foot past the sidewalk if needed), respectively.

Condition: Right-of-way areas along frontages are increased to Public Works Design Standards or the applicant agrees to sign and record a restrictive covenant agreeing to future dedication for road and utility purposes of those same right-of-way areas prior to final partition approval.

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

Finding: See the Finding below regarding Section 17.24.050. This is only a 3-lot partition creating one vacant lot. When the lot is developed, it will need to follow the access management standards. The city's traffic consultant stated that adhering to spacing should be viable.

- f. *The plan complies with the provisions of the Comprehensive Plan and the zoning district(s) in which it is or will be located.*

Finding: The Comprehensive Plan map shows the proposed partition as residential use. It will continue to be residential and vacant use. The parcels will all conform to current zoning. The two parcels (Lot 1 and 3) will have single-family homes that conform to current zoning. The vacant Lot 2 is proposed to be larger than the minimum lot size and have more frontage than required.

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

Finding: To allow adequate access for utilities a 10 foot wide Public Utility Easement (PUE) should run the length of frontage areas in addition to the rights-of-way. For further development of Lot 2, since W Ida Street is a collector road, a 150-foot distance is required from adjacent driveway. Lot 2 has a frontage of 105 feet, so future development shall require strategic driveway placement from the driveway at 609 W Ida Street.

Condition: Ten-foot PUE are added along frontage where the right-of-way areas are required to be increased to be consistent with Public Works Design Standards.

- h. *Multiple Access Roads: Developments of one- and two-family dwellings where the number of dwelling units exceeds 30, multiple-family residential projects having more than 100 dwelling units shall be provided with not less than two approved means of access. Exceptions may be allowed when the proposed CC&Rs for the development will require an automatic sprinkler system approved in accordance with the provisions of ORS 455.610(6).*

Finding: The dwelling units will not exceed 30 since this is not allowed in Medium Density (MD) Residential for this size partition. Density maximum for this zone is 12 units per acre. The parcel to be partitioned is an approximate total of 1.24 acres.

- i. *All applicable standards of Chapter 17.20 are satisfied.*

Finding: There are no standards of Chapter 17.20 applicable to this partitioning.

- 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.*

Finding: There are no identified wetlands on this property.

- k. *The name of any proposed subdivision shall not be the same as or similar to any name used on a recorded plat or subdivision in Marion County, except for the use of suffixes such as "town,"*

"place," "court," "addition," or similar generic terms, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed. A name shall not be required for a partitioning.

Finding: As a partition, there is no name.

- l. The land division complies with the provisions of ORS 92.090 as amended.*

Finding: The applicable provisions of ORS 92.090 are that a tentative plan for a proposed partition shall not be approved unless the streets and roads are laid out so as to conform to the plats of subdivisions and partitions already approved for adjoining property as to width, general direction and in all other respects; streets and roads held for private use are clearly indicated on the tentative plan and all reservations or restrictions relating to such private roads and streets are set forth thereon; and the tentative plan complies with the applicable zoning ordinances and regulations and the ordinances or regulations adopted under ORS 92.044. There are no streets proposed as part of the partitioning. The MD zone establishes a 7,000 square foot minimum lot size with a minimum of 70 feet of frontage. The proposal is to create three lots with approximately more than 7,000 square feet of lot area and more than 70 feet of frontage.

- m. When any portion of a subdivision or partition is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch, the land division and site development shall comply with the requirements of Sections 17.16.090.3, 17.16.090.4, and 17.20.080.2. Conditions, Covenants and Restrictions for the parcels shall assure that the vegetation maintenance standards of Section 17.20.080.2.d will be met.*

Finding: The subject property is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch.

Section 17.24.050 Design Standards for Subdivision and Partition Preliminary Plans.

Pursuant to SMC 17.24.050 the following criteria and objectives must be demonstrated as being satisfied by the application for preliminary plan approval of a partitioning:

1. STREETS.

a. Streets shall be in alignment with existing streets in the vicinity of the proposed subdivision, either by prolongation of existing centerlines or by connection with suitable curves. Streets shall conform to the location, alignment, and roadway design as indicated on the official map of streets known as the Future Street Plan and the Roadway Functional Classification Map in the adopted Stayton Transportation System Plan.

b. Streets should intersect at or near right angles as practicable, and in no case shall the angle of intersection exceed 120 degrees.

c. The criteria of a and b above may be modified where the applicant can demonstrate to the decision authority that the topography, or the small number of lots involved, or any other unusual conditions justify such modification.

d. Bikeways and pedestrian ways shall be required in accordance with the City of Stayton Transportation System Plan.

e. Concrete curbs and concrete sidewalks shall be installed on all streets, consistent with the Geometric Design Requirements by Street Functional Classification in the Public Works Design Standards.

In residential neighborhoods, sidewalks shall be placed along the property line whenever possible. In all cases, sidewalks shall be placed 1 foot from the property line on arterial and collector streets.

Findings: No new streets are proposed. The Transportation System Plan does call for Project P13 and Project B9 of the Transportation System Plan. The sidewalk along W. Ida Street is currently substandard. Therefore, the frontages of Lot 1 and Lot 2 on W. Ida Street will require the removal of the existing substandard sidewalk and sidewalk ramp. These will need to be replaced with a 6' wide curb-tight sidewalk and compliant sidewalk ramps, in accordance with the PWDS, at the time of development, unless an alternative is approved by the Public Works Director.

In addition, the sidewalk on N Evergreen is substandard. The frontage of Lot 1 along N Evergreen needs to be removed and replaced with a 5' wide curb-tight sidewalk and compliant sidewalk ramps, in accordance with the PWDS, at the time of development, unless an alternative is approved by the Public Works Director.

It is unlikely that W High Street will be improved, but the applicant shall agree to a non-remonstrance agreement for its future development.

The applicant may request an alternative to these Design Standards and will be considered for approval by the City Engineer as need arises and conditions warrant modification. Request must show that the modification meets the intent of the Design Standards and will not compromise safety, impact other properties or cause an increase in maintenance. This consideration will be on a case-by-case basis and require sufficient justification prior to approval. All requests will be in writing and be accompanied by engineered drawings and final design calculations.

Condition: Sidewalks along frontage of Lot 1 and 2 along W Ida Street are removed and replaced with six-foot sidewalks, and sidewalks along the frontage of Lot 1 on N Evergreen Avenue are removed and replaced with 5-foot sidewalks. In addition, a non-remonstrance agreement is non-remonstrance agreement between owner of Lot 3 is agreed to with the city to allow future development of W High Street. Or the applicant obtains approval in writing prior to final partition approval to modify these Public Works Design Standards as warranted which meet the intent of the Design Standards and will not compromise safety, impact other properties or cause an increase in maintenance.

2. DEDICATION OF A RIGHT-OF-WAY.

If a parcel of land to be divided includes any portion of a right-of-way or street, the preliminary plan shall show where such right-of-way or street will be dedicated for the purpose or use proposed.

Findings: The preliminary plan is required to show an additional right-of-way of 5' along the frontage of W Ida Street on Lots 1 and 2, additional right-of-way of 10' along the frontage of N Evergreen Avenue on Lots 1 and 3, and additional right-of-way of 5' along frontage of W High

Street on Lot 3.

Condition: Right-of-way areas along frontages are increased to Public Works Design Standards or the applicant agrees to sign and record a restrictive covenant agreeing to future dedication for road and utility purposes of those same right-of-way areas prior to final partition approval.

3. DEAD-END STREETS AND CUL-DE-SACS.

When it appears necessary to continue a street into a future subdivision or adjacent acreage, streets shall be dedicated or platted to the boundary of a division without a turn-around. In all other cases, dead-end streets and cul-de-sacs shall have a turn-around with a radius of not less than 45 feet to the property line. Unless otherwise approved by the decision authority, the length of the street to the cul-de-sac bulb shall not exceed 450 feet in length.

Findings: No dead-end or cul-de-sacs are proposed.

4. RESERVE BLOCK.

a. Reserve blocks controlling the access to public ways or which will not prove taxable for special improvements may be required by the decision authority, but will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights, or both, and in no case unless the land comprising such strips is placed in the name of the City for disposal and dedication for street or road purposes whenever such disposal or dedication has the approval of the decision authority.

b. In no case shall a reserve block be platted along a street that is dedicated to the required full width.

Findings: No reserve blocks are proposed.

5. STREET WIDTHS.

a. The location, width, and grade of all streets must conform to the Public Works Design Standards and City's Transportation System Plan. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance or conformance to existing streets impractical or where no plan has been previously adopted.

b. In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.

c. When an area within a subdivision is set aside for commercial uses or where probable future conditions warrant, the decision authority may require dedication of streets to a greater width than herein otherwise provided.

d. The street right-of-way in or along the boundary of a subdivision shall have the minimum width as specified in the Public Works Design Standards.

Temporary dead-end streets. Dead-end streets that may in the future be extended shall have a right-of-way and pavement width that will conform to the development pattern when extended.

e. Additional Right-of-Way Widths.

- 1) Where topographical requirements necessitate either cuts or fill for the proper grading of streets, additional right-of-way width may be required to allow all cut and fill slopes to be within the right-of-way.
- 2) Where bikeways necessitate, additional right-of-way width may be required.

Findings: No new streets are proposed. Yet additional right-of-way areas need to be included to be consistent with the Stayton Transportation System Plan. There needs to be an additional right-of-way of 5' along the frontage of W Ida Street on Lots 1 and 2, additional right-of-way of 10' along the frontage of N Evergreen Avenue on Lots 1 and 3, and additional right-of-way of 5' along frontage of W High Street on Lot 3.

Condition: Right-of-way areas along frontages are increased to Public Works Design Standards or the applicant agrees to sign and record a restrictive covenant agreeing to future dedication for road and utility purposes of those same right-of-way areas prior to final partition approval.

6. SUBDIVISION BLOCKS.

a. Block lengths and widths shall be determined by giving consideration to the following factors:

- 1) The distance and alignment of existing blocks and streets.
- 2) Topography.
- 3) Lot size.
- 4) Need for and direction of the flow of through and local traffic.

b. Block length and perimeter standards are specified in Section 17.26.020.5.c.

c. Except where topographical or other physical features require otherwise, block widths shall not be less than 180 feet.

Findings: The application is for partitioning. No blocks will be created.

7. MID-BLOCK WALKS.

Where topographical or other conditions make necessary blocks of unusual length, the decision authority may require the Developer to install mid-block pedestrian walks on a right-of-way 20 feet in width, which shall consist of at least 8 feet of hard surfacing throughout the block, and curb to curb, in order to provide easy access to schools, parks, shopping centers, mass transportation stops, or other community services.

Findings: The application is for partitioning. No blocks will be created.

8. LOT SIZE, LOT LINES.

- a. Lot sizes shall be as specified in the zoning district in which the land division is being proposed.
- b. If topography, drainage, location, or other conditions justify, the decision authority may require greater area and frontage widths on any or all lots within a subdivision, or it may allow smaller area or front line widths if the surrounding area and other conditions justify such requirements.
- c. In a cul-de-sac, the minimum lot line fronting the turn-around shall be 40 feet, and in no case shall the lot width be less than 60 feet at the building line.
- d. Side lot lines shall be as close to right angles to the front street as practicable.
- e. Unless otherwise approved, rear lot lines shall be not less than $\frac{1}{2}$ the width of the front lot lines.
- f. The subdividing or partitioning of developed property shall not create lots or parcels that are in violation of the dwelling density limitations of the underlying zone.

Findings: The MD zone requires a 7,000 square foot minimum lot size with a minimum 70 feet of lot width. The proposal creates three lots with approximately Lot 1 – 11,230 square feet and frontage of 202 feet, Lot 2 – 11,146 square feet and frontage of 105 feet, and Lot 3 – 31,834 square feet and frontage of 294 feet.

9. PUBLIC SURVEY MONUMENTS. Any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision shall be accurately referenced to at least two monuments.

Findings: There are no public survey monuments on the parcel.

10. SEWAGE DISPOSAL.

- a. All extensions of the existing City sewage facilities shall be in accordance with the Public Works Design Standards and the City's Wastewater Master Plan. Sewer mains shall be extended to the edge of the subdivision unless otherwise approved by the Public Works Director.
- b. If adequate public sewage facilities are not available to the parcel of land proposed for subdivision, or if extension of the existing City sewage facilities to serve the buildings to be constructed in the proposed subdivision does not appear practical and economically feasible because of topographic or other considerations, and if all lots in a subdivision are of proper size and soil conditions are suitable, as determined by percolator or other tests made by or approved by the health officer having jurisdiction, the City may allow individual sewage disposal facilities approved by the health officer to be installed on each lot when and as buildings are erected thereon.

Findings: There is an 8-inch sewer line on W High Street, a 10-inch sewer line W Evergreen Avenue, and a 15-inch sewer line in W Ida Street. Three sewer laterals lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

11. PUBLIC USE AREAS.

- a. Subdivision and partition preliminary plans shall provide a minimum of 5% of the gross area of the subdivision or partition as public recreation area.
- b. Such public recreational area shall have access to a public street, and the decision authority may specify the location of such area to be compatible with existing or anticipated recreational development.
- c. As an alternative to subsection a. of this section, in cases where such recreational area would not be effectively used because of size or the location of the subdivision or partition, or where agreed upon by the decision authority, the developer shall pay to the City a fee, earmarked for recreational use and development.

Findings: There are no proposed public use areas with this partition and no parks planned for the area in the Parks Master Plan.

12. WATER SUPPLY.

- a. All lots shall be served from the established public water system of the City or, if permitted by the decision authority, from community or public wells, of which the water quality and system maintenance shall be in accordance with the requirements of the Oregon Health Authority and Oregon Water Resources Department.
- b. In the event that larger lines are deemed necessary by the City for service to adjoining areas than what would normally be required to serve the area to be subdivided, the City and the Developer will enter into an agreement that specifies what, if any costs the City will reimburse the Developer for the oversizing.

Findings: There is an 8-inch water line on W High Street, and W Evergreen Avenue, and a 16-inch water line in W Ida Street. Three water laterals meter lines are being installed to Lot 2 as part of the city's Phase 2 Ida Street Sanitary Sewer Replacement project.

13. UNDERGROUND UTILITIES.

- a. All permanent utility service to lots in a subdivision shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted with the exception of poles used exclusively for street lighting and other equipment appurtenant to underground facilities that the utility companies have indicated in writing that there would be impractical difficulty to install underground.

Findings: This application is for partitioning. Permanent overhead power lines already exist for the two existing single-family homes on Lots 1 and 3. New overhead utility services are not proposed for the vacant Lot 2.

III. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements for Sections 17.24.040.6, 17.24.050, and 17.26.020 are met, except 17.24.040.6.d., 17.24.040.6.g., 17.24.050.1. Section 17.24.050.2., and Section 17.24.050.5. These sections can be met if prior to the issuance of a building permits on the parcels the applicant submits plans for street, sewer, water, and stormwater improvement to meet Public Works Design Standards. The conditions can be found in their respective criteria findings.

IV. ORDER AND CONDITIONS OF APPROVAL

Based on the conclusions above, the Planning Commission approves the application for preliminary plan to divide 313 N Evergreen Avenue into 3 parcels as shown on sheet C1 dated May 29, 2024 prepared by Levi Warriner from North Santiam Paving Company, Stayton, OR and the accompanying materials that comprising the complete application subject to the attached standard conditions of approval and the following specific conditions for approval:

1. The Final Partitioning Plan shall show additional 5-foot wide right-of-way along frontage of W Ida Street, additional 10-foot wide right-of-way along the frontage of N Evergreen Avenue, and additional 5-foot right-of-way along the frontage on W High Street to meet the requirements of consistency with the Public Works Design Standards or the applicant agrees to sign and record a restrictive covenant agreeing to future dedication for road and utility purposes of those same right-of-way areas prior to final partition approval.
2. The Final Partitioning Plan shall show additional 10-foot wide Public Utility Easement along all required frontages on W Ida Street, N Evergreen Avenue, and W High Street to meet the requirements of consistency with the Public Works Design Standards.
3. Engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit:
 - a) Site and street improvement plans conforming to the SMC and Public Works Standards. Any new driveway approaches on W Ida Street shall comply with the Public Works Design Standards. This includes removal of sidewalks on frontage of W Ida Street, and N Evergreen Avenue with replacement of the sidewalk along W Ida Street, and along N Evergreen Avenue including an ADA ramp at the corner of W Ida Street and N Evergreen Avenue. Any modifications to sidewalk width standards shall be requested in writing and approved in the manner set forth in the Public Works Design Standards. A non-remonstrance agreement would need to be entered into for future full ROW street improvements along the frontage of W High Street.
 - b) Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c) Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - d) A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
 - e) Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official. It shall be the

responsibility of the Developer to provide an acceptable point of discharge for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.

- f) A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
- g) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

DRAFT

V. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, state or federal agencies.

The City of Stayton land use review and approval process does not take the place of, relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

DRAFT

VI. EFFECTIVE DATE

This decision regarding this application is final, but shall not become effective until the 15th day after the mailing of the Notice of Decision in this case, and then only if no appeal to the Stayton City Council is timely filed. In the event of a timely appeal to the City Council, this decision shall not become effective until the appeal is finally resolved, including any appeals from the decision of the City Council to the Oregon Land Use Board of Appeals.

Subject to the Effective Date of this decision set forth herein, the land use approval granted by this decision shall also be effective only when the exercise of the rights granted herein is commenced within one year of the effective date of the decision. Section 17.12.120.7.c requires submittal and acceptance of a draft partition final plat. In case such right has not been exercised or extension obtained, this approval shall be void. A written request for an extension of time may be filed with the Director of Community and Economic Development at least 30 days prior to the expiration date of the approval.

VII. APPEAL DATES

The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS within 14 days of the notice of decision.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Permit Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc.
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton, Standard Specifications, Design Standards & Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City

Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.

1/5/2024

By:

Kardboard Box, LLC
PO Box 617
Stayton, OR 97383

Attention:

Planning Department
City of Stayton
311 N. Third Avenue
Stayton, OR 97383

Project: Evergreen Partition

Subject: 3-Lot Partition application request

The parcel consists of approximately 1.24 acres located at the intersection of West Ida St and North Evergreen Ave in Stayton, tax lot 3000. The applicant is requesting a 3-lot partition, two of the lots will retain the existing two houses plus one additional lot. No development or land use action is being requested at this time.

This application will address the City's partition application requirements and relevant code sections in the following pages. The applicant's response will follow each section in **underlined bold**.

Applicant contact:

Ross Bochsler
RossB@nspor.com

Engineer:

Levi Warriner
LeviW@nspor.com

17.24.020 Conformity with Zoning

Except as otherwise authorized herein, all land divisions shall comply with the specifications of applicable zoning district and other land use regulations of the City. Deviations from those requirements shall be allowed only through the variance procedures as specified in Section 17.12.190.

Table 17.16.070.2 Minimum Dimensional Requirements for Lots

	LD	MD	HD	DMD	CR	CG	ID	CP	CCMU	DCMU	DRMU	IC	IL	IA	P
Lot Area (square feet) ¹	8,000 ²	7,000 ³	6,000	7,000	0	0	0	0	0	0	0	0	0	5 acres	0
Lot Width (feet)	80 ⁴	70 ⁴	60 ⁴	40	0	0	0	0	0	0	0	0	0	0	0
Average Width (feet)	80	70	60	40	0	0	0	0	0	0	0	0	0	0	0

(Table amended by Ord. 902, May 7, 2008, Ord. 930, November 18, 2010, Ord. 988, August 31, 2016)

Notes to Table 17.16.070.2

- ¹ The decision authority may require larger lot areas at the time a partition or subdivision is approved if they determine that it is necessary to do any of the following:
 - a. Protect natural drainage ways.
 - b. Provide drainage or utility easement.
 - c. Protect future right-of-way.
 - d. Protect unbuildable steep slope areas above 15 percent slope.
 - e. Protect flood plain hazard or wetland areas.
 - ² 10,000 square feet for all lots east of a north-south line from the north City limits to the south City limits running along the center line of Tenth Avenue
 - ³ A tri-plex requires a minimum lot area of 10,500 square feet
 - ⁴ 40 feet for lots with frontage on a cul-de-sac
3. DIMENSIONAL REQUIREMENTS FOR STRUCTURES.
- a. All structures shall comply with the requirements of Table 17.16.070.3. Setback requirements are minimum requirements. Building height is a maximum requirement. Additional requirements may be imposed by other provisions of this Code.

Table 17.16.070.3 Dimensional Requirements for Structures

	LD	MD	HD	DMD	CR	CG	ID	CP	CCMU	DCMU	DRMU	IC	IL	IA	P
Front Yard Setback (feet) ¹	20 ²	20 ²	20 ²	-- ³	0	0	0	0	-- ³	-- ³	-- ³	0	0	0	0
Side Yard Setback (feet)	5	5	5	-- ³	0 ³	0 ³	0 ³	0 ⁴	-- ³	-- ³	-- ³	0 ⁴	0 ⁴	0	0 ³
Rear Yard Setback (feet)	20	15	15	-- ³	0 ³	0 ³	0 ³	0 ⁴	-- ³	-- ³	-- ³	0 ⁴	0 ³	0	0 ³
Building Height (feet) ⁵	35 ⁶	35 ⁶	-- ⁴	-- ³	60 ⁷	60 ⁷	60 ⁷	-- ⁴	-- ³	-- ³	-- ³	-- ⁴	-- ⁴	-- ⁴	60 ⁷

(Table amended by Ord. 902, May 7, 2008 Ord. 930, November 18, 2010, Ord. 998, August 31, 2016)

Response: The parcel is currently zoned MD. The proposed partition meets the minimum Lot size, width requirements and existing structure setback requirements and building height requirements per 17.16.070.

The existing house setbacks resulting from the partition are shown on the drawing.

17.24.030 Classification of Land Divisions

This chapter authorizes two major categories of land divisions and establishes procedures herein for City review and approval of each prior to any site preparation, tree removal, and development. Lot line adjustments which do not create a new parcel of land and which bring about parcels still in compliance with zoning district minimum area requirements are not considered to be land divisions. The two major categories of land divisions are identified as follows:

- 1. CONVENTIONAL SUBDIVISIONS AND PARTITIONS. Conventional subdivisions and partitions are those occurring in strict compliance with state and local regulations governing the same, including but not limited to the provisions of ORS Chapter 92 and land use and zoning regulations of the City. Major flexibility in design, densities, and land uses are not generally provided for by this category of land division. Provisions for conventional subdivisions and partitions are contained in Section 17.24.040 through 17.24.060.

2. MASTER PLANNED DEVELOPMENTS. The provisions for master planned developments provide for major flexibility in design, densities, and land uses while assuring overall compatibility with the principles and legal requirements of land divisions law. Provisions for master planned developments are contained in Sections 17.24.090 and 17.24.100.

Response: The applicant is requesting a conventional partition, no development is being requested at this time.

17.24.040 APPLICATION AND APPROVAL REQUIREMENTS FOR CONVENTIONAL SUBDIVISIONS AND PARTITIONS

3. PRELIMINARY PARTITION PLAN AND SUBDIVISION PLAN SUBMITTAL REQUIREMENTS.

a. Appropriate identification clearly stating the drawing is a preliminary partition or subdivision plan.

b. North arrow, graphic scale, and date of preparation of the preliminary plan. (Amended Ord. 1017, April 18, 2018)

c. Names and addresses of the landowners, applicant, engineer of record, surveyor, land planner, landscape architect, or any other person responsible for designing the preliminary plan. (Amended Ord. 1017, April 18, 2018)

d. Map number (township, range, and section) and tax lot number or account of the tract being divided.

e. The boundary lines of the tract to be divided and approximate area of the property in acres or square feet, on a plan prepared by a professional land surveyor registered with the State of Oregon.

f. The approximate location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract, existing buildings and any addresses for the buildings, railroad rights-of-way, and other important features such as section lines and political subdivision boundary lines.

g. The location and size of any existing sanitary sewer systems, water supply systems, culverts, drainage ways, and other storm drainage systems, and any other underground utilities or structures within and immediately adjacent the tract being divided. (Amended Ord. 1017, April 18, 2018)

h. The approximate location, size, and use of all existing and proposed public areas or areas within the proposed subdivision or partition reserved for the common use of the property owners, a description of the suitability of the area for uses contemplated and any conditions or limitations of such reservations.

i. A proposed general plan for collecting, treating, and detaining stormwater runoff from the development, developed in accordance with the City's Public Works Design Standards and the Stormwater Master Plan. Preliminary Stormwater calculations shall accompany the plan showing how

the proposal will meet stormwater quality and quantity requirements. (Amended Ord. 1017, April 18, 2018)

j. The proposed street pattern or layout showing the name and widths of the proposed streets and alleys in accordance with the City's Public Works Design Standards and City Transportation System Plan. (Amended Ord. 1017, April 18, 2018)

k. Existing and proposed easements, together with their dimensions, purpose, and restrictions on use.

l. Proposed location and size of sanitary sewer systems, water supply systems, stormwater facilities, and storm drainage systems in accordance with the City's Public Works Design Standards and the City's Wastewater and Water Master Plans. (Amended Ord. 1017, April 18, 2018)

m. Proposed parcels, dimensions, sizes, and boundaries. Residential parcels shall be numbered consecutively. Parcels that are to be used for other than residential purposes shall be identified with letters.

n. Predominant natural features such as water courses (including direction of their flow), wetlands, rock outcroppings, and areas subject to flooding or other natural hazards.

o. Copies of all existing or proposed restrictions or covenants affecting the property.

p. An appropriate space on the face of the plan to indicate the action of the Planning Commission, including the date of the decision.

q. An inventory of existing trees and any proposals for tree removal, detailing numbers of trees, size, and species of trees to be removed as required by Section 17.20.150.

r. A proposed plan showing access features required in Section 17.26.020, specifically Section 17.26.020.6.

s. Either a Transportation Assessment Letter or a Transportation Impact Analysis in accordance with the provisions of Section 17.26.050. Five copies of the traffic impact analysis shall be submitted.

t. A plan showing soils information and any proposed cuts or fills of more than 24 inches. (Added Ord. 1017, April 18, 2018)

u. The location and functional characteristics of any wetlands on the property to be divided as shown in the City of Stayton Local Wetlands and Riparian Inventory, July 1998. (Added Ord. 1017, April 18, 2018)

v. A statement indicating the proposed timing of installation of all proposed improvements. (Added Ord. 1017, April 18, 2018)

w. A Design Modification Request if the applicant proposes to not meet any design requirement in the Public Works Design Standards. (Added Ord. 1017, April 18, 2018)

x. Future Development Plan. Submission of a future development plan is required when it is evident that the property to be divided can be further divided or provides street or utility connections to adjacent property. The future development plan shall be submitted at the same time that the

preliminary plan for either subdivision or partition is submitted and shall contain the following information:

- (1) Any potential future lots (lot size shall be depicted).
- (2) Existing and proposed utilities including water, sewer and storm drains.
- (3) Streets and access points for potential future lots. (Added Ord. 1017, April 18, 2018)

Response: Section 3, the applicable items will be shown on the drawing submitted with this application. Since applicant is requesting a partition and no land use action, applicant is requesting a waivers from Planning and/or Public Works on relevant items:

Item i. Storm water – waiver is requested, no land use action is proposed at this time.

Item l. Sanitary – waiver is requested, no development is proposed.

Item s. Transportation – waiver is requested. Creation of 2 additional lots will not generate 25 or more peak-hour trips or 250 or more daily trips.

Item t. Soils – waiver is requested. No development or site grading is proposed.

Item u. Wetlands – no wetlands present

Section 17.16-4 – Single Family dwelling design features.

-To establish question of conformance of the existing residences, per City's request.

TITLE 17 LAND USE AND DEVELOPMENT CODE

4. ADDITIONAL REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS AND MANUFACTURED HOMES ON INDIVIDUAL LOTS.
- a. Within the Low Density and Medium Density Residential Districts, all new single-family detached dwellings, including manufactured homes not in a mobile home park, are subject to the following development and design standards: (Amended Ord 1060, May 17, 2023)
- 1) Floor Area. A dwelling shall have a minimum floor area of 1,000 square feet. The dwelling must have a minimum horizontal dimension of at least 24 feet. (Amended Ord 1060, May 17, 2023)
 - 2) (Repealed Ord. 898, August 20, 2007)
 - 3) Design Features. All new dwellings shall contain the following design feature requirements: (Amended Ord 1060, May 17, 2023)
 - a) The site must include an attached or detached garage with exterior materials that are the same exterior materials as the primary home. (Amended Ord 1060, May 17, 2023)
 - b) The building shall be provided with gutters and downspouts. (Amended Ord 1060, May 17, 2023)
 - c) The dwelling must have a composition asphalt, fiberglass, shake, or tile roof with a minimum pitch of 3 feet in height for each 12 feet in length. (Added Ord 1060, May 17, 2023)
 - d) The dwelling must have horizontally applied wood siding, horizontally applied fiber-cement siding, brick or stone masonry siding, or textured plywood siding with vertical grooves. (Added Ord 1060, May 17, 2023)
 - e) The base of the new dwelling must be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or combination thereof. Unless the home is placed on a basement, the home shall sit so that no more than 12 inches of the enclosing material is exposed above grade. Where the building site has a grade with a slope of more than 10%, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. (Added Ord 1060, May 17, 2023)
 - f) If a manufactured home, the transportation mechanisms, including wheels, axles, and hitch, shall be removed. (Added Ord 1060, May 17, 2023)
 - 4) In addition, to provide architectural relief, new dwellings shall contain at least 3 of the following design elements on the side(s) of the home which fronts on a street: (Amended Ord 1060, May 17, 2023)
 - a) Dormers or gables.
 - b) Cupolas.
 - c) Bay or bow windows.
 - d) Exterior shutters.
 - e) Recessed entries.
 - f) Front porch of at least 100 square feet, which may extend into the required front yard.
 - g) Covered porch entries.
 - h) Pillars or posts in the front entry area.
 - i) (Repealed, Ord 1060, May 17, 2023.)
 - j) Front-side exterior brickwork or masonry.
 - 5) BUILDING ORIENTATION. If the lot has frontage on a public street and is not a flag lot, the architectural front of the dwelling shall face the street. (Amended Ord 1060, May 17, 2023)

(Amended Ord 1060, May 17, 2023)

Response: Both residences conform with the minimum Design Features in sub-section 3, items a-f.

The 601 W. High St. residence contains at least 3 of the architectural relief requirements in sub-section 4, items a-j.

The 313 N. Evergreen Ave. residence contains 2 of the architectural relief requirements in sub-section 4, items a-j.

601 W High St is believed to be conforming.

313 N. Evergreen Ave. is believed to be non-conforming.

City of Stayton Subdivision/Partition Application Questions:

1. COMPATIBILITY WITH SURROUNDING AREA: How is the partition/subdivision compatible with the surrounding area?

The site is currently zoned MD residential. The surrounding area is mixture of single family and multifamily residential. The proposed use is not changing; we believe the current MD residential use standards fit the surrounding area well.

2. PUBLIC SERVICES: All partitions and subdivisions are required to have all public improvements installed as part of any land division process. Therefore, the applicant must be prepared to install the required street, water, sewer, and storm drainage and other improvements. a. How will the applicant assure there are adequate water, sewer, street, and storm drainage facilities available to serve the proposed subdivision?

No land use is requested at this time. Water, sanitary and street access are nearby; we do not believe there will be any hinderance if additional housing is constructed in the future.

b. List public services currently available to the site:

Water Supply: - inch line available in Street.

Sanitary Sewer: - inch line available in Street.

Storm Sewer: - inch line available in Street.

Natural Gas: - inch line available in Street.

Telephone: is (or) is not available in Street.

Cable TV: is (or) is not available in Street.

Electrical: is (or) is not available in Street.

(locations drawn on preliminary partition plan)

c. Will existing City public services need to be replaced or upgraded to accommodate the demands created by the subdivision?

No land use or development is requested at this time. Utilities to be addressed during building plan phase.

3. DESIGN LAYOUT/PATTERN OF DEVELOPMENT: How does the design layout of the proposed parcels, lots, and roads fit with the existing pattern of development in the area?

Proposed lot sizes are consistent with surrounding area and conform to the MD residential standards in the Code.

4. NATURAL, PHYSICAL AND GEOGRAPHIC FEATURES: b. Flood Hazards:

None that are known.

Is any portion of the property located in a flood plain? Is any portion of the property located adjacent to a waterway?

No.

If the answer to either of the above questions is "yes," how will the proposed subdivision comply with all standards for riparian setbacks or flood hazard protection?

c. Wetlands:

Are there any wetlands on the site? If yes, are any of these wetlands identified in the Stayton Comprehensive Plan and how will the proposed subdivision comply with all wetland development requirements?

No wetlands on site per the Oregon wetland map.

d. Natural Features:

Are there any other important natural features on the site? If yes, how will the proposed subdivision address potential impacts to those features?

No.

5. HISTORIC SITES OR STRUCTURES:

Do any historic sites or structures listed on the City of Stayton Comprehensive Plan Historic Landmarks Inventory exist on the property? If yes, what is the name of the landmark and how will the proposed subdivision comply with all historic preservation standards?

No.

6. DEED COVENANTS AND RESTRICTIONS: Will any deed covenants or deed restrictions apply to the proposed master planned development? If yes, attach.

No.

Exhibit "A" – Legal Description

Real property in the County of Marion, State of Oregon, described as follows:

Beginning at a point on the West line of "E" Street, 20 feet South of the projected center line of High Street in the Town of Stayton, Marion County, Oregon; and running thence West, along a line parallel with the projected center line of High Street, a distance of 310 feet to the East line of a tract conveyed to Leonard Lambrecht by deed recorded in Volume 425, Page 128, Deed Records of Marion County, Oregon; thence South along the East line of said Lambrecht tract, 110 feet; thence East 100 feet; thence South 110 feet; thence East 210 feet to the West line of the South projection of said "E" Street; thence North 220 feet to the place of beginning.

NOTE: This legal description was created prior to January 1, 2008.



CITY OF STAYTON APPLICATION FOR PARTITION OR SUBDIVISION

APPLICATION AND DECISION MAKING PROCEDURES

1. PRE-APPLICATION MEETING

Prior to submittal of an application, a pre-application meeting with City Staff is required. A completed pre-application form and sketch plan drawing need to be submitted at least 7 days in advance of the meeting. Meetings are held on Tuesday afternoons and there is no fee for the first required pre-application meeting.

2. APPLICATION FEE

Submission of a completed application form, with a plan and attachments, and payment of the application fees are required before the review process begins. The application and fees shall be submitted to the Planning & Development Department during regular business hours. **The fee for this application is \$1,050 if already within the city limits and \$1,550 if accompanied by an application for annexation.** Major annexations require an additional fee of \$4,500 to cover the city's cost of holding a referendum on the annexation. If the cost to the City does not reach the amount of the fee paid, the excess fee will be refunded to the applicant after the file is closed. If during the processing of the application, the costs to the City exceed 75% of the fee paid, the applicant will be required to pay an additional 50% of the fee amount, to assure that there are adequate funds to continue to process the application.

3. REVIEW FOR COMPLETENESS AND SCHEDULING A HEARING

The Planning and Development Director will review the submitted application for completeness and, within 30 days from the date of submittal, determine if the applicant has provided all required information. If the application is incomplete, the Planning and Development Director will notify the applicant of the items which need to be submitted. Once the application is deemed complete, the Director will schedule a hearing before the Stayton Planning Commission. Planning Commission meetings are regularly scheduled for the last Monday of the month.

4. STAFF REPORT & DRAFT ORDER

Once a hearing date is set, the Planning and Development Director will prepare a staff report and draft order summarizing the applicant's proposal, the decision criteria, comments from other agencies or the public, and address whether the application complies with Code requirements or suggest conditions to meet those requirements. A copy of the staff report and draft order will be provided to the applicant no less than 7 days prior to the public hearing.

5. PUBLIC HEARING BEFORE THE STAYTON PLANNING COMMISSION

Prior to the public hearing, notice is required to be sent to all property owners within 300 feet of the property 20 days before the hearing, so the hearing will be scheduled at the first regular meeting following the notice period. The hearing is to give all interested parties an opportunity to comment on the application. The hearing is conducted by the Chairperson in accordance with the Stayton Rules of Procedure for Land Use Public Hearings. These rules are available at the Planning & Development Department.

At the conclusion of the hearing and deliberation, the Planning Commission will adopt an order stating the decision criteria, findings of fact, conclusions whether the application meets the applicable standards, and the Commission's decision. The Commission may decide to deny, approve, or approve the application with conditions.

6. PUBLIC HEARING BEFORE THE STAYTON CITY COUNCIL

An application may be called up by, or be appealed to the City Council. If the application is accompanied by an application for annexation, then the application for partition or subdivision will also be reviewed by the City Council. If called up or accompanied by a request for annexation, the Council will also conduct a public hearing. If appealed, the Council will decide whether to hear the appeal and hold a public hearing. A notice is required 10 days prior to the hearing which will be at a regular Council meeting, held the first and third Mondays of every month. Staff reports, Planning Commission findings, and any new information will be presented to Council for consideration. The purpose of the hearing is to receive further public testimony, to review the application and

consider the Planning Commission's decision and conditions. Generally, the Council will make a decision at the conclusion of the hearing process, but may delay the decision for further information or action by the applicant. The Council will then adopt an order either approving or denying the application.

7. APPEALS

Council actions may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

8. FOR MORE INFORMATION

Call or write to City of Stayton Planning & Development Dept., (mailing address) 362 N. Third Avenue, (building address) 311 N. Third Avenue, Stayton, Oregon 97383. (503) 769 2998; email: dfleishman@ci.stayton.or.us.

APPLICATION CHECKLIST FOR PRELIMINARY PLANS FOR PARTITIONS AND SUBDIVISION APPLICATIONS

This checklist has been prepared to assist applicants in submitting an application that includes all the submission requirements in Sections 17.24.040.2, 040.3, 040.4, and 17.26.050. Please note that this checklist may paraphrase the requirements from the Code. It is the applicant's responsibility to read and understand the requirements of the Code. Review of an application will not begin until a complete application has been submitted. If you have questions, contact the Planning Department.

- Property Owner Authorization: If the applicant is not the owner of the property, the application must include written indication of the applicant's right to file the application. This may be a purchase and sale agreement, an option or other document that gives the applicant some legal interest in the property.
- Survey Plan: The boundary lines of the tract to be divided and approximate area of the property in acres or square feet, on a plan prepared by a professional land surveyor
- Three copies of the preliminary plan at a scale of 1 inch equals not more than 50 feet and 12 reduced copies of the plan sized 11 inches by 17 inches with the following information included or accompanying the plan.
 - Appropriate identification clearly stating the drawing is a preliminary plan.
 - North point, graphic scale, and date of preparation of the plan.
 - The proposed name of the subdivision or partition.
 - Names and addresses of the landowners, applicant, the engineer, surveyor, land planner, landscape architect, or any other person responsible for designing the preliminary plan.
 - An appropriate space on the face of the plan to indicate the action of the Planning Commission, including the date of decision.
 - Map number (township, range and section) and tax lot number or account of the tract being divided.
 - The approximate location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract.
 - Existing buildings and any addresses for the buildings.
 - Railroad rights-of-way.
 - Section lines and county or city boundaries.
 - The location of existing sewerage systems for the tract being divided.
 - The approximate location of water mains, culverts, drainage ways, or other underground utilities or structures within the tract or immediately adjacent to the tract.
 - The approximate location, size, and use of all existing and proposed public areas or areas within the proposed subdivision or partition reserved for the common use of the property owners.
 - A proposed general plan for draining surface water in accordance with the City's Stormwater Master Plan.
- The application shall include a preliminary drainage impact analysis. The analysis shall include a preliminary drainage map and narrative which identifies the impact the development will have on existing stormwater systems. The narrative shall at a minimum include and discuss:
 - The anticipated pre-development and post-development stormwater runoff flow rates.
 - The proposed method for handling the computed stormwater runoff, including the location and capacity of all natural or proposed drainage facilities.
 - The method of discharging stormwater offsite at the naturally occurring location and any anticipated design provisions needed to control the velocity, volume, and direction of the discharge in order to minimize damage to other properties, stream banks, and overall

stormwater quality.

- A proposed street plan showing the name and widths of the proposed streets and alleys in accordance with the City's Transportation Systems Plan.
- A proposed plan for means and location of sewage disposal and water supply systems in accordance with the City's Wastewater and Water Master Plans.
- Existing and proposed easements, together with their dimensions, purpose and restrictions on use.
- Proposed parcels, dimensions, sizes and boundaries. Residential parcels shall be numbered consecutively. Parcels that are to be used for other than residential purposes shall be identified with letters.
- Predominant natural features such as water courses (including direction of their flow), wetlands, rock outcroppings, and areas subject to flooding or other natural hazards.
- An inventory of existing trees and any proposed tree removals, detailing numbers, sizes and species to be removed.

A proposed plan showing access features, specifically:

- 1) Location of existing and proposed access point(s) on both sides of the roadway.
- 2) Distances from proposed access points to any adjacent access points, median openings, traffic signals, intersections or other transportation features.
- 3) All planned transportation features such as sidewalks, bikeways, signs, signals, etc.

Digital versions of all plans, in a Portable Document Format, submitted on a Compact Disk or by email.

Copies of all existing or proposed restrictions or covenants affecting the property.

Five copies of either a Transportation Assessment Letter or a Transportation Impact Analysis. A Transportation Impact Analysis is required if:

- 1) The development generates 25 or more peak-hour trips or 250 or more daily trips.
- 2) An access spacing exception is required for the site access driveway(s) and the development generates 10 or more peak-hour trips or 100 or more daily trips.
- 3) The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.
- 4) The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as a school.

The Transportation Impact Analysis shall be based on the standards and requirements in Section 17.26.050. If a Transportation Impact Analysis is not required, a Transportation Assessment Letter shall be submitted that meets the requirements of 17.26.050.2.

ADDITIONAL INFORMATION FOR PRELIMINARY SUBDIVISION PLANS

In addition to the above preliminary subdivision plans shall also show or include the following information:

If the proposed subdivision is phased, then a plan showing the phases of development and a timeline for the phases.

A plan showing soils information and any proposed cuts or fills of more than 24 inches

Vicinity Map: The vicinity map may be drawn on the same map as the preliminary subdivision plan. The vicinity map shall show the following:

- Topography within and adjacent to the proposed subdivision. Contour intervals shall be no greater than 2 feet for slopes of less than 10% and no greater than 5 feet for slopes of more than 10%.

- The relationship of the proposed subdivision to surrounding developments, streets, storm drainage, sewer, water and utility services.
- The location and functional characteristics of any wetlands on the property as shown in the City of Stayton Local Wetlands and Riparian Inventory, July 1998.
- A statement indicating the timing of installation of all proposed improvements.

Submission of all materials in an electronic format is encouraged.

BURDEN OF PROOF

This is a quasi-judicial application in which the applicant has the burden of proof. According to law, the applicant must present to the decision maker facts, evidence, analysis, and justification for each and every decisional criteria in order to carry out that burden of proof. It is important to remember that there is no assumption that the applicant is entitled to this approval. The burden of proof lies with the applicant to prove how the proposal complies with the land use ordinances, not with the City of Stayton.

Stayton Municipal Code Title 17, Land Use and Development Code, is available online at:
www.staytonoregon.gov. Click on the Document Center tab and select Municipal Code



Submit Via Email

CITY OF STAYTON
APPLICATION FOR PARTITION OR SUBDIVISION

Application for: [] Subdivision [x] Partition

PROPERTY OWNER: Kardboard Box, LLC

Address: PO Box 617

City/State/Zip: Stayton, OR 97383

Phone: (503) 769 - 3436 Email: RossB@nspor.com

APPLICANT: Kardboard Box, LLC

Address: Same above

City/State/Zip:

Phone: () - Email:

APPLICANT'S REPRESENTATIVE: Ross Bochsler

Address: PO Box 516

City/State/Zip: Stayton, OR 97383

Phone: (503) 769 - 3436 Email: RossB@nspor.com

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: Ross Bochsler

Name: Levi Warriner

Address: PO Box 516

Address: PO Box 516

City/State/Zip: Stayton, OR 97383

City/State/Zip: Stayton, OR 97383

Phone: () 503 - 769-3436

Phone: () 503 - 769-3436

Email: RossB@nspor.com

Email: LeviW@nspor.com

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

[] owner [] applicant [x] applicant's representative [] planning consultant [] engineer

LOCATION: Street Address: 313 N Evergreen Ave

Assessor's Tax Lot Number and Tax Map Number: 534382

Closest Intersecting Streets: Ida/Evergreen

DESCRIPTION OF PROPOSAL: Total Acreage: 1.24 No. of Lots 3

ZONE DISTRICT: MD Residential

NAME OF PROPOSED SUBDIVISION (does not apply to partitions):

SIGNATURE OF APPLICANT: [Handwritten Signature]

DO NOT WRITE BELOW THIS LINE

Application received by: Date: Fee Paid: \$ Receipt No.

Land Use File#

QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

The Stayton Planning Commission, with assistance from the Planning and Development Department and the Public Works Department will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on how well the applicant presents information to show the application meets the standards and criteria set forth in the Stayton Land Use and Development Code 17.24.040.5. Please provide the following information in full and attach to this application.

1. COMPATIBILITY WITH SURROUNDING AREA: How is the partition/subdivision compatible with the surrounding area?
2. PUBLIC SERVICES: All partitions and subdivisions are required to have all public improvements installed as part of any land division process. Therefore, the applicant must be prepared to install the required street, water, sewer, and storm drainage and other improvements.
 - a. How will the applicant assure there are adequate water, sewer, street, and storm drainage facilities available to serve the proposed subdivision?
 - b. List public services currently available to the site:
 - Water Supply: _____ - inch line available in _____ Street.
 - Sanitary Sewer: _____ - inch line available in _____ Street.
 - Storm Sewer: _____ - inch line available in _____ Street.
 - Natural Gas: _____ - inch line available in _____ Street.
 - Telephone: is (or) is not available in _____ Street.
 - Cable TV: is (or) is not available in _____ Street.
 - Electrical: is (or) is not available in _____ Street.
 - c. Will existing City public services need to be replaced or upgraded to accommodate the demands created by the subdivision?
3. DESIGN LAYOUT/PATTERN OF DEVELOPMENT: How does the design layout of the proposed parcels, lots, and roads fit with the existing pattern of development in the area?
4. NATURAL, PHYSICAL AND GEOGRAPHIC FEATURES:
 - b. Flood Hazards:

Is any portion of the property located in a flood plain? Is any portion of the property located adjacent to a waterway?

If the answer to either of the above questions is "yes," how will the proposed subdivision comply with all standards for riparian setbacks or flood hazard protection?
 - c. Wetlands:

Are there any wetlands on the site? If yes, are any of these wetlands identified in the Stayton Comprehensive Plan and how will the proposed subdivision comply with all wetland development requirements?
 - d. Natural Features:

Are there any other important natural features on the site? If yes, how will the proposed subdivision address potential impacts to those features?
5. HISTORIC SITES OR STRUCTURES:

Do any historic sites or structures listed on the City of Stayton Comprehensive Plan Historic Landmarks Inventory exist on the property? If yes, what is the name of the landmark and how will the proposed subdivision comply with all historic preservation standards?
6. DEED COVENANTS AND RESTRICTIONS: Will any deed covenants or deed restrictions apply to the proposed master planned development? If yes, attach.

AFTER RECORDING RETURN TO:
CITY OF STAYTON
362 N. Third Avenue
Stayton, Oregon 97383

NON-REMONSTRANCE AGREEMENT for Street and Storm Drainage Improvements

This agreement is entered into by and between Tranquility Investments LLC, hereinafter referred to as "OWNERS", and the CITY OF STAYTON, hereinafter referred to as "CITY".

WHEREAS, Tranquility Investments LLC, possesses title to the property described below in the City of Stayton, Marion County, State of Oregon.

Description of the property (herein so called): Parcel 1 and Parcel 2 of Partition Plat 2016-22

See exhibit "A"

and,

WHEREAS, in 2016 OWNERS obtained approval of a minor partition for two lots on the above described property, and

WHEREAS, the CITY requires OWNERS to be in compliance with Stayton Municipal Code Chapter 12.04 which requires construction of public improvements concurrently with a land division and prior to issuance of any building permits or to enter into an Agreement of non-remonstrance to a Local Improvement District for the construction of public improvements, adjacent to the above described property before a land division is recorded with the County Clerk.

WHEREAS, OWNERS have constructed the required sanitary sewer and water improvements to the affected property in compliance with the CITY'S land division and public improvement requirements; and

WHEREAS, OWNERS have not constructed full street, curb and gutter, sidewalk and storm drainage improvements on W High Street abutting the above described property in compliance with the CITY'S land division and public improvement requirements.

NOW, THEREFORE, the parties mutually agree as follows:

1. Acknowledge and agree to the above recitals.
2. The CITY may initiate the required street, curb and gutter, sidewalk and storm drainage improvements in W High Street at any time.
3. OWNERS agree to either:
 - a. Construct street improvements including, base rock and AC pavement from curb to center line, curb and gutter, sidewalk and storm drainage improvements on W High Street fronting the above described property upon receiving written notification from the City to do so; or
 - b. Participate in a Local Improvement District (LID) project or pay a special assessment for the construction of the street, curb and gutter, sidewalk and storm drainage improvements on W High Street in Stayton, Oregon, fronting the above described property in accordance with the cost assumption policy described in Section 4 of this agreement.

4. Parties agree to the following cost assumption policy for the construction of public improvements described in Section 3 of this agreement:
 - a. Upon receiving written notification from the CITY to construct the required street, curb and gutter, sidewalk and storm drainage public improvements on W High Street, OWNERS may, within 120 days or within a mutually agreeable time, design and construct the required public improvements at their sole cost and expense, or
 - b. OWNERS agree to sign, upon presentation, any and all petitions for public improvements, consents, waivers, and all other documents, necessary to obtain the public improvements under any improvement act or proceeding of the CITY as may be proposed or adopted relating to the LID. OWNERS may waive all LID requirements and agree to a special assessment and payment provisions.
 - c. OWNERS reserve the right to protest the amount or the manner of allocating the assessment amounts for the improvements, if the proposed assessment appears to the OWNER to bear inequitably or unfairly upon OWNERS' property.
 - d. Parties agree that a "not to exceed" amount of the proposed assessment and method of assessment will be determined by the CITY prior to the construction of the public improvements.
 - e. Parties agree that the proposed assessment will be shared equally by each lot in the minor partition with 50% of the assessment assigned to Parcel 1 and 50% of the assessment assigned to Parcel 2 for all lots shown on the final partition plat recorded with Marion County, Oregon.
5. This agreement shall be recorded in the Marion County Deed Records.
6. In the event of a dispute between the parties as to the terms/performance of this agreement, it shall be exclusively addressed/resolved by mandatory mediation; if not settled by binding arbitration in accordance with Oregon law.
7. In the event the CITY or OWNERS shall take any action, judicial or otherwise, to enforce or interpret any of the terms of this agreement, the prevailing party shall be entitled to recover from the other party all expenses which it may reasonably incur in taking such action, including but not limited to, costs incurred in searching records, the cost of title reports, surveyors reports, foreclosure reports and attorneys' fees, costs and disbursements, whether incurred in connection with non-judicial action, or a suit action, or appeal from a judgment or decree therein.
8. This agreement may be terminated at any time by the CITY.

DATED, this 19th day of July, 2016.

OWNER(S):

Tranquility Investments LLC

By: 
 Michael D Woodhouse, Manager (Signature)

STATE OF Oregon }
 COUNTY OF Marion } ss

Personally appeared before me this 19th day of July, 2016, and

Michael D Woodhouse, Manager, Tranquility Investments LLC has acknowledged the foregoing instrument to be his and her voluntary act and deed.



By: Kelli Anne Stevens

Notary Public for Oregon
My Commission expires: 7/2/2018

CITY OF STAYTON:

This instrument is hereby approved and accepted by the CITY OF STAYTON this 19 day of July, 2016.

By: Keith Campbell
City Administrator

By: [Signature]
City Administrator (Signature)

STATE OF OREGON }
 } ss
COUNTY OF MARION }

Personally appeared before me this 19th day of July, 2016, Keith Campbell, City Administrator for the CITY OF STAYTON, has acknowledged the foregoing instrument to be his/her and the CITY OF STAYTON's voluntary act and deed, and has accepted the easement on behalf of the CITY OF STAYTON.

By: Alissa Angelo
Notary Public for Oregon
My Commission expires:

APPROVED AS TO FORM:

[Signature]
David A. Rhoten, City Attorney

Date: JUL 25 2016

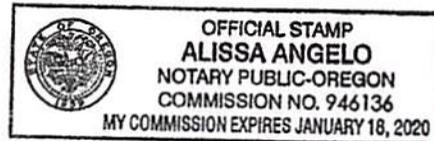


EXHIBIT 'A'

PARTITION PLAT No. 506-028 **2016-22**

FOR
TRANQUILITY INVESTMENTS LLC
 LOCATED IN
 SW 1/4 SEC. 10, T. 9 S., R. 1 W., W.M.
 IN THE
 CITY OF STAYTON, MARION COUNTY, OREGON
 MAY 11, 2016
 CITY OF STAYTON FILE No. 5-03/16

RECORD REFERENCE LIST:

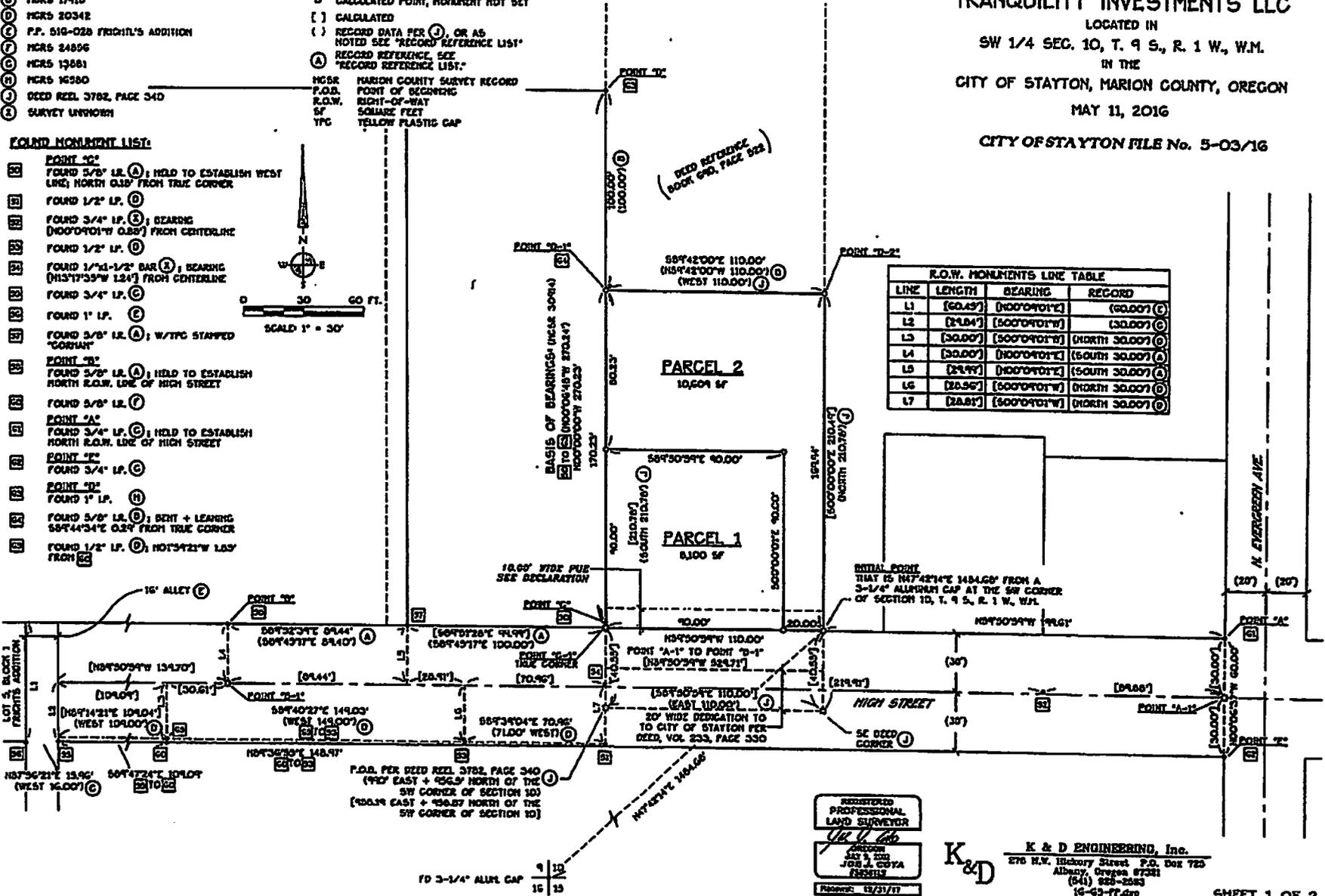
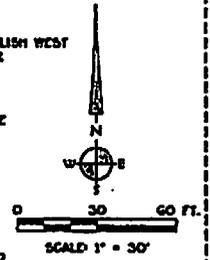
- (A) NCRS 3094
- (B) NCRS 2162
- (C) NCRS 17416
- (D) NCRS 20342
- (E) P.P. 510-028 FROHL'S ADDITION
- (F) NCRS 24896
- (G) NCRS 13681
- (H) NCRS 16380
- (I) DEED REEL 3782, PAGE 340
- (J) SURVEY UNKNOWN

LEGEND:

- FOUND MONUMENTS AS NOTED, SEE "FOUND MONUMENT LIST"
- SET 5/8" IR W/TPC STAMPED "K&D ENGR. LS 58561"
- CALCULATED POINT, MONUMENT NOT SET
- [] CALCULATED
- () RECORD DATA PER (), OR AS NOTED SEE "RECORD REFERENCE LIST"
- (A) RECORD REFERENCE, SEE "RECORD REFERENCE LIST."
- (NCRS) MARION COUNTY SURVEY RECORD
- (P.O.B.) POINT OF BEGINNING
- (R.O.W.) RIGHT-OF-WAY
- (SF) SQUARE FEET
- (TPC) YELLOW PLASTIC CAP

FOUND MONUMENT LIST:

- (1) POINT "C" FOUND 5/8" I.R. (A), HELD TO ESTABLISH WEST LINE; NORTH 0.33' FROM TRUE CORNER
- (2) FOUND 1/2" I.P. (D)
- (3) FOUND 3/4" I.P. (E); BEARING (N00°04'01"W 0.88') FROM CENTERLINE
- (4) FOUND 1/2" I.P. (D)
- (5) FOUND 1 1/4"-1/2" BAR (E); BEARING (N13°17'39"W 1.24') FROM CENTERLINE
- (6) FOUND 3/4" I.P. (C)
- (7) FOUND 1" I.P. (E)
- (8) FOUND 5/8" I.R. (A); W/TPC STAMPED "CORIAN"
- (9) POINT "B" FOUND 5/8" I.R. (A), HELD TO ESTABLISH NORTH R.O.W. LINE OF HIGH STREET
- (10) FOUND 5/8" I.R. (F)
- (11) POINT "AC" FOUND 3/4" I.P. (C); HELD TO ESTABLISH NORTH R.O.W. LINE OF HIGH STREET
- (12) POINT "TC" FOUND 3/4" I.P. (C)
- (13) POINT "DC" FOUND 1" I.P. (H)
- (14) FOUND 5/8" I.R. (B); SENT + LEADING 58°44'34"E 0.24' FROM TRUE CORNER
- (15) FOUND 1/2" I.P. (D); NORTH 34°21'W 1.83' FROM (15)



R.O.W. MONUMENTS LINE TABLE

LINE	LENGTH	BEARING	RECORD
L1	[60.47]	(N00°04'01"E)	(50.007) (C)
L2	[24.84]	(S00°04'01"W)	(30.007) (C)
L3	[30.007]	(S00°04'01"W)	(NORTH 30.007) (C)
L4	[30.007]	(N00°04'01"E)	(SOUTH 30.007) (A)
L5	[24.97]	(N00°04'01"E)	(SOUTH 30.007) (A)
L6	[20.97]	(S00°04'01"W)	(NORTH 30.007) (D)
L7	[20.81]	(S00°04'01"W)	(NORTH 30.007) (D)

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
John G. Goff
 JUNE 9, 2009
 JOE J. COYA
 FLSHLS
 RECORDED: 12/31/11

K&D

K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 782
 Albany, Oregon 97321
 (541) 928-2283
 16-03-17-009

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS SURVEY IS TO COMPLETE AN APPROVED LAND PARTITION PER CITY OF STAYTON FILE NUMBER 5-03/16.

BOUNDARY DETERMINATIONS:

FOUND AND SET MONUMENTS WERE HELD TO ESTABLISH THE BOUNDARY AS SHOWN ON THE MAP AND FURTHER DESCRIBED BELOW

NORTH STREET BLOW MONUMENTS WERE HELD TO ESTABLISH THE NORTH POINT TO MONUMENTS WERE HELD TO ESTABLISH THE NORTH BLOW LINE OF HIGH STREET.

POINT 76-11 (SOUTHWEST CORNER) POINT 76-12 WAS SET AT THE INTERSECTION OF THE NORTH BLOW LINE OF HIGH STREET WITH THE LINE ESTABLISHED BY POINTS 76-10 AND 76-9.

POINT 76-13 (NORTHWEST CORNER) POINT 76-14 WAS SET AT RECORD DISTANCE FROM POINT 76-11 ON THE LINE ESTABLISHED BY POINTS 76-10 AND 76-9.

POINT 76-15 (NORTHEAST CORNER) POINT 76-16 WAS SET AT RECORD BEARINGS + DISTANCE FROM POINT 76-11.

INITIAL POINT (SOUTHWEST CORNER) THE INITIAL POINT WAS SET ON THE NORTH BLOW LINE OF HIGH STREET AT THE RECORD DISTANCE FROM POINT 76-11

SURVEYOR'S CERTIFICATE:

I, JACQUELINE A. COTTA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CONDUCTED A SURVEY OF THE LANDS AS REPRESENTED AND HAVE FOUND/SET A PROPER MONUMENT TO INDICATE THE INITIAL POINT AND HAVE ACCURATELY DESCRIBED THE LAND UPON WHICH THE PARCELS ARE Laid OUT AS FOLLOWS:

BECAUSE AT THE INITIAL POINT A 5/8" IRON ROD ON THE NORTH POINT OF WAY 115.00' OF LOTS 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

REGISTERED PROFESSIONAL LAND SURVEYOR
JACQUELINE A. COTTA
JULY 1, 2008
JULY 1, 2011
JULY 1, 2014
JULY 1, 2017
EXPIRES: 07/31/21

K&D
K & D ENGINEERING, INC.
570 S.W. Highway 2000, Stayton, Oregon 97157
(503) 882-2863
11-60-177.000

DECLARATION:

LET ALL PERSONS BY THESE PRESENTS KNOW THAT TRANQUILITY INVESTMENTS LLC, AN OREGON LIMITED LIABILITY COMPANY IS THE OWNER OF THE LANDS DESCRIBED ON THIS PARTITION MAP AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO PARCELS AS SHOWN IN ACCORDANCE WITH THE OREGON REVISED STATUTES, CHAPTER 2.

- 4) THE FOLLOWING PUBLIC UTILITY EASEMENTS FOR FRANCHISE UTILITIES ARE BEING GRANTED TO THE PUBLIC:
1) A 10' WIDE PUBLIC UTILITY EASEMENT IN PARCELS 1 AND 2 LOCATED ALONG THE NORTH RIGHT-OF-WAY OF HIGH STREET AS SHOWN ON THE MAP.

BY: Michael Woodhouse
MICHAEL WOODHOUSE, MANAGER
TRANQUILITY INVESTMENTS LLC

ACKNOWLEDGEMENT:

STATE OF OREGON } S.S.
COUNTY OF CLATSOP }

THIS IS TO CERTIFY THAT ON THIS 20TH DAY OF JUNE, 2016, BEFORE ME, A NOTARY PUBLIC FOR AND IN SAID STATE AND COUNTY, TRANQUILITY INVESTMENTS LLC, AN OREGON LIMITED LIABILITY COMPANY, AS MANAGER OF TRANQUILITY INVESTMENTS LLC, AN OREGON LIMITED LIABILITY COMPANY, WHO BEING DULY SWORN, DID SAY THAT HE IS THE PERSON NAMED IN THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

BY: Susan Carver
NOTARY PUBLIC FOR OREGON (SIGNATURE)
BY: SUSAN CARVER
NOTARY PUBLIC FOR OREGON (PRINTED)

MY COMMISSION EXPIRES: 6-1-2020

MY COMMISSION NO. 931151

PARTITION PLAT No. 2016-22

FOR
TRANQUILITY INVESTMENTS LLC

LOCATED IN
SW 1/4 SEC. 10, T. 9 S., R. 1 W., W.M.
IN THE
CITY OF STAYTON, MARION COUNTY, OREGON
MAY 11, 2016

CITY OF STAYTON FILE No. 5-03/16

APPROVALS:
Mark E. Higgins, by
Mark E. Higgins
MARION COUNTY SURVEYOR
DATE 6/22/16
Thomas D. Robbins
Thomas D. Robbins
MARION COUNTY ASSESSOR
DATE 6-22-2016
City of Stayton
[Signature]
CITY OF STAYTON CITY ADMINISTRATOR
PLAT/FILE No. 5-03/16
DATE 6/22/16

ASSESSOR/TAX COLLECTOR STATEMENT:
TAXES AND ASSESSMENTS ON THE ABOVE DESCRIBED PROPERTY, AS PROVIDED BY ORD 42061, HAVE BEEN PAID THROUGH 6-30-16.

FOR: Rex Williams
BY: Rex Williams
MARION COUNTY TAX COLLECTOR
DATE 06/22/16

RECORDING STATEMENT:

STATE OF OREGON } S.S.
COUNTY OF MARION }

I HEREBY CERTIFY THAT THE PARTITION PLAT NO. 2016-22 WAS RECEIVED FOR RECORDING ON THIS 22 DAY OF JUNE, 2016, AT THE OFFICE OF THE CLERK OF THE COUNTY OF MARION, OREGON. IT IS RECORDED IN THE BOOK OF PARTITION MAPS, PAGE 3330. IT IS RECORDED IN THE MARION DEED RECORDS IN BOOK 1000, PAGE 3330.
DELL BURGESIA, MARION COUNTY CLERK

BY: [Signature]
DEPUTY COUNTY CLERK

REEL: 3847

PAGE: 211

August 08, 2016, 09:55 am.

CONTROL #: 422443

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 66.00

BILL BURGESS
COUNTY CLERK

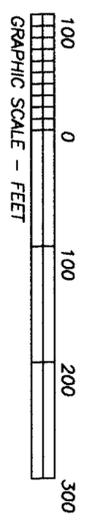
THIS IS NOT AN INVOICE.

PARTITION PLAT No. 2000-45
for
ELLIS AND BETTY CONN
in the

NORTHEAST 1/4 OF SECTION 32
T 14 S, R 5 W, W.M.
BENTON COUNTY, OREGON
DECEMBER 15, 2000
CASE No. LD-00-55

NORTHSTAR SURVEYING, INC.
720 N.W. 4th Street
Corvallis, Oregon 97330
Phone: 541-757-9050

I hereby certify that this drawing is an exact copy of the original plat.



- LEGEND**
- Found Monument: 5/8" rod per CS 5568 or as noted.
 - Set Monument: 5/8" x 30" rebar with a red plastic cap stamped "NORTHSTAR PLS 1823".
 - + Computed Position, nothing found or set.
- Date of, or computed from, the following:
 < > Book 189, Page 598, Benton County Deed Records.
 [] CS 5595
 { } Partition Plat (PPLAT) 94-57

REGISTERED PROFESSIONAL LAND SURVEYOR
THE OREGON JAMES LANGTON
JULY 13, 1876
1823
Renewal Date 12/31/2000

NARRATIVE

The purpose of this survey was to divide this tract into the three parcels shown per Benton County Planning Department Decision LD 00-55. My clients purchased this tract in 1964 per Book 189, Page 598, and sold off TL 100 to Crosby in 1974 per M-47280. In 1996 the tract was conveyed into a trust per M-220132-96. Verle Moore performed several surveys on or around these two tracts in the 70's; County Survey 5568, 5595, and 5650. I found the Moore monuments to fit nicely as shown. The new parcel lines were created to allow for the possibility of future development. The corner of said reservation begins at the NE corner of the 30' reservation per Partition Plat 94-57.

SURVEYOR'S CERTIFICATE

I, Theodore J. Langton, a Registered Professional Land Surveyor in the State of Oregon, say that I have correctly surveyed and marked with proper monuments the land represented on this partition plat, the boundary of which is described as follows:

A portion of that tract of land conveyed to Ellis Lehl Conn and Betty Jean Conn, per Book 189, Page 598, Benton County Deed Records, lying in the Northeast 1/4 of Section 32, T 14 S, R 5 W, W.M., Benton County, Oregon, being more particularly described as follows:

Beginning at a 3/4" iron pipe at the northwest corner of said Conn tract, being also the southwest corner of Lot 1, Block 48, Pacific Addition to Monroe, said County and State; thence along the Conn west line S 0°07'17"W 1517.64 feet to a 5/8" iron rod on the north right-of-way line of County Road No. 45800 (Coon Road); thence leaving said west line, along said right-of-way line S 89°54'15"E 257.16 feet to a 5/8" iron rod on the westerly line of that tract of land conveyed to David E. and Joe E. Crosby per M-181581-94, said Deed Records; thence leaving said right-of-way line, along the following Crosby boundary, N 10°16'25"E 185.33 feet to a 5/8" iron rod; thence N 12°11'57"W 71.87 feet to a 5/8" iron rod; thence N 0°08'42"E 322.91 feet to a 5/8" iron rod at the northeast corner thereof; thence S 89°54'51"E 292.24 feet to a 5/8" iron rod at the northeast corner thereof, on the Conn east line; thence along said east line N 0°07'09"E 941.59 feet to a 1" iron pipe at the northeast corner thereof; thence along the Conn north line N 89°51'26"W 566.82 feet to the point of beginning.

DECLARATION

Know all men by these presents that Ellis Lehl Conn and Betty Jean Conn are the trustees of the Conn Family Living Trust, dated July 1, 1996 which is the recorded owner of the lands represented on this map, and more particularly described in the accompanying surveyor's certificate, and have caused some to be partitioned and surveyed into parcels as shown hereon.

We hereby create the easements as shown hereon to the parties mentioned.

Ellis Lehl Conn *Betty Jean Conn*
Ellis Lehl Conn, Trustee Betty Jean Conn, Trustee

ACKNOWLEDGEMENTS

STATE OF OREGON) S.S.
COUNTY OF BENTON)

Signed or attested before me on this 22th day of December, 2000, by Ellis Lehl Conn and Betty Jean Conn as Trustees for the Conn Family Living Trust, dated July 1, 1996.

Robert Rainey
Notary Public



APPROVALS
Benton County Planning Official 12-29-00 date
Tom Wilson 12-29-2000 date
Benton County Surveyor

I hereby certify that pursuant to O.R.S. 92.095 all ad valorem taxes, fees and other charges required by law to be placed on the 2000-2001 tax roll, which became a lien or will become a lien during this tax year on this partition, but not yet certified to the tax collector for collection have been paid to me this 22nd day of December, 2000.

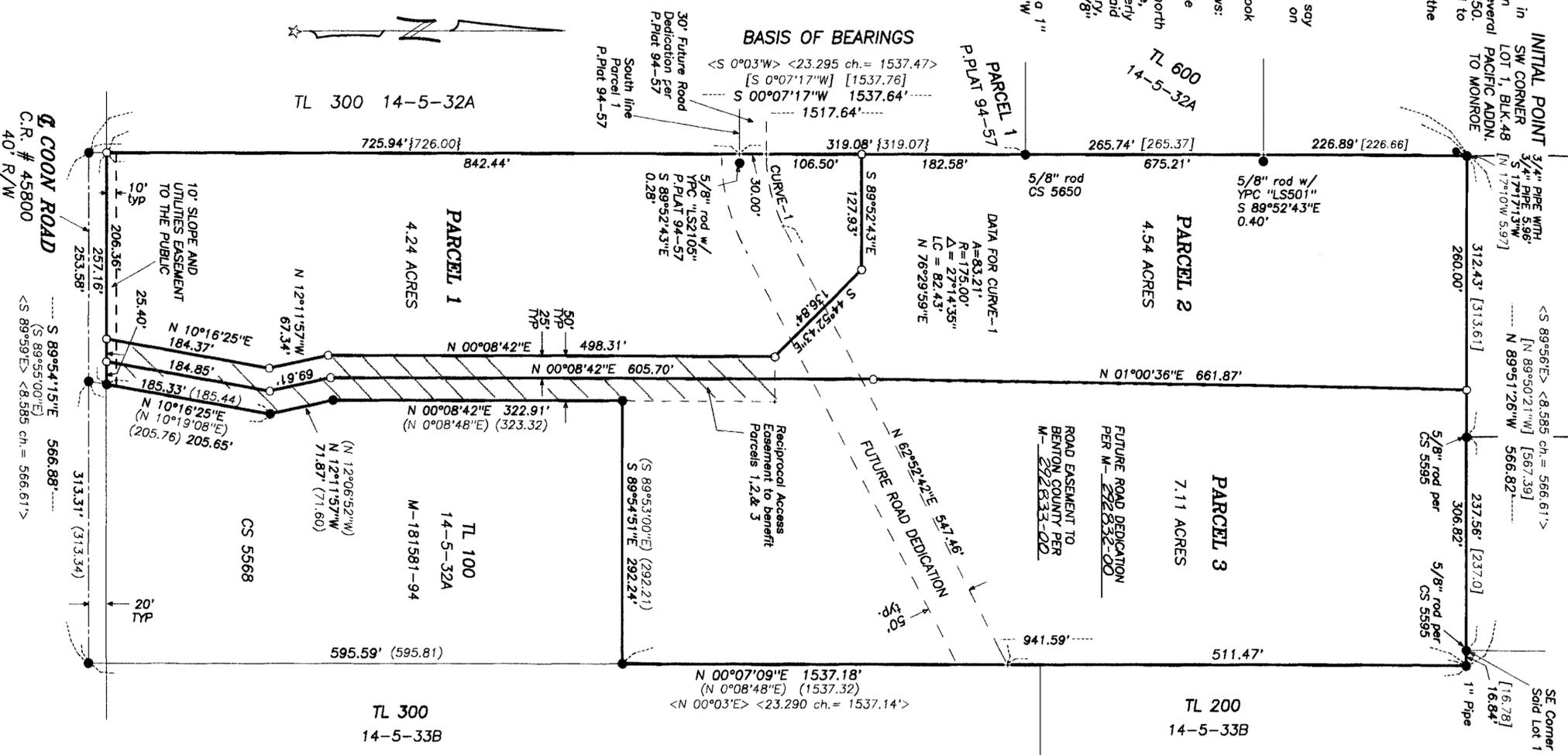
by *Robert Hill*
Director, Benton County Dept. of Assessment

I hereby certify that all ad valorem taxes and other charges required by law to be placed upon the tax roll which have become a lien on this partition that are now due and payable have been paid to me this 22nd day of December, 2000.

by *Debbie Albrecht*
for Director, Benton County Dept. of Finance, Auditing & Tax Collection

STATE OF OREGON)
COUNTY OF BENTON) S.S.

I hereby certify that this partition plat was received and duly recorded by me as Partition Plat 2000-45 in Benton County Deed Records M-220132-96 on this 22nd day of December, 2000, at 11:00 o'clock AM by *William J. Langton* Surveyor Deputy Clerk
for Benton County Clerk *Sevin Deputy Clerk*



2000-45

MM 292833-00

EASEMENT

T11S, R5W, Section 32A, Tax Lot 200

KNOW ALL MEN BY THESE PRESENTS, that Ellis Lehr Conn and Betty Jean Conn, Trustees of the Conn Family Living Trust, dated July 1, 1996, hereinafter referred to as the GRANTOR(s) does hereby and forever grant, assign, agree to and set over unto Benton County, hereinafter referred to as the County, it's heirs, successors and assigns the following permanent easement and right-of-way over and along the full length and width of the premises described as follows; to wit:

A 50 foot wide strip of land lying in the Northeast 1/4 of Section 32, T14S, R5W, W.M., Benton County, Oregon, the north line of said strip being described as follows:

Beginning at a point on the on the east line of Parcel 1, Partition Plat No. 94-57, said County and State, lying N 0°07'17"E 30.00 feet from the southeast corner thereof; thence leaving said east line, along the arc of a 175.00 foot radius curve left (long chord: N 76°29'59"E 82.43 feet) 83.21 feet; thence N 62°52'42"E 547.46 feet to the terminus on the east line of that tract conveyed to Ellis Lehr and Betty Jean Conn per Book 189, Page 598, Benton County Deed Records, S 0°07'09"W 511.47 feet from a 1" iron pipe at the northeast corner thereof.

With the right of ingress and egress to, over, and from said premises at all times and the right privilege and authority, to the County, to construct, maintain, replace, reconstruct and/or remove road improvements with all appurtenances incident thereto or necessary therewith, on under and across the said premises, and to cut and remove from said right-of-way any trees and other obstructions which may endanger the safety or interfere with the construction, use, or maintenance of said road and all rights and privileges incident thereto.

Benton County has no responsibility to build, improve, maintain, or otherwise service the easement contained within, but shall have the option to dedicate said premises as a public roadway.

Except as to the rights herein granted, GRANTOR(s) reserve the right to full use and control of the above described real property in a manner consistent with these purposes. No building or other permanent structure that would enjoin the County from the intended purpose of this easement shall be placed upon the premises without the written permission of the County, it's heirs, successors and assigns as applicable.

Dated this 22 day of December, 2000

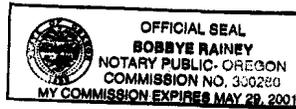
Ellis Lehr Conn
Grantor

Betty Jean Conn
Grantor

State of Oregon)
County of Benton) ss.

On December 22, 2000, before me a notary public personally appeared by above-named Ellis Lehr Conn and Betty Jean Conn and acknowledged the foregoing instrument to be a voluntary act and deed.

Bobby Rainey
NOTARY PUBLIC FOR OREGON
My Commission expires 5-29-01



AFTER RECORDING, RETURN TO: Public Works

289111
STATE OF OREGON } ss.
County of Benton

I hereby certify that the within instrument was received for record

#M11:15 '00DEC29

2000
AND ASSIGNED M292833

In the microfilm records of said county
Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer

By [Signature]
Deputy

M 292832-00

RESTRICTIVE COVENANT AGREEING TO FUTURE DEDICATION FOR ROAD AND UTILITY PURPOSES

T11S, R5W, Section 32A, Tax Lot 200

The undersigned, being the legal owners of the real property(s) described below, do hereby agree to dedicate, give and grant to Benton County from the date hereof, the sole, exclusive and irrevocable option to accept that certain real property for road right of way situate, lying and being in the County of Benton and State of Oregon, as a dedication to the public, with no encumbrance, described as follows, to wit:

A 50 foot wide strip of land lying in the Northeast 1/4 of Section 32, T14S, R5W, W.M., Benton County, Oregon, the north line of said strip being described as follows:

Beginning at a point on the on the east line of Parcel 1, Partition Plat No. 94-57, said County and State, lying N 0°07'17"E 30.00 feet from the southeast corner thereof; thence leaving said east line, along the arc of a 175.00 foot radius curve left (long chord: N 76°29'59"E 82.43 feet) 83.21 feet; thence N 62°52'42"E 547.46 feet to the terminus on the east line of that tract conveyed to Ellis Lehr and Betty Jean Conn per Book 189, Page 598, Benton County Deed Records, S 0°07'09"W 511.47 feet from a 1" iron pipe at the northeast corner thereof.

The covenant herein contained is a condition of approval for the property(s) divided by Partition File No. LD-00-55 Benton County Planning Department and described in M-220132-96 the Benton County Deed Records.

The real property optioned by this agreement may be required for future County street or road. The legal owner, his grantees, heirs, successors and assigns, hereby agree to dedicate the real property(s) to Benton County for right of way and utility purposes, at such time as said real property(s) is/are needed for those purposes. A Deed conveying said real property to Benton County shall be executed by the owner, his grantees, heirs, successors, and assigns, and shall be delivered to Benton County upon demand.

This covenant shall be binding upon the undersigned and their heirs, successors, and assigns as a covenant running with the land, to be released only by Benton County.

Dated this 22 day of DECEMBER, 2000

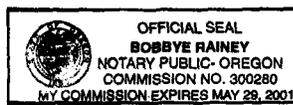
Ellis Lehr Conn Trustee
Trustee, Conn Family Living Trust, 1996

Betty Jean Conn Trustee
Trustee, Conn Family Living Trust, 1996

State of Oregon)
County of Benton) ss.

On December 23, 2000 before me a notary public personally appeared by above-named Ellis Lehr Conn and Betty Jean Conn and acknowledged the foregoing instrument to be a voluntary act and deed.

Bobby Rainey
NOTARY PUBLIC FOR OREGON
My Commission expires 5-29-01



✓ AFTER RECORDING, RETURN TO: Public Works

289110 }
STATE OF OREGON } ss.
County of Benton }
I hereby certify that the within instrument
was received for record

M11-15 '00DEC29

2000
AND ASSIGNED **M292832**
In the microfilm records of said county
Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer
By [Signature] Deputy



City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov www.staytonoregon.gov

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

SUBJECT: Public Hearing decision to recommendation a Land Use Code Amendment to Add a Permitted Use with Site Plan Review to the Interchange Development - ID Zoning District

DATE: August 19, 2024

ISSUE

The issue before the Planning Commission is to consider adding a permitted use, with Site Plan Review, of “# 17 General Merchandise Stores” to the Interchange Development (ID) zone. This would be reflected by amending Table 17.16.070.1 Permitted Land Use in the Stayton Land Use and Development Code.

BACKGROUND

A Land Use Code Amendment is a legislative decision and must either be initiated by the Planning Commission or the City Council per 17.12.175.3. The Planning Commission voted to hold a Public Hearing to consider a recommendation for land code amendments to allow, with Site Plan Review, “# 17 General Merchandise Stores” to the Interchange Development (ID) zone.

Additionally, a study on the impact on transportation facilities is required to be conducted per 17.12.175.6, and this has been completed by the city’s traffic engineer, Kittelson & Associates, Inc. They conclude that the proposed change would not represent a significant effect on the transportation system as defined by the Transportation Planning Rule (TPR).

The Zoning Code provides a purpose for the Interchange Development – ID zone as defined in 17.16.060 DISTRICT PURPOSES. INTERCHANGE DEVELOPMENT.

“To assure that land located within 1,500 feet of a highway entrance/exit ramp is available for uses that are oriented to providing goods and services oriented to the traveling public. In providing for the location of highway-oriented service firms, it is essential that the principal function of the intersection (the carrying of traffic to and from the highway in a safe and expeditious manner) be preserved.”



City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

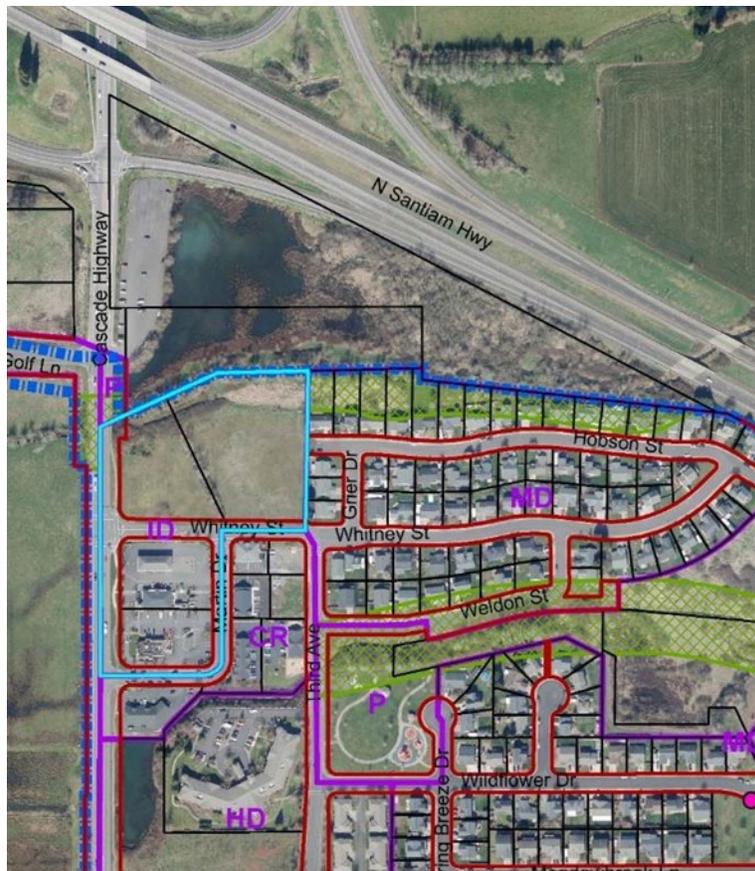
Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov www.staytonoregon.gov

The ID zone covers four (4) parcels in the city and has a limited number of permitted uses. The Interchange Development – ID zone only includes the four following parcels:

- 101 Whitney St a 10,640 square foot general store proposed
- 201 Whitney St vacant
- 100 Whitney St already developed
- 101 Martin Dr already developed

Two of the four parcels are already developed. The map below shows the Interchange Development – ID zone. The four parcels are shown outlined with a light blue border.



The Interchange Development – ID zone only allows a very limited list of permitted uses with Site Plan Review. See Table 17.16.070.1 Permitted Land Use. Here is a complete list of the uses:

THE CITY OF STAYTON IS AN EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER

POLICE
386 N. THIRD AVENUE
STAYTON, OR 97383
(503) 769-3423
FAX (503) 769-7497

**COMMUNITY AND
ECONOMIC
DEVELOPMENT**
362 N. THIRD AVENUE
STAYTON, OR 97383
(503) 769-2998
FAX (503) 767-2134

PUBLIC WORKS
362 N. THIRD AVENUE
STAYTON, OR 97383
(503) 769-2919
FAX (503) 767-2134

WASTEWATER
950 JETTERS WAY
STAYTON, OR 97383
(503) 769-2810
FAX (503) 769-7413

LIBRARY
515 N. FIRST AVENUE
STAYTON, OR 97383
(503) 769-3313
FAX (503) 769-3218



City of Stayton

Department of Community and Economic Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

jsiciliano@staytonoregon.gov www.staytonoregon.gov

- Food & Beverage Stores (Convenience stores only)
- Gasoline Stations
- Gift & Novelty stores
- Commercial Banking & Related Activities (With no less than two drive-thru lanes and a drive-up automatic teller machine.)
- Hotel, Motel, Inn
- RV Parks and Recreational Camps
- Bed & Breakfast
- Eating & Drinking Places
- Water or Sewage Collection or Distribution Facilities & Pump Stations

The Stayton Land Use and Development Code only has 10 retail types plus a category for those not listed in its use table.

- 10 Retail Stores not specifically listed below
- 11 Automobile Dealers
- 12 Automotive Parts, Accessories, & Tire Stores
- 13 Building Material & Supplies Dealers
- 14 Lawn and Garden Equipment & Supplies Stores
- 15 Food & Beverage Stores
- 16 Gasoline Stations
- 17 General Merchandise Stores
- 18 Gift & Novelty stores
- 19 Manufactured Home Dealers
- 20 Direct Selling Establishments (except food)

ANALYSIS

The Interchange Development – ID zone is a commercial zone. If the Planning Commission wants to make changes to any use within the ID zone, these uses would need to fit with the zone’s purpose as laid out in 17.16.060 (defined previously). If any land use code amendments are approved, it would affect all four parcels. All these parcels are currently already zoned for commercial.

There are a number of zones in the city where this type of use is permitted including:

- Commercial Retail (CR) – it is limited to 8,000 square feet gross floor area
- Commercial General (CG)
- Commercial Park (CP)
- Central Core Mixed Use (CCMU)
- Downtown Commercial Mixed Use (DCMU)
- Residential Mixed Use (DRMU)

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City of Stayton

Department of Community and Economic Development

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In considering a text amendment, one must refer to the comprehensive plan, the original intent and whether this is still relevant. In this case, there are four impacted parcels, two of which have developed consistent with the zone. Does the Planning Commission, and ultimately the City Council find that a general merchandise store is in line with the intent of the ID zone “To assure that land located within 1,500 feet of a highway entrance/exit ramp is available for uses that are oriented to providing goods and services oriented to the traveling public?”

Staff reviewed the applicable Comprehensive Plan policies and identified the following specific policy related to this issue:

Comprehensive Plan Policy EC-4 It is the Policy of the City to discourage commercial development at Highway 22.

ACTION The City shall continue the Interchange Development Zone near the two Highway 22 interchanges to limit commercial uses to traveler-oriented.

While a general merchandise store can bring economic development to a lot that has been vacant for years could generate new tax revenue, and potentially create jobs the proposed text amendment appears to be inconsistent with the intent of the ID zone and the comprehensive plan. This area is the gateway to our city and the type of development here sets the tone for what visitors will think of our community. We need to consider whether a general merchandise store truly represents the image we want to project or if it might detract from a more distinctive, welcoming entry point that reflects the character and values of our city.

RECOMMEDATION

The staff does not recommend amending the text, however if the Planning Commission and Council feel it is appropriate, staff recommends allowing “#17 General Merchandise” with Site Plan Review and the footnote that this use is limited to 8,000 square feet gross floor area as it is in Commercial Retail. This will provide for additional use for these parcels and at the same time limiting the use to a smaller sized general merchandise retail establishment.

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OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the fourth option.

- 1. Recommend to the City Council that “General Merchandise Stores” use be added to the Table 17.16.070.1 Permitted Land Use by Site Plan Review limiting it to 8,000 Square feet gross floor area, adopting the draft order as presented.**

I move the Stayton Planning Commission recommend to the Stayton City Council that the Land Use Code be amended to allow “#17 General Merchandise” with Site Plan Review and the footnote that his use is limited to 8,000 square feet gross floor area and adopt the draft order presented by Staff.

- 2. Recommend to the City Council that “General Merchandise Stores” use be added to the Table 17.16.070.1 Permitted Land Use by Site Plan Review limiting it to 8,000 Square feet gross floor area, adopting modifications to the draft order.**

I move the Stayton Planning Commission recommend to the Stayton City Council that the Land Use Code be amended to allow “#17 General Merchandise” with Site Plan Review and the footnote that his use is limited to 8,000 square feet gross floor area and adopt the draft order with the following changes...

- 3. Continue the hearing until September 30, 2024.**

I move the Stayton Planning Commission continue the public hearing on the legislative amendment to allow “#17 General Merchandise” with Site Plan Review and the footnote that this use is limited to 8,000 square feet gross floor area.

- 4. Close the hearing, choose to not forward the amendments to the City Council.**

I move to not forward the proposed amendments to the City Council.

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BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Site Plan Review
The application of) File # 10-06/24
6S DG Stayton OR, LLC/ Sam Moore, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The application is for a Site Plan Review to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner is Daphne Girod.
2. The applicant is Sam Moore of 6S DG Stayton OR, LLC.
3. The properties can be described on Marion County Assessors Map as 101 Whitney Street (tax lot 091W03DB00400).
4. The property has approximately the following frontage: 261 feet along Whitney Street, and 176 feet along Cascade Highway SE. The property is approximately 1.49 acres.
5. The property is zoned Interchange Development (ID). Part of the property is within the Natural Resources Overlay District (NR); the area 100 feet from the normal high-water line of the Mill Creek. A portion of the property to the north is in the AE Zone and is under the Floodplain Overlay District (FR).
6. The ID zone does not permit the use of #17 “General Merchandise Stores” in Table 17.16.070.1.
7. The property to the north is owned by the State of Oregon ODOT for management of interchange of Cascade Highway and Highway 22 and is out of city limits. The property to the east is another vacant lot and zoned ID. The property to the south across Whitney Street is developed and is zone ID. The property to the west across from Cascade Highway is vacant is out of city limits.

B. EXISTING CONDITIONS

The subject property is currently undeveloped and has been vacant for several years.

C. PROPOSAL

The proposal to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Marion County Public Works, WAVE Broadband, Stayton Cooperative Telephone Company, Pacific Power, Northwest Natural Gas, Santiam Water Control District, Stayton Fire District, Stayton Police

Department, Salem Development Services, Santiam Hospital, and Oregon Department of Transportation.

Responses were received from Stayton Public Works, City of Stayton's Transportation Consultant, Oregon Department of Transportation, and NW Natural whose comments are reflected in the findings below.

E. ANALYSIS

Site plan Review applications need to comply with the Stayton Land Use and Development Code (SMC) 17.04 General Provisions and comply with 17.16.020 Basic Provisions and are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.220.

F. APPROVAL CRITERIA

Pursuant to SMC 17.04.070 Compliance, *“No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of the Stayton Land Use and Development Code and other applicable regulations including all permits and licenses required.”*

Pursuant to SMC 17.16.020.1. Compliance with Code Required, *“A lot may be used and a structure or part of a structure constructed, reconstructed, altered, occupied, or used only as this title permits, and then only after applying for and securing all permits and licenses required by all applicable laws.”*

Analysis: The proposal does not currently meet this standard because SMC 17.04.070, and SMC 17.12.220.2, the Interchange Development (ID) zone does not allow for “General Merchandise Stores”. The Commission is considering a text amendment to allow this use in the ID zone, however that decision is uncertain at this time and is tentatively scheduled to be considered by the Planning Commission on August 26, 2024, and the City Council on September 16, 2024. For this Site Plan Review application to be considered to be in compliance with SMC 17.04.070, and SMC 17.12.220.2, the Interchange Development (ID) zone must allow for #17 “General Merchandise Stores” in Table 17.16.070.1.

Finding: Because a text amendment is inherently discretionary in nature, it cannot be determined if it is “reasonably likely” to be approved, therefore, the Commission could simply find that this standard has not been met. However, a condition has been developed in the event the Commission wants to provide an option for the applicant to meet this standard.

Condition 1: Obtain a text amendment to the SMC that permits with Site Plan Review “S” the use of #17 “General Merchandise Stores” in the ID zone within the Table 17.16.070.1 pursuant to process laid out in 17.12.175 Land Use Code Amendments.

Pursuant to SMC 17.12.220.5 the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve development in accordance with City's Master Plans and Standard Specifications.*

Analysis: According to the City Engineer City GIS mapping indicates that there is an existing 8” sanitary sewer system and an existing 12” water main within Whitney Street. It also indicates that there is an existing storm drainage system within Whitney Street, along with an open swale/ditch

system located along the easterly property line of the proposed development that partially serves the existing Santiam Station development.

It does not appear that there are any wastewater master planned improvements identified in Figure 15 of the Wastewater Master Plan along the frontage of the proposed development site. It does not appear that there are any water master planned improvements identified in Figure 4 of the Water Master Plan along the frontage of the proposed development site.

A drainage memorandum was submitted. It is unclear what part of the property is within the Natural Resources Overlay District (NR) which should be 100 feet from the normal high-water line of the Mill Creek. This will affect the stormwater drainage system. In addition, a preliminary storm water management in accordance with Public Works Design Standards needs to be submitted to discern whether stormwater can be handled with the current proposed development.

Finding: As discussed above, staff can not find that this standard has been met, however it appears feasible that this standard if the applicant meets the condition below.

Condition 2: Provide a revised site plan that shows the location of the NR and shows all necessary setbacks/resource overlays for the existing natural drainage features located onsite.

Condition 3: Provide a preliminary stormwater management plan that follows Public Works Design Standards.

- b. *Provisions for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property from those public streets and roads which serve the property in accordance with the City's Transportation System Plan and Standard Specifications.*

Analysis: The Site Plan proposed a 44' wide driveway with access on Whitney Street. The driveway exceeds the maximum driveway width on a Commercial local street per the City's public work design standards 303.11.E. The maximum driveway width is 36 feet per city standard.

Whitney Street is a designated local street and based on Table 17.26.020.3.h Access Spacing Standard, there should be a minimum spacing of 50 feet between the driveways and/or street. The driveway does not appear to be spaced 50 feet (center-to-center) from the Martin Drive Street.

Additionally, there is a Memorandum of Understanding regarding Golf Lane realignment between Marion County and the city dated May 19, 2003. It requires on page 4 "tax lots 500 & 400 on Marion County Assessors Map 091W03DB00 shall access Whitney Street via a shared driveway ..."

The internal traffic circulation will change depending on how the parking requirements are modified to meet conditions in d.

Finding: As discussed above this standard has not been met. It appears feasible that this standard could be met through compliance with the conditions below.

Condition 4: Provide a revised site plan that shows a driveway with a maximum driveway width of 36 feet and that continued to shows safe and efficient internal traffic circulation and safe access to property taking into account other conditions in d.

Condition 5: Provide a revised site plan that shows a shared commercial driveway with the lot to the east per section 17.26.020.3.d to be aligned with Martin Drive with crossover easement that

would allow future re-configuration of the driveway when 201 Whitney Street (taxlot 091W03DB00500) is developed.

Condition 6: Prior to issuance of building permits, obtain approval from Public Works for site development demonstrating that the access is consistent with Public Works Design Standards.

- c. *Provision of all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site.*

Analysis: The proposed development fronts Cascade Highway SE with approximately 176 feet of frontage and Whitney Street with 261 feet of frontage.

Regarding rights-of-way, Cascade Highway SE is a Principal Arterial under Marion County jurisdiction. A 100' of right-of-way is required. From the tax assessor's map, it appears that there is approximately 52' of existing right-of-way along the east half of Cascade Highway along the frontage of this development. No additional right-of-way is necessary to meet the standard half-width. However, the frontage is controlled by Marion County and any additional R/W dedication requirements will be as determined by them. The standard 10' wide public utility easement shall be provided along the frontage unless otherwise approved by the Public Works Director.

Whitney Street is a Local Street under City jurisdiction. A right-of-way minimum of 60' is required for local streets. From the tax assessor's map, it appears that there is approximately 50' of existing right-of-way along the frontage. Therefore, it appears that 5' of additional right-of-way will be needed along the frontage in order to meet the right-of-way halfwidth requirement. In addition, additional right-of-way dedication shall be provided at the intersection to at minimum provide 1' clearance behind the sidewalks and curb ramps at the intersection. The standard 10' wide public utility easement shall be provided along the frontage unless otherwise approved by the Public Works Director.

Cascade Highway SE is considered to be developed along the frontage with asphalt pavement, curb and gutter, sidewalks, and storm drainage. However, since the frontage is controlled by Marion County, any street improvement requirements will be as determined by them. No comments were received by the County.

Whitney Street is considered to be developed along the frontage with asphalt pavement, curb and gutter, and storm drainage, but it does not have sidewalks and the existing pavement width is narrow compared to what would typically be required for a 3-lane street section. As such, the existing street section, the new driveway access, and any recommended street improvements necessary for the existing 3-lane street section at the intersection will need to be included in the review and analysis by the Developer's Traffic Engineer as part of the Traffic Impact Analysis (TIA). The applicant did not include a TIA with the application and, therefore staff and the Planning Commission cannot determine if this criterion is met without an accurate traffic load analysis (TIA) to assess whether the proposed design can accommodate the increased traffic generated by the site development.

Finding: As discussed above, staff can not find that this standard has been fully met, however with compliance with the condition below, this standard will be met.

Condition 7: Prepare a Traffic Impact Analysis per SMC 17.26.050.

Condition 8: Submit a revised Site Plan that include dedication of an additional 5 foot right-of way along the frontage of Whitney Street and show the required street improvements along Whitney Street.

Condition 9: Obtain PW approval for site development that includes 6-foot side walk necessary street improvements

Condition 10: Dedicate the necessary Public Utility Easements along frontage on Cascade Highway SE and Whitney Street.

d. *Provision has been made for parking and loading facilities as required by Section 17.20.060.*

Analysis: All proposed off-street parking is located on the development. The Site Plan shows a total of 37 parking spaces including 2 handicap spots, a carpool parking spot, and a bike rack. Perimeter landscaping is shown in the landscape plan on the west side along Cascade Highway SE which is a major arterial and on the south side along Whitney Street which is considered a residential local street. The trees shown in the parking area are from the approved list maintained by the Department of Public Works.

According to Table 17.20.060.7.b Commercial and Industrial Parking Requirements, the Retail Store use requires 4 parking spaces per 1,000 square feet, which would require 43 parking spaces. The site plan depicts 37 parking spaces; this is deficient by 8.

Two handicap spaces are required and are shown on the submitted site plans.

One loading facility is required since the building is between 5,001 to 40,000 gross floor area. This requirement has not been shown on the plan.

There is a requirement to have 3 bike parking spots. The Site Plan only proposes a bike rack and not bike parking. This requirement has not been met.

The Site Plan does shows required perimeter landscaping as required in SMC 17.20.090.11 along Cascade Highway SE and Whitney Street. No perimeter landscaping on the property line on the east side because of its adjacently to a commercial property.

The Site Plan does not show landscaped islands that are require for every 10 parking spaces or divider medians that may be used as a substituted in the two solid rows of 14 parking spaces. The Site Plan does not show terminal island at the intersection of the 9 and 14 parking space rows.

The Site Plan does not identify pedestrian walkways connecting the parking areas to the building entrance way. The code requires that pedestrian walkways be attractive and include landscaping and trees.

Finding: As discussed above, multiple of the parking and loading standards have not been met. Given the amount of standards that have not been met in this section, staff is not certain how the applicant can meet the standards without significant modification to the site layout. In order to meet this standard, the applicant would need to:

- Increase the number of off-street parking spaces by eight using standard dimensions.
- Show a loading facility that follows the requirements of SMC 17.20.060.9.b., c., and d.
- Show 3 bike parking spots that fulfill requirements in SMC 17.20.060.9-A.1)a. and b.
- Show appropriate interior landscaped islands and terminal islands fulfilling the requirements SMC 17.20.060.11.b.

- Show a pedestrian connection from parking area to the buildings entrance.

e. *Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070*

Analysis: The only proposed storage area will be a trash enclosure is the northeast section of the property that will be fully contained with a landscape buffer.

Finding: This requirement is met.

f. *Site design shall minimize off site impacts of noise, odors, fumes or impacts.*

Analysis: There are no off-site noise, odors or fumes anticipated from the proposed development project

Finding: This requirement is met.

g. *The proposed improvements shall meet all applicable criteria of Section 17.20.200 Commercial Design Standards*

Analysis: The building proposed is a 10,640 square foot with 8,750 square feet of retail floor space to have a Dollar General retail space.

Finding: The submitted architectural elevation drawings show a building that does not meet the city's architectural standards for pedestrian orientation, human scale design, breaks in building length, and standards for massing. If the applicant submits revised plans that fully comply with the condition below, this condition will be met.

Condition 11: Prior to submittal of building permits, submit a revised site plan and architectural drawings that follow architectural standards in particular the following:

Follow 4. a. 2) Add a corner entrance or have an entrance that is within 20 feet of the street corner.

Follow 4. a. 3) Add window displays at least along 45% of the building's ground floor street facing elevations(s) making them integral to the building design.

Follow 4. a. 4) Add weather protection such as awnings, canopies, overhangs, or similar features to the primary building entrance(s).

Follow 4. b. 1) Add regularly spaced and similarly shaped windows on all building stories.

Follow 4. b. 2) Provide display windows where the lower edge of the display windows shall be no higher than 4 feet above the sidewalk and the top edge shall be no less than 7 feet above the sidewalk.

Follow 4. c.1)b) Provide articulation of the building face at least every 50 feet.

Follow 4. c.2) Provide horizontal and vertical offsets relating to the overall design and organization of the building, its entrances, and door and window treatments. The features shall be designed to emphasize building entrances.

Follow 4. c.3) Provide offsets that are grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.

Follow 4. c.5)b) Provide architecture and site plans showing a building without a wall plane exceeding 50 feet in length fitting this sections criteria. Use a combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide. A horizontal or vertical break in the cornice line needs to be at least 18 inches in height or 3 feet in depth and at least 12 feet wide.

Follow 4. c.5)c) Provide architecture and site plans showing a building that avoids repetition of offsets that are identical in size and shape.

h. (Repealed Ord. 913, September 2, 2009)

i. (Repealed Ord. 913, September 2, 2009)

j. Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.

Analysis: The submitted landscape plan shows landscaping for the proposed site. It does not state what percentage of landscape area is purposed. A minimum landscaped area of 15% is required in the ID zone. No irrigation plan was submitted. The landscape plan shows trees along Cascade Highway SE but does not show any street trees along Whitney Street. Interior landscaped islands are discussed in condition d.

Finding: As discussed above, staff cannot find that the standard has been met but if the applicant complies with the condition below, this standard will be met.

Condition 12: Provide revised site plan noting the amount of landscape area and provide the required minimum of 15%.

Condition 13: Provide an irrigation plan indicating the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.

Condition 14: Provide revised site plan showing street trees along the frontage of Whitney Street as required SMC 17.20.090.5.

k. The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function without undue adverse impact on existing land uses.

Finding: No barriers are proposed.

l. The lighting plan satisfies the requirements of Section 17.20.170.

Analysis: The provided Lighting Plan show average area footcandles of 2.3. The maximum allowed is 1.6 in the commercial area. The height of the lights were not provided in the plans.

Finding: As discussed above, staff cannot determine if this standard has been met. If the applicant complies with the conditions below, this standard will be met.

Condition 15: Submit a revised Lighting plan that states the mounting height with a maximum of 20 feet.

Condition: 16: Revise lighting plan to have a minimum of .3 footcandles and a maximum average illumination level of 1.6 footcandles.

- m. The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Analysis: The property owner will be responsible for upkeep and maintenance of the property and all parts of the development. As part of a Site Development Permit, the applicant will be required to submit a stormwater operations and maintenance (O&M) plan to be approved by the Public Works Department.

Finding: The required O & M plan will layout requirements for proper maintenance of stormwater drainage maintenance.

- n. When any portion of an application is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Analysis: The proposed development site is within 100 feet of Mill Creek. It is not clear where the high-water mark is within Mill Creek. The applicant will need to provide revised plans showing the portion of the parcel within the 100 feet of Mill Creek.

Conditions 17: The applicant submits a revised plan clearly showing where the portion of the parcel is within the 100 feet of Mill Creek and show that there will be on adverse impact on fish habitat.

- o. Notwithstanding the above requirements the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26 provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior's Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided.*

Finding: This criterion is not applicable since no building on the property is listed on the National Register of Historic Places.

III. CONCLUSION

Based on the facts above, the Planning Commission cannot determine that the application meets the requirements for Sections 17.12.200 Variances, 17.12.220 Site Plan Review, 17.20.060 Off-Street Parking and Loading, 17.20.090 Landscaping Requirements, 17.20.170 Outdoor Lighting, and 17.20.200 Commercial Design Review.

IV. ORDER

Based on the conclusions above, the Planning Commission denies the application for site plan review as shown on Site Plan, and Landscaping Plan dated 05/13/2024, prepared by Tectonics Design Group, Reno, Nevada, Narrative dated 05/14/2024 by Tectonics Design Group, Reno, Nevada, Lighting Photometric Plan, and Architecture Plan by Dollar General inhouse architecture and engineering

department dated 12/04/2023 and the accompanying materials that comprising the application subject to the attached are the required conditions that may lead to approval:

1. Obtain a text amendment to the SMC that permits with Site Plan Review “S” the use of #17 “General Merchandise Stores” in the ID zone within the Table 17.16.070.1 pursuant to process laid out in 17.12.175 Land Use Code Amendments.
2. Provide a revised site plan that shows the location of the NR and shows all necessary setbacks/resource overlays for the existing natural drainage features located onsite.
3. Provide a preliminary stormwater management plan that follows Public Works Design Standards.
4. Provide a revised site plan that shows a driveway with a maximum driveway width of 36 feet and that continued to shows safe and efficient internal traffic circulation and safe access to property taking into account other conditions in d.
5. Provide a revised site plan that shows a shared commercial driveway with the lot to the east per section 17.26.020.3.d to be aligned with Martin Drive with crossover easement that would allow future re-configuration of the driveway when 201 Whitney Street (taxlot 091W03DB00500) is developed.
6. Prior to issuance of building permits, obtain approval from Public Works for site development demonstrating that the access is consistent with Public Works Design Standards.
7. Prepare a Traffic Impact Analysis per SMC 17.26.050.
8. Submit a revised Site Plan that include dedication of an additional 5 foot right-of way along the frontage of Whitney Street and show the required street improvements along Whitney Street.
9. Obtain PW approval for site development that includes 6-foot side walk necessary street improvements
10. Dedicate the necessary Public Utility Easements along frontage on Cascade Highway SE and Whitney Street.
11. Prior to submittal of building permits, submit a revised site plan and architectural drawings that follow architectural standards in particular the following:
 - a. Follow 4. a. 2) Add a corner entrance or have an entrance that is within 20 feet of the street corner.
 - b. Follow 4. a. 3) Add window displays at least along 45% of the building’s ground floor street facing elevations(s) making them integral to the building design.
 - c. Follow 4. a. 4) Add weather protection such as awnings, canopies, overhangs, or similar features to the primary building entrance(s).
 - d. Follow 4. b. 1) Add regularly spaced and similarly shaped windows on all building stories.
 - e. Follow 4. b. 2) Provide display windows where the lower edge of the display windows shall be no higher than 4 feet above the sidewalk and the top edge shall be no less than 7 feet above the sidewalk.
 - f. Follow 4. c.1)b) Provide articulation of the building face at least every 50 feet.
 - g. Follow 4. c.2) Provide horizontal and vertical offsets relating to the overall design and organization of the building, its entrances, and door and window treatments. The features shall be designed to emphasize building entrances.
 - h. Follow 4. c.3) Provide offsets that are grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.



- i. Follow 4. c.5)b) Provide architecture and site plans showing a building without a wall plane exceeding 50 feet in length fitting this sections criteria. Use a combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide. A horizontal or vertical break in the cornice line needs to be at least 18 inches in height or 3 feet in depth and at least 12 feet wide.
 - j. Follow 4. c.5)c) Provide architecture and site plans showing a building that avoids repetition of offsets that are identical in size and shape.
12. Provide revised site plan noting the amount of landscape area and provide the required minimum of 15%.
13. Provide an irrigation plan indicating the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.
14. Provide revised site plan showing street trees along the frontage of Whitney Street as required SMC 17.20.090.5.
15. Submit a revised Lighting plan that states the mounting height with a maximum of 20 feet.
16. Revise lighting plan to have a minimum of .3 footcandles and a maximum average illumination level of 1.6 footcandles.
17. The applicant submits a revised plan clearly showing where the portion of the parcel is within the 100 feet of Mill Creek and show that there will be no adverse impact on fish habitat.
18. Prior to the submittal for Site Development Permit, the applicant shall submit an irrigation plan that meets the requirements of Section 17.20.090.4.
19. Prior to the submittal for Site Development Permit, the applicant shall submit revised light plans that show the height of the pole parking lights to meet Table 17.20.170.4.c.3.
20. All required easements, agreements, and other documentation required by the Planning Conditions of Approval, SMC, PWDS and other agencies having jurisdiction over the work shall be provided to the City for review and approval prior to issuance of a Site Development Permit.
21. The following engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit.
 - a) Site and street improvement plans conforming to the SMC and Public Works Standards.
 - b) Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c) Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - d) A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
 - e) Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official. It shall be the responsibility of the Developer to provide a suitable discharge location for stormwater from the development which will not harm or inconvenience any adjacent or downstream

properties and that conforms to Public Works Standards and applicable jurisdictional agency's requirements. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City and applicable jurisdictional agencies.

- f) A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
- g) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

V. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Stayton Land Use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

In accordance with Section 17.12.120.7, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein is commenced within 1 year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the City Planner at least 30 days prior to the expiration date of the approval.

VI. APPEAL DATES

The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

DRAFT

Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Permit Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton, Standard Specifications, Design Standards & Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City

Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.

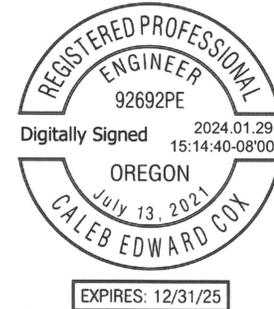
MEMORANDUM

January 29, 2024

Project# 3998.033

To: Jennifer Siciliano, Community & Economic Development Director
City of Stayton
362 N. Third Avenue
Stayton, OR 97383

From: Caleb Cox, PE, Diego Arguea, PE, Michael Ruiz-Leon
Project: Dollar General Development (101 Whitney Street)
Subject: Zoning Text Amendment – Transportation Analysis



The City of Stayton (City) received an application to revise City of Stayton Municipal Code Table 17.16.070.1 to allow "General Merchandise Stores" within the Interchange Development (ID) zone. The applicant proposes the change to be designated as "S," defined as *Permitted Use after Site Plan Review for new construction or expansion of an existing structure*.

To comply with Oregon's Transportation Planning Rule (TPR), as documented in Oregon Administrative Rule 660-012-060, the text amendment must not result in a significant effect on the transportation system. To test for a significant effect, the reasonable maximum build-out trip generation was compared for land uses allowed under the existing and proposed designations. Based on the analyses presented in this memorandum the revision of the text amendment will not result in a significant effect and no additional technical transportation analyses are needed to support the TPR findings. The remainder of this memorandum documents the trip generation assumptions and analyses.

Background

The applicant proposes to build a retail store on the subject property located at 101 Whitney Street, which is one of four existing parcels with the ID designation. There are currently four parcels zoned ID within the City of Stayton, totaling 6.42 acres that will all be impacted by the code amendment proposal. These parcels are generally located in the northeast and southeast quadrant of the Cascade Highway/ Whitney Street intersection and are identified below for reference.

- 101 Whitney Street (Tax Lot number: 091W03DB00400): 1.49-acres and currently vacant.
- 201 Whitney Street (Tax Lot number: 091W03DB00500): 2.90-acres and currently vacant.
- 100 Whitney Street (Tax Lot number: 091W03DC01900): 1.12-acres and currently occupied by a fuel station and convenience store.
- 101 Martin Drive (Tax Lot number: 091W03DC02000): 0.91-acres and currently occupied by a fast-food restaurant with a drive-through.

Of the 6.42 acres listed above, the following lots are vacant and designated as developable.

- 101 Whitney Street (Tax Lot number: 091W03DB00400): 1.49-acres and currently vacant.
- 201 Whitney Street (Tax Lot number: 091W03DB00500): 2.90-acres and currently vacant.

The following sections detail the trip generation estimates for each of the parcels under existing and proposed allowable uses, assuming adoption of the proposed code amendment.

Trip Generation

For the purposes of addressing the Transportation Planning Rule, a trip generation estimate was prepared that represents a *reasonable maximum build-out* development scenario under the existing and proposed zoning. For the purposes of this analysis, no wetlands or otherwise unbuildable lands have been identified. The trip generation estimate for the existing zoning is developed based on approximately 6.42 acres of ID zoning. Site development trip estimates under the existing and proposed zoning were calculated using trip rates obtained from *Trip Generation, 11th Edition*. The trip generation of the existing zoning is compared with the proposed zoning in the following sections.

EXISTING ZONING TRIP GENERATION

Existing allowable land uses under the ID zoning (City of Stayton Municipal Code Table 17.16.070.1) were reviewed to identify a reasonable maximum build-out scenario for the undeveloped lands (4.39 acres). Based on a review of existing developed ID-designated lands and allowable land uses per Table 17.16.070.1, the following maximum build out land uses were assumed under the existing zoning:

- 14-fueling position gasoline/service station; and,
- Two 4,000 square foot fast food restaurants with drive-through.

The existing trip generation for the developed parcels assumes the current built scenario to represent the maximum buildout scenario. As described previously, the built conditions at these parcels are as follows:

- 100 Whitney Street (Tax Lot number: 091W03DC01900): 1.12-acres and currently occupied by a 12-position fuel station and 4,500 square-foot convenience store.
- 101 Martin Drive (Tax Lot number: 091W03DC02000): 0.91-aces and currently occupied by an approximately 3,300 square-foot fast-food restaurant with a drive-through.

The reasonable maximum trip generation associated with the existing zoning scenario is shown in Table 1.

Table 1. Existing ID Zoning Reasonable Maximum Build-Out Trip Generation

Land Use	ITE Code	Size	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Northern Parcels									
Gasoline/ Service Station	944	14 vehicle fueling positions	2,408	144	72	72	195	97	98
<i>Pass-by Trips</i> (63% AM, 57% PM)			(1,373) ¹	(91)	(46)	(45)	(111)	(56)	(55)
Net New Trips			1,035	53	26	27	84	41	43
Fast Food Restaurant with Drive-Through	934	8,000 sq ft	3,740	357	182	175	264	137	127
<i>Pass-by Trips</i> (50% AM, 55% PM)			(1,870) ¹	(179)	(90)	(89)	(145)	(73)	(72)
Net New Trips			1,870	178	92	86	119	59	60
Southern Parcels									
Gasoline/ Service Station	944	12 vehicle fueling positions	2,064	123	62	61	167	83	84
<i>Pass-by Trips</i> (63% AM, 57% PM)			(1,176) ¹	(77)	(39)	(38)	(95)	(48)	(47)
Net New Trips			888	46	23	23	72	35	37
Fast Food Restaurant with Drive-Through	934	3,300 sq ft	1,543	147	75	72	109	57	52
<i>Pass-by Trips</i> (50% AM, 55% PM)			(772) ¹	(74)	(37)	(37)	(60)	(30)	(30)
Net New Trips			771	73	38	35	49	27	22
Total External Trips			9,755	771	391	380	735	369	366
Total Pass-By Trips			(5,191)	(421)	(212)	(209)	(411)	(207)	(204)
Total Net New Trips			4,564	350	179	171	324	162	162

¹ Pass-by trip rates are not provided for weekday daily. The lower pass-by trip percentage of weekday AM peak hour and weekday PM peak hour were applied.

PROPOSED ZONING TRIP GENERATION

A floor-area ratio (FAR) of 0.25 was applied to the 4.39 acres to estimate a reasonable build-out scenario for the proposed General Merchandise Stores land use, resulting in approximately 47,807 square feet of potential building area for the adjacent parcels located north of Whitney Street. For the remaining 2.03

acres (also adjacent to each other), 0.25 FAR results in approximately 22,107 square feet of General Merchandise Stores land use for those parcels south of Whitney Street.

A review of the highest potential trip-generating land uses within the proposed General Merchandise Stores land use reveals a variety of potential retail land uses. Consistent with the proposed ID zoning land use category, the ITE land use most similar to General Merchandise Stores and reflecting the highest trip generator for a reasonable maximum build-out scenario is Free-Standing Discount Store (ITE LUC 815).

Based on the assumed 0.25 FAR and resulting developable area, the trip generation for a 47,807 square-foot discount store (northern parcels) and a 22,107 square-foot discount store (southern parcels) is provided below in Table 2.

Table 2. Proposed ID Zoning Reasonable Maximum Build-Out Trip Generation

Land Use	ITE Code	Size	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Northern Parcels									
Free-Standing Discount Store	815	47,807 sq ft	2,576	56	39	17	232	128	104
<i>Pass-by Trips (0% weekday AM, 20% weekday PM)</i>			(515) ¹	0	0	0	(46)	(23)	(23)
Net New Trips			2,061	56	39	17	186	105	81
Southern Parcels									
Free-Standing Discount Store	815	22,107 sq ft	1,191	26	18	8	107	54	53
<i>Pass-by Trips (0% weekday AM, 20% weekday PM)</i>			(238) ¹	0	0	0	(21)	(11)	(10)
Net New Trips			953	26	18	8	86	43	43
Total External Trips			3,767	82	57	25	339	182	157
Total Pass-By Trips			(753)	0	0	0	(67)	(34)	(33)
Total Net New Trips			3,014	82	57	25	272	148	124

¹ Pass-by trip rates are not provided for weekday daily. The pass-by trip percentage of the weekday PM peak hour were applied.

Proposed Zoning Compared with Existing Zoning

Table 3 below summarizes the existing and proposed zoning trip generation estimates from Table 1 and Table 2.

Table 3. Proposed Zoning Compared with Existing Zoning Trip Generation

Land Use	Weekday Daily Trips	Weekday AM Peak Hour Trips			Weekday PM Peak Hour Trips		
		Total	In	Out	Total	In	Out
Existing Zoning Trips	4,564	350	179	171	324	162	162
Proposed Zoning Trips	3,014	82	57	25	272	148	124
Difference in Trips (Proposed – Existing)	-1,550	-268	-122	-146	-52	-14	-38

As shown in Table 4, a reasonable maximum build-out scenario under the proposed zoning results in fewer net new daily, weekday AM peak hour, and weekday PM peak hour trips when compared to that under existing zoning. It should be further noted that the existing and proposed zoning scenarios represent a combination of land uses at a much higher density than would likely be developed on this site. For these reasons, we conclude that the proposed rezoning would not represent a significant effect on the transportation system as defined by the TPR. As such, no additional transportation analyses should be needed to support the zone change for the purposes of the Transportation Planning Rule.

Transportation Planning Rule Findings

The Transportation Planning Rule (TPR, Oregon Administrative Rule (OAR) 660-012-0060 – Reference 2) analysis identifies how the study area’s transportation system would operate under the current zoning and the proposed zoning with the code amendment. OAR 660-012-0060(1) assesses an amendment’s potential transportation impact by comparing the trip generation potential of the site assuming a reasonable maximum build-out development scenario under the existing and proposed zoning.

OAR Section 660-12-0060 of the TPR sets forth the relative criteria for evaluating plan and land use regulation amendments. Table 4 summarizes the criteria in Section 660-012-0060 and the applicability to the proposed zoning designation change application.

Table 4. Summary of Criteria in OAR 660-012-0060

Section	Criteria	Applicable?
1	Describes how to determine if a proposed land use action results in a significant effect.	Yes
2	Describes measures for complying with Criteria #1 where a significant effect is determined.	No
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility.	No
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	No
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Defines a mixed-use, pedestrian-friendly neighborhood.	No
9	A significant effect may not occur if the rezone is identified on the City's Comprehensive Plan and assumed in the adopted Transportation System Plan.	No
10	Agencies may consider measures other than vehicular capacity if within an identified multimodal mixed-use area (MMA).	No
11	Allows agencies to override the finding of a significant effect if the application meets the balancing test.	No

As shown in Table 4, there are eleven criteria that apply to Plan and Land Use Regulation Amendments. Of these, Criteria 1 is applicable to the proposed land use action. The relevant criteria are provided below in italics with our response shown in standard font.

CRITERIA 1

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Response: The proposed zoning code amendment reasonable maximum build-out trip generation scenario is forecast to generate fewer trips than the existing zoning. As such, the proposed zone change will not result in a significant effect to the transportation system per Criteria 1.

Summary of Findings

The proposed text amendment to City of Stayton Municipal Code Table 17.16.070.1 to allow “General Merchandise Stores” within the Interchange Development (ID) zone was found to comply with Oregon’s Transportation Planning Rule (TPR), as documented in Oregon Administrative Rule 660-012-060. Based on the trip generation analyses presented in this memorandum, the revision of the text amendment will not result in a significant effect to the transportation system, as such, no additional technical transportation analyses have been provided to support the TPR findings. We defer to the City of Stayton to apply these findings to the proposed amendment to allow “General Merchandise Stores” within the ID zone. Please let us know if you have any questions.

References

1. Institute of Transportation Engineers. *Trip Generation Manual, 11th Edition*. September 2017.
2. Oregon Secretary of State. *Oregon Administrative Rule, Land Conservation and Development, Chapter 660, Division 12: Transportation Planning*. 2006.

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members
FROM: Jennifer Siciliano, Director of Community and Economic Development
DATE: August 19, 2024
SUBJECT: Site Plan Review, Dollar General for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street
120 DAYS ENDS: October 12, 2024.

ISSUE

The issue before the Planning Commission is a public hearing on an application for a Site Plan Review to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.



BACKGROUND

The parcel in question is not zoned to allow the use of # 17 General Merchandise in use Table 17.16.070.1 Permitted Land Use. The outcome of the pervious land use action LU #9-12/23 will determine whether the site plan use will be permitted.

In addition, there is a Memorandum of Understanding regarding Golf Lane realignment between Marion County and the city dated May 19, 2003. It requires on page 4 "tax lots 500 & 400 on Marion County Assessors Map 091W03DB00 shall access Whitney Street via a shared driveway ..."

ANALYSIS

This report and the draft order presents options by the staff summary and analysis concerning this application. It was developed with the input of other City departments and agencies. In particular comments were received from NW Natural, the City's engineer and traffic engineer, Oregon Department of Transportation.

City of Stayton

Staff found for the Site Plan Review to meet the criteria for approval, more information is needed and should be requested by the Planning Commission.

RECOMMENDATION

The staff recommends either option one to deny the application or three to continue the hearing until September 30, 2024. If option three, request additional information by utilizing the Planning Commission's authority to permit the completion of action as outlined in 17.12.090.5.g.

Request an extension of the 120-day review period, as allowed under ORS 227.178, which the applicant may request in writing for up to an additional 245 days.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the first or fourth option until additional information is provided by applicant and decision by the City Council regarding the amendment to the Land Use Code is made.

1. Deny the application, adopting the draft order as presented.

I move the Stayton Planning Commission deny the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) and adopt the draft order presented by Staff.

2. Approve the application, directing staff to modify the draft order.

I move the Stayton Planning Commission deny the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the September 30, 2024, meeting.

3. Continue the hearing until September 30, 2024.

I move the Stayton Planning Commission continue the public hearing on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) until September 30, 2024.

4. Close the hearing but keep the record open for submission of written testimony.

I move the Stayton Planning Commission close the hearing on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) but maintain the record open to submissions by the applicant until September 2, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on September 30, 2024.

5. Close the hearing and record, and continue the deliberation to the next meeting.

I move the Stayton Planning Commission continue the deliberation on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) until September 30, 2024.

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Site Plan Review
The application of) File # 10-06/24
6S DG Stayton OR, LLC/ Sam Moore, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The application is for a Site Plan Review to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner is Daphne Girod.
2. The applicant is Sam Moore of 6S DG Stayton OR, LLC.
3. The properties can be described on Marion County Assessors Map as 101 Whitney Street (tax lot 091W03DB00400).
4. The property has approximately the following frontage: 261 feet along Whitney Street, and 176 feet along Cascade Highway SE. The property is approximately 1.49 acres.
5. The property is zoned Interchange Development (ID). Part of the property is within the Natural Resources Overlay District (NR); the area 100 feet from the normal high-water line of the Mill Creek. A portion of the property to the north is in the AE Zone and is under the Floodplain Overlay District (FR).
6. The ID zone does not permit the use of #17 “General Merchandise Stores” in Table 17.16.070.1.
7. The property to the north is owned by the State of Oregon ODOT for management of interchange of Cascade Highway and Highway 22 and is out of city limits. The property to the east is another vacant lot and zoned ID. The property to the south across Whitney Street is developed and is zone ID. The property to the west across from Cascade Highway is vacant is out of city limits.

B. EXISTING CONDITIONS

The subject property is currently undeveloped and has been vacant for several years.

C. PROPOSAL

The proposal to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Marion County Public Works, WAVE Broadband, Stayton Cooperative Telephone Company, Pacific Power, Northwest Natural Gas, Santiam Water Control District, Stayton Fire District, Stayton Police

Department, Salem Development Services, Santiam Hospital, and Oregon Department of Transportation.

Responses were received from Stayton Public Works, City of Stayton's Transportation Consultant, Oregon Department of Transportation, and NW Natural whose comments are reflected in the findings below.

E. ANALYSIS

Site plan Review applications need to comply with the Stayton Land Use and Development Code (SMC) 17.04 General Provisions and comply with 17.16.020 Basic Provisions and are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.220.

F. APPROVAL CRITERIA

Pursuant to SMC 17.04.070 Compliance, *“No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of the Stayton Land Use and Development Code and other applicable regulations including all permits and licenses required.”*

Pursuant to SMC 17.16.020.1. Compliance with Code Required, *“A lot may be used and a structure or part of a structure constructed, reconstructed, altered, occupied, or used only as this title permits, and then only after applying for and securing all permits and licenses required by all applicable laws.”*

Analysis: The proposal does not currently meet this standard because SMC 17.04.070, and SMC 17.12.220.2, the Interchange Development (ID) zone does not allow for “General Merchandise Stores”. The Commission is considering a text amendment to allow this use in the ID zone, however that decision is uncertain at this time and is tentatively scheduled to be considered by the Planning Commission on August 26, 2024, and the City Council on September 16, 2024. For this Site Plan Review application to be considered to be in compliance with SMC 17.04.070, and SMC 17.12.220.2, the Interchange Development (ID) zone must allow for #17 “General Merchandise Stores” in Table 17.16.070.1.

Finding: Because a text amendment is inherently discretionary in nature, it cannot be determined if it is “reasonably likely” to be approved, therefore, the Commission could simply find that this standard has not been met. However, a condition has been developed in the event the Commission wants to provide an option for the applicant to meet this standard.

Condition 1: Obtain a text amendment to the SMC that permits with Site Plan Review “S” the use of #17 “General Merchandise Stores” in the ID zone within the Table 17.16.070.1 pursuant to process laid out in 17.12.175 Land Use Code Amendments.

Pursuant to SMC 17.12.220.5 the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve development in accordance with City's Master Plans and Standard Specifications.*

Analysis: According to the City Engineer City GIS mapping indicates that there is an existing 8” sanitary sewer system and an existing 12” water main within Whitney Street. It also indicates that there is an existing storm drainage system within Whitney Street, along with an open swale/ditch

system located along the easterly property line of the proposed development that partially serves the existing Santiam Station development.

It does not appear that there are any wastewater master planned improvements identified in Figure 15 of the Wastewater Master Plan along the frontage of the proposed development site. It does not appear that there are any water master planned improvements identified in Figure 4 of the Water Master Plan along the frontage of the proposed development site.

A drainage memorandum was submitted. It is unclear what part of the property is within the Natural Resources Overlay District (NR) which should be 100 feet from the normal high-water line of the Mill Creek. This will affect the stormwater drainage system. In addition, a preliminary storm water management in accordance with Public Works Design Standards needs to be submitted to discern whether stormwater can be handled with the current proposed development.

Finding: As discussed above, staff can not find that this standard has been met, however it appears feasible that this standard if the applicant meets the condition below.

Condition 2: Provide a revised site plan that shows the location of the NR and shows all necessary setbacks/resource overlays for the existing natural drainage features located onsite.

Condition 3: Provide a preliminary stormwater management plan that follows Public Works Design Standards.

- b. *Provisions for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property from those public streets and roads which serve the property in accordance with the City's Transportation System Plan and Standard Specifications.*

Analysis: The Site Plan proposed a 44' wide driveway with access on Whitney Street. The driveway exceeds the maximum driveway width on a Commercial local street per the City's public work design standards 303.11.E. The maximum driveway width is 36 feet per city standard.

Whitney Street is a designated local street and based on Table 17.26.020.3.h Access Spacing Standard, there should be a minimum spacing of 50 feet between the driveways and/or street. The driveway does not appear to be spaced 50 feet (center-to-center) from the Martin Drive Street.

Additionally, there is a Memorandum of Understanding regarding Golf Lane realignment between Marion County and the city dated May 19, 2003. It requires on page 4 "tax lots 500 & 400 on Marion County Assessors Map 091W03DB00 shall access Whitney Street via a shared driveway ..."

The internal traffic circulation will change depending on how the parking requirements are modified to meet conditions in d.

Finding: As discussed above this standard has not been met. It appears feasible that this standard could be met through compliance with the conditions below.

Condition 4: Provide a revised site plan that shows a driveway with a maximum driveway width of 36 feet and that continued to shows safe and efficient internal traffic circulation and safe access to property taking into account other conditions in d.

Condition 5: Provide a revised site plan that shows a shared commercial driveway with the lot to the east per section 17.26.020.3.d to be aligned with Martin Drive with crossover easement that

would allow future re-configuration of the driveway when 201 Whitney Street (taxlot 091W03DB00500) is developed.

Condition 6: Prior to issuance of building permits, obtain approval from Public Works for site development demonstrating that the access is consistent with Public Works Design Standards.

- c. *Provision of all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site.*

Analysis: The proposed development fronts Cascade Highway SE with approximately 176 feet of frontage and Whitney Street with 261 feet of frontage.

Regarding rights-of-way, Cascade Highway SE is a Principal Arterial under Marion County jurisdiction. A 100' of right-of-way is required. From the tax assessor's map, it appears that there is approximately 52' of existing right-of-way along the east half of Cascade Highway along the frontage of this development. No additional right-of-way is necessary to meet the standard half-width. However, the frontage is controlled by Marion County and any additional R/W dedication requirements will be as determined by them. The standard 10' wide public utility easement shall be provided along the frontage unless otherwise approved by the Public Works Director.

Whitney Street is a Local Street under City jurisdiction. A right-of-way minimum of 60' is required for local streets. From the tax assessor's map, it appears that there is approximately 50' of existing right-of-way along the frontage. Therefore, it appears that 5' of additional right-of-way will be needed along the frontage in order to meet the right-of-way halfwidth requirement. In addition, additional right-of-way dedication shall be provided at the intersection to at minimum provide 1' clearance behind the sidewalks and curb ramps at the intersection. The standard 10' wide public utility easement shall be provided along the frontage unless otherwise approved by the Public Works Director.

Cascade Highway SE is considered to be developed along the frontage with asphalt pavement, curb and gutter, sidewalks, and storm drainage. However, since the frontage is controlled by Marion County, any street improvement requirements will be as determined by them. No comments were received by the County.

Whitney Street is considered to be developed along the frontage with asphalt pavement, curb and gutter, and storm drainage, but it does not have sidewalks and the existing pavement width is narrow compared to what would typically be required for a 3-lane street section. As such, the existing street section, the new driveway access, and any recommended street improvements necessary for the existing 3-lane street section at the intersection will need to be included in the review and analysis by the Developer's Traffic Engineer as part of the Traffic Impact Analysis (TIA). The applicant did not include a TIA with the application and, therefore staff and the Planning Commission cannot determine if this criterion is met without an accurate traffic load analysis (TIA) to assess whether the proposed design can accommodate the increased traffic generated by the site development.

Finding: As discussed above, staff can not find that this standard has been fully met, however with compliance with the condition below, this standard will be met.

Condition 7: Prepare a Traffic Impact Analysis per SMC 17.26.050.

Condition 8: Submit a revised Site Plan that include dedication of an additional 5 foot right-of way along the frontage of Whitney Street and show the required street improvements along Whitney Street.

Condition 9: Obtain PW approval for site development that includes 6-foot side walk necessary street improvements

Condition 10: Dedicate the necessary Public Utility Easements along frontage on Cascade Highway SE and Whitney Street.

d. *Provision has been made for parking and loading facilities as required by Section 17.20.060.*

Analysis: All proposed off-street parking is located on the development. The Site Plan shows a total of 37 parking spaces including 2 handicap spots, a carpool parking spot, and a bike rack. Perimeter landscaping is shown in the landscape plan on the west side along Cascade Highway SE which is a major arterial and on the south side along Whitney Street which is considered a residential local street. The trees shown in the parking area are from the approved list maintained by the Department of Public Works.

According to Table 17.20.060.7.b Commercial and Industrial Parking Requirements, the Retail Store use requires 4 parking spaces per 1,000 square feet, which would require 43 parking spaces. The site plan depicts 37 parking spaces; this is deficient by 8.

Two handicap spaces are required and are shown on the submitted site plans.

One loading facility is required since the building is between 5,001 to 40,000 gross floor area. This requirement has not been shown on the plan.

There is a requirement to have 3 bike parking spots. The Site Plan only proposes a bike rack and not bike parking. This requirement has not been met.

The Site Plan does shows required perimeter landscaping as required in SMC 17.20.090.11 along Cascade Highway SE and Whitney Street. No perimeter landscaping on the property line on the east side because of its adjacently to a commercial property.

The Site Plan does not show landscaped islands that are require for every 10 parking spaces or divider medians that may be used as a substituted in the two solid rows of 14 parking spaces. The Site Plan does not show terminal island at the intersection of the 9 and 14 parking space rows.

The Site Plan does not identify pedestrian walkways connecting the parking areas to the building entrance way. The code requires that pedestrian walkways be attractive and include landscaping and trees.

Finding: As discussed above, multiple of the parking and loading standards have not been met. Given the amount of standards that have not been met in this section, staff is not certain how the applicant can meet the standards without significant modification to the site layout. In order to meet this standard, the applicant would need to:

- Increase the number of off-street parking spaces by eight using standard dimensions.
- Show a loading facility that follows the requirements of SMC 17.20.060.9.b., c., and d.
- Show 3 bike parking spots that fulfill requirements in SMC 17.20.060.9-A.1)a. and b.
- Show appropriate interior landscaped islands and terminal islands fulfilling the requirements SMC 17.20.060.11.b.

- Show a pedestrian connection from parking area to the buildings entrance.

e. *Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070*

Analysis: The only proposed storage area will be a trash enclosure is the northeast section of the property that will be fully contained with a landscape buffer.

Finding: This requirement is met.

f. *Site design shall minimize off site impacts of noise, odors, fumes or impacts.*

Analysis: There are no off-site noise, odors or fumes anticipated from the proposed development project

Finding: This requirement is met.

g. *The proposed improvements shall meet all applicable criteria of Section 17.20.200 Commercial Design Standards*

Analysis: The building proposed is a 10,640 square foot with 8,750 square feet of retail floor space to have a Dollar General retail space.

Finding: The submitted architectural elevation drawings show a building that does not meet the city's architectural standards for pedestrian orientation, human scale design, breaks in building length, and standards for massing. If the applicant submits revised plans that fully comply with the condition below, this condition will be met.

Condition 11: Prior to submittal of building permits, submit a revised site plan and architectural drawings that follow architectural standards in particular the following:

Follow 4. a. 2) Add a corner entrance or have an entrance that is within 20 feet of the street corner.

Follow 4. a. 3) Add window displays at least along 45% of the building's ground floor street facing elevations(s) making them integral to the building design.

Follow 4. a. 4) Add weather protection such as awnings, canopies, overhangs, or similar features to the primary building entrance(s).

Follow 4. b. 1) Add regularly spaced and similarly shaped windows on all building stories.

Follow 4. b. 2) Provide display windows where the lower edge of the display windows shall be no higher than 4 feet above the sidewalk and the top edge shall be no less than 7 feet above the sidewalk.

Follow 4. c.1)b) Provide articulation of the building face at least every 50 feet.

Follow 4. c.2) Provide horizontal and vertical offsets relating to the overall design and organization of the building, its entrances, and door and window treatments. The features shall be designed to emphasize building entrances.

Follow 4. c.3) Provide offsets that are grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.

Follow 4. c.5)b) Provide architecture and site plans showing a building without a wall plane exceeding 50 feet in length fitting this sections criteria. Use a combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide. A horizontal or vertical break in the cornice line needs to be at least 18 inches in height or 3 feet in depth and at least 12 feet wide.

Follow 4. c.5)c) Provide architecture and site plans showing a building that avoids repetition of offsets that are identical in size and shape.

h. (Repealed Ord. 913, September 2, 2009)

i. (Repealed Ord. 913, September 2, 2009)

j. Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.

Analysis: The submitted landscape plan shows landscaping for the proposed site. It does not state what percentage of landscape area is purposed. A minimum landscaped area of 15% is required in the ID zone. No irrigation plan was submitted. The landscape plan shows trees along Cascade Highway SE but does not show any street trees along Whitney Street. Interior landscaped islands are discussed in condition d.

Finding: As discussed above, staff cannot find that the standard has been met but if the applicant complies with the condition below, this standard will be met.

Condition 12: Provide revised site plan noting the amount of landscape area and provide the required minimum of 15%.

Condition 13: Provide an irrigation plan indicating the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.

Condition 14: Provide revised site plan showing street trees along the frontage of Whitney Street as required SMC 17.20.090.5.

k. The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function without undue adverse impact on existing land uses.

Finding: No barriers are proposed.

l. The lighting plan satisfies the requirements of Section 17.20.170.

Analysis: The provided Lighting Plan show average area footcandles of 2.3. The maximum allowed is 1.6 in the commercial area. The height of the lights were not provided in the plans.

Finding: As discussed above, staff cannot determine if this standard has been met. If the applicant complies with the conditions below, this standard will be met.

Condition 15: Submit a revised Lighting plan that states the mounting height with a maximum of 20 feet.

Condition: 16: Revise lighting plan to have a minimum of .3 footcandles and a maximum average illumination level of 1.6 footcandles.

- m. The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Analysis: The property owner will be responsible for upkeep and maintenance of the property and all parts of the development. As part of a Site Development Permit, the applicant will be required to submit a stormwater operations and maintenance (O&M) plan to be approved by the Public Works Department.

Finding: The required O & M plan will layout requirements for proper maintenance of stormwater drainage maintenance.

- n. When any portion of an application is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Analysis: The proposed development site is within 100 feet of Mill Creek. It is not clear where the high-water mark is within Mill Creek. The applicant will need to provide revised plans showing the portion of the parcel within the 100 feet of Mill Creek.

Conditions 17: The applicant submits a revised plan clearly showing where the portion of the parcel is within the 100 feet of Mill Creek and show that there will be on adverse impact on fish habitat.

- o. Notwithstanding the above requirements the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26 provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior's Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided.*

Finding: This criterion is not applicable since no building on the property is listed on the National Register of Historic Places.

III. CONCLUSION

Based on the facts above, the Planning Commission cannot determine that the application meets the requirements for Sections 17.12.200 Variances, 17.12.220 Site Plan Review, 17.20.060 Off-Street Parking and Loading, 17.20.090 Landscaping Requirements, 17.20.170 Outdoor Lighting, and 17.20.200 Commercial Design Review.

IV. ORDER

Based on the conclusions above, the Planning Commission denies the application for site plan review as shown on Site Plan, and Landscaping Plan dated 05/13/2024, prepared by Tectonics Design Group, Reno, Nevada, Narrative dated 05/14/2024 by Tectonics Design Group, Reno, Nevada, Lighting Photometric Plan, and Architecture Plan by Dollar General inhouse architecture and engineering

department dated 12/04/2023 and the accompanying materials that comprising the application subject to the attached are the required conditions that may lead to approval:

1. Obtain a text amendment to the SMC that permits with Site Plan Review “S” the use of #17 “General Merchandise Stores” in the ID zone within the Table 17.16.070.1 pursuant to process laid out in 17.12.175 Land Use Code Amendments.
2. Provide a revised site plan that shows the location of the NR and shows all necessary setbacks/resource overlays for the existing natural drainage features located onsite.
3. Provide a preliminary stormwater management plan that follows Public Works Design Standards.
4. Provide a revised site plan that shows a driveway with a maximum driveway width of 36 feet and that continued to shows safe and efficient internal traffic circulation and safe access to property taking into account other conditions in d.
5. Provide a revised site plan that shows a shared commercial driveway with the lot to the east per section 17.26.020.3.d to be aligned with Martin Drive with crossover easement that would allow future re-configuration of the driveway when 201 Whitney Street (taxlot 091W03DB00500) is developed.
6. Prior to issuance of building permits, obtain approval from Public Works for site development demonstrating that the access is consistent with Public Works Design Standards.
7. Prepare a Traffic Impact Analysis per SMC 17.26.050.
8. Submit a revised Site Plan that include dedication of an additional 5 foot right-of way along the frontage of Whitney Street and show the required street improvements along Whitney Street.
9. Obtain PW approval for site development that includes 6-foot side walk necessary street improvements
10. Dedicate the necessary Public Utility Easements along frontage on Cascade Highway SE and Whitney Street.
11. Prior to submittal of building permits, submit a revised site plan and architectural drawings that follow architectural standards in particular the following:
 - a. Follow 4. a. 2) Add a corner entrance or have an entrance that is within 20 feet of the street corner.
 - b. Follow 4. a. 3) Add window displays at least along 45% of the building’s ground floor street facing elevations(s) making them integral to the building design.
 - c. Follow 4. a. 4) Add weather protection such as awnings, canopies, overhangs, or similar features to the primary building entrance(s).
 - d. Follow 4. b. 1) Add regularly spaced and similarly shaped windows on all building stories.
 - e. Follow 4. b. 2) Provide display windows where the lower edge of the display windows shall be no higher than 4 feet above the sidewalk and the top edge shall be no less than 7 feet above the sidewalk.
 - f. Follow 4. c.1)b) Provide articulation of the building face at least every 50 feet.
 - g. Follow 4. c.2) Provide horizontal and vertical offsets relating to the overall design and organization of the building, its entrances, and door and window treatments. The features shall be designed to emphasize building entrances.
 - h. Follow 4. c.3) Provide offsets that are grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.



- i. Follow 4. c.5)b) Provide architecture and site plans showing a building without a wall plane exceeding 50 feet in length fitting this sections criteria. Use a combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide. A horizontal or vertical break in the cornice line needs to be at least 18 inches in height or 3 feet in depth and at least 12 feet wide.
 - j. Follow 4. c.5)c) Provide architecture and site plans showing a building that avoids repetition of offsets that are identical in size and shape.
12. Provide revised site plan noting the amount of landscape area and provide the required minimum of 15%.
13. Provide an irrigation plan indicating the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.
14. Provide revised site plan showing street trees along the frontage of Whitney Street as required SMC 17.20.090.5.
15. Submit a revised Lighting plan that states the mounting height with a maximum of 20 feet.
16. Revise lighting plan to have a minimum of .3 footcandles and a maximum average illumination level of 1.6 footcandles.
17. The applicant submits a revised plan clearly showing where the portion of the parcel is within the 100 feet of Mill Creek and show that there will be no adverse impact on fish habitat.
18. Prior to the submittal for Site Development Permit, the applicant shall submit an irrigation plan that meets the requirements of Section 17.20.090.4.
19. Prior to the submittal for Site Development Permit, the applicant shall submit revised light plans that show the height of the pole parking lights to meet Table 17.20.170.4.c.3.
20. All required easements, agreements, and other documentation required by the Planning Conditions of Approval, SMC, PWDS and other agencies having jurisdiction over the work shall be provided to the City for review and approval prior to issuance of a Site Development Permit.
21. The following engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit.
 - a) Site and street improvement plans conforming to the SMC and Public Works Standards.
 - b) Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The Developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c) Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - d) A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
 - e) Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official. It shall be the responsibility of the Developer to provide a suitable discharge location for stormwater from the development which will not harm or inconvenience any adjacent or downstream

properties and that conforms to Public Works Standards and applicable jurisdictional agency's requirements. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City and applicable jurisdictional agencies.

- f) A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
- g) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

V. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Stayton Land Use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

In accordance with Section 17.12.120.7, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein is commenced within 1 year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the City Planner at least 30 days prior to the expiration date of the approval.

VI. APPEAL DATES

The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

DRAFT

Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Permit Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton, Standard Specifications, Design Standards & Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City

Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.



CITY OF STAYTON APPLICATION FOR SITE PLAN REVIEW

APPLICATION AND DECISION MAKING PROCEDURES

1. PRE-APPLICATION MEETING

Prior to submittal of an application, a pre-application meeting with City Staff is required. A completed pre-application form and sketch plan drawing need to be submitted at least two weeks in advance of the meeting. Meetings are held on Tuesday afternoons and there is a \$300 fee for the first required pre-application meeting. The fee will be applied towards the Site Plan Review Application fee if the application is filed within one year.

2. APPLICATION FEE

Submission of a completed application form, with a plan and narrative statement required by page 2 of the application form, and payment of the application fees are required before the review process begins. The application and fees shall be submitted to the Planning Department during regular business hours. **The fee for this application is \$1,050.** If the cost to the City does not reach the amount of the fee paid, the excess fee will be refunded to the applicant after the file is closed. If during the processing of the application, the costs to the City exceed 75% of the fee paid, the applicant will be required to pay an additional 50% of the fee amount, to assure that there are adequate funds to continue to process the application.

3. REVIEW FOR COMPLETENESS AND SCHEDULING A HEARING

The Community and Economic Development Director will review the submitted application for completeness and, within 30 days from the date of submittal, determine if the applicant has provided all required information. If the application is incomplete, the Community and Economic Development Director will notify the applicant of the items which need to be submitted. Once the application is deemed complete, the Director will schedule a hearing before the Stayton Planning Commission. Planning Commission meetings are regularly scheduled for the last Monday of the month.

4. STAFF REPORT

Once a hearing date is set, the Community and Economic Development Director will prepare a staff report and draft order summarizing the applicant's proposal, the decision criteria, comments from other agencies or the public, and address whether the application complies with code requirements or suggest conditions to meet those requirements. A copy of the staff report and draft order will be provided to the applicant no less than 7 days prior to the public hearing.

5. PUBLIC HEARING BEFORE THE STAYTON PLANNING COMMISSION

Prior to the public hearing, notice is required to be sent to all property owners within 300 feet of the property 20 days before the hearing, so the hearing will be scheduled at the first regular meeting following the notice period. The hearing is to give all interested parties an opportunity to comment on the application. The hearing is conducted by the Chairperson in accordance with the Stayton Public Hearing Rules of Procedure. These rules are available at City Hall.

At the conclusion of the hearing and deliberation, the Planning Commission will adopt an order stating the decision criteria, findings of fact, conclusions whether the application meets any applicable standards and the Commission's decision. The Commission may decide to deny, approve, or approve the application with conditions.

6. PUBLIC HEARING BEFORE THE STAYTON CITY COUNCIL

An application may be called up by, or appealed to the City Council. If called up, the Council will also conduct a public hearing. If appealed, the Council will decide whether to hear the appeal and hold a public hearing. A notice is required 10 days prior to the hearing which will be held at the regular Council meeting, which meets the first and third Mondays of every month. Staff reports, Planning Commission findings, and any new information will be presented to Council for consideration. The purpose of the hearing is to receive further public testimony, to review the application and consider the Planning Commission's decision and conditions. Generally, the Council will make a decision at the conclusion of the hearing process, but may delay the decision for further information or action by the applicant. The Council will then adopt an order either approving or denying the application.

Council actions may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

8. FOR MORE INFORMATION

Call or write to City of Stayton Planning and Development Dept., (mailing address) 362 N. Third Avenue, (building address) 311 N. Third Avenue, Stayton, Oregon 97383. (503) 769 2998; email: jsiciliano@staytonoregon.gov

APPLICATION CHECKLIST FOR SITE PLAN REVIEW

This checklist has been prepared to assist applicants in submitting an application that includes all the submission requirements in Sections 17.12.220 and 17.26.050. Please note that this checklist may paraphrase the requirements from the Code. It is the applicant's responsibility to read and understand the requirements of the Code. Review of an application will not begin until a complete application has been submitted. If you have questions, contact the Planning Department.

- Property Owner Authorization: If the applicant is not the owner of the property, the application must include written indication of the applicant's right to file the application. This may be a purchase and sale agreement, an option or other document that gives the applicant some legal interest in the property. If the applicant is to be represented by another individual (planning consultant, engineer, attorney) the application must be accompanied by a notarized statement certifying that the applicant's representative has the authorization of the applicant(s) to file the application.
- A plan showing the boundary lines of the property as certified by a professional land surveyor.
- Three copies of the site plan at a scale of 1 inch equals not more than 50 feet and 7 reduced copies of the plan sized 11 inches by 17 inches with the following information included or accompanying the plan.
 - North point, graphic scale, and date of preparation of the proposed site plan.
 - Names and addresses of the landowners, applicant, the engineer, surveyor, land planner, landscape architect, or any other person responsible for designing the proposed site plan.
 - An appropriate space on the face of the plan to indicate the action of the Planning Commission, including the date of decision.
 - Map number (township, range and section) and tax lot number of the parcel.
 - The area of the property in acres or square feet.
 - The location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the property.
 - Existing buildings and the addresses for the buildings.
 - Topography of the site with contour intervals of not more than 2 feet.
 - The location of existing sewerage systems for the property.
 - The location of water mains, culverts, drainage ways, or other underground utilities or structures within the property or immediately adjacent to the property.
 - Predominant natural features such as water courses (including direction of their flow), wetlands, rock outcroppings, and areas subject to flooding or other natural hazards.
 - A stormwater management plan.

If the proposal will create 500 square feet or more of new impervious surface, then the application shall include a preliminary drainage impact analysis. The analysis shall include a preliminary drainage map and narrative which identifies the impact the development will have on existing stormwater systems. The narrative shall at a minimum include and discuss:

- The anticipated pre-development and post-development stormwater runoff flow rates.
- The proposed method for handling the computed stormwater runoff, including the location and capacity of all natural or proposed drainage facilities.
- The method of discharging stormwater offsite at the naturally occurring location and any anticipated design provisions needed to control the velocity, volume, and direction of the discharge in order to minimize damage to other properties, stream banks, and overall stormwater quality.
- A proposed plan for means and location of sewage disposal and water supply systems in accordance with the City's Wastewater and Water Master Plans.
- A landscaping plan (See section 17.20.090.3 for details).
- The location of parking facilities for the site including any parking areas shared with adjacent uses by

reciprocal access agreement.

- The location of any proposed structures including the ground coverage, floor area and the proposed use.
 - The location and dimensions of open storage areas or outdoor storage yards.
 - The location of any free-standing signage.
 - The location of any proposed screening including fences, walls hedges and berms.
- Vicinity Map: The vicinity map may be drawn on the same map as the site plan. All properties, streets, and natural features within 300 feet of the perimeter of the parcel shall be shown on the vicinity map.
- Building elevations of all building façades drawn to a scale of ¼ inch = 1 foot or 1/8 inch = 1 foot with the following information.
- Siding materials listed.
 - Elevations include any accessory structures such as trash enclosures.
 - Outlines of existing surrounding buildings with building heights detailed.
- A lighting plan that includes:
- The location of all existing and proposed exterior lighting fixtures.
 - Specifications for all proposed lighting fixtures.
 - Proposed mounting height.
 - Analyses and illuminance level diagrams.
 - Relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote fixtures.
- Either a Transportation Assessment Letter or a Transportation Impact Analysis. A Transportation Impact Analysis is required if:
- 1) The development generates 25 or more peak-hour trips or 250 or more daily trips.
 - 2) An access spacing exception is required for the site access driveway(s) and the development generates 10 or more peak-hour trips or 100 or more daily trips.
 - 3) The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.
 - 4) The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as a school.

The Transportation Impact Analysis shall be based on the standards and requirements in Section 17.26.050. If a Transportation Impact Analysis is not required, a Transportation Assessment Letter shall be submitted that meets the requirements of 17.26.050.2. The Public Works Director may waive the requirement for a transportation assessment letter if a clear finding can be made that the proposed land use action does not generate 25 or more peak-hour trips or 250 or more daily trips and the existing and or proposed driveway(s) meet the City's sight-distance requirements and access spacing standards.

Submission of all materials in an electronic format is encouraged.

BURDEN OF PROOF

This is a quasi-judicial application in which the applicant has the burden of proof. According to law, the applicant must present to the decision maker facts, evidence, analysis, and justification for each and every decisional criteria in order to carry out that burden of proof. It is important to remember that there is no assumption that the applicant is entitled to this approval. The burden of proof lies with the applicant to prove how the proposal complies with the land use ordinances, not with the City of Stayton.

Stayton Municipal Code Title 17, Land Use and Development, is available online at: www.staytonoregon.gov. Click on the Document Center tab and select Municipal Code.



CITY OF STAYTON APPLICATION FOR SITE PLAN REVIEW

PROPERTY OWNER: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

APPLICANT: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

APPLICANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: _____

Name: _____

Address: _____

Address: _____

City/State/Zip: _____

City/State/Zip: _____

Phone: (____) _____ - _____

Phone: (____) _____ - _____

Email: _____

Email: _____

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

- owner applicant applicant's representative planning consultant engineer

LOCATION:

Street Address: _____

Assessor's Tax Lot Number and Tax Map Number: _____

Closest Intersecting Streets: _____

ZONE MAP DESIGNATION: _____

SIGNATURE OF APPLICANT: Sam Moore

DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

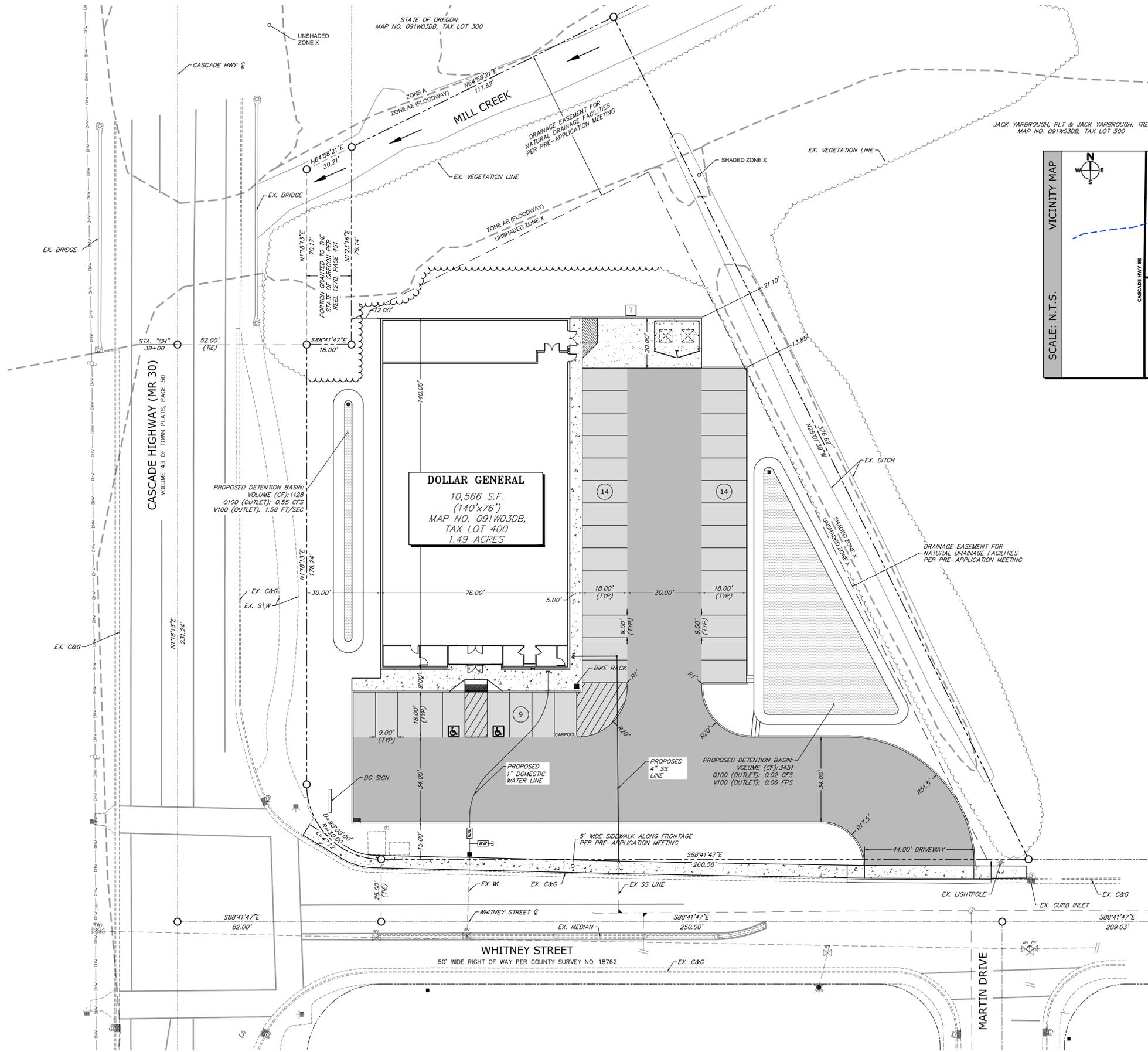
Land Use File# _____

QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

The Stayton Planning Commission, with assistance from the Planning Department and the Public Works Department will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on how well the applicant presents information to show the application meets the standards and criteria set forth in the Stayton Land Use and Development Code 17.12.220.5. Please provide the following information in full and attaché to this application.

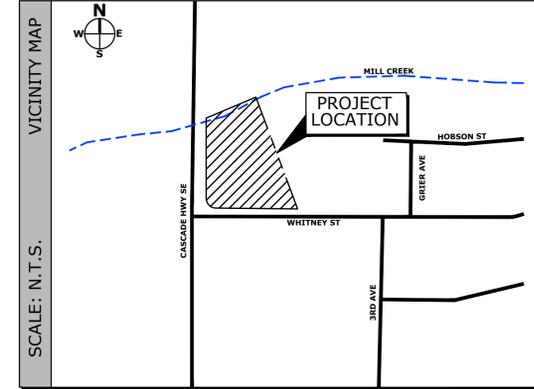
1. ADEQUATE UTILITIES: How will the development obtain or maintain adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve the subject property in accordance with accepted City standards?
 - a. How will the applicant assure there are adequate water, sewer, and storm drainage facilities available to serve the proposed development?
 - b. List public services currently available to the site:
 - Water Supply: _____ - inch line available in _____ Street.
 - Sanitary Sewer: _____ - inch line available in _____ Street.
 - Storm Sewer: _____ - inch line available in _____ Street.
 - Natural Gas: _____ - inch line available in _____ Street.
 - Telephone: is (or) is not available in _____ Street.
 - Cable TV: is (or) is not available in _____ Street.
 - Electrical: is (or) is not available in _____ Street.
 - c. Will existing City public services need to be replaced or upgraded to accommodate the demands created by the development?
2. TRAFFIC CIRCULATION: How will the development provide for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and provision for safe access to and from the property to those public streets and roads which serve the property?
3. STREET IMPROVEMENTS: How will the development provide for all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development?
4. PARKING AND LOADING AREAS: How will the development provide for parking areas and adequate loading/unloading facilities?
5. OPEN STORAGE AREAS/OUTDOOR STORAGE YARDS: Are there any open storage areas or outdoor storage yards included in the development? If yes, how will they meet development code standards?
6. OFFSITE IMPACTS: How will the development minimize off site impacts such as noise, odors, fumes, or other impacts?
7. DESIGN STANDARDS: How does the proposed development meet the applicable design standards for commercial or multi-family residential development?
8. COMPATIBILITY WITH NEIGHBORING PROPERTIES: How will the design and placement of buildings and other structural improvements provide compatibility in size, scale, and intensity of use between the development and neighboring properties?
9. DESIGN WILL SERVE INTENDED USE: How will the location, design, and size of the proposed improvements to the site fulfill the intended purpose of the intended use of the site and will properly serve anticipated customers or clients of the proposed improvements.
10. LANDSCAPING: How will the proposed landscaping prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, and present an attractive interface with adjacent land use and development?

11. SCREENING: How will the design of any visual or physical barriers around the property (such as fences, walls, vegetative screening or hedges) allow them to perform their intended function while having no undue adverse impact on existing or contemplated land uses.
12. MAINTENANCE: What continuing provisions are there for maintenance and upkeep of the proposed development?



SITE PLAN

SCALE: 1" = 20'-0"



<p>OWNER: 6S DEVELOPMENT LLC 18333 Preston Rd, Suite 500 Dallas, Texas 75252 (817) 505-8117 Attn: Sam Moore</p>	<p>ENGINEER: TECTONICS DESIGN GROUP 730 Sandhill Road, Suite 250 Reno, Nevada 89521 (775) 624-7134 Attn: Jon Browning</p>
<p>SURVEYOR: US GEOMATICS P.O. Box 3299 Reno, Nevada 89506 (775) 786-5111 Attn: Glen Armstrong</p>	<p>LANDSCAPE ARCHITECT: BELLE FIRMA 4245 North Central Expy, Suite 500 Dallas, Texas 75205 (214) 865-7192 Attn: Kori Haug</p>

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DRAWN: G.A.S.
DESIGNED: J.P.B. / D.J.M.
CHECKED/STAMPED:

TECTONICS DESIGN GROUP
730 Sandhill Rd., #250, Reno, Nevada 89521
tel 775-624-9888
fax 775-624-9986
www.tectonicsdesigngroup.com

Dollar General
101 Whitney Street, Stayton, OR
6S Development
18333 Preston Road, Suite 500
Dallas, Texas, 75252

PROJECT/CLIENT: # 23155
DATE: 01/30/24
05/13/24

SUBMITTAL RECORD:
SUBMITTAL: 01/30/24
DATE: 05/13/24

CITY APPROVAL: SITE PLAN REVIEW

SHEET TITLE: SITE PLAN
SHEET: C2.1



May 14th, 2024

Stayton Community and Economic Development
311 N. Third Ave.
Stayton, OR 97383

Re: Site Plan Review Narrative Statement

1. **ADEQUATE UTILITIES:** How will the development obtain or maintain adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve the subject property in accordance with accepted City standards?
 - a. How will the applicant assure there are adequate water, sewer, and storm drainage facilities available to serve the proposed development?

The parcel selected has available connection for water, sewer, gas, telephone, and electric lines. Storm water will be mitigated via detention basins and outlet less than the pre-existing flow.
 - b. List public services currently available to the site:

Water Supply: - 8 inch line available in Whitney Street.
Sanitary Sewer: - 10 inch line available in Whitney Street.
Natural Gas: - unknown inch line available in Whitney Street.
Telephone: is available in Whitney Street.
Electrical: is available in Whitney Street.
 - c. Will existing City public services need to be replaced or upgraded to accommodate the demands created by the development?

No.
2. **TRAFFIC CIRCULATION:** How will the development provide for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and provision for safe access to and from the property to those public streets and roads which serve the property?

Per the completed traffic study, dated 1/29/24, there are no concerns with the proposed development. The development will have a single individual access serving the Dollar General store.
3. **STREET IMPROVEMENTS:** How will the development provide for all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development?

Per the pre-application meeting with city staff, curb and gutter along with sidewalk along Whitney Street has been proposed.
4. **PARKING AND LOADING AREAS:** How will the development provide for parking areas and adequate loading/unloading facilities?

There is 37 auto parking spots. The loading and unloading has been accommodated for with a 34' and 30' drive aisle. This will allow the delivery trucks to enter and exit the site easily.

5. **OPEN STORAGE AREAS/OUTDOOR STORAGE YARDS:** Are there any open storage areas or outdoor storage yards included in the development? If yes, how will they meet development code standards?
There is no open storage or outdoor storage proposed with this site.
6. **OFFSITE IMPACTS:** How will the development minimize off site impacts such as noise, odors, fumes, or other impacts?
The proposed commercial store will not generate enough noise, odors, fumes, or any other items that would require mitigation.
7. **DESIGN STANDARDS:** How does the proposed development meet the applicable design standards for commercial or multi-family residential development?
For the proposed development the City of Stayton design standards are being met.
8. **COMPATIBILITY WITH NEIGHBORING PROPERTIES:** How will the design and placement of buildings and other structural improvements provide compatibility in size, scale, and intensity of use between the development and neighboring properties?
Neighboring properties will not be impacted by the proposed development.
9. **DESIGN WILL SERVE INTENDED USE:** How will the location, design, and size of the proposed improvements to the site fulfill the intended purpose of the intended use of the site and will properly serve anticipated customers or clients of the proposed improvements.
The proposed design meets the City Code requirements. The size of the building will include limited grocery aspects, which is not provided in this area of the community. The location of the proposed development is consistent with the use to the South, while be a larger scale store offering convenient shopping providing everyday needs and grocery options.
10. **LANDSCAPING:** How will the proposed landscaping prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, and present an attractive interface with adjacent land use and development?
All disturbed landscape areas are proposed to be planted or established with proposed trees, shrubs, and turf.
11. **SCREENING:** How will the design of any visual or physical barriers around the property (such as fences, walls, vegetative screening or hedges) allow them to perform their intended function while having no undue adverse impact on existing or contemplated land uses.
There is no proposed screening for this project.

12. MAINTENANCE: What continuing provisions are there for maintenance and upkeep of the proposed development?

The project will be maintained on a schedule that is necessary to ensure the upkeep of the site.

Please feel free to contact me at (775) 473-9872 if you have any questions or comments.

Tectonics Design Group, Inc.

A handwritten signature in black ink that reads "Matt Rasmussen". The signature is written in a cursive, slightly slanted style.

Matt K. Rasmussen, P.E.

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DRAWN: KAH
DESIGNED: KAH
CHECKED/STAMPED:

REGISTERED
898
KORI ANN HAUG
OREGON
06/27/16
LANDSCAPE ARCHITECT
EXP. 06/30/2024

TECTONICS DESIGN GROUP
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tel 775-854-9888
fax 775-854-9986
www.tectonicsdesigngroup.com

DESIGNER:
PROJECT/CLIENT:
23155

DATE: SUBMITTAL
01/30/24 SCHEMATIC ENG.
05/13/24 SITE PLAN REVIEW

SUBMITTAL RECORD:
CITY APPROVAL

SHEET TITLE: LANDSCAPE PLAN

SHEET: L2.01

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE FRONTIER TALL FESCUE, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

LANDSCAPE TABULATIONS

THE CITY OF STAYTON, OREGON - COMMERCIAL RETAIL

BASIC PROVISIONS
1. The minimum area of a site to be retained in landscaping for commercial retail is 10% of the lot.

Lot Area: 64,573 s.f.	Required	Provided
6,457 s.f. (10%)	(3) trees	31,295 s.f. (48%)
	(5) trees	

REQUIRED TREE PLANTINGS
1. One (1) large parking lot tree per 12 spaces.
2. One (1) large street tree per 50 ft. o.c. spacing.

Parking Spaces: 37	Cascade Highway: 246 l.f.
Required	Provided
(3) trees	(3) trees
(5) trees	(5) trees

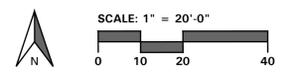
REQUIREMENTS OF PLANT MATERIALS
1. At least 75% of the required landscaping area shall be planted with a suitable combination of trees, evergreens and/or ground cover.

Required	Provided
4,843 s.f. (75%)	2,000 s.f. trees
	3,034 s.f. shrubs
	5,034 s.f. (77%)

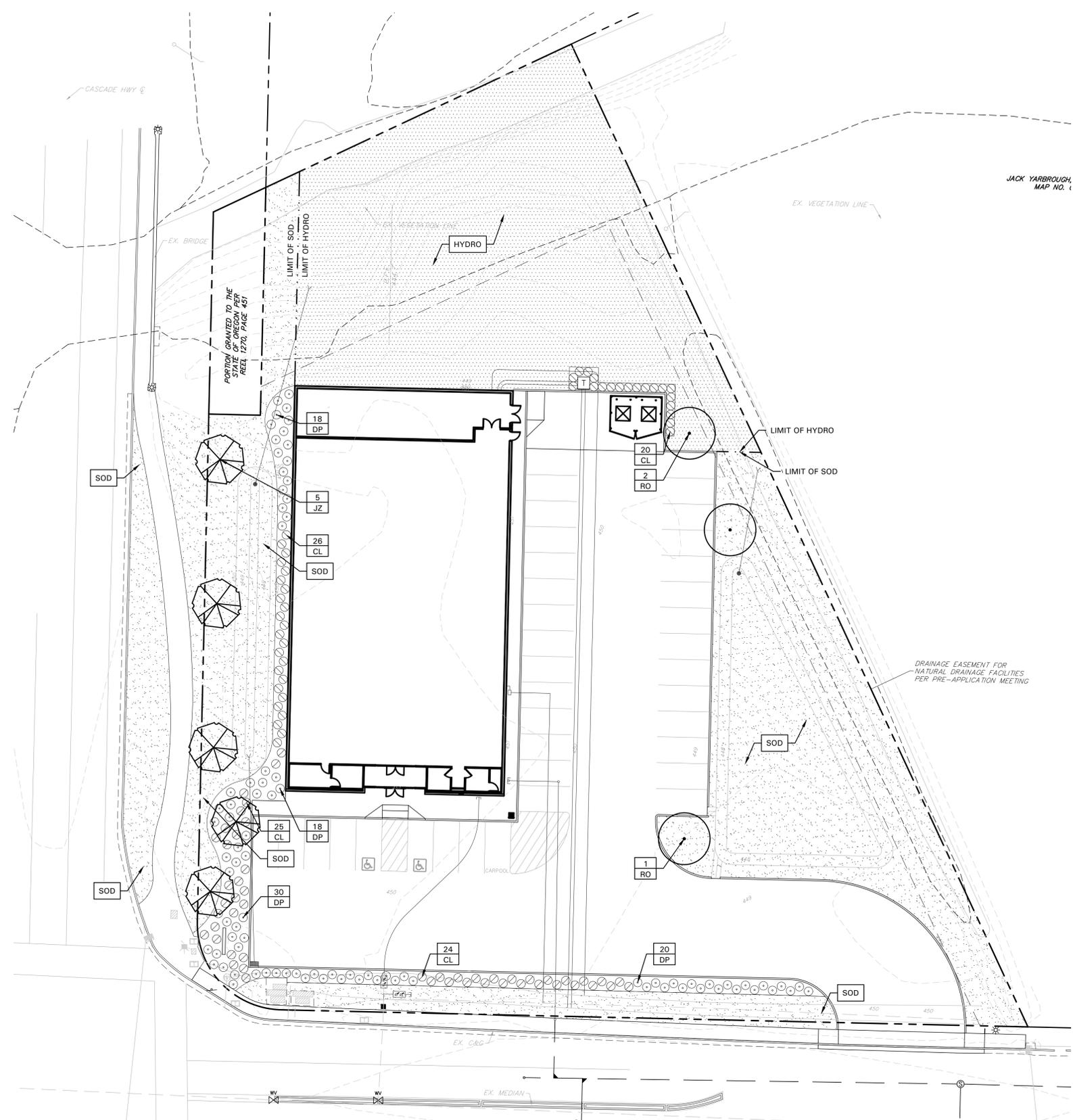
PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
JZ	<i>Zelkova serrata</i> 'Green Vase'	Japanese Zelkova 'Green Vase'	5	3" cal.	B&B, 12' ht., 4' spread, 4" clear trunk, matching
RO	<i>Quercus rubra</i>	Northern Red Oak	3	3" cal.	B&B, 12' ht., 4' spread, 4" clear trunk, matching
SHRUBS/GROUND COVER					
CL	<i>Prunus laurocerasus</i> 'Otto Luyken'	Otto Luyken Cherry Laurel	95	3 gal.	container full, 36" o.c.
DP	<i>Spiraea x 'NCSX2'</i> PP #30,953; CPBRA#	Double Play Doozie® Spirea	86	3 gal.	container full, 36" o.c.
HYDRO	<i>Festuca arundinacea</i>	Frontier Tall Fescue			hydromulch, refer to Hydromulch Notes
SOD	<i>Festuca arundinacea</i>	Frontier Tall Fescue			solid sod, refer to Solid Sod Notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

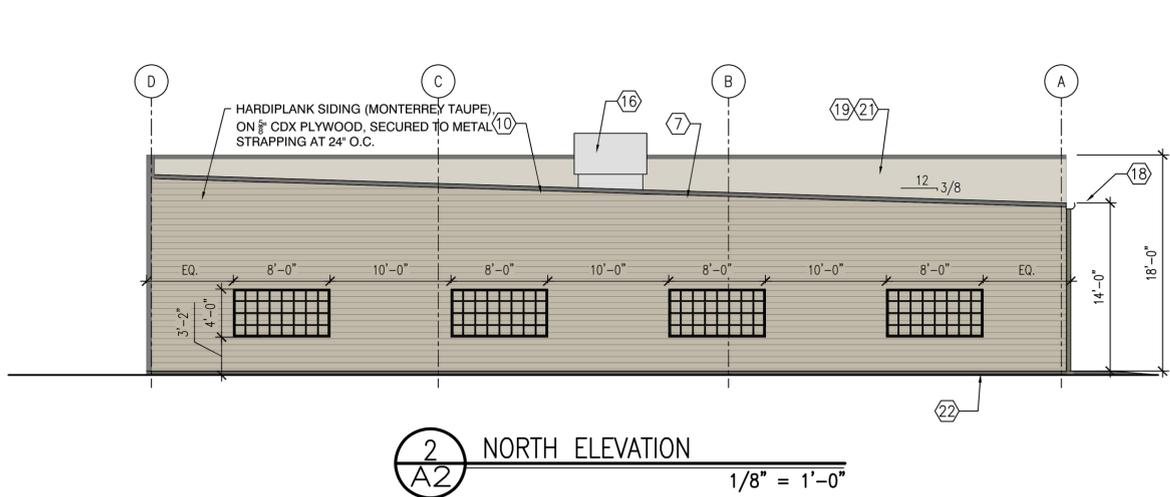


4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

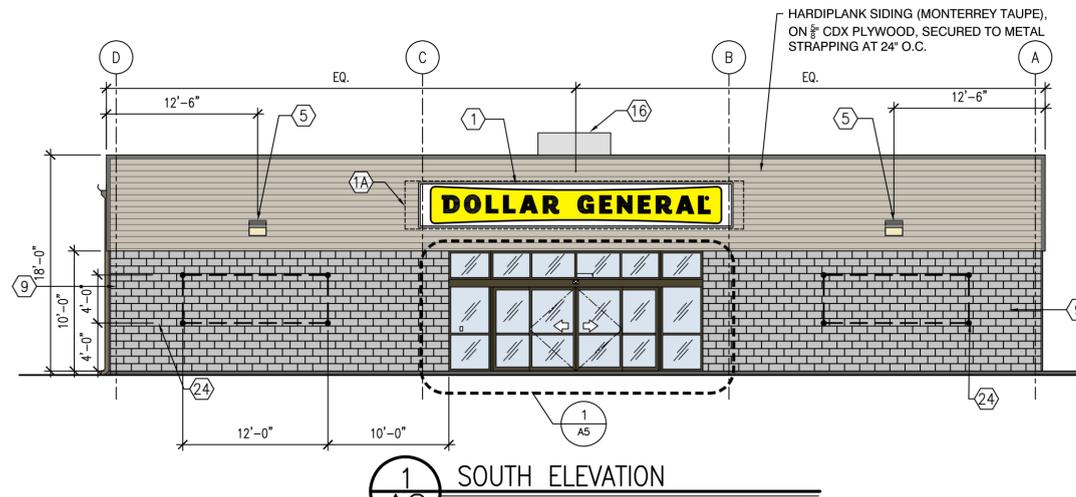


JACK YARBROUGH,
MAP NO. 1

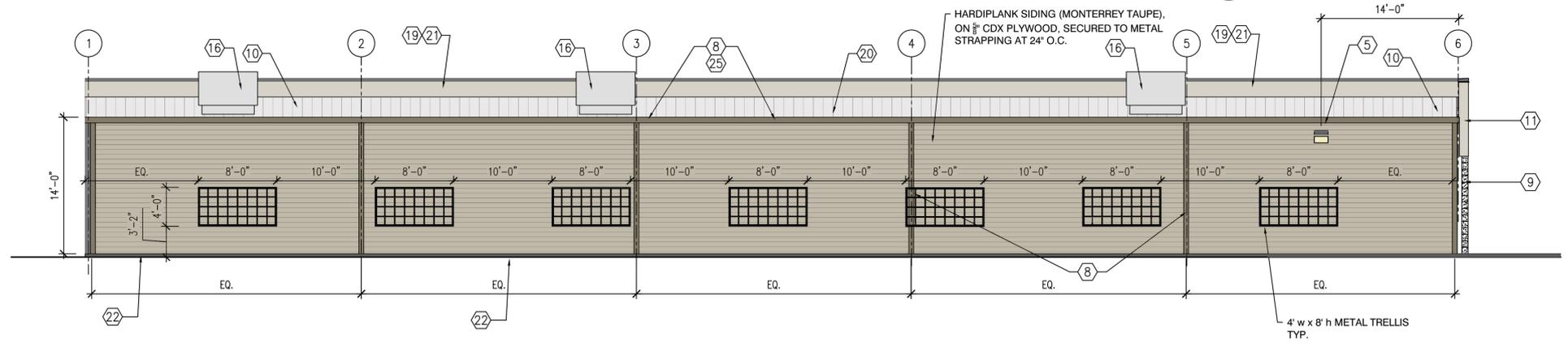
FINISHES	RIGID GLOBAL BUILDINGS										PREFERRED COLORS IF ALTERNATE EXTERIOR MATERIALS ARE USED INSTEAD OF METAL PANELS	
	COOL WHITE	COOL DARK BRONZE	BRONZE	COOL COTTON	CALLALUME	HARDIPLANK SIDING MONTERREY TAUPE	SHERWIN WILLIAMS BALANCED BEIGE	SHERWIN WILLIAMS KAN DYKE	BRONZE	WHITE BY RIMG MANUFACTURER		CALLALUME
EXTERIOR FINISHES ARE TO MATCH OR BE EQUAL TO VP METAL BUILDING SYSTEM'S FINISH SELECTION UNLESS AUTHORITY HAVING JURISDICTION DOES NOT ALLOW.												
GUTTERS												
DOWN SPOUTS												
FRONT SIDE AND REAR WALL PANELS & TRIM, RECEIVING & EMERGENCY EXIT DOORS (EXTERIOR OF DOORS TO BE PAINTED, REFER TO DOOR SCHEDULE)												
ARCHITECTURAL BLOCK AT BUILDING FACADE TO BE PRE-FINISHED OR PAINTED (2 COATS - LOXON XP MASONRY COATING A24W400 SERIES) TO MATCH THE METAL WALL PANEL.												
FLAT METAL SOFFIT AT STOREFRONT VESTIBULE												
BUILDING FASCIA WALL, PARAPET OVER ENTRANCE, AND CANOPY												
STOREFRONT SYSTEM												
STANDING SEAM METAL ROOF PANELS												
INTERIOR SALES AND RECEIVING FLOOR LINER PANELS												



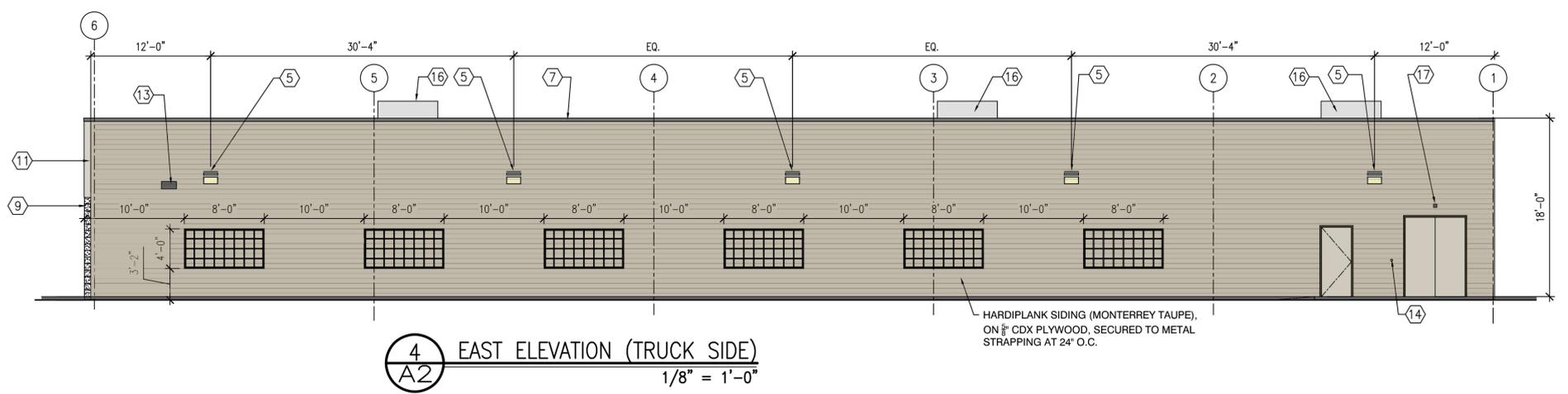
2 NORTH ELEVATION
A2
1/8" = 1'-0"



1 SOUTH ELEVATION
A2
1/8" = 1'-0"



3 WEST ELEVATION (NO ACCESS)
A2
1/8" = 1'-0"



4 EAST ELEVATION (TRUCK SIDE)
A2
1/8" = 1'-0"

ELEVATION KEYED NOTES

- 1 SIGN FURNISHED AND INSTALLED BY DOLLAR GENERAL CORP. WITH CIRCUIT AS NOTED ON ELECTRICAL PLAN. SIGN TO BE CENTERED ON FRONT OF BUILDING. CONTRACTOR IS TO PROVIDE ADEQUATE BLOCKING AS REQUIRED BY SIGN MANUFACTURER TO SUPPORT SIGN WEIGHT OF UP TO 1,400 LBS. EXTERIOR CANOPY SIGN SHALL BE SUPPORTED BY THE FACE OF CANOPY. CONTRACTOR IS TO PROVIDE ADEQUATE STRUCTURE TO SUPPORT SIGN. COORDINATE THE PROPER SIGNAGE TO BE USED WITH DOLLAR GENERAL.
- 1A PLYWOOD BLOCKING BEHIND METAL PANELS FOR SIGNAGE. 4'-0"x28'-0" FOR DGP A/B/E/F LAYOUTS. 6'-0"x36'-0" FOR DGP A/B/E/F LAYOUTS. 7'-0"x24'-0" FOR ALL DGMM LAYOUTS.
- 2 NOT USED.
- 3 NOT USED.
- 4 WALL PACK. REFER TO ELEC. DRAWINGS FOR ADDITIONAL INFO. 16'-0" HEIGHT O.C. TO J-BOX.
- 5 WALL PACK. REFER TO ELEC. DRAWINGS FOR ADDITIONAL INFO. 12'-0" HEIGHT O.C. TO J-BOX.
- 6 NOT USED.
- 7 TRIM - SEE FINISH SCHEDULE FOR COLOR.
- 8 GUTTER AND DOWNSPOUT - SEE FINISH SCHEDULE FOR COLOR.
- 9 8" SMOOTH FACE CONCRETE MASONRY UNIT.
- 10 STANDING SEAM METAL ROOF.
- 11 PRE-FINISHED METAL WALL PANELS FOR FASCIA AND PARAPET OVER ENTRANCE, REVERSE RIB PROFILE.
- 12 PRE-FINISHED METAL WALL PANELS FOR SIDE AND REAR. PROVIDE TAMPER-RESISTANT FASTENERS FOR BOTTOM 8'-0".
- 13 VENT FOR BATHROOM EXHAUST. REFER TO MECHANICAL DRAWING M1 FOR ADDITIONAL INFORMATION.
- 14 DOOR BUZZER. REFER TO ELECTRICAL DRAWING E1 FOR ADDITIONAL INFORMATION.
- 15 NOT USED.
- 16 HVAC UNITS MOUNTED ON ROOF. REFER TO MECHANICAL SHEET M1 FOR MORE INFORMATION.
- 17 OUTSIDE AIR TEMP. SENSOR MOUNTED OVER RECEIVING DOOR AT 9'-0" A.F.F.
- 18 MINIMUM EAVE HEIGHT IS 14'-0" A.F.F.
- 19 PARAPET BEYOND.
- 20 IN NORTHERN CLIMATES, PROVIDE SNOW GUARDS ON ROOF PER LOCAL CODE.
- 21 EXTEND PARAPET WALL UP AS NEEDED TO SCREEN ROOF MOUNTED EQUIPMENT IF REQUIRED BY LOCAL ORDINANCE.
- 22 FINISH GRADE TO BE A MINIMUM OF 6" BELOW FINISHED FLOOR LEVEL AT ALL NONPAVED AREAS.
- 23 NOT USED.
- 24 1/2" DIAMETER x 6" LONG STEEL EYE BOLTS (CLOSED) WITH 1" DIAMETER OPENINGS. DRILL AND EPOXY INTO BLOCK WALL. 4 BOLTS TO BE LOCATED AS SHOWN EACH SIDE OF ENTRY. TOTAL OF 8 BOLTS.
- 25 GUTTER LEAF GUARDS IF WITHIN 25'-0" OF A TREE.

REVISIONS:

STORE #30493
101 WHITNEY STREET
STAYTON, OR

DOLLAR GENERAL
PROTOTYPE CRITERIA SET PLAN
DGP24 AND DGMM24 "B"
ARCHITECTURAL AND ENGINEERING DEPARTMENT
BTSPLANS@DOLLARGENERAL.COM

DATE:
DECEMBER 4, 2023

DRAWING TITLE
EXTERIOR ELEVATIONS - DGP

SCALE:
1/8" = 1'-0"

SHEET NO.
A2

May 13, 2024

RE: Dollar General – Stayton, OR – Drainage Memo

The following memo describes the drainage mitigation design on site for the proposed Dollar General project in Stayton, Or. The site is approximately 1.49 acres of Map Number 09W03DB Tax Lot 400. The site is bordered by Whitney Street to South, vacant land to the East, a highway parking lot to the North, and Cascade Highway to the West. The existing site drains generally to the North and East. The proposed site also drains to the North and East while all proposed runoff is mitigated and released less than the existing condition. The project’s access drive is located at the Southeast end of the site via a proposed driveway to Whitney Street. See Exhibit 1 for a vicinity map.

The site is currently undeveloped. In the current condition the majority of site runoff drains to the North and East see Exhibit 2 for the existing drainage area map. The proposed improvements will drain into the proposed detention basins on the East and West. The proposed condition site impervious area is ±32,746 S.F. The storm water will be mitigated on site by the two detention basins, see Exhibit 3 for the proposed drainage area map. See Table 1 below for each drainage area pre and post development 100-yr flows. The required water quality volume and provided water quality volume for the site has been provided in Table 2.

Table 1:

	Basin 1	Basin 2	Basin 3	Total Site
Pre-Development	0.75 CFS	1.03 CFS	0.41 CFS	2.15 CFS
Post-Development	0.02 CFS	0.55 CFS	0.41 CFS	0.98 CFS
Change in Outfall	-0.73 CFS	-0.48 CFS	0 CFS	-1.17 CFS
Area (Acres)	0.53	0.73	0.23	1.49

Table 2:

Water Quality Volume Required (CF)	Water Quality Volume Provided (CF)
928	1,084

Please contact me with any questions.

Sincerely,



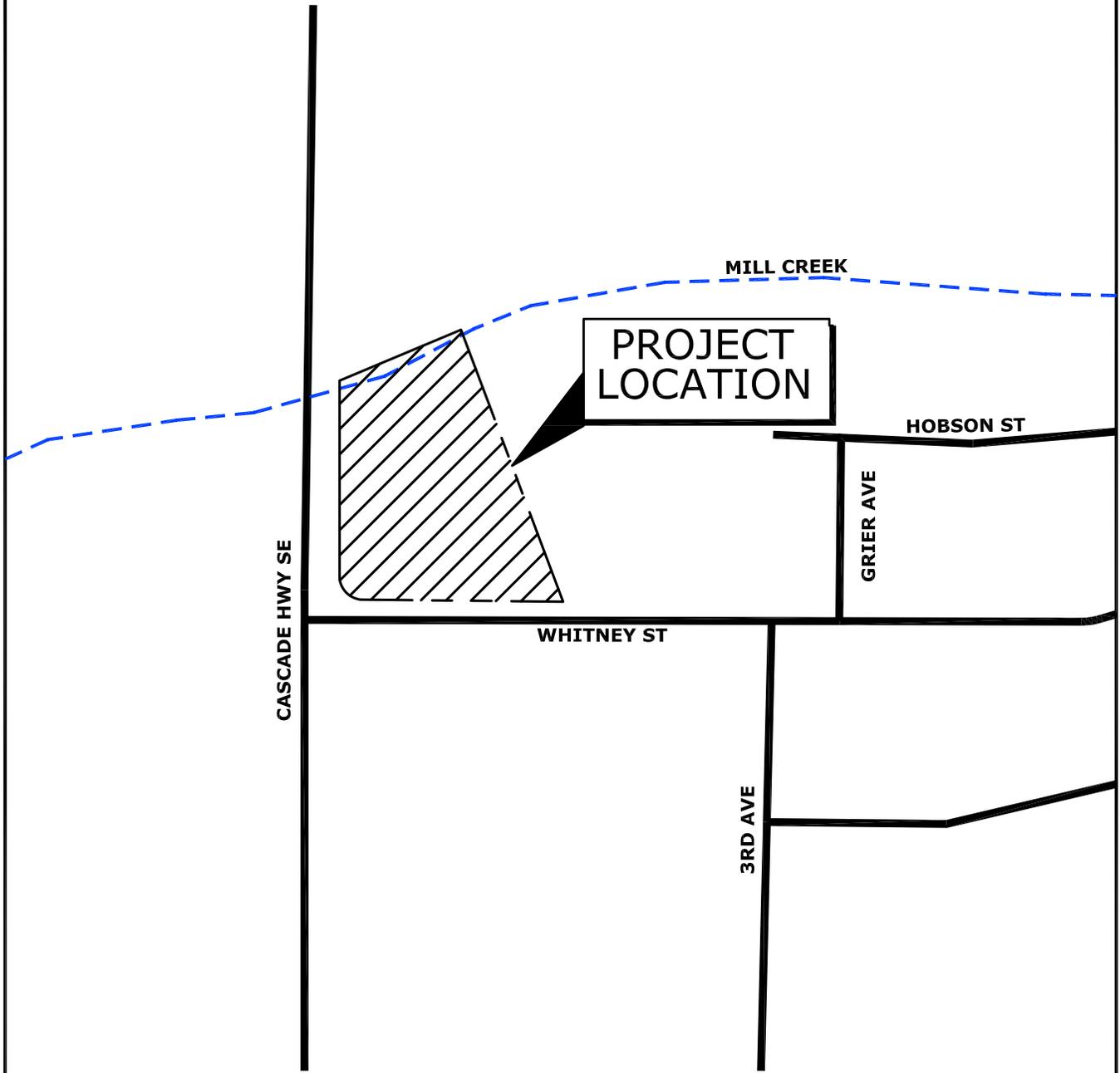
Matt K. Rasmussen, P.E.

DRAWN: J.W.R.

DATE: 05/13/24

DESCRIPTION: VICINITY MAP: 101 WHITNEY STREET, STAYTON, OR

SUBMITTAL: EX-1



VICINITY MAP

SCALE: N.T.S.



PROJECT/CLIENT:

DOLLAR GENERAL
STAYTON, OREGON

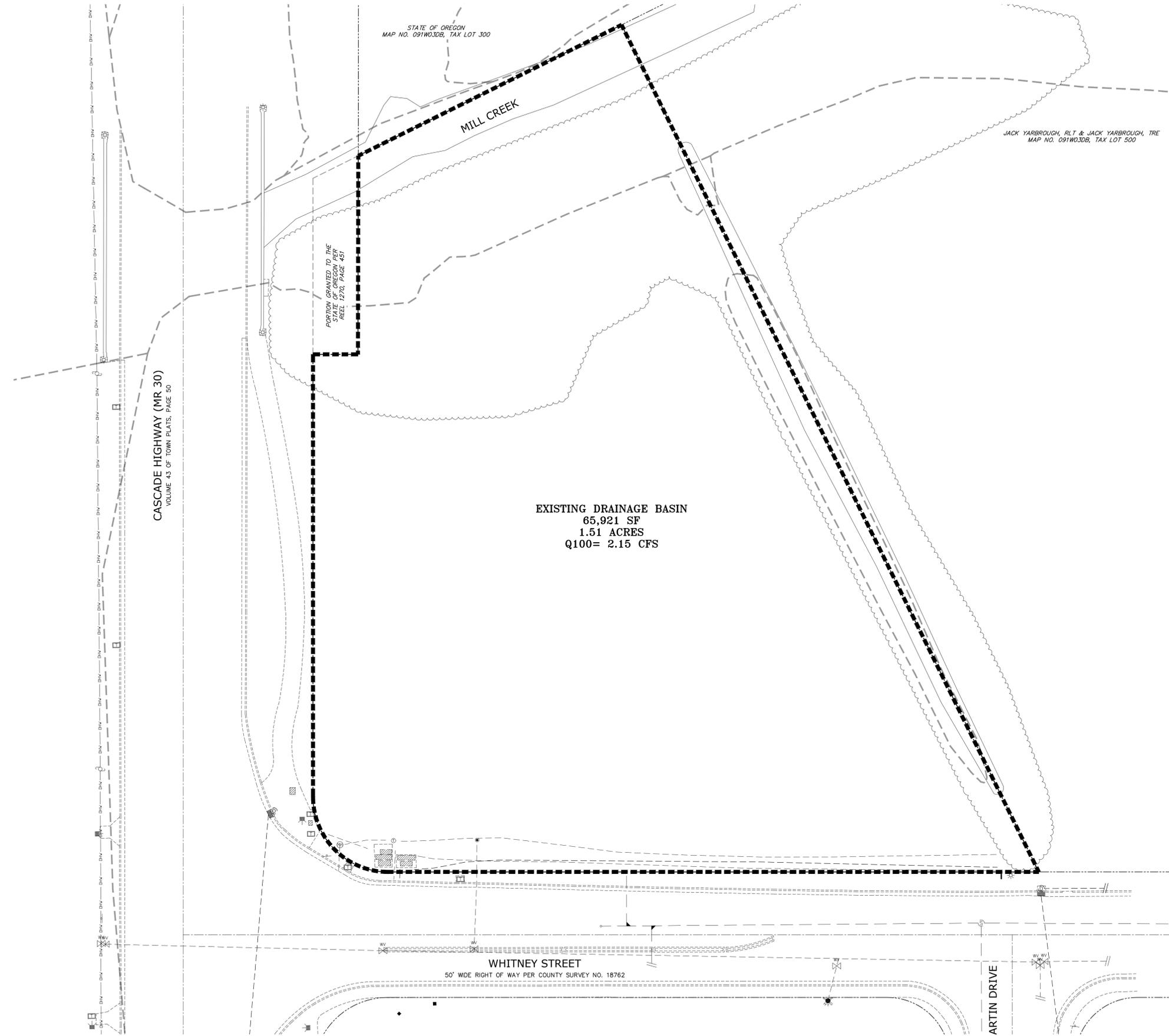
6S DEVELOPMENT
1833 COLUMBUS RD, DALLAS, TX 75252

JOB #: 23155



730 Sandhill Road, Suite 250, Reno, NV 89521
www.tectonicsdesigngroup.com

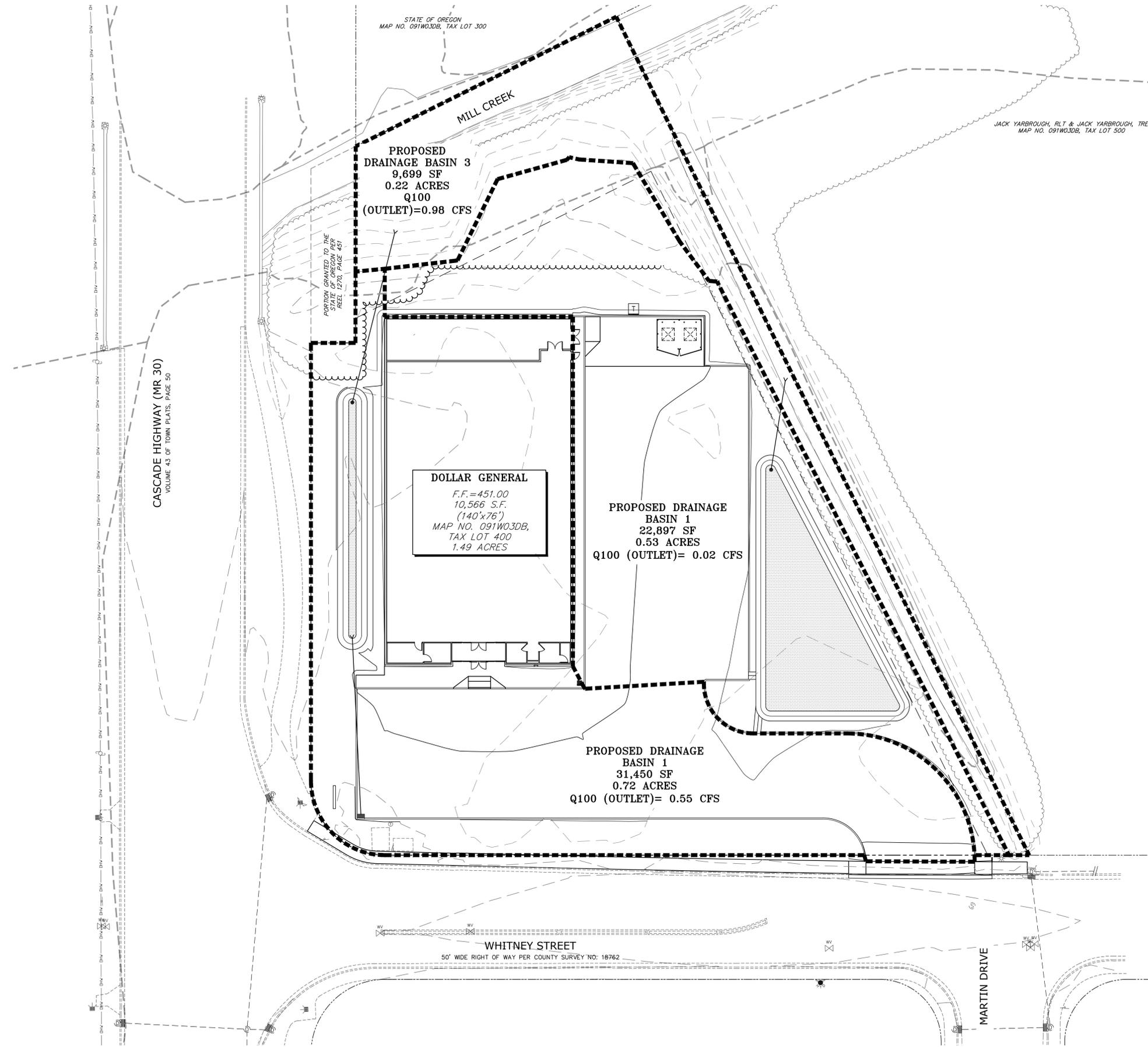
tel 775-824-9988
fax 775-824-9986



PROJECT QUANTITIES	
DRAINAGE AREA 1	
BUILDING AREA (C=0.90):	0 S.F.
LANDSCAPE AREA (C=0.55):	65,821 S.F.
IMPERVIOUS AREA (C=0.90):	100 S.F.
TOTAL (C VALUE=0.55)	65,921 S.F.

EXISTING DRAINAGE MAP
SCALE: NTS

SHEET:	EXISTING BASIN MAP
	EX2
SHEET TITLE:	EXISTING BASIN MAP
CITY APPROVAL:	
SUBMITTAL RECORD:	
PROJECT/CIENT:	# : 23155
DATE:	01/30/24 SUBMITTAL 05/13/24 SCHEMATIC ENG. SITE PLAN REVIEW
DESIGNER:	 TECTONICS DESIGN GROUP 730 Sandhill Rd., #250, Reno, Nevada 89521 tel 775-854-9888 fax 775-854-9986 www.tectonicsdesigngroup.com
STAMP:	DRAWN: G.A.S. DESIGNED: J.P.B. / D.J.M. CHECKED/STAMPED:
COPYRIGHT:	All drawings herein are the property of Tectonics Design Group and may not be reproduced or used in any capacity without the written authorization of Tectonics Design Group.



PROJECT QUANTITIES	
DRAINAGE AREA 1	
BUILDING AREA (C=0.90):	0 S.F.
LANDSCAPE AREA (C=0.55):	13,221 S.F.
IMPERVIOUS AREA (C=0.90):	9,676 S.F.
TOTAL (C VALUE=0.55)	22,897 S.F.
DRAINAGE AREA 2	
BUILDING AREA (C=0.90):	10,640 S.F.
LANDSCAPE AREA (C=0.55):	8,380 S.F.
IMPERVIOUS AREA (C=0.90):	12,450 S.F.
TOTAL (C VALUE=0.55)	31,450 S.F.
DRAINAGE AREA 3	
BUILDING AREA (C=0.90):	0 S.F.
LANDSCAPE AREA (C=0.55):	9,699 S.F.
IMPERVIOUS AREA (C=0.90):	0 S.F.
TOTAL (C VALUE=0.55)	9,699 S.F.

DEVELOPED BASIN MAP
SCALE: NTS



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DRAWN: G.A.S.
DESIGNED: J.P.B. / D.J.M.
CHECKED/STAMPED:

SITE PLAN REVIEW

TECTONICS DESIGN GROUP
730 Sandhill Rd., #250, Reno, Nevada 89521
tel 775-854-9888
fax 775-854-9986
www.tectonicsdesigngroup.com

Dollar General
101 Whitney Street, Stayton, OR
6S Development
18333 Preston Road, Suite 500
Dallas, Texas, 75252

PROJECT/CLIENT:
#: 23155

DATE: 01/30/24 SUBMITTAL
05/13/24 SCHEMATIC ENG.
SITE PLAN REVIEW

SUBMITTAL RECORD:

CITY APPROVAL:

DEVELOPED BASIN MAP

SHEET TITLE:
SHEET:
EX3



RightChoice

RCAL1 | LED Area/Site Lighting with Selectable CCT



Key Features

- Best-in-class outdoor lighting solution that ensures outstanding performance and value.
- Sleek aesthetic presents a modern appearance for sites and is night sky friendly.
- Easy installation by one person in the field.
- Optional rotatable optics provide design flexibility for unique aspects of a site plan to deliver light exactly where it's needed.
- Selectable correlated color temperature (CCT) with integrated switch.

Electrical

- 120-277VAC or 277-480VAC, 50/60Hz input.
- IP65 rated Class 2 driver, 0-10V dimming standard.
- 10kV surge protection standard; 20kV option also available.
- System power factor >90% and THD <20%.
- Operating temperature: -40°C to 50°C (-40°F to 122°F).

Mounting

- Slip fitter, pole mount, or trunion mounting options available.

Construction

- Die-cast aluminum housing protects integral components from harsh environments and optimizes thermal management.
- Housing is protected by a corrosion resistant powder coat available in standard bronze, white or black finish. Consult factory for custom color options.
- IP65 rated enclosure prevents intrusion from environmental elements that could degrade performance.

Optics

- IP65 rated LED light engine prevents dust or moisture from degrading performance.
- Precision molded optics: IES Type II, Type III, Type IV, or Type V distributions. Optional rotatable optics available (consult factory).
- Industry-leading LEDs with selectable CCT: 3000K, 4000K, and 5000K CCT (min. 80 CRI).
- Lumen Maintenance: >167,000 hours (L70)¹ (-40°F to 122°F).

Warranty

- Backed by US LED's industry-leading Ten-Year Warranty.

Ordering Information

Example: RCAL1-30-SCT-UNVL-1-3-10SP-ZS 200 N

Series	Size	Selectable CCT	Mount	Finish	Optics	Power	Product Code
RCAL1	30	3000K, 4000K, 5000K	DM	White	Type 2	200W	RCAL1-30-SCT-UNVL-1-3-10SP-ZS 200 N

1. US LED product "Lifetime" refers only to the LED light engine, not the power source, and are based on the Illuminating Engineering Society's TM21 Projected Lumen Maintenance methodology at a 20°C (68°F) ambient temperature. The lifetime is only meant to be a guide for expected LED degradation and not a warranty or prediction of the actual life, which can be affected by ambient temperature and other factors.

2. Size 15 (1000mm/39.37in) performance is 200000/200000h.



RightChoice

RCAL1 | LED Area/Site Lighting with Selectable CCT



Product Performance Summary

- Lumen Output: Up to 47,318 lumens
- Efficacy: Up to 156 LPW
- CRI: > 80 CRI
- Available CCT: Selectable CCT 3000K, 4000K & 5000K
- Warranty: Ten-Year Warranty

Product Applications

- Auto Dealerships
- Recreational Areas
- Retail Parking Lots
- Industrial Facilities
- Educational Facilities
- Security Areas
- Business Campuses
- Site Pathway Areas

Product Certifications

- UL Listed
- Complies with UL1598 and CSA C22.2
- DLG Premium Listed
- Suitable for Wet Locations (IP65 Rated)
- RoHS Compliant

Ordering Information

Example: WPR3-UNV-37-4-50-BZ-PC

Series	Input Voltage	Power	Optics	CCT	Finish	Accessories
WPR3	120-277V	37W	Type 2	3000K	Bronze	Phoscoat

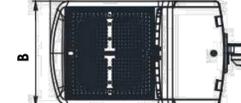
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2. Size 15 (1000mm/39.37in) performance is 200000/200000h.



RightChoice

RCAL1 | LED Area/Site Lighting with Selectable CCT



Dimensions



Performance Data

Size	Model	Distribution	Wattage	Lumen Output	Efficacy	BUG Rating	Selectable CCT	L70 Calculated Life
15	100W	Type 2	100.0W	15,772.0	157.7 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 3	100.0W	15,083.0	150.8 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 4	100.0W	15,129.0	151.3 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 5	99.3W	15,063.0	151.7 LPW	B4-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 2	120.0W	18,926.0	157.7 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
	120W	Type 3	120.0W	18,103.0	150.9 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 4	120.0W	18,556.0	154.6 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 5	119.6W	17,963.0	150.2 LPW	B4-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 2	154.0W	23,658.0	153.6 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 3	145.8W	21,890.0	150.1 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
	150W	Type 4	150.0W	23,195.0	154.6 LPW	B3-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 5	145.9W	21,817.0	149.5 LPW	B4-U0-G3	3000K/4000K/5000K	>167,000 Hours
		Type 2	200.0W	30,094.0	150.5 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours
		Type 3	200.0W	30,012.0	150.5 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours
		Type 4	200.0W	29,875.0	149.4 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours
200W	Type 5	200.0W	30,299.0	151.5 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 2	250.0W	37,618.0	150.5 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 3	250.0W	37,651.0	150.6 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 4	249.0W	37,272.0	149.6 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 5	249.2W	38,241.0	153.5 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
300W	Type 2	302.1W	45,443.0	150.4 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 3	298.6W	44,656.0	149.6 LPW	B4-U0-G4	3000K/4000K/5000K	>167,000 Hours	
	Type 4	299.2W	47,318.0	158.1 LPW	B5-U0-G5	3000K/4000K/5000K	>167,000 Hours	
	Type 5	299.8W	45,056.0	150.3 LPW	B5-U0-G4	3000K/4000K/5000K	>167,000 Hours	

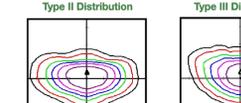
1. US LED product "Lifetime" refers only to the LED light engine, not the power source, and are based on the Illuminating Engineering Society's TM21 Projected Lumen Maintenance methodology at a 20°C (68°F) ambient temperature. The lifetime is only meant to be a guide for expected LED degradation and not a warranty or prediction of the actual life, which can be affected by ambient temperature and other factors.

2. Size 15 (1000mm/39.37in) performance is 200000/200000h.



RightChoice

RCAL1 | LED Area/Site Lighting with Selectable CCT



Optical Distributions

- All photometric testing performed to IESNA LM-79 standards by a NALAP® accredited testing facility. ISO footprint plots below demonstrate examples of the general distribution patterns based on a 20' mounting height. Please visit www.usled.com for complete specifications, IES files, and detailed photometric data.

90° Left Orientation Top View



90° Right Orientation Top View



Mounting Accessories

- DM | Mount for Square Pole & Round Pole - 4" Nominal
- AM | Adjustable Slip Fitter Mount
- YM | Trunion Mount
- ADM | Mount For 2 1/2" Round Tenon

1. US LED product "Lifetime" refers only to the LED light engine, not the power source, and are based on the Illuminating Engineering Society's TM21 Projected Lumen Maintenance methodology at a 20°C (68°F) ambient temperature. The lifetime is only meant to be a guide for expected LED degradation and not a warranty or prediction of the actual life, which can be affected by ambient temperature and other factors.

2. Size 15 (1000mm/39.37in) performance is 200000/200000h.



QubePAK® Regal 3

Architectural Outdoor LED Wall Pack



Key Features

- Modern LED replacement for traditional fluorescent or HID fixtures.
- Elegant yet rugged construction effortlessly integrates with existing architecture.
- Adjustable, full-cutoff design with a tilt mechanism that allows for precise aiming.
- Night sky friendly; eliminates light pollution and minimizes glare.

Electrical

- 120-277VAC 0-10V dimming standard.²
- System power factor >90% and THD <20%.
- Operating temperature: -40°C to 40°C (-40°F to 104°F).

Mounting

- Luminaire is ready to be surface mounted.

Construction

- Robust die-cast aluminum housing protects integral components from harsh environments and optimizes thermal management.
- Housing is protected by a corrosion resistant bronze powder coat finish.
- IP65 rated enclosure prevents intrusion from environmental elements that could degrade performance.

Optics

- Type II or Type IV optical distribution.
- IP65 rated enclosure prevents intrusion from environmental elements that could degrade performance.
- Lumen Maintenance: 100,000 hours (L70)¹

Warranty

- Backed by US LED's industry-leading Ten-Year Warranty.

Ordering Information

Example: WPR3-UNV-37W-2-50-BZ

Series	Input Voltage	Power	Optics	CCT	Finish	Accessories
WPR3	120-277V	37W	Type 2	3000K	Bronze	Phoscoat

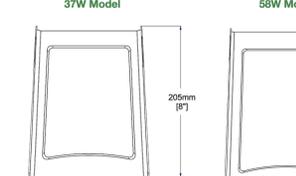
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2. Size 15 (1000mm/39.37in) performance is 200000/200000h.



QubePAK Regal3

Architectural Outdoor LED Wall Pack



Product Applications

- Perimeter Areas
- Building Exteriors
- Security Lighting
- Wall Washing
- Parking Lots
- Educational Facilities
- Business Campuses
- Industrial Facilities
- Multi/Retail Exteriors
- General Lighting

Product Certifications/Approvals

- UL Listed
- Complies with UL1598 and CSA C22.2
- DLG Listed
- Suitable for Wet Locations
- IP65 Rated Enclosure
- RoHS Compliant

Performance Data

Model	Net Weight
37W	2.87 lbs. (1.3kg)
58W	4.63 lbs. (2.1kg)
70-100W	5.95 lbs. (2.7kg)

1. US LED product "Lifetime" refers only to the LED light engine, not the power source, and are based on the Illuminating Engineering Society's TM21 Projected Lumen Maintenance methodology at a 20°C (68°F) ambient temperature. The lifetime is only meant to be a guide for expected LED degradation and not a warranty or prediction of the actual life, which can be affected by ambient temperature and other factors.

2. Size 15 (1000mm/39.37in) performance is 200000/200000h.

REVISIONS:	

STORE #30493
101 WHITNEY STREET
STAYTON, OR

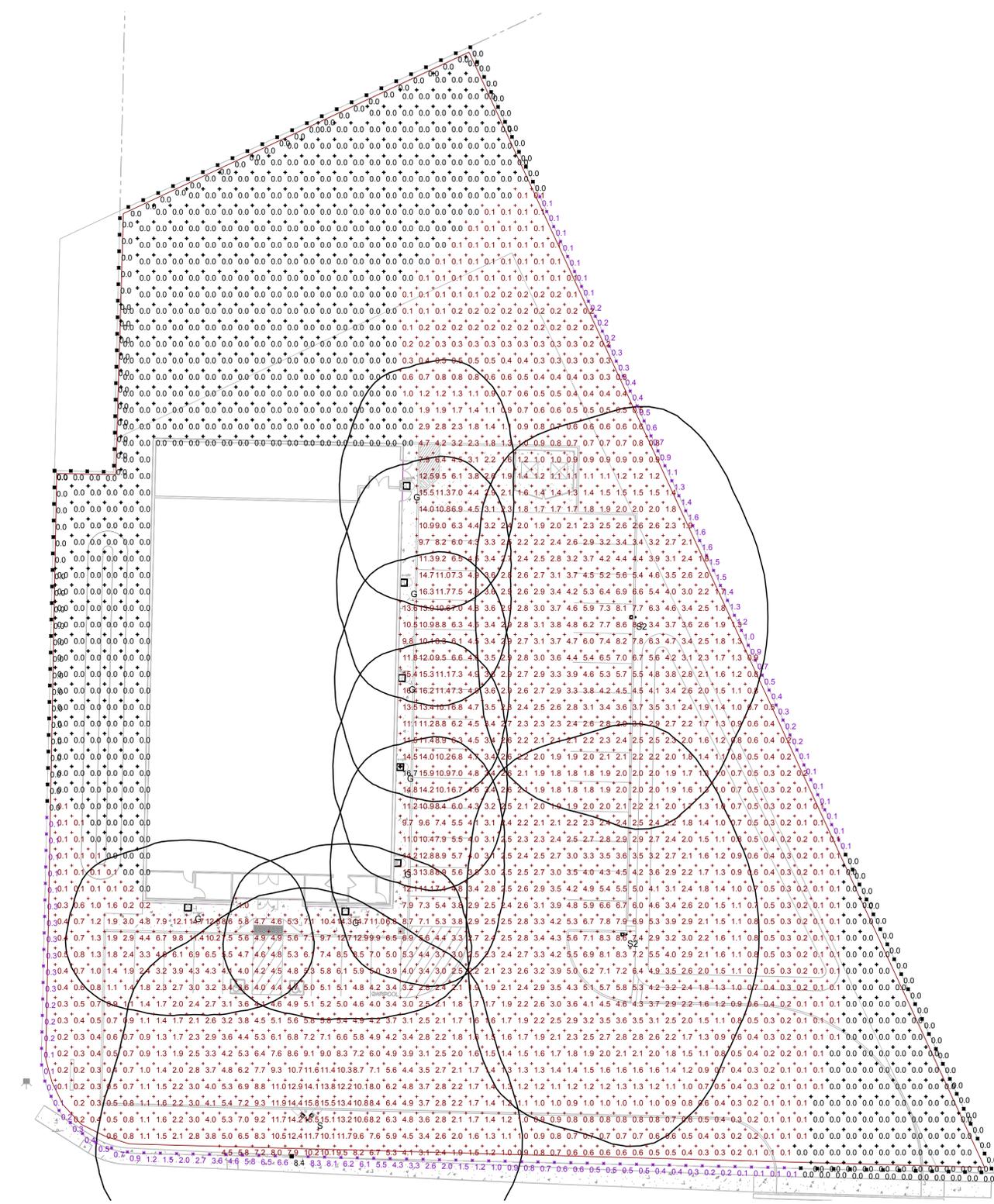
DOLLAR GENERAL
PROTOTYPE CRITERIA SET PLAN
DGP24 AND DGM24 "B"
ARCHITECTURAL AND ENGINEERING DEPARTMENT
EISPLANS@DOLLARGENERAL.COM

DATE: DECEMBER 4, 2023
DRAWING TITLE: LIGHTING FIXTURES
SCALE: AS NOTED
SHEET NO.

PH-2

Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
	G	7	USLED	WPR3-UNVL-37-4-50-BZ	LED WALL MOUNT LIGHT AT 12' AFG	1	10174	1	71.2
	S	1		RCAL1-15-SCCT-UNVL-1-3-10SP-150		1	21890	1	291.56
	S2	2		RCAL1-15-SCCT-UNVL-1-3-10SP-150		1	21890	1	145.78

Description	Symbol	Max	Min	Max/Min	Avg/Min	Avg
Property Line	X	8.4 fc	0.0 fc	N/A	N/A	0.6 fc
Area	+	16.7 fc	0.0 fc	N/A	N/A	2.3 fc



PHOTOMETRIC PLAN
1"=20'-0"

REVISIONS:

THESE DOCUMENTS ARE PROVIDED AS A DESIGN CRITERIA TEMPLATE FOR THIS BUILDING TYPE. THESE DRAWINGS MUST BE REVIEWED AND ADAPTED BY A LICENSED ARCHITECT AND ENGINEER TO COMPLY WITH THE REQUIREMENTS OF ALL FEDERAL, STATE AND LOCAL AUTHORITIES FOR SITE SPECIFIC PROJECTS. ALL PROJECTS MUST BE APPROVED BY DOLLAR GENERAL PRIOR TO START OF CONSTRUCTION.

STORE # 30493
101 WHITNEY STREET
STATYTON, OR

DOLLAR GENERAL
PROTOTYPE CRITERIA SET PLAN
DGP24 AND DGM24 "B"
ARCHITECTURAL AND ENGINEERING DEPARTMENT
EISPLANS@DOLLARGENERAL.COM

DATE: DECEMBER 4, 2023
DRAWING TITLE: PHOTOMETRIC PLAN
SCALE: AS NOTED
SHEET NO.

PH-1

Table 1 – Trip Generation

Proposed Land Use	Qty	Unit	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Trips	Rate	In:Out Split	Trips			Rate	In:Out Split	Trips		
							In	Out	Total			In	Out	Total
Free-Standing Discount (815)	10.64	TSF	53.87	573	1.18	70:30	9	4	13	3.89	50:50	21	21	42
Total				573			9	4	13			21	21	42

Notes: ITE Trip Generation (11th Edition, 2021); TSF = Thousand Square Feet; includes 20% pass-by in the PM peak hour per ITE



City of Stayton

Department of Community and Economic Development
362 N. Third Avenue • Stayton, OR 97383
Phone: (503) 769-2998 • Fax (503) 769-2134
jsiciliano@staytonoregon.gov www.staytonoregon.gov

Request for Extension of 120-Day Review Period

State law requires the City to issue a final decision on land use reviews within 120 days of receiving a complete application. State law (ORS 227.178) also allows the applicant to request in writing an extension of the 120-day review period for up to an additional 245 days. When extensions are requested, it is important to ensure that there is adequate time to accommodate review of new material, drafting the decision, and any required hearings (including appeals) within the extended review period.

If requesting an extension of the 120-day review period, please sign this form and return it to the Stayton City Planner

Case Information

1. Applicant Name: _____
2. Land Use Case Number: LU # _____
3. Type of Review: _____

Extension Request

Please check one of the following:

- Extend the 120-day review period for an additional _____ days.
(insert number)
- Maximum allowed extension: 245 days

The total number of extensions requested cannot exceed 245 days.

By checking the box below, I acknowledge that I am requesting the 120-day review period for my land use review application to be extended for the number of days specified.

Typed Name: _____ Date _____

I acknowledge the typed name above as my signature.