AGENDA
PLANNING COMMISSION
Monday, May 26, 2026
at 7:00 p.m.

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

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 Department at pwa@staytonoregon.gov to receive an invitation to the online meeting.

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1. **CALL TO ORDER**

2. **MEETING MINUTES**
   a. Approval of April 27, 2026 Minutes

3. **PUBLIC HEARING**
   LAND USE FILE #7-04/26 – Application for a Comprehensive Plan Map amendment from Residential to Downtown and an application to change the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU) for 579 E Washington Street
   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 Public Hearing
   h. Commission Deliberation
   i. Commission Decision

4. **PUBLIC HEARING**
   LAND USE FILE #11-07/24 – Application for Detailed Master Planned Development Plan at 1601 Oriole Street a 7.11-acre property in Low Density Residential (LD) zone to subdivide into 22 single-family lots.
   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

The City of Stayton is an Equal Opportunity Institution

g. Close of Public Hearing
h. Commission Deliberation
i. Commission Decision

5. ADJOURN

The meeting location is accessible to people with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodation, contact the Community and Economic Development Department at (503) 769-2998.

STAYTON PLANNING COMMISSION
MEETING MINUTES
Monday, April 27, 2026

COMMISSIONERS: Larry McKinley – Chair (present)
Peter Bellas (present)
Amy Watts (via Zoom)
Melissa Satowskis (present)
Steve Baldwin (present)

STAFF MEMBERS: Jennifer Siciliano, Community & Economic Development Director
Susan Bender, Public Works Office Specialist
Ross Williamson, City Attorney

OTHERS PRESENT: Britany Randall of Brand Land Use Consultants (1720 Liberty Street, Salem) representing Applicants; Steve Sims, City Councilor.

CALL TO ORDER: Chairman Larry McKinley called the meeting to order at 7:00 pm. Quorum is present. The purpose of the meeting was to discuss two applications:

a. Land Use File 5-02/24: Application for Annexation of an approximately 21-acrs property on Golf Lane tax lot 091W03B001500 into the City limits to be zoned as Medium Density (MD) Residential, and
b. Land Use File 10-08/25: Application for Annexation of an approximately 17.01-acre property on 11641 Shaff Road tax lot 091W04C001901 to be zoned High Density (HD) Residential.

APPROVAL OF MINUTES: Ms. Sutkowski moved, and Mr. Bellas seconded to approve the minutes from March 30, 2026, as presented. Motion passed 5:0.

1. **Land Use File 5-02/24:** Application for Annexation of an approximately 21-acrs property on Golf Lane tax lot 091W03B001500 into the City limits to be zoned as Medium Density (MD) Residential

Commencement of Public Hearing- Chair McKinley read the opening statement and opened the hearing at 7:03 pm. No objections were made by the attendees 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. All evidence, arguments, and testimony must be directed towards this approval criteria, or to such other rules, laws, regulations, or policies.

Staff Introduction and Report – Ms. Siciliano summarized the history of this application, which was heard at the November 24, 2024 and February 23, 2026 public hearings. At the February 23rd hearing, a comment letter from the Oregon Department of Land Conservation and Development (DLCD) was received and entered into the record. Because of that late entry, the hearing was continued to this April 27, 2026 meeting. Important clarifications have been received from the State including that the Oregon Housing needs analysis requires that the City plan not only for future population growth, but for existing unmet housing needs resulting from past underproduction across a range of income levels. The state adopted new methodology in 2023 by establishing a revised methodology that allocates housing needs

on a regional basis. Stayton is within the Willamette valley region. Under this framework, the Oregon Dept of Administrative Services updates the city's housing needs annually, and this data informs the criterion that says the need exists in the community for the proposed annexation. Based on the State of Oregon's allocation, there is a clear and ongoing housing need in Stayton. Staff also met with DLCD on March 26, 2026, to discuss how the City's Comprehensive Plan housing needs estimate relates to the State allocation. DLCD indicated that while the city may rely on its comprehensive plan for future growth projections, the State's methodology also accounts for unmet housing need not captured in those projections. In addition, the city is charged with considering the regional needs, not just those within its own boundaries. DLCD also indicated that these allocations should not be viewed as a cap, but rather as a baseline, recognizing that the overall need for housing remains significant. In addition, under current law duplexes are now permitted in all residential zones in the City, including Low, Medium and High Density zoning. As a result, Low Density zoning can no longer be considered exclusively for single family homes. In addition, staff considered compatibility with the character of the surrounding area

Applicant Presentation – Britany Randall, representing the applicant, briefly outlined the original request and statement presented at the last two Commission meetings. The applicant is still seeking a recommendation from the Commission of Annexation with Medium Density Residential.

Questions from the Commission- Commission members had no additional questions for the applicant's representative as all had been covered in meetings prior.

Questions and Testimony from the Public- Mr. Carl Gommel, of 12174 Golf Lane, provided written and spoken testimony through the Zoom connection. He reiterated his positions on this annexation: He has concerns about serviceability, standing water, numbers of students in Stayton schools, and questions the community need of the annexation. He urges the Commission to deny the application to annex.

Mr. Aaron Frichtl expressed concerns about traffic at the intersection of Cascade Highway and Whitney Street…it is his understanding that Golf Lane was to be re-aligned with any development on Golf Lane, presumably to the south to link to Whitney Street.

Applicant Summary- Ms. Randall re-stated that according to current housing law in the State of Oregon, the City does need additional housing, that any development post annexation is likely to be phased, and that control of growth is a city policy issue regarding traffic, stormwater control, and density and other elements.

Staff Summary- Ms. Siciliano clarified that the issues Mr. Gommel and Mr. Frichtl bring up are addressed in the City Comprehensive Plan and she reminded Commissioners that the parcel in question is within the Urban Growth Boundary and so serviceability and other elements are addressed in multiple Master Plans (i.e. Stormwater). Mr. Ross Williamson added that his reviews of the proposed annexation allow him to support the position of City staff, who have addressed each of the concerns brought up at multiple meetings. The potential traffic light or other traffic modifications are part of a Memorandum of Understanding between the City of Stayton and Marion County, and the State of Oregon (ODOT).

Close of Hearing- Chair McKinley closed the hearing at 7:45 pm.

Commission Deliberation- After a brief discussion, Mr. McKinley asked for motion from the Commission. Mr. Baldwin moved to approve the application, (Land Use File #5-02/24), adopting the draft order of recommendation as presented. Ms. Sutkowski seconded. The motion carried 5:0.

2. Land Use File 10-08/25: Application for Annexation of an approximately 17.01-acre property on 11641 Shaff Road tax lot 091W04C001901 to be zoned High Density (HD) Residential

Commencement of Public Hearing- Chair McKinley read the opening statement and opened the hearing at 7:54 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. All evidence, arguments, and testimony must be directed towards this approval criteria, or to such other rules, laws, regulations, or policies.

Staff Introduction and Report – Ms. Siciliano summarized the applicant's Annexation request of approximately 17-acre property located on 11641 Shaff Road tax lot 091W04C001901 to be zoned High Density (HD) Residential, which is a continuation of previous hearing in February. The continuation allowed staff to incorporate the comments from the State DLCD regarding state housing laws. Staff considered compatibility with the surrounding area, which includes high-density residential and commercial nearby. Staff revised the recommendation to better align with the State requirements to ensure adequate housing capacity. Reminded Commissioners and attendees that Ross Williamson, City Attorney, is in attendance via Zoom, and is available to answer any questions.

Mr. McKinley stated to clarify the reason for the applicant selecting High Density is due to the applicant's intent is to build townhomes, which is only allowed on High Density per Stayton Land Use requirements.

Applicant Presentation – Britany Randall, representing the applicant, reminded the Commission that the applicant lives next door and cares about how this parcel is developed. The potential number of units is less than what is possible, as Stayton requires that townhome lots are large, and coupled with open space and street(s), the total available for actual structures is significantly less that 17 acres. The development will be phased. The expense of having to add fill to the parcel, required due to shallow utilities, directs the development to High Density.

Questions from the Commission- Ms. Watts asked if the fill will happen all at once or in phases. Ms. Randall stated that it likely will happen in phases.

Questions and Testimony from the Public- Mrs. Chamberland of 1624 E Burnett Street states she sees a flaw in the system. There seems to be a lot of state laws and little control. She questions the purpose of the Planning Commission if all they do is rubber stamp from the state. She expressed concern about the state of Stayton's infrastructure and schools in relation to annexing more land. Mr. McKinley clarified that while the City and Commission must operate within federal, state, and county laws, they do not rubber stamp anything. They go through the codified process for each land use application according to Stayton's codes. Recommended that Mrs. Chamberland contact Staff and make an appointment to gain further clarification of those rules and the process. Ms. Watts stated that all of the Commission members are residents of Stayton as well.

Mr. Aaron Frichtl of 12326 Golf Lane points out that even annexation causes additional burden to the City in the form of additional police patrol and the public works burden for the roads annexed in, Mr. Frichtl referenced the huge backlog of infrastructure maintenance that the city is struggling to address. Without a corresponding increase in taxes it stretches the City burden beyond capacity.

Applicant Summary- Ms. Randall stated that yes, there is increased pressure from the state to increase housing and reduced control at the local level. More local input happens once the actual development application comes to the City. She used the example of roads, that not all roads proposed are public roads, so the burden on the City is less. A developer may require an HOA (Homeowners Association) where fees are paid to keep up the internal infrastructure. Reminded attendees that so many of the issues raised will be addressed when the development plan is presented to the City.

Staff Summary- Staff reminded the Commission that when development happens, developers are required to pay System Development Charges (SDC's) to fund the infrastructure requirements, and that

once property is annexed into the City, they are subject to taxation by the City. Staff also recognizes that the new Oregon Housing Needs Analysis does shift some of the local control from local to state level.

Close of Hearing- Chair McKinley closed the hearing at 8:34 pm.

Commission Deliberation- Mr. McKinley noted that townhomes are needed in Stayton, and that this development will be phased. Mr. McKinley then asked for motion from the Commission. Ms. Sutkowski moved to approve the application for the Annexation for Keving and Paige Butler for a 17-acre property on Shaff Rd. Tax Lot 091W03B001500 (Land Use File #10-08/25) and adopt the draft order of recommendation as presented by staff. Mr. Bellas seconded. The motion carried 5:0.

ADJOURN: Chair McKinley adjourned the meeting at 8:16 pm.

DRAFT

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: May 26, 2026

SUBJECT: Comprehensive Plan Map Amendment and Official Zoning Map Amendment – 579 E Washington Street (Charlene Vogel/Santiam Ballet Academy, LLC)

120 DAYS ENDS: August 14, 2026.

ISSUE

The issue before the Planning Commission is a public hearing on applications for a Comprehensive Plan Map amendment from Residential to Downtown and an Official Zoning Map amendment from Low Density Residential (LD) to Downtown Residential Mixed Use (DRMU) for property located at 579 E Washington Street (taxlot 091W10DB3200). The proposal would allow for the future establishment of a ballet and dance studio within the existing building on the property.



BACKGROUND

The subject property is approximately 0.42 acres in size and is located at the northeast corner of E Washington Street and N 5th Avenue. The property is currently designated Residential on the Comprehensive Plan Map and zoned Low Density Residential (LD). The site is developed with a church building, associated parking, and landscaping. The church use is a legally existing nonconforming use within the LD zone.

The property has approximately 116 feet of frontage on E Washington Street, 150 feet of frontage on N 5th Avenue, and approximately 16 feet of frontage on E Jefferson Street. Surrounding properties to the north, east, and west are zoned Low Density Residential and developed primarily with single-family dwellings. Properties south of E Washington Street are zoned Downtown Residential Mixed Use and contain a mix of residential and commercial uses, including a dental office.

The applicant, Charlene Vogel/Santiam Ballet Academy, LLC, submitted applications for Comprehensive Plan Map and Zoning Map amendments to allow for adaptive reuse of the existing building as a dance and ballet studio. The property owner is the Oregon Pacific District Church of the Nazarene.

Notice of the applications was provided to City departments and outside agencies, including utility providers, emergency service providers, Marion County, Santiam Hospital, and the Oregon Department of Land Conservation and Development. Comments were received from Stayton Cooperative Telephone Company indicating no objection to the proposal and from Santiam Hospital indicating no concerns. Comments were also received from Public Works and the City's transportation engineering consultant. Notice was mailed to surrounding property owners, posted on the subject property, and published on the City's website. No written public comments were received either in support of or in opposition to the applications prior to the public hearing.

ANALYSIS

The applications were reviewed for compliance with the Comprehensive Plan Map Amendment approval criteria contained in Stayton Municipal Code (SMC) 17.12.170.6 and the Official Zoning Map Amendment approval criteria contained in SMC 17.12.180.6. Staff's analysis is contained within the attached Draft Order of Recommendation.

The Comprehensive Plan amendment analysis evaluates consistency with the Comprehensive Plan, statewide planning goals, transportation impacts, public facilities, residential land supply, and compatibility with surrounding development patterns. The zoning amendment analysis evaluates consistency with the proposed Comprehensive Plan designation, adequacy of public facilities and transportation systems, balance of vacant land supply, and compatibility of the proposed zoning with surrounding properties.

The applicant submitted a transportation analysis prepared by Christopher Clemow, PE, evaluating potential transportation impacts associated with the proposed amendments. The analysis concluded that the proposal would not significantly affect the surrounding transportation system. The City's transportation engineering consultant reviewed the analysis and recommended a broader evaluation of trip-generating uses potentially allowed under the proposed DRMU designation. Based on the relatively small size of the property, existing development pattern, adaptive reuse nature of the proposal, and future development review requirements, staff finds that the proposal is not expected to result in a significant impact on the transportation system.

Staff also finds that the proposed amendments will not materially affect the City's residential land supply. The Comprehensive Plan identifies a substantial surplus of residential land within the Urban Growth Boundary above projected residential land needs during the planning period. The proposed amendments would reduce residentially designated land by approximately 0.42 acres, which staff finds to be minimal in relation to the City's overall residential land inventory

RECOMMENDATION

Staff recommends approval of the applications for Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street and adoption of the attached Draft Order of Recommendation.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Community and Economic Development Department recommends the first option to approve the application as drafted.

1. **Recommend the application, adopting the draft order as presented.**

I move the Stayton Planning Commission recommend the application for Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) and adopt the draft order presented by Staff.

2. **Recommend the application, adopting modifications to the draft order.**

I move the Stayton Planning Commission recommend the application for Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) and adopt the draft order with the following changes...

3. **Continue the hearing** until June 29, 2026.

I move the Stayton Planning Commission continue the public hearing on the application for Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) until June 29, 2026.

4. **Recommend denial of the application, directing staff to modify the draft order.**

I move the Stayton Planning Commission recommend denial of the application for Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) 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 June 29, 2026, meeting.

5. **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 Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) but maintain the record open to submissions by the applicant until June 2, 2026, 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 June 29, 2026.

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 Comprehensive Plan Map Amendment and Official Zoning Map Amendment for 579 E Washington Street submitted by Charlene Vogel/Santiam Ballet Academy, LLC (Land Use File #7-04/26) until June 29, 2026.

BEFORE THE STAYTON PLANNING COMMISSION

	)
In the matter of	) Comprehensive Plan Map Amendment
The application for	) Official Zoning Map Amendment
Charlene Vogel/Santiam Ballet Academy, LLC	) File # 7-04/26
	)

RECOMMENDATION OF APPROVAL

I. NATURE OF APPLICATION

The applicant has submitted applications for a Comprehensive Plan Map amendment from Residential to Downtown and an Official Zoning Map amendment from Low Density Residential to Downtown Residential Mixed Use.

II. PUBLIC HEARING

A public hearing was held on the applications before the Stayton Planning Commission on May 26, 2026. At that hearing the Planning Commission reviewed Land Use File #7-04/26, applications for Comprehensive Plan Map amendment and Official Zoning Map amendment, and it was made part of the record.

III. FINDINGS OF FACT

A. GENERAL FACTS

1. The owner of the property is the Oregon Pacific District Church of the Nazarene.
2. The applicant is Charlene Vogel/Santiam Ballet Academy, LLC, who has presented a purchase and sales agreement to establish their right to file an application.
3. The property is tax lot 3200 as shown on Map 91W10DB.
4. The property is addressed as 579 E Washington St.
5. The property is currently designated Residential by the Comprehensive Plan and is zoned Low Density Residential (LD).
6. The property is 0.42 acres in area. The property has 116 feet of frontage on E Washington St, 150 feet of frontage on N Fifth Ave and 16 feet of frontage on E Jefferson St.
7. The property is developed with a building that was previously used as a place of worship and associated parking and landscaping. The place of worship was a legally existing nonconforming use.
8. The neighboring property to the north is zoned LD and is developed with a single family dwelling. The neighboring properties to the east are zoned LD and are developed with single family dwellings. The neighboring property to the south, across E Washington St, is zoned Downtown Residential Mixed Use (DRMU)

and is developed with a single family dwelling. The neighboring property to the southwest, across the intersection, is zoned DRMU and is developed as dental office. The neighboring properties to the west are zoned LD and developed with single family dwellings.

9. The proposal is to amend the Comprehensive Plan Map designation for the subject property from Residential to Downtown and the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU), to allow for the future establishment of a dance studio.

B. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Santiam Water Control District, Wave Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Stayton Fire District, Stayton Police Department, North Santiam School District, Marion County Public Works, Marion County Planning Division, and Santiam Hospital. A notice of Post-Adoption Plan Amendment was filed with the Oregon Department of Land Conservation and Development on April 17, 2026.

Responses were received from SCTC stating that they have no issue with the change. Santiam Hospital said that they had no comment or concern. Comments were received from Public Works and the City's transportation planning consultant that are reflected in the findings below.

C. PUBLIC COMMENTS

The surrounding property owners were notified of the public hearing and the applications and notice appeared on the City's website. A sign was posted on the property providing notice of the public hearing. No comments were received from the public prior to the public hearing.

D. ANALYSIS

Comprehensive Plan Map amendments are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Chapter 17.12, Section 17.12.170.6. Official Zoning Map amendments are required to satisfy approval criteria contained within SMC Chapter 17.12, Section 17.12.180.6.

E. APPROVAL CRITERIA

Section 17.12.170.6 Comprehensive Plan Amendment Approval Criteria.

Pursuant to SMC 17.12.170.6.b the following criteria must be demonstrated as being satisfied by the application for a Comprehensive Plan amendment:

1) The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.

Finding: The Comprehensive Plan describes the purposes of the Downtown and Residential designations. However, no other direction is provided in the Plan as to the location of these areas. Goals and Policies within the Comprehensive Plan that provide some direction regarding this application include the goal for public facilities and services that urban development will occur in areas with existing services and the goal to enhance and protect the vitality of the existing commercial and service sector. The subject site is served by existing utilities and will not require an extension of the public services. This application has been submitted to allow future conversion of a legally existing nonconforming use to a ballet/dance studio.

2) *The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.*

Finding: The subject property is directly across the street from the existing DRMU zone on the south side of E Washington St. While there are six vacant parcels in the DRMU, not of the vacant parcels are as large as the subject property. The existing building has been vacant for more than three years.

3) *Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.*

Finding: The pertinent Statewide Land Use Goals are Goals 5, 7, 9, and 10. Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. There are no "Goal 5 Resources" identified in the Comprehensive Plan on or adjacent to the subject property. Goal 7 is to protect people and property from natural hazards. There are no natural hazards identified on or adjacent to the subject property.

Goal 9 is to provide adequate opportunities for a variety of economic activities. The property is currently designated Residential and has been a legally existing nonconforming use. Amendment of the Comprehensive Plan Map designation to Downtown would increase opportunity for economic activity in the City and would implement the adopted Economic Development Strategy of supporting the expansion of existing businesses.

Goal 10 is to provide for the housing needs of the citizens of the state. The proposed amendment would reduce the amount of land designated for residential use. However, the Comprehensive Plan indicates that there were 950 acres of land designated for residential growth in the urban growth area. The Comprehensive Plan indicated that approximately 460 acres of land would be needed for residential growth during the planning period. This amendment would result in a decrease of about 0.04% in the amount of available land for residential development, and still leave a surplus of almost 500 acres above what was projected to be needed during the planning period.

4) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Finding: The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

5) *The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation.*

Finding: There are approximately 1,824 acres of land within the Urban Growth Boundary currently designated Residential. The Comprehensive Plan indicated that there were approximately 921 buildable acres of land inside the Urban Growth Boundary and outside of the City limits. Since that time, approximately 119 acres of residential land have been annexed into the City, along with approximately 8 acres of commercial land and 10 acres of industrial land. The Comprehensive Plan also indicated that the City would need approximately 460 acres of land for residential development during the planning period and that there were approximately 144 acres of buildable residential land within the City limits at the time of adoption. The Comprehensive Plan identified approximately 950 acres of land designated for residential growth within the Urban Growth Boundary.

Based on the approximately 119 acres of residential land annexed since adoption of the Comprehensive Plan, the remaining estimated residential land need is approximately 341 acres during the planning period. This amendment would

reduce the amount of land available for residential development by approximately 0.42 acres and would still leave a substantial surplus of residential land above the amount projected to be needed during the planning period.

6) *Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.*

   Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

7) *Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.*

   Finding: Neighboring properties on the north side E Washington St are all single family dwellings in the LD zone. The neighboring properties in the south side of E Washington are mix of residential and commercial uses and zoned DRMU. Abutters in the sounding area were notified and staff did not receive any comments for or against development.

Section 17.12.180.6 Official Zoning Map Amendment Approval Criteria.
Pursuant to SMC 17.12.180.6.b the following criteria must be demonstrated as being satisfied by the application for Zoning Map amendment:

1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

   Finding: There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to Downtown.

2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

   Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

   Findings: The applicant submitted an analysis of the potential impacts of the Zoning Map amendment on the transportation system. The analysis was

prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Findings: Three categories of Comprehensive Policies are appropriate to look at with this application: housing, economic, and land use.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The property is currently developed with a church building that was a legally existing nonconforming use.

There are no economic policies in the Comprehensive Plan directly related to this application. Though not part of the of Comprehensive Plan, in August 2019, the City Council adopted a set of Economic Development Strategies. Among the guiding principles in the Strategies is to place existing businesses first. This amendment would facilitate the relocation and expansion of an existing business.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is to be implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the*

Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.

Findings: There are 13 vacant lots within the city that are zoned LD, with a combined area of 25.5 acres. There are 6 vacant lots of zoned DRMU, with a combined acreage of 1.21 acres. The subject property is not vacant and is legally existing nonconforming use.

6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Findings: The applicant provided an analysis required by OAR 660-012-0060. Notice was provided to the Department of Land Conservation and Development more than 35 days prior to the first evidentiary hearing on these applications as required by OAR 660-018-0020.

7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

Findings: The subject property is flat and level. The property is already developed with a building. None of the abutting residents provided comments either in support of or in opposition to the application.

IV. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements established in SMC Sections 17.12.170.6 and 17.12.180.6.

V. ORDER

Based on the conclusion above, the Planning Commission recommends to the City Council that the City Council approve the applications for Comprehensive Plan Map amendment and Official Zoning Map amendment.

_____ _____

Ralph Lewis, Date
Planning Commission Chairperson

_____ _____

Jennifer Siciliano AICP, Date
Director of Community and Economic Development

Submit Via Email

CITY OF STAYTON
APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

PROPERTY OWNER: Oregon Pacific District Church of the Nazarea
Address: PO Box 217
City/State/Zip: Lebanon, Or. 97355
Phone: (___) _____-_____ Email: _____

APPLICANT: Charlene Vogel / Santiam Ballet Academy LL
Address: 41244 Delaney Rd. SE
City/State/Zip: Salem Or. 97317
Phone: (541) 521-7601 Email: santiamballet@gmail.com

APPLICANT'S REPRESENTATIVE: _____
Address: _____
City/State/Zip: _____
Phone: (___) _____-_____ Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING	ENGINEERING
Name: _____	Name: Chris Clemow
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone: (___) _____-_____	Phone: (541) 579-8315
Email: _____	Email: cclemow@clemow-associate.com

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

☐ COMPREHENSIVE PLAN TEXT AMENDMENT

☐ COMPREHENSIVE PLAN MAP AMENDMENT

CURRENT COMPREHENSIVE PLAN MAP DESIGNATION: LD

PROPOSED COMPREHENSIVE PLAN MAP DESIGNATION: DRMU

LOCATION:

Street Address: 579 E Washington St.
Assessor's Tax Map and Lot Number(s): Map 9 W 10 DB Tax lot 3200
Closest Intersecting Streets: Washington, 5th Ave, Jefferson

SIGNATURE OF APPLICANT: Charlene Vogel

DO NOT WRITE BELOW THIS LINE

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

Land Use File#_____

Submit Via Email

CITY OF STAYTON
APPLICATION FOR AN OFFICIAL ZONE MAP AMENDMENT

PROPERTY OWNER: Oregon Pacific District of the Nazarene

Address: PO Box 217

City/State/Zip: Lebanon, Or. 97305

Phone: (___) _____-_____ Email: _____

APPLICANT: Charlene Vogel / Santiam Ballet Academy LLC

Address: 41244 Delaney Rd. SE.

City/State/Zip: Salem Or. 97317

Phone: (541) 521-7601 Email: santiamballet@gmail.com

APPLICANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: (___) _____-_____ Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING	ENGINEERING
Name: _____	Name: Chris Clemow
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone: (___) _____-_____	Phone: (541) 579-8315
Email: _____	Email: cclemow@clemow-associates.com

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: 579 E Washington St.

Assessor's Tax Lot Number and Tax Map Number: Map 9S1W10DB Tax Lot 3200

Closest Intersecting Streets: Washington, 5th Ave, Jefferson

CURRENT ZONE MAP DESIGNATION: LDR

PROPOSED ZONE MAP DESIGNATION: DRMU

SIGNATURE OF APPLICANT: Charlene Vogel

DO NOT WRITE BELOW THIS LINE

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

Land Use File#_____

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DEC 30 2025

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SALE AGREEMENT # 25-1229CJ

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FINAL AGENCY ACKNOWLEDGMENT

Both Buyer and Seller acknowledge having received the Oregon Real Estate Agency Initial Agency Disclosure Pamphlet, and hereby acknowledge and consent to the following agency relationships in this transaction.

Buyer's Agent(s) Information:

Buyer's Agent 1*: Chad Jones Oregon License #: 201112066
is the agent of: (*select one*) [X] Buyer exclusively ("Buyer Agency") [ ] Both Buyer and Seller ("Disclosed Limited Agency")
Name of Real Estate Firm*: HomeSmart Realty Group Firm License #: 201210231
Buyer's Agent 1's Office Address: 3240 Commercial St SE Ste 100, Salem, OR 97302
Phone #1: (971)599-5865 Phone #2: (503)689-2557 E-mail: chjones06@gmail.com

Buyer's Agent 2*: N/A Oregon License #:
is the agent of: (*select one*) [ ] Buyer exclusively ("Buyer Agency") [ ] Both Buyer and Seller ("Disclosed Limited Agency")
Name of Real Estate Firm*: Firm License #:
Buyer's Agent 2's Office Address:
Phone #1: Phone #2: E-mail:

Seller's Agent(s) Information:

Seller's Agent 1*: Terry Hancock Oregon License #: 200110013
is the agent of: (*select one*) [X] Seller exclusively ("Seller Agency") [ ] Both Buyer and Seller ("Disclosed Limited Agency")
Name of Real Estate Firm*: Hancock Real Estate Firm License #: 201201014
Seller's Agent 1's Office Address: 1985 16th St NE Ste 110, Salem, Or 97301
Phone #1: (503)370-2581 Phone #2: E-mail: terry@hancockre.com

Seller's Agent 2*: Kelsey Oran Oregon License #: 201217891
is the agent of: (*select one*) [X] Seller exclusively ("Seller Agency") [ ] Both Buyer and Seller ("Disclosed Limited Agency")
Name of Real Estate Firm*: Hancock Real Estate Firm License #: 201201014
Seller's Agent 2's Office Address: 1985 16th St NE Ste 110, Salem, Or 97301
Phone #1: (503)370-2581 Phone #2: E-mail: kelsey@hancockre.com

*If Buyer's and/or Seller's Agents and/or Firms are co-selling or co-listing in this transaction, all Agents and Firm names should be disclosed above or in an attached OREF 010 - Final Agency Acknowledgement Addendum.

If both Parties are each represented by one or more Agents in the same Real Estate Firm, and Agents are supervised by the same principal broker in that Real Estate Firm, Buyer and Seller acknowledge the principal broker will become the disclosed limited agent for both Buyer and Seller as more fully explained in the Disclosed Limited Agency Agreements that have been reviewed and signed by Buyer, Seller, and Agent(s).

Buyer will sign this acknowledgment at the time of signing this Agreement before submission to Seller. Seller will sign this acknowledgment at the time this Agreement is first submitted to Seller, even if this Agreement will be rejected or a counteroffer will be made. Seller's signature to this Final Agency Acknowledgment will not constitute acceptance of this Agreement or any terms in this Agreement.

Initial/Date TA 1/5/2026

Buyer DocuSigned by: [signature] Print Santiam Ballet Academy Date 12/30/2025 | 9:27 AM PST ←

Buyer _____ Print _____ Date _____ ←

Signed by: [signature] Print Stayton Church Of The Nazarene Date 1/6/2026 | 12:14 PM PST ←

Seller DocuSigned by: [signature] Print _____ Date 1/6/2026 | 1:53 PM PST ←

DS [signature]
1/6/2026 | 1:56 PM PST

LINES WITH THIS SYMBOL ← REQUIRE A SIGNATURE AND DATE

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Kelsey emailed to Steve, Brett & Matt 12/31/2025 @ 954 Am.

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SALE AGREEMENT # 25-1229CJ

RESIDENTIAL

RESIDENTIAL REAL ESTATE SALE AGREEMENT

SALE AGREEMENT GENERAL TERMS

This Agreement is intended to be a legal and binding contract. If it is not understood, seek competent legal advice before signing. For an explanation of the capitalized terms and the legal concepts applicable to this Agreement, review Section 48 (Definitions) and Section 49 (Miscellaneous). No changes or alterations are permitted to any portion of the pre-printed format or text of this form. Any such proposed changes or alterations must be made on a separate document.

1. PARTIES/PROPERTY DESCRIPTION/PRICE: Buyer (*insert name[s]*) **Santiam Ballet Academy**

offers to purchase from Seller (*insert name[s]*) **Stayton Church Of The Nazarene**

the following described real property (the "Property") situated in the State of Oregon, County of **Marion**, and commonly known or identified as: (*complete one or more*)

(a) Street Address: **579 E Washington St, Stayton, Or 97383**; and

(*If the above address does not adequately describe the Property, include the Tax Identification Number and/or other identifying information.*)

(b) Tax Identification Number(s): **534557**; and

(c) Other Identifying Information (lot/block number, etc.): **Block 2 Acres .42**.

If a complete legal description of the Property is not included in this Agreement, Buyer and Seller will use the legal description provided by Escrow, defined in Section 30 (Escrow), for purposes of legal identification and conveyance of title.

Buyer offers to purchase the Property for the "Purchase Price" (in U.S. currency) of ..... A $ **600,000.00**
on the following terms:
as earnest money, the sum of (the "Deposit") ..... B $ **5,000.00**
in accordance with Section 31.2 (Additional Deposit), the sum of (the "Additional Deposit") ..... C $ _____
at or before Closing, the balance of the down payment ..... D $ **55,000.00**
at Closing and on Delivery of the [X] deed [ ] contract, the balance of the Purchase Price ..... E $ **540,000.00**
will be paid as agreed to in the Financing Sections in this Agreement. (the sum of *Lines B, C, D, and E should equal Line A*)

2. ATTACHED ITEMS AND PERSONAL PROPERTY: Items identified as included or excluded in the Multiple Listing Service or marketing materials will not be included in or excluded from the sale unless agreed to in writing.

2.1. Attached Items. Listed below are examples of attached items.

(a) **Fixtures.** A fixture is any personal property that is attached to real property. Fixtures include built-in appliances, floor coverings, blinds, curtain rods, lighting and bulbs, awnings, window and door screens, and storm doors and windows.

(b) **System components.** A system component is essential related equipment. System components include irrigation, plumbing, water heaters, ventilation, cooling and heating, Smart Home Features, and all fixtures and their related items, including remote controls, operating manuals, passwords, and all keys related to the property including mailbox and outbuilding(s).

(c) **Other attached items.** Other attached items include fences, gates, and planted landscaping items.

All attached items are included except: *(describe)* _____. For additional excluded items, see Addendum _____.

All mounting brackets *(select one)* [X] will [ ] will not remain with the Property except for *(describe)* _____.

All bathroom mirrors *(select one)* [X] will [ ] will not remain with the Property except for *(describe)* _____.

1/6/2026 | 12:14 PM PST

Buyer Initials CS CL / _____ Date 12/30/2025 | 9:27 AM PST

Seller Initials BR / MH Date 1/6/2026 | 1:53 PM PST

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2.2. Personal Property: Personal property refers to objects not permanently attached to the Property. This includes but is not limited to free-standing furniture (which may be secured for safety reasons by anti-tip devices), free-standing appliances (like slide-in refrigerators and ranges), and hanging items (such as artwork, decorative items, and other portable items). Only the following personal property, which is offered "AS-IS" and without any stated value, is included in the sale: (*describe*) _____

_____

_____. For additional personal property, see Addendum _____.

FINANCING

3. BUYER REPRESENTATION OF FUNDS: In this section: (a) "Funds" means the funds required for Closing of the Property, whether they are the Deposits, down payment, or (if this is an all-cash transaction) the full Purchase Price, but "Funds" does not include the financing described in Sections 6 (Financed) or 7 (Seller-Carried Financing) of this Agreement; and (b) "Liquid" means Funds that are cash or immediately convertible to cash that are available to Buyer. Buyer represents that, upon signing this Agreement: (*select only one*)

(i) [X] all Funds are Liquid;

(ii) [ ] Not all Funds are Liquid; however, all Funds will be Liquid before Closing. This transaction is not contingent upon Buyer obtaining the following non-contingent Funds before Closing (for example 401K Disbursements): (*identify source of non-liquid Funds*) _____; or

(iii) [ ] This transaction is contingent upon Buyer obtaining Liquid Funds in accordance with the following contingency: (*describe*)

_____

_____

_____

_____. For additional contingency details, see Addendum _____.

4. SELLER CONTRIBUTIONS: Seller will pay the following amount(s) at Closing: *(select all that apply)*

(a) [X] **Buyer's Agent's Compensation.** Compensation to Buyer's Agent's Firm in the amount of *(select and complete one)* [ ] $ _____ or [X] 2.500 % of the Purchase Price. Except as expressly provided in this Agreement or other written agreements, payment of compensation does not modify any obligation to pay compensation to a real estate agent, or modify or create any agency relationships between any parties. Buyer's Agent's Firm is intended to be a third-party beneficiary of this section.

(b) [ ] **Closing Costs.** *(select and complete one)* [ ] $ _____ or [ ] _____ % of the Purchase Price for Buyer's appraisal and inspection fees, recording fees, loan origination fees, mortgage interest, interest rate buydown, and discount points, title and escrow costs, HOA fees, and assessments, homeowner and mortgage insurance, down payment assistance programs, Buyer's portion of property taxes, transfer taxes and other closing costs, and prepaid expenses.

(c) [ ] **Other.** *(describe)* _____

_____.

After the Effective Date the parties will document any changes to the terms of this section using OREF 048 - Seller Contributions Addendum.

Buyer and Seller are advised to review OREF 047 - Advisory Regarding Real Estate Compensation for information about how real estate compensation works and the choices available when hiring a real estate agent.

If the transaction is an all-cash transaction, select and complete section 5. If the transaction is financed, select and complete sections 6 - 6.3. If this is a Seller-Carried Transaction, select and complete section 7.

5. [ ] **ALL-CASH:** This is an all-cash transaction. Buyer will provide verification ("Verification") of readily available funds as follows: (*select one*)

(a) [ ] Buyer has attached the Verification to this Agreement;

(b) [ ] Buyer will provide Seller with the Verification within ____ Business Days (three [3] if not filled in) after the Effective Date; or

(c) [ ] Other: (*describe*) _____.

If the Verification is not attached to this Agreement, Seller may Notify Buyer, in writing, of Seller's unconditional disapproval of the Verification within _____ Business Days (two [2] if not filled in) ("Disapproval Period") following its receipt by Seller. Provided, however, such disapproval must be objectively reasonable. Upon such disapproval, all Deposits will be promptly refunded to Buyer and this transaction will be terminated.

Buyer Initials DS CL / _____ Date 12/30/2025 | 9:27 AM PST

Seller Initials Initial BR / Initial MH Date 1/6/2026 | 12:14 PM PST / 1/6/2026 | 1:53 PM PST

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If Seller fails to provide Buyer with written unconditional disapproval of the Verification by 5:00 p.m. of the last day of the Disapproval Period, Seller will be deemed to have approved the Verification. If Buyer fails to submit a Verification within a time frame selected above, unless the Parties agree otherwise in writing, all Deposits will be promptly refunded, and this transaction will be terminated.

6. [X] **FINANCED:** The balance of the Purchase Price will be financed through one of the following loan programs: (*select only one*)

(a) [ ] Conventional;

(b) [ ] FHA;

(c) [ ] Federal VA. Seller (*select one*) [ ] will [ ] will not agree to pay Buyer's non-allowable VA fees.
If FHA or Federal VA is selected, Buyer has attached OREF 097 - VA/FHA Amendatory Clause and Real Estate Certification to this Agreement;

(d) [X] Other: (*describe*) **SBA** .

Buyer will seek financing through a lending institution or mortgage broker (collectively, "Lender") participating in the loan program selected above.

Pre-Approval Letter. (*select one*)
(i) [X] Buyer has attached a pre-approval letter from Buyer's Lender (a "Pre-approval Letter") to this Agreement;
(ii) [ ] Buyer will provide Seller with the Pre-approval Letter within ____ Business Days (three [3] if not filled in) after the Effective Date;
(iii) [ ] Other: (*describe*) .

Seller is aware they are accepting an offer contingent upon financing and appraisal. If Buyer's Lender requires an appraisal reinspection due to Seller's breach of this Agreement, Seller will promptly reimburse Buyer for any appraisal reinspection fee Buyer incurs.

6.1. Financing Contingencies: If Buyer is financing any portion of the Purchase Price (the "Loan"), then this transaction is subject to the following contingencies (the "Financing Contingencies"):

(a) Buyer and the Property will qualify for the Loan from Lender;

(b) Lender's appraisal will not be less than the Purchase Price;

(c) Buyer obtains the Loan from Lender, unless failure to obtain the Loan is due to the fault of Buyer; and

(d) Other: (*describe*) _____

Except as provided in this Agreement, all Financing Contingencies are solely for Buyer's benefit and may be waived by Buyer in writing at any time.

6.2. Failure of Financing Contingencies. If Buyer receives actual notification from Lender that any Financing Contingencies have failed or otherwise cannot occur, Buyer will promptly Notify Seller, and the Parties will have 2 Business Days (two [2] if not filled in) following the date of Buyer's Notice to Seller to either:

(a) terminate this transaction by signing an OREF 057 - Termination Agreement and terminate escrow by signing a similar agreement if required by Escrow; or

(b) reach a written agreement on price and terms that will permit this transaction to continue.

Seller and Buyer are not required under the preceding provision (b) to reach an agreement. If (a) or (b) fail to occur within the time period identified in this section, this transaction will be automatically terminated, and all Deposits will be promptly refunded to Buyer. Buyer understands that on termination of this transaction, Seller will have the right to place the Property back on the market for sale at any price and terms as Seller determines, at Seller's sole discretion.

6.3. Buyer's Obligations Regarding Financing. Buyer represents to and agrees with Seller as follows:

(a) Not later than 3 Business Days (three [3] if not filled in) following the Effective Date, Buyer will submit to the Lender who provided the Pre-approval Letter a completed loan application for purchase of the Property. A "completed loan application" will include the following information: (i) Buyer's name(s); (ii) Buyer's income(s); (iii) Buyer's social security number(s); (iv) the Property address; (v) an estimate of the value of the Property, and (vi) the loan amount sought.

Buyer Initials CL / _____ Date 12/30/2025 | 9:27 AM PST

Seller Initials BR / MH Date 1/6/2026 | 1:53 PM PST

1/6/2026 | 12:14 PM PST

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(b) If Buyer is satisfied with the Loan Estimate offered by Buyer's Lender, Buyer will notify Lender within 3 Business Days (three [3] if not filled in - but not to exceed ten [10]) following Buyer's receipt of Lender's Loan Estimate. At Seller's request, Buyer will promptly Notify Seller of the date of Buyer's signed notice of intent to proceed with the Loan.

(c) After Buyer notifies Lender of Buyer's intent to proceed with the Loan, Buyer will complete all paperwork requested by the Lender, including payment of all application, appraisal, and processing fees, to obtain the Loan.

(d) Buyer will not replace the Lender or loan program selected in Section 6 (Financed) without Seller's written consent, which may be withheld at Seller's sole discretion.

(e) Following submission of Buyer's loan application, Buyer will keep Seller promptly informed of all material non-confidential developments regarding Buyer's financing and the time of Closing.

(f) Buyer will authorize the Lender to order the appraisal of the Property before expiration of the Inspection Period as defined in this Agreement or OREF 058 - Professional Inspection Addendum.

(g) Buyer authorizes Buyer's Lender to provide non-confidential information to Buyer's and Seller's Agents regarding Buyer's loan application status.

7. ☐ **SELLER-CARRIED FINANCING:** If the Seller is financing all or a portion of the Purchase Price through a land sale contract, promissory note and trust deed/mortgage, option, or lease-to-own agreement (a "Seller-Carried Transaction"), Buyer and Seller are advised to review the OREF 032 - Advisory Regarding Seller-Carried Transactions. Buyer and Seller will: (*select only one*)

(a) ☐ use the OREF 033 - Seller-Carried Transaction Addendum and related forms; or

(b) ☐ secure a mortgage loan originator ("MLO") or legal counsel to negotiate and draft the necessary documents.

Regardless of the option selected above, Seller and Buyer will reach a signed written agreement specifying the terms and conditions of such financing (for example, the down payment, interest rate, amortization, term, payment dates, late fees, and balloon dates) within ____ Business Days (ten [10] if not filled in) after the Effective Date ("Negotiation of Terms Period"). If Buyer and Seller fail to reach an agreement by 5:00 p.m. on the last day of the Negotiation of Terms Period, all Deposits will be refunded to Buyer and this transaction will be automatically terminated. Oregon law requires, unless exempted, that individuals offering or negotiating the terms must be an Oregon-licensed attorney or hold an MLO license. Real estate agents are not qualified to provide these services or give advice in this regard. Legal advice is strongly recommended.

8. ADDITIONAL FINANCING PROVISIONS: For buyer's agent compensation or closing costs use Section 4 (Seller Contributions). (*describe*)
Seller to work with buyer and City of Stayton to convert current zoning of Low Density Residential to Downtown Commercial Mixed Use.

_____. For additional financing provisions, see Addendum _____.

INSURANCE

9. PROPERTY AND CASUALTY INSURANCE: Buyer is encouraged to promptly verify the availability and cost of property and casualty insurance that will be obtained for the Property. Additionally, Buyer's Lender, if any, may require proof of that insurance as a condition of a new loan.

10. FLOOD INSURANCE: If the Property is located in a high-risk flood zone, flood insurance may be required as a condition of a new loan. Buyer is encouraged to promptly verify the need for, availability of, and cost of flood insurance. An Elevation Certificate ("EC") is a document used by the National Flood Insurance Program to determine the difference in elevation between a structure and the elevation to which floodwater is anticipated to rise during certain floods. Although an EC is not required to obtain flood insurance, a favorable EC may help lower the insurance premium. For more information, go to www.fema.gov.

CONTINGENCIES

11. TITLE INSURANCE: Within one (1) Business Day after the Effective Date, Seller will order from Escrow a preliminary title report and copies of or links to all documents of record (the "Report and Documents") for the Property. The Parties instruct Escrow to Deliver the Reports and Documents to Buyer, as soon as the Reports and Documents are available. If the Report and Documents are not fully understood, Buyer should contact Escrow for further information or seek competent legal advice. Buyer's and Seller's Agents are not qualified to advise on title issues.

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Following Delivery of the Report and Documents, and following Delivery of each supplement to the Reports and Documents that contains material information previously unknown to Buyer, Buyer will have 5 Business Days (five [5] if not filled in) within which to Notify Seller and Escrow, in writing, of any unacceptable matters disclosed in the Report and Documents (the "Objections"). Buyer's failure to timely object in writing will be deemed acceptance of the Report and Documents. However, Buyer's failure to timely object will not relieve Seller of the duty to convey marketable title to the Property as described in Section 34 (Deed). If within 5 Business Days (five [5] if not filled in) following Seller's receipt of the Objections, Seller fails to remove or correct any of the Objections, or fails to give written assurances reasonably satisfactory to Buyer of removal or correction before Closing, all Deposits will be promptly refunded to Buyer and this transaction will be terminated unless Buyer waives this contingency in writing. Within thirty (30) Calendar Days after Closing, Escrow will furnish to Buyer at Seller's sole expense an owner's standard form policy of title insurance insuring that Buyer has marketable title to the Property in the amount of the Purchase Price, free and clear of the Objections, if any, and all other title exceptions agreed to be removed as part of this transaction.

12. PROPERTY INSPECTIONS: Buyer understands it is advisable to have complete inspections of the entire Property performed by qualified licensed professionals relating to such matters as structural condition, soil condition/compaction/stability, survey, zoning, operating systems, suitability for Buyer's intended purpose, and environmental issues. The following list identifies some, but not all, environmental issues that may affect health: asbestos, carbon monoxide, high-frequency electric and magnetic fields, formaldehyde, lead and other contaminants in drinking water and well water, lead-based paint, mold and mildew, radon, and leaking underground storage tanks. If Buyer has any concerns about these conditions or others, Buyer is encouraged to secure the services of a licensed professional inspectors, consultants, and health experts for information and guidance. Real estate agents may provide names and contact information of inspectors, consultants, and experts, however, Buyer should thoroughly vet their qualifications, licensing, and insurance before retaining them. Buyer's and Seller's Agents are not qualified to conduct such inspections and will not be responsible to do so. For further information, Buyer is encouraged to review the website of the Oregon Public Health Division at www.public.health.oregon.gov.

(*select only one*)

(a) [X] **Licensed Professional Inspections.** At Buyer's expense, Buyer may have the Property inspected by one or more licensed professionals of Buyer's choice. Inspections that include testing or removal of any portion of the Property (for example, radon and mold) may not be performed except for the following: *(identify invasive inspections)* **sewer scope, radon, lead, mold, asbestos, and any other deemed necessary by the buyer**.

Buyer will restore the Property following any inspections or tests performed by Buyer. Buyer will have 20 Business Days (ten [10] if not filled in) after the Effective Date (the "Inspection Period"), in which to complete all inspections and negotiations with Seller regarding any matters disclosed in any inspection report. Buyer will not provide all or any portion of the inspection reports to Seller unless Seller delivers Notice to Buyer requesting reports; but if Seller requests in writing all or a portion of a report during this transaction or within thirty (30) Calendar Days following termination, Buyer will promptly comply.

Seller will not be required to modify any terms of this Agreement. Unless a written agreement has already been reached with Seller regarding Buyer's requested repairs, Buyer may give Notice to Seller, using OREF 064 - Notice of Buyer's Unconditional Disapproval, at any time during the Inspection Period, of Buyer's unconditional disapproval of the Property based on any inspection report, in which case all Deposits will be promptly refunded and this transaction will be terminated. If Buyer fails to provide Seller with written unconditional disapproval of any inspection report(s) by 5:00 p.m. of the final day of the Inspection Period, using OREF 064 - Notice of Buyer's Unconditional Disapproval, Buyer will be deemed to have accepted the condition of the Property. If before the expiration of the Inspection Period, written agreement is reached with Seller regarding Buyer's requested repairs, the Inspection Period will automatically terminate unless the Parties agree otherwise in writing.

(b) [ ] **Alternative Inspection Procedures.** Buyer has attached OREF 058 - Professional Inspection Addendum to this Agreement.

(c) [ ] **Buyer's Waiver of Inspection Contingency.** Buyer represents to Seller, Agents, and Firms that Buyer is fully satisfied with the condition of the Property and its elements and systems, and knowingly and voluntarily elects to waive the right to have any inspections performed as a contingency to the Closing of the transaction. At Buyer's expense, Buyer may have the Property inspected by one or more licensed professionals of Buyer's choice for informational purposes only. Buyer must specifically identify in this Agreement any desired invasive inspections that may include testing or removal of any portion of the Property (for example, radon and mold). *(identify invasive inspections)*

Buyer will restore the Property following any inspections or tests performed by Buyer. Buyer will have 20 Business Days (ten [10] if not filled in) after the Effective Date in which to complete all inspections.

1/6/2026 | 12:14 PM PST

Buyer Initials CS / _____ Date 12/30/2025 | 9:27 AM PST

Seller Initials BR / MH Date 1/6/2026 | 1:53 PM PST

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(d) ☐ **Buyer's Waiver of Inspections and Inspection Contingency.** Buyer represents to Seller, Agents, and Firms that Buyer is fully satisfied with the condition of the Property and its elements and systems, and knowingly and voluntarily elects to waive the inspection contingency and the right to have any inspections. Buyer's waivers are solely Buyer's decision and at Buyer's own risk.

(e) ☐ **Other Inspection Addendum.** (*specify*) _____

The selection above does not apply to OREF 081 - Septic/Onsite Sewage System or OREF 082 - Private Well Addendum if attached.

13. PRIVATE WELL: Does the Property include a well that supplies ground water for human consumption? (*select one*) ..... ☐ Yes ☒ No
If Yes, Buyer has attached OREF 082 - Private Well Addendum to this Agreement.

14. SEPTIC/ONSITE SEWAGE SYSTEM: Does the Property include a septic/onsite sewage system? (*select one*) ..... ☐ Yes ☒ No
If Yes, Buyer has attached OREF 081 - Septic/Onsite Sewage System Addendum to this Agreement.

15. LEAD-BASED PAINT CONTINGENCY PERIOD: If the Property was constructed before 1978, then on or promptly after the Effective Date (the "Date of Delivery"), Seller will Deliver to Buyer OREF 021 - Lead-Based Paint Disclosure Addendum (the "LBP Disclosure Addendum"), together with the EPA Pamphlet entitled "*Protect Your Family From Lead in Your Home*" and all information, records, and reports available to Seller pertaining to lead- based paint and/or lead-based paint hazards on the Property. Unless waived by Buyer in writing in the LBP Disclosure Addendum, Buyer will have **20** Calendar Days (ten [10] if not filled in) commencing on the day following the Date of Delivery (the "LBP Contingency Period"), within which to conduct a lead-based paint assessment or inspection of the Property. Buyer may terminate this Agreement:

(a) by giving Seller written Notice of termination during the LBP Contingency Period; or

(b) any time before Seller delivers to Buyer or Buyer's Agent both (i) EPA pamphlet "*Protect Your Family From Lead in Your Home*," and (ii) any information, records, or reports available to Seller regarding lead-based paint and/or lead-based paint hazards on the Property.

However, Buyer has no right to terminate under this provision if Buyer closes this transaction, or if Buyer waives the right to conduct a risk assessment or inspection in the "Buyer's Acknowledgment" section of the LBP Disclosure Addendum. Upon termination, all Deposits will be promptly refunded to Buyer. If requested by Seller, Buyer will Deliver to Seller a copy of Buyer's written reports or evaluations, if any, with Notice of termination. Buyer's failure to Deliver to Seller the Notice of termination during the LBP Contingency Period will constitute acceptance of the condition of the Property as it relates to the presence of lead-based paint or lead-based paint hazards, and the LBP Contingency Period will automatically expire.

16. SELLER'S PROPERTY DISCLOSURE STATEMENT: Oregon law requires Seller to sign and Deliver a complete seller's property disclosure statement in the form described in ORS 105.464 (the "SPDS") to Buyer. Buyer has a right to revoke Buyer's offer (the "Revocation Right") unless this transaction is exempt, or Buyer has waived the Revocation Right, or this transaction has closed. Buyer may exercise the Revocation Right only by delivering a signed written statement of revocation to Seller disapproving the SPDS. The revocation statement may be delivered before Seller delivers the SPDS to Buyer, or within five (5) Business Days after Seller delivers the SPDS to Buyer (the "Revocation Period"). If Seller Delivers the SPDS to Buyer before the Effective Date, the Revocation Period will begin on the Effective Date instead of beginning on any other date determined by any law, statute or rule.

CONDITION AND COMPONENTS OF THE PROPERTY

17. HOMEBUYER PROTECTION ACT: Construction liens can be filed by contractors and building material suppliers for new construction, additions, and remodeling projects. Construction liens filed after Closing could expose buyers to liability for costs that sellers should pay before Closing. Oregon's Homebuyer Protection Act requires sellers to protect buyers against these liens. If the Property is a single-family residence, condominium unit, or 2-4 dwelling building, and more than fifty thousand dollars ($50,000) in improvements are completed at the Property during the ninety (90) calendar days before Closing, Seller will, at or before Closing, complete and deliver to Buyer the "Notice of Compliance with the Homebuyer Protection Act" provided by the Oregon Construction Contractors Board.

18. SELLER REPRESENTATIONS: Subject to any written disclosures made by Seller as a part of this transaction, Seller makes the following representations to Buyer:

(a) The primary dwelling is connected to: (*select all that apply*)
(i) ☒ a public sewer system,
(ii) ☐ an on-site sewage system.
(iii) ☒ a public water system,

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(iv) ☐ a private well, and/or
(v) ☐ other (for example, surface springs, cistern, etc.) _____.

(b) Seller has no knowledge of any hazardous substances in or about the Property other than substances, if any, contained in appliances and equipment. Buyer acknowledges asbestos commonly exists in insulation, ceilings, floor coverings, and other areas in residential housing and may exist in the Property.

(c) Seller knows of no material defects in or about the Property.

(d) Seller has no notice of any liens or assessments to be levied against the Property.

(e) Seller has no notice from any governmental agency of any violation of law relating to the Property.

(f) Seller knows of no material discrepancies between visible lines of possession and use (such as existing fences, hedges, landscaping, structures, driveways, and other such improvements) currently existing on the Property and the legal description of the Property.

(g) The Property is fully insured by Seller.

Seller will promptly Notify Buyer if, before Closing, Seller receives actual notice of any event or condition that could result in making any of the above representations or previously disclosed material information relating to the Property substantially misleading or incorrect.

These representations are made to the best of Seller's knowledge. Seller may have made no investigations. Exceptions to items (a) through (g) are: (*describe*) _____. For more exceptions see Addendum _____.

Buyer acknowledges the above representations are not warranties regarding the condition of the Property and are not a substitute for, nor in lieu of, Buyer thoroughly and completely investigating, using professionals, where appropriate, all material matters related to the condition and value of the Property and its suitability for Buyer's intended use. Buyer's and Seller's Agents will not be responsible for conducting any inspection or investigation of any aspect of the Property. Buyer acknowledges that Seller or any Agent do not warrant the square footage of any structure or land being purchased. If square footage or land size is a material consideration, all structures and land should be measured by Buyer before signing, or should be made an express contingency in this Agreement.

19. SELLER'S MAINTENANCE AND INSURANCE OBLIGATIONS: Seller will maintain all electrical wiring, heating, cooling, plumbing, irrigation equipment and systems, and the balance of the Property, including the yard, in substantially their present condition until the time Buyer is entitled to possession. Seller will keep the Property fully insured through Closing.

20. "AS-IS": Except for Seller's agreements and representations in this Agreement or in the SPDS, if any, Buyer is purchasing the Property "AS-IS," in its present condition and with all defects, apparent or not apparent. This provision will not be construed to limit Buyer's right to implied new home warranties, if any, that may otherwise exist under Oregon law.

21. APPROVED USES: THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

22. SMART HOME FEATURES: Seller will identify all Smart Home Features in writing within ____ Business Days (three [3] if not filled in) after the Effective Date. In addition, Seller will provide all necessary information for Buyer to access the Smart Home Features at Closing.

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23. HOMEOWNERS ASSOCIATION/TOWNHOME/PLANNED COMMUNITY: Is the Property a townhome, in a planned community, or is it in an area subject to a Homeowner's Association? (*select one*) ☐ Yes ☒ No ☐ Unknown
If Yes, Buyer has attached OREF 024 - Owners Association Addendum to this Agreement. In this Agreement, "townhome" means a connected home where the owner also owns the ground beneath the home, and "planned community" means a residential subdivision, not a condominium or timeshare, in which owners are collectively responsible for part of the subdivision.

24. ALARM SYSTEM: (*select one*) ☐ None ☐ Owned ☐ Leased ☒ Unknown
If Leased, Buyer (*select one*) ☐ will ☒ will not assume the lease at Closing.

25. SMOKE/CARBON MONOXIDE DETECTORS: Within 10 Business Days (ten [10] if not filled in) after the Effective Date, all smoke alarms, smoke detectors, and carbon monoxide detectors required by law will be installed in the Property and will be in working order. Refer to ORS 479.260 for smoke alarms and smoke detectors and ORS 476.725 for carbon monoxide alarms, or see http://www.oregon.gov/osfm

26. WOODSTOVE/WOOD-BURNING FIREPLACE INSERT: Does the Property contain a solid fuel burning device, such as a wood stove or wood burning fireplace insert? (*select one*) ☐ Yes ☒ No
If Yes, Seller will promptly provide Buyer with OREF 046 - Wood Stove and Wood Burning Fireplace Insert Addendum.

27. SOLAR PANEL SYSTEM: Does the Property contain solar panels? (*select one*) ☐ Yes ☒ No
If Yes, Seller will promptly provide Buyer with OREF 105 - Solar Panel System Addendum.

28. HOME WARRANTIES: Home warranty plans may be available to help cover homeowner costs to repair/replace certain home systems and appliances. (See specific plan for details.) Will a plan be purchased for Buyer as a part of this transaction? (*select one*) ☐ Yes ☒ No
If Yes, identify plan and cost: _____ $_____
The warranty will be ordered and paid for by (*select one*) ☐ Buyer ☐ Seller.

29. ADDITIONAL PROVISIONS: (*describe*) **Timeline for inspection to begin on first business day following successful zoning change.**

_____ For additional provisions, see Addendum _____.

ESCROW AND CLOSING

30. ESCROW: This transaction will be Closed at (*identify*) **Ameritite** ("Escrow"), a neutral escrow company licensed and located in the State of Oregon. Costs of Escrow will be shared equally between Buyer and Seller unless specifically prohibited by the U.S. Department of Veterans Affairs (Federal VA). Any transfer tax will be shared equally between Buyer and Seller. Seller authorizes Seller's Agent to order an owner's title policy at Seller's expense and further authorizes Escrow to pay out of the cash proceeds of sale the expense of furnishing such policy, Seller's recording fees, Seller's closing costs, and any liens and encumbrances on the Property payable by Seller on or before Closing. Buyer will deposit with Escrow sufficient funds necessary to pay Buyer's recording fees, Buyer's closing costs, and Lender's fees if any. Real estate fees or compensation for professional real estate services provided by Buyer's or Seller's Agents' Firms will be paid at Closing in accordance with the listing agreement, buyer representation agreement, or other written agreement for compensation.

31. EARNEST MONEY DEPOSIT(S): Once the Deposits are placed with Escrow, Seller's and Buyer's Agents and Firms will have no further responsibility to Buyer or Seller regarding the Deposits.

31.1 Deposit. The Deposit will be payable and deposited within 3 Business Days (three [3] if not filled in) after the Effective Date (the "Deposit Deadline") as follows: (*select one*)

(a) ☒ directly with Escrow;

(b) ☐ directly into Buyer's Agent's Firm's client trust account and remain there until disbursement at Closing;

(c) ☐ directly into Buyer's Agent's Firm's client trust account, followed by deposit with Escrow/Title Company before Closing; and/or

(d) ☐ As follows: (*describe*) _____.

31.2. Additional Deposit. If an Additional Deposit is to be paid, it will be deposited by ☐ (*insert date*) _____ or ☐ other (describe) _____ (the "Additional Deposit Deadline") as follows: *(select one)*

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(a) ☐ directly with Escrow;

(b) ☐ directly into Buyer's Agent's Firm's client trust account and remain there until disbursement at Closing;

(c) ☐ directly into Buyer's Agent's Firm's client trust account, followed by deposit with Escrow/Title Company before Closing; and/or

(d) ☐ as follows: (describe) _____.

31.3. Breach of Earnest Money. Buyer's failure to place the Deposit and/or Additional Deposit, as described above, by no later than 5:00 p.m. on the last day of the Deposit Deadline and/or Additional Deposit Deadline, will be considered a breach of Section 32.2 (Earnest Money Payment to Seller).

Buyer's withdrawal or attempted withdrawal of one or both Deposits, except as authorized by Seller or in accordance with this Agreement, will be considered a breach of this Agreement, will result in a forfeit of the Deposit, and, at the option of the Seller, termination of this Agreement.

32. EARNEST MONEY DEPOSIT INSTRUCTIONS TO ESCROW: Buyer and Seller instruct Escrow as follows: upon your receipt of a copy of this Agreement signed by Buyer and Seller, establish an escrow account and proceed with Closing in accordance with the terms of this Agreement. If you determine the transaction cannot be Closed for any reason (whether or not there is a dispute between Buyer and Seller) you are to hold all Deposits until you receive written instructions from Buyer and Seller, or a final ruling from a court or arbitrator, as to the disposition of the Deposits.

32.1. Earnest Money Refund to Buyer. All Deposits will be promptly refunded to Buyer if: (a) Seller signs and accepts this Agreement but fails to furnish marketable title; or (b) Seller fails to complete this transaction in compliance with the material terms of this Agreement; or (c) any condition which Buyer has made an express contingency in this Agreement, and has not been otherwise waived, fails through no fault of Buyer. However, Buyer's acceptance of the refund will not constitute a waiver of other legal remedies available to Buyer.

32.2. Earnest Money Payment to Seller. If Seller signs and accepts this Agreement and title is marketable, Seller, at Seller's option, may terminate this Agreement, and all Deposits paid or agreed to be paid will be paid to Seller as liquidated damages, if: (a) Buyer has materially misrepresented Buyer's financial status; or (b) Buyer's financial institution does not pay, when presented, any check given as a Deposit or fails to timely make a wire transfer of a Deposit; or (c) Buyer fails to complete this transaction in accordance with the material terms of this Agreement. The Parties expressly agree Seller's economic and non-economic damages arising from Buyer's failure to close this transaction in accordance with the terms of this Agreement would be difficult or impossible to ascertain with any certainty, that the Deposits are a fair, reasonable, and appropriate estimate of those damages, and represent a binding liquidated sum, not a penalty.

The Seller's sole remedy for Buyer's failure to close this transaction in accordance with the material terms of this Agreement is limited to the Deposits. Seller's right to recover from Buyer any Deposit will be resolved as described in the Dispute Resolution Sections.

33. CLOSING: Closing will occur on a date mutually agreed on between Buyer and Seller on or before (*insert date*) **03/06/2026** (the "Closing Deadline"). Buyer and Seller acknowledge for Closing to occur by the Closing Deadline, it may be necessary to execute documents and deposit funds in Escrow before that date.

If Escrow is to prepare documents required under Section 7 (Seller-Carried Financing), Seller must notify Escrow three (3) Business Days before the Closing Deadline.

Pursuant to the TILA-RESPA Integrated Disclosure ("TRID") rule, Buyer and Seller will each receive a "Closing Disclosure" from Buyer's Lender. TRID typically requires the Closing Disclosure to be received by a buyer at least three (3) Business Days before the date the buyer signs loan documents. A change to the Closing Disclosure late in the transaction could result in a delay in Closing to comply with the three-business day rule. A delay beyond the Closing Deadline could result in termination of the transaction unless Seller and Buyer mutually agree to extend it.

34. DEED: Seller will convey marketable title to the Property by statutory warranty deed (or good and sufficient personal representative's or trustee's or similar legal fiduciary's deed, where applicable) free and clear of all liens of record, except property taxes that are a lien but not yet payable, zoning ordinances, building and use restrictions, reservations in federal patents, easements, covenants, conditions and restrictions, and those matters accepted by Buyer pursuant to Section 11 (Title Insurance). Buyer is advised to secure legal advice regarding different forms of ownership and rights of survivorship. Agents are not qualified to provide advice on these issues. Once the desired form of ownership is determined, Buyer will promptly notify Escrow.

35. POSSESSION: Are one or more tenants currently in possession of the Property? (*select one*) ..... ☐ Yes ☒ No

Buyer Initials DS / _____ Date 12/30/2025 | 9:27 AM PST

1/6/2026 | 12:14 PM PST

Seller Initials Initial BR / Initial MH Date 1/6/2026 | 1:53 PM PST

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If Yes: (*select one*)

(a) ☐ Seller will remove all tenants before Closing, pay any legally-required tenant relocation costs, and deliver possession to Buyer by 5:00 p.m. on the date of Closing; or

(b) ☐ Buyer will accept all tenants at Closing, all rents will be prorated as of Closing, and all deposits held on behalf of tenants by Seller will be transferred to Buyer through Escrow at Closing. Buyer and Seller are encouraged to attach OREF 070 - Investment Property Addendum to address additional items related to Buyer accepting tenants at Closing.

If No, possession of the Property will be delivered by Seller to Buyer: (*select one*)

(a) ☒ by 5:00 p.m. on the date of Closing;

(b) ☐ by (*insert time*) _____ ☐ a.m. ☐ p.m. ____ Calendar Days after Closing. Buyer will attach OREF 054 - Agreement to Occupy After Closing to this Agreement; or

(c) ☐ by (*insert time*) _____ ☐ a.m. ☐ p.m. on (*insert date*) _____. If Parties agree that Seller will deliver possession to Buyer before or after Closing, Buyer will attach OREF 053 - Agreement to Occupy Before Closing or OREF 054 - Agreement to Occupy After Closing to this Agreement .

36. PROPERTY CONDITION AT POSSESSION: Before Buyer possession, Seller will remove all of Seller's personal property, including trash, except for the items described in Section 2.2 (Personal Property). In addition, Seller will (*specify additional property conditions*)

_____

_____

_____. For additional property conditions at possession, see Addendum _____.

37. PRORATIONS: Rents, current year's taxes, interest on assumed obligations, and other prepaid expenses attributable to the Property will be prorated as of (*select one*) ☒ the Closing Date ☐ the date Buyer is entitled to possession.

38. UTILITIES: Seller will pay all utility bills accrued to the date Buyer is entitled to possession. Buyer will pay Seller for heating fuel/propane on the Property on the date Buyer is entitled to possession, at Seller's supplier's rate. Payment will be handled between Buyer and Seller outside of Escrow. Seller will not terminate or disconnect electric, gas, heating fuel/propane, or water utilities before the date Buyer is entitled to possession unless the Parties agree otherwise in writing.

TAXES

39. INCOME TAX WITHHOLDING:

39.1. Oregon Withholding. Subject to certain exceptions, Escrow is required to withhold a portion of Seller's proceeds if Seller is a non-resident individual or corporation as defined under Oregon law. Buyer and Seller will cooperate with Escrow by executing and delivering any instrument, affidavit, or statement as requested, and to perform any acts reasonable or necessary to carry out the provisions of Oregon law.

39.2. Federal Withholding (FIRPTA). If Seller is a foreign person under the Foreign Investment in Real Property Tax Act ("FIRPTA"), then even if there is an exemption to FIRPTA applicability, Buyer and Seller will ask Escrow to assist the Parties with FIRPTA compliance, see OREF 092 - Advisory Regarding FIRPTA Tax. Seller's failure to comply with FIRPTA is a material default under this Agreement.

If Seller is not a foreign person, then Seller will Deliver to Escrow a certificate that complies with 26 CFR §1.1445-2 (the "Certificate") before Closing. If Seller fails to do so, Seller will be presumed to be a foreign person, and the terms of the previous paragraph will apply. Escrow is instructed to act as a Qualified Substitute and provide Buyer with a statement that complies with 26 U.S.C. § 1445(b)(9) at Closing.

If Escrow does not agree to assist with FIRPTA compliance, including providing the form Certificate or acting as a Qualified Substitute, then either Buyer or Seller may move Escrow to another Oregon-licensed escrow agent who is willing to assist with FIRPTA compliance, in which case the Parties will equally share any cancellation fees. If due to moving escrow, this transaction cannot be Closed by the Closing Date, the Closing Date will be extended by five (5) Business Days to accommodate the move.

Seller's and Buyer's Agents are not experts in FIRPTA and will not act as a transferor or transferee agent or Qualified Substitute for purposes of the Withholding Requirement. If FIRPTA may apply in this transaction, Seller and Buyer should promptly consult their own experts familiar with FIRPTA related law and regulations. For further information, see www.irs.gov.

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40. 1031 EXCHANGE: If Buyer or Seller elects to complete an exchange under Section 1031 of the Internal Revenue Code in this transaction, the other Party will cooperate with them and the accommodator, if any, as necessary to complete the exchange, so long as it will not delay the close of escrow or cause additional expense or liability to the cooperating Party. Unless otherwise provided in this Agreement, this provision will not become a contingency to the Closing of this transaction.

41. LEVY OF ADDITIONAL PROPERTY TAXES: The Property (*select one*) ☐ is ☒ is not specially assessed for property taxes (for example, farm, forest, or other) in a matter that may result in the levy of additional taxes in the future. If it is specially assessed, Seller represents the Property is current as to income or other conditions required to preserve its deferred tax status. If, as a result of Buyer's actions or the Closing of this transaction, the Property either is disqualified from special use assessment or loses its deferred tax status, then unless otherwise specifically indicated in this Agreement, Buyer will be responsible for and will pay when due, any deferred and/or additional taxes and interest that may be levied against the Property, and will defend Seller against any liabilities or claims arising out of those taxes or assessments.

However, if as a result of Seller's actions before Closing, the Property either is disqualified from its entitlement to special use assessment or loses its deferred tax status, and if Seller did not disclose the upcoming disqualification or loss of status to Buyer in writing prior to Closing, Buyer may, at Buyer's sole option, promptly either: (a) terminate this transaction and receive a refund of all Deposits paid by Buyer in anticipation of Closing; or (b) close this transaction, in which event Seller will pay into escrow all deferred and/or additional taxes and interest levied or recaptured against the Property and will defend Buyer against any liabilities or claims arising out of those taxes or assessments. Nothing in this paragraph will be construed to limit Buyer's or Seller's available remedies or damages arising from a breach of this section.

42. HISTORIC PROPERTY DESIGNATION: If the Property is or may be subject to a historic property local ordinance or is subject to or may qualify for the Historic Property Special Property Tax Assessment under ORS 358.475 to 358.565, Seller will promptly provide OREF 045A - Historic Property Addendum.

DISPUTE RESOLUTION

43. FILING OF CLAIMS: All claims, controversies, and disputes between Seller, Buyer, Agents, and/or Firms, relating to the enforcement or interpretation of this Agreement (including those for rescission) as well as those relating to the validity or scope of the Sale Agreement, and all matters concerning the jurisdiction of the arbitrator(s) and/or Arbitration Service of Portland ("ASP"), to hear and decide questions of arbitrability (collectively, "Claims"), will be exclusively resolved in accordance with the procedures in this section, which will survive Closing or earlier termination of this transaction. All Claims will be governed exclusively by Oregon law, and venue will be placed in the county where the Property is situated. Filing a Claim for arbitration will be treated the same as filing in court for purposes of meeting any applicable statute of limitations or statute of ultimate repose, and for purposes of filing a *lis pendens*. By consenting to the provisions in this section, Buyer and Seller acknowledge they are giving up the constitutional right to have Claims tried by a judge or jury in state or federal court, including all issues relating to the arbitrability of Claims.

44. EXCLUSIONS: The following will not constitute Claims:

(a) any proceeding to enforce or interpret a mortgage, trust deed, land sale contract or recorded construction lien;

(b) a forcible entry and detainer action, also known as an eviction;

(c) if the matter is exclusively between REALTORS® and is otherwise required to be resolved under the Code of Ethics & Professional Standards Policies of the National Association of REALTORS®;

(d) if the matter relates to real estate compensation or fee with an Agent or Firm, and the written listing, service, or fee agreement with Buyer or Seller contains a mandatory mediation and/or arbitration provision; and

(e) filing in court for the issuance of provisional process described under the Oregon Rules of Civil Procedure; however, such filing will not constitute a waiver of the duty to utilize the dispute resolution procedures described in this Agreement.

45. SMALL CLAIMS BETWEEN BUYER AND SELLER: If the Circuit Court in the county in which the Property is located has a small claims department, all Claims between Buyer and Seller within the jurisdiction of that small claims department will be brought and decided there, in lieu of mediation, arbitration, or litigation in any other forum. If that Circuit Court does not have a small claims department, those Claims will be brought and decided in the small claims department of the applicable Justice Court. Buyer and Seller waive any rights they may have under ORS 46.455(3) or ORS 55.065(2)(c) to remove the matter from a small claims department by requesting a jury trial. A judgment in a small claims department is final and binding for all purposes, and despite the provisions of ORS 51, there is no right to appeal a small claims department judgment.

Buyer Initials CS / _____ Date 12/30/2025 | 9:27 AM PST

Seller Initials Initial BR / Initial MH Date 1/6/2026 | 1:53 PM PST 1/6/2026 | 12:14 PM PST

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RESIDENTIAL REAL ESTATE SALE AGREEMENT

46. MEDIATION AND ARBITRATION BETWEEN BUYER AND SELLER: All Claims will first be submitted to mediation through the program administered by ASP. All Claims that have not been resolved by mediation as described in this Agreement will be submitted to final and binding arbitration in accordance with the then-existing rules of ASP. The prevailing Party in any arbitration between Buyer and Seller will be entitled to recovery of all reasonable attorney fees, filing fees, costs, disbursements, and mediator and arbitrator fees; but only if it is first established to the satisfaction of the arbitrator(s) (or judge, if applicable) that the prevailing Party offered or agreed in writing to participate in mediation before, or promptly upon, the filing for arbitration.

47. MEDIATION AND ARBITRATION INVOLVING AGENTS/FIRMS: All Claims that include Agents or their Firms, including those within the jurisdiction of a small claims department, will be resolved in accordance with the mediation and arbitration process described in Section 46. If applicable, the prevailing party will be entitled to an award of attorney fees, filing fees, costs, disbursements, and mediator and arbitrator fees, as described in that section.

DEFINITIONS/MISCELLANEOUS

48. DEFINITIONS: In addition to the other definitions in this Agreement, when the first letter of these terms is capitalized, they mean the following.

(a) **Agent** means Buyer's or Seller's real estate agents licensed to perform professional real estate activity in the State of Oregon.

(b) **Agreement** or **Sale Agreement** means this Residential Real Estate Sale Agreement and any written offer, counteroffer, or addendum in any form or language that adds to, amends or otherwise modifies this Agreement that has been Signed and Delivered.

(c) **Business Day** means Monday through Friday, except days that are recognized as official holidays by Oregon under ORS 187.010 or the United States under 5. U.S.C. § 6103.

(d) **Calendar Day** means any day on the calendar including weekends and holidays.

(e) **Closing, Closed,** or **Closing Date** mean when the deed or contract is recorded and funds are available to Seller.

(f) **Deliver, Delivery, and Delivered** means transmission of a document, either by placing it in a U.S. mailbox, taking it to the recipient's address, or placing it in the custody of a delivery service ("Manual Delivery"), or by pushing "send" or "start" on a device that sends facsimiles or in an electronic mail program ("Electronic Delivery").

(g) **Deposits** means the Deposit and any Additional Deposit described in Section 1 (Parties/Property Description/Price) of this Agreement.

(h) **Effective Date** means the date Seller and Buyer have (i) signed and accepted the Sale Agreement, and (ii) Delivered it to the other Party.

(i) **Firm** means the real estate company with which an Agent is affiliated.

(j) **Notice** means a written statement Delivered to the other Party.

(k) **Notify** or **Notifies** means delivering a Notice to the other Party or their Agent.

(l) **Parties** means Buyer and Seller, and "**Party**" means Buyer or Seller.

(m) **Signed and Delivered** means Seller and Buyer have (i) signed a document and (ii) Delivered it to the other Party or their Agent. When a document is "Signed and Delivered," it becomes legally binding on Buyer and Seller, and neither has the ability to withdraw it.

(n) **Smart Home Features** means appliances, lighting, or electronic devices that can be controlled remotely by the owner, often via a mobile app. Smart Home Features may also operate in conjunction with other devices in the home and communicate information to other smart devices.

49. MISCELLANEOUS: The following provisions govern the manner in which the terms of this Agreement will be construed.

(a) **Binding Effect.** This Agreement is binding on the heirs, successors, and assigns of Buyer and Seller. However, Buyer's rights and responsibilities under this Agreement or in the Property are not assignable without the prior written consent of Seller.

(b) **Counterparts.** This Agreement may be signed in multiple legible counterparts with the same legal effect as if all Parties signed the same document.

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(c) **Electronic Transmission.** The sending of a signed acceptance of this Agreement via Electronic Delivery from one Party (or their Agent) to the other Party (or their Agent) will have the same effect as Manual Delivery of the signed original. If the Parties intend to use any other method for transmitting a signed offer or acceptance of the Agreement (such as regular mail, certified mail, or overnight Delivery), they should so specify at Section 29 (Additional Provisions) of this Agreement.

(d) **Nonparties.** Agent(s) and Firm(s) identified in the Final Agency Acknowledgment Section are not parties to this Agreement but are subject to Section 47 (Mediation and Arbitration Involving Agents/Firms).

(e) **Notices.** All written notices or documents required or permitted under this Agreement to be Delivered to Buyer or Seller may be Delivered to their respective Agent with the same effect as if Delivered to that Buyer or Seller. When escrow for this transaction is opened, Buyer, Seller, and their respective Agents, where applicable, will provide escrow with their preferred means of receiving Notice (for example, email or text address, facsimile number, mailing or personal delivery address, or other), which will serve as the primary location for receipt of all notices or documents (the "Notification Method"). Notice will be deemed Delivered as of the earliest of:

(i) the date and time the Notice is sent by email or fax;
(ii) the time the Notice is personally Delivered to either the Agent or the Agent's Office; or
(iii) three (3) Calendar Days after the date the Notice is posted in the U.S. Mail.

(f) **Time.**

(i) Time is of the essence of this Agreement.
(ii) Any reference in this Agreement to a specific time refers to the time in the time zone where the Property is located.
(iii) Time calculated
(1) in Calendar Days after the Effective Date will start on the first full Calendar Day after the Effective Date;
(2) in Business Days after the Effective Date will start on the first full Business Day after the Effective Date;
(3) in Calendar Days after a triggering event, such as Delivery of a document, will start on the first full Calendar Day after the triggering event;
(4) in Business Days after a triggering event will start on the first full Business Day after the triggering event.
(iv) If a date is calculated based on the "date Buyer is entitled to possession," and if Buyer will not be entitled to possession of the Property because one or more tenants is in possession, the "date Buyer is entitled to possession" will, for that purpose, be deemed to be the Closing Date.
(v) Unless a different time is specified in the Agreement, all deadlines for performance, measured in business or calendar days, will terminate as of 5:00 p.m. on the last day of the deadline.

SIGNATURE INSTRUCTIONS

50. OFFER TO PURCHASE: Buyer offers to purchase the Property on the terms and conditions in this Agreement. Buyer acknowledges receipt of a completely filled-in copy of this Agreement, which Buyer has fully read and understands. Buyer acknowledges that Buyer has not relied on any oral or written statement made by Seller, Seller's Agent, or Buyer's Agent that is not expressly contained in this Agreement. Because of the importance of consistent terminology and compatible documents, Buyer has chosen to use this Agreement and the other forms provided by Oregon Real Estate Forms, LLC ("OREF") for this transaction.

This offer will automatically expire on (*insert date and time*) 01/30/2026 at 5 ☐ a.m. ☒ p.m. (the "Offer Deadline"). If not accepted by that time, Buyer may withdraw this offer before the Offer Deadline any time before Seller's transmission of signed acceptance. This offer may be accepted by Seller only in writing.

Buyer [DocuSigned by: signature] Print Santiam Ballet Academy Date 12/30/2025 | 9:27 AM PST ☐ a.m. ☐ p.m. ←

Buyer _____ Print _____ Date _____ ☐ a.m. ☐ p.m. ←

Initial/Date JM 1/6/2026

1/6/2026 | 12:14 PM PST

Seller Initials BR / MH Date 1/6/2026 | 1:53 PM PST

LINES WITH THIS SYMBOL ← REQUIRE A SIGNATURE AND DATE

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RESIDENTIAL REAL ESTATE SALE AGREEMENT

568 This offer was Delivered by Seller's Agent to Seller for signature on (*insert date and time*) _____ at _____ ☐ a.m. ☐ p.m.

569 **51. SELLER'S RESPONSE:** *(select one - if no selection is made, this Agreement is void and of no effect)*

570 If Seller signs and transmits this Agreement or Counteroffer to Buyer after the Offer Deadline, this Agreement will not be binding on Seller and Buyer
571 unless they also sign and Deliver an addendum, counteroffer, or other writing in which they expressly agree to extend the Offer Deadline. The Parties'
572 failure to do so will be treated as a rejection under Section 51.3, and this Agreement is void and of no effect.

573 **51.1.** [__] **Agreement to Sell and Acknowledgments.** Seller accepts Buyer's offer. Seller acknowledges receipt of a completely filled-in copy
574 of this Agreement, which Seller has fully read and understands. Seller acknowledges that Seller has not relied on any oral or written statement made
575 by Buyer, Buyer's Agent, or Seller's Agent that is not expressly contained in this Agreement. Seller has reviewed the Seller Representations made
576 in Section 18 (Seller Representations) and elsewhere in this Agreement and will promptly correct, in writing, any inaccurate representations.
577 Because of the importance of consistent terminology and compatible documents, Seller has chosen to use this Agreement and the other forms
578 provided by OREF for this transaction.

579 **51.2.** [X] **Counteroffer.** Seller does not accept the above offer and Seller has attached to this agreement OREF 003 - Seller's Counteroffer.

580 **51.3.** [__] **Rejection.** Seller rejects Buyer's offer.

581 Seller: do not sign unless 51.1, 51.2 or 51.3 is selected.

582 Seller Signed by: Brett Rickey FE059673A047492... Print **Stayton Church Of The Nazarene** Date 1/6/2026 | 12:14 PM PST ☐ a.m. ☐ p.m. ←

583 Seller Signed by: Matt Huff FBEE6B925BFE464... Print _____ Date 1/6/2026 | 1:53 PM PST ☐ a.m. ☐ p.m. ←

DS TN 1/6/2026 | 1:56 PM PST

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DS CJ

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SELLER'S COUNTER OFFER No. 1

This is a counter offer to ☒ Sale Agreement or ☐ Buyer's Counter Offer
Seller: Oregon Pacific District Church of the Nazarene
Buyer: Santiam Ballet Academy
The real property described as: 579 E Washington St, Stayton OR, Parcel ID 534557 / Tax Lot 091W10DB03200.

AGREEMENT TO SELL:
Seller agrees to sell the real and personal property upon the terms and conditions set forth in the Sale Agreement and subsequent counter offers where applicable, **except** as modified as follows:

1. Buyer to provide pre-approval letter from Buyer's Lender within 5 business days of fully executed Seller Counter No 1.
2. Seller agrees to reasonably cooperate with Buyer, at no cost to Seller, by providing written support in connection with Buyer's pursuit of a zoning change. Seller shall have no obligation to incur expenses or provide monetary consideration.
3. Seller does not have any Seller's property documents to provide to the Buyer.
4. Seller will not be required to provide a Lead-Based Paint Disclosure Addendum nor install smoke and/or carbon monoxide detectors, as the Property is non-residential.
5. Timeline for Property Inspections shall be 20 business days after the effective date.
6. Escrow and Closing to be conducted through Ameritítle, 320 Church St NE, Salem OR, Judi Rowe Escrow Officer.

All remaining terms and conditions of the Sale Agreement (and other counter offer(s), where applicable), not otherwise modified, are approved and accepted by Seller. Time is of the essence. This Seller's Counter Offer shall automatically expire on January 9, 2026 at 4:00 ☐ a.m. ☒ p.m. (the Counter Offer Deadline"), if not accepted within that time. If Buyer accepts this Seller's Counter Offer after the Counter Offer Deadline, it shall not be binding upon Seller unless agreed to by Seller in writing within _____business days (two[2] if not filled in) thereafter by so indicating at the seller's Acknowledgement Section below. This Seller's Counter Offer may be accepted by Buyer only in writing. However, Seller may withdraw this counter offer any time prior to Buyer's written acceptance.

Seller acknowledges receipt of a completely filled in copy of Buyer's Counter Offer, and all subsequent counter offers where applicable, which Seller has fully read and understands. Seller acknowledges that Seller has not relied on any oral or written statements of any Buyer or of any Licensee(s) which are not expressly contained in the Sale Agreement as amended. Seller instructs that all earnest money distributable to Seller pursuant to the Sale Agreement shall be disbursed as follows after deduction of any title insurance and Escrow cancellation charges: (*check one* ☐ First to Listing Firm, to the extent of the agreed commission just as if the transaction had been consummated, with residue to Seller, or ☒ 100% to the Seller.

Signed by:
Seller Signature Brett Rickey Date 1/6/2026 | 12:14 PM PST a.m. _____ p.m. ←
Signed by: FE059673A047492...

Signed by:
Seller Signature Matt Huff Date 1/6/2026 | 1:53 PM PST a.m. _____ p.m. ←
FBEE6B925BFE464...

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BUYER'S RESPONSE *(select only one):*

☐ Buyer **accepts** Seller's Counter Offer.

☐ Buyer **does not accept** Seller's Counter Offer AND submits the attached Buyer's Counter Offer.

☐ Buyer **rejects** Seller's Counter Offer.

Buyer acknowledges receipt of signed copies of the Sale Agreement and all subsequent counter offers including this Seller's Counter Offer, where applicable, which Buyer has fully read and understands.

Buyer Signature _____ Date _____ _____ a.m. _____ p.m. ←

Buyer Signature _____ Date _____ _____ a.m. _____ p.m. ←

SELLER'S ACKNOWLEDGEMENT:

Seller acknowledges receipt of copies of the Sale Agreement and all subsequent counter offers, including this Seller Counter Offer, which Seller has fully read and understands. If Buyer's response to Seller's Counter Offer is an acceptance that has occurred after the Counter Offer Deadline identified in the Agreement to Sell Section above, Seller (*select only one*) ☐ agrees ☐ does not agree, to be bound thereby. (**The failure to check either box shall constitute a rejection by Seller of Buyer's acceptance of Seller's Counter Offer after said deadline.**)

Seller Signature _____ Date _____ _____ a.m. _____ p.m. ←

Seller Signature _____ Date _____ _____ a.m. _____ p.m. ←

Note: If delivery/transmission occurs after the Counter Offer Deadline identified above, it will not become binding upon Seller and Buyer unless Seller selects the box marked "agree" under Seller's Acknowledgement above. The Seller's failure to do so shall be treated as a rejection of Buyers Response, above, and this transaction shall be automatically terminated.

Selling Licensee Chad Jones
Selling Firm HomeSmart Realty Group

Listing Licensee Kelsey Oran
Listing Firm Hancock Real Estate

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ADDENDUM TO REAL ESTATE SALE AGREEMENT

RE: Real Estate Sale Agreement No. 26-396 Dated 12/30/2025 Addendum C

Buyer: Santiam Ballet Academy

Seller: Oregon Pacific District Church of the Nazarene

The real property described as: 579 E Washington St, Stayton OR, Parcel ID 534557 / Tax Lot 091W10DB03200.

SELLER AND BUYER HEREBY AGREE THE FOLLOWING SHALL BE A PART OF THE REAL ESTATE SALE AGREEMENT REFERENCED ABOVE.

1. Buyer and Seller agree to extend Financing Contingency to July 20, 2026.
2. Seller may continue to market property and procure backup offers through the duration of this transaction.
3. Seller rejects Addendum B proposed on 3/11/2026 and submits Addendum C.
4. Buyer releases following Conditions to Purchase:
    a. Preliminary Title Report dated January 20, 2026, AmeriTitle File Number 1050722 and has no objections to the report.
    b. All property inspections and proceeds without Seller concessions toward repairs.
5. Upon fully execution of Addendum C, Earnest Money will be non-refundable and applied to purchase price.
6. Closing to occur on or before 7/31/2026.

ALL REMAINING TERMS AND CONDITIONS NOT OTHERWISE MODIFIED SHALL REMAIN IN FULL FORCE AND EFFECT.

Buyer Signature Signed by: Brett Rickey FE059673A047402... Date 3/16/2026 | 10:31 AM PDT a.m. _____ p.m.

Buyer Signature Signed by: Matt Huff FBEE6B925BFE464... Date 3/16/2026 | 11:49 AM PDT a.m. _____ p.m.

Seller Signature DocuSigned by: C9437669A23447D... Date 3/18/2026 | 10:46 PM PDT a.m. _____ p.m.

Seller Signature _____ Date _____ a.m. _____ p.m.

Selling Licensee: Chad Jones Listing Licensee: Kelsey Oran

DS TH
3/16/2026 | 11:54 AM PDT

Section 17.12.1809.6 Official Zoning Map Amendment Approval Criteria.

1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to DRMU.

2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

There is a 12-inch water main on E Washington St. There is a 8-inch sewer main in E Washington St. There is a 10-inch storm main in E Washington St.

3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)*

The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Three categories of Comprehensive Policies are appropriate to look at with this application: housing, land use and economic development.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The subject property is developed as a church, has been vacant since 2020 and never been developed as a residence.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

POLICY LU-6 is that the central business area of Stayton shall continue to be the primary retail business area of the community. The proposed zoning amendment would expand the DRMU area to an area adjacent to the central business district.

POLICY EC-1 is to maintain downtown Stayton as an area for retail shops, restaurants, entertainment, government offices, and professional offices.

POLICY EC-2 is to enhance and protect the vitality of the City's existing commercial and service sector while maintaining a level of retail growth that is proportional to the size of the city.

This proposal provides for a compatible mix of residential, commercial, and civic uses that support a vibrant, walkable community environment. The proposed dance school is a community-serving recreational and educational use that aligns with the district's purpose. The use contributes to neighborhood vitality, promotes pedestrian activity, and provides a local service amenity without introducing adverse impacts typically associated with higher-intensity commercial development. Additionally, the adaptive reuse of the existing building supports sustainability and preservation of neighborhood character

5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration, or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

There are 78 vacant lots in the City that are zoned LD, with a combined area of 36.4 acres. There is one vacant lot in the DRMU zone. The subject has historically been a church and the proposed use would allow the existing building to conform to standards and allow use of the building to continue.

6) *The proposed zone amendment satisfies applicable provision of Oregon Administrative Rules.*

The applicant provided an analysis required by OAR 660-012-0060

7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

The subject property is flat and level. The property is already developed with a building and parking area. No physical characteristics, natural resources or hazards are identified that create obstacles or prevent its use in the proposed zone or for the proposed use.

Statement of Availability, Capacity, and Status of Public Facilities and Services

Subject Property: 579 E. Washington Street, Stayton, Oregon

Proposed Use: Dance School (adaptive reuse of existing structure)

Water Service:

The subject property is served by the City of Stayton municipal water system. Existing infrastructure is adequate to support the proposed use, with sufficient capacity for domestic and fire flow needs.

Sanitary Sewer Service:

The property is connected to the City's sanitary sewer system, which has adequate capacity to accommodate the proposed use without upgrades.

Storm Drainage:

Existing stormwater facilities adequately manage runoff. No increase in impervious surface is proposed.

Transportation Facilities:

East Washington Street provides adequate access. Traffic generated by the dance school is expected to be comparable to or less than the previous church use.

Parks and Recreation:

Existing parks serve the area. The proposed use does not increase demand on public park facilities.

School Facilities:

The property is within the North Santiam School District. The proposed use does not impact school capacity.

Conclusion:

All necessary public facilities and services are available and adequate to support the proposed use.

Exhibit B – Narrative Statement in Support of Comprehensive Plan Map Amendment and Zoning Map Amendment
579 East Washington Street, Stayton, Oregon

1. *The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.*

Downtown Residential Mixed Use district is intended to provide opportunities for "residential, commercial and mixed use developments as part of the downtown area," and is intended to become a neighborhood of mainly moderate-density residential uses while also allowing appropriate commercial uses and mixed-use development. The downtown zoning provisions further state that these districts implement the Downtown Stayton Transportation & Revitalization Plan, which envisions a pedestrian-oriented district accommodating intensive commercial, residential, and mixed-use development.

The requested amendment is more supportive of the Comprehensive Plan as a whole than the existing low-density residential designation because the subject property is already improved with a nonconforming church building rather than a detached single-family dwelling pattern that the low-density designation is intended to preserve. The requested change would reduce the inconsistency between the existing built form and the mapped designation by assigning a downtown mixed-use designation to a parcel already developed with an urban-scale institutional structure capable of adaptive reuse. That form of reuse advances Comprehensive Plan objectives favoring efficient use of land, reinvestment in developed areas, a wider range of activity and housing opportunities in and around downtown, and a land use pattern that better coordinates with urban services and pedestrian access.

The proposal is also consistent with relevant statewide goals, particularly Goal 2 (Land Use Planning), Goal 9 (Economic Development), Goal 10 (Housing), Goal 11 (Public Facilities and Services), Goal 12 (Transportation), Goal 13 (Energy Conservation), and Goal 14 (Urbanization). Oregon's statewide planning framework requires local comprehensive plans and implementing regulations to be consistent with those goals, and this amendment supports urban redevelopment and a more compact land use pattern within city limits rather than outward expansion.

.

2. The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

The subject property has historically been used as a church building that is already non conforming within the LD designation. As a practical matter, the existing map designation underutilizes a developed site located on East Washington Street and does not adequately accommodate adaptive reuse of the existing structure for a low-impact instructional use such as a dance school.

The requested designation also responds to a limited inventory of downtown-designated land. The Stayton Comprehensive Plan's buildable lands inventory shows that, citywide, downtown-designated land is relatively scarce compared with residential, commercial, and industrial categories. Within city limits, the Plan identifies only 35 gross acres of downtown land, including 22 gross acres in the DRMU zone, and only 4 vacant and 1 buildable properties within the downtown categories. The Plan further notes that there is no land designated for downtown uses outside the city limits but inside the urban growth boundary, meaning the downtown land supply is inherently constrained. Adding this property to the downtown inventory is therefore consistent with the need to maintain and modestly expand opportunities for downtown-compatible mixed-use redevelopment without requiring expansion into undeveloped fringe areas.

On balance, the addition of this parcel to the downtown mixed-use inventory is a modest, site-specific adjustment that better aligns the map with existing conditions, supports downtown reinvestment, and incrementally increases the supply of land available for downtown-compatible uses, including mixed-use and residential opportunities contemplated by the Comprehensive Plan and downtown revitalization planning documents.

3. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall apply

Goal 1 is in regard to citizen involvement. The application is subject to the public hearing standards established in SMC 17.12.090 and 17.12.100 and Oregon Revised Statutes 227.160 to 186

Goal 2 is in regard to land use planning. The City's adopted Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) in May 2013. No exception is required whereas this is an amendment within the existing city limits.

Goal 3 is in regard to the preservation of agricultural lands. The property for this application is located inside the City Limits and zoned with City urban development zones.

Goal 4 is in regard to the preservation of forest lands. The property for this application is located inside theCity Limits and zoned with City urban development zones.

Goal 5 is in regard to open spaces, scenic and historic areas, and natural resources. There are no “Goal 5 Resources” identified in the Comprehensive Plan on or adjacent to the subject properties

Goal 6 is in regard to air, water and land resources. The property for this application is located inside the City Limits and zone with City urban development zones.

Goal 7 is in regard to areas subject to natural disasters and hazards. There are no identified natural hazards on this property.

Goal 8 is in regard to recreation. The City has a Parks Master Plan that addresses the recreational needs of the community. This property is not identified for any future recreational facilities.

Goal 9 is to provide adequate opportunities for a variety of economic activities. The DRMU amendment to the subject property would support this by increasing the opportunity for economic activity in the City and would implement the adopted Economic Development Strategy of supporting the expansion of existing business as well as reinvesting in a preexisting building

Goal 10 is to provide for the housing needs of the state. The proposed amendment would not decrease the amount of land used because the DRMU district is expressly intended to allow moderate-density residential and mixed-use development, thereby expanding rather than restricting housing opportunities over time. According to City of Stayton Comprehensive Plan, there are 921 residential acres with 114 vacant and 138 buildable lots whereas there are only 22 acres and 1 buildable lot within the DRMU zoning.

Goal 11 is to plan and develop a timely, orderly and efficient arrangement of public facilities and services. The parcel is served by public water and sewer without any extension of facilities needed.

Goal 12 is to provide and encourage a safe, convenient, and economic transportation system. The City has an adopted Transportation System Plan. The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

Goal 13 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The proposed amendment does not impact the City's urban growth boundary and is completely within City Limits.

Goals 15-19 are regarding the Willamette River Greenway, estuarine resources, coastal shorelands, beaches and dunes, and ocean resources, respectively. The City is not located on the Willamette River or on the Oregon Coast.

4) Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)

The applicant submitted an analysis of potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Chris Clemow, PE, PTOE. The analysis estimated that under current LD and Residential designation the worst-case traffic generation would be 1 peak hour trips. The analysis projected traffic generation from a medical-dental office building as the worst-case scenario under the proposed zoning, with a net increase of 14 peak hour trips. The analysis concluded that all of the study intersections would function within their applicable mobility standards under a worst-case scenario for the proposed changes.

The proposal does not redesignate the property for an intensive auto-oriented use, does not require a change in roadway functional classification, and does not appear likely to materially degrade the performance of existing transportation facilities. Rather, it would reuse an existing structure for an instructional use in an area where walking, short local trips, and downtown access are anticipated parts of the transportation context.

5) The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation

There are 1,825 acres of land in the UGB currently designated as Residential. The Comprehensive Plan indicates that there are 921 buildable acres of land inside the UGB, and outside the City Limits. Since that time, there have been about 73 acres of residential land annexed. The Plan also indicates that the City will need approximately 460 acres of land for residential development over the course of the planning period, and that there were 144 acres of buildable land in the city zoned for residential use. The Comprehensive Plan indicates that there were 950 acres of and designated for residential growth in the urban growth area. This amendment will not create a deficiency in lands designated for the existing low-density residential category. The Stayton Comprehensive Plan identifies a substantial inventory of land in the low-density residential designation. The buildable lands inventory shows that low-density residential land is the largest single zoning category in the city, with **667 gross acres** and a significant amount of vacant and redevelopment-capable land. By contrast, downtown-designated land is comparatively limited. Removing one already-developed parcel from the low-density inventory therefore will not materially impair the City's ability to meet

projected need for low-density residential land, particularly where the site is currently occupied by a nonconforming church building rather than contributing to the low-density detached housing stock in the manner originally contemplated by the designation.

For that reason, the current map provides more than adequate low-density residential land to absorb the loss of this single parcel, while the proposed amendment better serves the City's need for flexible downtown-compatible land supply.

6) Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

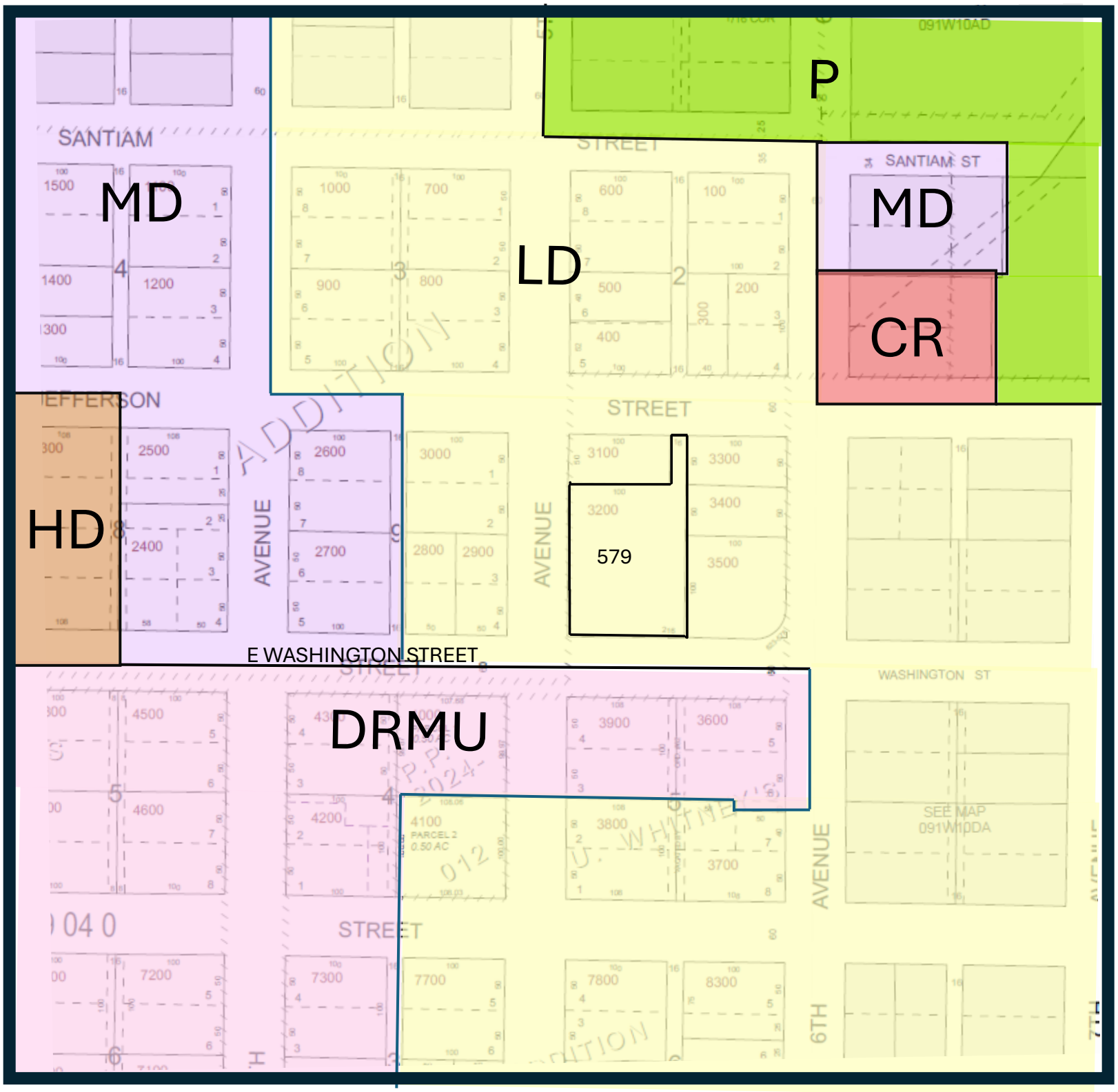
The public facilities and services necessary to support the uses allowed in the proposed designation are available, or are likely to be available in the near future, because the subject property is already developed and located within the city. The site has historically been served as an institutional use and is not an undeveloped greenfield requiring major extension of urban infrastructure. Water, sewer, storm drainage, police, fire, and street access are therefore either already available or can reasonably be expected to continue to serve the site subject to ordinary development review and utility connection requirements.

There is a 12 -inch water main in E Washington St. There is an 8- inch sewer main in E Washington St. There is a 10-inch storm main in E Washington St.

7) Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

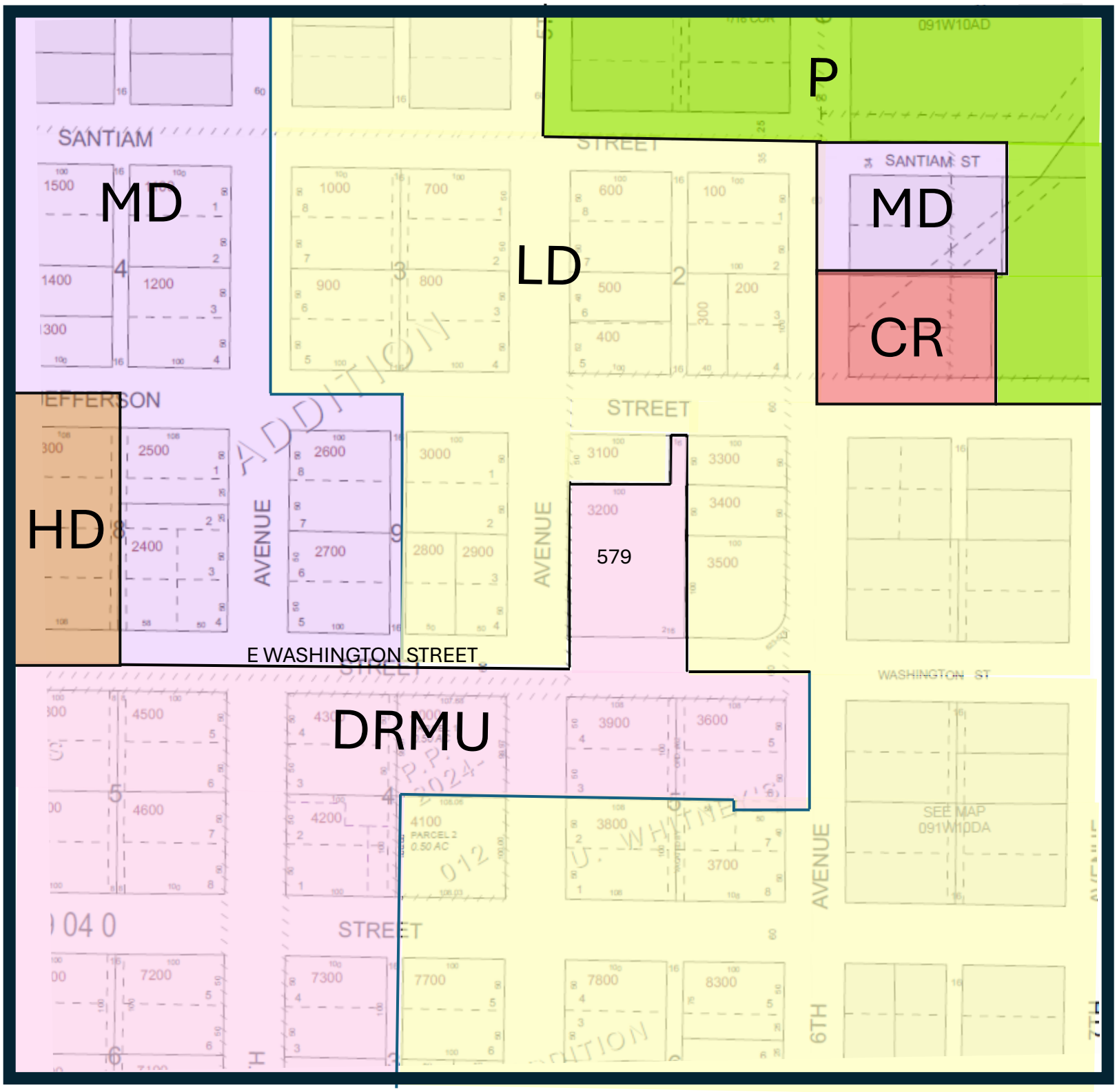
Neighboring properties to the east are all single family dwellings, Neighboring properties to the south or in the DRMU corridor and consist of a law office, a single family dwelling and a dental office, properties to the west are all single family dwellings and properties to the north are single family dwellings. The proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis.

Exhibit A – Current Zoning



Reference Map: Marion County 09 1W 10DB
Zoning per City of Stayton Zoning Map

Exhibit B – Proposed Zoning



Reference Map: Marion County 09 1W 10DB
Zoning per City of Stayton Zoning Map

clemow associates LLC

April 13, 2026

Santiam Ballet Academy
Attention: Charlene Vogel
395 N 3rd Avenue
Stayton, Oregon 97383

Sent via email to: santiamballet@gmail.com

Re: **579 E Washington Street Comprehensive Plan Map Amendment and Zone Change – Stayton, Oregon**
Transportation Planning Rule Analysis

C&A Project Number 20260302.00

Dear Ms. Vogel,

This Transportation Planning Rule (TPR) analysis supports the proposed Stayton Comprehensive Plan map amendment and zone change for the property located at 579 E Washington Street, Stayton, Oregon. The following items are presented:

1. Property Description and Proposed Land Use Actions
2. Study Parameters
3. Agency Transportation Plan Review
4. Existing Conditions
5. Development Potential
6. Transportation Analysis
7. Summary

1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS

The subject property is located at 579 E Washington Street, Stayton, Oregon. It is identified as tax lot 3200 on Marion County Assessor's map 09-1W-10DB and is approximately 0.42 acres. The property has frontage on and access to E Jefferson Street to the north, E Washington Street to the south, and N 5th Avenue to the west. The property is currently developed with a church.

Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential* (LD) to *Downtown Residential Mixed Use* (DRMU).

A specific development plan is not part of this land use action. Additionally, the existing church use is considered a nonconforming use in the LD zone. Rezoning the property to DRMU will allow the church to become a conforming use.

2. STUDY PARAMETERS

Criteria to be Addressed

The proposed land use actions include a Comprehensive Plan map amendment and zone change, and a transportation analysis is necessary to address the following:

- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060
- Stayton Municipal Code Section 17.26.050 – Transportation Impact Analysis Requirements

It is further noted that the proposed land use actions do not contemplate a specific development application; therefore, for analysis purposes, reasonable worst-case development scenarios are assumed in the current and proposed zones.

3. AGENCY TRANSPORTATION PLAN REVIEW

Stayton Transportation System Plan (TSP)

The Stayton Transportation System Plan (TSP) does not identify any transportation system capacity deficiencies in the project area; however, it includes several transportation infrastructure projects, as presented in the following table. This list includes "High" Priority (also identified as "Tier I") projects that are financially-constrained and are assumed to be constructed within the 2040 planning period.

Most City streets have sidewalks on both sides of the roadway and enhanced crossings at key intersections and mid-block locations; however, several streets, including those in the study area, have sidewalk gaps. Accordingly, the TSP pedestrian plan includes projects to fill in the gaps in the sidewalks along the City's arterial and collector streets.

A few major roadways within the City have on-street bike lanes or other bicycle facilities, but many do not. Accordingly, the TSP bicycle plan includes projects to fill in the gaps in the bicycle network along the City's arterial and collector streets.

TABLE 1 – STAYTON TSP PROJECT EXCERPTS

Project Number	Roadway	Segment/Cross-Street	Project	Priority	Cost Estimate
Pedestrian Plan Improvement Projects					
P37	Sixth Avenue	Washington Street to Jefferson Street (both sides)	Install a 6-foot sidewalk on the curb line	Tier III	$80K
P38	Jefferson Street	Sixth Avenue to Tenth Avenue (both sides)	Install a 6-foot sidewalk on the property line	Tier III	$370K
Bicycle Plan Improvement Projects					
B5	Washington Street	First Avenue to Sixth Avenue (both sides)	Restripe to a 6-foot bike lane	Tier I	$210k
B6	Sixth Avenue	Washington Street to Jefferson Street (both sides)	Restripe to a 6-foot bike lane	Tier I	$40K
Motor Vehicle Plan Improvement Projects					
M4		Sixth Avenue S-Curves	All-Way Stop control at E Jefferson Street	High	$630K

4. EXISTING CONDITIONS

Roadway Facilities

The following table summarizes existing roadway classifications and characteristics within the study area.

TABLE 2 – EXISTING ROADWAY CHARACTERISTICS

Roadway	Functional Classification	Lanes	Speed Limit (MPH)	Sidewalks	Bicycle Lanes	On-Street Parking
E Washington Street	Minor Arterial	2	25	North Side Only	No	Yes
E Jefferson Street	Residential Local	2	25	Yes	No	Yes
N 5th Avenue	Residential Local	2	25	East Side Only	No	Yes
N 6th Avenue	Minor Arterial	2	25	Yes	No	Yes

Safety Analysis

When evaluating intersection safety, consideration is given to the total number and types of crashes occurring, as well as the number of vehicles entering the intersection. This leads to the concept known as the "crash rate." Specific to intersections, it is typically expressed as the number of crashes per one million vehicles entering the intersection (CMEV). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90th percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 CMEV, or the 90th percentile, require further analysis.

Study area crash data were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2020, through December 31, 2024. The following table presents the study intersection crash rates and the results of the critical crash analysis. Crash data and crash rate calculations are attached for reference.

TABLE 3 – INTERSECTION CRASH RATES

Intersection	2020	2021	2022	2023	2024	Total	Crash Rate (CMEV)	Reference Population [1]	90th%ile Crash Rate	Over or under Crash Rate?
E Washington Street / N 5th Avenue	0	0	0	0	0	0	0	Urban 4ST	0.408	Under
E Washington Street / N 6th Avenue	0	0	0	0	0	0	0	Urban 4ST	0.408	Under
E Jefferson Street / N 5th Avenue	1	0	0	1	0	2	— [2]	Urban 4ST	0.408	Under [2]
E Jefferson Street / N 6th Avenue	0	0	0	0	0	0	0	Urban 4ST	0.408	Under

[1] 4ST is a four-leg minor stop-control intersection.

[2] The intersection entering volume is not known; however, it is estimated to be high enough that with only two recorded crashes in the past five years, the resulting crash rate is less than the 90th-percentile crash rate. Regardless, an additional crash evaluation is performed.

Except at the E Jefferson Street/N 5th Avenue intersection, which is evaluated further below, there are no recorded crashes at the study intersections, and observed crash rates are less than the 1.0 CMEV threshold and the 90th percentile crash rate of the reference population, indicating the intersections are considered relatively safe, and further safety analysis is not warranted.

The following table summarizes the crashes associated with the E Jefferson Street/N 5th Avenue intersection.

TABLE 4 – INTERSECTION CRASH TYPES AND SEVERITY							
Intersection	Crash Type						Total
	Rear End	Turn/ Angle	Fixed Object	Side swipe	Ped/ Bike	Other	
E Jefferson Street / N 5th Avenue	0	2	0	0	0	0	2
	Crash Severity [1]						Total
	PDO	C	B	A	Fatal	Unknown	
	1	0	0	1	0	0	2

[1] PDO – Property Damage Only; Injury C – Possible Injury/Complaint of Pain; Injury B – Non-Incapacitating Injury; Injury A – Incapacitating Injury/Bleeding, Broken Bones; Fatal Injury – Fatality

Based on a detailed review of the crash data, both crashes are "turn/angle", which are common at unsignalized intersections. Both crashes resulted from a motorist on a minor stop-controlled approach (N 5th Avenue) not yielding the right-of-way to a motorist on the major roadway (E Jefferson Street). In one crash, the driver was distracted.

There does not appear to be an easily correctable safety deficiency, nor does the number of crashes appear excessive. Therefore, crash-related mitigation is neither recommended nor necessary as part of this land use action.

5. DEVELOPMENT POTENTIAL

Development Assumptions

The Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential* (LD) to *Downtown Residential Mixed Use* (DRMU). The proposed land use actions do not contemplate a specific development application. Accordingly, this transportation analysis evaluates impacts from reasonable worst-case development scenarios in the current and proposed zones, as follows:

Current LD Zone Assumptions

- The purpose of the LD zone is to provide for single-family dwelling units, and their accessory uses, and, with conditional use approval, other uses compatible with single-family dwelling units. Density shall not exceed 6 units per acre.
- Considering the property size, reasonable worst-case development is assumed to be one single-family residence.

Proposed DRMU Zone Assumptions

- ▪ The purpose of the DRMU zone is to provide opportunities for residential, commercial, and mixed-use developments within the downtown area. This designation applies to property north, west, and east of the 3rd Avenue central core area, intended to become neighborhoods composed mainly of moderate-density residential uses, ranging from 12 to 30 units per acre, including attached residential structures, condominiums, and townhouses, while also allowing appropriate commercial uses and mixed-use developments.

- The maximum building footprint for any building occupied entirely by a commercial or non-residential use shall be 10,000 square feet.

- The minimum floor area ratio (FAR) for the construction of a new building is 0.20, and there is no maximum FAR.

- The minimum residential density is 12 dwelling units per acre, and there is no maximum density restriction.

- There is no minimum front-yard setback requirement for non-residential or mixed-use buildings, and residential buildings shall have a minimum 5-foot setback. There is no minimum side-yard setback requirement. There is no minimum rear-yard setback requirement for non-residential or mixed-use buildings, and residential buildings shall have a minimum 10-foot setback.

- The minimum building height shall be 2 stories or 20 feet, and the maximum building height shall be 4 stories, which in total shall not exceed 60 feet.

- As identified in Stayton Municipal Code Section 17.16.070.1, with site plan approval, the higher trip-generating permitted uses include: moderate-density residential uses; retail trade uses; finance and insurance uses; professional, scientific, and technical services uses; arts, entertainment, and recreation uses; and general office uses.

- Considering the property size, geographic location, and compatibility with the existing neighborhood uses, the higher trip-generating uses that are practical/reasonable include moderate-density residential uses and professional/medical office uses. As such, reasonable worst-case development is assumed to be either 10 attached single-family residences (at a density of 20 dwelling units per acre) or a 5,500 square-foot medical/dental office use (resulting in a 0.30 FAR).

Development Trip Generation

Using the above-identified development assumptions, trip generation in the current and proposed Stayton zones is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 12th Edition, and practices from the ITE *Trip Generation Handbook*, 3rd Edition. Trip generation is as follows:

TABLE 3 – DEVELOPMENT TRIP GENERATION – STATON ZONING

Reasonable Worst-Case Development Assumption	ITE Code	Size	Daily Trips [1]	PM Peak Hour [1]		
				Enter	Exit	Total
Current LD Zone						
Single-Family Detached Housing	210	1 DU	9	1	0	1
Proposed DRMU Zone						
Single-Family Attached Housing	215	10 DUs	69	3	2	5
— OR —						
Medical-Dental Office Building	720	5,500 SF	148	4	11	15
Change in Trip Generation with Proposed Zone Change			**139**	**3**	**11**	**14**

[1] Trip generation estimated using the *Average Rate* for Land Uses 210 and 215, and the *Fitted Curve* for Land Use 720 per recommended practice in the ITE *Trip Generation Handbook*, 3rd Edition.

As identified in the table above, the reasonable worst-case development in the proposed DRMU zone is a 5,500-square-foot medical-dental office building, which generates an additional 139 daily and 14 PM peak hour trips over the current LD zone.

6. TRANSPORTATION ANALYSIS

Transportation Planning Rule (TPR) Criteria

OAR 660-012-0060 (1) states, *"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."

OAR 660-012-0060 (9) states, *"Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.*

(a) The proposed zoning is consistent with the existing comprehensive plan map designation, and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP, and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule, but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area."

Stayton Municipal Code Section 17.26.050 – Transportation Impact Analysis Requirements

The Stayton Municipal does not specifically identify the transportation analysis thresholds for a Comprehensive Plan amendment and/or a zone change that does not include a specific development application; however, assuming that the requirements are the same as for a specific development application, they are as follows:

1. When a Transportation Impact Analysis is Required. A TIA shall be required when:

a. *The development generates 25 or more peak-hour trips or 250 or more daily trips.*

b. *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.*

c. *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.*

d. *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 at schools.*

2. *When a Transportation Assessment Letter is Required. If a TIA is not required, the applicant's traffic engineer shall submit a transportation assessment letter to the City indicating that the proposed land use action is exempt. This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet City of Stayton sight-distance requirements and roadway design standards.*

   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

Evaluation of Agency Criteria

Based on the materials contained in the *Development Potential* section, reasonable worst-case development in the proposed DRMU zone generates an additional 139 daily and 14 PM peak-hour trips over the current LD zone. Accordingly, the proposed land use actions do not meet the City's thresholds requiring a transportation impact analysis.

The proposed land use actions do not contemplate a specific development application. Accordingly, the applicant is not requesting an access spacing exception.

Based on materials contained in the Stayton TSP, any potential property redevelopment is not 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.

Based on the materials contained in the *Safety Analysis* section, any potential property redevelopment is not expected to significantly impact adjacent roadways and intersections previously identified as high-crash locations or areas with a high concentration of pedestrians or bicyclists.

Overall, the proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis. Noting that the proposed land use actions do not include a specific development application, additional transportation analysis may be necessary to address Stayton Municipal Code requirements at the time of development (as part of a future, specific development land use application).

7. SUMMARY

The following conclusions and recommendations are made based on the materials contained in this analysis:

1. The subject property is located at 579 E Washington Street, Stayton, Oregon. It is identified as tax lot 3200 on Marion County Assessor's map 09-1W-10DB and is approximately 0.42 acres. The property has frontage on and access to E Jefferson Street to the north, E Washington Street to the south, and N 5th Avenue to the west. The property is currently developed with a church.

2. Proposed land use actions include a Stayton Comprehensive Plan map amendment changing the Plan designation from *Residential* to *Downtown*, and a corresponding zone change from *Low Density Residential* (LD) to *Downtown Residential Mixed Use* (DRMU).

3. A specific development plan is not part of this land use action. Additionally, the existing church use is considered a nonconforming use in the LD zone. Rezoning the property to DRMU will allow the church to become a conforming use.

4. The Stayton Transportation System Plan (TSP) does not identify any transportation system capacity deficiencies in the project area; however, it includes several transportation infrastructure projects that are assumed to be constructed within the 2040 planning period.

5. Except at the E Jefferson Street/N 5th Avenue intersection, there are no recorded crashes at the study intersections, and observed crash rates are less than the 1.0 CMEV threshold and the 90th percentile crash rate of the reference population, indicating the intersections are considered relatively safe, and further safety analysis is not warranted.

6. At the E Jefferson Street/N 5th Avenue intersection, there are two "turn/angle" crashes, which are common at unsignalized intersections. There does not appear to be an easily correctable safety deficiency, nor does the number of crashes appear excessive. Therefore, crash-related mitigation is neither recommended nor necessary as part of this land use action.

7. Reasonable worst-case development in the proposed DRMU zone is a 5,500-square-foot medical-dental office building, which generates an additional 139 daily and 14 PM peak hour trips over the current LD zone.

8. The proposed land use actions do not meet the City of Stayton's thresholds requiring a transportation impact analysis; the applicant is not requesting an access spacing exception; any potential property redevelopment is not 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 nor is it expected to significantly impact adjacent roadways and intersections previously identified as high-crash locations or areas with a high concentration of pedestrians or bicyclists.

9. Overall, the proposed zone change will not significantly affect an existing or planned transportation facility, and TPR and Stayton Municipal Code criteria are satisfied without additional analysis. Noting that the proposed land use actions do not include a specific development application, additional transportation analysis may be necessary to address Stayton Municipal Code requirements at the time of development (as part of a future, specific development land use application).

Sincerely,

Christopher M. Clemow, PE, PTOE
Transportation Engineer

Attachments: Crash Data



RENEWS 31 DECEMBER 2027

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANAYLYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

CITY OF STAYTON, MARION COUNTY

WASHINGTON ST at 5TH AVE, City of Stayton, Marion County, ALL Crashes Severity, ALL Crashes Circumstance, 01/01/2020 to 12/31/2024

SER# / INVEST / RD DPT / UNLOC?	S P E D	A L C	D R U G S	M J I N V	S C H L	W O R K	DATE / DAY / TIME / LAT	CLASS / DIST / FROM / LONG	CITY STREET / FIRST STREET / SECOND STREET / LRS	RD CHAR / DIRECT / LOCTN	INT-TYPE (MEDIAN) / LEGS (#LANES)	INT-REL / TRAF- / CONTL	OFFRD / RNDBT / DRVWY	WTHR / SURF / LIGHT	CRASH / COLL / SVRTY	SPCL USE / TRLR QTY / OWNER / V#	MOVE / FROM / TO	P#	PRTC TYPE	INJ SVRTY	A G E	S E X	LICNS RES	PED LOC	ERROR	ACT	EVENT	CAUSE

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CITY OF STAYTON, MARION COUNTY

WASHINGTON ST at 6TH AVE, City of Stayton, Marion County, ALL Crashes Severity, ALL Crashes Circumstance, 01/01/2020 to 12/31/2024

SER# / INVEST / RD DPT / UNLOC?	S P E D	D R U G D	M J I N V	S C H L	W O R K	DATE / DAY / TIME / LAT	CLASS / DIST / FROM / LONG	CITY STREET / FIRST STREET / SECOND STREET / LRS	RD CHAR / DIRECT / LOCTN	INT-TYPE (MEDIAN) / LEGS (#LANES)	INT-REL / TRAF- / CONTL	OFFRD / RNDBT / DRVWY	WTHR / SURF / LIGHT	CRASH / COLL / SVRTY	SPCL USE / TRLR QTY / OWNER / V#	MOVE / FROM / TO	P#	PRTC TYPE	INJ SVRTY	A G E	S E X	LICNS RES	PED LOC	ERROR	ACT	EVENT	CAUSE

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANAYLYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

CITY OF STAYTON, MARION COUNTY

JEFFERSON ST at 5TH AVE, City of Stayton, Marion County, ALL Crashes Severity, ALL Crashes Circumstance, 01/01/2020 to 12/31/2024

1 - 2 of 2 Crash records shown.

SER# / INVEST / RD DPT / UNLOC?	S P E D	A L C	D M R U G N	J	S I H V	C	W O R K	DATE / DAY / TIME / LAT	CLASS / DIST / FROM / LONG	CITY STREET / FIRST STREET / SECOND STREET / LRS	RD CHAR / DIRECT / LOCTN	INT-TYPE (MEDIAN) / LEGS (#LANES)	INT-REL / TRAF- / CONTL	OFFRD / RNDBT / DRVWY	WTHR / SURF / LIGHT	CRASH / COLL / SVRTY	V#	SPCL USE / TRLR QTY / OWNER / TYPE	MOVE / FROM / TO	P#	PRTC / TYPE	INJ / SVRTY	A G E	S E X	LICNS / RES	PED LOC	ERROR	ACT	EVENT	CAUSE
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CITY OF STAYTON, MARION COUNTY

JEFFERSON ST at 6TH AVE, City of Stayton, Marion County, ALL Crashes Severity, ALL Crashes Circumstance, 01/01/2020 to 12/31/2024

SER# / INVEST / RD DPT / UNLOC?	S P E D	A L C	D R U G S	U I N V	J S H L	S C O R K	W O R	DATE / DAY / TIME / LAT	CLASS / DIST / FROM / LONG	CITY STREET / FIRST STREET / SECOND STREET / LRS	RD CHAR / DIRECT / LOCTN	INT-TYPE (MEDIAN) / LEGS (#LANES)	INT-REL / TRAF- / CONTL	OFFRD / RNDBT / DRVWY	WTHR / SURF / LIGHT	CRASH / COLL / SVRTY	SPCL USE / TRLR QTY / OWNER / V#	MOVE / FROM / TO	TYPE	P#	PRTC / INJ / SVRTY	A G E	S E X	LICNS / RES	PED / LOC	ERROR	ACT	EVENT	CAUSE
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From: Michael Schmidt
To: Jennifer Siciliano
Cc: Barry Buchanan
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Monday, May 18, 2026 3:03:21 PM
Attachments: image001.png

Jennifer,

Given that the project is only for the change of the Comp Plan with a Zone Change, what you identified would be the available public utility services. Any future improvements will require review and may require public right-of-way improvements.

Michael Schmidt
Public Works

311 N. 3rd Ave
Stayton, OR 97383
Phone (503)-769-2919

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Monday, May 18, 2026 2:57 PM
To: Michael Schmidt <mschmidt@staytonoregon.gov>
Cc: Barry Buchanan <bbuchanan@staytonoregon.gov>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Michael,

I need these comments by the end of the day if there are any. Public Works may not have any comments since this is a Comp Plan/ Zone Change.

I wrote in the staff report:

"The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property."

- Jennifer

From: Jennifer Siciliano
Sent: Thursday, May 14, 2026 12:17 PM
To: Michael Schmidt <mschmidt@staytonoregon.gov>
Cc: Barry Buchanan <bbuchanan@staytonoregon.gov>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Michael,

Since Lyle is not giving me comments for this application, I still some from Public Works to answer criteria Section 17.12.170.6.6) . Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

From: Caleb Cox
To: Jennifer Siciliano; Max Heller
Cc: Susan Wright
Subject: Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Friday, May 15, 2026 2:04:40 PM

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Hi Jennifer, thanks for forwarding Dan's comments. We used to work with him before he retired from the City. Is he back providing support these days?

We do have a different opinion on this application, which we've summarized below. There's a lot to this, so please let me know if you'd like to set up a call to discuss further, and maybe Dan would like to participate too.

1. The application form notes a comprehensive plan designation change from "LD" to "DRMU", these are Zoning codes, not comp plan designations. I suspect the applicant meant to say that they want a change from the "Residential" designation to the "Downtown" designation, then, a corresponding zone change from LD to DRMU.
2. Per 17.12.170.5.d.2, a comp plan amendment requires a traffic impact analysis with traffic calculations associated with the full range of development potential (min. to max.) under the current vs. proposed land use designations. The applicant's traffic memo notes a TIA isn't required because their proposed "max." development doesn't exceed the 25 peak hour trip threshold. However, this is not the correct way to look at it. In this case, the proposed comp plan amendment is the trigger for the TIA, not the peak hour trip threshold. (However, this difference in interpretation becomes irrelevant based on bullet number 3 below)
3. The applicant's TPR analysis memo says: *"Considering the property size, geographic location, and compatibility with the existing neighborhood uses, the higher trip-generating uses that are practical/reasonable include moderate-density residential uses and professional/medical office uses."*
    a. We don't agree with this statement. Reviewing the City's zoning code, The DRMU zone allows other retail uses such as food and beverage stores which could include coffee shops, restaurants, convenience stores, drive thrus, etc.. All of these have much higher trip generation potential and would be reasonable developments that fit within the context of the area. For example, there is already an existing 7/11 convenience store one block away. Here's a few potential land uses for reference, but this is not an exhaustive list, and there may be others with an even higher trip generating potential.

ITE Land Use	ITE Code	AM Peak Hour Trip Gen (per 1000 sq. ft.)
Convenience Store	851	63.76
Fast Food Restaurant w/o Drive Thru	933	39.55
Coffee Shop w/o Drive-Thru	936	91.02

All of this to say, Our recommendation is to have the applicant prepare a full traffic study that evaluates a more realistic full range of development potential under the proposed DRMU zone. Additionally, the TPR analysis will need to be updated to reflect the higher end of development potential under the "Downtown" comp plan designation. Guidance for scoping this TIA can be found in the City's code, however, we would recommend the applicant's traffic engineer reach out to us to confirm the scope before beginning.

Thanks,

Caleb Cox, PE
Senior Engineer

Kittelson & Associates, Inc.
Transportation Engineering & Planning
503.228.5230
503.535.7453 (direct)

From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Thursday, May 14, 2026 10:27 AM
To: Max Heller <mheller@kittelson.com>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

[External Sender]
Hello Max,

I was working with Dan Fleishmen on this application and he sent me a draft recommendation for approval for the upcoming planning commission meeting. He drafted the following language:

"The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip.. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system. The analysis was reviewed by the City's transportation planning consultant who agreed with the methodology and conclusions."

How does this fit with your comments?

Thank you,

Jennifer

From: Jennifer Siciliano
Sent: Tuesday, May 12, 2026 4:27 PM
To: 'Max Heller' <mheller@kittelson.com>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: RE: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

Hello Max,

Sorry it took awhile to get back to you. Please see attached document.

Sincerely,

Jennifer

From: Max Heller <mheller@kittelson.com>
Sent: Tuesday, May 5, 2026 6:02 PM
To: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Cc: Caleb Cox <ccox@kittelson.com>; Susan Wright <swright@kittelson.com>
Subject: Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

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From:	John Eckis
To:	Jennifer Siciliano
Cc:	Adam Kohler; Astound Construction Team; Barry Buchanan; breich@co.marion.or.us; Brent Stevenson; brian.kelley@nwnatural.com; Caleb Cox; Christopher Clark; dfreitag@santiamhospital.org; Doug Kintz; Erik Hoefer; Gwen Johns; Janelle Shanahan; Jay Alley; John Rasmussen; Kendall Smith; kinman@co.marion.or.us; Lee Loving; Lyle Misbach; Max Heller; Max Hepburn; MCPW Engineering; Michael Schmidt; Nicole Willis; oregonconstruction@wavebroadband.com; planning@co.marion.or.us; Richard Walker (richardw@aks-eng.com); Salem Development Services; Susan Wright; Troy Wheeler; Wayne.clevenger@pacificorp.com; Susan Bender; Dan Fleishman
Subject:	Re: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date:	Wednesday, April 22, 2026 11:56:11 AM
Attachments:	Request for Comments Departments (5) (1).pdf

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SCTC has no issue with this.

Thank You

John Eckis
SCTC Engineer
502 North Second Ave.
P.O. Box 477 Stayton Or 97383
Cell 503-932-3794
Office 503-769-3754

On Wed, Apr 22, 2026 at 11:27 AM Jennifer Siciliano <jsiciliano@staytonoregon.gov> wrote:

> The City of Stayton has received an application for a Comprehensive Plan Map amendment from Residential to Downtown and an application to change the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU) for 579 E Washington Street.
>
> The application and narrative materials are included and our usual request for comments form. **Please submit comments by May 6, 2026**.
>
> Sincerely,
>
> **Jennifer Siciliano, AICP**
>
> Community and Economic Development Director
>
> *311 N. 3rd Ave*
>
> *Stayton, OR 97383*
>
> *Phone 503-769-2998*

Like us on Social Media for News, Promotions, and other information!!

From: Danny Freitag
To: Jennifer Siciliano
Subject: Re: [External]FW: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26
Date: Wednesday, April 22, 2026 11:47:01 AM
Attachments: Outlook-ScreenShot.png

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Good morning,

No comment or concern.

Thank you,

Danny Freitag, BAS, Paramedic
Ambulance Director
Santiam Hospital & Clinics
Cell: (503) 798-1335 | dfreitag@santiamhospital.org
https://santiamhospital.org



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From: Jennifer Siciliano <jsiciliano@staytonoregon.gov>
Sent: Wednesday, April 22, 2026 11:39 AM
To: Bryce.Junker@astound.com <Bryce.Junker@astound.com>; dbfleishman@outlook.com <dbfleishman@outlook.com>; donald.rayburn@astound.com <donald.rayburn@astound.com>; Jerry.Benson@Astound.com <Jerry.Benson@Astound.com>; Alicia.Flores@Astound.com <Alicia.Flores@Astound.com>; Jackson.Federico@astound.com <Jackson.Federico@astound.com>; Derek.Anderson@Astound.com <Derek.Anderson@Astound.com>; Brent.Tomlinson@Astound.com <Brent.Tomlinson@Astound.com>; Javier.Reyna@astound.com <Javier.Reyna@astound.com>; misbachl@aks-eng.com <misbachl@aks-eng.com>; richardw@aks-eng.com <richardw@aks-eng.com>; Danny Freitag <dfreitag@santiamhospital.org>
Subject: [External]FW: Request for Comments on Comp Plan and Zoning Map Amendment - 579 E Washington St - LU # 7-04/26

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The City of Stayton has received an application for a Comprehensive Plan Map amendment from Residential to Downtown and an application to change the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU) for 579 E Washington Street.

The application and narrative materials are included and our usual request for comments form. **Please submit comments by May 6, 2026**.

Sincerely,

Jennifer Siciliano, AICP
Community and Economic Development Director

311 N. 3rd Ave

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members

FROM: Jennifer Siciliano, Director of Community and Economic Development

DATE: May 26, 2026

SUBJECT: Phillips Estates III Detailed Development Plan Approval for a 22-lot Master Planned Development subdivision with open space dedication

120 DAYS ENDS: August 1, 2026.

ISSUE

The issue before the Planning Commission is a public hearing on an application for Detailed Development Plan approval for a Master Planned Development subdivision at 1601 Oriole Street (Tax Lot 091W04DB03300). The proposal would subdivide the approximately 7.11-acre property into 22 single-family residential lots and dedicate approximately 2.49 acres of open space to the City.



BACKGROUND

The subject property is approximately 7.11 acres in size and is located at 1601 Oriole Street. The property is zoned Low Density Residential (LD) and is currently vacant of buildings, except for an existing stormwater facility and associated drainage improvements.

The properties to the east and south are zoned Low Density Residential (LD) and are developed with single-family dwellings. The properties to the north and west are outside the city limits and zoned Marion County Urban Transition.

The Planning Commission previously approved the Conceptual Master Planned Development Plan on September 26, 2025. The applicant, JCNW Family, LLC / Bill Martinak, has now submitted a Detailed Development Plan application pursuant to SMC 17.24.090.6-8. The proposal includes 22 single-family residential lots ranging from approximately 6,000 square feet to 8,000 square feet in size, public street improvements, utility extensions, pedestrian facilities, and approximately 2.49 acres of open space proposed for dedication to the City.

Notice of the application was provided to City departments and outside agencies, including utility providers, emergency service providers, Marion County, Santiam Hospital, and the Stayton Fire District. Comments were received from Stayton Cooperative Telephone Company indicating no objection to the proposal. Comments were also received from the City of Stayton Public Works Department through the City Engineer. No written public comments were received prior to the public hearing..

ANALYSIS

The application was reviewed for compliance with the Detailed Development Plan approval criteria contained in SMC 17.24.090.8, the subdivision design standards contained in SMC 17.24.050, the Master Planned Development design standards contained in SMC 17.24.100. Staff's analysis is contained within the attached Draft Order.

The proposed subdivision will connect to and extend existing public sanitary sewer and water infrastructure. Existing 8-inch sanitary sewer mains are located within Oriole Street, Quail Run Avenue, and Pheasant Avenue adjacent to the property. Existing 8-inch and 10-inch City water mains are also located adjacent to the site. Public Works recommended conditions requiring final engineered utility construction plans and Development Agreements prior to construction.

The proposed Master Planned Development includes approximately 2.49 acres of open space, representing approximately 35 percent of the total site area, which exceeds the minimum 25 percent open space requirement. The open space is proposed for dedication to the City and includes pedestrian pathways and recreational amenities. Section 17.24.100.2.d.8) requires that a minimum of 10 percent of the open space include amenities. While the plans identify amenities such as walking paths, benches, and picnic tables, the application materials do not quantify the total amenity area. Staff recommends a condition of approval requiring revised plans demonstrating compliance with the amenity requirement.

The proposed density complies with the Low Density Residential (LD) zone. After subtracting the proposed open space acreage, approximately 4.62 acres remain for residential development. The proposed 22 single-family dwelling lots result in a density of approximately 4.8 dwelling units per acre, which is below the maximum permitted density of 6 dwelling units per acre.

City of Stayton

RECOMMENDATION

Staff approval of the application for Detailed Development Plan approval for Phillips Estates III Master Planned Development and adoption of the attached Draft Order.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Community and Economic Development Department recommends the first option to approve the application as drafted.

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

I move the Stayton Planning Commission approve the application for Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) 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 Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) and adopt the draft order with the following changes...

3. **Continue the hearing** until June 29, 2026.

I move the Stayton Planning Commission continue the public hearing on the application for Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) until June 29, 2026.

4. **Deny of the application, directing staff to modify the draft order.**

I move the Stayton Planning Commission deny of the application for Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) 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 June 29, 2026, meeting.

5. **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 Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) but maintain the record open to submissions by the applicant until June 2, 2026, 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 June 29, 2026.

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 Detailed Master Planned Development for 1601 Oriole Street submitted by JCNW Family, LLC / Bill Martinak (Land Use File #11-07/24) until June 29, 2026.

BEFORE THE STAYTON PLANNING COMMISSION

In the matter of	) Detailed Development Plan for
The application of	) Master Planned Development
JCNW Family, LLC/ Bill Martinak, Applicant	) Phillips Estate III
	) Land Use File # 11-07/24

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

The applicant is requesting detailed development plan approval to subdivide a 7.11-acre parcel into a 22-lots with open space area subdivision to be called Phillips Estates III. Under the provisions of Section Stayton Municipal Code Section 17.24.090, the Planning Commission approved the conceptual plan in September 26, 2025. This application has been submitted as outlined in subsection 17.24.090.6-8.

II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on May 26, 2026. At the public hearing, the Planning Commission reviewed Land Use File #11-07/24, an application for detailed development plan approval, and it was made part of the record.

Following the public hearing, the Planning Commission began deliberations on the application.

III. FINDINGS OF FACT

A. GENERAL FACTS

1. The owner of the property is JCNM Family, LLC/ Bill Martinak.
2. The applicant is the owner.
3. The property can be described as taxlot 091W04DB03300.
4. The property is zoned Low Density Residential (LD).
5. The property is located at 1601 Oriole Street.
6. The properties to the east and south are zoned Low Density (LD) Residential and are developed with single-family dwellings. The properties to the north and west are outside the city limits, zoned Marion County Urban Transition.
7. The conceptual plan was approved by the Planning Commission on September 26, 2025.

B. EXISTING CONDITIONS

The subject property is located at 1601 Oriole Street and consists of approximately 7.11 acres. The property is currently vacant of buildings and contains a stormwater facility.

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C. PROPOSED DETAILED DEVELOPMENT PLAN

applicant proposes to develop the subject property into a 22-lot Master Planned Development, with lot sizes ranging from approximately 6,000 square feet to 8,000 square feet. The proposal also includes the dedication of approximately 2.49 acres of open space to the City.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Wave Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Stayton Fire District, Marion County Public Works, Santiam Water Control District, North Santiam School District, Santiam Hospital, and Stayton Police Department. The following comments were received:

Stayton Cooperative Telephone Company commented that they are not affected by the development.

City of Stayton Public Works, through the City Engineer, submitted a memorandum. Their comments are incorporated into the findings below.

E. PUBLIC COMMENTS

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

F. ANALYSIS – MASTER PLANNED DEVELOPMENT

The application for detailed development plan approval for a master plan development is required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.24.090.8. Section 17.24.100 contains design standards which must be met by master planned developments.

G. APPROVAL CRITERIA

Pursuant to the Stayton Municipal Code, the following criteria must be demonstrated as being satisfied by the application:

Section 17.24.050 DESIGN STANDARDS FOR SUBDIVISION PRELIMINARY PLANS

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 width as

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indicated on the official map of streets known as the Future Street Plan 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.*

Finding: The transportation elements shown in the submitted plan set are consistent with these requirements. Oriole Street and Quail Run Avenue are designated as Local streets in the Transportation System Plan (TSP), which require a 34-foot-wide street improvement with curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way. Oriole Street currently exists as a 34-foot-wide street improvement without sidewalks within a 60-foot-wide right-of-way and terminates at the east property line of the subject property. Quail Run Avenue currently exists as a 40-foot-wide full street improvement within a 60-foot-wide right-of-way and terminates at the south property line of the subject property. Junco Street is designated as a Neighborhood Collector street in the TSP, requiring a 34- to 36-foot-wide street improvement with curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way. Junco Street currently exists as an 18-foot-wide half-street improvement with curbs and sidewalks along the south side within a 30-foot-wide right-of-way and terminates at the east property line of the subject property. The proposed development extends and improves the surrounding street network consistent with the Transportation System Plan and Public Works Design Standards.

Condition to Remain Consistent: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required transportation infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application and with the PWDS, SMC 17.24.050, and SMC 17.26.020. The proposed streets shall be constructed in accordance with current PWDS. No variance to the street standards is requested or granted with this Master Planned Development.

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Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing the public street infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

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.*

   Finding: The rights-of-way shown in the submitted plan set are consistent with these requirements.

   Condition to Remain Consistent: Prior to City approval of the Final Plat for the proposed Development, the Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that the rights-of-way dedicated are in accordance with PWDS requirements and substantially conform to the layout in the Detailed Master Planned Development Application. The Final Plat shall also demonstrate that all existing and proposed easements are documented in conformance with the layout in the Detailed Master Planned Development Application, PWDS, and SMC.

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.*

   Finding: The proposed Junco Street right-of-way shown in the submitted plan set is consistent with these requirements.

   Condition to Remain Consistent: Prior to City approval of the Final Plat for the proposed Development, the Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that the streets are dedicated or platted to the boundary of the proposed Development in accordance with PWDS requirements and substantially conform to the layout in the Detailed Master Planned Development Application.

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.*

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Finding: The proposed Junco Street right-of-way is an extension of a previous partial street. Public Works does not recommend the implementation of a Reserve Block along this portion of the Development.

5. STREET WIDTHS.

a. The location, width, and grade of all streets must conform to any approved transportation master plan or recorded subdivision plat. 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 Standard Specifications for Public Works Construction, Section 300 - Street Design Standards, 2.07, except a boundary street may be half such width where it is apparent that the other half will be dedicated from adjacent properties.

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.

Finding: The transportation elements shown in the submitted plan set are consistent with these requirements.

Condition to Remain Consistent: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required transportation infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application and with the PWDS, SMC 17.24.050, and SMC 17.26.020. The proposed streets shall be constructed in

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accordance with current PWDS. No variance to the street standards is requested or granted with this Master Planned Development.

Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public street infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

Prior to City approval of the Final Plat for the proposed Development, the Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that the rights-of-way dedicated are in accordance with PWDS requirements and substantially conform to the layout in the Detailed Master Planned Development Application.

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.*

   Finding: The proposed subdivision block layout is consistent with these requirements. Quail Run Avenue and Oriole Street are continuations of street improvements from previously approved subdivisions and provide connectivity to the surrounding neighborhood. The proposed extension of Goldfinch Avenue creates a subdivision block of approximately 370 feet in length, which complies with the minimum 100-foot and maximum 600-foot block length standards established in Section 17.26.020.5.c.

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 at least 6 feet in width, which shall be hard surfaced 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.*

   Finding: The applicant has not proposed a mid-block walks.

8. *LOT SIZE, LOT LINES.*
   a. *Lot sizes shall be as specified in the zoning district in which the land division is being proposed.*

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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 ½ 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.

Finding: Section 17.24.100.1.a allows the minimum lot area, lot width, frontage, setbacks, and height requirements to be modified within a Master Planned Development. The proposed lots are generally rectangular in shape, with lot lines substantially perpendicular to the adjoining streets and rear lot lines generally similar in width to the front lot lines. The proposed development complies with the overall density requirements of the Low Density Residential (LD) zone, which permits a maximum density of 6 dwelling units per acre. Approximately 2.49 acres of the 7.11-acre site are proposed as open space and will remain undeveloped. Based on the remaining developable acreage and the proposed 22 single-family dwelling lots, the resulting residential density is approximately 4.76 dwelling units per acre.

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.*

Finding: The proposed monument configuration in the submitted preliminary plat is consistent with these requirements.

Condition to Remain Consistent: Prior to City approval of the Final Plat for the proposed Development, the Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision is accurately referenced to at least two monuments.

10. *SEWAGE DISPOSAL.*

a. All extensions of the existing City sewage facilities shall be in accordance with the adopted 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

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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.

Finding: The sanitary sewer infrastructure elements shown in the submitted plan set are consistent with these requirements. An existing 8-inch PVC City sanitary sewer main is located within Oriole Street east of the subject property and terminates at a structure approximately 20 feet west of the east property line. An additional 8-inch PVC City sanitary sewer main is located within Quail Run Avenue south of the subject property and terminates at a mainline cleanout approximately 66 feet south of the south property line. Another 8-inch PVC City sanitary sewer main is located within Pheasant Avenue east of the subject property, running north to south and terminating at a manhole approximately 130 feet east and 90 feet south of the east property line. The proposed development will connect to and extend the existing public sanitary sewer system consistent with the Public Works Design Standards and Wastewater Master Plan.

Condition to Remain Consistent: Condition to Remain Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required sanitary sewer infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

The Applicant's engineer shall verify that the proposed sanitary sewer main extended within Oriole Street is at a sufficient depth to be able to serve proposed Lots 9 and 10 of the planned Development.

Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public sanitary sewer infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

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

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developer shall pay to the City a fee, earmarked for recreational use and development.

Finding: The requirements of this section are superseded by Section 17.24.100.2.d. See the findings for Section 17.24.100.2.d below.

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 Board of Health or the county health officer.

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 will pay the additional costs of such larger lines based on the current rate schedule adopted by the City.

Finding: The water system infrastructure elements shown in the submitted plan set are consistent with these requirements. No "oversize" water mains are required, and no reimbursement will be due to the Applicant. An existing 8-inch ductile iron City water main is located along the south side of Oriole Street east of the subject property and extends west through the subject property, where it interties with an existing 8-inch ductile iron City water main located along the west side of Quail Run Avenue south of the subject property. An additional 10-inch ductile iron City water main is located near the center of the Junco Street improvements east of the subject property and terminates approximately 45 feet east of the east property line. The proposed development will connect to and extend the existing public water system consistent with the Public Works Design Standards.

Condition to Remain Consistent: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required water system infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

The Applicant's engineer shall provide engineered calculations per PWDS and Fire Marshal requirements to prove the adequacy of the new water system to provide domestic service and fire flows to each lot within the proposed Development.

Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public water system infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

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

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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.

b. The subdivider shall provide underground electricity and telephone service and wiring for future street lighting. The subdivider shall also provide such present street lighting, gas lines, and cable television or other data transmission lines as are available within 500 feet of the proposed subdivision.

Finding: The franchise utility infrastructure elements shown in the submitted plan set are consistent with these requirements.

Condition to Remain Consistent: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public street infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

Section 17.24.090.8 DETAILED DEVELOPMENT PLAN APPROVAL CRITERIA

The decision authority shall approve the detailed development plan upon finding that the detailed development plan conforms to the concept plan and the conditions of its approval. Minor changes to the approved concept plan may be approved with the detailed plan when the approval body finds that the modification(s) are consistent with the criteria below.

a. The detailed development plan shall meet all applicable approval criteria of Sections 17.12.220, 17.24.050, 17.24.100, and Chapter 17.26.

Finding: See the findings for Section 17.24.050 above and 17.24.100 below.

b. If a phased development, each phase shall be:

1) Substantially and functionally self-contained and self-sustaining with regard to access, parking, utilities, open spaces, and similar physical features; capable of substantial occupancy, operation, and maintenance upon completion of construction and development.

2) Arranged to avoid conflicts between higher and lower density development.

3) Properly related to other services of the community as a whole and to those facilities and services yet to be provided.

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4) *Provided with such temporary or permanent transitional features, buffers, or protective areas as may be required to prevent damage or detriment to any completed phases and to adjoining properties not in the Master Planned Development.*

Finding: The applicant has not proposed to phase development of the subdivision.

Section 17.24.100 MASTER PLANNED DEVELOPMENT DESIGN STANDARDS

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

   a. *Design Consistency: All structures, commercial, multi-family dwellings, single family dwellings, open space facilities shall have consistency in design through the use of similar design features such as but not limited to architectural details, lighting fixtures, and exterior finishes.*

      1) *This criterion does not require the development to conform to one specific architectural "style" such as Arts & Crafts, or Colonial, but it shall require continuity of design for all structures in the development.*

      2) *The design chosen by the developer shall be specified in the approval documents and the Codes, Covenants & Restrictions (CCRs) of the development and/or a specific set of standards approved as part of the detailed master plan. The design standards shall be enforced by the City throughout the development and permitting process and shall be enforceable by any homeowners owners association and individual lot owners through the CCRs.*

   b. *Design for Detached Single Family Dwellings. The detailed design plan for any portion of the master planned development that includes detached single family dwellings shall meet the following standards:*

      1) A minimum of fifteen percent of each lot shall be landscaped.

      2) Recreational vehicle storage in the front yard shall be prohibited.

      3) Graveled/paved parking areas in the front yard outside of the driveway shall be prohibited.

      4) At least four of the following design features shall be included on the sides of a building facing a street, public right of way or open space.

         a) Dormers or gables

         b) Cupolas

         c) Bay or bow windows

         d) Exterior shutters

         e) Recessed entries

         f) Covered porch entries or porticos

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g) *Front porch of at least 100 square feet*

h) *Covered or uncovered balconies*

i) *Pillars or posts*

j) *Eaves with a minimum 18 inch projection*

k) *Exterior brick work or masonry on a minimum of 15% of the façade, not including the area of doors and windows.*

5) *All buildings sides facing a street, public right of way or open space shall have a minimum of 15% in windows or doors with glazing.*

6) *A break in wall plane of at least 16 inches every 30 feet.*

7) *Offsets or breaks in roof elevation of at least 2 feet every 30 feet.*

Finding: The detailed development plan included a draft set of protective covenants, conditions and restrictions with an architecture review committee and architectural design standards that require the same design standard for single family dwellings. .

c. *Fences.*

1) *There shall be no fences in the front yard of residential structures*

2) *If a lot adjoins an open space, trail or water way, any fence not located in the front yard or between two structures must be 50% open and no more than 4 feet in height. Alternately, a solid fence of not more than 6 feet in height may be allowed in rear yards for privacy if an additional 10 feet of public open space is added between any trails, waterways or common open space and the fence and that area is landscaped to buffer and conceal the fence.*

Finding: The submitted plan set do not identify any of the fencing on the proposed lots or along the proposed Open Space.

Condition: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit construction drawings showing the proposed fencing layout and configuration for Proposed Lots 1 through 9, along the Open Space frontage along the extension of Oriole Street, and the end of proposed Junco Street where it abuts the Open Space, to ensure that these requirements are met.

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

1) *If the development is adjacent to the shorelines of the North Santiam River, Mill Creek, the Stayton Ditch, or the Salem Ditch a useable portion of the shoreline and reasonable public access to it shall be part of the open space and the open space requirement shall be reduced to 20%.*

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2) *The decision authority may waive or reduce the requirement for open space when the master planned development is adjacent to and provides access to a public park or other off-site open spaces.*

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

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

   a) *At the sole discretion of the City Council, open space may be dedicated to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City Planner and Public Works Director with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities.*

   b) *By conveying title to a nonprofit corporation, lot-owners association or other legal entity, with a conservation easement deeded to the City. The terms of such lease or other instrument of conveyance must include provisions for maintenance suitable to the decision authority, with advice from the City Planner, Public Works Director, and City Attorney.*

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

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

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

   a) *Any pedestrian paths shall be public.*

   b) *Paths with hard surface shall be a minimum of 10 feet in width centered within a 20-foot wide right of way or easement.*

   c) *Paths with soft surface shall be a minimum of 6 feet in width generally centered within a 16-foot wide right of way or easement.*

   d) *Paths shall have a minimum average illumination level of 1.0 foot candles.*

      i. *If the path is a sidewalk or adjacent to an open space with lighting such as a park or playground, this standard may be met if the surrounding lighting can meet the standard.*

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ii. *If there is no surrounding lighting, the path shall be provided with continuous pedestrian scale lighting that meets this standard.*

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

Finding: The proposed Master Planned Development includes approximately 2.49 acres of open space within the 7.11-acre development site, representing approximately 35 percent of the total site area. The subject property is not adjacent to the shorelines of the North Santiam River, Mill Creek, the Stayton Ditch, or the Salem Ditch; therefore, the reduced open space standard does not apply. The open space area is identified on the detailed development plan and is proposed to be dedicated to the City as publicly owned and maintained open space.

The proposed open space includes amenities such as a pedestrian walking path, benches, and picnic tables. Pursuant to Section 17.24.100.2.d.8, a minimum of 10 percent of the open space area, or approximately 0.25 acres, is required to contain amenities. While the plans identify the location of the proposed amenities, the application materials do not specify the total square footage or acreage devoted to the amenity areas. A condition of approval is recommended requiring the applicant to demonstrate that the minimum amenity area requirement is satisfied prior to final plan approval.

Condition: Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant's engineer shall submit construction drawings showing the proposed percent of open space amenities area, to ensure that these requirements are met.

e. *Streets.*

The detailed development plan may provide for streets that are narrower than those typically required in a subdivision.

1) *Street right of way width may be reduced to 50 feet if:*

a) *All lots and buildings that front on that portion of the street are accessed by alleys, with no driveway entrances onto that portion of the street which is reduced in width.*

b) *On-street parking is restricted to only one side of the street.*

c) *The street layout pattern preserves connectivity and intersection design that meets the standards of Title 12 and intent of the Transportation Master Plan.*

e) *If there are one-way loops provided to serve residential developments.*

2) *If there are long blocks in the design, additional pedestrian connectivity will be required*

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

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Finding: The street rights of way are proposed to be standard widths for conventional subdivision.

f. Parking.

Common parking areas shall meet the landscaping standards of Section 17.20.060. The total number of required parking spaces may be reduced by up to 15% if:

1) The parking area has pedestrian facilities that are connected to city's pedestrian trail system.

2) The required number of bicycle parking spaces is increased by 25% and provided with a covered parking area.

3) Additional parking spaces can be provided in parking areas within 500 feet with pedestrian connectivity or on-street parking is available.

4) The area meets the joint use standards of Section 17.20.060.6.

Finding: No common parking areas are proposed.

g. Density.

1) When calculating the density for a Master Planned Development, the density may be averaged across the development to meet the density criteria, allowing a clustering of development and preservation of open space. If a development is located in more than one zone, the maximum number of dwelling units shall be calculated by determining the number of units permitted in those portions of the development in each zone. Dwelling units may be provided in any mix of attached or detached single family, duplex, triplex, or multifamily dwellings.

Finding: The subject property consists of approximately 7.11 acres. After subtracting the 2.49 acres proposed as open space, approximately 4.62 acres remain for residential development. The applicant proposes 22 single-family dwelling lots, resulting in a residential density of approximately 4.8 dwelling units per acre. The proposed density is below the maximum permitted density of 6 dwelling units per acre in the Low Density Residential (LD) zone.

2) Residential density bonuses may be granted when one or more of the following criteria are met, up to a 50% increase in density.

a) Where the percentage of open space increases. The bonus shall permit a 5% increase in the maximum dwelling density for each percentage point increase of open space above the minimum required in Section 17.24.100.3.d.

b) When the decision authority determines that the architectural standards proposed for the development exceed the applicable design standards of Sections 17.20.190, 17.20.200 and subsection 2.b through quality, distinctive and innovative design, and use of architectural amenities, such as locating garages behind the primary building line

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of the house, side loaded garages, or alley-access garages, a density bonus of up to 20% may be granted. *(Amended Ord. 949, April 17, 2013)*

c) *Up to a 15% density increase may be granted by the decision authority if the development exceeds the standards of subsection 2.d.8.*

d) *Up to a 15% density increase may be granted by the decision authority if open space amenities such as those identified in subsection 2.d.8 are open to the public.*

Finding: No density bonuses are needed as the applicant is proposing less than the maximum allowed density.

IV. CONCLUSION

Based on the conclusion above, the Planning Commission approves the application for Detailed Development Plan approval for a Master Planned Development, as supported by the following materials: Construction Drawings for Phillips Estates Phase III (26 sheets), prepared by Multi/Tech Engineering Services, Inc., signed and dated August 20, 2025, January 7, 2026, and February 16, 2026; Phillips Phase 3 Stormwater Analysis, prepared by Multi/Tech Engineering Services, Inc., dated October 31, 2025; Department of the Army Permit, dated February 19, 2009, signed by Lawrence C. Evans, Regulatory Branch Chief; Marion County Subdivision/Condominium Name Request for Phillips Estates Phase III, dated December 10, 2024, signed by the Marion County Surveyor; Custom Soil Resource Report; Marion County Deed Record Reel 2655, Page 155, recorded May 31, 2006; draft Declarations of Covenants, Conditions and Restrictions for Phillips Estates Subdivision Phase III, prepared by Alan Sorem; Marion County Tax Map 09 1W 04DB, dated October 17, 2020; Oregon Secretary of State Business Entity Data for JCNW Family, LLC, dated January 6, 2026; draft Development and Reimbursement Agreement; modified and redlined copy of the July 28, 2025 City Public Works Memorandum; and Response to Incompleteness Letter, Our File No. 45763-00001, dated March 18, 2026, signed by Alan Sorem, together with all materials comprising the complete application, subject to the attached standard conditions of approval and the following specific conditions of approval.

1. Section 17.24.100.2.d.8) requires that a minimum of 10 percent of the open space area include amenities. The application proposes approximately 2.49 acres of open space; therefore, approximately 0.25 acres of amenity area is required. While the plans and narrative identify amenities such as walking paths, benches, and picnic tables, the application materials do not specify the total acreage or square footage dedicated to these amenities.
2. There are multiple conditions to remain consistent with requirements.

V. ORDER

Based on the findings and conclusions above, the Planning Commission approves the application for detailed development plan subject to the attached Standard Conditions of Approval and with the following conditions of approval which are necessary, appropriate and feasible to assure the application is in compliance the standards and criteria for

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approval and to address the concerns of the Public Works Department and Marion County.

The following conditions of approval shall be completed prior to City approval of any site development permits, onsite construction, or building permit application(s) for the Subject Property:

1. The Applicant shall submit revised detailed development plans to the City Planner demonstrating compliance with SMC 17.24.100.2.d.8), which requires that a minimum of 10 percent of the open space area include amenities. The revised plans shall identify and quantify the total acreage or square footage dedicated to amenities, including but not limited to walking paths, benches, and picnic tables. The plans shall demonstrate that a minimum of approximately 0.25 acres of amenity area is provided within the proposed 2.49 acres of open space.

2. The Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required transportation infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application and with the PWDS, SMC 17.24.050, and SMC 17.26.020. The proposed streets shall be constructed in accordance with current PWDS. No variance to the street standards is requested or granted with this Master Planned Development.

3. The Applicant shall enter into a Development Agreement with the City, guaranteeing the public transportation infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

4. The Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required sanitary sewer infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

5. The Applicant's engineer shall verify that the proposed sanitary sewer main extended within Oriole Street is at a sufficient depth to be able to serve proposed Lots 9 and 10 of the planned Development.

6. Prior to City approval of any onsite construction or building permit application(s) for the Subject Property, the Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public sanitary sewer infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

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7. The Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required water system infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

8. The Applicant's engineer shall provide engineered calculations per PWDS and Fire Marshal requirements to prove the adequacy of the new water system to provide domestic service and fire flows to each lot within the proposed Development.

9. The Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public water system infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

10. The Applicant and/or Applicant's engineer shall submit final construction drawings to Public Works for the proposed and required franchise utility infrastructure, in accordance with PWDS requirements, for final review and approval. The construction drawings shall substantially conform to the layout in the Detailed Master Planned Development Application.

11. The Applicant's engineer shall design and construct engineered stormwater facilities, pursuant to the PWDS and SMC 17.24.040, to accommodate all new and replaced impervious surfaces in the proposed and existing rights-of-way as well as the future impervious surfaces on all proposed lots, including the proposed walkways within the proposed "OPEN SPACE" parcel.

12. The Applicant shall coordinate with the Oregon Department of State Lands (DSL) to verify what permits are required for construction of the proposed subdivision infrastructure, including but not limited to the construction and enhancement of the proposed City storm drainage facility across the proposed "OPEN SPACE" parcel. Evidence of DSL permit issuance or waiver shall be provided to the City.

13. The Applicant shall design and construct all proposed ground disturbance and improvements in or near existing wetland areas in accordance with the requirements of the Oregon DSL, PWDS, and SMC 17.20.180.

14. The Applicant shall enter into a Development Agreement with the City, guaranteeing construction and completion of the proposed and required public and private stormwater infrastructure improvements. A stipulation of the Agreement shall be that the City will not support approval of the final plat until the required public infrastructure is complete and accepted by the City.

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15. The Applicant's engineer shall submit construction drawings showing the proposed fencing layout and configuration for Proposed Lots 1 through 9, along the Open Space frontage along the extension of Oriole Street, and the end of proposed Junco Street where it abuts the Open Space, to ensure that the yard fencing requirements of 17.24.100.2.c are met. In addition, the Planning Commission wants to make sure that you are aware of the requirement of Section 17.12.060.1.a that the construction plans be submitted within one year of this approval, unless a request is submitted to the City Planner prior to the expiration of the one-year period.

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

16. The Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that the rights-of-way dedicated are in accordance with PWDS requirements and substantially conform to the layout in the Detailed Master Planned Development Application. The Final Plat shall also demonstrate that all existing and proposed easements are documented in conformance with the layout in the Detailed Master Planned Development Application, PWDS, and SMC.

17. The Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that the streets are dedicated or platted to the boundary of the proposed Development in accordance with PWDS requirements and substantially conform to the layout in the Detailed Master Planned Development Application.

18. The Applicant's surveyor shall submit a copy of the Final Plat to Public Works demonstrating that any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision is accurately referenced to at least two monuments.

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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.

APPROVED BY THE STAYTON PLANNING COMMISSION ON THIS 26th DAY OF MAY 2026.

_____ _____

Planning Commission Chairman Date

_____ _____

Community and Economic Development Director Date

Jennifer Siciliano

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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. **Agency 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 Public Works Design Standards, Public Works Standard Construction Specifications, and Public Works Standard Specification 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

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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.

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March 18, 2026

VIA ELECTRONIC MAIL: jsiciliano@ staytonoregon.gov
Original to follow via first class mail

City of Stayton
Community Development
Attn: Jennifer Siciliano
362 N. Third Avenue
Stayton, OR 97388

RE: Response to Incompleteness Letter
Our File No: 45763-00001

Dear Ms. Siciliano:

As you know, I represent JCNW Family, LLC. This letter is in response to the City's letter dated February 5, 2026 (the "***Incompleteness Letter***") regarding JCNW Family, LLC's application for a Detailed Master Planned Development Plan of 1601 Oriole Street tax lot 091W04DB03300, Land Use File #11-07/24 (the "***Application***"). Attached you will find five (attachments) that are intended to replace corresponding document for which they update and supplemental exhibits. They are as follows:

- Phillips Estates Phase III Existing Conditions and Site Plan – Sheet 103
- Phillips Estates Phase III Detailed Subdivision Site Plan – 1 /1
- Phillips Estates Phase III – Draft Plat Sheets 1 and 2
- Building Example (File 7409b-3)
- Building Example (File 7409b-3)
- Grading Plan - 406
- Draft Covenants, Conditions, and Restrictions

SALEM
Park Place, Suite 200
250 Church Street SE
Salem, Oregon 97301

Post Office Box 470
Salem, Oregon 97308

tel 503.399.1070
fax 503.371.2927

BEND
Vision Plaza
404 SW Columbia St
Suite 110
Bend, Oregon 97702

tel 541.693.1070
fax 503.371.2927

- Soil Resource Report
- Draft Form of Development Agreement

These documents, together with the original application, satisfy all criteria and standards. No further information will be provided solely for completeness review purposes. Pursuant to ORS 227.180(2)(b), the Applicant shall be deemed complete the effective the date of delivery of this letter. Pursuant to ORS 197A.402(2), the City must approve the application; however, if the City were to conclude that the proposal does not satisfy the applicable criteria or standards, the City must notify the Applicant prior to any such denial and further provide the Applicant an opportunity to either satisfy the issue through a condition of approval or site plan or design modification. ORS 197A.402(3).

Below are excerpts from your notice of incompleteness (in bold and italics) along with detailed responses to each item.

- ***SMC 17.24.090.7.a. The application and submission requirements for a detailed master planned development plan shall be the same as in Sections 17.24.040.2, 040.3, and 040.4. In addition, the detailed plan shall include:***
  The submittal does not adequately address the following specific requirement 17.24.040.3.

Applicant's Response*:* This section, together with all of the below subsections, are not a mandatory approval criterion or development standards. It is a list of evidence the SDC states is needed for complete review. The City must evaluate the mandatory approval criteria and development based on the evidence in the record. The lack of information during completeness review is not a basis for denial of an application. *See Montgomery, v. City of Dunes City*, 60 Or LUBA 274, 289–90, 2010 WL 381374, at *12; *Citizens for Responsible Development v. City of The Dalles*, 59 Or LUBA 369, 378 21 (2009).

- ***17.24.040.3.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. The sizes of the existing franchise utilities are not included.***

Applicant's Response*:* Updated Phillips Estates Phase III Existing Conditions and Site Plan – Sheet 103 identifies the diameter of underground gas and other pipes. Final plats only need to substantially conform to the tentative plat. Any additional edits may be completed during the final plat approval process.

- ***17.24.040.3.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. The preliminary construction drawings for the Development number the future parcels from 1 through 22 with a remainder tract for "OPEN SPACE." The preliminary Final PUD Plan for the Development numbers the parcels from 105 through 126 (in apparently random order) with a remainder tract for "STORM WATER FACILITY." The square footage of a few of the parcels do not match between the two application documents.***

Applicant's Response*:* Phillips Estates Phase III Detailed Subdivision Site Plan – 1 /1 and Phillips Estates Phase III – Draft Plat Sheets 1 and 2 have been updated. Final plats only need to substantially conform to the tentative plat. Any additional edits may be completed during the final plat approval process.

- ***17.24.040.3.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. The preliminary construction plans show remaining and removed trees, including size and species. The number of each has not been provided. The Applicant should provide a detailed number of existing trees, trees to remain, and trees to be removed as part of a complete application.***

Applicant's Response*:* An updated table has been provided on Phillips Estates Phase III Existing Conditions and Site Plan – Sheet 103.

- ***17.24.040.3.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. No Transportation Impact Analysis (TIA) or Transportation Assessment Letter was submitted. If the proposal does not meet the applicable traffic thresholds, a waiver of the Transportation Assessment Letter may be approved by the Public Works Director; however, no waiver request has been submitted. See SMC 17.26.050.2.***

Applicant's Response*:* Applicant has previously requested a TIA waiver. Such a waiver, along with the City's approval, is on file with the City in its master plan approval for Philips Estates III. Applicant requests the City provide copies of both the prior request and approval in the above identified files.

- ***17.24.040.3.t. A plan showing soils information and any proposed cuts or fills of more than 24 inches. No soil information was provided.***

Applicant's Response*:* Applicant has provided a grading plan (sheet 406), which identifies proposed cut and fill locations. A Soil Resource Report is also provided for the record.

- ***17.24.040.3.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. The Applicant submitted a 2009 delineation and a wetland mitigation permit that expired in 2013. The Applicant needs to submit confirmation that all wetland areas have been delineated correctly and such delineations are current.***

Applicant's Response*:* SDC does not require a new wetland delineation. The completeness standard references the historical inventory of the City. Moreover, Applicant has provided a wetland delineation and completed the necessary remediation. The City's prior approval of the concept plan identified the boundary of the wetlands. Applicant has provided all information necessary to satisfy the applicable criteria and standards.

- ***17.24.040.3.v. A statement indicating the proposed timing of installation of all proposed improvements. The applicant states that a statement addressing installation timing was provided; however, no construction schedule was included.***

Applicant's Response*: Applicant* will commence construction of the development as soon as practical following all approvals and appeal periods.

- ***SMC 17.24.090.7.d. Detailed site plan, including:***

Applicant's Response*:* This section, together with all of the below subsections, are not a mandatory approval criterion or development standards. It is a list of evidence the SDC states is needed for complete review. The City must evaluate the mandatory approval criteria and development based on the evidence in the record. The lack of information during completeness review is not a basis for denial of an application. *See Montgomery, v. City of Dunes City*, 60 Or LUBA 274, 289–90, 2010 WL 381374, at *12; *Citizens for Responsible Development v. City of The Dalles*, 59 Or LUBA 369, 378 21 (2009).

- ***17.24.090.7.d.2) Residential density (by phase, if a phased project) expressed in dwelling units per acre of land for each type of residential development and for the entire development. This information does not appear to be included in the construction drawings.***

Applicant's Response*:* See Sheet Detailed Site Plan – 1/1.

- ***17.24.090.7.d.9) Architectural plan including:***
  a) Narrative description of proposed building styles for all residential, commercial or other structures. This was not included and should be. The applicant states that there are no design standards, yet the city does have single-family design standards in SMC 17.16.070.4 Additional Regulations for Single Family Detached Dwellings and Manufactured Homes on Individual Lots.

Applicant's Response*:* Applicant has provided examples of the proposed building styles that are examples of Northwest Contemporary style homes. Applicant has further provided a copy of the proposed CC&Rs, which include the following requirements: "At least four of the following design features shall be included on the sides of a building facing a street, public right of way or open space.

(1) Dormers or gables
(2) Cupolas
(3) Bay or bow windows
(4) Exterior shutters
(5) Recessed entries
(6) Covered porch entries or porticos
(7) Front porch of at least 100 square feet
(8) Covered or uncovered balconies
(9) Pillars or posts
(10) Eaves with a minimum 18 inch projection
(11) Exterior brick work or masonry on a minimum of 15% of the façade, not including the area of doors and windows;"

As stated above, this is not an approval criterion or standard; however, Applicants comments satisfy this request.

- ***b) Building footprints***
  Building footprints are not shown on the submitted materials and must be included as part of the application. Building footprints are explicitly required by the submittal criteria and are necessary for a complete review.

Applicant's Response*:* As provided in the CC&Rs, the dwelling units shall contain at least 1,400 square feet in a single story or 1,800 square feet in two stories of covered, heated living space, exclusive of the garage.

- ***c) Proposed Codes, Covenants & Restrictions for all residential lots that meet the applicable requirements of Sections 17.20.190, 17.20.200 and 17.24.100.***
  The applicant has not provided a draft articles of incorporation, draft conditions, covenants and restrictions for the development, including mandatory membership in a homeowners' association setting forth the owners' rights, interest, and privileges in the association and any common property and facilities.

Applicant's Response*:* Applicant has provided draft CC&Rs. No bylaws will be provided, as no homeowner's association is proposed.

- ***d) Typical elevations of each type of proposed structure sufficient to describe architectural styles drawn to scale and including building dimensions.***
  Typical elevations of each type of proposed structure are not shown on the submitted materials and must be included as part of the application. Typical elevations are explicitly required by the submittal criteria and are necessary for a complete review.

Applicant's Response*:* Applicant has provided building examples showing building heights and architectural style.

- ***The application for Detailed Development Plan Approval of a Master Planning Development includes the request for required attachments.***
  Transportation Assessment Letter or Transportation Impact Analysis

  The applicant has not included this item, which was identified and discussed earlier in this letter.

Applicant's Response*:* Applicant has addressed this above. Applicant requests the City incorporate the prior request and approval into this Application.

- ***Architectural Concept Plan***
  The Applicant has not provided an architectural concept plan for the proposed Development.

Applicant's Response*:* Applicant has provided example building home designs with elevations.

- ***Draft Conditions, Covenants and Restrictions for the Development, Including Mandatory Membership in a Homeowners Association Setting Forth the Owners Rights, Interest, and Privileges in the Association and Any Common Property and Facilities***
  The Applicant has not provided draft CC&Rs for the proposed Development.

Applicant's Response*:* Applicant has provided example CC&Rs.

- ***Draft Articles of Incorporation of the Proposed Homeowners Association as a Not-For-Profit Corporation;***
  The Applicant has not provided draft articles of incorporation for the proposed Development.

Applicant's Response*:* Applicant has provided example CC&Rs. Under ORS 94.550(5), the proposed land division provides for the City to own the right-of-way and open space tract. The lot owners will not be responsible for maintaining common property. Therefore, the proposal is for a Class III Planned Community and a homeowner's association is not required under state law. No homeowner association will therefore be created, and there will be no articles of incorporation.

- ***Draft By-Laws of the Proposed Homeowners Association Specifying the Responsibilities and Authority of the Association, The Operating Procedures of The Association and Providing for Proper Capitalization of the Association to Cover the Costs of Major Repairs, Maintenance and Replacement of Common Facilities***
  The Applicant has not provided draft by-laws for the for the proposed HOA.

Applicant's Response*:* Applicant has provided example CC&Rs. Under ORS 94.550(5), the proposed land division provides for the City to own the right-of-way and open space tract. The lot owners will not be responsible for maintaining common property. Therefore, the proposal is for a Class III Planned Community and a homeowner's association is not required under state law. No homeowner association will therefore be created, and there will be no bylaws.

- ***Draft Development Agreement for Any Improvements that Involve City Financing***
  The Applicant has not provided a draft development agreement for the proposed Development.

Applicant's Response*:* Applicant is working with legal counsel and staff concurrent with land use review. A development agreement form is not necessary evidence to satisfy any mandatory approval criterion. However, Applicant has provided a form development agreement for the record. The Applicant and the City will need to agree to material terms and conditions, such as the conditions of approval of the Application and the reimbursement of qualified public improvements. Such improvements are expected to include, but not be limited to, the land value of the dedication of public right of way, onsite improvements that have been oversized to accommodate offsite impacts, and offsite improvements and easement acquisition costs.

Conclusion

Applicant has demonstrated compliance with all applicable criteria through this response and all exhibits attached hereto, in addition to the original application and all exhibits thereto. Applicant respectfully requests that the applications are deemed complete upon receipt of this letter pursuant to ORS 215.427 Subsection 2. However, Applicant still desires to work cooperatively with the City and welcomes feedback from staff at any time. Applicant is always willing to consider staff comments, concerns, and proposed conditions of approval and requests an opportunity to comment on any draft staff reports, conditions, or comments from other departments or jurisdictions before submittal so that all parties can reach a mutually acceptable result. The Applicant deems this Application complete upon submittal.

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Sincerely,



ALAN M. SOREM
asorem@sglaw.com
Voice Message #303

AMS:arf
Enclosures: Packet of Supplemental Exhibits
cc:

Submit Via Email

CITY OF STAYTON
APPLICATION FOR DETAILED DEVELOPMENT PLAN APPROVAL OF A MASTER PLANNED DEVELOPMENT

PROPERTY OWNER: JCNW Family, LLC
Address: 15556 Coon Hollow
City/State/Zip: Stayton, OR 97383
Phone: (___) _____-_____ Email: _____
APPLICANT: Bill Martinak
Address: _____
City/State/Zip: _____
Phone: (___) _____-_____ Email: billm@stettlersupply.com
APPLICANT'S REPRESENTATIVE: Brandie Dalton, Land-Use Consultant
Address: Multi/Tech Engineering-1155 SE 13th Street
City/State/Zip: Salem, OR 97302
Phone: (503) 363-9227 Email: bdalton@mtengineering.net

PROFESSIONAL DESIGN TEAM: A professional design team is required for all master planned developments. Please list below the consultants on the design team.

ARCHITECT/ PROFESSIONAL DESIGNER
Name: Pete Melin
Address: 1155 SE 13th Street
City/State/Zip: Salem, OR 97302
Phone: (___) 503 - 363-9227
Email: pmelin@msn.com

ENGINEER
Name: Mark Grenz, P.E.
Address: 1155 SE 13th Street
City/State/Zip: Salem, OR 97302
Phone: (___) 503 - 363-9227
Email: mgrenz@mtengineering.net

LANDSCAPE ARCHITECT/LANDSCAPE DESIGNER
Name: Erin Holsonback
Address: 3933 South Kelly Ave, Suite B
City/State/Zip: Portland, OR 97239
Phone: (___) 503 - 449-8317
Email: erin@ottenla.com

PLANNING CONSULTANT
Name: Brandie Dalton
Address: 1155 SE 13th Street
City/State/Zip: Salem, OR 97302
Phone: (___) 503 - 363-9227
Email: bdalton@mtengineering.net

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

☐ owner ■ applicant ■ applicant's representative ☐ architect/professional designer ☐ engineer
☐ landscape architect/landscape designer ☐ planning consultant

LOCATION:
Street Address: 1601 Oriole Street
Assessor's Tax Lot Number and Tax Map Number: 091W04DB/Tax Lot 3300

DESCRIPTION OF PROPOSAL: Total Acreage: 7.11

No. of Lots: 22

No. of Dwelling Units: 22

Average Residential Density: _____ units per acre

ZONING DISTRICT(S): LD

NAME OF PROPOSED MASTER PLANNED DEVELOPMENT: Phillips Estates Phase III

DATE OF APPROVAL OF PRELIMINARY CONCEPT PLAN: 9/29/2025

SIGNATURE OF APPLICANT: William J Martinak

REQUIRED ATTACHMENTS

- ☐ stormwater management plan
- ☐ transportation assessment letter or transportation impact analysis
- ☐ architectural concept plan
- ☐ draft conditions, covenants and restrictions for the development, including mandatory membership in a homeowners association setting forth the owners rights, interest, and privileges in the association and any common property and facilities
- ☐ draft articles of incorporation of the proposed homeowners association as a not-for-profit corporation;
- ☐ draft by-laws of the proposed homeowners association specifying the responsibilities and authority of the association, the operating procedures of the association and providing for proper capitalization of the association to cover the costs of major repairs, maintenance and replacement of common facilities
- ☐ draft development agreement for any improvements that involve city financing

DO NOT WRITE BELOW THIS LINE

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

Land Use File#_____

<u>Phillips Estate Phase III</u>-Detailed Development Master Plan Submittal Checklist:

<u>-Application and -Application Fee:</u> The application has been filled out and signed. The application fee will be paid when submitted.

<u>-Final Plan/Lot Descriptions:</u> A Final Plan has been provided that provides lot and block descriptions. The current recorded property has also been provided, Reel 2655, Page 155.

<u>-Development Plan:</u> A detailed Development Plan along with all required plans have been provided to show compliance with approval File #11-07/24 and the Conditions of Approval.

SHEET INDEX

SHEET 101 COVER SHEET
SHEET 102 EXISTING CONDITIONS PLAN - VICINITY
SHEET 103 EXISTING CONDITIONS PLAN - SITE
SHEET 104 SITE PLAN
SHEET 201 SANITARY SEWER PLAN ____ LINE SS1 0+00 TO 2+80
SHEET 202 SANITARY SEWER PLAN ____ LINE SS1 2+60 TO 5+40
SHEET 203 SANITARY SEWER PLAN ____ LINE SS2
SHEET 301 STORM DRAIN PLAN _____ LINES SDX1, SD1A, SD1B & SD1C
SHEET 302 STORM DRAIN PLAN _____ LINES SD2, SD2A & SD2B
SHEET 303 STORM DRAIN PLAN _____ LINES SD3, SD3A, SD3B & SD3C
SHEET 401 STREET PLAN _____ QUAIL RUN AV. & ORIOLE ST.
SHEET 402 STREET PLAN _____ GOLDFINCH AV.
SHEET 403 STREET PLAN _____ JUNCO ST.
SHEET 404 CURB RETURN & RAMP DETAILS
SHEET 405 TYPICAL STRUCTURAL STREET SECTIONS
SHEET 406 LOT GRADING PLAN
SHEET 407 OPEN SPACE PLAN
SHEET 408 OPEN SPACE LANDSCAPE PLAN
SHEET 501 DOMESTIC WATER PLAN
SHEET 601 LOT DIMENSIONS, SIDEWALK, SIGNING & LIGHTING PLAN
SHEET 701 STREET TREE PLAN
SHEET 801 GENERAL CONSTRUCTION NOTES
SHEET 802 GENERAL CONSTRUCTION NOTES
SHEET 803 DETAILS SHEET

<u>-Vicinity Map:</u> The assessor's map (091W04DB/Tax Lot 3300) has been provided to outline the vicinity.

<u>-Traffic Impact Analysis (TIA):</u> The size of the development does not warrant a TIA.

<u>-Design Standards:</u> Written findings have been provided addressing all applicable Master Plan Design Standards in Section 17.24.

<u>-Timing Statement:</u> A timing statement has been provided in the attached findings.

<u>-Grading Plan:</u> A grading plan along with all required site plans have been submitted. Sheet 406.

<u>-Landscape Plan:</u> A landscape plan and open space plan, along with all required site plans have been submitted. Sheets 407 and 408.

<u>-CC&Rs:</u> The applicant is currently working on CC&Rs for Philips III and will record them with the Plat.

<u>-Architectural Concept Plans and Sign Concept Plans:</u> The development is for single-family units; therefore, this is not applicable. A sign concept plan is not being proposed at this time.

Business Name Search

New Search | Printer Friendly

Business Entity Data

01-06-2026
15:05

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
354195-97	DLLC	ACT	OREGON	04-14-2006	04-14-2026	
Entity Name	JCNW FAMILY, LLC					
Foreign Name						

New Search | Printer Friendly

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	04-12-2018	Resign Date	
Name	WILLIAM		J	MARTINAK				
Addr 1	15556 COON HOLLOW RD SE							
Addr 2								
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS				
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	JENNIFER		MARTINAK			
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Type	MGR	MANAGER			Resign Date	
Name	WILLIAM		MARTINAK			
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						

CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

New Search Printer Friendly

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
JCNW FAMILY, LLC	EN	CUR	04-14-2006	

Please read before ordering Copies.

New Search Printer Friendly

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	03-03-2025		FI		
	AMENDED ANNUAL REPORT	04-24-2024		FI		
	AMENDED ANNUAL REPORT	02-28-2023		FI		
	AMENDED ANNUAL REPORT	03-25-2022		FI		
	ANNUAL REPORT PAYMENT	03-17-2021		SYS		
	ANNUAL REPORT PAYMENT	03-09-2020		SYS		
	ANNUAL REPORT PAYMENT	03-05-2019		SYS		
	AMENDED ANNUAL REPORT	04-12-2018		FI	Agent	
	AMENDED ANNUAL REPORT	03-17-2017		FI		
	AMENDED ANNUAL REPORT	03-14-2016		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	09-14-2015		FI		
	AMENDED ANNUAL REPORT	04-07-2015		FI		
	AMENDED ANNUAL REPORT	03-04-2014		FI		
	AMENDED ANNUAL REPORT	03-26-2013		FI		
	AMENDED ANNUAL REPORT	03-16-2012		FI		
	ANNUAL REPORT PAYMENT	04-08-2011	04-07-2011	SYS		
	ANNUAL REPORT PAYMENT	02-27-2010	02-26-2010	SYS		
	ANNUAL REPORT	04-10-2009		FI		

	CHANGE OF REGISTERED AGENT/ADDRESS	09-03-2008		FI		
	ANNUAL REPORT	04-17-2008		FI		
	AMENDED ANNUAL REPORT	05-29-2007		FI		
	ARTICLES OF AMENDMENT	06-16-2006		FI		
	ARTICLES OF ORGANIZATION	04-14-2006		FI	Agent	

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AMENDED ANNUAL REPORT

Corporation Division
sos.oregon.gov/business

E-FILED
Mar 03, 2025
OREGON SECRETARY OF STATE

REGISTRY NUMBER

35419597

REGISTRATION DATE

04/14/2006

BUSINESS NAME

JCNW FAMILY, LLC

BUSINESS ACTIVITY

REAL PROPERTY DEVELOPMENT

MAILING ADDRESS

15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

JURISDICTION

OREGON

REGISTERED AGENT

WILLIAM J MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA
If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

JENNIFER MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

MANAGER

WILLIAM MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

WILLIAM J MARTINAK

TITLE

PRESIDENT

DATE

03-03-2025

7409

MARION COUNTY
SUBDIVISION/CONDOMINIUM NAME REQUEST

Marion County Surveyor – 5155 Silverton Road NE, Salem, OR 97305
Fax: 503-588-7970 Phone: 503-588-5155 Email: MarionCountySurveyor@co.marion.or.us

Proposed Subdivision Name*: Phillips Estate Phase III
(Please do not use the word "Subdivision" in the name.)

Proposed Condominium Name*: _____
(Must include either the word Condominium, Condominiums, or A Condominium)

***Subject to consent by prior party if name was previously used in a recorded plat, per ORS 92.090(1).**

NOTE: Reserved names expire 2 years from original approval date.

Renewal? Yes ☐ No ☑

Owner Name: JCNW Family LLC

Address: _____

Email: billm@stettlersupply.com

Phone: 503-585-5550 Date: 11-19-24

Location: Is the subdivision in a city? Yes ☑ No ☐

City Name: Stayton

Tax Map and Taxlot Number: 091W04DB/TL 3300

Office Use Only

Date Received: 11/19/24

☑ Approved as Submitted ***(approval expires in 2 years)***

☐ Not Approved for the following reason(s):

_____

_____

_____

_____ Date 12/10/24
Marion County Surveyor

JCNW FAMILY, LLC
MASTER PLANNED DEVELOPMENT
DETAILED DEVELOPMENT PLAN APPLICATION
PHILLIPS ESTATE PHASE III PUD, FILE NUMBER #11-07/24
WRITTEN STATEMENT

DEVELOPMENT TEAM

Property Owner/Applicant:
JCNW Family, LLC
Bill Martinak
1556 Coon Hollow
Stayton, Oregon 97383

Professional Designer:
Pete Melin
Multi/Tech Engineering
1155 SE 13th Street
Salem, Oregon 97302
pmelin@msn.com

Planning Consultant:
Brandie Dalton
Multi/Tech Engineering
1155 SE 13th Street
Salem, Oregon 97302
bdalton@mtengineering.net

Landscape Designer:
Erin Holsonback
3933 South Kelly Avenue, Suite B
Portland, Oregon 97239
erin@ottenla.com

Engineer:
Mark Grenz, P.E.
1155 SE 13th Street
Salem, Oregon 97302
mgrenz@mtengineering.net

Engineer:
Natalie Janney, P.E.
1155 SE 13th Street
Salem, Oregon 97302
njanney@mtengineering.net

APPLICANT'S REPRESENTATIVE:
Alan Sorem, Attorney
Saalfeld Griggs PC
Park Place, Suite 200
250 Church Street SE
Salem, OR 97301
Phone: 503-399-1070
Email: asorem@sglaw.com

SUBJECT PROPERTY INFORMATION

The Subject Property is located at 1601 Oriole Street in Stayton, Oregon (the ***"City"***) and is identified as Tax Lot 3300 of the Marion County Assessor's Map 09-1W-04-DB (the "***Subject Property***"). The Subject Property is depicted on the attached ***Exhibit A***. The total acreage of the Subject Property is 7.11 acres. The Subject Property is designated "Residential" on the City's comprehensive plan and zoned "Low-Density Residential" (LD) on the City's zoning map (*See* Current Zoning Map, ***Exhibit B***). The Subject Property is located within City limits and the City's Urban Growth Boundary.



The surrounding Properties have the following zoning designations:

DIRECTION	ZONING	DESIGNATION	USE
North	Outside City limits	N/A	Single family dwellings
South	Low-Density Residential	Residential	Single family dwellings
East	Low-Density Residential	Residential	Single family dwellings
West	Outside City limits	N/A	Single family dwellings

SUMMARY OF PROPOSAL:

Applicant is the owner of the Subject Property and proposes developing the Subject Property into a 22-lot Planned Unit Development (PUD) with lot sizes ranging from approximately 6,000 square feet to approximately 8,000 square feet per lot. Applicant also proposes dedicating 2.49 acres of open space to the City to be developed in compliance with Stayton Municipal Code (***"SMC"***). Under Section 17.24.090 of the SMC, Applicant is required to submit this application for approval of a Master Planned Development (the "***Application***") and demonstrate conformance with various approval criteria.

EXISTING SITE CONDITIONS:

Existing site conditions of the Subject Property are depicted on Applicant's "Preliminary Existing Conditions Plan" Map prepared by Multi-Tech Engineering and previously provided to the City. Existing site conditions are also described in Applicant's April 21, 2025, written statement titled "Philips Estates Phase 3 Master Planned Development" prepared by Multi-Tech Engineering.

CONCEPTUAL PLAN:

On September 29, 2025, the Stayton Planning Commission approved the Philips Estates Phase III Conceptual Master Plan (File #11-07/24). A detailed master plan is required to be submitted within one

year after the date of approval of the concept plan with the potential for a 6-month extension under certain circumstances. SMC 17.24.090(6). This application has been timely submitted by the Applicant

The City engaged outside engineering counsel provided by AKS Engineering, Inc. (***"AKS"***) to assist in evaluating this Application and in providing additional comments to the Applicant. AKS prepared a report for the City dated July 28, 2025 and titled "Public Works Recommendations – Tentative 22-Lot Conceptual Master Planned Development Plan" regarding the prior concept plan application.

Many of AKS's comments and recommended conditions of approval in its July 28, 2025, report concern the mandatory approval criteria of SMC 17.24.090, which were already addressed in the concept plan application and approval. Other comments and proposed conditions of approval were regarding the detailed master plan application, which is now being submitted to the City and are addressed below in detail. In an effort to provide ease of reference for City staff, a supplemental statement of proposed responses to the AKS comment letter is also provided as part of this application.

FINDINGS APPLICABLE TO CITY CODE CRITERIA FOR APPROVAL OF A MASTER PLANNED DEVELOPMENT

The application and approval requirements for master planned developments are set out in SMC 17.24.090. The applicable provisions of this code section are set out in bold and italics below with Applicant's proposed findings following in plain type.

1. ***PURPOSE STATEMENT. The purpose of a Master Planned Development is to allow flexibility in design and creative site planning for residential, commercial or industrial development consistent with the following objectives: encourage creative and efficient uses of the land, provide and ensure preservation and enhancement of open space, ensure that the project design integrates all adopted Facility Master Plans (Transportation, Water, Sewer, Parks, Facilities, etc.), Standard Specifications, and provides an attractive living and working environment.***

   Proposed Finding: This Application is in conformance with the intent of the City's "Residential" comprehensive plan designation. The development of the Subject Property will provide "needed housing" as defined by ORS 197A.018.

   Factors set out in a purpose statement provide context for interpreting a code provision that requires the local government to determine that a proposed development is compatible with uses and development on adjacent land; however, factors set out in a purpose statement are not independent approval criteria. *Housing Authority of Jackson County v. City of Medford*, 65 Or LUBA 295 (2012). As such, conformance with this Purpose Statement is not an applicable approval criterion of this Application.

   Applicant notes objectives such as "creative and efficient uses" of land and "attractive living and working environment[s]" are subjective criteria that require interpretation or the exercise of policy or legal judgment. This makes a decision rendered under this Section a land use decision based on subjective criteria rather than a limited land use decision based on clear and objective criteria.

2. ***APPLICABILITY. The Master Planned Development designation may be applied in any zoning district. An applicant may elect to develop a project as a Master Planned Development in compliance with the requirements of this Section. However, the City shall require that the following types of development be processed using the provisions of this Section:***

    a. ***Where a land division and associated development is to occur on a parcel or site containing wetland(s) identified in the City of Stayton Local Wetlands and Riparian Inventory or by Department of State Lands as a significant wetland.***

    b. ***Where the land division is to occur on slopes of 15% slope or greater.***

    c. ***Where Comprehensive Plan policies require any development in the area to occur as a Master Planned Development. (Amended Ord. 949, April 17, 2013)***

Proposed Finding: ORS 197A.400(1) states a local government may adopt and apply "only clear and objective standards ... regulating the development of housing, included needed housing, on land within an urban growth boundary." Needed housing applications should generally be processed as limited land use decisions based solely on clear and objective criteria, not as land use decisions based on policy or legal judgment (i.e., not clear and objective criteria).

Under the adopted code, Applicant is not afforded the ability to request a subdivision approval based on clear and objective criteria due to the text of SMC 17.24.090(2) above, which states in part:

> *"**the City shall require that the following types of development be processed using the provisions of the Section**: … **where a land division and associated development is to occur on a parcel or site containing wetland(s)** identified in the City of Stayton Local Wetlands and Riparian Inventory or by Department of State Lands as a significant wetland."* [emphasis added]

The use of the word "shall" mandates that this Application be processed using the provisions of this Section because the Subject Property contains wetlands. It does not afford the Applicant the choice of having this Application considered under another Section, such as the "Subdivision and Partition Final Plats" section under SMC 17.24.080 regardless of the lot size.

Because the adopted code mandates all land divisions to be subject to master planning, ORS 197A.400(3) exceptions to the clear and objective rules are not applicable. Applicant to process its needed housing application under this Section requiring subjective criteria, while offering no alternative, has the cumulative effect of "discouraging needed housing through unreasonable cost or delay" forbidden by ORS 197A.400(1)(b). Therefore, the City cannot avail itself of the "safe harbor" provision of ORS 197A.400(3)(a) which would otherwise allow the City to process a needed housing application using subjective criteria. It is the City's burden to prove it has applied its development code for this proposal only in a clear and objective manner and without criteria, standards, process or conditions of approval that cumulatively or individually create an unreasonable burden on the development.

3. ***APPLICATION AND INFORMATION REQUIREMENTS FOR CONCEPTUAL APPROVAL OF A MASTER PLANNED DEVELOPMENT. The application and submission requirements for a conceptual master planned development plan shall include:***

Proposed Finding: On September 29, 2025, the Stayton Planning Commission approved the Philips Estates Phase III Conceptual Master Plan (File #11-07/24). This section is not applicable.

4. ***PROFESSIONAL DESIGN TEAM. A professional design team shall be required for all Master Planned Developments. The applicant must certify, in writing, that the following professionals will be involved in the preparation of the concept and detailed plan.***

    a. A licensed architect or professional designer.

    b. A registered professional engineer

    c. A landscape architect or landscape designer.

Proposed Findings: The requisite design professionals are identified on Page 1 of this Application statement and are incorporated herein by this reference. The Applicant has satisfied this obligation.

The City must evaluate the mandatory criteria based on the evidence in the record. The lack of information that the City could have requested, but previously waived during completeness review, is not a basis for denial of an application. *See Montgomery, v. City of Dunes City*, 60 Or LUBA 274, 289–90, 2010 WL 381374, at *12.

5. ***CONCEPT PLAN APPROVAL CRITERIA. The decision authority shall review the concept plan and make findings and conclusions as to compliance with the following criteria. The decision authority may approve the concept plan with conditions of approval necessary to assure that the proposed development meets the following standards.***

Proposed Finding: On September 29, 2025, the Stayton Planning Commission approved the Philips Estates Phase III Conceptual Master Plan (File #11-07/24). This section is not applicable.

6. **TIMELINE FOR FILING A DETAILED MASTER PLAN: Within one year after the date of approval of the concept plan, the applicant shall prepare and file with the City Planner a detailed development plan in conformance with subsections 6 and 7 of this Section.**

Proposed Finding: On September 29, 2025, the Stayton Planning Commission approved the Philips Estates Phase III Conceptual Master Plan (File #11-07/24). The proposal was timely filed, and Applicant has satisfied this criterion.

7. ***APPLICATION AND INFORMATION REQUIREMENTS FOR DETAILED APPROVAL OF A MASTER PLANNED DEVELOPMENT.***

Proposed Finding: The City must evaluate the mandatory criteria based on the evidence in the record. The lack of information that the City could have requested, but previously waived during completeness review, is not a basis for denial of an application. *See Montgomery, v. City*

of Dunes City, 60 Or LUBA 274, 289–90, 2010 WL 381374, at *12. While not approval criterion, Applicant has provided proposed findings below demonstrating compliance with this completeness standard.

a. The application and submission requirements for a detailed master planned development plan shall be the same as in Sections 17.24.040.2, 040.3, and 040.4. In addition, the detailed plan shall include:

Proposed Finding: As required under Section 17.24.040.2 Applicant has provided three copies of the detailed tentative plat and site plan, landscaping plan, and open space plan together with copies of all necessary engineering plans previously submitted to the City on August 25, 2025 (herein collectively the "***Plans***") at a scale of 1 inch equals 40 feet. Applicant has also provided 10 copies of the Plans reduced to fit on an 11 X 17 page. This is not an approval criterion, but it still has been satisfied.

The submitted Plans conform with the requirements of Section 17.24.040.3
a. Plans are labeled in accordance with the Development Code standards.
b. Plans are labeled with north arrow and scale.
c. Names/address of owner, applicant, engineer, surveyor, and consultant have been provided.
d. Map number and tax lot have been provided.
e. Property areas have been identified on the Plans.
f. Location, width, and names of existing or platted streets have been identified.
g. Location and size of utilities has been identified.
h. Location and size of public areas have been identified.
I. Stormwater has been identified.
j. Streets have been identified.
k. Any existing and proposed easements have been identified.
l. All utilities have been identified in accordance with Public Works Standards.
m. Proposed lots have been identified and show size and dimensions.
n. All natural features have been identified along with open space areas.
o. A title report and all covenants of record have been provided.
p. A copy of the Planning Commission decision has been provided.
q. Any existing trees have been shown.
r. All access features have been identified.
s. A TIA was not required.
t. A grading plan has been provided.
u. Wetlands are being shown within the Open Space and Landscape Plans.
v. Above a statement has been provided addressing installation timing.
w. The applicant is not requesting a Modification.
x. The development is for the entire property. A future development plan is not required.

Section 17.24.040.4- All required plans have been submitted as required in Section 17.24.040.4(a-f).

b. A narrative documenting compliance with the all applicable approval criteria contained in Section 17.24.100.

Proposed Finding: This is a completeness standard, and not an approval criterion. Applicant has

provided proposed findings demonstrating compliance with all applicable standards and criterion.

c. Special studies prepared by qualified professionals (licensed engineers, architects, planners, etc.) may be required by the City Planner, Public Works Director, City Engineer, Planning Commission or City Council to determine potential geologic, noise, environmental, natural resource, and other impacts and required mitigation.

Proposed Finding: This is a completeness standard, and not an approval criterion. Applicant has provided all evidence needed to demonstrate compliance with all adopted standards and criterion. The City may not require additional evidence for uncodified standards.

d. Detailed site plan, including:

Proposed Finding: The City must evaluate the mandatory criteria based on the evidence in the record. The lack of information that the City could have requested, but previously waived during completeness review, is not a basis for denial of an application. *See Montgomery, v. City of Dunes City*, 60 Or LUBA 274, 289–90, 2010 WL 381374, at *12.

Applicant has provided three copies of the detailed site plan, landscaping plan, and open space plan (collectively the "***Plans***") at a scale of 1 inch equals 40 feet. Applicant has also provided 10 copies of the Plans reduced to fit on an 11 X 17 page. This is not an approval criterion, but it still has been satisfied.

1) Lot configuration and identification of proposed uses

Proposed Finding: Sheet 104 shows the proposed lot configuration and lots size. The proposed use is detached single family dwellings.

2) Residential density (by phase, if a phased project) expressed in dwelling units per acre of land for each type of residential development and for the entire development.

Proposed Finding: The applicant is proposing a 22 lot PUD with 2.49 acres of open space on property zoned LD and about 7.11 acres in size (4.62 acres developable). The site will be developed with about 4.5 units per acre. The subdivision is not a phased subdivision.

3) Circulation plan including all rights-of-way for streets, parking areas and pedestrian and bicycle facilities and their connections to existing or proposed off-site facilities.

Proposed Finding: Sheet 104 shows the proposed and existing streets which identified the circulation plan for vehicles and bikes.

4) Open space plan including:

a) Location and dimensions of all areas to be conveyed, dedicated, or reserved as common open spaces, trails, public parks, recreational areas, and similar public, semipublic areas and uses.

b) Design of trails or open space areas including proposed landscaping.

c) Design of any structures such as playgrounds, sports facilities, and park

shelters.

Proposed Finding: Sheets 407 and 408 show the open space area and landscape area within the proposed open space.

5) Location of all potential fences including proposed materials and transparency.

Proposed Finding: There are no fences proposed at this time.

6) Lighting plan meeting the requirements of Section 17.20.170

Proposed Finding: Sheet 408 shows how lighting will be provided within the open space area.

7) Landscaping plan meeting the requirements of Section 17.20.090

Proposed Finding: Sheet 408 shows how the open space area will be landscaped and meet code requirements.

8) Grading concept (for hillside or sloping properties or where extensive grading is anticipated)

Proposed Finding: A grading plan, Sheet 406, has been provided to show the lot grading plan for the subdivision.

9) Architectural plan including:

a) Narrative description of proposed building styles for all residential, commercial or other structures.

b) Building footprints

c) Proposed Codes, Covenants & Restrictions for all residential lots that meet the applicable requirements of Sections 17.20.190, 17.20.200 and 17.24.100.

d) Typical elevations of each type of proposed structure sufficient to describe architectural styles drawn to scale and including building dimensions.

Proposed Finding: At this time, the applicant has not determined the building style for detached single family dwellings. The design standards under Sections 17.20.190 and 17.20.200, with the exception of lot coverage standards, apply only to multifamily and commercial developments, which are not applicable to this proposal. Prior to building permit approval, the building style, building footprints will be reviewed to determine compliance with the city code and the adopted CC&R's. A copy of the CC&R's for Philips Phase II are provided herein. Applicant will record concurrent with the final plat similar CC&R's updated for Philips Phase III.

10) Sign plan that includes size, style, and location of any proposed signs.

Proposed Finding: A sign for the PUD is not proposed at this time. However, the applicant's are aware that the proposal of a sign will require staff review and approval.

8. ***DETAILED DEVELOPMENT PLAN APPROVAL CRITERIA. The decision authority shall approve the detailed development plan upon finding that the detailed development plan conforms to the concept plan and the conditions of its approval. Minor changes to the approved concept plan may be approved with the detailed plan when the approval body finds that the modification(s) are consistent with the criteria below.***

    a. ***The detailed development plan shall meet all applicable approval criteria of Sections 17.12.220, 17.24.050, 17.24.100, and Chapter 17.26.***

Proposed Findings:

Section 17.12.220 (Site Plan Review)- is not applicable.

Section 17.24.050 (Design Standards for Subdivision and Partition Preliminary Plans)-

Section 17.24.100 (Master Planned Development Design Standards)-

Section 17.24.100.1 identify the development standards that may be modified, including minimum lot area. As approved in the Conceptual Development Plan, the minimum lot standard for the proposal has been reduced to 6,000 square feet. No further deviations from the standards has been requested, and the Plans (see Sheet 104) demonstrate compliance with all other standards.

Section 17.24.100.2 provides design standards for single family residential homes.

- Section 17.24.100.20.2.a. provide standards for CC&Rs. The proposal does not include privately owned common property, and therefore, CC&R's are not required under state law. However, a copy of the CC&R's for Philips Phase II are provided herein. Applicant will record concurrent with the final plat similar CC&R's updated for Philips Phase III.
- The standards in Section 17.24.100.20.2.b. are generally applicable design standards for single family dwellings. Compliance with these requirements may be applied at the time of building permit review.
- The standards in Section 17.24.100.20.2.c. are generally applicable design standards for fences. No fences are proposed at this time.
- The standards in Section 17.24.100.20.2.d. are generally applicable design standards for the open space. The proposal is for the City of Stayton to accept a donation of the open space. The design of the open space (see Sheet 407), complies with the standards identified in Section 17.24.100.20.2.d. T
- he standards in Section 17.24.100.20.2.e. are generally applicable design standards for streets. The proposal is for the City of Stayton to accept a dedication of the right of way. The design of the streets (see Sheets 401-406), complies with the standards identified in Section 17.24.100.20.2.e.
- The standards in Section 17.24.100.20.2.f. are generally applicable design standards for the common parking areas. No such common parking areas are proposed. This section is not applicable.
- The standards in Section 17.24.100.20.2.g. are the density standards for single family dwellings. The applicant is proposing a 22 lot PUD with 2.49 acres of open space on

property zoned LD and about 7.11 acres in size (4.62 acres developable). The site will be developed with about 4.5 units per acre, which is a lower density than required under the applicable zoning. While a density bonus could have been requested and granted under the criteria under Section 17.24.100.20.2.g.2., no such request has been made.

Section 17.26 (Transportation)- The subject property is 7.11 acres in size, with 4.62 acres (2.49-acre open space area) of the site being subdivided into 22-lots. The size of development does not warrant the need for a TIA or a mitigation measures.

The proposed PUD will provide new improved streets that will provide circulation through the neighborhood and connections for future development. The development will not have an impact on any intersection that is currently operating at its limits. Per staff, the surrounding streets have the capacity to accommodate 22 additional lots.

The impact of 22 additional lots does not warrant the need for a Traffic Study.

b. If a phased development, each phase shall be:

1) Substantially and functionally self-contained and self-sustaining with regard to access, parking, utilities, open spaces, and similar physical features; capable of substantial occupancy, operation, and maintenance upon completion of construction and development.

2) Arranged to avoid conflicts between higher and lower density development.

3) Properly related to other services of the community as a whole and to those facilities and services yet to be provided.

4) Provided with such temporary or permanent transitional features, buffers, or protective areas as may be required to prevent damage or detriment to any completed phases and to adjoining properties not in the Master Planned Development.

Proposed Findings: The Philips Estates Phase III PUD is not a phased development. It will be developed within one phase.

CONCLUSION

Based on the findings contained in this supplemental written statement, Applicant has satisfactorily addressed the applicable criteria for approval of its Master Planned Detailed Development Plan. Applicant respectfully requests that the Application be approved.

Applicant respectfully requests an opportunity to review all proposed conditions of approval. It is the City's obligation to ensure such conditions of approval are roughly proportionate to the impact of the proposed development. Additionally, they may not individually or cumulatively create an unreasonable impact on the development.

City of Stayton

Department of Public Works

362 N. Third Avenue • Stayton, OR 97383 Phone: (503) 769-2919 •

Fax (503) 767-2134

Date: 7/28/2025
To: Jennifer Siciliano, AICP — Community and Economic Development Director Through: Barry Buchanan, PE — Interim Public Works Director
Michael Schmidt — Engineering Associate
From: Lyle J. Misbach, PE, CFM
Project Name: Phillips Estates Phase III PUD, File Number 11-07/24 AKS Job No.: 12093-02-1005
Project Site: 1601 Oriole Street

Subject: Public Works Recommendations— Tentative 22-Lot Conceptual Master Planned Development Plan

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PROPOSAL

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

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

RECOM]UENDED CONDITIONS OF APPROVAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

    See Sheet 501.

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

    See Sheet 501.

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

    Calculations will be provided

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

    This will be part of the final construction drawings.

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

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

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

    This will be part of the final construction drawings.

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

    This will be part of the final construction drawings.

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

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

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

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

FACTS

General

1. Per the City's Local Wetland Inventory (LWI) and the Oregon Rapid Wetland Assessment Protocol (ORWAP), a mapped wetland bisects the Subject Property from the northwest to the southeast. This LWI-mapped wetland area was significantly expanded per a wetland delineation/determination in 2016, with which the Oregon Department of State Lands (DSL) concurred on August 3, 2016 under WD #2016-0230, to encompass approximately 1.86 acres of the Subject Property. This expired delineation did not take into account the prior permit issued and mitigations payment made.

2. Per Flood Insurance Rate Map (FIRM) Number 41047C0708G, the Subject Property is located outside of any mapped Special Flood Hazard Areas (SFHA). Noted

3. Per the Statewide Landslide Information Database for Oregon (SLIDO), the Subject Property is located outside of any mapped Landslide Susceptibility Areas. Noted

The following ins informational data, not comments are needed.

Streets

1. Oriole Street
   a. Standard - This street is designated as a Local street in the TSP. The standard for this street classification is a 34-foot-wide street improvement, including curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way.
   b. Existing Condition — This street is constructed as a 34-foot-wide improvement, less sidewalks, within a 60-foot-wide right-of-way, terminating at the east line of the Subject Property.

2. Quail Run Avenue
   a. Standard - This street is designated as a Local street in the TSP. The standard for this street classification is a 34-foot-wide street improvement, including curbs, 5-foot-wide property-line sidewalks, and 7.5-foot-wide planter strips within a 60-foot-wide right-of-way.
   b. Existing Condition — This street is constructed as a 40-foot-wide full-street improvement within a 60-foot-wide right-of-way, terminating at the south line of the Subject Property.

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

Water

1. An 8-inch ductile iron City water main is located along the south side of Oriole Street east of the Subject Property, which also extends west through the Subject Property and interties with an existing 8-inch ductile iron City water main along the west side of Quail Run Avenue south of the Subject Property.

2. A 10-inch ductile iron City water main is located near the middle of the Junco Street improvements east of the Subject Property, terminating approximately 45 feet east of the east property line

Sanitary Sewer

1. An 8-inch PVC City sanitary sewer main is located in Oriole Street east of the Subject Property, terminating at a manhole approximately 175 feet east of the east property line.

2. An 8-inch PVC City sanitary sewer main is located in Quail Run Avenue south of the Subject Property, terminating at a manhole approximately 66 feet south of the south property line.

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

Storm Drainage

1. Per the City's GIS system, a “dry pond” City stormwater facility is located in the northwest 12 acres of the Subject Property.

2. A 12-inch HDPE City storm main is located along the north side of Oriole Street east of and flowing toward the Subject Property, terminating at a City open channel that flows west and into the existing City stormwater facility.

3. A 24-inch HDPE City storm main is located along the east side of Quail Run Avenue south of and flowing toward the Subject Property, terminating just south of the existing City “dry pond” stormwater facility in the northwest portion of the Subject Property.

4. Per the Stormwater Master Plan, stormwater runoff from this property and nearby storm drainage system drains to Salem Ditch.

5. Also per the Stormwater Master Plan, the portion of Quail Run Avenue south of the Subject Property experiences flooding during a 25-year storm event, and the plan
improvement to construct a 30-inch and then parallel 36-inch and 42-inch storm drains and subsequent detention swale to redirect drainage from the existing “dry pond” stormwater facility area toward Mill Creek, approximately 2,400 feet north of the Subject Property.

CRITERIA AND FINDINGS

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

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

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

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

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

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

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

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

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

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

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

The intent is to create and sell finished Lots

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

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

The included plans have required information on them.

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

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

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

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

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

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

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

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

SMC SECTION 17.Z4.100 — MASTER PLANNED DEVELOPMENT DESIGN STANDARDS

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

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

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

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

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

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

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

a) At the sole discretion of the City Council, open space may be dedicated to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City Planner and Public Works Director with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities.

b) By conveying title to a nonprofit corporation, lot-owners association or other legal entity, with a conservation easement deeded to the City. The terms of such lease or other instrument

of conveyance must include provisions for maintenance suitable to the decision authority, with advice from the City Planner, Public Works Director, and City Attorney.

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

This will be achieved with the final plat.

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

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

The intent is to deed to the City of Stayton.

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

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

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

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

a) Any pedestrian paths shall be public.

b) Paths with hard surface shall be a minimum of 10 feet in width centered within a 20-foot wide right of way or easement.

c) Paths with soft surface shall be a **minimum** of 6 feet in width generally centered within a 16- foot wide right of way or easement.

d) Paths shall have a **minimum** average **illumination** level of 1.0 foot candles.

i. If the path is a sidewalk or adjacent to an open space with lighting such as a park or playground, this standard may be met if the **surrounding lighting can** meet the standard.

ii. If there is no surrounding lighting, the path shall be provided with continuous pedestrian scale **lighting** that meets this standard.

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

No Trail Master Plan items are included in this development.

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

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

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

e. Streets.

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

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

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

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

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

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

b. Adequate urban services are available to the property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
JCNW Family, LLC
15556 Coon Hollow
Stayton, OR 97383

Until a change is requested all tax statements shall be sent to the following address:
JCNW Family, LLC
15556 Coon Hollow
Stayton, OR 97383

File No.: 7083-756741 (JAT)
Date: May 25, 2006

FATCO 756741

STATUTORY WARRANTY DEED

C/E Phillips Family Limited Partnership, an Oregon Limited Partnership, Grantor, conveys and warrants to **JCNW Family, LLC, an Oregon Limited Liability Company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **$2,000,000.00 The true consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor.**
(Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 30th day of May, 2006.

C/E Phillips Family Limited Partnership, an Oregon Limited Partnership

Claude A. Phillips

By: Claude A. Phillips, Partner

By: Brian Phillips, Partner

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 30th day of May, 2006 by Claude A. Phillips as Partner of C/E Phillips Family Limited Partnership, on behalf of the Limited Partnership.

OFFICIAL SEAL
JUDITH A TEMPLIN
NOTARY PUBLIC - OREGON
COMMISSION NO. 375869
MY COMMISSION EXPIRES FEB. 26, 2008

Judith A. Templin

Notary Public for Oregon
My commission expires: 02/26/08

EXHIBIT A

LEGAL DESCRIPTION:

Beginning at an iron pipe which is 1349.70 feet South 89° 45' West and 1254.00 feet North 00° 17' West from the Southeast corner of the Henry Foster Donation Land Claim in Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; and running thence South 89° 45' West 1423.49 feet to an iron pipe in the West line of that certain tract of land conveyed to William Rauscher by deed recorded in Volume 506, Page 619, Marion County Deed Records; thence North 00° 09' 30" West, along said West line, 596.90 feet to an iron pipe, which iron pipe is 602.13 feet South 00° 09' 30" East from the Northwest corner of said Rauscher Tract; thence North 89° 45' East, 1422.19 feet to an iron pipe; thence South 00° 17' East 596.90 feet to the point of beginning.

ALSO the right for ingress and egress upon and across the following described strip of land: Beginning at a point which is 1320.00 feet South 89° 45' West from the Southeast corner of the aforesaid Henry Foster Donation Land Claim; and running thence North 00° 17' West 2474.00 feet to a point; thence South 89° 45' West 29.70 feet; thence South 00° 17' East 2474.00 feet to a point in the South line of the Foster Claim; thence North 89° 45' East 29.70 feet to the point of beginning.

REEL:2655 PAGE: 155

May 31, 2006, 02:13 pm.

CONTROL #: 168599

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: $ 36.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

MEMO

MULTI/TECH
ENGINEERING SERVICES, INC.

REGISTERED PROFESSIONAL ENGINEER
80415
OREGON
JANUARY 3, 2011
NATALIE G. JANNEY
Renew date: 6.30.2027

Date: October 31, 2025

To: City of Stayton
Public Works

From: Natalie G. Janney, P.E.

RE: ***Phillips Phase 3 – Stormwater Analysis***

Stormwater from the Phillips subdivision leaves the Phillips pond and will head through a new swale before connecting with the existing north-south and flowing to Mill Creek. As part of the design approval for the Phillips Phase 1 and 2 process, the ultimate design of Phase 3 was included in the analysis.

The breakdown of lots is as follows:

Phase 1 – 20 lots

Phase 2 – 26 lots

Phase 3 – 22 lots

The total number of lots is 68, which is the number included in the approved Phillips Subdivision Stormwater Analysis. See the portion from the Stormwater Analysis below that discusses the number of lots used for the analysis:

> Two post-developed curve numbers and areas were used for analysis. The City of Stayton has expressed that for the new ditch that is proposed for Stage 1, that the ultimate build out of the Phillips Subdivision should be used. This would avoid possibly having to widen the ditch in a year when the final design is engineered and constructed. This seemed reasonable. For this reason, the new conveyance ditch is designed for 68 lots. This included 5.964 acres of paved road and sidewalk, 3.746 acres of roof, 8.071 acres of landscaped area, and a 1.977 acre pond. This yielded a weighted curve number of 83.

Multi/Tech Engineering Services, Inc.
1155 13th Street SE
Salem OR 97302

(503) 363-9227 PHONE
(503) 364-1260 FAX
office@mtengineering.net

And the results section, which states the number of lots again:

Hydrograph Results

Below are the results of the hydrograph analysis. These results are based on the full build of Phillips Subdivision (68 lots) and all the impervious surfaces associated with the full build.

Table 6: Detention Facility Design Hydrograph analysis results

		Pre-developed		Developed		Allowable Flowrate (cfs)	Detention Required (ft^3)	Design Outlet (cfs)
		Flowrate (cfs)	Volume (ft^3)	Flowrate (cfs)	Volume (ft^3)			
Water Quality	Quail Run	--	--	0.35	--	--	--	0.63
	Phillips	--	--	1.43	--			
MOU 10 pre/ 25 post	Quail Run	6.34		8.52		7.87	98097	4.40
	Phillips	1.53	65862.72	11.05	163959.8			
2 year	Quail Run	2.53		2.53		3.08	46914	1.64
	Phillips	0.55	28793.16	4.56	75707.28			
5 year	Quail Run	4.33		4.33		5.25	57673	2.44
	Phillips	0.92	46086.48	6.58	103759.9			
10 year	Quail Run	6.34		6.34		7.87	67431	3.33
	Phillips	1.53	65862.72	8.77	133293.6			
25 year	Quail Run	8.52		8.52		10.79	76317	4.40
	Phillips	2.27	87642.72	11.05	163959.8			
50 year	Quail Run	10.77		10.77		13.87	84376	6.00
	Phillips	3.1	111121.6	13.4	195497.3			
100 year	Quail Run	11.25		11.25		14.53	85900	6.39
	Phillips	3.28	115956.7	13.88	201857			

The approved design meets the City of Stayton Design Standards adopted in 2023. The design is able to treat all of the hard surface generated from all three phases. The runoff leaving the Phillips pond is restricted such that it does not exceed the predeveloped flowrate. The flow is restricted to predeveloped rates for the 2, 5, 10, 25, 50, and 100 year storms. The 25 year storm event is further restricted to the 10 year predeveloped rate in accordance with the City of Stayton Memorandum of Understanding.

The proposal of Phase 3 does not deviate from the stormwater analysis that has been approved. For this reason, no stormwater submittals have been included for the land use application. The land use proposal is in conformance with the approved design and meets the City of Stayton Design Standards.

02/19/09

WETLAND MITIGATION
PERMIT FROM ARMY CORP OF ENGINEERS

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

REPLY TO
ATTENTION OF:

February 19, 2009

Operations Division
Regulatory Branch
Corps No. NWP-2007-817

JCNW Family, LLC
Mr. Bill Martinak
15556 Coon Hollow Road SE
Stayton, Oregon 97383

Dear Mr. Martinak:

Enclosed is your fully executed Department of the Army Permit.

Please carefully read the permit and its conditions. In addition, if you have a contractor and/or agent, please review these conditions with them to ensure that the work is performed in accordance with the permit terms.

Also be aware that other authorizations from Federal, state, or local governments may be required by law. If the work is not completed prior to the permit expiration date, you may apply for a time extension. We recommend you apply for a time extension at least 90 days before the expiration date of the permit.

If you have any questions, please contact Ms. Debra Henry at the letterhead address, by telephone at (503) 808-4391 or by email at debra.j.henry@usace.army.mil.

Sincerely,

FOR Lawrence C. Evans
Chief, Regulatory Branch

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: JCNW Family, Bill Martinak

Permit No: NWP-2007-817

Issuing Office: U.S. Army Corps of Engineers, Portland District
NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The proposed project would permanently fill 0.79 acres of wetlands and temporarily impact 0.22 acre of wetlands. Approximately 1050 cubic yards of fill material would be placed within 0.79 acres wetland for constructing roads, sidewalks, and residential lots within the proposed subdivision. Approximately 0.22 acre of temporary impacts would occur during the construction of the sanitary sewer and stormwater utility lines. Approximately 0.14 acre would be permanently impacted to create a swale to treat stormwater. The swale would parallel the existing east-west and north-south drainage ditches before ultimately discharging to Mill Creek.

The applicant has proposed to provide compensatory mitigation for the unavoidable impacts through the purchase of 0.79 credits at the Mud Slough Mitigation Bank.

Purpose: The project purpose is to construct a 72-lot residential subdivision to provide affordable new housing for existing and new residents.

Project Location: The project is located west of Kindle Way and north of Hummingbird Lane, within NW ¼ SE ¼ Section 4, Township 9 South, Range 1 West, near Stayton, Marion County, Oregon.

Drawings: Four drawings labeled Corps ID NWP-2007-817

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2013. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR

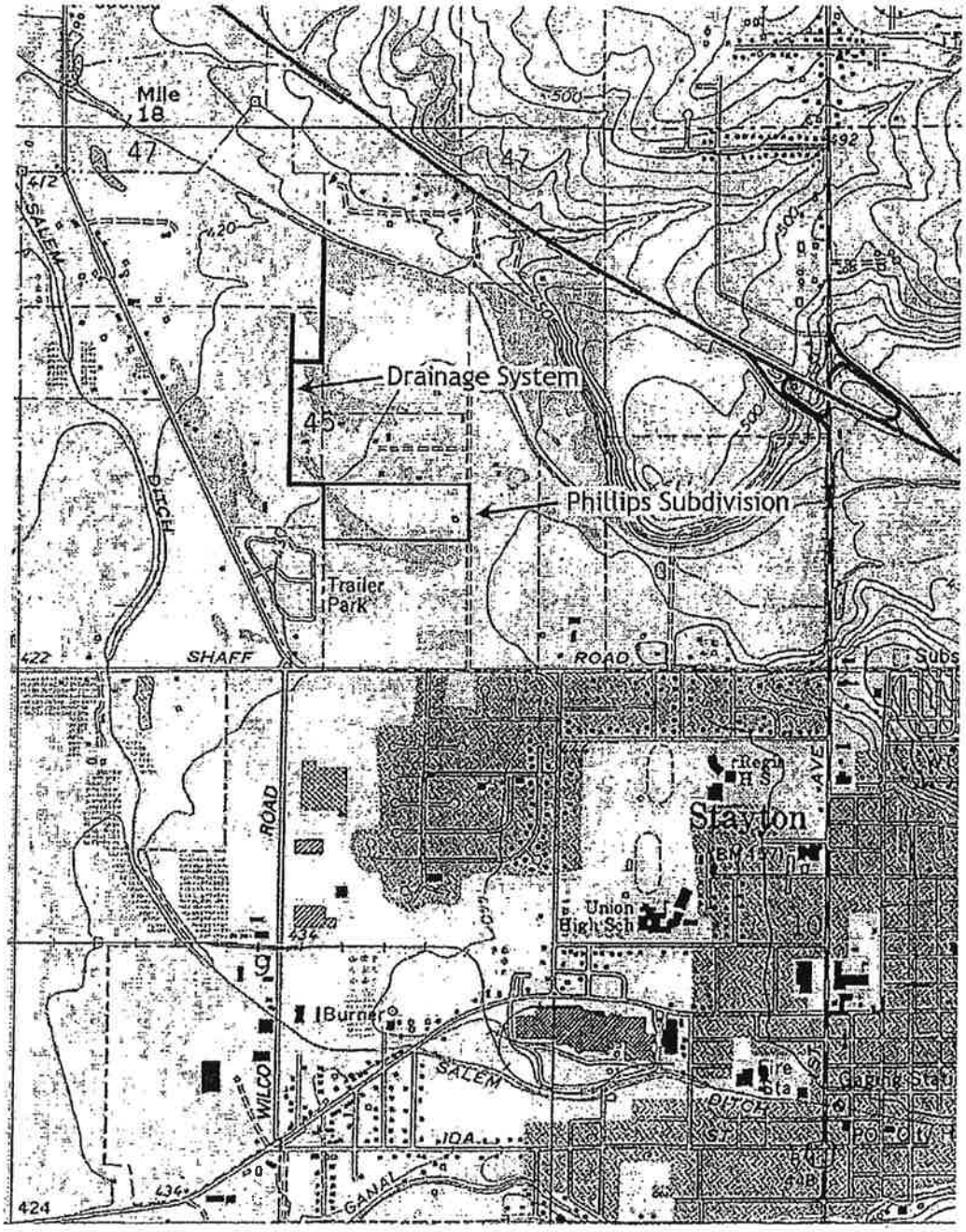
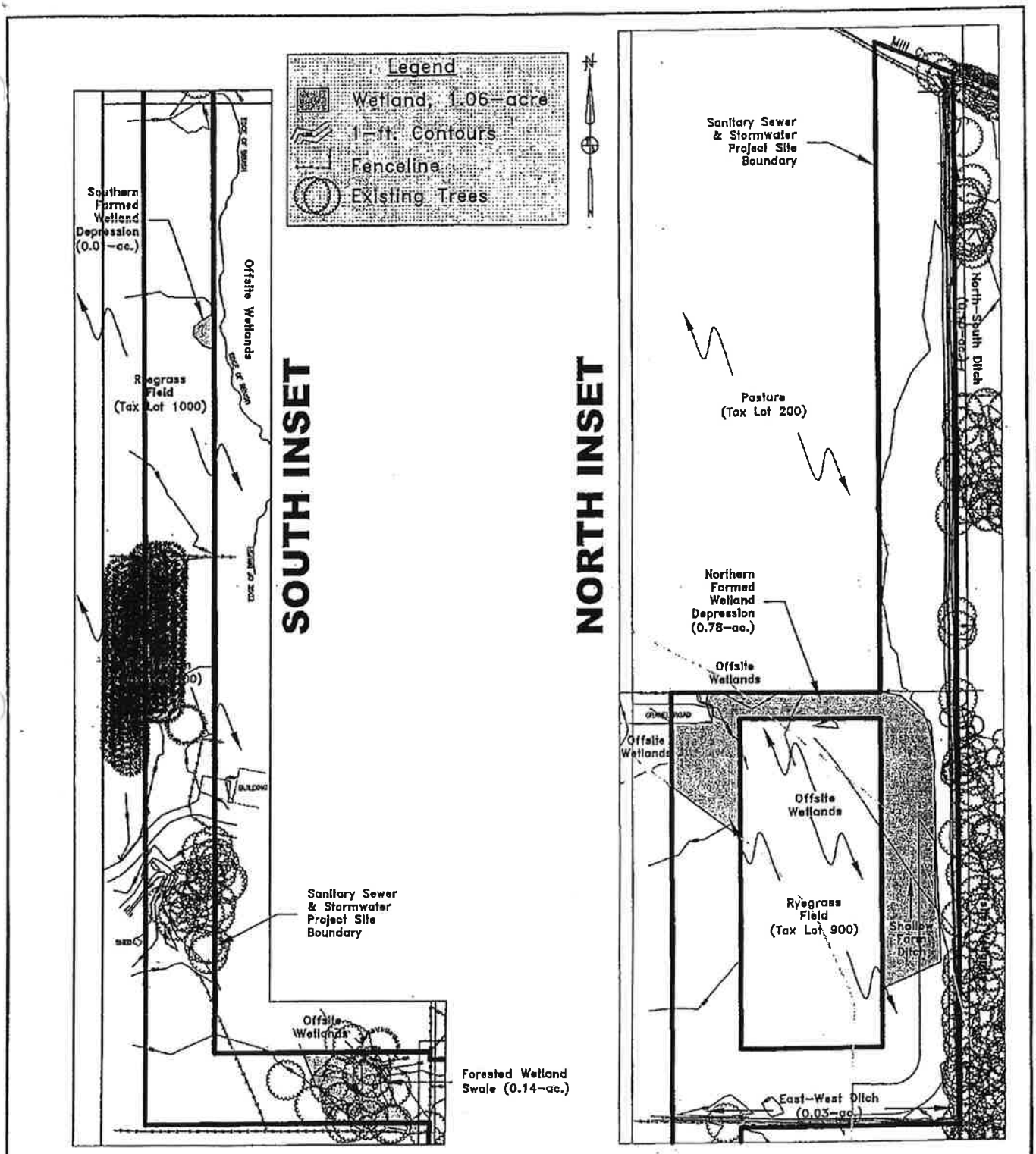


Figure 1. Location of Phillips Subdivision and the drainage system in northwest Stayton, Oregon (USGS Stayton, Oregon 7.5' quadrangle, 1969, photorevised 1986).

Encl 1
NWP-2007-817



SOURCE: Barker Surveying Co. wetland boundary & topographic survey, 2007.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

WETLAND FILL PERMIT APPLICATION
FOR THE PHILLIPS SUBDIVISION
Stayton, Marion County, Oregon

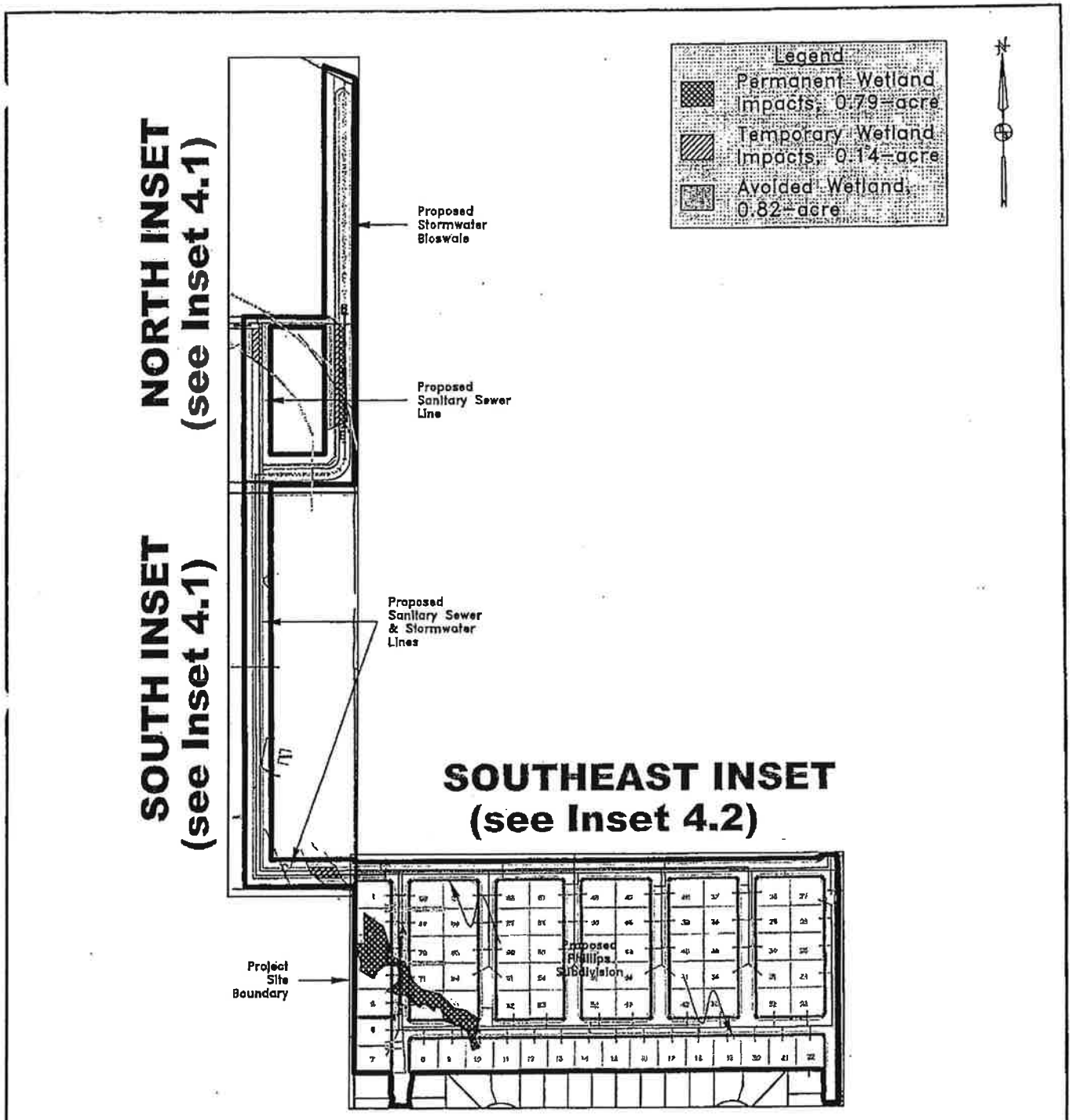
EXISTING CONDITIONS
(North & South Insets)

INSET 3.1

GRAPHIC SCALE
75 0 75 150 300
(IN FEET)
1 inch = 150 ft.

Revised May 2008

WP-2007-317



SOURCE: Adapted from Westech Engineering, Inc. civil plan, 2007.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
150 0 150 300 600
(IN FEET)
1 inch = 300 ft.

WETLAND FILL PERMIT APPLICATION
FOR THE PHILLIPS SUBDIVISION
Stayton, Marion County, Oregon

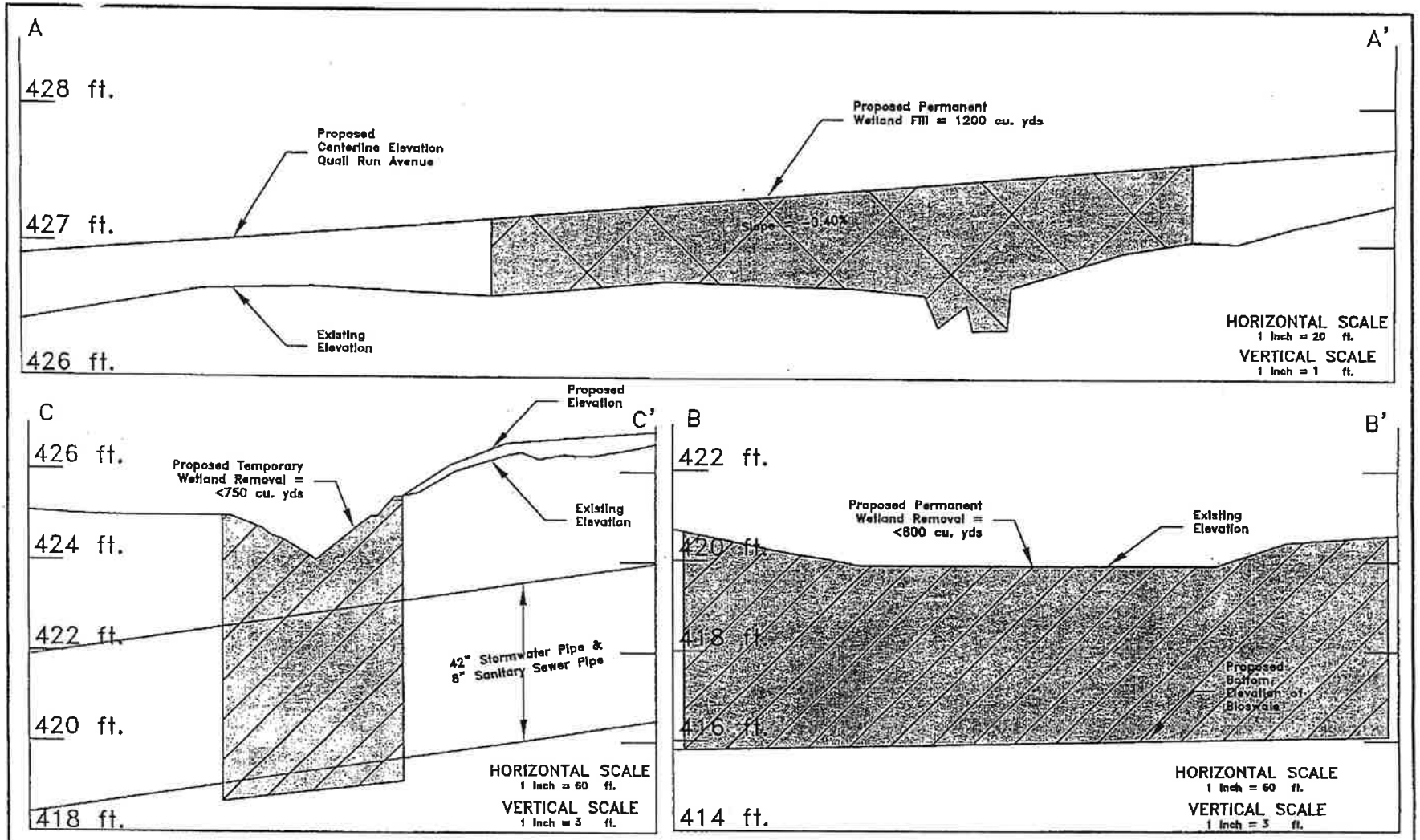
Revised May 2008

PLAN VIEW & PROPOSED WETLAND IMPACTS w/ Index

A A' WETLAND IMPACT CROSS-SECTIONS (see Figure 5)

FIGURE 4.0

NWP-2007-817



SOURCE: Adapted from Westech Engineering, Inc. civil plan, 2007.

Terra Science, Inc. Soil, Water, & Wetland Consultants	WETLAND FILL PERMIT APPLICATION FOR THE PHILLIPS SUBDIVISION Stayton, Marion County, Oregon	CROSS-SECTIONS
	Revised May 2008	FIGURE 5

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: JCNW Family, LLC	File Number: NWP-2007-817	Date: 12/19/08

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice. Also, see Section II.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

Encl 2

02/19/09

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

WETLAND MITIGATION PERMIT - ARMY CORP OF ENGINEERS

REPLY TO
ATTENTION OF:

February 19, 2009

Operations Division
Regulatory Branch
Corps No. NWP-2007-817

JCNW Family, LLC
Mr. Bill Martinak
15556 Coon Hollow Road SE
Stayton, Oregon 97383

Dear Mr. Martinak:

Enclosed is your fully executed Department of the Army Permit.

Please carefully read the permit and its conditions. In addition, if you have a contractor and/or agent, please review these conditions with them to ensure that the work is performed in accordance with the permit terms.

Also be aware that other authorizations from Federal, state, or local governments may be required by law. If the work is not completed prior to the permit expiration date, you may apply for a time extension. We recommend you apply for a time extension at least 90 days before the expiration date of the permit.

If you have any questions, please contact Ms. Debra Henry at the letterhead address, by telephone at (503) 808-4391 or by email at debra.j.henry@usace.army.mil.

Sincerely,

FOR Lawrence C. Evans
Chief, Regulatory Branch

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: JCNW Family, Bill Martinak

Permit No: NWP-2007-817

Issuing Office: U.S. Army Corps of Engineers, Portland District
NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The proposed project would permanently fill 0.79 acres of wetlands and temporarily impact 0.22 acre of wetlands. Approximately 1050 cubic yards of fill material would be placed within 0.79 acres wetland for constructing roads, sidewalks, and residential lots within the proposed subdivision. Approximately 0.22 acre of temporary impacts would occur during the construction of the sanitary sewer and stormwater utility lines. Approximately 0.14 acre would be permanently impacted to create a swale to treat stormwater. The swale would parallel the existing east-west and north-south drainage ditches before ultimately discharging to Mill Creek.

The applicant has proposed to provide compensatory mitigation for the unavoidable impacts through the purchase of 0.79 credits at the Mud Slough Mitigation Bank.

Purpose: The project purpose is to construct a 72-lot residential subdivision to provide affordable new housing for existing and new residents.

Project Location: The project is located west of Kindle Way and north of Hummingbird Lane, within NW ¼ SE ¼ Section 4, Township 9 South, Range 1 West, near Stayton, Marion County, Oregon.

Drawings: Four drawings labeled Corps ID NWP-2007-817

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2013. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR

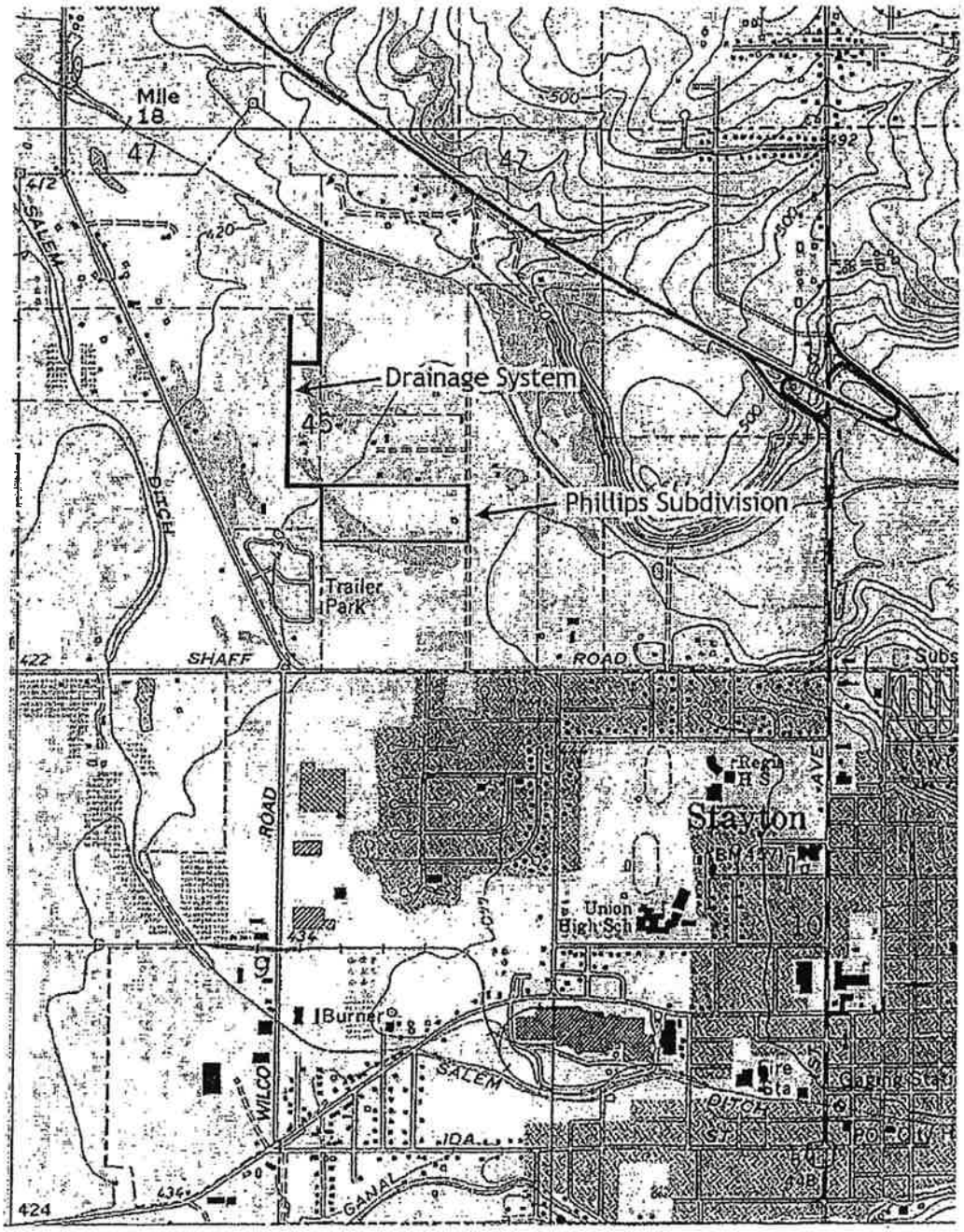
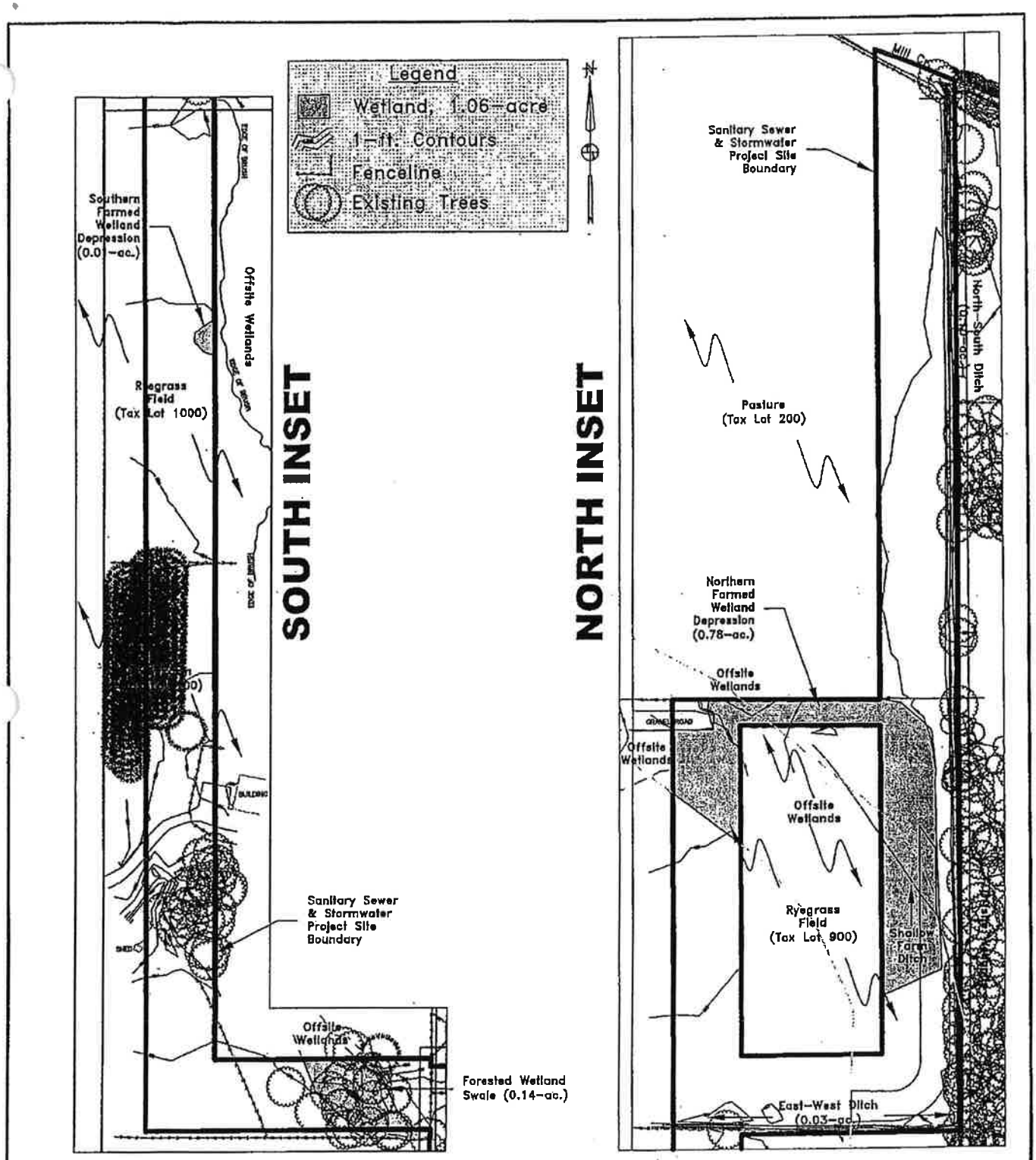


Figure 1. Location of Phillips Subdivision and the drainage system in northwest Stayton, Oregon (USGS Stayton, Oregon 7.5' quadrangle, 1969, photorevised 1986).

Encl 1
NWP-2007-817



SOURCE: Barker Surveying Co. wetland boundary & topographic survey, 2007.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

WETLAND FILL PERMIT APPLICATION
FOR THE PHILLIPS SUBDIVISION
Stayton, Marion County, Oregon

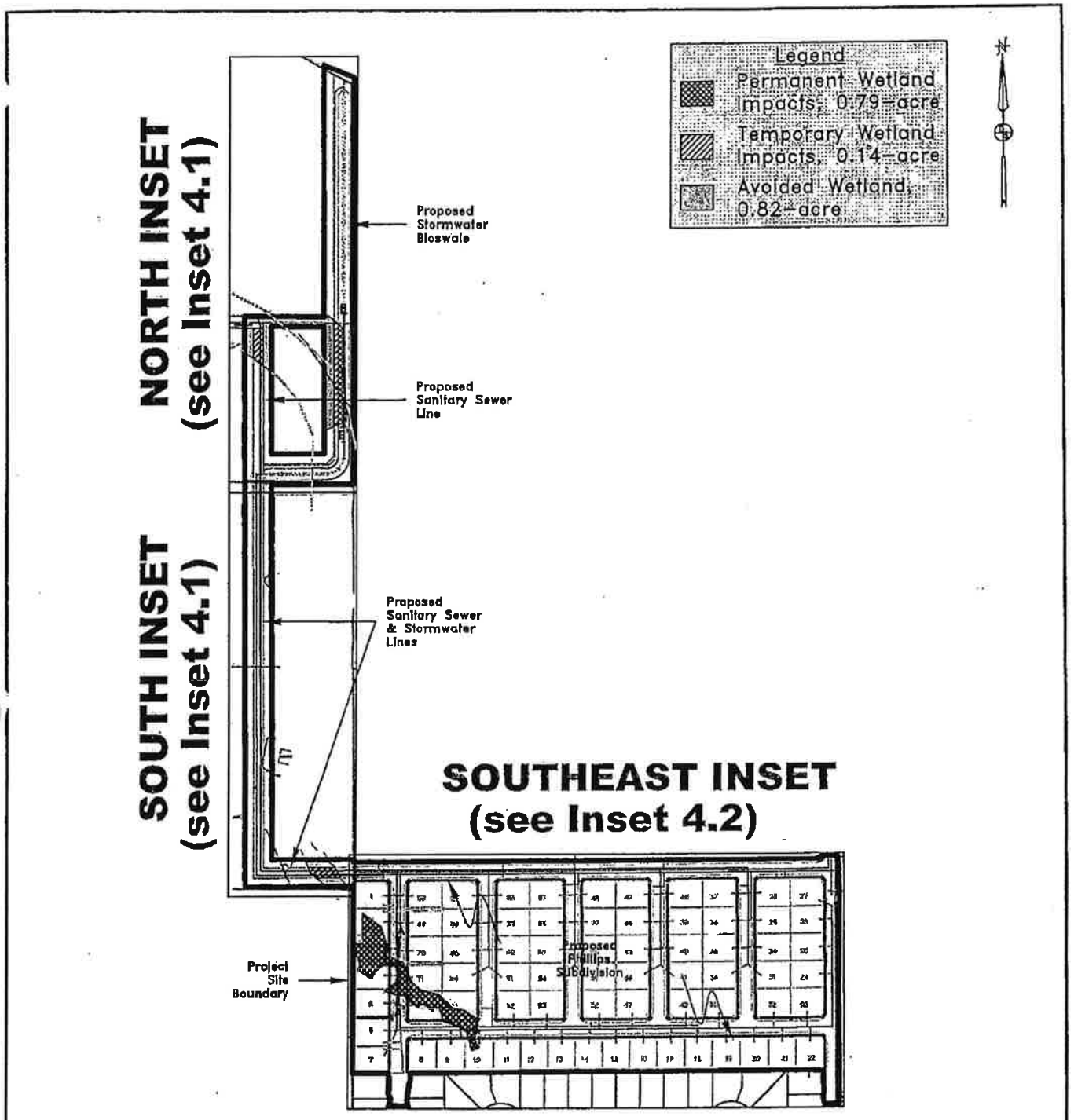
EXISTING CONDITIONS
(North & South Insets)

INSET 3.1

GRAPHIC SCALE
75 0 75 150 300
(IN FEET)
1 inch = 150 ft.

Revised May 2008

MVP-2007-817



SOURCE: Adapted from Westech Engineering, Inc. civil plan, 2007.

Terra Science, Inc.
Soil, Water, & Wetland Consultants

GRAPHIC SCALE
150 0 150 300 600
(IN FEET)
1 inch = 300 ft.

WETLAND FILL PERMIT APPLICATION
FOR THE PHILLIPS SUBDIVISION
Stayton, Marion County, Oregon

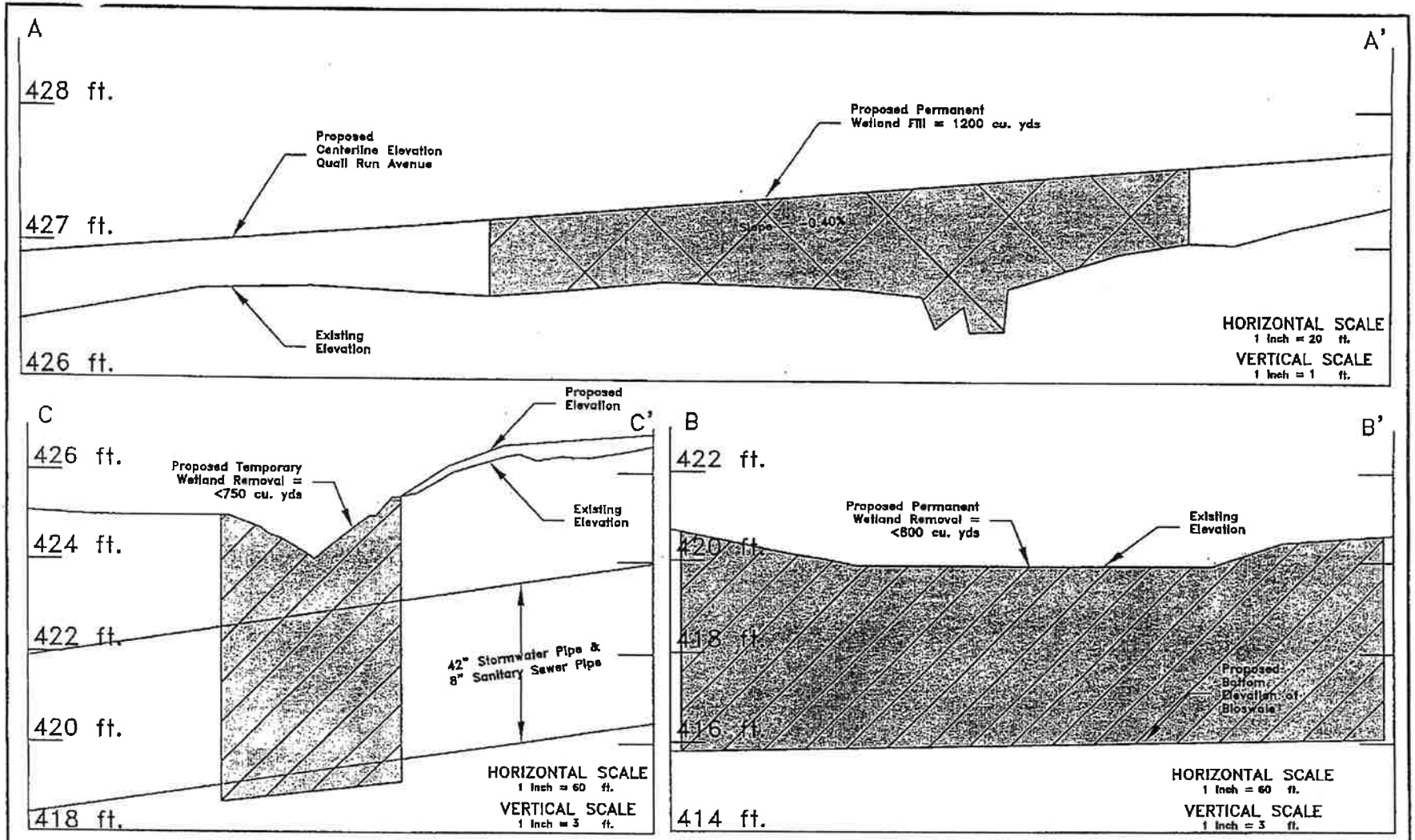
Revised May 2008

PLAN VIEW & PROPOSED WETLAND IMPACTS w/ Index

A–A' WETLAND IMPACT CROSS-SECTIONS (see Figure 5)

FIGURE 4.0

NWP-2007-817



SOURCE: Adapted from Westech Engineering, Inc. civil plan, 2007.

Terra Science, Inc. Soil, Water, & Wetland Consultants	WETLAND FILL PERMIT APPLICATION FOR THE PHILLIPS SUBDIVISION Stayton, Marion County, Oregon	CROSS-SECTIONS
	Revised May 2008	FIGURE 5

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: JCNW Family, LLC	File Number: NWP-2007-817	Date: 12/19/08

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice. Also, see Section II.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

Encl 2

02/02/09

Division of State Lands Permits: Removal/Fill Permit
wetland mitigation



1875 N. Greenwood Rd. Rickreall, OR 97371
Phone (503) 623-0768 Cell (503) 559-0223 wetlandbank@msn.com

PURCHASER RECEIPT

Date 2-2-09
DSL Permit # 39192
Corps Permit # 2007-817

PURCHASED BY: JCNW Family, LLC
ADDRESS: P.O. Box 398

Phone# ( ) _____

Credits Purchased .79
Amount Paid $1,618.60

Received By: Mark Kruse Check # 48858



1875 N. Greenwood Rd. Rickreall, OR 97371
Phone (503) 623-0768 Cell (503) 559-0223 wetlandbank@msn.com

RECEIPT

Date: February 2, 2009
DSL Permit # 39192
Corps Permit # 2007-817

PURCHASED BY: JCNW Family, LLC

ADDRESS: P.O. Box 398
Phone # ( ) _____ **Credits Purchased:** .79

Purchaser has paid the Bank the agreed upon price for the number of wetland mitigation credits noted above.

By Mark Knaupp
Mark Knaupp

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
☎ 503-986-5200

NOTICE: This Permit Must Be On Work Site

Permit No.:	**39192-RF Renewal**
Permit Type:	**Remova/Fill**
Waterway:	**Wetland**
County:	**Marion**
Expiration Date:	**February 4, 2013**

JCNW FAMILY LLC

IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE ATTACHED COPY OF THE APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:

1. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action, which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. Employees of the Department of State Lands and all duly authorized representatives of the Director shall be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
6. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within twenty-one (21) calendar days of the date this permit was issued.
7. In issuing this permit, the Department of State Lands makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapters 196, 390 and related administrative rules.
8. Permittee shall defend and hold harmless the State of Oregon, and its officers, agents, and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material, construction, or maintenance of the permitted improvements.
9. Authorization from the U.S. Army Corps of Engineers may also be required.

OPERATORS COPY

NOTICE: If removal is from state-owned submerged and submersible land, the applicant must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 - 274.940. This permit does not relieve the permittee of an obligation to secure appropriate leases from the Department of State Lands, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact the Department of State Lands, 503-986-5200.

Lori Warner-Dickason, Northern Region Manager
Wetlands & Waterways Conservation Div
Oregon Department of State Lands

Authorized Signature

February 4, 2012
Date Issued

ATTACHMENT A

Permittee: JCNW FAMILY LLC

Special Conditions for Removal/Fill Permit No. 39192-RF

PLEASE READ AND BECOME FAMILIAR WITH CONDITIONS OF YOUR PERMIT

This project may be site inspected by the Department of State Lands (Department) as part of our monitoring program. The Department has the right to stop or modify the project at any time if you are not in compliance with these conditions. A copy of this permit shall be available at the work site whenever authorized operations are being conducted.

1. **Responsible Party:** By signature of the application, Bill Martinak is acting as the representative of JCNW FAMILY LLC. By proceeding under this permit, Bill Martinak agrees to comply with and fulfill all terms and conditions of this permit. Bill Martinak is responsible for carrying-out the terms and conditions of this permit unless the permit is officially transferred to another party as approved by the Department.

2. **Authorization to Conduct Removal and/or Fill:** This permit authorizes the placement of up to 1050 cubic yards and removal of up to 800 cubic yards and the temporary removal of 470 cubic yards of rock, gravel, silt, and clay in T 09S, R 01W, Section 04, Tax Lot 1200 in wetlands, Marion County, as outlined in the attached permit application, map and drawings, dated August 13, 2007. In the event information in the application conflicts with these permit conditions, the permit conditions prevail.

3. **Authorization to Conduct Compensatory Mitigation:** This permit also authorizes removal and fill activities necessary to complete the required compensatory mitigation.

4. **Changes to the Project or Inconsistent Requirements from Other Permitting Agencies:** It is the permittee's responsibility to ensure that all state, federal and local permits are consistent and compatible with the final approved project plans and the project as executed. The permit holder must obtain Department approval prior to modifying the project design, implementation and/or operating conditions imposed by other required permits that would be inconsistent with the approved application or this permit.

5. **Department May Halt or Modify:** DSL retains the authority to temporarily halt or modify the project in case of unforeseen damage to natural resources.

Prior to Beginning Construction

6. **Local Government Approval Required Prior to Beginning Work:** Issuance of this permit is contingent upon acquisition of the appropriate development permit from the City of Stayton, Marion County.

7. **Stormwater Management Approval Required Prior to Beginning Work:** Issuance of the permit is contingent upon acquisition of an NPDES permit from the Oregon Department of Environmental Quality.

8. **Pre-construction Resource Area Flagging:** Prior to any site grading, the surveyed boundaries of the avoided wetlands shall be surrounded by bright orange construction fencing, which shall be maintained during construction of the project. There shall be no heavy equipment within fenced areas.

9. **Water Quality Certification:** The Department of Environmental Quality (DEQ) may evaluate this project for a Clean Water Act Section 401 Water Quality Certification (WQC). If the evaluation results in issuance of a Section 401 WQC, that turbidity condition will govern any allowable turbidity exceedance and monitoring requirements.

10. **Turbidity Monitoring Required During Construction:** The authorized work shall not cause turbidity of affected waters to exceed 10% over natural background turbidity 100 feet downstream of the fill point.

    For projects proposed in areas with no discernible gradient break (gradient of 2% or less), monitoring shall take place at 4 hour intervals and the turbidity standard may be exceeded for a maximum of one monitoring intervals per 24 hour work period provided all practicable control measures have been implemented. This turbidity standard exceedance interval applies only to coastal lowlands and floodplains, valley bottoms and other low-lying and/or relatively flat land.

    For projects in all other areas, the turbidity standard can be exceeded for a maximum of 2 hours (limited duration) provided all practicable erosion control measures have been implemented. These projects may also be subject to additional reporting requirements.

    Turbidity shall be monitored during active in-water work periods. Monitoring points shall be at an undisturbed site (representative background) 100 feet upstream from the turbidity causing activity (i.e., fill or discharge point), 100 feet downstream from the fill point, and at the point of fill. A turbidimeter is recommended, however, visual gauging is acceptable. Turbidity that is visible over background is considered an exceedance of the standard.

11. **Erosion Control Methods:** The following erosion control measures (and others as appropriate) shall be implemented:

    a. All exposed soils shall be stabilized during and after construction in order to prevent erosion and sedimentation.
    b. Filter bags, sediment fences, sediment traps or catch basins, leave strips or berms, or other measures shall be used to prevent movement of soil into waterways or wetlands.
    c. To prevent erosion, use of compost berms, impervious materials or other equally effective methods, shall be used to protect soil stockpiled during rain events or when the stockpile site is not moved or reshaped for more than 48 hours.
    d. Unless part of the authorized permanent fill, all construction access points through, and staging areas in, riparian or wetland areas shall use removable pads or mats to prevent soil compaction. However, in some wetland areas under dry summer conditions, this requirement may be waived upon approval by DSL. At project completion, disturbed areas with soil exposed by construction activities shall be stabilized by mulching and native vegetative plantings/seeding. Sterile grass may be used instead of native vegetation for temporary sediment control. If soils are to remain exposed more than seven days after

completion of the permitted work, they shall be covered with erosion control pads, mats or similar erosion control devices until vegetative stabilization is installed.

e. Where vegetative erosion control is being done on cut slopes steeper than 2:1, a tackified seed mulch shall be used so the seed does not wash away before germination and rooting.
f. Excavated material shall be placed on upland areas having stable slopes and shall be prevented from eroding back into waterways or wetlands
g. Erosion control measures shall be inspected and maintained as necessary to ensure their continued effectiveness, until soils become stabilized.
h. All erosion control structures shall be removed when project is complete and soils are stabilized and vegetated.

12. **Hazardous, Toxic and Waste Material Handling:** Petroleum products, chemicals, fresh cement, sandblasted material and chipped paint or other deleterious waste materials shall not be allowed to enter waters of the state. No wood treated with leachable preservatives shall be placed in waters of the state. Machinery refueling is to occur at least 150 feet from waters of the state and confined in a designated area to prevent spillage into waters of the state. Barges shall have containment system to effectively prevent petroleum products or other deleterious material from entering waters of the State. Project-related spills into water of the state or onto land with a potential to enter waters of the state shall be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.

General Construction Conditions

13. **Work Period in Jurisdictional Areas:** Fill or removal activities below the ordinary high water elevation of Mill Creek shall be conducted between June 1 to October 15, unless otherwise coordinated with Oregon Department of Fish and Wildlife and approved in writing by the Department.

14. **Federally Listed Endangered or Threatened Species:** When listed species are present, the authorization holder must comply with the Federal Endangered Species Act. If previously unknown listed species are encountered during the project, the authorization holder shall contact the appropriate agency as soon as possible.

15. **Archaeological Resources**: If any archaeological resources and/or artifacts are encountered during construction, all construction activity shall immediately cease. The State Historic Preservation Office shall be contacted (phone: 503-986-0674).

16. **Construction Corridor:** There shall be no removal of vegetation or heavy equipment operating or traversing outside the designated construction corridor/area (Figures #3, 3.1).

17. **Work Area Isolation:** The work area shall be isolated from the water during construction according to the Work Area Isolation Plan contained in the application. All structures and materials used to isolate the work area shall be removed immediately following construction and water flow returned to pre-construction conditions.

18. **Stream Diversion Prohibited:** The stream shall not be diverted from the natural bed.

19. **Trenching in Wetlands:** During trenching or excavation, the top layer of soil shall be separated from the rest of the excavated material and put back on top when the trench or pit is back-filled. If the native underlying soils are not used as bedding material, and a coarser, non-native soil or other material is used, preventative measures such as clay or concrete plugs shall be used so that underground hydraulic piping does not occur and dewater the site and adjacent wetlands.

20. **Temporary Ground Disturbances:** All temporarily disturbed areas shall be returned to original ground contours at project completion, as proposed in the Site Restoration Plan in the application.

21. **Operation of Equipment in the Water Prohibited:** There shall be no operation of equipment in the water. Work in the waterway shall be conducted from top of the bank.

22. **Fish Passage Required:** The project shall meet Oregon Department of Fish and Wildlife requirements for fish passage.

23. **Riprap Placement Methods:** Riprap/rock shall be placed in the under the following conditions:

    a. Only clean, erosion resistant rock from an upland source shall be used as riprap. No broken concrete or asphalt shall be used.
    b. Riprap rock shall be placed in a manner that does not increase the upland surface area.
    c. Riprap shall be placed in a way as to minimize impacts to the active stream channel.
    d. Gravel or filter fabric should be placed behind the riprap rock, including the toe trench rock, as a filter blanket.
    e. All riprap rock shall be placed, not dumped, from above the bank line.

Mitigation

The following conditions apply to the actions described in the Mitigation Plan (Pages #5 of permit application and attachment G), dated August 13, 2007.

24. Wetland mitigation for the unavoidable loss of 0.79 acres of PFOE and PEME Cowardin wetlands has been accomplished via purchase of 0.79 credits from the Mud Slough Wetland Mitigation bank, per the **proof of purchase dated February 2, 2009**.

Renewal Issued: February 4, 2012

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
☎ 503-986-5200

Permit No.:	**39192-RF Renewal**
Permit Type:	**Remova/Fill**
Waterway:	**Wetland**
County:	**Marion**
Expiration Date:	**February 4, 2013**

JCNW FAMILY LLC

IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE ATTACHED COPY OF THE APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:

1. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action, which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. Employees of the Department of State Lands and all duly authorized representatives of the Director shall be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
6. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within twenty-one (21) calendar days of the date this permit was issued.
7. In issuing this permit, the Department of State Lands makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapters 196, 390 and related administrative rules.
8. Permittee shall defend and hold harmless the State of Oregon, and its officers, agents, and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material, construction, or maintenance of the permitted improvements.
9. Authorization from the U.S. Army Corps of Engineers may also be required.

NOTICE: If removal is from state-owned submerged and submersible land, the applicant must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 - 274.940. This permit does not relieve the permittee of an obligation to secure appropriate leases from the Department of State Lands, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact the Department of State Lands, 503-986-5200.

Lori Warner-Dickason, Northern Region Manager
Wetlands & Waterways Conservation Div
Oregon Department of State Lands

Authorized Signature

February 4, 2012
Date Issued

ATTACHMENT A

Permittee: JCNW FAMILY LLC

Special Conditions for Removal/Fill Permit No. 39192-RF

PLEASE READ AND BECOME FAMILIAR WITH CONDITIONS OF YOUR PERMIT

This project may be site inspected by the Department of State Lands (Department) as part of our monitoring program. The Department has the right to stop or modify the project at any time if you are not in compliance with these conditions. A copy of this permit shall be available at the work site whenever authorized operations are being conducted.

1. **Responsible Party:** By signature of the application, Bill Martinak is acting as the representative of JCNW FAMILY LLC. By proceeding under this permit, Bill Martinak agrees to comply with and fulfill all terms and conditions of this permit. Bill Martinak is responsible for carrying-out the terms and conditions of this permit unless the permit is officially transferred to another party as approved by the Department.

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    c. To prevent erosion, use of compost berms, impervious materials or other equally effective methods, shall be used to protect soil stockpiled during rain events or when the stockpile site is not moved or reshaped for more than 48 hours.
    d. Unless part of the authorized permanent fill, all construction access points through, and staging areas in, riparian or wetland areas shall use removable pads or mats to prevent soil compaction. However, in some wetland areas under dry summer conditions, this requirement may be waived upon approval by DSL. At project completion, disturbed areas with soil exposed by construction activities shall be stabilized by mulching and native vegetative plantings/seeding. Sterile grass may be used instead of native vegetation for temporary sediment control. If soils are to remain exposed more than seven days after

completion of the permitted work, they shall be covered with erosion control pads, mats or similar erosion control devices until vegetative stabilization is installed.

e. Where vegetative erosion control is being done on cut slopes steeper than 2:1, a tackified seed mulch shall be used so the seed does not wash away before germination and rooting.
f. Excavated material shall be placed on upland areas having stable slopes and shall be prevented from eroding back into waterways or wetlands
g. Erosion control measures shall be inspected and maintained as necessary to ensure their continued effectiveness, until soils become stabilized.
h. All erosion control structures shall be removed when project is complete and soils are stabilized and vegetated.

12. **Hazardous, Toxic and Waste Material Handling:** Petroleum products, chemicals, fresh cement, sandblasted material and chipped paint or other deleterious waste materials shall not be allowed to enter waters of the state. No wood treated with leachable preservatives shall be placed in waters of the state. Machinery refueling is to occur at least 150 feet from waters of the state and confined in a designated area to prevent spillage into waters of the state. Barges shall have containment system to effectively prevent petroleum products or other deleterious material from entering waters of the State. Project-related spills into water of the state or onto land with a potential to enter waters of the state shall be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.

General Construction Conditions

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16. **Construction Corridor:** There shall be no removal of vegetation or heavy equipment operating or traversing outside the designated construction corridor/area (Figures #3, 3.1).

17. **Work Area Isolation:** The work area shall be isolated from the water during construction according to the Work Area Isolation Plan contained in the application. All structures and materials used to isolate the work area shall be removed immediately following construction and water flow returned to pre-construction conditions.

18. **Stream Diversion Prohibited:** The stream shall not be diverted from the natural bed.

19. **Trenching in Wetlands:** During trenching or excavation, the top layer of soil shall be separated from the rest of the excavated material and put back on top when the trench or pit is back-filled. If the native underlying soils are not used as bedding material, and a coarser, non-native soil or other material is used, preventative measures such as clay or concrete plugs shall be used so that underground hydraulic piping does not occur and dewater the site and adjacent wetlands.

20. **Temporary Ground Disturbances:** All temporarily disturbed areas shall be returned to original ground contours at project completion, as proposed in the Site Restoration Plan in the application.

21. **Operation of Equipment in the Water Prohibited:** There shall be no operation of equipment in the water. Work in the waterway shall be conducted from top of the bank.

22. **Fish Passage Required:** The project shall meet Oregon Department of Fish and Wildlife requirements for fish passage.

23. **Riprap Placement Methods:** Riprap/rock shall be placed in the under the following conditions:

    a. Only clean, erosion resistant rock from an upland source shall be used as riprap. No broken concrete or asphalt shall be used.
    b. Riprap rock shall be placed in a manner that does not increase the upland surface area.
    c. Riprap shall be placed in a way as to minimize impacts to the active stream channel.
    d. Gravel or filter fabric should be placed behind the riprap rock, including the toe trench rock, as a filter blanket.
    e. All riprap rock shall be placed, not dumped, from above the bank line.

Mitigation

The following conditions apply to the actions described in the Mitigation Plan (Pages #5 of permit application and attachment G), dated August 13, 2007.

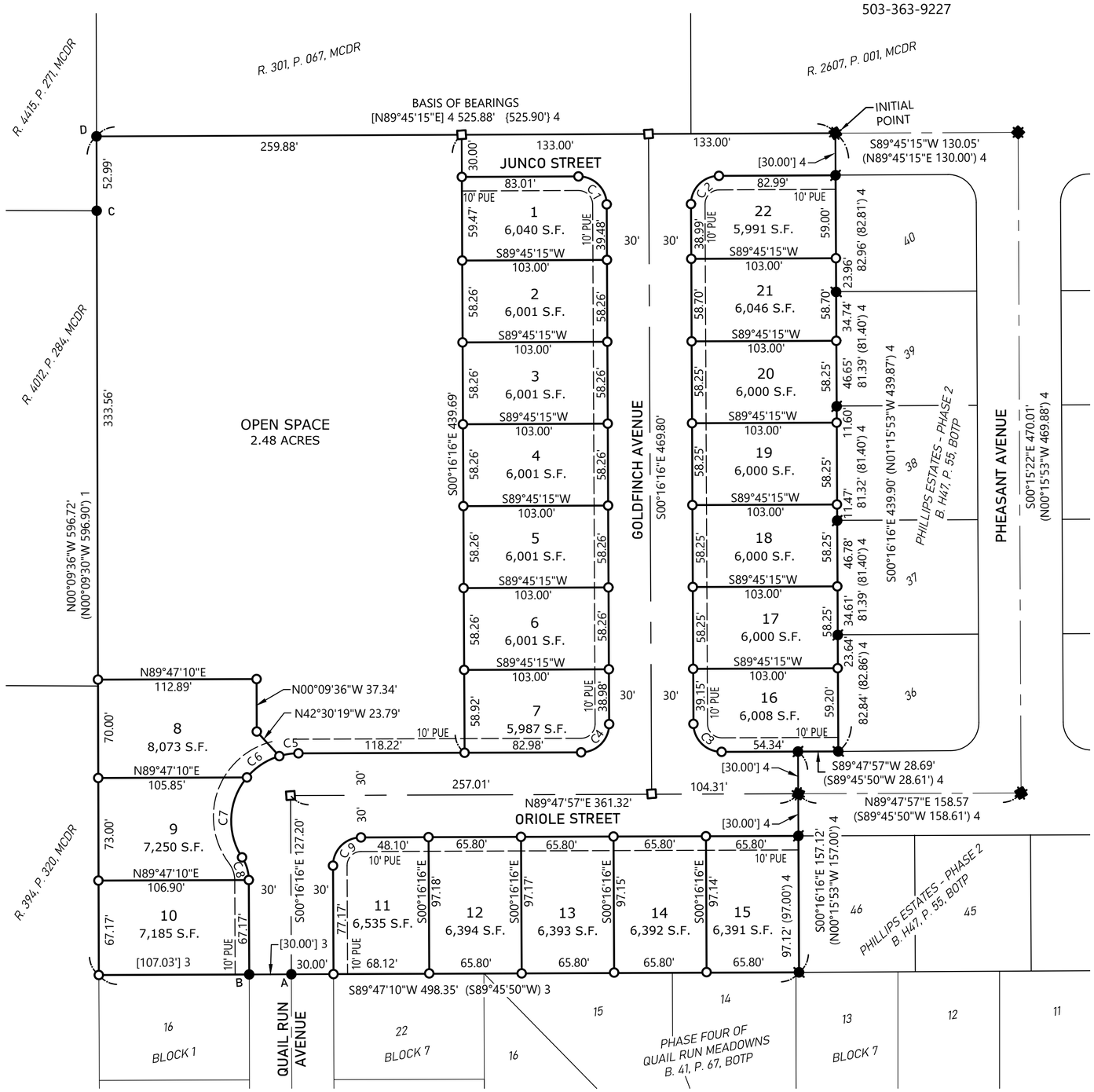
24. Wetland mitigation for the unavoidable loss of 0.79 acres of PFOE and PEME Cowardin wetlands has been accomplished via purchase of 0.79 credits from the Mud Slough Wetland Mitigation bank, per the **proof of purchase dated February 2, 2009**.

Renewal Issued: February 4, 2012

PHILLIPS ESTATES - PHASE III

IN THE SE 1/4 SEC. 4, T. 9 S., R. 1 W., W.M.
CITY OF STAYTON, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C1	20.00'	89°58'29"	31.41'	N45°15'31"W	28.28'
C2	20.00'	90°01'31"	31.42'	S44°44'29"W	28.29'
C3	20.00'	89°55'47"	31.39'	S45°14'10"E	28.27'
C4	20.00'	90°04'13"	31.44'	N44°45'50"E	28.30'
C5	48.00'	16°28'02"	13.80'	S81°33'56"W	13.75'
C6	48.00'	33°21'44"	27.95'	S56°39'02"W	27.56'
C7	48.00'	72°48'49"	61.00'	S3°33'46"W	56.98'
C8	30.00'	32°34'22"	17.06'	N16°33'27"W	16.83'
C9	20.00'	90°04'13"	31.44'	S44°45'50"W	28.30'

1" =60 '
DATE
#7409

LEGEND:

BOTP = BOOK OF TOWN PLATS
MCSR = MARION COUNTY SURVEY RECORD
MCDR = MARION COUNTY DEED RECORDS
W/YPC = WITH YELLOW PLASTIC CAP
B. = BOOK
IP = IRON PIPE
IR = IRON ROD
P. = PAGE
PUE = PUBLIC UTILITY EASEMENT
R. = REEL
V. = VOLUME
( ) = RECORD DATA PER SURVEY NOTED
[ ] = MEASURED AND RECORD DATA PER SURVEY NOTED
{ } = CALCULATED DATA PER SURVEY NOTED
● = FOUND MONUMENT - SEE MONUMENT TABLE
◐ = 5/8" IRON ROD, W/YPC SCRIBED "WILSON PLS 2687", PER 4
✸ = 5/8" IRON ROD WITH ALUMINUM CAP SCRIBED "WILSON PLS 2687", PER 4
○ = SET 5/8" X 30" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG."
□ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG."

REFERENCE SURVEYS:

1 = MCSR 18155
2 = MCSR 27525
3 = PHASE FOUR OF QUAIL RUN MEADOWS, B. 41, P. 67, BOTP
4 = PHILLIPS ESTATES - PHASE II, B. H47, P. 55. BOTP

MONUMENT TABLE:

A = 5/8" IRON ROD W/YPC SCRIBED "LS 815", SET IN 3
B = 5/8" IRON ROD, DOWN 0.9', W/YPC SCRIBED "LS 815", SET IN 3
C = 5/8" IRON ROD, SET IN 2
D = 1/2" IRON PIPE, SET IN 1

GENERAL NOTES:

1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
2. ALL MONUMENTS SET FLUSH WITH THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2027

DRAFT

PHILLIPS ESTATES - PHASE III

IN THE SE 1/4 SEC. 4, T. 9 S., R. 1 W., W.M.
CITY OF STAYTON, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

SURVEYOR'S CERTIFICATE:

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS PHILLIPS ESTATES - PHASE III, AND THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD BEING THE INITIAL POINT, LOCATED 30.00 FOOT NORTHERLY OF THE NORTHWEST CORNER OF LOT 40, PHILLIPS ESTATES - PHASE II, BOOK H47, PAGE 55, MARION COUNTY BOOK OF TOWN PLATS, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF STAYTON, MARION COUNTY, OREGON; THENCE ALONG THE WEST LINE OF SAID PLAT THE FOLLOWING 3 CALLS: SOUTH 00°16'16" EAST 439.90 FEET TO A 5/8" IRON ROD; SOUTH 89°47'57" WEST 28.69 FEET TO A 5/8" IRON ROD; SOUTH 00°16'16" EAST 157.12 FEET TO A 5/8" IRON ROD ON THE NORTH LINE OF QUAIL RUN MEADOWS, AS RECORDED IN BOOK 41, PAGE 67 MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG SAID NORTH LINE, SOUTH 89°47'10" WEST 498.35 FEET TO A 5/8" IRON ROD ON THE EAST LINE OF DOCUMENT NUMBER 2017-4064 MARION COUNTY DEED RECORDS; THENCE ALONG SAID EAST LINE AND IT'S EXTENSION NORTH 00°09'36" WEST 596.73 FEET TO A 1/2" IRON PIPE AT THE SOUTHWEST CORNER OF INSTRUMENT NUMBER 1893-455 MARION COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF SAID INSTRUMENT AND IT'S EXTENSION, NORTH 89°45'15" EAST 525.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.11 ACRES, MORE OR LESS.

ROBERT D. HAMMAN, 64202LS

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2027

DRAFT

APPROVALS:

MAYOR, CITY OF STAYTON — DATE

CITY OF STAYTON PLANNING ADMINISTRATOR — DATE
LAND USE FILE NO. 11-07/24

CHAIRPERSON OR VICE-CHAIRPERSON — DATE
MARION COUNTY BOARD OF COMMISSIONERS

MARION COUNTY SURVEYOR — DATE

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH: _____.

MARION COUNTY TAX COLLECTOR — DATE

MARION COUNTY ASSESSOR — DATE

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT JCNW FAMILY, LLC AN OREGON LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON ATTACHED, HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO A LOTS, EASEMENTS, AND STREETS FOR THE PURPOSE OF A SUBDIVISION. WE HEREBY DEDICATE TO THE PUBLIC THE RIGHT-OF-WAYS SHOWN HEREON AND GRANT THE EASEMENTS. WE HEREBY ACKNOWLEDGE THE PLAT NOTES SHOWN HEREON.

BY:

WILLIAM MARTINAK, MANAGER
JCNW FAMILY, LLC

STATE OF OREGON
COUNTY OF MARION } SS

ON THIS _____ DAY OF _____, 2026, THAT WILLIAM MARTINAK, MANAGER, JCNW FAMILY, LLC, DID PERSONALLY APPEAR BEFORE ME, A NOTARY PUBLIC FOR OREGON, AND THE ABOVE-NAMED PERSON WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO CREATE LOTS, EASEMENTS, AND STREETS FOR PHILLIPS ESTATES - PHASE III, AS ALLOWED STAYTON DEVELOPMENT PLAN FILE NUMBER 11-07/24. AWAITING MARION COUNTY PLANNING DECISION _____.

THE BASIS OF BEARINGS IS ALONG THE NORTH LINE AS SHOWN HEREON. I HELD THE CENTERLINE MONUMENT AT THE NORTHWEST CORNER OF PHILLIPS ESTATES - PHASE II AND MONUMENT "D" FOR THE NORTH BOUNDARY.

I HELD THE MONUMENTS ALONG THE WESTERN BOUNDARY OF PHILLIPS ESTATES - PHASE II AS SHOWN FOR THE EAST LINE OF THE SUBJECT PROPERTY.
I HELD THE SOUTHWEST CORNER OF LOT 46, PHILLIPS ESTATES - PHASE II, AND RAN A LINE THROUGH MONUMENTS "A" & "B", TO THE NORTHWEST CORNER OF LOT 16, QUAIL RUN MEADOWS, WHICH FELL RECORD DISTANCE FROM MONUMENT "B".

I HELD MY CALCULATED POINT AT THE NORTHWEST CORNER OF LOT 16, AND RAN THE LINE TO MONUMENT "D" TO CLOSE THIS PLAT.

PLAT NOTES:

INSTRUMENT NUMBER 2014-00016070, IS TERMINATED UPON THE RECORDING OF THIS PLAT.

REEL 1648, PAGE 180, MCDR - ANNEXATION AGREEMENT - NOT DEPICTED HEREON

REEL 3605, PAGE 76, MCDR - PUBLIC UTILITY EASEMENT - NOT DEPICTED HEREON - BLANKET IN NATURE

STATE OF OREGON
COUNTY OF MARION } SS

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED FOR RECORDING ON THE ____ DAY OF _____ 2026, AT ____O 'CLOCK _____M. IT IS RECORDED IN THE MARION COUNTY BOOK OF TOWN PLATS, VOLUME _____, PAGE _____. IT IS RECORDED IN THE MARION COUNTY DEED RECORDS IN INSTRUMENT NUMBER: _____.

BILL BURGESS, MARION COUNTY CLERK

BY: _____
DEPUTY COUNTY CLERK

PARCEL SIZE:
DEVELOPABLE AREA ——— 7.11 Ac.
OPEN SPACE AREA ——— 2.49 Ac.
NET SUBDIVISION AREA —— 3.18 Ac.
NUMBER OF UNITS ——— 22
NET DENSITY ——— 6.91 LOTS/Ac.

N89°45'14"E 525.88'
259.88'
N0°09'36"W 596.73'
396.55'
JUNCO ST.
30'
17'
18'
OPEN SPACE
108,351 S.F.
GOLDFINCH AV.
PHEASANT AV.
S0°16'16"E 439.90'
PHILLIPS ESTATES PHASE II
ORIOLE ST.
S89°47'57"W 28.69'
S0°16'16"E 157.12'
QUAIL RUN AV.
S89°47'10"W 498.35'
PHILLIPS ESTATES - PHASE II
QUAIL RUN MEADOWS PHASE 4
HUMMINGBIRD LN.
BLOCK 1
BLOCK 7
10' PUE
17'
30'
R=48'
R=47.50'
20'

1	6,040 S.F.	22	5,991 S.F.
2	6,001 S.F.	21	6,046 S.F.
3	6,001 S.F.	20	6,000 S.F.
4	6,001 S.F.	19	6,000 S.F.
5	6,001 S.F.	18	6,000 S.F.
6	6,001 S.F.	17	6,000 S.F.
7	5,987 S.F.	16	6,008 S.F.
8	8,073 S.F.		
9	7,250 S.F.		
10	7,185 S.F.		
11	6,535 S.F.		
12	6,394 S.F.		
13	6,393 S.F.		
14	6,392 S.F.		
15	6,391 S.F.		

40 39 38 37 36 46 45 16 22 15 14 13 12 11

W E S N
0' 40'
1 INCH
SCALE: 1" = 40'

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

DETAILED SUBDIVISION SITE PLAN

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 1-SITE
Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 2/16/26
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

1 / 1

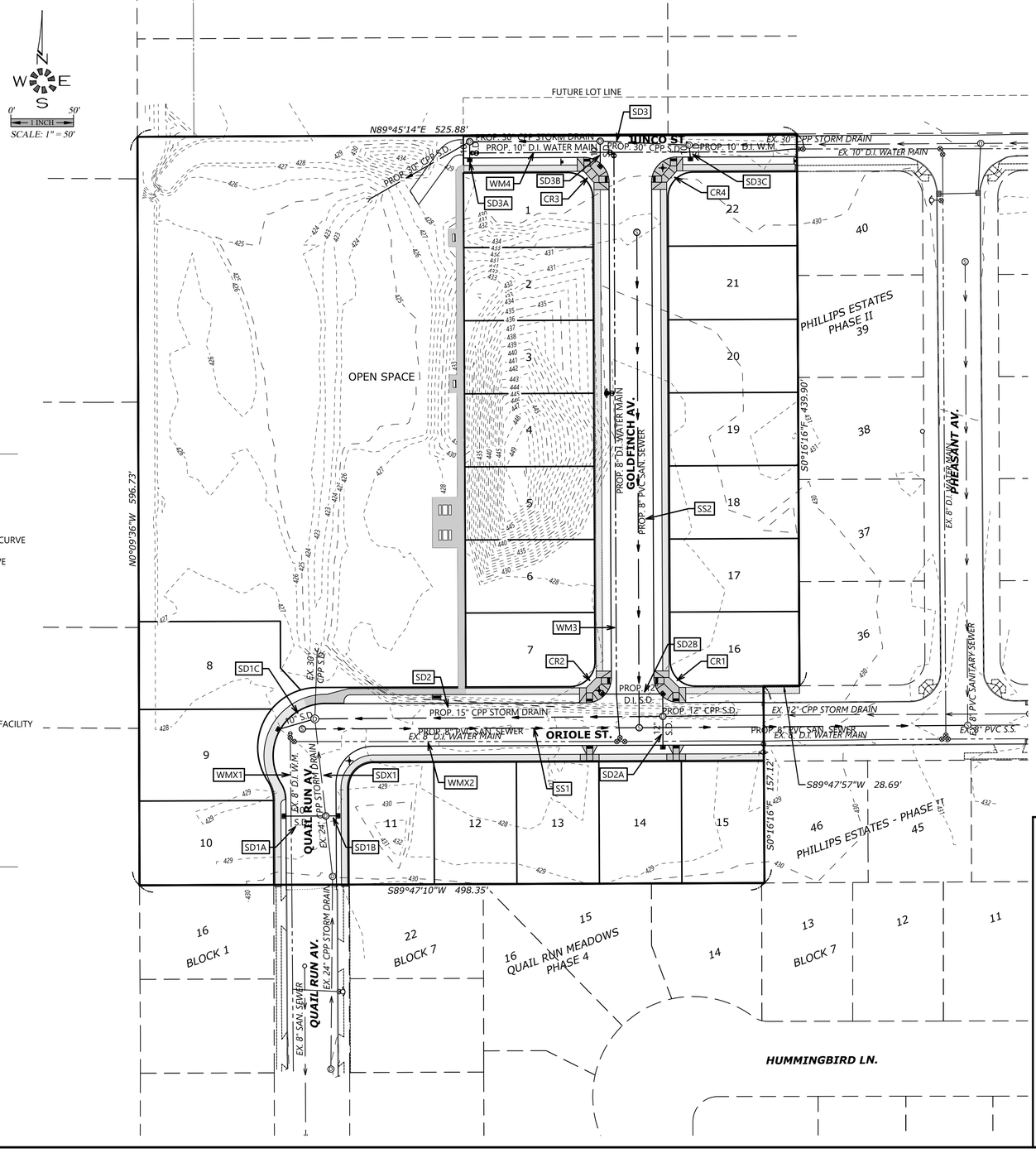
L:\Mtec\7409 Phillips\Cover\Dwg-2025\7409c.dwg 1-SITE, 2/16/2026 3:38:27 PM, DGuile

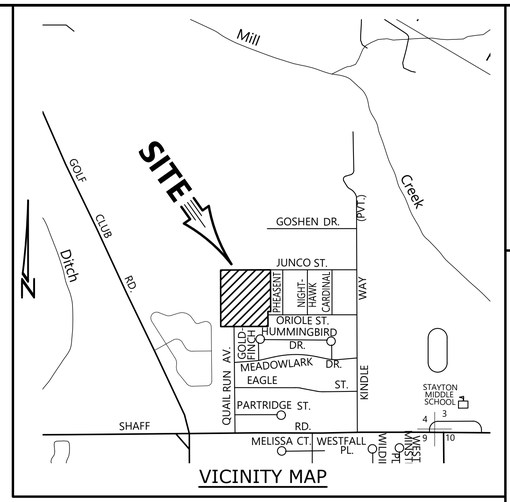
PHILLIPS ESTATES PHASE III

SEC. 4, T. 9 S., R. 1 W., W.M.
CITY OF STAYTON
MARION COUNTY, OREGON
22 LOTS - 7.11 ACRES

Owner / Developer:

BILL MARTINAK
JCNW FAMILY LLC
15556 COON HOLLOW RD. S.E.
STAYTON, OREGON 97383





VICINITY MAP

T.B.M. 431.60
EXISTING SANITARY SEWER MANHOLE RIM AT THE INTERSECTION OF ORIOLE ST. & PHEASANT AV.
BASED ON GPS OPUS REPORT NGS CONTROL POINT NAMED QE1803. SITE POINT #90
LOCATED AT N177155.238 E232266.459
ELEVATION: 417.946 (DATUM NGVD 1929)

LOCATES
(48 HOURS NOTICE PRIOR TO EXCAVATION)

OREGON LAW REQUIRES YOU TO FOLLOW THE RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES FROM THE CENTER BY CALLING (503) 232-1987

811 Know what's **below.** **Call** before you dig.

ONE CALL SYSTEM 1-800-332-2344

ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	L	LENGTH, LINE
ACMP	ALUMINIZED CMP	L.P.	LIGHT POLE
ASSY.	ASSEMBLY	M	METER, MAIN
B.O.	BLOW OFF	M.H.	MANHOLE
B.F.V.	BUTTERFLY VALVE	MTL.	METAL
C & G	CURB & GUTTER	O.H.	OVERHEAD
CATV	CABLE TELEVISION	PC	POINT OF CURVE
C.B.	CATCH BASIN	PCC	POINT OF CONTINUING CURVE
C.B.C.O.	CATCH BASIN CLEANOUT	PED.	PEDESTAL
C.B.I.	CATCH BASIN INLET	PRC	POINT OF REVERSE CURVE
CCR	COMPACTED CRUSHED ROCK	PROP.	PROPOSED
C.L.	CENTERLINE	PT	POINT OF TANGENCY
CMP	CORRUGATED METAL PIPE	PUB.	PUBLIC
C.O.	CLEANOUT	PUE	PUBLIC UTILITY EASMT.
CONC.	CONCRETE	PVC	POLYVINYL CHLORIDE
CONST.	CONSTRUCT	PVT.	PRIVATE
D.I.	DUCTILE IRON	P.P.	POWER POLE
DIA.	DIAMETER	P.L.	PROPERTY LINE
DWG	DRAWING	R	RADIUS
EASMT.	EASEMENT	R-	RIM
E.G.	EXIST. GRADE / GROUND	RD	ROOF DRAIN
EOP, E.P.	EDGE OF PAVEMENT	R.O.W.	RIGHT-OF-WAY
ELEC.	ELECTRIC	SAN.S. or S.S.	SANITARY SEWER
ELEV. or EL.	ELEVATION	S	SLOPE
EX. or EXIST.	EXISTING	S.Q.F.	STORMWATER QUALITY FACILITY
F.D.C.	FIRE DEPT. CONNECTION	STA.	STATION
FT.	FEET	STD.	STANDARD
F.F.	FINISH FLOOR	STL.	STEEL
F.G.	FINISH GRADE	STM.DRN. or S.D.	STORM DRAIN
F.H.	FIRE HYDRANT	SVC.	SERVICE
F.M.	FORCE MAIN	SW	SIDEWALK
GUT. or GTR.	GUTTER	T.C	TOP OF CURB
G.V.	GATE VALVE	TEL.	TELEPHONE
IMP.	IMPROVEMENT	TYP.	TYPICAL
INST.	INSERT	U.G.	UNDERGROUND
INV. or I-	INVERT	VLT.	VAULT
		W.M.	WATER MAIN

SYMBOLS

EX.	PROP.		EX.	PROP.	
⊖	◓	BLOW OFF ASSY.	Ⓢ	Ⓢ	MANHOLE SAN. SEWER
▥	▥	CATCH BASIN	Ⓓ	Ⓓ	MANHOLE STORM DRAIN
▣	■	CATCH BASIN CLEANOUT	②	②	2' DIA. C.O. / M.H.
▣	◉	CATCH BASIN CURB INLET	Ⓣ	Ⓣ	MANHOLE TELEPHONE
△	▲	CATV PED. / BOX	Ⓦ	Ⓦ	MANHOLE WATER
○	●	CLEANOUT	▷	▶	REDUCER / INCREASER
▨	◪	ELEC. PED. / BOX	▽	▼	TEL. PED. / BOX
⬭	⬬	FIRE HYDRANT	▭	▬	TRAFFIC PED. / BOX
⍟	⍟	GAS LOCATION MARKER	⍟	⍟	UTILITY / POWER POLE
⋈	⋈	GAS VALVE	▢	■	WATER METER
▱	▱	MAIL BOX	⊗	⊗	WATER VALVE

— — —	CABLE TELEVISION	——→——	SANITARY SEWER EXIST.
——–——	CENTERLINE	——→——	SANITARY SEWER CONST.
——≻——	DITCH C.L.	——→——	STORM DRAIN EXIST.
— ··· —	ELECTRICAL LINE	——→——	STORM DRAIN CONST.
——·——	GAS MAIN	- - - - -	WATER MAIN EXIST.
— ·· —	TELEPHONE LINE	——•——	WATER MAIN CONST.

SHEET INDEX

SHEET 101	COVER SHEET
SHEET 102	EXISTING CONDITIONS PLAN - VICINITY
SHEET 103	EXISTING CONDITIONS PLAN - SITE
SHEET 104	SITE PLAN
SHEET 201	SANITARY SEWER PLAN ____ LINE SS1 0+00 TO 2+80
SHEET 202	SANITARY SEWER PLAN ____ LINE SS1 2+60 TO 5+40
SHEET 203	SANITARY SEWER PLAN ____ LINE SS2
SHEET 301	STORM DRAIN PLAN _____ LINES SDX1, SD1A, SD1B & SD1C
SHEET 302	STORM DRAIN PLAN _____ LINES SD2, SD2A & SD2B
SHEET 303	STORM DRAIN PLAN _____ LINES SD3, SD3A, SD3B & SD3C
SHEET 401	STREET PLAN _____ QUAIL RUN AV. & ORIOLE ST.
SHEET 402	STREET PLAN _____ GOLDFINCH AV.
SHEET 403	STREET PLAN _____ JUNCO ST.
SHEET 404	CURB RETURN & RAMP DETAILS
SHEET 405	TYPICAL STRUCTURAL STREET SECTIONS
SHEET 406	LOT GRADING PLAN
SHEET 407	OPEN SPACE PLAN
SHEET 408	OPEN SPACE LANDSCAPE PLAN
SHEET 501	DOMESTIC WATER PLAN
SHEET 601	LOT DIMENSIONS, SIDEWALK, SIGNING & LIGHTING PLAN
SHEET 701	STREET TREE PLAN
SHEET 801	GENERAL CONSTRUCTION NOTES
SHEET 802	GENERAL CONSTRUCTION NOTES
SHEET 803	DETAILS SHEET

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www.mtengineering.net office@mtengineering.net

COVER SHEET

PHILLIPS ESTATES PHASE IIII

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PREFERENCE OVER SCALED GRAPHICAL REPRESENTATION.

7409fb 101-CS

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 1/7/26
Scale: AS SHOWN
As-Built: ____

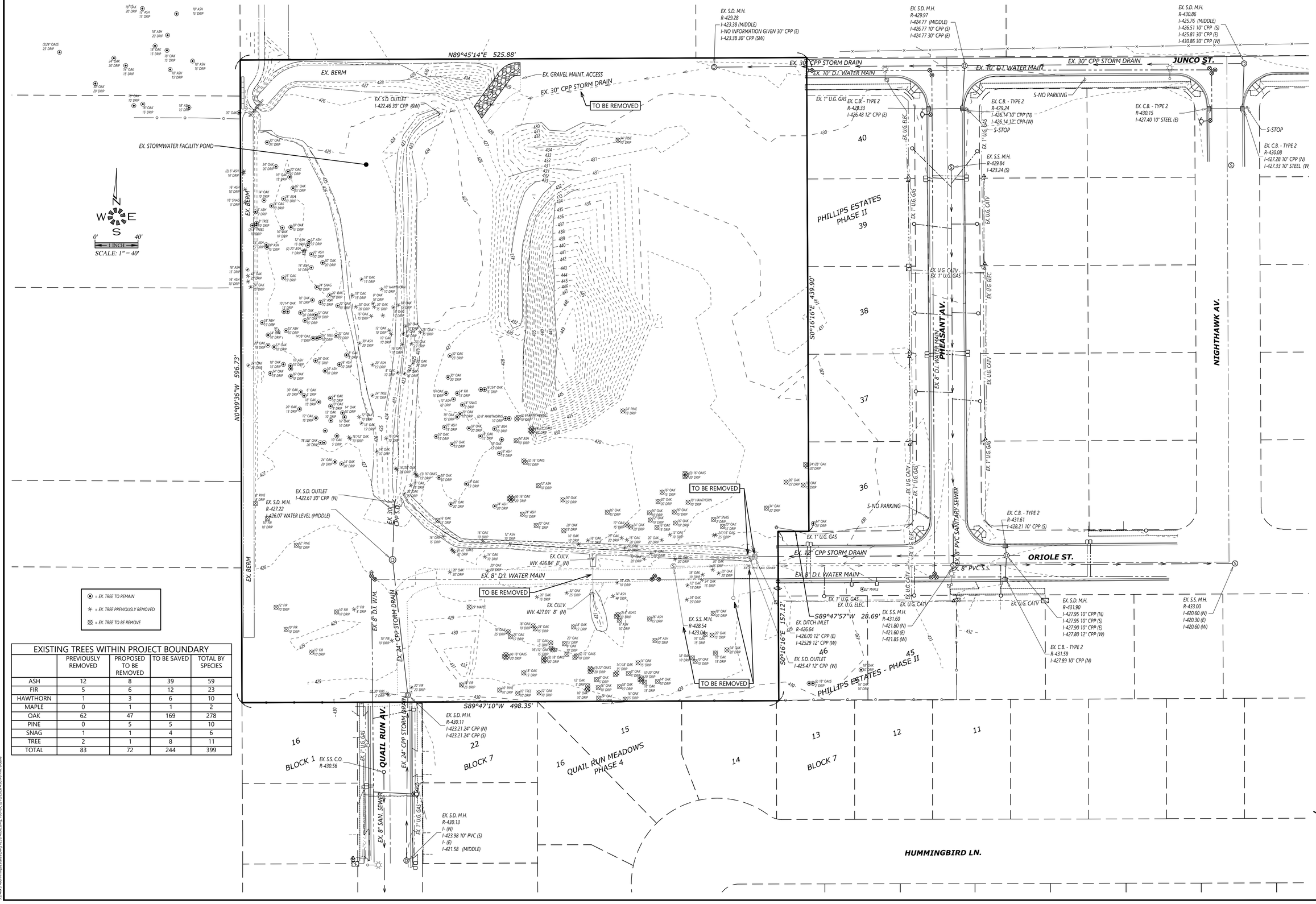
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 10, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

101

J:\Esc\7409 Phillips Estates\Dwg\c3D\7409e.dwg, 101-CS, 1/7/2026 12:53:35 PM, JGolin



= EX. TREE TO REMAIN

= EX. TREE PREVIOUSLY REMOVED

= EX. TREE TO BE REMOVE

EXISTING TREES WITHIN PROJECT BOUNDARY				
	PREVIOUSLY REMOVED	PROPOSED TO BE REMOVED	TO BE SAVED	TOTAL BY SPECIES
ASH	12	8	39	59
FIR	5	6	12	23
HAWTHORN	1	3	6	10
MAPLE	0	1	1	2
OAK	62	47	169	278
PINE	0	5	5	10
SNAG	1	1	4	6
TREE	2	1	8	11
TOTAL	83	72	244	399

MULTI/TECH
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www.mtengineering.net office@mtengineering.net

EXISTING CONDITIONS PLAN - SITE

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 103.tcx

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 2/16/26
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

103

J:\Acad\7409-PhIIIprEstates\Dwg s\7409fnl.dwg, 103-EX, 2/16/2026 4:06:48 PM, DGrafe

N89°45'14"E 525.88'

N0°09'36"W 596.73'

S0°16'16"E 439.90'

S89°47'57"W 28.69'

S0°16'16"E 157.12'

S89°47'10"W 498.35'

EX. BERM

EX. GRAVEL MAINT. ACCESS

EX. 30" CPP STORM DRAIN

TO BE REMOVED

EX. S.D. OUTLET
I-422.46 30" CPP (SW)

EX. S.D. M.H.
R-429.28
I-423.38 (MIDDLE)
I-NO INFORMATION GIVEN 30" CPP (E)
I-423.38 30" CPP (SW)

EX. S.D. M.H.
R-429.97
I-424.77 (MIDDLE)
I-426.77 10" CPP (S)
I-424.77 30" CPP (E)

EX. S.D. M.H.
R-430.86
I-425.76 (MIDDLE)
I-426.51 10" CPP (S)
I-425.81 30" CPP (E)
I-430.86 30" CPP (W)

EX. 10" D.I. WATER MAIN

JUNCO ST.

EX. U.G. GAS

EX. C.B. - TYPE 2
R-429.33
I-426.48 12" CPP (E)

EX. C.B. - TYPE 2
R-429.24
I-426.14 10" CPP (N)
I-426.14 12" CPP-(W)

S-NO PARKING

S-STOP

EX. C.B. - TYPE 2
R-430.15
I-427.40 10" STEEL (E)

EX. C.B. - TYPE 2
R-430.08
I-427.28 10" CPP (N)
I-427.33 10" STEEL (W

EX. U.G. ELEC.

EX. U.G. CATV

EX. S.S. M.H.
R-429.84
I-423.24 (S)

PHILLIPS ESTATES
PHASE II

39

40

38

37

36

46

45

EX. 8" D.I. WATER MAIN

PHEASANT AV.

NIGHTHAWK AV.

EX. 8" PVC SANITARY SEWER

EX. 8" PVC S.S.

ORIOLE ST.

EX. S.S. M.H.
R-428.54
I-423.90 (E)

EX. S.S. M.H.
R-431.90
I-427.95 10" CPP (N)
I-427.95 10" CPP (S)
I-427.90 10" CPP (E)
I-427.80 12" CPP (W)

EX. S.S. M.H.
R-433.00
I-420.60 (N)
I-420.30 (E)
I-420.60 (W)

EX. S.S. M.H.
R-431.61
I-428.21 10" CPP (S)

EX. S.D. M.H.
R-431.61
I-421.80 (N)
I-421.60 (E)
I-421.85 (W)

EX. C.B. - TYPE 2
R-431.59
I-427.89 10" CPP (N)

EX. DITCH INLET
R-426.64
I-426.00 12" CPP (E)
I-425.29 12" CPP (W)

EX. S.D. OUTLET
I-425.47 12" CPP (W)

EX. 6" D.I. W.M.

EX. 24" CPP STORM DRAIN

EX. CULV.
INV. 426.84 8" (N)

EX. CULV.
INV. 427.01 8" (N)

EX. S.D. OUTLET
I-422.61 30" CPP (N)

EX. S.D. M.H.
R-427.22
I-426.07 WATER LEVEL (MIDDLE)

EX. 30" CPP S.D.

EX. 8" D.I. WATER MAIN

TO BE REMOVED

TO BE REMOVED

TO BE REMOVED

EX. STORMWATER FACILITY POND

EX. BERM

EX. 8" SAN. SEWER

EX. U.G. GAS

EX. 24" CPP STORM DRAIN

EX. S.S. C.O.
R-430.56

EX. S.D. M.H.
R-430.11
I-423.21 24" CPP (N)
I-423.21 24" CPP (S)

EX. S.D. M.H.
R-430.13
I- (N)
I-423.98 10" PVC (S)
I- (E)
I-421.58 (MIDDLE)

QUAIL RUN AV.

BLOCK 1

BLOCK 7

QUAIL RUN MEADOWS
PHASE 4

PHILLIPS ESTATES - PHASE II

HUMMINGBIRD LN.

16

22

15

14

13

12

11

= EX. TREE TO REMAIN

= EX. TREE TO BE REMOVE

N
W E
S

0' 40'
1 INCH
SCALE: 1" = 40'

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EXISTING CONDITIONS PLAN - SITE

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 103-EX

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 11/11/25
Scale: AS SHOWN

As-Built: ----

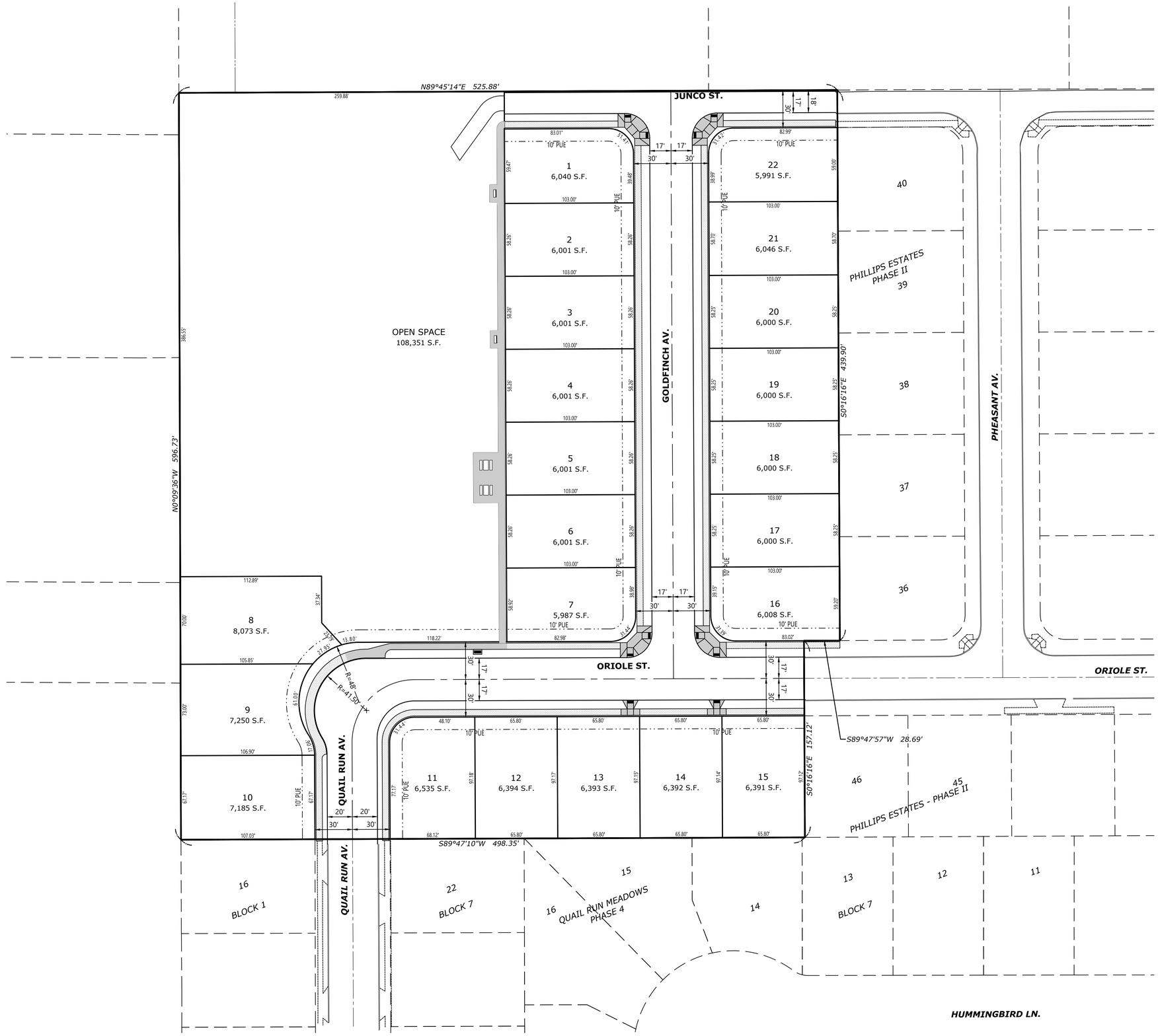
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

103

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SITE PLAN

PHILLIPS ESTATES PHASE III

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7409b 104-SITE
Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 1/7/26
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

104

I:\Mtec\7409 Phillips\Users\Dwg\p07409dwg 104-SITE, 1/7/2026 1:53:46 PM, DGuile

09 1W 04DB

SEE MAP 091W04B
CTR SEC

SEE MAP 091W04A

3100 2.46 AC
3000 2.52 AC
2700 2.42 AC
29 54 0
GOSHEN RD
288
GOSHEN RD
305.75
311.03
3200 3.00 AC
2900 2.00 AC
2800 2.46 AC
301.65
301.65
S89 45W 528.89
SEE MAP 091W04DA
3300 7.11 AC
29 54 0
SEE MAP 091W04C
596.90
29 04 0
JUNCO ST
JUNCO ST
PHILLIPS
PHEASANT AVE
NIGHTHAWK AVE
CARDINAL AVE
EST.
2000
1900
1800
1700
1600
1100
1200
1300
1400
1500
1000
900
800
700
600
100
200
300
400
500
29 04 0
ORIOLE ST
ORIOLE ST
2600
2500
2400
2300
2200
2100
PH 2
1/16 COR
1/16 COR
S89 45W 499.59
SEE MAP 091W04DC
HUMMINGBIRD LANE
HUMMINGBIRD LANE
SEE MAP 091W04DD
R=60
OAK EDGE AVE
29 04 0
09 1W 04DB

09 1W 04DB
STAYTON



MARION COUNTY, OREGON

NW1/4 SE1/4 SEC4 T9S R1W W.M.
SCALE 1" = 100'

LEGEND

LINE TYPES

- Taxlot Boundary
- Historical Boundary
- Road Right-of-Way
- Easement
- Railroad Right-of-Way
- Railroad Centerline
- Private Road ROW
- Taxcode Line
- Subdivision/Plat Bndry
- Map Boundary
- Waterline - Taxlot Bndry
- Waterline - Non Bndry

CORNER TYPES

- 1/16TH Section Cor.
- 1/4 Section Cor.
- DLC Corner
- Section Corner (16, 15, 21, 22)

NUMBERS

Tax Code Number
00 00 0

Acreage
0.25 AC

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

200.00
175.00

CANCELLED NUMBERS

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

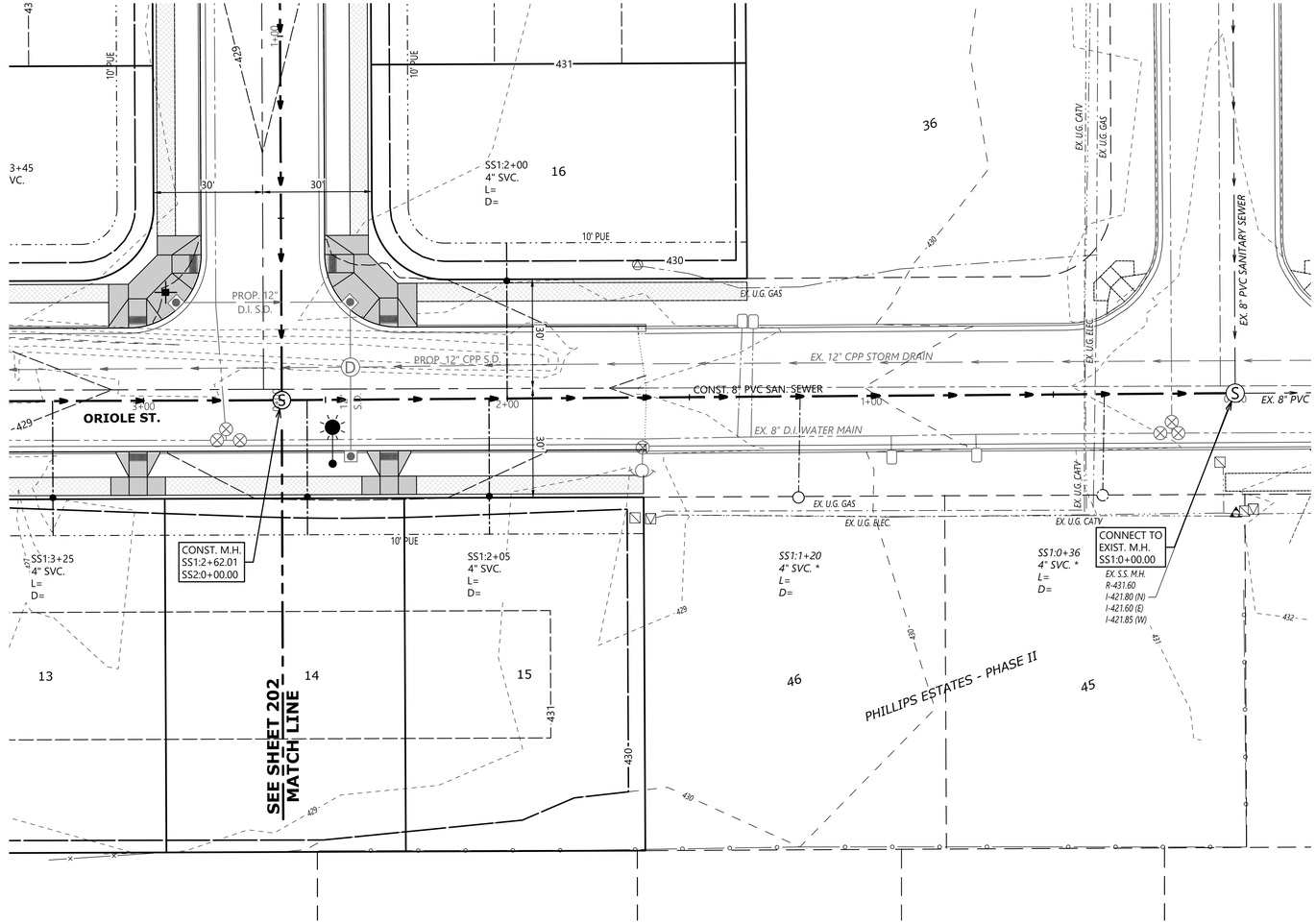
Marion County OREGON
Assessors Office
Cartography Dept

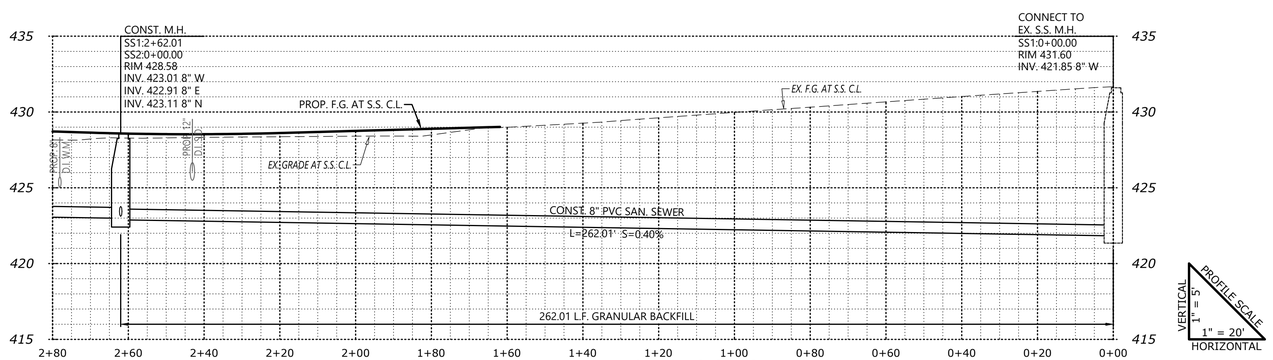
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

PLOT DATE: 10/17/2020

STAYTON
09 1W 04DB

SEE SHEET 203 FOR S.S. LINE 2 DESIGN





SANITARY SEWER LINE 1 0+00 TO 2+80

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SANITARY SEWER PLAN

PHILLIPS ESTATES PHASE III

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7409b 201-SS

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Checked: M.D.G.
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Scale: AS SHOWN
As-Built: ----

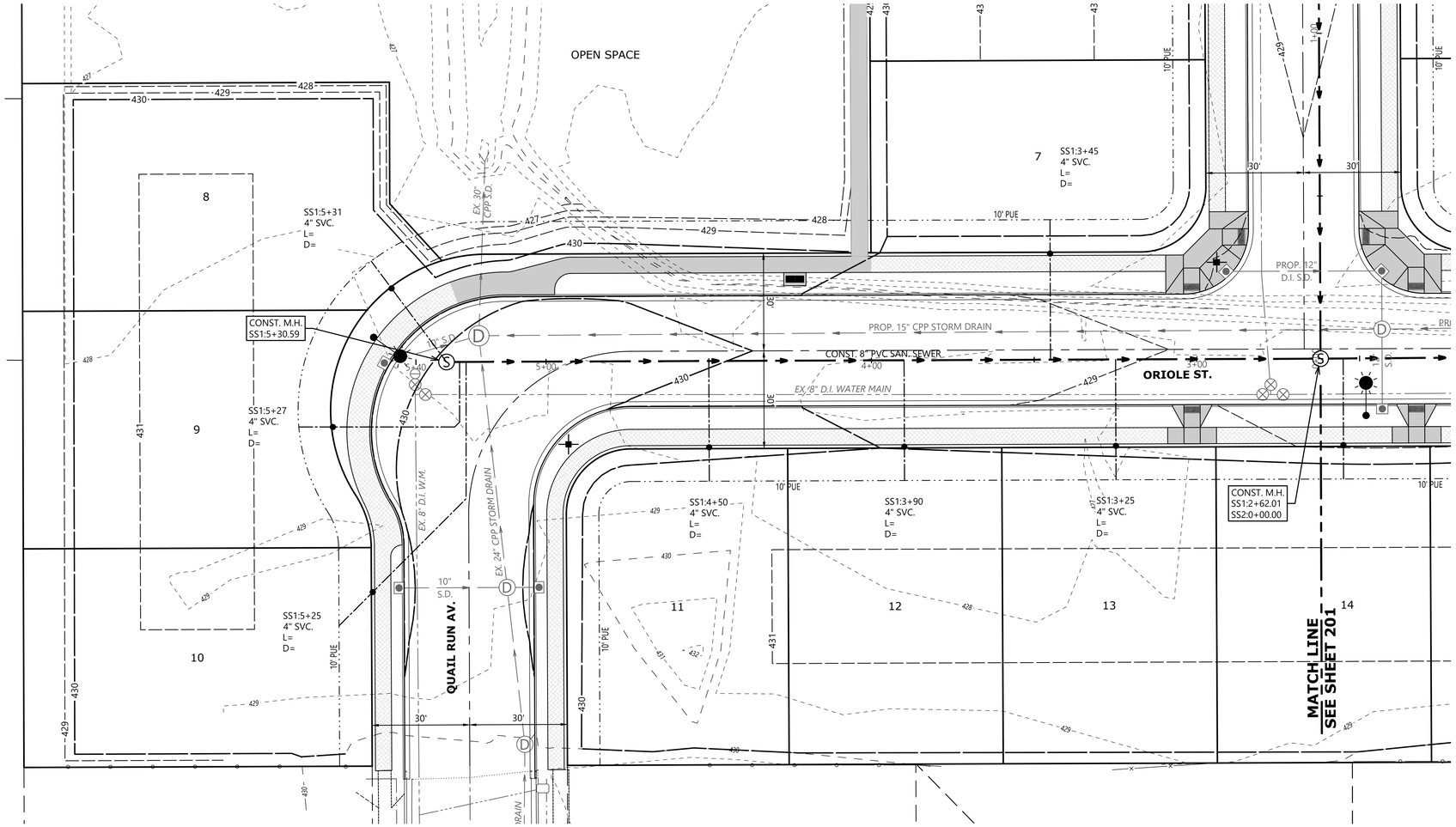
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

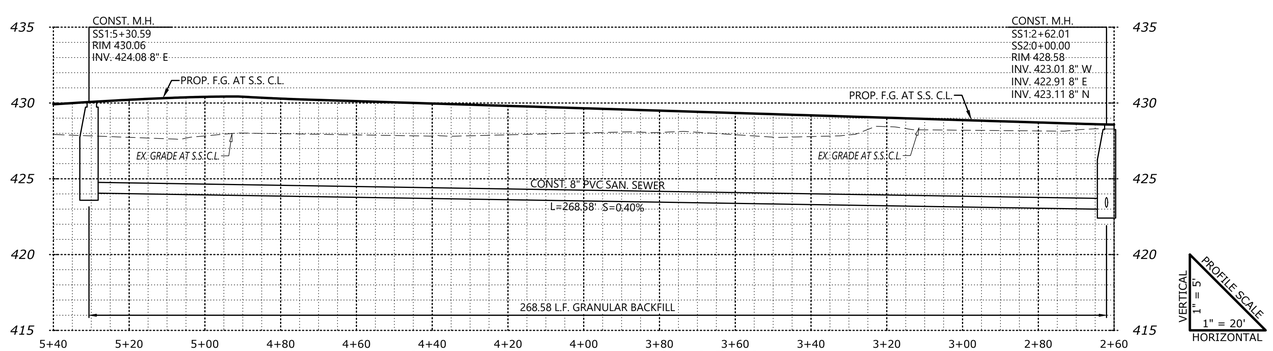
JOB # 7409

201

I:\Acc\7409-PhillipsEstates\Dwg s\201\7409b.dwg, 201-SS, 8/20/2025 8:14:31 AM, DGrafe

SEE SHEET 203 FOR
S.S. LINE 2 DESIGN





SANITARY SEWER LINE 1 2+60 TO 5+40



SCALE: 1" = 20'

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SANITARY SEWER PLAN

PHILLIPS ESTATES
PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 202-SS

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Scale: AS SHOWN
As-Built: ----

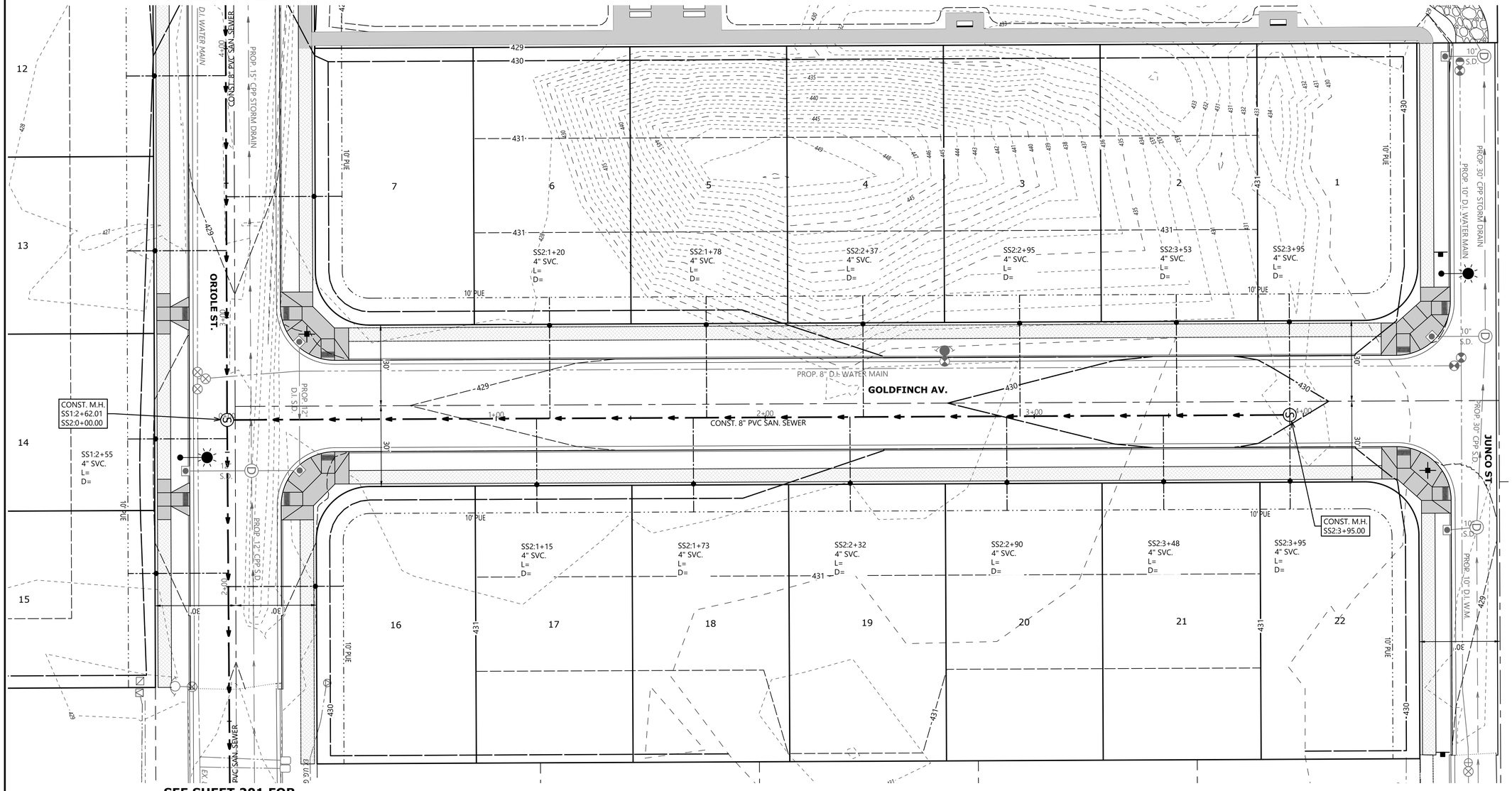
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

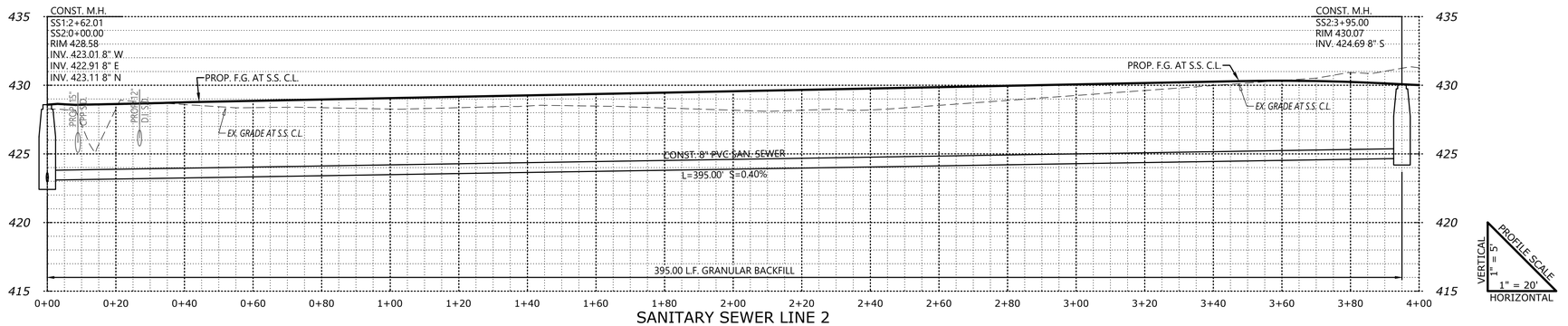
202

J:\7Acv\7409-PhillipsEstates\Dwg s2\7409b.dwg, 202-SS, 8/20/2025 8:15:15 AM, DGolie

SEE SHEET 202 FOR S.S. LINE 1 DESIGN



SEE SHEET 201 FOR S.S. LINE 1 DESIGN



SANITARY SEWER LINE 2

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SANITARY SEWER PLAN

PHILLIPS ESTATES PHASE III

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7409s 203 SS

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Issue Date: 8/20/25
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As-Built: ----

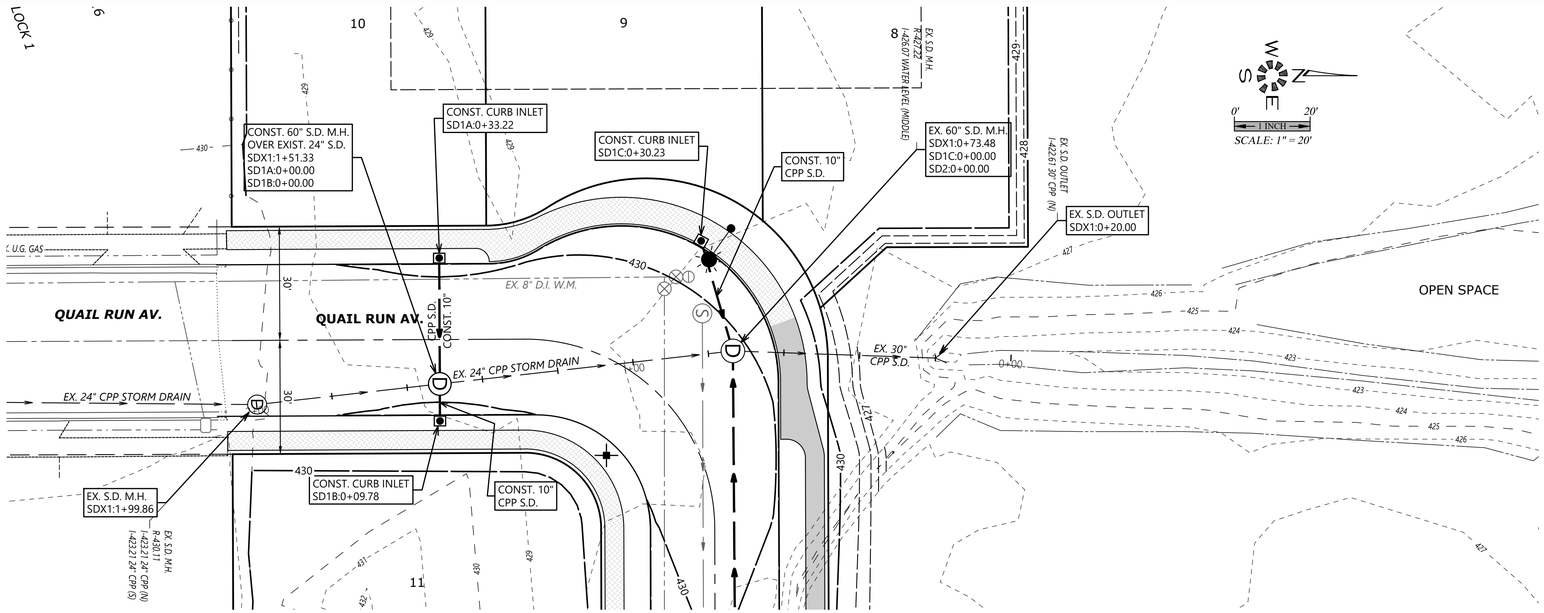
REGISTERED PROFESSIONAL ENGINEER OREGON JULY 14, 1978 MARK D. GRENZ

EXPIRES: 06-30-2027

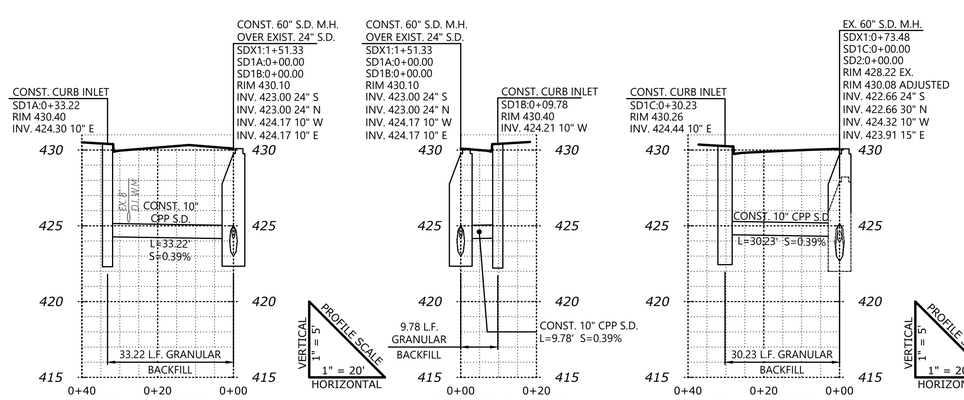
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203

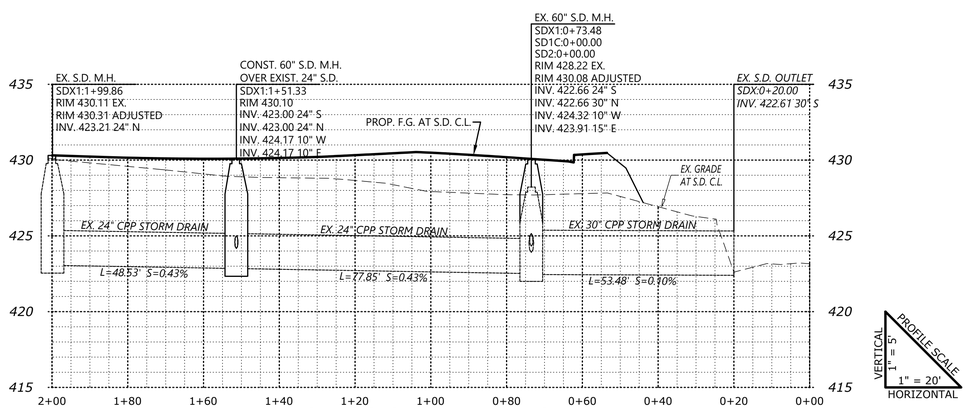
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SEE SHEET 302 FOR SD2 DESIGN



S.D. LINE SD1A | S.D. LINE SD1B | S.D. LINE SD1C



EXISTING STORM DRAIN LINE SDX1

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STORM DRAIN PLAN

PHILLIPS ESTATES PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 301-50

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Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

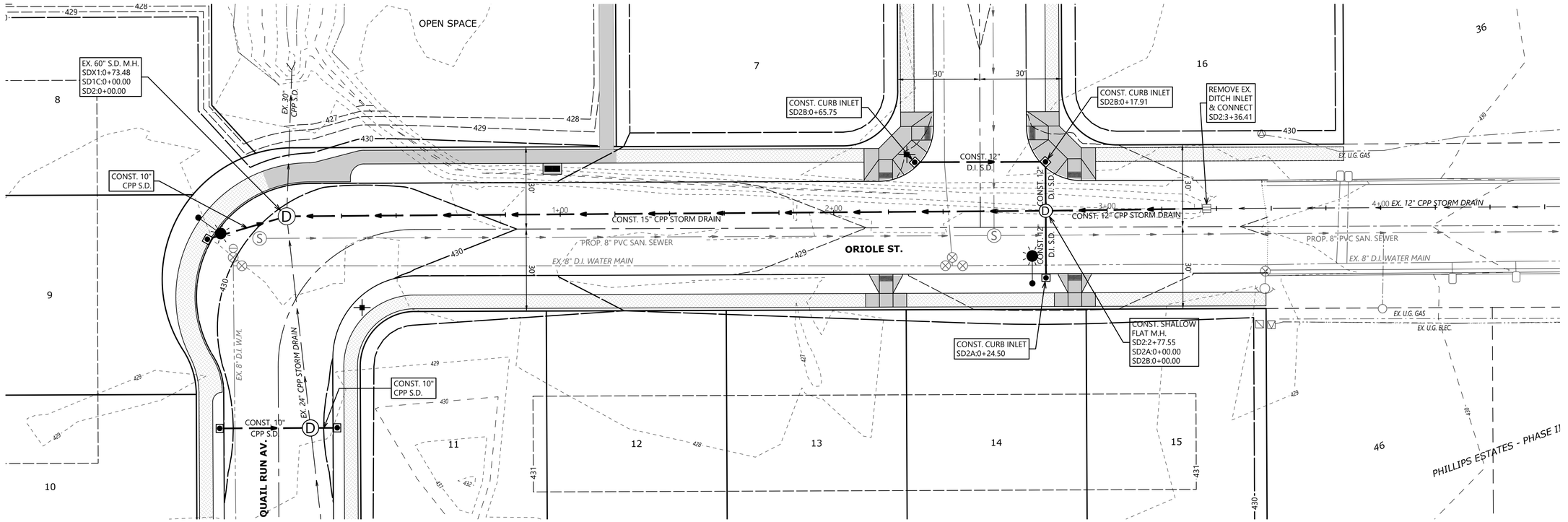
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

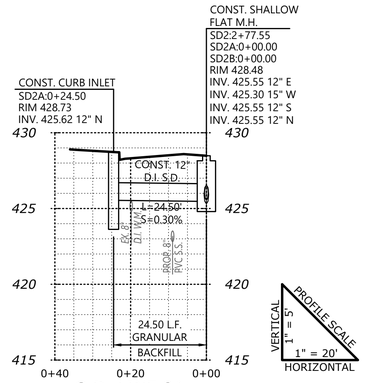
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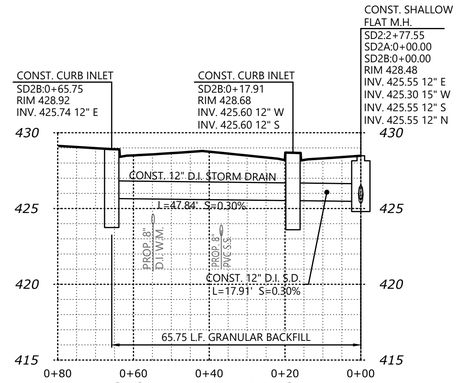
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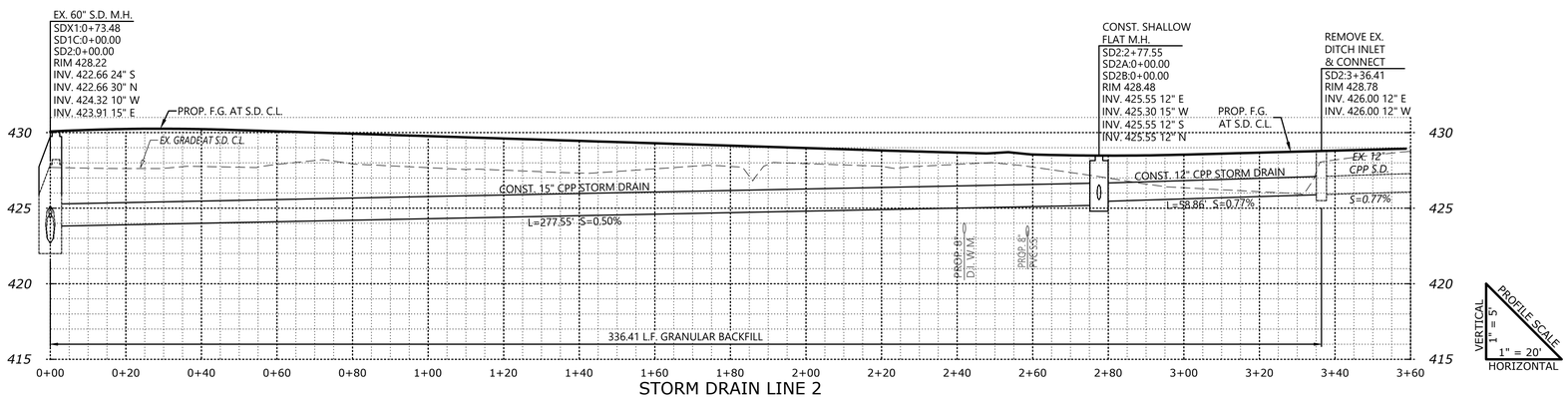
I:\Tech\7409-PhillipsEstates\Dwg s2\7409b.dwg, 301-SD, 8/20/2025 8:17:41 AM, DGrubb



SEE SHEET 401 FOR SDX1 DESIGN







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STORM DRAIN PLAN

PHILLIPS ESTATES PHASE III

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7409b 302-SD

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Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

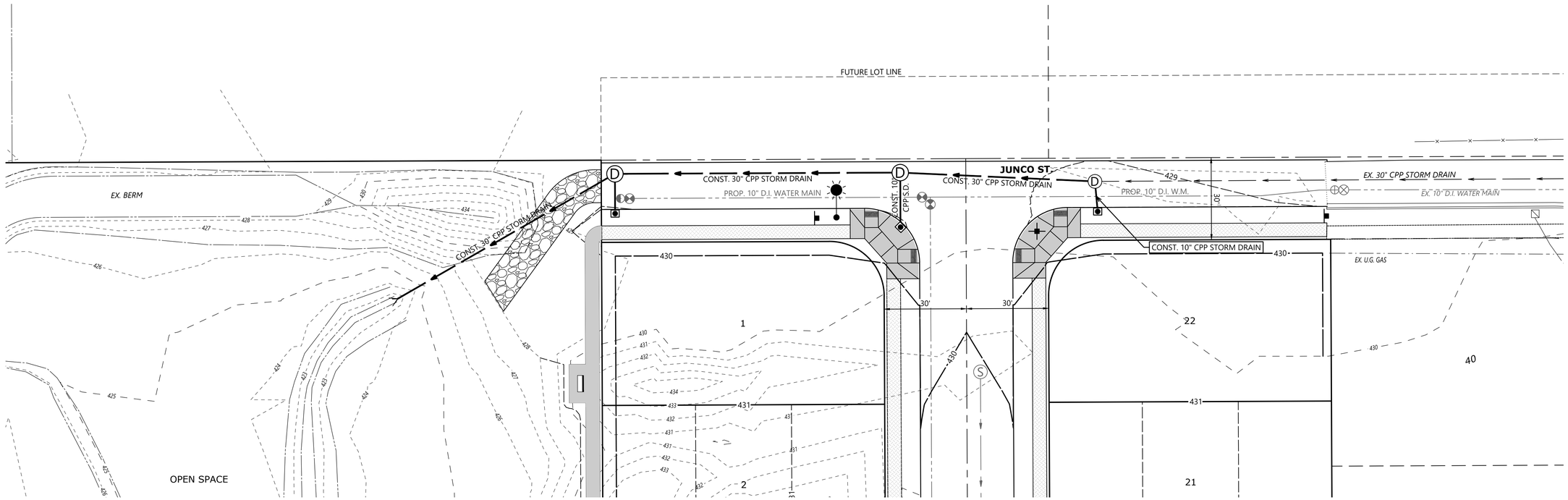
REGISTERED PROFESSIONAL ENGINEER OREGON JULY 14, 1978 MARK D. GRENZ

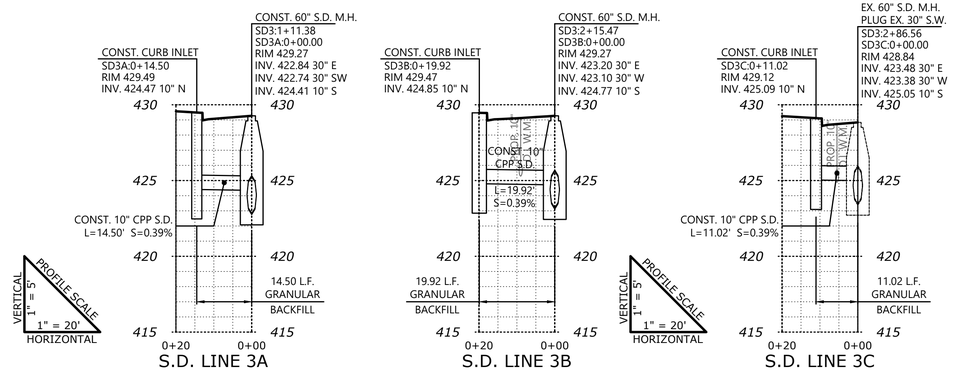
EXPIRES: 06-30-2027

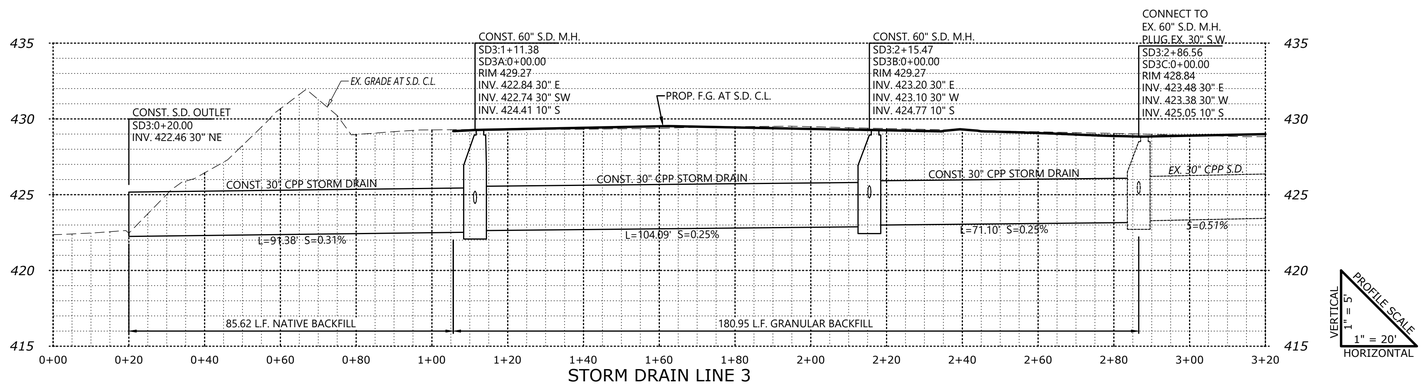
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302

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STORM DRAIN LINE 3

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PHILLIPS ESTATES PHASE III

STORM DRAIN PLAN

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7409s 303-SD

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 6/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 2006
MARK D. GRENZ

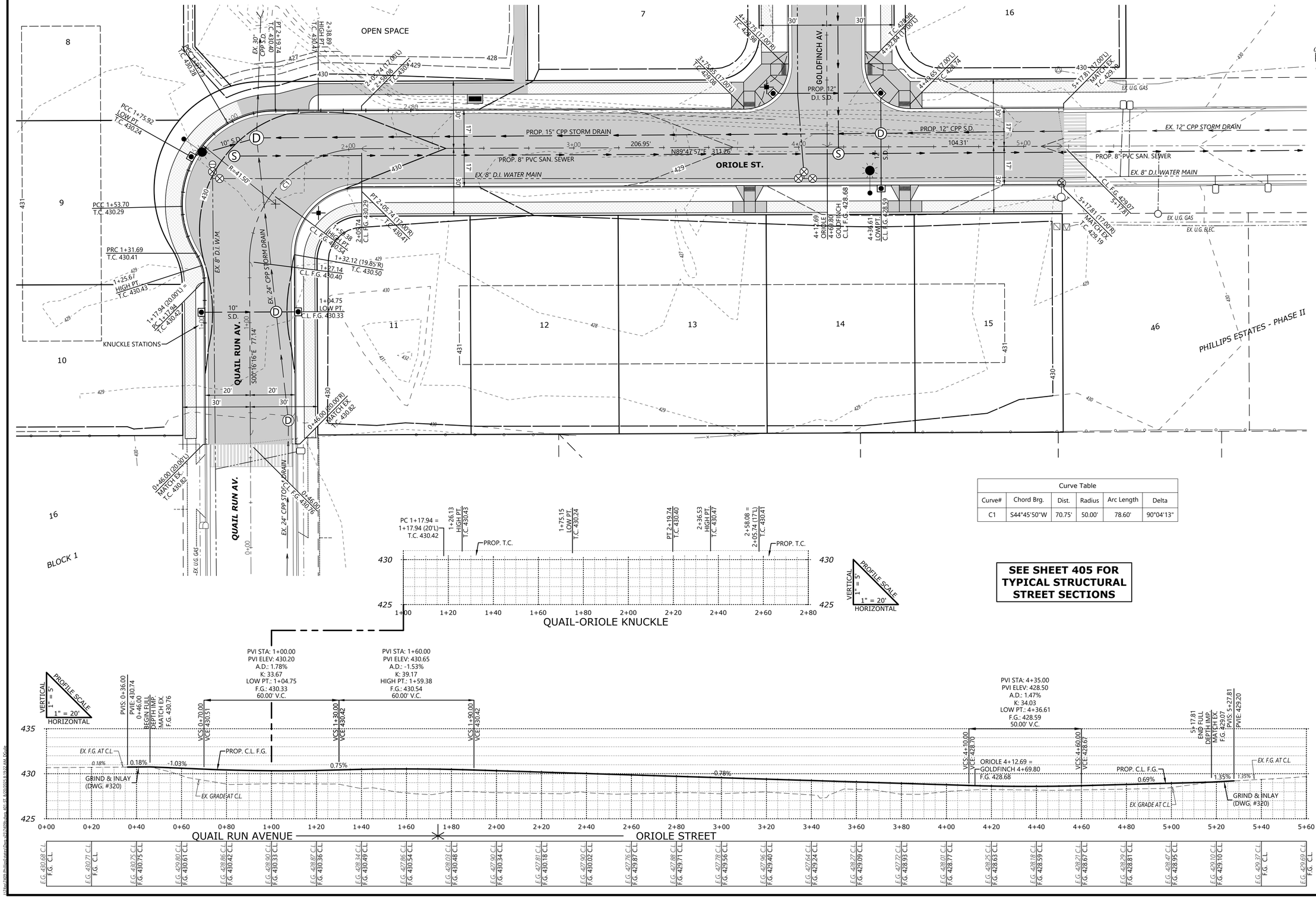
EXPIRES: 06-30-2027

JOB # 7409

303

J:\Docs\7409-Phillips Estates\Dwg\303-SD\7409sdwg, 303-SD, 6/20/2025 8:18:39 AM, DGuile

SEE SHEET 402 FOR GOLDFINCH AV. DESIGN



Curve Table					
Curve#	Chord Brg.	Dist.	Radius	Arc Length	Delta
C1	S44°45'50"W	70.75'	50.00'	78.60'	90°04'13"

SEE SHEET 405 FOR TYPICAL STRUCTURAL STREET SECTIONS

E.G. 430.68 C.L. F.G. C.L.
E.G. 430.71 C.L. F.G. C.L.
E.G. 430.75 C.L. F.G. 430.75 C.L.
E.G. 429.80 C.L. F.G. 430.61 C.L.
E.G. 429.86 C.L. F.G. 430.42 C.L.
E.G. 428.90 C.L. F.G. 430.33 C.L.
E.G. 428.87 C.L. F.G. 430.36 C.L.
E.G. 428.34 C.L. F.G. 430.49 C.L.
E.G. 427.86 C.L. F.G. 430.54 C.L.
E.G. 428.03 C.L. F.G. 430.48 C.L.
E.G. 427.90 C.L. F.G. 430.34 C.L.
E.G. 427.81 C.L. F.G. 430.18 C.L.
E.G. 427.90 C.L. F.G. 430.02 C.L.
E.G. 427.76 C.L. F.G. 429.87 C.L.
E.G. 427.88 C.L. F.G. 429.71 C.L.
E.G. 427.78 C.L. F.G. 429.56 C.L.
E.G. 427.96 C.L. F.G. 429.40 C.L.
E.G. 427.64 C.L. F.G. 429.24 C.L.
E.G. 428.27 C.L. F.G. 429.09 C.L.
E.G. 427.72 C.L. F.G. 428.93 C.L.
E.G. 428.01 C.L. F.G. 428.77 C.L.
E.G. 428.25 C.L. F.G. 428.63 C.L.
E.G. 428.18 C.L. F.G. 428.59 C.L.
E.G. 428.21 C.L. F.G. 428.67 C.L.
E.G. 428.29 C.L. F.G. 428.81 C.L.
E.G. 428.47 C.L. F.G. 428.95 C.L.
E.G. 429.10 C.L. F.G. 429.10 C.L.
E.G. 429.37 C.L. F.G. C.L.
E.G. 429.69 C.L. F.G. C.L.

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www.millerpinestreet.com office@millerpinestreet.net

STREET PLAN

PHILLIPS ESTATES PHASE III

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7409\ 401-ST

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

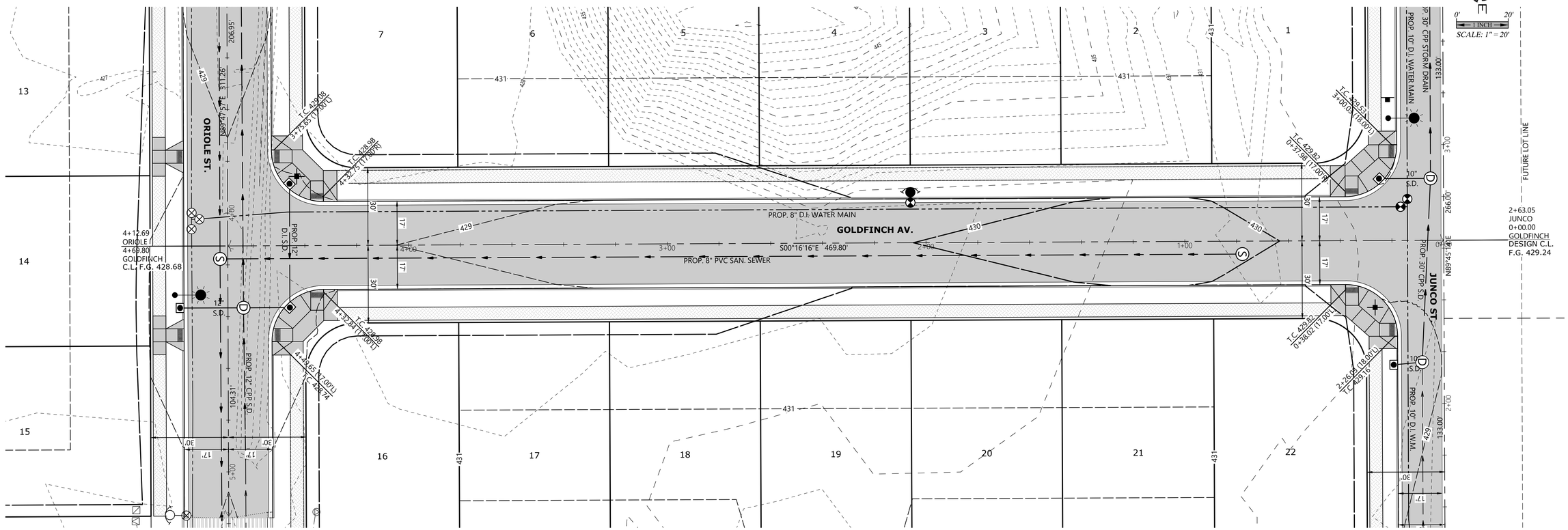
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 2006
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

401

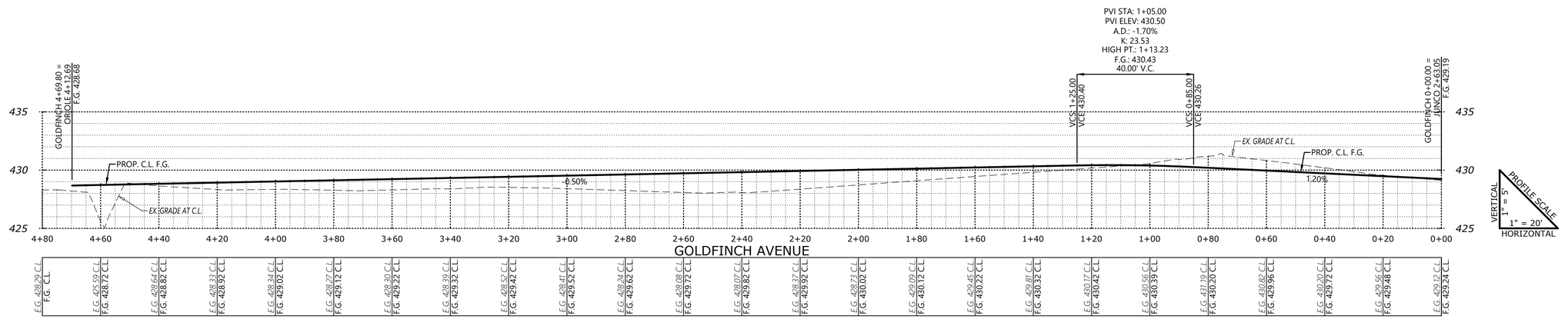
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SEE SHEET 401 FOR
ORIOLE ST. DESIGN



SEE SHEET 403 FOR
JUNCO ST. DESIGN

SEE SHEET 405 FOR
TYPICAL STRUCTURAL
STREET SECTIONS



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.oldtowngatewaypkwy.com

STREET PLAN

PHILLIPS ESTATES
PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

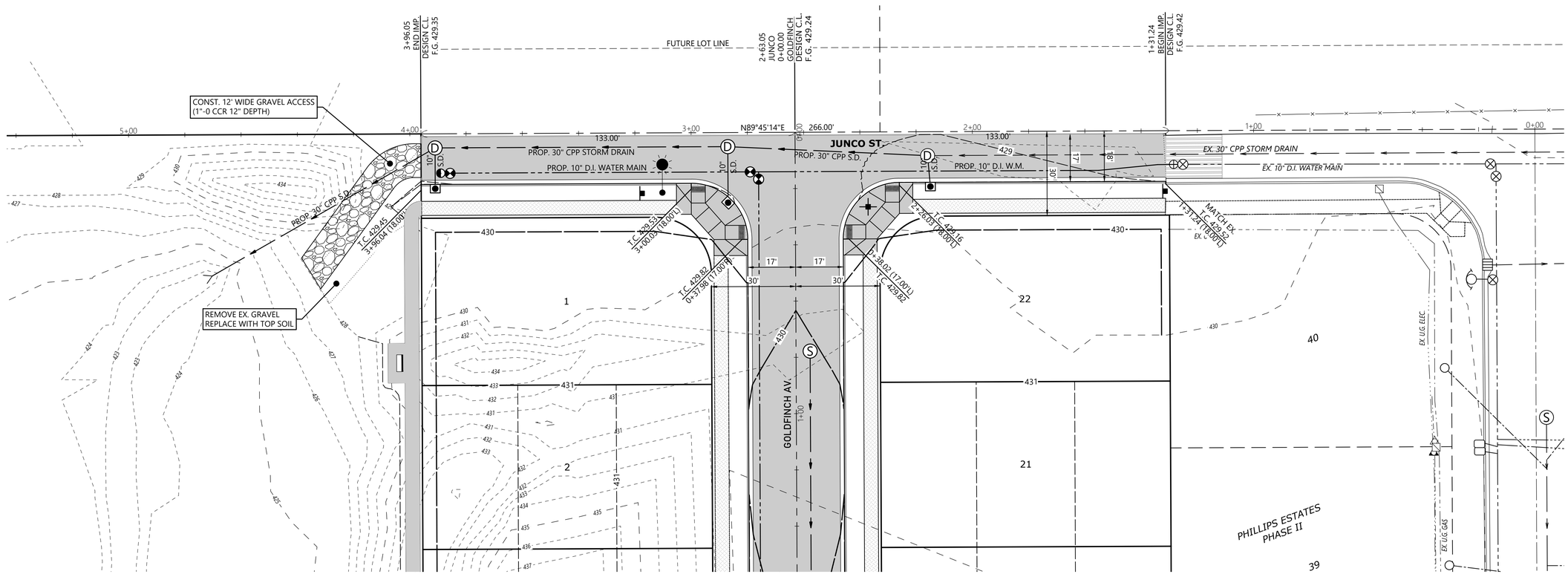
7409b 402-ST
Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

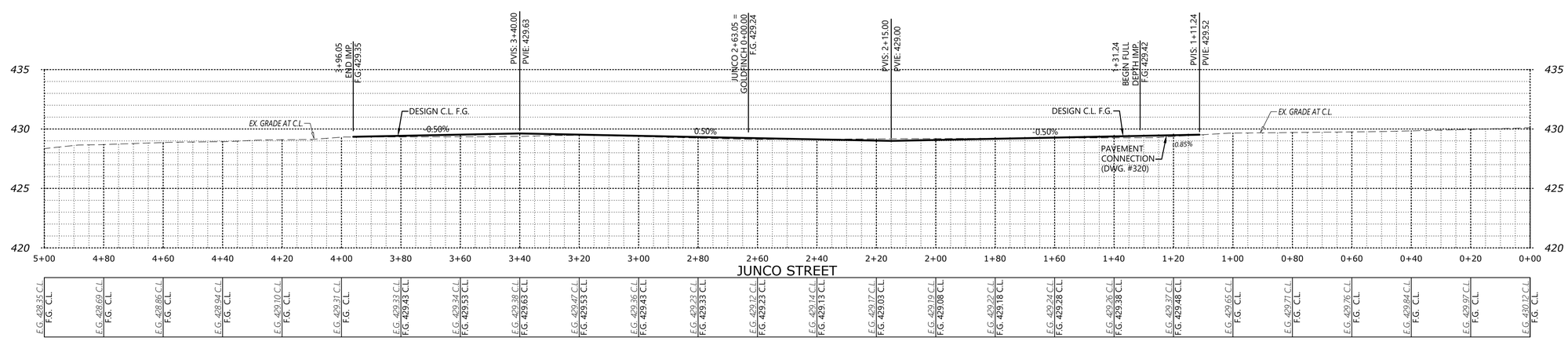
402

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SEE SHEET 402 FOR GOLDFINCH AV. DESIGN

SEE SHEET 405 FOR TYPICAL STRUCTURAL STREET SECTIONS



E.G. 428.35 C.L. F.G. C.L.
E.G. 428.69 C.L. F.G. C.L.
E.G. 428.86 C.L. F.G. C.L.
E.G. 428.94 C.L. F.G. C.L.
E.G. 429.10 C.L. F.G. C.L.
E.G. 429.31 C.L. F.G. C.L.
E.G. 429.33 C.L. F.G. 429.43 C.L.
E.G. 429.34 C.L. F.G. 429.53 C.L.
E.G. 429.38 C.L. F.G. 429.63 C.L.
E.G. 429.47 C.L. F.G. 429.53 C.L.
E.G. 429.36 C.L. F.G. 429.43 C.L.
E.G. 429.23 C.L. F.G. 429.33 C.L.
E.G. 429.12 C.L. F.G. 429.23 C.L.
E.G. 429.14 C.L. F.G. 429.13 C.L.
E.G. 429.17 C.L. F.G. 429.03 C.L.
E.G. 429.19 C.L. F.G. 429.08 C.L.
E.G. 429.22 C.L. F.G. 429.18 C.L.
E.G. 429.24 C.L. F.G. 429.28 C.L.
E.G. 429.26 C.L. F.G. 429.38 C.L.
E.G. 429.37 C.L. F.G. 429.48 C.L.
E.G. 429.65 C.L. F.G. C.L.
E.G. 429.71 C.L. F.G. C.L.
E.G. 429.76 C.L. F.G. C.L.
E.G. 429.84 C.L. F.G. C.L.
E.G. 429.97 C.L. F.G. C.L.
E.G. 430.12 C.L. F.G. C.L.

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STREET PLAN

PHILLIPS ESTATES PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 403.ST
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Issue Date: 9/20/25
Scale: AS SHOWN
As-Built: ----

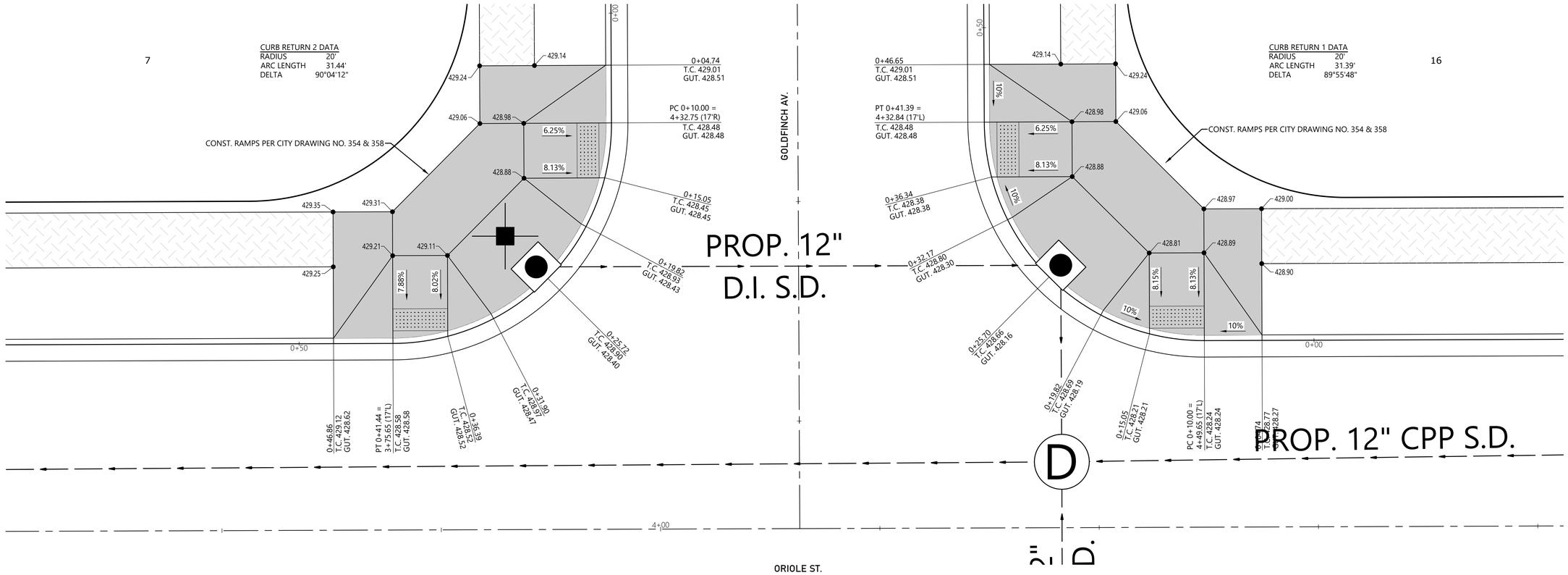
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 12, 1978
MARK D. GRENZ

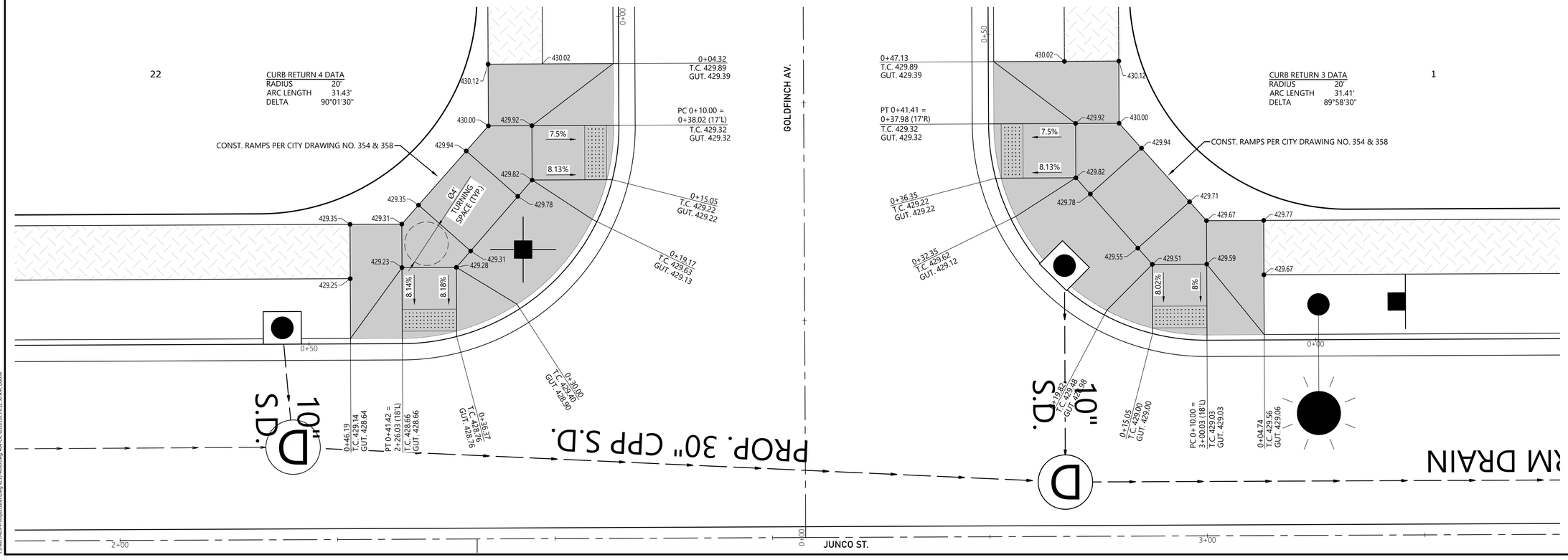
EXPIRES: 06-30-2027

JOB # 7409

403

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CURB RETURN & RAMP DETAILS

PHILLIPS ESTATES PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER SCALE OF GRAPHICAL REPRESENTATION.

7409b dcd-cfc

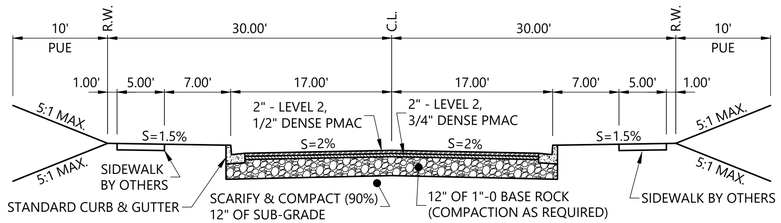
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Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

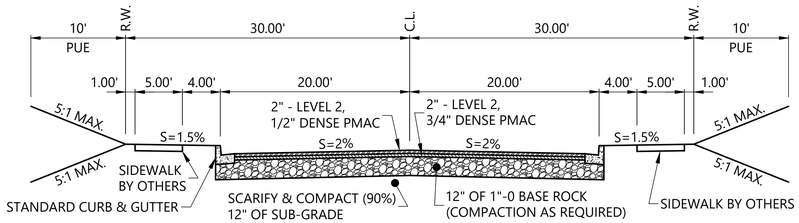
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404

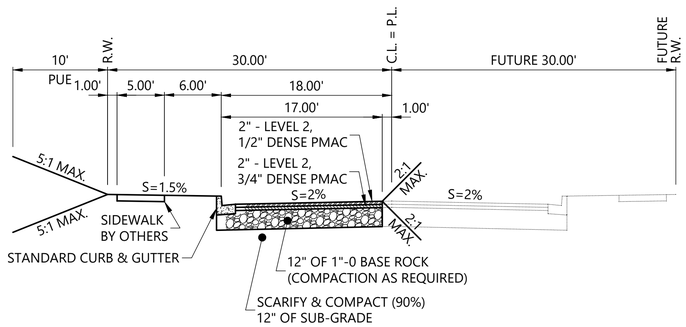
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TYPICAL STRUCTURAL STREET SECTION
ORIOLE STREET & GOLDFINCH AVENUE
-NTS-



TYPICAL STRUCTURAL STREET SECTION
QUAIL RUN AVENUE
-NTS-



TYPICAL STRUCTURAL STREET SECTION
JUNCO STREET
-NTS-

PROVISIONS FOR WET WEATHER CONSTRUCTION

DRY SEASON CONSTRUCTION IS RECOMMENDED; HOWEVER, EXCAVATION TO SUBGRADE CAN PROCEED DURING PERIODS OF LIGHT TO MODERATE RAINFALL PROVIDED THAT THE SUBGRADE REMAINS COVERED WITH AGGREGATE. A TOTAL AGGREGATE THICKNESS OF 8-INCHES MAY BE NECESSARY TO PROTECT THE SUBGRADE FROM HEAVY CONSTRUCTION TRAFFIC. CONSTRUCTION TRAFFIC SHOULD NOT BE ALLOWED DIRECTLY ON THE SUBGRADE ONLY ATOP A SUFFICIENT COMPACTED ROCK THICKNESS TO MITIGATE SUBGRADE "PUMPING." IF THE SUBGRADE BECOMES WET AND "PUMPS," NO CONSTRUCTION TRAFFIC SHALL BE ALLOWED ON THE ROAD ALIGNMENT. POSITIVE SITE DRAINAGE AWAY FROM THE STREET SHALL BE MAINTAINED IF SITE PAVING WILL NOT OCCUR BEFORE THE ON-SET OF THE WET SEASON.

MITIGATION OF WET AND SOFT SUBGRADE, IF ENCOUNTERED

DEPENDING ON THE TIMING FOR THE PROJECT, ANY SOFT SUBGRADE FOUND DURING PROOF-ROLLING OR BY VISUAL OBSERVATION CAN EITHER BE REMOVED AND REPLACED WITH COMPACTED CRUSHED AGGREGATE, REMOVED AND DRIED OR DRIED IN-PLACE AND RE-COMPACTED, OR AN AREA OF SUFFICIENT SIZE (GENERALLY AT LEAST 6-FEET BEYOND THE EDGE OF SOFT MATERIAL) MAY BE COVERED WITH A BI-AXIAL GEOGRID AND COVERED WITH COMPACTED CRUSHED AGGREGATE.

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PHILLIPS ESTATES PHASE III

TYPICAL STRUCTURAL STREET SECTIONS

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409s 405-TYP

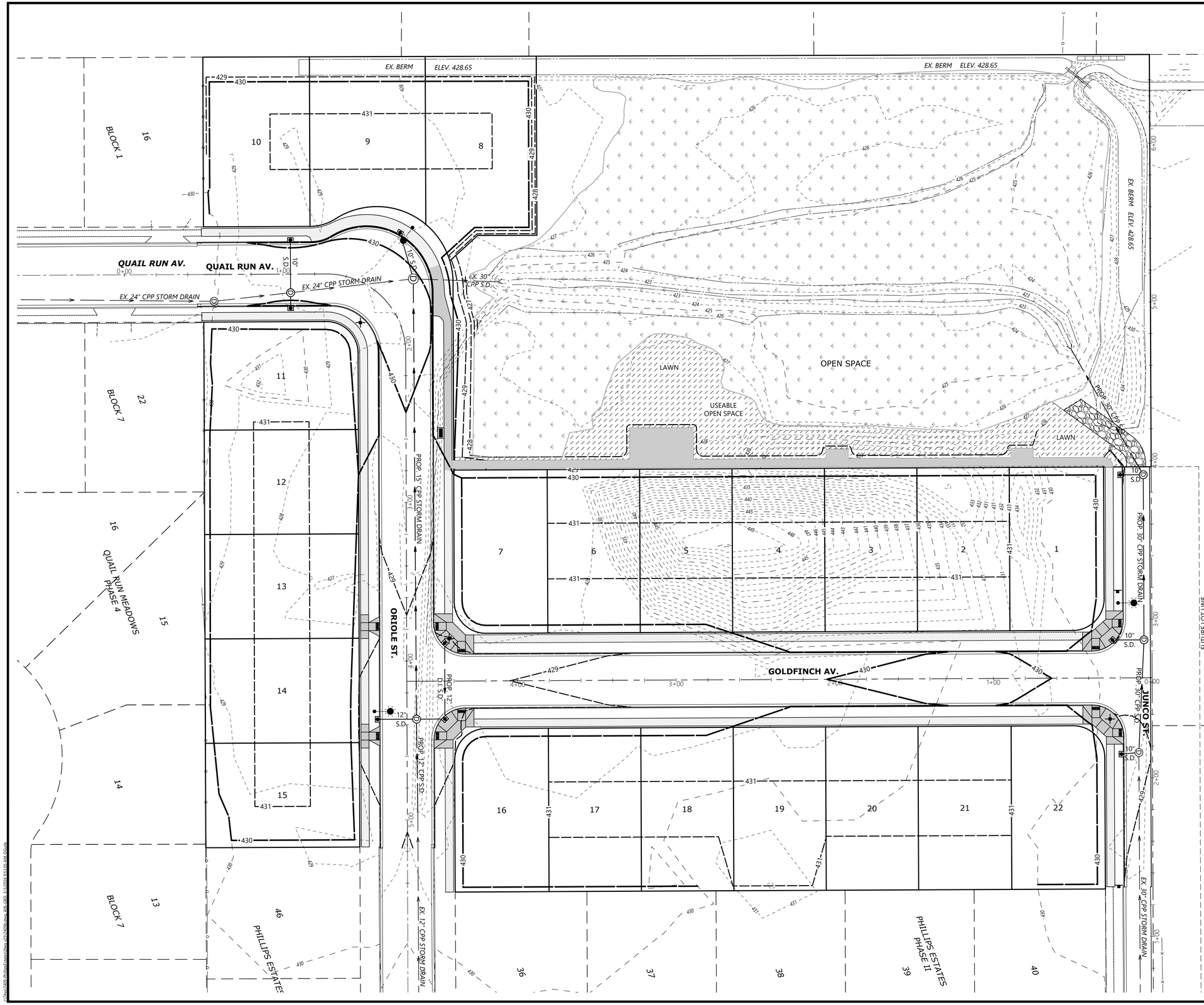
Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 10, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

405

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Marion County Area, Oregon

St—Sifton gravelly loam

Map Unit Setting
National map unit symbol: 24rg
Elevation: 100 to 600 feet
Mean annual precipitation: 40 to 45 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 210 days
Farmland classification: All areas are prime farmland

Map Unit Composition
Sifton and similar soils: 92 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sifton

Setting
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium over gravelly sand

Typical profile
H1 - 0 to 17 inches: gravelly loam
H2 - 17 to 24 inches: gravelly loam
H3 - 24 to 60 inches: extremely gravelly coarse sand

Properties and qualities
Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 5.5 inches)

Interpretive groups
Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: B
Ecological site: R002XC006OR - Stream Terrace Group
Forage suitability group: Well drained < 15% Slopes (G002XY002OR)
Other vegetative classification: Well drained < 15% Slopes (G002XY002OR)

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LOT GRADING PLAN

PHILLIPS ESTATES PHASE III

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7409s ADC-5363

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 3/3/26
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

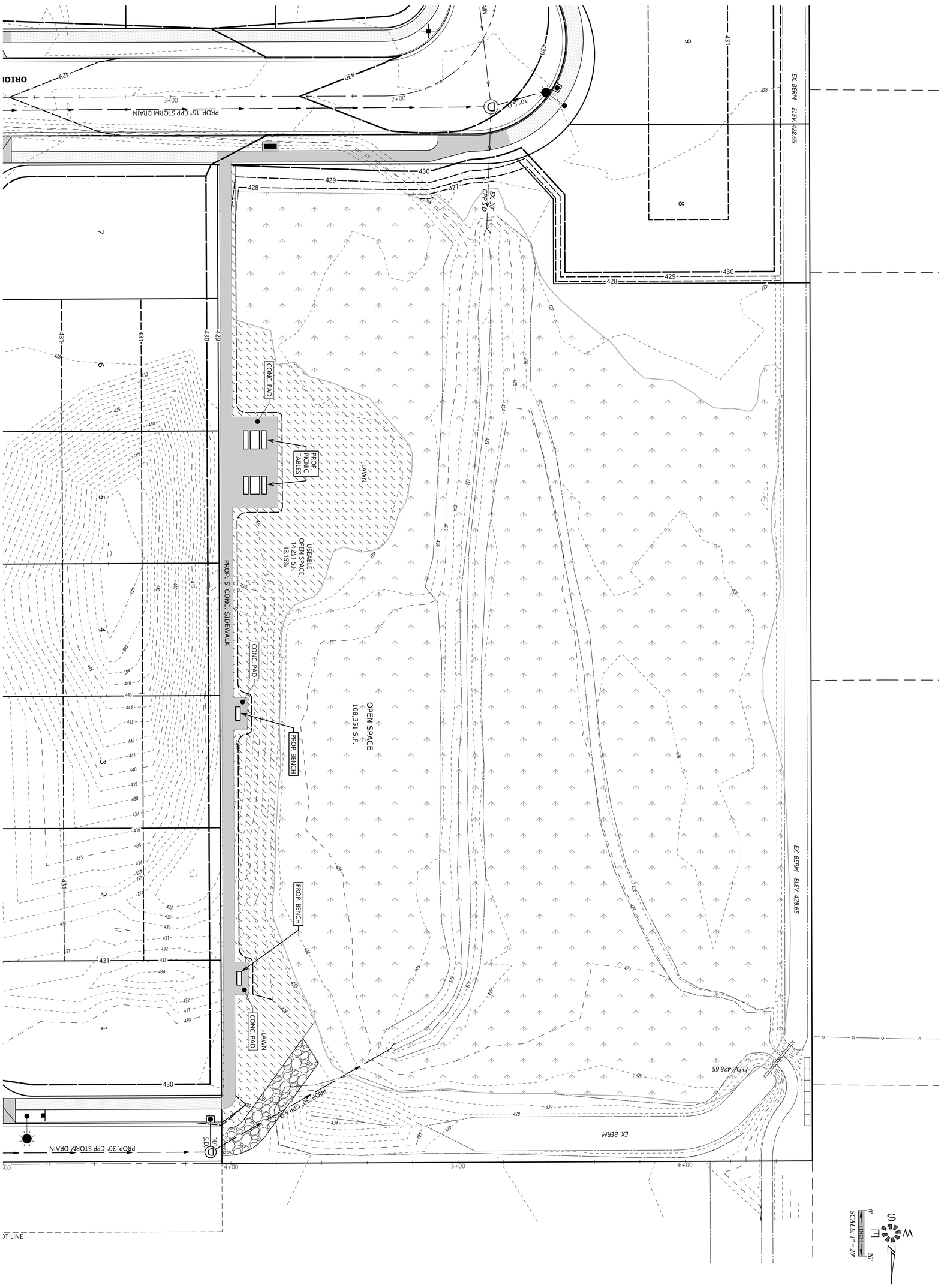
EXPIRES: 06-30-2027

JOB # 7409

406

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407	JOB # 7409	DPRS 06-30-2027	7409b 407-OS Design: M.D.G. Drawn: D.G.G. Checked: M.D.G. Issue Date: 1/7/26 Scale: AS SHOWN As-Built: ----	NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.	**PHILLIPS ESTATES PHASE III** **OPEN SPACE PLAN**

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KALEIDOSCOPE ABELIA (ABELIE X GRANDIFLORA 'KALEIDOSCOPE')
2 GAL. SIZE, 9' O.C. (TYPICALLY)

3'± HIGH POST LIGHT

N
W E
S

0' 20'
1 INCH
SCALE: 1" = 20'

EX. BERM ELEV. 428.65

EX. BERM ELEV. 428.65

ELEV. 428.65

EX. BERM

OPEN SPACE
108,351 S.F.

LAWN

USEABLE
OPEN SPACE
14,251 S.F.
13.15%

PROP. PICNIC TABLES

CONC. PAD

PROP. BENCH

PROP. BENCH

CONC. PAD

CONC. PAD

LAWN

PROP. 5' CONC. SIDEWALK

EX. 30" CPP S.D.

PROP. 30" CPP S.D.

PROP. 30" CPP STORM DRAIN

PROP. 15" CPP STORM DRAIN

10' S.D. D

ORIOL

9 8 7 6 5 4 3 2 1

431 430 429 428 427 426 425 424 423

2+00 3+00 4+00 5+00 6+00

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www.milestechnical.net office@milestechnical.net

OPEN SPACE LANDSCAPE PLAN

PHILLIPS ESTATES PHASE III

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7409s 408-LS

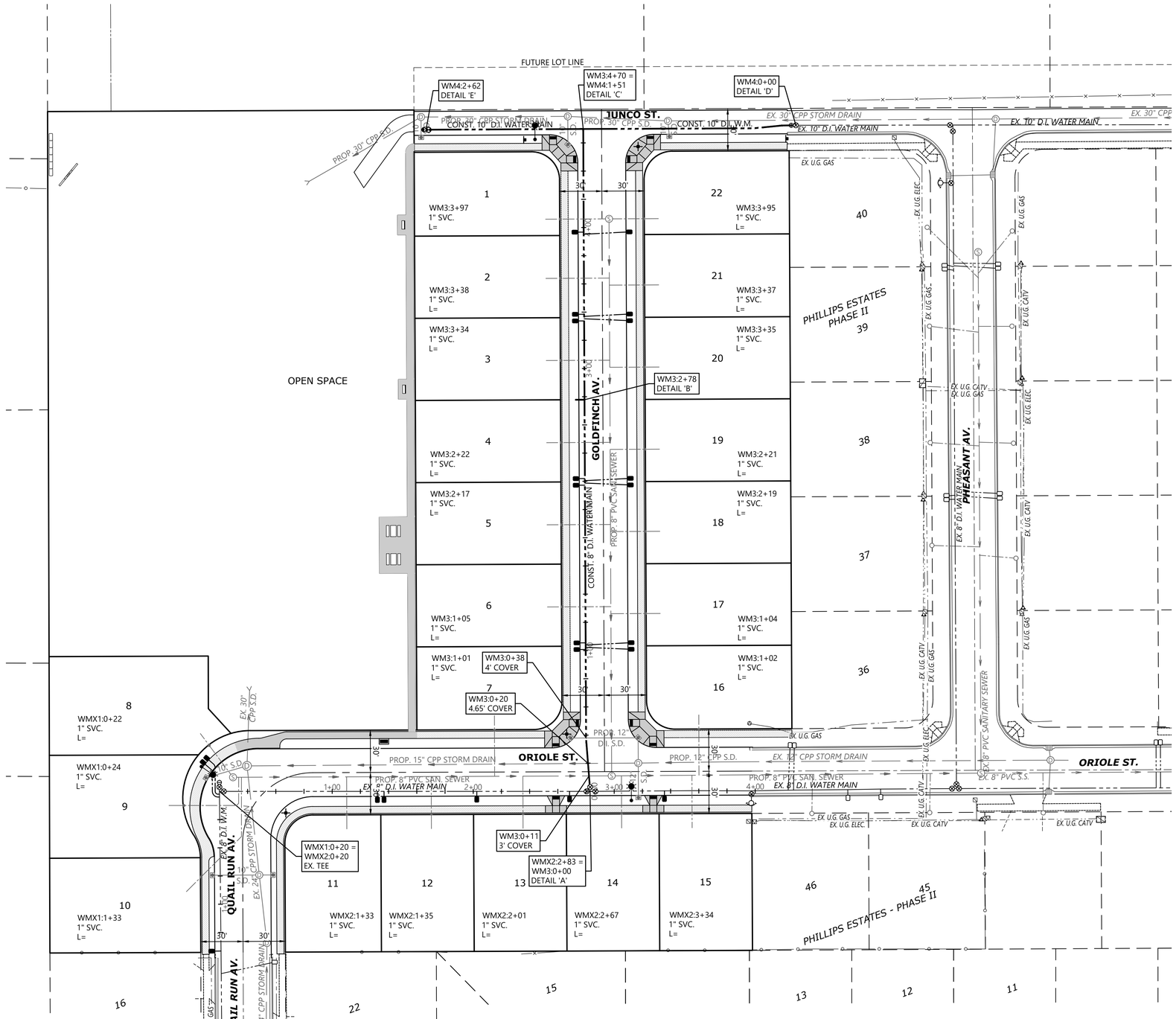
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As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

408

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AS-BUILT VALVE SCHEDULE

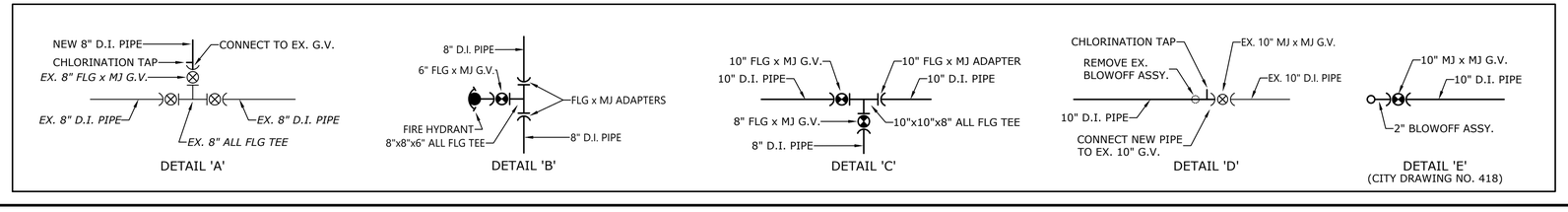
STATION	SIZE	JOINT	TYPE	MISC.
WM1:1+00	8"	FLxMJ	G.V.	6' DEEP
		(EXAMPLE)		

---> CONTRACTOR TO FILL OUT THIS TABLE DURING CONSTRUCTION <---

NOTE: HORIZONTAL & VERTICAL PIPE TRANSITIONS WHICH ARE NOT NOTED AS BENDS ARE PIPE DEFLECTIONS PER MANUFACTURE'S SPECIFICATIONS.

NOTE: SYMBOLS (FIRE HYDRANT, WATER VALVE, WATER METER, ETC.) ARE SHOWN LARGER THAN ACTUAL STRUCTURES FOR CLARITY. CONTRACTOR TO REFER TO CITY SPECIFICATIONS, CONSTRUCTION STANDARDS & DETAILS FOR LOCATION & CLEARANCES.

NOTE: SYMBOLS ARE LARGER THAN STRUCTURES. PROVIDE MIN. 5' SEPARATION BETWEEN SANITARY SEWER SERVICES & WATER SERVICES. LOCATE WATER METERS OUT OF DRIVEWAY DROPS OR PROVIDE TRAFFIC RATED BOX & LID.



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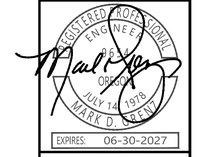
DOMESTIC WATER PLAN

PHILLIPS ESTATES PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

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Drawn: D.G.G.
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Issue Date: 8/20/25
Scale: AS SHOWN
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EXPIRES: 06-30-2027

JOB # 7409

501

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= 5' SIDEWALK LOCATION TO BE INSTALLED AT TIME OF HOME CONSTRUCTION

= 5' SIDEWALK LOCATION TO BE INSTALLED AT TIME OF STREET CONSTRUCTION

NO PARKING THIS SIDE ANY TIME = INSTALL 18" X 24" 'NO PARKING' SIGN. ARROWS AS SHOWN.

STOP = 30" X 30" `STOP' SIGN ON 2" PIPE TO BE INSTALLED

SNS = STREET NAME SIGN

= EXISTING LUMINAIRE

= INSTALL 50 WATT LED LUMINAIRE AT 30' MOUNTING HEIGHT ON A HEAVY DUTY GRAY DIRECT BURIAL FIBERGLASS POLE WITH 6' MAST ARM TO PGE & CITY OF STAYTON STANDARDS.

N89°45'14"E 525.88'

259.88'

N0°09'36"W 596.73'

396.55'

JUNCO ST.

NO PARKING THIS SIDE ANY TIME

NO PARKING THIS SIDE ANY TIME

30'

17'

17'

18'

83.01'

82.99'

10' PUE

SNS & STOP SIGN

OPEN SPACE
108,351 S.F.

GOLDFINCH AV.

1 6,040 S.F. 103.00'

2 6,001 S.F. 103.00'

3 6,001 S.F. 103.00'

4 6,001 S.F. 103.00'

5 6,001 S.F. 103.00'

6 6,001 S.F. 103.00'

7 5,987 S.F. 82.98'

22 5,991 S.F. 103.00'

21 6,046 S.F. 103.00'

20 6,000 S.F. 103.00'

19 6,000 S.F. 103.00'

18 6,000 S.F. 103.00'

17 6,000 S.F. 103.00'

16 6,008 S.F. 83.02'

40

PHILLIPS ESTATES PHASE II

39

38

37

36

S0°16'16"E 439.90'

PHEASANT AV.

ORIOLE ST.

ORIOLE ST.

CONST. CONC. PAD FOR (1) 10 LETTER CMU & (1) 12 LETTER CMU

SNS

8 8,073 S.F. 112.89' 105.85'

9 7,250 S.F. 106.90'

10 7,185 S.F. 107.03'

R=41.50'

R=48'

13.80'

21.95'

118.22'

48.10'

65.80'

11 6,535 S.F. 68.12'

12 6,394 S.F.

13 6,393 S.F.

14 6,392 S.F.

15 6,391 S.F.

S89°47'57"W 28.69'

S0°16'16"E 157.12'

46

45

PHILLIPS ESTATES - PHASE II

S89°47'10"W 498.35'

QUAIL RUN AV.

QUAIL RUN AV.

20'

30'

16 BLOCK 1

22 BLOCK 7

16 QUAIL RUN MEADOWS PHASE 4

15

14

13 BLOCK 7

12

11

HUMMINGBIRD LN.

0' 40'
1 INCH
SCALE: 1" = 40'

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PH. (503) 363-9227 FAX (503) 364-1260
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LOT DIMENSIONS, SIDEWALK, SIGNING & LIGHTING PLAN

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409b 601-SW

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

601

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GREENSPIRE LINDEN (TILIA CORDATA 'GREENSPIRE')

STATE STREET MAPLE (ACER MIYABEI 'MORTON')

FLAME ASH (FRAXINUS OXYCARPA 'FLAME')

SCARLET SENTINEL MAPLE (ACRE RUBRUM 'SCARSEN')

ALL TREES TO BE 4' STANDARD, 1-1/2" CALIPER

CONTRACTOR SHALL COMPLY WITH CITY
STREET TREE STANDARDS (SECTION 3-39)

ALL EXISTING TREES WITHIN THE BOUNDARY, EXCLUDING THOSE IN THE OPEN SPACE, ARE TO BE REMOVED.

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
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STREET TREE PLAN

PHILLIPS ESTATES PHASE III

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DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

2NDPh 701-TREE

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

701

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1. GENERAL

1. CONTRACTOR SHALL PROCURE AND CONFORM TO ALL CONSTRUCTION PERMITS REQUIRED BY THE CITY OF STAYTON, MARION COUNTY AND/OR ODOT, AS APPLICABLE. CONTRACTOR SHALL PROCURE A RIGHT-OF-ENTRY PERMIT FROM MARION COUNTY AND/OR ODOT FOR ALL WORK WITHIN MARION COUNTY OR STATE RIGHT-OF-WAY. CONTRACTOR SHALL CONFORM TO ALL CONDITIONS OF THE PERMIT.
2. CONTRACTOR SHALL PROCURE A RIGHT-OF-ENTRY PERMIT FROM AFFECTED RAILROADS FOR ALL WORK WITHIN THE RAILROAD RIGHT-OF-WAY AND CONFORM TO ALL CONDITIONS OF THE PERMIT.
3. CONTRACTOR SHALL PROVIDE ALL BONDS AND INSURANCE REQUIRED BY PUBLIC AND/OR PRIVATE AGENCIES HAVING JURISDICTION.
4. MATERIALS AND WORKMANSHIP FOR FACILITIES IN PUBLIC RIGHT-OF-WAY OR EASEMENTS SHALL CONFORM TO APPROVING AGENCIES' CONSTRUCTION SPECIFICATIONS WHEREIN EACH HAS JURISDICTION, INCLUDING BUT NOT LIMITED TO THE CITY, COUNTY, OREGON DEPARTMENT OF HUMAN SERVICES (DHS) THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT).
5. UNLESS OTHERWISE APPROVED BY THE PUBLIC WORKS DIRECTOR, CONSTRUCTION OF ALL PUBLIC FACILITIES SHALL BE DONE BETWEEN 7:00 A.M. AND 6:00 P.M., MONDAY THROUGH FRIDAY, AND BETWEEN 9:00 A.M. AND 6:00 P.M. SATURDAY.
6. THE CONTRACTOR SHALL PERFORM ALL WORK NECESSARY TO COMPLETE THE PROJECT IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS INCLUDING SUCH INCIDENTALS AS MAY BE NECESSARY TO MEET APPLICABLE AGENCY REQUIREMENTS AND PROVIDE A COMPLETED PROJECT.
7. CONTRACTOR TO NOTIFY CITY, COUNTY, ODOT AND ALL UTILITY COMPANIES A MINIMUM OF 48 BUSINESS HOURS (2 BUSINESS DAYS) PRIOR TO START OF CONSTRUCTION, AND COMPLY WITH ALL OTHER REQUIREMENTS OF ORS 757.541 TO 757.571.
8. ANY INSPECTION BY THE ENGINEER, CITY, COUNTY OR OTHER AGENCIES SHALL NOT, IN ANY WAY, RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
9. SOURCE OF TOPOGRAPHY SHOWN ON THE CIVIL PLANS ARE BASE MAPS PROVIDED BY (to be filled in as appropriate) . EXISTING CONDITIONS MAY VARY FROM THOSE SHOWN ON THESE PLANS. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND ADJUST WORK PLAN ACCORDINGLY, PRIOR TO COMMENCEMENT OF CONSTRUCTION.
10. HORIZONTAL DATUM: STAYTON LOCAL COORDINATE SYSTEM.
11. VERTICAL DATUM: NAVD 88.
12. PRIOR TO ANY CONSTRUCTION ACTIVITY IN PUBLIC RIGHT-OF-WAY, CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO THE CITY AND OTHER BY PUBLIC AND/OR PRIVATE AGENCIES HAVING JURISDICTION FOR REVIEW AND APPROVAL. CONTRACTOR SHALL ERECT AND MAINTAIN BARRICADES, WARNING SIGNS, TRAFFIC CONES PER CITY, COUNTY AND ODOT REQUIREMENTS IN ACCORDANCE WITH THE MUTCD (INCLUDING OREGON AMENDMENTS). ACCESS TO DRIVEWAYS SHALL BE MAINTAINED AT ALL TIMES. ALL TRAFFIC CONTROL MEASURES SHALL BE APPROVED AND IN PLACE PRIOR TO ANY CONSTRUCTION ACTIVITY.
13. RECORD DRAWINGS. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF APPROVED PLANS AND SPECIFICATIONS ON THE CONSTRUCTION SITE AT ALL TIMES WHEREON HE WILL RECORD ANY APPROVED DEVIATIONS IN CONSTRUCTION FROM THE APPROVED PLANS, AS WELL AS THE STATION LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES ENCOUNTERED. THESE FIELD RECORD DRAWINGS SHALL BE KEPT UP TO DATE AT ALL TIMES AND SHALL BE AVAILABLE FOR INSPECTION BY THE CITY UPON REQUEST. UPON COMPLETION OF CONSTRUCTION OF PUBLIC FACILITIES, CONTRACTOR SHALL SUBMIT A CLEAN SET OF FIELD RECORD DRAWINGS CONTAINING ALL AS-BUILT INFORMATION TO THE DESIGN ENGINEER FOR USE IN THE PREPARATION OF RECORD DRAWINGS FOR SUBMITTAL TO THE CITY.
14. THE CONTRACTOR SHALL SUBMIT A SUITABLE WARRANTY BOND PRIOR TO FINAL PAYMENT WHERE REQUIRED BY PUBLIC AND/OR PRIVATE AGENCIES HAVING JURISDICTION.
15. CONTRACTOR SHALL PROCURE AND CONFORM TO DEQ 1200-C OR CN STORMWATER PERMIT FOR CONSTRUCTION ACTIVITIES WHERE ONE (1) OR MORE ACRES ARE DISTURBED.
16. PER OREGON FIRE CODE (OFC 505.1), NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS, OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FOR THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. NUMBERS SHALL BE A MINIMUM OF 4-INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 0.5-INCH. TEMPORARY ADDRESS SIGNS SHALL BE MOUNTED IN A VISIBLE LOCATION PRIOR TO AND DURING ANY CONSTRUCTION, AND THE PERMANENT NUMBERS MOUNTED PRIOR TO OCCUPANCY.
17. PER OREGON FIRE CODE (OFC 505.2), STREETS AND ROADS SHALL BE IDENTIFIED WITH APPROVED SIGNS. TEMPORARY SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE BY VEHICLES. SIGNS SHALL BE OF AN APPROVED SIZE, WEATHER RESISTANT, AND BE MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
18. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATIONS FROM THESE PLANS SHALL BE PROPOSED ON CONSTRUCTION FIELD PRINTS AND TRANSMITTED TO THE DESIGN ENGINEER AND THE CITY FOR APPROVAL.

2. EXISTING UTILITIES AND FACILITIES

1. ATTENTION. OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001¬0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).
2. THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE PLANS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE CITY, DESIGN ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY SIZES AND LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL LOCATE AND MARK ALL EXISTING PROPERTY AND STREET MONUMENTS PRIOR TO CONSTRUCTION. ANY MONUMENTS DISTURBED DURING CONSTRUCTION OF THE PROJECT SHALL BE REPLACED BY A REGISTERED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE. THE MONUMENTS SHALL BE REPLACED WITHIN A MAXIMUM OF 90 DAYS, AND THE COUNTY SURVEYOR SHALL BE NOTIFIED IN WRITING AS REQUIRED BY ORS 209.150.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE RELOCATION OF ALL BURIED AND OVERHEAD UTILITIES.
5. CONTRACTOR SHALL FIELD VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES WHERE NEW FACILITIES CROSS. ALL UTILITY CROSSINGS MARKED OR SHOWN ON THE PLANS SHALL BE POTHOLED USING HAND TOOLS OR OTHER NON-INVASIVE METHODS PRIOR TO EXCAVATING OR BORING. CONTRACTOR SHALL BE RESPONSIBLE FOR EXPOSING POTENTIAL UTILITY CONFLICTS FAR ENOUGH AHEAD OF CONSTRUCTION TO MAKE NECESSARY GRADE MODIFICATIONS WITHOUT DELAYING THE WORK. IF GRADE MODIFICATION IS NECESSARY, CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER, AND THE DESIGN ENGINEER SHALL OBTAIN APPROVAL FROM THE CITY ENGINEER PRIOR TO CONSTRUCTION. ALL UTILITY CROSSINGS SHALL BE POTHOLED AS NECESSARY PRIOR TO EXCAVATING OR BORING TO ALLOW THE CONTRACTOR TO PREVENT GRADE OR ALIGNMENT CONFLICTS.
6. EXISTING FACILITIES SHALL BE MAINTAINED IN-PLACE BY THE CONTRACTOR UNLESS OTHERWISE SHOWN OR DIRECTED. CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO SUPPORT, MAINTAIN, OR OTHERWISE PROTECT EXISTING UTILITIES AND OTHER FACILITIES AT ALL TIMES DURING CONSTRUCTION. CONTRACTOR TO LEAVE EXISTING FACILITIES IN AN EQUAL OR BETTER-THAN-ORIGINAL CONDITION AND TO THE SATISFACTION OF THE CITY ENGINEER.
7. UTILITIES, OR INTERFERING PORTIONS OF UTILITIES, THAT ARE ABANDONED IN PLACE SHALL BE REMOVED BY THE CONTRACTOR TO THE EXTENT NECESSARY TO ACCOMPLISH THE WORK. THE CONTRACTOR SHALL PLUG THE REMAINING EXPOSED ENDS OF ABANDONED UTILITIES.
8. CONTRACTOR SHALL REMOVE ALL EXISTING SIGNS, MAILBOXES, FENCES, LANDSCAPING, ETC., AS REQUIRED TO AVOID DAMAGE DURING CONSTRUCTION AND REPLACE THEM TO EXISTING OR BETTER CONDITION.
9. ANY SEPTIC TANKS ENCOUNTERED DURING CONSTRUCTION SHALL BE PUMPED OUT AND, REMOVED OR ABANDONED IN PLACE IN ACCORDANCE WITH STATE OF OREGON DEQ AND COUNTY SANITARIAN REQUIREMENTS.
10. ANY WELLS ENCOUNTERED SHALL BE ABANDONED PER STATE OF OREGON WATER RESOURCES DEPARTMENT REQUIREMENTS.
11. ANY FUEL TANKS ENCOUNTERED SHALL BE REMOVED AND DISPOSED OF PER STATE OF OREGON DEQ REQUIREMENTS. BACKFILL WITH COMPACTED GRANULAR MATERIAL.

3. EARTHWORK

1. UNLESS OTHERWISE NOTED, ALL EARTHWORK SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS. IN ADDITION, THE CONTRACTOR SHALL REVIEW THE SOILS REPORT PREPARED BY (to be filled in as applicable) , AND CONFORM TO ALL RECOMMENDATIONS LISTED IN THE REPORT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MANAGING CONSTRUCTION ACTIVITIES TO ENSURE THAT PUBLIC STREETS AND RIGHT-OF-WAYS ARE KEPT CLEAN OF MUD, DUST OR DEBRIS. DUST ABATEMENT SHALL BE MAINTAINED BY ADEQUATE WATERING OF THE SITE BY THE CONTRACTOR.
3. UNLESS OTHERWISE NOTED, ANY GRADING ON THE SITE SHALL BE COMPLETED SO AS TO MAINTAIN EXISTING DRAINAGE FROM ADJACENT PROPERTIES. ALL PROPOSED ELEVATIONS SHOWN SHALL BE CONSIDERED TO BE FINISH SURFACE ELEVATIONS, UNLESS NOTED OTHERWISE.
4. CLEAR AND GRUB, WITHIN WORK LIMITS SHOWN, ALL SURFACE VEGETATION, TREES, STUMPS, BRUSH, ROOTS, ETC. DO NOT DAMAGE OR REMOVE TREES EXCEPT AS APPROVED AND AS SHOWN ON THE PLANS. PROTECT ALL ROOTS TWO INCHES IN DIAMETER OR LARGER, UNLESS OTHERWISED DIRECTED IN THE PLANS AND SPECIFICATIONS.
5. STRIP WORK LIMITS A MINIMUM OF FOUR INCHES (4") OR AS RECOMMEND BY THE SOILS REPORT, REMOVING ALL ORGANIC MATTER WHICH CANNOT BE COMPACTED INTO A STABLE MASS. ALL TREES, BRUSH AND DEBRIS ASSOCIATED WITH CLEARING, STRIPPING OR GRADING SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
6. IMMEDIATELY FOLLOWING FINE GRADING OPERATIONS, COMPACT SUB GRADE TO 95 PERCENT OF THE MAXIMUM DRY DENSITY PER AASHTO T -180 TEST METHOD (MODIFIED PROCTOR). SUB GRADE MUST BE INSPECTED AND APPROVED BY THE CITY PRIOR TO PLACING EMBANKMENTS OR BASE ROCK.
7. FILLS WITHIN PUBLIC RIGHT-OF-WAYS AND EASEMENTS SHALL BE ENGINEERED. ADDITIONALLY, ANY FILLS OUTSIDE OF PUBLIC RIGHT-OF-WAYS WHICH ARE OVER 12-INCHES IN DEPTH SHALL BE ENGINEERED. ANY ENGINEERED FILLS OVER 12-INCHES IN DEPTH SHALL REQUIRE SPECIAL INSPECTION IN ACCORDANCE WITH CHAPTER 1704.7 OF THE OREGON STRUCTURAL SPECIALTY CODE.
8. PLACE FILL MATERIAL UNIFORMLY ACROSS SITE TO PROVIDE POSITIVE DRAINAGE AND PREVENT LOW AREAS DURING CONSTRUCTION. PROVIDE TEMPORARY DITCHES OR SWALES AS NECESSARY TO PREVENT SURFACE WATER FROM PONDING AND TO DIRECT SURFACE WATER AWAY FROM AREA OF FILL PLACEMENT.
9. DO NOT PLACE FILL MATERIAL IF FROZEN, IF SURFACE UPON WHICH FILL IS TO BE PLACED IS FROZEN, OR DURING PERIODS OF MEASUREABLE RAIN. CONTRACTOR SHALL CONTINUALLY MONITOR AND ALTER THE MOISTURE CONTENT OF THE SOIL EITHER BY ADDING MOISTURE OR BY DRYING THE SOIL BY AERATION SUCH THAT THE MOISTURE CONTENT OF THE SOIL DOES NOT VARY BY PLUS OR MINUS TWO PERCENT (±2%) OF OPTIMUM. EXCAVATED TRENCH NATIVE MATERIAL, WHICH IS OF SUITABLE MATERIAL, SHALL BE PLACED AND COMPACTED AS ENGINEERED FILL.
10. ENGINEERED FILLS SHALL BE CONSTRUCTED IN 6-INCH MAXIMUM LIFTS. EACH LIFT SHALL BE COMPACTED TO 95 PERCENT OF THE MAXIMUM DRY DENSITY PER AASHTO T -180 TEST METHOD (MODIFIED PROCTOR). ALL SUBGRADE IN PUBLIC RIGHT-OF-WAYS SHALL BE COMPACTED TO A FIRM AND UNYIELDING CONDITION.
11. UNLESS OTHERWISE SHOWN ON THE PLANS, NO CUT OR FILL SLOPES SHALL BE CONSTRUCTED STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL.
12. PLANTER AREAS SHALL BE BACKFILLED WITH APPROVED TOP SOIL MINIMUM 12-INCH IN DEPTH. STRIPPING MATERIALS SHALL NOT BE USED FOR PLANTER BACKFILL.
13. CONTRACTOR SHALL SEED ALL EXPOSED SLOPES AND DISTURBED AREAS WHICH ARE NOT SCHEDULED TO BE LANDSCAPED OR RECEIVE A HARD SURFACING.
14. GRADING SHOWN ON THE PLANS IS CRITICAL TO THE FUNCTIONING OF SITE DRAINAGE AND SHALL BE STRICTLY FOLLOWED.
15. AS APPLICABLE, CONTRACTOR SHALL COORDINATE AND ENSURE THAT STORMWATER FACILITY SIZE, ELEVATION, AND DETENTION VOLUMES ARE VERIFIED AND INSPECTED BY THE DESIGN ENGINEER AND APPROVED BY PUBLIC AGENCIES HAVING JURISDICTION PRIOR TO PAVING AND LANDSCAPING.

4. PAVING

1. UNLESS OTHERWISE NOTED, ALL ROCKING AND PAVING SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS.
2. UNLESS OTHERWISE SHOWN ON THE PLANS, SMOOTH TRANSITIONS SHALL BE RUN BETWEEN ALL FINISH GRADE ELEVATIONS AND/OR FINISH CONTOUR LINES SHOWN. FINISH PAVEMENT GRADES AT TRANSITION TO EXISTING PAVEMENT SHALL MATCH EXISTING PAVEMENT GRADES TO PROVIDE A SMOOTH, FREE DRAINING SURFACE.
3. CRUSHED ROCK SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD CONSTRUCTION SPECIFICATIONS. COMPACT TO 95% OF THE MAXIMUM DRY DENSITY PER AASHTO T -180 TEST METHOD (MODIFIED PROCTOR). PRIOR TO PLACING AC PAVEMENT, WRITTEN COMPACTION TEST RESULTS FOR BASEROCK AND TRENCH BACKFILL MUST BE RECEIVED BY THE CITY, AND A PROOF-ROLL (WITNESSED BY THE CITY) MUST BE PERFORMED.
4. PAVING OF STREETS WILL NOT BE ALLOWED UNTIL AFTER COMPLETION OF ALL REQUIRED TESTING AND INSPECTION OF NEW WATER, SEWER AND STORM DRAIN LINES UNDER PAVED AREAS, AND REVIEW AND APPROVAL OF THE PRIVATE (FRANCHISE) UTILITY PLANS BY THE CITY ENGINEER OR HIS/HER DESIGNEE.
5. PAVEMENT SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS. ASPHALT CONCRETE PAVEMENT SHALL BE COMPACTED TO A MINIMUM OF 91 PERCENT OF MAXIMUM DENSITY (AT ALL LOCATIONS) AS DETERMINED BY THE RICE STANDARD METHOD (AASHTO T-209).
6. EXISTING OR CONSTRUCTED MANHOLES, CLEANOUTS, MONUMENTS, GAS VALVES, WATER VALVES AND SIMILAR STRUCTURES SHALL BE ADJUSTED TO MATCH FINISH GRADE OF THE PAVEMENT (PRIOR TO PAVING OPERATIONS), SIDEWALK, LANDSCAPED AREA OR MEDIAN STRIP WHEREIN THEY LIE. STORM DRAIN INLET STRUCTURES SHALL BE ADJUSTED SO WATER FLOWS INTO THE STRUCTURE WITHOUT PONDING WATER.
7. ASPHALT CONCRETE PAVEMENT WHICH DOES NOT MEET SPECIFIED COMPACTION REQUIREMENTS, AND WHICH ARE DEEMED BY THE CITY ENGINEER TO BE UNSUITABLE FOR USE, WILL BE REJECTED. ANY REJECTED MATERIAL SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.

5. CURBS AND SIDEWALKS

1. UNLESS OTHERWISE SHOWN OR INDICATED ON THE PLANS, 6-INCHES NOMINAL CURB EXPOSURE USED FOR DESIGN OF ALL PARKING LOT AND STREET GRADES.
2. CONTRACTOR SHALL PROVIDE A MINIMUM 2-WEEP HOLES PER LOT IN CURB TO PROVIDE FOR LOT DRAINAGE. ONE WEEP HOLE SHALL BE LOCATED 5-FEET FROM THE PROPERTY LINE ON THE LOW POINT IN THE LOT FRONTAGE. WEEP HOLES SHALL ALSO BE PROVIDED AS REQUIRED FOR ADDITIONAL DRAINPIPES SHOWN ON THE PLANS. WEEPHOLES INSTALLED IN EXISTING CURBS SHALL BE CORE DRILLED.
3. CURBS AND GUTTERS SHALL BE STAMPED WITH AN 'SS', 'SD', OR 'W' AT THE POINT WHERE EACH SANITARY SEWER, STORM DRAIN AND WATER SERVICE LATERAL CROSSES THE CURBS AND GUTTERS, RESPECTIVELY. THE LOCATION OF GATE VALVES SHALL ALSO BE MARKED WITH A 'GV'. LETTERS SHALL BE A MINIMUM OF 2¬-INCHES HIGH.
4. CONTRACTOR SHALL CONSTRUCT HANDICAP ACCESS RAMPS AT ALL INTERSECTIONS IN ACCORDANCE WITH CURRENT ADA REQUIREMENTS.
5. SIDEWALKS AND DRIVEWAYS SHALL BE CONSTRUCTED TO THE FULL THICKNESS SHOWN.
6. WHERE TRENCH EXCAVATION REQUIRES REMOVAL OF PCC CURBS AND/OR SIDEWALKS, THE CURBS AND/OR SIDEWALKS SHALL BE SAWCUT AND REMOVED AT A TOOLED JOINT UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE CITY. THE SAWCUT LINES SHOWN ON THE PLANS ARE SCHEMATIC AND NOT INTENDED TO SHOW THE EXACT ALIGNMENT OF SUCH CUTS.

6. SITE UTILITIES

1. CONTRACTOR SHALL COORDINATE AND PAY ALL COSTS ASSOCIATED WITH CONNECTING TO EXISTING WATER, SANITARY SEWER AND STORM SEWER FACILITIES. CONNECTIONS BETWEEN EXISTING INFRASTRUCTURE AND NEW WORK SHALL NOT BE MADE UNTIL NECESSARY INSPECTIONS AND TESTS HAVE BEEN COMPLETED ON THE NEW WORK IS FOUND TO CONFORM IN ALL RESPECTS TO THE REQUIREMENTS OF THE PLANS AND SPECIFICATIONS.
2. UNLESS OTHERWISE NOTED, MATERIALS AND WORKMANSHIP FOR WATER, SANITARY SEWER AND STORM SEWER SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS.
3. BEDDING AND BACKFILL. ALL PIPES SHALL BE BEDDED WITH MINIMUM 6-INCHES OF 3/4-INCH MINUS CRUSHED ROCK BEDDING AND BACKFILLED WITH COMPACTED 3/4-INCH MINUS CRUSHED ROCK IN THE PIPE ZONE (CRUSHED ROCK SHALL EXTEND A MINIMUM OF 12-INCHES OVER THE TOP OF THE PIPE IN ALL CASES). CRUSHED ROCK TRENCH BACKFILL SHALL BE USED UNDER ALL HARD SURFACED AREAS, INCLUDING SIDEWALKS. CRUSHED ROCK BEDDING SHALL BE PLACED TO FORM A CONTINUOUS AND UNIFORM BEARING SUPPORT FOR THE PIPE AT EVERY POINT BETWEEN JOINTS. PIPE ZONE MATERIAL SHALL BE FIRST PLACED UP TO THE SPRING LINE OF THE PIPE AND MATERIAL UNIFORMLY COMPACTED BY HAND TO INSURE PROPER SUPPORT WITHIN THE PIPE HAUNCHES. GRANULAR TRENCH BACKFILL SHALL BE COMPACTED TO 92 PERCENT OF THE MAXIMUM DRY DENSITY PER AASHTO T -180 TEST METHOD (MODIFIED PROCTOR).
4. THE CONTRACTOR SHALL HAVE APPROPRIATE EQUIPMENT ON SITE TO PRODUCE A FIRM, SMOOTH, UNDISTURBED SUBGRADE AT THE TRENCH BOTTOM, TRUE TO GRADE. THE BOTTOM OF THE TRENCH EXCAVATION SHALL BE SHALL BE SMOOTH, FREE OF LOOSE MATERIALS OR TOOTH GROOVES FOR THE ENTIRE WIDTH OF THE TRENCH PRIOR TO PLACING THE GRANULAR BEDDING MATERIAL.
5. CONTRACTOR SHALL ARRANGE FOR AND PAY ALL COSTS TO ABANDON EXISTING SEWER AND WATER SERVICES NOT SCHEDULED TO REMAIN IN SERVICE.
6. ALL SITE UTILITIES ABANDONED IN PLACE SHALL HAVE ALL OPENINGS CLOSED WITH CONCRETE PLUGS WITH A MINIMUM LENGTH OF 12-INCHES OR 2 TIMES THE DIAMETER OF THE ABANDONED PIPE, WHICHEVER IS LARGER.
7. MINIMUM ALLOWABLE CLEARANCE BETWEEN PIPES AT CROSSINGS SHALL BE 6-INCHES.
8. THE END OF ALL UTILITY STUBS SHALL BE MARKED WITH A 2X4, EXTENDING 2-FEET MINIMUM ABOVE FINISH GRADE, PAINTED AND WIRED TO PIPE STUB (PAINTED GREEN FOR SANITARY SEWER, WHITE FOR STORM). TYPE OF UTILITY (IE. SEWER, STORM, ETC) AND DEPTH BELOW GRADE TO TOP OF PIPE SHALL BE CLEARLY AND PERMANENTLY LABELED ON THE MARKER POST.
9. CONTRACTOR SHALL PROVIDE ALL MATERIALS, EQUIPMENT AND FACILITIES REQUIRED FOR TESTING ALL UTILITY PIPING IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS.
10. TRACER WIRE. ALL NON-METALLIC WATER, SANITARY AND STORM SEWER PIPING SHALL HAVE AN ELECTRICALLY CONDUCTIVE INSULATED 12 GAUGE COPPER TRACER WIRE THE FULL LENGTH OF THE INSTALLED PIPE USING BLUE WIRE FOR WATER AND GREEN FOR STORM AND SANITARY PIPING. TRACER WIRE SHALL BE EXTENDED UP INTO ALL VALVE BOXES, AND MANHOLES AND CATCH BASINS. TRACER WIRE PENETRATIONS INTO MANHOLES SHALL BE WITHIN 18-INCHES OF THE RIM ELEVATION AND ADJACENT TO MANHOLE STEPS. THE TRACER WIRE SHALL BE TIED TO THE TOP MANHOLE STEP OR OTHERWISE SUPPORTED TO ALLOW RETRIEVAL FROM THE OUTSIDE OF THE MANHOLE.
11. WARNING TAPE. UNDERGROUND DETECTABLE (FOR NON-METALIC PIPING) OR NON-DETECTABLE (FOR METALIC PIPING) ACID AND ALKALI RESISTANT SAFETY WARNING TAPE SHALL BE PROVIDED 12-INCHES MIN TO 18-INCHES MAX FROM FINISH GRADE ALONG THE FULL LENGTH OF ALL UTILITY SERVICE LATERALS AND ALONG ALL UTILITY MAINLINES. UNDERGROUND WARNING TAPE SHALL BE CONTINUOUS THE ENTIRE LENGTH OF SERVICE LATERALS INSTALLED FROM THE MAINLINE TO THE BACK OF THE PUE. MARKING TAPE COLOR SHALL BE IN ACCORDANCE WITH APWA UNIFORM COLOR CODE.
12. NO TRENCHES IN ROADS OR DRIVEWAYS SHALL BE LEFT IN AN OPEN CONDITION OVERNIGHT. ALL SUCH TRENCHES SHALL BE BACKFILLED OR STEEL PLATED AS APPROVED BY THE CITY ENGINEER, BEFORE THE END OF EACH WORK DAY AND NORMAL TRAFFIC FLOWS RESTORED.

7. WATER

1. OPERATION OF EXISTING VALVES, INCLUDING FIRE HYDRANTS, SHALL BE PERFORMED ONLY BY AUTHORIZED CITY STAFF. CONTRACTOR SHALL COORDINATE WITH THE CITY ACCORDINGLY.
2. ALL WATER MAINS SHALL BE MINIMUM CLASS 52 DUCTILE IRON. ALL FITTINGS 4-INCHES THROUGH 24-INCHES IN DIAMETER SHALL BE DUCTILE IRON FITTINGS IN CONFORMANCE WITH AWWA C-153 OR AWWA C-110. THE MINIMUM WORKING PRESSURE FOR ALL MJ CAST IRON OR DUCTILE IRON FITTINGS 4-INCHES THROUGH 24-INCH IN DIAMETER SHALL BE 350 PSI FOR MJ FITTINGS AND 250 PSI FOR FLANGED FITTINGS.
3. ALL WATER MAINS TO BE INSTALLED WITH A MINIMUM 36-INCH COVER TO FINISH GRADE UNLESS OTHERWISE NOTED OR DIRECTED. SERVICE LINES TO BE INSTALLED WITH A MINIMUM 30-INCHES COVER WITHIN THE RIGHT-OF-WAY. DEEPER DEPTHS MAY BE REQUIRED AS SHOWN ON THE PLANS OR TO AVOID OBSTRUCTIONS.
4. THRUST RESTRAINT SHALL BE PROVIDED ON ALL BENDS, TEES AND OTHER DIRECTION CHANGES PER THE STANDAD DRAWINGS UNLESS OTHERWISE SPECIFIED OR SHOWN ON THE PLANS. ALL VALVES SHALL BE FLANGE CONNECTED TO ADJACENT TEES OR CROSSES, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER.
5. WATER SERVICE PIPE ON THE PUBLIC SIDE OF THE METER SHALL BE TYPE K SOFT COPPER TUBING CONFORMING TO ASTM B-88. WATER SERVICE PIPE ON THE PRIVATE SIDE OF THE METER SHALL BE AS SPECIFIED PER THE OREGON PLUMBING SPECIALTY CODE.
6. FIRE HYDRANT ASSEMBLIES SHALL BE KENNEDY K-81D GUARDIAN, WATEROUS 5-1/4 PACER, OR APPROVED EQUAL. FIRE HYDRANTS SHALL BE LOCATED TO ALLOW A MINIMUM OF 5-FEET CLEAR SPACE SURROUNDING ALL PORTIONS OF THE HYDRANT. THERE SHALL BE NO OBSTRUCTIONS DIRECTLY IN LINE WITH ANY OF THE PORTS OF THE HYDRANT FOR A DISTANCE OF 6-FEET.
7. DOMESTIC AND FIRE BACKFLOW PREVENTION DEVICES AND VAULTS SHALL CONFORM TO REQUIREMENTS OF PUBLIC AND/OR PRIVATE AGENCIES HAVING JURISDICTION.
8. ALL NEW WATER LINES SHALL BE THOROUGHLY FLUSHED, PRESSURE TESTED, CHLORINATED AND BACTERIOLOGICALLY TESTED. POTABLE WATER TEST SHALL BE APPROVED BY THE CITY PRIOR TO ANY METERED SERVICE HOOKUP. CONTRACTOR SHALL INSTALL TEMPORARY PLUG AND BLOWOFF AS REQUIRED AT THE END OF WATERLINE FOR FLUSHING, TESTING AND CHLORINATION.
9. THE WORK SHALL BE PERFORMED IN A MANNER DESIGNATED TO MAINTAIN WATER SERVICE TO BUILDINGS SUPPLIED FROM THE EXISTING WATERLINES. IN NO CASE SHALL SERVICE TO ANY MAIN LINE OR BUILDING BE INTERRUPTED FORM MORE THAN FOUR (4) HOURS IN ANYONE DAY. CONTRACTOR SHALL NOTIFY THE CITY AND ALL AFFECTED RESIDENTS AND BUSINESSES A MINIMUM OF FORTY-EIGHT (48) BUSINESS HOURS (2 WORKING DAYS) PRIOR TO ANY INTERRUPTION OF SERVICE.
10. SANITARY SEWER AND WATERLINE CROSSINGS. WHERE SANITARY SEWER LINES CROSS ABOVE OR WITHIN 18-INCHES VERTICAL SEPARATION BELOW A WATERLINE, SEWER MAINS AND/OR LATERALS SHALL BE REPLACED WITH AWWA C-900 PVC PIPE (DR 18) AT THE CROSSING. CENTER ONE FULL LENGTH (20-FOOT) OF AWWA C-900 PVC PIPE AT POINT OF CROSSING. CONNECT TO EXISTING SEWER LINES WITH APPROVED RUBBER COUPLINGS. SANITARY SEWER CROSSINGS SHALL COMPLY WITH DHS REGULATIONS.

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GENERAL CONSTRUCTION NOTES

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7409\ 801-DS

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 8/20/25
Scale: AS SHOWN
As-Built: ---

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2027

JOB # 7409

801

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8. SANITARY SEWER

1. UNLESS OTHERWISE SHOWN, SANITARY SEWER PIPE SHALL BE ASTM D-3034 PVC, MINIMUM SDR 35.
2. ALL PRECAST MANHOLES SHALL BE PROVIDED WITH INTEGRAL RUBBER BOOT MANHOLE PIPE ADAPTER. WHERE MANHOLES WITH INTEGRAL MANHOLE PIPE ADAPTERS ARE NOT USED, A SHEAR JOINT SHALL BE PROVIDED ON ALL MAINLINES WITHIN 1.5-FEET OF THE OUTSIDE FACE OF THE MANHOLE. TAMPER-PROOF MANHOLE COVERS ARE REQUIRED ON ALL MANHOLES OUTSIDE OF PUBLIC RIGHT-OF-WAY.
3. OPENINGS FOR CONNECTIONS TO EXISTING MANHOLES SHALL BE MADE BY CORE-DRILLING THE EXISTING MANHOLE STRUCTURE AND INSTALLING A MANHOLE PIPE ADAPTER. CONNECTIONS TO BE WATERTIGHT AND SHALL PROVIDE A SMOOTH FLOW INTO AND THROUGH THE MANHOLE. SMALL CHIPPING HAMMERS OR SIMILAR LIGHT TOOLS WHICH WILL NOT DAMAGE OR CRACK THE MANHOLE BASE MAY BE USED TO SHAPE CHANNELS. USE OF LARGE PNEUMATIC JACKHAMMERS SHALL BE PROHIBITED. UNLESS OTHERWISE APPROVED IN WRITING BY THE CITY ENGINEER, MANHOLE STEPS SHALL BE INSTALLED IN ANY MANHOLE TAPPED WHICH DOES NOT HAVE EXISTING STEPS.
4. LEAKAGE TESTING. SANITARY SEWER PIPE AND APPURTENANCES SHALL BE TESTED FOR LEAKAGE. LEAKAGE TESTS SHALL INCLUDE AN AIR TEST OF ALL SEWER MAINS AND LATERALS PRIOR TO PAVING, AND A SEPARATE AIR TEST OF ALL SEWER MAINS AND LATERALS FOLLOWING EXCAVATION AND BACKFILLING OF ANY FRANCHISE UTILITY TRENCHES OR OTHER UTILITY WORK THAT CROSSES SANITARY SEWER LATERALS. ALL MANHOLES SHALL BE VACUUM TESTED FOLLOWING COMPLETION OF PAVING OR FINAL SURFACE RESTORATION. ALL TESTING SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS.
5. CLEANING. PRIOR TO MANDREL TESTING AND/OR CCTV INSPECTION, FLUSH AND CLEAN ALL SEWERS, AND REMOVE ALL FOREIGN MATERIAL FROM THE MAINLINES AND MANHOLES. FAILURE TO CLEAN ALL DIRT, ROCK AND DEBRIS FROM PIPELINES PRIOR TO TV INSPECTION WILL RESULT IN THE NEED TO RE-CLEAN AND RE- CCTV THE SEWER LINES.
6. MANDREL TESTING. CONTRACTOR SHALL CONDUCT DEFLECTION TEST OF FLEXIBLE SANITARY SEWER PIPES BY PULLING AN APPROVED MANDREL THROUGH THE COMPLETED PIPE LINE FOLLOWING TRENCH COMPACTION. THE DIAMETER OF THE MANDREL SHALL BE 95 PERCENT OF THE INITIAL PIPE DIAMETER. TEST SHALL BE CONDUCTED NOT MORE THAN 30 DAYS AFTER THE TRENCH BACKFILLING AND COMPACTION HAS BEEN COMPLETED.
7. CCTV INSPECTION. UPON COMPLETION OF ALL SEWER CONSTRUCTION, TESTING AND REPAIR, THE CONTRACTOR SHALL CONDUCT A COLOR CLOSED-CIRCUIT TELEVISION (CCTV) ACCEPTANCE INSPECTION OF ALL MAINLINES IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS TO DETERMINE COMPLIANCE WITH GRADE REQUIREMENTS. THE CCTV INSPECTION SHALL BE CONDUCTED BY AN APPROVED TECHNICAL SERVICE WHICH IS EQUIPPED TO MAKE AUDIO-VISUAL RECORDINGS OF THE CCTV INSPECTIONS ON DVD (VHS VIDEO TAPE ACCEPTABLE ONLY UPON PRIOR WRITTEN APPROVAL BY CITY ENGINEER). UNLESS OTHERWISE REQUIRED BY THE AGENCY WITH JURISDICTION, A STANDARD I-INCH DIAMETER BALL SHALL BE SUSPENDED IN FRONT OF THE CAMERA DURING THE INSPECTION TO DETERMINE THE DEPTH OF ANY STANDING WATER. SUFFICIENT WATER TO REVEAL LOW AREAS OR REVERSE GRADES SHALL BE DISCHARGED INTO THE PIPE IMMEDIATELY PRIOR TO INITIATION OF THE CCTV INSPECTION. THE DVD AND WRITTEN REPORT SHALL BE DELIVERED TO THE CITY ENGINEER.
8. ALL SANITARY SERVICE LATERAL CONNECTIONS AT THE MAIN ARE TO BE TEES, UNLESS OTHERWISE NOTED.
9. ALL SEWER SERVICE LATERALS SHALL EXTEND A MINIMUM OF 5-FEET BEYOND PUE INTO EACH LOT. THE MINIMUM GRADE FOR LATERALS SHALL BE 2 PERCENT EXCEPT WHERE APPROVED BY CITY. SANITARY SEWER SERVICE LATERALS SHALL BE 4-INCH DIAMETER UNLESS OTHERWISE NOTED ON THE PLANS.

9. STORM DRAIN

1. CONTRACTOR SHALL USE UNIFORM PIPE MATERIAL ON EACH PIPE RUN BETWEEN STRUCTURES UNLESS OTHERWISE DIRECTED OR APPROVED. JOINTED HDPE PIPE SHALL NOT BE USED FOR SLOPES EXCEEDING 12 PERCENT.
2. CATCH BASINS AND JUNCTION BOXES SHALL BE SET SQUARE WITH BUILDINGS OR WITH THE EDGE OF THE CURB, PARKING LOT, AND STREET WHEREIN THEY LIE. STORM DRAIN INLET STRUCTURES AND PAVING SHALL BE ADJUSTED SO WATER FLOWS INTO THE STRUCTURE WITHOUT PONDING WATER.
3. UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER, ALL STORM DRAIN CONNECTIONS SHALL BE BY MANUFACTURED TEES OR SADDLES.
4. STORM DRAINS SHALL BE LAID ON A STRAIGHT ALIGNMENT WITH UNIFORM GRADE BETWEEN STRUCTURES AND LAID UPGRADE WITH SPIGOT ENDS POINTING IN DIRECTION OF FLOW. ALL STORM PIPE JOINTS SHALL BE WATERTIGHT REGARDLESS OF SPECIFIED OR SELECTED MATERIAL.
5. UNLESS OTHERWISE SPECIFIED OR DIRECTED, INSTALL STORM DRAIN PIPE IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION GUIDELINES.
6. CLEANING. PRIOR TO MANDREL TESTING OR FINAL ACCEPTANCE, FLUSH AND CLEAN ALL STORM DRAINS, AND REMOVE ALL FOREIGN MATERIAL FROM THE MAINLINES, MANHOLES AND CATCH BASINS.
7. MANDREL TESTING. CONTRACTOR SHALL CONDUCT DEFLECTION TEST OF FLEXIBLE STORM SEWER PIPES BY PULLING AN APPROVED MANDREL THROUGH THE COMPLETED PIPE LINE FOLLOWING TRENCH COMPACTION. THE DIAMETER OF THE MANDREL SHALL BE 95 PERCENT OF THE INITIAL PIPE DIAMETER. TEST SHALL BE CONDUCTED NOT LESS THAN 30 DAYS AFTER THE TRENCH BACKFILLING AND COMPACTION HAS BEEN COMPLETED.

10. STREET LIGHTS

1. STREET LIGHTS SHALL BE INSTALLED AFTER ALL OTHER EARTHWORK AND PUBLIC UTILITY INSTALLATIONS ARE COMPLETED AND AFTER ROUGH GRADING OF THE PROPERTY IS ACCOMPLISHED TO PREVENT DAMAGE TO THE POLES.
2. STREET LIGHT POLES SHALL BE SET TO A DEPTH AS SPECIFIED BY THE MANUFACTURER, BUT NOT LESS THAN 5-FEET.
3. STREETS LIGHT POLES AND ARMS SHALL CONFORM TO THE STANDARD CONSTRUCTION SPECIFICATIONS AND STANDARD DRAWINGS. POLES SHALL BE INSTALLED WITHIN ONE (1) DEGREE OF PLUMB.

11. FRANCHISE UTILITIES

1. UNLESS OTHERWISE SHOWN ON THE PLANS AND APPROVED IN WRITING BY ALL JURISDICTIONS HAVING AUTHORITY, NEW AND RELOCATED PRIVATE UTILITIES (POWER, CABLE, TELEPHONE AND GAS) SHALL BE INSTALLED UNDERGROUND IN CONJUNCTION WITH THE DEVELOPMENT.
2. CONTRACTOR SHALL COORDINATE WITH GAS, POWER, TELEPHONE, AND CABLE COMPANY FOR LOCATION OF CONDUITS IN COMMON TRENCHES, AS WELL AS LOCATION OF VAULTS, PEDESTALS, ETC. UNLESS OTHERWISE APPROVED IN WRITING BY THE CITY, ALL ABOVE-GRADE FACILITIES SHALL BE LOCATED IN PUES (WHERE PUES EXIST OR WILL BE GRANTED BY THE DEVELOPMENT), AND OTHERWISE SHALL BE PLACED IN A LOCATION OUTSIDE THE PROPOSED SIDEWALK LOCATION. INSTALLATION OF PRIVATE UTILITIES IN A COMMON TRENCH WITH OR WITHIN 3 FEET HORIZONTALLY OF PARALLELING WATER, SANITARY SEWER OR STORM DRAINS IS PROHIBITED.
3. POWER, TELEPHONE AND CABLE TRENCHING AND CONDUITS SHALL BE INSTALLED PER UTILITY COMPANY REQUIREMENTS WITH PULL WIRE. CONTRACTOR SHALL VERIFY WITH UTILITY COMPANY FOR SIZE, LOCATION AND TYPE OF CONDUIT PRIOR TO CONSTRUCTION, AND SHALL ENSURE THAT TRENCHES ARE ADEQUATELY PREPARED FOR INSTALLATION PER UTILITY COMPANY REQUIREMENTS. ALL CHANGES IN DIRECTION OF UTILITY CONDUIT RUNS SHALL HAVE LONG RADIUS STEEL BENDS.
4. CONTRACTOR SHALL NOTIFY AND COORDINATE WITH PRIVATE UTILITIES FOR RELOCATION OF POWER POLES, VAULTS, ETC. TO AVOID CONFLICT WITH CITY UTILITY STRUCTURES, FIRE HYDRANTS, METERS, SEWER OR STORM LATERALS, ETC.

12. COMPACTION AND DENSITY REQUIREMENTS

1. COMPACTION SHALL BE BY MECHANICAL MEANS FOR ALL TYPES OF MATERIALS. COMPACTIONS EQUIPMENT FOR GRANULAR MATERIALS SHALL BE VIBRATORY PLATE OR VIBRATORY DRUM COMPACTORS AND SHALL BE ADEQUATE TO OBTAIN THE AMOUNT OF COMPACTIONS SHOWN. COMPACTION EQUIPMENT SHALL BE OPEARATED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS AND SHALL BE MAINTAINED IN SUCH CONDITION THAT IT WILL DELIVER THE MANUFACTURER'S RATED COMPACTIVE EFFORT.
2. ALL COMPACTION AND IN-PLACE DENSITY AND MOISTURE TESTS SHALL BE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE ODOT/APWA STANDARD CONSTRUCTION SPECIFICATIONS AND AASHTO STANDARD SPECIFICATIONS.

ENGINEERED FILL:	
MINIMUM PERCENT COMPACTION REQUIRED	95 PERCENT
TEST METHOD REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-180
FREQUENCY OF DENSITY TESTING	8-INCH LIFTS, 3 TEST FOR EACH 2-FEET OF FILL PLACED
ROAD SECTION – EMBANKMENT:	
MINIMUM PERCENT COMPACTION REQUIRED	95 PERCENT
TEST METHOD REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-180
FREQUENCY OF DENSITY TESTING OF EMBANKMENT	8-INCH LIFTS, 3 TESTS FOR EACH 2-FEET OF EMBANKMENT PLACED
ROAD SECTION – SUBGRADE:	
MINIMUM PERCENT COMPACTION REQUIRED	95 PERCENT
MINIMUM PERCENT COMPACTION REQUIRED TO WHAT DEPTH BELOW SUBGRADE	12-INCHES
TEST METHOD REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-180
FREQUENCY OF DENSITY TESTING OF SUBGRADE	AS NEEDED
ROAD SECTION – AGGREGATE BASE:	
MINIMUM PERCENT COMPACTION REQUIRED	95 PERCENT
TEST METHODS REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-180
FREQUENCY OF DENSITY TESTING OF AGGREGATE BASE	8-INCH LIFTS, 150-FEET INTERVALS OR AS NEEDED
ROAD SECTION – ASPHALT PAVEMENT:	
MINIMUM PERCENT COMPACTION REQUIRED	91 PERCENT
TEST METHOD REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-209
FREQUENCY OF DENSITY TESTING OF ASPHALT PAVEMENT	5 TESTS MINIMUM* AVERAGE DENSITY
FULL TIME INSPECTION OR SPOT CHECKING OF COMPACTION	SPOT, OR AS SHOWN ON PLANS
UTILITY TRENCH: (BENEATH PAVEMENT AND SIDEWALK)	
MINIMUM PERCENT COMPACTION REQUIRED FOR BEDDING AND PIPE ZONE	90 PERCENT
MINIMUM PERCENT COMPACTION REQUIRED FOR TRENCH BACKFILL ABOVE THE PIPE ZONE	92 PERCENT BELOW TOP 5-FEET OF TRENCH BACKFILL 95 PERCENT WITHIN TOP 5-FEET OF TRENCH BACKFILL
MINIMUM PERCENT COMPACTION REQUIRED IN UNIMPROVED, NON-ENGINEERED FILL AREAS	90 PERCENT
TEST METHOD REQUIRED TO DETERMINE MAXIMUM DENSITY	AASHTO T-180
FREQUENCY OF DENSITY TESTING OF UTILITY TRENCH BACKFILL	1 TEST FOR EVERY 2-FOOT VERTICAL AT INTERVALS OF 200 LINEAL FEET OF TRENCH OR AS DIRECTED. PERFORM A MINIMUM OF 1 TEST FOR TRENCH LENGTH LESS THAN 200 LINEAL FEET.

ADDITIONAL INFORMATION/COMMENTS:
*WHEN USING NUCLEAR GAUGE, TWO READINGS AT EACH SITE, THE SECOND AT RIGHT ANGLES TO THE FIRST. THE TWO READING WILL BE AVERAGED TO OBTAIN TEST DENSITY.

13. EROSION CONTROL NOTES

A. GENERAL

1. APPROVAL OF THE EROSION/SEDIMENTATION CONTROL (ESC) PLAN DOES NOT CONSTITUTE AN APPROVAL OF PERMANENT ROAD OR DRAINAGE DESIGN (E.G. SIZE AND LOCATION OF ROADS, PIPES, RESTRICTORS, CHANNELS, RETENTION FACILITIES, UTILITIES, ETC.)
2. THE IMPLEMENTATION OF THE ESC PLANS AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND UPGRADING OF THESE ESC FACILITIES IS THE RESPONSIBILITY OF THE APPLICANT/CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED AND VEGETATION/LANDSCAPING IS ESTABLISHED.
3. THE BOUNDARIES OF THE CLEARING LIMITS SHOWN ON THE PLANS SHALL BE CLEARLY FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION. DURING THE CONSTRUCTION PERIOD, NO DISTURBANCE BEYOND THE FLAGGED CLEARING LIMITS SHALL BE PERMITTED. THE FLAGGING SHALL BE MAINTAINED BY THE APPLICANT/CONTRACTOR FOR THE DURATION OF CONSTRUCTION.
4. THE ESC FACILITIES SHOWN ON THE PLANS MUST BE CONSTRUCTED IN CONJUNCTION WITH ALL CLEARING AND GRADING ACTIVITIES, AND IN SUCH A MANNER AS TO INSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT ENTER THE DRAINAGE SYSTEM, ROADWAYS, OR VIOLATE APPLICABLE WATER STANDARDS.
5. THE ESC FACILITIES SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE ESC FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT LEAVE THE SITE.
6. THE ESC FACILITIES SHALL BE INSPECTED DAILY BY THE APPLICANT/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING.
7. THE ESC FACILITIES ON INACTIVE SITES SHALL BE INSPECTED AND MAINTAINED A MINIMUM OF ONCE A MONTH OR WITHIN THE 48 HOURS FOLLOWING A STORM EVENT.
8. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE WITHIN A TRAPPED CATCH BASIN. ALL CATCH BASINS AND CONVEYANCE LINES SHALL BE CLEANED PRIOR TO PAVING. THE CLEANING OPERATION SHALL NOT FLUSH SEDIMENT LADEN WATER INTO THE DOWNSTREAM SYSTEM.

B. SEDIMENT FENCES

1. THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6 INCH OVERLAP, AND BOTH ENDS SECURELY FASTENED TO THE POST.
2. THE FILTER FABRIC FENCE SHALL BE INSTALLED TO FOLLOW THE CONTOURS WHERE FEASIBLE. THE FENCE POSTS SHALL BE SPACED A MAXIMUM OF 6 FEET APART AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 18 INCHES.
3. THE STANDARD STRENGTH FILTER FABRIC SHALL BE FASTENED SECURELY TO STITCHED LOOPS INSTALLED ON THE UPSLOPE SIDE OF THE POSTS, AND 6-INCHES OF THE FABRIC SHALL BE EXTENDED INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 30-INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO THE EXISTING TREES.
4. SEDIMENT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED.
5. SEDIMENT FENCES SHALL BE INSPECTED BY APPLICANT/CONTRACTOR IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

C. GRAVEL CONSTRUCTION ENTRANCES

1. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE BEGINNING OF CONSTRUCTION AND MAINTAINED FOR THE DURATION OF THE PROJECT. ADDITIONAL MEASURES MAY BE REQUIRED TO INSURE THAT ALL PAVED AREAS ARE KEPT CLEAN FOR THE DURATION OF THE PROJECT.
2. THE AREA OF THE ENTRANCE SHALL BE CLEARED OF ALL VEGETATION, ROOTS, AND OTHER OBJECTIONABLE MATERIAL. THE ROCK SHALL BE PLACED TO THE SPECIFIED DIMENSIONS, BUT SHALL BE MINIMUM 8 INCHES THICK AND AT LEAST 50 FEET IN LENGTH. WIDTH SHALL BE THE FULL WIDTH OF THE VEHICLE INGRESS AND EGRESS AREA.
3. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHT-OF-WAY.
4. IF THE ROCK PAD DOES NOT ADEQUATELY REMOVE DIRT AND MUD FROM VEHICLE WHEELS SUCH THAT MUD AND DIRT TRACKING IS EVIDENT OFF SITE, ADDITIONAL MEASURES MUST BE TAKEN. SUCH MEASURES MAY INCLUDE HOSING OFF WHEELS BEFORE VEHICLES LEAVE THE SITE OR OTHER CONSTRUCTION TECHNIQUES/WORK OPERATIONS MODIFICATION. WHEEL WASHING SHOULD BE DONE ON THE ROCK PAD AND WASH WATER SHOULD DRAIN THROUGH A SILT-TRAPPING STRUCTURE PRIOR TO LEAVING THE CONSTRUCTION SITE.
5. ADDITIONAL ROCK SHALL BE ADDED PERIODICALLY AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEANOUT OF ANY STRUCTURES USED TO TRAP SEDIMENT.
6. SUB-GRADE STABILIZATION FABRIC SHALL BE USED UNDER ROCK PADS.
7. ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.

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GENERAL CONSTRUCTION NOTES

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Drawn: D.G.G.
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Scale: AS SHOWN
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REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

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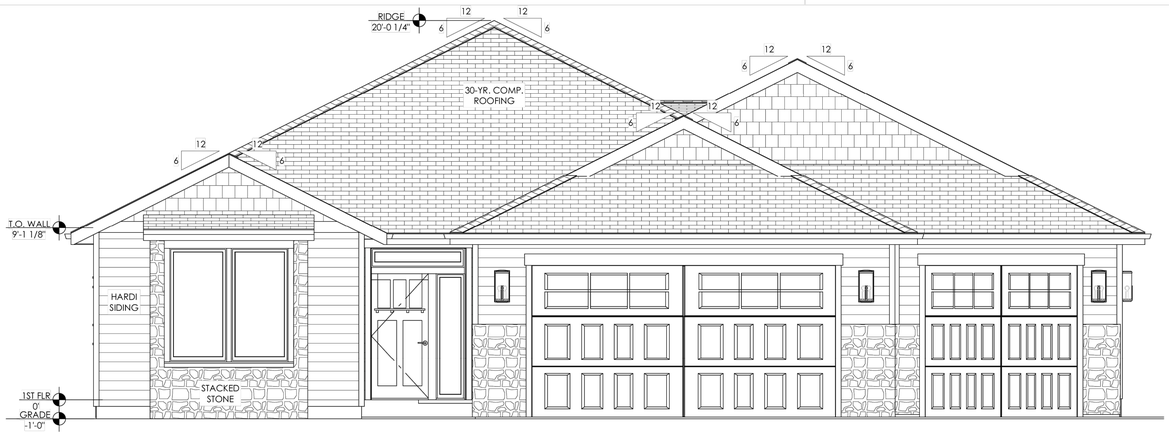
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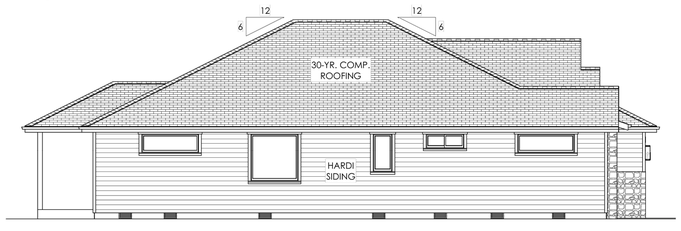
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DETAILS SHEET

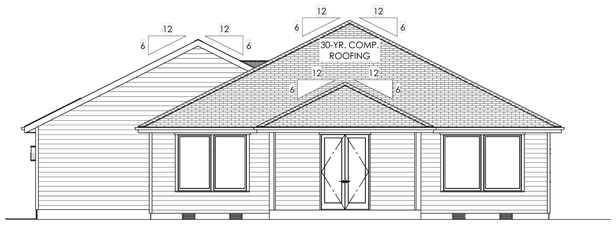
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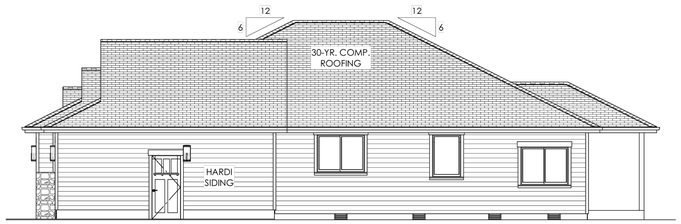
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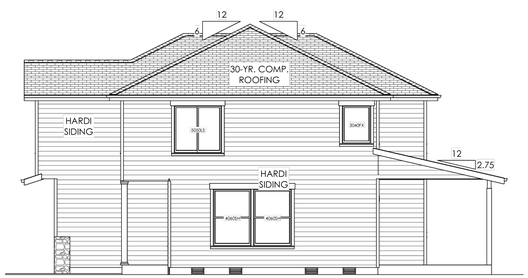
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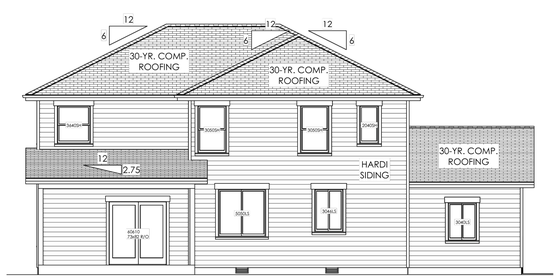
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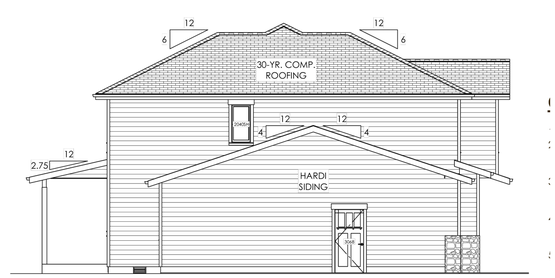
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BUILD ELEVATION EXAMPLES

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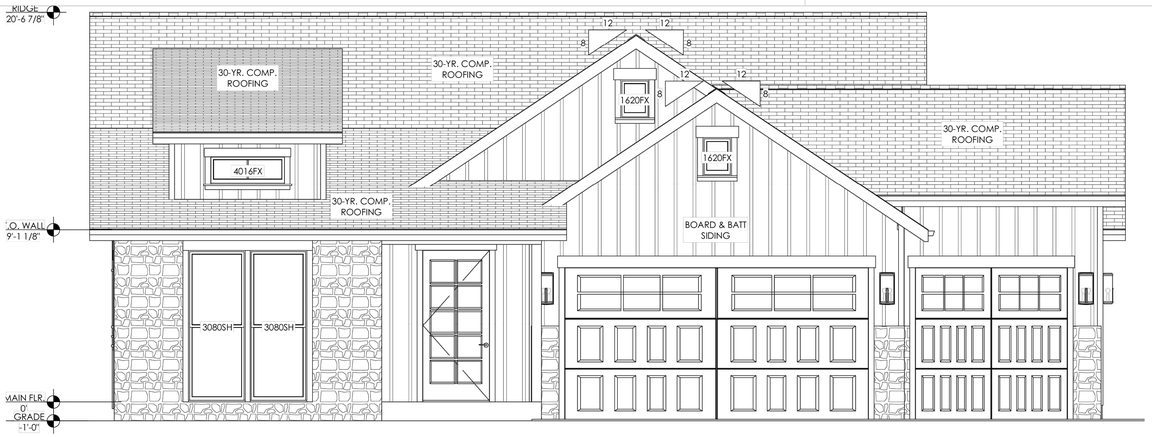
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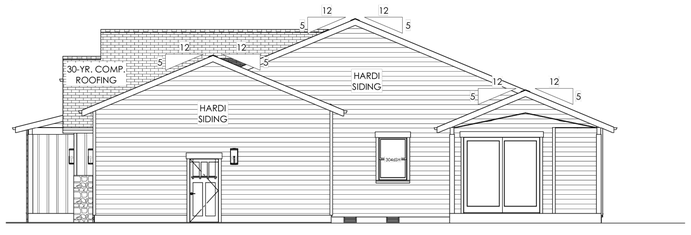
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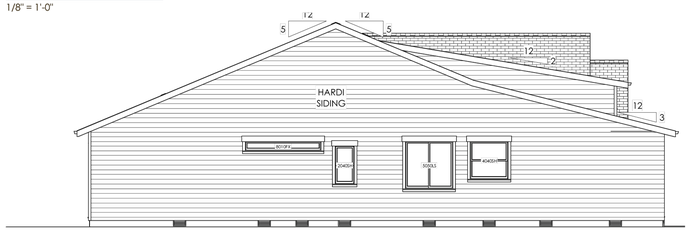
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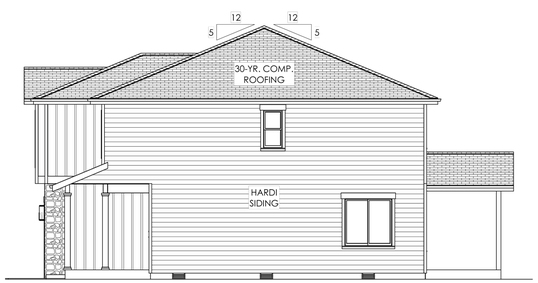
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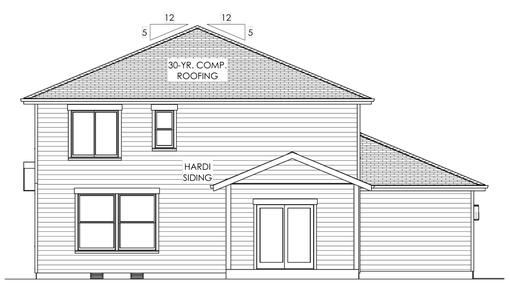
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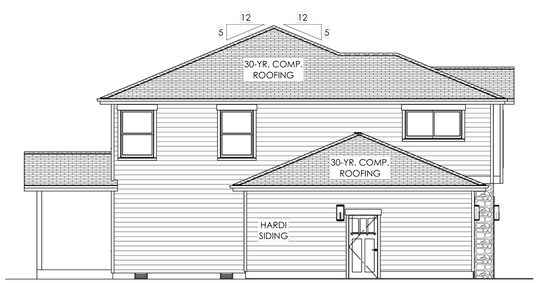
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PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

BUILD ELEVATION EXAMPLES

PHILLIPS ESTATES PHASE III

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

2x6Ply 2-ELEV

Design: M.D.G.
Drawn: D.G.G.
Checked: M.D.G.
Issue Date: 2/16/26
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2027

JOB # 7409

I:\2Acc\7409-PhillipsEstates\Dwg v2\7409b.dwg, 2-ELEV, 2/16/2026 4:05:17 PM, DGrale

MAIL TAX STATEMENTS TO:
No Change

AFTER RECORDING RETURN TO:

City of Stayton
362 N. Third Ave
Stayton, OR 97383

DEVELOPMENT AND REIMBURSEMENT AGREEMENT

Dated: _____, 2026

Between: Direct Party / Grantor - ORS 205.125(1)(b) and 205.160

And: Indirect Party/ Grantee - ORS 205.125(1)(a) and 205.160

THIS DEVELOPMENT AGREEMENT (hereinafter "**AGREEMENT**") is entered into on the last date executed by the parties below (the "***Effective Date")*** by and between CITY _____, an Oregon municipal corporation (hereinafter the *"***CITY***"*) and _____., an Oregon __ (hereinafter the "**DEVELOPER**").

***** WITNESSTH*****

WHEREAS, the Planning Commission of the CITY has granted approval {Insert Case No., Case Type, and Date}) (hereinafter the "**APPROVAL**") for that certain development described therein and known as PHILLIPS ESTATES PHASE III (hereinafter the "**DEVELOPMENT**"), with the understanding that the DEVELOPER agrees to comply with all planning conditions contained in the APPROVAL;

HEREAS, the DEVELOPER submitted proposed construction plans on or about {Insert Date} (collectively the "***Plans***");

WHEREAS, the Approval requires the execution of a this Development and Reimbursement Agreement between the DEVELOPER and the CITY covering the financial responsibilities of each party and the coordination of construction of Public Improvements, which are defined below.

AGREEMENT:

NOW THEREFORE, the DEVELOPER and the CITY (collectively herein the "***Parties***") agree to the following terms and conditions to wit:

1. The DEVELOPER agrees to complete the following public improvements: {Insert Public Improvements from Conditions} (collectively herein the "***Public Improvements").***

2. The CITY agrees that the Public Improvements have been determined to be Qualified Public Improvements eligible for System Development Charges (SDC) Credits pursuant to ORS 223.304(4) and that upon completion, the CITY will financially compensate DEVELOPER for all Public Improvement Costs, as that term is defined in section 6.

3. DEVELOPER agrees that the Public Improvements shall be constructed in accordance with the land use approvals and the construction plans approved by the CITY, with conditions as outlined in the CITY approvals.

4. The DEVELOPER agrees that the Public Improvements shall be done in compliance with all applicable statutes, codes, ordinances and standards and conditions of approval, including, but not limited to, the version of the CITY's Public Works Standards in effect at the time APPROVAL. *See* ORS 92.040(2).

5. COMPLETION OF THE PUBLIC IMPROVEMENTS

   The Parties acknowledge that the Public Improvements are "Substantially Complete," per ORS 455.175, when CITY, county or other appropriate public body has inspected, tested and found acceptable under applicable code requirements:

   a. The water supply system;

   b. The fire hydrant system;

   c. The sewage disposal system;

   d. The storm water drainage system, excepting any landscaping requirements that are part of the system;

   e. The curbs;

   f. The demarcating of street signs acceptable for emergency responders; and

   g. The roads necessary for access by emergency vehicles.

6. Upon Substantial Completion of the Public Improvements, as set forth in Section 5 of this Agreement, the CITY shall financially compensate the DEVELOPER within thirty (30) days for:

   {Insert Public Improvement Costs}

   These Public Improvements Costs, which the City agrees is fair and reasonable compensation to the DEVELOPER are set forth in ***Exhibit A***, attached hereto and incorporated herein. If the CITY does not financially compensate DEVELOPER for the Public Improvement Costs within thirty (30) days of Substantial Completion as set forth in Section 5, then the balance due shall bear interest at the default rate of eighteen percent (18%) per annum. If such rate is usurious under governing law, then the default rate shall equal the highest rate permitted by law.

   In addition to the aforementioned interest, if the CITY does not financially compensate the DEVELOPER for the Public Improvement Costs within thirty (30) days of completion as set forth in Section 5, the CITY shall be deemed to be default of this Agreement and DEVELOPER may pursue any and all remedies available to it in law or equity.

DRAFT

7. It is agreed between the CITY and the DEVELOPER that no building permits for any structures within the DEVELOPMENT will be issued until all required improvements have been constructed and all planning, engineering and public works conditions of approval have been met by the DEVELOPER and accepted by the CITY, including submittal of bonds or other mutually agreed upon security and record drawings, unless approved by the CITY. ORS 455.175(2).

8. It is further agreed that any amendments to this AGREEMENT or any assignments of responsibilities contained herein shall not be valid without the written consent of the CITY.

9. This AGREEMENT shall be binding on any assigns or successors in interest of the DEVELOPER.

10. This AGREEMENT shall be recorded in the deed records of Marion County, Oregon by the DEVELOPER.

11. Any dispute or claim that arises out of or that relates to this AGREEMENT, or to the interpretation or breach thereof, shall be resolved by arbitration in accordance with the then effective arbitration rules of Arbitration Service of Portland, Inc. by filing a claim in accordance with the filing rules of the organization, and judgment upon the award rendered pursuant to such arbitration may be entered in a Marion County, Oregon court having jurisdiction thereof. Any arbitration proceedings shall be conducted in Marion County, Oregon, and shall be concluded as to all facets of the arbitration proceeding within 120 days of the filing of the claim. Any Final or Supplemental Award that includes a provision for remediation shall specifically require that any such remediation be in accordance with all city, county, state and federal rules, regulations and statutes. Any work required in any remediation requirement shall be done only after the issuance of all necessary permits for such work.

    The owner, the contractor, and all subcontractors, material suppliers, engineers, architects, designers, construction lenders, bonding companies, and all other PARTIES concerned with or involved in the performance of the contract are bound, each to the other, by this arbitration clause, regardless of whether or not such PARTY has signed this AGREEMENT. This arbitration clause shall not preclude any PARTY from filing a statutory construction lien or from commencing suit to foreclose such lien, but the foreclosure suit shall be stayed until the rendering of the arbitration award, which award shall be binding in such foreclosure suit as to all matters determined in arbitration, and the lien may then be foreclosed to the extent permitted by law.

12. The PARTIES hereto agree that should any suit or action be filed to enforce the terms of this AGREEMENT or any breach thereof, the losing PARTY agrees to pay the prevailing PARTY's reasonable attorney fees in an amount to be set by the court, including costs, disbursements and any such attorney fees associated with any appeal therefrom.

13. Any claim, action, or complaint arising out of or otherwise related to this Agreement by a party against the other party to this Agreement, or any successors or assigns whether now known or subsequently discovered shall be brought within one (1) year of the Substantial Completion of the Public Improvements as set forth in Section _ of this Agreement or forever be barred.

DRAFT

IN WITNESS THEREOF, the CITY has caused this AGREEMENT to be signed by its City Administrator and Mayor, and the DEVELOPER has caused this AGREEMENT to be signed, sealed and notarized the same as the date and year first above written.

City of Stayton

_____

By: Julia Hajduk, City Manager

STATE OF OREGON)
) ss.
County of Marion)

On this _ day of _____, 2026, Julia Hajduk personally appeared before me, the above named person who being duly sworn, did say that she is the City Manager of the City of Stayton, an Oregon municipal corporation, and that said Agreement was signed on behalf of said Oregon municipal corporation, and with the authority of its members; and he acknowledged said document to be its voluntary act and deed.

Notary Public for Oregon

DRAFT

JCNW FAMILY LLC. "DEVELOPER"

_____

By: William J. Martinak, Managing Member

STATE OF OREGON)
) ss.
County of Marion)

On this _ day of _____, 2026, William J. Martinak personally appeared before me, the above named person who being duly sworn, did say that he is the Managing Member of JCNW Family LLC, an Oregon Limited Liability Company, and that said Agreement was signed on behalf of said LLC, and with the authority of its members, and he acknowledged said document to be its voluntary act and deed.

_____

Notary Public for Oregon

DRAFT

Draft Covenants, Conditions, and Restrictions

NOTICE
REGARDING
CERTAIN DISCRIMINATORY RESTRICTIONS, IF APPLICABLE

Omitted from the attached document is any covenant or restriction that is based upon, but not necessarily limited to, race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal law, except to the extent that such covenant or restriction is permitted by applicable

Oregon Version 20150707

Mail Tax Statements To:
No Change

After Recording Return To:
Alan M. Sorem, Attorney
PO Box 470
Salem, OR 97308

DECLARATIONS
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
PHILLIPS ESTATES SUBDIVISION PHASE III
STAYTON, OREGON

This Declaration of Protective Covenants is applicable to Phillips Estates Subdivision Phase II and all lots and blocks inclusive.

WHEREAS, JCNW Family LLC, hereinafter referred to as "Declarant' is the owner in fee simple of certain real property located in the City of Stayton, County of Marion, State of Oregon, known as Phillips Estates Subdivision Phase III, a duly recorded plat. Whereas, the Philips Estates Subdivision Phase III is a Class III planned community as defined under the Oregon Planned Community Act.

Now, THEREFORE, the Declarant does hereby certify and declare that the following Covenants, Conditions, and Restrictions shall become and are hereby made a part of all conveyances on all lots inclusive, with the plat of Phillips Estates Subdivision Phase III, recorded the ____ day of _____, _____ in Marion County Book of Town Plats, Volume ____, Page ___, Marion County, Oregon.

Article I
DEFINITIONS

As used this Declaration, unless the context otherwise requires:

1. "Lot," means all lots within Phase III of the Phillips Estates Subdivision as shown on the subdivision plat.

2. "Dwelling" or "Dwelling Unit" means any building or other structure, or any portion thereof, which is placed on or situated upon any lot, and which is designed and intended for residential use by one or more persons, or which is used as a residence.

3. "Owner" means the person or persons who are the holders of record of fee simple title to any Lot within the development.

4. Where the lot in question is the subject of one or more land sale contract, the purchase under the last said contract shall be regarded as the Owner of the lot.

Article II
ARCHITECTURAL REVIEW COMMITTEE

1. Establishment of Committee. The Declarant or Declarant's authorized representative or the Declarant's successor-in-interest shall establish an Architectural Review Committee (hereinafter called "ARC"), which shall be composed of two or three persons who are then owners of one or more lots or interests therein. Provided, however, that until all the lots are sold by the Declarants and the houses on said lots are constructed, one or more of the Declarants will serve on the ARC. Until January 1, 2036 each of the Declarants who serve on the ARC shall have three votes on each matter which comes before the ARC, and each other member shall have one vote. Members of the ARC shall serve at the pleasure of the Declarants, and if at any time the Declarants fail to appoint members to the ARC, the Declarants shall themselves serve as the ARC. No rule or regulation shall be adopted and no finding, determination, ruling, order, consent, authorization or approval shall be promulgated by the ARC except by the majority vote of the entire number of votes entitled to be cast by the members of the ARC. In no event shall the powers and duties herein granted to the ARC in any way alter or affect the ultimate control or authority of the Declarants.

ARTICLE III
SUBMISSION AND APPROVAL OF PLANS FOR IMPROVEMENTS

1. No structure shall be erected, placed or altered on these lots, nor shall any excavation, grading, or landscaping be commenced or completed thereon prior to written approval by the ARC of the site, construction and landscaping plans and specifications, including, but not limited to, the following:

    a. Such details as are required by the City of Stayton for building permit issuance, If applicable.
    b. A description of exterior materials, finish, color and grades of material where applicable. Fences shall be subject to such description. Exterior painting, repainting, remodeling, or additions shall require submission and approval of plans.

2. The ARC may grant or withhold approval based on any criteria it reasonably deems is necessary to presence the quality and character of the subdivision.

3. Plans, drawings and specifications that have been neither approved nor rejected within 45 days from the date of submission thereof to the ARC, shall be deemed approved. The ARC may retain one set of plans as approved.

ARTICLE IV
OCCUPANCY AND USE OF LOTS

The following covenants, conditions and restrictions shall by reference become a part of any such conveyances and shall apply thereto as fully and with the same effect as if set forth at large therein. It is the intent of the Declarant that the following covenants, conditions and restrictions shall run with all the land, as provided by the law, and shall be binding on all parties and all persons claiming under them, and for the benefit of the limitations on all future owners in such

subdivision, this declaration being designed for the purpose of keeping the subdivision desirable, uniform, and suitable in architectural design and use as specified below:

1. Dwelling Units. No mobile home or manufactured home or modular home shall be brought upon any lot within the development and used as a temporary or permanent residence thereon. No dwelling unit shall be built, constructed, erected or placed on a lot in the development unless:

    a. At least four of the following design features shall be included on the sides of a building facing a street, public right of way or open space.

        (1) Dormers or gables

        (2) Cupolas

        (3) Bay or bow windows

        (4) Exterior shutters

        (5) Recessed entries

        (6) Covered porch entries or porticos

        (7) Front porch of at least 100 square feet

        (8) Covered or uncovered balconies

        (9) Pillars or posts

        (10) Eaves with a minimum 18 inch projection

        (11) Exterior brick work or masonry on a minimum of 15% of the façade, not including the area of doors and windows;

    b. All buildings sides facing a street, public right of way or open space shall have a minimum of 15% in windows or doors with glazing.

    c. A break in wall plane of at least 16 inches every 30 feet.

    d. Offsets or breaks in roof elevation of at least 2 feet every 30 feet.

    e. The dwelling unit contains at least 1,400 square feet in a single story or 1,800 square feet in two stories of covered, heated living space, exclusive of the garage.

    f. The dwelling unit is a single-family residence, as defined in the applicable provisions of the City of Stayton Zoning Code. Duplexes are not permitted.

    g. The location, plans and any specifications required by the ARC for the dwelling unit and for all landscaping and other improvements built, constructed, erected or placed on the lot in connection with the dwelling unit shall be approved by the ARC prior to start of construction.

h. The roof of the dwelling unit shall be composed of wood shake, wood shingles, tile, architectural composition shingles or any other material specifically approved for use on said dwelling by the ARC. The ARC shall determine a minimum thickness of architectural composition shingles.

i. The exterior sides of the dwelling unit shall be covered with any of the following: brick, stone, wood siding or any other material specifically approved for use on said dwelling by the ARC. No T-111 type siding shall be used on any exterior portion of the dwelling unit.

j. Any auxiliary buildings placed on a lot will have the same siding, color scheme, and roofing materials as the dwelling unit on that lot. The auxiliary building must meet the City of Stayton's setback and height restrictions as well as any other city zoning code.

k. Play equipment, including basketball goals, must be placed in the rear of the lot. Absolutely no equipment will be allowed in the front of the residence.

l. No awnings, patio covers, decorations, antennae, aerials, radio or television broadcasting or receiving devices, shall be applied to all or any part of the exterior surface of any dwelling unit without the prior review and approval of the ARC.

m. No paint or other finish shall be applied to all or any part of the exterior surface of any dwelling unit without the prior review and approval of the ARC.

n. No fence shall be installed on any lot without the prior review and approval of the ARC. All fence design types, sizes, locations, materials and colors must be approved by the ARC.

    (1) There shall be no fences in the front yard of residential structures.

    (2) If a lot adjoins an open space, trail or water way, any fence not located in the front yard or between two structures must be 50% open and no more than 4 feet in height. Alternately, a solid fence of not more than 6 feet in height may be allowed in rear yards for privacy if an additional 10 feet of public open space is added between any trails, waterways or common open space and the fence and that area is landscaped to buffer and conceal the fence.

o. All exterior wires for television, radio, telephone and electrical service shall be installed underground.

2. Accessory Building and Structures. No temporary structure of any kind shall be constructed upon or moved upon any lot except a small structure for use by a builder as his construction shack during the period of construction of the dwelling unit on the lot. The ARC must approve any accessory buildings and locations.

3. Vehicle and Boat Parking and Storage. No Commercial use trucks or vans (except vehicles of 1 ton weight or less deemed to be passenger type vehicle), or trailers, boats, campers, recreational vehicle, or similar vehicles or equipment shall be parked on any lot or street other than temporarily (in no case in excess of 24 hours) and then solely for the

purpose of loading or unloading or for a service call; provided, however that such a vehicle may be kept within an owner's enclosed garage. No vehicles or other equipment of any kind shall be parked on any portion of the property while such vehicles are in a state of disrepair.

All automobiles, trucks, buses, trailers, travel trailers, motor homes, campers, boats, and recreational vehicles which are brought upon any lot in the development shall either be parked or stored in a garage, or shall be parked or stored in a location behind the front line of the garage. Graveled or paved parking areas in the front yard outside of the driveway are prohibited.

4. Maintenance and Repair of Improvements. All buildings and other structures and improvements constructed, placed or erected on a lot shall be properly maintained and kept in good condition and repair so as to enhance and preserve the aesthetic attractiveness of the development. Outdoor storage of garbage, trash, agricultural machinery, lawn mowers, building materials, toys, furniture, appliances, automotive parts, garden equipment, or like requirement, is not permitted in the front yard or within direct view from any street. Covering with a tarp is not considered to be out of sight.

5. Landscaping Areas. A minimum of fifteen percent of each Lot shall be landscaped. Landscape plans must be submitted to the ARC for approval. Lot owners must receive approval of the landscape plans prior to construction of the landscape. Except during the period of construction of any improvements thereon, all portions of each lot within the development shall be kept entirely free of accumulations of trash and rubbish. All yards shall be kept in a neat and clean condition at all times. Landscape maintenance shall include, but not be limited to, the mowing and edging of all lawn areas; the pruning and cutting of all trees and shrubbery; the weed removal from all planting beds; and the fertilizing and watering of all plant materials and lawn. All landscape maintenance shall be executed in a manner and with such frequency as is consistent with good property management.

    a. All landscaping must include underground irrigation for all lawn areas.

6. General Restrictions. No use of any lot or lots will be allowed that in any manner infringes on the rights of any abutting lot owner or lot owners. No offensive or noxious activity shall not be allowed, nor shall anything be done thereon which might be or become a nuisance or annoyance to the adjacent lot owners, or which might detract from the value of the lots as a residential development.

7. Completion of Construction and Landscaping. Work on all buildings and other structures which are built, constructed, erected or placed on a lot shall in each case be completed (included painting, staining, and other exterior finish work) within one year after the commencement of such work. No dwelling shall be occupied for residential purposes on a temporary or permanent basis until all construction work thereon has been substantially completed. All landscaping shown on the plans and specifications approved by the ARC shall be completed within six months following completion of the building adjacent to the landscaping. No heavy equipment such as dump trucks or backhoes shall remain in the street on Saturdays or Sundays during house construction unless actual work is being performed on these days. Materials shall not be stock piled in the streets. In additions, streets shall be left in a clean condition. The Owner or Builder is responsible for trash that blows off the site and shall retrieve such trash immediately. There will be no stockpiling or

dumping on adjacent lots, or on streets, driveways or easements. The intent of this provision is to maintain the appearance of Phillips Subdivision for potential house buyers. Exterior decoration and landscaping shall comply with all applicable requirements of local zoning ordinances. All lots shall, prior to construction of improvements thereon, be kept in a neat and orderly condition and mowed to maintain grass height of no more than 6-inches. Any damage to streets, drainage inlets, sidewalks, street lights, street markers, mailboxes, landscaping, etc. will be repaired immediately by the Builder or Owner, or the Developer will cause repairs to be done and such cost will be billed to the responsible party.

8. Livestock and other Animals. No livestock shall be kept temporarily or permanently upon any lot within the development. No other animals except for dogs, cats and other household pets may be kept on any lot within the development. Dogs, cats and other household pets may not be kept or raised for commercial purposes and may not be permitted to stray onto other lots, or to cause disturbances, damage or discomfort to others. Dogs must be kept inside buildings or fenced areas or on leashes at all times.

9. Residential Uses. No commercial activities of any kind shall be carried on in any living unit or on any other portion of the property, except activities reasonably related to the sale or rental of lots of living units. However, nothing herein contained shall be construed to prevent or prohibit an owner from maintaining the owner's professional personal library, keeping personal business or professional records or accounts, handling business or professional associates in any living unit or otherwise on the property.

10. Signs. No sign of any kind shall be displayed to public view except one professional sign of not more than five (5) square feet advertising the property for sale, rent, or lease, or a sign not more than thirty-two (32) square feet used by the Declarant to advertise the property, including future phases, during the construction and sales period.

ARTICLE V
GENERAL PROVISIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS

1. Transfer of Rights. At any time subsequent to the execution of this Declaration, the Declarant may by written instrument transfer and assign Declarant's rights, powers, liability and authority as Declarant to any other person or legal entity whom it may designate; and such person or entity shall thereupon succeed to all rights, powers, authority and liability of Declarant under this Declaration. No such transfer or assignment of Declarant's rights powers, authority, or liability shall be inferred from Declarant's conveyance of a lot or lots within the subdivision.

2. Continuation. All of the above Covenants, Conditions and Restrictions shall run with said real property and shall be binding upon and Inure to the benefit of (i) any successor-in-interest or assignee of the Declarant, and (ii) upon the original purchaser from the Declarant of each residential lot in Phillips Estates Subdivision Phase II and (iii) upon each successor-In-interest of such original purchaser, for a period of 25 years from the date these covenants are recorded, unless an instrument signed by the owners of record of a majority of the residential lots In Phillips Estates Subdivision Phase II has been recorded, agreeing to change such covenants in whole or in part. Thereafter, these Covenants, Conditions, and Restrictions shall be automatically extended for successive 10-year periods, subject to the continuing power of the owners of a majority of the residential lots to change the covenants as set forth above. Notwithstanding anything to the contrary

herein contained, the Covenants, Conditions, and Restrictions shall not be amended or terminated without the consent of the Declarant or Its successor-in-interest as developer prior to January 1, 2025.

3. Enforcement. Declarant or any lot owner may seek enforcement of the Covenants, Conditions, and Restrictions. Enforcement shall be by proceedings at law or in equity, and may be brought against any person or persons violating or attempting to violate any Covenant, Condition, or Restriction stated herein. Proceedings may be brought to restrain violation, to recover, damages, to compel specific performance (including, but not limited to, the removal or modification of any improvements, constructed or placed on a residential lot without the approval required hereunder or otherwise in violation of the declaration) or any combination of such remedies. The party prevailing in such proceedings shall be entitled to recover from the party not prevailing all costs and expenses, including reasonable attorney fees, incurred by the prevailing party, at trial and upon any appeal. Failure to obtain the necessary approval from Declarant, it authorized representative or successor of the site, construction and landscaping plans and specifications shall constitute a violation of these Covenants, Conditions, and Restrictions, and will entitle Declarant or its successor to require the owner to modify or remove an improvement of the expense of the owner.

4. Severability. In the event that any portion of this declaration is held to be invalid, illegal or unenforceable, such event shall in no way affect any other provisions, which remain in full force and effect.

5. No-Waiver by Non-Enforcement. The various restrictive measures and provisions of this declaration are declared to constitute equitable covenants and servitudes for the protection of each lot within Phillips Estates Subdivision Phase II, and failure by Declarant or any other person or persons entitled to do so to enforce any measure or provision upon violation thereof shall not stop or prevent enforcement thereafter, or be deemed a waiver of the rights to enforce such measure or provision in the future.

IN WITNESS WHEREOF, the undersigned Declarants have hereunto set their hands the ____ day of _____, 2026.

_____
William J. Martinak

_____
Jennifer L. Martinak

The foregoing instrument was acknowledged before me this _____ day of _____, 2026 by the above named William J. Martinak and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

_____
Notary Public for Oregon
My commission expires:_____

The foregoing instrument was acknowledged before me this _____ day of _____, 2026 by the above named Jennifer L. Martinak and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

_____
Notary Public for Oregon
My commission expires:_____

Soil Resource Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Marion County Area, Oregon



March 10, 2026

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

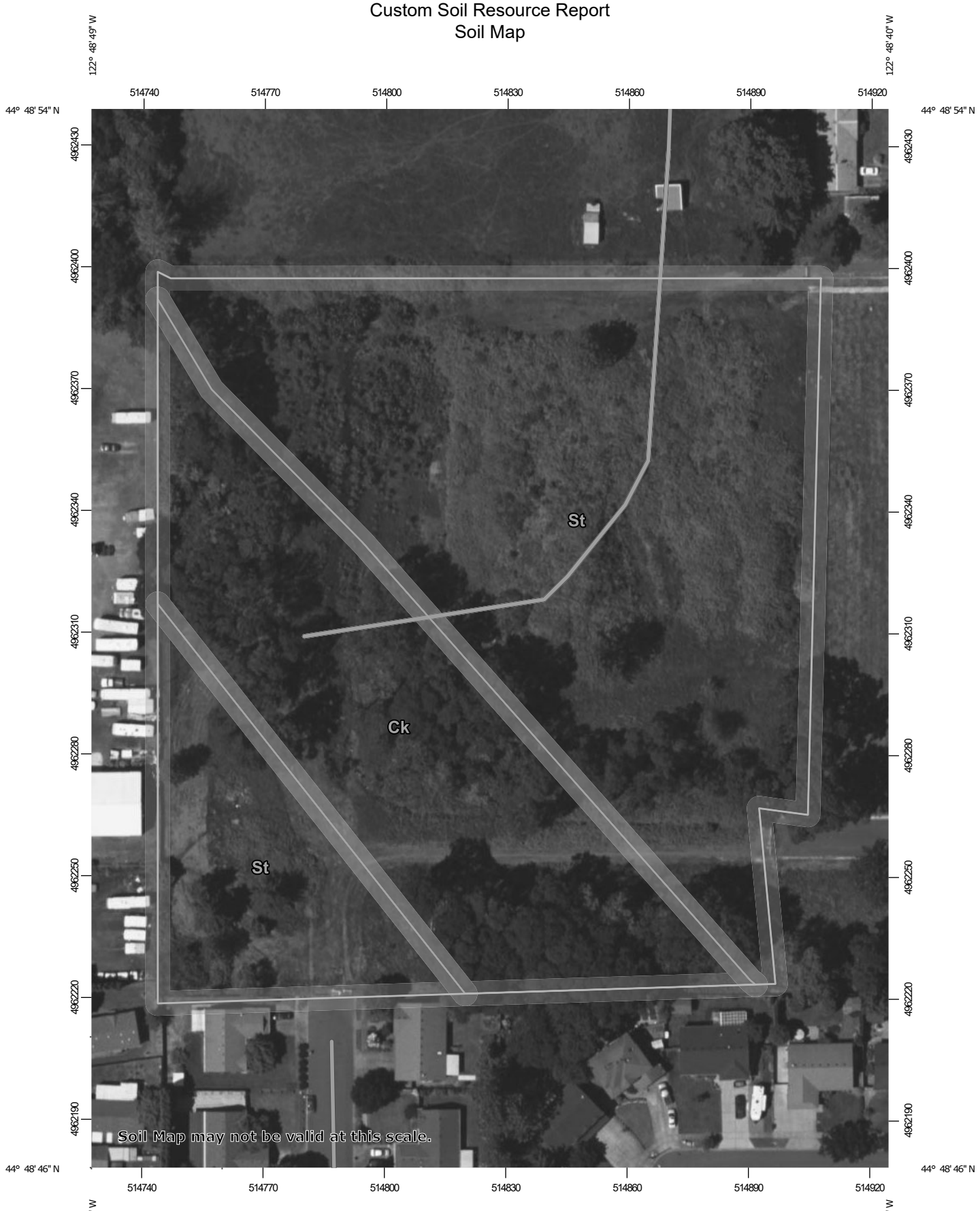
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:1,270 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 15 30 60 90

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Marion County Area, Oregon
Survey Area Data: Version 23, Sep 10, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 28, 2020—May 29, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ck	Clackamas gravelly loam	2.2	31.1%
St	Sifton gravelly loam	4.8	68.9%
Totals for Area of Interest		**7.0**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Marion County Area, Oregon

Ck—Clackamas gravelly loam

Map Unit Setting

National map unit symbol: 24nz
Elevation: 170 to 800 feet
Mean annual precipitation: 40 to 60 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 165 to 210 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Clackamas and similar soils: 85 percent
Minor components: 8 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Clackamas

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Gravelly mixed alluvium

Typical profile

H1 - 0 to 15 inches: gravelly loam
H2 - 15 to 24 inches: gravelly clay loam
H3 - 24 to 60 inches: extremely gravelly clay loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: About 6 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C/D
Ecological site: R002XC005OR - High Flood Plain Group
Forage suitability group: Somewhat Poorly Drained (G002XY005OR)
Other vegetative classification: Somewhat Poorly Drained (G002XY005OR)
Hydric soil rating: No

Minor Components

Courtney

Percent of map unit: 8 percent
Landform: Terraces

Other vegetative classification: Poorly Drained (G002XY006OR)
Hydric soil rating: Yes

St—Sifton gravelly loam

Map Unit Setting

National map unit symbol: 24rg
Elevation: 100 to 600 feet
Mean annual precipitation: 40 to 45 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 210 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Sifton and similar soils: 92 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sifton

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium over gravelly sand

Typical profile

H1 - 0 to 17 inches: gravelly loam
H2 - 17 to 24 inches: gravelly loam
H3 - 24 to 60 inches: extremely gravelly coarse sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 5.5 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: B
Ecological site: R002XC006OR - Stream Terrace Group
Forage suitability group: Well drained < 15% Slopes (G002XY002OR)
Other vegetative classification: Well drained < 15% Slopes (G002XY002OR)
Hydric soil rating: No

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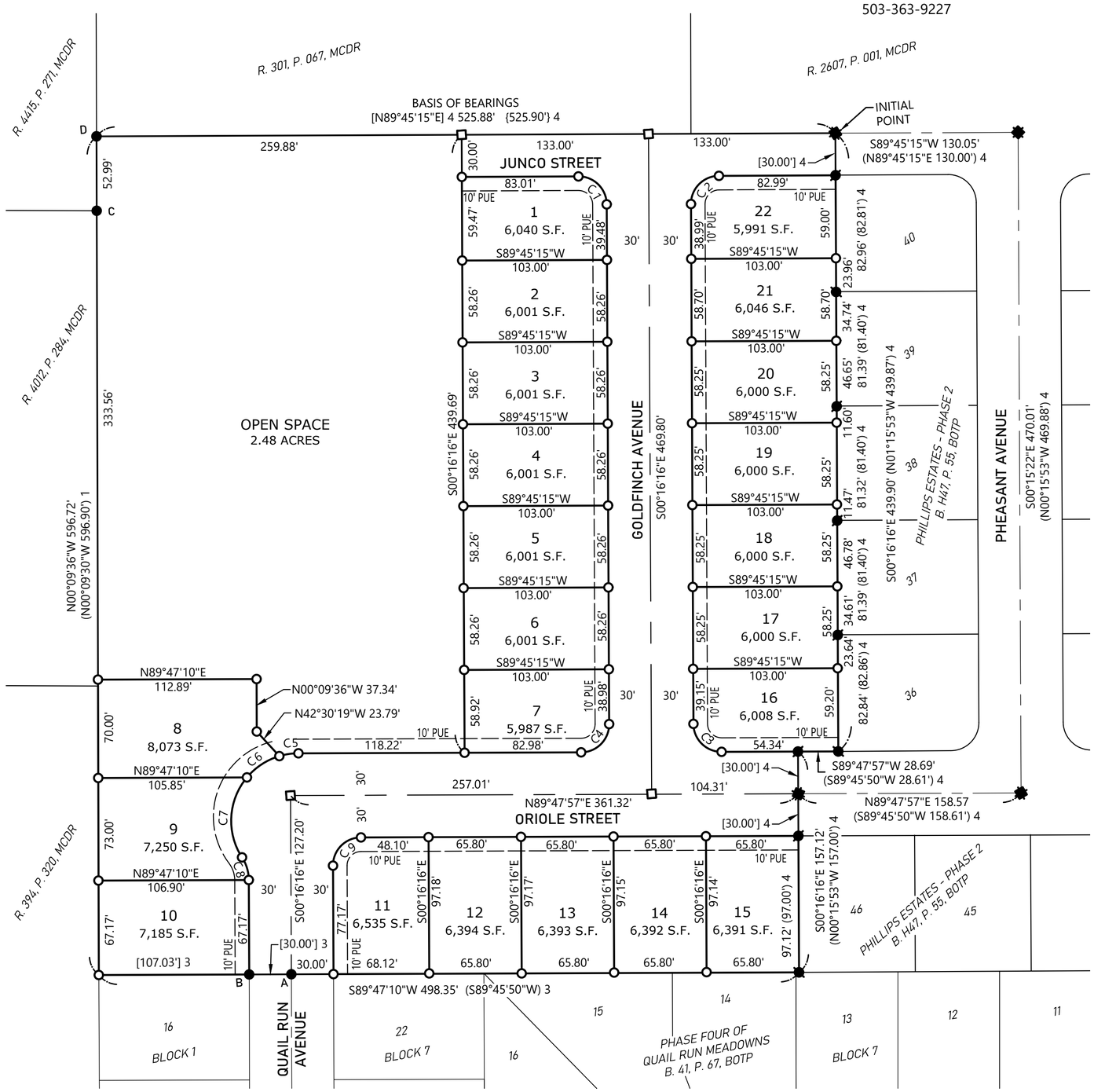
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PHILLIPS ESTATES - PHASE III

IN THE SE 1/4 SEC. 4, T. 9 S., R. 1 W., W.M.
CITY OF STAYTON, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C1	20.00'	89°58'29"	31.41'	N45°15'31"W	28.28'
C2	20.00'	90°01'31"	31.42'	S44°44'29"W	28.29'
C3	20.00'	89°55'47"	31.39'	S45°14'10"E	28.27'
C4	20.00'	90°04'13"	31.44'	N44°45'50"E	28.30'
C5	48.00'	16°28'02"	13.80'	S81°33'56"W	13.75'
C6	48.00'	33°21'44"	27.95'	S56°39'02"W	27.56'
C7	48.00'	72°48'49"	61.00'	S3°33'46"W	56.98'
C8	30.00'	32°34'22"	17.06'	N16°33'27"W	16.83'
C9	20.00'	90°04'13"	31.44'	S44°45'50"W	28.30'

1" =60 '
DATE
#7409

LEGEND:

BOTP = BOOK OF TOWN PLATS
MCSR = MARION COUNTY SURVEY RECORD
MCDR = MARION COUNTY DEED RECORDS
W/YPC = WITH YELLOW PLASTIC CAP
B. = BOOK
IP = IRON PIPE
IR = IRON ROD
P. = PAGE
PUE = PUBLIC UTILITY EASEMENT
R. = REEL
V. = VOLUME
( ) = RECORD DATA PER SURVEY NOTED
[ ] = MEASURED AND RECORD DATA PER SURVEY NOTED
{ } = CALCULATED DATA PER SURVEY NOTED
● = FOUND MONUMENT - SEE MONUMENT TABLE
◐ = 5/8" IRON ROD, W/YPC SCRIBED "WILSON PLS 2687", PER 4
✸ = 5/8" IRON ROD WITH ALUMINUM CAP SCRIBED "WILSON PLS 2687", PER 4
○ = SET 5/8" X 30" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG."
□ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG."

REFERENCE SURVEYS:

1 = MCSR 18155
2 = MCSR 27525
3 = PHASE FOUR OF QUAIL RUN MEADOWS, B. 41, P. 67, BOTP
4 = PHILLIPS ESTATES - PHASE II, B. H47, P. 55. BOTP

MONUMENT TABLE:

A = 5/8" IRON ROD W/YPC SCRIBED "LS 815", SET IN 3
B = 5/8" IRON ROD, DOWN 0.9', W/YPC SCRIBED "LS 815", SET IN 3
C = 5/8" IRON ROD, SET IN 2
D = 1/2" IRON PIPE, SET IN 1

GENERAL NOTES:

1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
2. ALL MONUMENTS SET FLUSH WITH THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2027

DRAFT

PHILLIPS ESTATES - PHASE III

IN THE SE 1/4 SEC. 4, T. 9 S., R. 1 W., W.M.
CITY OF STAYTON, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

SURVEYOR'S CERTIFICATE:

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS PHILLIPS ESTATES - PHASE III, AND THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD BEING THE INITIAL POINT, LOCATED 30.00 FOOT NORTHERLY OF THE NORTHWEST CORNER OF LOT 40, PHILLIPS ESTATES - PHASE II, BOOK H47, PAGE 55, MARION COUNTY BOOK OF TOWN PLATS, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF STAYTON, MARION COUNTY, OREGON; THENCE ALONG THE WEST LINE OF SAID PLAT THE FOLLOWING 3 CALLS: SOUTH 00°16'16" EAST 439.90 FEET TO A 5/8" IRON ROD; SOUTH 89°47'57" WEST 28.69 FEET TO A 5/8" IRON ROD; SOUTH 00°16'16" EAST 157.12 FEET TO A 5/8" IRON ROD ON THE NORTH LINE OF QUAIL RUN MEADOWS, AS RECORDED IN BOOK 41, PAGE 67 MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG SAID NORTH LINE, SOUTH 89°47'10" WEST 498.35 FEET TO A 5/8" IRON ROD ON THE EAST LINE OF DOCUMENT NUMBER 2017-4064 MARION COUNTY DEED RECORDS; THENCE ALONG SAID EAST LINE AND IT'S EXTENSION NORTH 00°09'36" WEST 596.73 FEET TO A 1/2" IRON PIPE AT THE SOUTHWEST CORNER OF INSTRUMENT NUMBER 1893-455 MARION COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF SAID INSTRUMENT AND IT'S EXTENSION, NORTH 89°45'15" EAST 525.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.11 ACRES, MORE OR LESS.

ROBERT D. HAMMAN, 64202LS

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2027

DRAFT

APPROVALS:

MAYOR, CITY OF STAYTON — DATE

CITY OF STAYTON PLANNING ADMINISTRATOR — DATE
LAND USE FILE NO. 11-07/24

CHAIRPERSON OR VICE-CHAIRPERSON — DATE
MARION COUNTY BOARD OF COMMISSIONERS

MARION COUNTY SURVEYOR — DATE

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH: _____.

MARION COUNTY TAX COLLECTOR — DATE

MARION COUNTY ASSESSOR — DATE

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT JCNW FAMILY, LLC AN OREGON LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON ATTACHED, HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO A LOTS, EASEMENTS, AND STREETS FOR THE PURPOSE OF A SUBDIVISION. WE HEREBY DEDICATE TO THE PUBLIC THE RIGHT-OF-WAYS SHOWN HEREON AND GRANT THE EASEMENTS. WE HEREBY ACKNOWLEDGE THE PLAT NOTES SHOWN HEREON.

BY:

WILLIAM MARTINAK, MANAGER
JCNW FAMILY, LLC

STATE OF OREGON
COUNTY OF MARION } SS

ON THIS _____ DAY OF _____, 2026, THAT WILLIAM MARTINAK, MANAGER, JCNW FAMILY, LLC, DID PERSONALLY APPEAR BEFORE ME, A NOTARY PUBLIC FOR OREGON, AND THE ABOVE-NAMED PERSON WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO CREATE LOTS, EASEMENTS, AND STREETS FOR PHILLIPS ESTATES - PHASE III, AS ALLOWED STAYTON DEVELOPMENT PLAN FILE NUMBER 11-07/24. AWAITING MARION COUNTY PLANNING DECISION _____.

THE BASIS OF BEARINGS IS ALONG THE NORTH LINE AS SHOWN HEREON. I HELD THE CENTERLINE MONUMENT AT THE NORTHWEST CORNER OF PHILLIPS ESTATES - PHASE II AND MONUMENT "D" FOR THE NORTH BOUNDARY.

I HELD THE MONUMENTS ALONG THE WESTERN BOUNDARY OF PHILLIPS ESTATES - PHASE II AS SHOWN FOR THE EAST LINE OF THE SUBJECT PROPERTY.
I HELD THE SOUTHWEST CORNER OF LOT 46, PHILLIPS ESTATES - PHASE II, AND RAN A LINE THROUGH MONUMENTS "A" & "B", TO THE NORTHWEST CORNER OF LOT 16, QUAIL RUN MEADOWS, WHICH FELL RECORD DISTANCE FROM MONUMENT "B".

I HELD MY CALCULATED POINT AT THE NORTHWEST CORNER OF LOT 16, AND RAN THE LINE TO MONUMENT "D" TO CLOSE THIS PLAT.

PLAT NOTES:

INSTRUMENT NUMBER 2014-00016070, IS TERMINATED UPON THE RECORDING OF THIS PLAT.

REEL 1648, PAGE 180, MCDR - ANNEXATION AGREEMENT - NOT DEPICTED HEREON

REEL 3605, PAGE 76, MCDR - PUBLIC UTILITY EASEMENT - NOT DEPICTED HEREON - BLANKET IN NATURE

STATE OF OREGON
COUNTY OF MARION } SS

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED FOR RECORDING ON THE ____ DAY OF _____ 2026, AT ____O 'CLOCK _____M. IT IS RECORDED IN THE MARION COUNTY BOOK OF TOWN PLATS, VOLUME _____, PAGE _____. IT IS RECORDED IN THE MARION COUNTY DEED RECORDS IN INSTRUMENT NUMBER: _____.

BILL BURGESS, MARION COUNTY CLERK

BY: _____
DEPUTY COUNTY CLERK

Business Name Search

New Search | Printer Friendly

Business Entity Data

01-06-2026
15:05

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
354195-97	DLLC	ACT	OREGON	04-14-2006	04-14-2026	
Entity Name	JCNW FAMILY, LLC					
Foreign Name						

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	04-12-2018	Resign Date	
Name	WILLIAM		J	MARTINAK				
Addr 1	15556 COON HOLLOW RD SE							
Addr 2								
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS				
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	JENNIFER		MARTINAK			
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						
CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

Type	MGR	MANAGER			Resign Date	
Name	WILLIAM		MARTINAK			
Addr 1	15556 COON HOLLOW RD SE					
Addr 2						

CSZ	STAYTON	OR	97383		Country	UNITED STATES OF AMERICA

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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
JCNW FAMILY, LLC	EN	CUR	04-14-2006	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	03-03-2025		FI		
	AMENDED ANNUAL REPORT	04-24-2024		FI		
	AMENDED ANNUAL REPORT	02-28-2023		FI		
	AMENDED ANNUAL REPORT	03-25-2022		FI		
	ANNUAL REPORT PAYMENT	03-17-2021		SYS		
	ANNUAL REPORT PAYMENT	03-09-2020		SYS		
	ANNUAL REPORT PAYMENT	03-05-2019		SYS		
	AMENDED ANNUAL REPORT	04-12-2018		FI	Agent	
	AMENDED ANNUAL REPORT	03-17-2017		FI		
	AMENDED ANNUAL REPORT	03-14-2016		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	09-14-2015		FI		
	AMENDED ANNUAL REPORT	04-07-2015		FI		
	AMENDED ANNUAL REPORT	03-04-2014		FI		
	AMENDED ANNUAL REPORT	03-26-2013		FI		
	AMENDED ANNUAL REPORT	03-16-2012		FI		
	ANNUAL REPORT PAYMENT	04-08-2011	04-07-2011	SYS		
	ANNUAL REPORT PAYMENT	02-27-2010	02-26-2010	SYS		
	ANNUAL REPORT	04-10-2009		FI		

	CHANGE OF REGISTERED AGENT/ADDRESS	09-03-2008		FI		
	ANNUAL REPORT	04-17-2008		FI		
	AMENDED ANNUAL REPORT	05-29-2007		FI		
	ARTICLES OF AMENDMENT	06-16-2006		FI		
	ARTICLES OF ORGANIZATION	04-14-2006		FI	Agent	

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AMENDED ANNUAL REPORT

Corporation Division
sos.oregon.gov/business

E-FILED
Mar 03, 2025
OREGON SECRETARY OF STATE

REGISTRY NUMBER

35419597

REGISTRATION DATE

04/14/2006

BUSINESS NAME

JCNW FAMILY, LLC

BUSINESS ACTIVITY

REAL PROPERTY DEVELOPMENT

MAILING ADDRESS

15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

JURISDICTION

OREGON

REGISTERED AGENT

WILLIAM J MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA
If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

JENNIFER MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

MANAGER

WILLIAM MARTINAK
15556 COON HOLLOW RD SE
STAYTON OR 97383 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

WILLIAM J MARTINAK

TITLE

PRESIDENT

DATE

03-03-2025