

1 PHILOMATH PLANNING COMMISSION
2 REGULAR MEETING MINUTES
3 Philomath City Hall Council Chambers
4 February 20, 2024
5

6 **1. CALL TO ORDER - ROLL CALL**

7 Meeting called to order at 6:00 p.m. by Chair Gary Conner
8

9 **Present:**

10 Gary Conner
11 John Barlow
12 Hayley Green
13 Van Hunsaker
14 Josiah Jessen
15 Timothy Melott
16 Ruth Causey, City Council liaison
17

Absent:

Darlene Rose

18 **Staff Present:**

19 Chris Workman, City Manager
20 Chase Burghgrave, Associate Planner
21 David Coulumbe, City Attorney
22 Ruth Post, City Recorder
23

24 **2. APPROVAL OF MINUTES**

25 **2.1 December 18, 2023**

26 Action: Approve December 18, 2023 minutes as presented.

27 Motion/Second: Commissioner Hunsaker/Commissioner Green

28 Vote: Action APPROVED 6-0 (Yes: Barlow, Green, Hunsaker, Jessen, Melott,
29 and Conner; No: None).

30 **3. NEW BUSINESS**

31 **3.1 Election of Chair and Vice-Chair**

32 Start Time: 6:02 p.m.

33 Action: To nominate Gary Conner as Chair.

34 Motion/Second: Commissioner Hunsaker/Commissioner Jessen

35 Vote: APPROVED 6-0 (Yes: Barlow, Green, Hunsaker, Jessen, Melott, and
36 Conner; No: None).

37
38 Action: To nominate Timothy Melott as Vice Chair.

39 Motion/Second: Commissioner Hunsaker/Commissioner Jessen

40 Vote: APPROVED 6-0 (Yes: Barlow, Green, Hunsaker, Jessen, Melott, and
41 Conner; No: None).

42 **3.2 PC24-01 Plotkin Variance**

43 **3.2.1 Public Hearing**

44 Start Time: 6:05 p.m.

- 45 • Chair Conner read the order of proceedings and rules for procedures.
- 46 • Public hearing opened at 6:08 p.m.
- 47 • No conflicts of interest or ex parte contact were declared by the Commission.
- 48 • Staff Report:
 - 49 ○ Planner Burghgrave reviewed the staff report as included in the meeting
 - 50 agenda packet, including the findings of fact and decision-making criteria.
 - 51 ○ Clarification of minimum front setbacks for the garage and impact of
 - 52 curvature of the front lot line.

- Clarification of minimum parking requirements that are met with a three-car garage and outside parking.
- City Attorney Coulombe clarified rules for public testimony.
- Applicant Presentation:
 - Applicant Larry Plotkin provided aerial photos of neighboring houses and the design impacts created by the slope of the hillside (Supplemental Agenda Item #3.2B).
 - Questions directed to applicant regarding measurements of setbacks to sections of the garage related to the application.
- Testimony in support:
 - None.
- Testimony in opposition:
 - Steve Cyr, Philomath, OR – Testimony distributed to Commission and applicants (Supplemental Agenda Item #3.2C).
 - Mr. Cyr testified regarding the challenges of building with constraints such as slope and the danger of setting a precedent with an approval.
 - Disagreed that condition was not self-imposed.
 - Described modifications that could be made to the design.
 - Described challenges in developing the sloped lot he built on in Philomath.
 - Described techniques and tools that can be used to mitigate the lot issues.
 - Process for interpreting and evaluating variance applications discussed.
 - Commissioner Melott noted that GPS maps provided by the Benton County system are not accurate representations of lot lines and buildings.
- Questions of Staff:
 - Discussion about the setback requirements and the variance request.
- Applicant Rebuttal:
 - Applicant described additional expense of using other options described in opposition testimony to meet the setback requirements.
- No requests for a continuance.
- Applicant waived the right to submit final written comments.
- Public hearing closed at 7:08 p.m.

3.2.2 Discussion and Recommendation

Start Time: 7:09 p.m.

- Commissioner Melott stated it was not in the best interest of safety in that neighborhood to push out onto the slope.
- Felt the applicant had performed their due diligence and granting the variance would not be setting a precedent.
- Felt the applicant was meeting most of the siting criteria.
- CA Coulombe clarified that the Commission does not set precedent in their decisions.
- Commissioner Conner noted significant curvature of the lot line and relationship of neighboring houses and felt the applicant's request met the intent of the criteria.
- Felt the environmental impact of building farther out on the slope was to be avoided.
- Commissioner Hunsaker reviewed the hardship criteria and intention to vote to approve the request.

Action #1: To approve the variance in PC24-01.

Motion/Second: Commissioner Jessen/ Commissioner Hunsaker

- Discussion about adding stipulation related to a potential change in house plans.
- Discussion about the house setback and the garage setback for the proposed plan.

1 Action to Amend: To amend Action #1 to allow for the minimum setback for the garage to
2 be reduced to 15 feet and the house reduced to 14 feet.
3 Motion/Second: Commissioner Jessen/Seconded
4 Vote: APPROVED 5-1 (Yes: Green, Hunsaker, Melott, Jensen and Conner; No
5 Barlow)
6

- 7 • Discussion about the specificity of the conceptual plan presented and the potential of
8 a different plan.
- 9 • The use of conditions of approval on applications discussed.
- 10 • Discussion about the potential to re-open the public hearing to receive additional
11 input from the applicant.
- 12 • Impact of any potential CC&R's in the neighborhood discussed.

13
14 Vote on Amended

15 Action: Action APPROVED 6-0 (Yes: Barlow, Green, Hunsaker, Jessen, Melott
16 and Conner; No: None).
17

- 18 • Chair Conner read the final decision statement with appeal rights to the City Council.
- 19 • Recess from 7:45 p.m. to 7:53 (City Attorney Coulombe departed the meeting.)

20 **4. UNFINISHED BUSINESS**

21 **4.1 Development Code Layout, Applications, and Review Procedures**

22 Start Time: 7:53 p.m.

- 23 • Introduction of draft section and incorporation of previously discussed changes.
- 24 • Use of track changes discussed.
- 25 • Process of reviewing sections discussed.
- 26 • Feedback requested for the initial section presented.
- 27 • Timeline for reviewing sections reviewed.
- 28 • Addition of Performance standards section discussed.
- 29 • Process for section approval discussed.
- 30 • Section 18.10.060, Building permit and certificate of occupancy, current practices
31 discussed.
- 32 • Impact of Public Works Design Standards on occupancy discussed.
- 33 • Incorporation of reference to the Design Standards discussed.
- 34 • Chapter 18.15 Definitions reviewed, noting several definitions that could require
35 revision.
- 36 • Next steps in review process discussed.

37 **5. ANNOUNCEMENTS & STAFF UPDATES**

38 Start Time: 9:04 p.m.

39 **5.1 Staff Update**

- 40 • City Attorney transition and potential future training.

41 **5.2 Regular Meeting: March 4, 2024, at 6:00 p.m.**

- 42 • No discussion.

43 **5.3 Regular Meeting: March 18, 2024, at 6:00 PM**

- 44 • No discussion

45 46 **6. ADJOURNMENT**

47 Meeting adjourned at 9:09 p.m.
48

49 SIGNED:

ATTEST:

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51 _____
52 Gary Conner, Chair

Ruth Post, MMC, City Recorder