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**PHILOMATH PLANNING COMMISSION
MINUTES**

January 18, 2016

1. **CALL TO ORDER.** Chair Shon Heern called the meeting to order at 7:00 PM in the City Hall Council Chambers.

2. **ROLL CALL/INTRODUCTIONS:**

Present: Commissioners Shon Heern, Leroy Fenn, Patrick McDonald, Jacque Lusk, Gabe Callaway and Mark Knutson.

Staff: Chris Workman, City Manager; Dan Miller, Deputy City Attorney; Jim Minard, Planner; and Ruth Post, City Recorder.

3. **APPROVAL OF MINUTES:**

3.1 **August 17, Minutes**

MOTION: Commissioner Fenn moved, Commissioner McDonald second, the September 21, 2015, minutes be accepted as presented. Motion APPROVED 6-0.

4. **PUBLIC HEARING:**

4.1 **PC15-07; Applicant: Alan Ayres; Application Type: Conditional Use Permit;**

Location: 914 Main Street (12-6-12CB #1500) –Chair Heern opened the public hearing at 7:02 p.m. Chair Heern read the statement describing the presentation of testimony and evidence related to the approval criteria. He requested any ex parte contacts, conflicts of interest, bias or site visits. No members of the Planning Commission declared ex parte contacts, conflicts of interest, bias or site visits. Chair Heern announced the order of testimony.

Staff Report: Mr. Minard presented the staff report as referenced in the agenda packet. He reviewed the conditions of approval included in the staff report as recommended by staff.

Applicant:

Alan Ayres, Owner, 914 Main St., Philomath, OR – Mr. Ayres introduced himself. He stated a confusion over the need for the conditional use permit as assembly of products is allowed in the commercial zone. He stated that the future tenant, Soft Star Shoes, does plan to grow some upon moving into the facility.

Proponents: None.

Opponents: None.

Neutral Parties including Governmental Bodies: None.

Rebuttal by Applicant – Limited to issues raised by Opponents: None.

There was no request to leave the public record open. Chair Heern closed the public hearing at 7:17 p.m.

The applicant waived the 7 day period to submit final written arguments.

5. **DISCUSSION AND RECOMMENDATION:**

- 5.1 **PC15-07** – Chair Heern opened discussion by the Commission. Chair Heern and Commissioner Knutson expressed appreciation for the work that Mr. Ayres has done to rehabilitate the building.

1 Commissioner Callaway questioned if staff foresees any hurdles with this project. Mr.
2 Minard stated there is sufficient area to address the storm drainage and landscaping
3 needs and Mr. Ayres has been amenable to those conditions of approval.
4

5 **MOTION:** Commissioner Lusk moved, Commissioner Callaway second, to approve the
6 Conditional Use Permit for Alan Ayres as presented in File No. PC15-07. Motion
7 APPROVED 6-0 (Yes: Heern, Callaway, Fenn, Knutson, Lusk, and McDonald; No: None).
8

9 **6. PUBLIC HEARING:**

10 **6.1 PC15-06; Applicant: David Dodson; Application Type: Zoning Code Amendment;**
11 **Location: Citywide** – Chair Heern opened the public hearing at 7:22 p.m. and read the
12 statement describing the presentation of testimony and evidence related to the approval
13 criteria. Chair Heern requested any ex parte contacts, conflicts of interest, bias or site
14 visits. No members of the Planning Commission declared ex parte contacts, conflicts of
15 interest, bias or site visits. He announced the order of testimony.
16

17 **Staff Report:** Mr. Minard presented the staff report as referenced in the agenda packet.
18 He noted that areas outside the city limits but within the urban growth boundary are
19 currently zoned low or medium density and, as such, would not be applicable to this
20 proposed language change. He stated that one of the biggest differences that could result
21 would be a 3-story apartment complex as opposed to the 2-story apartment complexes
22 currently available to rent in Philomath. Chair Heern reviewed the arterial streets that
23 would be applicable to the staff recommendation.
24

25 Mr. Workman stated that the primary effect would be on traffic counts and explained the
26 rationale for limiting the higher density to arterial and collector streets where Multi-Family
27 is allowed.
28

29 **Applicant:**
30 David Dodson, Willamette Valley Planning, Corvallis, OR – Mr. Dodson stated he is
31 representing a client. He stated that the current zoning lacks lot standards for apartments.
32 He provided comparisons to other area communities and their multifamily lot standards.
33 He noted that there has not been any apartment construction in Philomath in a substantial
34 period. He stated that he and his client support the staff recommendation to limit the
35 density change to arterial streets. He stated this restriction also makes sense because
36 these are the routes that have access to the Philomath Connection bus service.
37

38 **Proponents:** None.
39

40 **Opponents:**
41 Kim Tofflemire, Philomath, OR – Mr. Tofflemire questioned what streets qualify as arterial
42 streets. Mr. Minard stated these streets are defined in the Transportation System Plan. Mr.
43 Tofflemire questioned if a proposed apartment complex would require a conditional use
44 permit. Mr. Minard explained that an application would be processed as a site design
45 review with notification to area property owners.
46

47 Mr. Tofflemire stated he is not opposed to additional housing construction for lower
48 income residents. He just didn't want the Planning Commission to be taken out of the
49 process. Mr. Minard explained that a site application decision would continue to be subject
50 to appeal to the Planning Commission.
51

52 **Neutral Parties including Governmental Bodies:** None.
53

54 **Rebuttal by Applicant – Limited to issues raised by Opponents:** None.
55

56 There was no request to leave the public record open. Chair Heern closed the public
57 hearing at 7:44 p.m.
58

59 The applicant waived the 7 day period to submit final written arguments.

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3 **7. DISCUSSION AND RECOMMENDATION:**

4 **7.1 PC15-06** – Chair Heern opened discussion by the Commission. Commissioner McDonald
5 questioned if there is any information available about the impact on housing prices with
6 the addition of this type of construction. Mr. Minard stated he was unaware of any
7 available. Commissioner Lusk noted the Fair Housing rules requirements. Chair Heern
8 noted that the Comprehensive Plan does require a variety of housing. There was
9 discussion about how long it has been since any apartments have been constructed in
10 Philomath. Ms. Post indicated probably the last apartments constructed were in the 1980s
11 when Ashbrook Village was constructed.

12 Mr. Workman stated he believes Philomath is catching up with other municipalities in this
13 regard. He is encouraged it will provide other opportunities for multi-unit apartment
14 complexes to consider locating in Philomath. Chair Heern stated that possibly new
15 apartment construction would help attract a grocery store to locate in the city.
16

17 **MOTION:** Commissioner Fenn moved, Commissioner McDonald second, to accept the
18 findings of fact as presented and direct the amending language be presented to the City
19 Council for consideration and action. Motion APPROVED 6-0 (Yes: Heern, Callaway,
20 Fenn, Knutson, Lusk, and McDonald; No: None).
21

22 Ms. Post stated the City Council will hold a public hearing on March 14, 2016.
23

24 **8. PRELIMINARY DISCUSSION**

25 **8.1 Jail Zoning** – Mr. Workman reviewed the recent Benton County jail bond election
26 proposing to construct a new jail on property in Philomath and the proposed initiative
27 petition that was submitted to change the zoning code regarding jail locations. He stated
28 that the City Council requested that the Planning Commission work with the chief
29 petitioners regarding proposed language and, as a result, the petition has been withdrawn
30 at this time. He proposed a work session on February 29 to discuss the issue with a
31 second work session on March 21 if needed.
32

33 Doug Lilja, Philomath, OR – Mr. Lilja stated the proposed language came about to prevent
34 a jail from being constructed in close proximity to the schools. He described the survey
35 that the initiative petition proponents had conducted and the opposition to a jail within
36 2500 feet of a school. He explained that initially the incorrect piece of property was
37 identified and, upon determining it was more than 2500 feet from the schools, the
38 language was updated to 3500 feet.
39

40 Mr. Workman stated there are some recommendations in the proposed language that may
41 impact other areas of the code. He noted that the definition of school including child care
42 may be over-reaching and may be an area of concern. He stated there is probably some
43 cleaning up to be done on the proposed language. He described creating a halo around
44 the schools and suggested that code language to be considered in the near future
45 regarding the manufacture of medical marijuana may also have an impact on that.
46

47 Chair Heern described the value of industrial properties and the importance of keeping
48 them for uses that will generate tax revenue and jobs. Chair Heern questioned if the
49 proposal would have any impact on police services. Mr. Workman stated he was unaware
50 of any. Chair Heern agreed that any other potential impacts on the schools should be
51 considered.
52

53 There was consensus to meet on February 29, 2016, for a work session.
54

55 **9. ADJOURNMENT:**

56 There being no further business Chair Heern adjourned the regular meeting at 8:10 p.m.
57

58 SIGNED:
59 Shon Heern, Chair

ATTEST:
Ruth Post, MMC, City Recorder