

PHILOMATH PLANNING COMMISSION
MINUTES
June 19, 2017

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5 **1. CALL TO ORDER.** Chair Shon Heern called the meeting to order at 7:16 PM in the City Hall
6 Council Chambers.

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8 **2. ROLL CALL:**

9 **Present:** Commissioners Shon Heern, Jacque Lusk, Jeannine Gay, Lori Gibbs, and David
10 Stein

11
12 **Staff:** Chris Workman, City Manager; Jim Minard, Planner, Amy Cook, Deputy City
13 Attorney; and Ruth Post, City Recorder.

14
15 **3. APPROVAL OF MINUTES:**

16 **3.1 May 15, 2017, Minutes**

17 **MOTION:** Commissioner Gay moved, Commissioner Lusk second, the May 15, 2017,
18 minutes be accepted as presented. Motion APPROVED 5-0.

19
20 **4. PUBLIC HEARINGS:**

21 **4.1 Application for Comprehensive Plan and Zone Map Amendments**

22 **File Number PC17-03**

23 **Applicant: Mountain West Investments**

24 **Location: 3335 Main Street**

25 **Benton County Assessor's Maps: 12-5-07A Tax Lots 1600 and 2000 and 12-5-07B**
26 **Tax Lot 2200.**

27
28 Chair Heern opened the public hearing at 7:17 p.m. on PC17-03, and the rules for
29 participation and testimony were read into the record. There were no ex-parte
30 contacts, conflicts of interest, bias or site visits declared.

31
32 Staff Report:

33 Mr. Minard presented the staff report dated June 7, 2017, as included in the
34 agenda packet. He noted that, during the application review, there is currently no
35 land inventory within the Urban Growth Boundary for High Density Residential
36 uses. He stated that staff concludes the amendment from Industrial to High
37 Density Residential conforms to the applicable statewide goals and that staff
38 concluded the required findings for the plan amendment support those required by
39 the rezone and are incorporated in support of the application.

40
41 Commissioner Stein questioned the extent of the ODOT comments. Mr. Minard
42 stated they consisted of the content included in the staff report. Commissioner
43 Gibbs questioned at what time was the property originally zoned industrial. Mr.
44 Minard stated the property was annexed seven to ten years ago and was zoned
45 Industrial Park at that time. There was discussion about the ODOT comments and
46 the narrative submitted by the applicant.

47
48 Presentation of Applicant:

49 Richard Berger, Project Manager, Mountain West Investment – Mr. Berger stated
50 they supported the conclusions in the staff report. He provided an overview of the
51 makeup of Mountain West Investment. He explained the process of applying for
52 the rezone and subsequently submitting a site design review application to
53 construct The Boulevard Apartments. He described Mountain West's history of
54 building and managing their complexes and described the neighborhood outreach
55 they have already conducted for this project. He stated they received feedback
56 during the neighborhood meetings regarding stream protection, buffering, and

1 traffic and felt that many of those same concerns would exist or could be worse if
2 the property was developed for industrial purposes. He stated developing the
3 property as residential more closely fits the residential uses on three sides of the
4 property. He thanked everyone who approached them regarding the project and
5 looked forward to continuing the dialogue as the process moves forward.
6

7 Commissioner Stein stated he felt the traffic analysis wasn't realistic and the
8 applicant needed a new one. He stated that the analysis that only half of the
9 residents would go to work is ridiculous and there will be a huge traffic jam on the
10 highway. Mr. Berger stated that the detailed traffic analysis would be submitted
11 with the site design plan at a future public hearing, and the traffic analysis for the
12 rezoning takes into account the worst case scenario between an industrial use
13 versus high density residential.
14

15 Mike Ard, Senior Transportation Engineer, Lancaster Engineering – Mr. Ard
16 acknowledged that just about everybody does goes to work, but the data
17 Commissioner Stein referred to was with regard to the peak traffic hour. He stated
18 this is the data they are mandated to use. He stated the peak hour is identified as
19 being from 7:30 to 8:30 a.m. Mr. Ard described the use of the reasonable worst
20 case scenario based on outright allowed uses for the current zoning and the worst
21 case scenario allowed in the proposed zone. He stated the change in zoning
22 creates a reduced worst case scenario but that the subsequent analysis with a
23 development proposal will result in a specific and detailed analysis comparing the
24 current use to the proposed use.
25

26 Commissioner Stein questioned the reference to one and two bedroom units. Mr.
27 Ard explained the square footage density based on the number of bedrooms and
28 the related traffic volumes per square foot of land area.
29

30 Commissioner Gibbs questioned if the project being proposed will provide
31 affordable housing. Mr. Berger prefaced his comments with their non-applicability
32 to the zoning request but that they anticipated having a market rate that will beat
33 the Corvallis market.
34

35 Mr. Ard provided a trip analysis assumption if all of the units were one-bedroom
36 that would still be less than the industrial use peak hour analysis.
37

38 Commission Gay questioned if Mountain West has other projects. Mr. Berger
39 stated they do and use a mix of the one, two and three bedroom apartments.
40

41 Commissioner Gay questioned what the applicant's conversations have been with
42 ODOT related to the apartment complex. Chair Heern directed the Commission to
43 remain focused on the criteria for the rezone application. Mr. Ard stated that, as a
44 preview of mitigation related to the development, they do anticipate turn lanes into
45 the property.
46

47 Testimony of Proponents:
48 None.
49

50 Testimony of Opponents:

51 Mark Weiss, Philomath, OR – Mr. Weiss requested the Commission oppose the
52 application. He stated there are infrastructure problems in Philomath to be
53 addressed before adding housing. He stated that OSU is going to get smaller and
54 not larger because student populations are going down nationally. He stated that

1 jobs are needed before building housing. Mr. Weiss stated that young people are
2 more concerned about jobs than housing. He urged the Commission to reject the
3 application. He stated with no jobs and lots of housing, Philomath will be turned
4 into a slum.

5
6 May Dasch, Philomath, OR – Ms. Dasch stated the negative impact of such a
7 large scale development on the City’s water supply should be justification for
8 denying the application. Ms. Dasch described the City’s water supply sources.
9 She noted that the water purchase contract with Corvallis for Rock Creek water is
10 non-binding and can be terminated at any time and is currently under
11 renegotiation. She stated the City has a responsibility to make sure current
12 residents and businesses have access to an adequate water supply. Ms. Dasch
13 also cited concerns with traffic.

14
15 Jeff Lamb, Philomath, OR – Mr. Lamb asked a series of questions of the planner
16 regarding the original annexation. He stated there was no plan submitted by the
17 owner at that time. He stated the applicants today are trying to upzone the
18 property. He contested Commissioner Heern’s direction for the Commission to
19 stay focused on the criteria for the rezone. Chair Heern stated that Mr. Lamb
20 could make any presentation he wishes. Mr. Lamb requested that the
21 Commission reject the application because of lack of an adequate traffic analysis.

22
23 Testimony of Neutral Parties, including Governmental Bodies:

24 Ty Nelson, Manager, Ashbrook Village, Philomath, OR – Mr. Nelson stated he
25 generally supports the idea of the development. He stated concerns that ODOT’s
26 recommendations are for ODOT’s benefit and not the city of Philomath’s benefit.
27 He stated the first thing visitors to Philomath are going to see is traffic. He
28 described his history with the owner of Mountain West Investment and stated he
29 would rather see him as an investor in such a development than someone from,
30 say, California.

31
32 Rebuttal by the Applicant, limited to issues raised by Opponents:

33 Richard Berger – Mr. Berger stated there are serious potential impacts possible if
34 this property were developed as industrial and their proposal does not constitute
35 an upzone. He stated there is still a process to go through with regard to
36 mitigating and public infrastructure. Mr. Berger stated the Public Works Director
37 has indicated there is capacity available to serve rezoning requested for the
38 property.

39
40 Seeing no further testimony, Chair Heern closed the public hearing at 8:21 p.m.
41 The applicant waived the right to submit final written arguments.

42
43 **5. NEW BUSINESS**

44 **5.1 Discussion and possible decision on PC17-03** – Chair Heern restated the
45 concerns that were addressed by opponent testimony. He stated that the Commission
46 should consider the traffic impact based on the rezone application.

47
48 Mr. Minard elaborated on the traffic analysis based on the industrial use versus high
49 density residential. He encouraged the Commission to focus on the big picture of whether
50 the property should be converted from industrial to high density residential based on the
51 applicable criteria.

52
53 Commissioner Stein questioned when the right time is to determine whether these issues
54 are relevant. Mr. Minard stated the appropriate time is when a development proposal is
55 submitted. Mr. Minard stated the same comments have been made about water for many

1 years. He noted that ODOT has had the application for a substantial period and made
2 minimal comments based on the rezone application. Commissioner Gibbs questioned if it
3 has to be high density residential. Mr. Minard explained that is what the applicant has
4 applied for so that is what is to be determined.
5

6 Commissioner Lusk noted that there is still a substantial area within the city limits zoned
7 for Industrial Park. She stated the need for housing is of value to the City and it would be
8 more attractive entering town to see residential use than industrial.
9

10 Commissioner Stein noted under Section V General Policies #9 that facilities are to be
11 planned in advance. Mr. Minard stated that plans do exist and those existing master plans
12 are currently being updated. Commissioner Stein stated that the problem is traffic that
13 exists now.
14

15 Chair Heern stated the balance needed for residential and industrial and the lack of high
16 density residential within the Urban Growth Boundary as significant points in his analysis.
17

18 Mr. Workman stated the Transportation System Plan is currently being updated and is
19 about six months away from being completed. He noted the technical memorandum that
20 addresses growth and the analysis of intersections showed that congestion does exist but
21 that the intersections still aren't considered to be at the failing level. He stated concerns
22 about justifying not growing because of growth in areas around Philomath and that growth
23 could result in ODOT finally taking action on the highway conditions.
24

25 Mr. Workman stated that a development application is going to require a detailed traffic
26 impact analysis.
27

28 Chair Heern stated that water supply was presented as an objection to the application but
29 that the Public Works Director had addressed that.
30

31 **MOTION:** Commissioner Gay moved, Commissioner Lusk second, the findings of fact as
32 presented in the staff report dated June 7, 2017 be adopted and the Planning Commission
33 recommend the City Council approve the requested Comprehensive Plan amendment
34 from Industrial to High Density Residential and the Zoning Map amendment from Industrial
35 Park to High Density Residential as presented in File No. PC 17-03. Motion APPROVED
36 5-0 (Yes: Gibbs, Stein, Lusk, Gay and Heern, No: None).
37

38 Ms. Gay requested that a committee be reformed to lobby ODOT for improvements to
39 Highway 20 between Philomath and Corvallis. Mr. Workman stated that Mayor Sloan
40 currently serves on the Corvallis Area Metropolitan Planning Organization on
41 transportation but he is in his last term of office. He encouraged interested parties in
42 becoming active in CAMPO. He stated that Benton County and Corvallis are using the
43 same consultant to update transportation system plans and they are hearing a common
44 theme about the traffic issues.
45

46 Ms. Post announced that this is a recommendation to the Philomath City Council. A public
47 hearing will be scheduled for July 10, 2017, at 7:00 p.m. before the City Council on the
48 application.
49

50 Mr. Workman stated the consultant working on the TSP Update would like to participate in
51 a joint meeting with the City Council on June 27 to hear his update presentation. The
52 Commission agreed that they could provide a quorum for that meeting.
53

54 **6. ADJOURNMENT:**

55 There being no further business Chair Heern adjourned the meeting at 8:51 p.m.
56

57 SIGNED:
58 Shon Heern, Chair

ATTEST:
Ruth Post, MMC, City Recorder