



CITY OF PHILOMATH

980 Applegate Street
PO Box 400
Philomath, OR 97370
541-929-6148
541-929-3044 FAX
www.ci.philomath.or.us

Mission: To promote ethical and responsive municipal government which provides its citizenry with high quality municipal services in an efficient and cost effective manner.

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

980 Applegate Street

July 29, 2019
6:00 p.m.

MEETING AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONTINUATION OF PUBLIC HEARING**
 - 3.1 File Number: PC19-02, PC19-03, PC19-04, PC19-05, PC19-06, PC19-07
Applicant: Scott Lepman Company
Application Type:
 - Master Plan (PC19-02)
 - Industrial Flex Space (PC19-03)
 - Indoor Storage/Outdoor Storage – Boat & RV (PC19-04)
 - RV Park (PC19-05)
 - Conditional Use Permit (PC19-06)
 - Lot Coverage Variance (PC19-07)Location: 617 N 19th St., Assessor's Map 12612, Tax Lot 100, 200 & 201
 - 3.2 PC19-02 et al. Discussion and decision
- 4. ADJOURNMENT**

NEXT MEETING

August 19, 2019 @ 6:00 p.m.



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M E M O R A N D U M

DATE: July 24, 2019
TO: Planning Commissioners
FROM: Ruth Post, City Recorder
RE: **Written public testimony for PC19-02, et al, Lepman Mixed Use Development**

The following written public testimony has been received and added to the record for the public hearing on PC19-02. Copies are provided to ensure you have a complete record:

- Email from Tim Ranney received July 15, 2019
- Letter from Bob and Becky Bazemore dated July 10, 2019
- Letter from Rana Foster dated July 15, 2019
- Testimony from May Dasch read into the record on July 15, 2019
- Testimony from Ann Buell read into the record on July 15, 2019
- Testimony from Sandy Heath read into the record on July 15, 2019

Ruth Post

From: Please Do Not Click Reply <support@govoffice.com>
Sent: Monday, July 15, 2019 8:02 AM
To: Ruth Post
Subject: Contact Us (form) has been filled out on your site.

Your Site has received new information through a form.

Form: Contact Us

Site URL: www.ci.philomath.or.us

First and Last Name: Tim Ranney

E-mail Address: timr@selmetinc.com

Phone Number: (514)230-0818

Address (if applicable):

Comment or Question: I'm writing in opposition to the request to build the RV park and storage in Philomath. Don't we have enough trouble with water already? We haven't seen the damage to traffic yet from the three new construction projects and now you want to add more? Thanks but no thanks. Please vote no on this application for this growth that will do nothing but damage our town.

Would you like to be contacted? Please provide your preferred form of contact (phone or e-mail):

Do Not Click Reply - This e-mail has been generated from a super form.

July 15, 2019

Dear City Of Philomath Planning Commission,

I am in opposition to this request to develop under the little or never used land development code for RV Park in the Philomath Land Development Code, as the site is so large and the application currently is difficult if not impossible to understand.

An overall Storm water Master Plan which details how all four PC 19-02, 03,04,05,06 interact with Newton Creek Mainstem and Newton Creek East Branch and all sites wetlands ditches and ponds would be important to have developed if one is not already in the exhibits. The Army Corps of Engineers may require this if extensive cut and fill are required and or they have to see where the 7.03 acres of wetland are in relation to drainage and flooding, if these acres are to be filled and built on top of here.

This application is so complex, the City mailed out notices to 600 feet of the site, and possibly to every taxpayer in Philomath, twice, and as I see the staff report file, there is one letter from a public in the Staff Report.

The site is huge, the development request difficult to understand, and this will directly impact both Cities placing more stress on ODOT to build 20/34 to four lanes as traffic stops at light after light two times a day, wasting time commuting to/from Philomath to live and work.

There is potential to house 520 people here and they all will have to drive to Corvallis to shop for food.

How does the site developer report this site will impact 17J School District? Is 17J prepared for this many students as the RV park could be like a KOA and the staff Report is unclear on how the RV Park will function, as a 365 day a year place for the working poor to live? As we get rid of more land/Oregon Wide cities: Land Development Code requirements for use as: single family homes, trailer living will be needed.

This many people will be commuting/biking and walking to school and to work from this site, daily, am and pm.

This creek system normally floods seasonally and has multiple winter 100 year flood events which will occur more frequently and with global warming. This creek drains

a wide debris fan of erosion sediments from Cardwell Hill, and did and still does have a large upland

wetland/wetland prairie complex in the areas which are not developed south of the Cardwell Hill ridge line.

Downstream of this concreted over site as Clements Mill site, which this concrete area, in the Staff Report, is not well explained in the Site detail, Newton Creek's flooding is evident as ongoing property loss along the bike path

between 23 and 24th Streets. The development site area has many old Oregon White Oak, a large

native prairie with a healthy Oregon Ash swale wetlands to the east side, with its season tufted hair grass vernal pool habitat,

several ponds and East Fork Of Newton Creek which offers complex cattail/prairie/willow habitat.

Mainstem of Newton Creek has complex habitat, and floods to over bank full and hosts various listed species of fish which migrate upstream from the Marys River.

Does the site flood into the areas which will be built into? Using a FEMA 100 Year Flood Plain Map to overlay on the entire development site, with all buried utility trenching/ bridge crossings, path crossings, road crossings of Mainstem Newton Creek.

Rare endangered Nelsons Checkermallow is currently found randomly along the Mainstem Newton Creek and Oregon Dept of Fisher and Wildlife in conjunction with USDA I think, worked on a localized restoration for this plant along Newton Creek for mitigation from bi pass to 19th Street. Nelsons Checkermallow is within Newton Creek mainstem and

should be evaluated for any listed species loss to it or USFWS takings and the need to contribute to again,

localized actively funded and cared for, till survival, mitigation for the loss of this species here and it's habitat to be degraded by this development.

I would like to see an overall report compiled to show how much each of these development requests actually encroach or are within the 50 Foot Riparian Set Back/Transition/Protective Area?

Looking at the RV Park and the 12 Storage Units 150,000 sq feet – looking at attachment:

EX L2 Stormwater Self Store buildings to the NNW are built into the 50 Foot Riparian Set Back.

Looking at the RV Park, Page 32 EX L4 I think I see picnic tables inside 50 Foot Riparian Buffer and wonder what type of management this area will receive if this is a

KOA- 365 day a year RV business? And there is no real greenspace left here except for the floodplain and 50 Foot Riparian Buffer for 520 people to use. Will these greenspaces or Protective/Transition areas required in Philomath Land Use Development Code be for this company to have open green space and to put all the detention ponds, all the stormwater buried vaults, all the bike lanes, one or more picnic sites, dog walk bathroom sites, bike storage areas, trash facilities and the required percent of installed non native shade tree landscaping into these Transition zones which is the 50 Foot Riparian Buffer?

Green spaces will need mowing, chemical applications and dog walkers will allow fecal material to remain on laws inside the Transition Zone and 50 Foot Riparian Buffer. Run of from these Transition areas used by the developer as greenspace is going to directly degrade Newton Creek water quality and temperature. Water temperature without riparian buffer here will increase and damage rare threatened and endangered trout and salmonid fish species which migrate to this area to move upstream to the Greenbelt ownership area, and adjacent tax lots to Greenbelts tax lot.

What are the predicted forecast to the areas wetlands and waterways from this development

what wetlands where will be impacted? Will all of the East fork of Newton Creek be lost and all the area ponds buried?

Flooding on Newton Creek is fresh on residents minds here from erosion during each normal and 100 year rain event, as they continue seasonally to

loose land and tax lot area from erosion from Newton Creek along the bike path between 23rd and 24th Streets. How does this development propose to reduce run off and control flooding if it has how much more/additional impervious surface then it does currently?

For the overall site, is there an overall drainage impact statement showing how much run off will be in total?

For the overall site, is there an overall drainage impact statement showing how much run off will be in total? Combined hydrological impact to the Mainsteam Newton and if any of the East Fork of Newton Creek remains?

The application notes there is no Army Corps of Engineer findings for the development request. Fill and Removal request possibly also need to be evaluated by ACOE? I assume the wetland delineation, the Division of State Lands (DSL) report either concurred, or disagreed with the wetland delineation as evaluated by this Planning Commission. Loss of the east arm/branch of Newton Creek here may be a significant loss of area habitat, and waterway area if this will be filled.

There is no site map for trees, existing natural features which show how development

will impact this entire area. Marys River Watershed Council and Philomath High School along with many other volunteers, all worked extensively to restore the East fork of Newton Creek as it drains into wider ponded areas.

Mr. Jeff Mitchell and other PHS staff used this area as an outdoor classroom, working together with the landowner to allow research on area plants and animals. More than one fish survey was done and possibly there are all the noted species and any rare endangered migratory fish here.

Endangered plant Nelson's Checkermallow-Sed. Nelsonii are in the area, and along and within the mainstem of Newton Creek.

Long term restoration efforts by the Marys River Watershed Council occurred here on ponds in this area. It appears these restoration areas all could will be bulldozed.

Can protective/Transition zones required by the Philomath Land Development Code Type III

be used to save more of the restored areas around these ponds? An RV park is new to this area, and should be closely evaluated with Land Development Code, as the staff report did not clearly show how this site would operate, so the RV park operations information, are missing facts in the Staff Report.

Since I failed to locate a site map with significant vegetation/existing vegetation map,(Tree Map), will this development remove all the trees from this site? Oregon White

Oak may not be on this site, but the area has many very significant groves, one is the the west along

Newton Creek and to the east in drier upland and lower wet vernal pool seasonal wetland Ash Swale. Will all Oregon White Oak on the East side of this ownership be protected or cut down? Ash Swale vernal pool tufted hair grass habitat is unique and possibly of very high quality here.

If this is a site which is uses 365 days a year as a place for 173X3=519 people to live on, and for RVs to enter on Philomath Blvd/20/34. How is Philomath Blvd 20/34 designed to handle stopped Left and Right hand turns into the south entrance of this site?

Two people died in this area, while collecting ditch and Road Right of Way, trash several years ago, when they where struck by a oncoming passenger truck, that went very slightly off into the side of the road. Are students riding their bikes from this RV facility going to be safe crossing 53 rd/Reservoir Road at College and Reservoir Road/Green Road? I assume no bikers will be able to

use the 20/34 Philomath Blvd access due to very unsafe conditions of oncoming traffic and traffic trying to turn here.

With increased construction on 20th Street, this many more people plus all the people coming off of 20/34 to access this site from 20th will be converging here, should this area have a signaled stop light at 53rd/Green/Reservoir Street and College Street?

Did the Traffic Impact Analysis(TIA) look at the overall combined use of this site for 365 days a year since the application appears to not share in the Staff Report that this site will have residents, of x numbers of people, of y age here all year, possibly in a KOA situation.

How are area schools set up to handle this many students from this site?

If this site will handle 24 hour a day access to storage units, how is highway 20/34 Philomath Blvd. equipped to handle this new traffic for turn stops in the 40/35 mile per hour zone? Boat and RV storage areas also may add more traffic to this area, slowing to make wide turns while towing a boat or RV.

I assume all other traffic will exit to access the site on 19th to 20th place. How does the new development on 20th Place interact with the increased traffic onto 20th Place from this development? Where will a bus stop be for all the students who will be staying here to go to Philomath 17J or Corvallis 509J? Where are the nearest bus routes to this site and will students and adults all have to walk to Main Street/Applegate Street, to find public transportation? Does this area comply will Safe Routes To School planning?

For the Trailer RV Park, will there be animals and cats allowed? These will impact local fish and wildlife in this area of Clements Mill site and Scout Lodge, Greenbelt Land Trust Butterfly Meadows with two Threatened and Endangered Species-Kinkaid lupine and Fenders Blue butterfly and possibly sed. Nelsonii but not sure.

Animal waste from 365 day a year pet on site use in all green areas, which are the Protective areas, 50 Foot Riparian Buffer with grass banks, will impact fish and wildlife in this area, along with countless cats killing allowed out of RV's, to wander off and decimate all the area wildlife.

Seeding and landscaping plants here which are nearest the creeks, floodways, wetlands should be all locally native and have a high percentage of commercial grass as it's main non native component, as these

areas may all convert to weeds and no native understory may be present at all after installation of seeded areas. Watering of native trees should occur and all dead site trees should be restored to the same species when they die of no care of landscaping trees and shrubs. Native Oregon White Oaks should not be irrigated or be in Transition areas pond construction if these ponds leak water to the subsoil native clay layers.

There is not wetland delineation in the exhibits that I see, so figuring out where the 7.3 acres plus 0.06 acre Ditch area wetlands area, to see what will be built overtop of these

7.3 acres is important to evaluate. For cut and fill areas they appear to show Detention Basins inside the 50 Foot Riparian Buffer on maybe cut and fill, so these Detention Basins would be nice to see in their entirety on a overall entire site map we can read, to show cut and fill and where Detention Basis will be cut/dug. How will all these Five PC requests impact the site with extensive ground disturbance for all the commercial and city utilities here?

Was the wetland delineation done also in areas which will be trenched for: natural Gas, water, sewer, cable, telephone, sewer? Where are the wetlands to be lost and what will we be losing? The EAST Branch of Newton Creek, all area ponds, all significant trees, seasonal ash swale vernal pool wetlands and from this development overall impact, as ongoing direct impacts to mainsteam of Newton Creek in the Transition Zone 50 Foot Riparian Buffer as wetland losses for these 7.3 acres and 0.06acre ditch wetlands. How is the overall site development doing good things to connect to the east? Only in fire access right of way?

Does the developer have to ask ODOT Rail or Rail Line owner about building and impacts to the operation of this heavily used rail line?

Thanks, Rana Foster 980 SE Mason Place, Corvallis, OR 97333



BOB AND BECKY BAZEMORE
GOOD SAM MEDIA CONSULTANTS – OREGON

July 10, 2017

To Whom It May Concern:

For four years, we have been the Oregon representatives for The Good Sam RV Travel Guide and, as such, have spent this and the previous three summers visiting, inspecting and rating almost all privately-owned RV parks in the state of Oregon – about 280 stops each year.

We are not, however, writing as representatives of Good Sam or any of its affiliate companies. We are writing as individuals with knowledge of Oregon RV parks and of the travel patterns we see in Oregon. And we are writing in support of Scott Lepman's proposed new RV park.

For the first three years we were in Oregon, readers of Trailer Life magazine consistently rated Oregon as their top RV destination in the country. This year Oregon fell a couple of spots but remains in the top five. We fear that one reason Oregon dropped may well be the lack of RV sites for travelers.

As we travel the I-5 corridor, the coast, central Oregon and eastern Oregon, we consistently see parks with "No Vacancy" signs – and travelers looking for places to stay. Parks tell us they turn away travelers every day. We make our reservations for our stays starting in February to guarantee we will have sites.

We believe new RV parks (along with expansions to existing parks) definitely are needed in Oregon. Last year was a record year in RV manufacture and sales nationwide and also a record year for the Good Sam Club with membership exceeding 2 million for the first time. Since 30 percent of those 2 million members are Millennials, we expect demand for RV sites to continue for years to come.

Scott currently owns a Top-Rated Good Sam park in Albany. And we have looked over his plans for the new park. We believe that it is designed in such a way as to attract a high quality of travelers to the area.

Our experience shows that RVers typically benefit communities they visit. They don't promote growth in an area; they add profits to local businesses. They shop for groceries, purchase goods in local stores, take tours, visit local historic sites and points of interest, buy fuel and patronize local restaurants. And then they move on to the next locale, leaving their dollars behind.

We would encourage you to approve Scott's proposed RV park. We believe there is demand, that it will be a success and will not negatively impact the local community.

Respectfully,

Bob and Becky Bazemore

TO: The Philomath Planning Commission July 15, 2019
FROM: May D. Dasch (P.O. Box 1116, Philomath, OR 97370)
SUBJECT: Application by Scott Lepman Co. for a Mixed Use Industrial
Development (617 N. 19th St., Benton Co.; Tax Lots 100, 200, 201)

I strongly oppose the proposed plan for the large tract of land in Philomath, located north of Main Street and east of North 19th Street. Although I am concerned about the impact that the development will have on Philomath's congested traffic, I am extremely worried about the significant impact that the proposed 175-RV (Recreational Vehicle) Park and Community Center will have on our unpredictable water supply.

In 2018, Westech Engineering-- the City's longtime consulting firm-- produced the very detailed "Philomath, Oregon Water System Master Plan". That voluminous, sobering report addresses the viability in the next two decades of Philomath's four sources of water. The long-term reliability of each of those water resources is uncertain:

1) Marys River (Water Rights). Over 30 years ago, Westech Engineering stated: "... during the critical low flow periods, usually occurring in August and September, there is sometimes little water in the river." The current report repeats that concern. adding: "... without improvements to the water supply system, the City may need to curtail water usage during dry weather periods in the coming years."

2) Corvallis Intertie Agreement. Westech Engineering writes: "Unfortunately the Intertie agreement with Corvallis expires in 2027 and the long-term availability of Corvallis water remains uncertain. On a long-term basis, we recommend the City plan to eventually be without the Corvallis Intertie as a water source..."

3) 9th Street Well. The well has not been used since 1985. The current study states: "The primary drawback of the well water is that it is hard water with aesthetic issues..."

4) 11th Street Well. The well's aquifer is so poor that it is used infrequently; in 1983, the well virtually ran dry. The report suggests using the 11th Street Well as an Aquifer Storage & Recovery (ASR) Well. Excess winter surface water would be pumped into the well.

Regarding the very large RV development under consideration, the voluminous Staff Report briefly notes that both "fire water and domestic water supplies" needed by the new RV Park will be provided by new water lines connected to the existing 12-inch public water mainline with North 19th Street. The report does not mention the impact of the RV Park on the City's beleaguered water sources. Most of the people who will benefit from our limited water supply will not be residents, but primarily out-of-town travelers. Also, the associated Community Center will require water for the proposed kitchen, restrooms, showers, laundry, and an indoor pool!

In making your decision, please consider Philomath's property owners, both residential and business, and their long-term needs for an adequate water supply. Thank you for hearing my concerns.

May Dasch

Ann Buell
Objections to: RV Park –
Scott Lepman: PC19-02 et al

July 15, 2019

According to Lepmen's own *Rare Plant Survey*:

A relatively large population of the threatened Nelson's checkermallow was documented...A total of 326 plants....

....Threats to this population include increasing shrub density and potential future development of the site. Adjacent development could impact the population if it alters the hydrologic regime in the forest.

Since the RV park is a future development of the site and it's *adjacent* to the Nelson's checkermallow tax lot 200, it will threaten the population according to Lepmen's own survey.

Also, the people who live at the RV park will pick or destroy the flower even if it's endangered or threatened. At OSU, the professors didn't want people to know where Kincaid's lupine was located on Bald hill because they worried humans would threaten the species if they knew it was there.

Wouldn't landscaping for the RV park and two other businesses threaten the Nelson's checkermallow even more, by "increasing the shrub density" through introducing more exotic species into that small area?

Furthermore, wouldn't adding an RV park be a hydrologic threat to the threatened species, since the elevation is higher at the RV side sloping from N to S. See Detail Map – 5157374.2S. On page 19 their report states: *Much of the west portion of SITE tax lot 100 was inundated with standing water.* And that's with the current vegetation. Development clears and removes native and exotic vegetation for lots, community buildings, etc., and then adds exotic vegetation through landscaping.

I also worry how you divide this property. It seems like a scheme to partition off 60% at the edge of the property right now, then later are the owners able to come back and re-partition the 40% left over to 60-40 again? That kind of rezoning will kill the threatened checkermallow for sure!

On May 6, 2019, the top headline was that 1 million species were going to go extinct over the next decade if we don't stop destroying our planet! That was taken from a report titled "*Nature's Dangerous Decline 'Unprecedented' - Species Extinction Rates 'Accelerating'*". The research was done by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, or IPBES.

According to the report, "The health of ecosystems on which we and all other species depend is deteriorating more rapidly than ever. **We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide.**"

The member States of IPBES said *that we can expect opposition from those with interests vested in the status quo, but also that such opposition can be overcome for the broader public good.*

Global warming is a contributing factor in the decline of species worldwide, according to IPBES. Since Philomath recently added global warming to part of the criteria that must be taken into consideration.

We can no longer ignore the problem of species loss on earth! It can't be business as usual anymore. We must start caring about nature instead of making money out of her like there's no tomorrow.

We need to increase pressure and efforts to protect endangered and threatened species, not invite land owners to destroy them through development.

Our city needs to step back *for the broader public good* and rethink the way it handles the property within its limits, because if we don't stop killing threatened and endangered species on our planet, there won't be a tomorrow for our children, and according to, IPBES maybe not even for us....

Your no vote is of the utmost importance to our town, and to our planet! So I ask you each to vote **no** on the Lepman RV park development.

References

Media Release: *Nature's Dangerous Decline 'Unprecedented'; Species Extinction Rates 'Accelerating'* found online at: <https://www.ipbes.net/news/Media-Release-Global-Assessment>

Stonecrop, LLC's – in the *Rare Plant Survey*:
https://www.ci.philomath.or.us/vertical/sites/%7B2CFF016E-1592-4DB3-9E2B-444FA3EFC736%7D/uploads/Rare_Plant_Survey_Report.pdf.

Phase I Environmental Investigation:
https://www.ci.philomath.or.us/vertical/sites/%7B2CFF016E-1592-4DB3-9E2B-444FA3EFC736%7D/uploads/Phase_I_Environmental_Investigation.pdf

"A brief History of Humankind" by Yuval Noah Harari

I want to talk about the general meaning of Infrastructure in a community.

There are two main types of infrastructure investments, these include:

- Hard -Infrastructure refers to the physical networks necessary to function. It is the fundamental facilities and systems serving the community. Infrastructure is composed of public and private physical improvements such as roads, bridges, **water supply**, sewers, electrical grids, and telecommunications. In general, it can be defined as “the physical components of interrelated systems providing commodities and services essential to enable, sustain, and enhance social living conditions.
- Soft - Infrastructure refers to all the institutions that maintain the economic health, **social**, and **cultural** standards of a community. **Social** infrastructure can be broadly defined as the construction and maintenance of facilities that support social services and **quality of life**. These social infrastructures are created to increase social comfort and act on economic activity. These being schools, parks, playgrounds, structures for public safety, **waste disposal plants** and health facilities.

*****I've tried several ways in the past to explain my position on growth and development in Philomath but, I feel it still has not been taken by the town's staff and elected officials.

1. The most important point that I would like to make is that myself and other like minded community members do not take the position of anti-growth in Philomath. However, we also do not promote Gentrification.
2. What we are pushing for is to grow Philomath sensibly and sustainably. WE NEED TO STOP TRYING TO PUT THE HORSE BEFORE THE CART.

3. To obtain this goal, the city staff and officials should be working to update and expand our towns infrastructure; and creative ways to pay for these improvements as a first priority.
4. Philomath is not prepared to sustain the volume and pace of growth that has been pushed on us over the past couple of years. It seems that since our vote has been taken away, some city staffs has gone running amuke to push projects that are not of real value to our personal and core infrastructures. We should prepare ourselves to accept more rapid growth through mindful and long term planning.
5. This 25 acre Lepman project would be a huge draw on our city's current infrastructure and resources. Make no mistake, this is not affordable housing nor permanent residents. The folks that would be using a facility like the one proposed would be transient passers through that would have no sense of ownership in the livability of Philomath.

The Philomath Planning/Building criteria specifically states:

Must be of benefit to the community.....IS IT?

6. Officially, our population is 4,715. We no longer have the large tax contributions made by the timber industry in years past. These multi-million dollar infrastructure projects coming our way cannot be paid for and sustained by this small community with any sort of timely fashion.
7. So, I ask of you today, that the Commission and City do its Do diligence and be **much more creative** in finding additional funding for these huge necessary infrastructure projects. With a limited amount of research, several grants and loans can be found through programs available such as USDA and other agencies. An accomplished grant writer could address the inclusion of our zip code with all of Benton County.
8. On behalf of my community, I request that you postpone further conversation on this project until such time that we are in a physical and economic position to welcome further growth.

In closing: After spending almost 2 weeks driving around Oregon and visiting different communities, I am convinced that Philomath WILL be growing if only by virtue of its own geographical location.

PLEASE, Let's move forward with a commitment to the conservation of our town's unique community and with SUSTAINABLY AND SENSIBILITY IN MIND.