

PHILOMATH PLANNING COMMISSION
MINUTES
August 29, 2016

1
2
3
4
5 **1. CALL TO ORDER.** Commissioner Jacque Lusk called the meeting to order at 7:00 PM in the City
6 Hall Council Chambers.

7
8 **2. ROLL CALL:**

9
10 **Present:** Commissioners Jacque Lusk, Jeannine Gay, Mark Knutson, Patrick McDonald,
11 and Lori Gibbs,

12
13 **Staff:** Chris Workman, City Manager; Dan Miller, Deputy City Attorney; Jim Minard,
14 Planner; and Ruth Post, City Recorder.

15
16 **Excused:** Commissioners Shon Heern, and Gabe Callaway (resigned effective 8/23/2016).
17

18 **3. APPROVAL OF MINUTES:**

19 **3.1 August 15, 2016, Minutes**

20 **MOTION:** Commissioner Gay moved, Commissioner McDonald second, the August 15,
21 2016, minutes be accepted as presented. Motion APPROVED 5-0.
22

23 **4. PC16-06 DISCUSSION & DECISION:**

24 **4.1 PC16-06; Applicant: Phil Doud; Application Type: 10-lot subdivision; Location: 458**
25 **N 10th Street (12-6-12BC, Tax Lot 800)** – Commissioner Lusk opened the application to
26 Commission discussion. Mr. Miller asked Commissioner Knutson if he had reviewed the
27 entire record of the August 15, 2016, public hearing. Mr. Knutson stated he had and was
28 qualified to participate in the discussion. Mr. Miller addressed the letter received from Mr.
29 Ponder regarding re-opening the public hearing to allow testimony to address information
30 provided by the applicant after the August 15 public hearing was closed. Mr. Miller
31 provided the options available as either to re-open the hearing or disregard anything said
32 by the applicant after the public hearing was closed. He also noted that additional findings
33 have been distributed for staff to present. Commissioner Gay suggested hearing the staff
34 report prior to deciding whether to re-open the hearing or not.
35

36 Mr. Minard presented the additional staff report dated August 29, 2016, particularly
37 addressing accessing the proposed subdivision via North 10th Street. He noted that
38 proposed Condition of Approval #17 would honor the testimony received from the North
39 10th Street neighbors and would limit access to the new subdivision via 10th to fire, life
40 and safety apparatus by requiring a breakaway type barricade.

41
42 Mr. Minard reviewed the three options presented by staff regarding construction access to
43 North 10th Street. Commissioner McDonald questioned how far \$8,000 held in reserve
44 would go towards future construction on North 10th Street. There was discussion about
45 use of this to repair chip sealing or other potential repairs.
46

47 Commissioner Lusk questioned if there had been any ex partae contacts or site visits. No
48 members of the Commission declared ex partae contact or site visits. An audience
49 member disputed that declaration, citing the presence of Mr. Workman and Mr. Minard on
50 a site visit the prior week. Mr. Miller clarified that city staff had met with the applicant and
51 with neighbors but no members of the Planning Commission had and only they are
52 required to declare such visits.
53

54 **MOTION:** Commissioner Gay moved, Commissioner Knutson second to open the
55 Planning Commission public hearing to additional testimony. Motion APPROVED 5-0.
56

57 **Applicant: Phil Doud, Corvallis, OR, and Steve Oien, Philomath, OR** – Mr. Doud stated he
58 hadn't been prepared for additional testimony. Mr. Oien stated that the additional
59 conditions of approval are acceptable to them. He stated they would prefer not to be

1 limited to construction access via North 10th Street and their preference would not be
2 Condition of Approval #18B.

3
4 **Proponents:** None.

5
6 **Opponents:**

7 **Robert Ponder, Philomath, OR:** Mr. Ponder requested that a definition be provided for
8 holding \$8,000. Mr. Workman stated that the city would hold the funds until such time as
9 the street was to be upgraded. Mr. Ponder declared objections to the Commission's
10 actions and the process. He questioned who is going to pay for upgrades to 10th Street
11 when it happens. There was additional discussion about the issues surrounding the
12 process. Mr. Ponder stated he would prefer Condition of Approval 18A.

13
14 **Susan Craig, Philomath, OR:** Ms. Craig thanked city staff for taking the extra measures to
15 gather additional information. She stated she and her neighbors preferred Condition of
16 Approval #18A and stated it would be wiser to stay off of the street with heavy equipment.

17
18 **Melvin Whittier, Philomath, OR:** Mr. Whittier thanked the Commission for their
19 consideration in taking another look at this. He stated he had a lack of trust in city staff. He
20 questioned who prepared the memo dated August 29, 2016. Mr. Workman stated the
21 memo was prepared by staff. Mr. Whittier stated that on August 23, 2016, there was a
22 meeting with Philomath Fire & Rescue staff. Mr. Minard confirmed that a meeting was held
23 with the Fire Chief regarding width of the street for ingress and egress. Mr. Minard noted
24 that the Fire Department had not provided any testimony or concerns prior to the August
25 15 public hearing.

26
27 Mr. Whittier stated he approved of Condition of Approval #17. He stated that #18A would
28 be acceptable. Commissioner Gay questioned why the concerns of the North 10th Street
29 neighbors have not been presented to the city in the past.

30
31 **Robert Ponder, Philomath, OR:** Mr. Ponder stated that any time he has come to the city,
32 he's been told there's no money to upgrade North 10th Street. He stated the one time he
33 came to the city and requested the street be chip sealed, it was.

34
35 **Susan Craig, Philomath, OR:** Ms. Craig described her prior efforts to have North 10th
36 Street improved when she was on City Council and she stated they understood that it was
37 not a high enough priority. She stated the chip sealing was appreciated.

38
39 **Garland Burdock, Philomath, OR** – Ms. Burdock stated she approved of Conditions of
40 Approval #17 and 18A.

41
42 **Applicant Rebuttal: Phil Doud, Corvallis, OR** – Mr. Doud stated he has no problem with
43 any of the options presented and is happy with the efforts by the city to develop them.

44
45 Commissioner Lusk closed the public hearing at 7:54 p.m.

46
47 **MOTION:** Commissioner Gay moved, Commissioner Gibbs second to approve the
48 application for the Doud preliminary plat based on the findings of facts contained in the
49 staff report dated August 15, 2016, and the memo to the Planning Commission dated
50 August 29, 2016, for file PC16-06 and subject to the conditions of approval in the staff
51 report and memo, specifically conditions #1-17 and 18A. Motion APPROVED 5-0.

52
53 Mr. Workman stated he felt the system worked tonight. He stated appreciation for the input
54 from the public towards making a good decision.

55
56 **5. PC16-08 DISCUSSION & DECISION:**

57 **5.1 PC16-08, Applicant: Kevin Nichols; Application Type: Comprehensive Plan and**
58 **Zone Map Amendment; Location: 1350 Houser Lane** – Commissioner Lusk opened the
59 application to Commission discussion. The applicant was not in attendance. Mr. Miller

1 reminded the Commission that this was tabled because the applicant was not in
2 attendance on August 15, 2016, to waive the additional 7 days to submit final written
3 testimony. Mr. Miller asked Commissioner Knutson if he had reviewed the entire record of
4 the August 15, 2016, public hearing. He stated he had and was qualified to participate in
5 the discussion. Commissioner Lusk requested any ex-parte contacts, conflicts of interest,
6 bias or site visits since the August 15, 2016, public hearing. No members of the Planning
7 Commission declared any ex parte contacts, conflicts of interest, bias or site visits.
8

9 **MOTION:** Councilor Lusk moved, Councilor Gay second, that the Findings of Fact as
10 presented in the staff report dated August 15, 2016, be adopted and the Planning
11 Commission recommend approving the requested Comprehensive Map amendment from
12 Industrial to High Density Residential and the Zoning Map amendment from Heavy
13 Industrial to High Density Residential as presented in File No. PC 16-08. Motion
14 APPROVED 5-0.
15

16 **6. ADJOURNMENT:**

17 There being no further business Commissioner Lusk adjourned the meeting at 8:08 p.m.

18 SIGNED:
19 Jacquie Lusk, Commissioner
20

ATTEST:
Ruth Post, MMC, City Recorder