



NOTICE OF PUBLIC HEARING

The Philomath Planning Commission will hold a public hearing on Monday, June 17, 2024, at 6:00 p.m. at Philomath City Hall, 980 Applegate Street, Philomath, Oregon, and the Philomath City Council will hold a subsequent public hearing on Monday, July 8, 2024 at 7:00 p.m. at the same location to consider the following application:

APPLICANT:	Gregory Phelps
NATURE OF APPLICATION:	Annexation and Zoning Map/Comprehensive Plan Amendment
PROPERTY LOCATION:	769 N 9 th Street (12S-6W-12BB TL1200)
APPLICABLE CRITERIA:	Chapter 18.135 of the Philomath Municipal Code
ZONE DESIGNATION:	Medium Density Residential (R-2)
PROPOSED ZONING:	High Density Residential (R-3)
STAFF CONTACT:	Chris Workman, City Manager and Planning Official, chris.workman@philomathoregon.gov
APPLICATION COMPLETE:	April 19, 2024
FILE NUMBER:	PC24-02 Annexation and PC24-03 Zoning and Comp Plan Amend.

The applicant is requesting to annex a 1.99 acre parcel into the city. Upon annexation, the property would be zoned Philomath Medium Density Residential (R-2); however, the applicant is also requesting to change the zoning from Medium Density Residential (R-2) to High Density Residential (R-3) at the time of annexation. These are two separate applications, but the applicant has requested they be considered concurrently, and that they be conditional upon one another's approved.

The property currently has a two single unit dwellings and some out buildings. The application includes a conceptual development of approximately 35 dwelling units. The site is constrained by some mild slopes and the Rook Creek pipeline easement owned by the City of Corvallis. Not taking these constraints into account, the highest, most intense use of the property at R-3 zoning would allow for up to 57 units made up of high density units (studio or 1 bedroom). Benton County has requested that the adjacent portion of N 9th Street be included in the legal description of property considered for annexation as part of this application, with no adverse impact to the applicant or City.

The purpose of the hearing is to determine if the application conforms to the applicable criteria set forth in the Philomath Municipal Code and arrive at either a denial or approval of the application. If the Findings of Fact are approved, the Planning Commission will recommend that the City Council hold a public hearing on the matter at the time and place noted above. Following that hearing, the City Council will make a final decision on whether or not the application meets the city's applicable criteria. If the City Council determines that the applicable criteria are met, the Council will consider an ordinance annexing the property into the city.

The public hearing will be conducted in a manner that allows the presentation of the staff report, testimony from the applicant, testimony from proponents, opponents and neutral parties, and comments from governmental bodies and agencies. Any person providing testimony may request that the hearing be continued in order to address new evidence submitted. Written testimony may be entered into the record prior to or during the public hearing and, if received at least seven days prior

to the hearing date, will be included in the hearing packets. Please reference the above-noted file numbers in all correspondence.

The Staff Report will be available for review at least seven days prior to the hearing date. Copies of the Report, applicable sections of the Municipal Code, the application and other related documents can be reviewed at no charge at City Hall (980 Applegate Street, Philomath) or on the City's website: www.ci.philomath.or.us. Copies may be obtained at City Hall for the nominal cost of making copies.

Failure to raise an issue either in person or in writing by the close of the record or failure to provide sufficient specificity to afford the City the opportunity to respond to the issue may preclude appeal to the State Land Use Board of Appeals (LUBA) based on that issue.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:

If you receive this notice it must be promptly forwarded to the purchaser.

The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.



----- ROUTING (For Department Use Only) -----

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| <input checked="" type="checkbox"/> Applicant/Agent(s) | <input checked="" type="checkbox"/> Area Property Owners | <input checked="" type="checkbox"/> Philomath Fire Department | <input checked="" type="checkbox"/> Philomath Public Works |
| <input checked="" type="checkbox"/> Benton County Planning | <input checked="" type="checkbox"/> Philomath School District | <input checked="" type="checkbox"/> Legal Ad | <input checked="" type="checkbox"/> DSL |