

CITY OF PHILOMATH MEASURE 2-102

BALLOT TITLE

CAPTION: A measure proposing annexation of the Chapel Drive LLC property

QUESTION: Shall the Chapel Drive LLC property, 159-acres located north of Chapel Drive between South 23rd and 30th Streets, be annexed?

SUMMARY: A "Yes" vote would support the annexation of the property into the City of Philomath. Approval of this measure by a majority of voters would annex approximately 159 acres of land zoned Low Density Residential and Commercial into the City of Philomath. The property to be annexed is generally located north of Chapel Drive between South 23rd and 30th Streets (T12S-R5W-Sec. 7, Tax Lots 500, 502, 503 and 504). The parcels lie entirely within Benton County. Upon annexation, the property would be zoned City of Philomath R1 (Low Density Residential) with five acres of C2 (General Commercial). Development of property is not required at the time of annexation. Any development proposal on this property shall require review and approval by the Planning Commission at a public hearing. Any future owner of this property who may propose a different development plan must pass through the same plan review process and public hearing. The City is not speaking in favor or against any conceptual plan.

Development of property is not required at the time of annexation. When development occurs, it must conform to the zoning designation then in effect. The zoning of any property may be changed following legally required public notice and a public hearing. The annexation would place the property within the City of Philomath, subject to the City's tax rates.

Additional information and land use findings regarding the proposed annexation are contained in the staff report dated July 11, 2016. Copies of the staff report are available for public review at Philomath City Hall, 400 Applegate Street, Philomath, Oregon. The City is not speaking in favor or against this conceptual plan.

(Submitted by City of Philomath)

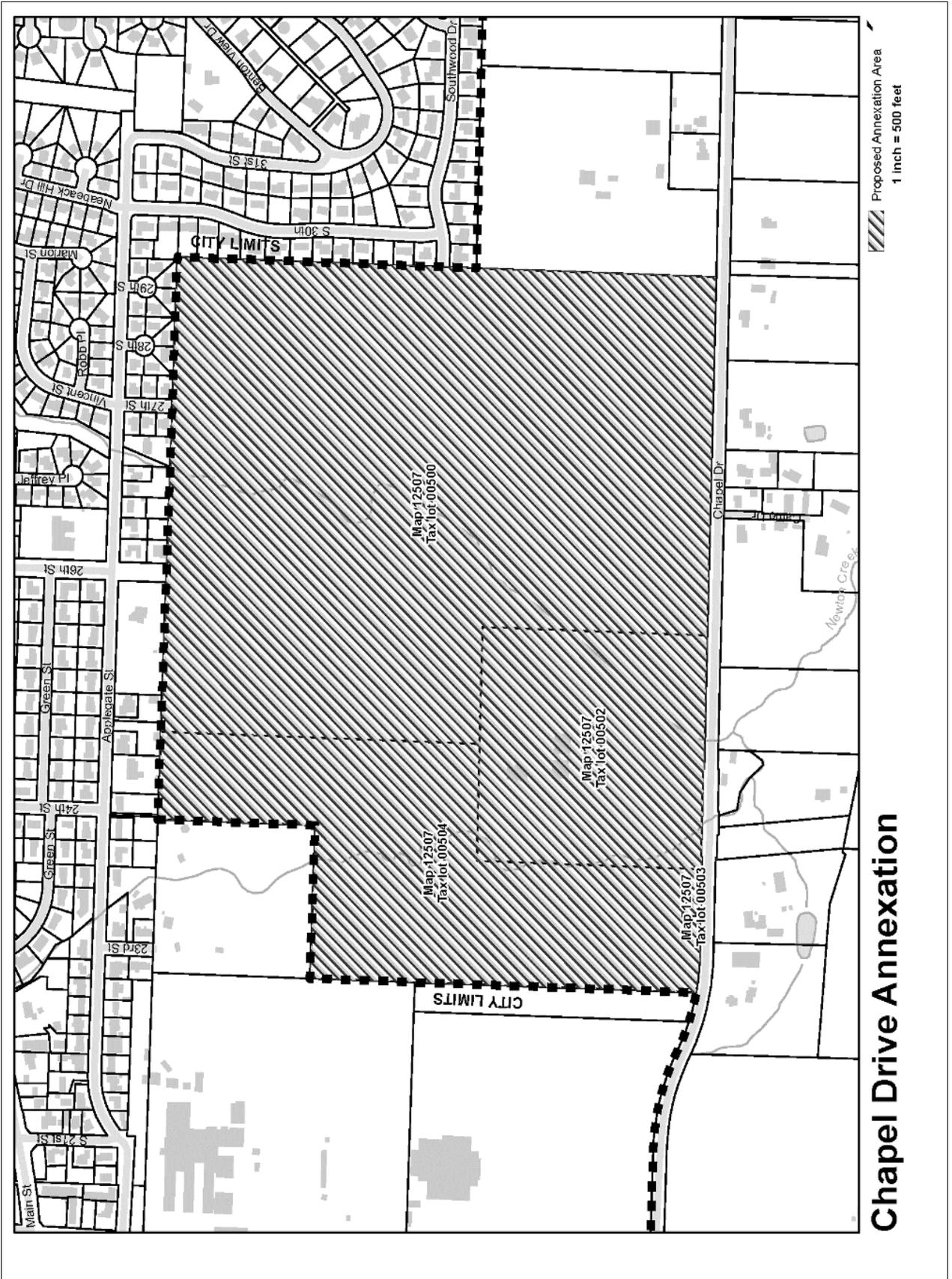
EXPLANATORY STATEMENT

If approved by the voters, this measure would result in annexation of approximately 159 acres into the City of Philomath. The City Council has found the proposed annexation meets all applicable land use laws of the State of Oregon and the City of Philomath. The City Charter requires submitting this annexation to the voters.

The property proposed for annexation is generally located north of Chapel Drive between South 23rd and 30th Streets. The entire property is located within the Urban Growth Boundary, and is designated in the Philomath Comprehensive Plan as "Low Density Residential" and "Commercial." Upon annexation into the City, it would be zoned R1 (Low Density Residential), with five acres of C2 (General Commercial). R1 zoning would typically permit single family residential land uses and C2 zoning would typically permit general commercial uses.

This annexation was requested by petition of the developer. The conceptual plan submitted shows the phased development of low density housing, parks, trails and approximately five acres of commercial area. The conceptual plan may change. Upon annexation, development proposals for this property will require a public hearing followed by the review and approval of the Planning Commission. Any future owner of this property who may propose a different development plan must pass through the same plan review process and public hearing.

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Chapel Drive Annexation

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ARGUMENT FOR:

Philomath is in serious need of housing. Approval of this proposed annexation will provide an opportunity for families to secure housing and a stake in Philomath's future. It will open the door for positive growth within the community and our schools. Without annexation, the city will have little say in how and what is developed. With annexation, citizens will continue to have a voice in how the property is developed. The Planning Commission and the City Council have addressed the impact of this planned development and their approval to bring it to the voters speaks to their due diligence. Please join us in making a better community by voting "YES" on 2-102.

Rod Harvey

Doris Harvey

Bob Glathar

Kay Glathar

Jeannine A. Gay

Van O. Hunsaker

Dale Collins

Don Cruise

Laura Kildea

Jim Kildea

(This information furnished by Rod Harvey)

ARGUMENT FOR:

As the Mayor of the City of Philomath, I can see the positive impacts that the Chapel Drive LLC Annexation will have for Philomath. Our area needs single family housing, students for our schools, and a larger tax base. The housing will be built in phases that will take years to build. The annexation is also beautifully designed with parks and multi-use paths that will benefit the entire community. The developer is responsible for paying for all the infrastructure within the development itself that must be approved by the City before any houses are built.

Please join me with a yes vote for a great addition to our community.

Rocky A. Sloan
Mayor of Philomath

(This information furnished by Rocky A Sloan)

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ARGUMENT FOR:

As a six year volunteer member of the City of Philomath Budget Committee, I support the Chapel Drive Annexation for the following reasons:

1. The City of Philomath has a plan for long term growth. Philomath already has been preparing its infrastructure to handle additional housing, including water sufficiency, sewage treatment, and overall capacity to handle managed population growth.
2. Philomath citizens have a strong city administration and an informed city council and mayor. These people understand the demanding priorities and issues Philomath faces in order to remain a desirable community in which to live.
3. Without annexation, there is insufficient land for affordable new residential development within the current city boundary.
4. The proposed land annexation lies within Philomath's existing Urban Growth Boundary. Furthermore, the location is an easy walk to Philomath's primary, middle, and new high school.
5. The City of Philomath's tax base needs to grow via revenue from new home construction and new residents moving to Philomath. The Chapel Drive site offers the best site for this growth.
6. There is no meaningful alternative to funding the city budget other than through real property taxation. If revenue from this source is insufficient, reduced services or personnel layoffs, or both, may occur.
7. Annexation does not give the developer free reign to proceed with development. Future City approvals with public input will be required.
8. Annexation also does not mean current Philomath property owners will inevitably experience adverse consequences.

I am convinced the best way to ensure Philomath's future as a safe and livable community is to broaden the City's tax base through planned and reasonable growth. This long term solution has its best chance of succeeding through the Chapel Drive annexation.

Please join me in voting yes on Measure 2-102.

(This information furnished by David M Low)

ARGUMENT FOR:

A "Yes" vote for the Chapel Drive annexation will provide stability for the Philomath School District, which has experienced declining enrollments in the last decade. Philomath passed a school bond to build capacity and improve schools but has been hamstrung by low enrollments and a lack of new housing in the city. A "Yes" vote will provide managed growth over the next 10-12 years. This annexation will provide a wide economic benefit for all citizens. Please be informed by visiting www.chapeldrive.com.

Join us and your elected city council, who voted unanimously to place this measure on the ballot. Let's create a livable place with adequate housing for the children who grow up in this great community so they are not compelled to move to other neighboring areas. Please join us in voting "Yes" on Measure 2-102.

(This information furnished by Philomath Citizens for Prosperity and Stability)

CITY OF PHILOMATH MEASURE 2-102

ARGUMENT AGAINST:

Should Philomath residents **trust** that *developers* will place highest priority on the best interests and well-being of residents? I believe that annexation of the Chapel Drive LLC property (large acreage between Chapel Drive and Applegate) would be detrimental to the quality of life in Philomath for the following reasons:

- There is no comprehensive design plan for this acreage that addresses the specifics and logistics of facilities necessary to support the housing tract development that approval of this annexation is being pursued to enable. A general conceptual plan has been proposed, which is subject to changes without voter approval after annexation (such as rezoning requests), that could result in erosion of livability conditions.
- Our already over-extended water and sewer systems cannot accommodate an expansion to serve the 660 homes that are planned to be built on this land, and there is no proposed plan to address this. We are already enduring the effects of insufficient water to meet current and future community needs.
- All Philomath residents would be required to pay for additional water service and storage facilities, sewer service expansion, additional police and fire-fighter staffing via increased property taxes (which are already very high).
- There would be increased vehicular traffic causing more delays and increased potential for accidents.
- Loss of green-space, natural setting, quiet environment, and animal habitat.
- The amount of noise, dust, and traffic of heavy equipment and construction crews for a lengthy project of this scope would be intolerable for anyone in proximity.
- The focus of any developer would be to maximize company profits; not on providing the infrastructure needed for the housing tract, nor for quality of life considerations of Philomath residents who are left to endure the complications and after-effects of such a large build-out.
- This annexation proposal has already been voted upon twice in past years, and rejected by the voters for good reasons.

PLEASE VOTE NO!

(This information furnished by Jeff Cohen)

ARGUMENT AGAINST:

CITIZENS OF PHILOMATH!

The Lowther Annexation truly is déjà vu all over again. In 2005 and 2006, these developers proposed the same annexation and the same 660 houses be built in Philomath. They were soundly defeated both times.

There is no firm plan for this development: the developers say they will prepare one after the land is annexed. In other words, they want us to approve the annexation without knowing what is going to be built!

The same issues exist now as then.

- Inadequate water supply
- Increased sewage treatment requirements
- Increased traffic
- Questionable school capacity
- Decreased quality of life
- Increased demands on Philomath infrastructure
- Increased need for city services including fire and police.
- **INCREASED TAXES TO PAY FOR ALL THE ABOVE**

If, as suggested by the developers, these homes are occupied by an average of 2.5 residents each, this development will bring at least 2000 more residents to town, and possibly even more. It's true that Philomath now has a contract with Corvallis that allows it to buy water from Corvallis. However, I believe the contract also allows Corvallis to cut off that water supply at will and without warning. Eventually, Corvallis will be using all of its water rights and will have no water to sell. What will happen then if Philomath is 1 ½ to twice its present size (with the same per capita water demands)?

The developers propose to build these houses over a 10-15 year period. That sounds manageable (66-44 houses per year) until you realize that it really means a continuous construction project over that entire period! Imagine 10-15 years of constant noise, heavy trucks, dust, disruption, and traffic.

This project will ruin the quality of life in Philomath that we value so highly.

VOTE NO!

(This information furnished by
David Stein and Caroline Ajootian, Philomath Residents)

CITY OF PHILOMATH MEASURE 2-102

ARGUMENT AGAINST:

Chapel Drive (Lowther) Annexation

- Voters rejected annexation in 2005 and 2006
- Voters should reject this annexation again due to a poorly prepared conceptual plan that is unchanged since 2005

Developers build homes for one purpose: to maximize profits. They plan for expenses such as system development charges and add such costs to each home. The burden of providing city services will fall upon Philomath taxpayers.

Developers make promises to the public and city officials, then make changes that maximize profit. It is common knowledge that after the Chapel Drive property is annexed, a rezoning request will be made to increase the number of homes. Worst-case scenario, the applicant will sell their interest to another developer who wants a larger profit margin. Broken promises are happening in other Oregon communities.

The developer has submitted only a conceptual plan, based on infrastructure plans made 10-15 years ago. An example of a plan that needs to be updated is the *Traffic Impact Analysis*. Current travel demands on Hwy 20/34 during peak hours are resulting in extreme slowdown periods. If the Chapel Drive property is developed, additional congestion is anticipated for Philomath and surrounding communities. Traffic patterns have changed considerably since the last traffic study was completed in 2005.

The water supply in Philomath is adequate only for the current population without updating treatment facilities, adding storage, or utilizing alternative sources. During the summer, the Marys River can run below required flow requirements, and will further decline during drought. Using alternative water sources will require additional treatment and cost. Relying on Corvallis to supply water places Philomath's needs in others' hands. Water quality and quantity must be addressed before increasing Philomath's population.

Conceptual plans are inadequate to insure that livability in Philomath isn't jeopardized. Vote no on measure 2-102 to tell City representatives that we want to preserve our small-town qualities and not severely impact essential city services.

(This information furnished by Grow Philomath Sensibly)

ARGUMENT AGAINST:

Philomath citizens should vote no on measure 2-102, that would annex the Lowther property on Chapel/Applegate to the city.

This massive proposal is to build 660 homes which will cause great problems with both water and traffic, as well as needed increases in police, fire, and sewer services, and the burden for this will fall on taxpayers, not the developers.

Without annexation, the owners can still develop the land, anytime they want too. But they would have to pay for water development, etc. Annexation shifts those costs to Philomath tax payers.

Philomath is maxed out in terms of water quantity. We use every bit we've got. The city can buy water from Corvallis, but Corvallis put an "opt out clause" in that agreement; and this year they refused to sell water to Consumer Power. In a drought year they are unlikely to part with water, at any price.

According to city officials, Philomath does not have adequate water storage to deal with a catastrophic fire, and the water treatment plant is already at maximum capacity.

In addition, this development would add 1200-1300 cars on the road, and the developers refuse to do a traffic study until AFTER the election. Imagine 1200 more cars on Philomath Blvd. It can take three turns of the light to get through at 53rd right now.

Both the county and Oregon Department of Transportation have voiced concern that the roads are not sufficient for this increase. And it will be the taxpayers of Oregon that pay for road changes, not the developers.

No water, no traffic study, no annexation.

(This information furnished by Mark Weiss)

CITY OF PHILOMATH MEASURE 2-102

ARGUMENT AGAINST:

Philomath's water supply cannot support a sprawling development

We rely on the river. For many years, Philomath got all its water from Corvallis. In the 1970s, facing population growth, Philomath drilled 2 wells, but they had quality problems. Philomath then built a water treatment plant and made the Marys River its primary water source.

We share the river. There are many claims on the river, such as for irrigation. Furthermore, the State of Oregon requires a certain minimum stream flow to maintain aquatic life. When the river's flow drops below that minimum, the state can require Philomath to restrict its water withdrawal.

The river is often too low. River flows under the state minimum occur once every 5 years, on average. This past August, river flow dropped below the minimum for about a week—and for a few of those days, river flow was 30% below the minimum.

Moderate or severe drought would be devastating if Philomath's population skyrockets. According to national statistics, the proposed 660 houses would bring 2046 people—that's 44% greater population and water demand. And that's not counting other new houses and still-undeveloped industrial land.

The water supply is in trouble even if no big development occurs. In 2005, engineers hired by Philomath concluded that the reliable water supply (river water rights plus the 11th Street well) was insufficient for the planning period (2005-2029).

The next year, Philomath went back to buying Corvallis water regularly. That happened even though the 2005 study called Corvallis "a last-resort, emergency supply." It's an unreliable supply, too. Our contract with Corvallis says that if there is drought, contamination, or another problem, the amount of water provided to Philomath will be cut back.

Philomath's 2005 water study is at <http://tinyurl.com/jj48vbf>

The city has ordered a new study that will not be available until after this vote

No on 2-102!

(This information furnished by Faith Reidenbach)

ARGUMENT AGAINST:

CHAPEL DRIVE LLC (Lowther Annexation)

This argument is offered in opposition to Measure #2-102

The addition of 660 homes will put too great a demand on the environment, resources and infrastructure. Most of the physical changes resulting from development are permanent. Economic costs are incurred, many of which are not paid for by the development itself. So, let's practice some due diligence before embarking on any development. Let's grow sensibly.

WATER: The latest Water System Master Plan (2005) states "perhaps the most useful message for the community.....is that water resources in and around Philomath are limited." Another 2,000 people is a 50% population increase. The Water Plan included many recommendations including conservation but as far as I can tell none of them have been instituted. Instead, we rely on Marys River as our main water source backed up by the 11th street well along with an "agreement" with Corvallis. Presently, the "agreement" states that the needs of the Corvallis citizens take priority over Philomath; an opt out clause. A new 5 year contract requesting no opt out clause will be negotiated later this year. The terms and the price are up to Corvallis, not Philomath. **WE NEED A CURRENT WATER MANAGEMENT PLAN PERFORMED BY AN INDEPENDENT ENGINEERING FIRM BEFORE GOWTH CAN BE PLANNED RESPONSIBLY.**

TRANSPORTATION INFRASTRUCTURE: An increase of approximately 1300 cars on our roads is going to have a huge impact on traffic progression into, out of, and around Philomath. The proposed addition of 2 left turn lanes to remedy the traffic issue seems much less than adequate. It will only mean 2 more lanes of backed up traffic. One needs to also consider the added cost of road maintenance due to the added traffic burden. Again, there is not a recent traffic study and ODOT did voice some concern at the Planning Commission meeting. **WE NEED A CURRENT TRAFFIC STUDY FOR RESPONSIBLE PLANNING.**

VOTE NO MEASURE#2-102

(This information furnished by Marion Dark)

CITY OF PHILOMATH MEASURE 2-102

ARGUMENT AGAINST:

WATER STILL IS THE ISSUE

The proposed 159-acre Chapel Drive Annexation of 660 houses (= Lowther Family Annexation proposal that failed in 2005 and 2006) would increase Philomath's population by over twenty-five percent, and negatively impact the long-term reliability of the city's water supply.

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Philomath draws water from several sources: the Marys River, two city wells, and Rock Creek (on Marys Peak).

- Philomath relies primarily on several water rights to the **Marys River**. Those rights, however, do not ensure that water will be available when needed. During critical low flow periods, generally in August and September, often there is little water in the river. Furthermore, because of overuse and low flow, the Marys at times has been out of compliance with state standards.
- **Philomath's two wells** have serious problems. The 9th Street well is so poor, that the pump was pulled some years ago and the well no longer was used. The aquifer tapped by the 11th Street well is of such poor quality that water levels decreased in 1983 until quality was unacceptable, and the well virtually ran dry. Currently, however, the city is using both wells.
- In the mid-1990's, Philomath signed an agreement with Corvallis to purchase up to one million gallons of water a day from **Rock Creek**. Unfortunately, the current 10-year contract can be terminated at any time. When that agreement expires at the end of fiscal year 2016-2017, Corvallis will have the option to extend it. However, if Corvallis should need the water currently sold to Philomath, Philomath could be left high and dry.

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Increasingly, the West is experiencing water shortages caused by global warming. Reduced snowpack and hot, dry summers are bound to have a negative impact on Philomath's water supply. The City must plan growth wisely, so that current homeowners, other residents, and businesses have adequate water!

We can live with congested traffic, higher taxes, and overcrowded schools, but we cannot live without water!

(This information furnished by May D. Dasch)