

TO: City Council for August 1, 2016
FROM: Carla Holzworth, City Recorder *CH*
DATE: July 26, 2016
THROUGH: Mark W. Shepard, P.E., City Manager *MWS*
SUBJECT: Second Reading of Special Ordinance related to Corvallis Station Lots 3 and 4



Action Requested:

Per Municipal Code Section 1.19.030.030, staff recommends Council hold a second reading of a special ordinance related to Corvallis Station Lots 3 and 4.

Discussion:

A special ordinance for a Comprehensive Plan Map Amendment related to Corvallis Station was considered by Council at its July 18, 2016 meeting. The ordinance passed six to one; however, since the vote was not unanimous, the City's Municipal Code requires a second reading at the next official Council meeting.

Budget Impact:

None

Attachment

Special ordinance relating to Corvallis Station Lots 3 and 4

ORDINANCE 2016-___

**A SPECIAL ORDINANCE RELATING TO A COMPREHENSIVE PLAN MAP AMENDMENT,
AMENDING ORDINANCE 98-53, AS AMENDED.**

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Findings. The findings in Exhibit A attached to this Ordinance are incorporated by this reference.

Section 2. The Comprehensive Plan Map is amended and Lots 3 and 4 of Corvallis Station are designated Mixed Use Commercial, as demonstrate in Exhibit B to this Ordinance, which is attached and incorporated as part of this ordinance.

Section 3. No other provision in the Comprehensive Plan is amended by this ordinance.

PASSED by the City Council this 1st day of August, 2016

APPROVED by the Mayor this 1st day of August, 2016

EFFECTIVE this 10th day of August, 2016

Mayor

ATTEST:

City Recorder

ORDINANCE 2016-___

EXHIBIT A

**BEFORE THE CITY COUNCIL
OF THE CITY CORVALLIS**

**FINDINGS – CORVALLIS STATION LOTS 3 AND 4
COMPREHENSIVE PLAN AMENDMENT**

In the matter of a City Council decision to)
approve a Comprehensive Plan Amendment)
) **CPA15-00002**
)
)

PREAMBLE

This matter before the Corvallis City Council is a decision regarding a Comprehensive Plan Amendment that re-designates Lots 3 and 4 of Corvallis Station from General Industrial to Mixed Use Commercial. Adoption of the Comprehensive Plan Amendment affects the concurrent rezoning of the subject lots from General Industrial with a Planned Development Overlay (PD(GI)) to Mixed Use Community Shopping with a Planned Development Overlay (PD(MUCS)). However, only the findings presented below are made solely in support of the City Council’s decision on the subject Comprehensive Plan Amendment.

Lots 3 and 4 of Corvallis Station have a combined area of approximately 4.5-acres and are located near the south terminus of NE Four Acre Place, a private street developed consistent with City of Corvallis standards for a public street. Both lots are currently vacant. Development within the immediate proximity of Lots 3 and 4 includes several commercial retail uses, a drive-thru restaurant, a large commercial grocery store, and a multiplex theater. The properties are noted as Tax Lots 700 and 800 on Benton County Assessor’s Map 11-5-26A.

The Corvallis Planning Commission conducted a hearing on the above-referenced Comprehensive Plan Amendment on April 4, 2016. At that public hearing, the Planning Commission deliberated and voted to recommend that the City Council approve the Comprehensive Plan Amendment. A notice of decision was signed on May 5, 2016, (Order # 2016-019). No appeals were received by the City of Corvallis during the subsequent 12-day appeal period, which ended on May 17, 2016.

The City Council held a duly advertised *de novo* public hearing on the Comprehensive Plan Amendment application on June 20, 2016. The public hearing was closed; and the applicant waived their right to provide a final written argument. The City Council deliberated on the subject application at the June 20, 2016 hearing, and, after consideration of all the testimony and evidence in the record, the City Council voted to approve the subject Comprehensive Plan Amendment.

Applicable Criteria

All applicable legal criteria governing review of this application are identified in the public notices for the April 13, 2016, and June 20, 2016, public hearings; the Staff Report to the Planning Commission, dated May 4, 2016; the minutes of the Planning Commission hearing and deliberations dated May 4, 2016; the

staff memo to the City Council dated June 14, 2016, and the minutes of the City Council hearing and deliberations dated June 20, 2016.

FINDINGS AND CONCLUSIONS RELATED TO THE CORVALLIS STATION LOTS 3 AND 4 COMPREHENSIVE PLAN AMENDMENT (CPA15-00002)

1. The City Council accepts and adopts those findings made in the Staff Report to the Planning Commission, dated May 4, 2016, that support approval of the Comprehensive Plan Amendment. The City Council adopts as findings those portions of the Minutes of the Planning Commission meetings, dated May 4, 2016, that demonstrate support for approving the Comprehensive Plan Amendment. The City Council accepts and adopts those findings made in the June 14, 2016, staff memorandum to the City Council, that support approving the Comprehensive Plan Amendment. The City Council also adopts as findings, those portions of the Minutes of the City Council meeting dated June 20, 2016, that demonstrate support for approving the Comprehensive Plan Amendment. The City Council specifically accepts and adopts as findings the rationale given during deliberations in the June 20, 2016, meeting by Council Members expressing their support for approving the Comprehensive Plan Amendment. All of the above-referenced documents shall be referred to in these findings as the “Incorporated Findings”. The findings below, (the “supplemental findings”), supplement and elaborate the findings contained in the materials noted above, all of which are incorporated herein, by reference. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.
2. The City Council notes that the record contains all information needed to evaluate the Comprehensive Plan Amendment decision for compliance with the relevant criteria.
3. To approve a Comprehensive Plan Amendment, LDC Section 2.1.30.06 requires that the proposal be consistent with the applicable provisions of the Corvallis Comprehensive Plans (“CCP”), LDC, and other policies and standards adopted by the City Council. The Incorporated Findings list all of the applicable approval criteria, and demonstrate compliance with these approval criteria. These supplemental findings elaborate upon and clarify the Incorporated Findings. These supplemental findings, like the Incorporated Findings, are grouped into eight categories, which facilitate a comprehensive and cohesive review of the applicable criteria. The categories include Public Need, Advantages and Disadvantages, Desirability, Land Use and Compatibility, Natural Resources and Natural Hazards, Circulation, Public Facilities and Services, and Oregon Administrative Rule (“OAR”) 660-009. The issue categories are identified with Roman numeral and findings are assigned chronological numbers.

I. Consistency with Comprehensive Plan Policies and Map

Applicable Criteria: CCP 1.2.5, 3.2.1, 3.2.7, 4.2.2, 7.2.6, 8.2.1, 8.2.2, 8.2.4, 8.9.1, 8.9.3, 8.10.2, 8.10.4, 9.2.2, 9.2.5, 9.3.3, 10.2.9, 11.2.1, 11.2.2, 11.3.4, 11.3.9, 11.3.10, 11.8.3, 14.3.1, 14.3.6

1. The City Council notes that findings in response to the applicable Comprehensive Plan Policies are presented on pages 10 through 14 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on pages 10 through 14 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable Comprehensive Plan Policies.

2. The City Council notes that, at the time the application was submitted, the subject properties were designated as General Industrial on the Comprehensive Plan Map and General Industrial with a Planned Development Overlay on the Zoning Map, as shown on Exhibits PC A-144 and PC A-146 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
3. The City Council notes that the applicant requested re-designation of the subject properties from General Industrial to Mixed Use Commercial on the Corvallis Comprehensive Plan Map. The Council notes that the Mixed Use Commercial Comprehensive Plan designation can be implemented by four different zones; including Major Neighborhood Center, Minor Neighborhood Center, Mixed Use Community Shopping, and Mixed Use General Commercial. The Council notes that the applicant proposed to apply the Mixed Use Community Shopping zone to the subject properties through a concurrent Zone Change application. The Council notes that the Corvallis Planning Commission voted to approve the subject Zone Change, contingent upon approval by the Council of the subject Comprehensive Plan Amendment.

II. Public Need

Applicable Criteria: CCP 1.2.5, 3.2.1, 3.2.7, 4.2.2, 7.2.6, 8.2.1, 8.2.2, 8.2.4, 8.9.1, 8.9.3, 8.10.2, 8.10.4, 9.2.2, 9.2.5, 9.3.3, 10.2.9, 11.2.1, 11.2.2, 11.3.4, 11.3.9, 11.3.10, 11.8.3, 14.3.1, 14.3.6; LDC Section 2.1.30.03.b.1

1. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria are found on Exhibits PC A-11 through PC A-18 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
2. The City Council notes that the need for developable land within the City Limits between 1998 and 2020 is projected by the 1998 Buildable Lands Inventory.
3. The City Council notes that the available supply of vacant developable land within the City Limits is informally tracked by city staff and described in the Corvallis Land Development Information Report (LDIR), the most recent edition of which was published in 2014.
4. The City Council notes that, on Exhibits PC A-13 through PC A-18 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C, the applicant presented a detailed analysis of the projected need for and available supply of vacant General Industrial and Mixed Use Commercial land using the 1998 Corvallis Buildable Lands Inventory and 2014 Land Development Information Report.
5. The City Council notes that the 1998 Buildable Lands Inventory projected a need for 44 acres of vacant industrial land within the City Limits between 1998 and 2020. The Council notes that the analysis presented by the applicant showed that 491 acres of vacant General Industrial land were available within the City Limits based on data contained in the 2014 Corvallis Land Development Information Report. The Council finds that the existing

supply of General Industrial land is more than sufficient to provide industrial development within the City Limits up to at least 2020.

6. The City Council notes that the 1998 Buildable Lands Inventory identifies deficits for Professional and Administrative Office (127-acre deficit), Medium-high Density Residential (64-acre deficit), and High Density Residential (12-acre deficit) land. The Council notes that the Mixed Use Community Shopping zone that was approved by the Planning Commission through the concurrent Zone Change application allows Professional and Administrative Office uses, as defined in the LDC. The Council also notes that the Mixed Use Community Shopping zone allows residential development to occur at densities that are consistent with those required from Medium-high Density and High Density Residential land. The Council finds that by designating the subject properties to Mixed Use Commercial, which will enable implementation of the Mixed Use Community Shopping zone, the subject Comprehensive Plan Amendment will provide an opportunity for Professional and Administrative Office, Medium-high Density Residential, and High Density Residential uses within the City Limits.
7. The City Council notes that, in comparison to the GI zone, the existing supply of vacant MUCS land within the City Limits is extremely limited. The Council notes that since the MUCS zone was implemented at the end of 2006, a total of 11.5 acres have been developed or approved for development based on data from corresponding LDIR. Given these considerations, the Council finds that increasing the supply of vacant MUCS land by rezoning the subject lots provides efficiencies that are less likely to result through an annexation. Hence, the Council finds that the subject Comprehensive Plan Amendment is consistent with Comprehensive Policies 3.2.1 and 14.3.1, which support meeting the community's need for developable land in this manner.
8. Based on the Supplemental Findings I.3 through I.10, the City Council finds that approving the subject Comprehensive Plan Amendment will help meet the public need for additional vacant land in the MUCS zone.
9. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable Comprehensive Plan Policies and LDC criteria identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

III. Advantages and Disadvantages

Applicable Criteria: CCP 1.2.5, 3.2.1, 3.2.7, 4.2.2, 7.2.6, 8.2.1, 8.2.2, 8.2.4, 8.9.1, 8.9.3, 8.10.2, 8.10.4, 9.2.2, 9.2.5, 9.3.3, 10.2.9, 11.2.1, 11.2.2, 11.3.4, 11.3.9, 11.3.10, 11.8.3, 14.3.1, 14.3.6; LDC Section 2.1.30.03.b.2

1. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria are found on Exhibits PC A-18 through PC A-20 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.

2. The City Council notes that findings in response to the applicable LDC Sections are presented on page 16 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on page 16 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable LDC criteria.
3. The City Council notes that the subject lots are part of the Corvallis Station/Corvallis Business Park Planned Development. The Council notes that since the original Planned Development approval for Corvallis Business Park was granted in the early 1990s, roughly half of the 32-acre site has been rezoned from a general industrial zone to a commercial zone. The Council notes that, in total, 19 of the approximately 46 acres of land located east of State Highway 99W, south of NW Circle Boulevard, and west of the Willamette & Pacific Rail Road are zoned for industrial use, while the other 27 acres are zoned MUCS and developed with commercial uses. The Council notes that thirteen of the 19 acres that are zoned PD(GI) are currently developed with commercial uses allowed in the MUCS zone. The Council notes that, in total, 40 of the 46 acres are currently developed with commercial uses. Hence, the Council finds that the overall pattern of development within Corvallis Business Park, Corvallis Station, and the immediately adjacent properties is more commercial than industrial in nature.
4. The City Council notes that the spectrum of commercial uses allowed in the MUCS zone would be better able to capitalize on the developable area of the subject lots, as well as the limited opportunities for site access due to existing improvements within Corvallis Business Park/Corvallis Station than would likely occur with the introduction of industrial uses.
5. The Council notes that, in comparison to industrial uses, which would largely be employment-based uses that generate their own unique vehicle trips, additional commercial uses developed on Lots 3 and 4 could facilitate shared trips due to the potential for motorists to patronize multiple businesses at the center during one trip. The Council notes that it is possible to access Lots 3 and 4 by bicycle, using transit, and/or walking. The Council notes that the multi-modal efficiencies gained by an area with concentrated, diverse commercial uses is of even greater benefit. The Council finds that Comprehensive Plan Policies 3.2.1, 8.10.2, and 8.10.4 support the Comprehensive Plan Amendment for these reasons. The Council also finds that the limitations discussed above with respect to typical industrial uses also demonstrate that rezoning the lots to PD(MUCS) does not directly conflict with Policy 8.9.1, as it is unlikely either lot could be developed to meet a portion of the demand for industrial uses.
6. The City Council notes that a potential disadvantage of re-designating the subject lots for mixed use commercial development may be reduced employment opportunities associated with industrial development in this portion of Corvallis. However, the Council notes that several regional employers are already located within one mile of the site, as noted above. Among these, the Hewlett Packard campus has experienced significant change in the last decade, resulting in several new business entities occupying buildings once used by Hewlett Packard. The Council also notes that 84 acres of vacant General Industrial land, which was annexed in 2011, is located just south of the Hewlett Packard campus. The Council notes that this property has frontage along State Highway 20, and is ideally located

to absorb development potential that might be displaced as a result of rezoning the site. Thus, the Council finds the proposal does not conflict with Comprehensive Plan Policy 8.9.1, as sufficient industrial land would remain available in this portion of the community.

7. Based on the Supplemental Findings II.3 through II.8, the City Council finds that the potential advantages of approving the subject Comprehensive Plan Amendment outweigh the potential disadvantages.
8. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable Comprehensive Plan Policies and criteria from LDC Section 2.1.30.03.b.2, as identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

IV. Desirability

Applicable Criteria: CCP 1.2.5, 3.2.1, 3.2.7, 4.2.2, 7.2.6, 8.2.1, 8.2.2, 8.2.4, 8.9.1, 8.9.3, 8.10.2, 8.10.4, 9.2.2, 9.2.5, 9.3.3, 10.2.9, 11.2.1, 11.2.2, 11.3.4, 11.3.9, 11.3.10, 11.8.3, 14.3.1, 14.3.6; LDC Section 2.1.30.03.b.3

1. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria cited above are found on Exhibits PC A-20 through PC A-21 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
2. The City Council notes that findings in response to the applicable Comprehensive Plan Policies are presented on page 17 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on page 17 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable Comprehensive Plan Policies and LDC criteria.
3. The Council notes that the spectrum of commercial uses already established at Corvallis Business Park/Corvallis Station creates beneficial efficiencies between commercial uses. The Council notes that the MUCS zone also presents the added advantage of potentially establishing higher density residential uses in close proximity to major retail services (e.g., grocery stores like Safeway) and regional employers, such as Hewlett Packard and other technology sector business that now occupy the nearby campus.
4. The City Council notes that compatibility conflicts between the MUC and GI designations are not anticipated given existing development and previous decisions to rezone other portions of Corvallis Business Park in the same manner. The Council notes that the development standards of the proposed MUCS zone align better with the established patterns of building mass, site planning, architectural design, and pedestrian connectivity within Corvallis Business Park and Corvallis Station. The City Council finds that applying those standards to the subject lots will likely result in compatible development that meets

or exceeds the aesthetics and architecture of development already present within Corvallis Business Park/Corvallis Station.

5. The City Council notes that the subject lots are a part of a larger development project that partially falls within the quarter-mile boundary of a designated Major Neighborhood Center. The Council notes that Comprehensive Plan Policies 9.2.2 and 9.2.5 encourage development of these areas to provide essential community services in close proximity to transit, and at distances that are walkable from nearby residential neighborhoods. The Council finds that, with respect to the subject lots and Corvallis Business Park/Corvallis Station as a whole, the MUC designation is better suited to achieve these goals than the GI designation for the reasons discussed above.
6. Based on the Supplemental Findings III.3 through III.5, the City Council finds that the subject Comprehensive Plan Amendment is a desirable means of meeting the need of meeting the public need.
7. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from LDC Section 2.1.30.06.b.3 and Comprehensive Plan Policies identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

V. Land Use and Compatibility

Applicable Criteria: CCP 3.2.4 and 3.2.7; LDC 2.1.30.06.c, 2.2.10, Table 2.2-1

1. The City Council notes that findings in response to the applicable LDC Sections are presented on pages 14, 17 through 26 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on pages 14 and 17 through 26 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable LDC criteria.
2. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria cited above are found on Exhibits PC A-21 through PC A-25 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
3. The City Council notes that the lots are bordered by properties zoned GI and/or MUCS. The Council notes that compatibility conflicts would not likely occur between the subject lots and other properties Corvallis Business Park/Corvallis Station that are already zoned MUCS because the same uses would be allowed and the same development standards would apply to development occurring on Lots 3 and 4 as to adjacent properties that are also zoned MUCS. The Council notes that a majority of the commercial uses allowed in the GI zone are also allowed in the MUCS zone. The Council notes that residential uses are allowed in the MUCS zone, but not in the GI zone, while the reverse is true with respect

to industrial uses. The Council notes that 12 of the 26 commercial uses allowed in the MUCS zone are also allowed in the GI zone. Characteristics of the remaining commercial uses allowed in the MUCS zone are oriented toward day-to-day service and retail needs of the general community as opposed to providing support for particular industry sectors. Despite these differences, the Council finds that compatibility conflicts related to the factors listed in Comprehensive Plan Policy 3.2.7 are not expected between the two zones based on the permitted civic and commercial uses, because the sets of civic and commercial uses allowed in each zone are comparable in terms of type and the spectrum of services they provide.

4. The City Council notes that the uses allowed in the GI and MUCS zones are expected to support development occurring in each zone. The Council also notes that the spectrum of uses allowed in each zone is sufficiently similar in terms of operational intensity. Commercial uses in each zone are expected to generate comparable levels of traffic due to customers, deliveries, and employees. Similar amounts of outdoor lighting for security, signage, and aesthetics would also be anticipated in the GI and MUCS zones. For these reasons and those described above, the Council finds that the GI and MUCS zones are generally compatible in terms of the factors listed in Comprehensive Plan Policy 3.2.7.
5. Based on the Supplemental Findings III.3 through III.4, the City Council finds that the subject Comprehensive Plan Amendment is consistent with the compatibility criteria listed in Comprehensive Plan Policies 3.2.4 and 3.2.7.
6. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from LDC Sections 2.1.30.06.c, 2.2.10, and Comprehensive Plan Policies identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

VI. Natural Resources and Natural Hazards

Applicable Criteria: CCP 3.2.7, 4.2.2, 4.11.1, 4.11.8; LDC 2.1.30.06.c

1. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria cited above are found on Exhibits PC A-25 through PC A-26 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on Exhibits PC A-25 through PC A-26 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable LDC criteria.
2. The City Council notes that an area of High Protection Significant Vegetation (HPSV) is the only mapped natural resource or natural hazard regulated by the LDC located within the boundary of either lot, as shown on Exhibit PC A-148 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council. The Council notes that this area is immediately north and west of the existing stormwater detention pond within Lot 4. When Lot 4 is developed, the

ability to encroach into the HPSV area would be considered; however, it is highly unlikely given the square-footage of the lot that is unconstrained by any natural resources or natural hazards. The Council also notes that the Minimum Assured Development Area ratio for the Mixed Use Community Shopping zone is less than the ratio for the General Industrial zone, as noted in LDC Section 4.11.50.02. As a result, the Council notes that were encroachment into the HPSV area permitted through the development process, the area of encroachment will be less as a result of applying the Mixed Use Community Shopping zone standards to the subject lots.

3. Based on the Supplemental Finding IV.3, the City Council finds that the subject Comprehensive Plan Amendment is consistent with the applicable compatibility criteria listed in Comprehensive Plan Policy 3.2.7 that address preservation and protection of significant natural features.
4. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from LDC Sections 2.1.30.06.c and Comprehensive Plan Policies identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

VII. Circulation

Applicable Criteria: CCP 3.2.7, 11.2.1, 11.2.2; LDC 2.1.30.06.c; OAR 660-012-0060 (Transportation Planning Rule)

1. The City Council notes that findings in response to the applicable LDC Sections are presented on pages 19 through 22 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on pages 19 through 22 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable Comprehensive Plan Policies and LDC criteria.
2. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria cited above are found on Exhibits PC A-26 through PC A-29, PC A-154 through PC A-158, and PC A-258, as well as Exhibit PC-C of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
3. The City Council notes that developing the subject lots consistent with the MUCS zone would not require extension of new public streets into Corvallis Business Park/Corvallis Station. The project is subject to an approved Conceptual Development Plan and several active Detailed Development Plans that required construction of certain vehicular and pedestrian facilities, which currently provide access to the subject lots. Per these existing Planned Development approvals, no additional public transportation system improvements are necessary, unless the traffic generated by a particular development proposal provides otherwise. Hence, the City Council finds that the subject Comprehensive Plan Amendment

is consistent with the applicable Comprehensive Plan Policies and LDC criteria cited above.

4. The City Council notes that the applicant proposed a Condition of Approval through the concurrent Major Conceptual Development Plan Modification in order to address potential “significant effects”, as defined by the Transportation Planning Rule. The Condition of Approval has the effect of limiting trips generated under the MUCS zone to the “reasonable worse case” scenario under the existing GI Zone that was determined with the prior Zone Change in Order 2005-092 (ZDC03-00019, Corvallis Station, including Home Depot). The reasonable worse case for that land use case was a net of 258 PM peak hour trips (Scenario “O”) for the entire Corvallis Station site (4 lots). The Council notes that Lot 1 has since been developed with a Home Depot (the “Home Depot site”) and Lot 2 has been developed with a government office building and associated fleet storage lot (the “Forest Service site”).

The Council notes that determination of the appropriate “trip cap” is based on the trip estimates for the prior zone change (258 trips) minus the trips estimates for the development on Lot 1 (144 trips) and Lot 2 (5 trips). The Council notes that in an email dated April 18, 2016 (Exhibit PC-C of the June 14, 2016, staff memorandum to Council) the applicant’s traffic engineer estimated the trips for the Home Depot site based on ITE Standards (9th Edition) for a 131,602 square foot home improvement superstore. The estimated PM peak hour trips were 144 net trips. Lot 2 PM peak hour trip estimates for the Forest Service site were 6 trips (PLD11-00001) with the applicant applying a 10% internal capture reduction to 5 trips.

The Council notes that the proposed Condition on the Major Conceptual Development Plan Modification (**Condition of Approval 8**) sufficiently limits the potential for the Comprehensive Plan Amendment and Zone Change to cause “significant effects” on the transportation system. The Condition imposing a trip cap at 109 pm peak hour trips ($258 - 144 - 5 = 109$) for Lots 3 and 4 of Corvallis Station, is equivalent to the “reasonable worse case” trip estimate scenario for the existing GI zone. Hence, the City Council finds that the Condition imposing the “trip cap” addresses Section (1) (C) of the Transportation Planning Rule.

5. Based on the Supplemental Findings VI.3 through VI.4, the City Council finds that the subject Comprehensive Plan Amendment is consistent with the applicable compatibility criteria listed in Comprehensive Plan Policies 3.2.7, 11.2.1 and 11.2.2, as well as the Transportation Planning Rule.
6. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from LDC Sections 2.1.30.06.c, Comprehensive Plan Policies, and the Transportation Planning Rule identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

VIII. Public Facilities and Services

Applicable Criteria: CCP 3.2.7, 10.2.9, 10.2.11, 10.2.12; LDC 2.1.30.06.c

1. The City Council notes that findings in response to the applicable LDC Sections are presented on pages 22 through 25 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on pages 22 through 25 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in part, the findings demonstrate how the proposal is consistent with the applicable Comprehensive Plan Policies and LDC criteria.
2. The City Council notes that the applicant responded to the applicable criteria as part of a complete application submitted for the Comprehensive Plan Amendment. The Council notes that the applicant's responses to the applicable criteria cited above are found on Exhibits PC A-26 through PC A-27, and PC A-159 through PC A-188 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council.
3. The City Council notes that public sanitary sewer, water, and storm sewer lines are currently located within immediate proximity of the site, as shown on Exhibit PC A-149 of the May 4, 2016, Planning Commission staff report, and included with Exhibit CC-C of the June 14, 2016, staff memorandum to Council. The Council notes that public and private utility system improvements identified through the Corvallis Wastewater Utilities Master Plan, Corvallis Stormwater Master Plan, and Corvallis Water System Distribution Facilities Master Plan will be required through development of Lots 3 and 4 once the specified thresholds are reached. Therefore, the Council finds that the subject Comprehensive Plan Amendment is consistent with the applicable Comprehensive Plan Policies and LDC criteria cited above.
4. Based on the Supplemental Finding VII.3, the City Council finds that the subject Comprehensive Plan Amendment is consistent with the applicable compatibility criteria listed in Comprehensive Plan Policies 3.2.7, 10.2.11, and 10.2.12.
5. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from LDC Sections 2.1.30.06.c and Comprehensive Plan Policies identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

IX. Oregon Administrative Rule (“OAR”) 660-009-0010(4)

Applicable Criteria: OAR 660-009-0010(4)

1. The City Council notes that findings in response to the applicable Comprehensive Plan Policies are presented on pages 26 through 27 of the May 4, 2016, Planning Commission staff report, as presented to the City Council with the June 14 staff memorandum to Council as Exhibit CC-C. The Council adopts the Incorporated Findings, including (but not limited to) the findings and conclusions in the June 14, 2016, staff memorandum to the City Council presented on pages 26 through 27 of the May 4, 2016, Planning Commission staff report. The Council finds that the Council is persuaded by the subject findings because, in

part, the findings demonstrate how the proposal is consistent with the applicable Comprehensive Plan Policies.

2. The City Council notes that the 1998 Corvallis Buildable Land Inventory (“BLI”) represents the City’s most recent economic opportunities analysis. Comprehensive Plan Map amendments made in 1998 implemented changes to meet the projected land use needs identified in the BLI. The Council notes that the BLI considered four Comprehensive Plan Map designations to be industrial: General Industrial, Intensive Industrial, Light Industrial, and Research Technology Center. The BLI indicated that 152 gross acres of land with these designations would be needed to accommodate development within the City limits through 2020. The Council notes that the most recent Land Development Inventory Report (“LDIR”) indicates that there are currently approximately 572 acres of vacant land within City limits among these four designations. Most of this vacant industrial land (491 acres) is designated for General Industrial. The Council notes that approval of the subject Comprehensive Plan Amendment would remove 4.5 acres of General Industrial land from the citywide inventory and leave approximately 567.5 vacant acres of industrial land. These totals are well in excess of the 152 acres the BLI projected would be necessary through 2020. Therefore, the City Council finds that the subject Comprehensive Plan Amendment is consistent with OAR 660-009-0010(4).
3. Based on the Supplemental Finding VIII.2, the City Council finds that the subject Comprehensive Plan Amendment is consistent with the applicable criteria from OAR 660-009-0010(4).
4. As discussed in the Incorporated Findings and the supplemental findings, the Council finds that the Council is persuaded by the subject findings because the findings, in part, demonstrate how the proposal, is consistent with the applicable criteria from OAR 660-009-0010(4) identified in the May 4, 2016, Planning Commission staff report, and the June 14, memorandum to the City Council.

SUMMARY CONCLUSION

As the body charged with making a final decision on Comprehensive Plan Amendments, the City Council, having reviewed the record associated with the Comprehensive Plan Amendment application, considered evidence supporting and opposing the application and finds that the proposal, adequately addresses the review criteria and is found to be consistent with the City’s Comprehensive Plan, applicable sections of the Land Development Code, and other applicable approval criteria. Therefore, the Comprehensive Plan Amendment (CPA15-00002) is APPROVED.

Dated: _____
Biff Traber, MAYOR

ORDINANCE 2016-___

EXHIBIT B

