



Planning Commission Agenda

Development and Public Works Director

Anette Spickard, 541-726-3697

Current Development Manager:

Greg Mott 541-726-3774

Management Specialist:

Brenda Jones 541.726.3610

City Attorney's Office

Kristina Kraaz

City Hall

225 Fifth Street

Springfield, Oregon 97477

541.726.3610

Online at www.springfield-or.gov

Planning Commissioners:

Greg James, Chair

Michael Koivula, Vice Chair

Nick Nelson

Tim Vohs

Sean Dunn

Andrew Landen

Troy Sherwood

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available. To request a reasonable accommodation at this meeting, please contact Brenda Jones at 541.726.3610 or bjones@springfield-or.gov.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

January 17, 2018

**7:00 p.m. Regular Session
Council Chambers**

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair James _____, Vice Chair Koivula _____, Nelson _____, Vohs _____, Dunn _____, Landen _____, Sherwood _____.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address public hearings appearing on this Regular Session Agenda

MINUTES: Approval of Minutes

- June 20, 2017 Committee for Citizen Involvement
- July 18, 2017 Work Session
- October 17, 2017 Regular Session
- November 8, 2017 Regular Session

PUBLIC HEARING(S)

QUASI-JUDICIAL PUBLIC HEARING –

1. **PeaceHealth Guest House – Discretionary Use 811-17-000143-TYP3; Site Plan Review Application 811-17-000155-TYP2** - Conduct a public hearing and deliberation on a proposed Discretionary Use application and approve, approve with amendments, or deny a proposal by PeaceHealth to construct a residential guest house near the Sacred Heart Medical Center at RiverBend.

Staff: Andy Limbird
20 Minutes

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

- Staff explanation of quasi-judicial hearing process (ORS 197.763)
- Chair opens the public hearing
- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Chair inquires whether objections to jurisdiction of the Planning Commission
- Chair opens the public hearing and inquires whether anyone wishes to challenge the Planning Commission for bias
- Staff report
- Testimony from the applicant
- Testimony in support of the application
- Testimony neither in support of nor opposed to the application
- Testimony opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Possible questions to staff or public
- Consideration of request for continuation of public hearing, extension of written record, or both
- Close or continue public hearing; close or extend written record (continuance or extension by motion)
- Planning Commission discussion
- Motion to approve, approve with conditions, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Final Order signed by Chair incorporating findings and reasoning to support the decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

- Upcoming Planning Commission meetings, committee assignments, appointments or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DIRECTOR

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD COMMITTEE FOR CITIZEN
INVOLVEMENT HELD TUESDAY, June 20, 2017

The City of Springfield Committee for Citizen Involvement met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, June 20, 2017 at 5:30 p.m., with Greg James presiding.

ATTENDANCE

Present were Chair Greg James, Vice Chair Michael Koivula, Commissioners Tim Vohs, and Andrew Landen. Also present were Development and Public Works Current Development Supervisor Jim Donovan, Comprehensive Planning Manager Sandy Belson, City Attorney Kristine Kraaz, and Management Support Specialist Brenda Jones.

ABSENT

Sean Dunn- arrived 5:43
Troy Sherwood- Excused

STAFF REPORT

1. Accessory Dwelling Unit Program

Chair Greg James opened the Committee for Citizen Involvement regarding the Accessory Dwelling Unit Program (ADU). He attended one of Sandy Belson's presentations to the City Council a couple of weeks past. It's this Committee's turn today to have Sandy discuss the Citizen Outreach portion of this process.

Sandy Belson Comprehensive Planning Manager is taking this opportunity to speak to the Committee regarding the work she has been doing with the City Council since October 2016. Developing the Affordable Housing Strategy and the summary of this strategy has been put together, which she presented to the Council in early June 2017. This topic will be the backdrop of what will be discussed tonight.

One of the strategies that Council has directed staff to take-on is to encourage the construction of Accessory Dwelling Units.

Sandy will start by giving the Committee some background and then she will get into the actual agenda item.

Sandy presented a PowerPoint presentation to set the context. Some of the items covered were:

- Springfield's Affordable housing Strategy: Key Findings;
- Housing Costs that are increasing faster than incomes;
- Strategy's to address the housing continuum;
- Definition of ADU;
- Public policy benefits of ADU's;
- Encouraging Construction of ADU's; and
- Potential Code Amendments.

Sandy reminded the Committee that their charge tonight is the Citizen Involvement portion, and in the packet she has recommended that they have at least one (1) potentially more Work Sessions with the Planning Commission on the actual Code amendments.

Greg James asked Sandy that her recommendation to the Citizen Involvement Plan she has included in the packet for the Committee to review. Sandy assumed the Committee has read the Draft Citizen Involvement Plan, so at this point she would like to hear the Committee's ideas about what to change, add, and remove in terms of doing the public outreach for the Code in particular. She will take notes in terms of ideas of more general outreach about promoting Accessory Dwelling Units.

In Greg James opinion, he thinks the City Council has been working for some time on some of these concepts around Accessory Dwelling Units; he thinks they understand the community and the citizen of Springfield they represent. He knows there are in more affluent neighborhoods that could be some push back as to some of the code revisions that Sandy has listed. He thinks the key is that the Citizen Involvement piece is to garner some feedback. He doesn't know that Sandy will have universal acceptance. Some of the things Sandy said like the parking issue, in some neighborhoods where the streets are narrower and some of those things could raise some concerns for folks that have lived there forever and have already have parking issues on their streets, not that these issues can't be overcome, but he believes that might be one of the outcomes. So he thinks as broadly as staff can reach

out to the citizen and get feedback is really difficult to get this type of feedback in oftentimes. Staff will find rental owners and property owners that this could be welcomed, because they have potential for not a lot of upfront cost to produce some additional income from a rental property. He thinks staff will get a mix.

Looking through the Plan for Citizen Involvement, he thinks Sandy is talking about doing the typical types of things that staff does. He thinks it's good periodically to have, which has been done several times since he has been on the Planning Commission to have a show and tell, asking folks from the community to come in, so staff can show them some examples and talk about the real positive, potential and opportunity here, to produce some lovable spaces for some of the citizens that are on the border line. Greg thinks it makes a lot of sense, getting that citizen involvement so they can understand it and understand how it will be impacted. From a Code standpoint he thinks staff really needs to look at--- that's a very attractive manufactured dwelling unit, the way it's nested into--it probably be highly visible necessarily from the street or anything like that, he thinks that type of things makes a lot of sense. Although, there are lots of second story things that can be done and lots of opportunities. Sandy gave three examples of the interior, attached and detached, he likes any of those choices, depending on the specifics of the property.

The Code piece is how it's done and how it's done thoughtfully, so that it isn't an eyesore, so it doesn't cause any parking issues, etc.

Mike Koivula agrees with Greg James regarding that it has some real positive aspects for the renter/owners. He also thinks there is a tremendous possibility to help people who are renters and advocates for Affordable Housing that will be very interested in this plan. He also agree that there might be some hidden difficulties in regard to the Codes and he would like to suggest doing some form of maybe a Video PSA that maybe staff could submit to a local television stations so that people could see what will be happening, and maybe show a couple examples of what they might look like. The people could, who might otherwise show up at the last minute on something like this might be more aware of it in advance.

Tim Vohs has indicated in a couple previous discussions that he's not totally convinced on this ADU concept, not totally sold on it. Staff knows well that Council had discussed this at length and they have indicated a desire to move forward so he certainly not going to stand in the way, and he is in favor of moving forward with the necessary steps to begin the process from this Committee's end. Tim is interested in hearing from Nick Nelson regarding his thoughts on Real Estate. One of his concerns he has is that the ADU property owner decides to sell, what is the marketability of the ADU unit, because he doesn't think that first time buyer's will primarily be interested in ADU units. He doesn't think duplex buyers who are investing for income will necessarily be into it, so he's thinking it is going to be kind of a narrow range of people that will be attracted to ADU units, although he realizes even one ADU unit is more than previously available, so it's a positive overall, but he does have concerns about the market appeal of ADU properties.

Sean Dunn really appreciates all the groups that Sandy will be reaching out to. The only one Sean is curious about that he didn't see -- is there anyone who has an ADU on their property currently? Make sure that they specifically get invited. Mostly because he would like to hear about the struggles they had in getting the ADU and are we accomplishing with the plan the struggles they had. There's the dollar side which is a bonus but he is still curious if some of the design standards -- if we can get 10 ADU owners in the room and they all say, "He didn't have any issues with the design standard, it was this that was my big problem", Sean thinks that would be crucial feedback that he would like to hear. So from the people that have already gone through the process would be valuable information.

Sandy responded that there has been two (2) ADU's built since 2008.

Sean Dunn wants to make sure that those two (2) owners show up. He also asked if the City tracks citizen that inquire about ADU's, people who thought about building one, maybe stopped for some reason. He wants to make sure the solutions are really solving the problems. He thinks they are, but would like to back that up with anyone who tried to previously.

From a lending stand point, on the personal profession side, duplexes are attractive to buyers because you can use rent from the other side to help qualify to purchase the duplex. That's not often the case for ADU's, you most often and most loan programs cannot use income from an ADU to purchase that property. So it doesn't help like a duplex does in purchasing, but he does personally it makes it more interesting for his generations buyer who is looking to have something that already comes with a little investment opportunity. He thinks from his sphere of influence that people would be interested in being able to qualify for a property that had an ADU that they could see a potential investment opportunity.

Andrew Landen would assume—a couple of things have been brought up about titling, he assumes that if you sell the house the ADU goes with it he can't imagine that you could separate it. He is interested if it's available, long term findings, it talks regionally about homelessness and things like that, once we start fitting -- we talked about rapid rise 43% rise in cost. Some of that is clearly or probably cost by the fact that we have the UGB, you are artificially restrict the supply of land and drive up

demand, he is curious about long term affects, how to house homeless people, has this caused issues with neighborhoods, he's not saying we shouldn't help but he thinks it something that needs to be asked.

Nick Nelson said that one of his former clients is one of the ADU owners, Peter Findahl and he indicated that the process was very cumbersome process and one of the things that he was that it's a separate unit and the Building Code at the time was not allowed to install a stove, he was only allowed a hot plate, even though this was his residence. This would be one of the things staff should confirm with the Building Code, to allow the people that actually build the unit that they can have ...

Sandy guesses that he probably wasn't building an Accessory Dwelling Unit if he was he would have been required to put a stove in. There is probably, when she says there is two (s) ADU's , that means there is two (2) permitted, but that doesn't mean that there aren't a lot of separate dwelling units, but per code they are renting a bedroom to somebody and in that case they are not allowed a kitchen. She would be interested to know why he didn't apply for an Accessory Dwelling Unit nor did him and he was refused and there for took a different route and what kept that from being an Accessory Dwelling Unit.

Nick said he can reach out and get the complete story. Another thing he is curious about—he looked up buying a rental property and it had a main house and another dwelling on it but he couldn't buy it has an income property and rent both units to two different tenants per the house. He was wondering if those prior properties would be retro permitted into the new plan.

Sandy, right now a permitted Accessory Dwelling Unit has a deed restriction placed on it. It would be a question, would we then retroactively remove that deed restriction from those previously approved properties?

Jim Donovan Current Development Supervisor, when talking about two houses on the one lot, one might not be legally created non-conforming use, so the single-family district you might have two houses on the lot. They may have been some vintage, it may or may not have been some legal conversion. That's why you wouldn't be able to house someone in the second unit unless you did the non-conforming use application to justify that unit. You could see how this had evolved in different scenarios and that's part of what manager Belson is talking about, that if we were to streamline some of this we would have less of some of the illegal units, a note that we might take a look at the non-conforming use two units on a lot.

Nick Nelson responded that this might be an opportunity to get those units retroactively dealing with properties. Also, from a Real Estate side, he thinks multi-generational housing is going to become more and more popular with the cost of care. He just purchased a duplex next to his house not because he wanted another income property, but because he will move his mom into one of the units, seeing that as a big value because people can take advantage of lowering cost to be able to take care of their parents or whoever. The other thing you will see with a lot of these, people using them as a month to month rental situation or even doing a lot of AIRBNB types of things. He has some clients that purchased property with and ADU unit and they AIRBNB it a lot. He knows Portland is really big on ADU's and pushing them because their density issues. He personally think they are pretty interesting, he has a property that he will look into putting and ADU on in it eventually.

Sean Dunn have AIRBNB Accessory Dwelling Units in Bend 2 or 3 times at least, it's they're preferred way to stay in Bend.

Greg James responded to Sandy by saying that some of this conversation was not brought up in her presentation at all, but obviously there is some interest in the AIRBNB as an income. It doesn't really solve your homelessness issue but it goes to bringing people in from the outside, there are a lot of reasons for people to come to Springfield then Eugene area just to visit.

Michael Koivula someone mentioned deed restriction but he is not clear on what the dead restriction would be.

Nick Nelson responded that a property he was looking at about 4 years ago, what he remembers is the primary house was built and on the back was a much newer unit all professionally done. However the restriction was on the title, you could live in either or but you couldn't not live on the property and rent both to two separate tenants. From what he remembers you could rent it to the same tenant for both units, but then you would be in violation.

Sandy responded that this is the correct code requirement and along that code requirement to make sure that stays in place we require that a deed restriction be placed on the property so if anybody purchases the property knows that code requirement.

Nick Nelson responded that the property sold for realistically 30 to 40 k under value because of that restriction.

Tim Vohs added 1. The resident of the ADU is not there for purposes of income for the property owner, like a relative, are the requirements different or will they are different or should they be different for someone who is simply a relative. 2. If there is a certain process that a property owner needs to go through to establish an ADU on any given property, what happens if the property owner decides to change the use from an ADU to a regular residence, is there a decertifying process that would be necessary to reestablish it as a regular single-family residence.

Nick Nelson responded that the new verbiage you would be able to rent it to anybody and have any classification and still have it on the same lot, so it would still be part of that same property. It would be like having a guest house

Tim Vohs is trying to say, often cases it isn't a rental at all. It's simply a separate living unit for a family member. Rental requirements wouldn't even apply.

Greg James circled back around to make sure Sandy received the feedback she needs to move forward. Greg asked what Sandy's timeframe is for this.

Sandy responded that she is looking at open houses this summer and then going through the public hearing process with the Planning Commission and the City Council.

Nick Nelson thought it might be interesting to put the forms for people to learn how they can get financing for something like the ADU's and maybe have a couple of ideas, when you go through a bank you get an equity line of credit, what would those potential ways that people can finance. Then maybe something that shows the potential cost of building and ADU, everyone is going to think it's a great idea but if the cost doesn't make sense, then is it a good idea.

Greg James imagines staff will be primarily responsible for combing through the code to meet those suggested Council driven objectives. But at what point will the Planning Commission be brought back in and discuss the Code revisions?

Sandy answered that she is anticipating that staff would have a work session with the Planning Commission where we would go specifically through how to translate--she already has, but so the Planning Commission can see how this translates in the language. It's pretty easy because it's all in a couple of pages of the code, there's no other Place that she has needs to get changed other than maybe a definition. So, we would have a work session to actually look through that language, particularly to talk about the design requirement aspect. She would hopefully have done some outreach before then, as the Committee has suggested and what that language could be or how they are struggling with the design product, which would be honed down so the end result is a specific proposal to put out for Public to comment on.

Greg James asked if Sandy was thinking about September frame for that product.

Sandy asked if Greg was talking about the Planning Commission Public Hearing, Sandy thought that sounded good.

Greg James reminded Sandy that the Planning Commission has an August Summer Recess.

Sandy added that she could have a work session in July, she wouldn't have a lot of input before then, but we can jump right into the Code if you so choose.

Greg James thinks that it would be good in his opinion, one of several, the sooner the Planning Commission could see what kind of Code revisions Sandy is thinking about, sooner than later would be best for the Planning Commission.

Sandy said she would schedule earlier than later.

The Committer had a lengthy discussion regarding Sandy bringing the Code language changes to the Planning Commission starting in June or July.

ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Minutes Recorder – Brenda Jones

Greg James
Planning Commission Chair

Attest:

Brenda Jones
Management Support Specialist

MINUTES OF THE WORK SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION HELD
TUESDAY, July 18, 2017

The City of Springfield Planning Commission met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, July 18, 2017 at 6:00 p.m., with Commissioner James presiding.

ATTENDANCE

Present were Vice Chair Koivula, Commissioners Nelson, Vohs, Dunn, Landen and Sherwood. Also present were, Current Development Manager Greg Mott, Comprehensive Planning Manager Sandy Belson, and Current Development Supervisor Jim Donovan, Kristina Schmunk-Kraaz and Management Specialist Brenda Jones and members of the staff.

ABSENT

- Commissioner James- Excused

WORK SESSION STAFF PRESENTATION:

1. ENCOURAGING ACCESSORY DWELLING UNITS BY AMENDING THE SPRINGFIELD DEVELOPMENT CODE-

Vice Chair Koivula Opened the Work Session for the July 18, 2017 Planning Commission Work Session.

Sandy Belson Comprehensive Planning Manager, It is a pleasure to be before you again, a month after I was here before to talk about citizen enrollment for Accessory Dwellings. You were anxious to get to the actual code amendment, so here is your package. It includes council directions as well as some staff thoughts as we were going through the code requirements for Accessory Dwellings. She thinks the [inaudible 00:01:06] outlines that, so I'm not going to talk for very long.

Sandy wanted to first highlight that there is policy support already that the City has adopted to support Accessory Dwelling Units. The council's thrust in their overall direction is to remove some of the regulatory impediments for creating Accessory Dwelling Units. We have not had a lot of history having them in Springfield. We don't really know in terms of the neighborhood or owners what is working or not, because we haven't had a lot of experience with that other than we have been.

Maybe one of the reasons is because there is some regulatory impediment. Perhaps, it's because of the system development charges. We're dealing with both of those. It's also perhaps because they don't really know about the possibilities, so we'll be doing more outreach on that as well. It could be there is no need. But at least we'll give it a try over the next two years, with the code amendments, the system development charges and more outreach and see if it makes a difference.

On page two is really where the first item that Council had brought up to be addressed. For your task, tonight is to look up a Council direction. First of all, do you think that the code is amended in such a way that respects what Council wanted? Also, just because council recommended that doesn't mean that that's what's going to get adopted. You may have thoughts that either confirm or say, "Well, what about this?"

That is the only responsibility as the Planning Commission, as an advisory group, is to ultimately give a recommendation to Council. It's not just to pair it back to them what they've given to you. It's to have you take your knowledge and experience especially in dealing with land use in Springfield, listen to what the citizens were going to be telling you at the public hearing, and make a recommendation.

What Sandy would like to get out from this meeting tonight, if you're comfortable, is to have a set of code amendments that we can then take to the public and say, "What do you think?" If we can get through that tonight to the level that you're comfortable, this is what we want to propose to go out to the public, seeking comment," that's where we'll get to. If we need more time, we can take more time and have another work session.

Sandy asked the Commission if they had any questions about the objective of tonight's meeting or how we got to where we are. She also asked if the Chair tonight wanted her to direct the meeting or did he want to direct it as the Commission goes through the document.

Vice Chair Koivula hoped everyone's had a chance to review all the code amendments. He wonders if it might not be a bad idea to go right into a Q&A.

Sandy was fine with doing a Q&A.

Vice Chair Koivula asked if there was question's from the Commission.

Commissioner Landen the only question he has is: He thought Sandy did a splendid job. He really though it's very well done that. The only thing that he had some concern about is Sandy addressed parking, and waiting and what not. But there's not a requirement to provide for additional parking. He's just wondering if there's been consideration and the impact of that. We already have some areas in town where people are parked across without the ADU, across driveways, sometimes across sidewalks. Maybe use treatments and planters and what not to mark out more street parking.

Sandy thinks there's a few ideas in what you've just said, one is more enforcement perhaps for those areas that already have problems. That's an ongoing cost for the city to be able to continue enforcing parking in neighborhood but it is one strategy. Second is, to mark the street, again that's a street maintenance cost, but it is a certain option that could mark those out in terms of what's a space or not a space. And then third is more, "Well, what are you requiring or allowing in terms of parking pouring that Accessory Dwelling Unit?"

Council had directed staff, to not give it up completely but if there was on-street parking adjacent to the dwelling, that you could count that as meeting the need for the Accessory Dwelling Units. If there was no on-street parking available, then they would need to construct or add parking on the site if there wasn't already sufficient on their site. If you don't feel that that is the regulatory approach, then you can propose an alternate option.

Commissioner Landen didn't know that he would propose an alternative, it's just -- Maybe the question, "Has this been tried elsewhere?" And do we have the experience to look at it and say, "Well, all these -- some of these--

Commissioner Dunn or maybe a follow-up question will be, how are -- if it decides if there is sufficient on-street parking, what would may be answer the question.

Commissioner Landen that it works to help, you know, with the ideas as he recalls is to increase, be able to use, get more of the more affordable housing available, but without slumming down neighborhoods if you will.

Sandy can't speak to other cities, but that is something I could look into in terms of looking at what other cities have inquired or if there's been issues about that. In terms of--and maybe this isn't clear but in terms of what I had envisioned, and you can help me decide if we can make the code language more clear. This is referenced on page 7 item G in the middle of the page. There the streets and this is your lots and this is the property line and here's your driveway, the residential house. In terms of having sufficient on-street parking, she would say you can't park in front of the driveway and you'll need to have your parallel parking space, but it could only be in front of that property. So a space over here wouldn't count. If you're on a corner, suppose this is a corner, then you would have more parking options. If you're such that, you've got one of those oversized driveways and there's no space. There's not enough space here for parking and there's no on-street parking or if the road is so narrow that there is no on-street parking allowed, there are some places in Springfield where the streets are narrow, you wouldn't allow on-street parking, in those before maybe there was a collector and it's bike lane, so if you go some parts of 5th Street, there's no on-street parking in front of your house. In those cases, they'd have to provide the parking on-site. That's what was in Sandy's mind in terms of how we would be looking at that and then it would be the planning staff in reviewing that application to make that determination, that's how it's setup right now.

Commissioner Vohs in the case of an oversized driveway, that provides the additional parking in itself.

Commissioner Koivula it may just permeate for this for the normal dwelling home parking.

Commissioner Vohs he meant that it would be more parking than what you'd have it at a standard driveway.

Commissioner Dunn commented that makes sense to him.

Commissioner Koivula didn't actually see in, unless he missed something in my reading, that you were speaking of "within the confines of the lot lines". Is that in there someplace or is that something that you're...

Commissioner Dunn It's what he started to misread, "which is unless there is on-street parking available adjacent to the property".

Commissioner Koivula added, adjacent does not mean confined by -- adjacent is not sufficient to say, "As confined by -- like lot lines extended to the street." Adjacent can mean alongside. Adjacent could also mean down the house or down a house, I mean, as long as it's -- in my opinion.

Kristina Kraaz City Attorney would agree that adjacent usually means next to, and next to could potentially be read -- Or the case could be made that it's broader than within the lot line. Directly abutting might be language that we could consider. We could certainly look at other ways to accomplish that, to tie it to the property line.

Commissioner Koivula had another thought he had in regard to the on-street parking, there are a few areas where you can see that the on-street parking is almost completely utilized. He thinks up near Kelly View Park that generally, the entire street available parking is utilized. Now, I'm wondering if to use an on-street parking of any type adjacent or associated with the lot, if it might not be a bad idea to require a parking study to say, "What is the current utilization of the on-street parking for like, a period of a week or something like that?" I mean that might be a reasonable ask, because--

Sandy asked, "Who would you expect to be doing that study?"

Commissioner Koivula answered the applicant.

Commissioner Vohs felt the applicant will skew the information to their benefit.

Commissioner Koivula said we would assume that the applicant would be honest.

Kristina has a clarifying question? Parking studies, when they are usually referenced to the code, or are going to be performed by a licensed traffic engineer. Is that the type of study that you're thinking of or is it--

Sandy doesn't know that that's a bad idea to have some kind of a survey done for the on-street parking situation. She has thought about it. The reason she didn't put it in but that doesn't mean it's not something to develop further. It just means that more steps, more involved, maybe more discretion and we're trying to -- The general sense is trying to streamline, make it simple and clear.

It could be that and you know if there are certain neighborhoods that you know of that are issues. We could call those out, or we look into this some more in terms of what other cities do. Question for you tonight is do you want to have this language, or would the change of the directly abutting go out to public comment? We can put commentary in terms of, "This is a particular area we want feedback on." Sandy is looking for some sense of what you all are comfortable-

Commissioner Vohs there's another possibility, Mike, in regard to the parking. Over at the university where they have such a hassle with on-street parking, they have a permitting process where you have a permit to park wherever you live. You have a time limit for anybody that's considered a visitor or whatever, so you could lay a possibility of having a permitting process for people that actually need to park on the street.

Commissioner Landen is concern there would be the whole objective of this thing was to be able to make more housing without necessarily raising the cost to the city. As soon as you start making the city street permitting this and pretty soon they're doomed. I don't mean that sounds like a--

Commissioner Vohs, added you have one objective working against the other, because you do want to have this parking for-[crosstalk]

Commissioner Landen Maybe a middle ground. Maybe, you include a small fee with the ADU permitting process that aggregated, covers the cost of the city being able to do surveys. Also, it may cost the cities nothing.

Commissioner Dunn his one thought that I would keep in mind personally when looking at parking is that you're talking about adding a unit that can tangibly not hold more than maybe one person in 450 square feet--with maybe one car, more likely, a bike.

Commissioner Landen you think so?

Commissioner Dunn he's seen these units. I feel like I know the people that live in them. You can't host a big dinner party in one of these things. He just doesn't think that you're really attracting a ton of car parking space usage and he thinks we might be going more -- his personal opinion would be we're going more in-depth than would be necessary when it comes to parking. It may be a busy street, but he just don't think adding -- on the street is going to affect it more than anyone would have noticed before.

Commissioner Vohs he thinks the average is more two vehicles per household rather than one.

Commissioner Dunn responded that we're not talking households, we're talking ADU. I think- [crosstalk]

Commissioner Vohs added that ADU represents a household in those cases.

Commissioner Sherwood answered yes. He also understands trying to keep the cost of the city low. He thinks one of the objectives as he understands it, for City Council was that they want to see the city kind of less expensive for the property owner too. Which if we're worrying about, even if the city doesn't have to pay for the study. If it's independent study done by the property owner then that's going to cost them money, then they might as well just spend the money and build the driveway they are trying to avoid building anyway.

Commissioner Sherwood agrees with you Commissioner Dunn, he thinks that we might be thinking a little bit too much on the parking for the ADUs. He does like the language "directly abutting", as opposed to adjacent. He thinks he is in favor of changing that language for our proposal.

Greg Mott Current Development Manager assesses something else for the Commission consider into their math of it. Most people have a proprietary interest in that little spot just in front of their house. Most of their neighbors probably observe that, it's just a natural something like that everybody has from their neighbors in that spot for instance. We require a minimum street frontage of 45 feet on East-West Street. Assuming your lot is 45 feet wide and you have a two-car driveway, you are only going to help about 15 or 16 feet left that's in front of your property, which is more of a parking spot 18 feet per parking spot. On the North-South Streets it's 60 feet. There's going to be a little more room probably on the North-South lot. You might have actually two (2) spots in front of your house. In terms of that then the drive, probably it's like 60 feet.

Some properties are a pain, because they've got zero frontages its all driveways to get back to their property. This thing is going to be elusive, but it's not going to follow a set rule, but if you wanted to provide a set rule you might just say, "If you have a minimum of 60 feet of frontage you have essentially two spots available in front of the house. Anything less than that there aren't two spots and in some cases, there won't be any in your driveway", so.

Commissioner Koivula is thinking about the abutting lot. He thinks that he feels that's overly restrictive, because of like what we're saying about the wide driveway in the middle of the lot. Like he said, his concern is more of an area for the entire on-street parking is pretty utilized already. He knows that's not a little bit of a rare occurrence. It does occur and he'd hate to say, it would really impact the neighborhood to say, "We are going to allow friends of the three houses up there, Tele view park to each have additional on-street parking allowance." There's frankly no room for that so it's kind of creating more of a problem than it would need to.

Sandy asked if we be able to identify the streets fairly easily and just put them down that those would need to have onsite parking in regards to ADU's.

Commissioner Koivula responded he didn't know.

Commissioner Dunn think's that's sort of working out for a small minority, a fix that might would hinder. He see's problems with people kind of saying my street too busy, he gets that there are busy streets, but he think's you've got to assume that the majority of Springfield doesn't have a huge parking crisis in the neighborhoods.

Commissioner Nelson, regarding issues, he thinks a lot of times is on the hillsides it seems like. That's where Kelly Street, it seems like part of the issue is in. I think those properties are going to be more difficult to put an ADU on to begin with because their lot's not going to be level, and then the smaller subdivisions, like the ,Hayden Homes ones, there's no room for an ADU.

Commissioner Koivula added that they do a lot, the ADU language does allow for in-house ADU. So, for instance, we could make a secondary access for a caretaker or something in your basement and so then, you could do that for just about any of those houses up there. Because they all got huge extra basements, as these properties proceed down the hill.

Commissioner Koivula it may be an unusual situation, but he'd hate to see a blank of allowance for on-street parking.

Commissioner Landen, but by the same token, haven't we kind of covered that if we say it abuts. You know, if you've got a panhandle driveway, well you don't have an awful lot of abutting. So by definition, you're going to have the space and driveway. He's trying to agree with Commissioner Dunn, that if you include that wording in there, I'll confess, I'll be interested just in seeing what other -- if it's available what other people have experienced, because it's a lot easier to learn from somebody else's mistakes. But I think between just looking maybe what somebody else has done, if it's available and using a language like that, problem solved.

Commissioner Dunn agreed that he would be okay with that.

Sandy can definitely do the research into other cities, and we could bring that back to in work session, or as part of the public hearing process, or work session prior to public hearing. So you have that information and could be part of your consideration of the facts in terms of what you'll make a recommendation to Council on how to address this parking issue.

Commissioner Sherwood has one more parking questions, He looks at Downtown Springfield and then access alleys, he had a house that they used the alley, the sub-alley as our de facto driveway, because we have put three parking spaces in our backyard that we've kind of carved out. If someone had one of those long downtown lots with alley access and could redo their fencing in the back to put a parking space via the alley, that they can pave parking space that would meet the requirement. Correct?

Sandy answered that that is a good question. In terms of how this is written, we're expecting that the driveway to be paved, but if you're off an alley and maybe the alley is not paved --

Commissioner Sherwood responded that the alleys are mostly not paved.

Sandy added that it's not like we're going to -- she doesn't know that we need to inquire a paved driveway off of an unpaved alley.

Commissioner Dunn responded that if you walk through the Washburne you see so many people that like me, on 10th and D that use the alleys to park behind the houses, especially right near the streets. But truth, you can get down a lot of them are pretty cleaned up. He would want that to be okay, because he thinks there are a lot of lots down there that could do ADUs and could definitely utilize the sub-alleys, which can definitely be blocked. There are rules around those, but to get to a parking spot that was on the lot of a valley.

Commissioner Nelson has a property on J Street that would be perfect for an ADU if he ever wanted to do it, its super long and the house is up front with this big back lot with an alley access, so you could just put a fence up and it would feel like its own little property.

Commissioner Dunn would love for the alleys to be usable in that way.

Commissioner Vohs added that it definitely wouldn't serve any purpose to require paving it when you're on a gravel alley.

Dunn: That would be putting more emphasis on the providing a parking lot.

Sandy can't think of a wording language right now for that, but we'll incorporate something to allow for that situation. Just as a side note, currently as proposed, no Accessory Dwelling Unit in the Washburne District. So they're not allowed now, they're not being proposed to be allowed; although, we have had one comment thus far already saying that they should be. That's something to keep in mind, but that doesn't mean there are not alleys elsewhere to be used.

Commissioner Dunn added that there a lots down there I think could be used.

Commissioner Koivula asked if the proposal is to continue to not allow any ADUs in Washburne.

Sandy responded yes. Thus far, there has been no desire expressed other than the public person just recently to change that.

Commissioner Koivula thinks it'd be in an area that would lend itself- [crosstalk] because some of the lots are larger and they all have alley access. Many of the garages could actually be -- some of the older garages could be-

Commissioner Nelson added that there are already a couple of houses in the Washburne that have them.

Commissioner Landen assumed that they had done that because of the historic nature.

Commissioner agreed that's what he thought it was.

Commissioner Koivula asked if there could be a waiver requirement that they think would be historic nature of the building. Because any changes to the buildings in Washburne are required to meet the historic criteria right now.

Commissioner Landen are they primary or they're contributing they just need to be compatible with --

Greg Mott added that the Historic Commission needs to get looped into the discussion. Because they have a responsibility with either the district itself, the Federal District standards, or the code is proposed from the -- and he'll provide recommendations to both of you guys in the council. If this is going to go, Sandy is going to need to get in front of it.

Sandy said the only time she has been at a Historic Commission meeting there was not a quorum, but it was to discuss the design standards for downtown. There was discussion and at least the two people at the meeting would be adamantly opposed to Accessory Dwelling Units based on my understanding of their comments. Now, this was not a proposal to them at the time and like she said it wasn't a quorum. She doesn't know if they would represent the whole Commission, but those two Commissioners I did not think would be receptive.

Commissioner Vohs thinks in a lot of cases what we're looking at as ADU's, don't comply with the full requirements of an ADU in the Washburne. They're simply people that rent out a room to someone else. It doesn't meet all the requirements for a full-scale ADU, so it's not actually considered as one. He means you have these huge houses until you rent out a room upstairs.

Commissioner Dunn asked if they are against the few unpermitted ones that have gone in and maybe don't look as good. But if we allowed them to be permitted they might be actually up to a few more standards. He would be curious as to which ones they're opposed to.

Commissioner Koivula would hesitate based on apparently two Commissioners, crossing off an entire -- putting a big X across an entire area of the city to say, just based on two people's opinions in a non-quorum meeting.

Greg added one other bit of information about this provides the opportunity to have this kind of a discussion is a bill that was recently approved by the legislature, hasn't yet been signed by the Governor. That requires Cities and Counties to provide for Accessory Dwelling Units. It's no longer an option, you can do it, but it's specifically exempt Historic Districts for this -- You can do it but you can also exempt them. You cannot exempt other areas of your community or the practicing of one homes improvement, an additional element for your discussions.

Commissioner Nelson was wondering if we are going to try and address the properties that do have these now, that have that restriction on that the owner has to be there. Or, are we going to retro them into the new guidelines?

Sandy believes so, yes. That covenant that has been recorded, we would let them know that the City would no longer require that and make you released from that. But, this is an important point in terms of the Washburne District from the Commission here. Do you think that we ought to consider allowing them in the Washburne District?

Commissioner Landen would just be awfully careful only because you get into Historic Districts, you start getting into registries and now, you have to require an ADU to conform to a certain look and feel. He thinks the reason that they avoided this topic is because of that. They have to make this ADU look like a 120-year-old house. It absolutely cannot change the feel and he confesses, by living in Washburne, he doesn't think he wants to have a bunch of things that change that feel.

Jim Donovan Current Development Supervisor: One friendly piece of information from the supervisor, who oversees the implementation of the Historic District through my staff, and the staff the Historic Commission. Two things 1: it maybe of not being historically accurate in the context of the district. There just may not have been ADUs on the majority; therefore, we'd be proposing something that's not consistent with its historic registry, its acknowledgement through SHPO at the State office and the Federal registries. 2: there is a clear prohibition for building something that is built to be a period piece. You cannot introduce new structures and try to make them look like the characteristics in the structures that are recognized through the State and Federal registry. That might be some of the feedback that you may have heard. They may have been acting on their knowledge of the State and Federal Historic regulations when they've made those comments. That being said, he thinks as Mr. Mott points out and Sandy, if you want to run it to the Historic Commission, to have that conversation, we as staff could certainly go there and ask the question as almost as an informational interview and find out some information for you. For those two reasons, he would wager that it's not going to be consistent with the regulations that are in place for the district itself.

Commissioner Sherwood he understands that you can't build another building for Historic, but you can adjust the interior of the building so long as it doesn't appear from the exterior that there's an ADU? He knows this is all pending further discussion, but we could, potentially, make it so only internal ADUs that don't change the exterior of the building could be allowed so that some of these -- I know sometimes people that are more in need of an ADU do live in historical districts. That's a thought we could entertain.

Commissioner Koivula likes it.

Sandy asked if they would you like--

Commissioner Koivula asked if they had a general consensus -- that we think that ADUs should be--

Commissioner Landen interjected, Internal not requiring alteration of the physical appearance of the building.

Commissioner Nelson added that would be not allowing additional square footage being built. It only--

Commissioner Koivula added that ADUs can be accommodated in the Washburne District. However that needs to happen.

Commissioner Sherwood added it's self-restricting.

Commissioner Vohs added that if you can't build exterior ADUs, it appears with the same as the original building, you certainly don't want to build one that doesn't appear like the original dwelling.

Commissioner Nelson or if they have a small garage that they wanted to not change the exterior, but interior wise, make it into an ADU, that would be a cool idea.

Commissioner Sherwood asked Sandy if this is something we need to discuss, or have discussed with any Historical Commission.

Sandy guesses that would be a question. Would it be worth a joint meeting? Would that be something to do, or it would be just take this to historic and get their feedback?

Jim added that he thought staff could frame it, just as the Commissioners have said here, is they are away internally without affecting the district? Just to have that discussion initially, take the item into the next Historic Commission meeting. Actually, if they are somewhat split or something, then we'll offer the joint meeting and sit down and have a conversation about it. It's certainly worth asking.

Commissioner Koivula are also recommending to the council, He thinks that we don't really need to recommend to the Historic Commission, do we?

Kristina said that the Historic Commission recommends to the Planning Commission.

Commissioner Koivula added that they can take input. If the Historic Commission wishes to provide input to the Planning Commission we would be happy to receive it, but he thinks the consensus is we would encourage ADU's within the Washburn District, however it can be accommodated.

Kristina added that procedurally you cannot make that recommendation to the City Council without a recommendation coming from the Historic Commission. It doesn't have to be a positive recommendation just like you don't have to positively recommend changes to the City Council. For them to take action on those, procedurally they are required to review and weigh in on that issue before you can incorporate that into your recommendation to the Council.

Commissioner Koivula added pending input from the Historic Commission.

Commissioner Vohs understands there is already an established permitting process to create an ADU. Is there any process to de-certify an ADU if a property owner that buys the property and doesn't want to have an ADU as a feature of the property? Can they have it de-certified? Because he can imagine that impacts the assessed value of a property whether it is or isn't.

Sandy responded that she didn't know how it would affect the assessed property. It certainly could. By de-certifying you're saying remove--

Commissioner Vohs, In other words, a person theoretically would want to change an exterior standalone ADU as storage shed because he doesn't have anybody that he wants to plug into it as a household so he wants to convert back to a non-ADU property.

Sandy answered by removing the kitchen--

Commissioner Vohs, removing whatever certification and whatever's established as an ADU distinct residential property. In other words, we have a process to establish, do we have--

Sandy thinks you would just do that through the building permit process. It should because it would require some kind of alteration to remove--

Commissioner Dunn, you would need an electrician out there to cap off all the electricity. You need a plumber out there to cap off the plumbing. If you were really, truly de-certifying it.

Sandy thinks that would just go through a building permit process and there would be a change of use or change of occupancy. I don't know that there is any de-certification necessary if we removed the covenant that we had recorded for the owner occupancy. If the rules are changing as proposed, there wouldn't be anything recorded that would say this is an ADU.

It would be through the addressing and the building permit process. If they were saying, "We're changing the occupancy of this building. It's no longer an ADU." We would probably send out an address change to everybody saying it's no longer this address at this point so that the police and the mail and all of that they don't have that address in their records anymore.

Commissioner Nelson, It would probably be pretty insignificant unless they reduce your taxes, too. He doesn't think that would be--

Commissioner Sherwood, has a questions that is on page six, 5.5-125.D, it talks about the size requirement not exceeding 750 square feet. Just as a starting question for this, is there a specific reason for the 750 number?

Sandy responded that the short answer is no.

Commissioner Sherwood was just thinking that this limits property owners to upgrading primary dwelling units if their house exceeds 750 square feet. If your house exceeds 750 square feet and you want the bigger house on your property as is discussed in this document, he thinks this would restrict you from turning that into your accessory dwelling unit. He personally thought the 1,000 square feet was more reasonable. It's also equal to the maximum size of a Type-2 manufactured home which we talked about being essentially a possible Accessory Dwelling Unit. If we were to change up to 1,000 it could just be all Type 2 manufactured homes would fit that bill. Also he still thinks anything under a thousand is relatively small. That's just a personal opinion. If he remembers from when the City Council talked about this, this might feel with your short answer being no, he feels like their thought was a two and one in Springfield often 800 square feet. Anything over 750 starts

to look too much like just two houses and so 750 felt like a comfortable number that would keep ADUs smaller than your average two and one in Springfield. It was main house plus main house. Even if you switch you're the one you live in you it still appears to be main house Accessory Dwelling Unit. His thinks 800 two in ones are a pretty stock number for a lot of houses. He thinks that's what he took away from their 750 number.

Commissioner Sherwood, basically if you have an 800 square foot house or 900 or whatever, you can't build a bigger one and have an Accessory Dwelling Unit, then you're just looking at two houses.

Sandy, she means you could always add onto your 16 house and make it bigger.

Commissioner Sherwood, right.

Sandy, there's nothing precluding you to just make your existing house bigger.

Sandy, the 750 square foot is somewhat arbitrary number in terms of that's the existing code the Council did discuss, did they want to change that or the minimum? They ended up saying, "Well, unless there's a reason to change." I don't think they're fixated on these but unless there is a reason to change it or just leave it as it is. Other codes that I've looked at are in that same range. A lot of them are 800 square feet, but it's really comes down to there's no magic number in terms of a building code reason or some other rationale for a lot of that 750 [unintelligible 00:42:02] in the beginning that she knows of.

Commissioner Koivula, in the same vein going on the negative side, he was just speaking with Mr. Donovan earlier about the average size of one of the tiny houses and I understand they can go a lot smaller than 300 square feet and still be quite livable so I'm wondering whether we should have a 300 square foot?

Sandy, that's a good question. She thinks that Council discussed this. They were feeling they wanted to be a livable unit so they were concerned about it getting too small because they wanted that quality of life for somebody, but they also were thinking maybe there was a person from that small house type movement that came and spoke to. She thinks that they would listen to it. Now that the legislature has passed this new tiny house bill, she hasn't looked at it in detail but it could be that maybe we would want to remove them in a moment. We wanted to allow any of those tiny houses. Yes.

Kristina has reviewed the bill. It's very short. It basically directs the department of the state that writes the Building Code to develop a Building Code for tiny homes that specifically allows for sleeping areas that could be accessed via alternate steps of or stairs. That is basically by administrative rule the development of that code will take place. We could also revisit that square footage when we see what's in that new code and add any provisions or regulations, maybe to implement that new code. That would be another option.

Sandy, this should come out next year at the beginning of the year.

Kristina answered yes, its due out by January 1, 2019-

Commissioner Koivula, his feelings are that the 300 square foot minimum would preclude a lot of particularly in-house in ADU's. If you've got a standard house with a basement 300 square feet is a good size basement.

Commissioner Sherwood also thinks that with the new bill coming out he doesn't know where they're going to go with it, but he might say that he trust the state to develop the reasonable living standards that may be the concern for the 300 square feet. Not having the 300 square feet minimum in there if the State doesn't provide adequate restrictions for quality of life for tiny homes then I suppose we could revisit that, but I'd be inclined to agree that we shouldn't put a minimum on there. He thinks that just the requirements we have of bathroom, livable space and kitchen are a personal headache.

Commissioner Koivula thinks maybe some kind of [unintelligible 00:45:24] 300 seems a little large to him.

Commissioner Dunn, thinks that would be -- that he would be okay because the end goal is to try and get something that we can get to a public hearing. He'd be okay leaving it and seeing if anyone came and spoke to that and if we all mull it over a little bit. He doesn't think that's something that has to change today. He thinks 300 is pretty dang small but if we, six people, come and say, "We're ready to build tiny homes," maybe we'll change it then.

Commissioner Landen would be inclined to agree with Commissioner Dunn as he mentioned revisit this one, when the State comes out with standards then perhaps.

Kristina, she's hearing two opinions she doesn't have a majority.

Sandy added that she could put it in with both options and then people can comment on both options.

Commissioner Vohs thinks an ADU whether it's above 300 or below 300, its housing. Whereas in those cases otherwise, you wouldn't have the housing. He wants to be fairly lenient on that requirement. It's because if the opportunity presents itself, don't let that be a stumbling block.

Commissioner Koivula opinions is that 300 would preclude a lot of properties from developing and ADU.

Commissioner Landen asked if they should go -- for the sake of getting consensus, striking the minimum. Either strike the minimum or take it to 200 and something like that?

Commissioner Sherwood is fine with two or 150.

Commissioner Nelson would go a lower amount but--

Commissioner Sherwood would strike "*minimum*" but he would be willing to compromise--

Commissioner Vohs thinks that you're already reminded that all the requirements that need to be in place, forget a minimum because you're going to need someone to begin with.

Commissioner Koivula, do they provide an adequate passageway for someone to safely get in and out etcetera, so I'd say strike them out.

Commissioner Nelson, can imagine that the smaller you make it, it's almost going to get more expensive to try to pack everything in. I guess there's a point where it's a lot--

Commissioner Landen, as long as we're saying that leaves the requirements for safety, egress, and meets the amenities.

Greg told the Commissioners that they don't need to say, "Has to meet those safety standards." That's an obligation [inaudible 00:48:28] that's not the case. Lots of times, you might be generalizing what the market is for this. Are you trying to provide opportunities for a mother and child or a couple with an elderly parent or something like that? He's assuming that we all went to college, we probably all suffered in those studio apartments that we had to live in college, but we managed to do it for a year. It was a single room that had a doorway that went into a bathroom and an alcove for a kitchen and a Murphy bed. The one he lived in was probably 12 by 16, maybe. It was a safe, healthy unit. People could make do with a lot better than living under a bridge.

Sandy asked that they consider removing a minimum.

Commissioner Koivula heard Sandy say that there is going to be a two-year period with no City imposed SDC's. There is still Willamalane and MWMC.

Commissioner Koivula asked, as of right now.

Sandy responded, yes.

Commissioner Koivula asked if they provided input yet as to whether they're considering it.

Sandy responded yes, Willamalane responded and-- I think I can read what they've said here. Vincent Martello Superintendent responded that legal counsel determined that state law does not permit Willamalane as a special district to waive or discount the SDC's for certain purposes including Affordable Housing or Accessory Dwelling Units. The Metropolitan Wastewater Management Commission is considering the request but will not make a decision on the matter until September or October. She thinks they're looking at the structure of the SDC's but will end up waiving them.

Sandy has a couple things to raise since I prepared this pocket a couple weeks ago to bring up. If you'll turn with me to page 5, Mr. Mott had mentioned what ended up passing as Senate Bill 1051, that has some language about Accessory Dwelling Units being required to be allowed anywhere you allow a single-family home, outside of Historic Districts. The council has already asked that we allow Accessory Dwelling Units on land that is zoned medium-density residential. Currently, we don't do that. Currently, we only allow Accessory Dwelling Units in property that's zoned lower-density residential. With Council's direction, we're proposing here on page 5 to allow the Accessory Dwelling Units on property that's zoned MDR as long as the lots are not too large, so that by adding those Accessory dwelling units, you're not building at the property in a way that's going to make it less likely to convert to minimum densities later. This is a little bit counter-intuitive that you would have a maximum lot size for Accessory Dwelling Units, but that's so that you can meet the minimum density with those new construction or the conversion. Given this bill requires that we allow Accessory Dwelling Units anywhere we would allow single-family, we need to also look at the high-density residential zone. It's unlikely that we're going to have development in those or even situations where they occur, but she would recommend that we add an item C here allowing one Accessory Dwelling Unit on an HDR zone property with a primary dwelling unit if the lot is 1,600 square feet or less. That's the size lot that you would need to meet the minimum density requirement for the HDR zone.

Commissioner Vohs, 1,600? That's a lot.

Sandy, she doesn't know that this will ever happened, but if there's potential, you've got a small house on a small lot that maybe, you want another small house on a small lot, so you'd have two. One other item, our current code-- this is in the definition. Page 3, it has a definition there. This is something that Mr. Mott had pointed out in talks with the Building Official. There's a sentence there in the middle of the definition that says, "An Accessory Dwelling Unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area." In discussing this with them, it's not generally; it's always that it always needs its own outside entrance. We would strike *generally* and then strike *always has* so that it reads "an Accessory Dwelling Unit has its own outside entrance and a separate kitchen, bathroom and sleeping area." Those were some things she wanted to bring to your attention that she hadn't caught before sending the over for your packet. Any issues with those two items, Commissioner have none.

Commissioner Sherwood knows this is still pending but we were talking about the Historical Districts and how not altering the exterior. Not know all the exact historical rules, and wanting to be careful because if you're thinking about this, a door might be necessary. He doesn't know if there's not a rear door, you want to put a door where there's not a door or an exit from a basement that may not exist. That's something to think about.

Commissioner Dunn, if we allow them in a Historic District, the rules will take care of it on its own, they'll still work in a garage but it won't work in that house because you can't put a door in, the historic rules taking care of that.

Commissioner Koivula, wonder if in a situation like that too, in a garage, whether it says it requires a hard surface entrance too. Would that break the historical rules to have to pave a new sidewalk to a garage that did not have paved -- It had a door but it didn't have a paved sidewalk.

Jim responded that is a gray area. The Historic Commission could weigh in. There's nothing that prohibits you from preserving your lot. It has to be usable, a walkway to allow access to. If they decide that you can have an ADU then it would be included in that idea, that mindset, that you could do things like that. Again, that's assuming that their recommendation, your recommendation and Council's recommendation all find that it doesn't endanger the historic district itself.

Commissioner Vohs, the question is, if you're looking at an interior ADU, would there really be a need to require a separate pathway because it's within the building itself.

Commissioner Koivula, no, it needs a separate entrance.

Greg added that you can't go through part of a house to get to another house. You can't do that.

Jim also added that basement stairs to use the basement for an ADU.

Greg asked if the Commission ever received a request for a wheelchair ramp for a house.

Jim responded that, yes. ADA has to be accommodated. It's a law, the Historic designation is --

Greg, that's what the hard surface walkway is, isn't it

Jim responded that it's primarily an ADA action.

Greg, doesn't know why else wouldn't want a hard surface walkway.

Jim, if you get to ADAs, you'll get a walk.

Kristina, doesn't think anything explicitly jumping out on me in the design standards that prohibit paving part of your lot, subject to the other development standards that apply to paving. You can't just come and pave your entire front yard as a driveway.

Sandy, thank you very much. In terms of timeline I have-- Before we can talk about this whole Washburn District, we might be ready to go to public hearing in September. She's thinking that's going to push this back a bit. I'll let you know what we conduct scheduling in terms of getting to the Historic Commission and having their recommendation and enveloping that into this package that we can get out to public comment period, so stay tuned.

Commissioner Koivula asked if there would be any of the community meetings before that.

Sandy responded, yes. We will definitely have at least one before. She hasn't scheduled it yet. She'll have to look at the calendar for the Historic Commission and then because we might need to have one just for the Historic District and then a more general one, I'll have to see how this goes. She doesn't have anything else scheduled as of yet, other than scheduling another Planning Commission date.

Commissioner Koivula asked for any further questions, seeing none, we're adjourned. Thanks for your input.

Greg received a notice of their Gray Plan Amendment Zone Change on 5th Street, was appealed. As we receive the notice of their intent to appeal that decision to LUBA.

Commissioner Vohs, when it was presented to Council since Chairman Greg James had suggested an alternative on rezoning one lot, did that go to council with his amended change or did it go as an original applicant.

Greg answered that it went both ways.

Kristina added that the Council adopted that and the applicant, when he attended the City Council, the applicant said he had no issue with concurring with that modification.

Commissioner Landen added that Council changed their mind or they didn't like that extra lot being --

Kristina answered that it was a case of picking your battles, she thinks.

Commissioner Dunn agreed and figured they were going to, and they did have a bigger battle. It was pretty consistent with the way the other lots were zoned.

Greg added that if this thing goes to LUBA, it will either get withdrawn, dismissed or lineated or--

Commissioner Vohs asked what the item of contention that--

Greg answered that they hadn't submitted those yet.

Kristina added that, that only holds their place and what it does is it triggers the City to send in the record to LUBA. Then they base their petition that actually alleges the errors based on that record. We won't have that information ready for the Commission until September.

Greg also said that it takes a while for all that's going, so it would be optimistic to think it might have an -- If it goes, if it might have a hearing date by the end of the year.

Kristina also added that their rules require resolution within [unintelligible 01:02:06].

Greg added seven days from the time the briefs -- [unintelligible 01:02:12].

ADJOURNMENT

The meeting was adjourned at 7:05 p.m.

Minutes Recorder – Brenda Jones

Michael Koivula
Planning Commission Vice-Chair

Attest:

Brenda Jones
Management Support Specialist

DRAFT

MINUTES OF THE REGULAR SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION HELD
Tuesday, October 17, 2017

The City of Springfield Planning Commission met in a regular session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Tuesday, October 17, 2017 at 7:00 p.m., with Commissioner James presiding.

ATTENDANCE

Present were Chair James, Vice Chair Koivula, Commissioners James, Nelson, Vohs, Dunn, Commissioner Landen, and Sherwood. Also present were, Current Development Manager Greg Mott, Comprehensive Planning Manager Sandy Belson, City Attorney Kristina Kraaz and Management Specialist Brenda Jones and members of the staff.

ABSENT

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Greg James

DECLARATION OF CONFLICT

- Read by City Attorney Kristina Kraaz

LEGISLATIVE PUBLIC HEARING

1. **Request for Amendment of the Springfield Development Code for Accessory Dwelling Units, Jo. No. 811-17-000057-TYP4 –**

STAFF REPORT- Sandy Belson

Comprehensive Planning Manager Sandy Belson will provide the Commission some context for the proposed amendments. She will take them through the major proposed changes, then the findings for criteria, the comments we've received thus far, and then some responses to those comments.

Encouraging construction of Accessory Dwelling Units is part of the City Council's affordable housing strategy. Just to provide that context and other components to address housing throughout the continuum: to expand the overnight parking program; to contribute to income qualified housing development and that is using our HOME funds, federal funds that we use in conjunction with the City of Eugene as part of the HOME Consortium; encouraging Accessory Dwelling Units (ADU's); we are looking to secure property targeted for residential development and to capitalize on the Community Development Block Grant (CDBG) funds that the City receives and also, looking at publicly owned property that we could target for residential development. We assist homeowners with Community Development Block Grant Funds with home ownership assistance through a Springfield Home Ownership Program (SHOP) program, in which we provide down payment assistance to qualifying property owners. We also provide low income homeowners with CDBG funds to address repairs or accessibility improvements, necessary for them to maintain safe and secure housing. Finally, we are looking to promote housing of diverse types.

Again, in terms of Accessory Dwelling Units, there are three ways that we are looking at encouraging them. One is that the City Council temporarily waives System Development Charges (SDC's) for Accessory Dwelling Units. We are currently promoting awareness in the possibilities for Accessory Dwelling Units, and the reason we are here

tonight, is to look at revising the Springfield Development Code (SDC), to make it easier and potentially less expensive for homeowners to add an Accessory Dwelling Unit.

Considerations as we are going forward with these proposed code amendments, is that we want to on one hand, encourage development of ADUs within the city, by reducing regulatory hurdles, but we also want to protect the character of existing neighborhoods within the city. The Planning Commission's task tonight is finding the balance.

Briefly to go through the major changes, and these are not all of them, but these are the substantive changes that are being put forth. We are looking at allowing Accessory Dwelling Units in the Washburne Historic District.

We are also looking at allowing them in the medium and high density residential zones. In the medium and high density zones, we would allow one or two, depending on what is necessary to meet the minimum density requirements, which means there would be a maximum lot size that would allow Accessory Dwellings. That way, we maintain the development potential of those medium and high density zoning districts.

Looking at removing the minimum size requirement, this is currently 300 square feet. The example we have here is a home at Emerald Village. All of the homes in Emerald Village are less than 300 square feet, so maybe we should allow that size home here, as well.

Related to size is the ratio requirement that is currently in the code, whereby Accessory Dwelling Units cannot exceed 40% of the size of the primary dwelling. This is an example in Portland where the primary dwelling, 40% of that would not have allowed the size of Accessory Dwelling Unit behind, even though it's less than the maximum size of 750 square feet.

Looking at allowing an existing small dwelling like the one in yellow in the front to become the Accessory Dwelling Unit if it is less than 750 square feet, excluding garage then they'd build a primary dwelling elsewhere on the lot.

We are looking at allowing more flexibility at the location of the entrance to the Accessory Dwelling Unit. In this case, there is an Accessory Dwelling below and the primary dwelling is above. Both front doors are facing the same street. Now we are including in the code for the Washburne District, a recommendation to not allow both entrances to be on the same side, if it's in the same building.

We are looking at waiving on-site parking requirements for Accessory Dwelling Units, if there is on street parking available, and that that on-street parking will continue to be available, based on our adoptive plans.

We are looking at allowing unpaved parking if you are providing parking on-site, and there is a paved driveway that is at least 18-feet long from the property line, that serves that parking space. This photo does not show an 18-foot paved driveway, but it gives you the idea of what we're looking at here.

We are removing the requirement for the property owner to live on-site. That way, both units would have the potential to become rentals.

We are looking at allowing manufactured homes the small size that would be under that 750 square feet maximum. Approved towable structures as an Accessory Dwelling as long as those towable structures were permitted, inspected and approved by the local authority. In other words, they would need building code standards for a permanent dwelling.

At the last work session, you had recommended that those be placed on a permanent foundation, and so I've got some language I'll hand out a little bit later, some options of how you could address that.

As with anything in the Historic District, those new homes would meet the District's alteration standards and we have added an explicit statement not to allow manufactured homes in the Washburne District, so that there's no question about whether a manufactured home would meet those alteration standards.

We are also looking at allowing more flexibility in meeting design requirements. Currently, the design requirements are that the Accessory Dwelling Unit must match the primary in materials and design. We're allowing that approach, but also allowing another option, if they meet some basic standards that they could gain approval for that Accessory Dwelling. Again, the Historic District, in the Accessory Dwellings units, must still meet the alterations standards.

The approval criteria and all testimony should be addressed to approval criteria, so that you can evaluate that testimony based on whether it meets the requirements. The approval criterion comes from Springfield Development Code 5.6-115. In reaching a decision on the amendment of this code's text, the City Council shall adopt findings that demonstrate conformance to the following: The Metro Plan, Applicable State Statutes, Applicable Statewide Planning Goals, and Administrative Rules.

Sandy is going to take the Commission through the rules and regulations. In our case we have two components of the Metro Plan. There's the Metro Plan itself, which is the Eugene Springfield Applicable Comprehensive Plan. The criteria for citizen involvement is to improve and maintain local mechanisms that provide the opportunity for residents and property owners in existing residential areas to participate in the implementation of policies in the Metro Plan that may affect the character of those areas. As the Committee for Citizen Involvement, you reviewed and approved a Citizen Involvement Plan, so we are following the provisions in that Citizen Involvement Plan in getting the word out and getting comments. We also complied with the Springfield Development Code 5.2-115B, which requires notice in the Register Guard of the public hearing.

For the Residential Land-use and Housing Element in the Metro Plan there are several policies that are applied to residential density. **A10:** To promote higher density, prior residential density inside the urban growth boundary that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the Urban Growth Boundary (UGB).

A13: to increase overall residential density in the metropolitan area by creating more opportunities for effectively designed infill, redevelopment and mixed use, while considering impacts of the increased residential density on historic, existing and future neighborhoods.

A14: review local zoning and development regulations periodically to remove barriers to higher density housing and to make provision for a full range of housing options.

A16: allow for the development of zoning districts, which allow overlap of these established Metro Plan density ranges to promote housing choice and result in either maintaining or increasing housing density in those districts. Under no circumstances, shall housing densities be allowed below existing Metro Plan density ranges.

Policies that address housing type and tenure are:

A17: provide opportunities for a full range of choice of housing type density, size, cost and location and;

A18: encourage a mix of structure types and densities within residential designations by reviewing and if necessary amending local zoning and development regulations. Policy about affordable for special need and fair housing; **A33:** consider local zoning and development regulations impact on the cost of housing.

The other component of our comprehensive plan which is a refinement plan of the Metro Plan, is the Springfield 2030 Comprehensive Plan. We have a residential land using housing element adopted specifically for Springfield. The policies in that plan that applied to growth and needed housing are, **H6:** continue to seek ways to reduce development impediments to more efficient utilization of the residential land supply inside the UGB, especially in the City's sloped areas (Southeast Springfield and Willamette Heights).

In terms of fostering house choice and affordability, we have policy

H9: provide a broad range of quality, accessible and affordable housing options for very low, low and moderate income residents. Affordable housing is defined as housing for which persons or families pay 30% or less of their gross income for housing including necessary and essential utilities.

The policies to encourage housing diversity and quality neighborhoods.

H11: continue to seek ways to update development standards to introduce a variety of housing options for all income levels in both existing neighborhoods and new residential areas that match the changing demographics and lifestyles of Springfield residents.

H15: update residential development standards to enhance the quality and affordability of neighborhood in-fill development (such as partitions, duplex developments, transitional neighborhoods, rehab housing, Accessory Dwelling Units) and multi-family development.

As you can see we have a lot of supporting policies for the efforts before you tonight, to add Accessory Dwelling Units. Looking at the development regulations in effect on neighborhoods and the affordability.

There's also relevant policy from the Springfield 2030 Transportation System Plan.

Policy 26: to manage the on-street parking system to preserve adequate capacity and turnover for surrounding land-uses.

Again, those are the criteria that we've identified from our Comprehensive Plan that are applicable to your recommendation to City Council. There are also State Statutes, ORS197.312(5)(a) and (b); this was passed during the recent legislative session. We are now required to allow Accessory Dwellings in every zone that allows for detached single-family dwellings, subject to reasonable local regulations relating to siting and design. As part of that same bill passed by the recent legislature, we have ORS 197.307(4)(b)(A) that the city may not deny an application for housing development located within the urban growth boundary if the development complies with clear and objective standards, including but not limited to clear and objective design standards contained in the city Comprehensive Plan or land-use regulations.

This paragraph does not apply to, what is referenced as the historic districts. In a historic district, you're not required to have the clear and objective standards that you would for needed housing elsewhere in the city. But do keep that in mind that any standards we do have for Accessory Dwelling Units must meet that clear and objective requirement, if they apply city wide.

As Sandy mentioned before, we've had citizen involvement throughout this process. She will be going through some of the highlights from that and we had a recommendation from Historic Commission. The Historic Commission met on September 26, 2017 and a letter from the chair regarding their recommendations on allowing Accessory Dwelling Units in the Washburne District is before you. We had an open house on September 28, 2017, we had 36 people signed in, and those comments are also in your packet - the comments that people provided either in sticky notes or in comment forms are include in your packet.

We've had four correspondents come in prior to the hearing tonight. We have an email from Shantal Buss, who supports the Accessory Dwellings and is a property owner in the Washburne Historic District. We have an email from Craig Patterson, his comments were specific to House Bill 2737, which is related to building codes for small homes and he wanted those comments included in the record for this decision as well. We had a letter from the Fair Housing Council, with a follow-up email stating that they believe that we need to improve our findings to comply with Goal 10. I do agree that we should probably add a finding that states the impact of Accessory Dwelling Units on our Buildable Lands Inventory, basically that there is not a detrimental impact, that it's not taking up any

additional land by allowing these Accessory Dwelling Units that's needed to meet our future housing needs per the Buildable Lands Inventory.

We have a letter from Lane County Transportation Plan Division and they are in support of the proposed amendments even though that would allow the on-street parking on County Roads. To follow on to that, I have processed some of the comments that you had brought up at your last work session and prepared a handout that addresses some of those and then some other issues that come up. As you start working on one issue, you realize there's this tentacle over here that reaches and touches that. We will continue to refine these. (Brenda Jones handed out a document listing these issues).

For the benefit of the public, Sandy will identify quickly what these are. Sandy realized that it was not clear how the minimum setbacks would apply to Accessory Dwelling Units, we decided to add language that states that the minimum setbacks for primary structures would also apply to Accessory Dwelling Units. Second item, a Planning Commissioner had brought up in the Washburne Historic District, that if you already have a house with two entry doors and facing one street, what would happen then? We wrote that we were working on some of the language to account for an existing condition, but that no new door would be added for an Accessory Dwelling Unit on the same side in the same building. Sandy has a couple of options for the Planning Commission to consider for requiring a manufactured home or towable structure to be on a foundation, she asked that the Planning Commission review the two options and decide which works best.

We talked about windows last time, in terms of the design requirements. Sandy looked, and didn't find any other good examples, and doesn't have many great ideas about design for windows other than the trim. As Sandy was looking into the design element, she found that actually there's a different issue and that's about privacy, especially if you're building a second floor Accessory Dwelling that might cause some concerns with neighbors. Language Sandy is proposing: The 2nd story windows facing the nearest side or rear yard shall use opaque or site obscuring. For clear glass the bottom of the window shall be 5 feet or more above the floor elevation. This provision does not apply if a window is facing the abutting the garage or building wall where no windows exist. The balcony on the 2nd floor or higher is not permitted within the yard setback, unless the balcony faces in the budding garage.

Sandy also received comments from one of the Commissioners. Commissioner Koivula has continued the discussion about parking issues, Sandy doesn't have a clear response at this point, but she thinks it's worth continuing discussion. She can say that in terms of alley access, the city's policy is that if there is a new development that's taking access from an unpaved alley that the alley would be brought up to city standards as a general city policy that applies broadly. How that gets applied to Accessory Dwelling Units she's not prepared to go into the distinction about that. If the Planning Commission has questions about generally how do we deal with development city wide, we can get into that.

The next is in terms of on-street parking, and concern about allowing that on-street parking that could be an impediment in certain areas of the city to through traffic or emergency response. Commissioner Koivula brought up issues about aesthetic concerns with the doorways which she has addressed. Under his aesthetic set of concerns #2, wondering if concrete or stucco were prohibited. Sandy thinks it's a good question, she thinks this could be added to the allowed materials for Accessory Dwellings. Commissioner Koivula raised questions about the windows, whether all windows should have Trim. She would say in the proposal, there's the option to either match the existing housing so how the windows are treated on existing housing - or provide windows with trim. If you do not think that we should require trim, does that mean we would remove the standard or do you want to add another process for discretionary review, which would allow the the director to make a decision or have another kind of standard other than the clear and objective standard.

City Attorney Kristina Kraaz clarified, that would have implications for the process, for this type of decision potentially being made.

Sandy added under his miscellaneous notes she agrees that the wording change for the finding, adding some additional submittal requirements and then instead of bulleting the comments in open house to number them so they're easier to reference.

TESTIMONY OF THOSE IN FAVOR:

- 1. Chris McAllister, 1909 12th Street, Springfield:** Chris would like to say thank you to Ms. Belson for the work she has done on this matter. As a member of the Poverty at Homelessness Board, as well as an affiliate with the Shelter Rights Alliance, he would like to draw attention to support the final four points on the general process, which is a lot more flexibility for the location entrance. He feels this would particularly benefit him and his neighborhood. He lives right off of Piedmont, which is a corner lot. Current rules make it too hard for him to convert his shop into an ADU, though it would actually help his income and help him to house several family members. He recently hospiced his mother and having an extra place that is separated from the house would have been a lot easier for his family in that process.

With that in mind, he would also like to speak in support of waving the onsite parking requirement, and the unpaved parking space onsite if there's an 18' lead in. He is losing a neighbor because of an Ordinance issue based on this very issue. He moved his RV to a gravel parking spot for a day and a half, which was enough time for someone to register a complaint. The neighbor received a letter and is now moving out of Springfield, over this one issue, regarding parking an RV temporarily. Chris thinks that there's room for all Springfielders to improve not just those that need an ADU but some of these changes. In addition to that, he'd like to show great support for removing the requirement of the property owner to live onsite. Chris feels there are lots of people going to invest in Springfield, who live in Springfield or that live in the UGB or other areas that they'd like to see things advanced. He feels this sets a great way to include both those who are going to be part our process and those who don't necessarily get to choose such as those who will be part of renovations in Glenwood once we figure out what we're doing with all the housing. This would make more people able to stay in our local area. He thanked the Commission for their time and Ms. Belson, for her work.

- 2. Rick Satre, 1326 Wimbledon Place, Springfield, OR:** Speaking tonight not as a representative of my firm, or any clients, but as an individual. As a Land Use Planner and Landscape Architect and a long time Springfield resident, speaking in support of the proposed code amendments. One, the land supply is constrained. It's not good information for any of us necessarily in this room. Oregon land use law, urban growth boundaries and such tend to unbalance the normal economic equation. The demand is strong, land supply is limited, which tends to drive up costs, tends to limit or reduce availability, reduces options that folks have in terms of looking for housing. This proposed code amendment does something about this inequality or inequity in terms of supply, demand and the negative results of availability and cost. It allows us to work within the limited land supply. All the easy ground has been long ago developed. There are very few large undeveloped vacant parcels anywhere it seems in Springfield. We're really looking at opportunities which include a strategy for infill and redevelopment which is very smart, with limited impact on consuming additional resources. Living in close proximity where streets and utilities and infrastructure already exists makes the overall cost of that particular additional housing unit less, makes the overall cost to the community less. It also makes smaller homes available. One other thing, this could also foster a sense of community that we're all in this together, that we want to work together where we can to help our fellow Springfield residents and neighbors and family members and loved ones find a place to live, to afford to have a place to live, and to be able to stay in Springfield when they want to.

Two last points. One, we have to maintain what capacity we do have in our available land supply. Within your code amendment before you, there are proposed standards that will help you maintain supply by not dropping below the minimum density in the MDR and the HDR zones. Those are important so we maintain at the very least. If one or more ADU's is proposed, depending on the lot size, the code amendment ensures that those minimum densities will be maintained.

Lastly, design matters. Real design is very important for the quality of life. The number of requirements and standards within the code amendment speak indirectly as well as directly to design. It also allows flexibility in design and flexibility in size and in entrance and in parking and in doors and windows and trim and materials. There's a certain amount of certainty and there's a certain amount of flexibility and it's speaking to design in terms of the neighborhood fit and that's very important.

We appreciate--He and his colleagues chatted about this in the office. They really do appreciate your effort and keep up the good work. Thank you very much.

- 3. Michael Carrigan, 1439 W. 4th Ave., Eugene, OR:** Michael said he was here testifying as the staff's support for the Springfield Shelter Rights Alliance. Also, he wants to thank Sandy Belson and the other staff for a great plan. He thinks the Commission should really support this plan. What he likes about it is, as the other speakers were saying, it's an innovative and flexible plan and that's needed today.

He has been involved with homeless advocacy work in and throughout Lane County, there's such a huge demand for affordable housing, this plan will help deal with that. What he likes about it is that it's an innovative and flexible plan that's really important. He's on the board of Square One Village which has been building the rest stops in Eugene. The one he thinks relevant here is Emerald Village, somebody would call them tiny houses, he would call them smaller houses.

We had architects design these houses. He would love to see more of that in Springfield as well, they are just beautiful. He urged the Commission to go and to check that out. It's a model not just for Springfield but I think for the entire country. This plan will enable things like that to happen; he would love to see some of these Accessory Dwelling Units that's really cutting edge in innovative designs for those as well. He thinks downtown Springfield is a beautiful place and Accessory Dwellings would make it even a more beautiful place to live in.

Finally, just as an advocate for the homeless, anything you can do to give people more options is critically, critically important. It will send the message out that Springfield is a welcome place for those who may not have a lot of money, who need housing but not just coming up with some crappy piece of housing. Like they're doing in Emerald Village and with the Accessory Dwelling Units. it's something that this city could be really very proud of. Thank you.

- 4. Jackie Chandler, 1105 West Fairview Springfield. OR:** She's actually addressing in favor of this change for the waivers. A couple of things, for her family specifically. They have a son that's handicapped, he's adult. It's really tough to find affordable housing for handicapped folks. They have an acre plat in the city limits and would like to see a couple things waived and worked on.

Appearance. Doesn't think should necessarily need to match the house in front of it. They have enough land that they can build further back on the acre. Far enough back that you wouldn't be able to see it from the street. Have it-- a well done lodging for him.

Parking. As a lot of handicapped folks, he doesn't drive. Maybe there could be something put in there for parking issues, that you don't necessarily need parking for people that are handicapped and maybe address it on some level. She would just like to be in support of this great thing.

- 5. Brianna Nicoletto, 831 W. 5th B, Eugene, OR:** She's here today in behalf of herself and she comes to the Planning Commission as someone deeply invested in land use issues, both personally, as a renter and professionally as a planner in the private sector.

She's in favor of these code amendments and is so proud to see Springfield leading the way of affordable housing issues. The code amendments in front of you today are some of the most progressive in Oregon. Considering our

housing crisis, these proposed amendments have the potential to make a tremendous impact on both economic mobility of Springfield home owners and on the lack of housing supply in Springfield.

As Ms. Belson has already gone through, how that relates to all the comprehensive planning work that you've been giving so much time to throughout the last few years. While it may seem like a lot of new development is getting built, apartments not associated with the Student Housing market had an overall vacancy rate of 3% in 2016. What we have is simply not enough; most in demand areas are those with lesser units. Parts of Springfield reported a 0 to 2% vacancy rate last year.

Accessory Dwelling Units tackle this pervasive issue by adding infill to single family neighborhoods and higher density neighborhoods in a way that integrates with the existing neighborhood while still increasing density. Moreover, home owners are able to increase the impact of their home investment by adding an additional property for rent. These units can be used for loved ones to age in place as we heard earlier or for young professionals like her to live while getting on their feet in the community.

In this sense, we are also building community, as Rick said, through the provision of more inclusive and accessible housing. While many cities allow for Accessory Dwelling units in their code, the requirements are so stringent or the SDC's so expensive, these units are still built at low rates. That's why she is urging the Planning Commission to accept the code amendments as they are. These amendments take a wholistic perspective on issues such as parking; tiny homes on wheels which is currently a gray area; home owners living on site, a provision that we are all happy to see removed; and zoning where Accessory Dwelling Units are allowed and increasing that beyond certain zones. Certain criteria while often well intentioned, can create barriers for home owners to take full advantage of their property and build Accessory Dwelling Units. We also can have a habit of trying to solve issues that's left to code inspection and enforcement through land use which can exacerbate the barriers that's associated with development of more affordable housing.

Springfield has shown that it's a leader on issues of land use and housing. She's proud to have projects in the City of Springfield and being able to contribute to this incredible community. We're at an exciting time; let's keep the momentum moving forward.

Thank you so much for all you do for this community.

TESTIMONY OF THOSE OPPOSED:

- None

TESTIMONY OF THOSE NEUTRAL:

- None

PLANNING COMMISSION DISCUSSION:

Commissioner James thinks the presentation was done well and thinks Sandy addressed several things but what he heard were a couple of things. Number one, we have quite a bit of late arriving information. The staff I think probably needs time to digest a bit. This is in my opinion, a very progressive, forward-thinking change. It doesn't surprise him at all that Springfield is at the forefront of this. However, with this level of change, and we will be discussing this, it may be advantageous to leave the window open a little longer for public comments. We can talk about that as we move forward.

Commissioner Vohs. First of all, Sandy provided us with very thorough and detailed reports, he appreciates that and he thinks they all appreciate the details she's gone through. Thank you. Secondly, a comment is that at the time that this project and this work reaches the City Council, it's his hope that it's your intention to include the comments that came from your open house as part of that report.

Sandy responded, correct. All of the public comments starting with C1, they'll all be labeled, they'll just accumulate, C1, C2, everything else that comes in and that would all be forwarded the Council along with your recommendation. Commissioner Vohs added that the reason he brings this up is looking through these comments that were made by some of the people that were at the open house are probably here tonight. There are a lot of positive comments that he thinks these comments reinforced some of the thoughts and concepts that came forward as the process evolved; Commissioner Vohs thinks this is good reinforcement provided to Council. Thank you.

Commissioner Koivula responded that he did send a letter to Sandy about a couple of issues. He's generally, extremely supportive of what we are doing here. He think it's a really, really good thing for all the reasons that many of the commenters have made. However, he's still a little concerned with the aesthetics and the parking. He think he's spelled those out pretty clearly in that letter and he will recommend that staff take a little closer look at those and see if there's a little bit more staff can accomplish with that.

He's also very supportive of the idea that under aesthetics, that the director could review if they do decide on the exact stringent code for windows, trim and siding.

The director would be able to review a proposal that didn't want any of those requirements and decide if that in keeping a desirable ADU or not, rather than being completely stringent and in his feeling, restricting property owners' rights to go with a design of which they might be more comfortable.

City Attorney Kristina Kraaz pointed to the fact that if there's discretion, there would be need to go through an additional process. Kristina added, currently Accessory Dwelling units are reviewed under a Type I procedure in the Development Code and Type I procedure in ministerial decision that involves the application of clear, objective standards only - that they don't have any discretion. Those are not considered land use decisions or limited land use decisions that are appealable to the Land Use Board of Appeals. If there was a pathway for a discretionary review on the part of the planning director that would be a Type II, limited land use decision and that would be appealable to the Planning Commission on the whole application. It would not just be the director's determination on that particular window trim issue or whatever the design issue was, but that would elevate that whole application into a Type II decision that would be appealable to the Planning Commission and then to the Land Use Board of Appeals. There are process implications and it's up to the Planning Commission whether they think that's desirable or not and the extent to which you want to address that.

Commissioner James added by including language, just for clarity here, that would give discretionary decision making to the director, even if they did not elect to utilize that discretion, would it still push it to a Type II decision?

Kristina responded that it's a two-part answer. The first part is that under the housing statutes, we have to provide them with a clear, objective standard that somebody can meet. We have to give them the alternative to match what is existing or a certain term dimension. The alternative, she thinks depending on the way that we structure the code, the alternative design review could be something that's elevated to Type II only when that's elected, but it would elevate the entire ADU approval to that level of review. Even aspects of the decision that might not be clear and objective standards would be reviewable at the Planning Commission on appeal and LUBA on appeal. So it wouldn't be just that one aspect of a particular decision.

Sandy Belson added that she envisions one option as a way to address that, which would be, if you wanted to have the clear objective path, being fairly limited, that the Accessory Dwelling be required to match the primary dwelling. If it did not match the primary dwelling and you wanted to have that discretionary review, it would also allow for neighbors to comment because as part of that limited land use decision, we would send notices out to the surrounding property owners and they could comment. Then you could get more into discretionary standards in terms of being compatible with the neighborhood. That would be one option that she can see where it matches the primary dwelling or you go through this limited land use decision with neighborhood comment.

What staff was trying to do is provide clear and objective standards that would allow the ADU to either match or something else, but if that “or something else” is too loose for the Commission and you want to have that discretionary path, then that would be an option for the Commission.

Commissioner Koivula questioned if you could keep the language as you have it now with the clear and objective standards that include not just matching the existing house and have a discretionary Type II.

Sandy replied yes you could. Sandy thinks we would want to be clear that there is a reason to have that discretionary path. In other words, would there be situations that people would want to create something that doesn't comply with the standards we're providing?

Commissioner James agrees with that. Greg thinks we need to have solid clear and objective standards for individuals who want that Type I path and can get through that process fairly simply to move forward. He thinks there is a real desire to see a straightforward path. However, there will be times when, he believes, as people begin to develop these, as owners, begin to develop these, that they may run into situations where there does need to be discretion and they may choose a Type II path. He thinks we ought to support that as well, that it makes a lot of sense. Does that make sense?

Commissioner James asked Sandy if that's a major revision to what she has here or does what she's currently proposing get us there?

Sandy responded that she would have to make some revisions to get there. She thinks what would be helpful if you have any thoughts on, for example the window question. For example, as Commissioner Koivula was saying, we could have you match or you meet the standard or if you don't do either of those, then you would need to go through the alternative process. In terms of windows, for example, would you want something to have, “you can either match or you have the three and a half inch trim”. Also, the question is, are you concerned about the privacy aspect? If we had some direction on how to approach the design and then also that privacy thing, which was not a public comment, it was just something that came out as she was thinking about windows that she brought forward for your inspiration.

Commissioner Vohs said regarding this issue of window size and orientation, he knows that it was suggested at earlier meetings to strike out of a portion of what had been proposed. He has to consider that he is opposed to striking that language and the concern that he has is that if you don't have some kind of limitations on windows size and orientation, you could have the possibility of having a large primary structure and an ADU that both have street exposure and you have this large primary unit with small windows and a small ADU with large windows, if you allow those options to exist. He's more in favor of some restrictions on those issues because he thinks one of the features of all this work is compatibility between primary unit and the ADU. He thinks with eliminating this language and this particular part of the provision, that opens up possibilities that may not be desirable.

Commissioner Sherwood. He gets what Commissioner Vohs is saying. He thinks that the situation where you have non-matching primary and secondary dwelling can be an issue. He thinks that we should allow for some level of flexibility above the old language. He feels there's something in the middle there because if you have really small windows on a primary house which is my experience that you want to have slightly larger windows, he doesn't see a reason that should be completely banned. But he does understand what Commissioner Vohs is saying giant windows, odd windows maybe we could try and work around that, but doesn't want to completely ban the option to have nice windows.

Commissioner James: He thinks what the concern is primarily to obtain something that looks compatible - he believes Sandy has tried to do this. He thinks Sandy showed a picture of an Accessory Dwelling Unit that was substantially different than the existing structure and requested that she. pull that up for us just to look at that.

In a situation like this, someone has been very innovative. What he has heard, and has resonated with him from public comment tonight (Thank you, public for speaking) was innovation and flexibility. He believes those two things resonated in several of the folks we spoke to. He thinks within the structure of non-discretionary prescriptive, he think we still need to have enough ability to be innovative. He knows that is a fine line to walk, that's a tough line to walk, but he believes

that's what your Commission is grappling with. This in terms of what we had in front of us tonight, this example, would be a Type II process example. Is that correct?

Sandy responded that before the Commission tonight, we haven't proposed a Type II processes.

Commissioner James: Yes. I mean, but this would not meet the standard that we have in front of us tonight.

Sandy answered that it has a roof slope. It doesn't have a trim and we would require a three and a half inch trim around the door. She thinks there is trim on the window but it's hard to tell. She would say if the doors and windows have the trim, it would meet the standard.

Commissioner James thinks this is a good example because to him, this is an older primary dwelling unit and this ADU is fresh and bright. That looks like a roll-up garage door on the end. Is that correct? Sandy answered yes.

Commissioner James: That's very innovative. You could do lots of things with a unit like that. What he is hearing Sandy say is generally that it would meet the standard other than the trim?

Sandy answered, right. She guesses that it depends on whether counting the windows shall match in terms of height and width ratio and orientation. In that sense, no, it doesn't, but she heard from the Commission last week, last time, that you wanted to consider removing that. If we removed the height and width ratio, and the only requirement for windows was the trim, then this would match. If you maintain that height-width ratio, then it would not.

Commissioner James: Thinks that's where we're having a little disagreement amongst the Commission.

Commissioner Vohs believes that it's reaching a point, where the idea of compatibility is a philosophical issue going out the window. Because if we open up the options that really don't present compatibility then there might not even be any consideration that it is an issue at all.

Sandy added that she thinks a question as we're trying to struggle with this is, are we wanting it to be compatible in terms of street view, are we wanting it to be compatible in terms of view from the neighbors, from whose viewpoint. She thinks if we agreed on some of that, that might help her go back and come up with some options, because she thinks if you look at the example on the screen, this picture is taken from an interior of the lot and the surrounding neighbors probably aren't seeing it.

Commissioner James: Probably, not even visible from the street.

Sandy responded yes. Not visible from the street. Although, she's not sure, she can't tell where the garage door is, was that a driveway at one point?, she's not sure. If we are looking at compatibility, from whose viewpoint are we looking at it from? Maybe we could craft some language around that.

Commissioner Landen: If you're reading this, and perhaps correct me if I'm wrong, but a lot of the window stuff about which way they face, is really to protect the neighbors' privacy and the design is so that somebody doesn't pull up a piece of junk to basically devalue the entire neighborhood. Commissioner Landen feels as long as we're doing those two things we're protecting the neighbor's privacy and we're not installing a piece of junk, let's try and stay flexible. To be honest, he doesn't really care about three and a half inch trim.

Commissioner Nelson: He thinks this is a fun process and it seems like the public support is here. Being flexible and allowing it, like Andrew said, it doesn't have to be exactly a craftsman style but as long as it's being built to code, people will still do it.

Commissioner James: He generally errs on the side of some flexibility. He thinks it is important to protect the privacy of the neighbors and to stay in alignment with the primary property, but he thinks flexibility is great. He actually likes what staff has done, it's a good starting point for the Commission with the additions Sandy has provided. He thinks it's a place

to start. The Commission will be like any other code change, we will learn more over time and he thinks that is part of why we are here. It is to allow, make some decisions that are tough decisions and do our best not to degrade the neighborhoods but also give some flexibility, so that folks can develop and begin to use and access these ADUs, for many of the reasons that were stated clearly tonight. He would be in favor of the revisions that you provided the Commission. He would like to see the addition of the language that the Fair Housing Council discussed, related to Goal 10 findings. Those are the things that he is primarily interested in.

SUMMATION BY STAFF:

Commissioner James knows this is a gray mucky mess right now, but staff has good information they provided the Planning Commission and additional testimony that's been provided tonight and is sure staff will want to formally respond. In his humble opinion, it's important that we allow the time to do our best to get it right. He thinks it would be a good thing for us to leave the public record open for a period of time. He would propose October 27, 2017. There's a lot of interest in the community. He knows that folks would like to get this moving forward, but he believes they are on an excellent path. Staff has done an incredible job. He believes leaving the record open until October 27, 2017 would be beneficial for the public to give any additional comments that they have. Also, give the Commission an opportunity and staff an opportunity to deal with some of the things that have been brought forward tonight. The public hearing, we probably should leave open until Wednesday, November 8, 2017 and then deliberate.

Kristina: You can't close the record prior to the public hearing closing. If you're continuing the public hearing through November 8th, then the record automatically stays open for that public hearing. Also, because this is legislative, you would have the option to close the hearing tonight. She clarified, that this is not quasi-judicial, the Commission has the option to leave the record open through their next session. The Commission may continue the public hearing on November as an option.

Commissioner James: What legal counsel has said is that if we kept the public hearing open, the written record would remain open.

Kristina: You would technically continue the public hearing until that date and the record would automatically stay open.

Commissioner James: He just wants to make sure that staff has time to deal with the information that's been provided to us. Also, deal with the request from the Fair Housing Council related to Goal 10 findings. He thinks that piece supports the action as well.

Sandy: In terms of deciding whether to continue the hearing or close the hearing, she does think the Commission should leave the record open for all the reasons Commissioner spoke about. She thinks staff can provide some more information about the parking, for example. Staff can provide some more options on design. The question for the Commission is whether you want people to be able to speak to you again in November or if you want to just take the written comments that would be brought before you that night, or in your packet, if we got them in time.

Commissioner Koivula: He recommends to keep the public hearing open because we've seen an awful lot of community interest in this. With the discussions we've had tonight, I'm sure that many people are thinking about this right now. They'll probably have additional things to tell us, just because of a result of this evening's discussion.

Commissioner James: What he heard Kristina say is, the written record could stay open, right? We could close the hearing tonight and then reconvene on November 8th and deliberate. Is that what you're saying?

Commissioner Dunn: Yes, and if he understand it correctly, could have received further written communication from anybody regarding anything, between now and then. Having closed the public hearing, but left the written record open. Further thoughts can be submitted, could be reviewed after closing the public hearing, but leaving the written record open.

Commissioner James: Are we on track?

Kristina: Yes. You have the option to leave the written record open up to the time that your next regular meeting starts. You don't have to give the seven days in between, for the applicant to rebut that you would normally do in a quasi-judicial decision.

Commissioner James: There are two options before us. We can either leave the public hearing open or we can close the public hearing. We can leave the written record open, which I think we have general consensus on.

The question would be, when you might leave the written record open until to receive additional information? He thinks that he would tend to want the written record to remain open long enough, but I would also like staff to be able to have time to respond to anything received in the written record prior to us meeting again and deliberating. Is that reasonable?

Kristina: To clarify, if there were something to be received in the interim period, you closed on October 27, 2017 for example, and you reconvene on November 8, 2017, any comments submitted from the public between that cap time would be forwarded on to City Council and would be included in their record, but you would not have those comments before you for your consideration.

Commissioner James: The City Council is going to hold a public hearing as well. Our recommendation eventually will be forwarded to City Council as is, or with revisions.

Commissioner Landen: If we're going to keep the written record open, is there a downside to keeping the public hearing open as well?

Commissioner James: It's just that, the written record will stay open until we reconvene. Staff then would not have time to respond to anything that comes in related to the written record. Does that make sense? He suggested leaving the written record open until Friday October 27, 2017, that we close the public hearing and we reconvene to deliberate on November 8, 2017. Does that make sense, Kristina?

Kristina: Yes.

Commissioner Nelson: He thinks that's a good idea.

Commissioner James: He would move to close the public hearing at this time.

Commissioner Sherwood: Second it.

Commissioner James: It's been moved by Commissioner James, seconded by Commissioner Sherwood to close the public hearing at this time. All those in favor signify by saying aye.

All: Aye. 7:0:0

Commissioner James: I would also move to leave the written record open for additional written evidence, arguments or testimony until Friday, October 27th at 5:00 PM. I heard a second by Commissioner Sherwood I believe. All those in favor signify by saying aye.

All: Aye. 7:0:0

Commissioner James: Close. At this time we will move on, I suppose. We will take in additional written comment and testimony until 5:00 PM on Friday, October 27, 2017. Then, we will reconvene and deliberate on Wednesday, November 8, 2017.

Commissioner Sherwood: He heard we have a continuing Planning Commissioner.

Commissioner Nelson: The City Council moved it forward last night so they offered another 4 years.

Commissioner James: Congratulations Commissioner Nelson.

Commissioner James: We stand adjourned.

Greg James
Planning Commission Chair

Attest:

Brenda Jones
Planning Secretary

DRAFT

MINUTES OF THE REGULAR SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION HELD
Wednesday, November 8, 2017

The City of Springfield Planning Commission met in a regular session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Wednesday, November 8, 2017 at 6:00 p.m., with Commissioner James presiding.

ATTENDANCE

Present were Commissioner James, Vice Chair Koivula, Commissioners James, Nelson, Vohs, Dunn, Landen, and Sherwood. Also present were, Current Development Manager Greg Mott, Comprehensive Planning Manager Sandy Belson, City Attorney Kristina Kraaz and Management Specialist Brenda Jones and members of the staff.

ABSENT

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Greg James

ADJUSTMENTS TO AGENDA

- None

CONTINUED LEGISLATIVE PUBLIC HEARING FROM OCTOBER 17, 2017

1. Request for Amendment of the Springfield Development Code for Accessory Dwelling Units, Jo. No. 811-17-000057-TYP4 –

Tonight, we are having the continuation of deliberations on an amendment of the Springfield Development Code Accessory Dwelling Units Jo. No. 811-17-000057-TYP4. We conducted a public hearing at our last meeting October 17, 2017, we closed the hearing, and we left the record open until the 27th of October.

Tonight, we will be deliberating and discussing testimony that was provided and hopefully working through a process to move something forward. With that, I'll turn it over to Sandy Belson, the Comprehensive Planning Manager, for a brief introduction and we'll get into the nuts and bolts.

SUMMATION FROM STAFF:

Sandy Belson: Sandy thinks the best way to go through this would be to look at the memo which is attachment 1 and review the various items that she has listed that are in response to direction from the Planning Commission. She has a couple other items she has noticed or would like to call your attention to that were not in this memo.

There was one change made to the findings in response to the Fair Housing Council. We have a series of different code amendments. Any questions or concerns about the first three that are listed there?

The third one, being the biggest question in terms of the foundation language, you had talked about that previously. You did have one public comment requesting that you consider other options. Sandy said she used the language for manufactured homes that's already in the code to apply to any kind of manufactured home or mobile structure that's brought in, so it would be consistent with other sections of your code.

The fourth one was starting to get into the siding materials and such. Sandy thinks that then opens up a broader question that really can be addressed better in terms of the design requirements. Let's talk about that when talking about the design requirements such as item number nine.

Sandy: **No. 8** was just a wording change; **No. 6** was adding some little requirements as recommended by Commissioner Koivula; and then **No. 7, No. 7**, Sandy stated a need to make a correction to what was written. Paragraph two includes a reserve strip. That is an option when constructing the alley. If developers are constructing the alley that is going to serve more than the development they can put a reserve strip on that on the alley and therefore require any future people that are taking access off of that alley to pay in order to have that be released. That does not work in the case of existing platted alleys. In that case, we have already platted alleys in the Washburne Historic District. The mechanism to be able to recoup costs would be the reimbursement district. Our municipal code has a process whereby a developer who may be improving an alley that could benefit more than that individual developer can set up a reimbursement district and then anybody else who takes access from the alley that is included in that reimbursement district would pay their share at the time that they would take access.

She pointed out that the reimbursements district option is a way to share the cost, but generally, there are city policies about when off-site improvements are required. If you have concerns about those - that is a broader issue beyond accessory dwelling units. You can make a note of that to the City Council in your recommendation, but that is a broader discussion beyond what's before you tonight.

No. 8, there was the question that we look at other options in terms of trying to address potential impacts of parking from accessory dwelling units on the neighborhood streets. She proposed another approach that you could use instead of or in addition to the language that you have already seen before. That is looking at whether there is on-street parking on both sides of the street, not just the abutting the property. That way, it would address the situation of East Kelly Butte or some other places in town that you'd only allowed on-street parking to meet the parking requirement if there is on-street parking on both sides and/or abutting the property. Depending on what the Planning Commission decides, there may need to be a change to a finding.

No. 9, this is probably where you're going to have the most discussion because there are the most options, most choice, and not a lot of real clear direction last time. What Sandy understood is that you wanted to be able to look at somewhat discretionary option, which is presented as option C. That would allow you to use some of the language that we already have now. It'd be similar to what is on the primary dwelling and the surrounding neighborhood.

You could, also, in that same sort of discretionary mode, look at privacy considerations. Option B is I listed as a menu, so to speak, of different standards that you could choose from. The ones that you like, you keep; the ones which you don't like, we get rid of or we can change them. If you did want to have some clear objective standards that allowed for the dwelling unit to not have to match the existing house, these are some standards that you could apply. Of course, you could always require that they do match the house and that would be a clear and objective standard.

You could use a combination of these approaches. If it's attached, you're requiring it to match the house; but if it's detached, it meets a certain standard. You could have a combination that you could either match the house or use the discretionary option of number three or you could have different combinations.

Two other side notes, in talking with our Building Official, no matter what, we would like to change the roof pitch minimum both for the accessory dwelling unit and the definition of the manufactured homes from 2 on 12 to 3 on 12 for both aesthetic and construction purposes.

One of our planners pointed out that we do have a section in the Code 3.2-235, Residential Manufactured Dwellings, where manufactured dwellings can be used in the city and we would need to add accessory dwelling units as an allowable use for a Type 2 manufactured dwelling.

Commissioner James: Are there any questions relating to any of those issues that Sandy covered in one through eight prior to diving into nine?

Sandy: She guess's in terms of **No. 8**, do you want one or both of those approaches?

PLANNING COMMISSION DISCUSSION

Commissioner James: Let's start there. We can always work backwards, but I know parking was a consideration that we were having some conversation around. We talked about flexibility, but we also talked about some potential concerns about overloading the streets with parked vehicles. I think the option you brought forward is parking on both sides of the street as opposed to only on the side of the street that abuts the ADU. What are your thoughts about that?

Commissioner Koivula: His thoughts about it were as long as parking is available and you can get two standard-sized vehicles through - that it's actually a street width issue. Almost like if you have parking on one side, a 28-foot street would probably be just great, and if you had parking on both sides on a 32-foot street, it would be great, but when it gets less to the point that you can't get two vehicles through, that's his main concern.

Sandy: She did look at using a dimension, that's where she started. She talked with some of the transportation planners in our City, and we're also going through the Transportation System Plan implementation in which they're revising the code. Their response is, "We have so many different conditions around the city that in some places, we have 28-foot streets where you can have a parking only on one side and then in another street just down the road, so to speak, you could have it where there's parking on both sides." We could take that approach where you're using a dimension rather than if we're allowing parking, but I'm just saying that it would be inconsistent in terms of the parking that would be allowed.

Commissioner Sherwood: If he's understanding the writing here correctly where it says, "Unless there is on-street parking available directly abutting a property, the abutting street includes parking on both sides of the street, and there are no adopted plans to remove the on-street parking." It's not an either/or, right? You need to have the parking abutting you directly, and you need to have parking on both stated sides of that street for that street to be eligible, correct?

Sandy: That's how it's written, but you could choose one part, the other part, or both.

Commissioner Sherwood: Thank you.

Commissioner James: Other feedback? His general feeling is, 30,000-foot view, it's important that we come down on a decision point on this. I don't know that there is necessarily a right or wrong answer. I think that the Portland information about ADUs and street parking shows us that there just aren't a lot of accessory dwelling units and it really hasn't impacted them that heavily.

Probably for Springfield, it could be a 5 to 8, 10 plus year issue where this might become a concern. His thinking is we do our best work now without limiting too much the capability of people to exercise this is an option. That's his general feeling. He thinks that if we limit it, make it too limiting, we're going to discourage this is an option. He thinks we got a lot of feedback from the public and lots of folks; they're very interested in this as an option. Springfield is very, very forward-thinking here.

His general feeling is to err on the side of being less restricted, and given a little time, say in two years, how has this played out? How many ADUs have been developed? Are there issues? We're going through a Transportation planning process as well. I think if this moves forward, I'm sure they will be thinking in those terms as well as they work through that process. He thinks probably reasonable but a little less restrictive is better.

Commissioner Landen: He's been everywhere in the city, but he's wondering, first off, even if we just took the whole last paragraph that's before **No. 9**, how much is that really going to shut down? He guesses it's not really going to shut down an awful lot and in comparison, for those of you who have been back east, let's take Boston as your

stereotypical example where walking down the street can be difficult if somebody parks. There's barely room. I don't know that it's a bad idea. Number one, I'm not sure that this really restricts an awful lot. I think it's reasonable.

Commissioner James: Parking on both sides is what you're implicating for?

Commissioner Landen: Yes.

Commissioner James: Would that eliminate the ability for someone to develop an ADU if there was only parking on one side of the street?

Commissioner Landen: Well, Sandy has the conditions in there that talks about. If you don't have this, then you have to provide.

Commissioner James: Yes, on the street, right.

Sandy: Right. Depending on the existing dwelling, if it's a two-car garage and if that garage is set back from the street far enough, then you would have four parking spaces: Two in the garage; two in front, and you wouldn't need to add any on-street parking; or on-site parking to meet the parking requirement.

You're looking at those situations where the garage is either not set back from the street to allow for the parking in the front, or they've converted their garage into something else, or don't have a garage. Those are the homes that they're going to be looking on-street to see if there's any parking available. I can't quantify how many that would be. It's probably possible, but I haven't done it.

Commissioner James: Yes, it's very difficult for me to envision the impact of this. He thinks we're being anecdotal here to say, "Well, this isn't going to impact this very much," or, "this is going to impact this," because we really don't have any empirical evidence to point either direction. Again, he, personally, would err on the side of being a little more lenient. There's always the Type 2 process that is not non-discretionary that someone could go through and they could deal with the parking issue if they had a creative way to deal with it. If you don't have parking on both sides of the street you might have to go through a Type 2 and show how you are going to meet the standard on a street that has parking on one side, is that correct?

Sandy: That's true. That is another—

Commissioner James: A more extensive process.

Sandy: That is another option where you can set a standard. If they don't want to meet that standard, they have an alternative through a Type 2 process that is an option.

Commissioner James: Okay. How do you guys feel about that?

Commissioner Sherwood: He's inclined to go with that.

Commissioner James: You're okay with that?

Commissioner Nelson: Yes.

Commissioner James: As is. What I'm hearing is - as is, parking on both sides.

Commissioner Nelson: Yes.

Sandy: And abutting the lot?

Commissioner James: And abutting, yes.

Sandy: And abutting.

Commissioner James: If that's within the non-discretionary Type 1, if they need to exercise through the planning process discretion, they go through that process, and jump through those hoops, and notify, and do the things they have to do to bring that to fruition. Does that make sense?

Sandy: Yes.

Commissioner James: Okay, No. 9. Now that you have in the code Type 1 and Type 2 manufactured homes listed. Tell me the difference between a Type 1 and a Type 2 manufactured home; because Type 1, you were 2 and 12 - and I know you're proposing 3 and 12 - and Type 2, your 3 and 12. I just need to be clear on the difference between a Type 1 and a Type 2 manufactured home.

Commissioner Vohs: Isn't it a matter of the year of manufacture?

Commissioner James: There's another term that's called out in the code and it's--.

Sandy: If you look at attachment 2 and if you look at the bottom footer, attachment 2, page 21 and 22 of 40; within the document itself, its pages 10 and 11. When you get there, you'll see--

Commissioner James: 21-22 of 40?

Sandy: Yes. On the left-hand side, there is definition of "dwelling, manufactured". That's where you get the year in terms of when it was built, whether it's called a residential trailer, mobile home, or manufactured home. That's based on the federal manufactured standards by year.

Commissioner James: That's the mobile home versus the manufactured home piece? That doesn't really address the Type 1, Type 2 manufactured.

Sandy: When you look below, that first one is Type 1, and it's basically a size difference. A Type 1 is 1,000 square feet or larger and a minimum roof pitch of 3 and 12. Type 2, it had been where it was a minimum of 500 square feet. We're changing that to allow for them to be accessory dwelling units that go down to less than 500 square feet. We're just saying that it's less than 1,000 square feet. If it's more than 1,000, it's a Type 1. If it's less than 1,000, it's a Type 2. That doesn't make any difference so much in what you're doing, but it does make a difference in terms of where we allow certain manufactured homes.

Commissioner James: What you're proposing though is the Type 2 here under C; you would say a minimum roof pitch of 3 and 12.

Sandy: That's correct.

Commissioner James: That's what you're proposing either it would be 3:12 minimum.

Sandy: Correct. The space--

Commissioner James: It's a size difference.

Sandy: Right. The state lot allows us to set higher pitch.

Commissioner James: Now, non-reflective siding, roofing materials, that gets to your point that we're not restricting, we're just saying non-reflective, basically, right? Sandy had changed see the minimum roof pitch of 3 and 12.

Sandy: Correct.

Commissioner James: Depth of 3 feet and this has the entrance requirements. Balcony requirements cannot exceed the height of the primary dwelling unit. All of those things, I think, we're pretty much in agreement with. We had some concerns voiced from the public comment around height, but I think you've dealt with that with this information, and all the setback requirements, and that for storage, a larger screen. The option C would be the discretionary. Any questions about--?

Commissioner Vohs: There's a couple of things that he would like to touch on looking at the material that we received just before phase 1 of our hearing on October the 17th and then integrating that into our most recent report on the subject that we're talking about manufactured homes and movable structures. There is language regarding securing requirements and also foundation requirements. He thinks another issue that is required in a lot of mobile home, manufactured home parks is requirement that towing hitches to be removed. He would like to present for consideration language that the states that towing hitches be removed and/or any towing apparatus at the time of setup.

Commissioner James: We talked about that, I think, but I don't think that was included or encapsulated in the information you brought back, was it?

Sandy: No, I didn't include any language like that. I think I was assuming that if it was placed on a foundation that you'd have to remove it that we can be explicit and include that.

Commissioner Vohs: Well, in a lot of cases where they're not required, people oftentimes skirt to hitch and leave it in place. It's always a question of whether that would be desirable or not.

Commissioner James: What are your thoughts, Commissioners? Yes?

Commissioner Landen: If you took option C on page 4 or 5, he'll be honest; he likes that one just because he thinks that different ADUs are going to fit in different neighborhoods. I don't know if it's legally holds water so Greg and or someone smarter can tell them, saying, "Well, the thing needs to substantially look like a neighborhood. If that's something that holds water legally, I think its good standard because something that's going to go in my neighborhood may not work in Greg's neighborhood or something and neighbors get concerned, again, about setting up something which looks like they'd wished somebody would haul away.

Commissioner James: Well, we're talking about two different issues here. Option C is actually a Type 2 land-use process, all right? That's a discretionary process. Someone who brought forward a Type 2 process would need to notify neighbors within the area and just jump through some hoops to be able to do something other than the prescriptive things that are described above which are non-discretionary.

Commissioner Landen: Under option B?

Commissioner James: That's right. He guess's what we're trying to get to is the non-discretionary piece; would we require them to remove the tongue of the trailer, right? To him, that makes sense. I think you could probably get around that with just the language in about the foundation or [inaudible 00:28:47] your point of view. I think what we're grappling with here is this units not looking like something that's been towed in the backyard or dropped off that they have lost underneath it, right?

Commissioner Nelson: Agree.

Commissioner James: I think that is not the vision that we have for accessory dwelling units within the city. I would concur with that. I think that's a good point, do you agree?

Commissioner Nelson: Yes.

Commissioner James: Does that make sense?

Sandy: Yes.

Sandy: We do have our building official and planning supervisor in the audience if you'd like to address any questions to them or if they have any comments that she would hope that they'll get your attention.

Commissioner James: I'm sure they will.

Commissioner James: Any other issues under No. 9 as far as--? These are things that you've brought forward to answer some of the questions that we had. He thinks they're on board with this with the exception of those items that we've enumerated and maybe in the other direction on item in No. 9.

Commissioner Vohs: There's one other item that he would like to touch on. This is taking back to the issue of windows that we've already discussed at length. He thinks that correction that we've been going in, this is less a restriction on window design, window size, window styles, and so on. They're in the original material. Also in G, there's reference made, a potential language stating that second-story windows facing the nearest side, the rear yard shall be opaque and also that windows shall be 5 feet or more above floor elevation. He thinks considering the direction the Commission has been going that we could re-groove that language as well. The reason is that he feels and thinks the presumption would be that a resident of ADU should have the same options as any other homeowner, and that for the sake of privacy and security, they can simply install curtains or drapes.

Commissioner James: Probably end up with that window requirement, Sandy?

Sandy: What she was trying to do - because we weren't as concerned about aesthetics, it seemed like we are moving away from the aesthetics - she was trying to think about what type of standards would we want to have. Her experience has been that when you're building in an infill situation where you've got your existing single-family neighborhood and then you're adding another structure that the opposition comes from the neighbors that are now, sometimes feeling like they've lost their backyard privacy, especially if you're building a two-story building that's now got residence that can peek over into their yard.

It can even happen with one-story, but that's less frequent because you can have fences. She doesn't know that this came from the Commission, but she is trying to come up with all-- given what I know, what we could use as design standards to present them as options for your consideration, that really addresses, like she said, privacy more than it does aesthetics.

Commissioner James: It's really in dealing with the neighbor rather than accessory dwelling unit, and the primary dwelling. It's dealing with the neighbors and adjacent or to the rear. The setbacks, he went through all of the setback requirements that make sense. This would mostly apply in a situation where you're building a second-story accessory dwelling unit, potentially. Okay? I mean most. You said, yes, I could apply it on a single-story accessory dwelling unit. Would that push that to a Type 2 if there wasn't a fence, you know?

Sandy: The way Sandy has written the standard, it's only for a second-story window it wouldn't apply to the first-story. If you wanted it to apply to first-story, she was trying to find the balance as Commissioner Vohs was saying, we don't have any of those standards for regular single-family homes. You can add an addition on, and we wouldn't be applying any of the standards to an addition. We're making a distinction. She was trying to find a balance between

not upsetting the neighbors, because now, there's a new dwelling unit, but yet, respecting the rights-- Well, what's really the difference between an addition and another dwelling.

Commissioner James: Yes. I think to Sandy's point, personally, he thinks if you were not restricted, if we were just building a family room on a second-story of an existing primary dwelling unit and you would not apply the same requirement to that, I personally think this is too restrictive for ADU's. He thinks we should be fallen a little less restrictive side.

Commissioner Koivula: In the same level, item H, about the balcony, he thinks is also talking about a privacy issue, too. He found that to be too restrictive, that you wouldn't allow a second-story balcony unless it faced a garage screen or alley, but to me, second-story living calls for a balcony or a deck.

Commissioner Vohs: Well, the thought is if you're looking at a two-story ADU, presumably, you have a two-story primary dwelling is a compatible part of the property. If you don't have an issue with a second-story primary dwelling, there shouldn't be any additional issues for the two-story ADU. The only difference would be in the setback and the location on the overall track of land. If you're in a neighborhood with two-story dwellings, then that's an issue, regardless. Besides that, eliminating the language that doesn't preclude anyone from installing opaque windows, it just means those are not required.

Commissioner Sherwood: Question for Sandy. He's just trying to understand the setback requirement for the ADU, the property line, is that any different than the setback requirement between the primary dwelling or an extension of the primary dwelling to two property lines?

Sandy: No, with one exception, and that one exception, she listed in code amendments number 1 on page 1. If you have an alley that-- because we allow garages to be five-feet from that property line. Suppose your alley is on the rear, normally, the rear yard setback is 10 feet, but our code allows a garage to be 5 feet from the alley. She has proposed in the packet, and this is not something we talked about because it came up as she was thinking about all these alley access options, that we would allow the ADU to also be only 5 feet from that alley line rather than having to be 10-feet; but other than that, all of the setbacks would be the same.

Commissioner James: Only if it is a setback from an alley, it would be five feet.

Sandy: Correct.

Commissioner Sherwood: That leads him to ask, is this balcony on the second floor or higher are not permitted within 10 feet of a property line. If the setbacks are already required to be 10 feet, is that the base of the balcony or the extension of the balcony that you're measuring from, because he would be inclined to think that you can have a balcony that close to the property line anyway.

Sandy: She would have to look to our experts behind me, but she thinks that you can allow some projections into the setback area.

Commissioner Sherwood: Understood.

Jim Donovan, Current Development Planning Supervisor: 2-feet into any 5-foot or larger setback.

Commissioner James: What he's hearing is general consensus that G, and H, and 9 should be constructing, is that what I understand?

Commissioner Vohs: [unintelligible 00:38:14].

Commissioner James: He agrees. He thinks Commissioner Vohs brought up some excellent points there, and I think that it makes sense. Certainly, the City Council ultimately will hold hearings and address this, but he thinks from a Planning Commission standpoint, he feels comfortable forwarding that recommendation. He likes the option C as well. He likes that we've included that option.

Commissioner Sherwood: He wants to make sure he understands the intention. Option A, option B, and option C, are before us, to pick a combination of those, if we so chose. A thought he had was that if it's an attached dwelling, they should have option A or C, and if it's a detached dwelling, then they should have all three options. He doesn't think option B should apply for an attached dwelling, because he thinks if an attached dwelling should look like the primary dwelling. He doesn't know if that's already written in there and he read over it, but I think that's a good way to go.

Commissioner James: Okay, you're suggesting that the option A and C would apply only to attached dwellings?

Commissioner Sherwood: Attached.

Commissioner James: -attached, and an option B, and all three options for detached?

Commissioner Sherwood: All three options for detached. So you could do any of them for detached. For attached, you don't have option B.

Kristina: She's trying to keep track so that we can put together our motion that captures this conversation at some point this evening, if you'd like. Option B includes that list that you were just going through. She's a little confused as to option-. Please clarify a little more what-- when you get to consensus, clarify really clearly what standards you want to apply to each, so she can keep track of those.

Commissioner Sherwood: Okay, just to offer a little bit of clarification, option A under part 9 is the ADU to match the primary dwelling. He's saying that an attached dwelling should be required to match the primary dwelling, unless you do a Type II. If you have a detached dwelling, you could go for option A, which once again ADU to match the primary dwelling, or now, you have option B which is ADU to meet clear and objective design standards which is separately matching the dwelling. Option C for Type 2 should also be available.

Commissioner James: Yes, that makes a lot of sense.

Commissioner Koivula: However, under option C he thinks the, "comparable to dwellings in the neighborhood," he's concerned that it should be more be part of option B, and then option C would be the-- if it does not meet declarative objective standards or does not eke that comparable feeling of the neighborhood standard.

Commissioner Sherwood: He thinks the reason the neighborhood can't be abused is because the neighborhood can't be objective, whether it's comparable of the neighborhood. He thinks we want it to be as objective as humanly possible.

Commissioner James: That's right, where B is the clear and objective standard test. We can't include that language of B because it's not part of the objective, right?

Commissioner Koivula: But under option C, are we requiring the ADU to be comparable to dwelling in the neighborhood?

Commissioner James: You'll see that the materials predominantly used in the residential developments and its surrounding neighborhood, if they're going to go through a Type 2 process--

Sandy: Do you want to just say compatible then, "Compatible to residential dwellings in the surrounding neighborhoods," instead of, "materials predominantly used?"

Commissioner Landen: He's not sure if that's that different, is it?

Commissioner Sherwood: He's concerned that if we don't have some standard in option C at all or just say option C Type 2, what are our staff looking for? He thinks we need to provide some sort metric for staff to know why they would approve or Commission why to improve on the topic. If we just say Type 2 in general, then what are these criteria for approval?

Commissioner James: Yes, he thinks there are two pieces to this, "The siding and roofing materials shall be similar to materials predominantly used." Sandy showed us some examples, some ADUs that were pretty cutting edge, that really, were not exactly like the stuff that was there but really lifted the-- he thought they added to the environment.

Sandy: When you look at what you have in option B, there's nothing here other than prohibiting the reflective siding and roofing material. That's the only thing that you are restricting. She's not sure that you're gaining a lot by going to option 3 with the discretionary standard if you're looking at the materials, the aesthetics of it, because she doesn't know that there's anything in option B that would prohibit something.

Commissioner Koivula: He would be entirely comfortable of striking item A under option C and also the first statement, "comparable to dwellings in the neighborhood," and then keeping it to our very capable staff of the determining whether they think that ADU is acceptable as a Type II, looking at whatever design that they have, because he thinks that by adding A and the initial statement under option C, "to be comparable to the dwellings in the neighborhood," you're really removing an awful lot of discretion from the owner or developer. That's how he's reading it.

Commissioner Sherwood: Question for staff, say we were to take that requirement away, and we just said it was a Type II in general, how would staff approach?

Sandy: No, you're correct. If we're saying it's a Type 2 Land-use decision, you still need to have criteria.

Commissioner Sherwood: Right, okay. Maybe he understands not liking those criteria, but he thinks we need to settle on some sort of very general criteria of some sort for staff to review based on.

Commissioner Landen: Personally, he likes it the way it is. He understands that you could do detached, but when you're hooking it onto the house, you don't want it to look like garbage.

Commissioner James: Well, he personally could concur. He thinks that those standards are general enough and there's discretion in that. He doesn't think that limiting to say, "Siding for roofing materials should be similar to--" There's a lot of discretion. You go into any neighborhood, there could be tile-style roofing, there could be shingle-style of roofing, there could be three tab style roofing, and there could be architectural shingle roofing. All you're saying is it needs to fit into the space and that's the discretionary piece. He thinks it's broad enough that we notify, you could go through the process and make sure that everybody is okay, that you can move forward with this design and construction development. He thinks it's broad enough, but it does rein it in a little bit. He likes the reference to the balconies and windows, again, just because it's a nod to that privacy factors but it's still a discretionary piece. There's input to that and there's situational, because it's a Type II. That makes sense? I'm okay with it, the way it is. I guess it's what I'm saying.

Commissioner Vohs: As soon as the option C, A, in the list on siding and roofing materials, what about the factor of windows as well as a consideration, because I know in the last conversation we had, he made a suggestion about having some compatibility between the windows and the attached ADU with a primary structure. It sounded as that wasn't favored by others.

Commissioner James: B talks about entrances, windows, and balconies.

Commissioner Vohs: But not so much that this is talking about the materials rather than location. Another, we're looking at A as siding and roofing materials so it will be similar, is there any question about other "the windows should be similar as well?"

Commissioner Sherwood: Are you talking about option A?

Commissioner Vohs: Option C under the option A. C--

Commissioner Sherwood: -of the C part A, all right.

Commissioner Vohs: If you want similarity with the windows would be part of the consideration as well along the siding and roofing material.

Commissioner Landen: He doesn't know that it would be openly restricted to-

Commissioner Vohs: Again, similar as a very loose unrestricted term, that latitude in that.

Commissioner James: Yes, and option A, it's very clear that it matches-

Commissioner Landen: The house.

Commissioner James: -roof pitch, and the windows match. To say, "siding, roofing, and windows shall be similar to-"
_"

Commissioner Vohs: Well, that's one of the elements that you considered and looking at compatibility.

Commissioner James: He thinks that's probably reasonable as well, because there's discretion there.

Sandy: If you're talking about materials, I'm wondering if you want to make-- because she doesn't know that the materials of the window itself vary that much or whether they could be a little paper transparent, whatever, but she thinks it's really the trim, I think, that just really--

Commissioner Vohs: The issue that we talked about before was window sizes because of the fact that if you have a large primary dwelling with small windows and then you're looking at large windows on an ADU that becomes an issue with compatibility. Well then, the question would be, do we want that to be approved or something that we should address in some way?

Commissioner Sherwood: Similar window dimensions--.

Commissioner Vohs: Similar-

Commissioner Sherwood: They were on option C.

Commissioner Nelson: Compatibility, again, it's a loose term.

Commissioner James: He would leave it loose. He just like siding, roofing materials, and windows. He thinks that's broad. He thinks that windows are windows, and window trim, and the look. Remember, this is a discretionary process, so He thinks broader is better--especially in option C. Frame it but leave it loose enough, because they're going to have to go through Type II process, but he would include windows in A. I think that's a really good point.

Kristina: Asked if she could interrupt and ask a clarifying question of the commission?

Commissioner James: You bet.

Kristina: That would be, you would change it to a siding and roofing materials, and, "windows shall be similar?"

Commissioner James: Yes.

Kristina: You would keep--?

Commissioner James: Siding, roofing materials, and windows.

Commissioner Landen: -and windows.

Kristina: Okay. Then, you would keep the, "similar to the materials predominately used on residential dwellings," or would you change that to, "shall be compatible with residential dwellings in the surrounding neighborhood?"

Commissioner Vohs: Or you could just say similar to the primary residential dwelling.

Kristina: I think that you were—

Commissioner James: No, no. He thinks we're talking about the surrounding neighborhood, and this is broader than that. A is the non-discretionary connected-- C would apply that either a connected or not.

Sandy: She thinks what she is hearing the question to be, "Are you wanting the windows to be comparable to the primary dwelling or to the neighborhood?"

Commissioner James: Neighborhood.

Commissioner Landen: Neighborhood, it's looser.

Kristina: She's actually wondering on whether you want to keep language, "shall be similar to what's predominately used in the neighborhood," or do you want to use the word, "compatible," because I think that there are different scopes of each of those terms. It sounded like you had said you wanted to keep, "similar to the materials or the design predominately used in the neighborhood," but then your conversation is talking a lot about compatibility. That's why she just want to make sure.

Commissioner James: Compatible is broader. Jim?

Jim Donovan: A friendly insight from the implementation of the code, if we're trying to get at doors, windows, and balconies, he would suggest you consider, perhaps, the use of the word, "designed and located with consideration on the privacy of residential neighbors," because isn't that really your concern? He would stay with Commissioner's direction on keeping A just the way it is, because they both allow us then to have someone come in with photographs of the neighborhood and say, "Here's a similar window," where the roof is or the materials are the same as two or three other houses on the same block. That gives us some sort of empirical data to use in that decision making process, so we're not just inventing findings. He likes A exactly the way it is, and B is where he thinks we could get to the concern of maybe you don't want a full wall to be a window on an ADU in the backyard adjacent to the neighbors. He would just go with, "Entrances, windows, and balconies shall be designed and located with consideration of the privacy."

Greg Mott, Current Development Manager: Can we also consider maybe, either coming up with a different word and just deleting "predominately", because when you mentioned tile roof, for example. If you're in the neighborhood and there's one house that has a tile roof, you could not argue that tile roofs are predominant here. If there's no problem with a second house having a tile roof, then you could just drop that and just say,-

Commissioner James: -"similar to materials used on residential property on the side."

Commissioner James: Do you have that, Kristina?

Kristina: Yes.

Commissioner Sherwood: With the part B mentioning windows for the sake of privacy, are all of our concerns addressed for weird looking windows? Does privacy cover all of our concerns for those-- There was originally that concern of windows that were really, really, really long and narrow that looked like they would on a mobile home. He is personally in favor of being less restrictive on windows, but he just want to make sure we're covering all our bases and the privacy does cover all our bases.

Commissioner James: Look, what he heard Jim say was, "You would not be in favor of including windows in A." Is that what I heard you say to leave it the same?

Jim Donovan: He guesses it was not a matter of personal preference on A, but I thought A met the intent of the discussion when Chair said, "We like it the way it is," with, of course, Mr. Mott's and the council's recommendation on the use of the word predominately. He thought, in listening to the Commissions concerns, they were met by that slightly modified use of A, and at B, I'm not being aware of some of the aesthetic as to the shape of the window and everything, he would concur with the commissioners. He doesn't think it's the matter of aesthetics here with regard to that. He just think that designed and located with consideration to the privacy of residential neighbors could get at the sizes, could get at the materials, could get at staff possibly requiring some opacity in the windows. He thought that got at what the neighborhood concern that you were citing matters to primary issue.

Commissioner James: What he heard Jim say, is that it's broad enough there that it could give you latitude to be able to apply that in a way--

Jim Donovan: It's a double-edge sword there. There's a healthy amount of discretion in that and it allows for a lot of different proposals. Staff's well-versed in building a logic train and making findings of conclusions based on this level of direction should council then implement your recommendation.

Commissioner James: What he's hearing is A stands removing the word 'predominately' and B stands with the revision that Jim had indicated saying, "considering privacy," or he truncated that a little bit.

Commissioner Vohs: His point was the considerations for design and the consideration for privacy are two different things.

Commissioner James: They are.

Commissioner Vohs: That's why he brought that up.

Commissioner James: They are, but what he heard Joe Donovan say was that they would have the latitude within the privacy consideration because we listed windows there for window size, window opacity, and some of those elements as well.

Commissioner Landen: You're just talking about C at this point, is that correct?

Commissioner James: I'm sorry. Just about C.

Kristina: If I could interject? If the commission does not care about aesthetics then she thinks she could agree legally on appeal that Jim would be correct. There are, she thinks, some gaps that you might want to consider. A cupola for an extremely small window would meet the criteria to consider neighbor's privacy but may not be desirable from an

aesthetic standpoint. There was also the concern regarding odd shapes of windows that may not be directly related to a privacy issue.

Commissioner Vohs: That's the point I was making.

Commissioner Sherwood: What he was asking was whether it covered our concerns and he didn't feel that it covered Commissioner Vohs concerns. Along with that, he thinks for instance, you take a potential ADU that's street-facing and you make the entire front glass. He knows it sounds a bit silly, but we did see one in the examples that we saw a couple of weeks ago where they had this garage door and it was mostly glass. If that glass wall was street-facing, that would meet the privacy of residential neighbors requirement, He thinks, but it would be very, very much of an eyesore, potentially, for other people that didn't feel that that fit in their community. He thinks there is a concern if we're concerned with siding and roofing materials looking like the other houses, then we should be concerned about people putting triangle windows in the front of their house.

Commissioner James: He's hearing consensus moving toward-- I'm hearing some disagreement with-- but I heard the Legal Counsel say was if we are concerned about the size and aesthetics of the windows, we should include them in A. He is opened to that. He doesn't have any problem with that.

David Bowlsby Building Official: This has not come to my attention until we just started talking about the windows in creating obscuring or opaque windows. While we can come to a requirement or restriction to this document of Building Codes, which we're going to apply to this, say that there is a requirement for natural light in habitable spaces and you can't have anything less unobscured than eight percent of the floor area of the habitable space. This is why you see beyond privacy is opaque or some kind of a light limiting or view shield on windows that you see in bathrooms, for example, but you don't see it anywhere else. Limiting the size of the windows can run into a little bit of a problem with the Building Code requirements for the windows. The shape is not an issue; it's just the total area, that's for the natural light requirement in the Building Code. That's not just in the current residential structural code, but it's also language of being adopted into the small house code that's Building Codes that are just coming out, so it will be in both places.

Commissioner James: Okay, excellent. He doesn't think we were talking necessarily about limiting the size of the windows, especially under option C, but rather that there's some consideration given for similar materials of residential dwelling units in the surrounding neighborhoods. The inclusion of windows in that A is fine.

Commissioner Koivula: Would like to thank you for your presentation there on the windows and also point out that the Fire Code requires certain types of windows particularly in bedrooms. Maybe you are going to have a bedroom and that's going to have a requirement to have a window of a certain size for emergency exit.

David Bowlsby: Asked to add one more thing. You're correct about the egress window requirements. Where people are going to want to add an ADU to an existing structure, the structure predominantly built under a previous code that may not have the same requirements and the requirement for the size of the window required for emergency egress for a bedroom maybe with a larger than any of the windows in the existing structure. A little bit dimensions issue right there.

Sandy: She has a proposal for A that agreed "siding and roofing materials and windows shall be similar to those used under residential dwellings in the surrounding neighborhood".

Commissioner James: He likes siding, roofing materials and windows. It reads better that way.

Commissioner Vohs: and leaving out the predominant.

Commissioner James: and leaving out the predominant.

Sandy: and the reference to materials again, so it says "shall be similar to those used on residential".

Kristina: She would recommend keeping the extra "and designed with consideration on privacy and residential" under part B as proposed by Jim. She thinks that gives you additional opacity, the ability to make other compromises under discretionary criteria to account for privacy other than the physical location.

Commissioner James: Yes, I agree with that.

Commissioner Sherwood: What was mentioned about window sizes and fire code and older houses brought to my attention that, not in option C but in option A, where you match your primary dwelling, would that create issue with, "The window shall match those of the primary dwelling in terms of proportion and orientations", he doesn't know if that creates a big problem, but if it's the case, that can't be done for the fire egress issue, that would force this person into option C Type 2.

Commissioner James: Well, he thinks you could add to D, "or in alignment with current building codes," right? Then, what you're doing is you're saying, "You got to try to match, but if there's a code that says this is in a dwelling unit, you have to be able to get out of the window and it has to be a certain size or type, then the building code would override this," right?

David Bowsby: Correct.

Commissioner Koivula: Could you perhaps add in the description to an accessory dwelling unit that, "It shall meet current Building Codes"?

Greg Mott: You don't really need to do that, they have to meet all Building Codes.

Commissioner James: That's a given. Yes, they have.

Commissioner Koivula: It will keep you from having to mention it every time you need the mention it.

Commissioner Sherwood: He's not worried about so much the person not knowing that they need to match it so much as he's worried about A still being an option for somebody that's in that situation.

Commissioner James: Well, he thinks it would. This is a non-discretionary; A is non-discretionary process, right? If we put that in there, then that would still be a non-discretionary process, because when they came in with their plans, the inspector is going to say, "Well, you want this type of window here to match the existing dwelling unit, but in this particular instance, it's got to be this size to meet this requirement."

Commissioner Sherwood: I'm in agreement with the language you proposed, a minute ago.

Commissioner James: Okay. Did you catch that, Kristina?

Kristina: Where would you add that language? Would you add it in--?

Commissioner James: -in A, option A, D, or it talks about, "Windows shall match those of the primary dwelling unit in terms of proportion, height with ratio and orientation." Then, say something in terms of, "and meet current Building Code for egress," or would you mean in vaguer than that? Just say,-

Commissioner Vohs: "consistent with current building codes."

Kristina: She would just propose that-- because there could theoretically be finished materials or conditions or it could be other conditions with the current dwelling that-- I'm not consistent with the current Building Code. She suggested at least just put in some kind of language that says, "Except as required to meet the current Building or

Fire Code, attached Accessory Dwelling Units must meet the following standards under this Type I procedure," and then you list them all out. That would be a catch all that would cover any proposed Building Code change which could be siding related and/or—

Commissioner Landen: You're talking about add to option A, B.

Kristina: Yes, you'll need a text that leads into each of these options, anyway that defines where they can be used. If you have that catch all for the Building Code up front, then that would-- I think there's already that code language and authority, but that would make it really clear and suggest windows that you wanted to take that direction.

Commissioner James: Okay. Does that tie up the ends in getting something prepared for tonight to forward on?

Kristina: She thinks that the Planning Commission can make a recommendation to council to—the Commission will be able to move to make a recommendation to Council to approve the quote amendments as included in the exhibit. Then list out subject to the additional revisions and then staff can incorporate those revisions on the form that goes to Council.

Commissioner James: That makes sense to staff?

Kristina: She thinks both will formalize those-- you can make the motion verbally tonight, and then we'll formalize them in writing before they sign their order.

Commissioner James: Does the Commission understand what Kristina is saying is they will make the reference to the code where it needs to be referenced so that those elements like the window size and in case of egress or those types of things will tie together for us, right? That makes sense? It does to me. It sounds like direction. Okay?
Good discussion tonight, you guys. We're making some progress here. Staff, by the way, Sandy, you have done an amazing job with this process. Amazing, you and your support have done an incredible, incredible job. You came prepared, you've outreached to the community, and the Commission had good- feedback at the hearing. The process has been a good process. Thank you for the hard work that you guys give. I've seen this you bring this together and he knows it's been huge so—

Commissioner Vohs: I'll second to that. Meeting after meeting after meeting, there are still a couple of steps yet to go, but you see this revision after revision, Sandy should definitely be commended.

Commissioner Sherwood: This memo was really helpful today. It put together extremely well, especially with the options. He felt like that Sandy set the Commission up for success.

Commissioner Landen: I agree.

Commissioner James: Are there other issues that we have?

Commissioner Koivula: He was just going to say regarding the outlay paving in item 7, that's a great explanation from Sandy and he concur for all the reasons today you mentioned. I concur with your conclusion on the elevated--

Commissioner James: Okay. At this time-- Kristina?

Kristina: Do you want to take a three-minute break and I can draft down to the changes?

Commissioner James: Yes, let's do that. We'll take a little break

Commissioner Vohs: Asked Kristina if she has a record of all suggestions that the Commission made in the memo?

Kristina: She doesn't think that for a motion that suffices under Robert's rules of order which governs our meetings. I think we need to have a specific direction.

Commissioner James: Okay, we will take a break until 7:04 PM.

BREAK 7:04 PM

RECONVENED AT 7:11 PM

Commissioner Greg James: We have before us amendments to the Springfield Development Code for Accessory Dwelling Units. It might be best if I just go ahead and make a motion tonight if that would be at your discretion.

Commissioner James Moves to forward recommendation to the City Council to Approve. Journal 811-17-000057-TYP4 Amendments to the Springfield Development Code regarding Accessory Dwelling Units within the City of Springfield city limits, as proposed in exhibit B with the additional amendments:

Proposed section 5.5-125.F is replaced with the text in paragraph 8 of the Planning Commission memo attached to the AIS.

Secondly further amendment to section 5.5-125 to provide a Type II review process and standards to meet vehicle parking requirements, with the change to finding on policy 2.6 to remove the words "abutting the property".

Third, further amend proposed section 5.5-130 to implement options 9A, 9B, and 9C in the Planning Commission memo with the following changes: under 9A add, "except as required to meet the Building Code or Fire Code"; Under 9B, add a replacement to item A, that the tongue and towing apparatus be removed, change item C to minimum roof pitch of 3 to 12, remove item G and H; under option C, change item A to "siding, roofing materials, and windows shall be similar to those used on residential dwellings in the surrounding neighborhood". Change item B to "entrances, windows and balconies shall be located and designed with consideration for the privacy of residential neighbors."

Allow attached ADUs to meet option 9A or 9C and detached ADUs to meet options 9A, 9B or 9C.

Fourth, Amend the following findings to be consistent with Planning Commission's discussion and recommendations. Finding for policy A13; Finding for ORS 197.307; and finding for OAR 660.008.0015.

Fifth, amend 3.2-235 to reflect that Type II manufactured dwellings may be used as ADUs.

Finally, amend 6.1-110 definition for Type II manufactured dwellings to change the minimum roof pitch to 3 in 12.

Commissioner James Motion seconded by Commissioner Vohs to forward the recommendation as amended to the City Council. All those in favor signify by saying, "Aye". 7:0:0 Motion Carries

Sandy Belson: She has two clarifications on that motion. When you're talking about option B item A, she thinks it's "in addition to", in terms of the tongue and towing apparatus being removed, that that's in addition to the foundation requirement; she believes is what the Commission wanted.

Commissioner James: Under 9B add a requirement to item A that the tongue and towing apparatus be removed.

Sandy Belson: And then the-- finding is ORS 197 and I heard 187.

Commissioner James: Okay, revise to 197, perfect staff.

Commissioner Landen: He thought he heard A, B, you know, 9A, 9B, 9C all three of those is pertaining to attached and I thought that those were the detached?

Commissioner James: No, what the motion is that it will allow attached ADUs to meet option 9A or 9C. And detached ADUs to meet options 9A, 9B or 9C.

Commissioner Landen: Thank you very much.

Commissioner James: Do I hear a second again? Commissioner James Motion seconded by Commissioner Vohs to forward the recommendation as amended to the City Council. All those in favor signify by saying, "Aye".
6:0:1 Motion Carries with Commissioner Dunn Absent

Commissioner James: Opposed? Motion carries unanimously, with one person absent.

REPORT OF COUNCIL MEETING:

Commissioner Landen gave an update to the Commissioners regarding November 6, 2017 City Council Meeting

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Minutes Recorder – Brenda Jones

Greg James
Planning Commission Chair

Attest:

Brenda Jones
Planning Secretary

AGENDA ITEM SUMMARY

Meeting Date: 1/17/2018
Meeting Type: Regular Meeting
Staff Contact/Dept.: Andy Limbird, DPW
Staff Phone No: 541-726-3784
Estimated Time: 30 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: PeaceHealth Guest House

ACTION REQUESTED: Conduct a public hearing and deliberations on a proposed Discretionary Use application, and approve, approve with amendments, or deny a proposal by PeaceHealth to construct a residential guest house near the Sacred Heart Medical Center at RiverBend.

ISSUE STATEMENT: This proposed land use was subject to a previous Formal Interpretation (TYP217-00004 Attachment 5). The outcome of that decision was that the use was similar to a hostel or residential facility. When these uses are proposed to be sited in MDR zoning as is this proposal, they are subject to Discretionary Use and Site Plan Review approval.

ATTACHMENTS:

1. Staff Report and Recommendation for Discretionary Use
2. Staff Report and Recommended Conditions of Approval for Site Plan Review
3. Application and Exhibits
4. Site Map
5. Staff Report and Decision – Formal Interpretation TYP217-00004
6. PC Final Order – Discretionary Use Request 811-17-000143-TYP3
7. PC Final Order – Site Plan Review Application 811-17-000155-TYP2

DISCUSSION: The residential guest house is proposed to be located on the north side of St Joseph Place just east of the intersection with Martin Luther King Jr. Parkway. The property is addressed as 116 St Joseph Place (Assessor's Map 17-03-22-00, Tax Lots 100 & 200).

The subject property is owned by PeaceHealth and is currently vacant. The subject site is zoned Medium Density Residential (MDR) in accordance with the Springfield Zoning Map and it lies outside the Riverbend Master Plan and Nodal Development area. Properties in the immediate vicinity are zoned Low Density Residential (LDR), MDR, Mixed Use Commercial (MUC), Campus Industrial (CI) and Medical Services (MS) (See Attachment 1, Figure 1).

The proposed one-story guest house is intended to provide short-term accommodations for families of patients at the PeaceHealth Riverbend Hospital. A formal interpretation was previously issued for the proposed guest house, which likened it to a hostel or residential facility with communal kitchen and living spaces (Attachment 5). Hostels are allowable in the MDR District subject to the Discretionary Use standards of SDC 5.9-100.

Staff has prepared a staff report and recommendation based on the review criteria found in SDC Section 5.9-120 (Attachment 1). The findings presented by staff provide a substantive basis for approving, with conditions, a residential guest house at the subject property. Staff has also prepared a staff report with recommended conditions of approval for the Site Plan Review application, which is based on the review criteria found in SDC Section 5.17-125 (Attachment 2).

The public hearing for the proposal is scheduled for January 17, 2018. Public notification for this development proposal was sent to residents and property owners within 300 feet of the property on December 19, 2017 and the site was posted with a public hearing notice on January 3, 2018. Staff has not received any telephone calls or written comments pertaining to this development proposal.

**Staff Report and Findings
Springfield Planning Commission
Discretionary Use Request (PeaceHealth)**

Hearing Date: January 17, 2018

Case Number: 811-17-000143-TYP3

Applicant: Scott Tang, PeaceHealth

Site: Vacant parcel addressed as 116 St Joseph Place (Map 17-03-22-00, Tax Lots 100 & 200)

Request

The application was submitted on October 27, 2017 and the public hearing on the matter of the Discretionary Use request is scheduled for January 17, 2018. The City conducted a Development Review Committee meeting on the Discretionary Use request on December 19, 2017.

Site Information/Background

The property that is the subject of the Discretionary Use request is located on the north side of St Joseph Place just east of the intersection with Martin Luther King Jr. Parkway. The property is currently vacant, is zoned Medium Density Residential (MDR), and has been municipally addressed as 116 St Joseph Place. The applicant is proposing to construct a single story, 20-unit residential guest house for families of patients at the nearby Riverbend Hospital. The guest house would provide short-term accommodations, outdoor amenity space, and communal living, kitchen, and eating areas. Because the proposed guest house is located on a property zoned for multi-family residential development, the applicant has demonstrated that the project conforms with the multi-unit design standards of SDC 3.2-240 (see accompanying Site Plan Review – Attachment 3).

The facility has frontage on St Joseph Place along the southern boundary and frontage on Baldy View Lane along the eastern edge of the site. A narrow peninsula of property extends to the north and has frontage on Deadmond Ferry Road. The applicant has submitted a Site Plan Review application under separate cover (Case 811-17-000155-TYP2) for a 20-unit residential guest house on the western half of the property. The applicant obtained a Formal Interpretation for the guest house pursuant to Case TYP217-00014 (Attachment 5). That interpretation determined that the use is similar to a hostel or residential facility and therefore required Discretionary Use and Site Plan Review approval if located in MDR zoning.

Notification and Written Comments

Notification of the January 17, 2018 public hearing was sent to all property owners and residents within 300 feet of the site on December 19, 2017. Notification was also published in the legal notices section of *The Register Guard* on January 2 and 9, 2018. Public hearing notices were posted in the following public locations on or before January 3, 2018: the subject property, the City's webpage, the digital display in the Development & Public Works office, and the City Hall lobby.

Public notification was also sent to all property owners and residents within 300 feet of the site on November 29, 2017 for the companion Site Plan Review application submitted under separate cover (Case 811-17-000155-TYP2).

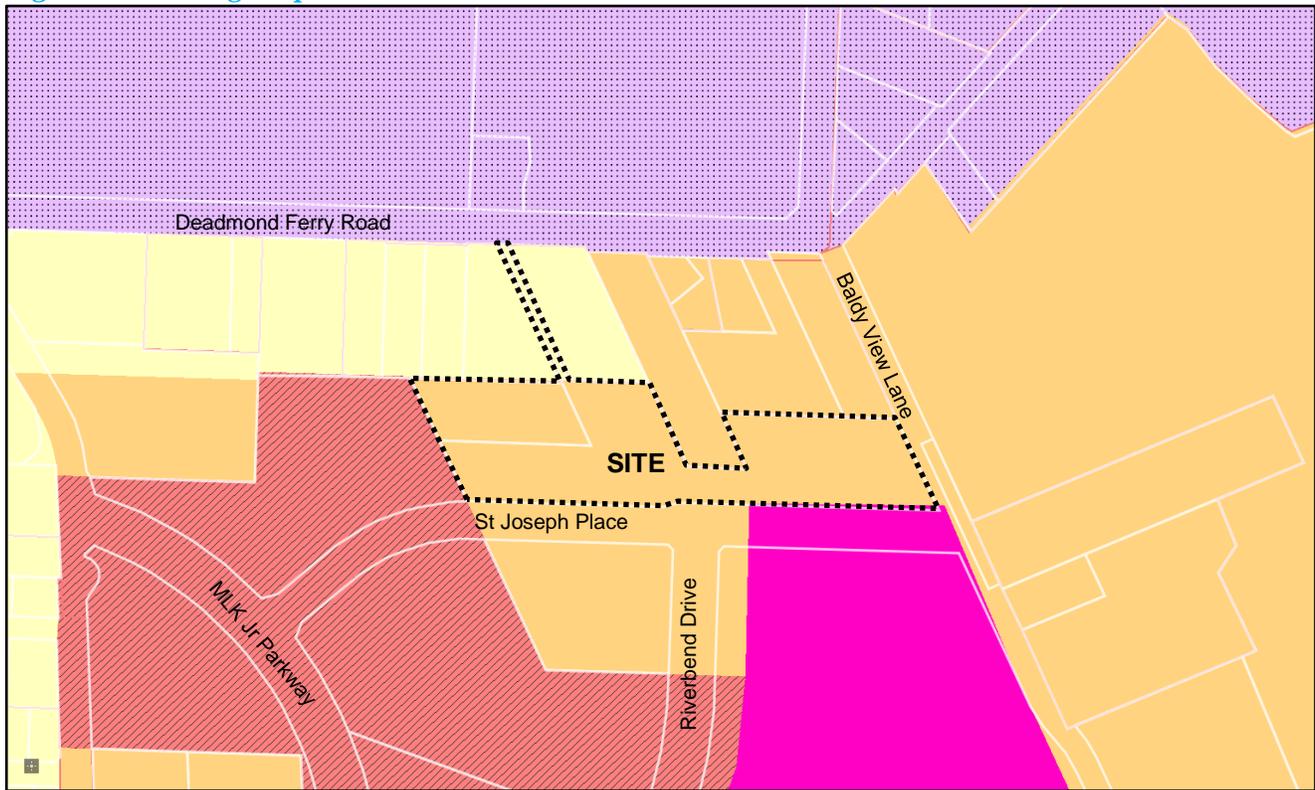
Photo 1 – Site Air Photo



Photo 2 – Magnified Aerial View



Figure 1 – Zoning Map Extract



Zoning Map Legend

 Low Density Residential (LDR)	 Mixed Use Commercial (MUC)
 Medium Density Residential (MDR)	 Medical Services (MS)
 Campus Industrial (CI)	

Criteria of Approval

Section 5.9-100 of the SDC contains the criteria of approval for the decision maker to utilize during review of Discretionary Use requests; those criteria are:

SDC 5.9-120 CRITERIA

- A. *The proposed use conforms with applicable:*
 - 1. *Provisions of the Metro Plan;*
 - 2. *Refinement plans;*
 - 3. *Plan District standards;*
 - 4. *Conceptual Development Plans or*
 - 5. *Specific Development Standards in this Code;*

- B. The site under consideration is suitable for the proposed use, considering:*
- 1. The location, size, design and operating characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable);*
 - 2. Adequate and safe circulation exists for vehicular access to and from the proposed site, and on-site circulation and emergency response as well as pedestrian, bicycle and transit circulation;*
 - 3. The natural and physical features of the site, including but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas and wooded areas shall be adequately considered in the project design; and*
 - 4. Adequate public facilities and services are available, including but not limited to, utilities, streets, storm drainage facilities, sanitary sewer and other public infrastructure.*
- C. Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:*
- 1. Application of other Code standards (including, but not limited to: buffering from less intensive uses and increased setbacks);*
 - 2. Site Plan Review approval conditions, where applicable;*
 - 3. Other approval conditions that may be required by the Approval Authority; and/or*
 - 4. A proposal by the applicant that meets or exceeds the cited Code standards and/or approval conditions.*
- D. Applicable Discretionary Use criteria in other Sections of this Code:*
- 1. Wireless telecommunications systems facilities requiring Discretionary Use approval are exempt from Subsections A-C above, but shall comply with the approval criteria specified in Section 4.3-145.*
 - 2. Alternative design standards for multifamily development are exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 3.2-245*
 - 3. Fences requiring Discretionary Use approval are exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 4.4-115.C.*
 - 4. The siting of public elementary, middle and high schools requiring Discretionary Use approval is exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 4.7-195.*

Proposed Findings In Support of Discretionary Use Approval

Criterion: Discretionary Use criteria of approval:

A. The proposed use conforms with applicable;

1. Provisions of the *Metro Plan*;

Finding: The property is currently zoned and designated Medium Density Residential (MDR) in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. The applicant is not proposing to change the current zoning or designation for the subject site.

Conclusion: The request meets this criterion.

2. Refinement plans;

Finding: The subject site is within the adopted *Gateway Refinement Plan* area of Springfield. The Refinement Plan designation and zoning are consistent with the *Metro Plan* designation for the property, and the applicant is not proposing to change the zoning or comprehensive plan designation for the site.

Conclusion: The request meets this criterion.

3. Plan District standards;

Finding: To address the land use approval requirements for a residential guest house in the MDR District, the applicant has submitted for Discretionary Use approval (811-17-000143-TYP3). A Type II Site Plan Review application also has been submitted under separate cover (811-17-000155-TYP2), and is subject to review and approval as a Director's Decision pending the determination of a Discretionary Use permit.

Conclusion: The request meets this criterion.

4. Conceptual Development Plans or

Finding: The applicant's submittal states that the site is within the McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan adopted in 1994. However, that Conceptual Development Plan was superseded by amendments to the *Gateway Refinement Plan* in Ordinance 6109, adopted January 10, 2005, and the subsequent approval of the *Riverbend Master Plan* adopted on June 19, 2006. Therefore, no Conceptual Development Plan is currently applicable to the subject site.

Conclusion: This criterion is not applicable to this request.

5. Specific Development Standards in this Code;

Finding: Residential facilities for more than 15 residents and hostels are listed uses in the Medium- Density Residential districts, subject to additional land use approvals. This type

of facility requires Site Plan Review approval and is subject to special development standards listed in SDC 4.7-155.

Finding: Hostels are a listed use in the MDR District subject to Discretionary Use approval.

Finding: The applicant obtained approval for a Formal Interpretation pursuant to Planning Action TYP217-00014 (Attachment 5). The Formal Interpretation determined that the proposed 20-unit guest house has characteristics of a residential facility and a hostel, in that accommodations are provided along with communal living, kitchen, and eating areas. The proposed guest house differs from a commercial hotel because rooms are not offered at market rates to the general public. Instead, the accommodations are provided to families of patients at the Sacred Heart Medical Center who meet criteria established by PeaceHealth.

Finding: Should the Planning Commission approve this Discretionary Use request, the applicant will need to obtain approval for the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2). Staff advises that the specific development standards of the Medium Density Residential District (SDC Section 3.2-215) and Multi-Unit Design Standards (SDC Section 3.2-240) need to be addressed through the Site Plan Review approval.

Conclusion: The proposal meets this criterion.

B. The site under consideration is suitable for the proposed use, considering:

1. The location, size, design and operating characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable);

Finding: The property requested for Discretionary Use approval is two adjoining residential parcels that comprise approximately 4.59 acres in total site area. The single-story building and site improvements are proposed on the western one-half (approximately) of the property. The size of the property, available area for creating off-street parking and site landscaping, and its location adjacent to a developed urban transportation network should adequately accommodate the proposed use.

Finding: The property requested for Discretionary Use approval is zoned and designated MDR and is close to the Sacred Heart Medical Center and vacant properties zoned for future Mixed Use Commercial development. Staff observes that the proposed guest house is within a transitional area between the hospital campus and other single family residential dwellings, a specialty clinic, and a memory care facility to the west and north. Campus Industrial uses including the PeaceHealth laboratories are located north of the subject site along Deadmond Ferry Road.

Finding: Constructing and operating a 20-unit residential facility on the subject site is not expected to generate any type of prolonged, significant adverse impact to the neighborhood, such as glare, dust, noise, emissions or vibrations. It is expected there would be occasional daytime noise and activity during construction of the facility. However, this should be of

relatively short duration and comparable with the construction activities associated with the nearby memory care facility on Game Farm Road.

Finding: The proposed residential guest house is to be developed with off-street parking spaces to prevent congestion on the fronting public street (St Joseph Place).

Conclusion: As described herein and in the Site Plan Review submitted for approval under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

2. Adequate and safe circulation exists for vehicular access to and from the proposed site, and on-site circulation and emergency response as well as pedestrian, bicycle and transit circulation;

Finding: The site has frontage on St. Joseph Place, which is classified as a minor collector street in the City's transportation network. Safe and efficient access to and from the site can be provided via the public street system and a proposed driveway at the intersection of St Joseph Place and Riverbend Drive.

Finding: Regular and frequent Lane Transit District bus service (Riverbend/Gateway EmX) is available to serve the proposed development site. The nearest transit stop is along Riverbend Drive just south of the intersection with St Joseph Place.

Finding: There is an existing pedestrian walkway that runs through the subject site, connecting Deadmond Ferry Road with St Joseph Place. The applicant is proposing to reconfigure the existing walkway alignment so that it runs along the northern edge of the entrance driveway, and to provide a formal crosswalk connection at the intersection of St Joseph Place and Riverbend Drive.

Conclusion: The proposal meets this criterion and provides a safer and more efficient pedestrian access to and through the site.

3. The natural and physical features of the site, including but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas and wooded areas shall be adequately considered in the project design; and

Finding: There are no delineated wetlands or riparian areas on the site that warrant protection.

Finding: A portion of the property lies within the mapped 100-year flood hazard area of the McKenzie River. Most of the area proposed for development is outside the mapped flood hazard area, but is part of the same overall parent parcel. Therefore, prior to or concurrent with approval of a Final Site Plan for the guest house facility, the applicant will need to obtain a Floodplain Overlay District (FPO) permit.

Finding: Staff advises that the applicant has submitted a Floodplain Overlay District permit application under separate cover (Case 811-17-000144-TYP1). Issuance of the Floodplain Overlay District permit will be required before any construction can occur on the site.

Finding: Staff observes that mature trees are located within the property, and these will require removal prior to site development. In accordance with provisions of the City's Development Code (Section 5.19-100), up to five trees at least 5-inches in diameter or larger can be removed from a property in any 12-month period. Removal of more than five qualifying trees would require the applicant to obtain a Tree Felling Permit.

Finding: The applicant has submitted a Tree Felling Permit application under separate cover (Case 811-17-000142-TYP2). Issuance of the Tree Felling Permit will be required before any construction can occur on the site.

Finding: There are no other natural features on the site that warrant protection.

Conclusion: As described herein and in the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

4. Adequate public facilities and services are available, including but not limited to, utilities, streets, storm drainage facilities, sanitary sewer and other public infrastructure.

Finding: The site is inside the Springfield City limits so urban sanitary sewer, water, and stormwater services are available to serve the property along the public street frontage. The applicant is proposing to manage a portion of the stormwater runoff on the site and to direct excess drainage to the public stormwater system that runs along the western edge of the subject property.

Finding: The property has frontage on a developed public street and no additional street improvements are warranted along the St Joseph Place frontage of the site.

Finding: The City's Conceptual Street Map contemplates a future extension of Riverbend Drive north and northeast of its current terminus to an intersection with Deadmond Ferry Road. To accommodate a potential extension of Riverbend Drive, the applicant is proposing to create an easement for future right-of-way dedication across the subject property.

Conclusion: As described herein and in the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

C. Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:

1. Application of other Code standards (including, but not limited to: buffering from less intensive uses and increased setbacks);

Finding: The site abuts existing Low Density Residential (LDR) properties containing single family dwellings along the northern boundary. The applicant is proposing to construct a single-story, 20-unit guest house facility with outdoor amenity space, perimeter screening fencing and landscaping. The proposed guest house is designed and intended to be residential in nature and appearance. The applicant's Site Plan Review submittal incorporates elements of the Multi-Unit Design Standards found in SDC 3.2-240.

Finding: The Medium Density Residential zoning requires increased rear yard setbacks where the property abuts Low Density Residential zoning. Application of the development setbacks is reviewed through the accompanying Site Plan Review submittal (Case 811-17-000155-TYP2).

Finding: The applicant's site plan proposes to locate the main entrance driveway with circular drop-off area and parking lot along the southern edge of the site, thereby increasing the separation distance for traffic and noise generation activities from nearby single-family dwellings.

Finding: The proposed building is located between existing single-family residential dwellings and the multi-story Sacred Heart Medical Center campus to the southeast. Future multi-story mixed use commercial development will occur on vacant land on the south side of St Joseph Place, across from the subject site. Staff observes that the proposed building height, design and overall size provides a buffer and transitional development between the hospital campus and existing single-family dwellings to the north.

Finding: The proposed building will need to meet the solar setback requirements of SDC 3.2-225. Compliance with solar setback requirements will be determined through the Site Plan Review and Building Permit process.

Finding: In accordance with provisions of the adopted *Metro Plan*, residential facilities provide an important service to the community, and are designed and intended to be highly compatible with other residential land uses. Therefore, no additional buffering or separation requirements are made a part of this decision.

Conclusion: As described herein and in the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

2. Site Plan Review approval conditions, where applicable;

Finding: The applicant will be required to satisfy the conditions of approval for this Discretionary Use Request, if any, and the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) prior to obtaining Final Site Plan approval and building permits for this project.

Finding: The Site Plan Review application and decision (Case 811-17-000155-TYP2) is hereby made a part of the record for this decision by reference.

Conclusion: As described herein and in the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

3. Other approval conditions that may be required by the Approval Authority; and/or

Finding: Staff is not recommending any conditions of Discretionary Use approval. Recommended conditions as may be required to address specific site development issues will be described in the Site Plan Review approval (Case 811-17-000155-TYP2).

Finding: Staff advises that additional conditions of approval arising from the accompanying Tree Felling Permit (Case 811-17-000142-TYP2) and Floodplain Overlay District Permit (Case 811-17-000144-TYP1) may be required to address specific, technical issues pertaining to the proposed site development.

Finding: Based on the testimony submitted at the public hearing, the Planning Commission may decide to approve, approve with conditions, or deny the Discretionary Use request.

Conclusion: As described herein and in the Site Plan Review submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

4. A proposal by the applicant that meets or exceeds the cited Code standards and/or approval conditions.

Finding: The applicant is requesting concurrent approval of the Site Plan submitted for the proposed guest house (Case 811-17-000155-TYP2). However, the applicant is not requesting alternate design criteria or proposing to depart from the cited Code standards for this facility.

Conclusion: As described herein and in the Site Plan Review approval submitted under separate cover (Case 811-17-000155-TYP2) the proposal meets this criterion.

D. Applicable Discretionary Use criteria in other Sections of this Code:

- 1. Wireless telecommunications systems facilities requiring Discretionary Use approval are exempt from Subsections A-C above, but shall comply with the approval criteria specified in Section 4.3-145.**
- 2. Alternative design standards for multifamily development are exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 3.2-245.**
- 3. Fences requiring Discretionary Use approval are exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 4.4-115.C.**
- 4. The siting of public elementary, middle and high schools requiring Discretionary Use approval is exempt from Subsections A – C above, but shall comply with the approval criteria specified in Section 4.7-195.**

Finding: The proposed residential guest house is not a wireless telecommunications facility. Therefore, Criterion D.1 is not applicable.

Finding: The applicant is not proposing alternative design standards for the residential guest house and will adhere to the Multi-Unit Design Standards found in SDC 3.2-240. Therefore, Criterion D.2 is not applicable.

Finding: The applicant is not proposing a new or modified fence that exceeds the standard provisions of SDC 4.4-115. Therefore, Criterion D.3 is not applicable.

Finding: The proposed facility is not a school and does not require siting approval. Therefore, Criterion D.4 is not applicable.

Conclusion: The proposal meets this criterion.

Conclusion: Staff has reviewed the application and supporting evidence submitted by the applicant for the Discretionary Use request. Based on the above-listed criteria, staff recommends support for the request as the proposal meets the stated criteria for Discretionary Use approval. Additionally, approval of the Discretionary Use would facilitate the approval of the Site Plan Review application for a residential guest house submitted under separate cover (Case 811-17-000155-TYP2).

Conditions of Approval

SDC Section 5.9-125 allows for the Approval Authority to attach conditions of approval to a Discretionary Use request to ensure the application fully meets the criteria of approval. The specific language from the code section is cited below:

5.9-125 CONDITIONS

The Approval Authority may attach conditions as may be reasonably necessary in order to allow the Discretionary Use approval to be granted.

Staff has reviewed the Discretionary Use request and supporting information provided by the applicant, and it is the opinion of staff that conditions of approval are not warranted. The proposed residential guest house has been reviewed and recommended conditions of approval are to be described in the Site Plan Review application for this development submitted under separate cover (Case 811-17-000155-TYP2).

The Planning Commission may choose to apply conditions of approval as necessary to comply with the Discretionary Use criteria.

Additional Approvals

The subject Discretionary Use request is the necessary first step for the applicant to proceed with development plans for the site. The companion Site Plan Review application (Case 811-17-000155-TYP2) is intended to address the specific Development Code and detailed site planning requirements for the proposed residential guest house.



TYPE II TENTATIVE SITE PLAN REVIEW, STAFF REPORT & DECISION

Project Name: PeaceHealth Guest House Multi-Unit Residential Site Plan Review

Project Proposal: Construct a new 20-unit residential guest house near the PeaceHealth hospital at Riverbend

Case Number: 811-17-000155-TYP2

Project Location: 116 St Joseph Place
(Map- 17-03-22-00, Tax Lots 100 & 200)

Zoning:
Medium Density Residential (MDR)

Comprehensive Plan Designation:
MDR (*Gateway Refinement Plan*)

Overlay Districts:
Drinking Water Protection (DWP)
Floodplain Overlay (FPO)

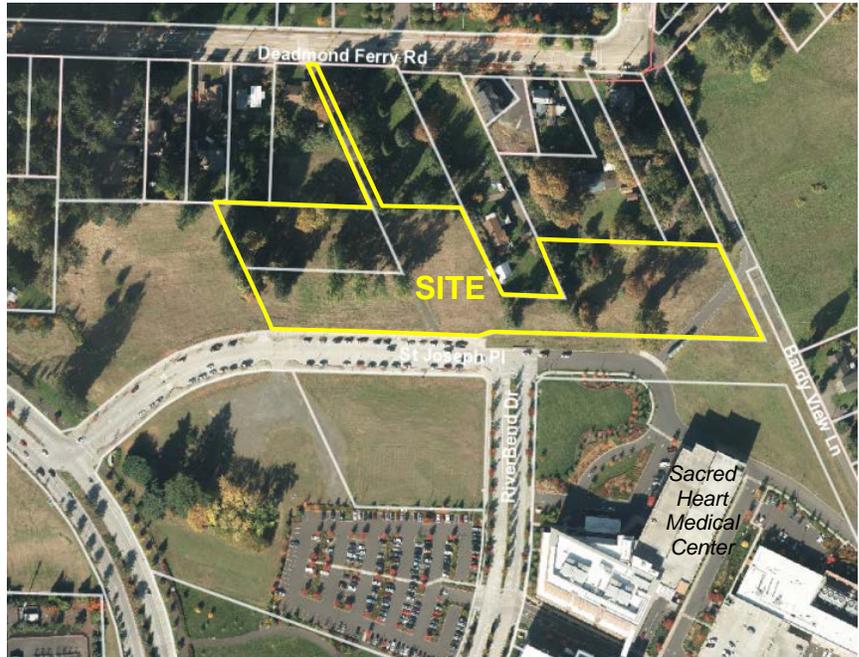
Pre-Submittal Meeting Date: 11/7/2017

Application Submitted Date: 11/22/2017

Public Hearing Date: 1/17/2018

Appeal Deadline Date: 2/1/2018

Associated Applications: TYP217-00014 (Formal Interpretation); 811-17-000143-TYP3 (Discretionary Use); 811-17-000142-TYP2 (Tree Felling Permit); 811-17-000144-TYP1 (Floodplain Overlay District Permit)



APPLICANT'S DEVELOPMENT REVIEW TEAM

Applicant:	Applicant's Representative:	Project Engineer:
Scott Tang PeaceHealth 1115 SE 164 th Avenue Vancouver WA 98683	Rick Satre Schirmer Satre Group 375 West 4 th Avenue, Suite 201 Eugene OR 97401	Matt Keenan, PE KPFF 1201 Oak Street, Suite 100 Eugene OR 97401

CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW TEAM

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Engineer	Utilities	Clayton McEachern	541-736-1035
Public Works Engineer	Sanitary & Storm Sewer	Clayton McEachern	541-736-1035
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	David Bowlsby	541-736-1029

Site Information: The subject site consists of two adjoining tax lots comprising approximately 4.6 acres. The proposed development area is located on the north side of St Joseph Place just east of the intersection with Martin Luther King, Jr. Parkway. The site is proximate to the PeaceHealth Hospital and specialty medical clinics at the Riverbend campus. The property is currently vacant and has been addressed as 116 St Joseph Place (Assessor's Map 17-03-22-00, Tax Lots 100 and 200).

The subject site is within the adopted *Gateway Refinement Plan* area; therefore, the applicable Comprehensive Plan is the adopted *Gateway Refinement Plan* diagram. The property is zoned and designated Medium Density Residential (MDR). The developer is proposing to build the project on the western one-half (approximately) of an irregular-shaped property and leave the eastern half vacant. Other properties in the vicinity of the subject site are zoned Mixed Use Commercial (MUC), Medical Services (MS), Campus Industrial (CI), Low Density Residential (LDR) and MDR.

The applicant is proposing to construct a single-story, 20-unit residential guest house for use by families of patients at Sacred Heart Medical Center. The guest house provides private accommodations along with communal living, kitchen and eating areas. The remainder of the proposed site development includes a circular driveway drop off area and parking lot, outdoor amenity space, site landscaping, and vegetated stormwater management facilities.

The applicant previously obtained a Formal Interpretation for the proposed guest house pursuant to Case TYP217-00014. In this decision, staff determined that the proposed facility had the characteristics of a hostel or residential facility, and recommended that the more restrictive of the two uses (hostel, which requires a Discretionary Use permit) form the basis of this land use review. Staff also recommended that the developer adheres to the Multi-Unit Design Guidelines for residential development in the MDR District.

The site is within the mapped 1-5 year Time of Travel Zone (TOTZ) for the Sports Way drinking water wellhead and, therefore, is subject to the provisions of the Drinking Water Protection Overlay District, SDC 3.3-200. The applicant obtained a Drinking Water Protection Exemption for the project on December 6, 2017. However, provisions for water quality protection during site construction and operation have been inserted as recommendations in this decision in order to protect local surface waters and groundwater resources.

DECISION: This decision grants Tentative Site Plan Approval. The standards of the Springfield Development Code (SDC) applicable to each criterion of Site Plan Approval are listed herein and are satisfied by the submitted plans unless specifically noted with findings and conditions necessary for compliance. Final Site Plans must conform to the submitted plans as conditioned herein. This is a limited land use decision made according to City code and state statutes. Unless appealed, the decision is final. Please read this document carefully.

(See Page 16 for a summary of the conditions of approval.)

OTHER USES AUTHORIZED BY THE DECISION: None. Future development will be in accordance with the provisions of the Springfield Development Code, filed easements and agreements, and all applicable local, state and federal regulations.

REVIEW PROCESS: This application was reviewed under Type II procedures listed in Springfield Development Code Section 5.1-130 and the site plan review criteria of approval SDC 5.17-125. The application has been elevated to Type III review by the Springfield Planning Commission concurrent with the applicant's request for Discretionary Use to allow a residential guest house on the site (Case 811-17-000143-TYP3). The subject application was submitted and considered complete on November 22, 2017. Therefore, this decision is issued on the 56th day of the 120 days mandated by the State.

Procedural Finding: Applications for Limited Land Use Decisions require the notification of property owners/occupants within 300 feet of the subject property allowing for a 14 day comment period on the application (SDC Sections 5.1-130 and 5.2-115). The applicant and parties submitting written comments during the notice

period have appeal rights and are mailed a copy of this decision for consideration (See Written Comments below and Appeals at the end of this decision).

Procedural Finding: On December 19, 2017, the City’s Development Review Committee reviewed the proposed plans (13 Sheets – Schirmer Satre Group Sheets L1.0 – L6.0; KPFF Engineering Sheets C2.0 – C4.1; and 2Form Architecture Sheets A1.0 – A2.1) and other supporting information. City staff’s review comments have been reduced to findings and conditions only as necessary for compliance with the Site Plan Review criteria of SDC 5.17-125.

Procedural Finding: In accordance with SDC 5.17-125 to 5.17-135, the Final Site Plan shall comply with the requirements of the SDC and the conditions imposed by the Director in this decision. The Final Site Plan otherwise shall be in substantial conformity with the tentative plan reviewed. Portions of the proposal approved as submitted during tentative review cannot be substantively changed during Final Site Plan approval. Approved Final Site Plans (including Landscape Plans) shall not be substantively changed during Building Permit Review without an approved Site Plan Modification Decision.

WRITTEN COMMENTS:

Procedural Finding: In accordance with SDC 5.1-130 and 5.2-115, notice was sent to adjacent property owners/occupants within 300 feet of the subject site on November 29, 2017. No telephone calls or written comments were received.

CRITERIA OF SITE PLAN APPROVAL:

SDC 5.17-125, Site Plan Review Standards, Criteria of Site Plan Approval states, “the Director shall approve, or approve with conditions, a Type II Site Plan Review Application upon determining that criteria A through E of this Section have been satisfied. If conditions cannot be attached to satisfy the criteria, the Director shall deny the application.”

A. The zoning is consistent with the *Metro Plan* diagram, and/or the applicable *Refinement Plan* diagram, *Plan District* map, and *Conceptual Development Plan*.

Finding 1: The site is zoned and designated Medium Density Residential in accordance with the Springfield Zoning Map and the adopted *Gateway Refinement Plan* diagram. There are no proposed changes to the zoning for the site.

Finding 2: The applicant obtained a Type II Formal Interpretation for the proposed guest house pursuant to Case TYP217-00014. The Formal Interpretation found the proposed use has the characteristics of a residential facility for more than 15 people or a hostel. In accordance with SDC 3.2-210, residential facilities for more than 15 people are allowable in the MDR District subject to Site Plan Review and special siting standards. Hostels are allowable in the MDR District subject to Site Plan Review and Discretionary Use.

Finding 3: The applicant submitted a Discretionary Use application for the subject development on October 27, 2017 (Case 811-17-000143-TYP3). Approval of the Discretionary Use is required prior to approval of the accompanying site plan review application. The Planning Commission will be reviewing the Discretionary Use application at a public hearing meeting on January 17, 2018.

Recommended Condition of Approval:

- 1. Prior to approval of the Tentative Site Plan, the applicant shall obtain Discretionary Use approval for the residential guest house as initiated by Planning Action 811-17-000143-TYP3.**

Conclusion: As conditioned herein, this proposal satisfies Criterion A.

B. Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be

exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Development & Public Works Director or a utility provider shall determine capacity issues.

Finding 4: Approval of this proposal would allow for construction of a single-story, 20-unit residential guest house with communal living, kitchen and eating areas; driveway, circular drop-off area and parking lot; outdoor amenity space; site landscaping; and vegetated stormwater management facility on the western one-half (approximately) of a 4.6-acre site.

Finding 5: For all public improvements, the applicant shall retain a private professional civil engineer to design the site improvements in conformance with City codes, this decision, and the current *Engineering Design Standards and Procedures Manual* (EDSPM). The private civil engineer also shall be required to provide construction inspection services.

Finding 6: The Development Review Committee reviewed the proposed site plans on December 19, 2017. City staff's review comments have been incorporated in findings and conditions contained herein.

Conclusion: The proposal satisfies this sub-element of the criterion.

Water and Electricity Improvements

Finding 7: SDC 4.3-130 requires each development area to be provided with a water system having sufficiently sized mains and lesser lines to furnish adequate supply to the development and sufficient access for maintenance. Springfield Utility Board (SUB) coordinates the design of the water system within Springfield city limits.

Finding 8: In accordance with SDC 4.3-125, wherever possible all utility lines shall be placed underground. Additionally, vaults and transformers for utility connections should be screened from view or placed out of sight at the side or rear of the building.

Finding 9: The applicant is proposing to connect with the public water system in St Joseph Place.

Finding 10: SUB Water advises that all non-residential domestic and irrigation services, and all residential water services with lawn sprinkler systems, require a reduced pressure backflow assembly. All fire services require a minimum of a double check detector assembly with a detector meter on a bypass. The assemblies are required to be installed above ground and adjacent to the water service. The applicant is advised to contact SUB Water Division's Backflow Prevention Specialist at (541) 726-2396 to discuss the backflow prevention and fire protection service requirements.

Finding 11: The applicant is proposing to install a new above-ground backflow assembly and fire department connection at the southwestern corner of the site where it fronts onto St Joseph Place. The enclosure for the backflow assembly will need to have a neutral, non-reflective finish to prevent glare and reflection onto the public street.

Finding 12: Based on the applicant's submittal, the existing water, electrical and telecommunication facilities are adequate for the proposed development.

Recommended Condition of Approval:

- 2. The Final Site Plan shall provide for a neutral, non-reflective finish for the water service backflow prevention equipment enclosure to be installed at the southwest corner of the site along St Joseph Place.**

Conclusion: The existing SUB Water and Electric facilities are adequate to serve the site. As conditioned herein, the proposal satisfies this sub-element of the criterion.

Sanitary Sewer and Stormwater Management Facilities

Sanitary Sewer

Finding 13: Section 4.3-105.A of the SDC requires that sanitary sewers shall be installed to serve each new development and to connect developments to existing mains. Additionally, installation of sanitary sewers shall provide sufficient access for maintenance activities.

Finding 14: The applicant is proposing to connect the guest house building to an existing sanitary sewer stub in St Joseph Place. The public sanitary sewer system has adequate capacity for the proposed development.

Finding 15: The proposed residential guest house will have two large communal food preparation and dining areas. The Metropolitan Wastewater Management Commission (MWMC) requires all large food preparation areas to have a grease trap installed on the sewer drain system.

Finding 16: In accordance with Chapter 3.02.4.A of the City's EDSPM and Section 3.4 of the City of Eugene Stormwater Management Manual, solid waste storage areas shall be covered and hydraulically isolated from potential stormwater runoff, and directed to the sanitary sewer system. To meet this requirement, the applicant is proposing to construct a trash enclosure at the southwest corner of the site. The trash enclosure is proposed to be covered, hydraulically isolated and equipped with a floor drain that is plumbed to the sanitary sewer system.

Recommended Condition of Approval:

- 3. The Final Site Plan and building plans shall provide for installation of a grease trap for the private sanitary sewer drains serving each food preparation area in accordance with MWMC requirements and the City's Plumbing Code.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

Stormwater Management (Quantity)

Finding 17: SDC 4.3-110.B requires that the Approval Authority shall grant development approval only where adequate public and/or private stormwater management systems provisions have been made as determined by the Development & Public Works Director, consistent with the EDSPM.

Finding 18: SDC 4.3-110.D requires that runoff from a development shall be directed to an approved stormwater management system with sufficient capacity to accept the discharge.

Finding 19: SDC 4.3-110.E requires new developments to employ drainage management practices that minimize the amount and rate of surface water runoff into receiving streams, and that promote water quality.

Finding 20: To comply with Sections 4.3-110.D & E, stormwater runoff from the site will be directed into two rain gardens prior to discharge into the public system in St Joseph Place. The public stormwater lines drain to a regional stormwater management facility serving the hospital campus.

Finding 21: The applicant proposes to connect to the existing public stormwater system, which has limited capacity. The applicant has submitted hydrologic stormwater calculations, consistent with the City's EDSPM, showing that the proposed rain gardens will limit the peak stormwater discharge rates for both of the applicable stormwater events, thereby limiting the flow into the existing system to an acceptable level.

Finding 22: As part of the Final Site Plan approval process, the applicant will be required to enter into a maintenance agreement with the City whereby the applicant will provide routine functional maintenance of the rain gardens.

Recommended Condition of Approval:

- 4. Prior to approval of the Final Site Plan, the applicant shall enter into a maintenance agreement with the City of Springfield, whereby the applicant will provide routine maintenance for functionality of the rain gardens serving the development site.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

Stormwater Management (Quality)

Finding 23: Under Federal regulation of the Clean Water Act (CWA), Endangered Species Act (ESA), and National Pollutant Discharge Elimination System (NPDES), the City of Springfield has obtained a Municipal Separate Storm Sewer System (MS4) permit. A provision of this permit requires the City to demonstrate efforts to reduce the pollution in urban stormwater to the Maximum Extent Practicable (MEP).

Finding 24: Federal and Oregon Department of Environmental Quality (ODEQ) rules require the City's MS4 plan to address six "Minimum Control Measures". Minimum Control Measure 5, "Post-Construction Stormwater Management for New Development and Redevelopment", applies to the proposed development.

Finding 25: Minimum Control Measure 5 requires the City of Springfield to develop, implement and enforce a program to ensure the reduction of pollutants in stormwater runoff to the MEP. The City also must develop and implement strategies that include a combination of structural or non-structural Best Management Practices (BMPs) appropriate for the community.

Finding 26: Minimum Control Measure 5 requires the City of Springfield to use an ordinance or other regulatory mechanism to address post-construction runoff from new and re-development projects to the extent allowable under State law. Regulatory mechanisms used by the City include the SDC, the City's *Engineering Design Standards and Procedures Manual* and the *Stormwater Facilities Master Plan (SFMP)*.

Finding 27: Section 3.02 of the City's EDSPM states the Development & Public Works Department will accept, as interim design standards for stormwater quality, water quality facilities designed pursuant to the policies and procedures of the City's EDSPM and the City of Eugene Stormwater Management Manual.

Finding 28: Sections 3.02.5 and 3.02.6 of the City's EDSPM states all public and private development and redevelopment projects shall employ a system of one or more post-developed BMPs that in combination are designed to achieve at least a 70 percent reduction in the total suspended solids in the runoff generated by the development. Section 3.03.4.E of the manual requires a minimum of 50 percent of the non-building rooftop impervious area on a site shall be treated for stormwater quality improvement using vegetative methods and 100% of the area shall be pre-treated.

Finding 29: To meet the requirements of the City's MS4 permit, the Springfield Development Code, and the City's EDSPM, the applicant has proposed using two rain gardens.

Finding 30: The soil and vegetation proposed for use in the rain gardens will serve as the primary pollutant removal mechanism for the stormwater runoff. Satisfactory pollutant removal will occur only when the vegetation has been fully established.

Finding 31: The subject site is within a wellhead protection area. To ensure the protection of groundwater quality, the proposed rain gardens will need to be constructed using a deeper planting medium with enhanced organic matter content. SUB Water Quality advises that the proposed rain gardens should provide at least 24-

inches of constructed medium, including or in addition to the growing medium. The base of the rain garden needs to include a constructed medium consisting of a mixture of sand, native soil, loam and compost. The fraction of organic carbon (FOC) in the constructed medium should be at least 0.20 (eg. 40-50%) organic matter. If the growing medium does not conform to this minimum FOC requirement, then the constructed medium would be placed in addition to the required growing medium.

Recommended Conditions of Approval:

- 5. Prior to approval of the Final Site Plan, the applicant shall provide an operations and maintenance plan satisfactory to the City to ensure viable long-term maintenance and operation of the stormwater soakage trenches, rain gardens and swale. The operations and maintenance plan shall designate the responsible party for operating and maintaining the system and shall be distributed to all property owners and tenants of the site. A record of this plan shall be filed against the property deed with Lane County Deeds and Records.**
- 6. To ensure a fully functioning water quality system and meet objectives of Springfield's MS4 permit, the Springfield Development Code and the EDSPM, the rain gardens and stormwater swale shall be fully vegetated with all vegetation species established prior to issuance of final occupancy and commencement of operations. Alternatively, if this condition cannot be met, the applicant shall provide and maintain additional interim erosion control/water quality measures acceptable to the Development & Public Works Department that will suffice until such time as the rain garden and stormwater planter vegetation becomes fully established. The interim erosion control measures shall be in addition to the required plantings for the site.**
- 7. The Final Site Plan shall provide for at least 24-inches of constructed medium in the rain gardens, including or in addition to the growing medium. Additionally, the base of the infiltration rain gardens shall include a constructed medium comprised of a mixture of sand, native soil, loam and compost with a minimum of 0.20 fraction of organic carbon (FOC) organic matter. The additional depth of constructed medium shall be noted on the landscaping plans and depicted on the civil details for the rain gardens.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

Streets and Traffic Safety Controls

Finding 32: SDC 4.2-105.G.2 requires that whenever a proposed land division or development will increase traffic on the City street system and that development has unimproved street frontage abutting a fully improved street, that street frontage shall be fully improved to City specifications.

Finding 33: Along the southern site frontage, St Joseph Place is an approximately 36-foot wide paved minor collector street with dedicated on-street parking bays in a variable-width right-of-way. The street is improved to urban standards with curb, gutter, sidewalks, street trees, street lighting and piped stormwater management facilities.

Finding 34: Along the eastern site frontage, Baldy View Lane is a variable-width Lane County local access road within a variable-width right-of-way area. Baldy View Lane is not improved to urban standards and lacks curb, gutter, sidewalks, street trees, street lighting, and stormwater management facilities.

Finding 35: The applicant is not proposing to make changes or public improvements to the St Joseph Place frontage of the site.

Finding 36: The applicant is not proposing to develop the eastern one-half (approximately) of the property and therefore the Baldy View Lane frontage of the site does not need to be improved with this project.

Finding 37: The applicant has provided for potential future extension of Riverbend Drive north of its current terminus at St Joseph Place. In the event that this public street is extended in the future, the applicant is proposing to dedicate a roadway easement for the northern extension of Riverbend Drive across Tax Lot 100.

Finding 38: The configuration of the proposed driveway entrance across from the intersection of St Joseph Place and Riverbend Drive will result in two additional points of conflict between pedestrians and vehicles. Additionally, the driveway configuration does not provide for adequate safe passage for pedestrians using the dedicated walkway between St Joseph Place and Deadmond Ferry Road. To improve pedestrian safety, the walkway should be routed along the eastern edge of the driveway and connect with the public sidewalk on the east leg of the St Joseph Place and Riverbend Drive intersection.

Finding 39: The proposed development will likely generate additional pedestrian and bicycle trips. According to the “Household” survey done by Lane Council of Governments (LCOG) in 1994, 12.6% of household trips are made by bicycle or walking and 1.8% are by transit bus. These trips may have their origins or destinations at a variety of land uses, including this site. Pedestrian and bicycle trips create the need for sidewalks, pedestrian crossing signals, crosswalks, bicycle parking and bicycle lanes.

Finding 40: The proposed transportation facilities would be adequate to accommodate the anticipated vehicular and pedestrian traffic patterns generated by the development in a safe and efficient manner.

Recommended Conditions of Approval:

- 8. The Final Site Plan shall provide a detail for the new crosswalk on the east leg of the St Joseph Place and Riverbend Drive intersection. The crosswalk shall be configured such that it matches the existing crosswalk and road grade on the west leg of the intersection.**
- 9. The Final Site Plan shall provide for a realignment of the dedicated public walkway such that it does not cross the internal driveway serving the guest house. Instead, the walkway shall be extended along the eastern edge of the entrance driveway to the crosswalk on the east leg of the St Joseph Place and Riverbend Drive intersection.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

C. The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.

Finding 41: Criterion C contains three different elements with sub-elements and applicable code standards. The site plan application as submitted complies with the code standards listed under each sub-element unless otherwise noted with specific findings and conclusions. The elements, sub-elements and code standards of Criterion C include but are not limited to:

1. Infrastructure Standards in accordance with SDC 4.1-100, 4.2-100 & 4.3-100
 - Water Service and Fire Protection (4.3-130)
 - Public and Private Easements (4.3-120 – 4.3-140)
2. Conformance with standards of SDC 5.17-100, Site Plan Review, and SDC 3.2-200 Medium Density Residential Zoning District, and SDC 4.7-100 Specific Development Standards
 - Establishment of Residential Zoning Districts (3.2-205)
 - Residential Zoning District – Primary and Secondary Uses (3.2-210)
 - Medium Density Residential Development Standards (3.2-215)
 - Multi-Unit Design Standards (3.2-240)
 - Design Standards for Residential Facilities for more than 15 people (4.7-155)
 - On-Site Lighting Standards (3.2-240 & 4.5-100)

3. Overlay Districts and Applicable Refinement Plan Requirements
 - Drinking Water Protection Overlay District
 - Floodplain Overlay District
 - *Gateway Refinement Plan*

C.1 Public and Private Improvements in accordance with SDC 4.1-100, 4.2-100 & 4.3-100

Water Service and Fire Protection (4.3-130)

Access

Finding 42: All fire apparatus access routes are to be paved all-weather surfaces able to support an 80,000 lb. imposed load in accordance with the 2014 Springfield Fire Code (SFC) 503.2.3 and SFC Appendix D102.1. Access to the project area is afforded from St Joseph Place.

Finding 43: “No Parking – Fire Lane” signs are to be posted on both sides of the fire lane in accordance with SFC 503.3 and Appendix D103.6.

Finding 44: At least three (3) feet of clear space shall be maintained around the circumference of all fire hydrants in accordance with SFC 507.5.5. Working space around fire department connections shall be maintained 3 feet in width on both sides of the connection point; 3 feet in depth in front of the connection; and 78 inches in height above the connection in accordance with SFC 912.3.2.

Finding 45: In accordance with SFC 912.3, immediate access to fire department connections shall be maintained at all times and without obstruction by fences, trees, shrubs, walls or any other objects.

Finding 46: The applicant’s site plan indicates that a man gate is to be installed at the end of the fire lane on the north side of the building. To ensure emergency access can be maintained, a Public Works lock will need to be provided for the gate. The lock can be obtained from Heyman’s Lock, Safe and Security at 131 14th Street in Springfield (ph. 541-747-6713).

Water Supply

Finding 47: The applicant is proposing to install a new fire hydrant near the southwest corner of the site along St Joseph Place, which meets the requirements of the SFC. The applicant is also proposing to install a Fire Department connection and dedicated water line for a building sprinkler system.

Recommended Conditions of Approval:

- 10. The Final Site Plan shall provide for installation of “No Parking – Fire Lane” signs on both sides of the fire lane.**
- 11. At least three (3) feet of clear space shall be maintained around the circumference of all fire hydrants and Fire Department connections in accordance with SFC 508.5.5 and 912.3.**
- 12. The Final Site Plan shall provide for installation of a Public Works lock on the man gate for the fire lane at the northeastern edge of the building.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

Public and Private Easements (4.3-120 – 4.3-140)

Finding 48: SDC 4.3-130.A requires each development area to be provided with a water system having sufficiently sized mains and lesser lines to furnish adequate supply to the development and provide sufficient access for maintenance. SUB coordinates the design of the water system within Springfield city limits.

Finding 49: SDC 4.3-140.A requires applicants proposing developments to make arrangements with the City and each utility provider for the dedication of utility easements necessary to fully service the development or land beyond the development area. The minimum width for public utility easements (PUEs) adjacent to street rights-of-way and internal to private properties shall be 7 feet, unless the Development & Public Works Director requires a larger easement to allow for adequate maintenance access. There are no public utility easements along the street frontage so a minimum 7-foot wide PUE will be required.

Finding 50: As previously stated herein, the applicant is proposing to dedicate a roadway easement across a portion of Tax Lot 100 for the future extension of Riverbend Drive north of its current terminus at St Joseph Place.

Finding 51: The applicant is proposing to dedicate a private access and utility easement on the adjoining property to the west (Tax Lot 4200) to accommodate the service driveway and turnaround area. The private access and utility easement will need to be executed and recorded prior to commencement of operations for the facility.

Recommended Conditions of Approval:

13. Prior to approval of the Final Site Plan, the applicant shall execute and record a 7-foot wide PUE along the St Joseph Place frontage of the site and provide evidence thereof to the City.

14. Prior to issuance of Final Occupancy and commencement of operations, the applicant shall execute and record a private joint access and utility easement across the southeast corner of Tax Lot 4200 for the use and benefit of Tax Lots 100 and 200, and provide evidence thereof to the City.

Conclusion: Safe and efficient provision of public access and utilities requires the provision of corresponding access and utility easements. As conditioned herein, the proposal satisfies this sub-element of the criterion.

C.2 Conformance with Standards of SDC 5.17-100, Site Plan Review, and SDC 3.2-200, Residential Zoning Districts

Establishment of Residential Zoning Districts (3.2-205)

Finding 52: In accordance with SDC 3.2-205.C.1, the Medium Density Residential (MDR) District establishes sites for multi-family dwellings with a density range of 14 to 28 dwelling units per net acre.

Finding 53: The applicant's submittal indicates that the total area of the site is about 4.59 net acres and the subject project will occupy about 2.9 acres. There are 20 accommodation units proposed in this area, which is less than the minimum dwelling unit density prescribed in the MDR District. However, the residential guest house is not designed or intended to be a long-term "home" or permanent residence for its visitors. It does not qualify under the statute or rule as "needed housing"; therefore, characterizing it as such for the purpose of calculating a default density parallel is incorrect. The Formal Interpretation found that this proposal had operational characteristics and impacts on neighboring properties similar to residential care facilities and hostels, but this conclusion was made in response to criteria (following) attempting to establish use type similarity and not how or whether to determine how to allocate a density standard, which can only apply to needed housing: "Is similar to other permitted uses in operational characteristics, including but not limited to, traffic generation, parking or density..." The answer was yes, in this context, to residential care facilities and hostels. Even though the former does qualify as needed housing, the latter does not. Given the short-stay

nature of hostels and the proposed use, and the fact that both of these do not qualify as needed housing, it is more accurate to say that the proposal is similar to a hostel and therefore not subject to this density calculation. However, because hostels do not have design standards and the interpretation did suggest similarities with residential care facilities, this use is obligated to observe multi-unit design standards.

Conclusion: The proposal satisfies this sub-element of the criterion.

Primary and Secondary Uses (3.2-210)

Finding 54: In accordance with SDC 3.2-210, residential facilities for more than 15 people are allowable in the MDR District subject to Site Plan Review and special siting standards.

Finding 55: In accordance with SDC 3.2-210, hostels are allowable in the MDR District subject to Discretionary Use and Site Plan Review.

Finding 56: As previously stated and conditioned herein (Condition 1), the applicant requires a prior Discretionary Use approval for the project as initiated by 811-17-000143-TYP3.

Conclusion: The proposal satisfies this sub-element of the criterion.

Medium Density Residential Development Standards (3.2-215)

Finding 57: In accordance with SDC 3.2-215, the minimum size for an MDR parcel on an east-west street is 4,500 ft² with 45 feet of street frontage. The proposed development site exceeds the requirement for parcel area and street frontage.

Conclusion: The proposal satisfies this sub-element of the criterion.

Multi-Unit Design Standards (3.2-240)

Finding 58: In accordance with SDC 3.2-240.D.1, buildings in a multi-unit development where there is provision for on-street parking need to be oriented to a public or private street along at least 50% of the site's frontage.

Finding 59: The proposed development site has approximately 510 feet of frontage on St Joseph Place along the southern boundary. About 95 feet of this frontage is proposed as a roadway easement for future extension of Riverbend Drive. Therefore, the effective frontage is about 415 feet. Of this, the building is oriented to St Joseph Place along the western one-half (approximately) of the project area. The eastern half is dedicated to the entrance driveway, circular drop-off area, and parking lot.

Finding 60: In accordance with SDC 3.2-240.D.2.a, new multi-unit structures that are one or two stories shall not have a continuous horizontal distance exceeding 160 feet. The guest house building is designed as a U-shaped facility with the east-west oriented base of the 'U' serving as the administration and communal eating areas. Two articulated wings extend from the base of the 'U' and neither wing exceeds the 160-foot horizontal distance.

Finding 61: In accordance with SDC 3.2-240.D.2.b, roofs shall have gable, hip, or gambrel forms with at least a 3 to 12 pitch and a minimum 6-inch overhang. The main body of the building has a gable roof with 4 to 12 pitch and 6-inch overhang, which meets this requirement.

Finding 62: In accordance with SDC 3.2-240.D.2.c, a minimum of 15 percent of the front building façade shall contain windows or doors. All windows and doors shall provide 4-inch trim or be recessed to provide shadowing. The applicant's submittal indicates that at least 15 percent of the front building façade is window glazing and a 4-inch trim is provided for shadowing, which meets this requirement.

Finding 63: In accordance with SDC 3.2-240.D.2.e, exterior building elevations shall incorporate design features including offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. The building contains a variety of architectural elements including recesses, building projections, different siding materials, window glazing, and clerestory roof elements to provide architectural detailing along all sides of the building.

Finding 64: In accordance with SDC 3.2-240.D.3, multi-unit developments adjacent to LDR properties shall incorporate transitional area and compatibility standards including front yard setbacks and buffer areas. The development site abuts LDR properties along the northern boundary.

Finding 65: In accordance with SDC 3.2-240.D.3.b, a 25-foot buffer area shall be provided between multi-unit developments and abutting LDR property lines. The applicant is proposing a >25-foot vegetated buffer along the northern edge of the site where it abuts LDR properties. With the exception of a portion of the fire lane and fire truck turnaround area, no structures are proposed within the 25-foot setback. The applicant is also proposing to install a 6-foot high wood screening fence along the property line and to install screening vegetation along the fenceline. Existing vegetation also is proposed to be retained along the northern boundary of the site to enhance the screening and buffering of the site.

Finding 66: In accordance with SDC 3.2-240.D.3.c, buildings abutting an LDR property line shall not exceed a building height greater than 1 foot for each foot of distance from the LDR property line. The proposed building is more than 25 feet from the nearest LDR property and is only 24 feet high at the top of the roof peak, so this criterion is not applicable.

Finding 67: In accordance with SDC 3.2-240.D.4.a-d, multi-unit development shall provide for trash receptacles, storage facilities and ground mounted equipment that comply with Code standards. The applicant is proposing to install a screened and covered trash enclosure to meet site design requirements. Additionally, the applicant is proposing to install all new utilities underground.

Finding 68: In accordance with SDC 3.2-240.D.4.d, above-ground utility equipment will need to be appropriately screened by walls or landscaping. The applicant's proposed landscaping plan provides for screening of the water system backflow prevention device enclosure and utility cabinet along the St Joseph Place frontage.

Finding 69: In accordance with SDC 3.2-240.D.5, multi-unit developments shall have a minimum of 15 percent of the site area designated and reserved as open space. The open space areas include landscaped setbacks, common open space and private open space. According to the applicant's proposed site plan, approximately 43 percent of the gross site area is a combination of common and private open space. The open space includes site landscaping, vegetated stormwater facilities, and a private courtyard internal to the complex containing active play areas and benches. The proposed open space meets the requirements of SDC 3.2-240.D.5.

Finding 70: In accordance with SDC 3.2-240.D.6, landscaping areas shall include a mixture of vegetation including trees, shrubs, groundcover plants and turf grass. Street trees are to be provided along public street frontages. The applicant's site plan provides for installation of suitable landscaping around the perimeter of the site, and within the site and parking lot interior. There are existing street trees along the St Joseph Place frontage of the project area.

Finding 71: In accordance with SDC 3.2-240.D.6.d, fences in front yards along the public street frontage cannot exceed 3 feet in height. In other portions of the site, the fence provisions of SDC 4.4-115 apply. The applicant is proposing to install a 6-foot high wood screening fence along the rear of the site where it abuts LDR properties. Elsewhere within the site interior, the applicant is proposing to install 4-foot high picket fences between the edges of the building and the northern property line.

Finding 72: In accordance with SDC 4.4-110, screening of multi-family developments is required. The screening can be provided through structural and/or vegetative measures. The applicant is proposing to install a 6-foot high wood screening fence along a portion of the northern property line, and to install screening vegetation along the entire northern boundary of the site. The applicant is also proposing to maintain some existing, mature vegetation along the northern and northwestern edges of the site to provide a screening and buffering function for the project.

Finding 73: In accordance with SDC 3.2-240.D.7, pedestrian circulation areas are to be provided for multi-unit developments with more than 20 units. The subject project is just 20 units, but the applicant is proposing to install internal sidewalks and walkways between the building, circular drop-off area and parking lot, and also to connect with perimeter public walkways and sidewalks. Illumination of the walkway areas is to be provided by the on-site lighting system. Additionally, sidewalk and driveway crossings are designed to be ADA compliant. Based on the applicant's site plan and narrative, the proposal meets this requirement.

Finding 74: In accordance with SDC 3.2-240.D.8, parking lots for multi-unit developments need to be appropriately oriented, illuminated and landscaped. The applicant is proposing to install a 22-car parking lot on the site that is oriented to the side of the building such that no parking occurs between the building and the public street. The proposed parking lot is to be illuminated and connected to the building entrance by way of an internal sidewalk. Landscaping is to be provided for the perimeter and interior of the parking lot serving the development area. Additionally, the applicant is proposing to install wheel bumpers for all parking spaces fronting onto landscaping or walking areas in accordance with SDC 3.2-240.D.8.f.

Finding 75: In accordance with SDC 3.2-240.D.8.c, one planter island is required for every 8 parking spaces on the site. The applicant's submittal meets this requirement.

Finding 76: In accordance with SDC 3.2-240.D.8.k, bicycle parking is required in accordance with the numerical quantities outlined in SDC Table 4.6-3. Because the subject development is similar to a hostel or residential facility, one long-term bicycle parking space is required for each 10 guest bedrooms with a minimum of three spaces total. The applicant is proposing to construct 4 covered and 4 uncovered bicycle parking spaces on the site, which meets this requirement. The applicant has indicated that they might relocate most or all of the bicycle parking spaces to the southeast corner of the building under a canopy, which still meets the requirement.

Finding 77: In accordance with SDC 3.2-240.D.9, multi-unit developments shall provide vehicle circulation areas that connect with public streets and utilize shared driveways to the extent practicable. The applicant is proposing to use an existing, shared driveway at the southwest corner of the site and to construct a new driveway approach onto St Joseph Place at the intersection with Riverbend Drive. The proposed access and vehicle circulation areas meet the requirements of SDC 3.2-240.D.9.

Conclusion: The proposal satisfies this sub-element of the criterion.

Design Standards for Residential Facilities for more than 15 people (4.7-155)

Finding 78: In accordance with SDC 4.7-155.A, residential facilities shall have a front yard setback of 15 feet and side and rear yard setbacks of 20 feet. A small portion of the subject building encroaches within 15 feet of the front yard setback, but most of the building is between 18-25 feet from the southern property line. The building meets all other side and rear yard setbacks for residential facilities.

Finding 79: In accordance with SDC 4.7-115.B, a minimum of 25 percent of the parcel shall be landscaped. According to the applicant's submittal, about 46,588 ft² or 47% of the parcel is landscaped, which meets this requirement.

Finding 80: In accordance with SDC 4.7-115.C, no parking is permitted within the front yard setback and all required parking is to be screened from view. The applicant's site plan provides for a 22-foot setback for the

parking spaces facing onto St Joseph Place and screening vegetation is to be planted between the parking spaces and the street, which meets this requirement.

Conclusion: The proposal satisfies this sub-element of the criterion.

On-Site Lighting Standards (3.2-240 & 4.5-100)

Finding 81: In accordance with SDC 3.2-240.D.3.b.v, light standards in multi-unit developments within 25 feet of LDR property lines cannot be more than 12 feet high. The applicant is not proposing to install any lighting within 25 feet of LDR properties.

Finding 82: In accordance with SDC 4.5-110.B.1, the maximum height of a freestanding light fixture cannot exceed 25 feet or the height of the largest structure, whichever is less. The proposed building is about 24 feet high at the roof peak and the applicant is proposing to install light fixtures on 12-foot and 20-foot poles, which meets this standard.

Finding 83: Elsewhere on the site, parking lot and building lighting is to be shielded and downcast to provide illumination of parking and delivery areas. The applicant's site lighting plan indicates that adequate lighting of the parking area and service area will be provided. Therefore, this requirement has been met.

Conclusion: The proposal satisfies this sub-element of the criterion.

C.3 Overlay Districts and Applicable Refinement Plan Requirements

Finding 84: The subject site is located within the mapped 1-5 year Time of Travel Zone (TOTZ) for the Sports Way drinking water wellhead. Because the project is a residential development, the site was granted a Drinking Water Exemption from SUB Drinking Water Source Protection on December 6, 2017. However, as a "Best Practices" recommendation for this site, care must be taken during site construction and operation to prevent contamination from chemicals that may spill or leak onto the ground surface, including fuel and automotive fluids (such as lubricants and antifreeze, etc.). Fluid-containing equipment, including vehicles parked on the site, shall be monitored for leaks and spills. Any chemical spills or leaks must be cleaned up immediately and cleanup materials disposed off-site in accordance with Lane County and State DEQ requirements.

Finding 85: The applicant has provided wellhead protection notes on the Sheet L3.0 of the site plan. Staff advises that these same wellhead protection notes shall be included on the construction plans.

Finding 86: The applicant is proposing to install Springfield wellhead protection signage at high-visibility locations on the site, including the building entrance, trash enclosure and service area, and adjacent to the vegetated stormwater management features. Wellhead protection signs are available from SUB Drinking Water Source Protection – contact Amy Chinitz at 541-744-3745 or amyc@subutil.com.

Finding 87: A portion of the development area is within the mapped 100 year flood hazard area for the McKenzie River. The applicant is proposing to construct a portion of the driveway, fire lane, and fire truck turnaround area within the flood hazard area, which will necessitate placement of fill and grading within the floodplain. Prior to approval of the Final Site Plan the applicant will need to obtain approval of a Floodplain Overlay District (FPO) permit as initiated by Planning Action 811-17-000144-TYP1.

Finding 88: The subject site is within the adopted *Gateway Refinement Plan* area. The current MDR zoning is consistent with the zoning designation for the property, and therefore satisfies the Refinement Plan policies applicable to this site.

Finding 89: The subject site is outside the Riverbend Master Plan and Nodal Development area, therefore these plans do not apply to the subject development.

Conclusion: The proposal satisfies this sub-element of the criterion.

D. Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize curb cuts on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.

Finding 90: Installation of driveways on a street increases the number of traffic conflict points. The greater number of conflict points increases the probability of traffic crashes. Effective ways to reduce the probability of traffic crashes include: reducing the number of driveways; increasing distances between intersections and driveways; and establishing adequate vision clearance areas where driveways intersect streets. Each of these techniques permits a longer, less cluttered sight distance for the motorist, reduces the number and difficulty of decisions that drivers must make, and contributes to increased traffic safety.

Finding 91: In accordance with SDC 4.2-120.C, site driveways shall be designed to allow for safe and efficient vehicular ingress and egress as specified in Tables 4.2-2 through 4.2-5, the City's EDSPM, and the City's *Standard Construction Specifications*. Ingress-egress points must be planned to facilitate traffic and pedestrian safety, avoid congestion, and minimize curb cuts on public streets.

Finding 92: The applicant is proposing to use an existing driveway approach at the southwest corner of the site to act as the service entrance. The principal driveway serving the site is proposed opposite Riverbend Drive at the intersection with St Joseph Place, thereby creating a four-way intersection. The proposed driveway configuration provides adequate separation distance from conflicting traffic movements.

Finding 93: As previously stated and conditioned herein (Recommended Condition 9), the realignment of the walkway along the eastern edge of the entrance driveway to the crosswalk on the east leg of St Joseph Place will remove a potential pedestrian conflict point from the interior of the driveway.

Conclusion: The proposal satisfies this criterion.

E. Physical features, including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility of flooding; significant clusters of trees and shrubs; watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas; wetlands; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 358.905-955 and 390.235-240, shall be protected as specified in this Code or in State or Federal law.

Finding 94: The Natural Resources Study, the National Wetlands Inventory, the Springfield Wetland Inventory Map, Wellhead Protection Overlay and the list of Historic Landmark Sites have been consulted and there are no natural features or resources on the property that warrant protection.

Finding 95: Stormwater runoff from the subject site flows to the McKenzie River system. This river is listed with the State of Oregon as a "water quality limited" stream for numerous chemical and physical constituents, including temperature. Provisions have been made in this decision for protection of stormwater quality. The proposed on-site stormwater treatment system consists of vegetated rain gardens.

Finding 96: As previously noted and conditioned herein, groundwater protection must be observed during construction on the site. The applicant shall maintain the private stormwater facilities on the site to ensure the continued protection of surface water and groundwater resources.

Finding 97: There are existing, mature trees on the property and the applicant is proposing to retain a line of trees along the northern edge of the site, but remove about 18 trees along the western edge and within the building footprint area. The applicant has submitted a Tree Felling Permit under separate cover (Case 811-17-

000142-TYP2) for removal of the subject trees. Issuance of the Tree Felling Permit will be required prior to initiating any construction activity on the site.

Recommended Conditions of Approval:

15. **The property owner or their designee shall be responsible for ongoing and perpetual maintenance of the private stormwater facilities on the site to ensure they function as designed and intended, and to ensure protection of groundwater resources. Annual maintenance records shall be kept by the property owner or their designee and provided to the City for review upon reasonable request – normally within five business days.**
16. **Prior to commencing any construction activity on the site, including stripping and grading, the applicant shall obtain a Tree Felling Permit as initiated by Planning Action 811-17-000142-TYP2.**

Conclusion: As conditioned herein, the proposed development provides storm and ground water quality protection in accordance with SDC 3.3-200 and receiving streams have been protected in accordance with SDC 4.3-110 and 4.3-115.

CONCLUSION: The Tentative Site Plan, as submitted and conditioned herein, complies with Criteria A-E of SDC 5.17-125.

WHAT NEEDS TO BE DONE BY THE APPLICANT TO OBTAIN FINAL SITE PLAN APPROVAL?

Five copies of a Final Site Plan, the Final Site Plan application form and fees, and any additional required plans, documents or information are required to be submitted to the Planning Division within 90 days of the date of this letter (ie. **by April 18, 2018**). The application form and fee information is available on the City’s website here: <http://www.springfield-or.gov/dpw/Permits.htm>. In accordance with SDC 5.17-135 – 5.17-140, the Final Site Plan shall comply with the requirements of the SDC and the conditions imposed by the Director in this decision. The Final Site Plan otherwise shall be in substantial conformity with the tentative plan reviewed. Portions of the proposal approved as submitted during tentative review cannot be substantively changed during final site plan approval. Approved Final Site Plans (including Landscape Plans) shall not be substantively changed during Building Permit Review without an approved Site Plan Decision Modification.

DEVELOPMENT AGREEMENT: In order to complete the review process, a Development Agreement is required to ensure that the terms and conditions of site plan review are binding upon both the applicant and the City. This agreement will be prepared by Staff upon approval of the Final Site Plan and must be signed by the property owner prior to the issuance of a building permit.

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL:

1. **Prior to approval of the Tentative Site Plan, the applicant shall obtain Discretionary Use approval for the residential guest house as initiated by Planning Action 811-17-000143-TYP3.**
2. **The Final Site Plan shall provide for a neutral, non-reflective finish for the water service backflow prevention equipment enclosure to be installed at the southwest corner of the site along St Joseph Place.**
3. **The Final Site Plan and building plans shall provide for installation of a grease trap for the private sanitary sewer drains serving each food preparation area in accordance with MWMC requirements and the City’s Plumbing Code.**
4. **Prior to approval of the Final Site Plan, the applicant shall enter into a maintenance agreement with the City of Springfield, whereby the applicant will provide routine maintenance for functionality of the rain gardens serving the development site.**

5. **Prior to approval of the Final Site Plan, the applicant shall provide an operations and maintenance plan satisfactory to the City to ensure viable long-term maintenance and operation of the stormwater soakage trenches, rain gardens and swale. The operations and maintenance plan shall designate the responsible party for operating and maintaining the system and shall be distributed to all property owners and tenants of the site. A record of this plan shall be filed against the property deed with Lane County Deeds and Records.**
6. **To ensure a fully functioning water quality system and meet objectives of Springfield’s MS4 permit, the Springfield Development Code and the EDSPM, the rain gardens and stormwater swale shall be fully vegetated with all vegetation species established prior to issuance of final occupancy and commencement of operations. Alternatively, if this condition cannot be met, the applicant shall provide and maintain additional interim erosion control/water quality measures acceptable to the Development & Public Works Department that will suffice until such time as the rain garden and stormwater planter vegetation becomes fully established. The interim erosion control measures shall be in addition to the required plantings for the site.**
7. **The Final Site Plan shall provide for at least 24-inches of constructed medium in the rain gardens, including or in addition to the growing medium. Additionally, the base of the infiltration rain gardens shall include a constructed medium comprised of a mixture of sand, native soil, loam and compost with a minimum of 0.20 fraction of organic carbon (FOC) organic matter. The additional depth of constructed medium shall be noted on the landscaping plans and depicted on the civil details for the rain gardens.**
8. **The Final Site Plan shall provide a detail for the new crosswalk on the east leg of the St Joseph Place and Riverbend Drive intersection. The crosswalk shall be configured such that it matches the existing crosswalk and road grade on the west leg of the intersection.**
9. **The Final Site Plan shall provide for a realignment of the dedicated public walkway such that it does not cross the internal driveway serving the guest house. Instead, the walkway shall be extended along the eastern edge of the entrance driveway to the crosswalk on the east leg of the St Joseph Place and Riverbend Drive intersection.**
10. **The Final Site Plan shall provide for installation of “No Parking – Fire Lane” signs on both sides of the fire lane.**
11. **At least three (3) feet of clear space shall be maintained around the circumference of all fire hydrants and Fire Department connections in accordance with SFC 508.5.5 and 912.3.**
12. **The Final Site Plan shall provide for installation of a Public Works lock on the man gate for the fire lane at the northeastern edge of the building.**
13. **Prior to approval of the Final Site Plan, the applicant shall execute and record a 7-foot wide PUE along the St Joseph Place frontage of the site and provide evidence thereof to the City.**
14. **Prior to issuance of Final Occupancy and commencement of operations, the applicant shall execute and record a private joint access and utility easement across the southeast corner of Tax Lot 4200 for the use and benefit of Tax Lots 100 and 200, and provide evidence thereof to the City.**
15. **The property owner or their designee shall be responsible for ongoing and perpetual maintenance of the private stormwater facilities on the site to ensure they function as designed and intended, and to ensure protection of groundwater resources. Annual maintenance records shall be kept by the property owner or their designee and provided to the City for review upon reasonable request – normally within five business days.**

16. Prior to commencing any construction activity on the site, including stripping and grading, the applicant shall obtain a Tree Felling Permit as initiated by Planning Action 811-17-000142-TYP2.

The applicant may submit permit applications to other city departments for review prior to final site plan approval in accordance with SDC 5.17-135 at their own risk. All concurrent submittals are subject to revision for compliance with the final site plan. A development agreement in accordance with SDC 5.17-140 will not be issued until all plans submitted by the applicant have been revised. **CONFLICTING PLANS CAUSE DELAYS.**

ADDITIONAL INFORMATION: The application, all documents, and evidence relied upon by the applicant, and the applicable criteria of approval are available for free inspection and copies are available for a fee at the Development & Public Works Department, 225 Fifth Street, Springfield, Oregon.

APPEAL: This Type III Tentative Site Plan decision is considered a decision of the Planning Commission and as such may be appealed to the City Council. The appeal may be filed with the Development Services Department by an affected party. Your appeal must be in accordance with **SDC 5.3-100, Appeals**. An Appeals application must be submitted with a fee of \$250.00. The fee will be returned to the applicant if the Planning Commission approves the appeal application.

In accordance with SDC 5.3-115.B which provides for a 15-day appeal period and Oregon Rules of Civil Procedures, Rule 10(c) for service of notice by mail, the appeal period for this decision expires at **5:00 PM on February 1, 2018**.

QUESTIONS: Please call Andy Limbird in the Current Development Division of the Development & Public Works Department at (541) 726-3784 or email alimbird@springfield-or.gov if you have any questions regarding this process.

PREPARED BY

Andy Limbird
Senior Planner

Please be advised that the following is provided for information only and is not a component of the Site Plan Review decision.

FEES AND PERMITS

Systems Development Charges:

The applicant must pay Systems Development Charges when the building permits are issued for developments within the City limits or within the Springfield Urban Growth Boundary. The cost relates to the amount of increase in impervious surface area, transportation trip rate, and plumbing fixture units.

Systems Development Charges (SDCs) will apply to the construction of buildings and site improvements within the subject site. The charges will be based upon the rates in effect at the time of permit submittal for buildings or site improvements on each portion or phase of the development.

Sanitary Sewer In-Lieu-Of-Assessment Charge:

Pay a Sanitary Sewer In-Lieu-Of-Assessment charge in addition to the regular connection fees if the property or portions of the property being developed have not previously been assessed or otherwise participated in the cost of a public sanitary sewer. Contact the Engineering Division to determine if the In-Lieu-Of-Assessment charge is applicable [Ord. 5584].

Public Infrastructure Fees:

It is the responsibility of the private developer to fund the public infrastructure.

Other City Permits:

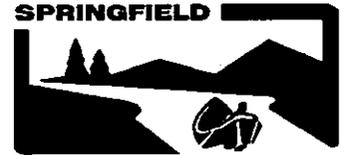
Encroachment Permit or Sewer Hookup Permit (working within right-of-way or public easements). For example, new tap to the public storm or sanitary sewer, installation or repair of public sidewalk, or adjusting a manhole. The current rate is \$316 for processing plus applicable fees and deposits.

Land and Drainage Alteration Permits (LDAP). Contact the Springfield Development & Public Works Department at 541-726-5849 for appropriate applications/requirements.

Additional permits/approvals may be necessary:

- Plumbing Permits
- Electrical Permits
- Building Permits
- Curb cut permit
- Paving permit

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477

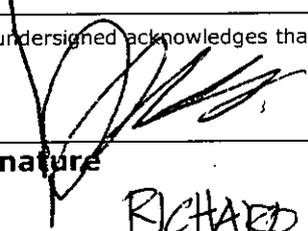


Discretionary Use

Required Project Information		<i>(Applicant: complete this section)</i>	
Applicant Name: Scott Tang		Phone: 360-729-1870	
Company: PeaceHealth		Fax: N/A	
Address: 1115 SE 164th Avenue, Dept. 326, Vancouver, WA 98683			
Applicant's Rep.: Richard M. Satre, AICP, ASLA, CSI		Phone: 541-686-4540	
Company: Schirmer Satre Group		Fax: 541-686-4577	
Address: 375 West 4th Avenue, Suite 201, Eugene, OR 97401			
Property Owner: PeaceHealth		Phone: N/A	
Company: PeaceHealth		Fax: N/A	
Address: 1115 SE 164th Avenue, Dept. 326, Vancouver, WA 98683			
ASSESSOR'S MAP NO: 17-03-22-00		TAX LOT NO(S): 100 and 200	
Property Address: N/A			
Size of Property: TL 100: 3.7; TL 200: 0.89		Acres <input checked="" type="checkbox"/> Square Feet <input type="checkbox"/>	
Description of Proposal: 20-suite guest house with common areas for families of RiverBend patients.			
Existing Use: Vacant			
Signatures: Please sign and print your name and date in the appropriate box on the next page.			
Required Project Information		<i>(City Intake Staff: complete this section)</i>	
Associated Applications:		Signs:	
Case No.: 811-7-000143-TYP3		Date: 10/27/17	
Application Fee: \$ 4274		Reviewed by: MAM	
Technical Fee: \$ 213.70		Postage Fee: \$421	
TOTAL FEES: \$ 4908.70		PROJECT NUMBER: 811-7-000145-PROJ	

Signatures

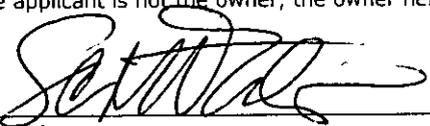
The undersigned acknowledges that the information in this application is correct and accurate.

Applicant:  **Date:** 11/7/17

Signature

Print RICHARD M. SAIRE

If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf.

Owner:  **Date:** 11/7/17

Signature

Print SCOTT TANK

Discretionary Use Application Process

1. Applicant Submits a Discretionary Use Application to the Development Services Department

- The application must conform to the *Discretionary Use Submittal Requirements Checklist* on page 4 of this application packet.
- Planning Division staff screen the submittal at the front counter to determine whether all required items listed in the *Discretionary Use Submittal Requirements Checklist* have been submitted.
- Applications missing required items will not be accepted for submittal.

2. City Staff Conduct Detailed Completeness Check

- Planning Division staff conducts a detailed completeness check within 30 days of submittal.
- The assigned Planner notifies the applicant in writing regarding the completeness of the application.
- An application is not be deemed technically complete until all information necessary to evaluate the proposed development, its impacts, and its compliance with the provisions of the Springfield Development Code and other applicable codes and statutes have been provided.
- Incomplete applications, as well as insufficient or unclear data, will delay the application review process and may result in denial.

3. Planning Commission or Hearings Official Review the Application, Hold a Public Hearing, and Issue a Decision

- This is a Type III decision and thus is made after a public hearing.
- A notice is posted in the newspaper, and notice is mailed to property owners and occupants within 300 feet of the property being reviewed and to any applicable neighborhood association. In addition, the applicant must post one sign, provided by the City, on the subject property.
- Written comments may be submitted to the Development Services Department through the day of the public hearing or comments may be provided in person during the public hearing.
- Applications are distributed to the Development Review Committee.
- After a public hearing, the Planning Commission or Hearings Official issues a decision that addresses all applicable approval criteria and/or development standards, as well as any written or oral testimony.
- Applications may be approved, approved with conditions, or denied.
- The City mails the applicant and any party of standing a copy of the decision, which is effective on the day it is mailed.
- The decision issued is the final decision of the City but the Planning Commission's decision may be appealed within 15 calendar days to the City Council, and the Hearings Official's decision may be appealed within 21 calendar days to the Land Use Board of Appeals.

Discretionary Use Submittal Requirements Checklist

NOTE: If you feel an item does not apply, please state the reason why and attach the explanation to this form.

- Submitted Concurrently** with Site Plan Review application, where applicable
- Application Fee** - refer to the *Development Code Fee Schedule* for the appropriate fee calculation formula. A copy of the fee schedule is available at the Development Services Department. The applicable application, technology, and postage fees are collected at the time of complete application submittal.
- Discretionary Use Application Form**
- Copy of the Deed**
- Copy of a Preliminary Title Report** issued within the past 30 days documenting ownership and listing all encumbrances.
- Copy of the Associated Site Plan Reduced to 8½" by 11"**, which will be mailed as part of the required neighboring property notification packet.
- Narrative** – explaining the proposal and any additional information that may have a bearing in determining the action to be taken, including findings demonstrating compliance with the Discretionary Use Criteria described in SDC 5.9-120.

NOTE: Before the Planning Commission or Hearings Official can approve a Discretionary Use request, information submitted by the applicant must adequately support the request. All of the Discretionary Use Criteria must be addressed by the applicant. Incomplete applications, as well as insufficient or unclear data, will delay the application review process and may result in denial.

October 27, 2017

PEACEHEALTH
Heartfelt Guest House
Discretionary Use

Map 17-03-22-00, Lot 100 and 200

WRITTEN STATEMENT

In accordance with Discretionary Use submittal requirements, this written statement describes the proposed development and demonstrates that the proposal complies with the criteria contained in SDC 5.9-105 through SDC 5.9-125. This application is submitted concurrently with a Site Plan Review application.

I. LAND USE REQUEST

This land use request is for Site Plan Review to allow a 20-unit "Guest House" to serve and house the families of patients at PeaceHealth RiverBend Hospital. It consists of a one-story building with two wings that include shared kitchen and laundry facilities with separate living quarters.

Project Directory

Owner/Applicant

Scott Tang, PE
PeaceHealth
1115 SE 164th Avenue
Vancouver, WA 98683
Phone: (360) 729-1870
Email: STang@peacehealth.org

Architect

Richard Shugar, AIA, LEED AP
2fORM Architecture PC
121 Lawrence Street
Eugene, OR 97401
Phone: (541) 342-5777
Email: Richard@2-form.com

Planner/Landscape Architect (and Applicant's Representative)

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group
375 West 4th Avenue, Suite 201
Eugene, OR 97401
Phone: (541) 686-4540
Fax: (541) 686-4577
Email: rick@schirmersatre.com

Civil Engineer

Matt Keenan, PE
KPFF
1201 Oak Street, Suite 100
Eugene, OR 97401
Phone: (541) 684-4902
Email: matt.keenan@kpff.com



Surveyor

Ted C. Baker
Roberts Surveying, Inc.
P.O. Box 7155
Eugene, OR 97401
Phone: (541) 345-1112
Email: ted@robertssurvey.com

Contractor

Pat Duerr
Chambers Construction
3028 Judkins Road, #1
Eugene, OR 97403
Phone: (541) 687-9445
Email: pduerr@chambers-gc.com

II. THE SITE AND EXISTING CONDITIONS

Planning and Zoning

Tax lots 100 and 200 are zoned Medium Density Residential (MDR). The Gateway Refinement Plan and the Drinking Water Protection Overlay Zone are also applicable. For further detail, see the table below.

Map and Tax Lot	Metro Plan Designation	Gateway Refinement Plan	Zoning	Acreage
17-03-22-00 / 100	Medium Density Residential	Medium Density Residential	Base: Medium Density Residential Overlay: Drinking Water Protection	3.70 acres
17-03-22-00 / 200	Medium Density Residential	Medium Density Residential	Base: Medium Density Residential Overlay: Drinking Water Protection	0.89 acres

Physical Setting

The site is comprised of tax lots 100 and 200 of Assessor's Map 17-03-22-00, which are 3.70 and 0.89 acres, respectively. The taxlots are adjacent to single family dwellings to the north and abut St. Joseph Place, a local road, to the south. There are medical uses to the east and south and vacant uses to the west. The site is currently vacant.

Development Objective

The development objective is to build a 20-unit guest house that will provide a facility for families of seriously ill or injured patients to stay while their loved one receives care at PeaceHealth RiverBend.

Transportation

Metro Area TransPlan

The metro area's adopted transportation plan does not propose any projects within the vicinity of the proposed development.

City of Springfield Transportation System Plan

The City of Springfield's transportation plan, adopted in 2014, includes three projects within the vicinity of both subject properties identified to be completed as development occurs. The projects listed below have not been completed.

The first project, PB-1, is a proposed bikeway referred to as the McKenzie Gateway Path that calls for a new multi-use 12-foot wide path from the end of the existing RiverBend Hospital path to Maple Island Road.

The second, R-5, identifies an extension of RiverBend Drive to International Way, including a three-lane cross-section with sidewalks and bicycle facilities. This project is also included in the PeaceHealth RiverBend Campus Master Plan as a condition of approval.

The final project, R-6, seeks to make improvements to serve RiverBend Hospital through improving Baldy View Lane, constructing a McKenzie – Gateway Loop connector/new collector, and constructing off-street path connections.

Conceptual Local Street Plan

The City of Springfield Conceptual Local Street Plan depicts where future streets and street connections may be required. The current map, dated August 2012, does not show any new streets on or adjacent to the subject property. As Springfield's Transportation Plan is more recent, it supersedes the Local Street Plan.

Street Classification

Springfield's Street Classification map identifies St. Joseph Place as a minor collector and Baldy View Lane as a local street. Each street classification carries with it a standard right-of-way (ROW). The standards for each street is as follows:

Street	Designation	Classification	Existing ROW	Minimum ROW	Min. Curb-to-Curb
St. Joseph Place	Public	Minor Collector	~52' curb to curb ~ 75' ROW	60'	36'
Baldy View Lane	Public	Local Street	~36' curb to curb ~46' ROW	40'	28'

Public Transit

The metro area's public transit system, Lane Transit District (LTD), provides frequent service to RiverBend Hospital via Emerald Express (EmX). The EmX travels from Martin Luther King Jr. Parkway to RiverBend Drive and provides essentially door-to-door service to the hospital.

Bicycle and Pedestrian Facilities

St. Joseph place contains sidewalks and pedestrian crossings with a raised median. While there no bike lanes or sharrows markings, the design of the street, which includes on-street parking and curb bump-outs, promotes mixed vehicular and bicycle travel.

Utilities

Stormwater and Wastewater

Both subject sites are located in the North Gateway Basin. There are no stormwater capital improvements projects identified for the subject site at this time. There is a 24" inch stormwater line that extends the length of the site. Wastewater service is provided by an 8" PVC pipe that connects to the subject property. The line extends about halfway across the property as it fronts St. Joseph Place.

Water and Electric

There is sufficient water and electric service to serve the subject site.

Wellhead Protection

The site is within the 5-year time-of-travel zone. Therefore, it is subject to the Drinking Water Protection Overlay District standards in Section 3.3-200. Drinking Water Protection Overlay District applications are reviewed under Type I procedure.

Natural Resources

The subject site is located within Zone X, meaning it is an area of minimal flood hazard and is determined to be outside the 500-year flood zone.

There are no wetlands on the site.

Parks and Open Space

The Willamalane Park and Recreation District Comprehensive Plan does not propose any parks or trails nearby the proposed development.

III. DISCRETIONARY USE – APPROVAL CRITERIA AND SUPPORTIVE FINDINGS

This section is presented in the same order of applicable requirements found in Section 5.9-120, Discretionary Use Criteria of the Springfield Development Code. Applicable sections of the code are in ***bold italics***, followed by proposed findings of fact in normal text.

A. *The proposed use conforms with applicable:*

1. *Provisions of the Metro Plan;*

The following Metro Plan policies apply:

Metropolitan Residential Land Use and Housing Element

A.4 Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.

This proposed development uses infill strategies to assist the City of Springfield in meeting their 20-year projected housing demand. The guest house provides temporary housing, a needed housing type for the City of Springfield, which allows them to meet a range of incomes and needs, in the MDR zone. While the guest house will not meet density standards through the provision of 20 units, the applicant's proposed density transfer will allow for that standard to be met through MDR development at a later date.

A.7 Endeavor to provide key urban services and facilities required to maintain a five-year supply of serviced, buildable land.

The site is served by key urban services and facilities.

A.8 Require development to pay the cost, as determined by the local jurisdiction, of extending public services and infrastructure. The cities shall examine ways to provide subsidies or incentives for providing infrastructure that support affordable housing and/or higher density housing.

The applicant will pay the cost of extending public services and infrastructure, as deemed appropriate and constitutional by the approval authority.

A.9 Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan. Medium density: Over 10 through 20 dwelling units per gross acre (could translate to over 14.28 units per net acre through 28.56 units per net acre depending on each jurisdictions' implementation measures and land use and development codes)

This development is sited on land zoned and designated MDR. While the proposed development does not meet density requirements outright, the development is also sited in such a way where a portion of the property is not fully used. As such, the applicant is proposing a density transfer to that portion of the property so that future development will meet density standards and meet the MDR minimum density.

A. 10 Promote higher residential density inside the UGB that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB.

The proposed development is sited on MDR land and uses existing infrastructure, including road networks and a fully built-out transit network, which improves the efficiency of public services and facilities. This also conserves rural resource lands outside the UGB.

A.11 Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes.

The proposed development is located immediately next to, and is a related use of, the PeaceHealth RiverBend Hospital. The hospital is a major employment center and is also located on an EmX line, which provides high-capacity transit throughout the Eugene-Springfield area.

A.12 Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities.

The proposed development is adequately served by infrastructure and services, open space, and other urban amenities. These include a robust road and transit network, bountiful open space (provided by the McKenzie River and various path systems, as well as on-site open space), and proximity to nearby goods and services.

A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively design in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.

This development proposes infill next to a major employment center, PeaceHealth RiverBend Hospital, in a growing area of Springfield. The design of the facility does not impact the surrounding residential neighborhood – many of the properties surrounding the site are zoned MDR. Those that contain a single-family home will see the Guest House as an appropriate buffer between low density development and the hospital's higher intensity development.

A.17 Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

This development provides the opportunity for housing that supports those temporarily living in the community while their loved ones stay at PeaceHealth. The cost of the housing ranges, as residents pay what they can towards their stay at the Guest House. The density, in part with the density transfer, allows for full advantage

to be taken of the site's MDR zoning, as well as its excellent location on a transit line and next to a major employer.

Environmental Design Element

E.1 In order to promote the greatest possible degree of diversity, a broad variety of commercial, residential, and recreational land uses shall be encouraged when consistent with other planning policies.

This development is located in an area that contains a mix of uses, including the guest house itself, single-family homes, medical uses, and public lands around the McKenzie River.

E.2 Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsible manner.

The applicant will protect and retain natural vegetation to the maximum extent practical. The Springfield Development Code requires 25% of the site to be landscaped, further assisting in the preservation of natural vegetation.

E.4 Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

Facilities proposed as a part of the development will be designed and located to preserve desirable features of each area, as well as their identity. This use is associated with the hospital and further supports the idea of a hospital district, while still maintaining its connection to the surrounding environment.

E.5 Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents.

The development is visually diverse from the surrounding area and is of high-quality design, while still maintaining accessibility. It is an excellent visual buffer between single-family homes to the north and the medical services uses to the south. Yet the development still maintains its identity as a high-quality MDR development that provides temporary housing, private recreational facilities, and open space.

Transportation Element

F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.

The development is located on an EmX line and has an EmX stop located immediately off-site.

2. Refinement plans;

The subject site is part of the Gateway Refinement Plan and is located in Subarea 4 – McKenzie Gateway MDR Subarea. The proposed use conforms with the Gateway Refinement Plan and is supported by the following policies:

Residential Element

Policy 14.0 – A Development Area Plan (DAP) shall be approved, under a Type II review process, prior to development approval for any portion of the area mapped as the “McKenzie-Gateway MDR Site” on the Refinement Plan Diagram, and shall not be approved unless it is consistent with an approved CDP. The intent of the DAP is to provide resolution of significant development issues at a scale and level of specificity that are intermediate to the CDP and Site Plan levels. All DAP’S shall conform to the following requirements...

The proposed use of “guest house” was approved through a Formal Interpretation decision, issued May 18, 2017 (TYP217-00014). The use was approved as a 20-unit residential facility. As part of the approval, the applicant is required to submit a Discretionary Use application concurrent with Site Plan Review. These applications add a layer of review far above and beyond what a Development Area Plan would require. Therefore, the level of review required by this policy is far exceeded by the applications the applicant is required to file as a result of the Formal Interpretation decision.

Policy 15.0 – Encourage the incorporation of significant natural features, share open spaces/ scenic areas, and recreational pathways into development plans.

As required by **SDC 4.7-155 Group Care Facilities**, 25% of the site is open space. While there are no significant natural features on the site, this open space will create a high-quality environment that benefits residents of the guest house and neighboring residents and businesses alike.

Natural Assets, Open Space/Scenic Areas, and Recreation Element

Policy 3.0 – Ensure adequate storm drainage management planning, emphasizing the minimization of negative impacts on water quality and quantity resulting from development in the Refinement Plan area.

The development will meet all requirements of the City of Springfield's stormwater management standards and the Drinking Water Protection overlay zone standards.

Policy 8.0 – Maintain and enhance the scenic and open space amenity values in the refinement Plan area to the maximum extent practicable.

The development enhances scenic and open space amenity values to the maximum extent practicable. Keeping with the requirements of **SDC 4.7-155 Group Care Facilities**, at least 25% of the subject site is landscaped. The property also meets all building height requirement standards, which ensure scenic views are maintained.

Transportation Element

Policy 9.0 - Plan and design new residential and special light industrial developments in a manner that reduces walking distances for potential transit users, and makes transit ridership more convenient.

The proposed development is located immediately next to an Emerald Express (EmX) bus rapid transit stop.

3. Plan District standards;

The subject site is not part of a Plan District. This criterion does not apply.

4. Conceptual Development Plans or

The subject property is included within the McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan (CDP), which was approved July 1994. This CDP implements Policy 13.0 of the Gateway Refinement Plan Residential Element, which requires that a CDP for the McKenzie-Gateway Medium Density Residential (MDR) site be approved prior to any development on any portion of the site. As required by the Springfield Development Code, proposed developments must be consistent with the CDP diagram and the CDP text. They are required to comply with the "CDP Requirements", although "CDP Recommendations" are instead suggested actions that developers may follow if they choose to do so. Relevant CDP Requirements and how this proposed development meets them are outlined below.

Residential Development Requirements

- 1. In order to accommodate a mix of dwelling unit types and densities, development of portions of the site at less than 10 dwelling units per developable acre may be allowed subject to the following standards.**
 - a. The area to be developed at less than 10 dwelling units per developable acre shall be part of a larger development area.**
 - b. The overall density of the development area shall be a minimum of 10 dwelling units per developable acre.**
 - c. A DAP shall be required, consistent with GRP Residential Element Policies 14.0 – 14.8.**
 - d. Consistent with GRP Residential Element Policy 14.3, subsequent permitted uses that conform to the DAP shall not require additional Site Plan Review.**

The proposed use of "guest house" was approved through a Formal Interpretation decision, issued May 18, 2017 (TYP217-00014). The use was approved as a 20-unit residential facility. The use as it was approved precludes the applicant from meeting density requirements. To meet density requirements for the MDR zone (range of 14 – 28 units per acre), the applicant proposes a density transfer, requiring subsequent development on the tax lot to include enough units to meet density requirements.

Access and Circulation Requirements

- 3. Facilities providing safe and convenient pedestrian and bicycle access shall be provided within and from residential subdivisions and development areas to other subdivisions and nearby development areas, transit stops, and other neighborhood activity centers such as schools, parks, and shopping. Bicycle and pedestrian access shall be provided as part of a well-connected street system where practicable. Where on-street connections are not practicable, off-street accessways shall be provided.**

The development provides safe and convenient pedestrian, transit, and bicycle access to other development areas. On-street connections include a robust sidewalk network and connections to Baldy View Land and Martin Luther King Jr. Parkway, and Riverbend Drive.

- 6. Bicycle parking facilities, consistent with the standards in the SDC, shall be provided as part of new multifamily residential developments of four units or more and new neighborhood commercial developments.**

Bicycle parking facilities will be provided, as consistent with the standards of the Springfield Development Code.

Storm Drainage Management Requirements

3. ***Unless otherwise approved by the City Engineer because of site-specific physical constraints, multiple-family residential developments, neighborhood commercial developments and subdivisions shall provide on-site pretreatment of runoff through the use of grassy swales, filter strips, detention ponds, and/or advanced drainage management practices (as specific in SDC 32.110(4) and GRP Natural Assets Element Policy Implementation Action 3.2).***

The proposed development will comply with all Springfield Development Code requirements for storm drainage and management, including on-site pretreatment of runoff.

4. ***The City shall require grassy swales, filter strips, sedimentation basins, or other advanced drainage management practices where practicable and as needed to ensure that runoff from public streets does not degrade the water quality of receiving streams or wetlands (as specified in SDC 32.110(4) and GRP Natural Assets Element Policy Implementation Action 3.2).***

The proposed development will comply with all Springfield Development Code requirements for stormwater management, as well as other standards required through the Drinking Water Protection overlay district.

5. ***Unless otherwise approved by the City Engineer, minimum bottom width for open drainage ways and swales shall be 4 feet. Maximum side slope shall be 4:1 to facilitate mowing and other maintenance activities.***

The proposed development will comply with the stormwater management requirements of the Springfield Development Code and other requirements, as conditioned by the City of Springfield.

Sanitary Sewer Service Requirements

1. ***Unless otherwise approved by the City Engineer, sanitary sewer service for the MDR site shall be consistent with the concept depicted in the "Sanitary Sewer System Concept" diagram (page 35) and described in the CDP text.***

The proposed development will comply with the sanitary sewer requirements of the Springfield Development Code and other requirements, as conditioned by the City of Springfield.

Water Service Requirements

1. ***Unless otherwise approved by SUB, the water service system for the MDR site shall be consistent with the concept depicted in the "Water System Concept" diagram (page 38) and described in the CDP text.***

The proposed development will comply with the water service requirements of the Springfield Development Code and other requirements, as conditioned by the City of Springfield.

5. ***Specific Development Standards in this Code;***

SDC 4.7-155 Group Care Facilities applies to this development. The code criteria is as follows:

- A. *These facilities shall have a front yard setback of 15 feet and side and rear yard setbacks of 20 feet. The landscaped setbacks for parking lots and driveways may be reduced to 5 feet when the Director determines that adequate buffering has been provided.***

The guest house has a front yard setback of 15 feet and side and rear yard setbacks of 20 feet. The landscaped setbacks for parking lots and driveways meet applicable standards.

- B. *A minimum of 25 percent of the lot/parcel shall be landscaped.***

A minimum of 25 percent of the subject area is landscaped. See Site Plan and Planting Plan.

- C. *No parking shall be permitted within the front yard setback. Required parking shall be screened from public view.***

No parking is provided within the front yard setback. Required parking is screened from public view and meets required screening standards. See Site Plan.

- D. *For structures on the Springfield Historic Inventory, any external modification shall be as specified in Section 3.3-900.***

The subject property is not included as part of the Springfield Historic Inventory.

- E. *The maximum density in the Low Density Residential District is 24 bedrooms per net acre.***

The subject property is not designated as Low Density Residential.

- B. *The site under consideration is suitable for the proposed use, considering:***
1. *The location, size, design and operating characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable);*

The site under consideration is suitable for the proposed use. The location of the site is adjacent to PeaceHealth RiverBend Hospital, which is an associated use with the proposed use. Furthermore, the site is located on an EmX line and is adequately served by the existing road network. Second, the size of the site is adequate for the proposed use – the site is 4.59 acres, which can accommodate the proposed design and operating characteristics of the proposed use. The Heartfelt Guest House is a 20-unit guest house that provides temporary housing to families of children and adults staying in the PeaceHealth RiverBend facility. The Guest House also includes a private recreational facility, walking paths, and adequate parking for residents and staff of the facility. This level of operation and suggested design is appropriate for a MDR-zoned site and will not produce any adverse impacts including parking, traffic, noise, vibrations, emissions, glare, odor, dust, visibility, safety, or aesthetics. The proposed use was also previously approved through a Formal Interpretation decision (TYP217_00014).

2. ***Adequate and safe circulation exists for vehicular access to and from the proposed site, and on-site circulation and emergency response as well as pedestrian, bicycle and transit circulation;***

The proposed development provides adequate and safe circulation for vehicular access to and from the site, as well as on-site circulation and emergency response access. Pedestrian and bicycle circulation are also provided for. The development will comply with all applicable development standards, including the multifamily development standards which include vehicular, pedestrian, and bicycle access and circulation. Transit circulation is already provided through existing transit infrastructure and an EmX stop is located immediately next to the site.

3. ***The natural and physical features of the site, including but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas and wooded are as shall be adequately considered in the project design; and***

There are no riparian areas or wetlands on the site. The applicant will protect and retain natural vegetation to the maximum extent practical. The Springfield Development Code requires 25% of the site to be landscaped, further assisting in the preservation of existing vegetation.

4. ***Adequate public facilities and services are available, including but not limited to, utilities, streets, storm drainage facilities, sanitary sewer and other public infrastructure.***

Adequate public facilities and services are available to the site. See Civil Set.

- C. ***Any adverse effects of the proposed use on adjacent properties and the public can be mitigated through the:***

1. ***Application of other Code standards (including, but not limited to: buffering from less intensive uses and increased setbacks);***

Staff indicated through a Development Issues Meeting, held August 22, 2017, that required the applicant to meet **SDC 3.2-240 Multi-unit Design Standards, SDC 4.6-125 Vehicle Parking – Parking Space Requirements, and SDC 4.7-155 Group Care Facilities**. This is discussed at length in the applicant's Site Plan Review application, which is submitted concurrent with this application.

2. ***Site Plan Review approval conditions, where applicable;***

This application is submitted concurrently with Site Plan Review. See Site Plan Review application for applicable approval standards and the applicant's response.

3. ***Other approval conditions that may be required by the approval authority; and/or***

The applicant cannot hypothesize what other approval conditions may be required by the approval authority. The applicant is imagining that any applicable conditions will be through the above Site Plan Review decision.

4. ***A proposal by the applicant that meets or exceeds the cite Code standards and/or approval conditions.***

The applicant will meet the requirements of the Springfield Development Code and the approval conditions required in the adopted Discretionary Use decision.

D. Applicable Discretionary Use criteria in other Sections of this Code:

- 1. Wireless telecommunications systems facilities requiring Discretionary Use approval are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.3-145.**

This proposal does not include wireless telecommunications systems.

- 2. Alternative design standards for multifamily development are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 3.2-245.**

This proposal does not request to use the alternative design standards for multifamily development. It will use the approval criteria specified in **SDC 3.2-240 Multi-unit Design Standards**.

- 3. Fences requiring Discretionary Use approval are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.4-115C.**

This proposal does not propose fences that require Discretionary Use approval.

- 4. The siting of public elementary, middle and high schools requiring Discretionary Use approval is exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.7 – 195.**

This proposal does not propose a public elementary, middle, or high school that would require Discretionary Use approval.

IV. IN CONCLUSION

Based on the information and findings contained in this written statement, associated exhibits, and plan set, the proposed Heartfelt Guest House meets the Discretionary Use criteria of approval contained in the Springfield Development Code. Therefore, the applicant requests that the City of Springfield approve the proposal. The applicant and their representatives are available for questions. We look forward to working with staff to ensure this project meets the goals and objectives of the applicant and the City of Springfield.

If you have any questions about this written statement, please do not hesitate to contact Rick Satre at (541) 686-4540 or email rick@schirmersatre.com.

Sincerely,

Richard M. Satre

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group



TRANSMITTAL

TO: <u>City of Springfield</u>	DATE: <u>October 27, 2017</u>
<u>225 5th Street</u>	PROJECT: <u>PeaceHealth Heartfelt Guest</u>
<u>Springfield, OR 97477</u>	<u>House</u>
	<u>Discretionary Use Application</u>
ATTN: <u>Mr. Andrew Limbird</u>	CLIENT PROJ #: _____
	SSG PROJ #: <u>1718</u>

TRANSMITTED:	Herewith	<input checked="" type="checkbox"/>	DISPOSITION:	For Your Approval	<input type="checkbox"/>
	Separate Cover	<input type="checkbox"/>		For Your Information/Use	<input checked="" type="checkbox"/>
	Other	<input type="checkbox"/>		For Reply	<input type="checkbox"/>

TRANSMITTED:			
# Copies	Item	Dated	No. Pages
		(In addition to this cover page)	
<u>4 paper copies of a:</u>			
	<u>Discretionary Use Application</u>	<u>Varies</u>	<u>Several</u>

REMARKS: This Discretionary Use Application Packet is hereby submitted for processing. The submittal package includes:

1. Application Form
2. Written Statement
3. Deed
4. Reduced Site Plan

We look forward to your assistance with the project. Don't hesitate to contact us should you have any questions or need any additional information prior to the meeting. Thank you.

COPIES TO:	Agency	<input type="checkbox"/>	BY:
File	Consultant Team	<input checked="" type="checkbox"/>	
Owner	Other	<input type="checkbox"/>	
			<u>Richard M. Satre, AICP, ASLA, CSI</u>



SCHIRMER SATRE GROUP
Planners, Landscape Architects and Environmental Specialists
 375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
 (541) 686-4540 • Fax (541) 686-4577 • www.schirmersatre.com

TRANSMITTAL

TO: City of Springfield **DATE:** November 22, 2017
225 5th Street **PROJECT:** PeaceHealth Heartfelt Guest
Springfield, OR 97477 House
Discretionary Use Application

ATTN: Mr. Andrew Limbird **CLIENT PROJ #:** _____
SSG PROJ #: 1718

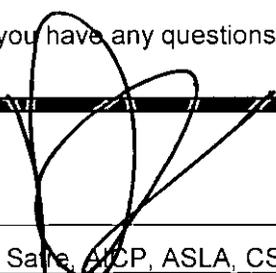
TRANSMITTED: Herewith **DISPOSITION:** For Your Approval
 Separate Cover For Your Information/Use
 Other For Reply

TRANSMITTED:		Dated	No. Pages
# Copies	Item	(In addition to this cover page)	
4	Supplemental Memorandum	November 22, 2017	4
4	Preliminary Title Report	Varies	139
4	Updated Reduced Site Plan	November 22, 2017	1
4	Updated Full Site Plan	November 22, 2017	1

REMARKS: The original Discretionary Use Application was submitted October 27, 2017. The materials enclosed in this transmittal are updated items or items that were not included in the previous submittal.

We look forward to your assistance with the project. Please contact us if you have any questions or need any additional information prior to the staff decision. Thank you.

COPIES TO: Agency
 File Consultant Team
 Owner Other

BY: 

 Richard M. Satre, AICP, ASLA, CSI



November 22, 2017

SUPPLEMENTAL MEMORANDUM

RE: PeaceHealth Heartfelt Guest House – Discretionary Use Application (Case: 811-17-000084-PRE)

Dear Mr. Andrew Limbird,

The purpose of this supplemental memorandum to the PeaceHealth Heartfelt Guest House Discretionary Use application written statement is to address SDC 3.2-240.D.1.a and SDC 3.2-240.D.2.b. Applicable sections of the code are in italics, followed by proposed findings of fact in normal text.

The applicant is proposing an alternative design for the orientation and form of the Guest House that meets the intent of the code, while still accommodating the unique use and siting of the proposed building. Design flexibility is requested due to the hybrid nature of the proposed building, which blends elements of an apartment building with hotel-like accommodations. The unique context of the proposed building lends itself to leniency within the Multi-Unit Design Standards. The proposed alternative designs of the building orientation and form contribute positively to the overall streetscape and medical campus setting.

The requested alternative building orientation and the applicable approval criterion is as follows.

SDC 3.2-240.D. Multi-Unit Design Standards.

1. *Building Orientation. Multi-unit developments, when abutting a private, local, collector, or arterial street that has existing or planned on-street parking, shall have the building oriented to the street along a minimum of 50 percent of the site's frontage (See Figure 3.2-M). The "orientation" standard is met when all of the following criteria are met:*
 - a. *Primary building entrances shall face the street;*

The applicant meets each provision of the building orientation standards contained in SDC 3.2-240.D.1. However, they are proposing a modest adjustment to the primary building entrance standard contained in SDC 3.2-240.D.1.a. As such, they will use the alternative design criteria permitted through the Discretionary Use process. *SDC 3.2-245 Multi-unit Design Standards – Alternative Design Discretionary Criteria* provides criteria for alternative designs that are unable to directly meet the building orientation standard outright, but propose a design solution that meets the intent of the code. The applicable discretionary criteria is as follows.

SDC 3.2-245 Multi-Unit Design Standards – Alternative Design Discretionary Criteria

- B. *Building Orientation. The Planning Commission shall find that the proposed design contributes positively to the neighborhood and overall streetscape by carefully relating building mass, frontages, entries, and yards to streets and to adjacent properties. This criterion may be met by complying with the Section 3.2-240.D.1., Section 3.2-250 or by considering the following guidelines:*
 1. *Orient buildings to an internal circulation system that mimics a public street in appearance (including, but not limited to sidewalks, landscaping, cross-walks, lighting, parallel parking), and does not diminish the appearance and safety of abutting primary public streets. Examples of "diminished appearance" include a fence along the sidewalk that isolates pedestrians between it and the street; the location of trash receptacles, utility vaults, etc. in the "rear" yard (abutting a public street); and similar impacts on the streetscape.*

2. *Other design elements that provide exceptional design, and on balance, justify approval of the development with less than full compliance with the building orientation standard. Examples of such design elements include protection of natural and cultural resources; minimization of slope and tree cutting impacts; provisions of pedestrian amenities along the public street; and similar public benefits that effectively accomplish the intent of the standard.*

To address the security needs of the site, as well as provide a connection to the medical campus, the applicant is proposing an east-facing entrance on the southeast corner of the guest house. There will be a glass vestibule with visibility from St. Joseph Place to the interior entry doors, which provides an open and transparent structure that does not isolate pedestrians. Furthermore, the southern portion of the site that abuts St. Joseph Place will have landscaping, lighting, and pedestrian facilities, providing an enhanced aesthetic appearance and robust connections between the site and the street. This alternative design also increases the proposed facility's security by allowing for only one secure access point to the lobby. Finally, it allows for a more direct route for guests and patients to travel to and from the hospital. Despite proposing only one door facing circulation, the applicant is connecting the entry porch directly to the sidewalk along St. Joseph Place. As such, the lack of primary entrance on St. Joseph Place does not diminish the streetscape nor does it affect its appearance and safety.

The proposed design contributes other design elements that provide exceptional design. The entry trellis and glass vestibule on the southeast corner of the site is thoughtfully designed to clearly announce entry along St. Joseph Place. This area will be well-lit with pedestrian seating, a covered entry, and bicycle parking. Landscaping around the entry will enhance the streetscape while gently guiding visitors around the corner to the east entry of the glass vestibule. The site and building design contribute positively to the overall streetscape, while providing the safety and security required by the associated medical use of the building.

SDC 3.2-240.D. Multi-Unit Design Standards

2. *Building Form. New multi-unit construction shall comply with the following building form standards (See Figure 3.2-N).*
 - b. *Roofs shall have gable, hip, or gambrel forms (minimum pitch 3 to 12) with at least a 6-inch overhang;*

The applicant virtually meets every provision of the building form standards contained in SDC 3.2-240.D.2. However, they are proposing a modest adjustment to the roof pitch standard contained in SDC 3.2-240.D.2.b. As such, they will use the alternative design criteria permitted through the Discretionary Use process. *SDC 3.2-245.C. Multi-unit Design Standards – Alternative Design Discretionary Criteria* provides criteria for alternative designs that are unable to directly meet the building form standard outright, but propose a design solution that meets the intent of the code.

The Multi-Unit Design Standards require roofs to have gable, hip or gambrel forms with a minimum pitch of 3 to 12. While most of the roofs on the proposed building abide by this standard, the applicant is proposing an alternate design for key locations of the roof design. There is a short stretch of flat roof that is proposed over the linkage between the commons building and the pediatric guest suite building. This is located over room 122 (Hall) and the roof area constitutes 0.01% of the total roof area for the guest house.

The applicant is proposing dormer roofs to be pitched at 2 to 12. These dormers occur at the guest suites, as well as over the waiting area in the lobby. The combined roof area of the 2:12 sloped dormer roofs constitutes 15% of the total roof area for the guest house. The remainder of the roof forms are gables with a 4:12 slope, conforming to the Multi-Unit Design Standards. The 2:12 dormer slope produces an aesthetically pleasing exterior that complements the scale of the proposed building while creating interior spaces with appropriately scaled living spaces.

The applicable discretionary criteria is as follows.

SDC 3.2-245 Multi-Unit Design Standards

C. *Building Form. The Planning Commission shall find that the proposed design promotes building forms that contribute positively to a sense of neighborhood and to the overall streetscape. This criterion may be met by complying with the Section 3.2-240.D., Section 3.2-250 or by considering the following guidelines.*

1. *Design exterior building elevations to avoid large expanses of uninterrupted building surfaces.*

The exterior building elevations are designed to avoid large expanses of uninterrupted building surfaces. The common areas along St. Joseph Place are jogged to allow for discrete portions of the façade to read as different uses. Thoughtfully designed window composition and a bay window are used to break up the scale and mass along the street side. The guest suite wings are more residentially scaled, with dormer windows arranged at regular intervals to create rhythm and interest.

2. *Depict building scale consistent with nearby buildings; "scale" relates to the size of various features (including, but not limited to entries, roof surfaces, facades, windows and materials) as compared to those features on nearby buildings.*

The building scale is consistent with nearby buildings. The proposed guest house is viewed as a transition from the medical buildings to the southeast and the residential fabric to the north. The more public common areas to the south are taller to address the rest of the campus, while the guest suite wings to the north step down to meet the residential scale of the single family houses to the north. The proposed guest house is one-story with 99.09% of the roof area gabled.

3. *Provide transitions to nearby buildings by massing; "mass" relates to the overall size or bulk of a building or its principal parts.*

The proposed guest house consists of three primary masses. The commons area mass is more public in look and feel with large expanses of glass and taller rooflines. The guest suite masses to the north are more residential in nature with punched openings, dormers and shorter rooflines. The guest house massing transitions from south to north in order to address the duality of the existing setting.

4. *Provide porches, bays, and balconies that compliment nearby buildings.*

The proposed guest suite wings are arranged into bays that are visible from the exterior of the building. These bays are accentuated with dormer windows that complement the surrounding residential fabric to the north.

5. *Provide roof variations through offsets, breaks and/or extensions.*

Roof variations are provided by offsets on the streetside façade, and dormer windows at the guest suite wings. Trellises in key locations provide hierarchy and rhythm while providing cover from the elements in inclement weather.

6. *Provide transition between the multi-unit site and LDR areas.*

There are no adjacent single-family residences on the same side of the street and block as the proposed development. There proposed structure is sited dozens of feet from the closest single family building and is only one-story in height. Therefore, LDR areas are

afforded ample buffering and there is an adequate transition from single-family dwellings to the modestly-sized guest cottage.

7. *Enhance solar access protection and/or energy conservation.*

The proposed building is within the required building height limit and does not diminish the solar access of surrounding properties. All solar access requirements are met. (See Site Plan Review written statement.)

8. *Protect on-site and off-site natural and designated historic features.*

There are no on-site natural and designated historic features. Nearby natural features are well-protected through the requirements and mandates of the PeaceHealth RiverBend Campus Master Plan.

9. *Provide human-scaled architectural detail.*

Human-scaled architectural detail is provided in the form of trellises at key locations to provide hierarchy and rhythm while providing cover from the elements in inclement weather.

10. *Provide visual variety in elevations, architectural details, colors, and materials, compatible with existing development.*

The exterior of the proposed guest house has been thoughtfully designed to provide variety and visual interest. While the majority of the siding is a warm cedar siding (or cedar alternative), key areas of the building are clad in brick and stone to tie in with the existing medical campus.

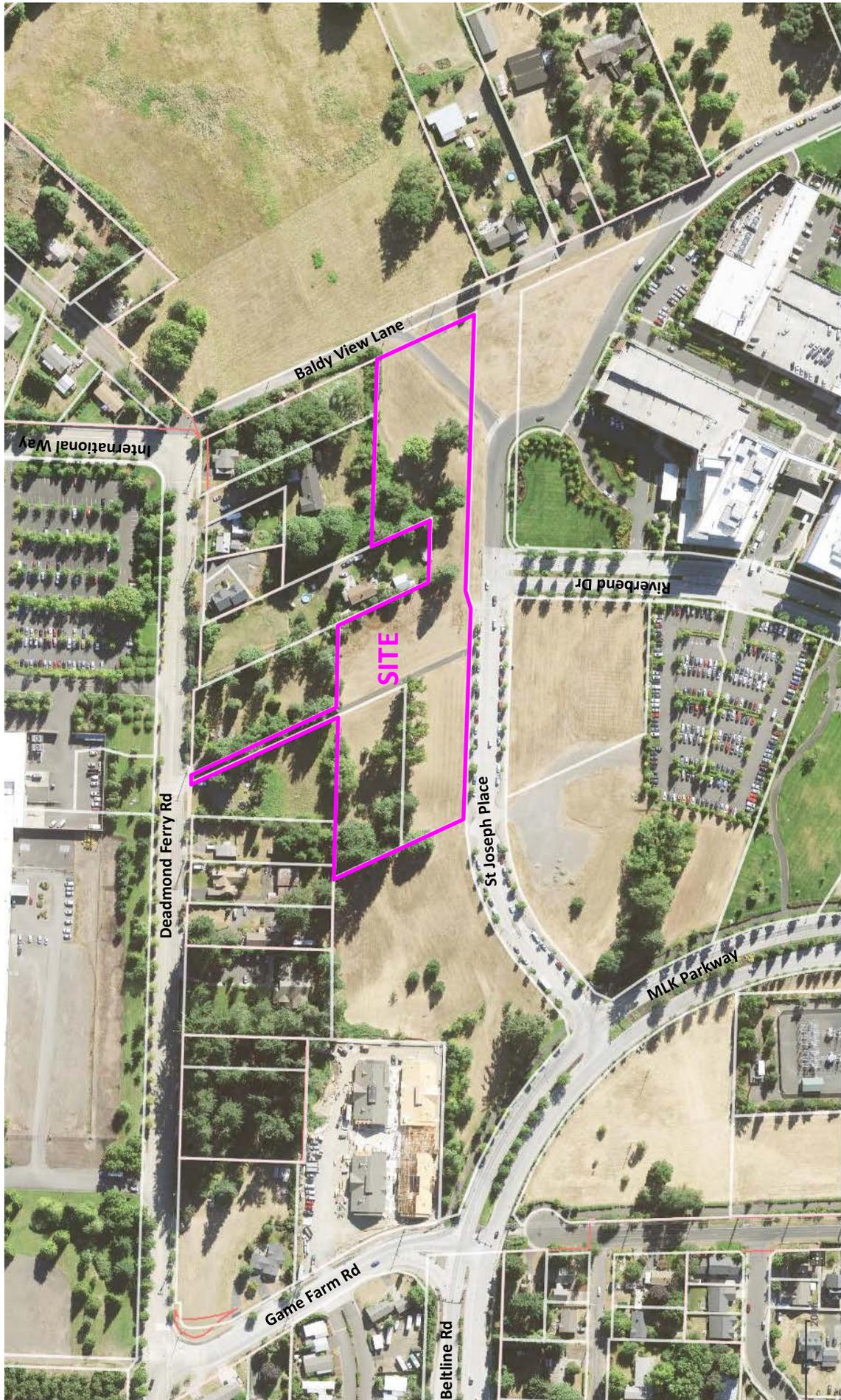
Conclusion

In summation, for the reasons outlined above, we believe the application meets the requirements of SDC 3.2-240.D.1.a and SDC 3.2-240.D.2.b and request that you approve this adjustment. Should you have any questions or concerns, please contact our office at (541) 342-5777.

Sincerely,

Richard Shugar AIA, LEED AP, *Principal*
2fORM Architecture

811-17-000143-TYP3 – PROPOSED DISCRETIONARY USE FOR 20-UNIT RESIDENTIAL GUEST HOUSE
116 ST JOSEPH PLACE (MAP 17-03-22-00, TAX LOTS 100 & 200)
SITE CONTEXT MAP





TYPE II FORMAL INTERPRETATION, STAFF REPORT & DECISION

Project Name: PeaceHealth Type II Formal Interpretation

Project Proposal: Allow for a 20-unit guest cottage in the Medium Density Residential (MDR) District where “residential facilities”, “group care facilities” and “boarding and rooming houses” are listed uses.

Case Number: TYP217-00014

Project Location: St. Joseph Place
(Map 17-03-22-00, Tax Lots 100 & 200)

Zoning: Medium Density Residential (MDR)

Comprehensive Plan Designation:
MDR (*Gateway Refinement Plan*)

Overlay Districts:
Nodal Development (NDO); Drinking Water
Protection Overlay District (DWP);
Floodplain Overlay District (FPO)

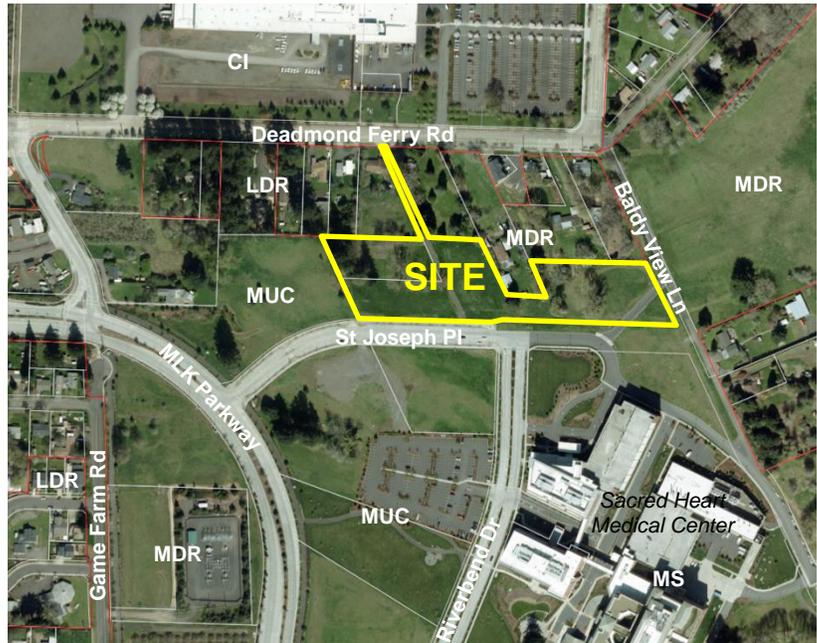
Pre-Submittal Meeting Date: None

Application Submitted Date: April 12, 2017

Decision Issued Date: May 18, 2017

Appeal Deadline Date: June 2, 2017

Associated Applications: None



APPLICANT’S DEVELOPMENT REVIEW TEAM

Applicant: Scott Tang PeaceHealth 1115 SE 164 th Avenue, Dept. 326 Vancouver WA 98683	Applicant’s Representative: Rick Satre Schirmer Satre Group 375 W. 4 th Avenue, Suite 201 Eugene OR 97402	Property Owner: PeaceHealth 1115 SE 164 th Avenue, Dept. 326 Vancouver WA 98683
---	---	--

CITY OF SPRINGFIELD’S DEVELOPMENT REVIEW TEAM

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Engineer	Utilities	Clayton McEachern	541-736-1036
Public Works Engineer	Sanitary & Storm Sewer	Clayton McEachern	541-736-1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	David Bowlsby	541-736-1029

Site Information: The subject of this formal interpretation request is vacant, multi-family residential property just northwest of the existing Sacred Heart Medical Center at Riverbend. The vacant site is not assigned a street address and is identified as Assessor's Map 17-03-22-00, Tax Lots 100 & 200. The site has frontage on St. Joseph Place along the southern boundary, and a narrow panhandle-like peninsula of property extends up to Deadmond Ferry Road. St. Joseph Place is classified as a minor collector street in the City's street network.

The site is zoned Medium Density Residential (MDR) in accordance with the Springfield Zoning Map and is also designated MDR in accordance with the adopted *Gateway Refinement Plan* diagram. Other properties in the vicinity of the subject site are zoned Low Density Residential (north of the site); Medium Density Residential (east and west of the site); Mixed Use Commercial (south and west of the site); and Medical Services (southeast of the site).

Development Code Information: In accordance with SDC 3.2-210, residential facilities for six to 15 people; residential care facilities for more than 15 people; boarding and rooming houses with up to five bedrooms; and bed and breakfast accommodations with up to four guest bedrooms are listed uses in the MDR District subject to special siting requirements and the limitations of SDC 4.7-120, 4.7-155 and 4.7-215. In accordance with SDC 3.2-505.A, medical residential facilities are allowable in the Medical Services District, which provides for hospital expansion and health services development in the immediate vicinity of the City's hospitals. Additionally, in accordance with SDC 3.2-505.B, the MS District can be applied to land designated Medium Density Residential in the Metro Plan provided the site abuts and has direct access to a collector or arterial street.

Requested Interpretation: The applicant's request is whether a guest cottage with up to 20 bedrooms can be interpreted as an allowable use in the Medium Density Residential district in accordance with provisions of SDC 3.2-505, 4.7-120, 4.7-155, and/or 4.7-215 if operated similar to other residential facilities that are allowable in residential districts.

DECISION: This decision grants Formal Interpretation Approval with conditions. The use of "guest cottage" with up to 20 bedrooms is hereby allowable at the subject property as a residential facility use listed in SDC 4.7-155, and in accordance with the conditions of approval listed herein. The standards of the Springfield Development Code (SDC) applicable to each criterion of Formal Interpretation Approval are listed herein and are satisfied by the submitted application and narrative unless specifically noted with findings and conditions necessary for compliance. This is a limited land use decision made according to City code and state statutes. Unless appealed, the decision is final. Please read this document carefully.

(See Page 6 for a summary of the recommended conditions of approval.)

OTHER USES AUTHORIZED BY THE DECISION: None. Future development will be in accordance with the provisions of the Springfield Development Code, filed easements and agreements, and all applicable local, state and federal regulations. Approval of this Type II Formal Interpretation is necessary prior to acceptance of additional land use submittals and issuance of approvals for the project.

REVIEW PROCESS: This application is reviewed under Type II procedures listed in Springfield Development Code Section 5.1-130 and the formal interpretation criteria of approval SDC 5.11-120.B. The subject application was submitted and deemed complete on April 12, 2017. Therefore, this decision is being issued on the 36th day of the 120 days mandated by the State.

Procedural Finding: Applications for Limited Land Use Decisions require the notification of property owners/occupants within 300 feet of the subject property allowing for a 14 day comment period on the application (SDC Sections 5.1-130 and 5.2-115). The applicant and parties submitting written comments during the notice period have appeal rights and are mailed a copy of this decision for consideration (See Written Comments below and Appeals at the end of this decision).

Procedural Finding: Staff has reviewed the proposed addition of "guest cottage" to the list of residential facilities in SDC 4.7-155 and the applicant's supporting information and project narrative. City staff's review comments

have been reduced to findings and recommended conditions only as necessary for compliance with the Interpretation of New Uses criteria of SDC 5.11-120.E.

WRITTEN COMMENTS:

Procedural Finding: In accordance with SDC 5.1-130 and 5.2-115, notice was sent to adjacent property owners/occupants within 300 feet of the subject site on April 19, 2017. No written comments were received.

CRITERIA OF APPROVAL:

SDC 5.11-120.B, Interpretation of New Uses - Criteria states that a new use may be considered to be a permitted use when, after consultation with the City Attorney or other City staff, the Director determines that the new use:

1. Has the characteristics of one or more use categories currently listed in the applicable zoning district;

Applicant's Submittal: *"The proposed use has the characteristics of a multiple-family dwelling, as well as elements of boarding house uses (lodging and meals provided for more than two weeks) or group care facilities (residential facilities). Multiple-family dwellings and residential care facilities with 6 to 15 persons are permitted in MDR with Site Plan Review. Boarding houses with 3 to 5 bedrooms are permitted in MDR with Site Plan Review as well. As previously described, the proposed use will include 20 rooms with likely shared play, laundry, and kitchen facilities. Families staying in the guest cottage are temporary residents and will likely remain at the guest cottage for an extended period of time as their family member receives medical care at PeaceHealth Riverbend. Similar to a residential facility or boarding house, not all of the individuals staying there will be related. While residential facilities pertain to a home licensed under the Department of Human Resources, the guest cottage is also a use associated with medical care. Although those staying at the guest cottage will not be receiving care themselves, they will be staying at the guest cottage while a family member receives care at the adjacent hospital. While the site is outside of the Medical Services District, associated medical residential facilities are noted in [SDC] 3.2-505.A Establishment of the Medical Services (MS) District as a potential use, which establishes some precedent that the Springfield Development Code anticipated this use."*

Finding 1: In accordance with SDC 3.2-210, multi-family dwellings such as apartment buildings and condominiums are allowable in the MDR District. Group care facilities for over 15 people such as nursing homes, assisted living facilities, and retirement homes are also listed uses in the MDR District subject to special siting requirements.

Finding 2: In accordance with SDC 3.2-210, bed and breakfast facilities, and boarding and rooming houses are listed uses in the MDR District.

Finding 3: Staff anticipates that the proposed guest cottage would be similar in design and appearance to a small apartment or condominium building. The facility would provide up to 20 bedrooms, but not 20 separate living and kitchen facilities, as the applicant is proposing to have shared kitchen and laundry facilities. Each bedroom presumably would be provided with individual bathroom facilities (similar to a studio apartment or guest room for a bed and breakfast accommodation), although the applicant has not specified if this will be the case. In these respects, the functionality of the building would be comparable with a boarding and rooming house or bed and breakfast accommodation. Both of these types of uses are allowable – at a much lesser scale – within the MDR District.

Finding 4: In accordance with SDC 3.2-210, hostels are allowable in the MDR District subject to Discretionary Use permitting. The proposed guest cottage shares some characteristics with a hostel in that the guests share kitchen and laundry facilities, are residents of the facility for a variable length of time, and have individual bedrooms. Similar to a hostel, the proposed cottage is intended as a "home base" for guests that are visiting nearby attractions and facilities – in this case the Riverbend hospital. Additionally, the proposed guest cottage will presumably have some minimal staffing requirements for guest check-in / check-out procedures, housekeeping, maintenance, etc. The presence of on-site employees differentiates the guest cottage and similar uses (such as group care facilities, rooming and boarding houses, bed and breakfast accommodations, and

hostels) from multi-family units that are typically owner- or renter-occupied. Aside from a resident manager, it is unlikely that a typical multi-family residential building would provide housekeeping or require the occupants to check in and out on a daily basis, thereby eliminating the need for staffing.

Finding 5: Based on the applicant's project narrative, the proposed guest cottage could not be easily converted to a standard multi-family residential occupancy because of the shared kitchen and laundry facilities. It could be converted to a hostel under the current zoning, but would be subject to a Discretionary Use permit. The zoning of the site and the limitations of SDC 3.2-210 would also preclude a change of building occupancy to a commercial guest house, hotel, or bed and breakfast accommodation. Therefore, construction of the building at this location creates accommodations that are unique to the needs of the applicant.

Finding 6: In accordance with SDC 3.2-505.A, the Medical Services (MS) District contemplates "medical residential facilities" which are described in Section 6 - Definitions of the City's Development Code.

Finding 7: In accordance with SDC 3.2-505.B, the MS District may be applied to land designated for Medium Density Residential under the Metro Plan provided the property abuts a collector or an arterial street.

Finding 8: The subject property has frontage on St. Joseph Place, which is classified as a minor collector street.

Finding 9: Based on the foregoing, staff has determined that the proposed guest cottage shares some characteristics with a hostel and the 20 bedrooms would greatly exceed the provisions of SDC 3.2-210, which provides for up to 4 bedrooms in a bed and breakfast facility or 5 bedrooms in a boarding and rooming house. Additionally, the proposed guest cottage differs from a standard multi-family residential building because the units are not entirely self-contained due to shared kitchen and laundry facilities and, presumably, there are some attendant staffing requirements for the facility. It is also assumed that guests of the cottage would not be responsible for housekeeping, maintenance, and other duties that would typically fall on a property owner or long-term tenant. For these reasons, staff recommends that the site selected for the guest cottage is rezoned to Medical Services (MS) District to account for its status as a specialized residential facility, or the development obtains a Discretionary Use permit similar to the requirements for a hostel. Either of these mechanisms would acknowledge that the proposed guest cottage is sufficiently compatible with – but is not necessarily entirely comparable to – other listed uses in the MDR and MS Districts.

CONDITION OF APPROVAL:

- 1. Prior to approval of a Site Plan Review for a guest cottage facility on Tax Lots 100 and 200, or a portion thereof, the applicant shall obtain a Discretionary Use permit in accordance with SDC 5.9-100. Alternatively, prior to approval of a Site Plan Review for a guest cottage facility, the applicant shall rezone Tax Lots 100 and 200, or a portion thereof, from Medium Density Residential (MDR) to Medical Services (MS) District in accordance with SDC 5.22-100.**

Conclusion: As conditioned herein, this proposal satisfies Criterion 1.

- 2. Is similar to other permitted uses in operational characteristics, including but not limited to traffic generation, parking or density; and.**

Applicant's Submittal: *"As described in the applicant's response to SDC 5.11-120.A.3.b, the proposed use is similar to multi-unit housing and therefore, would generate similar traffic, parking, and density. While 20-units over roughly 4.5 acres is below the density minimum for MDR, it is important to note that no site plan has been developed yet and it is likely that the end result will roughly meet the density minimum for MDR. The applicant will likely not use all 4.59 acres for the guest cottage use. As the families staying at the guest cottage will be there for an extended number of weeks, the parking and trip generation resembles a multiple-unit use. The Institute of Transportation Engineering uses the standard of 0.59 peak hour trips per unit for multi-family. The proposed use will result in a total 11.8 peak hour trips, although the actual trip generation will probably be far less due to close proximity to the hospital and the hospital's location on an EmX bus rapid transit line."*

Finding 10: As described in the applicant's project narrative above, the proposed site (Tax Lots 100 and 200 in combination) is more than 4.5 acres and it is unlikely that the guest cottage would be the only development to occur on this property over the long term. Should the project advance, the developer may choose to create a more definitive boundary around the site to ensure it meets the density requirements of the district, while still leaving the balance of the property available for further development.

Finding 11: Staff anticipates that the proposed guest cottage would be similar to a small apartment or condominium building in traffic generation characteristics, because the majority of the residents would have personal vehicles to be parked on-site. Moreover, it can be assumed that residents of the guest cottage would not be from the local area, therefore increasing the likelihood that each bedroom would have at least one vehicle for determining the parking and traffic generation associated with the site.

Finding 12: Staff advises that due to the nature of the proposed facility the provisions of the multi-unit design standards found in SDC 3.2-240 would apply to the site whether it is zoned MDR or MS. Among other things, the multi-unit design standards prescribe the location and configuration of parking areas for vehicles and bicycles on a site. These and other relevant provisions would be applicable to the subject development proposal.

Finding 13: As previously stated herein, it is assumed that the guest cottage would have some minimal staffing requirements that would generate a need for additional vehicle and bicycle parking on the site. These provisions would be addressed through the Site Plan Review process.

Finding 14: As previously stated herein, the proposed development site is located on a minor collector street and would not be expected to generate traffic volumes that are significantly different from other allowable uses in the MDR and MS Districts.

Finding 15: The traffic generation and vehicle circulation issues for the proposed development would be addressed through the Site Plan Review process.

Conclusion: This proposal satisfies Criterion 2.

3. Is consistent with all land use policies in this Code which are applicable to the particular zoning district.

Applicant's Submittal: "The proposed use is consistent with all land use policies in the Springfield Code that apply to the particular zoning district. The purpose of the MDR district is to 'establish sites for residential development where primarily multifamily dwellings are permitted' and to 'provide for a limited range of neighborhood uses that provide services for residents'. The primary residents in this area are those temporarily staying at PeaceHealth Riverbend and receiving medical services. This use is essentially temporary multifamily housing that is dedicated to providing a service that benefits temporary residents staying at Riverbend. The proposed use will comply with all applicable MDR residential zoning standards, as well as multiple-unit design standards. As the uses the proposed use is most similar to require Site Plan Review, the proposed use will comply with this standard as well."

Finding 16: Staff finds that the proposed use is predominantly residential in nature based on its stated and assumed characteristics. However, certain elements of the proposed use differ from the provisions of the MDR District for residential dwellings, including the transient nature of the accommodations as opposed to long-term occupation by tenant(s), shared kitchen and laundry facilities, and the assumed requirement for on-site staffing. The proposed use also differs from residential facilities such as bed and breakfast accommodations or boarding and rooming houses because there are four to five times the number of rooms provided in the building. Finally, the site differs from congregate care and retirement homes in that the facilities do not provide assisted living services and the turnover rate for guests would be measured in days or weeks, not years.

Finding 17: Staff finds that the land use policies of SDC 3.2-200 for multi-unit design standards are valid and applicable to the proposed development irrespective of the underlying zoning.

CONDITION OF APPROVAL:

- 2. Any Site Plan Review application for a guest cottage facility on Tax Lots 100 and 200, or a portion thereof, shall incorporate the multi-unit design standards in SDC 3.2-240 irrespective of the underlying zoning for the site.

Conclusion: As conditioned herein, the proposed 20-bedroom guest cottage is allowable at the location identified provided it operates under the parameters of the applicant’s project narrative and as conditioned herein. The subject Type II Formal Interpretation approval allows for submittal of Discretionary Use and Site Plan Review applications in support of the proposal, or a Site Plan Review application upon rezoning of the site to MS.

CONCLUSION: The proposed use of guest cottage as a residential use in the Medium Density Residential District is allowable on the property subject to the conditions contained herein and as summarized below.

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL:

- 1. Prior to approval of a Site Plan Review for a guest cottage facility on Tax Lots 100 and 200, or a portion thereof, the applicant shall obtain a Discretionary Use permit in accordance with SDC 5.9-100. Alternatively, prior to approval of a Site Plan Review for a guest cottage facility, the applicant shall rezone Tax Lots 100 and 200, or a portion thereof, from Medium Density Residential (MDR) to Medical Services (MS) District in accordance with SDC 5.22-100.
- 2. Any Site Plan Review application for a guest cottage facility on Tax Lots 100 and 200, or a portion thereof, shall incorporate the multi-unit design standards in SDC 3.2-240 irrespective of the underlying zoning for the site.

ADDITIONAL INFORMATION: The application, all documents, and evidence relied upon by the applicant, and the applicable criteria of approval are available for free inspection and copies are available for a fee at the Development & Public Works Department, 225 Fifth Street, Springfield, Oregon.

APPEAL: This Type II Formal Interpretation decision is considered a decision of the Director. As such, this decision may be appealed to the Springfield Planning Commission. The appeal may be filed with the Development & Public Works Department by an affected party. Your appeal must be in accordance with **SDC 5.3-100, Appeals**. An Appeals application must be submitted with a fee of \$250.00. The fee will be returned to the applicant if the Planning Commission approves the appeal application.

In accordance with SDC 5.3-115.B which provides for a 15-day appeal period and Oregon Rules of Civil Procedures, Rule 10(c) for service of notice by mail, the appeal period for this decision expires at **5:00 PM on June 2, 2017**.

QUESTIONS: Please call Andy Limbird in the Current Development Division of the Development & Public Works Department at (541) 726-3784 or email alimbird@springfield-or.gov if you have any questions regarding this process.

PREPARED BY

Andy Limbird

Andy Limbird
Senior Planner

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON**

REQUEST FOR DISCRETIONARY USE +
 +
NATURE OF THE APPLICATION +

**CASE NO. 811-17-000143-TYP3
FINDINGS, CONCLUSIONS,
AND ORDER**

The applicant submitted a Discretionary Use request for a 20-unit residential guest house facility at 116 St Joseph Place (Assessor's Map 17-03-22-00, Tax Lots 100 and 200). The site is zoned Medium Density Residential (MDR) and the Springfield Development Code (SDC) Section 3.2-210 lists hostels as a Discretionary Use in the MDR District; residential facilities for more than 15 people are allowable subject to special siting standards. The Discretionary Use request requires action by the Planning Commission before successive land use actions can be approved for the site.

1. On October 27, 2017 the following application for a Discretionary Use was accepted:
Allow for a 20-unit residential guest house facility in the Medium Density Residential District, Case Number 811-17-000143-TYP3, Scott Tang, PeaceHealth, applicant.
2. The application was submitted in accordance with Section 5.4-105 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 5.2-115 of the Springfield Development Code, has been provided.
3. On January 17, 2018 a public hearing on the Discretionary Use request was held. The Development & Public Works Department staff notes including criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at the hearing have been considered and are part of the record of this proceeding.

CONCLUSION

Supported by substantial evidence in the record, the requested Discretionary Use application is consistent with the criteria of Section 5.9-120 of the Springfield Development Code. This general finding is supported by the specific findings of fact and conclusions in the attached staff report (Exhibit A) attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that Case Number 811-17-000143-TYP3, Discretionary Use Request, be approved. This ORDER was presented to and approved by the Planning Commission on January 17, 2018.

EXPIRATION OF APPROVAL

This approval expires three (3) calendar years after the date of approval by the Planning Commission, or upon expiration of the accompanying Site Plan Review approval, Case 811-17-000155-TYP2, whichever date is later.

APPEAL

Pursuant to SDC Section 5.2-155, this Type III decision is final unless appealed to the Springfield City Council in accordance with SDC Section 5.3-120. Only those persons who participated either orally or in writing have standing to appeal the Planning Commission's decision. An appeal application shall be filed with the Director within 15 calendar days of the Planning Commission's decision (ie. by 5:00 pm on

February 1, 2018) to be considered valid. The appeal application shall be accompanied by the fee prescribed by the City Council (\$2,591.00). The filing fee will be refunded to the appellant if one or more of the appeal allegations are upheld by the City Council, or if the decision is amended, remanded or reversed.

Planning Commission Chairperson

ATTEST

AYES:

NOES:

ABSENT:

ABSTAIN:

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON**

REQUEST FOR SITE PLAN REVIEW

+
+
+

**CASE NO. 811-17-000155-TYP2
FINDINGS, CONCLUSIONS,
AND ORDER**

NATURE OF THE APPLICATION

The applicant submitted a Site Plan Review application for construction of a 20-unit residential guest house with circular driveway, parking lot, outdoor amenity space, vegetated stormwater management facilities and site landscaping at 116 St Joseph Place (Assessor's Map 17-03-22-00, Tax Lots 100 and 200). The site is within the Medium Density Residential (MDR) District and the Springfield Development Code (SDC) 3.2-210 lists hostels and residential facilities for more than 15 people as requiring Site Plan Review in the MDR District. The Site Plan Review application is being processed concurrently with a Discretionary Use request requiring action by the Planning Commission before the subject development can be approved for the site.

1. On November 22, 2017 the following application for Site Plan Review was accepted:
Allow for a single story, 20-unit residential guest house with circular driveway, parking lot, outdoor amenity space, vegetated stormwater management facilities and site landscaping in the Medium Density Residential District, Case Number 811-17-000155-TYP2, Scott Tang, PeaceHealth, applicant.
2. The application was submitted in accordance with Section 5.4-105 of the Springfield Development Code. Public notification and request for comments, pursuant to Section 5.1-130.B of the Springfield Development Code, has been provided.
3. On January 17, 2018 a public hearing on the Discretionary Use request was held. The Development & Public Works Department staff notes including criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at the hearing have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested Site Plan Review application is consistent with the criteria of Section 5.17-125 of the Springfield Development Code. This general finding is supported by the specific findings of fact, conclusions, and conditions of approval in the attached staff report (Exhibit A) attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that Case Number 811-17-000155-TYP2, Site Plan Review application, be approved. This ORDER was presented to and approved by the Planning Commission on January 17, 2018.

EXPIRATION OF APPROVAL

This approval expires two (2) calendar years after the date of approval by the Planning Commission unless extended in accordance with the provisions of SDC Section 5.17-140.

APPEAL

Pursuant to SDC Sections 5.1-135 and 5.2-155, this Type II decision is final unless appealed to the Springfield City Council in accordance with SDC Section 5.3-120. Only those persons who participated either orally or in writing have standing to appeal the Planning Commission’s decision. An appeal application shall be filed with the Director within 15 calendar days of the Planning Commission’s decision (ie. by 5:00 pm on February 1, 2018) to be considered valid. The appeal application shall be accompanied by the fee prescribed by the City Council (\$250.00). The filing fee will be refunded to the appellant if one or more of the appeal allegations are upheld by the City Council, or if the decision is amended, remanded or reversed.

Planning Commission Chairperson

ATTEST

AYES:

NOES:

ABSENT:

ABSTAIN: