**Minutes approved at the May 21, 2019 Public meeting.**

City of Springfield

Regular Meeting

MINUTES OF THE REGULAR SESSION MEETING OF

THE SPRINGFIELD PLANNING COMMISSION HELD

Tuesday, May 7, 2019

The City of Springfield Planning Commission met in a regular session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Tuesday, May 7, 2019 at 7:00 p.m., with Commissioner Koivula presiding.

**ATTENDANCE**

Present were Chair Koivula, Vice Chair Sherwood, Commissioners Vohs, Landen, Bergen, Gill and McGinley. Also present were, Community Development Manager Sandy Belson, City Attorney Kristina Kraaz and Management Specialist Brenda Jones and members of the staff.

**ABSENT**

**None**

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Chair Sherwood

**ADJUSTMENTS TO THE REGULAR SESSION AGENDA**

* **Chair Koivula requests approval to change agenda to discuss first item: removal of a reserve strip across end of Dotie Drive, normal business from council, then take a break and begin Public Hearing at 7 pm regarding Metro Plan Amendment and Zone Change for Patrician Manufactured Home Park. All approved.**

**BUSINESS FROM THE AUDIENCE**

* **None**

**STAFF EXPLANATION OF QUASI-JUDICIAL HEARING PROCEESS (ORS. 197.763)**

* Assistant City Attorney Kristina Schmunk-Kraaz read the Explanation of Quasi-Judicial Hearing.

**CHAIR OPENING OF THE PUBLIC HEARING PROCESS**

* Chair Koivula Opened the Public Hearing

**COMMISSION MEMBERS DECLARATION OF POTENTIAL CONFLICTS OF INTEREST, DISCLOSURE OF EX-PARTE CONTACT OR BIAS**

* Commissioner Bergen works in Real Estate but does not have any bias toward this application

**QUASI-JUDICIAL PUBLIC HEARING**

1. **REQUEST FOR METRO PLAN DIAGRAM AMENDMENT AND ZONE CHANGE FOR 13.6 ACRES OF PROPERTY AT 3522 & 3530 GAME FARM ROAD, CASES 811-19-000065-TYP4 AND 811-19-000066-TYP3-**

**STAFF REPORT**

Andy Limbird Senior Planner, the applicant has submitted concurrent *Metro Plan* diagram and Zoning Map amendment applications for a parcel at the northwest corner of Game Farm Road and Beltline Road. The subject site has frontage on Game Farm Road along the eastern and northern boundaries and Beltline Road along the southern boundary. The proposed amendment would change the comprehensive plan designation and zoning for the parcel from Low Density Residential (LDR) to Mixed Use Commercial (MUC). The requested amendment to the *Metro Plan* diagram would concurrently amend the *Gateway Refinement Plan* diagram (a refinement plan to the *Metro Plan*) applicable to the site.

The subject site is located on the north side of Beltline Road west of the intersection with Game Farm Road. The subject site is addressed as 3522 & 3530 Game Farm Road (Assessor’s Map 17-03-15-40, Tax Lot 3100) and it is developed to accommodate approximately 81 dwellings. The site is approximately 13.6-acres in size and it is currently zoned and designated for low density residential development in accordance with the adopted *Gateway Refinement Plan* diagram and the Springfield Zoning Map. The subject site is bordered by Community Commercial zoning to the west and southwest, Campus Industrial zoning to the north, Low Density Residential zoning to the northeast and south across Beltline Road, and a combination of Medium and High Density Residential to the east across Deadmond Ferry Road.

The action would allow future redevelopment of the property for a variety of commercial and higher density residential uses such as hotels, meeting and conference facilities, eating and drinking establishments, retail stores, personal services, and offices. The applicant has indicated that the proposed comprehensive plan amendment and zone change would facilitate a mix of uses on the site in the future, such as hotel and conference facilities and higher education or business training facilities

This is not the first manufactured home park to be re-zoned. In Glenwood there were 6 parks went through the rezoning process in 2012 with adoption of the Glenwood Refinement Plan Phase I and none of them have closed. The current zoning does not allow for new parks to be developed, they are considered existing non-conforming uses. That action was not a park closure; this zoning action is not a park closure. However in this case, the applicant has clearly stated that redevelopment of this site is intended within the next 10 years. Staff does note that a manufactured home park closure does not require Public Hearing, it is a separate action overseen by State Regulations.

This action is to change the underlining zoning and the plan designation for this particular park. The existing dwellings would be allowed to remain indefinitely, pending a park closure. Should the zoning not go through, park closure can still be pursued by the applicant. They are two separate indistinct actions.

Staff does note the adherence to the Metro Plan and the criteria of approval is not absolutely clear and unequivocal. There are some provisions for residential housing stock to be maintained within the community. This is existing residential, it could potentially be duplicated elsewhere within the community. There is Low Density Residential zoning elsewhere within Springfield, some developed, some vacant. However this would represent a loss of 13.6 acres and 81 dwelling units, should the site be redeveloped in the future.

The zoning map has been updated to show the property immediately across Game Farm Rd to the east which was recently redesignated and rezoned to a combination of Medium Density Residential and High Density Residential, intended to accommodate assisted living facility and another existing development is already on the site to the south. There is another property just to the east on Deadmond Ferry Rd that was redesignated and rezoned recently for a planned multi-unit development.

Land development pressures are taking effect in this area. In this case, it is the unusual situation where the residents don’t own the property but they own the units that they reside in. So we have quite a number of affected residents on the site.

**TESTIMONY FROM THE APPLICANT**

Richard Boyles, Urban Transitions, LLC; 840 Beltline Road, Suite 202; Springfield, Oregon 97477

Teresa Bishow representing Urban Transitions LLC, also with her is Cameran Grill with David Evans Associates, and Bill Kloos Land Use Attorney.

See Exhibit J- Applicant presented a PowerPoint.

Addressing the first few main approval criteria, are the proposed plan amendments consistent with State-wide goals? The key goals relative to this project are:

Goal 9 is to strengthen economic development. Approval of the plan amendment would create for the City of Springfield a new Mixed Use designated site, 13 acres in size, in a strategic location near I-5, transit and other major destination points in the north Gateway area. Teresa showed a photo of north Gateway area from 1972. The applicant believes this is the time to look at the planned zoning for future development. This site is ideal because of its size. It will provide a unique and attractive location for target industries that will stimulate local economy. Examples are tourism, corporate headquarters, professional and technical services and services for residences.

Goal 10, housing, is vital. The Mixed Use designation does allow housing. It doesn’t have a minimum requirement for a certain amount of the land to be used for commercial or non-residential purposes. The change in designation, if approved, does not constitute notice of a mobile home park closure. She wants to emphasize that. The change to Mixed Use does remove this acreage from the Low Density land supply, but there are still 154 acres of surplus land that will remain if the City approves the request to Mixed Use zoning. Applicant believes currently in Springfield, the Low Density Residential land allows for development of manufactured/mobile home parks.

Goal 11 is public facilities and service. This site is inside city limits and currently has a full range of public services available to the site. It is much more cost effective to redevelop an existing site that has urban services versus extending new infrastructure to the outskirts or edge of the community. Consistent with Goal 11, it is efficient and it allows for the good expenditure of the government resources. There is a capacity through redevelopment to allow more intensive use.

Teresa introduces Cameron, traffic engineer, asks him to the podium to address Goal 12. Cameron is the traffic engineer hired by the applicant to perform the Traffic Impact Study.

Goal 12, transportation. Goal 12 was evaluated to make sure they are consistent with the Transportation System Plan and the Oregon Highway Plan. They do not believe Mixed Use designation will alter any transportation functional classifications. An evaluation was done of two different scenarios to capture reasonable worst case under a Mixed Use plan designation.

Scenario 1

Hotels- 230 rooms

Convention Center or office complex 40,000 sf

Multiple family housing – 128 units

Scenario 2

Shopping Center 125,000 SF

Multiple Family housing-168 units

Both the City and ODOT had an opportunity to review the traffic impact study and the assumptions and conclusions included in it. Both the City and ODOT have agreed with traffic impact study assumptions and conclusions. With additional signal timing optimization and ongoing maintenance of existing traffic signals, none of the intersections included in the study area would fail to meet applicable ODOT or City standards. Increased density in Mixed Use will support additional transit use in the area and new commercial services for nearby residents, employees and visitors will promote walking and bicycling in the area.

Teresa comes back to the podium.

The next approval criteria: Would the proposed plan amendment create an internal plan inconsistency, whether at the Metro Plan level or to the Gateway Refinement Plan? The answer is no. To reiterate, there would not be a conflict with the City’s ability to retain sufficient residential land to accommodate future growth, nor would it conflict with the policies and inventory regarding commercial land. Plan diagram changes would also not conflict, but help implement, the policies in the Metro Plan and the Springfield Comprehensive Plan regarding Mixed Use areas. In regards to the Springfield 2030 Plan, if approved, this action would be consistent with plan policies promoting tourism in mixed use developments, redevelopment of existing sites at relatively lower costs.

In regards to the zone change, there is not a companion proposed text change because the zone change request would be consistent with adopted plans if the Metro Plan and Gateway Refinement Plan diagram is approved.

Talking about non-approval criteria, the property owner acquired the property over ten years ago and expects to redevelop within the next 10 years but there is no immediate plan to redevelop the property. No matter what the City action is, it will not change the terms of rental agreements, and to reiterate, will not constitute a park closure notice.

**QUESTIONS FROM THE COMMISSION**

* Commissioner Sherwood- Referring to the Metro Plan, in the section “Existing Housing Supply in Neighborhoods,” we have policies. One is to pursue strategies that encourage rehabilitation of existing housing in neighborhoods. Can you speak to how this would approach this policy?
* Teresa responded. This particular proposed plan amendment would have no effect. It won’t encourage the owners of the manufactured homes to invest further in the homes knowing they will need to be moved at some time. The challenge and opportunity you have before you is to look at the diversity of plan policies. It is all about balance. Mixed use zoning will not prohibit the continuation of the park, but to be honest, it won’t stimulate rehabilitation.
* Commissioner Koivula, follow up question. The Springfield 2030 Plan calls out in economic housing portions for rehabilitating and maintaining low cost housing. He assumes this is for housing equity, but this is probably one of the least cost methods for people to have housing other than an ADU. Goal 10 also directly speaks to manufactured homes as part of the inventory that needs to be looked at by municipalities and also discusses providing housing for people in all price ranges and rent levels so that all income levels are served, not just through multi-family housing. He states Teresa did speak about people moving the manufactured homes, and believes that in most cases for the residents there, because of the age of the homes, this would be an impossible task and that very few people would be able to move their homes.
* Teresa responded. The applicant believes the Mixed Use zoning, which allows housing, will help address getting new housing constructed which will add to the supply and help to the diversity of housing. It is correct that there will be a loss of the low cost housing there now. Many of the manufactured dwellings are nearing the end of their viability to provide safe sound housing, unlike some of the historic areas that have houses that are much older but constructed differently. When she looks at the residential land inventory and what is projected, 40% of future housing needs were expected to occur in multi-family apartments. The other 60% were broken up into categories, the smallest percent being mobile homes. On a community wide basis, there will be more housing through any redevelopment on the property. The applicant acknowledges the sense of community of the park and that may be impossible to replace.
* Commissioner Koivula makes correction that the 1% figure was specific of owned mobile homes on rented lots. The City was seeking greater figure for mobile homes on individually owned lots.
* Commissioner Vohs appreciated the transportation analysis report that was submitted, stating it was very in depth and could be useful information for City staff.
* Commissioner Sherwood asked, Going back to housing types, in the Metro Plan, Housing Type and Tenure section, it says we should encourage home ownership of all housing types, particularly for low income households. He wants to emphasize home ownership. He asked, is it correct that the Mixed Use commercial will be expected for renters?
* Teresa answered. The zoning would allow for home ownership of attached units. We haven’t seen a new condominium building in the Eugene Springfield area in a few years, but it is an option.
* Commissioner Sherwood stated in the packet there is an excerpt from Springfield Development Code definition of Mixed Use Commercial district. It says Mixed Use Commercial district is established where a mix of commercial and residential uses is compatible with existing nearby uses. Development within mixed use district shall have a commercial dominance. The applicant says there will be an increase in housing, so is the intent to be able to fit more than 81 houses on a plot of land and still have a commercial dominance?
* Teresa responded and refers to the scenarios used in the traffic study. In both, a significant portion of the site was devoted to housing. There is no current specific development plan. Until the zoning and plan designation are established, it is premature to be looking at an actual layout. The goal would be to try to provide for a variety of housing, but if a major employer was looking to locate in Springfield, there would be less housing.
* Commissioner Sherwood stated he understands that there is no Master Plan. Even without that, he finds it important to determine what a feasible use for this property is and whether that fits mixed use commercial. He stated he got the answer from the response.
* Commissioner Koivula had a transportation related question. Under Finding 29 of the application, it says the transportation study relies upon 3 city of Springfield planned projects. If either of the example scenarios were built, and something happens to economy and the 3 projects are unable to be built, can the applicant foresee a significant degradation of the projects?
* Cameron responded that this is something that he would have to take a look at, as it wasn’t one of the scenarios that he analyzed.

**TESTIMONY FROM THOSE IN SUPPORT**

* None

**TESTIMONY OF THOSE NUETRAL**

* Patrick Wingard; Oregon Department of Land Conservation and Development; 1715 Franklin Blvd, Rm 221, Eugene, Oregon 97403; Also a Springfield resident. Members of the Planning Commission, you have a difficult task in front of you. The State’s interest is in supporting you, your staff, bringing state resources to a community that, in my opinion, has been the most proactive community in Oregon in addressing closures and potential closures of manufactured home parks. He applauds this effort. This is a City of Springfield issue to manage, not the State’s to decide for you. I’m not only here to support you from the department’s perspective, but also from the Regional Solutions Team. The Governor’s Regional Solutions Team is comprised of State agencies including DLCD, DEQ, ODOT, Business Oregon, Housing and Community Services, and any other State agency partner we may choose to bring in to meetings. This issue of closure and potential closure of manufactured homes parks was taken on in 2015 through Governor Brown’s directive through the Oregon Solutions Program, the outcome being the manufactured home closure “toolkit.”

Patrick is also here representing the Governors. His purpose tonight is to 1) recognized that, in their judgment, the City has adequate findings to demonstrate the City has a supply of low density residential lands, or in general residential lands within the Urban Growth Boundary. The proposal that the applicant used 2011 data for, and then staff brought to current, is good work, very important, and closes your exposure to an appeal based upon a fundamental issue. He has no doubt the City will nail down the clear and objective stuff, the inventory, data, and traffic impact assessments. The challenge here would be working through seeing affordable housing dwindle. In closing, in Oregon we love to protect farmland and forestland. We have robust natural resources industries, and we need to protect those industries. The flipside is we also need to provide an opportunity to intensify development in areas where we have significant public investments. He is providing comments from a neutral position, but he wants you to know this is important to the Governor and to the State. Whatever decision you make, we will be supporting you, whether with technical or financial assistance.

**TESTIMONY OF THOSE OPPOSED**

* Joseph Bando; 2586 Grand Vista Dr. Springfield; He has developed several small manufactured housing subdivisions and some large ones. He owns Emerald Mobile Home Park on S. 57th for people aged 55 and over. These parks are so valuable and are increasing. If we lose these mobile home spaces, we will never get them back. Someone mentioned there is available land, he stated there is no land for development of a mobile home park, and he would like to know where because he’d like to develop a new one. It would be a disastrous loss to lose affordable housing like this, he’s specialized in it his whole adult life. He stated his park rent is about $100 lower than those around him, and he has enough return he cannot fathom increasing rent on his renters. He’s tearful at the thought of losing this park. Manufactured homes can be rehabilitated.
* Molly Solomon; 1263 Main St., Space 33, Springfield; Rezoning of this residential area to be mixed use business commercial gives permission to the land owner to displace members of our community that are on a fixed income and will be unable to find other accommodations. You will be indirectly adding to our county’s homeless problem without any solution to remedy it. In Lane County, the fair market rent for an Efficiency is $675 according to the department of housing. Social Security income is less than $800 in the State of Oregon, minimum wage nets only about $1200 per month. Even were there enough Efficiencies to accommodate the people this change will affect, minimum wage and fixed income do not cover the cost of living in this rental market. The housing talked about is not going to be affordable housing, it is going to be fair market housing. Allowing this change will set off a series of events that are unethical and immoral. Mobile homes cannot be moved without significant cost or damage. It is the wrong thing to do in the name of profits and further business developments. There is land in Springfield that would not require displacing people. If your goals are to foster the inclusion of our low income community members then don’t put real estate speculator profits over keeping the home town feel of Springfield.
* Susan A Stoltenborg; 3530 E. Game Farm Rd., Space 2 Springfield; she wanted to emphasize the affordable housing issue: this is a 55+ community with many folks on a fixed income. There are seniors aging up to 90 years old, varying disabilities, veterans. Uprooting a senior community is devastating. It’s hard to imagine where these people will go and it’s a springboard for homelessness which is obviously a hot topic, as is affordable housing. There are other vacant lots available. There are parks that have donated large parts of land to let people live there. She shared how she had gone through so much but was able to save and purchased her first home and thought it was her forever home. After signing a 20 year mortgage, she feels this is a low blow to her and the community. One of the bullet points about strategic location applies to affordable housing as well: the location and it’s availability to social services, etc. She is definitely opposed.
* Jo Manning; 3530 E. Game Farm Rd., Space 29 Springfield; She and her husband bought and moved into their home about a year and a half ago. They spent thousands of dollars on improvements, hoping to spend the rest of their lives there. They were informed of land owner’s intent to rezone the property, which to them means their home is now worthless. Affordable housing for 55 and older is difficult to impossible to find, especially homes that allow independence. The owner anticipates redevelopment within the next 10 years, which means notice of a park closure could come anytime and home owners will be forced out with very little money to find another. The compensation offered will not get them into another home, barely even a down payment. Taking out a home loan in their 60’s would mean paying for a home well into their 90’s. Before retirement, she worked in State Government and did not approach board members with problems and not offer solutions, so she proposes the following: If approved, please consider attaching conditions such as a contract or promissory note between residents and Urban Transitions stating that Mr. Boyles will not redevelop for X amount of time so they can choose to sell with clear conscience; stop raising rent on the lot, so they can save for relocation. He can buy our homes for a reasonable amount, perhaps $25,000 each and then rent them out until demolition time. She asks that you represent the residents fairly and take a closer look at the traffic problems the rezone could create. Consider sharing a realistic timeline if rezoning is approved, and amount of fair compensation the residents can expect.
* James Matejka 3530 E. Game Farm Rd., Space 28 Springfield; He has lived at the patrician for 7 years. The main thing he sees is the biology going on there. He states there are lots of trees, owls and landscaping. There are not just people that live at the patrician, but small animals. He doesn’t understand what is going on. We are supposed to take care of each other. We are destroying the earth.
* Barbara Matejka 3530 E Game Farm Rd., Space 28. Springfield; She has lived at the Patrician for 12 years, when they moved into the park, they put everything they had and all their money into their home. They are a community there. They won’t just lose their home, but their friends, neighbors, loved ones. Her husband has Parkinson’s and has a hard time getting around and is now looking to lose what he calls his end stage home.
* Robert Manning 3530 E. Game Farm Rd., Space 29; As his wife stated, they have lived here for about a year and a half. They felt lucky to find this place, with a low price and allowed for pets, with a little bit of a yard. When they purchased their home, they were not told that there was a plan to close the park. If he had known he would have never purchased this home. He stated that in Oregon, we have 156,000 low income households that pay more than half of their income in rent. Low income housing is extremely important. 43% of these people are elderly. Being on fixed income, we become at risk for being one of 13,000 homeless people in our state, if this park closes. He feels Urban Transition has a moral responsibility to the people in the park. He is asking for more time, compensation and answers.
* Reverend Mark Myers; 3530 E Game Farm Rd., Space 23; submitted written testimony- ASKED TO CONTINUE THE HEARING. He lives in the oldest, first home moved into the Patrician. He finds there are 3 goals that glare loudly in the rezoning according to City Ordinances, the Metro Plan, and the State guidelines. Number 9, Economic Development - He feels that as stated in the application, the goal is very shaky. Springfield adopted Ordinance #6331 and believes this application violates that. He would like continuation to research that. One item is services of residents. Are we to strip an established residential site for a commercial site ignoring the residential community? 60% of his neighbors cannot afford to move back in. His rent is $665. Goal #10 – LDR having a surplus of 378 buildable acres and MDR having a surplus of 76 buildable acres, and a deficit of 28 buildable acres, is highly skewed for high density residential. As he sees it, this is contrary to the Gateway Plan, which the City signed on to. Goal #1, affordable housing. Affordable housing is not $1,020 per month for rent. He feels that you are missing Goal 1 and 2, which violates Ordinance #6051. The most egregious thing he sees is the traffic report, as it has no consideration for what exists in our community. They cannot enter traffic during rush hour from the east main gate of the property because traffic is backed up from Beltline down east Gateway to the traffic circle on Deadmond Ferry Road.
* Martha Bryson; 1263 Main St., Space 32; Springfield; She is the treasurer for non-profit housing, First Umpqua. She lost her housing in Springfield because the property management said the owner wanted the house back then raised the rent and listed the house on Zillow. Being in a wheelchair and 64 years old, replacement housing was hard to find. She lived on a cot in her daughter’s house. She still can’t afford adequate housing and feels her income is significant. She asked what will happen if you rezone this? She is a housing expert, having testified before the US congress on housing in 1989. She is on every wait list for senior and subsidized housing, and knows it will be years before she is housed in Springfield/Lane County. The people who lose their housing cannot go buy another house because it’s unaffordable.
* Joelle Sherman 3530 E. Game Farm Rd., Space 73; Springfield; Her daughter Amy Sherman will speak for her. She is here to urge you to deny the proposed land use change involving the Patrician. Changing the land use designation from Low Density to High Density Residential is no longer necessary. The deficit was met in an amendment to the Glenwood Refinement Plan to designate 28 acres as Mixed Use. Goal 2, according to Springfield’s housing needs analysis, there is a need for 3,552 homes for single family types, including manufactured dwellings. Eliminating our 81 homes will increase that deficit. Rezoning to Multi-use Commercial would also tip the balance of the three residential land types resulting in a loss of low density residential in this area. Housing goal 3 in Springfield’s 2030 Comprehensive Plan requires minimizing displacement of low income residents when neighborhoods are developed. H-10.3 in the Comprehensive Plan states the City must continue to develop strategies to repair, improve and preserve the existing supply of affordable housing. The proposed amendment violates policy H-2 of the comprehensive plan as it would destroy, not enhance and protect single family neighborhoods and affordable housing stock in areas with services. Gateway provides ample services and conveniences near the Patrician. Manufactured homes are the only affordable housing type for low income people who want to own their own homes. A.25 and A.26 of the Metro Plan work to preserve existing affordable housing, stabilize older neighborhoods and rehabilitate existing houses in neighborhoods. Several neighbors and she have made improvements to their homes including roofs, ramps, flooring, and kitchens. The Patrician is an attractive manufactured home park, not a dilapidated trailer park, and should be preserved and protected.
* Gary Kendall; 3530 E. Game Farm Rd., Space 35 Springfield; He agrees with everything that has been said tonight. What’s not being talked about is the people. He thinks it is indignant to be forced out of his home. He would ask that the Planning Commission have compassion and not allow the zone change.
* Vicki Palmer 3530 E. Game Farm Rd., Space 43 Springfield; She has lived at the park since 2018. She used her pension for down payment and still owes $40,000 on a home she planned to be her forever home. During her search for this home, she had not been informed by her realtor or the manager that Mr. Boyles had any plans to rezone the property. Had she known that, she would have never purchased her home there. The money Mr. Boyles would give residents would not even pay off what she still owes on the home. She does not qualify for any assistance because she works full time. To be forced to find affordable housing and live in an already competitive housing crisis market is stressful. She feels Mr. Boyles should fairly compensate the homeowners for their homes, including over what she owes plus moving costs, but the $5-$10 thousand is not enough.
* Lee J. O’Driscoll; 3530 E. Game Farm Rd., Space 18 Springfield; ASKED TO HOLD THE RECORD OPEN FOR 14 DAYS

He is a resident at the Patrician mobile home park, feels this is an important place and is worried about where people on this income level will end up. He stated the residents met with attorney at the non-profit Oregon Law Center in the park clubhouse, which they rent. Then the property manager newsletter advised the residents that they can no longer use the clubhouse for group meetings about the rezoning. The residents had a hard time finding a lawyer that can potentially represent them in regards to the zoning matters. The struggle was to find an attorney that does not already have a business relationship with Mr. Boyles, meaning they will not represent the group. They also now have to struggle with where to meet. He stated they have found an attorney to meet with and would like the record to be held open for 14 days to give the residents time to meet with the attorneys.

* Kris O’Driscoll 3530 E. Game Farm Rd., Space 18 Springfield; She stated that when she met with three attorneys from the Oregon Law Center they did some research in the Springfield’s long term plans – the 2030 comprehensive plan, metro plan and residential land and housing needs analysis, as they relate to Mr. Boyles’ application. Most things she wanted to speak on have been addressed such as affordable housing neighborhoods. One of the things regarding affordable housing is that these citizens are 55 and over, living on a fixed income, most on Social Security income alone. The park owners continue to raise the rent of the property every year. They have lived at this park for 4 months. In order to move, one must show that their income is 3 times the amount of the rent and she stated that she would not qualify elsewhere. If this park is closed down it will wipe out a community of citizens that look out for each other.
* Julie King 3530 E. Game Farm Rd., Space 50 Springfield; She and her husband lived in the Patrician before, sold and moved to Arizona, then lost her job and returned back to the Patrician. They have poured all of their resources into this home. One of the reasons for purchasing this home was because of the wheelchair ramp and proximity to the hospital. Her husband has many medical issues and she depends on other citizens of the patrician to help look out for her husband.
* Vita Lucito 3530 E. Game Farm Rd., Space 48 Springfield; She is 81 years old and on a limited income; she has very little spending money so she cannot afford to live anyplace else. She was told the owner of this property tried to do this before and then backed away when the economy was bad. She said he could raise the rent a little more, but how much money does this man need? He owns all the property in the area. The residents’ needs are more important than his needs. She wants the Planning Commissioners to represent the residents to the City councilors. She can’t afford another mobile home and the compensation won’t be enough.
* Judith Moman 239 Heritage Ave. Eugene; She is a volunteer attorney at Senior Law Services, she is not a land use attorney, but is an estate planning attorney. She is here in solidarity with the owners of homes at the Patrician. She feels this community is vulnerable and is extremely exposed to this issue and the downstream effects of it. She was going to speak to the inconsistencies between the requested amendment and relevant public planning policies to encourage your vote against this, but many of those have been addressed. While this is not a vote about closing the park, just about rezoning, the “just” should be removed because the consequences are far more dire than they have been painted. She would like to add criteria: the 5th Amendment protects the citizens from the government taking property by things like rezoning. The Metro Plan Goal # 1 is citizen involvement, precisely because the types of devastating impact that this amendment can have on people, especially a sizeable vulnerable population with limited resources is extreme. Goal 10: loss of single family affordable housing. There is a state-wide shortage of 100,000 affordable housing units, in Lane County, that deficit is 12,000. Manufactured homes are the most accessible affordable housing unit. The amendment is inconsistent with the 2030 Refinement Plan which identifies Downtown and Glenwood Riverfront districts as the primary areas to locate higher density residential units. As noted in Finding #13 there are other lands north of Gateway designated as employment sites for targeted industries, there are other avenues to economic development that do not have downstream negative consequences.
* Matthew McNutt; 2961 Portland St., Apt 1 Eugene, 97405; He is a resident of Eugene, and is here to speak against this because it violates or is inconsistent with applicable state statutes, in particular ORS 90.800, ORS 456.579, and ORS 456.581. In ORS 90.800, the State of Oregon encourages affordable housing options for all Oregonians. One housing alternative chosen by Oregonians is facility living. This act is describing the right of residents to purchase the land underneath the homes that they have been dwelling in. In the other acts mentioned, the State has set aside funds for that purpose. The Vida Lea Cooperative in Vida used those kinds of funds and guidance from CASA of Oregon to secure their addition. A rezoning would undermine the point of this legislation as stated in 90.800 to enable the residents to buy their park, because rezoning expropriates the value the residents have in their homes and transfers it to someone who is speculating. It raises the potential property purchase price by having a different use than its current use. It is an unjust expropriation and inconsistent with those policies in the Oregon Regulations.
* Tom Kruzik; Tom has left the building.
* Earl King 3530 E. Game Farm Rd., Space 55 Springfield; He was looking over some information, Portland city council unanimously passed a convenience plan #2035 Policy 5.37 in August 2018 to preserve manufactured home parks as low and moderate income housing options. It would be nice if the City of Springfield would bring in an act like that to save the mobile homes in Springfield Oregon, because there aren’t too many left.

**QUESTIONS FROM THE COMMISSION**

* Commissioner Sherwood, he would like to hear more about Non-Conforming Use. Is there a preference for or against non-conforming uses in the City, and whether or not having them is undesirable?
* Andy responded that the City does have many properties that are non-conforming due to change in zoning. It does not necessarily expedite or require the existing structures or activities to vacate. For example home along Main Street there are houses interspersed with business, for the most part, zoning is commercial, yet there are still residences on both sides of Main Street that have remained for decades. As explained during the staff presentation, all of the parks that were rezoned through the adoption of the Phase I Glenwood Refinement Plan are now non-conforming however they have remained in operation essentially unaffected by the rezoning action for the last 7 years. Staff is not privy to any information about whether there have been complications in the resale of units, not aware of any pending park closures, it could happen at any time to any park property. We do have information available to assist residents should a park closure be announced and those non-conforming uses could remain indefinitely. It’s typically at the behest and initiation of a property owner to change the activities on the site if there is a non-conforming use. It is important to note that if there is a non-conforming use and there’s a fire or catastrophe where a residence is wiped out or damages the existing use, it can be rebuilt. In general the preference would be maybe no non-conforming uses, but it does not prevent them from remaining.
* Commissioner Sherwood asked if the preference is no non-conforming use.
* Kristina added she is not aware of any adopted plan policies or language that discourage non-conform uses or say there’s a preference against them, she thinks we should follow up on this before we state that.
* Commissioner Vohs asked if staff has already scheduled for this to be heard by the City Council.
* Andy states it is currently scheduled for June 3rd, pending the outcome of tonight’s meeting and any subsequent meetings, but it can be pushed back if necessary.
* Commissioner Landed asked if there is any provision at the State, City or County level for mobile home owners to be compensated fair market value.
* Andy responded that there is not. Under ORS the minimum compensation is $6000 for a single wide, $8000 for a double wide, and $10,000 for a triple wide or larger.
* Commissioner Landen asked if the law requires the manager owner to brief the residents concerning this when they move in.
* Andy replies that he has not researched all the landlord/tenant rules and does not know the lease agreements for these residents.
* Commissioner Gill asked: It was mentioned that a closure does not go before Public Hearing, but in finding 43, it is mentioned that if the rezone happens, whatever plan comes forward, would come through review, and also that there’s mitigation for the impacts on surrounding areas. Please talk about what the review would entail and are there timelines for if there is a closure, when development would need to occur, are these things that we can talk about in the zoning change as conditions?
* Andy answered that whether or not the rezoning moves forward, if the property were to be redeveloped, there would be some type of land use action required. He would say it’s highly unlikely that redevelopment of the site would be as one contiguous property, under LDR zoning, if the site were to be redeveloped, if there would be a notification of park closure, it would likely subdivide and create lots comparable to what in the neighborhood to the south, it would also require extension of public streets, it is not likely that you’d have a full 13.6 acres of land available. There would be streets, utilities would need to be extended, so the net yield would be less than the 13.6 acres. If the site were to be rezoned causing a park closure, under mixed use commercial, at a minimum you’d be looking at Site Plan Review which would be another public notification procedure for one type of development.
* Kristina added for clarification, that the City plays no part and has no approval or control over a mobile home park closure.
* Commissioner Koivula asked, If they had knowledge that the park was possibly going to be rezoned and closed, and didn’t disclose that when the manufactured homes were sold in the park, is that an illegal act according to State Real Estate law? Would the owner have to disclose that the park could close?
* Commissioner Bergen responded, as a realtor, not a real estate attorney, in her experience, disclosure is required on future developments and if that did not take place, one should seek a real estate attorney to discuss it with.
* Andy added that based on the testimony heard this evening, the most recent residents moved in about 4 months ago, and this notification was sent out in the last several weeks and the notification is based on the application submittal. There was not the foreknowledge of this action until the submittal came in. Before they submitted the application, the owners notified the residents of their intent, and sent them letters even before the application came in.
* Commissioner Sherwood asks Kristina, at what point would it be appropriate to discuss additional findings to be added to the staff report.
* Kristina replied the public hearing is still open, and the applicant has rebuttal opportunity so once the public hearing is closed and the record is closed, then we can talk about additional findings. If there’s other information to request from staff, an appropriate time to do that is after the public hearing is closed.

**SUMMATION BY STAFF**

* Andy does not want to comment on the comments by the residents; he does not want to diminish the import of those comments. There were a couple of issues raised. There was a request for extension of the written record for 14 days, a request to continue the Public Hearing. Both are at the discretion of the Planning Commission. He believes there was a request to extend the written record to allow the residents time to meet with legal representation with the understanding that there would potentially be some further information submitted into the record, that is for the Planning Commission’s consideration. Staff is not recommending any action this evening in conclusion of this application. It would be at the Commission’s discretion to reconvene the Public Hearing to accept additional written or verbal testimony and then conclude the Public Hearing. He is happy to answer any questions, but the intent of this evening’s meeting was to accept all testimony and see if there was any request for submittal of additional addition and that request was made.

**REBUTTAL FROM THE APPLICANT**

* **The applicant is declining to rebut at this time if the record is to be held open.**

**CONSIDERATION OF REQUEST FOR CONTINUATION OF PUBLIC HEARING, EXTENSION OF WRITTEN RECORD, OR BOTH**

* **Commissioner Landen moved to continue the public hearing to the next Planning Commission meeting, seconded by Commissioner Sherwood, all in favor. The next meeting will be May 21, 2019 at 7:00 p.m. in Council Chambers.**

**CLOSE OF CONTINUE OF PUBLIC HEARING; CLOSE OR EXTENDED WRITTEN RECORD (continuation of extension by motion)**

**PLANNING COMMISSION DISCUSSION; POSSIBLE QUESTIONS TO STAFF OR PUBLIC**

**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**

***IT WAS MOVED BY COMMISSIONER*** *Kirschenmann* ***WITH A SECOND BY COMMISSIONER*** *Moe* ***TO APPROVAL. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST 2 RECUSED.***

***5:0:2absent***

REPORT OF COUNCIL ACTION

* Commissioner Vohs gave an update from April 8, 2019 Council Meeting, Work Session only. First item: Interviews for Planning Advisory Committee, 2 people applying for one opening. Second item: City had employed a consulting firm to conduct a phone survey of the citizens of Springfield regarding a potential library levy. Final conclusion from Mayor Lundberg is that there will likely not be a library levy anytime soon. Third item: Looking at by-laws for boards and committees. Decision was made that the membership of Bicycle Pedestrian Advisory Committee will be 9. Council expressed a desire to have all board and committee members’ terms end at the same time each year, probably July.
* Commissioner Landen gave an update from the March BPAC meeting
* Commissioner Koivula attended the April 22, 2019 Council Meeting Work Session and gave an update about the Economic Development program general overview update, including a number of conceptual project.

BUSINESS FROM THE PLANNING COMMISSION

* None

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

* Sandy updated the Planning Commission regarding the Appeal that was received that will be a joint hearing with the Hearings Official Anne Davies. This hearing is scheduled for May 29, 2019 at 7:00.

ADJOURNMENT

The meeting was adjourned at 9:08 p.m.

Minutes Recorder – Brenda Jones

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Michael Koivula

Planning Commission Chair

Attest:

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Brenda Jones

Planning Secretary