City of Springfield

Regular Meeting

MINUTES OF THE REGULAR SESSION MEETING OF

THE SPRINGFIELD PLANNING COMMISSION HELD

Tuesday, May 21, 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 21, 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 Comprehensive Planning Manager Sandy Belson, Assistant City Attorney Kristina Kraaz, Administrative Specialist Shannon Morris 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**

* **None**

**APPROVAL OF MINUTES**

* **Commissioner Bergen noticed misspelling of her last name; Commissioner Koivula noticed misspelling of Commissioner Landen’s name.**
* **Commissioner Bergen motioned to approve the minutes.**
* **Commission Landen seconded.**
* **All in favor.**

**BUSINESS FROM THE AUDIENCE**

* **None**

**QUASI-JUDICIAL PUBLIC HEARING**

* **CONTINUED FROM MAY 7, 2019**

**PH – 811-19-000065-TYP4 Metro Plan Amendment & 811-19-000066-TYP3 Zone Change**

**3522 Game Farm Rd. 17-03-15-40 TL 03100 Urban Transition LLC**

**Staff: Andy Limbird**

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

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

The hearing tonight is a continuation of a prior Public Hearing and it is a quasi-judicial hearing. The applicant has the burden of proof to show all the applicable approval criteria have been met. The criteria are posted on the wall behind the Planning Commission, outlined in the staff report and located in the Springfield Development Code in section 5.3-135 for the Metro Plan Amendment, Section 5.6-115A for a refinement plan amendment, and section 5.22-115 for a Zoning Map amendment.

PLEASE PAY ATTENTION TO THE FOLLOWING INFORMATION ABOUT YOUR RIGHTS IN THIS PUBLIC HEARING PROCESS:

* Testimony, arguments and evidence must be directed toward the criteria of approval that I just listed, or other criteria that you believe apply to the decision. If you believe that other criteria apply to the decision, please specify what the criteria are.
* If you raise an issue, the issue must be accompanied by statements or evidence that is sufficient to give the Planning Commission and the parties an opportunity to respond to the issue. If you fail to provide sufficient statements or evidence to the Planning Commission and to the City Council in the next phase of this process, you may be prohibited from raising those issues on appeal before the Oregon Land Use Board of Appeals.
* If you are the applicant, you must raise concerns regarding any proposed conditions of approval to preserve your right to appeal and/or to seek damages in Circuit Court. If you fail to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Planning Commission and Council to respond to the issues, you will be precluded from seeking damages in Circuit Court.

For members of the public, if you would like to testify this evening, please pay attention to the following procedures. This hearing is being recorded on tape.

* First, please fill out a request to speak card located on the side table and give that card to the Planning Assistant.
* When you are called up to speak, please testify from the podium to my left (not from the citizen’s seats).
* Begin your testimony by stating your name and address for the record.
* Finally, if you want a copy of the City Council’s final decision, please provide your name and address to the Planning Commission Assistant.

The Planning Commission record will be forwarded to the City Council. The Planning Commission record includes the application and any supporting information, the staff report, documentary evidence and written testimony provided to Senior Planner Andy Limbird from the beginning of this procedure through tonight’s hearing, and all testimony and documentary evidence submitted to the Planning Commission during tonight’s hearing, as well as the testimony from the prior part of this Hearing on May 7th.

If you want an item entered into the record, please present that item to the Planning Commission assistant, orally or in writing. If there is any question in your mind whether any material is in the record, make a point of asking that it be accepted into the record.

This is a continuation of a prior Public Hearing, you may request that the record be held open or the Public Hearing be continued but those requests are discretionary with the Planning Commission.

Last, Oregon land use law requires that the Planning Commission act as an impartial decision-maker. Planning Commissioners must disclose any ex parte contacts or conflicts of interest related to this matter, and must allow any person to challenge the Planning Commission for bias.

* A conflict of interest is a situation in which the decision maker, his or her family, or their business would benefit or suffer by the decision-maker’s choice.
* An ex parte contact is a communication to the decision maker that includes substantive issues regarding the application and occurs outside the public venue.
* Bias is an actual personal interest in the outcome of the decision, or a prejudgment by the decision-maker as to the outcome without regard to evidence and argument submitted to the decision-maker.

Chair Koivula, you may now continue the public hearing and declare ex parte contacts and conflicts of interest.

**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, as previously stated, said she is a realtor but does not have any conflict of interest with this case.
* Commissioner Koivula asked if there is anyone who wishes to challenge the Planning Commission for bias. Heard none.

**TESTIMONY FROM THE APPLICANT**

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

No testimony.

**QUESTIONS FROM THE COMMISSION**

* None

**TESTIMONY FROM THOSE IN SUPPORT**

* None

**TESTIMONY OF THOSE NEUTRAL**

* None.

**TESTIMONY OF THOSE OPPOSED**

* **Kristin O’Driscoll, 3530 E. Game Farm Rd. Space 18, Springfield;** Stated she has had two weeks to consider what the owner’s consultant had to say about the rezoning application as well as what members of the public had to say. There’s one thing that hasn’t been clearly pointed out yet. The owner’s consultant says that the loss of the low density residential park can be made up for by the presence of other low density acreage elsewhere within the City limits. That may be true and it may look good on paper, and it may look like a reasonable trade but it misses the entire point. Low density residential zoning is not the same as existing affordable housing. If the owner’s rezoning application is approved, yes the city will lose 13.6 acres of low density residential acreage at this location, but more importantly the city will lose 13.6 acres of existing affordable housing in a long standing community that can never be replaced. Once it’s gone, by definition, it’s gone. Two weeks ago a housing expert who’s spoken before Congress on housing issues spoke here at the Planning Commission Public Hearing about the long waiting lists that exist for all low income housing in the State. Eliminating our existing affordable housing at the Patrician Mobile Home Park will guarantee displacement of 130+ current residents when the park is closed. We know the park will be closed - we just don’t know when - if the rezoning application is approved. It will also guarantee additional stress on City resources designed to help the low income community. What City tax dollars will be used to assist residents who are stuck on waiting lists when the park closes? Or how will you provide welfare assistance to residents who can no longer make ends meet in the more expensive “affordable” housing outside of our park? Beyond that, how will you assist with medical expenses? Stress is one of the things that cause medical problems which are developing because of very stressed out residents. There are downstream impacts that will directly affect city purse strings. Implore you to look beyond the immediate request for rezoning and see the long term negative effects on both the residents and the City and if the City determines that the additional tax revenue can’t be resisted we really hope you can intercede and help negotiate a fair settlement for our residents.
* **Joe Bando, 2586 Grand Vista Dr., Springfield;** He stated that his residence is fairly close to the Gateway area. When he drives to the Post Office, it’s not an easy drive because the traffic in Gateway is at an all-time full rate now. He also owns a mobile home park that houses 98 mobile homes, 186 people live there. The park is completely full and there are people on a waiting list to get in to the park. If these people lose their home, there is no room at the inn anyplace. There’s no affordable land to build a mobile home park in spite that they said that there is affordable land someplace. It would be a crying shame to put these people on the street. He is offended by what is happening. He watched the forefathers on this Planning Commission a decade ago use that as a buffer zone for low density residential, and we are here a decade later with the same thing on the agenda. He hopes that it is ruled in favor of these residents and keeps the mobile home park open.
* **Susan Stoltenborg, 3530 E. Game Farm Rd. Space 2, Springfield;** She stated she supports everything the other two speakers have said. She and her daughter moved into the park in October of 2018 after signing a 20 year mortgage. About 6 months later the letter arrived about the rezoning. This is a situation that is happening across the nation. She encouraged everyone to Google Ted Talk Mobile Homes, Esther Sullivan; sociologist gives a 15 minute 101 about how corporations across the nation are buying up mobile homes thereby eliminating affordable housing. Affordable housing is at the crux of this, it is crisis. Mobile home is a misnomer. It is a manufactured home that is transported and installed and like any other home, settles. It is not an RV or camper. Mobile homes have historically provided affordable housing for families with children to adult communities. Owning your own home brings stability. Bringing it back to Springfield; how is it possible that while affordable housing is addressed in the Springfield 2030 Plan, the rezoning and inevitable redevelopment of the Patrician will uproot 130 seniors that will go where? Is that how affordable housing is addressed, by taking it away? She can’t imagine where everyone will go. The impact, as was mentioned, on their mental and physical health, losing social supports and impact on social services. Can you imagine how it will feel to turn your back and walk away, abandoning your home? City of Springfield, if this rezoning and redevelopment is allowed to move forward, shame on you for turning your back on this vulnerable population.
* **Rev. Ron Meyers, 3530 E. Game Farm Rd. Space 23, Springfield**. Submitted written document. Stated he submitted many emails to people all over the state of Oregon and it was put in the staff report, he requested that letter to be removed. He offered historical levity to this application. We all know God created the Garden of Eden. Scripture says it was a walled in community with a gate at the east end. Nobody knows how long these ancient ancestors lived there, or lived in bliss. What we know is the snake arrived to convince the residents they would be fine and would be better off when a hotel/conference center came in to the park. The ease with which they lived was relocated and they were relocated with much difficulty. They were grandparents, as many of us are and they were great grandparents. The devil is always in the details. The posted City of Springfield Planning video on YouTube from your site indicates the Planning Commission and the City Council have proposed to streamline and make the Planning Commission rules more understandable. He found it interesting that in many video presentations the City of Springfield indicates they are all about maintaining low income housing, affordable housing and low density residential. This application smacks of collusion. He has done a lot of research, and finds there is ancient history concerning the intention of the City to somehow add this lovely place into their crown jewel. He is asking, don’t take away our first right of refusal that was put in the law to protect people from rabid developers and that is what you are doing if you approve this.
* **Jo Manning, 3530 E Game Farm Rd. Space 29, Springfield;** She stated that she and her husband chose Patrician because they needed a yard for dogs, even though it was in a 55+ park. There’s more of the story about how they were honesty not aware of the intentions of the owner/developer to end all of this, but she only has three minutes. You’ve heard stories from some of the residents anxious about losing their homes. She shared stories about her neighbors. Planners, if you are leaning toward recommending the rezoning, consider adding conditions. Management has not been communicating with them and they’re scared. If the rezone is favored by the Planning Commission they would like the following three conditions: 1) to know when the park will be closed beyond the 365 day notice, to be able to plan ahead. More information could allow them to sell their homes if the timeline was respectable. They’d be able to get some return on their investment and sell with full disclosure if they knew when the park would close. 2) They would like the owner/developer to give fair compensation. Six to 15 thousand dollars is not going to help those who paid $30-50 thousand for their homes. They would like park management to stop raising lot rent every year so residents can save up for moving costs if the rezoning is passed. 3) Please reexamine the traffic problems the rezoning would create. Traffic studies do not reflect the current and future traffic flow on East Game Farm road. How will emergency vehicles get in and out to the memory center, assisted living center, to the hospital a few blocks away with the mixed use intention? Thank you in advance for your objective review, our fate is in your hands.
* **Paul Willmore, 3530 E. Game Farm Rd. Space 33, Springfield; He and his wife moved to the park due to changing medical and financial needs. Purchased an affordable** home with the intention of remodel and fixing it up. It was a challenge to find affordable housing. When they drove through the park it was obvious to them how well the residents take care of and have pride in their homes. Yards are kept and homes are maintained. Roads and common areas are clean and managed. The park community is close and they share many activities. Rezoning and the possible new development will only lead to displacing many vulnerable elderly. Keeping the zoning as it is will continue to allow future residents like him to afford affordable housing. They moved in eight months ago and invested a sizeable amount of money in their home and now they are looking at having possibly no market value on this house and even eviction when it comes down to it. It is discouraging. The park is unique and it says something to community of Springfield. He would like to see it continue.
* **Erica Willmore, 3530 E. Game Farm Rd. Space 33, Springfield;** Her husband just spoke. They actually moved in about six months ago after looking for a home that would be affordable as her health is declining. They asked management directly what outlook of the future of the park was. They were assured enough to not only purchase the home but to remodel extensively to bring it up to current standards. They have reroofed, put in new floors, windows, kitchen, two bathrooms, lighting, electrical, plumbing, water heater, etc. They also moved a wall to accommodate future disability. The Patrician is conveniently located near shopping and other services, as well as the bus depot at Gateway. It seems to her the City of Springfield has spent a lot of time, effort and money to provide a place for Springfield residents to enjoy and access those services. However as new development keeps infilling those same residents are being pushed farther and farther away from those conveniences. Many of us will have nowhere to go if not fairly compensated for their homes. She doesn’t think anyone there is fooled into thinking there are no current plans to develop the property. It is obvious by the presentation materials being referred to by both Urban Transitions representatives and the City of Springfield’s traffic study a great deal of money has already been spent on this project. It was disconcerting to have surveyors in the park recently. She realizes Urban Transitions is a business, not a charity, but please do not ignore community needs for the citizens of Springfield. She is not sure what she and her husband will do when they receive notice of closure. They have already invested all they can into a home for their future. No manufactured home parks are taking used mobile homes, so moving them is not an option. On a side note, she will really miss the bald eagles that are nesting in the area.
* **Laurie Hauber, 376 E. 11th Ave., Eugene 97401;** She is a resident of Eugene and a staff attorney at Lane County Legal Aid. What precipitated this, several weeks ago, residents in the park reached out to people all over the state. Several people reached out to her and to John Van Landingham, one of the State’s preeminent affordable housing attorneys, who has been practicing in that area for 40 years. In response to the inquiries they both went to the park and spoke to residents about this issue because people have a lot of questions. In listening to what they have to say, which is gut wrenching to hear how this is going to impact people’s lives, she was curious and began to look at Goal 10, the Metro Plan, Springfield’s 2030 Comprehensive Plan, the Gateway Refinement Plan, trying to make sense of all the pieces. Without going into details, what struck her is the need to balance, as the Metro Plan states, on a case by case basis, what aspects of the proposed amendments are consistent with Goal 10 and with the plans, and also what is inconsistent. As we’ve heard, there are inconsistencies with policies set forth in the plans that all fall under Goal 10 which provides that framework for those policies. Things like preserving affordable housing. Obviously this will have the opposite impact; it will eliminate housing for 79 households. Encouraging home ownership at all income levels. As people have said, many if not most people in the park are lower income. She doesn’t have the exact AMIs but we can assume 30-50 % AMI is where most residents fall. The only viable home ownership opportunity for residents at those income levels is a manufactured home in a manufactured home park, based on the data in the housing needs analysis from 2011. This eliminates a home ownership opportunity. Another policy is minimizing displacement. She urges you to balance all of these policies and procedures.
* **Peter Hainley, 20508 SW Roy Rogers Rd., Suite 155 Sherwood, Oregon 97140,** Executive Director at CASA of Oregon/Community and Shelter Assistance Corporation. CASA was mentioned at the last hearing as an organization that works with residents in manufactured home parks to convert them to resident ownership. He’s going to enter a couple pieces into the record that talk about the work CASA does and the parks that have been converted throughout the state. For the last 12 years he has been doing this work. CASA got involved in this work during the during the spate of closures that happened in 2006-2009 when thousands of folks were kicked to the curb and had to basically go find new affordable housing options. A lot of those resulted in early deaths and folks being totally displaced from their communities because they had to be moved far away. He thinks you need to consider the impacts that will happen if this park closes. Another thing he’d like to comment on is a testimony from the last packet. There was neutral testimony related to the toolkit that the City formed. CASA provided some information for that toolkit and participated in a meeting that happened in September of last year where the findings to date of that toolkit was presented. The toolkit was designed to help cities in the event of a closure of a park. As he listened to the City staff and the Mayor talk about the outreach they had done, he was struck that the outreach was only to the owners and never engaged the residents. He thought that was interesting, making policy and solution without talking to people most impacted by the solution. He finds that to be reprehensible. How could you make a decision on behalf of other people, move them to some undetermined park? It doesn’t square with how we should be operating. If we are going to look at highest and best use, we should consider the folks that are living there and consider that perhaps their homes and their lives are the best use for this.
* **Shaw Radine, 1790 Alder Street, Eugene 97401,** the first issue he wanted to bring forth is in the staff report on page 10 under Finding 20. This reads “the proposed Metro Plan diagram amendment will retain the existing surplus of low density residential buildable land within the UGB of Springfield which allows development of manufactured home dwelling units.” While this gives you the idea that there is land for manufactured homes in Springfield, this is a little misleading because while this is true they are permitted in low density residential areas, very few of the homes in the Patrician qualify or are defined as manufactured home dwelling units. In fact, they are classified by the City as mobile homes because most of them were constructed before 1976. Therefore, even though there is land available for manufactured homes, these homes could not be moved. Even if they could be moved, as you’ve heard already, there are no vacancies for homes to go into these parks. He’d like to reiterate that Goal 10, the statewide planning goal, states “Municipalities shall encourage the availability of adequate numbers of needed housing units at prices ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.” Similar language is put forth in the Metro Plan and on page 12 of the Gateway Refinement Plan it reads that “a diversity of sound affordable housing in the neighborhood is a goal.” So he asked, does Springfield have adequate numbers of housing units at price ranges that are commensurate with the financial capabilities of the Patrician residents? Also, does Springfield have flexibility of housing location, type and density for residents with the same financial capabilities of those Patrician residents? His sense is that the answer to both of these is “no”, so why does it make sense to remove naturally occurring affordable housing from the City’s inventory? If the land is redeveloped, we lose the existing housing stock and this runs contrary to Goal 10 and plans developed by the City. What do the plans do if they can’t be carried out? While the development elicits visions of thriving economic developments, this is pure speculation. It is also speculation that a new development would include any trace of affordable housing. What is certain, however, is the park currently provides safe affordable housing for 131 seniors. The zoning change would be the first step in doing away with this crucial source of affordable housing which is why he encourages the Commission to vote against the zoning amendment.
* **Elise Weldon, 1559 Walnut St., Eugene 97403;** She first learned about this about a month ago. Her friend Susan sent an email telling her this was happening, she was appalled. She also has another good friend, Teresa Bishow, representing the owner. She didn’t know that until she came to the hearing on May 7th. She stated she thinks there is development and there’s development. There are ways to do development wisely and compassionately and ways to do it less wisely and less compassionately. Rezoning this property into Mixed Use Density is the latter. We heard from a gentleman that spoke about the mobile home park he owns in Springfield and had owned many in the area and how he cannot understand why the present owner of the Patrician isn’t happy with what he’s got; he makes good profits and has a reasonable living, why does he have to be so greedy. Her take also is that developers like to develop, it’s their right. But why does it have to be on the backs of our most vulnerable citizens? This is a community that is largely elderly, many are disabled. If they have to move they are not going to be compensated for these houses and mortgages they have invested in. These are their nest eggs. They don’t have the kind of buffer and backdrop or net to catch them. That is a really important consideration in your decision on how to go forward with this. We hear on the news how the wealth gap is getting greater and greater in our nation and across the globe. You as individuals and we as individuals can do something about that right now. This is your opportunity to do some good for the City of Springfield and not lose a community that works well together and provides good low income housing. It is basically an assisted living community in some ways. She and her husband listened to all the testimony from residents and were devastated. She doesn’t think these people are devious, they are telling you how it is. The tactics of the property owner are reprehensible.

**SUMMATION BY STAFF**

* Andy Limbird stated, in your packets this evening, staff has summarized the themes that have been apparent in the testimony provided up to this point. He would suggest that those themes have been echoed this evening: concerns about loss of homes, the lack of opportunity as a fall back measure, no place to go within the community. These are fair statements because staff does not have an answer, nor does the applicant have an answer in their submittal as to how the residents would be accommodated should it be rezoned and the park closed at some point. Staff did provide to you the additional testimony that was provided up to this afternoon. There was also testimony provided this evening. Again, the themes have maintained consistency with the testimony that has been provided. Staff acknowledges some of the testimony this evening, and that it is a weighing of priorities. There is not a clear and distinct overriding policy in any of the comprehensive plans that win out. As the Metro Plan indicates, it is a weighing of the affordable housing and the housing stock in existing neighborhoods versus the opportunity for redevelopment in the City. At this point, staff’s recommendation would be to conclude the public hearing, begin deliberations and provide direction to staff as to where the commission is leaning on this matter. There is no expectation of a clear, unanimous decision or direction, based on differing viewpoints and differing backgrounds of commissioners. However staff would be receptive to any direction that’s provided. The final staff report based on the direction provided by the commission along with the recommendation for City Council will be brought back to you at the next regular meeting on June 4th. He would be happy to answer questions if you have any, resulting from either the staff report or any of the testimony that was submitted this evening.

**QUESTIONS FROM THE COMMISSION**

* None.

**REBUTTAL FROM THE APPLICANT**

* Teresa Bishow, here this evening with Bill Kloos, representing Urban Transitions, LLC, the property owner. She would like to begin by acknowledging a clear policy choice that you have. The choice is this: In the future, does the city want the land to be developed as a new single family subdivision or a mixed used area? It is not about affordable housing versus a conference center. We are doing a plan amendment and a rezone. When the manufactured home park is redeveloped, does the City want to see new low density residential uses? That is a valid vision to have, and that would be the current zoning. Or do you prefer to see a mix of uses that will bring employment, stimulate the economy, perhaps support the hospitality industry, and provide a variety of housing options? The mixed use zone provides greater flexibility and more innovative, creative mixing of uses rather than the R-1 low density residential zone, which focuses on single family subdivision. Your decision, your recommendation to the City Council, and ultimately the Council’s decision is really a policy choice. It is about your own values and those who have come before you who have set forth the adopted plan policies. The City’s ultimate decision, whether to approve or deny, will not alter the property owner’s decision to redevelop within the next ten years. That is the reason Urban Transitions purchased the property in 2008, to redevelop it at some point in the future. The City’s decision on this proposed request of a plan amendment and rezone will influence heavily what future development occurs, but again it will not impact the timing of a park closure notice or the redevelopment of the property. In the staff report, as she independently and objectively looked at the application, prior to receiving public testimony, they provided a sound, legally defensible set of findings to approve the plan amendment and rezone. You definitely have the option to go a different direction but she would encourage you to think about the future, think broadly about all of the council goals and all of the plan policies. Again, the City’s approval of the plan designation and zone change and rezoning will not change the terms of existing rental agreements. Those terms were agreed upon between landlord and tenant regardless of zoning. Any decision whether to approve or deny the zone change request does not constitute a park closure notice which is mandated by the state and which the property owner has every intention of completely following. She wanted to acknowledge some of the extra stress the residents have experienced by seeing surveyors on the property. It was not their intention to time it so closely to the public hearing. In the application when it was submitted was a blank page for exhibit G, which she submitted today. Exhibit G is the survey map, recorded at Lane County, that simply surveys the property so that the record is clear which property is the subject of the rezone. In closing, she appreciates your time and all the energy and commitment the residents have put to make it a very livable, wonderful community and she thanks them for their testimony, but she does encourage you to vote yes.

**QUESTIONS FROM THE COMMISSION**

Commissioner Koivula asked for clarification, the next agenda item is possible questions to staff or public. Would that be from the Commission?

Kristina answered, correct. If the Commission has questions that would need to be answered during a public hearing, then that is the appropriate time to ask.

Commissioner Koivula had a question that relates to the testimony from Reverend Meyers. Apparently there was an email he was talking about. He’s not sure what it is, but wants to know if we have copies of it, can staff tell them about it?

Andy Limbird stated out of abundance of caution, staff included pretty much everything they could that was sent to them, regarding any activities associated with the Patrician. It was presumably in response to the notification that there was going to be a Public Hearing. If there were some informational items that are requested to be excluded from the record, staff will clarify that with Pastor Meyers and it will be removed from the record. Staff did not want to exclude anything accidentally that was otherwise intended to be included in the record. Pretty much everything up to this point has been included in the record. The only things that have been difficult to include are links to video and websites. The actual textual link is included but not the content of the website or the videos.

Kristina added that if the Commission wants to exclude that information from the record, we can follow up with the Reverend and determine what that piece of information is. If you make a decision at the next meeting, we could bring that to you to exclude from the record. You could put out there that it is information that you are not considering in your decision. If you do consider it in your decision, then it would be part of the record element. She thinks he is asking that you not consider it.

Andy stated he believes he knows what the content is, and it is pertaining to some of the practices on the site, with the interactions between the residents and management. It wasn’t specific to this application.

Commissioner Koivula stated he was just confused about what was being discussed but if staff knows what it is, and is aware of it, he’s fine.

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

Commissioner Koivula asked, do we have any consideration or requests for continuation of the Public Hearing, the extension of the written record or both?

Ron Meyers asked if he can do that now.

Commissioner Koivula stated he believes a request can be made for continuation and that it can be considered.

Ron Meyers stated that it was his intention to ask for a continuation. As we continue to dive further, he is finding issues that he thinks legally need to be explored. So his request is to continue the Public Hearing.

Commissioner Koivula stated that will be at the approval of the Commission.

Susan Stoltenborg requested to accept written testimony as well.

Commissioner Landen asked if the hearing is held open, how long it will be held open.

Kristina stated that because the City Council’s process will follow this, the record remains open for their hearing and their procedure. They will have another public hearing that is completely de novo, which means it is not limited to issues raised before the Planning commission. Any issue can be raised whether or not it has been brought up to the Planning Commission. If you close the hearing and the record, anything submitted in writing will be forwarded to the City Council for their review. It is in your discretion whether you think it would prejudice someone’s rights not to present you more information than you’ve already heard in making your recommendation to the council. Or if you feel there is information you don’t have that you need.

Commissioner Koivula wanted to state to the public that the City Council hearing is scheduled for September 3rd. The Planning Commission and City Council go into summer recess. So the public will be able to present any information to the City Council who will actually make the decision. The public can also submit new evidence. Given that information, do either of you wish to withdraw your request?

Ron Meyers stated his answer is “no sir.”

Ms. Stoltenborg stated as long as anything can be submitted in writing to the City Council, she has withdrawn her request.

Commissioner Koivula asked the Commission for discussion.

Commissioner Landen asked if this is just a discussion on the continuation of the record. He stated he would be fine with that, a lot has been brought up that is worth the thought time although it is understood our purview is a little different than what the City Council is going to do.

Commissioner Koivula asked when the Commission recess is scheduled.

Sandy Belson stated that she believes the recess would start after the first week of July, with regular meetings in June and a special meeting on June 29th. Nothing would be added to the June 29th appeal meeting. The next regular meeting in June already has this item on the agenda, whether for hearing or deliberation and final decision. There is still space on the agenda. We would be able to fit this item onto another agenda, if needed. The question to consider is, will there be value in the decision you would make in giving the public an opportunity to provide more information; if there would be new evidence or information that you would find helpful to make your recommendation.

Commissioner Koivula asked if the remaining meeting agendas in June are full.

Sandy Belson stated we do have agenda items scheduled, but there is room on the agendas to add items if needed.

Commissioner Landen questioned how this impacts City Council’s schedule?

Sandy Belson responded that as long as the commission makes a decision before the end of July, there won’t be any impact on the Council. The hearing is scheduled with Council on September 3rd.

Commissioner Landen asked for clarification about rescheduling the hearing from June 3rd.

Sandy confirmed the hearing has been delayed.

Commissioner Landen stated he does not have any strong feelings about how long the hearing is continued, but one of the points that he feels was well made is that the property owner has a right to close the park no matter what the Commission says. He feels the real discussion is whether we commit to mixed use or leave it low density.

Sandy Belson agreed. The question about the hearing, whether you close the hearing or leave it open, is whether you wish to continue accepting evidence. You will not make a final decision tonight, so whether you need more time to absorb what has been submitted, which I would expect you would as we did get information submitted tonight. Andy is going to need some time to incorporate that and address that in the findings. You will have time to consider it. The question before you right now is whether you would want to continue taking evidence and testimony.

Commission Koivula stated, as just heard in the training session, we want to make sure our applicant has the ability to respond to any new evidence or any testimony given. Even if we decide to extend the public hearing, the written record, or both, will there still be time for the applicant to analyze everything and respond

Sandy Belson replied yes.

Commissioner Koivula is in favor of extending only the written record. He stated he appreciates all the testimony given. He has heard a few new things in public testimony but feels if the written record is held open, they can continue to take people’s new ideas in this without having public testimony at another meeting which would require a period of reflection to be sure they have absorbed and responded to everything. If the written record were held open for a particular period of time then the commissioners, the staff and the applicant can get the written responses, and analyze all those. He would support extension of the written record for another week, 2 weeks at the most. He asked if this would that be enough time to analyze and respond before our next meeting.

Kristina replied, if the record is held open at all there will not be enough time for deliberations at the next meeting,

Sandy stated the Commission can start deliberations at the next meeting, but not make a recommendation. We will need time to incorporate your rationale into the findings that you would ultimately approve. If we leave the record open for whether for seven or 14 days, you could begin deliberations based on the info you had. You would probably not have any further staff analysis but would be able to look at all the evidence you have and start deliberating amongst yourselves and weigh the policy decisions to be able to provide staff direction to prepare a final recommendation for your review and approval at the subsequent meeting.

Applicant Teresa Bishow stated that they respectfully request after you’ve closed the written record, for any community member, there be an additional seven days for applicant to rebut in writing.

Commissioner Sherwood stated that he is overall in agreement about leaving the written record open being helpful, only to a certain date. He thinks it would be good to give staff and applicant time to respond. He asked how long staff will want after the record closes.

Sandy stated they would like to hear direction from the Commission in terms of how to start preparing the decision.

Commissioner Koivula stated he is in favor in closing the public hearing and extending the written record for seven days.

Commissioner Landen moved to close public hearing and extend written record for an addition seven days for the public and then seven days additional for the applicant to rebut.

Commissioner Koivula stated motion from Commissioner Landen is to close the public hearing and extend the written record for seven days, and seven additional days for the applicant to rebut.

Commissioner Sherwood seconded.

Commissioner Bergen wanted to clarify the seven days is calendar days.

All in favor: 7 aye, 0 no, 0 absent.

Commissioner Landen stated that info from public that would be helpful would be in the direction of deciding whether to stay low density or change to mixed use.

Commissioner Koivula stated the public can input whatever they’d like but please keep the curse words out.

**DISCUSSION FROM THE PLANNING COMMISSION**

Commissioner Koivula has a number of items that he would like to bring up. This is the Commission’s opportunity to delve into some of the Planning Goals for the State and some of the plans for the City. A couple of different items in which one is still regarding the transportation, he did ask at the May 7th hearing about the traffic study and the reliance on future Transportation improvement of projects by the City or ODOT and as he understands it, he thinks that some of the roads on the application don’t meet the State and City standards at the present time for traffic jams. He is worried that if the applications are approved and the Development goes ahead and that the road projects are not completed, what would the impacts be on traffic. He did not get an answer for this. He believes a reasonable assumption would be that it degrades transportation. Also under the amendment to the Gateway plan, there was an actual direct call for transportation, this is the amendment to the Gateway Plan or Ordinance 6109 which calls for transportation improvement to be open to travel by the motoring public at the time they are needed to support development. That does seem to be a good idea in general, but he’s not sure if he could get some information as to whether that is a requirement from the applicant.

Kristina added a little context for the Commission. At the time that decision that amendment was made it was on remand from the Land Use Board of Appeals, on a finding that the transportation planning rule at that time required those improvements on the day of opening. Since then the transportation planning rule has been amended and now requires the City to look at the traffic impacts at the end of the planning period. So there is [*unintelligible*] they can follow up, an applicant is welcome to give rebuttal and we can give more information there. That is a little bit of a background of the intervening changes in State law from Ordinance 6109, was adopted which was to facilitate the RiverBend Hospital Master Plan Development.

Commissioner Koivula thanked Kristina for clearing up the concept in his mind. Regarding the State Land Use Goal 10, in agreement with some testimony, that there is language that said, “Housing shall be commensurate with financial capabilities. It defines needed housing units at particular price range and rent levels and includes manufactured homes whether occupied by owners or renters. It also states, that the housing elements with the comprehensive plan at a minimum include a comparison of the distribution of the existing population by income, with the distribution of available housing units by cost, vacancy rates at varying ranges, an inventory of housing in urban area’s including units capable of rehabilitation he doesn’t believe that they have actually seen this type of inventory it might be buried somewhere he cannot find it; he doesn’t believe he hasn’t seen it. It also says that, implementation of goal 10 also says that methods and devises to implement the goals, should after consideration of the impact of lower income households shall include discussion of zoning, land use controls etc. So he would like to get an interpretation on that, saying whether the consideration of impacts of low income households is a necessary precursor to any zoning changes. He also looked at the Gateway Refinement Plan, which has a number of things that are interesting and probably important to their decision, it says that development should take place while preserving local neighborhoods, it clearly shows as you look at the plan map that the Patrician Park shows up on the diagram as LDR and listed as part of what’s called the “Game Farm Single family Sub area” and calls repeatedly for preservation for existing housing and neighborhoods in area, maintain livability, development should be required to mitigate impacts, maintain Refinement Plans high quality of life. Then as we go into the Residential element of the Gateway plan, the plan calls for Residential development on remaining vacant land, and then it says there should be maintenance of approximate balances among LDR, MDR and HDR lands. Since the plan was introduced in 1992 he assumes there have been other zoning changes to the plan. Has the balance changed significantly between the LDR, MDR and HDR since 1992 and would an increase of a 13 acre re-zone to single-family would increase the imbalance and is there an analysis of the ratio’s and at what point is there a significant change in ratio making things not necessarily in compliance with gateway. So, that’s a question.

Commissioner Koivula also wanted to touch on a discussion on density, it seems as if the density as they are existing in the Patrician are not only above the Gateway Plans required or desired density are actually above single family residential density as they are as constructed today, so it’s something like 6.3 units per acre in the Patrician and it looks like the latest figures for single family residential is like 5.8. There is another interesting discussion that’s buried in the Industrial Land Element of the Gateway Plan which again calls for minimizing conflict, but it between McKenzie Gateway SLI site which is all of the area north of the Patrician Park and other neighboring lands uses. He sees over and over again this minimize conflict language and it seems that (Question again) a single-family residential area, should that be considered an anomaly in an area of more intensive development or should intensive new development be made to revised, mitigated or denied, if it presented conflict, and is that a reasonable conclusion to all these statements that ask for mitigation, preservation etc?

There is also a little bit in the Open Space element in the Gateway Plan that talks about retention of existing trees, do we need a finding on whether there are significant trees? He has heard stories about owls/eagles. Finally he looked at the Springfield 2030 Plan it calls for consideration for demographic characteristics, about income, age, etc. Question probably for the applicant, he’s heard testimony of residents from the Patrician Park describing themselves as very low income and mostly Senior’s but with also some disabled people. Has there been a survey of the actual income and expenses for these residences to see if they are part of the low income demographic? Since the applicant has access to rental and lease documents, would they be able to get that information to the Commission to assist them in their decision making. Again, the Gateway Plan, the 2030 Pan reiterates the Metro Plan Goals for viable residential communities so all residences can choose affordable housing and provide a wide range of housing choices for people of all income types. There are a number of quotes from the “encourage housing diversity and quality neighborhoods”, that might be important to the discussion. It would be discussing encouraging home ownership, minimizing displacement as neighborhoods redevelop, safeguarding condition and quality of housing stock, maintain the traffic and livable neighborhoods and under B, residential land and housing policies to accommodate, that’s again discussing densities that apparently the Patrician Park has achieved or is in compliance with the densities, he believes. Under Goal fostering housing choice for affordability that again talks about some type of inventory to identify and collect baseline data of low income housing, and develop strategies and programs supporting repair and preservation and improvement. He’s not sure they received the inventory. In conclusion, he really thanks citizens, staff, applicant and fellow Commissioners for their patience in allowing him to detail these items and believes forever information on them and possibly and possibly gets some additional findings regarding plan goals and targets.

Commissioner Koivula asked for any further questions from the Commission.

Sandy Belson addressed Commission Koivula, She would not try to attempt to answer all of his questions at this point but would like to point out a couple of things, and that would be in the Springfield Residential Land and Housing Needs Analysis, which was adopted in 2011 as the bases for the Residential Land and Housing Element,, our 2030 Plan, so if you look in that analysis to table 5-29, there is an estimate of needed dwelling units by income level for the years of 2010-2030 which is the plan created. So that table lists out income ranges by income marked “segment” so from very low meaning less than 30% of the medium family income, from 30% - 50%, what those income ranges were, number of households we had in those different income ranges and the types of housing that would be financially obtainable at that point. That is what out analysist did to meet the State Wide Planning Goals; this is the basis for our acknowledged plan. We don’t have a more updated inventory beyond what was provided to the Planning Commissioners in the packet for this evening, which was the basis of the Cities of Affordable Housing Strategy, so it was not a comprehensive inventory but there were maps that were provided that are a little more contemporary, again not comprehensive but it does speak to some of the trend that we have seen since the Residential Lands Analysis Study was adopted in 2011.

Commissioner Koivula asked where Table 5-29 was again so he can look at that. It sounds like the Commissioner does have good information.

Sandy Belson said that the Table 5-29 is on page 61 out of the Residential Land and Housing Needs Analysis which was prepared by ECO Northwest.

Commissioner Koivula asked if that was part of the Gateway Refinement Plan. Sandy answered that it is in the 2030 Plan.

Sandy Belson also added that the 2030 Plan was adopted by Ordinance No. 6268. The 2030 Plan is Exhibit B of Ord. No. 6268. The Residential Land Use and Housing Element which includes these policies some of which Commission Koivula mentioned. Exhibit B is a technical supplement, it is that Residential Land and Housing Analysis, which provided the factual basis on which that housing element was written.

Commissioner Koivula asked the Commission if they had any more discussion for this topic.

Commissioner Bergen is sure that it has been requested but she would be curious to hear from the four property owners on the top right of that section, excluding that section, because we are talking about moving this from low density residential to mixed use, and those people across the way to the south, there is a bunch of residential there. What is the most impact, she believes the most impact will come from the four properties at the northeast corner and she would question if the commission could have testimony from them, or if the City had received testimony from them, because she feels that they, in addition to evidence of the Patrician, they also believe they will be impacted and she would love to hear more on that if possible.

Sandy Belson answered that the City did provide notice to all the property owners and the residences within 300’ of the mobile home park, so the residences were given the same opportunity to come and testify. Looking at Andy it looks like we haven’t received any testimony from those property owners or residence.

Commissioner Koivula’s understanding that one of those properties is a historic property per the refinement plan. Apparently it’s a class of house or something. He doesn’t know if there are any restrictions that would keep that single-family residential.

Commissioner Koivula believes that the Commission is done with their questions.

**REPORT OF COUNCIL ACTION**

* Commissioner Gill – attended City Council last night. Exec session regarding contract discussion. Did not go. Several public hearings with no public comment. Proposed amendments to signage in downtown. Working on for a while. First readings. Noise ordinance amendments. Clarification and updating around that more accurate to noise today. Addressing impact of noise not the content of the noise. Updates modernization, keeping up with state statutes. Appointments to arts commission. Letter to City of Eugene, payroll tax impact Springfield citizens that work in Eugene.

**BUSINESS FROM THE PLANNING COMMISSION**

* None

**BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT**

* Sandy reminded the Commissioners about their special meeting with Springfield Hearings Official Anne Davies for the joint meeting regarding the Appeals.

Commissioner Bergen asked if there was anything they should do to prepare for this meeting. Sandy answered that the PC Packet should be to the Commissioners by the end of the day tomorrow. She reminded the Commissioners to keep a watch on the website where the packets are posted. If any of the Commissioners have questions they should reach out to Andy Limbird, he is also the Senior Planner assigned to these applications as well.

Commissioner Koivula asked if this is how this normally happens in the UGB, if the initial decision is made by the Hearings Official and then if it is appealed to both of the jurisdictions. Sandy responded that the initial decision was a staff decision, so the appeal is coming to Springfield Planning Commission for the portion inside the City limits and to the Hearings Official for the portion outside the City limits. Commissioner Koivula repeated that the parcel is both inside and out of the City limits. Kristina added that in the City’s research we have never found this type of circumstance where one development was occurring both within and outside so we have never done a joint Hearings Official and Planning Commission appeal on a type II decision before, so there might be some procedural kinks to work out as we move forward.

**ADJOURNMENT**

The meeting was adjourned at 8:33 p.m.

Minutes Recorder – Shannon Morris

Attest: Approved by Planning Commission on July 16, 2019 6:0:1 absent

Brenda Jones

Brenda Jones

Management Support Specialist

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Michael Koivula

Planning Commission Chair