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MICHAEL M. REEDER

March 16, 2010

Springfield Planning Commission
c/o Springfield Development Services
225 Fifth Street
Springfield, Oregon 97477

Lane County Planning Commission
c/o Lane County Land Management Division
125 East 8th Avenue
Eugene, Oregon 97401

Re: Springfield 2030 Refinement Plan – LRP2009-00014 & PA09-6018
Testimony of Rosboro, LLC

Ladies and Gentlemen:

This firm represents Rosboro, LLC (“Rosboro”), the owner of Heavy Industrial (“HI”) zoned property located east of 28th Street, south of F Street, and bordered on the south and west by Booth Kelly Haul Road, Assessor’s Map 18-02-06, Tax Lots 1003, 1004, and 1200 (see Exhibit A, a detailed portion of the Springfield Zoning Map). The purpose of this letter is to respectfully request that you recommend that the Springfield City Council and the Lane County Board of Commissioners designate Tax Lots 1003, 1004, and 1200 (the “Subject Property”) Heavy Industrial in their entirety. Such designation would conform to the current zoning classification and eliminate the current plan/zone conflict.

Rosboro’s Request

While Rosboro generally supports the City’s efforts to refine the comprehensive plan to be parcel specific, Rosboro is opposed to the specific designation proposed by staff for the Subject Property. Staff are proposing to designate the Subject Property Light Medium Industrial, rather than Heavy Industrial, in the draft Springfield 2030 Refinement Plan (the “SRP”) (see Exhibit B, a detailed portion of the draft SRP). Currently, the *Metro Plan* Diagram appears¹ to

¹ While Exhibit B appears to show the *Metro Plan* designations for the Subject Property, it is an enlarged portion of the *Metro Plan* Diagram and therefore is not official. To my knowledge, there has not been any formal interpretation, either pursuant to a refinement plan or pursuant to a land use application that affirmatively, and

designate Tax Lot 1004 as Commercial. Tax Lots 1004 and 1200 appear to be split designated; the western portion of Tax Lots 1004 and 1200 appear to be designated Heavy Industrial and the eastern portion of each tax lot appears to be designated as Light Medium Industrial (see Exhibit C, a detailed, but unofficial, portion of the *Metro Plan* Diagram).

Planning staff have indicated to Rosboro that the reason staff recommends the Subject Property be designated Light Medium Industrial rather than Heavy Industrial is because, theoretically, Light Medium Industrial provides a kind of buffer between the Heavy Industrial property to the west and the Springfield School District property which is currently designated by the *Metro Plan* as High Density Residential, Medium Density Residential and Low Density Residential (see Exhibit C). Staff is proposing to change the designation of the School District property to the south of Booth Kelly Haul Road from High Density Residential to Parks and Open Space. The rest of the School District property that abuts Booth Kelly Haul Road would remain designated Medium Density Residential and Low Density Residential (see Exhibit B, that shows the proposed *SPR* designations for the School District property).

Background

Rosboro is one of the few remaining fully-integrated forest products firms in Oregon. It has over 100,000 acres of forestland, an integrated manufacturing operation that includes small- and medium-sized sawmills, a veneer plant and plywood facility, and laminated beam plants. Rosboro has been a long-standing community leader and mainstay supporter of the City of Springfield for many decades. Rosboro has provided steady wood product employment with union-based, family wage jobs since 1939. Rosboro's employees are valued members of the community and give back to the Springfield area.

Rosboro purchased the Subject Property with the expectation that, since it was zoned Heavy Industrial, it could be developed and used for heavy industrial uses as an integral part of Rosboro's expansion and development. Rosboro's investment-backed expectations require that the Subject Property maintain its ability to be developed and used for heavy industrial uses. The flexibility to use the Subject Property for the purposes it was purchased is critical to Rosboro. Taking away this flexibility would be confiscatory and undermine Rosboro's goals of maintaining a productive family wage employment operation. Rosboro's reasonable investment-backed expectations must be honored.

Surrounding Area

The Subject Property is currently buffered by Booth Kelly Haul Road which, from the fence, is approximately 68 feet in width (see Exhibit D, photo of Booth Kelly Haul Road that

officially determines the designation of the Subject Property. Therefore, without either such refining documents, the designation(s) for the Subject Property is open to interpretation by the Springfield Planning Commission. Without admission, and for the sake of simplicity, throughout Rosboro's testimony, I will assume that staff's conclusions regarding the Subject Property's designations are correct.

separates the Subject Property from the School District open playfields). The Subject Property is located adjacent to wood products manufacturing and abuts the Northern Pacific Railroad's mainline with an existing spur into the Subject Property. The Subject Property is further buffered from residential uses by the Ira Stuart Middle School play fields which are owned by the Springfield School District. Much like the Willamalane facilities that are located to the north that buffer Heavy Industrial from Low Density Residential, the School District fields provide a substantial buffer between the Subject Property and the residential subdivisions to the east (see Exhibit E, aerial photo of the Subject Property, the School District property, and the Willamalane property).

Furthermore, the Springfield Development Code requires that almost any development on the Subject Property go through the Site Plan Review process of SDC 5.17-105 *et seq.* This process is an open process that allows any neighbor to comment and it provides additional protection to adjacent neighbors. See SDC 5.17-130, "Conditions."

Infill and Redevelopment Potential and Benefits

The Subject Property is currently an underutilized, shovel ready site ripe for infill and redevelopment. However, if the Subject Property is redesignated (i.e. "downzoned") to Light Medium Industrial, it will effectively become a dead zone – a liability to the owner and the City. In contrast, should the Subject Property be allowed to maintain its HI zoning by being designated Heavy Industrial, it is very likely that the Subject Property will be developed in the future, offering employment and economic development opportunities for the City and its citizens. Designating the Subject Property Heavy Industrial supports the City's draft *SRP* economic development policies and land use efficiency goals. These goals and policies are summarized as follows: "(2) Provide sites with a variety of site characteristics to meet both commercial and industrial economic opportunities, including providing sites that are available for relatively fast development... (3) Use land within the existing urban growth boundary efficiently, through promoting redevelopment in nodal areas. The study assumes that 52% of new employment during the planning period will locate on lands that are already developed." p. i, Section A-305. Additional policies and goals found within the draft *SRP* are as follows:

First, the Land Use and Urban Design Element of the draft *SRP* identifies a fundamental principle as follows: "5. Concentration of urban development within existing urban areas conserves environmental resources, economic investment, and social fabric, while reclaiming marginal and abandoned areas..." p. 24, Section A-59. The Subject Property is currently within the urban growth boundary and is ready for redevelopment and use. However, a designation that does not allow for HI zoning chills the redevelopment potential of the Subject Property.

Second, the "Economic Element" of the draft *SRP* identifies an economic implementation strategy as follows: "1.2 Support the Growth and Development of Existing Area Business to Achieve Quality Job Creation." p. 3, Section A-267. The Economic Element also confirms the importance of "targeted" industries such as Rosboro and describes the need to "[c]ontinue to

support the development of our wealth generating sectors that have built a strong economic foundation for our community and have complemented our region's quality of life, such as: Transportation/Manufacturing, Wood Manufacturing, Health Care and Construction." p. 27, Section A-291.² Other than Health Care, these targeted industries generally require available amounts of HI to develop and expand. Wood products manufacturing is a traded sector industry that brings revenue into Springfield from outside the state. Springfield's economy benefits mightily by supporting manufacturing businesses such as Rosboro.

Lastly, the Economic Element also provides the following relevant findings: "1. The citizens of the Eugene-Springfield metro area have felt the burden of the financial crisis more so than in other counties and other states...The Eugene-Springfield metro area unemployment rate in July 2009 was 12.5%, a 6 percentage point increase over the last year, which is slightly higher than the state unemployment rate of 11.9%...3. Table 1. Summary of input from the Springfield Economic Development Workshop: Land Use and zoning: Balance the use of developing green-fields with redeveloping existing land and emphasizing infill – Encourage more efficient land uses, including higher density development where appropriate." pp.13-14, Section A-276-277.

It is clear that the draft *SRP* policies and goals support Rosboro's request to designate the Subject Property Heavy Industrial so that the Subject Property can have the flexibility to be developed with HI uses.

Conclusion

Rosboro respectfully requests that you recommend that the draft *SRP* be amended to designate the Subject Property as Heavy Industrial rather than Light Medium Industrial. Thank you for your consideration in this important matter.

Very truly yours,



Micheal M. Reeder
Attorney for Rosboro, LLC

MMR:jgh

Attachments: Exhibits A – E

cc: Client (w/attachments)

Jeff DeFranco, School District No. 19 (w/attachments)

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² The draft Economic Opportunities Analysis describes the importance of industries such as Rosboro to Springfield: "Manufacturing continues to be important to the economy in Springfield and in Lane County...Manufacturing industries continue to offer jobs with above-average wages, making these jobs more desirable." p. 38, Section A-352.