

MINUTES

Springfield Planning Commission
Regular Session
City Council Chamber
225 Fifth Street- Springfield

January 7, 2003
7 p.m.

PRESENT: Tim Malloy, Chair; Lee Beyer, James Burford, William Carpenter, Steve Moe, Greg Shaver, members; Assistant City Attorney Meg Kieran, Mel Oberst, Planning Supervisor.

ABSENT: Marilyn Phillips, member.

1. PLEDGE OF ALLEGIANCE

Those present recited the pledge of allegiance.

2. APPROVAL OF MINUTES

Commissioner Carpenter, seconded by Commissioner Beyer, moved to approve the minutes of the regular meeting of December 3, 2002 with the following corrections: on page 13, the time the hearing recessed was changed from 10 a.m. to 10 p.m.; on page 5, third paragraph, the word at the beginning of line 9 was changed from "commercial" to "Commission" and in the same sentence the word "of" inserted between the words "issue" and "access." The motion passed, 5:0, one abstention.

Commissioner Carpenter, seconded by Commissioner Beyer, moved to approve the minutes of the regular meeting held on November 19, 2002. The motion passed, 5:0, one abstention.

3. REPORT OF COUNCIL ACTION

There was no report of council action at this time.

4. BUSINESS FROM THE AUDIENCE

Commissioner Malloy called for other business from the audience. There was no one present wishing to speak.

5. QUASI-JUDICIAL PUBLIC HEARING

a. Continuation From December 3, 2002 – Discretionary Use – Springfield School District – 2002-09-0290

Mel Oberst, Planning Supervisor, drew the audience's attention to the criteria for discretionary use and asked those wishing to speak to address their comments to the criteria and raise issues with sufficient specificity to allow staff or Commissioners to respond to them.

Commission Malloy asked Commissioners to disclose any conflicts of interest or ex parte contacts. There were none.

Sarah Summers, Planner, provided a summary of the discretionary use application. She

explained that the proposed improvements, considered as a sports complex/stadium use, would be in three phases consisting of lighting for the existing football field and track; installation of artificial turf on the football field and lighting for baseball, soccer, and softball fields; and a covered grandstand, ticket booth/concession stand, and rest rooms for the football field, and added fire lanes and lighted pedestrian access.

Ms. Summer found that the application conformed to the criteria for discretionary uses and recommended its approval with conditions. She discussed the conditions of approval attached to her recommendation, including:

- Site plan approval at each phase of the project,
- the maximum light level be 0.5 maintained foot-candles and the maximum low-level lighting system, or glare, be no more than 2 foot-candles at any property line in a residential district (standards were based on the *Illuminating Engineering Society of North America Lighting Handbook*),
- the hours of operation for the lighting system for any game or event would not exceed one hour after the game or event,
- noise from the site would be buffered for all sporting events to meet the following standards: OAR 340-335-035 Table 9,
- overlapping school uses with the potential for generating large traffic volumes at peak times would be avoided, and
- sports fields scheduling would be maintained so as to minimize impact on peak traffic hours.

In response to a question from Commissioner Burford, Ms. Summers said that there were no concerns with parking.

Commissioner Carpenter asked if the lighting conditions applied to all lights within the sports complex or only to field lighting. Ms. Summers responded that the conditions applied to any lights that impacted residential areas, but because of location these would be primarily the new lights being proposed for the sports fields. She explained that the lighting levels required by the conditions would result in less illumination in a residential area than that produced by a street light.

Commissioner Malloy called for testimony from the applicant.

Steve Barrett, representing the Springfield School District, asked for approval of the staff recommendation for the staff recommendation. He said that the improvements were on property that was zoned appropriately and were a conforming use. Mr. Barrett assured the Commission that the existing parking lots had sufficient capacity and the District would design the lighting system to reflect away from adjoining residential properties. He also said the District was willing to conduct a noise analysis during the second phase of the project.

Mr. Barrett noted that the improvements would give the school greater flexibility in scheduling events, which must now be concluded by dark. He felt this would actually lessen the impact on peak traffic hours. Mr. Barrett pledged the District's commitment to continue working with the Planning Department to resolve neighborhood traffic issues that exist south of the Thurston High School campus, north of Main Street.

Commissioner Shaver asked how long games could last. Mr. Barrett said that the latest time a game might end would be 11 p.m., but typically games were over by 9:30 p.m. Commissioner Shaver asked if the District would be amenable to a condition requiring lights to be turned off by 11:30 p.m. Mr. Barrett said that would be acceptable.

Commissioner Malloy called for other testimony on the project.

S. P. “Woodie” Woodsum, 225 S. 51st Place, Springfield, spoke in support of the applicant’s proposal. He said he has children attending Thurston High School, has been a member of the Stadium Committee, and was a volunteer assistant track coach. Mr. Woodsum said the project would benefit the community and youth and there was good community support. He thanked the Commission for its diligent review of the project and expressed the hope that work could commence in 2003.

There being no further testimony, Commissioner Malloy closed the public hearing.

Commissioner Shaver expressed his support of the project. He asked that the condition relating to hours of operation for the lighting system be modified by inserting the word “field” to indicate it was the field lighting that would be subject to the condition. He also asked that 11:30 p.m. be established as the latest the field lights could operate, rather than the current language of one hour after an event. Commissioner Moe commented that there could be exceptions in the case of public safety. Commissioner Carpenter expressed concern that stating a specific time could create liability issues during crowd dispersal if an event went longer than 10:30 p.m. Commissioner Moe noted that some events, such as the 24 Hour Olympics, might require lighting beyond 11:30 p.m.

Mr. Barrett explained that current technology with upgraded switching allowed the lights to be operated at a variety of levels. Performance lighting during an event could be lowered during the hour following the event to reduce the impact on residential property, conserve energy, but still allow sufficient light for public safety.

Commissioner Shaver withdrew his request for language imposing a specific time in the condition relating to hours of operation.

Commissioner Beyer, seconded by Commissioner Carpenter, moved to approve the requested discretionary use in Journal No. 02-09-290, recognizing the findings of fact and analysis from the staff and incorporating the seven conditions outlined in the staff report, with the addition of the word “field” to define the lighting system subject to operational condition. The motion passed unanimously, 6:0.

b. Continuation from December 17, 2003 – Rezone – Hammer/Shaw – ODOT – ZON2002-10350

Jim Donovan, Planner, summarized the staff report which recommended approval a Zone Change based upon a Plan/Zone conflict. He noted that a Plan/Zone conflict arises when the current zoning conflicts with Metro Plan designation. Mr. Donovan commented that there was a gas station use on the site at the time of the Metro Plan adoption. The gas station was demolished and tanks removed in 1992 and the site remained vacant until now. He said the applicant has a tentatively approved site plan which cannot be given final approval until the Zone Change occurs.

Mr. Donovan noted that a second applicant, the Oregon Department of Transportation (ODOT) was added prior to the initial hearing because it owns a parcel that the original applicant is negotiating to purchase or lease and will incorporate a portion of in the site design as a landscape buffer. He said that there were monitoring wells on both parcels for the prior tank removal.

Commission Malloy asked Commissioners to disclose any conflicts of interest or ex parte contacts. There were none.

Commissioner Burford indicated that he had discussions with Mr. Donovan regarding soil contamination concerns. He requested that the soil be re-sampled when the applicant applied for a building permit to assure that the site met the Department of Environmental Quality's (DEQ) standards. Mr. Donovan replied that he had reviewed the files and discovered a demolition permit issued by the Building Department and a permit from the Fire Marshal for removal of the tanks. He said that monitoring of the site had continued since the 1992 tank removal, to the point that DEQ was no longer requesting regular inspections. The applicant is waiting for a letter of release from DEQ and all areas are in compliance with DEQ standards. Mr. Donovan noted that the Building Division would request the final inspection and sign off letter during the permitting process.

Commissioner Moe asked if contamination had been found when the tanks were removed. Mr. Donovan replied that there was contamination and the site was left open for aeration.

Commissioner Moe also asked if the landscaping currently on the ODOT parcel would be preserved. Mr. Donovan said that the development plan for the proposed sandwich and coffee shop required a five foot buffer to accommodate traffic circulation and that area would be reserved as a landscape buffer.

Robert Shaw, architect, 656 Charnelton, Eugene, representing the Hammer brothers, said that he had received verbal confirmation that EPA had signed off on use of monitoring wells in September, 2000. He said that a perforated PVC grid was developed for use beneath the building to trap any volatiles that might percolate up through the gravel and vent them through the roof. Mr. Shaw expected that once the grid was installed and the building constructed, EPA would sign the site off as clean.

Mr. Shaw also stated that the landscaped area contained a number of mature trees that would be the basis for a landscape design that would include a patio.

Commissioner Carpenter clarified that references to EPA should be references to the Oregon DEQ. Ms. Kieran said that a letter from DEQ would be sufficient for a building permit.

Mr. Donovan reiterated that the soil contamination issue would be looked at during the building permit review process, which would include a Fire Marshal review, pursuant to an orderly and efficient extension of urban facilities.

There being no further testimony, Commissioner Malloy closed the public hearing.

Commissioner Shaver, seconded by Commissioner Burford, moved to grant the Zone Change Request in File No. ZON2002-10350, incorporating the findings of fact from the staff report and instructing the Chair to sign the Final Order. The motion passed unanimously, 6:0.

c. Zone Change - Mitch Ward - 2002-10-0216

Commission Malloy opened the hearing and asked Commissioners to disclose any conflicts of interest or ex parte contacts. There were none.

Kitti Gale, Planner, reviewed the Zone Change Request and stated that it met the criteria for approval. She said that staff recommended approval of the request.

Commissioner Shaver asked if there were any outstanding issues regarding wetlands mitigation related to the site. Ms. Gale said that those issues were not related to the zone change, but would be addressed when the applicant proposed development on the site.

Commissioner Malloy closed the hearing. There was no further discussion.

Commissioner Burford, seconded by Commissioner Moe, moved to accept Journal No. 2001-10-0216 for approval. The motion passed unanimously, 6:0.

6. BUSINESS FROM THE DEVELOPMENT SERVICES DIRECTOR

Mr. Oberst reminded commissioners that it was time for the annual election of officers. Commissioner Malloy said that elections would be postponed until Commissioner Phillips was present.

7. BUSINESS FROM THE COMMISSION

The Commission briefly discussed the PeaceHealth facility. Commissioner Beyer asked if the heads of City departments had commented on any perceived impact of the proposed site on the City's operating costs and infrastructure. Ms. Kieran said that input would be obtained during the master plan review. Mr. Oberst added that these issues have been discussed internally and some analysis had been done. He said that appropriate staff could be available for the Commission's discussion of the PeaceHealth development and prepared to address issues of potential fiscal impact.

Commissioner Carpenter questioned whether the hospital, as a nonprofit entity, would be subject to property taxes. Ms. Kieran said that she would follow up on the question. She also asked that commissioners submit these types of questions to staff in writing or via e-mail in order to establish a record and allow staff to notify the applicant of inquiries. Mr. Oberst agreed to provide the e-mail addresses of key staff to commissioners.

Commissioner Shaver, seconded by Commissioner Beyer, moved to recommend to the City Council acceptance of the 2003-2008 CIP with the additional encouragement to include projects to convert protected only left turn signals to protected/permitted signals. The motion passed unanimously, 6:0.

8. ADJOURNMENT

The meeting adjourned at 8 p.m.

(Recorded by Lynn Taylor)
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