

MINUTES

Springfield Planning Commission
Work Session
Springfield City Hall--Jesse Main Room
225 Fifth Street, Springfield

November 12, 2003
6 p.m.

PRESENT: Steve Moe, Chair; William Carpenter, Vice Chair; Lee Beyer, David Cole, Gayle Decker, Greg Shaver, members; Greg Mott, Mel Oberst, Colin Stephens, Gary McKenney, Ken Vogeney, Al Girard, Nick Arnis, Linda Pauly, Springfield City staff; Meg Kieran, Assistant City Attorney.

ABSENT: James Burford, member.

1. RIVERBEND MASTER PLAN AND ZONE CHANGE

Commissioner Moe called the work session of the Springfield Planning Commission to order. He indicated that he had been unable to attend the last work session, but he had reviewed the draft minutes.

Colin Stephens, Planner III reported that this was the commission's third work session on the subject, and a continuation of previous work sessions. He noted that the public hearing on the subject was scheduled for the following night, November 13, at 6 p.m.

At the request of Mr. Stephens, Mel Oberst, Planning Supervisor discussed the commission's role in the decision-making process. He said the commission should keep in mind the City's annexation agreement with PeaceHealth and the criteria of approval in Article 37, Master Plans. He reviewed the criteria from Article 37:

- 1. The zoning of the property is consistent with the Metro Plan diagram and/or applicable refinement plan diagrams;*
- 2. The request as conditioned conforms to the applicable Springfield Development Code requirements, Metro Plan policies, functional or refinement plan policies, applicable State statutes, and administrative rules;*
- 3. Proposed on-site and off-site public and private improvements are sufficient to accommodate the proposed phased development and any capacity requirements of public facilities plans; and provisions are made to assure construction of off-site improvements in conjunction with a schedule of the phasing;*
- 4. The request provides adequate guidance for the design and coordination of future phases;*
- 5. Inventoried natural resources, wetlands, open space areas, archaeological and historic features are evaluated and considered consistent with the Oregon Administrative Rule procedures for Statewide Planning Goal 5; and*
- 6. Local public facilities plans and local street plans will not be adversely impacted by the*

proposed development.

Mr. Oberst asked the commission to focus on the criteria. He reminded the commission that the applicant's submission was quite extensive, and the City's most knowledgeable and senior staff members were dedicated to its review. That staff had collectively placed eight weeks into the effort, and its work was reflected in the conditions before the commission. Staff had found the application either conformed to the criteria of approval or could be conditioned to satisfy the criteria.

Mr. Oberst suggested that it appeared from previous commission questions that stormwater and sanitary sewer issues were of concern to commissioners, as were issues of transportation, internal circulation, and traffic and pedestrian movement. He said that Mr. Vogeney was present to discuss the engineering-related topics, and Mr. McKenney was present to discuss transportation issues. Mr. Stephens would conclude the staff presentation by discussing issues related to land use planning, site design, parking lot coverage, parks and open space, and landscaping, as well as the trip cap.

Mr. Stephens reviewed the agenda. He asked the commission to refrain from deliberating at this time.

Mr. Stephens indicated an additional public hearing was scheduled for December 18 if it became necessary to continue the November 13 hearing. He said that the record would remain open seven days after the close of oral testimony, whenever that occurred.

Mr. Stephens encouraged the commissioners to ask for additional information at this time.

Mr. Stephens reiterated it was the staff recommendation that the application met the relevant criteria of approval.

Mr. Vogeney joined the commission. He described the review process conducted by the Public Works Engineering staff and the elements of that review, which included sanitary sewer, stormwater management, flood protection, geotechnical engineering, maintenance of public landscaping, and noise assessment. Mr. Vogeney said that the City also hired outside consultants to do peer reviews of various reports submitted by the applicant. He noted that the relevant sections of the staff report commenced on page 1-33. Mr. Vogeney said the staff believed that with the recommended conditions, the application complied with Article 37. He invited questions.

Responding to a question from Commissioner Shaver, Mr. Vogeney said that the applicant's proposal for sanitary service included separate service mains within all street rights-of-way to serve the PeaceHealth property, except for the portion of the site between Game Far Road and the Martin Luther King Jr. Parkway. Staff included as a condition of approval that the final master plan must demonstrate how the applicant would provide the service without tapping into the sewer trunk main. Commissioner Shaver asked if the commission needed to see a map showing the connections before authorizing that approach. Mr. Stephens said that the condition would be implemented in the final master plan ultimately adopted by the City. He did not anticipate Planning Commission review of that step in the process. Commissioner Shaver asked what type of City review would occur when the final plan was implemented. Ms. Kieran said that typically, the final master plan required an administrative review by staff that was based on the conditions placed on the application by the decision makers. She said that there was no staff discretion involved in that review; staff merely checked to ensure the final master plan was consistent with the approved conditions.

Mr. Vogeney referred Commissioner Shaver to recommended condition 65, which addressed the topic of sewer connections.

Commissioner Moe determined there were no further questions for Mr. Vogoney at this time.

Mr. McKenney joined the commission. He said that the Transportation staff review focused on three main areas, commencing on page 1-23 of the staff report. Staff reviewed the applicant's traffic impact analysis (TIA); roadway construction design issues; compliance with existing transportation plans; and Bus Rapid Transit (BRT) routing. He noted that 35 of the 82 proposed conditions related to transportation. Staff was also reviewed parking issues related to the application. He invited questions.

Commissioner Decker asked if the City had a preferred list of trees. Mr. Stephens said yes. The applicant would be required to submit a landscaping plan, and staff would review it for conformance with the list.

Commissioner Cole referred to condition 34 regarding the requirement for a connection between RiverBend Way and Deadmond Ferry Road, and suggested that was a problematic condition for the City to impose given that PeaceHealth did not own the land. Mr. Stephens explained that the City had annexation agreements with several abutting property owners, including PeaceHealth and PeaceHealth had agreed through its annexation agreement with the City to put the road through as a condition of approval. That agreement stipulated that if PeaceHealth could not obtain the property, the City would acquire the property using its power of condemnation if necessary. Mr. Stephens said, in response to a follow-up question from Commissioner Cole, that the loop road connection was a different issue that would be examined during when the medium-density residential area east of Baldy View Road was developed. Mr. McKenney noted that the staff recommendation for a different location for the loop road when it was eventually built.

Commissioner Beyer arrived.

Commissioner Carpenter requested a map showing what would be built out when the hospital opened if all the staff-recommended conditions were in place.

Commissioner Shaver asked if, in staff's opinion, the proposal for traffic improvements in Phase 1 were adequate to the optimal functioning of the development. Mr. McKenney said yes, based on the TIA.

Responding to a question from Commissioner Carpenter, Mr. Stephens indicated that there would be no more than 33 acres of Mixed-Use Commercial (MUC) zoned property and no more than 66 acres of Medical Services (MS) zoned property on the site. That could not be changed without an amendment to the Gateway Refinement Plan.

Commissioner Beyer determined from Mr. Stephens that the MUC and MS zoned land was affected by the proposed 1,840 daily trip cap; the Medium-Density Residential (MDR) land was not. Commissioner Beyer asked if PeaceHealth's meeting or exceeding the trip cap precluded the potential of commercial development on the adjacent property. Ms. Kieran reiterated that the trip cap was attached to the MS and MUC zoning designations, and not the MDR zoning. If the development exceeded the trip cap that triggered subsection Five (5) of the Gateway Refinement Plan amendments (page 1-10). If a new application for more MUC or MS zoning was made, the applicant would have to demonstrate compliance with the State's Transportation Planning Rule (TPR), which required a TIA based on anticipated uses that demonstrating compliance with the TPR. Commissioner Beyer asked if it was possible for a subsequent application to do so, and would be required. Mr. McKenney said such an applicant would have to apply for a plan amendment in the same way that PeaceHealth had. Commissioner Beyer asked if MUC or commercial development could be done on the adjacent property and still meet the TPR. Mr. McKenney said yes. He said he would have to base his

evaluation on real evidence about the uses proposed and the actual acreage involved, but he had no reason to believe it could not be done.

Commissioner Shaver referred to page 1-26 of the staff report, which discussed west side access to building D, and determined from Mr. McKenney that the type of access and its location was yet to be determined. Mr. McKenney indicated that staff would revise the text to clarify that no access was being approved as part of the decision regarding the master plan. Staff did not believe that this was the appropriate time to determine the nature of the access or its location.

Commissioner Shaver referred to page 1-28, recommendation 46, which was related to BRT facilities, and asked if the text should be revised to indicate that a 13-foot right-of-way was acceptable, but that the City might require a particular location for the right-of-way. Mr. McKenney said that it was the staff intent to allow flexibility, and he believed that the Lane Transit District (LTD), PeaceHealth, and City of Springfield were close to consensus on the topic after some discussions that recently occurred. He said that it was possible a more firm position would be forthcoming soon.

Commissioner Shaver said the current text was very “fuzzy” and suggested that it be revised to refer to a specific right-of-way width with flexibility about the route’s location. Mr. McKenney said that staff was working with LTD to ensure that what was included as a condition of approval was sufficient. He noted that LTD’s planning for the route in question was not advanced. Mr. Stephens said that staff believed that 13 feet was adequate but if necessary the plan could be amended in the future through a Type II process.

Responding to a question from Commissioner Cole, Mr. McKenney said that it was staff’s hope that the BRT right-of-way would not be in addition to the public utility easement. He indicated that was a technical issue that would be resolved when an approach had been agreed on.

Mr. Stephens distributed copies of map responding to Commissioner Carpenter’s earlier request for a map showing transportation improvements at hospital build-out. Commissioner Carpenter determined from Mr. Stephens the location of the private road and further determined from him that it would still be required if the public roads were connected. Mr. McKenney said it was needed to access the properties that abutted the south side. Commissioner Shaver asked why the hospital did not propose to take access to buildings C and D off McKenzie Way or RiverBend Drive. Mr. McKenney pointed out the streets in question and said that they would be carrying large volumes of traffic and staff proposed to minimize the number of driveways along the two streets. The private road would serve as a driveway of sorts.

Commissioner Shaver noted condition 55 related to public utility easements (PUE) and asked if that would apply to the private road. Mr. Stephens said that it was possible the City could place a PUE through the private driveway, and indicated that staff would examine the possibility.

Mr. Stephens reviewed the land use review process conducted by himself and staff member Linda Pauly and said that they recommended approval of the application with conditions. He noted that he had received written questions from Commissioner Beyer and Commissioner Shaver to which he had yet to respond to in writing. He said he would have written answers to all written questions prior to the close of the record.

Mr. Stephens noted the Commission’s previously expressed concerns about the size of the proposed parking lots and the timing of construction of the parking garage. He asked if the commissioners believed that sufficient evidence existed in the record for them to make a decision on the issues now, or if they required more information. Commissioner Shaver said that if the parking garage was needed for the hospital’s operations but it would not be open when the hospital opened, he questioned where

the cars would go. Mr. Stephens said that the first medical office building and parking garage would be built during Phase 2, and surface parking would initially be constructed on the future locations of those structures. He confirmed, in response to a follow-up question from Commissioner Shaver, that those parking in those lots would have to cross a street to reach the hospital. He said that the applicant would be required to submit a parking plan that demonstrated that parking would be adequate. He anticipated that PeaceHealth would also need a transportation demand management (TDM) program to satisfy its parking demand. He added that the parking garage was expected to come on line fairly quickly.

Commissioner Beyer asked if staff and the applicant had discussed how well PeaceHealth's existing TDM program at the current Hilyard Street campus in Eugene was working and how that success could be translated to the proposed site. Mr. Stephens said that conditions were different in that there was no parking at that location, and the City of Eugene had an aggressive parking enforcement program, unlike Springfield. Mr. McKenney said that the incentive for PeaceHealth would be the trip cap. That could potentially limit further development on the site. Anything that reduced the number of trips into the site would allow more development to take place than would otherwise be allowed.

Responding to a question from Commissioner Decker regarding allowed parking spaces, Mr. Stephens noted the condition of approval related to the topic Mr. McKenney said that the TIA indicated that the demand for Phase 1 would be 2,700 to 2,900 spaces. He understood that the actual site planning for the initial phase would not include the north medical office building, and that surface parking was proposed for the area intended for Building C. That differed from the assumptions used in the parking study, which compared the existing PeaceHealth facility to other comparable health centers in Oregon.

Commissioner Carpenter suggested that the issue was whether the City wanted a lot of surface parking at the hospital or whether it wanted to require PeaceHealth to construct parking garages, and when.

Commissioner Beyer indicated that he believed that the commission had sufficient evidence to make a decision on the parking issue; he did not question the projected demand, and said he was less concerned with the number of parking spaces than in how they were provided. He did not think there was anything that the staff or the applicant could place in the record related to the topic as any decision on the topic would be a policy choice.

Commissioner Beyer asked staff to discuss when the parking garage would be built. Mr. Stephens said that as proposed, it was in Phase 2, but the applicant had been discussing building it in Phase 1. He suggested the applicant could speak to the timing of the construction of the parking garage at the public hearing. Commissioner Beyer said he wanted to know if there was a way to reduce the number of surface parking spaces, particularly in the vicinity, of the hospital itself. He appreciated the cost involved, but suggested that "an awful lot of gray" was being proposed.

Commissioner Shaver determined from Mr. Stephens that the applicant now proposed to rezone the streets in the vicinity, of the MUC area to MUC rather than MDR. Mr. Stephens said PeaceHealth had amended its application to request 33 acres of MUC zoning as opposed to the 30 acres that it originally proposed. Commissioner Shaver noted that buildings D and E were on parcels proposed to be MUC, and he recalled that the commission heard they were to be medical office buildings, and determined from Mr. Stephens that medical office buildings were permitted uses under MS zoning.

Commissioner Decker asked why roads were zoned. Ms. Kieran said that they were zoned until dedicated, and then the zoning disappeared and the land in question became public right-of-way. Commissioner Decker suggested that when that occurred, three acres of MUC zoning would be freed up for use on the site.

Responding to a question from Commissioner Shaver, Mr. Stephens indicated that Arlie & Company requested that 12-½ acres of MUC zoning be applied to the property it owned adjacent to the hospital. Mr. Stephens asked the process that would be required for Arlie to proceed. Mr. Stephens said that the company would have to submit a refinement plan and master plan amendment before seeking a zone change. Commissioner Shaver determined from Mr. Stephens that the decision before the commission was unrelated to land use decisions required for the Arlie property.

Commissioner Beyer asked why the applicant did not propose MS zoning for the medical office buildings to be constructed. Mr. Stephens said that the use was permitted in either the MS or MUC zoning districts. He reminded the commission that the applicant was limited to 66 acres of MS zoning. Ms. Kieran referred Commissioner Beyer to page 1-10, which included the requirements of the Gateway Refinement Plan Residential Element Implementation Action, passed in April 2003, and which stated that the 1,840 trips were based on an assumption of 33 acres of MUC zoning and 66 acres of MS zoning. She said that she would review the Gateway Refinement Plan carefully to ensure that represented a cap so that she could answer the question based on the language in the refinement plan. To this point, staff considered that a cap.

Responding to a question from Commissioner Decker, Mr. McKenney said that zoning itself did not directly determine the amount of traffic generate by a property. Use determined the amount of traffic generated, and generally in any given zone there were number of uses that could be built, generating a wide range of traffic volumes. One could not state that ten acres of one zone could generate more traffic than ten acres of another zone.

Responding to a question from Commissioner Shaver, Mr. McKenney said that the TIA was based what was assumed to be built by the applicant. Commissioner Beyer suggested that the commission could rezone the site of buildings D and E to MS without creating a trip cap problem. He said that would allow a different property owner to seek the additional MUC acres.

Ms. Kieran said that if the uses proposed for the 99 acres owned by PeaceHealth used up the trips, then the trips were used up. The next applicant would have to come submit a TIA to demonstrate to the City it would be in compliance with the TPR. She agreed with Mr. McKenney that more MUC zoning did not equate to more trips.

Commissioner Shaver suggested that the issue was whether another property owner wanted to secure some of the MUC acreage and the commission wished to grant them that acreage. He said that could be done by denying PeaceHealth some of the MUC zoning, leave the streets un-zoned, or apply MS zoning to the sites proposed for buildings D and E.

Responding to a question from Commissioner Beyer, Mr. Stephens said that staff interpreted the Gateway Refinement Plan as limiting MS zoning on the property to 66 acres. Ms. Kieran said that at this point, staff had assumed no, but she reiterated she would review the plan. Mr. McKenney said that if the answer was yes, he would attempt to determine the traffic ramifications of the change. Commissioner Beyer suggested the applicant comment on the subject during the public hearing.

Commissioner Beyer asked if tangential uses such as pharmacies and cafeterias would be allowed in the MS zoning district. Mr. Stephens said yes. He recommended that the applicant and representatives of Arlie & Company comment on the topic during the public hearing.

Commissioner Stephens noted that the Fire Marshal Al Gerard was in attendance to answer a question from Commissioner Decker, who had asked about provisions for evacuating ill and infirm people in

the case of a catastrophic fire or emergency. Mr. Gerard explained that hospitals were built to an “I” standard, which meant that all patient rooms were smoke-sealed rooms. In addition, the building was broken up into component separated areas where the number of people allowed was limited. In the case of an emergency, patients were removed from those areas across a smoke and fire barrier to areas protected from smoke and fire by two-hour fire separation doors and three-hour fire separation walls, which gave fire personnel time to reach those areas and evacuate those patients if necessary. However, they were generally “defended in place” and left in that area of the hospital. Floors and ceilings were also fire barriers. Mr. Gerard said that the City’s requirement for rappel anchors on the building’s roof was included at the request of the Fire Department. Responding to a follow-up question from Commissioner Shaver, Mr. Gerard said that the building was very complex and would require a dedicated Deputy during permit review.

Commissioner Shaver noted the condition related to the installation of radio repeaters and determined from Mr. Gerard that he did not think that the City needed to also require battery backups as a condition of approval because of the fact the building was built to the I standard and would have considerable emergency generation capability to back up the power supply if lost. He said that the repeaters would need to have battery back-up. He said that the precise specifications for the repeaters could be made at a later point.

Mr. Gerard said that the first paragraph under the caption *Phase One Operations Division* on page I-32 of the staff report and indicated it should actually be a numbered condition of approval.

Commissioner Carpenter asked if the applicant had represented to Mr. Gerard that it ever operated a hospital of nine stories as was being proposed. Mr. Gerard said that he had never asked the question. He noted that the current PeaceHealth hospital met the high-rise standards

Commissioner Cole asked if Springfield actually needed to approve the emergency area design, and noted that Springfield was only one user of the emergency area. Mr. Gerard said that he asked that all agencies that would be using the emergency area to comment on the issue. He said that his concern was that the emergency area be usable, and because it was inside the Springfield ambulance provider service area, the Springfield Department of Fire and Life Safety was the logical comment agency. Commissioner Carpenter expressed concern about the bureaucratic processes involved. Mr. Gerard clarified that the issue would be addressed during the design phase, and PeaceHealth had already talked to the department to solicit some input about the design.

Responding to a question from Commissioner Carpenter, Mr. Gerard said that he had been unable to secure any analysis regarding the risk versus benefit of one’s being on a particular floor in a high rise building during an emergency through the National Fire Protection Association.

Mr. Stephens noted some concerns expressed by Commissioner Carpenter regarding the proposed hospital height and asked Commissioner Carpenter to elaborate on his concerns for the benefit of the applicant. Commissioner Carpenter said that the applicant provided only one foot print and one building height, so it was difficult to evaluate other opportunities. He wanted to see different hospital massings depicted, as well as different views of the hospital from different areas, which he believed would speak to the environmental aspects of the application. He wanted to know if PeaceHealth had an alternate view-shed plan for the site if the trees currently living on the property died.

Commissioner Carpenter questioned whether the City really wanted such a tall building on the site.

Continuing, Commissioner Carpenter indicated that he would like to know what the building looked like from places that Springfield residents congregated at, such as at the Mohawk Bridge on Highway

126. He asked for information about the average height of the Douglas fir tree stand, and what the mature height of the trees could be anticipated to be. He asked if the hospital would be seen from downtown Springfield. Commissioner Carpenter indicated he would submit those and related questions to Mr. Stephens.

Commissioner Shaver raised a process issue, saying that he heard “through the grapevine” that people who had testified at the previous hearing had not been notified of the current land use process. Mr. Stephens said that all legal notice requirements were complied with, but those who testified at the hearings related to the plan amendments were not noticed of the issue. Commissioner Shaver thought that an oversight given the gravity of the decision facing the City. Commissioner Beyer suggested that the issue had been publicized in the newspaper. Commissioner Shaver did not believe that any mention was made in newspaper articles about the public hearing. Ms. Kieran said that the City complied with regulations and all requirements were satisfied. Mr. Stephens said that he would provide notice to those testifying on the plan amendments when the item was forwarded to the City Council.

Commissioner Carpenter shared Commissioner Shaver’s concerns.

Responding to a question from Commissioner Decker about the difference in total housing units mentioned in Condition 19 on page 1-18, Mr. Stephens clarified that the higher figure included the dwelling units included the assisted living units and units proposed above the MUC development. If the entire MDR unit was built in one phase, 610 units must be developed to reach the minimum density. Mr. Stephens agreed the text was confusing, and indicated he would revise it.

Responding to a question from Commissioner Shaver, Mr. Stephens said that Oregon Revised Statutes (ORS) regulated the nature of care facilities; according to the State, an assisted living facility must include a certain minimum square footage, a lock on the door, a kitchenette, and a bathroom. Skilled nursing units do not meet that definition.

At the request of Commissioner Carpenter, Mr. Stephens discussed the condition allowing for an extension of the master plan. He reported that typically, master plans were approved for seven years. There was a provision in the code for an extension of a master plan under a Type II procedure that allowed for a three-year extension, and the applicant must show adequate progress to secure such an extension. There was another extension provided for in Article 37, which out to 15 years. PeaceHealth had requested an 8-year extension out to the maximum 15 years. Commissioner Shaver asked if PeaceHealth could seek a second extension. Ms. Kieran said no.

Commissioner Carpenter said that if the extension to 15 years was granted, the development would still be subject to conditions established in 1998, and he thought that was a little too long for the City to expect those conditions to continue to be relevant. Mr. Stephens noted that the code applicable at the date of the application would be in effect, outside of mandates from the federal and State governments.

Commissioner Carpenter expressed concern about what would happen to the density requirements for the site if it was not fully developed when the plan expired. He suggested the potential that the initial density in the early phases of development would be too low, and the remaining land insufficient to accommodate the remaining density. Mr. Stephens said that the minimum plan density must still be implemented as it had a policy basis in the refinement plan. He said even after expiration of the plan, the City would expect that density to be implemented. Commissioner Carpenter asked what legal basis the City would have for enforcement. Mr. Stephens said that the application must be consistent with the Gateway Refinement Plan. He suggested that Condition19 could be revised to give the City more assurance.

Commissioner Beyer said that given the residential development was likely to come in phases, Commissioner Carpenter's concern was legitimate; he agreed that it was likely the lower density would be built in the earlier phases. Commissioner Decker pointed out that the zoning did not expire, only the master plan. Mr. Stephens reiterated that he would give the issue further consideration.

Commissioner Cole indicated that he continued to be concerned about the height of the proposed parking garage.

Mr. Stephens asked that the commission e-mail him any unresolved questions, which he would answer in writing and get to the commission in the next meeting packet. He requested questions prior to November 20, 2003, if possible.

Commissioner Moe adjourned the meeting at 7:52 p.m.

(Recorded by Kimberly Young)