

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD PLANNING COMMISSION  
Tuesday, December 2, 2008

The City of Springfield Planning Commission met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon on Tuesday, November 2, 2008 6:00 p.m., with Frank Cross as Springfield Planning Commission Chair.

**ATTENDANCE**

Present were Chair Frank Cross, Vice Chair Johnny Kirschenmann and Planning Commissioners Lee Beyer, Sheri Moore, Eric Smith, Sean VanGordon, and Steve Moe (via speakerphone). Also present were Development Service Director Bill Grile, Planning Supervisor Linda Pauly, Gary Karp Planner III, Planning Secretary Brenda Jones, and City Attorney Joe Leahy.

**ABSENT**

- None

**PLEDGE OF ALLEGIANCE**

- The Pledge of Allegiance was led by Chair Frank Cross.

**APPROVAL OF MINUTES:**

- Commissioner Beyer, seconded by Commissioner Kirschenmann, moved to approve the minutes of the commission's May 20, 2008, CCI meeting; May 20, 2008, Regular Session; June 17, 2008, Regular Session; September 3, 2008, Work and Regular sessions; and October 7, 2008, Regular Session. The motion passed, 6:0:0.

**LEGISLATIVE PUBLIC HEARING**

- **Springfield Development Code Amendment – City of Springfield – LRP2008-00011-**

**Continuance of the public hearing held on October 7, 23008 to consider the proposed Springfield Development Code (SDC) Amendments, which address the following topics: Streamlining the Master Plan review process (Section 5.13-100); updating Fire regulations in the Dinking Water Protection (DWP) Overlay District (Section 3.3-200); and addressing additional Scrivener's errors found in various sections after adoption of the reformatted SDC.**

In August, 2008, staff distributed a copy of the proposed Master Plan amendments, Attachment 4, to private sector planners who submitted Master Plan applications in the past. Two of these planners, Mr. Satre and Mr. Farrington, submitted comments to staff regarding the proposed Master Plan amendments. The proposed master Plan amendments presented to the planning commission on October 7, 2008, contained staff's responses to the vast majority of the issues/questions raised by Mr. Satre and Mr. Farrington. This is why copies of their written comments, while in the record, were not

attached to the October 7<sup>th</sup> staff report. Mr. Satre and Mr. Farrington provided testimony at the public hearing. The Planning Commission directed staff to conduct a meeting with Mr. Satre and Mr. Farrington to solicit additional comment on the proposed amendments. The Planning Commission continued the public hearing until December 2, 2008.

Combined, Mr. Satre and Mr. Farrington's comments include over 40 pages of text. For ease of review, their written comments have been combined into a format which responds to each issue/question. Attachment 1 allows the reader to briefly see each issue/question and go to the applicable section/subsection in Attachment 4 to review the revised text, which is highlighted along with a "commentary" explaining why the revision is proposed and/or how it has been addressed.

While both Mr. Satre and Mr. Farrington had concerns regarding the entire proposed master Plan amendment, there are two Sections that elicited the most comments: 1) SDC 5.13-120, Submittal Requirements (they thought some of these requirements were more specific than they needed to be and/or that some of these requirements should be "conceptual"; and 2) SDC 5.13-135. Final Master Plan Modifications (where Mr. Farrington suggested that staff's proposed 10 percent threshold should be eliminated and the current text retained), Staff met with Mr. Satre and Mr. Farrington on November 12 to discuss these and other issues. Attachment 4 addresses all issues all issues previously raised and those issues discussed at the meeting.

There was no testimony regarding Attachments 5 or 6. No revisions have been made to Attachment 5. One revision has been made to Attachment 6 to add hotels as permitted use in the Mixed Use Commercial zoning district.

Planner Linda Pauly reviewed the criteria of approval regarding amendments to the Springfield Development Code, found in Section 5.6-100 of that code. She noted that anyone could request that the record remain open to respond to new evidence.

Gary Karp, Planner III, introduced the item, first calling attention to the attachments to the meeting packet. He recalled the hearing on October 7, at which the commission directed staff to meet with Mr. Satre and Mr. Farrington, and called the commission's attention to Attachment 1, *Responses to Written and Oral Testimony Regarding the Master Plan Process*. He indicated that staff had made some additional "tweaks" to the code language, and referred the commission to Attachment 4, *SDC Section 6.13-0100 Master Plans—Revised*. He reviewed the changes incorporated into that document, which were highlighted in blue to reflect the suggestions made by Mr. Satre and Mr. Farrington that were incorporated into the October 10 staff report, in yellow to reflect the suggestions made by Mr. Satre and Mr. Farrington after the November 12 meeting, and in green to reflect the addition changes made by staff.

Mr. Karp recommended that the Planning Commission forward the amendments to the council with a recommendation of approval.

Responding to a question from Commissioner Kirschenmann about Section 513-140(1), Mr. Karp clarified that any master plan extending beyond ten years would have to meet the code requirements in place at that time. Responding to a follow-up question from Commissioner Beyer, Mr. Karp acknowledged that the code went beyond the State statutes and gave the applicant more protection than was provided by the statute.

Commissioner Moe thanked Mr. Satre and Mr. Farrington for the time they spent on the code language in question. He concurred with the direction they suggested as he preferred the City to be more goal-oriented in its code as opposed to detail-oriented.

Referring to page 4-26 in the meeting packet, Commissioner Kirschenmann noted the reference to Subsection 5.13-135.C.10, and asked if that should actually be to B.10. Mr. Karp indicated he would follow-up.

Chair Cross called for testimony from the audience.

**Rick Satre**, Satre and Associates, 101 East Broadway, Suite 480, Eugene, expressed support for the revised amendments before the commission. He said that the format employed by Mr. Karp made it easy to track the changes were made, and he wished to thank both him and the commission for their good work.

Commissioner Beyer joined in Commissioner Moe's thanks to Mr. Satre.

There being no further requests to speak, Chair Cross closed the public hearing.

Chair Cross solicited questions from the commission.

Responding to a question from Commissioner Smith about the proposed requirement that a certified planner be included in a project design team, Mr. Satre said that those participating in the discussions felt it was important to recognize that there was a national certification program for planners that required a certain level of education and proficiency. He believed that the ordinance required that level of professional expertise. Responding to a question from Commissioner Beyer about what it took to become a certified planner, Mr. Satre indicated that one must pass a national examination.

Commissioner Moe asked how many certified planners existed in the metropolitan area. He was concerned about that requirement as perhaps being too restrictive. Mr. Satre thought Mr. Moe's point was well-taken but noted that nearly all the planners he had on staff were certified planners. He believed there were a "fair number" of such individuals. Mr. Karp noted that while he and Mr. Mott were the most senior planners working for Springfield, neither was a certified planner. Commissioner Moe indicated that Mr. Karp's comments caused him some concern.

Ms. Pauly observed that it was increasingly common for planners to have an American Institute of Certified Planners (AICP) certification. She believed that most planners in private practice were likely to have that certification or were working toward it. Planners working for public agencies that did not have the requirement for an AICP certification might be less likely to seek it.

Commissioner Beyer also questioned the requirement for a certified planner. He also questioned why an architect was needed on the design team given that no buildings were designed in the master plan phase. Mr. Karp indicated that architects provided illustrative designs at that stage.

Director Grile noted some discomfort with the requirement, saying he had been a certified planner since the certification program was established 30 years ago, and he was not qualified to submit a master plan. He said the criteria established what must be

submitted to achieve master plan approval, and he was concerned about narrowing the requirement to the degree it gave market preference for one consulting firm over another. Director Grile further observed that he had met with Planning Director Lisa Gardner and they discussed the potential that she might let her certification lapse because of some problems with manner the certification program was maintained.

Commissioner Beyer's concern was that a master plan application met the criteria in the code, not the requirements of what type of professionals were doing the project.

Commissioner Cross asked the minimum size acreage for a master plan. Mr. Karp replied that the original size was a minimum of five acres, and the City was proposing a size less than that. In exchange, the developer would be able to comply with current code standards for seven to ten years, and the City wanted some guarantee those standards would be met. Commissioners Beyer said that guarantee was not provided by who did the master plan; that guarantee was provided through the staff review. He agreed with Commissioner Moe that the City should focus on the criteria, not the design team.

Ms. Pauly maintained that a requirement for a certified planner would add to the protection of the health, safety, and welfare of the people who occupied the site.

Commissioner Cross suggested the commission was asking why the City had to restrict the design team to a set profession, or define the design team at all.

Mr. Karp suggested that the commission use the phrase "professional design team" as had been used previously in the code, and avoid being specific as to the membership. Commissioner Beyer supported that approach, pointing out, for example, that final engineering drawings would still have to be stamped by a licensed professional. There was general commission concurrence.

Chair Cross and Commissioner Beyer commended staff for the work it had done to revise the amendments.

Commissioner Beyer, seconded by Commissioner Moe, moved that the Planning Commission recommend to the City Council the adoption of the revised ordinance as prepared by staff and as amended by the commission. The motion passed unanimously, 6:0:0.

Chair Cross noted staff's question to the commission regarding the Type II process as the initial review process as opposed to retention of existing Type III review process, and Mr. Karp recalled the commission's discussion and indicated staff had sufficient direction to move forward with work on the Type II fees.

### **BUSINESS FROM THE AUDIENCE**

- None.

### **BUSINESS FROM THE DEVELOPMENT SERVICES DIRECTOR**

Director Grile reported the following:

- Work on the Commercial Industrial Buildable Land Study was in progress.

- The Joint Elected Officials (JEO) was planning a series of discussions about the Eugene-Springfield Metropolitan General Area Plan (Metro Plan). The first meeting would occur on January 13. The Board of County Commissioners was interested in additional discussion of the urban transition agreements between the County and two cities. He anticipated that the JEO would discuss the definition of “key urban services” and who was the provider of those services. Commissioner Beyer recalled how planning in the rural areas on the fringes of the cities happened before the urban transition area was established, and expressed the hope the County did not return to those practices. Director Grile noted the board’s interest in establishing rural reserves, which locked up land and the change in use of that land for 50 years. He said that it would be interesting to see how that discussion proceeded. He anticipated a second JEO meeting would occur in the spring for more discussion of the urban transition agreements.

### **REPORT OF COUNCIL ACTION**

- Commissioner Kirschenmann attended the November 3, 2008, meeting, during which the council heard a report on from the Library Advisory Board and were introduced to the new library director.
- The council acknowledged the contributions of Springfield citizens and City employees.
- The council heard an update on the Gateway Beltline project.

### **BUSINESS FROM THE COMMISSION**

- Commissioners Beyer and Kirschenmann have been participating on the CIBL team. The meetings have been well-attended, with good discussions.
- The Planning Commission Christmas get-together was scheduled for Commissioner Beyer’s house on a date to be announced.

Chair Cross introduced new commissioner Sean VanGordon.

### **ADJOURNMENT**

- Chair Cross adjourned the meeting at 6:30 p.m.