

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD PLANNING COMMISSION
Tuesday, June 17, 2008

The City of Springfield Planning Commission met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon on Tuesday, June 17, 2008, 7:00 p.m., with Frank Cross as Springfield Planning Commission Chair.

ATTENDANCE

Present were Frank Cross, Chair; Johnny Kirschenmann, Vice Chair, Sheri Moore, Eric Smith, Terri Leezer, Steve Moe, commissioners; Bill Grile, Development Services; Greg Mott, Mark Metzger, Brenda Jones, Planning Division; Joe Leahy, City Attorney.

ABSENT

Lee Beyer, commissioner.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Frank Cross.

APPROVAL OF MINUTES

Commissioner Shari Moore, seconded by Commissioner Terri Leezer, moved to approve the minutes of the March 13, 2007, Work and Regular Session; December 11, 2007, Work Session; December 20, 2007, Regular Session; March 4, 2008, Committee for Citizen Involvement Session; April 29, 2008, Joint Planning Commission meeting and June 3, 2008, Joint Planning Commission meeting as written. The motion passed, 6:0:1, Commissioner Beyer absent.

BUSINESS FROM THE AUDIENCE

None.

QUASI-JUDICIAL PUBLIC HEARING

Type II Metro Plan Amendment LRP2008-00008

Planning Manager Greg Mott explained that the title of the application was in error and there was no zoning map amendment as the property zoning was consistent with the Metro Plan Diagram. He said the application addressed only the Metro Plan Diagram amendment. He said that Plan diagram approval criteria were in Chapter 5, Section 5.14-135; criteria required the amendment to be consistent with applicable Statewide Planning Goals and not cause the Metro Plan to be internally consistent. He said findings in the staff report indicated compliance with those criteria for approval. He explained the procedural requirements mandated by State law.

Chair Cross opened the public hearing and asked commissioners to declare any conflicts of interest or *ex parte* contact. None were declared.

Planner David Reesor presented the staff report. He asked commissioners to disregard the references to a zoning map amendment. He said the subject property was 8.79 acres and designated low density residential (LDR) in the Metro Plan Diagram, while the existing zoning and much of the development of the area is primarily medium density residential (MDR). He said the plan/zone conflict was the result of the adoption of the present Metro Plan Diagram, which designates these properties LDR even though all previous actions by the Planning Commission and City Council established MDR as the appropriate designation for this area.

Mr. Reesor said the City held a neighborhood meeting, which was attended by two citizens: Gerald Miller, 1142 West Centennial and Rob Cook, 942 West L Street. He said no concerns were raised at the meeting and the citizens were seeking clarification of some aspects of the application. He said that staff had reviewed the application and found it to be consistent with the criteria for approval and the applicable Statewide Planning Goals. He noted that staff was currently working on HB 3337 inventory tasks for residential, commercial and industrial lands and hoped to address plan/zone conflicts Citywide in the future.

The plan/zone conflict was brought before the Planning Commission during a work session on April 1, 2008 and the City Council on April 21, 2008, after which the City Council initiated a Metro Plan Diagram Amendment. The designation of this area became an issue because the new Plan diagram is decidedly more precise in appearance and projects more locational certainty than previous Plan diagrams. In particular, it would be difficult to conclude that Rainbow Drive is not the east-west dividing line between MDR and LDR designations even though past land-use actions, including MDR development west of Rainbow, contradict such a conclusion. The former Plan diagram was vague about the relationship between Rainbow and an MDR/LDR dividing line, but the Council at that time was persuaded that the diagram, the test and the circumstances present in that area supported an MDR determination west of Rainbow Drive.

There is no reason to believe or evidence to suggest that the new Plan diagram was created with the purpose of delineating MDR/LDR along Rainbow, past land use decisions and development do not support such an action; there have been no requests by property owners to down-zone this area; there are no service or structural limitations that support LDR in favor of MDR. The most likely explanation, and one for which staff accepts responsibility, is that the graphic artists at Lane Council of Governments wanted to create more definitive Plan map shapes because the Plan is evolving into a more site-specific document. Staff did not catch the implications inherent in such a shift and are now attempting to reconcile this situation through a City Council initiated Plan Diagram amendment, instead of placing the burden on individual property owners.

Staff recommends that the Planning Commission forward a recommendation of approval of application LDP2008-00008 to the City Council.

Chair Cross asked if the application was for the entire 8.79 acres or only a portion of the parcel. Mr. Reesor said the application was initially for one parcel, but expanded to include all of the lots in the 8.79 acres because they were found to be zoned MDR and developed to that level. He said the City had previously approved the zone changes and development based on past interpretation of Metro Plan designation. He said the 2004 iteration of the plan was more site specific showed the area as LDR, which was in conflict with past interpretations.

Chair Cross noted that findings referenced the applicant's property and also the entire area and asked for clarification of the application's intent and the findings for Goal 10. Mr. Reesor replied that the findings referred to the subject area and Appendix A listed all of the lots by tax lot number and site address. He said that the Goal 10 finding looked at the 8.79 acres in the subject area and sorted properties by current zoning as MDR or LDR and existing development type. The finding concluded there would be no significant effect on land inventory because a majority of the area was already zoned MDR and built out to that level. The 1.65 acres referred to the lots that were still LDR.

Commissioner Kirschenmann asked if the four lots that were current LDR be required to rezone as MDR. Mr. Reesor said the lots could remain LDR until such time as the owners wished to redevelop their property, at which time they would be required to initiate a City-sponsored zone change.

Mr. Grile said the legislative package for HB 3337 implementation would contain a site-specific map that would align Plan designations with tax lots, eliminating the ambiguities that caused many of the plan/zone conflicts. He said the disadvantage was less flexibility in development, but there were tools to mitigate that.

Chair Cross asked why all of the lots in the subject area were not being included in the Metro Plan amendment. Mr. Reesor said staff decided to take the middle ground and only address lots adjacent to the lot that began the process because they were already been built out to MRD and the council had made that interpretation. He said if the owners of those lots wished to redevelop they could apply for a City-sponsored zone change. He said staff felt that those issues could be addressed at a citywide level through the inventory work that was being done.

There being no further questions from commissioners and no one else wishing to testify, Chair Cross closed the public hearing.

No public Testimony. Public Hearing Closed

Commissioner Kirschenmann, seconded by Commissioner Moe, moved that the Planning Commission forward a recommendation of approval of Application LRP 2008-0008 to the City Council. The motion passed, 6:0:1, Commissioner Beyer absent.

BUSINESS FROM THE DEVELOPMENT SERVICES DIRECTOR

Mr. Grile reported that Mr. Mott was working with his counterparts in Eugene and Lane County on the land supply study and it appeared there was agreement on how to proceed with HB 3337 implementation work. He said the County had yet to resolve the population projection issue, but that would not cause a delay in Springfield's work.

Mr. Grile said that Linda Pauly had developed a draft request for proposals for downtown consulting work; it would be brought to the Planning Commission for feedback following an internal peer review.

REPORT OF COUNCIL ACTION

Commissioner Moore reported that an increase in regional wastewater fees and garbage rates were approved at the June 4, 2008, City Council meeting. She said public testimony include a request that

councilors Ralston and Woodrow withdraw from the conference site committee and concerns about the strip club planned for a site on Main Street. She said one speaker was unhappy about a recent signage ordinance. She said the city attorney spoke about the City's authority with respect to liquor licenses.

BUSINESS FROM THE COMMISSION

Commissioner Moore asked if there was additional information regarding Marcola Meadows. Mr. Grile responded that Marcola Meadows had just submitted its final master plan and review should be completed within 10 days. He said discussions with Lowe's were underway, but neither Lowe's nor the property owner had submitted fees yet. Mr. Leahy said there were outstanding issues related to timing and construction seasons.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Minutes recorded by Brenda Jones and Transcribed by Lynn Taylor