

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD PLANNING COMMISSION  
Tuesday, July 7, 2009

The City of Springfield Planning Commission met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon on Tuesday, July 7, 2009 7:00 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 and Steve Moe. Also present were Planning Manager Greg Mott, Planning Supervisor Linda Pauly, Administrative Specialist Brenda Jones, Steve Hopkins Planner II, Fire Marshal Al Gerard, Attorney Joe Leahy and Assistant City Attorney Mary Bridgette Smith.

**ABSENT**

- Sean VanGordon (Excused)

**PLEDGE OF ALLEGIANCE**

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

**BUSINESS FROM THE AUDIENCE**

- Chair Cross determined there was no business from the audience not related to the public hearing.

**QUASI-JUDICIAL PUBLIC HEARING**

Assistant City Attorney Mary Bridgette Smith explained de novo quasi-judicial hearing procedures and evidentiary rules. She noted that those testifying must raise procedural and substantive issues at the hearing or be prohibited from raising those issues subsequently on appeal.

- **Proposal of Fire Station in LDR zone – DRC2009-00023 –**

This Discretionary Use (DU), if approved, will assist the Springfield Fire and Life Safety Dept. in obtaining a grant from the Federal Emergency Management Agency (FEMA) to fund the construction of a new fire station in the Jasper/Natron area. The specific design has not been determined, but will be similar to Station 16, located at Main and 68<sup>th</sup>, which is a two-story building with three equipment bays. If the DU is approved but Springfield does not receive the grant, the property may be developed with any use allowed in the Low Density Residential (LDR) zone. If the fire station is not built, approval of the DU will not preclude other uses on the site.

The Development Review Committee met on June 30 to review the application. The committee identified the slope of the site and stormwater retention as possible design issues. These are not unusual issues and will be resolved during site plan review.

Although the portion of Bob Straub Parkway that fronts this parcel was annexed by Springfield, the County retained access control because the road had not been surrendered to the City. Comments by the County indicated direct access to the parkway is not likely to be granted.

Chair Cross confirmed with staff that the site plan review was not included in the public hearing, although it was indicated on the agenda. He opened the public hearing and called for declarations of conflicts of interest or *ex parte* contact. There were none.

Planner II Steve Hopkins presented the staff report. He said the application was in support of a new fire station to be constructed with the use of federal stimulus funds through FEMA. He said the application deadline was July 10, 2009. He had received detailed comments from the transportation planning staff after agenda packets were distributed and would make those available to commissioners. Those comments related to the retaining wall, noise from fire trucks and existing zoning and those issues were addressed in the agenda materials.

Commissioner Beyer asked if the station was being moved to maintain a five-minute response time and whether there were other sites that would have allowed a five-minute response. Mr. Hopkins confirmed that was the reason and drew the commission's attention to Attachment 4 to the Planning Commission Transmittal Memorandum of July 7, 2009. He said the site was within the preferred area for response time and the property was available. Based on data from Fire Station 16, the new station was expected to generate approximately three engine calls per day, eight medic calls per day and 16 outbound trips and 32 code trips per day. He said no significant impact to the transportation infrastructure was not anticipated.

Mr. Hopkins indicated that work on the retaining wall that was not in compliance with the code had been resolved; however, the site did slope down about ten feet from south to north and therefore additional grading and a three-foot retaining wall would be required. In the opinion of a consultant from Pivot Architecture the proposed location of the building on the site would minimize vehicle movements and mitigate sound impacts. Other sound attenuation measures could be incorporated into the building and site designs, pending receipt of the site plan and details of the building. He said the site was zoned LDR and a fire station was permitted if it was approved by the Planning Commission. He said the site would help provide a five-minute response time to the Jasper/Natron area, which was currently outside that response time.

Commissioner Smith asked if the proposed site took into consideration additional development and possible expansion of the urban growth boundary (UGB) and be able to provide service to future development. Fire Marshall Gerard responded that he conducted an analysis of response time coverage for the station and impact on response time would depend on how the street grid was built out in the lower Jasper/Natron area. The number of turns involved in reaching a destination was the major factor.

Mr. Hopkins said the two additional conditions of approval related to stormwater constraints at the site and impact to the neighbors. He said the site was served by stormwater facilities that were somewhat under-sized and the station design would need some type of flow management and the normal water quality considerations, similar to Station 16. The site and building would also need to be designed, to the extent practicable, to minimize direct impacts on neighbors. A generator on site would run once a day for about 20 minutes and be surrounded by block walls. He illustrated on a map site features and orientation with respect to neighbors.

Commissioner Moore asked how long has the project has been planned prior to the stimulus money became available. She wanted assurance that the commission was not being rushed into a decision. Mr. Hopkins said a need for better service in the Natron area had been known for some time, although the

specific site had not been selected; this was an opportunity to gain funding that was available on short notice.

Commissioner Beyer asked if there were any written comments opposing the project. Mr. Hopkins responded that he would provide those comments to the Commission following testimony from the public.

Commissioner Kirschenmann asked if a detention pond would handle any runoff from the fire station. Mr. Hopkins said that question would be directed to the County during site review.

In response to a question from Commissioner Kirschenmann, Mr. Hopkins said the land owner had signed an application and agreed to the discretionary use of the property. He said the City was still in negotiations for the site.

Chair Cross called for testimony from the public.

**Rebecca Bronson**, 5752 Ridge Court, Springfield, stated that she resided adjacent to the proposed site and read a copy of her written testimony, which was also submitted for the record. She described damage done to her property when the owner of the site removed dirt from a natural retaining wall, which resulted in her inability to obtain land movement insurance coverage. She was concerned that building a fire station on the site could cause land movement, as well as the noise and safety impacts on the neighborhood. She asked the Commission to take those issues into consideration.

Chair Cross invited comments from the Commission.

Commissioner Beyer expressed appreciation for Ms. Bronson's comments and concerns. He pointed out that the new fire station would not necessarily result in an increase in property taxes; the City was trying to obtain federal stimulus funds available for this type of infrastructure project and to create jobs. It would move an existing station to a more central location that could serve a larger portion of the City without an increase in tax dollars.

Commissioner Moore commented that based on some of Ms. Bronson's concerns about the current property owner, she felt the City could be a better neighbor if there was a fire station on the site. She said that the proximity of a fire station could possibly increase property value and lower insurance rates.

Mr. Hopkins indicated that if the application was approved and the grant awarded, the site plan would be submitted in the fall and notices would again be sent to all interested parties.

Commissioner Beyer asked the fire marshal to address neighbors' concerns about locating a fire station in a residential area, particularly the issue of noise. Fire Marshal Gerard said generally if there was a lot of traffic at an intersection sirens and lights had to be used. He said the crews made every effort to wait until they were away from the station before turning on sirens and were cognizant of impacts on neighbors. He said neighbors of other stations indicated that there were few problems with noise. Exterior speakers are turned on from 8 a.m. to 5 p.m. so that the firemen could hear calls while doing outside maintenance chores. Station captains contacted neighbors to discuss concerns and mitigation of impacts from the facility.

In response to a question, Mr. Hopkins said a site plan review was a standard Type 2 review that was handled by the planning director with notice, but the Commission could condition the discretionary use to require that the site plan come before it.

Commissioner Beyer asked about the problems Ms. Bronson had raised concerning the retaining wall and sound impacts. Mr. Hopkins said the problems would be corrected because the new retaining wall would be designed and constructed in compliance with City standards. He said the City would work directly with neighbors to address sound issues.

Chair Cross closed the public hearing.

Commissioner Moe stated that he wanted to see the application come before the Commission again to assure that neighbors' concerns were addressed. Commissioner Moore concurred.

Commissioner Moe, seconded by Commissioner Smith, moved to approve the discretionary use application DRC2009-00023 with a provision that during the site plan process that it came back to the Planning Commission for review and with conditions of approval 1 and 2 in Exhibit A.

Planning Manager Greg Mott asked if the motion intended that the Planning Commission would receive the site plan and determine whether it was approved to proceed through the development process or simply review and comment on the site plan and refer it to the planning director for a decision. Commissioner Moe said his intent was for the Commission to review and comment on what the City had approved to assure that neighbors' concerns had been properly addressed. He did not feel the Commission had to approve the site plan.

Commissioner Beyer asked if a decision made by the planning director was appealable to the City Council. Ms. Smith said a decision by City staff was appealable to the Planning Commission; a decision by the Commission was appealable to the City Council.

Commissioner Beyer clarified that Commissioner Moe's motion would approve the discretionary use application, incorporating the conditions in the staff report, as well as adding a third condition to require approval of the site plan by the Planning Commission. There was agreement among commissioners on the intent of the motion as stated by Commissioner Beyer.

The motion passed, 6:0:1; Commissioner VanGordon excused.

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

- Mr. Mott provided an update on behalf of Mr. Grile. He said staff was working to schedule joint meetings with the Lane County Planning Commission. He said the City Council had agreed to initiate an amendment to adopt the Lane County adopted population forecast and an amendment to the Willamette Greenway plan that would allow fill in the setback area along the south bank of the river on both sides of Interstate 5. The Planning Commission would consider both amendments on September 1, 2009. A joint meeting with Lane County on September 15 would address HB 3337 issues.

Mr. Mott said the joint elected officials on June 1, 2009, decided to make some strategic amendments to the Metro Plan based on concerns raised by the Board of County Commissioners in 2004 and addressed other regional issues. He said staff had been tasked to develop a work program for the Metro Plan amendments that would address the provision of urban services, abolishment of the Boundary Commission and the area between the UGB and the plan diagram. He said there was also a request to change the regional conflict resolution process.

## **REPORT OF COUNCIL ACTION**

- The council approved a Section 108 Housing and Urban Development (HUD) loan application for NEDCO in the amount of \$435,000 and authorized the city manager to sign a purchase contract for the new fire station site. The traffic roundabout was annexed to the City. There was also discussion of property acquisition in Glenwood.

## **BUSINESS FROM THE COMMISSION**

- Ms. Smith discussed the issue of *ex parte* contact related to expansion of Springfield's UGB. She said if commissioners were approached by members of the public it was permissible to have a conversation, but any materials that were received should be submitted to staff for the record.

## **ADJOURNMENT**

- The meeting was adjourned at 8:15 p.m.