

Planning Commission Minutes – June 6th, 2023

Approved 6/21/23
Attest by S. Weaver

Springfield Planning Commission

Minutes for Tuesday, June 6th, 2023

Work Session 6:00 pm

Meeting held in the Jesse Maine Room and via Zoom

Planning Commissioners Present: Chair Matt Salazar, Vice Chair Grace Bergen, Andrew Buck, Seth Thompson, Steven Schmunk, Alan Stout, and Isaac Rhoads-Dey

Excused Absence: None

Staff: Sandy Belson, Comprehensive Planning Manager; Sarah Weaver, Community Development Administrative Assistant; Kristina Kraaz, Assistant City Attorney

Chair Salazar called the Work Session of the Planning Commission to order at 6:00 p.m.

WORK SESSION ITEM(S)

1) Planning Commission Parliamentary Procedure

Kristina Kraaz / Staff: gave a presentation on the public meetings and land use hearing process (see PowerPoint presentation).

The Commissioners discussed Roberts' Rules of Order and determined that adhering more closely to Roberts' Rules would help focus discussion and sort through potentially complex issues.

Due to time constraints, the Commission decided to resume the discussion of the Work Session Items (Planning Commission Protocols, Reports on Council Action, and Committee Assignments) during the next meeting on June 21st.

ADJOURNMENT – 7:02 p.m.

7:00 p.m. Planning Commission Public Hearing City Council Chambers and via Zoom

Planning Commissioners Present: Chair Salazar, Vice Chair Bergen, Andrew Buck, Seth Thompson, Steven Schmunk, Alan Stout, and Issacs Rhoads-Dey

Staff: Sandy Belson, Comprehensive Planning Manager; Mark Rust, Current Planning Manager; Andy Limbird, Senior Planner; Sarah Weaver, Community Development Administrative Assistant; Kristina Kraaz, Assistant City Attorney

Chair Salazar called the Public Hearing of the Planning Commission to order at 7:04 p.m.

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PLEDGE OF ALLIAGENCE – Led by Vice Chair Bergen.

APPROVAL OF THE MINUTES – Approved

- April 4th, 2023 – with corrections
- May 2nd, 2023

BUSINESS FROM THE AUDIENCE – None

PUBLIC HEARING ITEM

- 1) Public Hearing for Discretionary Use Permit and Site Plan Review for EC Cares Educational Facility (811-23-000060-TYP3)
Staff: Andy Limbird, Senior Planner**

Kristina Kraaz, City Attorney, read a brief statement regarding conflicts of interest.

Potential Conflicts of Interest:

- Salazar – stated that he has a potential conflict of interest since he works for Homes for Good, which has projects with the applicant. For this reason, he has ex parte contact with the applicant. He requested guidance from the Assistant City Attorney as to whether he should participate in the deliberations.

Kristina Kraaz: confirmed that if a commissioner has an actual conflict of interest, he/she must recuse themselves from the deliberations and voting. If there is only a potential conflict of interest that would not bias them as to their decision-making, they may continue with the deliberations and vote on the matter.

- Salazar – confirmed that he only has a potential conflict of interest and has no bias that would influence his vote on the matter. He stated that, if there were any operational details that he is personally aware of that would influence his decision, he would declare it during the question-and-answer period of the discussion.
- Bergen – has a potential conflict of interest. She is an active real-estate broker in the community. She has no ex parte contact or independent knowledge.
- Buck – has no ex parte contact or independent knowledge. He has a potential conflict of interest as a commercial insurance agent practicing in the area.
- Thompson – has no conflict of interest, no ex parte contact or independent knowledge.
- Schmunk – has no conflict of interest or bias.
- Rhoads-Dey – has no bias, ex parte contact or independent knowledge, but has a potential conflict of interest since he is an active real-estate broker in the community.
- Stout – has no conflict of interest, bias, independent knowledge or ex parte contact.

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Chair Salazar: asked if there were any challenges as to the Commission’s impartiality or the jurisdiction about the item before it. Hearing none, he called on Staff to present the staff report.

Andy Limbird / Staff: gave a presentation on the Discretionary Use Permit and Site Plan Review for EC Cares Educational Facility (see PowerPoint Presentation). Staff identified that some landscaping and bicycle parking deficiencies needed to be addressed by conditions of approval for the site plan.

Chair Salazar called on the Commissioners to pose questions to the applicant.

Stout: Why are they using modular buildings for classrooms instead of building their own facility on the property?

Judy Newman / Applicant: Since they are an education program funded through the Department of Education, they do not have the authority to pass bonds or buy real estate. They are allowed to purchase modular units within the terms of their contract.

Public Testimony

In Favor

- None

Neutral

- Curtis Phillips, 916 G Street, Springfield, OR 97477 – He has stepchildren living with him near the proposed facility. This is a busy street and measures should be taken to slow the traffic down and make the street safer for children.

In opposition

- Michael Mcilrath, 85809 S. Willamette Street, Eugene, OR 97405 / owner of property at 862 G Street, Springfield, OR 97477. He is in opposition to the proposal. He provided a brief historical overview of the neighborhood and expressed concerns about the EC Cares school locating on G Street. He is concerned that the property could ultimately convert to a high school, if the discretionary use permit was approved. He also submitted written testimony and pictures.

Buck: Would like more information about the high traffic times and how the high school closure times will affect traffic near the property.

Judy Newman / Applicant: EC Cares is flexible about their session times. There are morning and afternoon sessions and the pickup times can be adjusted to not coincide with other school release times. By law, the children attending the school are bussed to the facility. They work with the bussing companies to make the start and stop times work best for the traffic.

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Stout: What is the long-term plan for that section of the city between the G street residential area and Springfield High School?

Andy Limbird / Staff: There is a parcel on 7th and G is owned by the school district and zoned neighborhood commercial. City staff have not received any plans for that property. The property to the east across 8th Street is also vacant and owned by the school district. It is zoned R-1. These properties have not factored into this site review. They could be developed as a residential property or a daycare, anything that would fall under the listed uses for that zone type, or the School District could potentially sell it. If the Commission is interested in discovering the plans for those properties, staff could request more information from the school district.

Buck: What kind of information were you interested in gathering from the police department and other possibly entities?

Andy Limbird / Staff: We are requesting traffic information and the results of enforcement action, if any. The suggestion by public comment is that there is a speeding issue on the street. Conversely, there is also the suggestion that there is a congestion problem, which is diametrically opposite to the complaint of speeding. The Commission is asked to consider whether this is an environment that is appropriate for the listed and proposed use. Staff would like to know: Does the proposed use increase the propensity for traffic problems, decrease it, or will it have no effect? Will there be a need for mitigation to address concerns of pedestrian and traffic use? All these issues are worthy of consideration and factor into our information gathering.

Thompson: Is there any applicable criteria that is not met in this application and do you believe, based on your findings, that there are any conditions in the application that could not be met?

Andy Limbird / Staff: Staff wants to review the information submitted at the public hearing along with supplemental information from the Springfield Police Department and the City's Traffic Department. Staff also does not have any conditions that could not be met by the application. However, staff would like to present to the Commission all the facts gathered, including the supplemental information after the packet had been compiled. Ultimately, staff may propose mitigation that would address concerns expressed during public comment. Suggestions made through public comment include requiring additional stop signs, crosswalks, or speed bumps. If parents or buses are dropping children off at the sidewalk, this may require additional pedestrian measures that staff will need to review before submitting its final findings. In general, all the children will be bussed to the facility. That's why a bus zone has been proposed for the G Street frontage.

Chair Salazar: Is two weeks enough time for staff to gather additional information and the Police to submit their findings and have staff review it?

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Andy Limbird / Staff: We already received the information we need from the Police Department and we will be synthesizing and summarizing it in a way that identifies any issues – whether this information illuminates or dispels concerns raised during the public comment period is to be seen.

Bergen: Governor Kotek has issued a housing crisis notice and has set a goal of 86,000 house to be built complying with State Planning Goal 10 on housing. The application is in a R1 zone and two lots would be taken off the market for housing for this facility. Does the City have enough land to accommodate building additional housing? What effect does the removal of these two lots from the housing market have on housing prices? Secondly, does the discretionary use permit have a fixed end date or is it permanent?

Andy Limbird / Staff: The answer to the first question depends on whether the school district would have considered selling the property to be developed for housing. They still have property in the vicinity that could accommodate housing, if they were interested. There are no representatives at the hearing from the district to comment on this. Staff can request that they address their long-term plans for some of their vacant commercial and residential properties and get back to the Commission with their answer. The proposed classroom building does not preclude future residential use. Based on the investment of the applicant, they intend on staying at that property for at least the interim period.

As to the second question: The discretionary use permit would remain with the property and not with the applicant itself. Another school could potentially move their facility to that property, but not for high school aged children since high school it is not a listed use in any residential zones. For a high school to move into a residential area, it would require a land use action to rezone the property requiring notice to the community and a public hearing.

Kristina Kraaz / Staff: When the City adopted the Residential Housing Needs Analysis, which comprises the inventory of the residential needs for the community, it required within the residential zoning designation enough land for schools. Land for schools has been accommodated in our R1 zoning according to our Development Code standards. From a legal perspective, the current application does not cause a conflict with the available inventory for housing.

Judy Newman / Applicant: added that along with housing, Governor Kotek has also declared early learning childcare a high priority for her administration.

Commissioner Bergen moved that the Public Hearing be continued until the Planning Commission's regular meeting on Wednesday, June 21st at 7:00 pm at City Hall. Commissioner Rhoads-Dey seconded the motion.

Roll call vote:

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Salazar – Aye
Bergen – Aye
Thompson – Aye
Buck – Aye
Rhoads-Dey – Aye
Stout – Aye
Schmunk – Aye

REPORT OF COUNCIL ACTION

Commissioner Schmunk: reported on the City Council's May 22nd meeting.

Commissioner Thompson: reported on the City Council's May 15th meeting.

Commissioner Stout reported on City Council's April 17th Meeting.

BUSINESS FROM THE PLANNING COMMISSION – None

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

Sandy Belson / Staff: informed the Commissioners that there will be meetings throughout the summer. The next meeting of the Planning Commission will be on Wednesday June 21st. If a decision on the application deliberated tonight is reached during that meeting, there will only be one meeting in July. The July 18th meeting will be a Joint Public Hearing with Lane County on the Comprehensive Plan Map and corresponding policy and code changes. At the August 1st meeting, the Springfield and Lane County Planning Commissions will be jointly deliberating the code amendments for Stormwater compliance with our DEQ permit, the DEQ parking requirements for CFEC as well as miscellaneous other code amendments. Depending on the outcome of that meeting, there may be a second meeting in August.

ADJOURNMENT – 8:08 PM