

M I N U T E S

Eugene City Council, Springfield City Council, and  
Lane County Board of Commissioners  
Joint Public Hearing  
Council Chamber--Springfield City Hall

May 6, 1991  
7:30 p.m.

SPRINGFIELD Mayor William Morrisette; Bruce Berg, Lee Beyer,  
COUNCILORS PRESENT: Gayle Decker, George Wojcik, Ralf Walters, Larry Schanz.

COMMISSIONERS Jack Roberts, Chair; Marie Frazer, Jerry Rust,  
PRESENT: Ellie Dumdi, Steve Cornacchia.

EUGENE Mayor Jeff Miller; Shawn Boles, Debra Ehrman,  
COUNCILORS PRESENT: Randy MacDonald, Kaye Robinette, Paul Nicholson.

COUNCILORS ABSENT: Bobby Green, Roger Rutan, Ruth Bascom.

I. INTRODUCTIONS

Councilors and commissioners introduced themselves and indicated which wards they represented.

II. ACTION OF THE SPRINGFIELD CITY COUNCIL

Mayor Morrisette indicated that the Springfield City Council is still in session and would be taking action on some issues prior to beginning the meeting of the joint jurisdictions.

Mayor Morrisette opened a public hearing on consideration of an ordinance instituting new systems development charges.

Mr. Beyer moved, seconded by Ms. Decker, to continue the public hearing until May 20, 1991. The motion carried unanimously, 6:0.

Mayor Morrisette opened a public hearing on an ordinance to consider withdrawing property from the Rainbow Water District.

Mr. Beyer moved, seconded by Mr. Wojcik, to continue to the public hearing until May 20, 1991. The motion carried unanimously, 6:0.

III. PROPOSED METROPOLITAN PLAN AMENDMENT FOR GOOD NEIGHBOR CARE CENTERS, INC. JO. NO. 90-12-201

A. Review of Procedures for Conducting a Quasi-Judicial Hearing

Greg Mott, Planning Manager for the City of Springfield, reviewed the procedures for conducting a quasi-judicial hearing. He said that the criteria necessary for making Metro Plan amendments can be found in Chapter 4 of the Metro Plan and provided a brief overview of those criteria. Any proposed change to the plan must be consistent with relevant Statewide Planning Goals and must not make the Metro Plan internally inconsistent.

Mr. Mott asked that those giving testimony address specifically the applicable land-use criteria. He noted that failure to raise an issue through testimony to the Land Use Board of Appeals (LUBA) would preclude an appeal to LUBA based on that issue.

Mr. Mott indicated that all testimony presented this evening must be directed to information already included in the record. A copy of the record has been provided at this meeting.

B. Ordinance Reading

An ordinance amending the Eugene-Springfield Metropolitan Area General Plan diagram to redesignate a 53-acre site identified as Assessor's Map 17-02-31, Tax Lots 300 and 700, from light-medium and heavy industrial land use to a combination of medium-density residential, light-medium industrial, and commercial land uses, and adopting a savings and severability clause (first reading).

Springfield City Recorder Eileen Stein gave the first reading of the ordinance before the Springfield City Council.

Commissioner Roberts conducted a second reading of the ordinance before the Lane County Commission.

Mayor Miller indicated that Eugene City Council would be taking action on this item at a later date.

Mayor Morrisette asked members of the audience to register concerns with the jurisdictions hearing this item this evening. No concerns were noted.

C. Disclosure of Ex Parte Contacts and Conflicts of Interest

Mr. Beyer noted that he had heard the presentation on this issue at several public meetings and had attended the Springfield Planning Commission hearing. He felt that the information he received during those hearings is accurately

reflected in the record and would not affect his ability to make an impartial decision.

Mr. Berg said that he has contacted Mr. Desler about this proposal and raised specific concerns about the potential "ghettoization" of the proposed development. He felt that the conversation would not affect his ability to make an impartial decision.

Ms. Decker stated that she was contacted by Mr. Desler about his plans prior to proposal submittal. She also noted that she has spoken with Betty Reed, a residential property owner near the proposed site, and has had discussions with Christine Larson on this issue.

Mr. Roberts indicated that he received copies of the proposed development plan and has also had conversations with the applicant's representative, Mr. Johnson. He said that he is prepared to make a decision based on the information in the record.

Mr. Cornacchia said that he also received copies of the development plan.

Mr. Morrisette indicated that he has had conversations with both Mr. Desler and Dean Trotter on the issue. He noted that he is on record urging support for the project at a Mayor's Housing Task Force meeting, but qualified that support for the project on the part of the task force would be consistent with its goals for housing. He said that he is prepared to make a decision based on the record.

#### D. Staff Report

Mr. Mott said that the ordinance under consideration would alter the Metro Plan Diagram and the zoning designation of property in Springfield. The applicant is Good Neighbor Care Centers, Inc. The site, commonly referred to as the Burkland site, lies between the Southern Pacific Railroad spur line on the west and abuts a residential development on the east. The western half of the site is designated heavy industrial, and the eastern side is designated light-medium residential. If the request is approved, approximately 35 acres would be medium-density residential on the east, light-medium industrial on the south west, and commercial on the Main Street frontage.

Mr. Mott said that staff's primary concern on this issue has been related to its consistency with Statewide Planning Goal 9 and the attributes of the site as it relates to industrial development. He noted that the two studies commissioned dispute the most appropriate use of the site. Staff recognizes that the site has a number of development constraints but believes that it has a high industrial value.

Mr. Cornacchia asked whether the school district has provided further input about the development proposal and its impact on surrounding school facilities. In response, Mr. Mott said that the City received a letter from the Superintendent of Springfield School District on the issue, but said that the

letter did not indicate whether it would be necessary to expand existing school facilities to accommodate the development.

Responding to a question from Mr. Morrisette, Mr. Mott indicated that the packet provided to the jurisdictions by the applicant contains only information previously included in the record but is reorganized for easier reading. He said that staff would review the packet's contents to verify that no new materials have been added.

Responding to a question from Mr. Berg, Mr. Mott said that the results of the Mitchell-Nelson study, which evaluated the most appropriate uses for the site, identified a number of constraints to site development, including the existence of a log pond and other wetland areas. Estimated costs for site improvement were in excess of \$3 million. The study contended that there is little short-term demand for heavy-industrial land in the city; however, no recommendations for the most appropriate land-use designation were given.

#### E. Applicant Testimony

Al Johnson, 767 Willamette Street, Suite 203, gave a brief description of the project and the property. He emphasized that the project would help the City meet its affordable housing goals. Mr. Johnson said that the project consists of a mixture of senior independent living units and family housing in a ratio of 350/150. He noted that the proportion of housing could be altered, if the community felt strongly about it. The proposal also provides commercial support services, mini-storage, and good transportation. Mr. Johnson said that the applicant believes that there is a great need in the community for additional family housing, but does not believe that there is a risk of "ghettoization," raised before the Planning Commission. He said that by housing the elderly within the same development, a developer has the ability to create a sense of security and helps maintain the critical mass of residents needed to sustain commercial services.

Mr. Johnson said that both public and private participation is needed to make the housing project affordable to the applicant, including the opportunity for tax exemptions and lower interest rates.

Mr. Johnson reviewed the specific components of the plan and noted that a light-medium industrial designation has been included as a buffer between the residential property owners and the heavy industrial uses.

Mr. Johnson recognized the reasons for comprehensive land-use planning in the State and said that every city needs to strike an appropriate balance between residential and industrially zoned lands. Mr. Johnson said that Jim Saul has reviewed the overall supply of residential lands, and concluded that the land which might have been potentially available to the applicant either had too many constraints or was over priced.

Mr. Johnson said that the Lane Council of Governments (L-COG) has also evaluated the site on a variety of very general criteria and concluded that the land would be available in the near term. The EDA Newton Springfield Indus-

trial Lands Study evaluated the Burkland site on more specific set of criteria and found that the site had serious development constraints. It identified a nearby site (the Giustina site) which better meets the needs for industrial uses.

Regarding the need for affordable housing, Mr. Johnson noted that results of the L-COG draft Residential Lands Study indicates that over half of the Metro area population requires low-cost housing.

Mr. Johnson summarized the results of a resource paper, Livable Environments for Older People, which points out that housing the elderly community together in this manner would free up the housing market. Also, the elderly community typically provides low community impact, and money spent on items and services is redirected into the community.

Mr. Desler, as the applicant, said that he is dedicated to the well-being of the community and highlighted the demand that exists in the community for affordable housing. Recognizing the constraints of the site to industrial development, he said that the property would better serve the needs of the community for residential use. He testified that compatibility with surrounding uses would not be a problem and noted that that project construction would create a positive economic impact in the community. According to the State Economic Development Department, the elderly provide a three-time multiplier factor for transfer income. Mr. Desler said that many of the surrounding residential and industrial property owners have also have indicated their support for the project.

(At 8:45 p.m., the meeting recessed for ten minutes.)

#### F. Testimony in Opposition

Mike Farthing, 975 Oak Street, testified on behalf of Neste Resins and Southern Pacific Transportation Company, in opposition to the proposal. He said that the proposal would not be consistent with the Metro Plan criteria for changing land-use designations.

Dean Trotter, 475 North 28th Street, Springfield, representing Neste Resins, testified in opposition to the proposal. He provided a brief history of the company, noting that the company's corporate headquarters is located in Eugene. The company is a chemical company that manufactures goods utilizing raw materials. He also noted that the company provides a significant economic impact to the area.

Mr. Cornacchia asked about the negative impacts of the proposed development on the Neste Corporation. In response, Mr. Trotter indicated that because Neste operates 24 hours a day, it is concerned with noise impacts on the nearby residents and the potential for complaints.

Mr. Walters inquired about Neste's interest in potentially purchasing the property for future facility expansion. In response, Mr. Trotter indicated

that Neste has previously considered purchasing the property and, if available, might be interested in purchasing the site in the future.

Responding to a question from Mr. Beyer, Mr. Totter indicated that the company has received noise complaints from surrounding neighbors in the past regarding a certain piece of equipment and was compelled to take steps to suppress its noise impacts.

Mr. Farthing directed attention to letters from Southern Pacific Railroad in opposition to this application. He reviewed testimony from some of the Planning Commission members in opposition to the proposal and said that the proposed use would be incompatible with surrounding uses. He felt that the site would be better zoned for industrial uses. He noted that the site is one of the few remaining parcels of its size in single ownership and said that converting this property to residential uses would be in conflict with the Mid-Springfield Refinement Plan for the area. He encouraged the City to conduct land-use planning on a comprehensive basis and said that ad-hoc zoning amendments to the plan of this nature would set a bad precedent for land-use planning in the future.

Mr. Farthing voiced concern that there are no conditions which guarantee this proposal and noted that the City of Springfield would be asked to subsidize the proposal.

Responding to questions from Mr. Berg and Mr. Nicholson, Mr. Farthing said that he believes that there will eventually be an industrial market in Springfield for large parcels of undeveloped land such as this.

Responding to a question from Mr. Rust regarding the Springfield Refinement Plan, Mr. Farthing said he believes that provisions in the refinement plan would be violated by approval of this proposal.

Mr. Walters asked whether Neste Resins has received complaints from the residential property owners about rail access to the site. In response, Mr. Farthing said that it has not received complaints from property owners on that issue.

Responding to a question from Ms. Ehrman, Mr. Farthing said that Neste is concerned primarily with the noise impacts on surrounding neighbors and the potential for complaints.

Ms. Ehrman inquired about the Metro Partnership and the loss of this land. In response, Susan Daluddung, Springfield Development Services Director, indicated that the Metro Partnership was not solicited for an opinion on this issue.

#### G. Neutral Testimony

Harold Chapman, 51 Chapman Drive, circulated materials pertaining to another housing proposal. He emphasized that changes should be made to the Metro Plan only after a thorough review. He noted proposed plans to convert the

Irving Road industrial site to residential uses as well and said that the decision on the Good Neighbors Care Center should not foreclose the opportunity to convert other inappropriately designated sites to housing as well.

Mr. Walters asked whether there is some linkage between the Blue Water Boats amendment and this proposal. City Attorney Joe Leahy indicated that there is no linkage between the two proposals.

#### H. Rebuttal

Mr. Johnson identified those issues that were discussed this evening which were not in the record previously. He said that there have been no complaints about the adequacy of the proposed buffer. He noted that changing the land designation to residential would not be a major impact on the current inventory of industrial lands because the land has been undeveloped for many years and is not a realistic part of the inventory. Regarding potential conflicts with the Springfield Refinement Plan, Mr. Johnson said that the Metro Plan has clear precedent when a conflict exists between the two. Regarding the property owner's commitment to affordable housing, Mr. Johnson pointed out that the applicant has proposed that certain conditions be attached to project approval affording a high level of project certainty.

Mr. Cornacchia asked how Neste plans to keep trespassers, particularly children, off the nearby railroad tracks. In response, Mr. Farthing said that the developer plans to erect an impenetrable chain link fence about 23 feet high with barbed wire across.

Responding to a question from Mr. Cornacchia, Mr. Leahy indicated that a variety of restrictions could be imposed on the developer through the site review process.

Responding to a question from Mr. Nicholson, Mr. Trotter said that the cost of developing this site as residential could be accomplished for far less than would be required to develop it for heavy industrial uses.

Responding to a question from Mr. Berg, Mr. Trotter indicated that Neste Resins would be willing to accommodate most any site review criteria that the elected officials deemed necessary, including decreasing the proportion of residential uses and increasing industrial uses.

Mr. Leahy said that if they chose to approve the proposal, the applicant would be asked to submit proposed findings.

Mayor Morrisette closed the public hearing.

(The Eugene City Council left at this time.)

Mr. Walters said that in light of the overwhelming community support for affordable housing, he would be in favor of amending the Metro Plan to accommodate this use. He noted that past vacancy of this site demonstrates that it is not likely to be used in the near future.

Mr. Wojcik offered his opposition to the project, noting that this parcel is a piece of prime industrial land that will be needed for such uses in the future, particularly in light of an economic transition away from a timber-based economy. He also felt that the proposed use would be incompatible with already existing uses.

Mr. Berg offered his support for the project. He recognized that there are no ideal sites for this type of development, but felt that the proposed mitigation plan would provide a satisfactory buffer between residential and industrial uses. In light of the need for affordable housing and the economic constraints to development of the site for industrial uses, he offered his support for the project, but also noted that he would support an increase in the amount of industrial uses of the site.

Mr. Schanz said that he would support the project, explaining that as more housing becomes available, overall housing costs will decline.

Responding to a question from Mr. Walters, Mr. Wojcik said that the property is more appropriate for industrial rather than residential uses because of compatibility with the surrounding properties. It would be a mistake to develop this property as residential, which would preclude the opportunity for improved highway access to the site. He also said that clustering the elderly in one place would create additional types of social problems within the community, such as crime.

Mayor Morrisette said that in the event that he will be asked to vote on this issue, he would support the proposal, with adequate safeguards to ensure that the commercial needs of the residents is met.

Mr. Cornacchia asked the council to consider to what extent this development is expected to satisfy local needs for affordable housing, versus attracting others from out of state.

Mr. Beyer said that he likes the proposal and acknowledged that purchasing affordable land is the only way to make most affordable housing proposals work. He also noted that if the council supports the project, it should be willing to enact the ordinances and tax abatements necessary to make the proposal work. He acknowledged the risks associated with the proposal and concerns for compatibility, but said that it is worth the effort.

Mr. Walters expressed his appreciation for Neste Resins and its contribution to the economy of the local area. Mr. Schanz echoed those comments.

The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Micheal Gleason  
City Manager

(Recorded by Traci Northman)  
mnjeo 050691