

O'DONNELL Heather M

From: Shirley Richards <shirleylr@comcast.net>
Sent: Friday, June 12, 2015 9:15 PM
To: O'DONNELL Heather M
Subject: Re: Rest-Haven Metro Plan Re-designation & Zone Change Request

Thank you. Another hearing!!!! How many have there been? How can a cemetery be designated R1 residential?

Shirley Richards

On Jun 12, 2015, at 4:28 PM, O'DONNELL Heather M wrote:

Hello,

I am writing you since you were on the interested individuals emails list regarding the re-designation and zone change for the Rest-Haven property that the city was proposing in 2014. As you may know, this property was removed from the package of sites proposed by the city for re-designation/rezone at the property's owners request.

Since then, the property owner has filed their own similar application to change the Metro Plan land use designation and zoning of the property. We are now reviewing the property owner's application. A public hearing on the request has been scheduled for July 14th, 2015 and the hearing notice is at this link <http://pdd.eugene-or.gov/LandUse/DocumentDetails?file=MA-15-0001&id=1260989> . The full set of application materials are at this link <http://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=MA-15-0001> .

I hope this clarifies the previous application process from the new application process now in progress and under review, but please let me know if there are questions about this.

Best,
Heather

Heather O'Donnell

Senior Planner, AIC | City of Eugene Planning
541-682-5488

Messages to and from this e-mail address may be available to the public under Oregon Public Records Law

Received

JUN 29 2015

City of Eugene
Planning Division

JUN 24, 2015

Craig Hos
187 W. 39th St.
Eugene, OR 97405

Eugene Planning Commission,

This letter is concerning the Rest Haven issue.

The south 79 acres of open lands should be allowed to develop but should be kept to very low density or perhaps simply single family dwellings. The north 28 acres is a cemetery in "cemetery use." To build on the probable few acres of land slivers would be just plain wrong. Those areas have always been "buffer zones" and should remain as such.

Sincerely,

Craig Hos

PS I've plans on meet date...

O'DONNELL Heather M

From: David Berg <david_berg@comcast.net>
Sent: Thursday, July 02, 2015 2:48 PM
To: O'DONNELL Heather M
Subject: RE: Rest-Haven Metro Plan Re-designation & Zone Change Request
Attachments: Metro Plan Amendment - Commission.docx

Heather,
Attached is our response to Rest Haven's Metro Plan Amendment application. Thank you for the opportunity to respond. Please let us know that you received it and are able to open it satisfactorily.

- David

From: O'DONNELL Heather M [<mailto:Heather.M.ODonnell@ci.eugene.or.us>]
Sent: Friday, June 12, 2015 4:28 PM
To: O'DONNELL Heather M
Subject: Rest-Haven Metro Plan Re-designation & Zone Change Request

Hello,

I am writing you since you were on the interested individuals emails list regarding the re-designation and zone change for the Rest-Haven property that the city was proposing in 2014. As you may know, this property was removed from the package of sites proposed by the city for re-designation/rezone at the property's owners request.

Since then, the property owner has filed their own similar application to change the Metro Plan land use designation and zoning of the property. We are now reviewing the property owner's application. A public hearing on the request has been scheduled for July 14th, 2015 and the hearing notice is at this link <http://pdd.eugene-or.gov/LandUse/DocumentDetails?file=MA-15-0001&id=1260989> . The full set of application materials are at this link <http://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=MA-15-0001> .

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Heather

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541-682-5488

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David and Judith Berg

Received

JUL 2 2015

City of Eugene
Planning Division

03 July 2015

Eugene Planning Commission
c/o Heather O'Donnell
99 West Tenth Avenue
Eugene, OR 97401

RE: Rest Haven Metro Plan Amendment and Zone Change (MA 15-1; Z 15-1)

Honorable Commissioners,

Thank you for the opportunity to testify on the subject of this hearing.

We do not oppose the Metro Plan Amendment application to align the designation and zoning of Rest Haven Cemetery to Low Density Residential and R1, respectively, subject to City's approval of the application and responses to its Completeness Review.

However, wherever it is appropriate in the succeeding steps towards development of this property, we ask that you consider the environmental effects of development on neighboring properties along the east and north side of Brae Burn Drive that sit at the bottom of the slope that comprises the western- and southern-most edges of Rest Haven as regards stormwater runoff, erosion, and wind throw.

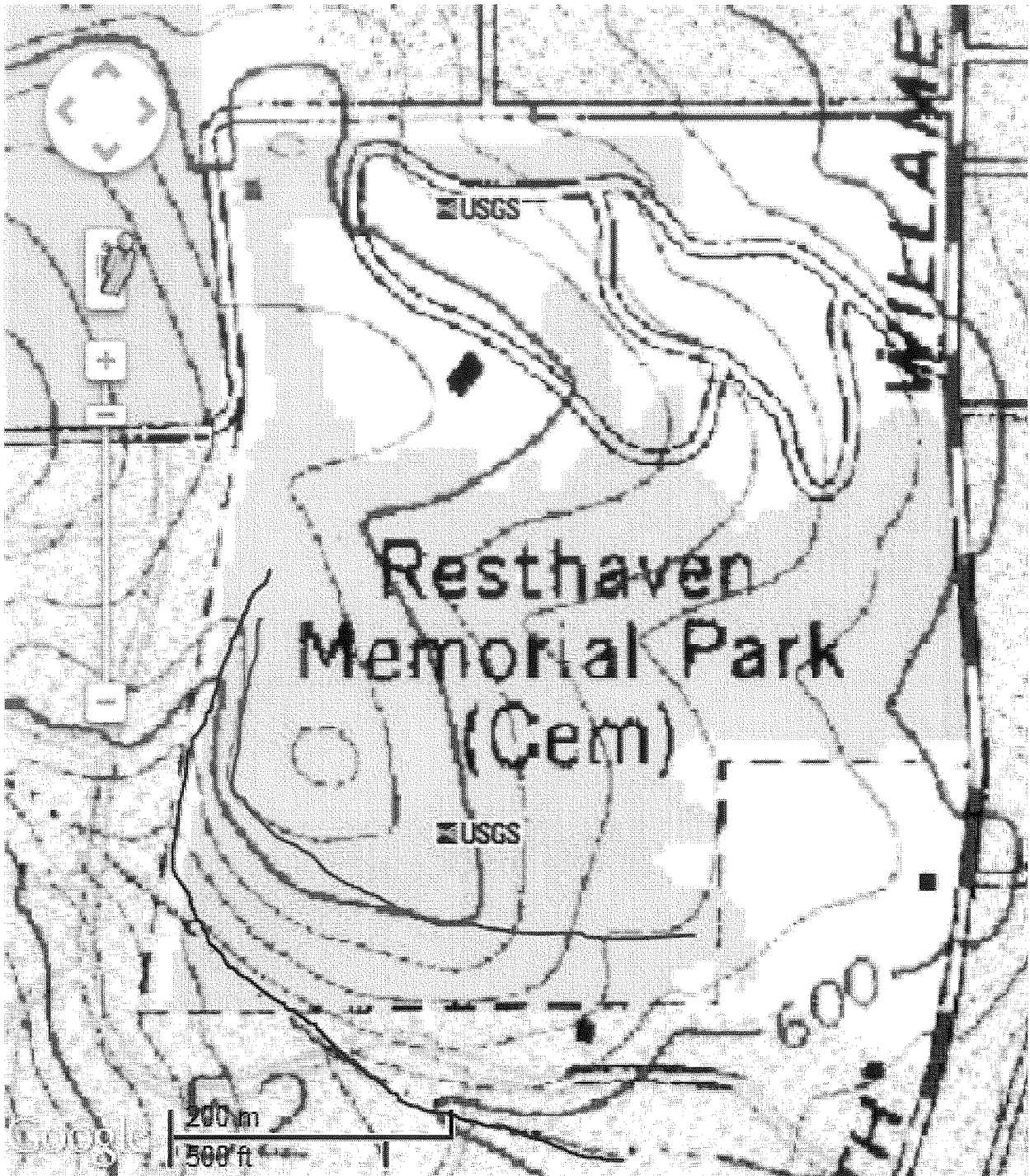
While there is currently imposed a 75-foot buffer between properties mandated in the cemetery's Conditional Use Permit, we would like to see this buffer redrawn based on the topography of the land.

This U.S.G.S. Topographic map reflects the geography of the landscape and the gradient between Rest Haven and the adjacent properties. Each contour represents a 20-foot gradient. The dark line through the Rest Haven Property is the 700-foot contour. Brae Burn Drive circumscribes Rest Haven's western and southern boundaries.

Observe the steep gradient coming off the 700-foot ridge along the southern edge and 720-foot ridge along the western edge of Rest Haven (drawn-in red line), dropping down to the back yards of neighboring properties below on Brae Burn Drive. The gradient presents a 40 to 80-foot drop in elevation as you move south on Brae Burn along the redesignation area (drawn-in blue line). This slope is currently forested, which largely protects neighboring properties from stormwater runoff, erosion, and wind-throw that would otherwise have a damaging effect on these properties, and provides a haven for the wildlife that inhabit it.

We submit that the 75-foot buffer currently designated in the cemetery's Conditional Use Permit is arbitrary and doesn't reflect the depth of the geography that more appropriately describes the affected area, and respectfully request that wherever it is appropriate in the steps leading towards development that the buffer be restated in terms of its geography – specifically along the 700- and 720-foot contour lines as shown above – instead of an arbitrary distance – and further, that this buffer be not only restricted from development, but also restricted from deforestation to continue its environmental protection of neighboring homes.

Thank you for your consideration.



Respectfully submitted,

David I. Berg

Judith K. Berg

O'DONNELL Heather M

From: Michelle Davila <2michelledavila@gmail.com>
Sent: Monday, July 06, 2015 2:13 PM
To: O'DONNELL Heather M
Subject: Fwd: Rest Haven rezoning proposal



Rest Haven.pdf

Ms. Odonell,
Please see the attached objection regarding the proposed rezoning of Rest Haven Cemetery.
Respectfully,
Michelle Davila, DNP, RN

45 E 39th Pl
Eugene, OR 97405

July 6, 2015

Heather O'Donnell
Senior Planner
Planning Commission
West 10th Avenue
Eugene, Oregon 97401

REST HAVEN MEMORIAL PARK

I am writing to provide testimony against the proposed land use designation and zoning changes to Rest Haven Memorial Park. Having recently purchased a house in the immediate vicinity, I am alarmed at the detrimental and irreparable harm the loss of such a large amount open space and public land would have on the neighborhood generally and my property specifically. The memorial park is an essential part of South Eugene, providing a safe walking area and critical natural habitat that will be lost forever, decreasing the quality of life for residents and their property values.

The proposed land use changes to Rest Haven Memorial Park should be rejected because they repeatedly contradict the stated purpose of the Eugene land use code in EC 9.0020. While the land use code encourages increased density of *underused* land to support the Eugene Urban Growth Boundary, the goal of increasing density comes with important caveats. According to Policy 6 of the land use code, increased density is to be achieved "while maintaining the character and livability of individual neighborhoods." Such a large loss of open and public areas will profoundly change the neighborhood, and not for the better. The proposed changes to Low Density Residential will not increase a greater variety of housing types (Policy 7), nor will it, given the location, "promote the construction of affordable housing" (Policy 8). Also because of the location, the proposal will not increase the use of alternative transportation (Policy 11), but, rather, goes directly against the purpose of Policy 12 of encouraging alternatives to the use of single-occupant vehicles, thereby increasing traffic on Willamette Street. Finally, the proposal unequivocally goes against the purpose of the land use code as stated in Policy 18, which is to "increase the amount and variety of parks and open spaces."

Under EC 9.8865, Zone Change Approval Criteria, the proposal for changing the land use designation of Rest Haven Memorial Park should be rejected by the Planning Commission for being inconsistent with the Metro Plan as it has been implemented by the land use code and its stated purpose under EC 9.0020.

Sincerely,
Michelle Davila

O'DONNELL Heather M

From: RMMilks@aol.com
Sent: Monday, July 06, 2015 4:25 PM
To: O'DONNELL Heather M
Cc: juclark@peacehealth.org
Subject: Written Statement for Public Hearing on Request for Metro Plan Amendment Change

Ms. O'Donnell:

My name is Robert R. Milks. My address is 388 Dellwood Drive, Eugene, Oregon 97405. I am currently the Chairman of the Board of the Treehouse PUD Homeowners Association. I am also on the mailing lists for the Public Hearing concerning Rest Haven Memorial Park's request to amend the Metro Plan to change land use designation(s) and for invitations to attend Neighborhood-Applicant (Rest Haven Memorial Park) Meetings.

First, I would like to point out two problems I have with the "Notice of Public Hearing" that I received from the City of Eugene ("City").

The first problem is the omission of the reason for Rest Haven Memorial Park's ("Applicant") request for a Metro Plan Amendment to change their current land use designation(s). The reason for the Applicant's request is clearly stated in his January 16, 2015, application to the City:

"The property owner is seeking long-term productive uses for the portions of the subject property not currently developed or platted with cemetery plots. Consistent with the surrounding residential neighborhood context, the property owner submits this application to enable those areas of the subject property to be developed for residential use."

By omitting this stated reason in the "Notice of Public Hearing", the City does not present a linkage between the Metro Plan Amendment requested by the Applicant and the Applicant's stated intention to develop the subject property for residential use. I believe this is critical information for homeowners in the affected area. Thus, the City is not being transparent to homeowners adjacent to or in the vicinity of Rest Haven who received the "Notice of Public Hearing". By not being transparent, the City is, at the very least, not in spirit with EC 9.7730 (3): Criteria for Approval of Plan Amendment / Goal 1: Citizen Involvement. The result of this non-transparency, I'm afraid, will be a diminished turnout at the Public Hearing and homeowners not being informed. (see more on this issue below)

The second problem is the Internet address for gaining access to the Applicant's application materials at Eugene Planning in the "Notice of Public Hearing" is no longer valid (<http://ceapps.eugene-or.gov/PDDONLINE/LandUse/ApplicationSearch>). The Internet address should have been <http://pdd.eugene-or.gov/landuse/applicationsearch>. Even then, using the proper address did not get the user to the Planning Division's webpage. I wonder how many older homeowners, who are not good with computers, did not get to the Planning Divisions webpage to view the Applicant's application materials.

On January 14, 2015, I attended the Neighborhood-Applicant Meeting at Rest Haven Memorial Park (this is documented in the Applicant's application materials). The stated reason for the meeting was to inform attendees about Rest Haven's request for a Metro Plan Amendment to change their current land use designation(s). When questioned about the reason(s) for their request, the presenters said the meeting was about the Metro Plan Amendment to change their current land use designation(s), and the attendees should only focus on that topic. Once again, the presenters at the meeting could have simply told the attendees:

"The property owner is seeking long-term productive uses for the portions of the subject property not currently developed or platted with cemetery plots. Consistent with the surrounding residential neighborhood context, the property owner submits this application to enable those areas of the subject property to be developed for residential use."

Just like the City in the "Notice of Public Hearing", the presenters at the Neighborhood-Applicant Meeting did not present a linkage between the Metro Plan Amendment requested by the Applicant and the Applicant's stated intention to develop the subject property for residential use. Attendees were deprived of this critical information. The presenters were not transparent to the attendees. By not being transparent, the presenters, at the very least, were not in spirit with EC 9.7730 (3): Criteria for Approval of Plan Amendment / Goal 1: Citizen Involvement. The result of this non-

transparency is attendees left the meeting without knowing the intent of the Applicant to develop portions of Rest Haven for residential use.

Finally, I believe homeowners adjacent to or in the vicinity of Rest Haven would like to know all of the intentions of the Applicant's with respect to residential development before a Metro Plan Amendment is granted by the City. This would include the nature of the developments (Controlled Income and Rent, cluster subdivisions, town homes, etc.) and the impact of any development on adjacent properties (especially wind throw from removal of more trees from the Rest Haven property; remember, in 2004, Rest Haven took down more than 1,500 trees because it was a fire hazard; do you remember the last fire that occurred in the South Hills in the last twenty-two years!).

Sincerely,

Robert R. Milks

O'DONNELL Heather M

From: Shirley Richards <shirleylr@comcast.net>
Sent: Thursday, July 09, 2015 10:02 PM
To: O'DONNELL Heather M
Subject: Re: Rest-Haven Planning Commission materials

We were thinking of all the past times we have been to meetings about the cemetery, not just the last issue, going back to the time he wanted to put low rent apartments across the top of the property.

On Jul 9, 2015, at 8:30 AM, O'DONNELL Heather M wrote:

Hi Shirley,
Sine this is a new application (for instance it's just Rest-Haven proposed for rezone by the owner whereas the 2014 application was several sites throughout the city proposed for rezone by the city), we don't bring forward materials from the last application unless someone submits it into the record. If you want to forward me your comments (or anything) from the 2014 application I can definitely send those to the planning commission. I'm out of the office today and tomorrow but we'll get any new testimony to them.

Thank you,
Heather

From: Shirley Richards <shirleylr@comcast.net>
Sent: Wednesday, July 8, 2015 7:31:00 PM
To: O'DONNELL Heather M
Subject: Re: Rest-Haven Planning Commission materials

We do hope all previous testimonies about the cemetery from the many meetings already held will be given to the commissioners in advance. We still do not want to see any kind of housing on the property, but hope it will always be used as a cemetery as originally planned.

Thank you for the E-Mail.

Shirley Richards

On Jul 8, 2015, at 10:30 AM, O'DONNELL Heather M wrote:

Good Afternoon,

Thank you for your comments on the Rest-Haven proposed map amendment and zone change. I wanted to let you know that they have been forwarded to the Planning Commission for their consideration.

Below is a link to the planning commission agenda and staff report (memo to planning commission and draft findings). Please note that the links embedded within the memo to the planning commission are currently broken, we are working on fixing them. The link below works.

Best,
Heather

The July 14, 2015 Planning Commission materials are now available at the following link:
<http://www.eugene-or.gov/AgendaCenter/Planning-Commission-2>

AGENDA

TUESDAY, JULY 14, 2015 – 6:00 P.M.

I. **PUBLIC HEARING:**

REST-HAVEN MEMORIAL PARK (City File No. MA 15-1 and Z 15-1)

The Planning Commission will hold a public hearing on a metro plan amendment for a land use designation change from Parks and Open Space to Low Density Residential for the entire property, and a zone change from PL Public Land to R-1 Low Density Residential for the northern approximately 28 acres of the property currently in cemetery use (resulting in the entire property being designated Low Density Residential and zoned R-1 Low Density Residential).

Lead City Staff: Heather O'Donnell, 541-682-5488
heather.m.odonnell@ci.eugene.or.us

Heather O'Donnell

Senior Planner, AIC | City of Eugene Planning
541-682-5488

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O'DONNELL Heather M

From: Nicole Smith Dahmen <nicole.dahmen@gmail.com>
Sent: Thursday, July 09, 2015 12:05 PM
To: O'DONNELL Heather M
Cc: William Dahmen
Subject: Re: Question on development plan

Heather,

Two primary concerns:

- 1) There is too much ambiguity as to what could be built on this property (single family homes are quite different from apartments).
- 2) There are a large number of homes already for sale in the neighborhood that are not selling (for example, there are at least three homes for sale on our short street alone and most of those have been for sale for at least a year).

Again, we are opposed to this re-zoning.

Thanks,
Nicole and William Dahmen

On Thu, Jul 9, 2015 at 8:36 AM, O'DONNELL Heather M <Heather.M.ODonnell@ci.eugene.or.us> wrote:
Hello,

I can submit the email below to the Planning Commission which notes your opposition or if you want to write something more I can wait and submit that to them when you send it to me; such as why you oppose it and addressing the approval criteria if you can.

Best,
Heather

From: Nicole Smith Dahmen <nicole.dahmen@gmail.com>
Sent: Thursday, July 9, 2015 7:39:17 AM
To: O'DONNELL Heather M; William Dahmen
Subject: Re: Question on development plan

Thank you for this explanation, Heather.

My husband and I are opposed to allowing the zoning changes. We are homeowners in the affected neighborhood. Is there something we should sign? Or can you note our opposition?

Thanks,
Nicole and William Dahmen

On Mon, Jul 6, 2015 at 2:15 PM, O'DONNELL Heather M <Heather.M.ODonnell@ci.eugene.or.us<mailto:Heather.M.ODonnell@ci.eugene.or.us>> wrote:
Good Afternoon and thank you for your email.

The subject site is about 74 acres. The property is currently designated on the Metro Plan map (the City's long-range land use blueprint map) for Parks and Open Space uses and is currently split zoned; for R-1 Low Density Residential uses (southern portion of site) and PL Public land uses (northern cemetery portion of site). The current owners seek to change the Metro Plan map designation and the zoning of the subject property so that the entire property is designated on the Metro Plan as Low Density Residential and the entire property has a matching zoning of R-1 Low Density Residential.

To give you an idea of what a Metro Plan designation of Low Density Residential and R-1 Low Density Residential can look like, the proposed designation and zoning would match that of the surrounding neighborhood; which is developed with single-family, some multi-family, a church, etc. Low Density Residential is typically developed with single-family housing and duplexes. Other uses that we see in Low Density Residential areas are non-residential uses such as religious institutions, cemeteries, parks, and neighborhood scale commercial and sometimes, apartments or townhomes (for instance, the property owner has had an application pending in the Planning Office since 2001 to do apartments on site). New housing in the south hills, west of Willamette street, typically has to be no more than 5 homes per acre, unless otherwise accepted (elsewhere in the city, the maximum allowed housing in Low Density Residential is up to 10 homes per acre).

At this time, there is no development plan proposed. The proposed re-designation and rezoning is an earlier step in the process than submitting a development plan. However, the applicant's written materials indicate they would like to enable residential uses for the portion of the site not in or platted for cemetery use.

I hope this is helpful. Please let me know if you have any additional questions.

Thank you for letting me know about our sign as well.

Best,
Heather

From: Nicole Smith Dahmen [mailto:nicole.dahmen@gmail.com<mailto:nicole.dahmen@gmail.com>]
Sent: Monday, July 06, 2015 9:58 AM
To: O'DONNELL Heather M
Cc: William Dahmen
Subject: Question on development plan

Good morning, Heather.

My husband and I are residents of the Brookside Drive area. We have seen your signs and we have some questions. The map is impossible to read because it is so blurry. Can you please explain to us in detail the proposed zone change? We would like to know exactly where it will be and what is being proposed to be built (low density housing doesn't give us sufficient detail).

Thanks so much.

William and Nicole Dahmen