

**To Hearings Officer  
From Judy Clinton  
PL20-0702  
PL20-0703  
PLVAR20210039**

**Comments submitted for public hearing  
March 12, 2021 Amended March 12, 2021 2:55**

Include by reference in my testimony the City of Bend Engineering Division Traffic Analysis Memo TIA Review BP20-3258 TRFA, also the Agency Comments Summary.

The Southwest Bend Neighborhood Assoc. board unanimously voted to support the Murphy Crossing Refinement Plan.

**Murphy Crossing Refinement Plan 2.7.800**

Murphy Crossing Refinement Plan (MCRP) is a collaborative effort between a group of citizens of Southwest Bend Neighborhood Association, the City of Bend Long Range Planning Dept. and a consulting firm hired by the City of Bend and codified by the Bend City Council. It is an example of what can be accomplished by a cooperative group of people who listen to each other and work together to create something to benefit the community of Bend as a whole while respecting the adjacent residents. Careful planning and consideration went into that plan.

This application does not comply with or respect any of the purposes of the MCRP such as variety of employment opportunities, create an interconnected system of streets with standards appropriate to the intensity and type of adjacent use or those listed in BDC 2.7.810. It negates the vision and aspirations of MCRP. It puts the Murphy Crossing Urban Renewal Plan (City of Bend August 20,2008) in jeopardy with not enough money for needed infrastructure. It doesn't meet the standards for street design under 2.7.830 especially the frontage road and local streets mixed use. It doesn't show the required roundabouts.

BDC 2.7.820 A. states "Applicability. The standards provided for the Murphy Crossing Refinement Plan area by this section shall **supersede** the otherwise applicable standards of this development code, except where those standards expressly state they are to supersede the standards of this section." Therefore what is listed as permissible, not permissible, needs conditional use permit in table 2.7.820.C (lists all zones included in the MCRP area) supersedes the uses listed in any of the zones under tables 2.3.200 ME, 2.2.300 CG of the BDC. ME and CG are the only zones included in this application. Trailer parks and campgrounds are not listed as permitted or even conditionally permitted uses in MCRP.

BDC 2.7.820(C)"Permitted Land Uses. Unless otherwise specified in the table below, the land uses listed within the applicable zoning districts within this Development Code shall be permitted, subject to the provisions of this code." See Table 2.7.820.C. This table lists

commercial/mixed use but does not list commercial vehicle storage (site plan shows multiple enclosed RV storage buildings in the ME area) as a permitted or even conditional use in either ME or CG zones or those zones in MCRP. Commercial vehicle storage is allowed in IL zone BDC 2.4.300 Table not in other zones.

In conclusion MCRP does not allow either a RV park (campground or trailer park) or commercial vehicle storage per 2.7.800.

## **Zoning**

Under purpose and applicability 2.2.100 ME zone and 2.3.100 CG zone this application does not meet the purpose of those zones. "The Mixed Employment Zone is intended to provide a broad mix of uses that offer a variety of employment opportunities. Where Mixed Employment Districts occur on the edge of the City, their function is more transitional in nature providing service commercial businesses and supporting residential uses in an aesthetic mixed environment. In this instance, when residential units are provided, the units shall be within easy walking distance to the commercial and employment uses." "The General Commercial District provides a broad mix of commercial uses that have large site requirements, are oriented to the higher classification roadways and provide services to the entire City and surrounding area." This application does not meet those purposes, this application should be denied.

BDC 2.2.300 Table and 2.3.200 Table. Both CG and ME zoning allows commercial storage and commercial and public parking but does not allow commercial vehicle storage. However under 2.4.300 Table (IL zone) commercial heading "vehicle, equipment and boat repair, rental, storage, service is allowed". However, no IL zoning is on this property.

BDC 2.3.200 Table. ME zoning allows for commercial and public parking as a primary use however this application's primary use isn't for commercial or public parking nor is commercial or public parking allowed in 2.7.800.

Table 2.7.820 C Permitted Land Uses is intentionally specific to MCRP and tables 2.2.300 CG and 2.3.200 ME permitted land uses may not be substituted. Table 2.7.820 C only allows conditional uses for recreational facilities.

## **Miscellaneous**

There is no Utility Will Serve letter from Roats Water as is standard practice from other utilities. Roats Water hasn't stated if there is capacity to serve the requirements of multiple enclosed commercial vehicle storage units which really aren't permitted in the ME zone.

The site plan shows dead end streets (street B and Frontage Rd.) longer than 150' without a turn around (Oregon Fire Code does not permit) which was mentioned as mitigation #1 in the Traffic Analysis Memo by Chris Henningsen. There are numerous other safety issues mention in that report: mitigation #9, mitigation #2 no left turn lane from Murphy Rd. onto frontage road

etc. Plan lacks defined pedestrian walkways or safe bike paths/lanes. There is only a single ingress/egress for a dense RV park and in case of emergency this is a safety hazard as noted on page 8 of TIA Review.

There is discrepancy in the number of RV spaces between the Burden of Proof for CUP at 199 and Staff Recommendations under request list the number of spaces as 182. Question is which is accurate number of spaces?

By the very nature and concept of a RV park and storage, it does nothing to advance the community goals of the City of Bend as enumerated in Bend's Comprehensive Plan. Some of these goals are Create and Preserve Great Neighborhoods Bend, Protect and Enhance Bend's Natural Beauty, Plan and Sustain a Strong Diverse Economy, Create Housing Options and Affordability, Balanced Transportation System and more.

There are so many deficiencies in this plan that the staff has indentified that do not meet either the standards set by the BDC code or Murphy Crossing Refinement Plan. I have addressed several more. I concur with staff that PL20-0702, PL20-0703 and PLVAR20210039 should be denied.

Thank you,  
Judy Clinton  
SBNA land use chair