

Councilor George Poling has said he wants to go very slow on nodal implementation. Councilor Jennifer Solomon has consistently voted against almost any developer regulations. She said nodal development is too "automobile hostile."

More progressive councilors have expressed concerns on the livability impact of forced density on older neighborhoods and the feasibility of imposing nodal development in areas that are already developed.

Mayor Torrey asked why Eugene has to be "pristine" in following state planning rules and has questioned whether nodal requirements could constitute an illegal "taking" of private property.

Councilor Gary Papé suggested in a meeting that the city just ignore the state requirements and deadlines. "I'd rather battle the state than battle the citizens of our community."

"I'm not sure I'd rather battle the state," replied Councilor Nancy Nathanson. "They have more ink and more authority."

The state does have the authority to block cities from issuing building permits or making other land use changes if they refuse to comply with state planning rules, said Bob Cortright, DLCD transportation planner, in an interview.

That power is rarely tapped and would only be used after an extended impasse with a city, Cortright said. The state would much rather work with the city to ensure compliance, he said.

"Not surprisingly, there's friction when you get into implementing a concept on the ground," Cortright said. TransPlan is a "pretty dramatic departure" from the way planning has been done in the past, he said. "We're going to be finding our way with this."

DLCD is focused on compliance with the performance measure requirements for 45 percent of jobs and 23 percent of housing in nodes, according to Cortright. If the city doesn't do a node in one place or makes it smaller, the difference will have to be made up in other parts of the city, he said. "We don't care how you accomplish this."

Even if Eugene could evade the state requirements, it would be just cheating itself, say urban sprawl opponents.

"Nodal development is one way to absorb more population and jobs without sprawling out farther," Kelly said. "If we are going to have 70 percent more people in 50 years and not sprawl, all neighborhoods are going to have to absorb some of that significantly increased population."

If the city can't add density within its growth boundary, it will be forced to open the boundary to sprawl that will be very expensive to serve, according to Kelly. City services to everyone will have to be reduced to pay for extending city roads, police, fire and other services past the edge of town.

The jury is still "very out" on whether nodal development will happen in Eugene, Kelly said. "But I don't want to see the consequences if it doesn't"

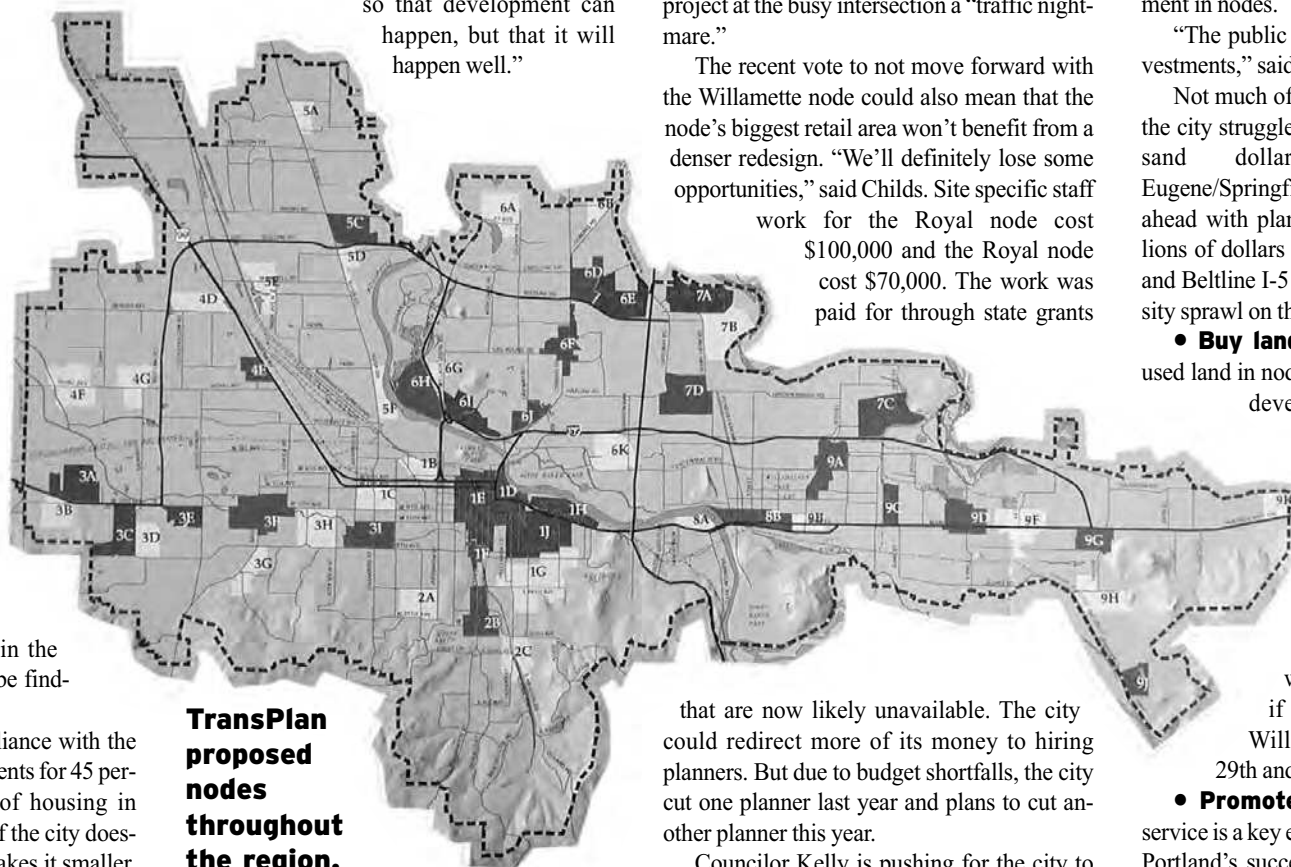
"It's our commitment to the city that we will not continue to sprawl and develop in a way that eats up land — that we will develop in a compact livable city," said Councilor Nancy Nathanson.

A big part of that commitment comes out

of the city Growth Management Study (GMS). In 1996, the city launched the study to decide how best to protect the city's livability and environment from rapid growth. After two years, \$400,000 and input from thousands of citizens, the city opted for a "recycle Eugene" policy that focused on promoting density rather than urban sprawl and had broad community support. The Nodal development restrictions were one of the first substantial steps the city has taken to implement that density policy.

The Willamette node did have strong support from the Friendly Area Neighborhood group, which has long called for measures to make the congested area of narrow sidewalks more pedestrian friendly. "Please give us a wonderful strong nodal development with lots of stakeholder input," said neighborhood co-chair Nancy Ellen Locke.

Greg Giesy, another Friendly neighborhood leader, said the city should have a node at 29th and Willamette, but first make sure the rules won't prevent good redevelopment. "We need to balance the situation so that development can happen, but that it will happen well."



TransPlan proposed nodes throughout the region.

"If we're going to do nodal development, we really have to have nodal development and not have a new updated shopping center," testified Art Farley, former chairman of the Planning Commission. If nodal requirements prevent inappropriate redevelopment of Willamette Plaza until it can be built the right way, that's good, Farley said. "Development may have to wait a couple of years there, but it will be worth it for everybody including the city."

The City Council could vote to reconsider a node for Willamette and 29th, but probably not until early next year after the Planning Commission has returned with recommendations on how to change the city's node rules, Childs said.

Neighborhood leaders in the lower river road area have also strongly supported a node there.

But although many support the concept of density, some councilors fear that when it comes down to it, NIMBY (Not In My Back Yard) resistance may kill nodal development. "There is a need for a reality check in the community," said councilor Kelly. "You can't say you want compact growth and not sprawl and in the next breath say you want your neighborhood to stay exactly the way it is."

Doing It in the Node

With nodal development now in limbo, city leaders are trying to look for alternative ways to make it work. Here are some ideas.

• **Get specific.** The majority of councilors and planning commissioners agreed that the way to do nodal development right is not by broad "one size fits all" rules but through site specific plans and regulations arrived at by closely working with developers and residents from each individual area. The site specific approach worked well to smooth the way for approval of rules for the Chase and Royal nodes.

But the problem with the site specific approach is time and money. Site specific planning for just one node can take 18 months of meetings and hearings. At that rate the city would blow state deadlines and could lose important nodes like 29th and Willamette to low density development.

Already the Oregon Community (U-Lane-O) Credit Union has built a three-lane drive through bank at the corner. Giesy of the Friendly Neighborhood association calls the project at the busy intersection a "traffic nightmare."

The recent vote to not move forward with the Willamette node could also mean that the node's biggest retail area won't benefit from a denser redesign. "We'll definitely lose some opportunities," said Childs. Site specific staff work for the Royal node cost \$100,000 and the Royal node cost \$70,000. The work was paid for through state grants

that are now likely unavailable. The city could redirect more of its money to hiring planners. But due to budget shortfalls, the city cut one planner last year and plans to cut another planner this year.

Councilor Kelly is pushing for the city to make good planning more of a budget priority. "If we are serious about managing the growth of 80 percent more people in Eugene in the next 50 years without extending ourselves to Junction City in one direction and Creswell in the other, we got to do this redevelopment right and, unfortunately, that takes money."

• **Require quality.** Neighbors like the ones opposed to the Walnut node might object less if the city had strict design and neighborhood review standards to assure that density won't mean bulldozing old trees and houses to build plywood box, six-pack and eight-pack student apartments, according to Councilor Bettman.

Visual preference surveys done by the city show that "people don't object to density if it's designed intelligently," Bettman said.

Requiring neighborhood design review of new density projects to assure compatibility can also allay homeowner fears, she said. "If the density is controlled and it's compatible, people are more likely to accept it."

• **Target density.** Instead of blanket targeting an entire neighborhood for density, the city should focus on specific opportunities for denser building on vacant or under-used lots, Bettman said.

"It's a mistake to try and maintain the density on each and every lot," Bettman said. You

destroy the fabric of the neighborhood." She said a better approach "is to look for very specific opportunities to increase density in neighborhoods."

• **Pay for it.** The city could offer incentives to build more densely. The city has already approved a 10 percent discount for transportation systems development charges (SDCs) in designated nodes. Other incentives could include subsidizing parking garages or paying for elevators required for two story buildings.

"Unless we're willing to put the money into those incentives, there's no way to go forward with nodal development," Bettman said.

Urban renewal areas could be used to fund the incentives. But urban renewal is politically unpopular and diverts money from already very limited state, school and city government funding.

"In this budget crisis, it's really going to be hard," Bettman said.

• **Target improvements.** The city could target money for street and other infrastructure improvements to attract development in nodes.

"The public sector has to lead with its investments," said DLCD's Cortright.

Not much of this is happening now. While the city struggles to find a few hundred thousand dollars to plan nodes, Eugene/Springfield and the state are moving ahead with plans to spend hundreds of millions of dollars on the West Eugene Parkway and Beltline I-5 interchange to serve low density sprawl on the edge of town.

• **Buy land.** The city could buy under-used land in nodes and then re-sell the land to developers with contract conditions requiring dense development. The city recently used this approach with the Agripac site and with a new apartment complex near 13th and Olive.

Bettman said the city may want to try the same approach if 4J decides to sell the old Willard School property in the 29th and Willamette node.

• **Promote transit.** Increased transit service is a key element of nodal development. Portland's successful nodes are built around existing light rail and trolley stops. But Eugene's Bus Rapid Transit system has yet to be built, ideas for a downtown trolley have languished for years and LTD is cutting back, not adding bus routes.

• **Regulate sprawl.** Why would a developer build in a node if he could go down the street or to cheap land on the edge of town and build whatever he wants without any regulations? "That's a really good question," Rob Zako, transportation advocate for 1000 Friends of Oregon, said.

Nodal supporters say the city must make nodes more competitive by restricting sprawl development and making such development outside nodes pay the full cost for extending city services.

But the council majority recently refused to even discuss restrictions on big box stores and higher SDCs are facing stiff resistance from new pro-developer councilors. Eugene's SDCs rank among the bottom third compared to similar cities in the state.

It will be hard for nodal development to compete with the big existing subsidies the city is providing for development on cheap fields on the edge of town, Bettman said. "You just can't throw enough money at something, subsidies and incentives, to make up for that inequity."