

Tarik Rawlings

From: Joshua Janes <joshjanes@yahoo.com>
Sent: Wednesday, February 2, 2022 11:06 AM
To: citizeninput; Tarik Rawlings
Subject: Additional Written Testimony for Larkspur Rezoning (File Number 247-21-000400-PA, 401-ZC)
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[EXTERNAL EMAIL]

Dear Commissioners,

Thank you for extending the period for which the Larkspur community can provide testimony on the Central Oregon Irrigation District's rezoning application. In chatting with members of my community, I met many people who had no idea about this rezoning application. I found this troubling but I hope that the additional time you've provided will allow at least some of them to provide input.

On that note, as of Wednesday morning, February 2nd, the online petition (change.org/savelarkspur) has 190 signatures in opposition to the rezoning application. Given that this petition is less than two weeks old and there are less than 300 homes in the Larkspur community (east of 27th St), this is a significant voice. I've included a list of those names below (see attachment).

In response to some of the issues raised during the public hearing on January 26th, I'd like to emphasize that Larkspur residents, myself included, understand that the 36 acre parcel east of the neighborhood is private land, that COID is a business, and that it's current zoning (agricultural) is of little practical value to COID. I also believe we understand the need to provide increased housing opportunities in Deschutes County. However, I think there are two major concerns we have with this rezoning application:

The first concern has been stated: Larkspur residents feel the loss of this open space (by "open space" I don't assume some sort of legal definition or "public access" open space, I simply mean undeveloped land), assuming eventual development, will affect the neighborhood negatively for reasons including exacerbation of an already dangerous traffic situation on 27th St, the loss of wildlife habitat, concerns over inadequate utility infrastructure including sewage/septic and water, increased noise, and decreased quality of life.

The second concern became apparent during the public hearing and that is what appeared to be a lack of transparency on behalf of the COID and an apparent lack of commitment to the community.

Regarding this lack of transparency, COID lawyer Tia Lewis, said that there is "no plan to develop the land", but in the same breath said, "worst case it would be 3-7 homes". I would like to point out what should be obvious: If there are no plans to develop the land, then why go through the expense and trouble of having it rezoned? And why even research and state a "worst case" scenario, apart from the idea that it might placate the concerns of the community in some way? To this latter point, if development was indeed restricted to 3-7

homes this probably *would* ease the concerns of many of us in the Larkspur community, but it also begs the question: How would 3-7 homes (each of which would surely command very high prices) help provide more housing opportunities in Deschutes County in any significant way?

Regarding the lack of commitment to the community, this is the bigger issue I take with the rezoning application. COID is indeed a business but they are also a *member* of our community. Ms. Lewis stated that if the land was developed under the Rural Residential Exception Area zoning, “65% of the land would have to remain open space [undeveloped]”, but it took the Board of Commissioners pressing her for her to acknowledge that, actually, no, that open space would not be public access - it would be private and for the exclusive use of those who live in that development. Furthermore, she spoke of possible easements for a Canal Trail and possible plans for improved traffic on 27th (traffic circles), but this was just speculation and she made no promises or commitments along those lines. In fact, she went so far as to imply that yeah, there is a traffic problem, but “3-7 new homes wouldn’t add to that problem significantly.” Well, if you’re not part of the solution then...

I understand Ms. Lewis’s job is to represent her client’s interests. In applying for rezoning I’m sure she is under no legal obligation to reveal development plans if they exist or to fix current traffic problems or create parks or canal trails for the betterment of the community. But I believe it is our job, as a community, to advocate for ourselves in this way and that it is your job, as the Board of Commissioners, to consider both sides and balance their needs.

For this reason I would like to ask that the rezoning application, as it currently stands, be denied. I am not outright opposed to this land being rezoned or even developed - I just strongly believe that an approval of the application should come with a formal commitment to the community to address our concerns. What follows are some suggestions:

1. Formalize the easement for the Canal Trail. This would continue the existing Canal Trail east of 27th St and along this parcel of land being considered for rezoning.
2. Designate the “65% of this land that must be kept as open space” under the RREA as public access. This would not significantly reduce the value of the land assuming 3-7 homes are built there, it would help ensure the land not be further rezoned to higher density, and it will benefit current Larkspur residents by becoming public access open space.
3. Promise a “first right of refusal” for the sale of the land to the City of Bend or Deschutes County. Give the city or county - the community - a chance to rally behind this cause and buy this land and designate it as a park or public access before it can be sold to developers or home buyers.
4. Onboard the current traffic management plans that exist for 27th St and show how they take into account various outcomes (development) for this land. The completion of this traffic infrastructure should be a requirement prior to any development of this land.

I believe there is a precedent for these sorts of compromises that can be seen in development in west Bend where developers created a trail network, public access open space, and a wildlife and defensible fire corridor - while still being able to develop housing and build a successful community. This sort of compromise on a much smaller scale is reasonable and very achievable in Larkspur.

Larkspur residents want our voices to be heard, our values to be respected, and our needs as a community to be met. Yet it is my hope that I’ve shown some flexibility and understanding when it comes to the competing interests and needs at stake here. We are reliant upon the Board of Commissioners to make a decision in this matter that will find a balance between those interests. If the COID has no plans to develop this land, then there is no need to rush to rezone it: This conversation should be allowed to continue until a suitable compromise can be reached.

Thank you for your time.

Sincerely,

Joshua Janes
Larkspur Resident