

8-10-2023

To: Ruth Kline - Staff Planner for CU-003-23
City of Hillsboro, Oregon
Planning and Zoning Hearing Board Members

From: Dirk Knudsen Testimony
RE: Testimony for Casefile CU-003-23

Hello Ms. Kline and PZHB Members;

As you know, I submitted significant testimony to the City of Hillsboro regarding this CU they have applied for, hoping there could be transparency and dialogue on a litany of issues and questions. At the beginning of the PZHB meeting in mid-July, Chair Turner clarified that the hearing was a chance for people to be heard and for questions to be answered. Having said that, I submitted a 20-plus page letter addressing a number of substantive code issues. The applicant had well over an hour to exchange with the PZHB Board, who as you well know, had serious reservations about the application and lack of any substantive detail; thus, the need for a continuance. For the Staffs part, I wish to thank you all for running a fair process and doing your job. Having said that my questions largely went unanswered or unaddressed. My 3 minutes left me no time to ask questions or seek clarity or a meaningful exchange with the PZHB.

The only redress or process I am left with is an appeal of the decision the PZHB will be reaching. I do not take such a decision lightly, as it will cost time, money, and personal capital in a far too busy life.

We find ourselves in an ethical crisis in which our City says they want equity but treats itself as an elite class that does not have to play by the rules.. Providing no sound studies or mitigation for a 6,000 to 8,000-spectator venue, and defending it with a complex code exemption, may win that point. But it is not equitable- no one in the private sector would get away with that, and we know that from past hearings like Camp Bow-Wow and A Dogs Hide Away, to mention two cases of hundreds in the past decade or two. And what of the thousands that live just feet away from our City Boundary in Washington County who will be affected? Have we considered the fact that when the sound leaves the Gordon Faber Complex from the Hops Stadium, it will be in Washington County? Are we creating a situation where the City of Hillsboro or the Hops will be sued by Washington County or its residents for violating their peace and airspace? That could easily happen- and it could be costly. Shame on the applicant

(City of Hillsboro) for not bringing in experts to plan for this and for conditions to be written to protect all of us.

Violating our codes to approve 150-foot light poles using some labyrinth code interpretations may also seem fine. Same argument- it is wrong. No equitable treatment again.

My letter contains many salient and meaningful points that were brought up by others. I do not need to debate those items as they are all on the record. The most important factor I will continue to testify on is that the Applicant has completely ignored the code and failed to address the applicable code sections for meeting Transportation Rules. Given months and months of time to prepare, the Applicant could not prepare the required work. They have paid hundreds of thousands of dollars for construction-related documents, lawyers, designs, and more. But the most crucial thing, traffic safety and protecting the public interests in one of the busiest and congested locations in Oregon, they could not do.

For the record, I enter Section 12.70.200 from Chapter 12 of the City of Hillsboro Municipal Code. The Code in its entirety is entered. I have made some testimony in Red for the record.

12.70.200 Transportation Studies.

A. Purposes. This Section establishes procedures for traffic management plans, traffic impact analyses, and Transportation Planning Rule Compliance Studies.

These procedures are necessary to:

1. Evaluate the identified traffic impacts of proposed development, including traffic capacity and traffic safety;
2. Identify potentially adverse impacts; and
3. Determine the need for transportation services and improvements related to the development.

The applicant has not complied with these specific terms and conditions and must do so in order to comply with these statutes.

B. Applicability. Land use applications shall provide the analyses listed below (or limited elements thereof) as required by the Review Authority and/or an affected Road Authority. Such analyses shall be provided prior to a land use application being deemed complete under Section 12.70.110, unless approved otherwise by the City Engineer.

The applicant has not complied with these specific terms and conditions and must do so in order to comply with these statutes.

1. For Traffic Management Plans: Subsection 12.70.210.A;
2. For Traffic Impact Analyses: Subsection 12.70.220.A; and
3. For Transportation Planning Rule Compliance Studies: Section 12.70.230.
4. In the South Hillsboro Plan District (Subchapter 12.65), the standards of this Section may be superseded by the standards in S in orddection 12.65.910 as specified in that Section.

C. Terminology and Acronyms. Terms used in this Section are defined in the Highway Capacity Manual 6th Edition and in Section 12.01.500. As used in this Section, “within” means any street, alley, bikeway, intersection, site access, or pedestrian facility interior to the project site, and “adjacent” means any such facility which borders on or abuts any portion of the site and may be impacted as a result of the development. Acronyms used in this Section are listed in Section 12.01.600.

D. Transportation Studies in General. To comply with the requirements of this Section, transportation studies shall meet the following standards:

1. Study Components. The analyses listed in subsection B above shall distinguish between the following:

- a. Traffic safety improvements found necessary due to the impacts of the project (or phase thereof); and
 - b. Roadway capacity improvements necessary because of the traffic volume generated by the project (or phase thereof).
2. Software Parameters. The traffic analysis software parameters for signalized, unsignalized, and roundabout intersection performance evaluation shall be in compliance with the Oregon Department of Transportation's Analysis Procedures Manual unless specified by the City Engineer.
3. Intersection Capacity Determination. Intersection capacity and delay performance and identification of 50th and 95th percentile queue requirements shall be determined for the peak hour and peak 15-minute period using the Highway Capacity Manual 6th Edition unless determined by the City Engineer that traffic simulation would provide more accurate results.
4. When Intersection Simulation Required. When downstream deficiencies impact upstream operations during the peak 15-minutes of peak hour operations, evaluation of upstream operational performance shall include traffic simulation analysis utilizing SimTraffic, Vissim or alternate software and methodology as approved by the City Engineer. Simulation analysis shall be undertaken to determine intersection movement delays, and average and 95th percentile queue length to determine turn lane storage and channelization requirements, unless otherwise approved by the City Engineer.
5. Alternative Analysis Permitted. An alternative intersection analysis method may be approved for use at the sole discretion of the City Engineer when the applicant demonstrates that the alternative method will achieve the objectives of this Subchapter.
6. Safety Improvements Evaluation. Transportation safety mitigation improvements shall be identified based upon an evaluation of the past 5-year available crash history for recurrent deficiencies and an assessment of potential future safety deficiencies including but not limited to an evaluation of traffic signal warrants, turn lane warrants, and turn lane storage lengths

required to accommodate the Highway Capacity Manual calculated 50th and 95th percentile queues or the average and 95th percentile queues from simulation.

7. County/State Roads Included. Upon written request by the County Engineer or ODOT Region 1 Engineer or their designee(s), any off-site improvements identified by the study as affecting a County road and/or the State highway system shall be included under the discretion of the City Engineer.

8. Proportionality Estimate Required. The transportation study shall include an analysis of the rough proportionality of the estimated impact of the project (or phase thereof) as compared to the safety and capacity improvements identified as required to comply with the standards of this Section.

The record shows that the applicant has not met the required code sections above.

E. Signalized Intersection Analysis: Procedures and Standards.

1. Signal Timing. Signal timing and phasing assumptions in the study shall be included in the study, and are subject to the approval of the Road Authority with management responsibility for the signalized intersection. Signal progression shall also be considered in the analysis.

2. Standards for Signalized Intersections. The impacts of development on a signalized intersection shall identify mitigation necessary to maintain the following standards:

- a. The peak hour Volume-to-Capacity (V/C) ratio for each lane group shall be no greater than 0.99 unless approved otherwise by the City Engineer. If the intersection is under County or ODOT jurisdiction, the V/C ratio shall not exceed the standards imposed by that jurisdiction or the City standards, whichever is more restrictive.

b. Peak hour intersection control delay shall be maintained at 80 seconds per vehicle or less, using a signal cycle length not to exceed 120 seconds, unless a greater cycle length is approved by the Road Authority with management responsibility for the signalized intersection.

c. In the event existing control delay or V/C ratio of an intersection exceeds the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or V/C ratio to pre-development conditions, unless approved otherwise by the City Engineer.

The above code sections have not been addressed by the applicant.

3. Limitations on Mitigation. Intersection mitigation improvements shall not assume lane improvements by approach greater than 2 left turn lanes, 2 through lanes, and 2 right turn lanes unless otherwise approved by the Road Authority. Use of supplemental auxiliary lanes may be considered with approval of the Road Authority where operational analysis identifies their need to facilitate safe and efficient traffic operations.

F. Unsignalized Intersection Analysis: Procedures and Standards.

1. Signal Warrant Analysis. If the existing control delay or V/C ratio of an intersection approach lane group is greater than the standards in Subsection 12.70.200.F.2, a gap availability study, an alternative access route study, and/or signal warrant analysis shall be completed to establish the appropriateness of intersection signalization.

2. Standards for Unsignalized Intersections. The impacts of development on a unsignalized intersection shall identify mitigation necessary to maintain the following standards:

a. Peak hour V/C ratio for each lane group shall be no greater than 0.99 unless otherwise approved by the City Engineer. If the intersection is under County or ODOT jurisdiction, the V/C ratio shall not exceed the

standards imposed by that jurisdiction or the City standards, whichever is more restrictive.

b. Peak hour control delay by the intersection leg approach lane shall be maintained at 50 seconds per vehicle or less, unless approved otherwise by the City Engineer.

c. In the event existing control delay or V/C ratio of an intersection exceeds the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or V/C ratio to pre-development conditions, unless approved otherwise by the City Engineer.

The above code sections have not been addressed by the applicant.

G. Roundabout Intersection Analysis: Procedures and Standards.

1. Determining Control Delay. Roundabout control delay shall be determined utilizing a methodology approved by the City Engineer and as more particularly described in Oregon Department of Transportation's Analysis Procedures Manual.

2. Capacity for Each Lane Group to be Identified. The V/C ratio for each lane group shall be identified and considered in the determination of intersection performance.

3. Standards for Roundabout Intersections. The impacts of development on a roundabout intersection shall identify mitigation necessary to maintain the following standards:

a. Peak hour control delay by lane group at 50 seconds per vehicle or less, unless otherwise approved by the City Engineer.

b. Peak hour V/C ratio for each lane group at 0.99 or less unless otherwise approved by the City Engineer. If the intersection is under

County or ODOT jurisdiction, the V/C ratio shall not exceed the standards imposed by that jurisdiction or the City standards, whichever is more restrictive.

c. In the event existing control delay or V/C ratio of a roundabout exceeds the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or V/C ratio to pre-development conditions, unless approved otherwise by the City Engineer.

H. Transportation Studies as Basis for Mitigation. The Review Authority shall require appropriate safety, capacity, and roadway improvements within or adjacent to the project (or phase thereof) if the Traffic Management Plan, Traffic Impact Analyses, Transportation Planning Rule Compliance Study, or analysis performed by the City Engineer or their designee indicates that on- or off-site mitigation is necessary to meet the standards listed below.

The above code sections have not been addressed by the applicant. The review authority can not impose or require safety, capacity, or roadway improvements, which are very likely needed, because the applicant has not complied with the code.

1. On-Site and Adjacent Mitigation. Appropriate safety, capacity, and roadway improvements within or adjacent to the project or phase of a project if the Transportation Study indicates that any of the following thresholds are met as determined by the City Engineer or Road Authority:

a. The project or phase of a project will cause unsafe conditions at site accesses or on the roadways or at intersections within or adjacent to the project or phase of a project;

b. The required peak hour V/C ratio or required delay for an approach lane group will be exceeded for any impacted site access, intersection, or roadway within or adjacent to the project;

- c. The proposed off-street parking is insufficient and will increase off-site parking in adjacent neighborhoods or on the adjacent road or street system; or
- d. Traffic calming measures beyond those proposed by the applicant are necessary to address safety concerns.

The above code sections have not been addressed by the applicant. Mitigation can not be planned nor imposed by the review authority.

2. Off-Site Mitigation. Appropriate safety, capacity, and roadway improvements not within or adjacent to the project or phase of a project if the Transportation Study or analysis performed by the City Engineer or their designee indicates that any of the following thresholds are met:

- a. The project or phase of a project will contribute toward the need for safety improvements at intersections or on the roadway system other than within or adjacent to the project (known as the “off-site impact area”), or
- b. The peak hour V/C ratio or control delay for any such impacted intersection or roadway segment within the off-site impact area is projected to exceed the standards defined in subsections E, F, and G as a result of the project or phase of a project.

The above code sections have not been addressed by the applicant. Mitigation can not be planned nor imposed by the review authority.

3. Construction of Off-Site Improvements Required.

- a. The Review Authority may condition approval of the land use application to require either the construction of, or payment of a proportionate financial share towards construction of, off-site capacity and/or safety improvements necessary to eliminate the unsafe condition identified in the study and return the street/roadway segment and/or

intersection to compliance with required performance standards defined in subsections E, F or G above.

b. Upon written request by the County Engineer or ODOT Region 1 Engineer or their designee(s), off-site improvements identified by the study as affecting a County road and/or the State highway system may be made a part of the Review Authority's conditions of approval.

The above code sections have not been addressed by the applicant.
Mitigation can not be planned nor imposed by the review authority.

I. Approval or Denial on Basis of Off-Site Mitigation Construction.

1. If any of the following circumstances exist, the Review Authority shall either deny the land use application or condition the approval as specified in paragraphs 2 through 4 below:

a. Construction of the identified off-site improvements within the Study Area will not be guaranteed by the applicant or by the City and/or the County as provided in paragraph H.3 above;

b. A traffic safety hazard is created or exacerbated on any street, roadway segment, or intersection within the impact area as a direct result of the project (or phase thereof); or

c. The V/C ratio exceeds the standards in subsections E, F, or G on any street, roadway segment, or intersection within the impact area as a direct result of the project (or phase thereof).

2. If any of the circumstances cited in paragraph 1 above exist, approval of the land use application(s) may include a condition or conditions stipulating that only the portion or phase(s) of the proposed project which can be constructed without exceeding the acceptable performance standard may be built under the current approval.

3. In the case of transportation facilities that are already failing, any improvements shall either mitigate back to pre-project levels, or shall only be

allowed to build that portion of the or phase(s) of the project that can be mitigated back to pre-project levels.

4. If the Review Authority restricts construction under paragraph 2 or 3 above, an applicant may apply for approval of additional portions or subsequent phases of the project when traffic and street conditions have changed to the degree where the remainder of the project or phase of a project can meet the safety and performance standards cited in this Section. Any such application shall be accompanied by the appropriate transportation study as otherwise required in this subsection, and will be processed in the same manner as the original application.

The above code sections have not been addressed by the applicant.
Mitigation can not be planned nor imposed by the reveiw authority.

J. Applicant's Election to Provide Transportation Mitigation.

1. On their own initiative, an applicant may propose (either alone or in conjunction with other parties) to construct and/or finance the construction of identified off-site improvements beyond the limits described in subsection I above if such improvements would mitigate identified traffic safety hazards or achieve an acceptable V/C ratio.

2. If such a proposal is made by the applicant, the Review Authority may approve the application provided the off-site improvements are guaranteed by methods acceptable to the City Attorney and to the City Engineer and are completed prior to any occupancy within the project (or phase thereof). (Ord. 6414 § 1, 2022; Ord. 6401 § 1, 2022; Ord. 6393 § 1, 2021; Ord. 6294 § 1, 2019; Ord. 6110 § 9, 2015)

The above code sections have not been addressed by the applicant.
Mitigation can not be planned nor imposed by the reveiw authority.

Additional Testimony on Transportation:

The Hillsboro Hops Stadium requested under this application is located at the Nexus of NE Evergreen and NE Century Boulevards. It is fed site traffic from the East at NE Evergreen and NE Cornelius Pass and NE Imbrie, to the West at NE Brookwood and NE Evergreen, as well as NE Huffman and NE Brookwood. Not to mention the US Highway 26 and Cornelius Pass Intersections. These roads are all at high capacity. These road systems include all rights of way, streets, intersections, lights, queuing areas, turn lanes, and beyond. All of them are the same roads that supply critical employee traffic flow to the Intel Ronler Acres Chip Fabrication and R and D Facilities. Facilities that have just made the National and local news this past week for being in line for Billions in investment and thousands of new jobs in the next few years. The same roads supply travel to and from dozens and dozens of our primary employers in Hillsboro, including the new 950 Van Amazon last-mile distribution center.

Please explain to me how the applicant is being allowed to completely shirk this critical codes section? A section that protects the public and is set to make sure we have efficient flow, safe travel, and systems that are not at collapse. The Staff had the obligation to comment upon this code section and did not. The PZHB must do so. The only way forward to gain approval and to get the Hillsboro Hops a new stadium is to do so within the confines of the laws and Municipal Codes referred to in this testimony.

We have to ask ourselves why? Why would the applicant not want to do this and try to slip this by? Is it because they expect a double standard, again proving that the equity goals only apply to everyone but the applicant? Or is it more likely the applicant is in possession of traffic data that proves that the situation is unsafe and untenable? I believe that is the case.

Can anyone show me any significant DR or Cu Permit where the Staff and the City of Hillsboro have waived these traffic planning rules in favor of the applicant? I challenge them to do that.

The PZHB must deny this application based on the issues I have raised above. If not, perhaps they will impose a strict condition of approval that the Applicant meets all of the transportation code sections applicable to this application, including any and all mitigation and required conditions needed to make sure traffic works and people are kept safe.

The problems with relying upon the current condition which restricts the site to no more than 7,000 spectators are as follows:

- **The applicant nor the City know if we have Points of Failure that exist now. An arbitrary number of 7,000 participants was selected during the Hops first stadium approval with no traffic data or Traffic Impact Analysis. The City fo Hillsboro has no idea what traffic exists and no way to know how to base approvals for Special Events.**

- **The applicant does not know the traffic flows or trip counts at this point in areas where even a 5% increase in traffic could impact and cause a system collapse.**
- **If the PZHB wants to allow this application to move forward, they must place a special condition on the application that assumes the City traffic systems are not capable of handling the increased traffic flow. This is so because the applicant chose not to provide traffic data and reports. Assuming an issue already exists with traffic, every event should then be required to provide an individual traffic study or traffic impact analysis. Because the applicant has provided no TIA and no mitigation, which might have been required, every event should be reviewed. This would be onerous and not what should be done here.**

In closing, let me say that the Applicant is also the same as the review authority. This just puts the entire process into a precarious and awkward process. It is apropos to say that the applicant has home court advantage. Things will change once / if the process is moved outside our fine city. I like baseball and the Hillsboro Hops very much, and I mean that. I think Rahim has done a good job at bringing forth an honest look at the costs of loss of use. We now know that the new stadium is not at all cheaper than remodeling the old one. The more issues that arise, the less likely this new stadium becomes.,

I welcome anyone who wants to have a round table outside the hearing process. Equity - a word I value very much. But also a word that must apply to everyone at all times.

Attached to this letter is a Q and A with the City of Hillsboro staff from back in May. The PZHB members may wish to incorporate some of these commitments as conditions of approval. The City has committed below to not grade anything on Fields 4,5 and 6 unless the Stadium is 100% funded by the Hillsboro Hops and the Guaranteed Build Price is set at budget. Please consider imposing those conditions.

Very truly yours;

Dirk Knudsen
6750 NE Alder Street
Hillsboro, Oregon 97124

I am attaching my previous testimony on Traffic for the Record:

- **Item 6 - Page 8 of the applicants proposal- Code States**
 - **Item 6. The proposed CU addresses the adequacy of transportation systems and public facilities and services that exist or are planned for the area affected by the use.**
 - **Applicants Response:** “There is an existing transportation agreement that limits any joint events on the Gordon Faber Recreation Complex site to a maximum capacity of 7000. This agreement will remain in effect, and special use permits will be utilized should the need arise to exceed that limit. See page 3 of Exhibit C.”
 - **My response-** It has been between 11 - 14 years, maybe longer, since the approval for the original Gordon Faber Recreational Complex and the Hillsboro Stadium. I sought out copies of the Transportation Impact Analysis, Traffic Impact Study, or Transportation Plans that were done when the Hillsboro Hops Baseball Stadium was done. As per staff's response to me last week, there were NO transportation studies submitted in the first baseball stadium DR process. That fact is appalling. Why? Who knows. But we can not as a City approve, nor should the PZHB approve, a new use that is adding 7,000 additional seats to the GFRC without proving that the existing transportation systems are adequate.
 - Hillsboro has grown 16% or more in population since 2011, and INTEL Ronler Acres and many others have added significant employment. This has pushed Traffic to the brink in this location at various times of the day. The existing Ron Tonkin Field can seat 4,500 fans, the Hillsboro Stadium 7,000, making the **existing capacity for the two seated stadiums 11,500** if both were completely filled. Adding to this, a new 7,000-seat baseball stadium and concert facility contemplated by this application, will push the Capacity if a joint event were held to almost 19,000 people.
 - The applicant can not pretend that this new use can somehow be in compliance with the codes when the applicant has not even made the minimal effort to prove that their proposed use is safe and will not overburden the transportation systems. The code requires the applicant to prove with factual data their case. Is the applicant not providing this life-or-death required information because it knows

that the conditions are bad and that this use would not be supported by the findings of such data points? That is the case.

- Our transportation systems are much more strained today than when the GFRC or new baseball stadium was approved in 2012.. Looking at Exhibit C, which is quoted by the applicant on Pages 13-14 and still in effect, we see that the City of Hillsboro in DR-2612, approved in 2012 this condition:

5. Concurrent events shall not be scheduled in the existing stadium and the proposed new baseball stadium such that the combined attendance exceeds the 7,000 spectator capacity of the existing parking facility. Events scheduled for the same day, and expected to exceed the aggregate 7,000 spectator capacity, shall be scheduled with a minimum of 2 hours between events to allow emptying of the parking lot prior to commencement of the second scheduled event. For all concurrent events expected to exceed the existing 7,000 spectator capacity the applicant shall submit to the City Engineer, at least 4 weeks in advance, a comprehensive traffic & parking management plan. The traffic and parking management plan should include

strategies for overflow parking such as off-site lots, shuttle bus service and public transportation arrangements.

They contemplated that the parking, which I have counted at 1,492 spaces, could not handle an event of over 7,000 people. The Condition allows for events that can go way over the 11,500 seats the two stadiums can hold if it is approved as a special event.

Important points to note:

- There is no known Maximum event size if an event is run as a Special Event, but we know that the events would unlikely be able to exceed the maximum capacity of both stadiums,
- The Transportation Plan and our systems which were reviewed and presented to the City in 2013, did NOT contemplate any eventuality that the sites at the GFRC would someday have NO MORE PARKING but be able to hold 60 percent more people (7000 new seats/11,500 existing seats) and that the nearby Transportation Systems (US 26, Cornelius Pass, Evergreen Road etc) would be able to handle 160% of the traffic planned for in 2010-2012.
- Item 6 above calls for: **“The proposed CU addresses adequacy of transportation systems and public facilities and services that exist or are planned for the area affected by the use.”** This CU request does not at all

address the transportation adequacy of the transportation, nor the adequacy of the Public Facilities (water/sewer/stormwater etc), which were not analyzed or reviewed by this applicant. This new Stadium is going to displace 3 acres of fields that exist now, for instance. Those fields provide green space, they provide absorption for rainfall and enhance water quality. They will be replaced by acres of hardscape, shed roofs, and new roads and walkways. **The applicant, beyond ignoring the obvious and damaging impacts to the transportation systems, ignores the public services aspect of this portion of the code, which is very concerning.**

- Being in the private sector as a developer and builder for 40-plus years and having served on the PZHB in the past, I can document dozens of Conditional Uses that have had to do transportation planning, traffic counts, and serious mitigations for their proposed use, even many cases like the City View Charter School and the Dogs Hideaway in Hillsboro. Both of them were expanding their uses on their existing sites and were given serious conditions to meet for their use. They both had significant traffic studies and reports, and the Staff would not process their application without that professional work- Quid Pro Quo - do the work and prove your case, which the Code requires, or no approval will be granted. Now that the City is the applicant, the Code and the PZHB must hold them up to the same standards. Public safety and Equitable treatment for those in power and those in the private sector must be achieved at all costs.
- Last point on Transportation- The applicant's use sets up a new reality in which the **frequency, regularity, and velocity of special events that will exceed the 7,000 spectator limit will occur; that will mean we regularly are exceeding the Conditions of Approval and our current transportation systems. I am making the claim that this is exactly what will happen. The burden of proof is on the applicants to prove that their new stadium will be within the adequacy of current transportation systems. They have failed to do that, and as a matter of Code and law, that is enough for the PZHB to deny the application.**

The applicant, the Hillsboro Parks Department, or the Hillsboro Hops seem to have no way to monitor how various events will be attended. It should be expected then that any day or night that there are events at the Hillsboro Stadium, the Ron Tonkin Field, and the new Hillsboro Hops Stadium, the 7,000 spectator limit will be violated. And there is no way to plan for that sort of thing. As a result:

- Events in which more than one of the three main venues mentioned above will/could violate the 7,000 spectator limit.
- There is no way to coordinate this eventuality with police, fire, and the various players with a 4-week notice because it could happen without notice.
- The Conditional Use requirements would be violated without any monitoring. The use as approved and as proposed can be denied and terminated in exchange for violations. How will the public be protected, and how will the community know how this will be handled? Conditions must be written; for instance, require some sort of ticketing mechanism must be agreed upon that will deny access to anyone attempting to access the sites once 7,000 spectators have entered.
- One example is that the Hops has 5,000 people coming to games on a regular basis for 40 of the 66 home games. During 25 of those games, there is a youth game at the Ron Tonkin and an adult league at Fields 1,2 and 3. Those events tip to 3,000 people, which could happen easily. Those events for 25 days could be 8,000 people or more. There is no way that anyone could know that, and we as a community can not react to this, nor is there time to get a Special Use Permit. The problems are endless, and they are all being created by the new Hops Stadium and its overall impacts.
- The burden of proof lies only with the Applicant to present a plan by which the new Stadium they have applied for will not create a situation that violates our codes, endangers people, or breaks our already stressed-out transportation systems.

