



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

October 3, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 011-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 18, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Steven Santos, DLCD Economic Development Planning Specialist
Mark Metzger, City of Springfield

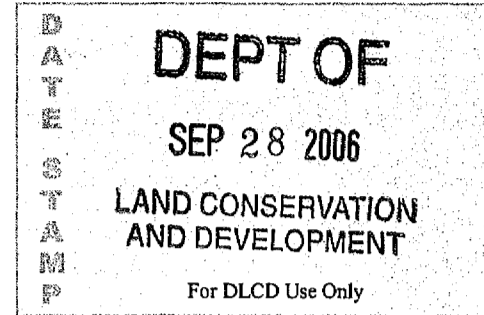
<paa> ya/



PROP

2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Springfield Local file number: Zon2006-00018

Date of Adoption: 9/18/2006 Date Mailed: 9/26/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 4/20/2006

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____ |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Request to change the zoning on a 1.59 acre parcel from Low Density Residential to Light Medium Industrial. The property is located on the southwest corner of 28th and R Streets.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: _____ to: _____

Zone Map Changed from: LDR to: LMI

Location: Southwest corner of 28th and R Streets Acres Involved: 1.59

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 9, 10, 12

Was an Exception Adopted? YES NO

DLCD File No.: 011-06 (15198)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (45) days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Springfield

Local Contact: Mark Metzger Phone: (541) 726-3775 Extension: _____
Address: 225 Fifth Street City: Springfield
Zip Code + 4: 97478- Email Address: mrmetzger@ci.springfield.

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF SPRINGFIELD, OREGON

DEVELOPMENT SERVICES DEPARTMENT

SPRINGFIELD



225 FIFTH STREET
SPRINGFIELD, OR 97477
(541) 726-3753
FAX (541) 726-3689

September 26, 2006

Mara Ulloa, Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

Dear Mara,

Enclosed please find Notice of Adoption packets for a Plan Map/Zoning Map amendment affecting 1.59 acres in Springfield. Forgive the volume of the materials for such a small amendment, but this is the adopted material acted upon by our Council. Each packet contains two signed ordinances and a staff report with findings covering both actions.

Please feel free to contact me with your questions about the materials.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Metzger', with a long horizontal flourish extending to the right.

Mark Metzger
Planner

AGENDA ITEM SUMMARY**Meeting Date:** September 18, 2006**Meeting Type:** Regular Session**Department:** Development Services**Staff Contact:** Mark Metzger *mm***Staff Phone No:** 726-3775 *mm***Estimated Time:** Consent Calendar *mm***SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: AMENDMENT TO THE METRO PLAN DIAGRAM AND SPRINGFIELD ZONING MAP (ARTIE MAE HARLOW/MAIA LCC).

ACTION REQUESTED: Conduct a second reading and adopt/not adopt the following ordinances:

- AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN GENERAL PLAN DIAGRAM BY REDESIGNATING 1.59 ACRES OF LAND, TAX LOT 09200, ASSESSORS MAP 17-03-25-14, FROM LOW DENSITY RESIDENTIAL TO LIGHT-MEDIUM INDUSTRIAL AND ADOPTING A SEVERABILITY CLAUSE.
- AN ORDINANCE AMENDING THE SPRINGFIELD ZONING MAP BY REZONING 1.59 ACRES OF LAND, TAX LOT 09200, ASSESSOR'S MAP 17-03-25-14, FROM LOW DENSITY RESIDENTIAL TO LIGHT-MEDIUM INDUSTRIAL AND ADOPTING A SEVERABILITY CLAUSE.

ISSUE STATEMENT: Artie Mae Harlow /MAIA LLC has submitted a request to change the Metro Plan Diagram designation and zoning for a 1.59 acre parcel on the southwest corner of 28th and R Streets from Low Density Residential to Light-Medium Industrial. At issue is whether the criteria for approving amendments to the Metro Plan Diagram and the Springfield Zoning Map have been satisfied.

ATTACHMENTS: Attachment 1: Ordinance and Exhibits for the Zone Change
Attachment 2: Ordinance and Exhibits for the Metro Plan Amendment

DISCUSSION/ FINANCIAL IMPACT: The context of the subject property generally supports the proposed Plan amendment.

No opposing testimony was submitted at the Planning Commission hearing held on June 20th. The Planning Commission unanimously recommended approval of the proposed amendments (Attachment 2 to Exhibit A for each Ordinance).

No opposing testimony was submitted to the Council at the July 17th public hearing held on this matter.The staff reports enclosed as Attachment 1 to Exhibit A for each of the ordinances examine the criteria for approval and offer analysis and pertinent findings. Based on the analysis and findings, staff finds that the requested amendments satisfy the criteria of approval.

ORDINANCE NO. 6182 (General)

AN ORDINANCE AMENDING THE SPRINGFIELD ZONING MAP BY REZONING 1.59 ACRES OF LAND, TAX LOT 09200, ASSESSOR'S MAP 17-03-25-14, FROM LOW DENSITY RESIDENTIAL TO LIGHT-MEDIUM INDUSTRIAL AND ADOPTING A SEVERABILITY CLAUSE.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, Article 12 of the Springfield Development Code sets forth procedures for Springfield Zoning Map amendments; and

WHEREAS, on April 18, 2006 the applicant/owner of the subject tax lot initiated the following Springfield Zoning Map amendment:

Rezone 1.59 acres from Low Density Residential to Light-Medium Industrial, Case Number ZON 2006-00018, Tax Lot 09200, Assessor's Map 17-03-25-14; and

WHEREAS, on June 20, 2006, the Springfield Planning Commission held a work session and a public hearing to receive testimony and hear comments on this proposal. The Planning Commission voted 5 in favor, 0 opposed, and 2 absent, to forward a recommendation of approval, with conditions to the City Council; and

WHEREAS, on July 17, 2006, the Springfield Common Council held a work session and a public hearing to consider to receive testimony, hear comments on, and consider this proposal. The Council is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Springfield Zoning Map.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1: The above findings, and the findings set forth in Exhibit A attached hereto and incorporated herein by reference are hereby adopted.

Section 2: The Springfield Zoning Map, more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby amended from Low Density Residential to Light-Medium Industrial.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portion of this Ordinance.

ADOPTED by the Common Council of the City of Springfield by a vote of 6 for and 0 against, this 18th day of September, 2006.

APPROVED by the Mayor of the City of Springfield, this 18th day of September, 2006.

ATTEST:

REVIEWED & APPROVED
AS TO FORM
[Signature]
DATE: 9/18/06
OFFICE OF CITY ATTORNEY

[Signature]
Mayor
[Signature]
City Recorder

EXHIBIT A - 1

Index of Attachments

- Attachment 1: Staff Report
- Attachment 2: Planning Commission Order
- Attachment 3: Application and supplementary materials provided by the applicant.
- Attachment 4: Statements signed by MAIA Park property owners indicating their knowledge of the proposed mini-storage at the time of their property purchase.
- Attachment 5: Statements signed by current MAIA Park owners adjacent to the subject lot supporting the proposed zone change.

**City of Springfield
Staff Report**

Date Submitted: April 18, 2006
 Scheduled Hearings: Planning Commission, June 20, 2006
 City Council, July 17, 2006

Applicant/Owner: MAIA LLC / Artie Mae Harlow 2366 Maia Loop Springfield, OR 97477 746-4065	Journal Number: ZON 2006-00018 Related Applications: LRP 2006-00012
Agent/Consultant: Steve Cornacchia, Attorney Hershner Hunter, LLP 180 E. 11 th Avenue Eugene, OR 97401 686-8511	Map Number/ Location: Map# 17 03 25 14 Tax Lot 9200 Southwest corner of 28 th and R Streets, adjacent to and north of I-105 (Hwy 126)
Requested Action: Zoning Map Amendment Current: Low Density Residential (LDR) Proposed: Light Medium Industrial (LMI)	Affected Acreage: 1.59 acres

I. Executive Summary:

The applicant is requesting a Springfield Zoning Map amendment for a 1.59 acre parcel on the southwest corner of 28th and R Streets, adjacent to and due north of I-105 (Hwy 126). The current zone designation is Low Density Residential (LDR). The proposed zone designation is Light-Medium Industrial (LMI). The stated purpose of the request is to allow for the development of recreational vehicle storage, mini-storage units and a small building for light-medium industrial uses.

The context of the subject property generally supports the proposed zone change. Properties to the north have LDR Plan designations, but the properties are zoned Heavy Industrial. The current use of the properties includes an RV restoration and repair business, and an electrical contractor. Property to the east across 28th Street has a Heavy Industrial Plan and zone designation (Kingsford Charcoal Co.). The southern boundary of the subject property is adjacent to I-105 (Hwy 126).

The property to the west is Plan/zoned LDR. It is a manufactured home subdivision (MAIA Park). The applicant owns property in the subdivision and expects that the RV storage and mini storage units will be used in part by MAIA Park residents.

Evidence was provided by the applicant showing that the initial owners of the properties in MAIA Park the border the subject site were notified of the planned mini storage and RV storage

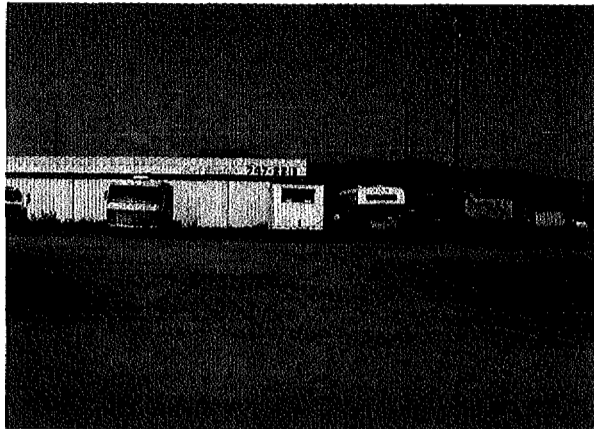
at the time they purchased their lots. It cannot be confirmed that subsequent owners were provided the same information.

The market potential for single-family residential development is likely lower than for other uses, given the location of the subject property. The proposed LMI designation offers uses that are more consistent with uses to the north, south and east.

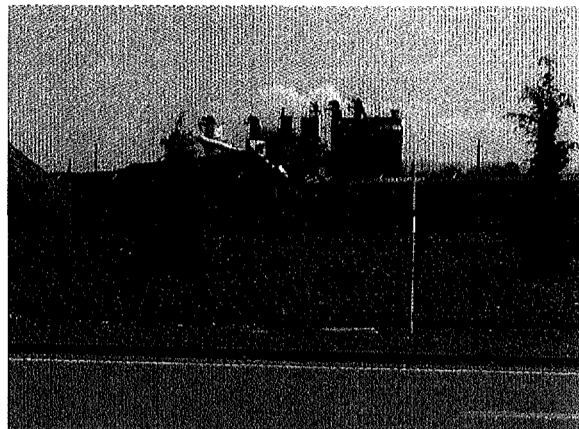
Section 12.030 (3) (a)-(d) of the Springfield Development Code describes the criteria that must be met to approve a quasi-judicial zone change that involves a Metro Plan Diagram amendment. Based on an examination of the proposed zone change, findings of fact, and the criteria for approving a quasi-judicial zone change of this type, staff recommends approval of the applicant's request, subject to the approval of a concurrent Metro Plan amendment changing the Plan designation from LDR to LMI.



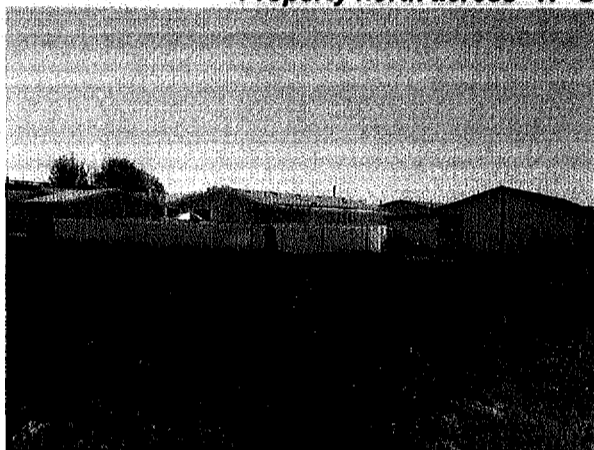
Subject property and I-105 looking south



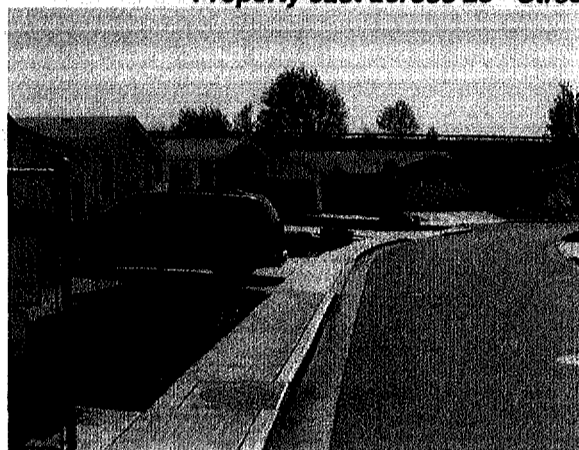
Property north across "R" St.



Property east across 28th Street.



MAIA Park adjacent to the west



MAIA Park homes

II. Background

The applicant is requesting an amendment to the Springfield Zoning Map for a 1.59 acre lot at the southwest corner of 28th and R Streets. The current designation is Low Density Residential (LDR). The requested designation is Light-Medium Industrial (LMI). A concurrent Metro Plan Diagram amendment from LDR to LMI is also being sought. The subject property is vacant. The applicant seeks the amendment to allow for the development recreational vehicle storage, mini-storage units and small building space for LMI uses.

Context

The subject site is surrounded on three sides by industrial uses and a freeway. Properties to the north have LDR zone designations, but the properties are zoned Heavy Industrial (HI). The current use of the properties includes an RV restoration business, and an electrical contractor. Property to the east across 28th Street has a HI Plan/zone designation (Kingsford Charcoal Co.). The southern boundary of the subject property is adjacent to I-105 (Hwy 126). Land beyond to the south of I-105 is Plan/zoned LMI.

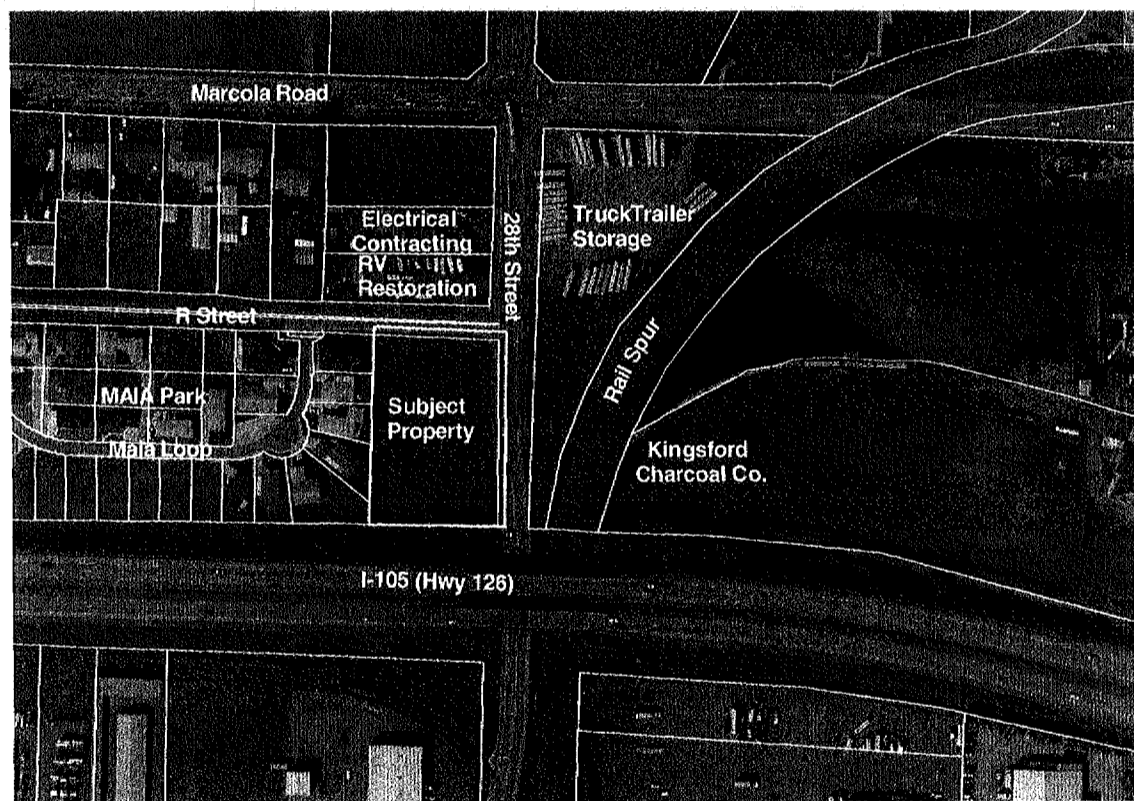
The property to the west is Plan/zoned LDR. It is a manufactured home subdivision (MAIA Park). The applicant is the developer of the subdivision and continues to own property in the

development. If the proposed amendment is approved, the applicant expects a portion of the customers of the RV and mini-storage developments to be homeowners from the MAIA Park development.

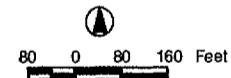
Site Description

The property is relatively flat and undeveloped. Located within the Springfield city limits, the subject property receives or is qualified to receive all necessary public services from the city. A check with Public Works staff confirms that there is capacity to serve the proposed LMI designation.

28th Street and Marcola Road (one block north of R Street) are minor arterials. R Street has an average daily traffic count of about 6400 vehicles. Marcola Road carries about 10,500 vehicles per day.



Harlow Property
Aerial Photo



Relevant Issues

The subject site was originally planned for residential development as part of MAIA Park. During the approval process for the development, near-by industrial users complained that siting single-family residences immediately across 28th Street would subject them to possible complaints stemming from the impacts of their operations. When the development was

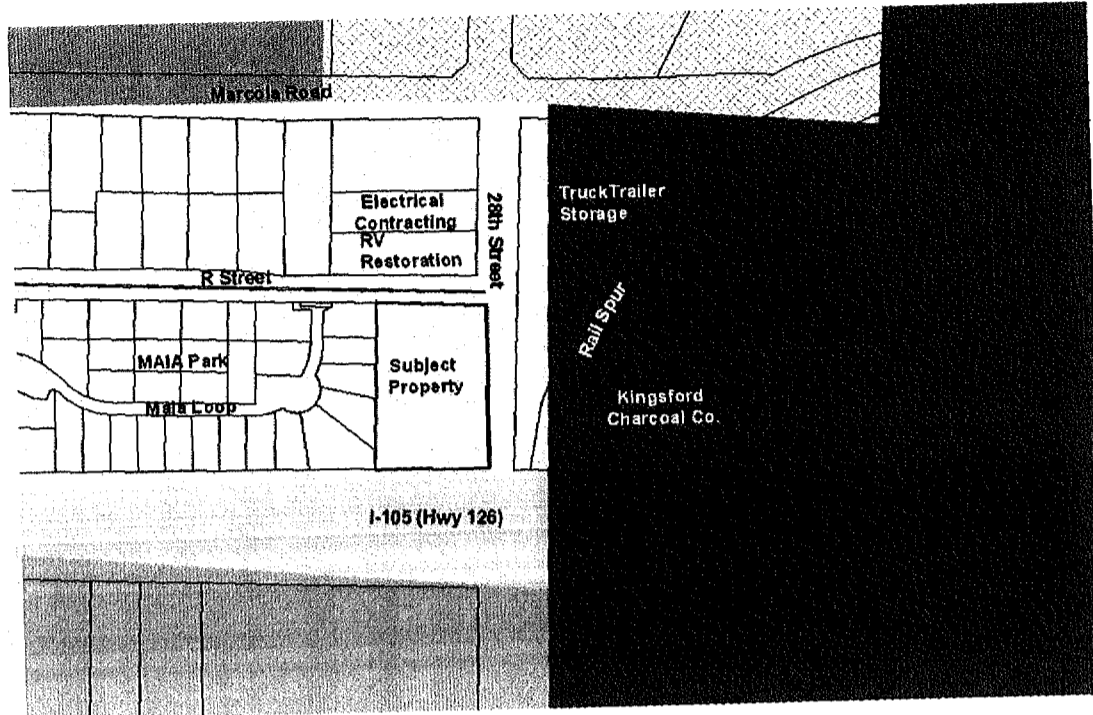
approved, it was with the provision that the subject site not be included in the MAIA Park development. The site was referred to as potential RV storage area on the development plans.

Changing the Plan/zone designation would establish light industrial uses and facilities between the heavy industrial uses neighboring the subject site. The same uses would also border the single-family homes in MAIA Park. The impact of such light-medium industrial uses (noise, dust, vibration, etc.) is generally contained within the building and site. The definition of light-medium industrial uses in the Metro Plan suggests that this is the case.

The applicant asserts that the motivation for the Plan/zone change is to allow the development of RV storage, mini-storage and a small LMI use. Such a development would have a lower visual impact than other LMI uses and may have a benefit for those residents that need such storage. It must be noted that approval of the proposed Metro Plan amendment cannot be conditioned with the development of only certain LMI uses.

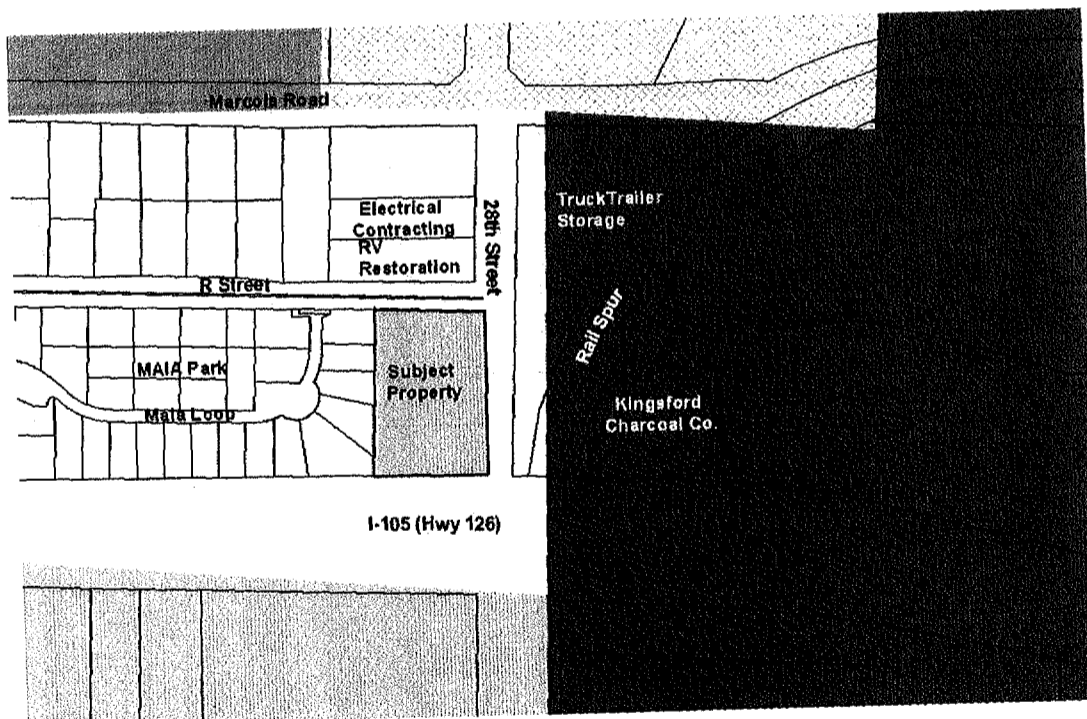
The applicant provided evidence that the original purchasers of the properties in MAIA Park that border the subject site were notified by the applicant of the intended use of the site as mini-storage and RV storage (Attachment: "Statements signed by MAIA Park property owners indicating their knowledge of the RV Park at the time of their purchase"). The applicant has also provided statements from the current property owners indicating their support of the proposed rezoning of the subject property (Attachment: Statements of "Approval of Application for Rezone" signed by current MAIA Park owners indicating their support of the proposed zone change).

If single-family homes were built on the site, they would be adjacent to 28th, a minor arterial and would be just across from the Kingsford Charcoal Co., a heavy industrial use. They would also be affected by the heavy industrial uses immediately across R Street to the north. The market potential for such single-family development on the subject property would likely be lower than the proposed LMI designation.



- Metro Plan Designation
- Community Commercial
 - Light Medium Industrial
 - Heavy Industrial
 - Campus Industrial
 - Low Density Residential
 - Medium Density Residential

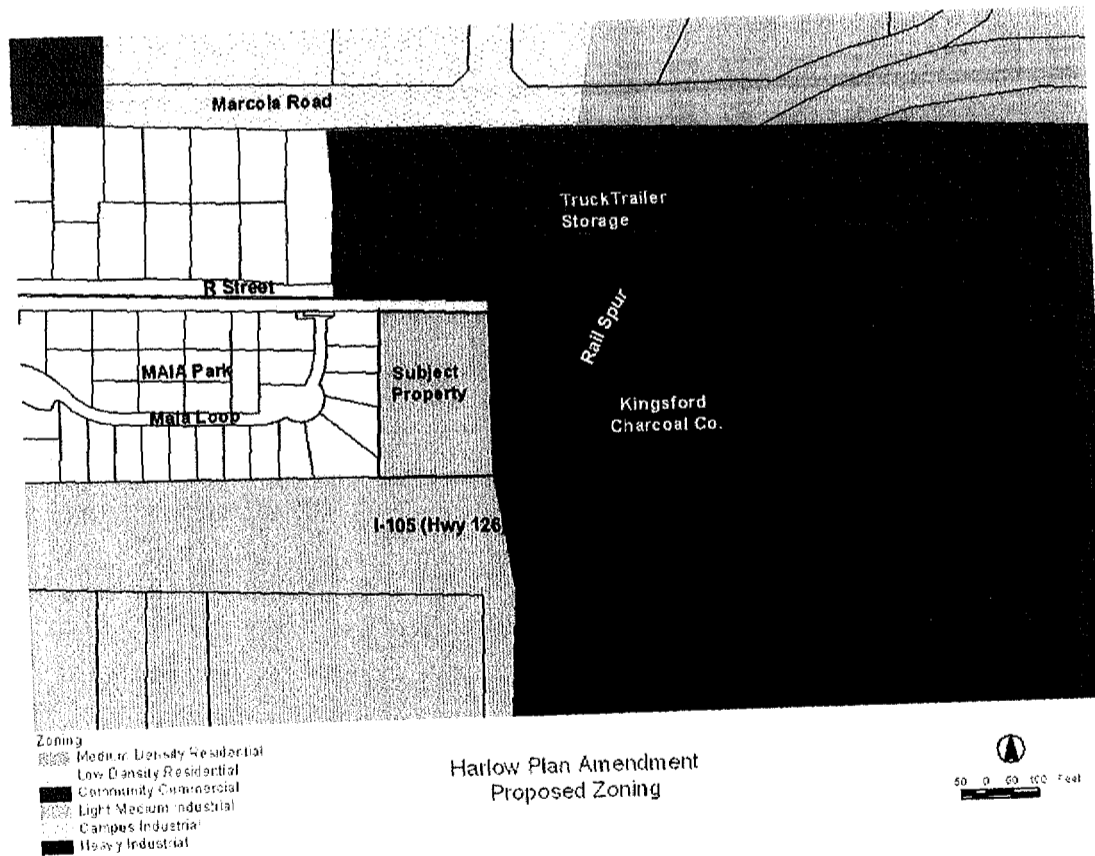
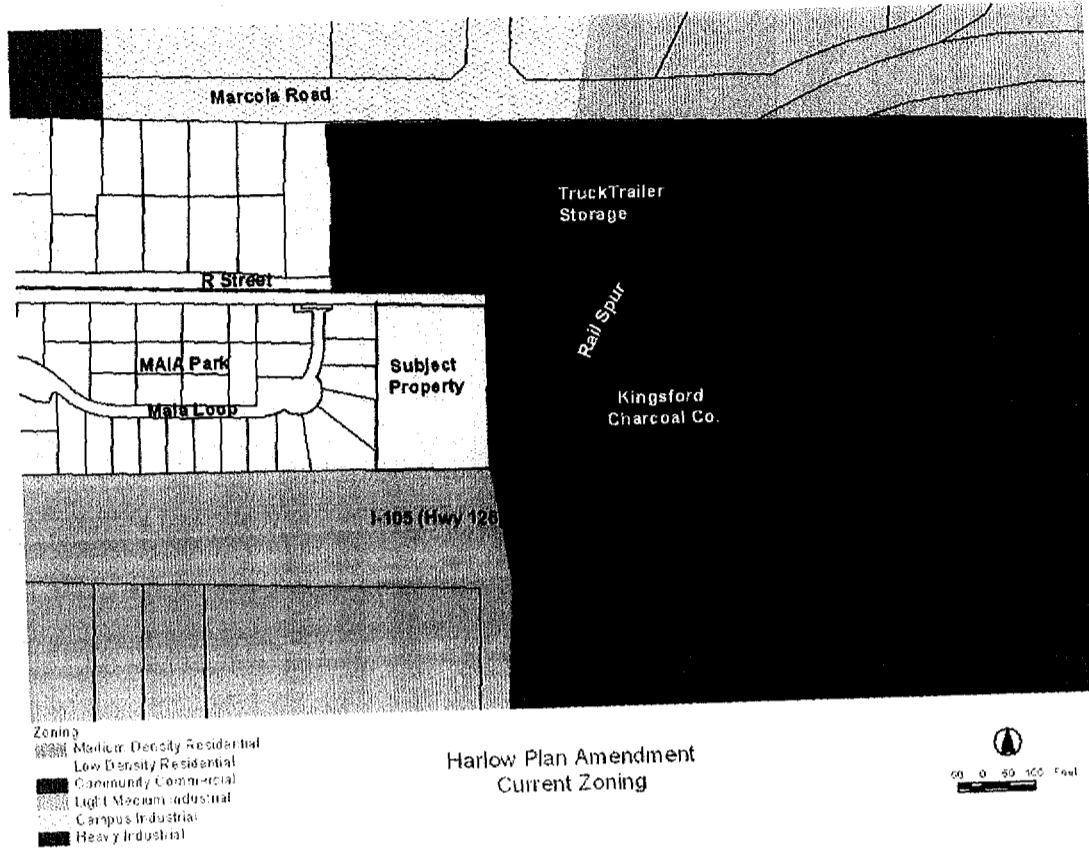
Harlow Plan Amendment
Current Metro Plan Designation



- Metro Plan Designation
- Community Commercial
 - Light Medium Industrial
 - Heavy Industrial
 - Campus Industrial
 - Low Density Residential
 - Medium Density Residential

Harlow Plan Amendment
Proposed Metro Plan Designation





III. Procedural Requirements

Definition of Quasi-judicial Zoning Map Amendments

SDC 12.020 (1) (b) of the Springfield Development Code (SDC) defines quasi-judicial zoning map amendments as those "generally affecting a single or limited group of properties and may or may not include a Metro Plan Diagram amendment." This section also specifies that quasi-judicial Zoning Map amendments which require a Metro Plan amendment shall be processed through a Type IV review.

Conclusion: The applicant's proposal is a site specific zone change and involves a Metro Plan Diagram amendment. As such it is being processed as a quasi-judicial Type IV review.

Notice

Notice of the proposed Amendment was mailed to the Oregon Department of Land Conservation and Development on April 20, 2006, 45 days in advance of the first evidentiary hearing by the Planning Commission, as required by Oregon Revised Statutes 197.610.

Section 14.030 (1) of the SDC requires mailed notice be sent to the applicant and the owners of record and occupants within 300 feet of the subject property 10 days before the first public hearing when two public hearings are required. Hearings before the Planning Commission and the City Council are required to process the proposed zone change and Plan amendment. Mailed notice was sent on June 1, 2006 as attested to by affidavit of the Planning Commission Secretary.

Notice must also be published in a newspaper of general circulation and mailed notice must be sent to the applicant and to persons requesting notice (14.030) (2). Notice of the proposed amendment and hearing was published in the Springfield News on June 9, 2006.

Conclusion: The notice requirements for a Zoning Map amendment were followed.

IV. Criteria for Approval and Staff Findings

Section 12.020 (3) (a-c) of the SDC requires that the Planning Commission and the City Council apply the following criteria in approving or denying a Zoning Map amendment:

- a) Consistency with applicable Metro Plan policies and the Metro Plan Diagram;
- (b) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans, and functional plans; and
- (c) The property is provided with adequate public facilities, services, and transportation networks are planned to be provided concurrently with the development of the property.

"(a) Consistency with applicable Metro Plan policies and the Metro Plan Diagram"

Metro Plan Diagram Analysis

Findings:

1. The proposed zone change amendment is a map amendment and does not change the goals or policies of the Metro Plan. An application for a Metro Plan designation amendment from Low Density Residential to Light Medium Industrial is being processed concurrent with this proposal.
2. If the Metro Plan amendment is approved, the proposed Zoning Map amendment will be consistent with the Metro Plan. If the Metro Plan amendment is not approved, the Low Density Residential Plan designation will remain and the proposed zone change will not be consistent with the Metro Plan.

Metro Plan Policy Analysis

Growth Management Element

Objective #8 (Pg. II-B-3 1987 Metro Plan Update) "Encourage development of suitable vacant, underdeveloped, and redevelopable land where services are available, thus capitalizing on public expenditures already made for these services."

3. The subject property has been vacant since 1977. Utilization of vacant, infill and redevelopable lands is a priority of the Metro Plan. The property can be served by existing public utilities and transportation facilities. Those facilities have the capacity to serve most industrial uses of a size that could locate on the site.
4. Marcola Rd. and 28th Streets are designated minor arterials on the TransPlan Functional Classification Map. The estimated trip generation from the 1.59 subject site under the proposed Plan and zone amendments would have minimal impact on these transportation facilities.

The applicant states that the site "is not conducive for residential development. The proposed development of the subject parcel for limited light-medium industrial uses such as RV storage, mini-storage and small light medium industrial offices will return the land to productive uses that are compatible with both residential and heavy industrial uses. In addition to added productivity, approval of the application will also provide an enhanced buffering of uses between the residential use in MASA Park and the heavy industrial uses to the east and northeast."

Staff response: The proximity of the subject site to I-105 and to surrounding industrial uses is not an ideal location for single-family residential development. The location, on its face would be better designated for light-medium industrial uses.

Economic Element

Policy #9. "Encourage the expansion of existing and the location of new manufacturing activities which are characterized by low levels of pollution and efficient energy use."

The applicant states: "The proposed uses of the subject property and their location for the purpose of transitioning uses across residential land to heavy industrial land are consistent with and implement this Metro Plan policy. Furthermore, the location of nearly all light-medium industrial uses on the subject property will fulfill the policy."

Staff response: Light medium industrial uses, by definition, are characterized by activities whose impact can be contained within the site. To that extent, they tend to be non-polluting and consume less energy than heavy industrial activities.

Policy #15. "Encourage compatibility between industrially zoned land and adjacent areas in local planning programs."

5. The proposed designation, Light-Medium Industrial (LMI), is described in the Metro Plan as accommodating "...a variety of industries in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling and warehousing," (Metro Plan II E 3 b.). The external impacts are less than those of Heavy Industrial. Activities are generally located indoors, although there may be some exterior storage.
6. The subject property is bounded on the east by 28th Street. The property across 28th is designated for Heavy Industrial. The Kingsford Charcoal plant is located on the property. If the subject property were to continue with the LDR designation, homes developed on the site would be directly across from the Kingsford plant and its impacts.

The applicant states: "The common theme of this application is that allowing light-medium industrial uses on the subject property will provide the buffering and transitioning of uses between industrially zoned land and adjacent or nearby residential uses. Approval of the application will implement and be consistent with this policy also."

Staff response: A light-medium industrial designation on the subject property would be preferable to a heavy industrial use. If the subject property were developed as single-family residential, those homes would be adjacent to 28th Street (an arterial street) and the Kingsford Charcoal plant.

7. The existing homes in MAIA Park purchased their homes understanding that the land behind their homes was zoned for additional single-family residential development. The applicant does not describe how a light-medium industrial designation would be more compatible with the MAIA Park development than the existing single-family residential designation.

8. LMI uses by definition have a lower impact than HI since their impacts are contained on site. There may be visual impacts, and impacts from traffic, but the noise, dust and odor from LMI activities are contained within the buildings.

Conclusion: based on the findings of staff and the information provided by the applicant, the proposal is consistent with Metro Plan policies. Consistency with the Metro Plan Diagram is dependent upon the approval of the applicant's proposed Metro Plan Diagram amendment that is being processed concurrent with this action. If the amendment fails, the proposed zone change would not be consistent with the Diagram and thus would not meet this approval criterion.

"(b) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans, and functional plans"

Findings:

9. The subject site is not included within any adopted refinement plan, conceptual development plan or functional plan that specifically addresses the use of the subject site.

Conclusion: The criterion does not apply to the subject site and proposed zone change is not inconsistent with any adopted plan.

"(c) The property is provided with adequate public facilities, services, and transportation networks are planned to be provided concurrently with the development of the property."

Findings:

10. The subject site is within Springfield's urban service area and is within planned sewer and storm sewer basins. The site is within the Marcola Rd. Drainage Area Basin as shown in the West Springfield Drainage Master Plan. The site is in the Central sanitary sewer basin as shown in the Springfield Master Sanitary Sewer Plan.
11. Existing industrial development now borders the property on three sides. These uses are adequately served by existing facilities.
12. Springfield Public Works staff affirmed that the can be served and that there is capacity within existing facilities to serve the 1.59 acre site.
13. The applicant submitted a trip generation study comparing the existing Low Density Residential designation with the proposed Light-Medium Industrial designation. The study was based on the ITE Trip Generation Manual, 7th Edition. The study used a residential density of 10 dwelling units per acre, the highest allowed density allowed within an LDR zone. The average net density in Eugene-Springfield for LDR development is 4.18 units per acre (Metro Plan III-A-7). The higher density used by the applicant projects 144 weekday trips from the site.

14. The adjacent MAIA Park subdivision has a developed area of about 14 acres with 77 lots. The density of that development is about 5.5 dwelling units per net acre, which is significantly higher than the average (4.18 units per acre) single-family density in the Eugene-Springfield area. Using 5.5 dwelling units per net acre, expected development on the subject property (using 1.1 net developable acres) would be about 6 dwelling units. Trip generation from 6 dwellings would be about 58 trips per weekday, using the same ITE trip rate used by the applicant. By comparison, using the ITE Manual, the applicant showed that LMI zoning is likely to produce 80 daily trips. A mini-storage use would generate about 60 weekday trips.
15. The difference in daily trips attributable to the proposed Metro Plan Diagram is minimal. No change in level of service or functional classification would be expected from the proposed Plan/Zone amendment.

Conclusion: Based on the findings of staff and the information provided by the applicant, the property is provided with adequate public facilities, services, and transportation networks by existing service facilities.

Conclusion and Recommendation

The proposed zone change is consistent with criteria for approving amendments to the Springfield Zoning Map, contingent on the approval of the concurrent Metro Plan Diagram amendment proposal, LRP 2006-00012, which would change the Plan designation from Low Density Residential to Light-Medium Industrial. Failure of the Metro Plan Diagram amendment to be approved would render this action inconsistent with the Metro Plan and would cause this application to fail the criterion of approval that requires consistency with the Plan.

Attachments:

BEFORE THE PLANNING COMMISSION
OF THE CITY OF SPRINGFIELD

REQUEST TO AMEND THE SPRINGFIELD ZONING MAP]
JO. NO. LRP2006-00018]
FINDINGS, CONCLUSION AND]
RECOMMENDATION]

NATURE OF THE APPLICATION

This proposal amends the zoning for the property identified as Map # 17 03 25 14 Tax Lot 9200 on the Lane County Assessor's Map, located on the southwest corner of 28th and R streets in Springfield, from Low Density Residential to Light Medium Industrial. The proposed amendment is discussed in greater detail in the Staff Report attached hereto.

1. The application conforms to the provisions of Section 3.050 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 14.030 of the Springfield Development Code was provided.
2. On June 20, 2006 a public hearing on the proposed amendment to the Springfield Zoning Map was held. The Development Services staff notes, including criteria of approval, findings, and recommendations, together with the testimony and submittals of those persons testifying at the hearing or in writing, have been considered and are part of the record of this proceeding.


CONCLUSION

On the basis of this record, the requested amendment to the Springfield Zoning Map is consistent with the criteria of approval of Section 12.030 (3) of the Development Code. This general finding is supported by the specific findings of fact and conclusion in the Staff Report attached hereto.

RECOMMENDATION

It is RECOMMENDED by the Planning Commission of Springfield that Journal Number LRP2006-00018, Amendment of the Springfield Zoning Map, (be approved) (be approved with revisions) (be denied) by the Springfield City Council.

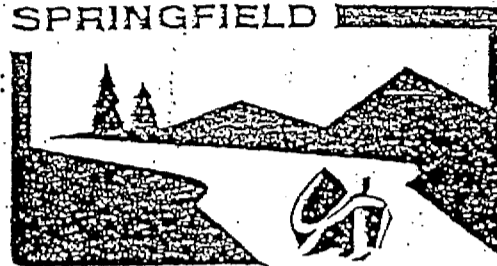
This RECOMMENDATION was presented to and approved by the Planning Commission on June 20, 2006.



Planning Commission Chairperson

ATTEST:
AYES: 5
NOES: 0
ABSENT: 2
ABSTAIN: 0

City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477
Phone: (541) 726-3753
Fax: (541) 726-3689



Metro Plan Amendment
Application, Type IV

Type of Plan Amendment (Check One)

- Type I: is a non-site specific amendment of the Plan.
- Type II: changes the Plan diagram; or is a site-specific Plan text amendment.

Property Subject to the Amendment (if applicable)

Tax Assessor Map 17-03-25-14 Tax Lot(s) 9200
 Street Address _____ Acres 1.59 AC
 Metro Plan Designation LDR Refinement Plan Designation _____

Description of Proposed Amendment (Attach additional sheets if needed)

Metro Plan Diagram change from
LDR to LMI

Applicant/Owner Information

Printed Name of Applicant Maia LLC Phone: 746-4065
Artie Mae Harlow

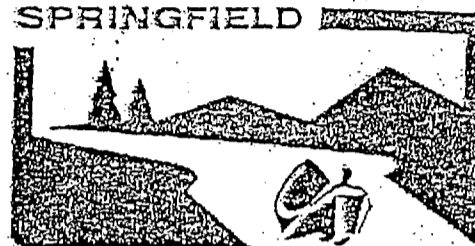
Applicant Signature _____ Date _____

Mailing Address 2366 Maia Loop

Property Owner Signature Same Date _____

Mailing Address _____

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477
 Phone: (541) 726-3759
 Fax: (541) 726-3689



Zone/Overlay District Change
 Application, Type III

Applicant Name MAIA LLC Phone: (541) 746-4065

Address 2366 Maia Loop

Property Owner Name Same as above

Address _____

Phone: _____

Property Address None

Assessor's Map No. 17-03-35-14 Tax Lot No. 9200

Size of Property 1.59 Acres Square Feet or _____ Acres

Existing Use of Property Vacant and Undeveloped

Specific Description of Proposal Amendment of Metro Plan Diagram from Low Density Residential to Light-Medium Industrial and a concurrent rezone from Low Density Residential (LDR) to Light-Medium Industrial (LMI)

The undersigned acknowledges that the information in this application is correct and accurate.

Applicant Signature Artie Mae Harlow Date 4-18-06

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his/her behalf

Owner Signature Artie Mae Harlow Date 4-18-06

For Office Use Only:	
Journal No. <u>17-03-35-14</u>	Received By <u>Tara Dr. Billig</u>
Map No. <u>17-03-25-14</u>	Tax Lot No. <u>9200</u>
Date Accepted as Complete _____	

172 RP 2006-0012

S 54°23'37" C
 Δ 18°37'17"
 S 77°17'17" C
 Δ 21°31'47"
 N 87°16'16" C
 Δ 03°44'21"
 N 18°13'49" C
 Δ 32°17'59"
 N 10°11'42" C
 Δ 16°08'42"
 N 22°17'43" C
 Δ 09°29'10"
 N 20°22'06" V
 Δ 31°17'06"

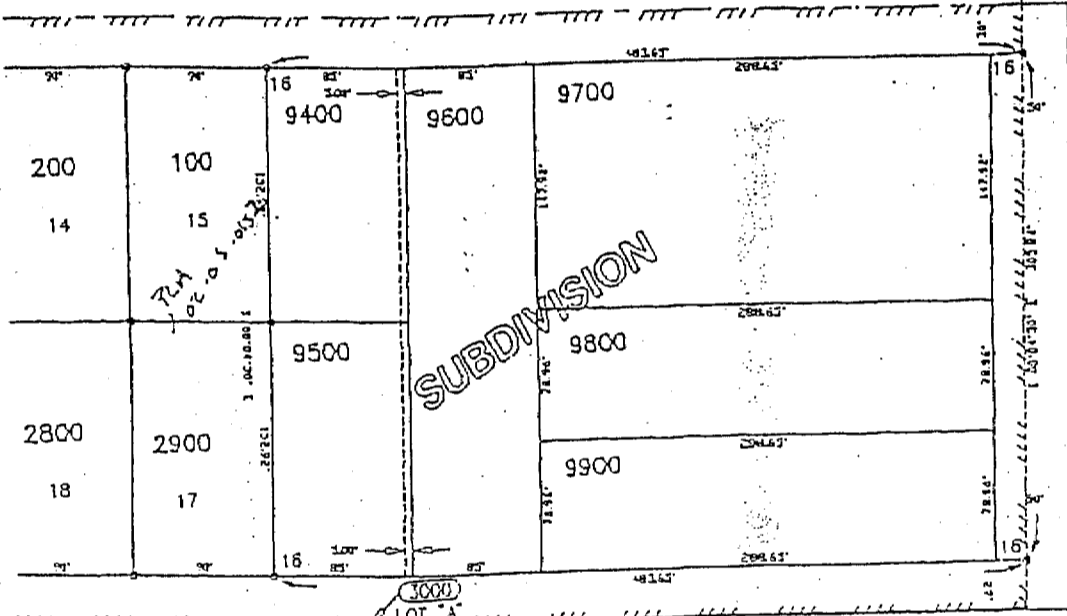
17

3-3

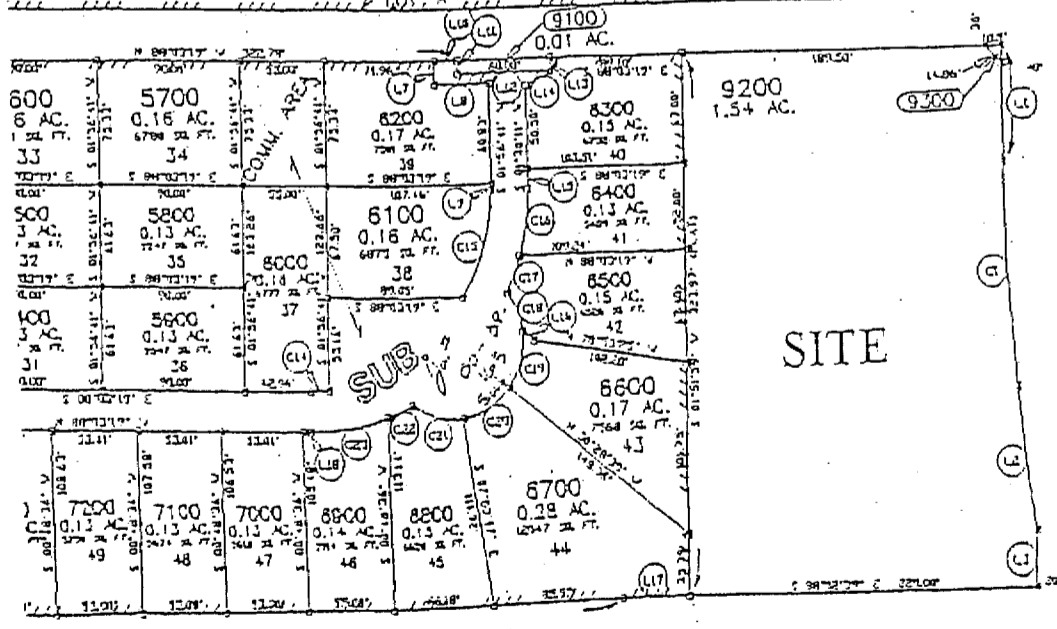
CITY OF SPRINGFIELD
17-03-25-14 TL 9200

TAX LOTTED ON
MAP 17 02 30

PCL 3



SEE MAP 17 03 25



17 03 25 14

1.0 INTRODUCTION

The applicant seeks an amendment of the Eugene-Springfield Metropolitan General Comprehensive Plan (Metro Plan) Diagram to change the designation of 1.59 acres of land from Low Density Residential to Light-Medium Industrial. The applicant also seeks a concurrent rezone of that land from Low Density Residential (LDR) to Light-Medium Industrial (LMI). The subject property is located immediately due west of 28th Street and immediately due north of I-105, in Springfield, Oregon.

This application seeks a light medium industrial designation for the subject property to allow for the development of recreational vehicle storage, mini-storage units and small building space for light medium industrial uses. A portion of the customers of the proposed storage facilities are expected to be homeowners in the residential planned unit development (MAIA Park) that borders the subject property to the west. Upon approval of the application, the subject property will be developed in a manner consistent with the draft site plan attached to this application as Exhibit C.

All requests for Metro Plan Map amendments regarding land located in the City of Springfield must comply with the Springfield Development Code and the Metro Plan policies.

This application demonstrates that approval of the proposed Metro Plan Diagram amendment and re-zoning of the subject property to light medium industrial use is consistent with all applicable local and state criteria.

2.0 BACKGROUND INFORMATION

2.1 General Site Description

The property that is the subject of this application contains 1.59 acres and is located within the city of Springfield on the west side of 28th Street and adjacent to and due north of I-105. The property is designated as Low Density Residential on the Metro Plan Diagram. The property is zoned by the City of Springfield as Low Density Residential (LD). The property is described as Tax Lot 9200 of Lane County Assessor's Map No. 17032514. A copy of that map is attached as Exhibit A.

The property is bounded on the west by the MAIA Park planned unit development, on the south by I-105, and on the north by residentially-designated property, Tax Lot 9700, currently zoned and being used as light medium industrial (Alert Electric). Two additional parcels, Tax Lots 9800 and 9700 are located between the subject property and Marcola Road and both parcels are also designated as residential but are zoned industrial. Tax Lot 9800 contains another light medium industrial use. Tax Lot 9700 is owned, in part, by the applicant and is vacant. All property on the east side of 28th Street in the vicinity of the subject property is designated and zoned as Heavy Industrial.

The site is relatively flat and undeveloped. Located within the city limits of Springfield, the property receives all necessary public services from the

The subject property has remained vacant and undeveloped since the neighboring property to the west was re-zoned in 1977 from R-A Suburban District to R-G PUD Garden Apartment Residential District Planned Unit Development. The applicant owned both the subject property and the neighboring property to the west in 1977 and agreed to limit the re-zoning to the neighboring property to the west in response to significant opposition from industrial property owners to the northeast and east of the subject property. Those property owners were concerned about an increasing level of complaints from nearby residents about the industrial use of their property. Representatives of Kingsford Charcoal Company and Lane Cedar Products expressed concerns that further residential development in the 28th and Marcola Road vicinity would only add to then-existing complaints about those companies' industrial use of their property. The subject complaints were over issues of noise, air pollution and industrial traffic, especially on 28th Street.

MAIA Park was developed following the 1977 re-zoning. Since the 1977 re-zoning approval, the subject property, although also zoned residential, has served as a de facto buffer between the homeowners of MAIA Park and the industrial uses to the east and northeast. Approval of the application will allow for productive use of the subject property. Approval of the application will also allow for a use of the subject property that benefits the homeowners of MAIA Park from both a utility and buffering perspective. The homeowners will be able to use the facilities on the subject property and will continue to benefit from a buffering of their use from the heavy industrial uses to the northeast and east. The storage and light medium industrial uses of the subject property will serve as a beneficial transition of uses between the disparate uses on either side of it.

2.2 Description of Proposed Amendments.

The application before the City of Springfield seeks approval of the following:

1. An amendment to the Metro Plan Diagram designating the subject property as Light-Medium Industrial;
2. A change in the zoning of the subject property from Low Density Residential (LDR) to Light-Medium Industrial (LMI).

2.3 List of Exhibits:

- Exhibit A - Assessor's Map
- Exhibit B - Draft Site Plan
- Exhibit C - JRH Trip Generation Report

3.0 COMPLIANCE WITH THE SPRINGFIELD DEVELOPMENT CODE (SDC) FOR METRO PLAN AMENDMENTS

3.1.1 SDC 7.030 METRO PLAN AMENDMENT - DEFINITIONS

SDC Section 7.030 provides:

METRO PLAN AMENDMENT - TYPE II. An amendment to the Metro Plan which is not otherwise a Type I plan amendment and which: (1) changes the Plan diagram; or, (2) is a site-specific Plan text amendment.

The application requests a change to the Metro Plan diagram that would change the designation of the subject property from Low Density Residential to Light-Medium Industrial. The application requests no changes to the Plan text and does not require a goal exception for approval. Accordingly, it is a Type II amendment. The Metro Plan and the SDC provide that the City of Springfield is the home City for all site specific Type II Metro Plan amendments east of Interstate 5. The SDC also provides that a citizen who owns property that is the subject of the proposed amendment may initiate a Type II Metro Plan amendment at any time.

3.1.2 SDC 7.070 METRO PLAN - APPROVAL OF A PLAN AMENDMENT

3.1.2.1 SDC 7.070(3) CRITERIA FOR APPROVAL OF PLAN AMENDMENT

"(a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and

The proposed amendment is consistent with the goals and policies of the Metro Plan, a local comprehensive plan acknowledged by the Land Conservation and Development Commission. Therefore, statewide planning goals do need to be addressed for approval of the application. Consistency with the goals and policies of the Metro Plan is the controlling factor for approval of the application.

(b) Adoption of the amendment must make the Metro Plan internally inconsistent."

The proposed amendment is consistent with the goals and policies of the Metro Plan. A discussion of how approval of the proposed application is consistent and complies with the Metro Plan follows in Section 4.0.

4.0 COMPLIANCE WITH METRO PLAN POLICIES

All plan amendments and zone changes must comply with the Metro Plan and its relevant policies. This section addresses the relevant plan policies and is organized by Metro Plan Principles and Elements.

4.1 FUNDAMENTAL PRINCIPLES

Metropolitan Goals - Growth Management and the Urban Service Area

Objective: "Encourage development of suitable vacant, underdeveloped, and redevelopable land where services are available, thus capitalizing on public expenditures already made for these services."

The subject property has remained vacant and undeveloped since 1977. It was omitted from the 1977 re-zoning of the adjacent property due to opposition from nearby owners of industrial land and operations. It is located immediately north of I-105 and is separated from heavy industrial uses to the east only by 28th Street. Its location is not conducive to use for dwellings. The proposed development of the subject parcel for limited light-medium industrial uses such as RV storage, mini-storage and small light-medium industrial offices will return the land to productive uses that are compatible with both residential and heavy industrial uses. In addition to added productivity, approval of the application will also provide an enhanced buffering of uses between the residential use in MALA Park and the heavy industrial uses to the east and northeast.

The Plan Diagram and Text – Land Use Designations
Industrial: Light-Medium Industrial

"This type is markedly different from heavy industrial. Light and medium industries are generally involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is usually minimal. The need for transportation is usually met by truck, although rail and air transportation may be necessary. The labor force varies from small to large. Activities are generally located indoors, although there may be some outdoor storage."

Light-medium industrial uses are, by nature and definition, less impacting and more compatible with residential uses. The proposed use of the subject property (RV and mini storage and small light-medium industrial office space) falls squarely into realm of minimal external impact and, in fact, provides a buffering of uses expected by residential neighbors and demanded by industrial users. Allowing the proposed uses to be developed on the subject property will be consistent with the Metro Plan and will remain consistent with the 1977 decision to not include the subject property in the adjacent planned unit development that has become MALA Park.

4.2 PLAN ELEMENTS

Residential Land Use and Housing Element

Objectives:

"5. Protect existing and proposed residential areas from conflicting non-residential land uses while providing for compatible and functional mixed-use development (residential and non-residential)."

The removal of the subject property from the 1977 re-zoning of the adjacent land to the west created a marginal buffer between that land and the industrial uses to the east and northeast. However, it was only a buffer of bare land. The proposed use of the subject property will provide physical barriers, in the form of landscaping and structures, that will provide a more viable buffer that accomplishes the intent of the 1977 action while transitioning the uses from residential to heavy industrial with intervening light-medium industrial uses. Approval of the application will fully implement the Metro Plan's objective of providing relief to residential uses from the impact of non-residential land uses.

Policies:

"12. Promote compatibility between residentially zoned land and adjacent areas."

This Metro Plan Policy implements the above-mentioned objective of the Residential Land Use and Housing Element. Approval of the application will promote compatibility between the residentially-zoned land to the west of the subject property and the industrial uses to the east and north east.

"16. Encourage location of non-residential uses, such as neighborhood commercial and small-scale light industry, within residentially designated areas when those auxiliary uses are compatible with refinement plans, zoning ordinances and other local controls for allowed uses in residential neighborhoods."

This policy continues the Metro Plan's theme of establishing uses in a deliberate fashion that encourages the development of light industry and establishes light-medium industrial uses as a functional separation between residential uses and those uses traditionally causing incompatibility issues with residential uses. The application of these particular policies to the requested plan amendment and zone change will provide the foundation for the approval of both requests.

Economic Element

Policies:

"9. Encourage the expansion of existing and the location of new light manufacturing activities which are characterized by low levels of pollution and a relatively low level of energy use."

The proposed uses of the subject property and their location for the purpose of transitioning uses across residential land to heavy industrial land are consistent with and implement this Metro Plan policy. Furthermore, the location of nearly all light-medium industrial uses on the subject property will fulfill the policy.

"13. Encourage compatibility between industrially zoned land and adjacent areas in local planning programs."

The common theme of this application is that allowing light-medium industrial uses on the subject property will provide the buffering and transitioning of uses between industrially zoned land and adjacent or nearby residential uses. Approval of the application will implement and be consistent with this policy also.

5.0 COMPLIANCE WITH SPRINGFIELD DEVELOPMENT CODE CRITERIA FOR ZONING MAP AMENDMENTS

5.1 Zoning Map Amendment Criteria of Approval

5.1.1 *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*

A complete discussion of consistency with and compliance with applicable Metro Plan policies is provided in Section 4.0 above.

5.1.2 *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*

Approval of the application is consistent with the Metro Plan and any associated planning objectives and documents.

5.1.3 *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

The subject property is located within the city limits of Springfield and is either currently provided with all required public facilities, services and transportation networks or the same can be provided to the property upon development. Furthermore, approval of the application, and development consistent with that approval, will not have a significant effect on transportation facilities. The applicant requested that JRH Transportation Engineering conduct an analysis of potential trip generation for uses under the current zoning on the subject property and of potential trip generation for uses allowable in the light-medium industrial zone (and particularly mini-storage and a representative light-medium industrial use—small engine repair).

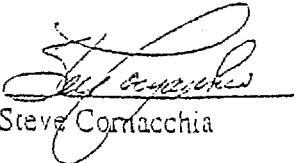
Based upon its analysis, JRH concluded that "the trip generation for the proposed zone change and proposed uses produces less impact to the transportation system than a development allowed under the current zoning." A copy of the JRH report is attached as Exhibit D.

6.0 CONCLUSION

This application to (i) amend the Metro Plan Diagram to designate the subject property as Light-Medium Industrial and (ii) to change the zoning of the property to the Light-Medium Industrial zone (LMI) consistent with the amended Metro Plan Diagram designation, demonstrates that all applicable Metro Plan and City of Springfield criteria have been addressed and met. This application also demonstrates that the proposed amendments are consistent with applicable Statewide Planning Goals and the administrative rules implementing those Goals. Accordingly, the application should be approved.

Respectfully submitted,

HERSHNER HUNTER, LLP

By: 
Steve Cortacchia

APPLICANT:

MAIA LLC

By: 
Artie Mae Harlow, Member

FOR ASSESSMENT
AND TAXATION
ONLY

SE1/4 NE1/4 SEC.25 T.17S.R.3W. W.M.
LANE COUNTY
SCALE 1" = 100'

17 03 25 14

SEE MAP 17 03 25 11

SECTION	TOWNSHIP	RANGE	W.M.
25	17S	3W	W.M.

LINE TABLE

LINE NO.	START	END	BEARING	DIST.
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2	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00
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23	0.00	0.00	0.00	0.00
24	0.00	0.00	0.00	0.00
25	0.00	0.00	0.00	0.00

CURVE TABLE

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4	0.00	0.00	0.00	0.00
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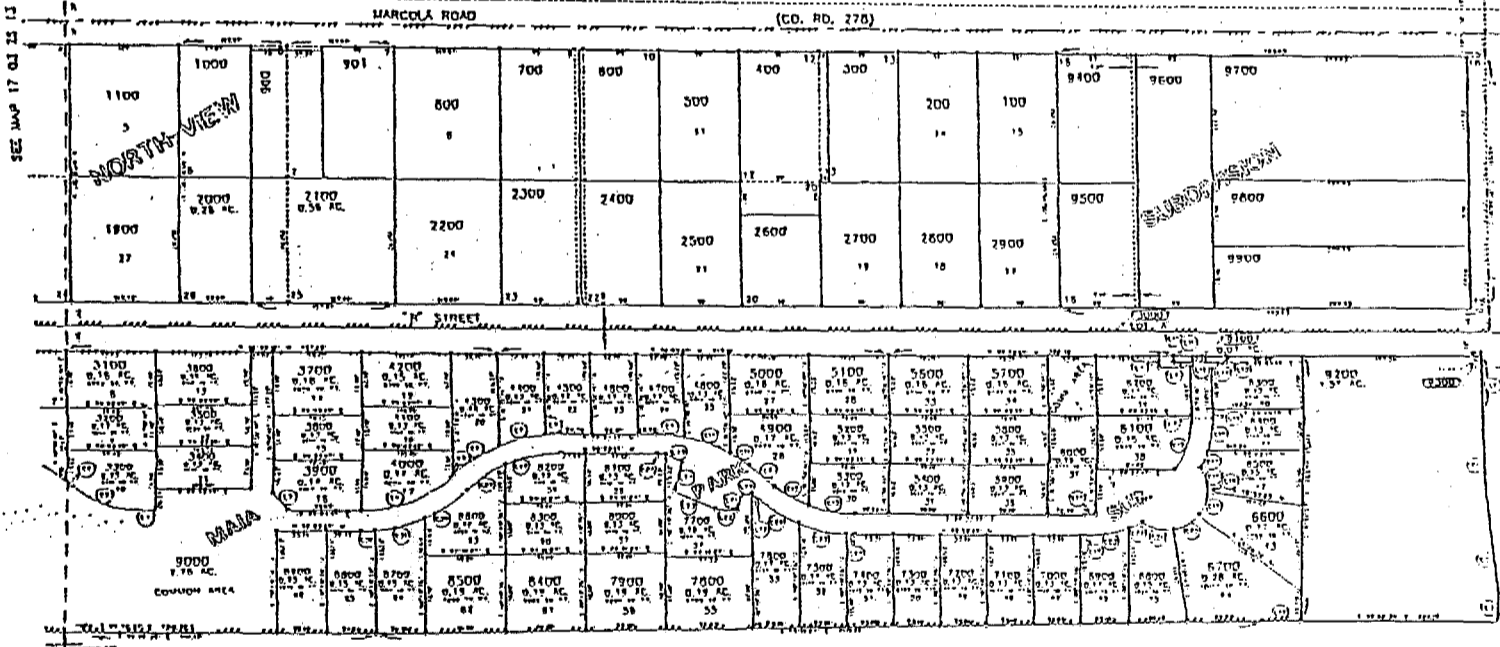
94-P0491

TAX LOTTED ON
MAP 17 03 24 11

019-00

CANCELLED
1200
1300
1400
1500
1600
1700
1800

TAX LOTTED ON
MAP 17 02 30

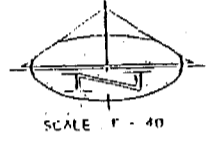
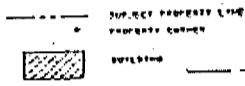


SEE MAP 17 03 25

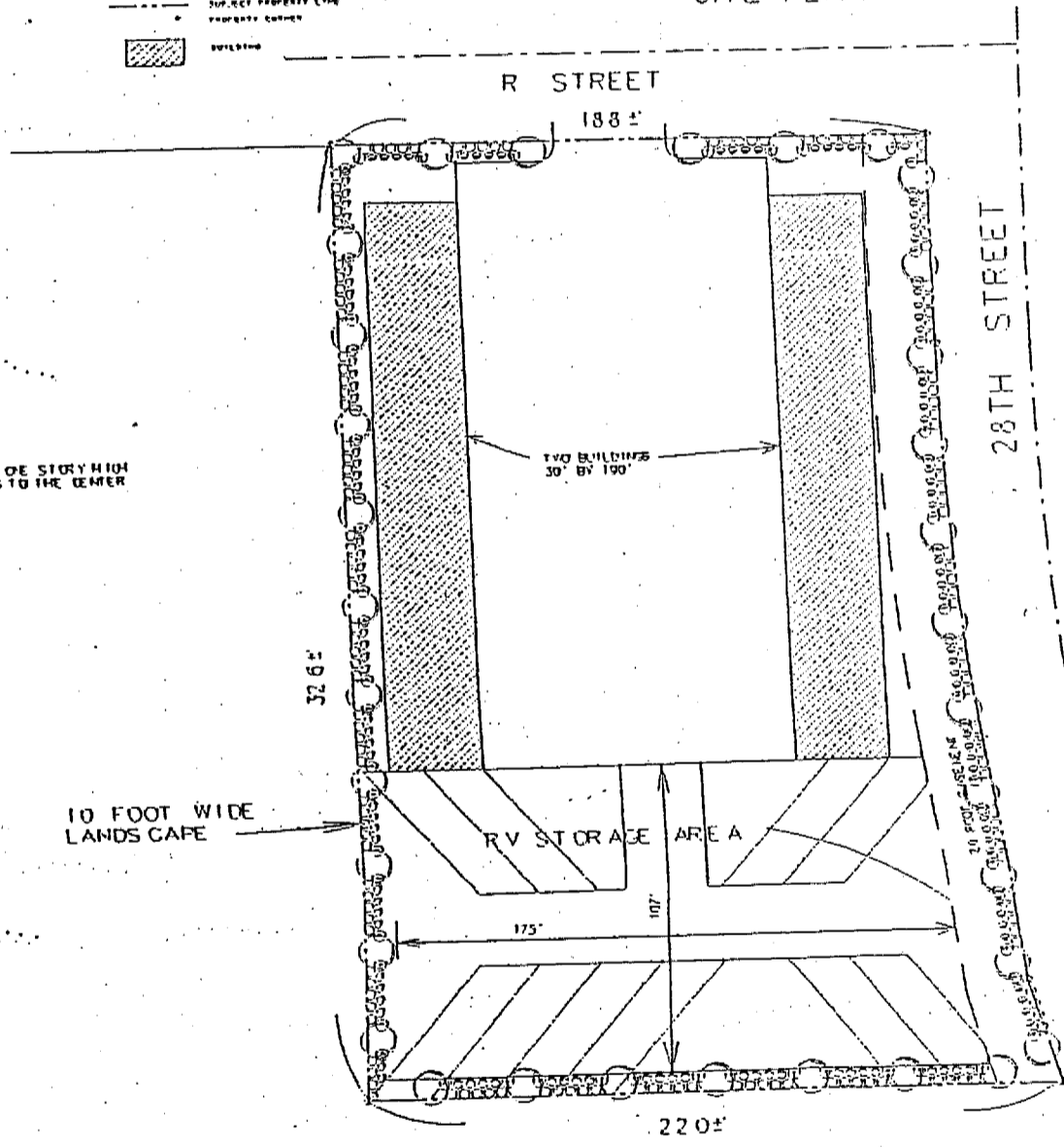
17 03 25 14

EUGENE-Springfield HIGHWAY 1-105
SEE MAP-17-03-25

SITE PLAN



STORAGE BUILDING ARE ONE STORY HIGH
 WITH BUILDING OPENING TO THE CENTER
 C. DRIVING AREA.

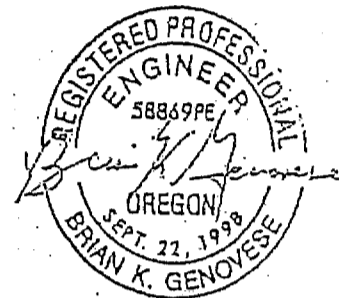


ENGINEERS | PROJECT MANAGERS | PLANNERS



April 7, 2006

Artie Mae Harlow
1510 Mohawk Blvd.
Springfield, OR 97477



Expires: 6-30-07

RE: Harlow Property Trip Generation Comparison -
Existing Zoning versus Proposed Zoning

Background

The subject property is identified as Assessor's Map #17-03-25-14, tax lot #9200, and is 1.54 acres. The following analysis shows the potential trip generation of this property under the current zoning, Low Density Residential (LDR), with the assumption that a new development would include the maximum number of units available by code. The analysis also shows, as a comparison, the trip generation from Light Industrial land use and from Mini-Storage and Auto Care Center. The trip generation from each land use type in this analysis was determined by using the ITE Trip Generation Manual, 7th Edition.

Current Zoning Trip Generation

The property is located on 28th Street, near Marcola Road and is currently zoned LDR. According to the Springfield Development Code, the maximum dwelling units allowed in the LDR zone is 10 units per acre. The subject property could accommodate a maximum of 15 dwelling units. The tables below show that 15 dwellings would generate approximately 144 total daily trips, with 12 trips in the AM peak hour, and 15 trips in the PM peak hour.

LDR Zone - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	144	50%	50%	72	72

LDR Zone - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	12	25%	74%	3	9

LDR Zone - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	15	64%	36%	10	5



Light-Medium Industrial Zoning Trip Generation

The following table shows the trip generation for the subject property based on the proposed zone change from Low Density Residential (LDR) to Light-Medium Industrial (LMI). The LMI zoning generates 12 AM peak hour trips and 14 PM peak hour trips.

Light Industrial Zone - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	80	50%	50%	40	40

Light Industrial Zone - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	12	85%	15%	10	2

Light Industrial Zone - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	14	30%	70%	4	10

The zone change from Low Density Residential to Light Industrial results in a decrease in trips generated. The Low Density Residential zone generates approximately 144 total daily weekday trips; whereas, the Light Industrial zone generates 80 total weekday daily trips, a 44 percent decrease in trips generated. The proposed zoning generates approximately the same amount of trips as the current zoning in the AM and PM peak hours.

Mini-Storage and Auto Care Center Trip Generation

The proposed uses in the Light Industrial zone are Mini-Storage and a small-engine repair shop. A small-engine repair shop is not a land use type that has trip generation information available; however, based on a reasonable worst-case expectation for trip generation, it was determined that Auto Care Center, land use code 942, would best represent the proposed use. Land Use code 942 does not have weekday trip information, but it has both AM and PM peak hour trip generation. The tables below show that the proposed uses would generate a total of 10 AM peak hour trips and 9 PM peak hour trips.

Proposed Use - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	60	50%	50%	30	30
942	Auto Care Center	per 1000 sq ft	0.3	n/a	n/a	n/a	n/a	n/a



Proposed Use - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	7	n/a	n/a	n/a	n/a
942	Auto Care Ctr	per 1000 sq ft	0.8	3	60%	40%	2	1

Proposed Use - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	8	52%	48%	3	3
942	Auto Care Ctr	per 1000 sq ft	0.8	3	51%	49%	2	1

Since there is no weekday information available for Auto Care Center, the comparison of trip generation for the proposed land use is limited to AM and PM peak hour trip generation. The proposed uses in the Light Industrial zone create approximately the same amount of trips in the AM and PM peak hours, with 10 in the AM peak hour and 9 in the PM peak hour. The proposed land uses generate 33 percent fewer peak hour trips than the current Low Density Residential zoning.

Summary/ Conclusions

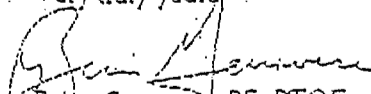
The zone change from Low Density Residential to Light Industrial results in a decrease in trips generated from the proposed zoning. The Low Density Residential zone generates approximately 144 total daily weekday trips; whereas, the Light Industrial zone generates 80 total weekday daily trips, a 44 percent decrease in trips generated. The proposed zoning generates approximately the same amount of trips as the current zoning in the AM and PM peak hours.

The proposed uses in the Light Industrial zone, which include Mini-Storage and a small-engine repair shop, generate 10 trips in the AM peak hour and 9 trips in the PM peak hour. The proposed land uses generate 33 percent fewer peak hour trips than the current Low Density Residential zoning.

Based on this analysis, the trip generation for the proposed zone change and proposed uses produces less impact to the transportation system than a development allowed under the current zoning.

Should you have any questions, or need additional information, please contact me at your convenience.

Very truly yours,


 Brian Genovesi, PE, PTOE

cc: Steve Cornacchia

1-29

ENGINEERING

HERSHNER HUNTER

STEVE CORNACCHIA
scornacchia@hershnerhunter.com

June 12, 2006

City of Springfield
Development Services Department
ATTN: Mark Metzger
225 Fifth Street
Springfield, OR 97477

Re: MAIA, LLC Metro Plan Amendment and Zone Change
Our File No. 31618/00001

Dear Mark:

Thank you for meeting with me and providing your assistance in producing an accurate and comprehensive application for the requested planning actions by the City.

Upon further review I agree that the application requires supplemental information. Specifically, the application contains references to three Residential Land Use and Housing Element objectives and policies that no longer exist in the Metro Plan since the 2004 amendments to that Element. Please file this correspondence as a supplement to the original application.

We offer the following supplemental information to the original application:

1. Residential Land Use and Housing Element Objective No. 5 on page 4 of the Application should be deleted;
2. Residential Land Use and Housing Element Policy No. 12 on page 4 of the Application should be deleted;
3. Residential Lane Use and Housing Element Policy No. 16 on page 5 of the Application should be deleted;

City of Springfield
June 12, 2006
Page 2

4. The basic objectives and policies of the Metro Plan that encourage the compatibility between residential and industrial uses that were provided by the deleted references to the Metro Plan, while no longer appearing in the subject Element, still exist in other sections of the Metro Plan, including the Economic Element and the Land Use Designations of the Plan Diagram and Text;
5. The Residential Land Use and Housing Element retains the basic objective of compatibility between different uses in its introductory statement: "The existing housing stock and residential land supply and its relationship to other land uses and infrastructure are critical to the future needs of all residents.";
6. The Economic Element contains additional provisions consistent with approval of the proposed plan amendment and zone change. They are:
 - a. "Objective 7. Ensure compatibility between industrial land and adjacent areas";
 - b. "Objective 11. Attempt to find ways to more efficiently use inefficiently used resources such as land, labor and secondary waste products:
 - c. "Policy B.6 Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand"; and
 - d. "Policy B.15 Encourage compatibility between industrially zoned lands and adjacent areas in local planning programs."

On a related level, enclosed are copies of a question and answer form provided to purchasers of lots within MAIA Park that include the following reference to the park developer's original intent for the subject property:

"Concerning RV storage, MAIA LLC owns the vacant lot on the east along 28th Street that will be developed with a RV storage area."

The enclosed copies are of forms acknowledged by Rasmussen, Wiemers and Gardineer, all of whom purchased lots adjacent to the subject property. In addition, enclosed are original statements signed by those three parties and by the Gunter's (Lot 41) and the owners of Lot 43 (Bramley and Turner) that acknowledge and support the proposed plan amendment and zone change. The forms and the statements provide substantial evidence that adjacent

City of Springfield
June 12, 2006
Page 3

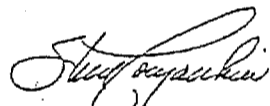
property owners were aware of the future use of the subject property when they purchased their respective parcels. The statements provide additional substantial evidence that adjacent property owners believe that the proposed use of the subject property is compatible with their use of their property.

Finally, enclosed is a copy of a preliminary site plan prepared for the applicant by Poage Engineering that evidences the applicant's development plan for the subject property following the City's approval of the requested plan amendment and zone change.

Again, thank you for your assistance and please place this correspondence and all enclosures in the record of this proceeding.

If you have questions regarding this matter please contact me.

Best regards,



STEVE CORNACCHIA

PSC:ss
Enclosures
Cc: Client (with enclosures)

Statements signed by MAIA Park property owners indicating their knowledge of the proposed RV Park at the time of their property purchase.

MAIA PARK
 A 55+ Manufactured Home Community
 2365 Maia Loop., Springfield, Oregon 97477
 Phone: 746-4065 Fax: 746-0593
 1-800-422-0082

*Lot 44
 Betty
 Wrenner*

Lots for Sale, Lease or Rent

Thank you for considering MAIA Park. This letter is written in response to the most frequently asked questions about MAIA Park.

Yes, you can have a pet. We have a pool table. There will be more street trees. The lots are owned by the Bob Harlow Family, 746-4069.

We have converted MAIA Park into a 77-lot Planned Unit Development Subdivision so that we can sell the lots. Each lot is individually owned. Each lot owner will also own a portion of the clubhouse and common areas. Each lot owner will be a voting member of Maia Park Home Owner's Association, with one vote per lot.

The Home Owner's Association will have rules and regulations which may be changed by vote of the Home Owner's Association membership. As in most subdivisions, there are also deed conditions and restrictions.

In addition to the services necessary to maintain the facility in a habitable condition, the Homeowner's Association will provide and maintain the security fences, security gates, streets, sidewalks, community center, common areas, common area landscaping, and the streetlights. The Homeowner's Association will not provide landscape maintenance on your lot. We expect the monthly fee to be approximately \$35.00. The \$35.00 HOA fees are for actual expenses without a profit for anyone.

You may sell your lot and home to someone, but the buyers must be approved by the Homeowner's Association and meet the occupancy guidelines in effect at the time of the sale. Occupancy requirements will continue to include criminal checks.

The size and shape of the lots vary. All lots will accommodate a double wide home plus a carport or garage. Some lots are large enough for a triple wide and a double garage.

Some lots have great views. Installing slats or shrubs along the fence will greatly improve the views. So, when choosing your lot, be sure to look over the top of the fence. As more homes are moved in, and landscaping finished, the park appearance will greatly improve.

Concerning RV storage, MAIA LLC owns the vacant lot on the east along 28th Street that will be developed with a RV storage area. Currently, we are storing resident's RVs on our private lots located north of the park.

Note
 ↙

If you like to spend time on the Internet, we have installed the conduit in the ground for fiber optics. Now we just need Springfield Utility Board to bring the fiber optics to us.

The following services will be billed directly to you by the provider:

<u>Provider</u>	<u>Service</u>	<u>Provider</u>	<u>Service</u>
Northwest Natural Gas	Gas	AT&T Broadband	Cable TV
Sani-pac	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA Park.

*Copy Received and approved
 BAZ*

7/5/01

Exhibit 6

41 Gordiner

MAIA PARK
A 66+ Manufactured Home Community
2365 Maia Loop., Springfield, Oregon 97477
Phone: 746-4066 Fax: 746-0593

Lots for Sale, Lease or Rent

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Concerning RV storage, MAIA LLC owns the vacant lot on the east along 23th Street that will be developed with a RV storage area. Currently, we are storing resident's RVs on our private lots located north of the park.

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<u>Provider</u>	<u>Service</u>	<u>Provider</u>	<u>Service</u>
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Sant-pac	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA Park.

Bob Harlow

7/15/01 *Exhibit C*

08/08/2005 WED 10:01 FAX 541 745 3589 EVERGREEN LAND TITLE CO

@028/038

MAY 24 2005 4:22PM HP LASERJET FAX

P. 15

*Lot 4-2
Rasmussen*

MAIA PARK
A 56+ Manufactured Home Community
2388 Maia Loop, Springfield, Oregon 97477
Phone: 746-4066 Fax: 748-0693
1-800-422-0032

Lots for Sale, Lease or Rent

Thank you for considering MAIA Park. This letter is written in response to the most frequently asked questions about MAIA Park.

Yes, you can have a pet. We have a pool cable. There will be more street tracks. The lots are owned by the Bob Harlow Family, 746-4099.

We have converted MAIA Park into a 77-lot Planned Unit Development Subdivision so that we can sell the lots. Each lot is individually owned. Each lot owner will also own a portion of the clubhouse and common areas. Each lot owner will be a voting member of Maia Park Home Owner's Association, with one vote per lot.

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Northwest Natural Gas	Gas	AT&T Broadband	Cable TV
Sani-sew	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA Park.

*Copy Received
MAY 24 2005
MAY 24 2005*

Eck by mm

*7/5/01
EXHIBIT 6
MAY 24 2005*

Statements of "Approval of Application for Rezone" signed by current MAIA Park owners indicating their support of the proposed zone change.

APPROVAL OF APPLICATION FOR RE-ZONE

WE Donald E Bramley and Howard L. Turner, owner of Lot 43 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 21, day of May, 2006.

Donald E. Bramley

Howard L. Turner
by Donald E. Bramley
his power of attorney

APPROVAL OF APPLICATION FOR RE-ZONE

Nona M. Gardineer

I, Lorraine E Gardineer, owner of Lot 41 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1st, day of June, 2006.

Lorraine E Gardineer
Nona M Gardineer

APPROVAL OF APPLICATION FOR RE-ZONE

D. Dale Gunter

I, Joye A. Gunter, owner of Lot 40 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a rezoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1, day of June, 2006.

D. Dale Gunter

Joye A. Gunter

APPROVAL OF APPLICATION FOR RE-ZONE

I, Betty Wiemers, owner of Lot ~~44~~ of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 31, day of ^{BY} ~~June~~ ^{MAY}, 2006.

Betty Wiemers

APPROVAL OF APPLICATION FOR RE-ZONE

I, Blanche E Rasmussen, owner of Lot 42 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1ST, day of June, 2006.

Blanche E Rasmussen

ORDINANCE NO. _____ (General)

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN GENERAL PLAN DIAGRAM BY REDESIGNATING 1.59 ACRES OF LAND, TAX LOT 09200, ASSESSOR'S MAP 17-03-25-14, FROM LOW DENSITY RESIDENTIAL TO LIGHT-MEDIUM INDUSTRIAL AND ADOPTING A SEVERABILITY CLAUSE.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, Article 7 of the Springfield Development Code sets forth procedures for Metro Plan diagram amendments; and

WHEREAS, on April 18, 2006 the applicant/owner of the subject tax lot initiated the following Metro Plan diagram amendment:

Redesignate 1.59 acres from Low Density Residential to Light-Medium Industrial, Case Number LRP 2006-00012, Tax Lot 9200, Assessor's Map 17-03-25-14; and

WHEREAS, on June 20, 2006, the Springfield Planning Commission held a work session and a public hearing to receive testimony and hear comments on this proposal. The Planning Commission voted 5 in favor, 0 opposed, and 2 absent, to forward a recommendation of approval to the City Council; and

WHEREAS, on July 17, 2006, the Springfield Common Council held a work session and a public hearing to consider to receive testimony, hear comments on and consider this proposal. The Council is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Metro Plan diagram.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1: The above findings, and the findings set forth in Exhibit A attached hereto and incorporated herein by reference are hereby adopted.

Section 2: The Metro Plan designation of the subject property, more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby amended from Low Density Residential to Light-Medium Industrial.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portion of this Ordinance.

ADOPTED by the Common Council of the City of Springfield by a vote of _____ for and _____ against, this _____ day of _____, 2006.

APPROVED by the Mayor of the City of Springfield, this _____ day of _____, 2006.

ATTEST:

Mayor

City Recorder

RECEIVED & APPROVED
AS TO FORM
Joseph J. Bean
DATE 7/10/06
OFFICE OF CITY CLERK

ATTACHMENT
2-1

EXHIBIT A - 1

Exhibit A

Index of Attachments

- Attachment 1: Staff Report
- Attachment 2: Planning Commission Order
- Attachment 3: Application and supplementary materials provided by the applicant.
- Attachment 4: Statements signed by MAIA Park property owners indicating their knowledge of the proposed mini-storage at the time of their property purchase.
- Attachment 5: Statements signed by current MAIA Park owners adjacent to the subject lot supporting the proposed zone change.

**City of Springfield
Staff Report and Recommendation**

Date Submitted: April 18, 2006
 Scheduled Hearings: Planning Commission, June 20, 2006
 City Council, July 17, 2006

Applicant/Owner: MAIA LLC / Artie Mae Harlow 2366 Maia Loop Springfield, OR 97477 746-4065	Journal Number: LRP 2006-00012 Related Applications: ZON 2006-00018
Agent/Consultant: Steve Cornacchia, Attorney Hershner Hunter, LLP 180 E. 11 th Avenue Eugene, OR 97401 686-8511	Map Number/ Location: Map# 17 03 25 14 Tax Lot 9200 Southwest corner of 28 th and R Streets, adjacent to and north of I-105 (Hwy 126)
Requested Action: Type II Metro Plan Diagram Amendment Current: Low Density Residential (LDR) Proposed: Light Medium Industrial (LMI)	Affected Acreage: 1.59 acres

I. Executive Summary:

The applicant is requesting a Metro Plan Diagram amendment for a 1.59 acre parcel on the southwest corner of 28th and R Streets, adjacent to and due north of I-105 (Hwy 126). The current Metro Plan designation is Low Density Residential (LDR). The proposed Plan designation is Light-Medium Industrial (LMI). The stated purpose of the request is to allow for the development of recreational vehicle storage, mini-storage units and a small building for light-medium industrial uses.

The context of the subject property generally supports the proposed Plan amendment. Properties to the north have LDR Plan designations, but the properties are zoned Heavy Industrial. The current use of the properties includes an RV restoration and repair business, and an electrical contractor. Property to the east across 28th Street has a Heavy Industrial Plan and zone designation (Kingsford Charcoal Co.). The southern boundary of the subject property is adjacent to I-105 (Hwy 126).

The property to the west is Plan/zoned LDR. It is a manufactured home subdivision (MAIA Park). The applicant owns property in the subdivision and expects that the RV storage and mini storage units will be used in part by MAIA Park residents.

Evidence was provided by the applicant showing that the initial owners of the properties in MAIA Park the border the subject site were notified of the planned mini storage and RV storage at the time they purchased their lots (Attachment 2). Letters from the current owners of abutting

properties have been submitted by the applicant affirming their knowledge of and support for the proposed Plan/zone designation change and the proposed development of a RV and mini-storage (Attachment 3).

The market potential for single-family residential development is likely lower than for other uses, given the location of the subject property. The proposed LMI designation offers uses that are more consistent with uses to the north, south and east.

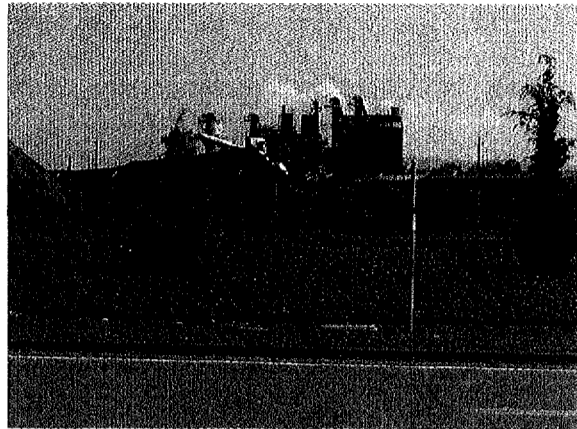
Section 7.070 (3) of the Springfield Development Code describes the criteria that must be met to approve a Metro Plan amendment. Based on an examination of the proposed plan amendment, findings of fact, and the criteria for approving Metro Plan Diagram amendments, staff recommends approval of the applicant's request.



Subject property and I-105 looking south



Property north across "R" St.



Property east across 28th Street.



MAIA Park adjacent to the west



MAIA Park homes

II. Background

The applicant is requesting an amendment to the Metro Plan designation for a 1.59 acre lot at the southwest corner of 28th and R Streets. The current designation is Low Density Residential (LDR). The requested designation is Light-Medium Industrial (LMI). A concurrent zoning amendment from LDR to LMI is also being sought. The subject property is vacant. The applicant seeks the amendment to allow for the development recreational vehicle storage, mini-storage units and small building space for LMI uses.

Context

The subject site is surrounded on three sides by industrial uses and a freeway. Properties to the north have LDR Metro Plan designations, but the properties are zoned Heavy Industrial (HI). The current use of the properties includes an RV restoration business, and an electrical contractor. Property to the east across 28th Street has a HI Plan/zone designation (Kingsford Charcoal Co.). The southern boundary of the subject property is adjacent to I-105 (Hwy 126). Land beyond to the south of I-105 is Plan/zoned LMI.

The property to the west is Plan/zoned LDR. It is a manufactured home subdivision (MAIA Park). The applicant is the developer of the subdivision and continues to own property in the

development. If the proposed amendment is approved, the applicant expects a portion of the customers of the RV and mini-storage developments to be homeowners from the MAIA Park development.

Site Description

The property is relatively flat and undeveloped. Located within the Springfield city limits, the subject property receives or is qualified to receive all necessary public services from the city. A check with Public Works staff confirms that there is capacity to serve the proposed LMI designation.

28th Street and Marcola Road (one block north of R Street) are minor arterials. R Street has an average daily traffic count of about 6400 vehicles. Marcola Road carries about 10,500 vehicles per day.



Harlow Property
Aerial Photo



Relevant Issues

The applicant states that the subject site was originally planned for residential development as part of MAIA Park. During the approval process for the development, near-by industrial users complained that siting single-family residences immediately across 28th Street would subject them to possible complaints stemming from the impacts of their operations. When the development was approved, it was with the provision that the subject site not be included in the

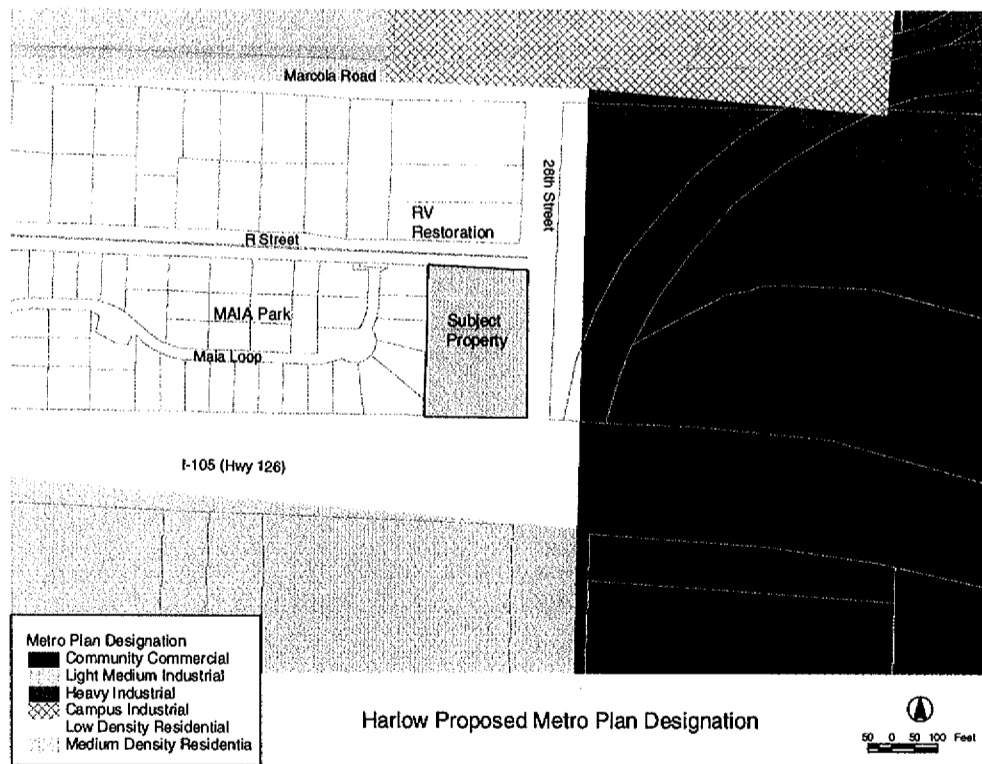
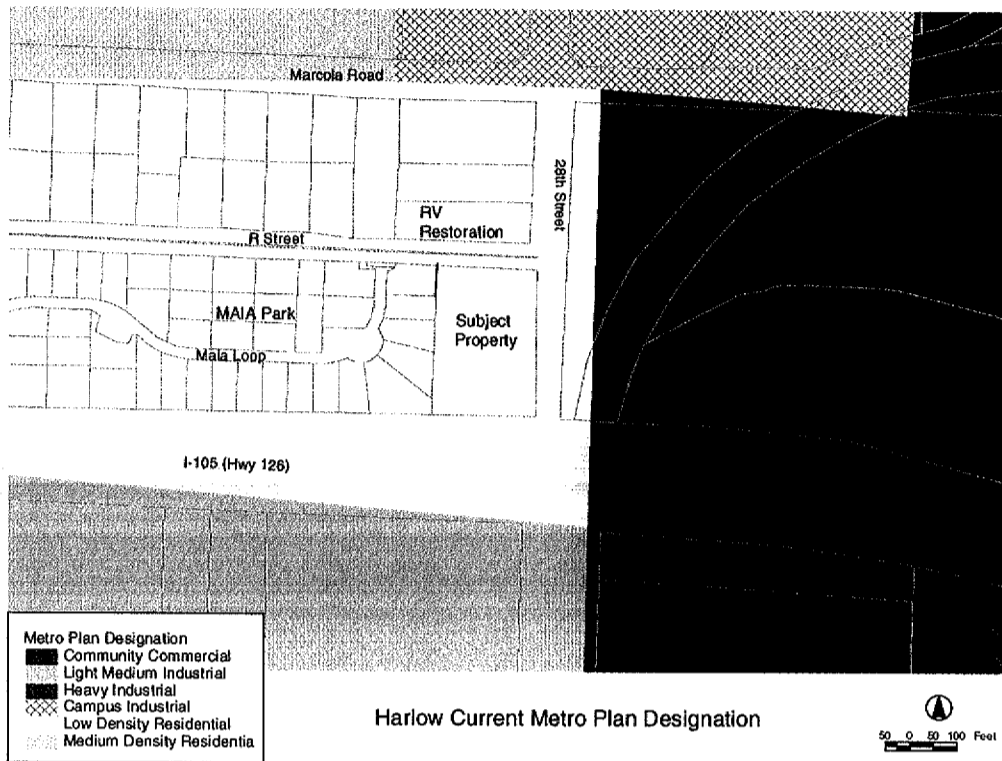
MAIA Park development. The site was referred to as potential RV storage area on the development plans.

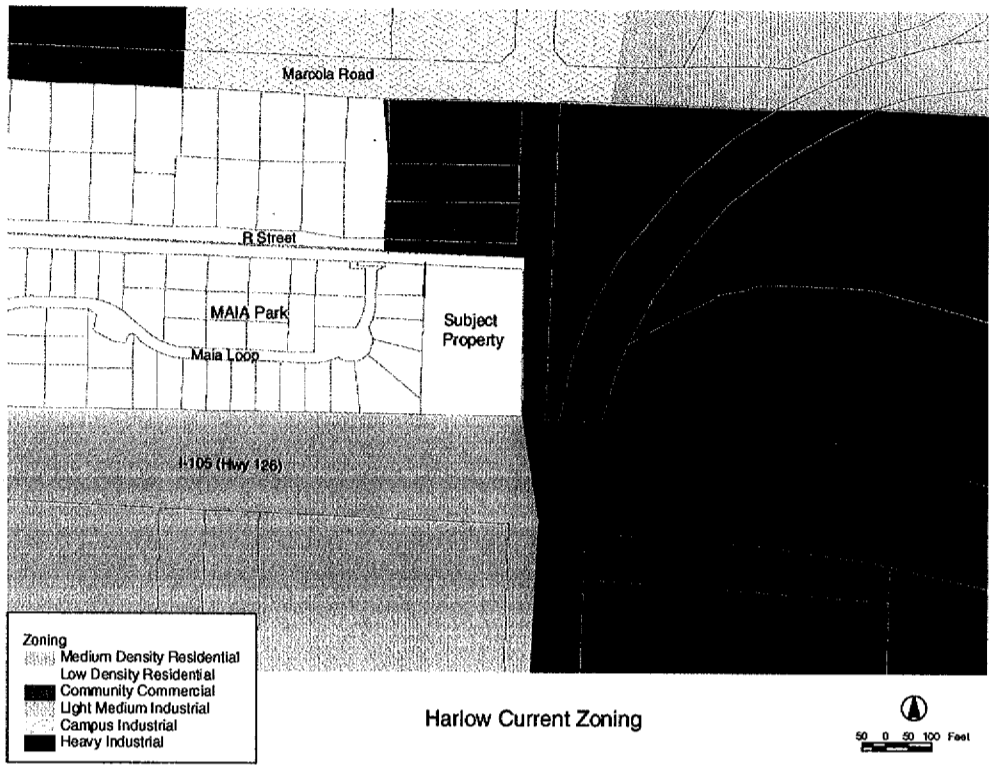
Changing the Plan/zone designation would establish light industrial uses and facilities between the heavy industrial uses neighboring the subject site. The same uses would also border the single-family homes in MAIA Park. The impact of such light-medium industrial uses (noise, dust, vibration, etc.) is generally contained within the building and site. The definition of light-medium industrial uses in the Metro Plan suggests that this is the case.

The applicant asserts that the motivation for the Plan/zone change is to allow the development of RV storage, mini-storage and a small LMI use. Such a development would have a lower visual impact than other LMI uses and may have a benefit for those residents that need such storage. It must be noted that approval of the proposed Metro Plan amendment cannot be conditioned with the development of only certain LMI uses.

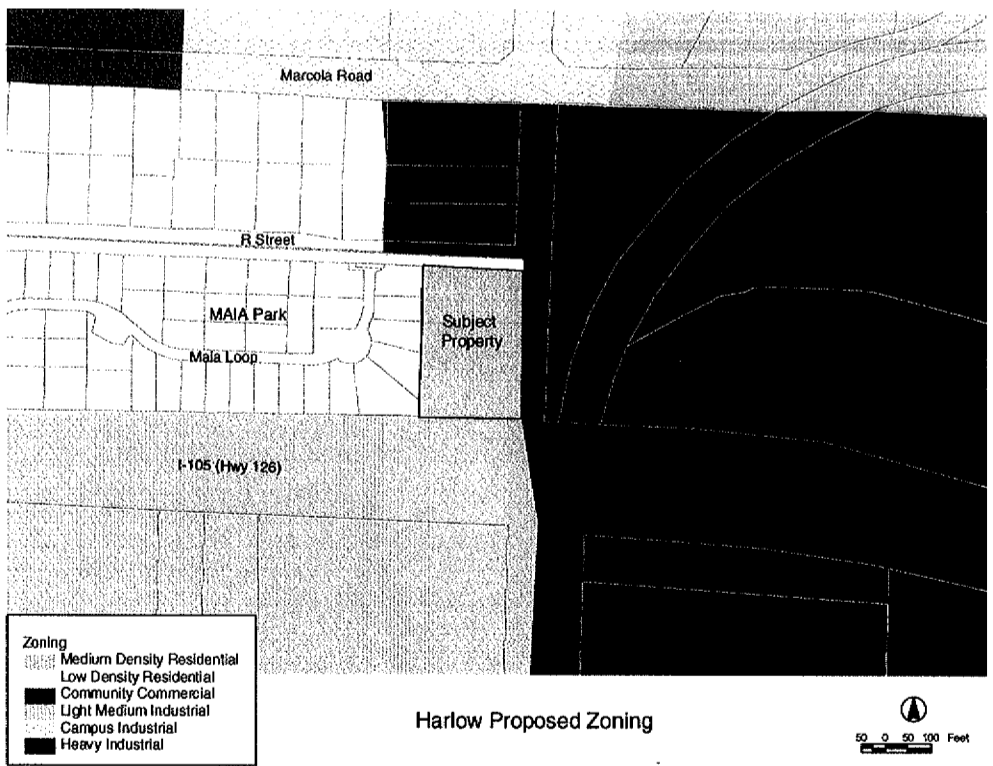
The applicant provided evidence that the original purchasers of the properties in MAIA Park that border the subject site were notified by the applicant of the intended use of the site as mini-storage and RV storage (Attachment: "Statements signed by MAIA Park property owners indicating their knowledge of the RV Park at the time of their purchase"). The applicant has also provided statements from the current property owners indicating their support of the proposed rezoning of the subject property (Attachment: Statements of "Approval of Application for Rezone" signed by current MAIA Park owners indicating their support of the proposed zone change).

If single-family homes were built on the site, they would be adjacent to 28th, a minor arterial and would be just across from the Kingsford Charcoal Co., a heavy industrial use. They would also be affected by the heavy industrial uses immediately across R Street to the north. The market potential for such single-family development on the subject property would likely be lower than the proposed LMI designation.





Harlow Current Zoning



Harlow Proposed Zoning

The applicant asserts that the motivation for the Plan/zone change is to allow the development of RV storage, mini-storage and a small LMI use. Such a development would have a lower visual impact than other LMI uses and may have a benefit for those residents that need such storage. It must be noted that approval of the proposed Metro Plan amendment cannot be conditioned with the development of only certain LMI uses.

III. Procedural Requirements

Definition of Type II Metro Plan Amendments

SDC 7.030 of the Springfield Development Code (SDC) defines a Type II amendment as one which: *"(1) changes the Plan diagram; or, (2) is a site-specific Plan text amendment."*

The applicant's proposal is a site specific Plan Diagram amendment. The subject property is east of Interstate 5 and within the Springfield City limits. As such, Section 7.030 specifies that Springfield shall be the "home city" for the action, and that Lane County need not participate in the amendment approval process. Lane County and or Eugene may choose to participate in the process if the proposal is deemed to have a regional impact.

Section 7.030 (3) (a-c) describes those instances when Plan amendments may have a regional impact. The proposal does not involve a joint functional plan; does not have a demonstrable impact on the water, storm drainage, sewer or transportation facilities; and does not significantly reduce or increase designation categories listed in 7.030(c). The proposal does not meet the criteria defining an amendment with regional impact.

Conclusion: The applicant's proposal may be processed as a single-jurisdiction, Type II Metro Plan amendment.

Metro Plan Referral of Plan Amendments

Section 7.050 of the Springfield Development Code requires the referral of all Metro Plan amendments inside the city limits to Eugene and Lane County for participation as parties to the hearing. The applicant's proposal was referred to these jurisdictions on April 27, 2006.

Metro Plan Approval Process Single-Jurisdiction

The applicant initiated the Metro Plan amendment by application on April 18, 2006. Staff is required to prepare a report for submission to the Planning Commission within 30 days of receiving a complete application.

The application was deemed complete on June 1, 2006 and a staff report was prepared and sent to the Planning Commission for review on June 15, 2006, within the 30 days allowed by Section 7.080(2) of the SDC.

A hearing before the Planning Commission is scheduled for June 20, 2006, within the 30 days following completion of the staff report as required by Section 7.080 (3) of the SDC.

Conclusion: The time line requirements for review of Type II Metro Plan amendments were followed.

Notice

Notice of the proposed Amendment was mailed to the Oregon Department of Land Conservation and Development on April 20, 2006, 45 days in advance of the first evidentiary hearing by the Planning Commission, as required by Oregon Revised Statutes 197.610.

At least 20 days before the Planning Commission hearing, mailed notice must be sent to the applicant and to persons requesting notice (7.080(3) of the SDC). Mailed notice was sent on May 31, 2006 as attested to by affidavit of the Planning Commission Secretary. Notice of the proposed amendment and Planning Commission and City Council hearings was also published in the Springfield News on June 9, 2006.

A hearing before the City Council has been scheduled for July 17, within 45 days of the hearing and action by the Planning Commission on the amendment as required by Section 7.080 (4) of the SDC.

Conclusion: The notice requirements for Metro Plan Type II amendments were followed.

IV. Type II Criteria for Approval

Section 7.070 (3) of the SDC requires that the City Council apply the following criteria in approving or denying a Metro Plan amendment:

- 1) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and
- 2) Adoption of the amendment must not make the Metro Plan internally inconsistent.

"1) The amendment must be consistent with relevant statewide planning goals"

Goal 1 – Citizen Involvement. Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process."

The proposed amendment to the Metro Plan Diagram and Zoning map was the subject of public hearings advertised in the Springfield News on June 9, 2006. The Planning Commission is conducting a public hearing on June 20, 2006. The City Council is scheduled to hold a public hearing on July 17, 2006. In addition, mailed notice of the proposed amendment was sent to the applicant, affected neighboring properties and those requesting mailed notice of such actions on May 31, 2006. The proposed amendments were also referred to the City of Eugene and Lane County for their participation as parties to the hearings on May 26, 2006.

Goal 2 – Land Use Planning. Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted.

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan that guides land use planning in Springfield. The Metro Plan Diagram describes the intended land use pattern within Springfield's planning jurisdiction. The proposed amendment changes the Metro Plan Diagram designation of the subject property from Low Density Residential to Light-Medium Industrial. The process requirements and decision criteria for approving a Metro Plan Diagram amendment were applied to the proposed amendment.

Various adopted refinement plans and specific area plans provide more detailed direction for planning under the umbrella of the Metro Plan. The subject property of the proposed amendment is outside of any refinement plan or specific area plan that might modify the designation of the Metro Plan Diagram.

The Springfield Development Code implements the policies and direction of the Metro Plan. The proposed amendment does not modify existing development standards found in the Development Code.

Goal 3 – Agricultural Land. Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning.

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any agricultural zoning districts. These amendments do not apply outside the urban growth boundary and, because of limitations on commercial and industrial development without full urban services, generally do not apply outside the city limits. All land in the City's urban transition area carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged.

Goal 4 – Forest Land. This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any forest zoning districts. These amendments do not apply outside the urban growth boundary and, because of limitations on commercial and industrial development without full urban services, generally do not apply outside the city limits. All land in the City's urban transition area carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated.

The proposed Metro Plan Diagram amendment does not repeal, replace or void existing Metro Plan policy or Development Code regulations with respect to any identified natural resources. No changes to supporting ordinances or policy documents adopted to comply with Goal 5 are affected by these amendments.

Research by staff found no inventoried Goal 5 resources exist on subject property.

Goal 6 – Air, Water and Land Resources Quality. This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

The subject property will be subject to design standards for development found in Articles 17, 31 and 32 of the Springfield Development Code which require site design elements that protect environmental resources as per state and federal requirements. The proposed amendment does not alter the environmental protections provided by the SDC.

Goal 7 – Areas Subject to Natural Disasters and Hazards. Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

All sites within Springfield that are subject to these hazards (floodplain, erosion, landslides, earthquakes, weak foundation soils) are inventoried through a variety of sources. The proposed amendment does not remove or exempt compliance with other Code standards that may apply to development.

The subject property is outside all known hazard areas in Springfield.

Goal 8 – Recreational Needs. This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them.

Willamalane Park and Recreation District is the entity responsible for park planning, development and maintenance in the urban transition area as well as the city limits. The proposed amendment does not alter policies encouraging the incorporation of open space in development design.

The subject property is not included in the Willamalane Park and Recreation Comprehensive Plan Map of Existing and Proposed Park and Recreation Resources. The proposed Metro Plan Diagram amendment will not alter any existing or future recreation resource.

Goal 9 – Economic Development. Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

The proposed Plan/Zone amendments would add 1.59 acres of Light-Medium Industrial land to the local inventory. The subject property is currently surrounded on three sides by LMI and Heavy Industrial zoning and uses.

Goal 10 – Housing. This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing.

The proposed amendment removes 1.59 acres from the inventory of residential land that was identified in the Eugene-Springfield Metropolitan Area Residential Land and Housing Study (August 1999). Using the average built density of 4.18 units per net acre, the proposed amendment would potentially remove at least 4-5 dwelling units from the inventory of buildable residential land.

Eugene-Springfield Metropolitan Area Residential Land and Housing Study (Residential Lands Study) projected a surplus of between 790 and 1,862 acres. This range accounts for variables in the rate of housing consumption during the planning period. Various planning actions by the cities of Eugene and Springfield through June of 2005 (Springfield Natural Resources Study, October 2005) have reduced the projected surplus to a range of 193 to 1265 acres. The proposed amendment would reduce this surplus by 1.59 acres.

Goal 11 – Public Facilities and Services. Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection.

The subject property is within the Springfield city limits and is served by existing urban services. The change from a LDR to a LMI designation may affect the amount of water, sewer and stormwater and electricity consumed by future development on the site. Estimating the impact is difficult given the variety of industrial uses that would be permitted on the site. Generally the RV and mini-storage uses proposed by the applicant utilize less capacity than single family uses. Approval of this amendment does not limit the applicant to storage uses, and as such the proposal must consider the impacts of a reasonable worst case development scenario for the site. The existing urban service capacity is designed to meet industrial needs. Site plan review will assess the capability of the existing facilities to the needs of a proposed new development on the subject property.

The Eugene-Springfield Metropolitan Public Services and Facilities Plan (PFSP) is a refinement plan of the Metro Plan that guides the provision of public infrastructure, including water, sewer, storm water management, and electricity.

The proposed amendment does not change PFSP policies nor would conversion of the property from residential to industrial uses prevent the construction of any future facilities listed/mapped in the PFSP.

Goal 12 – Transportation. The goal aims to provide "a safe, convenient and economic transportation system."

Section 660-012-0060 of the Transportation Planning Rules requires evaluation of a comprehensive plan or land use regulation amendment to determine if that amendment significantly affects a transportation facility. The proposed Metro Plan Diagram amendment does not: 1) change the functional classification of an existing or planned transportation facility;

2) change standards implementing a functional classification system; 3) allow types of levels of use which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; 4) or reduce the level of service of a facility below the minimum acceptable level identified in the Metropolitan Area Transportation Plan (TransPlan).

The applicant submitted a trip generation study comparing the existing Low Density Residential designation with the proposed Light-Medium Industrial designation. The study was based on the ITE Trip Generation Manual, 7th Edition. The study used a residential density of 10 dwelling units per acre, the highest allowed density allowed within an LDR zone. The average net density in Eugene-Springfield for LDR development is 4.18 units per acre (Metro Plan III-A-7). The higher density used by the applicant projects 144 weekday trips from the site.

The adjacent MAIA Park subdivision has a developed area of about 14 acres with 77 lots. The density of that development is about 5.5 dwelling units per net acre, which is significantly higher than the average (4.18 units per acre) single-family density in the Eugene-Springfield area. Using 5.5 dwelling units per net acre, expected development on the subject property (using 1.1 net developable acres) would be about 6 dwelling units. Trip generation from 6 dwellings would be about 58 trips per weekday, using the same ITE trip rate used by the applicant.

By comparison, using the ITE Manual, the applicant showed that LMI zoning is likely to produce 80 daily trips. A mini-storage use would generate about 60 weekday trips.

The difference in daily trips attributable to the proposed Metro Plan Diagram is minimal. No change in level of service or functional classification would be expected from the proposed Plan/Zone amendment.

Goal 13 – Energy Conservation. Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

The proposed amendment itself will not have a significant impact on the conservation of energy.

Goal 14 – Urbanization. This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs.

The Eugene-Springfield Metropolitan Residential Lands and Housing Study, Policy Recommendations Report (1999) found "there is sufficient buildable residential land within the existing urban growth boundary to meet the future need of the projected population. The proposed conversion of 1.59 acres of low density residential land to a Light Medium Industrial Metro Plan designation would indeed reduce the inventory of residential land, but not beyond the surplus estimated by the Eugene-Springfield Metropolitan Area Residential Land and Housing Study for the planning period (see the findings for Goal 10 above).

Goal 15 – Willamette River Greenway. Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

The subject property is not located within the Willamette River Greenway.

The proposed amendment does not change the obligation to comply with the City's existing standards for development with respect to the Willamette River Greenway. The City's adopted, acknowledged Greenway ordinance will not be changed.

Goals 16 through 19 – Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources. There are no coastal, ocean, estuarine, or beach and dune resources within the City's jurisdiction. These goals do not apply in Springfield.

"2) Adoption of the amendment must not make the Metro Plan internally inconsistent"

The proposed Metro Plan Diagram amendment does not change the goals or policies of the Metro Plan nor does it change the Public Facilities and Services Plan or TransPlan which support the Metro Plan. In that way, the amendment does not make the Metro Plan internally inconsistent.

The Metro Plan Diagram is a generalized map and graphic expression of the goals, and policies found elsewhere in the Metro Plan. No refinement plan or other more specific definition of intended land uses and policies apply to the subject site. At issue is whether changing the Metro Plan designation for 1.59 acres of Low Density Residential land to Light Medium Industrial is consistent with Metro Plan policies.

METRO PLAN FINDINGS

Growth Management

Objective #8 (Pg. II-B-3 1987 Metro Plan Update) "Encourage development of suitable vacant, underdeveloped, and redevelopable land where services are available, thus capitalizing on public expenditures already made for these services."

The subject property has been vacant since 1977. Utilization of vacant, infill and redevelopable lands is a priority of the Metro Plan. The property can be served by existing public utilities and transportation facilities. Those facilities have the capacity to serve most industrial uses of a size that could locate on the site.

Marcola Rd. and 28th Streets are designated minor arterials on the TransPlan Functional Classification Map. The estimated trip generation from the 1.59 subject site under the proposed Plan and zone amendments would have minimal impact on these transportation facilities.

The applicant states that the site "is not conducive for residential development. The proposed development of the subject parcel for limited light-medium industrial uses such as RV storage, mini-storage and small light medium industrial offices will return the land to productive uses that are compatible with both residential and heavy industrial uses. In addition to added productivity,

approval of the application will also provide an enhanced buffering of uses between the residential use in MAIA Park and the heavy industrial uses to the east and northeast.”

Staff response: The proximity of the subject site to I-105 and to surrounding industrial uses is not an ideal location for single-family residential development. The location, on its face would be better designated for light-medium industrial uses.

Economic Element

Policy #9. “Encourage the expansion of existing and the location of new manufacturing activities which are characterized by low levels of pollution and efficient energy use.”

The applicant states: “The proposed uses of the subject property and their location for the purpose of transitioning uses across residential land to heavy industrial land are consistent with and implement this Metro Plan policy. Furthermore, the location of nearly all light-medium industrial uses on the subject property will fulfill the policy.

Staff response: Light medium industrial uses, by definition, are characterized by activities whose impact can be contained within the site. To that extent, they tend to be non-polluting and consume less energy than heavy industrial activities.

Policy #15. “Encourage compatibility between industrially zoned land and adjacent areas in local planning programs.”

The proposed designation, Light-Medium Industrial (LMI), is described in the Metro Plan as accommodating “...a variety of industries in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling and warehousing,” (Metro Plan II E 3 b.). The external impacts are less than those of Heavy Industrial. Activities are generally located indoors, although there may be some exterior storage.

The subject property is bounded on the east by 28th Street. The property across 28th is designated for Heavy Industrial. The Kingsford Charcoal plant is located on the property. If the subject property were to continue with the LDR designation, homes developed on the site would be directly across from the Kingsford plant and its impacts.

The applicant states: “The common theme of this application is that allowing light-medium industrial uses on the subject property will provide the buffering and transitioning of uses between industrially zoned land and adjacent or nearby residential uses. Approval of the application will implement and be consistent with this policy also.”

Staff response: A light-medium industrial designation on the subject property would be preferable to a heavy industrial use. If the subject property were developed as single-family residential, those homes would be adjacent to 28th Street (an arterial street) and the Kingsford Charcoal plant.

The applicant provided evidence that the original purchasers of the lots abutting the subject property were notified in writing that the property would be developed as RV and mini-storage in the future. The applicant does not describe how a light-medium industrial designation would be more compatible with the MAIA Park development than the existing single-family residential designation.

LMI uses by definition have a lower impact than HI since their impacts are contained on site. There may be visual impacts, and impacts from traffic, but the noise, dust and odor from LMI activities are contained within the buildings.

Conclusion: The proposed Metro Plan Diagram amendment does not make the Metro Plan internally inconsistent.

Conclusion and Recommendation

Based on an examination of the applicant's proposal, findings of fact, and the criteria for approving Metro Plan Diagram amendments found in Section 7.070 (3) of the SDC, staff recommends approval of the applicant's request.

mark

ORDINANCE NO. 6183 (General)

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN GENERAL PLAN DIAGRAM BY REDESIGNATING 1.59 ACRES OF LAND, TAX LOT 09200, ASSESSOR'S MAP 17-03-25-14, FROM LOW DENSITY RESIDENTIAL TO LIGHT-MEDIUM INDUSTRIAL AND ADOPTING A SEVERABILITY CLAUSE.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, Article 7 of the Springfield Development Code sets forth procedures for Metro Plan diagram amendments; and

WHEREAS, on April 18, 2006 the applicant/owner of the subject tax lot initiated the following Metro Plan diagram amendment:

Redesignate 1.59 acres from Low Density Residential to Light-Medium Industrial, Case Number LRP 2006-00012, Tax Lot 9200, Assessor's Map 17-03-25-14; and

WHEREAS, on June 20, 2006, the Springfield Planning Commission held a work session and a public hearing to receive testimony and hear comments on this proposal. The Planning Commission voted 5 in favor, 0 opposed, and 2 absent, to forward a recommendation of approval to the City Council; and

WHEREAS, on July 17, 2006, the Springfield Common Council held a work session and a public hearing to consider to receive testimony, hear comments on and consider this proposal. The Council is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Metro Plan diagram.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

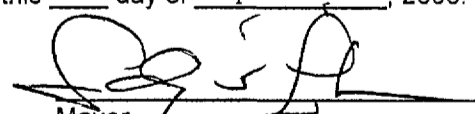
Section 1: The above findings, and the findings set forth in Exhibit A attached hereto and incorporated herein by reference are hereby adopted.

Section 2: The Metro Plan designation of the subject property, more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby amended from Low Density Residential to Light-Medium Industrial.

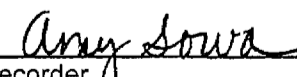
Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portion of this Ordinance.

ADOPTED by the Common Council of the City of Springfield by a vote of 6 for and 0 against, this 18th day of September, 2006.

APPROVED by the Mayor of the City of Springfield, this 18th day of September, 2006.

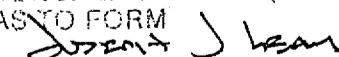

Mayor

ATTEST:


City Recorder

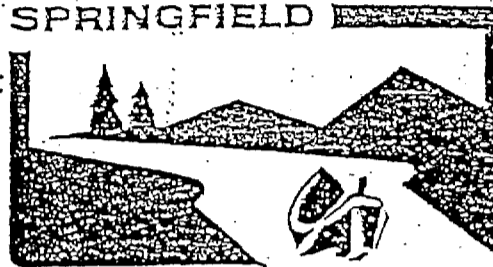
REVIEWED & APPROVED

AS TO FORM



DATE: 7/10/06

City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477
Phone: (541) 726-3753
Fax: (541) 726-3689



Metro Plan Amendment
Application, Type IV

Type of Plan Amendment (Check One)

- Type I: is a non-site specific amendment of the Plan.
- Type II: changes the Plan diagram; or is a site-specific Plan text amendment.

Property Subject to the Amendment (if applicable)

Tax Assessor Map 17-03-25-14 Tax Lot(s) 9200
 Street Address _____ Acres 1.59 AC
 Metro Plan Designation LDR Refinement Plan Designation —

Description of Proposed Amendment (Attach additional sheets if needed)

Metro Plan Diagram change from
LDR to LMI

Applicant/Owner Information

Printed Name of Applicant Maia LLC Phone: 746-4065
Artie Mae Herlow

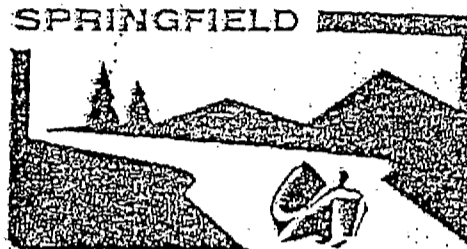
Applicant Signature _____ Date _____

Mailing Address 2366 Maia Loop

Property Owner Signature Same Date _____

Mailing Address _____

City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477
Phone: (541) 726-3739
Fax: (541) 726-3689



Zone/Overlay District Change
Application, Type III

Applicant Name MAIA LLC Phone: (541) 746-4065

Address 2366 Maia Loop

Property Owner Name Same as above

Address _____

Phone: _____

Property Address None

Assessor's Map No. 17-03-²35-14 Tax Lot No. 9200

Size of Property 1.59 Acres Square Feet or _____ Acres

Existing Use of Property Vacant and Undeveloped

Specific Description of Proposal Amendment of Metro Plan Diagram from Low Density Residential to Light-Medium Industrial and a concurrent rezone from Low Density Residential (LDR) to Light-Medium Industrial (LMI)

The undersigned acknowledges that the information in this application is correct and accurate.

Applicant Signature Artie Mae Harlow Date 4-18-06

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his/her behalf

Owner Signature Artie Mae Harlow Date 4-18-06

For Office Use Only:	
Journal No. <u>Form 6-012</u>	Received By <u>Tom</u> <u>Dr Billings</u>
Map No. <u>17-03-25-14</u>	Tax Lot No. <u>9200</u>
Date Accepted as Complete _____	

22LRP2006-0012

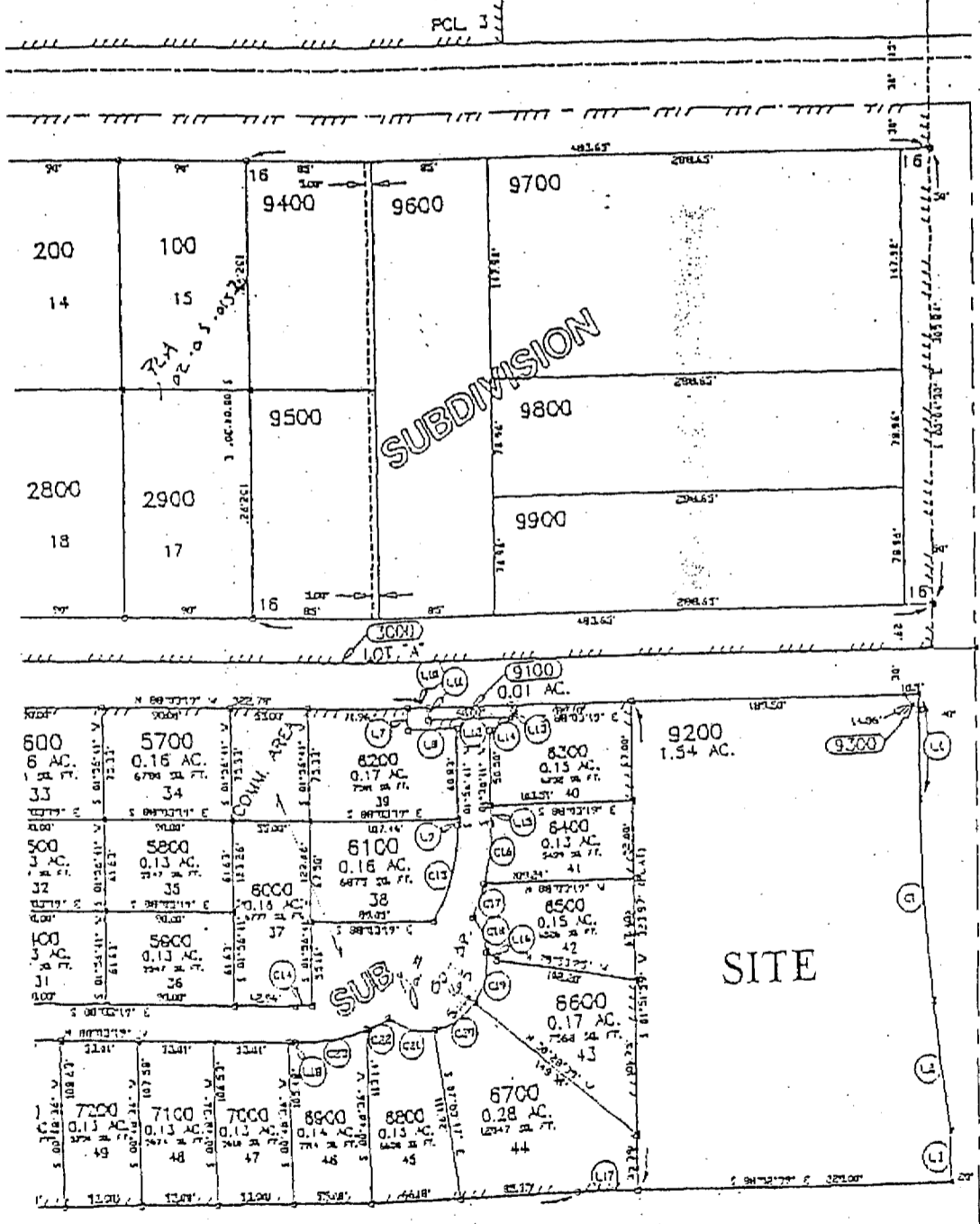
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3-3

CITY OF SPRINGFIELD
17-03-25-14 TL 9200

TAX LOTTED ON
MAP 17 02 30



SEE MAP 17 03 25

17 03 25 14

1/10/17

1.0 INTRODUCTION

The applicant seeks an amendment of the Eugene-Springfield Metropolitan General Comprehensive Plan (Metro Plan) Diagram to change the designation of 1.59 acres of land from Low Density Residential to Light-Medium Industrial. The applicant also seeks a concurrent rezone of that land from Low Density Residential (LDR) to Light-Medium Industrial (LMI). The subject property is located immediately due west of 28th Street and immediately due north of I-105, in Springfield, Oregon.

This application seeks a light medium industrial designation for the subject property to allow for the development of recreational vehicle storage, mini-storage units and small building space for light medium industrial uses. A portion of the customers of the proposed storage facilities are expected to be homeowners in the residential planned unit development (MAIA Park) that borders the subject property to the west. Upon approval of the application, the subject property will be developed in a manner consistent with the draft site plan attached to this application as Exhibit C.

All requests for Metro Plan Map amendments regarding land located in the City of Springfield must comply with the Springfield Development Code and the Metro Plan policies.

This application demonstrates that approval of the proposed Metro Plan Diagram amendment and re-zoning of the subject property to light medium industrial use is consistent with all applicable local and state criteria.

2.0 BACKGROUND INFORMATION

2.1 General Site Description

The property that is the subject of this application contains 1.59 acres and is located within the city of Springfield on the west side of 28th Street and adjacent to and due north of I-105. The property is designated as Low Density Residential on the Metro Plan Diagram. The property is zoned by the City of Springfield as Low Density Residential (LD). The property is described as Tax Lot 9200 of Lane County Assessor's Map No. 17032514. A copy of that map is attached as Exhibit A.

The property is bounded on the west by the MAIA Park planned unit development, on the south by I-105, and on the north by residentially-designated property, Tax Lot 9700, currently zoned and being used as light medium industrial (Alert Electric). Two additional parcels, Tax Lots 9800 and 9700 are located between the subject property and Marcola Road and both parcels are also designated as residential but are zoned industrial. Tax Lot 9800 contains another light medium industrial use. Tax Lot 9700 is owned, in part, by the applicant and is vacant. All property on the east side of 28th Street in the vicinity of the subject property is designated and zoned as Heavy Industrial.

The site is relatively flat and undeveloped. Located within the city limits of Springfield, the site receives or is qualified to receive all necessary public services from the

The subject property has remained vacant and undeveloped since the neighboring property to the west was re-zoned in 1977 from R-A Suburban District to R-G PUD Garden Apartment Residential District Planned Unit Development. The applicant owned both the subject property and the neighboring property to the west in 1977 and agreed to limit the re-zoning to the neighboring property to the west in response to significant opposition from industrial property owners to the northeast and east of the subject property. Those property owners were concerned about an increasing level of complaints from nearby residents about the industrial use of their property. Representatives of Kingsford Charcoal Company and Lane Cedar Products expressed concerns that further residential development in the 28th and Marcola Road vicinity would only add to then-existing complaints about those companies' industrial use of their property. The subject complaints were over issues of noise, air pollution and industrial traffic, especially on 28th Street.

MAIA Park was developed following the 1977 re-zoning. Since the 1977 re-zoning approval, the subject property, although also zoned residential, has served as a de facto buffer between the homeowners of MAIA Park and the industrial uses to the east and northeast. Approval of the application will allow for productive use of the subject property. Approval of the application will also allow for a use of the subject property that benefits the homeowners of MAIA Park from both a utility and buffering perspective. The homeowners will be able to use the facilities on the subject property and will continue to benefit from a buffering of their use from the heavy industrial uses to the northeast and east. The storage and light medium industrial uses of the subject property will serve as a beneficial transition of uses between the disparate uses on either side of it.

2.2 Description of Proposed Amendments.

The application before the City of Springfield seeks approval of the following:

1. An amendment to the Metro Plan Diagram designating the subject property as Light-Medium Industrial;
2. A change in the zoning of the subject property from Low Density Residential (LDR) to Light-Medium Industrial (LMI).

2.3 List of Exhibits:

- Exhibit A - Assessor's Map
- Exhibit B - Draft Site Plan
- Exhibit C - JRH Trip Generation Report

3.0 COMPLIANCE WITH THE SPRINGFIELD DEVELOPMENT CODE (SDC) FOR METRO PLAN AMENDMENTS

3.1.1 SDC 7.030 METRO PLAN AMENDMENT - DEFINITIONS

SDC Section 7.030 provides:

METRO PLAN AMENDMENT - TYPE II. An amendment to the Metro Plan which is not otherwise a Type I plan amendment and which: (1) changes the Plan diagram; or, (2) is a site-specific Plan text amendment.

The application requests a change to the Metro Plan diagram that would change the designation of the subject property from Low Density Residential to Light-Medium Industrial. The application requests no changes to the Plan text and does not require a goal exception for approval. Accordingly, it is a Type II amendment. The Metro Plan and the SDC provide that the City of Springfield is the home City for all site specific Type II Metro Plan amendments east of Interstate 5. The SDC also provides that a citizen who owns property that is the subject of the proposed amendment may initiate a Type II Metro Plan amendment at any time.

3.1.2 SDC 7.070 METRO PLAN - APPROVAL OF A PLAN AMENDMENT

3.1.2.1 SDC 7.070(3) CRITERIA FOR APPROVAL OF PLAN AMENDMENT

"(a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and

The proposed amendment is consistent with the goals and policies of the Metro Plan, a local comprehensive plan acknowledged by the Land Conservation and Development Commission. Therefore, statewide planning goals do need to be addressed for approval of the application. Consistency with the goals and policies of the Metro Plan is the controlling factor for approval of the application.

(b) Adoption of the amendment must make the Metro Plan internally inconsistent."

The proposed amendment is consistent with the goals and policies of the Metro Plan. A discussion of how approval of the proposed application is consistent and complies with the Metro Plan follows in Section 4.0.

4.0 COMPLIANCE WITH METRO PLAN POLICIES

All plan amendments and zone changes must comply with the Metro Plan and its relevant policies. This section addresses the relevant plan policies and is organized by Metro Plan Principles and Elements.

4.1 FUNDAMENTAL PRINCIPLES

Metropolitan Goals - Growth Management and the Urban Service Area

Objective: "Encourage development of suitable vacant, underdeveloped, and redevelopable land where services are available, thus capitalizing on public expenditures already made for these services."

The subject property has remained vacant and undeveloped since 1977. It was omitted from the 1977 re-zoning of the adjacent property due to opposition from nearby owners of industrial land and operations. It is located immediately north of I-105 and is separated from heavy industrial uses to the east only by 28th Street. Its location is not conducive to use for dwellings. The proposed development of the subject parcel for limited light-medium industrial uses such as RV storage, mini-storage and small light-medium industrial offices will return the land to productive uses that are compatible with both residential and heavy industrial uses. In addition to added productivity, approval of the application will also provide an enhanced buffering of uses between the residential use in MAIA Park and the heavy industrial uses to the east and northeast.

The Plan Diagram and Text – Land Use Designations

Industrial: Light-Medium Industrial

"This type is markedly different from heavy industrial. Light and medium industries are generally involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is usually minimal. The need for transportation is usually met by truck, although rail and air transportation may be necessary. The labor force varies from small to large. Activities are generally located indoors, although there may be some outdoor storage."

Light-medium industrial uses are, by nature and definition, less impacting and more compatible with residential uses. The proposed use of the subject property (RV and mini storage and small light-medium industrial office space) falls squarely into realm of minimal external impact and, in fact, provides a buffering of uses expected by residential neighbors and demanded by industrial users. Allowing the proposed uses to be developed on the subject property will be consistent with the Metro Plan and will remain consistent with the 1977 decision to not include the subject property in the adjacent planned unit development that has become MAIA Park.

4.2 PLAN ELEMENTS

Residential Land Use and Housing Element

Objectives:

"5. Protect existing and proposed residential areas from conflicting non-residential land uses while providing for compatible and functional mixed-use development (residential and non-residential)."

The removal of the subject property from the 1977 re-zoning of the adjacent land to the west created a marginal buffer between that land and the industrial uses to the east and northeast. However, it was only a buffer of bare land. The proposed use of the subject property will provide physical barriers, in the form of landscaping and structures, that will provide a more viable buffer that accomplishes the intent of the 1977 action while transitioning the uses from residential to heavy industrial with intervening light-medium industrial uses. Approval of the application will fully implement the Metro Plan's objective of providing relief to residential uses from the impact of non-residential land uses.

Policies:

"12. Promote compatibility between residentially zoned land and adjacent areas."

This Metro Plan Policy implements the above-mentioned objective of the Residential Land Use and Housing Element. Approval of the application will promote compatibility between the residentially-zoned land to the west of the subject property and the industrial uses to the east and north east.

"16. Encourage location of non-residential uses, such as neighborhood commercial and small-scale light industry, within residentially designated areas when those auxiliary uses are compatible with refinement plans, zoning ordinances and other local controls for allowed uses in residential neighborhoods."

This policy continues the Metro Plan's theme of establishing uses in a deliberate fashion that encourages the development of light industry and establishes light-medium industrial uses as a functional separation between residential uses and those uses traditionally causing incompatibility issues with residential uses. The application of these particular policies to the requested plan amendment and zone change will provide the foundation for the approval of both requests.

Economic Element

Policies:

"9. Encourage the expansion of existing and the location of new light manufacturing activities which are characterized by low levels of pollution and a relatively low level of energy use."

The proposed uses of the subject property and their location for the purpose of transitioning uses across residential land to heavy industrial land are consistent with and implement this Metro Plan policy. Furthermore, the location of nearly all light-medium industrial uses on the subject property will fulfill the policy.

"13. Encourage compatibility between industrially zoned land and adjacent areas in local planning programs."

The common theme of this application is that allowing light-medium industrial uses on the subject property will provide the buffering and transitioning of uses between industrially zoned land and adjacent or nearby residential uses. Approval of the application will implement and be consistent with this policy also.

5.0 COMPLIANCE WITH SPRINGFIELD DEVELOPMENT CODE CRITERIA FOR ZONING MAP AMENDMENTS

5.1 Zoning Map Amendment Criteria of Approval

5.1.1 *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*

A complete discussion of consistency with and compliance with applicable Metro Plan policies is provided in Section 4.0 above.

5.1.2 *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*

Approval of the application is consistent with the Metro Plan and any associated planning objectives and documents.

5.1.3 *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

The subject property is located within the city limits of Springfield and is either currently provided with all required public facilities, services and transportation networks or the same can be provided to the property upon development. Furthermore, approval of the application, and development consistent with that approval, will not have a significant effect on transportation facilities. The applicant requested that JRH Transportation Engineering conduct an analysis of potential trip generation for uses under the current zoning on the subject property and of potential trip generation for uses allowable in the light-medium industrial zone (and particularly mini-storage and a representative light-medium industrial use—small engine repair).

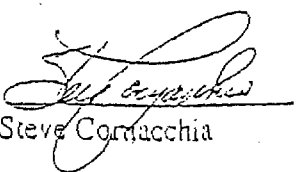
Based upon its analysis, JRH concluded that "the trip generation for the proposed zone change and proposed uses produces less impact to the transportation system than a development allowed under the current zoning." A copy of the JRH report is attached as Exhibit D.

6.0 CONCLUSION

This application to (i) amend the Metro Plan Diagram to designate the subject property as Light-Medium Industrial and (ii) to change the zoning of the property to the Light-Medium Industrial zone (LMI) consistent with the amended Metro Plan Diagram designation, demonstrates that all applicable Metro Plan and City of Springfield criteria have been addressed and met. This application also demonstrates that the proposed amendments are consistent with applicable Statewide Planning Goals and the administrative rules implementing those Goals. Accordingly, the application should be approved.

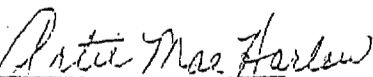
Respectfully submitted,

HERSHNER HUNTER, LLP

By: 
Steve Cortacchia

APPLICANT:

MAIA LLC

By: 
Artie Mae Harlow, Member

FOR ASSESSMENT AND TAXATION ONLY

SE1/4 NE1/4 SEC.25 T.17S.R.3W. W.M.
LANE COUNTY
SCALE 1" = 100'

17 03 25 14

SEE MAP 17 03 25 11

LINE TABLE

11	1100	0.15 AC.
12	1200	0.15 AC.
13	1300	0.15 AC.
14	1400	0.15 AC.
15	1500	0.15 AC.
16	1600	0.15 AC.
17	1700	0.15 AC.
18	1800	0.15 AC.
19	1900	0.15 AC.
20	2000	0.15 AC.
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34	3400	0.15 AC.
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36	3600	0.15 AC.
37	3700	0.15 AC.
38	3800	0.15 AC.
39	3900	0.15 AC.
40	4000	0.15 AC.
41	4100	0.15 AC.
42	4200	0.15 AC.
43	4300	0.15 AC.
44	4400	0.15 AC.
45	4500	0.15 AC.
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47	4700	0.15 AC.
48	4800	0.15 AC.
49	4900	0.15 AC.
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51	5100	0.15 AC.
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79	7900	0.15 AC.
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82	8200	0.15 AC.
83	8300	0.15 AC.
84	8400	0.15 AC.
85	8500	0.15 AC.
86	8600	0.15 AC.
87	8700	0.15 AC.
88	8800	0.15 AC.
89	8900	0.15 AC.
90	9000	0.15 AC.
91	9100	0.15 AC.
92	9200	0.15 AC.
93	9300	0.15 AC.
94	9400	0.15 AC.
95	9500	0.15 AC.
96	9600	0.15 AC.
97	9700	0.15 AC.
98	9800	0.15 AC.
99	9900	0.15 AC.
100	10000	0.15 AC.

CURVE TABLE

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3	1300	0.15 AC.
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5	1500	0.15 AC.
6	1600	0.15 AC.
7	1700	0.15 AC.
8	1800	0.15 AC.
9	1900	0.15 AC.
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70	8000	0.15 AC.
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72	8200	0.15 AC.
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74	8400	0.15 AC.
75	8500	0.15 AC.
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77	8700	0.15 AC.
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79	8900	0.15 AC.
80	9000	0.15 AC.
81	9100	0.15 AC.
82	9200	0.15 AC.
83	9300	0.15 AC.
84	9400	0.15 AC.
85	9500	0.15 AC.
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89	9900	0.15 AC.
90	10000	0.15 AC.

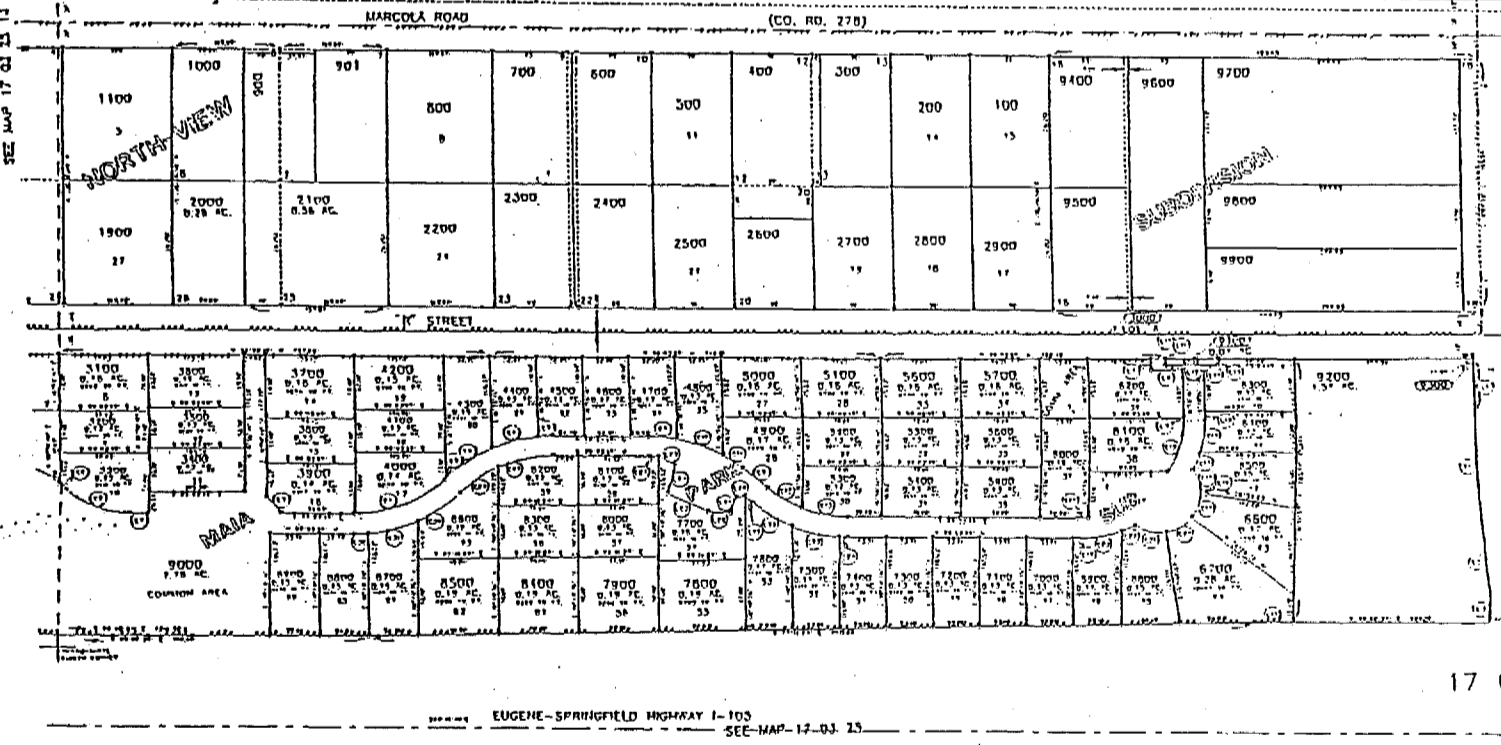
CANCELLED
1200
1300
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1500
1600
1700

94-P0491
TAX LOTTED ON
MAP 17 03 24 11

019-00

TAX LOTTED ON
MAP 17 02 30

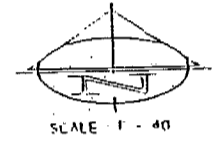
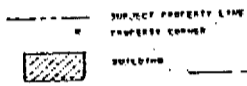
28
EXHIBIT A



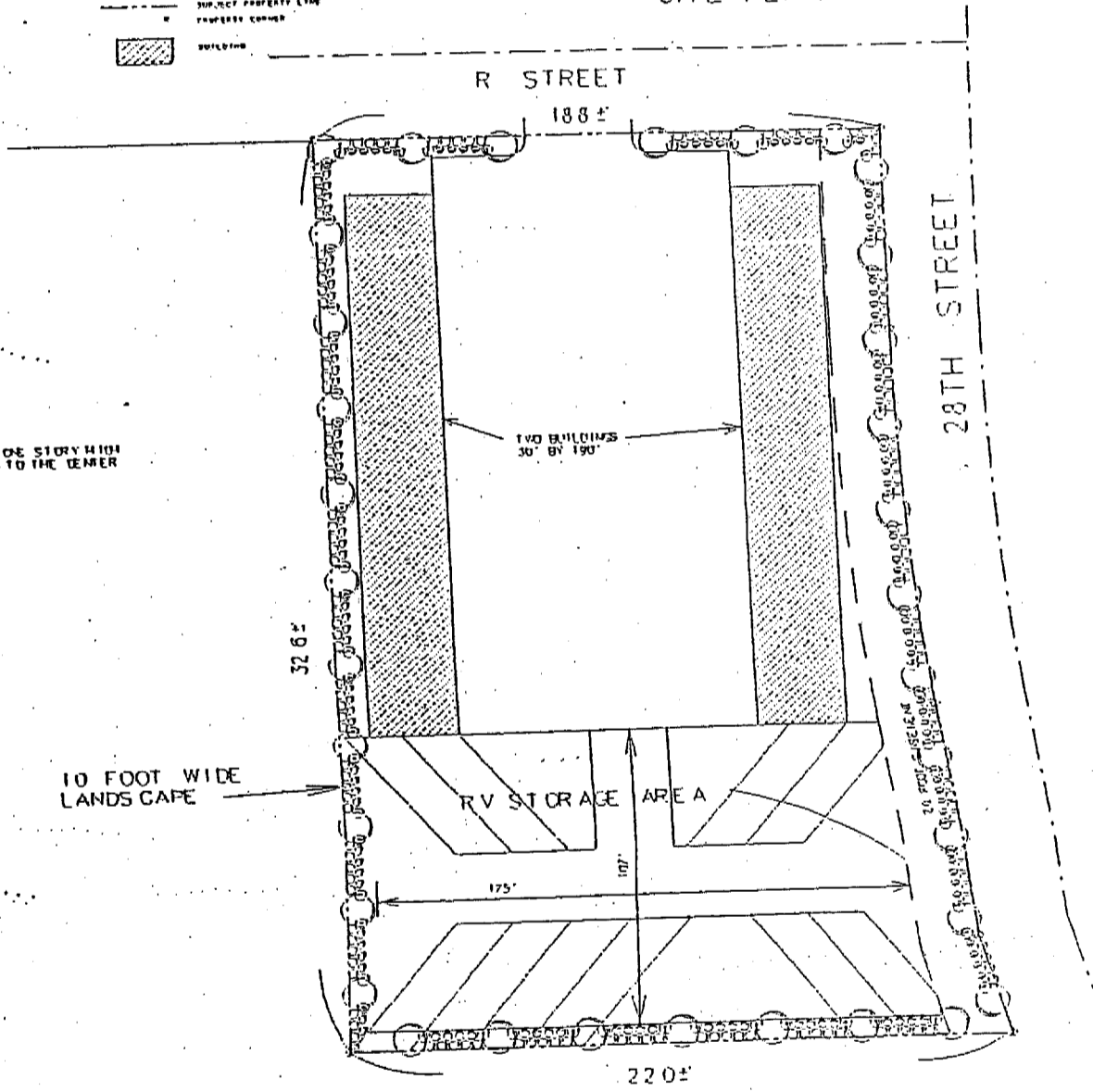
17 03 25 14

EXHIBIT B

SITE PLAN



STORAGE BUILDING ARE ONE STORY HIGH
 AND BUILDING OPENING TO THE CENTER
 C. DRIVING AREA.



ENGINEERS

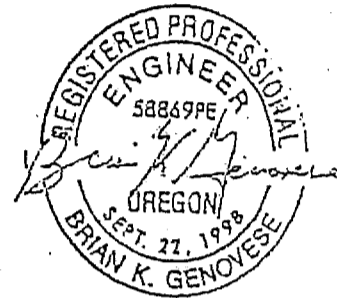
PROJECT MANAGERS

PLANNERS



April 7, 2006

Artie Mae Harlow
1510 Mohawk Blvd.
Springfield, OR 97477



Expires: 6-30-07

RE: Harlow Property Trip Generation Comparison -
Existing Zoning versus Proposed Zoning

Background

The subject property is identified as Assessor's Map #17-03-25-14, tax lot #9200, and is 1.54 acres. The following analysis shows the potential trip generation of this property under the current zoning, Low Density Residential (LDR), with the assumption that a new development would include the maximum number of units available by code. The analysis also shows, as a comparison, the trip generation from Light Industrial land use and from Mini-Storage and Auto Care Center. The trip generation from each land use type in this analysis was determined by using the ITE Trip Generation Manual, 7th Edition.

Current Zoning Trip Generation

The property is located on 28th Street, near Marcola Road and is currently zoned LDR. According to the Springfield Development Code, the maximum dwelling units allowed in the LDR zone is 10 units per acre. The subject property could accommodate a maximum of 15 dwelling units. The tables below show that 15 dwellings would generate approximately 144 total daily trips, with 72 trips in the AM peak hour, and 15 trips in the PM peak hour.

LDR Zone - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	144	50%	50%	72	72

LDR Zone - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	12	25%	74%	3	9

LDR Zone - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
210	SF Dwelling	Dwelling	15	15	64%	36%	10	5



Light-Medium Industrial Zoning Trip Generation

The following table shows the trip generation for the subject property based on the proposed zone change from Low Density Residential (LDR) to Light-Medium Industrial (LMI). The LMI zoning generates 12 AM peak hour trips and 14 PM peak hour trips.

Light Industrial Zone - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	80	50%	50%	40	40

Light Industrial Zone - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	12	85%	15%	10	2

Light Industrial Zone - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
110	General Light Industrial	Acre	1.54	14	30%	70%	4	10

The zone change from Low Density Residential to Light Industrial results in a decrease in trips generated. The Low Density Residential zone generates approximately 144 total daily weekday trips; whereas, the Light Industrial zone generates 80 total weekday daily trips, a 44 percent decrease in trips generated. The proposed zoning generates approximately the same amount of trips as the current zoning in the AM and PM peak hours.

Mini-Storage and Auto Care Center Trip Generation

The proposed uses in the Light Industrial zone are Mini-Storage and a small-engine repair shop. A small-engine repair shop is not a land use type that has trip generation information available; however, based on a reasonable worst-case expectation for trip generation, it was determined that Auto Care Center, land use code 942, would best represent the proposed use. Land Use code 942 does not have weekday trip information, but it has both AM and PM peak hour trip generation. The tables below show that the proposed uses would generate a total of 10 AM peak hour trips and 9 PM peak hour trips.

Proposed Use - Weekday Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	80	50%	50%	30	30
942	Auto Care Center	per 1000 sq ft	0.3	n/a	n/a	n/a	n/a	n/a



Proposed Use - AM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	7	n/a	n/a	n/a	n/a
942	Auto Care Ctr	per 1000 sq ft	0.8	3	60%	40%	2	1

Proposed Use - PM Peak Hour Trips								
Code	Description	Unit	Number of Units	Trips	% In	% Out	Trips In	Trips Out
151	Mini-Storage	per acre	1.52	6	52%	48%	3	3
942	Auto Care Ctr	per 1000 sq ft	0.8	3	51%	49%	2	1

Since there is no weekday information available for Auto Care Center, the comparison of trip generation for the proposed land use is limited to AM and PM peak hour trip generation. The proposed uses in the Light Industrial zone create approximately the same amount of trips in the AM and PM peak hours, with 10 in the AM peak hour and 9 in the PM peak hour. The proposed land uses generate 33 percent fewer peak hour trips than the current Low Density Residential zoning.

Summary/ Conclusions

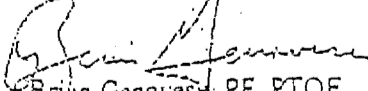
The zone change from Low Density Residential to Light Industrial results in a decrease in trips generated from the proposed zoning. The Low Density Residential zone generates approximately 144 total daily weekday trips; whereas, the Light Industrial zone generates 80 total weekday daily trips, a 44 percent decrease in trips generated. The proposed zoning generates approximately the same amount of trips as the current zoning in the AM and PM peak hours.

The proposed uses in the Light Industrial zone, which include Mini-Storage and a small-engine repair shop, generate 10 trips in the AM peak hour and 9 trips in the PM peak hour. The proposed land uses generate 33 percent fewer peak hour trips than the current Low Density Residential zoning.

Based on this analysis, the trip generation for the proposed zone change and proposed uses produces less impact to the transportation system than a development allowed under the current zoning.

Should you have any questions, or need additional information, please contact me at your convenience.

Very truly yours,


 Brian Genovese, PE, PTOE

cc: Steve Cornacchia

HERSHNER HUNTER

STEVE CORNACCHIA
scornacchia@hershnerhunter.com

June 12, 2006

City of Springfield
Development Services Department
ATTN: Mark Metzger
225 Fifth Street
Springfield, OR 97477

Re: MAIA, LLC Metro Plan Amendment and Zone Change
Our File No. 31618/00001

Dear Mark:

Thank you for meeting with me and providing your assistance in producing an accurate and comprehensive application for the requested planning actions by the City.

Upon further review I agree that the application requires supplemental information. Specifically, the application contains references to three Residential Land Use and Housing Element objectives and policies that no longer exist in the Metro Plan since the 2004 amendments to that Element. Please file this correspondence as a supplement to the original application.

We offer the following supplemental information to the original application:

1. Residential Land Use and Housing Element Objective No. 5 on page 4 of the Application should be deleted;
2. Residential Land Use and Housing Element Policy No. 12 on page 4 of the Application should be deleted;
3. Residential Lane Use and Housing Element Policy No. 16 on page 5 of the Application should be deleted;

City of Springfield
June 12, 2006
Page 2

4. The basic objectives and policies of the Metro Plan that encourage the compatibility between residential and industrial uses that were provided by the deleted references to the Metro Plan, while no longer appearing in the subject Element, still exist in other sections of the Metro Plan, including the Economic Element and the Land Use Designations of the Plan Diagram and Text;
5. The Residential Land Use and Housing Element retains the basic objective of compatibility between different uses in its introductory statement: "The existing housing stock and residential land supply and its relationship to other land uses and infrastructure are critical to the future needs of all residents.";
6. The Economic Element contains additional provisions consistent with approval of the proposed plan amendment and zone change. They are:
 - a. "Objective 7. Ensure compatibility between industrial land and adjacent areas";
 - b. "Objective 11. Attempt to find ways to more efficiently use inefficiently used resources such as land, labor and secondary waste products:
 - c. "Policy B.6 Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand"; and
 - d. "Policy B.15 Encourage compatibility between industrially zoned lands and adjacent areas in local planning programs."

On a related level, enclosed are copies of a question and answer form provided to purchasers of lots within MAIA Park that include the following reference to the park developer's original intent for the subject property:

"Concerning RV storage, MAIA LLC owns the vacant lot on the east along 28th Street that will be developed with a RV storage area."

The enclosed copies are of forms acknowledged by Rasmussen, Wiemers and Gardineer, all of whom purchased lots adjacent to the subject property. In addition, enclosed are original statements signed by those three parties and by the Gunter's (Lot 41) and the owners of Lot 43 (Bramley and Turner) that acknowledge and support the proposed plan amendment and zone change. The forms and the statements provide substantial evidence that adjacent

City of Springfield
June 12, 2006
Page 3

property owners were aware of the future use of the subject property when they purchased their respective parcels. The statements provide additional substantial evidence that adjacent property owners believe that the proposed use of the subject property is compatible with their use of their property.

Finally, enclosed is a copy of a preliminary site plan prepared for the applicant by Poage Engineering that evidences the applicant's development plan for the subject property following the City's approval of the requested plan amendment and zone change.

Again, thank you for your assistance and please place this correspondence and all enclosures in the record of this proceeding.

If you have questions regarding this matter please contact me.

Best regards,


STEVE CORNACCHLA

PSC:ss
Enclosures
Cc: Client (with enclosures)

Statements signed by MAIA Park property owners indicating their knowledge of the proposed RV Park at the time of their property purchase.

MAIA PARK
 A 55+ Manufactured Home Community
 2365 Maia Loop., Springfield, Oregon 97477
 Phone: 746-4065 Fax: 746-0593
 1-800-422-0082

*LOT 44
 Betty
 Wrenner*

Lots for Sale, Lease or Rent

Thank you for considering MAIA Park. This letter is written in response to the most frequently asked questions about MAIA Park.

Yes, you can have a pet. We have a pool table. There will be more street trees. The lots are owned by the Bob Harlow Family, 746-4069.

We have converted MAIA Park into a 77-lot Planned Unit Development Subdivision so that we can sell the lots. Each lot is individually owned. Each lot owner will also own a portion of the clubhouse and common areas. Each lot owner will be a voting member of Maia Park Home Owner's Association, with one vote per lot.

The Home Owner's Association will have rules and regulations which may be changed by vote of the Home Owner's Association membership. As in most subdivisions, there are also deed conditions and restrictions.

In addition to the services necessary to maintain the facility in a habitable condition, the Homeowner's Association will provide and maintain the security fences, security gates, streets, sidewalks, community center, common areas, common area landscaping, and the streetlights. The Homeowner's Association will not provide landscape maintenance on your lot. We expect the monthly fee to be approximately \$35.00. The \$35.00 HOA fees are for actual expenses without a profit for anyone.

You may sell your lot and home to someone, but the buyers must be approved by the Homeowner's Association and meet the occupancy guidelines in effect at the time of the sale. Occupancy requirements will continue to include criminal checks.

The size and shape of the lots vary. All lots will accommodate a double wide home plus a carport or garage. Some lots are large enough for a triple wide and a double garage.

Some lots have great views. Installing slats or shrubs along the fence will greatly improve the views. So, when choosing your lot, be sure to look over the top of the fence. As more homes are moved in, and landscaping finished, the park appearance will greatly improve.

Concerning RV storage, MAIA LLC owns the vacant lot on the east along 28th Street that will be developed with a RV storage area. Currently, we are storing resident's RVs on our private lots located north of the park.

Note

If you like to spend time on the Internet, we have installed the conduit in the ground for fiber optics. Now we just need Springfield Utility Board to bring the fiber optics to us.

The following services will be billed directly to you by the provider:

<u>Provider</u>	<u>Service</u>	<u>Provider</u>	<u>Service</u>
Northwest Natural Gas	Gas	AT&T Broadband	Cable TV
Sant-pac	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA Park.

*Copy Received and approved
 BAK*

7/5/01

Exhibit 6

41 Gordon

MAIA PARK
A 55+ Manufactured Home Community
2365 Maia Loop., Springfield, Oregon 97477
Phone: 746-4066 Fax: 746-0593

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Northwest Natural Gas	Gas	AT&T Broadband	Cable TV
Sani-pac	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA Park.

Copy Received and approved

7/5/01 Exhibit C

08/08/2005 WED 10:01 FAX 541 745 5689 EVERGREEN LAND TITLE CO

0028/028

MAR 24 2005 4:24PM HP LASERJET FAX

P. 15

Lot 4-2

Rasmussen

MAIA PARK
A 56+ Manufactured Home Community
2886 Maia Loop, Springfield, Oregon 97477
Phone: 746-4068 Fax: 746-0597
1-800-422-0082

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Thank you for considering MAIA Park. This letter is written in response to the most frequently asked questions about MAIA Park.

Yes, you can have a pet. We have a pool table. There will be more street trees. The lots are owned by the Bob Harlow Family, 746-4069.

We have converted MAIA Park into a 77-lot Planned Unit Development Subdivision so that we can sell the lots. Each lot is individually owned. Each lot owner will also own a portion of the clubhouse and common areas. Each lot owner will be a voting member of Maia Park Home Owner's Association, with one vote per lot.

The Home Owner's Association will have rules and regulations which may be changed by vote of the Home Owner's Association membership. As in most subdivisions, there are also deed conditions and restrictions.

In addition to the services necessary to maintain the facility in a habitable condition, the Homeowner's Association will provide and maintain the security fence, security gates, streets, sidewalks, community center, common areas, common area landscaping, and the streetlights. The Homeowner's Association will not provide landscape maintenance on your lot. We expect the monthly fee to be approximately \$35.00. The \$35.00 HOA fees are for actual expenses without a profit for anyone.

You may sell your lot and home to someone, but the buyers must be approved by the Homeowner's Association and meet the occupancy guidelines in effect at the time of the sale. Occupancy requirements will continue to include criminal checks.

The size and shape of the lots vary. All lots will accommodate a double wide home plus a carport or garage. Some lots are large enough for a triple wide and a double garage.

Some lots have great views. Installing slats or shrubs along the fence will greatly improve the views. So, when choosing your lot, be sure to look over the top of the fence. As more homes are moved in, and landscaping finished, the park appearance will greatly improve.

Concerning RV storage, MAIA LLC owns the vacant lot on the east along 28th Street that will be developed with a RV storage area. Currently, we are storing resident's RVs on our private lots located north of the park.

If you like to spend time on the Internet, we have installed the conduit in the ground for fiber optics. Now we just need Springfield Utility Board to bring the fiber optics to us.

The following services will be billed directly to you by the provider:

Provider	Service	Provider	Service
Northwest Natural Gas	Gas	AT&T Broadband	Cable TV
Sani-pac	Garbage	Q-West	Phone
Springfield Utility Board	Electricity, Water & Sewer		

We would like to invite you to join us and move into MAIA PARK.

7/21/05

Copy Received
[Signature]

ECk by [Signature]

EXHIBIT 6

[Signature]

Statements of "Approval of Application for Rezone" signed by current MAIA Park owners indicating their support of the proposed zone change.

APPROVAL OF APPLICATION FOR RE-ZONE

WE Donald E Bramley and Howard L. Turner, owner of Lot 43 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 21, day of May, 2006.

Donald E. Bramley

Howard L. Turner
by Donald E. Bramley
his power of attorney

APPROVAL OF APPLICATION FOR RE-ZONE

Nona M. Gardineer

I, Lorraine E Gardineer, owner of Lot 41 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a rezoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1st, day of June, 2006.

*Lorraine E Gardineer**Nona M Gardineer*

APPROVAL OF APPLICATION FOR RE-ZONE

D. Dale Gunter

I, Joye A. Gunter, owner of Lot 40 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a rezoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1, day of June, 2006.

D. Dale Gunter

Joye A. Gunter

APPROVAL OF APPLICATION FOR RE-ZONE

I, Betty Wiemers, owner of Lot ~~44~~ of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a re-zoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 31, day of ^{MAY}~~APR~~, 2006.

Betty Wiemers

APPROVAL OF APPLICATION FOR RE-ZONE

I, Blanche E Rasmussen, owner of Lot 42 of MAIA Park Subdivision, am aware of and hereby support the approval by the City of Springfield of a rezoning of Tax Lot 9200 (Assessor's Map No. 17-03-25-14) from Low Density Residential to Light-Medium Industrial. I understand that the City's approval will allow the development of recreational vehicle storage, mini-storage units and small building spaces for light medium industrial uses on Tax Lot 9200.

Dated this 1ST, day of June, 2006.

Blanche E Rasmussen