



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

June 25, 2007

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 006-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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: July 11, 2007

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
David Reesor, City of Springfield

<paa> ya

FOR

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

DEPT OF

JUN 21 2007

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

DATE
STAMP

Jurisdiction: City of Springfield Local file number: LRP2007-00012

Date of Adoption: 6/18/2007 Date Mailed: 6/20/2007

Date original Notice of Proposed Amendment was mailed to DLCD: 3/20/2007

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: <u>Ref. Plan Amend. -text / map</u> |

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

The applicant applied for a Refinement Plan Text & Map Amendment concurrently with a Zoning Map Amendmnet (ZON2007-00011). The applicant proposed to change the Refinement Plan designation from Medium Density Residential (MDR) to General Office (GO). The City Council voted unanimously to approve the proposal on June 18th, 2007. The adpoted Ordinance has an effective date 30 days after the Council voted for approval.

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".

Some minor changes to the applicant's proposed text amendment were made in order to better accommodate future GO use areas within the Q St. Ref. Plan area.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: MDR to: GO

Location: 17032524 TL 3600,4700,4800,4900,5000 Acres Involved: 1.17

Specify Density: Previous: 10-20 units per acre New: N/A

Applicable Statewide Planning Goals: 9 & 10

Was and Exception Adopted? YES NO

DLCD File No.: 006-07 (15972)

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: **David Reesor** Phone: **(541) 726-3783** Extension: _____

Address: **225 Fifth Street** City: **Springfield**

Zip Code + 4: **97477-** Email Address: **dreesor@ci.springfield.or**

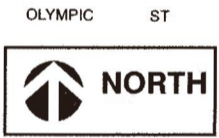
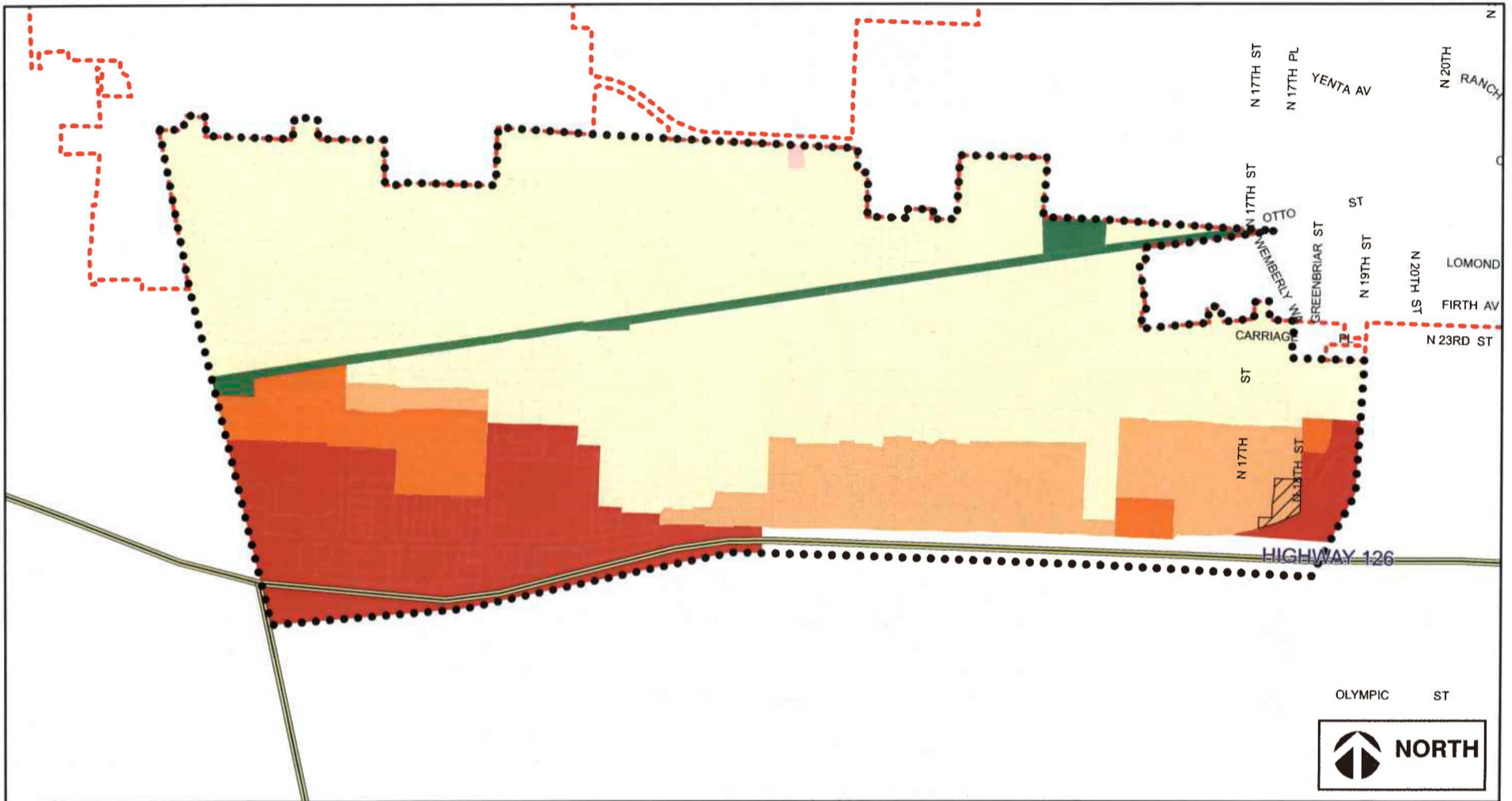
ADOPTION SUBMITTAL REQUIREMENTS

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.



Legend

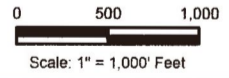
Plan District Boundaries	
 LOW DENSITY RESIDENTIAL	 NEIGHBORHOOD COMMERCIAL
 MEDIUM DENSITY RESIDENTIAL	 COMMUNITY COMMERCIAL
 HIGH DENSITY RESIDENTIAL	 PUBLIC SEMI-PUBLIC

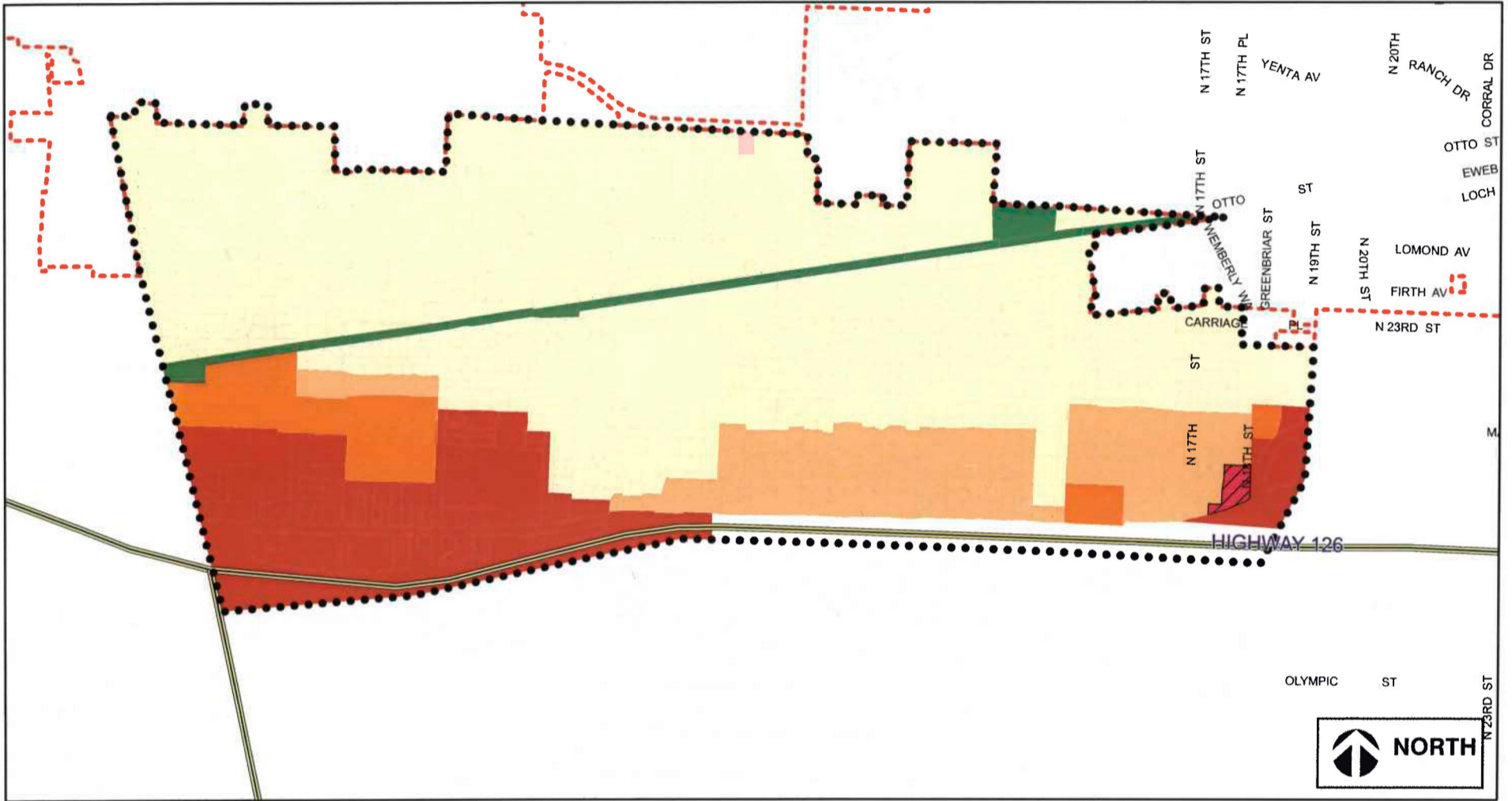
Miscellaneous Boundaries

 Springfield City Limits	 Refinement Plan Area
 Existing Parcels	 Subject Site

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Refinement Plan
Existing Refinement Plan Designations





Legend

Plan District Boundaries

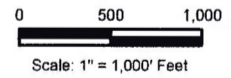
- | | | |
|----------------------------|-------------------------|--------------------|
| LOW DENSITY RESIDENTIAL | NEIGHBORHOOD COMMERCIAL | GENERAL OFFICE |
| MEDIUM DENSITY RESIDENTIAL | COMMUNITY COMMERCIAL | PUBLIC SEMI-PUBLIC |
| HIGH DENSITY RESIDENTIAL | | |

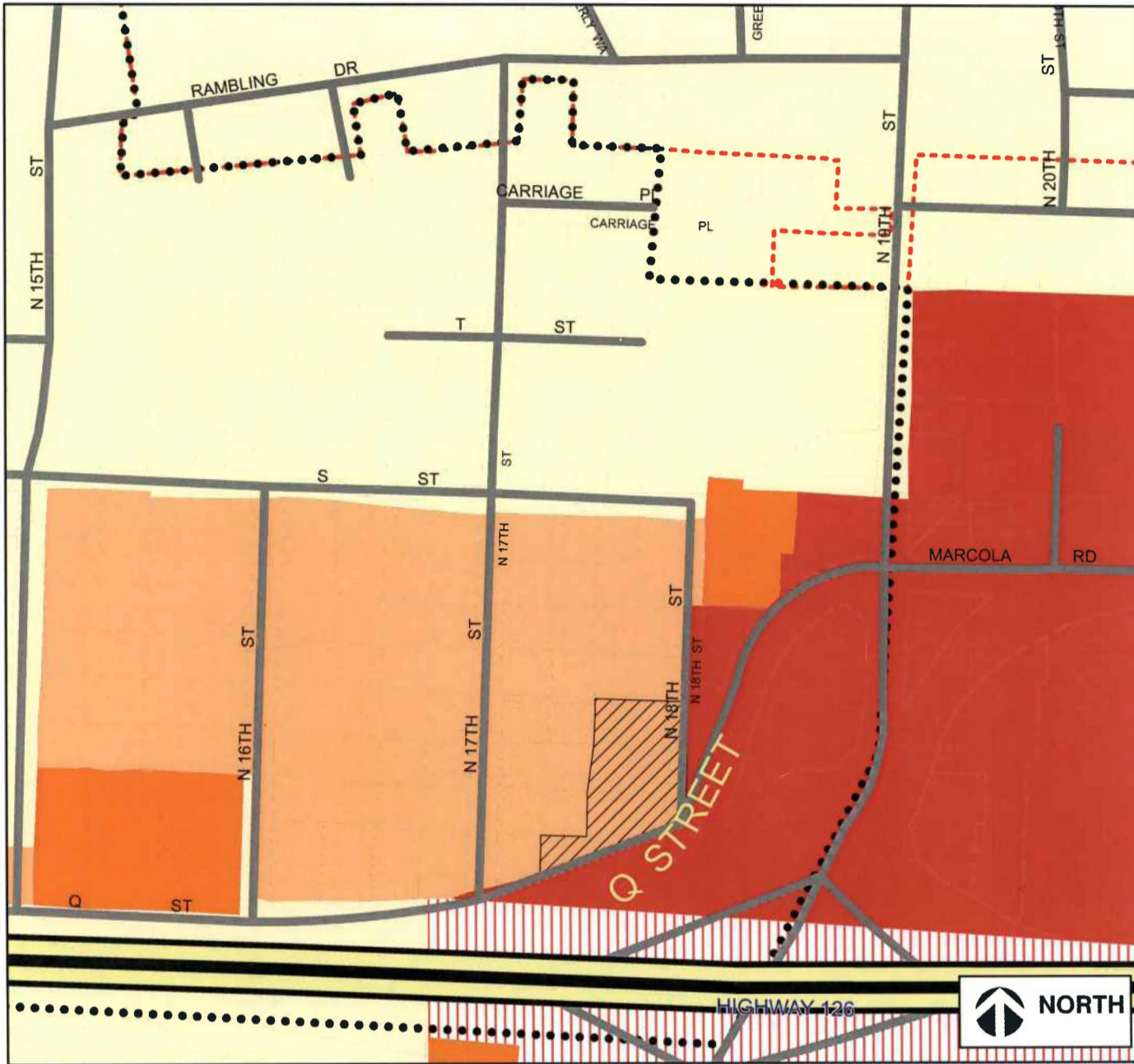
Miscellaneous Boundaries














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|-------------------------|----------------------|
| Springfield City Limits | Refinement Plan Area |
| Existing Parcels | Subject Site |

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Refinement Plan
Proposed Refinement Plan Designations



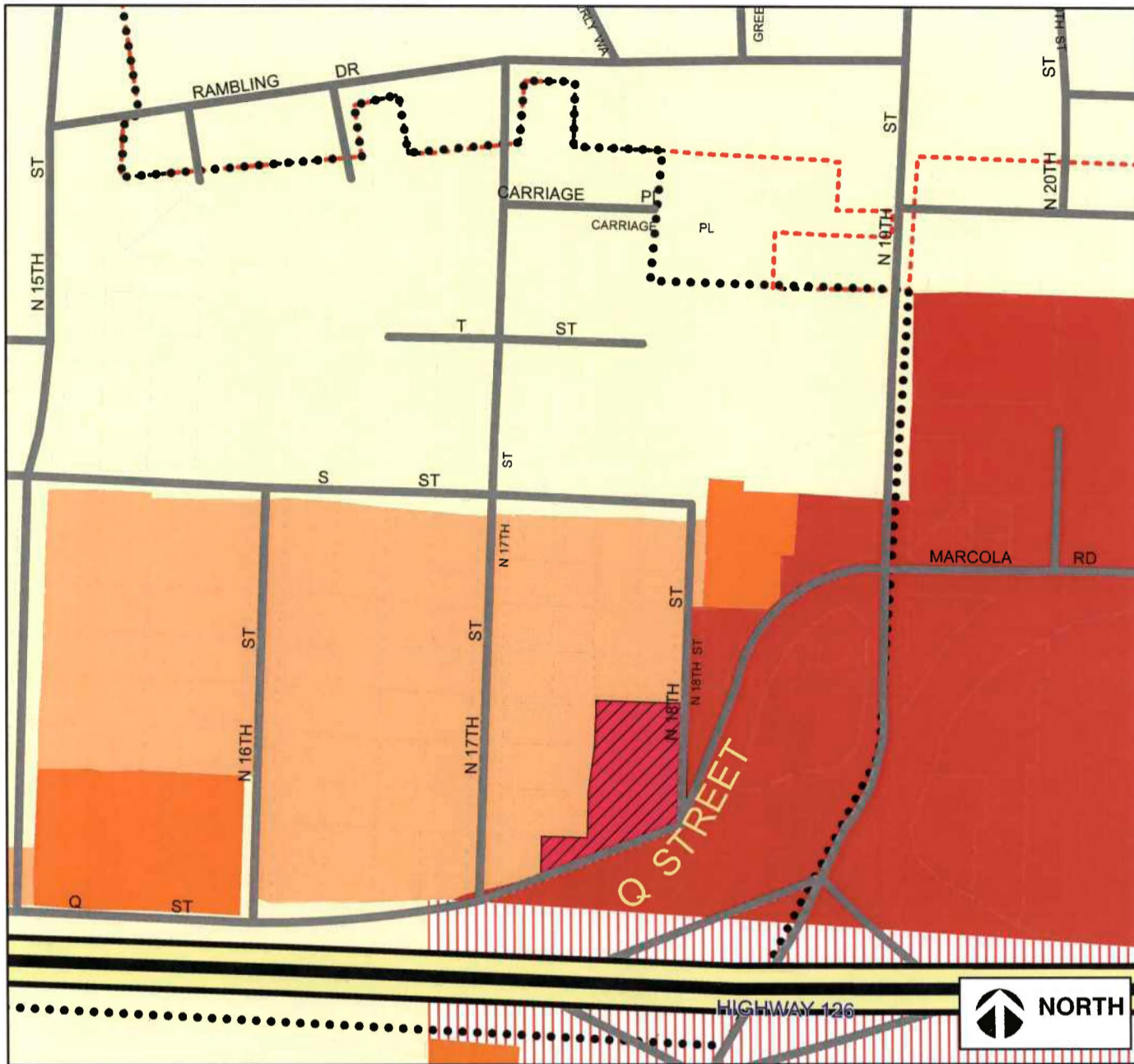


Legend		
<i>Zoning District Boundaries</i>		
	High Density Residential	 Community Commercial
	Medium Density Residential	 Major Retail Commercial
	Low Density Residential	 Mixed Use Commercial
		 Neighborhood Commercial
		 General Office
		 Public Land & Open Space
<i>Miscellaneous Boundaries</i>		
		 Springfield City Limits
		 Existing Parcels
		 Refinement Plan Area
		 Subject Site

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Property
Existing Zoning





Legend

Zoning District Boundaries

- | | | |
|----------------------------|-------------------------|--------------------------|
| High Density Residential | Community Commercial | Neighborhood Commercial |
| Medium Density Residential | Major Retail Commercial | General Office |
| Low Density Residential | Mixed Use Commercial | Public Land & Open Space |

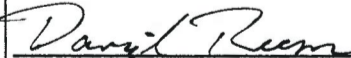
Miscellaneous Boundaries

- Springfield City Limits
- Existing Parcels
- Refinement Plan Area
- Subject Site

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Property
Proposed Zoning



CITY OF SPRINGFIELD		DEVELOPMENT SERVICES DEPARTMENT	
NOTICE OF DECISION SPRINGFIELD PLANNING COMMISSION			
REFINEMENT PLAN MAP / TEXT AMENDMENT & ZONING MAP AMENDMENT			
DATE OF NOTICE:	June 20 th , 2007		
DATE OF DECISION:	June 18 th , 2007		
JOURNAL NUMBER:	ZON2007-00011 & LRP2007-00012		
APPLICANT:	Scott McKee		
NATURE OF REQUEST			
The applicant requested approval of a Refinement Plan Text and Diagram Amendment to the Q Street Refinement Plan and a concurrent Zoning Map Amendment. The applicant sought approval of this text and diagram amendment and zone change in order to facilitate development of a future professional office building on the site.			
LOCATION OF PROPERTY			
The request involves five contiguous properties near 18 th and Q Street. The subject properties are specifically identified as Lane County Assessor's Map 17-03-25-24, Tax Lots 3600, 4700, 4800, 4900 and 5000.			
DECISION			
The Planning Commission held a public hearing to consider the application on May 15 th , 2007. The Planning Commission recommended approval of the proposal to the City Council. The City Council held a public hearing to consider the applications and the Planning Commission's recommendation on June 4 th , 2007 and voted unanimously to approve the proposal on June 18 th , 2007.			
APPEAL			
Pursuant to ORS 197.830(2)(b), a notice of intent to appeal may be filed with the Land Use Board of Appeals (LUBA) by those who appeared before the local government, special district or state agency orally or in writing. If you wish to appeal, you must file a notice of intent to appeal with the LUBA no later than 21 days from the date the decision was mailed to you by the local government. 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 66a, Division 100. Please call LUBA at 503-373-1265, if you have questions about appeal procedures.			
QUESTIONS			
If you have any questions concerning this matter, please contact David Reesor, Planner III at 541.726.3783.			
 _____ David Reesor, Planner III			

ORDINANCE NO. 6193 (General)

AN ORDINANCE AMENDING THE Q STREET REFINEMENT PLAN DIAGRAM BY REDESIGNATING 1.17 ACRES OF LAND FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO GENERAL OFFICE (GO) AND AMENDING THE REFINEMENT PLAN TEXT TO ESTABLISH A POLICY AND CRITERIA FOR LOCATING THE GENERAL OFFICE DESIGNATION WITHIN THE REFINEMENT PLAN AREA.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

1. Article 8 of the Springfield Development Code sets forth procedures for Refinement Plan diagram and text amendments; and

2. On March 5th, 2007 the applicant/owner of the subject property initiated the following Q Street Refinement Plan amendment:

Redesignate 1.17 acres of land from Medium Density Residential to General Office, Case Number LRP2007-00012, for property identified as Lane County Assessor's Map 17-03-25-24, Tax lots 3600, 4700, 4800, 4900 and 5000 and amend the Refinement Plan text to establish a policy and criteria for locating the General Office designation within the Refinement Plan area.

3. On May 15th, 2007, the Springfield Planning Commission held a work session and public hearing to receive testimony and hear comments on this proposal. The Planning Commission voted unanimously (7-0) to forward a recommendation of approval to the City Council; and

4. On June 4th, 2007 the Springfield City Council held a work session and a public hearing to consider and to receive testimony and hear comments on this proposal. The City 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 Q Street Refinement Plan diagram and text.

NOW THEREFORE, based upon the foregoing findings 1-4 the City of Springfield ordains as follows:

Section 1. The Q Street Refinement Plan designation of the subject property, more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby amended from Medium Density Residential to General Office.

Section 2. The Q Street Refinement Plan Criteria for Plan Designations Section is hereby amended by adding a second commercial section to read as follows:

2) The General Office refinement plan designation may be applied in areas with existing Residential Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.

- b) *An area must be at least one acre in size to receive the General Office refinement plan designation.*
- c) *A General Office designated area shall not be created or expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- d) *A General Office designated area shall not be created or expanded greater than 5 acres in size.*

Section 3. The Q Street Refinement Plan Policies Section is hereby amended by adding a ninth policy to read as follows:

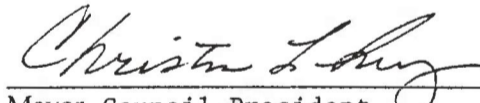
9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

Section 4. 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.

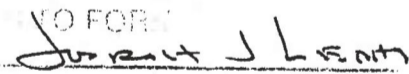
FURTHER, although not part of this Ordinance, the Springfield City Council adopts findings 1-4 hereinabove, and the findings set forth in the Staff Report which demonstrate conformance of this amendment to the Metro Plan, applicable State statutes and applicable State-wide Planning Goals and Administrative Rules, and is attached as Exhibit A.

ADOPTED by the Common Council of the City of Springfield this 18th day of June, 2007 by a vote of 6 for and 0 against.

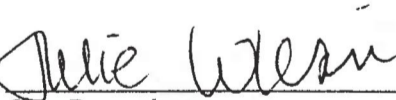
APPROVED by the Mayor of the City of Springfield this 18th day of June, 2007.



 Mayor Council President

FOR:


 E. 6/5/07
 OFFICE OF CITY ATTORNEY

ATTEST:


 City Recorder



**Q Street Refinement Plan Text and Map
Amendment – Type IV
& Zoning Map Amendment - Type IV
Staff Report and Findings**

Hearing Date:
May 15th, 2007

Case Number:
ZON 2007-00011
LRP 2007-00012

Owner/ Applicant
Scott McKee
1101 16th Street
Springfield, OR 97477

Applicant's Representative
Satre Associates, P.C.
132 East Broadway, Suite 536
Eugene, OR 97401

Date Submitted: March 5th, 2007

EXECUTIVE SUMMARY

The applicant is seeking approval of a Refinement Plan text and diagram Amendment to the Q Street Refinement Plan and a concurrent Zoning Map Amendment from Medium Density Residential (MDR) to General Office (GO). The applicant is requesting these amendments in order to pursue a future professional office building on the subject site. The applicant chose to apply for the GO Zone and Refinement Plan designation because the City's existing definition of the GO Zone designates it as appropriate for areas which serve as a transition zone, providing a buffer between residential and more intensive commercial development.

The subject site is located on the corner of 18th and Q Street, which is designated as a collector street. Highway 126 is adjacent to Q Street. There is currently no buffer between the existing medium density residential neighborhood and adjacent Q Street traffic and Hwy 126 traffic. Similarly, there is currently no buffer between the more intensive commercial development (zoned Community Commercial – CC) located east of the site and the existing medium density residential other than Q Street.

Because the GO Zone is designed as a buffer zone between residential and more intensive commercial development, the GO Zone provides safeguards for adjacent residential properties including a strict limit of uses, screening, landscaping, height standards, etc. The GO zone is the strictest of all the City's commercial zones in regards to types of uses allowed.

As mentioned in findings in this report, Staff supports the proposed zone change and Refinement Plan Amendment. Staff has proposed some minor changes to the applicant's proposal related to the text amendment, in order to better accommodate future GO use areas within the Q Street Refinement Plan area. As noted in the City of Springfield's 2000 Commercial Lands Study, there is a shortfall of commercial lands

EXHIBIT A

within city limits. The Metro Plan allows small scale office uses within residentially designated areas such as the subject site without changing the land use designation. This concept allows small scale office uses in transition areas. Similar GO designated and zoned properties can be found in the Gateway Refinement Plan area, where properties are designated GO on the Gateway Refinement Plan Diagram and zoned GO on the Springfield Zoning Map, but are designated MDR on the Metro Plan Diagram. As described in this report, language in the Metro Plan specifically allows small scale office uses (neighborhood commercial uses) as auxiliary uses in residentially designated areas.

In order to approve these applications, the applicant must demonstrate compliance with the Metro Plan, Statewide Planning Goals, Oregon Administrative Rules, State Statutes, and demonstrate the ability to service the site with adequate public facilities and services.

This Staff Report provides findings of fact relevant to each of the applicable criteria of approval and recommendations to the Planning Commission. Upon review of the evidence provided by the applicant, site visits, existing structures/uses and review of the applicable criteria of approval, staff finds that the applicant's request for a zone change and Refinement Plan Amendment from MDR to GO is appropriate for the subject property and recommends the Planning Commission approve the attached Order and forward the proposal to the City Council with a recommendation for adoption.

REQUEST:

The applicant requests approval of a Refinement Plan Text and Diagram Amendment to the Q Street Refinement Plan and a concurrent Zoning Map Amendment. The request involves five contiguous properties at 18th and Q Street. Specifically, the applicant proposes to change Refinement Plan designation from Medium Density Residential (MDR) to General Office (GO) and a concurrent zone change from MDR to GO. The requested Refinement Plan text amendment establishes policy and criteria for locating the General Office designation within the Refinement Plan area. The applicant seeks approval of this text and diagram amendment and zone change in order to facilitate development of a future professional office building on the site.

SITE DESCRIPTION:

The subject site is located at the northwest corner of the intersection of 18th and Q Street, and consists of properties identified as Lane County Assessor's Map 17-03-25-24, Tax Lots 3600, 4700, 4800, 4900 and 5000. The existing street addresses listed for the site are 1865 17th Street, 1868 18th Street and 1866 18th Street. The total area of the five properties is approximately 1.17 acres. The subject properties consist of three single family homes (each on its own individual lot), and vacant land adjacent to Q Street.

The subject site is located just north of the westbound on-ramp for the Eugene-Springfield Highway and is separated from the Highway by the Q Street right-of-way. The site is one block west of the intersection of the Eugene-Springfield Highway with Mohawk Boulevard/19th Street. Properties east of the subject site are zoned Community Commercial (CC) and designated Commercial on the Metro Plan. Properties located west and north of the subject site are zoned and designated Medium Density Residential.

The subject properties have approximately 246.5 feet of street frontage on 18th Street and 170 feet of street frontage on Q Street. The City of Springfield Map of Streets by Functional Class identifies 18th Street as a local street and Q Street as a collector street.

The properties are in an area determined to be outside of the 500-year floodplain, according to the National Flood Insurance Program Flood Insurance Rate Map #41039C1153F. The properties are not in areas identified in the Local and National Wetland Inventory Map. The Springfield Drinking Water Protection Overlay Map indicates at least part of the site appears to be within the 1-year Time of Travel Zone for the 16th and "Q" Street Wellfield.

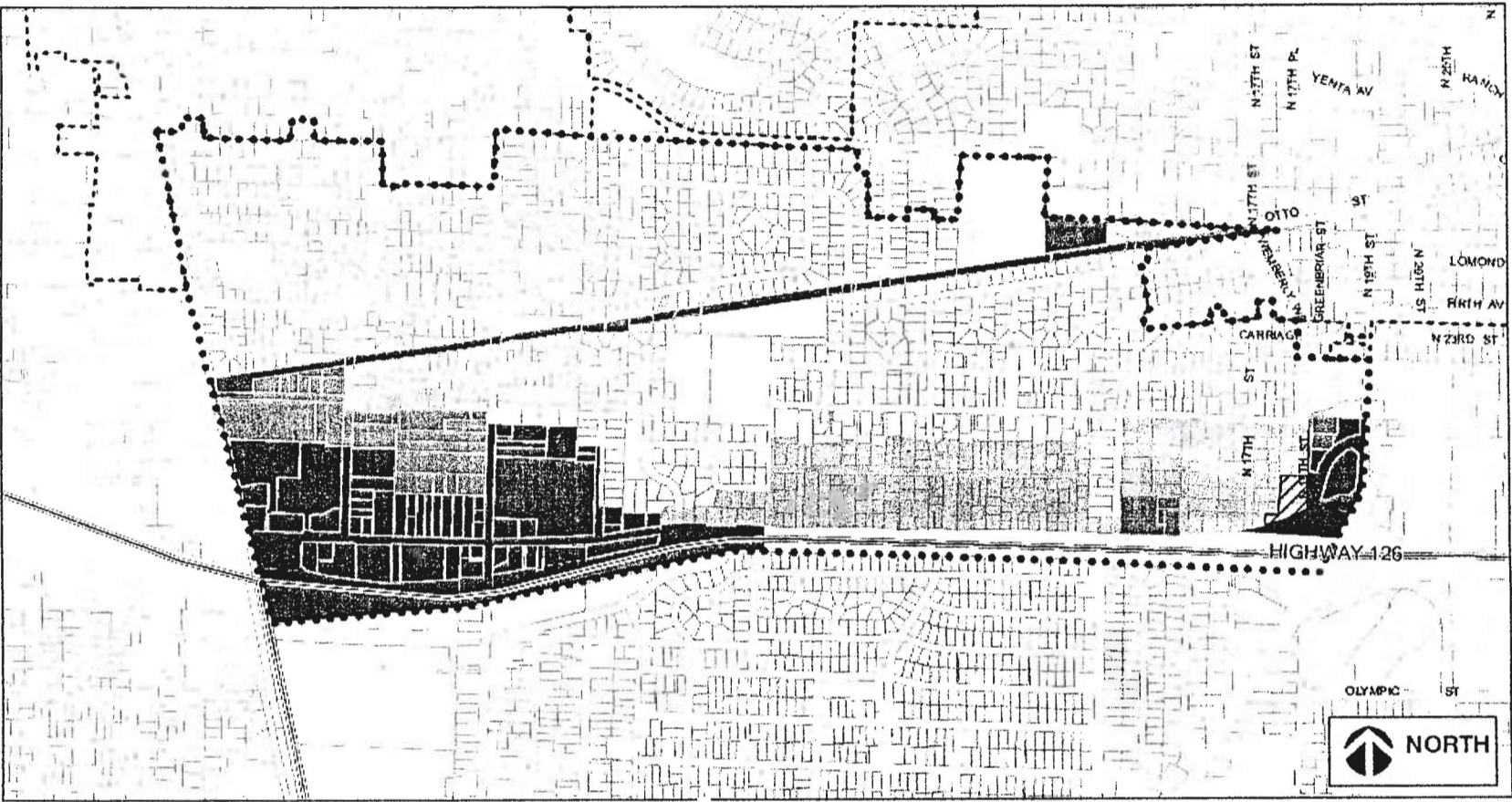
Q Street passes along the south side of the subject site. Highway 126 is immediately south of "Q" Street, creating a large swath of right-of-way more than 400 feet wide dividing the subject site from other development to the south.

Properties in Medium Density Residential zoning and plan designation are adjacent to the west and north sides of the subject site.

Properties adjacent to the east side of the subject site are zoned Community Commercial, and have various commercial uses located on-site including an auto repair shop, Dairy Mart convenience store, a veterinarian's office, and an Izzy's Pizza parlor.

The subject properties are currently served by sanitary sewer system via an 8" concrete pipe in the west side of 18th Street. The storm drain system is in the Q Street right-of-way and along the east side of 18th Street. Springfield Utility Board (SUB) has indicated it has sufficient capacity to provide electrical and water service to the site. For electric service, SUB has overhead primary on the east side of 18th Street. For water service, SUB has a water line that extends along the east side of 18th Street and the north side of "Q" Street. The water line currently has three service laterals extending to the subject site.

Existing Refinement Plan Designation:



Legend

	LOW DENSITY RESIDENTIAL		NEIGHBORHOOD COMMERCIAL
	MEDIUM DENSITY RESIDENTIAL		COMMUNITY COMMERCIAL
	HIGH DENSITY RESIDENTIAL		PUBLIC SEMI-PUBLIC

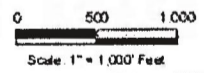
Plan District Boundaries

Miscellaneous Boundaries

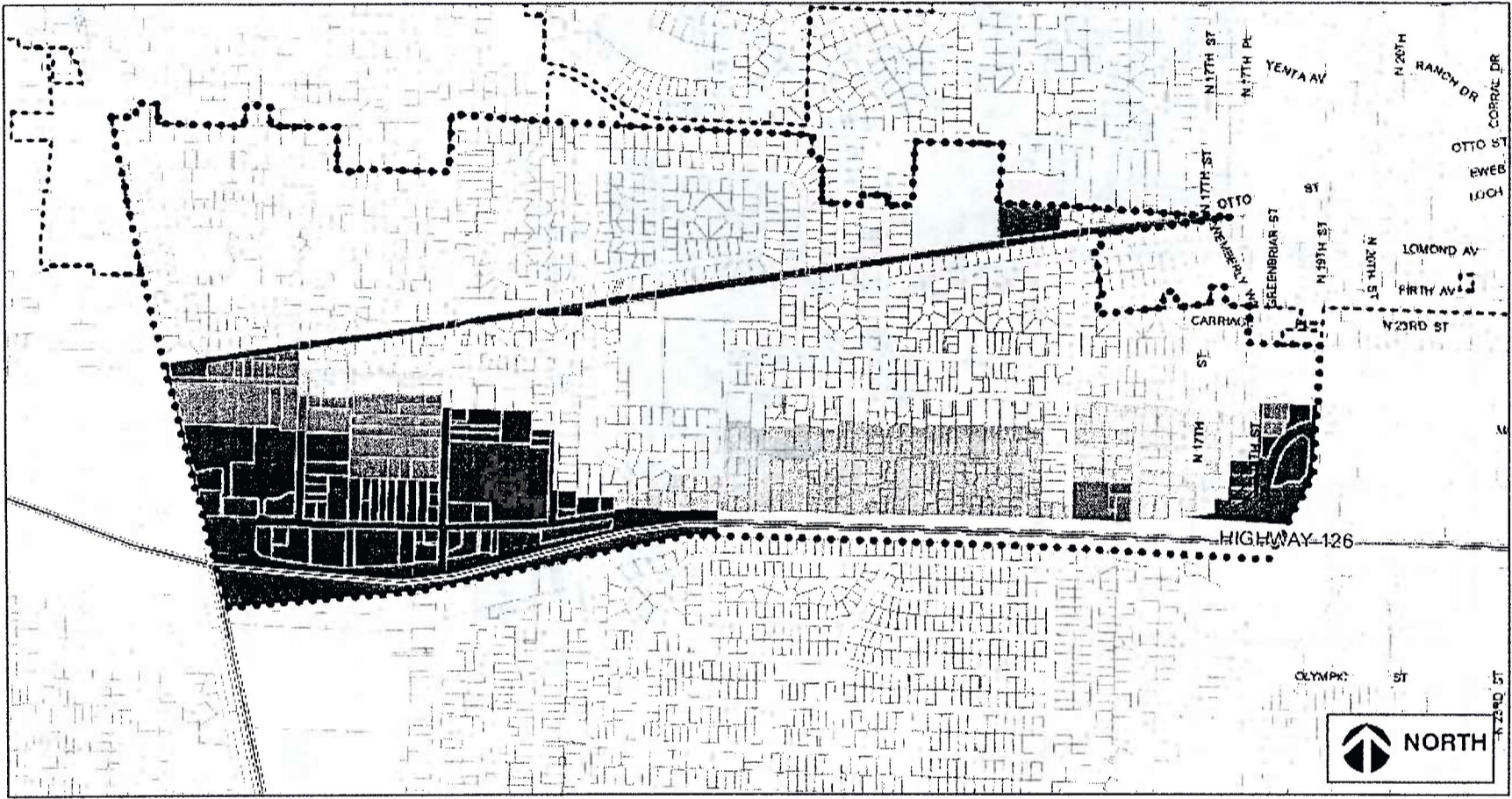
	Springfield City Limits		Refinement Plan Area
	Existing Parcels		Subject Site

Job # 0628
Date 3.02.07
Drawn AN
Checked TS
Revised -

"Q" Street Refinement Plan
Existing Refinement Plan Designations



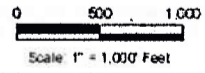
Proposed Refinement Plan Designation:



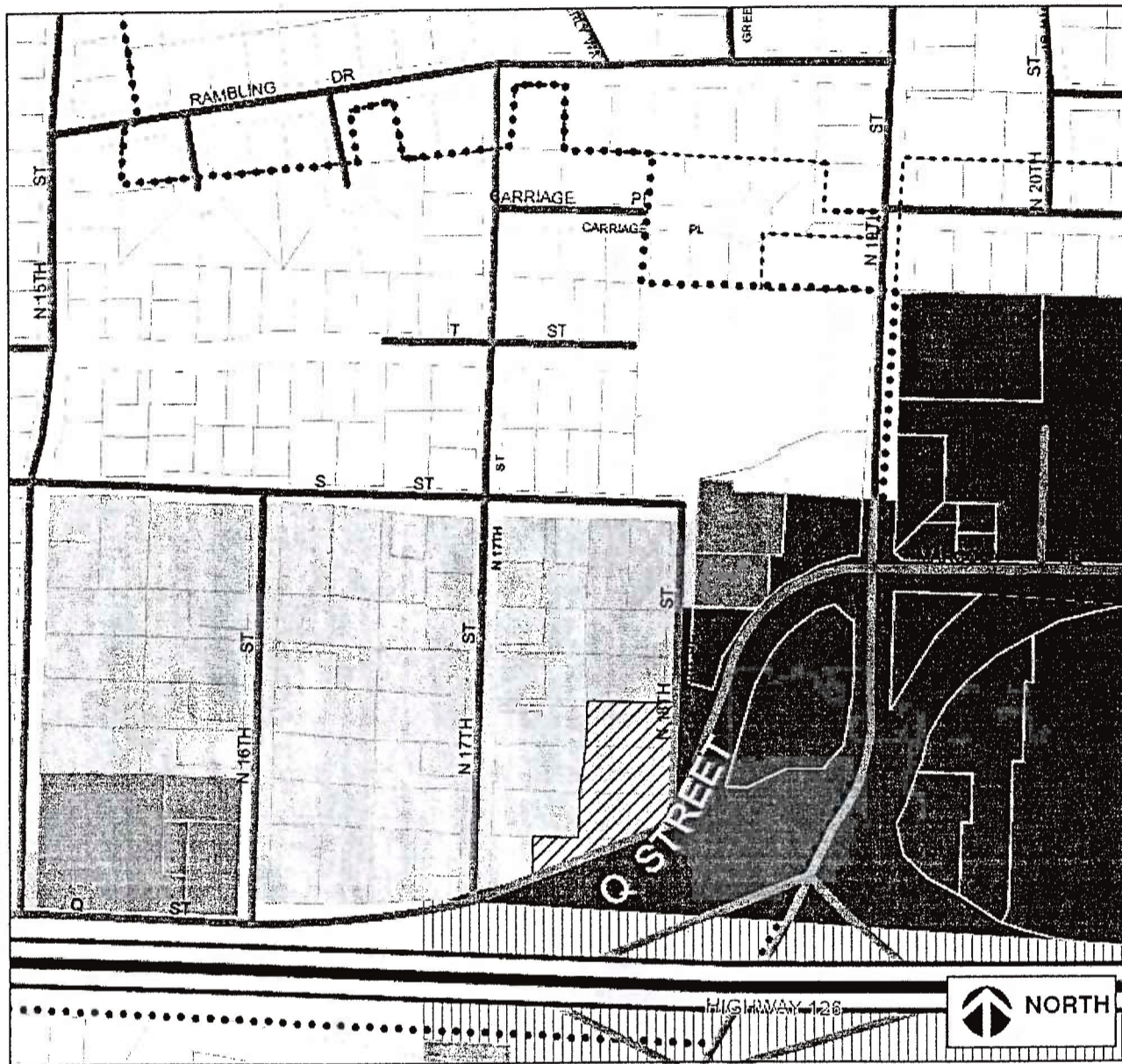
Legend		
<i>Plan District Boundaries</i>		
LOW DENSITY RESIDENTIAL	NEIGHBORHOOD COMMERCIAL	GENERAL OFFICE
MEDIUM DENSITY RESIDENTIAL	COMMUNITY COMMERCIAL	PUBLIC SEMI-PUBLIC
HIGH DENSITY RESIDENTIAL		
<i>Miscellaneous Boundaries</i>		
Springfield City Limits	Refinement Plan Area	
Existing Parcels	Subject Site	

Job #	0628
Date	3.02.07
Drawn	AH
Checked	TS
Revised	

"Q" Street Refinement Plan
Proposed Refinement Plan Designations



Existing Zoning:



Legend

Zoning District Boundaries

- | | | |
|----------------------------|-------------------------|--------------------------|
| High Density Residential | Community Commercial | Neighborhood Commercial |
| Medium Density Residential | Major Retail Commercial | General Office |
| Low Density Residential | Mixed Use Commercial | Public Land & Open Space |

Miscellaneous Boundaries

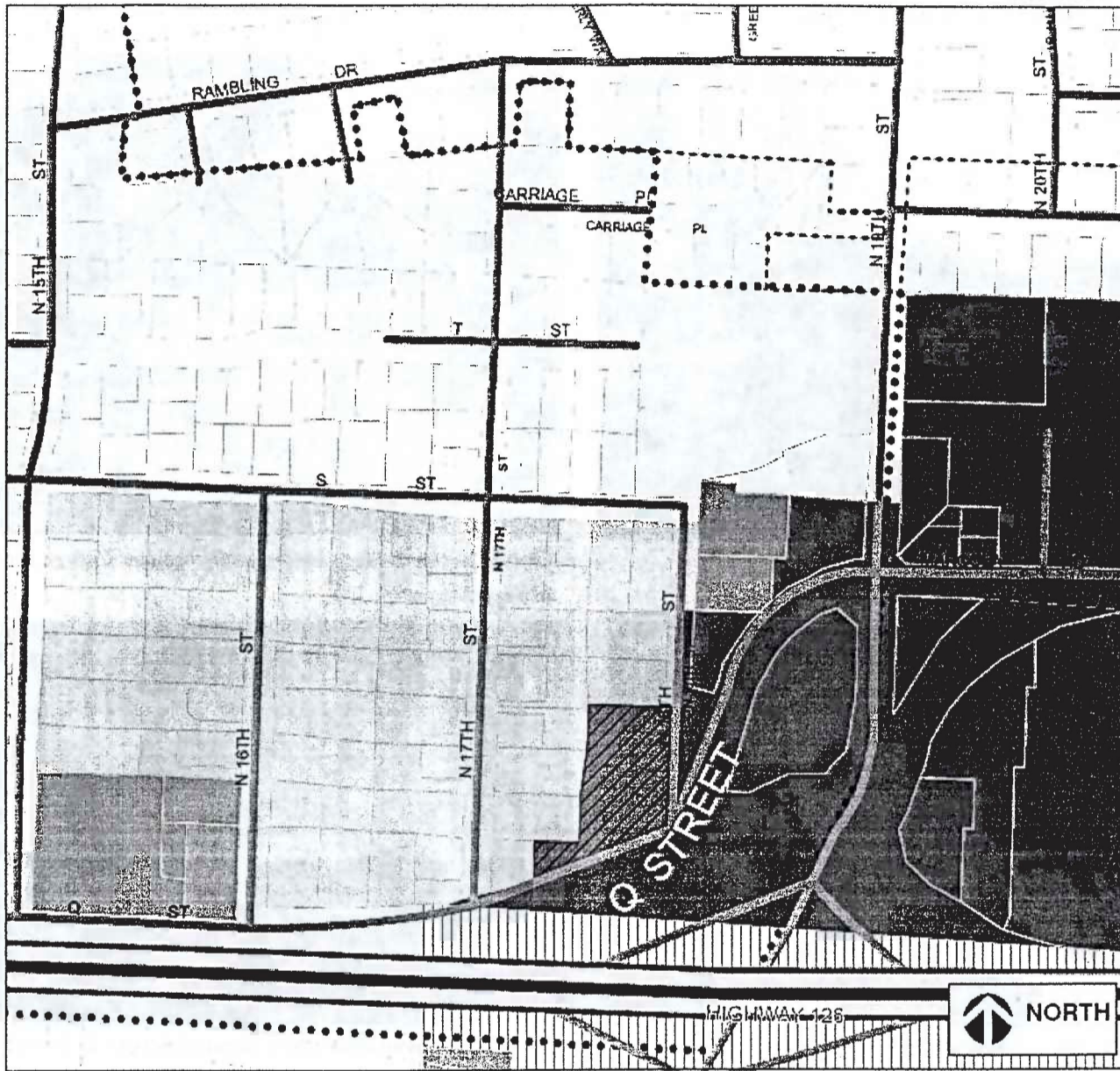
- Springfield City Limits
- Existing Parcels
- Refinement Plan Area
- Subject Site

Job # C528
 Date: 3/22/07
 Drawn: AN
 Checked: TS
 Revised: .

**"Q" Street Property
 Existing Zoning**



Proposed Zoning:



Legend

Zoning District Boundaries

- | | | |
|----------------------------|-------------------------|--------------------------|
| High Density Residential | Community Commercial | Neighborhood Commercial |
| Medium Density Residential | Major Retail Commercial | General Office |
| Low Density Residential | Mixed Use Commercial | Public Land & Open Space |

Miscellaneous Boundaries

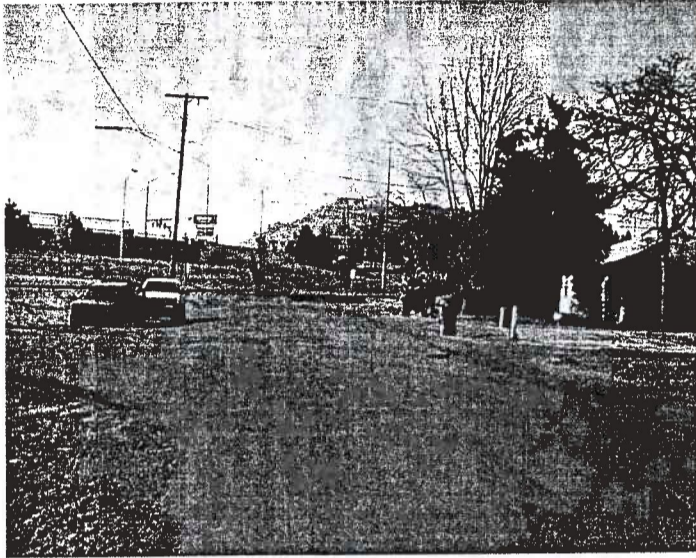
- Springfield City Limits
- Existing Parcels
- Refinement Plan Area
- Subject Site

Job # 6628
 Date: 3/12/07
 Drawn: AN
 Checked: TS
 Revised: -

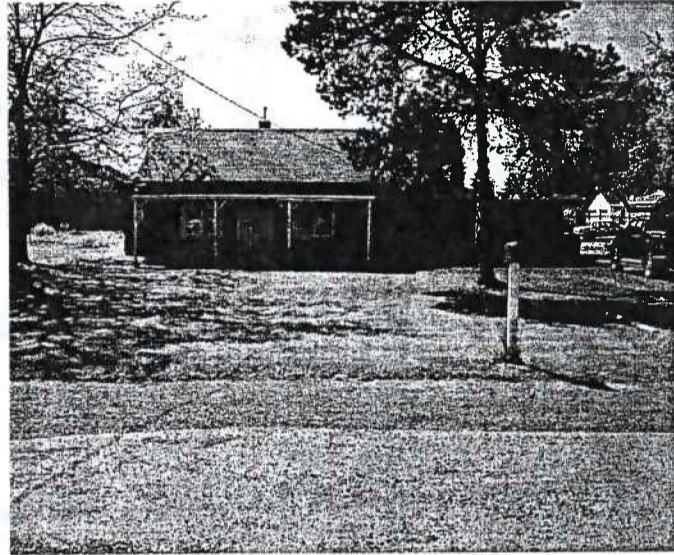
**"Q" Street Property
 Proposed Zoning**



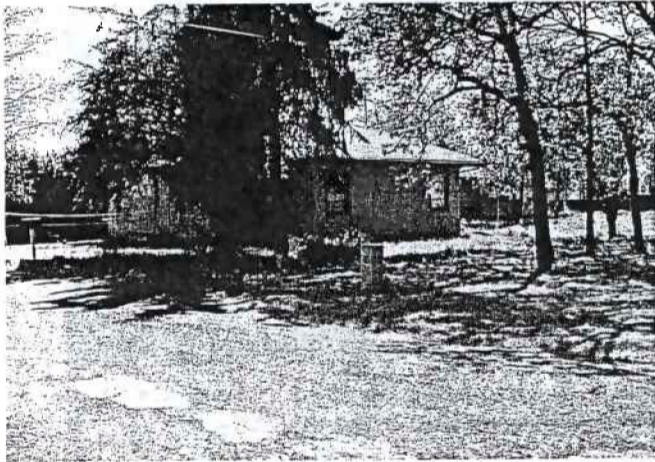
Existing Site Conditions:



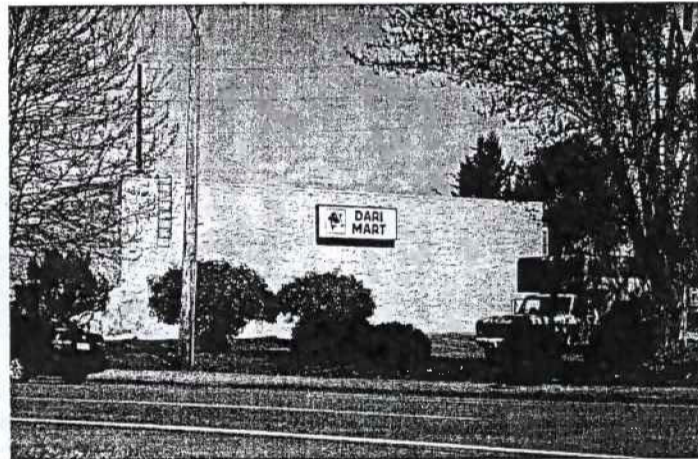
18th Street looking south.



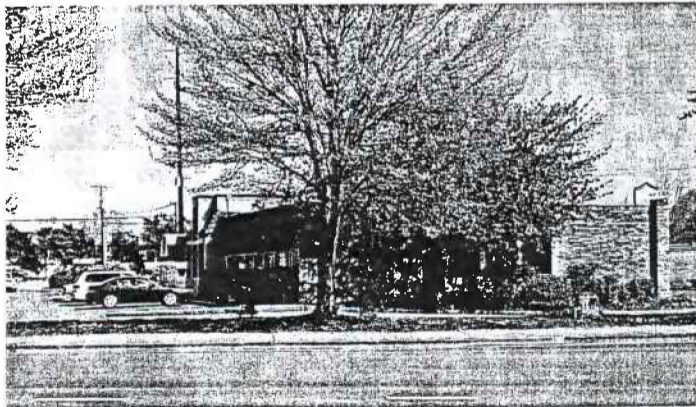
One of three existing single family houses located on subject property



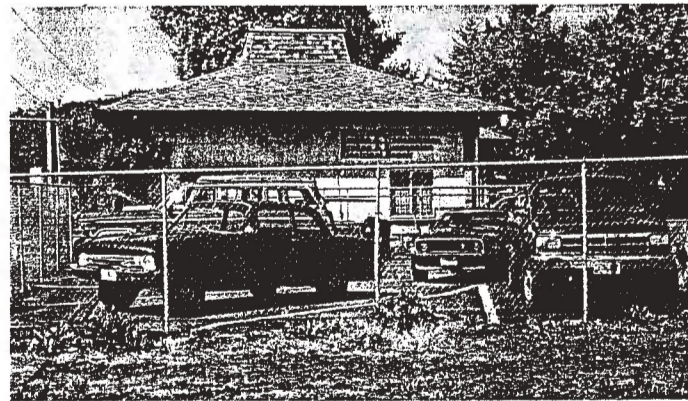
One of three existing single family houses located on subject property



Dari Mart convenience store located across Q Street from subject property.



Existing commercial use located across Q Street.



Existing automotive clinic located across Q Street from subject property.

REVIEW PROCESS:

The applicant has requested that application ZON2007-00011 (Zoning Map Amendment) be raised to a Type IV review procedure and be reviewed concurrently with Refinement Plan Amendment Application LRP2007-00012. These two applications use similar criteria of approval and have been combined into one staff report for ease of review. Both applications have criteria requiring consistency with the Metro Plan and other similar criteria. Rather than repeat these criteria for each application, they will be addressed only once and then referenced where appropriate. Criteria that are different will be addressed separately; the end result will be that all applicable criteria will have been addressed.

This application was submitted to the Development Services Department on March 5th, 2007, and deemed as complete on March 19th, 2007. Notice for both applications was mailed to Department of Land Conservation and Development (DLCD) on March 20th, 2007. Notice of the public hearing date was mailed out on Thursday, April 19, 2007 to property owners within 300 feet of the proposed zone change per Section 14.030 (1) (a)-(n) of the SDC. Public notice of the hearing was published in the local newspaper (*Register Guard*) on April 23, 2007, as required in Section 14.030 (2) of the SDC. No written comments were submitted at the time of issuing this report.

METRO PLAN DESIGNATION:

The subject property is designated MDR as shown in the *Metro Plan* diagram. The subject property is part of the Q Street Refinement Plan, which provides a more localized scope related to Plan Designation. The subject property is also designated MDR on the Refinement Plan Diagram. Specific Findings related to the Metro Plan and Q Street Refinement Plan Designation are written in this report.

REFINEMENT PLAN TEXT PLAN DIAGRAM AMENDMENT CRITERIA OF APPROVAL – SDC 8.030 et seq.

In reaching a decision on these actions, the Planning Commission and the City Council shall adopt findings which demonstrate conformance to the following:

- (1) The Metro Plan;*
- (2) Applicable State statutes.*
- (3) Applicable State-wide Planning Goals and Administrative Rules.*

APPLICANT'S NARRATIVE:

In the Q Street Refinement Plan area, General Office use is currently permitted within the Neighborhood Commercial designation, the Community Commercial designation and, under specific limited circumstances, the Residential designation. The proposed General Office refinement plan designation expands the circumstances under which office development can occur in Residential designations. The purpose is to facilitate neighborhood commercial services while preventing or limiting impacts to residential areas of more intensive commercial development.

The sections and pages in the Q Street Refinement Plan document for which the text amendments are proposed are CRITERIA FOR PLAN DESIGNATIONS/ Commercial on page 6, and POLICIES/ Commercial on page 8 of the document. The first text amendment will add Criterion #2 to the Commercial Criteria on page 6 following Commercial Criterion #1. The specific wording of the proposed "Commercial Criterion #2" is:

APPLICANT'S PROPOSED TEXT AMENDMENT:

2) The General Office refinement plan designation may be applied in areas with existing Medium Density Residential, Community Commercial or Major Retail Commercial Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

- a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.*
- b) An area must be at least one acre in size to receive the General Office refinement plan designation.*
- c) A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- d) A General Office designated area shall not be created nor expanded greater than 5 acres in size.*

The second amendment will add Commercial Policy #9 on page 8 following Commercial Policy #8 and preceding the Residential policies. The specific wording of the proposed "Commercial Policy #9" is:

9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

STAFF'S FINDINGS RELATED TO PROPOSED TEXT AMENDMENT:

Finding 1: The proposed Text Amendments will allow General Office (GO) to be an allowable designation in the Q Street Refinement Plan.

Finding 2: The applicant proposes a Refinement Plan Text Amendment which states that General Office (GO) refinement plan designation "...may be applied in areas with existing Medium Density Residential, Community Commercial or Major Retail

Commercial Metro Plan designations without altering the Metro Plan General Land Use Diagram.”

Finding 3: As listed in SDC 18.020 (Schedule of Use Categories), General Office (GO) zoning is more restrictive in nature than Community Commercial (CC) and Major Retail Commercial (MRC). Therefore, it is not necessary to add text into the Refinement Plan that would allow a GO designation in the CC and MRC zones. All of the uses listed in the GO zoning (as listed in SDC 18.020 et seq.) are also allowable uses in the CC and MRC zones.

Finding 4: In regards to residential designations [emphasis added], the applicant proposes text that is specific only to allowing GO Refinement Plan designations in MDR. Page II-G-3 of the Metro Plan states:

Residential:

This category is expressed in gross acre density ranges. Using gross acres, approximately 32 percent of the area is available for auxiliary uses, such as streets, elementary and junior high schools, neighborhood parks, other public facilities, neighborhood commercial services, and churches not actually shown on the Metro Plan Diagram. Such auxiliary uses shall be allowed within residential designations if compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods.

Finding 5: Staff researched other properties in Springfield city limits and found that other properties zoned and/or designated GO (on Refinement Plans) are also residentially designated property on the Metro Plan diagram. The applicant’s proposal is consistent with other GO zoned properties in Springfield that are residentially designated on the Metro Plan, but zoned GO.

Finding 6: As stated in the above stated Metro Plan text (Page II-G-3) auxiliary uses are allowed in all residentially designated areas – not just MDR. Based on this finding, Staff proposes that the Refinement Plan Text Amendment to be modified to include the following:

“The General Office refinement plan designation may be applied in areas with existing Residential designations without altering the Metro Plan General Land Use Diagram...”

Finding 7: Subsection (a) of the applicant’s proposed text amendment states: ***“(a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.”*** Subsection (b) of the applicant’s proposed text amendment states: ***(b) An area must be at least one acre in size to receive the General Office refinement plan designation.***

Staff concurs with the applicant on subsections (a) and (b) of the proposed text amendment, taking into account the definition of the GO zone in the Springfield Development Code. SDC 18.010(4) states:

The GO district is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation.

Staff recommends that the proposed subsections (a) and (b) of the applicant’s proposed text amendment be added to the Q Street Refinement Plan text as stated.

Finding 8: Subsection (c) and (d) of the applicant's proposed text amendment state: "**(c) A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.** and **(d) A General Office designated area shall not be created nor expanded greater than 5 acres in size.**"

The applicant's proposed text amendment (c) and (d) are both safeguards proposed to help preserve the residential character of neighborhoods with future GO zoning on the boundary. Both subsections (c) and (d) of the proposed text amendment are consistent with existing requirements for the NC zone, a similar zone allowed in residentially designated properties in the Metro Plan. Staff concurs with the applicant on these two portions of the proposed text amendment, taking into account the definition of the GO zone in the Springfield Development Code Section 18.010(4); the definition of the NC zone in SDC Section 18.010(1); and the definition of auxiliary uses as stated on page II-G-3 of the Metro Plan.

Finding 9: As previously indicated in this report, commercial Policy #9 of the applicant's proposed text amendment states: **9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.**

Finding 10: Staff has reviewed this portion of the applicant's proposed text amendment which adds a commercial Policy #9 and find it consistent with the existing language in SDC18.010(4). Staff recommends that this proposed policy be added to the Refinement Plan as proposed.

Finding 11: SDC 8.030 (1) states that in order to approve a Refinement Plan Amendment, the Planning Commission and the City Council shall adopt findings which demonstrate conformance to the Metro Plan. The following is the Applicant's Narrative related to conformance with the Metro Plan:

APPLICANT'S NARRATIVE RELATED TO SDC 8.030 (1):

Findings:

Regarding *SDC 8.030(1)*, conformance with the Metro Plan, the following proposed findings are organized in two parts: conformance with the Metro Plan Diagram, and conformance with Metro Plan policies.

Conformance with the Metro Plan Diagram

The proposed refinement plan designation will allow the limited application of the General Office land use zone in certain areas designated on the Metro Plan Diagram as Medium Density Residential. Limited office developments can be approved as auxiliary uses in residentially designated areas. The Metro Plan's Residential designation description assumes approximately 32 percent of residential areas will be dedicated to auxiliary uses. A portion of the Metro Plan text specific to residential land use designation is relevant to the present application and reads as follows:

“Using gross acres, approximately 32 percent of the area is available for auxiliary uses, such as streets, elementary and junior high schools, neighborhood parks, other public facilities, neighborhood commercial services, and churches not actually shown on the Metro Plan Diagram. Such auxiliary uses shall be allowed within residential designations if compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods.” (Chapter II-G, Metro Plan Diagram, Land Use Designations, Residential, p. II-G-3)

The 32 percent available for auxiliary use applies to all residentially designated gross acreage within the Urban Growth Boundary (UGB). The proposed Refinement Plan Amendment will re-designate 1.14 acres. An analysis of the precise current allocation of residential auxiliary uses in the metropolitan area is not warranted for a proposal of this scope. According to the Metro Plan text in Chapter G, *Metro Plan Diagram*, p. II-G-1, “When local plans include densities or land use allocations significant on a metropolitan scale, their adoption requires analysis of metropolitan implications, followed by amendments to the Metro Plan, when necessary.” The consultant team for this application used GIS data to calculate the amount of land within the Q Street Refinement Plan area the Metro Plan Diagram designates for residential use. Of the Refinement Plan’s approximately 479 acres, the Metro Plan applies Residential designation to approximately 404 acres. The designation is broken down as shown in Table 1, below.

Table 1. Metro Plan Land Use Designation in the “Q” Street Refinement Plan Area

Metro Plan Designation	Acreage
Commercial	75.14
Low Density Residential	18.12
Medium Density Residential	311.73
High Density Residential	74.18
Total Residential	404.03
Total Refinement Plan Area	479.17

(Source: Satre Associates, P.C., using Lane Council of Governments GIS data)

The proposed Refinement Plan Amendment will shift 1.17 acres of Metro Plan residentially designated land from principal use to auxiliary use. In terms of impact on the area encompassed by the “Q” Street Refinement Plan Diagram, 1.17 acres is less than three-tenths of 1 percent (0.29%) of the 404 acres with Residential Metro Plan designation within the refinement plan area itself. The amendment is not significant on a metropolitan scale.

A comparison of General Office regulations with Neighborhood Commercial regulations reveals many similarities. An important similarity is that allowed uses in General Office and Neighborhood Commercial create only limited impacts on residential properties. As shown in the Schedule of Use Categories for Commercial zoning types in the Springfield Development Code (SDC Section 18.020), the list of permitted uses in General Office zoning is much more restricted and allows fewer uses compared with the list of permitted uses in Neighborhood Commercial zoning.

The proposed amendment will expand areas for neighborhood commercial services as

anticipated in the Metro Plan's allowance for auxiliary uses. In the entire "Q" Street Refinement Plan Land Use Diagram, only one property is currently designated Neighborhood Commercial and no properties are designated General Office. This indicates a need for General Office development in the Refinement Plan area. The one property currently designated Neighborhood Commercial, located at 2454 10th Street adjacent to Hayden Bridge Road (Map and Tax Lot 17-03-26-12, 00100), has an area of approximately 0.37 acres. The Metro Plan Diagram applies residential designation to the referenced property, indicating that its Neighborhood Commercial use is an auxiliary use within the Metro Plan's residentially designated acreage.

The land area that is the subject of the current proposal for General Office re-designation is small in relationship to the amount of residentially designated land within the "Q" Street Refinement Plan area, 1.17 acres out of 404. The proposed Refinement Plan re-designation does not detract significantly from the land available for the primary residential use within the refinement plan area's 404 acres of Metro Plan residential designation, let alone within the entire Metropolitan area's residential land inventory. Because the proposed refinement plan re-designation provides office services to neighborhood residents and other city residents while permitting a narrow range of uses compatible with adjacent residential uses, the re-designation provides an auxiliary use in the Metro Plan's residential area as provided for in the Metro Plan.

This proposed amendment establishing and applying the General Office refinement plan designation creates the context within which these auxiliary uses will conform to the refinement plan, as required by the Metro Plan. The concurrent application for Zoning Map Amendment applies a zoning district that permits these uses.

The proposed auxiliary uses will be compatible with the Springfield Development Code, specifically the establishment clause for the GO General Office District, SDC Section 18.010(4):

"The GO district is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation. A development area of at least one acre shall be required."

The subject site is at such a transition site, within a Metro Plan residential designation, at the edge of a residential neighborhood, between residentially designated and zoned land to the west and commercially designated and zoned land to the east.

Other local controls in the Springfield Development Code will apply to future development of the property. No conflicts with those controls are anticipated, and none arise necessarily from the amendment as it is written.

Because the proposed amendments facilitate auxiliary uses similar in nature and impact to the Neighborhood Commercial uses anticipated by the Metro Plan, and these uses will be compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods, the General Office refinement plan designation can be applied to land designated Residential in the Metro Plan. Allowed auxiliary uses will not contradict or conflict with the purposes and requirements of the subject site's current Metro Plan designation. Therefore, the proposed Refinement Plan Amendments conform with the Metro Plan Diagram.

Conformance with Metro Plan Policies

Metro Plan Chapter III, Specific Elements

A. Residential Land Use and Housing Element

Policy A.22. Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations.

Finding:

The proposed Refinement Plan Amendments will expand opportunities for a mix of uses in the "Q" Street neighborhood. They will make it possible to apply the General Office zoning district to a site with a Residential Metro Plan designation. *Springfield Development Code*, Section 18.010(4) explains the purpose of the district:

"(4) GO GENERAL OFFICE DISTRICT. The GO District is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation. A development area of at least one acre shall be required."

The regulations and standards of the General Office district will provide greater flexibility than those of the existing residential zone. The amendments will permit establishing the zone in the transition area between residential development (west of 18th Street) and more intensive community commercial development (east of 18th Street). By making it possible to apply the GO zoning district to transitional locations within the area of the refinement plan, this proposed Refinement Plan Amendment facilitates mixed uses in an existing neighborhood and fulfills the intent of Metro Plan Policy A.22.

B. Economic Element

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.

Findings:

The subject site has characteristics that make it suitable for low-impact commercial uses but unsuitable for intensive community commercial use. It has frontage on "Q" Street, a Major Collector, and is adjacent to an interchange on the Eugene-Springfield Highway (I-105). It is adjacent to Community Commercial designation and also adjacent to Residential designation, and therefore fits the intention of SDC 18.010(4) for the location of General Office zoning.

The same adjacency to a state highway intersection that makes this site suitable for low-impact commercial uses compromises its value for residential purposes. As mentioned above, the subject site has significant exposure on its south and east sides to the Eugene-Springfield Highway (I-105) and its westbound on-ramp. This results in undesirable characteristics of view, privacy, dust and noise. Specifically, this two-lane on-ramp is less than 100 feet from the subject site, separated from it only by the "Q" Street right-of-way with no intervening buffer. These characteristics were noted in the "Q" Street Refinement Plan document in its "Findings" section, specifically in the

Transportation Findings #4 and #7 on page 5 of the refinement plan document:

#4): There is little or no sound buffering between the Eugene-Springfield Highway and the residential areas within the Q Street area.

#7): There is little or no mitigation of dust between the Eugene-Springfield Highway and the Q Street residential area. (Q Street Refinement Plan Transportation Findings, p. 5)

These characteristics diminish the site's attractiveness as a location for residential housing and limit its development potential in its current zoning with the result that three lots are vacant and the remaining two lots are underdeveloped. Lot 4700 has a 912 square foot house (counting attic space) and Lot 4800 has a 1,092 square foot house while Lots 3600, 4900 and 5000 are vacant. With its attractiveness as a location for housing diminished by its adjacency to the state highway, the site's suitability for other uses should be considered.

Regarding effective supply and projections of demand, the City of Springfield adopted the *Springfield Commercial Lands Study*, February 2000. It contains the following passages:

"A detailed supply/demand analysis revealed a need for a minimum of 255 acres of commercial land to the year 2015 based on an absorption rate of 17 acres per year. Currently, there are 85 acres of vacant and 12 acres of redevelopable commercial land within the City's UGB, a total of 97 acres." (Finding, page ii.)

"Given the patterns of development, the CAC [Citizen Advisory Committee] asserts the vacant land inventory represents no more than a two-year supply, and noted that there is a need for a supply of both larger and smaller sites to provide choice, diversity and economy in the marketplace. Given the current shortage of larger sites, rezoning or annexation may be necessary for this to occur." (Significant Recommendation, page iv.)

"Policy 1-A: Maintain a mixed supply of large and small commercial sites through strategies such as rezoning or annexation to serve Springfield's future population." (Key Policy, page v.)

Clearly, there is a critical need for more commercial land. The proposed Refinement Plan Amendments would facilitate development of the subject site for commercial purposes. It would do so at the expense of potential residential development on land that is, at best, only marginally suited for the purpose. The amendments will conform to the recommendations and policies of the *Springfield Commercial Lands Study*.

To summarize, the amendment affects a site that:

- consists of undeveloped and underdeveloped land
- is ill-suited for its current designation
- is well suited as a transition from residential to more intense commercial use
- provides critically needed land available for commercial uses.

By applying the appropriate refinement plan designation, the amendments increase the amount of suitable land available for commercial uses, and move toward a better equilibrium of supply and demand. Therefore, they conform with Policy B.6.

Policy B.22. Review local ordinances and revise them to promote greater flexibility for promoting appropriate commercial development in residential neighborhoods.

Findings:

The current "Q" Street Refinement Plan and Land Use Diagram do not explicitly allow General Office zoning in areas with Residential Metro Plan designations. The proposed amendments would create policy and criteria in the refinement plan to introduce office development as an auxiliary use in Metro Plan residential designation at transitional areas without permitting more intensive Community Commercial levels of development. A zoning and plan designation of Community Commercial would not be appropriate for areas such as the subject site because in worst case scenarios Community Commercial uses could produce traffic patterns and volumes, noise and other impacts detracting from the residential character of the neighborhood. By contrast, the requested GO General Office refinement plan designation promotes lower impact commercial development and provides a buffer between residential and more intensive commercial development.

The proposed Refinement Plan Amendment provides opportunities in transitional areas for an intermediate level of development that expands commercial opportunities at a scale appropriate for residential neighborhoods and the amendment is therefore consistent with Economic Element Policy B.22.

Conformance with Refinement Plan Policies

Internal consistency of the Refinement Plan is not explicitly a criterion for a Refinement Plan Amendment. However, because a refinement plan builds on the *Metro Plan* and, for a site specific area, serves as a comprehensive planning document, the requirement of conformance with the *Metro Plan* might be interpreted as requiring Refinement Plan Amendments to maintain consistency within a refinement plan. Furthermore, the "Q Street Refinement Plan" includes criteria for the site specific application of certain plan designations. To ensure that there are sufficient bases and guidance for the application of the "Q Street Refinement Plan" General Office designation, and to ensure that the proposed Diagram Amendment is consistent with the Refinement Plan, this application requests approval of "Q Street Refinement Plan" text amendments as follows:

On page 6, following Commercial Criterion #1, add Criterion #2:

2) The General Office refinement plan designation may be applied in areas with existing Medium Density Residential, Community Commercial or Major Retail Commercial Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

- a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.*
- b) An area must be at least one acre in size to receive the General Office refinement plan designation.*
- c) A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- d) A General Office designated area shall not be created nor expanded greater than 5 acres in size.*

And on page 8, following Commercial Policy #8, add Policy #9:

9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

Upon approval, these text amendments provide policies and criteria with which the proposed Refinement Plan Diagram Amendment conforms.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH SDC 8.030 (1):

Finding 12: As noted by the applicant and as previously mentioned in this report, page II-G-3 of the Metro Plan allows up to 32% of residentially designated land to be used for auxillary uses. The GO zone is not specifically mentioned in the Metro Plan, as it is a recent addition to the City zoning options. However, as noted in the applicant's narrative and earlier in this report, the GO zone is more restrictive than the NC (Neighborhood Commercial) zone regarding allowable uses. Since the Metro Plan specifically mentions NC uses as allowable auxiliary uses in residentially designated areas, staff concludes that GO uses fit into the definition of auxillary uses. All of the uses listed in SDC 18.020 et seq. for the GO zone are also listed in the NC zone.

The applicant's burden of proof complies with SDC Section 8.030(1) because the applicant has cited numerous Metro Plan principles, findings, objectives and goals inclusive of the arguments for the need for the General Office Refinement Plan designation. Staff concurs with the applicant's submittal.

APPLICANT'S NARRATIVE RELATED TO SDC 8.030 (2):

(2) Applicable State statutes.

The state statutes that apply to this amendment include Oregon Revised Statute (ORS) 197.200, which stipulates what is required of refinement plans, and ORS 197.250, which requires comprehensive plans to be in compliance with the Statewide Planning Goals. ORS 197.200(3) states:

"(3) A refinement plan and associated land use regulations adopted prior to September 9, 1995, may qualify as a refinement plan if the local government holds a public hearing to gather public comment and decides to adopt the plan as a refinement plan under this section."

The Q Street Refinement Plan was adopted March, 1987. The public record does not indicate whether a public hearing was held subsequently to adopt the plan under ORS 197.200(3).

ORS sections 197.200(2)(a)-(d) stipulate that a refinement plan shall:

(a) Establish efficient density ranges, including a minimum and a maximum density for residential land uses;

- (b) Establish minimum and maximum floor area ratios or site coverage requirements for nonresidential uses;*
- (c) Be based on a planning process meeting statewide planning goals; and*
- (d) Include land use regulations to implement the plan.*

To the extent that the "Q" Street Refinement Plan is subject to and meets these requirements, the following is true of the proposed amendments: These amendments establish a new plan designation within the refinement plan for a use that is already permitted in the refinement plan area under other plan designations. The amendments do not affect the list of allowed uses within the refinement plan area. They do not affect density ranges for land uses. They do not affect floor area ratios or site coverage requirements for nonresidential uses. They do not affect the planning process upon which the refinement plan is based. Finally, the amendments do not affect the land use regulations that implement the plan. Therefore, the amendment complies with ORS 197.200.

ORS 197.250 requires comprehensive plans to be in compliance with the Statewide Planning Goals. The Metro Plan is the applicable comprehensive plan. Because no amendment is proposed to the Metro Plan or the General Land Use Diagram, the requested Refinement Plan Amendment does not affect compliance of the comprehensive plan with the statewide goals. However, to whatever extent these Goals may apply to the proposed Refinement Plan Amendments, conformance is addressed in the following proposed findings regarding SDC 8.030(3), which are herein incorporated by reference.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH SDC 8.030 (2):

Finding 13: Staff concurs with the applicant's response citing ORS 197.200 and ORS 197.250. Specific discussion related to compliance with Statewide Planning Goals are addressed in the Findings below.

In addition, these applications comply with ORS 197.610 POST ACKNOWLEDGEMENT PROCEDURES which applies to the DLCDC notification as required as part of processing these applications. The City sent notice for the proposed Refinement Plan and Zoning Map amendment via FedEx to the Department of Land Conservation and Development (DLCD) on March 20, 2007. The notice included a description of the proposed amendments with commentary. As required, the notice to DLCD was received prior to 45 days before the first evidentiary hearing. No comments were received from DLCD regarding these applications.

APPLICANT'S NARRATIVE RELATED TO SDC 8.030 (3):

(3) Applicable State-wide Planning Goals and Administrative Rules.

The "Q" Street Refinement Plan and Land Use Diagram do not constitute a refinement plan meeting the requirements of ORS 197.200, and therefore are not part of the Metro Plan. Because amendments to the "Q" Street Plan do not affect the Metro Plan, they do not constitute a Post Acknowledgement Plan Amendment (PAPA) and therefore application of the Statewide Planning Goals is not required. However, to the degree

that the Statewide Planning Goals may be relevant, the following responses to the requirements of those goals are offered.

APPLICANT'S NARRATIVE RELATED TO GOAL 1:

Goal 1 – Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City of Springfield has an acknowledged citizen involvement program and an acknowledged process expressed in the Springfield Development Code for securing citizen input on all proposed Refinement Plan Amendments. It insures the opportunity for citizens to be involved in all phases of the planning process and sets out requirements for such involvement. The amendments proposed do not amend the acknowledged citizen involvement program. The process for adopting these amendments complies with the requirements of the citizen involvement provisions.

The Metro Plan contains an acknowledged citizen involvement program satisfying Goal 1. The citizen involvement program is in Metro Plan Chapter III, pp. III-K-1 to III-K-4. The proposed amendment complies with and does not affect or amend the citizen involvement element in the Metro Plan.

The Refinement Plan Amendment is subject to the public notification and public hearing processes provided for Type IV application procedures as stipulated in SDC 3.100(1) through (7), which, along with the remainder of the Code and with Statewide Goals and state statutes, provide the provisions for citizen involvement.

The City's acknowledged program for citizen involvement, which includes public notice, public hearings at the level of the planning commission and city council, notification of decision and notification of the right of appeal, provides citizens with the opportunity to review the proposed amendment and make recommendations in written and oral testimony. These acknowledged citizen involvement provisions afford ample opportunity for citizen involvement consistent with Goal 1.

For the reasons cited, including the Metro Plan's and the City of Springfield's acknowledged programs for citizen involvement, the amendment conforms with Goal 1.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 1:

Finding 14: These applications comply with Goal 1 because they are being reviewed under an acknowledged citizen involvement program.

As previously mentioned in this report, notice for both applications was mailed to Department of Land Conservation and Development (DLCD) on March 20th, 2007. Notice of the public hearing date was mailed out on Thursday, April 19, 2007 to property owners within 300 feet of the proposed zone change per Section 14.030 (1)

(a)-(n) of the SDC. Public notice of the hearing was published in the local newspaper (*Register Guard*) on April 23, 2007, as required in Section 14.030 (2) of the SDC.

Staff concurs with the applicant's written statement related to Goal 1.

APPLICANT'S NARRATIVE RELATED TO GOAL 2:

Goal 2: Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. In order to comply with the Goal 2 coordination requirement, the City will be responsible for coordinating the adoption of this amendment by providing notice to all affected governmental units and responding in its findings to the legitimate concerns of affected governmental units. There are no Goal 2 Exceptions required.

The Eugene/Springfield Metro Area General Plan (Metro Plan), the Springfield Code, and the Statewide Planning Goals and applicable state statutes and administrative regulations, provide policies and criteria for the evaluation of plan amendments. Compliance with these measures assures an adequate factual base for approval of the amendment. As demonstrated in findings provided in this document, the amendment is consistent with the Metro Plan, the "Q" Street Refinement Plan, the Springfield Development Code, applicable state statutes and the Statewide Planning Goals. Therefore, the amendment conforms with Goal 2.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 2:

Finding 15: These applications comply with Goal 2 because the SDC requires consistency between the Statewide Planning Goals, the acknowledged Metro Plan, adopted refinement plans and special area plans and the zoning.

Staff concurs with the applicant's written statement related to Goal 2.

APPLICANT'S NARRATIVE RELATED TO GOAL 3:

Goal 3 – Agricultural Land: To preserve and maintain agricultural lands.

Finding:

Goal 3 applies to lands that are designated Agricultural. This amendment is for property located within the city limits of Springfield and does not affect land designated for agricultural use. Therefore, Goal 3 is not applicable to the amendment.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 3:

Finding 16: The subject property is located within the city limits on land planned and zoned for urban use. The City does not have any agricultural zoning districts, either within its city limits or within the urban growth boundary.

Finding 17: Goal 3 does not apply to these applications because the subject property is within Springfield's city limits.

APPLICANT'S NARRATIVE RELATED TO GOAL 4:

Goal 4 – Forest Land: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding:

Goal 4 applies to lands that are designated for forest use. This amendment is for property located within the city limits of Springfield and does not affect land designated for forest use. Therefore, Goal 4 is not applicable to the amendment.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 4:

Finding 18: The subject property is located within an acknowledged urban growth boundary. Goal 4 does not apply within urban growth boundaries. Staff concur with the applicant's written statement related to Goal 4.

APPLICANT'S NARRATIVE RELATED TO GOAL 5:

Goal 5 – Open Spaces, Scenic and Historic Area, and Natural Resources: To conserve open space and protect natural and scenic resources.

Finding:

Oregon Administrative Rule 660-023-000 through 660-000-250 establish procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

Pursuant of Goal 5, the City of Springfield has adopted the following documents:

- *Eugene-Springfield Metropolitan Area General Plan, revised 2004*
- *City of Springfield, Local and National Wetlands Inventory Map, December 2005*
- *City of Springfield Natural Resource Study, adopted, November 2005*

Oregon Administrative Rule 660-023-0250 establishes the applicability of Goal 5 rules to Post Acknowledgement Plan Amendments (PAPA), and specifies certain procedures and requirements for local governments to follow in the adoption or amendment of all plan or land use regulations pertaining to Goal 5 resources. However, the requested Refinement Plan Amendment does not affect the Metro Plan nor the General Land Use Diagram, and therefore cannot constitute a PAPA. Compliance with Goal 5 need not be addressed. Nonetheless, to whatever extent the procedures and requirements of OAR 660-023-0250 should be addressed in considering the proposed Refinement Plan Amendments, the following findings are presented.

Oregon Administrative Rule 660-023-0250 states:

“(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.”

The following discussion will demonstrate that the proposed Refinement Plan Amendment does not raise any issues that would require the City of Springfield to apply Goal 5.

Firstly addressing OAR 660-023-250(a): The changes sought by this application do not create or amend a resource list or any portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource on the subject site.

Secondly addressing OAR 660-023-250(b): The changes sought by this application will not allow new uses that could conflict with a significant Goal 5 resource site. There are no significant Goal 5 resources on the subject site. None of the various studies, inventories, refinement plans, and facilities plans list this specific site as a significant resource, apply a Goal 5 resource overlay, or otherwise regulate or limit the redevelopment of this site as a Goal 5 resource.

No Goal 5 resources are identified on or near the property on the *City of Springfield Local and National Wetlands Inventory Map*. The closest Goal 5 resource identified by the *City of Springfield Natural Resource Study Report* is the “Q” Street Ditch, a portion of which is located approximately 400 feet to the south of the subject site at its closest

point. It is separated from the subject site by the right-of-way of "Q" Street, a paved street classified as a collector street, and by the right-of-way of the Eugene-Springfield Highway, also known as State Highway 126 (I-105), which includes at least six paved lanes, including its eastbound exit ramp and its westbound entrance ramp. The Goal 5 Recommendation in the *City of Springfield Natural Resource Study Report* reads as follows:

"Limit conflicting uses and employ low impact development practices when developing within 150 feet of the watercourse. The "Q" Street Ditch is protected by a 50-foot development setback and site plan review standards described in 31.240 of the Springfield Development Code. No additional setbacks are necessary."¹

A 50-foot development setback is required from the "Q" Street Ditch under stormwater provisions of the Springfield Development Code. In addition, as stated in the text of the *Natural Resource Study Report*, the "Q" Street Ditch is associated with the "Q" Street Floodway. The "Q" Street Floodway is a tributary to a water quality limited water course, the Willamette River, and is protected by a 50-foot setback and a site plan review requirement.

Because the resource impact area as it is defined by the *City of Springfield Natural Resource Study Report* is not encroached upon by the subject site, the uses allowed by the proposed amendment will not conflict with a Goal 5 resource.

Addressing OAR 660-023-250(c): The changes sought by this application do not amend the acknowledged City of Springfield Urban Growth Boundary. Therefore, with regard to this criterion, the City is not required to apply Goal 5.

Oregon Administrative Rule 660-023-0250 "Applicability" stipulates that local governments are required to apply Goal 5 when considering a Post Acknowledgment Plan Amendment if the amendment affects a Goal 5 resource. For the purposes of that rule, the section lists three circumstances (OAR 660-023-0250(3)(a), (b), and (c) quoted above) under which a Post Acknowledgment Plan Amendment would affect a Goal 5 resource. As demonstrated by these findings, none of the three circumstances are raised by the proposed amendments, and the amendments will not affect a Goal 5 resource. The City of Springfield is not required to apply Goal 5 and can, therefore, find that the action requested by this application is consistent with Statewide Planning Goal 5.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 5:

Finding 19: Goal 5 does not apply to these applications because there are no inventoried resources on the subject property. As noted by the applicant, Oregon Administrative Rule 660-023-0250 establishes the applicability of Goal 5 rules to Post Acknowledgment Plan Amendments (PAPA), the requested Refinement Plan Amendment and Zoning Map Amendment do not affect the Metro Plan or the General Land Use Diagram, and therefore does not constitute a PAPA. Staff concurs with the applicant's narrative related to Goal 5 compliance.

¹ *City of Springfield Natural Resource Study Report, October 2005. p. 213.*

APPLICANT'S NARRATIVE RELATED TO GOAL 6:

Goal 6 – Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Finding:

The purpose of Goal 6 is to maintain and improve the quality of the air, water and land resources of the State. Consistency with Goal 6 requires that development comply with applicable state and federal air and water quality standards and related local policies. Additionally, as demonstrated in findings regarding Goal 11 incorporated herein by reference, urban facilities are provided, in part, to protect air, water and land resources.

The adopted and acknowledged Metro Plan elements addressing Goal 6 are based on Metro Plan General Land Use Diagram designations. The proposed Refinement Plan Amendments do not amend the Metro Plan, its General Land Use Plan Diagram, any of the Goal 6 related policies of the Metro Plan, nor do they amend the Regional Transportation Plan, the Springfield Development Code, other applicable Goal 6 policies, or any regulations implementing those policies.

Nothing in the proposal, the character of the site or potential uses indicates that the amendments would further compromise air, water and land resources. Future development of the site must necessarily be in conformance with local, state and federal law including applicable elements of the Springfield Development Code. Because no specific development or physical change to the site is proposed by this amendment, the project's compliance with applicable state, federal and local air and water quality standards and local policies is indeterminant, and review is deferrable until development permits are required.

The evidence supports a reasonable expectation that future development resulting from the proposed Refinement Plan Amendments will be consistent with Goal 6 requirements. Therefore, the City of Springfield can reasonably expect that future development under the proposal will comply with applicable state and federal environmental quality standards. The proposed Refinement Plan Amendments are consistent with Goal 6.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 6:

Finding 20: As noted by the applicant, the proposed Refinement Plan Amendments and Zoning Map Amendment do not amend the Metro Plan, its General Land Use Plan Diagram, any of the Goal 6 related policies of the Metro Plan, nor do they amend the Regional Transportation Plan, the Springfield Development Code, other applicable Goal 6 policies, or any regulations implementing those policies.

The subject property is located in the 1 year Time of Travel Zone, which is regulated by the Drinking Water Protection Overlay District – Article 17. Any new development on the subject property is subject to compliance with Article 17 and other applicable regulations related to Goal 6. Staff concurs with the applicant's narrative related to Goal 6 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 7:

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Finding:

Goal 7 requires that development subject to damage or potential loss of life not be planned or located in known areas of natural hazards and disasters without appropriate safeguards. The goal also requires that plans be based on an inventory of known areas of natural disaster hazards (floods, landslides, earthquakes, wildfires and other related hazards).

The subject site is not included in the City's inventory of known areas of natural hazards. The Oregon Department of Geology and Mineral Industries inventory of landslide areas does not identify or inventory the subject site. The subject site is outside of the 500-year floodplain, according to the National Flood Insurance Program Flood Insurance Rate Map that encompasses the site (Map #41039C1153F). The proposed amendment does not amend, remove or exempt compliance with any other regulations or standards that reduce risk to people and property from natural hazards.

The proposed amendment does not affect any additional geographic area other than the subject site. No specific development is proposed with this Refinement Plan Amendment. For the reasons set forth the amendment is in compliance with Goal 7.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 7:

Finding 21: Staff has reviewed the natural constraints map and the FEMA Floodplain Map in relation to the subject property. As noted by the applicant, the subject site is not included in the City's inventory of known areas of natural hazards. Staff concurs with the applicant's narrative related to Goal 7 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 8:

Goal 8 – Recreation Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding:

The Willamalane Park and Recreation District is responsible for parks and recreation planning in the City of Springfield and has developed the *Willamalane 20-year Parks and Recreation Comprehensive Plan*. The City of Springfield has adopted this plan as a refinement of the *Metro Plan*.

The proposed Refinement Plan amendment will not change the status of any recreation area, facility or opportunity that has been inventoried and designated by the *Metro Plan* or any other relevant facility plans regarding recreational needs. None of the various studies, inventories, and facilities plans regarding recreational facilities have designated the subject site for parks and open space in an adopted inventory,

declared it a significant resource, or slated it for acquisition. The site is already developed with residential uses and no specific development is proposed with this amendment. Because the site is not designated for the siting of recreational facilities and the proposed amendment does not affect any recreational facility, inventory of recreational facilities, or regulation concerning recreational facilities, the amendment is consistent with Goal 8.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 8:

Finding 22: Staff has consulted the *Willamalane 20-year Parks and Recreation Comprehensive Plan* in relation to Goal 8 compliance. The *Willamalane 20-year Parks and Recreation Comprehensive Plan* was adopted by the City of Springfield as part of the Metro Plan's compliance with Goal 8. As noted by the applicant, none of the various studies, inventories, and facilities plans regarding recreational facilities in the adopted *Willamalane 20-year Parks and Recreation Comprehensive Plan* have designated the subject site for parks and open space in an adopted inventory, declared it a significant resource, or slated it for acquisition. Staff concurs with the applicant's narrative related to Goal 8 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 9:

Goal 9 – Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding:

Statewide Planning Goal 9 – Economy of the State, requires communities to inventory, plan, and zone enough commercial and industrial land to support the diversification and improvement of the economy. Oregon Administrative Rule 660-009-000 et seq. (Division 9) establishes the applicability of Goal 9 rules. OAR 660-009-0010(4) states:

“(4) For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or an other employment use designation to any other use designation, a city or county must address all applicable planning requirements...”

The proposed Refinement Plan Amendment does not amend the Metro Plan or the General Land Use Plan Diagram, and therefore does not affect the Metro Plan's inventory of employment lands. Furthermore, the amendment affects an area of land that is smaller than two acres in size. Therefore, pursuant to OAR 660-009-0010(4), the City is not required to demonstrate conformance with Statewide Planning Goal 9.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 9:

Finding 23: As previously mentioned in this report, the applicant is not proposing a Post Acknowledgement Plan Amendment (PAPA) that would amend the Metro Plan or the General Land Use Plan Diagram. The Refinement Plan and Zoning Map Amendment does not affect the Metro Plan's inventory of employment lands. In

addition, the 2000 Springfield Commercial Lands Study indicates that there is a shortage of commercial lands within the City of Springfield. Because there is a shortage of commercial lands within the City; because the Metro Plan allows small scale office uses within residentially designated properties; and because the Refinement Plan and Zoning Map Amendment does not affect the Metro Plan's inventory of employment lands, the proposal is in compliance with Goal 9. Staff concurs with the applicants narrative related to Goal 9 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 10:

Goal 10 – Housing: To provide for the housing needs of citizens of the state.

Finding:

Goal 10 requires buildable lands for residential use to be inventoried and requires plans to encourage the availability of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon households. Oregon Administrative Rule 660 Division 8 defines standards for compliance with Goal 10. OAR 660-008-0010 requires that

Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

The comprehensive plan map for Springfield is the Metro Plan General Land Use Diagram. The proposed amendment to the "Q" Street Refinement Plan does not amend the Metro Plan or its General Land Use Diagram and therefore does not affect the Metro Plan's residential buildable lands inventory. The proposed amendments conform to Goal 10.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 10:

Finding 24: As previously noted in this report and as stated by the applicant, the proposed Refinement Plan and Zoning Map amendment does not amend the Metro Plan or its General Land Use Diagram and therefore does not affect the Metro Plan's residential buildable lands inventory.

In addition, the City of Springfield 1999 Residential Building Lands Study did not indicate a shortfall of residential land at the time the study was completed. The City of Springfield is currently working with a consulting company on a residential land inventory and land supply analysis. When complete, this study will update the City's inventory and provide a clear picture of residential land supply.

Staff concurs with the applicant's response to Goal 10 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 11:

Goal 11 – Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services as a framework for urban and rural development.

OAR 660-011-0005(7)(a)-(d) Definition of Public Facilities:

- (a) Water*
- (b) Sanitary Sewer*
- (c) Storm sewer*
- (d) Transportation*

Finding:

Statewide Planning Goal 11, in part, ensures that appropriate public facilities and services are provided within Urban Growth Boundaries in a timely, orderly, and efficient manner. The Metro Plan and associated facility plans have been acknowledged to conform to Goal 11 ensuring that public facilities and services are currently available to the subject site. Contingent upon approval of this amendment, the applicant will submit appropriate applications for development of the property in a manner consistent with the existing Metro Plan designation and the proposed refinement plan designation. During and subsequent to the Development Issues Meeting (ZON2006-00050) that preceded this application, City of Springfield staff and Springfield Utility Board staff indicated which public facilities and services are adequate, and which will require improvements. Staff indicated that the needed improvements can be constructed prior to or concurrently with site redevelopment. With respect to specific public facilities and services:

Water Service

The site is currently served by 4-inch water lines on the east side of 18th Street and the north side of "Q" Street. Springfield Fire & Life Safety staff (comments by Fire Marshal Gilbert Gordon) indicated the system will require additional capacity to adequately serve the site. Springfield Utility Board staff (Rebecca Templin) indicated SUB has additional capacity available in the pipe on the east side of 18th Street to serve the site.

Sanitary Sewer

The sanitary sewer system currently serves the site with extensions from 8-inch pipes in 18th Street. Springfield Public Works staff (comments by Jeff Paschall) indicated the sanitary system may require line extensions but it has adequate capacity to serve the site. Staff indicated any necessary improvements can be worked out and constructed prior to or concurrently with site redevelopment.

Storm Water Control

The city stormwater system serving the site includes a 15-inch pipe system at 18th and "Q" Street and an existing open ditch along 18th Street. Public Works staff (comments by Matt Stouder) indicated that the City will require either up-sizing the stormwater

system or on-site detention for specific site development and specific necessary improvements can be determined at time of Site Plan Review.

The applicant's preliminary storm water plans include stormwater detention on Lot 3600 at the southwestern portion of the subject site. Storm water facilities will be designed as a component of subsequent land use approvals and constructed prior to or concurrent with site redevelopment to meet City of Springfield storm water policies and regulations.

Transportation

The project area is currently served by 18th Street, which is classified as a local street. The subject site has street frontage on "Q" Street, a major collector, but does not take direct access from "Q" Street. City transportation staff has indicated (ZON2006-00050, comments by Gary McKenney) that the subject site will continue to take access to the street system exclusively via 18th Street. Staff indicated street improvements will be necessary to 18th Street to serve the site and specific necessary improvements will be determined prior to or at the time of Site Plan Review.

To summarize this response regarding Goal 11, the subject site is inside the Eugene-Springfield Metropolitan Urban Growth Boundary and City of Springfield city limits. The adopted and acknowledged Metro Plan and associated facilities plans ensure that appropriate public facilities and services are or can be extended to the site in a timely, orderly, and efficient manner. The site is currently served with existing public facilities and services and, as shown by these findings, these systems can be accessed or improved as needed before or at the time of site redevelopment. Therefore, this amendment is in compliance with Goal 11.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 11:

Finding 25: As noted by the applicant, the Metro Plan and associated facility plans have been acknowledged to conform to Goal 11 ensuring that public facilities and services are currently available to the subject site. the proposed Refinement Plan and Zoning Map amendment does not amend the Metro Plan or its General Land Use Diagram and therefore does not affect the Metro Plan's compliance with Goal 11.

Finding 26: The subject Refinement Plan and Zoning Map amendment applications have been reviewed by Public Works and Planning Staff to assure that there are adequate public services to serve the site. These applications comply with Goal 11 because there are urban level public services available to the subject property.

APPLICANT'S NARRATIVE RELATED TO GOAL 12:

Goal 12 - Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding:

Goal 12 is implemented through Division 12, OAR 660-012-0000 et. seq. The goal and division are implemented at the local level by the *Eugene-Springfield Metropolitan*

Area Transportation Plan (TransPlan) which was acknowledged for compliance with Goal 12 in 2001.

Plan amendments and land use regulation amendments are regulated under OAR 660-012-0060, the "Transportation Planning Rule." If an amendment significantly affects a transportation facility, a local government must provide a form of mitigation. OAR 660-012-0060(1) states:

"A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan."

OAR 660-012-0060(1):

With regard to OAR 660-012-0060(1)(a) and (b), the proposed Refinement Plan Amendment would not change the functional classification of any transportation facility, nor would it change the standards for implementing the functional classification system.

With regard to OAR 660-012-0060(1)(c)(A), the proposed Refinement Plan Amendment would not allow types or levels of uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility. The policies of the *City of Springfield Development Code* and the *TransPlan* establish the requested plan designation as appropriate to the classification of the streets serving the site. Specific requirements for access to those streets will be determined

through Site Plan reviews and approved only upon demonstration of compliance with the provisions of the acknowledged comprehensive plan and implementing regulations.

With regard to OAR 660-012-0060(1)(c)(B) and (C), the performance analyses of transportation facilities incorporated into the adopted and acknowledged Metro Plan elements addressing Goal 12 were based on General Land Use Plan Diagram designations. Analysis of residentially designated land includes allowances for auxiliary uses on 32% of the land so designated. The proposed Refinement Plan Amendment maintains the current Medium Density Residential designation and applies the refinement plan designation of General Office as an auxiliary use within the parameters of 32% auxiliary uses previously included in TransPlan's transportation model. Therefore, there is no change to the planned transportation system capacity and it is not significant affected.

Furthermore, the adopted and acknowledged Springfield Development Code stipulates when a Traffic Impact Analysis may be required. SDC 32.020(1)(e) sets a traffic generation threshold of 250 vehicle trips per day, below which, all else being equal, a TIA is not required. The implication is that generating fewer than 250 vehicle trips per day does not significantly affect the transportation system.

Exhibit 5 (Memorandum Regarding Vehicle Trip Generation), submitted herewith and incorporated by reference, is based on the current version of the *Institute of Transportation Engineers Trip Generation Informational Report* and presents calculations showing that potential development under the proposed Refinement Plan Amendment will not add more than 250 vehicle trips per day to the transportation system. Specifically the trip generation calculations in Exhibit 5 demonstrate the proposed change will result in an increase of 17 vehicle trips per day as compared to the current zoning and plan designation and will not significantly affect the transportation system.

For the reasons presented above, pursuant to OAR 660-012-0060(1), the proposed Refinement Plan Amendments do not significantly affect existing or planned transportation facilities. Therefore, the City of Springfield can find that the proposal is consistent with Statewide Planning Goal 12.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 12:

Finding 27: The proposed Refinement Plan and Zoning Map Amendment have been reviewed by City of Springfield Transportation Division staff, and found to not significantly affect a transportation facility. The applicant has submitted a technical memorandum which addresses Goal 12 compliance, which is attached to this staff report. Additionally, staff has attached an email from Gary McKenney, City of Springfield Traffic Engineer, which states his conclusion related to Goal 12 review. Staff concurs with the applicant's written statement related to Goal 12 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 13:

Goal 13 - Energy Conservation: To conserve energy. 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.

Finding:

The Metro Plan is acknowledged by the Oregon Department of Land Conservation and Development as conforming to the provisions of Statewide Planning Goal 13. This application does not amend any component of the Metro Plan, or any regulation pursuant to that plan, related to Goal 13. Therefore, these amendments are consistent with the Metro Plan and conform to Statewide Planning Goal 13.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 13:

Finding 28: The proposed Refinement Plan and Zoning Map Amendment do not affect the Metro Plan's compliance with Goal 13. The applicant is not proposing to amend any regulation pursuant to Goal 13 compliance of the Metro Plan.

APPLICANT'S NARRATIVE RELATED TO GOAL 14:

Goal 14 – Urbanization: To provide for an orderly and efficient transition from rural to urban land use.

Finding:

All of the parcels affected by this application are currently within the Urban Growth Boundary and were annexed into the City of Springfield. The annexation was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and established the appropriateness of urban development and the availability of urban facilities and services. Findings to demonstrate this application and the proposed Refinement Plan Amendment are consistent with Goal 11 are incorporated herein by reference. As demonstrated by the referenced findings, urban facilities are already provided to the site and can be improved as needed for development within the proposed refinement plan designation. Therefore the amendments are consistent with Statewide Planning Goal 14.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 14:

Finding 29: As noted by the applicant, all of the parcels affected by this application are currently within the Urban Growth Boundary and were annexed into the City of Springfield. All annexations are reviewed for compliance with the Metro Plan and the Springfield Development Code. As previously mentioned, urban facilities are available to the subject site. The proposed Refinement Plan and Zoning Map Amendment are in compliance with Goal 13.

APPLICANT'S NARRATIVE RELATED TO GOAL 15:

Goal 15 – Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding:

The subject site is not within the Willamette River Greenway. Therefore, this goal is not relevant and the amendment will not affect compliance with Goal 15.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 15:

Finding 30: As noted by the applicant, the subject property is not located within the Willamette River Greenway. Goal 15 does not apply to the subject Refinement Plan and Zoning Map Amendment applications.

APPLICANT'S NARRATIVE RELATED TO GOALS 16-19:

Goal 16 through 19: (Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources):

Finding:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property or involved in the amendment. Therefore, these goals are not relevant and the amendment will not affect compliance with Goals 16 through 19.

As shown by these findings and responses, the amendment conforms with the applicable Statewide Goals and Administrative Rules and therefore satisfies the approval criteria in SDC Section 8.030(3).

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOALS 16-19:

Finding 31: As noted by the applicant, the subject site is not located within any coastal, ocean, estuarine, or beach and dune resources related area. Goals 16-19 do not apply to these Refinement Plan and Zoning Map Amendment applications.

**REFINEMENT PLAN TEXT AND MAP AMENDMENT (LRP2007-00012)
CONCLUSION AND RECOMMENDATION**

Staff finds that the request meets the criteria of SDC 8.030. Upon review of the evidence provided by the applicant, site visits, existing structures/uses and review of the applicable criteria of approval, staff finds that the applicant's request for a Refinement Plan Text and Map Amendment is appropriate for the subject property with the following text amendment (as discussed in the previous findings – Staff's modified text to the applicant's proposal is underlined):

Page 6 of the Q. Street Refinement Plan:

**CRITERIA FOR PLAN DESIGNATIONS:
Commercial:**

2) The General Office refinement plan designation may be applied in areas with existing Residential Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

- e) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.*
- f) An area must be at least one acre in size to receive the General Office refinement plan designation.*
- g) A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- h) A General Office designated area shall not be created nor expanded greater than 5 acres in size.*

Page 8 of the Q. Street Refinement Plan:

**POLICIES;
Commercial**

9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

Staff recommends the Planning Commission approve the attached Order and forward the proposed Refinement Plan Amendment Application LRP2007-00012 to the City Council with a recommendation for adoption with the modified text amendment as written in this report.

ZONING MAP AMENDMENT CRITERIA OF APPROVAL – SDC 12.030 et seq.

SDC 12.030 (1) – Quasi-judicial Zoning Map Amendments – The Planning Commission or Hearings Official may approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria (3)(a)-(c) below. The Planning Commission or Hearings Official shall make the final local decision on all quasi-judicial Zoning map amendments that do not include a Metro Plan diagram amendment.

SDC 12.030(3) Zoning Map amendment criteria of approval:

- (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 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.*

NOTE FROM STAFF REGARDING APPLICANT'S ZONING MAP AMENDMENT NARRATIVE: *The applicant's narrative for the Zoning Map Amendment is similar to the narrative for the Refinement Plan Amendment, with some minor differences as related to the zoning map amendment criteria. Rather than be duplicative in this report, and for ease of review, Staff has attached the applicant's written narrative in its entirety for reference .*

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH SDC 12.030(3)(a):

Finding 32: This criterion is also found in SDC Section 8.030(1) under the Refinement Plan Amendment criteria. Specific findings related to compliance with Metro Plan policies and the Metro Plan diagram have been addressed in this report.

Conclusion: The proposed rezone request is consistent with the Metro Plan Text and Diagram

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH SDC 12.030(3)(b):

Finding 33: As previously mentioned in this report, the subject property is located within the Q Street Refinement Plan area. The applicant has submitted a concurrent Refinement Plan Amendment application which, if approved, will provide appropriate text and Refinement Plan designation for this proposed zone change to GO.

Finding 34: Criteria of approval for consistency with all applicable City of Springfield functional plans have been previously addressed in this report. As noted in the findings in this report, the proposal is in compliance with all applicable functional plans.

Conclusion: Based on the above findings, the proposed zone change is in compliance with SDC 12.030 (2).

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH SDC 12.030(3)(c):

Finding 35: As previously noted in this report and as stated by the applicant, the subject properties are currently served by sanitary sewer system via an 8" concrete pipe in the west side of 18th Street. The storm drain system is in the Q Street right of way and along the east side of 18th Street. Springfield Utility Board (SUB) indicates it has sufficient capacity to provide electrical and water service to the site. For electric service, SUB has overhead primary on the east side of 18th Street. For water service, SUB has a water line that extends along the east side of 18th Street and the north side of "Q" Street. According to SUB's water department, the water line currently has three service laterals extending to the subject site.

Finding 36: The property is served by Springfield Fire and Life Safety.

Finding 37: The site is within Springfield School District 19.

Finding 38: The site is within the Willamalane Parks and Recreation District.

Finding 39: Transportation systems currently provide access to the property. The subject site takes access from 18th Street which is under City of Springfield jurisdiction. The subject site is also adjacent to Q Street.

Finding 40: The proposed zone change is from MDR to GO. The subject lot has existing development on all sides, and is located on Q and 18th Street. As previously discussed in findings in this report, the proposed zone change will not significantly affect the existing transportation network. The proposed zone change will not negatively affect existing public transit service.

Finding 41: Solid waste management service is available at the subject property. The City and Sanipac have an exclusive franchise arrangement for garbage service inside the city limits.

Finding 42: The site receives police protection from the City of Springfield, consistent with service provision throughout the city and with service that is now provided to adjacent properties.

Finding 43: The City of Springfield Development Services Department provides land use control for property within the City's jurisdiction.

Finding 44: Qwest and Comcast currently provide telephone and cable communication service in this area for and an array of wireless companies provide a number of different communication services. The City has no exclusive franchise arrangements with telecommunication or wireless companies. The field is competitive and therefore guarantees a wide selection currently.

Conclusion: All key urban facilities and services required for the proposed rezone are available to the site. Any specific public and private improvement requirements and utility connection points will be determined when the property is developed. The proposal meets 12.030(3)(c).

**ZONING MAP AMENDMENT CONDITIONS OF APPROVAL:
SDC12.040**

SDC Article 12 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure that the application fully meets the criteria of approval. The specific language from the code section is listed below:

12.040 Conditions of Approval

The Approval Authority may attach conditions as may be reasonable necessary in order to allow the Zoning Map amendment to be granted.

Staff have reviewed the Zone Change request and supporting information provided by the applicant and do not recommend any conditions of approval.

The Planning Commission may choose to apply conditions of approval as necessary to comply with the Zone Change criteria.

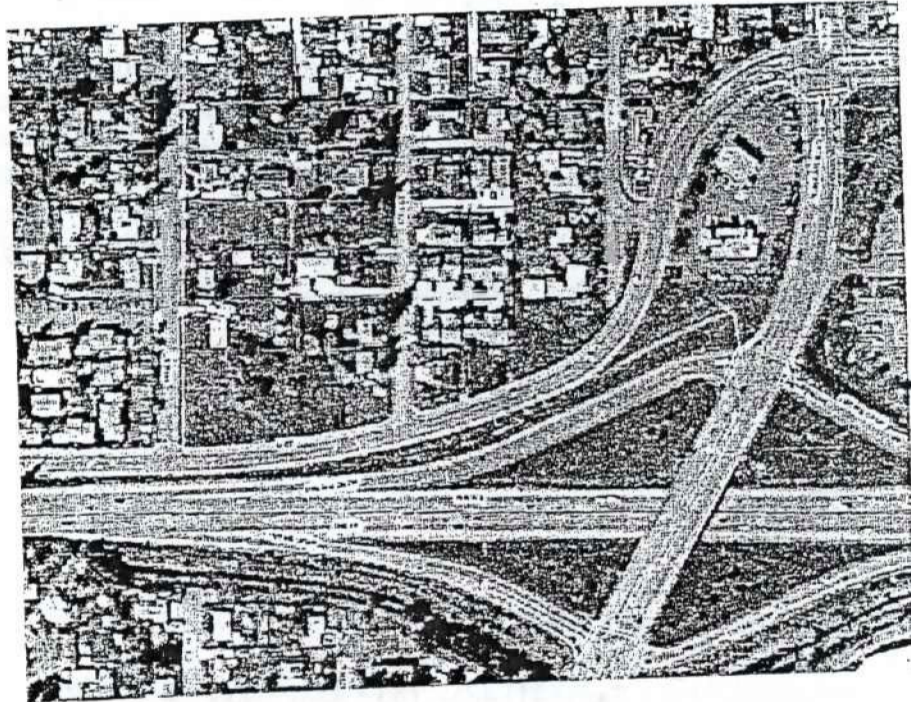
**ZONING MAP AMENDMENT (ZON2007-00011) CONCLUSION AND
RECOMMENDATION**

Staff finds that the request meets the criteria of SDC 12.030. Upon review of the evidence provided by the applicant, site visits, existing structures/uses and review of the applicable criteria of approval, staff finds that the applicant's request for a zone change from MDR to GO is appropriate for the subject property and recommends the Planning Commission approve the attached Order and forward the proposed Zoning Map Amendment Application ZON2007-00011 to the City Council with a recommendation for adoption.



18TH AND "Q" STREET
PROFESSIONAL OFFICE DEVELOPMENT
REFINEMENT PLAN AMENDMENT
APPLICATION

Lane County Assessor's Map 17-03-25-24
Tax Lots 3600, 4700, 4800, 4900 and 5000



1-39

Scott McKee
1101 16th Street
Springfield, Oregon 97477

March 2, 2007



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March 2, 2007

**18TH AND "Q" STREET PROFESSIONAL OFFICE BUILDING
REFINEMENT PLAN AMENDMENT APPLICATION**

WRITTEN STATEMENT

PURPOSE:

The applicant proposes diagram and text amendments to the "Q" Street Refinement Plan. The requested diagram amendment is specific to the refinement plan designation of five contiguous properties identified on Lane County Assessor's Map 17-03-25-24 as Tax Lots 3600, 4700, 4800, 4900 and 5000. The applicant owns the five properties. The current refinement plan designation is Medium Density Residential. The applicant requests re-designation of all five properties with General Office designation. The requested text amendment establishes policy and criteria for locating the General Office designation within the refinement plan area. Approval will facilitate development of an attractive professional office building on currently under-utilized property at the boundary between a residential neighborhood and a community commercial area. This application is submitted concurrently with an application for a corresponding Zoning Map amendment.

I. GENERAL INFORMATION

Application Team

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Planner/Landscape Architect/Environmental Specialist/

Applicant's Representative for this application:

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II. LAND USE REQUEST

The applicant requests approval of an amendment to the "Q" Street Refinement Plan to change the refinement plan designation of the applicant's five contiguous properties at 18th and "Q" Street. Specifically, the applicant proposes to change the refinement plan designation on the "Q" Street Refinement Plan Diagram from Medium Density Residential to General Office designation for all five properties.

A map demonstrating the existing Q Street Refinement Plan plan designation for the subject site is included herein as Exhibit 1. A map demonstrating the requested plan designation is included as Exhibit 2.

In discussions with city staff (Development Issues Meeting October 19, 2006, Case Number ZON2006-00050), staff indicated it will be necessary to add language to the Q Street Refinement Plan to establish the General Office designation within the refinement plan. Therefore, in addition to the requested diagram amendment, the applicant proposes refinement plan text amendments establishing policy and criteria for locating the General Office designation within the refinement plan area.

The sections and pages in the Q Street Refinement Plan document for which the text amendments are proposed are CRITERIA FOR PLAN DESIGNATIONS/ Commercial on page 6, and POLICIES/ Commercial on page 8 of the document. The first text amendment will add Criterion #2 to the Commercial Criteria on page 6 following Commercial Criterion #1. The specific wording of the proposed "Commercial Criterion #2" is:

2) The General Office refinement plan designation may be applied in areas with existing Medium Density Residential, Community Commercial or Major Retail Commercial Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.

- b) *An area must be at least one acre in size to receive the General Office refinement plan designation.*
- c) *A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- d) *A General Office designated area shall not be created nor expanded greater than 5 acres in size.*

The second amendment will add Commercial Policy #9 on page 8 following Commercial Policy #8 and preceding the Residential policies. The specific wording of the proposed "Commercial Policy #9" is:

9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

In the Q Street Refinement Plan area, General Office use is currently permitted within the Neighborhood Commercial designation, the Community Commercial designation and, under specific limited circumstances, the Residential designation. The proposed General Office refinement plan designation expands the circumstances under which office development can occur in Residential designations. The purpose is to facilitate neighborhood commercial services while preventing or limiting impacts to residential areas of more intensive commercial development.

This written statement applies to the Refinement Plan Amendment application. The applicant is also submitting a concurrent application for a Zoning Map Amendment to rezone the subject site to General Office (GO) zoning. The referenced Zoning Map Amendment application is being submitted concurrently but separately as a stand-alone application. Although each application is submitted independently and must be reviewed on its own, the applicant requests that the public process take place concurrently for the two applications. Specifically, the applicant requests that:

- At the level of the Springfield Planning Commission, the required public hearings for both applications be combined into one public hearing;
- At the level of the Springfield City Council, the required public hearings for both applications be combined into one public hearing.

Because the Zoning Map Amendment must be consistent with the applicable refinement plan designation, the applicant requests City Council decision on the proposed Refinement Plan Amendment precede its decision on the proposed Zoning Map Amendment.



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March 2, 2007

**18TH AND "Q" STREET PROFESSIONAL OFFICE BUILDING
REFINEMENT PLAN AMENDMENT APPLICATION**

WRITTEN STATEMENT

PURPOSE:

The applicant proposes diagram and text amendments to the "Q" Street Refinement Plan. The requested diagram amendment is specific to the refinement plan designation of five contiguous properties identified on Lane County Assessor's Map 17-03-25-24 as Tax Lots 3600, 4700, 4800, 4900 and 5000. The applicant owns the five properties. The current refinement plan designation is Medium Density Residential. The applicant requests re-designation of all five properties with General Office designation. The requested text amendment establishes policy and criteria for locating the General Office designation within the refinement plan area. Approval will facilitate development of an attractive professional office building on currently under-utilized property at the boundary between a residential neighborhood and a community commercial area. This application is submitted concurrently with an application for a corresponding Zoning Map amendment.

I. GENERAL INFORMATION

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III. THE SITE AND EXISTING CONDITIONS

Location

The subject site is located at the northwest corner of the intersection of 18th and "Q" Streets. It consists of Tax Lots 3600, 4700, 4800, 4900 and 5000, all on Lane County Assessor's Map 17-03-25-24. As noted, the applicant owns all five properties. Street addresses listed for the tax lots in the Lane Council of Governments Regional Land Information Database include 1865 17th Street A, 1868 18th Street and 1866 18th Street. Total area for the five properties is approximately 1.17 acres.

Metro Plan Designation

The adopted Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Diagram applies Medium Density Residential designation to the properties.

Refinement Plan Designation

The applicable refinement plan for the subject site is the Q Street Refinement Plan. The "Q" Street Refinement Plan Diagram applies Medium Density Residential designation to all properties included within the subject site.

Zoning

The Springfield Zoning Map places the subject site within the MDR Medium Density Residential zoning district.

Use

Two of the subject properties (Tax Lots 4700 and 4800) are developed with small single-family houses. Three lots (Tax Lots 3600, 4900 and 5000) are vacant.

Context

The subject site is located just north of the westbound on-ramp for the Eugene-Springfield Highway and is separated from the Highway by the "Q" Street right-of-way. The site is one block west of the intersection of the Eugene-Springfield Highway with Mohawk Boulevard/19th Street. Properties east of the subject site are zoned Community Commercial and designated Commercial on the Metro Plan and refinement plan. Properties behind (west of) and north of the subject site are zoned and designated Medium Density Residential.

The subject properties have approximately 246.5 feet of street frontage on 18th Street and 170 feet of street frontage on "Q" Street. The City of Springfield Map of Streets by Functional Class identifies 18th Street as a local street and "Q" Street as a collector street.

The properties are in an area determined to be outside of the 500-year floodplain, according to the National Flood Insurance Program Flood Insurance Rate Map #41039C1153F. The properties are not in areas identified in the Local and National Wetland Inventory Map. The Springfield Drinking Water Protection Overlay Map indicates at least part of the site appears to be within the 1-year Time of Travel Zone for the 16th and "Q" Street Wellfield.

Adjacent Uses

To the south, "Q" Street borders the south side of the subject site and the Eugene-Springfield Highway is immediately south of "Q" Street, creating a substantial swath of right-of-way more than 400 feet wide dividing the subject site from other development to the south.

Properties in Medium Density Residential zoning and plan designation are adjacent to the west and north sides of the subject site.

Properties adjacent to the east side of the subject site are in Community Commercial zoning. Commercial uses located adjacent to and northeast of the subject site on the opposite side of 18th Street include an auto repair shop and a veterinarian's office. Commercial uses located adjacent to and east of the subject site on the opposite side of "Q" Street include a Dari-Mart store and a pizza restaurant.

Utilities

Utility data from the City of Springfield and Springfield Utility Board (SUB) show the subject properties are currently served by sanitary sewer system via an 8" concrete pipe in the west side of 18th Street. The storm drain system is in the "Q" Street right-of-way and along the east side of 18th Street. Springfield Utility Board (SUB) indicates it has sufficient capacity to provide electrical and water service to the site. For electric service, SUB has overhead primary on the east side of 18th Street. For water service, SUB has a water line that extends along the east side of 18th Street and the north side of "Q" Street. The water line currently has three service laterals extending to the subject site.

IV. PROPOSED USE/ PROGRAM

Contingent on approval of the current application and other applications as required, the applicant is preparing to submit applications to construct a professional office building on the subject site. The office building as envisioned would be located at the front of the subject site; parking would be located at the rear and north side of the site, separated from adjacent residential development by landscaped buffer as per screening standards in the Springfield Development Code. The building as envisioned will consist of two stories with a total of approximately 15,600 square feet, and the design will be considerate of the neighbors and of the characteristics of the neighborhood, which includes residential homes and community commercial development. The existing residential dwellings will be removed.

Article 18 of the Springfield Development Code identifies the GO General Office district as designed to be compatible with residential neighborhoods. SDC 18.010(4) identifies GO General Office zoning as intended to encourage appropriate office development and designed to be a transition zone providing a buffer between residential and more intensive Community Commercial uses. The Schedule of Use Categories in Commercial districts (SDC 18.020) permits office buildings.

The subject properties are located on the outer edge of a large residential neighborhood next to an area of Community Commercial zoning. This is the type of transitional area specified in SDC 18.010(4)'s description of General Office zoning, which describes it as serving as a buffer between residential and Community Commercial zoning. The limited list of uses permitted in the

General Office zone (primarily restricted to office use) appears compatible with the character of the residential neighborhood on one side of the subject site and the commercial area on the other.

Section V of this Written Statement demonstrates that the requested Plan amendment satisfies the approval criteria found in the Springfield Code Section SDC 8.030.

V. APPLICABLE CRITERIA AND PROPOSED FINDINGS

Springfield Code Section SDC 8.030 requires an evaluation of any Refinement Plan Amendment to determine whether the amendment is consistent with the following criteria. Criteria are shown in *bold and italic* text.

SDC 8.030 CRITERIA. In reaching a decision on these actions, the Planning Commission and the City Council shall adopt findings which demonstrate conformance with the following:

- (1) The Metro Plan;*
- (2) Applicable State statutes.*
- (3) Applicable State-wide Planning Goals and Administrative Rules.*

Findings:

Regarding *SDC 8.030(1)*, conformance with the Metro Plan, the following proposed findings are organized in two parts: conformance with the Metro Plan Diagram, and conformance with Metro Plan policies.

Conformance with the Metro Plan Diagram

The proposed refinement plan designation will allow the limited application of the General Office land use zone in certain areas designated on the Metro Plan Diagram as Medium Density Residential. Limited office developments can be approved as auxiliary uses in residentially designated areas. The Metro Plan's Residential designation description assumes approximately 32 percent of residential areas will be dedicated to auxiliary uses. A portion of the Metro Plan text specific to residential land use designation is relevant to the present application and reads as follows:

"Using gross acres, approximately 32 percent of the area is available for auxiliary uses, such as streets, elementary and junior high schools, neighborhood parks, other public facilities, neighborhood commercial services, and churches not actually shown on the Metro Plan Diagram. Such auxiliary uses shall be allowed within residential designations if compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods." (Chapter II-G, Metro Plan Diagram, Land Use Designations, Residential, p. II-G-3)

The 32 percent available for auxiliary use applies to all residentially designated gross acreage within the Urban Growth Boundary (UGB). The proposed Refinement Plan Amendment will re-designate 1.14 acres. An analysis of the precise current allocation of residential auxiliary uses in the metropolitan area is not warranted for a proposal of this scope. According to the Metro Plan text in Chapter G, *Metro Plan Diagram*, p. II-G-1, "When local plans include densities or land

use allocations significant on a metropolitan scale, their adoption requires analysis of metropolitan implications, followed by amendments to the Metro Plan, when necessary." The consultant team for this application used GIS data to calculate the amount of land within the Q Street Refinement Plan area the Metro Plan Diagram designates for residential use. Of the Refinement Plan's approximately 479 acres, the Metro Plan applies Residential designation to approximately 404 acres. The designation is broken down as shown in Table 1, below.

Table 1. Metro Plan Land Use Designation in the "Q" Street Refinement Plan Area

Metro Plan Designation	Acreage
Commercial	75.14
Low Density Residential	18.12
Medium Density Residential	311.73
High Density Residential	74.18
Total Residential	404.03
Total Refinement Plan Area	479.17

(Source: Satre Associates, P.C., using Lane Council of Governments GIS data)

The proposed Refinement Plan Amendment will shift 1.17 acres of Metro Plan residentially designated land from principal use to auxiliary use. In terms of impact on the area encompassed by the "Q" Street Refinement Plan Diagram, 1.17 acres is less than three-tenths of 1 percent (0.29%) of the 404 acres with Residential Metro Plan designation within the refinement plan area itself. The amendment is not significant on a metropolitan scale.

A comparison of General Office regulations with Neighborhood Commercial regulations reveals many similarities. An important similarity is that allowed uses in General Office and Neighborhood Commercial create only limited impacts on residential properties. As shown in the Schedule of Use Categories for Commercial zoning types in the Springfield Development Code (SDC Section 18.020), the list of permitted uses in General Office zoning is much more restricted and allows fewer uses compared with the list of permitted uses in Neighborhood Commercial zoning.

The proposed amendment will expand areas for neighborhood commercial services as anticipated in the Metro Plan's allowance for auxiliary uses. In the entire "Q" Street Refinement Plan Land Use Diagram, only one property is currently designated Neighborhood Commercial and no properties are designated General Office. This indicates a need for General Office development in the Refinement Plan area. The one property currently designated Neighborhood Commercial, located at 2454 10th Street adjacent to Hayden Bridge Road (Map and Tax Lot 17-03-26-12, 00100), has an area of approximately 0.37 acres. The Metro Plan Diagram applies residential designation to the referenced property, indicating that its Neighborhood Commercial use is an auxiliary use within the Metro Plan's residentially designated acreage.

The land area that is the subject of the current proposal for General Office re-designation is small in relationship to the amount of residentially designated land within the "Q" Street Refinement Plan area, 1.17 acres out of 404. The proposed Refinement Plan re-designation does not detract significantly from the land available for the primary residential use within the refinement plan area's 404 acres of Metro Plan residential designation, let alone within the entire Metropolitan area's residential land inventory. Because the proposed refinement plan re-designation provides office services to neighborhood residents and other city residents while permitting a narrow

range of uses compatible with adjacent residential uses, the re-designation provides an auxiliary use in the Metro Plan's residential area as provided for in the Metro Plan.

This proposed amendment establishing and applying the General Office refinement plan designation creates the context within which these auxiliary uses will conform to the refinement plan, as required by the Metro Plan. The concurrent application for Zoning Map Amendment applies a zoning district that permits these uses.

The proposed auxiliary uses will be compatible with the Springfield Development Code, specifically the establishment clause for the GO General Office District, SDC Section 18.010(4):

"The GO district is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation. A development area of at least one acre shall be required."

The subject site is at such a transition site, within a Metro Plan residential designation, at the edge of a residential neighborhood, between residentially designated and zoned land to the west and commercially designated and zoned land to the east.

Other local controls in the Springfield Development Code will apply to future development of the property. No conflicts with those controls are anticipated, and none arise necessarily from the amendment as it is written.

Because the proposed amendments facilitate auxiliary uses similar in nature and impact to the Neighborhood Commercial uses anticipated by the Metro Plan, and these uses will be compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods, the General Office refinement plan designation can be applied to land designated Residential in the Metro Plan. Allowed auxiliary uses will not contradict or conflict with the purposes and requirements of the subject site's current Metro Plan designation. Therefore, the proposed Refinement Plan Amendments conform with the Metro Plan Diagram.

Conformance with Metro Plan Policies

Metro Plan Chapter III, Specific Elements

A. Residential Land Use and Housing Element

Policy A.22. Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations.

Finding:

The proposed Refinement Plan Amendments will expand opportunities for a mix of uses in the "Q" Street neighborhood. They will make it possible to apply the General Office zoning district to a site with a Residential Metro Plan designation. *Springfield Development Code*, Section 18.010(4) explains the purpose of the district:

“(4) GO GENERAL OFFICE DISTRICT. The GO District is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation. A development area of at least one acre shall be required.”

The regulations and standards of the General Office district will provide greater flexibility than those of the existing residential zone. The amendments will permit establishing the zone in the transition area between residential development (west of 18th Street) and more intensive community commercial development (east of 18th Street). By making it possible to apply the GO zoning district to transitional locations within the area of the refinement plan, this proposed Refinement Plan Amendment facilitates mixed uses in an existing neighborhood and fulfills the intent of Metro Plan Policy A.22.

B. Economic Element

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.

Findings:

The subject site has characteristics that make it suitable for low-impact commercial uses but unsuitable for intensive community commercial use. It has frontage on "Q" Street, a Major Collector, and is adjacent to an interchange on the Eugene-Springfield Highway (I-105). It is adjacent to Community Commercial designation and also adjacent to Residential designation, and therefore fits the intention of SDC 18.010(4) for the location of General Office zoning.

The same adjacency to a state highway intersection that makes this site suitable for low-impact commercial uses compromises its value for residential purposes. As mentioned above, the subject site has significant exposure on its south and east sides to the Eugene-Springfield Highway (I-105) and its westbound on-ramp. This results in undesirable characteristics of view, privacy, dust and noise. Specifically, this two-lane on-ramp is less than 100 feet from the subject site, separated from it only by the "Q" Street right-of-way with no intervening buffer. These characteristics were noted in the "Q" Street Refinement Plan document in its "Findings" section, specifically in the Transportation Findings #4 and #7 on page 5 of the refinement plan document:

#4): There is little or no sound buffering between the Eugene-Springfield Highway and the residential areas within the Q Street area.

#7): There is little or no mitigation of dust between the Eugene-Springfield Highway and the Q Street residential area. (Q Street Refinement Plan Transportation Findings, p. 5)

These characteristics diminish the site's attractiveness as a location for residential housing and limit its development potential in its current zoning with the result that three lots are vacant and the remaining two lots are underdeveloped. Lot 4700 has a 912 square foot house (counting attic space) and Lot 4800 has a 1,092 square foot house while Lots 3600, 4900 and 5000 are vacant.

With its attractiveness as a location for housing diminished by its adjacency to the state highway, the site's suitability for other uses should be considered.

Regarding effective supply and projections of demand, the City of Springfield adopted the *Springfield Commercial Lands Study*, February 2000. It contains the following passages:

"A detailed supply/demand analysis revealed a need for a minimum of 255 acres of commercial land to the year 2015 based on an absorption rate of 17 acres per year. Currently, there are 85 acres of vacant and 12 acres of redevelopable commercial land within the City's UGB, a total of 97 acres." (Finding, page ii.)

"Given the patterns of development, the CAC [Citizen Advisory Committee] asserts the vacant land inventory represents no more than a two-year supply, and noted that there is a need for a supply of both larger and smaller sites to provide choice, diversity and economy in the marketplace. Given the current shortage of larger sites, rezoning or annexation may be necessary for this to occur." (Significant Recommendation, page iv.)

"Policy 1-A: Maintain a mixed supply of large and small commercial sites through strategies such as rezoning or annexation to serve Springfield's future population." (Key Policy, page v.)

Clearly, there is a critical need for more commercial land. The proposed Refinement Plan Amendments would facilitate development of the subject site for commercial purposes. It would do so at the expense of potential residential development on land that is, at best, only marginally suited for the purpose. The amendments will conform to the recommendations and policies of the *Springfield Commercial Lands Study*.

To summarize, the amendment affects a site that:

- consists of undeveloped and underdeveloped land
- is ill-suited for its current designation
- is well suited as a transition from residential to more intense commercial use
- provides critically needed land available for commercial uses.

By applying the appropriate refinement plan designation, the amendments increase the amount of suitable land available for commercial uses, and move toward a better equilibrium of supply and demand. Therefore, they conform with Policy B.6.

Policy B.22. *Review local ordinances and revise them to promote greater flexibility for promoting appropriate commercial development in residential neighborhoods.*

Findings:

The current "Q" Street Refinement Plan and Land Use Diagram do not explicitly allow General Office zoning in areas with Residential Metro Plan designations. The proposed amendments would create policy and criteria in the refinement plan to introduce office development as an auxiliary use in Metro Plan residential designation at transitional areas without permitting more intensive Community Commercial levels of development. A zoning and plan designation of

Community Commercial would not be appropriate for areas such as the subject site because in worst case scenarios Community Commercial uses could produce traffic patterns and volumes, noise and other impacts detracting from the residential character of the neighborhood. By contrast, the requested GO General Office refinement plan designation promotes lower impact commercial development and provides a buffer between residential and more intensive commercial development.

The proposed Refinement Plan Amendment provides opportunities in transitional areas for an intermediate level of development that expands commercial opportunities at a scale appropriate for residential neighborhoods and the amendment is therefore consistent with Economic Element Policy B.22.

Conformance with Refinement Plan Policies

Internal consistency of the Refinement Plan is not explicitly a criterion for a Refinement Plan Amendment. However, because a refinement plan builds on the *Metro Plan* and, for a site specific area, serves as a comprehensive planning document, the requirement of conformance with the *Metro Plan* might be interpreted as requiring Refinement Plan Amendments to maintain consistency within a refinement plan. Furthermore, the "Q Street Refinement Plan" includes criteria for the site specific application of certain plan designations. To ensure that there are sufficient bases and guidance for the application of the "Q Street Refinement Plan" General Office designation, and to ensure that the proposed Diagram Amendment is consistent with the Refinement Plan, this application requests approval of "Q Street Refinement Plan" text amendments as follows:

On page 6, following Commercial Criterion #1, add Criterion #2:

2) The General Office refinement plan designation may be applied in areas with existing Medium Density Residential, Community Commercial or Major Retail Commercial Metro Plan designations without altering the Metro Plan General Land Use Diagram. To create or expand an area with this refinement plan designation, the following criteria must be met:

- a) The area of the designation must be adjacent to a boundary between Residential and Community Commercial or Major Retail Commercial Metro Plan designations.*
- b) An area must be at least one acre in size to receive the General Office refinement plan designation.*
- c) A General Office designated area shall not be created nor expanded to greater than 1.5 acres in size unless the development area abuts a collector or arterial street.*
- d) A General Office designated area shall not be created nor expanded greater than 5 acres in size.*

And on page 8, following Commercial Policy #8, add Policy #9:

9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services.

Upon approval, these text amendments provide policies and criteria with which the proposed Refinement Plan Diagram Amendment conforms.

(2) Applicable State statutes.

The state statutes that apply to this amendment include Oregon Revised Statute (ORS) 197.200, which stipulates what is required of refinement plans, and ORS 197.250, which requires comprehensive plans to be in compliance with the Statewide Planning Goals. ORS 197.200(3) states:

“(3) A refinement plan and associated land use regulations adopted prior to September 9, 1995, may qualify as a refinement plan if the local government holds a public hearing to gather public comment and decides to adopt the plan as a refinement plan under this section.”

The Q Street Refinement Plan was adopted March, 1987. The public record does not indicate whether a public hearing was held subsequently to adopt the plan under ORS 197.200(3).

ORS sections 197.200(2)(a)-(d) stipulate that a refinement plan shall:

- (a) Establish efficient density ranges, including a minimum and a maximum density for residential land uses;*
- (b) Establish minimum and maximum floor area ratios or site coverage requirements for nonresidential uses;*
- (c) Be based on a planning process meeting statewide planning goals; and*
- (d) Include land use regulations to implement the plan.*

To the extent that the “Q” Street Refinement Plan is subject to and meets these requirements, the following is true of the proposed amendments: These amendments establish a new plan designation within the refinement plan for a use that is already permitted in the refinement plan area under other plan designations. The amendments do not affect the list of allowed uses within the refinement plan area. They do not affect density ranges for land uses. They do not affect floor area ratios or site coverage requirements for nonresidential uses. They do not affect the planning process upon which the refinement plan is based. Finally, the amendments do not affect the land use regulations that implement the plan. Therefore, the amendment complies with ORS 197.200.

ORS 197.250 requires comprehensive plans to be in compliance with the Statewide Planning Goals. The Metro Plan is the applicable comprehensive plan. Because no amendment is proposed to the Metro Plan or the General Land Use Diagram, the requested Refinement Plan Amendment does not affect compliance of the comprehensive plan with the statewide goals. However, to

whatever extent these Goals may apply to the proposed Refinement Plan Amendments, conformance is addressed in the following proposed findings regarding SDC 8.030(3), which are herein incorporated by reference.

(3) Applicable State-wide Planning Goals and Administrative Rules.

The "Q" Street Refinement Plan and Land Use Diagram do not constitute a refinement plan meeting the requirements of ORS 197.200, and therefore are not part of the Metro Plan. Because amendments to the "Q" Street Plan do not affect the Metro Plan, they do not constitute a Post Acknowledgement Plan Amendment (PAPA) and therefore application of the Statewide Planning Goals is not required. However, to the degree that the Statewide Planning Goals may be relevant, the following responses to the requirements of those goals are offered.

Goal 1 – Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City of Springfield has an acknowledged citizen involvement program and an acknowledged process expressed in the Springfield Development Code for securing citizen input on all proposed Refinement Plan Amendments. It insures the opportunity for citizens to be involved in all phases of the planning process and sets out requirements for such involvement. The amendments proposed do not amend the acknowledged citizen involvement program. The process for adopting these amendments complies with the requirements of the citizen involvement provisions.

The Metro Plan contains an acknowledged citizen involvement program satisfying Goal 1. The citizen involvement program is in Metro Plan Chapter III, pp. III-K-1 to III-K-4. The proposed amendment complies with and does not affect or amend the citizen involvement element in the Metro Plan.

The Refinement Plan Amendment is subject to the public notification and public hearing processes provided for Type IV application procedures as stipulated in SDC 3.100(1) through (7), which, along with the remainder of the Code and with Statewide Goals and state statutes, provide the provisions for citizen involvement.

The City's acknowledged program for citizen involvement, which includes public notice, public hearings at the level of the planning commission and city council, notification of decision and notification of the right of appeal, provides citizens with the opportunity to review the proposed amendment and make recommendations in written and oral testimony. These acknowledged citizen involvement provisions afford ample opportunity for citizen involvement consistent with Goal 1.

For the reasons cited, including the Metro Plan's and the City of Springfield's acknowledged programs for citizen involvement, the amendment conforms with Goal 1.

Goal 2: Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding:

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. In order to comply with the Goal 2 coordination requirement, the City will be responsible for coordinating the adoption of this amendment by providing notice to all affected governmental units and responding in its findings to the legitimate concerns of affected governmental units. There are no Goal 2 Exceptions required.

The Eugene/Springfield Metro Area General Plan (Metro Plan), the Springfield Code, and the Statewide Planning Goals and applicable state statutes and administrative regulations, provide policies and criteria for the evaluation of plan amendments. Compliance with these measures assures an adequate factual base for approval of the amendment. As demonstrated in findings provided in this document, the amendment is consistent with the Metro Plan, the "Q" Street Refinement Plan, the Springfield Development Code, applicable state statutes and the Statewide Planning Goals. Therefore, the amendment conforms with Goal 2.

Goal 3 – Agricultural Land: *To preserve and maintain agricultural lands.*

Finding:

Goal 3 applies to lands that are designated Agricultural. This amendment is for property located within the city limits of Springfield and does not affect land designated for agricultural use. Therefore, Goal 3 is not applicable to the amendment.

Goal 4 – Forest Land: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:

Goal 4 applies to lands that are designated for forest use. This amendment is for property located within the city limits of Springfield and does not affect land designated for forest use. Therefore, Goal 4 is not applicable to the amendment.

Goal 5 – Open Spaces, Scenic and Historic Area, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

Finding:

Oregon Administrative Rule 660-023-000 through 660-000-250 establish procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

Pursuant of Goal 5, the City of Springfield has adopted the following documents:

- *Eugene-Springfield Metropolitan Area General Plan*, revised 2004
- *City of Springfield, Local and National Wetlands Inventory Map*, December 2005
- *City of Springfield Natural Resource Study*, adopted, November 2005

Oregon Administrative Rule 660-023-0250 establishes the applicability of Goal 5 rules to Post Acknowledgement Plan Amendments (PAPA), and specifies certain procedures and requirements for local governments to follow in the adoption or amendment of all plan or land use regulations pertaining to Goal 5 resources. However, the requested Refinement Plan Amendment does not affect the Metro Plan nor the General Land Use Diagram, and therefore cannot constitute a PAPA. Compliance with Goal 5 need not be addressed. Nonetheless, to whatever extent the procedures and requirements of OAR 660-023-0250 should be addressed in considering the proposed Refinement Plan Amendments, the following findings are presented.

Oregon Administrative Rule 660-023-0250 states:

- “(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:
- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;
 - (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or
 - (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.”

The following discussion will demonstrate that the proposed Refinement Plan Amendment does not raise any issues that would require the City of Springfield to apply Goal 5.

Firstly addressing OAR 660-023-250(a): The changes sought by this application do not create or amend a resource list or any portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource on the subject site.

Secondly addressing OAR 660-023-250(b): The changes sought by this application will not allow new uses that could conflict with a significant Goal 5 resource site. There are no significant Goal 5 resources on the subject site. None of the various studies, inventories, refinement plans, and facilities plans list this specific site as a significant resource, apply a Goal 5 resource overlay, or otherwise regulate or limit the redevelopment of this site as a Goal 5 resource.

No Goal 5 resources are identified on or near the property on the *City of Springfield Local and National Wetlands Inventory Map*. The closest Goal 5 resource identified by the *City of*

Springfield Natural Resource Study Report is the "Q" Street Ditch, a portion of which is located approximately 400 feet to the south of the subject site at its closest point. It is separated from the subject site by the right-of-way of "Q" Street, a paved street classified as a collector street, and by the right-of-way of the Eugene-Springfield Highway, also known as State Highway 126 (I-105), which includes at least six paved lanes, including its eastbound exit ramp and its westbound entrance ramp. The Goal 5 Recommendation in the *City of Springfield Natural Resource Study Report* reads as follows:

"Limit conflicting uses and employ low impact development practices when developing within 150 feet of the watercourse. The "Q" Street Ditch is protected by a 50-foot development setback and site plan review standards described in 31.240 of the Springfield Development Code. No additional setbacks are necessary."¹

A 50-foot development setback is required from the "Q" Street Ditch under stormwater provisions of the Springfield Development Code. In addition, as stated in the text of the *Natural Resource Study Report*, the "Q" Street Ditch is associated with the "Q" Street Floodway. The "Q" Street Floodway is a tributary to a water quality limited water course, the Willamette River, and is protected by a 50-foot setback and a site plan review requirement.

Because the resource impact area as it is defined by the *City of Springfield Natural Resource Study Report* is not encroached upon by the subject site, the uses allowed by the proposed amendment will not conflict with a Goal 5 resource.

Addressing OAR 660-023-250(c): The changes sought by this application do not amend the acknowledged City of Springfield Urban Growth Boundary. Therefore, with regard to this criterion, the City is not required to apply Goal 5.

Oregon Administrative Rule 660-023-0250 "Applicability" stipulates that local governments are required to apply Goal 5 when considering a Post Acknowledgment Plan Amendment if the amendment affects a Goal 5 resource. For the purposes of that rule, the section lists three circumstances (OAR 660-023-0250(3)(a), (b), and (c) quoted above) under which a Post Acknowledgment Plan Amendment would affect a Goal 5 resource. As demonstrated by these findings, none of the three circumstances are raised by the proposed amendments, and the amendments will not affect a Goal 5 resource. The City of Springfield is not required to apply Goal 5 and can, therefore, find that the action requested by this application is consistent with Statewide Planning Goal 5.

Goal 6 – Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:

The purpose of Goal 6 is to maintain and improve the quality of the air, water and land resources of the State. Consistency with Goal 6 requires that development comply with applicable state and federal air and water quality standards and related local policies. Additionally, as demonstrated

¹ *City of Springfield Natural Resource Study Report, October 2005. p. 213.*

in findings regarding Goal 11 incorporated herein by reference, urban facilities are provided, in part, to protect air, water and land resources.

The adopted and acknowledged Metro Plan elements addressing Goal 6 are based on Metro Plan General Land Use Diagram designations. The proposed Refinement Plan Amendments do not amend the Metro Plan, its General Land Use Plan Diagram, any of the Goal 6 related policies of the Metro Plan, nor do they amend the Regional Transportation Plan, the Springfield Development Code, other applicable Goal 6 policies, or any regulations implementing those policies.

Nothing in the proposal, the character of the site or potential uses indicates that the amendments would further compromise air, water and land resources. Future development of the site must necessarily be in conformance with local, state and federal law including applicable elements of the Springfield Development Code. Because no specific development or physical change to the site is proposed by this amendment, the project's compliance with applicable state, federal and local air and water quality standards and local policies is indeterminant, and review is deferrable until development permits are required.

The evidence supports a reasonable expectation that future development resulting from the proposed Refinement Plan Amendments will be consistent with Goal 6 requirements. Therefore, the City of Springfield can reasonably expect that future development under the proposal will comply with applicable state and federal environmental quality standards. The proposed Refinement Plan Amendments are consistent with Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Finding:

Goal 7 requires that development subject to damage or potential loss of life not be planned or located in known areas of natural hazards and disasters without appropriate safeguards. The goal also requires that plans be based on an inventory of known areas of natural disaster hazards (floods, landslides, earthquakes, wildfires and other related hazards).

The subject site is not included in the City's inventory of known areas of natural hazards. The Oregon Department of Geology and Mineral Industries inventory of landslide areas does not identify or inventory the subject site. The subject site is outside of the 500-year floodplain, according to the National Flood Insurance Program Flood Insurance Rate Map that encompasses the site (Map #41039C1153F). The proposed amendment does not amend, remove or exempt compliance with any other regulations or standards that reduce risk to people and property from natural hazards.

The proposed amendment does not affect any additional geographic area other than the subject site. No specific development is proposed with this Refinement Plan Amendment. For the reasons set forth the amendment is in compliance with Goal 7.

Goal 8 – Recreation Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Finding:

The Willamalane Park and Recreation District is responsible for parks and recreation planning in the City of Springfield and has developed the *Willamalane 20-year Parks and Recreation Comprehensive Plan*. The City of Springfield has adopted this plan as a refinement of the *Metro Plan*.

The proposed Refinement Plan amendment will not change the status of any recreation area, facility or opportunity that has been inventoried and designated by the *Metro Plan* or any other relevant facility plans regarding recreational needs. None of the various studies, inventories, and facilities plans regarding recreational facilities have designated the subject site for parks and open space in an adopted inventory, declared it a significant resource, or slated it for acquisition. The site is already developed with residential uses and no specific development is proposed with this amendment. Because the site is not designated for the siting of recreational facilities and the proposed amendment does not affect any recreational facility, inventory of recreational facilities, or regulation concerning recreational facilities, the amendment is consistent with Goal 8.

Goal 9 – Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:

Statewide Planning Goal 9 – Economy of the State, requires communities to inventory, plan, and zone enough commercial and industrial land to support the diversification and improvement of the economy. Oregon Administrative Rule 660-009-000 et seq. (Division 9) establishes the applicability of Goal 9 rules. OAR 660-009-0010(4) states:

"(4) For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or an other employment use designation to any other use designation, a city or county must address all applicable planning requirements..."

The proposed Refinement Plan Amendment does not amend the Metro Plan or the General Land Use Plan Diagram, and therefore does not affect the Metro Plan's inventory of employment lands. Furthermore, the amendment affects an area of land that is smaller than two acres in size. Therefore, pursuant to OAR 660-009-0010(4), the City is not required to demonstrate conformance with Statewide Planning Goal 9.

Goal 10 – Housing: *To provide for the housing needs of citizens of the state.*

Finding:

Goal 10 requires buildable lands for residential use to be inventoried and requires plans to encourage the availability of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon households. Oregon

Administrative Rule 660 Division 8 defines standards for compliance with Goal 10. OAR 660-008-0010 requires that

Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

The comprehensive plan map for Springfield is the Metro Plan General Land Use Diagram. The proposed amendment to the "Q" Street Refinement Plan does not amend the Metro Plan or its General Land Use Diagram and therefore does not affect the Metro Plan's residential buildable lands inventory. The proposed amendments conform to Goal 10.

Goal 11 – Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services as a framework for urban and rural development.*

OAR 660-011-0005(7)(a)-(d) Definition of Public Facilities:

- (a) *Water*
- (b) *Sanitary Sewer*
- (c) *Storm sewer*
- (d) *Transportation*

Finding:

Statewide Planning Goal 11, in part, ensures that appropriate public facilities and services are provided within Urban Growth Boundaries in a timely, orderly, and efficient manner. The Metro Plan and associated facility plans have been acknowledged to conform to Goal 11 ensuring that public facilities and services are currently available to the subject site. Contingent upon approval of this amendment, the applicant will submit appropriate applications for development of the property in a manner consistent with the existing Metro Plan designation and the proposed refinement plan designation. During and subsequent to the Development Issues Meeting (ZON2006-00050) that preceded this application, City of Springfield staff and Springfield Utility Board staff indicated which public facilities and services are adequate, and which will require improvements. Staff indicated that the needed improvements can be constructed prior to or concurrently with site redevelopment. With respect to specific public facilities and services:

Water Service

The site is currently served by 4-inch water lines on the east side of 18th Street and the north side of "Q" Street. Springfield Fire & Life Safety staff (comments by Fire Marshal Gilbert Gordon) indicated the system will require additional capacity to adequately serve the site. Springfield Utility Board staff (Rebecca Templin) indicated SUB has additional capacity available in the pipe on the east side of 18th Street to serve the site.

Sanitary Sewer

The sanitary sewer system currently serves the site with extensions from 8-inch pipes in 18th Street. Springfield Public Works staff (comments by Jeff Paschall) indicated the sanitary system may require line extensions but it has adequate capacity to serve the site. Staff indicated any

necessary improvements can be worked out and constructed prior to or concurrently with site redevelopment.

Storm Water Control

The city stormwater system serving the site includes a 15-inch pipe system at 18th and "Q" Street and an existing open ditch along 18th Street. Public Works staff (comments by Matt Stouder) indicated that the City will require either up-sizing the stormwater system or on-site detention for specific site development and specific necessary improvements can be determined at time of Site Plan Review.

The applicant's preliminary storm water plans include stormwater detention on Lot 3600 at the southwestern portion of the subject site. Storm water facilities will be designed as a component of subsequent land use approvals and constructed prior to or concurrent with site redevelopment to meet City of Springfield storm water policies and regulations.

Transportation

The project area is currently served by 18th Street, which is classified as a local street. The subject site has street frontage on "Q" Street, a major collector, but does not take direct access from "Q" Street. City transportation staff has indicated (ZON2006-00050, comments by Gary McKenney) that the subject site will continue to take access to the street system exclusively via 18th Street. Staff indicated street improvements will be necessary to 18th Street to serve the site and specific necessary improvements will be determined prior to or at the time of Site Plan Review.

To summarize this response regarding Goal 11, the subject site is inside the Eugene-Springfield Metropolitan Urban Growth Boundary and City of Springfield city limits. The adopted and acknowledged Metro Plan and associated facilities plans ensure that appropriate public facilities and services are or can be extended to the site in a timely, orderly, and efficient manner. The site is currently served with existing public facilities and services and, as shown by these findings, these systems can be accessed or improved as needed before or at the time of site redevelopment. Therefore, this amendment is in compliance with Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:

Goal 12 is implemented through Division 12, OAR 660-012-0000 et. seq. The goal and division are implemented at the local level by the *Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)* which was acknowledged for compliance with Goal 12 in 2001.

Plan amendments and land use regulation amendments are regulated under OAR 660-012-0060, the "Transportation Planning Rule." If an amendment significantly affects a transportation facility, a local government must provide a form of mitigation. OAR 660-012-0060(1) states:

"A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.”

OAR 660-012-0060(1):

With regard to OAR 660-012-0060(1)(a) and (b), the proposed Refinement Plan Amendment would not change the functional classification of any transportation facility, nor would it change the standards for implementing the functional classification system.

With regard to OAR 660-012-0060(1)(c)(A), the proposed Refinement Plan Amendment would not allow types or levels of uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility. The policies of the *City of Springfield Development Code* and the *TransPlan* establish the requested plan designation as appropriate to the classification of the streets serving the site. Specific requirements for access to those streets will be determined through Site Plan reviews and approved only upon demonstration of compliance with the provisions of the acknowledged comprehensive plan and implementing regulations.

With regard to OAR 660-012-0060(1)(c)(B) and (C), the performance analyses of transportation facilities incorporated into the adopted and acknowledged Metro Plan elements addressing Goal 12 were based on General Land Use Plan Diagram designations. Analysis of residentially designated land includes allowances for auxiliary uses on 32% of the land so designated. The proposed Refinement Plan Amendment maintains the current Medium Density Residential designation and applies the refinement plan designation of General Office as an auxiliary use within the parameters of 32% auxiliary uses previously included in TransPlan's transportation model. Therefore, there is no change to the planned transportation system capacity and it is not significantly affected.

Furthermore, the adopted and acknowledged Springfield Development Code stipulates when a Traffic Impact Analysis may be required. SDC 32.020(1)(e) sets a traffic generation threshold of

250 vehicle trips per day, below which, all else being equal, a TIA is not required. The implication is that generating fewer than 250 vehicle trips per day does not significantly affect the transportation system.

Exhibit 5 (Memorandum Regarding Vehicle Trip Generation), submitted herewith and incorporated by reference, is based on the current version of the *Institute of Transportation Engineers Trip Generation Informational Report* and presents calculations showing that potential development under the proposed Refinement Plan Amendment will not add more than 250 vehicle trips per day to the transportation system. Specifically the trip generation calculations in Exhibit 5 demonstrate the proposed change will result in an increase of 17 vehicle trips per day as compared to the current zoning and plan designation and will not significantly affect the transportation system.

For the reasons presented above, pursuant to OAR 660-012-0060(1), the proposed Refinement Plan Amendments do not significantly affect existing or planned transportation facilities. Therefore, the City of Springfield can find that the proposal is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: *To conserve energy. 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.*

Finding:

The Metro Plan is acknowledged by the Oregon Department of Land Conservation and Development as conforming to the provisions of Statewide Planning Goal 13. This application does not amend any component of the Metro Plan, or any regulation pursuant to that plan, related to Goal 13. Therefore, these amendments are consistent with the Metro Plan and conform to Statewide Planning Goal 13.

Goal 14 – Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:

All of the parcels affected by this application are currently within the Urban Growth Boundary and were annexed into the City of Springfield. The annexation was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and established the appropriateness of urban development and the availability of urban facilities and services. Findings to demonstrate this application and the proposed Refinement Plan Amendment are consistent with Goal 11 are incorporated herein by reference. As demonstrated by the referenced findings, urban facilities are already provided to the site and can be improved as needed for development within the proposed refinement plan designation. Therefore the amendments are consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

18th and "Q" Street Properties – Refinement Plan Amendment Application
Written Statement –March 2, 2007

Finding:

The subject site is not within the Willamette River Greenway. Therefore, this goal is not relevant and the amendment will not affect compliance with Goal 15.

Goal 16 through 19: (Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources).

Finding:

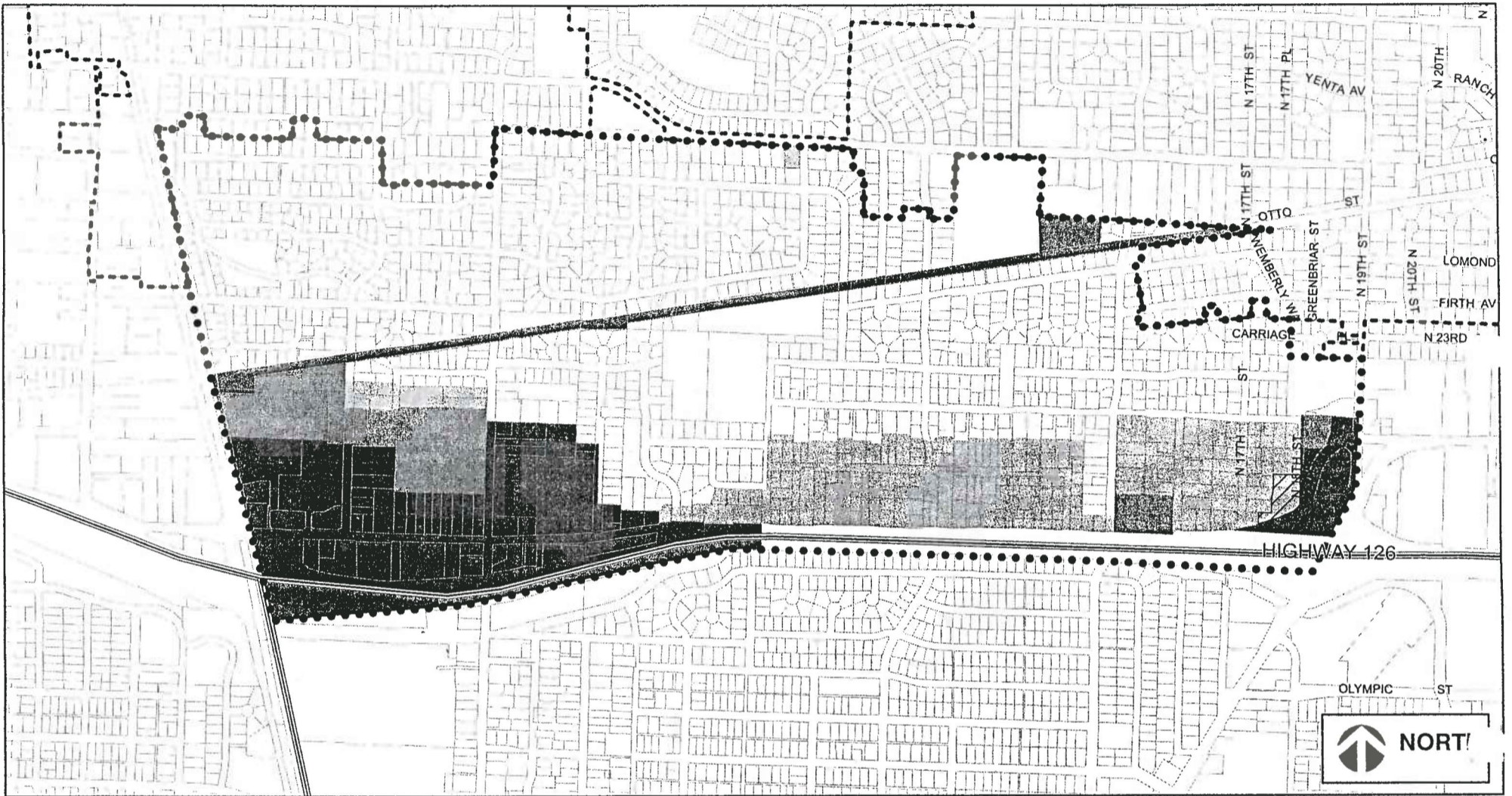
There are no coastal, ocean, estuarine, or beach and dune resources related to the property or involved in the amendment. Therefore, these goals are not relevant and the amendment will not affect compliance with Goals 16 through 19.

As shown by these findings and responses, the amendment conforms with the applicable Statewide Goals and Administrative Rules and therefore satisfies the approval criteria in SDC Section 8.030(3).

VI. CONCLUSION

Based on the above analysis and findings of compliance with approval criteria and adopted plans and policies, the requested Refinement Plan Amendments conform to all approval criteria. The applicant therefore requests approval.

If you have any questions about the above application, please do not hesitate to contact the applicant's representative, Richard M. Satre, at Satre Associates, P.C. (465-4721).



Legend

- | | |
|----------------------------|-------------------------|
| LOW DENSITY RESIDENTIAL | NEIGHBORHOOD COMMERCIAL |
| MEDIUM DENSITY RESIDENTIAL | COMMUNITY COMMERCIAL |
| HIGH DENSITY RESIDENTIAL | PUBLIC SEMI-PUBLIC |

Plan District Boundaries

Miscellaneous Boundaries

- | | |
|-------------------------|----------------------|
| Springfield City Limits | Refinement Plan Area |
| Existing Parcels | Subject Site |

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Refinement Plan
Existing Refinement Plan Designations

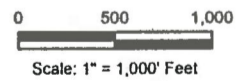
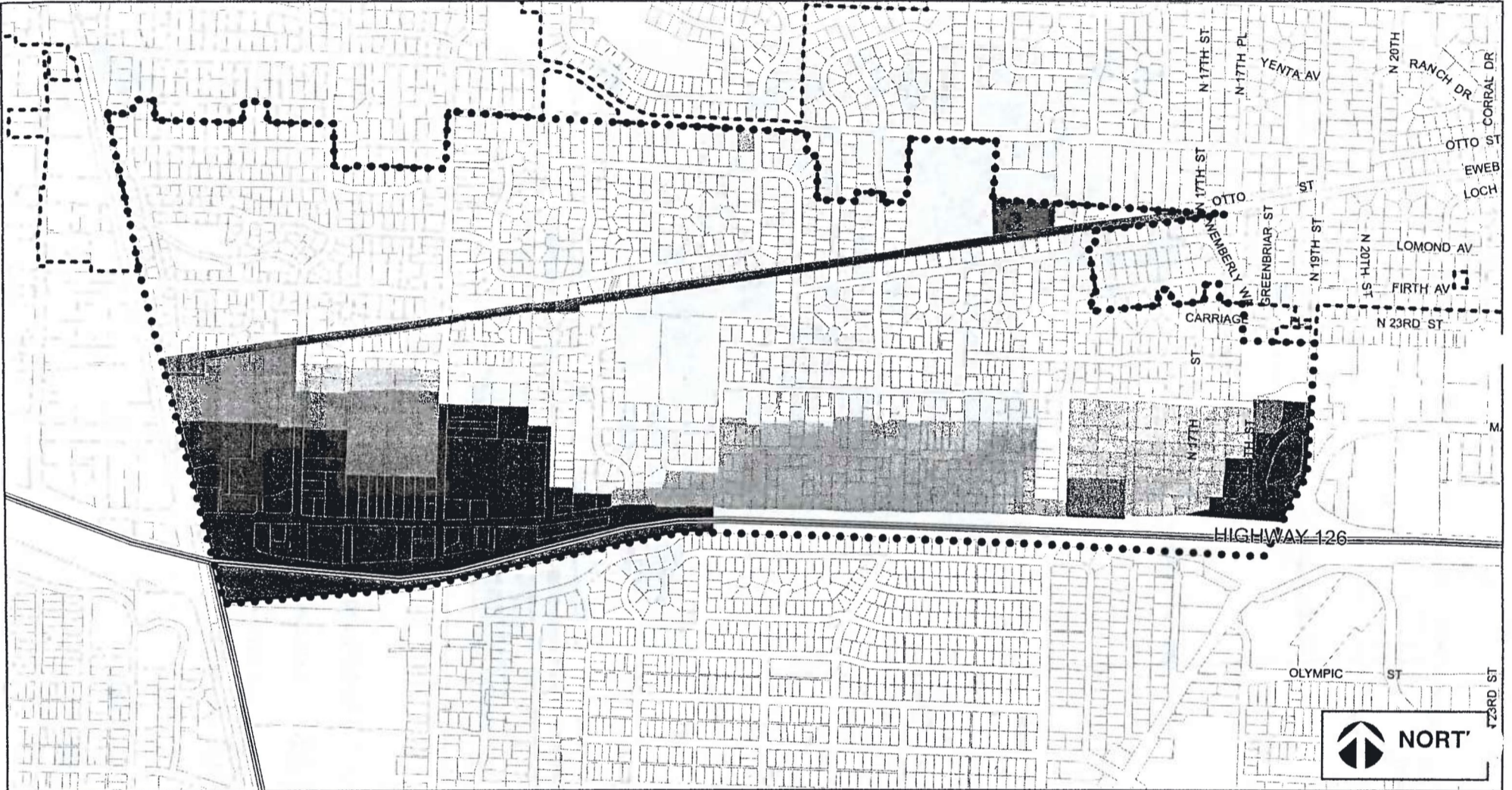


EXHIBIT 1



Legend

Plan District Boundaries

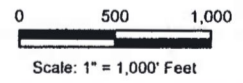
Miscellaneous Boundaries

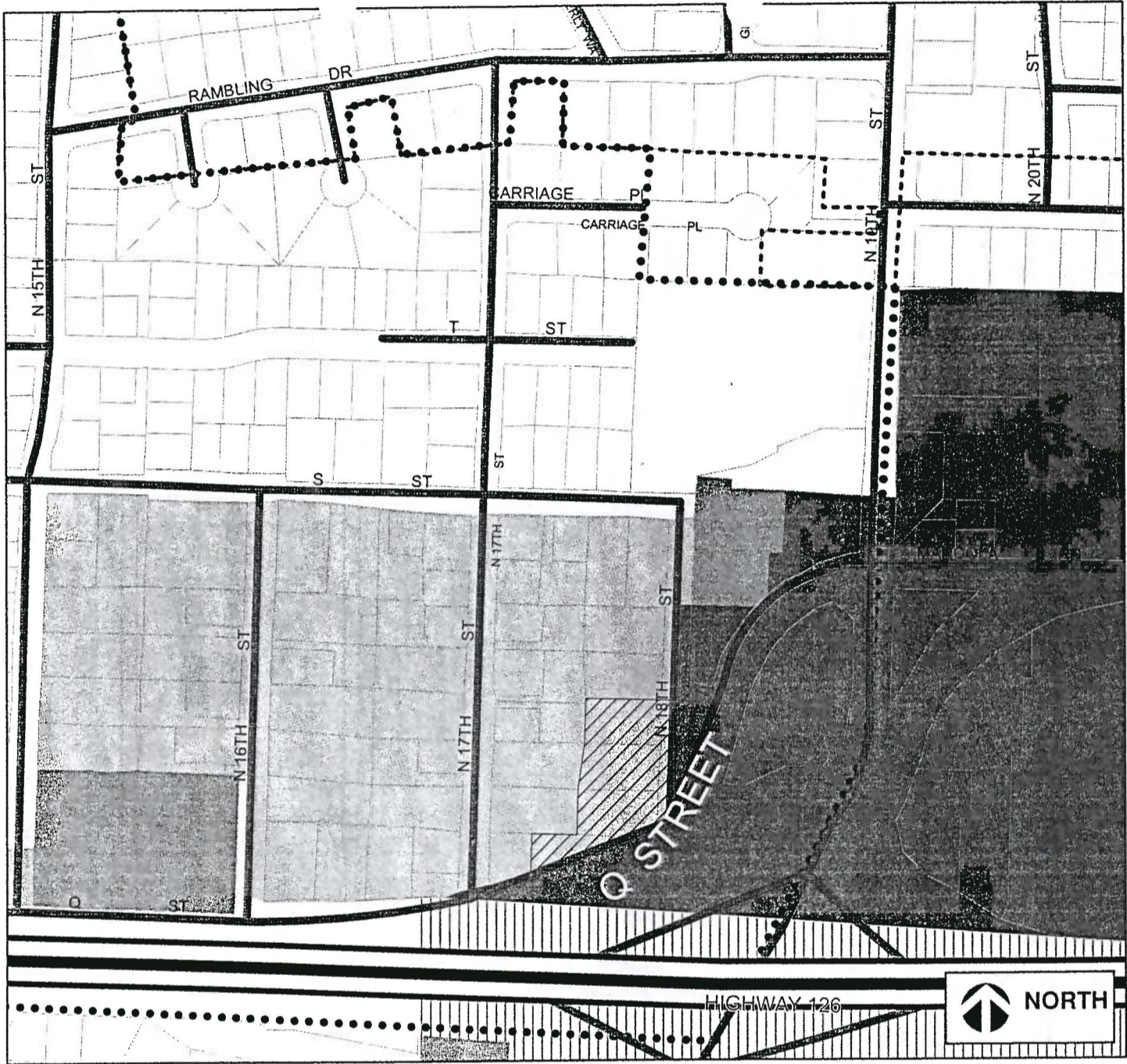
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| LOW DENSITY RESIDENTIAL | NEIGHBORHOOD COMMERCIAL | GENERAL OFFICE |
| MEDIUM DENSITY RESIDENTIAL | COMMUNITY COMMERCIAL | PUBLIC SEMI-PUBLIC |
| HIGH DENSITY RESIDENTIAL | | |

- | | |
|-------------------------|----------------------|
| Springfield City Limits | Refinement Plan Area |
| Existing Parcels | Subject Site |

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised:

"Q" Street Refinement Plan
Proposed Refinement Plan Designations



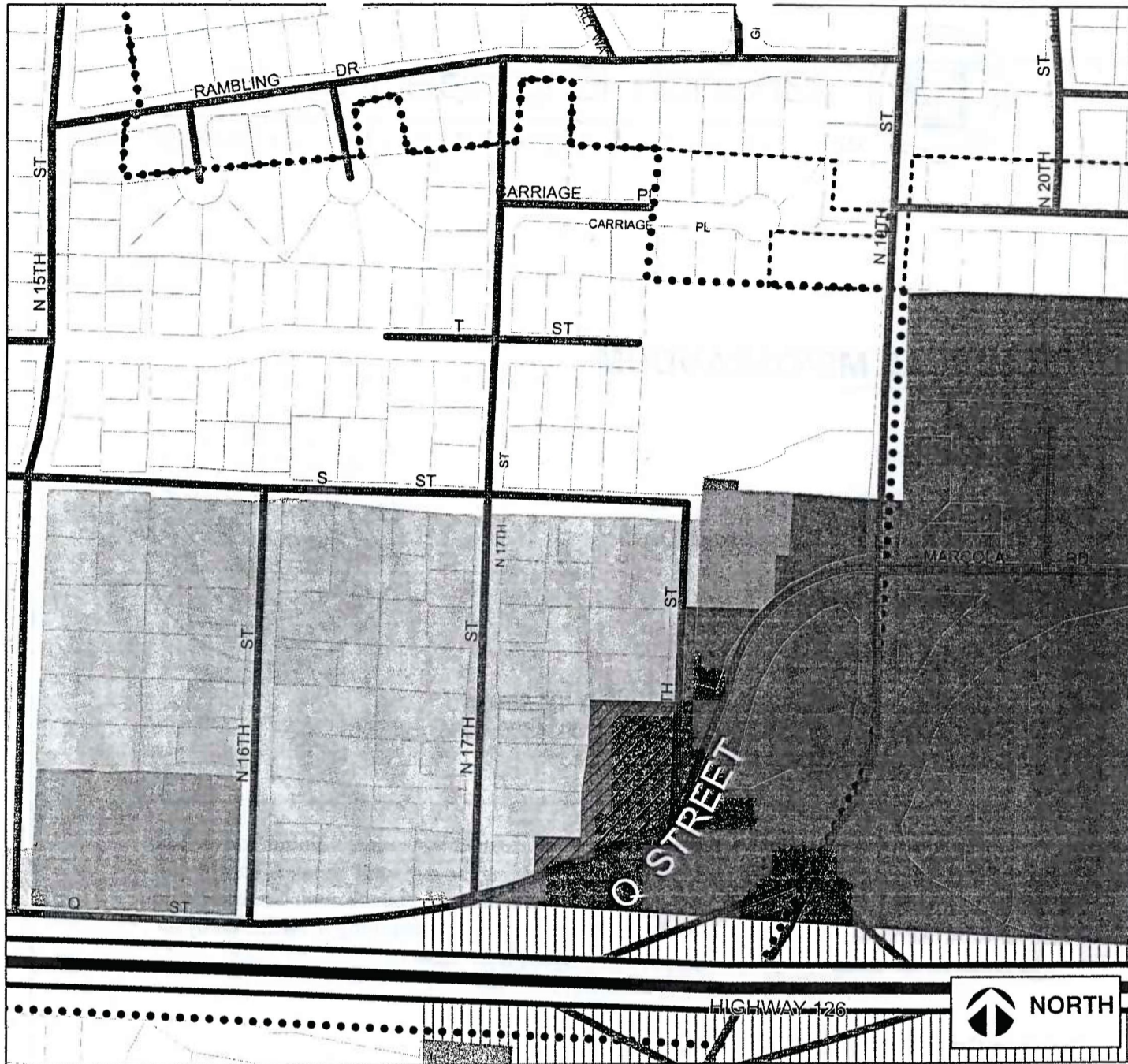


Zoning District Boundaries			Miscellaneous Boundaries		
	High Density Residential		Community Commercial		Springfield City Limits
	Medium Density Residential		Major Retail Commercial		Existing Parcels
	Low Density Residential		Mixed Use Commercial		Refinement Plan Area
			Neighborhood Commercial		Subject Site
			General Office		
			Public Land & Open Space		

Job # 0629
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Property
Existing Zoning



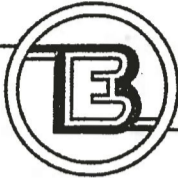


Zoning District Boundaries			Miscellaneous Boundaries		
	High Density Residential		Community Commercial		Springfield City Limits
	Medium Density Residential		Major Retail Commercial		Existing Parcels
	Low Density Residential		Mixed Use Commercial		Refinement Plan Area
			Neighborhood Commercial		Subject Site
			General Office		
			Public Land & Open Space		

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Property
Proposed Zoning





Branch Engineering, Inc.

310 5th Street • Springfield, Oregon 97477 • (541) 746-0637 • Fax (541) 746-0389

PRINCIPALS:

James A. Branch, P.E., P.L.S.
René Fabricant, S.E., P.E.
Michael Lane Branch, P.E.
Damien Gilbert, P.E.

TECHNICAL MEMORANDUM

Date: March 1, 2007

To: Mr. Gary McKenney, P.E.
City of Springfield Transportation Dept.
225 Fifth Street
Springfield, Oregon 97477

From: Damien Gilbert, P.E.

Re: Zone Change and Plan Amendment at 18th & 'Q' Streets
Assessors Map: 17-03-25-24, Lots: 3600, 4700, 4800, 4900, and 5000
Branch Project No. 07-047



In an effort to identify a potential "significant impact", as defined in Oregon Administrative Rule 660-012-0060, I am supplying this memorandum summarizing the expected increase in trip generation associated with the subject project. This is not intended to be a formal Transportation Planning Rule (TPR) Analysis, but is intended to be the basis for determining if further analysis will be required, and identifying the scope of that analysis, if necessary.

Existing Conditions

The subject property includes five tax lots, and some public right-of-way that is proposed to be vacated. The private property totals 1.18 acres, is partially developed with two single family detached dwellings, and is currently zoned Medium Density Residential (MDR). In a MDR zone, the City requires at least 11 dwellings per acre, with a maximum density of 20 dwelling units per acre. This results in a maximum development potential of 23 apartment units on this site under the current designation.

Proposed Development

The project team has prepared a preliminary conceptual plan that includes 18,300 square feet of general office building with the associated required parking and landscape areas, as well as the

property line setbacks. Some of this future development is in existing right-of-way that is proposed to be vacated in the future.

For the purpose of this analysis, only the private property was used in identifying the differences in site generated traffic, since the future street vacation is not guaranteed. Based on the private property area, the project Architect and Planners have identified a 15,600 square foot building to be the reasonable worst case development scenario under the proposed designation.

Trip Generation

To project trip generation for the existing and proposed land uses (apartment and general office, respectively), a reference was made to Trip Generation, 7th Edition, published by the Institute of Transportation Engineers (ITE).

The following tables summarize the differences in site generated traffic from the proposed change in zoning from MDR to GO:

Trip Generation Comparison (Daily)			
Land Use	Average Rate per Unit	Number of Units	Total Trips
Existing: Apartment (ITE Land Use Code 220)	6.72 Trips per Dwelling Unit	23	155
Proposed: General Office Building (ITE Land Use Code 710)	11.01 Trips per 1,000 square feet of Gross floor area	15.6	172
Projected Increase in Daily Trips Resulting from Zone Change	-	-	17

Trip Generation Comparison (PM Peak Hour)			
Land Use	Average Rate per Unit	Number of Units	Total Trips
Existing: Apartment (ITE Land Use Code 220)	0.62 Trips per Dwelling Unit	23	15
Proposed: General Office Building (ITE Land Use Code 710)	1.49 Trips per 1,000 square feet of Gross floor area	15.6	24
Projected Increase in PM Peak Hour Trips Resulting from Zone Change	-	-	9

In summary, the potential site generated traffic associated with the GO Zone, under a reasonable worst case development scenario, does not increase greatly from the similar assumptions for the

MDR Zone. The expected change in site generated traffic is likely within the range of day to day fluctuations at nearby affected transportation facilities, and therefore should not be considered a significant impact.

Please review this limited trip generation summary and let me know at your earliest convenience if a formal TPR analysis should be prepared for this zone change and plan amendment. Also, please do not hesitate to contact me with any questions, or if I can provide any additional information.



March 2, 2007

David Reesor
City of Springfield
Development Services Department
Planning Division
225 Fifth Street
Springfield, Oregon 97477

Re: 18th and "Q" Street Professional Office Development
Application to Amend the Q Street Refinement Plan

Dear David,

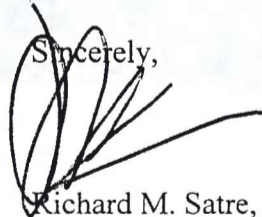
With the enclosed submittal packet, the applicant and property owner, Scott McKee, applies to amend the Q Street Refinement Plan. The request includes a site-specific Land Use Diagram amendment for plan re-designation of the applicant/owner's set of five contiguous properties at the corner of 18th and "Q" Streets. In addition, the request includes a text amendment to the refinement plan document.

Included herein are the application form, written statement and exhibits. The exhibits demonstrate the existing and the proposed refinement plan designation. The proposed text amendment is included in the written statement.

This amendment is submitted concurrently with an application for Zoning Map Amendment for the same properties. In order to expedite review and to respect the schedules of members of the reviewing public agencies, of interested members of the public, and of city staff, the applicant requests the public hearing processes for both applications proceed concurrently.

As the applicant's representative for this application, Satre Associates, P.C. is available to answer any questions as needed. Thank you in advance for your consideration of the application.

Satre Associates, P.C.
132 East Broadway
Suite 536
Eugene, Oregon 97401
Phone 541.465.4721
Fax 541.465.4722
1.800.662.7094
www.satrepc.com

Sincerely,


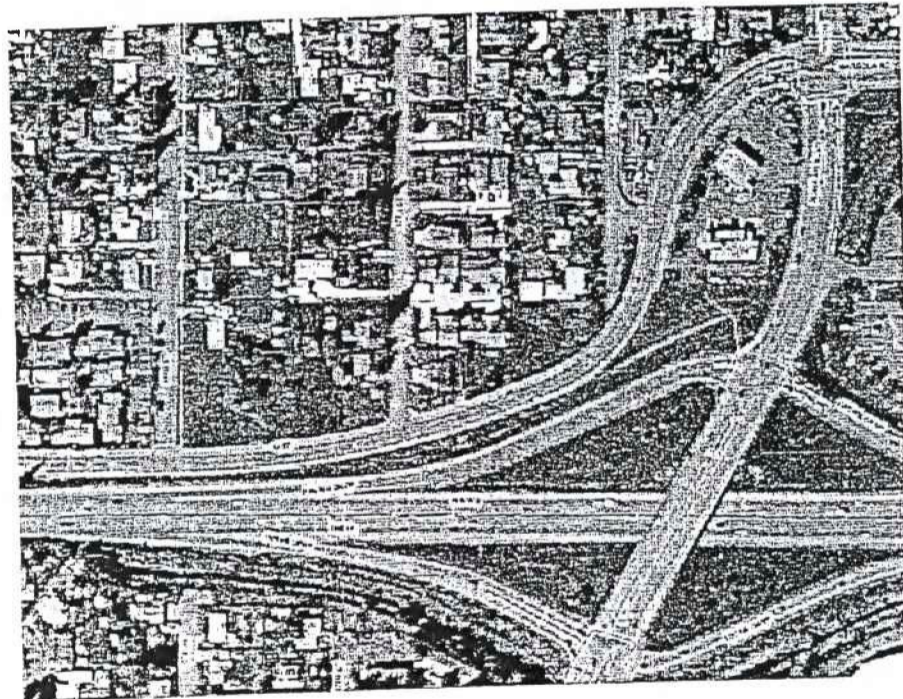
Richard M. Satre, ASLA, AICP
Satre Associates, P.C.

Planners, Landscape Architects and Environmental Specialists



18TH AND "Q" STREET
PROFESSIONAL OFFICE DEVELOPMENT
ZONING MAP AMENDMENT
APPLICATION

Lane County Assessor's Map 17-03-25-24
Tax Lots 3600, 4700, 4800, 4900 and 5000



Scott McKee
1101 16th Street
Springfield, Oregon 97477

March 2, 2007

**18TH AND "Q" STREET PROFESSIONAL OFFICE DEVELOPMENT
ZONING MAP AMENDMENT APPLICATION**

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SATRE ASSOCIATES, P.C.

Planners, Landscape Architects and Environmental Specialists

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March 2, 2007

**18TH AND "Q" STREET PROFESSIONAL OFFICE DEVELOPMENT
ZONING MAP AMENDMENT APPLICATION**

WRITTEN STATEMENT

PURPOSE:

The applicant, Scott McKee, owns five contiguous properties at 18th and "Q" Streets identified on Lane County Assessor's Map 17-03-25-24 as Tax Lots 3600, 4700, 4800, 4900 and 5000. The total area of the five properties equals approximately 1.17 acres. The applicant requests a Zoning Map Amendment to change the zoning of the properties. The existing zoning is Medium Density Residential. The applicant proposes to amend the Zoning Map to rezone the properties to General Office zoning. Approval will facilitate development of an attractive professional office building on currently under-utilized property at the transition between a residential neighborhood and a community commercial area.

I. GENERAL INFORMATION

Application Team

Owner/Applicant:

Scott McKee
1101 16th Street
Springfield, Oregon 97477
Attn: Scott McKee
(541) 683-2180 • Fax (541) 485-7183 • scottmckee@qfginc.com

Planner/Landscape Architect/Environmental Specialist/

Applicant's Representative for this Application:

Satre Associates, P.C.
132 East Broadway, Suite 536
Eugene, Oregon 97401
Attn: Richard M. Satre, ASLA, AICP
Tim Shinabarger, MCRP
(541) 465-4721 • Fax (541) 465-4722 • r.satre@satrepc.com
t.shinabarger@satrepc.com

Architect:

Rowe Architecture and Planning, LLC
785 Sand Avenue
Eugene, Oregon 97401
Attn: Albert H. Rowe, CSI, AIA
(541) 484-6820 • Fax (541) 431-7016 • RoweArchPlanning@comcast.net

Civil Engineer/Surveyor:

Goebel Engineering & Surveying, Inc.
310 Garfield Street
Eugene, Oregon 97402
Attn: Scott Goebel, P.E., P.L.S.
(541) 687-0542 • Fax (541) 687-0739 • scott@goebeleng.com

II. LAND USE REQUEST

The applicant requests approval of a Zoning Map Amendment to change the zoning district of the applicant's five contiguous properties at 18th and "Q" Street. The properties are identified on Lane County Assessor's Map 17-03-25-24 as Tax Lots 3600, 4700, 4800, 4900 and 5000. The total area of the five properties equals approximately 1.17 acres. The existing zoning of all five properties is Medium Density Residential. The applicant proposes to amend the Zoning Map to rezone the properties to the GO General Office Zoning District. The existing zoning is shown on Exhibit 3, submitted herein. The proposed zoning is shown on Exhibit 4.

This written statement applies to the Zoning Map Amendment application. The applicant is also submitting a concurrent application for a Refinement Plan Amendment to redesignate the subject site to General Office (GO) designation in the Q Street Refinement Plan. The referenced Refinement Plan Amendment application is being submitted concurrently but separately as a stand-alone application. Although each application is submitted independently and must be reviewed on its own, the applicant requests that the public process take place concurrently for the two applications. Specifically, the applicant requests that:

- At the level of the Springfield Planning Commission, the required public hearing process for both applications be combined into one public hearing process;
- At the level of the Springfield City Council, the required public hearings for both applications be combined into one public hearing process.

Because the Zoning Map must be consistent with the applicable refinement plan designation, the applicant requests City Council decision on the proposed Refinement Plan Amendment precede its decision on the proposed Zoning Map Amendment.

III. THE SITE AND EXISTING CONDITIONS

Location

The subject site is located at the northwest corner of the intersection of 18th and "Q" Streets. It consists of Tax Lots 3600, 4700, 4800, 4900 and 5000, all on Lane County Assessor's Map 17-03-25-24. The applicant owns all five properties. Street addresses are available in the Lane Council of Governments Regional Land Information Database for three of the listed tax lots. The street addresses are 1865 17th Street A, 1868 18th Street and 1866 18th Street.

Metro Plan Designation

The adopted Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Diagram applies Medium Density Residential designation to the properties.

Refinement Plan Designation

The applicable refinement plan for the subject site is the Q Street Refinement Plan. The Q Street Refinement Plan Diagram (Exhibit 3) applies Medium Density Residential designation to all properties included within the subject site.

Zoning

The Springfield Zoning Map places the subject site within the MDR Medium Density Residential zoning district.

Use

Two of the subject properties (Tax Lots 4700 and 4800) are developed with small single-family houses. Three lots (Tax Lots 3600, 4900 and 5000) are vacant.

Context

The subject site is located just north of the westbound on-ramp for the Eugene-Springfield Highway and is separated from the Highway by the "Q" Street right of way. The site is one block west of the intersection of the Eugene-Springfield Highway with Mohawk Boulevard/19th Street. Properties east of the subject site are zoned Community Commercial and designated Commercial on the Metro Plan and refinement plan. Properties behind (west of) and north of the subject site are zoned and designated Medium Density Residential.

The subject properties have approximately 246.5 feet of street frontage on 18th Street and 170 feet of street frontage on "Q" Street. The City of Springfield Map of Streets by Functional Class identifies 18th Street as a local street and "Q" Street as a collector street.

The properties are in an area determined to be outside of the 500-year floodplain, according to the National Flood Insurance Program Flood Insurance Rate Map #41039C1153F. The properties are not in areas identified in the Local and National Wetland Inventory Map. The Springfield Drinking Water Protection Overlay Map indicates at least part of the site appears to be within the 1-year Time of Travel Zone for the 16th and "Q" Street Wellfield.

Adjacent Uses

To the south, "Q" Street borders the south side of the subject site and the Eugene-Springfield Highway is immediately south of "Q" Street, creating a substantial swath of right-of-way more than 400 feet wide dividing the subject site from other development to the south.

Properties in Medium Density Residential zoning and plan designation are adjacent to the west and north sides of the subject site.

Properties adjacent to the east side of the subject site are in Community Commercial zoning. Commercial uses located adjacent to and northeast of the subject site on the opposite side of 18th Street include an auto repair shop and a veterinarian's office. Commercial uses located adjacent to and east of the subject site on the opposite side of "Q" Street include a Dari-Mart store and a pizza restaurant.

Utilities

Utility data from the City of Springfield and Springfield Utility Board show the subject properties are currently served by sanitary sewer system via an 8" concrete pipe in the west side of 18th Street. The storm drain system is in the Q Street right of way and along the east side of 18th Street. Springfield Utility Board (SUB) indicates it has sufficient capacity to provide electrical and water service to the site. For electric service, SUB has overhead primary on the east side of 18th Street. For water service, SUB has a water line that extends along the east side of 18th Street and the north side of "Q" Street. According to SUB's water department, the water line currently has three service laterals extending to the subject site.

IV. PROPOSED USE/ PROGRAM

Contingent on approval of the current application and other applications as required, the applicant is preparing to submit applications to construct a professional office building on the subject site. The office building as envisioned would be located at the front of the subject site; parking would be located at the rear and north side of the site, separated from adjacent residential development by landscaped buffer as per screening standards in the Springfield Development Code. The building as envisioned will consist of two stories with a total of approximately 15,600 square feet, and the design will be considerate of the neighbors and of the characteristics of the neighborhood, which includes residential homes and commercial development. The existing residential dwellings will be removed.

Article 18 of the Springfield Development Code identifies the GO General Office district as designed to be compatible with residential neighborhoods. SDC 18.010(4) identifies GO General Office zoning as intended to encourage appropriate office development and designed to be a transition zone providing a buffer between residential and more intensive Community Commercial uses. The Schedule of Use Categories in Commercial districts (SDC 18.020) permits office buildings.

The subject properties are located on the outer edge of a large residential neighborhood next to an area of Community Commercial zoning. This is the type of transitional area specified in SDC 18.010(4)'s description of General Office zoning, which describes it as serving as a buffer between residential and Community Commercial zoning. The limited list of uses permitted in the General Office zone (primarily restricted to office use) is compatible with the character of the

Medium-Density Residential neighborhood on the west and north sides of the subject site and the Community Commercial area on the east side.

Section V of this Written Statement demonstrates that the requested Zoning Map Amendment satisfies the approval criteria found in the Springfield Development Code Section SDC 8.030 for zoning map amendments.

V. APPLICABLE CRITERIA AND FINDINGS

Springfield Code Section SDC 12.030 requires an evaluation of any Zoning Map Amendment to determine whether the amendment is consistent with the following approval criteria. Approval criteria are shown in ***bold and italics*** text. Approval criteria include:

SDC 12.030(3)

(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 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.

(d) Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

- 1. Meet the approval criteria specified in Article 7 of this Code; and***
- 2. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.***

Findings are submitted in this section of the written statement to demonstrate consistency with each approval criterion. Again, each approval criterion is shown in ***bold and italics*** text. Each criterion is accompanied by the correlating findings to demonstrate consistency with the approval criterion. Findings are displayed in normal text.

(a) Consistency with applicable Metro Plan policies and the Metro Plan diagram;

Consistency with applicable Metro Plan Policies:

Metro Plan Chapter III, Specific Elements

A. Residential Land Use and Housing Element

Policy A.22. Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations.

Findings:

The Metro Plan Glossary, p. V-3, defines "Mixed use" as

A building, project or area of development that contains at least two different land uses such as housing, retail, and office uses.

Regarding Policy A.22, the proposed zone change provides the opportunity for a mix of uses in an existing neighborhood consistent with the city's intent in establishing the General Office zoning in Springfield Development Code Section 18.010(4) as

a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation.

The subject site is appropriate for the GO General Office Zoning District as stipulated in SDC 18.010(4) because it is at a transition zone between residential (west of 18th Street) and more intensive community commercial (east of 18th Street) development. The proposed zoning map amendment expands opportunities for a compatible mix of uses in the existing neighborhood and therefore is consistent with this policy.

B. Economic Element

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.*

Findings:

The subject site has characteristics that make it suitable for low-impact commercial uses but unsuitable for intensive community commercial use. It has frontage on "Q" Street, a Major Collector, and is adjacent to an interchange on the Eugene-Springfield Highway (I-105). It is adjacent to Community Commercial designation and also adjacent to Residential designation, and therefore fits the intention of SDC 18.010(4) for the location of General Office zoning.

The subject site also has characteristics that make it unsuitable for the existing Medium Density Residential zoning and thus make it available for the proposed General Office zoning. The subject site has significant visibility, dust and noise exposure to the Eugene-Springfield Highway (I-105) and its westbound on-ramp. Specifically, this two-lane on-ramp is less than 100 feet from the subject site, separated from it only by the "Q" Street right-of-way with no intervening buffer. These characteristics were noted in the "Q" Street Refinement Plan document in its "Findings" section, specifically in the Transportation Findings #4 and #7 on page 5 of the refinement plan document:

#4): There is little or no sound buffering between the Eugene-Springfield Highway and the residential areas within the Q Street area.

#7): There is little or no mitigation of dust between the Eugene-Springfield Highway and the Q Street residential area. (Q Street Refinement Plan Transportation Findings, p. 5)

These characteristics diminish the site's attractiveness as a location for residential housing and limit its development potential in its current zoning with the result that three lots are vacant and

the remaining two lots are underdeveloped. Lot 4700 has a 912 square foot house (counting attic space) and Lot 4800 has a 1,092 square foot house while Lots 3600, 4900 and 5000 are vacant. With its attractiveness as a location for housing diminished by its proximity to a major street and a highway, the site should be considered for other uses. Because it is contiguous with residential properties on the local streets (18th Street and 17th Street) and abuts Community Commercial property on the collector street ("Q" Street), the site is specifically suitable for General Office zoning.

Regarding effective supply and projections of demand, the City of Springfield adopted the *Springfield Commercial Lands Study*, February 2000. It contains the following passages:

"A detailed supply/demand analysis revealed a need for a minimum of 255 acres of commercial land to the year 2015 based on an absorption rate of 17 acres per year. Currently, there are 85 acres of vacant and 12 acres of redevelopable commercial land within the City's UGB, a total of 97 acres." (Finding, page ii.)

"Given the patterns of development, the CAC [Citizen Advisory Committee] asserts the vacant land inventory represents no more than a two-year supply, and noted that there is a need for a supply of both larger and smaller sites to provide choice, diversity and economy in the marketplace. Given the current shortage of larger sites, rezoning or annexation may be necessary for this to occur." (Significant Recommendation, page iv.)

"Policy 1-A: Maintain a mixed supply of large and small commercial sites through strategies such as rezoning or annexation to serve Springfield's future population." (Key Policy, page v.)

Clearly, there is a critical need for more commercial land. The proposed Zoning Map Amendment would facilitate development of the subject site for commercial purposes. It would allow appropriate compact development on land that is, at best, only marginally suited for residential use. The amendment will conform to the recommendations and policies of the *Springfield Commercial Lands Study*.

To summarize, the amendment affects a site that:

- consists of undeveloped and underdeveloped land
- is ill-suited for its current zoning
- is well suited as a transition from residential to more intensive commercial use
- provides critically needed land available for commercial uses.

By applying the appropriate zoning, the amendment increases the amount of suitable land available for commercial uses, and moves toward a better equilibrium of supply and demand. Therefore, the amendment conforms with Policy B.6.

Policy B.22. Review local ordinances and revise them to promote greater flexibility for promoting appropriate commercial development in residential neighborhoods.

Findings:

The language in the Springfield Development Code establishing the General Office zoning (SDC Section 18.010(4)) defines it as

...a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation.

The subject site is at the appropriate location for this zoning because it is on the edge of a residential neighborhood where the residential neighborhood shares a boundary with Community Commercial designation. The proposed Zoning Map Amendment introduces office development, as an auxiliary use, into a residentially zoned area at the transition to commercial zoning without permitting more intensive Community Commercial levels of development. A zoning of Community Commercial would not be appropriate for the subject site because some uses permitted in Community Commercial zoning tend to produce traffic patterns and volumes, noise and other impacts that could detract from the residential character of the neighborhood. A review of the Commercial Zoning Districts Schedule of Use Categories demonstrates that the requested zoning allows less intensive uses than the Community Commercial zoning to the east allows. By preventing or limiting impacts that more intensive commercial development could cause to residential areas, the requested zoning therefore buffers existing residential development from the more intensive Community Commercial development. The following paragraph examines the issue of buffering residential from Community Commercial development in more detail.

The Springfield Development Code Commercial Zoning Districts Schedule of Use Categories is at SDC Section 18.020 and has 14 use categories and a total of 223 uses that may be permitted in some or all of the commercial zoning types. Permitted uses within the General Office Zoning District are almost exclusively limited to the uses listed in SDC Section 18.020 Category (3), *Business and professional offices and personal services*. By contrast, the permitted uses within the Community Commercial Zoning District include all 59 uses listed in SDC Section 18.020 Category (9), *Retail Sales* and several of the automobile-related uses listed in Category (2), *Automotive, marine and mobile/manufactured home sales, service, storage and repair*. Many of the uses permitted in Community Commercial zoning but not permitted in General Office zoning have impacts on surrounding areas that could be adverse impacts if adjacent to a residential neighborhood. For example, grocery stores, which could generate vehicle traffic beyond the capacity of a residential neighborhood's street system and beyond the comfort level of residents, are permitted in Community Commercial zoning but not permitted in General Office zoning. Other potentially more intensive uses that are permitted in Community Commercial zoning but not permitted in General Office zoning include liquidation outlets, drive-in restaurants and car washes, all of which could introduce higher impact traffic volumes and patterns, noise and other impacts into the residential neighborhood than would office uses.

The requested GO General Office zoning promotes lower impact commercial development, is designed specifically to provide a buffer between the residential neighborhood and more intensive commercial development, and is therefore appropriate commercial development for a site with a location at the edge of the residential neighborhood. Revising the local Zoning District Map to apply General Office zoning to the subject site promotes greater flexibility for promoting appropriate commercial development in, but at the edge of, the residential

neighborhood. It provides an intermediate level of development for the transitional area, development that expands commercial opportunities at a scale appropriate for residential neighborhoods, and is therefore consistent with Economic Element Policy B.22.

Consistency with the Metro Plan Diagram

Findings:

The Metro Plan allows a limited range of auxiliary uses in its Residential designation when those uses are auxiliary to the principal use of the designation, which is residential use. The Metro Plan's Residential designation description assumes approximately 32 percent of the residential areas within the Urban Growth Boundary will be dedicated to auxiliary uses. Two paragraphs of the Metro Plan text that are relevant to the present application are reprinted here in *italics*:

Certain land uses are not individually of a metropolitan-wide significance in terms of size or location because of their special nature or limited extent. The Diagram's depiction of land use designations is not intended to invalidate local zoning or land uses which are not sufficiently intensive or large enough to be included on the Metro Plan Diagram.

(Chapter II-G, Metro Plan Diagram, Land Use Designations, p. II-G-2)

Using gross acres, approximately 32 percent of the area is available for auxiliary uses, such as streets, elementary and junior high schools, neighborhood parks, other public facilities, neighborhood commercial services, and churches not actually shown on the Metro Plan Diagram. Such auxiliary uses shall be allowed within residential designations if compatible with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods.

(Chapter II-G, Metro Plan Diagram, Land Use Designations, Residential, p. II-G-3)

As shown in these text excerpts, the Metro Plan's allowance for auxiliary uses in its residential designations anticipates the need for neighborhood commercial services. The Metro Plan Diagram does not differentiate between General Office and Neighborhood Commercial Plan designations. The Metro Plan document's text language allowing

auxiliary uses, such as streets, elementary and junior high schools, neighborhood parks, other public facilities, neighborhood commercial services, and churches

in Residential designations provides a list of examples, does not confine auxiliary uses to the specific listed uses, and does not rule out establishing General Office services as an auxiliary use in the Metro Plan's Residential designations.

The applicant held a Development Issues Meeting (October 19, 2006, Case Number ZON2006-00050) to work with city staff to determine the appropriate zoning and plan designation for the contemplated use. Staff noted that the 32 percent auxiliary uses allowed in the Metro Plan Diagram's Residential designation can include General Office use.

The 32 percent available for auxiliary use applies to the Metro Plan's entire inventory of residentially designated gross acreage within the Urban Growth Boundary (UGB). According to the Metro Plan text in Chapter G, *Metro Plan Diagram*, p. II-G-1,

When local plans include densities or land use allocations significant on a metropolitan scale, their adoption requires analysis of metropolitan implications, followed by amendments to the Metro Plan, when necessary. Standards for identifying factors of metropolitan significance need to be defined and agreed to by Springfield, Lane County, and Eugene.

An analysis of the precise current allocation of residential auxiliary uses in the entire metropolitan area is not warranted for a proposal of this scope. The consultant team for this application used GIS data to calculate the amount of land the Metro Plan Diagram designates for its different residential use designations specifically within the area encompassed by the applicable refinement plan for the subject site, which is the Q Street Refinement Plan. Of the Q Street Refinement Plan's approximately 479 acres, the Metro Plan applies Residential designation to approximately 404 acres. The designation is broken down as shown in Table 1, below.

Table 1. Metro Plan Land Use Designation of Land in the Q Street Refinement Plan Area

Metro Plan Designation	Acreage
Commercial	75.14
Low Density Residential	18.12
Medium Density Residential	311.73
High Density Residential	74.18
Total Residential	404.03
Total in Refinement Plan Area	479.17

(Source: Satre Associates, P.C., using Lane Council of Governments GIS data)

The proposed amendment will shift 1.17 acres of Metro Plan residentially designated land from the principal residential use to an auxiliary use. In terms of impact on the area encompassed by the Q Street Refinement Plan, 1.17 acres is less than three-tenths of 1 percent (0.29%) of the 404 acres with Residential Metro Plan designation within the refinement plan area itself. The Zoning Map Amendment is not significant on a metropolitan scale and therefore analysis of metropolitan implications is not necessary.

A comparison of Neighborhood Commercial regulations with General Office regulations reveals many similarities. An important similarity is that allowed uses in General Office and Neighborhood Commercial zoning create relatively limited impacts on residential properties in contrast to Community Commercial and Major Retail Commercial zoning. The list of permitted uses in General Office zoning allows fewer uses compared with the Neighborhood Commercial zoning, as shown in the Schedule of Use Categories for Commercial zoning types in the Springfield Development Code at SDC Section 18.020.

The proposed amendment will expand the area available for neighborhood commercial services as was anticipated by the Metro Plan's allowance for auxiliary uses. In the entire area encompassed by the Q Street Refinement Plan, no properties are zoned General Office and only one property is currently zoned Neighborhood Commercial. This indicates a need for General Office development in the area. The one property that is zoned Neighborhood Commercial, located at 2454 10th Street adjacent to Hayden Bridge Road, identified as Map and Tax Lot 17-03-26-12, 00100, has an area of approximately 0.37 acres. The Metro Plan Diagram applies Residential designation to that property, indicating that its Neighborhood Commercial use is an auxiliary use within the Metro Plan's Residentially designated acreage.

Because the Development Code's General Office Zoning District permits a relatively narrow range of uses compatible with residential development and such uses will provide office services to neighborhood residents and other city residents, the Zoning Map Amendment provides an auxiliary use to the principal residential use within the Metro Plan's residential area as provided for in the Metro Plan document.

If approved, the proposed Zoning Map amendment will change the zoning to General Office for approximately 1.17 acres. Hence, it will shift 1.17 acres of Metro Plan residentially designated land from the principal residential use to an auxiliary use. As noted in these findings, it is not necessary to analyze the metropolitan-wide significance of the zone change in terms of its impact on the residential land inventory. The zone change will not affect the Metro Plan Diagram's Residential designation, and will not affect the effectiveness of the residential land inventory in its principal function, which is to provide living area (area for residential use) for the metropolitan area's population.

As shown by these findings, the requested Zoning Map Amendment provides for an auxiliary use to the principal residential use within the Metro Plan's Medium Density Residential designation and it is therefore consistent with the Metro Plan Diagram.

SDC 12.030(3)(b) Consistency with applicable adopted Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and

Findings:

Consistency with General Office Refinement Plan Designation

The applicable adopted refinement plan for the subject site is the Q Street Refinement Plan. At time of submittal of this application, the applicant submitted a concurrent and separate refinement plan amendment application proposing General Office refinement plan designation for the subject site.

As stated in Section II of this narrative, A City Council decision to approve the refinement plan amendment application may technically precede its decision on this Zoning Map Amendment application. Approval of the refinement plan amendment will amend the refinement plan to apply General Office designation to the subject site. The proposed Zoning Map Amendment to apply General Office zoning to the subject site is consistent with the General Office refinement plan designation.

Consistency with Medium Density Residential Refinement Plan Designation

At time of submittal of this Zoning Map Amendment application, the "Q" Street Refinement Plan Diagram applied Medium Density Residential designation to the subject site. To allow for the possibility that the refinement plan designation remains Medium Density Residential at time of City Council decision on this Zoning Map Amendment application, findings are presented here to demonstrate consistency with Medium Density Residential refinement plan designation.

Medium Density Residential refinement plan designation is consistent with the Metro Plan, which applies Medium Density Residential designation to the subject site. The Metro Plan

provides for auxiliary uses of up to 32 percent of the land area designated for residential use within the area encompassed by the Metro Plan. The applicant's findings in response to the approval criterion at SDC 12.030(3)(a), which demonstrate that the General Office zoning can be allowed as an auxiliary use within the Metro Plan's Residential designation, are incorporated herein by reference.

The Metro Plan document clarifies the relationship of the Metro Plan to other plans, policies, and reports in its Introduction Chapter 1, *Relationship to Other Plans, Policies, and Reports*. The referenced text discusses the types of Refinements and refinement plans to the Metro Plan that are possible. The Metro Plan text states,

In all cases, the Metro Plan is the guiding document, and refinement plans and policies must be consistent with the Metro Plan. Should inconsistencies occur, the Metro Plan is the prevailing policy document.

(Metro Plan, p. I-5)

Because refinement plans must be consistent with the Metro Plan and the Metro Plan provides for auxiliary uses within its Residential designations, the Q Street Refinement Plan must also provide for auxiliary uses within its Residential designations. Because the General Office zoning can be an auxiliary use in Residential plan designations, the proposed Zoning Map Amendment is consistent with the refinement plan designation of Medium Density Residential.

As demonstrated by these findings, the proposed Zoning Map Amendment is consistent with the refinement plan designation.

Consistency with applicable adopted Refinement Plans: Policies and Criteria

With respect to the Q Street Refinement Plan's policies and criteria, applicable policies are printed here in italics followed by the applicant's response in normal type.

Commercial Policy 1. *Provide vacant and redevelopable land to allow for the expansion of commercial uses, and to encourage new commercial development.*

Findings:

Within the subject site three lots are vacant and two lots are underdeveloped. The site is partly vacant and entirely redevelopable. The subject site's proximity to the Eugene-Springfield Highway and to the Highway's intersection and on-ramp makes it difficult to realize the site's full potential with residential zoning. The Q Street Refinement Plan's Transportation Findings #4 and #7 are relevant:

- Transportation Finding 4. *There is little or no sound buffering between the Eugene-Springfield Highway and the residential areas within the Q Street area.*
- Transportation Finding 7. *There is little or no mitigation of dust between the Eugene/Springfield Highway and the Q Street residential area.*

The noise and dust from the Eugene/Springfield Highway referred to in Finding #4 and Finding #7 especially affect the residential properties closest to the highway such as the subject site. These characteristics diminish the site's attractiveness as a location for residential housing and

therefore limit its development potential in its current zoning. The result is an underdeveloped site with three vacant lots and two redevelopable lots currently developed with very small houses on large lots. On the subject site's total area of 1.17 acres or approximately 50,965 square feet of land, the existing residential development equals approximately 2,000 square feet of floor area. This is a floor area ratio of approximately 0.04. In terms of lot coverage, it is a building coverage of 4 percent of the total development area.

The Zoning Map Amendment encourages new commercial development at a scale that is compatible with the residential neighborhood and compatible with the adjacent Community Commercial zoning and designation. Because the amendment to rezone the subject site to General Office Zoning encourages appropriate new commercial development on vacant and redevelopable land it is consistent with this refinement plan policy.

Commercial Policy 6. Apply site plan review conditions (Article 31, Springfield Development Code) to commercial development to : 1) improve the appearance of the Q Street area; and, 2) minimize conflicts with residentially-designated area.

This policy will be applicable to the subject site contingent upon approval of the proposed Zoning Map Amendment and the applicant will be required to apply for site plan review as part of the application process to develop the subject site. At that time the City will have the opportunity to apply site plan review conditions to improve the appearance of the "Q" Street area and to minimize conflicts with adjacent residentially designated areas west and north of the subject site consistent with this policy.

Commercial Policy 9. The General Office refinement plan designation establishes areas to which the GO - General Office zoning district may be applied. Areas so designated serve as transition zones, buffering residential development from more intensive commercial development in areas with commercial plan designations. The General Office refinement plan designation provides appropriate locations for business and professional offices such as financial, insurance and real estate services. (Commercial Policy 9 is proposed in the concurrently submitted Refinement Plan Amendment to the Q Street Refinement Plan. The City Council may approve the proposed Refinement Plan Amendment prior to its decision with respect to this request for Zoning Map Amendment. Findings are provided to demonstrate consistency with the proposed policy.)

Findings:

The subject site is clearly located at a transition between residential and commercial development as described in Policy #9. Contingent upon approval of the concurrent Refinement Plan Amendment submitted by the applicant, Policy 9 is enacted, the subject site is designated with GO General Office plan designation in the Q Street Refinement Plan, the GO General Office zoning district may be applied to the site per Policy 9, and the amendment is therefore consistent with this refinement plan policy.

Consistency with applicable Plan District maps, Conceptual Development Plans and functional plans

Findings:

The subject site is not included within any Plan District area or Plan District map and is not included in any conceptual development plan or functional plan that specifically addresses the use of the subject site. For this reason and because the Zoning Map Amendment is consistent with the adopted Refinement Plan it satisfies the approval criterion at SDC 12.030(3)(b).

SDC 12.030(3)(c) 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 Metro Plan Diagram and the Springfield Zoning Map demonstrate that the property is within the Springfield City Limits. This is a proposed rezoning of existing developed lots within the city and as such is in-fill development. Adequate public facilities, services and transportation networks are on site or available to serve the site. Should the proposed use require upgrades to existing facilities, services or transportation facilities, such upgrades will be provided concurrently with property development consistent with the criterion. Urban facilities for which facility upgrades would require infrastructure improvements include water service, sanitary sewer, transportation network, stormwater, and electricity. With respect to these services:

Water service:

Water lines are located on the north side of "Q" Street, the east side of 17th Street and the east side of 18th Street. Springfield Utility Board (SUB) Water Division referral comments (Springfield File #ZON2006-00050) (Comments of Rebecca Templin, P.E., Civil Engineer-SUB Water Division) show that SUB has additional capacity available on the east side of 18th Street to serve the site, the SUB Water Division has no objection to the proposed office development and any new water services needed for this development will be constructed by the SUB Water Division.

Sanitary Sewer:

Springfield Public Works staff (comments by Jeff Paschall, civil engineer) indicates a sanitary sewer line is in "Q" Street and another is in 18th Street, with an 8-inch pipe in 18th Street. Staff indicated the proposed office use may require a line extension but the sanitary sewer system is adequate to support the use and any required line extension can be worked out. Any necessary improvements will be constructed concurrently with site development.

Transportation:

Because this application is concerned with an existing site within the city, any development that will occur on the site will be in-fill development. The subject site is served by "Q" Street, a major collector, and by 18th Street, a local street. Because this is a Zoning Map Amendment and not a development application, the current application won't change the requirement for transportation services. Although this application does not propose development of the site, Exhibit 5, (Technical Memo Regarding Vehicle Trip Generation) submitted herewith and incorporated herein by reference, examines worst case scenarios for development in current zoning compared with development in the proposed zoning.

Comments from Springfield Transportation staff during and after the Development Issues Meeting for this application (Springfield File #ZON2006-00050) (comments by Gary McKenney, transportation engineer) indicate that street improvements will be required to serve the site when it's subsequently developed in General Office zoning but the exact nature of the street improvements can be worked out when the applicant submits site development plans that better define site access needs. Therefore, the appropriate time to identify specific necessary street improvements is during Site Plan Review. Planning staff concurs that the transportation network is adequate for the proposed amendment and details of upgrading the transportation network will be worked out during Site Plan Review once the building size and other details are known. Once the required improvements are identified they will be constructed concurrently with development of the property and therefore the amendment is consistent with this approval criterion with respect to transportation networks.

Stormwater:

The city stormwater system has a 15" pipe system at 18th and "Q" Street and an existing ditch on the east side of 18th Street. Public Works staff indicates (comments by Matt Stouder, Public Works Engineering) the proposed office use may require improvements or on-site detention and the appropriate time to identify any necessary stormwater improvements is at time of Site Plan Review. Construction of additional stormwater capacity to serve the proposed use is planned concurrently with development of the property.

Electric:

Springfield Utility Board (SUB) Electric Service Center comments in regard to the Development Issues Meeting for this application (Springfield File #ZON2006-00050) and SUB's electric service map show that SUB has an overhead primary on the east side of 18th Street and has the necessary capacity to serve the proposed use.

Fire and Emergency Services

The property is currently served by Springfield Fire and Life Safety and is within the 4-minute response time area of Station #3 on 28th Street. The proposed use as a professional office building can be served but will require improvements to the existing Springfield Utility Board water pipes. Fire and Life Safety staff (comments by Fire Marshal Gilbert Gordon) indicates those improvements will be determined based on the proposed building size, construction material and other relevant factors during site plan review. Findings of consistency with SDC 12.030(3)(c) that demonstrate that water service to the site is planned to be upgraded concurrently with the development of the property are incorporated by reference.

As shown by these findings, the property affected by the application has adequate public facilities, services and transportation network on-site and adjacent to the site or said facilities, services and transportation networks will be provided concurrently with development of the property and therefore the amendment is consistent with the approval criterion. The existing public infrastructure is unaffected by the proposed Zoning Map amendment. Any necessary improvements to public facilities, services and transportation network necessary to serve the proposed use will be determined at time of development application and Site Plan Review and will take place concurrently with development of the property consistent with this approval criterion.

SDC 12.030(3)(d) Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

- 3. Meet the approval criteria specified in Article 7 of this Code; and***
- 4. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.***

Findings:

The Zoning Map amendment is not a legislative amendment and does not involve a Metro Plan Diagram amendment so this criterion does not apply.

VI. CONCLUSION

Based on the above analysis and findings of compliance with approval criteria and adopted plans and policies, the requested Zoning Map Amendment complies with all approval criteria. Therefore, the applicant respectfully requests approval as proposed.

If you have any questions about the above application, please do not hesitate to contact the applicant's representative for this application, Richard M. Satre, AICP, at Satre Associates, P.C. (465-4721).

**18TH AND "Q" STREET PROFESSIONAL OFFICE DEVELOPMENT
ZONING MAP AMENDMENT APPLICATION**

EXHIBIT 1: PROPERTY DEEDS

Bargain and Sale Deed

ELT- 2006 12
SP06-

KNOW ALL MEN BY THESE PRESENTS, That James Scott McKee, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey to J. Scott McKee, Trustee of the Quality Financial Planning, Inc. Defined Benefit Pension Plan and Trust, hereinafter, called Grantee, and unto Grantees' heirs, successors and assigns, all of that certain real property situated in the County of Lane, State of OREGON, described as follows, to wit:

Lot 32, Ronald Park, as platted and recorded in Volume 14, Page 13, Lane County Oregon Plat Records, in Lane County, Oregon. Tax Acct 0206084, Map #17-03-25-24-04800

To have and to hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars is: \$ TO Correct VESTING

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OF COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

In Witness Whereof, the Grantor has executed this instrument this December 19, 2006

James Scott McKee
James Scott McKee

STATE OF OREGON, (County of LANE)ss.

This instrument was acknowledged before me on December 19, 2006, by James Scott McKee

Sharon A. Wright
Notary Public for Oregon My commission Expires 07/14/2009

Grantor's Name and Address:
James Scott McKee
1101 16th St
Springfield, OR 97477



Grantee's Name and Address:
J Scott McKee, Trustee
1101 16th St
Springfield, OR 97477

Division of Chief Deputy Clerk
Lane County Deeds and Records 2006-090571



12/19/2006 02:10:48 PM
RPR-DEED Cnt=1 Stn=8 CASHIER 01
\$5.00 \$11.00 \$10.00

Send Tax Statements to:
Same as Grantee Above

Bargain and Sale Deed

ELT- 2006-12
SP06-

KNOW ALL MEN BY THESE PRESENTS, That James Scott McKee, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey to J. Scott McKee, Trustee of the Quality Financial Planning, Inc. Defined Benefit Pension Plan and Trust, hereinafter, called Grantee, and unto Grantees' heirs, successors and assigns, all of that certain real property situated in the County of Lane, State of OREGON, described as follows, to wit:

Lot 33, Ronald Park, as platted and recorded in Volume 14, Page 13, Lane County Oregon Plat Records, in Lane County, Oregon. Tax Acct 0206092, Map #17-03-25-24-04700

To have and to hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars is: \$ TO Correct VESTING

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OF COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

In Witness Whereof, the Grantor has executed this instrument this December 19, 2006

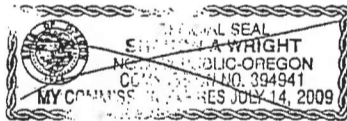
James Scott McKee
James Scott McKee

STATE OF OREGON, (County of LANE)ss.

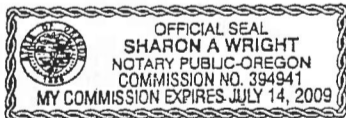
This instrument was acknowledged before me on December 19, 2006, by James Scott McKee

Sharon A. Wright
Notary Public for Oregon My commission Expires: 07/14/2009

Grantor's Name and Address:
James Scott McKee
1101 16th St
Springfield, OR 97477



Grantee's Name and Address:
J Scott McKee, Trustee
1101 16th St
Springfield, OR 97477



Send Tax Statements to:
Same as Grantee Above

Division of Chief Deputy Clerk Lane County Deeds and Records 2006-090570



\$26.00

12/19/2006 02:10:48 PM

RPR-DEED Cnt=1 Stn=8 CASHIER 01
\$5.00 \$11.00 \$10.00

RETURN TO EVERGREEN LAND TITLE CO.

J SCOTT MCKEE
1101 16TH
SPRINGFIELD, OR 97477

Grantor's Name and Address
J. SCOTT MCKEE
1101 16TH STREET
SPRINGFIELD, OR 97477

Grantee's Name and Address
After recording return to:
EVERGREEN LAND TITLE CO.
P.O. BOX 931
SPRINGFIELD, OR 97477

Until a change is requested, all tax statements shall be sent to the following address.
SAME AS GRANTEE

Division of Chief Deputy Clerk
Lane County Deeds and Records 2006-087737



\$31.00

12/07/2006 02:09:23 PM

RPR-DEED Cnt=1 Stn=4 CASHIER 02
\$10.00 \$11.00 \$10.00

TITLE NO. ELT-2006-12
ESCROW NO.
TAX ACCT. NO. 0206043 0206068 0206076
MAP NO. 17 03 25 24 03600 17 03 25 24 05000 17 03 25 24 04900

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL OR CORPORATION)

KNOW ALL MEN BY THESE PRESENTS, That J SCOTT MCKEE hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by J. SCOTT MCKEE, TRUSTEE OF THE QUALITY FINANCIAL PLANNING, INC. DEFINED BENEFIT PENSION PLAN AND TRUST hereinafter called grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of LANE and State of Oregon, described as follows, to-wit:
SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

Subject to any and all easements, restrictions and covenants of record

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 300,000.00.
However, the actual consideration consists of or includes other property or value given or promised which is (the whole/part of the) consideration (indicate which). (The sentence between the symbols *, if not applicable should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30th day of November 2006; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS IF ANY UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

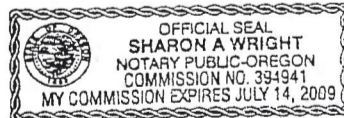
J. Scott McKee
J SCOTT MCKEE

STATE OF OREGON, COUNTY OF Lane)ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON November 30, 2006 BY J SCOTT MCKEE

Sharon A Wright
Notary Public for Oregon

My commission expires: July 14, 2009



ELT - 50390
Page 1 of 1
Legal Description

EXHIBIT A

PARCEL 1:

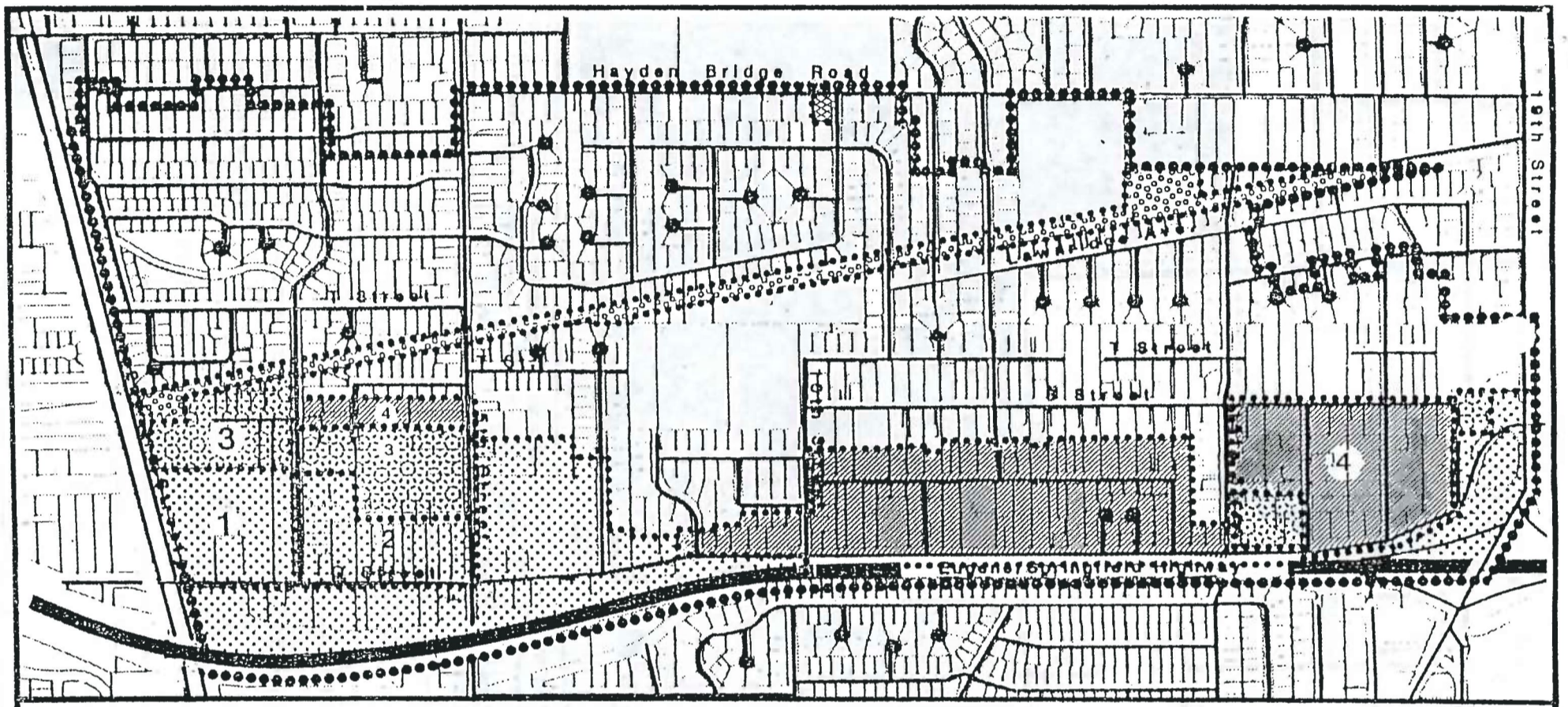
Lots 28, 29 and 30, RONALD PARK, as platted and recorded in Book 14, Page 13, Lane County Oregon Plat Records, in Lane County, Oregon.

EXCEPT THEREFROM those portions conveyed to the State of Oregon by instruments Recorded June 6, 1961, Reception No. 34176, and Recorded June 8, 1961, Reception No. 34470, and Recorded June 19, 1961, Reception No. 35398, Lane County Oregon Deed Records, Lane County, Oregon.

PARCEL 2:

Lot 31, PLAT OF RONALD PARK, as platted and recorded in Book 14, Page 13, Lane County Oregon Plat Records, in Lane County, Oregon.

SAVE AND EXCEPT that portion conveyed to the State of Oregon by Deed Recorded June 14, 1961, Reception No. 34998, Lane County Oregon Records.



- Low Density Residential
- Medium Density Residential
- High Density Residential
- Community Commercial
- Public Semi-Public
- Neighborhood Commercial

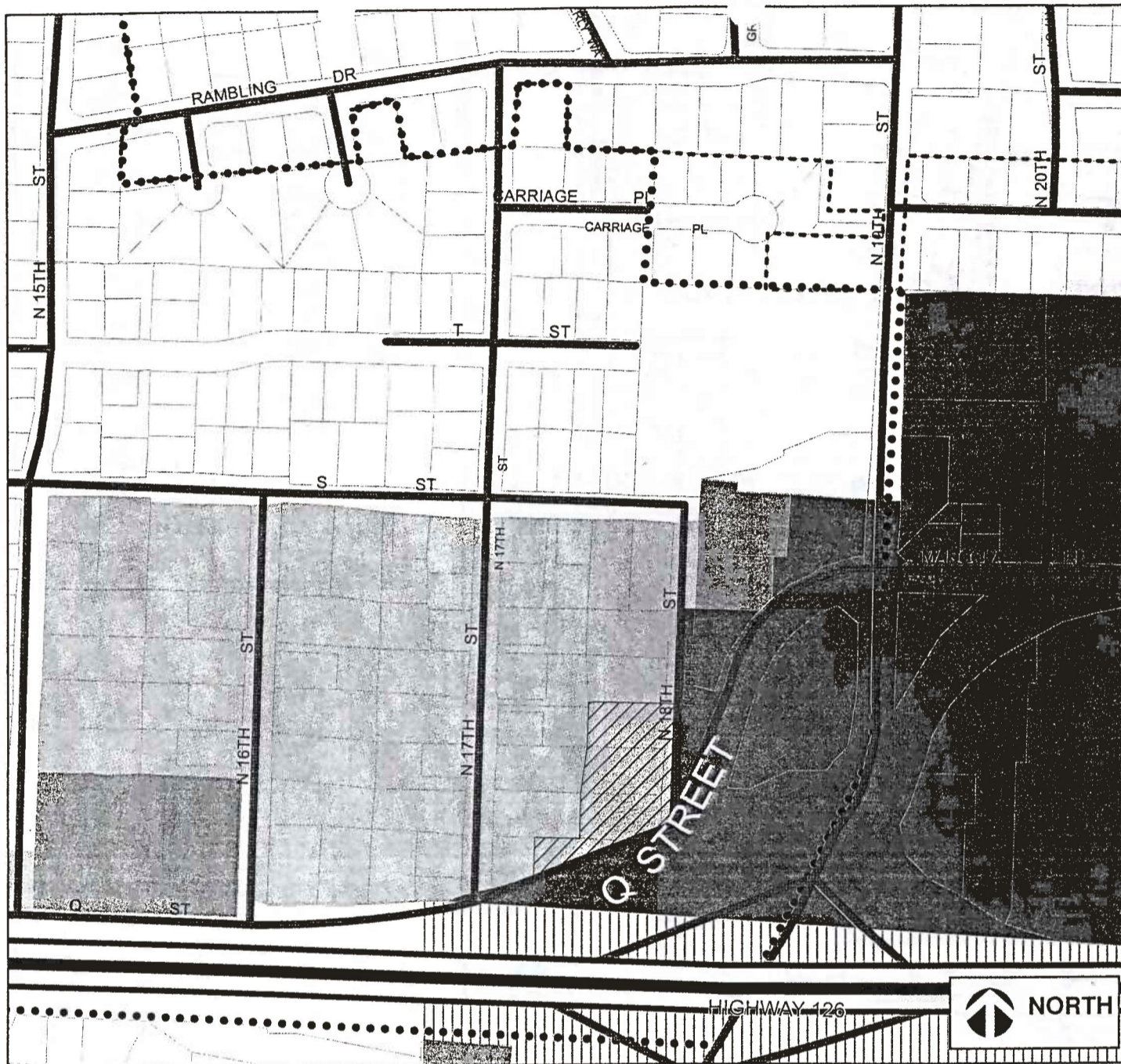
For explanation of numbered areas on map
 1-4 see Plan Implementation Policies pp. 10-12

**'Q' STREET
 REFINEMENT
 PLAN**

1000'

PLAN DIAGRAM

EXHIBIT 2

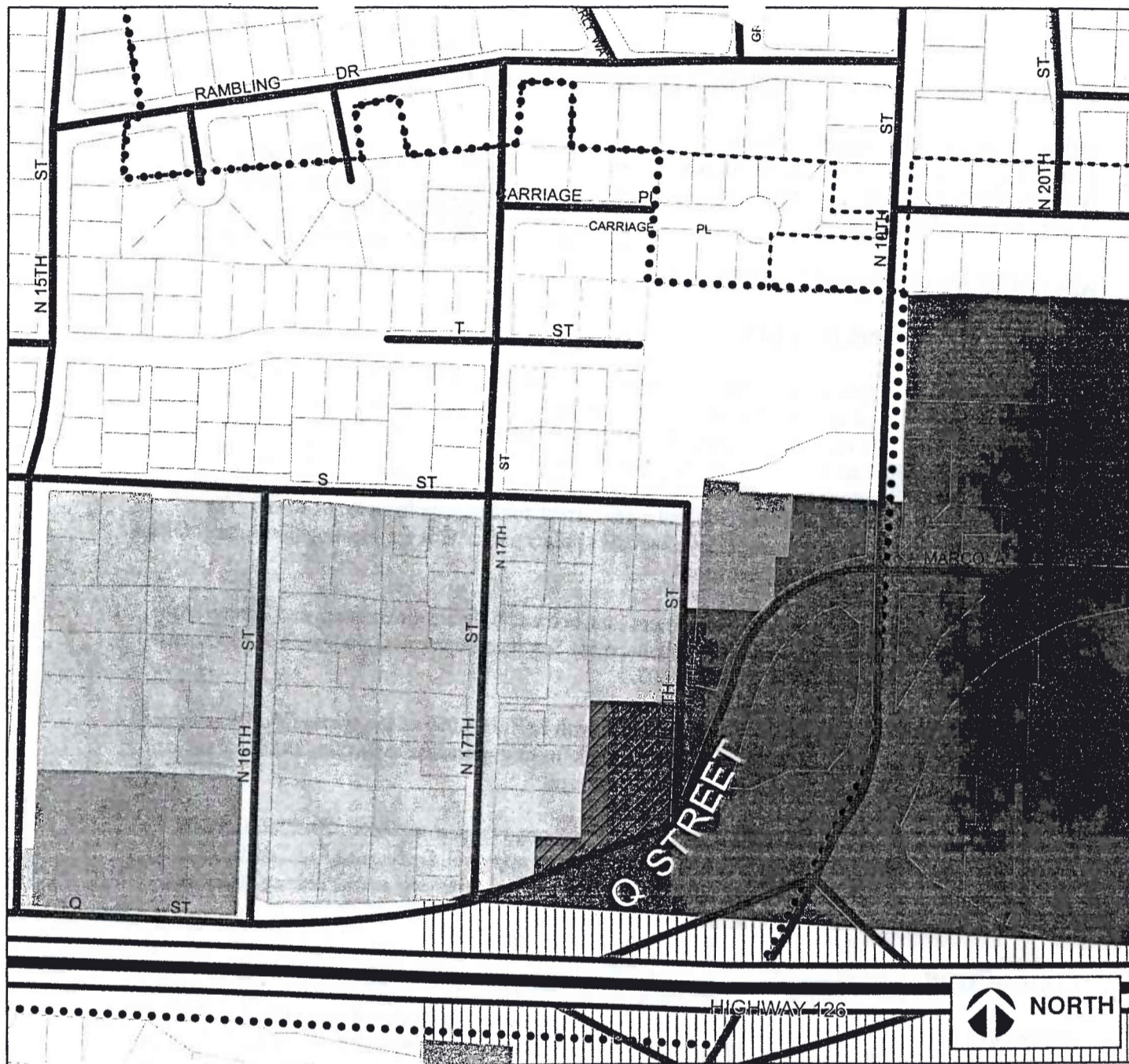


Legend			Miscellaneous Boundaries		
<i>Zoning District Boundaries</i>					
	High Density Residential		Community Commercial		Springfield City Limits
	Medium Density Residential		Major Retail Commercial		Existing Parcels
	Low Density Residential		Mixed Use Commercial		Refinement Plan Area
			Neighborhood Commercial		Subject Site
			General Office		
			Public Land & Open Space		

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised: -

"Q" Street Property
Existing Zoning





Legend		
<i>Zoning District Boundaries</i>		
	High Density Residential	
	Medium Density Residential	
	Low Density Residential	
	Neighborhood Commercial	
	Public Land & Open Space	
<i>Miscellaneous Boundaries</i>		
	Springfield City Limits	
	Existing Parcels	
	Refinement Plan Area	
	Subject Site	

Job # 0628
 Date: 3/02/07
 Drawn: AN
 Checked: TS
 Revised:

"Q" Street Property
Proposed Zoning



BEFORE THE PLANNING COMMISSION
OF THE CITY OF SPRINGFIELD

ORDER AND RECOMMENDATION
FOR A Q. STREET REFINEMENT PLAN
DIAGRAM/TEXT AMENDMENT AND A
ZONING MAP AMENDMENT

+
+
+
+

CASE NO. LRP2007-00012
CASE NO. ZON2007-00011
FINDING, CONCLUSIONS
AND RECOMMENDATIONS

RECOMMENDATION TO CITY COUNCIL

NATURE OF THE APPLICATION

This is a consolidated application for the above referenced case numbers. The applicant requests approval of a Refinement Plan Text and Diagram Amendment to the Q Street Refinement Plan and a concurrent Zoning Map Amendment on properties identified as Lane County Assessor's Map 17-03-25-24, Tax Lots 3600, 4700, 4800, 4900 and 5000. The request involves five contiguous properties at 18th and Q Street. Specifically, the applicant proposes to change Refinement Plan designation from Medium Density Residential (MDR) to General Office (GO) and a concurrent zone change from MDR to GO. The requested Refinement Plan text amendment establishes policy and criteria for locating the General Office designation within the Refinement Plan area.

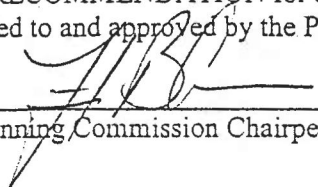
1. The subject applications for a Refinement Plan text and diagram amendment and Zoning Map Amendment were submitted to the Development Services Department on March 5th, 2007, and deemed as complete on March 19th, 2007.
2. The application was submitted in accordance with Section 3.050 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 14.030 of the Springfield Development Code, has been provided.
3. On May 15th, 2007 a public hearing on the zone change request was held. The Development Services Department staff notes including criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at that hearing have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the proposed amendments are consistent with the criteria of Section 8.030 and 12.030 of the Springfield Development Code. This general finding is supported by the specific findings of fact and conclusions in the attached staff report and attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that approval of Case Number LRP2007-00012 and ZON2007-00011, be GRANTED and a RECOMMENDATION for approval forwarded to the Springfield City Council. This ORDER was presented to and approved by the Planning Commission on May 15th, 2007.



Planning Commission Chairperson

ATTEST:

AYES:

NOES:

ABSENT:

ABSTAIN:

7
0
0
0

**Planning Commission Hearing
May 15th, 2007
Public Testimony for applications LRP2007-00012 & ZON2007-00011**

Public Testimony:

Other than the applicant, there was one additional testimony at the public hearing from Springfield resident Justine D. Michaud, residing at 1512 T Street, Springfield, Oregon. Ms. Michaud's testimony related to questions she had about how future traffic issues would be addressed.

Staff's Response:

Staff responded to Ms. Michaud's questions related to traffic by outlining the review procedures in the site plan review process, of which the applicant will be required to adhere to during Site Plan review of a new professional office building. Staff noted that the subject Refinement Plan Amendment application and Zoning Map Amendment application were reviewed by the City's traffic division and found to be in compliance with applicable criteria of approval. Future traffic analyses and findings will be required for specific site plan layout design approval.
