



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

06/12/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 001-09

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: Thursday, June 25, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Andy Limbird, City of Springfield
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Bob Cortright, DLCD Regional Representative
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> YA

Notice of Adoption

JUN 05 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

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

Jurisdiction: **City of Springfield**

Local file number: **LRP2009-00001**

Date of Adoption: **June 1, 2009**

Date Mailed: **June 4, 2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/12/2009**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **PAPA**

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

Adoption of Nodal Development Overlay District for ~168 acres of northwest Springfield identified as the "McKenzie-Gateway Medium Density Residential Site". The post-acknowledgement plan amendment is consistent with a Conceptual Development Plan adopted for the area in 1994; amendments to the Metropolitan Area General Plan (Metro Plan) and Gateway Refinement Plan adopted in 2005 (Commercial Policy and Implementation Action 5.0); TransPlan; and provisions of the approved RiverBend Master Plan.

Does the Adoption differ from proposal? **Yes**, Please explain below:

Only properties currently inside the Springfield City Limits were included in the adopted Nodal Development Overlay (approximately 168 acres). As properties within the contemplated nodal area request annexation to the city, the Nodal Development Overlay may be applied on a case-by-case basis.

Plan Map Changed from: **MDR, CC, MU**

to: **MDR/NDO; CC/NDO; MU/NDO**

Zone Map Changed from:

to:

Location: **Riverbend Master Plan area, North Springfield**

Acres Involved: **168**

Specify Density: Previous: **10-20**

New: **12-24**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

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**

DLCD file No. 001-09 (17369) [15543]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, Lane County, Lane Transit District

Local Contact: **Andy Limbird**

Phone: (541) 726-3784 Extension:

Address: **225 Fifth Street**

Fax Number: **541-726-3689**

City: **Springfield**

Zip: **97477-**

E-mail Address: **alimbird@ci.springfield.or.us**

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 Complete Copies (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@state.or.us**.
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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009

ORDINANCE NO. 6241 (General)

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) DIAGRAM BY ADOPTING A NODAL DEVELOPMENT OVERLAY DESIGNATION FOR APPROXIMATELY 168 ACRES OF LAND WITHIN THE MCKENZIE-GATEWAY MDR SITE.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, Section 5.14-100 of the Springfield Development Code (SDC) sets forth procedures for Metro Plan diagram amendments; and

WHEREAS, SDC Subsection 5.14-120.B.1 states:

“The City Council may initiate a Type I or Type II Metro Plan amendment at anytime. Consideration of this type of amendment shall begin immediately thereafter...”; and

WHEREAS, the Springfield Common Council adopted the amended RiverBend Master Plan in June, 2006; and

WHEREAS, Condition #12 of the adopted RiverBend Master Plan approval states:

“The City Council hereby initiates the application of the Nodal Overlay Plan Designation at the entirety of the McKenzie Gateway MDR Site as identified in the Gateway Refinement Plan”; and

WHEREAS, the subject area is depicted as Potential Nodal Development Area 7B on the adopted Eugene-Springfield Transportation System Plan (TransPlan); and

WHEREAS, timely and sufficient notice of the public hearing on this Ordinance has been provided in accordance with SDC 5.2-115; and

WHEREAS, on April 21st, 2009 the Planning Commission held a public hearing on the plan amendment request. The Development Services Department staff notes including the criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at that hearing were considered and were part of the record of the proceeding. After considering the record, the Planning Commission deliberated and voted 5 in favor, 0 opposed, and 2 absent to forward a recommendation of approval to the Common Council; and

WHEREAS, on May 18th, 2009 the Springfield Common Council conducted a public hearing to receive testimony and hear comments on this proposal. The Common Council is now ready to take action on this proposal based upon the above recommendations and the evidence and testimony already in the record, as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Metro Plan diagram.

NOW, THEREFORE, the Common Council of the City of Springfield does ordain as follows:

Section 1: The above findings are hereby adopted as findings in support of this Ordinance.

Section 2: The Nodal Development Overlay Designation is hereby adopted and applied to the subject properties within the McKenzie-Gateway MDR Site that are inside the current Springfield city limits. The subject properties are more particularly depicted and described in Exhibit A attached hereto and incorporated herein by reference.

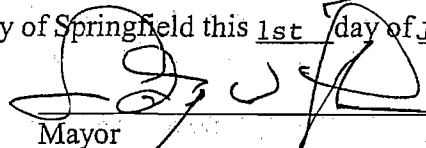
Section 3: Upon requests for annexation of remaining property in the McKenzie-Gateway MDR site, the City Council shall consider initiating the Metro Plan amendment process for nodal development on a site-specific basis consistent with RiverBend Master Plan Approval Condition #12.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Notwithstanding the effective date of ordinances as provided by Section 2.110 of the Springfield Municipal Code 1997, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgement as provided by ORS 197.625, whichever date is later.

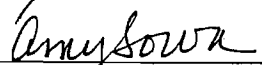
Adopted by the Common Council of the City of Springfield this 1st day of June, 2009 by a vote of 5 in favor and 0 against.

Approved by the Mayor of the City of Springfield this 1st day of June, 2009



Mayor

ATTEST:



City Recorder

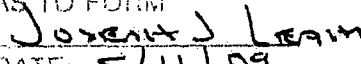
REVIEWED & APPROVED
AS TO FORM

DATE: 5/11/09
LEGAL COUNSEL

EXHIBIT A

NODAL DEVELOPMENT OVERLAY (NDO) IMPLEMENTATION AREA



NDO Overlay District - Affected Area



Site Boundary

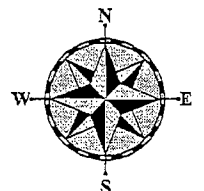


EXHIBIT A (Continued)

Affected Properties:

Map 17-03-22-00, Tax Lots 100, 200, 903, 904, 3401, 3402, 3403, 3500, 3600, 3700, 3800, 3900, 4000, 4101, 4102, 4200 & 4300

Map 17-03-14-00, Tax Lots 1801 & 1900

Type IV Metro Plan Amendment Staff Report and Findings



Hearing Date:
April 21st, 2009
Planning Commission

Case Number:
LRP 2009-00001

May 18th, 2009
City Council

Applicant

City of Springfield
225 Fifth Street
Springfield, OR 97477

Property Owners

PeaceHealth Oregon
Women's Care Properties LLC
City of Springfield

**Applicant's
Representative**

N/A

Date Submitted: January 29, 2009

EXECUTIVE SUMMARY:

The subject area is contemplated for nodal development in planning documents adopted by the City, including the *Metro Plan*, *TransPlan*, the *Gateway Refinement Plan*, and the *RiverBend Master Plan*. The Springfield City Council adopted the amended *RiverBend Master Plan* on June 19, 2006. Condition #12 of the Master Plan approval reads: "The City Council hereby initiates the application of the Nodal Overlay Plan Designation at the entirety of the McKenzie Gateway MDR Site as identified in the *Gateway Refinement Plan*." The McKenzie Gateway MDR Site (now more commonly known as RiverBend) was identified in a Conceptual Development Plan prepared by the City in 1994. Council adopted Ordinance 6109 (amending the *Metro Plan* and *Gateway Refinement Plan*) on January 10, 2005 with the intent of preserving the potential for nodal development in the RiverBend neighborhood. These adopted plan amendments set the stage for development of this area with the Sacred Heart Medical Center and campus.

Consistent with the adopted plan amendments and City Council's direction, staff are presenting the nodal development implementation action for consideration by the Planning Commission and City Council. The Planning Commission adopted a recommendation of support for the proposal by a 5-0 vote at the April 21, 2009 meeting.

REQUEST:

Staff are requesting approval to implement the Nodal Development Overlay District (NDO) designation for approximately 168 acres of the PeaceHealth campus. The NDO District would supplement the zoning designations in the area, which include Community Commercial (CC), Mixed Use Commercial (MUC) and Medium Density Residential (MDR). Current zoning for the affected properties is Medical Services (MS), CC and MDR. A *Metro Plan* Amendment at this time (not during Periodic Review) is known as a Post-Acknowledgement Plan Amendment (PAPA).

SITE DESCRIPTION:

The affected properties comprise approximately 168 acres and are identified as Assessor's Map 17-03-14-00, Tax Lot 1900; and Map 17-03-22-00, Tax Lots 100, 200, 903, 904, 3401-3403 and 3600-4300. The subject properties include the developed Sacred Heart Medical Center site and ancillary

buildings; the Women's Care Center; and vacant future development areas surrounding the hospital. The affected properties have no jurisdictional wetlands or inventoried Goal 5 natural or historic resources. Although not an inventoried historic resource, a pioneer graveyard discovered during excavation work at the south end of the subject area was surveyed and relocated in 2008.

The site is within the Springfield Urban Growth Boundary, and all the subject properties were previously annexed into the City of Springfield. The subject properties are within the *Gateway Refinement Plan* area.

The affected properties are bordered on the east by the McKenzie River. The abutting properties to the north and south are outside the City limits and zoned Low Density Residential (LDR). The areas immediately west of the site are outside the City limits and zoned LDR and MDR.

This proposed plan amendment only affects properties currently inside the City limits. However, the ultimate boundaries of the RiverBend nodal development overlay area could logically include properties on Deadmond Ferry Road, Game Farm Road and Baldy View Lane that are outside the current City limits. As these property owners request annexation, the City Council will have the opportunity to incorporate the property into the RiverBend nodal development overlay area on a case-by-case basis.

REVIEW PROCESS:

The proposed *Metro Plan* Amendment is a Type II Amendment because it is located inside the city limits and is site specific. In accordance with SDC 5.14-135.B and 5.14-140, a Type II *Metro Plan* amendment inside the city limits shall be presented to the Planning Commission for consideration and recommendation, and to the City Council for final action.

The City Council initiated the Nodal Development Overlay designation for the subject area by adopting the amended *RiverBend Master Plan* in 2006. Staff initiated this Post-Acknowledgement Plan Amendment on January 29, 2009. A notice and supplementary information was mailed to the Department of Land Conservation and Development (DLCD) on February 12, 2009. Representatives of the affected property owners (PeaceHealth and the Women's Care Center) were contacted directly in mid-March prior to issuance of the hearing notice. The public hearing notice was mailed out on April 1, 2009 to property owners within 300 feet of the proposed Nodal Development Overlay District implementation area per Section 5.2-115.A.1-14 of the Springfield Development Code (SDC). Advertised notice of the public hearing was published in the local newspaper (*Register Guard*) on April 11th, 2009, as required in Section 5.2-115.B of the SDC.

Since this application was initiated by the City Council, staff have responded to three telephone calls requesting clarification on the proposed amendments and possible impacts to properties adjacent to the subject area. No substantive concerns were raised. Staff provided follow up written clarification to one caller who asked whether a conference center and hotel could be built in the nodal development area. One written comment in support of the proposal was received from Bonnie Ullmann of the Game Farm Neighbors (Attachment 6).

At the Planning Commission public hearing on April 21, 2009, verbal testimony was submitted by Philip Farrington, Land Use Planning & Development Director for PeaceHealth. Mr. Farrington expressed support for implementation of the nodal development designation, but noted that certain nodal development overlay standards may present site design challenges. Mr. Farrington also stated that, as other properties within the McKenzie-Gateway MDR site are annexed to the City, individual property owners shouldn't have to bear the additional cost of implementing the nodal development designation.

As a result of the submitted testimony, the Planning Commission added Statement #4 on the Planning Commission Recommendation (see Attachment 7) recommending that the City initiate the same amendments to any of the subject properties that seek annexation and this plan designation.

METRO PLAN DESIGNATION:

The subject property is designated Commercial and Medium Density Residential as shown in the *Metro Plan* diagram. Specific Findings related to the Metro Plan are discussed in this report.

**METRO PLAN DIAGRAM AMENDMENT
CRITERIA OF APPROVAL – SDC 5.14-135.C.1 and 2**

"The following criteria shall be applied by the City Council in approving or denying a Metro Plan amendment application:

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

CRITERIA OF APPROVAL - SDC 5.14-135.C.1

- 1. The amendment must be consistent with the relevant Statewide planning goals adopted by the Land Conservation and Development Commission.*

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 1: Goal 1 addresses the need to develop a citizen involvement program to ensure citizen involvement in all phases of the land use planning process. The Planning Commission and the City Council will hold public hearings and accept testimony on the proposal. Through the procedures established by the City, citizens have received notice of hearings in a generally published local paper (*Register Guard*) and have the opportunity to be heard regarding the proposed plan amendment. Notice of the public hearings was also given to property owners within 300 feet of the proposed Plan Amendment area in accordance with SDC 5.2-115.A.1-14 requirements. In addition, the provisions of ORS 197.610 regarding local government notice of proposed amendment provided to the Department of Land Conservation and Development has been observed. Since the proposed amendment complies with the City's citizen involvement program and citizens have opportunities to be involved in the procedure, the proposed amendment is consistent with Goal 1.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 2: Goal 2 requires that local comprehensive plans be consistent with the Goals, that local comprehensive plans be internally consistent, and that implementing ordinances be consistent with acknowledged comprehensive plans. Goal 2 also requires that land use decisions be coordinated with affected jurisdictions and that they be supported by an adequate factual base.

Because the proposed plan amendment does not affect properties outside the current city limits, the City sent referral notice of the proposed amendment to the City of Eugene and Lane County on April 8, 2009 extending "interested party" status to each government. The City sent the statutorily required notice of the initial public hearing more than 45 days in advance to the state Department of Land Conservation and Development, ensuring that they are given opportunity for comment and review on conformity to applicable statewide planning goals. The DLCDC reviewed the submitted materials and advised they do not have concerns or objections with the proposed plan amendment (see Attachment 6).

The *Metro Plan* and the SDC, as well as the Statewide Planning Goals and applicable statutes, provide policies and criteria for the evaluation of comprehensive plan amendments. Compliance with these measures assures an adequate factual base for approval of the proposed *Metro Plan* amendment. As discussed elsewhere in this document, the proposed plan amendment is consistent with the *Metro Plan* and the Goals.

Amendments to the *Metro Plan* and the *Gateway Refinement Plan* adopted in 2005 and 2006 provide for nodal development in the subject area, and are consistent with the proposed plan amendment. The subject area is also identified as Site 7B on the adopted "Potential Nodal Development Areas" map in *TransPlan*. Therefore, by demonstrating such compliance, the amendments satisfy the consistency element of Goal 2.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOAL 3:

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

Finding 3: This goal is inapplicable because as provided in OAR 660-15-000(3), Goal 3 applies only to rural agricultural lands. The subject properties are located within an acknowledged urban growth boundary, are inside Springfield's corporate limits, and are not in agricultural use.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 4: Goal 4 does not apply within urban growth boundaries, per OAR 660-06-0020, and the area affected by the proposed Plan amendment is inside Springfield's acknowledged UGB.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOAL 5:

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

Finding 5: Goal 5 requires local governments to protect a variety of open space, scenic, historic, and natural resource values. Goal 5 and its implementing rule, OAR Ch. 660, Division 16, require planning jurisdictions, at acknowledgment and as a part of periodic review, to

- (1) identify such resources;
- (2) determine their quality, quantity, and location;
- (3) identify conflicting uses;
- (4) examine the economic, social, environmental, and energy (ESEE) consequences that could result from allowing, limiting, or prohibiting the conflicting uses; and
- (5) develop programs to resolve the conflicts.

The subject properties are not on Springfield's acknowledged *Metro Plan* Goal 5 inventory. No threatened or endangered species have been inventoried on the site, and no archaeological or significant historical inventoried resources are located on the site. A pioneer graveyard discovered during site excavation work at the south edge of the RiverBend Master Plan area was surveyed and relocated in 2008.

The National Wetland Inventory and Springfield Local Wetland Inventory maps have been consulted and there are no jurisdictional wetlands warranting protection located on the site. A cluster of small, non-significant wetlands (depicted on the Springfield Local Wetland Inventory, and identified as Site M07 on the Springfield Natural Resources Study) are located near the northeast edge of the subject area. These non-significant wetlands are not identified or contemplated for protection in the RiverBend Master Plan.

The McKenzie River is an identified riparian resource that abuts the east boundary of the subject area. A riparian setback and conservation zone has been established within the RiverBend Master Plan area. The proposed plan amendment is only applicable to existing and future urban development areas within the RiverBend Master Plan Area, and will not have an adverse effect on protection or preservation of this resource. Therefore, the proposed amendment does not alter the City's compliance with Goal 5.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 6: The purpose of Goal 6 is to maintain and improve the quality of the air, water and land resources of the state. Generally, Goal 6 requires that development comply with applicable state and federal air and water quality standards. In the context of the proposed *Metro Plan* amendment, Goal 6 requires that the applicant demonstrate that it is reasonable to expect that applicable state and federal environmental quality standards can be met.

The proposed plan amendment does not modify any of the Goal 6 related policies of the *Metro Plan*, nor does it amend the Regional Transportation Plan (*TransPlan*), the *Springfield Development Code*, other applicable Goal 6 policies, or any regulations implementing those policies.

Most of the subject area lies within the 1-20 Year Time of Travel Zones and Zone of Contribution for the Sports Way wellhead. The northeast edge of the subject area lies outside the mapped Zone of Contribution for Springfield drinking water wells. Because most of the area is regulated by the Drinking Water Protection Overlay District, existing and future development must demonstrate compliance with the City's Drinking Water Protection standards. The proposed amendment does not alter the City's compliance with Goal 6.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOAL 7:

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

Finding 7: Goal 7 requires that development subject to damage from natural hazards and disasters be planned and/or constructed with appropriate safeguards and mitigation. The goal also requires that plans be based on an inventory of known areas of natural disaster and hazards, such as areas prone to landslides, flooding, etc.

Staff has reviewed the natural constraints map and the FEMA Floodplain Map in relation to the subject area. The subject area is relatively flat and is not subject to landslide hazards. The eastern half of the subject area is within the mapped FEMA 100 year floodplain. A McKenzie River floodplain analysis prepared by David Evans & Associates in November, 2003 has updated the flood level information for the subject area. Existing and future development in the area must demonstrate compliance with the Floodplain Overlay District provisions of the City's Development Code, including establishing building floor elevations at least one foot above the calculated flood level. Therefore, approval of the proposed Plan Amendment will not alter the City's acknowledged compliance with Goal 7 through its adopted plans, codes and procedures.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 8: Goal 8 requires local governments to plan and provide for the siting of necessary recreational facilities to "satisfy the recreational needs of the citizens of the state and visitors" and, where appropriate, provide for the siting of recreational facilities including destination resorts. 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. According to Map 2 of the Comprehensive Plan, two future park and recreation facilities are contemplated within the eastern half of the subject area, which is identified for future residential development. The proposed plan amendment does not preclude the acquisition of public land for provision of recreational facilities, including neighborhood and special use parks as noted in the Comprehensive Plan. Therefore, the proposed plan amendment does not alter the City's compliance with Goal 8.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 9: Goal 9 requires the city to provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of the citizens. Because the nodal development overlay does not supplant the underlying commercial and mixed use zoning of the affected properties, and nodal designation supports and encourages more intensive development of these lands, the proposed amendment will provide additional employment opportunities by allowing more intensive site development thereby enhancing the city's capacity for economic development. Therefore, the proposed amendment further implements the City's compliance with Goal 9.

STAFF FINDINGS RELATED TO GOAL 10:

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

Finding 10: LCDC's Housing goal requires cities to maintain adequate supplies of buildable lands for needed housing, based on an acknowledged inventory of buildable lands.

The *1999 Eugene-Springfield Metropolitan Area Residential Land and Housing Study* is Springfield's most current adopted housing study related to Goal 10. The City of Springfield is also currently undergoing a new Residential Lands Study that will analyze the housing inventory and projected needs for the next 20 years. Preliminary findings of the Residential Lands Study suggest that there is a need for additional housing within the 2010-2030 planning period. Some of the anticipated need

could be met through increasing density of existing residential zones. The proposed amendment would increase allowable density levels within the subject area, thus providing more housing options for Springfield residents. The residential component of the subject area is zoned MDR, and is currently vacant. The nodal overlay would allow for housing densities to be increased up to 20% above the base standards of the MDR District. Such action is clearly consistent with intent and purpose of Goal 10.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 11: This goal requires the provision of a timely, orderly and efficient arrangement of public facilities and services. The subject area is located within the Springfield UGB and city limits, and already contains a regional hospital facility and ancillary medical service buildings. The subject area is accessed via recently-completed local and regional transportation improvements, including the Martin Luther King, Jr. Parkway extension, Cardinal Way extension, widening of Beltline Road, and construction of RiverBend Drive. The proposed nodal development overlay will not affect the ability to provide needed services to the subject area. All the required urban services are existing or available to support future residential, commercial and mixed used development on the subject properties. The *Metro Plan* and associated facility plans have been acknowledged to conform to Goal 11, thereby ensuring that public facilities and services are currently available to the subject site. Therefore, the proposed amendment does not affect the *Metro Plan's* compliance with Goal 11.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOAL 12:

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

Finding 12: Goal 12 requires local governments to provide and encourage a safe, convenient and economical transportation system. The proposed amendment involves about 168 acres of property, of which approximately 50 acres is already developed with the hospital facility and ancillary buildings. The transportation analysis prepared for the *RiverBend Master Plan* contemplates build-out of the subject area with a combination of commercial, residential and mixed-use development. Nodal designation of the subject area was contemplated in the regional transportation plan adopted for Eugene-Springfield (*TransPlan*) and long-range plans adopted by the City. Implementation of the nodal designation for the subject properties is a logical progression of the recent and planned transportation projects that directly or indirectly benefit the subject area, including: Pioneer Parkway roundabout and MLK Jr. Parkway Extension; eastbound Beltline Road off-ramp from I-5; future Gateway/Beltline intersection improvements; RiverBend Drive construction; and installation of signalized intersections on MLK Jr. Parkway at the intersections with RiverBend Drive, Cardinal Way and Game Farm Road East.

In addition to street and intersection improvements, the subject properties will derive a direct benefit from the new Bus Rapid Transit (EmX) line currently being constructed to serve the Gateway area of north Springfield. Provision of a highly efficient public transportation system is a key element of the

nodal development concept. Two EmX line transit stops are slated for construction within the subject area – one near the intersection of MLK Jr. Parkway and RiverBend Drive, and another to serve the Sacred Heart Medical Center.

Any significant intensification of development (beyond that contemplated in adopted plans and studies) will be subject to development review to assure existing transportation capacity is not exceeded. Therefore, the proposed plan amendment is consistent with Goal 12 and applicable local implementing policies.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 13: The Energy goal is a general planning goal and provides limited guidance for site-specific plan amendments. The proposed amendment has no direct impact on energy conservation, though it would arguably promote greater energy efficiency by enabling future development at increased density levels and with more transportation options within the subject area. Therefore, the proposed amendment is consistent with, and does not alter, the City's continued compliance with Goal 13.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOAL 14:

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

Finding 14: Goal 14 requires local jurisdictions to provide for an "orderly and efficient transition from rural to urban land use". The subject area is within the UGB and the city limits of Springfield, and within an existing urbanized area of the community. A portion of the subject area has been intensively developed with a major hospital facility and medical campus. Therefore, Goal 14 is not applicable to this application.

STAFF FINDINGS RELATED TO COMPLIANCE WITH 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 15: Goal 15 does not apply to the proposed plan amendment because the subject area is not located within the Willamette River Greenway. However, similar protection measures for the McKenzie River have been implemented through the development plans adopted for the subject area.

STAFF FINDINGS RELATED TO COMPLIANCE WITH GOALS 16-19:

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

Finding 16: The subject site is not located within any coastal, ocean, estuarine, or beach and dune resources related area. Therefore, Goals 16-19 do not apply to this Plan Map Amendment application.

CRITERIA OF APPROVAL - SDC 5.14-135.C.2

2. *Adoption of the amendment must not make the Metro Plan internally inconsistent.*

STAFF FINDINGS RELATED TO 5.14-135.C.2:

Finding 17: The application requests amendment of the *Metro Plan* diagram to implement a nodal development overlay for approximately 168 acres. This section of the application narrative addresses the consistency of the amendment with the applicable policies of the *Metro Plan*, and to demonstrate that adoption of the amendment will not make the *Metro Plan* internally inconsistent as required by the approval criteria in SDC 5.14-135.C.2.

This narrative only addresses those policies that apply to the proposal, and does not discuss those portions of the *Metro Plan* that: (1) apply only to rural or other lands outside of the urban growth boundary; (2) apply to land uses other than the current or proposed designations for the site and will not be affected by the proposed *Metro Plan* diagram amendment; or (3) clearly apply only to specific development applications such as site plan review submittals or subdivisions. In many instances the goals, policies, and implementation measures apply to specific development proposals that will be addressed through compliance with applicable City regulations during site plan review.

The *Metro Plan* Introduction, Section D provides the following definitions:

A goal as a broad statement of philosophy that describes the hopes of the people of the community for the future of the community. A goal may never be completely attainable, but is used as a point to strive for.

An objective is an attainable target that the community attempts to reach in striving to meet a goal. An objective may also be considered as an intermediate point that will help fulfill the overall goal.

A policy is a statement adopted as part of the Plan to provide a consistent course of action moving the community towards attainment of its goals.

Except for the Growth Management Goals, which are addressed below, each of the *Metro Plan* policies are addressed in the order in which they appear in the Plan Element section of the Plan.

Finding 18:

Metro Plan Element: Growth Management

Policy 1: The urban growth boundary and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. Provision of all urban services shall be concentrated inside the urban growth boundary.

The proposed amendment satisfies this policy because the subject property is inside the UGB and city limits and, as such, encourages compact urban growth. Urban services are available at sufficient levels to accommodate existing and future development. Implementation of the nodal development overlay will encourage more compact and efficient land development, which is consistent with this policy. Future development within the affected properties will be subject to development review, and any need for increased capacity will be addressed through this process. The City's development review processes ensure that the appropriate level of services is available to serve existing and future development.

Finding 19:

Metro Plan Element: *A. Residential Land Use and Housing Element*

Policy A.11: *Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes.*

The subject area contains an existing major employment center (regional hospital facility and medical service buildings). Vacant commercial and mixed use properties within the subject area are expected to generate employment opportunities as these sites develop. Additionally, the subject properties are adjacent to the Gateway area, which is a focal point for employment and commercial activities in north Springfield. The Gateway area, including the subject site, is served by major transportation connections that include I-5, Beltline Road, MLK Jr. Parkway, RiverBend Drive, and Gateway Street.

The residential component of the *RiverBend Master Plan* area is planned to be medium density housing, with additional opportunities for residential dwelling units in mixed use zones. Higher dwelling unit densities are planned adjacent to the hospital campus, which is consistent with the principles of nodal development and policies listed in the Residential Land Use and Housing Element.

As stated previously, the Gateway EmX bus rapid transit line is currently under construction and is designed to serve the subject site and greater Gateway area of Springfield. There are two transit stops planned to serve the subject area. Provision of a highly efficient transit system that allows users to quickly access nearby commercial and employment centers, downtown Springfield and Eugene, and local educational institutions is consistent with nodal development principles and *Metro Plan* Policy A.11.

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

The proposed amendment will not change the underlying commercial, mixed use, and medium density residential zoning of the subject area. Implementation of nodal development designation discourages low-intensity automobile-oriented uses and, instead, encourages mixed use development and more compact, efficient land development. The proposed amendment is consistent with Policy A.22 of the *Metro Plan*.

Finding 20:

Metro Plan Element: *D. Willamette River Greenway, River Corridors, and Waterways Element*

Policy D.5: *New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features.*

The proposed amendment should not have an adverse effect on the existing and planned riparian setbacks and conservation areas along the stretch of the McKenzie River that is adjacent to the subject area. Adoption of the *RiverBend Master Plan* and subsequent development of the subject area with the Sacred Heart Medical Center identified provisions for protecting and enhancing the riparian zone within the subject area. Increased building setbacks, controlled public access (paved pathways), and riparian restoration zones have been used in the subject area to ensure existing and future development is compatible with the river corridor. As new development is proposed along the river corridor, it will be reviewed for conformity with the adopted Master Plan and riparian protection policies and subject to approval by the City. Therefore, the proposed amendment is consistent with Policy D.5 of the *Metro Plan*.

Finding 21:

Metro Plan Element: F. Transportation Element

Land Use Policy F.1: *Apply the nodal development strategy in areas selected by each jurisdiction that have identified potential for this type of transportation-efficient land use pattern.*

Land Use Policy F.2: *Support application of the nodal development strategy in designated areas through information, technical assistance, or incentives.*

Land Use Policy F.3: *Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within one-quarter mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.*

Land Use Policy F.4: *Require improvements that encourage transit, bicycles, and pedestrians in new commercial, public, mixed use, and multi-unit residential development.*

Land Use Policy F.5: *Within three years of TransPlan adoption, apply the ND, Nodal Development, designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal plans and implementing ordinances.*

Land Use Policy F.19: *Establish a BRT system composed of frequent, fast transit service along major corridors and neighborhood feeder service that connects with the corridor service and with activity centers, if the system is shown to increase transit mode split along BRT corridors, if local governments demonstrate support, and if financing for the system is feasible.*

The subject area is identified as Site 7B on the "Potential Nodal Development Areas for the Eugene-Springfield Metro Area" map of *TransPlan*. By design, nodal development areas encourage pedestrian, bicycle and transit-oriented transportation uses – something that has already occurred on the Sacred Heart Medical Center site with construction of walking paths, bicycle lanes and bike parking areas, and existing and planned transit service. Future mixed use, commercial, and medium density residential development in the subject area will be required to address these standards. As stated previously, the planned EmX bus rapid transit line will serve the Gateway area including the subject site (the EmX Gateway line is projected to start service in 2010). Finally, the City previously adopted amendments to the *Metro Plan* and the *Gateway Refinement Plan* in anticipation of nodal development in the subject area. Implementation of the nodal development designation for the subject area is consistent with provisions of the adopted *TransPlan* and, therefore, is consistent with *Metro Plan* Policies F.1 through F.5 and F.19.

Finding 22:

Metro Plan Element: G. Public Facilities and Services Element

Policy G.1: *Extend the minimum level and full range of key urban facilities and services in an orderly and efficient manner consistent with the growth management policies in Chapter II-B, relevant policies in this chapter and other Metro Plan policies.*

The subject area is located inside the Springfield city limits and the UGB. All necessary infrastructure and key urban facilities/services are present to serve existing development or are available to serve

future development in the subject area in conjunction with site plan review. Therefore, the proposal is consistent with the above policy.

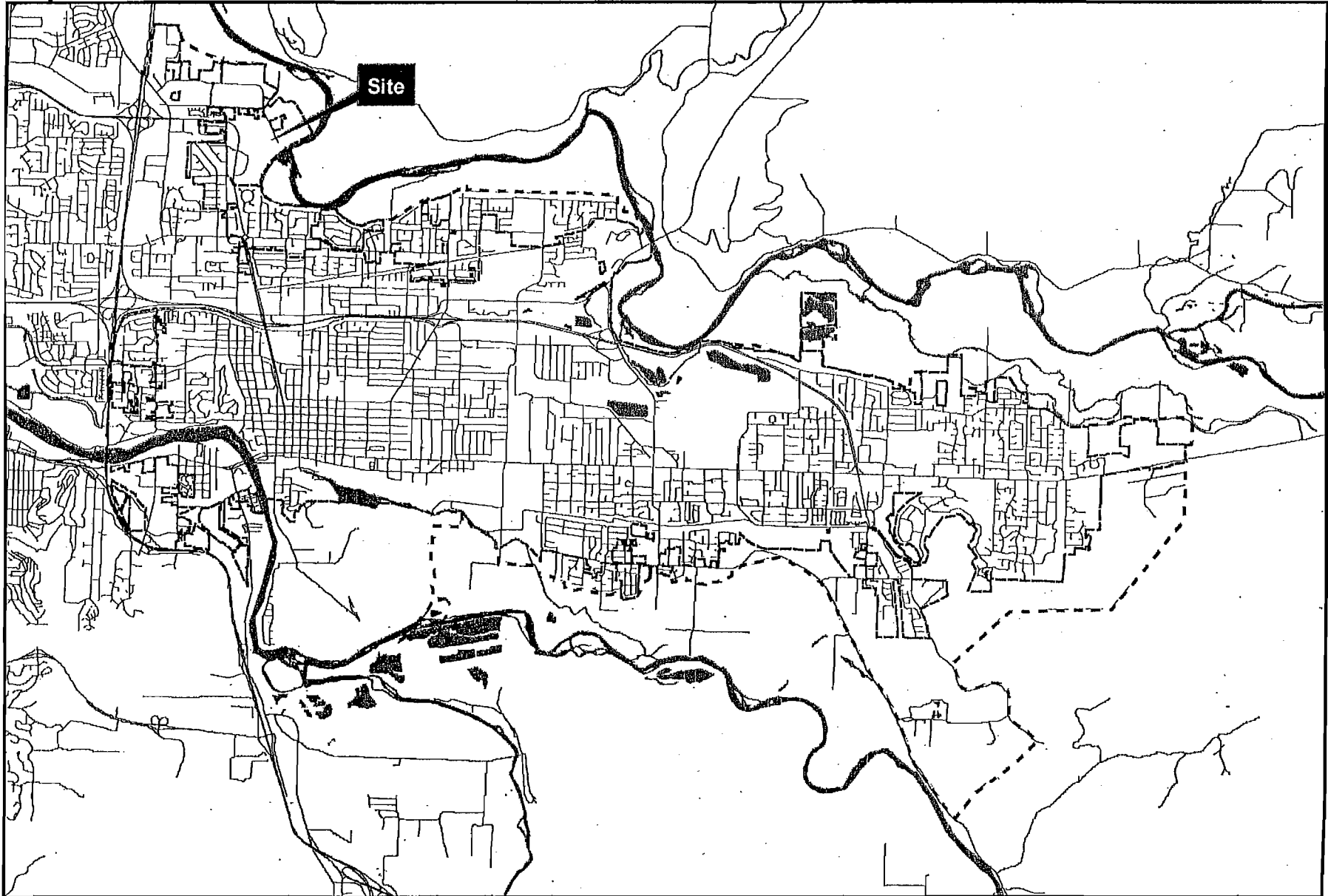
METRO PLAN AMENDMENT CONCLUSION AND RECOMMENDATION

Staff finds that the proposed amendment meets the criteria of SDC 5.14-135.C.1 & 2. After review of the adopted City land use plans and studies, evidence provided by staff research, existing uses in the subject area, and the applicable criteria of approval, staff finds that the proposed *Metro Plan* Amendment is appropriate for the subject area.

NODAL IMPLEMENTATION FOR MCKENZIE-GATEWAY SITE
PLANNING CASE LRP2009-00001

Subject Area

Springfield, OR



ATTACHMENT 2 - 1



There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission or positional inaccuracy of this product.

City Limits UGB

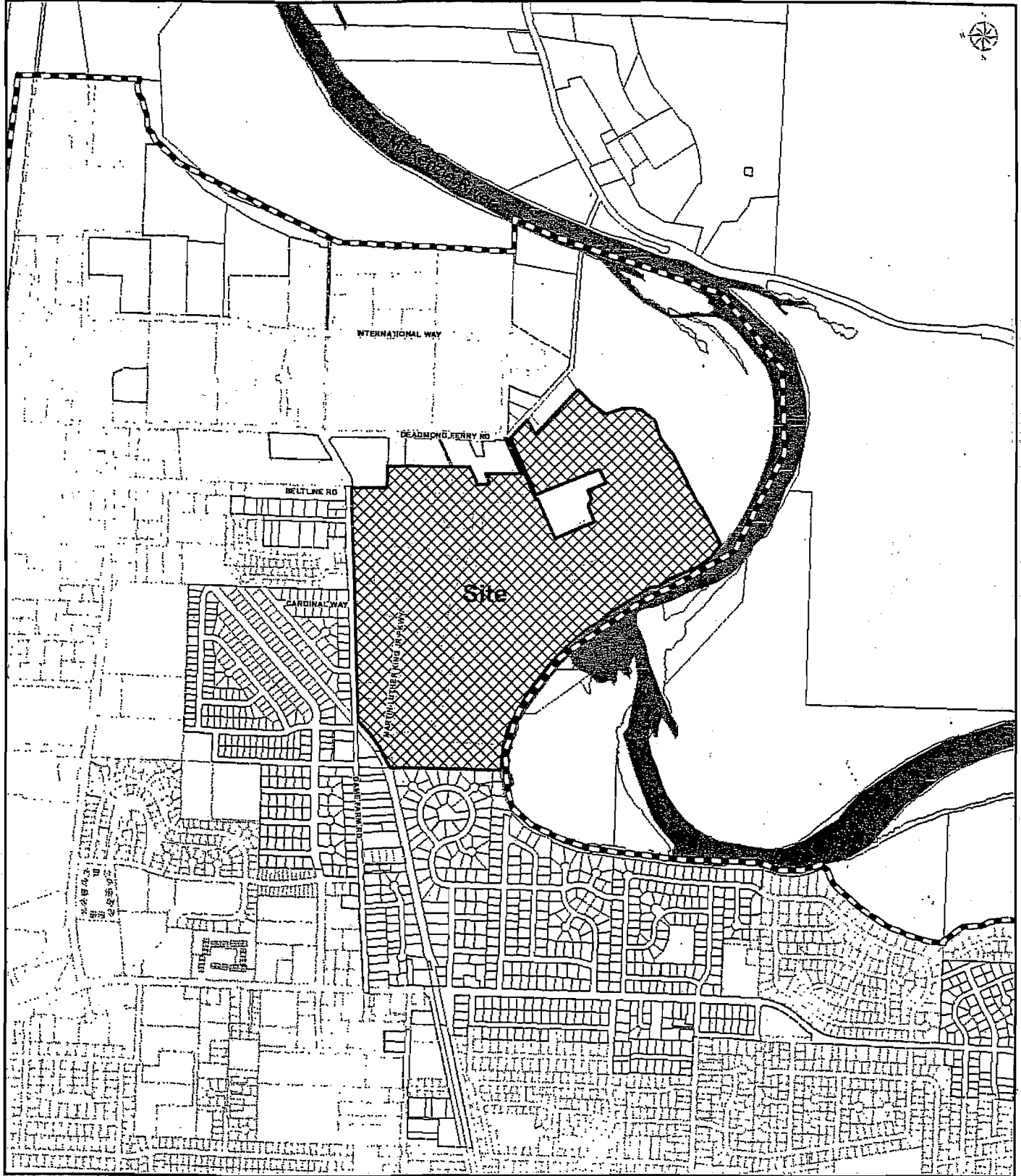
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
**NODAL IMPLEMENTATION FOR MCKENZIE-GATEWAY SITE
PLANNING CASE LRP2009-00001**

Subject Neighborhood

Springfield, OR



There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission or positional inaccuracy of this product.

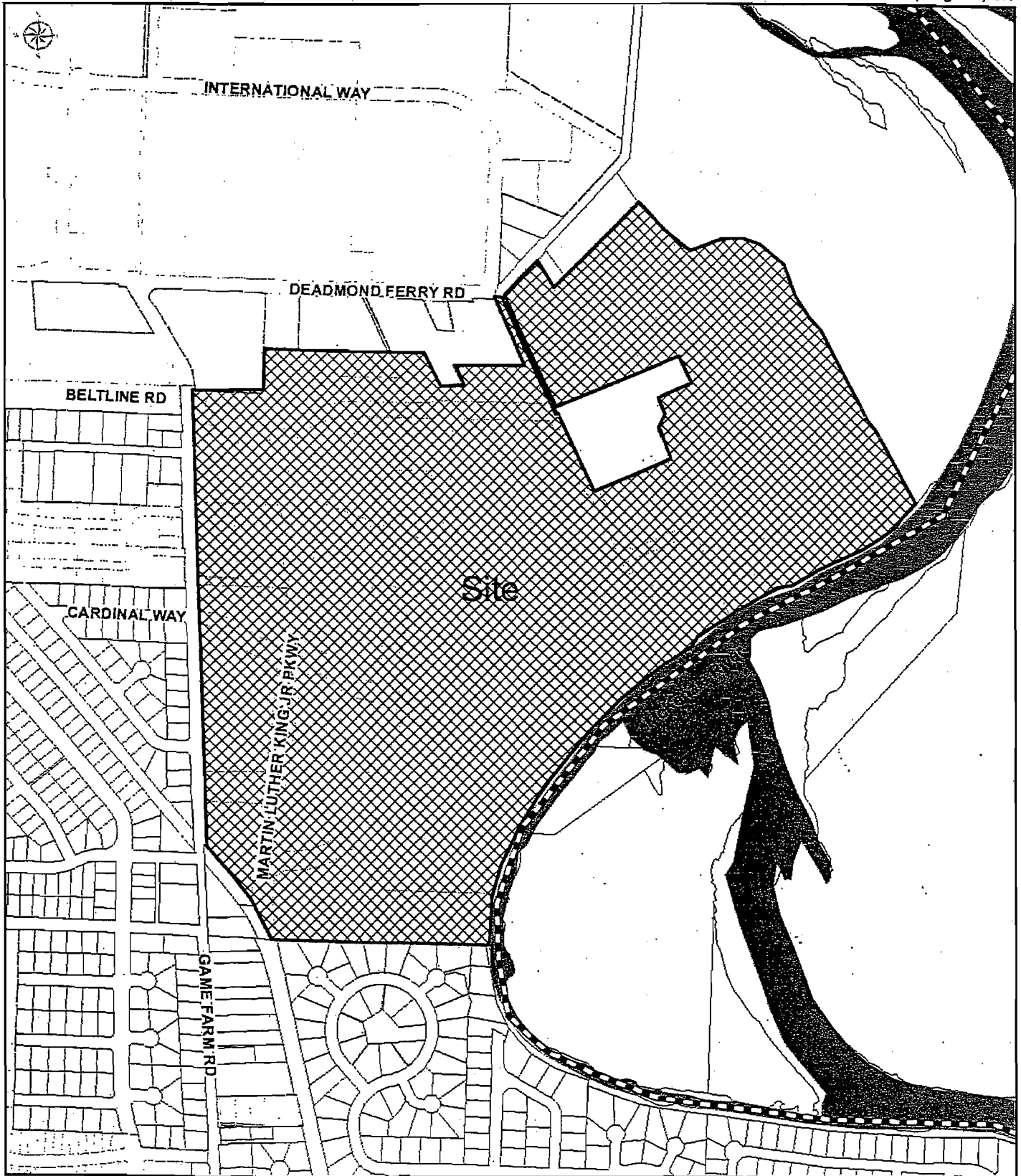
-  UGB
-  Site Boundary
-  Outside of City Limits
-  Within City Limits
-  Tax Lots



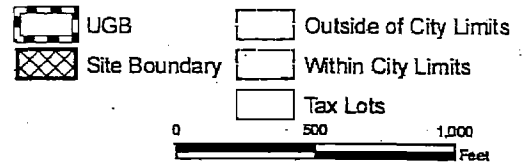
**NODAL IMPLEMENTATION FOR MCKENZIE-GATEWAY SITE
PLANNING CASE LRP2009-00001**

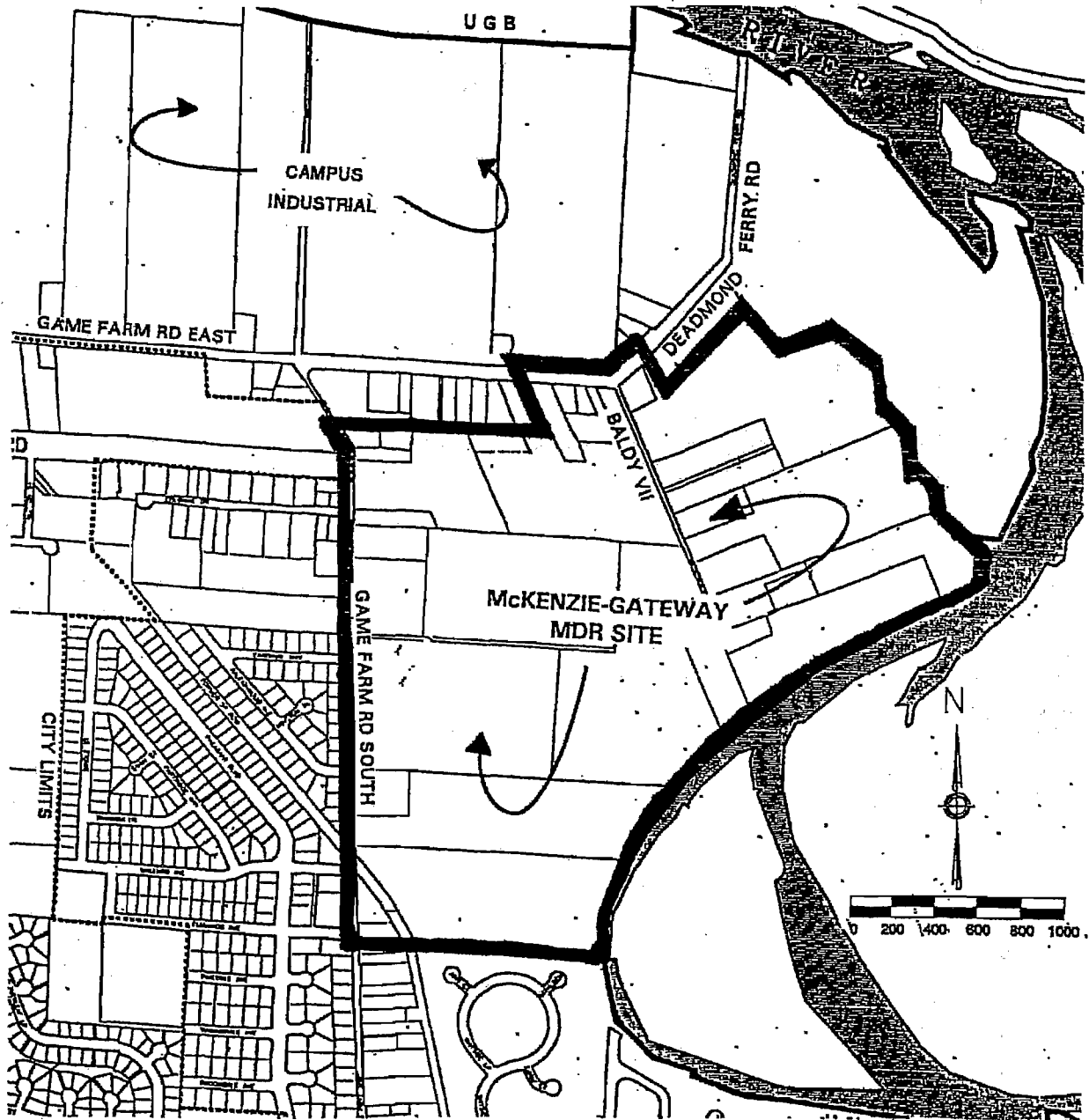
Subject Area

Springfield, OR



There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission or positional inaccuracy of this product.





VICINITY MAP

TO REVIEW COMPLETE ORDINANCE # 6109
CONTACT BRENDA JONES DSD x3610 OR AMY SOWA, CMO x4666
ORDINANCE NO. 6109 (EMERGENCY)

AN ORDINANCE AMENDING THE GATEWAY REFINEMENT PLAN BY CHANGING APPROXIMATELY 99 ACRES OF MEDIUM DENSITY RESIDENTIAL PLAN DESIGNATION TO COMMUNITY COMMERCIAL AND MIXED USE PLAN DESIGNATION AT THE GATEWAY MDR SITE AND AMENDING THE GATEWAY REFINEMENT PLAN TEXT TO ALLOW IMPLEMENTATION OF THE COMMUNITY COMMERCIAL AND MIXED USE DESIGNATIONS WITH MIXED USE COMMERCIAL AND MEDICAL SERVICES ZONING DISTRICTS; TO ALLOW FOR THE DEVELOPMENT OF A HOSPITAL, ASSOCIATED MEDICAL, OFFICE, RETAIL AND RESIDENTIAL USES; TO PRESERVE THE POTENTIAL FOR NODAL DEVELOPMENT; TO REQUIRE A MASTER PLAN TO BE APPROVED BY THE CITY COUNCIL, AND DECLARING AN EMERGENCY.

The City Council of the City of Springfield finds that:

- A. Article 8 of the Springfield Development Code sets forth criteria for refinement plan diagram and text amendments.
- B. On April 21, 2003 The Springfield City Council approved Gateway Refinement Plan amendments by adopting ordinance 6051.
- C. The April 21, 2003 Gateway Refinement Plan amendments were appealed to the Land Use Board of Appeals and to the Oregon Court of Appeals.
- D. On August 19, 2004 the Land Use Board of Appeals (LUBA) remanded the Gateway Refinement Plan amendments to the city for additional findings in respect to Statewide Planning Goal 9 (Economic Development), Goal 12 (Transportation) and, as instructed by the Court of Appeals, consistency with Metro Plan policies regarding auxiliary uses in the residential designations.
- E. Subsequent to the LUBA remand, the Springfield City Council reopened the record on Metro Plan diagram amendment, Journal Number 2002-08-243 and Gateway Refinement Plan amendment, Journal Number 2002-08-244 and initiated amendments to the Springfield Development Code, Journal Number LRP2004-0020 and Springfield Commercial Lands Study, Journal Number LRP2004-0021.
- F. Timely and sufficient notice of the public hearing, pursuant to Section 14:030 of the Springfield Development Code was provided.
- G. On November 16, 2004 a public hearing on the Gateway Refinement Plan amendment was convened and concluded. The record of the proceedings was left open for seven days followed by a seven day period of all participants to submit rebuttal. The applicant was given two additional days for rebuttal. The Development Services staff notes, including criteria of approval, findings, and recommendations, together with the testimony and submittals of those persons testifying at the hearing or in writing, have been considered and are part of the record of the proceeding.

- H. On December 9, 2004 the Springfield Planning Commission voted five in favor, one opposed and one abstaining to forward a recommendation that the City Council approve the Gateway Refinement Plan amendments with conditions.
- I. On January 10, 2005, the Springfield City Council reopened the public hearing to accept oral argument and deliberate. The City Council voted 5 in favor, 1 opposed and 0 abstaining to approve the Gateway Refinement Plan ordinance and declaring an emergency.
- J. Evidence exists within the record and the findings attached hereto as Exhibit B that the proposal meets the requirements of Article 8 of the Springfield Development Code.

NOW, THEREFORE, THE CITY OF SPRINGFIELD DOES ORDAIN AS FOLLOWS:

Section 1: The Gateway Refinement Plan is hereby amended to reflect the text changes depicted in Exhibit B; the Gateway Refinement Plan diagram is hereby amended to reflect the changes approved by the Council in the concurrent Metro Plan Diagram amendment.

Section 2: The above findings (A through J), and the findings set forth in Exhibit C attached hereto and incorporated herein by reference are hereby adopted in support of the Gateway Refinement Plan amendments.

Section 3: This Ordinance replaces Ordinance 6051, adopted by the City Council on April 21, 2003.

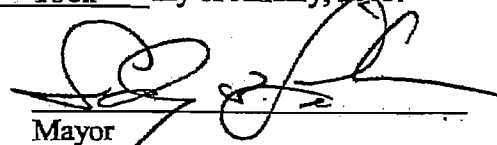
Section 4: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5: This Gateway Refinement Plan amendment is subject to the conditions of approval attached hereto in Exhibit A.

Section 6: It is hereby found and determined that this Gateway Refinement Plan amendment is a matter affecting the public health, safety and welfare and that an emergency therefore exists and that this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Springfield by a vote of 5 for and 1 against and 0 abstaining on this 10th day of January, 2005.

Attest:


Mayor

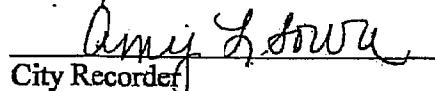

City Recorder

EXHIBIT A

Conditions of Gateway Refinement Plan Approval (Jo.No.'s 2002-08-244)

CONDITION 1:

Master Plans for property at the McKenzie-Gateway MDR site that propose to employ the Mixed Use Commercial District (MUC) and/or the Medical Services District (MS) shall include a vehicle trip monitoring plan as a component of a complete application submittal. The approval of the plan shall be a requirement of Master Plan approval.

Trip generation estimates used to create the trip monitoring plan shall be performed using assumptions and methods which are consistent with those employed in the traffic impact analysis submitted to the City of Springfield on October 29, 2004 in support of Metro Plan and Gateway Refinement Plan amendment applications (City Journal Numbers 2002-08-243 & 2002-08-244)

Traffic generated by land uses within Master Plan boundaries where the MS and MUC zoning districts are proposed in Phase 1 of the development shall, prior to 2010, be limited to a maximum of 1,457 PM Peak Hour vehicle trips. Beginning in 2010 for Phase 2 of the development, such traffic shall be limited to 1,840 PM Peak Hour vehicle trips. PM Peak Hour vehicle trips are defined as the total of entering plus exiting trips measured for the PM Peak Hour of Adjacent Street Traffic. Subsequent Site Plan Review applications for sites within the Master Plan boundaries shall be in compliance with the approved trip monitoring plan.

Any proposal that would increase the number of allowable PM Peak-Hour vehicle trips for the MS and MUC area beyond the above specified limits shall be processed as a refinement plan amendment or a zoning map amendment or Master Plan approval pursuant to SDC 37.040 or Master Plan modification pursuant to SDC 37.040 and 37.060(3) and regardless of which type of process is sought, each shall demonstrate compliance with applicable provisions of the Transportation Planning Rule for such proposal.

CONDITION 2:

Prior to occupancy of the first phase of any hospital located at the Gateway MDR site as approved by a future Master Plan, a portion of TransPlan project 727 (chapter 3, page 31, Dec 2001 adopted version and as adopted by City of Springfield Ordinance No. 5990, dated September 17, 2001) shall be constructed by the applicant. The portion of the project to be constructed by the applicant is conceptually described as roadway and traffic signal improvements at the Pioneer Parkway/OR-126 Eastbound Ramps to:

1. Maintain two southbound through lanes on Pioneer Parkway at the OR 126 eastbound ramp terminal intersection;
2. Provide two southbound left turn lanes on Pioneer Parkway at the OR 126 eastbound ramp terminal intersection ;
3. Widen the eastbound on ramp to provide two lanes to accept the two eastbound turn lanes described above in Number 2. These two on ramp lanes will merge to one lane prior to merging with OR 126 traffic eastbound.
4. Widen the eastbound OR 126 off ramp to three lanes for a minimum distance of 300 feet west of Pioneer Parkway; and
5. Any necessary signal modifications to accommodate Numbers 1-4 above.

The funding for these improvements shall come from PeaceHealth's financial responsibility for off-site transportation improvements as described in the annexation agreement dated June 4, 2002, Lane County Recorder's number 2002-043161, between the applicant and the City of Springfield. To the extent that these funds are determined to be insufficient to perform the above described improvements, the applicant shall be responsible for the additional funding needed.

Any subsequent Master Plan application for property at the Gateway MDR site that proposes to apply the MS and/or MUC zoning district shall include specific design drawings for the above described improvements, which shall be submitted to ODOT for approval. ODOT approval of the proposed design shall be a condition of Master Plan approval.

CONDITION 3

The master plan required by Residential Element Policy 13.0, by the Annexation Agreement dated May 29th, 2002, Recorder's Reception No. 2002-043161, Lane County Deeds and Records and by the Annexation Agreement dated June 7, 2001, Recorder's Reception No. 2001-034714, Lane County Deeds and Records for property owned by PeaceHealth, a Washington non-profit corporation, on the date of Council approval of plan amendments 2002-08-243 and 2002-08-244 shall include a hospital as a component of the master plan.

Further, the hospital and other master plan development on the property referenced in this condition shall be phased as follows:

No uses will occur before 2008. Phase 1 will occur between 2008 and 2010 and is limited to uses generating no more than 1,457 PM Peak Hour vehicle trips. Phase 2 will open no earlier than 2010 and/or following construction of the Gateway Street/Beltline Road intersection improvements and will be limited to uses generating no more than 1,840 PM Peak Hour vehicle trips for all development on properties redesignated by this ordinance. These phases may occur earlier if needed transportation facilities are in place or if required mobility standards are lowered, provided mobility standards are maintained.

CONDITION 4

In the event that a master plan with a hospital fails to gain approval by the City Council by May 29, 2007 the City Council will initiate amendments to the Metro Plan and the Gateway Refinement Plan to revise the documents to adequately plan for development of the Gateway MDR site without a hospital.

CONDITION 5

Prior to occupancy of the first phase of any hospital located at the Gateway MDR site as approved by a future Master Plan, the applicant shall construct a portion of the Beltline Road/Gateway Street Intersection project, which is a component of TransPlan Project 606 (chapter 3, page 16, July 2002 adopted version). The portion of the project to be constructed by the applicant is a traffic signal at the Beltline Road /Hutton Road intersection.

CONDITION 6

Development on property at the McKenzie-Gateway MDR site where the MS and/or MUC zoning district are applied shall be subject to the following condition:

Any Subdivision or Site Plan Review application approval that relies upon transportation facility improvements to support the subject development shall be in compliance with an approved Master Plan. If the subject transportation improvements are not open to travel by the motoring public at the time they are needed to support the Subdivision or Site Plan Review development, the approval shall be subject to the enforcement and revocation proceedings of Springfield Development Code 1.050(1) and (2).

EXHIBIT B

Gateway Refinement Plan Text Amendments (Jo.No.'s 2002-08-244)

Amend Residential Element Policy and Implementation Action 2:

Ensure availability of adequate supplies of land appropriate for low-, medium-, and high-density residential development, ~~Maintain approximately the existing balance among LDR, MDR and HDR designated lands, consistent with Metro Plan allocations~~ while allowing for an appropriate mix of commercial, employment and residential uses.

Amend Residential Element Policy and Implementation Action 12.0:

Allow ~~limited rezoning of land within the "McKenzie-Gateway MDR site" to Medical Services ("MS") on land designated Community Commercial or Mixed Use on the Metro Plan diagram, and rezoning to Mixed Use Commercial ("MUC") on land designated Mixed Use on the Metro Plan diagram as implemented during a Master Plan and or during the City's nodal implementation project.~~ neighborhood commercial, in order to promote retention and rehabilitation of historic properties that may otherwise become non-conforming uses, to promote limited public or semi-public access to and view of the McKenzie River, and to allow for provision of services specifically intended to meet needs of future residents in this area.

Amend Residential Element Policy and Implementation Action 12.1:

~~Rezoning to NC will be allowed for up to 3 acres (Total) of vacant land within the McKenzie-Gateway MDR Site under the following provisions:~~

- ~~a) The property requested for rezoning shall front on a collector or arterial that is either existing or planned in an adopted CDP for the McKenzie-Gateway MDR Site, or that currently borders the site.~~**
- ~~b) Proposed zone changes shall be reviewed under a Type III procedure in accordance with Article 3 of the SDC and shall be consistent with all provisions of SDC Article 12-Zoning District and Overlay District Changes.~~**

- ~~e) This type of rezoning shall not be approved until at least 25 percent of the anticipated dwelling units are constructed (based on an average of 15 dwelling units per acre).~~

Redesignation of a total of 99 acres land within the city limits at the McKenzie/Gateway MDR site to Community Commercial and/or Mixed Use through the Metro Plan amendment process shall be allowed and shall be implemented by application of Mixed Use Commercial ("MUC") or Medical Services ("MS") zoning district through Master Plan approval and/or during the City's nodal implementation project.

Amend Residential Element Policy and Implementation Action 12.4:

~~NC uses located within the McKenzie Gateway MDR Site shall meet the following provisions in addition to the provisions of SDC Article 31:~~

- ~~a) The maximum floor area of any single NC use shall not exceed 4,000 square feet;~~
~~b) Parking areas shall not be visible from the McKenzie River corridor and shall be screened from public streets in a manner which does not obscure visibility of the use; and,~~
~~c) Public access to the McKenzie River shall be provided by NC uses abutting the riparian setback.~~

In addition to all applicable standards and provisions regulating development in Springfield, any development adjacent to the McKenzie River or McKenzie River riparian setback shall provide public access to the McKenzie River or McKenzie River riparian setback. Surface parking areas shall not be visible from the McKenzie River corridor and shall be screened from public streets.

Add new Residential Element Policy and Implementation Action 12.5:

MU districts within the McKenzie-Gateway MDR Site shall meet the provisions of SDC Article 40.

Add new Residential Element Policy and Implementation Action 12.6:

Within the city limits at the McKenzie-Gateway MDR Subarea, the Medical Services ("MS") zoning district shall implement the Community Commercial designation if part of an approved Master Plan for development of a major medical facility. The adopted Master Plan shall demonstrate that the subject property will be able to accommodate the number of housing units within the range for the MDR land use designation in the Metro Plan and Gateway Refinement Plan.

In addition to meeting the standards of the SDC, at the time of Master Plan approval, the City Council may attach specific conditions on all development within the MS or MUC zones including but not limited to building height and setbacks.

Amend Residential Element Policy and Implementation Action 13.0:

A CDP or Master Plan shall be approved, under a Type II-IV review process, for the areas larger than 5 acres within the city limits at mapped as the "McKenzie-Gateway MDR Site" on the Refinement Plan diagram, subsequent to annexation and prior to annexation and urban development of any portion of the site Master Plan area.

Delete 13.1 Residential Element Policy and Implementation Action 13.1:

The City shall begin preparation of a CDP by January 1, 1992, and shall approve a CDP no later than July 1, 1993. In the interim, a CDP may be submitted by the initial developer of a portion of the site. A City initiated CDP shall involve input from the affected property owners, and appropriate public agencies.

Amend Residential Element Policy and Implementation Action 13.2:

The CDP shall be prepared by an engineer, and one of the following: an architect, landscape architect or planning professional.

A Master Plan for the McKenzie-Gateway MDR site shall be prepared by a design team that shall include, as determined by the Director, the following consultants: architect, landscape architect, civil engineer, geotechnical engineer, acoustic engineer, certified arborist, transportation engineer and a consultant to address riparian issues.

Amend GRP Residential Element Policy and Implementation Action 13.3:

All development within the McKenzie Gateway MDR Site, shall be consistent with an approved CDP Master Plan. An approved CDP may be modified by the initial developer, a subsequent developer, or the City, under a Type II review process.

Amend Residential Element Policy and Implementation Action 13.4:

The CDP In addition to the requirements of SDC Article 37, the Master Plan shall address, at a minimum, the following development issues:

- a) Preservation and enhancement of natural assets identified in this Refinement Plan;
- b) Access and circulation needs;
- c) Access to arterial and collector streets;
- d) Provision of public facilities and services;
- e) Development needs of future users;
- f) ~~Location of areas larger than one acre proposed for auxiliary uses, including neighborhood commercial;~~
- fg) Provision of open space areas; and
- gh) Public access to the McKenzie River.

Amend Residential Element Policy and Implementation Action 13.5:

~~Applications for the initial CDP or for substantial modifications to an approved CDP~~ In addition to the requirements of SDC Article 37, the initial Master Plan application in the McKenzie-Gateway MDR site shall include a conceptual street map and bicycle and pedestrian circulation system plan for all annexed property in the McKenzie-Gateway MDR site and shall be exempt from the requirements of Section 3.050(2)(b) of the SDC.

Delete Residential Element Policy and Implementation Action 13.6:

~~The CDP shall be consistent with the goals and policies of the Metro Plan and of this Refinement Plan.~~

Add new Residential Element Policy and Implementation Action 13.6:

Master Plan applications for property within the McKenzie-Gateway MDR site submitted prior to the City's completion of nodal development assessment and implementation shall identify all areas within one-quarter mile of proposed transit stations as being subject to the provisions of the Nodal Development Overlay District (NDO). Any proposed uses, density and design in the identified nodal development area shall comply with the standards of Springfield Development Code articles 40 and/or 41 with the following exception: Uses in the MS and MUC Districts may be exempted from specific provisions of Articles 40 and Articles 41 and residential and group care facilities in the MDR district may be exempted from specific provisions of Article 41 if the respective exemptions are consistent

with the Purpose of the Nodal Development Overlay District and the exemptions are approved by the City Council as part of a master plan. In the event that the City Council determines that nodal development is appropriate for the identified nodal area, the property shall be re-designated to /NDO and all subsequent land use applications shall comply with /NDO standards contained within articles 40 and/or 41, except as exempted above. In the event that the City Council determines that nodal development is inappropriate for areas identified as such on the master plan, those areas shall be changed through a Type II process to reflect the underlying MS or MUC zoning and any use, density or design on the master plan that does not comply to underlying zoning designation shall be changed accordingly. All subsequent land use applications shall comply with the standards required in the underlying zoning district.

Add new Residential Element Policy and Implementation Action 13.7:

Master Plans for property at the McKenzie-Gateway MDR site that propose to apply the MUC and/or MS zoning district pursuant to Residential Policies and Implementation Actions 12.1 and 12.6 shall be subject to the following requirements:

1. An approved trip monitoring plan shall be a requirement of Master Plan approval.
2. The trip monitoring plan shall demonstrate compliance with all conditions contained within applicable plan amendment adoption ordinance(s), and trip-generation estimates shall be performed using assumptions and methods which are consistent with those employed in the plan amendment traffic impact analysis.
3. Traffic generated by land uses within the Master Plan boundaries where the MS and MUC zoning districts that are proposed in Phase 1 of the Development shall, prior to 2010, be limited to a maximum of 1,457 vehicle trips. Beginning in 2010 for Phase 2 of the Development, traffic generated from site development within the subject districts shall be limited to 1,840 PM Peak-Hour vehicle trips. Vehicle trips are defined as the total of entering plus exiting trip) as estimated or measured for the PM Peak Hour of Adjacent Street Traffic. This trip monitoring plan limits allowed land uses to be consistent with the planned function, capacity and performance standards of affected transportation facilities.
4. Subsequent Site Plan Review applications for sites within the Master Plan boundaries shall be in compliance with the approved trip monitoring plan.

5. Any proposal that would increase the number of allowable PM Peak-Hour vehicle trips for the MS and MUC area beyond the limits specified in section 3 above shall be processed as a refinement plan amendment, a zoning map amendment or Master Plan approval pursuant to SDC 37.040 or modification pursuant to SDC 37.040 and 37.060(3) and regardless of which type of process is sought, each shall demonstrate compliance with applicable provisions of the Transportation Planning Rule for such proposal.

Delete Residential Element Policy and Implementation Action 14.0 through 14.8 (no change since April 21, 2003 Council approval):

~~14.0 A Development Area Plan (DAP) shall be approved, under a Type II review process, prior to development approval for any portion of the area mapped as the "McKenzie Gateway MDR Site" on the Refinement Plan Diagram, and shall not be approved unless it is consistent with an approved CDP. The intent of the DAP is to provide resolution of significant development issues at a scale and level of specificity that are intermediate to the CDP and Site Plan levels. All DAP's shall conform to the following requirements:~~

~~14.1 DAP's shall address the following development issues, at a minimum:~~

- ~~a) Provision of adequate circulation for the Development Area and its adjoining properties, including dedication of right of way for future streets and pathways shown on the approved CDP;~~
- ~~b) Provision of coordinated extension of public facilities to serve the site and surrounding properties; and~~
- ~~c) Incorporation, to the maximum extent practicable, of natural assets identified in this Refinement Plan, and on the approved CDP.~~

~~14.2 DAP's shall include the following information, at a minimum:~~

~~All significant site features, including drainageways, existing vegetation, and other natural assets as identified in this Refinement Plan;~~

~~Proposed building footprints;~~

~~Proposed open spaces and landscaped areas;~~

~~Engineering studies of any identified natural hazards, e.g., for development within the 100 year floodplain; Proposed access and circulation, including roads, drives, parking areas, and bicycle and pedestrian pathways; and all other proposed land uses.~~

~~14.3 If the DAP complies with all Site Plan Review standards of the SDC, subsequent permitted uses that conform to the DAP shall not require additional site plan review. (This implementation action is intended to simplify the development approval process for large,~~

~~phased developments by allowing a sufficiently detailed DAP to meet both DAP and Site Plan requirements.)~~

~~14.4 DAP's shall be consistent with the approved CDP, and with the policies of the Metro Plan and of this Refinement Plan.~~

~~14.5 Site Plans for portions of a development area shall conform with an approved DAP, provided, however, that the DAP may be modified as permitted in implementation action 14.6.~~

~~14.6 Substantial modifications of DAP's shall be reviewed under Type II procedure, in accordance with Article 3 of the SDC.~~

~~14.7 The minimum Development Area for MDR designated area shall be 5 acres.~~

~~14.8 The minimum size for Development Areas may be reduced, if approved by the Development Services Director, in individual instances where insufficient vacant land, ownership patterns, lot configuration, or abutting existing uses prohibit consolidation of parcels to achieve a 5-acre Development Area.~~

Amend Residential Element Policy and Implementation Action 15.1:

Development density may be transferred from natural assets and recreational pathways identified in the Natural Assets, Open Space/Scenic Areas, and Recreation Element, or from proposed shared open spaces, to buildable portions of the development area, provided that the gross density of the development area does not exceed 20 du/a, and the net density on the buildable portion does not exceed 25 du/a the maximum density permitted in the underlying zone.

Add new Residential Element Policy and Implementation Action 19.0:

Density bonuses allowed under Residential Element Implementation Actions 15.1 and 16.3 may be allowed consistent with an approved Master Plan pursuant to SDC Article 37 within the McKenzie-Gateway MDR Site.

Amend Commercial Element Policy and Implementation Action 5.0 (revised since April 21, 2003 Council approval):

Provide for future appropriately planned Mixed Use, Community Commercial and nodal development designated areas neighborhood commercial development in the Medium Density Residential development area east of Game Farm Road, within the City Limits at

the McKenzie-Gateway MDR site as identified in TransPlan as potential nodal development sites.

Amend Commercial Element Policy and Implementation Action 5.1:

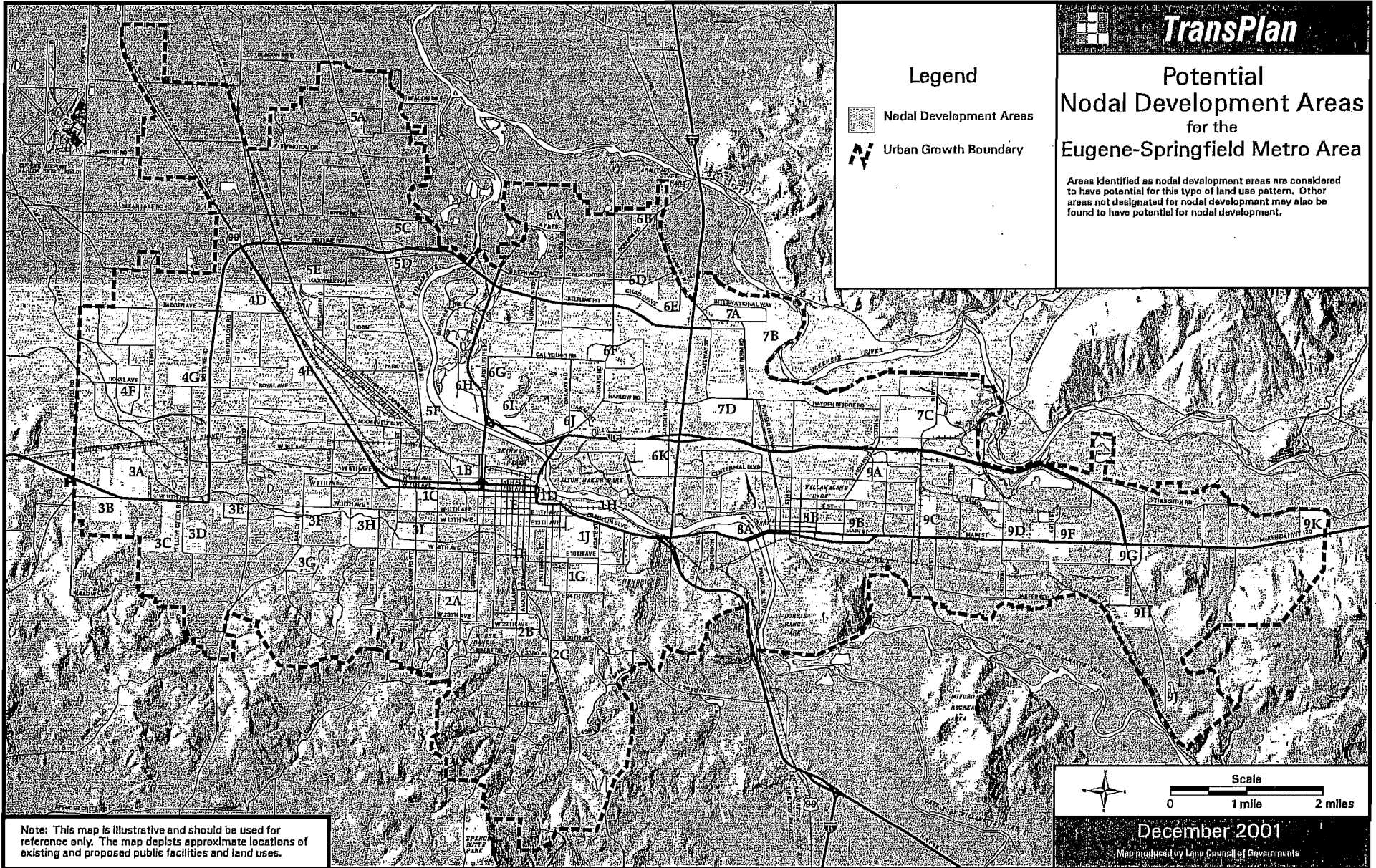
~~No more than 3 acres of NC uses can be zoned as part of the Medium Density Residential area. This rezoning shall not be approved until at least 25 percent of the anticipated total dwelling units in the area are constructed. The neighborhood commercial area shall be sited in a location that presented the least traffic, noise, and lighting conflicts with adjacent residential uses. (Properties inventoried in the Historic Resources Element as significant resources may be rezoned to NC and are exempt from this provision.)~~ **Rezoning of land within the city limits at the McKenzie-Gateway MDR site to Mixed Use Commercial ("MUC") and Medical Services ("MS") shall be allowed to implement the Mixed Use and/or Community Commercial plan designations. Zone changes shall demonstrate the ability to meet the demand for commercial lands identified in the Springfield Commercial Lands Study (SCLS) policy 1-B. Commercial uses allowed in zoning districts pursuant to GRP Policy 5.0 above shall be subject to Master Plan approval and shall be planned in a manner to minimize traffic, noise, and lighting conflicts with adjacent residential uses.**

Amend Transportation Element Policy and Implementation Action 13.0:

Future transportation system development in the McKenzie-Gateway Campus Industrial and the 180 acre MDR sites should occur as needed in conjunction with CI and MDR, MUC and MS development.

Amend Public Facilities Element Policy and Implementation Action 2.2:

Require the consideration of the use of storm drainage facilities that store and retain runoff in the McKenzie-Gateway Campus Industrial site, and within the city limits in the proposed MDR area east of Game Farm Road South McKenzie-Gateway MDR Site. Require the consideration of the use and enhancement of natural storm water drainage features as part of the overall storm water systems in those areas.



Legend

- Nodal Development Areas
- Urban Growth Boundary

TransPlan

Potential Nodal Development Areas for the Eugene-Springfield Metro Area

Areas identified as nodal development areas are considered to have potential for this type of land use pattern. Other areas not designated for nodal development may also be found to have potential for nodal development.

Note: This map is illustrative and should be used for reference only. The map depicts approximate locations of existing and proposed public facilities and land uses.

Scale
0 1 mile 2 miles

December 2001
Map prepared by Lane Council of Governments

From: MOTT Gregory
Sent: Tuesday, March 24, 2009 9:48 AM
To: LIMBIRD Andrew
Subject: FW: Springfield PAPA 001-09: Amending Gateway Refinement Plan

Andy,

Go ahead and place the email train from Ed into the record. Wherever your staff report mentions correspondence or comments from the public and interested parties be sure and identify that DLCD reviewed this proposal and had no comments.
gmott

From: Ed Moore [mailto:ed.w.moore@state.or.us]
Sent: Tuesday, March 24, 2009 9:40 AM
To: MOTT Gregory; MOORE Ed W (OR)
Cc: LIMBIRD Andrew
Subject: RE: Springfield PAPA 001-09: Amending Gateway Refinement Plan

Greg,
your correct, Gloria's comments are directed at Exhibit B. Given your clarification, we have no comments on the proposed PAPA.

Cheers,

Ed

Ed Moore AICP
So Willamette Valley
Regional Representative
DLCD Springfield Office
644 A Street
Springfield, OR 97478
971.239.9453
ed.w.moore@state.or.us | www.oregon.gov/LCD

>>> On 2009.03.23 at 15:47, in message
<C1E1D2BFDOE40040BA644474C38411A6D5A0B78801@spifs030.Springfield1.net>,
MOTT Gregory <gmott@ci.springfield.or.us> wrote:
Ed,
Thanks for the opportunity to review Gloria's comments. I'm assuming her comments are directed at Exhibit B in our notice of proposed amendment. That exhibit is an ordinance adopted by Council in 2005 as part of a remand ordered by LUBA on a proposal to amend the Gateway Refinement Plan to allow the development of the RiverBend campus. We're not proposing to change any of that ordinance; we provided it as context to the one policy in that document that requires this site to be redesignated for nodal development. We are not

proposing to change the distribution of the underlying zoning nor are we proposing to change the permitted uses except to prohibit some commercial activities that are currently permitted but will be prohibited upon redesignation as nodal overlay. Thanks again.
Greg Mott

From: Ed Moore [mailto:ed.w.moore@state.or.us]
Sent: Monday, March 23, 2009 10:31 AM
To: MOTT Gregory
Subject: Fwd: Springfield PAPA 001-09: Amending Gateway Refinement Plan

Greg,

As we discussed, let me know if you would like me to submit these suggestions as part of the official record. don't see any of them as deal stoppers; but per our no surprises agreement and given the late date that I received them I don't feel the need to submit them if they would delay your adoption.

Ed

Ed Moore AICP
So Willamette Valley
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644 A Street
Springfield, OR 97478
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ed.w.moore@state.or.us<mailto:ed.w.moore@state.or.us> |
www.oregon.gov/LCD<http://www.oregon.gov/LCD>

>>> On 2009.03.20 at 12:26, in message
<49C38B8A.6954.00FC.0@lcd.state.or.us>, Gloria

Gardiner wrote:

Hi, Ed. Sorry my comments are so late. Monday 3/23 is the fax deadline.

My comments are on the amendments in Exhibit B. [] is a suggested deletion; a suggested addition is in bold.

Residential Element Policy and Implementation Actions
Action 2: I recommend revising as follows to ensure consistency with Goal 10:Housing, OAR 660, division 8, and the needed housing statutes in ORS chapter 197:

"Ensure availability of [adequate] needed supplies of land for low-, medium-, and high-

density residential development while allowing for an appropriate mix of commercial, employment and residential uses."

"Adequate" is too vague and undefined. This policy should be clearly consistent with Springfield's obligation to ensure a supply of land in the UGB to meet the housing needs of all of its residents according to its housing land needs analysis.

Action 12.6: I recommend revising the last sentence as follows for consistency with the Goal 10:Housing, OAR 660, division 8, and the needed housing statutes in ORS chapter 197:

"In addition to meeting the standards of the SDC, at the time of Master Plan approval, the City Council may attach specific conditions on all development within the MS or MUC zones including but not limited to building height and setbacks. The standards, conditions, and procedure for needed housing shall be clear and objective and shall not have the effect, either alone or cumulatively, of discouraging needed housing through unreasonable cost or delay."

This policy should make clear that there is a limit on the standards and conditions that City Council may impose on approval of needed housing in this plan area. As written, it suggests that the city may use any standards and impose any conditions on needed housing development.

Action 15.1: As drafted, this "density transfer" provision decreases residential density on development sites that contain natural resources or open space. The policy provides that housing units may be moved from unbuildable Goal 5 resource areas, recreational pathways, or shared open space, to buildable areas of the development, at the same maximum density as the base zone. However, unless the city re-zones more land in the development area to residential, there is no place to put the transferred units; the buildable part of the site can currently be developed up to the maximum density for the base zone. The only way to truly transfer density from one part of a site to another is to take the calculated number of units for the unbuildable area and transfer them to the buildable area,

which means allowing a higher density in the buildable portion of the site (i.e., clustering the allowed housing on the buildable portion of the site and preserving the unbuildable portions from development), so that the site's overall density doesn't fall below the base zone standard. This is what some cities' PUD regulations do.

Gloria Gardiner | Urban Planning Specialist
Planning Services Division
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
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gloria.gardiner@state.or.us<mailto:gloria.gardiner@state.or.us> |
www.oregon.gov/LCD<http://www.oregon.gov/LCD>

From: Bonnie Ullmann [ullmann@uoneuro.uoregon.edu]
Sent: Wednesday, April 08, 2009 11:48 AM
To: LIMBIRD Andrew
Subject: Planning Case LRP 2009-00001

Dear Mr. Limbird and members of the Planning Commission and City Council,

I would like to lend my support to implementing a Nodal Development Overlay District for any portions of the Gateway Refinement Plan area. In particular, at this time, I support the overlay on the southern portion of the PeaceHealth property.

My reasoning for support of this planning designation is that I believe it will lend a more viable commercial and residential area in the long run. It will benefit the Game Farm Neighbors area by implementing design standards for commercial land. This will improve the overall liveability of the Game Farm area by addressing traffic issues and community cohesiveness.

An attractive and viable development plan will go a ways toward compensation of the Game Farm neighborhood for the great increase in population, traffic and decreased attractiveness of our properties since the boom in development interests in our home area.

I have been educating myself by having participated in Springfield citizen planning committees that addressed the idea of nodal development in our neighborhood. I believe nodal development to be a tremendous strategy for long-term, far-reaching good planning that ultimately will be beneficial to the Game Farm Neighbors area. I sincerely believe that the long term residents of the area should have the advantage of city planning that demonstrates foresight at this point in time.

Springfield's commitment to nodal development is very encouraging and I am fully behind the concept. Please let me know if I can help in the process. Please add my support to the written record for the public hearing.

Sincerely,
Bonnie Ullmann
--
Bonnie Ullmann
ullmann@uoneuro.uoregon.edu

3350 Oriole Street
Springfield, OR 97477-7551
USA

541-520-0921 Mobile
541-747-7580 Message/home
541-747-7580 FAX
541-346-4506 Work

**RECOMMENDATION TO THE CITY COUNCIL
BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD**

METRO PLAN DIAGRAM AMENDMENT
IMPLEMENTATION OF NODAL DESIGNATION

(RECOMMENDATION TO
(THE CITY COUNCIL
(
(
(

Case Number: LRP2009-00001

NATURE OF THE APPLICATION

The proposed *Metro Plan* amendment will implement a Nodal Development Overlay District (NDO) designation for approximately 170 acres of the Riverbend area of northwest Springfield, which includes the existing Sacred Heart Medical Center and campus. The NDO designation will be supplementary to the current commercial, mixed use, and medium density residential zoning for the subject area.

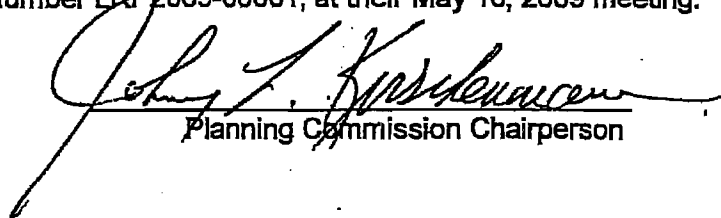
1. The above referenced plan amendment action was initiated by the City Council upon adoption of the amended RiverBend Master Plan in June, 2006. Timely and sufficient notice of the public hearing, pursuant to Springfield Development Code Section 5.2-115, has been provided.
2. The plan amendment action is consistent with provisions of the adopted *Metro Plan*, *TransPlan* and *Gateway Refinement Plan* as described in the attached staff report.
3. On April 21, 2009, the Planning Commission held a public hearing regarding the proposed plan amendment. The Development Services Department staff notes and recommendation together with the oral testimony and written submittals of the persons testifying at that hearing have been considered and are part of the record of this proceeding.
4. On the basis of testimony submitted at the April 21, 2009 Planning Commission public hearing, the Planning Commission recommends that upon subsequent requests for annexation of remaining property in the McKenzie-Gateway MDR site, the City will initiate the amendment process for nodal development consistent with RiverBend Master Plan Condition #12.

CONCLUSION

On the basis of this record, the proposed amendment is consistent with the criteria of SDC Section 5.14-135.C.1&2. This general finding is supported by the specific findings of fact and conclusion in the Staff Report and Findings.

RECOMMENDATION

The Planning Commission hereby recommends to the City Council to approve the plan amendment as recommended herein, Case Number LRP2009-00001, at their May 18, 2009 meeting.



Planning Commission Chairperson

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

ORDINANCE NO. _____ (General)

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) DIAGRAM BY ADOPTING A NODAL DEVELOPMENT OVERLAY DESIGNATION FOR APPROXIMATELY 168 ACRES OF LAND WITHIN THE MCKENZIE-GATEWAY MDR SITE.

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, Section 5.14-100 of the Springfield Development Code (SDC) sets forth procedures for Metro Plan diagram amendments; and

WHEREAS, SDC Subsection 5.14-120.B.1 states:

“The City Council may initiate a Type I or Type II Metro Plan amendment at anytime. Consideration of this type of amendment shall begin immediately thereafter...”; and

WHEREAS, the Springfield Common Council adopted the amended RiverBend Master Plan in June, 2006; and

WHEREAS, Condition #12 of the adopted RiverBend Master Plan approval states:

“The City Council hereby initiates the application of the Nodal Overlay Plan Designation at the entirety of the McKenzie Gateway MDR Site as identified in the Gateway Refinement Plan”; and

WHEREAS, the subject area is depicted as Potential Nodal Development Area 7B on the adopted Eugene-Springfield Transportation System Plan (TransPlan); and

WHEREAS, timely and sufficient notice of the public hearing on this Ordinance has been provided in accordance with SDC 5.2-115; and

WHEREAS, on April 21st, 2009 the Planning Commission held a public hearing on the plan amendment request. The Development Services Department staff notes including the criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at that hearing were considered and were part of the record of the proceeding. After considering the record, the Planning Commission deliberated and voted 5 in favor, 0 opposed, and 2 absent to forward a recommendation of approval to the Common Council; and

WHEREAS, on May 18th, 2009 the Springfield Common Council conducted a public hearing to receive testimony and hear comments on this proposal. The Common Council is now ready to take action on this proposal based upon the above recommendations and the evidence and testimony already in the record, as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Metro Plan diagram.

NOW, THEREFORE, the Common Council of the City of Springfield does ordain as follows:

Section 1: The above findings are hereby adopted as findings in support of this Ordinance.

Section 2: The Nodal Development Overlay Designation is hereby adopted and applied to the subject properties within the McKenzie-Gateway MDR Site that are inside the current Springfield city limits. The subject properties are more particularly depicted and described in Exhibit A attached hereto and incorporated herein by reference.

Section 3: Upon requests for annexation of remaining property in the McKenzie-Gateway MDR site, the City Council shall consider initiating the Metro Plan amendment process for nodal development on a site-specific basis consistent with RiverBend Master Plan Approval Condition #12.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Notwithstanding the effective date of ordinances as provided by Section 2.110 of the Springfield Municipal Code 1997, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgement as provided by ORS 197.625, whichever date is later.

Adopted by the Common Council of the City of Springfield this ____ day of ____, 2009 by a vote of ____ in favor and ____ against.

Approved by the Mayor of the City of Springfield this ____ day of ____, 2009

Mayor

ATTEST:

City Recorder

REVIEWED & APPROVED
AS TO FORM
Joseph J. Leary
DATE: 5/11/09
LEGAL COUNSEL