



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

## NOTICE OF ADOPTED AMENDMENT

June 28, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Eugene/Springfield Metro Plan Amendment  
DLCD File Number 001-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 12, 2007**

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

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

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

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Marguerite Nabeta, DLCD Regional Representative  
Thomas Hogue, Policy Analyst  
Matthew Crall, DLCD Transportation Planner  
Gray Karp, Eugene/Springfield Metro

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**2** Notice of Adoption

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

DEPT OF

JUN 21 2007

LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Springfield Local file number: LRP2006-00027

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

Date original Notice of Proposed Amendment was mailed to DLCD: 2/8/2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_

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

**Amend the Metro Plan Diagram from Campus Industrial (CI) (56 acres) to:  
Community Commercial (CC) 11 acres, Commercial/Nodal Development Area  
(C/NDA) (26 acres) and Medium Density Residential/NDA (MDR/NDA) (19 acres).  
The effective date of the amending ordinance is July 18, 2007.**

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

N/A

Plan Map Changed from: CI to: CC, C/NDA and MDR/NDA

Zone Map Changed from: N/A to: N/A

Location: Marcola Road and 31<sup>st</sup> Street Acres Involved: 56

Specify Density: Previous: MDR 10-20 New: MDR 10-20

Applicable Statewide Planning Goals: 1, 2, 5, 7, 8, 9, 10, 11, + 12

Was an Exception Adopted?  YES  NO

DLCD File No.: ZESMET 001-07 (15868)

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

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

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

**ODOT, DLCD, DSL, Willamalane Parks + Rec., School District 19**

Local Contact: **Gary M. Karp** Phone: **(541) 726-3777** Extension: \_\_\_\_\_  
Address: **225 Fifth Street** City: **Springfield, OR**  
Zip Code + 4: **97477 -** Email Address: **gkarp@ci.springfield.or.u**

### **ADOPTION SUBMITTAL REQUIREMENTS**

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

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

ORDINANCE NO. 6195 (General)

**AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN GENERAL PLAN DIAGRAM BY REDESIGNATING 56 ACRES FROM CAMPUS INDUSTRIAL TO: COMMUNITY COMMERCIAL; MEDIUM DENSITY RESIDENTIAL/NODAL DEVELOPMENT AREA; AND COMMERCIAL/NODAL DEVELOPMENT AREA ON LAND LOCATED NORTH OF MARCOLA ROAD AND WEST OF 28<sup>TH</sup>/31<sup>ST</sup> STREETS.**

**THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:**

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

**WHEREAS**, on September 29, 2006, the applicant initiated the following Metro Plan diagram amendment:

Redesignate 56 acres of land from Campus Industrial to: Community Commercial (11 Acres); Medium Density Residential/Nodal Development Area (19 Acres); and Commercial/Nodal Development Area (26 Acres), Case Number LRP 2006-00027, Tax Lot 01800, Assessor's Map 17-02-30-00 and Tax Lot 02300, Assessor's Map 17-03-26-11; and

**WHEREAS**, on January 9, 2007, staff determined to consider the application to be complete; and

**WHEREAS**, on March 14, 2007, the applicant held a neighborhood meeting to explain the proposed development to the nearby residents; and

**WHEREAS**, on March 27, 2007, the Springfield Planning Commission held a work session and a public hearing to accept testimony and hear comments on this proposal. A request was made to hold the written record open for 7 days. The Planning Commission closed the public hearing and voted to hold the written record open until April 3, 2007; allow rebuttal by the applicant and staff by April 10, 2007; and to reconvene on April 17, 2007 to deliberate and make their decision; and

**WHEREAS**, on April 17, 2007, the Springfield Planning Commission accepted the written materials into the record, deliberated and voted 5 in favor, 2 opposed, to forward a recommendation of approval, with conditions to the City Council; and

**WHEREAS**, on May 7, 2007, the Springfield City Council held a work session and a public hearing (first reading) to accept testimony and hear comments on this proposal. A request was made to hold the written record open for 7 days. The City Council closed the public hearing and voted to hold the written record open until May 14, 2007; allow rebuttal by any person submitting written materials by May 21, 2007; allow rebuttal by the applicant by May 29, 2007; and to reconvene on June 18, 2007 to consider the written materials and deliberate.

**WHEREAS**, on June 18, 2007, the Springfield City Council accepted and considered the additional written testimony and is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony in the entire record in the matter of adopting this Ordinance amending the Metro Plan diagram.

**NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:**

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

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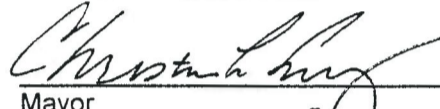
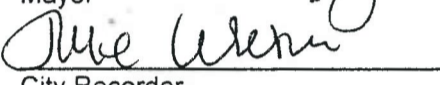
**Section 2:** The Metro Plan designation of the subject property is hereby amended from Campus Industrial to: Community Commercial; Medium Density Residential/Nodal Development Area; and Commercial/Nodal Development Area, more particularly described in Exhibit A and incorporated herein by reference.


**Section 3:** The legal description of the entire property is specified in Exhibit B. The proposed Metro Plan diagram boundaries are shown on the map in Exhibit C. The precise boundaries of the Metro Plan diagram boundaries described in Exhibit A shall be determined as a condition of approval of the required Master Plan.

**ADOPTED** by the Common Council of the City of Springfield by a vote of 4 for and 2 against, this 18th day of June, 2007.

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

ATTEST:

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
City Recorder

VIEWED & APPROVED  
TO FORM  
  
6/12/07  
CLERK OF CITY ATTORNEY

## EXHIBIT B

K & D ENGINEERING, Inc.

*Engineers • Planners • Surveyors*

Legal description  
For  
"Marcola Meadows" Comp Plan and Zone Change

Two (2) Parcels of land located in Springfield, Oregon that are more particularly described as follows:

**Parcel 1**

Beginning at a point on the North margin of Marcola Road, said point being North 89' 57' 30" East 2611.60 feet and North 00' 02' 00" West 45.00 feet from the Southwest corner of the Felix Scott Jr. D.L.C. No. 51 in Township 17 South, Range 3 West of the Willamette Meridian; thence along the North margin of Marcola Road South 89' 57' 30" West 1419.22 feet to the Southeast corner of Parcel 1 of Land Partition Plat No. 94-P0491; thence leaving the North margin of Marcola Road and running along the East boundary of said parcel 1 and the Northerly extension thereof North 00' 02' 00" West 516.00 feet to a point on the South boundary of NICOLE PARK as platted and recorded in File 74, Slides 30-33 of the Lane County Oregon Plat Records; thence along the South boundary of said NICOLE PARK North 89' 57' 30" East 99.62 feet to the Southeast corner of said NICOLE PARK; thence along the East boundary of said NICOLE PARK North 00' 02' 00" West 259.82 feet to the Northeast corner of said NICOLE PARK, thence along the North boundary of said NICOLE PARK South 89' 58' 00" West 6.20 feet to the Southeast corner of LOCH LOMOND TERRACE FIRST ADDITION, as platted and recorded in Book 46, Page 20 of the Lane County Oregon Plat Records; thence along the East boundary of said LOCH LOMOND TERRACE FIRST ADDITION North 00' 02' 00" West 112.88 feet to the Southwest corner of AUSTIN PARK SOUTH as platted and recorded in File 74, Slides 132-134 of the Lane County Plat Records; thence along the South boundary of said AUSTIN PARK South North 89' 58' 00" East 260.00 feet to the Southeast corner of said AUSTIN PARK South thence along the East boundary of said AUSTIN PARK South North 00' 02' 00" West 909.69 feet to the Northeast corner of said Austin Park South, said point being on the South boundary of that certain tract of land described in a deed recorded July 31, 1941, in Book 359, Page 285 of the Lane County Oregon Deed Records; thence along the South boundary of said last described tract North 79' 41' 54" East 1083.15 feet to the intersection of the South line of the last described tract and the East line of that certain tract of land conveyed to R. H. Pierce and Elizabeth C. Pierce and recorded in Book 238, Page 464 of the Lane County Oregon Deed Records; thence along the East line of said last described tract South 00' 02' 00" East 1991.28 feet to the point of beginning, all in Lane County, Oregon.

**K & D ENGINEERING, Inc.**

*Engineers • Planners • Surveyors*

**Parcel 2**

Beginning at a point in the center of County Road No. 753, 3470.24 feet South and 1319.9 feet East of the Northwest corner of the Felix Scott Donation Land Claim No. 82, in Township 17 South, Range 2 West of the Willamette Meridian, and being 866 feet South of the Southeast corner of tract of land conveyed by The Travelers Insurance Company to R. D. Kercher by deed recorded in Book 189, Page 268, Lane County Oregon Deed Records; thence West 1310 feet to a point 15 links East of the West line of the Felix Scott Donation Land Claim No. 82, Notification No. 3255, in Township 17 South, Range 2 West of the Willamette Meridian, and running thence South parallel with and 15 links distant from said West line of said Donation Land Claim a distance of 2304.76 feet to a point 15 links East of the Southwest corner of said Donation Land Claim, thence East following along the center line of County Road No. 278 a distance of 1310 feet to a point in the center of said County Road No. 278 due South of the place of beginning; thence North following the center line of said County Road No. 753 to the point of beginning, all in Lane County, Oregon;

EXCEPT the right of way of the Eugene-Wendling Branch of the Southern Pacific Railroad;

ALSO EXCEPT that portion described in deed to The City of Eugene, recorded in Book 359, Page 285, Lane County Oregon Deed Records;

ALSO EXCEPT beginning at a point which is 1589.47 feet South and 1327.33 feet East of the Southwest corner of Section 19, Township 17 South, Range 2 West, Willamette Meridian, Lane County, Oregon, said point also being opposite and 20 feet Easterly from Station 39+59.43 P.O.S.T., said Station being in the center line of the old route of County Road No. 142-5 (formerly #753); thence South 0' 11' West 183.75 feet to the intersection with the Northerly Railroad Right of Way line; thence South 84' 45' West 117.33 feet; thence South 79' 30' West 48.37 feet to the intersection of said Railroad Right of Way line with the Southerly Right of Way line of the relocated said County Road No. 742-5; thence along the arc of a 316.48 foot radius curve left (the chord of which bears North 39' 03' 35" East 261.83 feet) a distance of 269.94 feet to the place of beginning, in Lane County, Oregon;

ALSO EXCEPT that portion described in deed to Lane County recorded October 19, 1955, Reception No. 68852, Lane County Oregon Deed Records;

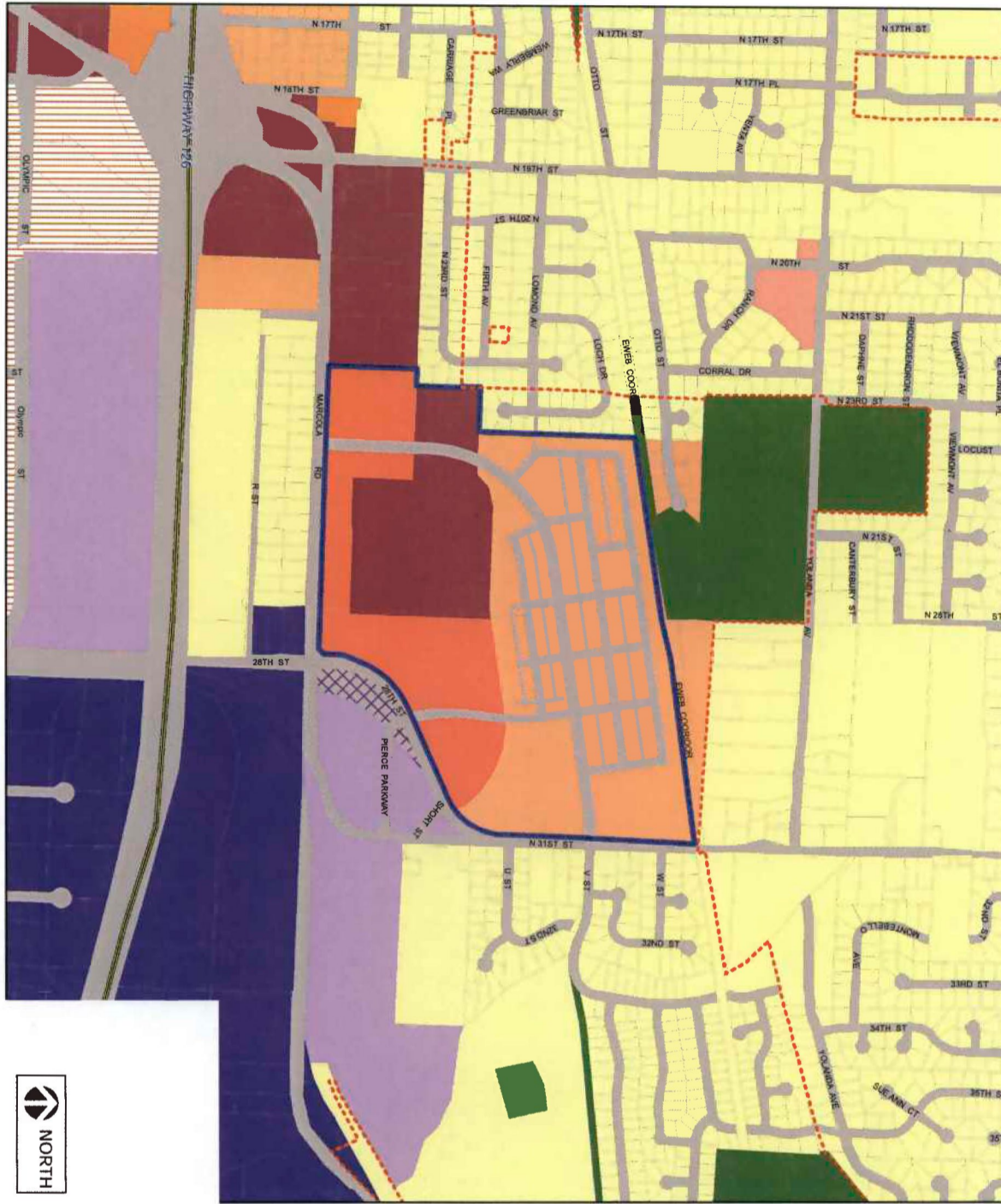
ALSO EXCEPT that portion described in deed to Lane County recorded January 20, 1986, Reception No. 8602217, Lane County Official Records;

ALSO EXCEPT that portion described in that Deed to Willamalane Park and Recreation District recorded December 4, 1992, Reception No. 9268749, and Correction Deed recorded February 9, 1993, Reception No. 9308469, Lane County Official Records;

ALSO EXCEPT that portion described in Exhibit A of that Deed to the City of Springfield, recorded September 22, 1993, Reception No. 9360016, Lane County Official Records.

ALSO EXCEPT Marcola Road Industrial Park, as platted and recorded in File 75, Slides 897, 898 and 899, Lane County Plat Records, Lane County, Oregon.

### EXHIBIT C



Legend			Miscellaneous Boundaries		
	High Density Residential		Community Commercial		Springfield City Limits
	Medium Density Residential		Major Retail Commercial		Existing Parcels
	Low Density Residential		Mixed Use Commercial		Subject Site
	Mixed Use Residential		Neighborhood Commercial		
			Light Medium Industrial		
			Campus Industrial		
			Heavy Industrial		
			Public Land & Open Space		

Job # 0609  
 Date: 02/28/07  
 Drawn: AN  
 Checked: RS  
 Revised: -

### The Villages at Marcola Meadows Proposed Zoning

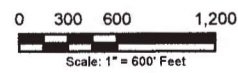


EXHIBIT 6