



Oregon

Theodore R. Kubongoski, 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

10/09/2013

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 007-13

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. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, October 23, 2013

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Andy Limbird, City of Springfield
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

OCT 04 2013

For Office Use Only

Jurisdiction: **City of Springfield**

Local file number: **TYP313-00003**

Date of Adoption: **9/17/2013**

Date Mailed: **10/1/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/14/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Two adjoining parcels were rezoned from General Office (GO) to Neighborhood Commercial (NC) to facilitate completion of a partially-vacant commercial development site. Applicant requested NC zoning because it allows for an expanded range of potential commercial uses on the site.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **General Office (GO)**

to: **Neighborhood Commercial (NC)**

Location: **5880 Main St. & vacant-(Map 17-02-34-32 TL 202&400**

Acres Involved: **1.95**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. 007-13 (19970) [17632]

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

ODOT

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@springfield-or.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 6, 2012

BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON

REQUEST OF ZONE CHANGE

+
+
+

CASE NO. TYP313-00003
FINDINGS, CONCLUSIONS,
AND ORDER

NATURE OF THE APPLICATION

Zone change from General Office to Neighborhood Commercial for Assessor's Map 17-03-34-32, Tax Lots 202 and 400, municipally addressed as 5880 Main Street and adjoining vacant parcel.

1. On June 24, 2013 the following application for a Zone Change was accepted: Rezone approximately 1.95 acres of land from General Office to Neighborhood Commercial, Case Number TYP313-00003, Micheal M. Reeder, applicant. The areas requested for rezoning are generally depicted and more particularly described in Attachment 1 to this Final Order.
2. The application was submitted in accordance with Section 5.4-105 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 5.2-115 of the Springfield Development Code, has been provided.
3. On September 17, 2013 a public hearing on the zone change request was held. The Development and Public Works Department staff notes including criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at that hearing have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested zone change application is consistent with the criteria of Section 5.22-115 of the Springfield Development Code and with the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan*. This general finding is supported by the specific findings of fact and conclusions in the staff report (Exhibit A) attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that Case Number TYP313-00003, Zone Change Request, be approved. This ORDER was presented to and approved by the Planning Commission on September 17, 2013.



Planning Commission Chairperson

ATTEST

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

AGENDA ITEM SUMMARY

Meeting Date: 9/17/2013
Meeting Type: Regular Meeting
Staff Contact/Dept.: Andy Limbird/DPW
Staff Phone No: 541-726-3784
Estimated Time: 15 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: REQUEST FOR ZONE CHANGE APPROVAL ON PROPERTY LOCATED AT 5880 MAIN STREET AND ADJACENT VACANT PARCEL

ACTION REQUESTED: Planning Commission approval of this Zone Change request (TYP313-00003) by motion.

ISSUE STATEMENT: The Planning Commission is requested to conduct a public hearing and decide whether or not to approve a Zone Change request from General Office (GO) to Neighborhood Commercial (NC)

ATTACHMENTS: Attachment 1: Staff Report and Findings
Attachment 2: Current and Proposed Zoning of Subject Site Map-A and Vicinity Map-B
Attachment 3: Legal Descriptions for Tax Lots 202 Legal-A and 400 Legal-B
Attachment 4: Application
Attachment 5: Planning Commission Final Order

DISCUSSION: The affected properties include a developed commercial parcel municipally addressed as 5880 Main Street (Map 17-02-34-32, Tax Lot 400) and an adjoining parcel that is vacant and not currently addressed (Map 17-02-34-32, Tax Lot 202). The developed parcel (Tax Lot 400) contains a building formerly occupied by Liberty Bank and which is now unoccupied. Both properties are currently zoned as General Office (GO) as depicted on the Springfield Zoning Map. The adopted comprehensive plan for this area of Springfield (the *Metro Plan*) designates the subject properties for Medium Density Residential (MDR) use. Zoning of properties in the immediate vicinity of the subject site include General Office (north and east), Community Commercial (west), Neighborhood Commercial (south), Public Land and Open Space (north), Medium Density Residential (east and south), and Low Density Residential (northwest).

Tax Lot 400 was developed with the Liberty Bank building in 2006 and Tax Lot 202 is part of the Thurston Crossing commercial development approved in 2007. The Thurston Crossing commercial development has not been completed and, according to the applicant's submittal, rezoning the parcels to Neighborhood Commercial allows for a greater range of potential uses for the properties. As such, the rezoning request is intended to facilitate a new occupancy of the vacant Liberty Bank building and a Site Plan Review application for development of Tax Lot 202. In accordance with Section 3.2-305.A of the Springfield Development Code, Neighborhood Commercial uses provide modest-sized sites for day to day commercial needs of the immediate neighborhood and are intended to blend in with adjacent residential areas. Use of NC zoning is always a small-scale, site-specific action that is permitted under specific conditions in most *Metro Plan* land use designations, including all residential designations.



**Staff Report and Findings
Planning Commission
Zone Change Request (Micheal Reeder)**

Hearing Date: September 17, 2013

Case Number: TYP313-00003

Applicant: Micheal Reeder on behalf of Amigos III, LLC and Daryl Fedak

Property Owners: Amigos III, LLC

Site: 5880 Main Street and Adjoining Vacant Parcel (Map 17-02-34-32, Tax Lots 202 & 400)

Request

Rezone Tax Lots 202 and 400 from General Office (GO) to Neighborhood Commercial (NC).

Site Information/Background

The application was initiated and accepted as complete on June 24, 2013, and the public hearing on the matter of the Zone Change request is scheduled for September 17, 2013. The City conducted a Development Review Committee meeting on the Zone Change request on August 27, 2013.

The properties that are subject of the Zone Change request are partially developed. The eastern parcel (Tax Lot 400) is developed with a former Liberty Bank building, drive-through aisles, landscaping and parking lot. The building is municipally addressed as 5880 Main Street and is currently unoccupied. The adjoining vacant parcel to the west (Tax Lot 202) does not have an assigned address. Current zoning for both properties is General Office (GO) as depicted on the Springfield Zoning Map. The adopted *Metro Plan* diagram designation for both properties is Medium Density Residential. Zoning districts that implement this plan designation include: MDR-Medium Density Residential zoning; GO-General Office zoning in specific circumstances; and NC-Neighborhood Commercial zoning in specific circumstances.

In accordance with Section 3.2-305.A of the Springfield Development Code (SDC), Neighborhood Commercial uses are intended for sites up to 3 acres in size to provide day-to-day commercial needs for local residents. Developments on NC sites should enhance rather than intrude on the character of a neighborhood by employing landscaping and design features that are consistent and compatible with adjacent residential uses. As such, NC zoning can be employed for site-specific developments where the plan diagram designation of the underlying parcel is commercial or residential. Because the subject Zone Change request is site-specific and does not propose to modify the adopted Metro Plan diagram, it is being processed as a Type III Zoning Map amendment.

Notification and Written Comments

Notification of the September 17th Planning Commission public hearing was sent to all property owners and residents within 300 feet of the site on August 21, 2013. Notification was also published in the September 10th edition of *The Register Guard*. No written comments were received.

Criteria of Approval

Section 5.22-100 of the SDC contains the criteria of approval for the decision maker to utilize during review of Zoning Map amendment requests. The Criteria of Zoning Map amendment approval criteria are:

SDC 5.22-115 CRITERIA

C. *Zoning Map amendment criteria of approval:*

1. *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
2. *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*
3. *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*
4. *Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
 - a. *Meet the approval criteria specified in Section 5.14-100; and*
 - b. *Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.*

Proposed Findings In Support of Zone Change Approval

Criterion: Zoning Map amendment criteria of approval:

1. Consistency with applicable *Metro Plan* policies and the *Metro Plan* diagram;

Finding: *Metro Plan* Policy B.6 states: "Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand." As concluded by the recent Commercial-Industrial Buildable Lands (CIBL) Study the City's 20-year inventory has an overall deficiency of readily available commercial and industrial land.

Finding: *Metro Plan* Policy B.28, Page III-B-6 states: "Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood."

Finding: *Metro Plan* Policy B.29, Page III-B-6 states: "Encourage the expansion or redevelopment of existing neighborhood commercial facilities as surrounding residential densities increase or as the characteristics of the support population change."

Finding: The proposed zone change is consistent with provisions of the *Metro Plan* whereby zoning can be monitored and adjusted as necessary to meet current urban land use demands. The requested change from GO to NC expands the range of potential uses on the properties with the intent to achieve occupancy of the vacant bank building and completion of site development on Tax Lot 202.

Finding: Staff observes that properties in the vicinity of the subject sites have a mix of commercial and residential zoning, including Community Commercial (CC), GO, NC and MDR. The proposed Zone Change is consistent with existing nearby zoning; the zone change is compatible with nearby uses as it continues to provide for a linear reduction (west to east) in the intensity of permitted uses as these non-residential zones approach the residential developments to the east.

2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;

Finding: There are no adopted Refinement Plans or Conceptual Development Plans for this area of Springfield. Therefore, the *Metro Plan* diagram remains the prevailing land use plan diagram for this site.

Finding: The City recently adopted the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan*. This property was not identified as residential inventory in those documents because of its GO zoning and partial non-residential development. The proposed zone change only includes property not included in inventory calculations therefore there is no effect on projected need. This proposed action is not inconsistent with provisions of this Refinement Plan element.

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

Finding: The properties requested for Zone Change are already provided with the full range of public utilities and services, and a fully developed transportation network: Tax Lots 202 and 400 have frontage on Main Street along the south boundary, and Tax Lot 202 also has frontage on A Street along the north edge of the site. A shared private driveway runs north-south through the two properties between Main Street and A Street. Future development or redevelopment of the site with Neighborhood Commercial use(s) will be subject to the land use approval process.

4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

- a. **Meet the approval criteria specified in Section 5.14-100; and**
- b. **Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Finding: The requested Zone Change is being undertaken as a site-specific change in compliance with provisions of the adopted *Metro Plan* and the City's Development Code. Because the proposed zoning is consistent and compatible with the *Metro Plan* land use designation, a *Metro Plan* diagram amendment is not required or warranted. Therefore, this criterion is not applicable.

Conclusion: Based on the above-listed criteria, staff recommends support for the request as the proposal meets the stated criteria for Zone Change approval in accordance with provisions of the *Metro Plan* and the Springfield Development Code.

Conditions of Approval

SDC Section 5.22-120 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure the application fully meets the criteria of approval. The specific language from the code section is cited below:

5.22-120 CONDITIONS

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

Staff advises that the Zone Change request was initiated in accordance with provisions of the City's Development Code. The proposal was found to be consistent with the criteria of approval without need for conditions to reaffirm these findings or provide that future implementation maintains this consistency. There are no specific conditions of approval recommended for this application.

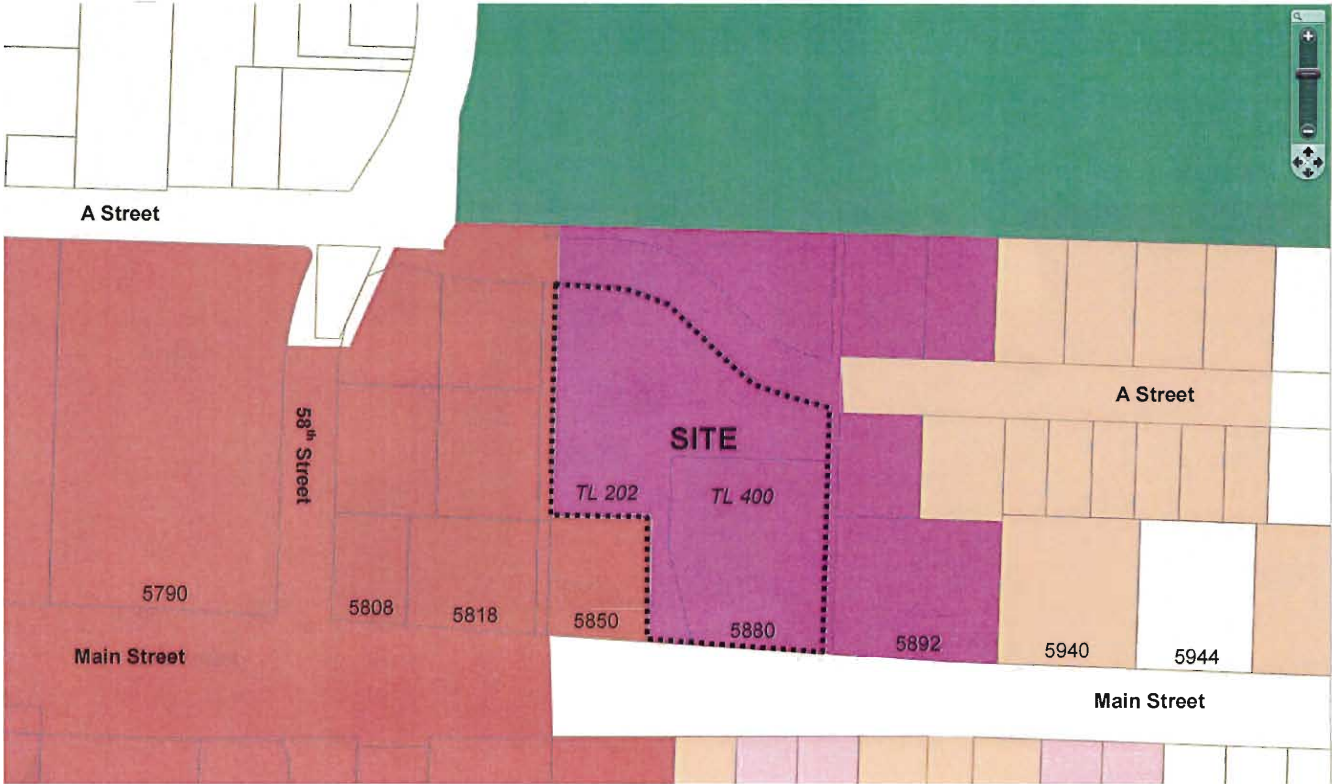
The Planning Commission may choose to apply conditions of approval as necessary to comply with the Zone Change criteria or as further demonstrated by testimony and evidence entered into the record of the hearing.

Additional Approvals







The subject application will facilitate review of future land use applications for the affected parcels. Any future site development, including but not limited to new construction on vacant Tax Lot 202 or a change of occupancy for the vacant bank building on Tax Lot 400, will be subject to the provisions of the SDC for the applicable zoning district.

Upon approval of the Zone Change request, the contiguous development area (Tax Lots 202 & 400) will be consistent with provisions of the *Metro Plan* and subject to the NC District provisions of the Springfield Development Code (ref. SDC 3.2-300).

CURRENT ZONING
PROPERTY PROPOSED FOR ZONING MAP AMENDMENT
5880 MAIN ST. & VACANT PARCEL (MAP 17-02-34-32, TAX LOTS 202 & 400)
PROPERTY CURRENTLY ZONED GENERAL OFFICE (GO)

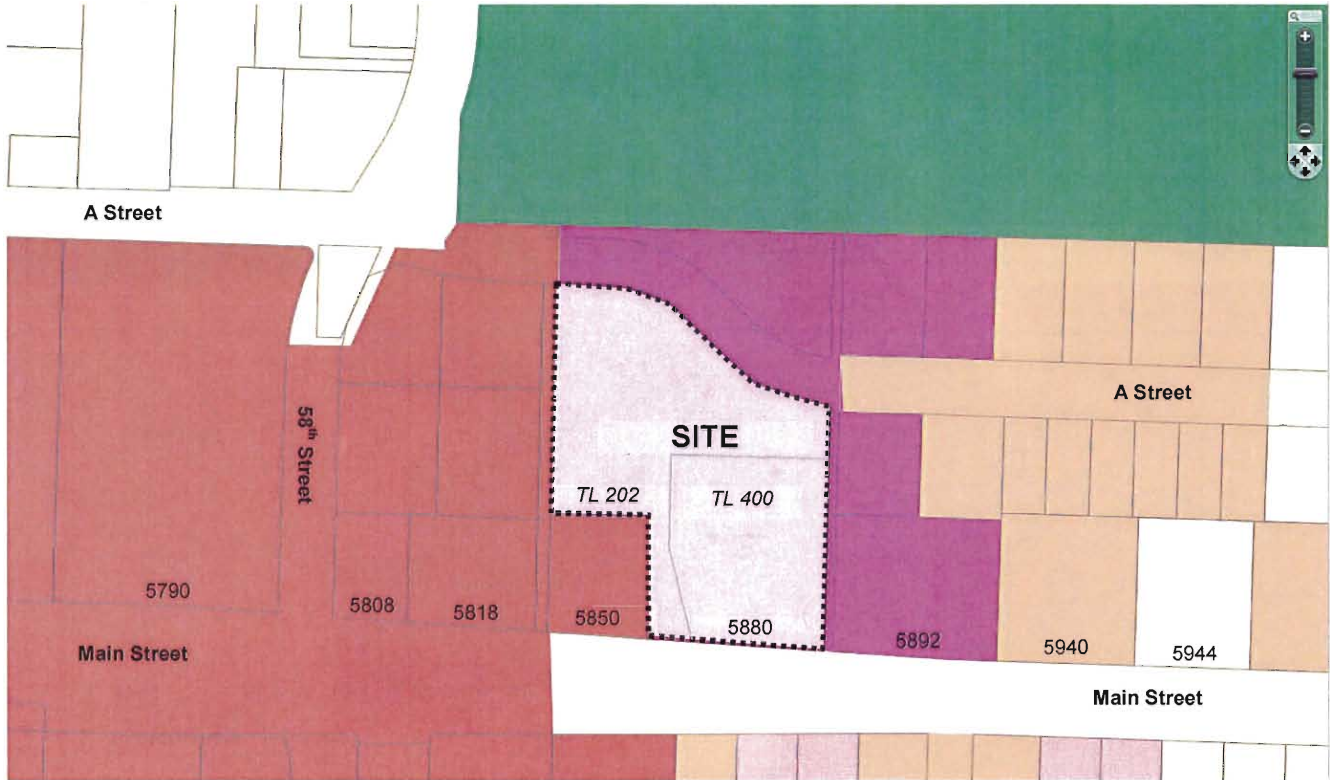


ZONING MAP LEGEND


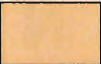



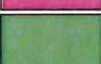
-  Low Density Residential (LDR)
-  Medium Density Residential (MDR)
-  Community Commercial (CC)
-  Neighborhood Commercial (NC)
-  General Office (GO)
-  Public Land and Open Space (PLO)



PROPOSED ZONING
5880 MAIN ST. & VACANT PARCEL (MAP 17-02-34-32, TAX LOTS 202 & 400)
PROPERTY PROPOSED FOR NEIGHBORHOOD COMMERCIAL (NC) ZONING



ZONING MAP LEGEND

-  Low Density Residential (LDR)
-  Medium Density Residential (MDR)
-  Community Commercial (CC)
-  Neighborhood Commercial (NC)
-  General Office (GO)
-  Public Land and Open Space (PLO)



**LEGAL DESCRIPTION FOR TAX LOT 202
(MAP 17-02-34-32, TL 202)**

Parcel 2 of Land Partition Plan No. 2007-P2089, as platted and recorded February 12, 2007, Reception No. 2007-009319, Lane County Oregon Records.

**LEGAL DESCRIPTION FOR TAX LOT 400
(MAP 17-02-34-32, TL 400)**

Situated in the City of Springfield in the Southwest $\frac{1}{4}$ of Section 34, Township 17 South, Range 2 West of the Willamette Meridian and described as follows:

Being a portion of the lands that were conveyed to Amigos III, LLC by that certain Warranty Deed that was recorded May 21, 2004 as Recorder's No. 2004-038460 in the Official Records of Lane County, State of Oregon, the perimeter of said lands being more particularly described as follows:

Commencing at the Southwest corner of said lands that were conveyed in Recorder's No. 2004-038460, which point lies on the North margin of the McKenzie Highway as established in the conveyance to the State of Oregon that was recorded March 4, 1963 at Reception No. 1546 in the Official Records of Lane County, State of Oregon; thence, leaving said point of commencement and along said North margin of McKenzie Highway South $87^{\circ} 43' 15''$ East 50.00 feet to the true point of beginning; thence, leaving said true point of beginning and said margin and crossing into said lands that were conveyed in Recorder's No. 2004-038460 along the following four numbered courses: (1) North $16^{\circ} 07' 28''$ West 94.08 feet to a point of tangent curvature to the right; (2) along said curve to the right having a radius center that bears North $73^{\circ} 52' 32''$ East 72.00 feet, a central angle of $16^{\circ} 07' 28''$, and a long chord of North $08^{\circ} 03' 44''$ West 20.20 feet, an arc distance of 20.26 feet to a point of tangent line, which tangent line lies parallel with and 21.00 feet Easterly by perpendicular measurement from the West line of said lands that were conveyed in Recorder's No. 2004-038460; (3) along said tangent/parallel line, North 92.31 feet to a point; and (4) leaving said tangent/parallel line, East 169.45 feet more or less to a point on the East line of said lands that were conveyed in Recorder's No. 2004-038460; thence, along said East line the following one numbered course: (5) South 208.28 feet more or less to the Southeast corner of last said lands as said point lies on said North margin of the McKenzie Highway (Reception No. 1546); and thence, along the South line of last said lands and said North margin the following one numbered course: (6) North $87^{\circ} 43' 15''$ West 140.60 feet more or less returning to the true point of beginning, in Lane County, Oregon.

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477



Zoning Map Amendment, Type III

Required Project Information		<i>(Applicant: complete this section)</i>	
Applicant Name:	Micheal M. Reeder	Phone:	(541) 484-0188
Company:	Arnold Gallagher P.C.	Fax:	(541) 484-0536
Address:	800 Willamette Street, Suite 800, Eugene, OR 97401		
Applicant Signature:			
Property Owner:	OWNER #2: Daryl A. Fedak	Phone:	(541) 915-2210
Company:		Fax:	
Address:	87588 Parkland Circle, Pleasant Hill, OR 97455		
Owner Signature:			
<small>If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf.</small>			
ASSESSOR'S MAP NO:	17-02-34-32	TAX LOT NO(S):	400
Property Address:	5880 Main Street, Springfield, OR 97478-6971		
Area of Request	Square Feet: 33,105	Acres:	.76
Existing Use(s) of Property:	Vacant bank building (formerly Liberty Bank) containing 4,990 square feet, paved outdoor parking areas and landscaping		
Description of The Proposal:	Rezone Tax Lots 202 and 400 from General Office Commercial (GO) to Neighborhood Commercial (NC) and allow the use and development of these properties consistent with the NC zone.		
SEE PAGE 1 FOR PROPERTY OWNER #1 INFORMATION			
Required Property Information		<i>(City Intake Staff: complete this section)</i>	
Case No.:	TYP313-00003	Date:	6-24-13
		Received by:	(initials) MM/KL
Application Fee:	5,178 ⁰⁰	Postage Fee:	385 ⁰⁰
		Tech Fee:	258 ⁹⁰
		Total Fee:	\$ 5,821.90

Edited 7/19/2007 bjones

Date Received:

JUN 24 2013

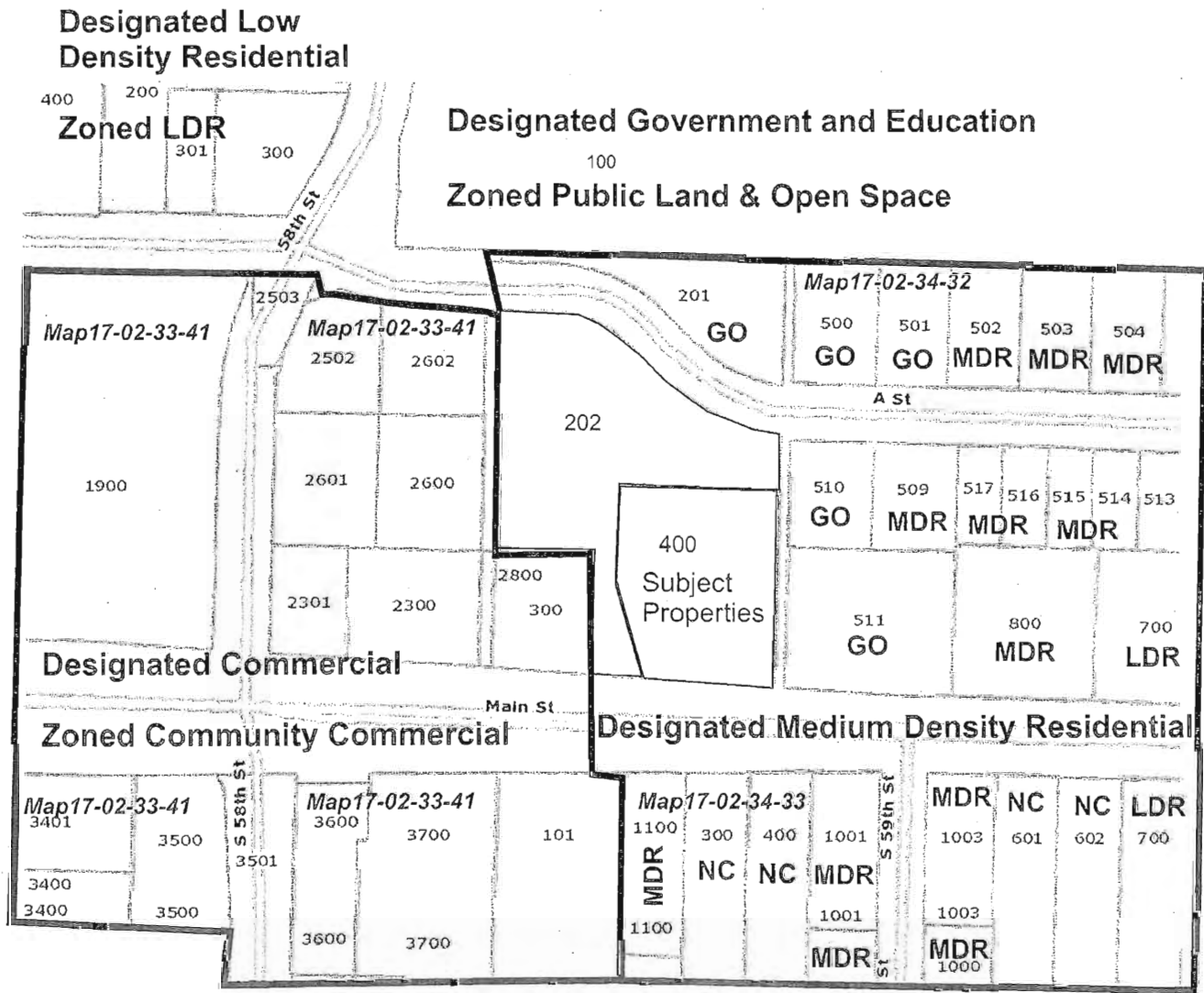
Original Submittal _____

EXHIBIT 3 Vicinity Map

Applicants: Amigos III, LLC & Daryl A. Fedak

Subject Properties: Map 17-02-34-32 Tax Lots 202 & 400

Proposal: Zone change from General Office GO to
Neighborhood Commercial NC



Zoning Districts

Date Received:

GO: General Office
 NC: Neighborhood Commercial
 LDR: Low Density Residential
 MDR: Medium Density Residential

JUN 24 2013

Original Submittal _____

EXHIBIT 4 – APPLICATION FINDINGS

Applicant: Micheal M. Reeder
Arnold Gallagher P.C.

Property Owner of Tax Lot 202: Amigos III, LLC

Property Owner of Tax Lot 400: Daryl A. Fedak

Site: Map 17-02-34-32 Tax Lots 202 (vacant) and Tax Lot 400 (5880 Main Street)

Request: Rezone Tax Lots 202 and 400 from General Office (GO) to Neighborhood Commercial (NC).

Site and Vicinity Information

Current zoning of the Subject Properties is General Office, GO. The *Metro Plan* diagram designates the Subject Properties as Medium Density Residential.

The Subject Properties adjoin each other and are located adjacent to the north side of Main Street, the east side of North 58th Street and the south side of A Street. The Subject Properties have vehicular access to Main Street, A Street and N. 58th Street. It should be noted that Amigos III, LLC dedicated to the City of Springfield property sufficient to connect A Street from the eastern boundary of Tax Lot 202 to N. 58th Street. Amigos III, LLC also paid approximately \$300,000 for the construction and full improvement of that section of A Street that bisects Tax Lot 202.

Tax Lot 202 contains approximately 1.19 acres or 51,836 square feet of vacant and level land.

Tax Lot 400 contains approximately 0.76 acres or 33,105 square feet and is currently developed with the former Liberty Bank building and drive-through facility containing 4,990 square feet and with parking and landscaping.

The west side of the Subject Properties (Tax Lot 202) is adjacent to properties designated by the *Metro Plan* diagram as Commercial and that are zoned as Community Commercial, CC. These properties are part of the “Thurston Crossing” development and are developed for a small mall, a coffee drive through and a car wash. Two other properties at the northwest corner of Thurston Crossing are vacant.

The east side of the Subject Properties is adjacent to property designated by the *Metro Plan* diagram as Medium Density Residential, zoned as General Office, GO and developed as an office building and parking lot. Further east are lots for a subdivision that are designated by the *Metro Plan* diagram as Medium Density Residential, zoned as Medium Density Residential, MDR, and developed with single-family dwellings.

Date Received:

JUN 24 2013

Micheal M. Reeder for Amigos III, LLC and Daryl A. Fedak

Page 1

The north side of the Subject Properties is adjacent to A Street, and north of A Street are properties designated by the *Metro Plan* diagram as Medium Density Residential and Government and Education, are zoned as Medium Density Residential, MDR, and are vacant or developed as part of Thurston High School.

The south side of the Subject Properties is adjacent to Main Street, and south of Main Street are properties designated by the *Metro Plan* diagram as Medium Density Residential and zoned as Neighborhood Commercial, NC, and Medium Density Residential, MDR. The MDR-zoned property has a dwelling on it and the NC-zoned property is vacant.

In accordance with Section 3.2-305.A of the Springfield Development Code (SDC), Neighborhood Commercial uses are intended for sites up to three acres in size to provide day-to-day commercial needs for local residents. Developments on NC sites should enhance rather than intrude on the character of a neighborhood by employing landscaping and design features that are consistent and compatible with adjacent residential uses. As such, NC zoning can be employed for site-specific developments where the zoning designation of the underlying parcel is commercial or residential. Because this zone change request is site-specific and does not propose to modify the adopted *Metro Plan* diagram, it is considered as a Type III Zoning Map amendment.

Criteria of Approval

Section 5.22-100 of the SDC contains the criteria of approval for the decision maker to utilize during review of Zoning Map amendment requests. The Criteria of Zoning Map amendment approval are:

"SDC 5.22-115 CRITERIA

C. Zoning Map amendment criteria of approval:

- 1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
- 2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*
- 3. The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*
- 4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
 - a. Meet the approval criteria specified in Section 5.14-100;*
and

Date Received:

- b. *Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.*”

Findings in Support of Zone Change Approval

- “1. *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*”

Finding 1: *Metro Plan* Policy B.6, Page III-B-4-5, states: “*Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand.*” As concluded by the recent Commercial-Industrial Buildable Lands (CIBL) Study, the City’s 20-year inventory has an overall deficiency of readily-available commercial and industrial land.

Finding 2: *Metro Plan* Policy B.28, Page III-B-6 states: “*Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood.*”

The Subject Properties are in the Thurston neighborhood area located north of Main Street, have direct access to Main Street and 58th Street that serves the major transportation needs of this neighborhood, and are ideally situated at the entrance of the Thurston neighborhood.

Finding 3: *Metro Plan* Policy B.29, Page III-B-6 states: “*Encourage the expansion or redevelopment of existing neighborhood commercial facilities as surrounding residential densities increase or as the characteristics of the support population change.*”

The Subject Properties are part of the planned Thurston Crossing development. Changing the zoning to Neighborhood Commercial, NC, would allow for the expanded commercial development of Thurston Crossing to meet the increasing residential demands for quality neighborhood commercial facilities.

Finding 4: The proposed zone change is consistent with provisions of the *Metro Plan* whereby zoning can be monitored and adjusted as necessary to meet current urban land use demands.

Finding 5: The properties in the immediate vicinity of the Subject Properties have a mix of commercial and residential zoning, including MDR, NC, Community Commercial (CC), and General Office (GO). Therefore, the proposed zone change is consistent and compatible with the existing zoning and land use pattern in this area of Springfield.

- “2. *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;*”

Date Received:

JUN 24 2013

Finding 6: There are no adopted Refinement Plans or Conceptual Development Plans for this area of Springfield. Therefore, the *Metro Plan* diagram remains the prevailing land use plan diagram for this site.

Finding 7: The City recently adopted the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan* and, because the proposed zone change is site-specific, it is consistent with provisions of this Refinement Plan element.

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

Finding 8: The Subject Properties are already provided with the full range of public utilities and services, and with a fully-developed internal and external transportation network including access and driveway cuts to Main Street, which is classified as a Major Arterial, to 58th Street, which is classified as a Major Collector, and to A Street, which is classified as a Local Road. Traffic to and from the Subject Properties will occur using these transportation routes and will not adversely affect local traffic in nearby residential neighborhoods. Future development of the site with Neighborhood Commercial use(s) will be subject to the Site Plan Review process and to the covenants and restrictions for Thurston Crossing.

4. *“Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
- a. Meet the approval criteria specified in Section 5.14.100; and*
 - b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.”*

Finding 9: The requested zone change is being undertaken as a site specific change in compliance with provisions of the adopted *Metro Plan* and the City’s Development Code. Because the proposed zoning is consistent and compatible with the *Metro Plan* land use designation, a *Metro Plan* diagram amendment is not required or warranted. Therefore, this criterion is not applicable.

Conclusion

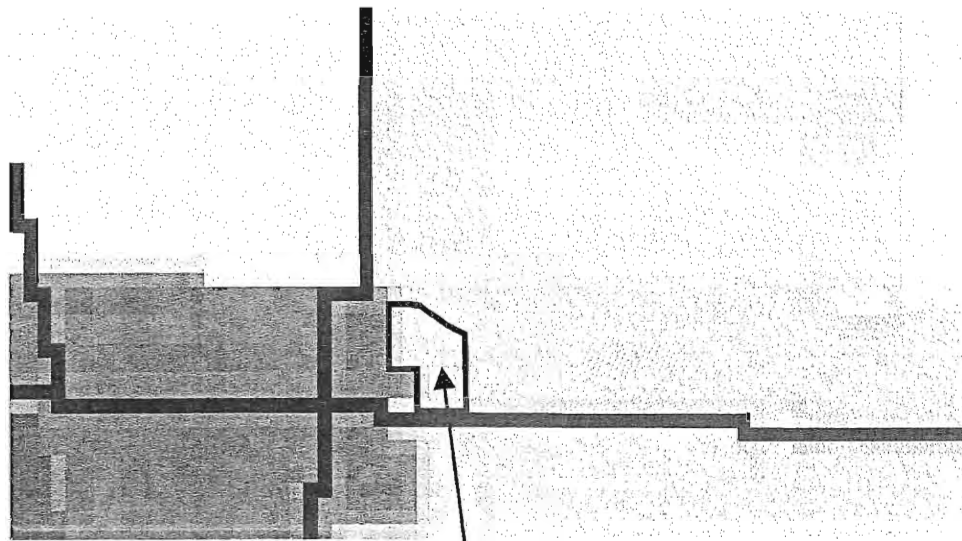
Based on the above listed criteria, this zone change application meets the stated criteria for zone change approval in accordance with provisions of the *Metro Plan* and the Springfield Development Code.

Date Received:

JUN 24 2013

Original Submittal _____

Exhibit 5
Eug./Spr. Gen. Area Metro Plan Diagram (excerpt)
For Amigos III, LLC & Daryl A. Fedak Properties



Designations

- Low Density Residential
- Medium Density Residential
- Commercial
- Government & Education

Subject Properties
Map 17-02-34-32 TLs 202 & 400

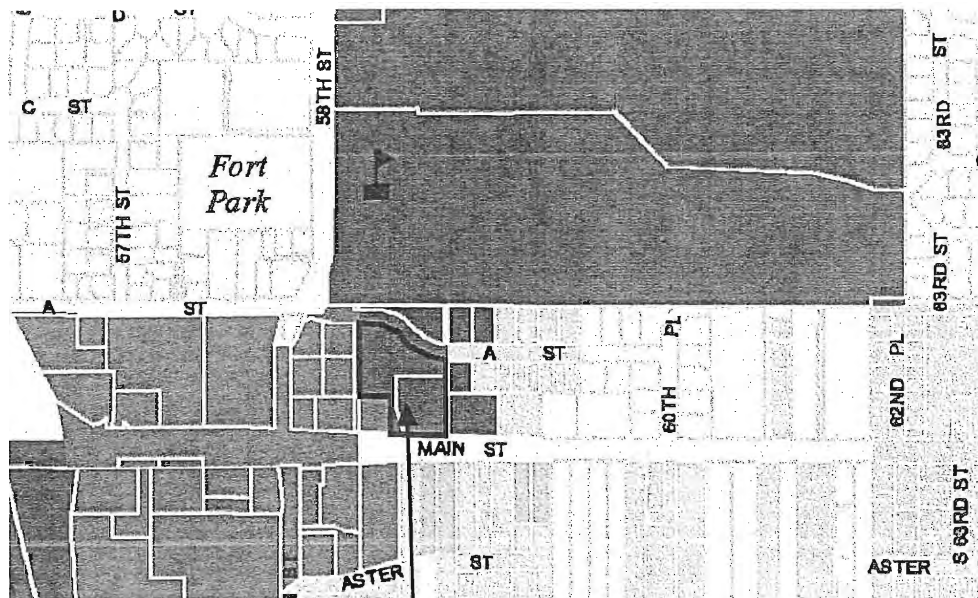
Micheal M. Reeder
Arnold Gallagher, P.C.
800 Willamette Street, Suite 800
Eugene, OR 97401

Date Received:








JUN 24 2013

Original Submittal _____

Exhibit 6
 Springfield, OR Zoning Map (excerpt)
 For Amigos III, LLC & Daryl A. Fedak Properties



Zoning Districts

-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Community Commercial
-  General Office
-  Public Land & Open Space

Subject Properties
 Map 17-02-34-32 TLs 202 & 400

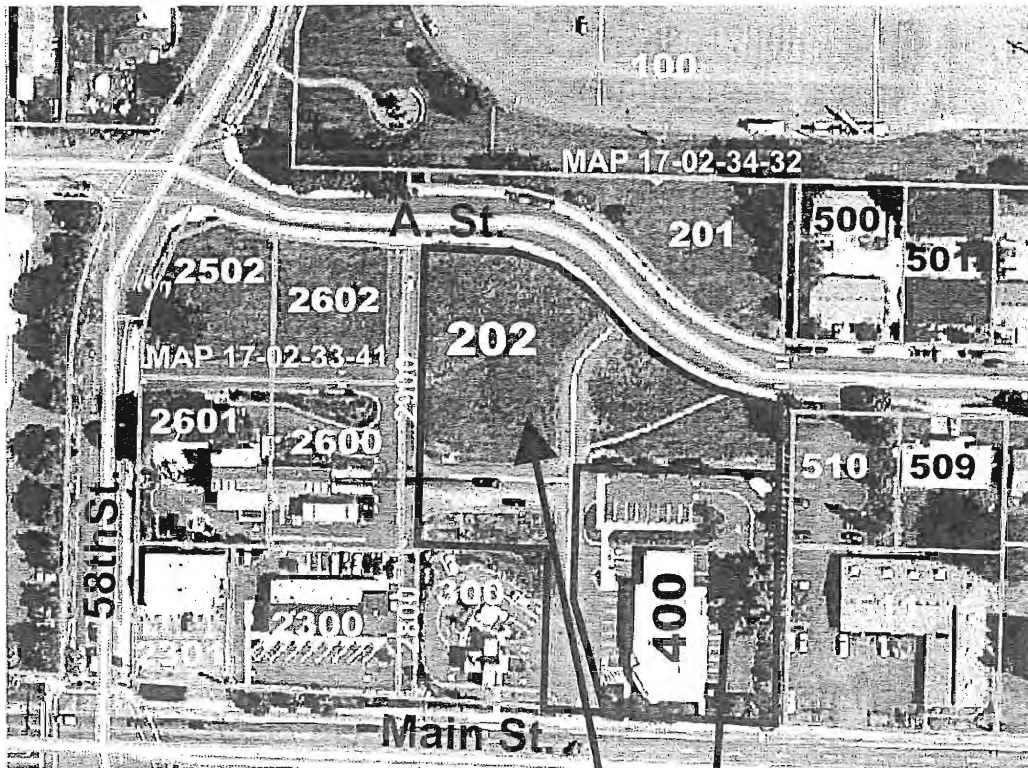
Micheal M. Reeder
 Arnold Gallagher, P.C.
 800 Willamette Street, Suite 800
 Eugene, OR 97401

Date Received:

JUN 24 2013

Original Submittal _____

Exhibit 7
Aerial Photo of Subject & Adjacent Properties
For Amigos III, LLC & Daryl A. Fedak Properties



Subject Properties
Map 17-02-34-32 TLs 202 & 400

Micheal M. Reeder
Arnold Gallagher, P.C.
800 Willamette Street, Suite 800
Eugene, OR 97401

Date Received:

JUN 24 2013

Original Submittal _____

Exhibit 8

Description of Adjacent Properties
 Located between Main St., 58th St. and A St.

Map & Tax Lot Ownership	Use	Plan Designation	Zoning
Map 17-02-34-32 TL 202 Amigos III, LLC	Vacant	Medium Density Residential	General Office GO
Map 17-02-34-32 TL 400 Daryl A. Faydak	vacant bank building & parking lot	Medium Density Residential	General Office GO
Map 17-02-34-32 TL 300 David M. Hangsleben Lost Valley Tax Service	Dutch Bros. Coffee drive through	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2300 Amigos III, LLC	mall building Goodwill, Thurston Life Foundation, Divinity Salon & Tanning	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2301 Greenwood North/Springfield LLC	Seven Eleven Market	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2600 Amigos III, LLC	Thurston Car Wash	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2601 Amigos III, LLC	Thurston Car Wash	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2502 Amigos III, LLC	vacant .31 acres	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2602 Amigos III, LLC	vacant .29 acres	Commercial	Community Commercial CC
Map 17-02-33-41 TL 2800 & 2900 Amigos III, LLC	parking lot travel lane .11 acres	Commercial	Community Commercial CC
Map 17-02-34-32 TL 510 S.B. & L.C. Robbins	parking for office building	Medium Density Residential	General Office GO
Map 17-02-34-32 TL 511 S.B. & L.C. Robbins	office building & parking	Med Density Residential	General Office GO

Micheal M. Reeder

1

for Amigos III, LLC
 Date Received: _____
 by _____

JUN 24 2013

Original Submittal _____

Map 17-02-34-32 TL 509 Lot 10 Buda Mesa Subdivision R.L. & L.A. Finley	single family dwelling	Med Density Residential	Med Density Residential MDR
--	---------------------------	----------------------------	-----------------------------------

Description of Adjacent Properties
Located North of A St.

Map & Tax Lot Ownership	Use	Plan Designation	Zoning
Map 17-02-34-32 TL 100 Springfield School District	Thurston High School	Government & Education	Public Land & Open Space PLO
Map 17-02-34-32 TL 201 Pacific Region Open Bible Standard Churches	Vacant	Medium Density Residential	General Office GO
Map 17-02-34-32 TL 500 Lot 1 Buda Mesa Subdivision Angela Adamo Living Trust	2 single family dwellings	Medium Density Residential	General Office GO
Map 17-02-34-32 TL 501 Lot 2 Buda Mesa Subdivision Hall family Trust	2 single family dwellings	Medium Density Residential	General Office GO

Date Received:

JUN 24 2013

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Exhibit 9
Aerial Photo of Subject Properties & Vicinity
For Amigos III, LLC & Daryl A. Fedak Properties



Subject Properties
Map 17-02-34-32 TLs 202 & 400

Micheal M. Reeder
Arnold Gallagher, P.C.
800 Willamette Street, Suite 800
Eugene, OR 97401

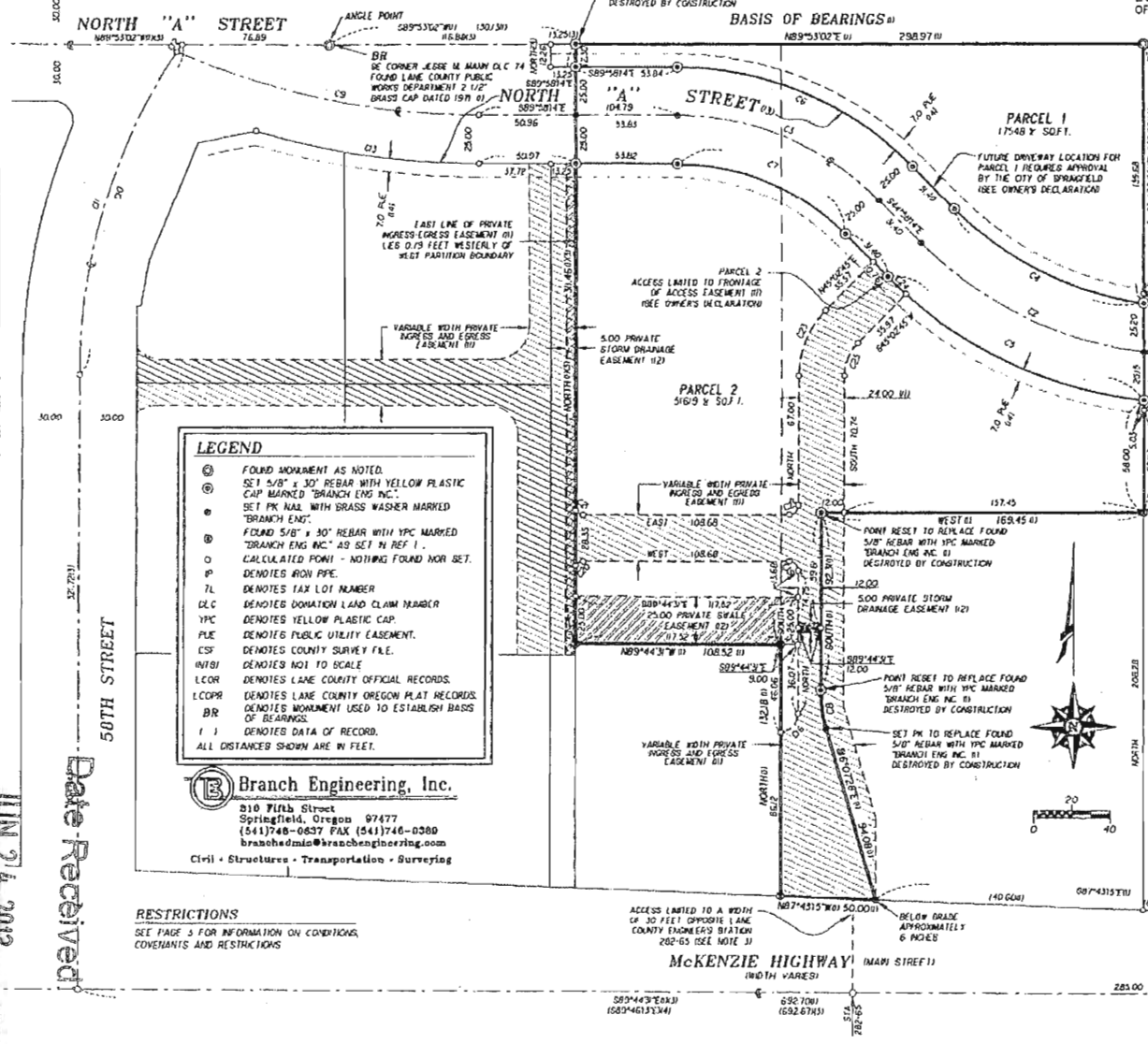
Date Received:

JUN 24 2013

Original Submittal _____

LAND PARTITION PLAT NUMBER 2007-P2089

PAGE 1 OVERALL PLAT DATA, REFERENCES, EASEMENT DETAILS, NOTE, CURVE TABLE, LEGEND AND INDEX.
 PAGE 2 CURVE TABLE, REFERENCES, CALCULATED & MONUMENT OVERLAP DETAIL, AND EASEMENT DETAILS.
 PAGE 3 SURVEYOR'S CERTIFICATE, NARRATIVE, RESTRICTIONS, CONCURRENCE, DECLARATION AND APPROVALS.



LEGEND

- ⊙ FOUND MONUMENT AS NOTED.
- ⊙ SET 5/8" x 30" REBAR WITH YELLOW PLASTIC CAP MARKED "BRANCH ENG. INC."
- ⊙ SET PK NAIL WITH BRASS WASHER MARKED "BRANCH ENG."
- ⊙ FOUND 5/8" x 30" REBAR WITH YPC MARKED "BRANCH ENG. INC." AS SET IN REF. 1.
- CALCULATED POINT - NOTHING FOUND NOR SET.
- P DENOTES IRON PIPE.
- 7L DENOTES TAX LOT NUMBER.
- DLC DENOTES DONATION LAND CLAIM NUMBER.
- YPC DENOTES YELLOW PLASTIC CAP.
- PLU DENOTES PUBLIC UTILITY EASEMENT.
- CSF DENOTES COUNTY SURVEY FILE.
- INTSI DENOTES NOT TO SCALE.
- LCOR DENOTES LANE COUNTY OFFICIAL RECORDS.
- LCOPR DENOTES LANE COUNTY OREGON PLAT RECORDS.
- DENOTES MONUMENT USED TO ESTABLISH BASIS OF BEARINGS.
- BR DENOTES DATA OF RECORD.
- 1 1 DENOTES DATA OF RECORD.

ALL DISTANCES SHOWN ARE IN FEET.

Branch Engineering, Inc.
 310 Fifth Street
 Springfield, Oregon 97477
 (541)748-0837 FAX (541)748-0380
 branch@meic@branchengineering.com
 Civil • Structures • Transportation • Surveying

RESTRICTIONS
 SET PAGE 3 FOR INFORMATION ON COVENANTS, COVENANTS AND RESTRICTIONS

TAX MAP 17-02-34-32, TAX LOT 200 & PORTION OF TAX LOT 400 CITY OF SPRINGFIELD CASE NO. SUB 2006-00026

PLOTTER: HP DESIGNJET 650C
 INK: HP 51640A
 MYLAR: BULLFROG ENTERPRISES 4 ML INK JET DOUBLE MATTE BF1604U

RECORDED
 DATE 12 Feb '07
 LANE COUNTY CLERK & RECORDER OF CONVEYANCES
Monday

LANE COUNTY SURVEYORS OFFICE
 C.S. FILE NO. 40257
 FILING DATE 12 Feb '07

Division of Chief Deputy Clark Lane County Deeds and Records 2007-009319
 \$51.00
 02/12/2007 09:53:01 AM
 RPR-PART CnLvl Slvcs CASHIER 07
 \$40.00 \$10.00 \$11.00

PARTITION PLAT FOR AMIGOS III, LLC
 S.W. 1/4, SEC. 34, T.17S, R.2W., W.M. SPRINGFIELD, LANE COUNTY, OREGON
 FEBRUARY 5, 2007
 SCALE: 1" = 40'

CURVE	DELTA	RADIUS	ARC	LONG CHORD
C1	6°28'18"	175.0002	19.77	586°28'57" 19.76
C2	58°56'34"	190.18	132.59	564°06'34" 129.55
C3	45°00'00"	150.00	117.81	N67°28'14" 114.8
C4	37°24'44"	173.18	112.73	S61°32'06" 110.75
C5	39°02'08"	223.18	152.05	S64°29'18" 149.13
C6	45°00'00"	175.00	137.44	N67°28'14" 134.94
C7	45°00'00"	125.00	88.71	N67°28'14" 95.67
C8	16°10'28"18"	72.0001	20.2611	S04°03'44" 20.2001
C9	23°14'50"	395.94	163.36	S74°04'49" 162.2
C10	117°52'27"13"	300.0003	183.2131	S17°25'43" 180.5831
C11	34°04'44"	300.00	178.43	S70°22'07" 175.8
C12	0°24'46"	300.00	4.38	S34°32'04" 4.76
C13	16°09'28"	40.94	18.98	S8°53'55" 18.58
C16	84°53'59"	10.00	14.71	N42°10'19" 13.42
C19	90°00'00"	4.8	7.56	N45°00'00" 6.8
C20	56°46'02"	4.8	4.77	S61°36'59" 4.58
C21	56°46'02"	4.8	4.77	S61°36'59" 4.58
C22	90°00'00"	4.8	7.56	N45°00'00" 6.8
C23	45°02'45"	38.00	37.74	S22°30'23" 36.77
C24	3°24'04"	223.18	13.25	S48°40'16" 13.25
C25	45°02'45"	24.00	18.87	S22°30'23" 18.39

REGISTERED PROFESSIONAL LAND SURVEYOR
 JULY 20, 1995
 REX A. BETZ
 #2606
 EXPIRES DECEMBER 31, 2007

REFERENCES

1. SURVEY MAP BY REX A. BETZ FILED DECEMBER 26, 2005 AS CSF NO 35952.
2. "BLDA MESA" AS PLATTED AND RECORDED JUNE 26, 1990 IN FILE 73 AT SLIDE 395, LCORH.
3. SURVEY MAP BY REX A. BETZ FILED MARCH 22, 2006 AS CSF NO 39373.
4. SURVEY MAP BY STEVEN E. WOODS FILED NOVEMBER 29, 1993 AS CSF NO 31674
5. DECLARATION OF PRIVATE JOINT USE ACCESS EASEMENT AND MAINTENANCE AGREEMENT RECORDED JULY 26, 2006 AT RECORDER'S NUMBER 2006-05359, LCOR.
6. DECLARATION OF PRIVATE JOINT USE STORM DRAINAGE EASEMENT AND MAINTENANCE AGREEMENT RECORDED JULY 26, 2006 AT RECORDER'S NUMBER 2006-05352, LCOR.
7. BARGAIN AND SALE DEED TO THE CITY OF SPRINGFIELD RECORDED DECEMBER 12, 2006 AT RECORDER'S NUMBER 2006-06652, LCOR.
8. PUBLIC UTILITY EASEMENT RECORDED SEPTEMBER 12, 2006 AT RECORDER'S NUMBER 2006-06654, LCOR.

NOTES

1. NO BUILDING STRUCTURE, TREES, SHRUBBERY OR OTHER OBSTRUCTION SHALL BE PLACED OR LOCATED ON OR IN A PUBLIC UTILITY EASEMENT.
2. ALL LOTS MUST CONFORM TO THE USPOW CLEARANCE TRIANGLE STANDARDS SET FORTH IN THE SPRINGFIELD CITY CODE.
3. THE PARTITION IS SUBJECT TO ACCESS RESTRICTIONS AS SET FORTH IN THAT WARRANTY DEED RECORDED ON MARCH 4, 1963 ON REEL 2950 AS INSTRUMENT 1546, LCOR AND LATER REVISED BY 11411 IDENTURE OF ACCESS RECORDED ON APRIL 29, 2005 AS RECEIPTION NUMBER 2005-030708, LCOR.

PROJECT NO. 05-204D
 PAGE 1 OF 3

DWG. NO. \2005\05-204D Inemes partition\DRAWING\PLA1\05-204D FLA1.DWG 2/5/07 GPW

Attachment 4, Page 14 of 16
 Original Submittal
 JIN 7 4 2009
 Date Received
 EXHIBIT 10
 1 OF 3

LAND PARTITION PLAT NUMBER 2007-P2089.

REFERENCES

1. SURVEY MAP BY REK A. BEIZ FILED DECEMBER 21, 2005 AS CSF NO 39592.
2. SURVEY MAP BY REK A. BEIZ FILED DECEMBER 21, 2005 AS CSF NO 39592.
3. SURVEY MAP BY STEVEN E. WOODS FILED NOVEMBER 29, 1993 AS CSF NO 31614.
4. PROPERLY LINE ADJUSTMENT DEED RECORDED DECEMBER 21, 2005 AT RECORDER'S NUMBER 2005 101301, L.COR.
5. NOI USED
6. PUBLIC SANITARY SEWER EASEMENT RECORDED MAY 16, 1962 IN REEL 1950 AT RECEPTION NUMBER 69803 L.COR.
7. PUBLIC SANITARY SEWER EASEMENT RECORDED MAY 16, 1962 IN REEL 1950 AT RECEPTION NUMBER 69798, L.COR.
8. PRIVATE SANITARY SEWER EASEMENT RECORDED AUGUST 10, 2005 AT RECORDER'S NUMBER 2005 062127, L.COR.
9. DECLARATION OF PRIVATE EASEMENTS AND MAINTENANCE AGREEMENT RECORDED DECEMBER 21, 2005 AT RECORDER'S NUMBER 2005-101302, L.COR. (A PORTION OF THE PRIVATE UTILITY EASEMENT CONTAINED IN THIS DOCUMENT HAS EXTINGUISHED. SEE DOCUMENT FOR PARTICULARS).
10. BARGAIN AND SALE DEED TO THE CITY OF SPRINGFIELD RECORDED SEPTEMBER 12, 2006 AT RECORDER'S NUMBER 2006-066523, L.COR.

NOTES

1. THE REFERENCE INFORMATION FOR THIS EASEMENT WAS GIVEN INCORRECTLY IN REFERENCE 1.
2. THE RIGHT-OF-WAY EASEMENT FOR A POWER POLE AND DOWN GUY RECORDED ON APRIL 3, 1960 AS RECEPTION NUMBER 19606 IS CONTAINED WITHIN THE NORTH "A" STREET DEDICATION.

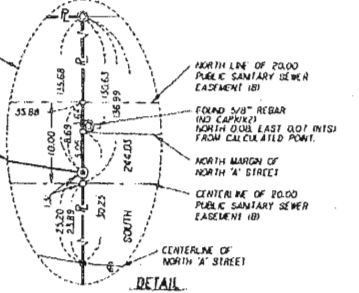
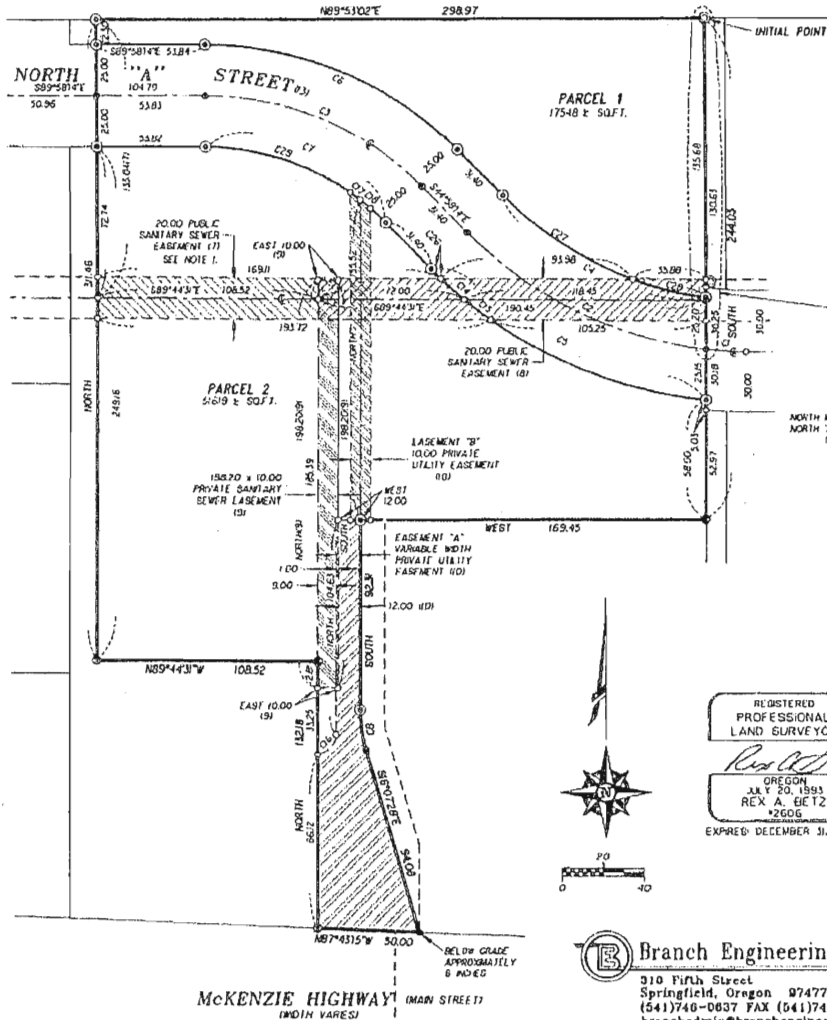
RECORDED

DATE 12 Feb '07
LANE COUNTY CLERK & RECORDER OF CONVEYANCES

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. 42257
FILING DATE 12 Feb '07

Division of Chief Deputy Clerk Lane County Deeds and Records
2007-009319
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\$81.00
\$80.00 \$10.00 \$11.00

PARTITION PLAT FOR
AMIGOS III, LLC
S.W. 1/4, SEC. 34, T.17S., R.2W., W.M.
SPRINGFIELD, LANE COUNTY, OREGON
FEBRUARY 5, 2007
SCALE: 1" = 40'



LEGEND

- ⊙ FOUND MONUMENT AS NOTED ON PAGE 1.
- ⊙ SET 5/8" x 30" REBAR WITH YELLOW PLASTIC CAP MARKED "BRANCH ENG INC."
- ⊙ SET P/NAL WITH BRASS WASHER MARKED "BRANCH ENG."
- ⊙ FOUND 5/8" x 30" REBAR WITH YPC MARKED "BRANCH ENG INC." AS SET IN REF 1.
- CALCULATED POINT - NOTHING FOUND NOR SLI.
- DENOTES IRON PIPE.
- TL DENOTES TAX LOT NUMBER.
- DLX DENOTES DONATION LAND CLAIM NUMBER.
- YPC DENOTES YELLOW PLASTIC CAP.
- PUE DENOTES PUBLIC UTILITY EASEMENT.
- CSF DENOTES COUNTY SURVEY FEE.
- IN/ST DENOTES NOI TO SCALE.
- L.COR DENOTES LANE COUNTY OFFICIAL RECORDS.
- L.COR/P DENOTES LANE COUNTY OREGON PLAT RECORDS.
- BR DENOTES MONUMENT USED TO ESTABLISH BASIS OF BEARINGS.
- || DENOTES DATA OF RECORD.

ALL DISTANCES SHOWN ARE IN FEET.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 20, 1995
REX A. BEIZ
#2606
EXPIRES DECEMBER 31, 2007



Branch Engineering, Inc.
310 Fifth Street
Springfield, Oregon 97477
(541)746-0637 FAX (541)746-0380
branchadm@branchengineering.com
Civil • Structures • Transportation • Surveying

CURVE	DELTA	RADIUS	ARC	LONG CHORD
C1	6°28'18"	173.0022	13.77	S86°28'57"E 19.76
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C7	45°00'00"	125.00	8.81	N67°28'14"W 95.67
C8	16°07'28"	78.00	20.26	S08°03'44"E 20.20
C14	3°54'14"	22318	15.21	S48°37'00"E 15.20
C15	4°15'46"	22318	16.60	S52°42'00"E 16.60
C16	8°45'39"	10.00	14.71	M42°07'49"E 13.42
C17	2°49'46"	125.00	6.17	N51°06'12"W 6.17
C18	2°56'25"	125.00	6.41	N51°30'6"W 6.41
C26	1°43'39"	22318	6.60	N45°49'03"W 6.60
C27	25°02'44"	17318	75.70	N57°29'36"W 75.10
C28	12°45'00"	17318	37.01	S76°08'28"E 36.96
C29	34°27'09"	125.00	35.16	N72°44'39"W 74.04

TAX MAP 17-02-34-32. TAX LOT 200 & PORTION OF TAX LOT 400 CITY OF SPRINGFIELD CASE NO. SUB 2006-00026

PROJECT NO. 05-20-4D
PAGE 2 OF 3

PLOTTER: HP DESIGNJET E50C
INK: HP 51640A
MYLAR: BULLFROG ENTERPRISES 4 MIL INK JET DOUBLE MATTE BF7804U

DWG. NO. 12005105-204D Tneenas partition\DRAWING\PLAT\105-204D PLAT.DWG 2/5/07 GPW

Attachment 4, Page 15 of 16

Original Submittal

EXHIBIT 10
2 OF 3

**PARTITION PLAT FOR
AMIGOS III, LLC**
S.W. 1/4, SEC. 34, T.17S., R.2W., W.M.
SPRINGFIELD, LANE COUNTY, OREGON
FEBRUARY 6, 2007

RECORDED

DATE 12 Feb '07

LANE COUNTY CLERK & RECORDER
OF CONVEYANCES

DEPUTY Whitling

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. 40287
FILING DATE 12 Feb 07 C

Division of Chief Deputy Clerk
Lane County Deeds and Records 2007-009319
\$61.00
02/12/2007 09:53:01 AM
RPR-PART Col=1 SIn=6 CASHIER 07
\$40.00 \$10.00 \$11.00

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PLAT AND MARK WITH PROPER MONUMENTS IN ACCORDANCE WITH OREGON REVISED STATUTES CHAPTER 92 AND LOCAL ORDINANCES THE PARTITION PLAT FOR AMIGOS III, LLC, CITY OF SPRINGFIELD CASE NO. SUB2006-00026, AS GIVEN TENTATIVE APPROVAL JUNE 29, 2006 BY THE CITY OF SPRINGFIELD. THE POINTS AND LINES SHOWN ON THIS PARTITION PLAT WERE ESTABLISHED AS FOLLOWS:

THE BOUNDARY OF THIS PARTITION IS ONE AND THE SAME AS THAT WHICH WAS SHOWN AS "TRACT 1 AFTER ADJUSTMENT" ON THE SURVEY MAP BY MYSELF, REX A. BETZ, THAT WAS FILED DECEMBER 21, 2005 AS CSF NUMBER 39592 (REF II). ALL MONUMENTS ALONG THE BOUNDARY OF THE LANDS PARTITIONED HEREON WERE FOUND IN THE LOCATIONS SHOWN IN SAID SURVEY. ALL PERMETER LINES WERE HELD AS ANNOTATED ON SAID SURVEY MAP. THE BEARING, NORTH 89° 53' 02" EAST, OF NORTH LINE OF THE LANDS AS PARTITIONED HEREON WAS HELD FOR THE BASIS OF BEARING AS SAID LINE AND BEARING ARE SHOWN ON AFORESAID SURVEY MAP. RECORD DATA TAKEN FROM ANOTHER SURVEY BY MYSELF THAT WAS FILED MARCH 27, 2006 AS CSF NUMBER 39137 (REF 3) WAS HELD FOR ESTABLISHING THE LOCATION OF 38TH STREET HEREON. THE FOUND REBAR WITH YELLOW PLASTIC CAP MARKED "SKINNER & ASSOC" AT THE INTERSECTION OF THE CENTERLINE OF NORTH "A" STREET WITH THE WEST PLAT BOUNDARY OF "BLUDA MESA" (REF 3) WAS ACCEPTED AS BEING SAID INTERSECTION AS SHOWN ON THE SURVEY MAP BY STEVEN E. WOODS THAT WAS FILED NOVEMBER 29, 1993 AS CSF NUMBER 31614. THE CENTERLINE OF SAID STREET AS IT RUNS EASTERLY FROM SAID POINT WAS ESTABLISHED BY HOLDING RECORD ANGLES AND DISTANCES AS TAKEN FROM SAID SURVEY BY WOODS. THE CENTERLINE OF SAID STREET AS IT RUNS WESTERLY FROM SAID INTERSECTION, THE NORTH AND SOUTH MARGINS OF SAID STREET AND THE INTERIOR PARCEL LINES ARE ESTABLISHED HEREIN AS PER THE APPROVED TENTATIVE MAP AT THE DIRECTION OF THE OWNER.

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT AMIGOS III, LLC, (I) DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE LAND AS HEREON DESCRIBED AND DOES CAUSE THE PROPERTY TO BE PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES AS HEREON SHOWN, (2) DOES HEREBY CREATE AND ACKNOWLEDGE THE ACCESS RESTRICTION FROM NORTH "A" STREET TO PARCEL 2 AS SHOWN HEREON, (3) DOES HEREBY ACKNOWLEDGE THAT LOCATION OF THE FUTURE DRIVEWAY FOR PARCEL 1 REQUIRES APPROVAL OF THE CITY OF SPRINGFIELD, (4) DOES HEREBY ACKNOWLEDGE THE ACCESS RESTRICTION FROM THE MCKENZIE HIGHWAY TO PARCEL 2 BY SEPARATE INSTRUMENT AS SHOWN HEREON, (5) DOES HEREBY ACKNOWLEDGE THE DEDICATION BY SEPARATE INSTRUMENT OF (A) NORTH "A" STREET, (B) THE 7.00-FOOT PUBLIC UTILITY EASEMENTS ADJACENT TO SAID NORTH "A" STREET, (C) THE PRIVATE JOINT-USE ACCESS EASEMENT THAT RUNS ACROSS PARCEL 2 AND (D) THE PRIVATE JOINT-USE STORM DRAINAGE EASEMENT THAT LIES WITHIN PARCEL 2, ALL AS SHOWN HEREON AND (6) DOES HEREBY ACKNOWLEDGE THE REMAINING EASEMENTS OF RECORD AS SHOWN HEREON.

AMIGOS III, LLC, AN OREGON LIMITED LIABILITY COMPANY

Ronald E. Thernes
RONALD E. THERNES, MEMBER

OWNER

AMIGOS III, LLC
4070 NORTH STREET
SPRINGFIELD, OR 97477

RESTRICTIONS

THIS PARTITION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED FEBRUARY 14, 2006 AT RECORDER'S NUMBER 2006-00026, IN LANE COUNTY OREGON OFFICIAL RECORDS.

CONCURRENCE

CONCURRENCE GRANTING PERMISSION FOR THE PARTITIONING AND PLATTING OF THE PROPERTY AS DESCRIBED HEREON WERE RECORDED 12 Feb, 2007, AT RECORDER'S NUMBER 2007-9320, 2007-9321, 2007-9322 AND 2007-9322 IN LANE COUNTY OREGON OFFICIAL RECORDS.

APPROVALS

CITY OF SPRINGFIELD:

Annita Pandy AIC Feb 9, 2007
CITY PLANNING DIRECTOR DATE

Annita Pandy AIC Feb 7, 2007
CITY SURVEYOR DATE

LANE COUNTY:

Ginette B. Spickard 2/12/07
COUNTY ASSESSOR DATE

ACKNOWLEDGMENT

STATE OF OREGON)
COUNTY OF LANE) SS

BE IT REMEMBERED THAT ON THIS 5th DAY OF February, 2007, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE WITHIN NAMED RONALD E. THERNES WHOSE IDENTITY WAS PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE ABOVE INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

Gail A. Waijanen
NOTARY SIGNATURE
GAIL A. WAIJANEN
PRINTED NAME OF NOTARY
NOTARY PUBLIC FOR OREGON
COMMISSION NO. 370001
MY COMMISSION EXPIRES: JULY 28, 2007
(PRINTED IN FULL MONTH DAY, YEAR)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Rex A. Betz
OREGON
JULY 20, 1993
REX A. BETZ
#2506
EXPIRES: DECEMBER 31, 2007

Branch Engineering, Inc.

310 Fifth Street
Springfield, Oregon 97477
(541)746-0637 FAX (541)746-0389
branchadmin@branchengineering.com
Civil • Structures • Transportation • Surveying

PROJECT NO. 05-204D

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SURVEYOR'S CERTIFICATE

I, REX A. BETZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, BEING DULY SWORN ON OATH, DO HEREBY CERTIFY (1) THAT THE INITIAL POINT AS SHOWN HEREON IS MARKED BY A2" IRON PIPE, WHICH INITIAL POINT OCCUPIES THE NORTHEAST CORNER OF THE LANDS PARTITIONED HEREON AND ALSO MARKS THE INITIAL POINT AND NORTHWEST CORNER OF "BLUDA MESA" AS PLATTED AND RECORDED JUNE 26, 2006 IN FILE 73 AT SLWE 385 IN THE PLAT RECORDS OF LANE COUNTY, STATE OF OREGON, AND (2) THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE FOLLOWING DESCRIBED PARTITION:

SITUATED IN THE CITY OF SPRINGFIELD IN THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 17 SOUTH, RANGE 2 WEST OF THE WELLMETTEE MERIDIAN AND DESCRIBED AS FOLLOWS:

BEING ALL OF THE LANDS THAT WERE CONVEYED TO AMIGOS III, LLC, AN OREGON LIMITED LIABILITY COMPANY, AS "TRACT 1 AFTER PROPERTY LINE ADJUSTMENT" IN EXHIBIT A' OF THAT CERTAIN PROPERTY LINE ADJUSTMENT DEED THAT WAS RECORDED DECEMBER 21, 2005 AT RECORDER'S NUMBER 2005-101301 IN THE OFFICIAL RECORDS OF LANE COUNTY, STATE OF OREGON, CONTAINING 85939 SQUARE FEET (1.97 ACRES) MORE OR LESS.

Attachment 4, Page 16 of 16

Original Submittal

EXHIBIT 10
3 OF 3

DATE RECEIVED
JAN 24 2007

TAX MAP 27-02-34-32, TAX LOT 200 & PORTION OF TAX LOT 400 CITY OF SPRINGFIELD CASE NO. SUB 2006-00026

PLOTTER: HP DESIGNJET 650C
INK: HP 91640A
MYLAR: BULLDOG ENTERPRISES 4 MIL INK JET DOUBLE MATTE BY 7804U

PRSR FIRST-CLASS MAIL
US POSTAGE PAID
Eugene, OR
PERMIT# 679

970 973 97301 L1-5

4147131002-161902

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DEPT OF
OCT 04 2013
LAND CONSERVATION
AND DEVELOPMENT

CITY OF SPRINGFIELD
DEVELOPMENT SERVICES DEPARTMENT
225 5th ST
SPRINGFIELD, OR 97477

Attention Plan Amendment Specialist
Dept of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540