

Staff Report
Planning Commission
Discretionary Use and Zone Change Request (Justice Center)

Hearing Date

March 21, 2006

Case Numbers

DRC2006-00013 (Discretionary Use Application)

ZON2006-00007 (Zone Change Request)

Applicant

Attn: Jerry Smith, Chief of Police

City of Springfield

344 A Street

Springfield, OR 97477

Request

The City Council selected a preferred site option for the Justice Center at their February 21, 2006 regular meeting. Consistent with Council's direction regarding the Justice Center site planning, the City of Springfield Police Department submitted a Discretionary Use application and concurrent Zone Change request to the Development Services Department on February 22, 2006. The applications were accepted as complete on February 28, 2006. A public hearing on the matters of the Discretionary Use and Zone Change request is to be opened at the March 21, 2006 Planning Commission meeting.

Site Information/Background

Zone Change Request:

The project site is located north of A Street between Pioneer Parkway East and 4th Street, and includes the existing parking lot south of the alley between B Street and C Street (a total of one and one-half city blocks). The City owns all 14 tax lots within the subject area, of which eight are currently zoned and designated Mixed Use Commercial/Nodal Development (MUC/NDO) and the remaining six are zoned Public Land and Open Space/Nodal Development (PLO/NDO). All tax lots are located within the Downtown Exception Area as defined by the Springfield Development Code (SDC). The eight MUC/NDO lots comprise an area of ±1.3 acres and require rezoning to PLO if a Justice Center is to be allowed at this site, because the proposed use is not listed in the MUC/NDO District. In accordance with the SDC, the Zone Change request is being processed as a Type III Zoning Map amendment.

Discretionary Use:

The Discretionary Use application is being processed as a site-specific Type III Discretionary review in accordance with provisions of the SDC. Council previously adopted amendments to the PLO District and the *Downtown Refinement Plan* allowing for a Justice Center to be considered as a Discretionary Use. The area subject to Discretionary Use consideration is a total of ±3.0 acres, including portions of 4th Street and B Street proposed for vacation. Application for

vacation of the affected streets will be made if the Discretionary Use for the Justice Center is approved. Application for vacation of streets will be subject to the condition that any proposed use of the affected public rights-of-way is allowable only if the rights-of-way are vacated.

Notification

Notification of the March 21st Planning Commission public hearing was sent to all property owners and residents within 300 feet of the Justice Center site. Notification was also published in the March 3, 2006 edition of *The Springfield News*.

Criteria of Approval

Discretionary Use:

Springfield Development Code (SDC) Article 10 contains the applicable review criteria for consideration of Discretionary Use requests. These criteria follow:

SDC 10.030 CRITERIA

A Discretionary Use may be approved only if the Planning Commission or Hearings Official finds that the proposal conforms with the Site Plan Review approval criteria specified in Section 31.060 of this Code, where applicable, and the following approval criteria:

- (1) *The proposed use conforms with the applicable:*
 - (a) *Provisions of the Metro Plan;*
 - (b) *Refinement plans;*
 - (c) *Plan District standards;*
 - (d) *Conceptual Development Plans; or*
 - (e) *Special use standards in this Code;*

- (2) *The site under consideration is suitable for the proposed use, considering:*
 - (a) *The location, size, design and operating characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable);*
 - (b) *Adequate and safe circulation exists for vehicular access to and from the proposed site, and on-site circulation and emergency response as well as pedestrian, bicycle and transit circulation;*
 - (c) *The natural and physical features of the site, including but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas and wooded areas shall be adequately considered in the project design; and*
 - (d) *Adequate public facilities and services are available, including but not limited to, utilities, streets, storm drainage facilities, sanitary sewer and other public infrastructure.*

- (3) *Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:*

- (a) *Application of other Code standards, for example buffering from less intensive uses, increased setbacks, etc.;*
- (b) *Site Plan Review conditions of approval, where applicable;*
- (c) *Other conditions of approval that may be required by the Approval Authority; and/or*
- (d) *A proposal by the applicant that meets or exceeds the cited Code standards and/or conditions of approval.*

Proposed Findings In Support of Discretionary Use Approval

Criterion (1): *The proposed use conforms with the applicable:*

- (a) *Provisions of the Metro Plan;*

Finding: The *Metro Plan* speaks in broad terms about development in the greater Eugene/Springfield urban area, and there are no policies specifically related to Justice Center or correction facility projects. However, the proposal is consistent with the *Metro Plan* objectives for siting public/government buildings and services in nodal development areas such that population and employment are concentrated in well-defined areas with good transit service and a mixture of compatible land uses (*Metro Plan* Chapter II-E(4)).

Finding: The *Metro Plan's* Public and Semi Public plan designation provides for the accommodation of major government facilities and office complexes. Springfield's Public Land and Open Space zoning district implements this plan designation in the City. The Justice Center, a large public facility, is proposed to be located within this plan designation and, therefore, is consistent with the *Metro Plan* Chapter II.

- (b) *Refinement plans;*

Finding: The proposal is consistent with provisions of the *Downtown Refinement Plan*, including recent amendments made to allow consideration of Justice Center proposals within the Plan area. The *Downtown Refinement Plan* - Land Use Element, General Policy #2 contains the following enabling policy in support of the proposed Justice Center development: "Civic and governmental uses serving the Springfield community shall be encouraged to locate in the downtown area. Within the downtown, governmental uses, including City Hall, the Justice Center and jail, the library, Willamalane and SUB offices, shall be encouraged to locate and expand along A Street."

- (c) *Plan District standards;*

Finding: The proposal is consistent with provisions of the Public Land and Open Space District (PLO), as Justice Centers are listed as a Discretionary Use in the district.

(d) *Conceptual Development Plans; or*

Finding: There are no conceptual development plans for the subject development area.

(e) *Special use standards in this Code;*

Finding: In accordance with SDC 23.100(a-b), the applicant would be required to address special use standards applicable to this proposal at the time of Site Plan Review application.

Criterion (2): *The site under consideration is suitable for the proposed use, considering:*

(a) *The location, size, design and operating characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable);*

Finding: The proposed Justice Center will be oriented to streets that already serve the downtown commercial area, and will occupy City-owned land already used for municipal police and court functions within Springfield. Conceptual site design has provided for separation from residential uses to the north, and the operational characteristics of the Justice Center will be compatible with existing office, commercial and institutional uses in the immediate vicinity.

(b) *Adequate and safe circulation exists for vehicular access to and from the proposed site, and on-site circulation and emergency response as well as pedestrian, bicycle and transit circulation;*

Finding: The proposed Justice Center will be served by the existing grid street system of downtown Springfield, including Pioneer Parkway East which is classified as a minor arterial. Sidewalks and on-street bicycle routes already exist to provide non-motorized access to the site. The site will be designed such that access points and on-site circulation patterns are safe, effective, and recognize the operational characteristics of the surrounding street system.

Finding: The secure parking lot located on the north side of the facility will provide a secure area for jail inmates in the event that the facility is evacuated providing for public safety in the event of an emergency response.

(c) *The natural and physical features of the site, including but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas and wooded areas shall be adequately considered in the project design;*

Finding: There are no existing natural and/or physical features that will be affected by the proposed Justice Center.

(d) *Adequate public facilities and services are available, including but not limited to, utilities, streets, storm drainage facilities, sanitary sewer and other public infrastructure.*

Finding: The Development Review Committee¹ held a meeting to review the proposed conceptual site plan, Discretionary Use, and Zone Change requests. Staff and Springfield Utility Board representatives have determined that sufficient capacity exists in the adjacent street and utility system to allow consideration of Discretionary Use and Zone Change requests. Specific details on utility servicing and other potential effects on public facilities would be finalized with a Site Plan Review application.

Criterion (3): *Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:*

- (a) *Application of other Code standards, for example buffering from less intensive uses, increased setbacks, etc.;*

Finding: The proposed Justice Center has been intentionally sited on the block between A Street and B Street to increase separation from existing residential uses on C Street. Site design strategies also will include building entrance orientation, landscaping, screening and other mechanisms to minimize the impact to nearby residential and institutional uses.

- (b) *Site Plan Review conditions of approval, where applicable;*

Finding: Conditions of approval may be applied to the Site Plan Review for the proposed Justice Center to address specific site development issues if the Discretionary Use and Zone Change requests are approved.

- (c) *Other conditions of approval that may be required by the Approval Authority;*

Finding: The use of public right-of-way is necessary to implement the site design, as proposed, and additional conditions may be part of the decision if deemed appropriate by the Approval Authority.

- (d) *A proposal by the applicant that meets or exceeds the cited Code standards and/or conditions of approval.*

Finding: The Justice Center proposal will meet or exceed all relevant Code standards required for approval of the Discretionary Use and Zone Change.

Conclusion: The staff has reviewed the application and supporting evidence submitted for the Justice Center Discretionary Use approval. The staff recommends support for the request as the proposal meets the stated criteria for Discretionary Use approval as listed above. In the event that new or contradictory representation that could lead to a different conclusion is introduced at the public hearing for the Discretionary Use request, staff will undertake additional analysis and prepare findings to address this testimony.

¹ The Development Review Committee consists of City staff from various departments including Public Works Engineering, Transportation, Planning, Building, and Fire and Life Safety, along with representatives from referral agencies such as Springfield Utility Board (Electric and Water), Oregon Department of Transportation, Lane Transit District, and Willamalane Park and Recreation District.

Zone Change Request:

Article 12 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 follow:

SDC 12.030 CRITERIA

- (3) *Zoning Map amendment criteria of approval:*
- (a) *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
 - (b) *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*
 - (c) *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

Proposed Findings In Support of Zone Change Approval

Criterion: *Zoning Map amendment criteria of approval:*

- (a) *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
Finding: The proposed zone change is consistent with the *Metro Plan* text and diagram which designate the subject area as Nodal Development/Mixed Use.
- (b) *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;*
Finding: The proposed zone change is consistent with provisions of the *Downtown Refinement Plan* text and diagram which enables Nodal Development in the subject area. Justice Centers are listed among the types of Civic and governmental activities that are encouraged to locate along A Street in accordance with Land Use Element – Policy #2 of the *Downtown Refinement Plan*.
- (c) *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*
Finding: The site proposed for development of the Justice Center is already serviced with a full range of public facilities and a fully developed transportation network.

Conclusion: The staff has reviewed the application and supporting evidence submitted by the applicant for the Justice Center Zone Change request. Based on the above-listed criteria, staff recommend support for the request as the proposal meets the stated criteria for Zone Change approval. In the event that new or contradictory representation that could lead to a different

conclusion is introduced at the public hearing for the Zone Change request, staff will undertake additional analysis and prepare findings to address this testimony.

Conditions of Approval

SDC Article 10 and Article 12 allow for the Approval Authority to attach conditions of approval to both the Discretionary Use and Zoning Map amendment requests to ensure that the applications fully meet the criteria of approval. The specific language from these code sections is listed below:

10.040 CONDITIONS OF APPROVAL

The Approval Authority may attach conditions as may be reasonably necessary in order to allow the Discretionary Use approval to be granted.

12.040 CONDITIONS OF APPROVAL

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

As proposed, the Discretionary Use application will require the vacation of B Street so that the right-of-way can be developed with a secure parking lot. A secure parking area is integral to the normal functions of the jail and police station, and also serves an important role as emergency evacuation space for jail detainees in accordance with standards of the National Fire Protection Association (NFPA) *101 Life Safety Code*.

The segment of 4th Street between A Street and B Street also will require vacation as it is part of the dedicated parking area for the complex. To allow this to occur, staff recommends that the following conditions of approval are endorsed by the Commission:

Staff Recommended Conditions of Approval:

1. Prior to Final Site Plan Review approval for development of the Justice Center, the B Street right-of-way between 4th Street and Pioneer Parkway East shall be vacated.
2. Prior to Final Site Plan Review approval for development of the Justice Center, the 4th Street right-of-way between A Street and B Street shall be vacated.

The Planning Commission may choose to apply additional conditions of approval as necessary to comply with the Discretionary Use and/or Zone Change criteria.

Additional Approvals

The subject applications are the first steps in a series of development applications for Planning Commission and Council consideration in order to allow development of a Justice Center at the proposed location. If the Planning Commission approves the Discretionary Use and Zoning Change requests, an application would be taken to Council for a Type II TransPlan amendment to remove the affected portion of B Street from the collector street network. Application also would be required to have the affected portions of B Street, 4th Street, and the alley between A

and B Streets vacated. If a TransPlan amendment application is submitted, the Planning Commission would be required to provide a recommendation to City Council on that matter and proposed street and alley vacations. A variance to the block length requirement also would be required upon vacation of B Street between Pioneer Parkway East and 4th Street, as the perimeter travel distance would exceed the parameters established by the SDC.