

Attachment 1 Type II Metro Plan Map Amendment & Zoning Map Amendment Staff Report and Findings



Hearing Date:
June 4th, 2007

Case Number:
ZON 2007-00012
LRP 2007-00013

Applicant

PeaceHealth Oregon Region
123 International Way
Springfield, OR 97477

Owner

Hyland Business Park, LLC (TL 400)
Attn: Shaun Hyland
1941 – A Laura Street
Springfield, OR 97477

Andrew Head (TL 402)
1616 Ardentale Ln.
Eugene, OR 97405

**Applicant's
Representative**

Philip Farrington, AICP
Director, Land use
Planning & Development
PeaceHealth Oregon
Region
123 International Way
Springfield, OR 97477

Date Submitted: March 16th, 2007

EXECUTIVE SUMMARY:

The applicant is seeking approval of a Metro Plan Amendment / Refinement Plan Amendment and a concurrent Zoning Map Amendment from Light Medium Industrial (LMI) to Community Commercial (CC). As described in the Springfield Development Code, a Refinement Plan Amendment automatically occurs on a site concurrently with a Metro Plan Amendment if no new Refinement Plan text is needed or proposed. The applicant is requesting these amendments in order to pursue a future Medical Office building on the subject site. The subject site is located within the East Main Refinement Plan area.

The subject site is located near 44th and Main Street (Highway 126). The site consists of two parcels, and is located on approximately 5.24 acres identified as Tax Lots 400 and 402 on Assessor's Map No. 17-02-32-00. The majority of the site is vacant (TL 400), with some small vacant buildings on site. The smaller of the two subject lots, TL 402, has an existing commercial development on-site. Properties located to the north are zoned and designated heavy industrial. Parcels located west of the subject site are designated mixed-use on the East Main Refinement Plan. Property located east of the subject site is designated LMI. Properties located south of the subject site, across Main Street, are zoned and designated Community Commercial.

As mentioned in findings in this report, Staff supports the proposed Metro Plan / Refinement Plan and Zoning Map Amendment. As noted in the City of Springfield's 2000

Commercial Lands Study, there is a shortfall of commercial lands within city limits. The 1992 Industrial Land Inventory and the City's adopted Goal 5 analysis support the fact that there is a surplus of industrial land in the Metro area. The Metro Plan allows amendments such as that which is proposed to allow City's to modify land use patterns as demand and the community's vision change over time. The proposed Metro Plan Amendment is a Type II Amendment, meaning it is site specific and is located within the city limits.

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

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

REQUEST:

The applicant is requesting approval to change the map designation on the Metropolitan Area General Plan ("Metro Plan") diagram from Light Medium Industrial (LMI) to Commercial for approximately 5.24 acres located near Main Street and 44th Street. A Metro Plan Amendment at this time (not during Periodic Review) is known as a Post Acknowledgement Plan Amendments (PAPA). This same acreage on the site is being proposed for a concurrent amendment to the Springfield zoning map from LMI to Community Commercial (CC), as allowed in Springfield Development Code (SDC) 12.020 (1)(a)1.

Pursuant to SDC 7.110 (4), approval of the requested Metro Plan diagram amendment automatically amends the refinement plan diagram and is processed concurrently. Findings of fact addressing the criteria of approval in SDC 7.070(3) are included in the applicant's narrative statement and in this report.

SITE DESCRIPTION:

The subject site is located on approximately 5.24 acres identified as Tax Lots 400 and 402 on Assessor's Map No. 17-02-32-00.

The subject properties include a vacant, flat parcel (Tax Lot 400) and existing commercial development (Tax Lot 402) east of 44th Street along Main Street in east Springfield. The site is bordered on the south by Main Street, on the east by the Hyland Business Park, on the north by an open area south of the Weyerhaeuser mill site (Tax Lot 400) or an existing commercially zoned parcel (Tax Lot 402), and on the west by other small-scale commercial enterprises (e.g., a cabinet shop and karate school) fronting Main Street and residential homes along 44th Street west of Tax Lot 400.

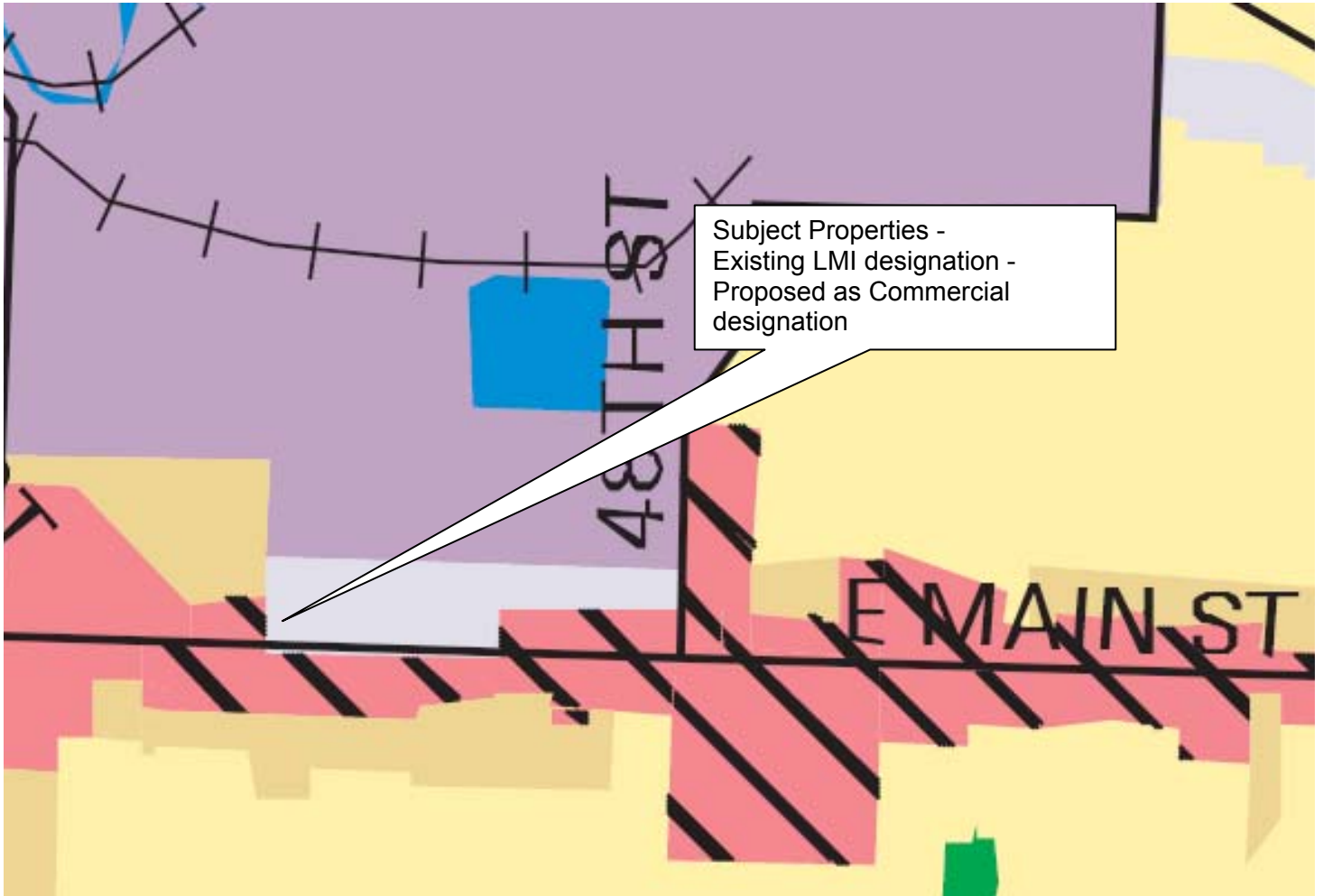
Commercial enterprises are located immediately south of the site across Main Street (e.g., Gray's Garden Center).

While historically involved in agricultural uses, since around 1990 Tax Lot 400 was used as a storage and sales yard for landscape organics and forest by-products. The current property owners also used the site to store modular construction offices, tool trailers, construction equipment and concrete form plywood. Tax Lot 402 has had various commercial services on site since the 1950s.

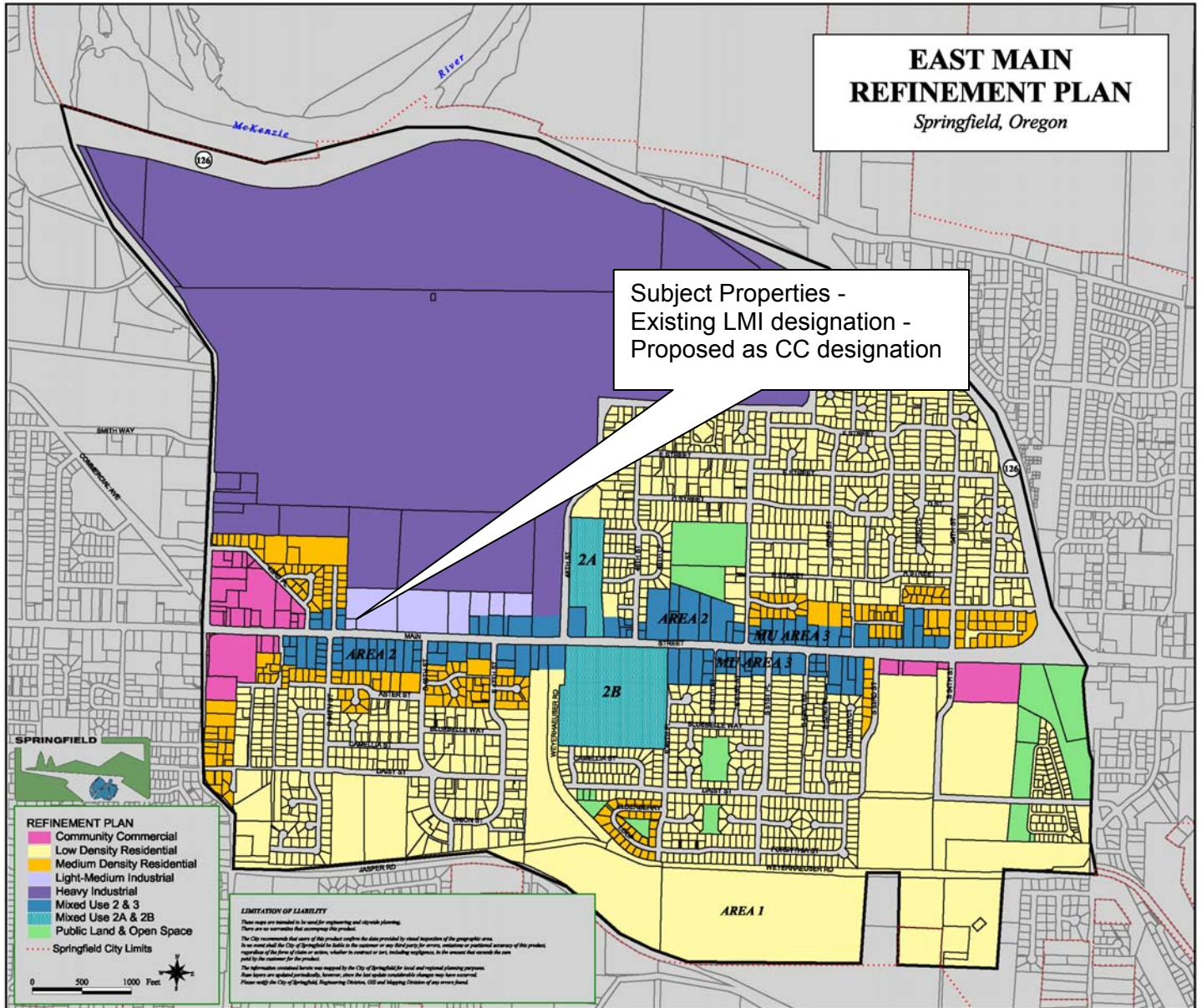
The properties have no jurisdictional wetlands or inventoried Goal 5 natural or historic resources. The site is within the Springfield Urban Growth Boundary, and both parcels were annexed into the City of Springfield in 1960. The East Main Refinement Plan (EMRP) diagram (adopted in 1988) currently designates the subject property for industrial uses.

The abutting property to the east is designated Light/Medium Industrial in the EMRP diagram and zoned LMI. The areas immediately to the west and south of the site fronting Main Street are identified as being within Mixed-Use Area #2 in the EMRP, and are all zoned Community Commercial. Property to the west of Tax Lot 400 along 44th Street is zoned and designated Medium Density Residential.

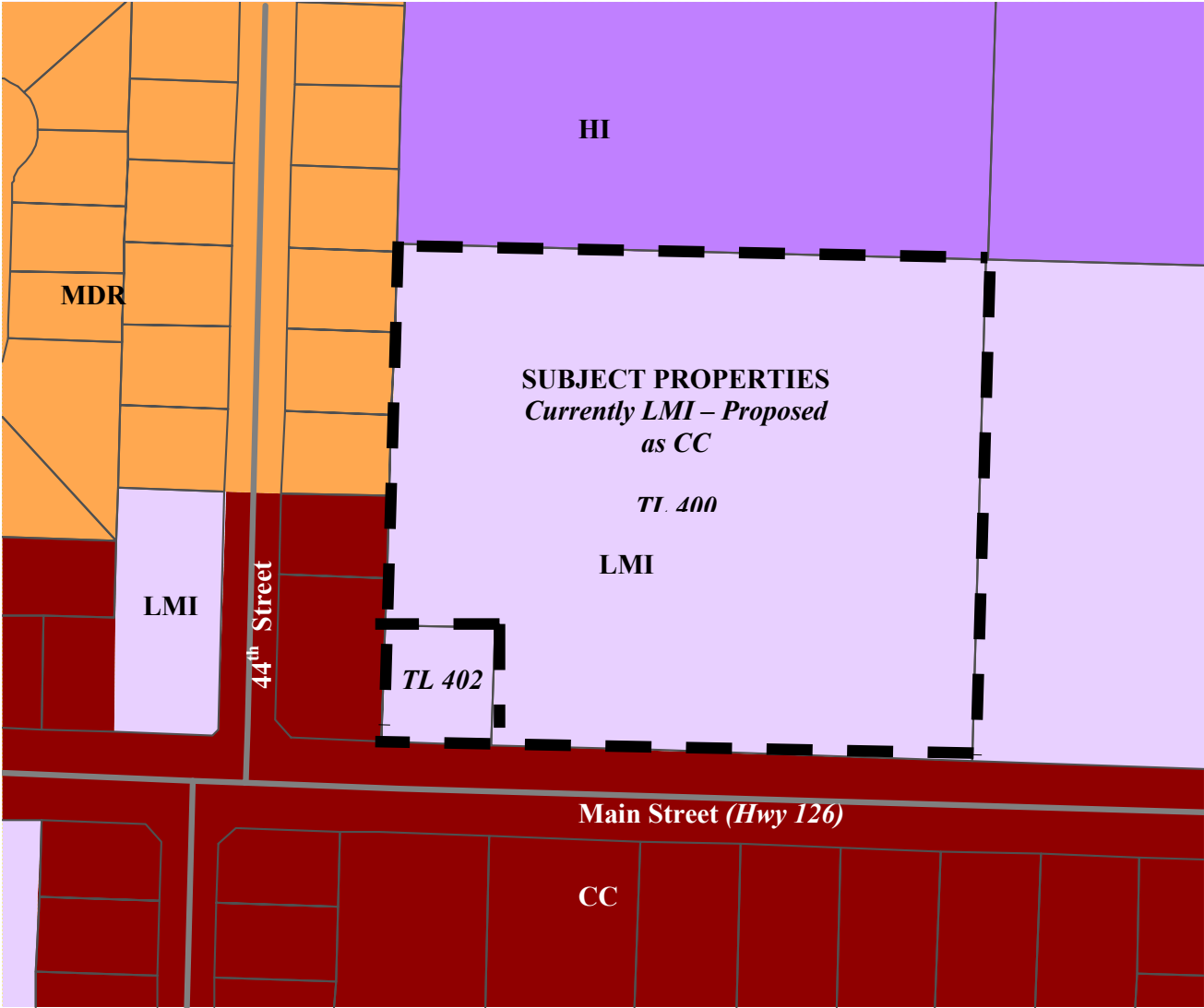
Existing & Proposed Metro Plan Designation:



Existing & Proposed Refinement Plan Designation:



Existing & Proposed Zoning:



EXISTING ZONING

- LMI = Light Medium Industrial**
- CC= Community Commercial**
- MDR = Medium Density Residential**
- HI = Heavy Industrial**



Existing Site Conditions:



Existing commercial uses on TL 402



Existing empty structures on TL 400



Existing modular units located on TL 400



Existing business park on property located east of TL 400

REVIEW PROCESS:

The proposed Metro Plan Amendment is a Type II Amendment because it is located inside the city limits and is site specific. The applicant has requested that application ZON2007-00012 (Zoning Map Amendment) be raised to a Type IV review procedure and be reviewed concurrently with the Type II Metro Plan / Refinement Plan Amendment Application LRP2007-00013. These two applications use similar criteria of approval and have been combined into one staff report for ease of review. Both applications have criteria requiring consistency with the Metro Plan and other similar criteria. Rather than repeat these criteria for each application, they will be addressed only once and then referenced where appropriate. Criteria that are different will be addressed separately; the end result will be that all applicable criteria will have been addressed.

This application was submitted to the Development Services Department on March 16th, 2007, and deemed as complete on April 11th, 2007. Notice for both applications was mailed to Department of Land Conservation and Development (DLCD) on April 16th, 2007. Notice of the public hearing date was mailed out on Thursday, April 19, 2007 to property owners within 300 feet of the proposed zone change per Section 14.030 (1) (a)-(n) of the SDC. Public notice of the hearing was published in the local newspaper (*Register Guard*) on May 17th, 2007, as required in Section 14.030 (2) of the SDC. No written comments were submitted at the time of issuing this report.

METRO PLAN DESIGNATION:

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

METRO PLAN DIAGRAM AMENDMENT CRITERIA OF APPROVAL – SDC 7.070(3)(a)-(b)

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

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

CRITERIA OF APPROVAL - SDC 7.070 (3)(a)

APPLICANT'S NARRATIVE:

Consistency with Statewide Planning Goals:

The following findings address compliance with Metro Plan criteria in SDC 7.070 (3)(a). Approval of a Metro Plan diagram amendment also correspondingly changes the applicable refinement plan diagram, as established in SDC 7.110 (4).

APPLICANT'S NARRATIVE RELATED TO GOAL 1:

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

Goal 1 addresses the need to develop a citizen involvement program to ensure citizen involvement in all phases of the land use planning process. The Planning Commission and the City Council will hold public hearings and accept testimony on the proposal. Through the procedures established by the city, citizens will receive notice of hearings in generally published local papers and have the opportunity to be heard regarding the proposed diagram amendment and zone change. Notice of the public hearings will also be given in accordance with SDC requirements to nearby property owners, interested parties requesting notice, and any established neighborhood organization. Since the amendments comply with the City's citizen involvement program and citizens have opportunities to be involved in the procedure, the proposed amendments are consistent with Goal 1.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 1:

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

As previously mentioned in this report, notice for both applications was mailed to Department of Land Conservation and Development (DLCD) on April 16th, 2007. Notice of the public hearing date was mailed out on Friday, May 11th, 2007 to property owners within 300 feet of the proposed zone change per Section 14.030 (1) (a)-(n) of the SDC. Public notice of the hearing was published in the local newspaper (*Register Guard*) on May 17th, 2007, as required in Section 14.030 (2) of the SDC.

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

APPLICANT'S NARRATIVE RELATED TO GOAL 2:

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

Goal 2 requires that local comprehensive plans be consistent with the Goals, that local comprehensive plans be internally consistent, and that implementing ordinances be consistent with acknowledged comprehensive plans. Goal 2 also requires that land use decisions be coordinated with affected jurisdictions and that they be supported by an adequate factual base. As required in SDC 7.050, the City is required to give referral notice of the proposed Type II Metro Plan diagram amendment to the City of Eugene and Lane County so they may determine if there are grounds to participate as parties to the hearing. The City also sends the statutorily required notice of the initial public hearing 45 days in advance to the state Department of Land Conservation and Development, ensuring that they are given opportunity for comment and review conformity to applicable statewide planning goals.

The Metro Plan and the SDC, as well as the Statewide Planning Goals and applicable statutes, provide policies and criteria for the evaluation of comprehensive plan amendments. Compliance with these measures assures an adequate factual base for approval of the proposed Metro Plan diagram amendment. As discussed elsewhere in this document, the amendments are consistent with the Metro Plan and the Goals. Consequently, by demonstrating such compliance, the amendments satisfy the consistency element of Goal 2.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 2:

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

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

APPLICANT'S NARRATIVE RELATED TO GOAL 3:

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

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

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 3:

Finding 3: The subject property is located within the city limits on land planned and zoned for urban use. The City does not have any agricultural zoning districts, either within its city limits or within the urban growth boundary.

Finding 4: Goal 3 does not apply to these applications because the subject property is within Springfield's city limits.

APPLICANT'S NARRATIVE RELATED TO GOAL 4:

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

Goal 4 does not apply within urban growth boundaries, per OAR 660-06-0020, and the areas affected by the Plan amendments are inside Springfield's acknowledged UGB.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 4:

Finding 5: The subject property is located within an acknowledged urban growth boundary. Goal 4 does not apply within urban growth boundaries. Staff concur with the applicant's written statement related to Goal 4.

APPLICANT'S NARRATIVE RELATED TO GOAL 5:

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

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

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

The subject properties are not on Springfield's acknowledged Metro Plan Goal 5 inventory. No threatened or endangered species have been inventoried on the site, and no archeological or significant historical inventoried resources are located on the site. The National Wetland Inventory and Springfield Local Wetland Inventory maps have been consulted and there are no jurisdictional wetlands located on the site. Therefore, the proposed amendment does not alter the City's compliance with Goal 5.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 5:

Finding 6: Goal 5 does not apply to these applications because there are no inventoried resources on the subject property. Oregon Administrative Rule 660-023-0250 establishes the applicability of Goal 5 rules to Post Acknowledgement Plan Amendments (PAPA), the requested Refinement Plan Amendment and Zoning Map Amendment do not affect the Metro Plan's adopted Goal 5 inventory. Staff concurs with the applicant's narrative related to Goal 5 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 6:

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

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

Though Tax Lot 400 has been used for low-value storage and quasi-industrial uses, the site is not listed on any state or local environmental clean-up list. A Phase 1 environmental assessment on the subject property was conducted and recommended additional analysis. Upon recommendations through the Phase 2 environmental assessment a nominal quantity of soil (less than 10 cy) impacted by earlier/historic use was removed from the site and properly disposed. Given the nominal impact generated by historic uses on the site, it is reasonable to conclude that future development on the site will be able to demonstrate compliance with City standards for water quality protection

through the site plan review process, thereby complying with applicable state and federal environmental quality standards.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 6:

Finding 7: The proposed Metro Plan / Refinement Plan Amendment or Zoning Map Amendment does not modify any of the Goal 6 related policies of the Metro Plan, nor do they amend the Regional Transportation Plan, the Springfield Development Code, other applicable Goal 6 policies, or any regulations implementing those policies.

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

APPLICANT'S NARRATIVE RELATED TO GOAL 7:

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

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

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 7:

Finding 8: Staff has reviewed the natural constraints map and the FEMA Floodplain Map in relation to the subject property. As noted by the applicant, the subject site is not included in the City's inventory of known areas of natural hazards. Staff concurs with the applicant's narrative related to Goal 7 compliance.

The site is flat and not subject to landslide hazards, and is located well outside of any established FEMA flood hazard area. Therefore, approval of the proposed Plan amendment and Zoning Map Amendment will not alter the City's acknowledged compliance with Goal 7 through its adopted plans, codes and procedures.

APPLICANT'S NARRATIVE RELATED TO GOAL 8:

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

Goal 8 requires local governments to plan and provide for the siting of necessary recreational facilities to "satisfy the recreational needs of the citizens of the state and visitors," and where appropriate, provide for the siting of recreational facilities including destination resorts. The subject site is not included in an inventory of recreational sites, and the proposed amendments will not have an impact on the community's recreational facilities or needs; therefore, the proposal does not implicate Goal 8.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 8:

Finding 9: Staff has consulted the *Willamalane 20-year Parks and Recreation Comprehensive Plan* in relation to Goal 8 compliance. The *Willamalane 20-year Parks and Recreation Comprehensive Plan* was adopted by the City of Springfield as part of the Metro Plan's compliance with Goal 8. None of the various studies, inventories, and facilities plans regarding recreational facilities in the adopted *Willamalane 20-year Parks and Recreation Comprehensive Plan* have designated the subject site for parks and open space in an adopted inventory, declared it a significant resource, or slated it for acquisition. Staff concurs with the applicant's narrative related to Goal 8 compliance.

APPLICANT'S NARRATIVE RELATED TO GOAL 9:

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

Goal 9 requires the city to provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of the citizens. The proposed amendment to the Metro Plan diagram will increase the city's capacity for economic development by adding 5 acres of CC in place of the existing industrial designation. Permitting the construction of future clinic facilities and allowing long-standing commercial uses on Tax Lot 402 to become conforming uses consistent with commercial zoning is consistent with numerous policies in the City's adopted plan for compliance with Goal 9, the Springfield Commercial Lands Study (SCLS).

Specifically, the following SCLS policies are applicable to the proposal:

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

The proposal fulfills this policy objective by redesignating and – through accompanying zone change - rezoning land from industrial to commercial, for two tax lots of varying sizes and commercial uses, thereby maintaining existing employment and commercial use in Tax Lot 402 and providing the ability for growth in medical sector employment by allowing future clinic uses on Tax Lot 400.

Policy 1-C: "Maintain at least a five-year supply of commercial land within the Urban Growth Boundary (UGB) that is currently served or readily serviceable with a full range of urban public facilities and services."

The SCLS (see Table 3-8, pg. 32) found there to be a deficit of 158 acres in the supply of commercial land over demand projected through the year 2015. The proposal would allow for redesignation, and rezoning, of five acres thereby reducing the deficit of commercial land. The subject site has a full range of urban public facilities and services available to support existing commercial development on Tax Lot 402, and future development on Tax Lot 400. The SCLS identifies (pg. 33) a need to support "employment in population-dependent sectors such as retail sales and health services" to meet Springfield's growing community. The SCLS also noted (pp. 27-29) state and local trends in greater employment in retail trade and well-paying health services sectors. Approving the proposed redesignation and zone change would help meet Springfield's demonstrated need for employment and commercial services.

Finding 3 in the SCLS (pg. 36) cited the acknowledged 1992 Industrial Land Study as demonstrating that “a surplus of industrial sites exists in the Metro Area.” Therefore, the proposed redesignation (and corresponding rezoning) would not result in a deficit of needed industrially designated and zoned land, but it would help reduce the commercial lands deficit identified in the SCLS. Therefore, approving the proposal would be consistent with SCLS Implementation Strategy 3-A (1): “Evaluate inventories based on demonstrated need for the planning period. Initiate rezoning or redesignation of surplus land uses where more appropriate for commercial, consistent with the *Metro Plan*.”

The proposal in fact consistent with inventories for commercial and industrial lands adopted by the City Council and acknowledged by DLCD as being consistent with Goal 9. Oregon Administrative Rules concerning Goal 9 implementation (OAR 660-009-0010(4)) call for amendments to land use designations “in excess of two acres within an existing urban growth boundary from an industrial land use designation to a non-industrial use designation” to have to address applicable planning requirements – such as consistency with the Metro Plan and other local plan policies (i.e., SCLS) or be consistent with an economic opportunities analysis. The City can find that the proposal complies with relevant local plan policies by converting one form or employment-generating land use to another, without negatively impacting the supply of buildable lands for either category of uses. The proposal enables continued use of the existing and long-standing commercial center to continue to operate and provide employment opportunities, while also allowing higher-value employment associated with future development on Tax Lot 400. These types of employment-generating uses are among those identified in OAR 660-009-0005(6) as eligible non-industrial employment activities that can justify approval of the proposed Plan diagram amendment without the need for an economic opportunities analysis apart from the SCLS, which DLCD acknowledged as fulfilling the City’s obligations under Goal 9.

Because the requested redesignation and concurrent zone change implements SCLS policies and does not result in a deficiency of needed industrial lands, and is otherwise demonstrated to be consistent with relevant Metro Plan policies, approval of the request is consistent with the City’s compliance with Goal 9 and applicable administrative rules regarding Goal 9 implementation.

Additional Goal 9 information submitted by applicant on March 28th, 2007:

The Metropolitan Industrial Lands Study (July 1993) was adopted by the local jurisdictions and acknowledged by LCDC as being consistent with statewide planning goals and the Metro Plan, specifically fulfilling the Eugene-Springfield area’s obligations under Goal 9 (Economic Development). The Metropolitan Industrial Lands Inventory Report associated with the MILS identified “about 1,688 constraint-free industrial acres....This supply exceeds the projected demand over the next twenty years, which is between 650 to 1,172 acres.” (pg. 73) The Inventory Report also stated: “The 1,688 constraint-free acres may be the best suited to meet short-term industrial demand. This portion of the supply also exceeds the twenty year demand projection.”

The City performed subsequent analysis of industrial land supply as part of periodic review requirements to demonstrate compliance with statewide planning Goal 5 (Natural Resources). As shown in Attachment A, that analysis indicated that even removing the possible industrial acreage affected by Goal 5 protection measures (about 100 acres debited from the Eugene and Springfield inventories) would leave a surplus of industrial lands of between 1,600 and 2,122 acres metro-wide.

Staff’s Goal 5 work also calculated the changes in industrial land supplies since 1991 as a consequence of Metro Plan diagram changes (see Attachment B). This analysis demonstrated a reduction in less than 90 acres of industrial land over the past 15 years,

suggesting that there is still an ample supply of available industrial lands to meet existing and future development needs.

This analysis may also not reflect other changes within industrially designated land categories that would further off-set the proposed change to the site's LMI Plan designation and zoning. For example, 11.5 acres was added to the inventory of LMI zoned and designated land due to City Council approval in April 1997 for land east of the 28th/31st Street connector and north of Marcola Road (Ordinance No. 5851). Insofar as the City and metropolitan area continue to enjoy a surplus of needed Industrial land, and specifically Heavy Industrial zoned and designated land, the above-referenced change added more than enough acreage to the inventory of LMI designated and zoned land to off-set the proposal to remove only about 5 acres from the LMI inventory.

We therefore respectfully submit that the proposed Metro Plan diagram amendment and zone change will not materially affect the inventory of needed Industrial land and will not alter the City's continued compliance with Goal 9.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 9:

Finding 10: The City of Springfield has two adopted inventories which support the proposed Metro Plan Amendment / Refinement Plan Amendment and concurrent zone change request – the 1992 Industrial Land Study and the 2000 Commercial Land Study. The applicant references both of these adopted inventories and sites specific policies which support the proposal. As noted by the applicant, Finding 3 in the Springfield Commercial Land Study (SCLS) cited the acknowledged 1992 Industrial Land Study as demonstrating that “a surplus of industrial sites exists in the Metro Area.” The applicant also references Strategy 3-A(1) of the SCLS which states: “Evaluated inventories based on demonstrated need for the planning period. Initiate rezoning or redesignation of surplus land uses where more appropriate for commercial, consistent with the *Metro Plan*.” Staff finds that these referenced policies and adopted strategies support the applicant's proposal.

In addition to referencing the SCLS and the 1992 Industrial Land Study, the applicant also references the adopted Goal 5 inventory work, which provides a more up-to-date analysis of industrial lands in the Metro area. As noted in the City of Springfield Goal 5 analysis, even with a reduction of inventoried industrial land affected by Goal 5, there is still a surplus of between 1,600 and 2,122 acres metro-wide.

As noted by the applicant, Oregon Administrative Rules concerning Goal 9 implementation (OAR 660-009-0010) call for amendments to land use designations “in excess of two acres within an existing urban growth boundary from an industrial land use designation to a non-industrial use designation” to have to address applicable planning requirements – such as consistency with the Metro Plan and other local plan policies (i.e. SCLS) or new consistent with an economic opportunities analysis (EOA). OAR 660-009-0010 states that a reviewing authority can find that the proposal complies with relevant local plan policies by converting one form or employment-generating land use to another, without negatively impacting the supply of buildable lands for either category of uses. As noted by the applicant, there are existing commercial uses located on TL 400 which are part of the subject property. Additionally, the applicant is seeking to develop future commercial uses on the property which will maintain the property for employment-generating activity.

Given the information provided in the adopted commercial and industrial lands inventories (a shortfall of commercial and an inventoried excess of Industrial land) compared with the size of the proposed Plan Amendment and Zone Change, staff find that the proposal is consistent with Goal 9 requirements. Staff finds that the proposal does not represent a “significant change” to the adopted EOA.

APPLICANT’S NARRATIVE RELATED TO GOAL 10:

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

LCDC’s Housing goal requires cities to maintain adequate supplies of buildable lands for needed housing, based on an acknowledged inventory of buildable lands. The proposal does not affect the City’s inventory of residential lands.

In fact, approval of the requested redesignation for Tax Lot 400 would enable redevelopment of an industrial site abutting existing residential development. Through the site plan review process, future development on that property will provide a superior buffer and a higher use that will benefit the adjoining residential properties. Because the proposal involves redesignation from industrial to commercial land uses, it does not affect Springfield’s continued compliance with Goal 10.

STAFF’S FINDINGS RELATED TO COMPLIANCE WITH GOAL 10:

Finding 11: The proposed Metro Plan / Refinement Plan Amendment and Zoning Map Amendment does not affect the Metro Plan’s residential buildable lands inventory because no residentially designated properties are involved in this proposal.

The City of Springfield is currently working with a consulting company on a residential land inventory and land supply analysis. When complete, this study will update the City’s inventory and provide a clear picture of residential land supply.

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

APPLICANT’S NARRATIVE RELATED TO GOAL 11:

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

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

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

This goal requires the provision of a timely, orderly and efficient arrangement of public facilities and services. The subject property is located within the Springfield UGB and city limits, and is already designated for urban levels of use. The proposed amendment to the Plan map designations from LMI to CC will not affect the ability to provide needed services since all the required urban services are available to support existing or future commercial uses on the subject site.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 11:

Finding 12: As noted by the applicant, the Metro Plan and associated facility plans have been acknowledged to conform to Goal 11 ensuring that public facilities and services are currently available to the subject site. The proposed Metro Plan / Refinement Plan Amendment and Zoning Map amendment is on "infill" property, which currently has city services available to the site. The proposal does not affect the Metro Plan's compliance with Goal 11.

Finding 13: The subject Metro Plan / Refinement Plan Amendment and Zoning Map Amendment applications have been reviewed by Public Works and Planning Staff to assure that there are adequate public services to serve the site. These applications comply with Goal 11 because there are urban level public services available to the subject property.

APPLICANT'S NARRATIVE RELATED TO GOAL 12:

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

Goal 12 requires local governments to provide and encourage a safe, convenient and economical transportation system. The proposed map amendments involve approximately 5.24 acres of property, though existing and long-standing commercial uses occur on Tax Lot 402 such that approval of the proposal will not result in any changes to the type or intensity of uses on the site, and will not increase the trip generation for that parcel. As the attached Traffic Impact Analysis (TIA) demonstrates, future development of medical office facilities on TL 400 will not degrade mobility standards below acceptable levels and allow for adequate queuing lengths at applicable intersections. Therefore, the proposal will not have a "significant effect" on transportation facilities as defined in the Transportation Planning Rule (OAR 660-012-060).

Existing development at Tax Lot 402 is not affected by the proposal, and is assumed to retain its current access points off Main Street. It is further assumed that future development on Tax Lot 400 will result in some access changes as will be reviewed through the site plan review process, thereby consolidating two existing curb cuts located on Tax Lot 400 into a single access point located approximately in the center of the parcel. The TIA demonstrates that these access points will not result in any degradation of mobility standards below acceptable levels, and that safe and efficient circulation can be realized through approval of the requested land use redesignation (and companion zone change).

Furthermore, reducing the number of access points for future development on Tax Lot 400 is consistent with policy objectives found in East Main Refinement Plan (EMRP) Access, Circulation & Parking Element policy 1B (pg. 17) and Commercial Element policy 3 (pg. 12).

Because the proposal, as demonstrated in the TIA, is consistent with the requirements of the TPR and with applicable policies in the EMRP, it is consistent with Goal 12 and applicable local implementing policies.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 12:

Finding 14: The proposed Metro Plan Amendment is from LMI to Commercial, and Refinement Plan Amendment / Zoning Map Amendment is from LMI to CC. The applicant indicates in the submitted narrative that approval of the proposal will not result

in any changes to the type or intensity of uses on the site, and will not increase the trip generation for that parcel. Staff does not concur with this statement in reviewing all of the *potential* CC uses on the site. Staff does concur, however, with the applicant's statement if the future medical office use is in fact developed on the site, and not other potential "reasonable worst case" CC uses.

Pages 18-19 of the applicant's TIA list Peak Hour Trip Generation for both the existing zone (LMI) and the proposed zone (CC). The applicant's TIA listed Peak Hour Trip Generation for Medical Office Building. While this is a permitted use in the CC zone and is the primary use that the applicant is seeking to use the property for, it is not the "reasonable worst case" scenario for traffic generation given other allowable uses in the CC zone. During Staff's review of the proposal, staff researched potential vehicle trips per day for potential uses in the CC zone. There are some other potential uses in the CC zone which are much more intensive uses than Medical Office. In considering what a "reasonable worst case" development scenario might be for the re-zoned condition it is clear that a 30,000 square foot Medical Office Building is much less intense than other uses that would be permitted in the CC zone. On a per-square-foot basis the Medical Office is estimated to generate 2.47 vehicle tips/1,000 SF and 3.43 vehicle tips/1,000 SF during the AM and PM peak hours respectively. For comparison the average rates for a "Fast-Food Restaurant with Drive-Through Window" are 53.11 vehicle tips/1,000 SF and 34.64 vehicle tips/1,000 SF. These calculations are taken from the Institute for Traffic Engineers (ITE) Manual.

As shown on Table 6 of the TIA, a reasonable worst case traffic generation scenario for the existing zoning (LMI) is 243 trips. The proposed use of Medical Office Building is shown in Table 7 as 177 trips. While the Medical Office use trip generation is less than the reasonable worst case scenario for the existing zoning, it does not take into account other more intensive commercial uses (i.e. drive thru restaurants, banks, etc.). Planning Staff met multiple times with City Traffic Engineering Staff and ODOT Staff to review the submitted TIA. ODOT's review of the submitted TIA indicated that there were multiple issues that were not adequately addressed in the submitted TIA to justify compliance with Goal 12 (see attached memo from ODOT). Based upon the information provided in the submitted TIA, all reviewing parties (i.e. City Planning Staff, City Traffic Engineering Staff, and ODOT Staff) agreed on a recommended condition of approval (see attached emails from ODOT and City Traffic Engineering Staff). In order to preserve the existing and future road system, staff recommends that a trip cap be required as a condition of approval not to exceed the reasonable worst case scenario for the existing zoning (243 trips). Because these numbers of trips are already allowed with the existing zoning, the application complies with Goal 12.

Recommended Condition of Approval:

1. Trip generation from development on the subject property shall be limited to a maximum of 243 PM Peak-hour vehicle trips, which is based on a "reasonable worst case development scenario" under the existing zoning (LMI) as submitted by the applicant in the Traffic Impact Analysis for the subject property.

APPLICANT'S NARRATIVE RELATED TO GOAL 13:

Goal 13 - Energy Conservation: To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

The Energy goal is a general planning goal and provides limited guidance for site-specific map amendments. The proposed amendment has no direct impact on energy conservation, though it would in fact will promote greater energy efficiency by enabling needed clinical services available to growing residential areas in east Springfield. Therefore, the proposed amendment is consistent with, and does not alter the City's continued compliance with Goal 13.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 13:

Finding 15: The proposed Metro Plan / Refinement Plan Amendment and Zoning Map Amendment do not affect the Metro Plan's compliance with Goal 13. The applicant is not proposing to amend any regulation pursuant to Goal 13 compliance of the Metro Plan.

APPLICANT'S NARRATIVE RELATED TO GOAL 14:

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

Goal 14 requires local jurisdictions to provide for an "orderly and efficient transition from rural to urban land use." The subject property is within the UGB and the city limits of Springfield, and within an existing urbanized area of the community. Therefore, Goal 14 is not applicable to this application.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 14:

Finding 16: As noted by the applicant, all of the parcels affected by this application are currently within the Urban Growth Boundary and were annexed into the City of Springfield. All annexations are reviewed for compliance with the Metro Plan and the Springfield Development Code. As previously mentioned, urban facilities are available to the subject site. The proposed Refinement Plan and Zoning Map Amendment are in compliance with Goal 13.

APPLICANT'S NARRATIVE RELATED TO GOAL 15:

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

This goal is inapplicable because the subject property is not within the boundaries of the Willamette River Greenway.

STAFF'S FINDINGS RELATED TO COMPLIANCE WITH GOAL 15:

Finding 17: As noted by the applicant, the subject property is not located within the Willamette River Greenway. Goal 15 does not apply to the subject Refinement Plan and Zoning Map Amendment applications.

APPLICANT'S NARRATIVE RELATED TO GOALS 16-19:

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

The coastal goals are not applicable to this application.

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

Finding 18: As noted by the applicant, the subject site is not located within any coastal, ocean, estuarine, or beach and dune resources related area. Goals 16-19 do not apply to these Refinement Plan and Zoning Map Amendment applications.

CRITERIA OF APPROVAL - SDC 7.070 (3)(b)

APPLICANT'S NARRATIVE RELATED TO SDC 7.070(3)(b):

The application requests amendment of the Metro Plan diagram from LMI to CC for approximately 5.24 acres. This section of the application narrative addresses the consistency of the amendment with the applicable policies of the Metro Plan, to demonstrate that adoption of the amendment will not make the Metro Plan internally inconsistent (as required by the approval criteria in SDC 7.070(3)(b))

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

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

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

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

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

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

Metro Plan Elements

1. Growth Management

Policies

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

The proposed amendments satisfy this policy because the subject property is inside the UGB and city limits and as such, encourages compact urban growth. Also, urban services are available at sufficient levels to accommodate the existing and future infill development resulting approval of from this application. The City's site plan review processes ensure that the appropriate level of services is available to serve future development.

2. Residential Land Use and Housing Element

Policies

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

The proposed redesignation does not affect the inventory or availability of residentially designated or zoned land, including the single-family residential area abutting Tax Lot 400 that is zoned and designated for Medium Density Residential, or higher density residential developments located east of the site along Main Street.

However, approval of the requested redesignation to Community Commercial would allow for residential areas proximate to the subject area to have close and efficient access to existing commercial services on Tax Lot 402 and to future medical facilities proposed for Tax Lot 400, consistent with the above policy. The areas proposed for redesignation offer existing and future employment opportunities and provide commercial services along a major transportation system that can support the needs of nearby residential development.

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

The map amendment and concurrently proposed zone change will allow for existing commercial uses on Tax Lot 402 to continue to serve existing neighborhoods in the mid- and east-Springfield area, and for future clinical facilities to be developed to serve this rapidly growing area of the community. Approving the requested redesignation and zone change would expand commercial opportunities to serve these neighborhoods consistent with the above policy.

3. Economic Element

Policies

B.1 *Demonstrate a positive interest in existing and new industries, especially those providing above-average wage and salary levels, and increased variety of job opportunities, a rise in the standard of living, and utilization of our existing comparative advantage in the level of education and skill of the resident labor force.*

The proposed amendment is consistent with this policy because it will allow medical clinic uses to be developed to serve growing areas in east and south Springfield. As is observed in the Springfield Commercial Lands Study (pp. 27, 29), employment in health services is growing and approving the requested redesignation will enable increased job

opportunities with higher than average wages thereby helping raise the standard of living and meet the needs of Springfield citizens, consistent with the above policy.

B.2 Encourage economic development which utilizes local and imported capital, entrepreneurial skills, and the resident labor force.

The construction of and the use of commercial and medical uses will utilize both local and imported capital and will employ the local labor force in a variety of skilled, semi-skilled, and unskilled positions, consistent with this policy.

B.6 Increase the amount of undeveloped land zoned for light industry and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand.

The proposal will add approximately 5.24 acres of Community Commercial land, consistent with recommendations to increase the commercial lands inventory made in the Springfield Commercial Lands Study. The SCLS and acknowledged metropolitan Industrial Lands Study concluded that there is a deficit of needed commercial land, and a surplus of industrially zoned and designated land. Approval of the requested redesignation will not cause the inventory of needed industrial land to go into a deficit, but in fact would, consistent with the above policy. The proposal correlates the need and suitability, and availability of the subject site for commercial uses with the need for such uses as demonstrated in the adopted SCLS.

B.11 Encourage economic activities which strengthen the metropolitan area's position as a regional distribution, trade, health, and service center.

The amendment will facilitate the development of medical uses that will serve the needs of the growing residential areas in east, south and southeast Springfield, and strengthen the metropolitan area's position as a premier locale for healthcare services, consistent with this policy objective.

6. Environmental Design Element

Policies

E.1 In order to promote the greatest possible degree of diversity, a broad variety of commercial, residential, and recreational land uses shall be encouraged when consistent with other planning policies.

Approval of the proposed map amendments will add just over 5 acres into the City's inventory of commercially designated and zoned land, thereby allowing for a variety of needed commercial uses to occur on the subject property. Long-standing existing commercial services on Tax Lot 402 would be allowed to continue without the specter of being considered non-conforming uses, and Tax Lot 400 could be developed with medical services that will serve the needs of the growing residential areas east and south of the subject site, consistent with the above policy.

7. Transportation Element

Land Use Policies

F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within one-quarter mile of transit stations, major transit corridors, employment centers, and downtown areas; and

development and redevelopment in designated areas that are or could be well served by existing or planned transit.

The proposed map amendment and concurrent zone change will enable land use patterns and development consistent with the above policy. Approval of the proposal will allow for higher intensity development along Main Street, a major transit corridor. An existing LTD stop is located on the frontage of Tax Lot 400 (see photo, pg. 2, Appendix A of the TIA), and will provide convenient access to existing and projected employment on the subject site, as well as access for patients to future out-patient medical facilities projected on Tax Lot 400.

Transportation System Improvements: Roadways Policies

F.15 Motor vehicle level of service policy:

- a. ***Use motor vehicle level of service standards to maintain acceptable and reliable performance on the roadway system. These standards shall be used for:***
 - (1) ***Identifying capacity deficiencies on the roadway system.***
 - (2) ***Evaluating the impacts on roadways of amendments to transportation plans, acknowledged comprehensive plans and land-use regulations, pursuant to the TPR (OAR 660-012-0060).***
 - (3) ***Evaluating development applications for consistency with the land-use regulations of the applicable local government jurisdiction.***
- b. ***Acceptable and reliable performance is defined by the following levels of service under peak hour traffic conditions: LOS E within Eugene’s Central Area Transportation Study (CATS) area, and LOS D elsewhere.***
- c. ***Performance standards from the OHP shall be applied on state facilities in the Eugene-Springfield metropolitan area.***

In some cases, the level of service may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service. The limitation on the feasibility of a transportation system improvement may arise from severe constraints, including but not limited to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of TSI Roadway Policy #2: Motor Vehicle Level of Service to require deferral of development in such cases. The intent is to defer motor vehicle capacity increasing transportation improvements until existing constraints can be overcome or develop an alternative mix of strategies (such as: land use measures, TDM, short-term safety improvements) to address the problem.

Subsection a.(2) in the above policy requires an evaluation of the proposal pursuant to the state Transportation Planning Rule (TPR). The accompanying Traffic Impact Analysis provides the factual basis to determine that the proposed redesignation would not result in a “significant effect” as defined under the TPR (OAR 660-012-0060(1)).

Specifically, the proposal does not change the functional classification of Main Street or any other nearby roadway, and it does not change the standards for implementing the City’s functional classification system of roadways, as identified in the Regional Transportation Plan. As demonstrated in the TIA, the proposal also does not:

- **Result in types or levels of traffic or access that are inconsistent with the functional classification of Main Street or any other nearby roadway;**

- Reduce performance of traffic on Main Street or other affected intersections to a level that is below acceptable established performance standards; or
- Make performance of existing facilities worse (i.e., below acceptable mobility standards) than would be the case other uses permitted under existing designations or zoning.

Specific TPR findings are further located in the TIA, see pp. 31-32. Because the proposal does not result in a “significant effect” as established by applicable OARs, no further TPR analysis is required. The request is therefore consistent with the above policy.

8. Public Facilities and Service Element

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

The subject property is located in Springfield's city limits UGB. All necessary infrastructure and key urban facilities/services are present to serve existing development (Tax Lot 402) or are available to serve future infill development on Tax Lot 400. Therefore, the proposal is consistent with the above policy.

9. Parks and Recreation Facilities Element Policies

Policies in this element of the Metro Plan are not relevant to the requested diagram amendment.

10. Historic Preservation Element Policies

Policies in this element of the Metro Plan are not relevant to the requested diagram amendment.

11. Energy Element Policies

Policies in this element of the Metro Plan are not relevant to the requested diagram amendment.

STAFFS FINDINGS RELATED TO SDC 7.070(3)(b):

Finding 19: The requirement of this criterion that adoption of these proposed applications not make the Metro Plan internally inconsistent does not mean that every goal, objective, finding and policy of the Metro Plan must support these applications. Because of recognized conflicts in the Metro Plan, the proper inquiry is whether on balance the most relevant of the Plan polices support the Metro Plan Diagram Amendment. The applicant's narrative discusses numerous Metro Plan Policies and Elements related to the proposal.

Staff has reviewed the applicant's choice of applicable Metro Plan Policies and Elements and concur that the noted Policies and Elements are applicable to the proposal. Findings addressed regarding Goal 9 and Goal 12 in this report also support the stated Metro Plan policies. Specifically, as conditioned in this report related to Goal 12 compliance, the Metro Plan Transportation Element and Transportation Policy F.15 are satisfied.

The stated Policies and Elements have been reviewed by staff and are found to be applicable and consistent with the proposal.

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

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

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

STAFF’S FINDINGS RELATED TO COMPLIANCE WITH SDC 8.030 (1)-(3):

Finding 20: SDC 8.030(1)-(3) indicates that a Refinement Plan Amendment must be consistent with (1) The Metro Plan (2) Applicable State Statues; and (3) Applicable Statewide Planning Goals and Administrative Rules. Each of these criteria are addressed in this report as part of the Metro Plan Amendment Criteria and the Zoning Map Amendment Criteria. As noted in the applicant’s narrative, SDC 7.110(4) states:

“When a Metro Plan amendment is enacted that requires an amendment to a refinement plan or functional plan diagram or map for consistency, the Metro Plan diagram amendment automatically amends the refinement plan or functional plan diagram or map if no amendment to the refinement plan or functional plan text is involved...”

There is no refinement plan text amendment proposed as part of this application. Therefore, no separate refinement plan application is required. As stated in the above referenced section of the SDC, the refinement plan is automatically amended upon approval of the Metro Plan amendment.

The applicant’s narrative related to consistency with specific refinement plan policies is most appropriately addressed as part of the Zoning Map Amendment criteria, later in this report.

METRO PLAN MAP & REFINEMENT PLAN AMENDMENT (LRP2007-00013) CONCLUSION AND RECOMMENDATION

Staff finds that the request meets the criteria of SDC 7.030(a) – (b) and SDC 8.030. Upon review of the evidence provided by the applicant, site visits, existing structures/uses and review of the applicable criteria of approval, staff finds that the applicant’s request for a Metro Plan & Refinement Plan Map Amendment is appropriate for the subject property with the following recommended condition of approval:

1. Trip generation from development on the subject property shall be limited to a maximum of 243 PM Peak-hour vehicle trips, which is based on a “reasonable worse case development scenario” under the existing zoning (LMI) as submitted by the applicant in the Traffic Impact Analysis for the subject property.

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

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

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

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

NOTE FROM STAFF REGARDING APPLICANT'S ZONING MAP AMENDMENT

NARRATIVE: *The applicant's narrative for the Zoning Map Amendment is similar to the narrative for the Metro Plan & Refinement Plan Amendment, addressing many of the same criteria. The portion of the Applicant's Narrative related to Refinement Plan policies is included below. Rather than be duplicative in this report, and for ease of review, Staff has attached the remaining portions of the applicant's written narrative in its entirety for reference.*

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

Finding 21: This criterion is also found in SDC Section 7.070(b) under the Metro Plan Amendment criteria. Specific findings related to compliance with Metro Plan policies and the Metro Plan diagram has been addressed in this report. The applicant is proposing a Metro Plan Map Amendment as part of this application from LMI to Commercial. Upon approval of the Metro Plan Amendment application (LRP2007-00013), the proposed zone change will be consistent with the Metro Plan diagram.

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

APPLICANT'S NARRATIVE RELATED TO COMPLIANCE WITH SDC 12.030(3)(b):

The following demonstrates how the proposal is consistent with applicable policies in the East Main Refinement Plan (EMRP).

1. Mixed-Use Element

Policy 2) Area #2

A) *The following land uses are allowed under Community Commercial zoning:*

- ***All Community Commercial uses subject to Article 18 of the Springfield Development Code.***

The proposal requests redesignating the subject properties to Community Commercial, and concurrently rezoning the properties to CC, as is allowed by the above policy and consistent with other EMRP policies. Approval of the request would allow long-standing existing commercial uses on Tax Lot 402 to continue as permitted under Article 18, and consistent with neighboring uses to the west and south, which are also zoned and designated for commercial uses.

2. Commercial Element

Criteria for Commercial Refinement Plan Designation

1. *Generally, the Community Commercial refinement plan designation shall be applied under the following circumstances:*

A) *where it is not an intrusion into well-maintained residential neighborhoods;*

The proposed redesignation does not intrude into the existing residential area west of the subject site along 44th Street, and is therefore consistent with the above criterion.

B) *where it does not increase conflict between Low Density Residential and Commercial;*

Although the abutting residential area is zoned Medium Density Residential, it is developed in low density residential uses. Approval of the proposed redesignation of the subject sites would actually result in a decrease of conflicts between abutting residential and non-residential land uses by allowing future infill development on Tax Lot 400, and through the site plan review process establishing improved landscaped buffers and a use more compatible than the industrial uses that historically abutting this residential area.

C) *where criteria for designating Medium Density Residential land does not apply;*

Criteria for designating MDR land does not apply to the subject site.

D) *where legally created commercial uses exist;*

Tax Lot 402 has existing, long-standing commercial uses that were legally created prior to development of the Metro Plan or EMRP.

E) *where adequate customer and service access to an arterial street can be provided; ... and*

The subject site has adequate legal access onto Main Street, which is classified as an arterial street.

F) where designated Commercial on the Metro Plan Diagram.

Approval of this application would result in a Commercial designation on the Metro Plan diagram, which would also automatically modify the designation on the EMRP diagram.

Policy 2) Apply site-specific Commercial refinement plan designations to clearly define the limits of new commercial uses where there is not an existing, legally established, and beneficial mixing of uses.

Approval of the requested redesignation would apply Commercial plan designations to the subject properties, allowing the existing, legally established commercial uses on Tax Lot 402 to continue. It would also enable commercial uses to be established on Tax Lot 400, thereby defining the limits of new commercial uses between the pre-existing commercial uses on Tax Lot 402 and others to the west, and the developed industrial business park to the east. Tax Lot 400 does not have an existing or beneficial mix of uses, but has historically housed industrial yard-type operations. Therefore, approval of the proposal would define the limits of new commercial uses as called for in the above policy, and also provide the ability to make superior buffering and other improvements associated with future development on Tax Lot 400 through the site plan review process.

Policy 3) Reduce the number of vehicular access points and require the rebuilding of curbs and installation of sidewalks and street trees along Main Street, through the Site Plan Review process and in public improvement projects.

The proposal would result in reducing the number of existing access points as required above. Through the Site Plan Review process, future development on Tax Lot 400 will have a single driveway access onto Main Street, eliminating one of the two existing curb cuts on this site. Sidewalks and street trees are already located along its Main Street frontage, consistent with the above policy.

Policy 4) Provide buffering between commercial and residential uses through Article 31 of the Springfield Development Code, Site Plan Review process.

Existing residential uses along the east side of 44th Street have had no real buffer from pre-existing industrial uses on Tax Lot 400. Approval of the proposal would allow for attractive infill development of future medical facilities that would provide (through the SPR process) improved landscaped buffers between the future use and existing residential area to the west – as required by Code, and consistent with the above policy.

3. Industrial Element

Policy 1) The City shall encourage efforts of various agencies to attract new and retain existing jobs and businesses.

Implementation

The City shall maintain a current inventory of vacant commercial and industrial land and structures within the East Main area.

Consistent with the above policy, approval of the requested redesignation will enable existing, long-standing jobs and businesses on Tax Lot 402 to remain as legal, conforming land uses, and allow future development of new employment on Tax Lot

400 with higher than average wages and employment densities than the current designation and zoning allows.

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

Finding 22: As previously mentioned in this report, the subject property is located within the East Main Street Refinement Plan area. The applicant's narrative above discusses refinement plan Elements and Policies.

Finding 23: The applicant references policies in the Mixed Use Element , Area 2. This area (Area 2) is located south of the subject property (across Main Street), and is not part of the subject property. Reference to this policy is not applicable to this application.

Finding 24: The applicant discusses specific criteria listed in the refinement plan for commercial and industrial uses. Staff concurs with the applicant's narrative related to the commercial criteria.

Finding 25: Criteria of approval for consistency with all applicable City of Springfield functional plans have been previously addressed in this report. As noted in the findings in this report, the proposal is in compliance with all applicable functional plans.

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

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

Finding 26: As previously noted in this report and as stated by the applicant, the subject properties are currently served by sanitary sewer systems and storm drain systems Springfield Utility Board (SUB) has sufficient capacity to provide electrical and water service to the site.

Finding 27: The property is served by Springfield Fire and Life Safety.

Finding 28: The site is within Springfield School District 19.

Finding 29: The site is within the Willamalane Parks and Recreation District.

Finding 30: Transportation systems currently provide access to the property. The subject site takes access from 44th Street which is under City of Springfield jurisdiction and Main Street, which is under ODOT jurisdiction.

Finding 31: The proposed zone change is from LMI to CC. The subject lot has existing development on all sides, and is located on 18th and Main Street. As previously discussed in findings in this report, and as conditioned, the proposed zone change will not significantly affect the existing transportation network. The proposed zone change will not negatively affect existing public transit service.

Finding 32: Solid waste management service is available at the subject property. The City and Sanipac have an exclusive franchise arrangement for garbage service inside the city limits.

Finding 33: The site receives police protection from the City of Springfield, consistent with service provision throughout the city and with service that is now provided to adjacent properties.

Finding 34: The City of Springfield Development Services Department provides land use control for property within the City's jurisdiction.

Finding 35: Qwest and Comcast currently provide telephone and cable communication service in this area for and an array of wireless companies provide a number of different communication services. The City has no exclusive franchise arrangements with telecommunication or wireless companies. The field is competitive and therefore guarantees a wide selection currently.

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

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

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

12.040 Conditions of Approval

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

Staff have reviewed the Zone Change request and supporting information provided by the applicant and do not recommend any conditions of approval other than the condition already stated for the Metro Plan / Refinement Plan Map Amendment related to trip cap requirements.

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

ZONING MAP AMENDMENT (ZON2007-00012) CONCLUSION AND RECOMMENDATION

Staff finds that the request meets the criteria of SDC 12.030. Upon review of the evidence provided by the applicant, site visits, existing structures/uses and review of the applicable criteria of approval, staff finds that the applicant's request for a zone change from LMI to CC is appropriate for the subject property and recommends the Planning Commission approve the attached Order and forward the proposed Zoning Map Amendment Application ZON2007-00012 to the City Council with a recommendation for adoption.