

MEMORANDUM

CITY OF SPRINGFIELD

DATE OF HEARING: September 18, 2007**TO:** Springfield Planning Commission**PLANNING COMMISSION
TRANSMITTAL
MEMORANDUM****FROM:** Linda Pauly, Planner III**SUBJECT:** Planning Commission Public Hearing
Zoning Map Amendment – Hastings
Case Number ZON 2007-00039

ISSUE

The Planning Commission is asked to conduct a Public Hearing to consider the Applicant's request to amend the change the zoning of approximately 0.34 acre of land located at 770 and 780 South 42nd Street from Low-Density Residential (LDR) to Medium-Density Residential (MDR). The subject property is more particularly described as the annexed portion of Assessor's Map 18-02-05-22, Tax Lot 1100.

DISCUSSION

The purpose of the proposed action is to rectify an inconsistency between the *Metro Plan* designation and the zoning map. Since the existing LDR zoning is not consistent with the MDR *Plan* designation, the Director has determined that this application qualifies to be processed as a City Sponsored Zoning Map Amendment, as established on April 20, 2006. Approval of zoning map amendments requires a demonstration of consistency with applicable *Metro Plan* policies and the *Metro Plan Diagram*. The Planning Commission is asked to consider the applicant's request and the findings of fact contained within this report to confirm that the proposed MDR zoning is consistent with the *Metro Plan Diagram* and text and that the application of the MDR zone is appropriate in this case.

RECOMMENDATION / ACTION REQUESTED

Upon review of the applicant's request, staff finds that the proposed Medium Density Residential Zoning Map Amendment is consistent with the criteria at Springfield Development Code 12.030 and recommends approval of the applicant's request.

ATTACHMENTS

Attachment 1: Zone Change Request Staff Report and Findings
Attachment 2: Existing Zoning Map and Proposed Zoning Map
Attachment 3: Legal Description
Attachment 4: Final Order

Attachment 1
Zoning Map Amendment - Type III
Staff Report and Findings



Hearing Date:
September 18, 2007

Case Number:
ZON 2007-00039

Subject Property:
Assessor's Map No. 18-02-
05-22, portion of Tax Lot
1100

Applicant /Owner

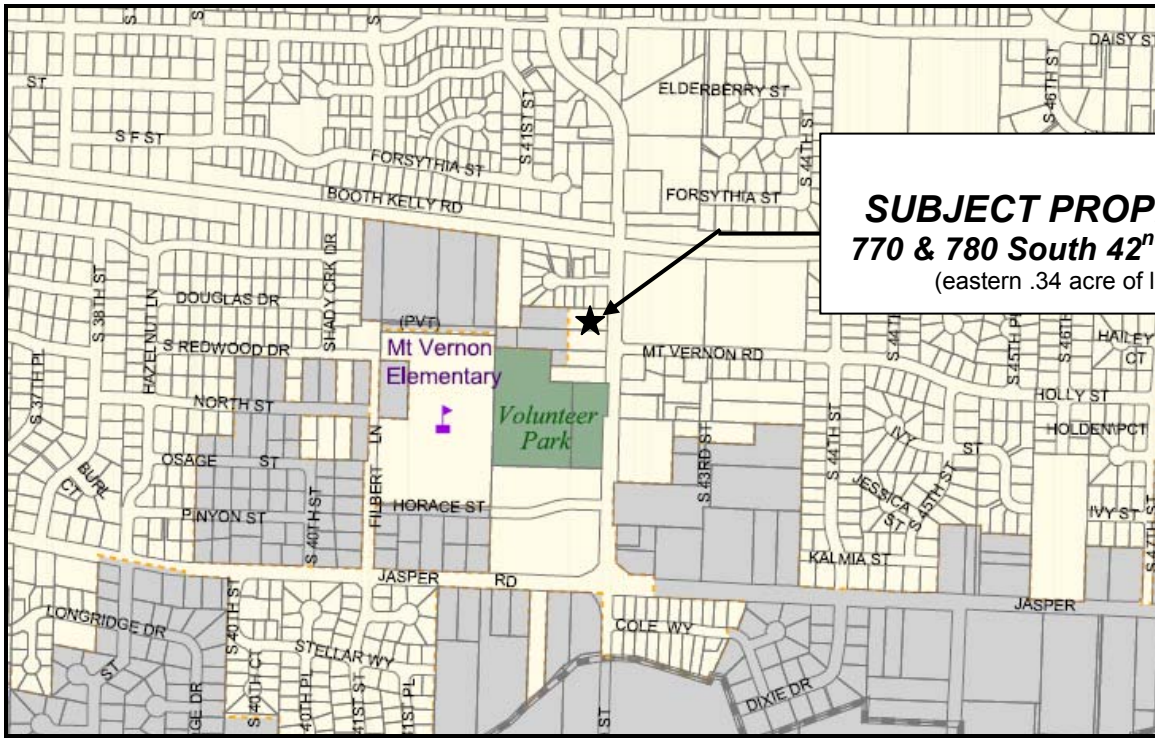
Robert Hastings
2375 Pioneer Pike
Eugene, OR 97401

**Applicant's
Representative**
None

Date Submitted:

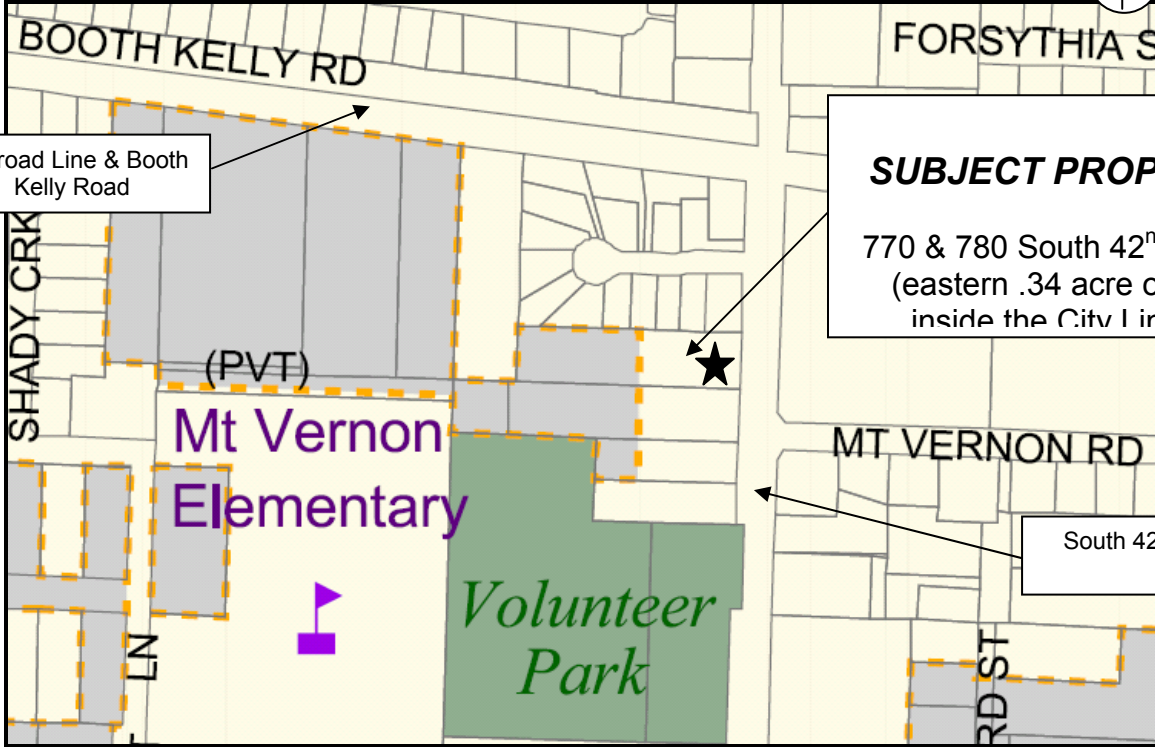
July 2, 2007

REQUEST: The Applicant requests a Zoning Map Amendment to change the zoning of approximately 0.34 acre of land located at 770 and 780 South 42nd Street in Springfield, Assessor's Map 18-02-05-22, annexed portion of Tax Lot 1100 from Low-Density Residential (LDR) to Medium-Density Residential (MDR). The purpose of the proposed action is to rectify an inconsistency between the *Metro Plan* designation and the zoning map. Since the existing zoning is not consistent with the *Plan* designation, the Director has determined that this application qualifies to be processed as a City Sponsored Zoning Map Amendment, as established by department policy in 2006. The Planning Commission is asked to consider the applicant's request and the findings of fact contained within this report to confirm that the proposed zoning is consistent with the *Metro Plan* and that the application of the MDR zone is appropriate in this case.



SUBJECT PROPERTY
 770 & 780 South 42nd Street
 (eastern .34 acre of lot)

VICINITY MAP Not to scale



SUBJECT PROPERTY
 770 & 780 South 42nd Street
 (eastern .34 acre of lot is
 inside the City Limits)

South 42nd Street

NEIGHBORHOOD VICINITY
 Not to scale



LEGEND



City Limits Line

PROPERTY DESCRIPTION: The subject property is located on the west side of South 42nd Street, south of Booth Kelly Road and the railroad line. The land subject to this application is approximately 0.34 acre of a 0.91 acre lot. The subject property is the eastern (annexed) portion of a lot which is currently divided by a north-south City Limits line. The eastern portion of the lot is inside the City limits and is zoned LDR. The western portion of the lot is not annexed and is zoned MDR/ UF-10. The land is currently developed with a single family residential use. Access to the property is from South 42nd Street.

REVIEW PROCESS: This City Sponsored Zoning Map Amendment application is a Quasi-judicial Zoning Map Amendment which affects a single property, involves the application of existing policy to a specific factual setting, and does not require a Metro Plan diagram amendment. SDC 12.030 (1) states that Quasi-judicial Zoning Map Amendments may be approved by the Planning Commission and that the Planning Commission's decision is the final local decision. This application is reviewed under Type III procedures listed in SDC 3.090 and 12. The application was accepted as complete on July 2, 2007.

Approval of the request would allow development in accordance with the standards of SDC Article 16 at residential densities of 10-20 dwelling units per acre. The applicant's proposal is limited to the annexed eastern portion of the lot. The westerly portion of the lot is within Springfield's UF-10 Urbanizable Fringe Overlay District, thus annexation is required prior to development of the property with Medium Density residential uses. The owner is interested in seeking development approval for the subject property, thus the zoning must be made consistent with the *Plan* designation. A minimum density of 3 units would be required and a maximum of 6 units would be permitted on the 0.34 acre subject property. Future development of the site would require a Type II land use review process (Site Plan Review and/or approval of a land division), including notice to surrounding property owners. Development would not necessarily be subject to Site Plan Review. SDC 31.020 (2)(a) exempts duplex dwellings from Site Plan Review when the lot in the MDR zone allows only one such dwelling.

DISCUSSION: In this report, staff will demonstrate that the proposed MDR zoning is appropriate and consistent with the *Metro Plan* and that the proposal meets the criteria for approval of quasi-judicial zoning map amendments in accordance at Springfield Development Code 12.030 (3).

RECOMMENDATION:

Upon review of the applicant's request, staff finds that the proposed Medium Density Residential zoning is appropriate for the subject property and recommends approval of the applicant's request.

ZONING OF SURROUNDING PROPERTIES: Land to the north is inside the City Limits and zoned MDR (Glacier View Subdivision) and LDR (Tax Lot 1002). Land to the south is zoned MDR (Jo. No. 99-03-088). Land east of 42nd Street is zoned Public Land and Open Space (PLO).

SITE PHOTO:



ADJACENT PROPERTIES:



Lot abutting the subject property to the north

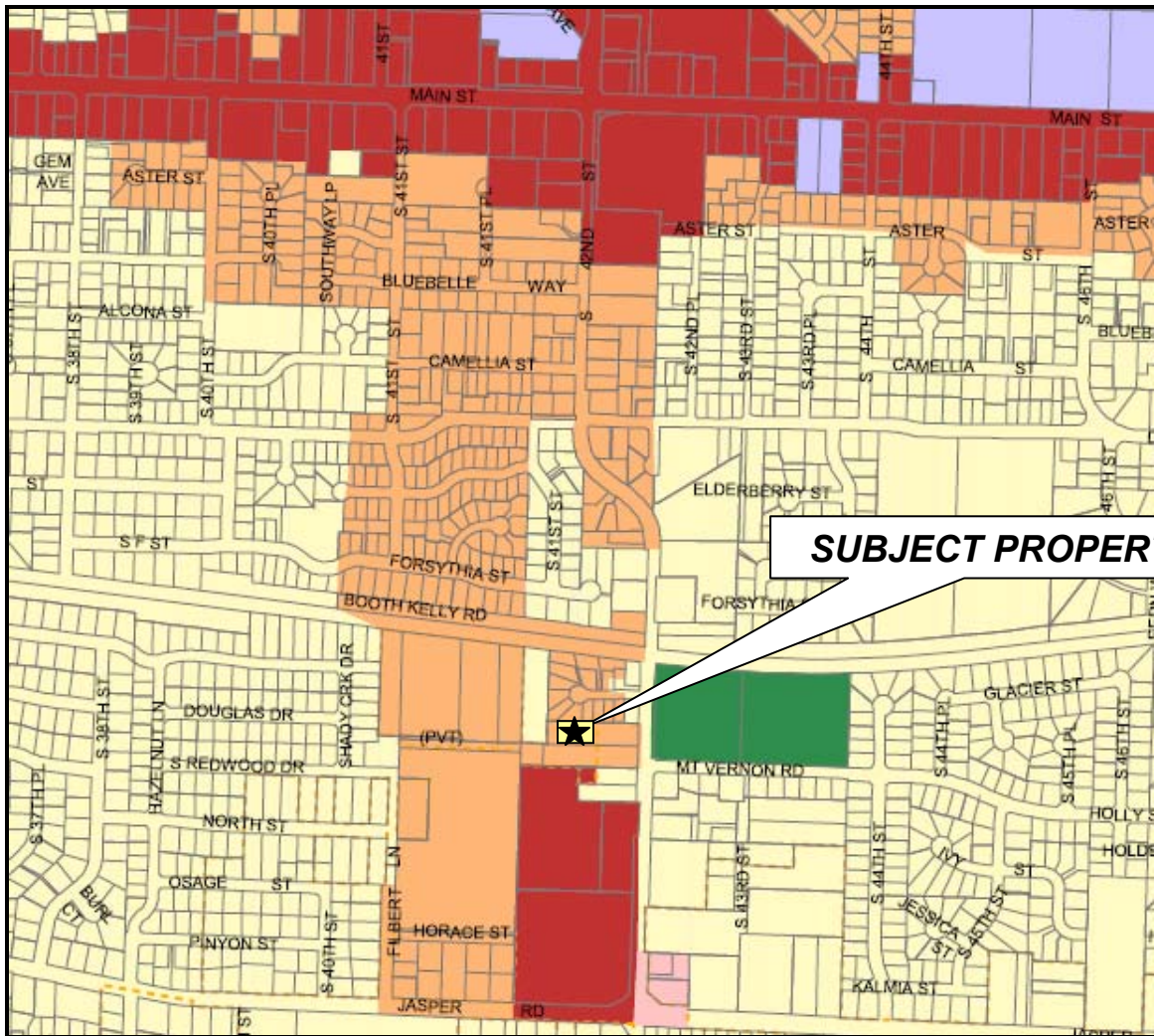


Old Mount Vernon School Property across the street from subject property



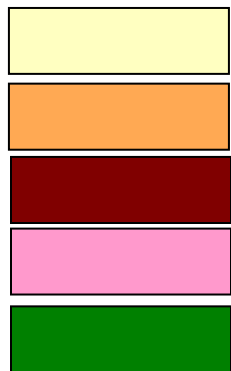
Property to south of subject property

ZONING OF SURROUNDING PROPERTIES:



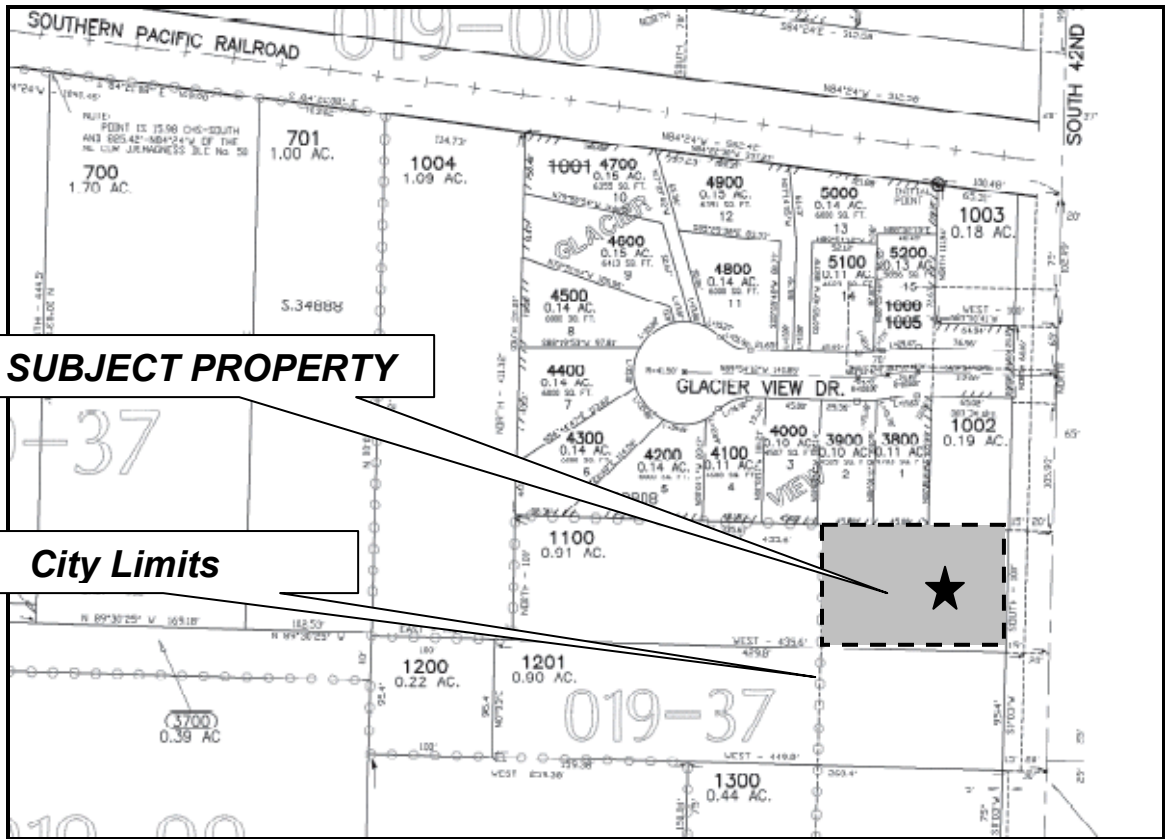
SUBJECT PROPERTY

Not to scale
ZONING LEGEND



- LDR** Low Density Residential
- MDR** Medium Density Residential
- CC** Community Commercial
- NC** Neighborhood Commercial
- PLO** Public Land and Open Space





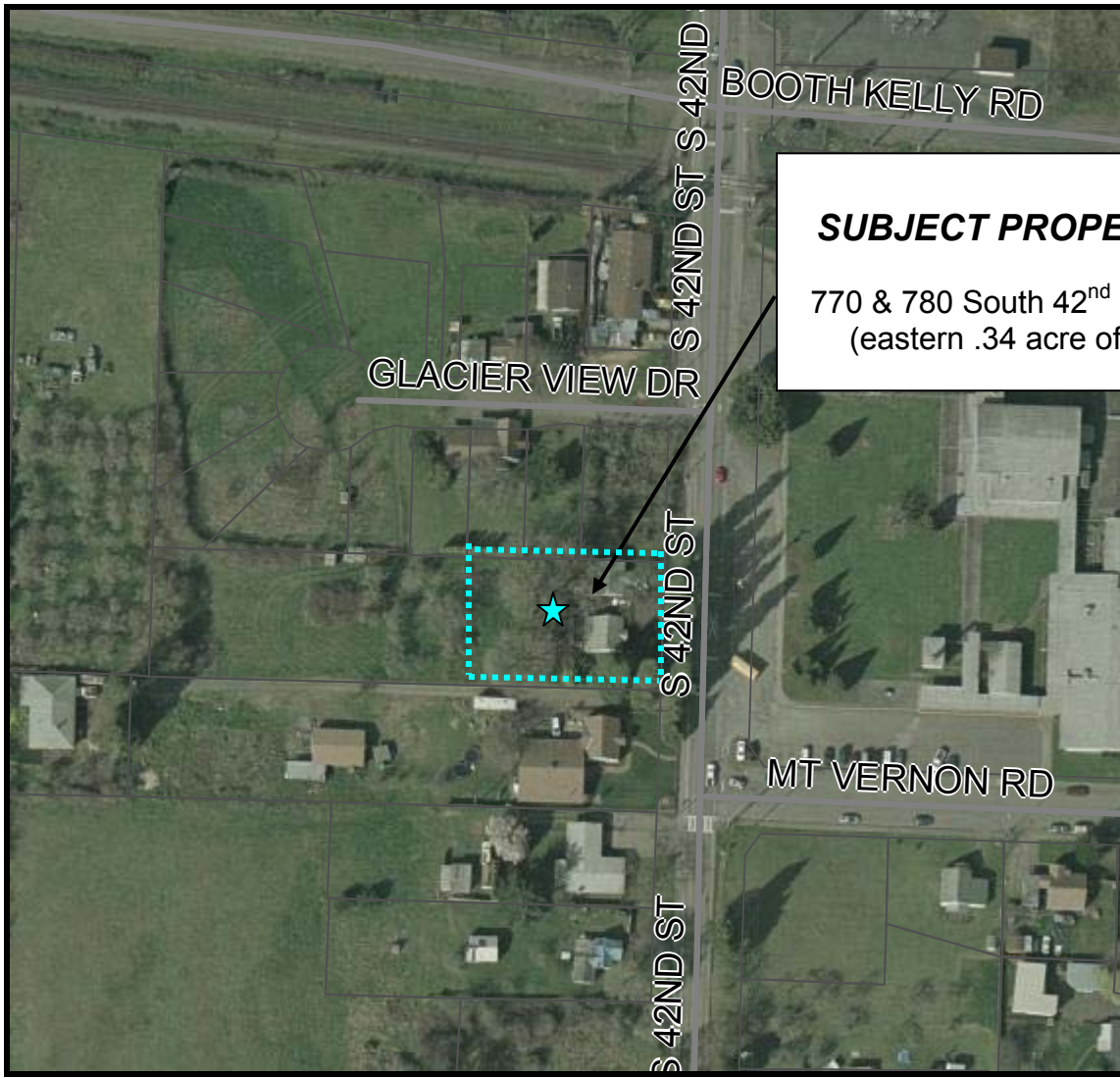
SUBJECT PROPERTY

City Limits

Lane County Assessor's Map 18-02-05-22 Tax Lot 1100

Not to scale





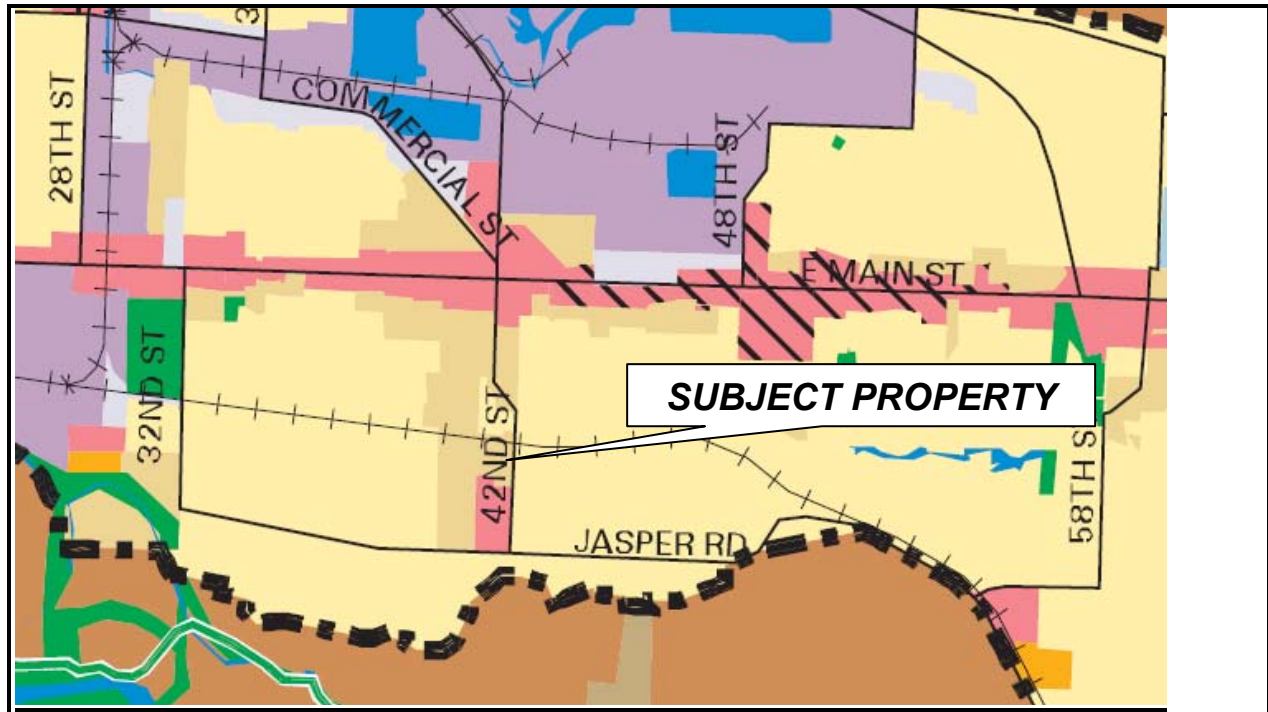
SUBJECT PROPERTY
770 & 780 South 42nd Street
(eastern .34 acre of lot)

SITE AERIAL PHOTO

Not to scale



**METRO PLAN DESIGNATION OF SUBJECT PROPERTY:
MEDIUM DENSITY RESIDENTIAL**



Enlargement of Plan Diagram with 42nd Street and Railroad shown as identifiable features



**Eugene-Springfield
Metropolitan Area
General Plan
Plan Diagram**

(The interpretation and purpose of the Plan Diagram, and descriptions of the land uses and symbols shown, are contained in Chapter II-G.)

	Urban Growth Boundary		Low Density Residential		Light Medium Industrial		Agriculture
	Metro Plan Boundary		Medium Density Residential		Campus Industrial		Forest Land
	Railroads		High Density Residential		University Research		Rural Residential
	Rivers and Ponds		Commercial		Government and Education		Rural Commercial
Overlays:			Mixed Use Areas		Parks and Open Space		Rural Industrial
	Nodal Development Area		Major Retail Centers		Natural Resource		Airport Reserve
	Willamette Greenway		Heavy Industrial		Sand and Gravel		
			Special Heavy Industrial				

PLAN DESIGNATION LEGEND

SDC 12.030 Criteria of Approval – Zoning District Change

SDC 12.030 establishes the criteria to be used in approving zone changes. In consideration of this request, the Planning Commission or Hearings Official shall adopt findings, which demonstrate that all of the applicable criteria have been addressed:

SDC 12.030 (3)(a)

Consistency with applicable Metro Plan policies and the Metro Plan Diagram.

The *Metro Plan* provides the public with general guidelines for individual planning decisions. Reference to supplemental planning documents of a more localized scope, including neighborhood refinement plans, is advisable when applying the *Plan* to specific parcels of land or individual tax lots (*Metro Plan* page I-2, #4). The *Plan* serves as a general planning framework to be augmented, as needed, by more detailed planning programs to meet the specific needs of the various local governments (*Metro Plan* page I-2, #8).

Finding: No refinement plan has been adopted for the South Springfield area. There are no supplemental planning documents of a more localized scope which include the subject property.

Finding: In this case, the *Plan Diagram* provides sufficient specificity to apply the *Plan* to the subject property because two identifiable features are shown: 42nd Street and the railroad line.

The *Metro Plan Diagram* clearly indicates Medium Density Residential plan designation in the area of land south of the railroad line and west of South 42nd Street. Although the *Plan* diagram has no identifiable feature to establish the southerly limit of this MDR plan designation area, previous decision making by the City has established that the proposed MDR plan designation and zoning are appropriate and correct for these lots. In 1999, the City approved a zoning map amendment which applied Medium Density Residential zoning to land which abuts the subject property along its southern boundary.

Finding: The *Metro Plan* Designation of the subject property is Medium Density residential. The proposed Medium Density residential zoning is consistent with the Medium Density *Plan* designation. The existing Low Density Residential zoning represents a *Plan*/zone conflict which must be corrected prior to development of the site.

The following Metro Plan policies support the applicant's request:

Metro Plan page Land Supply and Demand Policy A.2: **Residentially designated land within the UGB should be zoned consistent with the Metro Plan and applicable plans and policies.**

Metro Plan Land Supply and Demand Policy Policy A.4: **Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.**

Metro Plan Residential Density Policy A.10: Promote higher residential density inside the urban growth boundary that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the urban growth boundary.

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

Metro Plan Residential Density Policy A.12: Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities.

Metro Plan Residential Density Policy A.13: Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.

Finding: Approval of the applicant's request would allow an increased residential density on the subject property from a maximum of 3 units (at LDR maximum density of 10 du/acre) to a maximum of 6 units (at MDR maximum density of 20 du/acre).

Finding: Approval of the applicant's request would create an opportunity for effectively designed in-fill development in accordance with *Metro Plan* policies. If the owner requests and receives approval to annex the westerly portion of the lot, the entire 0.91 acre site could be developed with 10 to 18 units.

Metro Plan Residential Density Policy A.14: Review local zoning and development regulations periodically to remove barriers to higher density housing and to make provisions for a full range of housing options.

Finding: The presence of inconsistent LDR zoning within areas designated MDR on the *Metro Plan* limits restricts redevelopment opportunities through limitation of density and creates additional restraints on design. The existing LDR zoning creates a restraint on infill development on adjacent MDR zoned land because the Code requires building height to be reduced to LDR maximum heights (30 feet) where MDR or HDR land within 50 feet of the abutting LDR district boundary.

Finding: Approval of the proposal will create an opportunity to increase the number of units permitted and thus increase overall density and additional housing options within the metropolitan area.

Metro Plan page III-A-8 Residential Density Policy A.16: Allow for the development of zoning districts which allow overlap of the established *Metro Plan* density ranges to promote housing choice and result in either maintaining or increasing housing density in those districts. Under no circumstances, shall housing densities be allowed below existing *Metro Plan* density ranges.

Finding: The existing Springfield Zoning for the subject property presently permits a density allocation lower than the MDR Plan designation.

Finding: The existing LDR zoning is inconsistent with the *Metro Plan* text.

Conclusion: Staff finds that the MDR zoning requested by the applicant is consistent with the applicable *Metro Plan* policies and the *Plan Diagram* provides the level of specificity necessary to apply the MDR district to the subject property. The proposal meets the approval criterion at SDC 12.030 (3)(a).

SDC 12.030 (3)(b)

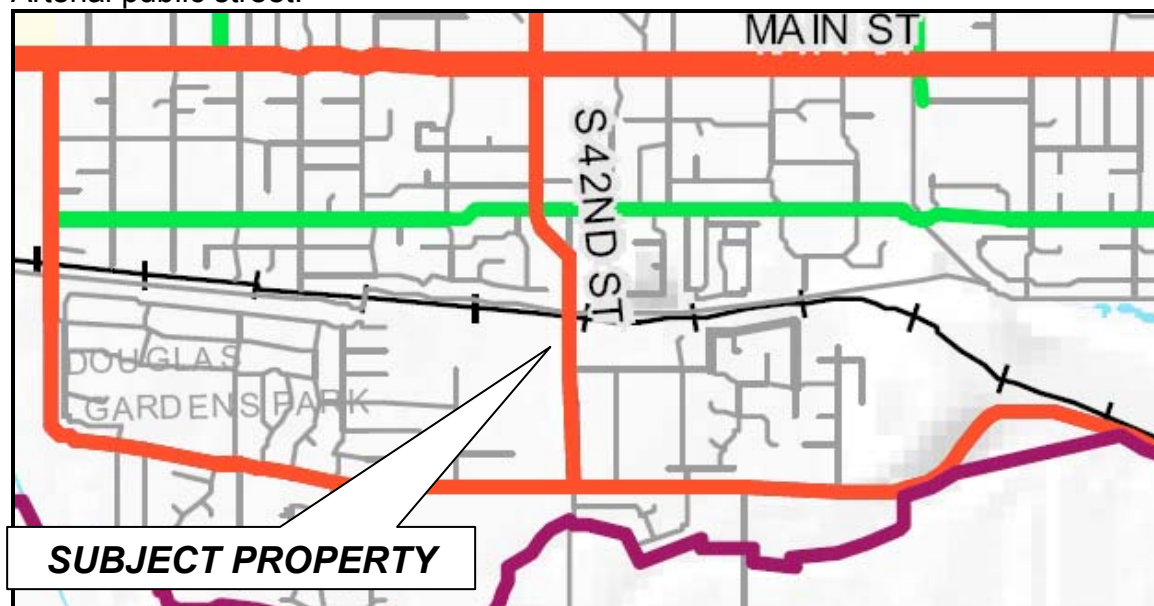
Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans.


Finding: There is no Refinement Plan, Plan District map, or Conceptual Development Plan for the subject property. *Metro Plan* designations establish the basis for functional plans (transportation, public facilities, etc.) in the metro area, thus zoning in accordance with the Plan designation shall be consistent with the applicable functional plans.

SDC 12.030 (3)(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 subject property has 100 feet of frontage on South 42nd Street, a Major Arterial public street.



<p>Legend</p> <p> Major Arterial</p> <p> Minor Arterial</p> <p> Collector</p> <p> Local</p>	 <p>Central Lane Metropolitan Planning Organization</p> <p>2004 Regional Transportation Plan</p> <p>Federally Designated Roadway Functional Classifications</p>
	<p> MPO Boundary</p> <p> Urban Growth Boundaries</p>

Roadway Classification Map



Finding: South 42nd Street has recently been fully improved. Existing transportation systems provide access to the property. Specific access requirements will be addressed when the property is developed.

Finding: The City’s Conceptual Street Map shows a westward extension of Mt. Vernon Road. The projected future right of way is located south of the subject property.

Finding: A public 12-inch stormwater line and a 6-inch public sanitary sewer are located in South 42nd Street along the frontage of the subject property.

Finding: The property is served by Springfield Fire and Life Safety. Specific access to the site for fire and life safety vehicles will be determined when the property is developed.

Finding: The site is within Springfield School District 19.

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

Finding: Expected traffic impacts of the proposed rezoning to MDR are as follows: ITE trip generation rates for detached single-family are:

Daily Trips = 9.57 per D.U.
 PM Peak Hour = 1.01 per D.U.

Data for “Rental Townhouse” is limited but what exists indicates a rate about 70% that of detached single-family; Condo/Townhouse (ownership units) is a bit lower still around 55% - 60% of detached single family.

So, three D.U of detached single-family would generate 29 trips per day and 3 trips per PM Peak Hour; six D.U of Rental Townhouses would produce 20 trips per day and 2 trips per PM Peak Hour.

At this small scale the difference in traffic volume would not have a significant impact to a neighborhood.

Finding: Lane Transit District (LTD) reviewed the application and found that the proposed zone change will not affect existing transit service.

Finding: 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: 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: 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 and upon annexation.

Conclusion: The property is presently provided with adequate public facilities, services and transportation networks to support the use. Any specific public and private improvement requirements and utility connection points will be determined when the property is developed. The proposal meets the criterion at SDC 12.030 (3)(c)

SDC 12.030 (3)(d)

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

- 1. Meet the approval criteria specified in Article 7 of this Code; and***
- 2. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.***

Finding: This City Sponsored Zoning Map Amendment application is a Quasi-judicial Zoning Map Amendment which affects a single property, involves the application of existing policy to a specific factual setting, and does not require a Metro Plan diagram amendment.

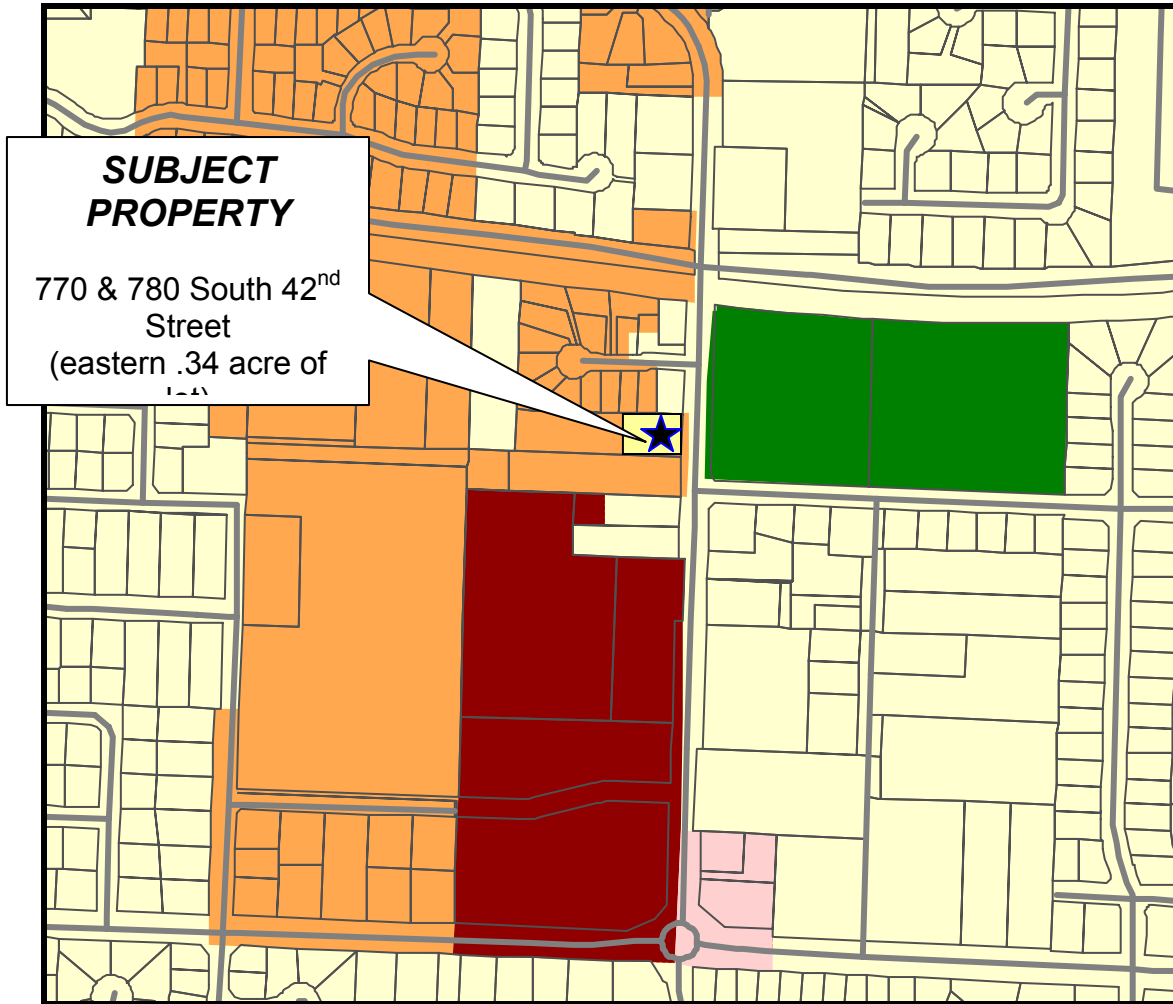
Conclusion: SDC 12.030 (4)(d) is not applicable.

CONDITIONS OF APPROVAL: SDC 12.040 states: **The Approval Authority may attach conditions as may be reasonably necessary to allow the Zoning Map Amendment to be granted.**

CONCLUSION AND RECOMMENDATION






Staff finds that the proposed Zoning Map Amendment is consistent with the criteria of SDC 12.030. Staff recommends that the Planning Commission approve the requested Zoning Map Amendment as shown in Attachment 2- B without conditions.

Attachment 2-A
EXISTING SPLIT ZONING: LOW AND MEDIUM DENSITY RESIDENTIAL
0.34 acre Hastings Property at 770 and 780 South 42nd Street, Springfield OR
Assessor's Map 18-02-05-22 eastern portion of TL 1100
ZON2007-00039

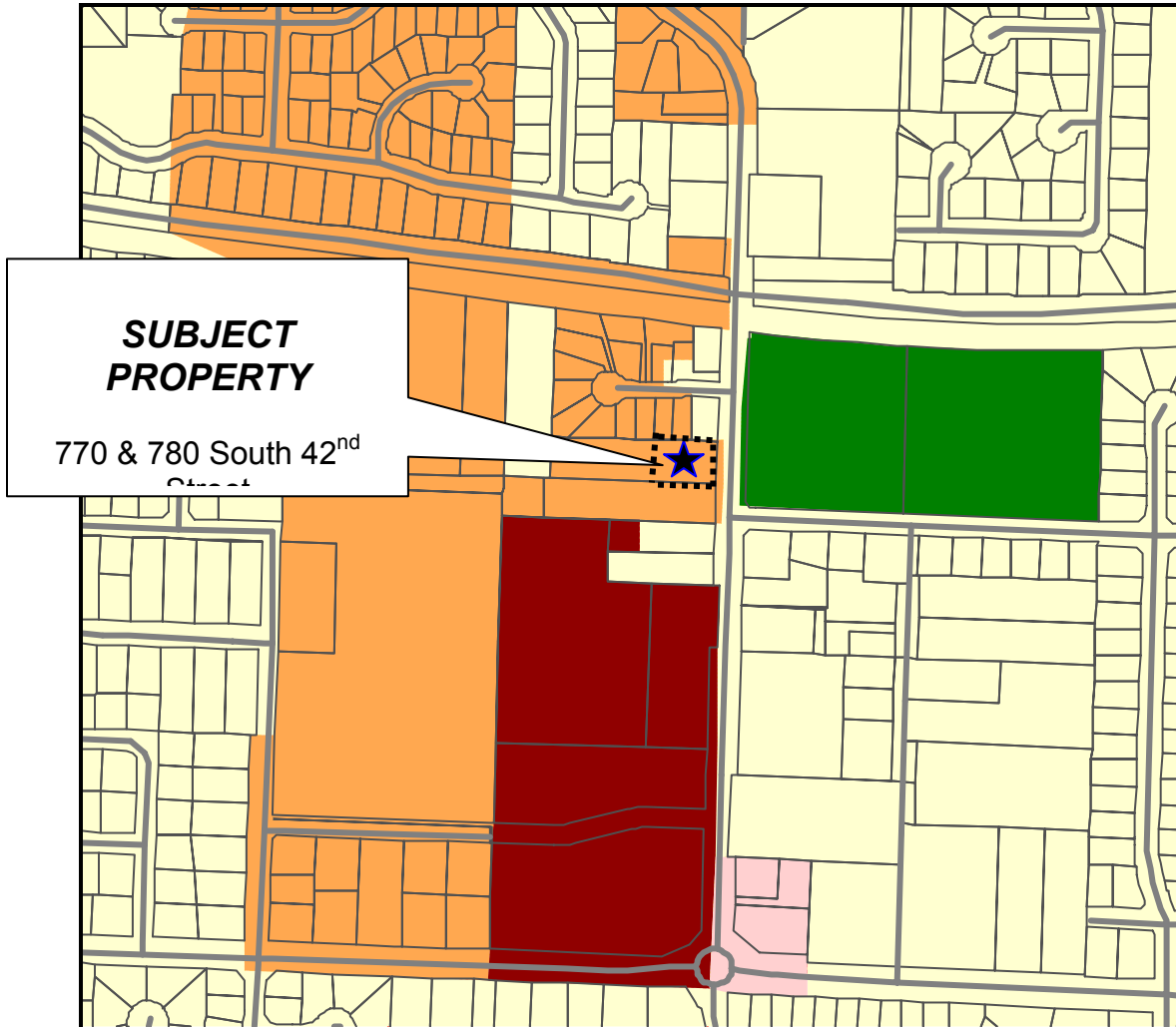


Not to scale

ZONING LEGEND





	LDR Low Density Residential
	MDR Medium Density Residential
	CC Community Commercial
	NC Neighborhood Commercial
	PLO Public Land and Open Space

Attachment 2-B
PROPOSED ZONING: MEDIUM DENSITY RESIDENTIAL
0.34 acre Hastings Property at 770 and 780 South 42nd Street, Springfield OR
Assessor's Map 18-02-05-22 eastern portion of TL 1100
ZON2007-00039



Not to scale

ZONING LEGEND

	LDR Low Density Residential
	MDR Medium Density Residential
	CC Community Commercial
	NC Neighborhood Commercial
	PLO Public Land and Open Space



**FINAL ORDER
BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON**

**ZONING MAP AMENDMENT REQUEST
CASE NO. ZON2007-00039**

**FINDINGS
CONCLUSION
AND ORDER**

NATURE OF THE APPLICATION

Zoning Map Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for Assessor's Map 18-02-05-22, Tax Lot 1100, Robert Hastings Property Owner.

1. On July 2, 2007 the following application for a Zoning Map Amendment was accepted: Change the zoning of approximately 0.34 acre of land located at 770 and 780 South 42nd Street in Springfield from Low Density Residential to Medium Density Residential, Planning Case No. ZON2007-00039,
2. The application was submitted and completed in accordance with Section 3.050 of the Springfield Development Code. Timely and sufficient notice of the public hearing has been provided, pursuant to Section 14.030 of the Springfield Development Code.
3. On September 18, 2007, a public hearing on the Zoning Map Amendment request was held before the Springfield Planning Commission. The Development Services Department staff report including criteria of approval, findings and recommendations, together with oral and written testimony submitted has been considered and is part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested Zoning Map Amendment application is consistent with the criteria of Section 12.030 of the Springfield Development Code. This general finding is supported by the specific findings of fact and conclusions in the attached staff report (Attachment 1) and attached hereto.

FINAL ORDER

It is ORDERED by the Planning Commission of Springfield that Planning Case No. ZON2007-00039, Zoning Map Amendment Request, be approved.

This ORDER was presented to and approved by the Planning Commission on September 18, 2007.

Planning Commission Chairperson

ATTEST

AYES:

NOES:

ABSENT:

ABSTAIN: