

DATE OF HEARING: June 16, 2009

TO: Springfield Planning Commission

PLANNING COMMISSION
TRANSMITTAL
MEMORANDUM

FROM: Steve Hopkins, Planner II

SUBJECT: DRC2009-00016, East Congregation of Jehovah's Witnesses

ISSUE

The applicant is proposing a church in the LDR zone. In accordance with SDC 3.2-210, this requires a Discretionary Use application and a Site Plan Review application. If the Planning Commission approves this DU, the applicant will submit the Site Plan Review.

DISCUSSION

The proposal includes a 4,900 sf single-story building, a parking lot for 79 cars and 8 bicycles, and a fence around the perimeter of the site. As of the date of this memo, no public comments have been received.

The Development Review Committee met on May 26 to review the application. The following comments are from that meeting:

- *Traffic:* Based on comments from Transportation Planning, the church will add 180 vehicle trips on Sundays and 45 trips on week days. This will be an insignificant impact to S 42nd Street.
- *Parking:* The proposed number of vehicle and bicycle parking spaces complies with SDC 4.6-100. In the parking lot, a curb, fence or other barrier should be installed to prevent parking in the unimproved area marked "future expansion". This has been included as a condition of approval.
- *Fire:* Based on comments from the Deputy Fire Marshal, either a second fire hydrant or an automatic fire sprinkler system may be required, depending on the type of construction of the building. The specific requirements will be determined during the site plan review.
- *Utilities:* Based on comments from Public Works Engineering, the storm and sanitary sewers have adequate capacity to serve the proposed development. SUB has requested a 7' easement along the frontage, in compliance with SDC 4.3-140(A).
- *Landscaping:* At least 25% of the site is landscaped, in compliance with SDC 4.7-130.

RECOMMENDATION

Staff recommends approval of the Discretionary Use, subject to the conditions of approval attached to the staff report as Exhibit "A". The attached order reflects that recommendation.

If the Commission chooses to deny the application, the findings, conclusions and the order will need to be revised to support that decision. In that case, the Commission should close the hearing and move the item to the next public hearing (July 7). The revised findings, conclusions and order will be presented to the Commission on that date.

ACTION REQUESTED

The Commission should take public testimony and determine if the church is an appropriate use at this site, pursuant to the Discretionary Use criteria contained in SDC 5.9-120. The Commission has three options:

1. approve as recommended, or
2. approve but add/modify conditions based on testimony at the hearing, or
3. deny the application.

ATTACHMENTS

Attachment 1: Staff report containing findings of fact and conclusions law to support approval of the application.

Attachment 2: Applicant's statement, plot plan and building elevations.

Attachment 3: Order for approval of the application.



STAFF REPORT: East Congregation of Jehovah's Witnesses

Hearing Date: June 16, 2009
Project Proposal: Discretionary Use for a Church
Case Number: DRC2009-00016
Project Location: 885 S. 42nd Ave
Property size: 1.8 acres
Base Zone: LDR (Low Density Residential) Zone
Overlay District(s): none
Metro Plan Designation: Low Density Residential
Application Submitted Date: April 22, 2009
Staff: Steve Hopkins, AICP

Applicant	Representative	Land Owner
East Congregation of Jehovah's Witnesses 251 N 51 st Ave Springfield, OR 97477	Thomas Pavia Jr. Poage Engineering 990 Obie St Eugene OR 97401	Steven Jackson 3099 Kentwood Eugene OR 97401

Summary

The applicant is proposing a church in the LDR zone. In accordance with SDC 3.2-210, this requires a Discretionary Use application and a Site Plan Review application. If the Planning Commission approves the DU, the applicant will submit a Site Plan Review application that will be reviewed by the Director.

The proposal includes a 4900 sf building, a parking lot for 79 cars and 8 bicycles and a fence around the perimeter of the site.

- **Traffic:** Based on comments from Transportation Planning, the church will add 180 vehicle trips on Sundays and 45 trips on week days. This will be an insignificant impact to S 42nd Street.
- **Parking spaces:** The proposed number of vehicle and bicycle parking spaces complies with SDC 4.6-100. In the parking lot, a curb, fence or other barrier should be installed to prevent parking in the unimproved area marked "future expansion".
- **Parking lot:** The parking lot must be setback 15' from the property line unless sufficient buffering is provided. The buffering must be a 6' high solid wood fence or similar barrier, unless testimony is submitted at the hearing that requests a more significant buffering or setback.
- **Fire:** Depending on the type of construction, either a second fire hydrant or an automatic fire sprinkler system may be required. The specific requirements will be determined during the site plan review.

- Utilities: Based on comments from Public Works Engineering, the storm and sanitary sewers have adequate capacity to serve the proposed development. SUB has requested a 7' easement along the frontage, in compliance with SDC 4.3-140(A).



The Commission should take public testimony and determine if the church is an appropriate use at this site. The Commission has three options:

1. approve as recommended, or
2. approve but add/modify conditions based on testimony at the hearing, or
3. deny the application.

Staff recommends approval of the Discretionary Use, subject to the conditions of approval attached as Exhibit A.

Procedural Findings:

- Notice of the public hearing was sent to adjacent property owners/occupants within 300 feet of the subject site on May 27, 2009. The applicant and parties submitting testimony at the public hearing have appeal rights and are mailed a copy of this decision for consideration.
- Notification was published in the *Register Guard* on May 31, 2009.
- On May 26, 2009, the City's Development Review Committee reviewed the application. The City staff's comments have been reduced findings in this report.

5.9-120 Discretionary Use Approval Criteria

A Discretionary Use may be approved only if the Planning Commission or Hearings Official finds that the proposal conforms with the Site Plan Review approval criteria specified in Section 5.17-125, where applicable, and the following approval criteria:

- A. The proposed use conforms with applicable:
1. Provisions of the Metro Plan;
 2. Refinement plans;
 3. Plan District standards;
 4. Conceptual Development Plans or
 5. Specific Development Standards in this Code;

SDC 4.7-130 Churches

A. Churches shall have a landscaped front yard setback of 15 feet and landscaped side and rear yard setbacks of 20 feet.

EXCEPTION: The landscaped setbacks for parking lots and driveways may be reduced to 5 feet when the Director determines that adequate buffering has been provided.

B. A minimum of 25 percent of the lot/parcel shall be landscaped.

C. Churches shall abut an arterial or collector street.

Finding: The site is zoned LDR (Low Density Residential) Zone and is designated LDR by the Metro Plan. There is no applicable refinement plan.

Finding: In accordance with SDC 3.2-210, a church in the LDR zone requires a Discretionary Use application and a Site Plan application. If the Planning Commission approves the DU, the applicant will submit a site plan. The site plan must comply with the Springfield Development Code as well as any conditions of the DU.

Condition of Approval: The site plan shall comply with all conditions of the Discretionary Use.

Finding: The proposal must comply with the Specific Development Standards contained in SDC 4.7-130. The building complies with the 15' front and 20' side and rear yard setbacks. At least 25% of the site is landscaped and the site abuts S 42nd Street, an arterial. However, the parking lot must also comply with the 15' front and 20' side and rear yard setbacks, unless adequate buffering is provided. Adequate buffering will reduce the impact of the noise and light

associated with the parking lot from impacting the adjacent homes. This typically requires a solid 6' fence. Although there is a 6' wood fence on the northern property line, there is only a 4' chain link on the eastern property line. The applicant will need to maintain a 15' landscaped setback there, or install a 6' solid wood fence or similar barrier.

Condition of Approval: To comply with SDC 4.7-130, install a 6' solid wood fence or comparable barrier, or move the parking lot meet the 15' setback.

Finding: The landscape shed at the NE corner of the site does not appear to meet the 15' setback.

Conclusion: As conditioned, the proposal complies with SDC 519-120(A).

B. The site under consideration is suitable for the proposed use, considering:

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

Finding: According to the local wetlands inventory, there are no identified wetlands on this site.

Finding: Sanitary sewer is within 100 feet of the site. The storm sewer is approximately 150 feet from the site. Based on the comments from PW Engineering, there are no capacity issues.

Finding: Comments from PW Engineering: "All the issues for this project are as summarized in the Pre-Submittal application. There are sufficient storm and sanitary services available to serve this project. The applicant's engineer submitted a storm water analysis that is acceptable but there were a few completeness items regarding stamping of plans, PUE, private sanitary line connections, and the need for a licensed professional to design the proposed rain garden. For Public Works, the site does appear acceptable to support this use."

Finding: The Springfield Utility Board has requested a 7' public utility easement along the street frontage. This will be a condition of approval and will be implemented during the site plan review. This request is supported by SDC 4.3-140, which requires a minimum 7' PUE along the frontage of a public right-of-way.

Condition of Approval: Dedicate a 7' public utility easement along the frontage of S 42nd Street. Prior to occupancy, submit a copy of the recorded easement.

Finding: The church has frontage on 42nd street which is classified as an arterial street. The church is expected to generate 45 weekday vehicle trips and 180 trips on Sunday. South 42nd

Street carries approximately 13,000 vehicles each day and the additional trips are not expected to have any significant impact.

Finding: The site contains two access points. The northern access will be closed and the southern access will be widened. This will reduce the number of curb cuts onto an arterial street, which is encouraged.

Finding: Comments from the Springfield Fire Marshal's Office: "No fire department comments at this time. Springfield Fire Marshal's Office will provide further comments at site plan review."

Finding: Supplemental comments from the Springfield Fire Marshal's Office: "It was noticed that the proposed building is to be 4,900 sq. ft. There appears to be only one fire hydrant shown on the site plan. Applicant will need to add a second fire hydrant, upgrade construction to a level higher than light weight wood construction (Type V-B in the 2007 Oregon Structural Specialty Code) or provide a fully automatic sprinkler system meeting 2007 NFPA 13 requirements." This is a "heads up" comment for the benefit of the applicant. It will be resolved during the site plan review.

Finding: The development site is located on the east side of 42nd Street approximately 800 feet north of the roundabout. 42nd Street is a minor arterial paved for 46 feet of the existing 70 feet of right of way. The street is improved with asphalt paving, curb/gutter, sidewalks and street lighting, which support multi-modal travel. Estimated traffic volume on 42nd Street is approximately than 13,000 vehicles per day.

Finding: Based on ITE Land Use Code 560 (Church) the proposed site use would generate vehicle trips onto the surrounding street system as follows:

	Weekday	Sunday
Peak Hour of use	5	58
Daily	45	180

In addition, assumed development may generate pedestrian and bicycle trips. According to the "Household" survey done by LCOG in 1994, 12.6 percent of household trips are made by bicycle or walking and 1.8 percent are by transit bus. These trips may have their origins or destinations at a variety of land uses, including this site. Pedestrian and bicycle trips create the need for sidewalks, pedestrian crossing signals, crosswalks, bicycle parking and bicycle lanes.

Finding: As conditioned below existing and planned transportation facilities would be adequate to accommodate additional vehicular and pedestrian traffic generated by development on the proposed new parcel in a safe and efficient manner.

Site Access and Circulation

Finding: Installation of driveways on a street increases the number of traffic conflict points. The greater number of conflict points increases the probability of traffic crashes. SDC 32.080(1) (a) stipulates that each parcel is entitled to "an approved access to a public street."

Finding: The submitted site plan shows the access to the site via a 26 foot wide driveway. This could be increased up to 35 feet according to SDC Table 4.2-2. A wider driveway would take traffic off of 42nd Street more quickly, and therefore more safely and efficiently.

Finding: The submitted site plan does not show adequate turn around space at the south ends of parking aisle.

Condition of Approval: Provide turning templates with the submittal of the Site Plan Review for this project that show a safe passenger vehicle turnaround in the southern sections of the parking lot without encroaching into the parking stalls.

Condition of Approval: Provide and maintain adequate vision clearance triangles at the corners of all site driveways per SDC 32.070.

Conclusion: As conditioned, the proposal complies with SDC 519-120(B).

C. Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:

1. Application of other Code standards (including, but not limited to: buffering from less intensive uses and increased setbacks);
2. Site Plan Review approval conditions, where applicable;
3. Other approval conditions that may be required by the Approval Authority; and/or
4. A proposal by the applicant that meets or exceeds the cited Code standards and/or approval conditions.

Finding: To the north and east are five single-family homes on lots ranging from .14 to .50 of an acre. To the south is a vacant 2-acre parcel.

Finding: The parking lot will contain 79 car spaces and 8 bicycle spaces. Areas such as the area marked "future expansion" are commonly used as unimproved overflow parking areas; however, SDC 4.6-140(A) requires all parking areas to be improved with a durable, dust free surfacing of Asphaltic concrete or Portland cement concrete. Because of this, staff recommends a condition that requires a curb or fence to prevent parking on the unimproved area.

Condition of Approval: The area marked "future expansion" shall contain a curb, fence or other barrier to prevent its use as a parking area.

Conclusion: As conditioned, the proposal complies with SDC 519-120(C).

D. Applicable Discretionary Use criteria in other Sections of this Code:

1. Wireless telecommunications systems facilities requiring Discretionary Use approval are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.3-145.
2. Alternative design standards for multifamily development are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 3.2-245.
3. Fences requiring Discretionary Use approval are exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.4-115C.
4. The siting of public elementary, middle and high schools requiring Discretionary Use approval is exempt from Subsections A. – C., above but shall comply with the approval criteria specified in Section 4.7-195.

Finding: The proposal does not include a wireless telecommunication system, a multi-family development, a public school, or a fence requiring Discretionary Use approval.

Conclusion: SDC 5.19-120(D) is not applicable to the proposal.

Determination: Based on the findings of fact, conclusions of law and the evidence in the record, the Director determines the proposal complies with the Discretionary Use criteria contained in SDC 5.9-120, subject to the conditions of approval attached as Exhibit A.

Exhibit A
Conditions of Approval

Condition 1: The site plan shall comply with all conditions of the Discretionary Use.

Condition 2: To comply with SDC 4.7-130, install a 6' solid wood fence or comparable barrier, or move the parking lot meet the 15' setback.

Condition 3: Dedicate a 7' public utility easement along the frontage of S 42nd Street. Prior to occupancy, submit a copy of the recorded easement.

Condition 4: Provide turning templates with the submittal of the Site Plan Review for this project that show a safe passenger vehicle turnaround in the southern sections of the parking lot without encroaching into the parking stalls.

Condition 5: Provide and maintain adequate vision clearance triangles at the corners of all site driveways per SDC 32.070.

Condition 6: The area marked "future expansion" shall contain a curb, fence or other barrier to prevent its use as a parking area.

**DISCRETIONARY USE CRITERIA
FOR
EAST CONGREGATION OF JEHOVAHS WITNESSES
Map 18-02-05-21, Tax Lot 8700**

SDC 5.9-120 NARRATIVE

The property proposed for development is currently owned by Steve Jackson. The property currently has one single family dwelling on it and three existing storage sheds on site to be removed. The applicant proposes to build a new 4900 square foot religious facility which contains 177 seats in the main auditorium and approximately 55 seats in offices and meeting rooms. Along with the new building the applicant will construct an asphalt parking lot to allow parking for 79 cars and 8 bicycles. The remainder of the property will be landscaped per the Springfield Development Code with the exception of southeast portion which will be a pervious surface as shown on the Site Plan. All new landscape areas will be irrigated and maintained. The development of this property as shown on the Site Plan will be an improvement to the area with a minimum impact on surrounding facilities.

SDC 5.9-120 (A) (1) The subject property is zoned LDR Low Density Residential which is consistent with low density residential zone designation for the property as shown in the General Plan Diagram contained in the Eugene-Springfield Metro Plan. Religious Facilities are permitted uses within low density residential zoned property through the Discretionary Use Permit process as administered through the City of Springfield Planning Department.

SDC 5.9-120 (A) (2) The subject property is not located within an area governed by an existing Refinement Plan of the Eugene-Springfield Metro Plan.

SDC 5.9-120 (A) (3) The subject property is not located within an area governed by an existing Refinement Plan of the Eugene-Springfield Metro Plan. Therefore no Plan District standards apply to this Discretionary Use application.

SDC 5.9-120 (A) (4) The subject property is not located within an area governed by an existing Refinement Plan of the Eugene-Springfield Metro Plan. Therefore no Conceptual Development Plans apply to this Discretionary Use application.

SDC 5.9-120 (A) (5) Religious Facilities are permitted uses within low density residential zoned property through the Site Plan Review and Discretionary Use Permit process as administered through the City of Springfield Planning Department.

SDC 5.9-120 (B) (1) The subject properties entire frontage is located on South 42nd Street which is a fully improved Minor Arterial as designated by the Springfield Conceptual Road Network Plan. The subject property currently has two accesses from South 42nd Street, the applicant is proposing to widen the southern most access to 34 feet and remove the access to the north. The applicant proposes to construct an asphalt parking with 79 parking spaces, 3 luminaries, and landscaping as shown on the Tentative Site Plan.

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4-24-09

SDC 5.9-120 (B) (2) Adequate and safe circulation to and from the site will be achieved by widening the existing driveway as shown on the Tentative Site Plan. On-site circulation and emergency response has been addressed as shown on the Tentative Site Plan per SDC Fig.4.6-A. Bicycle parking is provided on-site per SDC Table 4.6-3. As stated above South 42nd Street is a fully developed minor collector with sidewalk and bike path along the entire frontage of the subject property to allow for adequate circulation of pedestrian and bicycle traffic. The nearest transit facility is the Thurston station which is located approximately 2.2 miles away on Main Street.

SDC 5.9-120 (B) (3) No wetlands or water courses exist on this site. The subject property is mostly flat except the southwest corner which has a low spot that naturally gathers storm water. This low area lends itself well to be partially filled and utilized to construct a Rain garden to capture and treat storm water on-site.

SDC 5.9-120 (B) (4) Adequate public facilities exist for this subject property as follows: There is an 18" storm pipe stubbed out beyond the East right of way on South 42nd Street and a 8" Sanitary Sewer stub. Both the storm and sanitary have adequate elevations to serve the entire property. Also there is a 6" water main out in South 42nd Street with a service lateral and meter which currently serves the existing residence. Power and Communications are also located within the right of way of South 42nd Street along the entire frontage of the subject property.

SDC 5.9-120 (C) (1) As shown on the Tentative Site Plan the applicants has met or exceeded all landscape buffers and setbacks per the applicable sections of the SDC.

SDC 5.9-120 (C) (2) The applicant has attended a pre-submittal meeting for the Site Plan Review process and will submit a completed Site Plan Review application after approval of the Discretionary Use Permit. Therefore any and all Site Plan Review conditions will be met with the concurrent application process.

SDC 5.9-120 (C) (3) The City of Springfield planning staff/approval authority did not site any approval conditions other than what was discussed in the pre-submittal meeting PRE2009-00007.

SDC 5.9-120 (C) (4) The applicant has met or exceeded all standards and conditions of approval set forth by staff during the pre-submittal meeting dated 3/24/09 PRE2009-00007.

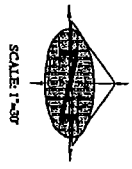
SDC 5.9-120 (D) (1) The applicant is not proposing any telecommunication facilities therefore this section of the code does not apply to this Discretionary Use Permit application.

SDC 5.9-120 (D) (2) The applicant is not proposing multi-family development therefore this section of the code does not apply to this Discretionary Use Permit application.

SDC 5.9-120 (D) (3) The applicant will comply with the approval criteria set forth in SDC 4.4-115 as shown on the Tentative Site Plan. PRE2009-00007.

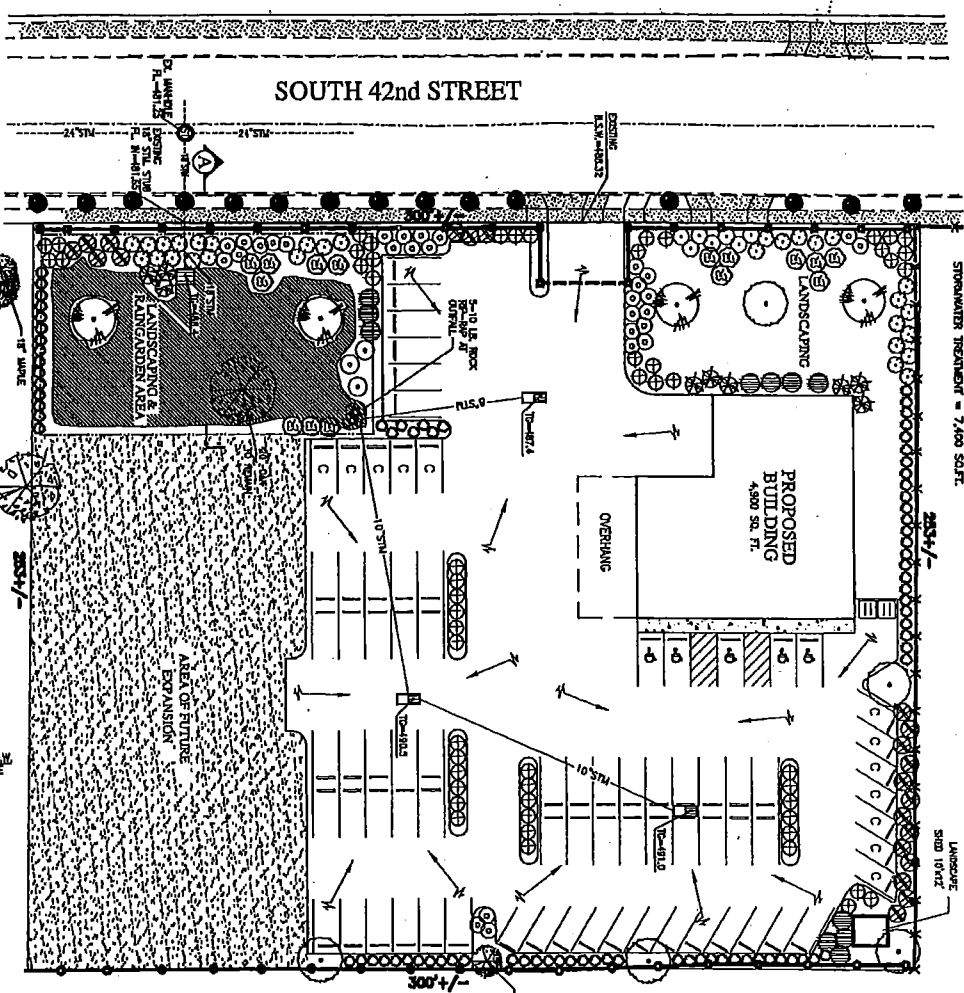
SDC 5.9-120 (D) (4) The applicant is not proposing any schools therefore this section of the code does not apply to this Discretionary Use Permit application.

Date Received: 4-24-09
Planner: SH



AREAS
 OVERALL PROPERTY = 73,000 SQ. FT.
 LANDSCAPE AREA = 18,400 SQ. FT.
 ASPHALT SURFACE = 24,400 SQ. FT.
 GRASS SURFACE = 16,200 SQ. FT.
 STORMWATER TREATMENT = 7,400 SQ. FT.

LANDSCAPE PLAN
 FOR
EAST CONGREGATION OF JEHOVAH'S WITNESSES
 SW 1/4 SEC 5, T18S, R21W, N14E
 MAP No. 1840-05-21, TAX LOT 2700
 SPRINGFIELD, LANE COUNTY, OREGON
 FEBRUARY 2009

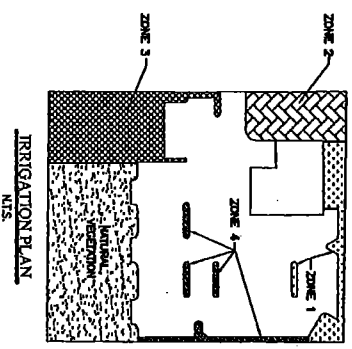
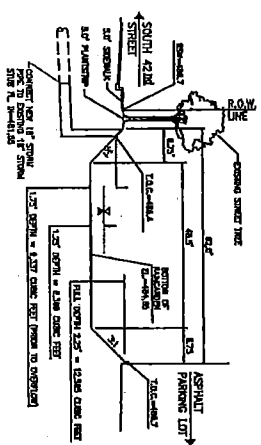


SITE ADDRESS
 805 S. COMB STREET
 SPRINGFIELD, OREGON 97477

OWNER/APPLICANT
 EAST CONGREGATION OF JEHOVAH'S WITNESSES
 231 N. 51st AVENUE
 SPRINGFIELD, OREGON 97477
 PHONE (541) 728-0135

POAGE ENGINEERING & SURVEYING, INC.
 P.O. BOX 2827 • BURGONE, OREGON 97402 • (541) 485-4505
 108 N.W. 38th, D.W.G., 38201W/D.W.G., D.W.N., B.Y. CON. DATE: 2-09

NOTE
 THE LANDSCAPE IS DESIGNED TO MEET THE REQUIREMENTS OF THE OREGON LANDSCAPE DESIGN ACT AND THE OREGON LANDSCAPE DESIGN RULES. THE LANDSCAPE DESIGNER HAS CONDUCTED VISUAL ANALYSIS AND HAS DETERMINED THAT THE PROPOSED LANDSCAPE DESIGN WILL BE SEAMLESSLY INTEGRATED WITH THE EXISTING LANDSCAPE AND WILL BE MAINTAINED UNDER BULKING PERMIT PROCEDURES.



IRRIGATION NOTES

- 1) IRRIGATION SYSTEM WILL BE DESIGNED AND BIDDING BY A LICENSED AND BONDED IRRIGATION CONTRACTOR.
- 2) BACKFLOW PREVENTION IS TO BE PROVIDED PER LOCAL CODE REQUIREMENTS.
- 3) PERMITS FOR PLACING RED LINE SYSTEM, 1" GAUGE SIZE, AND SPRINKLER HEADS TO BE USED FOR IRRIGATION AND FOR ELECTRICAL WATERS AND CONTROL LINES ARE TO BE LOCATED PER THE OWNER'S AND CONTRACTOR'S REQUIREMENTS.
- 4) SETBACK REQUIREMENTS WILL BE ADDRESSED ON SITE BETWEEN THE SITE CONSTRUCTION AND THE LANDSCAPE/IRRIGATION CONTRACTOR.
- 5) ALL LANDSCAPED AREAS SHALL HAVE REMOVAL UNDERGROUND IRRIGATION AND WILL BE ZONED AS SHOWN BELOW.
- 6) CONSTRUCTION PLANS TO DETAIL SIZES AND LOCATIONS FOR BANSLOW DEVICE, WATERS, PIPES, AND SPRINKLER HEADS.

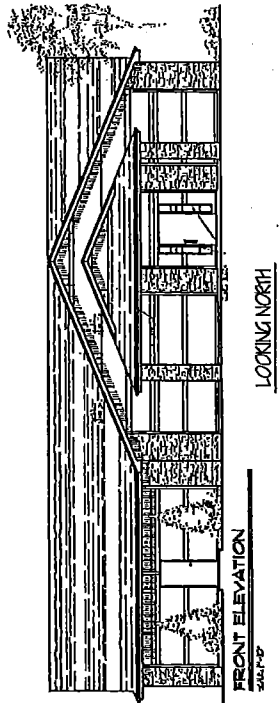
LEGEND



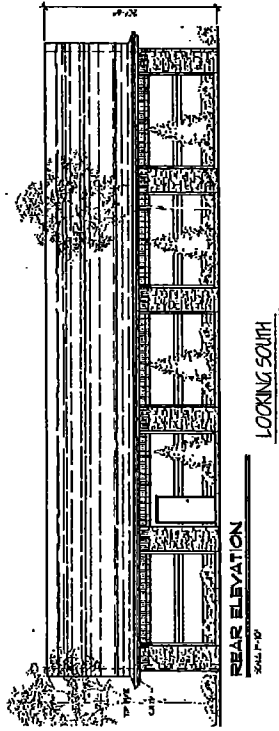
PLANT LEGEND	SYMBOL	COMMON NAME	QUANTITY
TREES	ACDC	OCTOBER GLORY RED MAPLE	4
	CFP	CAPITAL LINDENING TREE (EXISTING SPECIES AS NOTED)	8
	CFP	CAPITAL LINDENING TREE (EXISTING SPECIES AS NOTED)	2
SHRUBS	BA	BURBUD ARBORESCENS	81
	PP	PINK FRANCES	7
	NZF	BROOKE NEW ZEALAND FLAX	9
	OLL	OTTO LINDENS LAUREL	37
	NO	WONGS HEAVENLY BAMBOO	28
	WTD	WATERED RED TINE DOGWOOD	15
	BLA	WAXED BLOOMING	21
	LP	PRINCE HENRIETTA	11
GROUND COVER	PERMEABLE		22
	NON-PERMEABLE		8,440 SQ. FT.
	NET PAVED SEED LOT		
	GRASS FROM TALL FESCUE		
	TURF FROM CULTURAL EVENT GRASS		
	TURF FROM RED TOP BERM GRASS		
	NO MOW GRASSES		

Date Received: 4-24-09
 Planner: SH

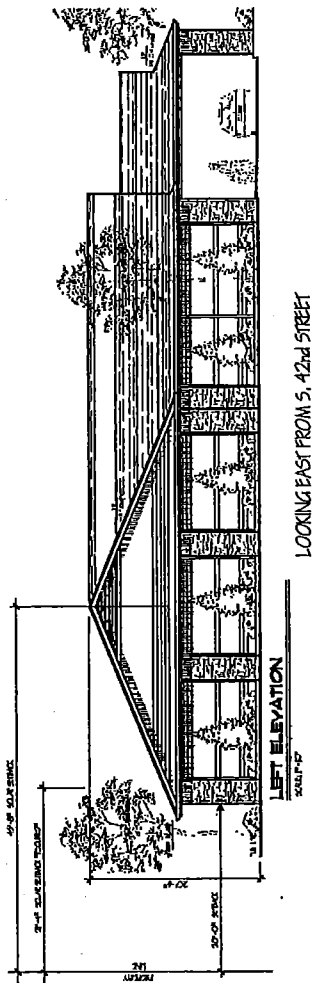
BUILDING ELEVATIONS
AND SOLAR SETBACKS
FOR
EAST CONGREGATION OF JEHOVAH'S WITNESSES
MARCH 2009



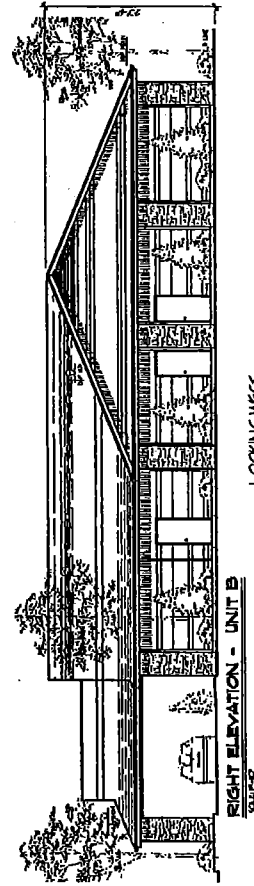
LOOKING NORTH



LOOKING SOUTH



LOOKING EAST FROM S. 42nd STREET



LOOKING WEST

SCALE: 1/8\"/>

POAGE ENGINEERING & SURVEYING, INC.
P.O. BOX 1577 • EUGENE, OREGON 97402 • (541) 454-4595
JOB NO. 3820.DWG. 3/20/09.DWG, DWN. BY: CDN, DATE: 2-09

Date Received: 4-24-09
Planner: SH

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD**

A DISCRETIONARY USE HEARING FOR (
A CHURCH (
(
Case Number: DRC2009-00016 (
FINDINGS, CONCLUSION AND ORDER (

NATURE OF THE APPLICATION

East Congregation of Jehovah's Witnesses submitted an application to construct a church located at 882 S. 42nd Street. The Springfield Development Code (SDC) Section 3.2-210 lists "Churches" as a discretionary use in the LDR (Low Density Residential) zoning district, requiring action by the Planning Council to approve.

1. The application conforms to the provisions of Section 5.9-115 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 5.1-135 of the Springfield Development Code was provided.
2. On June 16, 2009, a public hearing on the proposed use was held. The Development Services staff notes, including criteria of approval, findings, and recommendations, together with the testimony and submittals of those persons testifying at the hearing or in writing, have been considered and are part of the record of this proceeding.

CONCLUSION

The proposed church is presented for approval as a discretionary use under SDC Section 3.2-210 "Churches" in the LDR (Low Density Residential) zoning district.

On the basis of this record, the requested discretionary use is consistent with the criteria of approval of Section 5.9-120 of the Development Code. This general finding is supported by the specific findings of fact and conclusion in the Staff Report that is attached hereto.

DECISION OF THE PLANNING COMMISSION

It is the **DECISION** of the Planning Commission of Springfield that Journal Number DRC2009-00016, Discretionary Use, be approved with conditions.

This **DECISION** was presented to and approved by the Planning Commission on June 16, 2009.

Planning Commission Chairperson

ATTEST:
AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____