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MICHEAL M. REEDER

March 10, 2010

Greg Mott, Planning Manager
City of Springfield
Development Services
225 Fifth Street
Springfield, Oregon 97477

Re: Amigos III, LLC - Springfield 2030 Refinement Plan (LRP2009-00014)
Please Refer to Our File No. 14279-6

Dear Greg:

As you know, this firm represents Amigos III, LLC, the owner of a 1.19-acre parcel located east of 58th Street and north of Main Street, Assessor's Map 17-02-34-32, Tax Lot 202 ("Tax Lot 202"). Thank you for meeting with me, John Arnold, Bill Grile, Joe Leahy and John Tamulonis yesterday to discuss our desire to have the *Springfield 2030 Refinement Plan* ("SRP") designate Tax Lot 202 Commercial rather than Medium Density Residential ("MDR").

As I related to you yesterday, in speaking with Steve Hopkins a few weeks ago, Steve indicated that one of the primary reasons, if not the only reason, that Tax Lot 202 is recommended for MDR rather than Commercial is because the current *Metro Plan Diagram* seems to indicate that Tax Lot 202 is already MDR and the draft *SRP* designation of MDR would therefore be consistent with the current *Metro Plan* designation. Specifically, Steve indicated that when interpreting the *Metro Plan Diagram*, 58th Street is an identifying marker that separates Commercial-designated property from MDR-designated property. However, as I indicated to you yesterday, this is not accurate. Although the *Metro Plan Diagram* may appear to divide Commercial properties from MDR properties at 58th Street, land use decisions since the creation of the *Metro Plan Diagram* (aka "blob map") have interpreted properties on the east side of 58th Street, north of Main Street and south of the School District property (i.e. Thurston High School) as Commercial. During our meeting yesterday, staff suggested that I provide staff with additional information so that you could make a decision prior to the March 16th joint planning commission

hearing about whether staff would support our position that the entire Tax Lot 202 be designated Commercial. Please consider the additional information below:

At least a significant portion of Tax Lot 202 has already been identified as Commercial. Attached to this letter is an April 17, 2001 Planning Commission decision (Jo. No. 2001-03-0052) to approve a zone change from General Office Commercial to Community Commercial for the property directly to the south of Tax Lot 202, known as 5846 Main Street, Tax Lot 300 (the "Hageman Decision"). Significantly, the first page of "Exhibit A" of the Hageman Decision identifies former Tax Lot 200 to the north of Tax Lot 300 as designated Commercial by the *Metro Plan*: "The parcel north of the subject site [former Tax Lot 200] is classified [i.e. zoned] Medium Density Residential **but the Metro Plan designation is Commercial.**" (Emphasis added). As I explained yesterday, former Tax Lot 200 is now part of current Tax Lot 202. Since the purpose of the *SRP* is to designate property based on tax lots, Tax Lot 202 should be designated Commercial in its entirety.

The Commercial designation is the appropriate designation for Tax Lot 202. Not only should Tax Lot 202 remain Commercial because it is consistent with the current *Metro Plan*, but such a designation will provide the owner with greater ability to market or develop Tax Lot 202 at a higher intensity than would be allowed under staff's proposed MDR, thereby inducing infill development, a land use efficiency measure proposed by the *SRP*.

Tax Lot 202 is located at the convergence of Commercial-designated property and a possible future nodal area. Tax Lot 202 is bounded by Commercial on the west and the south. A fully-improved North A Street abuts Tax Lot 202 directly to the north. A small, vacant General Office zoned parcel and Thurston High School are located to the north of North A Street. Parcels zoned General Office provide a transitional buffer for the MDR-designated and zoned property to the east. Tax Lot 202 is surrounded by properties that are occupied with commercial retail uses. Liberty Bank has a bank to the southeast, and the property to the south is occupied by a Dutch Bros. drive-up coffee stand. A carwash is located to the west of Tax Lot 202. A strip retail development occupied by a tanning salon, restaurant and other retail shops is located to the immediate southwest of Tax Lot 202. A 7-11 Store is located at the northeast corner of 58th Street and Main Street. Directly across Main Street to the south is a Burger King and a Walgreens drug store. Designating Tax Lot 202 as Commercial would be consistent with the Commercial-designated and retail uses of the property to the west and south and would be buffered by GO to the east and north. Specifically, Tax Lot 201, Tax Lot 500, Tax Lot 501, Tax lot 510, Tax Lot 400 and Tax Lot 511 are all zoned GO and are an adequate buffer between Commercial property to the west and MDR property to the east from Tax Lot 202. See the attached map showing the zoning of the surrounding area.

Greg Mott
March 10, 2010
Page 3

The owner of Tax Lot 202 respectfully requests that you, either prior to or at the Tuesday, March 16, 2010 hearing, recommend to the Springfield Planning Commission and the Lane County Planning Commission that the draft *SRP* be amended to designate Tax Lot 202 as Commercial rather than MDR. Thank you for your consideration in this important matter.

Very truly yours,



Micheal M. Reeder
Attorney for Amigos III, LLC

MMR:jgh
Attachments

cc: Roger W. Langeliers (w/attachments)
John B. Arnold (w/attachments)
Bill Grile (w/attachments)
Steve Hopkins, AICP (w/attachments)
John Tamulonis (w/attachments)
Joe Leahy (w/attachments)

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