

ORDINANCE NO. 6201 (General)

AN ORDINANCE AMENDING THE SPRINGFIELD ZONING MAP BY REZONING APPROXIMATELY 5.24 ACRES OF LAND IDENTIFIED AS LANE COUNTY ASSESSOR'S MAP 17-02-32-00, TAX LOTS 400 & 402, FROM LIGHT MEDIUM INDUSTRIAL (LMI) TO COMMUNITY COMMERCIAL (CC).

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

1. Article 12 of the Springfield Development Code sets forth procedures for Springfield Zoning Map amendments; and
2. On March 16th, 2007 the applicant/owner of the subject property initiated the following Springfield Zoning amendment:

Rezone approximately 5.24 acres of land from Light Medium Industrial to Community Commercial, Case Number ZON2007-00012, for property identified as Lane County Assessor's Map 17-02-32-00, Tax lots 400 and 402; and

3. On June 4th, 2007, the Springfield Planning Commission held a work session and public hearing to receive testimony and hear comments on this proposal. A second public hearing was held on June 18th, 2007 after the written record was left open for seven additional days and after reviewing additional written testimony. The Planning Commission deliberated and voted unanimously (5-0) to forward a recommendation of approval to the City Council; and
4. On July 2nd, 2007 the Springfield City Council held a work session and a public hearing to consider and to receive testimony and hear comments on this proposal. The City Council is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance amending the Springfield Zoning Map.

NOW THEREFORE, based upon the foregoing findings the City of Springfield ordains as follows:

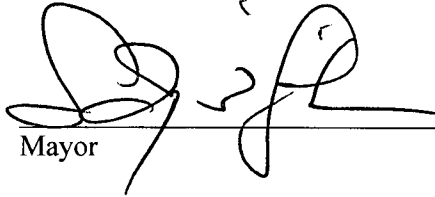
Section 1. The Springfield Zoning Map, more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby amended from Light Medium Industrial to Community Commercial.

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portion of this Ordinance.

FURTHER, although not part of this Ordinance, the Springfield City Council adopts findings 1-4 herein above, and the findings set forth in the Staff Report which demonstrate conformance of this amendment to Section 12.030 of the Springfield Development Code and to applicable Statewide Planning Goals, and is attached as Exhibit A.

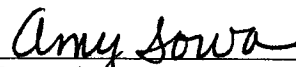
ADOPTED by the Common Council of the City of Springfield this 16th day of
July, 2007 by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 16th day of July, 2007.



Mayor

ATTEST:



City Recorder

REVIEWED & APPROVED
AS TO FORM

DATE: 6-28-07
OFFICE OF CITY ATTORNEY



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

Hearing Date:

June 4th, 2007 – Planning
Commission
June 18th, 2007 –
Planning Commission
July 2nd, 2007 – City
Council

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 Ardenale 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.

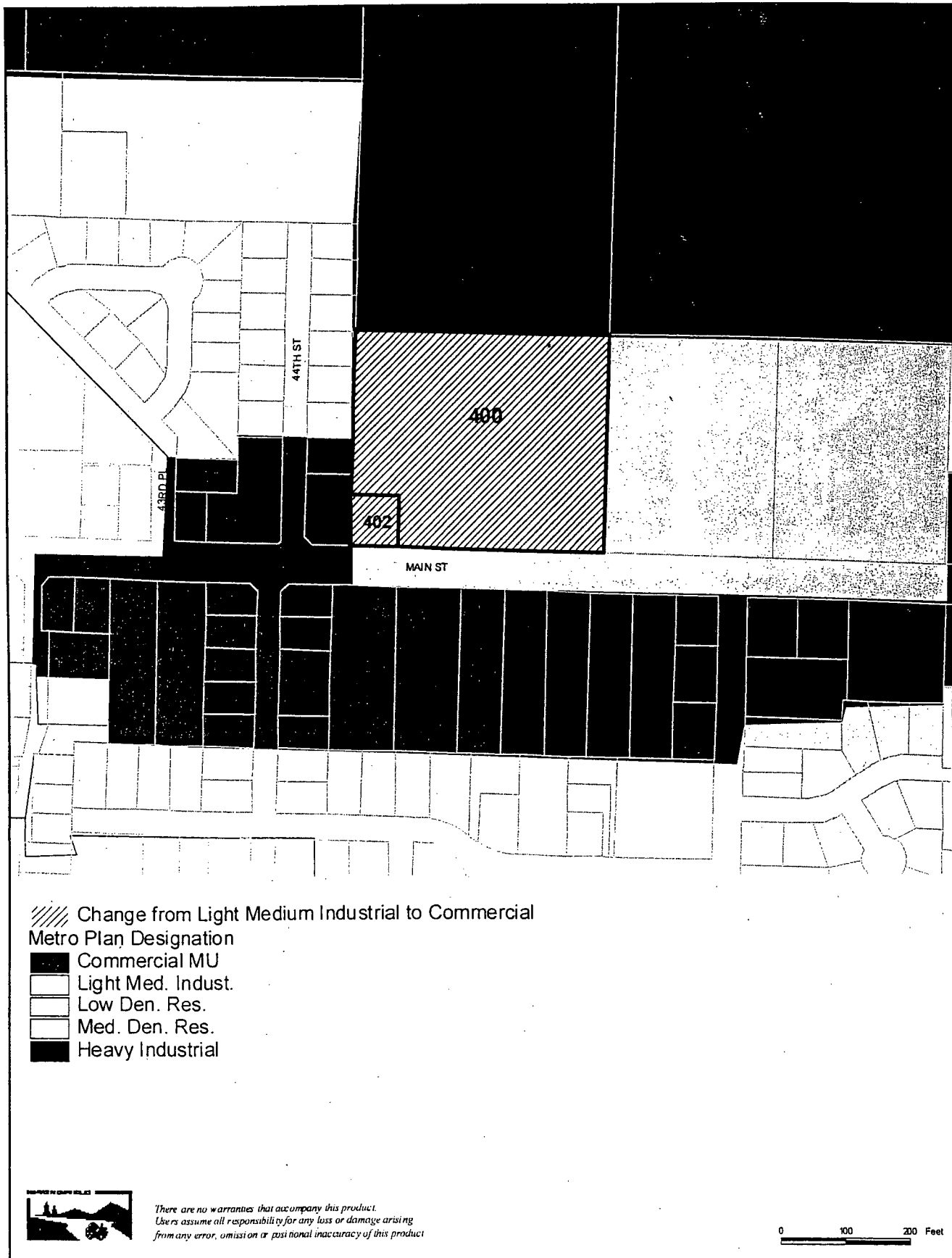
Commercial enterprises are located immediately south of the site across Main Street (e.g., Gray's Garden Center).

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:



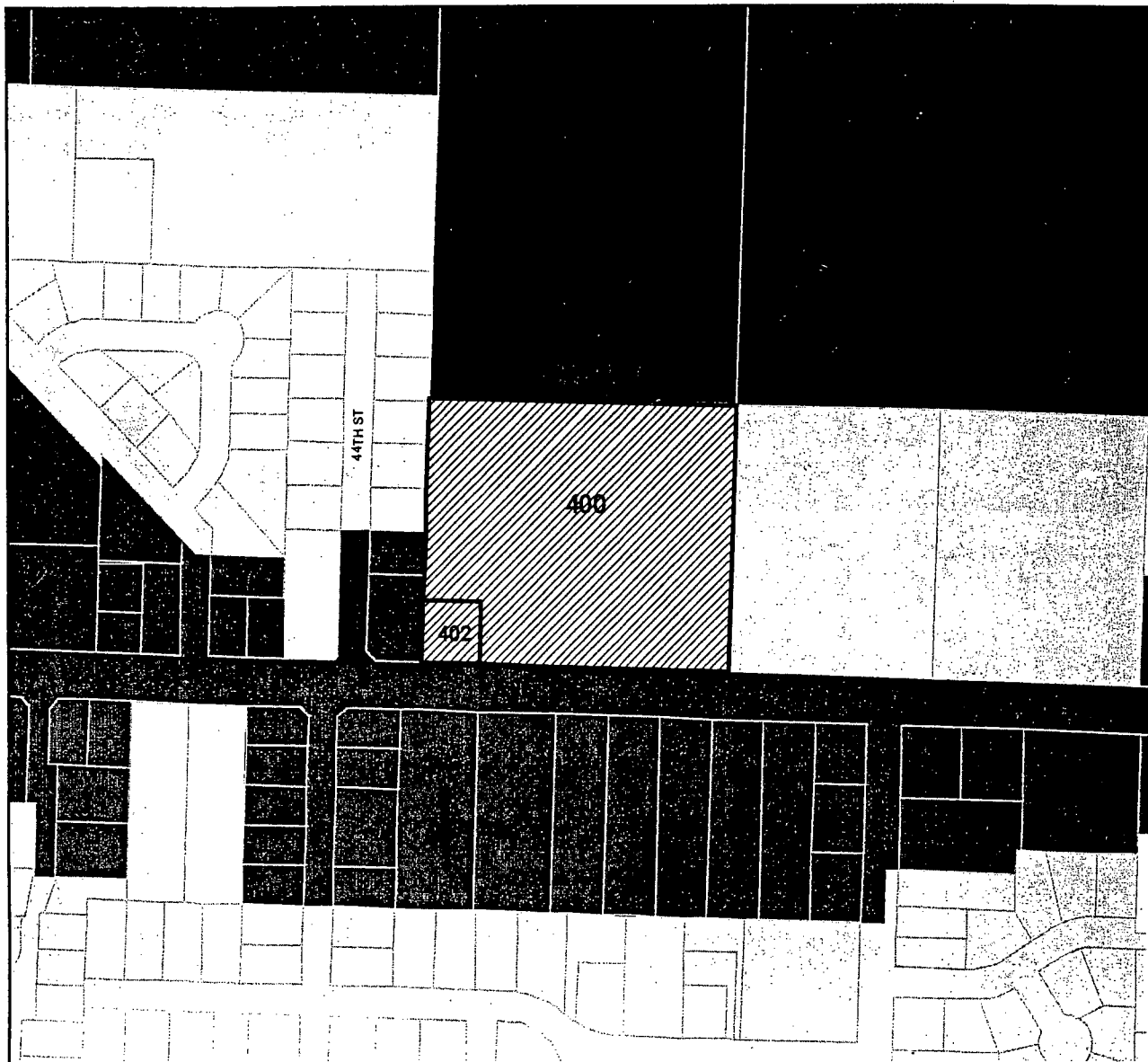
June, 2007

Existing & Proposed Refinement Plan Designation:



June, 2007

Existing & Proposed Zoning:



Change from Light Medium Industrial (LMI) to Community Commercial (CC)

Zoning

- Medium Density Residential
- Low Density Residential
- Community Commercial
- Light Medium Industrial
- Heavy Industrial

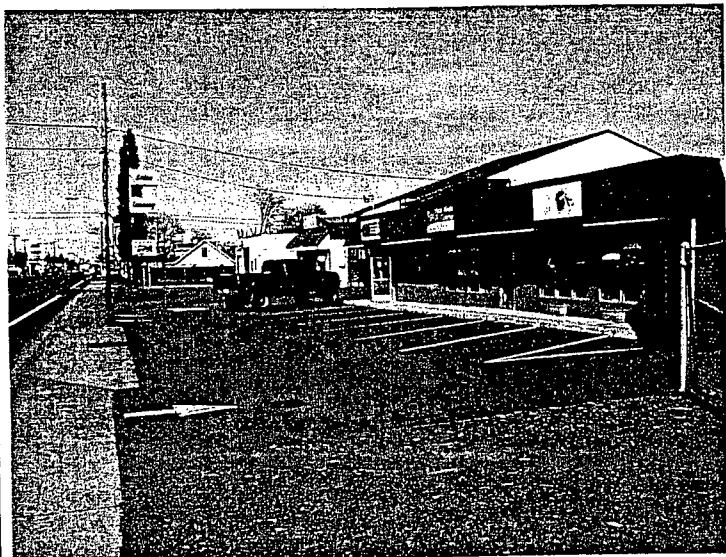


*There are no warranties that accompany this product.
Users assume all responsibility for any loss or damage arising
from any error, omission or positional inaccuracy of this product*

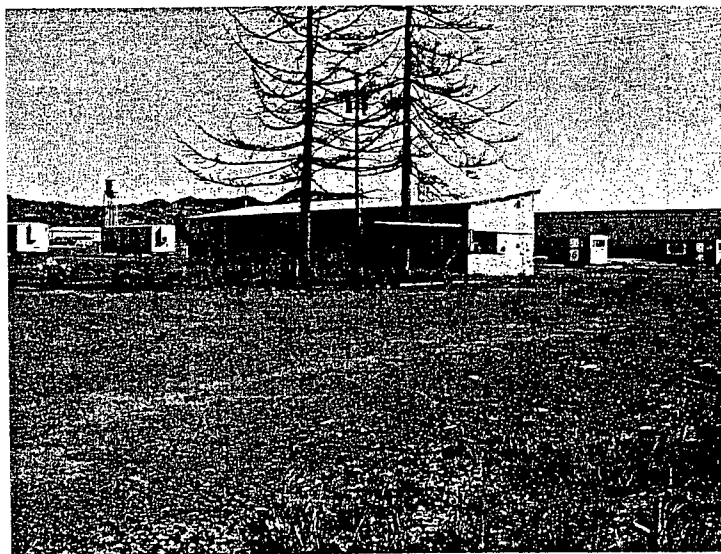
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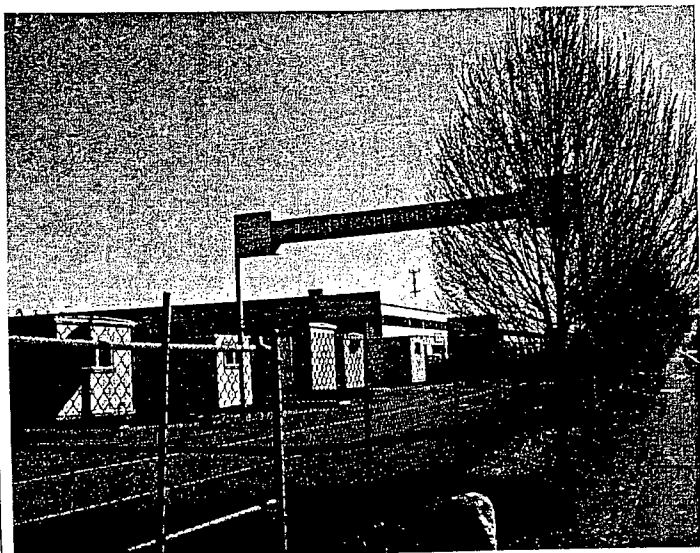
Existing Site Conditions:



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 SLCS 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 is 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 of 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 SLCS 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 worse 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 worse 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 worse 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 worse 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 worse 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 worse 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 policies 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 Statutes; 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.



5.0 TRIP GENERATION AND DISTRIBUTION

5.0 TRIP GENERATION

To determine the traffic impacts of a development on a roadway system, the number of vehicle movements resulting from the development must be estimated. These movements are referred to as "trips". Trip generation is the estimated volume of trips resulting from the development.

The amount of trips expected to be generated by the proposed development was determined using the information contained in the ITE Trip Generation Manual, 7th Edition. The equations in the manual predict the number of trips generated based on the gross square feet of floor area. Separate trip generation analyses were performed for the AM and PM peak hours for the development.

Under the current Light-Medium Industrial zoning the development site can be built out to include a variety of land uses specified in Springfield Development Code Article 20. The maximum trip generation of the development was determined for the allowed land uses under the current zoning. Tables 5 and 6 illustrate the maximum development potential and subsequently the maximum trips generated by the development site using the following ITE Land Use Codes:

- Land Use Code 760 - Research and Development
- Land Use Code 714 - Corporate Headquarters
- Land Use Code 492 - Health/Fitness Club
- Land Use Code 565 - Daycare Center

Table 5: AM Peak Hour Trip Generation-Maximum Potential of Site for Existing Zoning

Land Use	ITE Code	Size (1,000 square feet)	Rate (per 1,000 square feet)	Peak Hour Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
Research and Development	760	80	$\ln(T) = 0.88 \cdot \ln(x) + 0.88$	114	0.83	0.17	95	19
Corporate Headquarters	714	20	$\ln(T) = 0.95 \cdot \ln(x) - 0.66$	33	0.93	0.07	31	2
Health Fitness Club	492	4	$T = 1.21 \cdot x$	5	0.42	0.58	2	3
Daycare Center	565	6	$T = 12.79 \cdot x$	77	0.53	0.47	41	36
Total Trips				229			168	61



Table 6: PM Peak Hour Trip Generation-Maximum Potential of Site for Existing Zoning

Land Use	LUE Code	Size (1,000 square feet)	Rate (per 1,000 square feet)	Peak Hour Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
Research and Development	760	80	$\ln(T)=0.83 \cdot \ln(x)+1.06$	110	0.15	0.85	16	93
Corporate Headquarters	714	20	$\ln(T)=0.87 \cdot \ln(x)+1.01$	37	0.1	0.9	4	33
Health Fitness Club	492	4	$T=4.05 \cdot x$	16	0.51	0.49	8	8
Daycare Center	565	6	$T=13.18 \cdot x$	79	0.47	0.53	37	42
Total Trips				243			66	177

With the zone change the development site will be built to include an approximately 30,000 square foot medical office building. The land use code for a fully developed medical office building was 720 – Medical-Dental Office Building. This was used in place of Land Use Code 630 – Medical Clinic because, after close inspection of the Trip Generation Manual, it was determined that the sample size for this category of land use was too small to create a reliable estimate of trips generated. Table 7 illustrates the traffic generated by the proposed 30,000 square foot medical office building. Tax Lot 402 is currently occupied by a commercial/specialty retail center. With the proposed zone change, the building will remain on the property and will continue to operate as a specialty retail center. Vehicle trips using this site have already been accounted for on the roadway in the background traffic volumes; therefore, no new development trips were assigned to this Tax Lot.

Table 7: Peak Hour Trip Generation-Medical Office Building

Land Use	LUE Code	Size (1,000 square feet)	Rate (per 1,000 square feet)	Peak Hour Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
Medical Office Building	720	30						
AM			$T=2.48 \cdot x$	74	79%	21%	58	16
PM			$\ln(T)=0.93 \cdot \ln(x)+1.47$	103	27%	73%	28	75

There are 155 fewer AM and 140 fewer PM vehicle trips generated by the medical office building when compared to the maximum potential of the site under the current zoning.



5.1 TRIP DISTRIBUTION AND ASSIGNMENT

After determining the trip generation, the next step in the analysis requires distributing and assigning the trips to the existing traffic network. Trip distribution allocates the trips generated from the developments to generalized destinations. Trip assignment routes trips to these generalized destinations via the actual street network. The trip distribution for this project was based on the existing distribution pattern of the study area roadway network, where applicable. Access to Tax Lot 400 is assumed to be limited to a single full-movement access from Main Street. Figures 9 and 10 shows the assigned vehicle trips generated by the 30,000 square foot medical office building for the AM and PM peak period respectively.

5.2 BUILD TRAFFIC VOLUMES

To determine the Build traffic volumes the development trips assigned throughout the study area were added to the background traffic data. The year 2008 AM and PM Build year traffic volumes are illustrated in Figures 11 and 12, respectively. The year 2023 AM and PM Build year traffic volumes are illustrated in Figures 13 and 14, respectively.



7.0 TPR FINDINGS

The following discusses the Oregon Administrative Ruling 660-012-0000, the Transportation Planning Rule, and the effect of the proposed development on the transportation facilities as it applies to the ruling.

660-012-0060

Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

The addition of development traffic on the adjacent roadways does not cause the change in functional classification of any of the transportation facilities.

(b) Change standards implementing a functional classification system; or

The standards implementing a functional classification system within the project study area are not changed by the proposed development.

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

The proposed development does not result in types or levels of travel or access that are inconsistent with the functional classification of the studied transportation facilities.

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan;
or

The addition of development traffic does not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard.



(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The addition of development traffic does not further degrade the performance of intersections projected to perform below the minimum acceptable performance standard.

As shown, the proposed redesignation of Tax Lot 400 and 402 does not result in a "significant effect" on the transportation facilities as defined in the TPR.

8.0 SUMMARY AND RECOMMENDATIONS

This report provides an analysis of potential traffic impacts resulting from the proposed redesignation/zone change and future development of the subject site in Springfield, Oregon. This development will include approximately 30,000 square feet of medical office space. The parcel proposed for development is located east of 44th Street and west of 48th Street on Main Street. A single unsignalized full-movement access point on Tax Lot 400 and existing driveway access to Tax Lot 402 is assumed.

Completion of the proposed development is anticipated for the year 2008. This report includes year of completion analysis, year 2008, for the roadway network within the study area. In addition, a horizon year analysis was performed for the year 2023.

A performance analysis was completed for the intersections of Main Street and 42nd Street, Main Street and 48th Street, Main Street at 44th Street, and Main Street at 46th Street. The operational analysis of all intersections within the study area shows that under the Build condition no degradation in volume-to-capacity ratio in comparison to the No-Build condition occurs due to the additional trips produced by this development. All study areas meet the mobility standard for the Build condition.

A queuing analysis was performed for the intersection within the study area. The queuing analysis, which assumes the current lane configuration throughout the planning horizon, was performed to determine the amount of required storage length due to the construction of the project. The results of the queuing analysis indicate that all existing storage lengths will facilitate the queuing anticipated for the traffic demand, including the proposed development.

According to the finding under Oregon Administrative Ruling 660-012-0000, the Transportation Planning Rule, the proposed redesignation of Tax Lot 400 and 402 does not result in a "significant effect" on the transportation facilities as defined in the TPR.

Memorandum

City of Springfield

Date: April 4, 2007
 To: David Reesor, Planner III
 From: Gary McKenney, P.E., Transportation Planning Engineer
 Subject: LRP2007-00012 PeaceHealth PAPA

The following comments and recommendations are based on my preliminary review of the assumptions used in the traffic analysis report (TIA) and other materials provided with the subject application. Pertinent pages of the TIA are attached for reference.

Traffic Impacts Analysis

In estimating the trip-making potential of site development under existing LMI designation/zoning the TIA assume the land uses as depicted in Table 5 (Page 18).

Recommendation: Confirm that the uses assumed in the "existing-designation" development scenario are permitted, and that they represent a "reasonable worst case."

In estimating the trip-making potential of site development under proposed CC designation/zoning the TIA assumed a single land use (Medical Office Building) as depicted in Table 7 (Page 19).

Recommendation: Confirm that the use assumed in the "proposed-designation" development scenario represents a "reasonable worst case." If not, we need to decide whether limiting allowed development to the level assumed in the TIA would be an acceptable means of ensuring that future development would not generate traffic in excess of what is estimated in the TIA. If we find that the assumed Medical Office use would under-utilize the land, then we will want the TIA revised to reflect the impact of a true "reasonable worst case."

Goal 12 TPR Analysis/Findings

The PAPA application refers to the Goal 12 findings contained in the TIA. These are presented on pages 31 and 32. The validity of these finds will depend on the details of the technical analysis and supporting assumptions.

REESOR David

From: MCKENNEY Gary
Sent: Thursday, April 05, 2007 9:23 AM
To: REESOR David
Subject: PeaceHealth PAPA Traffic Analysis
Follow Up Flag: Follow up
Flag Status: Red

David,

In considering what a "reasonable worst case" development scenario might be for the re-zoned condition it is clear that a 30 KSF 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 MO 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.

In considering the Goal 12 "insurance policy" issue some more I thought of another possible way to deal with it, which we did not discuss yesterday. We might choose to limit the trip generation for the rezoned land to be no greater than what would be expected from development under a reasonable worst case with existing zoning.

I'd like to discuss these ideas further in our meeting with Ed Moore.

Gary



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 2 Tech Center
455 Airport Road SE Building A
Salem, Oregon 97301-5397
Telephone (503) 986-2990
Fax (503) 986-2839

File: T15-2

DATE: May 10, 2007

TO: Ed Moore
Area 5 - Senior Planner

FROM: Stephen B. Wilson, PE
Region 2 Senior Traffic Analyst

SUBJECT: East Springfield Rezone
Traffic Impact Analysis Review
Highland Business Park - Peacehealth Medical Office Building
McKenzie Highway - OR 126 Bus. (Highway #15)
Milepost 4.61 - 5.00
City of Springfield
Lane County

These are review comments for the *East Springfield Rezone* Traffic Impact Analysis (TIA), prepared by *JRH Transportation Engineers*. The focus of this review is the analysis methodologies and assumptions. The results and conclusions of this study are in question, due to noted inconsistencies. It is recommended this study be revised, taking into account these comments. Region 2 Traffic will need to review any revised traffic study, to ensure it complies with ODOT requirements, before it can be deemed acceptable.

Page	Paragraph	Comment
7	Table 1	The classification of Main Street (OR 126) must also be listed by the ODOT highway classification.
8	Seasonal Adjustment	This study needs to demonstrate how the <i>Seasonal Adjustment</i> factors were applied to the raw traffic data. A graphic showing the raw traffic volumes should also be included.
8	Peak Hours	The peak hours assumed for this study seem reasonable; assuming the Peak Hour Factors were calculated off data from these assumed hours, and were the same for all intersections.
11	Figure 4	The 2006 Existing PM Peak traffic volumes do not seem correct. As part of this review, calculations were made using the raw traffic data and the assumed <i>Seasonal Adjustment</i> factors, presented in this study. The review calculations were unable to confirm the traffic volumes presented in Figure 4. See related comment for Page 8.
12	Section 3.1	ODOT does not have a standard from which you can compare an <i>Intersection Crash Rate</i> . This study cites a crash rate threshold of 1.0. This is not an ODOT standard, and it is unclear where this standard may have originated. The only ODOT standard for comparison is a <i>Segment Crash Rate</i> , which should be calculated for the crashes in at least a mile of the study area roadway.

Page	Paragraph	Comment
13	Growth Factors	This study must demonstrate how the <i>Historical Growth Rates</i> were applied to the 2006 30 th Highest Hour traffic volumes. Calculations to confirm the 2008 and 2023 data were unable to duplicate the future volumes cited in this report.
18	Existing Zoning Trip Generation	This report states the maximum development potential was determined for the property, given its current zoning of <i>Light-Medium Industrial</i> . For this scenario, how was the maximum allowable development determined?
18	Table 5	The trip generation assumptions and output in this table are accurate.
19	Proposed Zoning Trip Generation	This study's trip generation analysis for the proposed zoning, assumed a 30,000 sf <i>Medical Office Building</i> would be the only development on this site. To satisfy the requirements for a TPR-level analysis, the trip generation study for the proposed zoning must be for the <u>maximum allowable development</u> on that site, given the City's development codes and regulations.
n/a	Future Build-Out Traffic Volumes	The traffic volumes for all Future Build-Out data sets will need to be revised to account for corrections made to address the previous comments.
n/a	Section 6.0	The traffic data for this study is in question. Any analysis made from these data sets is also questionable and must be revised; taking into account the previous comments. This comment can also be applied to the queuing analysis developed for this study.
n/a	Manual Count Data	The scope of work for this TIA required <i>3-hour Manual Classification Counts</i> for all study-area intersections. However, a review of the manual count data was unable to determine any truck volumes or percentages. The truck traffic in this study area is significant, and must be taken into account.
n/a	Synchro Analysis	A review of the Synchro output has noted several inconsistencies throughout the analysis: • An Ideal Saturation Flow rate of 1900 pcphpl was assumed for both signalized intersections (42nd & 48th), while 1800 pcphpl was assumed for the two unsignalized intersections. The ODOT Analysis Procedures Manual requires a saturation flow rate of 1800 pcphpl for all intersection analysis. • The truck percentages must be based on real-world data. The Synchro default of 2% is not acceptable. • Unless the Yellow Time (s) entered into Synchro for the signalized intersections is based on either an ODOT or City timing sheets, this analysis should assume 4.5 seconds of yellow for the OR 126 approaches, and 4.0 seconds of yellow for the City-street approaches. The 5.0 seconds of yellow is generally reserved for highways with an 85th Percentile Speed equal to, or greater than 45 mph.
31	Section 7.0	The TPR findings from this study are in question, due to the inconsistencies noted in this review. It is very likely they will need to be revised, based on the recommendations in this review.

Page	Paragraph	Comment
32	Section 8.0	Based on the previous comments in this review, the conclusions drawn and recommendations proposed are in question. It is very likely they will need to be revised, based on the recommendations in this review.

If you have any questions regarding my comments, please contact me by phone at (503) 986-2857 or by e-mail at stephen.b.wilson@odot.state.or.us.

Cc: Jim Hanks – JRH
David Warren
Jane Lee
Mike Spaeth
Dennis Santos
File

REESOR David

From: MCKENNEY Gary
Sent: Tuesday, May 15, 2007 4:28 PM
To: REESOR David
Subject: RE: Springfield - East Springfield Rezone TPR Analysis Review
Attachments: LRP2007-00012 Trans memo1.DOC

David ---

I believe Steve Wilson is thinking in the context of an unconditioned approval of the PAPA/ZC.

Given the approach we planned to take in conditioning this approval, I think only Item #18 of his noted issues is relevant to ensuring Goal 12 compliance.

This issue was discussed in my April 4, 2007 memo to you (copy attached). I assume you can respond to Steve's question on how we conclude that the assumed existing-zoning development scenario is no more intense than "worst case."

If we condition the PAPA to limit trips to less than or equal to what would be generated by the "worst case," all the other issues appear moot.

Gary

From: REESOR David
Sent: Monday, May 14, 2007 10:34 AM
To: MCKENNEY Gary
Subject: FW: Springfield - East Springfield Rezone TPR Analysis Review

Gary-

What are your thoughts on the attached memo?

-DR

From: MOORE Ed W [mailto:Ed.W.MOORE@odot.state.or.us]
Sent: Monday, May 14, 2007 8:06 AM
To: REESOR David; MCKENNEY Gary
Subject: FW: Springfield - East Springfield Rezone TPR Analysis Review

FYI

REESOR David

From: MOORE Ed W [Ed.W.MOORE@odot.state.or.us]
Sent: Monday, May 21, 2007 3:14 PM
To: REESOR David
Subject: RE: PeaceHealth Plan and Zoning Map Amendment

Dave, that is what we agreed to at our meeting and it still hold for us. Ed

-----Original Message-----

From: REESOR David [mailto:dreesor@ci.springfield.or.us]
Sent: Monday, May 21, 2007 11:49 AM
To: MOORE Ed W (OR)
Cc: MCKENNEY Gary
Subject: PeaceHealth Plan and Zoning Map Amendment

Hi Ed-

I just wanted to clarify with you ODOT's position on the PeaceHealth proposal (LRP2007-00013 & ZON2007-00012). Based upon the meeting you and I had with Gary McKenney, we are all in agreement that the most appropriate way to address Goal 12 compliance on this proposal is by conditioning a trip cap to what the worse case scenario would be under existing zoning (LMI). Does this sound correct to you?

Thanks,

David Reesor
Planner III
City of Springfield
541.726.3783

-----Original Message-----

From: WILSON Stephen B

Sent: Friday, May 11, 2007 10:03 AM

To: MOORE Ed W

Cc: jimhanks@jrhwweb.com; WARREN David; LEE Jane S; SPAETH Michael A; SANTOS Dennis N

Subject: Springfield - East Springfield Rezone TPR Analysis Review

Ed...

This is my technical review of this TIA submitted by JRH. I apologize for the delay in getting this review out.

<<East Springfield Rezone TPR Analysis Review.pdf>>

Stephen B. Wilson, PE

Senior Transportation Analyst

ODOT - Region 2 Tech Center

455 Airport Road SE - Building 'A'

Salem, OR 97301-5397

(503) 986-2857

March 15, 2007

Type II Metro Plan/East Main Refinement Plan Diagram Amendments

Written Explanation of the Proposal

Applicant: PeaceHealth Oregon Region
770 E. 11th Avenue
P.O. Box 1479
Eugene, Oregon 97440

Property Owners: Hyland Business Park, LLC (Tax Lot 400)
1941-A Laura Street
Springfield, OR 97477
Attn: Shaun Hyland
(541) 726-8081

Andrew Head (Tax Lot 402)
1616 Ardendale Ln.
Eugene, OR 97405
(541) 521-3403

Applicant's Representative: Philip Farrington, AICP
Director, Land Use Planning & Development
PeaceHealth Oregon Region
123 International Way
Springfield, Oregon 97477
(541) 686-3828 * Fax (541) 335-2595
pfarrington@peacehealth.org

1.0 Land Use Request

PeaceHealth Oregon Region (the "Applicant") requests approval to change the map designation on the Metropolitan Area General Plan ("Metro Plan") diagram from Light Medium Industrial ("LMI") to Community Commercial ("CC") for approximately 5.24 acres identified as Tax Lots 400 and 402 on Assessor's Map No. 17-02-32-00. This same acreage on the site is being proposed for a concurrent amendment to the Springfield zoning map from LMI to CC, as allowed in Springfield Development Code ("SDC") 12.020 (1)(a)1.

The area subject to the proposed land use designation changes is mapped on Attachment A, and is referred to collectively in this application as the "subject properties" or "site."

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 this narrative statement (see Section 5 below).

2.0 Project Purpose, Relationship to East Main Refinement Plan

The Applicant seeks to redesignate and rezone the subject properties to CC so they may be developed for commercial uses (i.e., Tax Lot 400), including a possible future medical clinic which could serve residents in the growing east Springfield area, and to be allowed to continue long-standing commercial operations (i.e., Tax Lot 402). Approval of this land use request would preserve employment and existing viable commercial operations on Tax Lot 402, and create stable family-wage employment opportunities on Tax Lot 400 - a vacant and underused industrial site. The proposal would also help beautify this portion of Main Street from its traditional industrial yard uses, and future development would provide a superior buffer for residential uses to the west than currently exists.

The proposal is also consistent with the East Main Refinement Plan (EMRP) criteria for designating property as Commercial within the refinement plan (EMRP, pg. 12) since:

- a) The proposal would not be an intrusion into a well-maintained residential neighborhood. The proposal would allow for higher quality development than has historically existed on the vacant industrial site (Tax Lot 400), therefore providing opportunity for improved buffering between abutting residential and non-residential uses. Tax Lot 402 borders only Tax Lot 400 and two commercially zoned parcels, so legitimizing the pre-existing commercial uses on that property would not affect the existing residential area nearby.
- b) It does not increase conflict between Low Density Residential and Commercial uses, but in fact can provide for uses and development far superior to those that have traditionally been located adjacent to the abutting residential area. Moreover, the area abutting Tax Lot 400 to the west is zoned Medium Density Residential, though in primarily low density residential use.
- c) The criteria for designating Medium Density Residential land does not apply because the subject properties are not currently developed, nor have they ever been designated, for MDR uses.
- d) Legally created commercial uses have existed on the properties, and the proposal would facilitate higher quality commercial uses (such as medical offices) than have existed before on Tax Lot 400, and allow for Plan designations and zoning to correspond with long-standing legally established commercial uses on Tax Lot 402.
- e) Adequate access exists to an arterial street, with existing curb cuts directly onto Main Street.

- f) Upon approval of this request, the site would have a Commercial designation on the Metro Plan diagram.

The proposal is also consistent with EMRP 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." (pg. 12) The proposal to allow for a broader, more beneficial range of commercial and employment-generating uses on the subject properties. It would also improve the area and better distinguish and buffer adjacent residential and industrial business park uses.

3.0 Site Context

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 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.

4.0 Type II Metro Plan Diagram Amendment

Amendments to the Metro Plan are classified as Type I or Type II amendments, depending upon the specific changes sought. The proposed Metro Plan and EMRP amendments are "site specific" and relate to property solely within the corporate limits of the City of Springfield. The Metro Plan defines Type II amendments as:

"[A]ny change to the *Plan* diagram or *Plan* text that is site specific and not otherwise a Type I category amendment."

The proposed amendment is a Type II site-specific amendment because it:

- Involves a specific geographically identifiable property;
- Does not change the metropolitan Urban Growth Boundary;
- Does not change the Metro Plan jurisdictional boundary;
- Does not require a goal exception;
- Does not include a non-site-specific amendment of the Metro Plan text; and
- Applies only to property located within the Springfield City limits.

Accordingly, the current proposal is properly characterized as a Type II amendment (as defined in SDC 7.030) that must be reviewed and approved by the City of Springfield, consistent with SDC 7.070 (2)(a). Per SDC 7.040 (2)(b), this citizen-initiated Type II Metro Plan amendment can be initiated at any time.

5.0 Applicable Approval Criteria

Type II Metro Plan amendments are evaluated according to the criteria of approval contained within SDC 7.070 (3), which provides:

"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."

Findings demonstrating consistency with the approval criteria are outlined below.

5.1 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).

Goal 1 – Citizen Involvement

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.

Goal 2 – Land Use Planning

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.

Goal 3 – 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.

Goal 4 – Forest Lands

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.

Goal 5 – Natural 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.

Goal 6 - Air, Water, and Land Resources Quality

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.

Goal 7 – Areas Subject to Natural 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.

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 amendments will not alter the City's acknowledged compliance with Goal 7 through its adopted plans, codes and procedures.

Goal 8 – Recreational Needs

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.

Goal 9 – Economic Development

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 SLCS 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 is 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.

Goal 10 – Housing

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.

Goal 11 – Public Facilities and Services

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.

Goal 12 – Transportation

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.

Goal 13 – Energy Conservation

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.

Goal 14 - Urbanization

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.

Goal 15 – Willamette River Greenway

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

Goals 16-19 – Coastal Goals

The coastal goals are not applicable to this application.

5.2 Metro Plan Consistency

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.

5.2.A. 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 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.

8.0 East Main Refinement Plan Consistency

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.

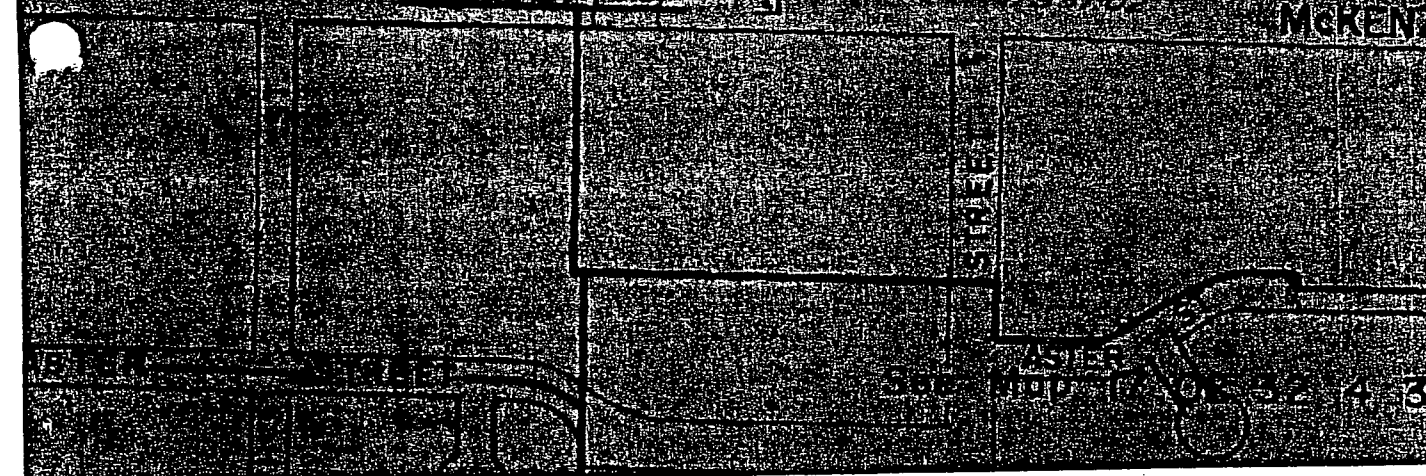
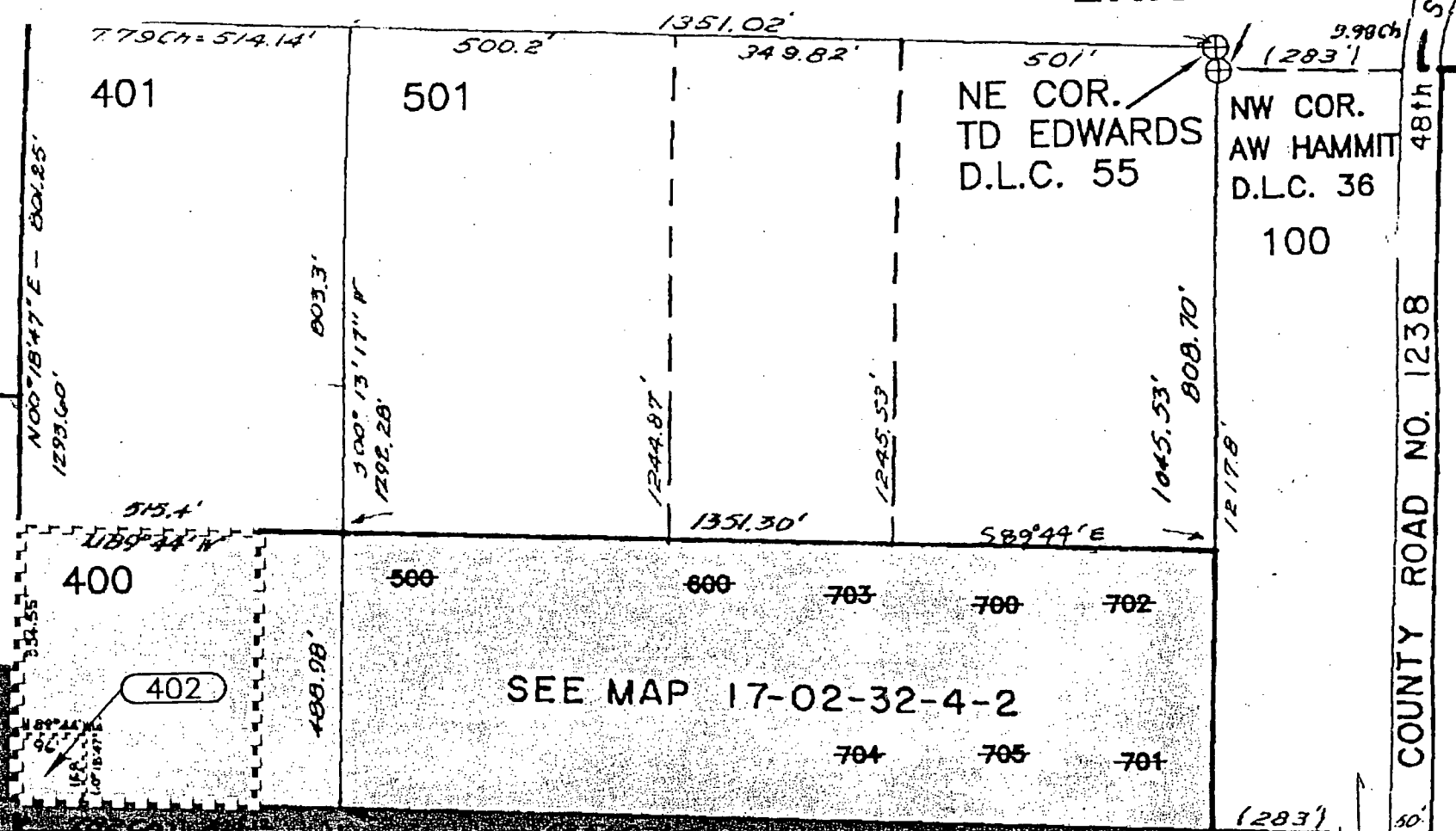
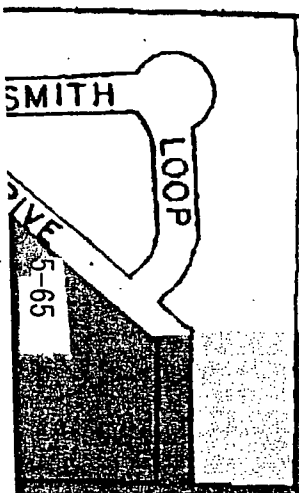
Implementation

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.

EXISTING

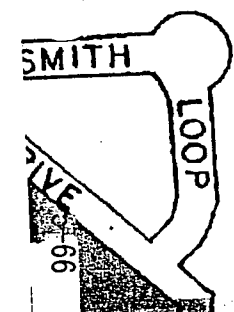
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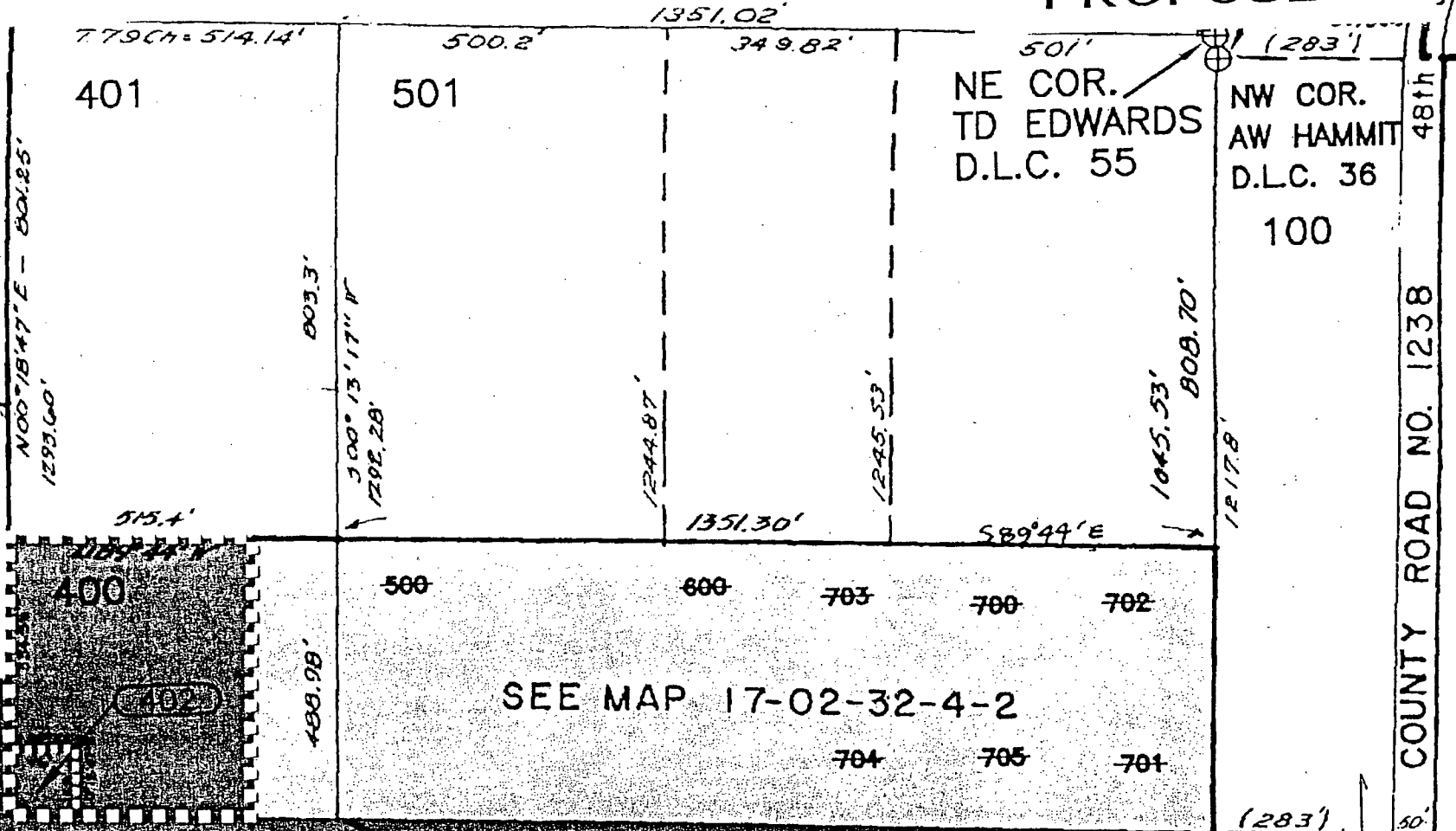
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- Light Medium Industrial
- Medium Density
- Residential

PROPOSED

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SEE MAP 17-02-32-4-2

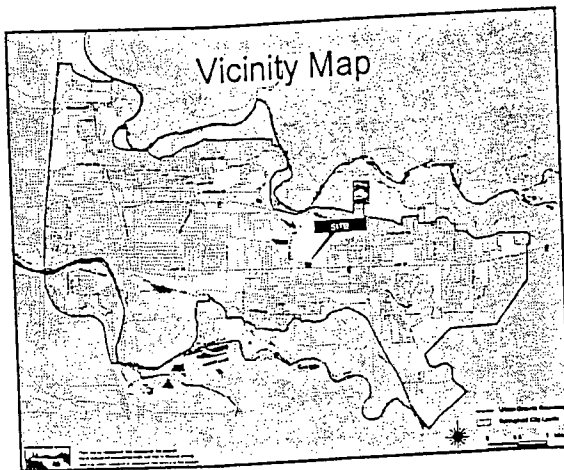
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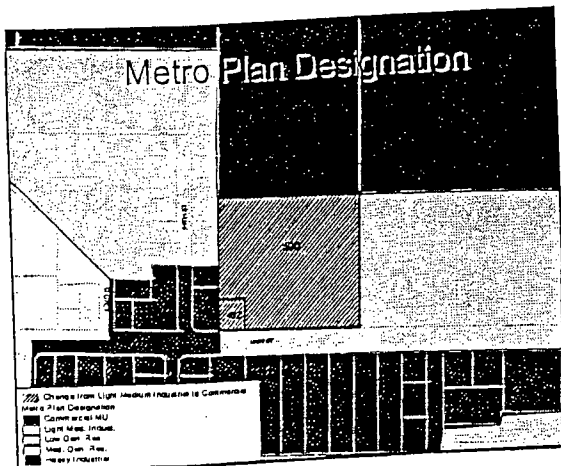
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- Light Medium Industrial
- Medium Density Residential

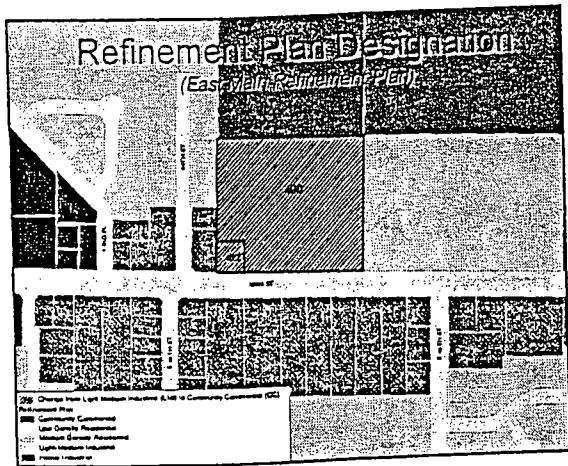
See Map 17-02-32-4-3

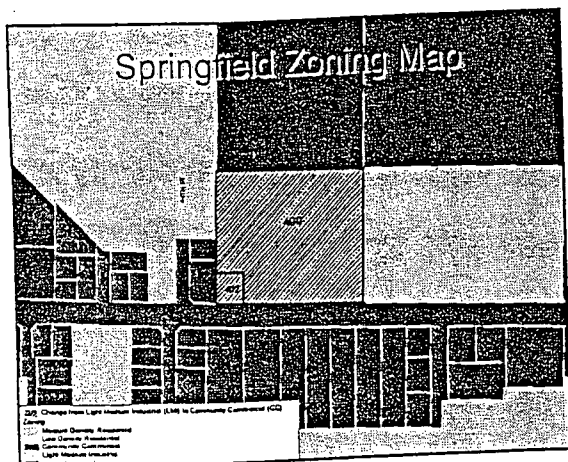
Metro Plan / Refinement Plan
 Amendment Application
 #LRP2007-00013
 Rezone Application
 #ZON2007-00012

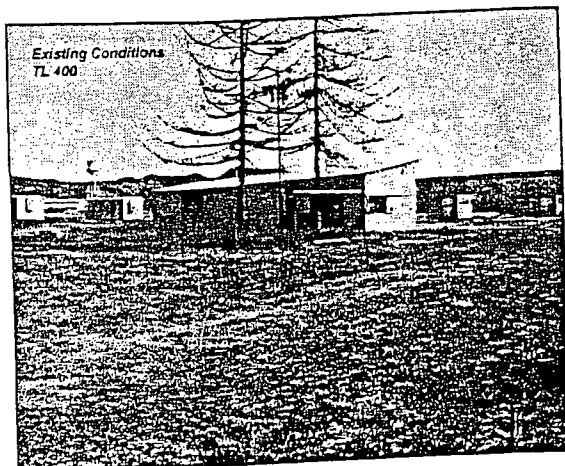
Metro Plan Amendment from LMI to
 Commercial and concurrent Zoning
 Map Amendment from LMI to CC

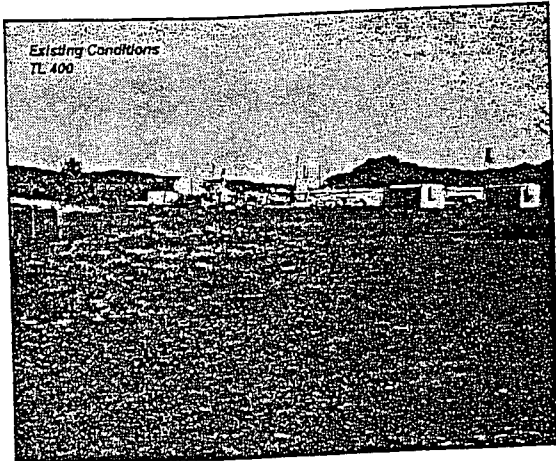


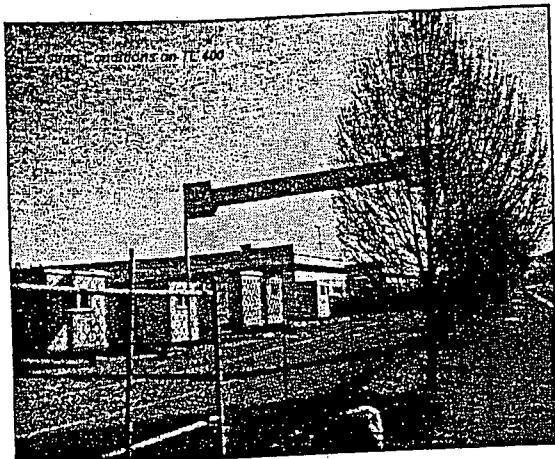




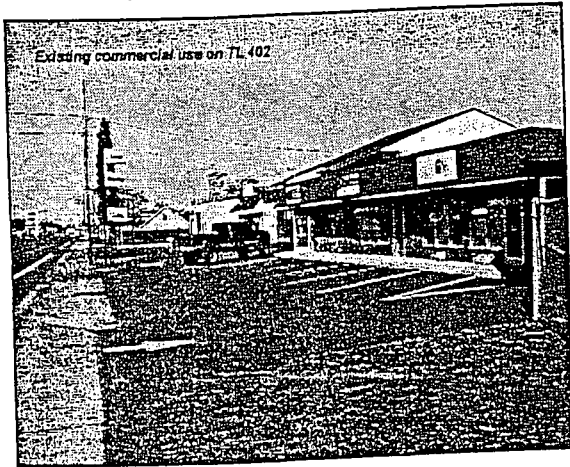


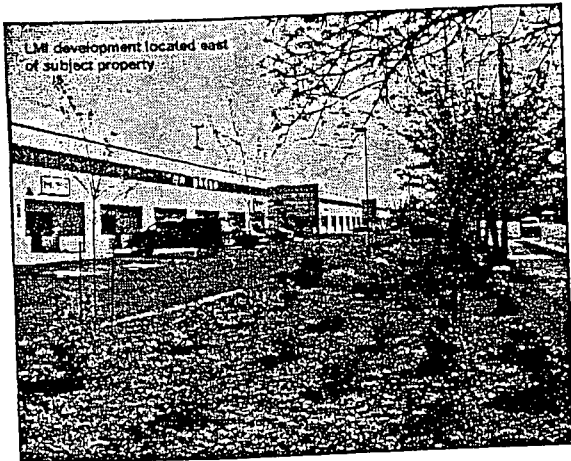












Questions?



March 28, 2007

David Reesor, Planner II
City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477

Re: Plan Amendment (LRP2007-00013), Zone Change (ZON2007-00012)

Mr. Reesor,

The following and attached is supplemental information for the above-referenced applications for proposed Metro Plan diagram amendment and zone change in east Springfield.

The proposal seeks to redesignate and rezone approximately 5.24 acres on two parcels from Light-Medium Industrial (LMI) to Commercial. As noted in the application findings submitted last week, the Springfield Commercial Lands Study demonstrates that the City has a deficiency in needed commercially designated and zoned land, so approving the proposal would help reduce the identified deficit in that land use category.

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.

With acceptance of the above findings and earlier findings and narrative in the prior submitted applications, we believe the applications are complete and ready to be set for Planning Commission hearing. Please notify me when the hearing is set, and send me a copy of the required hearing notice to DLCD for my files.

Thanks for your consideration of the above. If you need additional information, please contact me at your convenience.

Regards,


Philip Farrington, AICP
Director, Land Use Planning & Development
PeaceHealth Oregon Region

Attachments

11.0 Impact of the Proposed Protections on Buildable Land Inventories

This section estimates the impact of the recommended program for protecting Springfield's resource areas on the inventory of buildable residential, commercial and industrial land. The administrative rule quoted above is somewhat vague about how to compute the impact. Some contend that the protected acreage should be subtracted from the current inventory of buildable land. Others contend that the protected acreage should be subtracted from the surplus of buildable land that was determined at the adoption of the inventory. Case law supports subtracting the protected acreage from the surplus of buildable land.

Tables 11-1, 11-2, and 11-3 below summarize the amount of land that would be subtracted from the Eugene-Springfield inventories of surplus of buildable residential, commercial and industrial lands that were identified when each inventory was adopted.

Table 11-1. Analysis of Maximum Possible Impact on Supply of Residential Lands within the Eugene-Springfield Metropolitan Area

Residential Land Supply	Acres
Eugene-Springfield Metropolitan Area Residential Lands and Housing Study Surplus Acres	
Low Demand Assumption	1862.00
or	
High Demand Assumption	790.00
Acres Removed from Residential Designation by Previous Plan Amendments*	
Eugene	-84.90
Springfield	-52.03
Total	-136.93
Maximum Possible Residential Acres Impacted by Eugene Goal 5 Protection Measures	-445.77
Maximum Possible Residential Acres Impacted by Springfield Goal 5 Protection Measures	-14.18
Remaining Surplus	1265.12
	or
	193.12

Table 11-2 . Analysis of Maximum Possible Impact on Supply of Commercial Lands within the Springfield Urban Growth Boundary

Commercial Land Supply	Acres
Springfield Commercial Lands Study (2000) projects a deficit of commercial land.	-158 acres
Acres Removed from Commercial Designation by Previous Plan Amendments*	-2.8 acres
Maximum Possible Commercial Acres Impacted by Springfield's Goal 5 Protection Measures	-11.56 acres
Remaining Surplus (Deficit)	(-172.36 acres)

Table 11-3. Analysis of Maximum Possible Impact on Supply of Industrial Lands within the Eugene-Springfield Metropolitan Area

Industrial Land Supply	Acres
Metropolitan Industrial Lands Inventory Report Surplus Acres	2954.28
Low Demand Assumption	or
High Demand Assumption	2432.28
Acres Removed from Industrial Designation by Previous Plan Amendments*	
Eugene	-642.30
Springfield	-90.80
Total	-732.80
Maximum Possible Industrial Acres Impacted by Eugene Goal 5 Protection Measures	-44.73
Maximum Possible Industrial Acres Impacted by Springfield Goal 5 Protection Measures	-54.43
Remaining Surplus	2122.01
	or
	1600.01

* Does not consider actions taken by Eugene to add additional lands to the surplus.

11.1 Impact on the Residential Lands Inventory

In 1999, the Eugene-Springfield Metropolitan Area Residential Land and Housing Study (Residential Lands Study) estimated the amount of vacant buildable residential land in the area. In Springfield, a total of 3,087 acres of buildable lands were identified. The Study classified wetlands listed on the Springfield Local Wetland Inventory as unbuildable and were not included in the estimated supply of buildable residential lands. Other types of constraints were also considered and classified as unbuildable and were not counted in the buildable residential land inventory. The list of constraints included:

- Floodways;

- Wetlands listed on the Springfield Local Wetlands Inventory larger than .25 acres;
- Land within the easement of 230 KV power lines;
- Land within 75 feet of a Class A stream or pond;
- Land within 50 feet of a Class B stream or pond; and
- Small irregularly shaped lots.

Since the Residential Lands Study did not include wetlands listed on the Local Wetlands Inventory in the buildable lands inventory, it is assumed that protecting these wetland sites from conflicting residential development will not reduce that inventory. The development setbacks recommended for significant wetland sites in this study will slightly reduce the inventoried acreage of vacant buildable land adjacent to wetland features.

Wetland Setbacks

As noted in Table 11-4 below, about 9.95 acres of low-density residential (LDR) and .59 acres of medium density residential (MDR) land will be removed from the residential lands inventory by the 25-foot setback recommended for those wetlands not already protected by the 50 and 75 foot setbacks required by Springfield's stormwater quality protection policies. Keep in mind that this is a worst case scenario and assumes that the developer is unable to locate required stormwater facilities within the recommended setbacks and that subdivision design cannot arrange for the yard areas of affected dwelling units to be placed adjacent to the wetland, thus reducing or eliminating lost development area.

Riparian Setbacks

In addition to wetland setbacks, recommended riparian setbacks will also result in the removal of vacant acreage from the inventory of buildable residential lands. As noted in Table 11-4, about 3.42 acres of low-density residential (LDR) and .22 acres of medium density residential (MDR) land will be removed from the residential lands inventory by the 25-foot setback recommended for those wetlands not already protected by the 50 and 75 foot setbacks required by Springfield's stormwater quality protection policies.

The combined impact of the proposed 25-foot setbacks for wetlands and riparian areas is 14.18 acres. This represents .45% of the 3,087 acres of buildable residential land described in the 1999 Residential Lands Study.

In May 2004, a Residential Lands Study Monitoring Report was published, updating the residential lands inventory to reflect development through 2003. The report estimated that at the end of 2003 there was 1,361 acres of remaining buildable residential land in Springfield. The amount of land removed from the buildable inventory by the 25-foot wetland and riparian setbacks proposed by this report represents about 1% of remaining 1,361 acres.

Table 11-4. Vacant Residential Land within Proposed Protection Setbacks

Setback Distance	Vacant LDR Acres	Vacant MDR Acres	Total Acres
Wetland Setbacks			
25 foot	9.95	.59	10.54
50 foot	9.4	2.73	12.13
75 foot	4.97	4.15	9.12
Total	24.32	7.47	31.79
Riparian Setbacks			
25 foot	3.42	.22	3.64
50 foot	6.06	2.73	8.79
75 foot	4.97	4.15	9.12
Total	14.45	7.1	21.55
Grand Total	38.77	14.57	53.34

11.2 Impact on the Commercial Lands Inventory

The Springfield Commercial Lands Study (2000) listed several types of development constraints that affected commercial properties. These development constraints included:

- Major transmission lines;
- Hazardous waste sites;
- Slopes greater than 15%;
- Lots less than 6,000 square feet in size;
- Lots with poor visibility;
- Lots with inadequate access;
- Hydric soils;
- Unstable soils;
- Willamette Greenway and Greenway setbacks;
- Floodway and floodway fringe;
- Wellhead zone of influence;
- Wetlands listed on the Springfield Local Wetland Inventory;
- Other potentially regulated natural resource sites [Natural Resources Study Inventory];
- Sites with Plan/Zone conflicts.

The Commercial Lands Study classified sites on the on the Springfield Local Wetland Inventory as constrained. The presence of these wetlands was noted and the inventory of vacant commercial lands was noted to reflect the constraint. The riparian sites which are part of this study were also included as constrained, since they were part of the draft Springfield Inventory of Natural Resource Sites at the time Commercial Lands Study was conducted.

Since the Springfield Commercial Lands Study did not remove wetlands and riparian sites, protection measures proposed by this study will have an impact on the inventoried acreage of vacant commercial lands. The development setbacks recommended for significant wetland and riparian sites will further reduce the inventoried acreage of vacant buildable commercial land adjacent to these resource sites. The extent of this impact is discussed below.

The Commercial Lands Study concluded that there was about 85 acres of vacant buildable commercial land in Springfield. An additional 12 acres was projected for redevelopment by the Study bringing the total to 97 buildable acres. Demand for vacant commercial land for the planning horizon 2015 was 255 acres. The 2000 Commercial Lands Study concluded that there was a 158 acre deficit of buildable commercial land.

Wetland Impacts

Table 11-5 shows that .07 acres of vacant commercial land would be removed from the Commercial Lands Inventory if wetland sites zoned for commercial development were fully protected. The 25-foot wetland setback recommended by this study would remove an additional 1.47 acres of vacant commercial land from development. This figure assumes that the developer is unable to locate required stormwater facilities or required landscaping within the recommended setbacks, thus reducing or eliminating lost development area.

The total impact on the Commercial Lands Inventory would be a reduction of 1.54 acres if wetland sites and their setbacks were fully protected.

Riparian Site Impacts

Table 11-5 shows that about acres 2.78 of vacant commercial land lies within inventoried riparian sites that are protected by the Springfield's Stormwater Quality Management program. Therefore, no commercial acreage is removed from the Commercial Lands Inventory by the implementation of proposed protections in this study. As noted in Table 11-5, no vacant commercial land will be removed from the inventory by the proposed 25-foot setbacks.

The total impact on the Commercial Lands Inventory would be a reduction of 1.54 acres if wetland and riparian sites and their setbacks were fully protected. This represents 1.8% of the 85 acres of buildable commercial land described in the Springfield Commercial Lands Study.

Table 11-5. Vacant Commercial Land within Proposed Protection Setbacks

Zoning District	Site Acreage	25 ft. Setback	50 ft. Setback	75 ft. Setback	Total Acres
Wetlands					
Community	.07	1.47	.11	0	1.65

Zoning District	Site Acreage	25 ft. Setback	50 ft. Setback	75 ft. Setback	Total Acres
Commercial					
Neighborhood Commercial	0	0	0	0	0
General Office	0	0	0	0	0
Major Retail Commercial	0	0	0	0	0
Wetland Total	0.07	1.47	0.11	0	1.65
Riparian Areas					
Community Commercial	2.78	0	0	2.6	5.38
Neighborhood Commercial	0	0	0	0	0
General Office	0	0	0	0	0
Major Retail Commercial	0	0	.24	0	.24
Riparian Total	2.78	0	0.24	2.6	5.62
Grand Total	2.85	1.47	.35	2.6	7.27

11.3 Impact on the Industrial Lands Inventory

The 1992 Metro Area Industrial Lands Study assessed the supply and demand for industrial land in the greater Eugene-Springfield area. The study concluded that there was about 709 acres of buildable industrial land within Springfield's UGB. Like the Springfield Commercial Lands Study, the Industrial Lands Study noted those industrial sites with wetland and riparian constraints but did not exclude them from the inventory. For that reason, protection of wetland and riparian lands under the policies proposed by this study will reduce the inventory of buildable industrial lands. The extent of this impact is discussed below.

Wetland Impacts

GIS analysis shows that about 30.64 acres of vacant industrial land are affected by wetlands that are not already protected by the Springfield Stormwater Quality Management (SQM) program. These wetlands are recommended for protection by a 25-foot development setback under the Springfield natural Resources Study. These setbacks add another 6.82 acres to the amount of industrial zoned land that would be removed from the Industrial Land Inventory if wetland sites and the setbacks were fully protected under the policies recommended by this study. The total impact to the inventory of industrial lands would be 37.46 acres. Table 11-6 shows the total acreage for land affected by wetlands and the acreage protected by setbacks from both this program and the existing SQM program.

Riparian Impacts

GIS analysis shows that 13.70 acres of vacant industrial land are affected by riparian areas that not already protected by the Springfield Stormwater Quality Management (SQM) program. These riparian areas are recommended for protection by a 25-foot development setback under the Springfield Natural Resources Study. These setbacks add another 3.27 acres to the amount of industrial zoned land that would be removed from the Industrial Land Inventory if wetland sites and the setbacks were fully protected under the policies recommended by this study. The total impact to the inventory of industrial lands would be 16.97 acres. Table 11-6 shows the total acreage for land affected by riparian corridors and the acreage protected by setbacks from both this program and the existing SQM program.

Total Impact

The total impact on the Industrial Lands Inventory would be a reduction of 54.43 acres if all wetland and riparian sites protected by this program and their 25-ft setbacks were fully protected. This represents less than 1% of the 709 acres of buildable industrial land for Springfield in the Industrial Lands Study.

Table 11-6. Vacant Industrial Land within Proposed Protection Setbacks

Zoning District	Total Wetland Site Acreage	Site Acres <u>not</u> Protected by SQM	25 ft. Setback	50 ft. Setback	75 ft. Setback	Total Acres
Wetlands						
Light-Medium Industrial	28.20	(27.76)	4.81	.82	0	33.83
Heavy Industrial	13.16	(2.88)	2.01	19.15	0	34.32
Campus Industrial	.35	0	0	1.28	0	1.63
Special Heavy Industrial	0	0	0	0	0	0
Quarry Mining	0	0	0	0	0	0
Booth Kelly MU	.13	0	0	.47	0	0.60
Wetland Total	41.84	(30.64)	6.82	21.72	0	70.38
Riparian Areas	Total Riparian Site Acreage	Site Acres <u>not</u> Protected by SQM	25 ft. Setback	50 ft. Setback	75 ft. Setback	Total Acres

Zoning District	Total Wetland Site Acreage	Site Acres <u>not</u> Protected by SQM	25 ft. Setback	50 ft. Setback	75 ft. Setback	Total Acres
Light-Medium Industrial	16.48	(10.89)	2.05	4.72	1.26	24.51
Heavy Industrial	68.31	(2.81)	1.22	8.93	0	78.46
Campus Industrial	3.22	0	0	2.83	.03	6.08
Special Heavy Industrial	0	0	0	0	0	0
Quarry Mining	0	0	0	0	0	0
Booth Kelly MU	.21	0	0	.82	0	1.03
Riparian Total	88.22	(13.70)	3.27	17.3	1.29	110.08
Grand Total	130.06	(44.34)	10.09	39.02	1.29	180.46

Metro Plan Diagram Changes Affecting the Supply of Residential, Commercial and Industrial Land												
Changes in Metro Plan Designations												
Local File Number	LDR	MDR	CC	NC	CI	LMI	HI	POS	G&E	NR	AG	MU
90-04-058		-0.1	0.1									
90-12-201		35.0	5.0			19.0	-59.0					
92-04-77	5.3	-5.3	0.0									
93-01-33	0.5	0.0	0.0			-0.5					-3.7	
93-01-12	3.7	0.0	0.0									
93-06-087		-3.0	3.0									
94-10-0194		-0.9	0.9									
95-02-036		38.7			-38.7							
95-02-036		0.0	6.5		-6.5							
95-02-036	-9.2							9.2				
95-02-036	7.5	-7.5										
95-02-036	5.3				-5.3							
95-02-036	-8.0					8.0						
95-08-0157	-72.0								72.0			
97-05-101		6.6				6.6						
99-02-038								18.0		16.5	-34.5	
99-02-041						0.2						
99-09-230	-0.2											
02-03-0062					22.0			-22.0				
02-03-0063						-35.0		6.0				0.4
02-07-200		-0.4										33.0
02-08-243												
LRP-2002-12431		-1.2										
LRP-2004-00031												
LRP-2005-00015	1.6					-1.6						
Residential totals since 1995	-75.0	23.0							Total debits for Residential			-52.0
Industrial totals since March 1991						-28.5	-3.3	-59.0	Total debits for Industrial			-90.8

LDR Low Density Residential
 MDR Medium Density Residential
 CC Commercial Center
 NC Neighborhood Commercial
 CI Campus Industrial
 LMI Light Medium Industrial

HI Heavy Industrial
 POS Public Open Space
 G&E Government and Education
 NR Natural Resource
 AG Agriculture
 MU Mixed Use

March 15, 2007

Zone Change Application

Written Explanation of the Proposal

Applicant:

PeaceHealth Oregon Region
770 E. 11th Avenue
P.O. Box 1479
Eugene, Oregon 97440

Property Owners:

Hyland Business Park, LLC (Tax Lot 400)
1941-A Laura Street
Springfield, OR 97477
Attn: Shaun Hyland
(541) 726-8081

Andrew Head (Tax Lot 402)
1616 Ardendale Ln.
Eugene, OR 97405
(541) 521-3403

**Applicant's
Representative:**

Philip Farrington, AICP
Director, Land Use Planning & Development
PeaceHealth Oregon Region
123 International Way
Springfield, Oregon 97477
(541) 686-3828 * Fax (541) 335-2595
pfarrington@peacehealth.org

1.0 Land Use Request

PeaceHealth Oregon Region (the "Applicant") requests approval to change the zoning classification on the City's zoning map from Light Medium Industrial ("LMI") to Community Commercial ("CC") for approximately 5.24 acres identified as Tax Lots 400 and 402 on Assessor's Map No. 17-02-32-00. This same acreage on the site is being proposed for a concurrent amendment to the Metro Plan diagram (which automatically also amends the East Main Refinement Plan diagram) from LMI to CC, as allowed in Springfield Development Code ("SDC") 12.020 (1)(a)1.

The area subject to the proposed rezoning is mapped on Attachment A, and is referred to collectively in this application as the "subject properties" or "site."

2.0 Project Purpose

The Applicant seeks to rezone (and through concurrent application, redesignate) the subject properties to CC so they may be developed for commercial uses (i.e., Tax Lot 400), including a possible future medical clinic which could serve residents in the growing east Springfield area, and to be allowed to continue long-standing commercial operations (i.e., Tax Lot 402). Approval of this land use request would preserve employment and existing viable commercial operations on Tax Lot 402, and create stable family-wage employment opportunities on Tax Lot 400 - a vacant and underused industrial site. The proposal would also help beautify this portion of Main Street from its traditional industrial yard uses, and future development would provide a superior buffer for residential uses to the west than currently exists.

As described in later sections of this narrative the proposal is consistent with East Main Refinement Plan (EMRP) and the Metro Plan as required by approval criteria in SDC 12.030. In particular, this request - when considered with the concurrently submitted Metro Plan diagram amendment (and automatic EMRP diagram amendment) - complies with EMRP 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." (pg. 12) The proposal to allow for a broader, more beneficial range of commercial and employment-generating uses on the subject properties. It would also improve the area and better distinguish and buffer adjacent residential and industrial business park uses.

3.0 Site Context

The subject properties include a currently 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 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.

4.0 Applicable Approval Criteria

Zone change proposals are evaluated according to the criteria of approval contained within SDC 12.030 (3), which requires:

1. Consistency with applicable Metro Plan policies and the Plan Diagram;
2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and
3. That the property is provided with adequate public facilities, services and transportation networks to support the use, or will be provided concurrent with property development.

Legislative zone map amendments are also required to show that they meet the criteria for Plan amendments outlined in SDC Article 7; and that it complies with the state Transportation Planning Rule (OAR 660-012-0060), where applicable.

Findings demonstrating consistency with the approval criteria are outlined below.

4.1 Consistency with Metro Plan Text and Diagram

Consistent with SDC 12.030 (3)(a), 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.

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.

4.1.1 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 proposal satisfies 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 proposed map amendment and 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 request 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 proposal 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 and zone change will enable increased job opportunities with higher than average wages thereby raising the standard of living and meeting 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 and zone change will not cause the inventory of needed industrial land to go into a deficit, but in fact would be consistent with the above policy. The proposal correlates the need, 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 proposal will enable land use patterns and development consistent with the above policy. Approval of the requested zone change (and concurrent redesignation) 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, nor does it 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.

Additional 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 Policies

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 zone change.

10. Historic Preservation Element Policies

Policies in this element of the Metro Plan are not relevant to the requested zone change.

11. Energy Element Policies

Policies in this element of the Metro Plan are not relevant to the requested zone change.

4.2 Consistency with East Main Refinement Plan

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 rezoning the subject properties from LMI to Community Commercial (and concurrently redesignating the properties to CC), as the above policy and other EMRP policies allow. 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 area proposed for rezoning 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 rezoning 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. Tax Lot 400 has had a variety of commercial services located on-site over the years.

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 the concurrently submitted Plan diagram amendment 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 concurrently 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 zone change and 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.

4.3 Provision of Adequate Public Facilities

The subject properties were annexed into the Springfield corporate limits in 1960, and therefore are provided with City police, fire, and other government services. Other basic infrastructure is in place to serve existing development on Tax Lot 402 and any future development on Tax Lot 400. Specifically, sanitary sewer, stormwater, and water lines are all located along the site's Main Street frontage – all of which are adequate to serve the needs of existing and/or future development on the subject site. Transportation services are also readily available to serve existing and future development, as Main Street is fully improved with curb, gutter, etc.

As indicated in the Traffic Impact Analysis accompanying the concurrently submitted zone change and Metro Plan diagram amendment, approval of the proposal would not result in a "significant effect" to the transportation system, and therefore is consistent with the state Transportation Planning Rule. The TIA further demonstrates that existing and future development under the proposed zone change has safe and efficient access and circulation for vehicles, and also will benefit from the sidewalks, bike lanes, and transit service existing on Main Street.

Therefore, the proposed zone change complies with the requirement for having adequate public facilities and services to serve development, as established in SDC 12.030 (3).

4.4 Consistency with Approval Criteria in SDC Article 7

The proposed zone change is submitted concurrently with an application to amend the Metro Plan diagram. The following findings are contained in the Plan diagram amendment application, and also demonstrate that this proposal complies with Metro Plan policies as required in SDC 7.070 (3) and with zone change approval criteria in SDC 12.030. Both the findings below relative to Goal 12 and those above pursuant to Metro Plan Transportation Element policies address consistency with the state TPR, as called for in SDC 12.030.

It should also be noted that approval of a Metro Plan diagram amendment also correspondingly changes the applicable refinement plan (East Main Refinement Plan) diagram, as established in SDC 7.110 (4).

Goal 1 – Citizen Involvement

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 process complies with the City's citizen involvement program and citizens have

opportunities to be involved in the procedure, the proposed plan and zone map amendments are consistent with Goal 1.

Goal 2 – Land Use Planning

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 amendment and zone change proposals. Compliance with these measures assures an adequate factual base for approval of the proposals. As discussed elsewhere in this document, the Plan diagram and zone map amendments are consistent with the Metro Plan and the Goals. Consequently, by demonstrating such compliance, the proposal satisfies the consistency element of Goal 2.

Goal 3 – 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.

Goal 4 – Forest Lands

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.

Goal 5 – Natural 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 proposal does not alter the City's compliance with Goal 5.

Goal 6 - Air, Water, and Land Resources Quality

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 and zone change, 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.

Goal 7 - Areas Subject to Natural 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.

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 proposal will not alter the City's acknowledged compliance with Goal 7 through its adopted plans, codes and procedures.

Goal 8 – Recreational Needs

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 proposal will not have an impact on the community's recreational facilities or needs; therefore, the proposal does not implicate Goal 8.

Goal 9 – Economic Development

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 designated/zoned land in place of the existing industrial designation and zoning. Permitting the construction of future clinic facilities on Tax Lot 400 and allowing long-standing commercial uses on Tax Lot 402 to continue and become conforming uses consistent with commercial zoning through approval of the proposed Plan diagram amendment and zone change 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 rezoning (and redesignating) land from industrial to commercial use, 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 is 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 of 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 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 proposal is consistent with the City's compliance with Goal 9 and applicable administrative rules regarding Goal 9 implementation.

Goal 10 – Housing

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 can provide a superior buffer and a higher use that will benefit the adjoining residential properties. Because the proposal does not involve directly any change in the amount of residentially designated or zoned land, it does not affect Springfield's continued compliance with Goal 10.

Goal 11 – Public Facilities and Services

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 and zone map classifications 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.

Goal 12 – Transportation

Goal 12 requires local governments to provide and encourage a safe, convenient and economical transportation system. The proposed map amendments and zone change 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 fully developed 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 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.

Goal 13 – Energy Conservation

The Energy goal is a general planning goal and provides limited guidance for site-specific map amendments. The proposal 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 proposal is consistent with, and does not alter the City's continued compliance with Goal 13.

Goal 14 - Urbanization

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.

Goal 15 – Willamette River Greenway

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

Goals 16-19 – Coastal Goals

The coastal goals are not applicable to this application.



EXECUTIVE SUMMARY:

Staff received one written testimony from Lauri Segel, *Goal One Coalition* Planner, on June 12th, 2007. A written rebuttal to Ms. Segel's letter was then submitted by the applicant the following day, June 13th, 2007. Both letters were received within the specified deadlines as noted in the Planning Commission public hearing on June 5th, 2007. Excerpts from Ms. Segel's letter and the applicant's rebuttal letter have been provided in this report (in *italics*) in order to summarize the issues and to provide ease of review by the Planning Commission. Copies of the two letters in their entirety are attached for reference and review in addition to the excerpts and Staff responses in this report.

Ms. Segel's Submittal - Issue #1: *"Applicant Relies heavily on the acknowledged 2000 Springfield Commercial Lands Study (SCLS), which does not address the entire Metro UGB area, and is not a refinement plan of the Metro Plan... The proposed findings rely on reports and other documents containing inventories, assumptions, and data that have not been established for the entire Metro UGB area, but rather only for the Springfield portion of the UGB area..."*

Applicant's Rebuttal: *"The cities of Eugene and Springfield have separately adopted and acknowledged commercial lands studies fulfilling the requirements of Goal 9. As such, the SCLS serves as the City of Springfield's "most recent economic opportunities analysis," as Ms. Segel notes above by her own admission... There is no requirement that the Applicant or the City perform a metro-wide analysis of commercial lands in order to adopt findings satisfying compliance with Metro Plan policies and Goal 9..."*

STAFF RESPONSE: The SCLS was a Period Review Task required by DLCD and was approved by said agency as part of Springfield's compliance with Goal 9 during the Periodic Review process. As such, it is a valid document to reference related to this Post Acknowledgement Plan Amendment (PAPA) proposal. The SCLS was adopted by Resolution No. 00-13 as the "policy document guiding the provision of commercial lands within the Springfield Urban Growth Boundary." The SCLS was reviewed by DLCD and found to be consistent with the Periodic Review Order and Statewide Planning Goals.

The SCLS was not adopted as a specific amendment to the Metro Plan. The City undertook a supply and demand analysis to determine if there was adequate commercial land in the adopted inventory to accommodate projected demand and, based on these conclusions, identify what the City could do to address these conclusions. Chapter 4 of the SCLS, which includes policies and implementation strategies, all recommended actions are already in the Metro Plan or TransPlan; are a recommendation to amend the Code; or are suggestions to improve business practices. The City and DLCD concluded

it was not necessary to adopt the SCLS as an amendment to the Metro Plan because all recommendations regarding inventory adjustments contained in the Study could be implemented through the PAPA process as increases in the commercial lands inventory; the SCLS would be used *at that time* as part of the findings, reasons and conclusions for those PAPA actions.

Best available data was used in the analysis of these applications, which included the SCLS. There are no comprehensive studies (i.e. commercial lands inventory) available for the entire UGB related to commercial lands within one specific time period. Rather, there is a conglomeration of various studies that are reviewed. For example, the 1992 Industrial Lands study is UGB-wide. The Residential Lands Inventory which is used by the City is not UGB-wide. Likewise, the SCLS is not Metro-wide.

Ms. Segel's Submittal - Issue #2: *"The adopted Springfield Natural Resource Study (adopted by Ordinance #6150) shows little or no impact on the commercial lands inventory from Goal protection measures, and provide little if any analyses of land availability within the entire Metro UGB area, rather than just the Springfield UGB area. The analysis shows an impact of 11.56 acres on Springfield's (not the urban growth boundary area in its entirety)... The referenced studies / analyses referenced by the applicant do not take into account the 100 acres of new commercial land designated / rezoned to commercial in the Gateway area."*

Applicant's Rebuttal: *"Considering that the SCLS identified a deficit of 158 acres in the supply of commercial land over demand, accounting for this additional redesignated/rezoned land, this would still result in a deficit of more than 61 acres of needed commercial land. Approving the requested Plan amendment/zone change would still leave a deficit of approximately 55 acres of needed commercial land... Therefore, even considering impacts to commercial lands inventories from other adopted and acknowledged plans (i.e. the City's plan for Goal 5 compliance) and acknowledged Plan amendments / zone changes, approval of the proposal will not result in there being an excess of needed commercially zoned and designated land. To the contrary, this analysis demonstrates that there will remain a deficit of approximately 66 acres after approval of the requested redesignation / rezoning."*

STAFF RESPONSE: The Springfield Natural Resource Study (SNRS) is referenced by the applicant and staff as related to this PAPA because it provides a more updated view of the city's commercial & industrial lands inventory. It is not meant to be all inclusive in and of itself. Reference to the SNRS in conjunction with other referenced documents (i.e. the SCLS & 1992 Industrial Lands Study) is provided to give the most accurate information possible given *all* the available data at this time.

Again, the applicant's report and staff's analysis reference the most recently adopted documents / inventories available. The City currently does not have an ongoing database

that keeps track of inventories based upon Plan Amendments and/or Zoning Map Amendments on an ongoing basis.

The applicant's rebuttal references numbers of acres related to the City's deficit of commercial land. Staff concurs with the applicant's rebuttal related to number of acres of commercial lands. The redesignation and rezoning of up to 99 acres of residential land within the Gateway MDR site (as referenced by Ms. Segel) still does not negate the deficit of commercial land within Springfield's city limits.

Ms. Segel's Submittal - Issue #3: *"The applicant has not justified the conversion of scarce, shovel ready industrial land, especially land designated and zoned light medium industrial inside the Metro UGB, even though the Metro Plan (comprehensive plan) Economic Element policy #12 establishes that the cities are to 'discourage future Metropolitan Area General Plan amendments that would change development ready industrial lands (sites defined as short-term in the metropolitan Industrial Lands Special Study, 1991) to non-industrial designations.' The applicant and staff findings do not address how the loss of these 5.24 acres impacts the short-term supply of LMI designated land..."*

Applicant's Rebuttal: *"Ms. Segel's citation of Economic Element Policy 12 ignores the fact that the subject site was not included among the sites 'defined as short-term in the metropolitan Industrial Lands Special Study, 1991).'...casting doubt on the applicability of Metro Plan Economic Element Policy 12... Even if Policy 12 were relevant, it's language is clearly not prohibitive to approval of an application for redesignation/rezoning of an industrial site, particularly when considering it in the context of industrial commercial land inventories. ...even if all of the acreage redesignated in Springfield were from the LMI designation - which is no doubt not the case - there would still be a surplus of nearly 50 acres of LMI designated land even after approval of the requested Plan amendment. This does not account for the 11.5 acres of land added to the inventory of LMI zoned and designated land referenced in my March 28, 2007 supplemental information. ...Therefore, the removal of 5.24 acres of LMI zoned and designated land will not result in a deficit of needed land in that industrial designation. ...Moreover, although Economic Element Policy 12 'discourages' Plan amendments for certain industrial lands, there are countervailing policies in the Metro Plan (i.e., Economic Element Policy 6) and SCLS (i.e., Policies 1-A and 1-C) that are directive to providing an adequate supply of needed commercial lands..."*

STAFF RESPONSE: Staff concurs with the applicant's rebuttal to the issue raised. The applicant has cited numerous acreage calculations based off of adopted inventories which support the proposal. As noted by the applicant, the subject site was not included among the sites defined as short-term in the metropolitan Industrial Lands Special Study, 1991.

As noted in the applicant's rebuttal and as previously noted in this report and the original Staff Report, a deficit of commercial land and surplus of industrial land will still exist

even after an approval of the proposed Plan Amendment and concurrent Zoning Map Amendment.

Ms. Segel's Submittal - Issue #4: *"The Applicant's analysis of the proposals' consistency with comprehensive plan Economic Element policies found in the Metropolitan General Plan, Chapter III, B-1 – B-7 is insufficient and does not address the most significant policies that must be considered."*

Applicant's Rebuttal: *"...there are countervailing policies in the Metro Plan (i.e., Economic Element Policy 6) and SCLS (i.e., Policies 1-A and 1-C) that are directive to providing an adequate supply of needed commercial lands. The Metro Plan recognizes such conflicts: 'The respective jurisdictions recognize that there are apparent conflicts and inconsistencies between and among some goals, objectives, and policies. When making decisions based on the Plan, not all the goals, objectives, and policies can be met to the same degree in every instance. Use of the Plan requires a 'balancing' of its various components on a case-by-case basis, as well as a selection of those goals, objectives, and policies most pertinent to the issue at hand.'" (pg. I-4, Metro Plan) ...The applicant's original March 15, 2007 submittal included findings addressing relevant Metro Plan policies (see pg. 5 of the submittal, pg. 4-5 of the Commission's June 4, 2007 hearing packet). Clearly not all of the 32 Metro Plan Economic Element policies are relevant to the proposal. Many are aspirational in nature and not directive to a specific quasi-judicial application..."*

STAFF RESPONSE: As noted in the applicant's rebuttal, policies in the Metro Plan are sometimes conflicting to one another. As stated on page I-4 of the Metro Plan, "The respective jurisdictions recognize that there are apparent conflicts and inconsistencies between and among some goals, objectives, and policies. When making decisions based on the Plan, not all the goals, objectives, and policies can be met to the same degree in every instance. Use of the Plan requires a 'balancing' of its various components on a case-by-case basis, as well as a selection of those goals, objectives, and policies most pertinent to the issue at hand." The applicant submitted written statements relative to the policies which supported the proposal. As noted in the original Staff Report, Staff concurred with the applicant's narrative related to the referenced Metro Plan policies which support the proposal, given the relationship of those stated Metro Plan policies as reviewed concurrently with the referenced commercial and industrial adopted inventories.

Ms. Segel's Submittal - Issue #5: *"The applicant is not specific about what uses will be cited should the proposal be approved, and there is no way to know if in fact above wage jobs and salaries... there is no way to establish if the applicant will in fact utilize local and imported capital, skills etc. as no commitment to a use has been established..."*

Applicant's Rebuttal: *"...Ms. Segel's assertion that the application was unspecific as to the future uses on Tax Lot 400 is inaccurate. The application narrative clearly states the intended purpose of the redesignation/rezoning is to*

allow for a future medical clinic on Tax Lot 400 and to allow the long-standing commercial operations on Tax Lot 402 to continue (pg. 2, pg. 4-2 in the Commission's June 4 hearing packet). Such clinical uses are not permitted in any industrial zoning district, thus prompting the need to rezone (and Redesignate) Tax lot 400 to allow a medical clinic. Average wages and benefits for medical workers tends to be higher than average local wages, and further substantiating data can be entered into the record at the City Council level...

STAFF RESPONSE: The applicant has noted the intent of the Plan Amendment and concurrent zone change is for the eventual development of a medical office building. This is mentioned not only in the applicant's narrative, but also in the applicant's Traffic Impact Analysis. In fact, the referenced table in the TIA (Table 7, pg. 19) specifically calculates trip generation for the proposed medical office building. However, as noted by Ms. Segel, there is no certainty as to what the salaries will be, if it will utilize local capital, etc. With that said, there is no such assurance for any new use that might go on the property with the existing zoning and Plan designation either. Given the fact that the applicant is a medical service provider (i.e. Peace Health); that they are pursuing these applications; and that they have indicated on their application that the purpose of these applications is to develop a future medical office clinic, it is highly likely (in Staff's opinion) that they will pursue the medical office use as they've specified. As noted in the applicant's rebuttal, average wages and benefits for medical workers tends to be higher than average local wages. Staff concurs with the applicant's rebuttal statement and affirms the original Staff Report findings indicating that the proposal is in compliance with applicable Metro Plan policies.

Ms. Segel's Submittal - Issue #6: *"The applicant makes the argument that the proposed plan amendment and zone change would have the effect of correcting existing non-conforming uses on TL #402. (map 17-02-32); however, the 2000 SCLC, at Appendix C, "Sites with Plan/Zone Conflicts" does not include the subject property. It appears that the existing nonconforming uses were actually established AFTER adoption of the 2000 SCLS, indicating that the existing uses were actually permitted by the City with the knowledge that these uses would create plan/zone conflicts."*

Applicant's Rebuttal: *"The applicant does not allege that there is a Plan/zone conflict on Tax Lot 402; clearly the existing Plan designations and zoning are LMI. Rather, the point made in our application narrative is that commercial uses have existed for decades, pre-existing the establishment of the Metro Plan and the application of the LMI designation on the subject properties. Ms. Segel provides no evidence to back up her accusation that the City wittingly allowed commercial uses on Tax Lot 402 after adoption of the SCLS. The applicant and owner of Tax Lot 402 will provide additional evidence and testimony at the City Council hearing on July 2 which will further demonstrate factually that commercial uses and employment have been in the building on Tax Lot 402 for nearly 50 years..."*

STAFF RESPONSE: The existing zoning for TL #402 is Light Medium Industrial (LMI). The existing Plan Designation for TL #402 is Light Medium Industrial (LMI). Therefore, there is no Plan/zone conflict as alleged by Ms. Segel. A non-conforming use is not the same as a plan/zone conflict. Ms. Segel alleges that the City permitted the existing uses on TL #402 "AFTER adoption of the 2000 SCLS..." and further states that the uses were "...permitted by the City with the knowledge that these uses would create plan/zone conflicts." This allegation has not merit for multiple reasons. Article 5 of the Springfield Development Code provides provisions to allow existing non-conforming uses to modify or expand based upon specific criteria. A "non-conforming use" is a use that was legally created when first established but would not be allowed as a "new use" under the existing zoning. The existing commercial uses on TL #402 are most likely considered non-conforming uses (i.e. commercial uses on industrial zoned property). The 2000 SCLS does not list TL #402 as a Plan/Zone conflict because it is not a plan zone conflict.

Ms. Segel's Submittal - Issue #7: *"The proposed change is not 'logical and harmonious' because it is not consistent with the development pattern envisioned in the Metro Plan ... Compliance with statewide planning goals, including goals 2,6,9,10,12 and 13 has not been established. In particular, it has not been established that the Eugene-Springfield Metro UGB area's supply of campus industrial land will be protected pursuant to the PAPA and zone change proposal... Staff has failed to address the impact that this proposal will have on the dwindling supply of shovel ready industrial land inside the Springfield city limits, including prior actions approving land use code amendments to the campus industrial zone that established more 'flexibility' for what uses are allowed in the city's campus industrial zones."*

Applicant's Rebuttal: *"It should first be noted that the application does not involve or in any way affect the 'metro area's supply of campus industrial land.' Moreover, the application has no effect upon Goal 10 (Housing), and has elsewhere demonstrated compliance with Goal 12 and other applicable statewide planning goals. My guess is that Ms. Segel and Nancy Falk, who appeared at the June 4 hearing and requested the written record be left open for a week, both vigorously oppose the Plan amendment/zone change proposed for the Marcola Meadows project, and are borrowing arguments to also object to this modest request before the City... The contention that the proposal would not result in a 'logical and harmonious' land use pattern is without substance or basis in fact, and is not an approval criterion. As noted above and elsewhere in the record, this proposal is consistent with policies and provisions in the Metro Plan, its Economic Element, supporting refinement plans (i.e., the SCLS and MILS) to the Metro Plan, and Goal 9 and other applicable statewide planning goals..."*

STAFF RESPONSE: Ms. Segel refers to the existing zoning of the subject site as "Campus Industrial" multiple times in her letter. The subject property is zoned and designated Light Medium Industrial, not Campus Industrial. As noted in the applicant's rebuttal, the statement submitted by Ms. Segel indicating that the "...proposed change is

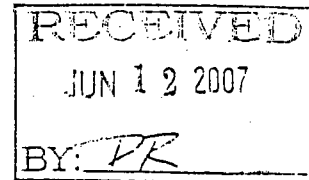
not 'logical and harmonious...' is not a criterion of approval for these applications. Staff have reviewed the proposal based upon the applicable criteria of approval, and found that it meets the criteria (with conditions) as written in the Staff Report. The inventories of commercial and industrial land have been evaluated and balanced with the relevant Metro Plan policies to formulate the recommendation for approval with conditions. Specific findings related to the Statewide Planning Goals have also been included in the original Staff Report.

GOAL ONE COALITION



Goal One is Citizen Involvement

City of Springfield Planning Commission
David Reesor
City of Springfield
225 Fifth Street
Springfield, OR 97444



June 12, 2007

RE: ZON 2007-00012/LRP 2007-00013, Plan Amendment & Zone Change
Dear Members of the Commission:

The Goal One Coalition (Goal One) is a nonprofit organization whose mission is to provide assistance and support to Oregonians in matters affecting their communities. Goal One is participating in these proceedings at the request of and on behalf of its membership residing in Lane County. This testimony is presented on behalf of Goal One and its membership, including Nancy Falk, 2567 Marcola Road, Springfield Oregon 97477, as an individual.

I. Introduction

This proposal is for a site-specific Metro Plan Amendment / Refinement Plan Amendment and a concurrent Zoning Map Amendment from Light Medium Industrial (LMI) to Community Commercial (CC) within the Springfield city limits.

The subject site is located near 44th and Main Street (Highway 126). The site consists of two parcels under separate ownerships, and is located on approximately 5.24 acres identified as Tax Lots 400 and 402 on Assessor's Map No. 17-02-32-00. TL 400 (5.01 acres) has several vacant buildings on site, including portable trailer type structures. The smaller of the two subject lots, TL 402 (.24 acres), has an existing commercial development on-site, although the plan designation and zone are LMI. Properties located to the north (Weyerhaeuser) 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 and adjacent to TL #402 is built out as a business park, and designated LMI. Properties located south of the subject site, across Main Street, are zoned and designated Community Commercial..

II. Criteria applicable to the request

Local approval criteria are found in the following documents: Springfield Development Code, Metro General Plan, and East Main Refinement Plan, as indicated in the staff report.

The proposed plan amendment must also be found to be consistent with applicable statewide planning goals. ORS 197.175(2)(a). Applicable goals include Goal 1, Citizen Involvement, Goal 2, Land Use Planning; Goal 9, Economy of the State; and Goal 12, Transportation. The

proposed plan amendment must also comply with administrative rules implementing applicable statewide planning goals.

III. Analysis

COMPREHENSIVE PLAN CONSISTENCY AND COMPLIANCE WITH STATEWIDE GOALS

All comprehensive plan amendments are reviewable for compliance with the statewide planning goals. *Residents of Rosemont v. Metro*, 173 Or App 321 (2001); *1000 Friends of Oregon v. Jackson County*, 79 Or App 93, 97, 718 P2d 753 (1986), *rev den* 301 Or 445 (1987); *Opus Development Corp. v. City of Eugene*, 141 Or App 249, 254, 918 P2d 116 (1996).

Goal 2 – Land Use Planning is: “To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for decisions and actions.” Specifically, local land use actions “shall be consistent with the comprehensive plans.” Goal 2, Part I. Further, the information upon which land use decisions are made “shall be contained in the plan document or supporting documents.” Goal 1, Part I.

In this case, the applicant relies heavily on the acknowledged 2000 Springfield Commercial Lands Study (SCLS), which does not address the entire Metro UGB area, and is not a refinement plan of the Metro Plan. It is the 1992 Metropolitan Industrial Lands Study, that does address the entire Metro UGB area, is part of the Metro Plan, and is reflected in the Economic Element of the Plan.

The proposed findings rely on reports and other documents containing inventories, assumptions, and data that have not been established for the entire Metro UGB area, but rather only for the Springfield portion of the UGB area. This material includes data used to justify findings of compliance with goal 9. Any decision relying on such findings would not comply with Goal 2.

Goal 5

Concerning applicability of land inventories pursuant to Ordinance #6150 that adopted the Springfield Natural Resource Study, staff's position is that inventories established pursuant to Goal 5 are relevant considerations in considering availability of commercial and industrial land. However, that analysis (applicant's Attachment “A” - tables 11-1, 11-2 and 11-3) actually show little or no impact on the commercial lands inventory from Goal 5 protection measures, and provide little if any analyses of land availability within the entire Metro UGB area, rather than just the Springfield UGB area. Table 11-2, Analysis of Maximum Possible Impact on Supply of Commercial Lands within the Springfield Urban Growth Boundary shows an impact of 11.56 acres on Springfield's (not the urban growth boundary area in it's entirety) commercial land supply.

Additionally, the analysis pursuant to Ordinance #6150 fails to account for lands ADDED TO the commercial inventory since 2000, including but not limited to the Gateway MDR site's 100 acres, providing a skewed picture of the actual commercial land inventory.

To skew the picture even further, the analysis of maximum possible impact from Goal 5 protection measures on supply of industrial lands (Ordinance #6150, table 11-1) considers ALL industrial lands within the entire Metro UGB area, rather than just the Springfield portion of the UGB, and does not provide a breakdown of number of industrially zoned acres in Springfield vs. Eugene. The 2000 SCLS, however (Table 3-2) shows that the number of light medium industrial (LMI) acres by plan designation in the Springfield UGB area is 198.77, while the number of LMI acres within the Eugene UGB is shown to be 1230.78. The applicant fails to establish the relevancy of these tables to the current PAPA and zone change proposal, considering that only about 16% of the Metro area ugb industrial land supply is within the Springfield city limits.

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

The Staff Report's Goal 9 findings are based upon the 1992 Industrial Land Study and the 2000 Commercial Land Study. Goal 2 requires that information upon which land use decisions are made be contained in the plan document or supporting documents.

OAR 660-015-0000(2), **Part I Planning** establishes that city, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

Goal 9 – 660-009-0010 (4) establishes that for a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or an other employment use designation to any other use designation, a city or county must address all applicable planning requirements, *and*: (emphasis added)

(a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis *and* (emphasis added) the parts of its acknowledged comprehensive plan which address the requirements of this division;

The applicant appears to rely heavily on inventory and policy statements established by the 2000 SCLS in establishing that the proposal is consistent with the Goal 9 rule. However, the applicant's analysis of the proposals' consistency with comprehensive plan Economic Element policies found in the Metropolitan General Plan, Chapter III, B-1 – B-7 is insufficient and does not address the most significant policies that must be considered.

The proposal would decrease the City's campus industrial land inventory by yet another 5.24 acres. The applicant has not justified the conversion of scarce, shovel ready industrial land,

especially land designated and zoned light medium industrial inside the Metro UGB, even though Metro Plan (comprehensive plan) Economic Element policy # 12 establishes that the cities are to "discourage future Metropolitan Area General Plan amendments that would change development ready industrial lands (sites defined as short-term in the metropolitan Industrial Lands Special Study, 1991) to non-industrial designations." The applicant and staff findings do not address how the loss of these 5.24 acres impacts the short-term supply of LMI designated land.

The applicant makes the argument that the proposed plan amendment and zone change would have the effect of correcting existing non-conforming uses on TL #402. (map 17-02-32); however, the 2000 SCLC, at Appendix C, "Sites with Plan/Zone Conflicts" does not include the subject property. It appears that the existing nonconforming uses were actually established AFTER adoption of the 2000 SCLS, indicating that the existing uses were actually permitted by the City with the knowledge that these uses would create plan/zone conflicts.

In addressing applicability of the Springfield Commercial Lands Study (2000 SCLS), the applicant appears to try to separate the Metro Area by jurisdictional boundary. However, Eugene and Springfield have a shared and adopted UGB, Comprehensive Plan, and Industrial Lands study. The jurisdictionally focused SCLS does not analyze supply and demand for the entire Metro UGB area and cannot be relied upon on its own to establish consistency with the requirements of OAR 660-009-0010 (4), which establishes that the proposed PAPA be consistent with *both* (emphasis added) the most recent economic opportunities analysis (i.e. the 2000 SCLS) *and* the comprehensive plan.

A related problem with placing such heavy reliance on the 2000 SCLS to establish Goal 9 compliance is that in analyzing supply and demand, the study fails to consider or otherwise account for lands *added* to the commercial inventory via applicant initiated and city approved zone changes and plan amendments. One very obvious example of an addition to the Springfield commercial lands inventory was the 2003 plan amendment and zone change (LRP 2003-0013 and ZON 2003-0019) at the 100-acre Gateway Medium Density Residential site that had the effect of rezoning and redesignating 100 acres of residential land to commercial. The applicant provides a spreadsheet (their Attachment B) that supposedly accounts for all Metro Plan diagram changes affecting the supply of residential, commercial and industrial Lands in the city of Springfield between 1991 and the present, but has failed to account for or otherwise address the addition of commercial land to the SCLS, even though it is clear that more than 100 acres of commercial land has been added to the inventory since the year 2000.

This omission raises doubt as to the accuracy of applicant's Attachment B in supposedly accounting for additions to and subtractions from the various land inventories.

The applicant also relies in part on inventories established in conjunction with adoption of Springfield's Natural Resource (NR) Study, by Ordinance #6150 on November 28, 2005. While those inventories may be relevant to this proposal in that possible 'impacts' resulting from Goal 5 protection measures were considered for all zoning classifications, the analysis of maximum possible impact on supply of commercial lands pursuant to the study is limited to the area within the Springfield portion of the Metro UGB (table 11-2). Again, because Eugene and Springfield share a UGB and a comprehensive plan, an analysis of the entire UGB area is necessary to establish an accurate picture of the supply of commercial lands.

In any case, the NR Study found that the maximum possible impact of Goal 5 protection measures on the Springfield Commercial Lands Inventory would be the loss of 11.56 "commercial acres."

LOSS OF INDUSTRIAL LAND

The proposed plan amendments and zone changes would remove 5.24 acres of shovel ready light medium industrial land from the Metro UGB area industrial lands inventory. This is in addition to an additional 56 acre conversion of campus industrial to community commercial land less than 2 miles away which is currently pending approval by the Springfield city council. The applicant is vague about the purpose of the proposed plan amendment and zone change, noting that, with approval of the plan amendment and zone change, the uses could include a possible future medical clinic, and the provision of family wage jobs. The applicant has said nothing about the existence of their other 100 acre medical campus located within about 5 miles of the subject properties proposed for plan and zone changes. Given this fact, the applicant has not justified the removal of shovel ready light medium industrial land for commercial uses. This area within the Springfield city limits is already inundated with commercial zoning and commercial uses, and approval of this proposal would contribute even further to over commercialization within the city of Springfield.

The applicant cites 4 of the 32 Economic Element policies pursuant to the comprehensive plan (Metro Plan) (Chapter III, Section B) of the Plan as relevant to the proposed PAPA. The four Plan policies considered by the applicant as relevant to the supply of industrial land are policies 1, 2, 6, and 11

Policy 1 is to Demonstrate a positive interest in existing and new industries, especially those providing above wage job 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. However, the applicant is not specific about what uses will be cited should the proposal be approved, and there is no way to know if in fact above wage jobs and salaries.

Policy 2 is to encourage economic development which utilizes local and imported capital, entrepreneurial skills, and the resident labor force. Again, there is no way to establish if the applicant will in fact utilize local and imported capital, skills etc. as no commitment to a use has been established.

Policy 6 merely states: "Increase the amount of undeveloped land *zoned* (emphasis added) for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand."

This policy addresses zoning only, not plan designation, and concerns the necessity of having adequate supplies of land of both commercial and industrial designations. It says nothing concerning the applicability of favoring one plan designation over the other.

Policy 11 is to encourage economic activities which strengthen the metropolitan area's position as a regional distribution, trade, health, and service center. The applicant asserts that the amendment (sic) 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. Considering that their 2003 zone change and plan amendments were based on the assertions that provision of medical care pursuant to campus style medical facility development is the wave of the future, and that the applicant already has established their dominance in the health care market within the city limits, it has hard to fathom why they think another 5.24 acres will somehow strengthen Springfield's position as a premier locale for healthcare services.

The PAPA proposal must be consistent with the Economic Element of the Comprehensive plan in it's entirety. A major omission found in the application and staff report is an analysis of *all* the Metro Plan Economic Element policies other than the four addressed by the applicant. The remaining 28 policies should be addressed in some manner. More specifically, the following policies are directly relevant to the inventory of industrial lands throughout the Eugene-Springfield Metro UGB area.

5 – Provide existing industrial activities sufficient adjacent land for future expansion.

This Plan provision is directly applicable because the subject properties are currently zoned and designated to take advantage of light medium industrial designation and zoning. This proposal to eliminate more industrial zoning adjacent to existing and developed industrial zoning, plan designation, and uses is clearly inconsistent with the Metro Plan Economic element, and if approved would have the effect of limiting future growth and expansion of the existing campus industrial uses.

7 – Encourage industrial park development, including areas for warehousing and distributive industries and research and development activities.

Economic Element of the Metro Plan, Finding #17 establishes: "Special light industrial firms" "have varied site location requirements, prefer alternative sites to choose from, and usually benefit from location of other special light industrial firms within the community and within the same industrial development." The subject site is located adjacent to an existing light medium industrial site.

9 – Encourage the expansion of existing and the location of new manufacturing activities which are characterized by low levels of pollution and efficient energy use.

Staff has not discussed efforts to attract and/or encourage expansion of manufacturing activities that could be sited on campus industrial zoned and designated lands. The only reference to this issue from staff is that there hasn't been much interest in the site from the industrial development sector.

15 – Encourage compatibility between industrially zoned lands and adjacent areas in local planning program.

Neighbors have expressed no concern about their quality of life from existing industrial uses. The applicant has not addressed why or how the existing light medium industrial zoning and plan designation is incompatible with the adjacent neighborhood zoning and plan designation.

16 – Utilize processes and local controls which encourage retention of large parcels or consolidation of small parcels of industrially or commercially zoned land to facilitate their use or reuse in a comprehensive rather than piecemeal fashion.

The subject properties are adjacent to a large parcel which is zoned and designated LMI. Staff is directed by this policy to encourage retention of this parcel of industrially zoned and designated land, which is one of the few remaining parcels of LMI land within the Springfield city limits.

21 – Reserve several areas within the UGB for large scale, campus type, light manufacturing uses.

Staff has failed to address the impact that this proposal will have on the dwindling supply of shovel ready industrial land inside the Springfield city limits, including prior actions approving land use code amendments to the campus industrial zone that established more 'flexibility' for what uses are allowed in the city's campus industrial zones.

28 – Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood.

This PAPA proposal requests community commercial plan designation and zoning yet has not considered or otherwise addressed the applicability of neighborhood commercial zoning vs. the requested community commercial zoning.

Staff and applicant have not addressed the applicability of community commercial zoning within a node, or explained why neighborhood commercial zoning is being ignored for higher intensity uses in this existing neighborhood.

All the Metro Plan Economic Element policies are applicable to this application, and should have been addressed by the applicant.

III. Conclusion

The proposed plan amendment is not logical and harmonious with the land use pattern for the greater area. The proposed change is not "logical and harmonious" because it is not consistent with the development pattern envisioned in the Metro Plan.

As explained above, the proposed amendment is inconsistent with the intent of the Economic Element of the Metro Plan, and does not comply with Metro Plan policies. Therefore it cannot be found to be compatible with these Plans.

Compliance with statewide planning goals, including goals 2, 6, 9, 10, 12, and 13, has not been established. In particular, it has not been established that the Eugene-Springfield Metro UGB area's supply of campus industrial land will be protected pursuant to the PAPA and zone change proposal.

GOAL ONE COALITION

The requested plan amendment does not comply with policies of the Metro Plan and Metropolitan Industrial Lands Special Study.

The requested plan amendment and zone change does not benefit the public and are not appropriate.

Goal One and other parties whose addresses appear in the first paragraph of this letter request notice and a copy of any decision and findings regarding this matter.

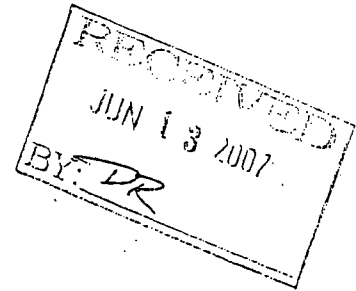
Respectfully submitted,

Lauri Segel
Community Planner



June 13, 2007

Springfield Planning Commission
Attn: David Reesor, Planner
City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477



Re: ZON 2007-00012, LRP 2007-00013 – Plan Amendment/Zone Change

Dear Chairman Cross and Commissioners,

The Commission considered the above-referenced applications on June 5 at a duly noticed work session and public hearing. The following rebuts written testimony submitted by Lauri Segel of the Goal One Coalition at the close of the extended record yesterday.

Ms. Segel suggests that the applications do not comply with statewide planning Goal 9 (Economic Development) – and by extension with Goal 2 (Land Use Planning) - because the 2000 Springfield Commercial Lands Study (SCLS) “does not address the entire Metro UGB area, and is not a refinement plan of the Metro Plan.” (pg. 2; June 12, 2007 Segel letter)

She further states that “Eugene and Springfield have a shared and adopted UGB, Comprehensive Plan, and Industrial Lands study. The jurisdictionally focused SCLS does not analyze supply and demand for the entire Metro UGB area and cannot be relied upon on it’s [sic] own to establish consistency with the requirements of OAR 660-009-0010 (4), which establishes that the proposed PAPA [Plan amendment] be consistent with *both* (emphasis added) the most recent economic opportunities analysis (i.e., the 2000 SCLS) *and* the comprehensive plan.” (pg. 4, Segel letter)

Applicant’s Response: The SCLS was developed by the City and adopted by the Springfield City Council (Resolution No. 00-13 and included in the end pages of the SCLS) to comply with Goal 9 and applicable OARs pursuant to periodic review requirements established by the Oregon Land Conservation and Development Commission. Prior to the SCLS, the City of Eugene had an acknowledged plan for complying with Goal 9, the 1992 Eugene Commercial Lands Study (ECLS). The ECLS states: “The study includes solely the Eugene portion of the metropolitan urban growth boundary.” (pg. I-3, ECLS)

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Although there is in fact an acknowledged study covering both communities' industrial lands (the 1993 Metropolitan Industrial Lands Policy Report, and companion Inventory Report), the cities of Eugene and Springfield have separately adopted and acknowledged commercial lands studies fulfilling the requirements of Goal 9. As such, the SCLS serves as the City of Springfield's "most recent economic opportunities analysis," as Ms. Segel notes above by her own admission. The SCLS also complies with Metro Plan Policy 31 which called for the City to conduct a commercial lands study, and fulfills the City's Goal 9 requirements pursuant to the periodic review work order, now accepted as complete by DLCD. There is no requirement that the Applicant or the City perform a metro-wide analysis of commercial lands in order to adopt findings satisfying compliance with Metro Plan policies and Goal 9.

Ms. Segel states that the analysis provided does not account for additions to the inventory of commercial lands, notably "the Gateway MDR site's 100 acres." (pg. 4, Segel letter)

Applicant's Response: The City previously adopted amendments to the Gateway Refinement Plan (Jo. No. 2002-08-244), including GRP Implementation Action 12.1, which limited redesignation and rezoning of up to 99 acres of residential land within the Gateway MDR site. Subsequent Plan diagram amendments and zone changes of 96.2 acres and 3.5 acres resulted in redesignation/rezoning of 96.2 acres to Mixed Use Commercial or Medical Services of the possible 99 acres available under the GRP.

Considering that the SCLS identified a deficit of 158 acres in the supply of commercial land over demand, accounting for this additional redesignated/rezoned land, this would still result in a deficit of more than 61 acres of needed commercial land. Approving the requested Plan amendment/zone change would still leave a deficit of approximately 55 acres of needed commercial land.

The supplemental information submitted into the record by the Applicant included the City's analysis of impacts to the commercial lands inventory pursuant to the City's acknowledged compliance with Goal 5 periodic review requirements. Table 11-2 of this analysis (see pg. 3-25 in the Commission's June 4, 2007 hearing packet) identifies that as a consequence of the City's Goal 5 protection measures that approximately 11.5 acres would be removed from the inventory of needed commercial lands, thus further adding to the commercial lands deficit established in the SCLS.

Therefore, even considering impacts to commercial lands inventories from other adopted and acknowledged plans (i.e., the City's plan for Goal 5 compliance) and acknowledged Plan amendments/zone changes, approval of the proposal will not result in there being an excess of needed commercially zoned and designated land. To the contrary, this analysis demonstrates that there will remain a deficit of approximately 66 acres after approval of the requested redesignation/rezoning.

Ms. Segel states that the application relies "heavily on inventory and policy statements established by the 2000 SCLS in establishing that the proposal is consistent with the Goal 9 rule. However, the applicant's analysis of the proposals' consistency with comprehensive plan Economic Element policies found in the Metropolitan General Plan, Chapter III, B-1 – B-7 is insufficient and does not address the most significant policies that must be considered." (pg. 3, Segel letter)

She further alleges that the application hasn't "justified the conversion of scarce, shovel ready industrial land, especially land designated and zoned light medium industrial inside the Metro UGB, even though the Metro Plan (comprehensive plan) Economic Element policy #12 establishes that the cities are to 'discourage future Metropolitan Area General Plan amendments that would change development ready industrial lands (sites defined as short-term in the metropolitan Industrial Lands Special Study, 1991) to non-industrial designations.' The applicant and staff findings do not address how the loss of these 5.24 acres impacts the short-term supply of LMI designated land."

Applicant's Response: The Applicant's original March 15, 2007 submittal included findings addressing relevant Metro Plan policies (see pg. 5 of the submittal, pg. 4-5 of the Commission's June 4, 2007 hearing packet). Clearly not all of the 32 Metro Plan Economic Element policies are relevant to the proposal. Many are aspirational in nature and not directive to a specific quasi-judicial application, for example Policy 28: "Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood." (pg. III-B-6, Metro Plan) Others are directed to actions that the public sector jurisdictions are to undertake, such as Policy 31, which Springfield did in conducting in the SCLS: "Conduct a Commercial Lands Study prior to the next major plan update." (pg. III-B-7, *ibid*) Nonetheless, to demonstrate that all policies were considered irrespective of their applicability, the Applicant will provide supplemental findings and enter them into the record prior to the City Council hearing on these applications. However, this does not suggest that the Applicant's findings are presently inadequate or that the Metro Plan policies cited are not on point.

Ms. Segel's citation of Economic Element Policy 12 ignores the fact that the subject site was not included among the sites "defined as short-term in the metropolitan *Industrial Lands Special Study*, 1991)." The adopted and acknowledged Metropolitan Industrial Lands Policy and Inventory Reports identify the subject site as being included in "Subregion #8 – East Springfield." Maps and tabular information in these reports (pp. 42-44, tables pp. 18-26; 1993 MIL Policy Report) do not identify the subject site among the "short-term sites" in the industrial lands study, presumably because both were considered developed. The abutting property now developed with the Hyland Business Park was, however, identified in the study as site #7 in this subregion. While the Hyland property was included in the matrix of "short-term sites," it was also identified as being a "developed" site. The MIL Policy Report states that "sites developed during the study

were not included in the short-term supply of sites. Staff projected a five year need for industrial sites based on development trends in Eugene-Springfield during the previous two year period, a time of economic growth. This short term demand was compared to the existing supply of sites, excluding those already developed. [emphasis in original report]" (pp. 15, 16) Therefore, the subject site was not included in the inventory of short-term industrial sites in the industrial lands study casting doubt on the applicability of Metro Plan Economic Element Policy 12.

Even if Policy 12 were relevant, its language is clearly not prohibitive to approval of an application for redesignation/rezoning of an industrial site, particularly when considering it in the context of industrial and commercial land inventories. As stated above and established in the record, there is a demonstrated need for additional commercial land, which the proposal helps address.

The record also includes evidence demonstrating that there is a surplus of needed industrial land. The acknowledged metro industrial lands study identified a surplus of buildable light medium industrial acreage, and overall industrial acreage, in Eugene, Springfield, and combined in the metro UGB. Table 5 in the MIL Inventory Report (pg. 47) identifies supplies of buildable industrial land as follows:

	LMI Acres	Total Industrial Acres
Eugene	1,230.78	2,895.49
Springfield	198.77	708.80
Metro UGB	1,429.55	3,604.29

The report further states that the study "identifies 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, MIL Inventory Report)

As noted in the City's Goal 5 analysis entered into the record, the maximum impact of industrial acreage from Goal 5 protection measures in Springfield is 54.43 acres (Table 11.3, pg. 3-25 of the Commission's June 4 hearing packet). The analysis also found that there were 90.80 acres removed from the industrial designation by prior Plan amendments in Springfield. Therefore, even if all of the industrial acreage impacted by Goal 5 and all of the acreage redesignated in Springfield were from the LMI designation – which is no doubt not the case - there would still be a surplus of nearly 50 acres of LMI designated land even after approval of the requested Plan amendment. This does not account for the 11.5 acres of land added to the inventory of LMI zoned and designated land referenced in my March 28, 2007 supplemental information.

Therefore, the removal of 5.24 acres of LMI zoned and designated land will not result in a deficit of needed land in that industrial designation.

Moreover, although Economic Element Policy 12 "discourages" Plan amendments for certain industrial lands, there are countervailing policies in the Metro Plan (i.e.,

Economic Element Policy 6) and SCLS (i.e., Policies 1-A and 1-C) that are directive to providing an adequate supply of needed commercial lands. The Metro Plan recognizes such conflicts: "The respective jurisdictions recognize that there are apparent conflicts and inconsistencies between and among some goals, objectives, and policies. When making decisions based on the *Plan*, not all the goals, objectives, and policies can be met to the same degree in every instance. Use of the *Plan* requires a 'balancing' of its various components on a case-by-case basis, as well as a selection of those goals, objectives, and policies most pertinent to the issue at hand." (pg. I-4, Metro Plan) The Applicant contends that findings and evidence in the record from adopted and acknowledged sources demonstrate that approval of the requested redesignation/rezoning is consistent with applicable policies and fulfills the City's employment-generating objectives and requirements under Goal 9.

Ms. Segel's letter states that "the applicant is not specific about what uses will be cited should the proposal be approved, and there is no way to know if in fact [sic] above wage jobs and salaries." (pg. 5, Segel letter)

She also states that while "the applicant argues that the proposal would have the effect of correcting existing non-conforming uses on TL #402" that the property is not included in the "Sites with Plan/Zone Conflicts" in the SCLS. She goes on to state that "it appears that the existing nonconforming uses were actually established AFTER adoption of the 2000 SCLS, indicating that the existing uses were actually permitted by the City with the knowledge that these uses would create plan/zone conflicts." (pg. 4, Segel letter)

Applicant's Response: The Applicant does not allege that there is a Plan/zone conflict on Tax Lot 402; clearly the existing Plan designations and zoning are LMI. Rather, the point made in our application narrative is that commercial uses have existed for decades, pre-existing the establishment of the Metro Plan and the application of the LMI designation on the subject properties. Ms. Segel provides no evidence to back up her accusation that the City wittingly allowed commercial uses on Tax Lot 402 after adoption of the SCLS. The Applicant and owner of Tax Lot 402 will provide additional evidence and testimony at the City Council hearing on July 2 which will further demonstrate factually that commercial uses and employment have been in the building on Tax Lot 402 for nearly 50 years.

Ms. Segel's assertion that the application was unspecific as to the future uses on Tax Lot 400 is inaccurate. The application narrative clearly states the intended purpose of the redesignation/rezoning is to allow for a future medical clinic on Tax Lot 400 and to allow the long-standing commercial operations on Tax Lot 402 to continue (pg. 2, pg. 4-2 in the Commission's June 4 hearing packet). Such clinical uses are not permitted in any industrial zoning district, thus prompting the need to rezone (and redesignate) Tax Lot 400 to allow a medical clinic. Average wages and benefits for medical workers tends to

be higher than average local wages, and further substantiating data can be entered into the record at the City Council level.

Ms. Segel contends that the proposal is not "logical and harmonious" with land use patterns in the greater area, inconsistent with the intent of the Economic Element of the Metro Plan, doesn't comply with Metro Plan policies, and hasn't demonstrated compliance with statewide planning goals 2, 6, 9, 10, 12, and 13. "In particular, it has not been established that the Eugene-Springfield metro area's supply of campus industrial land will be protected pursuant to the PAPA and zone change proposal."

Applicant's Response: It should first be noted that the application does not involve or in any way affect the "metro area's supply of campus industrial land." Moreover, the application has no effect upon Goal 10 (Housing), and has elsewhere demonstrated compliance with Goal 12 and other applicable statewide planning goals. My guess is that Ms. Segel and Nancy Falk, who appeared at the June 4 hearing and requested the written record be left open for a week, both vigorously oppose the Plan amendment/zone change proposed for the Marcola Meadows project, and are borrowing arguments to also object to this modest request before the City.

The contention that the proposal would not result in a "logical and harmonious" land use pattern is without substance or basis in fact, and is not an approval criterion. As noted above and elsewhere in the record, this proposal is consistent with policies and provisions in the Metro Plan, its Economic Element, supporting refinement plans (i.e., the SCLS and MILS) to the Metro Plan, and Goal 9 and other applicable statewide planning goals.

On the basis of the record and arguments before you, we urge you to support the Staff recommendation and forward to the City Council your recommendation approving the pending applications.

Sincerely,



Philip Farrington, AICP
Director, Land Use Planning & Development
PeaceHealth Oregon Region

cc: Jim Werfelmann
Andrew Head
Shaun Hyland