



Planning Commission Agenda

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Planning Commissioners:

Michael Koivula, Chair

Troy Sherwood, Vice Chair

Tim Vohs

Andrew Landen

Grace Bergen

Kuri Gill

Sophie McGinley

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. For meetings in the Council Chamber, a "Personal PA Receiver" for the hearing impaired is available. To request a reasonable accommodation at this meeting, please contact Brenda Jones at 541.726.3610 or bjones@springfield-or.gov.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

March 19, 2019

**6:00 p.m. Work Session
Jesse Maine Meeting Room**

CALL TO ORDER

ATTENDANCE: Chair Koivula _____, Vice Chair Sherwood _____, Vohs _____, Landen _____, Bergen _____, Gill _____, and McGinley_____.

BUSINESS FROM THE AUDIENCE

WORK SESSION ITEM(S)

1. Development Code Update Project- Status-

Staff will be providing the Planning Commission an update on the status of the Development Code Update Project.

Staff: Mark Rust, Senior Planner

40 Minutes

ADJOURNMENT

March 19, 2019

**7:00 p.m. Regular Session
Council Chambers**

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair Koivula _____, Vice Chair Sherwood _____, Vohs _____, Landen _____, Bergen _____, Gill _____, and McGinley_____.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address public hearings appearing on this Regular Session Agenda

PUBLIC HEARING(S)

1. QUASI-JUDICIAL PUBLIC HEARING –

CONTINUATION FROM February 5, 2019 Regular Session

- **REQUEST FOR METRO PLAN DIAGRAM AMENDMENT AND ZONE CHANGE FOR 3.41 ACRES OF PROPERTY AT 377 & 385 DEADMOND FERRY ROAD AND 3491 & 3535 GAME FARM ROAD, JO. NO. 811-18-000234-TYPE & 811-18-000235-TYP3-**

**Staff: Andy Limbird
15 Minutes**

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Staff report
- Testimony from the applicant
- Testimony in support of the application
- Testimony opposed to the application
- Testimony neither in support of nor opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Consideration of request for continuation of public hearing, extension of written record, or both

- Close or continue public hearing; close or extend written record (continuance or extension by motion)
- Planning Commission discussion; possible questions to staff or public
- Motion to approve, approve with conditions, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Final Order signed by Chair incorporating findings and reasoning to support the decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

- Upcoming Planning Commission meetings, committee assignments, appointments or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

AGENDA ITEM SUMMARY

Meeting Date: 3/18/2019
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust
Staff Phone No: 541-726-3654
Estimated Time: 40 min.
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: DEVELOPMENT CODE UPDATE PROJECT – STATUS

**ACTION
REQUESTED:**

Staff will be providing the Planning Commission an update on the status of the Development Code Update Project. We are requesting Planning Commission input or feedback on the Project including the process so far and ideas for the format and other aspects of the code.

**ISSUE
STATEMENT:**

The Project team for the Development Code Update Project has conducted the preliminary steps of the approved Community Engagement Plan for the project and we have been working with our consultant on the clear and objective standards audit for housing. The purpose of this work session is to provide the Planning Commission with an update on the project status, an opportunity for review of the draft audit report, opportunity to review formatting options for the Development Code, and provide input and feedback on these project components.

ATTACHMENTS:

Attachment 1 – Communication Memo
Attachment 2 – Draft Development Code Update Project Audit report

**DISCUSSION/
FINANCIAL
IMPACT:**

Staff last presented to the Planning Commission on the status of this project on 8/15/18. However the Planning Commission has reviewed the Community Engagement Plan for the Development Code Update Project and worked on appointing the Technical Advisory Committee members on multiple occasions since the 8/15/18 status meeting.

At this meeting the project manager will discuss the process so far, the draft clear and objective audit report, the format for the code moving forward, and an update on the project timeline.

COMMUNICATION MEMORANDUM

Meeting Date: 3/19/2019
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 40 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE DEVELOPMENT CODE UPDATE PROJECT - STATUS

BACKGROUND Staff last presented to the Planning Commission on the status of this project on 8/15/18. However the Planning Commission has reviewed the Community Engagement Plan for the Development Code Update Project and worked on appointing the Technical Advisory Committee members on multiple occasions since that first status meeting.

At this meeting the project manager will discuss the process so far, the draft clear and objective audit report, the format for the code moving forward, and an update on the project timeline.

DISCUSSION As part of the approved Community Engagement Plan a Technical Advisory Committee (TAC) was formed for this project. One sub group of the TAC is the Community TAC for Housing. Staff has convened three meetings of the Community TAC for Housing, 1/23/19, 1/28/19, and 3/11/19. The main focus of these meetings at this point has been on the clear and objective standards for housing and the audit report that is being conducted by the consultant through the Technical Assistance provided by the State of Oregon Department of Land Conservation and Development (DLCD). Staff will discuss in more detail the draft code audit report.

Another sub group of the TAC is the City Staff TAC. This group has met once on 1/28/19 to discuss the project. Feedback from this group is being incorporated into the process.

The Governance Committee, comprised of two City Councilors and two Planning Commissioners, has met once on 3/5/19. The role of the Governance Committee is to provide informed direction on the Project to the Project Core team.

Staff has begun to format a draft of new Development Code sections to populate with new code language as it is developed through the process. We will be discussing with the Planning Commission different options for formatting the new Development Code document and asking for input and feedback.

NEXT STEPS Staff plans to continue meeting with the Technical Advisory Committee and proceed with drafting code language considering the needs for clear and objective standards for housing. Staff will schedule the next meeting with the Planning Commission in June or July of 2019.

RECOMMENDED ACTION Provide input and feedback on the Project process and progress, the Draft Code Audit, and the format of the code.



MEMORANDUM

To: Mark Rust, City of Springfield

CC: Community TAC Members
Kristina Kraaz, City of Springfield
Brenda Jones, City of Springfield

From: Elizabeth Decker, JET Planning
Anais Mathez, 3J Consulting

Date: February 28, 2019

Project Name: Clear & Objective Housing Standards Review
RE: Draft Code Audit

Introduction

The code audit is part of the City's overall, multiyear effort to fully update the Development Code. The audit will inform and guide the drafting of new housing standards to be adopted as part of the first package of code amendments. The code update process is intended to be a full rewrite process.

The purpose of the Development Code Update project is to change the Springfield Development Code (SDC) to support efficient, timely, and clear development review. The updated Development Code will support Springfield's economic development priorities and will honor Springfield's home town feel now and in the future.

The clear and objective housing standards review, as a first phase of the Development Code Update Process, will audit all applicable standards to identify concerns about whether a clear and objective review option exists for all residential development, to identify significant regulatory barriers to residential development, and to identify additional regulatory opportunities to support the development of desired types identified in the City's Housing Needs Analysis. The SDC contains many different sections that apply to housing. Standards include base zone standards, design and development standards, infrastructure standards, and development review process standards, including project approval criteria. The overarching goal for the code audit is to identify regulatory barriers to the development of a wide variety of housing types in compliance with both the letter and the spirit of Oregon's clear and objective requirements, to better meet the City's identified needs for housing.

State law requires a "clear and objective" review path for all housing, which may not cause "unreasonable cost or delay." This requirement applies to all housing types within residential and mixed-use zones in Springfield, referred to in state law very broadly as "needed housing." A "clear and objective" review path means that there is only one way to interpret a standard, so that there is no discretion when applying it. However, cities may develop an optional review path with discretionary standards as an alternative to the clear and objective review path and there are limited exemptions to the clear and objective requirement, notably for historic districts.

Code Audit Format & Methodology

The code audit findings highlight both those areas of the code that are functioning effectively, as well as those that cause concerns or barriers to efficient, timely, and clear development, with an emphasis on the latter. Generally, the standards that cause the most concerns are the primary topics of discussion.

Given that the City intends to write primarily new development code standards, rather than targeted edits to the existing standards, many of the audit findings are broad commentary on existing uses, standards, and review processes, rather than line-by-line analysis of the existing standards.

This draft audit focuses on identifying the primary areas of code relating to housing development, with initial analysis on whether the language appears to support a clear and objective path for development and whether it creates any additional barriers to development, balanced against community priorities to maintain a home town feel and promote quality development. The final audit will include significantly more detail on the identified code standards and potential alternative approaches.

The draft audit findings integrate analysis by the consultant team, background from the project manager and City staff provided at a January 28, 2019 focus group, and community input from the Community TAC provided at their January 28, 2019 meeting. Further Community TAC and staff feedback at the upcoming March 11th meeting will be used to refine the draft findings for the final audit, due at the end of May. Community TAC and staff feedback is particularly desired to prioritize code sections in need of more detailed review, to provide context about how standards are applied during development, as well as to identify potential models or examples for future code standards.

Detailed Audit Findings

Code organizational and overarching issues

- The "EXCEPTION" language, used extensively in the existing code, could be rewritten to integrate into the text of the standard itself, calling less attention to the exception with more focus on the standard. Generally, offering exceptions to standards, even if they incorporate discretionary language, do not run afoul of state requirements for clear and objective standards provided that there is a clear standard as the base requirement. For example, a standard may require 15% window coverage on the front façade, except that an alternative glazing pattern may be approved if it provides a similar level of visual connection between the street and buildings. In addition, exceptions should specify how the alternative proposal should be reviewed, through something like an adjustment process or site plan review, rather than simply delegating authority to the Director.
- Generally, code standards that grant authority to the Director to approve an alternative design should be rewritten to specific when and how an alternative design can be approved, ideally referencing an established land use process such as an adjustment. For example, allowing three different materials for fences or "an alternative that equally meets privacy needs as approved by the Director," provides too much discretion to the Director and not enough certainty for code users. The requirement for clear and objective standards can be met by listing the three approved materials, and flexibility can then be provided by offering an alternative review path.
- Organization of special residential development standards could be improved for greater clarity and ease of use. For example, just as the multi-unit design standards are integrated into the residential zone sections, the ADU design and development standards could be integrated into the residential zone sections. Many of the specific development standards in Section 4.7-100 that apply to residential uses, such as duplexes, could also be integrated into the residential standards.
- Some residential compatibility standards are applicable when there are nearby single-family detached residences, and other times standards apply for sites adjacent to the property zones LDR or other residential zones. Recommended approach is to consistently use adjacency to LDR

zone (or other desired zones) as the applicability trigger for additional standards, rather than the development type on a specific lot which can be inconsistent with the current zoning and purpose.

Land Use Districts (Chapter 3)

- *Residential zones (Section 3.2-200)*
 - *Residential Zoning Districts (3.2-205):*
 - Requirement for a Refinement Plan and a Master Plan to implement the Small Lot Residential District (SLR) appears to be a barrier to applying the zone and realizing opportunities for smaller lot residential development at the desired density range of 8-14 units per acre.
 - Minimum and maximum densities included in the district definitions appear to be the only place where density standards are listed; this is an unusual place to locate them.
 - *Use Categories (3.2-210):* Few concerns noted. Consider opportunities for additional missing middle housing types, in more zones, with less review required. For example, the only residential uses that can be developed in the MDR and HDR zones without a Type II Site Plan Review are single-family detached residential, ADUs, and duplexes; this could encourage development of these lower-density options rather than higher-density options.
 - Cottage cluster housing is not permitted outright as a use; there may be an intention to permit it through cluster subdivisions, but cottage housing is a separate defined term in 6.1-110.
 - *Base Zone Development Standards (3.2-215):* The dimensional standards here are not as clear as they could be, given the number of notes and exceptions. It is not clear when some of the exceptions apply, for example, lot coverage for MDR and HDR is set at 45% but can be increased to meet the density requirements, per note (17), without detail about how to qualify for the increase. Another general observation is that standards for the MDR and HDR appear fairly restrictive, creating potential barriers to development; at a minimum they could create uncertainty for development because it is not clear when the exceptions detailed in the notes for lot coverage, height and similar allowances would be approved for a project. Specific standards worth further consideration include:
 - Differentiated lot sizes for single-family and duplex development based on orientation of the street are unusual, and may create complications for development; balance underlying policy goals against simplicity of a single lot size standard.
 - The alternative dimensions for Hillside Development and Urbanizable Fringe Overlay Districts could be relocated in the respective chapters, to simplify this table.
 - MDR and HDR standards including the 45% maximum lot coverage, 35-foot maximum height, and 4,500 to 9,000-SF minimum lot size appear fairly restrictive for the uses and density ranges desired. Exceptions, some tied to the Multi-unit Design Standards in Section 3.2-240, may allow greater intensity development, but not clear based on this table.
 - Density minimums and maximums are not included in this table or elsewhere, aside from the district definitions in 3.2-205, and are only inferred by minimum lot size.
 - *Panhandle Lot Standards (3.2-220):* No significant concerns.

- *Base Solar Development Standards (3.2-225)*: These add considerable complexity to the allowed height and required setbacks in each zone, and have potential to require relatively high setbacks—in excess of 20 feet for many developments—which impacts development potential of a site and may be a barrier to development. Applicability of standards to base zones could be clearer.
- *Cluster Subdivision Standards (3.2-230)*: The purpose of the cluster subdivision standard is not clear, and may not be effectively implemented through the development standards in this section. Often, cluster subdivisions are used for additional flexibility that may include higher densities and/or additional residential uses, to allow infill development on lots of a few acres that are too small to allow traditional subdivisions with public roads and minimum lot frontage for every lot. There is potential for cluster subdivisions to support cottage housing developments, but it is not clear in this chapter whether that is intended or possible. There are some standards for cottage housing incorporated into its definition in Section 6.1-100, which could be better addressed here, if the intent for two uses is indeed similar. DLCDC has opined that cluster subdivisions can be exempt from the clear and objective standards requirement, because it offers an alternative path to uses allowed outright, but certainly clear standards could remove uncertainty and potentially reduce barriers to development.
 - Clarify density allowances for cluster subdivisions, and consider allowing an increase over the base zone. Section A.4 states that clusters shall not exceed the minimum density in the base zone, but the standards are written to allow higher density development to support greater affordability and reduced lot sizes. The neighborhood compatibility standards in Section F explicitly tie the need for those standards to the higher densities allowed in the cluster subdivisions—without permitting higher densities.
 - Consider whether cluster subdivision standards are intended to accomplish similar goals as cottage housing standards, or whether they should be treated as separate uses and processes.
 - Allowing a range of dwelling types, including single-family detached, single-family attached and duplexes in the LDR zone per Section D, allows additional flexibility relative to the LDR base zone.
 - There are currently few limits on reductions and modifications to dimensional standards, in Section E. While this provides flexibility, there could be concerns about how much reduction could be permitted, and how to support approval or denial of a proposal. If the goal is to use these standards to support cottage housing development, more explicit dimensional standards could be introduced for more specificity. If intended to support cottage housing style development with lots fronting a common green rather than a public road, add explicit provisions for reduced or eliminated minimum lot frontage requirements.
 - The neighborhood compatibility standards in Section F, while seemingly clear and objective, could create a significant barrier to development by requiring up to 25-foot setbacks around the perimeter of the cluster, which significantly exceeds the setbacks in the LDR base zone. Consider whether there is significantly greater intensity of use possible through the cluster subdivision ordinance that merits additional setbacks, or reduce to align with base zone standards. For example, the additional height transition requirement for projects adjacent to single-story buildings requires up a 25-ft setback for two-story buildings that would not apply to a traditional single-family detached home built through the base zone standards, allowed up to 30 feet tall with as little as 5-10-foot setbacks.
 - Design standards for dwellings in Section G appear reasonably clear and

- achievable; notably, they do not require a front porch which is a common feature of cottage housing design standards. They could be further reviewed for consistency with residential design standards in Section 4.7-100, or other cottage housing standards, if desired.
- Application of a landscape buffer option as a condition of approval in Section J is discretionary, seemingly based on whether concerns about buffering are raised during the review process. Consider developing a specific standard for buffering, if so desired, or removing discretionary option.
- *Residential Manufactured Dwellings (3.2-235):*
 - Integrate standards for manufactured homes currently located in the definitions section. Standards requiring a minimum size of 1,000 SF for manufactured homes limit options for smaller housing options, including tiny homes.
 - Review standards for manufactured home parks for compliance with state building code standards. Consider simplifying the city standards to address only issues outside of the state building code, to avoid conflicts. Generally, standards will be applied to existing parks seeking modifications rather than new manufactured home parks (land values and development economics disfavor new parks), so focus on local standards that support redevelopment of existing parks without triggering nonconformity concerns.
 - *Multi-unit Design Standards (3.2-240):* Multi-unit standards must be clear and objective, and aim to achieve quality development as experienced by both future residents and abutting property owners, while keeping development costs reasonable to ensure that projects will “pencil” and will actually get built. Generally the standards appear reasonable and consistent with other jurisdictions; exceptions are noted below.
 - Design standards are currently “one size fits all” for projects with three or more units, which can create barriers to development of smaller projects under 20 units or so.
 - Requirement for Type II review in Section C could be changed to a Type I review; assuming all standards are indeed clear and objective, it should be possible to review projects through a Type I process. The option to elevate review to Type III review “when it is in the public interest” does not appear to guarantee a clear and objective review path for all development and should be removed.
 - The LDR compatibility standards in Section D.3 require significant site area to be devoted to setbacks, which can be a barrier to development. The exception to compliance with the standards for LDR-sites committed to a long-term non-residential use could be worded more clearly. Matching the front setback to adjacent development can reduce buildable area, and creates less certainty for multifamily development given that it depends on site-specific conditions. The 25-foot buffer area standards should be reviewed for intent and effectiveness; it is a large area, that can be further increased up to 50 feet for buildings 50 feet tall, with significant impacts to site development feasibility. The development allowed in the buffer area does not seem to support a consistent rationale for the buffer area, raising questions about its effectiveness. For example, landscaping requirements that could provide more effective buffering are vague, and rely upon discretion to determine what mix of planting, fencing, and acoustical barriers are required. The buffer area can be counted towards the open space requirement, but cannot be developed for active recreation areas, which may decrease the usability of the buffer area.

- Open space standards in Section D.5 could benefit from greater clarity of purpose and relationship to other standards. The overlap is not clear between the minimum 15% open space requirement here and minimum 15% site landscaping required in Section D.6; if they are presumably the same 15% of the site, then the standards are duplicative, and if they are not, there are concerns about how much total site is taken up to meet the two requirements. The overall minimum 15% open space requirement, inclusive of yards and some provisions for resource areas, appears reasonable, but it is not easy to calculate whether the common and private open space requirements are high enough that it drives the total site area above 15% after accounting for yards. There may be opportunities to reduce the cumulative impact of setbacks, buffer areas, common and private open space, and landscaping standards, but it is difficult to determine their combined footprint and impact on development feasibility as the standards are currently written.
- Planting requirements in Section D.6.a are not clear about the desired ratio of trees, shrubs and other plant materials, only an overall percentage, and may not lead to a desired mix.
- Parking requirements in Section D.8 should be evaluated for overlap with parking standards for all development in Section 4.6-100, and consider combining. As currently written, there appears to be minimal overlap, but many of the multi-unit standards are common features of parking codes and could be rewritten into a central parking chapter. Lighting requirement in Section D.8.b should specify a foot-candle lighting level rather than “for safety purposes.” Standard to reduce stormwater runoff “as practicable” in Section D.8.j is not clear; the goal is likely addressed through separate stormwater standards and may not be needed here.
- Vehicular circulation standards in Section D.9 could benefit from greater clarity or connection to related standards, specifically for the shared driveway standard in subsection b, to be provided “where practicable,” and the alley requirement in subsection d, when alleys can “reasonably be extended.”
- The regulatory and descriptive power of the figures at the end of the section is not clear. Repetition of the same figure in Figures 3.2-L, M, Q and R with different text and arrows provides little additional benefit. There are also some inconsistencies between the text and the figures, such as Figure 3.2-N specifies a maximum building length of 160 feet for 1-2 story buildings, and 120-foot length for 3 stories and taller, however, Section D.2.a only includes the former standard and does not appear to include a standard for taller buildings.
- *Multi-unit Discretionary Criteria (3.2-245)*: This section provides an option to comply with alternative design discretionary criteria in place of the clear and objective standards in Section 3.2-240. These criteria appear to have a good one-to-one correspondence with the design standards, no significant concerns about content. Review requirements in 3.2-245.A could be clearer to explain what combination of design standards, these discretionary criteria, and adjustments in Section 3.2-250 can be applied to a given project, whether a mix is permissible or if a project must comply with all of one track or the other.
- *Multi-unit Design Standards Variance (3.2-250)*: This section provides a third option to satisfy the design objectives for multi-unit development, through an adjustment to the design standards, which is a welcome option. Many cities require either full compliance with clear standards or with discretionary criteria; the option to adjust one problematic standard rather than subjecting the entire project to discretionary guidelines should provide a meaningful “release valve.” However, the section could benefit from

clarification about the exact procedural options; Section 3.2-250.A allows adjustments up to 20% by the Director, presumably a Type II review, and requires greater adjustments to comply with a Type III Major Variance process in Section 5.21-130, which is presumably the same as the Planning Commission review of adjustments referenced in Section 3.2-245.A. The general approval criteria for all adjustments in Section 3.2-250.B, allowing adjustments only for unusual site features not of the applicant's own making, could merit further review to determine whether it limits the utility of the adjustment option.

- *Commercial zones (Section 3.2-300)*: Residential uses in commercial zones should be permitted through a clear and objective process, and it does not appear that this requirement is met. The use table in Section 3.2-210 and referenced Section 4.7-210 could provide greater clarity about where residential uses are permitted in the commercial zones, rather than referencing separate map designations. Additional clarity on the applicable development standards that apply to residential development would also be helpful, in place of the reference in Section 4.7-210.A to "MDR and HDR District standards." MDR and HDR standards are not identical; for example, would development be allowed at the density permitted for MDR or HDR? The references to mixed use designations and mixed use zoning in Section 4.7-210.A and B are also confusing, considering that they are intended to apply to areas with commercial zoning: if mixed-use zoning is desired, those properties should be rezoned rather than a roundabout application of mixed-use standards in commercial districts.
- *Mixed Use zones (Section 3.2-600)*: Residential uses in mixed-use zones should be permitted through a clear and objective process, and it does not appear that this requirement is met.
 - *Uses (3.2-610)*: A mix of residential uses from rowhouses to multiple family dwellings is permitted across the mixed use districts, though the limitation that such uses are only permitted in "Areas Designated Mixed-Use in the Metro Plan or Refinement Plans" rather than permitted based on the base zone could be simplified.
 - *Base Development Standards (3.2-615)*:
 - The dimensional standards for the MUR zone reference the residential development standards in Sections 3.2-215 and 3.2-225, but do not clearly identify which set of residential standards apply, whether it's for the LDR or HDR zone.
 - Note 1 grants the Director the discretion to waive requirement for minimum lot frontage. Because there is a clear and objective standard in the table for lot frontage, an alternative discretionary standard is permissible. Usability could be improved by specifying the process through which the Director can grant the exception.
 - *Conflicts and Exemptions (3.2-620)*: The exemption process in Section B allows the Director to approve exemptions, presumably through a Type II process; but this section could more clearly define the required review process and criteria for an exemption from the standards rather than "to the Director's satisfaction."
 - *Development Standards (3.2-625)*: Mixed-use districts are explicitly required to apply clear and objective standards to residential uses, which is a departure from earlier state legal requirements and a substantial challenge to translate the design objectives of many mixed-use districts into clear and objective language, particularly for buildings with a true mix of uses where a mix of standards could apply. This section offers two options, compliance with the standards or an alternative design that equally or better meets the intent; this could be the foundation for developing a two-track set of standards including a clear and objective option and a discretionary alternative. However, the existing text needs additional clarification about the distinction between the two sets of standards and the required reviews for each, as well as additional clarity throughout the individual

standards to remove discretionary language.

- The standards incorporate considerable subjectivity, particularly those for Building Design Standards, Street Connectivity, and Neighborhood Compatibility.
- It is not clear which of the standards apply to a residential building or residential portion of a mixed-use building. Some standards such as the ground-floor window requirements in Section A.1 and 2 are differentiated for commercial, civic and industrial uses, but do not include a standard for residential uses. The only standard that specifically applies to “mixed-use residential development” is the weather protection standard in Section C.
- *Specific Development Standards (3.2-630):*
 - The percentages of commercial and residential uses allowed per Section A.1.b could be better expressed; the allowance for up to 100% residential uses is not possible to achieve given that 60% of the ground floor must be used for commercial uses.
 - The requirement in Section C.4 for MUR residential uses to also meet the multi-unit design standards in addition to the mixed-use standards in Section 3.2-625 is a concern. Applying two sets of standards is at best overkill and at worst conflicting.
 - The allowed density in the MUR district of 12-20 units per gross acre minimum with no maximum appears consistent with the medium and high-density districts. However, the residential districts express density in units per net acre, with minimums of 14-28 units per net acre per Section 3.2-205.C and D; density should be measured consistently for easier alignment.
- *Willamette Greenway Overlay District (3.3-300):* The requirement for a Discretionary Use permit and application of discretionary greenway standards in Section 3.3-325, which are directly derived from the state’s Goal 15 language do not provide a clear and objective option for residential development. However, greenway uses are limited to water-dependent and water-related uses, which do not generally include residences, as defined in Section 6.1-110. There is residential and mixed-use land within the Willamette Greenway where some minimum development allowance subject to clear and objective standards should be developed, including clarity about allowed residential uses.
- *Floodplain Overlay District (3.3-400):* Overlay affects some residential properties, thus requiring option for a clear and objective review path. Type I permits are required to demonstrate compliance with general and specific residential criteria in Sections 3.3-420.A and B.1, which generally appear to provide a clear and objective development option.
- *Hillside Development Overlay District (3.3-500):* Standards apply to sites or portions of sites that are over 670 feet in elevation or with average slopes exceeding 15%. There are two options for residential development in Section 3.3-520 to determine allowable lot sizes and density, an allowable minimum based on average slopes or a density transfer option; both sets of standards appear clear and objective. The minimum lot sizes in Table 3.3-1 repeat those in Section 3.2-215, and could be limited to this chapter to avoid duplication. The geotechnical report requirements in Section 3.3-530.A could be a concern because they rely on professional engineering judgment to demonstrate that lots are “suitable for development” and impose “the minimum variance from the natural conditions,” among other discretionary standards.
- *Urbanizable Fringe Overlay District (3.3-800):* The limited development options in this overlay generally provide a clear and objective option for residential development, however, some of the restrictions to ensure future development at urban densities are not clear. Specifically, Section 3.3-825.D.2 allowing the application of “Additional development restrictions that limit the location of buildings and on-site sewage disposal facilities shall be applied where necessary to reserve

land for future urban development," appears discretionary.

- *Nodal Development Overlay District (3.3-1000)*: This overlay imposes additional design standards on single family and duplex residential in Section 3.3-1025.A, which include some discretionary language that should be further reviewed to ensure a clear and objective option exists for all residential development.
- *Glenwood Riverfront Mixed-Use Plan District (3.4-200) and Booth-Kelly Mixed Use Plan District (3.4-300)*: Residential uses are allowed in significant portions of these plan districts, without a clear and objective option for development. The district standards were developed to implement the Refinement Plan for the areas, which includes broader, discretionary goals that may not translate as easily into clear and objective standards. However, the expanded requirement for a clear and objective option for all residential in mixed-use areas will require revised standards for these plan districts.

Infrastructure Development Standards (Sections 4.1, 4.2, 4.3)

- The central challenge is to determine that balance between the infrastructure improvement standards that should be located in this chapter of the development code, and those that should be located in the engineering standards (EDSPM). While a complete audit of infrastructure standards is outside the scope of this audit, some general guidelines include:
 - Design issues that relate to land use approvals, such as tentative subdivision plans and site plan approval, should be included in the development code, while design and construction details should be located in the EDSPM. For example, street spacing and widths should be included in the SDC, but construction details about compaction and base layers for the roadway would be located in the EDSPM.
 - Many infrastructure development requirements affect residential development and should have a clear and objective development option. There can still be a role for engineering discretion or analysis, however, provided it is through an alternative review path. For example, a clear and objective spacing requirement for block length could cap block length at 600 feet, while allowing an alternative length to be approved based on topography, natural resources, or other factors through an adjustment or similar process, similar to the existing standards in Section 4.2-115.
 - Some regulatory requirements are driven by state and federal standards, such as stormwater, and may change more quickly than the development code is updated. Where possible, reference outside standards rather than integrating into the development standards.

Site Development Standards (Sections 4.4, 4.5, 4.6)

- *Landscaping (4.4-100)*: No specific concerns noted as applied to residential development; the exception to the landscaping standards for single-family residential and duplexes in Section 4.4-105.E could be clearer about which particular standards are exempted.
- *Lighting (4.5-100)*: No specific concerns noted as applied to residential development; single-family and duplex residential is exempt from these standards.
- *Off-street Parking (4.6-100)*:
 - The minimum off-street parking spaces required in Section 4.6-125 range from .75 to 2 spaces per residential unit. The requirement for multi-family is 1.5 spaces per unit is fairly standard, but can be a barrier to development by requiring that a large portion of the site be devoted to parking.
 - The requirement for 4-5 unit multifamily projects, quads and quints, to provide 0.75

spaces per bedroom, rather than per unit, could offer opportunities to reduce off-street parking for these smaller, presumably infill projects, but the per bedroom measurement is inconsistent with how parking is assessed for other residential uses. The rationale for limiting this standard to quads and quints, and excluding triplexes, is not clear.

- Standards include credits to reduce off-street parking for additional bicycle parking facilities (Section 4.6-120.I) and for on-street parking spaces (Section 4.6-110.F). The credit for parking reductions for residential uses in mixed-use development for sites located near transit in Section 4.6-125.G.3 could be clarified to include the exact reductions that can be earned, rather than defaulting to the Director's discretion; it could also be expanded to apply to all multifamily development and not only mixed-use. Generally, the parking credits could be combined in a single location for ease of use.
- Multifamily bicycle parking standard of one long-term space per dwelling unit in Section 4.6-155 appears reasonable, with provisions for spaces to be located in garages or storage units in Section 4.6-150.A.6.

Specific Development Standards (Section 4.7)

- *Duplexes (4.7-140)*: Corner lot limitation for duplexes applies in all residential zones; while this may have a policy purpose in the LDR zone, there may be additional opportunities for mid-block duplexes in other zones. The provisions for duplex partitioning in Section D appear to provide an opportunity for separate ownership, but the intent and logistics, including minimum and maximum lot sizes and the feasibility of retrofitting existing duplexes to provide fire separation and separate utilities, are not entirely clear.
- *Duplex and Attached Residential Design Standards (4.7-142)*: Generally, the design menu approach offers a clear and objective method for design standards. The majority of these standards lack definitions and minimum dimensions, which could create uncertainty or lead to undesirable design outcomes, such as inclusion of a single brick or tile to satisfy the materials variation item in Section B.13 rather than a significant portion of the façade. Additionally, the language in Section B that features should be "appropriate for the proposed building type and style," is discretionary and adds little regulatory specificity.
- *Mixed-Use Districts (4.7-180)*: These standards do not appear to include any additional provisions affecting residential uses in mixed-use districts.
- *Residential Uses in Commercial Districts (4.7-210)*: See discussion above with Commercial Districts.
- *Small Lot Residential District Development Standards (4.7-233)*: Requirement for variety of housing types appears clear and objective, though the lack of required percentages could mean that a development meets the standards by providing only a single unit of a different housing type.

Development Review Process (Chapter 5)

- *Pre-Development Meetings (5.1-120)*: Pre-submittal meetings, required in advance of site plan review and subdivision applications, intend to support early dialogue about development projects to improve development efficiencies and avoid last-minute design problems and expensive revisions. However, the balance between upfront investment in developing detailed plans for the pre-submittal and costs of addressing issues later in the process could continue to be explored. There may be opportunities to reduce barriers to development by streamlining application requirements for pre-submittal meetings, or using other tools like development issues meetings to review ideas at a more conceptual level prior to investing time in developing plans.
- *Accessory Dwelling Units (5.5-100)*:

- The requirements for two accessory dwelling units on medium-sized lots in the MDR and HDR zones, and the prohibition on ADUs for larger lots in those zones presumably is intended to meet the minimum density standards for those zones. However, the restrictions may not meet the requirements of SB 1051 requiring ADUs to be permitted with all detached single-family dwellings in residential zones, as is the case in the MDR and HDR zones, and these restrictions may not be “reasonable” siting and design standards.
- The standards avoid several “poison pill” restrictions that should remove barriers to development; notably they allow a Type I review, do not require owner occupancy, and have a variety of ways to meet the parking requirement that could include on-street parking. The standards could be further strengthened to support ADU development by removing the parking requirement entirely.
- The design options in Section 5.5-130 include a clear and objective option, which appears reasonable. The exterior wall offset requirement in Section B.6 is unusual, and may not be commonly applied based on the typically small scale of ADUs.
- While these standards do address the applicable review process and are organized with the review standards, the majority are development standards for ADUs that could be better located in Section 4.7 or even the residential zone standards in Section 3.2.
- *Land Division (5.12-100)*: Because land division is required to create lots for residential development, a clear and objective review path must be available. The most significant issue in this section is the approval criteria for tentative plat in Section 5.12-125, which could be improved for greater clarity and effective review of proposed projects.
 - *Criteria A*: No concerns about requirement to meet minimum lot sizes and dimensions. Conformance with density standards should also be required.
 - *Criteria B*: Requirement for zoning to conform with applicable plans does not seem useful; zoning conformity should be addressed through a separate map amendment process prior to land division.
 - *Criteria C*: Requirement for adequate infrastructure capacity to serve the development, as determined by the Public Works Director, is an inherently discretionary criterion. Consider replacing with references to specific infrastructure capacity standards.
 - *Criteria D*: Requirement for compliance with design and construction standards could be improved through a more detailed list of applicable standards elsewhere in code and outside of code; additional review of said standards should also evaluate whether improvement requirements themselves are clear and objectives.
 - *Criteria E*: Requirement to protect significant natural features could benefit from greater clarity. While some features reference specific code sections or ORS citations, other features that do not appear to be defined in the code, such as “significant clusters of trees” and “rock outcroppings.” Greater clarity is needed on the specific features protected and which code standards must be met.
 - *Criteria F*: All of circulation standards in this criterion could benefit from additional clarification, either here in the criteria or through references to traffic and circulation standards elsewhere in the code. For example, the requirement to “facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion,” does not clearly define “congestion” and would be better served by a reference to adopted level-of-service standards or similar objective standards.
 - *Criteria G*: Criterion to allow development of the remainder of the property would benefit from additional clarification about specific goals and standards at issue.
 - *Criteria H*: Criterion to allow development of adjacent properties, including providing

- adequate access, would benefit from additional clarification about specific goals and standards at issue.
- *Criteria I:* No significant concerns about the requirement for subdivisions within the urbanizable fringe outside city limits. Potential to cross-reference standards for the Urbanizable Fringe Overlay District in Section 3.3-800.
 - *Criteria J:* No significant concerns about standards for manufactured dwelling park subdivisions, though additional discussion around the needs of existing parks would be helpful to understand any potential barriers to development.
 - *Site Plan Review (5.17-100):* Because Site Plan Review is required for all multi-family development in residential, commercial and mixed-use districts, a clear and objective review path must be available. There are several concerns about the existing process.
 - *Review (5.17-110):* In line with comments to consider a Type I review process for multi-family development electing to meet strictly clear and objective standards in Section 3.2-240.C, the current requirement in Section 5.17-110.B for a Type II could be expanded to allow a Type I review. Provided that standards are clear and objective, no discretion triggering a Type II review would be applied.
 - *Submittal Requirements (5.17-120):* The application requirements for site plan review include multiple specialized plans that must be prepared by professionals, including lighting, landscaping and stormwater plans, which is typical of the development review process in Springfield and elsewhere. There may be opportunities to reduce barriers to development by aligning the level of detail in these materials with the level required to determine compliance with standards.
 - *Approval criteria (5.17-125):* The approval criteria cause the most significant concerns about the opportunity for clear and objective review of residential projects, because they incorporate significant discretion. Note that many overlap with the tentative plat approval criteria.
 - *Criteria A:* Requirement for zoning to conform with applicable plans does not seem useful; zoning conformity should be addressed through a separate map amendment process prior to land division.
 - *Criteria B:* Requirement for adequate infrastructure capacity to serve the development, as determined by the Public Works Director, is an inherently discretionary criterion. Consider replacing with references to specific infrastructure capacity standards.
 - *Criteria C:* Requirement for compliance with design and construction standards could be improved through a more detailed list of applicable standards elsewhere in code and outside of code; additional review of said standards should also evaluate whether improvement requirements themselves are clear and objectives.
 - *Criteria D:* All of circulation standards in this criterion could benefit from additional clarification, either here in the criteria or through references to traffic and circulation standards elsewhere in the code.
 - *Criteria E:* Requirement to protect significant natural features could benefit from greater clarity. While some features reference specific code sections or ORS citations, other features that do not appear to be defined in the code, such as "significant clusters of trees" and "rock outcroppings." Greater clarity is needed on the specific features protected and which code standards must be met.
 - *Conditions (5.17-130):* This section includes a lengthy list of discretionary requirements, seemingly over and above the standards elsewhere in the code. For example, the

blanket requirement for a sight-obscuring fence and/or vegetative screen to address a "land use conflict" as determined by the Director could be addressed through clear and objective screening requirements between zoning districts or for specific use types where conflicts could be anticipated. There is an attempt to avoid conflicts with the clear and objective standards requirement by stating, "Conditions imposed to satisfy the Site Plan application approval criteria shall not be used to exclude "needed housing" as defined in OAR 660-08-015," but the language does not entirely exempt residential projects from compliance with this section, or define when the conditions cross into excluding residential projects.

AGENDA ITEM SUMMARY

Meeting Date: 3/19/2019
Meeting Type: Regular Meeting
Staff Contact/Dept.: Andy Limbird, DPW
Staff Phone No: 541-726-3784
Estimated Time: 15 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: REQUEST FOR METRO PLAN DIAGRAM AMENDMENT AND ZONE CHANGE FOR 3.41 ACRES OF PROPERTY AT 377 & 385 DEADMOND FERRY ROAD AND 3491 & 3535 GAME FARM ROAD, CASES 811-18-000234-TYP4 AND 811-18-000235-TYP3

ACTION REQUESTED: Conclude a public hearing, and forward a recommendation to the City Council regarding a proposal to amend the adopted *Metro Plan* diagram and Springfield Zoning Map.

ISSUE STATEMENT: The applicant has submitted concurrent *Metro Plan* diagram and Zoning Map amendment applications for three contiguous parcels and a portion of a fourth adjoining parcel at the corner of Game Farm Road and Deadmond Ferry Road. The subject site abuts the PeaceHealth Birth Center along the eastern boundary and includes a portion of the existing Rawlin Memory Care Facility along the southern boundary. The proposed amendment would change the comprehensive plan designation and zoning for the parcels from Low Density Residential (LDR) to a combination of Medium Density Residential (MDR) and High Density Residential (HDR). The requested amendment to the *Metro Plan* diagram would concurrently amend the *Gateway Refinement Plan* diagram (a refinement plan to the *Metro Plan*) applicable to the site.

ATTACHMENTS:

1. Staff Report for Metro Plan Amendment
2. Staff Report for Zoning Map Amendment
3. Application and Exhibits – Metro Plan Amendment
4. Application and Exhibits – Zone Change
5. Transportation Analysis
6. PC Order & Recommendation – Metro Plan Amendment Application 811-18-000234-TYP4
7. PC Order & Recommendation – Zoning Map Amendment Application 811-18-000235-TYP3

DISCUSSION: The subject site is comprised of three contiguous parcels located on the south side of Deadmond Ferry Road between Game Farm Road and the PeaceHealth Birth Center, and a variable-width strip of land within a fourth parcel located along the northern boundary of the adjacent Rawlin Memory Care facility. The subject site is addressed as 377 & 385 Deadmond Ferry Road and 3491 & 3535 Game Farm Road (Assessor's Map 17-03-15-40, Tax Lots 2300–2500; and Map 17-03-22-00, Portion of Tax Lot 600) and it contains three existing single family dwellings. The site is approximately 3.41-acres in size and it is currently zoned and designated for low density residential development in accordance with the adopted *Metro Plan* and *Gateway Refinement Plan* diagrams and the Springfield Zoning Map. The subject site is bordered by Medium Density Residential zoning to the south, Low Density Residential zoning to the east and west, and Campus Industrial zoning to the north across Deadmond Ferry Road. (Attachments 3 & 4 provide zoning and aerial maps depicting the context).

Changing the comprehensive plan designation and zoning for the property would allow for a variety of residential uses including but not limited to multi-family dwellings, retirement or nursing homes, and group care facilities. The applicant has indicated that the proposed comprehensive plan amendment and zone change would facilitate construction of an assisted living facility on the site. Any future development will require a site plan application and public notice to surrounding residents and property owners.

The public hearing was opened on February 5, 2019 and the Planning Commission is requested to conclude the public hearing on the proposal to amend the *Metro Plan* diagram and Zoning Map. The Planning Commission is requested to use this opportunity to review all materials and testimony submitted into the record during the public hearing period, including the applicant's supplemental written statements (Attachments 3 & 4) and Transportation Analysis (Attachment 5).

**Staff Report and Findings
Springfield Planning Commission
Type I Amendment to the Metro Plan Diagram**

Meeting Date: March 19, 2019

Case Number: 811-18-000234-TYP4

Applicant: Rick Satre, Schirmer Satre Group on behalf of Falk Investments Springfield LLC

Project Location: 377 & 385 Deadmond Ferry Road and 3491 & 3535 Game Farm Road (Assessor's Map 17-03-15-40, Tax Lots 2300–2500; and Map 17-03-22-00, Portion of Tax Lot 600).

Request

The City has received applications for a Type I *Metro Plan* diagram amendment and a concurrent Zoning Map amendment from a property owner. In accordance with Springfield Development Code (SDC) 5.14-115.A.1, proposals for redesignating land inside the City limits are classified as a Type I *Metro Plan* diagram amendment requiring approval by Springfield only. In accordance with SDC Section 5.14-125.A, an amendment to the *Metro Plan* diagram can be initiated by a property owner at any time. In accordance with SDC 5.14-130, the property-owner initiated amendment to the *Metro Plan* diagram is processed as a Type IV land use action that requires public hearings before the Springfield Planning Commission and City Council.

The proposed *Metro Plan* diagram amendment would change the plan designation for three contiguous parcels and a variable-width strip of the abutting property to the south from Low Density Residential (LDR) to a combination of Medium Density Residential (MDR) and High Density Residential (HDR). The proposed amendment to the *Metro Plan* diagram would also amend the adopted *Gateway Refinement Plan* diagram, which is a refinement plan to the *Metro Plan*. Concurrent with the comprehensive plan amendment, an amendment to the Springfield Zoning Map would change the zoning of the site from LDR to MDR and HDR.

The proposed plan designation and zoning would allow for construction of townhouse or apartment style units, and nursing home or group care facilities also could be constructed on the property. According to the applicant's submittal:

“The development objective is to construct an assisted living facility on the subject property. This will require a change in the Metro Plan designation for the three tax lots from Low Density Residential (LDR) to High Density Residential (HDR). (Along with a change in zoning from LDR to HDR, an application for which is submitted concurrently with this Metro Plan Amendment application).”

The application was submitted on December 7, 2018 and the Springfield Planning Commission opened the public hearing on the proposed *Metro Plan* diagram, *Gateway Refinement Plan* diagram, and Zoning Map amendments on February 5, 2019. The public hearing was continued to February 20 and then to the regular meeting on March 19, 2019 to allow for submittal of additional findings and diagrams in support of the application. The Planning Commission is requested to conclude the public hearing, deliberate on the testimony submitted during the public hearing period, and to adopt a recommendation of support for the proposals.

Notification and Written Comments

In accordance with the Oregon Administrative Rule (OAR) 660-018-0020, prior to adopting a change to an acknowledged comprehensive plan or land use regulation, local governments are required to notify the state Department of Land Conservation and Development (DLCD) at least 35 days prior to the first evidentiary hearing. A Notice of Proposed Amendment was transmitted to the DLCD on December 28, 2018, which is 39 days prior to the initial Planning Commission public hearing on the matter.

In accordance with SDC 5.2-110.B, this decision requires mailed notification of the public hearing as well as notice in a newspaper of general circulation. Notification of the February 5, 2019 Planning Commission public hearing was mailed to adjacent property owners and residents on January 14, 2019 and published in the legal notices section of *The Register Guard* on January 28, 2019. Staff also posted notices of the February 5, 2019 public hearing along the Game Farm Road and Deadmond Ferry Road frontages of the subject property, in the lobby of City Hall, on the Development & Public Works office digital display, and on the City's webpage. In accordance with SDC 5.2-135P, no further notices were mailed or published for the continued hearing on February 20 and March 19, because the time and place of the continued hearing was announced by the Planning Commission during the hearings on February 5 and February 20, respectively.

Criteria of Approval

Section 5.14-135 of the SDC contains the criteria of approval for the decision maker to utilize during review of *Metro Plan* diagram amendments. The Criteria of approval are:

SDC 5.14-135 CRITERIA

A Metro Plan amendment may be approved only if the Springfield City Council and other applicable governing body or bodies find that the proposal conforms to the following criteria:

- A. The amendment shall be consistent with applicable Statewide Planning Goals; and*
- B. Plan inconsistency:*
 - 1. In those cases where the Metro Plan applies, adoption of the amendment shall not make the Metro Plan internally inconsistent.*
 - 2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.*

A. Consistency with Applicable State-Wide Planning Goals

Finding 1: Of the 19 statewide goals, 13 should be considered in general terms as “urban” goals, that is, these goals will be applicable for purposes of review to any plan map amendments in the city; however, it is the proposal and its effect on the purpose of these goals that will determine whether or not the proposed amendment is “consistent with” the applicable goals. The goals that are to be evaluated are: Goal 1 – Citizen Involvement; Goal 2 – Land Use Planning; Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 6 - Air, Water and Land Resources Quality; Goal 7 – Areas Subject to Natural Hazards; Goal 8 - Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 11 - Public Facilities and Services; Goal 12 - Transportation; Goal 13 - Energy Conservation; Goal 14 – Urbanization; and Goal 15 - Willamette

River Greenway. All of the statewide goals are listed below; the narrative that accompanies each is more expositive when the discussion applies to the 13 goals identified above.

Goal 1 – Citizen Involvement

Applicant’s Narrative: “The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process. The proposed citizen-initiated amendment to the adopted Metro Plan diagram is subject to the City’s acknowledged plan amendment process – SDC Section 5.14-100 Metro Plan Amendments and the City’s public notice standards – SDC Section 5.2-115 which requires a public hearing before the Springfield Planning Commission and a public hearing before the City Council, and includes specifications for the content, timing and dispersal of mailed notice. This proposed Metro Plan amendment does not amend the citizen involvement program. The process for adopting amendments is in accordance with Statewide Planning Goal 1, as it complies with the requirements of the State’s citizen involvement provisions. Therefore, the amendment is consistent with Statewide Planning Goal 1.”

Finding 2: Goal 1 – Citizen Involvement calls for “the opportunity for citizens to be involved in all phases of the planning process.” As the applicants note in their narrative, the proposed citizen-initiated amendment to the adopted *Metro Plan* diagram is subject to the City’s acknowledged plan amendment process – SDC 5.14-100 Metro Plan Amendments and the City’s public notice standards – SDC 5.2-115 which requires a public hearing before the Springfield Planning Commission and a public hearing before the Springfield City Council, and includes specifications for the content, timing and dispersal of mailed notice (see description following). The Planning Commission conducted a public hearing to consider the proposed amendments on February 5, 2019. Mailed notification of the Planning Commission and City Council public hearings was provided to all property owners and residents within 300 feet of the subject property on January 14, 2019. The Planning Commission public hearing was advertised in the legal notices section of the *Register-Guard* on January 28, 2019. The public hearing on February 5, 2019 was continued to February 20, 2019 and then to March 19, 2019. Pursuant to SDC 5.2-135P, both times the continuation was ordered before the close of the hearing and the Commission announced the time of place of the continued hearing. The notice for this proposed *Metro Plan* diagram amendment complies with SDC 5.2-115 and is consistent with Goal 1 requirements.

Goal 2 – Land Use Planning

Applicant’s Narrative: “The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan for guiding land use planning in Springfield. The City has adopted refinement plans that provide more detailed direction for land use planning under the umbrella of the Metro Plan. The subject property is within the adopted Gateway Refinement Plan area and the proposed amendment to the Metro Plan diagram would concurrently amend the adopted Refinement Plan diagram. The City is in the process of adopting the Springfield Comprehensive Plan the final version of which will replace the Metro Plan. In February 2011, the Springfield 2030 Refinement Plan Residential Land Use and Housing Element replaced the Metro Plan’s Residential Element, including findings, objectives and policies. Thus, the 2030 Residential Land Use and Housing Element is an adopted refinement to the Metro Plan. These findings and records show that there is an adequate factual base for decisions to be made concerning the proposed amendment. Goal 2 further requires plans be coordinated with the plans of affected

governmental units and that opportunities be provided for review and comment by those units. To comply with the Goal 2 coordination requirement, the City will coordinate the review of the amendment with affected governmental units. Therefore, the amendment is consistent with Statewide Planning Goal 2.”

Finding 3: Goal 2 – Land Use Planning outlines the basic procedures for Oregon’s statewide planning program. In accordance with Goal 2, land use decisions are to be made in accordance with a comprehensive plan, and jurisdictions are to adopt suitable implementation ordinances that put the plan’s policies into force and effect. Consistent with the City’s coordination responsibilities and obligations to provide affected local agencies with an opportunity to comment, the City sent a copy of the application submittals to the following agencies: Willamalane Park & Recreation District; Springfield Utility Board (water, ground water protection, electricity and energy conservation); Lane 911; United States Postal Service; Northwest Natural Gas; Emerald People’s Utility District; Rainbow Water District; Eugene Water and Electric Board – Water and Electric Departments; Springfield School District #19 Maintenance, Safe Routes to School and Financial Services; Lane County Transportation, County Sanitarian; Lane Regional Air Pollution Authority; Comcast Cable; CenturyLink; Lane Transit District; and ODOT Planning and Development, State Highway Division. Additionally, notice was provided electronically to DLCD on December 28, 2018.

Finding 4: The *Metro Plan* is the acknowledged comprehensive plan for guiding land use planning in Springfield. The City has adopted other neighborhood- or area-specific plans (such as Refinement Plans) that provide more detailed direction for land use planning under the umbrella of the *Metro Plan*. The subject property is within the adopted *Gateway Refinement Plan* area and the proposed amendment to the *Metro Plan* diagram would concurrently amend the adopted Refinement Plan diagram. Additionally, the City is in the process of developing and adopting a Springfield-specific Comprehensive Plan.. The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* provides supplemental policy and expands upon – but does not replace – the applicable residential *Metro Plan* policies. The City’s initial action to this end was the adoption of Ordinance #6268 on June 20, 2011, which

“[E]stablishes a separate Urban Growth Boundary for the City of Springfield as required by ORS 197.304 and a tax lot specific map of the UGB in accordance with OAR 660-024-0020(2); and the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* and Springfield Residential Land and Housing Needs Analysis February 2011 attached as Exhibit A and B and incorporated here by this reference are adopted pursuant to ORS 197.304 as refinements to the *Metro Plan*.”

This action refined and updated the *Metro Plan*’s Residential Element, including findings, objectives and policies.

Finding 5: The public hearing process used for amendment of the *Metro Plan* and adopted Refinement Plans is specified in Chapter IV *Metro Plan* Review, Amendments, and Refinements. The findings under Criteria B (below) demonstrate that the proposed amendment will not make the adopted *Metro Plan* internally inconsistent.

Finding 6: The *Springfield Development Code* is a key mechanism used to implement the goals and policies of the City’s adopted comprehensive plans, particularly the *Metro Plan*. The proposal is classified as a Type I amendment to the adopted *Metro Plan* diagram that is approved by Springfield only in accordance with SDC 5.14-115.A. The proposed *Metro Plan* diagram amendment is

processed as a Type IV land use action as described in SDC 5.1-140 and 5.14-130. The process observed for the proposed *Metro Plan* diagram amendment is consistent with the policies pertaining to Review, Amendments and Refinements. Additionally, the proposed *Metro Plan* diagram amendment has been initiated in accordance with the provisions of the City's acknowledged Comprehensive Plan and Development Code. The proposed *Metro Plan* diagram amendment does not affect City ordinances, policies, plans, and studies adopted to comply with Goal 2 requirements, and that notice and coordination requirements "with those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area" that includes this proposal have been provided consistent with Goal 2.

Goal 3 – Agricultural Land

Applicant's Narrative: "Goal 3 is not applicable to this amendment, as the subject property and proposed action is located within an acknowledged urban growth boundary and does not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary and therefore does not have farm land zoning within its jurisdictional boundary. Furthermore, the site of the proposed Metro Plan diagram amendment is inside the City's acknowledged UGB and within a mature, long-developed industrial/office/commercial neighborhood. Consequently, Goal 3 is not applicable."

Finding 7: Goal 3 – As noted by the applicant in their narrative, Agricultural Land applies to areas subject to farm zoning that are outside acknowledged urban growth boundaries (UGBs): "Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4." (Text of Goal 3). The City has an acknowledged UGB and therefore consistent with the express language of the Goal, does not have farm land zoning within its jurisdictional boundary. Furthermore, the site of the proposed *Metro Plan* diagram amendment is inside the City's acknowledged UGB and within a developed neighborhood. Consequently, and as expressed in the text of the Goal, Goal 3 is not applicable.

Goal 4 – Forest Land

Applicant's Narrative: "Goal 4 is not applicable as the subject property and proposed action does not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property nor affect the area's compliance with Statewide Planning Goal 4. Consequently, Goal 4 is not applicable."

Finding 8: Goal 4 – Forest Land applies to timber lands zoned for that use that are outside acknowledged UGBs with the intent to conserve forest lands for forest uses: "Oregon Administrative Rule 660-006-0020: Plan Designation Within an Urban Growth Boundary. Goal 4 does not apply within urban growth boundaries and therefore, the designation of forest lands is not required." The City has an acknowledged UGB and does not have forest zoning within its incorporated area. Furthermore, the site of the proposed *Metro Plan* diagram amendment is inside the City's UGB. Consequently, and as expressed in the text of the Goal, Goal 4 is not applicable.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

Applicant's Narrative: "Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources such as wildlife habitats and wetlands and establishes a process for each resource to be inventoried and evaluated. The Springfield Natural

Resources Inventory does not list a Goal 5 natural resource on or near the site. However, the Springfield Water Quality Watercourses Map (adopted July 2002, updated January 2016) and the Springfield Wetlands Map (July 2010) both show a small dot of a 'local wetland' in the far southeast corner of the site (on tax lots 2300 and 2400) and extending to the south (on tax lot 600). A May 2014 Wetland Delineation conducted as part of the adjacent memory care project (on tax lot 600) documents the lot 600 portion of the wetland as being 0.06 acres in size. (It is estimated that the entire wetland is approximately 0.10 acres in size). The 2014 delineation defined the wetland as a 'Palustrine Emergent Seasonally Flooded/Saturated (PEM) wetland' and described it as a '...remnant wetland of an historic side channel of the McKenzie River.' The memory care facility built around the wetland and did not disturb it. It is not yet known how the proposed assisted living facility will interface with the wetland. Regardless of the presence or absence of a Goal 5 resource on the subject property, the City does not have a specific plan designation which it applies to inventoried Goal 5 natural resources; the presence of these resources is completely independent of the process used to designate land. Protective measures for all of the city's inventoried Goal 5 resources are applicable to the resource and are not circumscribed or altered based on land designation. The proposed amendment to the Metro Plan diagram and the Gateway Refinement Plan diagram does not modify or alter the City's Development Code or other Metro Plan policies relating to identified natural resources. The proposed diagram amendment does not make any changes to adopted Goal 5 natural resources, development standards or protective measures adopted to comply with Goal 5 requirements. Therefore, this proposed Metro Plan amendment does not alter the City's acknowledged compliance with Goal 5."

Finding 9: Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources such as wildlife habitats and wetlands, and establishes a process for each resource to be inventoried and evaluated. As stated in the applicant's narrative, the site that is subject of the proposed *Metro Plan* diagram amendment has not been identified in the City's Natural Resources Inventory, Register of Historic Sites, or the Willamalane Park & Recreation District Comprehensive Plan. Additionally, the City does not have a specific zoning district which it applies to inventoried Goal 5 natural resources. The remnant wetland area described in the applicant's narrative will be evaluated during the site development process once detailed plans are prepared and submitted for review. Protective measures for the wetland feature will be implemented as necessary through the development approval process. Therefore, this action does not alter the City's acknowledged compliance with Goal 5.

Goal 6 – Air, Water and Land Resources Quality

Applicant's Narrative: "Goal 6 addresses waste and discharges from development and is aimed at protecting air, water, and land from impacts from those discharges. Nothing in the proposal, character of the site, or potential uses indicates a future development that would compromise air, water, and land resources. The proposal does not amend the metropolitan area's air, water quality, or land resource policies. The City can reasonably expect that future development of the site complies with applicable environmental laws. Therefore, the amendment is consistent with Statewide Planning Goal 6."

Finding 10: Goal 6 – Air, Water and Land Resources Quality applies to local comprehensive plans and the implementation of measures consistent with state and Federal regulations on matters such as clean air, clean water, and preventing groundwater pollution. The proposed *Metro Plan* diagram amendment and concurrent *Gateway Refinement Plan* amendment does not affect City ordinances,

policies, plans, and studies adopted to comply with Goal 6 requirements. Therefore, this action does not alter the City's acknowledged compliance with Goal 6.

Goal 7 – Areas Subject to Natural Hazards

Applicant's Narrative: "Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The subject property is within a mature, developed residential neighborhood and is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, this amendment is consistent with Statewide Planning Goal 7."

Finding 11: Goal 7 – Areas Subject to Natural Hazards applies to development in areas such as floodplains and potential landslide areas. Local jurisdictions are required to apply "appropriate safeguards" when planning for development in hazard areas. The City has inventoried areas subject to natural hazards such as the McKenzie and Willamette River floodplains and potential landslide areas on steeply sloping hillsides. The subject site is within a developed residential neighborhood but it is outside the mapped 100-year flood hazard area of the McKenzie River. Future site development will be subject to the provisions of the City's Site Plan Review process as described in SDC 5.17-100.

Finding 12: The proposed *Metro Plan* diagram amendment has no effect on City ordinances, policies, plans, and studies adopted to comply with Goal 7 requirements and siting standards for development within hillside areas or the mapped flood hazard area of the McKenzie and Willamette Rivers. Therefore, this action has no effect on the City's acknowledged compliance with Goal 7.

Goal 8 – Recreational Needs

Applicant's Narrative: "Statewide Planning Goal 8 requires communities to evaluate their recreation areas and facilities and to development plans to address current and projected demand. The Lyle Hatfield Linear Path, which is near the development and listed on the Willamalane Park & Recreation District's 20-Year Comprehensive Plan, has been extended to Deadmond Ferry Road and on-street bike paths have been added. The proposed amendment will not impact the provision of public recreational facilities nor affect access to existing or future public recreational facilities. The proposed Metro Plan diagram amendment would also not affect Willamalane's adopted Comprehensive Plan or other ordinances, policies, plans, and studies adopted to comply with Goal 8 requirements. As such, the amendment is consistent with Statewide Planning Goal 8."

Finding 13: As stated in the applicant's narrative, Goal 8 – Recreational Needs requires communities to evaluate their recreation areas and facilities and to develop plans to address current and projected demand. The provision of recreation services within Springfield is the responsibility of Willamalane Park & Recreation District. Willamalane has an adopted 20-Year Comprehensive Plan for the provision of park, open space and recreation services for Springfield. The proposed *Metro Plan* diagram amendment would not affect Willamalane's adopted Comprehensive Plan or other ordinances, policies, plans, and studies adopted to comply with Goal 8 requirements. Therefore, this action has no effect on the City's acknowledged compliance with Goal 8.

Goal 9 – Economic Development

Applicant’s Narrative: “The proposed Metro Plan diagram amendment does not affect economic development, as it is not requesting to change the designation of the subject site to or from commercial. The amendment seeks to designate land currently identified as Low Density Residential to High Density Residential (see table on pg. 1 of applicant’s narrative). Therefore, the proposed amendment will not impact economic development or commercial land supply in any way. The amendment is consistent with Statewide Planning Goal 9.”

Finding 14: Goal 9 – Economic Development addresses diversification and improvement of the economy. It requires local jurisdictions to conduct an inventory of commercial and industrial lands, anticipate future needs for such lands, and provide enough appropriately-zoned land to meet the projected demand over a 20-year planning horizon. The City previously completed an analysis of its employment land base and determined that a deficit existed. To address the projected deficit of commercial and industrial land, the City completed a multi-year process to expand the UGB in the North Gateway and South 28th Street areas. Expansion of the UGB is intended to provide sufficient employment-generating land area for the mandated 20-year planning horizon. The proposed redesignation and rezoning of the subject property from Low Density Residential to High Density Residential and Medium Density Residential will not affect the amount of employment land within the City’s inventory.

Goal 10 - Housing

Applicant’s Narrative: “Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The Administrative Rule for Statewide Planning Goal 10 (OAR 660 Division 8) states:

‘The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection.’

The subject property is currently designated for Low Density Residential and the applicant wishes to redesignate the property as High Density Residential (see table on pg. 1 of applicant’s submittal). As mentioned in the applicant’s response to SDC 5.14-105, the Springfield 2030 Residential Land and Housing Element designates ‘the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg. 5).’ The proposed redesignation would change the anticipated type of housing form on the property from single-family residential homes to duplex, four-plex, attached home, townhouse, or apartment units, or a combination of these types. A congregate care facility or group care home also could be constructed on the property under the proposed HDR zoning. Staff and third-party analysis has determined that a surplus of LDR designated land exists within the City’s land inventory. Redesignation of the subject property would have an incremental impact to the City’s residential land base; arguably, the impact would be limited to a recalculation of surplus versus deficit levels for each of the Low and High Density Residential categories. The amount of surplus Low Density Residential land would be reduced by about 2.63 acres, and the deficit of High Density Residential land would be reduced by the same amount, 2.63 acres. Findings 10 and 11 of the Residential Land Use and Housing Element identify a surplus of approximately 378 gross acres of the LDR designation and a deficit of approximately 28 gross acres of HDR designation.

However, the Residential Land Use and Housing Element (Residential Finding 11, Page 11) goes on to state that the 28-acre deficit of HDR designation will be met through redevelopment in Glenwood. As such, while there may not be a need to address an HDR deficit, the proposed development of the subject site is for a congregate care facility and thus the proposed use will not have any material effect on the HDR inventory. Given this, the proposed Metro Plan amendment will have no adverse effect on the city's acknowledged compliance with Goal 10."

Finding 15: Goal 10 – Housing applies to the planning for – and provision of – needed housing types, including multi-family and manufactured housing. As noted by the applicant's narrative, staff and third-party analysis has determined that a surplus of LDR designated land exists within the City's land inventory. Based on the applicant's submittal (and staff recommendations found later in this report and the accompanying Zoning Map Amendment staff report), the amount of surplus Low Density Residential land would be reduced by about 3.41 acres, the amount of surplus Medium Density Residential (MDR) land would increase by about 0.63 acres, and the amount of available High Density Residential land would increase by about 2.78 acres. Findings 10 and 11 of the *Residential Land Use and Housing Element* identify a surplus of approximately 378 gross acres of LDR designation, a surplus of approximately 76 gross acres of MDR designation, and a deficit of approximately 28 gross acres of HDR designation. The *Residential Land Use and Housing Element* (Residential Finding 11, Page 11) goes on to state that the 28-acre deficit of HDR designation will be met through redevelopment of residential mixed-uses in the Glenwood Riverfront Mixed-Use Plan District.

Finding 16: A series of Metro Plan amendments and Zone Changes have reduced the surplus of LDR designated land cited by the applicant's narrative by more than half. Adopted Ordinances 6364, 6373, 6374, 6375, 6378 and 6395 redesignated and rezoned more than 209.9 net acres of LDR-designated land to non-residential or higher density residential uses. Therefore, the amount of surplus LDR-designated land in the City's inventory is now approximately 168 acres. With adoption of Ordinance 6378, the amount of surplus MDR designated land has increased by 1.96 acres to approximately 78 acres, and the deficit of HDR designation has been reduced by 1.39 acres to approximately 26.6 acres, not including the Glenwood Riverfront Mixed-Use Plan District. The proposed *Metro Plan* amendment and Zone Change would further adjust these calculated surpluses and deficit.

Finding 17: The proposed redesignation and rezoning would change the anticipated type of housing form on the property from single-family residential homes to four-plex, attached home, townhouse, or apartment units, or a combination of these types. A congregate care facility or group care home also could be constructed on the property under the proposed HDR zoning; the applicant has indicated in their project narrative that an assisted living facility is planned for the subject site. The site is adjacent to a pedestrian and transit-oriented Nodal Development area, and is close to major employers, health care facilities, multi-use pathway connections, and the regional transportation network. For these reasons, the site is appropriate for development under higher residential densities allowed in the MDR and HDR plan designation and zoning.

Finding 18: The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* classifies the subject site as a combination of partially vacant and developed residential land. Therefore, part of the subject site is classified for further residential development or redevelopment.

Finding 19: A variable-width strip of remnant LDR-zoned and designated property along the northern boundary of the abutting Rawlin Memory Care facility is proposed to be redesignated and

rezoned to MDR through the current land use actions. The applicant's submittal information and diagrams have been revised accordingly to incorporate the remnant strip of LDR property.

Finding 20: The proposed comprehensive plan amendment and zone change would not affect other City ordinances, policies, plans, and studies adopted to comply with Goal 10 requirements. Therefore, this action has no adverse effect on the city's acknowledged compliance with Goal 10.

Goal 11 – Public Facilities and Services

Applicant's Narrative: "The subject site affected by the proposed Metro Plan diagram amendment is located inside the City limits. The existing level of public facilities and services is adequate to serve the needs of existing and future development. This area is already developed for a combination of industrial (north of the site), office, health care and internet services, and the public facilities serving this area have been designed accordingly. The amendment to the Metro Plan diagram does not significantly affect the planning or development of future public facilities or services. Therefore, the amendment is consistent with Statewide Planning Goal 11."

Finding 21: Goal 11 – Public Facilities and Services addresses the efficient planning and provision of public services such as sewer, water, law enforcement, and fire protection. In accordance with OAR 660-011-0005(5), public facilities include water, sewer and transportation facilities, but do not include buildings, structures or equipment incidental to the operation of those facilities. The proposed redesignation and rezoning should not result in permitted uses that will have an adverse effect on the demand for public facilities and services provided to the subject property and adjacent properties. This area of Springfield is already planned for a variety of residential, campus industrial, and institutional development and the public facilities serving this area have been designed accordingly. However, planned upgrades and expansions to the utility system capacity may be triggered by new developments or changes to zoning that result in more intensive development than previously anticipated. As an example, there is an existing sanitary sewer pump station located on the north side of Deadmond Ferry Road – directly across the street from the northwest edge of the subject site. As sewer system volumes increase in the area, the operational capacity of the pump station and associated gravity sewers need to be evaluated from time to time in order to ensure that the system will continue to function as-is, or if upgrades will be required to accommodate existing and planned development in the area.

Finding 22: The public sanitary sewer system exists, so the analysis would be used to determine whether expansion and/or upgrade of the pump station and gravity sewers are triggered by increased dwelling unit density on the subject site. Prior to or concurrent with submittal of a site development plan, the Applicant is required to prepare and submit a capacity analysis of the gravity system, and the existing sanitary sewer pump station on the north side of the Deadmond Ferry Road and Game Farm Road intersection – generally located across the street from the subject property. The capacity analysis shall provide confirmation acceptable to the City that the increased dwelling unit density resulting from the proposed *Metro Plan* amendment and Zone Change will not have an adverse impact to the sewer pump station or the gravity system, or that suitable mitigation measures can be implemented to prevent impacts to the public sanitary sewer system. Such a study will be required in support of a site development application for this property.

Goal 12 – Transportation

Applicant's Narrative: "Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000 et. seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affecting an existing or planned transportation facility, the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity, and performance standards of the facility. The TPR analysis and significance test indicates that the criteria of the applicable Oregon Administrative Rules are satisfied with the proposed zone change and plan amendment. The trip generation associated with the proposed conditions were not found to have an identifiable "significant affect" defined by OAR 660-012-0060(1) since the level of traffic generated by a reasonable worst case development scenario associated with the proposed change in land use permissions would not result in an increase to the trip generation potential of the existing zoning and plan designation worst case scenario's use permissions provided it is developed with a 104-bed (or less) Assisted Living Facility. It is possible that in the future the site could be redeveloped to a permitted more traffic intensive use than the currently proposed development, with trip generation exceeding the 48 PM peak hour trips that could be generated by the site with the existing use permissions, therefore a trip cap should be stipulated to limit the site's trip generation potential to 48 PM Peak Hour trips to eliminate the possibility for a significant affect. The Transportation Planning Rule is satisfied under Goal 12 criteria with the proposed zone change and Metro Plan amendment with application of the proposed trip cap so the change in use permissions would not represent an increase in potential build-out development level trip generation. There is no significant affect to a transportation facility identifiable by the potential for additional traffic resulting from the change in use permissions that would cause a facility to perform below its intended mobility standard or cause a failing facility to be further degraded beyond the potential impacts resulting from development under the existing use permissions allowed by existing Development Code and Metro Plan designations, as was demonstrated by the site's trip generation potential and in the findings discussed in the applicable Transportation Planning Rule OAR sections. In summary, the proposed 104-bed Assisted Living Facility permitted under the proposed zone and designation will not generate more trips than the existing residential uses allowed under the current zone and designation. To ensure this, it is recommended the Planning Commission apply a condition of approval establishing a trip cap of 48 PM Peak Hour trips to the decision."

Finding 23: Oregon Administrative Rule (OAR) 660-012-0060 requires that, "if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map), would significantly affect an existing or planned transportation facility, then the local government must put in place measures" to mitigate the impact, as defined in OAR 660-012-0060(2). The applicant's Goal 12 Transportation findings and supplementary Transportation Analysis, including the applicant's supplementary trip generation report prepared by Branch Engineering Inc. (Attachment 5), conclude that the vehicle trip generation for a proposed assisted living facility is below the City's threshold for requiring a Traffic Impact Assessment (TIA) and therefore would not create a significant affect. The incremental change in overall vehicle trip generation associated with the variable-width strip of LDR land (included for redesignation and rezoning to MDR as a housekeeping action) also has been accounted for in the applicant's transportation analysis. However, as the applicant has identified, the proposed HDR and MDR plan designation and zoning permits other kinds of development in addition to assisted living facilities, such as multifamily dwellings up to 42 units per net acre, which would result in significantly greater PM peak hour vehicle trips than under the existing LDR plan designation and zoning. The highest number of trips that could be generated in the reasonable worst-case scenario for the existing LDR

plan designation and zoning is 48 PM Peak Hour trips. The applicant has proposed a vehicle trip cap of 48 PM Peak Hour trips, which would limit the traffic generated under the proposed plan redesignation and zone change to that which can be generated by the current zoning. As conditioned, redesignating and rezoning the subject site from LDR to MDR and HDR, as described herein, will not significantly affect any transportation facility.

RECOMMENDED CONDITION: A deed restriction acceptable to the City shall be recorded against the properties subject to the comprehensive plan amendment and zone change request from LDR to HDR, specifically: 377 & 385 Deadmond Ferry Road and 3535 Game Farm Road (Assessor’s Map 17-03-15-40, Tax Lots 2300–2500). The deed restriction shall place a cumulative vehicle trip cap of 48 PM Peak Hour trips on the subject properties in accordance with the findings and conclusions of the applicant’s TPR analysis.

Goal 13 – Energy Conservation

Applicant’s Narrative: “Statewide Planning Goal 13 calls for land uses to be managed and controlled ‘so as to maximize the conservation of all forms of energy, based upon sound economic principles.’ Goal 13 is directed at the development of local energy policies and provisions. It does not state requirements with respect to other types of land use decisions. Converting the 2.63 acre property from LDR to HDR should not have an appreciable impact to energy consumption, and in fact may offer opportunities for increased energy efficiency through contemporary multi-family housing design. The developer will have an opportunity to incorporate suitable energy conservation measures into the future site development upon redesignation and rezoning of the subject property. The City’s conservation measures applicable to storm water management, temporary storage, filtration and discharge would apply to multi-family residential uses developed on this site; therefore, this proposal is consistent with Statewide Planning Goal 13.”

Finding 25: The proposed comprehensive plan amendment and rezoning does not affect the City’s ordinances, policies, plans, or studies adopted to comply with Goal 13 requirements. As stated in the applicant’s narrative, converting the property from LDR to a combination of MDR and HDR should not have an appreciable impact to energy consumption and could offer opportunities for increased energy efficiency by implementing green building concepts. The developer will have an opportunity to incorporate suitable energy conservation measures into the future site development when detailed construction plans are prepared for the site. The City’s building codes comply with all Oregon State Building Codes Agency standards for energy efficiency in residential building design. The site’s solar access is not compromised by surrounding development. The City’s conservation measures applicable to storm water management, temporary storage, filtration and discharge would apply to multi-family residential uses developed on this site; therefore, this action has no effect on the city’s acknowledged compliance with Goal 13.

Goal 14 - Urbanization

Applicant’s Narrative: “The amendment does not affect the transition from rural to urban land use, as the subject property is within the City limits. The City already planned for residential land use on the subject property when completing its residential buildable land inventory. Nevertheless, the proposed redesignation and zone change will not affect compliance with Statewide Planning Goal 14.”

Finding 26: Goal 14 – Urbanization requires cities to estimate future growth rates and patterns, and to incorporate, plan, and zone enough land to meet the projected demands. The City already planned for residential land use on the subject property when completing its residential buildable land inventory. Consistent with provisions of Goal 14, the City is responding to a request from a property owner to redesignate and rezone the subject property from low density residential to a higher density residential use. As noted above, the proposed comprehensive plan amendment and zone change will be noted on the City’s residential land inventory; similar reporting of inventory changes due to development will occur as required by Oregon Revised Statute. The proposed redesignation and zone change do not affect the City’s adopted ordinances, policies, plans, or studies adopted to satisfy the compliance requirements of Goal 14.

Goal 15 – Willamette River Greenway

Applicant’s Narrative: “The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.”

Finding 27: Goal 15 – Willamette River Greenway establishes procedures for administering the 300 miles of greenway that borders the Willamette River, including portions that are inside the City limits and UGB of Springfield. The subject site is not within the adopted Willamette River Greenway Boundary area so this goal is not applicable; therefore, this action has no effect on the city’s acknowledged compliance with Goal 15.

Goals 16-19 Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources

Applicant’s Narrative: “There are no coastal, ocean, estuarine, or beach and dune resources on or adjacent to the subject property. Therefore, these goals are not relevant, and the proposed amendment will not affect compliance with statewide planning Goals 16 through 19.

This proposed Metro Plan Amendment meets the applicable Statewide Planning Goals.”

Finding 28: Goals 16-19 – Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources; these goals do not apply to land within the Willamette Valley, including Springfield. Therefore, in the same way that Goals 3 and 4 do not apply in Springfield, Goals 16-19 do not apply in Springfield or to land use regulations adopted in Springfield.

Conclusion: As conditioned, the proposed *Metro Plan* diagram land use designation amendment from Low Density Residential to High Density Residential and Medium Density Residential is consistent with the applicable statewide land use planning goals as required by SDC 5.14-135A: “The amendment shall be consistent with applicable Statewide Planning Goals.”

B. Plan Inconsistency

1. In those cases where the *Metro Plan* applies, adoption of the amendment shall not make the *Metro Plan* internally inconsistent.

Applicant’s Narrative: “The adopted Metro Plan is the principal document that creates a framework for land use policy within the City of Springfield. The subject property is within the adopted Gateway Refinement Plan area. As noted in Goal 2, adoption of the new Springfield 2030 Refinement Plan Residential Land Use and Housing Element, replaced the goals, objectives and

policies of the Metro Plan's Residential Land Use and Housing Element. This relationship therefore requires the proposed amendment be consistent with the Springfield Comprehensive Plan and the Gateway Refinement Plan. The proposed Metro Plan amendment does not make the Metro Plan internally inconsistent. It does not affect any Metro Plan policies or text. Moreover, the Gateway Refinement Plan will not be made inconsistent through this amendment. The Gateway Refinement plan will be amended automatically in conjunction with the Metro Plan amendment. There are no conflicts created by either of the proposed amendments to the residential land inventory, needed employment land inventory, nor any other land use elements of the Metro Plan or Gateway Refinement Plan."

Finding 29: The adopted *Metro Plan* is the principal policy document that creates the broad framework for land use planning within the City of Springfield. The City's adopted Zoning Map implements the zoning designations of the *Metro Plan* diagram and localized Refinement Plans, which are adopted amendments to the *Metro Plan*. The subject property is within the adopted *Gateway Refinement Plan* area, and adoption of Springfield Ordinance #6268 included the new *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*. Contrary to the applicant's narrative statement above, the policies and implementation actions of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* are intended to refine and update (as opposed to replace) the goals, objectives and policies of the *Metro Plan's Residential Land Use and Housing Element*. Therefore, both plans are applicable to this request and the proposed *Metro Plan* amendment and Zone Change needs to be consistent with both the *Metro Plan* and the *Springfield Comprehensive Plan*. The process and criteria for amending refinement plans is found in SDC 5.6-115 and as preempted in SDC 5.14-120 and 5.14-135.

Finding 30: The proposal is consistent with the Residential Land Use and Housing Element of the adopted *Metro Plan* including policies pertaining to residential land supply and demand. In accordance with Policy A.4, the City is to use annexation, provision of adequate public facilities, rezoning, redevelopment, and infill to meet the 20-year projected housing demand. The proposed re-designation and rezoning of this property would create an opportunity for redevelopment of the site with multi-unit housing to meet market demand and a specific housing demographic.

Finding 31: The proposal is consistent with the residential density policies of the *Metro Plan Residential Land Use and Housing Element*, including Policies A.10, A.11 and A.12 which encourage higher density residential development in areas with existing infrastructure and facilities, close to existing employment and commercial services, proximate to transportation systems and public transit, and in conjunction with services and amenities. The subject site has frontage on two collector streets and it is adjacent to the PeaceHealth Riverbend campus, which is a major regional employment and health services center. The site is also within walking distance of other employers, major transportation corridors, bus rapid transit, shopping, services, and a variety of urban amenities.

Finding 32: The proposal is consistent with Policy A.13 which looks to increase overall residential density in the metropolitan area by creating opportunities for infill, redevelopment and mixed-use while considering impacts on existing neighborhoods. The subject property represents a potential infill / redevelopment opportunity within an existing neighborhood.

Finding 33: The proposal is consistent with the residential housing type and tenure policies of the *Metro Plan Residential Land Use and Housing Element*, including Policies A.17 and A.18 which provide for a full range of housing types, densities, sizes and locations and encourage a mix of

structure types and densities within residential designations. Currently, there is a single family dwelling on each of the three parcels proposed for development. The proposed redesignation would allow for the site to be consolidated and one or more multi-unit buildings to be developed on the property.

Finding 34: In accordance with Chapter IV – *Metro Plan* Review, Amendments, and Refinements, the City’s Comprehensive Plan is not designed or intended to remain static and unyielding in its assignment of land use designations. To that end, provisions of Chapter IV, Policy 7.a, allow for property owners to initiate an amendment to the *Metro Plan* diagram to reflect a change in circumstances or need. The applicant is proposing to amend the *Metro Plan* designation for the subject property from LDR to a combination of MDR and HDR and to concurrently rezone the property to MDR and HDR. There are no conflicts created by this proposed diagram amendment based on needed residential land inventories or needed employment land inventories. The development of this land with residential uses does not conflict with other land use elements in the *Metro Plan* including commercial, industrial, park and open space, or government and education. Adoption of the amendment to the Plan diagram will not result in an internal inconsistency. Therefore, Criteria B.1 will have been met.

2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.

Applicant’s Narrative: “The Residential Land and Housing Policies and Implementation Actions of the Springfield 2030 Refinement Plan Residential Land Use and Housing Element apply to the subject site. There are a number of policies in that document which apply to this proposed Metro Plan amendment. These include:

Policy H.3, the City shall ‘support community-wide, district wide and neighborhood-specific livability and redevelopment objectives and regional land use planning and transportation planning policies by locating higher density residential development and increasing the density of development near employment or commercial services, within transportation-efficient Mixed-Use Nodal Development centers and along corridors served by frequent transit service.’

Policy H.6, the City shall ‘continue to seek ways to reduce development impediments to more efficient utilization of the residential land supply inside the UGB...’

Policy H.11, the City shall ‘continue to seek ways to update development standards to introduce a variety of housing options for all income levels in both existing neighborhoods and new residential areas that match the changing demographics and lifestyles of Springfield residents.’

Policy H.12, the City shall ‘continue to designate land to provide a mix of choices (e.g. Location, accessibility, housing types, and urban and suburban neighborhood character) through the refinement plan update process and through review of developer-initiated master plans.’

Policy H.13, the City shall ‘promote housing development and affordability in coordination with transit plans and in proximity to transit stations.’

[Policy] H.14, the City shall ‘continue to update existing neighborhood refinement plan policies and to prepare new plans that emphasize the enhancement of residential neighborhood identity,

improved walkability and safety, and improved convenient access to neighborhood services, parks, schools, and employment opportunities.'

[Policy] H.15, the City shall 'update residential development standards to enhance the quality and affordability of neighborhood infill development (e.g. Partitions, duplex developments, transitional neighborhoods, rehab housing, accessory dwelling units) and multi-family development.'

While the Springfield 2030 Refinement Plan Residential Land Use and Housing Element is the prevailing comprehensive plan for the site, the residential land use polices in the Gateway Refinement Plan also pertain to the proposed development. The Gateway Refinement Plan area also designates the area east of Game Farm Road and south of Deadmond Ferry Road as the McKenzie-Gateway MDR Subarea. Within this subarea, the McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan [CDP] was established in July 1994. The plan has four requirements; they include:

- 1. In order to accommodate a mix of dwelling unit types and densities, development of portions of the site at less than 10 dwelling units per developable acre may be allowed subject to the following standards.*
 - a. The area to be developed at less than 10 dwelling units per developable acre shall be part of a larger development area.*
 - b. The overall density of the development area shall be a minimum of 10 dwelling units per developable acre.*
 - c. A DAP [Development Area Plan] shall be required, consistent with GRP Residential Element Policies 14.0–14.8.*
 - d. Consistent with GRP Residential Element Policy 14.3, subsequent permitted uses that conform to the DAP shall not require additional Site Plan Review.*

The development site however includes single family housing and is currently zoned low density residential. The Metro Plan and the SDC allow single-family residential development in the MDR site provided it meets the minimum density requirements of 10 du/a. The CDP notes that, '...single-family residential development on individual lots cannot meet this standard, since the minimum residential lot size is 4500 square feet, or more than 1/10 acre (pg.6).' The subject property is also on the outer edge of the CDP area so there are no specific details as to how it should be developed. In addition, there is no need to do a DAP for this project area because the adjoining properties have already been developed and the infrastructure for the development is well-established. These policies are thus made obsolete. The CDP originally designated the single-family residential area as a buffer to the Special Light Industrial (SLI) area now zoned Campus Industrial north of Deadmond Ferry Road. By rezoning the parcels to high density residential, it would provide a better buffer from the Campus Industrial zoning north of Deadmond Ferry Road to the medium density residential and low density residential south and west of the property. The City of Springfield also previously adopted the Residential Land Use and Housing Element of the Springfield 2030 Refinement Plan. As specified in this written [narrative], the Springfield 2030 Residential Land and Housing Element designates 'the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5).' The assisted living facility is adjacent to and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at Riverbend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.

Based on the information and findings contained in this written statement and associated attachments, the proposed Metro Plan Amendment meets the criteria of approval contained in the Springfield Development Code. Therefore, the applicant requests that the City of Springfield approve the application.”

Finding 35: As stated in the applicant’s project narrative above, the Residential Land and Housing Policies and Implementation Actions of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* apply to the subject site. The proposed *Metro Plan* diagram amendment is consistent with Policy H.3 for the following reasons: there is existing, developed Medium Density Residential designated land on the southern boundary of the property; the property abuts a non-residential site (PeaceHealth Birth Center) to the east; the property is proximate to the Lane Transit District EmX Gateway-Riverbend line with transit stations on Riverbend Drive and International Way to the southeast and east; and the site is located within ¼ to ½-mile walking distance of major local employers, shopping, and services.

Finding 36: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.6, the proposed *Metro Plan* diagram amendment allows for the three existing single-family residential parcels to be planned and developed much more intensively as a higher density multi-unit site. Redesignation and rezoning of the property to a higher residential density is a necessary step to allow for a congregate care facility to be approved and constructed on the site.

Finding 37: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.10, “through the updating and development of each neighborhood refinement plan, district plan or specific area plan, amend land use plans to increase development opportunities for quality affordable housing in locations served by existing and planned frequent transit service that provides access to employment center, shopping, health care, civic, recreational and cultural services.”

Finding 38: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.11, the proposed *Metro Plan* amendment and Zone Change would allow for a congregate care facility to be constructed on the site – a form of needed housing for a specific demographic in the community.

Finding 39: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.12, the proposed *Metro Plan* amendment and Zone Change would allow for a different type of housing form than otherwise would be allowable in the current LDR configuration.

Finding 40: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.13, the proposed *Metro Plan* diagram amendment is consistent with these policies because the property is within one-half mile of the Lane Transit District EmX Gateway-Riverbend line, which is identified in the *Springfield 2035 Transportation System Plan* as an existing/planned Frequent Transit Network (see Figure 9 of the *Springfield TSP*). The property is proximate to transit stations on Riverbend Drive to the southeast and International Way to the northeast.

Finding 41: In accordance with *Springfield 2030 Residential Land Use and Housing Element* Policy H.14, the proposed *Metro Plan* diagram amendment updates the Gateway Refinement Plan map consistently with these policies. As described above, the subject property is proximate to a Frequent Transit Network and to large employment centers. The property is sufficiently large to meet the solar setback requirements of SDC 3.2-225 for the protection of the LDR property (currently

developed with a non-residential use) to the east. Existing collector streets on the northern and western boundaries of the site will have no appreciable impact from solar shading. Therefore, the subject property is strategically located for a higher density residential development.

Finding 42: In accordance with *Springfield 2030 Residential Land Use and Housing Element Policy H.15*, the proposed *Metro Plan* amendment and Zone Change would allow for multi-unit development in accordance with the current design standards contained in Section 3.2-240 of the City's Development Code. Section 3.2-245 of the SDC also allows for alternative standards to be incorporated into multi-unit developments, thereby promoting innovative design, improved appearance, affordability, and flexibility to address site-specific opportunities or constraints.

Finding 43: While the *Metro Plan* and the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* are the prevailing Comprehensive Plans for the site, the residential land use policies of the *Gateway Refinement Plan* also pertain to the proposed development.

Finding 44: As amended by Ordinance 6109 adopted January 10, 2005, the *Gateway Refinement Plan Residential Element Policy and Implementation Action 2.0* requires the City to, "Ensure availability of adequate supplies of land appropriate for low-, medium-, and high-density residential development, while allowing for an appropriate mix of commercial, employment and residential uses." The proposed *Metro Plan* diagram amendment complies with this policy because it shifts property from the relatively large surplus of LDR-designated property to MDR and HDR, which has a small surplus (MDR) and a small deficit (HDR) that has been rendered a "zero balance" with planned future residential development in Glenwood. As further explained above and in the applicant's narrative, the subject property is appropriate for Medium and High Density Residential designation and zoning given its proximity to other higher-density designated property, to the Frequent Transit Network, and to large employment centers.

Finding 45: *Gateway Refinement Plan Residential Element Policy and Implementation Action 1.0* states, "The City shall... actively participate in efforts to maintain and enhance residential neighborhoods and attract compatible multi-family developments that would enhance the Gateway Refinement Plan area." The proposed *Metro Plan* diagram amendment complies with this policy by enabling multi-unit development on the subject property that is compatible and complementary to the existing memory care facility to the south and, overall, with the surrounding neighborhood. As further explained herein and in the applicant's narrative, the subject property is appropriate for MDR and HDR designation and zoning given its proximity to other higher-density residential designated property, to the Frequent Transit Network, and to large employment centers. The configuration of the subject property and its orientation to Deadmond Ferry Road and Game Farm Road is also more compatible with multi-family development than a single-family neighborhood.

Finding 46: The subject property is identified in the *Gateway Refinement Plan* as part of Residential Subarea 4, the "McKenzie-Gateway MDR Subarea." Under Ordinance 6109, *Gateway Refinement Plan Policy and Implementation Action 13.3* requires, "All development within the McKenzie-Gateway MDR Site shall be consistent with an approved Master Plan." Policy and Implementation Action 13.0 determines the scope of the Master Plan requirement for development in the McKenzie-Gateway MDR Site, "A Master Plan shall be approved under a Type IV review process, for areas larger than 5 acres within the city limits at the 'McKenzie-Gateway MDR Site' on the Refinement Plan Diagram, subsequent to annexation and prior to urban development of any portion of the Master Plan area." The Master Plan requirement adopted in Ordinance 6109 was intended to facilitate the development of the PeaceHealth RiverBend Hospital and surrounding medical services and mixed-

use development. The subject property is not within the boundaries of the *Riverbend Master Plan* adopted on June 19, 2006. Because the subject property is less than 5 acres in size and not within the area previously subject to the *Riverbend Master Plan*, the Master Plan requirement stated in Policy 13.3 is not applicable to the subject property.

Finding 47: Based on the foregoing, the proposal to redesignate and rezone the subject property from LDR to MDR and HDR is consistent and compatible with the adopted policies of the *Metro Plan*, the *Springfield 2030 Refinement Plan Residential Land and Housing Element* and the *Gateway Refinement Plan* subject to the recommended actions contained herein and summarized below.

Finding 48: The redesignation and rezoning of the variable-width strip of land within Tax Lot 600 is also consistent and compatible with the adopted policies of the *Metro Plan*, the *Springfield 2030 Refinement Plan Residential Land and Housing Element*, and the *Gateway Refinement Plan*. Redesignation and rezoning of this variable-width portion of Tax Lot 600 from LDR to MDR creates uniform zoning for the existing development site and provides for a seamless transition between the existing MDR zoned property and the proposed HDR zoned property.

SUMMARY OF RECOMMENDED CONDITION

A deed restriction acceptable to the City shall be recorded against the properties subject to the comprehensive plan amendment and zone change request from LDR to HDR, specifically: 377 & 385 Deadmond Ferry Road and 3535 Game Farm Road (Assessor's Map 17-03-15-40, Tax Lots 2300–2500). The deed restriction shall place a cumulative vehicle trip cap of 48 PM Peak Hour trips on the subject properties in accordance with the findings and conclusions of the applicant's TPR analysis.

Conclusion and Recommendation

Based on the applicant's narrative, the findings herein, testimony submitted into the record (including supplementary findings and the applicant's TPR analysis), the criteria of SDC 5.14-135 for approving amendments to the *Metro Plan*, the proposed *Metro Plan* diagram amendment, concurrent *Gateway Refinement Plan* amendment, and zone change from LDR to MDR and HDR, as conditioned, are consistent with these criteria.

Staff recommends that the public hearing be concluded at the March 19, 2019 meeting and the Planning Commission use the opportunity to review and deliberate on the totality of the submitted information. Finally, staff recommends that the Planning Commission adopts a recommendation of support for the requested *Metro Plan* diagram and Zoning Map amendments as outlined in the attached Orders and Recommendations (Attachments 6 & 7).

**Staff Report and Findings
Springfield Planning Commission
Zone Change Request**

Hearing Date: March 19, 2019

Case Number: 811-18-000235-TYP3

Applicant: Rick Satre, Schirmer Satre Group on behalf of Falk Investments Springfield LLC

Property Owner: Falk Investments Springfield LLC

Site: 377 & 385 Deadmond Ferry Road and 3491 & 3535 Game Farm Road (Map 17-03-15-40, Tax Lots 2300–2500; and Map 17-03-22-00, Portion of Tax Lot 600)

Request

Rezone three contiguous parcels and a portion of an adjoin parcel from Low Density Residential (LDR) to a combination of Medium Density Residential (MDR) and High Density Residential (HDR).

Site Information/Background

The application was initiated and accepted as complete on December 7, 2018, and the Planning Commission public hearing on the matter of the Zone Change request was opened on February 5, 2019 and continued to February 20, 2019 and then to March 19, 2019. The Zone Change request is being processed concurrently with a *Metro Plan* Diagram amendment submitted under separate cover, Case 811-18-000234-TYP4. The City Council will be reviewing both applications and the Planning Commission’s recommendations at a public hearing meeting currently scheduled for April 1, 2019.

The property that is subject of the Zone Change request is comprised of three adjoining parcels (each containing an existing single family dwelling) along with an abutting variable-width strip of land on the southern boundary of these parcels. In aggregate, the total site area is about 3.41 acres. The site has corner frontage on Deadmond Ferry Road along the northern boundary and Game Farm Road frontage along the western boundary. The property is zoned and designated LDR in accordance with the *Metro Plan* and *Gateway Refinement Plan* diagrams and the Springfield Zoning Map. The site adjoins an existing memory care facility along the southern boundary and the PeaceHealth birth center along the eastern boundary. Along Deadmond Ferry Road to the east and west of the subject property the properties are zoned and designated LDR.

The applicant is proposing the zone change from LDR to a combination of MDR and HDR to address the existing conditions on Tax Lot 600 (3491 Game Farm Road) and to facilitate future redevelopment of an assisted-living facility on the remainder of the property.

Notification and Written Comments

Notification of the initial February 5, 2019 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the site on January 14, 2019. The Planning Commission took action on February 5, 2019 to continue the public hearing to February 20, 2019, and again took action on February 20, 2019 to continue the public hearing to March 19, 2019. In accordance with SDC 5.2-135P, no further notices were mailed or published for the continued hearing on February 20 and March 19, because the time and place of the continued hearing was announced by the Planning Commission during the hearings on February 5 and February 20, respectively. Notification of the initial Planning Commission public hearing was published in the January 28, 2019 edition of the *Register-Guard*, and notification of the City Council

public hearing was published in the *Register-Guard* on March 18, 2019. Staff responded to one telephone call requesting information about the proposal but no other telephone calls or written comments have been received during the entire public hearing proceedings.

Criteria of Approval

Section 5.22-100 of the Springfield Development Code (SDC) contains the criteria of approval for the decision maker to utilize during review of Zoning Map amendment requests. The Criteria of Zoning Map amendment approval criteria are:

SDC 5.22-115 CRITERIA

C. Zoning Map amendment criteria of approval:

- 1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
- 2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*
- 3. 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.*
- 4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
 - a. Meet the approval criteria specified in Section 5.14-100; and*
 - b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.*

Proposed Findings In Support of Zone Change Approval

Criterion: Zoning Map amendment criteria of approval:

1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;

Applicant's Narrative: "The Zoning Map amendment is consistent with the Metro Plan policies and diagram. It does not amend any Metro Plan policies or text. The Zoning Map amendment is submitted concurrently with a Metro Plan amendment. The following Metro Plan policies support the proposed zone change:

Metro Plan Policy 1 – The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. The Metro Plan policies define compact growth as 'the filling in of vacant and underutilized lands in the UGB.' The proposed rezoning will fill underutilized low-density residential land with more compact high-density residential land. The parcels affected by this application are currently within the Springfield portion of the Urban Growth Boundary (UGB) and are within the city limits of Springfield. The development will follow the acknowledged comprehensive plan ordinances and future development will have access to urban facilities and services. As such, the subject site provides for compact urban growth and essential services.

Metro Plan Policy A.1 – Encourage the consolidation of residentially zoned parcels to facilitate more options for development and redevelopment of such parcels. The proposed rezoning will permit more options for development. Through rezoning the three parcels as high density residential, the subject site is able to balance the need to accommodate greater density with the need to appropriately transition from low density residential uses. A change to the Zoning Map designation from Low Density Residential to High Density Residential is in keeping with the direction in which the neighborhood is moving.

Metro Plan Policy A.3 – Provide an adequate supply of buildable residential land within the UGB for the 20-year planning period at the time of Periodic Review. As mentioned in the concurrent Metro Plan Amendment application, the Springfield 2030 Residential Land and Housing Element designates ‘the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5).’ The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at Riverbend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.

Metro Plan Policy A.9 – Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan. The proposed rezoning will result in development that meets the broad density requirements of the Metro Plan. A concurrent Metro Plan diagram amendment will be submitted with this application. Upon adoption of the amending Ordinance, the Metro Plan diagram would be amended, and the requested zone change from LDR to HDR would be consistent with the provisions of the adopted Comprehensive Plan.

Metro Plan Policy A.10 – Promote higher residential density inside the UGB that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB. As previously mentioned, the rezoning will result in higher density development than the current low-density residential zoning. In this manner, a higher number of residents will use existing infrastructure. This creates a more efficient use of public services and facilities, as a greater number of people are living in proximity to existing facilities. Moreover, rural resource lands are conserved, as more units are provided within the UGB.

Metro Plan Policy A.11 – Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes. The proposed rezoning will locate high density residential development near Game Farm Road, Deadmond Ferry, and Beltline Rd, all of which are key corridors in the City of Springfield. The subject site is also located near parks, schools, and services and amenities as well as the bus rapid transit EmX line (International Way). It is an ideal location to provide access and opportunities to commercial services, employment, and major transportation systems.

Metro Plan Policy A.12 – Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities. As mentioned in the response to Metro Plan Policy A.10, the proposed rezoning will ensure adequate infrastructure and services are provided to the subject site. Open space will be provided through the requirements found throughout the Springfield Development Code.

Metro Plan Policy A.13 – Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering

impacts of increased residential density on historic, existing and future neighborhoods. The proposed zoning will provide an effective and compatible transition between densities. The site is proximate to properties that are zoned and designated for medium density residential development and mixed use to the south, southeast, and east of the subject property; these include the abutting memory care facility, a medical facility, and an under-construction guest house for patients of the medical center. While there are some long-established residential uses across Game Farm Road to the west, the subject property is in an area which, as it develops/redevelops, is moving away from low density residential uses. As such, the proposed Zone Change is compatible with existing uses in the vicinity and allows for effective infill development that maximizes land utility.

Metro Plan Policy A.23 – Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations. The proposed rezoning is compatible with surrounding uses and therefore, shall have minimal impact on adjacent commercial and residential uses. As the proposal calls for high density residential to best transition to and from adjacent uses, the suggested zoning is compatible with this policy.

Therefore, the Metro Plan diagram will not be inconsistent with the zoning map amendment, should both amendments be approved.”

Finding 1: *Metro Plan* Chapter IV, Policy 7.a states: “A property owner may initiate a [Type I *Metro Plan* diagram] amendment for property they own at any time. Owner initiated amendments are subject to the limitations for such amendments set out in the development code of the home city.”

Finding 2: The property owner initiated a concurrent *Metro Plan* Diagram amendment in accordance with provisions of SDC 5.14-100 (Case 811-18-000234-TYP4). Upon adoption of the amending Ordinance, the *Metro Plan* Diagram would be amended and the requested zone change from LDR to MDR and HDR would be consistent with the provisions of the adopted Comprehensive Plan. Prior or concurrent amendment of the *Metro Plan* Diagram will be required for the subject zone change request to be approved.

Finding 3: The proposed zone change is consistent with provisions of the *Metro Plan* whereby zoning can be monitored and adjusted as necessary to meet current urban land use demands. The requested change from LDR to MDR and HDR would address existing conditions on Tax Lot 600 and facilitate the future review and approval of an assisted living facility on the balance of the site (Tax Lots 2300–2500).

Finding 4: The subject site is adjacent to property that is zoned and designated MDR just outside the southern boundary. The existing variable-width strip of LDR zoned property that lies between the southern boundary of the subject site and the MDR zoned property has been incorporated into the applicant’s revised Zoning Map amendment diagrams (Attachment 4). The strip of LDR is proposed for redesignation as MDR through the accompanying *Metro Plan* amendment (Case 811-18-000234-TYP4). Consistent with this redesignation action, the variable-width strip of LDR will be rezoned to MDR through the subject Zoning Map amendment action.

Finding 5: The site is proximate to property that is zoned and designated for Campus Industrial uses across the street on the north side of Deadmond Ferry Road. As such, the proposed Zone Change is consistent with nearby zoning and the zone change is compatible with existing uses in the vicinity. The proposed zoning is consistent with Policy A.11 for the following reasons: there is existing,

developed Medium Density Residential designated land on the southern boundary of the property; the property abuts a non-residential site (PeaceHealth Birth Center) to the east; the property is proximate to the Lane Transit District EmX Gateway-Riverbend line with transit stations on Riverbend Drive and International Way to the southeast and east; and the site is strategically located within ¼ to ½-mile walking distance of major local employers, shopping, and services.

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

Applicant's Narrative: "As an amendment to the Metro Plan automatically amends the applicable refinement plan, in this case, the Gateway Refinement Plan's residential land use policies, the proposed Zoning Map amendment is consistent with the applicable refinement plan. The Gateway Refinement Plan also designates the area east of Game Farm Road and south of Deadmond Ferry Road as the McKenzie-Gateway MDR Subarea. Within this subarea, the McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan was established in July 1994. The plan has one policy requirement listed below.

- 1. In order to accommodate a mix of dwelling unit types and densities, development of portions of the site at less than 10 dwelling units per developable acre may be allowed subject to the following standards.*
 - a. The area to be developed at less than 10 dwelling units per developable acre shall be part of a larger development area.*
 - b. The overall density of the development area shall be a minimum of 10 dwelling units per developable acre.*
 - c. A DAP [Development Area Plan] shall be required, consistent with GRP Residential Element Policies 14.0-14.8.*
 - d. Consistent with GRP Residential Element Policy 14.3, subsequent permitted uses that conform to the DAP shall not require additional Site Plan Review.*

The development site however includes single family housing and is currently zoned low density residential. The Metro Plan and the SDC allow single-family residential development in the MDR site provided it meets the minimum density requirements of 10 du/a. The CDP notes that, '...single-family residential development on individual lots cannot meet this standard, since the minimum residential lot size is 4500 square feet, or more than 1/10 acre (pg.6).' The subject property is also on the outer edge of the CDP area so there are no specific details as to how it should be developed. In addition, there is no need to do a DAP for this project area because the adjoining properties have already been developed and the infrastructure for the development is well-established. These policies are thus made obsolete. The CDP originally designated the single-family residential area as a buffer to the Special Light Industrial area (SLI) now zoned Campus Industrial north of Deadmond Ferry Road. By rezoning the parcels to high density residential, it would provide a better buffer from the Campus Industrial zoning north of Deadmond Ferry Road to the medium density residential and low density residential south and west of the property. The City of Springfield also previously adopted the Residential Land Use and Housing Element of the Springfield 2030 Refinement Plan. As specified in the written statement submitted along with the concurrent Metro Plan Amendment application, the Springfield 2030 Residential Land and Housing Element designates 'the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5).' The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical

Center at Riverbend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.”

Finding 6: The property lies within the adopted *Gateway Refinement Plan* area of Springfield. Therefore, the Residential land use policies of the *Gateway Refinement Plan* apply to the subject site. In accordance with Residential Policy and Implementation Action 1.0, “the City shall, through site plan review, home and neighborhood improvement programs, and/or other related programs, actively participate in efforts to maintain and enhance existing residential neighborhoods and attract compatible multi-family developments that would enhance the Gateway Refinement Plan area.”

Finding 7: The subject property is sufficiently large to represent a viable multi-unit development site. Upon rezoning of the subject property, should this occur, the developer would be required to undertake a Site Plan Review for any type of development on the site. Under the current zoning, the developer would only require a Building Permit for reconstructing or remodeling any or all of the existing single-family homes. A subdivision of the property would be required in order to achieve the minimum required density of six units per acre under the current LDR zoning. Therefore, developing the property as a single, consolidated site would be more efficient and allow for highest and best use of this site.

Finding 8: Rezoning of the subject property from LDR to MDR and HDR is consistent with the requested *Metro Plan* diagram and *Gateway Refinement Plan* diagram amendments initiated by the applicant in accordance with Case 811-18-000234-TYP4 and as recently revised to include the variable-width strip of Tax Lot 600 that is currently zoned and designated LDR. This rezoning action would bring the adjoining property into compliance with the *Metro Plan* and *Gateway Refinement Plan* diagrams as amended by Case 811-18-000234-TYP4.

3. 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.

Applicant’s Narrative: “Finally, the subject site has adequate public facilities, services, and transportation networks to support the proposed use. The subject site abuts Game Farm Road and fronts Deadmond Ferry Road, both of which are fully developed urban collector streets with one vehicle travel lane and bicycle lanes in each direction. The paved streets have lane striping, street lighting, street trees, sidewalks and piped stormwater management facilities. A full suite of public facilities and services are available on the perimeter of the subject property. In addition, one of the Lyle Hatfield Linear Paths is in the vicinity of the project and the metro area’s public transit system, Lane Transit District (LTD), provides services near the development via the EMX Springfield route and stations (International Center Station is half a mile north of the project and Pavilion Station is half a mile to the east).”

Finding 9: The property requested for Zone Change has frontage on Deadmond Ferry Road along the northern boundary, which is classified as a major collector street. Along the property frontage, Deadmond Ferry Road is a fully developed urban collector street with one vehicle travel lane and bicycle lane in each direction and a bi-directional center turn lane. The paved street has lane striping, street lighting, street trees, sidewalks and piped stormwater management facilities. A full suite of public utilities and services are available on the perimeter of the subject property. Future development of the site with High Density Residential uses would be subject to the land use approval process outlined in Section 5.17-100 of the City’s Development Code.

Finding 10: Staff advises that the applicant will be required to provide a capacity analysis of the existing sanitary sewer pump station and gravity system in conjunction with future site development plans for the property. The public sanitary sewer system exists, so the analysis would be used to determine whether expansion and/or upgrade of the pump station is triggered by the increased dwelling unit density on the site. Staff is recommending that the sanitary sewer system capacity analysis is prepared and submitted by the applicant prior to or concurrent with a site development plan for the subject property.

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

- a. Meet the approval criteria specified in Section 5.14-100; and**
- b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Applicant's Narrative: "Regarding the criteria contained in 5.22-115.C.4.a and SDC 5.22-115.C.4.b, compliance with the approval criteria specified in Section 5.14-100 is established in the concurrent Metro Plan Amendment. Compliance with OAR 660-012-0060 is also established in the supplemental written statement for the concurrent Metro Plan amendment. The TPR analysis and significance test indicates that the criteria of the applicable Oregon Administrative Rules are satisfied with the proposed zone change and plan amendment. The trip generation associated with the proposed conditions were not found to have an identifiable "significant affect" defined by OAR 660-012-0060(1) since the level of traffic generated by a reasonable worst case development scenario associated with the proposed change in land use permissions would not result in an increase to the trip generation potential of the existing zoning and plan designation worst case scenario's use permissions provided it is developed with a 104-bed (or less) Assisted Living Facility. It is possible that in the future the site could be redeveloped to a permitted more traffic intensive use than the currently proposed development, with trip generation exceeding the 48 PM peak hour trips that could be generated by the site with the existing use permissions, therefore a trip cap should be stipulated to limit the site's trip generation potential to 48 PM Peak Hour trips to eliminate the possibility for a significant affect. The Transportation Planning Rule is satisfied under Goal 12 criteria with the proposed zone change and Metro Plan amendment with application of the proposed trip cap so the change in use permissions would not represent an increase in potential build-out development level trip generation. There is no significant affect to a transportation facility identifiable by the potential for additional traffic resulting from the change in use permissions that would cause a facility to perform below its intended mobility standard or cause a failing facility to be further degraded beyond the potential impacts resulting from development under the existing use permissions allowed by existing Development Code and Metro Plan designations, as was demonstrated by the site's trip generation potential and in the findings discussed in the applicable Transportation Planning Rule OAR sections. In summary, the proposed 104-bed Assisted Living Facility permitted under the proposed zone and designation will not generate more trips than the existing residential uses allowed under the current zone and designation. To ensure this, it is recommended the Planning Commission apply a condition of approval establishing a trip cap of 48 PM Peak Hour trips to the decision."

Finding 11: The applicant has submitted a concurrent *Metro Plan Diagram* amendment application (Case 811-18-000234-TYP4) under separate cover. The applicant's submittal materials, narrative, supplemental TPR analysis and written statement, and Staff Report

findings and recommendations demonstrate compliance with the *Metro Plan* amendment provisions of Chapter IV of the *Metro Plan* and SDC 5.14-135.

Finding 12: The requested Zone Change is being undertaken as a site-specific change in compliance with provisions of the adopted *Metro Plan* and the City's Development Code. The applicant has initiated an amendment to the *Metro Plan* Diagram to change the designation from LDR to MDR and HDR under separate cover (Case 811-18-000234-TYP4). Oregon Administrative Rule (OAR) 660-012-0060 requires that, "if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map), would significantly affect an existing or planned transportation facility, then the local government must put in place measures" to mitigate the impact, as defined in OAR 660-012-0060(2). The applicant's Goal 12 Transportation findings and supplementary Transportation Analysis conclude that the trip generation for a proposed assisted living facility is below the City's threshold for requiring a Traffic Impact Assessment (TIA) and therefore would not create a significant affect. The applicant's supplementary trip generation report prepared by Branch Engineering Inc. (Attachment 5) shows that the requested *Metro Plan* amendment and Zone Change would not result in an increase in trips significantly affecting the existing or planned local transportation facilities under the proposed vehicle trip cap of 48 PM peak hour trips. The incremental change in overall trip generation associated with the variable-width strip of LDR land (included for redesignation and rezoning to MDR as a housekeeping action) also has been accounted for in the transportation analysis. The applicant has proposed a vehicle trip cap of 48 PM Peak Hour trips, which would limit the traffic generated under the proposed plan redesignation and zone change to that which can be generated by the current zoning. As conditioned, redesignating and rezoning the subject site from LDR to MDR and HDR, as described herein, will not significantly affect any transportation facility.

Recommended Condition: A deed restriction acceptable to the City shall be recorded against the properties subject to the comprehensive plan amendment and zone change request from LDR to HDR, specifically: 377 & 385 Deadmond Ferry Road and 3535 Game Farm Road (Assessor's Map 17-03-15-40, Tax Lots 2300–2500). The deed restriction shall place a cumulative vehicle trip cap of 48 PM Peak Hour trips on the subject properties in accordance with the findings and conclusions of the applicant's TPR analysis.

Conclusion: Based on the above-listed criteria, as conditioned, the criteria for rezoning have been met. To address the Goal 12 issues identified during the public hearing proceedings, the applicant has provided supplementary information demonstrating that the proposal is consistent with the Transportation Planning Rule, OAR 660-012-0060 subject to the implementation of a vehicle trip cap. Therefore, the proposal is consistent with Goal 12 subject to the condition outlined below.

Conditions of Approval

SDC Section 5.22-120 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure the application fully meets the criteria of approval. The specific language from the code section is cited below:

5.22-120 CONDITIONS

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

RECOMMENDED CONDITION:

A deed restriction acceptable to the City shall be recorded against the properties subject to the comprehensive plan amendment and zone change request from LDR to HDR, specifically: 377 & 385 Deadmond Ferry Road and 3535 Game Farm Road (Assessor's Map 17-03-15-40, Tax Lots 2300–2500). The deed restriction shall place a cumulative vehicle trip cap of 48 PM Peak Hour trips on the subject properties in accordance with the findings and conclusions of the applicant's TPR analysis.

The Zone Change request was initiated in accordance with provisions of the City's Development Code. Staff recommends approval for the Zone Change based upon the totality of the evidence currently in the record and subject to the condition contained herein. Because the applicant has initiated concurrent *Metro Plan* and *Gateway Refinement Plan* diagram amendments (Case 811-18-000234-TYP4), the comprehensive plan amendment will need to be completed prior to or concurrent with approval of the Zone Change. Provisions for concurrent amendment of the *Metro Plan* diagram, *Gateway Refinement Plan* diagram, and Zoning Map have been incorporated into the amending Ordinance.

City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477
Phone: (541) 726-3753
Fax: (541) 726-3689



Metro Plan Amendment Application, Type IV

Type of Plan Amendment (Check One)

- Type I:** is a non-site specific amendment of the Plan.
- Type II:** changes the Plan diagram; or is a site-specific Plan text amendment.

Property Subject to the Amendment (if applicable)

Tax Assessor Map 17-03-15-40 Tax Lot(s) 2300, 2400 and 2500
Street Address 3535 Game Farm Road Acres 2.63
Metro Plan Designation Low Density Residential Refinement Plan Designation Low Density Residential

Description of Proposed Amendment (Attach additional sheets if needed)

Construct an assisted living facility next door to a memory care facility that the applicant developed a couple of years ago.

Applicant/Owner Information

Printed Name of Applicant Zack Falk, Falk Investments-Springfield LLC Phone: 541-914-7801

Applicant Signature ZMF Date 11.12.18
Mailing Address 210 Saint Paul Street, Suite 410, Denver, CO 80206

Property Owner Signature ZMF Date 11.12.18
Mailing Address 210 Saint Paul Street, Suite 410, Denver, CO 80206

For Office Use Only:

Date Received

Case No. S11-18-000234-TP4 Received By AL DEC 07 2018

Date Accepted as Complete _____

Attachment 3, Page 1 of 40

Original Submittal SM

THE APPLICATION PACKET

A COMPLETE APPLICATION CONSISTS OF:

1. **A complete application page** (all of the sections on the opposite side of this page must be filled out).
2. **A statement containing Findings of Fact addressing the Criteria of Approval found in Springfield Development Code (SDC) 5.14-135.** In order for the Planning Commission and the City Council to consider an amendment of a plan text and/or diagram, there must be Findings of Fact submitted by the applicant. The Findings of Fact must show reason for the request consistent with the Criteria of Approval (shown below). If insufficient or unclear information is submitted by the applicant, the request may be denied or delayed.

The application must include requirements for addressing specific statewide goals that the Oregon legislature has said must be part of the amendment analysis. In particular, Statewide Planning Goal 9 Economy and Goal 10 Housing must be addressed for impact on buildable lands inventories, and a Goal 12 Transportation analysis must address criteria contained in OAR 660-012-060(1) and (2) of the Transportation Planning Rule (TPR). Goals 9, 10 and 12 are three of several "Applicable State-Wide Planning Goals" that must be specifically addressed in criteria (A) of the Springfield Development Code (SDC) 5.14-135.A. These specific items must be included in the application submittal to be considered a complete application.

In reaching a decision on these actions, the Planning Commission and the City Council shall adopt findings which demonstrate conformance to the following Criteria of Approval (SDC 5.14-135).

A Metro Plan amendment may be approved only if the Springfield City Council And other applicable governing body or bodies find that the proposal conforms to the following criteria.

- A. The amendment shall be consistent with applicable Statewide Planning Goals; and
 - B. Plan inconsistency:
 1. In those cases where the Metro Plan applies, adoption of the amendment shall not make a Metro Plan internally inconsistent.
 2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan. (6331)
3. **A map to scale depicting the existing and proposed diagram change.** (If applicable)
 4. **The application fee.** Refer to the *Development Code Fee Schedule* for the appropriate fee. A copy of the Fee Schedule is available at the Development & Public Works Department.

Revised 1/2017

Date Received

DEC 07 2017



SCHIRMER SATRE GROUP
Planners, Landscape Architects and Environmental Specialists
 375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
 (541) 686-4540 • Fax (541) 686-4577 • www.schirmersatre.com

TRANSMITTAL

TO: <u>City of Springfield</u> <u>Development and Public Works</u> <u>225 5th Street</u> <u>Springfield, OR 9477</u>	DATE: <u>November 30, 2018</u> PROJECT: <u>River Bend</u> <u>Assisted Living Facility</u> CLIENT PROJ #: _____ SSG PROJ #: <u>1821</u>
ATTN: _____	

TRANSMITTED: Herewith <input checked="" type="checkbox"/> Separate Cover <input type="checkbox"/> Other <input type="checkbox"/>	DISPOSITION: For Your Approval <input type="checkbox"/> For Your Information/Use <input checked="" type="checkbox"/> For Reply <input type="checkbox"/>
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TRANSMITTED:			
# Copies	Item	Dated	No. Pages
		(In addition to this cover page)	
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4 paper copies of a:			
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Metro Plan Amendment Application Packet		Varies	Several

REMARKS: This Metro Plan Amendment application packet is hereby submitted for processing. The application package includes:

1. Application Fee
2. Application Form
3. Written Statement
4. Attachment 1 – Land Use Planning Analysis
5. Attachment 2 – Map of Existing Metro Plan Land Use Designations
6. Attachment 3 – Map of Proposed Metro Plan Land Use Designations

We look forward to your assistance with the project. Don't hesitate to contact us should you have any questions or need any additional information. Thank you.

COPIES TO:					
File	<input checked="" type="checkbox"/>	Agency	<input type="checkbox"/>	BY:	Date Received
Owner	<input checked="" type="checkbox"/>	Consultant Team	<input checked="" type="checkbox"/>		
		Other	<input type="checkbox"/>		
				Richard M. Satre, AICP, ASLA, CSI	DEC 07 2018

November 30, 2018

FALK INVESTMENTS-SPRINGFIELD LLC
River Bend Assisted Living Facility
Metro Plan Amendment

Map 17-03-15-40, Tax Lot 2300, 2400, and 2500

WRITTEN STATEMENT

In accordance with SDC 5.14-100 through SDC 5.14-145, Metro Plan Amendments, the applicant, Falk Investments-Springfield LLC, is requesting that the City of Springfield review this Metro Plan Amendment request for Tax Lots 2300, 2400, and 2500 of Assessor's Map 17-03-15-40. The applicant requests the City determine that the proposal complies with the approval criteria and approve this application. To aid Springfield staff in their review, the following information is provided.

I. THE PROPOSAL

Background

Local long-range land use is governed by the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). Often supplemented with more specific refinement plans and/or neighborhood plans, the Metro Plan is then followed by site-specific zoning. Sometimes, zoning is comprised of base zoning and overlay zones. In this instance, the Gateway Refinement Plan is the applicable refinement plan and the Drinking Water Protection Overlay Zone is the applicable overlay zone for the subject property. Further information regarding individual tax lots is available in the table below.

Map and Tax Lot	Metro Plan Designation (Existing)	Metro Plan Designation (Proposed)
17-03-15-40 / 2300	Low Density Residential	High Density Residential
17-03-15-40 / 2400	Low Density Residential	High Density Residential
17-03-15-40 / 2500	Low Density Residential	High Density Residential

Physical Setting

The site is located south of Deadmond Ferry Road in the Gateway area of Springfield. It is comprised of three tax lots (Map 17-03-15-40, Tax Lots 2300, 2400, and 2500) and is approximately 2.63 acres in size. The site abuts Game Farm Road to the west, with medical uses to the east and a campus industrial use to the north. To the south is the adjoining memory care facility which was developed by the applicant a few years ago.

Development Objective

The development objective is to construct an assisted living facility on the subject property. This will require a change in the Metro Plan designation for the three tax lots from Low Density Residential (LDR) to High Density Residential (HDR). (Along with a change in zoning from LDR to HDR, an application for which is submitted concurrently with this Metro Plan Amendment application.)

Date Received



LANDSCAPE ARCHITECTS



DEC 07 2018

375 West 4th, Suite 201, Eugene, OR 97401

Phone: 541.686.4540 Fax: 541.686.4577

www.schirmersatre.com

Original Submittal

PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

II. METRO PLAN AMENDMENT APPLICATION – COMPLIANCE WITH THE SPRINGFIELD DEVELOPMENT CODE

This section is presented in the same order of applicable requirements found in Section 5.14-105 through 5.14-145, Metro Plan Amendments of the Springfield Development Code. Applicable sections of the Code are in ***bold italics***, followed by proposed findings in normal text.

SDC 5.14-105 Purpose.

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is a long-range public policy document that establishes the broad framework upon which Springfield, Eugene and Lane County make coordinated land use decisions. While the Metro Plan is Springfield's acknowledged land use policy document, it may require update or amendment in response to changes in the law or circumstances of importance to the community. Additionally, the Metro Plan may be augmented and implemented by more detailed plans and regulatory measures.

Response: There is a change to the *Springfield 2030 Residential Land and Housing Element* plan that makes this requested change to the Metro Plan diagram necessary. As recommended by *The Residential Land and Housing Element*, "the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5)." The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at RiverBend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses. Uses abutting the proposed facility include a memory care facility to the south and a medical facility to the east. To the southeast is another medical use - an under-construction guest house for patients of the medical center. While there are some long-established residential uses across Game Farm Road to the west, the subject property is in an area which, as it develops/re-develops, is moving away from low density residential uses.

Therefore, circumstances have indeed changed greatly since the subject site was designated as Low Density Residential in the Metro Plan. A change in the Metro Plan designation from Low Density Residential to High Density Residential is in keeping with the direction in which the neighborhood is moving.

SDC 5.14-110 Review.

- A. A Development Issues Meeting is encouraged for citizen initiated amendment applications.***
- B. Metro Plan amendments are reviewed under Type IV procedures as specified in Section 5.1-140.***
- C. A special review, and if appropriate, Metro Plan amendment, shall be initiated if changes in the Metro Plan basic assumptions occur. An example would be a change in public demand for certain housing types that in turn may affect the overall inventory of residential land.***

Response: A Development Issues Meeting was held June 29, 2017 to discuss potential ideas and issues related to the subject site. As referenced in the applicant's response in SDC 5.14-105, the applicant is requesting to amend the Metro Plan based on a change in circumstances related to residential land supply that influences the basic assumptions in the Metro Plan diagram.

SDC 5.14-115 Metro Plan Amendment Classifications.

A proposed amendment to the metro Plan shall be classified as Type I, Type II or Type III depending on the number of governing bodies required to approve the decision.

A. A Type I amendment requires approval by Springfield only:

- 1. Type 1 Diagram amendments include amendments to the Metro Plan Diagram for land inside Springfield's city limits.**

Response: The proposed amendment will be processed as a Type I decision, as it only requests an amendment to the Metro Plan Diagram for land inside Springfield's city limits.

SDC 5.14-120 Relationship to Refinement Plans, Special Area Studies or Functional Plan Amendments.

- A. In addition to a Metro Plan update, refinement studies may be undertaken for individual geographical areas and special purpose or functional elements, as determined appropriate by Springfield, Eugene or Lane County.**
- B. All refinement and functional plans shall be consistent with the Metro Plan. Should inconsistencies occur, the Metro Plan is the prevailing policy document.**
- C. When a Metro Plan amendment is enacted that requires an amendment to a refinement plan or functional plan map or diagram for consistency, the Metro Plan Diagram amendment automatically amends the diagram or map if no amendment to refinement plan or functional plan text is involved**
- D. When a Metro Plan amendment is enacted that requires an amendment to a refinement plan or functional plan map or diagram for consistency, the Metro Plan Diagram amendment automatically amends the diagram or map if no amendment to the refinement plan or functional plan text is involved.**
- E. An amendment to the Springfield Comprehensive Plan shall be processed as a Metro Plan amendment and comply with the approval criteria in Section 5.14-135.**

Response: The development site is subject to the Gateway Refinement Plan, which designates the property as Low Density Residential. Therefore, in accordance with SDC 5.14-120.C, the Gateway Refinement Plan diagram will be automatically amended in conjunction with the Metro Plan diagram.

SDC 5.14-125 Initiation.

Metro Plan amendments shall be initiated as follows:

- A. A Type I amendment may be initiated by Springfield at any time. A property owner may initiate an amendment for property they own at any time. Owner initiated amendments are subject to the limitations for such amendments set out in this Code (also see Subsection E).**
- E. Metro Plan updates shall be initiated no less frequently than during the state required Periodic Review of the Metro Plan, although Springfield, Eugene and Lane County may initiate an update of the Metro Plan at any time.**

Response: In accordance with SDC 5.14-125.A, this Type I Amendment to the Metro Plan diagram is being initiated by a property owner for a property they currently own.

SDC 5.14-130 Approval Process.

- A. The initiating government body of any Type I, Type II or Type III amendment shall notify all governing bodies of the intended amendment and the Type of amendment proposed within 20 days. If any governing body disagrees with the Type of proposed amendment, that governing body may refer the matter to the process specified in Subsections E. or F. as appropriate.**
- B. For any Type I, Type II or Type III amendment, a public hearing shall be set for the Springfield Planning Commission, and the Planning Commissions of Eugene and Lane County, as applicable, within 90 days.**
- C. For Type I, Type II and Type III amendments, the Springfield Planning Commission and the Planning Commissions of Eugene and Lane County, shall conduct a single or joint public hearing, as appropriate, and forward that record and their recommendations to the Springfield City Council and to their respective elected officials. The Springfield City Council and the participating elected officials shall also conduct a public hearing, as appropriate, prior to making a final decision...**

Response: The proposed Type I Amendment to the Metro Plan diagram complies with this standard and will be subject to public hearings and subsequent decisions conducted by the Springfield Planning Commission and the Springfield City Council.

SDC 5.14-135 Criteria.

A Metro Plan amendment may be approved only if the Springfield City Council and other applicable governing body or bodies find that the proposal conforms to the following criteria:

- A. The amendment shall be consistent with applicable Statewide Planning Goals;**
- B. Plan inconsistency:**
 - 1. In those cases where the Metro Plan applies, adoption of the amendment shall not make the Metro Plan internally inconsistent.**
 - 2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.**

Response to SDC 5.14-135.A.

The amendment is consistent with the following Statewide Planning Goals:

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.

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process. The proposed citizen-initiated amendment to the adopted *Metro Plan* diagram is subject to the City's acknowledged plan amendment process – SDC Section 5.14-100 Metro Plan Amendments and the City's public notice standards – SDC Section 5.2-115 which requires a public hearing before the Springfield Planning Commission and a public hearing before the Springfield City Council, and includes

specifications for the content, timing and dispersal of mailed notice. This proposed *Metro Plan* amendment does not amend the citizen involvement program. The process for adopting amendments is in accordance with Statewide Planning Goal 1, as it complies with the requirements of the State's citizen involvement provisions. Therefore, the amendment is consistent with Statewide Planning Goal 1.

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

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan for guiding land use planning in Springfield. The City has adopted refinement plans that provide more detailed direction for land use planning under the umbrella of the *Metro Plan*. The subject property is within the adopted *Gateway Refinement Plan* area and the proposed amendment to the *Metro Plan* Diagram would concurrently amend the adopted Refinement Plan diagram. The City is in the process of adopting the Springfield Comprehensive Plan the final version of which will replace the *Metro Plan*. In February 2011, the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* replaced the Metro Plan's Residential Element, including findings, objectives and policies. Thus, the *2030 Residential Land Use and Housing Element* is an adopted refinement to the *Metro Plan*. These findings and records show that there is an adequate factual base for decisions to be made concerning the proposed amendment. Goal 2 further requires plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by those units. To comply with the Goal 2 coordination requirement, the City will coordinate the review of the amendment with affected governmental units. Therefore, the amendment is consistent with Statewide Planning Goal 2.

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

Goal 3 is not applicable to this amendment, as the subject property and proposed action is located within an acknowledged urban growth boundary and does not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary and therefore does not have farm land zoning within its jurisdictional boundary. Furthermore, the site of the proposed Metro Plan diagram amendment is inside the City's acknowledged UGB and within a mature, long-developed industrial/office/commercial neighborhood. Consequently, Goal 3 is not applicable.

Goal 4 – Forest Land: To conserve forest lands.

Goal 4 is not applicable as the subject property and proposed action does not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property nor affect the area's compliance with Statewide Planning Goal 4. Consequently, Goal 4 is not applicable.

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

Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources such as wildlife habitats and wetlands and establishes a process for each resource to be inventoried and evaluated. The Springfield Natural Resources Inventory does not list a Goal 5 natural resource on or near the site. However, the Springfield Water Quality Watercourses Map (adopted July 2002, updated January 2016) and the Springfield Wetlands Map (July 2010) both show a small dot of a 'local wetland' in the far southeast corner of the site

(on tax lots 2300 and 2400) and extending to the south (on tax lot 600). A May 2014 Wetland Delineation conducted as part of the adjacent memory care project (on tax lot 600) documents the lot 600 portion of the wetland as being 0.06 acres in size. (It is estimated that the entire wetland is approximately 0.10 acres in size.) The 2014 delineation defined the wetland as a "Palustrine Emergent Seasonally Flooded/Saturated (PEM) wetland" and described it as a "...remnant wetland of an historic side channel of the McKenzie River." The memory care facility built around the wetland and did not disturb it. It is not yet known how the proposed assisted living facility will interface with the wetland.

Regardless of the presence or absence of a Goal 5 resource on the subject property, the city does not have a specific plan designation which it applies to inventoried Goal 5 natural resources; the presence of these resources is completely independent of the process used to designate land. Protective measures for all of the city's inventoried Goal 5 resources are applicable to the resource and are not circumscribed or altered based on land designation. The proposed amendment to the *Metro Plan* diagram and the *Gateway Refinement Plan* diagram does not modify or alter the City's Development Code or other *Metro Plan* policies relating to identified natural resources. The proposed diagram amendment does not make any changes to adopted Goal 5 natural resources, development standards or protective measures adopted to comply with Goal 5 requirements. Therefore, this proposed Metro Plan amendment does not alter the City's acknowledged compliance with Goal 5.

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

Goal 6 addresses waste and discharges from development and is aimed at protecting air, water, and land from impacts from those discharges. Nothing in the proposal, character of the site, or potential uses indicates a future development that would compromise air, water, and land resources. The proposal does not amend the metropolitan area's air, water quality, or land resource policies. The City can reasonably expect that future development of the site complies with applicable environmental laws. Therefore, the amendment is consistent with Statewide Planning Goal 6.

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

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis, and wildfires. The subject property is within a mature, developed residential neighborhood and is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, this amendment is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational 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.

Statewide Planning Goal 8 requires communities to evaluate their recreation areas and facilities and to develop plans to address current and projected demand. The Lyle Hatfield Linear Path, which is near the development and listed on the Willamalane Park & Recreation District's 20-Year Comprehensive Plan, has been extended to Deadmond Ferry Road and on-street bike paths have been added. The proposed amendment will not impact the provision of public recreational

facilities nor will it affect access to existing or future public recreational facilities. The proposed *Metro Plan* diagram amendment would also not affect Willamalane's adopted Comprehensive Plan or other ordinances, policies, plans, and studies adopted to comply with Goal 8 requirements. As such, the amendment is consistent with Statewide Planning Goal 8.

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.

The proposed Metro Plan diagram amendment does not affect economic development, as it is not requesting to change the designation of the subject site to or from commercial. The amendment seeks to designate land currently identified as Low Density Residential to High Density Residential (see table on pg. 1). Therefore, the proposed amendment will not impact economic development or commercial land supply in any way. The amendment is consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The Administrative Rule for Statewide Planning Goal 10 (OAR 660 Division 8) states:

"The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection."

The subject property is currently designated for Low Density Residential and the applicant wishes to redesignate the property as High Density Residential (see table on pg.1). As mentioned in the applicant's response to SDC 5.14-105, the *Springfield 2030 Residential Land and Housing Element* designates "the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5)."

The proposed redesignation would change the anticipated type of housing form on the property from single-family residential homes to duplex, four-plex, attached home, townhouse, or apartment units, or a combination of these types. A congregate care facility or group care home also could be constructed on the property under the proposed HDR zoning.

Staff and third-party analysis has determined that a surplus of LDR designated land exists within the City's land inventory. Redesignation of the subject property would have an incremental impact to the City's residential land base; arguably, the impact would be limited to a recalculation of surplus versus deficit levels for each of the Low and High Density Residential categories. The amount of surplus Low Density Residential land would be reduced by about 2.63 acres, and the deficit of High Density Residential land would be reduced by the same amount, 2.63 acres. Findings 10 and 11 of the *Residential Land Use and Housing Element* identify a surplus of approximately 378 gross acres of LDR designation and a deficit of approximately 28 gross acres of HDR designation. However, the *Residential Land Use and Housing Element* (Residential Finding 11, Page 11) goes on to state that the 28-acre deficit of HDR designation will be met through redevelopment in Glenwood. As such, while there may not be a need to address an HDR deficit, the proposed development of the subject site is for a congregate care facility and thus the proposed use will not have any material effect on the HDR inventory. Given this, the proposed Metro Plan amendment will have no adverse effect on the city's acknowledged compliance with Goal 10.

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

The subject site affected by the proposed *Metro Plan* diagram amendment is located inside the City limits. The existing level of public facilities and services is adequate to serve the needs of existing and future development. This area is already developed for a combination of industrial (north of the site), office, health care and internet services, and the public facilities serving this area have been designed accordingly. The amendment to the Metro Plan diagram does not significantly affect the planning or development of future public facilities or services. Therefore, the amendment is consistent with Statewide Planning Goal 11.

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

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene – Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affecting an existing or planned transportation facility, the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.

An accepted method of determining potential impacts is to conducting a Traffic Impact Study. Per SDC 4.2-105.A.4, a Traffic Impact Study is required if a change in land use generates 100 or more trips during any peak hour as determined in the most recent edition of the Institute of Transportation Engineers Trip Generation Manual. The Institute of Transportation Engineers (ITE) Common Trip Generation Manual (10th Edition) Trip Generation Rates table indicates that the PM Peak trip generation rate for an assisted living facility is 0.48 trips per 1,000 gross floor area. At 100,000 square feet, there would be a trip generation of 48 trips in the PM Peak hour. Forty-Eight trips in the PM Peak does not rise to the level of requiring a Traffic Impact Study.

Furthermore, the proposed residential care facility should have a minimal traffic and noise impact. Vehicles arriving to the site should be limited to employees, visitors, an on-site shuttle van used for occasional resident outings, and commercial delivery and service vehicles. It is not expected that residents of the facility will drive or have vehicles parked on the site.

As for potential effect on an existing transportation facility due to access, concerns were raised during the Site Plan Review process for the adjacent memory care facility in 2014. There, staff responded to cited access concerns as follows:

“Staff has reviewed the current lane configuration, posted speed limit, and lane striping conditions of Game Farm Road in front of the proposed development site and the Patrician Mobile Home Park driveway. Staff advises that making a left turn directly across the double yellow lines in the Game Farm Road median into the Patrician Mobile Home Park driveway would not be considered an illegal traffic maneuver. However, if a vehicle turns into the center median area early and uses it as a deceleration and turn lane – for example, to wait for a gap in southbound traffic and/or to avoid blocking northbound traffic while waiting to make the left turn – this could be considered an illegal traffic maneuver. The City’s Traffic Engineer has reviewed the Patrician Mobile Home Park entry driveway configuration, the location of the proposed driveway for the care facility, and the existing lane striping for the

median on Game Farm Road and advises that no modifications to the lane striping for the center median are warranted for this development. Therefore, the developer will not be required to modify the median or lane striping on Game Farm Road.”

The memory care facility was developed with a single access driveway centered directly across from the entrance to the Patrician Mobile Home Park. It is expected that this proposed assisted living facility will use that same existing driveway.

Given the above the proposed amendment will not significantly affect an existing or planned transportation facility and the proposed Metro Plan amendment will not affect the City's acknowledged compliance with Goal 12.

Goal 13 – Energy Conversation: To conserve energy.,

Statewide Planning Goal 13 calls for land uses to be managed and controlled “so as to maximize the conservation of all forms of energy, based upon sound economic principles.” Goal 13 is directed at the development of local energy policies and provisions. It does not state requirements with respect to other types of land use decisions. Converting the 2.63 acre property from LDR to HDR should not have an appreciable impact to energy consumption, and in fact may offer opportunities for increased energy efficiency through contemporary multi-family housing design. The developer will have an opportunity to incorporate suitable energy conservation measures into the future site development upon redesignation and rezoning of the subject property. The City's conservation measures applicable to storm water management, temporary storage, filtration and discharge would apply to multi-family residential uses developed on this site; therefore, this proposal is consistent with Statewide Planning Goal 13.

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

The amendment does not affect the transition from rural to urban land use, as the subject property is within the City limits. The City already planned for residential land use on the subject property when completing its residential buildable land inventory. Nevertheless, the proposed redesignation and zone change will not affect compliance with Statewide Planning Goal 14.

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.

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

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

There are no coastal, ocean, estuarine, or beach and dune resources on or adjacent to the subject property. Therefore, these goals are not relevant, and the proposed amendment will not affect compliance with statewide planning Goals 16 through 19.

This proposed Metro Plan Amendment meets the applicable Statewide Planning Goals.

Response to SDC 5.14-135.B.1.

The adopted Metro Plan is the principal document that creates a framework for land use policy within the City of Springfield. The subject property is within the adopted *Gateway Refinement Plan* area. As noted in Goal 2, adoption of the new *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*, replaced the goals, objectives and policies of the *Metro Plan's Residential Land Use and Housing Element*. This relationship therefore requires the proposed amendment be consistent with the *Springfield Comprehensive Plan* and the *Gateway Refinement Plan*.

The proposed Metro Plan amendment does not make the *Metro Plan* internally inconsistent. It does not affect any Metro Plan policies or text. Moreover, the *Gateway Refinement Plan* will not be made inconsistent through this amendment. The *Gateway Refinement Plan* will be amended automatically in conjunction with the Metro Plan amendment. There are no conflicts created by either of the proposed amendments to the residential land inventory, needed employment land inventory, nor any other land use elements of the Metro Plan or Gateway Refinement Plan.

Response to SDC 5.14-135.B.2.

The Residential Land and Housing Policies and Implementation Actions of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* apply to the subject site. There are a number of policies in that document which apply to this proposed Metro Plan amendment. These include:

Policy H.3, the City shall, "support community-wide, district wide and neighborhood-specific livability and redevelopment objectives and regional land use planning and transportation planning policies by locating higher density residential development and increasing the density of development near employment or commercial services, within transportation-efficient Mixed-Use Nodal Development centers and along corridors served by frequent transit service."

Policy H.6, the City shall "continue to seek ways to reduce development impediments to more efficient utilization of the residential land supply inside the UGB..."

Policy H.11, the City shall "continue to seek ways to update development standards to introduce a variety of housing options for all income levels in both existing neighborhoods and new residential areas that match the changing demographics and lifestyles of Springfield residents."

Policy H.12, the City shall "continue to designate land to provide a mix of choices (e.g. Location, accessibility, housing types, and urban and suburban neighborhood character) through the refinement plan update process and through review of developer-initiated master plans."

Policy H.13, the City shall "promote housing development and affordability in coordination with transit plans and in proximity to transit stations."

H.14, the City shall "continue to update existing neighborhood refinement plan policies and to prepare new plans that emphasize the enhancement of residential neighborhood identity, improved walkability and safety, and improved convenient access to neighborhood services, parks, schools, and employment opportunities."

H.15, the City shall "update residential development standards to enhance the quality and affordability of neighborhood infill development (e.g. Partitions, duplex developments, transitional neighborhoods, rehab housing, accessory dwelling units) and multi-family development."

While the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* is the prevailing Comprehensive Plan for the site, the residential land use policies in the Gateway Refinement Plan also pertain to the proposed development. The *Gateway Refinement Plan* area also designates the area east of Game Farm Road and south of Deadmond Ferry Road as the McKenzie-Gateway MDR Subarea. Within this subarea, the *McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan* was established in July 1994. The plan has four requirements; they include:

1. In order to accommodate a mix of dwelling unit types and densities, development of portions of the site at less than 10 dwelling units per developable acre may be allowed subject to the following standards.
 - a. The area to be developed at less than 10 dwelling units per developable acre shall be part of a larger development area.
 - b. The overall density of the development area shall be a minimum of 10 dwelling units per developable acre.
 - c. A DAP shall be required, consistent with GRP Residential Element Policies 14.0-14.8.
 - d. Consistent with GRP Residential Element Policy 14.3, subsequent permitted uses that conform to the DAP shall not require additional Site Plan Review.

The development site however includes single family housing and is currently zoned low density residential. The Metro Plan and the SDC allow single-family residential development in the MDR site provided it meets the minimum density requirements of 10 du/a. The CDP notes that, "...single-family residential development on individual lots cannot meet this standard, since the minimum residential lot size is 4500 square feet, or more than 1/10 acre (pg.6)." The subject property is also on the outer edge of the CDP area so there are no specific details as to how it should be developed. In addition, there is no need to do a DAP for this project area because the adjoining properties have already been developed and the infrastructure for the development is well-established. These policies are thus made obsolete. The CDP originally designated the single-family residential area as a buffer to the Special Light Industrial (SLI) area now zoned Campus Industrial north of Deadmond Ferry Road. By rezoning the parcels to high density residential, it would provide a better buffer from the Campus Industrial zoning north of Deadmond Ferry Road to the medium density residential and low density residential south and west of the property.

The City of Springfield also previously adopted the *Residential Land Use and Housing Element* of the *Springfield 2030 Refinement Plan*. As specified in this written, the *Springfield 2030 Residential Land and Housing Element* designates "the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5)." The assisted living facility is adjacent to and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at RiverBend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.

III. IN CONCLUSION

Based on the information and findings contained in this written statement and associated attachments, the proposed Metro Plan Amendment meets the criteria of approval contained in the Springfield Development Code. Therefore, the applicant requests that the City of Springfield approve the application. Both the applicant and the applicant's representative are available for questions. We look forward to working with staff to ensure this project meets the goals and objectives of the

applicant and the city. If you have any questions about the above information, please do not hesitate to contact Rick Satre, at (541) 686-4540 or email rick@schirmersatre.com.

Sincerely,

Richard M. Satre

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group

November 30, 2018

FALK INVESTMENTS-SPRINGFIELD LLC RIVER BEND ASSISTED LIVING FACILITY Land Use Planning Analysis

Map 17-03-15-40, Lots 2300, 2400, and 2500

Land Use Analysis

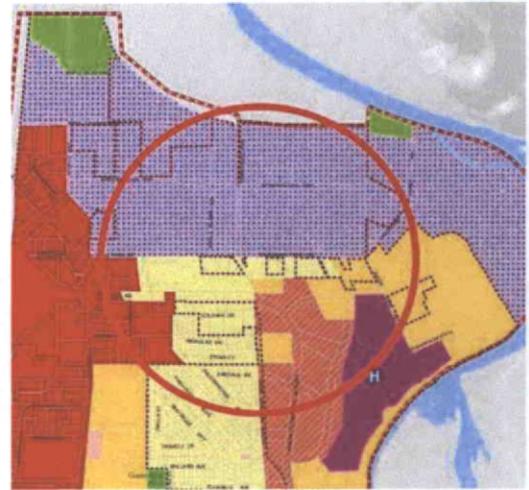
The key to successful property development in Oregon is thorough research and analysis of prospective regulations and requirements. This is followed by the planning, design, and regulatory approval processes. Success comes by taking things one step at a time; each step providing clarity and focus for the next round of activity. The first step is research and analysis, where we identify land use, physical, and environmental requirements, as well as lay the groundwork for next steps.

The results of our initial land use analysis is presented below. This analysis is based on public data and documents existing conditions and potentially applicable land use regulations.

I. BACKGROUND

A. Planning Context

Local long-range land use is governed by the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and is often supplemented with a more specific refinement plan and/or neighborhood plan. The Metro Plan and if applicable, refinement plan, is then followed by site-specific zoning. Sometimes, zoning is comprised of base zoning and additional overlay zones. The *Gateway Refinement Plan*, the *Springfield 2030 Comprehensive Plan* and the *Drinking Water Protection Overlay Zone* are applicable to the subject property.



Excerpt
Springfield Zoning Map
2016

Map and Tax Lot	Metro Plan Designation	Gateway Refinement Plan	Zoning
17-03-15-40 / 2300	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2400	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2500	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection

Date Received



LANDSCAPE ARCHITECTS

SCHIRMER
SATRE
GROUP

PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

375 West 4th, Suite 201, Eugene, OR 97401
Phone: 541.686.4540 Fax: 541.686.4577

Original Submitter
www.schirmersatre.com

B. Physical Setting

The site is located south of Deadmond Ferry Road in the Gateway area of Springfield. It is comprised of three tax lots (Map 17-03-15-40, Tax Lots 2300, 2400, and 2500) and is approximately 2.63 acres in size. The site abuts Game Farm Road to the west, with single family housing to the east and a office facilities to the north. To the south is the adjoining memory care facility which was developed by the client a couple of years ago.



Subject Property
Google Earth
June 2017

C. Development Objective

The development objective is to develop an assisted living facility on this site. Among other permits and approvals, this will require a change the Metro Plan designation and base zoning of the three tax lots from Low Density Residential (LDR) to High Density Residential (HDR). The potential zoning was discussed during a Development Issues Meeting (DIM) in 2017.

II. LAND USE ANALYSIS

A. Regulatory Review

The following plans, documents and database sources were included in this review:

1. Planning and Zoning.

- a. Aerial Photographs (Google Earth)
- b. Regional Land Information Database (RLID)
- c. Eugene – Springfield Metropolitan Area General Plan (Metro Plan)
- d. Springfield 2030 Comprehensive Plan
- e. Gateway Refinement Plan
- f. Springfield Zoning Map

2. Transportation.

- a. Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)
- b. Springfield 2035 Transportation System Plan
- c. Lane Transit District (LTD) System Map

3. Utilities.

- a. Springfield Stormwater Facilities Master Plan
- b. Springfield Wastewater Master Plan
- c. Springfield Storm and Sanitary Infrastructure
- d. Springfield Wellhead Protection Areas Map
- e. Springfield Utility Board (SUB) – Water and Electric Infrastructure

4. Natural Resources.

- a. Springfield Natural Resources Study Report
- b. Springfield Wetlands Map – National and Local Wetland Inventories
- c. Springfield Water Quality Limited Watercourses Map

5. Parks and Open Space.

- a. Willamalane Park and Recreation District Comprehensive Plan – Project Maps

6. Development Standards.

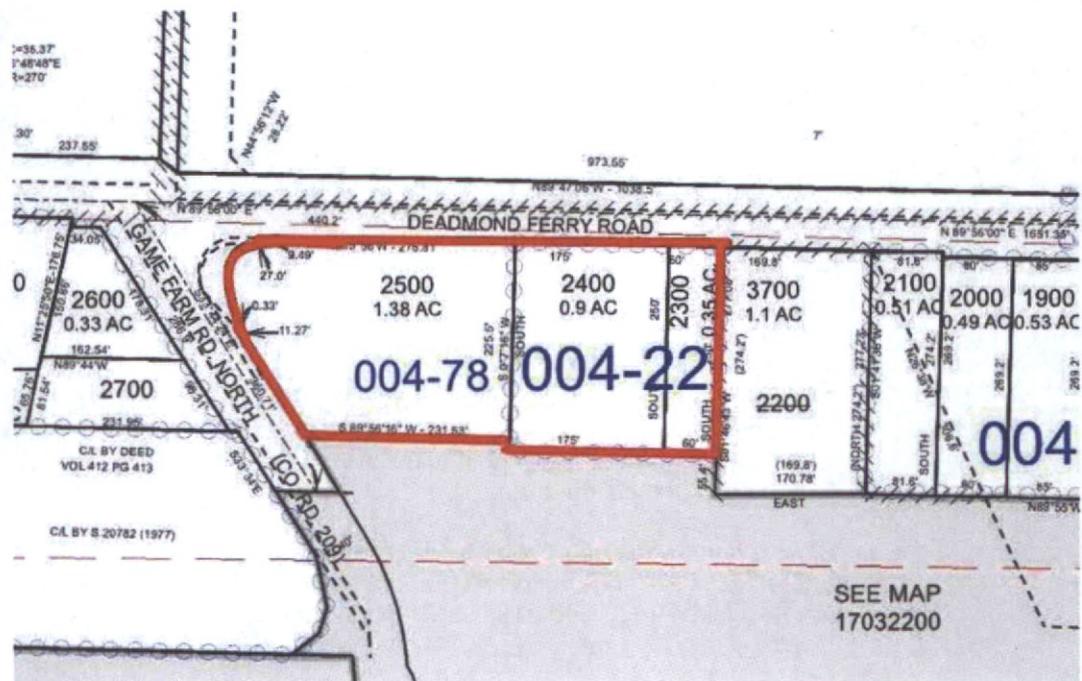
- a. Springfield Development Code – Land Use Districts (Chapter 3), Development Standards (Chapter 4), and Land Use Process and Applications (Chapter 5)

B. Findings.

1. Planning and Zoning.

- a. Jurisdiction: City of Springfield
- b. Metro Plan: Low Density Residential
- c. Refinement Plan: Gateway Refinement Plan
- d. Base Zoning: Low Density Residential
- e. Overlay Zoning: Drinking Water Protection Overlay Zone
- f. Map: 17-03-15-40
- g. Tax Lots: 2300, 2400, and 2500
- h. Acreage:

Lot 2300:	0.35 acres
Lot 2400:	0.90 acres
Lot 2500:	<u>1.38 acres</u>
	2.63 acres



2. Transportation

- a. Metro Area TransPlan
 The metro area's adopted transportation plan, The Eugene – Springfield Transportation System Plan (TransPlan), adopted in 2001 and amended in 2002, does not include projects within the vicinity of the subject property.
- b. City of Springfield 2035 Transportation System Plan.

The City of Springfield's transportation plan, adopted in 2014, does not include any projects abutting the subject property.



Excerpt
 Conceptual Local Street Plan
 City of Springfield

c. Street Classification.

Springfield's Street Classification Map identifies Deadmond Ferry Rd and Game Farm Road as a collector street. Each street classification carries with it a standard right-of-way (ROW). The standards for both streets are as follows:

Street	Classification	Existing ROW	Minimum ROW	Min. Curb-to-Curb
Deadmond Ferry Rd	Major Collector	70 feet	60 feet	36 feet
Game Farm Rd	Minor Collector	70 feet	60 feet	36 feet

d. Public Transit.

The metro area's public transit system, Lane Transit District (LTD), provides service near the development via the EMX Springfield route and stations (International Center Station is half a mile north of the project and Pavilion Station is half a mile to the east). No other bus route intersects the area.

e. Bicycle and Pedestrian Facilities.

There are bikes lanes, sidewalks, and a center turn lane on Deadmond Ferry Rd. There are also bike lanes, sidewalks, and left turn only and right turn only lanes on Game Farm Road.

3. Utilities.

a. Stormwater and Wastewater.

- The subject site is located in the North Gateway Basin. The Springfield Stormwater Facilities Master Plan identifies one capital improvement project, "Low Priority CIP 43," to address current issues around water quality from the nearby corporate park.



Capital Improvement Map Excerpt (Fig. 5-1)
 Stormwater Facilities Master Plan
 City of Springfield



System Improvements Map Excerpt (Fig. 5-3)
 Sanitary Facilities Master Plan
 City of Springfield

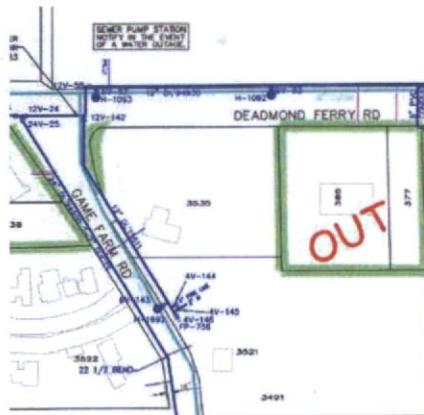
- Stormwater service is available to parcels 2300, 2400, and 2500 through a 60 inch concrete lines that exist in both Deadmond Ferry and Game Farm Roads . Wastewater service is also available to the sites via Deadmond Ferry Road by a 10 inch PVC pipe. There is also an 8 inch PVC pipe that runs along the western boundary line of tax lot 2500.



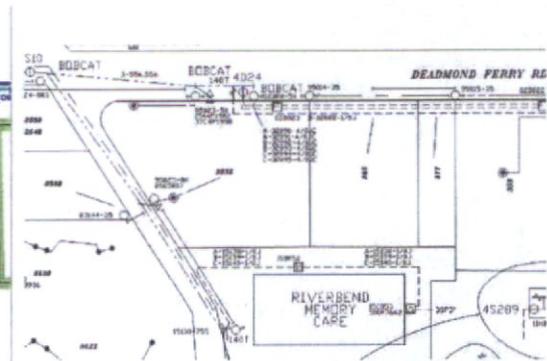
Existing Sanitary and Storm Facilities
 City of Springfield
 Map 2015

b. Water and Electric Service.

- Lots 2300, 2400, and 2500 have water service via with a 12 inch line in Deadmond Ferry Road. There is sufficient capacity within the electric system to support the proposal.

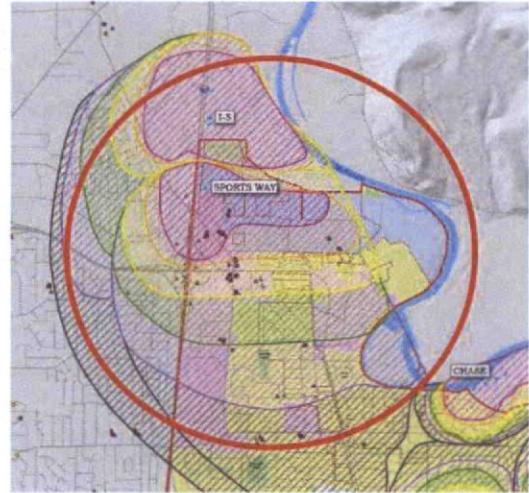


Existing Water Infrastructure
 Springfield Utility Board
 2017



Existing Electric Infrastructure
 Springfield Utility Board
 2017

- c. **Wellhead Protection.**
The Springfield Wellhead Protection Areas Map shows the subject site as within the 1-2 year Time of Travel Zone along the north boundary and within the 2-5 year Time of Travel Zone for the remainder of the property for the Sports Way wellfield and is therefore subject to the Drinking Water Protection Overlay District. Certain land use criteria may apply.



Wellhead Protection Areas Map Excerpt

4. Natural Resources.

- a. **Natural Resources Study.**
The Springfield Natural Resources Study does not identify a resource near the site. There is a wetland resource near the subject property (on the Phase 1 side of the memory care facility a wetland of approximately 0.06 acres was found), but the wetland is not considered locally significant as it is not connected to the McKenzie River. Thus, no new wetland delineation is needed. There are no Water Quality Limited Watercourses on or near the property.

5. Parks and Open Space.

- a. **Willamalane Park and Recreation District.** One of the Lyle Hatfield Linear Paths is in the vicinity of the project. The path has been extended to Deadmond Ferry Road and on-street bike paths has been added.

6. Development Standards.

The Springfield Development Code (SDC) governs all lands within Springfield's city limits and its urban services area. All six of the SDC chapters apply to the subject site, but three in particular are cited here. These include Chapter 3-Land Use Districts, Chapter 4-Development Standards, and Chapter 5-The Development Review Process and Applications.

- a. Within Chapter 3, the project will need to comply with SDC 3.2-210 Schedule of Use Categories, SDC 3.2-215 Base Zone Development Standards, and SDC 3.2-240 Multi-Unit Design Standards.
b. Within Chapter 4, some of the applicable standards include requirements related to setbacks, height, building frontage, landscaping, and minimal parcel size.
c. Within Chapter 5, the project will need to address Site Plan Review requirements.

III. LAND USE APPLICATIONS

Land use approval is required prior to the issuance of any building permits. Required land use applications for the subject property, in sequential order, are as follows.

A. Development Issues Meetings (SDC 5.1-120A)

1. A Development Issues Meeting (DIM) is required for certain land use applications. For other applications, a Development Issues Meeting is voluntary. Regardless, a DIM is an excellent

opportunity to present a development proposal and ask questions of city staff prior to generating a particular application. The meeting is tailored to address specific issues or concerns.

2. A meeting occurred for this phase of the project on June 29, 2017.

B. Metro Plan Amendment (SDC 5.14-100)

1. A Metro Plan Amendment is a Type IV land use decision. A Type IV decision is a legislative decision and is described in SDC 5.1-140. It is a City Council decision and includes both public notice and a public hearing. An amendment or change to the Metro Plan diagram is known as a Metro Plan Amendment – Type I.

C. Refinement Plan Amendment (SDC 5.14-120)

1. A Refinement Plan Amendment application is a Type IV land use decision. When a Metro Plan amendment is enacted that requires an amendment to a refinement plan diagram for consistency, the Metro Plan diagram amendment automatically amends the refinement plan diagram if no amendment to the refinement plan text is needed.

D. Zone Change (SDC 5.22-100)

1. A Zone Change application is a Type IV land use decision when it includes concurrent amendments to the Metro Plan diagram and a refinement plan. The property is designated and zoned Low Density Residential in the Metro Plan diagram, City of Springfield Zoning Map, and Gateway Refinement Plan. Therefore, a Zone Change application is required for the applicant to rezone the property to High Density Residential. A Type IV land use decision is a legislative application and is described in SDC 5.1-140. It is a City Councils decision and includes both public notice and a public hearing.

E. Site Plan Review (SDC 5.17-100)

1. Site Plan Review is a Type II land use application that provides a process to regulate the manner in which land is used and developed, ensuring compliance with various public policies and objectives. In Springfield, Site Plan Review is required for most new development, additions, or expansions. It is a Planning Director decision and includes public notice, but no public hearing.

F. Final Site Plan Review (SDC 5.17-135)

1. The Final Site Plan submittal incorporates all approval conditions from the Site Plan Review decision.

G. Drinking Water Protection (SDC 3.3-200)

1. The Drinking Water Protection (DWP) Overlay District is established to protect aquifers used as potable water supply sources from contamination. DWP requirements establish procedures and standards for the physical use and storage of hazardous or other materials harmful to groundwater by requiring development approval for new and existing land uses.

H. Tree Felling Permit (5.19-100)

1. A tree felling permit requirement is established to protect and preserve the natural vegetation and other natural resources within the city limits. A tree felling permit is required prior to the felling of more than 5 trees 5-inch dbh (diameter at breast height) on a private property consisting of 10,000 square feet or more.

IV. PRELIMINARY SITE PLAN

A preliminary architectural site plan has been generated for the proposed development of the property. A site plan has great value in assisting with initial land use analysis and in providing an explanation and the asking questions in a pre-application meeting. As detailed plans will of course be

required for Site Plan Review and other applications, it is never too soon to be thinking of the physical arrangement of contemplated improvements.

IV. ATTACHED INFORMATION

1. Planning and Zoning

- a. Google Earth – Aerial Photograph with Site Boundaries.
- b. Lane Regional Information Database – Tax Lot Map.
- c. City of Springfield – Refinement Plan Map.
- d. City of Springfield – Base Zoning.

2. Transportation

- a. City of Springfield – Roadway Map.

3. Utilities

- a. City of Springfield – Existing Stormwater and Wastewater Infrastructure Map.
- b. Springfield Utility Board (SUB) – Existing Water Infrastructure Map.
- c. Springfield Utility Board (SUB) – Existing Electric Infrastructure Map.

V. CONCLUSION AND RECOMMENDATION

The above information represents a brief outline of known applicable planning, zoning and site development requirements for the contemplated development of the subject property. We recommend scheduling a DIM to clarify and/or confirm the findings herein, as well as to discuss potential rezoning of the subject site.

We hope this initial land use analysis proves helpful. Our office is available to discuss these findings, provide additional graphics upon request, or assist with additional project needs.

Sincerely,

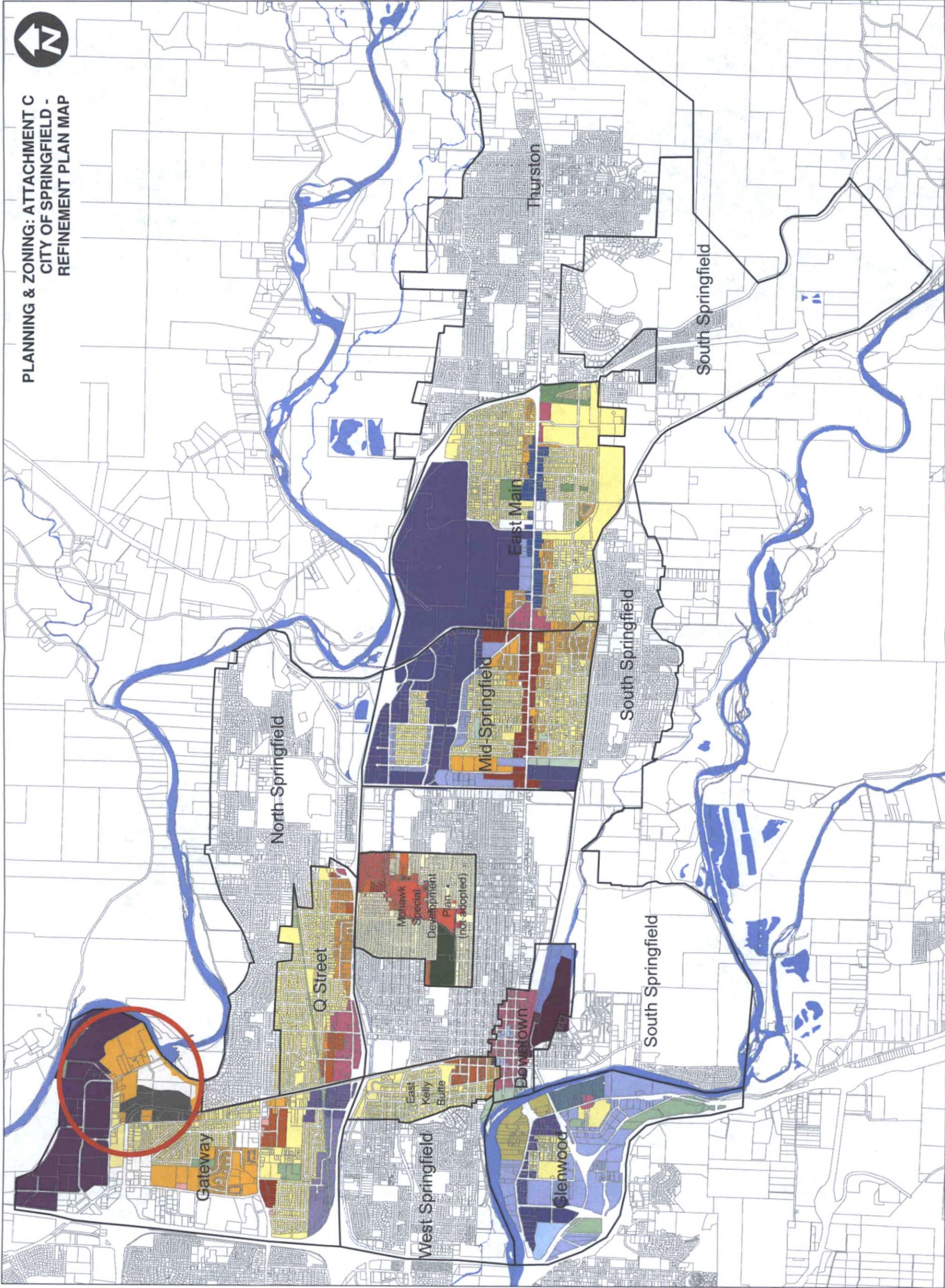
Richard M. Satre

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group

**PLANNING & ZONING: ATTACHMENT A
GOOGLE EARTH - AERIAL PHOTOGRAPH
WITH SITE BOUNDARIES**



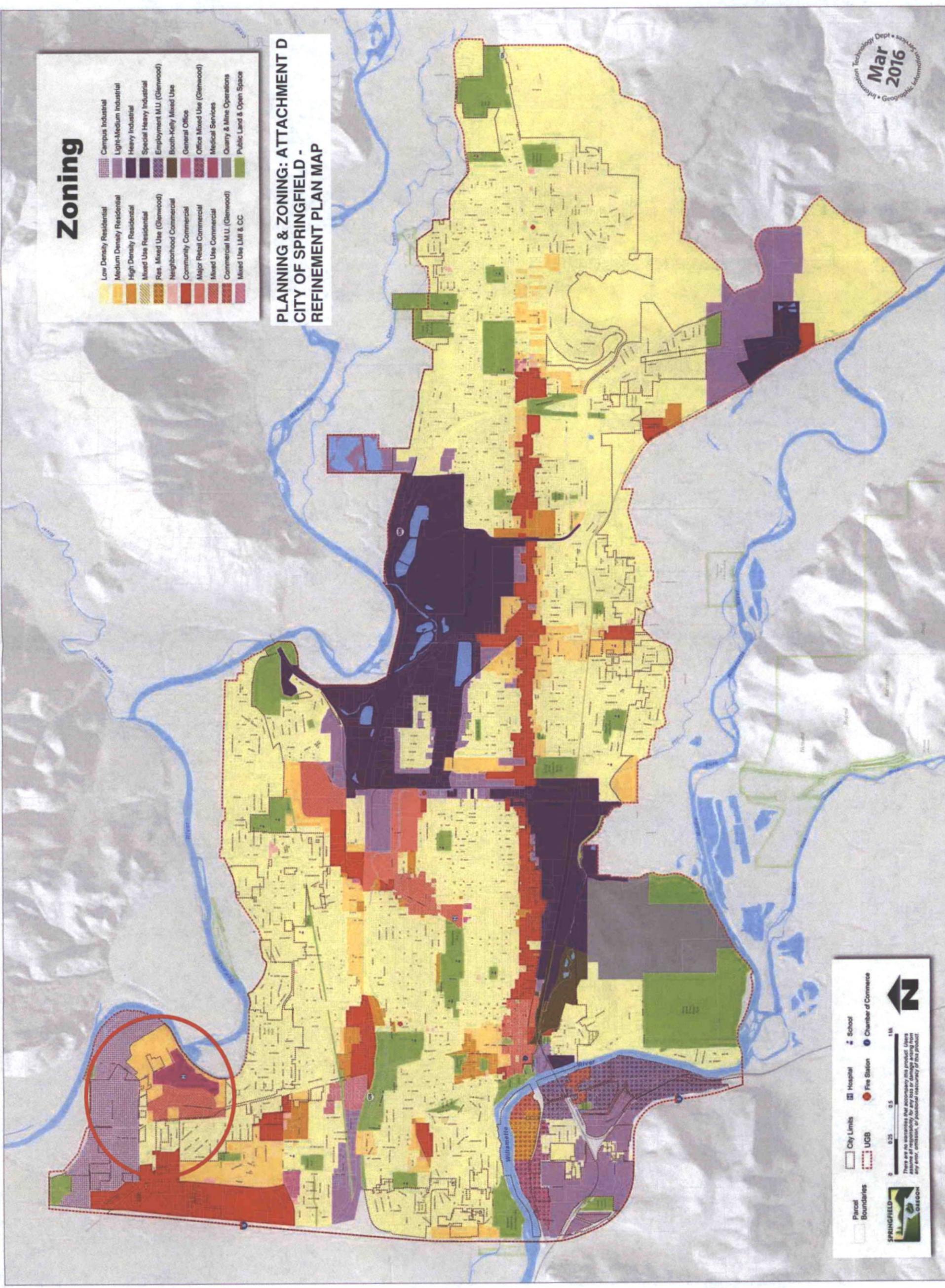
PLANNING & ZONING: ATTACHMENT C
CITY OF SPRINGFIELD -
REFINEMENT PLAN MAP



Zoning

Low Density Residential	Campus Industrial
Medium Density Residential	Light-Medium Industrial
High Density Residential	Heavy Industrial
Mixed Use Residential	Special Heavy Industrial
Res. Mixed Use (Glenwood)	Employment M.U. (Glenwood)
Neighborhood Commercial	Booth-Kelly Mixed Use
Community Commercial	General Office
Major Retail Commercial	Office Mixed Use (Glenwood)
Mixed Use Commercial	Medical Services
Commercial M.U. (Glenwood)	Quarry & Mine Operations
Mixed Use LMI & CC	Public Land & Open Space

PLANNING & ZONING: ATTACHMENT D CITY OF SPRINGFIELD - REFINEMENT PLAN MAP



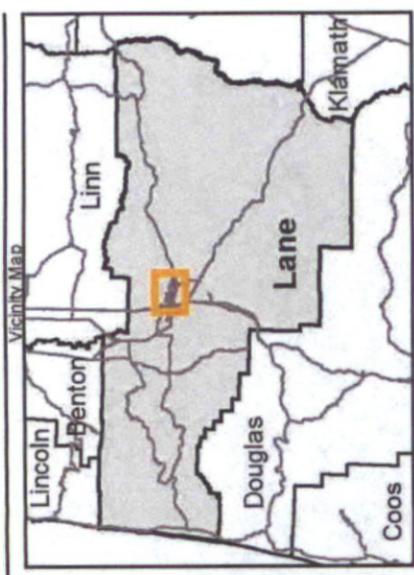
SPRINGFIELD
 GIBSON

- Parcel Boundaries
- City Limits
- UGB
- Hospital
- Fire Station
- School
- Chamber of Commerce

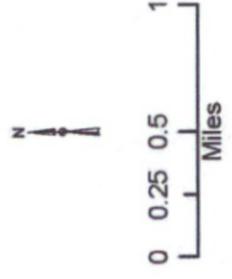
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There are no warranties that accompany this product. Users are responsible for any errors or omissions, or for any damage or loss resulting from the use of this product.

TRANSPORTATION: ATTACHMENT A
CITY OF SPRINGFIELD-ROADWAY MAP



- Legend**
- Conceptual Roadway Project
 - Conceptual Pedestrian/Bike
 - Off-Street Path Project
 - Arterial
 - Collector
 - City Limits
 - Urban Growth Boundary
 - Willamalene Park and Recreation Property
 - Water Body

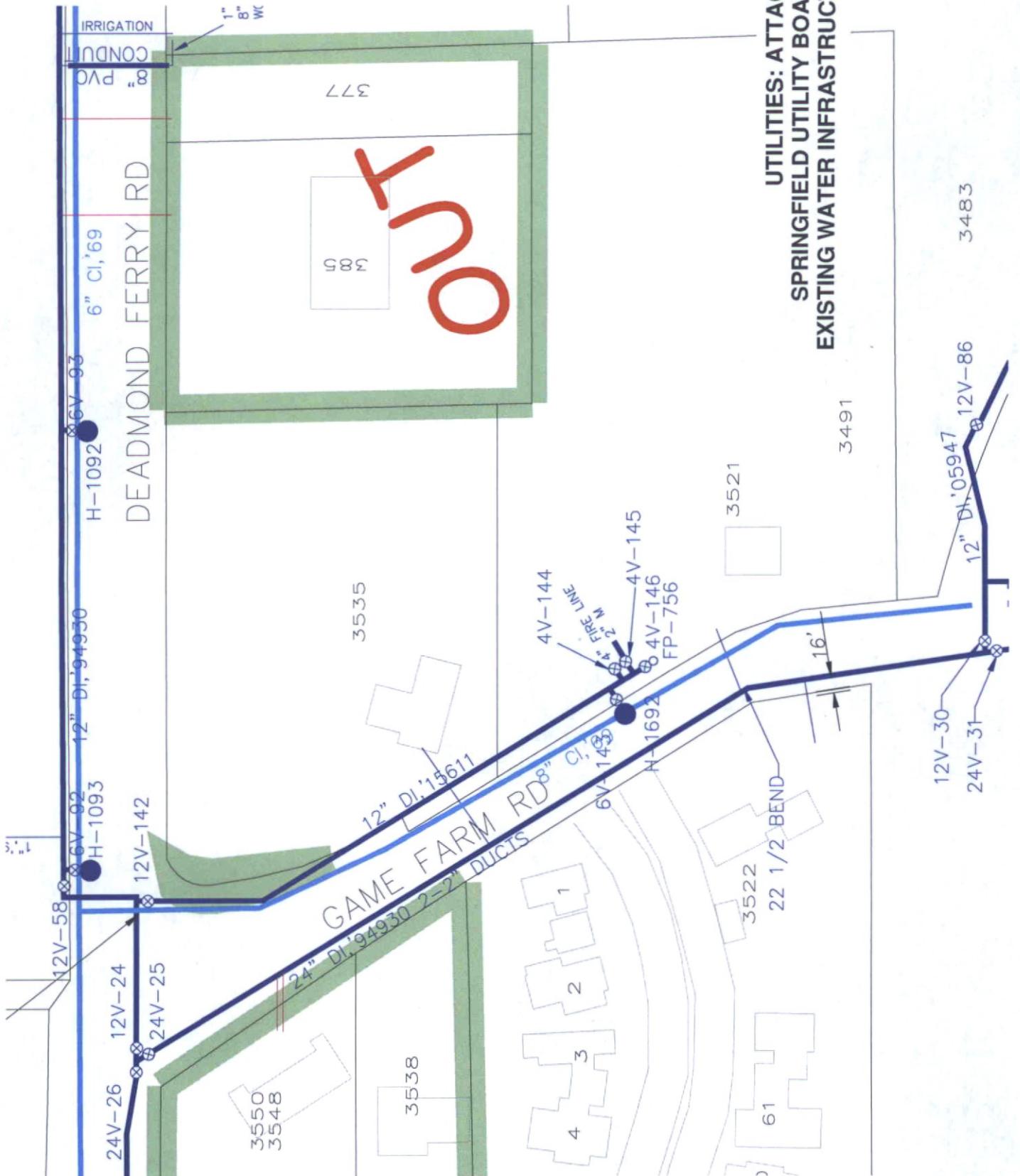


Note: All new alignments are conceptual. Actual alignments will be determined during project development. As development occurs projects will be identified as part of the development review process.



FIGURE 6
20-Year Improvement Projects
As Development Occurs Projects
Springfield TSP
Springfield, Oregon

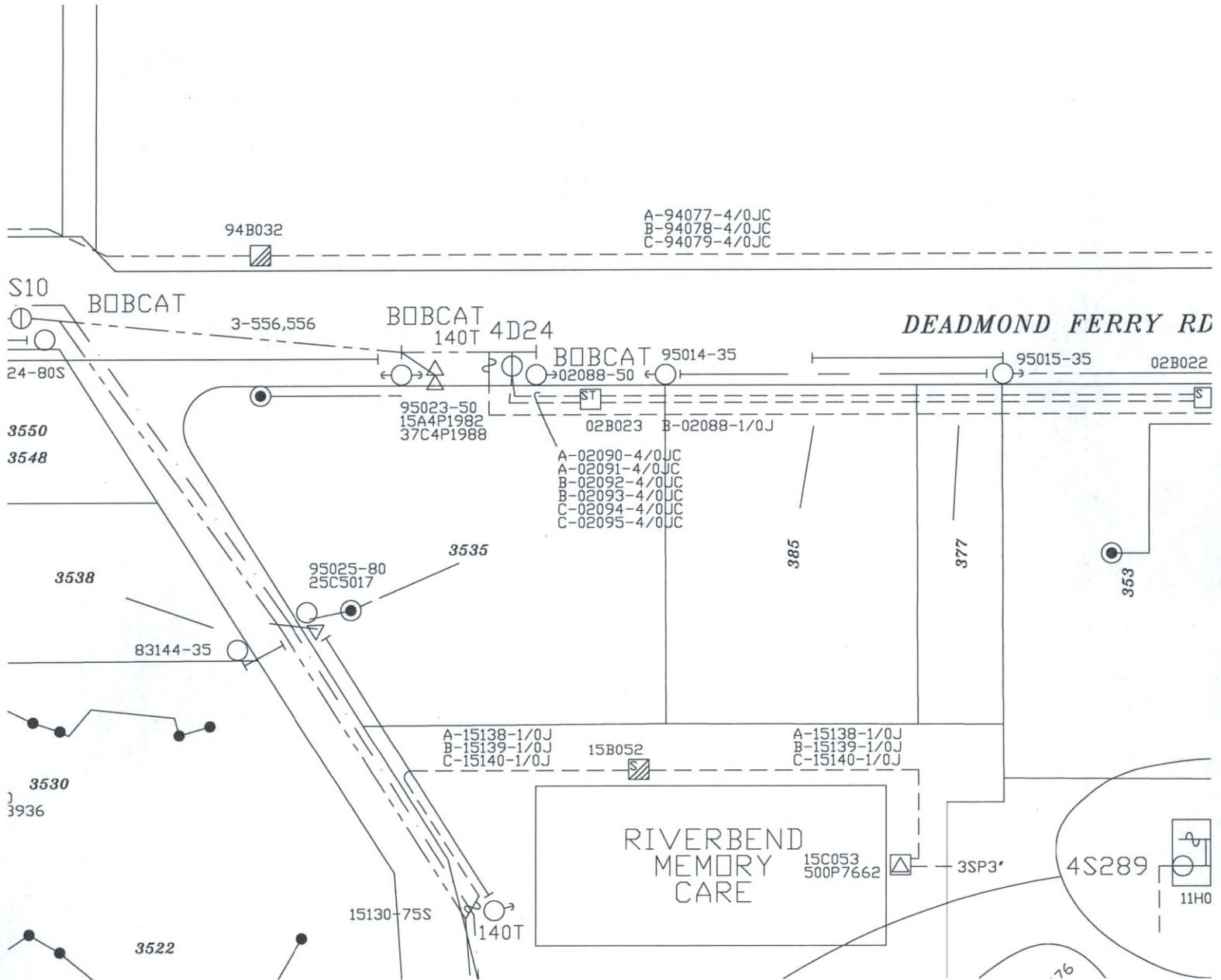




**UTILITIES: ATTACHMENT B
 SPRINGFIELD UTILITY BOARD (SUB) -
 EXISTING WATER INFRASTRUCTURE MAP**

OUT

**UTILITIES: ATTACHMENT C
 SPRINGFIELD UTILITY BOARD (SUB) -
 EXISTING ELECTRIC INFRASTRUCTURE
 MAP**



February 22, 2019

FALK INVESTMENTS-SPRINGFIELD LLC
River Bend Assisted Living Facility
Metro Plan Amendment – Supplemental Information

Map 17-03-15-40, Tax Lot 2300, 2400, and 2500
 Map 17-03-22-00, Tax Lot 600

SUPPLEMENTAL WRITTEN STATEMENT

This Supplemental Written Statement has been generated in response to a staff request for two supplemental information items – one regarding Goal 12 and the other regarding an adjacent strip of land with Low Density Residential plan designation.

GOAL 12

SDC 5.14-135 Criteria.

A Metro Plan amendment may be approved only if the Springfield City Council and other applicable governing body or bodies find that the proposal conforms to the following criteria:

A. The amendment shall be consistent with applicable Statewide Planning Goals;

Response to SDC 5.14-135.A.

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

During the application review process staff asked for a trip generation report. Specifically, staff stated:

“In order to evaluate whether a redesignation and rezoning has a significant effect the City looks at the reasonable worst case scenario for the proposed zone change and not just the characteristics of the proposed development. At a minimum, the applicant will need to provide a trip generation report performed by a Oregon licensed transportation engineer showing that there would not be an increase in trips significantly affecting the local existing or planned facilities. If there is an increase in traffic associated with this proposed zone change, then the applicant would need to perform a full TIA to show that with the increased number of trips to the existing and planned facilities would operate within acceptable mobility or level of service thresholds. If the mobility or level of service thresholds are not met with the increase, then the applicant would need to offer mitigation to bring the facilities into an acceptable operational standard or proposed some other mechanism such as a trip cap to ensure the current and future operations are within acceptable standards. Staff is in agreement with the proposed access location since the City’s Development Code encourages access to come from the lower classification roadway with Game Farm Road a minor collector and Deadmond Ferry Road a major collector. The existing memory care facility at 3491 Game Farm Road provided for a shared driveway in anticipation of this possible development and desire to reduce the number of conflict points onto the roadway.”

In response, the applicant generated the attached Transportation Planning Rule Analysis. The analysis documents that the proposed plan designation was not found to have an identifiable “significant affect” per OAR 660-012-0060(1). Given this, the applicant’s written statement of November 30, 2018 is amended as follows:



Replace the second paragraph of the applicant's response to Goal 12 in the November 30, 2018 Written Statement with the following:

The TPR analysis and significance test indicates that the criteria of the applicable Oregon Administrative Rules are satisfied with the proposed zone change and plan amendment. The trip generation associated with the proposed conditions were not found to have an identifiable "significant affect" defined by OAR 660-012-0060(1) since the level of traffic generated by a reasonable worst case development scenario associated with the proposed change in land use permissions would not result in an increase to the trip generation potential of the existing zoning and plan designation worst case scenario's use permissions provided it is developed with a 104-bed (or less) Assisted Living Facility.

It is possible that in the future the site could be redeveloped to a permitted more traffic intensive use than the currently proposed development, with trip generation exceeding the 48 PM peak hour trips that could be generated by the site with the existing use permissions, therefore a trip cap should be stipulated to limit the site's trip generation potential to 48 PM Peak Hour trips to eliminate the possibility for a significant affect.

The Transportation Planning Rule is satisfied under Goal 12 criteria with the proposed zone change and metro plan amendment with application of the proposed trip cap so the change in use permissions would not represent an increase in potential build-out development level trip generation. There is no significant affect to a transportation facility identifiable by the potential for additional traffic resulting from the change in use permissions that would cause a facility to perform below its intended mobility standard or cause a failing facility to be further degraded beyond the potential impacts resulting from development under the existing use permissions allowed by existing development code and metro plan designations, as was demonstrated by the site's trip generation potential and in the findings discussed in the applicable Transportation Planning Rule OAR sections.

In summary, the proposed 104-bed Assisted Living Facility permitted under the proposed zone and designation will not generate more trips than the existing residential uses allowed under the current zone and designation. To ensure this, it is recommended the planning commission apply a condition of approval establishing a trip cap of 48 PM Peak Hour trips to the decision.

REMNANT STRIP PLAN DESIGNATION

During the application review staff discovered that a portion of an adjacent tax lot (Map 17-03-22-00, Tax Lot 600), which is also owned by the applicant, has a plan designation of Low Density Residential when the remaining portion of that tax lot has a plan designation of Medium Density Residential. Specifically staff stated:

"The City's Zoning Map currently depicts the boundary between Low Density and Medium Density Residential zoning as running inside and parallel with the northern edge of 3491 Game Farm Road (Map 17-03-22-00, Tax Lot 600). The boundary between the two properties at 3491 and 3535 Game Farm Road was changed with a property line adjustment, but this action did not change the zoning district boundary. The applications for Metro Plan Amendment and Zone Change propose to change the designation and zoning for Map 17-03-15-40, Tax Lots 2300–2500 from Low Density Residential to High Density Residential, which would leave a band of LDR zoning sandwiched between the two development sites (see diagram below). For a variety of reasons – not the least of which being the potential impact of having LDR zoning abutting higher density residential districts in terms of required screening, building height limitations, and setbacks - the remnant band of LDR zoning is not practical or desirable so it should be cleaned up with these land use actions. Staff recommends that the applicant modifies the request for Metro Plan Amendment and Zone Change to redesignate and

rezone the band of LDR on Tax Lot 600 to MDR. This can be accomplished through submittal of redesignation and rezoning diagrams for the affected properties along with legal description(s) for the area(s) to be redesignated and rezoned.”

In response, the applicant generated the enclosed revised Metro Plan diagrams with the strip of existing Low Density Residential designated land proposed to be redesignated to Medium Density Residential land. The applicant also generated and includes a legal description for this strip of land.

MA-2

Project Number	1821
Drawn By	dlw
Checked	ms
Date	2-6-19
Phase	

Revision	#	Date	Description

METRO PLAN AMENDMENT
RIVER BEND ASSISTED LIVING FACILITY
 (MAP 17-03-15-40, LOTS 2300, 2400, 2500)

SCHEIRMER SATRE GROUP
 375 West 4th, Suite 201, Eugene OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.schirmersatre.com

SCAPE ARCHITECT
 84 N. 3RD ST.
 EUGENE, OREGON 97401
 REGISTERED ARCHITECT

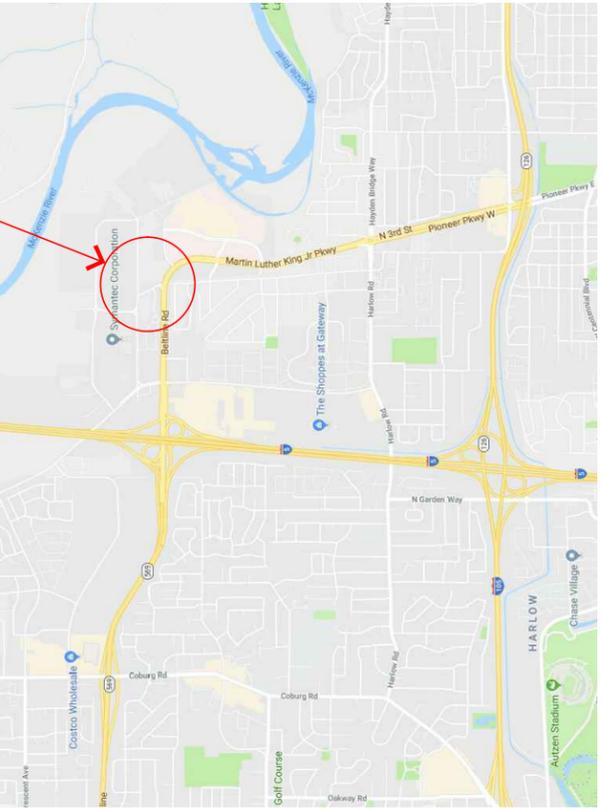


SCHEIRMER SATRE GROUP
 375 West 4th, Suite 201, Eugene OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.schirmersatre.com



METRO PLAN LAND USE DIAGRAM
PROPOSED PLAN

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



VICINITY MAP

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477



Zoning Map Amendment, Type III

Required Project Information (Applicant: complete this section)

Applicant Name:	Zack Falk	Phone:	(541) 914-7801
Company:	Falk Investments-Springfield LLC	Fax:	
Address:	210 Saint Paul Street, Suite 410, Denver, CO 80206		

Applicant Signature: ZMF

Property Owner:	Zack Falk	Phone:	(541) 914-7801
Company:	Falk Investments-Springfield LLC	Fax:	
Address:	210 Saint Paul Street, Suite 410, Denver, CO 80206		

Owner Signature: ZMF

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf

ASSESSOR'S MAP NO: 17-03-15-40 **TAX LOT NO(S):** 2300, 2400, 2500

Property Address: 3535 Game Farm Road, Springfield, OR 97477

Area of Request **Square Feet:** **Acres:** 2.63

Existing Use(s) of Property: Single Family Housing and Vacant, Undeveloped Land

Description of The Proposal: Rezone three parcels from Low Density Residential to High Density Residential to develop an assisted living facility. A Metro Plan Amendment is being processed concurrently with this application.

Required Property Information (City Intake Staff: complete this section)

Case No.: 811-18-000235-TYP3 **Date:** 12/7/2018 **Received by:** af
 (initials)

Application Fee: 6128.00 **Postage Fee:** 446.00 **Total Fee:** 6880.40

Edited 7/19/2007 bjones

Date Received

DEC 07 2018

Original Submittal ZMF

Zoning Map Amendment Submittal Requirements Checklist

1. **The application fee** - Refer to the Development Code Fee Schedule for the appropriate application and postage fee. A copy of the Fee Schedule is available at the Development Services Department.
2. **Deed** - A copy of the deed to show ownership.
3. **Vicinity Map** - A map of the property and the surrounding vicinity which includes the existing zoning and plan designations. One copy must be reduced to 8 ½" by 11" which will be mailed as part of the required neighboring property notification packet.
4. **Findings** - Before the Planning Commission can approve a Zone/Overlay District Change Request, there must be information submitted by the applicant which adequately supports the request. The Criteria the Planning Commission will consider in making their decision is listed below. If insufficient or unclear data is submitted by the applicant, there is a good change that the request will be denied or delayed. It is recommended that you hire a professional planner or land use attorney to prepare your findings.

Criteria of Approval (Quasi-judicial)

SDC 12.030 requires that in reaching a decision on these actions, the Planning Commission or Hearings Official map approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria (a)-(c), below.

- (a) Consistency with the 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.

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SCHIRMER SATRE GROUP
Planners, Landscape Architects and Environmental Specialists
 375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
 (541) 686-4540 • Fax (541) 686-4577 • www.schirmersatre.com

TRANSMITTAL

TO: City of Springfield
Development and Public Works
225 5th Street
Springfield, OR 97477

DATE: November 30, 2018

PROJECT: River Bend
Assisted Living Facility

ATTN: _____ **SSG PROJ #:** 1821

TRANSMITTED: Herewith **DISPOSITION:** For Your Approval
 Separate Cover For Your Information/Use
 Other For Reply

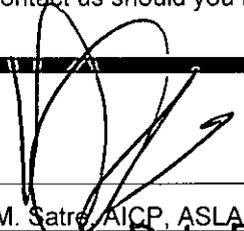
TRANSMITTED:

# Copies	Item	Dated (In addition to this transmittal page)	No. Pages
4	paper copies of a:		
	Zoning Map Amendment Application Packet	Varies	Several

- REMARKS:** This Zoning Map Amendment application packet is hereby submitted for processing. The submittal package includes:
1. Application Fee
 2. Application Form
 3. Written Statement
 4. Attachment 1 – Land Use Planning Analysis
 5. Attachment 2 – Map of Existing Zoning
 6. Attachment 3 – Map of Proposed Zoning
 7. Attachment 4 – Ownership Deeds

We look forward to your assistance with the project. Don't hesitate to contact us should you have any questions or need any additional information. Thank you.

COPIES TO: Agency
 File Consultant Team
 Owner Other

BY: 
 Richard M. Satre, AICP, ASLA, CSI

Date Received

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November 30, 2018

FALK INVESTMENTS SPRINGFIELD LLC River Bend Assisted Living Facility Zoning Map Amendment

Map 17-03-15-40, Tax Lot 2300, 2400, and 2500

WRITTEN STATEMENT

In accordance with SDC 5.22-100 through SDC 5.22-125, Zoning Map Amendments, the applicant, Falk Investments-Springfield LLC, is requesting that the City of Springfield review this Zoning Map Amendment request for Tax Lots 2300, 2400, and 2500 of Assessor's Map 17-03-15-40. The applicant requests the City determine that the proposal complies with the approval criteria and approve this application. To aid Springfield staff in their review, the following information is provided.

I. THE PROPOSAL

Background

Local long-range land use is governed by the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). Often supplemented with more specific refinement plans and/or neighborhood plans, the Metro Plan is then followed by site-specific zoning. Sometimes, zoning is comprised of base zoning and overlay zones. In this instance, the Gateway Refinement Plan is the applicable refinement plan and the Drinking Water Protection Overlay Zone is the applicable overlay zone for the subject property. Further information regarding individual tax lots is available in the table below.

Map and Tax Lot	Zoning (Existing)	Zoning (Proposed)
17-03-15-40 / 2300	Base: Low Density Residential Overlay: Drinking Water Protection	Base: High Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2400	Base: Low Density Residential Overlay: Drinking Water Protection	Base: High Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2500	Base: Low Density Residential Overlay: Drinking Water Protection	Base: High Density Residential Overlay: Drinking Water Protection

Physical Setting

The site is located south of Deadmond Ferry Road in the Gateway area of Springfield. It is comprised of three tax lots (Map 17-03-15-40, Tax Lots 2300, 2400, and 2500) and is approximately 2.63 acres in size. The site abuts Game Farm Road to the west, with medical uses to the east and a campus industrial use to the north. To the south is the adjoining memory care facility which was developed by the applicant a few years ago.

Development Objective

The development objective is to construct an assisted living facility on the subject property. This will require a change in the Zoning Map designation for the three tax lots from Low Density Residential (LDR) to High Density Residential (HDR). (Along with a Metro Plan Amendment from LDR to HDR, an application for which is submitted concurrently with this Zoning Map Amendment application.)



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PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

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II. ZONING MAP AMENDMENT APPLICATION – COMPLIANCE WITH THE SPRINGFIELD DEVELOPMENT CODE

This section is presented in the same order of the applicable requirements found in Section 5.22-105 through 5.22-125, Zoning Map Amendments of the Springfield Development Code. Applicable sections of the Code are in ***bold italics***, followed by proposed findings in normal text.

SDC 5.22-105 Purpose.

The purpose of this section is to provide standards and procedures for legislative and quasi-judicial amendments to the Official Zoning Maps.

Response: The proposed Zoning Map amendment complies with all applicable standards and procedures.

SDC 5.22-110 Review.

Official Zoning Map amendments may be initiated by the Director, the Planning Commission, the Hearings Official, the City Council, or a citizen. Zoning Map amendments shall be reviewed as follows:

- A. Legislative Zoning Map amendments involve broad public policy decisions that apply to other than an individual property owner, generally affecting a large area and/or require a concurrent Metro Plan diagram amendment as specified in Section 5.14.100. Legislative Zoning Map amendments are reviewed using Type IV procedure.***
 - 1. Metro Plan diagram amendment determination. An amendment to the Metro Plan diagram shall be required if the proposed Zoning Map amendment is not consistent with the Metro Plan diagram. Both amendments may be processed concurrently.***
 - 2. Transportation Planning Rule Compliance. Where applicable, legislative Zoning Map amendments shall be reviewed to determine whether the application significantly affects a transportation facility, as specified in Oregon Administrative Rule (OAR) 660-012-0060. In this case a Traffic Impact Study shall be submitted as specified in Section 4.2-105A.4.***
- B. Quasi-judicial Zoning Map amendments involve the application of existing policy to a specific factual setting, generally affecting a single or limited group of properties and may or may not include a Metro Plan diagram amendment. Quasi-judicial Zoning Map amendments are reviewed using Type III procedure, unless a Metro Plan diagram amendment is required. In this case, the Quasi-judicial Zoning Map amendment will be raised to a Type IV review.***

Response: The proposed Zoning Map amendment will comply with the criteria in SDC 5.22-110(B). The amendment is quasi-judicial in nature and includes a limited group of properties with a concurrent Metro Plan diagram amendment. Both proposed amendments are subject to Type IV review.

There is a change to the *Springfield 2030 Residential Land and Housing Element* plan that makes this requested change to the Zoning Map diagram necessary. As recommended by *The Residential Land and Housing Element*, "the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5)." The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at RiverBend, PeaceHealth Labs, Pacific Source,

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Symantec, the Gateway Mall and numerous other commercial and office uses. Uses abutting the proposed facility include a memory care facility to the south and a medical facility to the east. To the southeast is another medical use - an under-construction guest house for patients of the medical center. While there are some long-established residential uses across Game Farm Road to the west, the subject property is in an area which, as it develops/re-develops, is moving away from low density residential uses.

Therefore, circumstances have indeed changed greatly since the subject site was designated as Low Density Residential in the Zoning Map and Metro Plan. A change in the Zoning Map designation from Low Density Residential to High Density Residential is in keeping with the direction in which the neighborhood is moving.

SDC 5.22-115 Criteria.

- A. Quasi-judicial Zoning Map Amendments. The Planning Commission or Hearings Official may approve, approve with condition or deny a quasi-judicial Zoning Map amendment based on approval criteria C.1. through 3., 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.**
- B. Legislative Zoning Map Amendments and Quasi-judicial Zoning Map Amendments Raised to a Type IV Review. The Planning Commission or Hearings Official may make a recommendation to the City Council to approve, approve with conditions or deny Zoning Map amendments and Metro Plan diagram amendments based upon approval criteria in Subsection C.1. through 4., below. The City Council shall make the final local decision on all Zoning Map amendments involving a Metro Plan diagram amendment.**
- C. Zoning Map amendment criteria of approval:**
- 1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;**
 - 2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and**
 - 3. 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 concurrently with the development of the property.**
 - 4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:**
 - a. Meet the approval criteria specified in Section 5.14-100; and**
 - b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Response to SDC 5.22-115. A. – B.

The proposed Zoning Map amendment will be processed as a quasi-judicial decision. The amendment is submitted concurrently with a Metro Plan diagram amendment and therefore, will be processed as a Type IV decision.

Response to SDC 5.22-115.C.1.

The Zoning Map amendment is consistent with the Metro Plan policies and diagram. It does not amend any Metro Plan policies or text. The Zoning Map amendment is submitted concurrently with a Metro Plan amendment. The following Metro Plan policies support the proposed zone change:

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Metro Plan Policy 1. – The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.

The Metro Plan policies define compact growth as “the filling in of vacant and underutilized lands in the UGB”. The proposed rezoning will fill underutilized low-density residential land with more compact high-density residential land. The parcels affected by this application are currently within the Springfield portion of the Urban Growth Boundary (UGB) and are within the city limits of Springfield. The development will follow the acknowledged comprehensive plan ordinances and future development will have access to urban facilities and services. As such, the subject site provides for compact urban growth and essential services.

Metro Plan Policy A.1 – Encourage the consolidation of residentially zoned parcels to facilitate more options for development and redevelopment of such parcels.

The proposed rezoning will permit more options for development. Through rezoning the three parcels as high density residential, the subject site is able to balance the need to accommodate greater density with the need to appropriately transition from low density residential uses. A change to the Zoning Map designation from Low Density Residential to High Density Residential is in keeping with the direction in which the neighborhood is moving.

Metro Plan Policy A.3 – Provide an adequate supply of buildable residential land within the UGB for the 20-year planning period at the time of Periodic Review.

As mentioned in the concurrent Metro Plan Amendment application, the *Springfield 2030 Residential Land and Housing Element* designates “the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5).” The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at RiverBend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.

Metro Plan Policy A.9 – Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan.

The proposed rezoning will result in development that meets the broad density requirements of the Metro Plan. A concurrent Metro Plan diagram amendment will be submitted with this application. Upon adoption of the amending Ordinance, the Metro Plan diagram would be amended, and the requested zone change from LDR to HDR would be consistent with the provisions of the adopted Comprehensive Plan.

Metro Plan Policy A.10 – Promote higher residential density inside the UGB that utilizes existing infrastructure. Improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB.

As previously mentioned, the rezoning will result in higher density development than the current low-density residential zoning. In this manner, a higher number of residents will use existing infrastructure. This creates a more efficient use of public services and facilities, as a greater number of people are living in proximity to existing facilities. Moreover, rural resource lands are conserved, as more units are provided within the UGB.

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

The proposed rezoning will locate high density residential development near Game Farm Road, Deadmond Ferry, and Beltline Rd, all of which are key corridors in the City of Springfield. The subject site is also located near parks, schools, and services and amenities as well as the bus rapid transit EmX line (International Way). It is an ideal location to provide access and opportunities to commercial services, employment, and major transportation systems.

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

As mentioned in the response to Metro Plan Policy A.10, the proposed rezoning will ensure adequate infrastructure and services are provided to the subject site. Open space will be provided through the requirements found throughout the Springfield Development Code.

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

The proposed zoning will provide an effective and compatible transition between densities. The site is proximate to properties that are zoned and designated for medium density residential development and mixed use to the south, southeast, and east of the subject property; these include the abutting memory care facility, a medical facility, and an under-construction guest house for patients of the medical center. While there are some long-established residential uses across Game Farm Road to the west, the subject property is in an area which, as it develops/re-develops, is moving away from low density residential uses. As such, the proposed Zone Change is compatible with existing uses in the vicinity and allows for effective infill development that maximizes land utility.

Metro Plan Policy A.23 – Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.

The proposed rezoning is compatible with surrounding uses and therefore, shall have minimal impact on adjacent commercial and residential uses. As the proposal calls for high density residential to best transition to and from adjacent uses, the suggested zoning is compatible with this policy.

Therefore, the Metro Plan diagram will not be inconsistent with the zoning map amendment, should both amendments be approved.

Response to SDC 5.22-115.C.2.

As an amendment to the Metro Plan automatically amends the applicable refinement plan, in this case, the *Gateway Refinement Plan's residential land use policies*, the proposed Zoning Map amendment is consistent with the applicable refinement plan. The *Gateway Refinement Plan* also designates the area east of Game Farm Road and south of Deadmond Ferry Road as the McKenzie-Gateway MDR Subarea. Within this subarea, the *McKenzie-Gateway Medium Density Residential Site Conceptual Development Plan* was established in July 1994. The plan has one policy requirement listed below:

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1. In order to accommodate a mix of dwelling unit types and densities, development of portions of the site at less than 10 dwelling units per developable acre may be allowed subject to the following standards.
 - a. The area to be developed at less than 10 dwelling units per developable acre shall be part of a larger development area.
 - b. The overall density of the development area shall be a minimum of 10 dwelling units per developable acre.
 - c. A DAP shall be required, consistent with GRP Residential Element Policies 14.0-14.8.
 - d. Consistent with GRP Residential Element Policy 14.3, subsequent permitted uses that conform to the DAP shall not require additional Site Plan Review.

The development site however includes single family housing and is currently zoned low density residential. The Metro Plan and the SDC allow single-family residential development in the MDR site provided it meets the minimum density requirements of 10 du/a. The CDP notes that, "...single-family residential development on individual lots cannot meet this standard, since the minimum residential lot size is 4500 square feet, or more than 1/10 acre (pg.6)." The subject property is also on the outer edge of the CDP area so there are no specific details as to how it should be developed. In addition, there is no need to do a DAP for this project area because the adjoining properties have already been developed and the infrastructure for the development is well-established. These policies are thus made obsolete. The CDP originally designated the single-family residential area as a buffer to the Special Light Industrial area (SLI) now zoned Campus Industrial north of Deadmond Ferry Road. By rezoning the parcels to high density residential, it would provide a better buffer from the Campus Industrial zoning north of Deadmond Ferry Road to the medium density residential and low density residential south and west of the property.

The City of Springfield also previously adopted the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan*. As specified in the written statement submitted along with the concurrent Metro Plan Amendment application, the *Springfield 2030 Residential Land and Housing Element* designates "the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas (pg.5)." The proposed assisted living facility is nearby and within 2 miles of significant employment and commercial providers including PeaceHealth Sacred Heart Medical Center at RiverBend, PeaceHealth Labs, Pacific Source, Symantec, the Gateway Mall and numerous other commercial and office uses.

Response to SDC 5.22-115.C.3.

Finally, the subject site has adequate public facilities, services, and transportation networks to support the proposed use. The subject site abuts Game Farm Road and fronts Deadmond Ferry Road, both of which are fully developed urban collector streets with one vehicle travel lane and bicycle lanes in each direction. The paved streets have lane striping, street lighting, street trees, sidewalks and piped stormwater management facilities. A full suite of public facilities and services are available on the perimeter of the subject property. In addition, one of the Lyle Hatfield Linear Paths is in the vicinity of the project and the metro area's public transit system, Lane Transit District (LTD), provides services near the development via the EMX Springfield route and stations (International Center Station is half a mile north of the project and Pavilion Station is half a mile to the east).

Response to SDC 5.22-115.C.4.a. – b.

Regarding the criteria contained in SDC 5.22-115.C.4.a and SDC 5.22-115.C.4.b, compliance with the approval criteria specified in Section 5.14-100 is established in the concurrent Metro Plan

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Amendment. Compliance with OAR 660-012-0060 is also established in the written statement for the concurrent Metro Plan amendment. The change from Low Density Residential to High Density Residential...would increase the trip generation potential of the subject parcels, so the applicant will address the Transportation Planning Rule (TPR) to determine if there's a significant affect. An accepted method of determining potential impacts is to conducting a Traffic Impact Study. Per SDC 4.2-105.A.4, a Traffic Impact Study is required if a change in land use generates 100 or more trips during any peak hour as determined in the most recent edition of the Institute of Transportation Engineers Trip Generation Manual. The Institute of Transportation Engineers (ITE) Common Trip Generation Manual (10th Edition) Trip Generation Rates table indicates that the PM Peak trip generation rate for an assisted living facility is 0.48 trips per 1,000 gross floor area. At 100,000 square feet, there would be a trip generation of 48 trips in the PM Peak hour. Forty-Eight trips in the PM Peak does not rise to the level of requiring a Traffic Impact Study. Furthermore, the proposed residential care facility should have a minimal traffic and noise impact. Vehicles arriving to the site should be limited to employees, visitors, an on-site shuttle van used for occasional resident outings, and commercial delivery and service vehicles. It is not expected that residents of the facility will drive or have vehicles parked on the site.

SDC 5.22-120 Conditions.

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

Response: The applicant acknowledges this potentiality and will comply with any conditions of approval attached to the proposed amendment.

SDC 5.22-125 Mobile Home Park Notice.

If a Zoning Map amendment involves property containing an existing mobile home park, the Director shall provide written notice to each unit in the mobile home park as specified in Section 5.2-115 and as specified in ORS 90.630(5).

Response: There is no existing mobile home park included within the boundaries of the Zoning Map amendment. Therefore, this criterion does not apply.

IN CONCLUSION

Based on the information contained in this written statement, the applicant believes that the requested Zoning Map amendment can be approved. If there are any questions regarding the above information, or other application materials, please do not hesitate to contact our office at (541) 686-4540 or rick@schirmersatre.com.

Sincerely,

Richard M. Satre

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group

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November 30, 2018

**FALK INVESTMENTS-SPRINGFIELD LLC
RIVER BEND ASSISTED LIVING FACILITY
Land Use Planning Analysis**

Map 17-03-15-40, Lots 2300, 2400, and 2500

Land Use Analysis

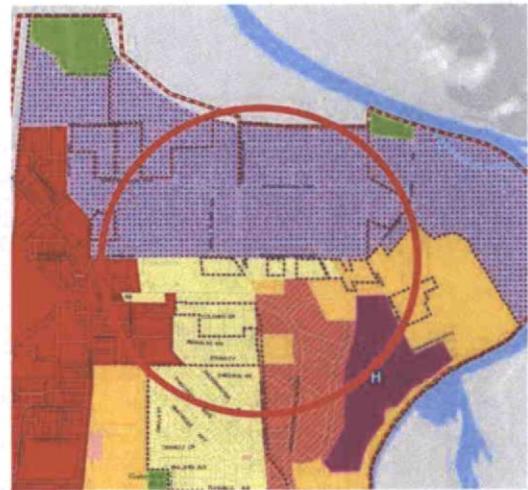
The key to successful property development in Oregon is thorough research and analysis of prospective regulations and requirements. This is followed by the planning, design, and regulatory approval processes. Success comes by taking things one step at a time; each step providing clarity and focus for the next round of activity. The first step is research and analysis, where we identify land use, physical, and environmental requirements, as well as lay the groundwork for next steps.

The results of our initial land use analysis is presented below. This analysis is based on public data and documents existing conditions and potentially applicable land use regulations.

I. BACKGROUND

A. Planning Context

Local long-range land use is governed by the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and is often supplemented with a more specific refinement plan and/or neighborhood plan. The Metro Plan and if applicable, refinement plan, is then followed by site-specific zoning. Sometimes, zoning is comprised of base zoning and additional overlay zones. The *Gateway Refinement Plan*, the *Springfield 2030 Comprehensive Plan* and the *Drinking Water Protection Overlay Zone* are applicable to the subject property.



Excerpt
Springfield Zoning Map
2016

Map and Tax Lot	Metro Plan Designation	Gateway Refinement Plan	Zoning
17-03-15-40 / 2300	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2400	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection
17-03-15-40 / 2500	Low Density Residential	Low Density Residential	Base: Low Density Residential Overlay: Drinking Water Protection



B. Physical Setting

The site is located south of Deadmond Ferry Road in the Gateway area of Springfield. It is comprised of three tax lots (Map 17-03-15-40, Tax Lots 2300, 2400, and 2500) and is approximately 2.63 acres in size. The site abuts Game Farm Road to the west, with single family housing to the east and a office facilities to the north. To the south is the adjoining memory care facility which was developed by the client a couple of years ago.



Subject Property
Google Earth
June 2017

C. Development Objective

The development objective is to develop an assisted living facility on this site. Among other permits and approvals, this will require a change the Metro Plan designation and base zoning of the three tax lots from Low Density Residential (LDR) to High Density Residential (HDR). The potential zoning was discussed during a Development Issues Meeting (DIM) in 2017.

II. LAND USE ANALYSIS

A. Regulatory Review

The following plans, documents and database sources were included in this review:

1. Planning and Zoning.

- Aerial Photographs (Google Earth)
- Regional Land Information Database (RLID)
- Eugene – Springfield Metropolitan Area General Plan (Metro Plan)
- Springfield 2030 Comprehensive Plan
- Gateway Refinement Plan
- Springfield Zoning Map

2. Transportation.

- Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)
- Springfield 2035 Transportation System Plan
- Lane Transit District (LTD) System Map

3. Utilities.

- Springfield Stormwater Facilities Master Plan
- Springfield Wastewater Master Plan
- Springfield Storm and Sanitary Infrastructure
- Springfield Wellhead Protection Areas Map
- Springfield Utility Board (SUB) – Water and Electric Infrastructure

4. Natural Resources.

- Springfield Natural Resources Study Report
- Springfield Wetlands Map – National and Local Wetland Inventories
- Springfield Water Quality Limited Watercourses Map

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5. Parks and Open Space.

- a. Willamalane Park and Recreation District Comprehensive Plan – Project Maps

6. Development Standards.

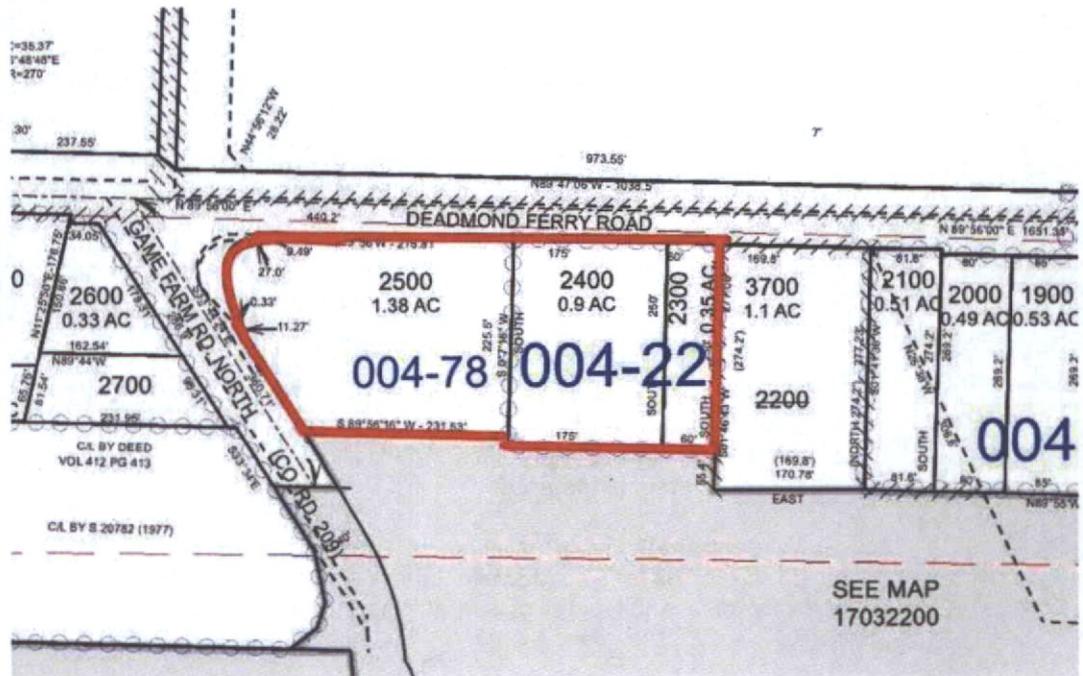
- a. Springfield Development Code – Land Use Districts (Chapter 3), Development Standards (Chapter 4), and Land Use Process and Applications (Chapter 5)

B. Findings.

1. Planning and Zoning.

- a. Jurisdiction: City of Springfield
- b. Metro Plan: Low Density Residential
- c. Refinement Plan: Gateway Refinement Plan
- d. Base Zoning: Low Density Residential
- e. Overlay Zoning: Drinking Water Protection Overlay Zone
- f. Map: 17-03-15-40
- g. Tax Lots: 2300, 2400, and 2500
- h. Acreage:

Lot 2300:	0.35 acres
Lot 2400:	0.90 acres
Lot 2500:	1.38 acres
	<u>2.63 acres</u>



2. Transportation

- a. Metro Area TransPlan
 The metro area's adopted transportation plan, The Eugene – Springfield Transportation System Plan (TransPlan), adopted in 2001 and amended in 2002, does not include projects within the vicinity of the subject property.
- b. City of Springfield 2035 Transportation System Plan.

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Capital Improvement Map Excerpt (Fig. 5-1)
 Stormwater Facilities Master Plan
 City of Springfield



System Improvements Map Excerpt (Fig. 5-3)
 Sanitary Facilities Master Plan
 City of Springfield

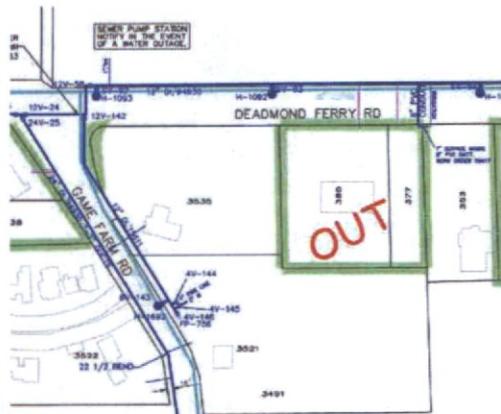
- Stormwater service is available to parcels 2300, 2400, and 2500 through a 60 inch concrete lines that exist in both Deadmond Ferry and Game Farm Roads . Wastewater service is also available to the sites via Deadmond Ferry Road by a 10 inch PVC pipe. There is also an 8 inch PVC pipe that runs along the western boundary line of tax lot 2500.



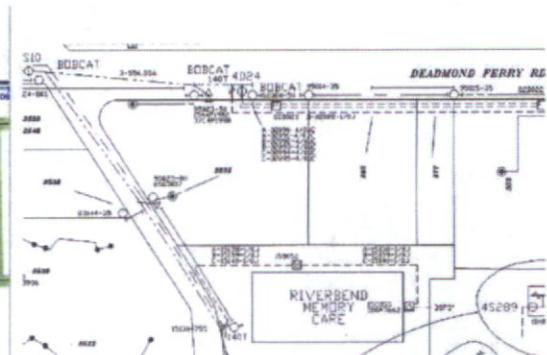
Existing Sanitary and Storm Facilities
 City of Springfield
 Map 2015

b. Water and Electric Service.

- Lots 2300, 2400, and 2500 have water service via with a 12 inch line in Deadmond Ferry Road. There is sufficient capacity within the electric system to support the proposal.



Existing Water Infrastructure
 Springfield Utility Board
 2017

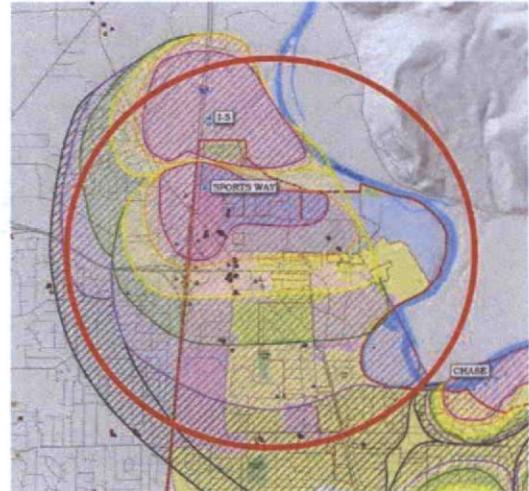


Existing Electric Infrastructure
 Springfield Utility Board
 2017

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- c. **Wellhead Protection.**
The Springfield Wellhead Protection Areas Map shows the subject site as within the 1-2 year Time of Travel Zone along the north boundary and within the 2-5 year Time of Travel Zone for the remainder of the property for the Sports Way wellfield and is therefore subject to the Drinking Water Protection Overlay District. Certain land use criteria may apply.



Wellhead Protection Areas Map Excerpt

4. Natural Resources.

- a. **Natural Resources Study.**
The Springfield Natural Resources Study does not identify a resource near the site. There is a wetland resource near the subject property (on the Phase 1 side of the memory care facility a wetland of approximately 0.06 acres was found), but the wetland is not considered locally significant as it is not connected to the McKenzie River. Thus, no new wetland delineation is needed. There are no Water Quality Limited Watercourses on or near the property.

5. Parks and Open Space.

- a. **Willamalane Park and Recreation District.** One of the Lyle Hatfield Linear Paths is in the vicinity of the project. The path has been extended to Deadmond Ferry Road and on-street bike paths has been added.

6. Development Standards.

The Springfield Development Code (SDC) governs all lands within Springfield's city limits and its urban services area. All six of the SDC chapters apply to the subject site, but three in particular are cited here. These include Chapter 3-Land Use Districts, Chapter 4-Development Standards, and Chapter 5-The Development Review Process and Applications.

- a. Within Chapter 3, the project will need to comply with SDC 3.2-210 Schedule of Use Categories, SDC 3.2-215 Base Zone Development Standards, and SDC 3.2-240 Multi-Unit Design Standards.
b. Within Chapter 4, some of the applicable standards include requirements related to setbacks, height, building frontage, landscaping, and minimal parcel size.
c. Within Chapter 5, the project will need to address Site Plan Review requirements.

III. LAND USE APPLICATIONS

Land use approval is required prior to the issuance of any building permits. Required land use applications for the subject property, in sequential order, are as follows.

A. Development Issues Meetings (SDC 5.1-120A)

1. A Development Issues Meeting (DIM) is required for certain land use applications. For other applications, a Development Issues Meeting is voluntary. Regardless, a DIM is an excellent

Info Received

DEC 07 2018

opportunity to present a development proposal and ask questions of city staff prior to generating a particular application. The meeting is tailored to address specific issues or concerns.

2. A meeting occurred for this phase of the project on June 29, 2017.

B. Metro Plan Amendment (SDC 5.14-100)

1. A Metro Plan Amendment is a Type IV land use decision. A Type IV decision is a legislative decision and is described in SDC 5.1-140. It is a City Council decision and includes both public notice and a public hearing. An amendment or change to the Metro Plan diagram is known as a Metro Plan Amendment – Type I.

C. Refinement Plan Amendment (SDC 5.14-120)

1. A Refinement Plan Amendment application is a Type IV land use decision. When a Metro Plan amendment is enacted that requires an amendment to a refinement plan diagram for consistency, the Metro Plan diagram amendment automatically amends the refinement plan diagram if no amendment to the refinement plan text is needed.

D. Zone Change (SDC 5.22-100)

1. A Zone Change application is a Type IV land use decision when it includes concurrent amendments to the Metro Plan diagram and a refinement plan. The property is designated and zoned Low Density Residential in the Metro Plan diagram, City of Springfield Zoning Map, and Gateway Refinement Plan. Therefore, a Zone Change application is required for the applicant to rezone the property to High Density Residential. A Type IV land use decision is a legislative application and is described in SDC 5.1-140. It is a City Councils decision and includes both public notice and a public hearing.

E. Site Plan Review (SDC 5.17-100)

1. Site Plan Review is a Type II land use application that provides a process to regulate the manner in which land is used and developed, ensuring compliance with various public policies and objectives. In Springfield, Site Plan Review is required for most new development, additions, or expansions. It is a Planning Director decision and includes public notice, but no public hearing.

F. Final Site Plan Review (SDC 5.17-135)

1. The Final Site Plan submittal incorporates all approval conditions from the Site Plan Review decision.

G. Drinking Water Protection (SDC 3.3-200)

1. The Drinking Water Protection (DWP) Overlay District is established to protect aquifers used as potable water supply sources from contamination. DWP requirements establish procedures and standards for the physical use and storage of hazardous or other materials harmful to groundwater by requiring development approval for new and existing land uses.

H. Tree Felling Permit (5.19-100)

1. A tree felling permit requirement is established to protect and preserve the natural vegetation and other natural resources within the city limits. A tree felling permit is required prior to the felling of more than 5 trees 5-inch dbh (diameter at breast height) on a private property consisting of 10,000 square feet or more.

IV. PRELIMINARY SITE PLAN

A preliminary architectural site plan has been generated for the proposed development of the property. A site plan has great value in assisting with initial land use analysis and in providing an explanation and the asking questions in a pre-application meeting. As detailed plans will of course be

required for Site Plan Review and other applications, it is never too soon to be thinking of the physical arrangement of contemplated improvements.

IV. ATTACHED INFORMATION

1. Planning and Zoning

- a. Google Earth – Aerial Photograph with Site Boundaries.
- b. Lane Regional Information Database – Tax Lot Map.
- c. City of Springfield – Refinement Plan Map.
- d. City of Springfield – Base Zoning.

2. Transportation

- a. City of Springfield – Roadway Map.

3. Utilities

- a. City of Springfield – Existing Stormwater and Wastewater Infrastructure Map.
- b. Springfield Utility Board (SUB) – Existing Water Infrastructure Map.
- c. Springfield Utility Board (SUB) – Existing Electric Infrastructure Map.

V. CONCLUSION AND RECOMMENDATION

The above information represents a brief outline of known applicable planning, zoning and site development requirements for the contemplated development of the subject property. We recommend scheduling a DIM to clarify and/or confirm the findings herein, as well as to discuss potential rezoning of the subject site.

We hope this initial land use analysis proves helpful. Our office is available to discuss these findings, provide additional graphics upon request, or assist with additional project needs.

Sincerely,

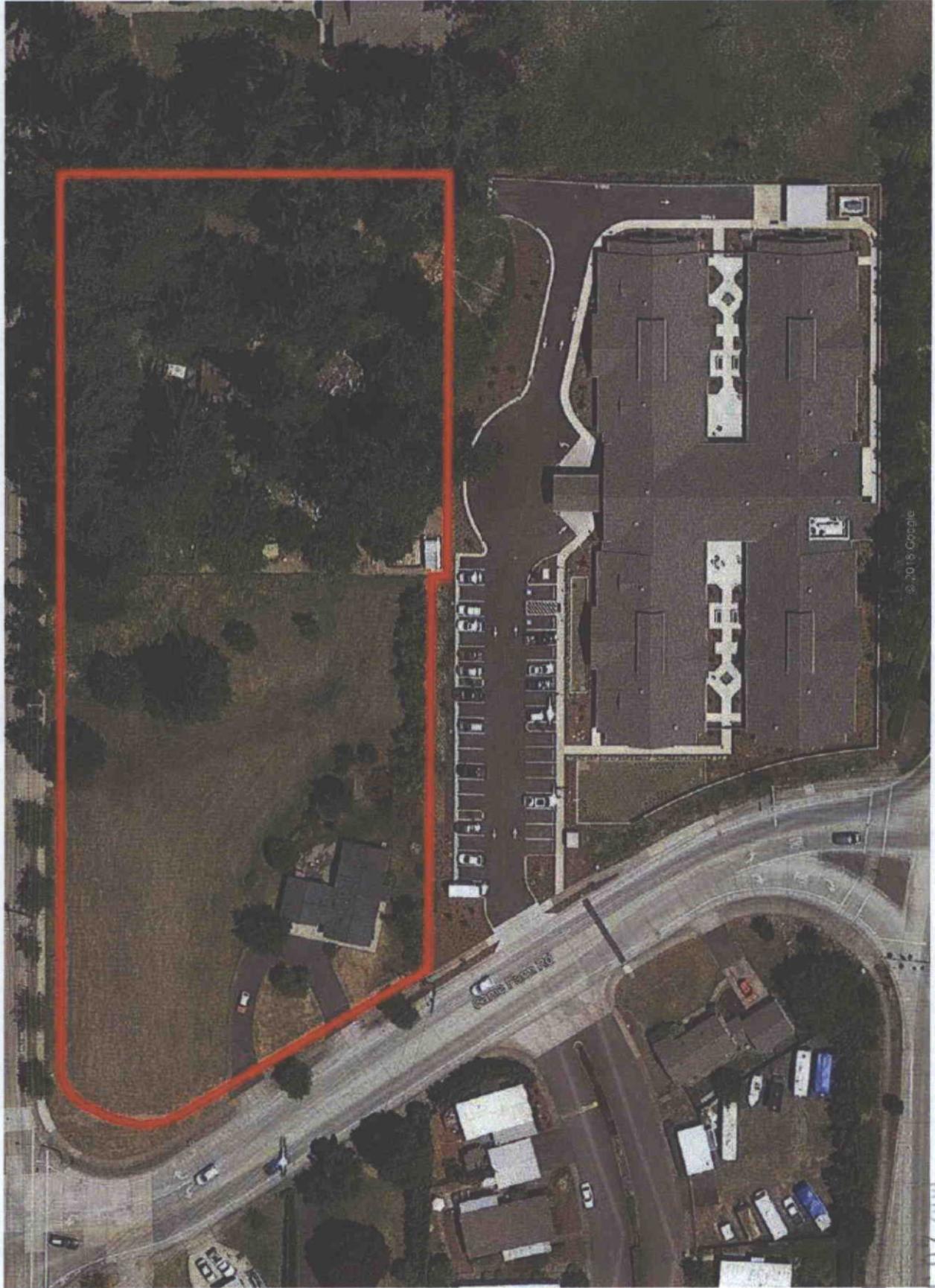
Richard M. Satre

Richard M. Satre, AICP, ASLA, CSI, Principal
Schirmer Satre Group

Date Received

DEC 07 2018

PLANNING & ZONING: ATTACHMENT A
GOOGLE EARTH - AERIAL PHOTOGRAPH
WITH SITE BOUNDARIES

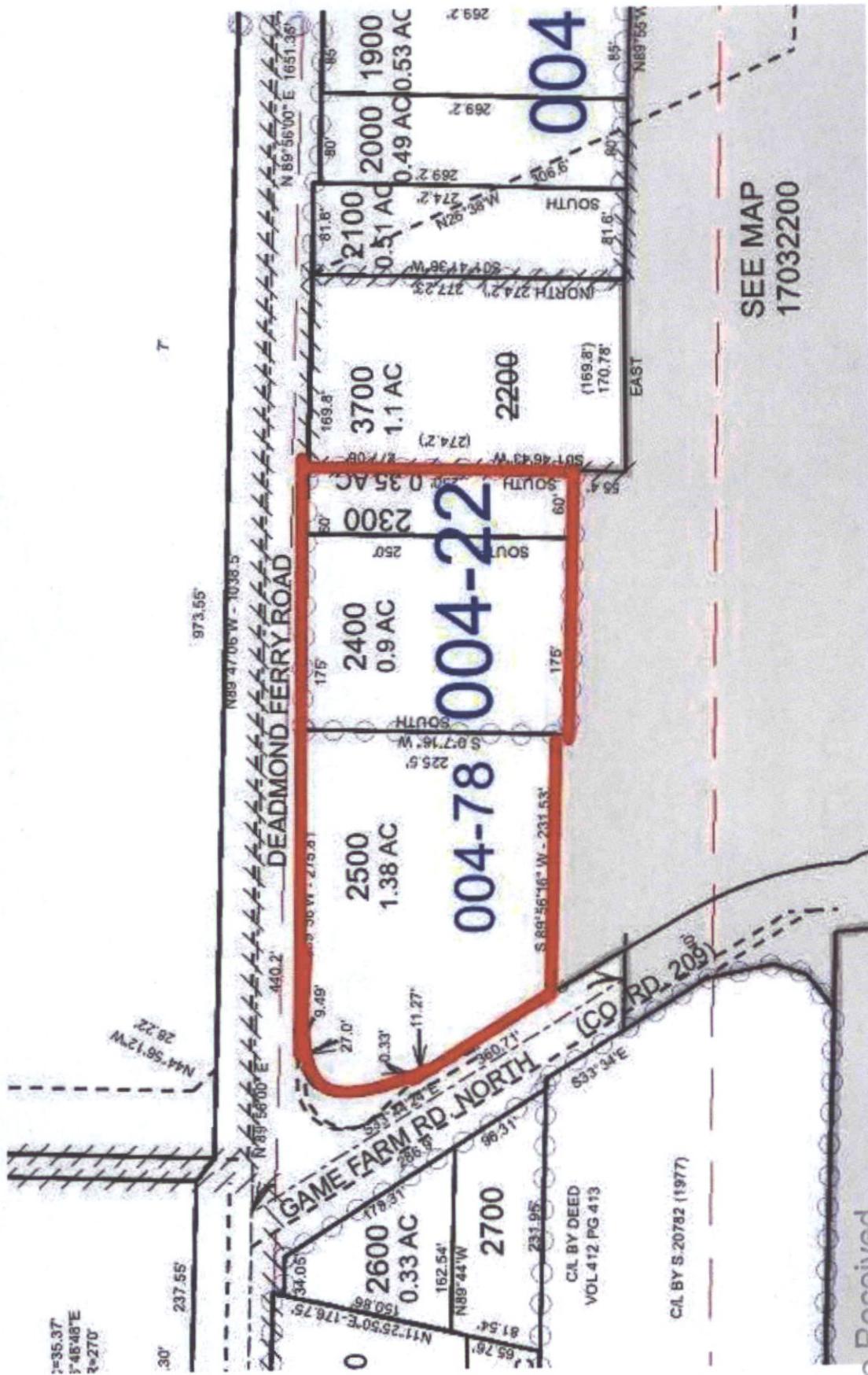


Date

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PLANNING & ZONING: ATTACHMENT B
 LANE REGIONAL INFORMATION
 DATABASE - TAX LOT MAP



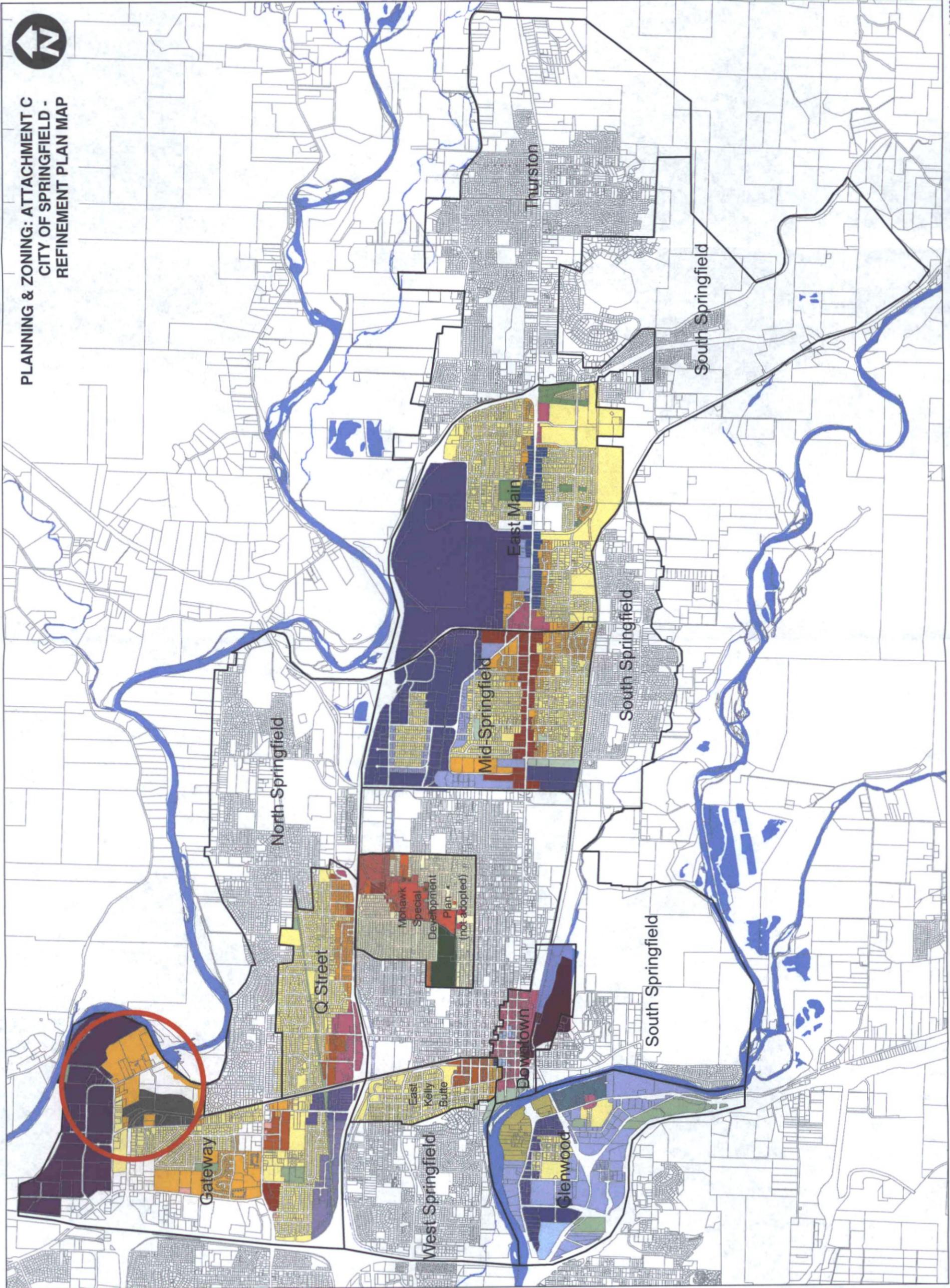
SEE MAP
 17032200

Date Received

DEC 07 2018

Original Submittal

PLANNING & ZONING: ATTACHMENT C
CITY OF SPRINGFIELD -
REFINEMENT PLAN MAP

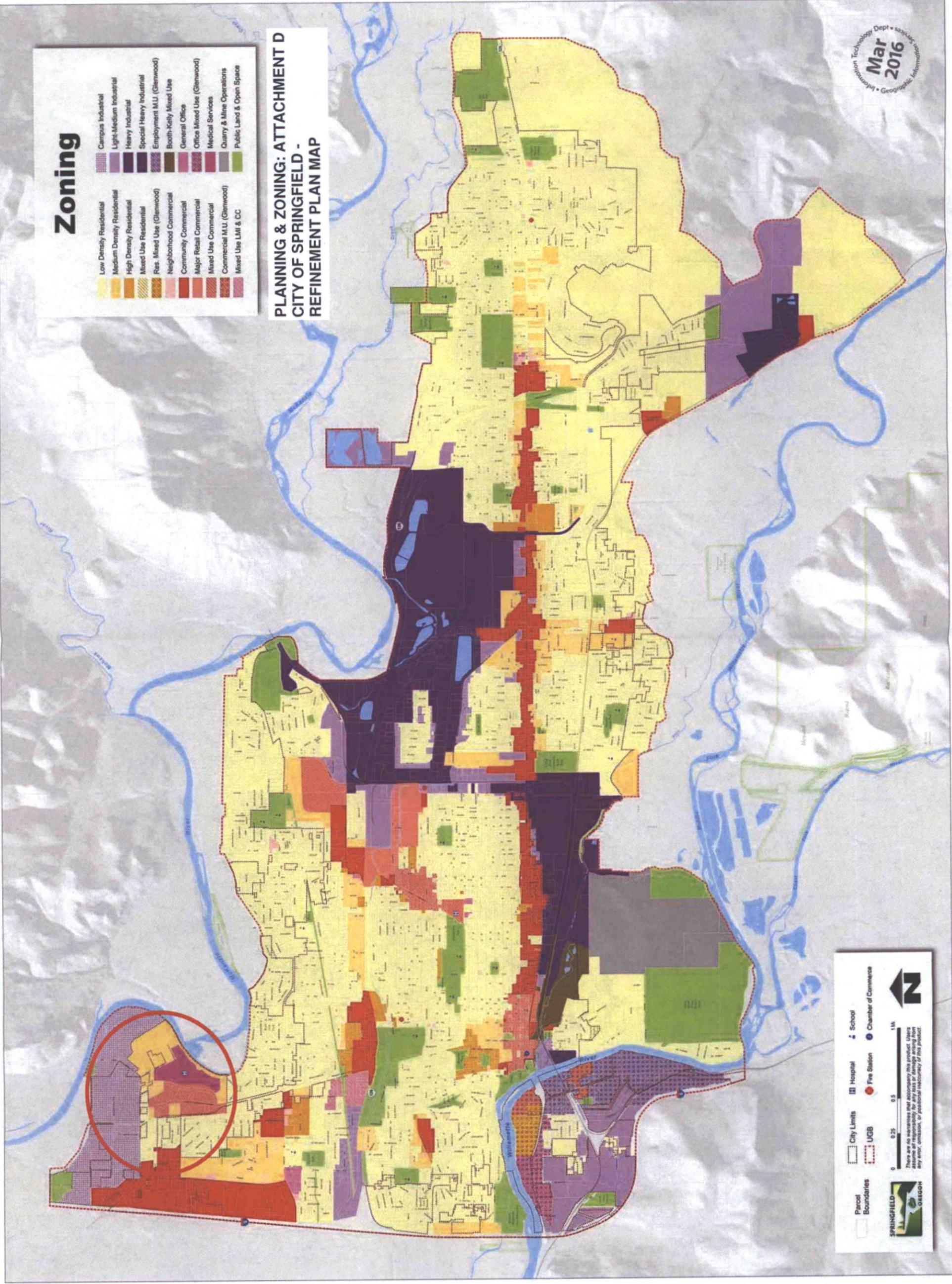


Mar 2016
Technology Dept
Geographic Information Services

Zoning

Low Density Residential	Campus Industrial
Medium Density Residential	Light-Medium Industrial
High Density Residential	Heavy Industrial
Mixed Use Residential	Special Heavy Industrial
Res. Mixed Use (Glenwood)	Employment M.U. (Glenwood)
Neighborhood Commercial	Booth-Kelly Mixed Use
Community Commercial	General Office
Major Retail Commercial	Office Mixed Use (Glenwood)
Mixed Use Commercial	Medical Services
Commercial M.U. (Glenwood)	Quarry & Mine Operations
Mixed Use LMR & CC	Public Land & Open Space

PLANNING & ZONING: ATTACHMENT D CITY OF SPRINGFIELD - REFINEMENT PLAN MAP



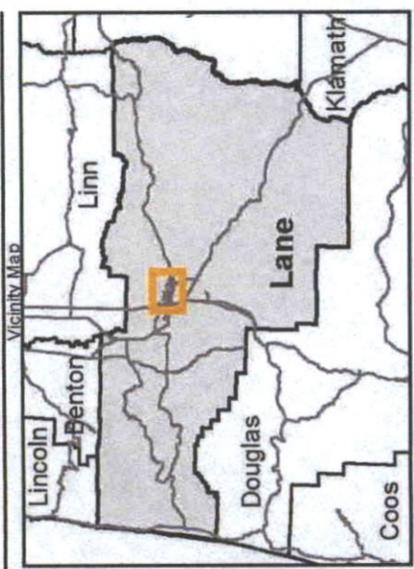
SPRINGFIELD
OREGON

- Parcel Boundaries
- City Limits
- Hospital
- School
- UGB
- Fire Station
- Chamber of Commerce

0 0.25 0.5 1M

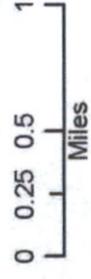
There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or technical inadequacy of this product.

TRANSPORTATION: ATTACHMENT A
CITY OF SPRINGFIELD-ROADWAY MAP



Legend

- Conceptual Roadway Project
- Conceptual Pedestrian/Bike
- Off-Street Path Project
- Arterial
- Collector
- City Limits
- Urban Growth Boundary
- Willamalane Park and Recreation Property
- Water Body



Note: All new alignments are conceptual. Actual alignments will be determined during project development. As development occurs projects will be identified as part of the development review process.

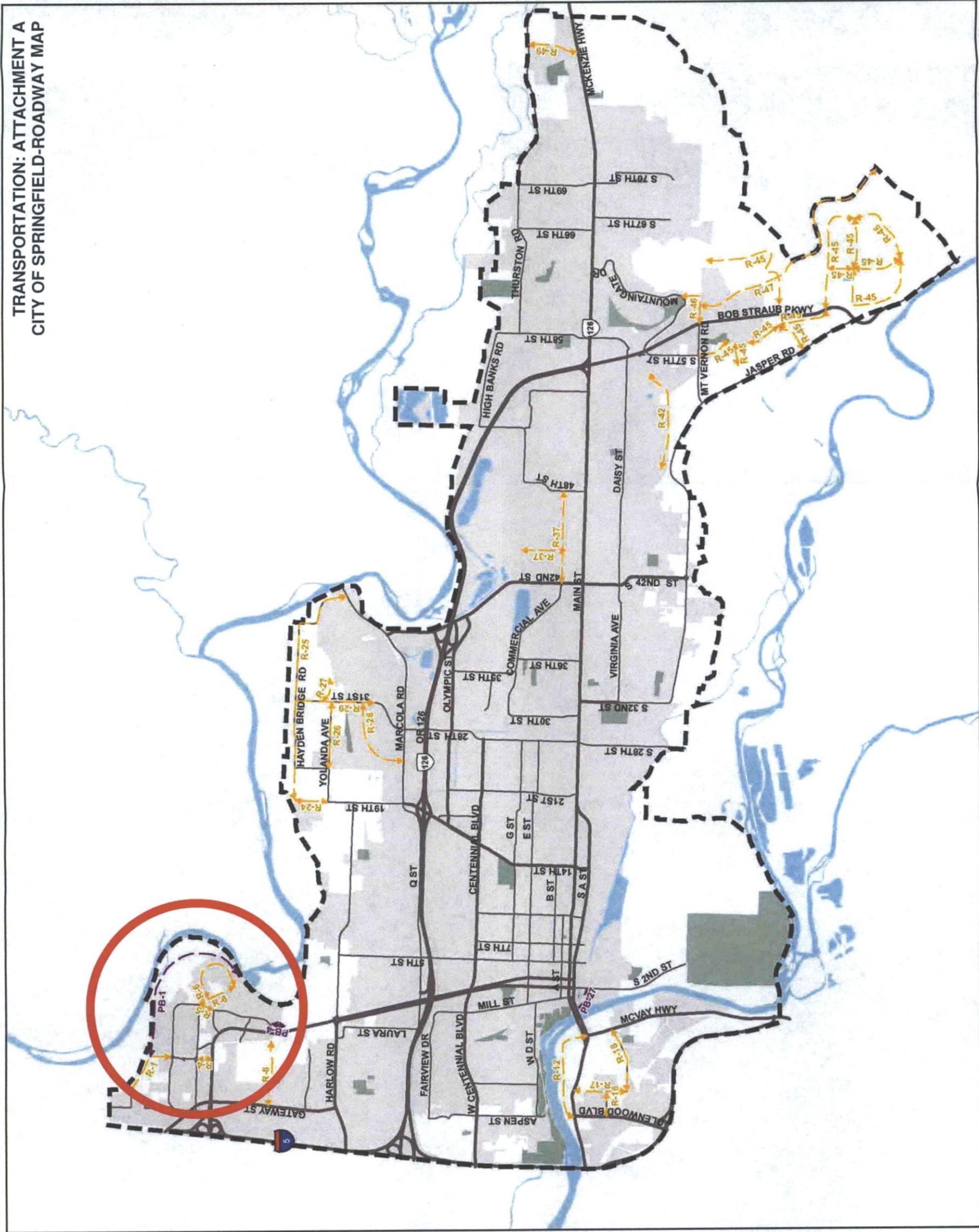
Date Received

DEC 07 2018



Original Submittal

FIGURE 6
20-Year Improvement Projects
As Development Occurs Projects
Springfield TSP
Springfield, Oregon





**UTILITIES: ATTACHMENT A
CITY OF SPRINGFIELD -
EXISTING STORMWATER &
WASTEWATER INFRASTRUCTURE
MAP**

Legend

Storm Water Infrastructure

Maintenance Hole
 Abandoned
 Springfield
 Private
 Lane County

Curb Inlet
 Abandoned
 Springfield
 Private
 Lane County

Catch Basin
 Abandoned
 Springfield
 Private
 Lane County

Area Drain
 Abandoned
 Springfield
 Private
 Lane County

Self Drain
 Abandoned
 Springfield
 Private
 Lane County

Other Structures
 Junction Box
 Vault

Water Quality
 Water Quality
 Oil & Water
 Separator

Storm Water Pipes
 Type/Owner/Maintainer
 Gravity Main - Abandoned
 Gravity Main - Springfield - Springfield
 Gravity Main - Private - Springfield
 Gravity Main - Lane County - Springfield
 Open Channel - Springfield - Springfield
 Service Line - Springfield - Springfield

Wastewater Infrastructure

Maintenance Hole
 Abandoned
 Springfield
 Private
 Lane County
 Eugene

Clean Out
 Abandoned
 Springfield
 Private
 Lane County
 Eugene

Vault
 Abandoned
 Springfield
 Private
 Lane County
 Eugene

Pump Station
 Abandoned
 Springfield
 Private
 Eugene

Non-Access Point
 Abandoned
 Springfield
 Private
 Eugene

Wastewater Pipes
 Type/Owner/Maintainer
 Gravity Main - Abandoned
 Gravity Main - Springfield - Springfield
 Gravity Main - MWMC - Springfield
 Gravity Main - Private - Springfield
 Pressure Main - Springfield - Springfield
 Pressure Main - MWMC - Springfield
 Service Line - Springfield - Springfield

Boundaries
 Storm Water
 Wastewater

Improvement Agreements
 Sewer Hook-Ups

Grid
 BCDEF GHIJKL MNOPQRS
 01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18

Scale
 0 50 100 200 FT

Date
 DEC 07 2018

Original Submittal

PLOT DATE: 11/16/2015
 REVISED BY: 266397
 REVISION DATE: 11/16/2015 1:19:27 PM
 SCALE: 1" = 100' or 1:1,200
 ORTHO-PHOTOGRAPHY VINTAGE: 2011

CITY OF SPRINGFIELD
Lane County, Oregon
SEWER INFRASTRUCTURE

SHEET NO. D02

CONTOUR INTERVAL: 2'
 VERTICAL DATUM: NAVD 83
 GRID: OREGON LAMBERT, SOUTH ZONE, NAD83
 CONTOURS IN OCEANED AREAS DO NOT MEET NATIONAL MAP ACCURACY STANDARDS AND MAY NOT BE RELIABLE
 PHOTOGRAMMETRIC MAPPING BY:
 DAVID C. SMITH & ASSOCIATES, INC.
 1000 S. HOLLAND ST.
 PORTLAND, OREGON 97202

Responsible parties accept responsibility for the use of this product and agree to hold harmless the City of Springfield, OR, its officers, employees, agents, contractors, consultants, and subcontractors from any error, omission, or negligent performance of this product.

The parties to this agreement warrant the accuracy of the data provided to the City of Springfield, OR. This warrant does not cover the use of the data for purposes other than those intended by the City of Springfield, OR. The warrant does not cover the use of the data for purposes other than those intended by the City of Springfield, OR. The warrant does not cover the use of the data for purposes other than those intended by the City of Springfield, OR.

ZONING MAP AMENDMENT
 RIVER BEND ASSISTED
 LIVING FACILITY
 (MAP 11-03-19-40, LOTS 2300, 2400, 2500)

SCHIRMER SATRE ARCHITECT
 REGISTERED ARCHITECT
 PROFESSIONAL SEAL
 376 WEST 4TH, SUITE 201, Eugene, OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.schirmersatre.com

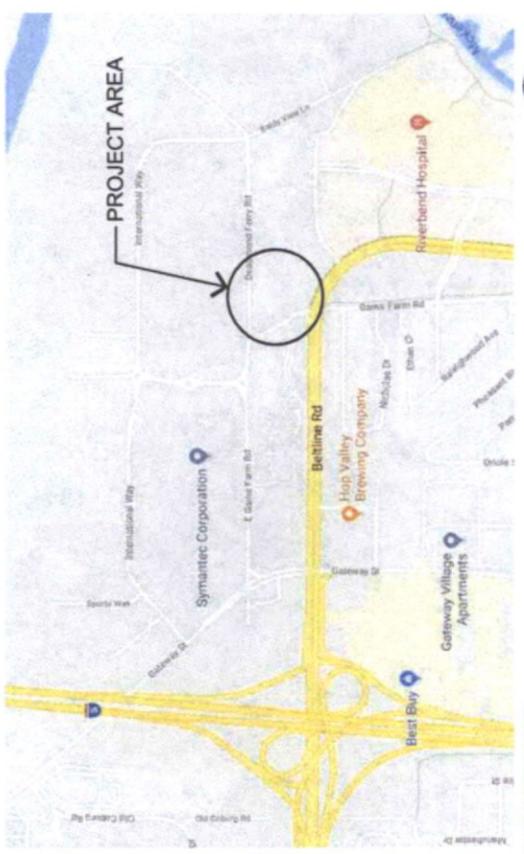


ZONING MAP
 EXISTING PLAN

LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MIXED USE COMMERCIAL
- HIGH DENSITY RESIDENTIAL
- CAMPUS INDUSTRIAL

Date Received
 DEC 07 2018



VICINITY MAP

Original Submittal *SW*

February 22, 2019

FALK INVESTMENTS SPRINGFIELD LLC
River Bend Assisted Living Facility
Zoning Map Amendment – Supplemental Information

Map 17-03-15-40, Tax Lot 2300, 2400, and 2500

Map 17-03-22-00, Tax Lot 600

SUPPLEMENTAL WRITTEN STATEMENT

This Supplemental Written Statement has been generated in response to a staff request for two supplemental information items – one regarding Goal 12 and the other regarding an adjacent strip of land with Low Density Residential plan designation.

GOAL 12

SDC 5.22-115 Criteria.

C. Zoning Map amendment criteria of approval:

- 4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:***
- a. Meet the approval criteria specified in Section 5.14-100; and***
 - b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.***

Response to SDC 5.22-115.C.4.a. – b.

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

During the application review process staff asked for a trip generation report. In response, the applicant generated the attached Transportation Planning Rule Analysis. The analysis documents that the proposed plan designation was not found to have an identifiable “significant affect” per OAR 660-012-0060(1). Given this, the applicant’s written statement of November 30, 2018 is amended as follows:

Replace the second paragraph of the applicant’s response to Goal 12 in the November 30, 2018 Written Statement with the following:

The TPR analysis and significance test indicates that the criteria of the applicable Oregon Administrative Rules are satisfied with the proposed zone change and plan amendment. The trip generation associated with the proposed conditions were not found to have an identifiable “significant affect” defined by OAR 660-012-0060(1) since the level of traffic generated by a reasonable worst case development scenario associated with the proposed change in land use permissions would not result in an increase to the trip generation potential of the existing zoning and plan designation worst case scenario’s use permissions provided it is developed with a 104-bed (or less) Assisted Living Facility.

It is possible that in the future the site could be redeveloped to a permitted more traffic intensive use than the currently proposed development, with trip generation exceeding the 48 PM peak hour trips that could be generated by the site with the existing use permissions, therefore a trip cap should be stipulated to limit the site’s trip generation potential to 48 PM Peak Hour trips to eliminate the possibility for a significant affect.

The Transportation Planning Rule is satisfied under Goal 12 criteria with the proposed zone change and metro plan amendment with application of the proposed trip cap so the change in use permissions would not represent an increase in potential build-out development level trip generation. There is no significant affect to a transportation facility identifiable by the potential for



additional traffic resulting from the change in use permissions that would cause a facility to perform below its intended mobility standard or cause a failing facility to be further degraded beyond the potential impacts resulting from development under the existing use permissions allowed by existing development code and metro plan designations, as was demonstrated by the site's trip generation potential and in the findings discussed in the applicable Transportation Planning Rule OAR sections.

In summary, the proposed 104-bed Assisted Living Facility permitted under the proposed zone and designation will not generate more trips than the existing residential uses allowed under the current zone and designation. To ensure this, it is recommended the planning commission apply a condition of approval establishing a trip cap of 48 PM Peak Hour trips to the decision.

REMNANT STRIP PLAN DESIGNATION

C. Zoning Map amendment criteria of approval:

1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;

Response to SDC 5.22-115.C.1.

As proposed, the Zoning Map Amendment is consistent with the Metro Plan diagram. It does not amend any Metro Plan policies or text. The Zoning Map amendment is submitted concurrently with a Metro Plan amendment. Upon approval of the Metro Plan Diagram Amendment, this proposed Zoning Map Amendment will maintain consistency. This is as follows.

During the application review staff discovered that a portion of an adjacent tax lot (Map 17-03-22-00, Tax Lot 600), which is also owned by the applicant, has a plan designation of Low Density Residential when the remaining portion of that tax lot has a plan designation of Medium Density Residential. Specifically staff stated:

"The City's Zoning Map currently depicts the boundary between Low Density and Medium Density Residential zoning as running inside and parallel with the northern edge of 3491 Game Farm Road (Map 17-03-22-00, Tax Lot 600). The boundary between the two properties at 3491 and 3535 Game Farm Road was changed with a property line adjustment, but this action did not change the zoning district boundary. The applications for Metro Plan Amendment and Zone Change propose to change the designation and zoning for Map 17-03-15-40, Tax Lots 2300–2500 from Low Density Residential to High Density Residential, which would leave a band of LDR zoning sandwiched between the two development sites (see diagram below). For a variety of reasons – not the least of which being the potential impact of having LDR zoning abutting higher density residential districts in terms of required screening, building height limitations, and setbacks - the remnant band of LDR zoning is not practical or desirable so it should be cleaned up with these land use actions. Staff recommends that the applicant modifies the request for Metro Plan Amendment and Zone Change to redesignate and rezone the band of LDR on Tax Lot 600 to MDR. This can be accomplished through submittal of redesignation and rezoning diagrams for the affected properties along with legal description(s) for the area(s) to be redesignated and rezoned."

In response, the applicant generated the enclosed revised Metro Plan diagrams with the strip of existing Low Density Residential designated land proposed to be redesignated to Medium Density Residential land. The applicant also generated and includes a legal description for this strip of land.

ZA-2

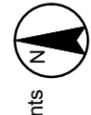
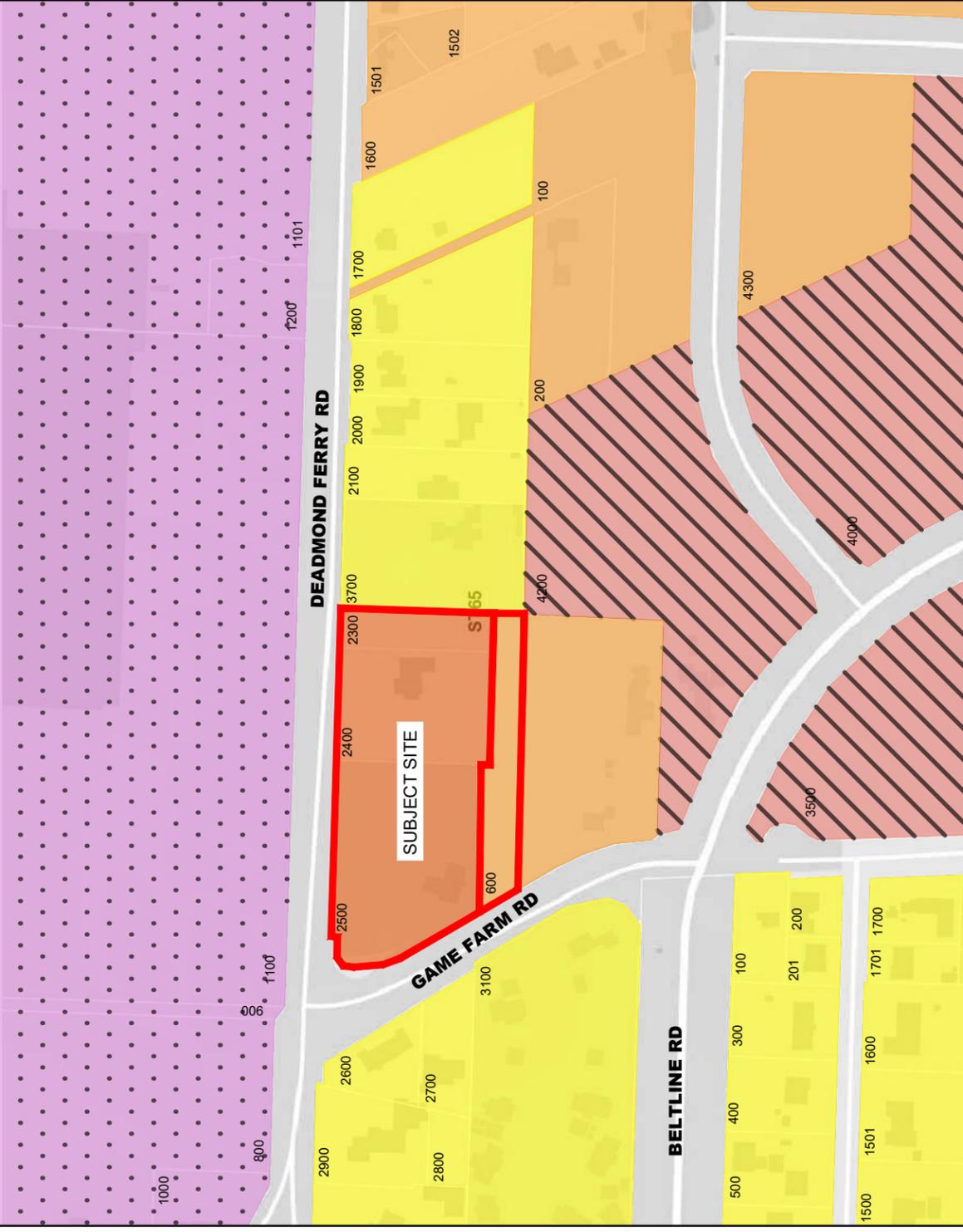
Project Number	1821
Drawn By	div
Checked	ms
Date	2-6-19
Phase	

Revision #	Date	Description

ZONING MAP AMENDMENT
CMC DEVELOPMENT LLC
 5th STREET PROPERTY
 (MAP 17-03-26-24, LOTS 4600, 4601, 4700, 4800, 4900, 5000)

REGISTERED ARCHITECT
SCAPE ARCHITECTS
 1000 W. 10TH ST. SUITE 200
 PORTLAND, OREGON 97209
 PHONE: 503.255.1111
 WWW.SCHIRMERSATRE.COM

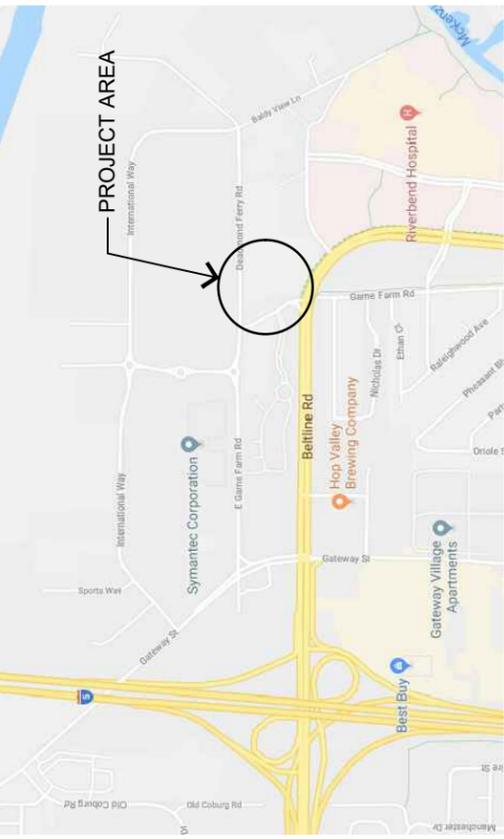
SCHIRMER SATRE GROUP
 375 West 4th, Suite 201, Eugene OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.schirmersatre.com



ZONING MAP
PROPOSED PLAN

LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE COMMERCIAL
- CAMPUS INDUSTRIAL



TECHNICAL MEMORANDUM



DATE: February 18, 2019

PROJECT: Falk Plan Amendment and Zone Change (19-090)

TO: Michael Liebler, P.E.
City of Springfield
Transportation Planning Engineer

FROM: Damien Gilbert, P.E.,

RE: Transportation Planning Rule Analysis –
Zone Change and Metro Plan Amendment
CN: 811-18-000234-TYP4 & 811-18-000235-TYP3



In an effort to analyze the Transportation Planning Rule (TPR) criteria and to document the potential for a “significant affect” identified in the Oregon Administrative Rules for zoning map and comprehensive plan amendments contained in OAR 660-012-0060, I am supplying this memorandum which summarizes the trip generation potential associated with the subject land use applications that involve zoning map and comprehensive plan amendments to allow for an assisted living facility to be constructed on the subject project site. In analyzing the traffic conditions to determine if there could be a significant affect, a comparison of the potential trip generation from build-out of the reasonable worst case land uses allowed by City Development Code for the existing low-density residential zone and use designation is made to the potential build-out trip generation associated with build-out of the proposed development under a combination of medium density and high density uses to be developed on the subject site.

Background Conditions

The subject land use applications affect tax lots:

Tax Lot 2500:	1.50 acres
Tax Lot 2400:	0.95 acres
Tax Lot 2300:	0.33 acres
Tax Lot 600:	0.627 acres

The total affected area totals approximately 3.407 acres of land that is currently zoned and designated for low density residential uses. The site is within the City of Springfield Urban Growth Boundary (UGB) and within the incorporated city limits. Per City of Springfield Development Code (SDC), Section 3.2-205, the site's low-density zoning and plan designation could support development with 6 to 14 single family dwelling units/acre with build-out of the existing land use permissions. With 3.407 acres of total land and the maximum development intensity assumed to support detached single-family dwelling units in a reasonable worst-case development scenario, the existing site's development potential could support up to 48 detached single-family dwelling units.

Proposed Conditions

The current development proposal includes a 104-bed assisted living facility. The City of Springfield has indicated that the proposed land use does not align with the permitted uses in the existing low-density residential zone and use designation, but would be permitted in the high-density residential plan designation’s land use permissions; therefore, a zone change and metro plan amendment is proposed to allow the assisted living facility to be developed on the site.

With a high-density residential zone and plan designation, there is the potential for a reasonable worst-case development scenario of more than double the number of potential dwellings, and for a quantifiable increase in traffic. A future discontinuance of the assisted living facility use could result in a change of use that would allow a different permitted use to be developed on the site per SDC 3.2-210. In a reasonable worst-case development scenario, the assisted living facility could be discontinued, and the site could be redeveloped with a higher trip generator, such as denser housing (up to 42 dwelling units per acre), although the land use would change from single family detached to more dense attached apartment style dwellings and a lower associated rate. Some more intense uses are permitted in the zone; however, they are unlikely to be developed on the site and the applicant is willing to ensure that the resulting trip generation will not exceed the trip generation that could result from currently permitted uses that could be developed under the existing zone.

Trip Generation

To project trip generation for the existing and proposed reasonable worst-case development scenario land uses for TPR analysis criteria, a reference was made to Trip Generation, 10th Edition, published by the Institute of Transportation Engineers (ITE). The uses displayed in the table on the following page are based on potential development of the land under land use permissions of the existing zone and use designation and compared to the potential development of the land with an Assisted Living Facility. As described previously, the site’s existing reasonable worst-case development in the LDR zone and use designation could support up to 48 single family dwelling units, while the proposed zone and use designation could support 3.407 acres of gross developable area utilized as more dense apartments. The following table summarizes the differences in site generated traffic between the existing designation to the proposed Assisted Living Facility:

REASONABLE WORST CASE TRIP GENERATION					
Land Use	ITE Code	Independent Variable	Units	PM Peak Hour Rate (trips/unit)	Trips
PM PEAK HOUR: EXISTING USE PERMISSIONS – LOW DENSITY RESIDENTIAL (LDR)					
DETACHED SINGLE FAMILY RESIDENTIAL DWELLING	210	DWELLING UNITS	48	0.99	48
PM PEAK HOUR: PROPOSED USE					
ASSISTED LIVING FACILITY	254	BEDS	104	0.26	28

As shown in the table, the proposal to construct an assisted living facility on the development site would not increase peak hour trips beyond what is currently allowed in the LDR zone. However, if a denser development was allowed under the proposed zone, the potential is there for an increase of site generated traffic beyond what is permitted in the current zone. Therefore, the applicant proposes imposing a ‘Trip Cap’ with this development application in order to ensure the future developments

on the subject site will not generate more traffic than allowed under the existing zone without readdressing Goal 12.

The criteria of the TPR is satisfied because a PM peak hour analysis could not result in a significant affect because an in-depth comparative traffic analysis would reveal that the level of traffic generated by the site in the proposed conditions is equivalent to or less than the potential for development on the site with the existing use permissions. An in-depth analysis would not reveal a level of service (LOS) or V/C performance worsened by the proposal to construct an Assisted Living Facility under the proposed zoning when compared to the potential traffic under the developed conditions under the reasonable worst-case development scenario of the existing zone.

The trip generation comparison and analysis herein is related to a specifically proposed development scenario. If in the future, the land is redeveloped again, or a different development is proposed than an assisted living facility, it is possible that the actual development of the land and its resulting trip generation could exceed 48 PM peak hour trips, therefore it is recommended that a trip cap of 48 PM peak hour trips be stipulated with the conditions of approval.

Transportation Planning Rule Significant Effect Criteria

Oregon Administrative Rule (OAR) 660-012-0060 Plan and Land Use Regulation Amendments, states:

660-012-0060 (1): *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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);*
- (b) Change standards implementing a functional classification system; or*
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:

 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

Finding: OAR 660-12-0060(1) is found to be satisfied, as the proposed zone change and metro plan amendment was not found to result in an increase to the trip generation potential of the site when comparing potential reasonable worst-case development scenario associated with developed conditions for existing zoning and plan designations versus the proposed development scenario. A trip cap of 48 PM peak hour trips should be stipulated to ensure the proposed zone change and plan designation change cannot result in a significant affect.

660-012-0060(2): *If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function,*

capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:

(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;

(B) The providers of facilities being improved at other locations provide written statements of approval; and

(C) The local jurisdictions where facilities are being improved provide written statements of approval.

Finding: OAR 660-12-0060(2) subsections (a) – (e) were found to be not applicable since the proposed change in zoning and plan designation and associated use permissions on the site would not result in an increase to the site's trip generation potential and would not significantly affect a transportation facility as was discussed in OAR 660-012-0060(1), provided a Trip Cap of 48 PM Peak Hour Trips is implemented.

660-012-0060 (3): Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

Finding: OAR 660-12-0060(3): subsections (a) – (d) were found to be not applicable since approval of proposed zone and plan designations will not result in a significant affect to a transportation facility.

OAR 660-12-0060(4): Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s)

responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Finding: OAR 660-12-0060(4): Subsections (a) - (d) were found to be not applicable since the proposed zone change and metro plan amendment would not significantly affect an existing or planned transportation facility provided a Trip Cap of 48 Trips is included as a condition of approval.

OAR 660-12-0060(5): The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

Finding: OAR 660-12-0060(5) was found to be not applicable since the proposed zone change and metro plan amendment does not involve rural lands.

OAR 660-12-0060(6): In determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2), local governments shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)-(d) below;

(a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10% fewer daily and peak hour

trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10% reduction allowed for by this section shall be available only if uses which rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;

(b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10% reduction required in subsection (a) above;

(c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that assure compliance with these rule requirements at the time of development approval; and

(d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments which accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a) above. The Commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances which provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

Finding: OAR 660-12-0060(6): Subsections (a) – (d) were found to be not applicable since the proposed zone change and metro plan amendment does not require adjustments to the vehicle trip generation to demonstrate that the existing and proposed reasonable worst case development scenario use permissions are equivalent and that the proposed amendments do not result in a significant affect to a transportation facility as demonstrated in previous responses to sections of the TPR.

OAR 660-12-0060(7): Amendments to acknowledged comprehensive plans and land use regulations which meet all of the criteria listed in subsections (a)-(c) below shall include an amendment to the comprehensive plan, transportation system plan the adoption of a local street plan, access management plan, future street plan or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

(a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;

(b) The local government has not adopted a TSP or local street plan which complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban Growth Management Functional Plan; and

(c) *The proposed amendment would significantly affect a transportation facility as provided in section (1).*

Finding: OAR 660-12-0060(7) was found to be not applicable. The proposed zone change and metro plan amendment does not result in a redesignation of two or more acres of land to a commercial designation; the local government has an adopted TSP, and; the proposed zone change and plan amendment will not significantly affect a transportation facility as identified in section (1).

OAR 660-12-0060(8): A "mixed-use, pedestrian-friendly center or neighborhood" for the purposes of this rule, means:

(a) *Any one of the following:*

(A) *An existing central business district or downtown;*

(B) *An area designated as a central city, regional center, town center or main street in the Portland Metro 2040 Regional Growth Concept;*

(C) *An area designated in an acknowledged comprehensive plan as a transit oriented development or a pedestrian district; or*

(D) *An area designated as a special transportation area as provided for in the Oregon Highway Plan.*

(b) *An area other than those listed in subsection (a) above which includes or is planned to include the following characteristics:*

(A) *A concentration of a variety of land uses in a well-defined area, including the following:*

(i) *Medium to high density residential development (12 or more units per acre);*

(ii) *Offices or office buildings;*

(iii) *Retail stores and services;*

(iv) *Restaurants; and*

(v) *Public open space or private open space which is available for public use, such as a park or plaza.*

(B) *Generally include civic or cultural uses;*

(C) *A core commercial area where multi-story buildings are permitted;*

(D) *Buildings and building entrances oriented to streets;*

(E) *Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;*

(F) *A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;*

(G) *One or more transit stops (in urban areas with fixed route transit service); and*

(H) *Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.*

Finding: The criteria of OAR 660-12-0060(8) or its implications relating to other sections of the TPR does not affect the proposed zone change or metro plan amendment.

OAR 660-12-0060(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Finding: OAR 660-12-0060(9) is not applicable because OAR 660-12-0060(1) is satisfied.

OAR 660-12-0060(10): Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

(a) A proposed amendment qualifies for this section if it:

(A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and

(B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

(b) For the purpose of this rule, "multimodal mixed-use area" or "MMA" means an area:

(A) With a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged;

(B) Entirely within an urban growth boundary;

(C) With adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule;

(D) With land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking); and

(E) Located in one or more of the categories below:

(i) At least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;

(ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or

(iii) Within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section.

(c) When a mainline facility provider reviews an MMA designation as provided in subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in paragraph (A) of this subsection.

(A) The potential for operational or safety effects to the interchange area and the mainline highway, specifically considering:

(i) Whether the interchange area has a crash rate that is higher than the statewide crash rate for similar facilities;

(ii) Whether the interchange area is in the top ten percent of locations identified by the safety priority index system (SPIS) developed by ODOT; and

(iii) Whether existing or potential future traffic queues on the interchange exit ramps extend onto the mainline highway or the portion of the ramp needed to safely accommodate deceleration.

(B) If there are operational or safety effects as described in paragraph (A) of this subsection, the effects may be addressed by an agreement between the local government and the facility provider regarding traffic management plans favoring traffic movements away from the interchange, particularly those facilitating clearing traffic queues on the interchange exit ramps.

(d) A local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple existing zones, an urban renewal area, other existing boundary, or establishing a new boundary. The designation must be accompanied by findings showing how the area meets the definition of an MMA. Designation of an MMA is not subject to the requirements in sections (1) and (2) of this rule.

(e) A local government may designate an MMA on an area where comprehensive plan map designations or land use regulations do not meet the definition, if all of the other elements meet the definition, by concurrently adopting comprehensive plan or land use regulation amendments necessary to meet the definition. Such amendments are not subject to performance standards related to motor vehicle traffic congestion, delay or travel time.

Finding: OAR 660-12-0060(10) does not apply; the criteria of section (1) is met.

OAR 660-12-0060(11): A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

(a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph (D) of this subsection.

(A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

(B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

(C) For the purpose of this section:

(i) "Industrial" means employment activities generating income from the production, handling or distribution of goods including, but not limited to, manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment and research and development.

(ii) "Traded-sector" means industries in which member firms sell their goods or services into markets for which national or international competition exists.

(D) Notwithstanding paragraphs (A) and (B) of this subsection, an amendment complies with subsection (a) if all of the following conditions are met:

(i) The amendment is within a city with a population less than 10,000 and outside of a Metropolitan Planning Organization.

(ii) The amendment would provide land for "Other Employment Use" or "Prime Industrial Land" as those terms are defined in OAR 660-009-0005.

(iii) The amendment is located outside of the Willamette Valley as defined in ORS 215.010.

(E) The provisions of paragraph (D) of this subsection are repealed on January 1, 2017.

(b) A local government may accept partial mitigation only if the local government determines that the benefits outweigh the negative effects on local transportation facilities and the local government receives from the provider of any transportation facility that would be significantly affected written concurrence that the benefits outweigh the negative effects on their transportation facilities. If the amendment significantly affects a state highway, then ODOT must coordinate with the Oregon Business Development Department regarding the economic and job creation benefits of the proposed amendment as defined in subsection (a) of this section. The requirement to obtain concurrence from a provider is satisfied if the local government provides notice as required by subsection (c) of this section and the provider does not respond in writing (either concurring or non-concurring) within forty-five days.

(c) A local government that proposes to use this section must coordinate with Oregon Business Development Department, Department of Land Conservation and Development, area commission on transportation, metropolitan planning organization, and transportation providers and local governments directly impacted by the proposal to allow opportunities for comments on whether the proposed amendment meets the definition of economic development, how it would affect transportation facilities and the adequacy of proposed mitigation. Informal consultation is encouraged throughout the process starting with pre-application meetings. Coordination has the meaning given in ORS 197.015 and Goal 2 and must include notice at least 45 days before the first evidentiary hearing. Notice must include the following:

(A) Proposed amendment.

(B) Proposed mitigating actions from section (2) of this rule.

(C) Analysis and projections of the extent to which the proposed amendment in combination with proposed mitigating actions would fall short of being consistent with the function, capacity, and performance standards of transportation facilities.

(D) Findings showing how the proposed amendment meets the requirements of subsection (a) of this section.

(E) Findings showing that the benefits of the proposed amendment outweigh the negative effects on transportation facilities.

Finding: OAR 660-12-0060(11) is not applicable; the resulting traffic from the proposed refinement plan amendment does not require partial mitigation for approval because the amendment does not result in a significant affect as defined in section (1), provided a Trip Cap of 48 PM Peak Hour Trips is applied to the project site.

Conclusion

The TPR analysis and significance test indicates that the criteria of the applicable Oregon Administrative Rules are satisfied with the proposed zone change and plan amendment. The trip generation associated with the proposed conditions were not found to have an identifiable "significant affect" defined by OAR 660-012-0060(1) since the level of traffic generated by a reasonable worst case development scenario associated with the proposed change in land use permissions would not result in an increase to the trip generation potential of the existing zoning and plan designation worst case scenario's use permissions provided it is developed with a 104-bed (or less) Assisted Living Facility.

It is possible that in the future the site could be redeveloped to a permitted more traffic intensive use than the currently proposed development, with trip generation exceeding the 48 PM peak hour trips that could be generated by the site with the existing use permissions, therefore a trip cap should be stipulated to limit the site's trip generation potential to 48 PM Peak Hour trips to eliminate the possibility for a significant affect.

The Transportation Planning Rule is satisfied under Goal 12 criteria with the proposed zone change and metro plan amendment with application of the proposed trip cap so the change in use permissions would not represent an increase in potential build-out development level trip generation. There is no significant affect to a transportation facility identifiable by the potential for additional traffic resulting from the change in use permissions that would cause a facility to perform below its intended mobility standard or cause a failing facility to be further degraded beyond the potential impacts resulting from development under the existing use permissions allowed by existing development code and metro plan designations, as was demonstrated by the site's trip generation potential and in the findings discussed in the applicable Transportation Planning Rule OAR sections.

In summary, the proposed 104-bed Assisted Living Facility permitted under the proposed zone and designation will not generate more trips than the existing residential uses allowed under the current zone and designation. To ensure this, it is recommended the planning commission apply a condition of approval establishing a trip cap of 48 PM Peak Hour trips to the decision.

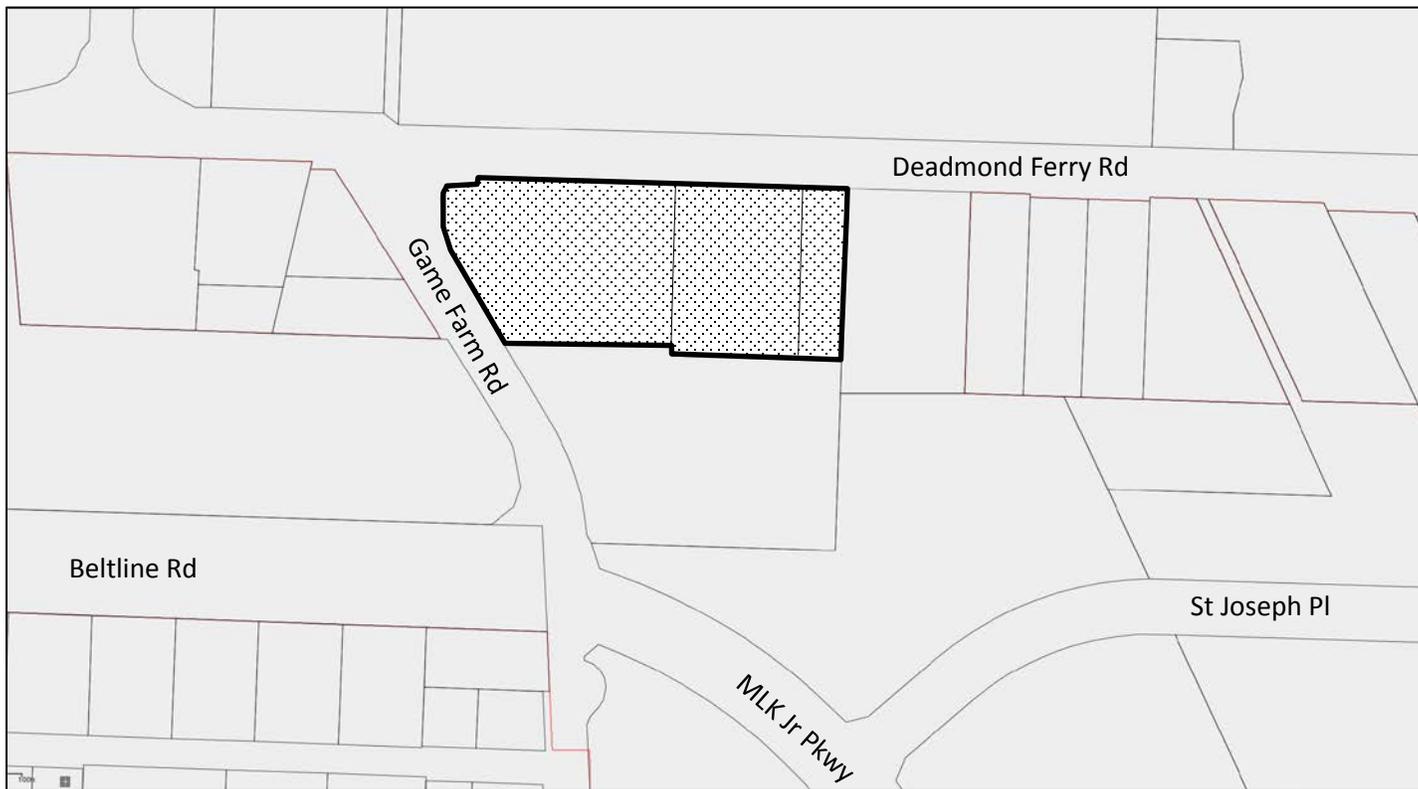
Please do not hesitate to contact me with any questions, or if I can provide any additional information.

EXHIBIT A – Map and Legal Description**PROPERTY REDESIGNATED FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL****LEGAL DESCRIPTION**

Beginning at the northwest corner of the William H. Stevens D.L.C. No. 46 in Township 17 South, Range 3 West of the Willamette Meridian; thence along the north line of said W.H. Stevens D.L.C. No. 46 as said line is defined in C.S.F. No. 20782 on file in the office of the Lane County Surveyor, North $89^{\circ} 59' 16''$ East 2455.70 feet to a point, said point being of record as marking the intersection of the north line of the W.H. Stevens D.L.C. No. 46 and the centerline of County Road No. 3; thence continuing along the afore-described north line North $89^{\circ} 59' 16''$ East 440.46 feet to a point, said point being the northwest corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving said north line and running along the west boundary of said last described tract South $00^{\circ} 07' 16''$ West 12.25 feet to a point referenced by a $5/8''$ rebar set on the south margin of Deadmond Ferry Road, said point being 35.0 feet southerly of, when measured at right angles to, the centerline of Deadmond Ferry Road; thence continuing along said west boundary South $00^{\circ} 07' 16''$ West 225.50 feet to the **True Point of Beginning**; thence leaving said west boundary and running South $89^{\circ} 59' 16''$ West 231.53 feet to a point on the east boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded May 19, 2005, Document No. 2005-036710 Lane County Oregon Deeds and Records; thence along the easterly boundary of said last described tract South $32^{\circ} 09' 44''$ East 79.93 feet to a point on the north boundary of that certain tract of land described in a Warranty Deed recorded August 20, 1980, Recep. No. 8041063 Lane County Oregon Deeds and Records; thence leaving said easterly boundary and running along the north boundary of said last described tract North $89^{\circ} 59' 16''$ East 424.09 feet to the northeast corner thereof, said point being referenced by a $5/8''$ rebar on the west boundary of Lot 11 of RIVERBEND, PHASE II as platted and recorded June 3, 2008 Document No. 2008-030895 Lane County Oregon Deeds and Records; thence leaving said north boundary and running along the west boundary of said Lot 11 North $00^{\circ} 07' 14''$ West 55.67 feet to a $5/8''$ rebar referencing the southeast corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving the west boundary of said Lot 11 and running along the south boundary of said last described tract South $89^{\circ} 59' 16''$ West 235.01 feet to the southwest corner thereof; thence along the west boundary of said last described tract North $00^{\circ} 07' 16''$ East 12.00 feet to the **True Point of Beginning**, all in Lane County Oregon. Containing 0.627 acres more or less.

EXHIBIT B – Map and Legal Description

PROPERTIES REDESIGNATED FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL



LEGAL DESCRIPTION

Parcel 1 (3535 Game Farm Road, Map 17-03-15-40, Tax Lot 2500):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at the northwest corner of the William H. Stevens D.L.C. No. 46 in Township 17 South, Range 3 West of the Willamette Meridian; thence along the north line of said W.H. Stevens D.L.C. No. 46, as said line is defined in C.S.F. No. 20782 on file in the office of the Lane County Surveyor, North 89° 59' 16" East 2455.70 feet to a point, said point being of record as marking the intersection of the north line of the W.H. Stevens D.L.C. No. 46 and the centerline of County Road No. 3; thence continuing along the afore-described north line North 89° 59' 16" East 440.46 feet to a point, said point being the northwest corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving said north line and running along the west boundary of said last described tract South 00° 07' 16" West 12.25 feet to a point referenced by a 5/8" rebar set on the south margin of Deadmond Ferry Road, said point being 35.0 feet southerly of, when measured at right angles to, the centerline of Deadmond Ferry Road, said point also being the **True Point of Beginning**; thence continuing along said west boundary South 00° 07' 16" West 225.50 feet; thence leaving said west boundary and running south 89° 59' 16" West 231.53 feet to a point on the east boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded June 7, 2005, Document No. 2005-041501 Lane County Oregon Deeds and Records; thence along said east boundary North 32° 09' 44" West 132.48 feet to a point that is opposite and 46.00 feet easterly of Engineers Centerline Station L 26+97.70 P.C.; thence continuing along the said easterly boundary North 32° 10' 18" West 11.27 feet to a point opposite and 45.13 feet easterly of Engineers Centerline Station L 27+18.02 P.O.C.; thence South 67° 55' 59" West 0.33 feet to a point on the easterly boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded November 3, 1993 Recep. No. 9371060 Lane County Oregon Deeds and Records; thence along the easterly boundary of said last described tract the following three (3) courses and distances, 1) along the arc of a 273.00 foot radius curve right (the chord of which bears North 10° 47' 28" West 74.45 feet) a distance of 74.68 feet, 2) along the arc of a 20.00 foot radius curve right (the chord of which bears North 43° 31' 00" East 29.00 feet) a distance of 32.44 feet and 3) North 89° 59' 16" East 27.00 feet; thence North 00° 00' 44" West 9.49 feet to a point on the south margin of Deadmond Ferry Road, said point being 35.00 feet southerly of, when measured at right angles to the centerline of

Deadmond Ferry Road; thence along the south margin of Deadmond Ferry Road $89^{\circ} 56' 00''$ East 275.81 feet to the **True Point of Beginning**, all in Lane County Oregon.

Parcel 2 (385 Deadmond Ferry Road, Map 17-03-15-40, Tax Lot 2400):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at the northwest corner of the William H. Stevens Donation Land Claim No. 46, in Section 15, Township 17 South, Range 3 West of the Willamette Meridian; thence North $89^{\circ} 56'$ East, 2895.88 feet to a point marked by an iron pin on the north line of said Donation Land Claim and 5.0 feet south of the centerline of County Road No. 90, said point being the **True Point of Beginning**; thence North $89^{\circ} 56'$ East, 175.0 feet along the north line of said Donation Land Claim and 5.0 feet south of the centerline of said road to a point marked by an iron pipe; thence South 250.0 feet to a point marked by an iron pipe; thence South $89^{\circ} 56'$ West 175.0 feet along a line parallel with the north line of said Donation Land Claim to a point marked by an iron pin; thence North 250.0 feet to the **True Point of Beginning**, in Lane County, Oregon.

Parcel 3 (377 Deadmond Ferry Road, Map 17-03-15-40, Tax Lot 2300):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at a point which is on the north line of the William H. Stevens Donation Land Claim No. 46, Township 17 South, Range 3 West of the Willamette Meridian, said 675.18 feet South $89^{\circ} 55'$ East from the intersection of County Roads No. 3 and No. 90 (which said point is now described as being 2455.70 feet South $89^{\circ} 55'$ East from the northwest corner of said Donation Land Claim) said **beginning point** being on the northeast extension of the west line of a tract conveyed to John A. Swenzy and wife, by deed recorded September 10, 1954, as Instrument No. 38030, Lane County Oregon Records; thence South along said line, and extension thereof, 250.0 feet; thence West 60 feet to the southeast corner of a tract conveyed to A.N. Kemery and wife, by deed recorded August 19, 1948, in Book 380 of Deeds, Page 247, Instrument No. 74307, Records of Lane County, Oregon; thence North along said line 250 feet to the northeast corner of said tract; thence East along the north line of said claim to the **place of beginning**, in Lane County, Oregon. *Note: This legal description was created prior to January 1, 2008.*

EXHIBIT A – Map and Legal Description

PROPERTY REZONED FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL

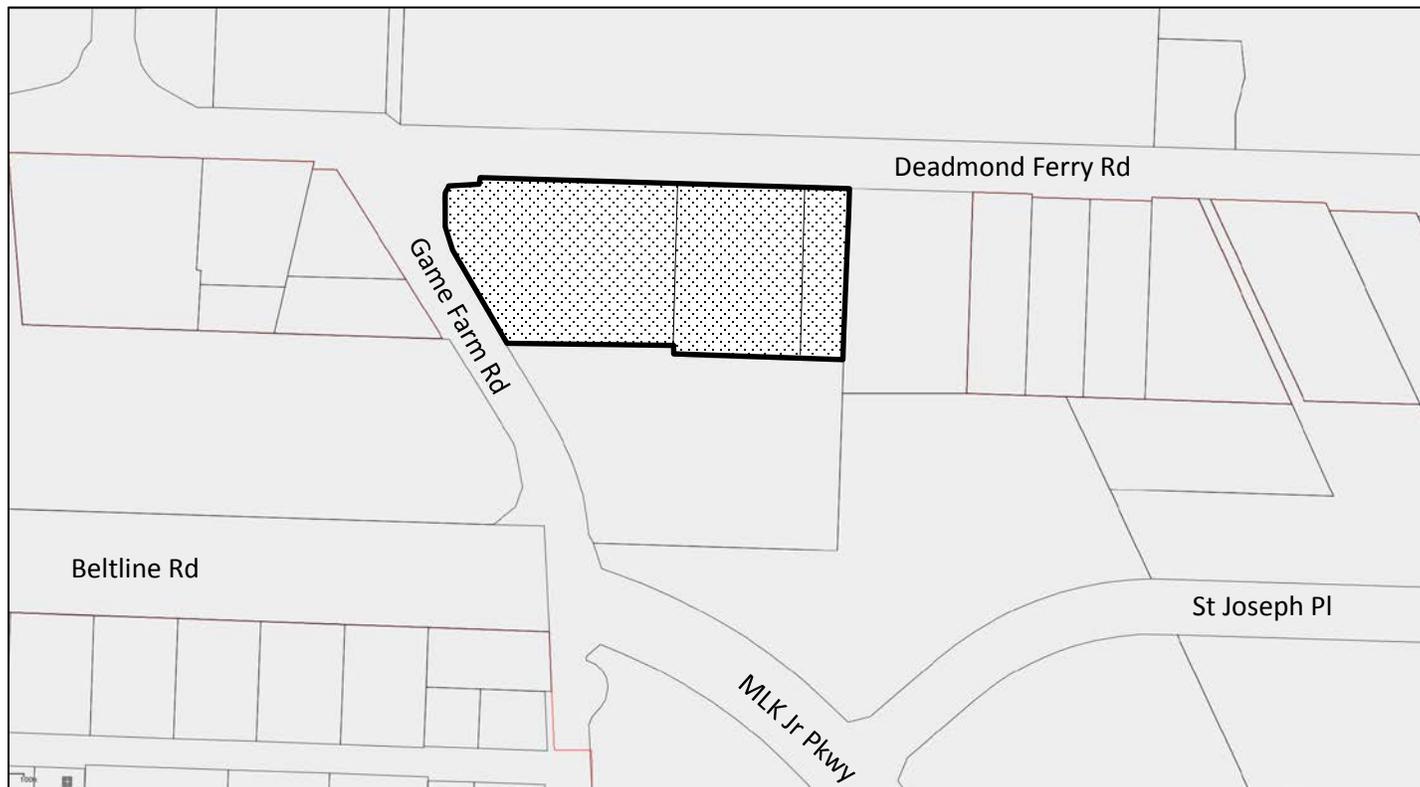


LEGAL DESCRIPTION

Beginning at the northwest corner of the William H. Stevens D.L.C. No. 46 in Township 17 South, Range 3 West of the Willamette Meridian; thence along the north line of said W.H. Stevens D.L.C. No. 46 as said line is defined in C.S.F. No. 20782 on file in the office of the Lane County Surveyor, North 89° 59' 16" East 2455.70 feet to a point, said point being of record as marking the intersection of the north line of the W.H. Stevens D.L.C. No. 46 and the centerline of County Road No. 3; thence continuing along the afore-described north line North 89° 59' 16" East 440.46 feet to a point, said point being the northwest corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving said north line and running along the west boundary of said last described tract South 00° 07' 16" West 12.25 feet to a point referenced by a 5/8" rebar set on the south margin of Deadmond Ferry Road, said point being 35.0 feet southerly of, when measured at right angles to, the centerline of Deadmond Ferry Road; thence continuing along said west boundary South 00° 07' 16" West 225.50 feet to the **True Point of Beginning**; thence leaving said west boundary and running South 89° 59' 16" West 231.53 feet to a point on the east boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded May 19, 2005, Document No. 2005-036710 Lane County Oregon Deeds and Records; thence along the easterly boundary of said last described tract South 32° 09' 44" East 79.93 feet to a point on the north boundary of that certain tract of land described in a Warranty Deed recorded August 20, 1980, Recep. No. 8041063 Lane County Oregon Deeds and Records; thence leaving said easterly boundary and running along the north boundary of said last described tract North 89° 59' 16" East 424.09 feet to the northeast corner thereof, said point being referenced by a 5/8" rebar on the west boundary of Lot 11 of RIVERBEND, PHASE II as platted and recorded June 3, 2008 Document No. 2008-030895 Lane County Oregon Deeds and Records; thence leaving said north boundary and running along the west boundary of said Lot 11 North 00° 07' 14" West 55.67 feet to a 5/8" rebar referencing the southeast corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving the west boundary of said Lot 11 and running along the south boundary of said last described tract South 89° 59' 16" West 235.01 feet to the southwest corner thereof; thence along the west boundary of said last described tract North 00° 07' 16" East 12.00 feet to the **True Point of Beginning**, all in Lane County Oregon. Containing 0.627 acres more or less.

EXHIBIT B – Map and Legal Description

PROPERTIES REZONED FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL



LEGAL DESCRIPTION

Parcel 1 (3535 Game Farm Road, Map 17-03-15-40, Tax Lot 2500):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at the northwest corner of the William H. Stevens D.L.C. No. 46 in Township 17 South, Range 3 West of the Willamette Meridian; thence along the north line of said W.H. Stevens D.L.C. No. 46, as said line is defined in C.S.F. No. 20782 on file in the office of the Lane County Surveyor, North 89° 59' 16" East 2455.70 feet to a point, said point being of record as marking the intersection of the north line of the W.H. Stevens D.L.C. No. 46 and the centerline of County Road No. 3; thence continuing along the afore-described north line North 89° 59' 16" East 440.46 feet to a point, said point being the northwest corner of that certain tract of land described in a Warranty Deed recorded April 13, 2005, Document No. 2005-026173 Lane County Oregon Deeds and Records; thence leaving said north line and running along the west boundary of said last described tract South 00° 07' 16" West 12.25 feet to a point referenced by a 5/8" rebar set on the south margin of Deadmond Ferry Road, said point being 35.0 feet southerly of, when measured at right angles to, the centerline of Deadmond Ferry Road, said point also being the **True Point of Beginning**; thence continuing along said west boundary South 00° 07' 16" West 225.50 feet; thence leaving said west boundary and running south 89° 59' 16" West 231.53 feet to a point on the east boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded June 7, 2005, Document No. 2005-041501 Lane County Oregon Deeds and Records; thence along said east boundary North 32° 09' 44" West 132.48 feet to a point that is opposite and 46.00 feet easterly of Engineers Centerline Station L 26+97.70 P.C.; thence continuing along the said easterly boundary North 32° 10' 18" West 11.27 feet to a point opposite and 45.13 feet easterly of Engineers Centerline Station L 27+18.02 P.O.C.; thence South 67° 55' 59" West 0.33 feet to a point on the easterly boundary of that certain tract of land conveyed to the City of Springfield through a Warranty Deed recorded November 3, 1993 Recep. No. 9371060 Lane County Oregon Deeds and Records; thence along the easterly boundary of said last described tract the following three (3) courses and distances, 1) along the arc of a 273.00 foot radius curve right (the chord of which bears North 10° 47' 28" West 74.45 feet) a distance of 74.68 feet, 2) along the arc of a 20.00 foot radius curve right (the chord of which bears North 43° 31' 00" East 29.00 feet) a distance of 32.44 feet and 3) North 89° 59' 16" East 27.00 feet; thence North 00° 00' 44" West 9.49 feet to a point on the south margin of Deadmond Ferry Road, said point being 35.00 feet southerly of, when measured at right angles to the centerline of

Deadmond Ferry Road; thence along the south margin of Deadmond Ferry Road 89° 56' 00" East 275.81 feet to the **True Point of Beginning**, all in Lane County Oregon.

Parcel 2 (385 Deadmond Ferry Road, Map 17-03-15-40, Tax Lot 2400):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at the northwest corner of the William H. Stevens Donation Land Claim No. 46, in Section 15, Township 17 South, Range 3 West of the Willamette Meridian; thence North 89° 56' East, 2895.88 feet to a point marked by an iron pin on the north line of said Donation Land Claim and 5.0 feet south of the centerline of County Road No. 90, said point being the **True Point of Beginning**; thence North 89° 56' East, 175.0 feet along the north line of said Donation Land Claim and 5.0 feet south of the centerline of said road to a point marked by an iron pipe; thence South 250.0 feet to a point marked by an iron pipe; thence South 89° 56' West 175.0 feet along a line parallel with the north line of said Donation Land Claim to a point marked by an iron pin; thence North 250.0 feet to the **True Point of Beginning**, in Lane County, Oregon.

Parcel 3 (377 Deadmond Ferry Road, Map 17-03-15-40, Tax Lot 2300):

Real property in the County of Lane, State of Oregon, described as follows: Beginning at a point which is on the north line of the William H. Stevens Donation Land Claim No. 46, Township 17 South, Range 3 West of the Willamette Meridian, said 675.18 feet South 89° 55' East from the intersection of County Roads No. 3 and No. 90 (which said point is now described as being 2455.70 feet South 89° 55' East from the northwest corner of said Donation Land Claim) said **beginning point** being on the northeast extension of the west line of a tract conveyed to John A. Swenzy and wife, by deed recorded September 10, 1954, as Instrument No. 38030, Lane County Oregon Records; thence South along said line, and extension thereof, 250.0 feet; thence West 60 feet to the southeast corner of a tract conveyed to A.N. Kemery and wife, by deed recorded August 19, 1948, in Book 380 of Deeds, Page 247, Instrument No. 74307, Records of Lane County, Oregon; thence North along said line 250 feet to the northeast corner of said tract; thence East along the north line of said claim to the **place of beginning**, in Lane County, Oregon. *Note: This legal description was created prior to January 1, 2008.*