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**SUPPLEMENTAL MEMORANDUM**

**DATE:** March 10, 2002 (date of memo)  
December 4, 2002 (3<sup>rd</sup> Reading)  
January 15, 2003 (4<sup>th</sup> Reading)

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

**FROM:** Public Works Department/Land Management Division

**PRESENTED BY:** Kurt Yeiter and Jan Childs, City of Eugene Planning Division

**AGENDA ITEM TITLE:** ORDINANCE NO. PA 1180 — IN THE MATTER OF  
AMENDING THE EUGENE-SPRINGFIELD  
METROPOLITAN AREA GENERAL PLAN DIAGRAM  
FOR PROPERTY WITHIN THE CHASE GARDENS  
NODAL DEVELOPMENT AREA; AMENDING THE  
WILLAKENZIE AREA PLAN LAND USE DIAGRAM AND  
PLAN TEXT; AND ADOPTING SAVINGS AND  
SEVERABILITY CLAUSES.

**MOTION:**

**MOVE ADOPTION OF ORDINANCE NO. PA 1180 AS PRESENTED.**

**BACKGROUND:**

On September 18, 2002, the Lane County Board of Commissioners and Eugene City Council held a joint public hearing on proposed amendments to the Metro Plan diagram and the diagram and text of the Willakenzie Area Plan to implement nodal development in the Chase Gardens Area. For the Board of County Commissioners, these proposed amendments are presented in Ordinance No. PA 1180.

The Eugene City Council held a work session on October 28, 2002 and voted to approve the Planning Commission recommendations on five issues raised during the work session and public hearing. Please refer to the supplemental memorandum to the Lane County Board of Commissioners dated November 4, 2002 for additional detail on these issues

On November 12, 2002, the Eugene City Council voted 5:2 (Bettman, Taylor voting in opposition) to adopt Ordinance No. 20265 amending the Metro Plan and Willakenzie Area Plan as recommended by the Planning Commission. At that same meeting, the Council voted to adopt Ordinance No. 20266 and Ordinance No. 20267 amending the Eugene Land Use Code and rezoning property within the Eugene City limits. A Notice of Intent to appeal was filed by an affected property owner, Simpson Housing, and the Board deferred action at the December 4,

2002 3<sup>rd</sup> reading of the ordinance and the January 15, 2003 4<sup>th</sup> reading of the ordinance. The appeal was dismissed at the appellant's request on March 3, 2003. The City ordinances are now in effect.

Ordinance No. PA 1180 is now before the Lane County Board of Commissioners for action.

**ATTACHMENT:**

Ordinance PA 1180

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON**

**ORDINANCE NO. PA 1180**

**( IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD  
( METROPOLITAN AREA GENERAL PLAN DIAGRAM FOR  
( PROPERTY WITHIN THE CHASE GARDENS NODAL  
( DEVELOPMENT AREA; AMENDING THE WILLAKENZIE AREA  
( PLAN LAND USE DIAGRAM AND PLAN TEXT; AND ADOPTING  
( SAVINGS AND SEVERABILITY CLAUSES.**

**WHEREAS,** on August 26, 1992, the Board of County Commissioners of Lane County enacted Ordinance No. PA 1020 adopting the Willakenzie Area Plan as a refinement to the Metro Plan; and

**WHEREAS,** on October 31, 2001, the Board of County Commissioners of Lane County enacted Ordinance No. PA 1132 which adopted amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan; and

**WHEREAS,** included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND – Nodal Development" to the text for the Legend Block on the Metro Plan Diagram; and

**WHEREAS,** the Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern" and TransPlan Map A1 identifies Chase Gardens as area 6K for nodal development; and

**WHEREAS,** Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for Lane County are implemented by the provisions of Lane Code 12.200; and

**WHEREAS,** these proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary. Since land use diagram and a text amendment to the Willakenzie Area refinement plan is required for consistency with the proposed Metro Plan diagram amendments, a concurrent refinement plan amendment is also being processed; and

**WHEREAS,** on November 21, 2001, notice of the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610 and comments received in response to the notice were added to the record; and

**WHEREAS,** on December 20, 2001, notice of the joint Eugene and Lane County Planning Commission hearing was mailed to property owners, neighborhood groups, and other interested parties and notice was published in the Register-Guard, a daily newspaper of general circulation, on December 21, 2001; and

**WHEREAS**, on January 8, 2002, the Eugene and Lane County Planning Commission held a joint public hearing on the measures to establish the Chase Gardens nodal development area; and

**WHEREAS**, the planning commissions met in individual work sessions on January 28 and April 2, 2002 (Eugene), and May 21, 2002, (Lane County) to review the testimony and forward recommendations to their respective elected officials and on May 21, 2002, the Lane County Planning Commission voted unanimously to recommend adoption of the measures with the revisions identified in the Eugene Planning Commission recommendation; and

**WHEREAS**, on August 27, 2002, notice of the joint Eugene City Council/Lane County Board of Commissioners hearing was mailed to owners of property subject to the amendments, the neighborhood association, and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment and notice of that hearing was also published in the Register-Guard on August 27, 2002; and

**WHEREAS**, the Lane County Board of Commissioners conducted a joint public hearing with the Eugene City Council on these amendments on September 18, 2002 and is now ready to take action based upon the above recommendations and evidence and testimony already in the record as well as the evidence and testimony presented at the joint public hearing; and

**WHEREAS**, evidence exists within the record indicating that the proposal meets the requirements of applicable state and local law as described in the findings adopted in support of this Ordinance.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County ordains as follows:

Section 1. The Metro Plan diagram is amended to change the underlying designations of 6 properties and to add the ND-Nodal Development designation to those properties, as identified and described on Exhibit "A" attached hereto. The Metro Plan diagram is further amended to add the ND-Nodal Development designation to 41 properties identified and described on Exhibit "A." The underlying designations for these 41 properties shall remain unchanged.

Section 2. Consistent with the provisions of Lane Code Chapter 12, the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to change the underlying designations and to apply the ND-Nodal Development designation as shown in Exhibit "A."

Section 3. The Willakenzie Area Plan, as adopted by Ordinance No. PA 1020 on August 26, 1992, is hereby amended by replacing pages 71-74 of the Land Use Element – Chase Gardens Subarea, with the text and maps attached as Exhibit "B" to this ordinance.

**FURTHER**, although not part of this Ordinance, the Board of County Commissioners adopts findings as set forth in Exhibit "C" attached, in support of this action.

The prior underlying Metro Plan designations repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

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

**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Chair, Lane County Board of County Commissioners

\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

**Exhibit "A"**  
to  
Ordinance No. PA 1180

**Chase Gardens Nodal Development Area  
Properties Subject to Change in Metro Plan Designation**

Parcel	Current Designation	Proposed Designation	Owner
<b>Change Underlying Designation and Add ND Designation</b>			
17032840 100	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 102	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 103	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 1406	HDR	HDR/ND, Commercial/ND	Simpson Housing LTD Partnership
17032842 3300	HDR	Commercial/ND	Mallard II LLC
17032842 3500	HDR	Parks and Open Space/ND	Eugene City of
<b>Add ND Designation Only</b>			
17032830 100	HDR	HDR/ND	Cherry Creek Village LLC
17032830 200	HDR	HDR/ND	Cherry Creek Village LLC
17032830 300	HDR	HDR/ND	Eugene City of
17032830 400	HDR	HDR/ND	Eugene City of
17032830 500	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 501	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 502	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 1600	HDR	HDR/ND	Eugene City of
17032840 300	HDR	HDR/ND	Eugene City of
17032840 400	HDR	HDR/ND	Eugene City of
17032840 500	HDR	HDR/ND	Eugene City of
17032840 600	HDR	HDR/ND	Eugene City of

Parcel ID	Current Designation	Proposed Designation	Owner
17032840 703	HDR	HDR/ND	Cherry Creek Village LLC
17032840 800	HDR	HDR/ND	Eugene Water & Electric Board
17032840 900	HDR	HDR/ND	Eugene City of
17032840 1000	HDR	HDR/ND	Eugene City of
17032840 1101	HDR	HDR/ND	Thompson Vanessa M & Jerry E
17032840 1200	HDR	HDR/ND	Eugene City of
17032840 1301	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1302	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1400	HDR	HDR/ND	SHLP Financing LLC
17032840 1401	HDR	HDR/ND	Holloman Nancy
17032840 1402	HDR	HDR/ND	Hufford David W
17032840 1405	HDR	HDR/ND	SHLP Financing LLP
17032840 1407	HDR, Commercial	HDR/ND, Commercial/ND	Robinson Jean Verda
17032840 1800	Commercial	Commercial/ND	White Thompson E
17032840 1900	HDR	HDR/ND	Robinson Jean
17032840 2000	HDR	HDR/ND	Robinson Jean
17032840 2103	HDR	HDR/ND	Chase David L & Lynn F
17032840 2200	HDR	HDR/ND	Brenaman J Ralph TE
17032841 100	HDR	HDR/ND	Hudman Garden Way LLC
17032842 100	HDR	HDR/ND	University Commons
17032842 200	HDR	HDR/ND	University Commons
17032842 3400	HDR	HDR/ND	University Commons
17032843 100	HDR	HDR/ND	McKenna Estates LLC
17032843 200	HDR	HDR/ND	McKenna Estates LLC
17032843 300	HDR	HDR/ND	Gray Roy C Jr
17033312 802	Commercial	Commercial/ND	Gorman Richard E DC

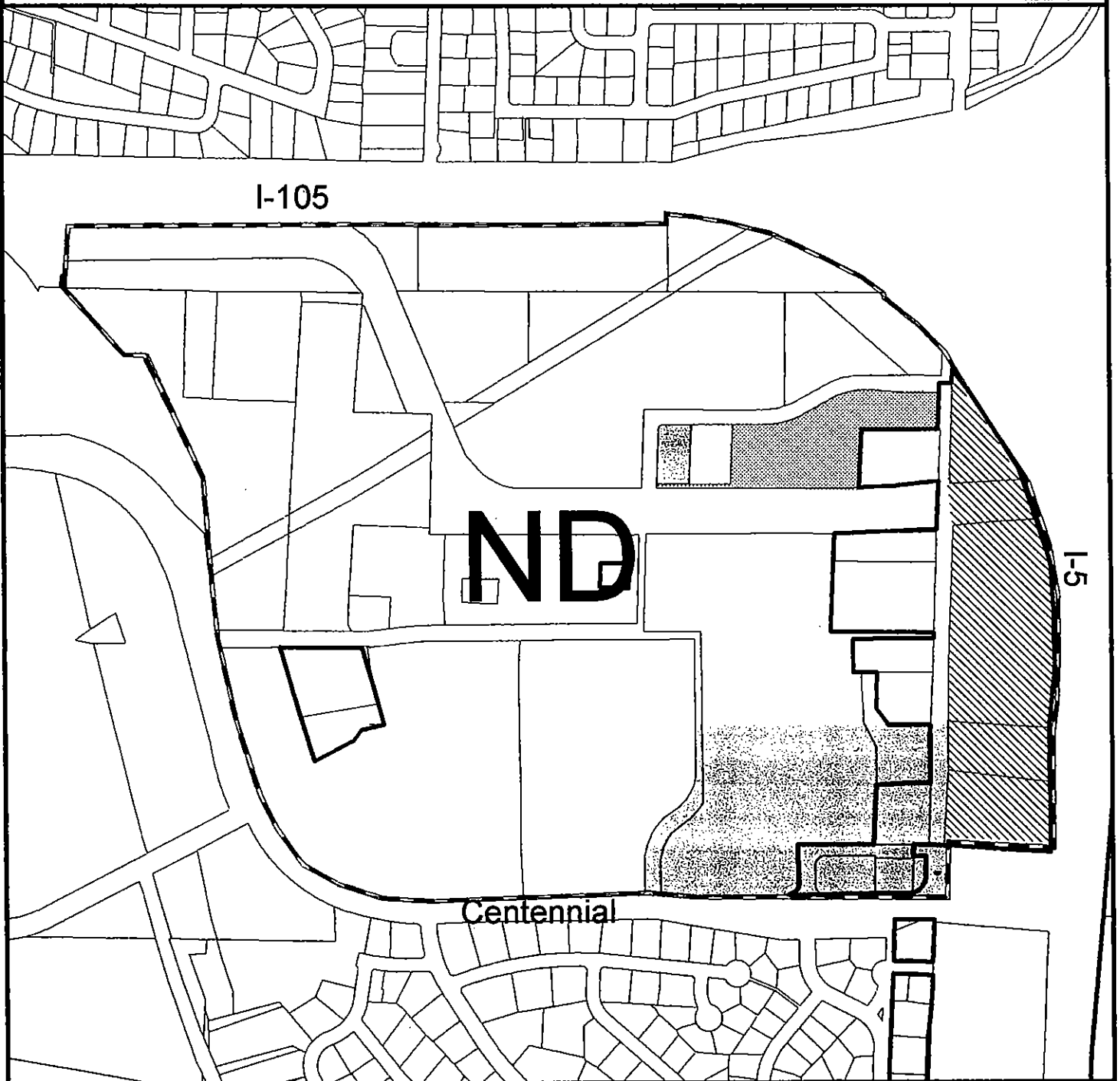
Fax Lot	Current Designation	Proposed Designation	Owner
17033312 1000	Commercial	Commercial/ND	Gorman Richard E DC
17033312 1100	Commercial	Commercial/ND	Northwest Pipeline Corporation
N/A	Public Land	Public Land/ND	City of Eugene (Q St. Channel)



# Chase Node Metro Plan Diagram Amendments



file MA 01-5



Commercial



High Density Residential



Parks and Open Space

ND Nodal Development Area Symbol



City Limits



Nodal Development Plan Boundaries

All other land use designations remain unchanged.



**Exhibit "B"**  
to  
Ordinance No. PA 1180

**13. Chase Gardens Subarea**

This subarea is bisected by Centennial Boulevard, which runs in an east-west direction through the area. The characteristics of the subarea to the south of Centennial Boulevard are very different from those to the north of Centennial Boulevard.

The area south of Centennial Boulevard is primarily developed with the Chevy Chase and Quail Run subdivisions. The Chevy Chase area includes a 2.8 acre park. Land along the west side of I-5 is encumbered by a 78-foot wide public utility easement containing a 115-kilovolt EWEB power line.

The land north of Centennial Boulevard contains several medium and high-density apartment complexes, some older single family homes, an EWEB electric substation and training facility, and a recently purchased four acre City park site along the north bank of the Q Street channel. Approximately 21 acres of land located north of Centennial Boulevard is outside the City limits, including five properties along the west side of Garden Way that are collectively recognized by the National Registry of Historic Places as a "historic ensemble." The area north of Centennial Boulevard is commonly referred to as the Chase Gardens area, so named for its 100-year association with a family agricultural business there.

The Willakenzie Area Plan, 1992, identified Chase Gardens as an "Opportunity Area" because of its planned concentration of high density housing, commercial services, natural and historic features, and frequent transit service. With Transportation Growth Management grant funding from the state Department of Land Conservation and Development and the Department of Transportation, the potential for nodal development was explored. The results were published in the Chase Garden Nodal Development Plan, by Satre Associates, July 29, 2001. The recommendations of that report were legislatively translated into the policies contained in this plan and a special area zone district that directs new development into nodal patterns.

Nodal development is a mixed-use, pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented. Fundamental characteristics of nodal development require:

- Design elements that support pedestrian environments and encourage transit use, walking and bicycling;
- A transit stop which is within walking distance (generally 1/4 mile) of anywhere in the node;
- Mixed uses so that services are available within walking distance;

- Public spaces, such as parks, public and private open space, and public facilities, that can be reached without driving; and
- A mix of housing types and residential densities that achieve an overall net density of at least 12 units per net acre.

The nodal development plan for this area relies on the following key ingredients:

1. Neighborhood Commercial Services. The commercial core of the area will be situated near the intersection of Garden Way and Centennial Boulevard. Commercial services will line both sides of Garden Way in the vicinity of a new intersection about 400 feet north of Centennial Boulevard, creating an environment friendly to pedestrians and retailers and an identifiable center for the community. A moderate sized grocery store will provide a wide range of services to Chase Gardens residents without drawing significant amounts of traffic from outside the area.
2. Street Network. Garden Way will be the main collector road within the Chase Gardens area and the retail heart of the neighborhood. Garden Way will be reconstructed to have safer curves, landscaped medians and bike lanes, and will be designed to keep traffic at 20-25 miles per hour. Frequent transit service will continue to travel through the center of the commercial area. Additional local streets will complete connections between the residential areas and commercial services. See Chase Gardens Street Network Map.
3. Growth and Preservation. The area will continue to grow with high density residential and commercial development, yet special features such as the Q Street Channel, the historic ensemble recognized by the National Registry of Historic Places, new City park, and significant vegetation should be preserved as reminders of this area's special natural and cultural heritage.

Nodal development requires a combination of uses strategically placed, traditional architecture and site design, and traffic control, all carefully arranged to be pedestrian friendly, encourage bike and transit ridership, and facilitate high density development, retail vitality, and a wholesome living environment. Without an infusion of public funds to subsidize development, which is not currently available, the city can only encourage nodal development with a policy and regulatory framework utilizing the site's existing amenities.

#### **Chase Gardens Subarea Policies and Proposed Actions**

1. The City shall not require development of historic properties, but shall allow for eventual development of these sites as high density residential, with limited commercial opportunities, at the owners' discretion. Rezoning to Historic District is encouraged as an alternative to the standard high density residential/mixed use zone.
2. New development abutting historic properties shall provide an effective transition between

urban and rural uses, recognizing the high density nature of the new development. New buildings facing the historic ensemble from across Garden Way should emulate the architectural forms and materials of the historic residences.

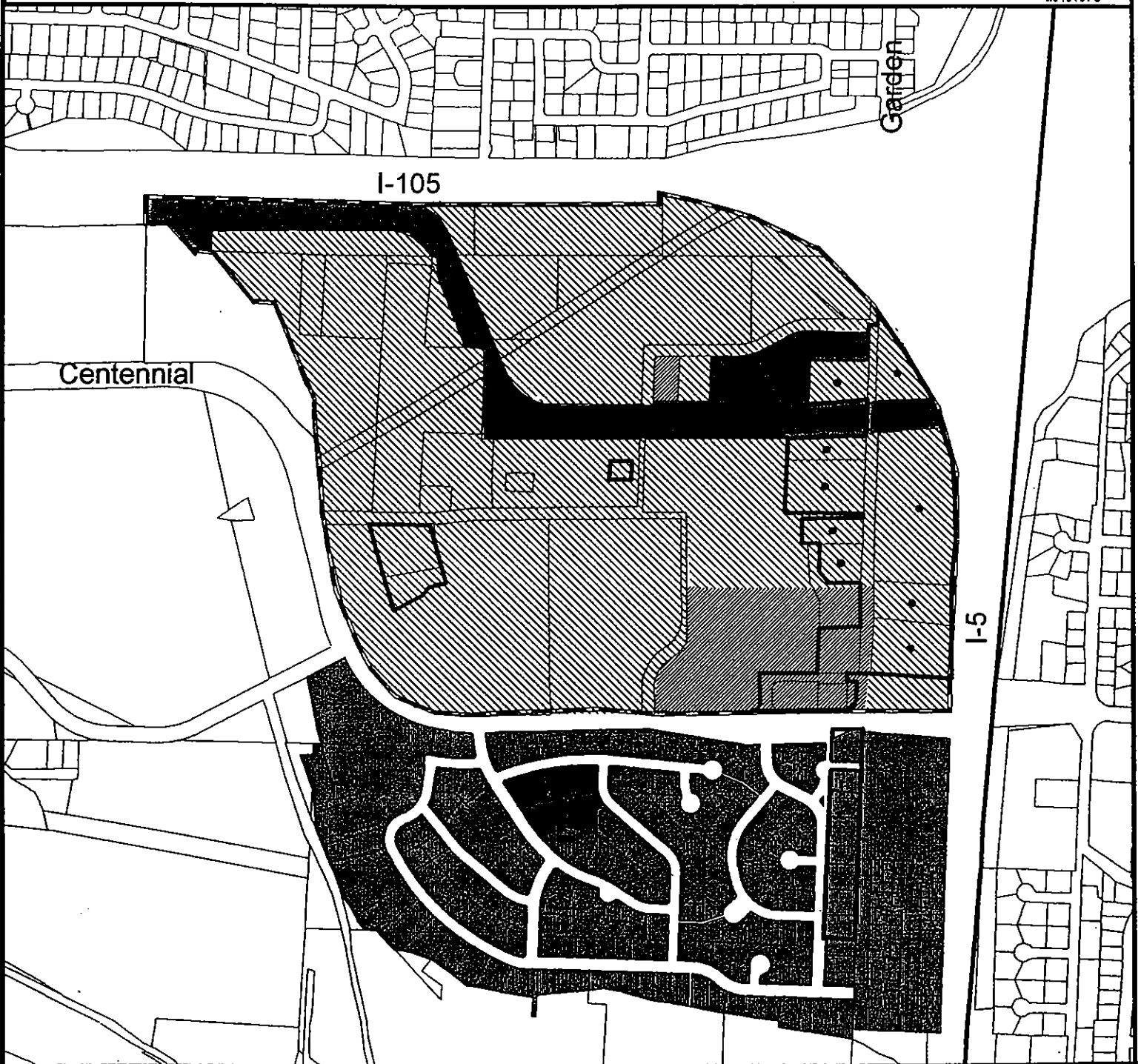
3. The City shall recognize Garden Way north of Centennial Boulevard as appropriate for a neighborhood-oriented commercial center. Commercial land uses shall be sized to allow a full range of retail and commercial services for area residents, as well as offices and employment opportunities, but not encourage significant travel from outside the area.
4. The City shall create a special area zone or overlay zone, or both, to direct commercial and high density residential development into nodal patterns. Use regulations shall require development along the double-curve portion of Garden Way to emulate a neighborhood village or "Main Street" development pattern. A limited mix of retail uses shall be encouraged in areas abutting South Garden Way.
5. Garden Way shall be improved as the area's main north-south collector street and retail center. Street improvements shall include design-speeds under 25 miles per hour, landscaped medians, bike lanes, easy pedestrian crossings, and centrally located transit station. The City shall consider retaining a separated bike or multi-use path on the east side of the street, or provide a wide sidewalk on the east side that will allow off street bicycle travel, and improvements to facilitate pedestrian movements from the south side of the Centennial Boulevard. Street improvements shall minimize impacts to the Historic Ensemble, including mature trees.
6. Development within this area shall provide street and pedestrian connections to facilitate movement between residences and the commercial center, but arranged in such a way that cut-through traffic from outside the node is not encouraged.
7. Zoning shall reflect the area's planned park site and existing government uses (e.g., EWEB substation). In the event public use of either of these sites is discontinued, the preferred replacement use is high density residential.
8. Development adjacent to I-5 or I-105 shall be designed to reduce noise to Uniform Building Code standards and visual impacts of the automobiles with sound buffering walls, building design, earth form, vegetation, or setbacks.
9. A pedestrian or bike path should be developed between Kinsrow and Garden Way using the narrow property that extends through the Historic Ensemble. In the long term, if the adjacent historic properties develop, this access way should be expanded into a local street connection between Kinsrow and Garden Way, if possible.
10. Development shall be sensitive to the area's natural features, such as mature trees, windrows, remnant orchards, and the Q Street Channel.

11. Upon annexation and prior to land division or development, properties located along or east of Garden Way shall rezone to S-CN Chase Node Special Area Zone.

# Chase Gardens Subarea Willakenzie Area Plan Land Use Diagram Amendments



Site RA 01-5



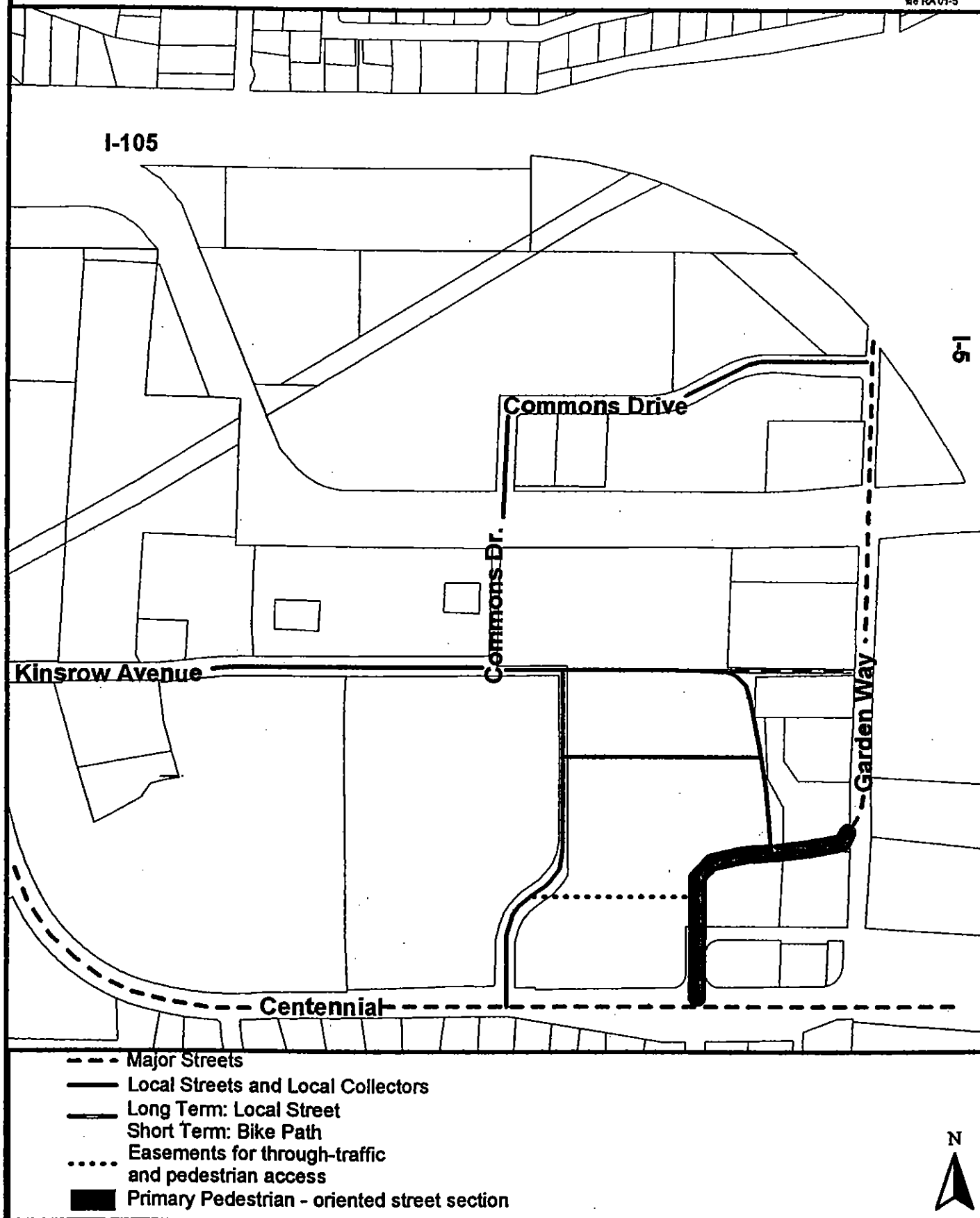
- Eugene City Limits
- Chase Node
- Parks & Open Space
- Low Density Residential
- Commercial
- High Density Residential
- Mixed Use Subarea



# Chase Gardens Street Network Map



No RA 01-5



**Exhibit "C"**  
to  
Ordinance No. PA 1180

**Findings of Consistency of Chase Gardens Nodal Development Area Amendments  
with Metro Plan Amendment and Refinement Plan Amendment Criteria**

**Consistency with Statewide Planning Goals and Adopted Eugene-Springfield Metropolitan  
Area General Plan (Metro Plan)**

The Eugene City Council and Lane County Board of Commissioners will apply the following criteria from Eugene Code Section 9.7730(3), and Lane Code Section 12.225(2) to the proposed Metro Plan amendments:

- (a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and
- (b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

**Statewide Planning Goals:** The statewide planning most goals relevant to these amendments include Goal 1 (Citizen Involvement), Goal 2 (Land Use Planning), Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources), Goal 9 (Economic Development), Goal 10 (Housing), Goal 11 (Public Facilities and Services), and Goal 12 (Transportation).

**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.*

Creation of the Chase Gardens Nodal Development Plan was accomplished through a series of workshops that relied on public involvement and exchange of information. The process was specially designed for this neighborhood, accounting for the large number of area residents, differences in development interests, and local places to meet. The City and consultant team interviewed key owners of affected properties and offered the opportunity for individual meetings with all owners and residents. Area residents, property owners, and affected neighborhood organizations were directly notified several times of workshops, work sessions, neighborhood meetings, and other opportunities to gain information and affect the project outcome. Information was presented via the city's internet website. This project was the subject of at least two television news broadcasts. Notification of the Planning Commission work session and hearing on the project was mailed to more than 1,800 property owners and area residents as required by local statute. Draft action items and the nodal development plan were available in the Eugene Main and Sheldon branch libraries. Notice of the public hearing by the City Council and Lane County Board of Commissioners was mailed to affected and interested parties and published as required by statute. Therefore, the amendments are consistent with Goal 1.



Goal 2 - Land Use Planning.

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. The Metro Plan's transportation element was updated in 2001. The Chase Garden Nodal Development Plan and all implementing actions are consistent with policies of the Metro Plan transportation element. These findings and the record show that there is an adequate factual base for the measures to establish the Chase Node. To comply with the Goal 2 coordination requirement, the City coordinated the adoption of the ordinances with the State Department of Land Conservation and Development, Oregon Department of Transportation, Eugene Water and Electric Board, Lane County, and City of Eugene service providers. Specifically, the City involved each of these entities as part of the Technical Advisory Team, which met over twelve times and reviewed all draft written materials, and through separate consultations. There are no Goal 2 Exceptions required for the adoption of these amendments. Therefore, the amendments are consistent with Goal 2.

Goal 3 - Agricultural Lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Goal 3 is not applicable or relevant to the amendments.

Goal 4 - Forest Lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Goal 3 is not applicable or relevant to the amendments.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources.

*To conserve open space and protect natural and scenic resources.*

The area effected by these actions contains only one resource from the City's Goal 5 inventory of significant resources. That area - referred to as the "Q Street Channel" is currently designated Parks and Open Space on the Metro Plan diagram and designated Park/Open Space on the Willakenzie Area Plan land use diagram. These Metro Plan and refinement plan amendments do not change the underlying designation for the Q Street Channel and do not change the level of protection for this resource. The area includes some buildings that have value as historic resources. However, none of those buildings have been added to the City's Goal 5 inventory. Therefore, the amendments are consistent with Goal 5.

Goal 6 - Air, Water and Land Resource Quality.

*To maintain and improve the quality of the air, water and land resources of the state.*

The regulations for the Chase Node implement the nodal development concept; an approach to integration of land use and transportation planning that seeks to increase the use of alternative modes of transportation, reduce per-person vehicle miles of travel, and reduce demand for automobile-related transportation facilities. Increasing the use of alternative modes of transportation will help to improve regional and local air quality. Therefore, the amendments are consistent with Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards.

The areas affected by these plan amendments do not include any known areas of natural disasters or hazards. Therefore, the amendments are consistent with Goal 7.

Goal 8 - Recreational Needs.

The plan amendments do not effect any inventoried or designated recreation areas, facilities or recreational opportunities. Therefore, the amendments are consistent with 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 previously adopted and acknowledged comprehensive and refinement plans for the Chase Gardens subarea designate no more than ten acres for Neighborhood Commercial uses on the east side only of the future alignment of Garden Way, a designated Major Collector street. Neighborhood Commercial zoning limits retail areas to less than 5 acres in total, and individual businesses to no more than 5,000 square feet in area unless they are developed with a floor-to-area ratio (FAR) of .65, in which case they could be up to 10,000 square feet in area. Other properties designated for commercial uses were to be zoned for General Office. Studies performed for the Chase Gardens nodal development area by Crandall Arambula, a general planning firm, and Hobson-Fararini, a market analysis firm, indicated that the area is under-served by retail, and that the designated commercial area was not conducive for pedestrian-oriented development patterns or healthy retail environment. The market study also found that limiting the size of retail in a high density retail area would more likely result in insufficient services, higher prices, and/or specialty stores that would attract customers from outside the neighborhood.

The proposed nodal development plan proposes to move the designated commercial center to a location that gains advantage of higher visibility to traffic and easier access, is closer to existing high density residential area, and creates a more pedestrian-friendly, neighborhood-centered environment. The plan allows a broader range and more competitive size of commercial uses (up to 50,000 square feet for an anchor grocery) than existing policies, and restricts automobile-serving and regional-sized activities that would detract from enjoyment of surrounding residences or overload the local street network (consistent with Transportation Planning Rule

recommendations for "mixed use, pedestrian-friendly center or neighborhood"). The proposed nodal development plan and implementing ordinances create new mixed use opportunities that allow limited commercial activities within specified residential areas. The mixed use regulations provides more flexibility for developing properties in the vicinity of the I-5 freeway but that have no freeway access.

The proposed plan results in approximately 2.5 fewer acres designated as Commercial, not including a .6 acre residential-designated property that is already developed for commercial purposes. Development in the Commercial-designated areas would be more economically viable and allow a wider range of uses within larger buildings than the acknowledged plan. The proposed plan also adds over 18 acres of potential mixed-use area within High Density Residential-designated areas without loss of potential residential yield. The allowance of smaller neighborhood-serving retail and services in the new Mixed Use area more than compensates for the slight reduction in purely commercially designated acreage.

Therefore, the amendments are consistent with Goal 9.

Goal 10 - Housing.

*To provide for the housing needs of citizens of the state.*

The previously adopted and acknowledged Willakenzie Area Plan had approximately 133 acres designated for residential use, as High Density Residential. The proposed plan has about 114 acres as High Density Residential and High Density Residential- Mixed Use. The 19 acre difference in land available for residential development between the acknowledged plan and proposed plan is the result of the proposed plan recognizing recently purchased park land, existing government-owned utility facilities, and an existing commercial building, none of which would have contributed to the residential yield of the plan area.

The Eugene-Springfield Metro Area Residential Land Survey assumes that 32 percent of all residential lands would be used for nonresidential purposes, such as for streets, churches, and other support services and infrastructure based on past development trends. Four acres of vacant R-3 zoned land has been purchased by The City of Eugene to provide a neighborhood park in this high density living environment after an approved housing development on this site failed to secure adequate funding to proceed.. Neighborhood parks are a permitted use in the R-3 zone. Park acquisitions of less than 5 acres are automatically found to be consistent with the Metro Area Residential Land Study. The most recent Eugene/Springfield Metro Area Residential Land Monitoring Annual Report (June 2001) found that "the land remaining is within the low-to-high-range of land demand for the 2000-2015 period in all categories" (page 5). The use of this four acres for park purposes is not a consequence of the proposed land use or zone changes; rather, the proposed changes reflect a change in ownership and proposed use that has already occurred prior to the adoption of the proposed changes. Acquisition of land for park purposes is consistent with the Oregon Transportation Planning Rule definition of "mixed use, pedestrian-oriented center or neighborhood."

Approximately 17 acres of land designated for High Density Residential in acknowledged plans are currently developed with Eugene Water and Electric Board (EWEB) electrical substation, storage, training facility, and transmission lines. Publicly owned land does not contribute to the Metro Area's residential land supply. The proposed Public Land designation and subarea zoning reflect the site's current use and do not practically reduce the buildable land supply. The proposed Willakenzie Area Plan policies will set future use of this property, should EWEB ever cease use of the site for public purposes, for high density housing.

A .6 acre site (Mallard II) designated for High Density Residential has been developed as a commercial building and parking pursuant to a Planned Unit Development plan for University Commons. The overall University Commons development plan maintained at least minimum densities of 15 units per net acre as required by the site's R-3 zone. The construction of the commercial building did not adversely affect the area's residential land supply. The property now needs a zone designation that will allow a wider range of commercial uses so that it may remain competitive with the larger commercial center proposed nearer to the south. Re-designating and zoning the property for commercial use, which recognizes its existing commercial status, will not adversely affect the available residential land supply.

The remaining changes to the residential land supply in Chase Gardens results from the shifting of a Commercial designation from properties located easterly of Garden Way (the Wylie properties) to a location (the Simpson property) that is more accessible, visible, economically viable, and more centrally located within the high density residences. Land losing Commercial designation will gain a High Density Residential/Mixed Use designation. This shift will result in a net increase of approximately 2.5 acres of additional residential-designated land. The proposed Mixed Use zone regulations would retain minimum residential densities equivalent to the R-4 zone.

The Historic Ensemble that is on the National Registry of Historic Places will gain a Mixed Use designation and subarea zone. The Ensemble will retain it's High density Residential designation. The proposed Mixed Use zone regulations would retain minimum residential densities equivalent to the R-4 zone.

Therefore, the amendments are consistent with Goal 10.

*Goal 11- Public Facilities and Services.* This goal seeks "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."

Basic urban services are provided to the general area and will be extended through improvement to Garden Way, with its affiliated extension of sanitary sewer services. Garden Way improvements are in the Capital Improvement Plan and scheduled to occur in 2002. Further extension of street and sanitary facilities to complete the area network will occur pursuant to existing code requirements. Other urban services, such as police, fire/EMS, parks, planning and

administrative services are already provided to this area by the City of Eugene. The area is also well served by two public transit lines and is on a proposed Bus Rapid Transit route. The proposed plan includes transit improvements that will be installed by a combination of public and private action pursuant to existing regulations. Therefore, these amendments are consistent with Goal 11.

Goal 12- Transportation. This goal seeks "To provide and encourage a safe, convenient and economic transportation system."

The nodal development plan resulted in a design that balances pedestrian, cyclist, and vehicle safety; the need to accommodate through traffic; and convenient access to local commercial and residential properties. Garden Way improvements will utilize "Smart Growth" design to create a pedestrian-friendly environment and transit oriented district that result in reduced vehicle miles traveled. Current City code requires street connections, bicycle and transit improvements with new development. The illustrative plan associated with the Willakenzie Area Plan shows how the code requirements can be satisfied in a manner that meets nodal development objectives.

The plan includes a map identifying the proposed street network within the plan area; the street network includes major streets (minor arterial, major collector, neighborhood collector) and local streets (medium volume residential, low volume residential, access lanes and alleys.) The plan also includes design standards for each identified street type; those standards are intended to promote safe, convenient and economic transportation for all modes of travel.

Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility....*
- (2) *A plan or land use regulation amendment significantly affects a transportation facility if it:*

- (a) *Changes the functional classification of an existing or planned transportation facility;*

The functional classification of the Chase Gardens streets were not changed. Garden Way was designated as a major collector in the Arterial and Collector Street Plan (adopted November 1999).

- (b) *Changes standards implementing a functional classification system;*

The street functional classifications are Garden Way - Major Collector; Centennial - Minor Arterial; Commons Drive - Neighborhood Collector; Kinsrow - Neighborhood Collector; Marche Chase - Collector; Harlow - Minor Arterial; and all others - local. The proposed amendments and the required associated land use changes that implement nodal development do not affect the standards

implementing the functional classification system.

- (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or*

Many of the trips both begin and end outside of the study area. The planned uses and levels of use within the study area are consistent with the street classifications and proposed transportation facilities. The planned uses and levels of use within the study area are roughly equivalent to what was acknowledged in the Willakenzie Area Plan (see findings for Statewide Planning Goals 9 & 10). The uses are rearranged within the nodal development area to facilitate non-automobile travel within the node. Proposed amendments to the land use code are based on Transportation Planning Rule recommendations for mixed use pedestrian-oriented centers or neighborhood.

- (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.*

The amendment itself is not responsible for the increased trips. The proposed amendments modify the location of future uses within the node, but do not significantly change the allowed uses, development yield, number or types of trips. The street system will require improvements in the future years irrespective of the proposed amendments. The need is attributed primarily to the location of the major collector, Garden Way, and its role in the regional transportation network.

TransPlan sets Level of Service "D" as the acceptable threshold in Eugene, outside of the Central Area Transportation Study area, but also states: "In some cases, the Level of Service on a facility may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service." The street network planned for Garden Way at the busiest intersection will provide Level of Service (LOS) E, and LOS F at the southernmost driveway to the commercial center, at peak demand after improvement. Improvements to alleviate this low LOS would lessen pedestrian accessibility throughout the node, thus broader community goals are served by allowing this substandard level of service. (Reference: Memorandum dated March 7, 2001, from Kittelson & Associates, Inc.)

Therefore, the amendments comply with Goal 12 and the Transportation Planning Rule.

### Goal 13 - Energy Conservation.

Goal 13 does not apply to the actions taken.

Goal 14 - Urbanization.

*To provide for an orderly and efficient transition from rural to urban land use.*

Some of the area subject to the Metro Plan amendment is in the urbanizable area - land outside the City's limits, but within the urban growth boundary. The actions taken do not annex the urbanizable area and do not include any time line for the conversion of the area to urban uses. Therefore, the amendments comply with Goal 14.

Goals 15 - 19.

These Statewide Planning Goals do not apply to the actions taken.

**Metro Plan Policies: Metro Plan policies relevant to this proposal include the following:**

1. Policy 8 (*Growth Management and the Urban Service Area Element Page II-B-4*) "Land within the urban growth boundary may be converted from urbanizable to urban only through annexation to a city when it is found that:
  - a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.
  - b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metropolitan Plan.

Development of this area can progress sequentially, as is typical throughout the Eugene Urban Growth Boundary. Properties need not annex until such time as development or need for City services are desired. After the property is annexed, urban services are provided to accommodate new development. A full complement of urban services can be provided within two years to any site in the study area. Street improvements to Garden Way, scheduled to commence in 2002, will provide the sanitary sewer, storm drains, natural gas, and bicycle and pedestrian circulation system needed to develop the remaining vacant land within the study area. Extensions of infrastructure to serve internal development sites will typically be extended by the developer. The Q Street Channel drains stormwater runoff. The City recently purchased 4.0 acres adjacent to the Q Street Channel for a new public park. Eugene School District 4J maintains Washington Elementary, Monroe Middle School, and Sheldon High School nearby. The area is already served by public transit.

2. Policy 9 (*Growth Management and the Urban Service Area Element Page II-B-4*) "A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.

In addition to key urban services, the plan provides for continued transit service to the site, provision of natural gas service, and storm drainage. City code provides for street lighting. Local

park land has been purchased; park improvements have yet to be funded . A branch library has been opened in the Sheldon neighborhood.

3. Policy 16 (*Growth Management and the Urban Services Area Element Page II-B-5*)  
"Ultimately, land within the urban growth boundary shall be annexed to a city and provided with the required minimum level of urban services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban."

Standard City procedures, which will remain effective in this nodal development area, provide for the urbanization of urbanizable land within the urban growth boundary. The plan also provides for eventual annexation of land within the planning area to the City of Eugene and provides for the required minimum level of urban services.

4. Policy 17 (*Growth Management and the Urban Services Area Element Page II-B-6*)  
"Eugene and Springfield and their respective utility branches, Eugene Water and Electric Board and Springfield Utility Board, shall be the water and electrical service providers within the urban growth boundary."

Water and electric service within the plan area, which is inside the Eugene Urban Growth Boundary, will be provided by the Eugene Water and Electric Board.

5. Policy A.2 (*Residential Land Use and Housing Element Page III-A-6*) "Residentially designated land within the UGB should be zoned consistent with the Metro Plan and applicable plans and policies, however, existing agricultural zoning may be continued within the area between the city limits and the UGB until rezoned for urban uses."

Adoption of the zoning amendments by the City of Eugene affects only properties inside the City limits. Rezoning urbanizable properties will occur following annexation to the City of Eugene. Until annexation and rezoning occur, urbanizable land will retain its existing zoning, some of which is zoned AG- Agriculture/UL. The AG zoning may remain until the owners annex to the City in preparation for development. This is consistent with this policy.

6. Policy A.8 (*Residential Land Use and Housing Element Page III-A-6*) "Require developers to pay the cost, as determined by the local jurisdiction, of extending public services and infrastructure. The cities shall examine ways to provide subsidies or incentives for providing infrastructure that support affordable housing and/or higher density housing."

The City is providing an incentive for higher density housing by extending infrastructure in advance of development through Garden Way. New development in the area will be required to pay the cost of extending public services and infrastructure to individual sites pursuant to existing formula that distributes costs equitably and allows credits for extraordinary infrastructure installation. The city has provided an incentive through the preparation of the nodal development



plan that identifies means of developing the area in a manner that satisfies Metro Plan and refinement plan policies.

7. Policy A.10 (*Residential Land Use and Housing Element Page III-A-8*) "Promote higher residential density inside the urban growth boundary that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the urban growth boundary."

The plan amendments utilize existing infrastructure (e.g., drainage, schools, community park, Garden Way and surrounding street network), improves the efficiency of transit service to the area, and conserves rural resource lands by providing for higher-density and mixed-use development inside the urban growth boundary. Residential areas are proposed to remain within the High Density Metro Plan and refinement plan designation and zoning. Uses will be arranged to maximize non-automobile modes of travel within the plan area, given the constraints of previous development patterns.

8. Policy A.11 (*Residential Land Use and Housing Element Page III-A-8*) "Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes."

The plan amendments implement the nodal development concept in the Chase Gardens neighborhood. The proposed land use plan for the area retains provisions for about 11 acres of commercial development, but shifts the location to be more centrally located. Higher-density residential development will occur in proximity to commercial services and the employment generated by those services. Improvement of Garden Way, a major collector and part of the "major transportation system" of the region, is already included in the City Capital Improvement Plan for 2002. Transportation efficiency is a guiding principle of the nodal development concept. The nodal development plan focuses on improving transportation-efficiencies of new development through use of alternative modes of travel, land use arrangements that encourage pedestrian and public transit travel, and strategic placement of uses and transit facilities, and use of design standards.

9. Policy A.12 (*Residential Land Use and Housing Element Page III-A-8*) "Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities."

The Willakenzie Area Plan amendments for the Chase Gardens nodal development area and proposed land use code coordinate higher density residential development with infrastructure, commercial services, street improvements, open space and other amenities necessary to support the recommended densities. Improvements to Garden Way, including water, sanitary sewer, and storm drain facilities are budgeted for 2002. The proposed plan and zoning amendments provide for adequate commercial services, employment opportunities, open spaces, and transit services to accommodate the proposed high density residential environment.

10. Policy A.13 (*Residential Land Use and Housing Element Page III-A-8*) "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 vacant residential-designated land within Chase Gardens nodal development area is zoned R-4 High Density Residential, which allows 20 - 112 dwelling units per net acre. The draft plan retains the dwelling yield of these lands, while redistributing the residential development in a more efficient and marketable manner. The proposed amendments create new mixed -use areas. The draft plan allows the five-property historic ensemble to remain in its historic low-density state, yet retains options for future development. Design standards in the proposed amendments reduce the negative impacts of increased residential density on existing and future neighborhoods.

11. Policy A.14 (*Residential Land Use and Housing Element Page III-A-8*) “Review local zoning and development regulations periodically to remove barriers to higher density housing and make provision for a full range of housing options.”

Cost factors and regulatory inefficiencies are often cited as a barrier to higher-density and mixed-use development. A broad mix of higher density housing types and commercial uses are allowed within the node to provide flexibility for the developer, more financing options, and employment opportunities for future residents. The amendments remove the Site Review requirement from future development. The plan relies on existing design standards to a great extent and attempts to simplify the development review process with use of quantifiable, nondiscretionary standards.

12. Policy A.15 (*Residential Land Use and Housing Element Page III-A-8*) “Develop a wider range of zoning options such as new zoning districts, to fully utilize *Metro Plan* density ranges.”

Adoption of the new mixed use zoning district by the City of Eugene retains residential yield pursuant to the R-4 zoning standards (See # 10, above). The plan also provides minimum density levels to fully utilize the upper range of the Residential designations.

13. Policy A.17 (*Residential Land Use and Housing Element Page III-A-9*) “Provide opportunities for a full range of choice in housing type, density, size, cost, and location.”

The Chase Gardens plan area is designated as a primarily high-density residential area surrounded by an abundance of lower density residential development. Taken together, there is a full range of housing choice. The higher density residential designation must be retained in Chase Gardens to retain that variety of housing types in the greater region. The draft plan provides for a full range of housing types, size, and cost (See #11, above) by retaining historic properties and allowing mixed use development in a variety of settings.

14. Policy A.18 (*Residential Land Use and Housing Element Page III-A-9*) “Encourage a mix of structure types and densities within residential designations by reviewing, and, if

necessary amending local zoning and development regulations.”

The Willakenzie Plan amendments include direction to create new residential land development regulations that are specific to the planning area, while retaining the intent of the acknowledged Willakenzie Area Plan. The proposed development regulations allow a mix of all structure types, mixed uses, and high density development.

15. Policy A.22 (*Residential Land Use and Housing Element Page III-A-10*) “Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations.”

The plan amendments and adoption of the land use code amendments by the City of Eugene allow new mixed-use opportunities within the nodal development area. The new district would permit development of either vertical mixed use buildings or a mix of uses within a development site.

16. Policy A.23 (*Residential Land Use and Housing Element Page III-A-10*) “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.”

Adoption of design standards for new development in the plan area by the City of Eugene is intended to promote the construction of high quality, higher-density residential and mixed-use development in the plan area, while relying on new Eugene Land Use Code provisions as much as possible. The standards and guidelines address site planning, landscape and open space, proximity to historic properties, and architectural considerations to reduce the impacts of higher-density, mixed-use development on surrounding uses.

17. Policy A.24 (*Residential Land Use and Housing Element Page III-A-10*) “Consider adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to address issues of compatibility, aesthetics, open space, and other community concerns.”

Adoption of the land use regulations by the City of Eugene provides clear and objective design standards. The design standards developed for the plan area promote compatibility between various uses in the node and create special spaces, aesthetics, open space and other concerns related to higher-density, mixed-use, and commercial development.

18. Policy 22 (*Economic Element Page III-B-6*) “Review local ordinances and revise them to promote greater flexibility for promoting appropriate commercial development in residential neighborhoods.”

Adoption of the High Density Residential Mixed Use district by the City of Eugene would permit appropriately scaled, neighborhood-serving commercial development in an area that is otherwise designated for residential uses. The commercial subarea zone would allow a broader range of

commercial uses than recommended in the pre-amended Willakenzie Area Plan, but restricts automobile-serving uses that would not be compatible with a residential neighborhood. Large commercial uses over 20,000 square feet in floor area, with the single exception of an anchor grocery store, are prohibited because of the potential draw of regional traffic. Mixed use areas are also proposed to allow greater flexibility for appropriately scaled commercial services.

19. Policy 28 (*Economic Element Page III-B-6*) "Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood."

Adoption of the Commercial zoning district by the City of Eugene will allow a full complement of neighborhood-scale commercial uses within the node. Smaller scale, neighborhood-commercial uses would also be allowed in the proposed Mixed-Use zoning district.

20. Policy 24 (*Environmental Resources Element Page III-C-11*) "When planning for and regulating development, local governments shall consider the need for protection of open spaces, including those characterized by significant vegetation and wildlife. Means of protecting open space include but are not limited to outright acquisition, conservation easements, planned unit development ordinances, streamside protection ordinances, open space tax deferrals, donations to the public, and performance zoning."

The draft plan provides for retention of open spaces within drainage corridors (e.g., the Q Street Channel) and in a publically owned 4 acre park. Additional habitat and recreational open spaces are contained within several privately-owned apartment complexes.

21. Policy 2 (*Willamette River Greenway, River Corridors, and Waterway Element Page III-D-4*) "Land use regulations and acquisition programs along river corridors and waterways shall take into account all the concerns and needs of the community, including recreation, resource, and wildlife protection, enhancement of river corridor and waterway environments; potential for supporting nonautomobile transportation; opportunities for residential development; adjoining uses; and other compatible uses."

The proposed plan preserves the existing Q Street Channel and related open drainage system within the nodal development area. The drainage corridors are planned as a linked open space system that provides for numerous recreational and resource values, including bike path connections between residences, public park, and surrounding neighborhoods, which supports nonautomobile transportation. The drainage corridors provide a development amenity for adjacent high-density residential development.

22. Policy 5 (*Willamette River Greenway, River Corridors, and Waterway Element Page III-D-4*) "New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features."

Uses proposed along waterways in the nodal development concept plan include high-density housing, natural resources areas, bicycle and pedestrian trails, a park, and streets. The proposed uses adjacent to the waterways are the same as those approved under the Willakenzie Area Plan. The proposed amendments recognize the public ownership of these areas and do not change, in any practical manner, the future use of the waterways. The waterways will be a natural amenity for adjacent uses, while these uses allow more people to enjoy these amenities. These uses are relatively non-polluting compared to most commercial and industrial uses.

23. Policy 2 (*Environmental Design Element Page III-E-3*) "Natural vegetation, natural water features, and drainageways shall be protected and retained to the maximum extent practicable, considering the economic, social, environmental, and energy consequences in the design and construction of urban developments. Landscaping shall be utilized to enhance distinctive natural features."

The site has been extensively disturbed through agricultural activity; little natural vegetation remains on the site. The Willakenzie Area Plan land use diagram and policies protect the Q Street drainage channel and the windrow of large trees along I-5 freeway, respectively. Street improvements to Garden Way have been designed to extend the right-of-way easterly, away from the historic ensemble, to avoid mature trees near the street. Drainageways on the site are artificially made or have already been widened and deepened to promote positive drainage. The plan allows these areas to revegetate naturally, within the constraints that they continue to function for regional drainage.

24. Policy 3 (*Environmental Design Element Page III-E-3*) "The planting of street trees shall be strongly encouraged, especially for all new developments and redeveloping areas (where feasible) and new streets and reconstruction of major arterials within the urban growth boundary."

Existing street standards require planting of street trees on all new streets constructed within the planning area, including Garden Way.

25. Policy 5 (*Environmental Design Element Page III-E-3*) "Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents."

The Q Street drainage corridor and tributaries, a new park, and protection of a large windrow along the I-5 freeway have been incorporated in the proposed amendments to provide greenery in a high density residential area. Physical access is provided to all of the proposed green corridors. The plan also strives to create a traditional "main street" commercial center — an identifiable pedestrian-oriented central location and gathering area — for this residential neighborhood. The design will create visual diversity from the sea of apartments that is currently spreading throughout the area. Adoption of design standards by the City of Eugene also attempts to assure aesthetic compatibility in areas proximate to the historic ensemble.

26. Policy 7 (*Environmental Design Element Page III-E-3*) "The development of urban design elements as part of local and refinement plans shall be encouraged."

Adoption of the Special Area Zone by the City of Eugene is based on a set of guiding design principles. Design standards for built environment are also incorporated into the land use code, Municipal Code Chapter 9.

27. Policy 8 (*Environmental Design Element Page III-E-3*) "Site planning standards developed by local jurisdictions shall allow for flexibility in design that will achieve site planning objectives while allowing for creative solutions to design problems."

The Special Area Zone was developed to use clear and quantifiable standards as much as possible to avoid the need for time consuming secondary discretionary reviews, such as site review, planned unit developments, or new design review procedures. However, the new Eugene land use code includes provisions for an "adjustment review" process that allows a development proposal to be evaluated using a set of Design Guidelines rather than design standards. The guidelines are intended to promote flexibility and allow for creative design solutions while adhering to the nodal development design principles. Adoption of the code applicable to Chase Gardens by the City of Eugene includes new mixed use provisions that allow additional flexibility in site use and design.

28. Policy F.1 (*Transportation Element*) "Apply the nodal development strategy in areas selected by each jurisdiction that have identified potential for this type of transportation-efficient land use pattern."

The Chase Gardens Area was identified in the Willakenzie Area Plan as an "opportunity area" for higher density, transportation efficient development. This recommendation was carried through in TransPlan's finding of this area as a potential nodal development area (# 6A). The proposed amendments act on this potential by providing a template for build-out according to nodal development strategies. The area will provide a pedestrian friendly, transit compatible neighborhood center. Aesthetic and recreational amenities will be provided for area residents in this high density setting. Good transit connections to downtown, shopping, and the University will be retained.

29. Policy F.2 (*Transportation Element*) "Support application of the nodal development strategy in designated areas through information, technical assistance, or incentives."

There are no traditional mechanisms existing in the Chase Gardens Area to provide financial incentives to support nodal development. This is not in an urban renewal district, nor would the limited amount of growth in this area support an urban renewal district. Current policies do not provide tax incentives. The area is already designated for high density growth. The City attempts to support nodal development through preparing a master plan that is consistent with the strategy, initiating and taking the lead in processing plan and zoning amendments, working cooperatively with property owners and market analysts to ensure a feasible plan, and reducing the amount of secondary approvals necessary for development applications by structuring the regulations to be

clear, objective, and quantifiable.

30. Policy F.3 (*Transportation Element*) "Provide for transit supportive land use patterns and development, including higher intensity transit-oriented development along major transit corridors and near transit stations; medium and high density residential development within 1/4 mile of transit stations, major transit corridors employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit."

The Chase Gardens area was planned based upon these principles. It provides transit supportive land use patterns and higher intensity development along Garden Way, a major transit corridor. Two transit stations are planned in the new neighborhood center and a third on the perimeter. Approximately half of the existing medium and high density residential development is located within 1/4 mile of the primary transit stations, with more dwellings planned. The interconnected street network provides ample flexibility for buses to be routed throughout the residential area. Transit service ties Chase Gardens to downtown and other shopping areas and the University.

31. Policy F.4. (*Transportation Element*) "Require improvements that encourage transit, bicycles, and pedestrians in new commercial, public, mixed use, and multi-unit residential development."

The Chase Gardens nodal development plan requires "main street" pedestrian orientation for commercial and residential development along Garden Way. Bike lanes will be added to Garden Way. A street network will be provided throughout the residential area and pedestrian amenities are required in the commercial shopping center.

32. Policy F.5 (*Transportation Element*) "Within three years of TransPlan adoption, apply the ND, Nodal Development, designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal plans and implementing ordinances."

Adoption of the Chase Gardens nodal development implementation measures is one of the actions required to comply with this policy.

33. Policy F.13 (*Transportation Element*) "Support transportation strategies that enhance neighborhood livability."

The proposed improvements to Garden Way, the area's primary collector road, is to utilize traffic calming features, landscaped medians, access management and on-street parking to maintain traffic functions and retail viability while increasing pedestrian comfort and safety. Street improvements also include bike lanes and transit stops. The result will be a livable, viable neighborhood center.

34. Policy F.15, 2 (Transportation Element) "Acceptable and reliable performance is defined as \*\*\* Level of Service D [outside the downtown area].\*\*\* In some cases, the Level of Service on a facility may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service."

Garden Way is a major collector that is already substandard and projected to get much worse as the area grows. The street network planned for Garden Way at the busiest intersection will provide Level of Service (LOS) E, and LOS F at the southernmost driveway to the commercial center, at peak demand after improvement. Improvements to alleviate this low LOS would lessen pedestrian accessibility through the node, thus broader community goals are served by allowing this substandard level of service. (Reference: Memorandum dated March 7, 2001, from Kittelson & Associates, Inc.)

35. Policy F.16 (Transportation Element) "Promote or develop a regional roadway system that meets combined needs to travel through, within, and outside the region."

Garden Way, which traverses the study area, is the only street connection past Highway I-105 between Coburg Road and Pioneer Parkway. Its ability to accommodate regional through-traffic is critical to the overall function of the street network. Garden Way has been designed to accommodate the large amounts of projected traffic in a manner that accommodates other modes of transportation, supports the proposed neighborhood retail center, would not encourage traffic to cut-through residential areas, and discourages speeding.

36. Policy F.23 (Transportation Element) "Require bikeways along all new and reconstructed arterial and major collector streets."

Bike lanes are proposed along the reconstructed Garden Way, a major collector street.

37. Policy F.27 (Transportation Element) "Provide for a continuous pedestrian network with reasonably direct travel routes between destination points."

Pedestrian connections are proposed throughout the newly developing portions of the node; other areas are already built with varying degrees of pedestrian access between properties. The proposed street network and standards requirements for commercial parking lots will ensure pedestrian connections between the old and new portions of the node.

38. Policy F.28 (Transportation Element) "Construct sidewalks along urban area arterial and collector roadways, except freeways."

Garden Way will be improved with sidewalks and other pedestrian amenities.



39. Policy F.37 (Transportation Element) "Consider and include among short-term project priorities, those facilities and improvements that support mixed use, pedestrian-friendly nodal development, and increased use of alternative modes."

Improvements to Garden Way are included in the Capital Improvement Plan. These improvements are necessary for the successful completion of the Chase Gardens nodal development area, a proposed mixed-use, pedestrian-friendly area. The improvements will be funded through traditional sources, such as assessments and developer contributions.

40. Policy 2 (*Energy Element Page III-J-5*) "Carefully control, through the use of operating techniques and other methods, energy-related actions, such as automobile use, in order to minimize adverse air quality impacts. Trade-offs between air quality and energy actions shall be made with the best possible understanding of how one process affects the other."

The plan promotes the use of alternative modes of transportation (transit, bicycles, and walking) by providing an attractive and interconnected pedestrian system, on-street and off-street bicycle facilities, and transit enhancements at several places on the site. The need to use an automobile for all trips will be reduced due to the proximity between residential, commercial, and recreational areas and the availability of facilities that promote alternative mode use. Increased use of alternative modes should result in reductions in adverse air quality impacts from automobile use.

41. Policy 7 (*Energy Element Page III-J-5*) "Encourage medium- and high-density residential uses when balanced with other planning policies in order to maximize the efficient utilization of all forms of energy. The greatest energy savings can be made in the areas of space heating and cooling and transportation. For example, the highest relative densities of residential development shall be concentrated to the greatest extent possible in areas that are or can be well served by mass transit, paratransit, and foot and bicycle paths."

The proposed amendments retain the Willakenzie Area Plan yield for high density housing in the Chase Gardens area. All areas designated for higher-density development and the commercial center are located close to proposed transit routes and bicycle routes. The proposed street and path network provides direct pedestrian linkages from the higher density areas to proposed transit routes.

Based on the findings 1 through 41 above, we find that the adoption of the amendments are consistent with the Metro Plan and does not make the Metro Plan internally inconsistent.

## **Consistency with Refinement Plan Amendment Criteria**

Section 9.8424 of the Eugene Land Use Code and Section 9.145(2) of the Lane Code Urbanizable Area Land Use and Zoning list the criteria for refinement plan amendments. The Eugene Land Use Code applies within the Eugene City limits; the Lane Code Urbanizable Area Land Use and Zoning applies within the area between the Eugene city limits and the urban growth boundary. In the findings below, text from the Eugene Land Use Code is printed in bold; text from the Lane Code Urbanizable Area Land Use and Zoning (where there is comparable text) is printed directly under the Eugene Land Use Code text and is highlighted in *italics*.

**Section 9.8424(1)      The plan amendment is consistent with all of the following:**

*Section 9.145(2)      The proposed change is consistent with the following approval criteria:*

**(a)      Statewide planning goals.**

*[Comparable refinement plan amendment criterion not included in Lane Code Urbanizable Area Land Use and Zoning]*

*See discussion under "Consistency with Statewide Planning Goals and Adopted Eugene-Springfield Metropolitan Area General Plan (Metro Plan)", above*

**(b)      Applicable provisions of the Metro Plan.**

*(a)      The plan amendment is consistent with the Metropolitan Area General Plan;*

*See discussion under "Consistency with Statewide Planning Goals and Adopted Eugene-Springfield Metropolitan Area General Plan (Metro Plan)", above*

**(c)      Remaining portions of the refinement plan.**

*(b)      The plan amendment is consistent with the remaining portions of the refinement plan.*

The Willakenzie Area Plan designated the Chase Gardens area as an "Opportunity Area" that was suitable for high density residential development, neighborhood commercial facilities, and improvements to Garden Way. The Willakenzie Area Plan recommended that a master plan be prepared to coordinate future development and capitalize on what are essentially nodal development principles (though not using the term "node" at the time). By master planning the remaining under-developed land in the Chase Gardens area according to nodal development principles, the proposed amendments to the Willakenzie Area Plan implement the directives of the Willakenzie Area Plan and are therefore consistent with the other portions. The proposed amendments retain the development yield proposed in the Willakenzie Area Plan, recognize government-owned land and natural resource areas, and retain Garden Way as the primary collector street for the area. The proposed amendments to the Willakenzie Area Plan update the Chase Gardens Opportunity Area section's text and land use diagram to reflect current conditions

and to apply nodal development design principles to the original Plan's mix of land uses.

**Section 9.8424(2)     The refinement plan amendment addresses one or more of the following:**

*Section 9.145(c)     The plan amendment is found to address one or more of the following:*

**(a)     An error in the publication of the refinement plan.**

*(c)(1) An error in the publication of the plan;*

**(b)     New inventory material which relates to a statewide planning goal.**

*(c)(3) Incorporation into the plan of new inventory material which relates to a statewide goal;  
or*

**(c)     New or amended community policies.**

*(c)(4) A change in public policy*

**(d)     New or amended provisions in a federal law or regulation, state statute state regulation, statewide planning goal, or state agency land use plan.**

*[Comparable refinement plan amendment criterion not included in Lane Code]*

**(e)     A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

*(c)(2) A change of circumstances in a substantial manner not anticipated in the plan;*

The plan amendments addresses "new or amended community policies."

In 2001, The Eugene City Council and Lane County Board of Commissioners adopted a revised Transportation Element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and other Metro Plan text amendments, including the addition of the ND-Nodal Development Metro Plan diagram designation, and adopted the updated TransPlan as a refinement plan to the Metro Plan. Metro Plan policies support nodal development, as discussed under the Metro Plan section, above.