

W7b

**SUPPLEMENTAL AGENDA COVER MEMO**

**DATE:** February 4, 2003, Date of Memo  
February 12, 2003, Third Reading/Deliberation

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

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

**PRESENTED BY:** Kent Kullby and Jan Childs, City of Eugene Planning Division

**SUPPLEMENTAL MATERIAL**

**AGENDA ITEM TITLE:** **ORDINANCE NO. PA 1186 – IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM FOR PROPERTY WITHIN THE CRESCENT AVENUE NODAL DEVELOPMENT AREA, WITH CONCURRENT AUTOMATIC AMENDMENT TO THE WILLAKENZIE AREA PLAN LAND USE DIAGRAM; AND ADOPTING A SEVERABILITY CLAUSE.**

**I. MOTION:**

**MOVE ADOPTION OF ORDINANCE NO. PA 1186 AS PRESENTED**

**II. ISSUE:**

The City of Eugene has proposed amendments to the Metro Plan diagram, with concurrent automatic amendment of the Willakenzie Area Plan diagram, to implement nodal development in the Crescent Avenue area. For these amendments to take effect for the unincorporated portion of the area, the Eugene City Council and Lane County Board of Commissioners must jointly adopt them. The proposed amendments have been reviewed by the Eugene and Lane County planning commissions and have been forwarded to the Eugene City Council and the Lane County Board of Commissioners for action. The Eugene City Council and the Lane County Board of Commissioners held a joint public hearing on the proposed amendments on January 22, 2003.

**III. BACKGROUND:**

Please refer to the Agenda Cover Memo dated December 23, 2002 for background on the proposed amendments. Please also refer to the Supplemental Agenda Cover Memo dated January 6, 2003 for replacement Exhibit "A" and Exhibit "B" to Ordinance No. PA 1186.

The attachments to this Supplemental Agenda Cover Memo provide responses to elected officials questions regarding the proposed amendments, draft minutes of the January 22, 2003 joint public hearing and additional written testimony and photos received at the public hearing.

**IV. ATTACHMENT:**

A. Staff Response to Elected Officials Questions, with attachments

1. Memorandum from City Attorney regarding Consolidation of Applications for Concurrent Review, dated January 30, 2003.
  2. Bus Rapid Transit System Map, December 2001, reduced copy of color map in TransPlan Appendix A
  3. Orenco Station Project Information, published by Livable Oregon, June 1999
- B. Draft Minutes of January 22, 2003 Joint Eugene City Council and Lane County Board of Commissioners Public Hearing
- C. Written Testimony Distributed at the January 22, 2003 Public Hearing
1. Jonathan P. Launch, Eugene School District 4J
  2. Justin Wright, Arlie & Company
- D. Photographs of Orenco Station, in Hillsboro, Oregon and Photographs of Crescent Park Apartments in the Crescent Node on Crescent Avenue, Eugene, received at the January 22, 2003 Public Hearing from Stacy Mount, 2840 Grand Cayman Drive.



# MEMORANDUM

City of Eugene  
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www.ci.eugene.or.us

**Date:** February 3, 2003

**To:** Eugene City Council  
Land County Board of Commissioners

**From:** Jan Childs, Planning Director

**Subject:** STAFF RESPONSE TO ELECTED OFFICIALS QUESTIONS REGARDING  
CRESCENT AVENUE NODAL DEVELOPMENT AREA

At the January 22, 2003 joint public hearing of the Eugene City Council and the Lane County Board of Commissioners on ordinances implementing nodal development for the Crescent Avenue area, elected officials asked a number of questions of staff. Many of the questions were answered at the meeting and the staff responses are included in the draft minutes of the meeting (see Attachment D). Responses to the remaining questions are provided below.

Regarding the possibility of a “unified application” for the Arlie property, provide more information on the current requirements and if a code change would be required. What would be the downside?

Arlie and Company has asked whether the City would process a concurrent review of five land use applications, as a “unified application,” for its property within the Crescent Avenue nodal development area: Metro Plan diagram amendment; site-specific refinement plan amendment; zone change; planned unit development and site review. In reviewing the Eugene Land Use Code, the City Attorney found that the City could process the Metro Plan diagram amendment, refinement plan amendment and zone change concurrently, but not all five applications. The City Attorney opinion is provided as Attachment 1 to this memorandum. Processing all five applications concurrently would require an amendment to the Eugene Land Use Code. Under the current codes of all three jurisdictions, a Metro Plan amendment is a decision of the elected officials to establish the appropriate future use of land. Neither Eugene nor Springfield provide for review of a specific development proposal concurrent with the policy decision as to the appropriate future use of land. The biggest downside of concurrent processing of all five applications is that City Council modification or denial of the proposed Metro Plan amendment and refinement plan amendment would require the submittal of new planned unit development and site review applications.

It is important to note that the question of future processing of land use applications for the Arlie and Company property is not relevant to the land use decisions before the City Council and the Board of County Commissioners at this time.

Regarding the Lane County Planning Commission recommendation of denial, how does that relate to the criteria. Doesn't the decision need to be based on the criteria?

As reported in the minutes of the December 3, 2002 joint Planning Commission meeting (contained in the January 22, 2003 council packet), the Lane County Planning Commission motion to recommend denial of the Metro Plan diagram amendment and concurrent automatic amendment to the Willakenzie Plan land use diagram referred to the reasons stated in the Commission's discussion rather than providing specific reference to the approval criteria. The code provisions for Metro Plan amendments are identical in the

Eugene, Lane County and Springfield land use codes. All three codes state that the criteria shall be applied by the elected officials in approving or denying a Metro Plan amendment. [EC 9.7730(3)] Similarly, the Eugene Code states that approval of a zone change shall not be approved unless it meets all the applicable criteria. [EC 9.8865] These criteria were listed in the public hearing notices and the staff reports to the planning commissions and the elected officials. Yes, the decision must be based on the criteria.

Where is the terminus of the Coburg Road BRT route? Provide a map showing BRT corridors.

Lane Transit District staff has convened the Coburg Road BRT Stakeholder Committee to begin corridor planning for the Coburg Road Bus Rapid Transit route. Stefano Viggiano, Lane Transit District, reported that the northern terminus of the route would be determined as part of the Coburg Road BRT planning process. He noted that the map of the proposed Bus Rapid Transit System included in Appendix A to the adopted TransPlan shows the northern terminus at Crescent Avenue. A reduced copy of the TransPlan map is provided as Attachment 2.

If an adjustment were granted to the 30 units per net acre minimum density in the R-4 zoned property in this node, how would it affect the program overall?

An adjustment to the 30 units per net acre minimum density for the property owned by Arlie and Company property would be based on a evaluation of residential property zoned /ND Nodal Development within the Crescent Avenue area and a determination that the overall net residential remained at least 12 units per net residential acre. As such, the overall program target of 12 units per net residential acre would continue to be met.

What would be the consequences from the state were one or the other jurisdictions to reject these ordinances?

In its order adopting the TransPlan alternative measures, the Land Conservation and Development Commission (LCDC) recommended that "Eugene and Springfield need to adopt Metro Plan designations and zoning amendments for the specified nodes within two years after TransPlan adoption," setting its target for completion of this work one year earlier than provided in TransPlan and Metro Plan policy. To help meet this target, Eugene and Springfield have received Transportation and Growth Management (TGM) grants for the 2001-2003 biennium to help fund the cost of this work. For Eugene, the grant agreement calls for adoption of Metro Plan designations and zoning for eight new high-priority areas and completion of action on the Royal Avenue and Chase Gardens implementing ordinances by June 2003.

The TGM Grant Agreement lists tasks and deliverables for each task. Grant funding is provided on a reimbursement basis, upon submission of deliverables. Since DLCD Notice of Adoption and Notice of Decision for each ordinance is the final deliverable for each area, failure to adopt ordinances for one or more of the eight high-priority nodal development areas could result in withholding of a portion of the grant funding. In addition, for the 2001-2003 biennium and previous grant cycles, performance on previous grants has been considered in awarding grants for the new biennium.

Regarding the alternative measure target for nodal development acres, LCDC is looking at the total acreage for nodal development, not just the number of areas. If any of the eight areas are reduced substantially in size, it is possible that the state would require that additional areas receive the Metro Plan designation and, within the City limits, /ND overlay zone as interim protection in the 2003-2005 biennium prior to funding detailed plans such as was done in the Royal Avenue and Chase Gardens areas

What is the distance between the center of the node and the urban growth boundary?

In this area, the northern boundary of the urban growth boundary is just north of County Farm Road and the eastern boundary of the urban growth boundary is at Game Farm Road. The distance from the center of the node to the northern boundary of the UGB is approximately 4,200 feet; the distance to the eastern boundary is approximately 2,800 feet. For comparison, one mile is 5,280 feet.

What is the size of Orenco Station? Provide more information regarding the range of densities at Orenco Station. What is the size of the previously adopted areas (Royal and Chase Gardens)?

The information on Orenco Station provided below is taken from a brochure published by Livable Oregon in June 1999. A copy of the full brochure is provided as Attachment 3. Orenco Station is 206 acres in size. It includes 436 for-sale residential units on 65 acres; 1400 multi-family homes on 62 acres; 52-acre shopping center with commercial, office and retail; and a seven-acre “town center” retail area. According to the brochure, for-sale residential includes a mix of single-family detached homes, townhouses, condominiums, lofts and live/work townhomes, at a density of 6.7 units per gross residential acre. Net density is 8.4 units per net residential acre. The 1400 multi-family homes on 62 total acres yields 22.6 units per gross residential acre; units per net acre is not provided.

The Royal Avenue nodal development area is 191 acres in size. Low density residential is planned at 8 units per net acre, medium-density residential at 20 units per net acre and residential mixed use at 18 units per net acre for an average of residential density of 12.1 units per net acre. Detail on land use acres and net residential densities for the Royal Avenue node is found in the Draft Royal Avenue Specific Plan, January 2002, page 32. The entire Chase Gardens nodal development area, including the existing multi-family residential development, is 129 acres in size. The Chase Gardens Special Area Zone would apply only to the undeveloped property within the City limits.

For comparison, the entire Crescent Avenue nodal development area, including both incorporated and unincorporated property, is 138 acres in size.

What is the average cost of the units for the Arlie property and are they to be sold or rented?

This information is not available.

What is the number of units and the range of number of housing units that could be placed on the Arlie property?

The R-4 zoned lot owned by Arlie and Company is 36.92 acres in size. The entire lot is currently vacant. While the Metro Plan assumes that up to 32% of gross residential acreage is taken up by non-residential uses such as streets, parks, schools and public utilities, the percentage of high-density land in non-residential use is generally considerably lower. For purposes of this calculation, it will be assumed that the 10% of the gross residential acreage is in non-residential use, yielding approximately 33 net acres. The table below provides the range of housing units that could be placed on the Arlie site:

Units per Net Residential Acre	R-4 — 33 Acres	R-4/ND — 33 Acres
20 units per net acre minimum	660 units	
30 units per net acre minimum		990 units
120 units per net acre maximum	3,960 units	3,960 units

This is not to suggest that development would actually occur at the high-end of the range, only that development at that density is allowed.

For comparison, the Crescent Park Apartments development is 200 units on 10.38 net acres, for 19.3 units per net acre. For another example of multi-family development, Broadway Place at Broadway and Charnelton is 65 units per net acre. Broadway Place contains 164 units on the equivalent of one downtown city block (two half blocks separated by Broadway Street).

Can 12 units per net residential acre be achieved for the node at less than 30 units per acre on the Arlie property?

Yes, 12 units per net residential acre can be achieved at less than 30 units per net acre on the Arlie property both when only the currently incorporated area is considered and when the entire nodal development area is considered.

Incorporated area only: In addition to the Arlie and Company property, the incorporated portion of the node includes one developed medium-density parcel and one vacant low-density parcel acquired by the City for parkland. The developed medium-density residential property, the Crescent Park Apartments, is developed at 19 units per net acre. The undeveloped City parkland within the node is not considered available for residential use and not considered in the calculation of net residential density. With two parcels within the incorporated area designated and zoned for medium and high-density use and the third parcel purchased by the City as parkland, the average net density would be over 20 units per net residential acre.

Entire area: This calculation assumes that the entire area is annexed and that all three of the large vacant parcels in the currently unincorporated area are developed at the Metro Plan designation of low-density residential. The three vacant parcels owned by School District 4-J, the Eugene Water and Electric Board and Wildish total approximately 41 gross acres. Assuming 20% of gross acres for streets/non-residential use would result in approximately 33 net acres in low-density residential use. Finally, assuming one unit per residentially-zoned lot within the Kinney Loop subdivision yields 44 units on approximately 20 net acres. The calculations are as follows:

Arlie and Company Property	33 net acres	x	25 units/acre =	825 units
Crescent Park Apartments	10.38 net acres	x	19.3 units/acre =	200 units
4-J/EWEB/Wildish Property	33 net acres	x	8 units/acre =	264 units
Existing Kinney Loop	20 net acres	x	2.2 units/acre =	44 units
<b>Total</b>	<b>96.38 net acres</b>	<b>x</b>	<b>13.8 units/acre =</b>	<b>1333 units</b>

Therefore, even if the entire node were annexed and zoned at existing Metro Plan densities, with the nodal development overlay zone added, 12 units per net residential acre could be achieved at less than 30 units per net acre on the Arlie and Company property.

What is the vacancy factor for the commercial development located within the node?

Staff was unable to determine vacancy statistics for this commercial property.

If you have questions, please call me at 5208.

**CITY OF EUGENE**  
**INTER-DEPARTMENTAL MEMORANDUM**  
**CITY ATTORNEY – CIVIL DEPARTMENT**

**To: Teresa Bishow**  
**Planning**

**Date: January 30, 2003**

**Subject: Consolidation of Applications for Concurrent Review**

**[Opinion originally issued 1/10/03.]**

You have asked for our opinion concerning a specific development proposal being prepared for City consideration. It is our understanding that the subject site is wholly within the City limits and that the development will be possible only after it receives five City approvals. To develop its site as proposed, the applicant would need City approval of: 1) a comprehensive plan diagram amendment; 2) a site-specific refinement plan amendment; 3) a zone change; 4) a planned unit development (for purposes of this opinion, we consider only the tentative plan approval); and 5) a site review plan. You have informed us that the applicant has requested "concurrent review" of all five proposals. You have asked whether the City is required to process the applications concurrently. In short, the City must allow the applicant to consolidate the review of the last three approval requests (zone change, PUD and site review) into a single process. The comp plan and refinement plan amendments will be processed separately.

**Discussion**

The Eugene Code provides at EC 9.8005(2):

If an initial proposal also requires an application be submitted for one or more of the following:

- (a) Adjustment review;
- (b) Site review;
- (c) Conditional use permit;
- (d) Planned unit development;
- (e) Zone change; or
- (e) Willamette Greenway permit,

the applicant may elect to have the applications reviewed concurrently according to the highest application type. All other provisions of this code would continue to apply to each application, including, but not limited to, the approval criteria.

Based on this code section, the City must consider the site review, planned unit development, and, if requested by the applicant, the zone change concurrently according to the highest applicable application type (Type III).<sup>1</sup> EC 9.8005(2) does not require that the City provide a single review

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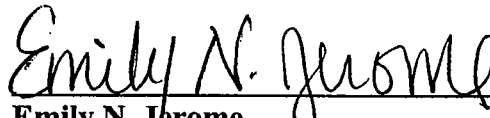
<sup>1</sup>The Code goes further than state law which would arguably require only that zone change and the Planned Unit Development applications must be considered in a consolidated process. Oregon Revised Statute 227.175(2).

process that includes *all five* of the requested land use actions because two of the actions, the requests for comprehensive plan and refinement plan amendment, are not among those included in EC 9.8005(2) and they do not *require* the application for the PUD, site review or rezoning as EC 9.8005(2) specifically states. The code gives the applicant the option to request the zone change along with the comprehensive plan and refinement plan amendments or with its request for PUD and site review approval. EC 9.8855(3). The Metro Plan amendment will be processed according to EC 9.7735 (Metro Plan - Plan Amendment Approval Process: Single Jurisdiction). Depending upon the nature of the refinement plan amendment, it may be automatically made pursuant to EC 9.7750(4) or it may be made by following a Type IV process.<sup>2</sup>

Since PUD approval is contingent upon the proposal's consistency with the Metro Plan and the refinement plan, this applicant should pursue approval of the Metro Plan and refinement plan changes before it requests approval of its PUD and site review plans. Whether it includes the rezoning request in the first or second process makes little difference from a legal standpoint.

Please contact me if you have any questions regarding this opinion.

**HARRANG LONG GARY RUDNICK P.C. –  
CITY ATTORNEYS**

  
Emily N. Jerome

ENJ/gb

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<sup>2</sup>Please contact me if you would like our office's assistance in providing a single process that would satisfy the requirements of both EC 9.7735 and the EC requirements for a Type IV process.









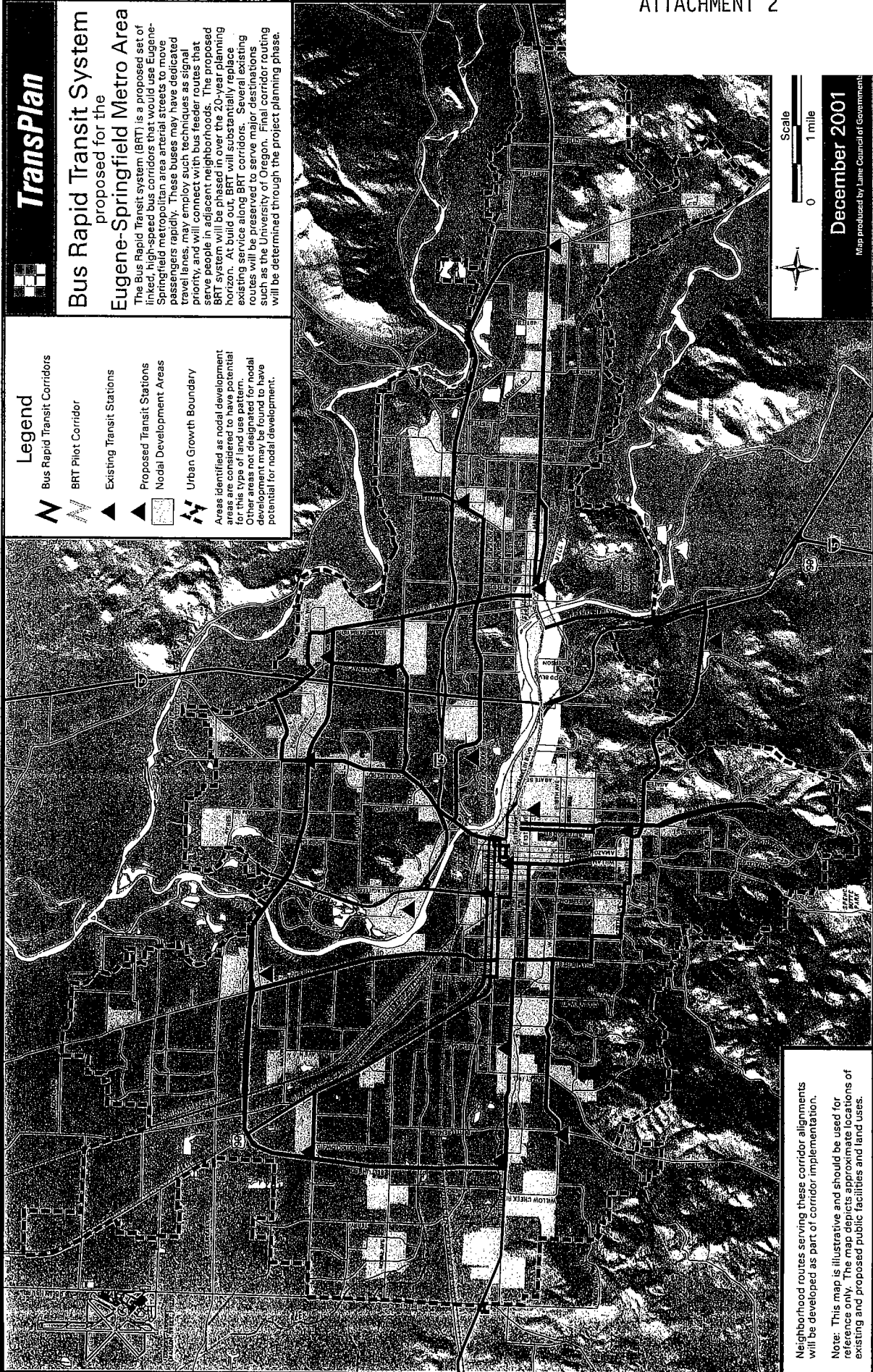
# TransPlan

## Bus Rapid Transit System proposed for the Eugene-Springfield Metro Area

The Bus Rapid Transit system (BRT) is a proposed set of linked, high-speed bus corridors that would use Eugene-Springfield metropolitan area arterial streets to move passengers rapidly. These buses may have dedicated travel lanes, may employ such techniques as signal priority, and will connect with bus feeder routes that serve people in adjacent neighborhoods. The proposed BRT system will be phased in over the 20-year planning horizon. At build out, BRT will substantially replace existing service along BRT corridors. Several existing routes will be preserved to serve major destinations such as the University of Oregon. Final corridor routing will be determined through the project planning phase.

### Legend

-  Bus Rapid Transit Corridors
  -  BRT Pilot Corridor
  -  Existing Transit Stations
  -  Proposed Transit Stations
  -  Nodal Development Areas
  -  Urban Growth Boundary
- Areas identified as nodal development areas are considered to have potential for this type of land use pattern. Other areas not designated for nodal development may be found to have potential for nodal development.



Scale  
0 1 mile

December 2001

Map produced by Lane Council of Governments

Neighborhood routes serving these corridor alignments will be developed as part of corridor implementation.

Note: This map is illustrative and should be used for reference only. The map depicts approximate locations of existing and proposed public facilities and land uses.

# Orenco Station

HILLSBORO, OREGON

## DESCRIPTION

### Project Type

Mixed-use residential/retail/commercial/  
open space near light rail station.

### Description

206-acre master-planned community.  
436 for-sale residential units on 65 acres.  
1400 multi-family homes on 62 acres.  
52-acre shopping center with  
commercial, office and retail.  
Seven-acre "town center" retail area  
with 23,000 square feet of retail  
space, 30,000 square feet of office  
space with residential "lofts" and  
live/work townhomes.

### Site

206-acre undeveloped, flat, open  
land site.

### Location

Immediately north of the Orenco light  
rail station on the Westside Light Rail  
line, east of Cornelius Pass Road, and  
south of Fujitsu and Intel's Ronler  
Acres Campus.



*Homes at Orenco Station are designed to create a sense of community through traditional architecture, front porches and smaller setbacks in front.*

## PROJECT TEAM

### Developer/Project Manager

Orenco Station LLC  
(Pacific Realty Associates, L.P. (PacTrust), Portland and Costa Pacific Homes, Beaverton)

### Land Planning Team

PacTrust, Portland  
Costa Pacific Homes, Beaverton  
Alpha Engineering, Portland, Civil Engineers  
Fletcher Farr Ayotte, Portland, Town Center Architects  
Iverson & Associates, Costa Mesa, California, Residential Architects  
Walker & Macy, Portland, Landscape Architects

### Marketing

Subert-Gregory and Woodstrom, Seattle, Washington, Advertising and Public Relations

### Contacts

Richard D. Loffelmacher, PacTrust  
15350 S. W. Sequoia Parkway, Suite 300, Portland, Oregon 97224  
Tel: (503) 624-6300 Fax: (503) 624-7755

Rudy A. Kadlub and Joy C. Schmieg, Costa Pacific Homes  
8625 S.W. Cascade Avenue, Suite 606, Beaverton, Oregon 97008  
Tel: (503) 646-8888 Fax: (503) 646-7840

## FINANCING INFORMATION

<b>Project Cost</b>	\$150,000,000
<b>Single family residential (sales prices)</b>	\$140,000 - \$250,000
<b>Commercial leasing rate (estimate)</b>	Class A market rate
<b>Retail leasing rate (estimate)</b>	\$19-23/square foot, triple net basis

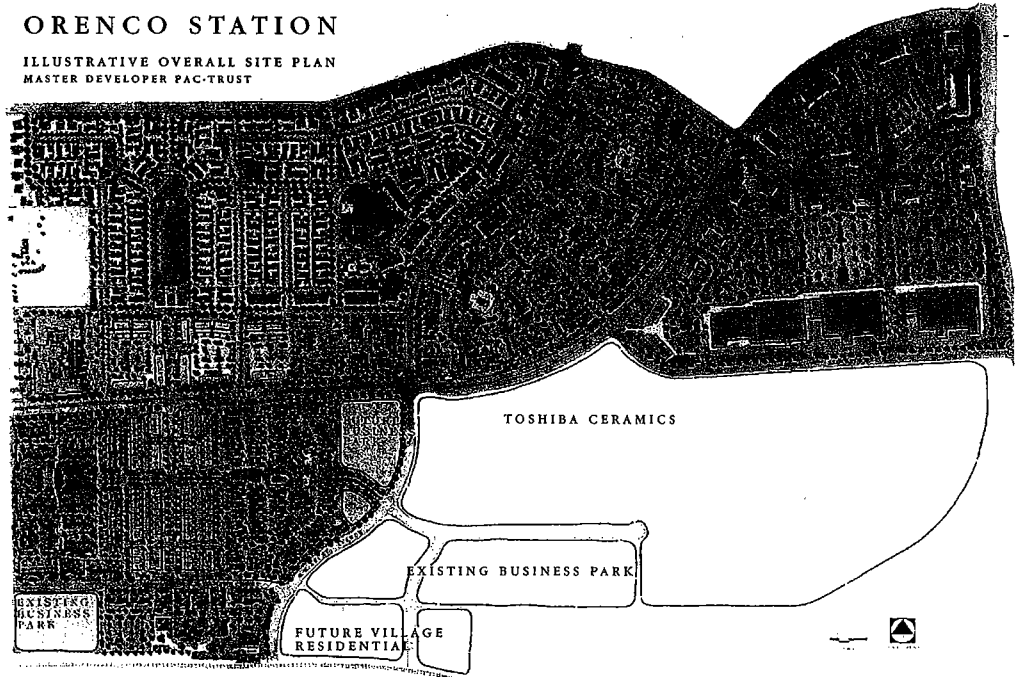
**PLANNING AND DEVELOPMENT**

Orenco Station is located near the old company town of Orenco, which was originally named for the Oregon Nursery Company at the turn of the century. The site, originally subdivided for homes in the 1950s, was acquired by PacTrust in the 1980s. With assistance from the City of Hillsboro, which designated the area an urban renewal district, PacTrust assembled land from the hundreds of property owners who had purchased the lots. By the early 1990s, when PacTrust felt the market was ready for commercial and industrial development on the site, the west side light rail line was approved and Orenco Station was designated a "town center" by the Metro 2040 plan. The designation called for a mix of uses that would connect to the light rail for regional transportation and encourage walking for shorter trips. This designation also required the City of Hillsboro to change the zoning from industrial to high-density with a mix of uses.

To meet the new zoning requirements, PacTrust spent several years developing a master plan for the site that would meet state, regional and local

**ORENCO STATION**

ILLUSTRATIVE OVERALL SITE PLAN  
MASTER DEVELOPER PAC-TRUST



The plan for Orenco Station envisions a transit and pedestrian-oriented mixed-use community that connects to regional light rail.

planning objectives. The zone change, and its new requirements for residential development on the site, also led PacTrust (primarily a commercial and industrial developer) to add partners with residential expertise to

the team. They sold parcels to Fairfield Development and Simpson Housing to develop multi-family housing, and joined forces with Costa Pacific Homes to develop the for-sale residential component of the project.

**LAND USE PLAN**

Site	Acres	% of Total Site
Single-Family Residential	58.1	28.2%
Multi-Family Residential	62.1	30.1%
Commercial Shopping Center	52.9	25.7%
Town Center	7.0	3.4%
Extended Stay Hotel	3.6	1.7%
Senior Assisted Living	4.9	2.4%
Industrial/Other	17.5	8.5%
<b>Total Acres</b>	<b>206.1</b>	<b>100.0</b>
Useable Open Space	20	10%*
Other Landscaped Areas	20	10%*
Streets (Internal only)	11.9	5.8%
Parking	4 spaces per 1000 sq. ft. (average)	

\* Approximate figures

**FOR-SALE RESIDENTIAL\***

Total acres	65.1
Total dwelling units	436
Average lot size (single-family lot)	3700 square feet
Gross Density	6.7
Net Density	8.4

\* Includes mix of single-family detached homes, townhouses, condominiums, lofts and live/work townhomes.

**IMPLEMENTATION**

The master plan for Orenco envisions a transit- and pedestrian-oriented mixed-use community that features a variety of housing types, a traditional neighborhood "main street" connecting to the light rail station, a retail area with shops at street level and residential lofts above, and an adjacent community shopping center.

**Residential**

Costa Pacific Homes is developing more than 400 single-family homes in several phases on a 58-acre site. A combination of townhouses and single-family detached housing will provide a net density of 8.4 units to the acre. The detached homes, on 3700 square foot home sites, feature garages located on driveway lanes, with the option for a carriage home over the garage. The homes are set 13-19 feet from the street and are slightly elevated to provide a measure of privacy. Two large parks, totaling just over five acres, and numerous pocket parks provide open space for residents. The homes feature traditional architecture with craftsman and English stucco exterior styles.

**Town Center**

The seven-acre Town Center features 23,000 square feet of retail, links the residential area with the light rail station and provides a neighborhood "main street" with restaurants, retail services and professional offices within walking distance for Orenco residents and employees. Approximately 30,000 square feet of office space is located on the second and third levels of town center buildings which face Cornell Road, a major thoroughfare. Two-level lofts are located over ground-floor retail facing the quieter "main street," Orenco Station Parkway. Two other buildings house 28 live/work townhomes which provide a transition between the town center and the single family homes. These townhomes allow residents to have an office or studio on the first floor of their homes, with a garage behind the building.

**Community Shopping Center**

The Crossroads at Orenco Station is a 52-acre commercial area with shopping and office space that will serve residents of Orenco Station, employees of surrounding high-tech businesses

and residents of the surrounding area. A sport and auto store and a grocery store are already in place. Later phases will include retail, office, restaurants and hospitality, and will be built when the market is ready. Design guidelines ensure compatible building materials and a village-type scale for all the buildings. Walkways link the retail entries with the adjacent sidewalks to provide safe pedestrian access.

### Other Uses

Two parcels, on either side of the town center, were sold to other developers who are building an extended stay hotel and a 250-unit retirement center. The proximity of the town center allows residents to walk to shops and services, an important feature for the seniors who may not drive.

### Light Rail

The Orenco Light Rail Station provides transit access to downtown Portland and regional destinations. The original plan, which located the park and ride lot at the end of the neighborhood "main street" was changed to move the parking lot to one side of the station and create a better pedestrian link between the station and the main street.

## TRANSPORTATION EFFICIENCY AND LIVABILITY FEATURES

### Transit Access

Residents have a short walk to the Westside Light Rail station which serves downtown Portland and other regional destinations. Tri-Met, the local transit agency, runs a shuttle through the development during peak hours to connect the neighborhoods with the light rail station and surrounding employers. In addition, each household receives a free, one-year, all-zone transit pass to establish transit ridership early, courtesy of a partnership between Tri-Met and Orenco Station LLC.

### Pedestrian-Focused Environment

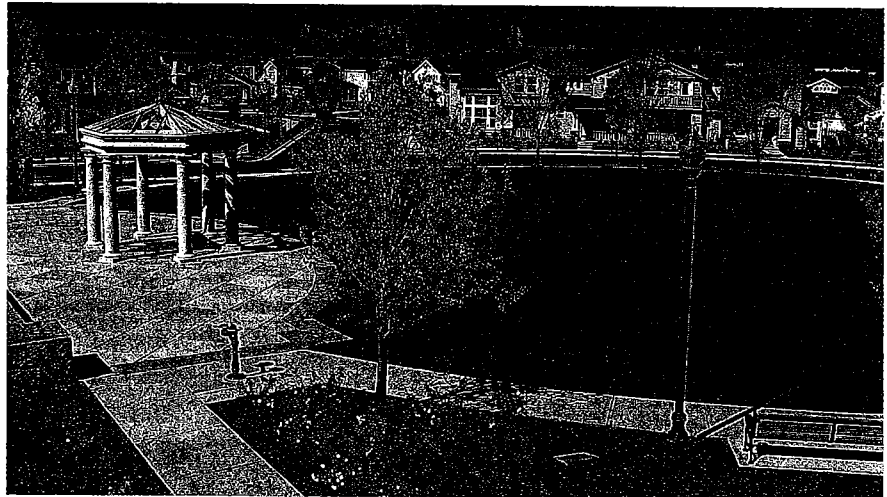
Both the streets and homes are designed to encourage walking between destinations at Orenco Station. Narrow, tree-lined residential streets slow traffic while sidewalks provide a pleasant place to walk. The homes, designed with garages in the back and porches on the front, encourage neighborhood interaction and reduce the conflict between pedestrians and cars where driveways would ordinarily cross the sidewalk.

### Design and Architecture

The attention to design detail gives the homes the appearance of highly sought-after older homes with the amenities of new homes. Similar home designs are separated to avoid a "cookie-cutter" look, and most homes feature front porches or second-floor balconies to encourage neighborliness. All homes are equipped with high-speed wiring to accommodate the high-tech needs of many buyers.

### Mix of Uses

The variety of uses within Orenco Station, from major employers to neighborhood coffee shops, provide many of the things people need within



Two large parks and numerous pocket parks provide open space for Orenco Station residents.



The Orenco Light Rail Station provides transit access to downtown Portland and regional destinations.

walking or bicycling distance. The proximity of Intel, Fujitsu, Toshiba and other high-tech firms reduces the commute to a walk, bike ride or shuttle ride for those employees who choose to live at Orenco Station.

### Open Space

Two parks in the residential area provide open space for residents.

To increase safety, the parks are made more visible to surrounding homes and pedestrians by prohibiting parking next to the parks. Since the parks are within walking distance for all residents and parking is allowed on the other side of the street, access to the parks is maintained.

## MARKET CONSIDERATIONS

Orenco Station is considered to be one of the most successful examples of transit-oriented, mixed-use development in the country. The homes exceeded absorption projections with prices 20-30% higher than the area average. The first phase of 124 homes is virtually sold out, and about one-half of the 85 units in phase two of the residential development are sold.

According to Rudy Kadlub, President of Costa Pacific Homes, the homes have sold because his company did its homework and built what the market wanted. His firm hired a market research company to develop a market survey and send it to 1500 employees of nearby high tech firms. They also did focus groups to ask prospective buyers what type of exterior designs, floor plans and marketing approaches they preferred.

Several leases have been signed for the Town Center, currently under construction, including two restaurants, a coffee house, a cigar and wine store, an optical office and a title company.



*The Town Center will provide shops and services within walking distance of the homes at Orenco Station.*

The developer took care to seek moderately-priced restaurants to encourage residents to eat there often. While the retail is designed to

be neighborhood-serving, it will ultimately be supported by the nearby workforce and the 20,000 people who pass the site each day.

The homes  
have sold  
well because  
Costa Pacific Homes  
did their homework  
and built what the  
market wanted.



*Narrow streets with separated sidewalks and homes with porches close to the sidewalk make Orenco Station feel like a community.*

## EXPERIENCE GAINED

### Ask People What They Want

Costa Pacific's Kadlub attributes their success in residential sales to "listening carefully and planning wisely." The homes have sold well because the developers did the market research early in the process and made sure the homes had the features people said they wanted.

### Sell the Concept of Community

Follow-up surveys of homebuyers at Orenco Station indicate that residents bought at Orenco because of the community feel. The Town Center was most often cited as the primary

amenity because residents liked the idea of walking to restaurants, a coffee shop or to get a quart of milk. The architecture and light rail access are other amenities valued by residents which add to the feeling of a community.

### Know Lenders' Guidelines for Mixed-Use Ratios

For mixed-use projects, it is important to ensure the ratio of uses in the project complies with the guidelines of the lenders you intend to use. This will help ensure appropriate financing is available to the residential buyers in the project.

## JOINT BOARD OF COMMISSIONERS/ EUGENE CITY COUNCIL MEETING

January 22, 2003

6:00 p.m. - PUBLIC HEARING

Eugene Council Chambers

Board of County Commissioner Peter Sorenson presided with Commissioners Bill Dwyer, Bobby Green, Sr., Tom Lininger and Anna Morrison present. Recording Secretary Melissa Zimmer was also present.

Eugene City Council President Gary Pape presided with City Councilors Bonny Bettman, David Kelly, Scott Meisner, Nancy Nathanson, George Poling, Jennifer Solomon and Betty Taylor present.

1. SECOND READING AND PUBLIC HEARING/Ordinance PA 1186/In the Matter of Amending the Eugene-Springfield Metropolitan Area General Plan Diagram for Property within the Crescent Avenue Nodal Development Area, with Concurrent Automatic Amendment to the Willakenzie Area Plan Land Use Diagram; and Adopting a Severability Clause (NBA & PM 1/6/03).

Jan Childs, City of Eugene, reported Crescent Avenue is the first of eight nodal development areas that are going through this process, two of which are joint hearings with the Board of Commissioners.

Childs noted the idea of development nodes was already included in the Metro Plan before TransPlan was adopted. She said the concept of nodal development they are currently working with was developed thought the preparation of TransPlan. She added nodal development is the key land use strategy in TransPlan. She noted before TransPlan was adopted in 2001, the City of Eugene sought and received state grant funds for pilot nodal development areas. She said they wanted to do tests to see how this would work. She noted planning for the Royal Avenue node began in July of 1998 and was completed with the Council and Board adoption of the implementing ordinances last week. She added planning for the Chase Gardens area began in July of 2000 with Council action in December of 2002.

Childs explained the Department of Land Conversation and Development that oversees the state land use planning program considered the work on Royal Avenue and Chase Gardens to be a positive step forward. She said they were concerned about the amount of time required to complete detailed plans for a single area. She said as a result of the TransPlan process, they requested an additional policy be added to the TransPlan document. She noted the policy adopted is TransPlan Policy 5. She stated that within three years of TransPlan adoption, the nodal development plan designation (that was just created through TransPlan) and local jurisdiction zoning regulations to protect high priority nodes from incompatible development, would be done for high priority areas

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selected by the individual jurisdictions. She added in the review of TransPlan review alternative performance measures by LCDC, the commission asked local governments to complete the work within two years, by the fall of 2003. She said the state provided grant funding through the State Transportation and Growth Management Program to move forward with this level of short-term implementation for eight areas within the Eugene urban growth boundary.

Childs noted as citizens and Eugene and Lane County Planning Commissions had pointed out, the short-term implementation is not a detailed plan. She said it doesn't change the underlying Metro Plan designations and zoning of property. She added it does not create a new special area zone tailored for the area as had been done in Royal and Chase Gardens. She said it determines that those areas are of highest priority to the elected officials for nodal development and provides important short-term protection by limiting auto oriented uses and establishing density and design standards in advance of a more detailed plan in the future.

Childs recalled that most of the testimony they heard from the Planning Commission level was looking at the density standards but the design standards and orientation of buildings was just as important. She sympathized with those who thought this was not enough but stated they do not have the time or resources to do that level of planning for eight areas by June 2003. She noted the process is seen by all staff involved as a critical first step for both long-term plans and short-term strategies needed to achieve the policy direction and the benchmarks for nodal development implementation agreed to in TransPlan.

Jerry Jacobson, City of Eugene, reported there are two proposals before the elected officials. He said one was to amend the Metro Plan diagram to depict the Crescent Avenue area as a nodal development area. He added because the Crescent Avenue area involves property both within and outside the city limits, action by both bodies is required.

Jacobson noted the second issue before the elected officials is the application of the ND overlay zone to those properties within the city limits and action is to be taken only by the City Council. He added for those properties outside of the city limits, the ND overlay would occur after those properties are annexed in the future.

Jacobson stated the Lane County and City of Eugene Planning Commissions held a Public Hearing on December 3. He noted seven people testified, most expressing concern about the 30-units-per-acre minimum that the ND overlay would require on the 4R piece of property. He noted the Eugene Planning Commission voted unanimously to recommend approval of both the Metro Plan and the ND overlay zone, but they expressed concern over the lack of a specific area plan. He added that the Lane County Planning Commission had voted 5-1 to recommend denial based on similar concerns and the



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density issue that was expressed by the residents. He said they had received only one piece of new correspondence since that Public Hearing, a letter from 4J.

Jacobson explained that this evening was a Public Hearing only and the Eugene City Council will take final action on February 10, 2003 and Lane County will take final action on February 12, 2003.

Council President Pape opened up the Public Hearing for the Eugene City Council.

Commissioner Sorenson opened up the Public Hearing for the Lane County Board of Commissioners.

Adell McMillan, Eugene Planning Commission, 55 W. 39<sup>th</sup>, Eugene, testified on behalf of the Eugene Planning Commission. She urged elected officials' approval of the amendments to the Metro Plan and the concurrent automatic amendment to the Willakenzie plan to depict the incorporated portion of the Crescent area as a nodal development area and their approval of the amendments to the Eugene overlay zone map. She recalled the Eugene Planning Commission voted unanimously in favor of the recommendation because it meets all of the criteria for the proposed changes. She expressed the Planning Commission's strong reservations because this and all future nodes require an unscheduled and unfunded planning process to create special area plans, to make the goals for nodal development obtainable and to make this development compatible with adjacent properties. She said they agreed that the overlay zone is important as an interim measure to protect the nodes from undesirable development but they think that the additional planning process is necessary to accomplish the ultimate goals for these areas. She noted that concerns expressed would be addressed in the additional planning process.

Chris Clemow, Lane County Planning Commission, 975 Lincoln, Eugene, represented the Lane County Planning Commission. He said the Lane County Planning Commission's charge was specifically to look at the unannexed properties, and to determine if the application of a nodal development overlay was appropriate. He said they voted to recommend denial on the application. He noted the reason was the incompatibility of the underlying zoning respective to the nodal development overlay and the uncertainty of how the current zoning will be impacted. He believed that having an understanding of the impacts is paramount prior to approval. He explained when the Willakenzie area plan was prepared, a nodal development overlay was never considered. He commented it was questionable whether the underlying zoning in the area would support it. He said this is a rushed process and different from the other two nodal development applications. He said from the County's perspective they wondered how Lane County property would be affected. He noted if this were approved, the property would be annexed after the nodal development overlay is approved. He added development had already taken place on the City owned property. He said the implications of what had already taken place on other properties gets applied to the



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County property. He wondered if zoning was appropriate on the property to support that. He said what precipitated this was Arlie and Company's proposal. He noted in some of the testimony that was presented to them, the Arlie proposal (while it might not specifically meet some of the criteria nodal development overlay) when applied with the adjustment review, meets the criteria. He added their application would meet the nodal development overlay criteria with an adjustment. He asked if there was a need to speed this up when the remaining property is in the County. He stated the Eugene Planning Commission supported this with strong reservation and that is why the Lane County Planning Commission voted not to approve this and recommended denial.

Charles Biggs, 540 Antelope Way, Eugene, Chairman Cal Young Neighborhood Association, stated he gave testimony at the December 3 meeting and reiterated the same concerns. He said the biggest concern was the density of 30 units per acre as too excessive and the two nodes that were studied and designed by the planning department ran into the problem of the R4 density. He asked why with intense planning, and two separate nodes that the City had done, that the greatest density they could achieve was 20 units per acre and for all of the overlay zones would be 30 units per acre.

J. Kenneth Jones, 2820 Grand Cayman Dr., Eugene, represented the Crescent Meadows Homeowners Association. He said the R4 density was there to accommodate Sacred Heart and it is not appropriate with 30 units per acre. He noted there are already traffic problems in the area. He stated the density was reduced by the hearings official by the City of Eugene but the appeal to the Council was not timely processed and the density requested by the developer was allowed to proceed. He said the City knows there are traffic and density problems already in that area. He said that Arlie and Company has worked hard with the neighborhood association to address the issues to make it livable. He said the City needs to include nodal development to be done all at once. He said there are unknowns regarding density and it requires a different type of development plans. He noted the ordinance was a good idea but it needed to be tweaked so this is a process that works. He said by having additional steps where people have to present information, it adds time and requires additional money. He said they don't end up with nodal development, but with R4, 30 units per acre and traffic problems. He urged the elected officials to think about how to make this work.

Dean Barr, 2910 Grand Cayman Dr., Eugene, commented they were shown a plan of a unit to be built in the 38 acres by Arlie and Company. He noted the type of plan is an Orenco Station type of community. He said it is a beautiful community that is well shown and well respected in Hillsboro. He spoke with someone on the Planning Commission when this plan came out and he was told that this nodal development plan would have no effect on putting in an Orenco Station type of community and in fact the Planning Commission was in favor. He stated the problems of putting 1,100 units in the 38 acres would bring the congestion of the area to an unbearable level. He endorsed the Arlie presentation they were given because he thinks it could be an enhancement to Eugene and it would be a showplace for the community.

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Justin Wright, 722 County Club Road, Eugene, Associate Planner, Arlie and Company. He reported that Arlie and Company owns the 39 acres within the proposed overlay zone on Crescent Avenue. He supported the nodal development concept. He stated that Arlie's development division had been working on plans to develop the Crescent site with an urban village for 12 months. He said they are excited for the opportunity but the only concern regarding the ND overlay zone is the higher density requirement and the compatibility with the neighboring single-family subdivisions, specifically Grand Cayman and Kinney Loop. He noted the proposed overlay zone would increase the density requirement from 20 units to 30 units per net acre. He reported that 36 of their 39 acres are zoned R4 and it means they must provide approximately 800 units and also provide a mix of uses on the same R4 property. He said it would push their development three to four stories high. He added the narrow R4 narrow strip of land is not suitable for residential development and they would have to make up for the deficiency on the remainder of the site. He said that factor could push the development even higher. He noted their design team had concluded that somewhere between 24 units and 26 units a net acre is appropriate for the site. He asked the elected officials to be certain if there was flexibility in the density requirement. He stated that Arlie and Company has intended to do a unified land use application including Metro and Refinement Plan amendments, planned unit development, site review and zone change all at once. He said that Arlie received a letter from Jerry Jacobson indicating that the City Attorney thinks there is nothing in the code that requires the City to review all five applications concurrently. He commented that Arlie and Company understands the City's position, however they think if it is not specifically prohibited, that Arlie and Company would submit a unified five-part application. He added if in fact the City would not review the application as a concurrent five-part land use application, it would delay construction beyond next year. He noted their first pre-application meeting was March of 2002. He added their holding costs are about \$40,000 per month and if the City doesn't allow a five-part concurrent application, their carrying costs would exceed \$1 million. He added if that is the case, Arlie couldn't proceed with the project. He encouraged the City staff to accept their five-part concurrent application and to preserve the flexibility and density requirements.

Stacie Mount, 2840 Grand Cayman Dr., Eugene, passed out pictures on the Orenco Station. (Copy in file.) She stated that Arlie and Company had patterned a lot of their proposal around the Orenco Station type of environment. She said they are hopeful that is what the area will be. She said if the project is delayed and Arlie and Company backs away from it and forces them into a different mode that they could end up with 1,100 apartments that will increase the traffic density that is already difficult. She asked the elected officials to keep that in mind as they voted.

Matt Stopher, 2866 Grand Cayman Ave., Eugene, said they have a challenge ahead trying to reconcile RR1 land with RR4 having 30 units per net acre. He added with the panhandle lot the 30 units per net acre would become denser. He noted the original

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testimony from the Planning Commission came down with strong reservations. He said they have significant concerns about the traffic that would be created. He supported the nodal use development urban village concept as a beneficial one. He said they are underserved by commerce in that area. He supports Arlie and Company, as they had been terrific in working with the community. He was concerned about the issue related to how this process could be stretched out for Arlie. He said they had worked with them for many months and they had taken into account their suggestions and they would like to see the City look at it as a comprehensive application and not break it up into something that is unmanageable.

Rob Handy, 455 ½ River Road, Eugene, asked if this node would make the community a better place and reduce reliance on the automobile. He asked what kind of pedestrian, transit and access improvements would be available. He noted it was almost impossible to cross Chad Drive or Crescent Avenue except in an automobile or bus. He wondered if there should be nodes on the urban fringe before more centralized nodes in the urban core are addressed. He urged the elected officials to better integrate land use and transportation efforts to modify current strategies to have a greater chance of reducing reliance on the automobile. He suggested they develop requests for Eugene, Springfield and LTD projects aimed at advancing the nodal development and BRT strategies that could obtain federal earmarks in the next funding cycle. He asked the elected officials to treat nodal development as a sound business investment with likely returns. He said if they have a physical transit facility that is located in the node, it gives the development community the confidence to invest in these projects.

Kelly was surprised about the inability to do a unified application. He said his issue was not with the regulations, but to move through it as efficiently as possible. He asked for information about how that efficiency could be gained and if it takes a code change. He also wanted to know what the downside would be.

Bettman stated the underlying zone of 20 units was the minimum that exists. She asked if there was a maximum.

Jacobson responded the maximum is 110 units per acre.

Bettman commented she had trouble with the Lane County Planning Commission decision that the findings were not consistent. She asked where it made the Metro Plan internally inconsistent. She asked where the terminus of the BRT route is.

Childs wasn't sure it had been determined. She noted it goes up Coburg Road and will either terminate at Crescent or Chad.

Meisner noted the concern on the BRT steering committee and the LTD Board is how to connect Coburg Road and the Gateway area of Springfield with their BRT line from Pioneer Parkway. He said it hadn't been determined.

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Bettman asked if a nodal development overlay was going to be implemented, how would an inconsistency in the density standards affect the program overall.

Childs responded there are only two areas, this one and the Danebo area that have a substantial amount of undeveloped land. She said the remaining six areas are more in-fill potential redevelopment areas. She didn't know if they would be applying an inconsistent standard as long as it achieved the overall average of 12 units per net acre.

Liningier said they heard about the underlying current zoning of the City portion of the area. He asked what the baseline zoning was for the County portion and if staff concurs, with the belief that that is incompatible with nodal development.

Jacobson replied that it should be all RA residential zoning in the County and the future plan designation for that area is all low density residential. He said the conflict is having low density where the maximum is 14 units per acre with higher density with a maximum of 110 units per acre. He noted that anytime there is a higher zoning next to lower zoning, there is a conflict. He added setbacks could address that or having a development put the higher density on the interior with a buffer area where they have town homes.

Liningier said nodal development was not possible because of time constraints and the shrinking availability of land to do the careful four-year planning. He asked if they would limit the nodal development to that model in Orenco Station and other projects that had been approved, how many such projects could be done. He asked if they would run out of land.

Childs responded that they are dealing with 12 areas throughout the Eugene urban growth boundary. She added that Royal, Chase Gardens, Danebo and this area have the greatest amount of undeveloped land within the nodal area. She said they were looking for areas that were not just low density residential in identifying high priority areas. She said they were looking at areas that had a mixture of existing plan designation and zoning because they knew they weren't going to be changing them. She said they didn't want all low-density residential land.

Meisner stated he had toured the Crescent area and had toured the Orenco Station. He thought it would be great to have a similar development of such a great mix and quality. He added some of the testimony addressed the need for some of the commercial possibilities that would exist within a node and they are necessary in that area. He was interested in the question that although it is not mandated, the degree which they can permit and expedite concurrent consideration and review of a large proposal for a single owner large site. He reiterated the pressure that Childs noted they were under from the state to carry forth with limited local funding and staff support and not unlimited state support. He asked what would be the consequences for them from the state were one or the other jurisdictions to reject these ordinances.

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Solomon asked if the expectation was that the people who would live in the nodes are renters or owners. She noted with such a high density she didn't see it being attractive to homeowners.

Childs responded there wasn't an expectation. She stated the code didn't speak to ownership types, it is silent in terms of ownership.

Solomon hoped they would want to encourage homeownership to the degree possible. She said that owners provide more stability to a neighborhood and take more pride in ownership and would make that investment in a nodal development go further. She urged her colleagues to be flexible. She said they have a great opportunity to do what they have wanted to do for a long time.

Nathanson asked how likely development would be. She asked what would the development be like if they did not take this action. She noted they heard up to 110 units per acre would be permissible for R4. She said they shouldn't deliberate tonight because something might not turn out right and she was concerned that something could turn out worse with fewer protections for the adjacent neighborhood. She stated Mr. Wright suggested flexibility in the density requirement. She asked what that would be.

Jacobson replied there is built into the code a flexibility in that they could apply for an adjustment. He noted what Arlie would like is within that range. He said they would have to apply for an adjustment under that process and they would have to find that what they are proposing would be consistent with the purposes of nodal development.

Nathanson questioned the application being submitted as one unified proposal but it is comprised of five parts. She assumed that part of the problem might be an issue of cost and staffing.

Jacobson noted that Arlie had a tentative proposal, but they had not submitted anything. He noted under the proposal, it would require a Metro Plan amendment, a refinement plan amendment, a zone change, a site review application and a plan unit development application. He stated the code provides for the more day-to-day zoning issues and they could be resolved at one time. He said they want to work with the City Attorney to see what they can do to make this as unified as possible.

With regard to home ownership, Nathanson noted there is one neighborhood within the city limits that has an out-of-kilter owner/renter ratio that does need to be addressed. She said there are developments in the Goodpasture Island Road area that might look like apartments to some people, but there is a high degree of stability because they are owner-occupied condominiums. She wanted information to point out examples around the area where there is multi-story development.

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Sorenson asked what the distance was between the center of the node and the urban growth boundary to the north. He asked about the size of the Orenco Station node. He asked what the average cost of the units would be if they were to be sold or rented and the number of units and the range of number of housing units that could be placed on the property. He asked what the owner occupied rental ratio was that is being proposed for this area and a comparison to the Orenco Station development.

Childs asked if Sorenson was asking in regard to the Arlie proposal specifically. She said all that could be given was information in terms of what the base-zoning district allows.

Sorenson wanted the range of what would be allowed. He wanted to get a sense of scale of the Orenco development and the size of this node versus the size of other nodes.

Green asked if this was a pattern for future processes. He thought the process was truncated. His concern was that the Lane County Planning Commission would vote to deny it because of the absence of a plan. He said if they are going to need cooperation from the County in the future, it might be a foreshadowing of things to come.

Childs responded when the local government group did its first annual program report on TransPlan before the DLCDD, there was interest in seeing that sort of process for some additional areas. She added there is considerable interest on the part of the stakeholders within a number of the areas they are looking at to come back and do more detailed planning for some of the areas. She said the answer to the question would be determined by what the TGM program is willing to fund. She stated the first four years of the grant program they were willing to fund the very detailed planning program. She noted in the current biennium they were only willing to fund the short planning process and she is not sure what they would be willing to fund in the next biennium.

Dwyer commented that they were putting nodes on the edge of the urban growth boundary that is bound to put more pressure on the additional land outside the boundaries. He said they talked about density as an alternative to sprawl and when they want to do dense development, they hear complaints from neighbors. He said it was a Catch 22. He said nodes are important if they work the way they are supposed to. He said there shouldn't be another name for a shopping center or another development on the edge of the urban growth boundary that would precipitate more sprawl and more growth. He said there should be a community that is designed to hold all the elements within its borders that allow people to live, work and shop without the demand for transportation needs. He said if a node is developed right, the added demand on transportation is non-existent because the vehicle miles traveled are negated by the fact that all of the things exist within the neighborhood. He said they need to be cognizant of the fact that the County will only be involved in two of the nodes. He commented that whether it is a truncated process this time remains to be seen. He said the County would be willing to work with the City in maintaining and controlling sprawl. He is concerned when they put

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nodes at the edge of the urban growth boundary that might not be dense enough that would actually precipitate sprawl.

Pape understood that the property in the proposed node is public property. He asked if EWEB or 4J were intending to hold the land or sell it.

Jacobson noted there was a letter from District 4J. He didn't think they knew at this point about the property. He added that EWEB had plans for a substation there.

Pape asked if the amount of private developable property is smallest of all the nodes they are looking at.

Jacobson stated that Arlie owned a big piece of property. He added that the Crescent node had the largest amount of vacant land, both private and public.

Pape commented it appeared from the testimony that through the whole node they could get an average of 12 units per acre at a less dense than 30 units per acre.

Childs said that would be the case, given the amount of property that is currently zoned R4 as well as the already developed apartments across Crescent. She said that could be achieved.

Pape asked for the calculation before they vote.

Bettman said it was her understanding that they have strict criteria on which to make this decision regarding whether the findings are inconsistent with the Metro Plan and are consistent with the goals, not whether it is consistent with the developer's plans for the site.

Childs responded that was correct.

Bettman asked what the acreage of Orenco Station is.

Childs said it is significantly larger than this development.

Bettman thought it was comparable to the entire node whereas the particular piece of property is only 38 acres. She said in looking at the Orenco Station node, it has above and beyond 30 units per acre in some of its development, and some have a lower density. She asked for more information regarding the range of densities of Orenco and the exact size the people are using as a reference. She urged staff to make sure they are following the rules.

Kelly noted there had been statements of concern about a nodal development being located at the urban growth boundary. He said it was important to think about not the

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difference between a nodal development near the urban growth boundary and the bare land, but the relative outcome if it is developed in a nodal manner. He added he saw the overlay as Step 1. He noted that Step 1 and 2 were vitally important to get a more site-specific plan. He said the City Council would do everything they can to move it forward. He asked his colleagues to remember this at budget time and for legislative lobbying that if they want to do this type of elaborate planning that creates a better community, it doesn't come for free.

Morrison asked what the vacancy factor was for some of the commercial development that is included in the node. She said the vacancy factor from a commercial site is high.

Lininger noted that some speakers discussed the inability to develop the housing they had in mind in the panhandle portion. He asked under the existing regulations for nodal development, if there would be any means of taking away the panhandle and calculating density only in the portion that is an area where they could do different development. He asked if the panhandle had to be included in the overall calculation of density.

Childs responded the panhandle portion was wide enough to develop so it would not be subtracted out.

Lininger asked if there would be any room for flexibility as to whether or not they are held accountable for that portion in calculating the density for the remaining portion.

Childs reiterated with the overlay process they would look at the entire property. She added if a specific area plan were done under this proposal, that would involve plan designation and zone changes that would be a different type of proposal. She said the ranges that Sorenson asked for would be based on the existing zoning.

Sorenson asked if the record on this matter was open and for how long.

Childs commented they heard no request to leave the record open. She recommended that they do not keep the record open, as it wasn't necessary.

MOTION: to move to a Third Reading and Deliberation for Ordinance PA 1186 for Wednesday February 12, 2003.

Green MOVED, Morrison SECONDED.

Green supported closing the record and Morrison concurred.

VOTE: 5-0.



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There being no one else signed up to speak, Commissioner Sorenson closed the Public Hearing for the Board of Commissioners.

There being no one else signed up to speak, Councilor Pape closed the Public Hearing for the Eugene City Council.

Pape reiterated the City of Eugene would be acting on this on February 10 at their 7:30 p.m. council meeting.

Councilor Pape adjourned the meeting of the Eugene City Council at 7:20 p.m.

Commissioner Sorenson adjourned the meeting of the Lane County Board of Commissioners at 7:20 p.m.

Melissa Zimmer  
Recording Secretary



ATTACHMENT C  
Facilities Management  
Eugene School District 4J  
715 West Fourth Avenue  
Eugene, OR 97402-5024

January 13, 2003

Eugene City Council and Lane County Planning Commission  
c/o Jerry Jacobson  
City of Eugene, Planning Division  
99 West 10<sup>th</sup> Avenue  
Eugene, OR 97401

**RECEIVED IN PUBLIC HEARING**

ON: Jan 22, 2003  
FILE NO: MA 02-9

Subject: Crescent Avenue Nodal Development Area

Dear Councilors and Planning Commissioners:


On behalf of Eugene School District 4J, I would like to express my concern in regard to the addition of the Nodal Development designation to the district held property in the Crescent area, referred to as our Kinney Loop site. Although the overlay zone map does not currently apply to this property because it has not yet been annexed, it is a mere formality as annexation would be required as a condition of development.

Our concern is not in regard to the nodal concept or regarding the application of the nodal designation to this area. It has more to do with the implementation of development in absence of a master plan. Most of the larger parcels in the designated area are under different ownership. While some property owners may be ready to move forward with development, the district intends to continue to hold this site in reserve as a potential future school site. Due to the district's uncertainty into the future regarding this property, it is unlikely that the various property owners could at this time agree to a comprehensive development master plan.

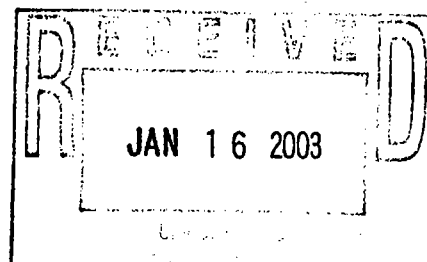
If the district decides in the future that the property is not needed for district purposes, the district could at that time decide to market the property for sale. It is in our best interest and that of our taxpayers to work to protect maximum property values and potential development alternatives in the interim. Our concern is that property owners who develop first may be allowed to essentially develop some of the more valuable uses (eg. commercial) to a greater extent than owners who hold vacant land for later development, thus creating less development flexibility and potentially lower property values.

While it may be premature to address these issues at this stage of the process, it seems prudent to go on record as having expressed these concerns should they become material in the future.

Sincerely,

  
Jonathan P. Lauch, P.E.  
Assistant Director of Facilities Management

Copy: George Russell – Superintendent, School District 4J  
Jim Slemph – Assistant Superintendent for Policy and Administration, SD 4J  
Bill Hirsh – Director of Facilities Management and Transportation Services, SD 4J



Good evening:

My name is Justin Wright. I am an associate planner with Arlie & Company. 722 Country Club Road, 97401.

Arlie & Company owns 39 acres within the proposed overlay zone on Crescent Avenue. I am here tonight to support the Nodal Development concept.

Arlie's development division has been working on plans to develop the crescent site with an urban village for nearly 12 months now.

We are excited about this opportunity.

My only concern regarding the ND overlay zone is the higher density requirement and the compatibility with the neighboring single-family subdivisions. Specifically, Grand Cayman and Kinney loop.

This proposed overlay zone will increase the density requirement from 20 units/net acre to 30 units/net acre.

36 of our 39 acres <sup>ARE</sup> is zoned R-4. This means we must provide approximately 800 units & then, also provide a mix of uses on this same R-4 property. This factor will push our development 3 to 4 stories high.

Additionally, the narrow R-4 strip of land south of Kinney loop is not suitable for residential development. This means we will have to make up for this deficiency on the remainder of the site. This factor could push the development even higher.

Our design team has concluded that somewhere between the 24 units/acre & 26 units/acre is appropriate for this site.

For these reasons, I simply ask that you be certain that there is flexibility in the density requirement.

My last concern is regarding the review process for approval of an urban village. Arlie & Company has intended to do a unified land-use application including Metro & refinement plan amendments, Planned Unit Development, Site Review & Zone Change.

Arlie received a letter from Jerry Jacobson today indicating that the city attorney feels that there is nothing in the code that requires the city to review all 5 applications concurrently. This was very disappointing. Arlie & Company understands the city's position, however, we feel that if it is not specifically prohibited, it is permitted. On this premise, Arlie & Company will submit a unified 5-part application.

If, in fact, the city will not review this as a concurrent 5-part land use application, it will delay construction beyond next year. Our first pre-application meeting was March of

2002. Our holding costs are approximately \$40,000 a month. If the city does not allow a 5-part concurrent application, our carrying costs will exceed \$1 million. If this is the case Arlie cannot proceed with this project.

Please encourage city staff to accept our 5-part concurrent application and encourage them to preserve the flexibility in the density requirements.

Again, Arlie & Company is excited to bring an urban village to the city of Eugene.

Thank you for your time.



Planning  
& Development  
Planning

January 22, 2003

City of Eugene  
99 West 10th Avenue,  
Eugene, Oregon 97401  
(541) 682-5481  
(541) 682-5572 Fax

Larry Reed  
Arlie & Company  
722 Country Club Road  
Eugene, OR 97401

Dear Larry:

At our last meeting concerning the Crescent Avenue nodal development site, you indicated that you would like to proceed with a concurrent application submittal including a Metro and Willakenzie Area Refinement Plan amendment, zone change, site review, and planned unit development (PUD). We asked the City Attorney's office for advice concerning this kind of submittal. The City Attorney has responded and we would like to share their opinion with you.

Based on EC 9.8005(2), the City must consider the site review, planned unit development, and, if requested by the applicant, the zone change concurrently. This code section does not require that the City provide a single review process that includes *all five* of the requested land use actions because two of the actions, the requests for comprehensive plan and refinement plan amendment, are not among those included in EC 9.8005(2). The code gives the applicant the option to request the zone change along with the comprehensive plan and refinement plan amendments or with its request for PUD and site review approval. The Metro Plan amendment will be processed according to EC 9.7735 (Metro Plan - Plan Amendment Approval Process: Single Jurisdiction). Depending upon the nature of the refinement plan amendment, it may be automatically made pursuant to EC 9.7750(4) or it may be made by following a Type IV process. The City Attorney concludes: "Since PUD approval is contingent upon the proposal's consistency with the Metro Plan and the refinement plan, this applicant should pursue approval of the Metro Plan and refinement plan changes before it requests approval of its PUD and site review plans. Whether it includes the rezoning request in the first or second process makes little difference from a legal standpoint."

Also at our last meeting, we discussed several points of agreement contained in your letter to Tom Coyle dated November 8, 2002. You indicated that you would like have those responses in writing. The letter asked if the City is agreeable the following points. The City response follows in italics.

- Working with Arlie - assigning a mixed-use knowledgeable staff to achieve a model mixed-use transit oriented development.  
*Staff are assigned to application submittals by the Land Use Permits Manager based on work load considerations and other factors at the time of application submittal. Since expertise of staff varies, staff routinely collaborate with other staff.*
- Support the needed Metro and Willakenzie Refinement Plan amendments and zoning changes to the Planning Commission and City Council.  
*Staff have not seen any proposed amendments or zone change proposals and can not blindly grant support at this time. Support would be based on whether proposed changes are consistent with the applicable criteria. In general, there is a strong public policy basis for encouraging the design and implementation of nodes throughout the community.*

Larry Reed  
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- Support a grocery store between 30,000 and 50,000 sq. ft to the Planning Commission and City Council.  
*The portion of the site zoned R-4 would be allowed to develop with a limited range of commercial uses through the PUD process primarily. Without further review of proposed plan and zoning changes, along with a PUD application, it would be premature to indicate blanket City support for a commercial use up to 50,000 square feet on the existing residential zoned property. Depending on the plan/zone amendments, if the parent or base zone were changed to allow for this scale of retail use, or if it was supported through the PUD process, the application of the /ND Nodal Development overlay zone to the subject property would continue to allow up to a 50,000 sq. ft. store.*
- Support a residential density of a minimum of 20 units per net buildable acre to the Planning Commission and City Council.  
*Support would be based on how the applicant addresses the criteria for an adjustment of the nodal development standards in the code which requires a minimum of 30 units per net acre zoned R-4. Again, staff have not seen from the applicant how they intend to justify such an adjustment.*
- Support a well-connected grid street system including a street connecting our development to Grand Cayman Street to the east to the Planning Commission and City Council.  
*The staff supports a well-connected street system based on the street connectivity standards contained in the Land Use Code.*

The consultants Arlie & Company have hired appear to have a good understanding of the principles of nodal development and the expertise to develop a model nodal development proposal.

Sincerely,



Jerry Jacobson  
Land Use Permits Manager

Orencia Station, Hillsboro, Oregon



Received in Public Hearing, January 22, 2003  
city file: (MA 02-9)

Photographs submitted by  
Stacy Mount, 2840 Grand Cayman Dr.

Orenco Station, Hillsboro, Oregon





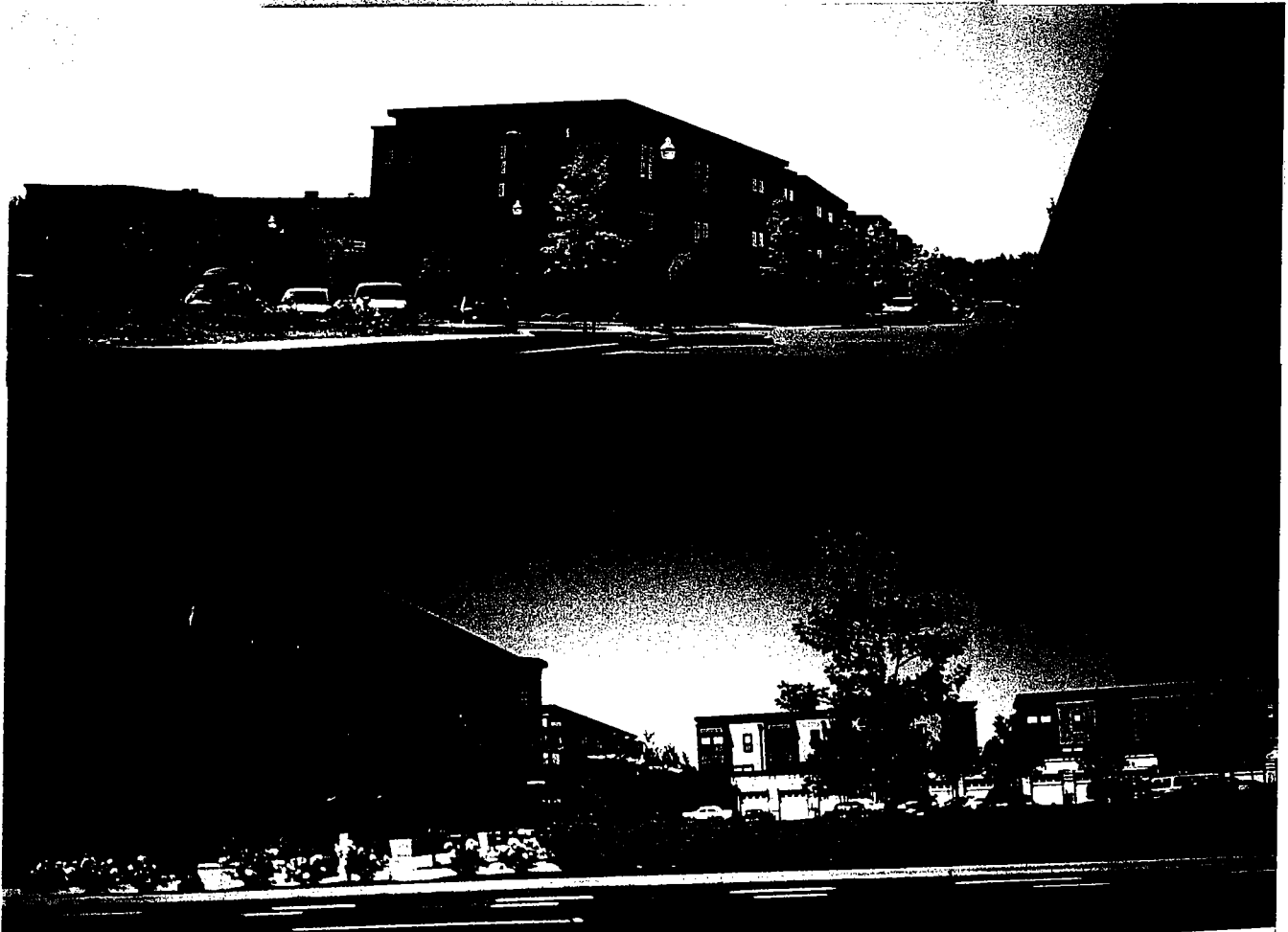
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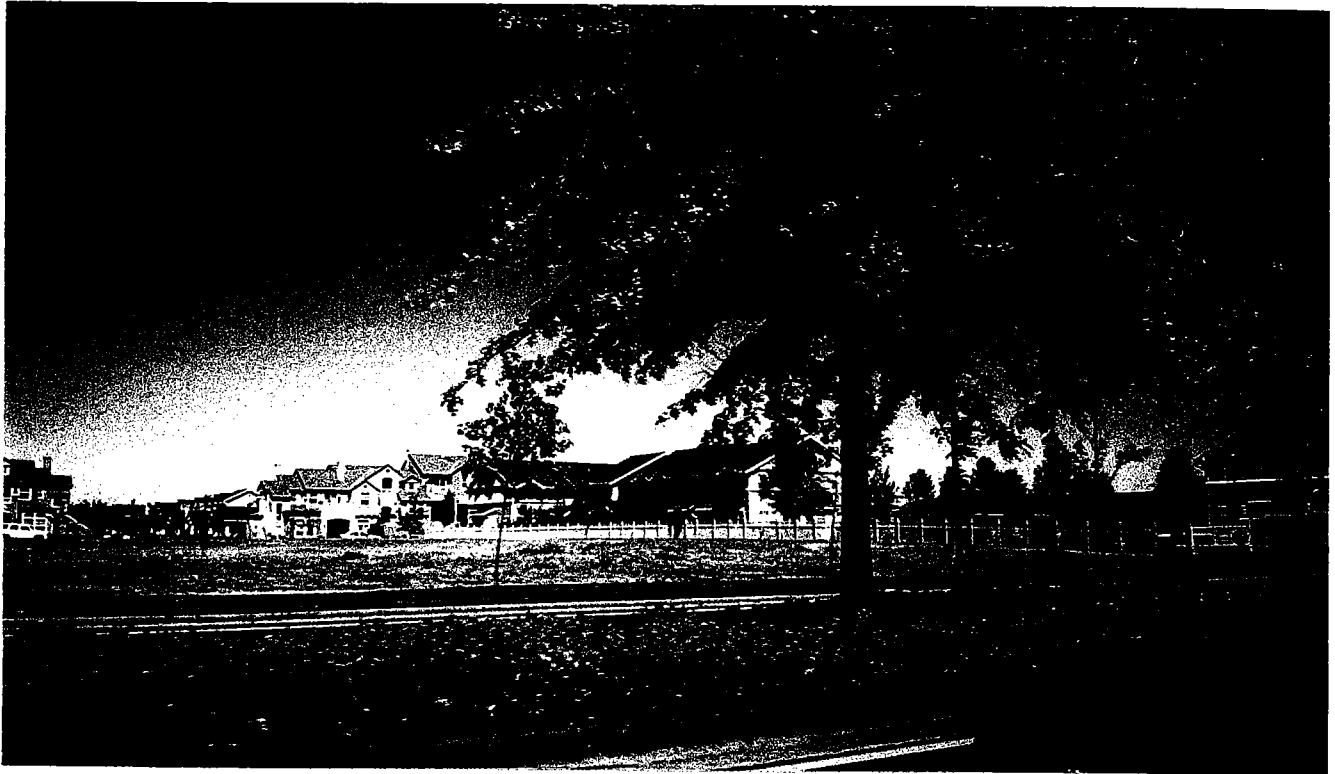
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**Crescent Park Apartments 2940 Crescent Ave.  
within Crescent Node at the corner of  
Shadow View Dr. & Crescent Ave. Eugene, Oregon.**



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