

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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Work Session: Consider Initiation of a Metro Plan Amendment for Property at 955  
Coburg Road

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Meeting Date: February 12, 2014  
Department: Planning and Development  
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Agenda Item Number: B  
Staff Contact: Steve Nystrom  
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### **ISSUE STATEMENT**

This work session is being held to consider whether City Council should initiate a metro plan amendment process to designate the property at 955 Coburg Road as low-density residential (LDR).

### **BACKGROUND**

The property in question is located at 955 Coburg Road and is approximately one acre in size (Attachment A). The current owner, Amber Benson, applied for a zone change from R-1, low-density residential to R-2, Medium-Density Residential (MDR) in January 2013. In May 2013, the Hearings Official determined that the zone change request was consistent with the metro plan and refinement plan designation of Medium-Density Residential (MDR) and approved the proposed zone change. That decision was appealed to the Planning Commission, which upheld the zone change approval in a unanimous 7-0 vote in September 2013. That decision was subsequently appealed to the Land Use Board of Appeals (LUBA). While this case would likely have been decided by now, the parties involved agreed to table the appeal for the time being.

### **Land Use History**

When this item was first discussed by the council on December 11, 2013, the council raised some questions about the original Willakenzie Area Plan (WAP) adoption process that occurred in 1992. The City Attorney gave a brief history of that process explaining that both the Planning Commission and City Council specifically addressed this parcel in 1992, and ultimately decided to retain the medium-density designation. Attachment B provides a brief history of the site, including the WAP adoption process. Attachments C and D include excerpts from the Planning Commission minutes and subsequent council-adopted ordinance in 1991/1992, where both bodies stated their intention to maintain the subject property as MDR. As noted in those minutes, the Planning Commission unanimously adopted a specific motion that concerned only this property, with the motion recommending that the council retain the medium density residential designation for this property. That motion by the Planning Commission and the subsequent adoption by the council demonstrate that the current Metro Plan designation was not the result of a clerical or housekeeping error back in 1992. Attachment E is a copy of the Planning Commission's recent decision and findings for the Benson zone change.

### **Existing Conditions**

The property lies on the east side of Coburg Road which is classified as a major arterial street and one of the key transit corridors of Envision Eugene. The parcels fronting along the east side of Coburg Road, between Harlow Road and Bailey Lane, contain a mixture of medium- and low-density residential land. Development along this section of Coburg Road also varies. Properties immediately adjacent to the site are either developed with single-family residences or are vacant, while other properties contain apartments, cluster housing and churches. Properties further north and south of the site are primarily designated MDR, High-Density Residential and Commercial. These properties contain a mixture of multi-family housing and commercial buildings. Attachment F is a copy of the adopted Metro Plan map. Attachment G provides a more detailed representation of current land use designations in the area, with the acknowledgement that this map is not officially adopted at this scale. Attachment H is a brief fact sheet comparing the key standards for R-1 vs. R-2 zoning, to aid in this discussion.

### **Amendment Process**

The land use code allows metro plan amendments to be initiated in one of two ways: 1) Property owners may request amendments of their own property, or 2) City Council may initiate amendments for any parcel or parcels. A site specific metro plan amendment requires a public hearing and recommendation from the Planning Commission, followed by a public hearing and action by the City Council. If not challenged, this process would typically take several months to complete. The criteria for a metro plan amendment are as follows:

- The amendment must be consistent with the relevant statewide planning goals
- The amendment must not make the metro plan internally inconsistent

City-initiated metro plan amendments are typically initiated as part of larger planning efforts, such as Envision Eugene, Walnut Station Mixed-Use Center and the Downtown Code Amendments. Amendments of individual tax lots such as the subject parcel are typically made by the property owner themselves. Given that this parcel is not a part of a larger planning effort, and the property owner is in opposition to this initiation, staff would need to assume the responsibility of preparing and processing the application. Staff resources would need to be shifted away from other priority items, such as Envision Eugene, in order to accomplish this work.

As a practical matter, the property owner may decide to submit the necessary application for development under the currently approved R-2 zoning, before adoption of any amendment becomes effective. Under this scenario, an R-2 development could proceed even if the property is later re-designated to low-density residential.

Finally, if the council is inclined to initiate this amendment process, the council should consider whether a concurrent zone change is needed as well. While a Metro Plan amendment such as this, if approved, automatically amends the refinement plan designation, it would not address the current R-2 zoning that has been approved by the Planning Commission. If it is the council's intent to ensure this parcel is developed under the R-1 standards, the council should initiate a concurrent zone change as well.

## **RELATED CITY POLICIES**

If the council initiates the Metro Plan amendment process, the proposal will be subject to review under EC 9.7700-9.7750 (Metro Plan Amendment Procedures), including compliance with all statewide planning goals.

## **COUNCIL OPTIONS**

The City Council has the following options:

- 1) Initiate amendment of the Metro Plan to change 955 Coburg Road from Medium-Density Residential to Low-Density Residential.
- 2) Postpone a decision on whether to initiate a Metro Plan amendment until after the LUBA appeals process is complete.
- 3) Take no action.

## **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends that the council take no action.

## **SUGGESTED MOTION**

None.

## **ATTACHMENTS**

- A. Vicinity Map (Aerial)
- B. Parcel History Timeline
- C. November 12, 1991, Planning Commission Meeting Minutes (Excerpt)
- D. City Council Ordinance and related exhibits; June 8, 1992
- E. Planning Commission Final Order: Benson Zone Change Appeal
- F. Metro Plan Diagram
- G. Existing Land Use Designations: Coburg Road Corridor
- H. Zoning Comparison: R-1 vs. R-2

## **FOR MORE INFORMATION**

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