

Jefferson Westside Neighbors

A City-Chartered Neighborhood Association
www.jwneugene.org

November 27, 2006

Eugene Planning Commission

99 W. 10th Ave.
Eugene, OR 97401

RE: Proposed Metro Plan, Jefferson/Far West Refinement Plan, and Eugene Code amendments (files MA 06-5, RA 06-3, and CA 06-1)

Dear Commissioners:

The **Jefferson Westside Neighbors** (JWN) urges the Planning Commission to recommend approval of the proposed Metro Plan, Jefferson/Far West Refinement Plan, and Eugene Code amendments that are the subject of the December 5, 2006 Public Hearing.

These amendments were initiated by City Council's September 11, 2006 motion in order "to limit the subject area to Low Density residential development."

Council initiated these amendments after receiving Planning staff and JWN recommendations that resulted from the following motion that Council adopted (6-1) on July 24, 2006:

To schedule a work session for August 16 to consider [that] Jefferson-Westside is currently threatened by inappropriate infill, and what can we do in the short term to pause and mitigate this negative effect. As part of the preparation for this work session, staff will work with Jefferson Westside Neighbors to consider approaches to their situation with R-1 to R-2 up-zonings.

Council has made clear their intent that relevant plans and code be amended to "pause and mitigate" the negative effect of inappropriate infill that threatens the subject area, specifically to pause the threat of incompatible infill that would result from R-1 to R-2 upzonings in this area. The proposed amendments will fulfill Council's directive.

At our general meeting on September 12, the JWN voted unanimously (34-0) to endorse Council's action (see attached resolution). Specifically, the JWN requested the Metro Plan, Jefferson/Far West Refinement Plan, and Land Use Code be changed to designate the subject area as "Low Density Residential."

This vote is consistent with the JWN membership's unanimous vote (48-0) on March 14, 2006 requesting a temporary moratorium on zone changes for lots within the subject area (see attached resolution).

These repeated, unanimous votes should leave no question that the neighborhood association overwhelmingly supports the proposed amendments.

Eugene Planning Commission

November 27, 2006

Page Two

In addition, large numbers of residents of the subject area, other areas of the JWN, and neighborhoods outside the JWN have stated their support for the proposed amendments and their intent.

Over 135 residents of Area 15 signed the attached petition requesting City Council amend the Metro Plan, the Jefferson/Far West Refinement Plan, and the Land Use Code to limit Area 15 to low density residential development.

Earlier this year, a petition signed by 286 Eugene residents (also attached) was presented to Council urging Council to take action to prevent up-zonings until standards to protect the neighborhood's character are adopted. (Approximately one third of the people who signed this petition live in Area 15, approximately one third live in other areas of the JWN, and approximately one third live outside the JWN.)

Collectively, these actions show broad support among families who live in the area and who will be most affected by these amendments.

We believe the proposed amendments are consistent with all respective approval criteria. We note specifically that the Jefferson/Far West Refinement Plan amendments address the following two items in approval criteria EC 9.8424(2):

(c) *New or amended community policies.*

Council's September 11 motion explicitly directs the policy for this area be amended.

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

The density and scale of development allowed by the R-2 zone has changed substantially since the plan was adopted in 1983. Most notably, the average number of dwelling units allowed on parcels in the subject area has approximately *tripled* since that time. There is no evidence this substantial change was anticipated at the time the refinement plan was adopted.

In addition, the November 15, 2006 code interpretation of the Jefferson/Far West Refinement Plan policy covering the subject area (file CI 06-13) has voided *any* limit on density allowed by "medium density" (i.e., R-2) standards – a staff action that was neither intended nor anticipated by the policy's explicit "low- to medium-density" designation of the area.

Further, this same code interpretation voided *any* application of the policy's requirement for block plans or site reviews to assure that up-zonings and subsequent development maintain the character of the area, as the plan clearly intends. This staff action was likewise neither intended nor anticipated by the policy.

Eugene Planning Commission

November 27, 2006

Page Three

We've attached additional testimony to provide further background information on the subject area, the refinement plan, and other relevant factors.

We also want to emphasize that Council's September 11 motion was intended as a *temporary* measure, using the mechanism recommended by Planning staff (i.e., plan and code amendments), to maintain the *status quo ante* in this area until appropriate development standards could be implemented or until the "sunset" date of July 1, 2008. The JWN's September 12 motion supports Council's intent in this regard.

The JWN and area residents remain committed to sensible compact development that maintains the stability and character of our neighborhoods, and we look forward to working with the new Planning staff member responsible for the "Infill Compatibility Standards" and "Opportunity Siting" programs.

Thank you for your consideration.

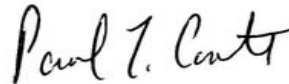
Please contact either of us if we can be of assistance.

Respectfully,



Rene Kane, Co-Chair
254 W. 14th Ave.
rkane@highstream.net

343-4309



Paul Conte, Co-Chair
1461 W. 10th Ave.

pconte@picante-soft.com 344-2552

Attachments

- JWN resolutions (see reverse side)
- Petition requesting approval of proposed amendments
- July 5 petition requesting temporary prohibition against R-2 up-zonings
- Area 15 background information
- Jefferson/Far West Refinement Plan
- Jefferson/Far West Refinement Plan Appendix

Jefferson Westside Neighbors' Resolutions

On September 12, 2006, the Jefferson Westside Neighbors in general meeting unanimously (34-0) resolved:

The **Jefferson Westside Neighbors** (JWN) requests City Council amend the Metro Plan, the Jefferson/Far West Refinement Plan, and the Land Use Code to limit subarea 15 in the plan (either in its entirety or the portion south of Amazon Canal) to Low Density Residential development. Further, the JWN supports a provision that unless Council takes further action with regard to the subject area, the subject area shall revert to allow Low-to Medium-Density Residential development on July 1, 2008.

The JWN co-chairs are directed to take appropriate action to communicate this request to City staff and officials and to work for its prompt implementation.

On March 14, 2006, the Jefferson Westside Neighbors in general meeting unanimously (48-0) resolved:

Jefferson Westside Neighbors requests City Council adopt a temporary moratorium on zone changes for lots within the area encompassed by the Jefferson/Far West Refinement Plan that was redesignated in 2004 from "Low-Density Residential" to "Medium-Density Residential" on the Metro Plan Diagram. This area is approximately as shown in the map associated with "Jefferson residential area #15" (in the first column on page 28) of the Jefferson/Far West Refinement Plan.

The moratorium should remain in effect until Council adopts appropriate development standards to protect this area's neighborhood character, as stated in the refinement plan's policy for this area.
