



COUNCIL RESOLUTION NO. 5112

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-09-24 TAX
LOT 500)**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: July 28, 2014



RESOLUTION NO. 5112

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-09-24 TAX LOT
500)**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by John and Payung Van Slyke, on April 3, 2014, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-03-09-24 Tax Lot 500.

B. The legal description of the property described is attached to this Resolution as Exhibit A. The territory proposed to be annexed is depicted on the map attached as Exhibit B to this Resolution

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Recommendation is attached as Exhibit C.

D. On June 27 2014, a notice containing the assessor's maps and tax lot numbers, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicants, owners and occupants of property within 500 feet of the subject property, and the Northeast Neighbors. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 28, 2014.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings and the Planning Director's Recommendation and Findings attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-03-09-24 Tax Lot 500, as described in the attached Exhibit A and shown on the map attached as Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from C-1/UL to C-1, pursuant to EC 9.7820(3), shall become effective in accordance with State Law.

The foregoing Resolution adopted the 28th day of July, 2014.

Beth Louest

City Recorder

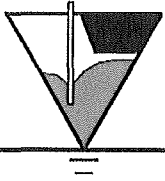


Exhibit A
EGR & Associates, Inc.
Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

Van Slyke
Annexation Description

A parcel of land being that property described in Warranty Deed recorded on Reel 2426R Reception Number 9843617, Lane County, Oregon, Official Records and being more particularly described as follows:

Beginning at a point on the North right-of-way of County Road No. 537, said point being North 0°09'00" East 2479.70 feet and South 87°02'10" West 344.15 feet from the 1/4 Corner between Sections 9 and 16, in Township 17 South, Range 3 West, of the Willamette Meridian; thence North 0°32'00" East 693.61 feet; thence South 89°49'00" West 327.79 feet; thence South 0°32'00" West 519.56 feet; thence North 87°02'10" East 100.00 feet; thence South 0°32'00" West 189.98 feet to said North right-of-way; thence along said North right-of-way North 87°02'10" East 228.38 feet to the Point of Beginning.

This description is based on County Survey File No. 30258 filed in the Office of the Lane County Surveyor.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524LS

EXPIRES: 12/31/2015

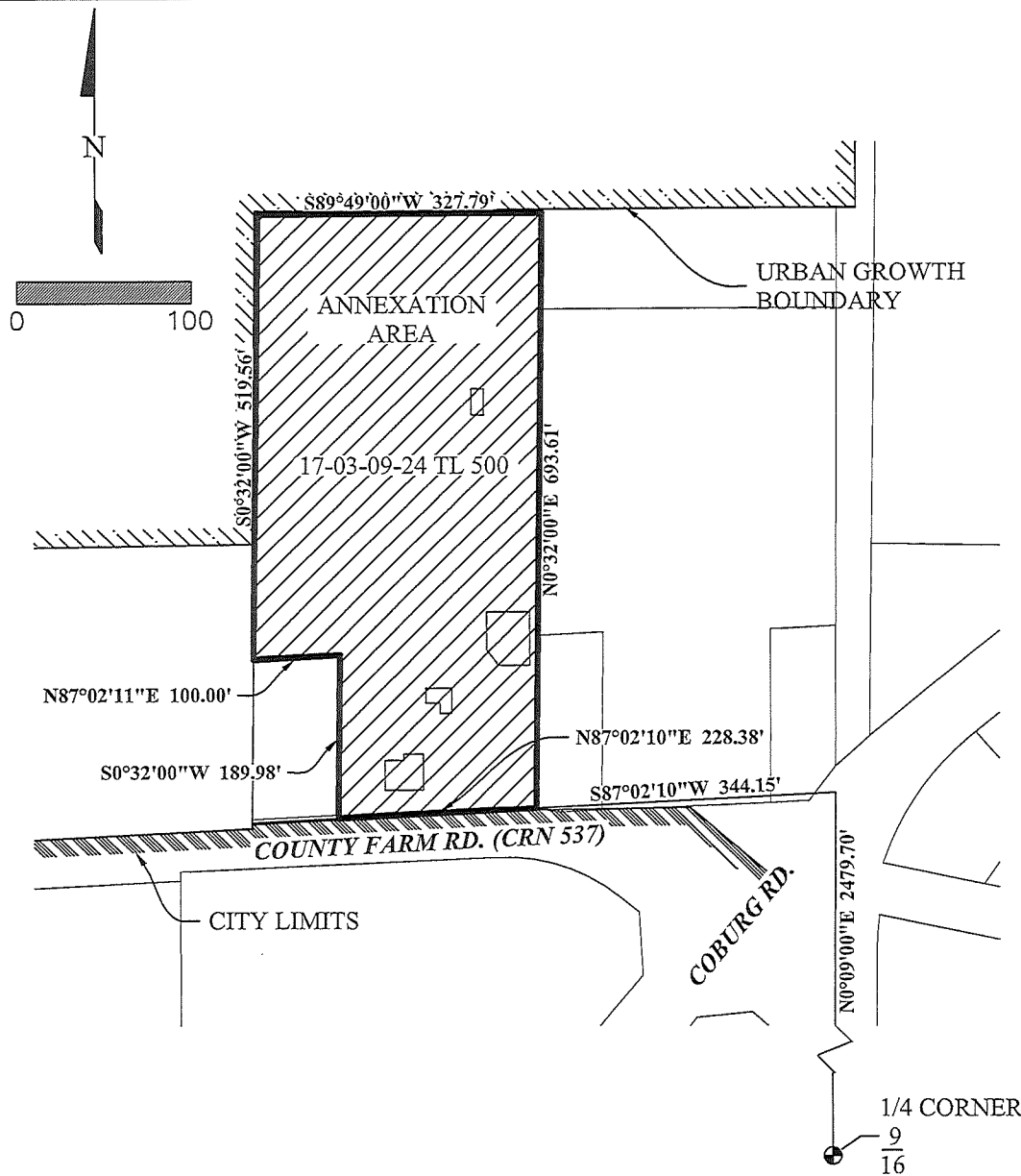
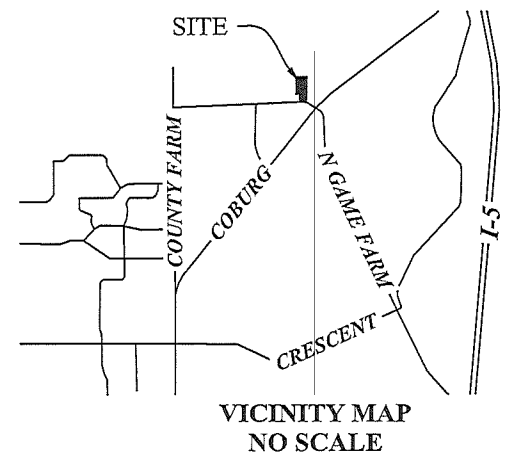


FIGURE #1
 VAN SLYKE ANNEXATION
 EUGENE, LANE COUNTY OREGON



NOTE:
 THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. IT IS COMPOSED FROM RECORD INFORMATION AND DOES NOT REPRESENT A BOUNDARY SURVEY.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
 JANUARY 14, 2003
 RYAN M. ERICKSON
 55524

EXPIRES: 12/31/15



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

(541) 688-8322
 Fax (541) 688-8087



**Planning Director's Recommendations and Findings:
Van Slyke (A 14-2)**

Application Submitted: April 3, 2014	
Applicant: John and Payung Van Slyke	
Map/Lot(s): 17-03-09-24: 500	
Zoning: C-1/UL Neighborhood Commercial with Urbanizable Land overlay	
Location: 4010 County Farm Road	
Representative: Kim O'Dea, Law Office of Bill Kloos, PC	
Lead City Staff:	Becky Taylor, Associate Planner, (541) 682-5437

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:					
<p>(a) Contiguous to the city limits; or</p> <p>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</p>					
<p>Findings: The area to be annexed is 4.85 acres of land containing a house and accessory structures. The annexation area is within the City's urban growth boundary (UGB), which abuts the north boundary, and the northern portion of the west boundary, of the subject property.</p> <p>The <u>Metro Plan</u> states: "The UGB is tax lot-specific where it is coterminous with city limits, where it has been determined through the annexation process, and where it falls on the outside edge of existing or planned rights-of-way. In other places, the UGB is determined on a case-by-case basis through interpretation of the <u>Metro Plan Plan Boundaries Map...</u>" (<u>Metro Plan</u>, page II-G-14). The north and west boundaries of the UGB have not been determined previously, but will be coterminous with city limits upon annexation of the subject request. Based on the provisions above, this annexation will establish the UGB boundary for that portion of property which is coterminous with the UGB, as shown and described on Exhibits A and B.</p> <p>The area of request is also contiguous to city limits, which abuts the south boundary of the subject property.</p>					
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.					
<p>Findings: Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following:</p>					
<table border="1"> <tr> <td colspan="2">Complies</td> </tr> <tr> <td><input checked="" type="checkbox"/> YES</td> <td><input type="checkbox"/> NO</td> </tr> </table>		Complies		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Complies					
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				

		<p>C. Growth Management, Goals, Findings and Policies:</p> <p><i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i></p> <p><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p> <p><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-4).</i></p> <p><i>Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for commercial uses.</p> <p>The <u>Willakenzie Area Refinement Plan (WAP)</u> is the adopted refinement plan for the subject property and also designates the area for commercial uses. The subject property is currently zoned C-1/UL Neighborhood Commercial with Urbanizable Land overlay. Upon annexation, the /UL overlay will automatically be removed. Following annexation, the applicant has indicated that they will submit a request for rezoning of the subject property to GO General Office, which is one of four commercial categories.</p> <p>With regard to applicable policies of the <u>WAP</u>, the subject property is within the “Unincorporated” subarea. The applicant has addressed several potentially-relevant policies, including clarification about why certain policies are not applicable. Staff concurs with the applicant’s findings.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p>
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EC 9.7825(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

<p>Complies</p>		<p>Findings: The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p>
<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	

Wastewater

Public wastewater needs to be extended to serve the subject property. The applicant’s engineer prepared a conceptual wastewater service plan, showing the extension of the existing mainline located within Fox Meadow Road. Public Works staff concurs with the applicant’s proposal. The applicant acknowledges that they are responsible for the associated costs of providing the wastewater service.

Stormwater

Public stormwater is not available to serve the subject property. Available data indicates that the site is suitable for infiltration. Onsite management of stormwater runoff from development is preferred in the City’s stormwater development standards, for providing pollution-reduction and minimizing contributing flows to the public system and to more closely mimic the natural hydrological cycle. Compliance with the stormwater development standards for pre-treatment and any detention requirements will be confirmed during the development permit process.

Streets

The southern boundary of the subject property abuts County Farm Road, which is classified as a Major Collector street within City limits. The roadway is not improved to urban standards, as it lacks curbs, gutters, and sidewalks, but it currently has a 36-foot wide paved surface abutting the subject property. Roadway improvements will be addressed as part of a subsequent development permit.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water & Electric

Eugene Water and Electric Board (EWEB) services are available to serve the subject property. Referral comments from EWEB staff state no objections to the proposed annexation and include contact information for obtaining additional service information.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by the City of Eugene. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.

Parks and Recreation

A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan. Armitage Park is located approximately 1,580 feet to the west.

Planning and Development Services

Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide

		<p>the required land use controls for future development of the subject property upon annexation.</p> <p>Communications Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the Eugene 4J School district and is served by Gilham Elementary School, Cal Young Middle School and Sheldon High School.</p>
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CONCLUSION:

Based on the above findings, the proposed annexation is found to be consistent with the applicable approval criteria. The Planning Director recommends that City Council approve this annexation proposal. The effective date is set in accordance with State law.