



COUNCIL RESOLUTION NO. 5182

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-13-33, TAX
LOT 400).**

PASSED: 7:0

REJECTED:

OPPOSED:

ABSENT: Evans

CONSIDERED: January 25, 2017



RESOLUTION NO. 5182

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-13-33, TAX LOT
400).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by the City of Eugene on November 22, 2016, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-13-33, Tax Lot 400.

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

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 Findings and Recommendation is attached as Exhibit C.

D. On December 22, 2016, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on January 23, 2017.

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 Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-13-33, Tax Lot 400, depicted on the map attached as Exhibit A, and described in the attached 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 R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the 25th day of January, 2017.

Beth Louest

City Recorder

SITE PLAN 1505 RIVER ROAD

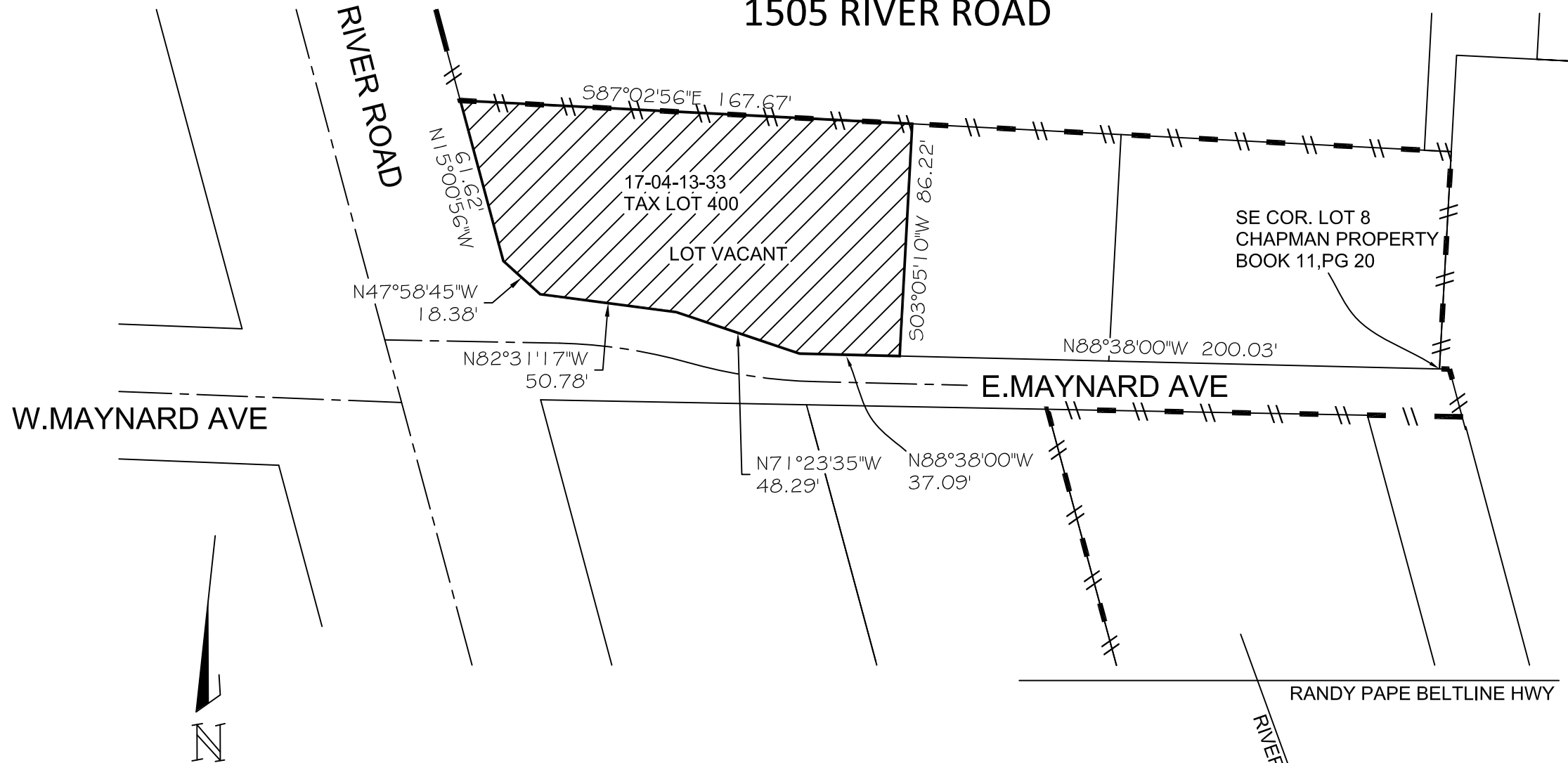


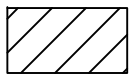

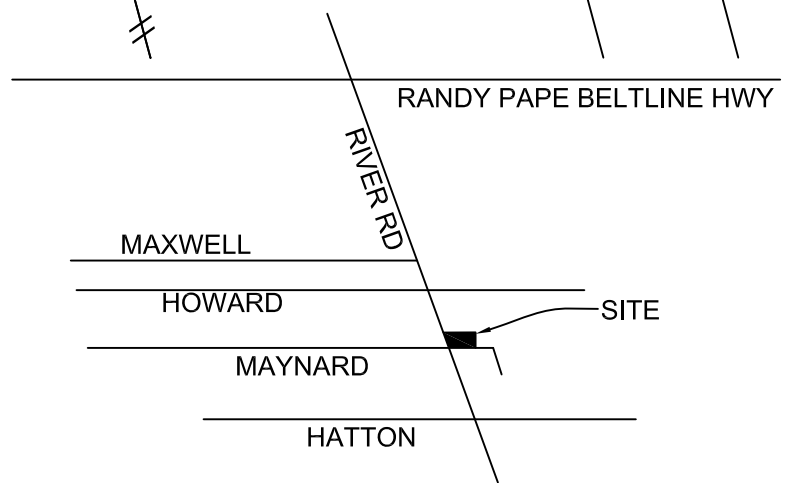


Exhibit A


N

SCALE
1" = 50'
JULY 14, 2016

 DENOTES PROPOSED ANNEXATION SITE
 DENOTES CITY LIMIT LINE



VICINITY MAP
NO SCALE

Exhibit B

Annexation Description

For

Property located at 1505 River Road, Eugene, Or. 97404

Tax map no. 17-04-13-33 tax lot 400

A tract of land located in the Southwest one-quarter in Section 13 In Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Southeast corner of Lot 8 of Chapman Property, as platted and recorded in Book 11, page 20 Lane County Oregon Plat Records in Lane County, Oregon; thence North 88°38'00" West 200.03 feet along the south line of said Lot 8 also being the north right-of-way line of East Maynard Avenue to the TRUE POINT OF BEGINNING of the herein description; thence continuing along said north right-of-way line the following courses, North 88°38'00" West 37.09'; thence North 71°23'35" West 48.29 feet; thence North 82°31'17" West 50.78 feet; thence North 47°58'45" West 18.38 feet to the East right-of-way line of River Road; thence along said east right-of-way line of River Road, North 15°00'56" West 61.62 feet; thence leaving said east right-of-way line and run, South 87°02'56" East 167.67 feet; thence South 3°05'10" West 86.22 feet to the true point of beginning and there ending.

Containing 12,109 ± square feet.

Exhibit C



Planning Director’s Findings and Recommendation: Annexation Request for City of Eugene (City File A 16-11)

Application Submitted: November 22, 2016
Applicant: City of Eugene
Location: 1505 River Road
Subject Property: Tax Lot 400 of Assessor’s Map 17-04-13-33
Zoning: R-1/UL with Low-Density Residential and Urbanizable Lands Overlay
Representative: Ellen Meyi-Galloway, Community Development Division, City of Eugene, 541-682-5532
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

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 style="margin: 0;">(a) Contiguous to the city limits; or</p> <p style="margin: 0;">(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</p>	
Complies	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<p>Findings: The annexation area is within the City’s urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).</p>
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<p>Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>):</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> <ul style="list-style-type: none"> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <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><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority (page II-C-5).</i></p> <p><i>Policy 15. 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>As addressed below under subsection (3), and consistent with these policies, a minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner. This annexation request is proposed by the property owner and is subject to the City’s normal process for consideration of voluntary annexations.</p> <p>The <u>Metro Plan</u> designates the subject property for low density residential use, and the existing R-1 zoning is consistent with that designation. The River Road – Santa Clara Urban Facilities Plan is the adopted refinement plan for the subject property. The “Public Facilities and Services Element” policies of this plan are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that the properties within the UGB will be annexed.</p>
<p>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>		
<p>Complies</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</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><u>Wastewater</u> Wastewater facilities owned by the City of Eugene are available adjacent to the subject property in East Maynard Avenue and River Road. The public system can serve the subject property.</p> <p><u>Stormwater</u> Stormwater drainage facilities are not immediately available to the subject property but can be provided at the time of development consistent with the City’s stormwater regulations.</p> <p><u>Transportation</u> This property has frontage on existing Lane County rights-of-way including River Road and East Maynard Avenue. Consistency with public improvement and street standards will be evaluated and ensured at the time of development. A Lane County Facility Permit may also be required for any future connection to River Road or East Maynard Avenue, which are under the County’s jurisdiction at this location.</p>

		<p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p><u>Water and Electric</u> EWEB Water staff and Electric staff state no objection to the proposed annexation. Water and electric services can be extended in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u> Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. 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.</p> <p><u>Parks and Recreation</u> Parks and recreation programs are provided on a City wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met. The site is also conveniently located near West Bank park and the City's public trail system and open space along the Willamette River.</p> <p><u>Planning and Development Services</u> 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 the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u> A variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within the Eugene 4J School District boundary and served by Howard Elementary School, Kelly Middle School, and North Eugene High School.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with state law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. City review is required before development can occur on this property. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- For information regarding EWEB requirements at the time of development, please contact Bill Johnson, EWEB Water, at 541-685-7377; Jon Thomas, EWEB Electric, at 541-685-7472; and Lori Price EWEB Right of-Way, at 541-685-7366
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.