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COUNCIL RESOLUTION NO. 5308

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-11-13, TAX LOT 1900, LOCATED
AT 3060 RIVER ROAD).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: September 14, 2020



RESOLUTION NO. 5308

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-11-13, TAX LOT 1900, LOCATED AT 3060
RIVER ROAD).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on June 9, 2020, by The Presbytery of the Cascades, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-11-13, Tax Lot 1900, to the City of Eugene.

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

D. On August 13, 2020, a notice containing the street address, the assessor's map and tax lot number for the property, 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 properties located within 500 feet of the perimeter of the subject property, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on September 14, 2020.

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 which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-13, Tax Lot 1900, which is depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

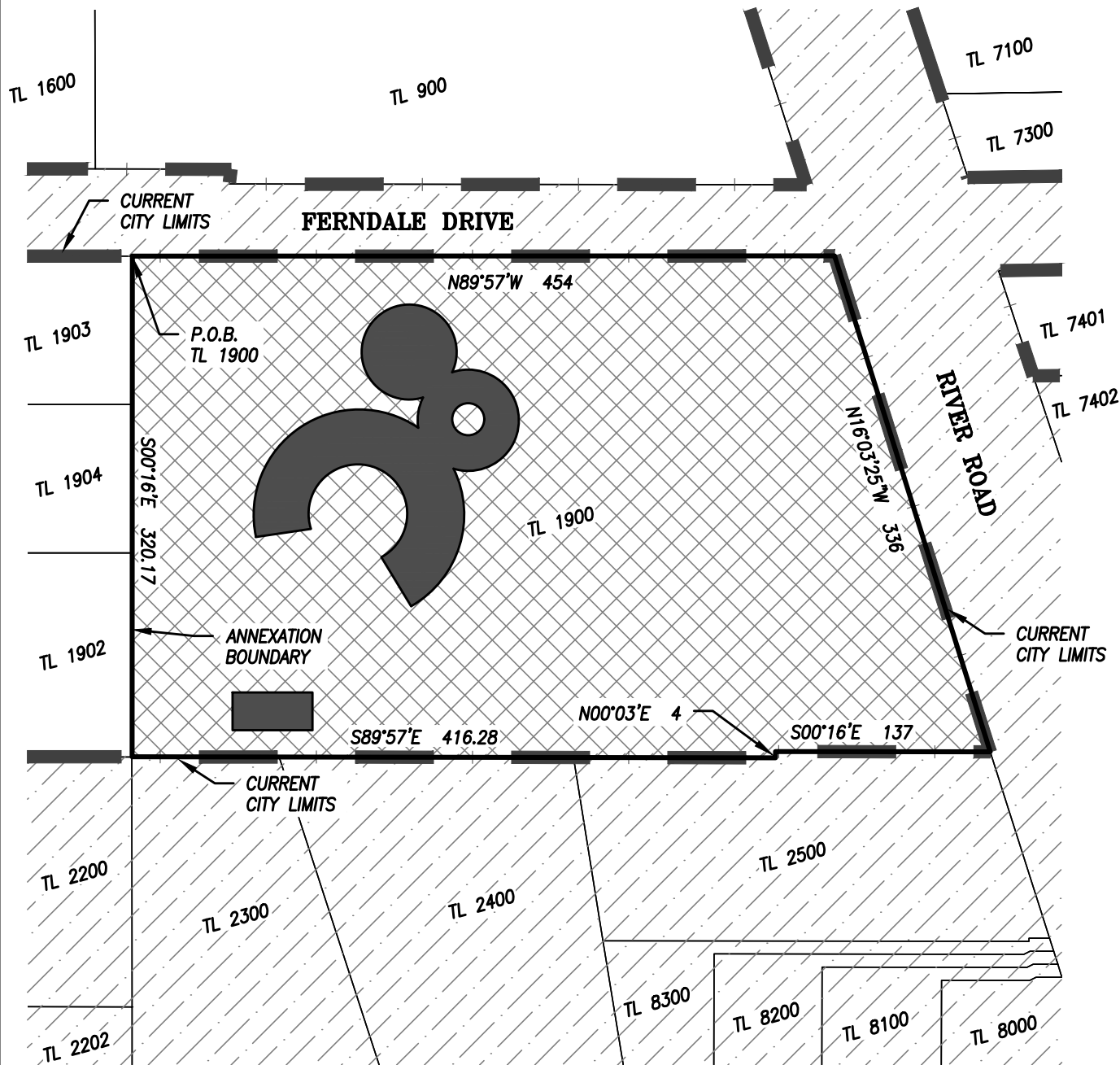
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-Density Residential with /UL Urbanizable Land Overlay to R-1 Low-Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the 14th day of September, 2020.






City Recorder

**LAND ANNEXATION FOR
PEACE PRESBYTERIAN CHURCH**
SW 1/4, NE 1/4, SEC 11, T17S, R4W, WM
EUGENE, LANE COUNTY, OREGON
JUNE 5, 2020

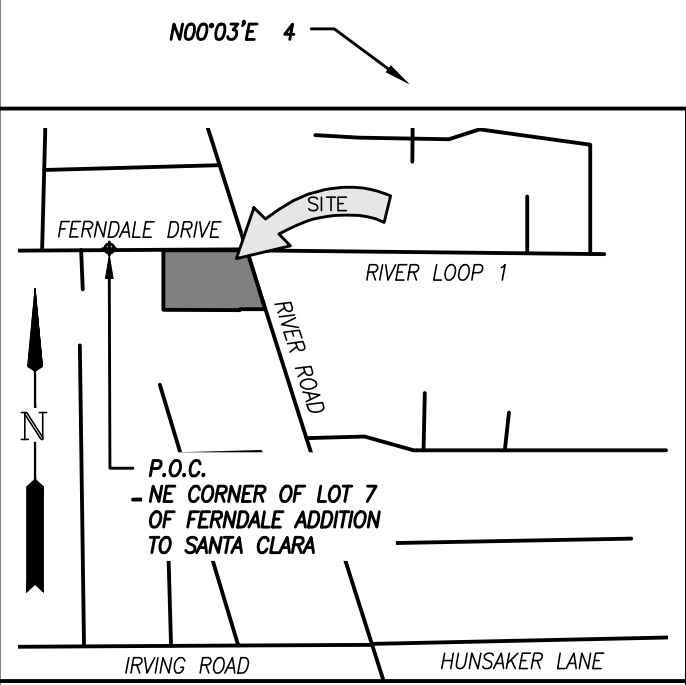


LEGEND

-  CITY LIMITS
-  LANDS TO BE ANNEXED
-  EXISTING STRUCTURE

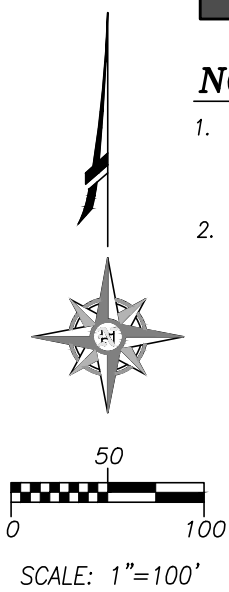
NOTES

1. CITY LIMITS BOUNDARIES SHOWN PER THE CITY OF EUGENE ON-LINE INTERACTIVE ZONING MAP ON JUNE 5, 2020.
2. NO EASEMENT OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE.



VICINITY MAP

NOT TO SCALE



Branch ENGINEERING
 Since 1977
 310 5th Street
 Springfield, OR 97477
 p: 541.746.0637
 www.BranchEngineering.com

ASSESSOR'S MAP(S) TAX MAP 17-04-11-13, T.L. 1900

Exhibit B

June 2, 2020

ANNEXATION LEGAL DESCRIPTION

PEACE PRESBYTERIAN CHURCH

Branch Engineering Inc. Project No. 20-257

Parcel 2 of Minor Subdivision 69-29 as filed in the Pre-1990 Partition Records of the Lane County Oregon Surveyor's Office; said parcel being more particularly described as follows:

COMMENCING at the Northeast corner of Lot 7, Ferndale Addition to Santa Clara as platted and recorded in the Lane County Oregon Plat Records; **THENCE** along the east boundary of said Lot 7 South 00°16' East, 30.00 feet more or less to the southerly right-of-way margin of Ferndale Drive as shown in said Minor Subdivision 69-29 and surveyed in County Survey File 15879 as recorded in the Lane County Oregon Surveyor's Office; **THENCE** along said southerly margin South 89°48' East, 297.50 feet, more or less, to a 5/8" rebar set in County Survey File 15879, said point being the **POINT of BEGINNING**; **THENCE** South 00°16' East, 320.17 feet, more or less, to a 5/8" rebar set in said County Survey File 15879; **THENCE** South 89°57' East, 416.28 feet, more or less, to a 3/4" iron pipe set in County Survey File 7015 as recorded in the Lane County Oregon Surveyor's Office and found in said County Survey File 15879; **THENCE** North 00°03' East, 4 feet, more or less, to a 3/4" iron pipe set in said County Survey File 7015 and found in said County Survey File 15879; **THENCE** South 89°57' East, 137 feet, more or less, to the westerly right-of-way margin of River Road as dedicated in that Bargain and Sale Deed recorded on August 1, 1984 as Instrument 8431037 on Reel 1308R in the Lane County Oregon Official Records; **THENCE** along said westerly right-of-way margin North 16°03'25" West, 336 feet, more or less, to the aforesaid southerly right-of-way margin of Ferndale Drive; **THENCE** along said southerly right-of-way margin North 89°57' West, 454 feet, more or less, **RETURNING to the POINT OF BEGINNING.**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

RENEWAL DATE: 12/31/21

Exhibit C



**Planning Director’s Findings and Recommendation
Annexation Request for Peace Presbyterian Church
(City File: A 20-2)**

Application Submitted: June 9, 2020
Applicant: The Presbytery of the Cascades
Property Included in Annexation Request: Tax Lot 01900 of Assessor’s Map 17-04-11-13
Zoning: R-1 Low-Density Residential with /UL Urbanizable Land Overlay
Location: 3060 River Road
Representative: Renee Clough, Branch Engineering
Lead City Staff: Rodney Bohner, City of Eugene Planning Division, 541-682-5437

EVALULATION:

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: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.					
<table border="1"> <tr> <td align="center" colspan="2">Complies</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/> YES</td> <td align="center"><input type="checkbox"/> NO</td> </tr> </table>	Complies		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Findings: The annexation area is within the City’s urban growth boundary (UGB) and contiguous to City limits, consistent with subsection (a).
Complies					
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.					
<table border="1"> <tr> <td align="center" colspan="2">Complies</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/> YES</td> <td align="center"><input type="checkbox"/> NO</td> </tr> </table>	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> <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>
Complies					
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				

		<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>The following policy from the Residential Element of the <u>Metro Plan</u> is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for low-density residential use. The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property, which also designates the area for low density residential use. The property is zoned R-1 Low-Density Residential with a /UL Urbanizable Land overlay, consistent with the existing <u>Metro Plan</u> and <u>RR/SC UFP</u> designations. The /UL overlay will be automatically removed from the property following annexation approval.</p> <p>Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general “Residential Land Use Policies” at Section 2.2 appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</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> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and RR/SC UFP refinement plan.</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: Consistent with this criterion, 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>

Wastewater

Wastewater service is available via an 8-inch public wastewater system within River Road, east of the subject property. The subject property has been connected to city services since 1997 per sewer connection record 051301, dated 12/1/1997.

Stormwater

A public storm system exists in the River Road right-of-way to the east of the subject property. The sidewalks are piped for runoff. Any additional runoff from future development will require a permit from Lane County Public Works Division. Compliance with applicable stormwater development standards will be ensured at the time of development.

Transportation

The parcel located at 3060 River Road has public access onto River Road, which is a major arterial running north and south. Furthermore, the parcel has frontage on Ferndale Drive, which is a partially improved local access road. Any future development will be reviewed to ensure current standards are met to the extent required.

Solid Waste

Collection service is provided by private firms. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.

Public Safety

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

Parks and Recreation

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.

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 the required land use controls for future development of the subject property upon annexation.

	<p><u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within Eugene School District 4J and is within the district boundary of Spring Creek Elementary School, Madison Middle School, and North Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</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 will be 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. Please contact the Permit Information Center, Planner-on-Duty at 682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.