



COUNCIL RESOLUTION NO. 5102

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-08-31 TAX
LOTS 2600, 2700, 2800 AND 3100).**

PASSED: 5:0

REJECTED:

OPPOSED:

ABSENT: Evans, Syrett, Taylor

CONSIDERED: March 10, 2014

RESOLUTION NO. 5102

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-08-31 TAX LOTS
2600, 2700, 2800 AND 3100).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Nordic Homes, on January 13, 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 17-03-08-31 Tax Lots 2600, 2700, 2800, and 3100.

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 Recommendation is attached as Exhibit C.

D. On February 7, 2014, a notice containing the assessor's map 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 March 10, 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 17-03-08-31 Tax Lots 2600, 2700, 2800, and 3100 on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

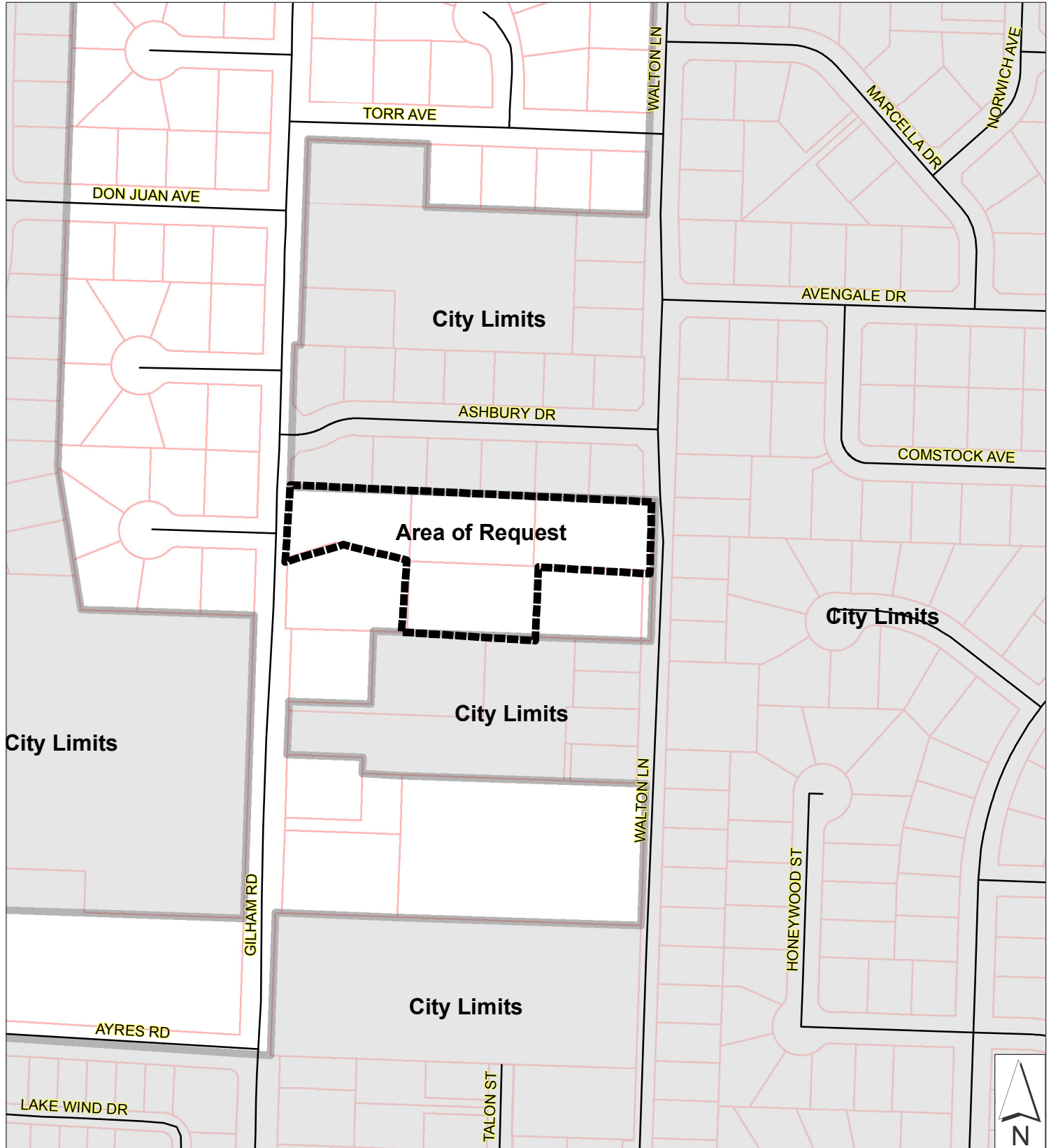
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from AG/UL to AG pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the 10th day of March, 2014.



Beth Louest

City Recorder

Exhibit A - Vicinity Map



Legend

-  EUG
-  Taxlots



Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

January 29, 2014





January 8, 2014

LEGAL DESCRIPTION

ANNEXATION APPLICATION

TAX MAP 17-03-08-31, TAX LOTS 2600, 2700, 2800 & 3100

Branch Engineering Inc. Project No. 13-252

TAX LOT 2600

Being all those lands conveyed as Parcel 1 in that Warranty Deed recorded on March 6, 2001 as Reception Number 2001-012146, Lane County Oregon Official Records; said Parcel 1 being more particularly described as follows:

Beginning at the re-entrant angle on the West line of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian; thence South along the West line of the said Aubrey Donation Land Claim, 2440.9 feet; thence 89°54' East 20.0 feet across a 20.0 foot right of way to the TRUE POINT OF BEGINNING; thence North along the East line of the said 20.0 foot road, 113.0 feet; thence South 89°54' East 193.0 feet along the south boundary of Hidden Creek Estates as platted and recorded in the Lane County Oregon Plat Records; thence South 113.0 feet to the centerline of a 25.0 foot private roadway easement; thence North 77°40'30" West along the center of said 25.0 foot roadway, 120.83 feet; thence continuing along said centerline South 70°47' West 79.38 feet to the true point of beginning, in Lane County, Oregon.

TAX LOT 2700

Being all those lands conveyed as Parcel 2 in that Warranty Deed recorded on March 6, 2001 as Reception Number 2001-012146, Lane County Oregon Official Records; said Parcel 2 being more particularly described as follows:

Beginning at the re-entrant angle on the West line of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian; thence South along the West line of the said Aubrey Donation Land Claim, 2327.9 feet; thence South 89°54' East 213 feet along the south boundary of Hidden Creek Estates as platted and recorded in the Lane County Oregon Plat Records to the TRUE POINT OF BEGINNING of the tract to be described; thence South 89°54' East 196.5 feet continuing along said south boundary; thence South 113 feet to the center line of a 25 foot private roadway easement; thence North 89°54' West along the center line of said road 196.5 feet; thence North 113 feet to the TRUE POINT OF BEGINNING, in Lane County, Oregon.

TAX LOT 2800

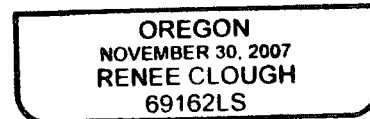
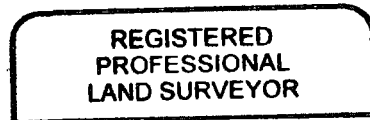
Being all those lands conveyed as Parcel 3 in that Warranty Deed recorded on March 6, 2001 as Reception Number 2001-012146, Lane County Oregon Official Records; said Parcel 3 being more particularly described as follows:

Beginning at the re-entrant angle on the West line of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian; thence South along the West line of the said Aubrey Donation Land Claim, 2553.4 feet; thence South 89°54' East 409.5 feet to the true place of beginning; thence North 1.0 foot; thence South 89°54' East 189.0 feet; thence North 111.5 feet to the center line of a 25 foot private roadway easement; thence North 89°54' West along the center line of said road 189.0 feet; thence North 113.0 feet; thence South 89°54' East 190.0 feet along the south boundary of Hidden Creek Estates as platted and recorded in the Lane County Oregon Plat Records; thence South 113.0 feet along a right-of-way line; thence South 112.5 feet along a right-of-way line; thence North 89°54' West 190.0 feet to the place of beginning, in Lane County, Oregon.

TAX LOT 3100

Being all those lands conveyed as Parcel 4 in that Warranty Deed recorded on March 6, 2001 as Reception Number 2001-012146, Lane County Oregon Official Records; said Parcel 4 being more particularly described as follows:

Beginning at the re-entrant angle on the West line of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian; thence South along the West line of the said Aubrey Donation Land Claim, 2553.4 feet; thence South 89°54' East 213.0 feet to the true point of beginning of the following described tract; and running thence South 89°54' East 206.5 feet; thence North 112.5 feet to the center of a private roadway easement; thence North 89°54' West 206.5 feet along the center of said roadway; thence South 112.5 feet to the point of beginning, in Lane County, Oregon.





**Planning Director's Recommendations and Findings:
Nordic Homes (A 14-1)**

Application Submitted: January 13, 2014	
Applicant: Nordic Homes	
Map/Lot(s): 17-03-08-31 / 2600, 2700, 2800, and 3100	
Zoning: AG/UL Agricultural with Urbanizable Land Overlay	
Location: Between Gilham Road and Walton Lane, south of Ashbury Drive	
Representative: Renee Clough, Branch Engineering	
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.

<p>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.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<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). The City limits are contiguous to the subject property to the north, east, and south.</p>
<p>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The proposed annexation area is within the UGB. 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> <p>C. Growth Management, Goals, Findings and Policies: <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 residential use. The <u>Willakenzie Area Plan (WAP)</u> is the adopted refinement plan for the subject properties and also designates the area for residential uses. The subject property is currently zoned AG/UL Agricultural with Urbanizable Land Overlay. Upon annexation, the /UL overlay will automatically be removed. The applicant intends to file a zone change application, following annexation, to change the zoning from AG to R-1 Low-Density Residential, consistent with the plan designation.</p> <p>With regard to applicable policies of the <u>WAP</u>, the subject property is within the “Unincorporated” subarea; none of these policies appear to be directly applicable to the subject request.</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>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>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>	<p>Wastewater Public wastewater is available to serve the subject property. Eight-inch main lines are located within the abutting streets: Gilham Road, to the west, and Walton Lane, to the east.</p> <p>Stormwater Public stormwater is available to serve the property from the existing 10-inch mainline located within Walton Lane. Public Works staff indicates that soil types on the subject property are suitable for infiltration and on-site stormwater management.</p>

Streets

The west property boundary abuts Gilham Road, which is a Lane County roadway, and the east property boundary abuts Walton Lane, which is a City street. The abutting segment of Gilham Road is classified as a neighborhood collector street and is partially improved with about 20 feet of pavement width. Referral comments from Lane County staff confirm that facility permits will be required for any work within their right-of-way. The abutting segment of Walton Lane is classified as a local street and is partially improved with a paved surface that varies between 20 and 25 feet. Any street improvements will be determined at the time of property development.

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

The property is currently within the Willakenzie Rural Fire Protection District. 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. Referral comments from the Fire Marshal indicate no concerns with the proposed annexation.

Parks and Recreation

A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan. Creekside Park is located approximately 1,120 feet to the northwest and Gilham Park is located approximately 1,620 feet to the southeast.

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.

Communications

Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.

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.

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.

INFORMATION:

- ◆ Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.
- ◆ Future development of the property will require a feasible stormwater proposal and demonstration that all applicable stormwater management standards have been met.