



COUNCIL RESOLUTION NO. 5122

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 18-03-04-31; TAX LOTS 100 AND 201).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: October 27, 2014



RESOLUTION NO. 5122

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 18-03-04-31; TAX LOTS 100 AND 201).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Cynthia and Thomas Dreyer on August 19, 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 18-03-04-31, Tax Lots 100 and 201.

B. The territory proposed to be annexed is described in Exhibit A attached to this Resolution, and 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 September 26, 2014, a notice containing the location and 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 Laurel Hill Valley Citizens. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on October 27, 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 18-03-04-31, Tax Lots 100 and 201, 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 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 27th day of October, 2014.



Deputy City Recorder

PROPERTY TO BE ANNEXED

ASSESSOR'S MAP 18-03-04-31 A PORTION OF TAX LOTS 100 AND 201

A tract of land located in the Southwest 1/4 of Section 4, Township 18 South, Range 3 West of the Willamette Meridian, said tract being within Block 5 of the plat of Capital Hill Addition to Eugene, Oregon as platted and recorded at page 104 of Volume 4, Lane County, Oregon Plat Records, said tract being more particularly described as follows:

Commencing at the Northwest corner of Lot 1, Block 5 of the plat of Capital Hill Addition to Eugene, Oregon as platted and recorded at page 104 of Volume 4, Lane County, Oregon Plat Records; thence along the North boundary of said Lot 1, South 89°41'00" East, 210.00 feet to a point, said point marks the **POINT OF BEGINNING** of this tract of land; thence continuing along said North boundary of Lot 1, South 89°41'00" East, 220.01 feet to the Northeast corner of said Lot 1, Block 5; thence along the East boundary of said Block 5, South 0°18'58" West, 1251.42 feet to the Southeast corner of Lot 5, Block 5 of the plat of Capital Hill Addition to Eugene, thence along the South boundary of said Lot 5, North 88°56'27" West, 291.88 feet to the Easterly right-of-way line of Capital Drive; thence along said Easterly right-of-way line along a 96.35 foot radius curve left (the chord of which bears North 29°02'36" West, 92.39 feet) a distance of 96.36 feet; thence leaving said Easterly right-of-way line, North 46°44'00" East, 36.47 feet; thence along the arc of a 285.00 foot radius curve left (the chord of which bears North 38°49'01" East, 79.44 feet) a distance of 79.70 feet; thence North 89°41'00" West, 50.93 feet; thence North 0°19'00" East, 110.41 feet; thence South 87°46'00" West, 70.08 feet; thence North 0°19'00" East, 159.92 feet; thence North 75°57'00" East, 31.61 feet; thence along the arc of a 152.30 foot curve left (the chord of which bears North 51°59'00" East, 123.73 feet) a distance of 127.41 feet; thence North 28°01'00" East, 63.88 feet; thence North 16°51'30" East, 194.57 feet; thence North 5°42'00" East, 84.30 feet; thence North 0°16'30" East, 79.77 feet; thence along the arc of a 123.00 foot radius curve left (the chord of which bears North 18°03'33" West, 75.67 feet) a distance of 76.92 feet; thence North 89°41'00" West, 24.59 feet; thence North 1°58'27" West, 249.61 feet to the point of beginning, all in Lane County, Oregon and containing 7.19 acres more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Ted C. Baker
OREGON
JULY 25, 1991
TED C. BAKER
#2488

EXPIRES 12-31-13

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Ted C. Baker

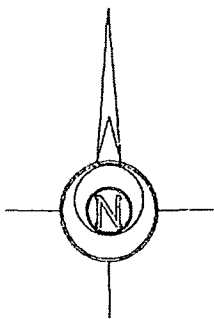
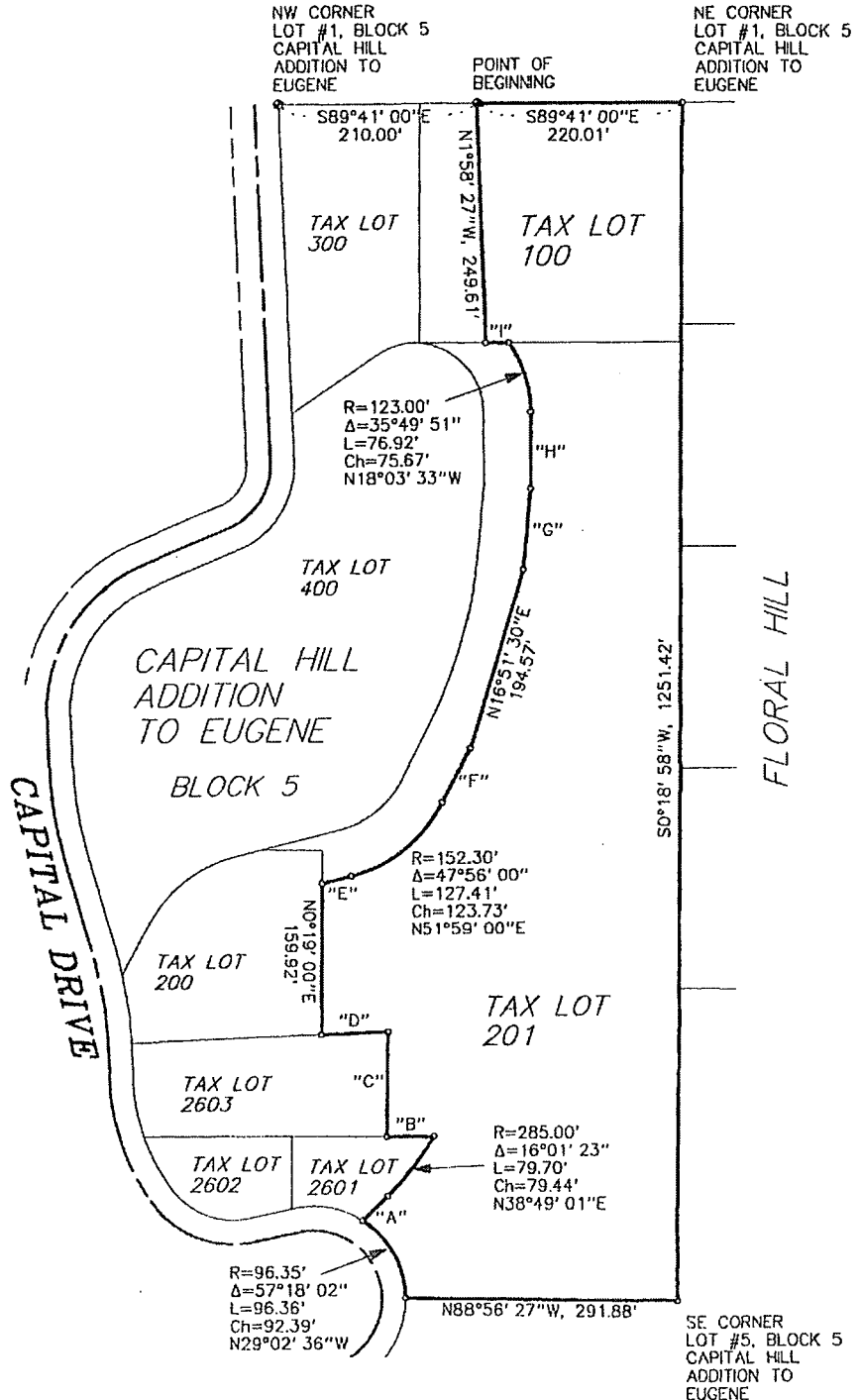
OREGON
JULY 25, 1991
TED C. BAKER
#2488

EXPIRES 12-31-2013

HENDRICKS PARK

LINE DATA

LINE	BEARING	DISTANCE
"A"	N46°44' 00"E	36.47'
"B"	N89°41' 00"W	50.93'
"C"	N0°19' 00"E	110.41'
"D"	S87°46' 00"W	70.08'
"E"	N75°57' 00"E	31.61'
"F"	N28°01' 00"E	63.88'
"G"	N5°42' 00"E	84.30'
"H"	N0°16' 30"E	79.77'
"I"	N89°41' 00"W	24.59'



SCALE: 1" = 200'



**Planning Director's Recommendations and Findings:
Dreyer, Cynthia and Thomas (A 14-6)**

Application Submitted: August 19, 2014	
Applicant: Cynthia and Thomas Dreyer	
Map/Lot(s): 18-03-04-31: 100 and 201	
Zoning: R-1/UL Low-Density Residential with Urbanizable Land Overlay	
Location: East side of Capital Drive, south of Hendricks Park	
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>	
Complies	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). Abutting lands to the north, south, and west are in City limits.	
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
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>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</i></p>	

		<p><i>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>Laurel Hill Plan</u> and the <u>South Hills Study</u> are the adopted refinement plan for the subject property, which also designate the area for residential uses. Both refinement plans limit the overall residential density for the subject property to five units per acre and require Planned Unit Development procedures to further develop the property.</p> <p>The property is currently zoned R-1/UL Low-Density Residential with Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval. The applicant plans on further dividing the property through the Planned Unit Development permit process.</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><input checked="" type="checkbox"/> YES <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>Wastewater Public Works staff confirms that public wastewater is available to serve the subject property from eight-inch mainlines located to the west. The applicant acknowledges that due to the terrain of the property, private pumps may be required.</p> <p>Stormwater Although there are no existing public stormwater facilities available, Public Works staff confirms that stormwater runoff from future development of the site can be managed on-site. The applicant acknowledges that post-development flows will not exceed pre-development levels. Compliance with applicable stormwater development standards will be ensured during the development permit process.</p> <p>Streets The subject property has frontage on Capital Drive, to the west. Public Works staff notes that street improvements will be determined at the time of development.</p> <p>Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p>

	<p>Water & Electric Eugene Water and Electric Board (EWEB) staff states no objection to serving the proposed annexation, provided future development of the subject property complies with applicable policies and procedures. EWEB staff notes, however, that water facilities in the area are limited and could result in high costs for water service, depending on future development plans.</p> <p>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.</p> <p>Parks and Recreation A minimum level of park service can be provided to the proposal area by the city as prescribed in the <u>Metro Plan</u>. Hendricks park abuts the subject property, to the north.</p> <p>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> <p>Communications CenturyLink (formerly Qwest) 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 Edison Elementary School, Roosevelt Middle School and South Eugene 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.