



COUNCIL RESOLUTION NO. 5152

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-04-00, TAX
LOT 207).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: May 9, 2016



RESOLUTION NO. 5152

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-04-00, TAX LOT
207).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Prairieview Ventures on January 25, 2016, 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 17-04-04-00, Tax Lot 207.

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 April 8, 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 applicants, owners and occupants of property within 500 feet of the subject property, and the Industrial Corridor Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 9, 2016.

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:**

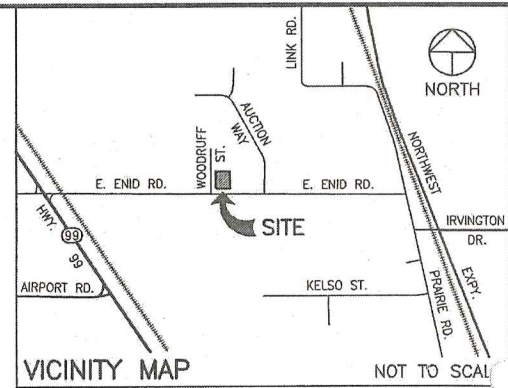
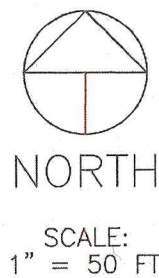
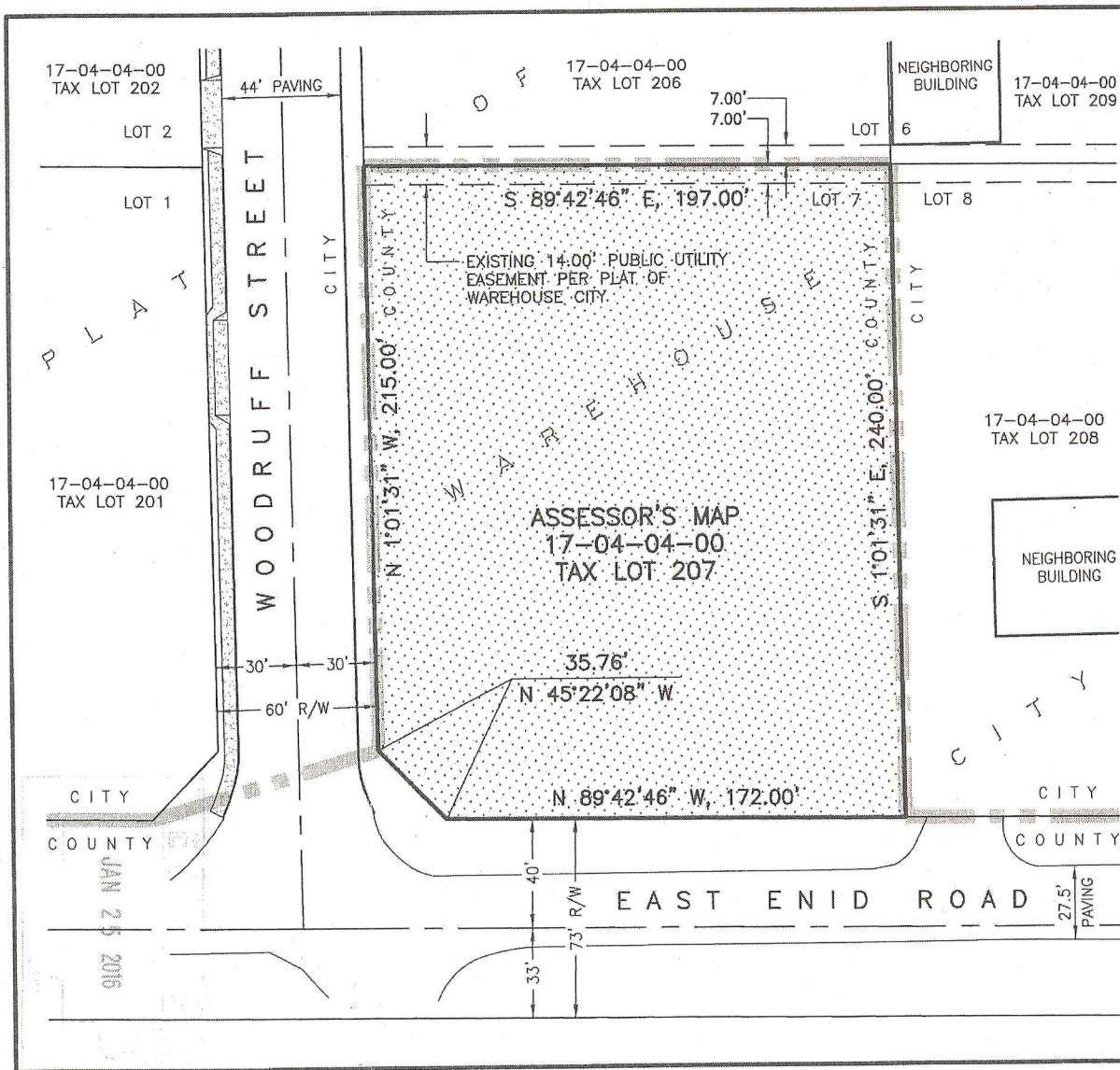
Section 1. Based on the above findings and the Planning Director's Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-04-00, Tax Lot 207 on the map attached as Exhibit A, and described in the 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 I-3/CAS/UL to I-3/CAS pursuant to EC 9.7820(3) shall become effective in accordance with State law.

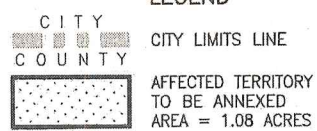
The foregoing Resolution adopted the 9th day of May, 2016.



Deputy City Recorder



LEGEND



NOTES

1. NO PUBLIC RIGHT OF WAYS ARE INCLUDED IN THE AFFECTED TERRITORY TO BE ANNEXED.
2. THE URBAN GROWTH BOUNDARY (UGB) IS LOCATED ALONG AWBREY LANE APPROXIMATELY 0.68 MILES NORTH OF THE SUBJECT PROPERTY.

REGISTERED PROFESSIONAL LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWS: 12-31-2017

SITE PLAN FOR:
PROPERTY ANNEXATION

IN THE SE 1/4 OF SECTION 4,
T17S, R4W, W.M., LANE COUNTY, OREGON



SSW ENGINEERS INC.

CIVIL • STRUCTURAL • BUILDING DESIGN
SURVEYING • LAND USE PLANNING

2350 Oakmont Way, Suite 105 Eugene, Oregon 97401 (541) 485-8383

JOB NO. 15-7226-C

JANUARY 5, 2016

Exhibit A

Exhibit B

Legal Description of Territory to be Annexed

Lot 7, Block 1, WAREHOUSE CITY, as platted and recorded in Book 71, Page 17, Lane County Oregon Plat Records, in Lane County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWAL DATE: 12-31-2017

REC
JAN 25 2016
REC

Exhibit C



Planning Director's Findings and Recommendation Annexation Request for Prairieview Ventures, LLC (City File A 16-2)

Application Submitted: January 25, 2016
Applicant: Prairieview Ventures, LLC (Mark Stolle)
Property Included in Annexation Request: Tax Lot 207 of Assessor's Map 17-04-04-00
Zoning: I-3/CAS/UL with Commercial Airport Safety and Urbanizable Lands Overlays
Location: Northeast corner of East Enid Road and Woodruff Street
Representative: Jason Goshert, SSW Engineers Inc., 2350 Oakmont Way, Ste 105, Eugene OR 97401; 541-485-8383
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

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:	
<p>(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 style="text-align: center;">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). As shown in the application materials and confirmed by City staff, the City limits are contiguous with the subject area of land along the eastern, northern and western boundaries.</p>
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
<p style="text-align: center;">Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: Several policies from the Metro Plan 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</i> text):</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 style="margin-left: 20px;"><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 style="margin-left: 20px;"><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-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>

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.

The Metro Plan designates the annexation area as appropriate for Heavy Industrial use. The subject property is not located within an adopted refinement plan area. As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the Metro Plan 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.

Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan.

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.

Complies
 YES
 NO

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:

Wastewater
 Public wastewater is available to serve the subject vacant property. There is an 8-inch line within Woodruff Street, which flows into a 21-inch line within East Enid Road. There is an On-Hold assessment due related to the existing public services that will become payable at the time of development.

Stormwater
 There are no public stormwater facilities immediately adjacent to the subject property. Stormwater may be able to be accommodated on site; compliance with applicable stormwater development standards will be ensured at the time of development.

Transportation
 The subject property abuts Woodruff Street cul-de-sac, an industrial street improved with 44-feet of paving within a 60-foot right-of-way. Ariel photos indicate that a sidewalk has not been constructed adjacent to the subject property along Woodruff Street. If this property develops in the future, a sidewalk may be required to be constructed, in accordance with City standards. East Enid Road abuts the southerly property boundary. East Enid Road is classified by the City as a major collector; records indicate that East Enid Road is under Lane County jurisdiction.

Lane County Transportation Planning
 Comments from Public Works staff indicate the property has frontage on East Enid Road to the south and Woodruff Street to the west. East Enid Road is a Lane County road which is functionally classified as an urban Minor Collector that has a minimum right-of-way width of 60-feet for building setback purposes (Lane Code 15.070(1)(c)(i)(dd)). Woodruff Street is under the jurisdiction of the City of Eugene. Transportation and permitting issues related to Woodruff Street should be directed to the City of Eugene.

It appears from Lane County Road Management Inventory System data aerial photography that current access to the property exists from Woodruff Street. Additionally, the subject property has internal access to an adjacent parcel to the east with access to East Enid Road. This parcel is also owned by the applicant. There is currently no access along the subject property's southern frontage with East Enid Road. Lane County staff notes there is insufficient spacing between Woodruff Street and the existing first driveway to the east on East Enid Road to add an additional driveway access to East Enid Road from the subject property. Lane County indicates a preference

for access from the lower volume Woodruff Street to remain and access to East Enid Road to remain as exists through the adjacent parcel to the east.

In accordance with Lane Manual 15.515, storm water runoff from private property shall not be directed to the Lane County road right-of-way, or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate roadway storm water runoff.

Solid Waste

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

Water and Electric

EWEB Water staff state no objection to the proposed annexation. EWEB Electric staff state no objection to the proposed annexation request. Water and electric services can be extended in accordance with EWEB policies and procedures. EWEB indicates there are overhead facilities along the southern property line are high-voltage (115KV) wires and subject to increased clearance requirements. EWEB Right-of-Way staff indicate there is one utility easement listed on Map # 17-04-04-00 Tax Lot: 00207. Recorded on April 20, 2010, Instrument #2010-018767, Lane County Deeds and Records, Lane County, Oregon.

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 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.

Parks and Recreation

A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan.

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

A variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.

Public Schools

The subject property is within the Bethel School District boundary and Irving Elementary School, Shasta Middle School, and Willamette High School.

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.

INFORMATION:

- Upon approval of the annexation, the base zoning of I-3 Heavy Commercial and Commercial Safety Corridor Overlay will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. The property is not located within a designated refinement plan. City review is required before development can occur on this lot. Please contact the Permit Information Center, Planner-on-Duty at 682-5377 for more information.
- A Lane County Facility Permit shall be required for placement of facilities within the right-of-way of County roads. Facilities and development includes, but is not limited to, road improvements, sidewalks, new or reconstructed driveway or road approach intersections, utility placements, excavation, clearing, grading, culvert placement or replacement, storm water facilities, or any other facility, thing, or appurtenance. Please contact 541-682-6902 or visit this link for information regarding facility permits: <http://www.lanecounty.org/Departments/PW/Engr/RightofWay/Pages/rowpermits.aspx>
- 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.