



COUNCIL RESOLUTION NO. 5195

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-25-13, TAX
LOTS 2200 AND 2300).**

PASSED: 7:0

REJECTED:

OPPOSED:

ABSENT: Ward 4 seat vacant

CONSIDERED: May 22, 2017



RESOLUTION NO. 5195

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-25-13, TAX LOTS
2200 AND 2300).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on March 7, 2017, by Donald C. McRae on behalf of Downtown Mini-Storage LLC, 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 17-04-25-13, Tax Lots 2200 and 2300.

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 is attached as Exhibit C.

D. On April 21, 2017, 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 May 22, 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 17-04-25-13, Tax Lots 2200 and 2300, depicted on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

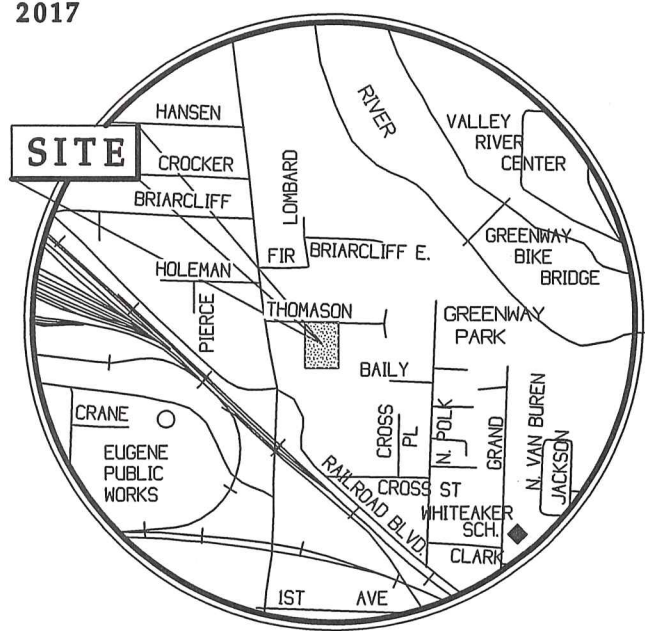
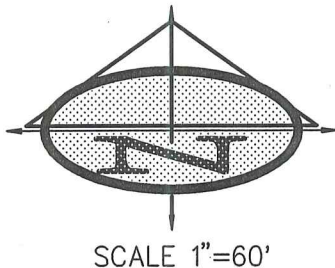
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL to R-1/ND pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the 22nd day of May, 2017.

Beth Forrest

City Recorder

Exhibit A
SITE PLAN for DOWNTOWN MINI STORAGE ANNEXATION
 SW 1/4 NE 1/4 SEC. 25 T 17 S, R 4 W W.M.
 ASSESSOR'S MAP 17-04-25-13 TL No. 2200 & 2300
 EUGENE, LANE COUNTY, OREGON
 FEBERAURY 28, 2017



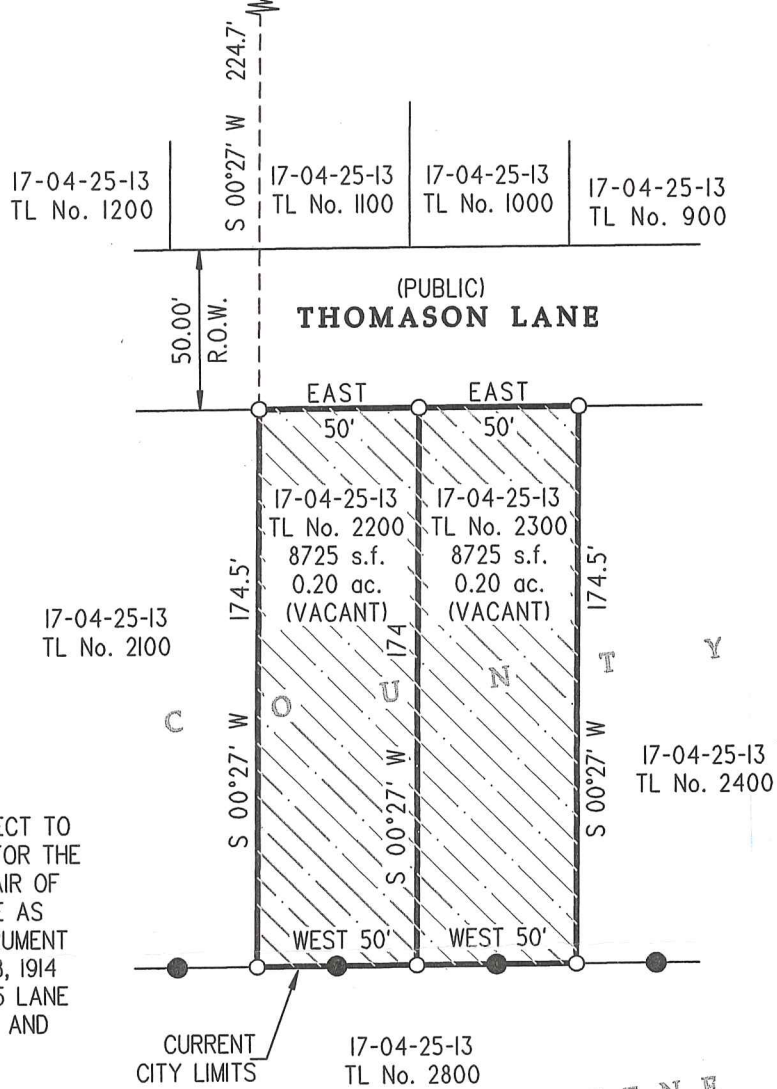
VICINITY MAP
NO SCALE

PER C.S.F. No. 5753, THIS POINT IS DUE WEST OF A POINT 11.30 CHAINS SOUTH 00 27' WEST OF THE NORTHEAST CORNER OF THE PRIOR F. BLAIR D.L.C. No. 39 TOWNSHIP 17 S, R 4 WEST, WM, LANE COUNTY, OREGON, ALSO 11.66 CHAINS SOUTH 7°40' EAST OF THE INTERSECTION OF THE EAST LINE OF THE PACIFIC HIGHWAY, WITH THE NORTH LINE OF SAID D.L.C. AS MARKED IN THE COUNTY SURVEY No. 609 RECORDED IN BOOK 2 ON PAGE 95 RECORD OF SURVEYS, IN LANE COUNTY, OREGON, THE SAID POINT OF INTERSECTION BEING ACCORDING TO SAID SURVEY 47.44 CHAINS EAST OF THE NORTHWEST CORNER OF THE CLAIM.

LEGEND:

- AREA OF ANNEXATION
- CITY LIMIT LINE

EAST 352.4'



NOTE:

THE PROPERTY IS SUBJECT TO A BLANKET EASEMENT FOR THE INSTALLATION AND REPAIR OF A SANITARY SEWER LINE AS DISCLOSED BY AN INSTRUMENT RECORDED FEBRUARY 28, 1914 IN BOOK 105, PGS. 34-35 LANE COUNTY OREGON DEEDS AND RECORDS.

MAR -7 2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jonathan A. Oakes
 OREGON
 JULY 13, 1984
 JONATHAN A. OAKES
 2105

POAGE ENGINEERING & SURVEYING, INC.
 P.O. BOX 2527 * EUGENE, OREGON 97402 * (541) 485-4505
 JOB No. 4504 * DRAWN: KSG\4504.GXD * 02-17

EXPIRES: DECEMBER 31, 2018

Exhibit B

**Legal Description for the Annexation of a portion of the Downtown Mini-Storage Property
to the City of Eugene**

NE 1/4 SEC. 25 T 17 S, R 4 W W.M.

Assessor's Map No. 17-04-25-13, TL No.'s 2200 & 2300

March 2, 2017

Beginning at a point 352.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2200)

ALSO: Beginning at a point 402.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2300)

Exhibit C



Planning Director’s Findings and Recommendation Annexation Request for Downtown Mini Storage Partnership (City File A 17-5)

Application Submitted: March 7, 2017
Applicant: Downtown Mini Storage Partnership
Location: South of Thomason Lane
Property Included in Annexation Request: Tax Lot(s) 2200 and 2300 of Assessor’s Map 17-04-25-13
Zoning: Low-Density Residential (R-1) with Urbanizable Lands overlay (/UL)
Surveyor: Jonathan A. Oakes
Lead City Staff: Althea Sullivan, City of Eugene Planning Division, 541-682-5282

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>	
<p style="text-align: center;">Complies</p>	<p>Findings: As shown in the application materials and confirmed by City staff, the annexation area is within the City’s urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).</p>
<p style="text-align: center;"><input checked="" type="checkbox"/> YES</p>	<p style="text-align: center;"><input type="checkbox"/> NO</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>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</i> text):</p> <p style="margin-left: 20px;"><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: 40px;"><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: 40px;"><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 style="text-align: center;"><input checked="" type="checkbox"/> YES</p>	<p style="text-align: center;"><input type="checkbox"/> NO</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> <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. An ordinance in 2003 amended the <u>RR/SC UFP</u>, designating properties as part of a Nodal Development area (see Council Ordinance No. 20289). The subject site was included in this area and is designated to have a Nodal Development Overlay (/ND). Upon approval of the annexation, the base zoning of R-1 Low Density Residential will remain, and the /ND overlay will automatically be applied in accordance with EC 9.7820(3); however, the /UL Urbanizable Lands overlay will be automatically removed.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, none of the general “Residential Land Use Policies” 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 the properties within the UGB will be annexed.</p> <p>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the <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 <u>Metro Plan</u>.</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.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<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> <p><u>Wastewater</u> Public wastewater service is available within Thomason Lane. Public Works notes that an “On Hold” wastewater equivalent assessment will become due upon development of the parcels.</p>

Stormwater

Public Works notes that public stormwater systems are not available to serve the subject property, however, there are options for complying with stormwater standards which will be further evaluated at the time of future development.

Transportation

The property abuts Thomason Lane to the north, which is under the jurisdiction of Lane County. Street improvements will be determined at the time of property development. A referral was received from Lane County which encouraged the City to include Thomason Lane with the annexation request. In this case, the site is located in the RR/SC UFP area, and according to EC 9.7815 the City may not modify an application to include right-of-way if it would cause unincorporated property to be surrounded as described by ORS 222.750. As an inclusion of the right-of-way would create the situation previously described, no right-of-way is included in this annexation.

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 and Electric staff state no objection to the proposed annexation. Water and electric services can be extended 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 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

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.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area providing a minimum level of this key urban service.

		<p><u>Public Schools</u></p> <p>The subject property is within the Eugene 4J school district. 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 is set in accordance with State law.