



**COUNCIL RESOLUTION NO. 5207**

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (1137  
MAPLE DRIVE, EUGENE OREGON; PROPERTY IDENTIFIED AS  
ASSESSOR'S MAP 17-04-23-11, TAX LOTS 4802 AND 5001).**

**PASSED: 8:0**

**REJECTED:**

**OPPOSED:**

**CONSIDERED: September 25, 2017**



**RESOLUTION NO. 5207**

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (1137 MAPLE DRIVE, EUGENE OREGON; PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-23-11, TAX LOTS 4802 AND 5001).**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted on July 12, 2017, by Keith and Helene Schaefer, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-23-11, Tax Lots 4802 and 5001 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 is attached as Exhibit C.

**D.** On August 25, 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 perimeter 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 September 25, 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 17-04-23-11, Tax Lots 4802 and 5001, depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

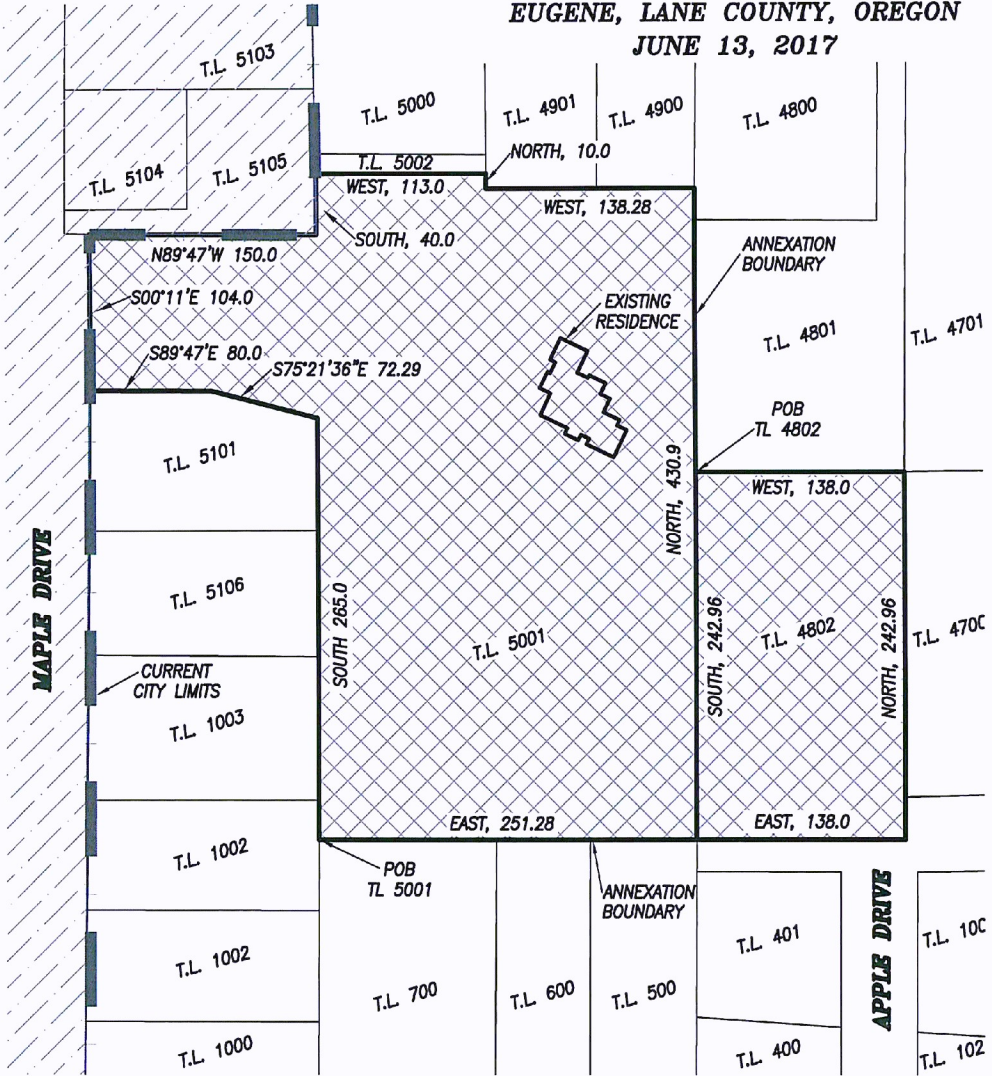
**Section 2.** This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

**The foregoing Resolution adopted the 25<sup>th</sup> day of September, 2017.**

  
\_\_\_\_\_  
City Recorder

**LAND ANNEXATION FOR  
SCHAEFER**

NE 1/4, NE 1/4, SEC 23, T17S, R4W, WM  
EUGENE, LANE COUNTY, OREGON  
JUNE 13, 2017



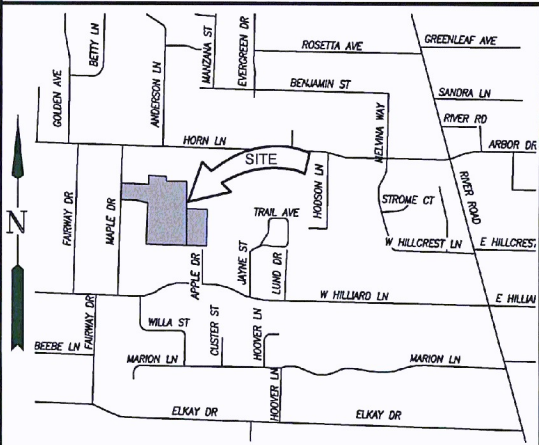
ASSESSOR'S MAP(S) TAX MAP 17-04-23-11, T.LS 4802 & 5001

**LEGEND**

-  CITY LIMITS
-  LANDS TO BE ANNEXED

**NOTES**

1. CITY LIMITS BOUNDARIES SHOWN PER THE CITY OF EUGENE ON-LINE INTERACTIVE ZONING MAP ON JUNE 14, 2017.
2. SITE IS CURRENTLY VACANT.
3. NO EASEMENT OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE.



**VICINITY MAP** NOT TO SCALE



SCALE: 1"=100'

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



June 8, 2017

**LEGAL DESCRIPTION**

**ANNEXATION APPLICATION**

**TM 17-04-23-11, TL 4802**

Branch Engineering Inc. Project No. 17-176

All those lands conveyed in that Bargain and Sale Deed recorded on July 15, 2008 as Reception Number 2008-041033 in the Lane County Oregon Official Records, said lands being more particularly described as follows:

**COMMENCING** at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of the Willamette Meridian;

**THENCE** the following 5 courses:

East, 2527.48 feet.

North, 2168.00 feet to a point on the South line of Country Road No. 332 (Horn Lane)

South, 220.00 feet

West, 118.00 feet

South, 158.00 feet to the **POINT OF BEGINNING.**

**THENCE** the following 4 courses:

South, 242.96 feet

East, 138.00 feet

North, 242.96 feet

West, 138.00 feet, **RETURNING to the POINT of BEGINNING.**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Renee Clough*

OREGON  
NOVEMBER 30, 2007  
RENEE CLOUGH  
69162LS

RENEWAL DATE: 12/31/17

EUGENE-SPRINGFIELD

310 5<sup>th</sup> Street, Springfield, OR 97477 | p: 541.746.0637 | [www.branchengineering.com](http://www.branchengineering.com)



June 8, 2017

**LEGAL DESCRIPTION**  
**ANNEXATION APPLICATION**  
**TM 17-04-23-11, TL 5001**  
Branch Engineering Inc. Project No. 17-176

All those lands conveyed in that Bargain and Sale Deed recorded on March 22, 1999 as Instrument Number 99025378 on Reel 2529R in the Lane County Oregon Official Records, said lands being more particularly described as follows:

**COMMENCING** at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of the Willamette Meridian;

**THENCE** the following 2 courses:

North, 23.44 chains

East, 32.70 chains to the southerly Southwest corner of the lands described herein, said point being the **POINT OF BEGINNING**.

**THENCE** the following 11 courses:

East, 251.28 feet parallel with the south line of Horn Lane

North, 430.9 feet to a point 200.0 feet south of Horn Lane

West, 138.28 feet parallel with the south line of Horn Lane

North, 10.0 feet

West, 113.0 feet parallel with the south line of Horn Lane

South, 40.0 feet, more or less, to the Northeast corner of Curry Subdivision as platted and recorded in Book 28, Page 8, Lane County Oregon Plat Records

North 89° 47' West 150.0 feet to the Northwest corner of said Curry Subdivision

South 00°11' East, 104.0 feet

South 89° 47' East, 80.0 feet

South 75° 21' 36" East, 72.29 feet to the east line of said Curry Subdivision

South, 265.0 feet, more or less, **RETURNING to the POINT OF BEGINNING**.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
NOVEMBER 30, 2007  
RENEE CLOUGH  
69162LS

RENEWAL DATE: 12/31/17

EUGENE-SPRINGFIELD

## Exhibit C



### Planning Director's Findings and Recommendation Annexation Request for the Keith and Helene Schaefer Property (City File A 17-7)

<b>Application Submitted:</b> July 12, 2017
<b>Applicant:</b> Keith and Helene Schaefer
<b>Property Included in Annexation Request:</b> Tax Lots 4802 and 5001 of Assessor's Map 17-04-23-11
<b>Zoning:</b> R-1 Low-Density Residential with /UL Urbanizable Lands Overlay
<b>Location:</b> 1137 Maple Drive
<b>Surveyor:</b> Renee Clough, Branch Engineering
<b>Lead City Staff:</b> Erik Berg-Johansen, 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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:</b>	
<b>(a) Contiguous to the city limits; or</b> <b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>	
<b>Complies</b>	<b>Findings:</b> The annexation area is within the City's urban growth boundary (UGB), and as proposed, will be contiguous to city limits, consistent with subsection (a).
<input checked="" type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b>	
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>	
<b>Complies</b>	<b>Findings:</b> 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):  <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> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <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>  <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>  <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>
<input checked="" type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b>	

		<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 properties and also designates the property for low density residential use. The property is currently zoned R-1/UL Low-Density Residential with an Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to 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 the properties 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 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.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and applicable refinement plan.</p>
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**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><b>Complies</b></p> <p><input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO</p>		<p><b>Findings:</b> 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>  There is an existing 8-inch public wastewater system within Maple Drive, west of TL 5001. There appears to be an 8-inch pipe stubbed to this taxlot (per as-built 3111.050), though a connection record is not available for the existing residence.</p> <p>There is also an existing 8-inch public wastewater system within Apple Drive, south of TL 4802. There appears to be a 6-inch service connection stubbed to the property (per as-built 3035.050). There is an on-hold equivalent wastewater assessment that will become payable at the time of development.</p> <p><u>Stormwater</u>  Public stormwater systems are not available to serve this property. However, there are options for complying with stormwater standards which will be further evaluated at the time of future development.</p> <p><u>Transportation</u>  This property abuts Maple Drive, a residential city street which varies in width, narrowing as it travels north. The property also abuts Apple Drive, which is not within city limits.</p> <p><u>Solid Waste</u>  Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p>
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		<p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property.</p> <p><u>Public Safety</u> 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 by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u> A minimum level of park service can be provided to the proposal area as prescribed in the <u>Metro Plan</u>.</p> <p><u>Planning and Development Services</u> 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><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 River Road Elementary School, Kelly Middle School, and North Eugene High School.</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.

**INFORMATION:**

- ◆ 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.