



COUNCIL RESOLUTION NO. 5213

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(2845/2847 BAILEY HILL ROAD, EUGENE OREGON; PROPERTY
IDENTIFIED AS ASSESSOR’S MAP 18-04-03-00, TAX LOT 4900).**

PASSED: 7:0

REJECTED:

OPPOSED:

ABSENT: EVANS

CONSIDERED: December 11, 2017



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(2845/2847 BAILEY HILL ROAD, EUGENE OREGON; PROPERTY
IDENTIFIED AS ASSESSOR'S MAP 18-04-03-00, TAX LOT 4900).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on August 31, 2017, by Russell and Karen Evans, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 18-04-03-00, Tax Lot 4900, 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 November 9, 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 Churchill Area Neighbors. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on December 11, 2017.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.


NOW, THEREFORE,

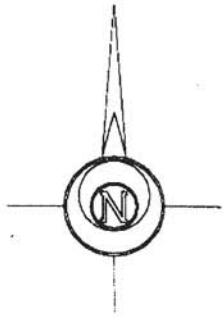
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

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 18-04-03-00, Tax Lot 4900, 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 11th day of December, 2017.


Deputy City Recorder (A/C)



SCALE: 1" = 100'

BAILEY HILL ROAD



POINT OF BEGINNING

TAX LOT #4901

TAX LOT #4903

COSTELLO LANE

TAX LOT #5000

SOUTHWEST CORNER
ELIHU LINDLEY
DONATION LAND
CLAIM NO. 43



S 00°00'00" E 372.90'

SITE PLAN FOR
PROPOSED ANNEXATION
OF TAX LOT 4900,
MAP 18-04-03



Roberts Surveying, Inc.

P.O. Box 7155
Springfield, Oregon 97475

Bus. (541) 345-1112

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017

Exhibit A

Legal Description of Affected Territory to be Annexed

(Tax Lot #4900)

A unit of land being situated in the Southwest 1/4 Section 3, Township 18 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Southwest corner of the Elihu Lindley Donation Land Claim No. 43 in Township 18 South, Range 4 West of the Willamette Meridian ; thence South 00°00'00" East 372.90 feet; thence North 55°07'00" West 772.05 feet to the northeast corner of Tax Lot #4900 and the **POINT OF BEGINNING** of this unit of land;

Thence South 31°26'35" West 269.13 feet to the southeast corner of Tax Lot #4900;

Thence North 66°55'00" West 170.07 feet to the easterly margin of relocated Bailey Hill Road and the southwest corner of Tax Lot #4900;

Thence along the easterly margin of relocated Bailey Hill Road, North 38°34'26" East 304.05 feet to the northwest corner of Tax Lot #4900;

Thence leaving the easterly margin of relocated Bailey Hill Road, South 55°07'00" East 130.75 feet to the point of beginning, all in Lane County, Oregon and containing 42,447 square feet (.98 acres) of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017



**Planning Director's Findings and Recommendation
Annexation Request for the Russell Evans Property
(City File A 17-10)**

Application Submitted: August 31, 2017
Applicant: Russell and Karen Evans
Property Included in Annexation Request: Tax Lot 4900 of Assessor's Map 18-04-03-00
Zoning: R-1 Low-Density Residential with /UL Urbanizable Lands Overlay
Location: 2845/2847 Bailey Hill Road
Surveyor: Kent Baker, Roberts Surveying, Inc.
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541/682-5453

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: (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.	
Complies <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Findings: 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).
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	<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> <ul style="list-style-type: none"> <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> <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 Metro Plan designates the annexation area as appropriate for low density residential use, and as further detailed under subsection (3) below, the proposed annexation is consistent with</p>

		<p>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>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>As noted above, the property is zoned R-1, consistent with the designation of the property in the Metro Plan.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan.</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.		
Complies <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 exists within Bailey Hill Road and South Bertelsen Road, and will need to be extended to serve the subject property. Although the 8-inch line within Bailey Hill Road is closer to the site, gravity flow to that system is challenging due to slopes and depth of pipe. The wastewater basin master plan calls for an extension of the 10-inch line within Bertelsen Road from manhole number 2324, to serve this property. The extension is approximately 415 feet.</p> <p>Additionally, there are no capital improvements planned to install public wastewater in this area at this time, and therefore, the proposed extension of public wastewater to serve the subject property would be reviewed through the privately engineered public improvement (PEPI) process, and financial surety would be the responsibility of the private developer.</p> <p><u>Stormwater</u> Public stormwater systems are not available to serve this property. Records show that the depth to bedrock is less than 5 feet below ground surface and the soils are mapped as a type C. Infiltration testing may be required at the time of development to demonstrate adequate percolation rates; 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> The property abuts Bailey Hill Road, which is within Lane County jurisdiction. The City classifies this section of Bailey Hill Road as a minor arterial. Access management and street standards will be evaluated at the time of future development.</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>

		<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 Metro Plan.</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 Twin Oaks Elementary School, Kennedy Middle School, and Churchill 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.