



April 8, 2019

To whom it may concern:

Enclosed please find a copy of the following annexation of land to the City of Eugene:

1. Property identified as:

ASSESSOR'S MAP: 17-04-11-22

Tax Lot(s): 320

(Osuna, Morgan, and Hannah, A19-1)

If you need further assistance, please feel free to contact Amy Janisch at 541-682-5699.

Sincerely,

Beth Forrest

Beth Forrest
City Recorder






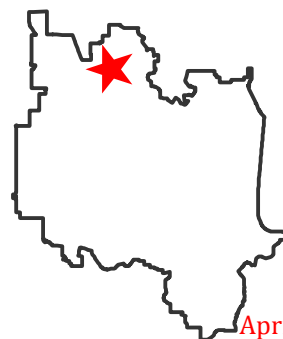
Osuna, Morgan and Hannah (A 19-1)

Attachment A

Map/Tax Lot 17-04-11-22 00320 and a portion of Blackfoot Avenue



-  Subject Property
-  Eugene City Limits
-  Taxlots



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 3/19/2019
by City of Eugene Planning Division

April 8, 2019, Meeting Item 2C

0 25 50 100



Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-11-22 TL 320 Address: TBD -- Vacant

Legal Description: Lot 25, FIRST ADDITION TO ALYNDALE PLAT, as platted and recorded in Book 40, Page 3, Lane County Plat Records, in Lane County, Oregon. See Attachment "A"

In the corporate limits of said city, which is owned by the undersigned

DATED this 3rd day of January, 2019.

Morgan T. Osuna
M.T. Osuna
Hannah L. Osuna

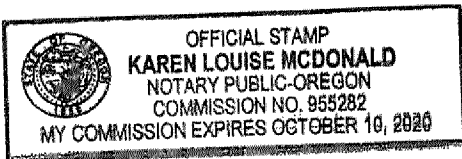
STATE OF OREGON)

County of Lane)ss)

On this 3rd day of January, 2019, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Morgan T. OSUNA

who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Karen Louise McDonald

Notary Public for Oregon
My Commission Expires Oct. 10, 2020



COUNCIL RESOLUTION NO. 5263

RESOLUTION ANNEXING LAND (ASSESSOR'S MAP 17-04-11-22, TAX LOT 320, LOCATED SOUTH OF BLACKFOOT AVENUE, WEST OF CROCKER ROAD) AND A PORTION OF BLACKFOOT AVENUE RIGHT-OF-WAY TO THE CITY OF EUGENE.

PASSED: 8

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: April 8, 2019

EFFECTIVE DATE: April 8, 2019



RESOLUTION NO. 5263

RESOLUTION ANNEXING LAND (ASSESSOR'S MAP 17-04-11-22, TAX LOT 320, LOCATED SOUTH OF BLACKFOOT AVENUE, WEST OF CROCKER ROAD) AND A PORTION OF BLACKFOOT AVENUE RIGHT-OF-WAY TO THE CITY OF EUGENE.

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on January 16, 2019, by Morgan Osuna, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex to the City of Eugene property identified as Assessor's Map 17-04-11-22, Tax Lot 320, and a portion of the Blackfoot Avenue right-of-way adjacent to the subject property and extending to, but not including, the intersection of Blackfoot Avenue and Crocker Road.

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 March 8, 2019, a notice containing a geographical reference to the property, the assessor's map and tax lot number for the property, 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 Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on April 8, 2019.

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 which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-22, Tax Lot 320, and the portion of the Blackfoot Avenue right-of-way adjacent to the subject property and extending to, but not including, the intersection of Blackfoot Avenue and Crocker Road, which are depicted on the map

attached as Exhibit A, and more particularly described in the attached Exhibit B, are annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-Density Residential with /UL Urbanizable Land and /WR Water Resources Conservation Overlays, to R-1 Low-Density Residential with /WR Water Resources Conservation Overlay shall become effective in accordance with State law.

The foregoing Resolution adopted the 8th day of April, 2019.

Deputy Samantha Roberts
City Recorder

LEGEND



CITY LIMITS



LANDS TO BE ANNEXED

AFFECTED TERRITORY TO BE ANNEXED
31,334 SQUARE FEET

S 89°56' 00" E 254.72'

N 00°04' 00" E
60.00'

EXISTING CITY LIMITS

POINT OF BEGINNING

BLACKFOOT AVENUE

TL#321

LOT 26

TL#320

LOT 25

TL#323

LOT 24

TL#322

LOT 27

TL#319

TL#318

LOT 23

TL#1202

TL#1205

TL#1203

TL#1206

TL#317

LOT 22

EXISTING CITY LIMITS

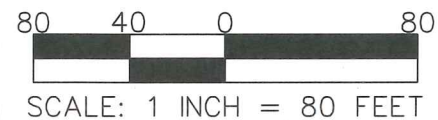
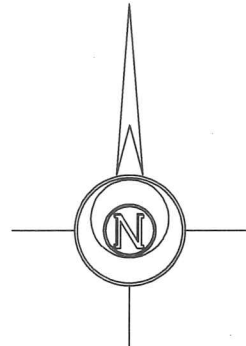
STARK STREET

CROCKER ROAD

Exhibit A



VICINITY MAP (NOT TO SCALE)



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2019

SITE PLAN FOR PROPOSED ANNEXATION OF
TAX LOT #320 LANE COUNTY ASSESSOR'S
MAP 17-04-11-22

CLIENT: MORGAN & HANNAH OSUNA

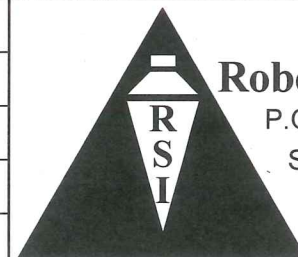
DRAWN BY: KB

DATE: DEC. 21, 2018

REVISION DATE:

JOB NO. 2018-SURVEY-039

SHEET 1 OF 1



Roberts Surveying, Inc.

P.O. Box 7155

Springfield, Oregon 97475

Bus. (541) 345-1112

THIS MAP DOES NOT CONSTITUTE
A BOUNDARY SURVEY.

Legal Description of Affected Territory to be Annexed

(Tax Lot #320)

A unit of land being situated in the Northwest 1/4 Section 11, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being Lot 25, FIRST ADDITION TO ALYNDALE PLAT, as platted and recorded in Book 40, Page 3, Lane County Plat Records, in Lane County, Oregon and a portion of Blackfoot Avenue, and said unit of land being more particularly described as follows:

Beginning at the northeast corner of Lot 24, FIRST ADDITION TO ALYNDALE PLAT, said northeast corner being the intersection of the southerly right-of-way line of Blackfoot Avenue with the westerly right-of-way line of Crocker Road;

Thence along the southerly right-of-way line of Blackfoot Avenue, North 89°56'00" West 135.00 feet to the northeast corner of Lot 25, FIRST ADDITION TO ALYNDALE PLAT;

Thence along the easterly boundary of said Lot 25, South 05°46'52" East 127.77 feet to the southeast corner of said Lot 25;

Thence along the southerly boundary of said Lot 25, North 89°56'00" West 132.43 feet to the southwest corner of said Lot 25;

Thence along the westerly boundary of said Lot 25, North 00°12'00" West 127.11 feet to the northwest corner of said Lot 25;

Thence North 00°04'00" West 60.00 feet to the northerly right-of-way line of Blackfoot Avenue;

Thence along the northerly right-of-way line of Blackfoot Avenue, South 89°56'00" East 254.72 feet to the intersection of the northerly right-of-way line of Blackfoot Avenue with the westerly right-of-way line of Crocker Road;

Thence South 00°12'00" East 60.00 feet to the point of beginning, all in Lane County, Oregon and containing 31,334 square feet (.72 acres) of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2019



**Planning Director’s Findings and Recommendation
Annexation Request for Osuna, Morgan and Hannah
(City File: A 19-1)**

Application Submitted: January 16, 2019
Applicant: Osuna, Morgan and Hannah
Property Included in Annexation Request: Tax Lot 00320 of Assessor’s Map 17-04-11-22 and a portion of Blackfoot Avenue
Zoning: R-1 Low-Density Residential with /WR Water Resources Conservation Overlay and /UL Urbanizable Land Overlay
Location: Blackfoot Avenue west of Crocker Road
Representative: Morgan and Hannah Osuna
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	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 given the inclusion of Blackfoot Avenue public right of way from the subject area of land to Crocker Road.
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	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 text</i>): <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>
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

		<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 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>The Metro Plan designates the property to be annexed as appropriate for low-density residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject property and designates the area for residential uses. The property is zoned R-1 Low-Density Residential with /WR Water Resources Conservation and /UL Urbanizable Land overlays. The /UL overlay will be automatically removed from the property following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, 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 RR/SC UFP are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property 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 RR/SC UFP refinement plan.</p>
<p>EC 9.7825(3)</p>		<p>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</p> <p><input type="checkbox"/> NO</p>		<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>

Wastewater

There is an 8-inch public wastewater line within Blackfoot Avenue that the applicant can connect to. As an informational item, there is a waste water assessment for this tax lot which will need to be paid prior to any additional development on this tax lot.

Stormwater

The nearest public stormwater system is within Blackfoot Avenue, which is a Lane County Road. The subject parcel is on the Goal 5 inventory and there is an open channel (Spring Creek) that runs directly through this vacant property which has an easement and protected setback for the riparian area of 20 feet and a protected setback of 25 feet for the wetlands. Soils appear to be type "C" indicating poor infiltration rates. Future development proposals must demonstrate consistency with flood control standards. The use of the existing stormwater system for run off associated with future development will need to be verified with Lane County Public Works.

Transportation

The property is located on Blackfoot Avenue, west of Crocker Road, which are both paved streets identified as neighborhood collectors owned by Lane County and maintained by Lane County Public Works. Blackfoot Avenue has curb and gutters, and street lights but is lacking sidewalks and street trees. Compliance with applicable street standards will be ensured at the time of development. City of Eugene Public Works confirms support for annexation of the portion of Blackfoot Avenue from the property to Crocker Road.

Comments from Lane County Transportation Planning indicate no concerns with the proposed annexation request and support for the inclusion of the adjacent portion of Blackfoot Avenue as part of the annexation request to help facilitate the possibility of transferring Blackfoot Avenue to the City of Eugene. Any redevelopment or new development of the property must demonstrate compliance with the requirements of Lane Code Chapter 15. A review for compliance with Lane County road requirements will apply at the time the property is developed.

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 annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property 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 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

	<p>upon annexation.</p> <p><u>Parks and Recreation</u> 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.</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 Spring Creek Elementary School, Madison Middle School, and North Eugene High School. 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.