



September 9, 2019

To whom it may concern:

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

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1. Property identified as:

**ASSESSOR'S MAP: 17-04-02-42**

**Tax Lot(s): 402**

(Therrell, Mathew A19-2)

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

Sincerely,

*Beth Forrest*

Beth Forrest  
City Recorder



- 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 8/20/2019  
by City of Eugene Planning Division





**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: 17-04-02-42-00402 Address: 187 Swain Lane

**Legal Description:**

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records, in Lane County, Oregon.

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

DATED this 29<sup>th</sup> day of January, 2019.

Matthew Therrell  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON )

County of ) ss )

On this 29<sup>th</sup> day of January, 2019, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Matthew Therrell 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.

Tanya D. McMurrin  
Notary Public for Oregon  
My Commission Expires March 02, 2019



**COUNCIL RESOLUTION NO. 5276**

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 17-04-02-42, TAX LOT 402, LOCATED 187 SWAIN  
LANE).**

**PASSED: 8:0**

**REJECTED:**

**OPPOSED:**

**ABSENT:**

**CONSIDERED: September 9, 2019**



**RESOLUTION NO. 5276**

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 17-04-02-42, TAX LOT 402, LOCATED 187 SWAIN  
LANE).**

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

**A.** An annexation application was submitted on March 15, 2019, by Matthew Therrell in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-02-42, Tax Lot 402, 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 9, 2019, a notice containing the street address, 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 properties located 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 September 9, 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 17-04-02-42, Tax Lot 402, which is 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 the automatic rezoning of the land pursuant to EC 9.7820(3) from AG

Agricultural with /UL Urbanizable Land Overlay to AG Agricultural shall become effective in accordance with State law.

The foregoing Resolution adopted the 9<sup>th</sup> day of September, 2019.

*Samantha Roberts*  
Deputy City Recorder

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# ANNEXATION- SITE PLAN

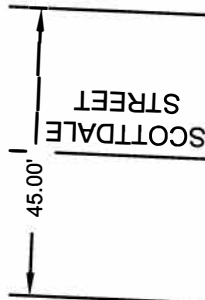
FOR  
THERRELL

SE 1/4, SECTION 2, TOWNSHIP 17 SOUTH, RANGE 4 WEST, W.M.  
EUGENE, LANE COUNTY, OREGON  
DATE PREPARED: JUNE 2019



VICINITY MAP  
NOT TO SCALE

CITY LIMITS



SCOTTDALE STREET

45.00'

THE COMMONS

7.00' PUE

ELDON PARK BK 48 PG 20

N85°54'00"E 204.38'

CITY LIMITS

N87°53'51"W 26'

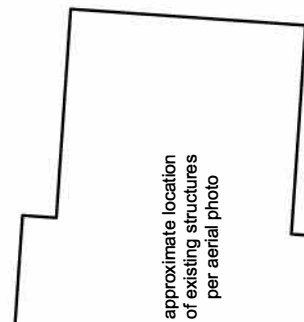
S48°00'15"W 14'

ELDON PARK

AREA TO BE ANNEXED  
21,099 SQ. FT.

Lot 4

Block 1



approximate location  
of existing structures  
per aerial photo

Lot 3  
Block 1

S0°06'00"E 96.09'

SCALE 1" = 30'

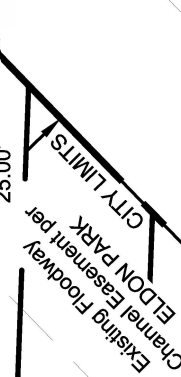
CITY LIMITS

SWAIN LANE

40.00'

Lot 1

Block 2



EXISTING ROADWAY  
CHANNEL EASEMENT PER  
ELDON PARK

25.00'

CITY LIMITS

N87°53'51"W 7'

S45°55'24"W 7'

N89°54'00"E 58.14'

S44°04'36"E 18'

S46°16'45"E 17.61'

N44°04'36"W 2'

S79°38'35"W 105'

S80°01'W 55'

N4°12'19"E 108.3'

N88°06'36"E 130.1"

N87°53'51"W 26'

S48°00'15"W 14'

S80°01'W 55'

N4°12'19"E 108.3'

N88°06'36"E 130.1"

N87°53'51"W 26'

S48°00'15"W 14'

S80°01'W 55'

N4°12'19"E 108.3'

N88°06'36"E 130.1"



**METRO PLANNING, INC**  
846 A STREET  
SPRINGFIELD, OR. 97477  
541-302-9830  
JOB NO. 18-032

ASSESSORS MAP: 17-04-02-42-00402

ANNEXATION LEGAL DESCRIPTION

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records, in Lane County, Oregon.





**Planning Director’s Findings and Recommendation  
Annexation Request for Therrell, Matthew  
(City File: A 19-2)**

<b>Application Submitted:</b> March 15, 2019
<b>Applicant:</b> Matthew Therrell
<b>Property Included in Annexation Request:</b> Tax Lot 00402 of Assessor’s Map 17-04-02-42
<b>Zoning:</b> AG Agricultural with /UL Urbanizable Land Overlay
<b>Location:</b> 187 Swain Lane
<b>Representative:</b> Jed Truett, Metro Planning, Inc.
<b>Lead City Staff:</b> 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.

<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) 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 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 north property line and a portion of the south property line.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<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 text</i> ):
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	<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>

		<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 AG Agricultural with /UL Urbanizable Land overlay. 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><b>EC 9.7825(3)</b></p>		<p><b>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.</b></p>
<p><input checked="" type="checkbox"/> YES</p>	<p><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> The subject property is connected to the city service via a 4-inch tap to a 6-inch line located in the southwest corner of the lot. An 8-inch city line is located within the Swain Lane right-of-way.</p>

Stormwater

Public stormwater is available via a 30-inch line that extends eastward from the terminus of the Scottsdale Street, across an abutting property, to the northeast corner of the subject property. There is an open waterway with a northerly flow across the subject property from the south property line that channels runoff flow into the 30-inch pipe at the northeast property corner. There is a Public Utility Easement for the maintenance of this waterway in place that was rededicated in a previous land Use application (VEU18-05) to encompass the current landscape along the full channel. Soils in this area appear to be type "C" indicating poor infiltration rates. Future development proposals must demonstrate consistency with flood control standards.

Transportation

The property has access and frontage on Swain Lane, which is an unimproved local road, lacking sidewalks, curbs, street lights and street trees. Swain Lane is owned by the City and provides direct access to River Road which is a minor arterial owned and maintained by Lane County Public Works. River Road leads to the major thoroughfares in the City. Along the north property line, there is a reserve strip separating "The Commons" subdivision (2005) which is developed to city standards including stormwater and sewer facilities, street lights sidewalks and street trees. Compliance with applicable street standards will be ensured at the time of development

Since Swain Lane is not under the jurisdiction of Lane County, the County's Transportation Planning did not provide comments.

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 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.

	<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 Awbrey Park 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.