



**COUNCIL RESOLUTION NO. 5286**

**RESOLUTION ANNEXING LAND TO THE CITY OF  
EUGENE (ASSESSOR’S MAP 17-04-02-14, TAX LOT 100  
LOCATED AT 4199 SCENIC DRIVE).**

**PASSED: 8:0**

**REJECTED:**

**OPPOSED:**

**ABSENT:**

**CONSIDERED: January 13, 2020**



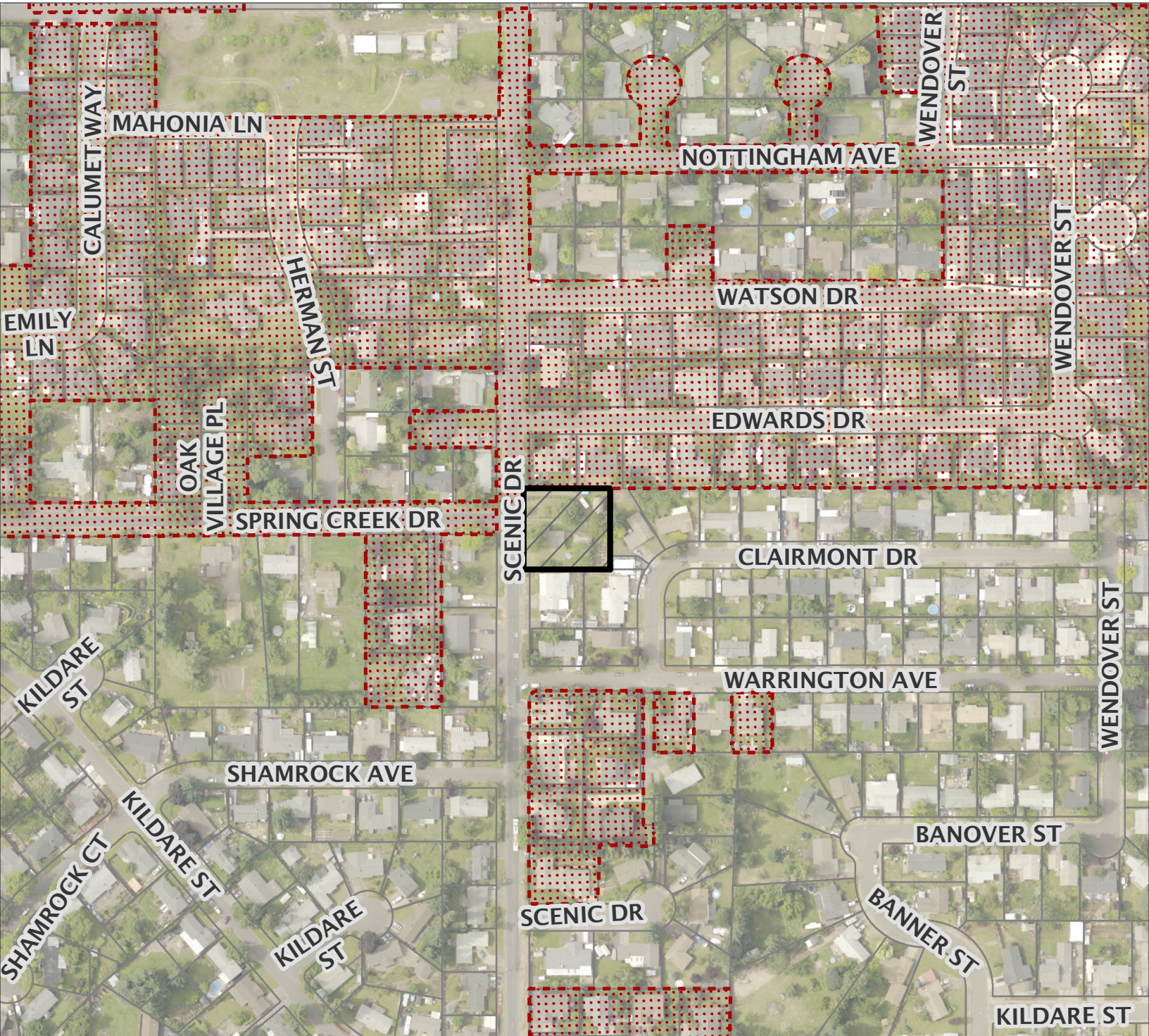




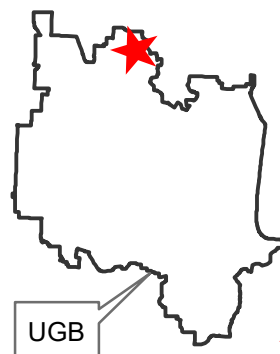
# Annexation Vicinity Map

A - 19 - 5 (Senderling, Claire)

## Attachment A



- Subject Property (Area to be Annexed)
- City of Eugene
- Taxlots



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

Created on 12/19/2019  
by City of Eugene Planning Division

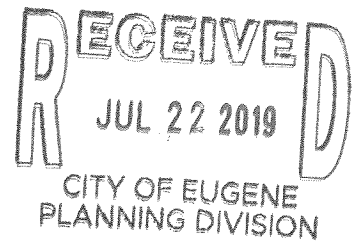
Subject Property: 4199 Scenic Drive  
Assessor's Map / Tax Lot: 17-04-02-14 / 00100

January 13, 2020, Meeting - Item 3D

0 60 120 240







## 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: 17-04-02-14;00100 Address: 4199 Scenic Drive

Legal Description:

SEE EXHIBIT "A"

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

DATED this 03 day of June, 2019.

STATE OF OREGON )

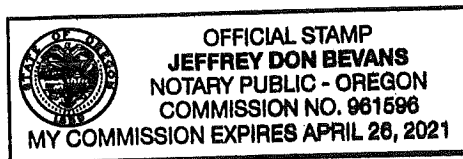
County of Lane )ss  
)

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

Claire Senderling

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.

Notary Public for Oregon

My Commission Expires April 26, 2021

## **RESOLUTION NO. 5286**

### **RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-02-14, TAX LOT 100 LOCATED AT 4199 SCENIC DRIVE).**

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

**A.** An annexation application was submitted on July 22, 2019, by Claire Senderling, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-02-14, Tax Lot 100, 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 December 6, 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 January 13, 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 17-04-02-14, Tax Lot 100, 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

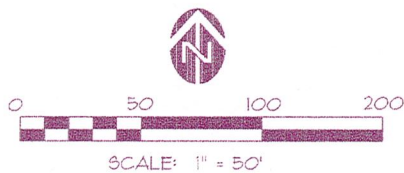
Agricultural with /UL Urbanizable Land Overlay to AG Agricultural shall become effective in accordance with State law.

**The foregoing Resolution adopted the 13<sup>th</sup> day of January, 2020.**



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City Recorder - Deputy



LOCATED IN THE NE 1/4 OF SEC. 02  
TOWNSHIP 17S, RANGE 04W, W.M.  
LANE COUNTY, OREGON

VOLK ESTATES  
SUBDIVISION

## RESIDENTIAL STRUCTURE

SHOP

CLAIRMONT ESTATES  
SUBDIVISION

CLAIRMONT DRIVE

SEWER:	CITY OF EUGENE
WATER:	EWB
ZONING (COUNTY)	AG (AGRICULTURE)
PROPERTY ID:	0334910
ASSESSOR MAP:	17-04-02-14
TAX LOT:	00100

1. EXISTING RESIDENTIAL STRUCTURE HAS EXISTING SANITARY, WATER CONNECTIONS, AND ELECTRICAL
2. SUBJECT PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD AREA.
3. THERE IS NO CONTIGUOUS PROPERTY OWNED BY THE PARTITIONERS.
4. SUBJECT PROPERTY IS WITHIN THE CITY OF EUGENE'S URBAN GROWTH BOUNDARY.

////// CITY LIMITS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Michael P. Schutze

OREGON  
NOVEMBER 30, 2007  
MICHAEL P. SCHULZE  
71827

EXP. DATE: 6-30-20

**geomax** INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN  
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424  
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

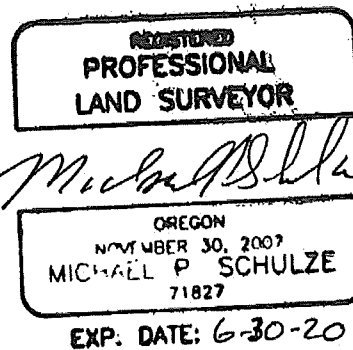
DATE: 10/23/18	CHECKED: mps	DRAWN: mps
JOB NO.: S118	DRG:	SHT. OF

## Exhibit B

### LEGAL DESCRIPTION:

A tract of land in the Southeast quarter of the Northeast quarter of Section 2, Township 17 South, Range 4 West, Willamette Meridian, Lane County, more particularly described as follows:

Beginning at a point North 1549.76 feet and North 89°56'45" East 550.08 feet from the Northwest corner of the B.W. Poindexter Donation Land Claim No. 57 in Township 17 South, Range 4 West of the Willamette Meridian, running thence North 89°56'45" East 150.00 feet, thence North 150.00 feet, thence South 89°56'45" West 150.00 feet, thence South 150.00 feet to the point of beginning, in Lane County, Oregon.





**Planning Director's Findings and Recommendation  
Annexation Request for Senderling, Claire  
(City File: A-19-5)**

<b>Application Submitted:</b> July 22, 2019
<b>Applicant:</b> Claire Senderling
<b>Property Included in Annexation Request:</b> Tax Lot 100 of Assessor's Map 17-04-02-14
<b>Zoning:</b> Agricultural and /UL Urbanizable Land Overlay
<b>Location:</b> 4199 Scenic Drive
<b>Representative:</b> Mick Wyntergreen, Geomax, Inc.
<b>Lead City Staff:</b> Jeff Gepper, 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.

<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> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<b>Findings:</b> The annexation area is within the City's urban growth boundary (UGB) and is contiguous to the City limits along the northern property line and a portion of the western property line, consistent with subsection (a).
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the <u>Metro Plan</u> and in any applicable refinement plans.</b>	
<b>Complies</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<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> ):  <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 low density residential use. The property is zoned Agricultural (AG) with a /UL Urbanizable Land overlay. The current zoning of AG is intended to allow agricultural uses within the UGB until land is converted to urban use. Agricultural uses are considered interim uses until public facilities and services can be provided. Despite the property already being developed with an existing single-family residence, a zone change to R-1 Low Density Residential will be necessary for any additional residential development (e.g. future land division). The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, 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 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>
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EC 9.7825(3) <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>	
<div> <div>Complies</div> <div> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </div> </div>	
<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 existing home located at 4199 Scenic Drive is currently connected to the public wastewater system per sewer connection records (permit 95-08200-01 issued 12/13/1995).</p> <p><u>Stormwater</u> The public stormwater system does not currently serve the subject property. However, the soils appear to have good permeability so on-site retention appears to be a feasible option. A proposal that complies with the requirements of the Stormwater Management Manual will need to be provided at the time of future development.</p> <p><u>Transportation</u> The property has frontage on Scenic Drive, which is a neighborhood collector. Spring Creek Drive, also a neighborhood collector, intersects with Scenic Drive adjacent to the subject property to the west. Spring Creek connects directly to River Road, a minor arterial. Both Scenic Drive and Spring Creek Drive are owned by Lane County and maintained by Lane County Public Works. Scenic Drive and Spring Creek Drive are paved but not improved with sidewalks, curb and gutter, street trees or street lights. Any future development will be evaluated for compliance with current standards at the time of building permit.</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> EWEB staff have no objection to the proposed annexation. Utility services for any future development must be in accordance with EWEB policies and procedures.</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> 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 that the minimum level of this key urban service is met.</p>	

		<p><u>Planning and Development Services</u></p> <p>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></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p> <p>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 will be set in accordance with State law.