

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of Resolution 5078 Annexing Land to the City of Eugene (Wiechert - A 12-3)

Meeting Date: January 28, 2013
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2C
Staff Contact: Steve Ochs
Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex 3.65 acres of vacant land that is currently zoned AG Agriculture and designated for low-density residential uses. The annexation is being requested by the property owner, Bruce Wiechert Custom Homes, Inc. Following annexation, the applicant intends to change the zone to R-1 Low-Density Residential and subdivide the property.

BACKGROUND

In December 2007, the City Council adopted an ordinance establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, or denying an application for annexation, or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the city's Urban Growth Boundary (UGB) and is contiguous to the city limits or separated from city limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements, and no written testimony has been received. Referral comments were provided by affected agencies including City of Eugene Public Works and EWEB. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The River Road Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject properties. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation is approved.

SUGGESTED MOTION

Move to adopt Resolution 5078 which approves the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

- A. Map of Annexation Request
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Steve Ochs, Associate Planner
Telephone: 541/682-5453
Staff E-Mail: steve.p.ochs@ci.eugene.or.us

Attachment A - Area of Annexation Request



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



January 15, 2013



RESOLUTION NO. _____

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (1270 IRVINGTON DRIVE, EUGENE, OREGON, AND PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-03-34, TAX LOTS 500 AND 10100).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Bruce Wiechert Custom Homes, Inc. on October 23, 2012, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-03-34, Tax Lots 500 and 10100.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described 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 Recommendation is attached as Exhibit C.

D. On December 18, 2012, 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 applicants, owners and occupants of property within 500 feet 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 28, 2013.

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:

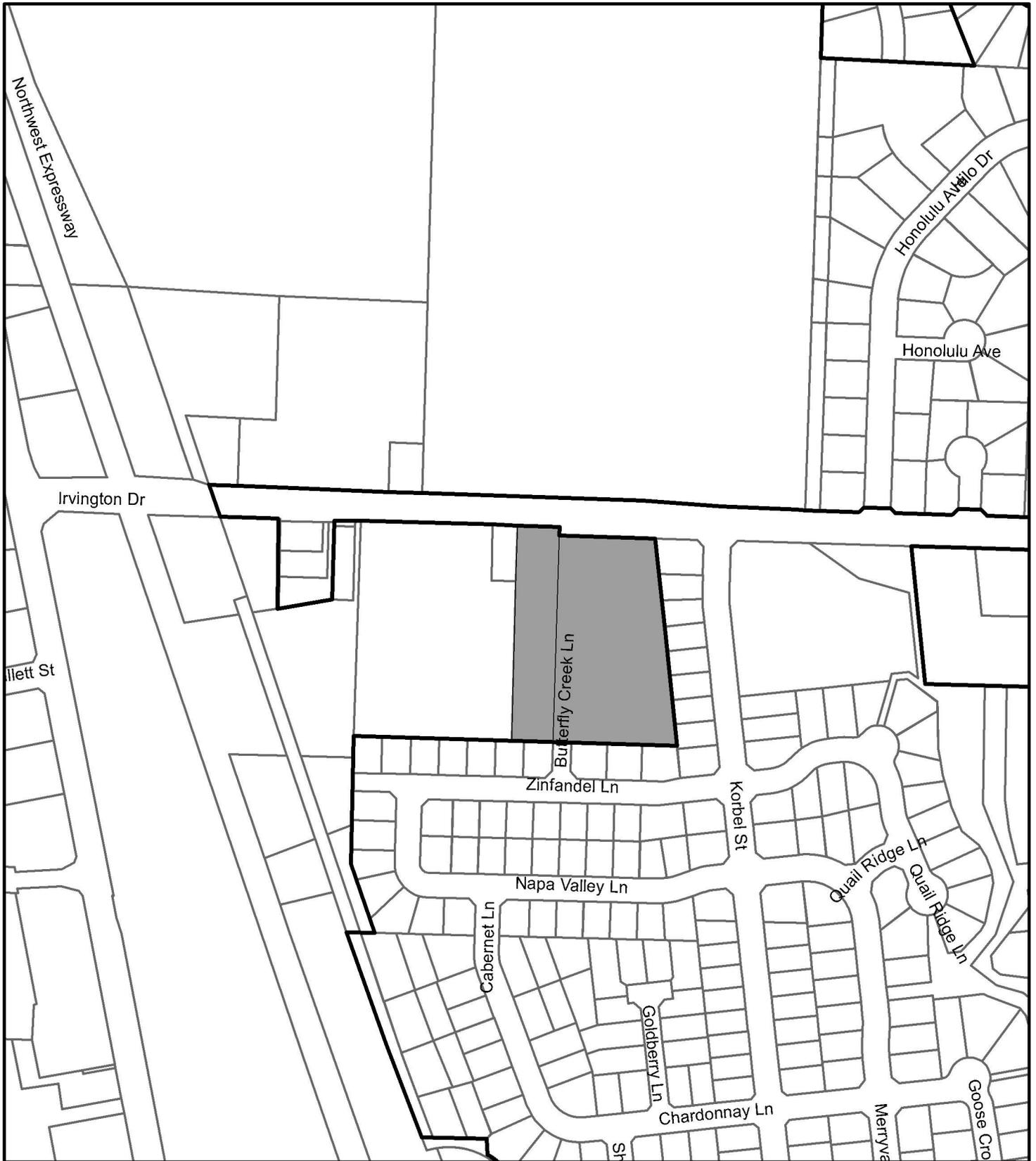
Section 1. Based on the above findings and the Planning Director's Recommendation and Findings attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-03-34, Tax Lots 500 and 10100 on the map attached as Exhibit A, and described 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 AG/UL/CAS to AG/CAS pursuant to EC 9.7820(3) shall be effective upon the date a copy of this Resolution is filed with the Secretary of the State of Oregon.

The foregoing Resolution adopted the 28th day of January, 2013.

City Recorder

Bruce Wiechert Custom Homes (A 12-3)



-  Annexation Area
-  Eugene City Limits

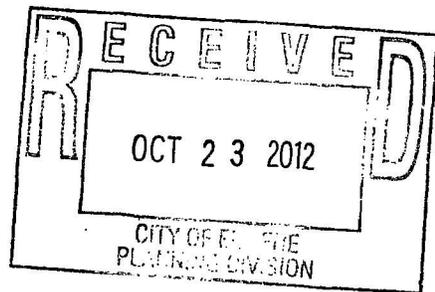


Exhibit B

LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF THE JAMES PEEK SR. DONATION LAND CLAIM NO. 50, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, SAID NORTHEAST CORNER BEARS NORTH 89°06' EAST 132.0 FEET FROM THE SOUTHEAST CORNER OF THE MARION SCOTT DONATION LAND CLAIM NO 56, SAID TOWNSHIP AND RANGE, THENCE SOUTH 00°06'50" WEST 7.20 FEET ALONG THE EAST LINE OF SAID CLAIM NO. 50, THENCE SOUTH 89°39'25" WEST 2550.64 FEET TO THE TRUE POINT OF BEGINNING ; THENCE SOUTH 89°39'25" WEST 301.75 FEET, THENCE SOUTH 00°03'30" EAST 475.0, NORTH 89°39'25" EAST 366.51 FEET, THENCE NORTH 07° 50'10" WEST 479.08 FEET TO THE TRUE POINT OF BEGINNING IN LANE COUNTY, OREGON.

EXCEPT THEREFROM THAT PART DESCRIBED IN DEED TO LANE COUNTY, OREGON, RECORDED FEBRUARY 26, 2003, RECEPTION NO. 2003-017139, LANE COUNTY DEEDS AND RECORDS, IN LANE COUNTY, OREGON.





**Planning Director's Recommendations and Findings:
Bruce Wiechert Custom Homes (A 12-3)**

Application Submitted: October 23, 2012	
Applicant: Bruce Wiechert Custom Homes, Inc.	
Map/Lot(s): 17-04-03-34 Lots 500 and 10100	
Zoning: AG/UL/CAS	
Location: 1270 Irvington Drive south side of Irvington Drive, west of Korbel Street	
Representative: Kent Baker, Roberts Surveying	
Lead City Staff:	Steve Ochs, Associate Planner, (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.

<p>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.</p>	
<p>Complies <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). The City limits are contiguous with the subject area of land along the northern, eastern and southern boundaries of the property.</p>
<p>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</p>	
<p>Complies <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The proposed annexation area is within the UGB. Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following:</p> <p>C. Growth Management, Goals, Findings and Policies: <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></p>

		<p><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> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-4).</i></p> <p><i>Policy 16. 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 residential use. The adopted refinement plan 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 area for residential uses. If the annexation is approved, per EC 9.7820(3), the annexation area will remain zoned AG/CAS, and the /UL overlay will be automatically removed from the annexation area. The applicant has submitted a zone change (City File Z 12-5) to rezone the property to R-1 once the annexation has been approved.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is just outside of the k. Northwest Expressway subarea and of the general “Residential Land Use Policies” at Section 2.2, none 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 for 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 <u>Metro Plan</u> 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>
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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.

Complies		<p>Findings: 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>Wastewater An 8-inch public wastewater line is available within the public streets adjacent to this site, with an 8-inch stub to the subject property from Irvington Drive, per as-construct</p>
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

records. There is no sewer connection record for 1270 Irvington Dr. (TL 00500), though there is one for 1278 Irvington Dr. (TL 10100 / connection record no. 037627). There are no liens or assessments of record due.

Stormwater

There is an 18-inch public stormwater line within the Zinfandel Lane, just south of the property that may be able to be extended to the site via Butterfly Creek Lane. As-construct records show that a stub to the property was not constructed, though on-site infiltration may also be an option, provided the infiltration facility is sized to store and infiltrate the Flood Control Design Storm and on-site tests demonstrate the viability of infiltration. As an informational item, future development of the property will require the applicant to submit a feasible stormwater proposal and demonstrate that all applicable stormwater management standards have been met, including establishing capacity of the receiving system, pre-treating impervious areas prior to discharge to that system, and possibly oil and source controls, depending on proposed development.

Streets

Both properties have frontage on Irvington Drive which is under Lane County Jurisdiction and functions as a minor arterial street. Street standards must be addressed with future development which may require right of way dedication, special setbacks and street improvements.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water

Eugene Water and Electric Board (EWEB) staff notes that there is an existing 12-inch concrete cylinder water main along the south side of Irvington Drive and a 6-inch ductile water main on the east side of Butterfly Creek Lane and adequate service can be made at the time of development.

Electric

EWEB currently serves the subject properties and has no objections to the annexation.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by the City of Eugene. 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

A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan. The property is currently located the River Road – Santa Clara parks planning district with Arrowhead Park about 500 feet to the east being the nearest park

		<p>serving that area.</p> <p>Planning and Development Services 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>Communications Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the Bethel School district and is served by Irving Elementary School, Shasta Middle School and Willamette 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 found to be consistent with the applicable approval criteria. Based upon findings above, the Planning Director recommends that City Council approve this annexation proposal. 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:

- ◆ Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.
- ◆ Future development of the property will require a feasible stormwater proposal and demonstration that all applicable stormwater management standards have been met, including establishing capacity of the receiving system, pre-treating impervious areas prior to discharge, and possibly oil and source controls, depending on proposed development.

Exhibit D - Application Materials

ANNEXATION NARRATIVE

APPLICANT: Bruce Wiechert Custom Homes, Inc. **PHONE:** (541) 686-9458
SURVEYOR: Roberts Surveying Inc. **PHONE:** (541) 345-1112
CIVIL ENGINEER: The Favreau Group **PHONE:** (541) 683-7048
DATE: October 16, 2012
MAP: 17-04-03-34, Tax Lots 500 & 10100
SITE ADDRESS: 1270 Irvington Dr., Eugene, Oregon

Present Request:

The present request is for approval to annex the subject property into the City of Eugene.

Approval Criteria:

The following findings demonstrate that the proposed tentative partition plan will comply with all applicable approval criteria and related standards as set forth in EC 9.7825. The approval criteria and related standards are listed below, with findings addressing each in **Bold**.

EC 9.7825: Annexation - Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:

- (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.

The proposed property is contiguous to the city limits along the east and south boundary lines.

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The proposed property is designated as low density residential zoned land within the Metro Plan. Compliance with the River Road-Santa Clara Urban Facilities Plan is demonstrated in the below noted responses.

- (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.

The proposed annexation boundary extends the current city limits line that is on the east and south boundary to the west and north. All key urban facilities and services are available to the property and surrounding areas at this time.

River Road-Santa Clara Urban Facilities Plan Policies.

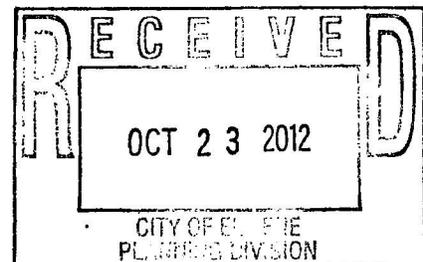


Exhibit D - Application Materials

- (1) General Land Use. Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses. (Policy 1)

The subject property is boarded by urban residential on the east and south and rural residential on the west. Therefore there are no compatibility issues.

- (2) Residential Land Use.
- (a) Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan. (Policy 1)
 - (b) Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets. (Policy 3)
 - (c) Provide adequate buffering and traffic control for existing non-residential development fronting River Road, (to minimize conflicts with surrounding development). (Policy 4)
 - (d) Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit and alternative modes of transportation, schools and parks and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria. (Policy 5)
 - (e) Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features. (Policy 6)

The property is adjacent to Irvington Drive and is not near an arterial street, River Road, the Greenway or any other natural features or non-residential land.

- (3) Commercial and Industrial Land Use.
- (a) Maintain and enhance the compatibility of adjacent land uses through the use of appropriate buffering mechanisms, such as landscaping standards. (Policy 1)
 - (b) Require site plan reviews for all new commercial and industrial development. (Policy 2)
 - (c) Prohibit the linear expansion of existing strip commercial areas fronting on River Road. Existing strip commercial development may expand by infilling, redevelopment, or expansion onto contiguous property that does not front on River Road. (Policy 3)
 - (d) Provide for buffering and traffic control for existing development that fronts River Road (to minimize conflicts with surrounding residential development). (Policy 4)
 - (e) Minimize impacts of new commercial development intended to consolidate and improve existing strip commercial uses along River Road by requiring development standards. (Policy 5)
 - (f) New neighborhood commercial uses shall be located away from River Road in locations that facilitate the provision of commercial facilities scaled to a residential area and that allow for dispersal of commercial uses throughout River Road-Santa Clara. (Policy 6)
 - (g) Ensure compatibility between neighborhood commercial developments and the surrounding residential area by identifying and applying siting and development standards. (Policy 7)

The property is zoned low density residential and does not front onto River Road. Therefore this criterion does not apply.

- (4) River Road/Railroad Avenue Subarea.
- (a) Designate and zone existing medium-density development.
 - (b) Limit River Road access to existing commercial development.
 - (c) Maintain existing land use patterns until completion of the Chambers Connector. The effects of the Chamber Connector and related road improvements on the immediate area should be examined upon completion of final design and right-of-way acquisition and any

Exhibit D - Application Materials

- appropriate changes adopted.
- (d) The area south of Fir Lane and east of River Road is appropriate for commercial and low density residential uses.
 - (e) Medium density residential development along the east side of River Road north of Fir Lane is appropriate, and requires a minimum development area of 2/3 of an acre.
 - (f) Rezone the apartments on the west end of Briarcliff Drive from industrial to medium density residential use.
 - (g) Delay for six months rezoning of the vacant parcels south of Briarcliff and adjacent to the Northwest Expressway from industrial to low density residential use.
 - (h) Designate the two parcels north of Holeman Avenue and west of River Road for commercial use.

This property does not impact any of the noted criteria or areas of concern.

(5) River Road/Knoop Subarea Recommendations.

- (a) Maintain existing land use pattern.
- (b) Apply site review for medium-density development in the northern portion of the subarea.
- (c) Limit number of River Road access points to medium-density development in the southern portion of the subarea.

The annexation of this property will continue to maintain the current low density residential use.

(6) River Road/Hilliard Subarea.

- (a) Rezone small split-zone tax lots to their most intensive use.
- (b) Maintain viability of existing residential land use.
- (c) Recommend professional office development for the undeveloped land on the west side of River Road between West Hillcrest and Horn Lane. Only professional office development making unified use of one or more acres shall be allowed in the area. Access shall be limited to mitigate impacts on existing low-density residential development west of the area.

The property is not within the subarea, therefore this criteria is not applicable.

(7) River Road/Howard Subarea.

- (a) Maintain the status of non-conforming uses.
- (b) Maintain the status of existing medium-density land use.
- (c) Encourage medium-density residential development for all portions of the subarea, with the exception of the following areas: Hatten Street commercial area, the area west of River road between Maxwell and Howard, and the area east of River Road between Owosso and Corliss.
- (d) Recommend professional office development on the east side of River Road between Owosso and Corliss.

The property is not within the subarea, therefore this criteria is not applicable.

(8) Maxwell/Park Avenue.

- (a) Recommend development of medium-density housing, while maintaining natural features, for neighborhood park and open space through use of clustering and site review.
- (b) Concentrate medium-density development around the commercial node, with a transition to low-density, particularly at the northern and southern boundaries of the subarea.
- (c) Apply site review for parcels fronting the Northwest Expressway and the Southern Pacific Railroad tracks.

Exhibit D - Application Materials

- (d) Maintain current commercial designation to the north of the line which would be Howard Avenue if ever extended westerly. Only commercial developments making unified use of five or more acres shall be allowed in the area.

The property is not within the subarea, therefore this criteria is not applicable.

(9) Riviera.

- (a) Continue existing land use pattern.
- (b) Rezone single-family residential south of River Avenue to medium-density and north of River Avenue to commercial zoning.
- (c) Rezone all residentially developed parcels south of River Avenue and east of River Road to medium-density residential use.

The property is not within the subarea, therefore this criteria is not applicable.

(10) River Avenue. Rezone the area north of River Avenue to commercial.

The property is not within the subarea, therefore this criteria is not applicable.

(11) River Road/Irving.

- (a) Rezone small split-zoned tax lots to their most intensive use.
- (b) Parcels south of Santa Clara Avenue and west of River Road, that are not already developed for commercial use, should be zoned of office development.
- (c) Designate the large southern undeveloped parcel for medium-density development.
- (d) Designate the westerly portion of the large parcel south of Santa Clara Avenue and west of River Road for medium-density development, with an emphasis on development of health-related facilities.
- (e) Maintain the viability of existing low-density residential development.
- (f) Designate professional office development for five parcels north of Santa Clara Avenue and west of current commercial development on west River Road.

The property is not within the subarea, therefore this criteria is not applicable.

(12) River Road/Division.

- (a) Designate medium-density development for undeveloped and under-developed property west of Ross Lane and west of Lee's Trailer Park.
- (b) The transition from professional office use to medium-density residential use should occur in the vicinity of a line projected south from the east boundary of the Santa Clara Elementary School property.
- (c) Rezone parcels north of Santa Clara Square and south of Green Lane for professional office use.

The property is not within the subarea, therefore this criteria is not applicable.

(13) Irving Light-Medium Industrial.

- (a) Use Planned Unit Development procedures to mitigate impacts on existing adjacent low-density residential development upon rezoning to industrial.
- (b) Only industrial developments, making unified use of ten or more acres shall be allowed in the area.
- (c) Consider amending the Plan designation to Special-Light Industrial.

The property is not within the subarea, therefore this criteria is not applicable.

Exhibit D - Application Materials

(14) Northwest Expressway.

- (a) Encourage development of a two- to five-acre neighborhood commercial node west of the slough for the following reasons:
 - 1. Arterial street access
 - 2. Access from the Northwest Expressway at Irvington Drive.
 - 3. Large parcel size in the area.
 - 4. Metropolitan Plan assumes large population growth in this area.
- (b) Apply site review for development of parcels fronting the Northwest Expressway and Southern Pacific Railroad.

The property is not within the subarea, therefore this criteria is not applicable.

(15) River Road/Wilkes.

- (a) Consolidate commercial development for property south of Swain Lane and bounded by the slough on the east and Greenwood Street on the south.
- (b) Rezone split-zone tax lots.
- (c) Designate medium-density development on the easterly portion of the large undeveloped parcel north of Swain Lane.
- (d) Designate community commercial development on the westerly portion of the large undeveloped parcel north of Swain Lane. Only commercial developments making unified use of five or more acres shall be allowed in the area.
- (e) Encourage commercial development contiguous to existing commercial uses east of River Road.
- (f) Encourage low-density zoning for property south of Brotherton, across from River Loop #2.
- (g) Designate neighborhood commercial development for two acres on the northwest corner of Irvington and River Road. Only commercial developments making unified use of one or more acres and with access limited to Irvington Drive, shall be allowed in the area.

The property is not within the subarea, therefore this criteria is not applicable.

(16) Public Facilities and Services.

- (a) Land development patterns in the area shall accommodate the provision of fire and emergency services. (Fire subsection, Policy 2)
- (b) If a transfer site in the western portion of the metropolitan area is desired, a cost-benefit analysis shall be conducted to determine its effectiveness before any siting plans are considered. (Solid Waste Service subsection, Policy 1)
- (c) Future road improvements providing sidewalks and bicycle lanes shall consider safety needs of students, especially at intersections near schools and along busy streets. (School subsection, Policy 1)
- (d) Encourage the continued multiple use of school facilities. (School subsection, Policy 3)
- (e) When appropriate, land for park and recreation facilities shall be dedicated as part of the development review process for vacant land. (Park and Recreation Service subsection, Policy 3)

The proposed annexation will not alter the existing uses of the property which is currently used as residential.

(17) Environmental Design Element.

- (a) New residential development taking place in areas adjacent to the Northwest Expressway and the Southern Pacific Railroad shall be designed so as to minimize noise and visual

Exhibit D - Application Materials

- (b) impacts generated by these facilities. (Relationship of the Area to the Railroad, Policy 1)
Examine the possibility of providing landscaping and a noise barrier along the east side of the Northwest Expressway as a means of buffering adjacent residential areas. (Relationship of the Area to the Railroad, Policy 2)
- (c) Residential developments shall be designed to minimize potential conflicts with adjacent agricultural operations. (Urban and Agricultural Fringe Areas, Policy 1)
- (d) With the exception of high voltage transmission lines, require the installation of underground utilities in developing areas. (Signs/Utilities subsection, Policy 2)
- (e) Landscape buffers shall be provided for power substations in the study area by the responsible utility. (Signs/Utilities subsection, Policy 3)
- (f) Encourage the preservation and restoration of structures, landmarks, sites, and areas of cultural, historic, or archaeological significance. (Historic Structures subsection, Policy 2)
- (g) Future development along vegetated sloughs shall be reviewed to determine additional requirements, if any, to maintain and improve the sloughs as environmental assets. (Vegetated Sloughs subsection, Policy 2)

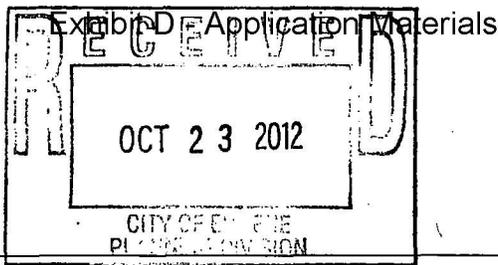
The property is not near the Northwest Expressway, and does not need buffering. All adjacent land is currently used as residential. There are no significant structures, landmarks or archaeological items of cultural or historical significance.

(18) Transportation Element.

- (a) All street improvement projects should support and recognize that different streets serve different functions. (Policy 1)
- (b) Support alternative to the automobile including mass transit, bicycle, walking, and carpooling. (Policy 2)

The applicant is aware of the need for alternative modes of transportation and that different street improvements serve different functions.

The applicant is proposing annexation of two tax lots. Based on this written narrative and the supporting documents, the applicant has demonstrated that this application is consistent both the criteria and intention of the Eugene City Code as set forth in EC 9.7825.



Planning & Development
Planning

City of Eugene
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www.eugene-or.gov

ANNEXATION APPLICATION

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-03-34	500	AG	1.0
17-04-03-34	10100	AG	2.65

Property Address: 1270 IRVINGTON ROAD

Plans for Future Development: 17-LOT RESIDENTIAL DEVELOPMENT

Population of Property to be Annexed: 0 Number of Existing Residential Units: 0

Applicable Refinement Plan: RIVER ROAD SANTA CLARA URBAN FACILITIES PLAN

Refinement Plan Designates Property as: LOW DENSITY RESIDENTIAL

Does the Proposal Include All Contiguous Property Under the Same Ownership? Yes No

Public Service Districts:

Name			
Parks:			
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	CITY OF EUGENE		
Fire:	LANE RURAL FIRE/RESCUE		
Schools:	Elementary: IRVING	Middle: SHASTA	High: WILLAMETTE
Other:			

Exhibit D - Application Materials

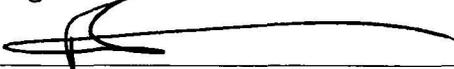
By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 500 & 10100

Name (print): Bruce Wiechert Custom Homes Inc.

Address: 3073 Skyview lane Email: Wiechert homes @ comcast.net

City/State/Zip: Eugene OR 97405 Phone: 541 686 9458 Fax: 541 344 3362

Signature: 

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____

SURVEYOR:

Name (print): KENT BAKER

Company/Organization: ROBERTS SURVEYING

Address: 2811 LYDICK WAY

City/State/Zip: EUGENE, OR 97401 Phone: 541-345-1112 Fax: _____

E-mail: _____

Signature: 

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: 17-04-03-34 Address: 1270 IRVINGTON ROAD

TAX LOTS 500 & 10100

Legal Description:

SEE ATTACHED

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

DATED this 22nd day of October, 20 12

STATE OF OREGON)
)ss
County of Lane)

On this 22 day of October, 20 12, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Bruce Wiechert, President of Bruce Wiechert Custom Homes Inc., 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 1-7-2016

PETITION
Petition Signature Sheet
 Annexation by Individuals

* CB = Coburg CG = Cottage Grove
 CR = Creswell EU = Eugene
 FL = Florence JC = Junction City
 OA = Oakridge SP = Springfield

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg. Voter	Acres (qty)
	10/22/12	BRUCE WIECHERT	1270 IRVINGTON ROAD EUGENE	17-04-03-34-500	✓		2.65
				17-04-03-34-10100	✓		1.00

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Derrick Westover (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X DAW (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 2 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

David F. D. Nash
 Lane County Department of Assessment and Taxation
10-23-12
 Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are _____. I hereby certify that this petition includes _____ valid signatures representing _____ (%) of the total active registered voters that are registered in the proposed annexation.

 Lane County Clerk or Deputy Signature

 Date Certified

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

BRUCE WIECHERT CUSTOM HOMES, INC.

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

MAP 17-04-03-34, TAX LOTS 500 & 10100

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

_____ will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

X will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

BUTTERFLY CREEK LANE

THE PROPERTY OWNER WILL EXTEND DURING PROPOSED SUBDIVISION CONSTRUCTION

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

YES

If yes,

location? BUTTERFLY CREEK LANE

Exhibit D - Application Materials

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District. Upon annexation, this property will be automatically withdrawn from the Santa Clara RFPD, and fire protection will be provided by the City of Eugene Fire & EMS Department.

_____ River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property.

IRVINGTON ROAD

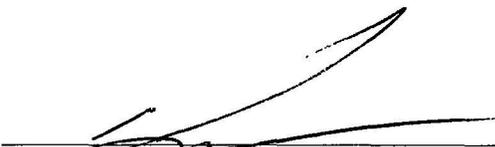
Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

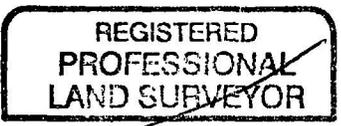
Certification of Description

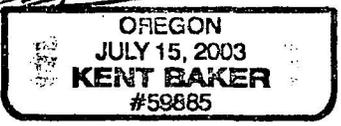
Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: KENT BAKER

Date: 10-22-12

Seal: 

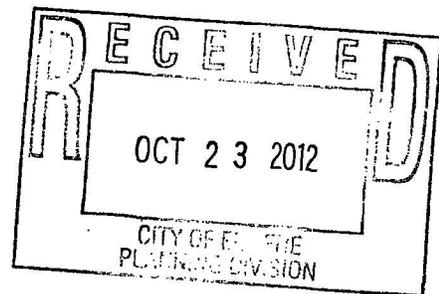
Expires 12-31-2013

Exhibit D - Application Materials

LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF THE JAMES PEEK SR. DONATION LAND CLAIM NO. 50, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, SAID NORTHEAST CORNER BEARS NORTH 89°06' EAST 132.0 FEET FROM THE SOUTHEAST CORNER OF THE MARION SCOTT DONATION LAND CLAIM NO 56, SAID TOWNSHIP AND RANGE, THENCE SOUTH 00°06'50" WEST 7.20 FEET ALONG THE EAST LINE OF SAID CLAIM NO. 50, THENCE SOUTH 89°39'25" WEST 2550.64 FEET TO THE TRUE POINT OF BEGINNING ; THENCE SOUTH 89°39'25" WEST 301.75 FEET, THENCE SOUTH 00°03'30" EAST 475.0, NORTH 89°39'25" EAST 366.51 FEET, THENCE NORTH 07° 50'10" WEST 479.08 FEET TO THE TRUE POINT OF BEGINNING IN LANE COUNTY, OREGON.

EXCEPT THEREFROM THAT PART DESCRIBED IN DEED TO LANE COUNTY, OREGON, RECORDED FEBRUARY 26, 2003, RECEPTION NO. 2003-017139, LANE COUNTY DEEDS AND RECORDS, IN LANE COUNTY, OREGON.



**Planning
Receipt**

Planning & Development
 Planning Division
 99 West 10th Avenue
 Eugene, OR 97401
 (541) 682-5377



Received From

Bonnie Weichert
3073 Skyview Ln

Address

Eugene, OR 97405

Method of Payment:

- Cash
- Check
- Visa/MC

Phone

541 686-9458

Project

1270 Wington Rd

Enter amount:

\$ 5,155.70

Annexation	\$ 4730.00	Subdivision, Tentative	Exhibit D - Application Materials
Appeal	\$	Subdivision, Final	
Conditional Use Permit	\$	Traffic Impact Analysis	
Legal Lot Verification	\$	Vacations (all)	
Lot Validation	\$	Williamette Greenway	
Partition, Tentative	\$	Zone Change	
Partition, Final	\$	Other	
Property Line Adjustment	\$	Fire Review Fee	
PUD Tentative	\$	Subtotal	\$ 475.70
PUD Final	\$	Administrative Fee (except appeals)	\$ 5155.70
Site Review	\$	TOTAL	\$ 5155.70

Staff Initials CCZ

Updated: May 2012
 \\cesrv4400\PLANNING\Admin\Forms-Templates\PlanningReceipt2012.xlsx

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 Please take our customer survey at:
 www.surveymonkey.com/s/COEPermitSurvey
 =====
 www.eugene-or.gov/bldgpermitttracking
 =====

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 RECEIVED FROM: BRUCE WEICHERT CUSTOM HOMES
 TOTAL DUE: \$5,155.
 Admin Fee-Auto Calc \$425.76
 Annexation/Fee \$4,730.00
 =====
 CITY OF EUGENE
 BUILDING & PERMIT SERVICE
 99 WEST/10TH AVE 682-5086
 REG-RECEIPT:3-0008810 Oct 23 2012
 CASHIER: TNR
 =====

=====
 Change due: \$.00
 Total tendered: \$5,155.
 Check: \$5,155.
 =====

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 Application Materials
 Exhibit D
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