



COUNCIL RESOLUTION NO. 5406

**RESOLUTION ANNEXING LAND TO THE CITY OF
EUGENE (ASSESSOR'S MAP 17-04-02-34, TAX LOT 05800
LOCATED ON IRVINGTON DRIVE WEST OF RIVER
ROAD)**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: May 13, 2024



RESOLUTION NO. 5406

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-02-34, TAX LOT 05800 LOCATED ON
IRVINGTON DRIVE WEST OF RIVER ROAD)**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on February 1, 2024, by Janice M. Rush Trust, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-02-34 Tax Lot 05800, 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 are attached as Exhibit C.

D. On April 10, 2024, 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 May 13, 2024.

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 17-04-02-34, Tax Lot 05800, which is more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

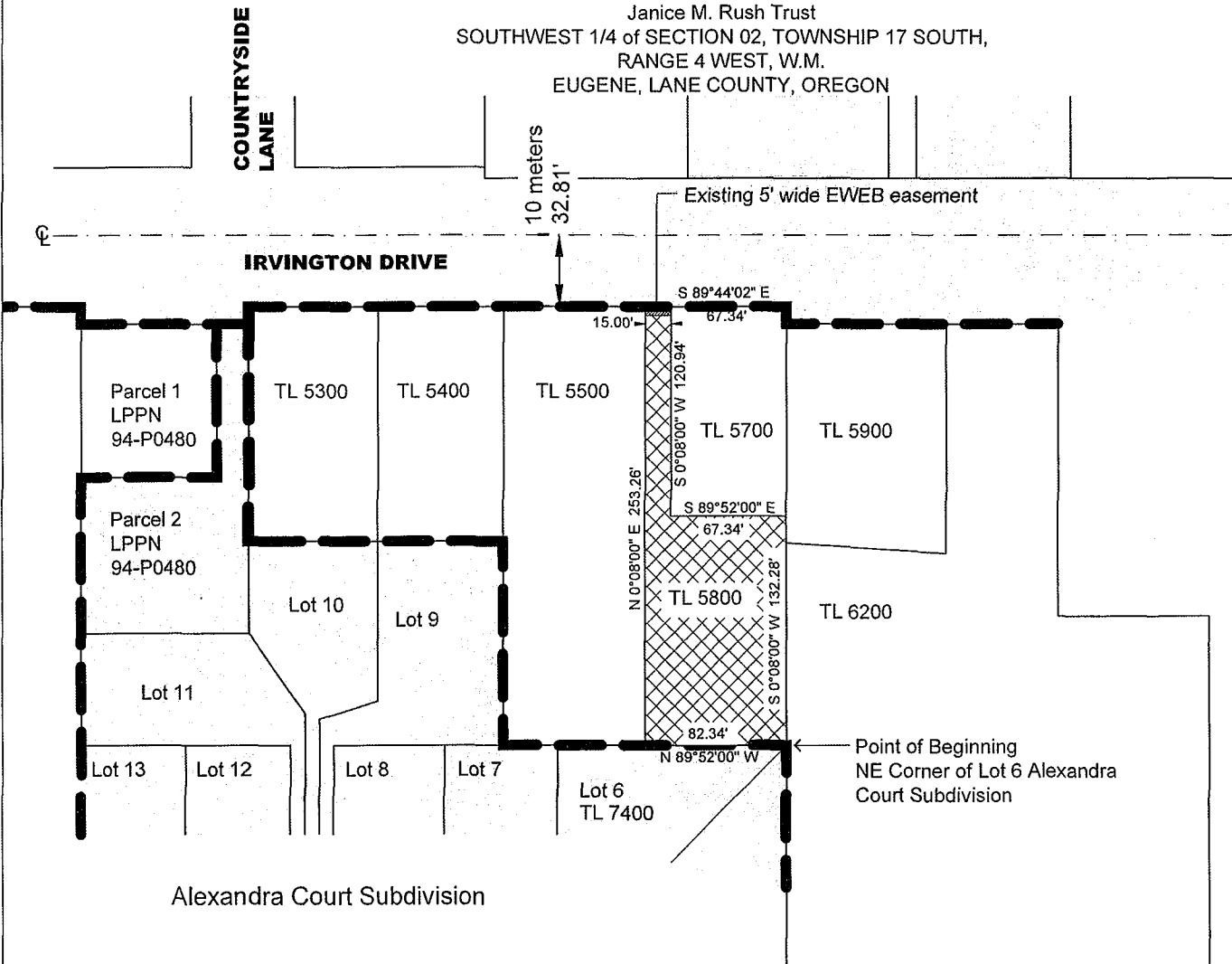
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-Density Residential with /UL Urbanizable Land Overlay and /CAS Commercial Airport Safety Overlay to R-1 Low-Density Residential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

The foregoing Resolution adopted the 13th day of May, 2024.






City Recorder

Land Annexation for
Janice M. Rush Trust
SOUTHWEST 1/4 of SECTION 02, TOWNSHIP 17 SOUTH,
RANGE 4 WEST, W.M.
EUGENE, LANE COUNTY, OREGON



LEGEND

-  LAND TO BE ANNEXED
-  CITY LIMITS
-  EXISTING ANNEXED PROPERTY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JULY 15, 2003
KENT BAKER
#59885

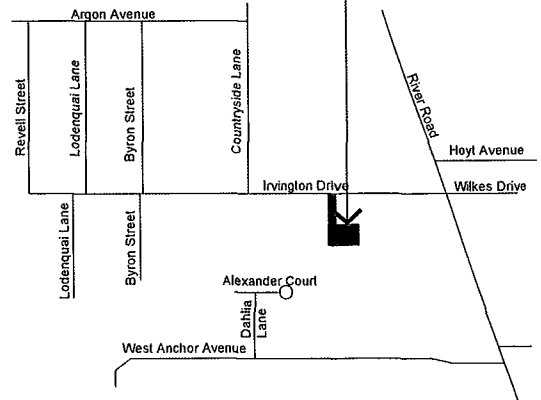
RENEWS: 12-31-2025

NOTES

1. CITY LIMIT BOUNDARIES SHOWN PER CITY of EUGENE ON-LINE INTERACTIVE MAP (EUGMAPS-APP) JANUARY 8, 2023.
2. SITE IS VACANT.
3. EASEMENTS OR OTHER RECORDED RESTRICTIONS ARE SHOWN, IF EXISTING, ON THE SITE.

SUBJECT PROPERTY

VICINITY MAP



ANNEXATION SITE PLAN

Irvington Drive Annexation
Irvington Drive, Eugene, OR 97404

Date: February 2, 2023
Revised: March 8, 2023

Scale: 1" = 100' - 0"



Exhibit B

Legal Description of Affected Territory to be Annexed

(Tax Lot #5800)

A unit of land being situated in the Southwest 1/4 of Section 2, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at the Northeast corner of Lot 6, ALEXANDRA COURT SUBDIVISION, as platted and recorded in File 75, Slides 124 - 126, Lane County Plat Records, in Lane County, Oregon;

Thence along the northerly boundary of said Lot 6, North 89°52'00" West a distance of 82.34 feet;

Thence leaving the northerly boundary of said Lot 6, North 00°08'00" East a distance of 253.26 feet to the northerly margin of Irvington Road, said northerly margin being 10 meters (32.81 feet) from the centerline;

Thence along the northerly margin of Irvington Road parallel with and 10 meters southerly of the centerline, South 89°44'02" East a distance of 15.00 feet;

Thence leaving the northerly margin of Irvington Road, South 00°08'00" West a distance of 120.94 feet;

Thence South 89°52'00" East a distance of 67.34 feet;

Thence South 00°08'00" West a distance of 132.28 feet to the point of beginning, all in Lane County, Oregon and containing 12,706 square feet (0.29 acres) of land, more or less.



**Planning Director’s Findings and Recommendation:
Annexation Request for IRVINGTON DRIVE
(City File: A 24-1)**

Application Submitted: February 1, 2024
Applicant: Janice M. Rush Trust
Property Included in Annexation Request: Tax Lot 05800 of Assessor’s Map 17-04-02-34
Zoning: R-1 Low-Density Residential with an /UL Urbanizable Land Overlay and /CAS Commercial Airport Safety Overlay
Location: South side of Irvington Drive, west of River Road
Lead City Staff: Nicholas Gioello, Associate Planner, 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 subject property is within the Urban Growth Boundary and is contiguous to City limits on its northern and southern borders, consistent with subsection (a).
<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 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>
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

	<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 annexation area 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, which also designates the area for low density residential use, consistent with the subject property’s existing R-1 Low-Density Residential zoning. The /UL overlay will be automatically removed from the property upon approval of the annexation.</p> <p>Regarding 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>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

Public wastewater is available via a 12-inch line located in Irvington Drive and a 6-inch service line at the north property line that provides service to this tax lot and an adjacent tax lot.

As an informational item, there is a wastewater assessment for this tax lot which will need to be paid prior to any development on the site.

Stormwater

An 18-inch public stormwater line exists within Irvington Drive at this location, which increases to a 24-inch diameter pipe just east of the property. Future development on the site will be subject to stormwater standards in effect at that time. Service can be provided in an orderly, efficient, and timely manner.

Transportation

The property is located on Irvington Drive, which is classified as a minor arterial street and is owned and maintained by City of Eugene. It is an improved street with curb and gutter, setback sidewalks, street trees and streetlights. Access management and street standards will be evaluated at the time of future development.

Solid Waste

Collection service is provided by private firms. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) Water staff confirm 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 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.

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.

Exhibit C

		<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 located 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 of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential and /CAS Commercial Airport Safety Overlay will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.