



COUNCIL RESOLUTION NO. 5407

**RESOLUTION ANNEXING LAND TO THE CITY OF
EUGENE (ASSESSOR'S MAP 17-04-04-44, TAX LOT 00100
AND ASSESSOR'S MAP 17-04-03-33, TAX LOT 01700,
LOCATED AT 29960 EAST ENID ROAD).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: May 13, 2024



RESOLUTION NO. 5407

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-04-44, TAX LOT 00100 AND ASSESSOR'S MAP
17-04-03-33, TAX LOT 01700, LOCATED AT 29960 EAST ENID ROAD).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on February 20, 2024, by Branch Engineering, Inc., in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-04-44, Tax Lot 00100, and Assessor's Map 17-04-03-33, Tax Lot 01700, to the City of Eugene.

B. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit A. A map depicting the annexation area 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 12, 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 Industrial Corridor 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 17-04-04-44, Tax Lot 00100, and Assessor's Map 17-04-03-33, Tax Lot 01700, which is more particularly described in the attached Exhibit A, 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 Light-Medium Industrial Zone (I-2) with /UL Urbanizable Land Overlay and /CAS Commercial Airport Safety Overlay to Light-Medium Industrial Zone (I-2) 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

LEGAL DESCRIPTION

ANNEXATION

TM 17- 04- 04- 44 TL 100 & 17- 04- 03- 33 TL 1700

Branch Engineering Inc. Project No. 23-302

ALL THOSE LANDS CONVEYED IN STATUTORY WARRANTY DEED RECORDED AUGUST 2, 2023 IN DOCUMENT NO. 2023-022277, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE JAMES PEEK DONATION LAND CLAIM NO. 50, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, 1070.52 FEET EAST OF THE NORTHWEST CORNER THEREOF;

THENCE NORTH, ALONG THE WESTERLY LINE OF SAID LANDS, 447.48 FEET TO THE SOUTHERLY RIGHT OF WAY OF THE COUNTY ROAD NO. 618;

THENCE EAST ALONG THE SOUTHERLY RIGHT OF WAY OF SAID COUNTY ROAD, 680.00 FEET;


THENCE SOUTH, ALONG THE EASTERLY LINE OF SAID LANDS, 453.00 FEET TO THE NORTH LINE OF SAID PEEK CLAIM;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID PEEK CLAIM 680.00 FEET TO THE PLACE OF BEGINNING, IN LANE COUNTY, OREGON.

THIS LEGAL DESCRIPTION HAS BEEN CHECKED FOR CONSISTENCY WITH THE VESTING DEED AND TAX MAP. THIS LEGAL DESCRIPTION IS SUITABLE FOR USE IN ANNEXATION PROCEEDINGS, BUT IS NOT SUITABLE FOR ACTIVITIES NEEDING A SURVEYED BOUNDARY.

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: Dan Nelson

Date: 2-19-2024

Seal:



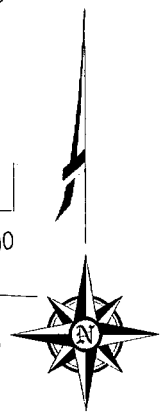
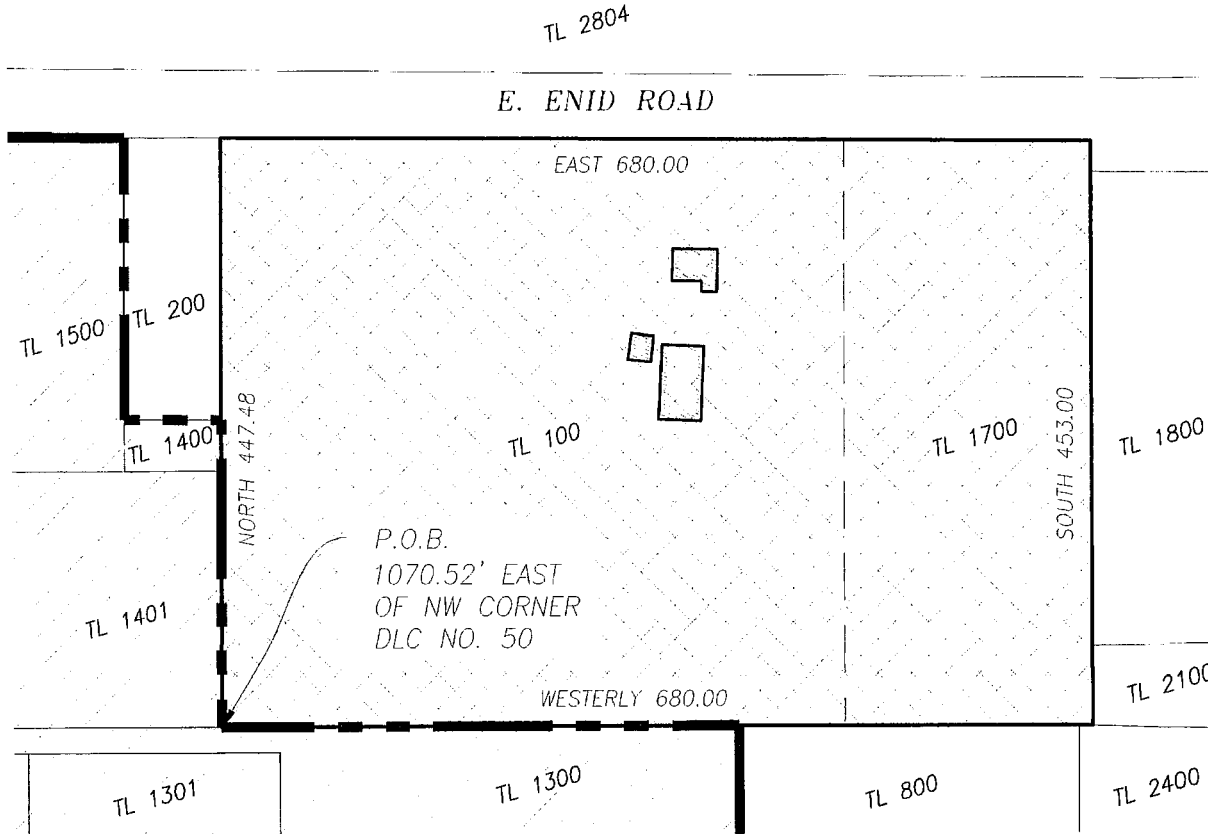
The seal consists of three stacked rectangular boxes. The top box contains the text "REGISTERED PROFESSIONAL LAND SURVEYOR" with a handwritten signature over it. The middle box contains "OREGON MAY 12, 2011 DANIEL ADAM NELSON #84832". The bottom box contains "EXPIRES: 12/31/20 24".

LAND ANNEXATION FOR LARKSVIEW VENTURES, LLC

SW 1/4, SW 1/4, SEC. 03 & SE 1/4, SE 1/4, SEC. 04, T17S, R4W, WM
EUGENE, LANE COUNTY, OREGON
NOVEMBER 1, 2023

ASSESSOR'S MAP(S) TAX MAPS 17-04-03-33 & 17-04-04-44, TAX LOTS 01700 & 00100

Z:\2023\23-302 Larksv View Ventures - 29960 Enid Rd\Annexation\Drawings\23-302 ANNEXATION_EXHIBIT B.dwg 3/11/2024 12:07 PM HEATHM



LEGEND

- CITY LIMITS, EUGENE
- LANDS TO BE ANNEXED
- EXISTING STRUCTURES
- URBAN GROWTH BOUNDARY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

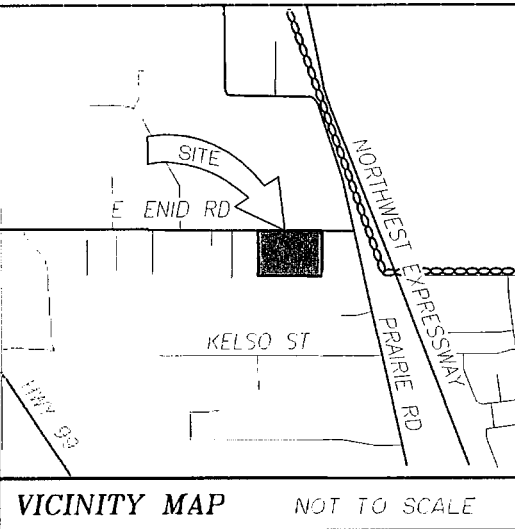
DIGITALLY SIGNED

OREGON
MAY 12, 2011
DANIEL ADAM NELSON
84832PLS

NOTES

1. CITY LIMITS BOUNDARIES SHOWN PER THE LANE COUNTY ONLINE MAPS APPLICATION AS OF SEPTEMBER 2023.
2. NO EASEMENTS OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE.

EXPIRES: December 31, 2024



VICINITY MAP NOT TO SCALE

SCALE: 1"=150'



ENID RD

LAND ANNEXATION MAP
NOVEMBER 1, 2023



**Planning Director’s Findings and Recommendation:
Annexation Request for 29960 East Enid
(City File: A 24-2)**

Application Submitted: February 20, 2024
Applicant: Dan Nelson, Branch Engineering, Inc.
Property Included in Annexation Request: Tax Lot 00100 of Assessor’s Map 17-04-04-44, and Tax Lot 01700 of Assessor’s Map 17-04-03-33
Zoning: Light-Medium Industrial (I-2) with a /CAS Commercial Airport Safety Overlay and a /UL Urbanizable Land Overlay
Location: 29960 East Enid Road
Lead City Staff: Brai Black, Assistant Planner, City of Eugene Planning Division, 541-682-5437

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 western 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 <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <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	

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)

The Metro Plan designates the annexation area as appropriate for light medium industrial use. The property is currently zoned I-2 Light-Medium Industrial with a /UL Urbanizable Land Overlay and a /CAS Commercial Airport Safety Overlay. The /UL Overlay will be automatically removed from the property upon approval of the annexation. There is no applicable refinement plan for the subject property.

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.

Based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan.

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		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:
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
		<p><u>Wastewater</u> The subject property is currently served by the public wastewater system as verified by the City's Public Works Department.</p> <p><u>Stormwater</u> At the time of further development of the property, treatment of stormwater will be evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly, efficient, and timely manner.</p> <p><u>Transportation</u> The property has frontage on East Enid Road, which is a public street. In the event further development occurs, additional evaluation of access to the public street system will take place.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites are operated by Lane County.</p>

	<p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property 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 throughout 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.</p> <p><u>Parks and Recreation</u> Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u> Planning and building permit services are provided for all properties located within the Urban Growth Boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within Bethel School District, and is within the district boundary of Irving Elementary School, Shasta Middle School, and Willamette 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 I-2 (Light-Medium Industrial) and the /CAS Commercial Airport Safety Overlay will remain. However, the /UL Urbanizable Land 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.