



COUNCIL RESOLUTION NO. 5418

RESOLUTION ANNEXING A PORTION OF THE RIGHT-OF-WAY OF SOUTH WILLAMETTE STREET TO THE CITY OF EUGENE (AREA IDENTIFIED AS A PORTION OF THE SOUTH WILLAMETTE STREET RIGHT-OF-WAY BETWEEN SPENCERS CREST DRIVE AND EUGENE'S URBAN GROWTH BOUNDARY (ASSESSOR'S MAP NOS. 18-03-18 AND 18-03-19)).

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: July 22, 2024



RESOLUTION NO. 5418

RESOLUTION ANNEXING A PORTION OF THE RIGHT-OF-WAY OF SOUTH WILLAMETTE STREET TO THE CITY OF EUGENE (AREA IDENTIFIED AS A PORTION OF THE SOUTH WILLAMETTE STREET RIGHT-OF-WAY BETWEEN SPENCERS CREST DRIVE AND EUGENE'S URBAN GROWTH BOUNDARY (ASSESSOR'S MAP NOS. 18-03-18 AND 18-03-19)).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by the City of Eugene on May 22, 2024, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of street right-of-way identified as that portion of the South Willamette Street right-of-way between Spencer Crest Drive and Eugene's Urban Growth Boundary (Assessor's Map Nos. 18-03-18 and 18-03-19).

B. The area proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the right-of-way 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 to this Resolution as Exhibit C.

D. On June 21, 2024, a notice containing a description of the street right-of-way 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 areas to be annexed, and the applicable neighborhood organizations (Southeast Neighbors and the Southwest Hills Neighborhood Association). The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 22, 2024.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

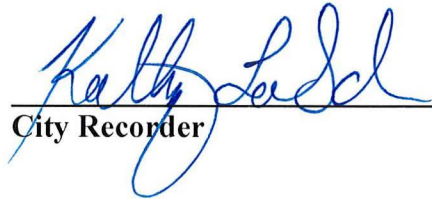
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

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 street right-of-way identified as that portion of the South Willamette Street right-

of-way between Spencer Crest Drive and Eugene's Urban Growth Boundary (Assessor's Map Nos. 18-03-18 and 18-03-19), and which is more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

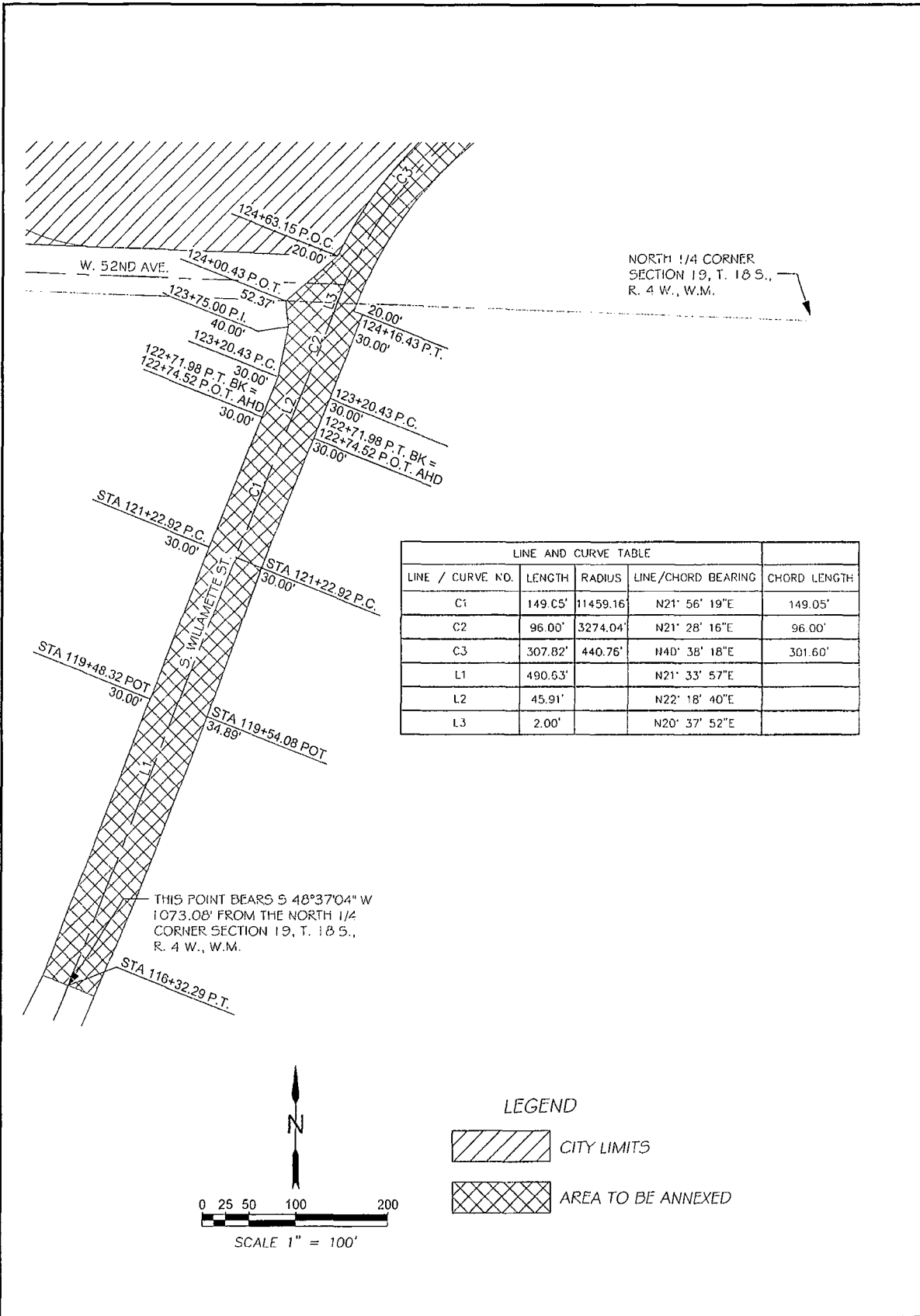
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation shall become effective in accordance with State law.

The foregoing Resolution adopted the 22nd day of July, 2024.



City Recorder

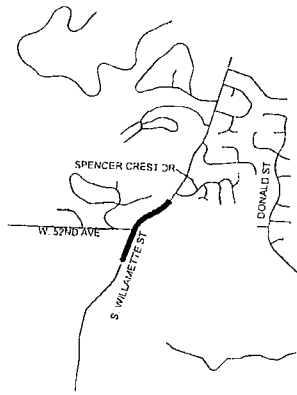
EXHIBIT A



LINE AND CURVE TABLE				
LINE / CURVE NO.	LENGTH	RADIUS	LINE/CHORD BEARING	CHORD LENGTH
C1	149.05'	11459.16'	N21° 56' 19"E	149.05'
C2	96.00'	3274.04'	N21° 28' 16"E	96.00'
C3	307.82'	440.76'	N40° 38' 18"E	301.60'
L1	490.63'		N21° 33' 57"E	
L2	45.91'		N22° 18' 40"E	
L3	2.00'		N20° 37' 52"E	

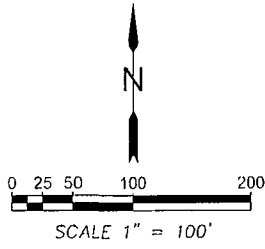
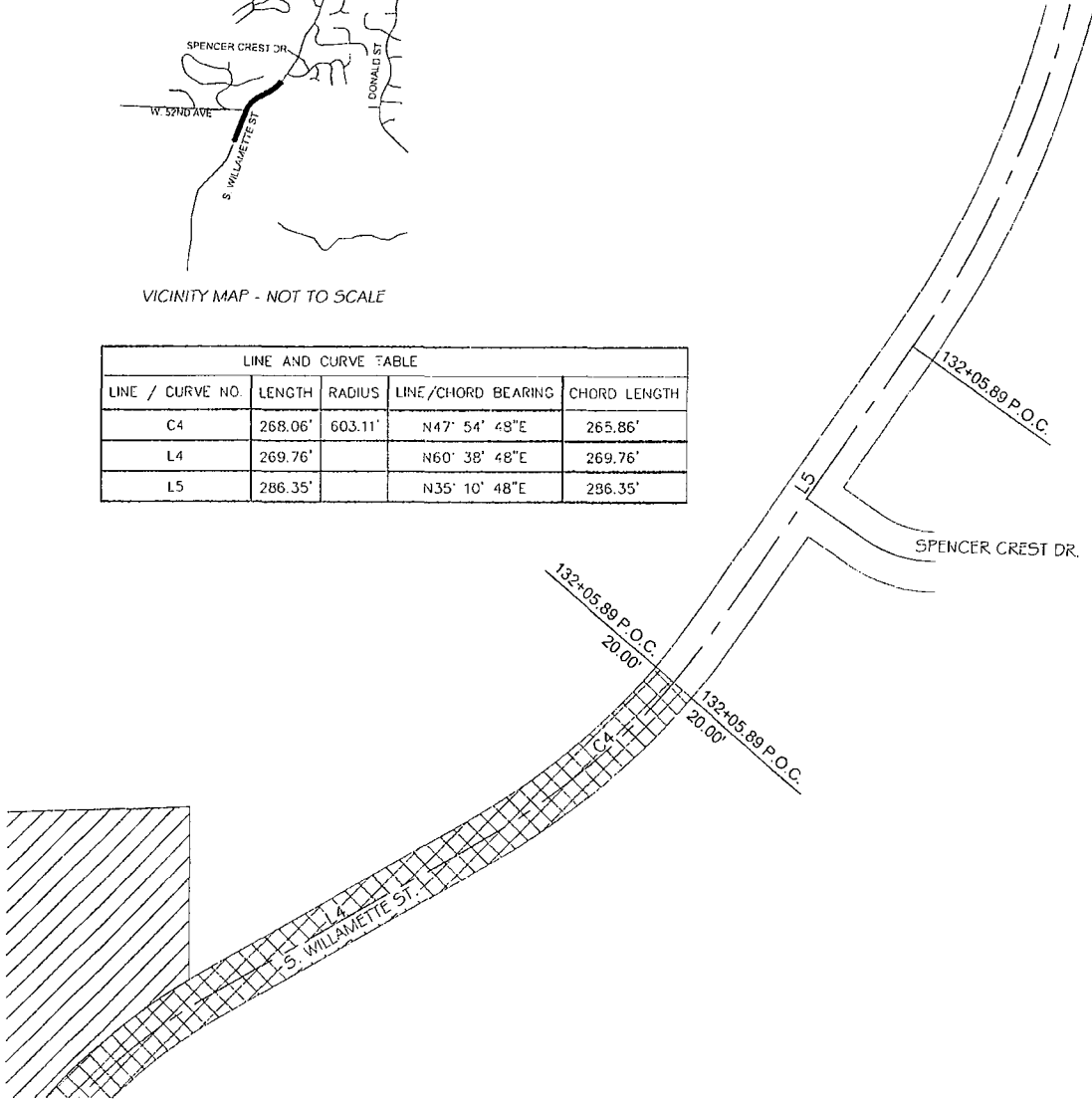
	LAND ANNEXATION OF A PORTION OF S. WILLAMETTE STREET (COUNTY ROADS 2249 AND 113) NE 1/4 NW 1/4 SEC. 19 AND S 1/2 SEC. 18, T. 18 S., R. 4 W., W.M. LANE COUNTY, OREGON		REGISTERED PROFESSIONAL LAND SURVEYOR OREGON 2023 January 12, 1999 JAMES W. COLTON 58756 RENEWAL DATE: DEC. 31, 2023
	CITY OF EUGENE	PROJECT NO 900393	
	PUBLIC WORKS ENGINEERING	DATE: NOVEMBER 17, 2023	
	99 E. BROADWAY, SUITE 400, EUGENE, OR.	REVISED :	
	S. WILLAMETTE STREET ANNEXATION	SHEET 1 OF 2	

EXHIBIT A



VICINITY MAP - NOT TO SCALE

LINE AND CURVE TABLE				
LINE / CURVE NO.	LENGTH	RADIUS	LINE/CHORD BEARING	CHORD LENGTH
C4	268.06'	603.11'	N47° 54' 49"E	265.86'
L4	269.76'		N60° 38' 48"E	269.76'
L5	286.35'		N35° 10' 48"E	286.35'



LEGEND

- CITY LIMITS
- AREA TO BE ANNEXED

LAND ANNEXATION OF A PORTION OF S. WILLAMETTE STREET (COUNTY ROADS 2249 AND 113) NE 1/4 NW 1/4 SEC. 19 AND S 1/2 SEC. 18, T. 18 S., R. 4 W., W.M. LANE COUNTY, OREGON		REGISTERED PROFESSIONAL LAND SURVEYOR
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S. WILLAMETTE STREET ANNEXATION	SHEET 2 OF 2	

**S. Willamette Street
Legal Description for Annexation**

A strip of land variable in width lying on both sides of the centerline of South Willamette Street, Lane County Road Nos. 2249 and 113 lying in the NE1/4NW1/4 of Section 19 and the S1/2 of Section 18, all in Township 18 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; the centerline and widths in feet being described as follows:

Commencing a found 2-3/4 inch Lane County brass cap at the North quarter corner of Section 19, Township 18 South, Range 3 West of the Willamette Meridian; thence South 48°37'04" W 1073.08 feet, said point being Centerline Station 116+32.29 P.T. and the point of beginning; thence North 21°33'57" East 490.63 feet to a point of curvature; thence along the arc of a 11459.16 foot radius curve to the right (the long chord of which bears North 21°56'19" East 149.05 feet) 149.06 feet to a point of tangency; thence North 22°18'40" East 45.91 feet to a point of curvature; along the arc of a 3274.04 foot radius curve to the left (the long chord of which bears North 21°28'16" East 178.57 feet) 96.00 feet to a point of tangency; thence North 20°37'52" East 2.00 feet to a point of curvature; along the arc of a 440.7604 foot radius curve to the right (the long chord of which bears North 40°00'51" East 301.60 feet) 307.82 feet to a point of tangency; thence North 60°38'48" East 269.76 feet to a point of curvature; along the arc of a 603.11 foot radius curve to the left (the long chord of which bears North 47°54'48" East 285.86) 268.07 feet to a point of tangency; thence North 35°10'48" East 286.35 feet to a point of curvature at Center Line Station 135+47.87 and there ending, all in Lane County, Oregon.

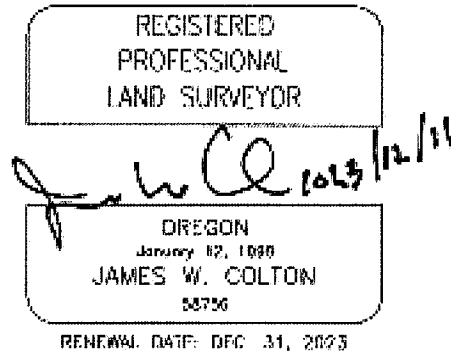
The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CENTERLINE</u>
119+48.32 POT 123+20.43 P.C	30.00 feet
123+20.43 P.C. 123+75.00 P.I.	30.00 feet tapering on a straight line to 40.00 feet
123+75.00 P.I. 124+00.43 P.O.T.	40.00 feet tapering on a straight line to 52.37 feet
124+00.43 P.O.T. 124+63.15 P.O.C.T.	52.37 feet tapering on a straight line to 20.00 feet
124+63.15 POC 132+05.89 P.O.C.	20.00 feet
 <u>STATION TO STATION</u>	 <u>WIDTH ON EASTERLY SIDE OF CENTERLINE</u>
119+54.08 POT 121+22.92 P.C.	34.89 feet tapering on a straight line to 30.00 feet
121+22.92 P.C. 124+16.43 P.T.	30.00 feet
124+16.43 P.T. 132+05.89 P.O.C.	30.00 feet

EXCEPT all that portion within the existing right of way of W. 52nd Avenue

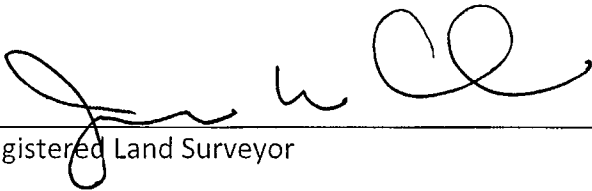
EXHIBIT B

Bearings are based on the Oregon Coordinate System NAD83(91) – South Zone.



Certification of Description

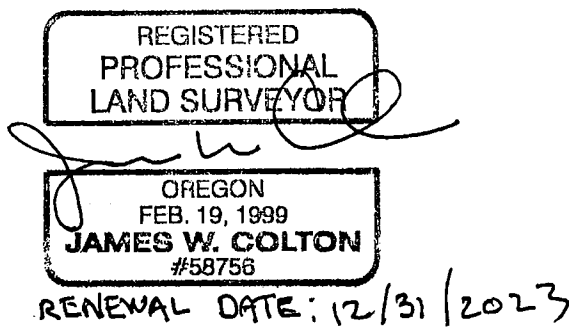
Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: JAMES W. COLTON

Date: 12/11/2023

Seal:


REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
FEB. 19, 1999
JAMES W. COLTON
#58756
RENEWAL DATE: 12/31/2023



**Planning Director’s Findings and Recommendation:
Annexation Request for South Willamette Street
(City File: A 24-7)**

Exhibit C

Application Submitted: May 22, 2024
Applicant: Jonathan Patrick, City of Eugene Public Works Engineering; 541-682-6854
Property Included in Annexation Request: South Willamette Street between Spencer Crest Drive and Eugene’s Urban Growth Boundary to the south.
Zoning: No applicable zoning (public street right-of-way)
Lead City Staff: Jeff Gepper, Senior Planner, 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.

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 annexation area is within the Urban Growth Boundary and is contiguous to City limits, 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>):
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	<p><i>Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. (page II-C-4)</i></p> <p><i>Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities. (page II-C-5)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p> <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>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies. The proposed annexation of South Willamette Street will increase the effectiveness and efficiency of services provided by the City, and the allocation of municipal resources as discussed below.</p> <p>The <u>South Hills Study</u> is an adopted refinement plan for the subject street annexation. The City’s proposed street annexation is consistent with the following policy under Urban Service Area purpose section:</p> <p style="padding-left: 40px;">3. <i>Insure that annexation serves a public purpose as well as a private purpose.</i> (Page 13)</p> <p>Annexation of this section of right-of-way will allow the City of Eugene to improve this portion of the right-of-way for the purposes of public transportation, including vehicles, pedestrians, and bicycles. The proposed annexation will also allow for the enhancement of current and future park services and amenities within this area.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and the applicable 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> <p><u>Wastewater</u> Wastewater facilities owned and maintained by the City currently exist within the right-of-way. The proposed annexation will not necessitate any new wastewater service extensions or affect the ownership and maintenance of the wastewater facilities in place. Annexation of South Willamette Street will facilitate any future extension of the public wastewater system south of 52nd Avenue.</p> <p><u>Stormwater</u> This section of Willamette Street is served by a combination of piped and open drainage systems, and curb and gutter. After the annexation process, a jurisdictional transfer will occur to transfer ownership and maintenance responsibility to the City of Eugene.</p> <p><u>Transportation</u> The proposed annexation will have no effect on this section of South Willamette Street, which will continue to operate as key transportation facility.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites are operated by Lane County. The proposed annexation will have no effect on these services.</p>

	<p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) currently has electrical power lines within a portion the proposed annexation area and a water line within this section of South Willamette Street. The proposed annexation will have no effect on these facilities.</p> <p><u>Streets</u> Willamette Street is classified as a major collector street south of 52nd avenue and a minor arterial street north of 52nd Avenue. After the annexation process, a jurisdictional transfer will occur to transfer ownership and maintenance responsibility from Lane County to the City of Eugene.</p> <p><u>Public Safety</u> Police protection will be extended upon annexation consistent with service provision throughout the City. Fire protection will continue to be provided by the Eugene Springfield Fire Department. Emergency medical services are currently provided on a regional basis and will also 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 area 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 already provided for all areas located within the Urban Growth Boundary by the City of Eugene.</p> <p><u>Communications</u> Communications infrastructure and service already exists within the street right-of-way. The proposed annexation will have no effect on these facilities. Any future communication facilities or infrastructure will require a right-of-way permit and approval by the Public Works Maintenance Division of the City of Eugene.</p> <p><u>Public Schools</u> The subject annexation area is within Eugene School District 4J. As access to schools is evaluated on a district wide basis, the annexation area’s location within a 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:

Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.