



**COUNCIL RESOLUTION NO. 5423**

**RESOLUTION ANNEXING LAND TO THE CITY OF  
EUGENE (ASSESSOR'S MAP 17-04-05-00, TAX LOT 00400,  
LOCATED SOUTH OF AWBREY LANE AND WEST OF  
HWY 99N).**

**PASSED: 8:0**

**REJECTED:**

**OPPOSED:**

**ABSENT:**

**CONSIDERED: September 23, 2024**



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**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 17-04-05-00, TAX LOT 00400, LOCATED SOUTH OF  
AWBREY LANE AND WEST OF HWY 99N).**

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

**A.** An annexation application was submitted on July 3, 2024, by the Satre Group, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-05-00, Tax Lot 00400, to the City of Eugene.

**B.** A map and legal description of the property proposed to be annexed is attached to this Resolution as Exhibit A.

**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 B.

**D.** On August 23, 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, as well as owners and occupants of properties located within 500 feet of the perimeter of the subject property. Notice could not be sent to the applicable neighborhood group or community organization officially recognized by the City Council because the property proposed to be annexed is not located within an officially recognized neighborhood group or community organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on September 23, 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 17-04-05-00, Tax Lot 00400, 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)(c), Figure 9.7820(3)(c) and Exhibit A-3 to Ordinance No. 20584 from AG Agricultural with the /CAS Commercial Airport Safety, /UL Urbanizable Land, and /CL Clear Lake overlays to I-2 Light-Medium Industrial with the /CAS Commercial Airport Safety and /CL Clear Lake overlays shall become effective in accordance with State law.

**The foregoing Resolution adopted the 23rd day of September, 2024.**

  
\_\_\_\_\_  
City Recorder

**EXHIBIT A**  
ANNEXATION  
JOB NO. 2400073  
24 MAY 2024

**LEGAL DESCRIPTION**

ALL OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBERS 2015-002927, 2015-002928, 2015-006039, AND 2019-044333, LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LANE COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEARS SOUTH 00°27'48" EAST 100.03 FEET FROM SAID NORTH ONE-QUARTER CORNER OF SECTION 5;

THENCE SOUTH 89°06'45" EAST 797.59 FEET ALONG A LINE THAT IS PARALLEL WITH AND 100.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 5 TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 99;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 99 SOUTH 34°05'29" EAST 2339.05 FEET;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 55°53'39" WEST 930.02 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5;

THENCE ALONG SAID SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5 NORTH 89°08'56" WEST 1318.83 FEET TO THE CENTER OF SAID SECTION 5;

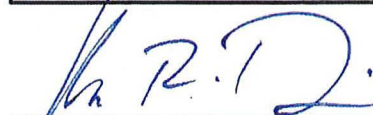
THENCE ALONG THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5 NORTH 00°27'48" WEST 2451.40 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,680,750 SQUARE FEET OR 84.498 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM, EUGENE ZONE.

THE TRACT OF LAND IS SHOWN ON THE ATTACHED EXHIBIT MAP AND BY THIS REFERENCE MADE A PART THEREOF.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
MAY 13, 2014  
JOHN ROBERT DAVIS  
88694

RENEWAL 12/31/2025

N. 1/4 CORNER SECTION 5

S00°27'48"E  
100.03'

AWBREY LN

S 89°06'45" E  
797.59'

POINT OF BEGINNING

N 00°27'48" W 2451.40'

DOCUMENT NO.'S  
2015-002927  
2015-002928  
2015-006039  
2019-044333  
AREA=84.498 ACRES

(TAX LOT 400)

N 89°08'56" W 1318.83'

TAX LOT 900

CENTER OF SECTION 5

S 34°05'29" E 2339.05'  
HWY 99

S 55°53'39" W 930.02'  
TAX LOT 3100  
TAX LOT 3200

TAX LOT 3100

TAX LOT 3000

TAX LOT 2900

TAX LOT 2800

TAX LOT 2700



VICINITY MAP

REGISTERED PROFESSIONAL LAND SURVEYOR

*John R. Davis*

OREGON  
MAY 13, 2014  
JOHN ROBERT DAVIS  
88694  
RENEWAL 12/31/2025

EUGENE AIRPORT

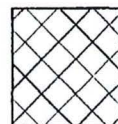
GREENHILL RD

TAX LOT 500

OREGON ELECTRIC RAILROAD



PARCEL TO BE ANNEXED



EXISTING CITY LIMITS



SCALE: 1" = 500'




111 SW Fifth Ave., Suite 2400  
Portland, OR 97204  
O: 503.227.3251  
F: 503.274.4681  
www.kpff.com

EXHIBIT MAP  
ANNEXATION - TAX LOT 400, TAX MAP 17040500  
NE 1/4 SEC. 5 / T. 17 S. / R. 4 W. / W.M.  
LANE COUNTY / OREGON

DATE: 24 MAY 2024  
DRAWN BY: JRD  
CHECKED BY: SJD  
PROJECT NO. 2400073  
PAGE: 2 OF 2

### 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: John R. Davis, PLS

Date: 27 May 2024

Seal: 



**Planning Director’s Findings and Recommendation:  
Annexation Request for Clear Lake  
(City File: A 24-10)**

<b>Application Submitted:</b> July 3, 2024
<b>Applicant:</b> John Schmidt, The Satre Group
<b>Property Included in Annexation Request:</b> Tax Lot 00400 of Assessor’s Map 17-04-05-00
<b>Zoning:</b> AG Agricultural with the /CAS Commercial Airport Safety, /UL Urbanizable Land, and /CL Clear Lake overlays
<b>Location:</b> Vacant parcel south of Awbrey Lane and west of Highway 99N.
<b>Lead City Staff:</b> 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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is:</b> <b>(a) Contiguous to the city limits; or</b> <b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>							
<table border="1"> <tr> <td align="center" colspan="2"><b>Complies</b></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td align="center"><b>YES</b></td> <td align="center"><b>NO</b></td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>YES</b>	<b>NO</b>	<b>Findings:</b> The subject property is within the Urban Growth Boundary and is contiguous to City limits on its southern border, consistent with subsection (a).
<b>Complies</b>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<b>YES</b>	<b>NO</b>						
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>							
<table border="1"> <tr> <td align="center" colspan="2"><b>Complies</b></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td align="center"><b>YES</b></td> <td align="center"><b>NO</b></td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>YES</b>	<b>NO</b>	<b>Findings:</b> 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>
<b>Complies</b>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<b>YES</b>	<b>NO</b>						

	<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 subject property is within the area that was added to Eugene’s Urban Growth Boundary and designated for Light Medium Industrial use by City of Eugene Ordinance No. 20584. See Section 1 of Ordinance No. 20584 and Exhibits A-3 and A-4 to that ordinance. The subject property is currently zoned AG Agricultural with /CAS Commercial Airport Safety, /UL Urbanizable Land, and /CL Clear Lake overlay zones. See Sections 7 and 8 of Ordinance No. 20584 and Exhibits F and G to that ordinance. In accordance with EC 9.7820(3)(c), upon annexation the subject property will be automatically rezoned to I-2 Light-Medium Industrial with /CAS Commercial Airport Safety and /CL Clear Lake overlays. The /UL overlay zone will be automatically removed from the property upon approval of the annexation.</p> <p>There is no area specific applicable refinement plan for the subject property.</p> <p>As previously discussed in this subsection, and further detailed 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> <p>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u>.</p>
<p><b>EC 9.7825(3)</b></p>	<p><b>The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.</b></p>
<p><b>Complies</b></p> <p><input checked="" type="checkbox"/> <b>YES</b></p> <p><input type="checkbox"/> <b>NO</b></p>	<p><b>Findings:</b> Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>A public wastewater line exists approximately 240 feet to the southeast of the subject property. Wastewater extension to the subject property will be evaluated at the time of future development. The applicant’s engineer prepared a conceptual wastewater service plan, showing the extension of the existing wastewater line located in the public right-of-way south of the subject property. The applicant acknowledges that they are responsible for the associated costs of providing the wastewater service. Public Works staff agree that extension of wastewater service to the subject property is possible and will be further evaluated at the time of future development; therefore, wastewater service can be provided to the subject property in an orderly, efficient, and timely manner.</p>



Stormwater

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.

Transportation

The property has frontage on Highway 99N, which is a public street. Additionally, the applicant notes that they plan on acquiring easements across adjacent properties to provide access to Greenhill Road to the west or Awbrey Lane to the north. At the time of further development of the property, additional evaluation of access to the public street system will take place.

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) 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.

Public Safety

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.

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.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

Public Schools

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.
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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 proposed for 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 will be I-2 Light-Medium Industrial with the /CAS Commercial Airport Safety and /CL Clear Lake overlays in accordance with EC 9.7820(3)(c). 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.
- Extension of wastewater service to the subject property will likely be a condition of development of the subject property. The applicant for development will be responsible for any costs and construction required to extend the public system to serve the development site.