Eugene City Council
125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

March 13, 2017

7:30 p.m. CITY COUNCIL MEETING
Harris Hall
125 East 8th Avenue
Eugene, Oregon 97401

Meeting of March 13, 2017;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Alan Zelenka, President	Mike Clark, Vice President
George Poling	Greg Evans
Emily Semple	Chris Pryor
Claire Syrett	Betty Taylor

7:30 p.m. MEETING OF THE EUGENE CITY COUNCIL
Harris Hall, 125 East 8th Avenue

1. **PUBLIC FORUM**

2. **CONSENT CALENDAR**
   (Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

   A. Approval of Tentative Working Agenda
   B. Adoption of a Resolution Annexing Land to the City of Eugene Identified as Assessor's Map 18-04-03-00, Tax Lot 6600 (Vonderheit Property; A 16-12)
   C. Adoption of a Resolution Annexing Land to the City of Eugene Identified as Assessor's Map 17-04-11-12, Tax Lot 302 and 303 (Ray, Joshua; A 16-13)
   D. Adoption of a Resolution Annexing Land to the City of Eugene Identified as Assessor's Map 17-04-01-33, Tax Lot 3701 (Tate, Sharon and Robert; A 17-1)

3. **ACTION:**
   Granite Properties Resolution Amendment

4. **ACTION:**
   An Ordinance Providing for Withdrawal of Annexed Properties from the Santa Clara Rural Fire Protection District, the Santa Clara Water District, the Willakenzie Rural Fire Protection District, the Lane Rural Fire/Rescue District, the Junction City Water Control District, the River Road Park & Recreation District, the River Road Water District, and the Eugene Rural Fire Protection District 1

5. **PUBLIC HEARING and ACTION:**
   FY 2018-2023 Capital Improvement Program

6. **PUBLIC HEARING and POSSIBLE ACTION:**
   An Ordinance Concerning Protections for Individuals and Adding Sections 2.495 and 2.497 to the Eugene Code, 1971.

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at ***www.eugene-or.gov.***

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Forum

Meeting Date: March 13, 2017
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of Tentative Working Agenda

Meeting Date: March 13, 2017 | Agenda Item Number: 2A
Department: City Manager's Office | Staff Contact: Beth Forrest
www.eugene-or.gov | Contact Telephone Number: 541-682-5882

ISSUE STATEMENT
This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND
On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES
There are no policy issues related to this item.

COUNCIL OPTIONS
The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION
Staff has no recommendation on this item.

SUGGESTED MOTION
Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

March 9, 2017

MARCH 9	THURSDAY	
5:30 p.m.	**Budget Committee Meeting**	
B/T Room	**Expected Absences: Taylor**	
A. Budget Committee Meeting		CS/Miller

MARCH 13	MONDAY	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences: Taylor, Evans**	
A. Committee Reports: PC, Greater Eugene Inc., LTD/EmX, OMPOC, McKenzie Watershed		
B. WS: Street Repair Review Panel Report		45 mins – PW/Schoening
C. WS: Commercial Setback Code Requirements for Downtown		45 mins – PDD/Galloway
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences: Taylor, Evans**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Approval of Vonderheit Annexation (A 16-12) – S. Louis Lane, south of Bailey Hill Road		PDD/Berg-Johansen
d. Approval of Ray Annexation (A 16-13) – Wisteria Street, east of River Road		PDD/Berg-Johansen
e. Approval of Tate Annexation (A 17-1) – Wilkes Drive, East of River Road		PDD/Berg-Johansen
3. Action: Resolution Amending Granite Properties Resolution		PDD/Nobel
4. Action: Ordinance on Annexation Withdrawals		PDD/Berg-Johansen
5. PH and Action: Capital Improvement Program		CS/Streepey
6. PH and Possible Action: Ordinance on Protections for Individuals		CAO/Klein

MARCH 15	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences: Taylor, Evans**	
A. WS: Parks and Recreation System Plan Update		45 mins – PW/Burke
B. WS: Separation of Retail Marijuana Businesses		45 mins – PDD/McKerrow
5:30 p.m.	**Budget Committee Meeting**	
B/T Room	**Expected Absences: Taylor, Evans**	
A. Budget Committee Meeting		CS/Miller

COUNCIL BREAK: MARCH 16, 2017 – APRIL 10, 2017

APRIL 10	MONDAY	
5:30 p.m.	**Council Goals Workshop**	
TBD	**Expected Absences:**	
A. Council Goals Workshop		CMO/Ruiz

APRIL 12	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: Inclusionary Zoning		45 mins – PDD/Jennings
B. WS:		

APRIL 17	MONDAY	
7:30 p.m.	**Council Public Hearing**	
Harris Hall	**Expected Absences:**	
1. PH:		

A=action; PH=public hearing; WS=work session

F:\CMO\CC\CCAGENDA.docx

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

March 9, 2017

APRIL 19	**WEDNESDAY**	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: JEO Meeting with EWEB		90 mins

APRIL 24	**MONDAY**	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: Overview of Chronic Nuisance Code		45 mins – PDD/Nicholas
B. WS: Potential Renaming of Broadway Plaza		45 mins – PDD/Braud
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Approval of Neighborhood Matching Grants		CS/Koehler

APRIL 26	**WEDNESDAY**	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: Public Shelter for Emergency Housing		90 mins -
5:30 p.m.	**Budget Committee Meeting**	
B/T Room	**Expected Absences:**	
A. Budget Committee Meeting		CS/Miller

MAY 3	**WEDNESDAY**	
5:30 p.m.	**Budget Committee Meeting**	
B/T Room	**Expected Absences:**	
A. Budget Committee Meeting		CS/Miller

MAY 8	**MONDAY**	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. Committee Reports and Items of Interest		
B. WS:		
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Ratification of MWMC Budget		PW/Huberd

MAY 10	**WEDNESDAY**	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences: Evans**	
A. WS:		
B. WS:		

A=action; PH=public hearing; WS=work session

F:\CMO\CC\CCAGENDA.docx

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

March 9, 2017

5:30 p.m. **Budget Committee Meeting**
B/T Room **Expected Absences: Evans**

A. Budget Committee Meeting — CS/Miller

MAY 15 **MONDAY**

5:30 p.m. **Council Public Hearing**
Harris Hall **Expected Absences:**

A. PH:

May 17 **WEDNESDAY**

Noon **Council Work Session**
Harris Hall **Expected Absences:**

A. WS:
B. WS:

5:30 p.m. **Budget Committee Meeting**
B/T Room **Expected Absences:**

A. Budget Committee Meeting — CS/Miller

May 22 **MONDAY**

5:30 p.m. **Council Work Session**
Harris Hall **Expected Absences:**

A. Committee Reports and Items of Interest from Mayor, City Council and City Manager — 30 mins
B. WS:

7:30 p.m. **Council Meeting**
Harris Hall **Expected Absences:**

1. Public Forum
2. Consent Calendar
   a. Approval of City Council Minutes — CS/Forrest
   b. Approval of Tentative Working Agenda — CS/Forrest

MAY 24 **WEDNESDAY**

Noon **Council Work Session**
Harris Hall **Expected Absences:**

A. WS:
B. WS:

MAY 31 **WEDNESDAY**

Noon **Council Work Session**
Harris Hall **Expected Absences:**

A. WS:
B. WS:

JUNE 12 **MONDAY**

5:30 p.m. **Council Work Session**
Harris Hall **Expected Absences:**

A. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed
B. WS:

7:30 p.m. **Council Meeting**
Harris Hall **Expected Absences:**

1. Public Forum
2. Consent Calendar

A=action; PH=public hearing; WS=work session

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA
March 2, 2017

a. Approval of City Council Minutes — CS/Forrest
b. Approval of Tentative Working Agenda — CS/Forrest

JUNE 14	**WEDNESDAY**
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**

A. WS:
B. WS:

JUNE 19	**MONDAY**
5:30 p.m.	**Council Public Hearing**
Harris Hall	**Expected Absences:**

A. PH:

JUNE 21	**WEDNESDAY**
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**

A. WS:
B. WS:

JUNE 26	**MONDAY**
5:30 p.m.	**Council Work Session**
Harris Hall	**Expected Absences:**

A. Committee Reports and Items of Interest
B. WS:

7:30 p.m. **Council Meeting**
Harris Hall **Expected Absences:**

1. Public Forum
2. Consent Calendar
   a. Approval of City Council Minutes — CS/Forrest
   b. Approval of Tentative Working Agenda — CS/Forrest
   c. Approval of EWEB Electric System Revenue Bonds — CS/Cutsogeorge
3. PH and Action: FY17 Supplemental Budget #2 — CS/Miller
4. PH and Action: FY18 Proposed Budget — CS/Miller

JUNE 28	**WEDNESDAY**
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**

A. WS:
B. WS:

ON THE RADAR

Work Session Polls/Council Requests

1. Drones (Taylor).....
2. New Housing Development on Unimproved Roads (Clark).....
3. Public Shelter for Emergency Housing (Semple).....

A=action; PH=public hearing; WS=work session

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of a Resolution Annexing Land to the City of Eugene
Identified as Assessor's Map 18-04-03-00, Tax Lot 6600
(Vonderheit Property; A 16-12)

Meeting Date: March 13, 2017 | Agenda Item Number: 2B
Department: Planning and Development | Staff Contact: Erik Berg-Johansen
www.eugene-or.gov | Contact Telephone Number: (541) 682-5437

ISSUE STATEMENT
This item is a request to annex an approximately 9.97 acre property at 3240 South Louis Lane, located north of Eagle View Drive and west of Summit Terrace Drive, into the Eugene city limits. No public right-of-way would be annexed as part of this request. A vicinity map showing the location of the property is provided as Attachment A.

The property is zoned R-1 Low-Density Residential with /WR Water Resources Conservation and /UL Urbanizable Lands overlay zones and is designated for low-density residential use in the Metro Plan. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Plans for future development of the site are not included as part of this annexation application, and any land division of the property will be subject to a future, separate public process.

BACKGROUND
To encourage compact urban growth and sequential development within Eugene's urban growth boundary, the Metro Plan provides that ultimately all land within the urban growth boundary will be annexed into the city and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the city's urban growth boundary 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood association, consistent with Eugene Code requirements. Neighbor Marjorie Vignoul emailed staff

with questions regarding the annexation process and the potential for future development on the property; staff called Ms. Vignoul and answered her questions, and she did not submit any additional written testimony.

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 limited 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 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 resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt Resolution 5185, which approves the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

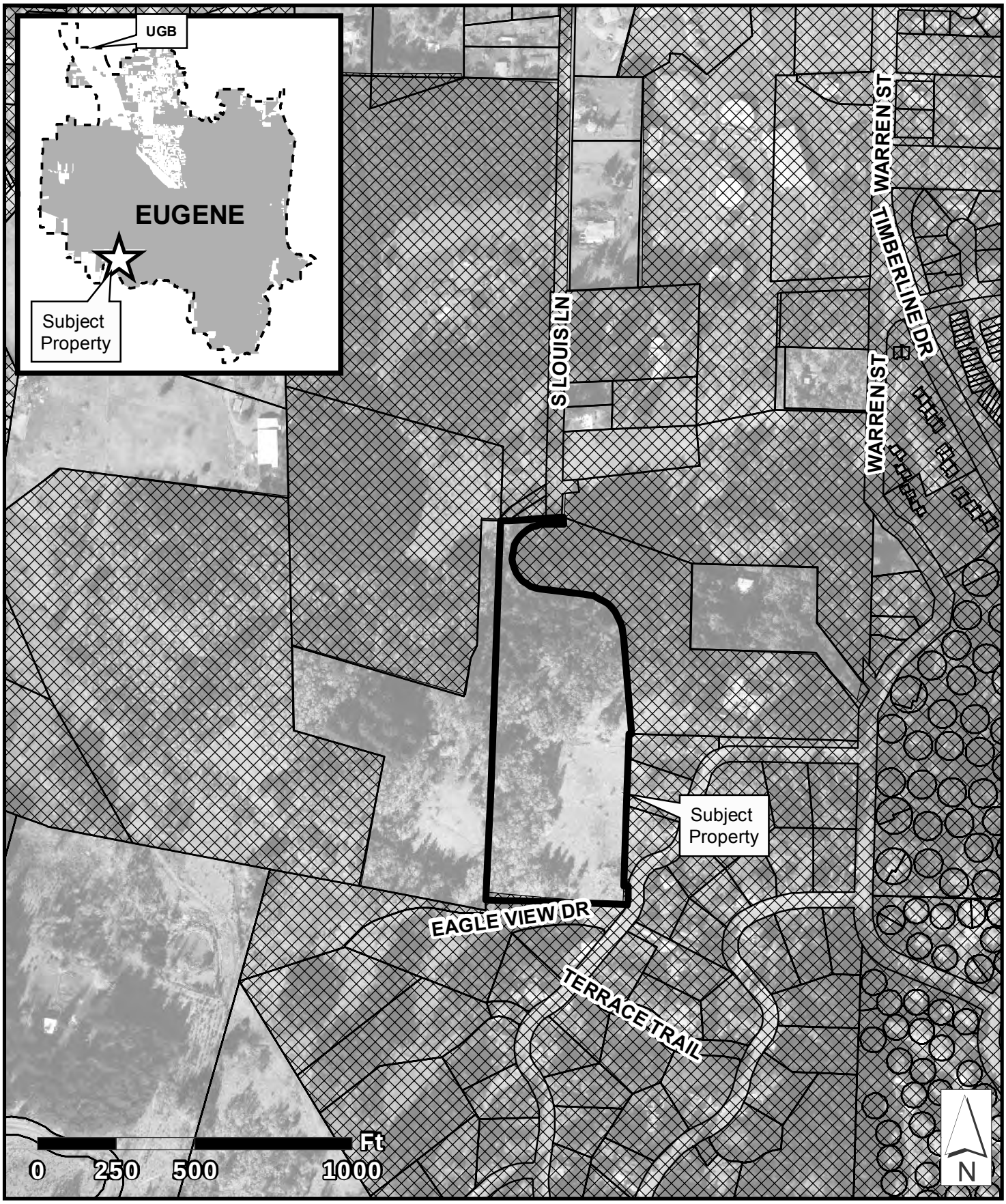
A. Vicinity Map
B. Annexation Resolution with Exhibits A through C
   Exhibit A: Map of Annexation Request
   Exhibit B: Legal Description
   Exhibit C: Planning Director Findings and Recommendation
C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Erik Berg-Johansen
Telephone: (541) 682-5437
Staff E-Mail: erik.berg@ci.eugene.or.us

Vonderheit (A 16-12)

Attachment A



Legend

Subject Property | City Limits | Taxlots

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

February 2017

Eugene

RESOLUTION NO. _____

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (PROPERTY IDENTIFIED AS ASSESSOR'S MAP 18-04-03-00, TAX LOT 6600).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on December 8, 2016, by Kirk and Lisa Vonderheit as Trustees for the Ruby E. Vonderheit Revocable Trust, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 18-04-03-00, Tax Lot 6600**.**

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 Findings and Recommendation is attached as Exhibit C.

D. On February 10, 2017, 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 Churchill Area Neighbors. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on March 13, 2017.

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 attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 18-04-03-00, Tax Lot 6600, depicted 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 R-1/WR/UL to R-1/WR pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of March, 2017.

_____

City Recorder

Exhibit A

ANNEXATION MAP

FOR

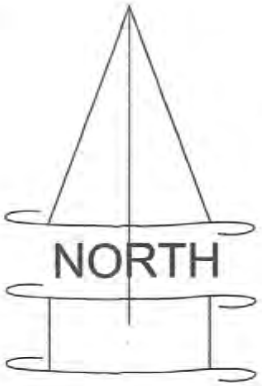
RUDY E. VONDERHEIT REVOCABLE TRUST

TAX LOT 6600 T.18S., R.4W., SECTION 3
EUGENE, OREGON

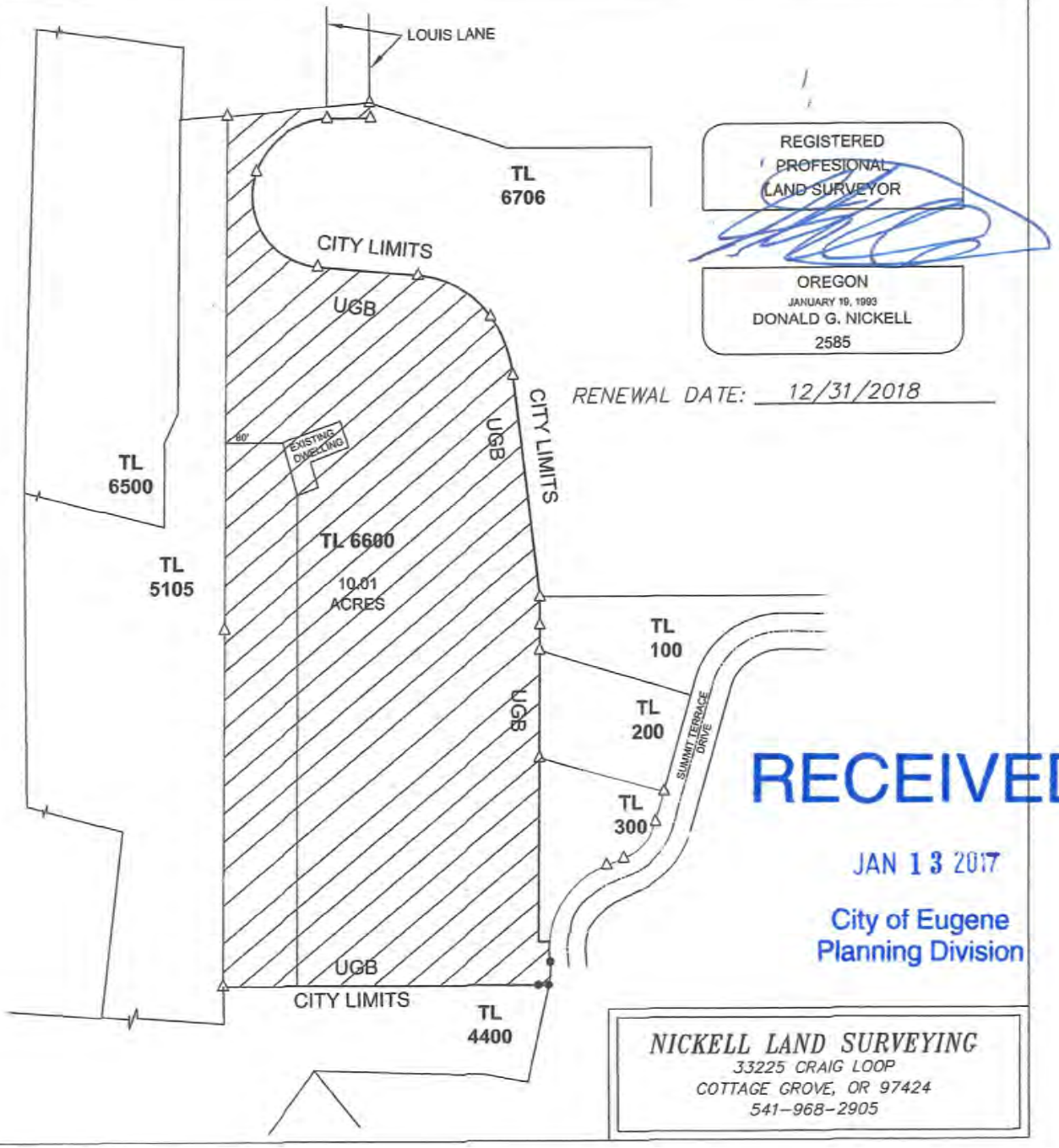
DATED JANUARY 10, 2017



VICINITY MAP
NTS



SCALE: 1" = 200'



REGISTERED PROFESIONAL LAND SURVEYOR

OREGON
JANUARY 19, 1993
DONALD G. NICKELL
2585

RENEWAL DATE: 12/31/2018

RECEIVED

JAN 13 2017

City of Eugene
Planning Division

NICKELL LAND SURVEYING
33225 CRAIG LOOP
COTTAGE GROVE, OR 97424
541-968-2905

Exhibit B

LEGAL DESCRIPTION OF ANNEXATION AREA

DESCRIPTION OF TAX LOT 6600 OF TAX MAP 18-04-03

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet to the TRUE POINT OF BEGINNING of this tract of land herein described; from the TRUE POINT OF BEGINNING, running thence South 3° 04' East 22.6 feet; Thence South 86° 56' West 59.82 feet; Thence on a 110.6 foot radius curve left (the long chord of which bears South 53° 18' West 122.52 feet) a distance of 129.85 feet; Thence on a 100.0 foot radius curve left (the long chord of which bears South 32° 41' East 158.35 feet) a distance of 182.74 feet; Thence South 85° 02' East 139.06 feet; Thence on a 137.71 foot radius curve right (the long chord of which bears South 60° 02' East 116.40 feet) a distance of 120.17 feet; Thence on a 177.40 foot radius curve right (the long chord of which bears South 20° 48' East 87.24 feet) a distance of 88.14 feet; Thence South 6° 34' East 308.19 feet; Thence South 0° 18' West 39.00 feet; Thence West 436.60 feet to the West line of said plat of CHERRY-LANDS; Thence North 0° 18' East along said West line of said plat, 712.12 feet; Thence North 85° 02' East 198.21 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO:

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet; Thence South 85° 02' West 198.21 feet to the West line of the Plat of CHERRY-LANDS; Thence South 0° 8' West along the said West line of the plat, 712.12 feet to the TRUE POINT OF BEGIINNING of the tract of land to be described; Thence South 0° 18' West along the West line of said plat, 500 feet; Thence East 436.60 feet; Thence North 0° 18' East 500 feet; Thence West 436.60 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO: Beginning at the Northeast Corner of Lot 5, SUMMIT GLEN P.U.D., as platted and recorded in Document No. 2005-036936, Lane County, Oregon Official Records; Thence along the North Line of said Lot 5, North 89° 51' 45" West 13.75 feet more or less to point marked by a 5/8 inch rebar, being the Southwest Corner of Lot 3, SUMMIT TERRACE, P.U.D., as platted and recorded in File 75, Slide 428 through 434, Lane County, Oregon Plat Records; Thence leaving the North Line of said Lot 5 and going along the West Line of said Lot 3, North 0° 26' 14" East 60.00 feet; Thence leaving the West Line of said Lot 3, South 89° 51' 45" East 14.81 feet more or less to the Westerly right of way of Summit Terrace Drive; Thence along the Westerly right of way of said Summit Terrace Drive, along a 125.00 foot radius curve to the left (the long chord of which bears South 1° 46' 06" East 27.90 feet) a distance of 27.96 feet; Thence along a 75.00 foot radius to the right (the long chord of which bears South 4° 13' 37" West 32.19 feet) a distance of 32.45 feet more or less to the Point of Beginning, all in Lane County Oregon.

EXCEPT: Any portion thereof lying Easterly of the agreed common line described in the certain Bargain and Sale deeds executed by Merrill N. Manley, Ruth I. Manley, Otto F. Vonderheit and Ruby E. Vonderheit, recorded August 5, 1968, Reception No's 34176 and 34177, as recorded in Lane County Oregon Deed Records.

Exhibit C

Planning Director's Findings and Recommendation
Annexation Request for the Vonderheit Property
(City File A 16-2)

Application Submitted: December 8, 2016
Applicant: Lisa Vonderheit, Ruby E. Vonderheit Revocable Trust
Property Included in Annexation Request: Tax Lot 6600 of Assessor's Map 18-04-03-00
Zoning: R-1 Low-Density Residential with /WR Water Resources Conservation and /UL Urbanizable Lands Overlays
Location: 3240 South Louis Lane
Representative: William Sherlock, Hutchinson Cox
Lead City Staff: Erik Berg-Johansen, City of Eugene Planning Division, 541/682-5437

EVALULATION:
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		
☒ YES	☐ NO	**Findings:** The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the city limits, consistent with subsection (a).

EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

Complies		
☒ YES	☐ NO	**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 *italic* text): *Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:* *a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.* *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)* *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).* *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)*

		As addressed below under subsection (3), and consistent with these policies, a minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner. The Metro Plan designates the annexation area as appropriate for Low Density Residential use. The current zoning of R-1 Low-Density Residential is consistent with the Metro Plan's land use designation. As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the 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. Therefore, 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: Wastewater There is an 8-inch line within Eagle View Drive and Summit Terrace Drive; this existing system is at a higher elevation than the subject property, which would require private design solutions to ensure a gravity flow at the connection to the public system. It is feasible for the property owner to serve the site by extending the public system from an existing point in Bailey Hill Road south to S. Louis Lane. Bailey Hill Road is at a lower elevation which would facilitate a gravity feed system. Stormwater There may be an open waterway on site that could be used as a point of discharge for stormwater runoff, provided that the developer demonstrate that there is capacity in the receiving system. On-site retention may be possible if infiltration test results and facility designs are submitted at the time of development demonstrating feasibility and are in accordance with the applicable standards and adopted plans and policies. Transportation This property has frontage on three streets: Eagle View Drive, an unimproved private road; Summit Terrace Drive, an improved local residential street, with 28' paving within a 50' right-of-way; and South Louis Lane, an unimproved public right-of-way. Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County. Water and Electric Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Public Safety Police protection can be extended to this site upon annexation consistent with service provision
☒ **YES**	☐ **NO**	

		through the City. Fire protection will be provided by the City of Eugene Fire Department. 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. 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 Eugene School District 4J and is within the district boundary of Twin Oaks Elementary School, Kennedy Middle School, and Churchhill High School.

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 is set in accordance with state law.

INFORMATION:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential 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.

Eugene Planning

ANNEXATION

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
18-04-03	6600	R-1	9.97

Property Address: 3240 S. Louis Lane, Eugene, OR 97405

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

	Name		
Parks:	Churchill Sports Park to the North, Wild Iris Ridge to the west and connections to the Ridgeline Trail		
Electric:	Emerald People's Utility District/EWEB		
Water:	EWEB		
Sanitary Sewer:	Eugene		
Fire:	Zumwalt RFPD		
Schools:	**Elementary:** Twin Oak	**Middle:** Kennedy	**High:** Churchill
Other:			

Filing Fee

[X] A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement *(Submit 5 copies)*

[X] Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- [x] Show the date & north arrow on site plan.
- [x] Show the Assessor's Map and Tax Lot number(s) on the site plan.
- [x] Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- [x] Show city limits & UGB (if applicable)
- [x] Clearly label the affected territory and any public right of ways to be annexed.
- [x] Show all adjacent streets, alleys, and accessways.
- [x] Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- [x] Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- [x] Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- [x] Notarized Consent to Annexation form.
- [x] A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statues (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- [x] Summary of Urban Service Provision form.
- [x] A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- [x] Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

Eugene Planning

ANNEXATION DETERMINATION

Please provide the following information. Note that additional information may be required upon further review to adequately address the applicable code criteria. If you have any questions about filling out this form, please contact Planning staff at the Permit and Information Center, 541-682-5377, or 99 West 10th Avenue.

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

Assessor's Map	Tax Lot	Zoning	Acreage
18-04-03	6600	R-1	9.47

Property address: 3240 South Lois Lane, Eugene, OR 97405

Pending building permit or land use application number(s):

Are there any existing buildings on property? ☒ Yes ☐ No *If yes, list existing buildings and their use (i.e. 1700 square foot single family home):*

2998 square foot single family home

Describe proposed development (including square footage, use, addition to existing building or new building:

single family subdivision

For new development, indicate if new water hookup is required: ☒ Yes ☐ No

For new development, indicate if new wastewater hookup is required: ☒ Yes ☐ No

Is the property contiguous with Eugene city limits? ☒ Yes ☐ No

Describe the location of the closest public wastewater lines (distance from property). For more information, contact Public works Engineering staff.

Summit Terrace Blvd.

If wastewater service is not available, provide a copy of septic permit from Lane County Sanitarian (541-682-3823) or provide information about how the site can be or already is served by septic:

Planning & Development
Planning Division
99 W. 10TH Avenue, Eugene, OR 97401
Phone: 541.682.5377 or E-mail:eugeneplanning@ci.eugene.or.us

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.

OWNER (Also the Applicant? ☒ Yes / ☐ No):

Name (print): Ruby E. Vonderheit Revocable Trust Phone: (541) 554-4128; (541) 344-9472

Address: 3240 South Lois Lane

City/State/Zip: Eugene, OR 97405

Signature: Kirk Vonderheit, trustee; Lisa E. Vonderheit, trustee

APPLICANT ☒ **/ APPLICANT'S REPRESENTATIVE** ☐ (Check one):

Name (print): Kirk and Lisa Vonderheit

Company/Organization:

Address: 3240 South Lois Lane

City/State/Zip: Eugene, OR 97405 E-mail (if applicable):

Phone: (541) 554-4128; (541) 344-9472 Fax:

Signature: Kirk Vonderheit, trustee; Lisa E. Vonderheit, trustee

APPLICANT'S REPRESENTATIVE ☐ **/ DESIGNATED CONTACT PERSON** ☒ (Check all that apply):

Name (print): William H. Sherlock

Company/Organization: Hutchinson Cox

Address: 940 Willamette Street, Suite 400

City/State/Zip: Eugene, OR 97401 E-mail (if applicable): lsherlock@eugenelaw.com

Phone: (541) 686-9160 Fax:

Signature:

Planning & Development
Planning Division
99 W. 10TH Avenue, Eugene, OR 97401
Phone: 541.682.5377 or E-mail:eugeneplanning@ci.eugene.or.us

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: 6600

Name (print): RUBY E. VONDERHEIT REVOCABLE TRUST

Address: 3240 S. LOUIS ST Email:

City/State/Zip: EUGENE, OR. 97405 Phone: (541) 554-4128 Fax:

Signature: [signature], trustee Date: 12/5/16

PROPERTY OWNER OF TAX LOT: 6600

Name (print): LISA E. VONDERHEIT, TRUSTEE OF RUBY Vonderheit TRUST

Address: 3240 S. Louis Ln. Email:

City/State/Zip: Eugene OR 97405 Phone: (541) 344-9472 Fax:

Signature: Lisa E Vonderheit, co-trustee Date: 12/5/16

PROPERTY OWNER OF TAX LOT:

Name (print):

Address: Email:

City/State/Zip: Phone: Fax:

Signature: Date:

SURVEYOR:

Name (print): DONALD G. NICKELL

Company/Organization: NICKELL LAND SURVEYING

Address: 33225 CRAIG LOOP

City/State/Zip: COTTAGE GROVE OR 97424 Phone: 541-968-2905 Fax:

E-mail: nickell2u@msn.com

Signature: [signature] Date:

REPRESENTATIVE (If different from Surveyor):

Name (print): William H. Sherlock

Company/Organization: Hutchinson Cox

Address: 940 Willamette Street, Suite 400

City/State/Zip: Eugene, OR 97401 Phone: (541) 686-9160 Fax:

E-mail: lsherlock@eugenelaw.com

Signature: Date: 12-5-11e

****Attached additional sheets if necessary.**

Application #: C * 2008 - _____
For City Use Only

RECEIVED
2016
LANE COUNTY
ASSESSMENT & TAXATION

RECEIVED
2016
LANE COUNTY
ASSESSMENT & TAXATION

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

PETITION

Petition Signature Sheet
Annexation by Individuals

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)
1. Kirk Vonderheit, trustee	12/5/16	Kirk Vonderheit for the Ruby E. Vonderheit Trust	3240 South Lois Lane Eugene, OR 97405	18-04-03-00-06000 ~~10.02~~ 9.47 06000	x		
2. Lisa E. Vonderheit, trustee	12/5/16	Lisa Vonderheit for the Ruby E. Vonderheit Trust	3240 South Lois Lane Eugene, OR 97405	18-04-03-00-06000 ~~10.02~~ 9.47 06000	x		
3.							
4.							
5.							

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, William Starkweather *(printed name of circulator)*, hereby certify that every person who signed this sheet did so in my presence.

X _____ *(signature of circulator)*

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 21 *(qty)*. This petition reflects that 12 *(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.*

Carol K. Egan
Lane County Department of Assessment and Taxation

Dec 8, 2016
Date Certified

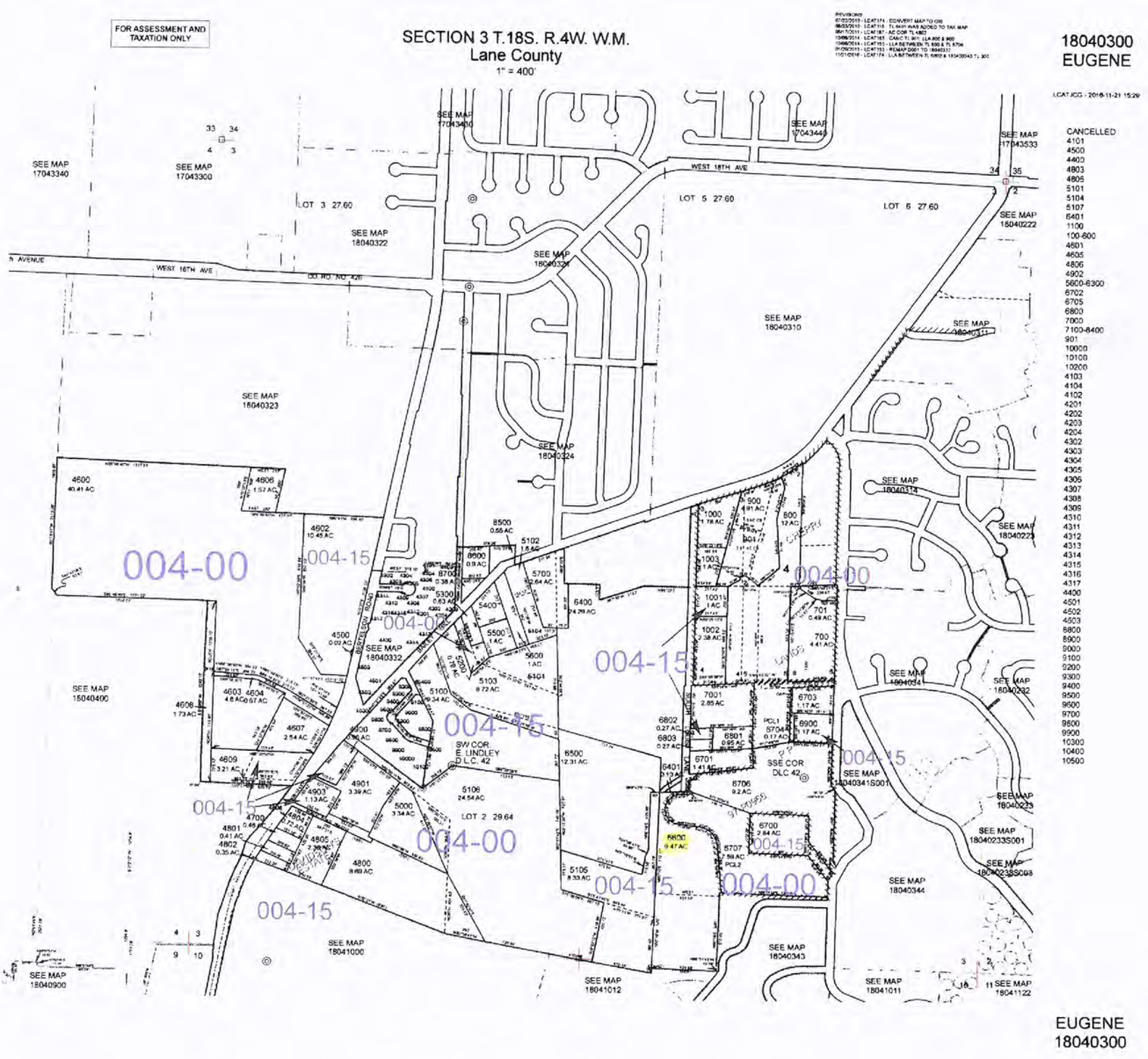
CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 1. I hereby certify that this petition includes 1 valid signatures representing 100 *(%)* of the total active registered voters that are registered in the proposed annexation.

Lane County Clerk or Deputy Signature

12/8/16
Date Certified

Attachment C



Attachment C

LANE COUNTY

Property Account Summary

As Of 12/8/2016 Status: Active

Account No.: 0718047 **Alternate Property Number:** 1804030006600

Account Type: Real Property

TCA: 00415

Situs Address: 3240 S LOUIS LN
EUGENE OR 97405

Legal: Township 18 Range 04 Section 03 Quarter 00 TL 06600

Parties:

Role	Name & Address
Owner	RUBY E VONDERHEIT REVOCABLE TRUST 3240 S LOUIS LN EUGENE OR 97405
Taxpayer	VONDERHEIT RUBY E 3240 S LOUIS LN EUGENE OR 97405
Trustee	VONDERHEIT KIRK O 3240 S LOUIS LN EUGENE OR 97405
Trustee	VONDERHEIT LISA E 3240 S LOUIS LN EUGENE OR 97405
Trustee	VONDERHEIT RUBY E 3240 S LOUIS LN EUGENE OR 97405

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	$783,601	$760,490	$741,953	$658,362	$686,981
AVR	$344,844	$334,800	$325,049	$315,582	$306,390
TVR	$324,685	$315,229	$306,047	$297,134	$288,479

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	191 Potential dev improved
	Change Property Ratio	1XX Residential
	Size	9.45
	Code Split	N
	Neighborhood	421500

Exemptions:

Tax Year	Description	Count	Amount	Assessment Basis
2016	Veteran 1	1	$20,159	AVR
2015	Veteran 1	1	$19,571	AVR
2014	Veteran 1	1	$19,002	AVR

(End of Report)

APPLICANTS' DETAILED WRITTEN STATEMENT DEMONSTRATING COMPLIANCE WITH EUGENE CODE SECTION 9.7825

The following narrative quotes the relevant city code provisions relating to the accompanying annexation application in bold text, followed by the findings demonstrating compliance with the criterion in italicized text.

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 subject property is approximately 10 acres in size, zoned for low density residential and located within the city's urban growth boundary. The subject property is contiguous with the city limits along its east and south borders.

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

The applicable Metro Plan annexation policies state:

8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

    1. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.
    2. 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.

9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.
10. Annexation to a city through normal processes shall continue to be the highest priority.

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.

20. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in

priority order).

a. Annexation to a city;
b. Contractual annexation agreements with a city;
c. Annexation to an existing district (under conditions described previously in Policy #19); or
d. Creation of a new service district (under conditions described previously in Policy #14).

The applicants have acquired or have access to key urban facilities and services. These services include: 1) an EWEB water main adjacent to the southern property boundary (see the attached Exhibit A); 2), a direct 60' wide connection to Summit Terrace Drive (which is a fully developed local access road) through a recently approved lot line adjustment (see Exhibit B) and said connection intersects with Summit Terrace Drive in a location determined by traffic engineer Kelly Sandow to have safe sight distance for all turning movements (see Exhibit C); 3), the City Engineer has determined it is feasible to extend a wastewater line from Bailey Hill Road to the subject property (see Exhibit D); and the property is currently provided with electricity by Emerald People's Utility District and upon development would be serviced by EWEB.

(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 above described urban services can and will be provided in a logical and timely manner based on the City's projection for suitable lands to be annexed as shown in the "Metropolitan Residential Land and Housing Study, January 1995" (Exhibit E). This document shows the subject property as necessary to maintain an adequate supply of available surplus land to allow orderly urban development to occur and to allow for the provision of public capital improvements, such as wastewater trunk lines, arterial streets, and water trunk lines, which, as discussed above are now in place, to facilitate development of the subject annexed property. The timely annexation of this underdeveloped property will enhance opportunities for compact urban growth, an efficient land use pattern, and a well-planned supporting arterial street system in Eugene's Southwest Hills.

Eugene Water & Electric Board
500 East 4th Avenue/Post Office Box 10148
Eugene, Oregon 97440-2148
(541) 484-2411
www.eweb.org

09/10/2015

Re: Water service to ~~Sherlock~~ VANDERHEIT property

Mr. Sherlock,

The property in question currently has frontage along Eagle View Drive. Within the Eagle View Drive right-of-way EWEB has an existing 8" DI water main that can serve your property.
The amount of available water is limited since the main is a dead end and not a looped connection. We can discuss a possible looping solution, which may be required depending on how you are planning to develop the property.

If you have any questions, please feel free to contact me.

~~Thank You,~~

Bill Johnson
Water Engineering Technician IV
Eugene Water & Electric Board
(541) 685-7377

EXHIBIT A

Eugene Planning

October 7, 2016

DONALD NICKELL
NICKELL LAND SURVEYING
33225 CRAIG LP
COTTAGE GROVE OR 97424

PROPERTY LINE ADJUSTMENT APPROVAL FOR ANDERSON/VONDERHEIT (LA 16-27)

Your property line adjustment was deemed complete on October 4, 2016 and granted approval by the Eugene Planning Director on October 6, 2016. The lots will be recognized by the City as they appear on the approved property line change map. A copy of the decision and approved property line change map is enclosed for your records.

For your information, the City will record a Notice of Property Line Adjustment with the Lane County Deeds and Records office. After this notice is recorded, **it is the applicant's responsibility** to record new deeds with Lane County as the Notice does not change the deeds, but simply provides a recorded notification of the City's approval of the property line adjustment. The property lines do not officially change until new deeds are recorded with Lane County, and tax records will not be updated until the Lane County Department of Assessment and Taxation is contacted by the applicant(s). Consulting a surveyor for these last steps is recommended.

If you have questions regarding the approval of this property line adjustment, please contact me at (541) 682-5699 or amy.c.janisch@ci.eugene.or.us.

Sincerely,

Amy Janisch
Land Use Planning Specialist

Enclosure

cc: Ruby Vonderheit Revocable Trust, Rosalind Anderson, Liam Sherlock

Findings and Decision of the Eugene Planning Director
Property Line Adjustment Approval For:
Anderson/Vonderheit (LA 16-27)

Submitted: August 24, 2016	Deemed Complete: October 4, 2016
Parcel 1:	Parcel 2:
Map/Lot #: 18-04-03-00-06600 Zoning: R-1/UL	Map/Lot #: 18-04-03-43-00300 Zoning: R-1/PD
Applicant: Ruby E. Vonderheit Revocable Trust	Applicant: Rosalind Anderson
Location: 3240 South Louis Lane and 2954 Summitt Terrace Drive	
Representative: Donald Nickell, Nickell Land Surveying	
Lead City Staff: Amy Janisch, Land Use Planning Specialist, (541) 682-5699	
Related Permits/Applications:	

EVALULATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.8405 Applicability of Property Line Adjustment Applications. As such, it is subject to review and approval in accordance with the requirements and application criteria of EC 9.8400 through 9.8420 and with the Type I land use application procedures beginning at EC 9.7100 and with the Type I land use application procedures beginning at UTA Section 9.7100. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.8415(1) Any buildings to be retained on the properties comply with the minimum front and interior yard setbacks as defined in this land use code.

Complies		Findings:
☒ YES	☐ NO	All buildings will meet setback requirements along the adjusted property lines.

EC 9.8415(2) The final configuration of property lines shall not reduce an existing lot below the minimum lot standards established in this land use code or otherwise violate standards of this land use code, building codes, fire codes, and Chapter 7.

Complies		Findings:
☒ YES	☐ NO	The final configuration of the property lines will not reduce either existing lot below the minimum standards or otherwise violate applicable code standards. With regard to UTA Section 9.4620 /UL Land Divisions and Property Line Adjustments, the adjusted line will not result in an increase in the number of developable lots or the development potential of the existing lots.

EC 9.8415(3) The final configuration of property lines shall not violate any previous requirements or conditions of approval imposed with a prior applicable land use decision.

Complies		Findings:
☒ YES	☐ NO	The final configuration of property lines will not violate any known, previous requirements or conditions of approval applicable to the subject properties.

EC 9.8415(4) Public assessments, liens, and fees with respect to the property line adjustment have been paid, or:

a) A segregation of assessments and liens has been applied for and granted by the city; or

b) An adequate guarantee in a form acceptable to the city manager has been provided assuring the liens, assessments and fees will be paid prior to recording the property line adjustment.

Complies		Findings:
☒ YES	☐ NO	Referral comments from Public Works Engineering staff indicate that there are presently no outstanding public liens or assessments on the subject properties.

EC 9.8415(5) Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

a) The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or

b) The /WQ Management Area.

Complies		Findings:
☒ YES	☐ NO	The subject properties do not contain the /WR or /WQ overlay zone; therefore, this criterion is not applicable.

EC 9.8415(6) Within the R-1 zone in the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association, property lines may only be adjusted up to 5 feet, measured perpendicularly from the current location of the property line. A Property Line Adjustment allowed under this section may be up to 10 feet if the adjustment is necessary to accommodate an encroachment that existed as of April 12, 2014.

Complies		Findings:
☒ YES	☐ NO	These lots are not within the city-recognized boundaries of the neighborhood associations noted above; therefore, this criterion is not applicable.

PRELIMINARY

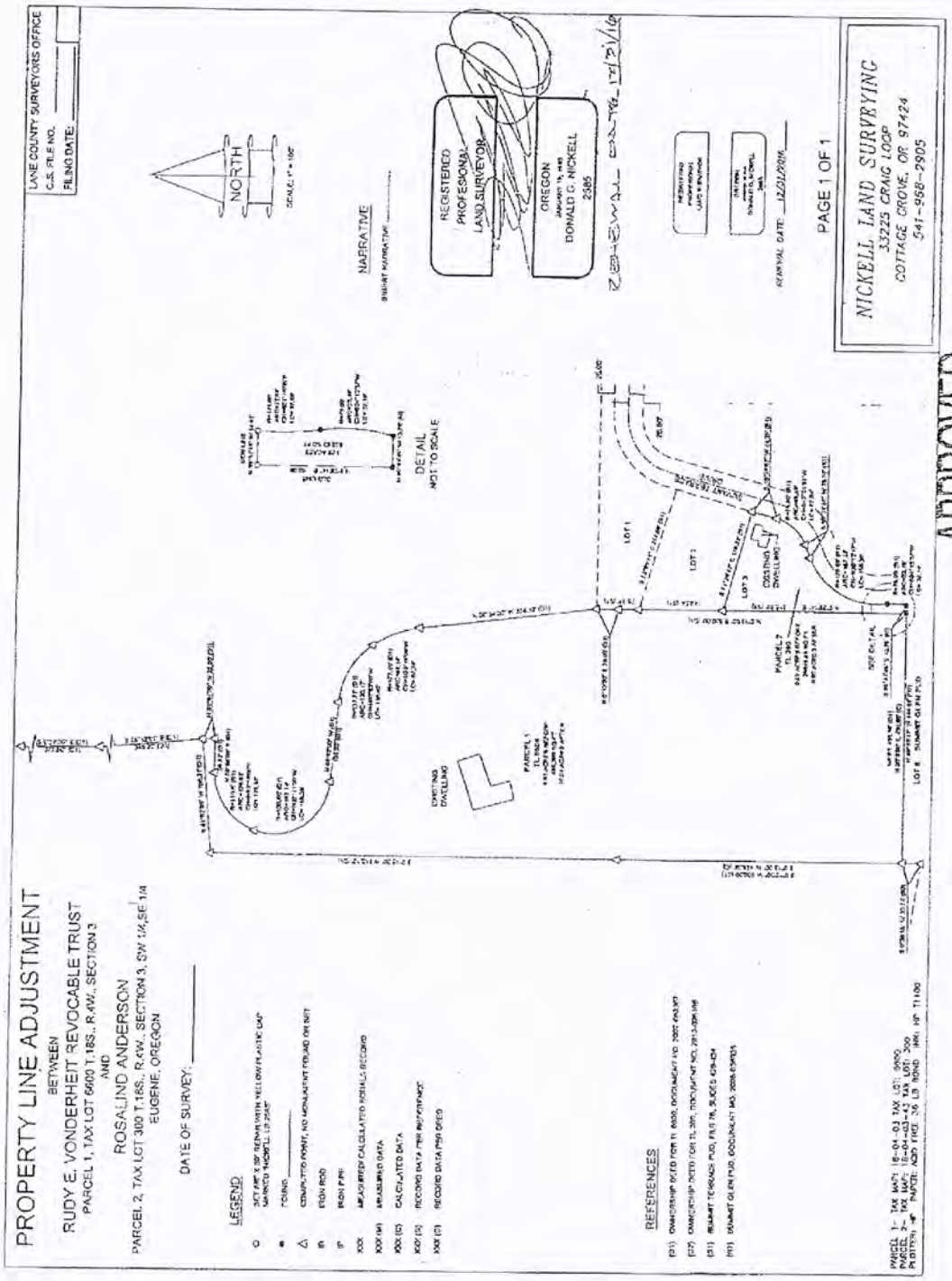


EXHIBIT A

SANDOW ENGINEERING
160 Madison Street, Suite A • Eugene, Oregon 97402 • 541.513.3376

TECH MEMO

TO: William Sherlock
Hutchinson, Cox, Coons, Orr & Sherlock, P.C.

FROM: Kelly Sandow P.E.
Sandow Engineering

DATE: May 8, 2015

RE: Summit Terrace Dr. Access Location

Sandow Engineering has reviewed the proposed access location of the subject parcel identified as tax lot 6600 of map 18040300. The access is proposed onto Summit Terrace Dr. at the southern end of the property. The following provides Sandow Engineering's considerations and recommendations for the proposed access location.

ACCESS LOCATION

There are a few items to consider when determining the appropriate location of the proposed site access. They are driver sight distances, access geometry/Right-of-way requirements, and topography.

SIGHT DISTANCE:

The access on to Summit Terrace Dr. should be located to provide optimal sight distance striving to meet the standards. According to the American Association of State Highway and Transportation Officials (AASHTO) standards and guidelines, a residential roadway at 25 mph should have adequate visibility for a vehicle exiting the proposed street connection to see a vehicle on Summit Terrace Dr. 280 feet away. At a minimum, the sight distance should be equal to the stopping sight distance of a vehicle traveling on Summit Terrace Dr. towards the approach location; 135 feet for vehicles traveling south (uphill) towards the driveway and 215 feet for vehicles traveling north (downhill) towards the driveway.

A site visit performed by Sandow Engineering demonstrated that the intersection sight distance and stopping sight distance can be met. These distances are met when the driveway is located at the very southern end of the property. See Figure 1 for an illustration of the location of the proposed driveway and available sight distance.

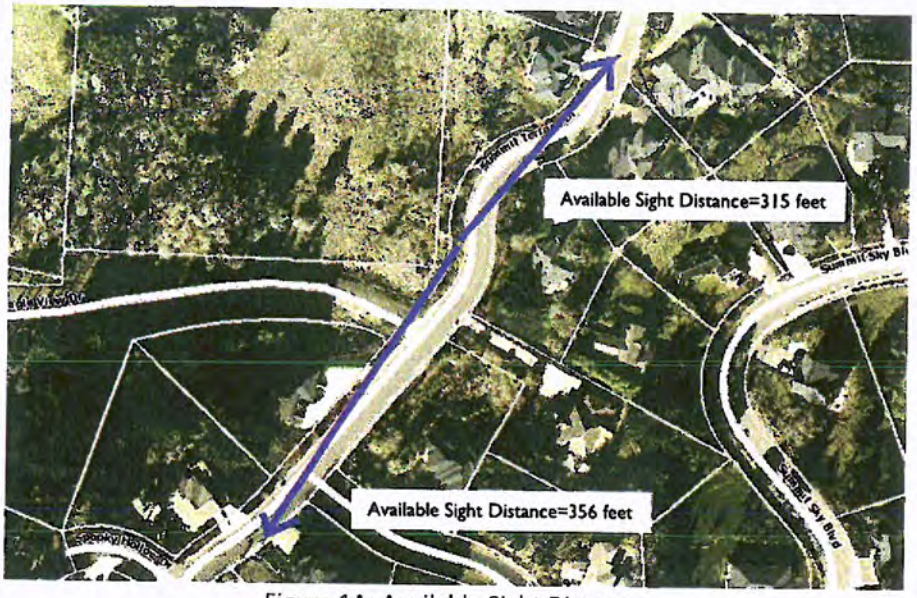


Figure 1A: Available Sight Distance



Figure 1B: Looking South from the Approach Location

Figure 1C: Looking North from the Approach Location

Moving the driveway away from this location (further to the north) will reduce the sight lines both to the north and the south. The upward slope to the south will restrict visibility as well as the roadway curvature to the north.

RIGHT OF WAY:

As per City of Eugene Local Street standards this street would be classified as an Access Lane or a Low-Volume Residential Street. The classification is dependent up on the expected Average Daily Traffic Volumes (ADT). An Access Lane has less than 250 ADT (serves less than 20 homes) and a Low Volume

Residential Street has an ADT between 250-750 (20-75 homes) A Low Volume Residential Street needs to have a 45' or 55' ROW. The ROW width is dependent up on the roadway cross section. The City generally allows the developer to choose which cross section they deem appropriate, unless specific circumstances dictate otherwise. Table 1 illustrates the roadway cross section options.

Table 1: Lowe Volume Residential Street ROW Requirements

Right of Way Width	Roadway Cross Section	Sidewalks*	Planter Strip*
45'	20' no parking on either side	6'	6'-6"
45'	21' 7' parking on one side 14 foot travel way	6'	6'-0"
55'	28' 7'-Parking on both sides 14' travel way	6'	7'-6"

TOPOGRAPHY:

The other major consideration is topography and vegetation constraints. This site sits upon sloped terrain. The southern end of the site can provide access at a relatively consistent grade to Summit Terrace Drive.

There is an existing roadway to the south, Eagle View Drive, however, this roadway sits 10-15 feet higher than the site property line, creating the requirement for significant fill.





To the north, the slope drops quickly from the edge of the sidewalk. There is a 5-10' drop in elevation within 20 feet. A connection to this location would also require significant fill.

OTHER CONSIDERATIONS:

They City of Eugene may require a buffer area/set back from the edge of property line to the back of the sidewalk. The buffer area depends on the application/process for the future site development. It is our understanding that the General Subdivision/PUD criteria would not require an additional buffer area. However, an application under "Needed Housing" could require a 20' buffer from the edge of property to the back of sidewalk.

RECOMMENDATIONS:

Based upon our review, the optimal placement of access to this property would be along the most southern edge of the property line. A minimum of 55' will be needed to provide adequate ROW. However, depending on the permitting process, there could be an additional 20' necessary to provide the necessary buffer. The illustration below highlights the proposed location of the access.



Recommended location of the proposed access.

Please feel free to contact me with any questions or additional information that you may need.

Sincerely,

Kelly Sandow, PE

Wednesday, December 7, 2016 at 6:05:15 PM Pacific Standard Time

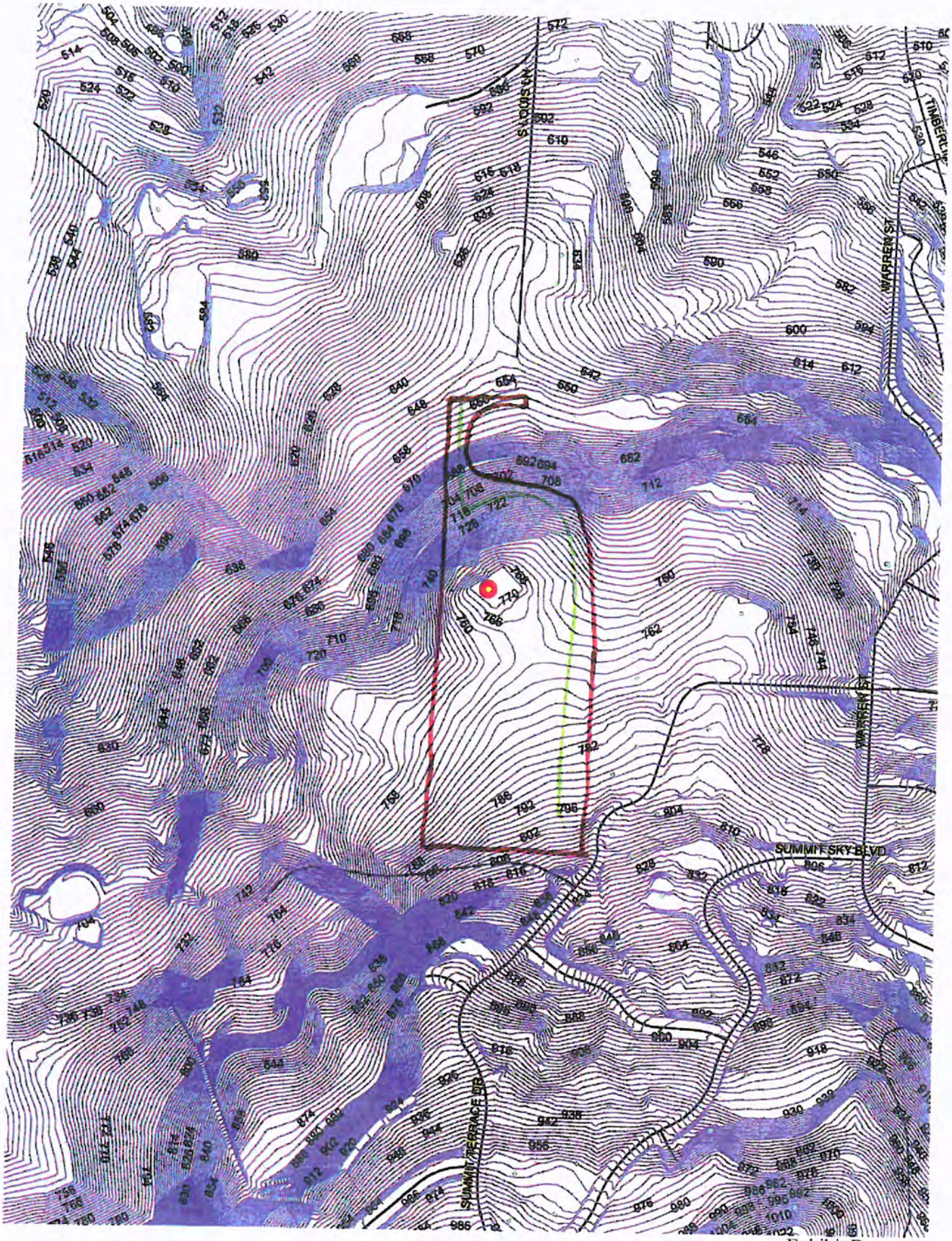
Subject: PC15-40 Vonderheit Lving Trust - followup
Date: Thursday, May 14, 2015 at 1:18:22 PM Pacific Daylight Time
From: HANEY Ed R
To: William Sherlock
CC: BERG-JOHANSEN Erik, STARK Donna L

Liam,

Donna and I discussed potential wastewater options with Scott Gillespie, our civil engineer who is the lead on PEPI (Privately Engineered Public Improvement) projects. Scott thought a gravity sewer down to Louis Lane, or actually Citrine Avenue, if the Jewel does get built out, would be possible by circling around the easterly slopes of the knoll and then following the contours on the north side. I've sketched a rough alignment for your use (see attachment). If the public system has not yet been extended as a result of the Jewel or some other development on that property, the developer of the Vonderheit property would be responsible for extending the public sewer from Bailey Hill to the project site. As this would likely be a spendy project, it would be worthwhile to check with a private engineer on a more specific alignment and associated costs.

I also gave the intersection study done by Kelly Sandow to Scott. I'll get back to you when he has had a chance to read through it.

Thanks,
Ed

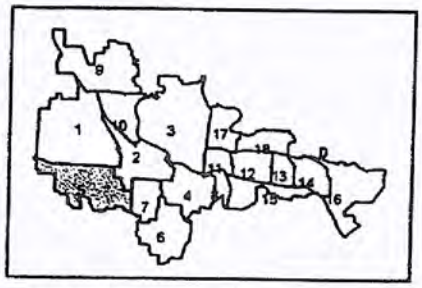

SUMMIT SKY BLVD
SUMMIT TERRACE DR
WARREN ST
TIMBERLINE

ATTACHMENT H

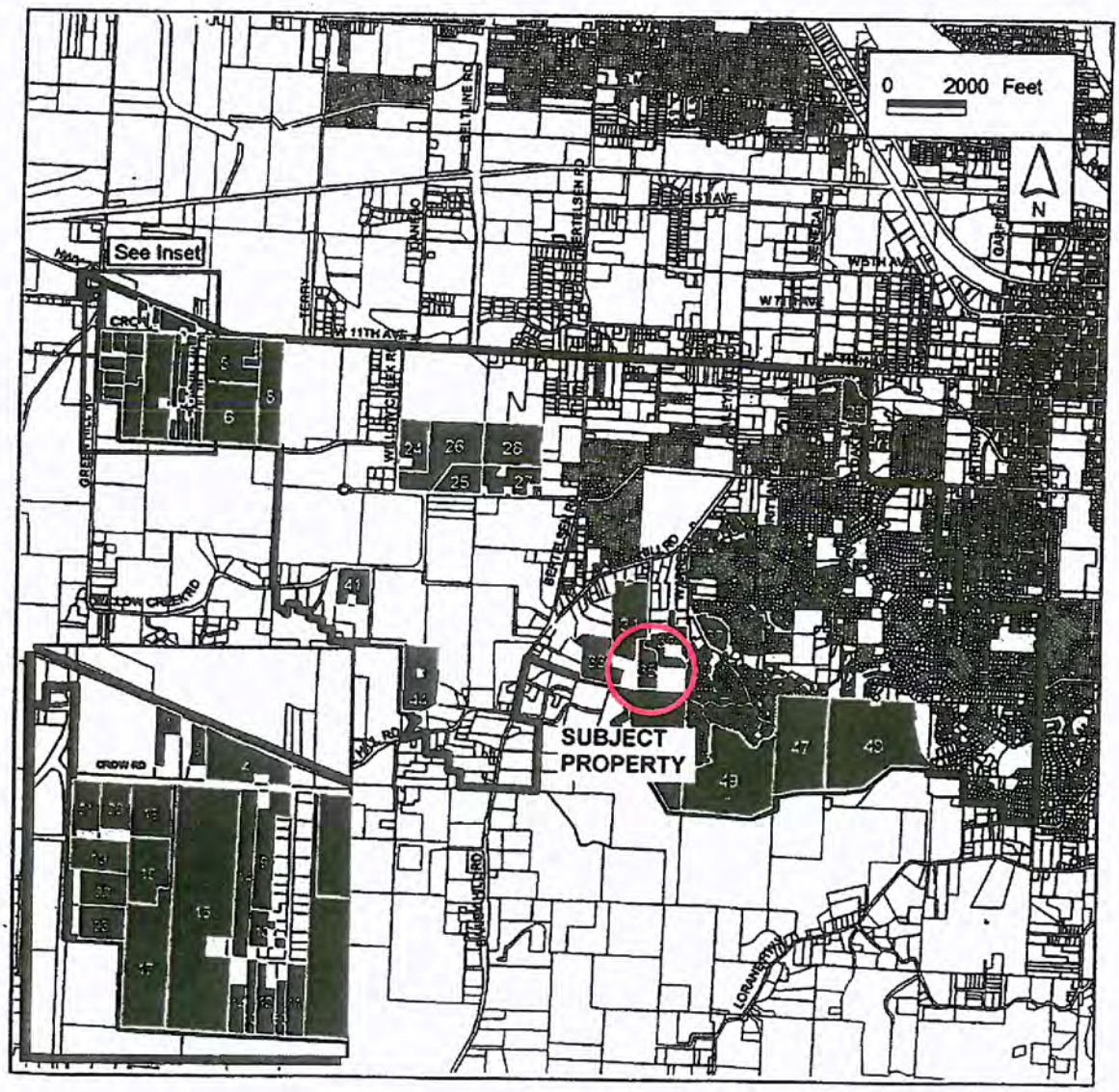
Metropolitan Residential Land and Housing Study January 1995

Sites in Subarea 5 Southwest Eugene

current to January 1995



Plan Designation	Site Numbers
Low Density (sites at 10+ acres)	33 - 37, 41, 44, 46 - 49
Medium Density (sites at 1+ acre)	1, 3 - 23, 25, 27, 29, 50
High Density (sites at 1+ acre)	24, 26, 28
Mixed Use (sites at 1+ acre)	



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: 18-04-03-00-06000 Address: 3240 Lois Lane, Eugene, OR 97405

Legal Description:

Attached

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

DATED this 5th day of December, 2016.

Kirk Vandenheidt, trustee

STATE OF OREGON)
)ss
County of)

On this 5th day of December, 2016, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Kirk O. Vandenheidt, trustee, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

OFFICIAL STAMP
TANA M. BROWN
NOTARY PUBLIC-OREGON
COMMISSION NO. 921018
MY COMMISSION EXPIRES OCTOBER 06, 2017

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Tana M Brown

Notary Public for Oregon
My Commission Expires 10-6-17

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: 18-04-03-00-06000 Address: 3240 Lois Lane, Eugene, OR 97405

Legal Description:

Attached

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

DATED this 5th day of December, 2016.

Lisa E Vonderhent, Trustee

STATE OF OREGON)
)ss
County of)

On this 5th day of December, 2016, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Lisa E. Vonderheit, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

OFFICIAL STAMP
TANA M. BROWN
NOTARY PUBLIC-OREGON
COMMISSION NO. 921018
MY COMMISSION EXPIRES OCTOBER 06, 2017

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Tana M Brown
Notary Public for Oregon
My Commission Expires 10-6-17

LEGAL DESCRIPTION OF ANNEXATION AREA

DESCRIPTION OF TAX LOT 6600 OF TAX MAP 18-04-03

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet to the TRUE POINT OF BEGINNING of this tract of land herein described; from the TRUE POINT OF BEGINNING, running thence South 3° 04' East 22.6 feet; Thence South 86° 56' West 59.82 feet; Thence on a 110.6 foot radius curve left (the long chord of which bears South 53° 18' West 122.52 feet) a distance of 129.85 feet; Thence on a 100.0 foot radius curve left (the long chord of which bears South 32° 41' East 158.35 feet) a distance of 182.74 feet; Thence South 85° 02' East 139.06 feet; Thence on a 137.71 foot radius curve right (the long chord of which bears South 60° 02' East 116.40 feet) a distance of 120.17 feet; Thence on a 177.40 foot radius curve right (the long chord of which bears South 20° 48' East 87.24 feet) a distance of 88.14 feet; Thence South 6° 34' East 308.19 feet; Thence South 0° 18' West 39.00 feet; Thence West 436.60 feet to the West line of said plat of CHERRY-LANDS; Thence North 0° 18' East along said West line of said plat, 712.12 feet; Thence North 85° 02' East 198.21 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO:

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet; Thence South 85° 02' West 198.21 feet to the West line of the Plat of CHERRY-LANDS; Thence South 0° 8' West along the said West line of the plat, 712.12 feet to the TRUE POINT OF BEGIINNING of the tract of land to be described; Thence South 0° 18' West along the West line of said plat, 500 feet; Thence East 436.60 feet; Thence North 0° 18' East 500 feet; Thence West 436.60 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO: Beginning at the Northeast Corner of Lot 5, SUMMIT GLEN P.U.D., as platted and recorded in Document No. 2005-036936, Lane County, Oregon Official Records; Thence along the North Line of said Lot 5, North 89° 51' 45" West 13.75 feet more or less to point marked by a 5/8 inch rebar, being the Southwest Corner of Lot 3, SUMMIT TERRACE, P.U.D., as platted and recorded in File 75, Slide 428 through 434, Lane County, Oregon Plat Records; Thence leaving the North Line of said Lot 5 and going along the West Line of said Lot 3, North 0° 26' 14" East 60.00 feet; Thence leaving the West Line of said Lot 3, South 89° 51' 45" East 14.81 feet more or less to the Westerly right of way of Summit Terrace Drive; Thence along the Westerly right of way of said Summit Terrace Drive, along a 125.00 foot radius curve to the left (the long chord of which bears South 1° 46' 06" East 27.90 feet) a distance of 27.96 feet; Thence along a 75.00 foot radius to the right (the long chord of which bears South 4° 13' 37" West 32.19 feet) a distance of 32.45 feet more or less to the Point of Beginning, all in Lane County Oregon.

EXCEPT: Any portion thereof lying Easterly of the agreed common line described in the certain Bargain and Sale deeds executed by Merrill N. Manley, Ruth I. Manley, Otto F. Vonderheit and Ruby E. Vonderheit, recorded August 5, 1968, Reception No's 34176 and 34177, as recorded in Lane County Oregon Deed Records.

ANNEXATION MAP

FOR

RUDY E. VONDERHEIT REVOCABLE TRUST

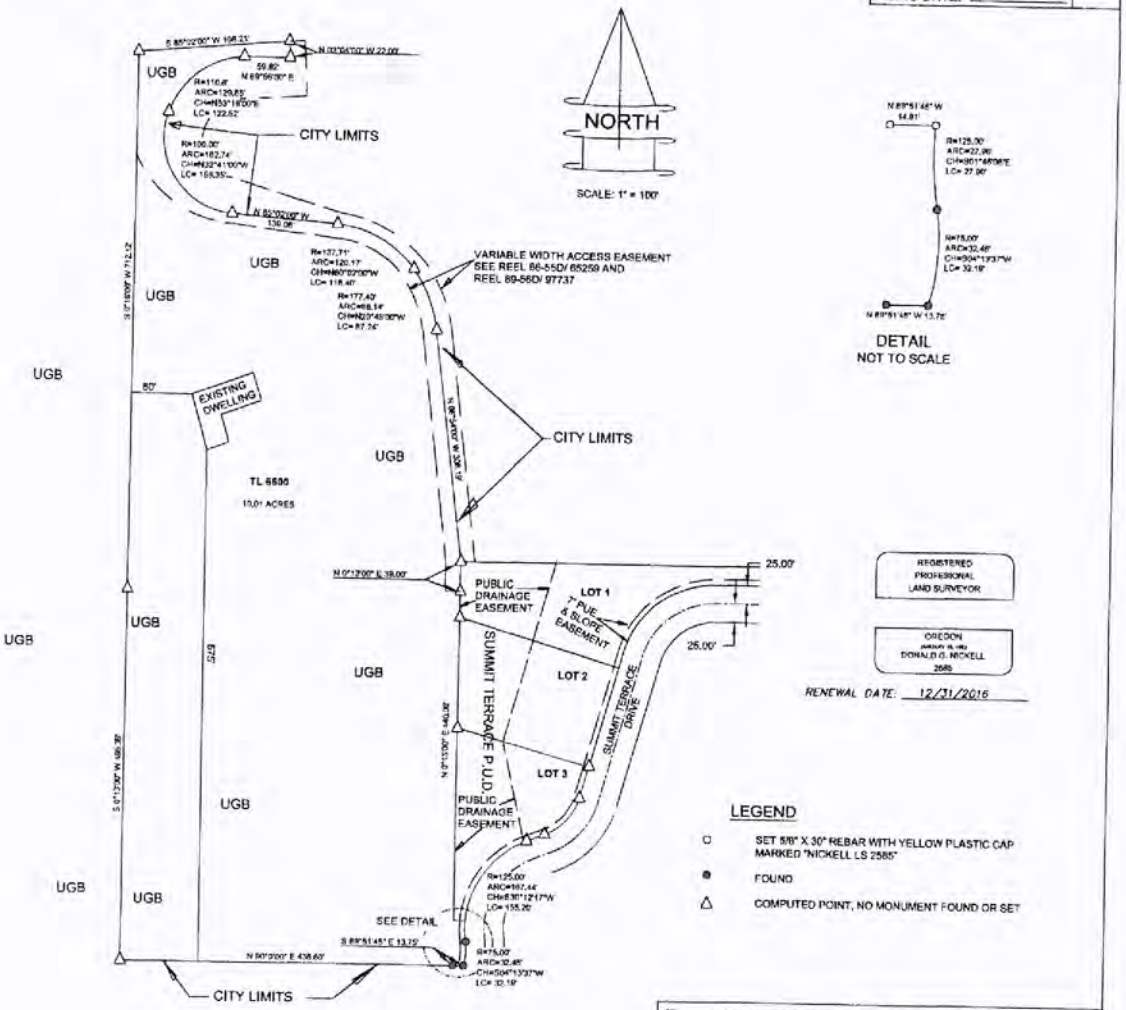
TAX LOT 6600 T.18S., R.4W., SECTION 3

EUGENE, OREGON

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. _____
FILING DATE: _____



VICINITY MAP
NTS



DETAIL
NOT TO SCALE

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
DONALD G. NICKELL
2585

RENEWAL DATE: 12/31/2016

LEGEND

- ○ SET 5/8" X 30" REBAR WITH YELLOW PLASTIC CAP MARKED "NICKELL LS 2585"
- ● FOUND
- △ COMPUTED POINT, NO MONUMENT FOUND OR SET

NICKELL LAND SURVEYING
33225 CRAIG LOOP
COTTAGE GROVE, OR 97424
541-968-2905

TAX MAP: 18-04-03 TAX LOT: 6600

PLOTTER: HP PAPER: ACID FREE 36 LB BOND INK: HP T1100

Attachment C

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:
Lisa Vonderheit and Kirk Vonderheit, Trustees of the Ruby E. Vonderheit Revocable Trust

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

18-04-03-0600

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?

The wastewater line will extend to Bailey Hill Road via Lois Lane or Summit Terrace Drive via private easement by the developer.

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?
NO

If yes, location? Amazon drainage basin

If no, how will stormwater be handled after development? -

Bioswales and natural drainage to the west.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway.

Bailey Hill - Minor arterial; South Lois Lane - Local Street; Summit Terrace Drive - Local Street

Will dedication for additional street right-of-way be required upon further development of this site?

X Yes _____ No _____Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

X Yes _____ No _____Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of $25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Churchill Sports Park to the North

Wild Iris Ridge to the west and connections to Ridgeline Trail

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

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.

_____ 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?
Emerald People's Utility District or EWEB.

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

The subject property has frontage along Eagle View Drive. Within the Eagle View Drive right of way EWEB has an existing 8" DI water main that EWEB has confirmed can serve the subject property.

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: DONALD G. NICKELL

Date: 11/23/2016

Seal:

REGISTERED
PROFESIONAL
LAND SURVEYOR

OREGON
JANUARY 16, 1993
DONALD G. NICKELL
2585

RENEWAL DATE 12/31/2016

LEGAL DESCRIPTION OF ANNEXATION AREA

DESCRIPTION OF TAX LOT 6600 OF TAX MAP 18-04-03

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet to the TRUE POINT OF BEGINNING of this tract of land herein described; from the TRUE POINT OF BEGINNING, running thence South 3° 04' East 22.6 feet; Thence South 86° 56' West 59.82 feet; Thence on a 110.6 foot radius curve left (the long chord of which bears South 53° 18' West 122.52 feet) a distance of 129.85 feet; Thence on a 100.0 foot radius curve left (the long chord of which bears South 32° 41' East 158.35 feet) a distance of 182.74 feet; Thence South 85° 02' East 139.06 feet; Thence on a 137.71 foot radius curve right (the long chord of which bears South 60° 02' East 116.40 feet) a distance of 120.17 feet; Thence on a 177.40 foot radius curve right (the long chord of which bears South 20° 48' East 87.24 feet) a distance of 88.14 feet; Thence South 6° 34' East 308.19 feet; Thence South 0° 18' West 39.00 feet; Thence West 436.60 feet to the West line of said plat of CHERRY-LANDS; Thence North 0° 18' East along said West line of said plat, 712.12 feet; Thence North 85° 02' East 198.21 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO:

Commencing at the Northwest corner of Lot 9, Block 4 in the Plat of CHERRY-LANDS (in Sections 3 and 10), Township 18 South, Range 4 West, of the Willamette Meridian, as platted and recorded in Book 5, Page 15, Lane County Oregon Plat Records, and run thence South 0° 39' East 377.00 feet; Thence South 5° 12' East 340.2 feet; Thence South 85° 02' West 198.21 feet to the West line of the Plat of CHERRY-LANDS; Thence South 0° 8' West along the said West line of the plat, 712.12 feet to the TRUE POINT OF BEGIINNING of the tract of land to be described; Thence South 0° 18' West along the West line of said plat, 500 feet; Thence East 436.60 feet; Thence North 0° 18' East 500 feet; Thence West 436.60 feet more or less to the TRUE POINT OF BEGINNING, all in Lane County, Oregon.

ALSO: Beginning at the Northeast Corner of Lot 5, SUMMIT GLEN P.U.D., as platted and recorded in Document No. 2005-036936, Lane County, Oregon Official Records; Thence along the North Line of said Lot 5, North 89° 51' 45" West 13.75 feet more or less to point marked by a 5/8 inch rebar, being the Southwest Corner of Lot 3, SUMMIT TERRACE, P.U.D., as platted and recorded in File 75, Slide 428 through 434, Lane County, Oregon Plat Records; Thence leaving the North Line of said Lot 5 and going along the West Line of said Lot 3, North 0° 26' 14" East 60.00 feet; Thence leaving the West Line of said Lot 3, South 89° 51' 45" East 14.81 feet more or less to the Westerly right of way of Summit Terrace Drive; Thence along the Westerly right of way of said Summit Terrace Drive, along a 125.00 foot radius curve to the left (the long chord of which bears South 1° 46' 06" East 27.90 feet) a distance of 27.96 feet; Thence along a 75.00 foot radius to the right (the long chord of which bears South 4° 13' 37" West 32.19 feet) a distance of 32.45 feet more or less to the Point of Beginning, all in Lane County Oregon.

EXCEPT: Any portion thereof lying Easterly of the agreed common line described in the certain Bargain and Sale deeds executed by Merrill N. Manley, Ruth I. Manley, Otto F. Vonderheit and Ruby E. Vonderheit, recorded August 5, 1968, Reception No's 34176 and 34177, as recorded in Lane County Oregon Deed Records.

BERG-JOHANSEN Erik

From: mevignoul@comcast.net
Sent: Monday, February 13, 2017 10:22 AM
To: BERG-JOHANSEN Erik
Subject: Vonderheit Property

Good morning.

Our property is contiguous to the Vanderheit property, and we are curious as to why the annexation is requested. Is it because a developer wishes to build residential properties on this land? If that is correct, what would the time frame be? Also where would access to this property be? What would the size of the lots be? How close to our property would structures or roads be?

If you can answer any of these questions at this time, we would appreciate any information that is available.

Thank you,

Marjorie and Edmond Vignoul
2940 Summit Terrace Drive
Eugene, Oregon 97405

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of a Resolution Annexing Land to the City of Eugene
Identified as Assessor's Map 17-04-11-12, Tax Lot 302 and 303
(Ray, Joshua; A 16-13)

Meeting Date: March 13, 2017 | Agenda Item Number: 2C
Department: Planning and Development | Staff Contact: Erik Berg-Johansen
www.eugene-or.gov | Contact Telephone Number: (541) 682-5437

ISSUE STATEMENT

This item is a request to annex approximately 0.41 acres of land at 3380 and 3384 Wisteria Street, located east of River Road, north of Wedgewood Drive and south of Terra Linda Avenue, into the Eugene city limits. No public right-of-way would be annexed as part of this request. A vicinity map showing the location of the subject property is provided as Attachment A.

The property is zoned R-1 Low-Density Residential with /UL Urbanizable Lands Overlay Zone and is designated for low-density residential use in the Metro Plan. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan, which also designates the property for low-density residential use. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Plans for future development of the site are not included as part of this annexation application, and any land division of the property will be subject to a future, separate public process.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's urban growth boundary, the Metro Plan provides that ultimately all land within the urban growth boundary will be annexed into the city and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the city's urban growth boundary 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 resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood

association, consistent with Eugene Code requirements. No written testimony has been received as of this date.

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 limited 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 applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan. 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 resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt Resolution 5186, which approves the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

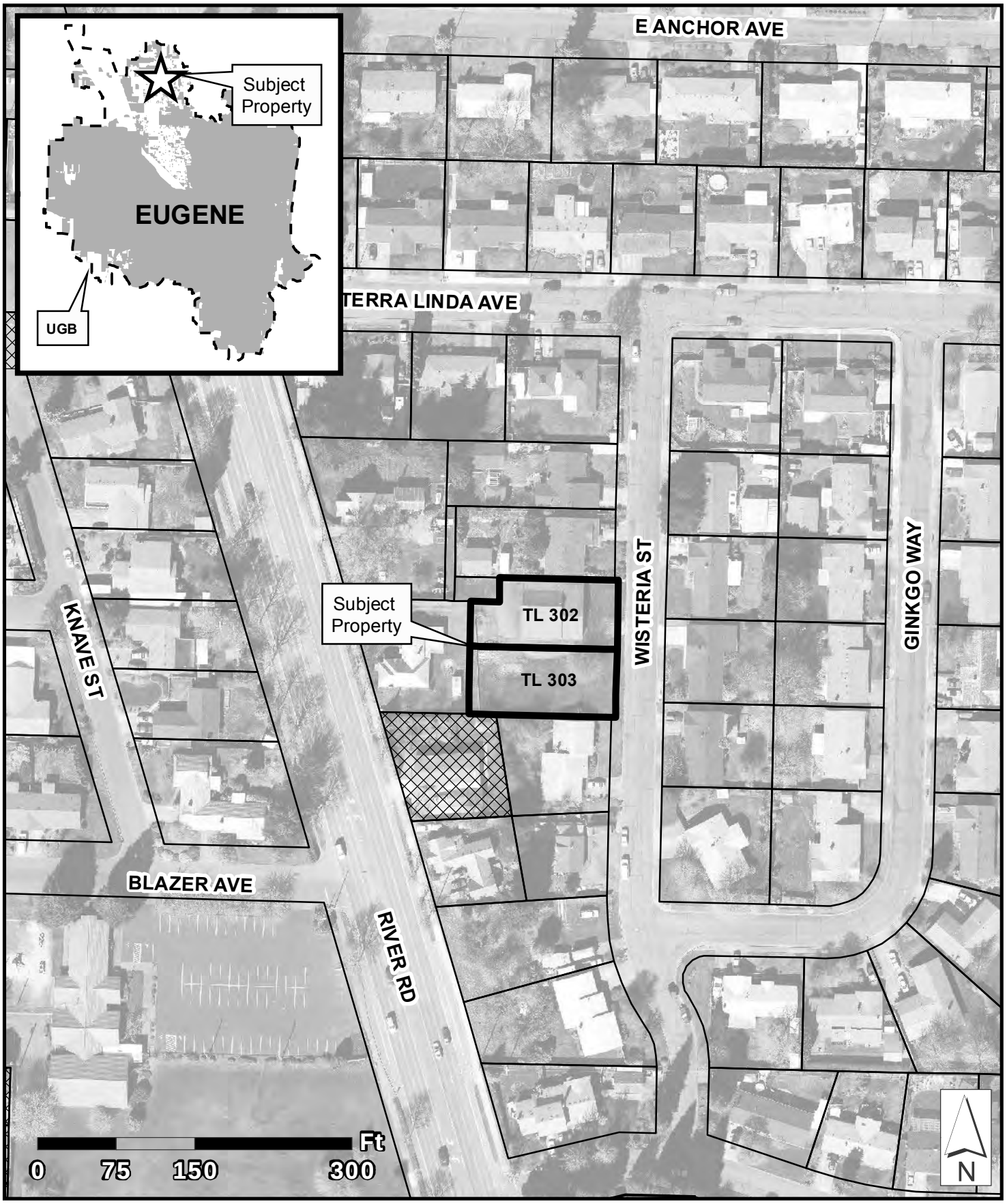
A. Vicinity Map
B. Annexation Resolution with Exhibits A through C
   Exhibit A: Map of Annexation Request
   Exhibit B: Legal Description
   Exhibit C: Planning Director Findings and Recommendation
C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Erik Berg-Johansen
Telephone: (541) 682-5437
Staff E-Mail: erik.berg@ci.eugene.or.us

Joshua Ray (A 16-13)

Attachment A



Legend

Subject Property | City Limits | Taxlots

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

February 2017

Eugene

RESOLUTION NO. _____

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-11-12, TAX LOT 302 and 303).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on December 20, 2016, by Joshua Ray, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-11-12, Tax Lots 302 and 303.

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 Findings and Recommendation is attached as Exhibit C.

D. On February 10, 2017, 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 March 13, 2017.

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 attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-12, Tax Lots 302 and 303, depicted on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

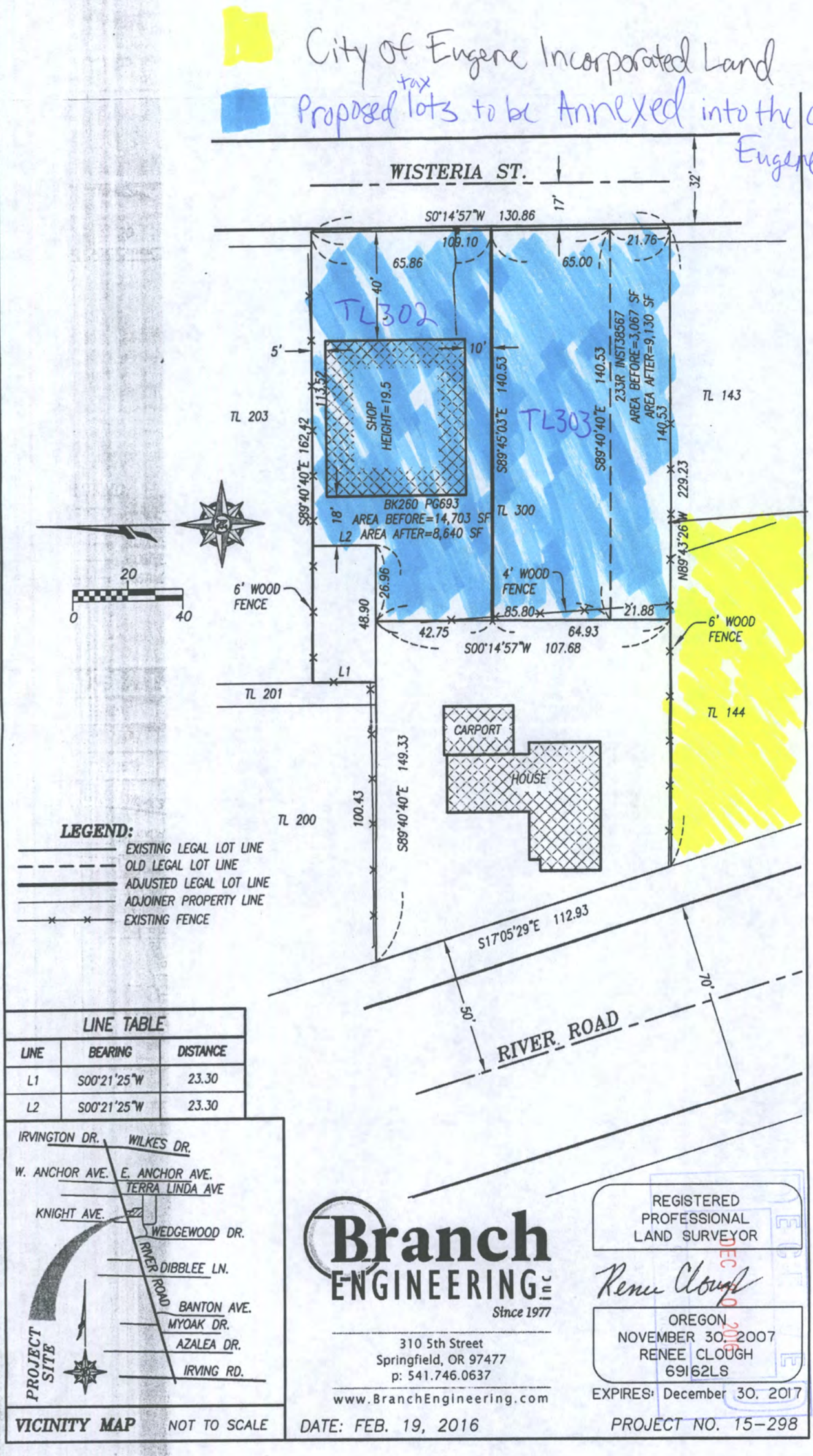
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the __ day of March, 2017.

_____

City Recorder

Exhibit A



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°21'25"W	23.30
L2	S00°21'25"W	23.30

VICINITY MAP NOT TO SCALE

Branch ENGINEERING inc
Since 1977
310 5th Street
Springfield, OR 97477
p: 541.746.0637
www.BranchEngineering.com

DATE: FEB. 19, 2016

REGISTERED PROFESSIONAL LAND SURVEYOR
Renee Clough
OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS
EXPIRES: December 30, 2017

PROJECT NO. 15-298

File Number LA _____

Branch ENGINEERING Inc
Since 1977
civil · transportation
structural · geotechnical
SURVEYING

November 15, 2016

ANNEXATION LEGAL DESCRIPTIONS
TAX MAP 17-04-11-12, TAX LOTS 302 & 303
Branch Engineering Inc. Project No. 15-298

TAX LOT 302

SITUATED in the City of Eugene, Lane County, State of Oregon in the Northwest ¼ of the Northeast ¼ of Section 11, Township 17 South, Range 4 West of the Willamette Meridian and described as follows:

BEGINNING at the easterly northeast corner of those lands conveyed in that deed recorded on November 10, 1942 in Book 238 on Pages 594-595 in the Lane County Oregon Official Records; **THENCE** along the northerly boundary of said lands North 89°40'40" West, 113.52 feet to the westerly northeast corner of said lands; **THENCE** continuing along said northerly boundary South 00°21'25" West, 23.30 feet to the easterly northwest corner of said lands; **THENCE** continuing along said northerly boundary North 89°40'40" West, 26.96 feet to a point; **THENCE** along a line parallel to the centerline of Wisteria Street South 00°14'57" West (called South on the tax map), 42.74 feet to a point; **THENCE** perpendicular to the westerly right-of-way margin of Wisteria Street South 89°45'03" East (called West on the tax map), 140.53 feet to a point on said right-of-way margin lying 65.00 feet northerly of the southeast corner of those lands conveyed in that deed recorded on January 2, 1964 on Reel 233D as Instrument 38567 in the Lane County Oregon Official Records; **THENCE** along said right-of-way margin North 00°14'57" East, 65.86 feet, **RETURNING to the POINT of BEGINNING.**

TAX LOT 303

SITUATED in the City of Eugene, Lane County, State of Oregon in the Northwest ¼ of the Northeast ¼ of Section 11, Township 17 South, Range 4 West of the Willamette Meridian and described as follows:

COMMENCING at the easterly northeast corner of those lands conveyed in that deed recorded on November 10, 1942 in Book 238 on Pages 594-595 in the Lane County Oregon Official Records; **THENCE** along the northerly boundary of said lands North 89°40'40" West, 113.52 feet to the westerly northeast corner of said lands; **THENCE** continuing along said northerly boundary South 00°21'25" West, 23.30 feet to the easterly northwest corner of said lands; **THENCE** continuing along said northerly boundary North 89°40'40" West, 26.96 feet to a point; **THENCE** along a line parallel to the centerline of Wisteria Street South 00°14'57" West (called South on the tax map), 42.74 feet to a point, said point being the **POINT of**

BEGINNING; **THENCE** perpendicular to the westerly right-of-way margin of Wisteria Street South 89°45'03" East (called West on the tax map), 140.53 feet to a point on said right-of-way margin lying 65.00 feet northerly of the southeast corner of those lands conveyed in that deed recorded on January 2, 1964 on Reel 233D as Instrument 38567 in the Lane County Oregon Official Records; **THENCE** along said right-of-way margin South 00°14'57" West, 65.00 feet (called 64.84 feet on the tax map) to said southeast corner; **THENCE** along the southerly boundary of said lands North 89°43'26" West (called North 83°40'40" West on the tax map), 140.53 feet to a point on the aforesaid parallel line; **THENCE** along said parallel line North 00°14'57" East(called North on the tax map), 64.93 feet, **RETURNING to the POINT of BEGINNING.**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Renee Clough Digitally signed by Renee Clough
Date: 2016.11.15 09:46:29 -08'00'

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

RENEWAL DATE: 12/31/17

Exhibit C

Planning Director's Findings and Recommendation
Annexation Request for the Joshua Ray Property
(City File A 16-13)

Application Submitted: December 20, 2016
Applicant: Joshua Ray
Property Included in Annexation Request: Tax Lots 302 and 303 of Assessor's Map 17-04-11-12
Zoning: R-1 Low-Density Residential with /UL Urbanizable Lands Overlay
Location: 3380 and 3384 Wisteria Street; east of River Road, south of Terra Linda Avenue.
Surveyor: Renne Clough, Branch Engineering
Lead City Staff: Erik Berg-Johansen, City of Eugene Planning Division, 541/682-5437

EVALULATION:
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 ☒ **YES** ☐ **NO**	**Findings:** The annexation area is within the City's urban growth boundary (UGB), and is contiguous to city limits, consistent with subsection (a).

EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ **YES** ☐ **NO**	**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 *italic* text): *Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:* *a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.* *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)* *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).* *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 residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject properties and also designates the property for residential use. The property is currently zoned R-1 Low-Density Residential with an /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval. With regard to 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 the properties within the UGB will be annexed. 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. Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and applicable refinement 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: Wastewater Wastewater service is available east of the subject property via an 8-inch public wastewater system within Wisteria Street. Stormwater There are no existing public stormwater systems available. On-site retention may be possible if infiltration test results and facility designs are submitted at the time of development demonstrating feasibility and are in accordance with the applicable standards and adopted plans and policies. Transportation This property has frontage Wisteria Street, a Lane County road. Street improvements will be determined at the time of property development. Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County. Water and Electric Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property.
☒ **YES**	☐ **NO**	

		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 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. 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 Eugene School District 4J and is within the district boundary of Awbrey Park Elementary School, Madison Middle School, and North Eugene High School.

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 is set in accordance with state law.

INFORMATION:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential 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.

WRITTEN STATEMENT
ANNEXATION
NOVEMBER 25, 2016

This application proposes an annexation for Tax Map 17-04-11-12, Tax Lot 00302 and 00303. All properties are located inside the Metro Plan boundary and are zoned Residential 1. The subject sites are currently adjacent to City of Eugene incorporated land (Tax Map 17-04-11-12, Tax Lot 00144). The purpose of the annexation is to allow new home construction on each individual property. The following describes how the proposed annexation conforms to the Eugene Code:

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) This 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 other body of water.
All properties to be annexed are within the urban growth boundary and contiguous to the city limits.

(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.
The properties are within the Metro Plan and require key urban facilities and services to be available.
**Electrical service is provided by EWEB. An underground transformer is available for connection across Wisteria Street.*
**Water service is provided by EWEB. A water main is accessible on Wisteria Street.*
**The City of Eugene currently has an 8" waste water main located on Wisteria Street.*
**Santa Clara RFPD services are currently provided to the subject properties; however upon annexation, these properties will be automatically withdrawn, and fire protection will be provided by the Eugene – Springfield Fire & EMS Department.*
**The city stormwater system consists of an 8" main and curb inlets in Wisteria Street.*

(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.
As mentioned, public services are in place and readily available to the parcels proposed for annexation. Because of the proximity to the urban facilities, services can be provided in an orderly, efficient, and timely manner.

Attachment C

RECEIVED
NOV 30 2016
LANE COUNTY
ASSESSMENT & TAXATION

Application #: C * 2008 - ____
For City Use Only

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

PETITION

Petition Signature Sheet
Annexation by Individuals

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

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)
1. Joshua D. Ray	11/14/16	Joshua D Ray	3380 Wisteria St	17-04-11-12-00303	X		.21
2. Joshua D Ray	11/14/16	Joshua D Ray	3384 Wisteria St	17-04-11-12-00302	X		.2
3.							
4.							
5.							

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, Joshua D. Ray *(printed name of circulator)*, hereby certify that every person who signed this sheet did so in my presence.

X Joshua D Ray *(signature of circulator)*

CERTIFICATION OF PROPERTY OWNERS
The total landowners in the proposed annexation are 1 *(qty)*. This petition reflects that 1 *(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.*

Lane County Department of Assessment and Taxation

11-30-16
Date Certified

CERTIFICATION OF ELECTORS
The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 100 *(%)* of the total active registered voters that are registered in the proposed annexation.

Cynthia Kennish
Lane County Clerk or Deputy Signature

11/30/16
Date Certified

b. Except for areas that have no fire protection, affected property owners have signed consent to annex agreements with the applicable city consistent with Oregon annexation law.

Such annexations shall be considered as interim service delivery solutions until ultimate annexation to a city occurs.

20. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in priority order).
    a. Annexation to a city;
    b. Contractual annexation agreements with a city;
    c. Annexation to an existing district (under conditions described previously in Policy #19); or
    d. Creation of a new service district (under conditions described previously in Policy #14).

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: 17-04-11-12-00303 Address: 3380 Wisteria Street

Legal Description:

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

DATED this 30th day of November, 2016.

Joshua Daniel Ray

Joshua D Ray

STATE OF OREGON)
)ss
County of Lane)

On this 30 day of November, 2016, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Joshua Daniel Ray, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal: OFFICIAL SEAL
ROSEMARY RODRIGUEZ
NOTARY PUBLIC - OREGON
COMMISSION NO. 946615
MY COMMISSION EXPIRES JANUARY 20, 2020

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 January 20, 2020

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: 17-04-11-12-00302 Address: 3384 Wisteria Street

Legal Description:

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

DATED this 30th day of November, 2016

Joshua Daniel Ray

Joshua D. Ray

STATE OF OREGON)
)ss
County of)

On this 30 day of November, 2016, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Joshua Daniel Ray, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

OFFICIAL SEAL
ROSEMARY RODRIGUEZ
NOTARY PUBLIC - OREGON
COMMISSION NO. 946615
MY COMMISSION EXPIRES JANUARY 20, 2020

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 January 20 2020

Branch ENGINEERING Inc
Since 1977
civil · transportation
structural · geotechnical
SURVEYING

November 15, 2016

ANNEXATION LEGAL DESCRIPTIONS
TAX MAP 17-04-11-12, TAX LOTS 302 & 303
Branch Engineering Inc. Project No. 15-298

TAX LOT 302

SITUATED in the City of Eugene, Lane County, State of Oregon in the Northwest ¼ of the Northeast ¼ of Section 11, Township 17 South, Range 4 West of the Willamette Meridian and described as follows:

BEGINNING at the easterly northeast corner of those lands conveyed in that deed recorded on November 10, 1942 in Book 238 on Pages 594-595 in the Lane County Oregon Official Records; **THENCE** along the northerly boundary of said lands North 89°40'40" West, 113.52 feet to the westerly northeast corner of said lands; **THENCE** continuing along said northerly boundary South 00°21'25" West, 23.30 feet to the easterly northwest corner of said lands; **THENCE** continuing along said northerly boundary North 89°40'40" West, 26.96 feet to a point; **THENCE** along a line parallel to the centerline of Wisteria Street South 00°14'57" West (called South on the tax map), 42.74 feet to a point; **THENCE** perpendicular to the westerly right-of-way margin of Wisteria Street South 89°45'03" East (called West on the tax map), 140.53 feet to a point on said right-of-way margin lying 65.00 feet northerly of the southeast corner of those lands conveyed in that deed recorded on January 2, 1964 on Reel 233D as Instrument 38567 in the Lane County Oregon Official Records; **THENCE** along said right-of-way margin North 00°14'57" East, 65.86 feet, **RETURNING to the POINT of BEGINNING.**

TAX LOT 303

SITUATED in the City of Eugene, Lane County, State of Oregon in the Northwest ¼ of the Northeast ¼ of Section 11, Township 17 South, Range 4 West of the Willamette Meridian and described as follows:

COMMENCING at the easterly northeast corner of those lands conveyed in that deed recorded on November 10, 1942 in Book 238 on Pages 594-595 in the Lane County Oregon Official Records; **THENCE** along the northerly boundary of said lands North 89°40'40" West, 113.52 feet to the westerly northeast corner of said lands; **THENCE** continuing along said northerly boundary South 00°21'25" West, 23.30 feet to the easterly northwest corner of said lands; **THENCE** continuing along said northerly boundary North 89°40'40" West, 26.96 feet to a point; **THENCE** along a line parallel to the centerline of Wisteria Street South 00°14'57" West (called South on the tax map), 42.74 feet to a point, said point being the **POINT of**

BEGINNING; **THENCE** perpendicular to the westerly right-of-way margin of Wisteria Street South 89°45'03" East (called West on the tax map), 140.53 feet to a point on said right-of-way margin lying 65.00 feet northerly of the southeast corner of those lands conveyed in that deed recorded on January 2, 1964 on Reel 233D as Instrument 38567 in the Lane County Oregon Official Records; **THENCE** along said right-of-way margin South 00°14'57" West, 65.00 feet (called 64.84 feet on the tax map) to said southeast corner; **THENCE** along the southerly boundary of said lands North 89°43'26" West (called North 83°40'40" West on the tax map), 140.53 feet to a point on the aforesaid parallel line; **THENCE** along said parallel line North 00°14'57" East(called North on the tax map), 64.93 feet, **RETURNING to the POINT of BEGINNING.**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Renee Clough Digitally signed by Renee Clough
Date: 2016.11.15 09:46:29 -08'00'

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

RENEWAL DATE: 12/31/17

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: Renee Clough
Registered Land Surveyor

Print Name: Renee Clough

Date: 11/14/16

Seal:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Renee Clough

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

RENEWAL DATE: 12/31/2017

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: Joshua Daniel Ray

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

17-04-11-12-00302, 17-04-11-12-00303

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:

X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line: 11" Wisteria Street 8"

N/A 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?

\

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 & no

If yes, location? Goes to an existing weep hole in Wisteria Street for tax lot 17-04-11-12-02303

If no, how will stormwater be handled after development? - For tax lot 17-04-11-12-02303 the stormwater will be handled onsite with a soakage trench 0036

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. N on River Road, East on Wedgewood Drive, N on Wisteria Street

Will dedication for additional street right-of-way be required upon further development of this site?

_____Yes _____No _X_Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes _X_ No _____Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of $25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Terra Linda, ~~Hawkins~~ Ferndale, Awbrey, Filbert Meadows + Santa Clara Community Parks

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-
Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

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

X Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

_____ 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. 6" water main on west side of Wisteria Street.

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.

FOR ASSESSMENT AND TAXATION ONLY

N.W.1/4 N.E.1/4 SEC. 11 T.17S. R.4W. W.M.
Lane County
1" = 100'

REVISIONS
01/23/2012 - LCAT174 - CONVERT MAP TO GIS
01/31/2014 - LCAT142 - CODE CHANGE 5600 17041111104100
04/13/2016 - LCAT143 - CODE CHANGE 5800 & 17041111104100
09/24/2018 - LCAT158 - CANC TL 5800 INTO WEDGEWOOD MEADOWS
09/20/2018 - LCAT155 - NTLs 301, 302, & 303 OUT OF 300

17041112
EUGENE

LCATJXG - 2018-09-08 09:58

CANCELLED
100
109
110
111
112
113
114
115
131
132
133
134
135
136
137
400
4000
4100
4300
4600
4700
4800
4900
5800
5900
6000
6100
6101
7002
7004
5600

SEE MAP 17040234
SEE MAP 17040243
SEE MAP 17040244
SEE MAP 17041121
SEE MAP 17041111
SEE MAP 17041113
SEE MAP 17041114

004-17
004-00

BLACKFOOT AVENUE
KNIGHT AVENUE
BLAZER AVENUE
LOBELIA AVENUE
FOXGLOVE AVE
CHAPEL DRIVE
TERRA LINDA AVENUE
WEDGEWOOD DRIVE

NORTH PARADISE ESTATES
KNAVE STREET
COUNTY ROAD NO. 200
RIVER ROAD
WISTERIA STREET
LINDA FIRST ADD. TO TERRA LINDA
GINKGO WAY
TERRA LINDA
LINDA
MOLLYVIEW ESTATES
JOHN DYSON SUB.
CINDY STREET
CHAPEL PLAT
BRITISH MEADOWS
SUNSHINE MEADOWS
PEPINDALE
FERRIN ADD. TO SANTA CLARA

Attachment C

EUGENE
17041112

LANE COUNTY

Property Account Summary

As Of 11/30/2016 Status: Active

Account No.: 1878733 **Alternate Property Number:** 1704111200302

Account Type: Real Property

TCA: 00417

Situs Address: 10 UNKNOWN
ANYTOWN OR

Legal: Township 17 Range 04 Section 11 Quarter 12 TL 00302 2016-026199

Parties:

Role	Name & Address
Owner	RAY JOSHUA 3315 RIVER RD EUGENE OR 97404
Taxpayer	RAY JOSHUA 3315 RIVER RD EUGENE OR 97404

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	$94,609	$0			
AVR	$85,434	$0			
TVR	$85,434	$0			

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	101 Res conforming improved
	Change Property Ratio	1XX Residential
	Size	0.20
	Code Split	N
	Neighborhood	431500
	M5 tax compression for education	132.75

Exemptions:

(End of Report)

LANE COUNTY

Property Account Summary

As Of 11/30/2016 Status: Active

Account No.: 1878741 **Alternate Property Number:** 1704111200303

Account Type: Real Property

TCA: 00417

Situs Address: 10 UNKNOWN
ANYTOWN OR

Legal: Township 17 Range 04 Section 11 Quarter 12 TL 00303 2016-026199

Parties:

Role	Name & Address
Owner	RAY JOSHUA 3315 RIVER RD EUGENE OR 97404
Taxpayer	RAY JOSHUA 3315 RIVER RD EUGENE OR 97404

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	$26,442	$0			
AVR	$23,761	$0			
TVR	$23,761	$0			

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	100 Res conforming vac
	Change Property Ratio	1XX Residential
	Size	0.21
	Code Split	N
	Neighborhood	431500
	M5 tax compression for education	36.27

Exemptions:

(End of Report)

Frequently Asked Questions: Annexations in Eugene

What is annexation?

Annexation (sometimes also called "incorporation") is the legal process by which properties become part of a city. After annexation, a property will be inside the city limits and is no longer under county jurisdiction. In the City of Eugene, annexations must be approved by the Eugene City Council.

Why do properties annex to the City?

Typically, annexations to the City of Eugene are initiated by the property owner to obtain a service or right that the City provides. The comprehensive plan for Eugene, the *Eugene-Springfield Metropolitan Area General Plan* (or "Metro Plan"), says that Eugene will be the ultimate provider for urban services for all areas inside Eugene's Urban Growth Boundary (UGB). If a property owner wants to divide or develop a property, or wants to have new City services, the property must be first annexed to the City. Typical services requested include sanitary sewer, EWEB water, city police or fire protection, library services, and the ability to vote in city elections.

Who approves annexations?

The Eugene City Council must approve all annexations in Eugene. Applications will be submitted and fees will be paid to the City of Eugene's Planning Department.

Who can Annex to the City?

Land proposed to be annexed must be within the city's UGB and contiguous to the city limits or separated from the city only by public right of way or a stream, bay, lake or other body of water.

Will my taxes go up if I annex to the City?

Yes. City taxes are higher than the taxes in unincorporated areas, but the level of services is higher, too. To find out how your particular taxes may change, you should contact the Lane County Office of Assessment and Taxation (541-682-4321).

Why does the City look for logical and appropriate street segments to annex?

Since the Metro Plan indicates that all lands inside Eugene's UGB will some day be part of the city, it makes sense to have city streets provide access and utilities to properties within the city limits. Having streets within the city limits allows the city greater control over water and sewer line extension and repair, storm drainage, traffic speed control, and traffic enforcement. The City also provides a higher level of emergency services from the police and fire departments to incidents occurring in the road rights-of-way. As urban development continues and properties are annexed, there is more opportunity and a greater public need for assuring connectivity and access, rather than isolated and incremental efforts to acquire road rights-of-way as in the past.

Will the City charge properties along a street for improvements if the street is annexed?

No, not as a result of annexation. The City usually initiates the type of street improvements that result in assessments of adjacent properties only if the owners of property representing more than 50 percent of

REPRESENTATIVE (If different from Surveyor):

Name (print): Joshua Daniel Ray

Company/Organization: property owner

Address: P O Box 40805 Eugene

City/State/Zip: Eugene, OR 97404 Phone: 541-556-3047 Fax: 3047

E-mail: rayjoshua[illegible]d.99@gmail.com

Signature: Joshua D Ray Date: 11/14/16

****Attached additional sheets if necessary.**

Eugene Planning

ANNEXATION

RECEIVED
DEC 20 2016

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
17-04-11-12	00302	R1	0.20
17-04-11-12	00303	R1	0.21

Property Address: 3380 & 3384 Wisteria Street

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

	Name Joshua D Ray		
Parks:	River Road		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	Santa Clara Rural Fire Protection		
Schools:	**Elementary:** Awbrey Park	**Middle:** Madison	**High:** North Eugene
Other:			

Filing Fee

☐ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement *(Submit 5 copies)*

☐ Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

weeks prior to the hearing date. At the hearing the council may adopt a resolution approving, modifying and approving, or denying the application for annexation.

An effective date for the annexation shall be set in accordance with state law.

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- ☐ Show the date & north arrow on site plan.
- ☐ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☐ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☐ Show city limits & UGB (if applicable)
- ☐ Clearly label the affected territory and any public right of ways to be annexed.
- ☐ Show all adjacent streets, alleys, and accessways.
- ☐ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☐ Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- ☐ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☐ Notarized Consent to Annexation form.
- ☐ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statues (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☐ Summary of Urban Service Provision form.
- ☐ A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- ☐ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

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: 17-04-11-12-00302

Name (print): Joshua D Ray

Address: 3384 Wisteria Street Email: rayjoshuad.99@gmail.com

City/State/Zip: Eugene, OR 97404 Phone: 541-556-3047 Fax:

Signature: Joshua D Ray Date: 11/25/16

PROPERTY OWNER OF TAX LOT: 17-04-11-12-00303

Name (print): Joshua D Ray

Address: 3380 Wisteria Street Email: rayjoshuad.99@gmail.com

City/State/Zip: Eugene, OR 97404 Phone: 541-556-3047 Fax:

Signature: Joshua D Ray Date: 11/25/16

PROPERTY OWNER OF TAX LOT: _____

Name (print):

Address: Email:

City/State/Zip: Phone: Fax:

Signature: Date:

SURVEYOR:

Name (print): Renee Clough

Company/Organization: Branch Engineering Inc

Address: 310 5th St

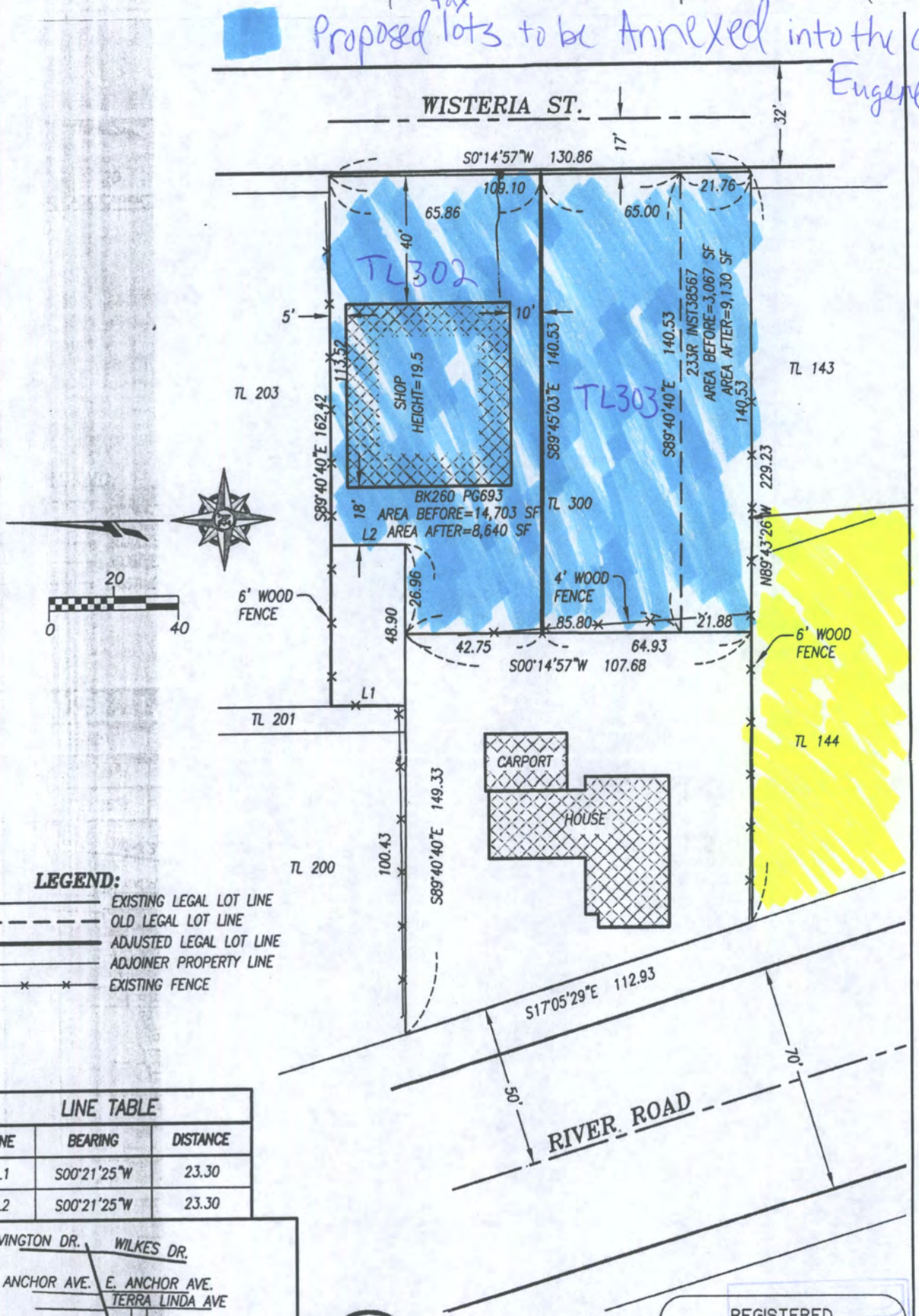
City/State/Zip: Springfield 97477 Phone: 541-746-0637 Fax:

E-mail: reneec@branchengineering.com

Signature: Renee Clough Date: 11/14/16

City of Eugene Incorporated Land

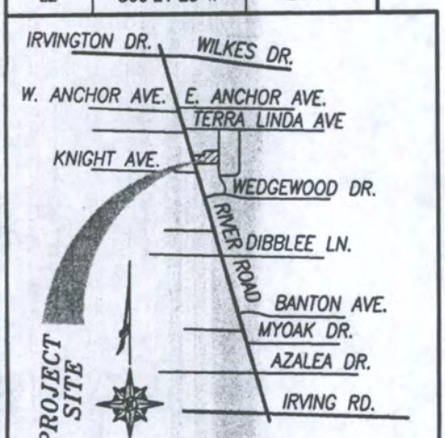
Proposed tax lots to be Annexed into the city of Eugene



LEGEND:

- EXISTING LEGAL LOT LINE
- OLD LEGAL LOT LINE
- ADJUSTED LEGAL LOT LINE
- ADJOINER PROPERTY LINE
- EXISTING FENCE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°21'25"W	23.30
L2	S00°21'25"W	23.30



VICINITY MAP NOT TO SCALE

ASSESSOR'S MAP(S) 17-04-11-12 LOT NUMBER(S) TL 300

Branch ENGINEERING inc
Since 1977
310 5th Street
Springfield, OR 97477
p: 541.746.0637
www.BranchEngineering.com

REGISTERED PROFESSIONAL LAND SURVEYOR

Renee Clough

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

EXPIRES: December 30, 2017

DATE: FEB. 19, 2016

PROJECT NO. 15-298

File Number LA _____

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of a Resolution Annexing Land to the City of Eugene
Identified as Assessor's Map 17-04-01-33, Tax Lot 3701
(Tate, Sharon and Robert; A 17-1)

Meeting Date: March 13, 2017 | Agenda Item Number: 2D
Department: Planning and Development | Staff Contact: Erik Berg-Johansen
www.eugene-or.gov | Contact Telephone Number: 541/682-5437

ISSUE STATEMENT
This item is a request to annex approximately 0.7 acre of land at 465 Wilkes Drive, located east of River Road on the north side of Wilkes Drive, into the Eugene city limits. No public right-of-way would be annexed as part of this request, and it is noted that the portion of Wilkes Drive adjacent to the property has already been annexed.

The property is zoned R-1 Low-Density Residential with /UL Urbanizable Lands Overlay Zone and is designated for low-density residential use in the Metro Plan. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan, which also designates the property for low-density residential use. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Plans for future development of the site are not included as part of this annexation application, and any land division of the property will be subject to a separate, future public process.

BACKGROUND
To encourage compact urban growth and sequential development within Eugene's urban growth boundary, the Metro Plan provides that ultimately all land within the urban growth boundary will be annexed into the city and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the city's urban growth boundary 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood

association, consistent with Eugene Code requirements. No written testimony has been received as of this date.

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 limited 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 applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan. 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 resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt Resolution 5187, which approves the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

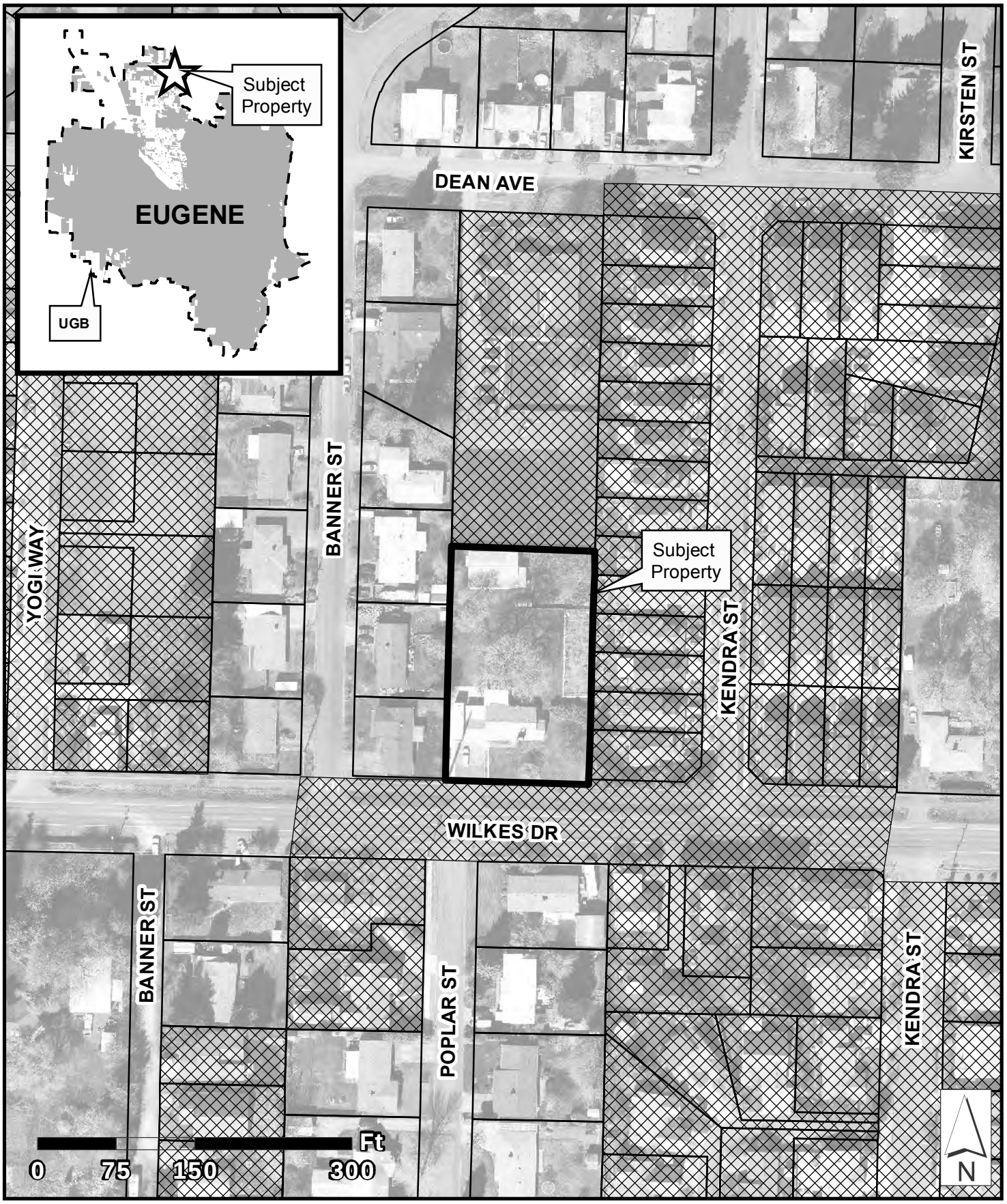
A. Vicinity Map
B. Annexation Resolution with Exhibits A through C
   Exhibit A: Map of Annexation Request
   Exhibit B: Legal Description
   Exhibit C: Planning Director Findings and Recommendation
C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Erik Berg-Johansen
Telephone: (541) 682-5437
Staff E-Mail: erik.berg@ci.eugene.or.us

Tate (A 17-1)

Attachment A



Legend

Subject Property | City Limits | Taxlots

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

February 2017

Eugene

RESOLUTION NO. _____

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-01-33, TAX LOT 3701).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on January 10, 2017, by Robert W. Tate and Sharon L. Tate, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-01-33, Tax Lot 3701.

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 Findings and Recommendation is attached as Exhibit C.

D. On February 10, 2017, 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 March 13, 2017.

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 attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-01-33, Tax Lot 3701, depicted on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

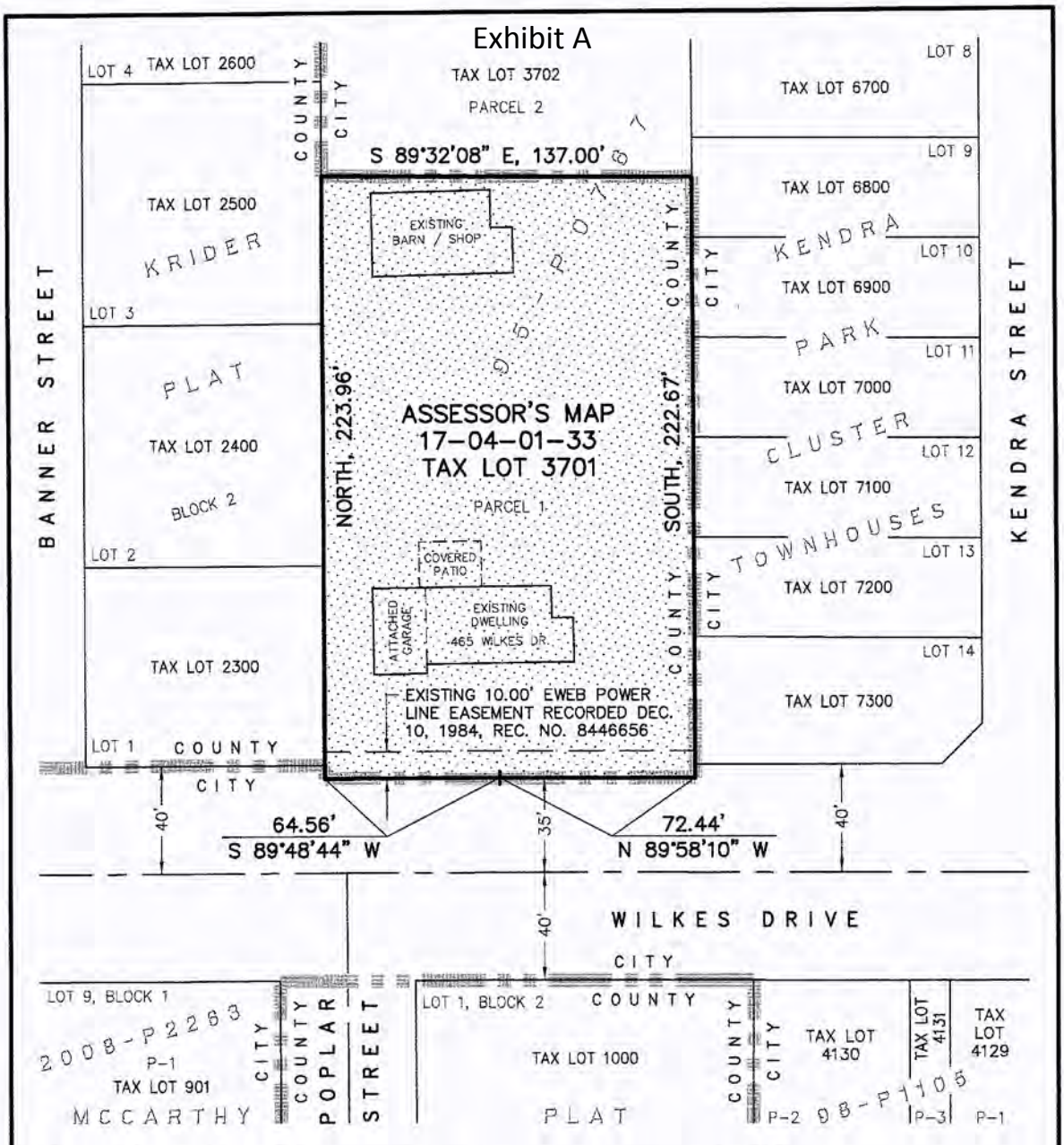
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the __ day of March, 2017.

_____

City Recorder

Exhibit A



REGISTERED PROFESSIONAL LAND SURVEYOR

Michael Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWS: 12-31-2017

NORTH

SCALE:
1" = 50 FT

LEGEND

CITY
COUNTY — CITY LIMITS LINE

AFFECTED TERRITORY TO BE ANNEXED
AREA = 0.70 ACRES

NOTES

1. NO PUBLIC RIGHT OF WAYS ARE INCLUDED IN THE AFFECTED TERRITORY TO BE ANNEXED.
2. THE NEAREST SEGMENT OF THE URBAN GROWTH BOUNDARY (UGB) IS LOCATED AT THE EASTERLY TERMINUS OF MARIA LYNN AVENUE APPROXIMATELY 0.21 MILES NORTHEAST OF THE SUBJECT PROPERTY.

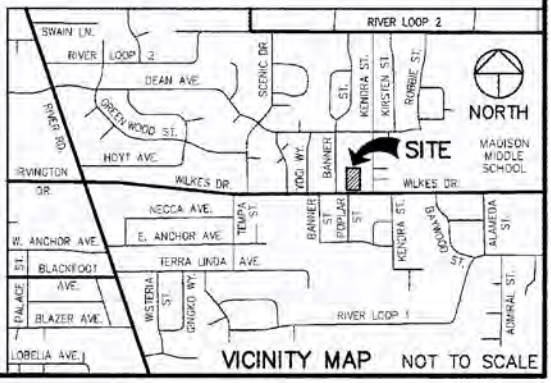
SITE PLAN FOR:

ROBERT & SHARON TATE ANNEXATION

SW 1/4 SECTION 1, T17S, R4W, W.M.
ASSESSOR'S MAP 17-04-01-33, TAX LOT 3701
EUGENE, LANE COUNTY, OREGON

SSW ENGINEERS INC
CIVIL · STRUCTURAL · BUILDING DESIGN
SURVEYING · LAND USE PLANNING
2350 Oakmont Way, Suite 105 Eugene, Oregon 97401 (541) 485-8383

JOB NO. 16-7371 JANUARY 3, 2017



Legal Description for the Annexation of the Tate Property
to the City of Eugene
SW 1/4 of SECTION 1, T17S, R4W, W.M.
Lane County Assessor's Map 17-04-01-33, Tax Lot 3701

A parcel of land situated in the Southwest One Quarter of Section 1, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon, said parcel being comprised of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, and being more particularly described as follows:

Beginning at Southwest corner of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, said point also being on the Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along the West line of said Parcel 1 North, 223.96 feet to the Northwest corner thereof; thence along the North line of said Parcel 1 South 89°32'08" East, 137.00 feet to the Northeast corner thereof; thence along the East line of said Parcel 1 South, 222.67 feet to the Southeast corner thereof, said Southeast corner also being on said Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along said Northerly right-of-way line and the South line of said Parcel 1 the following two (2) courses: 1) North 89°58'10" West, 72.44 feet; thence 2) South 89°48'44" West, 64.56 feet to the Point of Beginning, in Lane County, Oregon.

Containing 0.70 acres, more or less.

Bearings and distances in the foregoing description are based on record information per LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records.



Exhibit C

Planning Director's Findings and Recommendation
Annexation Request for the Sharon and Robert Tate Property
(City File A 17-1)

Application Submitted: January 10, 2017
Applicant: Sharon and Robert Tate
Property Included in Annexation Request: Tax Lot 3701 of Assessor's Map 17-04-01-33
Zoning: R-1 Low-Density Residential with /UL Urbanizable Lands Overlay
Location: 465 Wilkes Drive; east of River Road on the north side of Wilkes Drive
Surveyor: Jason Goshert, SSW Engineers
Lead City Staff: Erik Berg-Johansen, City of Eugene Planning Division, 541/682-5437

EVALULATION:
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 ☒ **YES** ☐ **NO**	**Findings:** The annexation area is within the City's urban growth boundary (UGB), and as proposed, will be contiguous to city limits, consistent with subsection (a).

EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ **YES** ☐ **NO**	**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 *italic* text): *Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:* *a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.* *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)* *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).* *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 residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject properties and also designates the property for residential use. The property is currently zoned R-1/UL Low-Density Residential with an Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval. With regard to 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 the properties within the UGB will be annexed. 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. Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and applicable refinement 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: Wastewater Wastewater service is available via an 8-inch public wastewater system within Wilkes Drive, south of the subject property. The wastewater equivalent assessment has been paid. Stormwater Public stormwater systems are not available to serve this property. The soil classification is Type B, which typically indicates that good infiltration rates can be expected. Development proposals must demonstrate consistency with flood control standards; on-site retention is a feasible option for this site. Compliance with applicable stormwater development standards will be ensured at the time of development. Transportation This property has frontage on Wilkes Drive, an unimproved major collector. This segment appears to have been annexed into the city limits in 2007, though remains a Lane County road until a jurisdictional transfer occurs. Street improvements will be determined at the time of property development. Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.
☒ **YES**	☐ **NO**	

		Water and Electric Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. 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 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. 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 Eugene School District 4J and is within the district boundary of Spring Creek Elementary School, Madison Middle School, and North Eugene High School.

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 is set in accordance with state law.

INFORMATION:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential 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 682-5377 for more information.

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

ANNEXATION APPLICATION

Property Location:	465 Wilkes Drive, Eugene, OR 97404 Assessor's Map 17-04-01-33, Tax Lot 3701 Parcel 1 of Land Partition Plat No. 95-P0767 N. side of Wilkes Dr., between Banner St. & Kendra St.
Owner / Applicant:	Robert W. Tate & Sharon L. Tate P.O. Box 26423 Eugene, OR 97402
Applicant's Representative:	Jason Goshert SSW Engineers Inc. 2350 Oakmont Way, Suite 105 Eugene, OR 97401 Phone: 541-485-8383 jasong@sswengineers.com
Surveyor:	Michael R. Dahrens, PLS SSW Engineers Inc. 2350 Oakmont Way, Suite 105 Eugene, OR 97401 Phone: 541-485-8383 miked@sswengineers.com
Current Base Zoning:	R - 1 "Low Density Residential"
Overlay Zone(s):	UL "Urbanizable Land"
Metro Plan Designation:	Low Density Residential
Neighborhood:	Santa Clara Community Organization
Request:	Annexation to the City of Eugene

(WRITTEN STATEMENT IS ON FOLLOWING PAGES)

WRITTEN STATEMENT

This written statement describes how this annexation request is consistent with all applicable criteria referenced in Section 9.7825 of the Eugene Code. Approval criteria are shown in *italics*, with subsequent findings / responses shown in regular text.

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 land proposed for annexation (hereinafter referred to as the "subject property") is located well within the City of Eugene's urban growth boundary (UGB), the nearest segment of which is located at the easterly terminus of Maria Lynn Avenue approximately 0.21 miles northeast of the subject property. The subject property is contiguous to the current city limits on three (3) sides. More specifically, the property currently comprised of Tax Lot 3702 immediately adjacent to the north side of the subject property was formally annexed into the City of Eugene in 1996 (refer to City File No. A 96-48), the properties currently comprised of Tax Lots 6800 - 7300 immediately adjacent to the east side of the subject property were all formally annexed into the City of Eugene in 1995 (refer to City File No. A 95-75), and the portion of the Wilkes Drive public right-of-way immediately adjacent to the south side of the subject property was formally annexed into the City of Eugene in 2007 (refer to City File No. A 07-15). Therefore, the proposed annexation satisfies EC 9.7825 Annexation – Approval Criteria (1) & (1)(a).

9.7825 ***Annexation – Approval Criteria. (continued)***

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

Metro Plan Policy 8 provides for conversion of land from urbanizable to urban through annexation when a minimum level of key urban facilities and services can be provided. This policy is the subject of EC 9.7825 Annexation – Approval Criteria (3), which is addressed in detail below.

Metro Plan Policy 10 states that annexation to the city through this normal process shall be the highest priority. As such, the proposed annexation is consistent with this policy.

Metro Plan Policy 15 states that land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. It further states that while the timeframe for annexation may vary, annexation should occur as land transitions from urbanizable to urban. The subject property is located within the UGB and the UL "Urbanizable Land" overlay zone and therefore, based on this policy, should be annexed. Surrounding lands in the immediate vicinity of the subject property were previously annexed in 1995, 1996 and 2007,

have been fully developed, and remain under continued residential uses with the benefit of at least the minimum level of urban facilities and services such that they have certainly been "urbanized". The minimum level of urban facilities and services are already available to the subject property as discussed below in response to EC 9.7825 Annexation – Approval Criteria (3). Therefore, the proposed annexation is consistent with Metro Plan Policy 15.

Metro Plan Policy 17 applies to local government as opposed to the applicant, in that it concerns dissolution of special service districts after annexation and consideration of intergovernmental agreements with affected special service districts. The applicant does not object to the dissolution of any special service districts as necessary. The proposed annexation is not inconsistent with this policy.

Metro Plan Policy 19 states that annexation of territory to existing service districts within the UGB shall occur only when immediate annexation to a city is not possible because the required minimum level of key urban facilities and services cannot be provided in a timely manner (within 5 years) and, except for areas that have no fire protection, affected property owners have signed consent to annex agreements. As addressed below in response to EC 9.7825 Annexation – Approval Criteria (3), the minimum level of key urban facilities and services are already available to the subject property such that immediate annexation to the City is possible. Therefore, Metro Plan Policy 19 is not applicable to the proposed annexation.

Metro Plan Policy 20 states that when unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in priority order): a) Annexation to a city; b) Contractual annexation agreements with a city; c) Annexation to an existing district; or d) creation of a new service district. Annexation to the City of Eugene is being proposed to allow connection to, and/or continued utilization of existing City utilities and urban services by the subject property consistent with this policy.

The subject property is currently zoned R-1 "Low Density Residential", consistent with the current "Low Density Residential" designation per the current Metro Plan.

The subject property is located within the boundaries of the River Road – Santa Clara Urban Facilities Plan. Said refinement plan supports the annexation, urbanization, and provision of urban facilities and services to properties within its boundaries. The proposed annexation is consistent with applicable policies set forth in said refinement plan.

In consideration of the above, as well as relevant portions of the statements below addressing EC 9.7825 Annexation – Approval Criteria (3), the proposed annexation is consistent with applicable policies in the Metro Plan and applicable refinement plans and therefore satisfies EC 9.7825 Annexation – Approval Criteria (2).

9.7825 <u>Annexation – Approval Criteria</u>. (continued)

(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 Metro Plan defines the "Minimum Level" of "key urban facilities and services" as including:

> *"...wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools."*

Wastewater Service: City of Eugene / Metropolitan Wastewater Management Commission wastewater service is already provided to the subject property via an existing wastewater service connection to an existing 8" public wastewater main located within the adjacent portion of Wilkes Drive.

Stormwater Service: Stormwater service is already available to the subject property via the existing public open drainage ditch located along the north side of Wilkes Drive adjacent to the south side of the subject property. Current City stormwater management policies require that stormwater be kept on site and that run-off shall be limited to pre-development flows. Therefore, any future development of the subject property will require on-site stormwater management facilities complying with the requirements of the City of Eugene Stormwater Management Manual in effect at that time. More specifically, said future facilities will likely be comprised of an on-site private stormwater collection/conveyance system directing run-off into approved on-site private pre-treatment and infiltration and/or detention facilities, with overflow directed into the above referenced existing public open drainage ditch located along the north side of Wilkes Drive. Per the USDA Soil Survey of Lane County the site is comprised of a soil type classified within Hydrologic Group B, which is theoretically suitable for on-site infiltration per current City of Eugene stormwater management policies.

Transportation: The subject property has frontage on, and access to/from Wilkes Drive (classified as a major collector) on the south, which in turn provides connectivity to local and regional street and state highway networks. Public transportation is also available via an existing Lane Transit District (LTD) bus route which runs along Wilkes Drive, Scenic Drive, Spring Creek Drive and River Road, with the nearest bus stop located on Wilkes Drive approximately 1/4 mile to the west of the subject property. Therefore, with respect to transportation, the subject property is already served by this type of "key urban facility".

Solid Waste Management: Garbage and recycling services are available from local and regional private firms which collect and transport solid waste to landfills managed by Lane County, therefore the subject property is already served by this type of "key urban service".

Water Service: Water service is already provided to the subject property by Eugene Water and Electric Board (EWEB) under contract with the Santa Clara Water District (SCWD), via an existing 8" water main within Wilkes Drive.

Fire and Emergency Medical Services: According to the Regional Land Information Database of Lane County (RLID), fire protection is currently provided by the Santa Clara Rural Fire Protection District and ambulance/emergency medical services are currently provided by the Eugene Fire & Emergency Medical Services Department (West/Central District). Following annexation, ambulance/emergency medical services will continue to be provided by Eugene Fire

& EMS, and fire protection services will either continue to be provided by the Santa Clara Rural Fire Protection District via agreement with the City of Eugene, or will be provided directly by Eugene Fire & EMS. Therefore, the subject property is already served by this type of "key urban service".

Police Protection: Following annexation, police protection will be provided by the Eugene Police Department, which currently provides police protection to properties within the city limits of Eugene. Therefore, the subject property can be provided with this type of "key urban service".

City-Wide Parks and Recreation Programs: The subject property is located within the urban growth boundary (UGB) of the City of Eugene, and is therefore included in the City of Eugene Parks, Recreation and Open Space (PROS) Comprehensive Plan area. According to the City of Eugene "Parks, Open Space & Rec Map" dated September 2016, the following parks are located within one (1) mile of the subject property: Santa Clara Community Park, Terra Linda Park, Ferndale Park, Awbrey Park, Wendover Park, and Whitely Landing (Lane County Park). Following annexation, recreation programs and facilities will be available to residents of the subject property via the City of Eugene Recreation and Cultural Services Departments (at incorporated City resident rates) and via the River Road Park and Recreation District (at "out-of-district" rates). Therefore, with respect to city-wide parks and recreation programs, these types of "key urban facilities and services" are available to the subject property.

Electric Service: Eugene Water and Electric Board (EWEB) electric service is already provided to the subject property via existing overhead electric distribution facilities within Wilkes Drive.

Land Use Controls: The subject property is currently subject to the land use controls of the City of Eugene, and will continue to be following annexation.

Communications Facilities: A variety of communications facilities and services (e.g. – phone, cellular, data, cable TV, etc.) are available in the area, to which the owner(s) of subject property can subscribe/connect to as they wish. Therefore, the subject property can be served by these types of "key urban facilities and services".

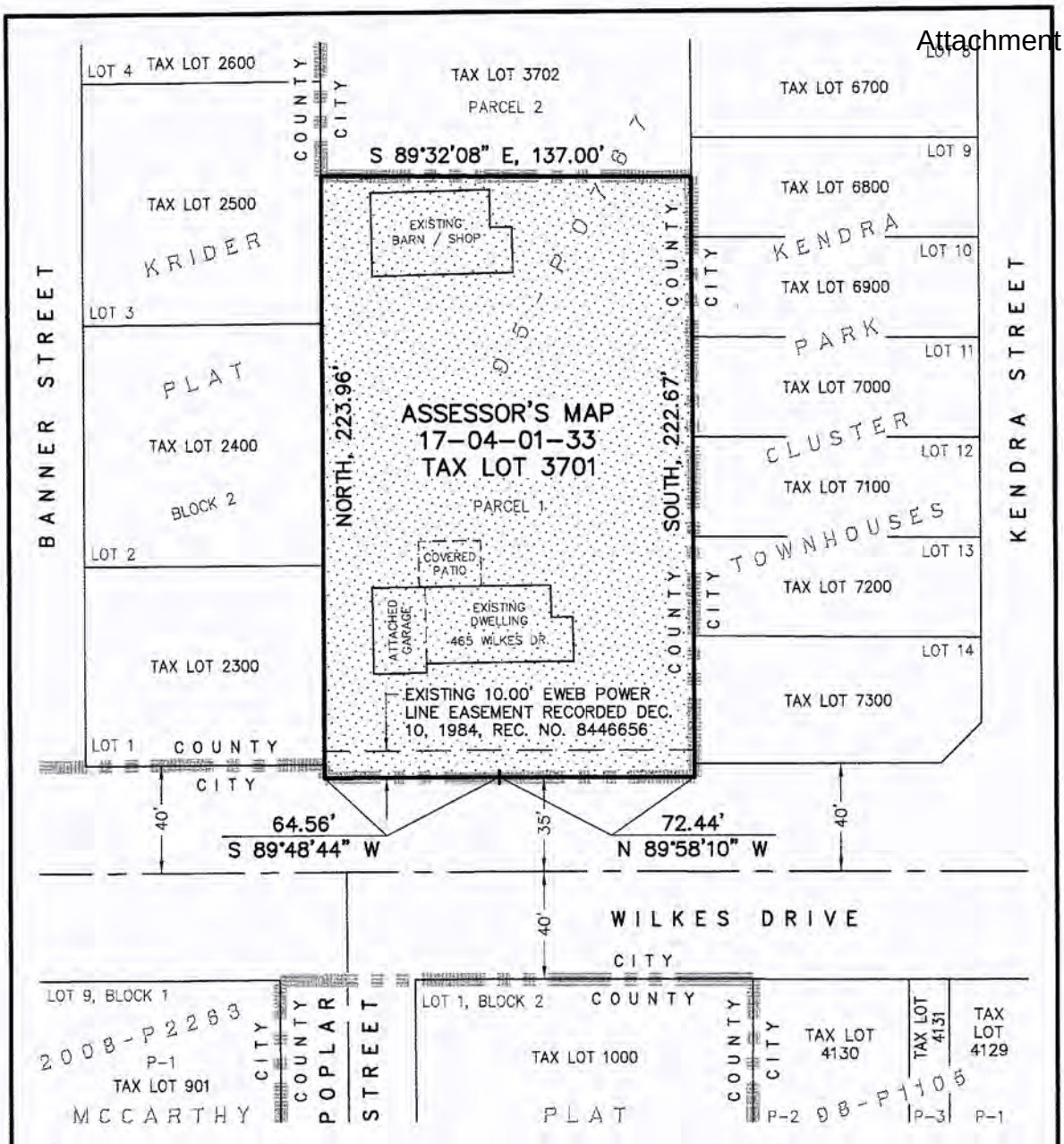
Public Schools: The subject property is located within the Eugene 4J School District. Existing public schools in the vicinity are Spring Creek Elementary, Madison Middle School and North Eugene High School. Therefore, the subject property is already served by these types of "key urban facilities and services".

In consideration of the above, the proposed annexation satisfies EC 9.7825 Annexation – Approval Criteria (3), as well as relevant components of applicable Metro Plan policies pursuant to EC 9.7825 Annexation – Approval Criteria (2).

Prepared by:

SSW Engineers Inc.

Jason Goshert, Project Manager
Survey & Land Use Planning Technician



REGISTERED PROFESSIONAL LAND SURVEYOR

Michael Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWS: 12-31-2017

NORTH

SCALE:
1" = 50 FT

LEGEND

CITY
COUNTY — CITY LIMITS LINE

AFFECTED TERRITORY TO BE ANNEXED
AREA = 0.70 ACRES

NOTES

1. NO PUBLIC RIGHT OF WAYS ARE INCLUDED IN THE AFFECTED TERRITORY TO BE ANNEXED.
2. THE NEAREST SEGMENT OF THE URBAN GROWTH BOUNDARY (UGB) IS LOCATED AT THE EASTERLY TERMINUS OF MARIA LYNN AVENUE APPROXIMATELY 0.21 MILES NORTHEAST OF THE SUBJECT PROPERTY.

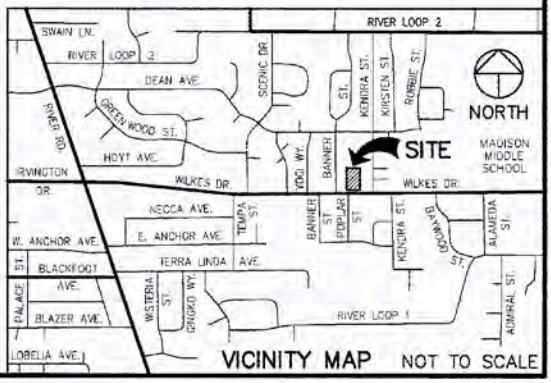
SITE PLAN FOR:

ROBERT & SHARON TATE ANNEXATION

SW 1/4 SECTION 1, T17S, R4W, W.M.
ASSESSOR'S MAP 17-04-01-33, TAX LOT 3701
EUGENE, LANE COUNTY, OREGON

SSW ENGINEERS INC
CIVIL · STRUCTURAL · BUILDING DESIGN
SURVEYING · LAND USE PLANNING
2350 Oakmont Way, Suite 105 Eugene, Oregon 97401 (541) 485-8383

JOB NO. 16-7371 JANUARY 3, 2017



Application #: C * 2008 - _____
For City Use Only

RECEIVED
JAN 10 2017
Lane County
Assessment & Taxation

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

PETITION

Petition Signature Sheet
Annexation by Individuals

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

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)
1.	1/4/17	Robert W. Tate	465 Wilkes Drive Eugene, OR 97404	17-04-01-33-03701	✓	✓	0.70
2. Sharon L Tate	1/4/17	Sharon L. Tate	465 Wilkes Drive Eugene, OR 97404	17-04-01-33-03701	✓	✓	0.70
3.							
4.							
5.							

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, Jason P. Goshert *(printed name of circulator)*, hereby certify that every person who signed this sheet did so in my presence.

X_____ *(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.*

Carol L Gaston
Lane County Department of Assessment and Taxation

Jan. 10, 2017
Date Certified

CERTIFICATION OF ELECTORS
The total active registered voters in the proposed annexation are 1. I hereby certify that this petition includes 1 valid signatures representing 100 *(%)* of the total active registered voters that are registered in the proposed annexation.

Cynthia Hennion
Lane County Clerk or Deputy Signature

1/6/2017
Date Certified

Attachment C

LANE COUNTY

Property Account Summary

As Of 1/10/2017 Status: Active

Account No.: 0336618 **Alternate Property Number:** 1704013303701

Account Type: Real Property

TCA: 00417

Situs Address: 465 WILKES DR
EUGENE OR 97404

Legal: Township 17 Range 04 Section 01 Quarter 33 TL 03701

Parties:

Role	Name & Address
Owner	TATE ROBERT W & SHARON L PO BOX 26423 EUGENE OR 97402
Taxpayer	TATE ROBERT W & SHARON L PO BOX 26423 EUGENE OR 97402

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	$261,723	$242,394	$234,534	$207,098	$203,593
AVR	$182,785	$177,461	$172,292	$167,274	$162,402
TVR	$182,785	$177,461	$172,292	$167,274	$162,402

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	191 Potential dev improved
	Change Property Ratio	1XX Residential
	Size	0.7
	Code Split	N
	Neighborhood	431500

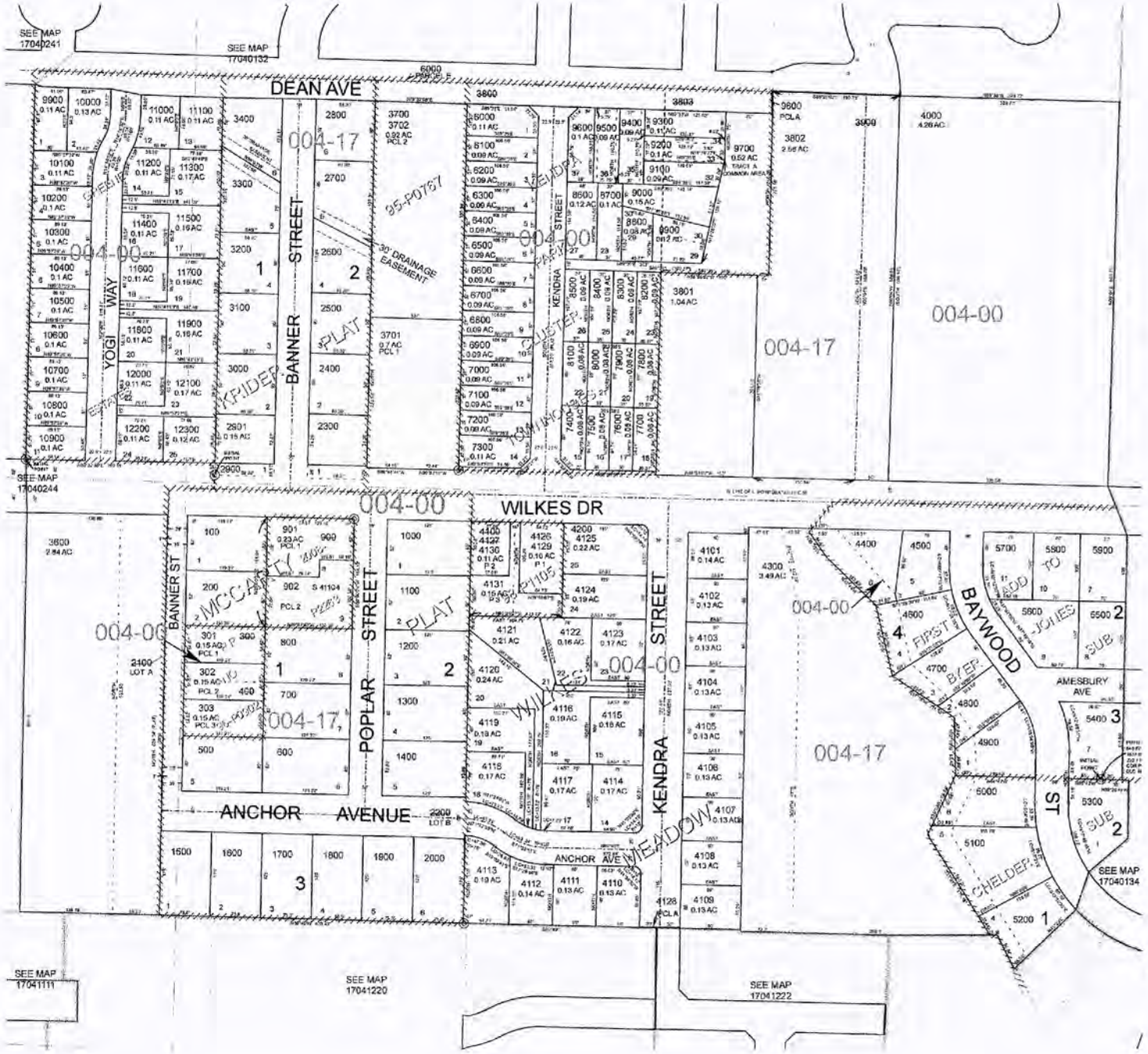
Exemptions:

(End of Report)

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4 S.W.1/4 SEC. 1 T.17S. R.4W. W.M.
Lane County
1" = 100'

17040133



17040133

Attachment C

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: Map 17-04-01-33, Tax Lot 3701 Address: 465 Wilkes Drive, Eugene, OR 97404

Legal Description:

A parcel of land situated in the Southwest One Quarter of Section 1, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon, said parcel being comprised of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, and being more particularly described as follows:

Beginning at Southwest corner of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, said point also being on the Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along the West line of said Parcel 1 North, 223.96 feet to the Northwest corner thereof; thence along the North line of said Parcel 1 South 89°32'08" East, 137.00 feet to the Northeast corner thereof; thence along the East line of said Parcel 1 South, 222.67 feet to the Southeast corner thereof, said Southeast corner also being on said Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along said Northerly right-of-way line and the South line of said Parcel 1 the following two (2) courses: 1) North 89°58'10" West, 72.44 feet; thence 2) South 89°48'44" West, 64.56 feet to the Point of Beginning, in Lane County, Oregon.

Containing 0.70 acres, more or less.

Bearings and distances in the foregoing description are based on record information per LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records.

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

DATED this 4 day of January, 2017.

ROBERT W. TATE X _____

SHARON L. TATE X _____

STATE OF OREGON)
) ss
County of Lane)

On this 4 day of January, 2017, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named ROBERT W. TATE and SHARON L. TATE, who are known to me to be the identical individuals described herein and who executed the same freely and voluntarily.

Seal:

OFFICIAL STAMP
REBECCA REY WILTSE
NOTARY PUBLIC-OREGON
COMMISSION NO. 950447
MY COMMISSION EXPIRES MAY 15, 2020

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 5/15/20

Legal Description for the Annexation of the Tate Property
to the City of Eugene
SW 1/4 of SECTION 1, T17S, R4W, W.M.
Lane County Assessor's Map 17-04-01-33, Tax Lot 3701

A parcel of land situated in the Southwest One Quarter of Section 1, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon, said parcel being comprised of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, and being more particularly described as follows:

Beginning at Southwest corner of Parcel 1 of LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records, said point also being on the Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along the West line of said Parcel 1 North, 223.96 feet to the Northwest corner thereof; thence along the North line of said Parcel 1 South 89°32'08" East, 137.00 feet to the Northeast corner thereof; thence along the East line of said Parcel 1 South, 222.67 feet to the Southeast corner thereof, said Southeast corner also being on said Northerly right-of-way line of Wilkes Drive (35.00 feet from the centerline thereof); thence along said Northerly right-of-way line and the South line of said Parcel 1 the following two (2) courses: 1) North 89°58'10" West, 72.44 feet; thence 2) South 89°48'44" West, 64.56 feet to the Point of Beginning, in Lane County, Oregon.

Containing 0.70 acres, more or less.

Bearings and distances in the foregoing description are based on record information per LAND PARTITION PLAT NO. 95-P0767, as platted and recorded December 21, 1995, Lane County Oregon Plat Records.



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: Michael Dahrens

Registered Land Surveyor

Print Name: MICHAEL R. DAHRENS

Date: 1-09-2017

Seal:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWAL DATE: 12-31-2017

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:
ROBERT W. TATE and SHARON L. TATE

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

Map 17-04-01-33, Tax Lot 3701

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:
8" line within Wilkes Drive

_____ 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?

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?
Adjacent Public System: YES; On-site Private System: NO

If yes,
location? Existing public open drainage ditch located along the North side of Wilkes Drive.

If no, how will stormwater be handled after development? -
Collection via on-site private system, pre-treatment and infiltration and/or detention via on-site private stormwater management facility(ies), with overflow directed into the above referenced existing public open drainage ditch along the North side of Wilkes Drive.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. FROM RIVER ROAD: East on Wilkes Drive.
FROM NORTHWEST EXPRESSWAY: East on Irvington Drive, continuing East on Wilkes Drive.
FROM BELTLINE HIGHWAY: North on River Road, East on Wilkes Drive.

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes _____ No ___✓___ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes ___✓___ No _____ Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of $25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Per the City of Eugene 2016 "Parks, Open Space & Rec Map", the following parks are located within one mile of the subject property: Santa Clara Community Park, Terra Linda Park, Ferndale Park, Awbrey Park, Wendover Park, and Whitely Landing (Lane County Park).

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-
Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

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

_____ Fire & emergency services currently provided by Lane Rural Fire / Rescue.

__✓__ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

_____ 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?
Eugene Water and Electric Board (EWEB).

Water Service -- Please provide the size and location of the water main closest to your property. EWEB Water Service. (Via contract with Santa Clara Water District (SCWD)
Existing 8" water main within Wilkes Drive immediately adjacent to the subject property.

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

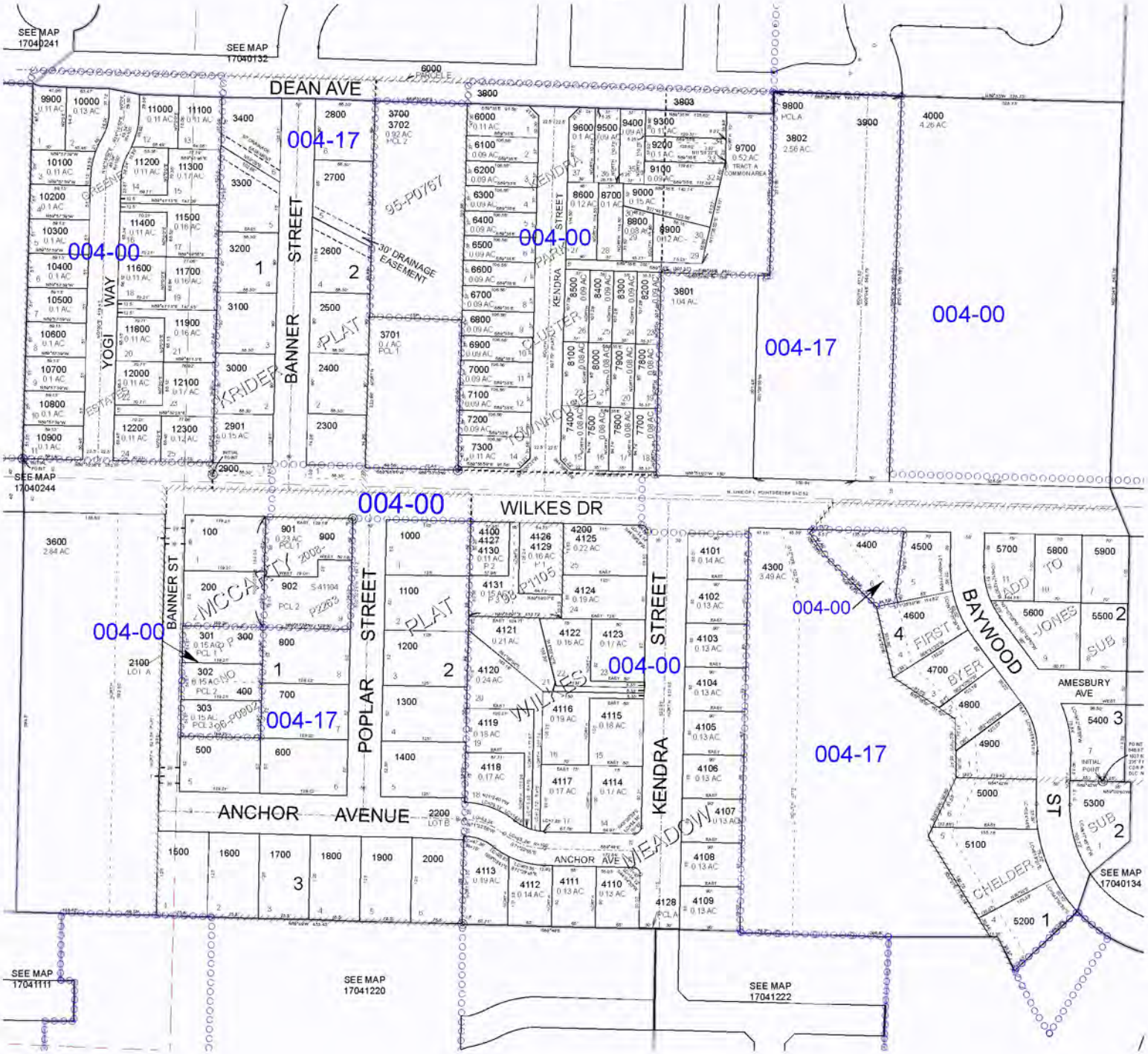
Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

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

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4 S.W.1/4 SEC. 1 T.17S. R.4W. W.M.
Lane County
1" = 100'

17040133



17040133

Attachment C

Eugene Planning

ANNEXATION

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 - 01 - 33	3701	R-1 / UL	0.70 Acres

Property Address: 465 Wilkes Drive, Eugene, OR 97404

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

	Name				
Parks:	Unknown				
Electric:	Eugene Water & Electric Board (EWEB)				
Water:	Eugene Water & Electric Board (EWEB)				
Sanitary Sewer:	City of Eugene / Metropolitan Wastewater Management Commission				
Fire:	Santa Clara Rural Fire Protection District				
Schools:	**Elementary:** Spring Creek	**Middle:** Madison		**High:** North Eugene	
Other:	Lane Transit District (LTD), Upper Willamette Soil & Water Conservation District				
	Ambulance: Eugene Fire & EMS, West/Central (WC) District				

Filing Fee

☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org CURRENT FEE = $5,155.70

Written Statement *(Submit 5 copies)*

☒ Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- [X] Show the date & north arrow on site plan.
- [X] Show the Assessor's Map and Tax Lot number(s) on the site plan.
- [X] Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- [X] Show city limits & UGB (if applicable)
- [X] Clearly label the affected territory and any public right of ways to be annexed.
- [X] Show all adjacent streets, alleys, and accessways.
- [X] Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- [X] Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- [X] Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- [X] Notarized Consent to Annexation form.
- [X] A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statues (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- [X] Summary of Urban Service Provision form.
- [X] A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- [X] Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

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.

Attachment C

PROPERTY OWNER OF TAX LOT: 3701

Name (print): Robert W. Tate & Sharon L. Tate

Address: P.O. Box 26423 Email: bobt@dynastyconcrete.com

City/State/Zip: Eugene, OR 97402 Phone: 541-914-9918 Fax:

Signature: Date: 1/4/17

PROPERTY OWNER OF TAX LOT: ____

Name (print):

Address: Email:

City/State/Zip: Phone: Fax:

Signature: Date:

PROPERTY OWNER OF TAX LOT: ____

Name (print):

Address: Email:

City/State/Zip: Phone: Fax:

Signature: Date:

SURVEYOR:

Name (print): Michael R. Dahrens, Oregon LS 60052

Company/Organization: SSW Engineers Inc.

Address: 2350 Oakmont Way, Suite 105

City/State/Zip: Eugene, OR 97401 Phone: 541-485-8383 Fax: 541-485-8384

E-mail: miked@sswengineers.com

Signature: Michael Dahrens Date: 1-09-17

REPRESENTATIVE (If different from Surveyor):

Name (print): Jason Goshert

Company/Organization: SSW Engineers Inc.

Address: 2350 Oakmont Way, Suite 105

City/State/Zip: Eugene, OR 97401 Phone: 541-485-8383 Fax: 541-485-8384

E-mail: jasong@sswengineers.com

Signature: Jason P. Goshert Date: 1/9/17

****Attached additional sheets if necessary.**

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Action: Granite Properties Resolution Amendment

Meeting Date: March 13, 2017 | Agenda Item Number: 3
Department: Planning & Development | Staff Contact: Amanda Nobel
www.eugene-or.gov | Contact Telephone Number: 541-682-5535

ISSUE STATEMENT
Council is asked to consider a resolution amendment to clarify unintended ambiguity of section 3 of Resolution 5167 for the Multi-Unit Property Tax Exemption (MUPTE) for Granite Properties LLC's Olive Lofts project, located at 844 Olive Street. The amendment does not change the project or the exemption. The amendment resolution is in Attachment A.

BACKGROUND
On July 27, 2016, council passed Resolution 5167 approving the MUPTE application for the Olive Lofts mixed-use, multi-unit housing development to be constructed at 844 Olive Street. (See Attachment B for Resolution 5167.) Section 3 of resolution 5167 provides that a condition approval was that the property be purchased: "The tax exemption shall not take effect unless or until closing occurs on the purchase of the property by Granite Properties LLC."

In September 2016, the property was purchased by Granite Properties LLC, along with three others, as tenants in common. As written, section 3 is ambiguous as to whether this shared ownership is acceptable; the resolution amendment will clarify that the purchase requirement has been met. The resolution amendment would not alter the project or the exemption. It will only remove the ambiguity about whether Granite Properties' purchase as a "tenant in common," rather than as the sole owner, satisfies the condition of section 3.

COUNCIL OPTIONS
1. Approve the resolution amendment.
2. Revise and then approve resolution amendment.
3. Decline to approve resolution amendment at this time.

CITY MANAGER'S RECOMMENDATION
The City Manager recommends the resolution amendment in Attachment A.

SUGGESTED MOTION

Move to approve Resolution 5188, which amends the resolution concerning approval of the multi-unit property tax exemption for the property located at 844 Olive Street (in Attachment A).

ATTACHMENTS

A. Resolution Amendment
B. Resolution 5167

FOR MORE INFORMATION

Staff Contact: Amanda Nobel Flannery
Telephone: 541-682-5535
Staff E-Mail: amanda.nobelflannery@ci.eugene.or.us

ATTACHMENT A
Resolution Amendment

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 5167 CONCERNING APPROVAL OF THE MULTIPLE-UNIT PROPERTY TAX EXEMPTION FOR RESIDENTIAL PROPERTY LOCATED AT 844 OLIVE STREET, EUGENE, OREGON (Applicant: Granite Properties LLC).

The City Council of the City of Eugene finds that:

A. On July 27, 2016, the City Council passed Resolution No. 5167 approving the application of Granite Properties LLC for an ad valorem property tax exemption under the City's Multiple-Unit Property Tax Exemption Program for residential units to be constructed at 844 Olive Street, Eugene, Oregon (Assessor's Map Number 17-03-31-13, Tax Lot 4400) and the southern half of Urban Renewal Agency owned property (approximately 2,000 square feet) that is directly west of 844 Olive Street (currently part of Assessor's Map 17-03-31-13, Tax Lot 4200) (collectively referred to as "the property"), subject to certain conditions.

B. One of the conditions for approval was described in Section 3 of the Resolution which provided that "the tax exemption shall not take effect unless or until closing occurs on the purchase of the property by Granite Properties LLC."

C. In September 2016, the property identified as Assessor's Map Number 17-03-31-13, Tax Lot 4400 was purchased by Granite Properties LLC, along with three others, as tenants in common. As Granite Properties LLC is not the sole owner of the property purchased, in order to avoid any question as to the validity of the property tax exemption, Resolution No. 5167 should be amended to specify that the required purchase has occurred.

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. Section 3 of Resolution No. 5167 is amended to provide as follows:

Section 3. Notwithstanding Section 2 above, the tax exemption shall not take effect unless closing has occurred on the purchase of the property identified as Assessor's Map Number 17-03-31-13, Tax Lot 4400 by Granite Properties LLC, either alone or with others.

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before April 1, 2017.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted and effective the _____ day of March, 2017.

_____
City Recorder

ATTACHMENT B

COUNCIL RESOLUTION NO. 5167

A RESOLUTION APPROVING A MULTIPLE-UNIT PROPERTY TAX EXEMPTION FOR RESIDENTIAL PROPERTY LOCATED AT 844 Olive STREET, EUGENE, OREGON (APPLICANT: GRANITE PROPERTIES LLC).

PASSED: 4:3

REJECTED:

OPPOSED: Brown, Taylor, Zelenka

ABSENT: Evans

CONSIDERED: July 27, 2016

RESOLUTION NO. 5167

A RESOLUTION APPROVING A MULTIPLE-UNIT PROPERTY TAX EXEMPTION FOR RESIDENTIAL PROPERTY LOCATED AT 844 Olive STREET, EUGENE, OREGON (APPLICANT: GRANITE PROPERTIES LLC).

The City Council of the City of Eugene finds that:

A. Granite Properties LLC (PO Box 50084, Eugene, Oregon, 97405) has entered into a Residential Real Estate Sale Agreement to purchase real property located at 844 Olive Street, Eugene, Oregon (Assessor's Map Number 17-03-31-13, Tax Lot 4400) owned by EUGOR LLC (2320 OSU Drive, Newport, Oregon, 97365), and intends to purchase the southern half of Urban Renewal Agency owned property (approximately 2,000 square feet) that is directly west of 844 Olive Street (currently part of Assessor's Map 17-03-31-13, Tax Lot 4200) ("collectively referred to as the property").

B. Granite Properties LLC has submitted an application pursuant to the City's Multiple-Unit Property Tax Exemption Program (Sections 2.945 through 2.947 of the Eugene Code, 1971 ("EC")), with respect to residential units and commercial space to be constructed on the property.

C. The proposed project consists of the development of 12 one-bedroom units and 24 studio units, for a total of 36 residential units. The ground floor will contain a total of approximately 5,730 square feet, of which 3,900 square feet is existing commercial space, and approximately 1,830 square feet is new construction (approximately 1,056 square feet for commercial space and the remaining to service the residential portion of the building). The project will also include the existing basement of 2,900 square feet. The project is not designed for the leasing of individual rooms or beds, or otherwise designed primarily for individuals attending college.

D. An independent outside professional consultant was retained and reviewed the project's financial pro-forma. A Review Panel was convened and reviewed the independent consultant's conclusions, and also reviewed the application in order to make a recommendation as to whether the application met the criteria in EC 2.946. The Review Panel's recommendation was submitted for the City Manager's review.

E. After considering the Review Panel's conclusions and recommendation, the Executive Director of the Planning and Development Department ("the Executive Director") as designee of the City Manager, has prepared the Report and Recommendation attached hereto as Exhibit A and incorporated herein by reference. The Report and Recommendation sets forth findings demonstrating that the project meets the criteria described in EC 2.946 and the conditions set forth in Multiple-Unit Housing Property Tax Exemption Rule R-2.945 ("Rule R-2.945").

F. Based on the findings in the Report and Recommendation, the Executive Director recommends that the application be approved and the exemption granted. In making that

recommendation, the Executive Director found that the applicant submitted all required materials, documents and fees as required in EC 2.945, EC 2.946, and Rule R-2.945, and the applicant is in compliance with the policies contained therein.

G. City Council has concluded that the criteria described in EC 2.946 and Rule R-2.945 have been met.

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 upon the above findings which are adopted, and the City Council's review of the Report and Recommendation of the Executive Director of the Planning and Development Department attached hereto as Exhibit A and incorporated herein by reference, the City Council approves the application of Granite Properties LLC for an ad valorem property tax exemption under the City's Multiple-Unit Property Tax Exemption Program for the residential units to be constructed at 844 Olive Street, Eugene, Oregon (Assessor's Map Number 17-03-31-13, Tax Lot 4400) and the southern half of Urban Renewal Agency owned property (approximately 2,000 square feet) that is directly west of 844 Olive Street (currently part of Assessor's Map 17-03-31-13, Tax Lot 4200), subject to the following conditions:

a. Compact Urban Development. The project will consist of the development of 12 one-bedroom units and 24 studio units, for a total of 36 residential units. The ground floor will contain a total of approximately 5,730 square feet of commercial space, of which 3,900 square feet is existing commercial space, and approximately 1,830 square feet is new construction (approximately 1,056 square feet for commercial space and the remaining to service the residential portion of the building). The project will also include the existing basement of 2,900 square feet. A schematic drawing showing the site plan and major features and dimensions of the proposed development, and a schematic drawing showing both a side and front elevation of the proposed development are attached to this Resolution as Exhibit B.

b. Green Building. The project will perform at least 10% more efficiently than the performance established in the Oregon Energy Efficiency Specialty Code. Granite Properties LLC or its successor (herein after referred to as "the owner") will provide to the City of Eugene's Building and Permit Services an energy model demonstrating compliance with this requirement at permit application.

Within 18 months after receiving a Certificate of Occupancy, the owner shall submit to the City a commissioning report pursuant to Section 1.2 of Rule R-945-C.

For the duration of the tax exemption, the owner will report multi-family occupancy energy use data to the City of Eugene's Building and Permit Services.

c. Local Economic Impact and Compliance with Laws. The owner submitted a plan for more than 50% of professional services and construction contracts be from a business organization or individual residing or doing business primarily in Lane County. After construction, Granite Properties will submit a list of the home city or zip code of the construction labor workers.

The owner will ensure that qualified minority and women business enterprises have been given an equitable opportunity to compete for development related contracts by: (1) accessing lists of such enterprises from the Oregon State Office of Minority, Women and Emerging Small Business Program website; (2) search for Qualified Rehabilitation Facilities from whom to procure products and services via the Oregon State Qualified Rehabilitation Facilities Program website; and (3) advertise in general circulation, trade association, and minority focused media about prime subcontracting opportunities.

The owner will have in place methods for ensuring that all contractors performing work are licensed and performing in compliance with state law.

The owner will provide the City's Building and Permits Services a list of all contractors performing work on the project. Prior to performing work on the project, contractors must have valid, current licensing, insurance, bonding and workers compensation coverage, and be on the list of contractors provided to the City.

The owner will require that each contractor provide an affidavit attesting to the fact that (1) the contractor, owner, or responsible managing individual for the contractor does not have any unpaid judgments for construction debt, including unpaid wages; and (2) the contractor is in compliance with Oregon tax laws.

The owner will post information about the City's Rights Assistance Program in English and Spanish on the job site during construction of the project.

The project shall be in conformance with wage, tax and licensing laws.

d. Moderate-Income Housing Contribution. At least 30% of the units included in the project will be moderate-income housing units.

During the exemption period, the project's owner must annually submit documentation to the City to evaluate compliance with moderate-income housing requirements that not less than 30% of the total units are moderate-income housing units.

e. Project Design and Compatibility. The design elements include a ground floor with commercial storefronts wrapping into the alley, a cornice line above the storefront that roughly corresponds to that of neighboring buildings, glazed "garage-style" doors in the alley and other openings, pronounced elevator shaft with glazing,

residential units with large windows, and a series of canopies at each floor level. Building materials will include glass and stucco at the ground floor and fiber, cement, wood, stucco, and glass above. These design elements, as well as the actual square footages, reviewed at the time of approval of this application and included in Exhibit B shall be adhered to unless the City Manager approves a deviation from the plan pursuant to EC 2.946(2)(e)2. (See subsection i of this Section for information on the KLCC impact.)

During the design process and before the final design drawings are completed, the owner shall hold at least one neighborhood engagement opportunity to allow members of the Downtown Neighborhood Association to provide comments on the proposal. At least one of the applicant's principals shall attend that meeting.

After the final design is completed and before it is submitted for permits, the final design shall be submitted to the City to review for conformance with the design approved by Council resolution. In addition, the City shall allow the neighborhood an opportunity to review and comment on the final design. After the comment period, the City shall determine if the design is consistent with the requirements of this Resolution, and if not, whether the City Manager will approve a deviation pursuant to EC 2.946.

f. The project shall be in conformance with all local plans and planning regulations, including special or district-wide plans developed and adopted pursuant to ORS Chapter 195, 196, 197, 215, and 227.

g. The project will be completed on or before January 1, 2022, unless an extension of the deadline is requested by the property owner and approved by Council resolution pursuant to EC 2.947(5).

h. The public benefits of the project that will extend beyond the period of the tax exemption include Green Building (energy performance), Project Design and Compatibility, and Compact Urban Development.

i. KLCC's signal connection shall be maintained at no cost to KLCC or the City of Eugene.

Section 2. Subject to the conditions in Section 1 of this Resolution, 100% of the residential units and newly constructed commercial space described in Section 1 are declared exempt from local ad valorem property taxation beginning July 1 of the year following issuance of a Certificate of Occupancy and continuing for a continuous period of ten years unless earlier terminated in accordance with the provisions of Section 2.947 of the Eugene Code, 1971.

Section 3. Notwithstanding Section 2 above, the tax exemption shall not take effect unless or until closing occurs on the purchase of the property by Granite Properties LLC.

Section 4. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before April 1, 2017.

Section 5. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted and effective the 27th day of July, 2016.

Beth Forrest

City Recorder

REPORT AND RECOMMENDATION
of the Planning & Development Department

Granite Properties Application for Multiple-Unit Property Tax Exemption

The Executive Director of the Planning & Development Department of the City of Eugene Finds that:

1. Granite Properties LLC intends to purchase the real property located at 844 Olive Street, Eugene, Oregon (Assessor's Map Tax Lot # 17-03-31-13-04400) and the southern half of Urban Renewal Agency owned property (approximately 2,000 square feet) that is directly west of 844 Olive Street (currently part of Assessor's Map Tax Lot # 17-03-31-13-04200). Granite Properties submitted an application pursuant to the City's Multiple-Unit Property Tax Exemption ("MUPTE") Program (Sections 2.945 and 2.947 of the Eugene Code, 1971), with respect to residential and commercial units to be constructed on the property.

2. As the City Manager's designee, I have reviewed the application and find that:

    2.1 The project will provide 12 one-bedroom units and 24 studio units, for a total of 36 residential units. The ground floor will contain a total of approximately 5,730 square feet of commercial space, of which 3,900 square feet is existing commercial space and approximately 1,830 square feet is new construction (approximately 1,056 square feet for 3 units of new commercial space and the remaining to service the residential portion of the building). The project will also include the existing basement of 2,900 square feet. The existing commercial space 6,800 is not part of the MUPTE request.

    2.2 The project is not designed to be student housing, meaning it will be leased by the unit (rather than by individual rooms or beds) and the unit configuration does not include several bedrooms with individual bathrooms and sparse common space or include amenities and location selected primarily for individuals attending college and offer limited viability as potential housing for the general population.

    2.3 Construction is expected to be complete on or before January 1, 2022.

    2.4 The project is located in the downtown area described in subsection (1) of Section 2.946 of the Eugene Code, 1971.

    2.5 The applicant submitted all materials, documents and fees required by the City as set forth in Section 2.945 of the Eugene Code, 1971, and the administrative rules adopted by Administrative Order No. 53-15-12-F.

    2.6 The applicant has responded to the **Required Public Benefit** criteria as follows:

        2.6.1 Compact Urban Development. The project will be built in the C-3 Major Commercial Zone, which has no minimum requirements for residential density. The proposed project includes 36 residential units, with a density of 257 units per net acre.

2.6.2 Green Building Features. The project will utilize the City of Eugene Building and Permit Services Pathway in order to meet MUPTE green building requirement and exceed the 10% energy efficiency benchmark. Granite Properties will be required to submit an energy model with their permit application and a commissioning report due 18 months after certificate of occupancy is issued. As the project does not include onsite parking, the project will not include installation of conduit for future electric vehicle charging stations.

2.6.3 Local Economic Impact Plan. A plan is in place for more than 50% of the project's dollar volume of professional services and construction contracts to be local to Lane County (estimated at 82.5%). The applicant is committed to promoting open competitive opportunities for Minority, Women, and Emerging Small Businesses, and is committed to complying with wage, tax, and licensing laws.

2.6.4 Moderate-Income Housing Contribution. The project will provide a minimum of 30% of the residential units with rents that qualify as moderate-income units during the MUPTE period. (The proposed rental rates in the application are below the moderate-income threshold maximum rental rates for 100% of the project's residential units.)

2.6.5 Project Design and Compatibility. The project will address basic design concepts in the context of the project location and will be designed and permitted for construction as shown in the resolution (should City Council approve the MUPTE). The basic design concepts include the scale, form, and quality of the building; the mix of project elements; the relationship to the street and surrounding uses; and parking and circulation.

The project design is appropriate for its downtown context, suited to the particulars of our local climate, and with a ground floor that will foster a positive experience for people on the sidewalk. The development will add a needed mix of uses, promote active transportation modes, support a more vibrant pedestrian realm, and increase safety through additional activity and "eyes on the street." The addition of three commercial studio units accessible from the alley will also increase pedestrian activity and real and perceived safety in that area.

Although the height of the proposed development is less than half of the allowed height in this C-3 zone, without corrective action, the height of the project would block KLCC's existing line-of-sight studio transmitter, located atop KLCC's studios at 136 West 8th Avenue. KLCC has determined that it can resolve the situation by relocating equipment on its roof and using a transmitter link via existing public fiber connections to route the broadcast signal to the Lane Community College Downtown Center, where a rooftop antenna will transmit the broadcast signal. KLCC estimates the relocation

effort will cost up to $40,000. KLCC provides a valuable community service, which must be maintained. There are solutions to address this issue and a condition of the MUPTE approval could be conditioned on holding KLCC harmless from the added cost.

2.6.6 Historic and Existing Housing Sensitivity. The project is not adjacent to a historic locale. No historic structures or existing housing were demolished or removed from the property in the 2 years prior to the date of application.

2.6.7 Project Need. The project's pro-forma and financial information was analyzed by Johnson Economics, an independent, real estate economics consultant who found that the project as proposed could not be built but for the benefit of the tax exemption. The financial information Granite Properties submitted in their application is based on projections prior to finalizing financing, construction, and tenanting. It includes assumptions regarding rents, vacancy rates, operating costs, capitalization rate, lender underwriting criteria, interest rates, and reasonable rate of return. Johnson Economics, the Review Panel, and staff reviewed the assumptions. The Johnson Economics analysis concludes that the project would not be viable without the availability of the MUPTE, using the reasonable assumptions outlined and that "inclusion of the MUPTE over a ten-year period would likely make this project viable." Johnson Economics also looked at a scenario where market assumptions for 2018 are changed to reflect optimistic downtown housing market conditions. This scenario would result in a need for a seven-year MUPTE. See Section 4 below for the Review Panel's conclusions.

2.7 A presentation on the Granite Properties project was given to the Downtown Neighborhood Association on March 23, 2016.

2.7.1 Future Neighborhood Engagement. Granite also attended the May 25, 2016 Downtown Neighborhood Association meeting and reviewed project design. Prior to completing final drawings, Granite will meet with Downtown Neighborhood Association. Before submitting for permits, Granite will submit the design to staff to review conformance with the design attached to the resolution (should City Council approve the MUPTE). Staff will also allow the neighborhood an opportunity to review and comment on that final design.

3. A display ad soliciting recommendations or comments from the public regarding this project was published in the Register-Guard on May 10, 2016. The period for comment expired on June 9, 2016 and resulted in 17 written comments. Additional comments were submitted to staff or directly to City Council after the official comment period. All 22 comments received as of July 20 were provided to City Council with the materials for the July 27 work session.

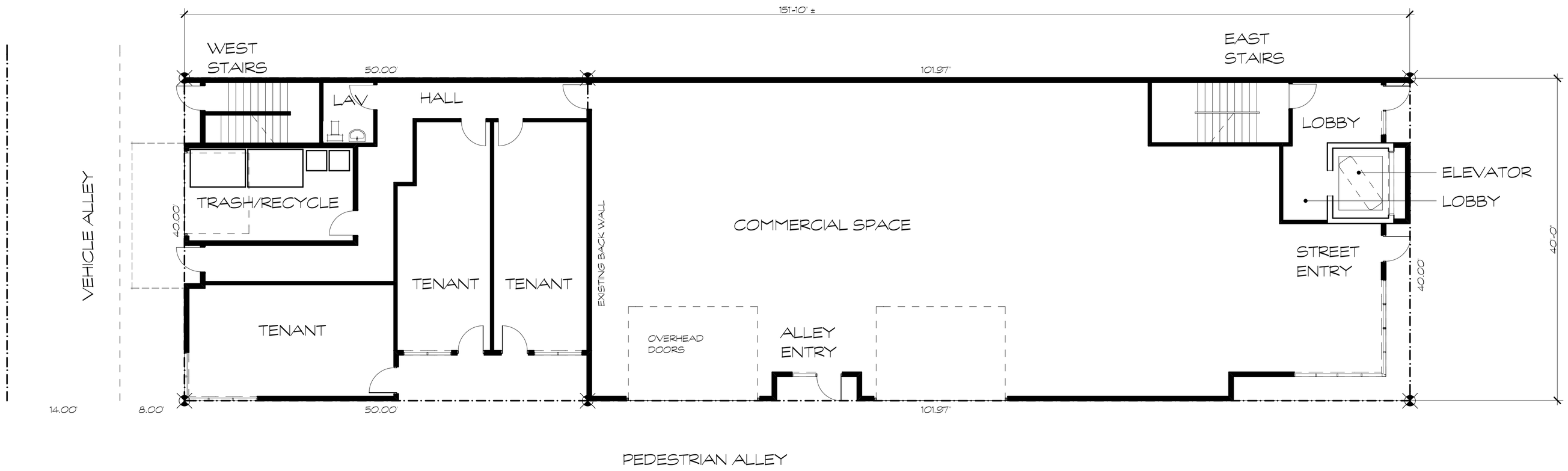
4. The community member MUPTE Review Panel considered the project application, including compliance with program criteria and the independent consultant's financial review, during 3 meetings held on June 27, June 30, and July 18. The Review Panel concluded that the project

meets the Required Public Benefit criteria. The Panel noted that Project Need involves many variables that are hard to predict. The Panel concluded that project need was demonstrated. The majority of the panel members agreed that a ten-year exemption was warranted. Some members agreed that only a five-year exemption was warranted. See Attachment D of the July 27 Agenda Item Summary for the full Review Panel conclusions.

Therefore, based upon the above findings, the project is, or will be at the time of completion, in conformance with all applicable local plans and provisions of the Eugene Code, 1971, planning regulations, the Metropolitan Area General Plan, and the criteria set forth in the City's adopted administrative rules, and I recommend that the application be approved conditioned upon the project moving forward as proposed and KLCC maintaining signal connection at no cost to KLCC.

Dated this 21 **day of** July **, 2016.**

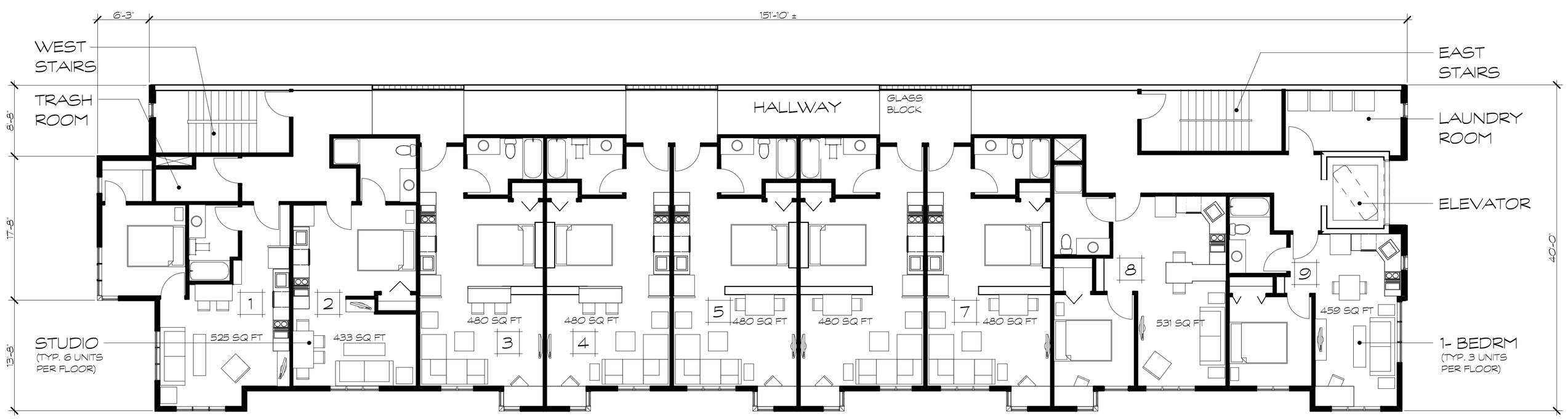
Sarah J. Medary
Executive Director, Planning & Development Department
Assistant City Manager



GROUND FLOOR

SCALE: 1/8" = 1'-0"

5,730 SQ.FT TOTAL



SECOND - FIFTH FLOORS

SCALE: 1/8" = 1'-0"

TYPICAL FLOORS 2 THRU 5
5,839 SQ FT PER FLOOR w/ STAIRWELL

Arbor South Architecture

380 Lincoln Street
P O Box 11350
Eugene, Oregon 97440-3550

Phone: 541-344-3332
Fax: 541-344-1597

www.arborsouth.com

PROJECT

The Olive Lofts

844 Olive Street
Eugene, Oregon

INDEX

Design Development

JOB NO
2815

DATE
21 June 2016

DRAWN BY
Steve Tyler

CHECKED BY
Bill

REVISION

REGISTERED ARCHITECT
WILLIAM A. RANDALL
EUGENE, OREGON
STATE OF OREGON

MEMBERS,
AMERICAN INSTITUTE
OF ARCHITECTS

SHEET NO

1

© Arbor South Architecture, PC - 2815





OLIVE STREET
EAST ELEVATION
SCALE: 1/8" = 1'-0"

ALLEY VIEW
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



OLIVE ST. VIEW



ALLEY VIEW



WEST VIEW

Exhibit B - Page 2 of 3

Arbor South Architecture

380 Lincoln Street
P O Box 11350
Eugene, Oregon 97440-3550

Phone: 541-344-3332
Fax: 541-344-1597

www.arborsouth.com

PROJECT

The Olive Lofts

844 Olive Street
Eugene, Oregon

INDEX

Elevations

JOB NO
2815

DATE
21 June 2016

DRAWN BY
Steve
Tyler

CHECKED BY
Bill

REVISION

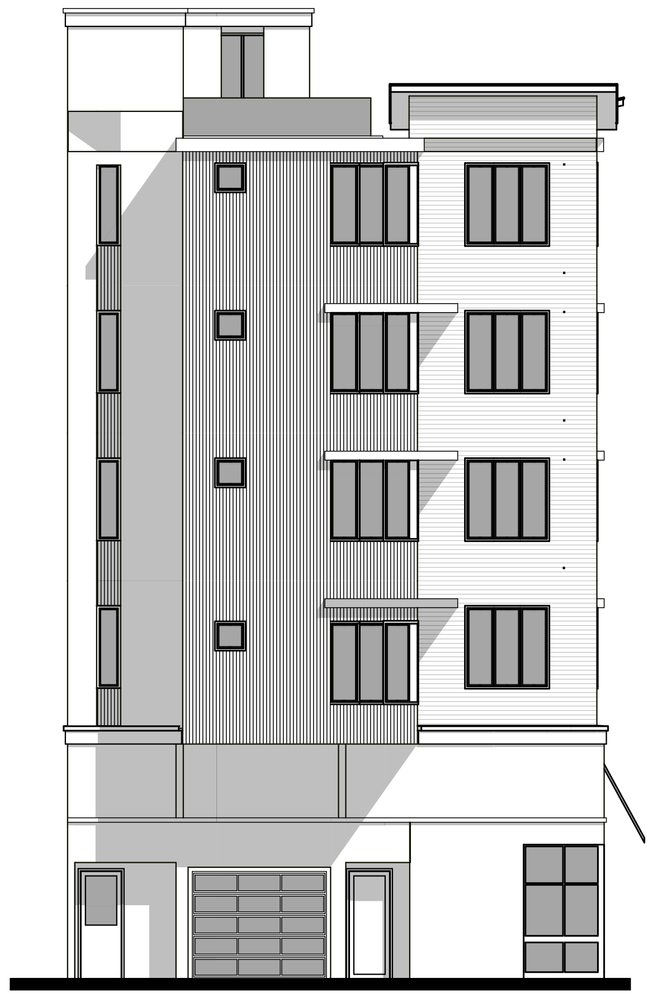
REGISTERED ARCHITECT
WILLIAM A. RANDALL
EUGENE, OREGON
STATE OF OREGON

MEMBERS,
AMERICAN INSTITUTE
OF ARCHITECTS

SHEET NO

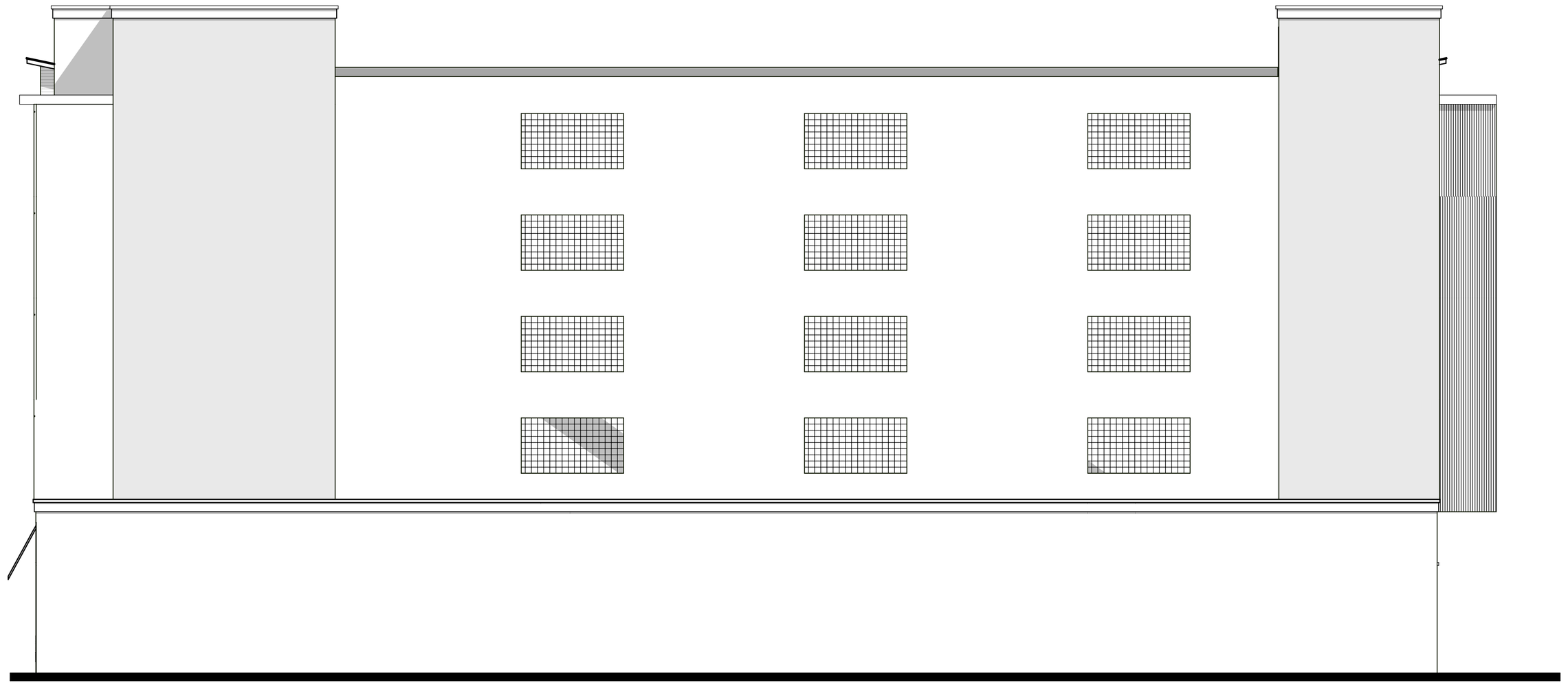
2

© Arbor South Architecture, PC
- 2015



WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

380 Lincoln Street
P O Box 11350
Eugene, Oregon 97440-3550

Phone: 541-344-3332
Fax: 541-344-1597

www.arborsouth.com

PROJECT

The Olive Lofts

844 Olive Street
Eugene, Oregon

INDEX

Elevations

JOB NO

2815

DATE

21 June 2016

DRAWN BY

Steve
Tyler

CHECKED BY

Bill

REVISION

REGISTERED ARCHITECT
WILLIAM A. RANDALL
EUGENE, OREGON
STATE OF OREGON

MEMBERS,
AMERICAN INSTITUTE
OF ARCHITECTS

SHEET NO

3

© Arbor South Architecture, PC.
- 2815

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Action: An Ordinance Providing for Withdrawal of Annexed Properties from the Santa Clara Rural Fire Protection District, the Santa Clara Water District, the Willakenzie Rural Fire Protection District, the Lane Rural Fire/Rescue District, the Junction City Water Control District, the River Road Park & Recreation District, the River Road Water District, and the Eugene Rural Fire Protection District 1

Meeting Date: March 13, 2017 | Agenda Item Number: 4
Department: Planning and Development | Staff Contact: Erik Berg-Johansen
www.eugene-or.gov | Contact Telephone Number: 541-682-5437

ISSUE STATEMENT
The City Council is scheduled to take action on this request to withdraw previously annexed properties from special districts.

BACKGROUND
The purpose of the ordinance is to remove annexed properties from the tax rolls of special service districts, which in this case are the Santa Clara Rural Fire Protection District, the Santa Clara Water District, the Willakenzie Rural Fire Protection District, the Lane Rural Fire/Rescue District, the Junction City Water Control District, the River Road Park & Recreation District, the River Road Water District, and the Eugene Rural Fire Protection District 1. State law and local code require annexed properties to withdraw from special service districts through a separate process after the annexation of those properties becomes effective.

Annexation of these properties was approved by council over the previous year, at the request of the property owners. The City is now providing urban services to these properties; however, they remain on the tax rolls of special service districts until withdrawn. These withdrawals come before the council on an annual basis. This batch contains ten annexations previously approved by City Council (for a total of 16 tax lots). Timing for adoption of the ordinance is critical. State statutes provide that any properties to be withdrawn must be withdrawn by March 31, 2017; otherwise those properties will remain on the tax rolls of special service districts until July 2018.

The City Council held the required public hearing on this item on February 21, 2017. No public testimony was received at the public hearing. Following the hearing, Councilor Clark asked for staff to provide what percentage of the special districts' budgets these represent and how many properties are within each special district. In consultation with Lane County Assessment and Taxation, staff has provided this information in Attachment A.

If the council finds that the withdrawals are in the City's best interest, the council is asked to adopt the attached ordinance (Attachment B), which provides for the withdrawal from special service districts of these annexed properties. Maps and legal descriptions of the properties to be withdrawn are provided as exhibits to the ordinance.

RELATED CITY POLICIES

The approval criterion for withdrawal from public service districts following annexation is contained in Eugene Code (EC) 9.7835, and corresponding statutory provisions at ORS 222.524, which require the City Council to find that approval of the withdrawal is in the best interest of the City.

COUNCIL OPTIONS

The City Council may consider the following options:

1. Approve the withdrawals by ordinance;
2. Approve the withdrawals by ordinance with specific modifications as determined by the City Council;
3. Deny the withdrawals by ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance as drafted, providing for withdrawal of all listed territories by March 31, 2017.

SUGGESTED MOTION

I move to adopt Council Bill 5167, an ordinance withdrawing territories from the Santa Clara Rural Fire Protection District, the Santa Clara Water District, the Willakenzie Rural Fire Protection District, the Lane Rural Fire/Rescue District, the Junction City Water Control District, the River Road Park & Recreation District, the River Road Water District, and the Eugene Rural Fire Protection District 1.

ATTACHMENTS

A. Special Service Districts – Revenue and Number of Tax Accounts
B Ordinance, including Exhibits A through C (legal descriptions and maps of properties).

FOR MORE INFORMATION

Staff Contact: Erik Berg-Johansen, Associate Planner
Telephone: (541) 682-5437
Staff e-mail: erik.berg@ci.eugene.or.us

Attachment A

Special Service Districts - Revenue and Number of Tax Accounts									
Application Name	**Map/Tax Lot**	**Santa Clara Fire District**	**Santa Clara Water District**	**Willakenzie Rural Fire Protection District**	**Lane Rural Fire/Rescue District**	**Junction City Water Control District**	**River Road Parks and Recreation District**	**River Road Water District**	**Eugene Rural Fire Protection District 1**
JLA Investments	1704154101700						$ 508.14	$ 283.82	
Fam-Lee					$ 315.86				
DSC Investment	1704144400100						$ 433.56	$ 242.16	
Ryan	1803182200601								$ 815.30
Krumdieck	1704021200211	$ 118.57	X						
Cowan	1704114109402	$ 69.10	X						
Kersey	1703083103900			$ 460.94					
Kersey	1703083103600			$ 518.86					
Kersey	1703083103700			$ 126.33					
Foranzo	1704252103700						$ 82.42	$ 46.03	
Foranzo	1704252103701						$ 82.42	$ 46.03	
Prairieview Ventures	1704040000207				$ 149.34	$ 17.79			
District Total Tax to Be Receieved (SAL Table 4A 2016-2017)		**$ 1,014,777**	**NA (non-levying district)**	**$ 549,970**	**$ 1,867,257**	**$ 245,837**	**$ 1,845,715**	**$ 962,837**	**$ 363,044.61**
Percent of Revenue Lost		0.018%		0.201%	0.025%	0.007%	0.060%	0.064%	0.225%
# Accounts in District		4,162		1,548	3,989	4,194	3,492	3,251	513

*Data Provided by Lane County Assessment and Taxation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR WITHDRAWAL OF ANNEXED PROPERTIES FROM THE SANTA CLARA FIRE DISTRICT; SANTA CLARA WATER DISTRICT; WILLAKENZIE RURAL FIRE PROTECTION DISTRICT; LANE RURAL FIRE/RESCUE DISTRICT; JUNCTION CITY WATER CONTROL DISTRICT; RIVER ROAD PARKS AND RECREATION DISTRICT; RIVER ROAD WATER DISTRICT; AND EUGENE RURAL FIRE PROTECTION DISTRICT 1.

The City Council of the City of Eugene finds that:

A. Notice of the proposed withdrawal of real property contained in the Santa Clara Fire District; Santa Clara Water District; Willakenzie Rural Fire Protection District; Lane Rural Fire/Rescue District; Junction City Water Control District; River Road Parks and Recreation District; River Road Water District; and Eugene Rural Fire Protection District 1 ("The Districts") which have been annexed to the City, was published in the Register-Guard on February 7 and 14, 2017, posted in four public places in the City of Eugene for a period of two successive weeks prior to the hearing date, and mailed to the affected public service districts.

B. The Notice provided that a public hearing was scheduled for February 21, 2017, at 7:30 p.m., in Harris Hall at the Lane County Public Service Building in Eugene, Oregon, to allow the City Council to hear objections to the withdrawals and to determine whether the withdrawals are in the best interest of the City.

C. The City is willing to assume the liabilities and indebtedness previously contracted by the Districts proportionate to the parts of the Districts that have been annexed to the City upon the effective date of the withdrawals as provided in ORS 222.520.

D. The withdrawals of the annexed territories from the Districts are consistent with adopted City policies, and are in the best interest of the City.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The following territories in Lane County, Oregon, annexed to the City of Eugene by Resolution of the Eugene City Council, are withdrawn from the Districts indicated effective July 1, 2017:

Santa Clara Fire District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Krumdieck, R.	A16-1	South of Brairs St; West of Emily Ln; West of Calumet Way	17040212	211	5151	5/9/2016	5/18/2016	Exhibit A
Cowan, D.	A16-9	Abuts Susan St to east	17041141	9402	5178	12/12/2016	12/16/2016	Exhibit B

Santa Clara Water District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Krumdieck, R.	A16-1	South of Brairs St; West of Emily Ln; West of Calumet Way	17040212	211	5151	5/9/2016	5/18/2016	Exhibit A
Cowan, D.	A16-9	Abuts Susan St to east	17041141	9402	5178	12/12/2016	12/16/2016	Exhibit B

Willakenzie Rural Fire Protection District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Kersey, D.	A16-3	3463 Gilham Rd	17030831	3600	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	Between Gilham Rd & Walton Ln	17030831	3700	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	3455 Gilham Rd	17030831	3801	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	Between Gilham Rd & Walton Ln	17030831	3800	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	3416 Walton Ln	17030831	3900	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	Between Gilham Rd & Walton Ln	17030831	3901	5164	7/25/2016	7/29/2016	Exhibit C
Kersey, D.	A16-3	Between Gilham Rd & Walton Ln	17030831	3902	5164	7/25/2016	7/29/2016	Exhibit C
Stadter, J.	A16-7	4075 Gilham Rd	17030800	303	5172	10/24/2016	11/9/2016	Exhibit D

Lane Rural Fire/Rescue District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Fam-Lee LLC	A14-8	River Rd & River Loop 2	17040232	10700	5128	2/23/2015	2/25/2015	Exhibit E
Meadowview Ventures	A16-2	29751 E Enid Rd	17040400	207	5152	5/9/2016	5/18/2016	Exhibit F

Junction City Water Control District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Fam-Lee LLC	A14-8	River Rd & River Loop 2	17040232	10700	5128	2/23/2015	2/25/2015	Exhibit E
Meadowview Ventures	A16-2	29751 E Enid Rd	17040400	207	5152	5/9/2016	5/18/2016	Exhibit F

River Road Parks and Recreation District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Forzano, J.	A16-4	106 Hansen Ln	17042521	3700	5165	7/25/2016	7/29/2016	Exhibit G

Forzano, J.	A16-4	Hansen Ln west of River Rd	17042521	3701	5165	7/25/2016	7/29/2016	Exhibit G
DSC Investment Trust	A16-6	160 Howard Ave	17041444	100	5168	9/26/2016	11/9/2016	Exhibit H
JLA Investments	A16-8	1325 Maxwell Rd	17041541	1700	5177	12/12/2016	12/16/2016	Exhibit I

River Road Water District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
Forzano, J.	A16-4	106 Hansen Ln	17042521	3700	5165	7/25/2016	7/29/2016	Exhibit G
Forzano, J.	A16-4	Hansen Ln west of River Rd	17042521	3701	5165	7/25/2016	7/29/2016	Exhibit G
DSC Investment Trust	A16-6	160 Howard Ave	17041444	100	5168	9/26/2016	11/9/2016	Exhibit H
JLA Investments	A16-8	1325 Maxwell Rd	17041541	1700	5177	12/12/2016	12/16/2016	Exhibit I

Eugene Rural Fire Protection District 1

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Legal Desc. & Map
McBirney Family Trust	A16-5	South of W. 40th; west of Brae Burn Dr	18031822	601	5169	9/12/2016	11/9/2016	Exhibit J

Section 2. The City Recorder is requested to forward a copy of this Ordinance to the above referred Districts.

Passed by the City Council this

___ day of _____, 2017.

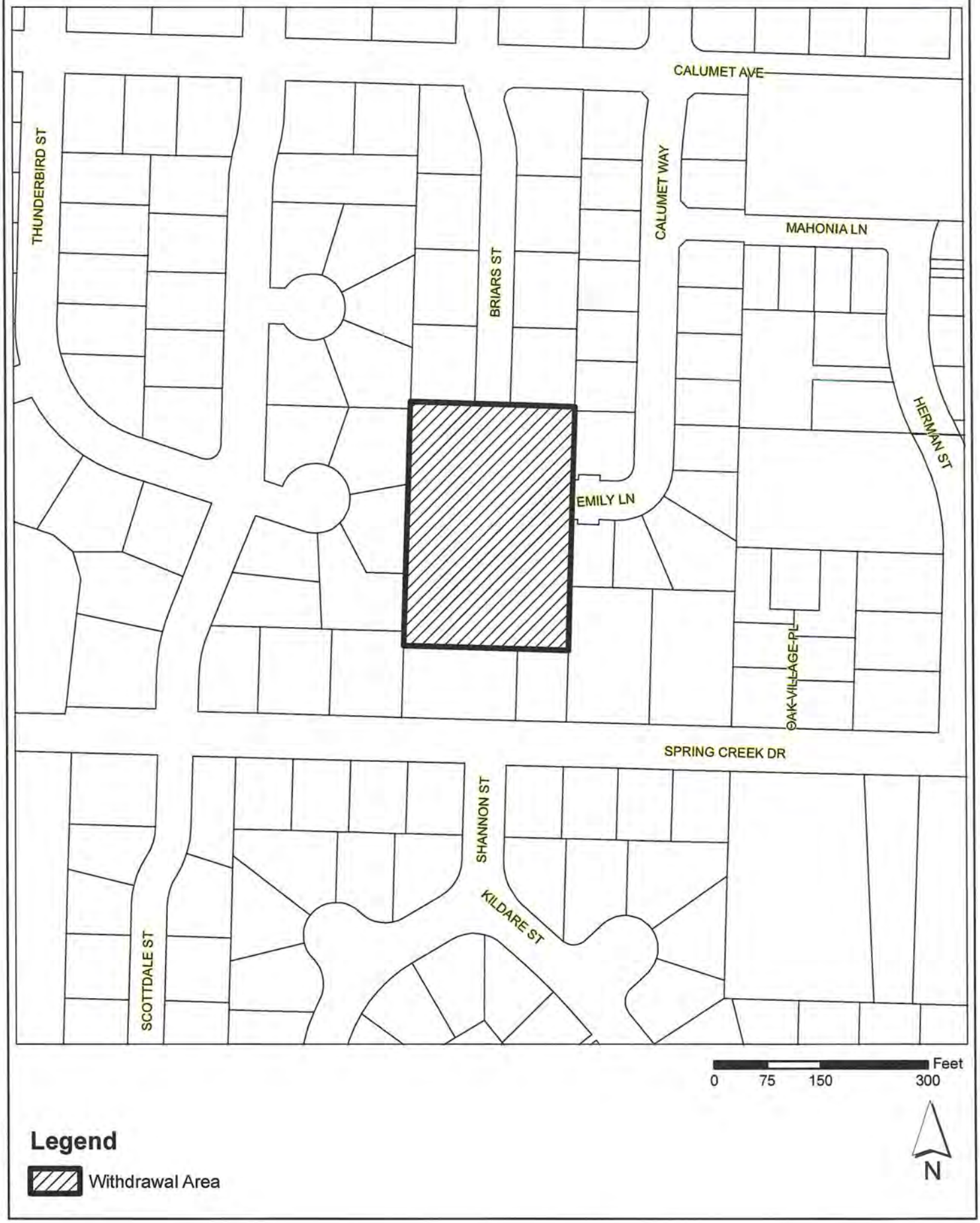
_____
City Recorder

Approved by the Mayor this

____ day of _____, 2017.

_____
Mayor

Krumdieck, Richard (A 16-1)



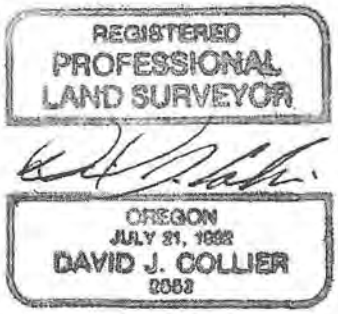
Legal Description for the Annexation of the Krumdieck Property
to the City of Eugene
NE 1/4 SEC. 2 T 17 S, R 4 W W.M.
Assessor's Map No. 17-04-02-12, TL No. 211

Parcel 3 of Land Partition Plat No. 93-P0415 as platted and recorded November 3, 1993 in the Lane County Oregon Partition Plat Files


DAFFODIL CT
HUNSAKER LN
YVONNE ST
SUSAN ST
GREEN LN
Feet
0
75
150
300
N
Legend
Withdrawal Area

Received
OCT 3 1 2016
City of Eugene
Planning Division

Parcel 2, Land Partition Plat No. 96-P0928, Lane County Oregon Plat Records.



Kersey, Daniel & Chris (A 16-3)



Kersey Annexation

City of Eugene Annexation Submittal

All of Map and Tax Lots: 17-03-08-31 TL 3600, 3700, 3800, 3900

Beginning at the re-entrant angle of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian; thence South 0°00'00" East 3004.40 feet along the West line of the Thomas N. Aubrey Donation Land Claim No. 39, to a point; thence South 89°54'00" East 30.0 feet across a 30.0 foot right-of-way to the **True Point of Beginning**; thence continuing South 89°54'00" East 569.50 feet; thence North 0°00'00" East 225.50 feet; thence North 89°54'00" West 449.50 feet; thence North 0°00'00" East 2.85 feet; thence North 89°54'00" West 120.0 feet to the Easterly margin of a 30.0 foot right-of-way; thence along said Easterly right-of-way South 0°00'00" East 228.35 feet to the Point of Beginning, all in Lane County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524LS

EXPIRES: 12/31/2017

Stadter, John & Maureen (A 16-7)



Legend

Withdrawal Area

Stadter Annexation

Map 17-03-08 Tax Lot 303

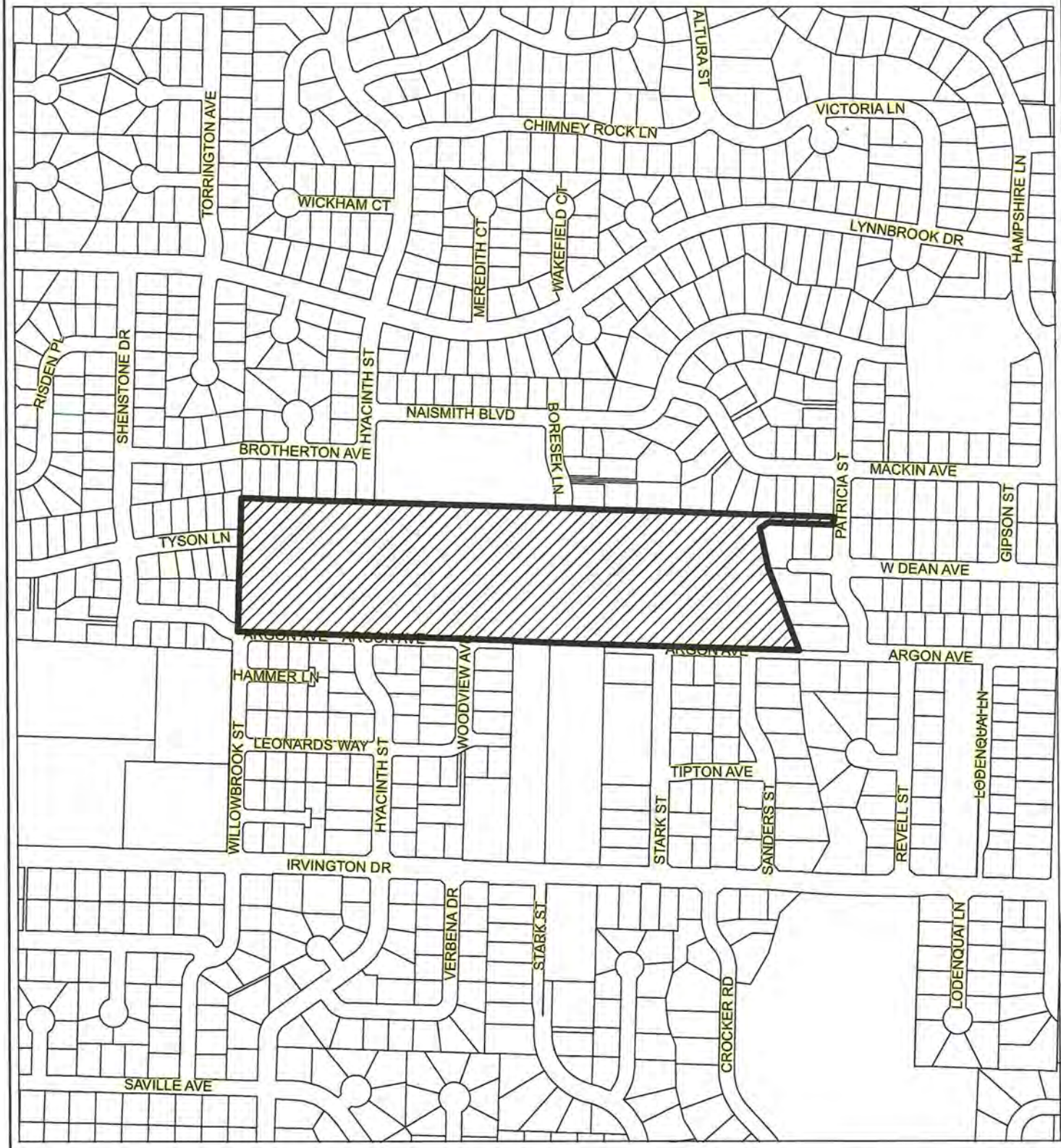
Beginning at the Brass Cap marking the Northeast Corner of the A.B. Stevens Donation Land Claim No. 40, Township 17 South, Range 3 West of the Willamette Meridian; thence South 0°24'24" West 40.00 feet along the East line of said Donation Land Claim No. 40; thence South 89°33'00" East 30.00 feet to an iron pin set on the East right of way line of Gilham Road marking the **True Point of Beginning**; thence South 0°24'24" West 259.52 feet along said right of way line; thence South 89°35'36" East 160.00 feet; thence North 0°24'24" East 259.40 feet along a line parallel with the East line of said Donation Land Claim No. 40 to a point marked by an iron pin; then North 89°33'00" West 160.00 feet to the True Point of Beginning, in Lane County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524LS

EXPIRES: 12/31/2017

Karolyn S. Wolf Testamentary Trust (A 14-8)



Legend

Withdrawal Area

Legal Description

Tract A, Addyson Creek Subdivision.

Prairieview Ventures, LLC (A 16-2)



Legal Description of Territory to be Annexed

Lot 7, Block 1, WAREHOUSE CITY, as platted and recorded in Book 71, Page 17, Lane County Oregon Plat Records, in Lane County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWAL DATE: 12-31-2017



Attachment B

Forzano (A 16-4)



Legend

Withdrawal Area

Legal Description of Affected Territory to be Annexed

(Tax Lot #3700, #3701 and a portion of Hansen Lane)

A unit of land being situated in the northwest 1/4 Section 25, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of River Road, said point being perpendicular to and 60.00 feet opposite centerline station 21+16.14, said point also being located on the south right-of-way line of Hansen Lane;

Thence along the south right-of-way line of Hansen Lane, West 200.79 feet +/- to the northeast corner of Tax Lot #3701;

Thence leaving the south right-of-way line of Hansen Lane, South 126.30 feet to the southeast corner of Tax Lot #3701;

Thence West 50.00 feet to the southwest corner of Tax Lot #3701;

Thence continuing West 50.00 feet to the southwest corner of Tax Lot #3700;

Thence North 126.30 feet to the northwest corner of Tax Lot #3700, said northwest corner also being located on the south right-of-way line of Hansen Lane;

Thence continuing North 40.00 feet to the north right-of-way line of Hansen Lane;

Thence along the north right-of-way line of Hansen Lane, East 259.29 feet +/- to a point on the westerly right-of-way line of River Road, said point being perpendicular to and 95.00 feet opposite centerline station 21+61.75;

Thence South 46°03'19" East 57.64 feet to the point of beginning, all in Lane County, Oregon and containing 23,832 square feet (.55 acres) of land, more or less.



RENEWS: 12-31-2017

Attachment B

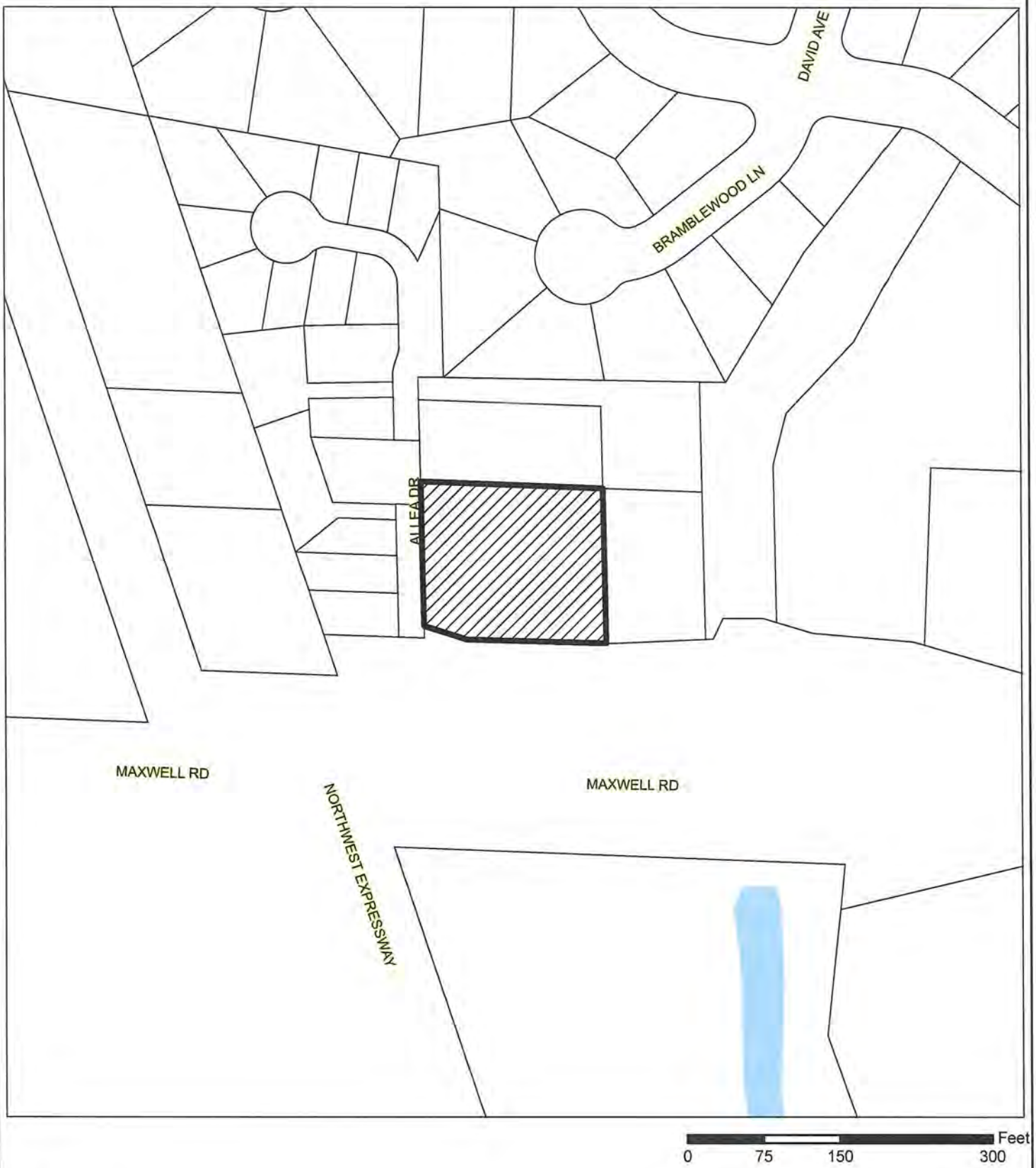
Cowan, Doug (A 16-6)

Exhibit H, Page 1 of 2



Beginning at the Northeast corner of Lot 2, Block 1, Huetter Park, as platted and recorded in Book 19, Page 20, Lane County Oregon Plat Records, thence East 100 feet; thence North 213 feet to the South line of Howard Avenue; thence West 100 feet; thence South 213 feet to the point of beginning, in Lane County, Oregon.

JLA Investments (A 16-8)



Legend

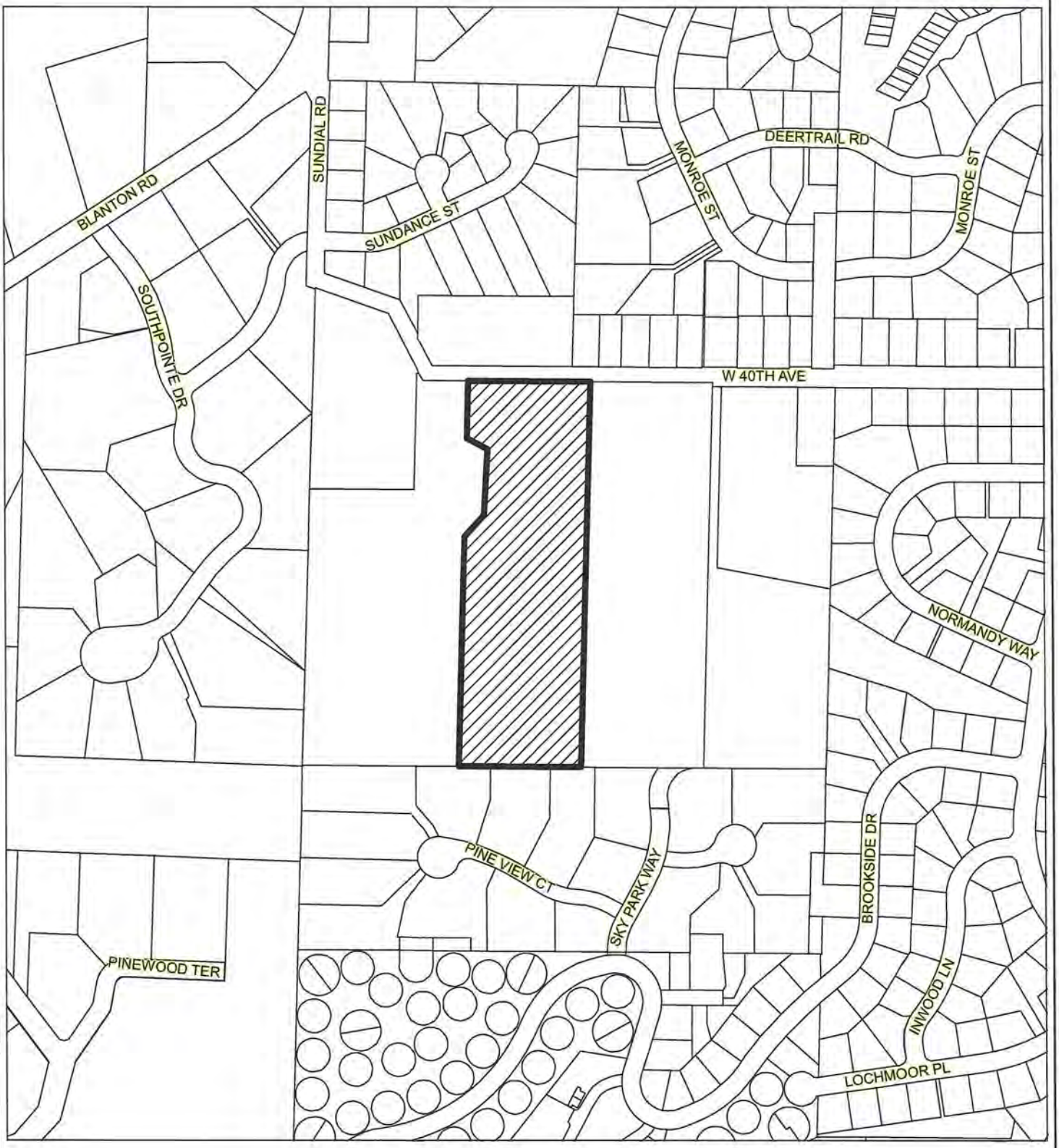
Withdrawal Area

10/31/16

Description of Property to be Annexed

Beginning at the Southeast corner of ALLEA ESTATES as platted and recorded in document No. 2013-054010, Lane County Oregon Official Records, said point also being on the Northerly margin of Maxwell Road; thence leaving said Northerly margin along the Easterly boundary of said ALLEA ESTATES, North 3° 03' 00" West 160.17feet; thence North 89° 03' 00" East 177.00 feet; thence South 3° 03' 00" East 163.11 feet to said Northerly margin of Maxwell Road; thence along said Northerly margin of Maxwell Road the following courses and distances West 133.59 feet, North 74° 58' 41" West 19.19 feet, South 5.00 feet, West 25.02 feet to the point of beginning in Lane County, Oregon.

McBirney Family Trust (A 16-5)



Legend

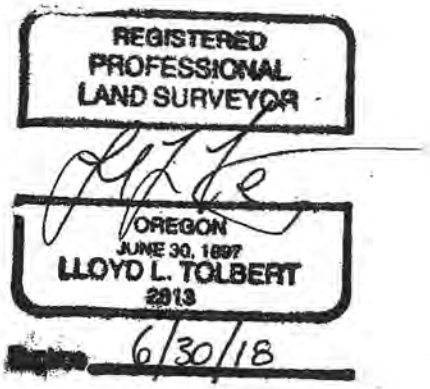
Withdrawal Area

LEGAL DESCRIPTION
FOR THE ANNEXATION OF THE MCBIRNEY FAMILY TRUST PROPERTY
TO THE CITY OF EUGENE
ASSESSOR'S MAP NO. 18-03-18-22, TAX LOT 601
JULY 20, 2016

Beginning at the northwest corner of Lot 24 of "Densmores Plat" as platted and recorded in Book, 2 Page 28 Lane County Oregon Plat Records; thence along the west line of said Lot 24 South 00°03'06" East 175.01 feet; thence leaving said west line bearing South 64°13'13" East 62.55 feet; thence South 01°23'40" West 177.46 feet; thence South 41°32'34" West 78.06 feet returning to said west line; thence along said west line South 00°03'06" East 606.61 feet to the north line of Lot 10, Sky Park Estates P.U.D as platted and recorded in File 73, Slide 717 in the Lane County Oregon Plat Records; thence along said north line of Sky Park Estates P.U.D. North 88°32'33" East 87.94 feet to the northeast corner of said Lot 10, being common to the north west corner of Lot 9; thence North 88°34'45" East 161.68 feet to the northeast corner of said Lot 9, being common to the northwest corner of Lot 8; thence North 88°28'41" East 81.20 feet; thence leaving said north line of Sky Park Estates P.U.D. and along the east line of said Lot 24 North 0°02'16" West 1044.97 feet to the northeast corner of said Lot 24; thence along the north line of said Lot 24, South 88°29'29" West 331.08 feet to the point of beginning, all in Lane County, Oregon.

Containing 7.66 acres, more or less

Courses and distances depicted hereon are based on County Survey File 42825, on file in the office of the Lane County Surveyor, in Lane County, Oregon.



EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing and Action: FY 2018-2023 Capital Improvement Program

Meeting Date: March 13, 2017 | Agenda Item Number: 5
Department: Central Services | Staff Contact: Mike Streepey
www.eugene-or.gov | Contact Telephone Number: 541-682-6820

ISSUE STATEMENT
This item is a request for the City Council to adopt the Capital Improvement Program (CIP) for fiscal years 2018 through 2023 (FY 2018-2023).

BACKGROUND
The Capital Improvement Program (CIP) is a planning document that forecasts the City's capital needs over a six-year period based on various City-adopted long-range plans, policies, goals and other planning processes. The FY2018-2023 CIP totals approximately $162 million and includes projects for the Airport, Parks and Open space, Public Buildings and Facilities, Stormwater, Transportation and Wastewater. The Project Summaries section of the CIP document contains tables summarizing all CIP projects, anticipated annual funding levels and maps indicating the geographic location of CIP projects.

The primary goals of the CIP are to:

- Provide a balanced program for capital improvements given anticipated funding sources over a six-year planning period;
- Illustrate upcoming capital needs based on anticipated funding levels, and;
- Serve as the basis for the Capital Budget for the coming two fiscal years.

Capital projects are generally large-scale endeavors in terms of cost, size and benefit to the community. The underlying strategy of the CIP is to plan for land acquisition, construction, and the major preservation of public facilities necessary for the safe and efficient provision of services. A critical element of a balanced CIP is the provision of funds to preserve or enhance existing facilities and provide new assets that will aid response to service needs and community growth.

Over the past two years, CIP stakeholders, including the Budget Committee, have provided feedback on the CIP document and process. As a result, changes were made to the CIP in order to achieve several goals. These goals include:

- A shared understanding across stakeholder groups of the purpose of the CIP;
- Stronger connections between selected projects and important policy initiatives;

- Increased transparency;
- Enhanced accountability; and
- Reduced complexity and redundancy.

Changes to the FY18-23 CIP, include the following:

- Capital projects and programs in this CIP must have secured or identified funding, projects without secured or identified funding are no longer included in the CIP;
- Updated project selection criteria information by program area;
- Project status update tables to provide details on progress of previously approved capital projects and programs;
- Additional information on the development of the CIP in relation to other City planning processes.

FY18-23 CIP Projects

The capital projects and ongoing capital improvement programs in this CIP total approximately $162 million.

Transportation is the largest portion of the CIP, with approximately $53.9 million of anticipated spending. Pavement preservation capital projects account for $17.1 million of this amount, and spending from the 2012 Transportation Bonds approved by voters, accounts for another $15.1 million. Federal funds are projected to represent $12.9 million in Transportation projects over the next six fiscal years.

Public Buildings and Facilities is the second largest category with $32.4 million in proposed projects, including $4.5 million in identified funding for a permanent Farmers' Market. Public Buildings and Facilities also has proposed $8.1 million for primary building systems and $5.9 million for building service systems.

Parks and Open Space (POS) represents the next largest category with $23.3 million for proposed capital projects. POS projects include $5.2 million that has been identified for the Park Blocks downtown open space improvements, $6.0 million for Priority 1 neighborhood parks, $4.5 million for neighborhood and community park acquisition, and $6.2 million for site renovations and rehabilitations.

Wastewater has proposed to spend $18.7 million on capital projects. Included in these improvements is $14.7 million to preserve and rehabilitate the City's aging wastewater system, $2.3 million to replace the West Irwin Pump Station and $1 million for wastewater services for new development.

Airport accounts for $18.4 million of the City's proposed capital spending. Major projects include access control upgrades ($4.2 million), Automated Car Wash and adjacent site improvements ($4.0 million total with $1.9 million in this CIP), Taxiway Alpha rehabilitation ($4.0 million), airfield geometry corrections ($3.2 million), and the Terminal building roof replacement ($2.0 million).

Stormwater is planning to invest $15.6 million in this CIP, primarily for rehabilitation and improvements. Projects include the continuation of drywell removal ($3.0 million), which is mandated by the Department of Environmental Quality (DEQ), and system rehabilitation ($6.0 million).

With the exception of General Capital Projects, the vast majority of funding for CIP projects is restricted to a particular use, such as the 2012 transportation bonds for street projects, FAA funding for airport projects, wastewater and stormwater charges, local motor vehicle fuel tax revenue, system development charges (SDC's), airport passenger facility charges and more. General Capital Projects refer mostly to capital improvements and preservation for public buildings and facilities, which account for $23.1 million, or 14%, of planned capital spending over the next six years. General capital projects are primarily funded through the City's General Fund.

CIP Development and Review Process

During the summer and fall of even numbered years, staff compiles the draft CIP using input and requests from a variety of sources including Council adopted plans and policy documents, maintenance monitoring programs, funding directives from federal and state grants and mandates, public input and more. The draft CIP is subsequently published and made available to the public. Following review of the CIP by the Budget Committee, and adoption by the City Council, the projects become the basis for preparation of the City's Capital Budget for the next two fiscal years.

The draft CIP document was made available on the City's web site in January of 2017. Information about the draft FY 2018-2023 CIP was also sent electronically to interested citizens via the City Council newsletter, Neighborhood Services newsletter, and the Budget Interested Parties e-mail list. Hard copies of the draft CIP document were made available to the public at the Downtown Public Library, the Finance Division and the City Manager's Office. At their request, a presentation on the draft FY 2018-2023 CIP was made to the Planning Commission at their February 6, 2017 meeting.

The Budget Committee heard public comment on the draft FY 2018-2023 CIP on February 15, 2017. The committee passed a motion to recommend that the City Council adopt the FY2018-2023 CIP as proposed.

RELATED CITY POLICIES

The City's Financial Management Policies include a goal to have a capital improvement program that adequately maintains and enhances the public's assets over their useful life. The policies also state that the City will plan for capital improvements over a multi-year period, and the capital projects will directly relate to the long-range plans and policies of the City.

COUNCIL OPTIONS

The City Council may exercise one of the following two options:

1. The council may choose to adopt the FY2018-2023 CIP as recommended by the Budget Committee.

2. The council may choose to amend the CIP by identifying changes in the projects and/or funding sources and adopt the FY2018-2023 CIP that includes those changes.

CITY MANAGER'S RECOMMENDATION
The City Manager recommends that the council adopt the FY2018-2023 CIP as recommended by the Budget Committee.

SUGGESTED MOTION
Move to adopt the FY 2018-2023 Capital Improvement Program as recommended by the Budget Committee.

ATTACHMENTS
None. The draft FY 2018-2023 CIP was previously distributed to the Mayor and City Council in hard copy and is available for review at www.eugene-or.gov/CIP.

FOR MORE INFORMATION
Staff Contact: Mike Streepey
Telephone: 541-682-6820
Staff E-Mail: Michael.l.Streepey@ci.eugene.or.us

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing and Possible Action: An Ordinance Concerning Protections for Individuals and Adding Sections 2.495 and 2.497 to the Eugene Code, 1971.

Meeting Date: March 13, 2017 | Agenda Item Number: 6
Department: Central Services | Staff Contact: Glenn Klein
www.eugene-or.gov | Contact Telephone Number: 541-682-5010

ISSUE STATEMENT
This is a public hearing to receive testimony on an Ordinance that would adopt into City Code the provisions of ORS 181A.820 and 181A.250. Those provisions generally prohibit law enforcement from collecting or maintaining certain types of information. The proposed Ordinance also would expand some of the prohibitions to all other City personnel.

The City Council will also consider taking action at this meeting, and enacting an immediate effective date. Unanimous consent of the Council is required for the Council to enact this Ordinance following the public hearing. The affirmative vote of two-thirds of the Council is required for an effective date less than 30 days after enactment of the Ordinance.

BACKGROUND
At the November 14, 2016 meeting, City Council passed Council Resolution No. 5174, "declaring the City of Eugene's commitment to being a welcoming, inclusive, and safe community for everyone." In response to continued community interest, City Council, at their December 12, 2016 meeting, directed the Mayor to form an Ad Hoc Committee to establish concepts, goals and outcomes for a potential ordinance. The Ad Hoc Committee met twice in late January and early February and presented their proposed outcomes for an ordinance to Council at the February 22 work session.

At the February 22, 2017, work session, Council passed a motion to bring back a proposed ordinance for public hearing that would adopt the provisions of ORS 181A.820 and 181A.250 related to law enforcement personnel; expand the applicability of ORS 181A.820 to cover all other city employees; and prohibit all other city employees from collecting and maintaining information regarding political, religious, or social views of individuals.

After the Ordinance (attached as Attachment B) was posted for public review, it was found that a portion of the language contained in ORS 181A.250, had been erroneously omitted from new Code section 2.497(1). That section should have included the ORS 181A.250 language shown in bold italics, as follows: "No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, ***group,***

association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct." The correction has been made to the Ordinance version attached as Attachment A.

COUNCIL OPTIONS

1. Adopt the corrected version of the Ordinance at a single meeting, effective upon the Mayor's signature.
2. Adopt the corrected version of the Ordinance at a single meeting, with a 30-day effective date.
3. Not act tonight and take action at a future council meeting.
4. Not adopt the Ordinance.

CITY MANAGER' S RECOMMENDATION

The City Manager recommends Option 1, adopting the corrected version of the Ordinance at a single meeting, effective upon the Mayor's signature.

SUGGESTED MOTION

Move to adopt Council Bill 5173, an Ordinance Concerning Protections for Individuals and Adding Sections 2.495 and 2.497 to the Eugene Code, 1971. (Corrected version)

ATTACHMENTS

A. Proposed Ordinance: Corrected Version
B. Proposed Ordinance: Original Version
C. ORS 181A.820 and ORS 181A.250

FOR MORE INFORMATION

Staff Contact: Glenn Klein
Telephone: 541-682-5010

ORDINANCE NO. _____

AN ORDINANCE CONCERNING PROTECTIONS FOR INDIVIDUALS AND ADDING SECTIONS 2.495 AND 2.497 TO THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 2.495 and 2.497 are added to the Eugene Code, 1971, to provide as follows:

2.495 Protections for Individuals.

(1) The city shall not use city law enforcement moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

(2) Notwithstanding subsection (1) of this section, city law enforcement personnel may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to:

(a) Verify the immigration status of a person if the person is arrested for any criminal offense; or

(b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.

(3) Notwithstanding subsection (1) of this section, city law enforcement personnel may arrest any person who:

(a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and

(b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.

(4) As used in this section, "warrant of arrest" has the meaning given that term in ORS 131.005.

(5) All non-law enforcement personnel working for the city also shall not use city moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

2.497 Information Not to Be Collected or Maintained.

(1) No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of

criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

(2) No non-law enforcement personnel working for the city may collect or maintain information about the political, religious or social views of any individual.

Section 2. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary in light of the recent directives from the federal government related to enforcement of immigration laws.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of March, 2017

_____
City Recorder

Approved by the Mayor this

____ day of March, 2017

_____
Mayor

ATTACHMENT B

ORDINANCE NO. _____

AN ORDINANCE CONCERNING PROTECTIONS FOR INDIVIDUALS AND ADDING SECTIONS 2.495 AND 2.497 TO THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 2.495 and 2.497 are added to the Eugene Code, 1971, to provide as follows:

2.495 Protections for Individuals.

(1) The city shall not use city law enforcement moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

(2) Notwithstanding subsection (1) of this section, city law enforcement personnel may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to:

(a) Verify the immigration status of a person if the person is arrested for any criminal offense; or

(b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.

(3) Notwithstanding subsection (1) of this section, city law enforcement personnel may arrest any person who:

(a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and

(b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.

(4) As used in this section, "warrant of arrest" has the meaning given that term in ORS 131.005.

(5) All non-law enforcement personnel working for the city also shall not use city moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

2.497 Information Not to Be Collected or Maintained.

(1) No city law enforcement personnel may collect or maintain information about the political, religious or social views, associations or activities of any individual, unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

(2) No non-law enforcement personnel working for the city may collect or maintain information about the political, religious or social views of any individual.

Section 2. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary in light of the recent directives from the federal government related to enforcement of immigration laws.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of March, 2017

_____
City Recorder

Approved by the Mayor this

____ day of March, 2017

_____
Mayor

ORS 181A.820 Enforcement of federal immigration laws.

(1) No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.

(2) Notwithstanding subsection (1) of this section, a law enforcement agency may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to:
   (a) Verify the immigration status of a person if the person is arrested for any criminal offense; or
   (b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection.

(3) Notwithstanding subsection (1) of this section, a law enforcement agency may arrest any person who:
   (a) Is charged by the United States with a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505; and
   (b) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.

(4) For purposes of subsection (1) of this section, the Bureau of Labor and Industries is not a law enforcement agency.

(5) As used in this section, “warrant of arrest” has the meaning given that term in ORS 131.005.

ORS 181A.250 Specific information not to be collected or maintained. No law enforcement agency, as defined in ORS 181A.010, may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.