



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/15/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 001-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, April 26, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Andy Limbird, City of Springfield
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF

APR 08 2013

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: **City of Springfield**

Local file number: ***ANX13-00001**

Date of Adoption: **4/1/2013**

Date Mailed: **4/3/2013**

12/20/2012 &

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Dates: 12/28/2012

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Annexation of public right-of-way and a City-owned parcel removed the Urbanizable Fringe Overlay (UF-10) from certain tax lots in the annexation territory.

Does the Adoption differ from proposal? Yes, Please explain below:

*Due to the timing of filing the case, the file number assigned to the annexation action was changed from ANX12-00002 to ANX13-00001 to reflect a change of the calendar year. All other aspects of the action remain the same.

Plan Map Changed from:

to:

Zone Map Changed from: **Office Mixed-Use/UF-10**

to: **Office Mixed Use**

Light-Medium Industrial/UF-10

to: **Light Medium Industrial**

Employment Mixed-Use/UF-10

to: **Employment Mixed-Use**

Location: **4095 Franklin Boulevard and portions of non-addressed street right-of-way (Map 17-03-33-34, TL 2600; Map 17-03-34-43, TL 9100; Map 18-03-03-14, TL 2002; Map 18-03-03-40, TL 600 & 1100**

Acres Involved: **4.06**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19
☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☒ ☒ ☐ ☒ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 001-13 (19650) [17410]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, Lane Transit District, Lane County, Glenwood Water District, Willamalane Park & Recreation District, Lane Education Service District, Eugene 4J School District

Local Contact: **Andy Limbird**

Phone: **(541) 726-3784** Extension:

Address: **225 Fifth Street**

Fax Number: **541-726-3689**

City: **Springfield**

Zip: **97477-**

E-mail Address: **alimbird@springfield-or.gov**

ADOPTION SUBMITTAL REQUIREMENTS

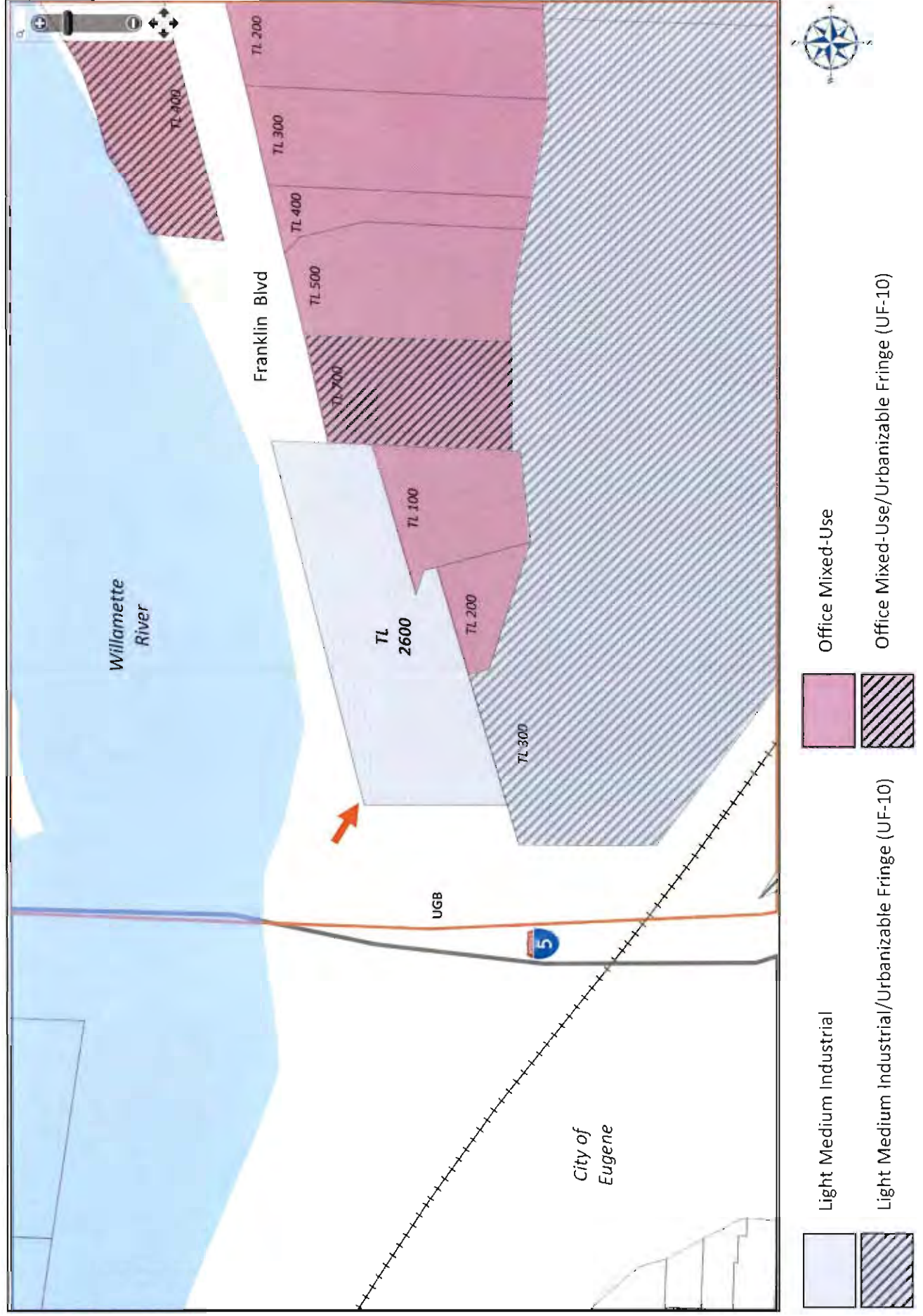
This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

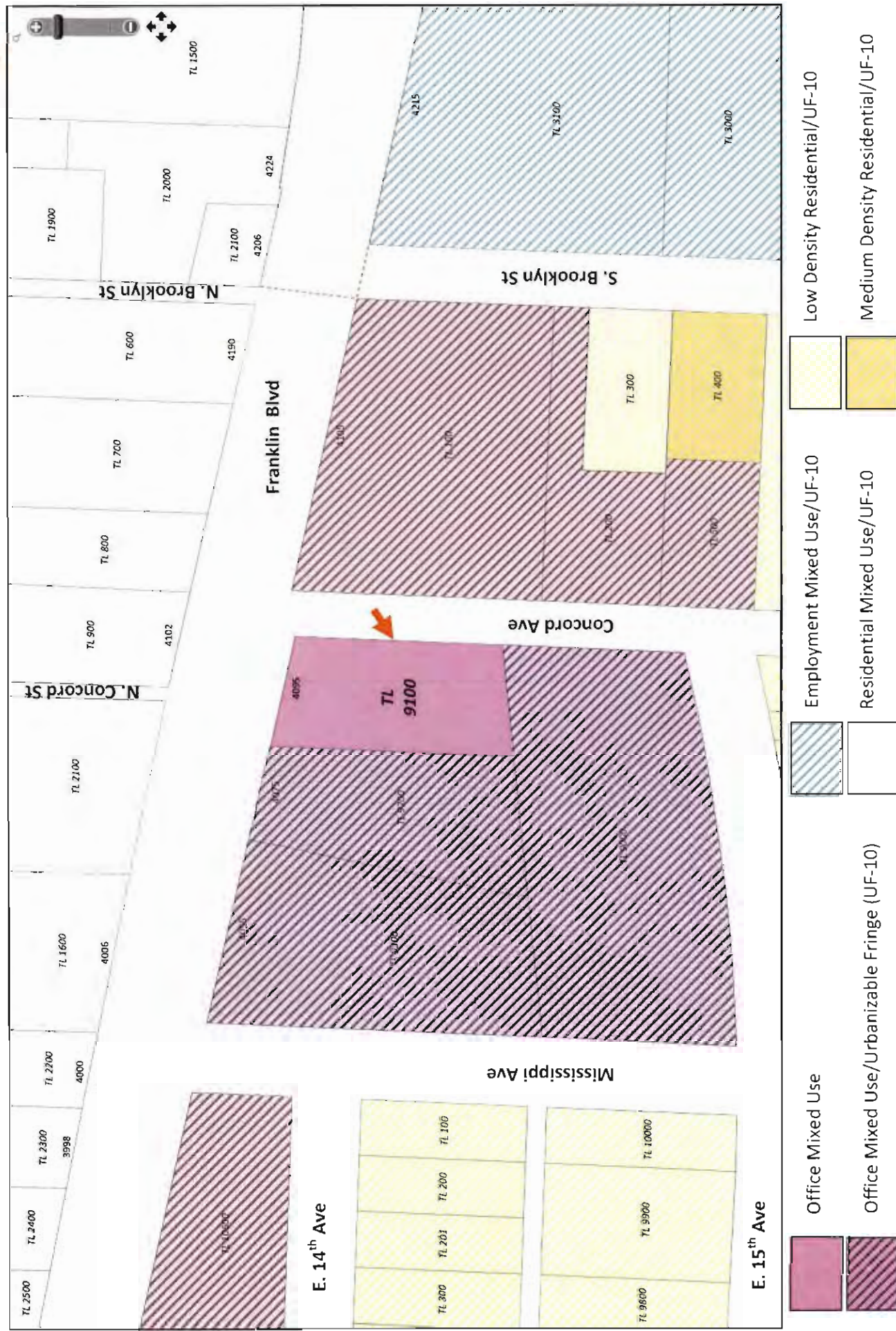
1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

PROPOSED ZONING UPON ANNEXATION
PORTION OF FRANKLIN BOULEVARD - MAP 17-03-33-44, TAX LOT 2600





PROPOSED ZONING UPON ANNEXATION
PORTION OF FRANKLIN BOULEVARD – MAP 18-03-03-14, TAX LOT 2002



Light Medium Industrial



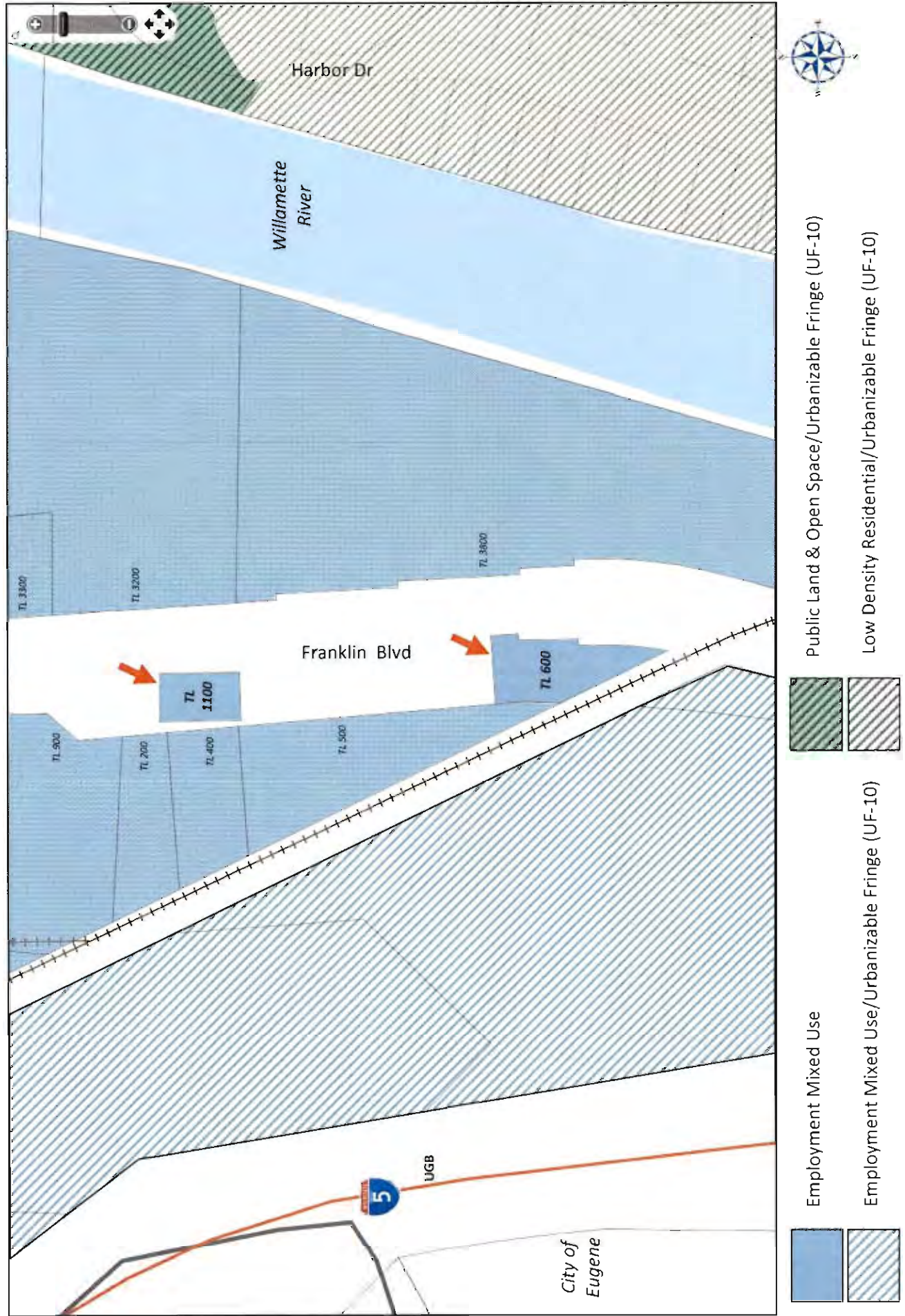
Employment Mixed Use



Employment Mixed Use/Urbainizable Fringe (UF-10)



PROPOSED ZONING UPON ANNEXATION
PORTIONS OF FRANKLIN BOULEVARD – MAP 18-03-03-40, TAX LOTS 600 & 1100



ORDINANCE NO 6290

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; AND WITHDRAWING THE SAME TERRITORY FROM THE GLENWOOD WATER DISTRICT

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, a request to annex certain territory was submitted on February 5, 2013, said territory being segments of Franklin Boulevard right-of-way within Assessor's Maps Township 17 South, Range 03 West, Section 33, Map 44; Township 17 South, Range 03 West, Section 34, Maps 31-33; Township 17 South, Range 03 West, Section 34, Maps 43 & 44; Township 18 South, Range 03 West, Section 02, Map 33; Township 18 South, Range 03 West, Section 03, Maps 11, 14 and 40; and Township 18 South, Range 03 West, Section 10, Map 10; and a parcel municipally addressed as 4095 Franklin Boulevard (Assessor's Map Township 17 South, Range 03 West, Section 34, Map 33, Tax Lot 9100) as generally depicted and more particularly described in **Exhibit A** to this Ordinance; and,

WHEREAS, the City Council is authorized by Springfield Development Code (SDC) Article 5.7-100 and ORS Chapter 222 to accept, process, and act on annexations to the City; and,

WHEREAS, consistent with SDC 5.7-125.A and ORS 222.111(2), the Common Council of the City of Springfield initiated the annexation of said territory by adoption of Resolution 2013-02 on January 22, 2013 attached hereto as **Exhibit B** to this Ordinance; and,

WHEREAS, this annexation has been initiated in accordance with SDC 5.7-125.A and ORS 222 and has been set for public hearing; and,

WHEREAS, the territory proposed to be annexed is within the City's urban growth boundary and is contiguous to the City limits [SDC 5.7-140.A], and the annexation is consistent with the "Urban Transition and Annexation" section of the adopted *Glenwood Refinement Plan*; and,

WHEREAS, the minimum level of key urban facilities and services can be provided in an orderly and efficient manner as outlined in the adopted *Glenwood Refinement Plan*, and there is a logical area and time within which to deliver urban services and facilities [SDC 5.7-140.C]; and,

WHEREAS, a Staff Report (**Exhibit C**) was presented to the City Council with the Director's recommendation to concurrently annex the subject territory to the Willamalane Park and Recreation District, as this special district is a service provider for the City [SDC 5.7-140.B]; and is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008; and,

WHEREAS, a Staff Report was presented to the City Council with the Director's recommendation to concurrently withdraw the annexation territory from the Glenwood Water District, as the City of Springfield acting by and through the Springfield Utility Board would provide water utility service directly to the area after it was annexed to the City [SDC 5.7-160.B]; and,

WHEREAS, on March 18, 2013, the Springfield Common Council conducted a public hearing and is now ready to take action on this application based on the recommendation and findings in support of approving the annexation request, and the Glenwood Water District's withdrawal as set forth in the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

SECTION 1: The Common Council of the City of Springfield does hereby approve annexation of the following described territory to the City of Springfield and Willamalane Park and Recreation District, said territory being a segment of Franklin Boulevard between the I-5 bridge and the existing City limits at the intersection with McVay Highway; a segment of Franklin Boulevard between the existing City limits at the intersection with McVay Highway and the intersection with I-5; and a parcel municipally addressed as 4095 Franklin Boulevard (Assessor's Map 17-03-34-33, Tax Lot 9100) as generally depicted and more particularly described in **Exhibit A**.

SECTION 2: The withdrawal of territory described in Section 1 above from the Glenwood Water District shall become effective on June 30, 2013.

SECTION 3: The City Manager or the Development and Public Works Director shall send copies of this Ordinance to affected State and local agencies as required by SDC 5.7-155.

SECTION 4: This Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever date is later.

ADOPTED by the Common Council of the City of Springfield this 1st day of April, 2013, by a vote of 5 for and 0 against. (1 Absent - Brew)

APPROVED by the Mayor of the City of Springfield this 1st day of April, 2013.

ATTEST:

Amy Sowa
City Recorder

Christa L. Long
Mayor

RECEIVED & APPROVED
ASTORIA
JOSHUA L. LEAH
DATE 3/12/13
OFFICE OF CITY ATTORNEY

City of Springfield, Oregon
CERTIFIED TRUE COPY

Amy Sowa
City Recorder

Glenwood Franklin Boulevard Annexation Description

Tract 1:

The South portion of Franklin Boulevard, which is aligned in a Northerly/Southerly direction; said portion also known as McVay Secondary Highway, Old U.S. Highway 99, Highway 225, or as relocated Pacific Highway No. 1; said portion being South of the McKenzie Highway bridge over the Willamette River; and being further described as follows:

Beginning at a point in the Southeast quarter of Section 34, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon, said point marking the Southwest corner of that tract of land described in a deed from William R. Greenhoot and Greenhoot Construction, Inc. to WRG Properties, LLC recorded November 28, 1997 as Instrument No. 9780986, Lane County Oregon Official Records (current tax map and lot number 17033444, 00101), said point being on the Easterly right of way line of Franklin Boulevard, said point being on the Northerly right of way of the Southern Pacific Railroad, and said point also being on the current city limits line;

1) Thence South $71^{\circ} 28' 00''$ West a distance of 60.00 feet, more or less, on the Northerly right of way line of said Southern Pacific Railroad, which is also the current city limits line, to the current Westerly right of way line of Franklin Boulevard;

Thence on the current Westerly right of way line of Franklin Boulevard the following 26 courses, numbered 2) through 27):

2) Thence leaving the current city limits line South $18^{\circ} 32' 00''$ East a distance of 427.76 feet, more or less, to a point of curvature;

3) Thence on a non tangent curve turning to the left, with an arc length of 167.55 feet, with a radius of 2894.70 feet, with a chord bearing of South $19^{\circ} 19' 37''$ East, with a chord length of 167.53 feet, more or less;

4) Thence South $20^{\circ} 30' 00''$ East a distance of 944.98 feet, more or less, to a point of curvature;

5) Thence on a non tangent curve turning to the right, with an arc length of 318.37 feet, with a radius of 1217.97 feet, with a chord bearing of South $13^{\circ} 00' 42''$ East, with a chord length of 317.46 feet, more or less;

6) Thence South $5^{\circ} 31' 24''$ East a distance of 234.51 feet, more or less, to a point marking the Northeast corner of that tract of land described in a deed from Wildish Industrial Development Corporation to the State of Oregon, by and through its State

Highway Commission, recorded March 27, 1968 at Reel 385R, Instrument 18823, Lane County Oregon Official Records (current tax map and lot number 18030314, 02002);

7) Thence on the North line of said 1968 State Highway Commission tract, North 88° 54' 00" West a distance of 40.27 feet, more or less;

8) Thence on the West line of said 1968 State Highway Commission tract and its Southerly extension, South 5° 31' 24" East a distance of 931.38 feet, more or less, to a point marking the Northwest corner of that tract of land described as Parcel 2 in a deed from Wildish Industrial Development Corporation to the State of Oregon, by and through its State Highway Commission, recorded March 9, 1966 at Reel 283D, Instrument 39389, Lane County Oregon Official Records;

Thence on the Westerly line of said 1966 State Highway Commission tract the following 3 courses, numbered 9) through 11):

9) Thence South 7° 35' 35" West a distance of 198.21 feet, more or less;

10) Thence South 4° 40' 48" East a distance of 49.69 feet, more or less;

11) Thence South 37° 47' 18" West a distance of 66.97 feet, more or less;

12) Thence continuing on the West line of said 1966 State Highway Commission tract and its Southerly extension South 6° 39' 08" East a distance of 685.16 feet, more or less, to a point on the North line of that tract of land described in a Correction Deed from Lane County, a political subdivision of the State of Oregon, to the State of Oregon, by and through its State Highway Commission, recorded February 29, 1968 at Reel 381R, Instrument 15838, Lane County Oregon Official Records; said Correction Deed having corrected the original deed executed by the same Grantor/Grantee, recorded March 12, 1965, Reel 261D, Instrument 95368 (current tax map and lot number 18030340, 00600);

13) Thence on said North line, South 84° 32' 00" West a distance of 48.76 feet, more or less, to a point on the Northeasterly right of way line of the Southern Pacific Railroad, said railroad also known as the Central Oregon Pacific Railroad;

14) Thence leaving the current Westerly right of way line of Franklin Boulevard, continuing on the Northeasterly right of way line of said Southern Pacific Railroad South 27° 40' 00" East a distance of 130.98 feet, more or less;

15) Thence leaving the Northeasterly right of way line of said Southern Pacific Railroad, crossing over said railroad, and continuing on the current Westerly right of way line of Franklin Boulevard South 0° 26' 05" East a distance of 80.45 feet, more or less;

16) Thence South 4° 22' 20" West a distance of 368.38 feet, more or less;

17) Thence South 9° 10' 45" West a distance of 109.55 feet, more or less;

- 18) Thence South 30° 58' 50" West a distance of 161.55 feet, more or less;
- 19) Thence South 9° 10' 45" West a distance of 136.38 feet, more or less;
- 20) Thence South 10° 10' 45" West a distance of 200.55 feet, more or less;
- 21) Thence South 8° 10' 45" West a distance of 65.34 feet, more or less;
- 22) Thence South 18° 23' 09" East a distance of 111.80 feet, more or less;
- 23) Thence South 1° 39' 14" East a distance of 222.49 feet, more or less;
- 24) Thence South 15° 45' 34" West a distance of 94.96 feet, more or less;
- 25) Thence South 2° 50' 26" East a distance of 213.79 feet, more or less;
- 26) Thence South 4° 50' 26" East a distance of 189.01 feet, more or less;
- 27) Thence South 0° 52' 12" West a distance of 201.00 feet, more or less to the Southeast corner of that tract of land described in a deed from Pacific Conifers, LLC to Frank L. Brewer recorded January 3, 2008 as Instrument No. 2008-000538, Lane County Oregon Official Records (current tax map and lot number 18031010.00200);
- 28) Thence leaving said current Westerly right of way line of Franklin Boulevard, on the South line of said Brewer tract and its Westerly extension South 71° 48' 35" West a distance of 179.14 feet, more or less to the centerline of the Pacific Freeway (Interstate) Number I-5, said centerline also being the current Springfield UGB line;
- 29) Thence on said centerline of the Pacific Freeway, also being said Springfield UGB line South 18° 11' 25" East a distance of 951.00 feet, more or less to an angle point in said Springfield UGB line;
- 30) Thence leaving said centerline of the Pacific Freeway and continuing on said Springfield UGB line North 88° 59' 44" East a distance of 158.64 feet, more or less to the current Easterly right of way line of Franklin Boulevard;
- Thence on the current Easterly right of way line of Franklin Boulevard the following 28 courses, numbered 31) through 58):
- 31) Thence leaving said Springfield UGB line North 8° 29' 18" East a distance of 196.70 feet, more or less;
- 32) Thence North 8° 41' 31" West a distance of 1174.92 feet, more or less;
- 33) Thence North 2° 50' 26" West a distance of 295.41 feet, more or less;

- 34) Thence North $2^{\circ} 40' 09''$ East a distance of 68.75 feet, more or less;
- 35) Thence North $8^{\circ} 10' 45''$ East a distance of 250.46 feet, more or less;
- 36) Thence South $81^{\circ} 49' 15''$ East a distance of 10.00 feet, more or less;
- 37) Thence North $8^{\circ} 10' 45''$ East a distance of 44.78 feet, more or less;
- 38) Thence North $10^{\circ} 10' 45''$ East a distance of 198.72 feet, more or less;
- 39) Thence North $9^{\circ} 10' 45''$ East a distance of 303.77 feet, more or less;
- 40) Thence North $12^{\circ} 10' 56''$ East a distance of 153.85 feet, more or less;
- 41) Thence South $77^{\circ} 45' 14''$ East a distance of 30.00 feet, more or less;
- 42) Thence North $11^{\circ} 01' 00''$ East a distance of 205.12 feet, more or less, to a point of curvature;
- 43) Thence on a non tangent curve turning to the left, with an arc length of 160.36 feet, with a radius of 716.20 feet, with a chord bearing of North $5^{\circ} 50' 36''$ East, with a chord length of 160.02 feet, more or less;
- 44) Thence North $0^{\circ} 34' 15''$ West a distance of 9.30 feet, more or less, to a point of curvature;
- 45) Thence on a non tangent curve turning to the left, with an arc length of 51.25 feet, with a radius of 2315.83 feet, with a chord bearing of North $1^{\circ} 12' 11''$ West, with a chord length of 51.24 feet, more or less;
- 46) Thence South $88^{\circ} 09' 47''$ West a distance of 10 feet, more or less, to a point of curvature;
- 47) Thence on a non tangent curve turning to the left, with an arc length of 88.92 feet, with a radius of 2303.83 feet, with a chord bearing of North $2^{\circ} 56' 34''$ West, with a chord length of 88.91 feet, more or less;
- 48) Thence South $85^{\circ} 57' 06''$ West a distance of 10 feet, more or less, to a point of curvature;
- 49) Thence on a non tangent curve turning to the left, with an arc length of 59.00 feet, with a radius of 2291.83 feet, with a chord bearing of North $4^{\circ} 47' 09''$ West, with a chord length of 58.99 feet, more or less;
- 50) Thence North $5^{\circ} 31' 24''$ West a distance of 144.10 feet, more or less;

- 51) Thence South 84° 28' 36" West a distance of 10 feet, more or less;
- 52) Thence North 5° 31' 24" West a distance of 200.00 feet, more or less;
- 53) Thence South 84° 28' 36" West a distance of 10 feet, more or less;
- 54) Thence North 5° 31' 24" West a distance of 1786.73 feet, more or less, to a point of curvature;
- 55) Thence on a non tangent curve turning to the left, with an arc length of 334.05 feet, with a radius of 1277.97 feet, with a chord bearing of North 13° 00' 42" West, with a chord length of 333.10 feet, more or less;
- 56) Thence North 20° 30' 00" West a distance of 945.49 feet, more or less, to a point of curvature;
- 57) Thence on a non tangent curve turning to the right, with an arc length of 164.99 feet, with a radius of 2834.70 feet, with a chord bearing of North 19° 19' 04" West, with a chord length of 164.96 feet, more or less;
- 58) Thence North 18° 32' 00" West a distance of 427.76 feet, more or less, to the Point of Beginning.

Tract 2:

The North portion of Franklin Boulevard which is aligned in an Easterly/Westerly direction, said portion also known as Highway 126, McKenzie Highway, Old U.S. Highway 99, or as relocated Pacific Highway No. 1; said portion being West of the McKenzie Highway bridge over the Willamette River, further described as follows:

Beginning at a point in the Southeast quarter of Section 34, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon, said point marking the Northeast corner of that tract of land described in a deed from Maxwell Family, LLC to Equilon Enterprises, LLC recorded April 1, 2002 as Instrument No. 2002-025060, Lane County Oregon Official Records (current tax map and lot number 17033443, 00100), said point being at the intersection of the Southerly right of way line of Franklin Boulevard and the Westerly right of way line of South Brooklyn Street, and said point also being on the current city limits line;

- 1) Thence leaving the Southerly right of way line of Franklin Boulevard North 1° 50' 58" West a distance of 72.26 feet, more or less, to the intersection of the Northerly right of

way line of Franklin Boulevard and the Westerly right of way line of North Brooklyn Street, which is also on the current city limits line;

Thence on the current Northerly right of way line of Franklin Boulevard the following 26 courses, numbered 2) through 27):

2) Thence leaving the current city limits line North $77^{\circ} 28' 44''$ West a distance of 73.00 feet, more or less to a point on the East line of that tract of land described in a deed from Taylor Ramsey to Ramsey Properties Limited Partnership recorded January 25, 1996 as Instrument No. 9605074, Lane County Oregon Official Records (current tax map and lot number 17033442, 00700), said point being North $1^{\circ} 43' 44''$ East a distance of 10.18 feet, more or less from the Southeast corner of said Ramsey tract, said Southeast corner being defined by County Survey File number 41541, by the Oregon Department of Transportation, and filed in the Lane County Oregon Surveyor's Office Official Records;

3) Thence South $1^{\circ} 43' 44''$ West a distance of 10.18 feet, more or less to the Southeast corner of said Ramsey tract;

4) Thence North $77^{\circ} 28' 44''$ West a distance of 81.44 feet, more or less to the Southwest corner of said Ramsey tract;

5) Thence North $1^{\circ} 43' 50''$ East a distance of 10.18 feet, more or less;

6) Thence leaving the West line of said Ramsey tract North $77^{\circ} 28' 44''$ West a distance of 760.38 feet, more or less to the Southeasterly corner of that tract of land described in a deed from Oldham Properties LLC to Lane Transit District (LTD) recorded January 25, 2006 as Instrument No. 2006-005752, Lane County Oregon Official Records;

7) Thence North $1^{\circ} 45' 46''$ East a distance of 5.07 feet, more or less to the Northeasterly corner of said LTD tract;

8) Thence North $76^{\circ} 04' 00''$ West a distance of 127.54 feet, more or less to the Northwesterly corner of said LTD tract;

9) Thence South $1^{\circ} 45' 48''$ West a distance of 4.56 feet, more or less to the Southwesterly corner of said LTD tract, said point also being a point of curvature;

10) Thence leaving the West line of said LTD tract on a non tangent curve turning to the right, with an arc length of 134.81 feet, with a radius of 1395.14 feet, with a chord bearing of North $70^{\circ} 34' 12''$ West, with a chord length of 134.75 feet, more or less;

11) Thence North $67^{\circ} 48' 14''$ West a distance of 455.48 feet, more or less to a point of curvature;

12) Thence on a non tangent curve turning to the left, with an arc length of 252.37 feet, with a radius of 514.71 feet, with a chord bearing of North 81° 51' 01" West, with a chord length of 249.85 feet, more or less;

13) Thence South 84° 06' 16" West a distance of 647.29 feet, more or less to the Southeasterly corner of that tract of land described in a deed from CEDARAPIDS, INC. to the State of Oregon, by and through its Department of Transportation recorded September 28, 1995 as Instrument No. 9554713, Lane County Oregon Official Records, said point also being a point of curvature;

14) Thence North 5° 49' 58" West 6.65 feet, more or less;

15) Thence on a spiral curve left (the long chord of which bears South 83° 25' 59" West 154.91 feet) a distance of 154.92 feet, more or less;

16) Thence South 89° 43' 38" West a distance of 39.81 feet, more or less to a point of curvature;

17) Thence on a spiral curve left (the long chord of which bears South 82° 10' 29" West 31.68 feet) a distance of 31.68 feet, more or less;

18) Thence North 8° 38' 31" West a distance of 4.81 feet, more or less to a point of curvature;

19) Thence on a non tangent curve turning to the left, with an arc length of 15.83 feet, with a radius of 2919.29 feet, with a chord bearing of South 81° 12' 10" West, with a chord length of 15.83 feet, more or less to the Northeasterly corner of that tract of land described in a deed from Skilleen Investments Limited Partnership to Lane Transit District recorded January 13, 2006 as Instrument No. 2006-003004, Lane County Oregon Official Records;

20) Thence South 81° 23' 59" West a distance of 23.62 feet, more or less;

21) Thence South 71° 56' 15" West a distance of 47.08 feet, more or less;

22) Thence South 84° 30' 33" West a distance of 83.32 feet, more or less;

23) Thence South 2° 10' 03" West a distance of 6.78 feet, more or less to a point of curvature;

24) Thence on a spiral curve left (the long chord of which bears South 76° 34' 31" West 246.39 feet) a distance of 246.41 feet, more or less;

25) Thence South 75° 46' 02" West a distance of 363.63 feet, more or less;

26) Thence North $5^{\circ} 02' 36''$ East a distance of 120.40 feet, more or less to the left bank of the Willamette River;

27) Thence on the left bank of the Willamette River Southwesterly a distance of 981.42 feet, more or less to the intersection between said left bank and the Easterly right of way line of the Pacific Freeway (Interstate) Number I-5, said right of way line also being the current Springfield city limits line;

28) Thence on said Easterly right of way line and current city limits line. South $0^{\circ} 28' 57''$ East a distance of 353.20 feet, more or less to a point on the Southerly right of way line of Franklin Boulevard;

Thence on the current Southerly right of way line of Franklin Boulevard the following 31 courses, numbered 29) through 59):

29) Thence North $78^{\circ} 49' 04''$ East a distance of 177.51 feet, more or less;

30) Thence North $68^{\circ} 10' 39''$ East a distance of 226.62 feet, more or less;

31) Thence North $14^{\circ} 47' 36''$ West a distance of 21.76 feet, more or less;

32) Thence North $71^{\circ} 14' 06''$ West a distance of 40.42 feet, more or less;

33) Thence North $73^{\circ} 46' 14''$ East a distance of 255.43 feet, more or less;

34) Thence North $2^{\circ} 26' 38''$ East a distance of 74.54 feet, more or less to a point of curvature;

35) Thence on a non tangent curve turning to the left, with an arc length of 135.52 feet, with a radius of 5774.08 feet, with a chord bearing of North $76^{\circ} 26' 22''$ East, with a chord length of 135.52 feet, more or less;

36) Thence North $75^{\circ} 46' 02''$ East a distance of 594.32 feet, more or less to a point of curvature;

37) Thence on a spiral curve right (the long chord of which bears North $76^{\circ} 35' 56''$ East 248.08 feet) a distance of 248.10 feet, more or less to a point of curvature;

38) Thence on a non tangent curve turning to the right, with an arc length of 163.91 feet, with a radius of 2820.29 feet, with a chord bearing of North $79^{\circ} 56' 09''$ East, with a chord length of 163.88 feet, more or less to a point of curvature;

39) Thence on a spiral curve right (the long chord of which bears North $82^{\circ} 39' 07''$ East 119.04 feet) a distance of 119.04 feet, more or less;

40) Thence North $1^{\circ} 45' 03''$ East a distance of 13.17 feet, more or less;

- 41) Thence North $84^{\circ} 06' 16''$ East a distance of 326.74 feet, more or less to the Northwestern corner of that tract of land described in a deed from Lane Transit District to the State of Oregon, by and through its Department of Transportation recorded December 7, 2011 as Instrument No. 2011-055556, Lane County Oregon Official Records;
- 42) Thence South a distance of 10.28 feet, more or less;
- 43) Thence North $84^{\circ} 11' 17''$ East a distance of 207.48 feet, more or less;
- 44) Thence North $0^{\circ} 16' 30''$ West a distance of 10.58 feet, more or less to the Northeasterly corner of said State of Oregon tract;
- 45) Thence leaving the East line of said State of Oregon tract North $84^{\circ} 06' 16''$ East a distance of 32.01 feet, more or less to the Northwestern corner of that tract of land described in a Dedication of Public Road Easement from Jack F. and Betty E. Bosse to Lane County recorded January 16, 1976 as Instrument No. 7602290, Lane County Oregon Official Records;
- 46) Thence South $2^{\circ} 24' 59''$ West a distance of 10.11 feet, more or less;
- 47) Thence North $83^{\circ} 56' 53''$ East a distance of 176.74 feet, more or less to a point of curvature;
- 48) Thence on a non tangent curve turning to the right, with an arc length of 153.52 feet, with a radius of 432.46 feet, with a chord bearing of South $85^{\circ} 52' 52''$ East, with a chord length of 152.72 feet, more or less;
- 49) Thence North $2^{\circ} 24' 59''$ East a distance of 10.22 feet, more or less to a point of curvature, said point also being the Northeasterly corner of said Lane County Public Road Easement tract;
- 50) Thence leaving the East line of said Lane County Public Road Easement tract on a non tangent curve turning to the right, with an arc length of 65.33 feet, with a radius of 444.71 feet, with a chord bearing of South $72^{\circ} 00' 44''$ East, with a chord length of 65.27 feet, more or less;
- 51) Thence South $67^{\circ} 48' 14''$ East a distance of 455.48 feet, more or less to a point of curvature;
- 52) Thence on a non tangent curve turning to the left, with an arc length of 247.45 feet, with a radius of 1465.14 feet, with a chord bearing of South $72^{\circ} 38' 26''$ East, with a chord length of 247.16 feet, more or less;
- 53) Thence South $77^{\circ} 28' 44''$ East a distance of 304.95 feet, more or less to the Northwestern corner of that tract of land described in a deed from Green Valley

Endeavors, LLC to Lane Transit District (LTD) recorded December 15, 2005 as Instrument No. 2005-099695, Lane County Oregon Official Records;

54) Thence South 12° 41' 06" West a distance of 5.99 feet, more or less;

55) Thence South 77° 18' 54" East a distance of 6.25 feet, more or less;

56) Thence South 12° 41' 06" West a distance of 3.94 feet, more or less;

57) Thence South 77° 18' 54" East a distance of 66.06 feet, more or less;

58) Thence North 2° 10' 46" East a distance of 10.30 feet, more or less to the Northeasterly corner of said LTD tract;

59) Thence leaving the East line of said LTD tract South 77° 28' 44" East a distance of 584.24 feet, more or less to the Point of Beginning.

Tract 3:

A tract of land owned by the Springfield Economic Development Agency, further described as follows:

Lots 8 and 9, Block 5, MIDWAY PARK, as platted and recorded in Book 4, Page 32, Lane County Oregon Plat Records, Lane County Oregon.

Together with the North half of the alley lying adjacent to and South of said Lots 8 and 9, as vacated by Instrument No. 8734181, recorded August 6, 1987, Lane County Oregon Official Records.

Said land being further described per the following courses:

Beginning at a point marking the Northeast corner of Block 5, MIDWAY PARK, as platted and recorded in Book 4, Page 32, Lane County Oregon Plat Records, Lane County Oregon, thence 1) on the Southerly right of way line of Franklin Boulevard North 77° 28' 44" West a distance of 81.39 feet, more or less; thence 2) leaving said Southerly right of way South 1° 55' 46" West a distance of 175.65 feet, more or less; thence 3) North 83° 58' 46" East a distance of 80.78 feet, more or less, to a point on the Westerly right of way line of Concord Avenue; thence 4) on said Westerly right of way North 1° 55' 46" East a distance of 149.52 feet, more or less, to the Point of Beginning.

157

DATE: _____
DISCLOSED (UNLESS CONTRARY): _____
WITH CURRENT ADDRESS COVERED BY _____
THE LEGAL ATTORNEY FOR THE _____
APPROPRIATE TRACT. _____

CANCELLED
400
490

NOTES

EUGENE
SPRINGFIELD
17033344

S.E. 1/4 S.E. 1/4 SEC. 33, T.15S. R.3W. W.M.
Lane County

FOR ASSESSMENT AND

SEE MAP
17033223

FREEMAN

YANNA HIGH
MCKENZIE

004-28

004-80

SOUTHERN

PACIFIC

~~304-28~~

004-80

004-28

004-00

16TH AVE-E-

AUGUSTA AVE

SEE MAP
9030111

SEE MAP

ENTRE

JUDKINS RD

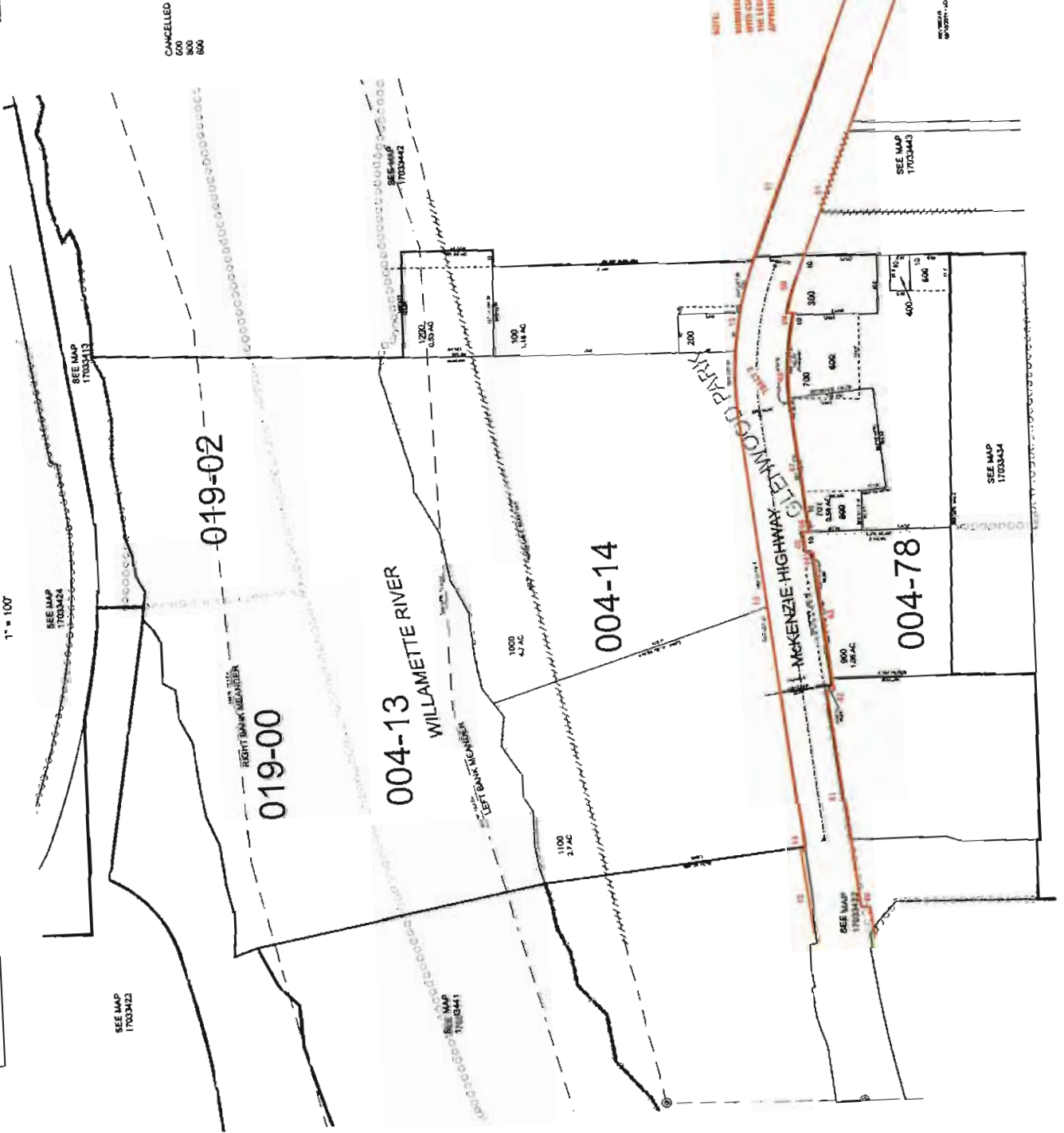
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March - 2014 & 17 1332

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Lane County

1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY



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Lane County

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004-26

WILLAMETTE RIVER

NEW YORK

004-80

004-28

BEE MAP
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Lane County

FOR ASSESSMENT AND
TAXATION ONLY

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SEE MAP 17033533

SEE MAP
7033441

SEE MAP

WILLAMETTE RIVER

004-28

NOTE: REMEMBERED COURSE COUNSEL WITH COURSE NUMBERING SHOWS IN THE LEGAL DESCRIPTION FOR THE APPROPRIATE TRACT.

25

BROOKLYN

21

SOUTHERN

004-80

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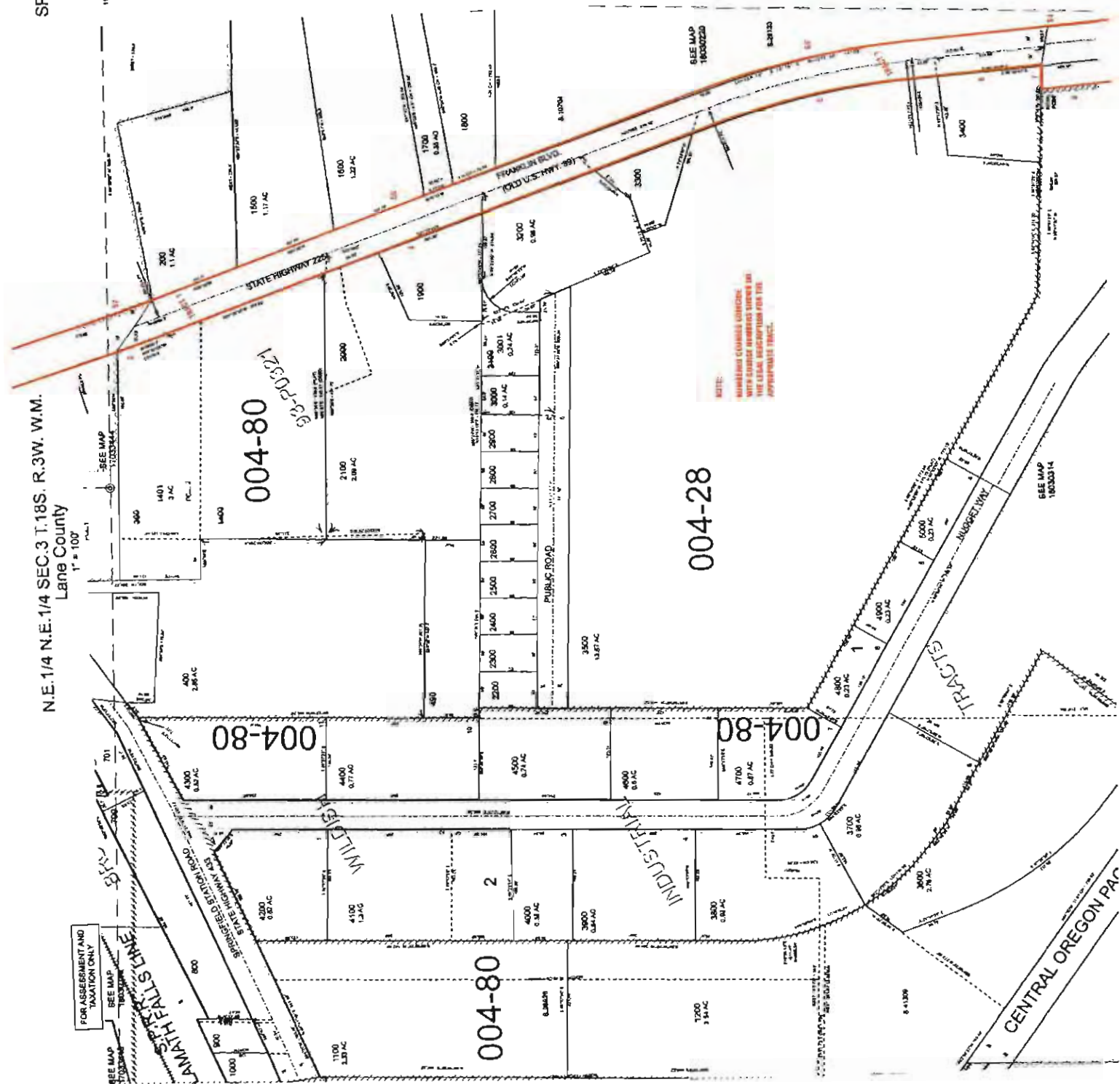
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Lane County

FOR ASSESSMENT AND
TAXATION ONLY
SEE MAP
18030311

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REVISIONS
18030311-001-01-01-01-01

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SEE MAP
18030311

NOTE:
UNAPPROVED CHANGES CANCELLING
ANY CHANGES IMMEDIATELY RETURN IN
THE LOCAL DISCUSSION FOR THE
APPROPRIATE TIME.

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Lane County
1" = 100'

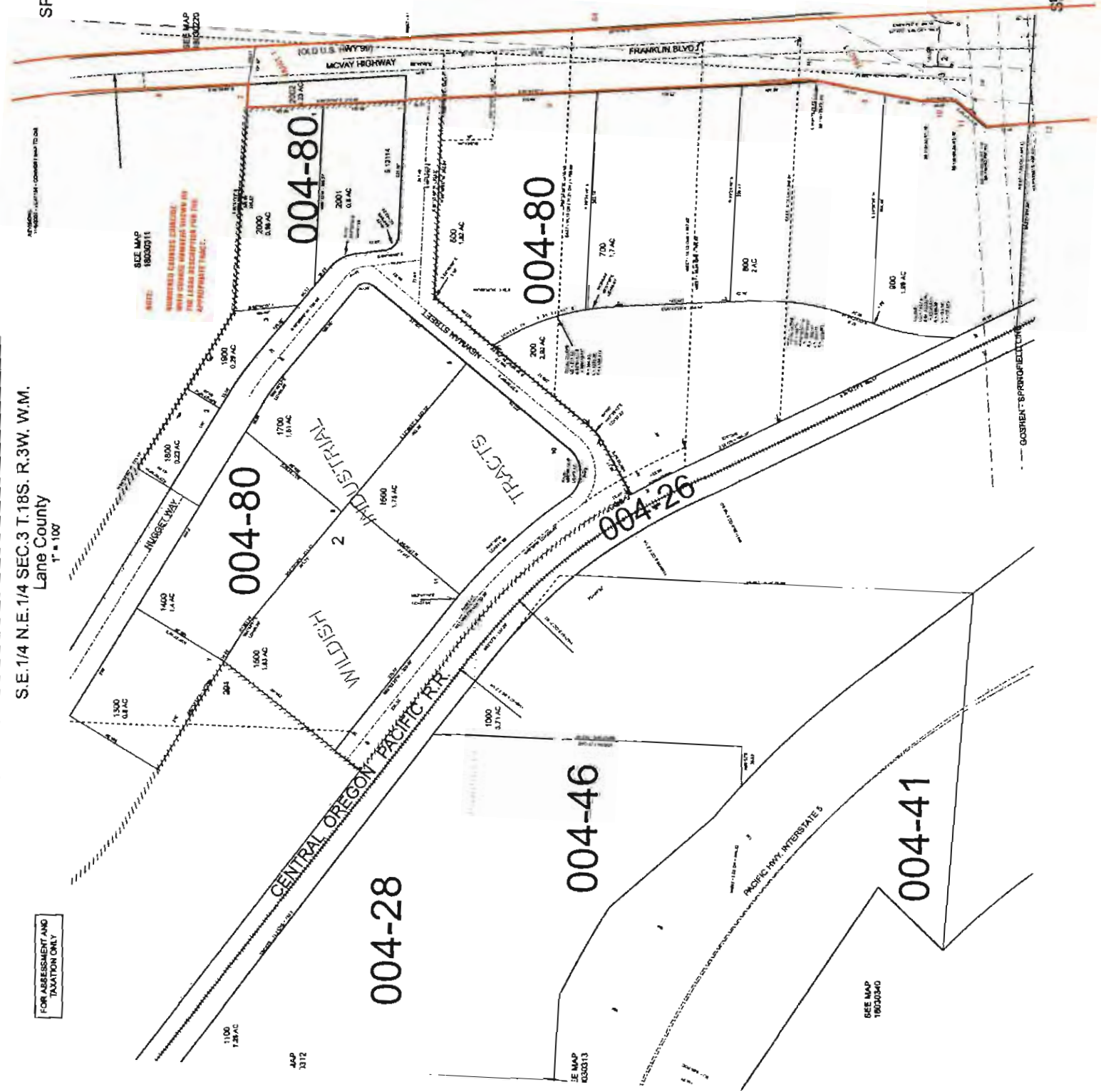
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MAP
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1" = 200'

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SEE MAP
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SE COR
C/S STREET
DLC 99

1.001
26.81 AC

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63.14 AC

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SEE MAP
18031000

SW COR
D. MOYAY
DLC 83

SEE MAP
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SW COR
D. MOYAY
DLC 83

SEE MAP
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APPROXIMATE
TAXATION - LUTHE - COMBINED MAP TO 84

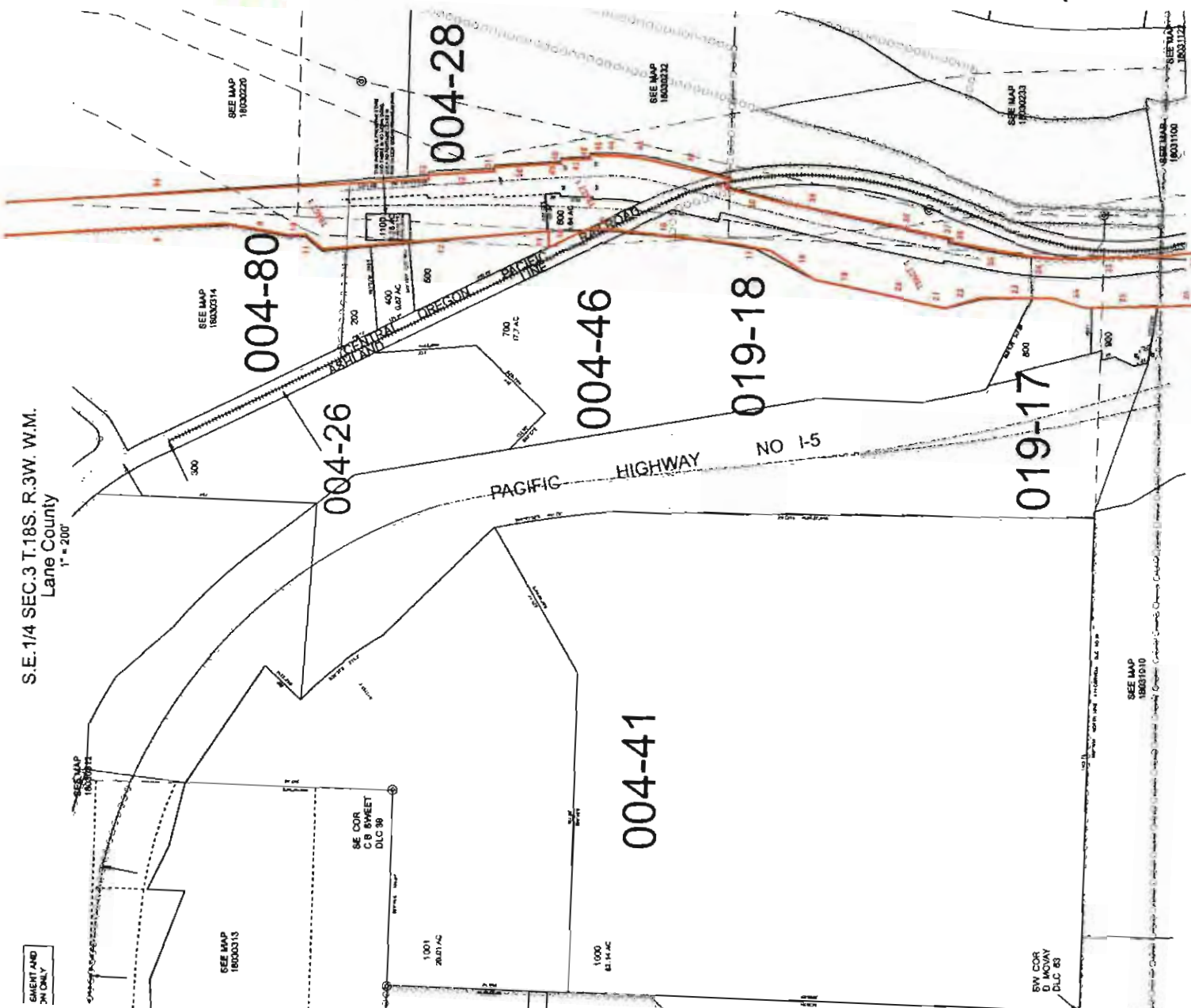
NOTE:
ADDITIONAL CHANGES TO CHARTERED
WATER COURSE ADJUSTMENTS SHOWN ON
THIS LEGAL DESCRIPTION FOR THE
APPROPRIATE TRACT.

SEE MAP
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SEE MAP
18030320

SEE MAP
18030332

SEE MAP
18030333



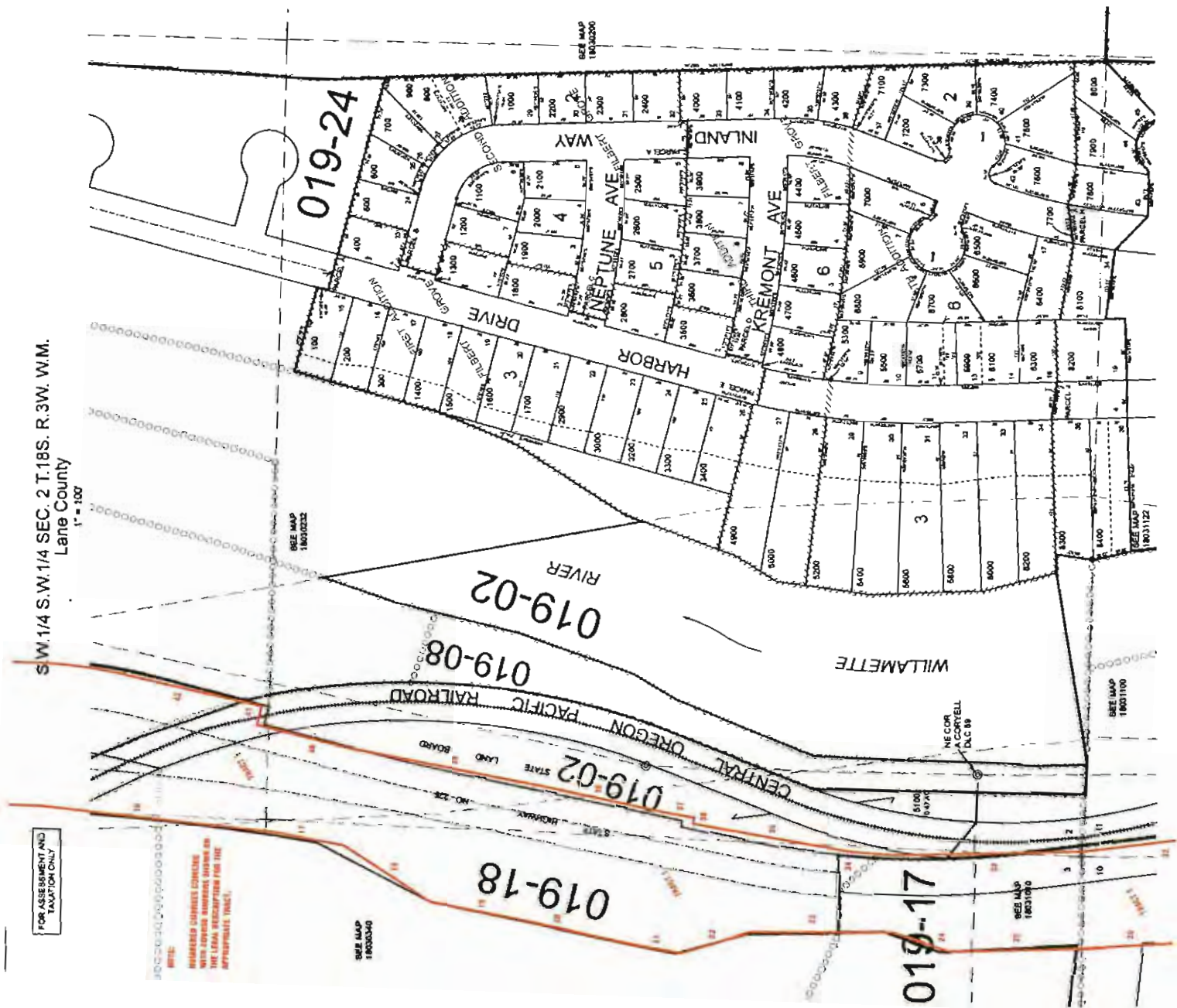
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Lane County
1" = 100'

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Legend: \square = 100% \square = 50% \square = 25% \square = 12.5% \square = 6.25% \square = 3.125% \square = 1.5625% \square = 0.78125% \square = 0.390625% \square = 0.1953125% \square = 0.09765625% \square = 0.048828125% \square = 0.0244140625% \square = 0.01220703125% \square = 0.006103515625% \square = 0.0030517578125% \square = 0.00152587890625% \square = 0.000762939453125% \square = 0.0003814697265625% \square = 0.00019073486328125% \square = 0.000095367431640625% \square = 0.0000476837158203125% \square = 0.00002384185791015625% \square = 0.000011920928955078125% \square = 0.0000059604644775390625% \square = 0.00000298023223876953125% \square = 0.000001490116119384765625% \square = 0.0000007450580596923828125% \square = 0.00000037252902984619140625% \square = 0.000000186264514923095703125% \square = 0.0000000931322574615478515625% \square = 0.00000004656612873077392578125% \square = 0.000000023283064365386962890625% \square = 0.0000000116415321826934814453125% \square = 0.00000000582076609134674072265625% \square = 0.000000002910383045673370361328125% \square = 0.0000000014551915228366851806640625% \square = 0.00000000072759576141834259033203125% \square = 0.000000000363797880709171295166015625% \square = 0.0000000001818989403545856475830078125% \square = 0.00000000009094947017729282379150390625% \square = 0.000000000045474735088646411895751953125% \square = 0.0000000000227373675443232059478759765625% \square = 0.00000000001136868377216160297393798828125% \square = 0.000000000005684341886080801486968994140625% \square = 0.0000000000028421709430404007434844970703125% \square = 0.00000000000142108547152020037174224853515625% \square = 0.000000000000710542735760100185871124267578125% \square = 0.0000000000003552713678800500929355621337890625% \square = 0.00000000000017763568394002504646778106689453125% \square = 0.000000000000088817841970012523233890533447265625% \square = 0.0000000000000444089209850062616169452667236328125% \square = 0.00000000000002220446049250313080847263336181640625% \square = 0.000000000000011102230246251565404236316680908203125% \square = 0.0000000000000055511151231257827021181583340541015625% \square = 0.00000000000000277555756156289135105907916702705078125% \square = 0.000000000000001387778780781445675529539583513525390625% \square = 0.0000000000000006938893903907228377647697917567626953125% \square = 0.00000000000000034694469519536141888238489587838134765625% \square = 0.000000000000000173472347597680709441192447939190673828125% \square = 0.0000000000000000867361737988403547205962239695953369140625% \square = 0.00000000000000004336808689942017736029811198479766845703125% \square = 0.000000000000000021684043449710088680149055992398834228515625% \square = 0.0000000000000000108420217248550443400745279961994171142578125% \square = 0.0000000000000000054210108624275221700372639980997085573953125% \square = 0.0000000000000000027105054312137610850186319990498542786953125% \square = 0.00000000000000000135525271560688054250931599952492713934765625% \square = 0.000000000000000000677626357803440271254657999762463569673828125% \square = 0.0000000000000000003388131789017201356273289998812317848369140625% \square = 0.00000000000000000016940658945086006781366449994061589241845703125% \square = 0.000000000000000000084703294725430033906832249970307946209228515625% \square = 0.0000000000000000000423516473627150169534161249851539731046142578125% \square = 0.00000000000000000002117582368135750847670806249257698655230712890625% \square = 0.000000000000000000010587911840678754238354031246288493276153564453125% \square = 0.0000000000000000000052939559203393771191770156231442466380767822265625% \square = 0.00000000000000000000264697796016968855958850781157212331903839111328125% \square = 0.000000000000000000001323488980084844279794253905786061659519195556640625% \square = 0.0000000000000000000006617444900424221398971269528930308297595977783203125% \square = 0.00000000000000000000033087224502121106994856347644651541487979888916015625% \square = 0.000000000000000000000165436122510605534974281738223257707439899444580078125% \square = 0.0000000000000000000000827180612553027674871408691116288537199497222900390625% \square = 0.0000000000000000000000413590306276513837435704345558144

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1" = 200'

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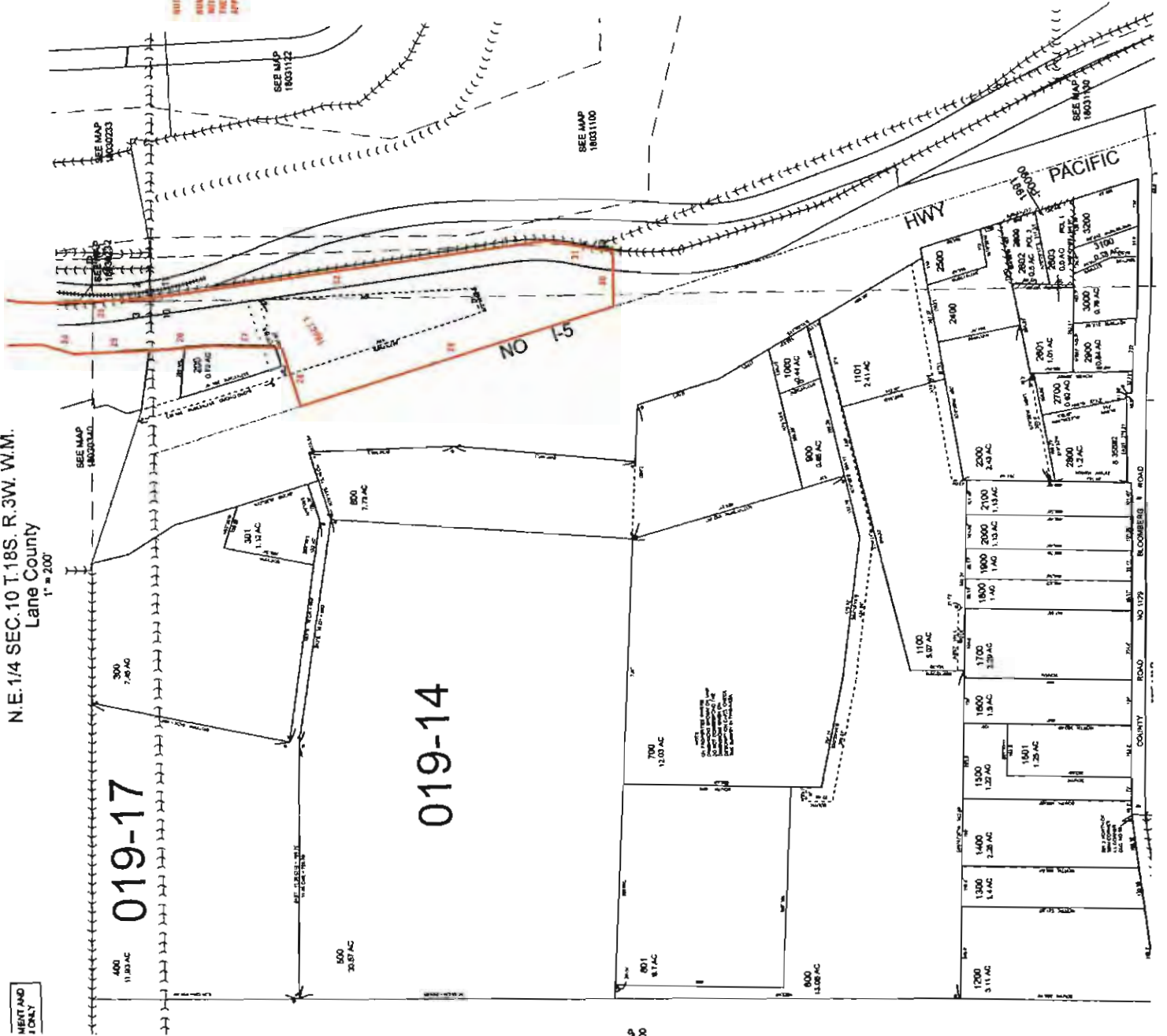
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NOTE:

UNDESIGNED CORNER SHOWN
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THE LEGAL DESCRIPTION FOR THE
APPROPRIATE TRACT.



18031010

A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD PURSUANT TO SECTION 5.7 OF THE SPRINGFIELD DEVELOPMENT CODE.

WHEREAS, the City Council is authorized by Section 5.7-125 of the Springfield Development Code to initiate annexation of contiguous property to the City Limits of Springfield, and

WHEREAS, the property to be annexed is City and publicly-owned property and rights of way, and

WHEREAS, the territory to be annexed is within the Eugene-Springfield Urban Growth Boundary, is contiguous to the City of Springfield and can be provided with a full range of key urban services including sanitary sewer, water, storm drainage, police and fire protection, electrical service, land use controls, street lights and paved streets, recreational facilities and library.

WHEREAS, annexation procedures shall be initiated and followed in accordance with the public notice and hearing process, criteria of approval and ordinance adoption procedures contained in Springfield Development Code Section 5.7- Annexations.

NOW THEREFORE THE CITY OF SPRINGFIELD DOES RESOLVE AS FOLLOWS:

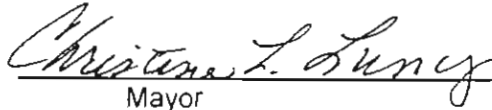
Section 1. The Common Council of the City of Springfield does hereby announce its intention to conduct public hearings to consider annexation of territory generally described as follows: publicly owned rights of way comprising a segment of Franklin Boulevard between the I-5 bridge and the existing City limits at the intersection with McVay Highway; publicly owned rights of way comprising a segment of Franklin Boulevard between the existing City limits at the intersection with McVay Highway and the Springfield Urban Growth Boundary at the intersection of McVay Highway and I-5; and a City-owned parcel municipally addressed as 4095 Franklin Boulevard. Said territory is generally depicted and more particularly described on Exhibits 1-3 attached hereto.

Section 2. As part of the consideration of the annexation action, City Council directs staff to review the affected territory for any potential survey gaps and, if any exist, to close such gaps to create contiguous annexation territory as described on Exhibit 2 attached hereto.

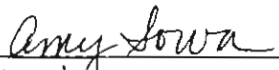
Section 3. This Resolution shall become effective upon its adoption by the Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Springfield this 22 day of January, 2013, by a vote of 6 for and 0 against.


APPROVED by the Mayor of the City of Springfield this 22 day of January, 2013.


Mayor

ATTEST:


City Recorder

REVIEWED & APPROVED
AS TO FORM



DATE: 1/15/13

OFFICE OF CITY ATTORNEY

TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION



File Name: Franklin Boulevard Annexation

Applicant: City of Springfield

Case Number: C SP 2013 – ANX13-00001

Proposal Locations:

East-west segment of Franklin Boulevard ROW between the I-5 bridge and McVay Highway;
north-south segment of Franklin Boulevard ROW between the McVay Highway intersection and I-5;
and City-owned parcel municipally addressed as 4095 Franklin Boulevard

Adjacent Zoning: Office Mixed-Use; Residential Mixed-Use; Commercial Mixed-Use; Employment Mixed-Use; Light-Medium Industrial (LMI)

Applicable Comprehensive Plan:

Glenwood Refinement Plan



Application Submittal Date: February 4, 2013

Associated Applications: None

CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW COMMITTEE

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Civil Engineer	Streets and Utilities	Clayton McEachern	541-736-1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	David Bowlsby	541-736-1029

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Applicant	City of Springfield	541-726-3753	225 Fifth Street Springfield, OR 97477

Review Process (SDC 5.7-115): The subject annexation request is being reviewed under Type IV procedures, without Planning Commission consideration.

Development Issues Meeting (SDC 5.7-120): A Development Issues Meeting (DIM) is required of all third-party annexation applications.

Finding: The annexation action was initiated by the City Council and is being handled by City staff. Therefore, the subject annexation is not considered a third-party action and a DIM is not required.

Conclusion: The requirement in SDC 5.7-120 is met.

Annexation Initiation and Application Submittal (SDC 5.7-125): In accordance with SDC 5.7-125.A and ORS 222.111(2), an annexation application may be initiated by City Council resolution. Additionally, in accordance with SDC 5.7-125.B.3, the City Council may adopt a resolution to initiate a boundary change, including but not limited to publicly owned rights-of-way.

Finding: The City Council initiated the subject annexation action by adoption of Resolution 2013-02 on January 22, 2013. Most of the subject annexation area, with the exception of the parcel addressed as 4095 Franklin Boulevard, is publicly owned right-of-way.

Conclusion: The application requirements in SDC 5.7-125 have been met.

Site Information: The annexation territory includes an east-west linear segment of Franklin Boulevard right-of-way from the I-5 bridge to the existing City limits near the intersection with McVay Highway; a north-south linear segment of Franklin Boulevard right-of-way from the existing City limits near the intersection with McVay Highway to the intersection with I-5; and a City-owned property addressed as 4095 Franklin Boulevard. The linear segments of Franklin Boulevard proposed for annexation comprise approximately 2.1 linear miles of public right-of-way and the total annexation area is approximately 36.5 acres. Except for the property located at 4095 Franklin boulevard, the subject annexation territory is intended to remain as public right-of-way and no additional street frontage improvements are proposed at this time. However, the annexation action is consistent with the City Council's vision for ongoing planning and urban development in Glenwood and will allow development requests from abutting properties to move forward more efficiently in accordance with provisions of the adopted *Glenwood Refinement Plan*.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Eugene 4J School District), roads (Oregon Department of Transportation, Lane County and City of Springfield), and Fire (Cities of Eugene & Springfield). Glenwood Water District provides water and contracts with the City for provision of fire service to the proposed annexation area. Upon annexation, the City of Springfield will be entirely responsible for urban services, including electricity, water, and fire response to the subject area. The City also will be able to provide police response and traffic enforcement along Franklin Boulevard.

Notice Requirements (SDC 5.7-130): Consistent with SDC 5.7-130, notice was provided as follows:

Mailed Notice. Notice of the annexation application was mailed February 25, 2013, which is at least 14 days prior to the public hearing date, to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the affected territory; affected neighborhood groups or community organizations officially recognized by the city that includes the affected territory; affected special districts and all other public utility providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

Newspaper Notice. Notice of the March 18, 2013 public hearing was published in *The Register-Guard* on March 4 and 11, 2013.

Posted Notice. Notice of the March 18, 2013 public hearing was posted in eight public places in the City: in five locations along the subject right-of-way; at the Springfield City Hall and in the Development and Public Works office; and on the City of Springfield website, on March 1, 2013.

Finding: Most of Franklin Boulevard is not zoned, but a few small segments of right-of-way and the property at 4095 Franklin Boulevard are currently zoned. Upon annexation of the subject territory to the City the current zoning (where applicable) will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to these changes, the Oregon Department of Land Conservation and Development (DLCD) was notified in writing of the annexation proceedings more than 35 days prior to the public hearing. Notification to DLCD regarding the Franklin Boulevard annexation was sent on December 20, 2012 and notification of the annexation of 4095 Franklin Boulevard was sent on December 28, 2012.

Finding: Staff hosted a public information meeting for the Franklin Boulevard annexation on March 12, 2013. Approximately 25 people attended the drop-in information session to inquire about the annexation process, potential effects of annexation on Glenwood mobile home parks, future Franklin Boulevard transportation improvements, and other related development issues.

Conclusion: Notice of the public hearing was provided consistent with SDC 5.7-130.

Recommendation to City Council (SDC 5.7-135): The Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 5.7-140, which are provided as follows with the SDC requirements, findings, and conclusions. The Director's recommendation follows SDC 5.7-140, Criteria.

Criteria (SDC 5.7-140): The application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is**
- 1. Contiguous to the city limits; or**
 - 2. Separated from the City only by a public right of way or a stream, lake or other body of water.**

Finding: The subject annexation territory is located within the acknowledged urban growth boundary (UGB) of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). The east-west Franklin Boulevard annexation area abuts the Springfield city limits along the west and east boundaries; and the north-south Franklin Boulevard annexation area abuts the Springfield city limits along the north boundary. Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

Finding: The legal description for the annexation area has been confirmed with the state Department of Revenue to ensure there are no gaps or overlaps of territory between the existing City limits and the annexation area.

Conclusion: The proposal meets this criterion.

B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans or Plan Districts;

Finding: The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in August, 1982 and has been subsequently amended. The annexation area is located within the acknowledged UGB of the *Metro Plan*. Territory within the delineated UGB ultimately will be within the City of Springfield.

Finding: The subject annexation territory is located in the adopted *Glenwood Refinement Plan* area and there are no proposed changes to the current zoning or plan designation.

Finding: The Urban Transition and Annexation section of the adopted *Glenwood Refinement Plan* recognizes that, ultimately, all territory within Glenwood will be annexed to Springfield.

Finding: The continued annexation of properties and public street rights-of-way to the City of Springfield is consistent with the Metro Plan and the adopted Refinement Plan, which will result in the elimination of special districts within the urbanizable area. The *Glenwood Refinement Plan* recognizes that as annexations to the City occur, the special district service areas will diminish incrementally and eventually will be dissolved.

Finding: The annexation area is within the Glenwood Water District. The water district has service arrangements with Eugene/Springfield for provision of fire response to unincorporated areas of Glenwood. After the public hearing and if determined by the City Council that withdrawal is in the best interest of the City, the annexation area will be withdrawn from the Glenwood Water District consistent with ORS 222.510, 222.520, and 222.525 and Springfield Utility Board will provide water service directly to the annexation area.

Finding: After the public hearing and if determined by the City Council that annexation is in the best interest of the City, the annexation area will be annexed into the Willamalane Park and Recreation District as authorized by an intergovernmental agreement between the City of Springfield and Lane County. The park district provides park and recreation facilities and services to territory within the City of Springfield.

Conclusion: The proposal meets this criterion.

C. 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; and

Finding: The *Metro Plan* and the adopted *Glenwood Refinement Plan* recognize annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas.

Finding: The territory requested for annexation will take advantage of urban service delivery systems that are already in place or can be logically extended to serve this area. In addition to urban utilities, the following facilities and services are either available or can be extended to this annexation area:

Water – The Glenwood Water District currently provides water service to unincorporated areas of Glenwood. Upon annexation, the Franklin Boulevard right-of-way would be served by the City by and through the Springfield Utility Board. The public right-of-way will serve as a corridor for existing and future water line extensions as development and/or annexation proceeds on adjacent properties. Existing water infrastructure within the vicinity will be maintained by the affected utility providers.

Electricity – SUB Electric provides service to developed properties in this area of Glenwood. Upon annexation, the subject territory is not expected to require additional electrical service. Existing electrical system infrastructure within the adjacent public rights-of-way will be maintained by the affected utility providers.

Police Services – Springfield Police Department currently provides service to areas of Glenwood that are already inside the City. The subject territory is within the joint jurisdiction of Springfield Police Department and Lane County Sheriff's Department. Upon annexation, this area will receive Springfield Police services on an equal basis with other properties inside the City.

Fire and Emergency Services – Fire protection is currently provided to the annexation area by Eugene/Springfield Fire Department under contract with Glenwood Water District. Upon annexation, the City will continue to provide fire and emergency services to the subject territory.

Emergency medical transport (ambulance) services are provided on a regional basis by the Eugene/Springfield Fire Department, and Lane Rural Fire/Rescue to central Lane County. The annexation area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other's jurisdictions.

Parks and Recreation – Park and recreation services are provided to the City of Springfield by the Willamalane Park and Recreation District. Indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Memorial Building Community Center, and Willamalane Adult Activity Center. The park district offers various after-school and other programs for children at schools and parks throughout the community. Also available are pathways and several categories of parks, including community parks, sports parks, special use parks, and natural area parks. In this case, because the annexation area comprises public right-of-way and a non-residential property, it does not have any associated population and therefore should not generate any additional park usage demands.

Concurrent with annexation to the City of Springfield, the subject area will be annexed to the Willamalane Park and Recreation District consistent with City policy, if the City Council determines that annexation to the special district is in the best interest of the City.

Library Services – Upon annexation to the City of Springfield, the subject area will be within the service area of the Springfield Public Library.

Schools – The Eugene 4J School District serves the Glenwood area. Because there is no population associated with the public right-of-way and non-residential property annexation, there should be no effect on the public school system.

Sanitary Sewer – The annexation area can and will be served by extension of a trunk sewer line along the Franklin Boulevard corridor. Extension of the public sewer system along Franklin Boulevard is a necessary component of the City's redevelopment plans for Glenwood.

Stormwater – The subject annexation territory is served by a fragmented and discontinuous system of catch basins and public stormwater lines. The existing public stormwater system is not extensive and therefore is inadequate to serve the entire Glenwood neighborhood. Incremental improvements to the public system will be required as development plans are advanced for adjoining properties. However, there are no immediate planned changes to the stormwater management system associated with this annexation request.

Streets – The subject annexation area includes segments of urban arterial streets that are currently improved with a paved surface, lane striping and, in the case of the east-west portion of Franklin Boulevard, curb and gutter. A discontinuous system of sidewalks also exists along portions of the east-west stretch of Franklin Boulevard. The annexation of Franklin Boulevard will facilitate future planned street improvements – particularly along the east-west segment from the I-5 bridge to the McVay Highway intersection. However, there are no immediate planned or required street improvements associated with this annexation request.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for garbage service inside the City limits. Upon annexation, solid waste disposal service can be provided by Sanipac.

Communication Facilities – Various providers offer both wired and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to this area.

Land Use Controls – The annexation area is within Springfield's portion of the urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and building jurisdiction for Glenwood. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as outlined in the *Metro Plan* and the adopted *Glenwood Refinement Plan*, are either immediately available or can be provided within a reasonable future time frame as needed.

Conclusion: The proposal meets this criterion.

D. Where applicable fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Finding: The public right-of-way proposed for annexation is developed as an urban arterial roadway and there are no immediate plans to change the nature or configuration of this road. It is expected that the City will plan for, manage and administer future upgrades and modifications to the Franklin Boulevard corridor.

Finding: The City-owned property at 4095 Franklin Boulevard is already developed with a building, but could be subject to further development or redevelopment in the future. Because there are no significant fiscal impacts to the City, an Annexation Agreement is not required for this request.

Conclusion: The proposal meets this criterion.

DIRECTOR'S RECOMMENDATION: Approve the annexation of the subject territory to City of Springfield and Willamalane Park and Recreation District, and withdraw the requested annexation area from the Glenwood Water District.

City Council Decision (SDC 5.7-145): City Council approval of the annexation application shall be by Ordinance.

Finding: On March 18, 2013, the City Council will hold a Public Hearing for the subject annexation request and give first reading to the Annexation Ordinance. Based on the staff analysis and recommendation, and on testimony provided at the Public Hearing, the City Council may take action to approve, modify or deny the Annexation Ordinance.

Zoning (SDC 5.7-150): The annexation area extends across the full length of Glenwood, and abuts properties zoned and designated as Light-Medium Industrial (LMI), Residential Mixed-Use, Commercial Mixed-Use, Office Mixed-Use and Employment Mixed-Use in accordance with the adopted *Glenwood Refinement Plan*. The City-owned property at 4095 Franklin Boulevard is zoned and designated Office Mixed-Use. Properties that are outside the City limits have the Urbanizable Fringe Overlay District (UF-10) applied to the zoning.

Finding: Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the City-owned property at 4095 Franklin Boulevard will retain the Office Mixed-Use zoning. The Franklin Boulevard right-of-way also will have the UF-10 overlay removed and will be associated with the adjoining

zoning. However, most of the Franklin Boulevard right-of-way does not have a zoning or plan designation applied in accordance with the Zoning and Plan Designations Diagram of the *Glenwood Refinement Plan*.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation is approved by the City Council on March 18, 2013 and granted a second reading on April 1, 2013, the Ordinance will become effective 30 days after adoption by the City Council and execution by the Mayor (anticipated on or around May 1, 2013), or upon acknowledgement of filing with the Secretary of State – whichever date is later.

Withdrawal from Special Service Districts (SDC 5.7-160): Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The Director shall recommend to the City Council for consideration of the withdrawal of the annexed territory from special districts as specified in ORS 222. In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City. Notice of the withdrawal shall be provided in the same manner as the annexation notice in Section 5.7-150.

Finding: The annexation area is within the Glenwood Water District. Consistent with SDC 5.7-160, notice was provided, a public hearing was held, and the City Council determined that withdrawal from the Glenwood Water District was in the best interest of the City. The withdrawal decision was codified in Ordinance No. 1290.

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LAND CONSERVATION
AND DEVELOPMENT

CITY OF SPRINGFIELD
DEVELOPMENT SERVICES DEPARTMENT
225 5th ST
SPRINGFIELD, OR 97477

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540