



Oregon

Theodore R. Kulongoski, 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

03/17/2014

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 014-13

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: Saturday, March 08, 2014

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



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: MAR 10 2014

Received: 014-13 (20133)
[17798]

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Springfield

Local file no.: **ANX13-00007**

Date of adoption: 02/18/2014

Date sent: 3/6/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12/9/2013

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes ☐ No ☒

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Andy Limbird, Senior Planner

Phone: 541-726-3784

E-mail: alimbird@springfield-or.gov

Street address: 225 Fifth Street

City: Springfield

Zip: 97477-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from Residential Mixed-Use/UF-10 to Residential Mixed-Use Acres: 1.35

Change from to Acres:

Change from to Acres:

Change from to Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Urbanizable Fringe (UF-10) Acres added: Acres removed: 1.35

Location of affected property (T, R, Sec., TL and address): Map 17-03-34-41, Tax Lots 1100, 1400 & 1700-2000; 249 N Brooklyn St & 4224 Franklin Blvd

List affected state or federal agencies, local governments and special districts: ODOT, Lane County, Willamalane Park & Recreation District; Glenwood Water District

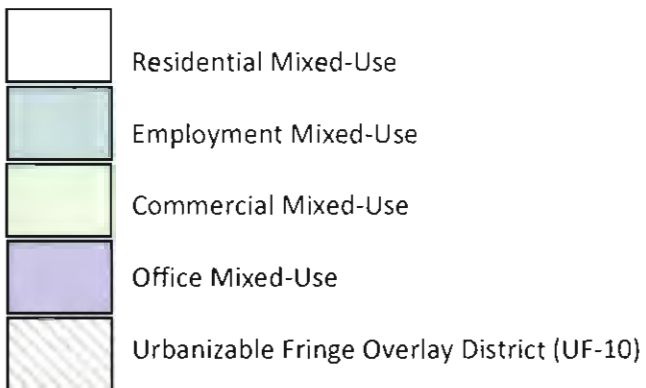
Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Annexation Ordinance with Exhibits, Staff Report and Maps Attached

LOCATION OF PARCELS SUBJECT TO ANNEXATION AND ZONE CHANGE



ADOPTED ZONING FOR PROPERTY ANNEXED TO THE CITY OF SPRINGFIELD
239 N BROOKLYN ST & 4224 FRANKLIN BLVD (MAP 17-03-34-41, TL 1100, 1400 & 1700-2000)



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, 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, a request to annex certain territory was submitted on November 18, 2013, said territory being Assessor's Map Township 17 South, Range 03 West, Section 34, Map 41, Tax Lots 1100, 1400, 1700, 1800, 1900 and 2000, which is municipally addressed 249 North Brooklyn Street and 4224 Franklin Boulevard, and is generally depicted and more particularly described in **Exhibit A** to this Ordinance; and

WHEREAS, in accordance with SDC 5.7-125.A and ORS 222.111, the property owner initiated the annexation action by submittal of the required application forms and petition for annexation 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 requested 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, the applicant and the City have executed a Memorandum of Understanding for Annexation that memorializes the owner's commitment, agreement, and obligation to meet the City's requirements for the timely provision of the minimum level of key urban services and facilities to facilitate site redevelopment in accordance with the adopted *Glenwood Refinement Plan*; and,

WHEREAS, a Staff Report (**Exhibit C**) was presented to the City Council with the Development & Public Works 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 February 3, 2014, the Springfield Common Council conducted a public hearing and is now ready to take action on this request for annexation 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 more particularly described in **Exhibit A** to this Ordinance.

SECTION 2: 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 3: 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 18th day of February, 2014, by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 18th day of February, 2014.

ATTEST:

Amy Iowa
City Recorder

Christa L. Long
Mayor

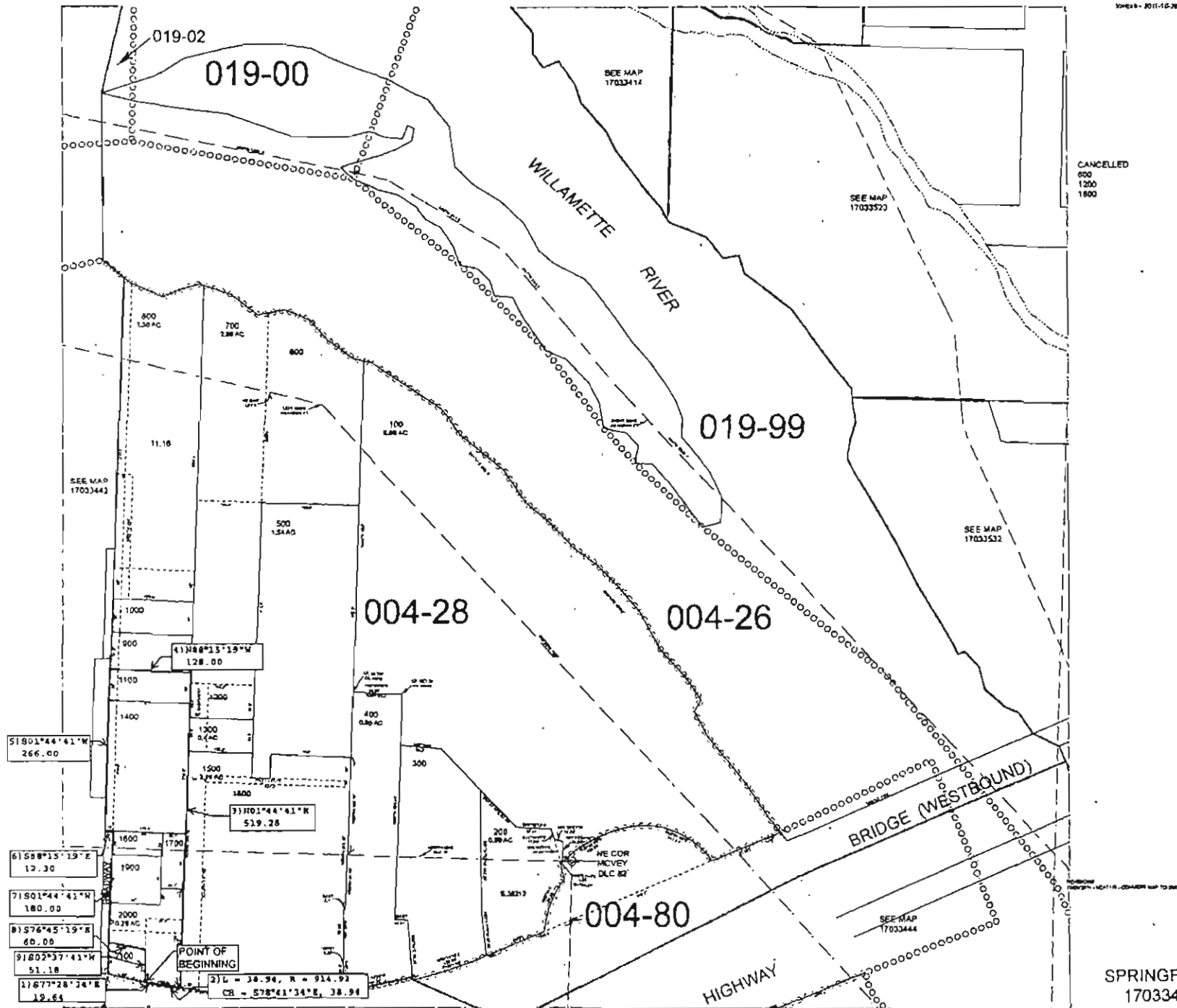
City of Springfield, Oregon

CERTIFIED TRUE COPY

Amy Iowa
City Recorder

REVIEWED & APPROVED
AS TO FORM

DATE: 2/23/14
OFFICE OF CITY ATTORNEY





February 3, 2014

ANNEXATION LEGAL DESCRIPTION

249 N. Brooklyn Street & 4224 Franklin Blvd. Eugene, OR 97403

TM 17-03-34-31 TL's 1100, 1400, 1700, 1800, 1900, & 2000

Branch Engineering Inc. Project No. 13-012

SITUATED in Lane County, State of Oregon in the Southeast $\frac{1}{4}$ of Section 34, Township 17 South, Range 3 West, Willamette Meridian, being more particularly described as follows:

BEING all those lands conveyed to FPS Investments, LLC, in that Statutory Bargain and Sale Deed recorded on January 22, 2009 as Reception Number 2009-003172 in the Lane County Oregon Official Records; the outer boundary of said lands being more particularly described as follows:

COMMENCING at the Northwest corner of the D. McVey Donation Land Claim No. 82; **THENCE** South $01^{\circ}27'31''$ West, 160.00 feet, to the northerly margin of Franklin Blvd./McKenzie Highway; **THENCE** South $77^{\circ}28'24''$ East, 280.64 feet to the **POINT of BEGINNING**; **THENCE** continuing along the northerly Margin of said Franklin Blvd./McKenzie Highway the following numbered course(s):

1. South $77^{\circ}28'24''$ East, 19.64 feet, to a point of curvature;
2. Along a curve having a radius of 914.93 feet, a chord which bears South $78^{\circ}41'34''$ East, 38.94 feet, a central angle of $2^{\circ}26'20''$, an arc distance of 38.94 feet;

THENCE leaving said northerly margin the following numbered course(s):

3. North $01^{\circ}44'41''$ East, 519.28 feet;
4. North $88^{\circ}15'19''$ West, 128.00 feet;
5. South $01^{\circ}44'41''$ West, 266.00 feet, to the northerly limits of an existing roadway;

THENCE along said northerly limits the following numbered course(s):

6. South $88^{\circ}15'19''$ East, 12.30 feet, to the easterly margin of said existing roadway;

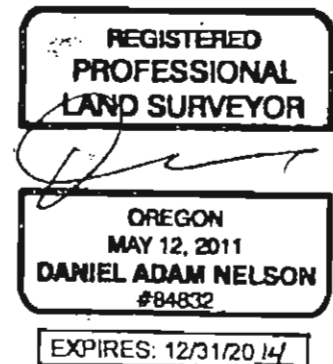
THENCE along said easterly margin the following numbered course(s):

7. South $01^{\circ}44'41''$ West, 180.00 feet;

THENCE leaving said easterly margin the following numbered courses(s):

8. South $76^{\circ}45'19''$ East, 60.00 feet;
9. South $02^{\circ}37'41''$ West, 51.18 feet;

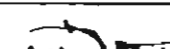


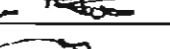
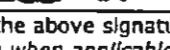
RETURNING to the POINT of BEGINNING.



FORM 1

PETITION/PETITION SIGNATURE SHEET
Annexation by Individuals
[SDC 5.7-125(2)(b)(i)/ORS 222.170(1)]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to Lane County Metropolitan Wastewater Service District and Willamalane Parks and Recreation District, as deemed necessary:

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	Acres (qty)
1. 	10-14-12	DAVE FOSTER *	N/A	17-03-34-41 Tax Lots: 1400; 1700	X	0.64; 0.07
2. 	10-14-12	DAVE FOSTER *	4224 Franklin Boulevard, Eugene, OR 97403	17-03-34-41-02000	X	0.28
3. 	10-14-12	DAVE FOSTER *	249 N Brooklyn Street, Eugene, OR 97403	17-03-34-41-01100	X	0.15
4. 	10-14-12	DAVE FOSTER *	N/A	17-03-34-41-01800	X	0.07
5. 	10-14-12	DAVE FOSTER *	N/A	17-03-34-41-01900	X	0.14

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.)


* FOR FPS INVESTMENTS, LLC

I, COLIN MCARTHUR (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.

x  (signature of circulator)

CERTIFICATION OF OWNERSHIP

The total landowners in the proposed annexation are 6 (qty). This petition reflects that 6 (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 that may not yet be reflected on the A&T computerized tax roll.


Lane County Department of Assessment and Taxation
10-15-13
Date Signed and Certified

FORM 2**OWNERSHIP WORKSHEET**(This form is **NOT** the petition)

(Please include the name and address of ALL owners regardless of whether they signed an annexation petition or not.)

OWNERS

Property Designation (Map/lot number)	Name of Owner	Acres	Assessed Value	Imp. Y / N	Signed Yes	Signed No
17-03-34-41-02000	Dale Foster (FPS Investments)	0.28	\$39,585.00	Y	X	
17-03-34-41-01900	Dale Foster (FPS Investments)	0.14	\$115,091.00	Y	X	
17-03-34-41-01800	Dale Foster (FPS Investments)	0.07	\$8,748.00	N	X	
17-03-34-41-01700	Dale Foster (FPS Investments)	0.07	\$9,017.00	N	X	
17-03-34-41-01400	Dale Foster (FPS Investments)	0.64	\$61,455.00	Y	X	
17-03-34-41-01100	Dale Foster (FPS Investments)	0.15	\$35,991.00	Y	X	
TOTALS:		1.35	\$269,887.00	N/A		

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	One (1)
NUMBER OF OWNERS WHO SIGNED	One (1)
PERCENTAGE OF OWNERS WHO SIGNED	100%
TOTAL ACREAGE IN PROPOSAL	1.35
ACREAGE SIGNED FOR	1.35
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	\$269,887.00
VALUE CONSENTED FOR	\$269,887.00
PERCENTAGE OF VALUE CONSENTED FOR	100%

FORM 3

SUPPLEMENTAL INFORMATION FORM

(Complete all the following questions and provide all the requested information. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

Contact Person: Betsy Hunter; Richard Herman

E-mail: bhunter@hacsa.us; rherman@metroaffordablehousing.org

Supply the following information regarding the annexation area.

- Estimated Population (at present): Zero
- Number of Existing Residential Units: None
- Other Uses: Industrial, Industrial Warehousing and Storage
- Land Area: 1.35 total acres
- Existing Plan Designation(s): MU/ND (Metro Plan); Residential Mixed-Use (Glenwood Refinement Plan)
- Existing Zoning(s): Residential Mixed-Use
- Existing Land Use(s): Mixed Use/Nodal Development
- Applicable Comprehensive Plan(s): Eugene-Springfield Metropolitan Area General Plan
- Applicable Refinement Plan(s): Glenwood Refinement Plan
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. The City of Springfield's long-range planning and redevelopment process for the Glenwood area resulted in the adoption of the Glenwood Refinement Plan (GRP), amendments to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), amendments to the GRP Diagram, amendments to the Springfield Zoning Map, and amendments to the SDC. The Glenwood Riverfront Mixed-Use Plan District (GRMU) regulates and shapes future development in Glenwood. The subject property is designated Mixed Use/Nodal Development (MU/ND) by the Metro Plan, Residential Mixed Use by the Glenwood Refinement Plan, and Residential Mixed Use by the SDC within the GRMU Plan District. The GRP divides Glenwood into Subareas A through D. The proposed project is within Subarea A, designated for Residential Mixed Use.
- Are there development plans associated with this proposed annexation?

Yes ☒ No ☐

If yes, describe.

3 transit-oriented, 5-story buildings to provide commercial space on the ground floor of building 1 abutting Franklin Boulevard with 134 units of workforce housing in the GRMU District (Franklin Riverfront, Subarea A).

- Is the proposed use or development allowed on the property under the current plan designation and zoning?

Yes ☒ No ☐

- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).

The southern parcel boundary of Tax Lot 2000 (Assessor's Map 17-03-34-41) is contiguous to city limits.

Does this application include all contiguous property under the same ownership?

Yes ☒ No ☐

If no, state the reasons why all property is not included:

- Check the special districts and others that provide service to the annexation area:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Glenwood Water District | <input type="checkbox"/> Rainbow Water and Fire District |
| <input checked="" type="checkbox"/> Eugene School District | <input type="checkbox"/> Pleasant Hill School District |
| <input type="checkbox"/> Springfield School District | <input type="checkbox"/> McKenzie Fire & Rescue |
| <input type="checkbox"/> Pleasant Hill RFPD | <input type="checkbox"/> Willakenzie RFPD |
| <input type="checkbox"/> EPUD | <input checked="" type="checkbox"/> SUB |
| <input checked="" type="checkbox"/> Willamalane Parks and Rec District | <input type="checkbox"/> Other _____ |

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

Betsy Hunter
(Name)

177 Day Island Road
(Address)

Eugene, OR 97401
(City) (Zip)

Bill Seider

Richard Herman
(Name)

P.O. Box 11923
(Address)

Eugene, OR 97440
(City) (Zip)

Collin McArthur

(Name)

44 West Broadway, Suite 300

(Address)

Eugene, OR 97401

(City)

(Zip)

(Name)

160 E Broadway

(Address)

Eugene, OR 97401

(City)

(Zip)

FORM 4

**WAIVER OF ONE YEAR TIME LIMIT
FOR ANNEXATION PURSUANT TO ORS 222.173**

This waiver of the time limit is for the following described property:


<u>1100, 1400, 1700, 1800, 1900, 2000</u>	N/A (Lots 1400-1900), Lot 2000: 4224 Franklin Blvd., Eugene, OR 97403; Lot 1100: 249 N Brooklyn St., Eugene, OR 97403
Map and Tax Lot Number	Street Address of Property (if address has been assigned)

ONE WAIVER OF TIME LIMIT FOR EACH PARCEL; PLEASE

We, the owner(s) of the property described above understand the annexation process can take more than one year but desire to annex to have City services. Therefore, we agree to waive the one-year time limitation on this petition to annex established by Oregon Revised Statutes 222.173, and further agree that this contract shall be effective [] indefinitely or ☒ until

January 1, 2015
Date

Signatures of Legal Owners

Please print or type name	Signature	Date Signed
DALE FOSTER		10-14-13

TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION



File Name: Foster (HACSA) Annexation

Applicant: Dale Foster, FPS Investments LLC

Case Number: ANX13-00007

Proposal Location: 4224 Franklin Boulevard
and 249 N. Brooklyn St. (Map 17-03-34-41,
TL 1100, 1400 and 1700-2000)

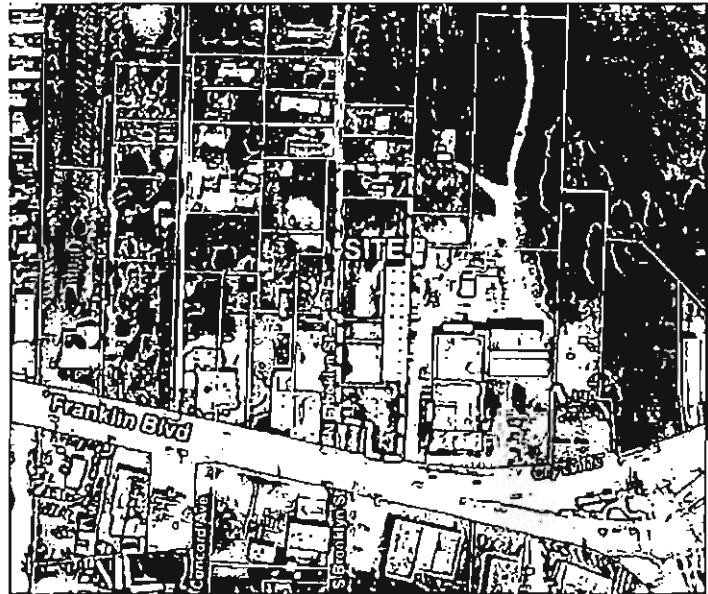
Current Zoning: Residential Mixed-Use with
Urbanizable Fringe Overlay (UF-10)

Plan Designation: Residential Mixed-Use

Applicable Comprehensive Plan:
Glenwood Refinement Plan

Application Submittal Date: Nov. 18, 2013

Associated Applications: PRE13-00001 (Development Issues Meeting for Annexation);
PRE13-00034 (Pre-Submittal Meeting for Annexation)



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 Bowsby	541-736-1029

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Applicant	Dale Foster FPS Investments LLC	541-729-2468	P.O. Box 10268 Eugene, OR 97440
Applicant's Representative	Colin McArthur Cameron McCarthy Landscape Architecture & Planning	541-485-7385	160 E. Broadway Eugene, OR 97401

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: A Development Issues Meeting for the subject annexation request was held on January 30, 2013.

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.B.2.b.i and ORS 222.170(1), an annexation application may be initiated by "more than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land".

Finding: The property owner who owns all of the land and real property, and full assessed value of real property in the contiguous territory, has filed an application and petition requesting annexation to the City of Springfield (Attachment 3).

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

Site Information: The territory requested for annexation is an assembly of six contiguous tax lots located on the north side of Franklin Boulevard just west of the intersection with McVay Highway. The subject site is inside the Springfield Urban Growth Boundary (UGB) and comprises a total of 1.35 acres in aggregate. According to the applicant's submittal, the subject annexation territory is intended to be developed with three residential apartment buildings, parking lot, and on-site landscaping. The territory requested for annexation is contiguous to the Springfield city limits along the south boundary (Franklin Boulevard frontage) of the site.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Eugene 4J School District), roads (Lane County and City of Springfield), and Fire (Cities of Eugene & Springfield). Springfield Utility Board (SUB) provides electricity service to the proposed annexation area and Glenwood Water District currently provides water service. Upon annexation, the City of Springfield will be responsible for all urban services, including sewer, water, electricity and police/fire response to the subject area.

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 January 20, 2014, 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 February 3, 2014 public hearing was published in *The Register-Guard* on January 20 and 27, 2014.

Posted Notice. Notice of the February 3, 2014 public hearing was posted in four public places in the City: at one location along the property frontage on Franklin Boulevard; at Springfield City Hall and in the Development and Public Works office; and on the City of Springfield website, on or before January 20, 2014.

Finding: Upon annexation of the subject territory to the City the current Residential Mixed-Use zoning will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, 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 proposed annexation was sent on December 9, 2013.

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 area requested for annexation abuts the Springfield city limits along the south boundary (Franklin Boulevard street frontage). Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

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 territory requested for annexation 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 territory requested for annexation 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 subject site would be served by the City by and through the Springfield Utility Board. Existing water infrastructure within the vicinity will be maintained by the affected utility providers. Although there is existing public water service on the north side of Franklin Boulevard, SUB Water has advised that the applicant may need to upgrade the water service to the property in order to achieve the desired dwelling unit density on the site.

Electricity – SUB Electric provides service to developed properties in this area of Glenwood including the subject site. Upon annexation, the property owner will be able to request an upgraded electrical service for the proposed residential development. 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. The park district operates several 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.

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. Future residents of the planned apartment buildings on the site would be served by the following public schools: Edison Elementary School; Roosevelt Middle School; and South Eugene High School.

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

Stormwater – The subject annexation territory is not currently served by a piped stormwater management system. Incremental improvements to the public stormwater system will be required as development plans are advanced for the subject site and adjoining properties. The site can be served by a combination of on-site treatment and regulated discharge to the constructed stormwater facilities in the adjacent Park Blocks, which will be developed in the future. There are no immediate planned changes to the public stormwater management system associated with this annexation request.

Streets – The subject annexation area has frontage on Franklin Boulevard, which is classified as a major arterial street and is currently under ODOT jurisdiction. Along the property frontage, Franklin Boulevard is improved with curb and gutter, curbside sidewalk, lane striping and street lighting. There are no immediate planned or required street improvements associated with this annexation request. Street frontage improvements, if required, will be reviewed and approved through the Site Plan Review and Public Improvement Project (PIP) process.

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 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 agency requesting annexation is well aware of the requirements for future dedication of public rights-of-way necessary to accommodate planned public street extensions; the need for extension of urban utilities to serve the site and land beyond the annexation area; and the responsibility of the developer to fund such improvements. The applicant and the City have executed a Memorandum of Understanding (MOU) addressing potential fiscal costs for annexation of the subject property. The MOU is a conceptual agreement

intended to clarify the timing and allocation of responsibility for dedication of public rights-of-way, extension of utilities, construction of public street improvements, and integration of the subject property with adjacent public and private developments as specific costs become available. Due to the draft status of street and other infrastructure plans in Glenwood, the MOU is an acceptable level of detail for annexation approval at this time. Staff has reached agreement in principle with the applicant on key elements of the proposal and continues to work with the applicant to finalize details of access, utilities and infrastructure costs based upon the most current plans available. A copy of the executed MOU is included herein as Attachment 3.

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 withdrawal of the subject territory 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 February 3, 2014, the City Council held a Public Hearing for the subject annexation request and give first reading to the Annexation Ordinance. Two people testified in support of the annexation request at the public hearing meeting. 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 area requested for annexation is zoned and designated Residential Mixed-Use on the *Glenwood Refinement Plan* diagram. Properties that are outside the City limits have the Urbanizable Fringe Overlay District (UF-10) applied to the zoning. Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the site will retain the Residential Mixed-Use zoning.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation Ordinance is granted a second reading on February 18, 2014, the Ordinance will become effective 30 days after adoption by the City Council and execution by the Mayor (anticipated on or around March 20, 2014), 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 delineated service territory of SUB (electric) and the Glenwood Water District (water). SUB Water will provide service after annexation. 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. _____.

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