

A BILL FOR AN ORDINANCE ANNEXING AND)	
ZONING PROPERTY FOLLOWING HEARING AND)	ORDINANCE BILL NO. <u>62</u>
UPON THE WRITTEN CONSENT FILED WITH)	for 2002
THE CITY COUNCIL BY LANDOWNERS IN)	
SAID AREA PURSUANT TO ORS 222.120 AND)	ORDINANCE NO. <u>2293</u>
ORS 222.170)	

WHEREAS, there has been submitted to the City of Lebanon written requests for annexation to the City signed by more than one-half of the landowners who also own more than one-half of the land in the contiguous territory described in Exhibit "A", which real property represents more than one-half of the assessed value of all real property in the contiguous territory to be annexed; and

WHEREAS, City Council has elected to dispense with submitting the question of the proposed annexation to the electors of the City, initiating the annexation of the territory pursuant to ORS 222.120 calling a hearing and directing that notice be given as required by ORS 222.120(3); and

WHEREAS, after conducting the hearing and considering all objections or remonstrances with reference to the proposed annexation, the City Council finds that this annexation is in the best interest of the City and of the contiguous territory;

NOW, THEREFORE, the City of Lebanon ordains as follows:

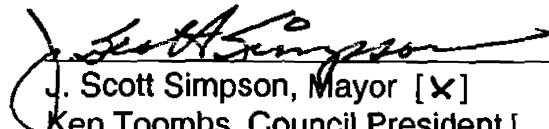
Section 1. Annexation Area. The following contiguous territory described in Exhibit "A" and incorporated herein by this reference is hereby proclaimed to be annexed to the City of Lebanon and zoned as indicated in accordance with the Lebanon Zoning Ordinance No. 1773, and given the zoning of Residential Mixed Density (RM).

Section 2. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder shall also send a description by metes and

After recording please return to:
 City of Lebanon
 Public Works Administration
 925 Main Street, Lebanon, OR 97355

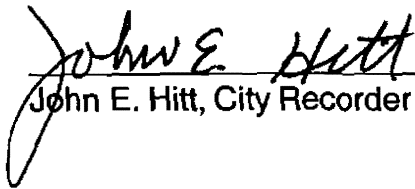
bounds or legal subdivision, and a map depicting the new boundaries of the City within ten (10) days of the effective date of this annexation to the Linn County Assessor, Linn County Clerk, and the State Department of Revenue.

Passed by the Council by a vote of 6 for and 0 against and approved by the Mayor this 23 of January, 2002.



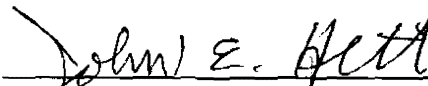
J. Scott Simpson, Mayor []
Ken Toombs, Council President []

ATTEST:



John E. Hitt, City Recorder

I hereby certify that I am the City Recorder for the City of Lebanon, State of Oregon; that the foregoing is a full, true, correct copy of the original; and the J. Scott Simpson, whose signature appears on the original document, was at the time of signing the Mayor of the City of Lebanon.



John E. Hitt, City Recorder

JAMES F. UDELL UDELL ENGINEERING & SURVEYING

EXHIBIT "A"

63 EAST ASH STREET
LEBANON, OREGON 97355
PHONE (541) 451-5125
FAX (541) 451-1366

ANNEXATION LEGAL DESCRIPTION

A portion of land in the Northwest 1/4 Section of 15, Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows:

Beginning at a 3/4" iron pipe South 17°05'08" East 102.85 feet, South 00°04'00" East 439.66 feet from the Southwest corner of the William Ralston D.L.C. No. 48; thence North 00°04'00" West 30.00 feet; thence South 89°49'02" East 269.26 feet, thence South 00°07'39" West 176.57 feet to a 3/4" iron pipe, thence North 89°52'15" West 145.98 feet to a 5/8" iron rod, thence North 00°08'06" East 146.71 feet to a 5/8" iron rod, thence North 89°49'02" West 123.20 feet to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

LEBANON FILE # A-01-05

Brian Vandetta

OREGON
JULY 13, 1999
BRIAN S. VANDETTA
51041-LS

EXPIRES

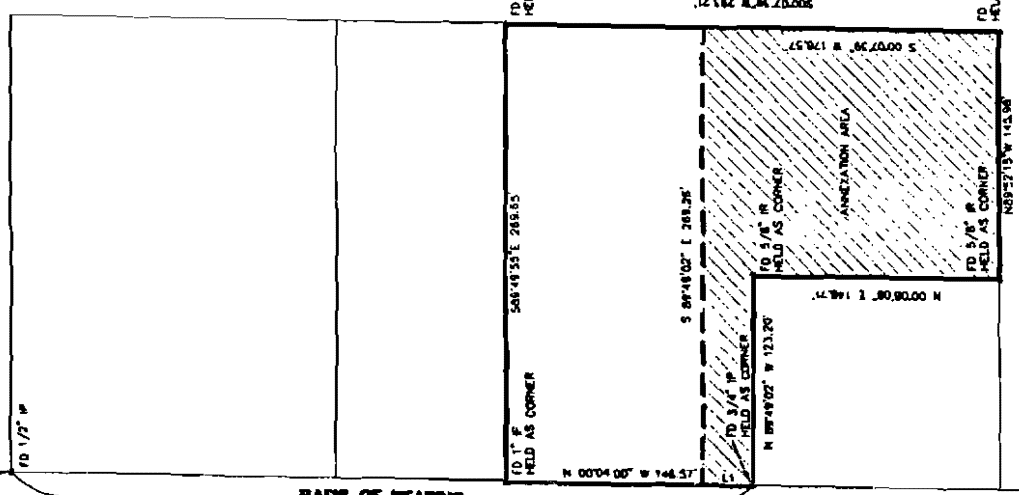
6-30-2002

LEBANON FILE # A-01-05
T12S-R2W-158C, T.1.2100

ANNEXATION MAP
BROWN CONSTRUCTION, INC.
SEC. 15, T. 12 S., R. 2 W., W.M.
CITY OF LEBANON, LINN COUNTY, OREGON
NOT TO SCALE
NOVEMBER 14, 2001

SW CORNER D.L.C. NO. 41
WILLIAM PALSTON

S 17°05'08" E 102.85'



BASIS OF BEARING
(S 00°04' E 434.82') C.S. 2798
500.00' E 450.00'

12TH STREET

LINE	LENGTH	BEARING
1	200.00	S 88°48'02" E
2	100.00	N 00°04'00" E
3	100.00	S 00°07'30" W
4	100.00	N 88°48'02" W

BROWN CONSTRUCTION, INC.
P.O. BOX 2389
LEBANON, OREGON 97333
REGISTERED
TAX MAP: 12-29-1980
TAX LOT: 2100
ENGINEER AND SURVEYOR
JAMES F. UDELL
63 EAST ASH STREET
LEBANON, OREGON 97333

INDEXED 8072
FILED 1344
JAMES F. UDELL
ENGINEERING & SURVEYING
63 EAST ASH ST.
LEBANON, OREGON
97333
PH. (541) 451-5125
FAX (541) 451-1366
Permit: 1278-000

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By J.R., Deputy

MF 1260

PAGE 426

M
R
S
A
O

8:30 O'clock a.m.
JAN 31 2002

41

**CITY OF LEBANON
PLANNING COMMISSION STAFF REPORT**

ANNEXATION REQUEST

NATURE OF REQUEST: Annexation of a 0.68 acre annexation area that is the southern half of a 1.39 acre vacant parcel.

APPLICANT: Brown Construction, Inc.

PROPERTY LOCATION: Located immediately south of 1745 S. 12th Street on the east side of the street, mid-way between Airport Road and "F" Street. Assessor's Map 12-2W-15BC, Tax Lot 2100.

ZONE DESIGNATION: Residential Mixed Density (RM) - upon annexation

COMP PLAN DESIGNATION: Mixed Density Residential

INTRODUCTION

The applicant proposes to annex this area into the city to develop the site.

SITE DESCRIPTION

The subject property is located on the east side of 12th Street (a designated collector improved to a county standard) mid-way between Airport Road and "F" Street.

Tax Lot 2100 is a vacant 1.39 acre parcel of which approximately half or 0.68 acres are proposed for annexation. This annexation area is the southernmost part of the parent parcel and has a configuration similar to that of a flag lot - the lot consists of a 30 foot wide by 123 foot long access way or driveway that opens up to a 176' X 146' (25,696 sq. ft. or 0.59 acre) buildable area. The site is flat and is covered with grass, has low areas that pond water, and contains one coniferous (Douglas Fir) and two deciduous trees in the southwest corner of the property abutting 12th Street. According to the aerial photography based land cover maps, the property contained a house (1781-12th) in October, 1986 but this house had been removed by the date of the March, 1995 aerial photo based land cover map update.

Surrounding uses and land use designations to the north, east, and south are residential. All of these adjacent properties are unannexed. The property to the immediate south contained a house in March, 1995 but this house has subsequently been removed and replaced with a large metal outbuilding or shed. The dwelling to the immediate north may be vacant and the rear yard of that home appears to have had fill material placed on it somewhat recently. Single family dwellings are located on the properties to the north, east and south. This neighborhood is a transitional area with the properties on the west side of 12th Street being industrially zoned.

Industrially developed properties to the west include West Coast Industrial Systems and the currently under construction Willamette Valley Rehabilitation Center (WVRC) site. The Lebanon State Airport is located farther to the west.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

SW 1/4 NW 1/4 SEC. 15 T. 12S. R. 02W. W.M.
LINN COUNTY, OREGON

12 2W 15BC
LEBANON

1" = 100'

SEE MAP 12 2W 15BB

MAP CREATED 2-19-82
REV: 11-24-88 CS
CONSOLIDATIONS
2001 INTO 2100
2300 INTO 2300
2000 INTO 2100 (12-2W-15CC)
2201 INTO 2100 (12-2W-15CC)
2000 TRANS. TO 800 (12-2W-15A)

WEST 2008.17' & N 00°04'00" W 1298.24'
FROM SE COR. S.A. MICKERSON
DLC NO. 88

WEST 1414.74' &
N 00°10'00" E 1298.73'
FROM SE COR. S.A.
MICKERSON DLC
NO. 88

ANNEXATION
TERRITORY
0.68 ACRE

SEE MAP 12 2W 15A

12TH ST

STRAWBERRY LN

SEE MAP 12 2W 15BD

9-14

9-17

9-14

AIRPORT RD

WEST 3064.47' FROM
SE COR. DLC NO. 88

WEST 1414.74' FROM
SE COR. DLC NO. 88

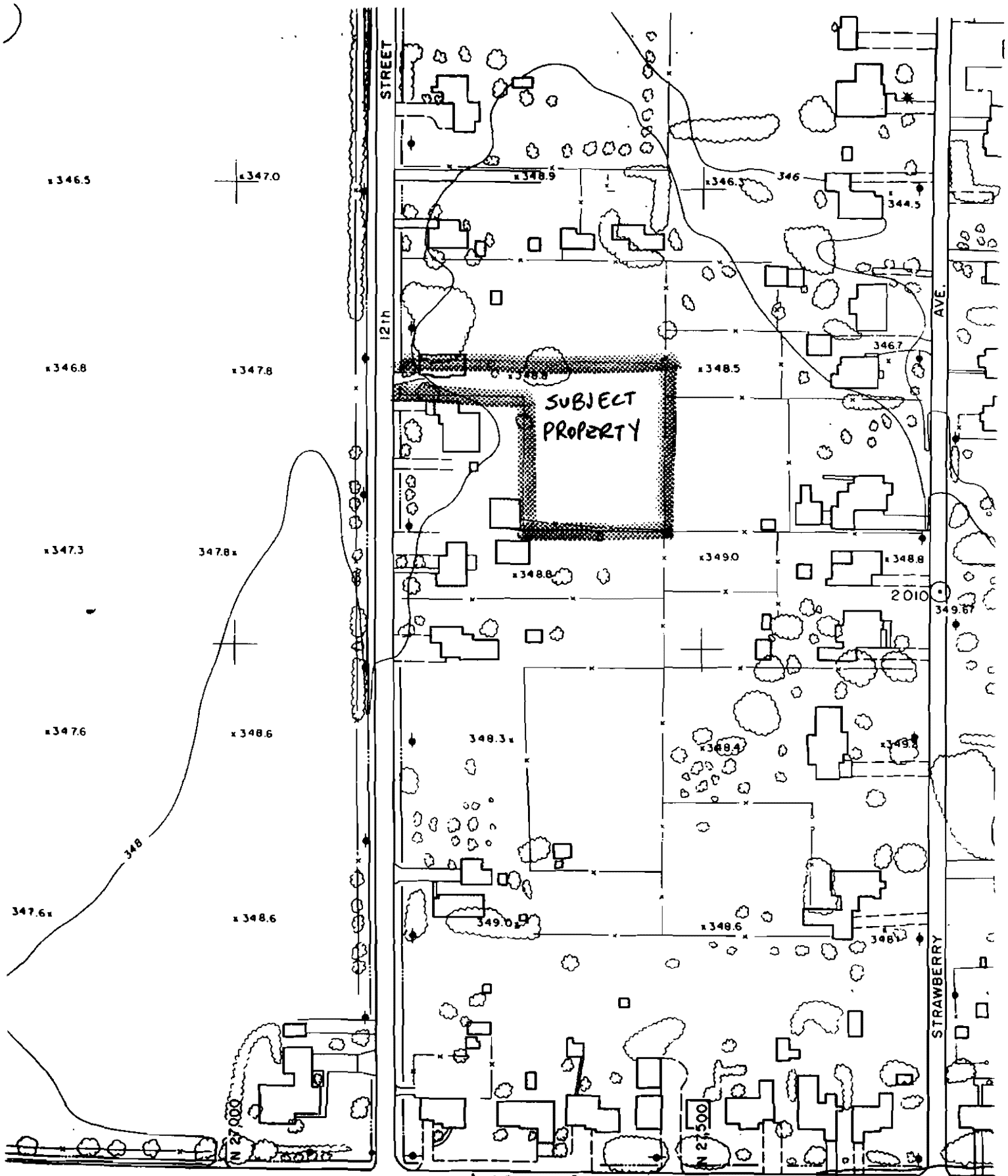
SEE MAP 12 2W 15C

LEBANON
12 2W 15BC

07/01.08:57:28.Thu

ASSESSOR'S MAP

T 12S - R 2W - 15BC, TAX LOT 2100
LEBANON FILE # A-01-05

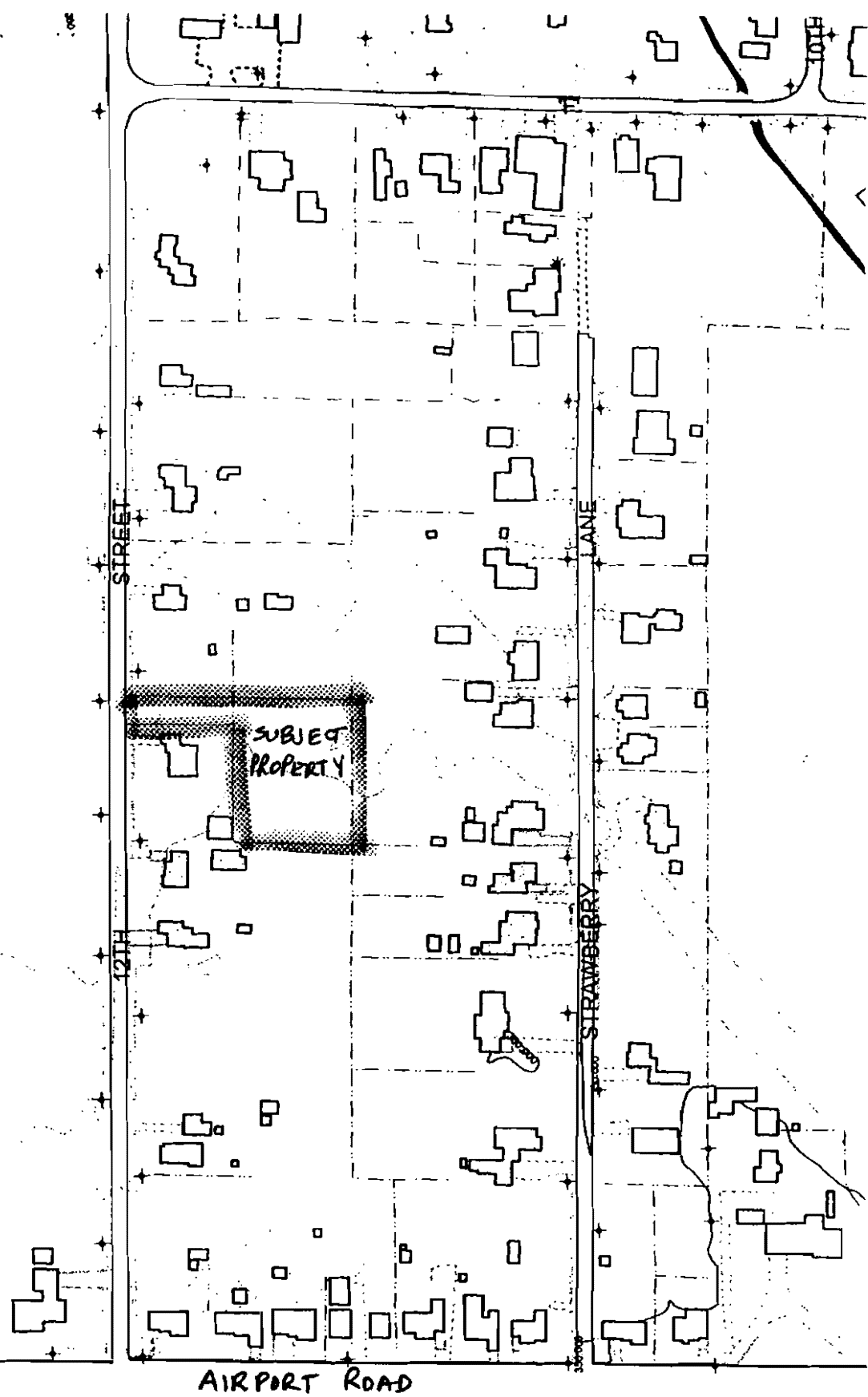


LAND COVER MAP

10/86 AERIAL PHOTOGRAPHY

FILE # A-01-05

FILE # A-01-05



LAND COVER MAP

15C

3/95 AERIAL PHOTOGRAPHY

PLANNING AND ZONING CONSIDERATIONS

The Comprehensive Plan Map identifies the designation of the subject property as Mixed Density Residential which assigns a Residential Mixed Density zoning upon annexation. City of Lebanon Resolution No. 11 for 1982, a Resolution Establishing an Annexation Policy, contains the factors and conditions that the City considers in evaluating an annexation request. Lebanon Zoning Ordinance Section 4.020 lists the development opportunities, standards and requirements for the Residential Mixed Density (RM) zone.

STAFF COMMENTS

1. Planning:

- A. The legal description and a map describing the entire annexation area has been submitted and are included in this report.

2. Engineering:

Urban services are or can be made available to serve the proposed annexation. The following comments review the city's infrastructure. Redevelopment of this area may require additional infrastructure improvements.

- A. Streets - The adjacent 12th Street is available to serve the annexation. This section of 12th street is presently a county standard road. Further development abutting 12th Street may require a city standard half-street improvement.
- B. Water - An 8-inch water main exists along 12th Street. Connection to city water will involve costs for service lines, meters, plumbing permit fees and a water systems development charge.
- C. Drainage - A county standard roadside ditch exists along 12th Street. Further development may require a city standard piped storm drainage system.
- D. Sanitary sewer - A 12-inch sanitary sewer main exists along 12th Street. Connection to city sanitary sewer will involve costs for service lines, plumbing permit fees and a sanitary sewer systems development charge.

For each dwelling unit, connection to a city utility or building permit issuance will also cause to be due remaining streets, drainage and parks systems development charges.

All of the above permits, fees and processes are detailed in the city's Site Development Guide.

RELEVANT CRITERIA

- 1. City Annexation Policy, Section 1, requires *proof that urban services are available or can be made available to serve the property considered for annexation and that the additional demands that would be placed on those services will not overburden their present capacities.*
- 2. City Annexation Policy, Section 2, states that *public rights of way necessary for the safe and efficient movement of traffic, bicycles and pedestrians shall be provided with the annexation and without obligation to the City of Lebanon.*

3. City Annexation Policy, Section 3, specifies that *parties involved in seeking the annexation or who may be included in the annexation shall initiate a program to upgrade any urban services and/or public facilities within the area considered for annexation that do not meet standards as may be established by the City of Lebanon.*
4. City Annexation Policy, Section 4, states that *no annexation shall be considered that does not conform with the Lebanon Comprehensive Plan and its goals and policies.*
5. City Annexation Policy, Section 5, states that *it shall be the burden of proof of the applicant that a public need exists for the proposed annexation and that the annexation is in the public's interest.*
6. Urbanization Element of the Comprehensive Plan, Phased Growth Program, Policy #1 (page 4-P-1) states that . . . *the City shall maintain a compact growth pattern that expands the city limits incrementally in an orderly and efficient manner within the service capabilities of the City.*
7. Public Facilities and Services element of the Comprehensive Plan, General Policy #2 (page 8-P-1) states that *the city shall consider impacts on community facilities before . . . annexation requests are approved.*

RECOMMENDATION

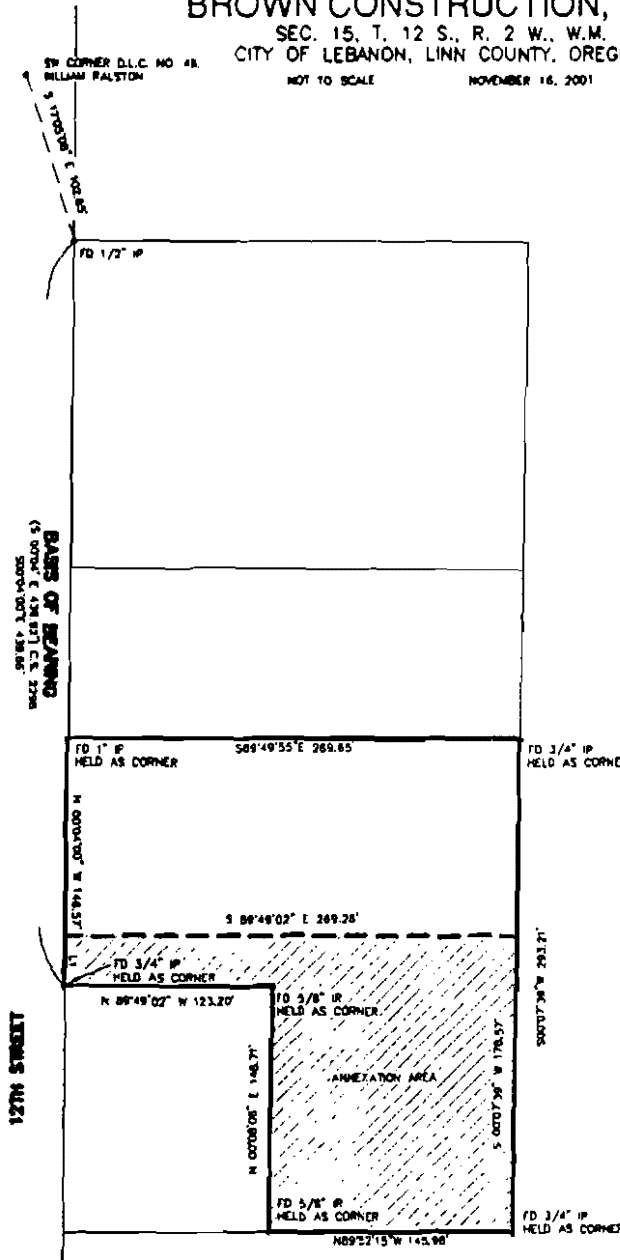
Unless the public hearing identifies hitherto unknown reasons why the proposed annexation would be to the detriment of surrounding properties, the neighborhood or the city, staff recommends that the Planning Commission recommend to the City Council that the proposed annexation be approved.

PROPOSED FINDINGS

1. The proposed annexation complies with City Annexation Policy, Section 1, in that urban services are available to serve the property.
2. The proposed annexation complies with City Annexation Policy, Section 2, in that adequate existing public right-of-way is provided.
3. The proposed annexation complies with City Annexation Policy, Section 3, in that public infrastructure improvements (other than 12th Street which is an improved County Standard) comply with City Standards.
4. The proposed annexation complies with City Annexation Policy, Section 4, in that the property complies with Zoning Ordinance and Comprehensive Plan policies pertaining to the property and zoning.
5. The proposed annexation complies with City Annexation Policy, Section 5, in that a public need exists for developable lots (infill and redevelopment potential) to support new housing development.
6. The proposed annexation complies with Comp. Plan Urbanization Element, Phased Growth Program, Policy #1, (page 4-P-1) in that it would be an orderly and efficient expansion of city limits within city service capabilities.
7. The proposed annexation complies with Comp. Plan Public Facilities and Services Element, General Policy #2, (page 8-P-1) in that the annexation will not result in an adverse impact on community facilities.

ANNEXATION MAP
BROWN CONSTRUCTION, INC.
 SEC. 15, T. 12 S., R. 2 W., W.M.
 CITY OF LEBANON, LINN COUNTY, OREGON
 NOT TO SCALE NOVEMBER 16, 2001

LEBANON FILE # A-01-05
 T12S-R2W-15BC, T.L. 2100



LINE TABLE		
LINE	LENGTH	BEARING
17	30.81	N68°49'02\"/>

OWNER
 BROWN CONSTRUCTION, INC.
 P.O. BOX 7089
 LEBANON, OREGON 97355

PROPERTY
 TAX MAP: 12-2W-15BC
 TAX LOT: 2100

ENGINEER AND SURVEYOR
 UDELL ENGINEERING AND SURVEYING
 63 E. ASH STREET
 LEBANON, OREGON 97355

DRAWN 8072
 SHEETS 1366

JAMES F. UDELL
 ENGINEERING & SURVEYING
 63 EAST ASH ST.
 LEBANON, OREGON
 97355
 PH. (541) 451-5125
 FAX (541) 451-1366

Brown_1201.dwg

JAMES F. UDELL UDELL ENGINEERING & SURVEYING

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LEBANON, OREGON 97355
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