

RESOLUTION NO. 5017

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTY LOCATED AT 155 COUNTRY CLUB LANE NW (AN-05-04), AND FORWARDING THE QUESTION OF ANNEXATION TO THE VOTERS ON THE NOVEMBER 2, 2004 BALLOT.

THE CITY COUNCIL OF THE CITY OF ALBANY RESOLVES that the findings and conclusions contained in Resolution Exhibit B (which consists of the complete staff report to the Albany City Council, including attachments, and dated August 4, 2004; File AN-05-04), and by this reference incorporated herein, are hereby adopted.

THE CITY COUNCIL OF THE CITY OF ALBANY FURTHER RESOLVES that this annexation, which would annex approximately 2.18 acres of property located on the north side of Country Club Lane NW, west of Springhill Drive NW, all within Benton County, Oregon, is to be submitted to the legal voters of Albany, Oregon, for their approval or rejection pursuant to Albany City Charter Chapter 54 at an election to be held on November 2, 2004. This election will be conducted by mail-in ballot.

The ballot title of this measure and the form in which it shall be printed on the official ballot is as follows:

CAPTION: MEASURE PROPOSING ANNEXATION OF PROPERTY AT 155 COUNTRY CLUB LANE

QUESTION: Shall the 2.18-acre portion of the Spring Hill Country Club surrounding the clubhouse be annexed?

SUMMARY: Approval of this measure would annex approximately 2.18 acres to the City of Albany. The property to be annexed is the area immediately surrounding the existing clubhouse and associated facilities located at 155 Country Club Lane NW (Spring Hill Country Club). Upon annexation, the zoning would be RS-10 (Single-Family Residential).

The text of the measure is as follows:

The following described real property, all located in Benton County, Oregon, shall be annexed to the City of Albany upon obtaining a favorable majority vote of the people.


The property generally located on at 155 Country Club Lane NW, shown on Benton County Assessor's Map No. 10S-03W-31; Tax Lots 400, as further described in the attached legal description labeled Resolution Exhibit A. The subject property containing 2.18 acres, more or less.

The City Clerk is authorized and directed to give notice of the submission of this question to the voters, including a true copy of the complete text and the ballot title for the measure in the form in which it shall be printed on the official ballot and any other information required by law to be published. That notice shall be published in not less than two successive and consecutive weekly issues of the *Albany Democrat-Herald*.

DATED AND EFFECTIVE THIS 11th DAY OF AUGUST, 2004.


MAYOR

ATTEST:


City Clerk

**RESOLUTION EXHIBIT A
LEGAL DESCRIPTION
FILE AN-05-04**

A portion of that Spring Hill Golf and Country Club Inc. tract described by deed recorded in M-228369-97 in the Benton County Deed Records on May 5, 1997 that is more particularly described as follows:

Beginning at the Northeast corner of Lot 8 of "Fairway Terrace", a subdivision recorded in Benton County; thence South 80° 11' 02" West 154.65 feet to a 3/4-inch iron rod at the Northwest corner of said Lot 8; thence South 80° 11' 02" West 351.87 feet; thence North 04° 26' 37" East 99.01 feet; thence South 85° 33' 23" East 192.17 feet; thence North 06° 28' 52" East 53.66 feet; thence North 21° 33' 36" West 58.79 feet; thence North 58° 42' 32" East 21.82 feet; thence North 17° 16' 09" East 96.83 feet; thence North 57° 25' 38" East 85.12 feet; thence South 82° 46' 01" East 69.00 feet; thence South 32° 34' 22" East 45.95 feet; thence South 85° 33' 23" East 49.70 feet; thence North 63° 11' 22" East 18.90 feet; thence South 84° 59' 56" East 12.83 feet; thence South 53° 35' 27" East 18.28 feet; thence South 85° 33' 23" East 71.98 feet; thence South 04° 26' 37" West 112.00 feet; thence North 85° 33' 22" West 49.68 feet; thence South 02° 53' 18" West 87.11 feet to the Point of Beginning.

Containing 2.18 acres, more or less.



Community Development Department

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STAFF REPORT Annexation

<u>HEARING BODY</u>	ALBANY CITY COUNCIL
<u>HEARING DATE</u>	Wednesday, August 11, 2004
<u>HEARING TIME</u>	7:15 p.m.
<u>HEARING LOCATION</u>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW

GENERAL INFORMATION

DATE OF REPORT:	August 4, 2004
FILE:	AN-05-04
TYPE OF REQUEST:	Annexation of approximately 2.18 acres of the Spring Hill Country Club
REVIEW BODY:	City Council
PROPERTY OWNERS:	Spring Hill Country Club, Inc.
APPLICANTS:	Same as property owners
ADDRESS/LOCATION:	155 Country Club Lane NW
MAP/TAX LOT:	Benton County Assessor's Map No. 10S-03W-31; Tax Lot 400
TOTAL LAND AREA:	2.18 acres
EXISTING LAND USE:	Clubhouse and member facilities for the Spring Hill Country Club
EXISTING COMP PLAN DESIGNATION:	Low-Density Residential
CURRENT ZONING:	Benton County – Urban Residential (UR-5)
PROPOSED ZONING:	RS-10 (Single-Family Residential)
NEIGHBORHOOD:	North Albany
SURROUNDING ZONING:	Benton County – UR-5 (north & west); City of Albany – Residential Reserve (south & east)
SURROUNDING USES:	Single-family homes on south and east sides; golf course and facilities to the north and west
PRIOR HISTORY:	In 1993, because of the failure of the country club's private septic system, the City Council agreed to allow the Spring Hill Country Club to connect to the public sanitary sewer system via a long, private pressure sewer line. As a condition of receiving City sewer service to their new clubhouse, the country club agreed in 2001 to be annexed when the Urban Growth Boundary was amended to allow annexation.

**FINDINGS AND CONCLUSIONS
FILE AN-05-04**

INTRODUCTION

On May 27, 1998, the City Council adopted policies and procedures for voter-approved annexation. The ordinance spells out the eligibility and timeliness criteria that the City Council must deem met before they refer an annexation request to the voters.

Listed below are findings and conclusions that address the review criteria. *Review criteria are listed in bold italics.*

REVIEW CRITERIA

ELIGIBILITY CRITERIA:

- A. The property is contiguous to the existing city limits.***

Finding of Fact:

1. The area is contiguous to the current city limits along the south property boundary (See attached map labeled Attachment A).

Conclusion: This criterion is met because the subject property is adjacent to the existing city limits.

- B. The property is located within the Albany Urban Growth Boundary as established by the Albany Comprehensive Plan.***

Finding of Fact:

2. The recent amendment to the Urban Growth Boundary to include the area around the clubhouse has made the area eligible for annexation. The area being proposed for annexation is within the Urban Growth Boundary (See attached map labeled Attachment A).

Conclusion: This criterion is met because the property proposed for annexation is within the UGB.

TIMELINESS CRITERIA:

- A. An adequate level of urban services and infrastructure is available, or will be made available in a timely manner.***

- a. "Urban services" means police, fire, and other city-provided services.***
b. "Infrastructure" means sanitary sewer, water, storm drainage, and streets.
c. "Adequate level" means conforms to adopted plans and ordinances.
d. "Be made available in a timely manner" means that improvements needed for an adequate level of urban services and infrastructure will be provided in a logical, economical, and efficient manner. Improvements for needed infrastructure may be secured by a development agreement or other funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of Albany generally.

Findings of Fact:

Water

3. City utility maps indicate that an 8-inch public water main exists in Country Club Lane. The property is currently connected to the public water system.

RESOLUTION EXHIBIT B

Conclusion: This criterion is met because public water does currently exist adjacent to the subject property, and the property is connected to the public water system.

Sanitary Sewer

4. Sanitary sewer utility maps indicate that public sanitary sewer facilities do not exist in this area. However, because of a failure of the previous private septic system serving the country club, the subject property is connected to the public system through a long private pressure sewer line. The property was connected in 1993, and the property owners agreed to annex (when the property became eligible for annexation) as a condition of receiving City sewer service.

Conclusion: This criterion is met because the public sanitary sewer system currently serves the subject property.

Storm Drainage

5. The storm water runoff in this area is generally collected by catch basins along the streets and discharged to natural and man-made ditches which carry the storm water overland to the Willamette River, north of the subject property.
6. The on-site improvements that were made with the new clubhouse construction included storm drainage collection facilities in the new parking lot. The on-site storm water is also discharged to these same drainageways that run to the Willamette River.

Conclusion: This criterion is met because storm water runoff is adequately accommodated by existing drainage facilities.

Transportation

7. The subject property has frontage on and access to Country Club Lane NW. Country Club Lane NW is a local street under the jurisdiction of the City of Albany. The street is paved with a curb-to-curb width of approximately 34 feet.
8. Street improvements (curb and gutter, sidewalk, and driveway approaches) along the Country Club Lane NW frontage of the club house area were made by the property owner when the new club house and associated facilities were constructed.

Conclusion: This criterion is met because the transportation system is adequate for the existing uses on the property.

Police & Fire Protection

9. Public water for fire fighting is available in Country Club Lane NW. Because the subject property is adjacent to the city, fire service to this site would be a logical extension of the current service boundaries.
10. Because the subject property is contiguous to the city limits, and because adjacent properties are served, police service to this property would be a logical extension of the current patrol boundaries.

Conclusion: This criterion is met because police and fire service to this property would be a logical extension of the current service boundaries.

- B. *Sufficient planning and engineering data has been provided and all necessary studies and reviews have been completed such that there are no unresolved issues regarding appropriate Comprehensive Plan and implementing ordinances.***

Findings of Fact:

11. This annexation request is for approximately 2.18 acres. The Comprehensive Plan Map designation is Low-Density Residential. City staff and the applicant are recommending that the properties be zoned RS-10 (Single-Family Residential) upon annexation, which is in conformance with the Comprehensive Plan.
12. Public infrastructure facility plans that deal with this area include: Wastewater Facility Plan completed in 1998; Storm Drainage Master Plan completed in 1988; Transportation System Plan completed in 1997; North Albany Local Street System Plan completed in 1995. The City's existing Water System Facility Plan was completed in 1988, but a new version is currently being developed.

Conclusion: This criterion is met because of the information provided in the various studies and plans covering this area.

C. The City shall attempt to discourage islands or enclaves of unincorporated territory surrounded on all sides by the City.

Finding of Fact:



13. Annexation of the subject properties would not create an island.

Conclusion: This criterion is met because no island would be created by this annexation.

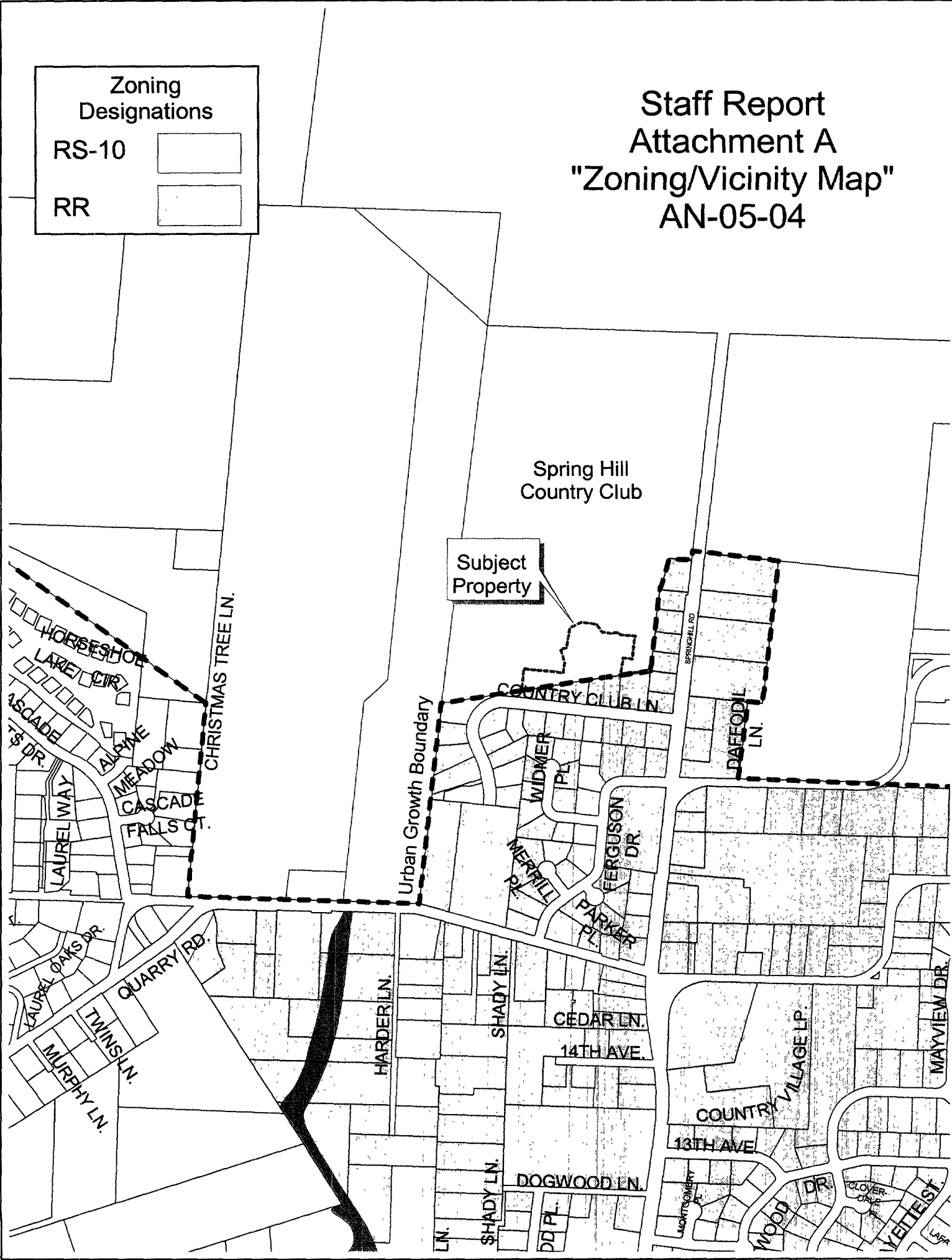
D. The City Council may consider, at its discretion, any other factor which affects the timeliness or wisdom of any particular annexation petition.

Findings of Fact:

14. As a condition of allowing the clubhouse to be served by the public sanitary sewer system, the property owner agreed to be annexed at the time as the property became eligible for annexation. The recent amendment to the Urban Growth Boundary to include this area around the clubhouse has made the property eligible for annexation.

Zoning Designations	
RS-10	
RR	

Staff Report Attachment A "Zoning/Vicinity Map" AN-05-04



Staff Report
Attachment B
"Ortho Photo"
AN-05-04

New
UGB

Urban Growth Boundary

COUNTRY CLUB BLVD

