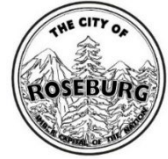


**\*REVISED ROSEBURG CITY COUNCIL AGENDA – OCTOBER 28, 2024**

City Council Chambers, City Hall  
900 SE Douglas Avenue, Roseburg, Oregon 97470



CA  
10-25-2024

**Public Online Access:**

City website at <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

Facebook Live at [www.Facebook.com/CityofRoseburg](http://www.Facebook.com/CityofRoseburg)

*Comments on Agenda Items and Audience Participation can be provided in person or electronically via Zoom. See Audience Participation Information for instructions on how to participate in meetings.*

**7:00 p.m. Special Regular Meeting**

1. **Call to Order – Mayor Larry Rich**

2. **Pledge of Allegiance**

**Roll Call**

Tom Michalek

Andrea Zielinski

Kylee Rummel

David Mohr

Ellen Porter

Ruth Smith

Patrice Sipos

Shelley Briggs Loosley

3. **Public Hearings**

A. Ordinance No. 3607 – Annexation and Zone Change – 225 NE General Avenue File Nos. AN-24-001 & ZC-24-001, First Reading (**\*revised to reflect corrected ordinance no.**)

4. **Audience Participation – In Person or via Zoom/See Information on the Reverse**

5. **Mayors Reports**

A. Public Input – City Manager

6. **Adjourn**

7. **Executive Session ORS192.660(2)(i)**

A. City Manager Evaluation

## **AUDIENCE PARTICIPATION INFORMATION**

*The Roseburg City Council welcomes and encourages citizen participation at all of our regular meetings, with the exception of Executive Sessions, which, by state law, are closed to the public. To allow Council to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Council follow these simple guidelines:*

**Comments may be provided in one of three ways:**

- **IN PERSON during the meeting in the Council Chambers, Roseburg City Hall, 900 SE Douglas Ave.**
    - Each speaker must provide their name, address, phone number and topic on the Audience Participation Sign-In Sheet.
  - **VIA EMAIL by sending an email by 12:00 p.m. the day of the meeting to [info@roseburgor.gov](mailto:info@roseburgor.gov).**
    - These will be provided to the Council but will not be read out loud during the meeting. Please include your name, address and phone number within the email.
  - **VIRTUALLY during the meeting. Contact the City Recorder by phone (541) 492-6866 or email ([info@roseburgor.gov](mailto:info@roseburgor.gov)) by 12:00 p.m. the day of the meeting to get a link to the meeting.**
    - Each speaker must provide their name, address, phone number and topic in the email. Speakers will need to log or call in prior to the start of the meeting using the link or phone number provided. When accessing the meeting through the ZOOM link, click “Join Webinar” to join the meeting as an attendee. All attendees will be held in a “waiting room” until called on to speak. It is helpful if the speaker can provide a summary of their comments via email to ensure technology/sound challenges do not limit Council’s understanding.
- Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item.
  - Anyone wishing to speak regarding an item on the Consent Agenda, or on a matter not on the evening’s agenda, may do so under “Audience Participation.”
  1. Speakers will be called by the Mayor in the order in which they signed up. The Mayor will generally call in-person speakers prior to calling speakers participating via Zoom. Each virtual speaker will be transferred from the “waiting room” into the meeting to provide comments, then moved back to the “waiting room” upon completion of their comments.
  2. Persons addressing the Council in person or virtually must state their name and city of residence for the record.

**TIME LIMITATIONS** - A total of 30 minutes shall be allocated for the “Audience Participation” portion of the meeting. With the exception of public hearings, each speaker will be allotted a total of 6 minutes, unless the number of speakers will exceed the maximum time. In this case, the Mayor may choose to decrease the allotted time for each speaker in order to hear from a wider audience. All testimony given shall be new and not have been previously presented to Council.

***Audience Participation is a time for the Mayor and Council to receive input from the public. The Council may respond to audience comments after “Audience Participation” has been closed or during “Items from Mayor, Councilors or City Manager” after completion of the Council’s business agenda. The Council reserves the right to delay any action requested until they are fully informed on the matter.***

### **ORDER AND DECORUM**

Councilors and citizens shall maintain order and decorum at Council meetings. Any audience member may be directed to leave the meeting if they use unreasonably loud, disruptive, or threatening language, make loud or disruptive noise, engage in violent or distracting action, willfully damage furnishings, refuse to obey the rules of conduct, or refuse to obey an order of the Mayor or majority of Council. No signs, posters or placards are allowed in the meeting room.

All speakers and audience members should treat everyone with respect and maintain a welcoming environment. Please avoid actions that could be distracting such as cheering, booing, or applause. Please turn cell phones to silent and enter and exit the Council Chambers quietly if the meeting is in progress and take any conversations outside the Chambers.

*The City Council meetings are on Facebook Live and available to view on the City website the next day at:*  
<https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

*The full agenda packet is available on the City’s website at:*  
<https://www.cityofroseburg.org/your-government/mayor-council/council-agendas>

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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**ORDINANCE NO. 3607  
ANNEXATION AND ZONE CHANGE – 255 NE GENERAL AVENUE  
FILE NOS. AN-24-001 & ZC-24-001**

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**Meeting Date: October 28, 2024**  
**Department: Community Development**  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section: Public Hearing**  
**Staff Contact: Stuart Cowie**  
**Contact Telephone Number: 541-492-6750**

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## **ISSUE STATEMENT AND SUMMARY**

The Planning Commission has reviewed and recommended approval to annex a 5.27+/- acre unit of land addressed as 255 NE General Ave. with an accompanying zone change from County-zoned Medium-Industrial (M2) to City-zoned Mixed-Use (MU). In addition to this action, the property will need to be withdrawn from the Central Douglas Fire & Rescue Authority service area.

The following request is being made by Levi Huffman Engineering on behalf of the property owner, Sherry Scallon Kearney. The property can further be described on the Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092. The purpose of the zone change is to enable the applicant to develop a mini-storage facility, a use allowed within the MU zone but not the M2 zone.

## **BACKGROUND**

### **A. Council Action History.**

None.

### **B. Analysis.**

The annexation/zone change is a quasi-judicial land use action, as listed within Section 12.10.010(R) of the Roseburg Municipal Code (RMC). The annexation and zone change are required to meet the criteria contained in ORS 222.125, Roseburg City Council Resolution 2006-04 (Annexation Policies), Roseburg Comprehensive Plan and Roseburg Land Use and Development Regulations.

The proposal went before the Planning Commission at a public hearing on October 7, 2024. At that meeting, the Planning Commission approved a motion to adopt the attached Findings of Fact and Order and referred the request to City Council recommending that Council approve the proposed annexation and zone change.

**C. Financial/Resource Considerations.**

None.

**D. Timing Considerations.**

The zone change application was submitted to the City on June 28, 2024. An incompleteness letter was issued to the applicant on July 24, 2024, indicating the need for a written legal description of the property. The legal description was provided and the application was deemed complete July 29, 2024. The City is legally required to issue a decision 120 days from the date the application was deemed complete. As of October 28, 2024, the City will be at 91 days.

**COUNCIL OPTIONS**

1. Adopt the Planning Commission's Findings of Fact and Order for File No. AN-24-001 & ZC-24-001 followed by first reading of Ordinance 3607; or
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

**STAFF RECOMMENDATION**

Staff recommends the Council adopt Planning Commission's Findings of Fact and Order for File No. AN-24-001 & ZC-24-001 and proceed with the first reading of Ordinance 3607.

**SUGGESTED MOTION**

***"I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. AN-24-001 & ZC-24-001."***

Proceed with first reading of the Ordinance. No motion is needed, only consensus to proceed by the Council.

**ATTACHMENTS:**

Attachment #1 Ordinance No. 3607

**ORDINANCE NO. 3607**

**AN ORDINANCE ANNEXING 5.27 ACRES OF PROPERTY ADDRESSED AS 255 NE GENERAL AVE., WITHDRAWING THE PROPERTY FROM THE CENTRAL DOUGLAS FIRE & RESCUE AUTHORITY, AND AMENDING THE ROSEBURG ZONING MAP**

**WHEREAS**, the subject property is addressed as 255 NE General Ave. and further identified as Tax Lot 1800 on Douglas County Assessors Map Township 27 South, Range 06 West, Willamette Meridian, Section 01AC or by Property ID #R61092. The subject property is also identified on the map in attached Exhibit A; and

**WHEREAS**, the proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals; and

**WHEREAS**, this proposal includes annexation of land and a zone change which came before the Roseburg Planning Commission as a quasi-judicial matter considered at a public hearing after due and timely notice; and

**WHEREAS**, the annexation complies with provisions of ORS 222.120 and ORS 222.125, annexation by consent; and

**WHEREAS**, the owner of the subject property consents to annexation into the City as a logical extension of the city boundary; and

**WHEREAS**, the annexation and withdrawal of the property from the Central Douglas Fire & Rescue Authority is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies; and

**WHEREAS**, City Council finds the request is consistent with the Roseburg Urban Area Comprehensive Plan and Land Use Development Regulations; and

**WHEREAS**, the subject property is zoned County Medium-Industrial (M2) and annexation will cause a zone change to a City designation of Mixed-Use (MU); and

**WHEREAS**, the existing Comprehensive Plan Designation of Industrial (IND) will remain the same; and

**WHEREAS**, all public facilities and services are within distance to serve the subject property or are currently serving the property; and

**WHEREAS**, upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177; and

**WHEREAS**, within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor, and Oregon Department of Revenue a detailed legal description of the new boundaries established by the City in accordance with ORS 222.010.

**NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:**

**SECTION 1.** The City Council hereby adopts as its own the Findings of Fact and Decision of the Planning Commission dated October 7, 2024, attached as Exhibit B.

**SECTION 2.** This annexation is made pursuant to the provisions of ORS 222.120, and 222.125, annexation by consent, for which a public hearing was conducted.

**SECTION 3.** The subject property shall be withdrawn from the Central Douglas Fire & Rescue Authority on the effective date of the annexation.

**SECTION 4.** Upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177.

**SECTION 5.** The City Recorder shall submit the legal description of the territory annexed (attached hereto as Exhibit C) and accurate map showing the annexed territory (attached hereto as Exhibit A) to the Douglas County Assessor and the Oregon Department of Revenue as required by ORS 308.225.

**SECTION 6.** On the effective date of the annexation, the City shall amend the Roseburg Zoning Map by applying the Mixed-Use (MU) zoning designation to the subject property, as shown by the list herein made part of this ordinance.

**SECTION 7.** Within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor and Oregon Department of Revenue a detailed legal description of the new boundaries established by the City in accordance with ORS 222.010.

**ADOPTED BY THE ROSEBURG CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

\_\_\_\_\_  
**LARRY RICH, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**AMY NYTES, CITY RECORDER**

# EXHIBIT A

## NARRATIVE:

--THIS SURVEY WAS COMPLETED AT THE REQUEST OF LEVI HUFFMAN ENGINEERING, LLC, FOR HIS CLIENT SHERRY KEARNEY.

--THE BASIS OF BEARINGS IS BETWEEN MONUMENTS NUMBER 100 & 101 OREGON COORDINATE REFERENCE SYSTEM (OCRS), HORIZONTAL DATUM: NAD 83, VERTICAL DATUM: NAVD 89, ZONE: COTTAGE GROVE CANYONVILLE (6006) GROUND DISTANCE, GRID BEARING.

-- FOR THE BOUNDARY RESOLVE I FIELD MONUMENTS AS SHOWN AND THE RECORD RESOLVE FROM DOUGLAS COUNTY RECORD SURVEY NO. M177-69.

-- AS WITNESSED ON THE GROUND THERE ARE RAIN DRAINS FROM THE MOBILE HOME PARK POINTED AT THE SLOPE OF THE SURVEYED PARCEL AND ALL OF THE SURROUNDING PROPERTIES DRAIN NATURALLY ONTO THE SITE.

## REFERENCES:

SURVEYS  
1 - VOL 4, P 56  
2 - M90 75  
3 - M177-69

DEEDS  
1 - 2021-016386

## MONUMENT NOTES:

[100]  
FOUND A 5/8" IRON ROD, HELD PER CS NO. M177-69.

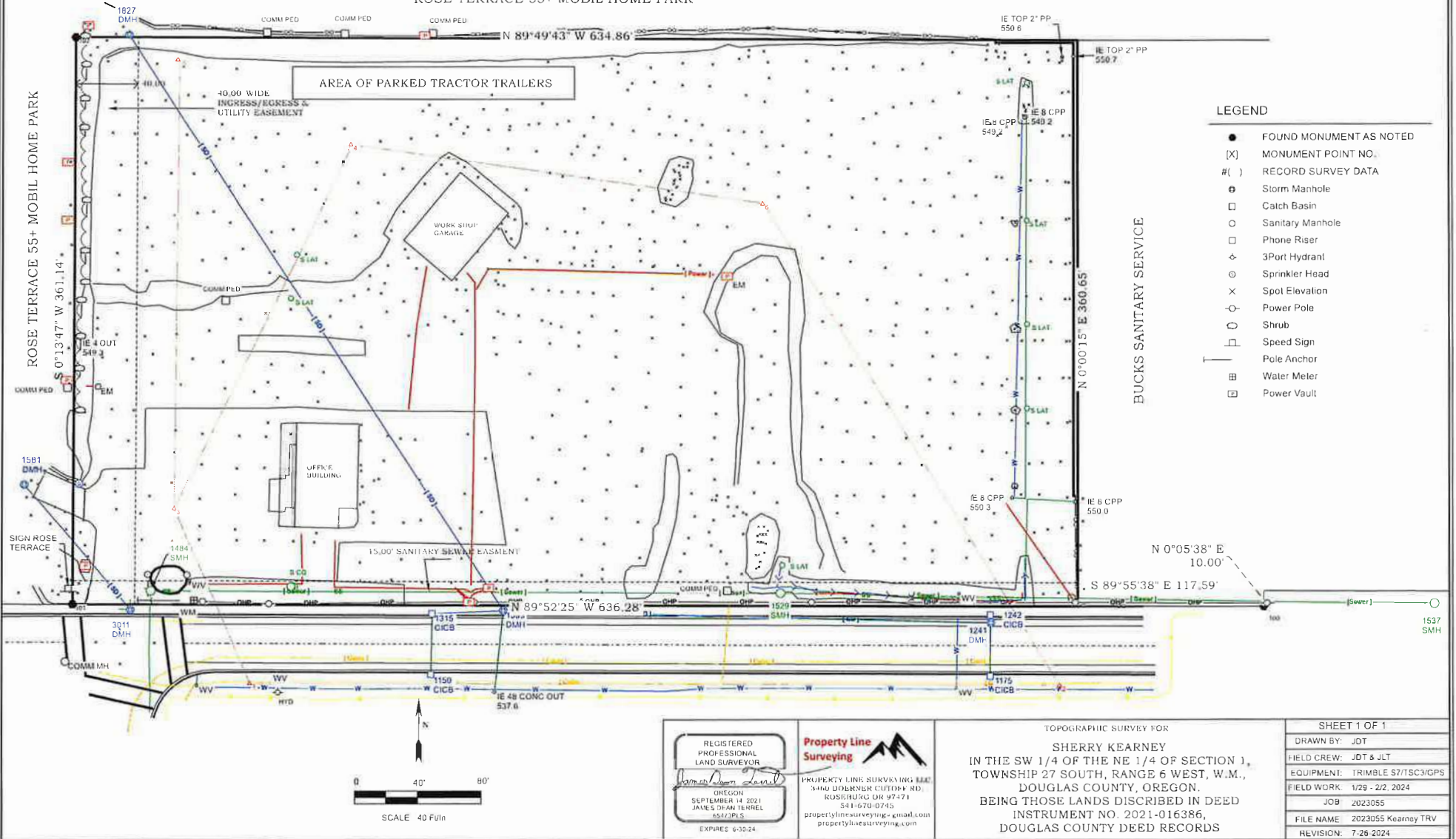
[101]  
FOUND A 1-1/2" BRASS DISK IN SIDEWALK, HELD PER CS NO. M177-69.

## DEED DOCUMENT NO. 2021-016386, METES & BOUNDS DESCRIPTION

A PORTION OF LOT 3, EDENBOWER ORCHARD TRACTS, AS THE SAME IS RECORDED IN BOOK 4, PAGE 56 IN THE PLAT RECORDS OF DOUGLAS COUNTY, OREGON, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET AT THE THE NORTHWEST CORNER OF THE ABOVE SAID LOT 3; THENCE ALONG THE NORTH LINE OF SAID LOT 3 SOUTH 89°59' E 634.79 FEET TO A 5/8" IRON ROD; THENCE SOUTH 00°55'17" WEST 361.06 FEET TO A 5/8" IRON ROD AS SET IN THE NORTH LINE OF GENERAL AVENUE; THENCE ALONG SAID NORTH LINE NORTH 89°50' WEST 636.40 FEET TO A 3/4" IRON ROD; THENCE ALONG THE WEST LINE OF THE ABOVE SAID LOT 3 NORTH 01°13'30" EAST 361.06 FEET TO THE PLACE OF BEGINNING.

## ROSE TERRACE 55+ MOBIL HOME PARK



### LEGEND

- FOUND MONUMENT AS NOTED
- (X) MONUMENT POINT NO.
- #( ) RECORD SURVEY DATA
- ⊕ Storm Manhole
- Catch Basin
- Sanitary Manhole
- Phone Riser
- ⋄ 3Port Hydrant
- Sprinkler Head
- × Spot Elevation
- Power Pole
- Shrub
- ⊖ Speed Sign
- ⊖ Pole Anchor
- ⊖ Water Meter
- ⊖ Power Vault

REGISTERED PROFESSIONAL LAND SURVEYOR  
*James Down Land*  
 OREGON  
 SEPTEMBER 14 2021  
 JAMES DOWD TERREL  
 6512/PLS  
 EXPIRES 6-30-24

**Property Line Surveying**  
 PROPERTY LINE SURVEYING LLC  
 3440 DOBERNER CIRCLE RD  
 ROSELAND, OR 97171  
 541-670-0745  
 propertylinesurveying@gmail.com  
 propertylinesurveying.com

TOPOGRAPHIC SURVEY FOR  
 SHERRY KEARNEY  
 IN THE SW 1/4 OF THE NE 1/4 OF SECTION 1,  
 TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.,  
 DOUGLAS COUNTY, OREGON.  
 BEING THOSE LANDS DESCRIBED IN DEED  
 INSTRUMENT NO. 2021-016386,  
 DOUGLAS COUNTY DEED RECORDS

SHEET 1 OF 1	
DRAWN BY:	JDT
FIELD CREW:	JDT & JLT
EQUIPMENT:	TRIMBLE S7/TSC3/GPS
FIELD WORK:	1/29 - 2/2, 2024
JOB:	2023055
FILE NAME:	2023055 Kearney TRV
REVISION:	7-28-2024

EXHIBIT B

**Exhibit B**

In the matter of the	)	
Annexation & Zone Change	)	Annexation & Zone Change
request by	)	File No's. AN-24-001 & ZC-24-001
Sherry Scallon Kearney	)	

**BEFORE THE ROSEBURG PLANNING COMMISSION  
FINDINGS OF FACT AND ORDER**

**I. NATURE OF APPLICATION**

Levi Huffman on behalf of Sherry Scallon Kearney, property owner, submitted applications for approval of an annexation and zone change of a 5.27+/- ac. unit of land. The proposed annexation would bring the parcel into Roseburg City Limits and would change zoning from Medium Industrial (M2) to Mixed-Use (MU). The subject property has an Industrial Comprehensive Plan designation. The property is currently addressed 255 General Avenue. The property can further be described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092. The purpose of the zone change is to enable the applicant to develop a mini-storage facility, a use allowed within the MU zone, but not the M2 zone.

The annexation and zone change request will be evaluated pursuant to Land Use and Development Regulations Chapter 12.10.040 and all other applicable sections of the Roseburg Municipal Code.

**II. FINDINGS OF FACT**

**A. EXISTING CONDITIONS**

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The subject property is described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092.
4. The subject property is 5.27+/- acres, is designated by the Comprehensive Plan as Industrial and is currently zoned Medium Industrial (M2).
5. Levi Huffman on behalf of the property owner Sherry Scallon Kearney applied for an annexation and zone change to bring the property into Roseburg City Limits and change the zone of the subject property from Medium Industrial (M2) to Mixed-Use (MU).



## EXHIBIT B

### **B. AGENCY COMMENTS**

Comments regarding the zone change request were solicited from the Fire Department, Public Works Department, Douglas County Building Department, County Public Works Department, ODOT and Roseburg Urban Sanitary Authority.

ODOT was the only agency that provided written comments. In order to adequately address Statewide Planning Goal 12 – Transportation (OAR 660-012-0060), ODOT indicated that a traffic impact analysis be completed or a “trip cap” be instituted limiting allowable trips associated with the MU zoning to a reasonable development scenario in the existing M2 zone. These comments are part of the record and have been incorporated, into the conditions of approval at the end of these findings of fact.

### **C. PUBLIC COMMENTS**

The Community Development Department notified all owners of adjacent and neighboring properties per ORS 197.610 and RMC 12.10.030. No comments were received.

### **D. PUBLIC HEARING**

A public hearing was held on September 16, 2024 regarding the matter of the annexation and zone change request.

### **E. APPLICABLE CRITERIA**

The applicable approval criteria for the subject annexation and zone change is contained within the following:

1. ORS 222.125, “Annexation by consent to allow owners of land,” the following criteria must be demonstrated:

*A) Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

**Finding:** The subject property is contiguous with the city limits of Roseburg, and the applicant has given written consent, by applying for the annexation, to be annexed into the city. The legal description was provided by the applicant on a location map referencing deed document no. 2021-016386.

In the recorded deed document the property is described as a portion of lot 3, Edenbower Orchard Tracts as the same is recorded in book 4, page 56 in the plat records of Douglas County, Oregon said portion being more particularly described as follows;

Beginning at a 5/8” iron rod set at the Northwest corner of the above said lot 3; thence along the North line of said lot 3 South 88° 50’ East 634.79 feet to a 5/8’ iron rod; thence South 00° 58’ 17” West 361.06 feet to a 5/8” iron rod as set in the North line of General Avenue; thence along said North line North 88° 50’ West 636.40 feet to a 3/4” iron rod; thence along the West line of the above said lot 3 North 01° 13’ 30” East 361.06 feet to the place of beginning.

## EXHIBIT B

2. Pursuant to City of Roseburg Resolution 2006-04, "Annexation Policies," the following Policies shall be adhered to:

A) ANNEXATION ENCOURAGED. Over time, the City of Roseburg shall be the primary provider of municipal water service and other urban services within the UGB, provided the City can offer these services in an efficient and cost-effective manner.

*Annexation to the City should be encouraged:*

*- For unincorporated areas that are now receiving some City services, are urban in character, or are logically served by the City because of geographic factors such as drainage basins, boundaries, or environmental constraints;*

*- Where the availability of infrastructure and services allows for the development of urban densities.*

**Finding:** The subject property can logically be served by the City given that it is surrounded by properties that are already benefitting from city services. Infrastructure and services necessary for urban densities can be provided when approval is granted for development consistent with the proposed zoning.

B) CITY INITIATED ANNEXATION. If the City initiates an annexation, then the City shall analyze the financial impacts of the annexation including a calculation of revenues derived from a proposed annexation and the expenses to provide services in the area to be annexed.

**Finding:** The City has not initiated this annexation.

C) FULL RANGE OF CITY SERVICES IN TIMELY MANNER. The City shall not initiate annexation proceedings on any property if it cannot provide a full range of City services within approximately a three-year period of time. A full range of City services means a level of urban services approximately similar to that enjoyed by residents currently living in the City of Roseburg.

**Finding:** Surrounding properties of the subject property are already serviced by municipal water and sewer. Roseburg Urban Sanitary Authority services the property with a sewer service lateral. The frontage street is improved with curb, gutter, sidewalk, and storm water collection. The property is not currently served by city water nor does it have a well to draw from. Extending city water service to the property is mandatory and shall be provided within a timely manner.

D) PREFERENCE FOR ANNEXATION AREAS. Highest preference for annexation shall be given to those areas that best meet annexation policies and where revenues derived from the annexed areas exceed City expenses. Lowest preference shall be given to those annexation requests that exhibit a negative financial situation for the City of Roseburg or only minimally meet City annexation policies. Fiscal impacts are only one of many criteria to be evaluated, and must be balanced with other annexation policies and goals.

## EXHIBIT B

**Finding:** The subject property lies adjacent to the existing City boundary and has, or can have, urban services provided to it in a cost-effective manner consistent with logical growth patterns.

*E) UNINCORPORATED ISLANDS. Property that is currently surrounded by land within the City limits (unincorporated islands) shall be discouraged. As soon as practical, the City shall initiate annexation proceedings for such islands.*

**Finding:** The subject property is directly adjacent to Roseburg City Limits and is not considered an unincorporated island.

*F) PROPERTIES NOW SERVED BY MUNICIPAL WATER BUT LOCATED OUTSIDE EXISTING CITY LIMITS. Property owners now receiving municipal water service from the City of Roseburg are encouraged to initiate annexation proceedings on their property consistent with these policies.*

**Finding:** The subject property and the surrounding properties are or can be served by municipal water service. The property is not currently being served by City water, however, the applicant will be required to obtain a city water meter for the property upon application for development. The city shall provide the property with water upon request.

*G) NEW CONSENT TO ANNEXATION AGREEMENTS PROHIBITED. After Council adoption of a change to Roseburg Municipal Code 5.04.060, no new municipal water service shall be provided unless the property is annexed to the City of Roseburg.*

**Finding:** The property owners have requested annexation of the subject property to facilitate future development and the extension of City Services to benefit the site. In order to allow for these service extensions, the property must be annexed into Roseburg City Limits.

### 3. Roseburg Municipal Code 12.10.040(D):

*A) The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.*

**Findings:** The property is located within the Roseburg Urban Growth Boundary in an area that is designated Industrial in the Comprehensive Plan. Regarding zoning designations, the current zoning for the property is Medium Industrial (M2) and it is surrounded by County-zoned Medium Industrial (M2) parcels to the west and north, City-zoned Medium Industrial (M2) zoning to the east, and Mixed-Use (MU) property to the south. The proposed MU zone conforms to the Comprehensive Plan under the Low-Density Industrial Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment.

Staff finds the rezoning meets this criterion.

*B) The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area.*

## EXHIBIT B

**Findings:** The site is suitable for the proposed zone change as it is surrounded by like zoning and uses. All utilities are available to the subject property and will ensure that public safety and welfare requirements in the area will continue to be satisfied with future development on the property. The proposed Zoning District is compatible with existing adjacent development as well as future permissible development, and as such is presumably no less suitable than the existing Zoning.

Staff finds the rezoning meets this criterion.

*C) The zone change is consistent with the safety and performance measures of the transportation system.*

**Findings:** The locally-classified street network that serves the subject property is consistent with the safety and performance measures of the transportation system. The property is served by General Ave. and any future development on the subject property will gain access off of General Ave. The proposal to convert the zoning to MU will not compromise the existing roadways this property benefits, and all future development would be required to meet access standards determined by the Transportation System Plan, RMC and Public Works standards.

As a precautionary measure to align with Oregon Statewide Planning Goal 12 and the Oregon Department of Transportation's recommendations, trip generation for the proposed development shall be capped at 550 total daily trips. The proposed mini-storage facility is calculated at 143 weekday trips, which falls well beneath the trip cap being imposed on the property.

Staff finds the rezoning meets this criterion with the trip cap in place.

Any future uses on the property other than the proposed storage facility, will require a memorandum identifying the proposed use and calculating daily trips to be submitted by a licensed Oregon Traffic Engineer with all new, expanded or changed uses at the site to ensure that the trip generation stay below the cap of 550 total daily trips. Prior to approval of a future use that may exceed 550 daily trips, a favorable traffic impact study must be performed and new deeds removing the trip cap shall be recorded.

### III. CONCLUSION

Upon review of the application, and other materials referenced as File AN-24-001 & ZC-24-001, and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Levi Huffman on behalf of the property owner Sherry Scallon Kearney satisfies the approval criteria, therefore warranting the approval of the zone change as requested.

### IV. ORDER

Based on the Findings and Conclusions above, the Planning Commission refers the annexation and zone change request to the City Council recommending **APPROVAL** of the annexation and zone change, as contained within file AN-24-001 & ZC-24-001 and subject to the conditions as follows:

EXHIBIT B

1. The applicant shall obtain Site Plan Review and Building Permit Approval prior to the commencement of any construction of the subject property.
2. The applicant shall record a deed instrument indicating a trip cap of no more than 550 daily trips based upon the possible uses allowed within the current Medium Industrial (M2) zone. Prior to any future uses that may occur on the property with the new Mixed-Use (MU) zone, which would exceed 550 daily trips, a favorable traffic impact study must be performed and new deeds removing the trip cap shall be recorded.
3. Any future development of the property shall fully conform to all the applicable standards and requirement of the Roseburg Municipal Code.

  
\_\_\_\_\_  
Jaime Yraguen, Planning Commission Chair

10-7-24  
Date

  
\_\_\_\_\_  
Stuart Cowie, Community Development Director

10/7/24  
Date

**Planning Commission Members:**

Jaime Yraguen, Chair  
Shelby Osborn, Vice Chair  
Janelle James  
Matthew Brady  
Emily Brandt  
Matthew Keller  
Jarrett Nielsen

**Attachments:**

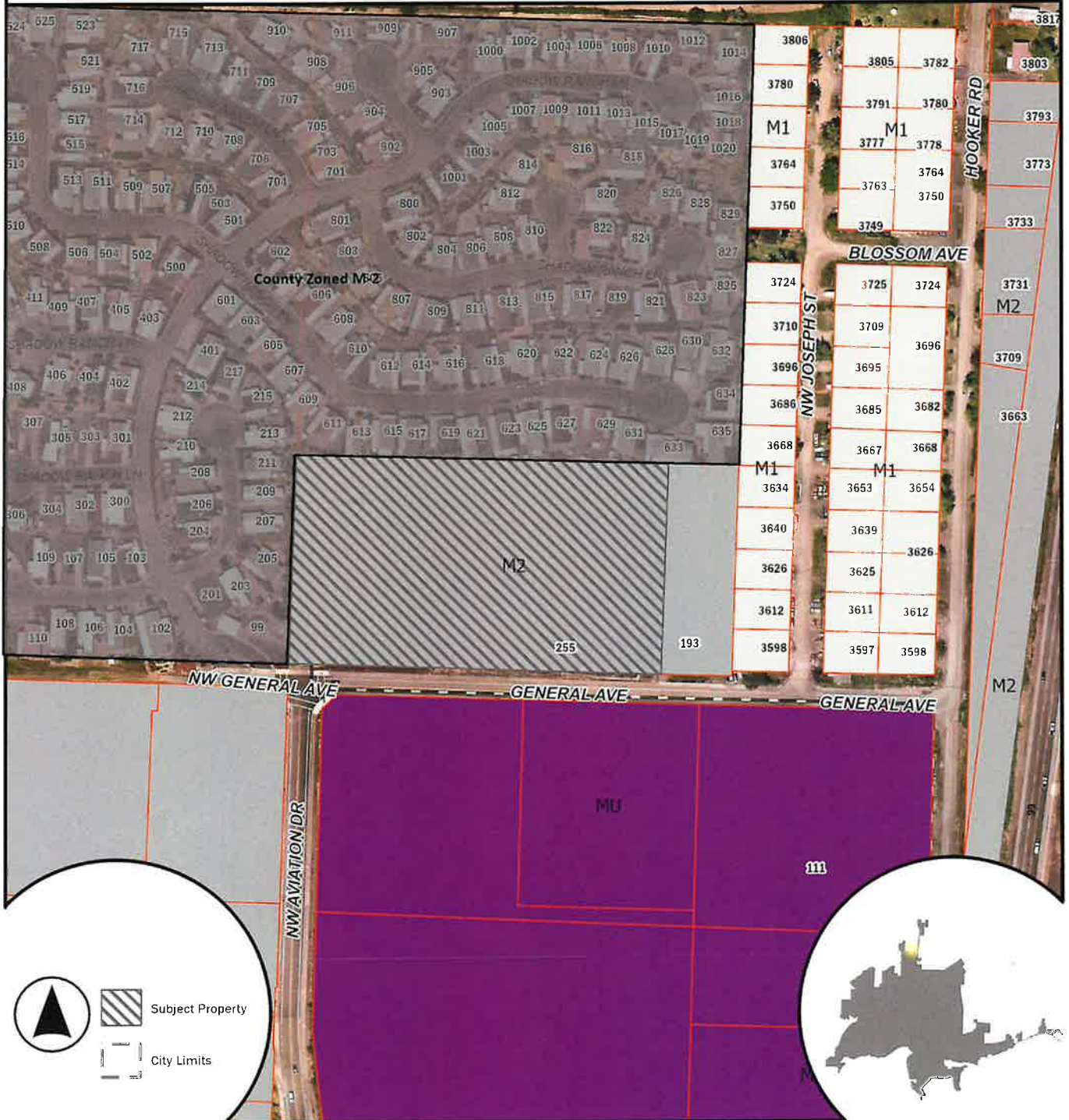
Attachment 1: Current Zoning Map  
Attachment 2: Proposed Zoning Map  
Attachment 3: Property Line Survey Map  
Attachment 4: Site Plan

# EXHIBIT B ATTACHMENT #1



## Zoning Map 255 General Avenue AN/ZC-24-001

T27S R6W SEC01AC TL01800 R61092  
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



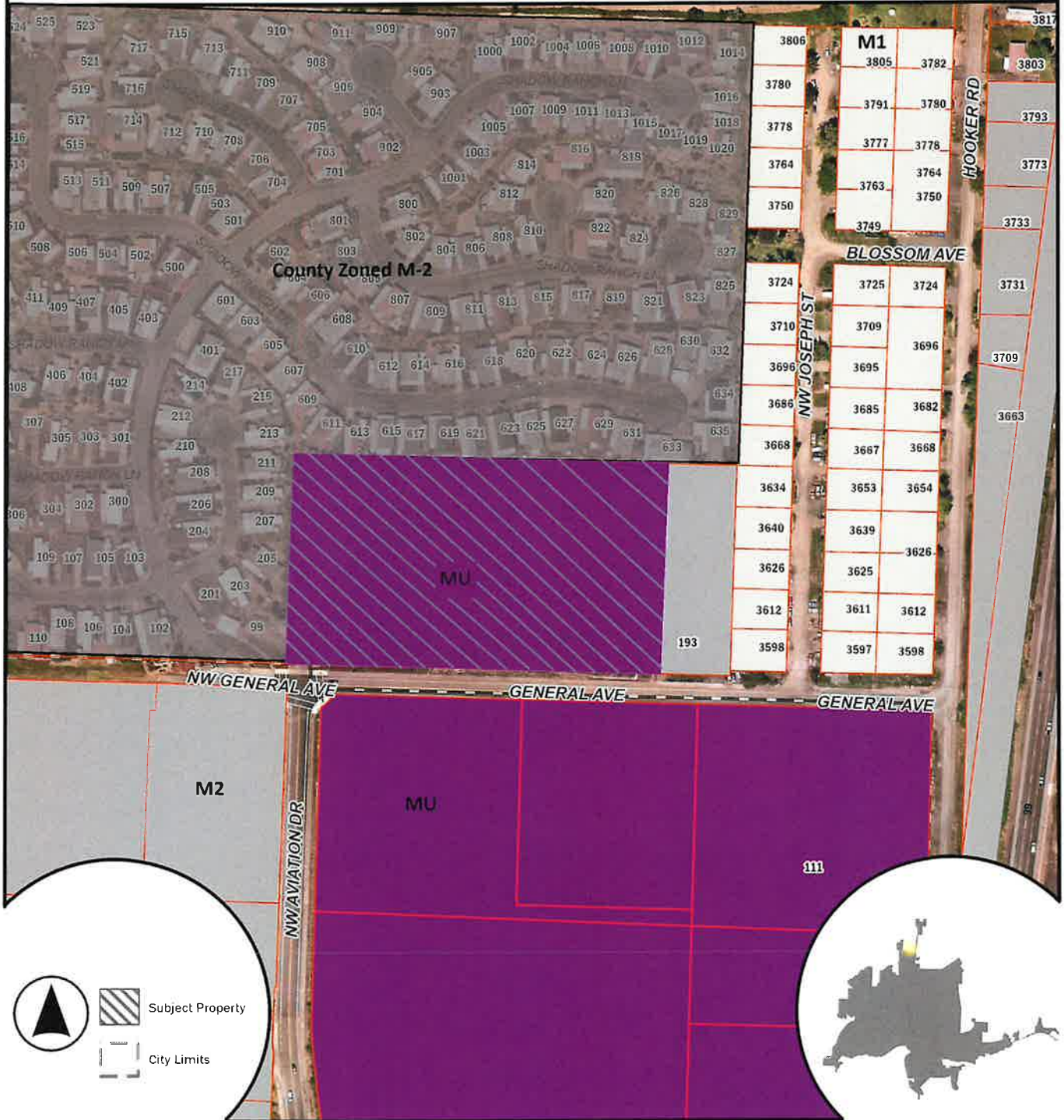
This map is intended for informational purposes and is not suitable for legal engineering or surveying purposes. The City of Roseburg is not responsible for map errors, omissions, misuse, or misinterpretation. Not for determining legal ownership or identification of property boundaries.

# EXHIBIT B ATTACHMENT #2



## Proposed Zoning Map 255 General Avenue AN/ZC-24-001

T27S R6W SEC01AC TL01800 R61092  
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



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# ATTACHMENT #3

## NARRATIVE:

THIS SURVEY WAS COMPLETED AT THE REQUEST OF LEVY HUFFMAN ENGINEERING LLC FOR HIS CLIENT SHERRY KEARNEY

THE BASIS OF HEARINGS IS BETWEEN MONUMENTS NUMBER 108 & 101 OREGON COORDINATE REFERENCE SYSTEM (CCRS), HORIZONTAL DATUM: NAD 83, VERTICAL DATUM: NAVD 83 ZONE COTTAGE GROVE CANYONVILLE (GUND) GROUND DISTANCE, GRID BEARING

FOR THE MONUMENT RESOLVE, FIELD MONUMENTS AS SHOWN AND THE RECORD RESOLVE FROM DOUGLAS COUNTY RECORD SURVEY NO. M177-09

AS WITNESSED ON THE GROUND THERE ARE RAIN DRAINS FROM THE MOBILE HOME PARK POINTED AT THE SLOPE OF THE GROUND PARCEL, AND ALL OF THE SURROUNDING PROPERTIES DRAIN NATURALLY INTO THE SITE

## REFERENCES:

SURVEYS  
1 - VOL. 4, P. 96  
2 - M177-09  
3 - M177-09  
1 - 2021-016386

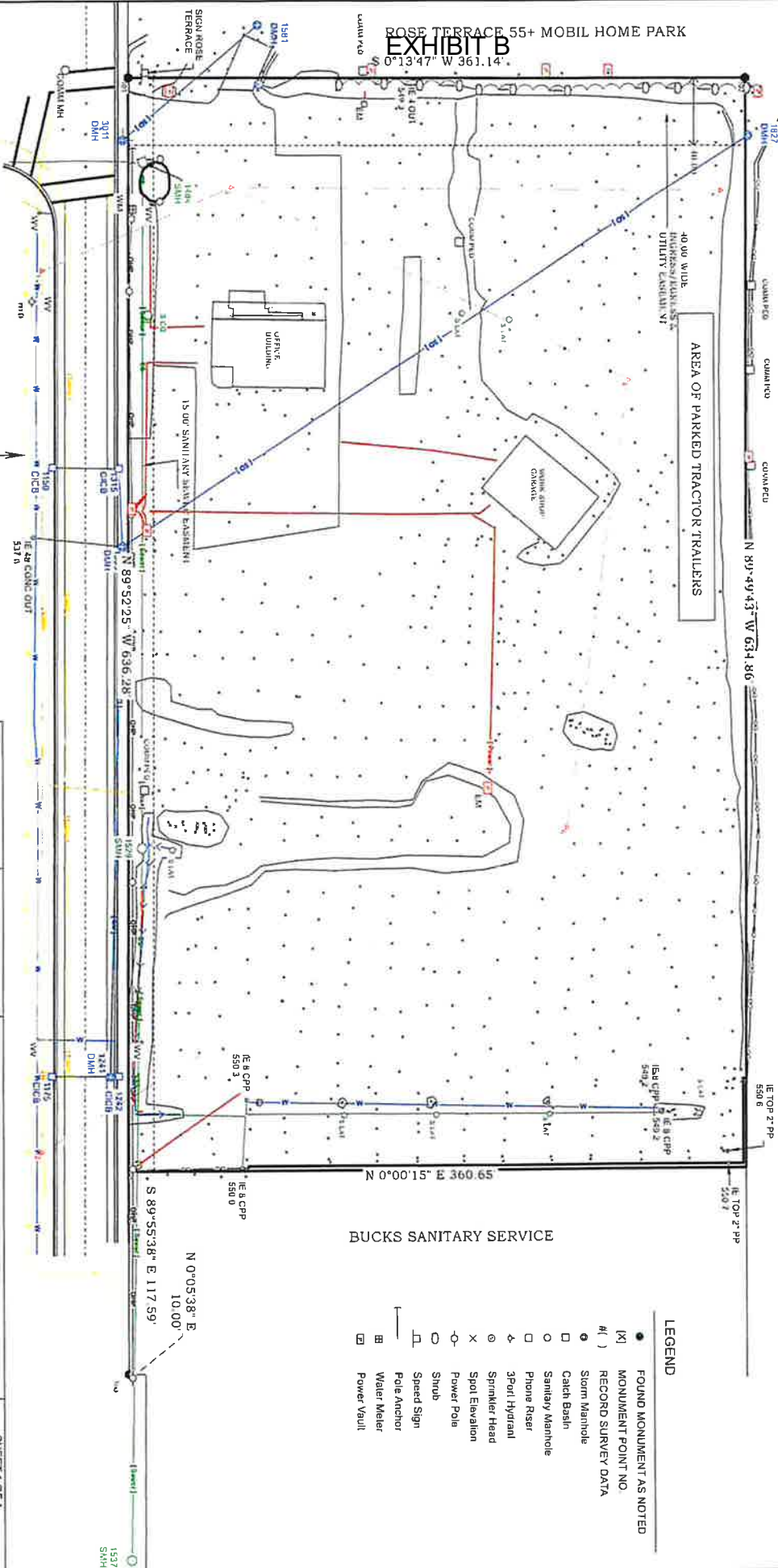
## MONUMENT NOTES:

FOUND A 5/8" IRON ROD, FIELD PER CS NO. M177-09  
FOUND A 1 1/2" IRON DISK IN SIDEWALK, FIELD PER CS NO. M177-09

## DEED DOCUMENT NO. 2021-016386, METES & BOUNDS DESCRIPTION

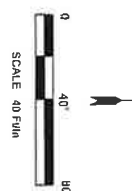
A PORTION OF LOT 3, EUBENBOWER ORCHARD TRACTS, AS THE SAME IS RECORDED IN BOOK 4, PAGE 58 IN THE PLAT RECORDS OF DOUGLAS COUNTY, OREGON, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A 5/8" IRON ROD SET AT THE NORTHWEST CORNER OF THE ABOVE SAID LOT 3, THENCE ALONG THE NORTH LINE OF SAID LOT 3 SOUTH BY S 0° 03' 38" E 10.00' TO A 5/8" IRON ROD AS SET IN THE NORTH LINE OF A 52' X 100' TRACT, THENCE SOUTH BY S 89° 55' 38" E 117.59' TO A 5/8" IRON ROD AS SET IN THE NORTH LINE OF A 52' X 100' TRACT, THENCE ALONG THE WEST LINE OF THE ABOVE SAID LOT 3 NORTH BY N 0° 03' 38" E 10.00' TO THE PLACE OF BEGINNING.

## ROSE TERRACE 55+ MOBIL HOME PARK



### LEGEND

- FOUND MONUMENT AS NOTED
- (X) MONUMENT POINT NO.
- (#) RECORD SURVEY DATA
- Storm Manhole
- Catch Basin
- Sanitary Manhole
- Phone Riser
- ◇ 3port Hydrant
- ◇ Sprinkler Head
- × Spot Elevation
- Power Pole
- Shrub
- Speed Sign
- Pole Anchor
- Water Meter
- Power Vault



REGISTERED PROFESSIONAL LAND SURVEYOR  
SHERRY KEARNEY  
LICENSE NO. 11201  
EXPIRES 03/31/24

**Property Line Surveying**  
PROPERTY LINE SURVEYING, LLC  
3410 DORRANCE COURT, SUITE 100  
ROSELAND, OR 97068  
propertylinesurveying.com

TOPOGRAPHIC SURVEY FOR  
SHERRY KEARNEY  
IN THE SW 1/4 OF THE NE 1/4 OF SECTION 1,  
TOWNSHIP 21 SOUTH, RANGE 6 WEST, W.M.,  
DOUGLAS COUNTY, OREGON,  
BEING THOSE LANDS DESCRIBED IN DEED  
INSTRUMENT NO. 2021-016386,  
DOUGLAS COUNTY DEED RECORDS

SHEET 1 OF 1
DRAWN BY: JOT
FIELD CREW: JOT & JLT
EQUIPMENT: HINKALE S215000S
FIELD WORK: 1/29 - 2/2, 2024
JOB: 2023055
FILE NAME: 2023055_Kearney_TV
REVISION: 7/28/2024



# ATTACHMENT #4

## EXHIBIT B



1 PLAN VIEW - CIVIL SITE PLAN  
CS 2.0 SCALE: 1" = 1'



- KEYED NOTES:
1. ACCESS GATE ENTRANCE
  2. NEW 20'-0" WIDE ACCESS ROAD PER INTERNATIONAL FIRE CODE REQUIREMENTS
  3. EXISTING FIRE HYDRANT

EX. CONDITIONS/DEMOLITION LEGEND

	PROPERTY BOUNDARIES
	EXISTING EASEMENT
	DIRECTION OF TRAFFIC
	NEW ASPHALT PAVEMENT
	NEW LANDSCAPING
	PROPOSED LIMITS OF NEW BUILDINGS
	PROPOSED WATER RETENTION BASIN

CIVIL SITE NOTES  
 EXISTING SITE PROPERTY LINES ARE PER TAX ASSESSOR MAP. SITE FEATURES, PROPERTY LINES AND PROPOSED STRUCTURES LOCATION MAY CHANGE ONCE SITE SURVEY IS COMPLETED.

STORAGE FACILITY  
 KORY KEARNEY

255 GENERAL AVE  
 ROSEBURG, OR 97470  
 541 315 6901



REV	DATE	DESCRIPTION

DOCUMENT TYPE:  
 PRELIMINARY

DATE:  
 6/17/2024

PROJECT #:  
 78-01

SHEET SCALE:  
 AS SHOWN

DESIGNED	CHECKED	REVIEWED

SHEET NAME:  
 PLAN VIEW - CIVIL  
 SITE PLAN

CS 2.0

EXHIBIT C

**LEGAL DESCRIPTION**

**DEED DOCUMENT NO. 2021-016386, METES & BOUNDS DESCRIPTION**

A PORTION OF LOT 3, EDENBOWER ORCHARD TRACTS, AS THE SAME IS RECORDED IN BOOK 4, PAGE 56 IN THE PLAT RECORDS OF DOUGLAS COUNTY, OREGON, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET AT THE NORTHWEST CORNER OF THE ABOVE SAID LOT 3; THENCE ALONG THE NORTH LINE OF SAID LOT 3 SOUTH 88°50' E 634.79 FEET TO A 5/8" IRON ROD; THENCE SOUTH 00°58'17" WEST 361.06 FEET TO A 5/8" IRON ROD AS SET IN THE NORTH LINE OF GENERAL AVENUE; THENCE ALONG SAID NORTH LINE NORTH 88°50' WEST 636.40 FEET TO A 3/4" IRON ROD; THENCE ALONG THE WEST LINE OF THE ABOVE SAID LOT 3 NORTH 01°13'30" EAST 361.06 FEET TO THE PLACE OF BEGINNING.