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**COUNCIL RESOLUTION NO. 5369**

**A RESOLUTION APPROVING A LOW-INCOME RENTAL  
HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY  
LOCATED ON W. 8<sup>TH</sup> AVENUE IN EUGENE, OREGON  
(ASSESSOR'S MAP 17-03-31-21, TAX LOT 16300;  
ASSESSOR'S PROPERTY ACCOUNT NO. 0265197)  
(APPLICANT MAINSTREAM HOUSING INCORPORATED)**

**PASSED: 7:0**

**REJECTED:**

**OPPOSED:**

**ABSENT: Groves**

**CONSIDERED: January 23, 2023**



## **RESOLUTION NO. 5369**

### **A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON W. 8<sup>TH</sup> AVENUE IN EUGENE, OREGON (ASSESSOR'S MAP 17-03-31-21, TAX LOT 16300; ASSESSOR'S PROPERTY ACCOUNT NO. 0265197) (APPLICANT MAINSTREAM HOUSING INCORPORATED)**

#### **The City Council of the City of Eugene finds that:**

**A.** Mainstream Housing Incorporated (895 Country Club Road, Suite 200A, Eugene, Oregon, 97401) is the owner of real property located on W. 8<sup>th</sup> Avenue in Eugene, Oregon (Assessor's Map 17-03-31-21, Tax Lot 16300; Assessor's Property Account No. 0265197), more particularly described in Exhibit A attached to this Resolution (the Property).

**B.** The Mainstream Housing development first received a Low-Income Rental Housing Property Tax Exemption (LIRHPTE) for the Property in 2002. The residential units on the Property have housed low-income households since that time. Under EC 2.940(5), in the final year of a low-income housing tax exemption, an application for a subsequent low-income housing tax exemption for the Property may be submitted.

**C.** Mainstream Housing Incorporated (895 Country Club Road, Suite 200A, Eugene, Oregon, 97401) (the applicant) has submitted an application for an exemption from ad valorem taxes on the Property beginning July 1, 2023, under the City's Low-Income Rental Housing Property Tax Exemption Program (EC 2.937 to 2.940).

**D.** The tax exemption being sought for the Property includes one studio apartment, four one-bedroom units, four two-bedroom units, and one studio unit to be used as a community room for common use by residents, for a total of 9 low-income rental units, and one common area unit. The applicant is seeking the tax exemption for the entire Property.

**E.** The Community Development Manager of the Planning and Development Department, as designee of the City Manager, has prepared a Report and Recommendation recommending that the application be approved and the exemption granted. In making that recommendation, the Community Development Manager found that the applicant submitted all materials, documents and fees required by Section 2.938 of the Eugene Code, 1971 (EC), and is in compliance with the policies set forth in Section 5 of the Standards and Guidelines adopted by Resolution No. 5297. In addition, the Community Development Manager found that the applicant has complied with the criteria for approval provided in EC 2.939(3), and the eligibility requirements at Section 2.10 of the Standards and Guidelines adopted by Resolution No. 5297.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:**

**Section 1.** Based upon the above findings, the City Council approves the application of Mainstream Housing Incorporated for an ad valorem property tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program for the property identified as Assessor's Map 17-03-31-21, Tax Lot 16300; Assessor's Property Account No. 0265197; and more particularly described on Exhibit A attached to this Resolution, which includes one studio apartment, four one-bedroom units, four two-bedroom units, and one studio unit used as a community room for common use by residents, for a total of 9 low-income rental units, and one common area unit.

**Section 2.** The land and units described in Section 1 above are declared exempt from local ad valorem property taxation commencing July 1, 2023, and continuing for a continuous period of 20 years unless earlier terminated in accordance with the provisions of Section 2.940 of the Eugene Code, 1971, which provides for termination after an opportunity to be heard if:

2.1 Construction or development of the exempt property differs from the construction or development described in the application for exemption, or was not completed by July 1, 2030, and no extensions or exceptions were granted; or

2.2 The applicant fails to comply with provisions of ORS 307.515 to 307.523, provisions of the Eugene Code, 1971, the Standards and Guidelines adopted by Council Resolution No. 5297, or any conditions imposed in this Resolution.

The tax exemption shall be terminated immediately, without right of notice or appeal, pursuant to the provisions of ORS 307.531 in the event that the county assessor determines that a change of use to other than that allowed has occurred for the housing units, or portion thereof, or, if after the date of this approval, a declaration as defined in ORS 100.005 is presented to the county assessor or tax collector for approval under ORS 100.110.

**Section 3.** The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within 10 days from the date of adoption of this Resolution, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before April 1, 2023. The copy of the Resolution sent to the applicant shall be accompanied by a notice explaining the grounds for possible termination of the exemption prior to the end of the exemption period and the effects of the termination.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

**The foregoing Resolution adopted the 23<sup>rd</sup> day of January, 2023.**

  
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City Recorder

EXHIBIT "A"

Beginning at the concrete nail marking the intersection of the centerlines of 7th Avenue West and Lawrence Street; thence South  $0^{\circ} 15' 45''$  West 308.24 feet along the center line of Lawrence Street to a point; thence North  $89^{\circ} 36' 45''$  West 99.82 feet along a line parallel with the center line of 7th Avenue West to an iron pin marking the true point of beginning; thence South  $0^{\circ} 15' 06''$  West 104.95 feet along the East line of Lot 9, Block 10, of EUGENE F. SKINNER'S ADDITION TO EUGENE CITY, on the West, according to the plat thereof, recorded in Volume G of Deeds, Page 229, Records of Lane County, Oregon, to a point marked by an iron pin; thence West 66.80 feet along a line parallel with and 33.00 feet Northerly from the center line of 8th Avenue West, as constructed, to a point marked by an iron pin; thence North  $0^{\circ} 14' 40''$  East 105.40 feet along the Westerly line of said Lot 9 to a point marked by an iron pin; thence South  $89^{\circ} 36' 45''$  East 66.81 feet along a line parallel with the center line of 7th Avenue West to the true point of beginning, in Eugene, Lane County, Oregon.