



Eugene City Council

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Eugene, OR 97401
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

January 10, 2022

7:30 p.m. CITY COUNCIL MEETING

As the state and community recover from the COVID-19 pandemic, most City Council meetings will continue to be held remotely using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

Meeting of January 10, 2022; Her Honor Mayor Lucy Vinis Presiding

Councilors

Jennifer Yeh, President
Mike Clark
Randy Groves
Emily Semple

Claire Syrett, Vice President
Greg Evans
Matt Keating
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

- 1. ELECTION OF CITY COUNCIL OFFICERS FOR 2022**
- 2. COMMITTEE REPORTS AND ITEMS OF INTEREST**
- 3. CONSENT CALENDAR 1**
 - A. Approval of City Council Tentative Agenda**
 - B. Resolution Approving A Low-Income Rental Housing Property Tax Exemption for Property Located on 1513/1523, 1533/1543, and 1553/1563 Arthur Street, Eugene, Oregon (Assessor's Map 17-04-36-33, Tax Lots 01600, 01700, and 01800, Assessor's Property Account Nos. 1840584, 1840592, and 1840600) (Applicant The Shangri-La Corporation)**
 - C. Resolution Approving a Low-Income Rental Housing Property Tax Exemption for Property Located on E Lone Oak Loop, Eugene, Oregon (Assessor's Map 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238) (Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing Applicant)**
- 4. PUBLIC FORUM**

5. CONSENT CALENDAR 2

- A. Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-23-11, Tax Lot 3600 Located at 825 and 825 ½ Horn Lane) (City File: A 21-13)**
- B. Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-14-14, Tax Lot 1700, Located at 135 Kourt Drive) (City File: A 21-15)**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: Election of City Council Officers for 2022

Meeting Date: January 10, 2022
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Jessica Gebb
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This item is to elect the 2022 City Council President and Vice President.

BACKGROUND

Each year the City Council elects a new president and vice president. The City Charter and City Code specify the office of Council President; the City Code outlines the process of selecting the President and Vice President.

Section 13 of the Charter states:

- "Council - President. (1) Each year, at the first regular meeting of the council, or as soon as practicable, the council shall choose by ballot one of its members to serve as council president.
- (2) The council president shall preside at council meetings when the mayor is absent.
- (3) The council president shall function as mayor, with the powers and subject to the limitations of the office of mayor when the mayor:
- (a) is absent from the city on leave granted by the council;
 - (b) has been absent from the city for 30 days or more; or
 - (c) has been physically unable to function as mayor for 30 days or more."

Further, the Section 2.009 of the City Code states:

(1) The council president shall be elected for a one-year term. That person who has served the longest on the council and has not previously acted as council president shall normally be entitled to election as the president. A councilor may be re-elected as president of the council only after the expiration of one year from the date the councilor last served as such president unless two-thirds of the total membership of the council votes otherwise. A councilor will not be eligible to be elected president who has not served as a councilor for at least two years.

(2) The vice-president of the council shall be elected at the same time and in the same manner as the president of the council. A vice-president may be nominated and elected as president.

(3) The candidates for president and vice-president of the council shall be nominated and elected by a majority vote at the first regular meeting of the council in each calendar year.”

SUGGESTED MOTIONS

Move to elect Claire Syrett as President of the City Council for 2022.

Move to elect Matt Keating as Vice President of the City Council for 2022.

FOR MORE INFORMATION

Staff Contact: Jessica Gebb

Telephone: 541-682-8497

Staff E-Mail: jgebb@eugene-or.us

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: January 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Jessica Gebb
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This is a routine item to approve the City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2 notes, in part, that "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Jessica Gebb
Telephone: 541-682-8497
Staff E-Mail: jgebb@eugene-or.gov



City Council Tentative Agenda

Updated January 6, 2022

**** SPECIAL NOTICE ****

As our state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held remotely using virtual meeting technology. Information about how to access these meetings will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>.

January 2022						
Date	Day	Time	Title		Length	Dept. Contact
10-Jan	Monday	5:30 pm	 Oregon 2022 Update (Work Session)	45 mins	Stephanie Scafa, CS	
			 Municipal Court Update (Work Session)	45 mins	Judge Greg Gill, CS Sarah Callegari, CS	
		7:30 pm	Election of 2022 City Council Officers		Laura Hammond, PDD	
			 Committee Reports and Items of Interest			
			 Resolution Approving LIRHPTE for Arthur Street Duplexes (Consent Calendar 1)			Laura Hammond, PDD
			 Resolution Approving LIRHPTE for Green Leaf Village (Consent Calendar 1)			
			 Public Forum			Althea Sullivan, PDD
			 Resolution Annexing Vacant Land at 825 Horn Lane (Consent Calendar 2)			
 Resolution Annexing Land at 135 Kourt Drive (Consent Calendar 2)	Althea Sullivan, PDD					
Expected absences for 1/10: none						
12-Jan	Wednesday	12 pm	 Library Levy Update (Work Session)	45 mins	Will O’Hearn, LRCS	
			 TBD (Work Session)	45 mins		
Expected absences for 1/12: none						



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



CC Agenda Items



Official Matters



Pledge of Allegiance

18-Jan	Tuesday	5:30 pm	Schedule only as needed			
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 1/18: Mayor Vinis						
19-Jan	Wednesday	12 pm	 Executive Session Pursuant to ORS 192.660(2)(i)	45 mins	CS	
			 Municipal Court Judge Performance Evaluation (Work Session)			
			 TBD (Work Session)	45 mins		
Expected absences for 1/19: Mayor Vinis						
24-Jan	Monday	5:30 pm	 Housing Implementation Pipeline Review and Action (Work Session & Possible Action)	90 mins	Amanda Nobel, PDD	
		7:30 pm	 Committee Reports and Items of Interest  Resolution Approving LIRHPTE for Coburg Road Apartments (Consent Calendar 1)  Resolution Approving LIRHPTE for Lincoln Apartments (Consent Calendar 1)  Public Forum  Resolution Approving LIRHPTE for Oak Leaf Village (Action)  Conditional HOME Loan Forgiveness for Oak Leaf Village (Action)  Approval of Resources for Housing Affordable to Low-Income Persons (Action)		Laura Hammond, PDD Laura Hammond, PDD Ellen Meyi-Galloway, PDD Ellen Meyi-Galloway, PDD Ellen Meyi-Galloway, PDD	
Expected absences for 1/24: none						
26-Jan	Wednesday	12 pm	 TBD (Work Session)	45 mins	PDD	
			 Steam Plant Deal Points (Work Session)	45 mins		
Expected absences for 1/26: none						

February 2022						
Date	Day	Time	Title		Length	Dept. Contact
9-Feb	Wednesday	12 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
Expected absences for 2/9: none						
14-Feb	Monday	5:30 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
		7:30 pm	 Committee Reports and Items of Interest  Public Forum			
Expected absences for 2/14: none						
16-Feb	Wednesday	12 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
Expected absences for 2/16: none						
22-Feb	Tuesday	5:30 pm	Schedule only as needed			
		7:30 pm		Ord. on Withdrawal of Annexed Properties from Special Districts (Public Hearing)		Althea Sullivan, PDD
Expected absences for 2/22: none						
23-Feb	Wednesday	12 pm	 Riverfront MUPTE Applications – Lots 3BC, 7, 9 (Work Session)		45 mins	Dylan Huber-Heidorn, PDD
			 TBD (Work Session)		45 mins	
Expected absences for 2/24: none						
28-Feb	Monday	5:30 pm		MovingAhead Joint Meeting with LTD Board (Work Session)	90 mins	Rob Inerfeld, PW
		7:30 pm		Committee Reports and Items of Interest  Ord. on Withdrawal of Annexed Properties from Special Districts (Consent Calendar 1)  Public Forum		Althea Sullivan, PDD
Expected absences for 2/28: none						

March 2022					
Date	Day	Time	Title	Length	Dept. Contact
9-Mar	Wednesday	12 pm	 Middle Housing (Work Session)	45 mins	Terri Harding, PDD
			 TBD (Work Session)	45 mins	
Expected absences for 3/9: none					
14-Mar	Monday	5:30 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
		7:30 pm	 Committee Reports and Items of Interest  Public Forum		
Expected absences for 3/14: none					
16-Mar	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
Expected absences for 3/16: none					

Council Break: March 17 – April 11

 Work Session	 Action	 Public Hearing	 Public Forum	 Consent Calendar
 Committee Reports/Items of Interest	 Ceremonial Matters	 Pledge of Allegiance		

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
"Housing Status" as a Protected Class – <i>follow-up TBD</i>	Sample	03/12/20
Reparations (two-part work session) – <i>follow-up TBD</i>	Evans	03/18/21
Waste Management at Large Events – <i>follow-up TBD</i>	Sample	04/08/21
Funding Source for Climate Change and Homelessness – <i>held December 13</i>	Zelenka	05/10/21
Fossil Fuel Risk Bonds	Groves, Syrett	10/21/21
Addressing Chronic Toxic Polluters	Groves	12/2/21

UPCOMING PUBLIC HEARINGS			
Date of Public Hearing	Title	Description	Staff Contact
January 18 (7:30 p.m.)			
February 22 (7:30 p.m.)	An Ordinance Providing For Withdrawal of Annexed Properties From the Following Special Districts: River Road Parks & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; and the Willakenzie Rural Fire Protection District	The City Council will hold a required public hearing to consider an ordinance concerning the annual withdrawal of annexed land from special service districts.	Althea Sullivan, PDD

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Resolution Approving a Low-Income Rental Housing Property Tax Exemption for the Arthur Street Duplexes

Meeting Date: January 10, 2022
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Laura Hammond
Contact Telephone Number: 541-682-5416

ISSUE STATEMENT

City Council is asked to adopt a resolution for a 20-year Low-Income Rental Housing Property Tax Exemption (LIRHPTE) for the Arthur Street Duplexes, existing affordable housing units located at 1513/1523, 1533/1543, and 1553/1563 Arthur Street. The owner of the development is the Shangri-La Corporation, a 501(c)3 non-profit organization. The property consists of three lots with a total of three (3) duplexes.

BACKGROUND

Council adopted the LIRHPTE program in 1990. Since the adoption of the program, Council has approved tax exemptions for 35 affordable housing developments with over 1,500 units. Council unanimously approved extending the LIRHPTE program for an additional ten years in 2020. The ordinance also enables recipients to apply for renewal of the 20-year LIRHPTE when a prior LIRHPTE period has expired. Council has approved LIRHPTE renewals for over 350 units. Council reviews and takes action on each LIRHPTE request. Most recently, in December 2021, Council approved a LIRHPTE renewal for the Aurora Building, a 54-unit affordable housing development.

Projects must meet 10 criteria including requirements for rents and incomes limited to households with incomes at or below 60 percent of area median income (AMI). If an application meets the substantive criteria at EC 2.939(3) as referenced in the Report and Recommendation (Attachment A), the City must grant the exemption by resolution (Attachment B). A decision to deny the exemption cannot be made by simple motion or inaction; Council would need to make a resolution (Attachment C) that explains how the applicant has failed to demonstrate that the tax exemption is in the public interest.

Summary of requested tax exemption

The requested tax exemption is for the Arthur Street Duplexes, existing affordable housing located at 1513/1523, 1533/1543, and 1553/1563 Arthur Street (see map in Attachment D). The development includes 3 duplexes which allow a mix of family units (up to 6 two-bedroom units) and single room occupancy (SRO) units (up to 12 SRO units) depending on the needs of occupants and the availability of units at a given time. All resident households have incomes of less than 60% AMI.

Previously, the Shangri-La Corporation received a property tax exemption for the Arthur Street

Duplexes under ORS 307.130, which allowed property tax exemption for real property owned by a non-profit organization when required forms were timely filed with the county assessor's office.

In September 2021, the Shangri-La Corporation received notice from the Lane County Assessor's Office explaining that based on new guidance from the Department of Revenue the ORS 307.130 exemption could no longer be extended to housing developments simply because they are owned by non-profit organizations. Thus, the Arthur Street Duplexes would no longer receive the exemption through ORS 307.130 starting in the 2022-23 tax year. The Lane County Assessor's Office listed the City of Eugene's LIRHPTE program as an alternative exemption program, and this application followed.

Each of the 6 residential units rents for \$961 per month. The rents are then adjusted to no more than 30% of an individual's or household's income. A rent subsidy covers the additional amount up to \$961. Without the tax exemption, the Shangri-La Corporation could not offer the units at \$961 per month – an amount that is lower than market rate. The Shangri-La Corporation estimates that it would need to increase the monthly rent by \$139 per unit to cover property taxes, which would increase the monthly rent to \$1,100 per unit. The units would not be able to achieve their proposed level of affordability without the LIRHPTE.

The requested exemption meets the substantive criteria at EC 2.939(3) as shown in the Report and Recommendation (Attachment A). No public comments were received during the public comment period.

PREVIOUS COUNCIL DIRECTION

[May 18, 2020](#) & [May 26, 2020](#)

City Council held a public hearing and approved a resolution and ordinance to extend the LIRHPTE program to June 30, 2030 and update the program standards and guidelines.

COUNCIL OPTIONS

The City Council has two options:

1. Approve the tax exemption.
2. Deny the tax exemption.

CITY MANAGER'S RECOMMENDATION

Adopt the Resolution included in Attachment B approving a Low-Income Rental Housing Property Tax Exemption for the Arthur Street Duplexes.

SUGGESTED MOTION

Move to adopt A Resolution Approving A Low-Income Rental Housing Property Tax Exemption for Property Located on 1513/1523, 1533/1543, and 1553/1563 Arthur Street, Eugene, Oregon (Assessor's Map 17-04-36-33, Tax Lots 01600, 01700, and 01800, Assessor's Property Account Nos. 1840584, 1840592, and 1840600) (Applicant The Shangri-La Corporation).

ATTACHMENTS

- A. Report and Recommendation
- B. Draft Resolution Approving the Tax Exemption
- C. Draft Resolution Denying the Tax Exemption
- D. Map of the proposed site

FOR MORE INFORMATION

Staff Contact: Laura Hammond
Telephone: 541-682-5416
Staff E-Mail: LHammond@eugene-or.gov

**REPORT AND RECOMMENDATION
of the Community Development Manager
of the Planning and Development Department**

**Application of The Shangri-La Corporation
For Low-Income Rental Housing Property Tax Exemption
(Section 2.937 to 2.940 of the Eugene Code, 1971)
for Property at 1513/1523, 1533/1543, and 1553/1563 Arthur Street,
Eugene, OR 97402
ARTHUR STREET DUPLEXES**

The Community Development Manager of the Planning and Development Department of the City of Eugene finds that:

1. The Shangri-La Corporation (the applicant) owns real property known as the Arthur Street Duplexes and located at 1513/1523, 1533/1543, 1553/1563 Arthur Street, Eugene, OR 97402 (Assessor's Map 17-04-36-33 Tax Lots 01600, 01700, and 01800; Assessor's Property Account Nos. 1840584, 1840592, and 1840600). The applicant has a business mailing address of 4080 Reed Road, Suite 150, Salem, Oregon 97302. The applicant has applied for an exemption from ad valorem property taxes through the City's Low-Income Rental Housing Property Tax Exemption (LIRHPTE) program (Sections 2.937 to 2.940 of the Eugene Code, 1971) for three (3) duplexes. Each duplex consists of two residential units. Each residential unit contains two bedrooms and one bathroom [for a total of 6 residential units or twelve (12) bedrooms]. The applicant's rental housing program is flexible in that the applicant may rent the bedrooms to low-income individuals or an entire residential unit to one low-income family. Accordingly, depending on the individuals or families seeking housing through applicant, the Arthur Street Duplexes may provide any combination of twelve (12) single resident occupancy units or six (6) two-bedroom units. Currently, two (2) residential units are rented to families and eight (8) bedrooms are rented to single resident occupants.

2. I have reviewed the application and find that the applicant has submitted all required materials and complies with the provisions of EC 2.939(3) and Sections 2.1 through 2.9 of the Standards and Guidelines adopted by Resolution No. 5297. Specifically, I find:

- (a) The property, or portion thereof subject to the property tax exemption, will be occupied solely as a residence for low-income persons.
- (b) The applicant's application was filed prior to July 1, 2030.
- (c) The property is owned by a nonprofit corporation organized in a manner that meets the criteria for a public benefit corporation as described under ORS 65.001(38).
- (d) The property is owned by a nonprofit corporation that expends no more than ten percent of its annual income from residential rentals for

purposes other than acquisition, maintenance or repair of residential rental property for low-income persons, or for the provision of on-site child care services for the residents of the rental property.

- (e) The applicant has complied with the policies set forth in Section 5 of the Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption adopted by council Resolution No. 5297 (Standards and Guidelines).
- (f) The proposed development is consistent with the city's Housing Dispersal Policy.
- (g) The proposed development does not cause the displacement of low-income persons.
- (h) The proposed development does not cause destruction of historic properties.
- (i) The proposed development is otherwise consistent with the Eugene Code and adopted city regulations and policies.
- (j) The applicant has signed a Rent Regulatory Agreement as described in Section 5.1 of the Standards and Guidelines and said agreement will be in effect for the duration of the tax exemption period.
- (k) The applicant has consented in writing that for the duration of the tax exemption period, the city may inspect the property for which the exemption is granted to insure that the premises are maintained in decent, safe and sanitary conditions for the occupants.

3. Comments have been solicited from interested City departments, 4J School District, and the affected neighborhood group. No public comments were received.

Therefore, based on the above findings, the proposed project conforms with all applicable City Code provisions, local plans, planning regulations, the Envision Eugene Plan, and the criteria set forth in the City's adopted Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption, and I recommend that the application be approved.

Dated this 17 day of December, 2021.


Gm

Print: Will Dowdy


ANF

Sign: Will Dowdy
Will Dowdy (Dec 17, 2021 06:56 PST)

Community Development Manager of the Planning and Development Department

RESOLUTION NO. _____

A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON ARTHUR STREET IN EUGENE, OREGON (ASSESSOR'S MAP 17-04-36-33, TAX LOTS 01600, 01700, AND 01800; ASSESSOR'S PROPERTY ACCOUNT NOS. 1840584, 1840592, AND 1840600) (APPLICANT THE SHANGRI-LA CORPORATION)

The City Council of the City of Eugene finds that:

A. The Shangri-La Corporation is the owner of real property located on Arthur Street in Eugene, Oregon, 97402 (Assessor's Map 17-04-36-33, Tax Lots 01600, 01700, and 01800; Assessor's Property Account Nos. 1840584, 1840592, and 1840600), more particularly described in Exhibit A attached to this Resolution (the Property).

B. The Shangri-La Corporation, a public benefit nonprofit corporation, (4080 Reed Road SE, Suite 150, Salem, Oregon 97302) (the applicant) has submitted an application for an exemption from ad valorem taxes on the Property beginning July 1, 2022, under the City's Low-Income Rental Housing Property Tax Exemption Program (EC 2.937 to 2.940).

C. The Property includes three duplexes housing six 2-bedroom low-income rental housing units (for a total of 12 bedrooms). Each 2-bedroom low-income housing unit may be rented to one family, or any of the 12 bedrooms may be rented to a low-income individual. The applicant is seeking the tax exemption for the entire property.

D. 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 The Shangri-La Corporation 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 17-04-36-33, Tax Lots 01600, 01700, and 01800; Assessor's Property Account Nos. 1840584, 1840592, and 1840600; and more particularly described on Exhibit A attached to this Resolution, including three duplexes housing six 2-bedroom low-income rental housing units, for a total of 12 bedrooms.

Section 2. The land and units described in Section 1 above are declared exempt from local ad valorem property taxation commencing July 1, 2022, 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, 2022. 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 ____ day of January, 2022.

City Recorder

Legal Description:

Lots 1, 2, and 3, WESTMORELAND PARK, as platted and recorded April 13, 2010, Reception No. 2010-017400, Lane County Deeds and Records, in Lane County, Oregon.

RESOLUTION NO. _____

**RESOLUTION DENYING A LOW-INCOME RENTAL HOUSING
PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON
ARTHUR STREET IN EUGENE, OREGON (ASSESSOR'S MAP 17-04-36-
33, TAX LOTS 01600, 01700, AND 01800; ASSESSOR'S PROPERTY
ACCOUNT NOS. 1840584, 1840592, AND 1840600) (APPLICANT THE
SHANGRI-LA CORPORATION)**

The City Council of the City of Eugene finds that:

A. The Shangri-La Corporation is the owner of real property located on Arthur Street in Eugene, Oregon, 97402 (Assessor's Map 17-04-36-33, Tax Lots 01600, 01700, and 01800; Assessor's Property Account Nos. 1840584, 1840592, and 1840600), more particularly described in Exhibit A attached to this Resolution (the Property).

B. The Shangri-La Corporation, a public benefit nonprofit corporation, (4080 Reed Road SE, Suite 150, Salem, Oregon 97302) (the applicant) has submitted an application for an exemption from ad valorem taxes on the Property beginning July 1, 2022, under the City's Low-Income Rental Housing Property Tax Exemption Program (EC 2.937 to 2.940).

C. The Property includes three duplexes housing six 2-bedroom low-income rental housing units (for a total of 12 bedrooms). Each 2-bedroom low-income housing unit may be rented to one family, or any of the 12 bedrooms may be rented to a low-income individual. The applicant is seeking the tax exemption for the entire property.

D. 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. Notwithstanding the findings in the Community Development Manager's Report and Recommendation, the City Council denies the application of The Shangri-La Corporation 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 17-04-36-33, Tax Lots 01600, 01700, and 01800; Assessor's Property Account Nos. 1840584, 1840592, and 1840600, and more particularly described on Exhibit A attached to this Resolution, which includes three duplexes housing six 2-bedroom low-income rental housing units (for a total of 12 bedrooms) because the applicant has failed to demonstrate satisfactory compliance with the criteria in Section 2.939(3) of the Eugene Code, 1971.

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days from the date of adoption of this Resolution, along with a notice informing the applicant of the right to appeal in the manner set forth in ORS 34.010 to 34.100.

Section 3. This Resolution shall become effective immediately upon its adoption.

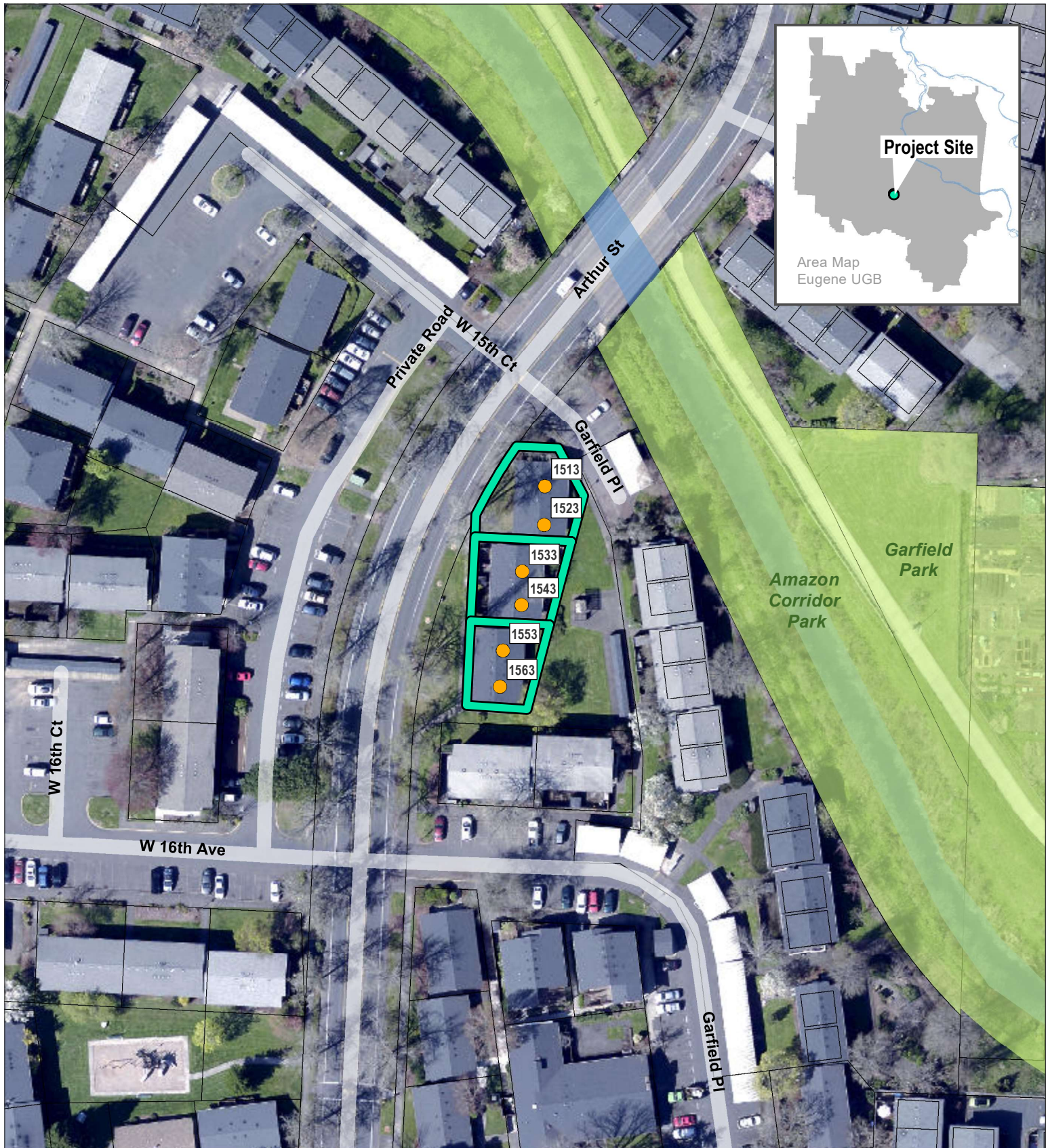
The foregoing Resolution adopted the ____ day of January, 2022.

City Recorder

Legal Description:

Lots 1, 2, and 3, WESTMORELAND PARK, as platted and recorded April 13, 2010, Reception No. 2010-017400, Lane County Deeds and Records, in Lane County, Oregon.

Potential LIRHPTE: Arthur Street Duplexes



 Arthur Street Duplexes

Orthophotography: 2021

Caution: This map is based on imprecise source data, subject to change, and for general reference only.

0 50 Feet 

11/22/2021



EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Resolution Approving a Low-Income Rental Housing Property Tax Exemption Renewal for Green Leaf Village

Meeting Date: January 10, 2022
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Laura Hammond
Contact Telephone Number: 541-682-5416

ISSUE STATEMENT

City Council is asked to adopt a resolution to renew a 20-year Low-Income Rental Housing Property Tax Exemption (LIRHPTE) for Green Leaf Village, an existing affordable housing development located at 2755 E Lone Oak Loop. Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing (Cornerstone) is the applicant and the sole member of Green Leaf Village, LLC, the property owner of record. The development includes 34 low-income rental units.

BACKGROUND

Council adopted the LIRHPTE program in 1990. Since the adoption of the program, Council has approved tax exemptions for 35 affordable housing developments with over 1,500 units. Council unanimously approved extending the LIRHPTE program for an additional ten years in 2020. The ordinance also enables recipients to apply for renewal of the 20-year LIRHPTE when a prior LIRHPTE period has expired. Council has approved LIRHPTE renewals for over 350 units. Council reviews and takes action on each LIRHPTE request. Most recently, in December 2021, Council approved a LIRHPTE renewal application for the Aurora Building.

Projects must meet 10 criteria including requirements for rents and incomes limited to households with incomes at or below 60% of area median income (AMI). If an application meets the substantive criteria at EC 2.939(3) as referenced in the Report and Recommendation (Attachment A), the City must grant the exemption by resolution (Attachment B). A decision to deny the exemption cannot be made by simple motion or inaction; Council would need to make a resolution (Attachment C) that explains how the applicant has failed to demonstrate that the tax exemption is in the public interest.

Summary of requested tax exemption

The requested tax exemption is for Green Leaf Village, an affordable housing development located at 2755 E Lone Oak Loop, east of River Road (see map in Attachment D). The development includes 34 low-income rental housing units (6 studio, 4 one-bedroom, 22 two-bedroom, and 2 three-bedroom units).

In January 2002, Council granted a LIRHPTE to Cornerstone (at that time Cornerstone was known as Metropolitan Affordable Housing Corporation) for the Green Leaf Village development. The

property has provided low-income rental housing for people with limited incomes since construction was completed in 2002. Renewal of the LIRHPTE would allow the property to continue to offer low-income rental housing for the next 20 years.

The units currently have rents between \$562 and \$823 per unit for studio, one-bedroom, two-bedroom, and three-bedroom units (affordable to individuals and families at or below 50% AMI). Without the tax exemption, Cornerstone would have to increase rents by approximately \$89 per unit per month to cover the cost of property taxes, which is significant to low-income households. The units would not be able to achieve their proposed level of affordability without the continued property tax exemption.

The requested exemption meets the substantive criteria at EC 2.939(3) as shown in the Report and Recommendation provided in Attachment A. No public comments were received during the public comment period.

PREVIOUS COUNCIL DIRECTION

[May 18, 2020](#) & [May 26, 2020](#)

City Council held a public hearing and approved a resolution and ordinance extending the LIRHPTE program to June 30, 2030 and updating program standards and guidelines.

[January 28, 2002](#)

City Council approved an initial LIRHPTE for Green Leaf Village.

COUNCIL OPTIONS

The City Council has two options:

1. Approve the tax exemption.
2. Deny the tax exemption.

CITY MANAGER'S RECOMMENDATION

Adopt the Resolution included in Attachment B approving renewal of a Low-Income Rental Housing Property Tax Exemption for Green Leaf Village.

SUGGESTED MOTION

Move to adopt A Resolution Approving a Low-Income Rental Housing Property Tax Exemption for Property Located on E Lone Oak Loop, Eugene, Oregon (Assessor's Map 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238) (Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing Applicant).

ATTACHMENTS

- A. Report and Recommendation
- B. Draft Resolution Approving the Tax Exemption
- C. Draft Resolution Denying the Tax Exemption
- D. Map of the proposed site

FOR MORE INFORMATION

Staff Contact: Laura Hammond

Telephone: 541-682-5416

Staff E-Mail: LHammond@eugene-or.gov

**REPORT AND RECOMMENDATION
of the Community Development Manager
of the Planning and Development Department**

**Application of Metropolitan Affordable Housing Corporation dba Cornerstone
Community Housing
For Low-Income Rental Housing Property Tax Exemption
(Section 2.937 to 2.940 of the Eugene Code, 1971)
for Property at 2755 E Lone Oak Loop, Eugene, OR 97404
GREEN LEAF VILLAGE**

The Community Development Manager of the Planning and Development Department of the City of Eugene finds that:

1. On behalf of Green Leaf Village, LLC, Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing (Cornerstone or the applicant) has submitted an application for the real property known as Green Leaf Village and located at 2755 E Lone Oak Loop, Eugene, OR 97404 (Assessor's Map 17-04-12-33 Tax Lot 00503; Assessor's Property Account No. 1473238). Cornerstone is the sole member of Green Leaf Village, LLC, the owner of the property that is the subject of the application. The applicant has a business mailing address of PO Box 11923, Eugene, OR 97440. The applicant has submitted an application for an exemption from ad valorem property taxes through the City's Low-Income Rental Housing Property Tax Exemption (LIRHPTE) program (Sections 2.937 to 2.940 of the Eugene Code, 1971) for thirty-four (34) low-income rental housing units (6 studio, 4 one-bedroom, 22 two-bedroom, and 2 three-bedroom units).

2. The Green Leaf Village housing development first received a LIRHPTE for the property in 2002. The residential units on the property have housed low-income households since the time the first exemption was received. Under EC 2.940(5), in the final year of low-income housing tax exemptions, applications for subsequent low-income housing tax exemptions for the property may be submitted.

3. I have reviewed the application and find that the applicant has submitted all required materials and complies with the provisions of EC 2.939(3) and Sections 2.1 through 2.9 of the Standards and Guidelines adopted by Resolution No. 5297. Specifically, I find:

- (a) The property, or portion thereof subject to the property tax exemption, will be occupied solely as a residence for low-income persons.
- (b) The applicant's application was filed prior to July 1, 2030.
- (c) The property is owned by a single-member LLC that is wholly owned by a nonprofit corporation organized in a manner that meets the criteria for a public benefit corporation as described under ORS 65.001(38).

- (d) The property is owned by a single-member LLC that is wholly owned by a nonprofit corporation that expends no more than ten percent of its annual income from residential rentals for purposes other than acquisition, maintenance or repair of residential rental property for low-income persons, or for the provision of on-site child care services for the residents of the rental property.
- (e) The applicant has complied with the policies set forth in Section 5 of the Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption adopted by council Resolution No. 5297 (Standards and Guidelines).
- (f) The proposed development is consistent with the city's Housing Dispersal Policy.
- (g) The proposed development does not cause the displacement of low-income persons.
- (h) The proposed development does not cause destruction of historic properties.
- (i) The proposed development is otherwise consistent with the Eugene Code and adopted city regulations and policies.
- (j) The applicant has signed a Rent Regulatory Agreement as described in Section 5.1 of the Standards and Guidelines and said agreement will be in effect for the duration of the tax exemption period.
- (k) The applicant has consented in writing that for the duration of the tax exemption period, the city may inspect the property for which the exemption is granted to insure that the premises are maintained in decent, safe and sanitary conditions for the occupants.

4. Comments have been solicited from interested City departments, 4J School District, and the affected neighborhood group. No public comments were received.

Therefore, based on the above findings, the proposed project conforms with all applicable City Code provisions, local plans, planning regulations, the Envision Eugene Plan, and the criteria set forth in the City's adopted Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption, and I recommend that the application be approved.

Dated this 17 day of December, 2021.


GM

Print: Will Dowdy


ANF

Sign: Will Dowdy
Will Dowdy (Dec 17, 2021 07:22 PST)

Community Development Manager of the Planning and Development Department

RESOLUTION NO. _____

A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON E LONE OAK LOOP, EUGENE, OREGON (ASSESSOR'S MAP 17-04-12-33, TAX LOT 503; ASSESSOR'S PROPERTY ACCOUNT NO. 1473238) (METROPOLITAN AFFORDABLE HOUSING CORPORATION DBA CORNERSTONE COMMUNITY HOUSING APPLICANT.)

The City Council of the City of Eugene finds that:

A. Green Leaf Village, LLC (PO Box 11923, Eugene, Oregon, 97440) is the owner of real property located on E Lone Oak Loop, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238) (the property), more particularly described on Exhibit A attached to this Resolution.

B. The Green Leaf Village 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 the time the first exemption was received. Under EC 2.940(5), in the final year of low-income housing tax exemptions, applications for subsequent low-income housing tax exemptions for the property may be submitted.

C. Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing (the applicant) has submitted an application for a subsequent low-income housing exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (EC 2.937 to 2.940).

D. The property includes 6 studio units, 4 one-bedroom units, 22 two-bedroom units, and 2 three-bedroom units (for a total of 34 low-income rental units), as well as a Manager's unit and residential common areas. The applicant is seeking the tax exemption for the entire property.

E. Green Leaf Village, LLC, is eligible for the LIRHPTE pursuant ORS 307.022 because Green Leaf Village, LLC, is a single-member LLC, wholly owned by Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing, a nonprofit corporation.

F. 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 EC 2.938, and is in compliance with the policies set forth in 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 Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing 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 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238, and more particularly described on Exhibit A attached to this Resolution, which includes 6 studio units, 4 one-bedroom units, 22 two-bedroom units, and 2 three-bedroom units (for a total of 34 low-income rental units), as well as a Manager's unit and residential common areas.

Section 2. The land and units described in Section 1 above are declared exempt from local ad valorem property taxation commencing July 1, 2022, 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 January 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, 2022. 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 ____ day of January, 2022.

City Recorder

Exhibit A

Parcel No. 3 of Land Partition Plat No. 91-P0165, filed November 14, 1991, Lane County Oregon Partition Plat Records, in Lane County, Oregon.

EXCEPT THEREFROM that portion conveyed to the City of Eugene, by Deed recorded August 1, 2001, Reception No. 2001-048261, Official Records of Lane County, Oregon.

RESOLUTION NO. _____

RESOLUTION DENYING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON E LONE OAK LOOP, EUGENE, OREGON (ASSESSOR'S MAP 17-04-12-33, TAX LOT 503; ASSESSOR'S PROPERTY ACCOUNT NO. 1473238) (METROPOLITAN AFFORDABLE HOUSING CORPORATION DBA CORNERSTONE COMMUNITY HOUSING APPLICANT.)

The City Council of the City of Eugene finds that:

A. Green Leaf Village, LLC (PO Box 11923, Eugene, Oregon, 97440) is the owner of real property located on E Lone Oak Loop, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238) (the property), more particularly described on Exhibit A attached to this Resolution.

B. The Green Leaf Village 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 the time the first exemption was received. Under EC 2.940(5), in the final year of low-income housing tax exemptions, applications for subsequent low-income housing tax exemptions for the property may be submitted.

C. Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing (the applicant) has submitted an application for a subsequent low-income housing exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (EC 2.937 to 2.940).

D. The property includes 6 studio units, 4 one-bedroom units, 22 two-bedroom units, and 2 three-bedroom units (for a total of 34 low-income rental units), as well as a Manager's unit and residential common areas. The applicant is seeking the tax exemption for the entire property.

E. Green Leaf Village, LLC, is eligible for the LIRHPTE pursuant ORS 307.022 because Green Leaf Village, LLC, is a single-member LLC, wholly owned by Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing, a nonprofit corporation.

F. 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 EC 2.938, and is in compliance with the policies set forth in 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. Notwithstanding the findings in the Community Development Manager's Report and Recommendation, the City Council denies the application of Metropolitan Affordable Housing Corporation dba Cornerstone Community Housing 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 17-04-12-33, Tax Lot 503; Assessor's Property Account No. 1473238, and more particularly described on Exhibit A attached to this Resolution, which includes 6 studio units, 4 one-bedroom units, 22 two-bedroom units, and 2 three-bedroom units (for a total of 34 low-income rental units), as well as a Manager's unit and residential common areas because the applicant has failed to demonstrate satisfactory compliance with the criteria in Section 2.939(3) of the Eugene Code, 1971.

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days from the date of adoption of this Resolution, along with a notice informing the applicant of the right to appeal in the manner set forth in ORS 34.010 to 34.100.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the ____ day of January, 2022.

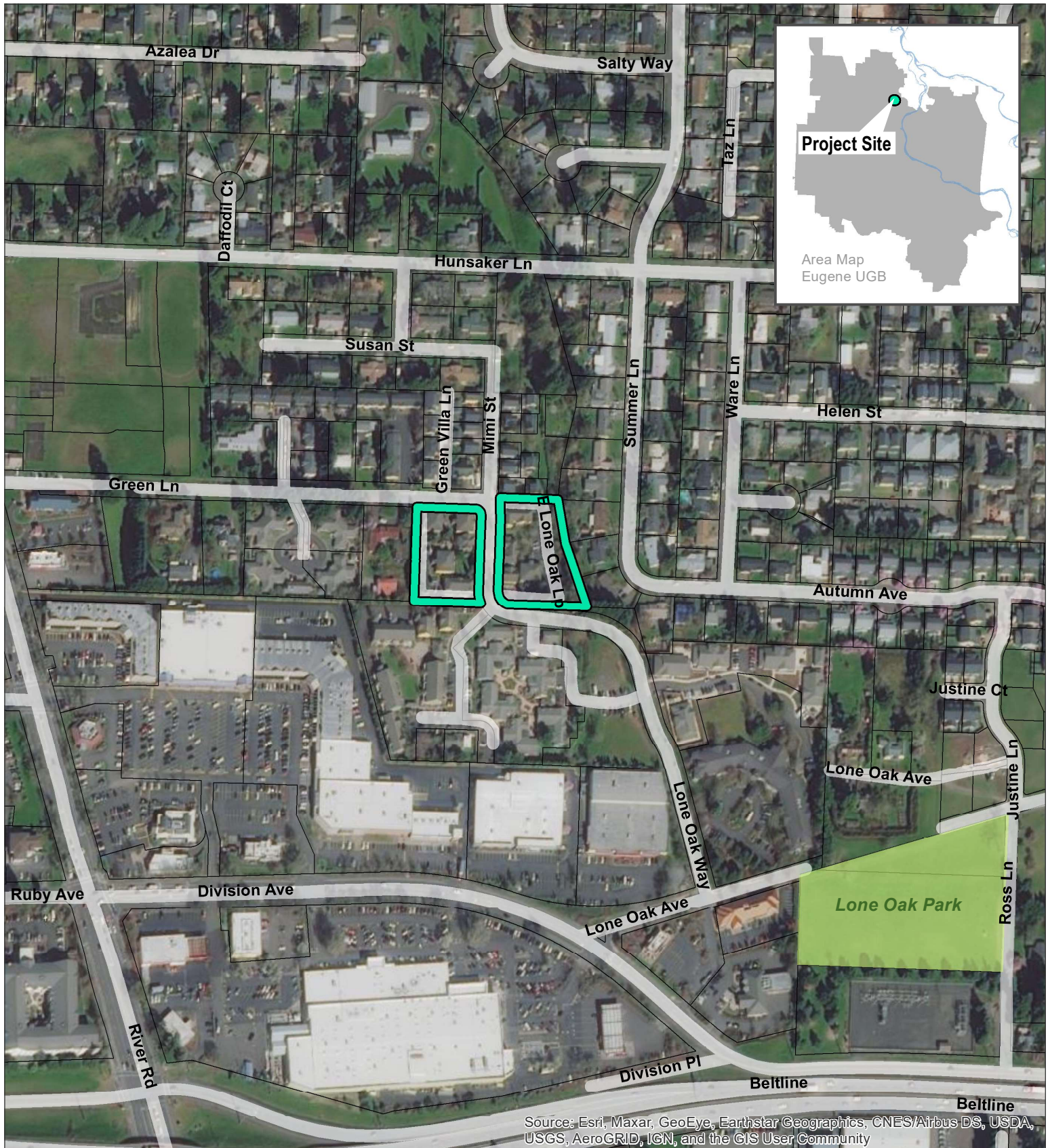
City Recorder

Exhibit A

Parcel No. 3 of Land Partition Plat No. 91-P0165, filed November 14, 1991, Lane County Oregon Partition Plat Records, in Lane County, Oregon.

EXCEPT THEREFROM that portion conveyed to the City of Eugene, by Deed recorded August 1, 2001, Reception No. 2001-048261, Official Records of Lane County, Oregon.

Potential LIRHPTE: Green Leaf Village



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

 Green Leaf Village

Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Feet
0 50



10/29/2021



EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: January 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Jessica Gebb
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on city-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Jessica Gebb
Telephone: 541-682-8497
Staff E-Mail: jgebb@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-23-11, Tax Lot 3600 Located at 825 and 825 ½ Horn Lane) (City File: A 21-13)

Meeting Date: January 10, 2022
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5A
Staff Contact: Althea Sullivan
Contact Telephone Number: 541-682-5485

ISSUE STATEMENT

This item is a request to annex property located at 825 and 825 ½ Horn Lane. The property to be annexed is approximately .96 acres and is located west of River Road, on the north side of Horn Lane. No public right-of-way is proposed for annexation as part of this request and there is no formal deadline for Council action on this item. A vicinity map is provided as Attachment A.

The property is zoned R-1 Low-Density Residential with the /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road – Santa Clara Urban Facilities Plan, designate the subject property for low density residential use. The area of annexation is located within the City's urban growth boundary (UGB) and is separated from City limits only by Horn Lane. Annexation will allow for future development consistent with the property's residential land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests is based on the criteria at Eugene Code Section 9.7825 which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (see Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within

500 feet of the subject property and the affected neighborhood association (River Road Community Organization) consistent with Eugene Code requirements. The City received questions from some neighbors about the annexation, application materials, and what future development might look like. Additionally, an anonymous letter in opposition to the annexation was submitted. The materials received are attached as Attachment D.

Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and absence of substantive public testimony, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue. To take preventative measures for community members and staff safety against the spread of COVID-19, please contact the listed staff representative about alternatives for reviewing materials or the staff report. Copies may be also obtained at a reasonable cost.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through B
 - Exhibit A: Legal Description
 - Exhibit B: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request
- D. Testimony

FOR MORE INFORMATION

Staff Contact: Althea Sullivan

Telephone: 541-682-5485

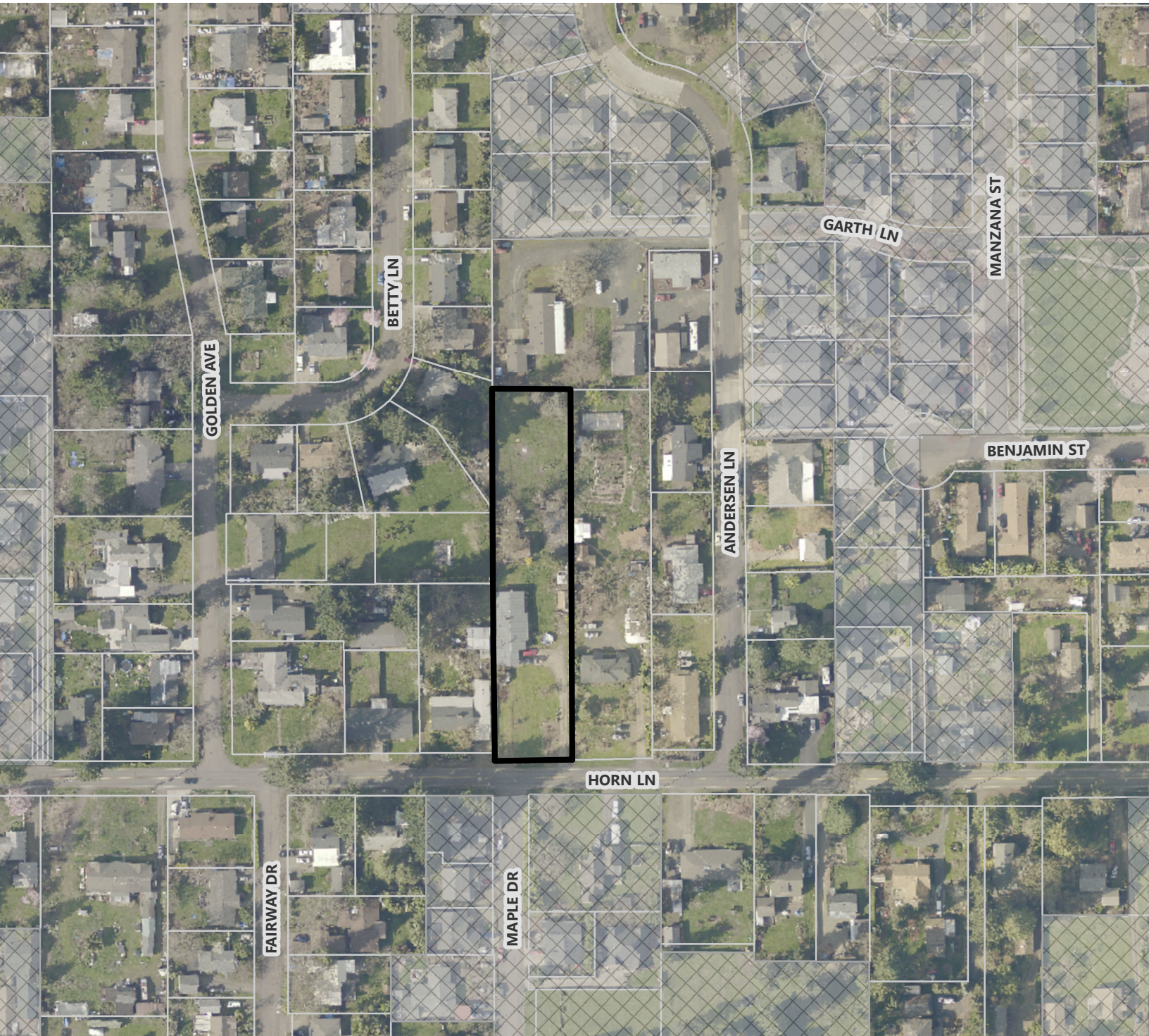
Staff E-Mail: ASullivan@eugene-or.gov



Vicinity Map

825 HORN LANE (A 21-13)

Attachment A



- Subject Property
- Eugene City Limits
- Taxlots



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 12/28/2021
by City of Eugene Planning Division

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Ft



RESOLUTION NO. _____

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-23-11, TAX LOT 3600 LOCATED AT 825 AND
825 ½ HORN LANE).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on September 30, 2021, by Shelley Design & Build LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-23-11, Tax Lot 3600 to the City of Eugene.

B. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit A.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation are attached as Exhibit B.

D. On December 10, 2021, a notice containing the street address, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on January 10, 2022.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

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 on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit B and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-23-11, Tax Lot 3600, more particularly described in the attached Exhibit A, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-

Density Residential with /UL Urbanizable Land Overlay to R-1 Low-Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of January, 2022.

City Recorder

**ANNEXATION LEGAL DESCRIPTION
FOR 825 HORN LANE**

Beginning at the iron pipe marking the initial point of the CARL H. SMITH PLAT, as platted and recorded at Volume 15, Page 3, Lane County Oregon Plat Records, said initial point bearing North 2511.6 feet and East 1950.5 feet from the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of the Willamette Meridian; thence North 0°24'40" West 147.69 feet along the East line of said Plat to a point marked by an axel; thence South 89°45' East 94.00 feet to a point marked by a one-inch iron rod; thence South 0°24'40" East 463.21 feet to a point on the center of Horn Lane as established by County Survey No. 2382 and being referenced on the ground by an iron pin bearing North 0°24'40" West 15.00 feet; thence North 89°47'45" West 94.00 feet along said center of Horn Lane to a point which is referenced on the ground by an iron shaft which bears North 0°24'40" West 15.00 feet, and being the initial point of a certain Boundary Agreement Recorded February 1, 1949, and filed under Reception No. 85823, Lane County Oregon Deed Records; thence North 0°24'40" West 315.60 feet, following along said Boundary Agreement line to the True Point of Beginning, in Lane County, Oregon.

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

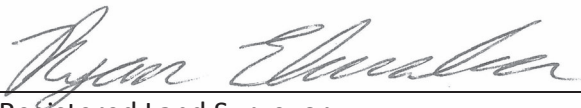
DIGITALLY SIGNED

**OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524**

EXPIRES: 12/31/2021

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: Ryan Erickson, PLS

Date: 30 September 2021

Seal:



DIGITALLY SIGNED



EXPIRES: 12/31/2021



**Planning Director's Findings and Recommendation:
Annexation Request for 825 HORN LANE
(City File: A 21-13)**

Application Submitted: September 30, 2021
Applicant: Shelley Design & Build LLC
Property Included in Annexation Request: Tax Lot 03600 of Assessor's Map 17-04-23-11
Zoning: R-1 Low-Density Residential with an /UL Urbanizable Land Overlay
Location: 825 and 825 ½ Horn Lane
Lead City Staff: Althea Sullivan, Senior Planner, City of Eugene Planning Division, 541-682-5485

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: The annexation area is within the City’s urban growth boundary (UGB) and is separated from City limits along its southern boundary only by Horn Lane consistent with subsection (b).
☒ YES	☐ NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒ YES	☐ NO	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the <u>Metro Plan</u> is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for low-density residential use. The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property, which also designates the area for low density residential use, consistent with the subject property's existing R-1 Low-Density Residential zoning. The /UL overlay will be automatically removed from the property upon approval of the annexation.</p> <p>Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general "Residential Land Use Policies" at Section 2.2 appear to be directly applicable to the subject request. The "Public Facilities and Services Element" policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and <u>RR/SC UFP</u> refinement plan.</p>
EC 9.7825(3)		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.
Complies ☒ YES ☐ NO		Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:

	<p><u>Wastewater</u> Wastewater service is available via an existing 8-inch mainline within Horn Lane which abuts the subject property. Based on the proximity to the service, service is available to the subject property.</p> <p><u>Stormwater</u> At the time of further development of the property, treatment of stormwater will be further evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly, efficient, and timely manner.</p> <p><u>Transportation</u> The property has frontage on Horn Lane which is a public street that connects to other streets allowing access to the greater public street system. In the event further development occurs, additional evaluation of access to the public street system will take place.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites are operated by Lane County.</p> <p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u> Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis and will continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u> Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u> Planning and building permit services are provided for all properties located within the Urban Growth Boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p>
--	--

		<p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of River Road Elementary School, Kelly School, and North Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
--	--	--

CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17042311	3600	R1/UL	0.96

Property Address: 825 Horn Ln _____

Plans for Future Development & Permit Number (if applicable): _____

Public Service Districts:

Name		
Parks:		
Electric:		
Water:	River Road Water District	
Sanitary Sewer:		
Fire:		
Schools:	Elementary: River Road	Middle: Kelly High: North Eugene
Other:		

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 3600

Name (print): Taylor Shelley/ Shelley Design & Build LLC

Address: 1224 W 17th Ave

Email: 1 Shelleybuild@gmail.com

City/State/Zip: Eugene, OR 97402

Phone: 541-914-4248 Fax:

Signature: Taylor Shelley

Date: 6/30/2021

PROPERTY OWNER OF TAX LOT: 3600

Name (print): Madison Shelley/ Shelley Design & Build LLC

Address: 1224 W 17th Ave

Email: Shelleybuild@gmail.com

City/State/Zip: Eugene, OR 97402

Phone: 541-285-7460 Fax:

Signature: Ms Shelley

Date: 6/30/2021

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): _____

Company/Organization: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Signature: _____

Date: _____

Planning & Development

Planning Division

99 W. 10TH Avenue, Eugene, OR 97401

Phone: 541.682.5377 or E-mail: eugeneplanning@ci.eugene.or.us

Updated: December 2016

Page 3 of 4

* CB = Coburg CG = Cottage Grove
 CR = Creswell EU = Eugene
 FL = Florence JC = Junction City
 OA = Oakridge SP = Springfield

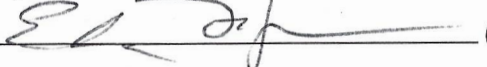
PETITION

Petition Signature Sheet
 Annexation by Individuals

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

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	✓ Reg Voter	Acres (qty)
1. 	6/30/21	Taylor Shelley	825 Horn Ln & 825 1/2 Horn Ln	17-04-23-11-03600	x		0.96
2.			Eugene, OR 97404				
3. 	6/30/21	Madison Shelley	825 Horn Ln & 825 1/2 Horn Ln	17-04-23-11-03600	x		0.96
4.			Eugene, OR 97404				
5.							

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.)

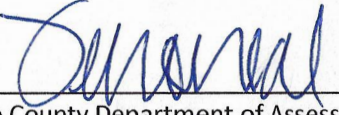
I, Eisa M. JOHNSON (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X  (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 2 (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 which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.


 Lane County Department of Assessment and Taxation
7/8/2021
 Date Certified


 Lane County Clerk or Deputy Signature
7/8/2021
 Date Certified

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-23-11-03600 Address: 825 Horn Ln. Eugene, OR 97404
825 1/2 Horn Ln. Eugene, OR
Legal Description: See Attached 97404

In the corporate limits of said city, which is owned by the undersigned

DATED this _____ day of _____, 20____.

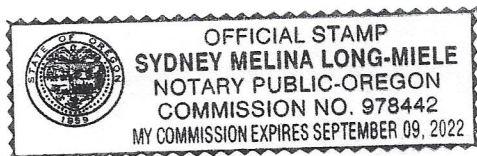
Tammy
Sh

STATE OF OREGON)

County of Lane)ss
)

On this 13th day of September, 2021, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Taylor Shelley, Madison Shelley, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Sydney Miele
Notary Public for Oregon
My Commission Expires 9-9-2022



LAND USE PLANNING AND CONSULTING SERVICES

846 A STREET
SPRINGFIELD, OREGON 97477
(541) 302-9830
WWW.METROPLANNING.COM

ANNEXATION APPLICATION FOR SHELLY DESIGN & BUILD, LLC

WRITTEN STATEMENT

Submittal No.:	1
Document Date:	September 15, 2021
Applicant's Request:	Approval of annexation of property located at 825 & 825 ½ Horn Ln.
Property Owner/ Applicant:	Taylor & Madison Shelley Shelley Design & Build, LLC 1224 W 17 th Ave Eugene, OR 97402
Applicant's Representative/ Planner/Project Coordinator:	Metro Planning, Inc. c/o Jed Truett 846 A Street Springfield, OR 97477 Tel (541) 302-9830
Subject Property:	Map 17-04-23-11; Tax Lot 03600
Location:	825 & 825 ½ Horn Lane
Property Size:	0.96 acres
Zoning:	R-1 Low Density Residential UL - Urbanizable Land
Future Development Plans Proposed with this Annexation:	N/A

Background

This annexation application is for an approximately 0.96 acre site, located at 825 Horn Lane, in an area zoned Low Density Residential (R-1). There is one other address associated with this tax lot, 825 ½ Horn Lane. The subject property is in the Urbanizable Land Overlay District, (UL), as it is located outside City of Eugene city limits, but within the Urban Growth Boundary (UGB). The subject property is separated from the city by a public right of way on one side. The proposed annexation is consistent with the City's Metro Plan designation, showing the land within the UGB and included in these plan diagrams.

To facilitate city staff review of this annexation application, this written statement clearly demonstrates how the development meets the Annexation application criteria of EDC 9.7825 Criteria. The Eugene Development Code (EDC) text sections are in bold and/or italics and the responses are included in plain text.

Annexations

9.7825 Annexation – Approval Criteria. *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

1. *The land proposed to be annexed is within the city's urban growth boundary and is:*
 - a. *Contiguous to the city limits; or*
 - b. *Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

The subject property Tax Lot 3600 is separated from the city by Horn Lane, a public right of way on its southern boundary. On the opposite side Horn Lane from the subject property are the city limits. See site plan for details.

2. *The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

The subject property is located within the City's urban growth boundary and in an area zoned Low Density Residential (R-1). The Metro Plan diagram indicates that the property is designated for low density residential development. The area is within the River Road-Santa Clara Refinement Plan. River Road-Santa Clara Refinement Plan standards are addressed below. Upon approval of this proposed annexation by the City Council, the property will remain Low Density Residential and the Urban Land (UL) Overlay will automatically cease to apply.

As further detailed below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services.

Several other policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section:

Metro Plan Growth Management Policies:

Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

- a. *A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.*
- b. *There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan.*

The minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.

Policy 10: Annexation to a city through normal processes shall continue to be the highest priority.

This annexation application adheres to normal processes and therefore complies to this policy.

Policy 15: Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban.

The full range of urban facilities and services are provided. This annexation application is for land designated as urbanizable within the UGB. Annexation allows for urbanizable land to transition to urban.

9.9700 River Road- Santa Clara Area Plan Policies

1. General Land Use. *Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses. (policy 1)*

The subject property is located within the Urban Growth Boundary and is zoned R-1 with an urbanizable land overlay. Upon annexation, the urbanizable land overlay will cease to apply. The subject property is located within the Metro Plan boundary and is designated as Low Density residential.

2. Residential Land Use.

a. *Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan (Policy 1)*

The subject property is currently occupied by a single-family residential home. This maintains the predominately low-density residential character of the area.

b. *Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets. (Policy 3)*

New residential development is not proposed with this application. Therefore, this standard does not apply.

c. *Provide adequate buffering and traffic control for existing non-residential development fronting River Road, (to minimize conflicts with surrounding development). (Policy 4)*

New development is not proposed with this application. Therefore, this standard does not apply.

d. *Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit, and alternative modes of transportation, schools and parks, and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria. (Policy 5)*

No development is associated with this application. Therefore, this standard does not apply.

e. *Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features. (Policy 6)*

No development is associated with this application. Therefore, this standard does not apply.

3. *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.*

The proposed boundary results in key urban facilities and services provided in an orderly, efficient and timely manner. Horn lane intersects with River Road, a major public right of way. Utilities required to serve the property are located within the right-of-way as shown on the Site Plan.

As discussed below, public services are in place and readily available to the properties proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.

- Electrical service is provided by EWEB.

- Water service will be transferred to EWEB upon annexation.
- Natural gas facilities are provided by Northwest Natural Gas
- Wastewater lines are in place at the property. Stormwater infiltration process will be provided to the property.
- River Road Water District currently provides fire service to the area. Upon annexation, service will be provided by Eugene Springfield Fire.
- Tax lot 3600 has access to River Road allowing for transportation access from the north and south.
- The property is within the Eugene School District 4J and is within the district boundaries of River Road Elementary School, Kelly Middle School, and North Eugene High School.

If there are any questions or concerns, please do not hesitate to contact me at Metro Planning via email (jed@metroplanning.com) or phone (541-302-9830).

Regards,

Jed Truett
Principal Planner

SULLIVAN Althea C

From: bkb@epud.net
Sent: Wednesday, December 15, 2021 10:48 PM
To: SULLIVAN Althea C
Subject: 825 Horn Lane proposed annexation

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL 

File Name: 825 HORN LANE (A 21-13)

Dear Ms. Sullivan:

This is in response to your notice dated December 10, 2021 regarding the annexation request of this property. I will not be able to attend the meeting on January 10th.

For the record, I am not opposed to the annexation of this property. However, I would like to take this opportunity to point out a couple of things:

The map enclosed with this notice is confusing to say the least. There is no sign of Golden Ave, and Andersen Lane appears to have been moved further west than it actually is. (I've lived at my address for 30 years so I know personally that Andersen hasn't moved.) However, this inaccuracy makes me question all of the measurements of the proposal. For example, on your map, the parcel appears to extend onto Horn Lane.

Last week on Dec 8, the surveyor, Metro Planning, Inc., invited neighboring residents to an informational meeting. With the invitation Metro also furnished a map. Their map proposes to divide this parcel into five lots of various sizes in order to situate five dwellings. It includes one long skinny driveway to serve the needs of the dwellings including emergency services, trash removal, deliveries and residential parking. The residents attending this meeting were in agreement that forcing five individual properties into this very narrow and limited space would be impractical and disastrous.

Now added to those concerns I'm wondering how accurate the measurements are in the first place.

So while I'm not opposed to this property becoming part of the City of Eugene, I am questioning the accuracy of the plans and therefore the legitimacy of the subdivision. How might we address these concerns?

Thank you for your help.

Sincerely,
 Beverly Barr
 1275 Betty Lane
 Eugene OR 97404
bkb@epud.net
 541-461-0688 land
 541-543-9513 mobile

12/13/2021

Eugene Planning Dept.

I WRITE THIS LETTER IN RESPONSE TO THE NOTICE I RECEIVED ABOUT THE ANNEXATION REQUEST @ 825 & 825 1/2 HORN LANE IN RIVER ROAD AREA.

I, AM TOTALLY OPPOSED TO THIS IDEA! Eugene HAS WANTED TO ANNEX RIVER ROAD & SANTA CLARA AREAS FOR THE LAST 50 YEARS.

WE DONT WANT TO BE PART OF THE EUGENE CIRCUS!

PLEASE, KEEP YOUR CRIME, DRUG PROBLEMS, LOONEY CITY LEADERS, EVER INCREASING HOMELESS (BUM) PROBLEMS INSIDE THE CITY LIMITS.

WHAT DO YOU HAVE TO OFFER US THAT WE DONT HAVE ALREADY?

OTHER THAN A LARGER MORE RESPONSIVE POLICE & FIRE DEPT, YOU HAVE **NOTHING!**

REMEMBER YEARS AGO, AS YOU ANNEXED PROPERTIES IN THE RIVER RD PARK & REC. DEPT INTO YOUR CITY, THE CITY MADE THE COMMITMENT TO RESTORE LOST FUNDS TO THE PARK & REC. DEPT. WELL THAT HAPPENED FOR 1 OR 2 YEARS THEN

ENDED. (BROKEN PROMISE) WHY IS IT YOU KEEP PUSHING THE "UNHOUSED" (AGAIN **Bums!**)

OUT TOWARD RIVER ROAD AREA? HOW ABOUT A SAFE SHEEP SPOT OUT ON 40TH & DONALD OR WILLAMETTE OR HILYARD?

Eugene ALWAYS WANTED TO BE A
big CITY LIKE PORTLAND, WELL
OTHER THAN POPULATION YOU'RE
VERY SIMILAR. VIOLENCE, DRUGS, PROTESTORS,
BUMS, LOONEY CITY MANAGEMENT.
UP UNTIL 10-20 YEARS Eugene
WAS A GREAT PLACE TO LIVE, NOW
KINDA OF A SEWER.

SO AS YOU CAN SEE WHY I AM
TOTALLY OPPOSED TO ANY KIND OF
ANNEXATION. ITS TOO BAD THE
GREATER IDAHO PETITION & DOESNT
INCLUDE LANE COUNTY ALSO!

EVER HEAR THE PHRASE "IF YOU BUILD
IT THEY WILL COME"? (FROM MOVIE OF FIELD
OF DREAMS) WELL YOU KEEP BUILDING &
OFFERING MORE & MORE SERVICES FOR
THE "UNHOUSED" (AGAIN NOW P.C. **BUMS**)
& THEY KEEP COMING. I KNOW, I KNOW
I'M A BROKEN RECORD.

IN A NUTSHELL - CITY OF Eugene
PLEASE STAY OUT OF RIVER ROAD
& SANTA CLARA!

Signed ANON EMUS!

ATTN: ALTHEA SULLIVAN

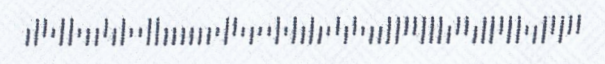
EUGENE OR 974
14 DEC 2021 PM 4 L



CITY OF Eugene planning Div.
99 West 10TH AVE
Eugene, OR 97401

RECEIVED
DEC 17 2021
CITY OF EUGENE
PLANNING & DEVELOPMENT

97401-301599



EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-14-14, Tax Lot 1700, Located at 135 Kourt Drive) (City File: A 21-15)

Meeting Date: January 10, 2022
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5B
Staff Contact: Althea Sullivan
Contact Telephone Number: 541-682-5485

ISSUE STATEMENT

This item is a request to annex property located at 135 Kourt Drive. The property to be annexed is approximately .47 acres and is located west of River Road, on the northern side of Kourt Drive. No public right-of-way is proposed for annexation as part of this request and there is no formal deadline for Council action on this item. A vicinity map is provided as Attachment A.

The property is zoned split zoned AG Agricultural and R-1 Low-Density Residential, both with the /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road – Santa Clara Urban Facilities Plan, designate the subject property for low density residential use. The area of annexation is located within the City's urban growth boundary (UGB) and is adjacent to the City limits along the property's north and west boundaries. Annexation will allow for future rezoning and development consistent with the property's residential land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests is based on the criteria at Eugene Code Section 9.7825 which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (see Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property and the affected neighborhood association (River Road Community Organization) consistent with Eugene Code requirements. The City did not receive testimony in response to the notice.

Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and absence of any testimony in opposition to the request, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue. To take preventative measures for community members and staff safety against the spread of COVID-19, please contact the listed staff representative about alternatives for reviewing materials or the staff report. Copies may be also obtained at a reasonable cost.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Althea Sullivan, Senior Planner

Telephone: 541-682-5485

Staff E-Mail: ASullivan@eugene-or.gov



Vicinity Map

135 KOURT DRIVE (A 21-15)

Attachment A



-  Subject Property
-  Eugene City Limits
-  Taxlots



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 12/28/2021
by City of Eugene Planning Division

0 30 60 120
Ft.



RESOLUTION NO. _____

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-14-14, TAX LOT 1700, LOCATED AT 135
KOURT DRIVE).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on November 2, 2021, by Michael Scnear, on behalf of the property owner, Roser and Scnear Investments, LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-14-14, Tax Lot 1700, to the City of Eugene.

B. The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation are attached as Exhibit C.

D. On December 10, 2021, a notice containing the street address, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on January 10, 2022.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

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 on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-14-14, Tax Lot 1700 which is depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

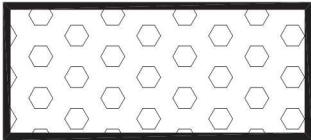
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from AG Agricultural Land and R-1 Low-Density Residential, with an /UL Urbanizable Land Overlay to AG Agricultural Land and R-1 Low-Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of January, 2022.

City Recorder

LAND ANNEXATION FOR
TAX LOT 17-04-14-14-1700
SE 1/4 NE 1/4 SECTION 14, T17S, R4W, W.M.
LANE COUNTY, OREGON

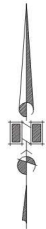
LEGEND



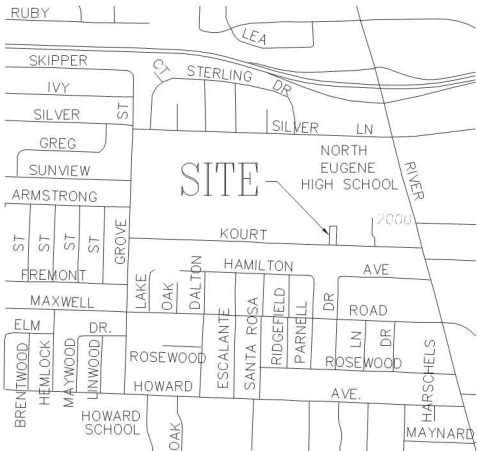
CITY LIMITS



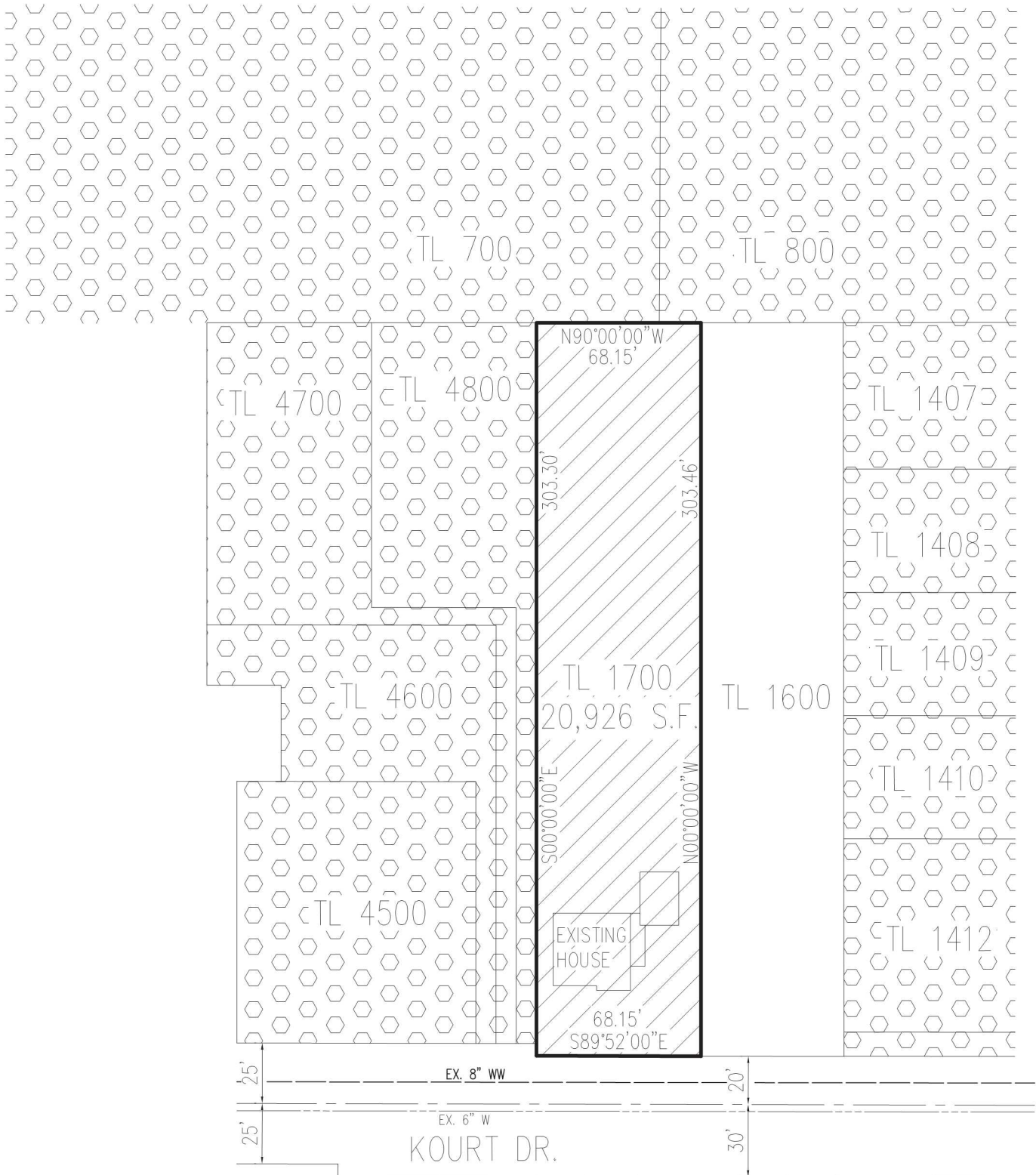
LAND TO BE ANNEXED



SCALE: 1" = 60'



VICINITY MAP
NO SCALE



LEGAL DESCRIPTION:

Beginning at a point 481.8 feet North and 2248.95 feet East of the Southwest corner of Joseph Davis Donation Land Claim No. 48, Township 17 South, Range 4 West of the Willamette Meridian;

Thence West, 68.15 feet;

Thence South 303.30 feet to the northerly right-of-way line of Kourt Drive;

Thence along the northerly right-of-way line of Kourt Drive, 20.0 feet northerly and parallel with the centerline, South 89° 52' East, 68.15 feet;

Thence North 303.46 feet to the Point of Beginning, all in Lane County, Oregon.





**Planning Director's Findings and Recommendation:
Annexation Request for 135 KOURT DRIVE
(City File: A 21-15)**

Application Submitted: November 2, 2021
Applicant: Michael Scnear
Property Included in Annexation Request: Tax Lot 01700 of Assessor's Map 17-04-14-14
Zoning: Split zoned AG Agricultural Land and R-1 Low-Density Residential, with an /UL Urbanizable Land Overlay
Location: 135 Kourt Drive
Lead City Staff: Althea Sullivan, Senior Planner, City of Eugene Planning Division, 541-682-5485

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: The annexation area is within the City’s urban growth boundary (UGB) and is contiguous to City limits along the property’s northern and western boundaries, consistent with subsection (a).
☒ YES	☐ NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒ YES	☐ NO	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the <u>Metro Plan</u> is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for low-density residential use. The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property, which also designates the area for low density residential use consistent with the R-1 Low-Density Residential zoning already existing on a portion of the subject property. A separate zone change process will be required to change the portion of the property zoned AG Agricultural Land, prior to any future development of that portion of the site for planned residential uses. The /UL overlay will be automatically removed from the property upon approval of the annexation.</p> <p>Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general “Residential Land Use Policies” at Section 2.2 appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and <u>RR/SC UFP</u>.</p>
EC 9.7825(3)		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.
Complies ☒ YES ☐ NO		Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:

Wastewater

Wastewater service is available via an 8-inch public main located adjacent to the site in Kourt Drive. Based on the existing service, wastewater service is available to the subject property.

Stormwater

At the time of further development of the property, treatment of stormwater will be further evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly, efficient, and timely manner.

Transportation

The property has frontage on Kourt Drive which is a public street that connects to other streets allowing access to the greater public street system. In the event further development occurs, additional evaluation of access to the public street system will take place.

Solid Waste

Collection service is provided by private firms. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis and will continue in the same manner upon annexation.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services

Planning and building permit services are provided for all properties located within the Urban Growth Boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

		<p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of Howard Elementary School, Kelly School, and North Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
--	--	--

CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential and AG Agricultural will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-14-14	1700	AG	0.48

Property Address: 135 Kourt Dr.

Plans for Future Development & Permit Number (if applicable): Residential Subdivision

Public Service Districts:

Name			
Parks:	West Bank Park		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	Santa Clara Rural Fire District		
Schools:	Elementary: Howard	Middle: Kelly	High: North
Other:			

Filing Fee

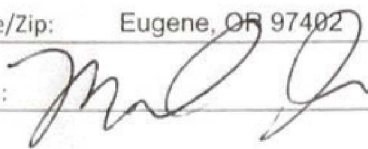
- ☐ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☐ Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 1400

Name (print): Michael Scnear
Address: 5416 Wales Dr. Email:
City/State/Zip: Eugene, OR 97402 Phone: 541-525-6307 Fax:
Signature:  Date: 10/29/21

PROPERTY OWNER OF TAX LOT: ____

Name (print):
Address: Email:
City/State/Zip: Phone: Fax:
Signature: Date:

PROPERTY OWNER OF TAX LOT: ____

Name (print):
Address: Email:
City/State/Zip: Phone: Fax:
Signature: Date:

SURVEYOR:

Name (print): Kent Baker
Company/Organization: Roberts Surveying Inc.
Address: PO Box 7155
City/State/Zip: Springfield, OR 97475 Phone: 541-345-1112 Fax:
E-mail: kent @robertssurvey.com
Signature:  Date:

REPRESENTATIVE (If different from Surveyor):

Name (print): Anthony J. Favreau

Company/Organization: The Favreau Group, LLC

Address: 3750 Norwich Ave.

City/State/Zip: Eugene, OR 97408

Phone: 541-683-7048 Fax:

E-mail: favreaugroup@msn.com

Signature: 

Date: 10-29-21

****Attached additional sheets if necessary.**

ANNEXATION NARRATIVE

APPLICANT: Michael Scnear **PHONE:** (541) 525-6307
SURVEYOR: Roberts Surveying Inc. **PHONE:** (541) 345-1112
CIVIL ENGINEER: The Favreau Group **PHONE:** (541) 683-7048
DATE: October 29, 2021
MAP: 17-04-14-14, Tax Lot 1700
SITE ADDRESS: 135 Kourt Dr., Eugene, Oregon

Present Request:

The present request is for approval to annex the subject property into the City of Eugene. The subject property is split zoned R-1 and AG both with a /UL overlay.

Approval Criteria:

The following findings demonstrate that the proposed annexation area will comply with all applicable approval criteria and related standards as set forth in EC 9.7825. The approval criteria and related standards are listed below, with findings addressing each.

EC 9.7825: Annexation - Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:
 - (a) Contiguous to the city limits; or
 - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

Response: *The proposed property is contiguous to the city limits along its northern and eastern boundary lines.*

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

Response: *The proposed property is designated as low density residential zoned land within the Metro Plan and the River Road-Santa Clara Urban Facilities Plan. The proposal complies with the site's low density residential designation on the Metro Plan Diagram and the River Road-Santa Clara Urban Facilities Plan diagram. In this instance, there are no specific codified policies from the Metro Plan or River Road-Santa Clara Urban Facilities Plan beginning at EC 9.9560 which serve as mandatory approval criteria or would generate any additional requirements for the proposed subdivision. The proposal is consistent with all of the Metro Plan Growth Policies 8, 10 and 15 along with the Residential Element 8.2.*

The River Road-Santa Clara Urban Facilities Plan is the applicable adopted plan for the area of the requested subdivision. The land use diagram of the River Road-Santa Clara Urban Facilities Plan designates the subject property for low density residential use, which is consistent with the proposed subdivision.

The subject property is also located within the Maxwell/Park Avenue sub area as identified within the River Road-Santa Clara Urban Facilities Plan. The River Road-Santa Clara Urban Facilities Plan policies and proposed actions specific to the Maxwell/Park Avenue Subarea are primarily focused on future commercial development in the area. They do not identify any requirement relevant to the proposed residential zone.

- (3) 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.

Response: The proposed annexation boundary extends the current city limits line that is on the north boundary. All key urban facilities and services are available to the property and surrounding areas at this time. The wastewater facilities in Kourt Dr. will be extended at the developer's expense. The stormwater will be treated onsite via a proposed treatment facility. The existing waterline is located in Kourt Dr. and will be extended into the site at the developer's expense.

EC 9.8440(6) The proposal complies with applicable adopted plan policies beginning at EC 9.9500.

Response: The subject site is located within the River Road Santa Clara Urban Facilities Plan and is subject to its policies located at EC 9.9610. Applicable policies for this site include (1), (2), (8), (16), (17), and (18). See below.

EC 9.9610 River Road – Santa Clara Urban Facilities Plan Policies

(1) General Land Use

Response: The proposed development is consistent with Policy 1 of the River Road – Santa Clara Urban Facilities Plan. It does not create a land use conflict and is compatible with the surrounding land uses. Therefore, this criteria is satisfied.

(2) Residential Land Use

Response: Consistent with the standards of 9.9610(2), this development maintains compatibility with adjacent land uses. The residential use is consistent with the zoning and adopted facilities plan. Therefore, this criteria has been satisfied.

(16) Public Facilities and Services

Response: The proposed development accommodates the provision of fire and emergency services and promotes safe modes of transportation. Therefore, this criteria is satisfied.

(17) Environmental Design Element

Response: The development has proposed to install all new utilities underground, consistent with Policy 2. Therefore, this criteria has been satisfied

(18) Transportation Element

Response: The surrounding streets have been improved to current jurisdictional standards, consistent with 9.9610(18)(a). In addition, the development will utilize existing infrastructure and provide accommodations for alternative modes of transportation, including pedestrian and bicycle facilities, consistent with 9.9610(18)(b). Therefore, this criteria has been satisfied.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: _____

Registered Land Surveyor

Print Name: Kent Baker

Date: October 24, 2021

Seal:



LEGAL DESCRIPTION:

Beginning at a point 481.8 feet North and 2248.95 feet East of the Southwest corner of Joseph Davis Donation Land Claim No. 48, Township 17 South, Range 4 West of the Willamette Meridian;

Thence West, 68.15feet;

Thence South 303.30feet to the northerly right-of-way line of Kourt Drive;

Thence along the northerly right-of-way line of Kourt Drive, 20.0 feet northerly and parallel with the centerline, South 89° 52' East, 68.15feet;

Thence North 303.46 feet to the True Point of Beginning, all in Lane County, Oregon.

Application #: C * 2008 - _____
For City Use Only

* CB = Coburg CG = Cottage Grove
CR = Creswell EU = Eugene
FL = Florence JC = Junction City
OA = Oakridge SP = Springfield

PETITION

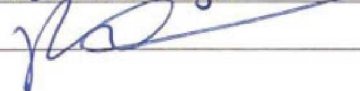
Petition Signature Sheet Annexation by Individuals

RECEIVED
NOV 01 2021
Lane County
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

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	✓ Reg Voter	Acres (qty)
1. 	12/29/21	Michael SCNEAR	135 Kourt Dr., Eugene	17-04-14-14-1700	✓		0.48
2.							
3.							
4.							
5.							

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.)

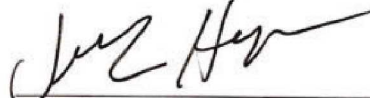
I, Pete Vander Bogart (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X  (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (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 which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 00 (%) of the total active registered voters that are registered in the proposed annexation.


Lane County Department of Assessment and Taxation
11-1-2021
Date Certified


Lane County Clerk or Deputy Signature
11-1-21
Date Certified

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-14-14-1700 Address: 135 Kourt Dr., Eugene, OR

Legal Description:

Beginning at a point 481.8 feet North and 2248.95 feet East of the Southwest corner of Joseph Davis Donation Land Claim No. 48, Township 17 South, Range 4 West of the Willamette Meridian; Thence West, 68.15 feet; Thence South 303.30 feet to the northerly right-of-way line of Kourt Drive; Thence along the northerly right-of-way line of Kourt Drive, 20.0 feet northerly and parallel with the centerline, South 89° 52' East, 68.15 feet; Thence North 303.46 feet to the True Point of Beginning, all in Lane County, Oregon.

In the corporate limits of said city, which is owned by the undersigned

DATED this 21 day of December, 20 21.

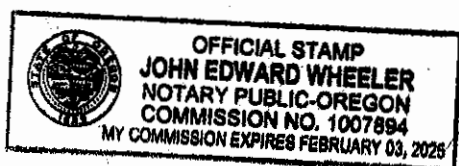
Michael Schar
[Signature]

STATE OF OREGON)

County of Lane) ss

On this 21 day of December, 2021, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Michael Schar, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

John E Wheeler
Notary Public for Oregon
My Commission Expires 02/03/2025

ARTICLES OF ORGANIZATION



Corporation Division
www.filinginoregon.com

E-FILED
Jul 27, 2021
OREGON SECRETARY OF STATE

REGISTRY NUMBER

185148690

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

ROSER AND SCNEAR INVESTMENTS LLC

2. MAILING ADDRESS

5416 WALES DR
EUGENE OR 97402 USA

3. PRINCIPAL PLACE OF BUSINESS

5416 WALES DR
EUGENE OR 97402 USA

4. NAME & ADDRESS OF REGISTERED AGENT

MICHAEL ALLAN SCNEAR

5416 WALES DR
EUGENE OR 97402 USA

5. ORGANIZERS

DERRICK WENDELL ROSER

89041 BRIDGE ST
SPRINGFIELD OR 97478 USA

6. INDIVIDUALS WITH DIRECT KNOWLEDGE

MICHAEL ALLAN SCNEAR

5416 WALES DR
EUGENE OR 97402 USA

DERRICK WENDELL ROSER

89041 BRIDGE ST
SPRINGFIELD OR 97478 USA

7. INITIAL MEMBERS/MANAGERS

MEMBER
DERRICK WENDELL ROSER



89041 BRIDGE ST
SPRINGFIELD OR 97478 USA

MANAGER

MICHAEL ALLAN SCNEAR

5416 WALES DR
EUGENE OR 97402 USA

8. DURATION

PERPETUAL

9. MANAGEMENT

This Limited Liability Company will be member-managed by one or more members

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

MICHAEL SCNEAR

TITLE

MEMBER

DATE SIGNED

07-26-2021