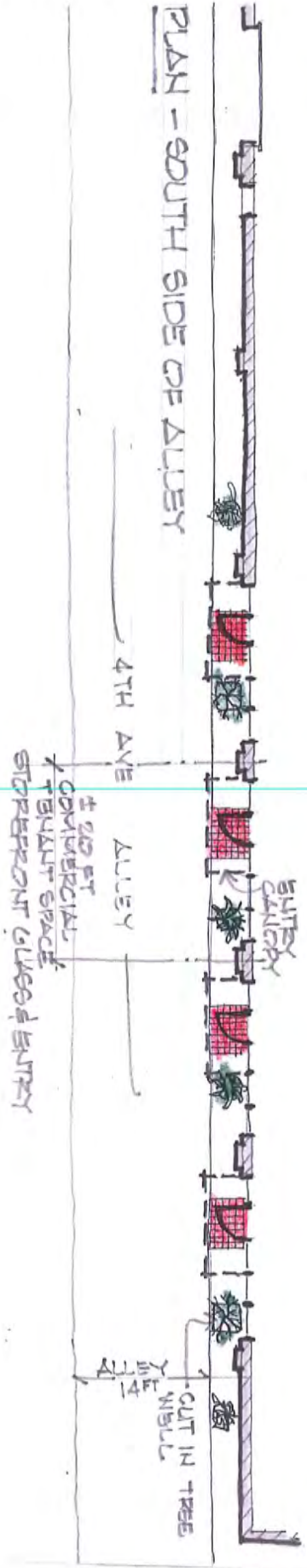
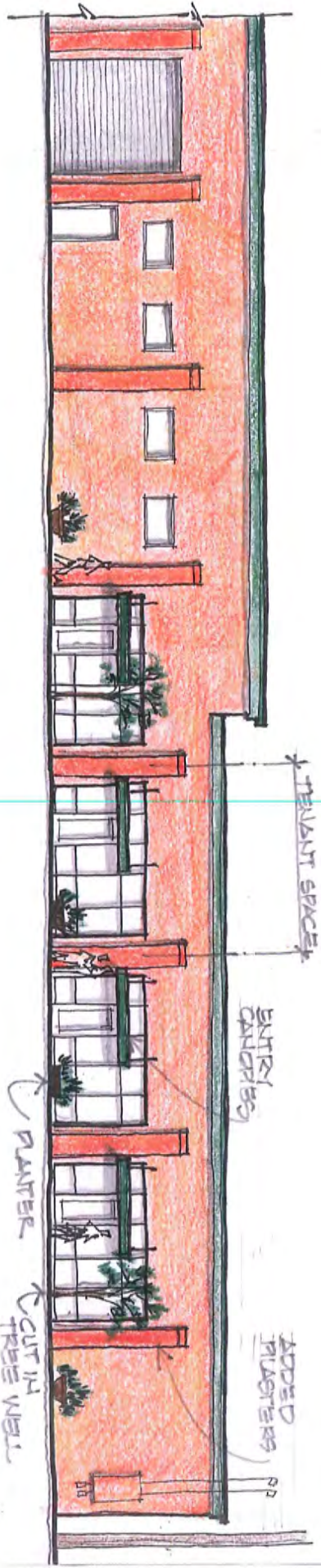


AWJ
ARCHITECTURE PC
190 WILSON BLVD
SUITE 220
EUGENE, OR 97401
541.342.6511

PLAN - SOUTH SIDE OF ALLEY



ELEVATION - SOUTH SIDE OF ALLEY



PROPOSED IMPROVEMENT



AWJ
ARCHITECTURE PC

1500 VALLEY RIVER DR.
SUITE 220
EUGENE, OR 97401
541.342.6511

office@awjarchitects.com



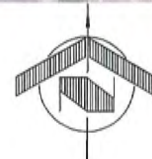
ALLEY IMPROVEMENTS FOR:
C.B. SIMONS
215 W. 5th AVE.
EUGENE, OREGON

Date:	2/13/2011
File:	etteplandoc
Drawn:	D.
Job:	1212

ALLEY FACADE IMPROVEMENTS

ALL LOTS SHOWN - EXCEPT ALLEY
OWNED BY C.B. SIMONS

SCALE: 1" = 60'-0"



WRITTEN STATEMENT
APPLICATION TO VACATE ALLEY
CSA OREGON, LLC

This is a proposal to vacate the east/west alleyway from Charnelton Street to Lincoln Street between 4th and 5th Avenues. The application seeks the vacation of the same improved public right-of-way as did (VRI 12-3), which came before the Council earlier this year.

The previous application was before the Council at a time of heavy media coverage of mass inmate releases by the Lane County Adult Corrections Main Jail facility. In the materials before the Council, there was mention of illegal activity in the subject alley located immediately west of the jail and a perception arose that the vacation was being proposed to address a social problem. In fact, there are many reasons the vacation is in the public interest, as set forth below.

A. Purpose of Vacations

EC 9.8700 states as the purpose of vacations:

“In order to ensure the orderly development of land, public ways in the form of streets, roads, alleys, rights-of-way, pedestrian and/or bicycle easements and accessways, or utility easements are established, obtained, or reserved by the city. As land develops, and as land uses change over time, public ways may no longer be necessary for ensuring the orderly development of land....”
(Emphasis added.)

The alley is uniquely suited for vacation for a number of reasons, including:

- * The alley is rarely used for vehicular traffic.
- * The alley's vehicular users are almost exclusively the applicant and its tenants.
- * The alley essentially dead-ends at the jail property.
- * The applicant owns the entire block bisected by the alley.

B. Approval criteria for Improved Public Right-of-Way

EC 9.8725 states:

“Approval Criteria for the Vacation of Improved Public Right-of-Way, Public Ways Acquired with Public Funds, and Undeveloped Subdivision and Partition Plats. The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, *only if the council finds that approval of the vacation is in the public interest.*” (Emphasis added.)

ORS 271.120, the state statute applicable to this application states the criterion for approval of this vacation to be “whether the public interest will be prejudiced by the vacation of such ... street.”

Vacation is in the public interest because:

- Elimination of the public ownership of the alley will allow the applicant to make facade and access improvements to the buildings on the south side of the alley that cannot presently occur due to setback and clearance requirements of Eugene Code.*
- Vacation will allow the applicant to revitalize and more fully use the alley to accommodate new businesses.
- The applicant will pay the City fair market value (\$36,450) for the property and the City will be relieved of the responsibility of maintaining and policing the alley.
- Public utilities will be unaffected by the vacation and the City has determined that adequate public right of way remain to satisfy all access and traffic circulation needs in the area.
- This area is gradually being occupied and rejuvenated by small, startup businesses and the vacation will facilitate this transition.
- The vacation will be consistent with the City’s goals of supporting local businesses and overall vitality of downtown.
- It is in the public interest of the City of Eugene to attract new employers to and retain existing employers in the Whiteaker Neighborhood. The proposed alleyway vacation will contribute to those goals.

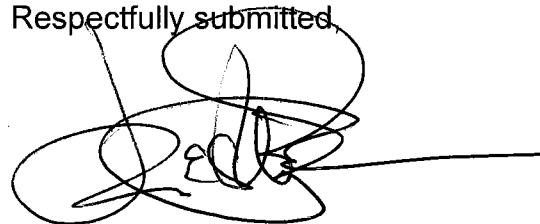
* Attached as Exhibit A are an elevation drawing of the south side of the alley and an overly of the façade improvements on an aerial photograph of the block.

- The proposed alleyway vacation will allow the applicant to create a more viable business environment with an improved visual presentation, better access, and better security for tenants and their employees.

C. Consents and Concurrences

Lane County, LTD and EWEB all concur with the proposal. Of the property owners in the "affected areas" (ORS 271.080(2)), 88.63% have provided consents to the vacation. The original executed consents and concurrences are in the (VRI 12-3) file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James W. Spickerman', written over a horizontal line.

James W. Spickerman
Attorney for CSA Oregon, LLC

Attachments:

- A. Elevation drawing and Alley Façade Improvements
- B. Vacation Application Checklist
- C. Legal description
- D. Property Owner Consent Tabulation,
Copies of consents of property owners in the statutory "Protected Area," and
Map identifying consenting property owners
- E. Utility Concurrence letters, LTD and EWEB