20 August 2012

To: Transportation Committee

From: Michael and Rebecca DeSalvo (owners, 292 Van Ness Ave)

Re: Vacation of the Lori Lane alley

We are writing to advocate for the vacation of the alley that extends from Hersey to Van Ness off the end of Lori Lane. We have lived on the alley since March of 2000 and purchased our home in October of 2002. Since that time, there has been an increase in the amount of both vehicular traffic and pedestrian traffic on the alley that causes concern. We are primarily advocating for the closure of the alley for safety reasons and because the closure of the alley will not cause undue hardship for anyone since the alley is only one lot away from North Main. Additionally, we feel these safety issues stem from the fact that the alley is not being used as intended. According to OregonLaws.org, an alley is defined as “a street or highway primarily intended to provide access to the rear or side of lots or buildings in urban areas and **not intended for through vehicular traffic**. [1983 c.338 §14]” [emphasis added] (also from 2011 ORS Vol 17 chapter 801.110)

**1st Safety Concern: Fast vehicles**

Our primary concern is the speed that vehicles travel in the alley. We have a pedestrian gate that enters the alley from our property that is our primary means of leaving our property when we travel by bicycle. We are often with our small children leaving this gate and there are many times when we have had close encounters with speeding cars. We have also noticed close encounters between the speeding motorists and pedestrians on the sidewalk of Van Ness.

**2nd Safety Concern: Pedestrians in unlit space in alley**

There are no streetlights on Van Ness or in the alley. What we have noticed is that there is a significant increase in loitering, littering, and vandalism on the alley when compared to Van Ness. It seems that the alley brings out the worst in people. We are regularly picking up much more trash- mostly beer cans, cigarette butts, and candy wrappers- in the alley than in front of our house. There is regular evidence of people loitering in the alley, such as numerous beer cans in one place. Intoxicated people in the alley on a regular basis is cause for concern- while no people have been hurt yet, our properties have been damaged.

We also know these people are loitering in the alley because we can hear them from our bedrooms. Tax lots 9700, 9500, and 9400 all have bedroom windows right on the alley. There are larger setback regulations for the street (Van Ness) than the alley- this is one reason we hear the commotion coming from the alley more clearly than coming from the street.

**No undue hardship**

Vacating the alley will cause no undue hardship for anyone. The alley only cuts off lots 9700 and 9600. Lots 9500, 400 and 500 will be fully accessible from Hersey.

**Alley is not being used in accordance with its legal definition**

Based on what we have observed, the alley is used regularly by a few vehicles who have come to see it as a shortcut. They are using it as a through street instead of using it to access the properties on the alley. Often while we are accessing our property from the alley, those using the alley as a through street get angry with us for loading or unloading our car.

With the construction on Hersey in full swing, motorists have not been able to easily access the alley (the alley has been closed to through traffic) and this has made living on the alley much safer. This has also reinforced for us the safety issues the open alley has on our neighborhood. Please allow us to proceed with our efforts to vacate the alley like our neighbors did in the 60s with the alley that lay perpendicular to ours. We also look forward to problem solving with the Public Works department to find solutions to their issues while creating a safer neighborhood for us.

Thank you for your consideration with this matter.

Michael and Rebecca DeSalvo