



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

September 15, 2025

5:30 p.m. CITY COUNCIL PUBLIC HEARING

City Council meetings will continue to be held in hybrid format using in person and 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 September 15, 2025;
Her Honor Mayor Kaarin Knudson Presiding**

Councilors

Greg Evans, President
Eliza Kashinsky
Jennifer Yeh
Mike Clark

Lyndsie Leech, Vice President
Matt Keating
Alan Zelenka
Randy Groves

5:30 p.m. CITY COUNCIL HEARING

1. PUBLIC HEARING: An Ordinance Vacating a Portion of Leo Harris Parkway

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



Public Hearing: An Ordinance Vacating a Portion of Leo Harris Parkway

Meeting Date: September 15, 2025
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Nicholas Gioello
Phone: 541-682-5453

ISSUE STATEMENT

The City Council will hold a public hearing on a request for a right-of-way vacation submitted by the applicant, the University of Oregon (City File VRI 25-02). The University has requested a vacation of a remnant portion of improved public right-of-way that is no longer needed due to the recent realignment of Leo Harris Parkway. The subject segment of right-of-way is located south of Martin Luther King Jr. Boulevard. A vicinity map and aerial photo of the proposed vacation area is provided as Attachment A to this AIS.

BACKGROUND

The University has requested vacation of a segment of right-of-way that was formerly part of the right-of-way for Leo Harris Parkway and that is located south of Martin Luther King Jr. Boulevard. This vacation is requested as the last step in the realignment of Leo Harris Parkway, which the City Council approved in concept in January 2023 as part of an outline of terms for an agreement with the University. The agreement, which was then executed in December 2023, sets out the terms for a land swap agreement under which the City will transfer land to the University and the University will transfer land to the City. Per the agreement, vacation of the portion of the existing Leo Harris Parkway Right-of-Way no longer serving the public interest, once the realignment of Leo Harris Parkway is completed, is a condition of closing.

The vacation process serves as a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. Public ways are defined by the Eugene Code as follows: “Any street, road, alley, right-of-way, pedestrian or bicycle easement or accessway, or utility easement for public use that is controlled by the city, county, or state.” Leo Harris Parkway is a public way.

The area proposed to be vacated includes approximately 1.72 acres (75,279 square feet) of former Leo Harris Parkway public right-of-way. Leo Harris Parkway provides a public access loop around the Autzen Stadium complex and connects to Martin Luther King Jr. Boulevard to the southeast of the stadium. The University completed the construction of the realigned portion of Leo Harris Parkway in June 2025, which is now available for public use, and the City has recorded the new alignment as the current right-of-way for Leo Harris Parkway. The segment of right-of-way proposed for vacation is no longer part of the right-of-way for Leo Harris Parkway and it has no independent use.

The area proposed for vacation abuts property that is zoned either PL Public Land or R-1 Low-Density Residential, with the /WR Water Resources Conservation overlay. All properties abutting the

September 15, 2025 Public Hearing – Item 1

area to be vacated are owned by the City and the University and are developed as Alton Baker to the east and south and the Autzen Stadium complex to the west and north.

More details about this request can be found in the full record of application materials to date, which will be provided separately to Councilors. Otherwise, application materials can be made available to the public in hardcopy or electronic format upon request. As a courtesy, the materials can also be accessed online here:

<https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=VRI-25-0002>

Consent of Abutting and Affected Property Owners

In accordance with Oregon Revised Statutes (ORS) 271.080, the applicant has provided evidence of consent to the vacation from owners of at least two-thirds of the property within the “affected area.” In this case, ORS 271.080 identifies the “affected area” as the land lying on either side of the proposed vacation area to the next lateral street or 200 feet, and 400 feet beyond each terminus of the proposed vacation area.

The applicant has provided a consent form confirming that consent for the proposed vacation has been obtained from the owners of 100 percent of the abutting property and 98.8 percent of the affected area, which exceeds the minimum requirements of ORS 271.080 and Eugene Code (EC) 9.8710.

A map showing the affected area, and the area of property owner consent, is included in the application file for reference.

Utilities

Public Works has reviewed this application and the surrounding facilities and infrastructure affected by the request and has coordinated with the University of Oregon to ensure continued access to utilities. All franchise utilities have been relocated to the new location and are operational, therefore letters of concurrence from the franchise facilities are not necessary.

Procedural Summary

This request for vacation is being considered in accordance with EC 9.8700-9.8725 and ORS 271.080-271.230, and procedures in EC 9.7445-9.7455. The public hearing will be conducted consistent with quasi-judicial procedures as set forth in EC 9.7065-9.7095.

Notice of the public hearing regarding the requested vacation has been provided in the following manner: On August 15, 2025, notice was mailed to owners of property within 100 feet of the vacation area and to interested parties. On September 4, 2025, public notice was posted in the immediate vicinity of the requested vacation; and on September 9, 2025, legal notice was published in The Register-Guard newspaper.

No public testimony has been received. Any written testimony received prior to close of the record for this vacation application will be forwarded to the City Council for consideration.

Applicable Criteria

In making a decision on the proposed right-of-way vacation, the Council must apply the following approval criterion:

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.

Findings demonstrating compliance with these requirements can be found in Exhibit C to the proposed vacation Ordinance attached as Attachment B to this AIS.

RELATED CITY POLICIES

None.

PREVIOUS COUNCIL DIRECTION

[January 23, 2023 Work Session](#)

City Council voted to approve an Outline of Terms that was provided with the AIS for the Council meeting on that date. The approved Outline of Terms included a requirement that the University construct and be responsible for all costs associated with Leo Harris Parkway realignment. As relevant to this application to vacate the old alignment, the approved Outline of Terms stated:

“[T]he University will apply for, and the City Council will hold a hearing on, the vacation of the City’s interest in the portion of the existing Leo Harris right-of-way that is replaced by the newly constructed / realigned roadway. The City Council’s approval of these Terms will serve as evidence that the vacation associated with the Road Work is in the public interest as defined in the City’s road vacation approval criteria at EC 9.8725.”

Councilor Groves, seconded by Councilor Keating, moved to approve the Outline of Terms included in Attachment A and authorize the City Manager to enter into an agreement with the UO consistent with these terms.

Passed 7:1 (opposed by Councilor Keating)

COUNCIL OPTIONS

No action is required at this time.

CITY MANAGER’S RECOMMENDATION

This item is scheduled for a public hearing only. Deliberations and potential action are scheduled for September 22, 2025.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. Vicinity Map and Aerial Map of Vacation Request
- B. Ordinance
 - a) Exhibit A – Legal Description
 - b) Exhibit B – Site Plan
 - c) Exhibit C - Findings

FOR MORE INFORMATION

Staff Contact: Nicholas Gioello, Associate Planner

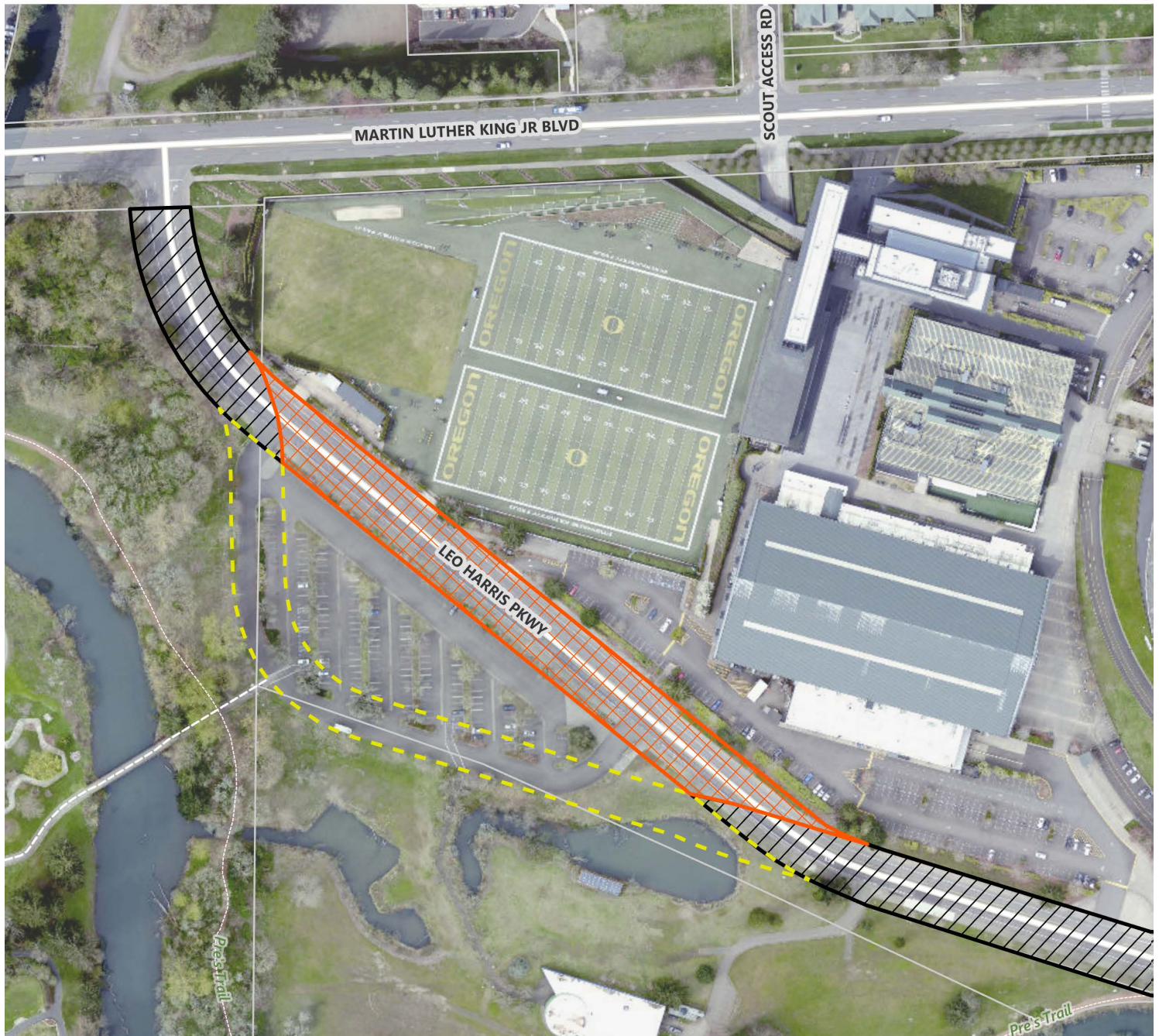
Telephone: 541-682-5453

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



Vacating a Portion of Leo Harris Parkway Vicinity and Aerial Imagery Map (VRI 25-02)

Attachment A



- Taxlots
- Eugene UGB
- Subject Property**
 - Right of way area to be vacated
 - Existing right of way excluded from vacation area
 - Road relocated here



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

Created on 8/27/2025
by City of Eugene Planning Division



ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF LEO HARRIS PARKWAY.

The City Council of the City of Eugene finds that:

A. The City Council of the City of Eugene approved an agenda that set a public hearing to be held at 7:30 p.m. on September 15, 2025, in Council Chambers, for the purpose of hearing protests and remonstrances to the proposed vacation of the following described right-of-way:

The right-of-way identified as a portion of Leo Harris Parkway located south of Martin Luther King Jr. Boulevard which is more particularly described in Exhibit A and depicted on Exhibit B attached to this Ordinance.

B. Notice was duly and regularly given of the public hearing, and on September 15, 2025, the City Council held a public hearing and heard all objections to the proposed vacation.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Eugene finds that notice of the public hearing on the proposed vacation was published and posted as required by law, that consents required by EC 9.8710(6) and ORS 271.080(2) and any needed statements of concurrence from affected utility providers have been filed in the proceedings, and that vacation of the right-of-way described in Exhibit A and depicted on Exhibit B attached to this Ordinance is in the public interest, as described in the Findings attached as Exhibit C to this Ordinance and hereby adopted in support of this Ordinance.

Section 2. The right-of-way described and depicted on Exhibits A and B attached to this Ordinance is hereby vacated and shall revert pursuant to the statutes of the State of Oregon.

Section 3. The City Recorder is directed to file a certified copy of this Ordinance with the Recorder of Lane County, Oregon, together with a map or plat of said property, and a certified copy of this Ordinance shall be filed with the Lane County Assessor and another certified copy shall be filed with the Lane County Surveyor.

Passed by the City Council this

_____ day of _____, 2025.

Approved by the Mayor this

_____ day of _____, 2025.

City Recorder

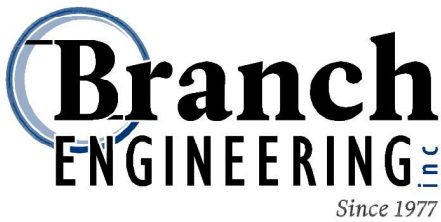
Mayor

EXHIBIT A

Legal Description
Leo Harris Pkwy Vacation

Located in the Southeast Quarter of Section 29, Township 17 South, Range 3 West, W.M. in Eugene, Lane County, Oregon, being a portion of a variable width strip of land known as Leo Harris Parkway, originally established by a Resolution of the Lane County Commissioners as stated in Reel 94, Page 352 and later adopted by the Eugene City Council per Resolution No. 4661, further referenced by Engineer's Centerline "L3" as shown on County Survey File 31225; that portion being vacated is located and described as lying between the south margin of Martin Luther King Jr. Blvd and Engineer's Centerline Station "L3 20+74.77".

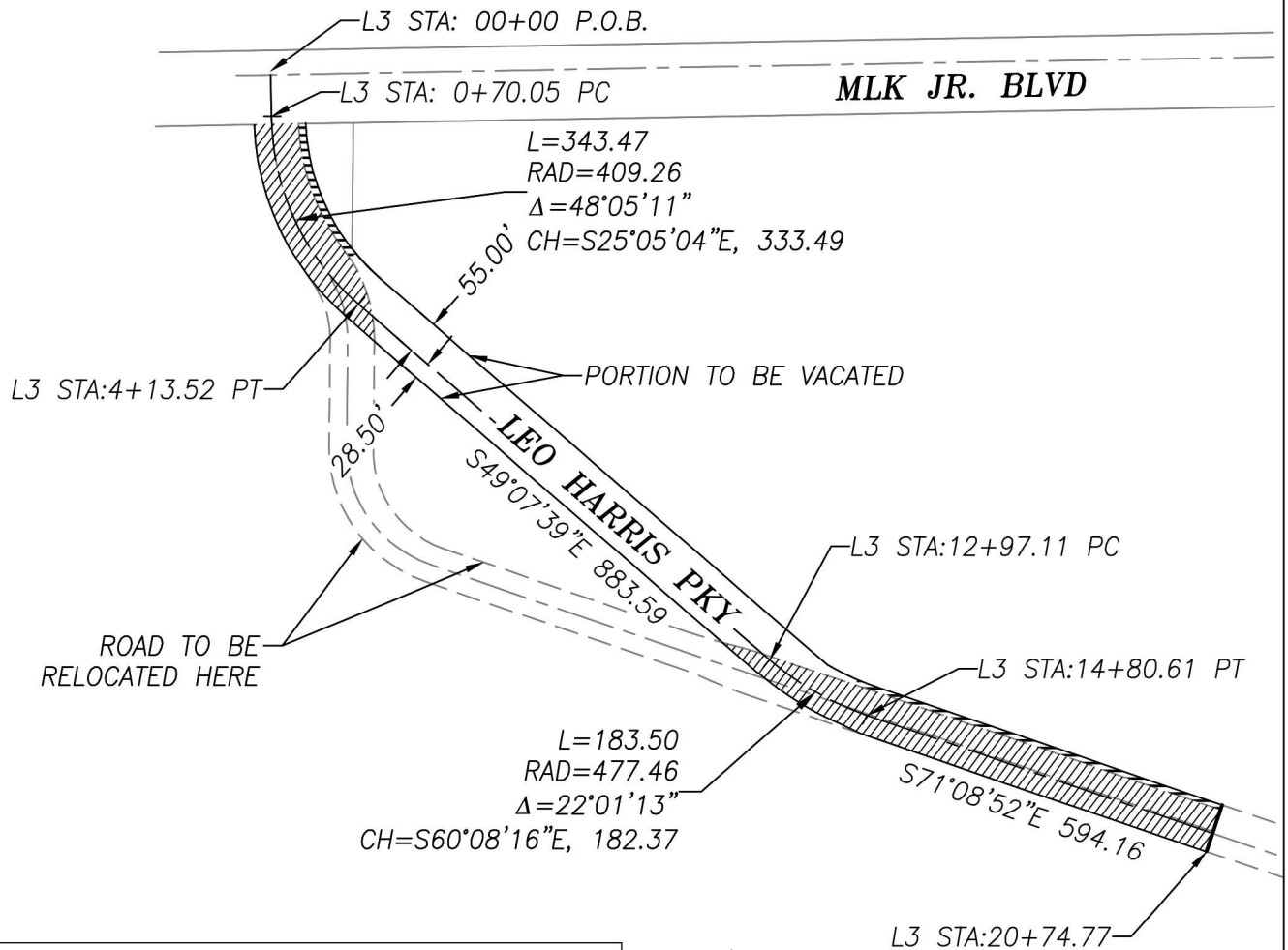
EXCEPT: Those portions of land described in that certain DECLARATION OF RIGHT-OF-WAY recorded as Instrument No. 2025-015529, Lane County Deeds and Records.



310 5th Street
Springfield, OR 97477
p: 541.746.0637

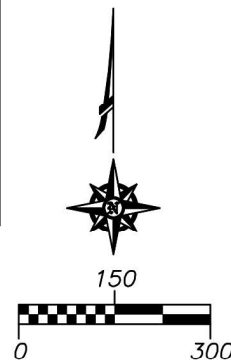
www.BranchEngineering.com

EXHIBIT B
LOCATION MAP
LEO HARRIS PARKWAY VACATION
MAY. 7, 2024
SCALE: 1"=300'



Legend

- Existing ROW excluded from vacation area
- Land within vacation but outside of street



PROJECT No. 21-197

FINDINGS IN SUPPORT OF VACATING A PORTION OF LEO HARRIS PARKWAY

APPLICATION OVERVIEW

Name (File Number): Leo Harris parkway UO (VRI 25-02)

Applicant: University of Oregon

Subject Property: Former Segment of Right-of-Way for Leo Harris Parkway

Zoning: Abutting properties zoned PL Public Land and R-1 Low-Density Residential, with /WR Water Resources Conservation Overlay

Location: 1.72 acres of improved right-of-way, located south of Martin Luther King Jr. Boulevard and east of Autzen Stadium

BACKGROUND

The University of Oregon (the applicant) filed a request for vacation of a segment of improved public right-of-way that was formerly part of the right-of-way for Leo Harris Parkway. Leo Harris Parkway has been realigned and constructed to the southwest of the area to be vacated. The University completed the construction of a realignment of this segment of Leo Harris Parkway in June 2025, which is now available for public use, and the City has recorded the new alignment as the current right-of-way for Leo Harris Parkway. The segment of right-of-way proposed for vacation is no longer part of the right-of-way for Leo Harris Parkway and it has no independent use.

The area proposed to be vacated is a total of 1.72 acres or 75,279 square feet of public right-of-way. The area of vacation is the portion of Leo Harris Parkway just south of its intersection with Martin Luther King Jr. Boulevard and extending from the point where the newly constructed right-of-way centerline diverges from the existing right-of-way centerline and extends until the centerlines reconverge approximately 1,100 feet to the southeast. The Applicant and the City own all properties abutting the right-of-way to be vacated. Abutting properties are zoned either PL Public Land or R-1 Low-Density Residential, with the /WR Water Resources Conservation overlay.

FINDINGS

The vacation process serves as a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. Public ways are defined by the Eugene Code as follows: "Any street, road, alley, right-of-way, pedestrian or bicycle easement or accessway, or utility easement for public use that is controlled by the city, county, or state."

This request for vacation is being considered in accordance with Sections 9.8700 – 9.8725 of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080 – 271.230, and processed pursuant to EC 9.7445 – 9.7455. EC 9.8710(3) requires that any vacation of an improved right-of-way be considered and decided upon by the City Council in accordance with the procedures in EC 9.7445 through 9.7455. The public hearing is being conducted consistent with quasi-judicial procedures in State law and as set forth in EC 9.7065 – 9.7095.

The University has constructed the realigned portion of Leo Harris Parkway and bore all costs associated with the realignment, including design, permitting, construction, and related City staff costs. The new alignment has been recorded as the City right-of-way for Leo Harris Parkway, such that the vacation of the former right-of-way does not result in any loss of improvement costs or value to the City of Eugene. The vacated area will be included in a land swap agreement between the City and the University that takes into account the value of the vacated area. Therefore, EC 9.8710(5) does not require that the University pay a special assessment for the vacation.

In accordance with ORS 271.080, the applicant has provided evidence of consent to the vacation from the owners of at least two-thirds of the property within the affected area. ORS 271.080 defines the affected as the land lying on either side of the vacated area to the next lateral street or 200 feet, and 400 feet beyond each terminus of the right-of-way to be vacated. The applicant and the City own 98.8% of the real property affected and the City has signed the required consent form. The applicant has demonstrated it exceeds the requirements of ORS 271.080 and EC 9.8710.

The City of Eugene Public Works Department has reviewed this vacation application, as well as the surrounding facilities and infrastructure affected by the request. All franchise utilities have been relocated to the new location and are operational, therefore letters of concurrence are not necessary.

Compliance with Approval Criterion

Per EC 9.8725, the sole approval criterion applicable to vacation of improved public right-of-way requires City Council to find that approval of the requested vacation is in the public interest. The full text of the approval criterion is provided below, followed by findings demonstrating compliance:

EC 9.8725: 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.

On January 23, 2023, the City Council approved the terms of a land swap agreement between the City and University to acquire approximately 4 acres of property owned by the City as part of its Alton Baker Park, and for the City to acquire approximately 8 acres of riverfront real property that is owned by the University. The University needed additional land between Leo Harris Parkway and Martin Luther King Jr. Boulevard to construct two new outdoor football practice fields as replacements for the outdoor practice fields displaced by a new indoor practice facility on the University's Autzen Stadium Complex land. This required the realignment of Leo Harris Parkway, making the subject segment of former Leo Harris Parkway a right-of-way remnant without independent use.

On January 23, 2023, the City Council voted to approve an Outline of Terms that was provided with the AIS for the Council meeting on that date. The approved Outline of Terms included a requirement that the University construct and be responsible for all costs associated with Leo Harris Parkway realignment. As relevant to this application to vacate the old alignment, the approved Outline of Terms stated:

"[T]he University will apply for, and the City Council will hold a hearing on, the vacation of the City's interest in the portion of the existing Leo Harris right-of-way that is replaced by the newly constructed / realigned roadway. The City Council's approval of these Terms will serve as evidence that the vacation associated with the Road Work is in the public interest as defined in the City's road vacation approval criteria at EC 9.8725."

The University completed the re-construction and re-alignment of this portion of Leo Harris Parkway in June 2025, which is now available for public use and provides the same level of access as was served by the previous alignment. The agreement executed by the University and City demonstrates that the vacation of a portion of Leo Harris Parkway and land transfer to the University furthers the interests of both public agencies and is therefore in the public interest.

The above findings demonstrate that vacation of the subject portion of Leo Harris Parkway is in the public interest. This determination is based on the conclusion that the vacation of the improved right-of-way will provide an opportunity for the efficient use of land and will not negatively impact the City's transportation system, surrounding uses, or emergency access.

Conclusion

Based on the above facts and the terms of the Ordinance, the applicant's requested vacation of a portion of Leo Harris parkway public right-of-way is in the public interest.