

# 20<sup>th</sup> Pedestrian ROW Vacation

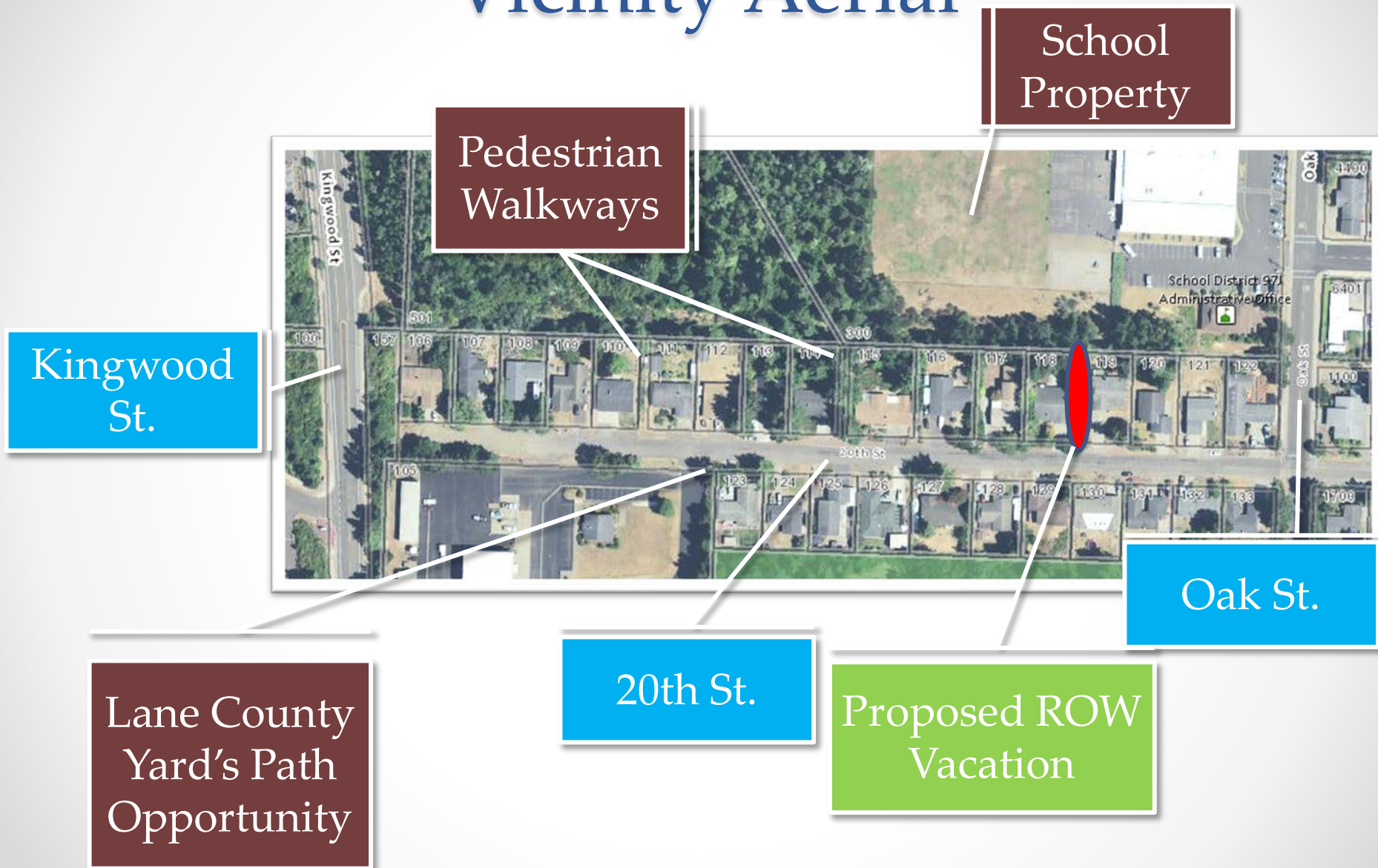
PC 21 02 VAC 01



# Petition

- Simone Calfee petitioned for vacation of pedestrian right-of-way easement in order to retain existing side yard fencing.
- Area proposed for vacation totals approx. 2,031.20 sf (15' x 135.42' sf). Within this pedway is a (10 X 15 sf) 150 sf for drainage/public utility easement.

# Vicinity Aerial



# Timeline

## FCC 8-3-4-1

January 25 – Petition submitted

March 15 – **Hearing #1** -City Council  
“Initiation’ hearing

March 23 – **Hearing #2**- Planning Commission

TBD - **Hearing #3**

# Purpose of Initial Hearing #1

- Determine if vacation is in best public interest in order to send item to Planning Commission – if in best interest then:
- Establish value of easement = \$9,363.26 plus assessed, noticing, hearing, and recording costs of \$3,196.02

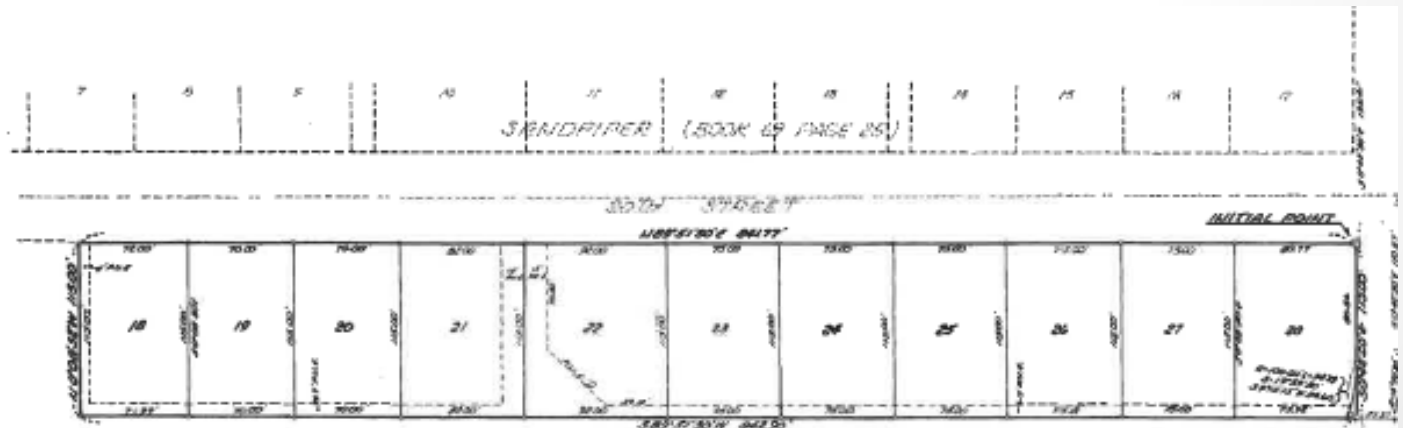
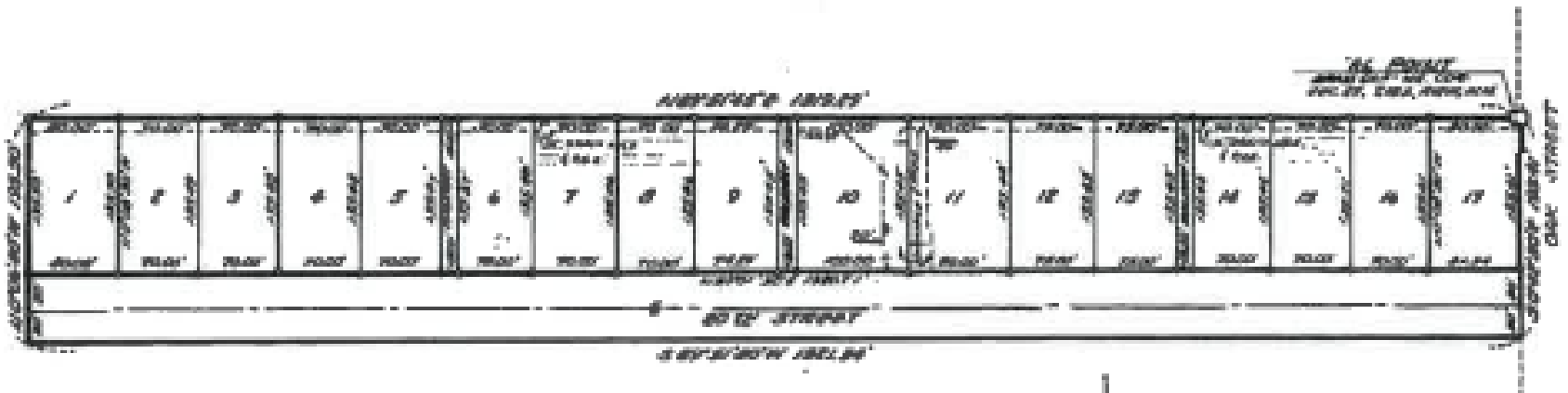
## Purpose of This Hearing #2

- Determine if vacation is in the best public interest
- Provide a recommendation to City Council for Public Hearing #3

# Review Criteria

- **FCC Title 8** – Ch. 3, Secs. 3-3 thru 3-5-2
- **FCC Title 10** – Ch. 36, Public Facilities, Sec 2-1-A
- **ORS 271** - Use and Disposition of Public Lands Generally, Easements; ORS 271.005 - ORS 271.230
- **Comp. Plan** - Ch. 8, Parks, Rec. & Open Space
- **Parks & Rec. Master Park Plan 1987 & 2011** – Ch. 6

# Sandpiper Plats

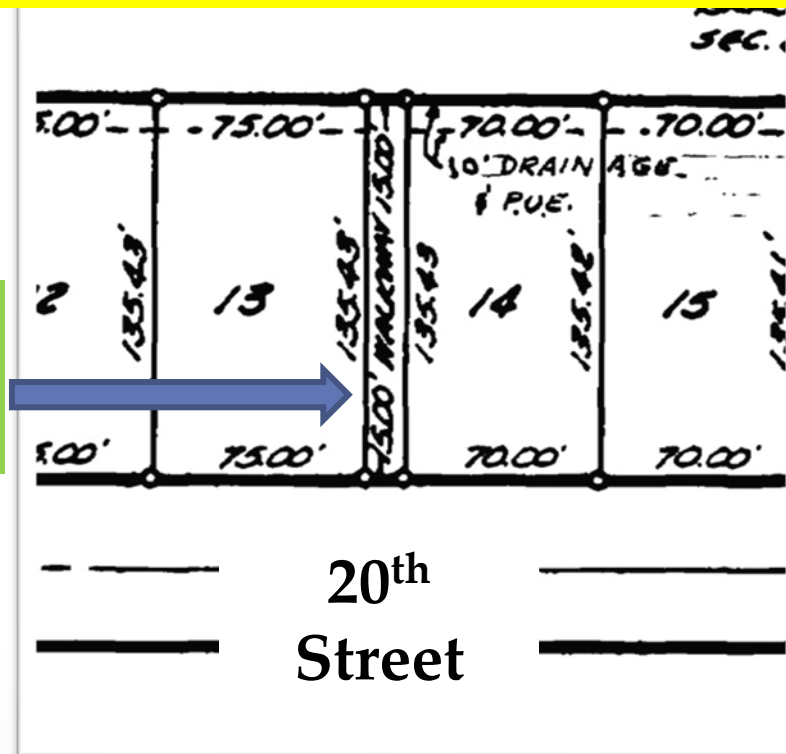




# Sandpiper Plat Excerpt

## 10' Drainage and Public Utility Easement

Pedestrian Walkway in Question



# Site Condition & Zoning

- Site = Medium Density Residential, developed with a single-family residential dwelling, unpaved & fenced
- East, west & south along 20<sup>th</sup> St. = MDR
- Miller Park = Park/Open Space
- Lane County Maintenance Yard = LI
- North (school campus) = High Density Residential

# Current Use of Site



# Lane County Yard





# 'In Best Public Interest'

## Supporting Docs

- Comp Plan- (Ch. 8) "The City should review the listing of rights-of-way suitable for recreation use prior to vacating public rights-of-way."
- Parks Master Plan - Linear park - unneeded ROWs should be marketed and revenues dedicated to support park system – Subject pedway priority was low on development list from 1987.

# Park Plan Excerpt (1987)

15'x135' pedestrian/bike path between lots 110 and 111 on 20th  
15'x135' pedestrian/bike path between lots 114 and 115 on 20th  
15'x135' pedestrian/bike path between lots 118 and 119 on 20th  
15'x115' pedestrian/bike path between lots 105 and 123 on 20th

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# Proposed Pedestrian Access Aerial



# Rationale

- 2 similar pedways to the west platted with Sandpiper subdivision- currently either unused or underused – also Low on 1987 Park Plan.
- Oak St. sidewalk best connection from Miller Park to School –campus closed to pedestrian walkways on 20th- Any foot traffic headed south from campus in future could utilize the more western pathways.



# Conditions

1. Outlines approval materials
2. Requirement for Agreement of Acceptance
3. The applicant shall obtain the remaining (2/3) signatures needed prior to the City Council hearing finalizing the right-of-way vacation.

# Alternatives

1. Recommend approval based on the findings of compliance with City and State regulations.
2. Modify the findings, reasons or conditions, and recommend approval as modified.

## Alternatives (cont.)

3. Recommend denial based on the Commission's findings.
4. Continue the Public Hearing to a date certain if more information is needed.

# Staff Recommendation

## **Alternative #1:**

Staff recommends that the Planning Comm. provide a recommendation of approval of the vacation to the City Council subject to the condition listed in the Findings of Fact, Exhibit A.

# Questions?

