



AGENDA BILL 2010-09-13-08

Subject: City-initiation of the vacation of the portion of the Oxford Street right-of-way east of Bittner Street as well as the intersecting alley between Oxford Street and Long Street, located in Sunset Park.

For Council: September 13, 2010

Land Use Case Number: MISC 10-19

Public Hearing: No

City Manager's Initials: KW

Attachments:

1. Planning Department memorandum to City Manager

Initiated by:

- City Staff

Budget Impact:

- Minimal, though some staff time will be required to prepare the vacation documents.

Sustainability Considerations:

- None

Policy Question(s) for Council Consideration:

- Is it appropriate to have the City initiate the vacation of these right-of-ways?

Summary:

- This is a request to have the City Council direct the City Manager to initiate the vacation of the right-of-ways in Sunset Park, as described above.
- The right-of-way proposed for vacation is unimproved and is used for park purposes rather than as public right-of-way.
- The area proposed for vacation does not include any utilities and no new easements will be required.
- City-initiation of this vacation will expedite the pending sale of the northern portion of the Sunset Park to the WLWSD, which was approved by a majority of the voters in the May 18, 2010 election.
- If the Council authorizes the initiation of this vacation, the public hearing on the matter will be held on October 11, 2010.

Recommended Motion:

Move to direct the City Manager to initiate vacation proceedings for the portion of the Oxford Street right-of-way east of Bittner Street as well as the intersecting alley between Oxford Street and Long Street.



Memorandum

Date: August 30, 2010

To: Chris Jordan, City Manager

From: Chris Kerr, Senior Planner

Subject: City-initiated right-of-way vacation for portions of Oxford Street and the intersecting alley within Sunset Park (MISC 10-19)

Purpose

Staff requests that the City Council, at their September 13, 2010 meeting, direct the City Manager to initiate vacation proceedings for that portion of the Oxford Street right-of-way east of Bittner Street as well as the intersecting alley that bisect Sunset Park between Oxford Street and Long Street (see attached map). This action will allow staff to prepare a City-initiated right-of-way vacation for the Council to consider at a public hearing on October 11, 2010.

Background

On February 22, 2010 the City Council approved a Resolution to submit to the voters a ballot measure that would permit the sale of the northern portion of Sunset Park to the West Linn/Wilsonville School District (WLWSD) to enable the District to replace the existing Sunset Primary School at its current location. A majority of the voters in the City approved of this ballot measure in the May 18, 2010 election. Vacating the proposed right-of-ways will facilitate the pending sale of this property to the District.

Discussion

As depicted on the attached map, the 60-foot wide Oxford Street right-of-way currently separates the Sunset Primary School from Sunset Park. The 10-foot wide alley right-of-way bisects Sunset Park from north to south. The only abutting property owner is the WLWSD. They currently own the property on the north side of Oxford Street and they support the vacation request. The areas to be vacated are already being used for park purposes rather than right-of-way. There are no public or private utilities within the areas to be vacated, nor will any new easements be required if they are vacated.

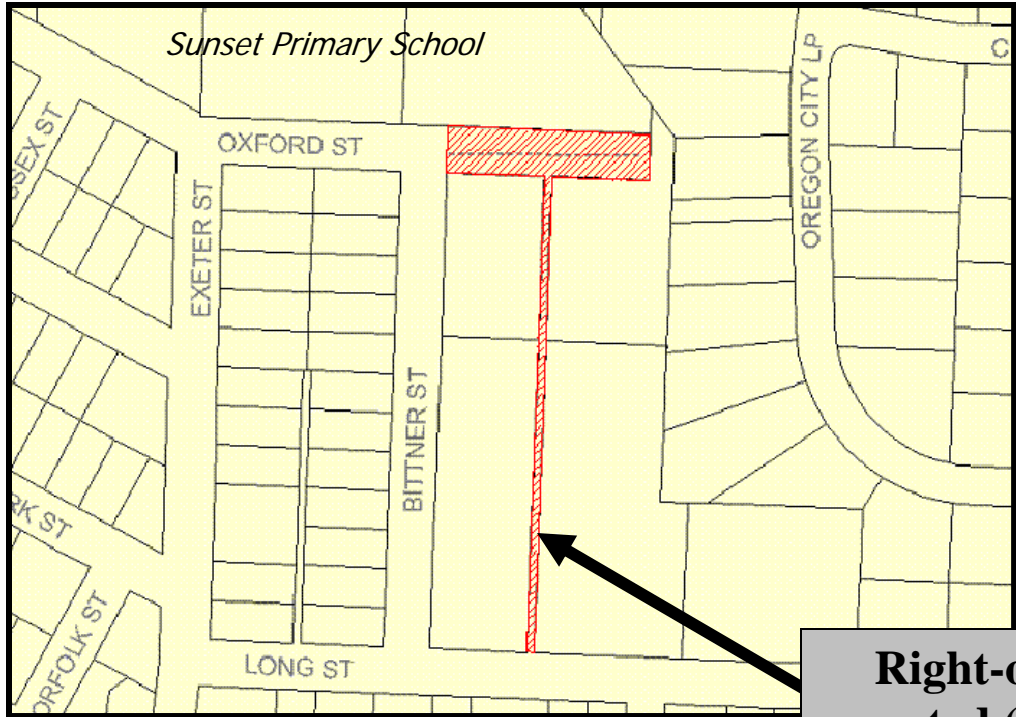
These right-of-ways are vestiges of the original Willamette Heights Plat recorded in 1913. Since that time, due to various right-of-way vacations, subdivisions of land, and the City acquisition and development of Sunset Park, this portion of Oxford Street and the 10-foot wide north/south alley have become isolated remnants that no longer function as public right-of-ways.

Options

- A. The Council could direct the staff to initiate the vacation proceedings which will result in a public hearing before the Council on the matter; or
- B. The Council could take no action and the properties will remain as public right-of-way.

Recommendation

The Planning Department and Engineering Department both support processing the City-initiated vacation of the proposed right-of-ways.



Right-of-way to be vacated (approximate)

