

AGENDA

SPECIAL CITY COUNCIL MEETING

July 25, 2015

5:30 p.m.

CITY HALL COUNCIL CHAMBER

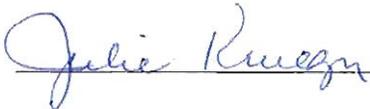
313 COURT STREET

THE DALLES, OREGON

1. CALL TO ORDER
2. PUBLIC HEARINGS
 - A. Public Hearing to Receive Testimony Regarding the Proposed Vacation of a Portion of River Trail Way
3. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk

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CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles"



AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
August 25, 2015	Public Hearings 2, A	

TO: Honorable Mayor and City Council

FROM: Richard Gassman, Director
Planning Department

THRU: Nolan Young, City Manager

DATE: August 25, 2015

ISSUE: Public Hearing on a Right of Way Vacation for a portion of River Trail Way.

RELATED CITY COUNCIL GOAL: N/A

PREVIOUS AGENDA REPORT NUMBERS: August 4, 2015.

BACKGROUND: The City of The Dalles submitted a petition on behalf of the Port of The Dalles to initiate a right of way vacation process for a portion of River Trail Way at the northern end of the street. Public Works has no objection to the requested vacation. A map and legal description of the proposed vacation area is attached to this report.

At its August 4, 2015 meeting the City Council authorized staff to initiate a partial right of way vacation process for the area as indicated on the map.

The vacation will be effective upon the sale of the property surrounding the portion of the road to be vacated.

NOTICE: Staff posted the site on August 6, 2015 and published notice in the Chronicle on August 11, 2015 and on August 18, 2015. Staff also sent notices to the surrounding property owner on August 11, 2015.

COMMENTS: No comments have been received.

REVIEW: After closing the public hearing, the City Council shall approve, conditionally approve, modify or deny the proposed vacation. If approved, the Council shall make findings that substantiate all of the following:

1.”...if the vacation proceedings were initiated by motion of the City Council, a finding that owners of a majority of the area affected by the vacation have not objected in writing prior to the hearing;

Staff Finding 1. *Section 7(A) of General Ordinance No. 99-1230 requires a finding that the owners of a majority of the area affected by the vacation have not objected in writing prior to the hearing. No objections have been filed as of the date of this staff report. There is only one property owner within the affected area and that is the Port of The Dalles, which has signed a consent to the vacation. The Council will need to determine if the owners of a majority of the area affected by the vacation have not objected to the proposed vacation.*

2. Notice has been duly given;

Staff Finding 2. *All property notices required by General Ordinance 99-1230 have been provided. The area to be vacated was posted on August 6, 2015, and notices were published in The Chronicle on August 11, 2015 and August 18, 2015. In addition, the Port of The Dalles was notified on August 11, 2015.*

3. The proposed vacation does not conflict with the City’s Comprehensive Plan or any other City Ordinance;

Staff Finding 3. *No existing or potential access to adjoining properties will be affected. Goal 11 – Public Facilities and Services: The timely, orderly, and efficient arrangement of public utilities will not be affected.*

4. The public interest will not be prejudiced by the vacation of public way;

Staff Finding 4. *No public interests in this area will be harmed with the vacation request.*

5. If the vacation proceedings were initiated by motion of the City Council, a finding either that all abutting property owners have consented to the vacation, or that if the evidence shows the vacation will substantially diminish the market value of the abutting owner’s property, the City Council has made provision for paying damages.

Staff Finding 5. *The sole abutting property owner has signed a consent to the proposed vacation. All the area proposed to be vacated will become property of the Port of The Dalles, or its successor in interest if the property surrounding the proposed vacation has*

been sold prior to the adoption of the ordinance, as is intended. There will be no effect on adjacent property values as the access to other properties in the area will not be affected.

BUDGET IMPLICATIONS: The costs associated with the proposed partial street vacation are minimal; public notices and some staff time. If the right of way is ultimately vacated, Section 9 of General Ordinance 99-1230 provides “the cost of preparing, filing, and recording the ordinance and any map required to be filed with the ordinance shall be paid for by the petitioner.”

ALTERNATIVES:

Staff Recommendation: If the evidence presented by staff and gathered at the hearing supports all of the required findings, the City Council should adopt a motion approving a vacation of the public right of way as indicated on the attached map, and directing staff to prepare an ordinance for adoption to be presented at a future Council meeting.

- A. Move to approve the requested street vacation for a portion of River Trail Way at its northern end, based upon the findings of staff and City Council, and direct staff to prepare an ordinance for adoption at a future meeting, completing the vacation process.***

- B. Move to deny the vacation request and direct staff to prepare a resolution setting forth the reasons for the denial.**

August 11, 2015

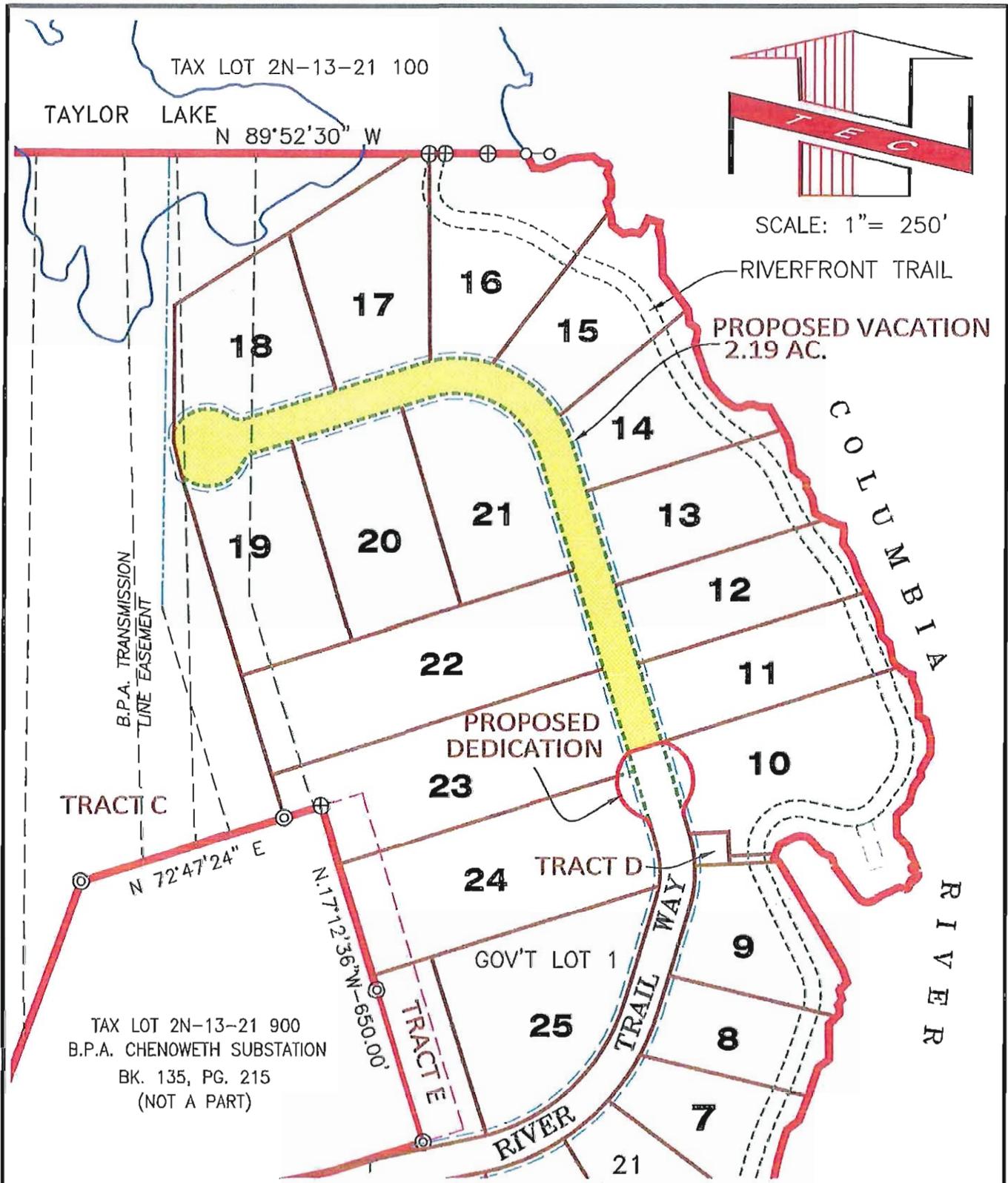
LEGAL DESCRIPTION
for
River Trail Way Vacation

A tract of land lying in the Columbia Gorge Industrial Center Subdivision in the South 1/2 of Section 21, Township 2 North, Range 13 East, Willamette Meridian, City of The Dalles, Wasco County, Oregon, being more particularly described as follows:

All that portion of River Trail Way as dedicated in the plat of the Columbia Gorge Industrial Center Subdivision lying Northerly of the Westerly extension of the South line of Lot 11.

Contains 2.19 acres.

<14601_DESC.001_sa>



Survey T.E.C.	Calc. B.B.B.	App. B.B.B.	Dwg. No. 14601_All (Exhibit)	Work Order No. 14601	Drawn S.D.H.	Date 8/11/2015	Scale 1"=250'	Sheet 1 of 2
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TENNESON ENGINEERING CORP.
CONSULTING ENGINEERS
3775 CRATES WAY
THE DALLES, OREGON 97058
541-296-9177 FAX 541-296-6657



EXHIBIT MAP FOR
RIVER TRAIL WAY VACATION
LOTS 11 TO 23, COLUMBIA GORGE INDUSTRIAL CENTER SUB.
IN THE SW1/4 OF SECTION 21, TWP. 2 N., RANGE 13 E. W.M.
CITY OF THE DALLES, WASCO COUNTY, OREGON