

COBURG CITY COUNCIL ACTION/ISSUE ITEM



TOPIC: Resolution 2022-21, a Resolution Conditionally Accepting Dedication of a Portion of Macy Street.

Meeting Date: August 9, 2022

Staff Contact: Anne Heath, City Administrator

Contact: 541-682-7852, anne.heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Adopt Resolution 2022-21, a resolution conditionally accepting a dedication of a portion of Macy Street to allow for the completion of Macy Street as provided in the Transportation System Plan.

Suggested motion: "I move that the Council adopt Resolution 2022-21, a resolution conditionally accepting a dedication of a portion of Macy Street."

BACKGROUND

The Urban Growth Boundary includes residential lands currently owned and under development by Bruce Weichert Custom Homes. Weichert is currently developing Phase I of a 2-phase residential development. Phase II was put on hold due to the challenges of providing alternative transportation into the neighborhood.

This has been an historic and ongoing concern for the City as the available residential lands have been essentially landlocked. There have been many hours spent working on solutions long before Weichert purchased the property. The only other solution would be an expansion of the Urban Growth Boundary. This option has been vetted, would be a heavy lift and long process for the City at this time, would be of great expense to the developer, a substantial expense to the City, and most likely will result in an appeal process.

The challenge of the land-locked residential lands was the sale of the railroad right-of-ways to residents many years ago. Specifically, it hampers the ability for Macy Street to go through to the residential lands within the Urban Growth Boundary.

Recently, the property at 91239 N. Harrison Street came up for sale. Weichert has entered into a contract to purchase this property, and is willing to donate right-of-way in order for Macy Street to continue through as planned for in the Transportation System Plan. This dedication would solve the issue that the City has sought to resolve for many years. A visual map for the

future of Macy Street is part of the TSP and is available as Exhibit “A”. Additionally, a draft dedication deed, legal description and rendering of the expansion of Macy Street is reflected in Exhibit B”.

POLICY CONSIDERATION - TRANSPORTATION PLANNING IN COBURG

The Comprehensive Plan Goal 12 on Transportation speaks to the importance of developing street networks including:

Policy 2: Encourage the City to take a long-range view in approving street patterns for new development

2.2 Protect the function of existing and planned transportation systems as identified in the Transportation System Plan

2.4 At the time of land development or land division, require the dedication of additional right-of-way in order to obtain adequate street widths in accordance with the street plans adopted by the City.

Policy 9:

9.3 Extend, provide connectivity to, and continue the grid pattern where appropriate in a local street design and layout.

Policy 17: Public street right-of-way should continue to serve as the primary access to properties for transportation and public utilities.

Policy 47: Develop and maintain a street network that is interconnected

The Transportation System Plan, which was updated and adopted in June, 2013 by the City Council, provided for a functional classification and mapping of future street plans. Figure 11, which serves as Exhibit “A” to the draft dedication deed, reflects the future street plan. This plan provides for Macy Street to continue in order to provide connection within the grid pattern. The City fulfilled the Comprehensive Plan Goal 2 of planning by illustrating how this street would be incorporated into the future street grid. The City obtained right of way and up to the dead-end of the street with the intention that the street would eventually continue.

PROCESS

The process of accepting right-of way is an administrative process of the City. It is not a land use action, and does not require planning commission approval, public hearings or notification. The City already owns the right of way up to the proposed donation. Therefore, the City is the decision maker to accept additional right of way in order to continue the street through as planned. However, the City did prepare a short letter to the residents in the near vicinity of this area notifying them that the Council would be receiving this report and providing them information on giving public comment.

PUBLIC INVOLVEMENT

Public comment was included at the time of the adoption of both the Comprehensive Plan as well as the Transportation System Plan. Notification to neighbors, although not required by code, was mailed and hand delivered on August 1, 2022.

TIMELINE FOR CONSTRUCTION OF THE STREET

The City is currently scheduled to provide reconstruction to Macy Street in the summer and/or fall of 2023. With the additional right-of-way dedicated, the extension of Macy Street would take place at the same time. Wiechert would fund the extension of the street, as it is a street into the land to be developed. This fulfills the requirement from zoning code which requires developers of subdivisions to **“improve streets within a subdivision and adjacent but only partially within a subdivision”**.

TRANSPORTATION CHALLENGES AND SOLUTIONS

The City currently has several transportation challenges as identified by the Transportation Committee. Alternative transportation into the residential urban growth boundary is one of those challenges that the City staff and regional partners have been working diligently to solve. This project eliminates this challenge and provides for transportation, and an alternative route to and from the residential lands.

BUILDABLE LAND REQUIREMENTS

The state requires that the City maintain a buildable land inventory. While the City has maintained this inventory, it has been largely landlocked. Allowing for access to the residential lands fulfills the Cities requirement to provide for housing to meet the growing population of the City. Allowing for this access alleviates the City’s need to consider a residential urban growth boundary expansion any time in the near future.

Future expansions would be left to the application of property owners with the support of urbanization studies as required and based upon the population forecasts provided by Portland State University.

RECOMMENDATIONS:

Staff recommends Council adopt Resolution 2022-21

BUDGET

N/A

NEXT STEPS

Staff will move forward to accept the donation of the right-of-way on Macy Street and record it

at the County.

ATTACHMENTS

1. Resolution 2022-21
 - A. Exhibit A. Figure 11 from Coburg TSP
 - B. Exhibit B. Draft Dedication Deed, Legal Description and Diagram

Reviewed by:

Anne Davies, City Attorney
Brian Harmon, Public Works
Branch Engineering

DRAFT
RESOLUTION 2022-21

A RESOLUTION CONDITIONALLY ACCEPTING A DEDICATION OF A PORTION OF MACY STREET

WHEREAS, the City of Coburg Transportation System Plan (TSP) provides for an extension of Macy Street eastward from the intersection of Macy Street and North Harrison St. See attached Exhibit A; and

WHEREAS, a portion of that section of Macy Street has already been dedicated to the City; and

WHEREAS, Bruce Weichert Custom Homes is currently under contract to purchase the private property identified as tax lot 300 of assessor map 16-03-33-2200; and

WHEREAS, upon finalizing that transaction, Weichert intends to execute a dedication of a portion of that tax lot to the City of Coburg for purposes of a public street and public utilities. Attached **Exhibit B** is a draft deed and legal description of the portion of tax lot 300 proposed to be dedicated to the City.

WHEREAS, the dedication of that portion of the extension of Macy Street is necessary to achieve the street layout as set forth in the City's TSP; and

WHEREAS, the City desires to accept the dedication in order to provide the planned grid of the street layout.

THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Acceptance of Dedication. The City of Coburg accepts on behalf of the public the dedication of the real property described in attached Exhibit B for use as a public road, contingent on the condition set forth in Section 2 of this Resolution.
2. Condition. The acceptance is contingent on, and does not take effect until, Bruce Weichert Custom Homes, as owner of tax lot 300, executes a dedication deed that is substantially similar to the draft deed attached hereto as Exhibit B, and the executed deed is delivered to the City.

Adopted by the City Council of the City of Coburg, Oregon, by a vote of ____ for and ____ against, this ____ day of August 2022.

Ray Smith, Mayor

Attest

Sammy L. Egbert, City Recorder

EXHIBIT A

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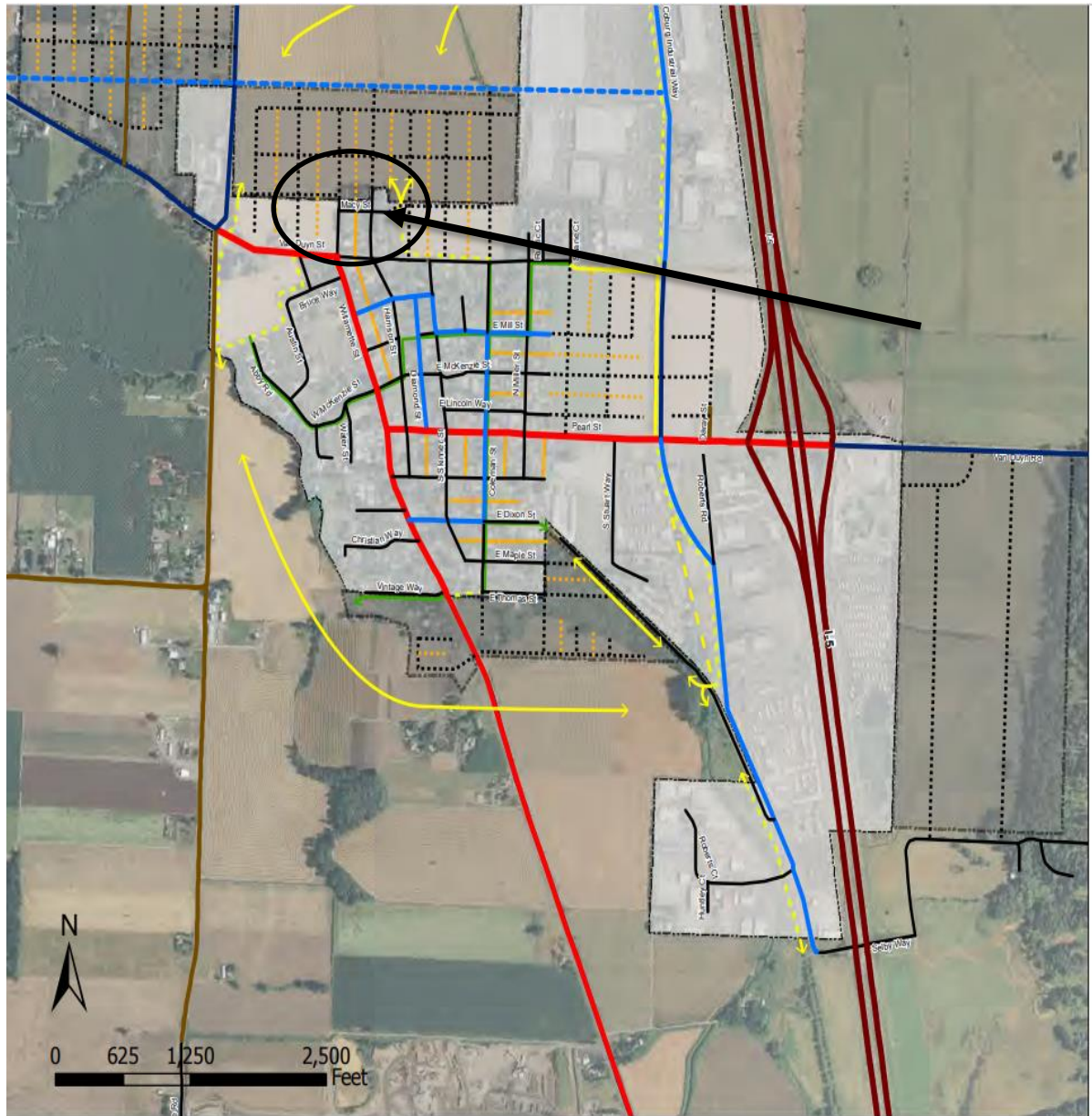


Figure 11

2030 Functional Classification Map & Future Street Plan