



Legislation Details (With Text)

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Type: Resolution **Status:** Agenda Ready

In control: City Council

On agenda: 6/12/2017 **Final action:** 6/12/2017

Title: Initiating a Class 2 vacation of the southeasterly portion of Old MacLeay Road SE.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Southeast Mill Creek Association

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 2017-33, 2. Partition Plat, 3. Exhibit A, Resolution 2017-33, 4. Exhibit B, Resolution 2017-33

Date	Ver.	Action By	Action	Result
6/12/2017	1	City Council	adopted	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Initiating a Class 2 vacation of the southeasterly portion of Old MacLeay Road SE.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Southeast Mill Creek Association

ISSUE:

Shall City Council adopt Resolution No. 2017-33 (Attachment 1) that initiates vacation of the southeasterly portion of Old MacLeay Road SE?

RECOMMENDATION:

Adopt Resolution No. 2017-33 that initiates vacation of the southeasterly portion of Old MacLeay Road SE.

SUMMARY AND BACKGROUND:

On January 5, 2016, the City of Salem Planning Division conditionally granted Partition Case No. PAR 15-12, which divided a 9.01-acre lot at the corner of Cordon Road SE and Old MacLeay Road SE into two parcels to be separated by an extension of Gaffin Road SE. Parcel 1 consisted of approximately 4.83 acres and Parcel 2 consisted of approximately 3.10 acres (Attachment 2).

On June 22, 2016, the City of Salem Planning Division conditionally granted a proposed Class 3 Design Review, Conditional Use Permit, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit to allow development of an 82-unit apartment complex on Parcel 1. Parcel 1 is located in the 1500-1700 block of Cordon Road SE. Partition 2 is intended for usage as a storage unit facility.

The portion of Old MacLeay Road SE proposed to be vacated will not be usable once the Gaffin Road SE extension is completed. Currently, a left turn from MacLeay Road SE onto Old MacLeay Road SE is at an acute angle. This intersection creates an awkward turning movement that will be remedied by the Gaffin Road SE extension. Additionally, a traffic signal at the intersection of Gaffin Road SE and Cordon Road SE will, in combination with the Gaffin Road SE extension, render Old MacLeay unnecessary.

FACTS AND FINDINGS:

1. Per Oregon Revised Statute 271.130, the city governing body may initiate a right-of-way vacation proceeding.
2. Per Salem Revised Code (SRC) 255.065(b)(1)(B), a vacation initiated by the City is a Class 2 Vacation. A Class 2 Vacation is initiated by resolution of the City Council.
3. Resolution No. 2017-33 initiates the vacation of the southeasterly portion of Old MacLeay Road SE.
4. The area proposed for vacation contains approximately 13,125 square feet of land, as described in Exhibit A (Attachment 3), and depicted in Exhibit B (Attachment 4), of Resolution No. 2017-33.
5. Upon approval of Resolution 2017-33, a public hearing date will be set and notice of the hearing will be provided as required by SRC 255.065(b)(5).
6. The criteria for approving vacation of right-of-way are contained in SRC 255.065(b)(6), and will be reviewed by Council at the public hearing.

Robert D. Chandler, PhD, PE
Assistant Public Works Director

Attachments:

1. Resolution No. 2017-33

2. Partition Plat
3. Exhibit A, Resolution No. 2017-33
4. Exhibit B, Resolution No. 2017-33