

**CITY OF NEWPORT**  
**NOTICE OF A PUBLIC HEARING ON A PARTIAL STREET VACATION<sup>1</sup>**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Newport, Oregon, will hold a public hearing on Tuesday, February 18, 2020, to review a partial street vacation as requested in:

**File No.:** 2-SV-19

**Applicant:** Todd Woodley on behalf of Wyndhaven Ridge, LLC.

**Request/Subject Property:** The request is to vacate undeveloped portions of the NE 31st Street and NE Harney Street rights-of-way where not needed for roadway purposes. Easements to be reserved for utilities where they would be impacted. Wyndhaven Ridge, LLC has agreed to dedicate right-of-way at the west end of NE 31st Street, should the City need use of the land for future roadway embankment work, and will dedicate right-of-way at the northwest corner of the NE 31st Street and NE Harney Street intersection in the vicinity of an existing storm drainage culvert. This request is limited to reconfiguring rights-of-way and establishing easements in locations appropriate for maintenance and future alternations to the roadway and utilities. No development, including tree removal, is proposed at this time by either Wyndhaven Ridge, LLC or the City of Newport. The existing, irregular boundary and variable width of the NE 31st Street right-of-way, particularly where it borders the developable portion of the applicants property (i.e. the east half of the alignment), creates obstacles to development that this proposal will address.

**Date Request Received:** November 4, 2019.

**Applicable Criteria:** Oregon Revised Statutes (ORS) 271.120 requires that: (1) The consent of the owners of the requisite area have been obtained; (2) Notice has been duly given; and (3) The public interest will not be prejudiced by the vacation of such plat or street or parts thereof.

**Testimony:** Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. The hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by applicant, and questions and deliberation by the City Council. Written testimony sent to the Community Development (Planning) Department (address under "Reports/Materials") must be received by 5:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

**Reports/Materials:** The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department, City Hall, 169 S.W. Coast Hwy, Newport, Oregon, 97365, seven days prior to the hearing. The file materials and the applicable criteria are currently available for inspection at no cost or copies may be purchased for reasonable cost at this address.

**Contact:** Derrick Tokos, Community Development Director (541) 574-0626 (address above in "Reports/Materials").

**Time/Place of Hearing:** Tuesday, February 18, 2020; 6:00 p.m.; City Hall Council Chambers (address above in "Reports/Materials").

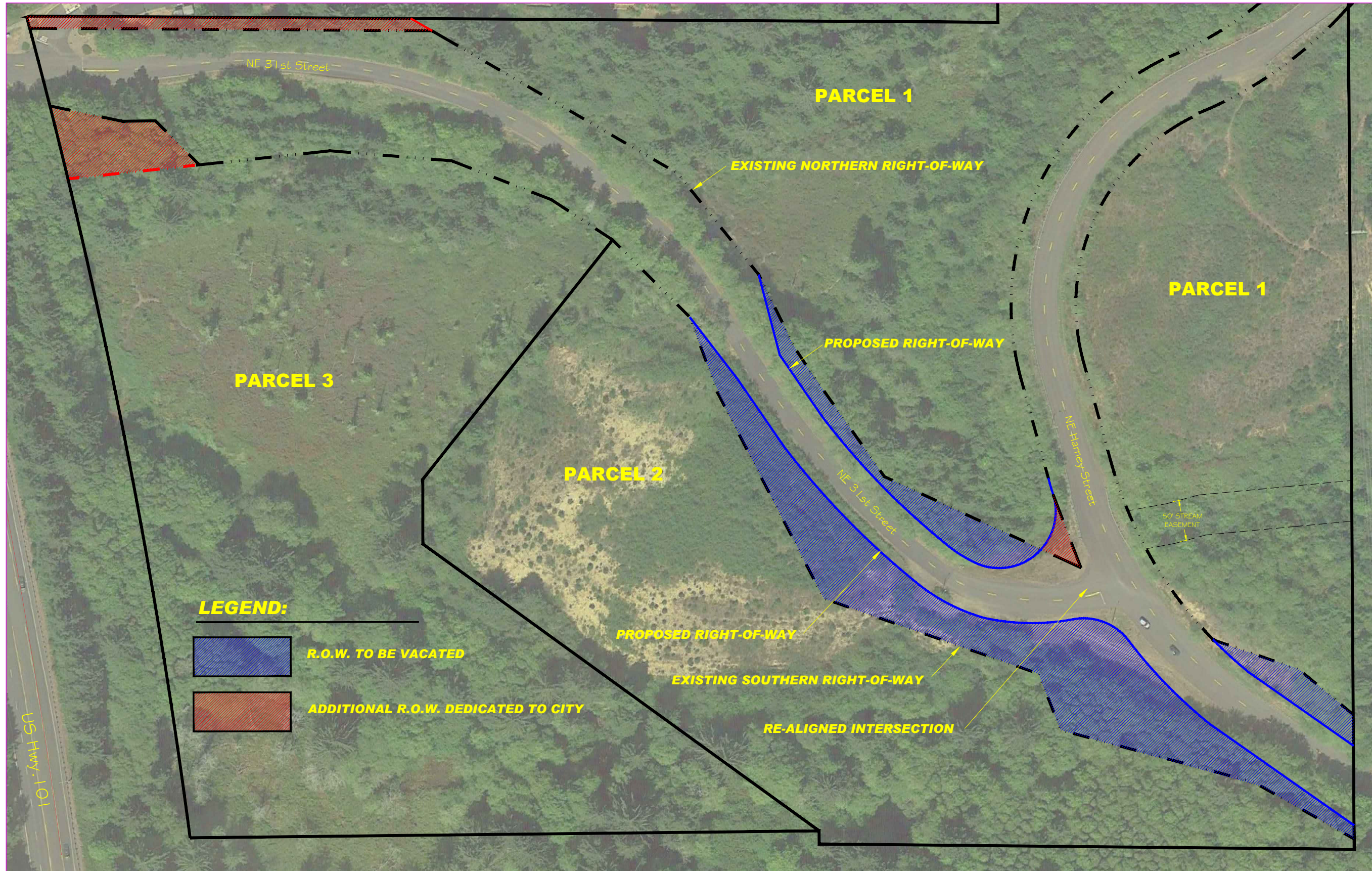
**MAILED:** January 28, 2020.

**PUBLISHED:** Friday, January 31, 2020; Friday, February 7, 2020; and Wednesday, February 12, 2020/ Newport News-Times.

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<sup>1</sup> Notice of the public hearing is being sent to affected property owners (according to Lincoln County Assessor's records) within the notification distance required for the request, affected public/private utilities/agencies, and affected city departments.





N.E. 31st Street R.O.W. Exhibit

DATE SIGNED:

WYNDHAVEN RIDGE, LLC

WYNDHAVEN RIDGE

NEWPORT, OR

| NO. | REVISIONS DESCRIPTION | DATE | BY |
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SHEET TITLE:

31st Street Modified Right-of-Way General Layout

EXHIBIT A