

US101 SE 16th – SE 36th Street (Lincoln City)
Community Advisory Committee
Meeting Minutes
November 7, 2007

Right of Way Acquisition Process

David Thiessen gave an overview of the Right of Way process for acquiring right of way for ODOT projects. David provided three handouts: *Acquiring Land for Highways & Public Projects* (pink handout); *Right of Way Section* (white handout); *Moving Because of the Highway or Public Projects?* (blue handout). David discussed the contents of each handout with the group. The group asked the following questions:

- Can property owners make a counter offer? Answer: Yes.
- What happens if there is a loss to business because of reduction in parking? David indicated the loss of business is non-compensable.
- What happens if the right of way purchase takes the business out? David provided an example of a situation in Springfield with the construction of the I-5 Beltline flyover where a business was relocated as a result of the project.
- What type of appraisers do we have? We have both staff and fee appraisers.
- What about signs? We work through City ordinances and our traffic staff to determine locations for signs. Billboards have been deemed personal property and we move them when necessary.
- After the property owner receives an offer what is the next step? David indicated the property owner needs to write a response to the offer. There is not a form or a requirement for the letter; the Right of Way staff just needs a written response from the property owner.
- There were questions regarding accesses and whether or not permitted accesses have value, do we purchase peoples' accesses to the highway. David said that accesses have a value if they have a reservation but as far as specific questions on access we would need to talk to someone who specializes in access.
- Does ODOT work with land owners to do trades? David indicated it would depend on the situation, but trades are rare.

For additional information visit the Right of Way Section's web site at:

<http://www.oregon.gov/ODOT/HWY/ROW/>

Historical Resource Discussion

Chris Bell provided a presentation regarding what we evaluated in/around the project area. Chris identified which buildings in the Nelscott Area were potentially eligible for listing on the National Register for Historic Places. He discussed the criteria for eligibility and why individual buildings were/were not eligible in their current state. Buildings must be 50 years or older; be of local, state, or national significance and retain integrity. If they are, then they must be property associated with significant events or people; be property that embodies the characteristics of its type, period and method of construction; and be property that may yield input into earlier culture in order to be listed on the National

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Register. The Nelscott Mercantile and C&J Basket Boutique are eligible in their current state.

Chris reviewed our approach to environmental resources: Avoid, minimize, then mitigate impacts. Chris discussed how the Project Team uses the information he provides when making decisions regarding the design of the project. Chris discussed the parking area in front of the Nelscott businesses. In order to maintain that village feeling, some type of parking will need to be maintained by the project.

Project Update: Amy Sinclair noted that the team has used the information Chris provided to eliminate the Overpass option. The team felt that the overpass located next to the Mercantile would diminish the appearance of that building and detract from the historical significance.

October Workshop Comments

The comments received from the October Workshop were distributed. Common themes were discussed. There was a question as to why the group had not considered moving the Gallery and exchanging land. Additionally the group expressed concern with putting additional traffic on 35th Street as shown in the Restricted Movement design option. The street is on a hill and people felt that would not be a good location to route traffic.

Additionally, the group discussed a signal at 32nd Street and wanted to know if one would be put in. Amy Sinclair indicated an early traffic analysis did not show this location currently meeting signal warrants. ODOT's Traffic Analyst Dorothy Upton will be asked to the next CAC meeting to discuss what is needed to meet signal warrants and other traffic related questions. Bob Gibson (CAC member) indicated he was not convinced a signal is actually needed.

The group agreed to meet December 5, 2007.