



DATE: June 25, 2019

TO: W. John Moore, Mayor
Yachats City Council

FROM: Shannon Beaucaire, City Manager

SUBJECT: Gimlet Lane Emergency Access

Dear Mayor and Council,

In response to citizen requests, the City's Engineer reviewed the access on Gimlet Lane and provided information in the attached memo. However, the Engineer noted that the City did not appear to have a recorded easement on the Common Tract, lot 6500 or lot 7000. After further research, review, and consultation with Mr. McClung, City Planner, Dave Mattison, has summarized his findings in the attached memo.

I have spoken to our City Attorney about the access and the research findings. He advised speaking to the Fire District to determine if the District thought it was a viable secondary fire access road. If so, to investigate whether a Knox Box¹ would be advisable to install. He also recommended, as part of the research to obtain an easement for the City's pump station to review the process that created the common tract that is owned by the Blackstone Homeowners Association.

¹ A Knox Box is a small, wall-mounted safe that holds building keys for fire departments, emergency medical services, and sometimes police to retrieve in emergency situations. Local fire departments can hold master keys to all boxes in their response area, so that they can quickly enter a building without having to force entry or find individual keys held in deposit at the station. Sometimes the Knox Master Key is stored in a key retention device such as Sentralok or KeySecure. Knox Master Key retention devices provide accountability on access to the key. KeySecure records an audit trail of when the key is accessed while Sentralok requires a dispatcher to release the key with DTMF tones.

The City Attorney recommended that *Private Road* signs be installed at lot 7000 and on the side of the Common Area Tract. Further, the City Attorney agrees that providing keys (or a code should the locking system be changed from key to code access) is not recommended as: 1) in an emergency situation stopping to unlock a gate may take away valuable escape minutes and 2) keys and codes can be distributed widely defeating the purpose of locking the gates.

The City's Engineer, Planner, and staff will be present to answer questions as Council determines how to address the citizen request to allow access for emergency purposes.



WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS & PLANNERS

May 16, 2019

Shannon Beaucaire
City of Yachats
P.O. Box 345
Yachats, OR 97498

RE: Gimlet Lane Gates
JO# 3096.1019.0

Dear Shannon,

Per your request, we have investigated various alternatives to provide emergency access on Gimlet Lane for the residences on Horizon Hill Road. For background, Gimlet lane was constructed years ago at a grade well over 20%. The street was accepted by the City but subsequently determined to be unsafe due to the steep grade. The residences on Horizon Hill Road have expressed concern that in the event of an emergency, they only have a single evacuation route and desire a secondary route down the hill via Gimlet Lane.

Due to the steep grade, we do not recommend opening up Gimlet Lane to daily traffic. We also do not recommend a break away gate system as this will be a continual maintenance problem for Public Works. The best alternative we recommend is an electronically operated gate that will allow vehicle access down the hill. The gate would automatically open when a vehicle passed a detector loop on the uphill side allowing the gate to open automatically and the vehicle to pass down the street. Only emergency vehicles would be allowed to open the gate going up the hill.

Should the Council agree with this recommendation, you should budget \$12,000 to \$14,000 per gate to make the necessary modifications to allow automatic opening for downhill vehicle traffic and uphill emergency vehicles. Please call if you have any questions regarding this matter.

Sincerely,

WESTECH ENGINEERING, INC.

Steven A. Ward, PE

memo



To: Yachats City Mayor and City Council Members
From: Dave Mattison, City Planner
Date: June 21, 2019
Re: Driveway through Black Stone Subdivision Common Area (Tract A)

The gated driveway extending from Gimlet Drive, through the Commons Area (Tract A – Tax Lot 6500) of the Black Stone Subdivision, is not a dedicated public Right-of-Way or a recorded access easement, according to Lincoln County records. Back in 2007, the driveway was shown on a property line adjustment survey that was never recorded with the deeds for 6500 or 7000.

The driveway currently provides access for City Public Works employees to maintain the water pump station at the top of the hill. The driveway does not provide public access to the residents at the top of the hill.

A letter, written in November 2013, from Ryan Harris of Val Fotheringham LLC, Lawyers, presents questions on the ownership and maintenance of the road and the gates. This opens the question to who owns/who maintains the easement.

The driveway is not described or recorded in the deed for Tax Lot 6500 or Tax Lot 7000. Tax Lot 6500 (Tract A) is owned by the Black Stone Homeowners Association. Tax Lot 7000 is privately owned by Jim and Sharon Churchill from Sun Valley, Idaho. Ironically, an access easement, reflecting the driveway location, is identified in the deeds for Tax Lot 6800 and 6900 (Lots 16 and 17) between Tax Lots 6500 (the Common Area - Tract A) and Tax Lot 7000 (Lot 18).

Gates, at the ends of the public Right-of-Way, were placed across the driveway to prevent public access because the driveway exceeds the maximum slope allowed for traffic safety and exceeds City Street Standards for a City public Right-of-Way. The City Public Works crew maintains the driveway by clearing brush alongside the driveway, but has not worked on driveway surface maintenance.

The driveway should only be allowed to be used as a secondary public access if it is re-engineered and reconstructed to meet City standards with adequate slope. The gates are still an issue of contention, and whomever should be allowed to use the

gates – City, Homeowners Association – should be something resolved by our attorney.

Since the driveway is currently not recorded, it should not be considered, for use as a public Right-of-Way or public access easement. However, after further discussion with Rick McClung, City Public Works, and since it is maintained by the City, it appears the only easement that should be granted and recorded on the driveway should be one for access for City Public Works to maintain the pump house.

Below is the Google Image and the Lincoln County Assessors' Map attached for site location and your review.

Google Earth Image of the Site – gates (light white/black lines) are located at each end of the subject driveway.



SW 1/4 NW 1/4 SECTION 26 T14S R12W WM
LINCOLN COUNTY

14 12 26 BC
YACHTS

