

# PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Dan Saltzman Commissioner Leah Treat Director

## STAFF REPORT AND RECOMMENDATION TO THE PLANNING AND SUSTAINABILITY COMMISSION

FILE NUMBER: R/W #7652

COMMISSION MEETING TO BE HELD FEBRUARY 14, 2017  
1900 SW 4<sup>TH</sup> BUILDING, 2<sup>ND</sup> FLOOR, ROOM 2500 A

### I. GENERAL INFORMATION

- Street Vacation Request:** R/W #7652, SW Hall, Lincoln, Grant, and Sherman Streets at SW Naito Parkway
- Petitioner:** The proposed street vacation was initiated by City of Portland Bureau of Transportation (PBOT).  
The City's contact for the vacation of SW Lincoln Street is Teresa Boyle, 503/823-6197.  
  
The City's contact for the vacation of SW Hall, Grant, and Sherman Streets is Dave McEldowney, 503/823-7166.
- Purpose:** The ROW Areas proposed for vacation are no longer needed for street purposes and vacation of these streets will facilitate future development projects.
- Neighborhoods and Collations:** South Portland NA, Portland Downtown NA, Neighbors West/Northwest, SW Trails PDX, SWNI



*The Portland Bureau of Transportation fully complies with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations, complaints and information, call (503) 823-5185, City TTY (503) 823-6868, or use Oregon Relay Service: 711.*

**Designation/Zone:** Central Employment Base Zone, Design Overlay Zone, Central City Plan District, Central City Subdistrict

## **II. FACTS**

### **A. History and Background**

The proposed street vacation was initiated by the City of Portland, Bureau of Transportation.

PBOT and ODOT own several parcels of land along SW Naito Parkway in Downtown Portland. This land was previously used as a portion of the Harbor Drive/Route 99W Highway. The Downtown portion of this road was closed and removed in 1974 to promote commercial redevelopment and to facilitate the development of Tom McCall Waterfront Park.

PBOT determined that the adjacent portions of SW Hall, Lincoln, Grant, and Sherman Streets were not vacated as previously thought.

These areas are no longer needed for street purposes and vacation of these streets will facilitate future development projects.

The portion of SW Hall Street that will be vacated will revert back to ODOT.

SW Lincoln Street will revert to the City and will be transferred to TriMet as a part of the City's contribution to the Portland to Milwaukie Light Rail Project.

Ownership of SW Grant and SW Sherman Streets will split between ODOT and PBOT and will be designated as surplus land to be sold in the future.

### **B. Concurrent Land Use Actions**

There are no concurrent land use actions at this time.

### **C. The Transportation Element**

SW Grant, SW Sherman and SW Lincoln are Local Service street for all modes except SW Lincoln which is a Regional Transit Street. Light Rail (LRT) [Orange Line] runs on SW Lincoln.

#### **D. Neighborhood Plan**

The Downtown Plan of 1972 includes a number of goals and actions related to pedestrian connections. Easements and pedestrian connections will be required as conditions of approval for these street vacations.

### **III. FINDINGS**

#### **A. Comprehensive Plan Goals and Policies Consideration**

The relevant policies of the Comprehensive Plan are:

##### **Policy 6.20 Connectivity states:**

Support development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers.

*Comment: The proposal will vacate portions of rights-of-way that are no longer used for a City of Portland transportation/ motor vehicle functions. Pedestrian easements and connections will be required as conditions of approval. Light Rail (LRT) [Orange Line] runs on SW Lincoln.*

##### **Policy 6.21 Right-of-Way Opportunities states:**

Preserve existing rights-of-way unless there is no existing or future need for them, established street patterns will not be significantly interrupted, and the functional purposes of nearby streets will be maintained.

*Comment: Rights-of-way are no longer used for City of Portland transportation/ motor vehicle purposes. The proposed vacation will have no impact on the transportation function of any nearby street. Pedestrian easements and connections will be required as conditions of approval. Light Rail (LRT) [Orange Line] runs on SW Lincoln.*

##### **Policy 8.14 Natural Resources, Objective I. States:**

Consideration of Scenic Resources in Street Vacations. Require the preservation and maintenance of existing and potential view corridors and view points when approving street vacations. Require view easements within or near street vacations where access to viewpoints or view corridors is desired.

*Comment: No existing or potential view corridors have been identified in the review of the street vacation request.*

**Policy 11.11 Street Plans, Objectives D, E and N state:**

D. Provide full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints.

E. Provide bike and pedestrian connections at approximately 330-foot intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints.

N. Preserve street connectivity in areas of the City that meet the standards of this policy and its objective as shown on Maps 11.11.9 through 11.11.16.

*Comment: The proposal will vacate portions of rights-of-way that are no longer used for a City of Portland transportation/ motor vehicle functions. Pedestrian easements and connections will be required as conditions of approval. Light Rail (LRT) [Orange Line] runs on SW Lincoln.*

**Policy 12.4 Provide for Pedestrians, Objective G. states:**

Retain rights for pedestrian access and circulation when considering requests for street vacations. Preserve existing pedestrian routes and protect routes needed by pedestrians in the future. Ensure that street vacations do not reduce access to light and air or the intimate scale that is so much a part of Portland's character.

*Comment: The rights-of-way proposed for vacation is adjacent to a fully improved street, and the proposal will vacate portions of rights-of-way that are no longer used for a City of Portland transportation/ motor vehicle functions. Pedestrian easements and connections will be required as conditions of approval. Light Rail (LRT) [Orange Line] runs on SW Lincoln.*

## **B. Neighborhood Plan Considerations**

The Downtown Plan of 1972 includes a number of goals and actions related to pedestrian connections. Easements and pedestrian connections will be required as conditions of approval for these street vacations.

## **C. Other Relevant Comprehensive Plan Policies (and/or Plans)**

*Comment: There are no other Comprehensive Plan considerations.*

## **D. Zoning Code Considerations**

Other zoning code designations that could apply and that should be considered during review of a street vacation request include environmental zoning or designation as a recreational greenway trail.

*Comment: There are no zoning code considerations.*

## **E. Subdivision Code Considerations**

*Comment: There are no subdivision code issues.*

## **F. Improvement and Utility Considerations**

The street vacation request was reviewed by **Portland Bureau of Transportation (PBOT)** for conformance with standards for street improvements and has the following conditions of approval:

### **Development Review**

- 1) Retain pedestrian connection and dedicate easement over Grant ROW.
- 2) Retain pedestrian connection and dedicate easement in Lincoln ROW (portion not being transferred to TriMet), between Naito and Harrison.
- 3) Connections and easements are allowed to be modified at the time of development if needed/requested.

### **Transportation Planning**

- 4) Retain pedestrian connections and easements over Grant and Lincoln, per Development Review's condition above.

### **Permit Engineering**

- 5) Meet ADA requirements for access and easements from Naito to Lincoln and Grant

### **Bridges and Structures**

- 6) Ownership and maintenance of existing public stairway in SW Grant ROW to be transferred upon transfer of ownership of vacated property, unless retained in a public easement and PBOT agrees to maintain it.

The **Bureau of Environmental Services** requires the following conditions of approval:

#### 7) **SW Grant:**

A twenty (20) foot wide easement for maintenance and reconstruction of an active sewer line in the proposed vacation area. The length must run from SW Naito to the east end of the proposed vacation area.

#### 8) **SW Sherman west of SW Naito:**

A twenty (20) foot wide easement for maintenance and reconstruction of an active sewer line in the proposed vacation area. The length must run from the west end of the proposed vacation area to SW Naito.

#### 9) **SW Lincoln:**

There is an abandoned sewer line in the SW Lincoln ROW. Any future owner of the property accepts full ownership of the abandoned sewer in its current condition.

**TriMet** requires the following conditions of approval:

- 10) Reserve easement for TriMet drainage facility under light rail structure until replaced by permanent facility that is designed, permitted and constructed to the satisfaction of the authorizing City bureau(s).

**Pacific Power** requires the following condition of approval:

11) Unused conduit in Lincoln will be abandoned in place. Owner must accept ownership of abandoned conduit in current condition.

**Comcast Cable** requires the following condition of approval:

12) Reserve easement for conduit and fiber lines under Sherman ROW.

The **Bureau of Development Services** responded that vacated rights-of-way are likely not buildable on their own, since they will probably attach to adjacent land. Lot Confirmation will be required to verify.

**Water Bureau** responded with no objection and the comment that the water line in SW Lincoln is abandoned.

Urban Forestry, Fire Bureau, Park Bureau, PBOT Parking Operations responded with no objection.

The Bureau of Technology Services responded with no objection.

ODOT and the Port of Portland responded with no objection.

Northwest Natural responded with no objection.

South Portland NA, Portland Downtown NA, Neighbors West/Northwest, SW Trails PDX and SWNI were notified but no response was received.

#### **G. Neighborhood Issues**

Notice of this vacation was sent to South Portland NA, Portland Downtown NA, Neighbors West/Northwest, SW Trails PDX, SWNI. No responses were received.

#### **IV. CONCLUSIONS**

Based on the above analysis, Portland Bureau of Transportation states that the right-of-way is not needed to provide future facilities. Additionally, approval of the street vacation will not affect the functional performance of the street system in the area.

#### **V. TENTATIVE STAFF RECOMMENDATION**

The staff recommendation is **approval** of the vacation of the area as shown on Exhibit 1 ***with conditions:***

1. Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in Section III.F.1-12 above.

The Portland Bureau of Transportation staff may revise this recommendation upon receipt of new information at any time prior to the Planning and Sustainability Commission's recommendation.

## **VI. EXHIBITS**

1. Areas proposed for vacation, annotated.

Bureau of Transportation Staff Planner  
Courtney Duke, Senior Transportation Planner  
503/823-7265  
Courtney.duked@portlandoregon.gov

cc:  
Karl Arruda, Right-of-Way Case Manager  
Case File





**SW Hall, Lincoln, Grant and Sherman Streets at SW Naito Parkway  
(R/W #7652)**

Photos taken January 3, 2014



Sherman  
Street, west  
side of  
Naito:

Looking  
west



Looking  
east

**SW Hall, Lincoln, Grant and Sherman Streets at SW Naito Parkway  
(R/W #7652)**

Photos taken January 3, 2014



Grant Street, east side of Naito:

Looking west



Looking east, downhill

**SW Hall, Lincoln, Grant and Sherman Streets at SW Naito Parkway  
(R/W #7652)**

Photos taken January 3, 2014



Grant  
Street, east  
side of  
Naito:

Looking  
east,  
downhill

**SW Hall, Lincoln, Grant and Sherman Streets at SW Naito Parkway  
(R/W #7652)**

Photos taken January 3, 2014



Lincoln Street, east side of Naito:  
  
Looking east



Looking northeast

**SW Hall, Lincoln, Grant and Sherman Streets at SW Naito Parkway  
(R/W #7652)**

Photos taken January 3, 2014



Hall Street,  
east side of  
Naito:

Looking  
east