

PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Avenue, Suite 800 Portland, OR 97204 503.823.5185
Fax 503.823.7576 TTY 503.823.6868 www.portlandoregon.gov/transportation

Dan Saltzman Commissioner Leah Treat Director

STAFF REPORT AND RECOMMENDATION TO THE PLANNING AND SUSTAINABILITY COMMISSION

FILE NUMBER: R/W #8250

COMMISSION MEETING TO BE HELD JANUARY 9, 2018 12:30 PM
1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A

I. GENERAL INFORMATION

- Street Vacation Request:** R/W #8250, SE Claybourne Street east of SE 122nd Avenue
- Petitioner:** City of Portland, Bureau of Parks and Recreation. The representative is Ross Swanson, ross.swanson@portlandoregon.gov & (503) 823-3577
- Purpose:** The purpose of the proposed vacation is to consolidate property abutting property as part of phase 1 of Leach Botanical Garden's 25-year master plan.
- Neighborhood:** Pleasant Valley Neighborhood Association
- Quarter Sections:** 3743
- Designation / Zone:** OS (Open Space)/R5a (Residential 5,000 Alternative Design Density overlay)



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II. FACTS

A. History and Background

The petitioner has requested the proposed vacation to consolidate abutting property. The proposed street vacation is part of Phase 1 of Leach Botanical Garden's 25-year master plan. Vacating the right-of-way would allow Portland Parks and Recreation (PP&R) to connect the fee-owned properties to the north, east, and south of SE Claybourne Street. Portland Parks and Recreation intends to use the vacated street for maintenance and administrative purposes, in addition to fencing off the area for security.

B. Concurrent Land Use Actions

There are no concurrent land use actions at this time. A Conditional Use review (LU 17-143151) for the Leach Botanical Gardens was approved at a Type III hearing and became effective on November 27, 2017.

C. The Transportation Element

SE Claybourne Street is classified as a Local Service Traffic Street, Local Service Transit Street, Local Service Bikeway, Local Service Pedestrian Street, Local Freight Street, Minor Emergency Response Street, and Local Design Street in the transportation element of the Comprehensive Plan.

D. Neighborhood Plan

The Pleasant Valley Neighborhood Plan (1996) includes Policy 5 which aims to "Continue the unique livability of the Pleasant Valley Neighborhood by ensuring that our current and future parks, green spaces, open spaces, and recreational opportunities meet the needs of metropolitan residents for recreational uses." The proposed street vacation and future Leach Botanical Gardens master plan development are consistent with these land use and transportation visions.

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: SE Claybourne Street at this location is an unimproved roadway that does not connect to another roadway east of SE 122nd Ave. The right of way does not serve the larger transportation network.



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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: SE Claybourne Street at this location does not provide connectivity. If vacated, it will be used by Portland Parks and Recreation for maintenance and administrative purposes. The established street patterns will not be interrupted by the proposed street vacation.

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 and E 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.

Comment: Per Objective D, the proposed street vacation does not impact full street connections spacing.

Per Objective E, the proposed street vacation does not impact bicycle and pedestrian connectivity and access.

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: Existing pedestrian access will not be impacted if this vacation request is approved.

B. Neighborhood Plan Considerations

Comment: The proposed vacation is intended to support future expansion of Leach Botanical Gardens, which is consistent with the adopted Pleasant Valley Neighborhood Plan.

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

Comment: There are no other Comprehensive Plan policies or policies from other adopted plans that are relevant to this request.

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

Notice of this street vacation request was provided to the Bureau of Development Services (BDS) to determine if there are any relevant impacts to consider related to future subdivision of property in the area. BDS responded with the following condition for approval:

- The Bureau of Development Services have required that lot consolidations in order for three lots owned by PP&R to not become landlocked. Split zoning currently exists between the affected parcels. PP&R will reconcile these zoning differences prior to the lot consolidation process being completed. Said lot consolidation will be completed prior to the street vacation ordinance being recorded

F. Improvement and Utility Considerations

The street vacation request was reviewed by PBOT for conformance with standards for street improvements. The following conditions will be required:

- PBOT Transportation Planning requires the lot consolidations detailed above in section III.E.

Other public agencies, public and private utilities were notified of this street vacation request.



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- The Portland Water Bureau responded with the following condition for approval:
 - The Water Bureau has required that PP&R complete a Tax Lot Account Consolidation of tax lots R206248, R336916, and R336926. Also, PP&R will either: 1) Pay for a new water main to be installed in SE 122nd Avenue for connection to the 1" water line that feeds the metered services for 12326 and 12323 SE Claybourne Street; and 2) Relocate the portion of the backside service line for 12323 SE Claybourne Street out of the SE Claybourne right-of-way that remains; OR 1) PP&R will pay for a water main extension in the remaining portion of SE Claybourne Street and the relocation of water services for 12326 and 12323 SE Claybourne Street; and 2) Cut and plug the existing 1" water main located on private property that provides water to the above listed services.
- Bureau of Environmental Services responded with no objection.
- Portland Fire and Rescue responded with no objection.
- Urban Forestry responded with no objection.
- Portland Parks and Recreation responded with no objection.
- The Bureau of Technology Services responded with no objection.
- TriMet responded with no objection.
- Pacific Power responded that it does not have facilities in the street area.
- Comcast responded that it does not have facilities in the street area.
- ODOT did not respond.
- The Port of Portland did not respond.
- PGE did not respond.
- CenturyLink did not respond.
- Northwest Natural responded that it has facilities in the street area and an easement needs to be reserved.

G. Neighborhood Issues

Notice of this street vacation request was provided to the Pleasant Valley Neighborhood Association and East Portland Neighborhood Organization. Neither provided a response.

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.



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V. TENTATIVE STAFF RECOMMENDATION

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

- Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in Section III.E and III.F 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. Area proposed for vacation

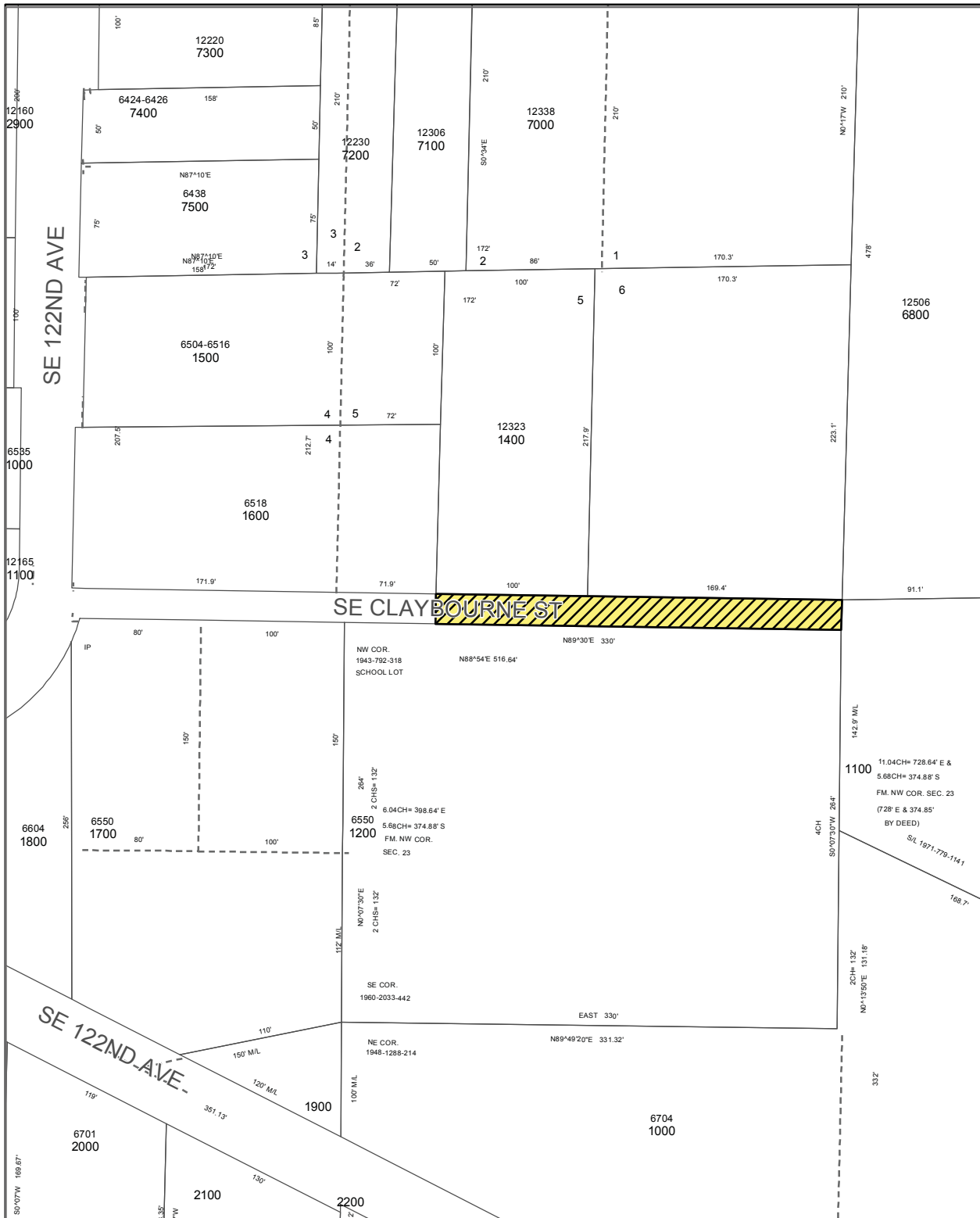
Bureau of Transportation Staff Planner
Bob Kellett
503/823-6127
Bob.Kellett@portlandoregon.gov

cc: Lance Lindahl, Right-of-Way Case Manager




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Exhibit 1



SE Claybourne St east of SE 122nd Ave

Petitioner: City of Portland/Bureau of Parks and Recreation

 Area proposed for vacation

R/W: 8250 1/4 Section: 3743 Section: 1S2E23BB



1 inch = 100 feet