

# 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 #8528

COMMISSION MEETING TO BE HELD MAY 8, 2018 4:00 PM  
1900 SW 4<sup>TH</sup> BUILDING, 2<sup>ND</sup> FLOOR, ROOM 2500 A

### I. GENERAL INFORMATION

**Street Vacation Request:** R/W #8528, NW Terminal Street between NW 17<sup>th</sup> Avenue and NW Upshur Street

**Petitioner:** Park Office LLC. The representative is Jonathan Ledesma, [jonathan@projectpdx.com](mailto:jonathan@projectpdx.com), (206) 850-7025)

**Purpose:** The stated purpose for the vacation is to consolidate property for future development.

**Neighborhood:** Northwest District Neighborhood Association

**Quarter Sections:** 2828

**Designation/Zone:** EXd



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## II. FACTS

### A. History and Background

The petitioner has requested the proposed vacation to consolidate adjacent properties in support of development of a multi-story office and retail building that is currently under construction. The right of way is currently unimproved and unused. The petitioner has indicated that future improvements in the vacated right of way will include pedestrian pathways, landscaping, and stormwater infiltration areas.

### B. Concurrent Land Use Actions

There are no concurrent land use actions at this time.

### C. The Transportation Element

NW Terminal 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 area proposed for vacation is located in the Northwest District Plan (2003) and is part of the Central City River District.

## 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: A well connected transportation grid network exists in the Northwest District. NW Terminal Street is currently unimproved and does not serve the larger transportation network.*

#### **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: The established street patterns will not be interrupted by the proposed street vacation of NW Terminal and the functional purposes of nearby streets will be maintained.*



**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: Pedestrian access and circulation will not be impacted if this vacation request is approved.*

**B. Neighborhood Plan Considerations**

*Comment: The Northwest District Plan (2003) includes a street plan map for the district. The map does not include NW Terminal Street and there are no identified uses for the right-of-way. Additionally, the plan identifies the Upshur Warehouse District as a subarea with a historical industrial character and relationship to NW Upshur. The proposed street vacation does not impact this vision.*

**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 no objections.

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

The street vacation request was reviewed by PBOT for conformance with standards for street improvements. PBOT responded with no objections. Other public agencies, public and private utilities were notified of this street vacation request. The Bureau of Environmental Services responded with the following condition for approval:

A Sewer Tunnel Easement over the easterly portion of the vacation area is required. The easement will abut the existing Sewer Tunnel Easement on the parcel to the north and will be of a width that is acceptable to BES. A professional legal description and exhibit map of the easement area will be prepared by the City at the expense of the Petitioner. A separate easement document will be recorded concurrently with the recording of the street vacation ordinance.

Additionally, a blanket easement will be reserved over the entire area to be vacated for any utility company that may have facilities.

Portland Parks and Recreation responded with no objection but did have the following comment:

PP&R is supportive of a pedestrian path that strengthens trail connections and visual access to the nearby Willamette Greenway.

- Portland Fire and Rescue responded with no objection.
- Urban Forestry responded with no objection.
- The Bureau of Technology Services responded with no objection.
- TriMet responded with no objection.
- Comcast responded that it does not have facilities in the street area.



- ODOT responded with no objection.
- The Port of Portland responded with no objection.
- PGE responded that it has facilities in the area.
- CenturyLink does not have facilities in the street area.
- Northwest Natural does not have facilities in the street area.
- Pacific Power does not have facilities in the street area.
- Comcast Cable did not respond

### **G. Neighborhood Issues**

Notice of this street vacation request was provided to the Neighbors West-Northwest, Northwest District Association, and Pearl District Business Association. There were no responses.

### **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**:

- Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in 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  
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cc: Lance Lindahl, Right-of-Way Case Manager



# EXHIBIT 1



## NW Terminal Street between NW 17th Avenue and NW Upshur Street

Petitioner: Park Office LLC

 Area Proposed for Vacation

State ID: 1N1E28DC 1/4 Section: 2828



1 in = 200 ft