

IMPACT STATEMENT

Legislation title: Vacate a portion of SW Falcon St east of SW Barbur Blvd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10098)

Contact name: Karl Arruda, PBOT Right-of-Way Acquisition

Contact phone: 503-823-7067

Presenter name: Karl Arruda

Purpose of proposed legislation and background information:

The purpose of this legislation is to vacate a portion of SW Falcon Street (the "Street Area"), as recommended in the Bureau Director's Report.

The petition was certified by the City Auditor's Office on February 2, 2015. The Street Area is depicted on Exhibit 2 of the ordinance.

The petition was initiated by Gary Garyfallou (the "Petitioner") for the purpose of consolidating property for development and to create uninterrupted frontage along SW Barbur Boulevard consistent with the Barbur Concept Plan. Petitioner has preliminary development plans for the Street Area and adjacent property owned by Petitioner and family. The Petitioner and entities controlled by Petitioner's family own most of the property surrounding the Street Area.

The Planning and Sustainability Commission ("PSC") reviewed and recommended approval of the street vacation request on January 9, 2018. The attached Bureau Director's Report was completed on April 17, 2018, reflecting PSC's recommendation subject to certain conditions and reservations.

The ordinance complies with state law under ORS 271 and City Code, Chapter 17.84 and will complete the street vacation process.

Financial and budgetary impacts:

The process for vacating streets is a cost recovery program, typically paid for by the Petitioner, and does not have a net impact on PBOT's budget. Expenses for processing a street vacation request typically range between \$8,000 and \$20,000+, depending on the complexity. This street vacation falls in the middle part of the range and is estimated (with moderate confidence) to be approximately \$12,000.

Revenue paid by the Petitioner for this street vacation will cover the actual expenditures incurred by City staff for the processing of this request. The SAP Cost Object is 9TR000002072. The revenue and expenses are occurring in FY's 14-15 through 17-18.

This legislation does not affect staffing levels nor will result in a new or modified financial obligation or benefit now or in the future.

If City Council does not approve the ordinance, the Petitioner will not be able to use the Street Area, and will need to redesign their development or possibly abandon their plans for development altogether.

Community impacts and community involvement:

Pursuant to ORS 271.080, the Petitioner obtained the required signatures from surrounding property owners in the 'affected area' as stated in said statute, showing support of the vacation request. As an additional requirement of the state statute, the City Auditor also published notice of the public hearing in the Daily Journal of Commerce and has posted the notice near the Street Area.

Comments were also solicited from City Bureaus, government agencies, public utilities and affected neighborhood and business associations in the area. PBOT did not receive any objections to the vacation request. Petitioner worked with the Bureau of Environmental Services and ODOT regarding the current and future storm water management in the Street Area. Petitioner also worked with PBOT, TriMet and ODOT regarding the configuration of SW Barbur Boulevard where it intersects with the Street Area to ensure the street vacation (and planned future development) allows adequate right-of-way for the possible SW Corridor transit project.

The PSC advertised and then held a public hearing on January 9, 2018. No one from the public came forward to testify in support or opposition of the vacation, and the PSC ultimately recommended approval of the vacation request on their Consent Agenda.

There do not appear to be any other impacts to the community from vacating this right-of-way. No opposition to this street vacation request is expected and no one has expressed their desire to testify at the hearing. There is no future public involvement anticipated since the ordinance will conclude the street vacation process.

Information regarding the advertising details can be provided by Toni Anderson, City Auditor's Office, 503-823-4022, or toni.anderson@portlandoregon.gov.

100% Renewable Goal:

Not Applicable

Budgetary Impact Worksheet**Does this action change appropriations?**☐ **YES:** Please complete the information below.☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

KK 5-30-18