

# PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave., Suite 800 Portland, OR 97204 503-823-5185  
Fax 503-823-7576 TTY 503-823-6868 [www.portlandoregon.gov/transportation](http://www.portlandoregon.gov/transportation)

**Chloe Eudaly** Commissioner **Chris Warner** Director

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

**FILE NUMBER: R/W #8986**

**COMMISSION MEETING TO BE HELD: FEBRUARY 25, 2020, 5:00 PM**

### I. GENERAL INFORMATION

**Street Vacation Request:** SE Yamhill Street east of SE 102<sup>nd</sup> Avenue

**Petitioner:** DePaul Treatment Center. The petitioner's representative is Carly Harrison, (503) 299.6000 and [carly.harrison@gerdingedlen.com](mailto:carly.harrison@gerdingedlen.com)

**Purpose:** The stated purpose for the proposed street vacation is to support the development of a treatment center. The area proposed for vacation currently bisects the petitioner's property.

**Neighborhood:** Mill Park

**State ID:** 1S2E03BB 2000

**Designation/Zone:** CI2d (Campus Institutional 2, Design Overlay)



*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.*

## II. FACTS

### A. History and Background

DePaul Treatment Center is planning on building a 2-story, 53,531 square foot adult drug and alcohol treatment facility (Community Service Use). The property is located within the Gateway Plan District and has a design overlay. The Portland Design Commission approved the proposal for the treatment center on November 7, 2019. The area proposed for vacation, SE Yamhill Street, is an unimproved right-of-way that bisects the property where the treatment center will be built.

### B. Concurrent Land Use Actions

The proposed treatment center's land use case is LU 19-203752 DZM, LC # 18-258410.

### C. The Transportation Element

In the 2035 Transportation System Plan, the area proposed for vacation is classified as a local street for bicycle, pedestrian, traffic, emergency response, freight, design, and transit.

### D. Neighborhood Plan

The area proposed for vacation has not been identified for current or future use in any existing neighborhood plans.

## III. APPROVAL CRITERIA FINDINGS

*Title 17.84.025 Approval Criteria for Vacating Streets*

*A. In consideration whether the vacation will prejudice the public interest, the Council will consider the following factors, as relevant:*

- 1. The area proposed to be vacated is not needed presently, and is not identified in any adopted plan, for public services, transportation functions, utility functions, stormwater functions, view corridors and or viewpoints, tree planting/retention, pedestrian amenities, or community or commercial uses.*

*Comment:* The right-of-way proposed to be vacated has not been identified in any plan for public services, transportation functions, utility functions, view corridors or viewpoints, pedestrian amenities, or community or commercial uses. It is currently an unimproved right-of-way that does not serve a transportation function. If the right-of-way were developed and extended to SE Cherry Blossom Drive, it would not meet PBOT's intersection safety spacing requirements. The criterion is met.

- 2. The vacation does not prevent the extension of, or the retention of public services, transportation functions, utility functions, stormwater functions, view corridors and/or view points.*

*Comment:* The proposed vacation does not prevent the extension of, or retention of, public services, transportation and utility functions subject to the conditions identified in IV below. The vacated area is not identified as a view corridor or view point. It is supportive of present and future stormwater functions. This criterion is met.

- 3. Public services, transportation functions, or utilities can be extended in an orderly and efficient manner in an alternate location.*

*Comment:* The existing land use and transportation pattern in the area around the proposed street vacation supports the orderly and efficient manner of potential future extension of public services,

transportation functions, and utilities. The right-of-way proposed for vacation is not required for these purposes. This criterion is met.

4. *The vacation does not impede the future best use, development of, or access to abutting property.*

*Comment:* The area proposed for vacation does not impede the future best use, development of, or access to abutting property. The right-of-way proposed for vacation bisects the petitioner’s property. If vacated, it will support the development of a treatment center. This criterion is met.

5. *The area of vacation is not presently, or will not in the future be, needed as part of an interconnected system of public streets that is generally consistent with the street connection and bicycle/pedestrian spacing requirements in section 17.88.040 Through Streets.*

*Comment:* The area proposed for vacation has not been identified as needed in the future to serve an interconnected system of public streets. Street connection and bicycle/pedestrian spacing requirements are presently met with pedestrian and bicycle access along SE 102<sup>nd</sup> Avenue from SE Cherry Blossom Dr to SE Main St and a multiuse path on the eastern edge of the property connecting SE Cherry Blossom Dr to SE Main St. This criterion is met.

**IV. IMPROVEMENT AND UTILITY CONSIDERATIONS**

The proposed street vacation request was reviewed by the following bureaus and agencies and is subject to the identified conditions:

PBOT Development Review	No objection
PBOT Transportation Planning	No objection
PBOT Permit Engineering	No objection
PBOT Signals & Street Lighting	<b>No objection subject to the following condition:</b> Retain 8 feet of Yamhill right-of-way on east end for future 15-foot sidewalk corridor on SE Cherry Blossom Dr. Retain 7-feet of Yamhill right-of-way on west end for future improvements to SE 102nd Ave.
PBOT Transportation Systems Management	No objection
PBOT Active Transportation	No objection
PBOT Bridges and Structures	No objection
Bureau of Development Services	<b>No objection subject to the following condition:</b> Consolidation of lots that lose street frontage. Lot Consolidation to be recorded prior to or concurrent with the street vacation approval.
Portland Water Bureau	No objection
Bureau of Environmental Services	<b>No objection subject to the following condition:</b> The Petitioner to grant the City a minimum of 20-foot wide easement for existing sewer line and recorded concurrently with street vacation ordinance. Easement to be approved by BES prior to recording of vacation ordinance.

Portland Fire and Rescue.	No objection
Urban Forestry	No objection
Portland Parks and Recreation	No objection
Bureau of Technology Services Corporate GIS	No objection
PBOT Parking Control	No objection
TriMet	No response received
Pacific Power	No facilities within the street area
Comcast	No response received
ODOT	No response received
Port of Portland	No response
PGE	No facilities within the street area
CenturyLink	No facilities within the street area
Northwest Natural	No response received

## V. NEIGHBORHOOD RESPONSE

Notice of this street vacation request was provided to the Hazelwood Neighborhood Association, Mill Park Neighborhood Association, East Portland Community Office, and Gateway Business Association. No responses were received.

## VI. 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.

## VII. TENTATIVE STAFF RECOMMENDATION

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

- Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in IV. 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.

## VIII. EXHIBITS

- A. Property Description
- B. Area proposed for vacation
- C. Aerial Photo
- D. Street photo

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

cc: Dee Walker, Right-of-Way Case Manager

DePaul Treatment Center  
Vacation of SE Yamhill Street  
Project No. 2826-001  
November 13, 2019  
Amended January 20, 2020

**EXHIBIT "A"**  
**RW #8986**

**STREET VACATION**

A tract of land in the northwest quarter of Section 3, Township 1 South, Range 2 East, W.M., City of Portland, Multnomah County, Oregon; being a portion of SE Yamhill Street (formerly Wallace Ave), as per Plat of East Mount Tabor (Book 176, Page 052) Multnomah County Plat Records; and being more particularly described as follows:

Beginning on the north line of Lot 1, Block 5, of said Plat of East Mount Tabor, at point 7.00 feet east of the northeast corner of that Road Vacation by City Ordinance No. 4775 as recorded 12/28/82 in Book 1635, Page 1353, Multnomah County Deed Records;

thence along a line parallel with and 32.00 feet east of the centerline of SE 102<sup>nd</sup> Avenue, North 02°04'06" East a distance of 53.00 feet to the south line of Block 4 of said Plat of East Mount Tabor, being 7.00 feet east of the southwest corner of Lot 34, said Block 4;

thence along said south line, South 87°47'06" East a distance of 212.36 feet, more or less, to a curve being concentric with and 37.00 feet southwest of the centerline of SE Cherry Blossom Drive, being a point of non-tangent curvature, a radial line from which bears North 40°51'30" East;

thence along said non-tangent curve southeasterly to the left, having a radius of 753.25 feet, through an angle of 07°00'31" (the chord of which bears South 52°38'45" East a distance of 92.08 feet) an arc length of 92.14 feet, more or less, to the north line of said Block 5;

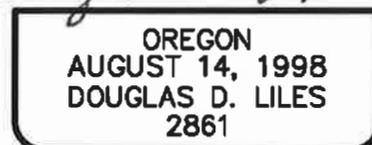
thence along said north line, North 87°47'06" West a distance of 287.53 feet to the point of beginning.

Containing 13,161 square feet, more or less.

Bearings are based on Oregon State Plane, North Zone 3601, NAD '83, Epoch 2010.



*Douglas D. Liles*

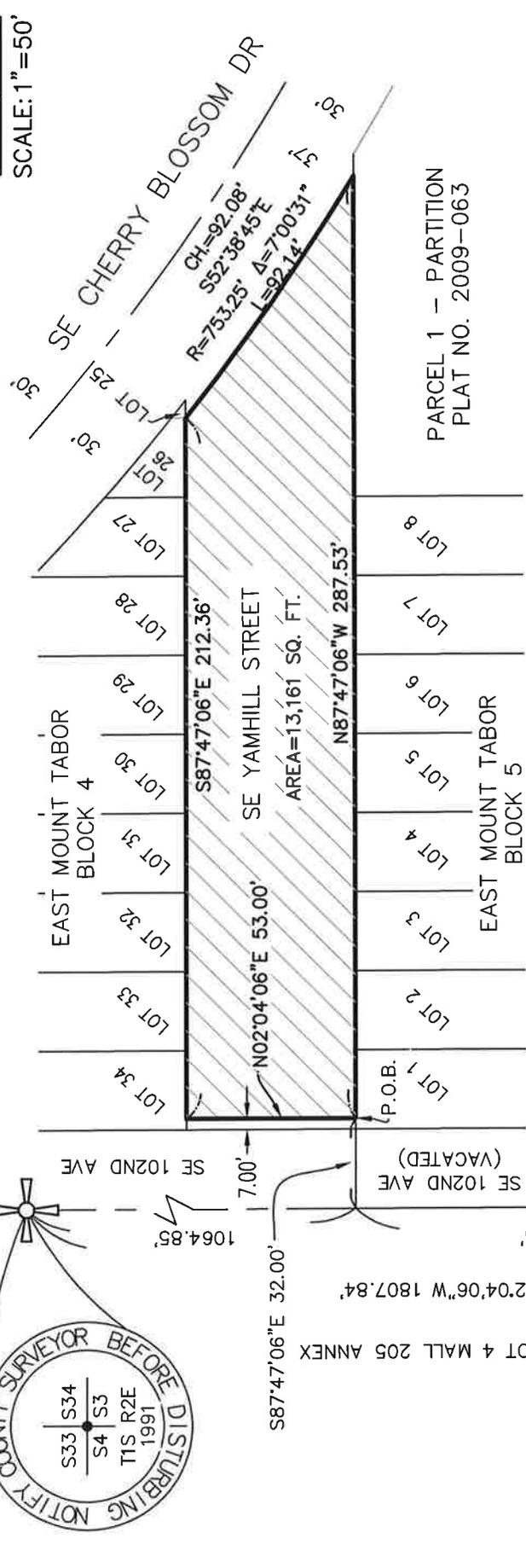
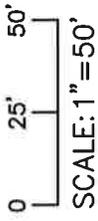


RENEWS: 12-31-2020

# EXHIBIT B

IN THE NORTHWEST 1/4 OF SECTION 3,  
TOWNSHIP 1 SOUTH, RANGE 2 EAST, W.M.,  
COUNTY OF MULTNOMAH, STATE OF OREGON

FOUND 4-1/4" BRASS DISK  
INSIDE MONUMENT BOX



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Douglas D. Liles*

OREGON  
AUGUST 14, 1998  
DOUGLAS D. LILES  
2861

RENEWS: 12-31-2020

FOUND 4-1/4" BRASS DISK  
IN MONUMENT BOX



AREA OF VACATION

P.O.B. POINT OF BEGINNING

RW #8986

DATE	11/21/2019
DRAWN BY	CAJ
CHECKED BY	DDL
REVISION	1/20/2020
JOB NO.	2826-001



ENGINEERING ♦ SURVEYING ♦ PLANNING  
PACIFIC CORPORATE CENTER  
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652  
TIGARD, OREGON 97224 FAX (503) 624-0157

# Parcel Map Check Report

**Prepared by:**

**Client** Cole Johnson  
**Client Company** Westlake Consultants, Inc.  
**Address 1** 15115 S.W. Sequoia Parkway, Suite 150  
**Date:** 1/06/2020 12:55:34 PM

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**Parcel Name:** SE Yamhill Street (Vacation)

**Description:** Parcel Map Check Report

**Segment# 1: Line**

Course: N02° 04' 06"E

Length: 53.00'

**Segment# 2: Line**

Course: S87° 47' 06"E

Length: 212.36'

**Segment# 3: Curve**

Length: 92.41' Radius: 753.25'

Chord: S52° 38' 45"E

Length: 92.08'

Delta: 07°00'31" Tangent: 46.13'

**Segment# 4: Line**

Course: N87° 47' 06"W

Length: 287.53'

Perimeter: 645.03

Error Closure: 0.0007

Error North: -0.00

Area: 13,161 Sq.Ft.

Course: S59° 28' 26"E

East: 0.00

**Precision 1: 921,391.43**



*Douglas D. Liles*



RENEWS: 12-31-2020

Exhibit C: Aerial Photo



Exhibit D:

Right of Way view facing east



Right of Way view facing west

