

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576

Chloe Eudaly Commissioner Chris Warner Director

STAFF REPORT AND RECOMMENDATION TO THE PLANNING AND SUSTAINABILITY COMMISSION

FILE NUMBER: R/W #7873

COMMISSION MEETING TO BE HELD: MARCH 24, 2020, 5:00 PM

I. GENERAL INFORMATION

Street Vacation Request: SW Broadway Drive and SW Grant Street

Petitioner: The proposed street vacation has been initiated by the City of Portland's Office of the Mayor. The City's representative is Tia Williams, 503.823.4046, Tia.Williams@portlandoregon.gov. The adjacent property owner's representative is Karen Karlsson, 503.274.1035, karen@kklarlsson.com.

Purpose: The stated purpose for the proposed street vacation is to accommodate parking for the adjacent Morris Marks House.

Neighborhood: Southwest Hills

State ID: 1S1E04DD

Designation/Zone: CM2 (Commercial Mixed Use 2)



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II. FACTS

A. History and Background

In Fall 2014, the Mayor's office was approached by a group of citizens who were interested in saving the historic Morris Mark House, which was located at 1134 SW 12th Avenue. A vacant parcel owned by the Portland Water Bureau, located at SW Broadway Drive and SW Grant Street, was identified as the new permanent location for the house.

To accommodate parking for the house, the abutting right-of-way needed to be vacated and consolidated with the house parcel. The City initiated the proposed street vacation of the right-of-way on December 21, 2015. On July 8, 2016, the street vacation was put on hold pending resolution of the land acquisition negotiations and discussions regarding the size of the street vacation.

In September 2017, City Council authorized the relocation of the house onto the parcel and the subsequent transfer of the parcel as surplus property to a private entity so that the land and the house would be owned and managed privately by Nonetop, LLC.

The Morris Marks House has been relocated to the parcel. The right-of-way proposed to be vacated, which is presently unimproved, would be used for parking for the house.

B. Concurrent Land Use Actions

There are no concurrent land use actions at this time.

C. The Transportation Element

In the 2035 Transportation System Plan, SW Broadway Drive is classified as a local service transit street, neighborhood collector, major emergency response, city bikeway, city walkway, local service truck street, and community corridor. SW Grant Street is classified as a local street for bicycle, pedestrian, traffic, emergency response, freight, design, and transit.

D. Neighborhood Plan

The Southwest Community Plan (2000) does not specifically identify the right-of-way proposed for vacation. In its response to the notification of the proposed street vacation, the Southwest Hills Residential League points to projects in the Portland 2035 Transportation System Plan that identify the west side of SW Broadway as a future route for a Lower I-405 Multi-Use path that will be a segment of the Green Loop. The proposed street vacation's impact on this future project is addressed in section III.1 below.

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 is presently unimproved and does not serve the larger transportation network. The area has not been identified in any adopted plan for future use. The Southwest Hills Residential League provided comments that the proposed street vacation should not inhibit the future development of the Lower I-405 Multi-Use Path, which is a project identified in the Portland 2035 Transportation System Plan and could be a future segment in the Green Loop. As part of the sale of the adjacent property, a public easement access (Exhibit B) was recorded on the parcel's frontage on SW Broadway Avenue. This easement will enable future development of a multi-use path and/or Green Loop segment. The area proposed for vacation will not impact this future project. This 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. 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 subject to the conditions identified in IV below. 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 abutting property, which is where the Morris Marks House has been relocated, will utilize the vacated right-of-way for onsite parking. 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 right-of-way proposed for vacation is presently unimproved and is not needed for multimodal transportation. The street network in the area presently meets connectivity standards for all modes of transportation. The vacated right-of-way will not impact connectivity. 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	No objection
PBOT Transportation Systems Management	No objection
PBOT Active Transportation	No objection
PBOT Bridges and Structures	No objection
Bureau of Development Services	No objection
Portland Water Bureau	No objection subject to following conditions: Petitioner will grant to Portland Water Bureau an easement for existing

	facilities in the vacated area, including 6-inch main, 10-inch main, fire hydrant, and related appurtenances. (Terms and location of easement provided to Petitioner.)
Bureau of Environmental Services	No objection
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 objection
Pacific Power	No objection
Comcast	No objection
ODOT	No response received
Port of Portland	No response received
PGE	PGE has facilities in street area. Reserve easement
CenturyLink	No response received
Northwest Natural	No response received

V. NEIGHBORHOOD RESPONSE

Notice of this street vacation request was provided to the Southwest Hills Residential League, South Portland Neighborhood Association, Southwest Neighborhoods, Inc., and South Portland Business Association. Southwest Hills Residential League responded with a request that the vacated area not impact the future Lower I-405 Multi-Use Path/Green Loop, as outlined above in section III.1.

Notice of the Planning and Sustainability Commission meeting will be sent to the affected area.

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 A, 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. Area proposed for vacation
- B. Public Access Easement
- C. Right-of-Way photos
- D. Parking Lot Site Plan

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

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

EXHIBIT "B"

LEGAL DESCRIPTION
FOR A

PUBLIC ACCESS EASEMENT

PORTLAND WATER BUREAU

February 28, 2018

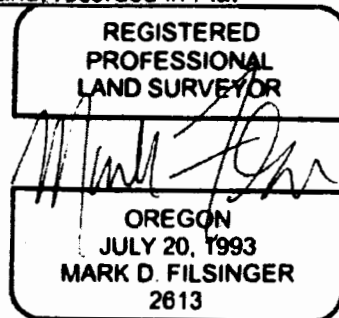
A portion of that tract of land conveyed to the City of Portland, as described in Deed Book 900, Page 105, December 31, 1886, Multnomah County Deed Records, located in the SE 1/4 of Section 4, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, State of Oregon, being more particularly described as follows:

Commencing at the southwest corner of Block 32, Caruthers Addition to Caruthers Addition to the City of Portland, also being on the north right-of-way line of SW Grant Avenue; thence along the south line of said Block 32 North 90°00'00" East 70.96 feet to the beginning of a 15.00-foot radius non-tangent curve concave northwesterly, the radial bearing of which bears North 06°39'18" West; thence northeasterly 19.82 feet along said curve, the chord of which bears North 45°29'07" East 18.41 feet to the **Point of Beginning** of this description; thence continuing on the extension of said curve 2.09 feet through a central angle of 07°58'19", the chord of which bears North 03°38'22" East 2.09 feet to a point on the southwesterly right-of-way line of SW Broadway and U.S. Highway Interstate 405; thence along said right-of-way line North 46°28'07" West 101.89 feet to the beginning of a 25.00-foot radius non-tangent curve concave southerly, the radial bearing of which bears South 21°48'33" West; thence westerly 3.66 feet along said curve through a central angle of 08°23'47", the chord of which bears North 72°23'20" West 3.66 feet to a point 1.60 feet southwest a parallel with the said right-of-way line of SW Broadway; thence South 46°28'07" East 106.52 feet parallel with said SW Broadway right-of-way line to the **Point of Beginning**.

The above described parcel contains approximately 167 sq. ft., more or less.

The basis of bearing for this description is based on Multnomah County Plat of Caruthers Addition to the Caruthers Addition to the City of Portland, recorded in Plat Book 1, Page 34 on February 4, 1867.

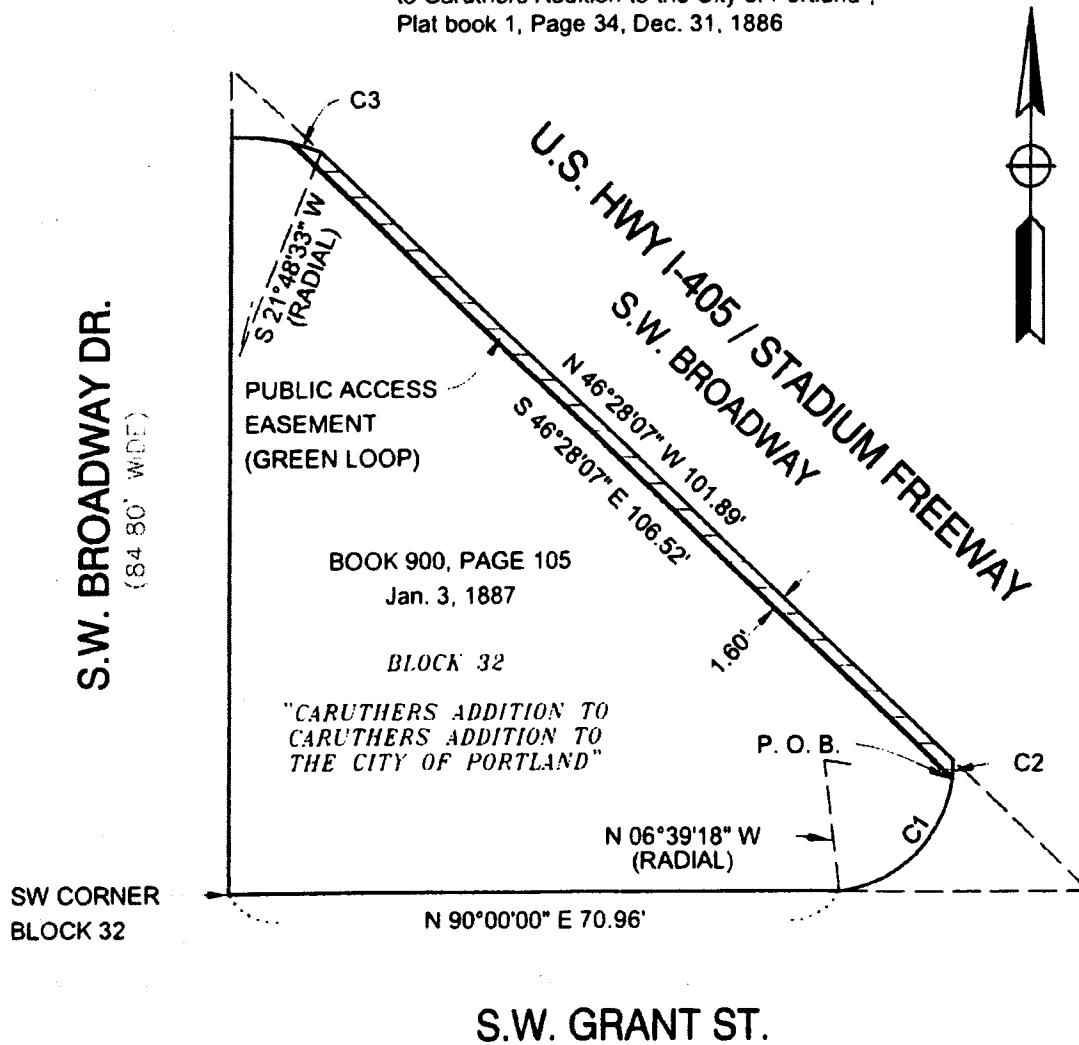
The End.



EXPIRES: 12-31-19

EXHIBIT "B"

The Basis of Bearing for this description is based on Record Plat of "Caruthers addition to Caruthers Addition to the City of Portland", Plat book 1, Page 34, Dec. 31, 1886



CURVE TABLE:

No.	Radius:	Delta Angle:	Length:	Chord Bearing, Dist:
C1	15.00'	75°43'10"	19.82'	N 45°29'07" E 18.41'
C2	15.00'	07°58'19"	2.09'	N 03°38'22" E 2.09'
C3	25.00'	08°23'47"	3.66'	N 72°23'20" W 3.66'

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 20, 1993
MARK D. FILSINGER
2613

EXPIRES: 12/31/19



PORTLAND WATER BUREAU

PUBLIC ACCESS EASEMENT

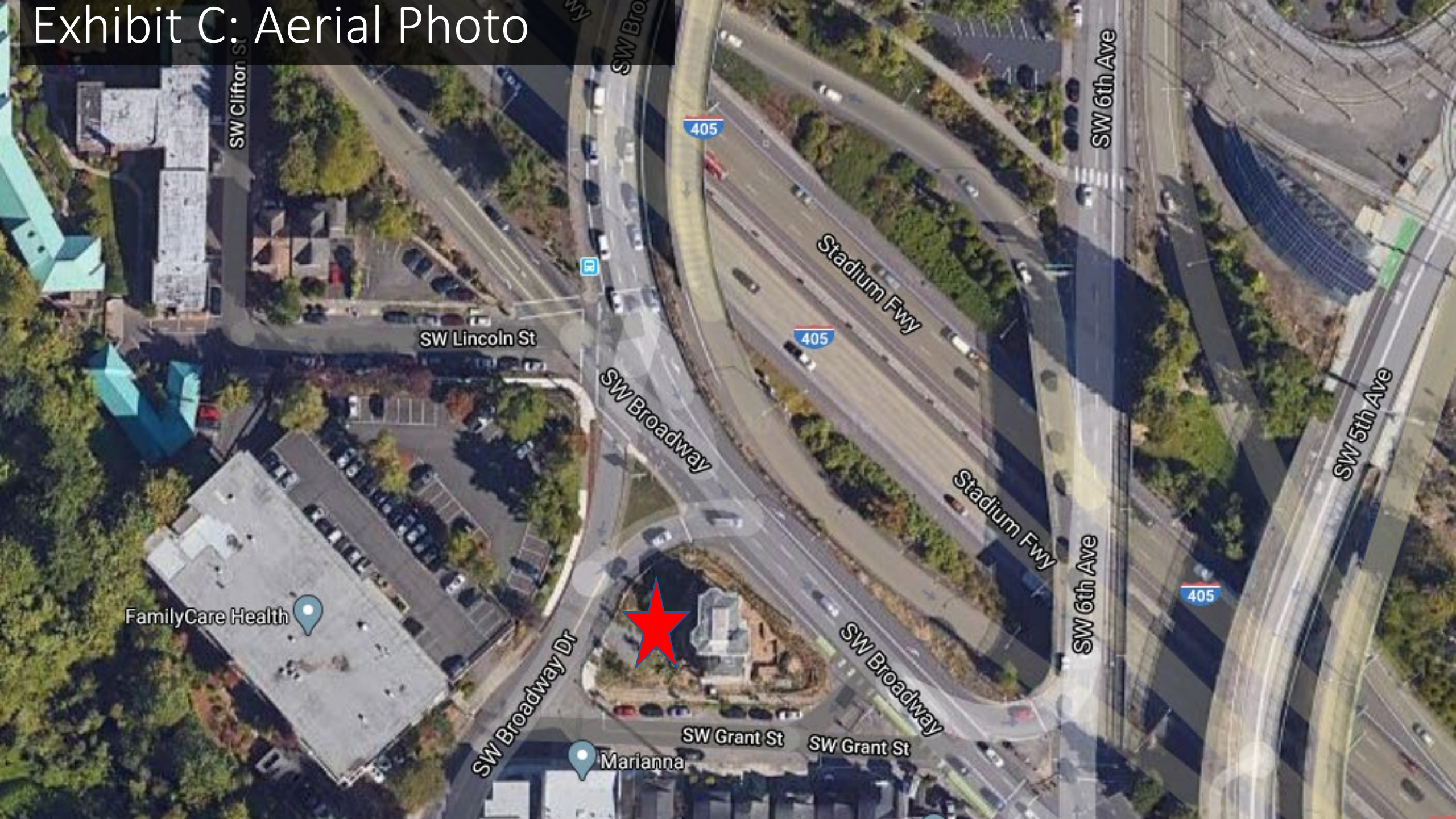
DATE: 02/28/2018

RW #8515

DRAWN BY: MDF

SCALE: 1" = 20 FT.

Exhibit C: Aerial Photo



SW Clifton St

SW Bro

405

SW 6th Ave

SW Lincoln St

405

Stadium Fwy

SW Broadway

Stadium Fwy

SW 5th Ave

FamilyCare Health

405

SW 6th Ave

SW Broadway Dr



SW Grant St

SW Grant St

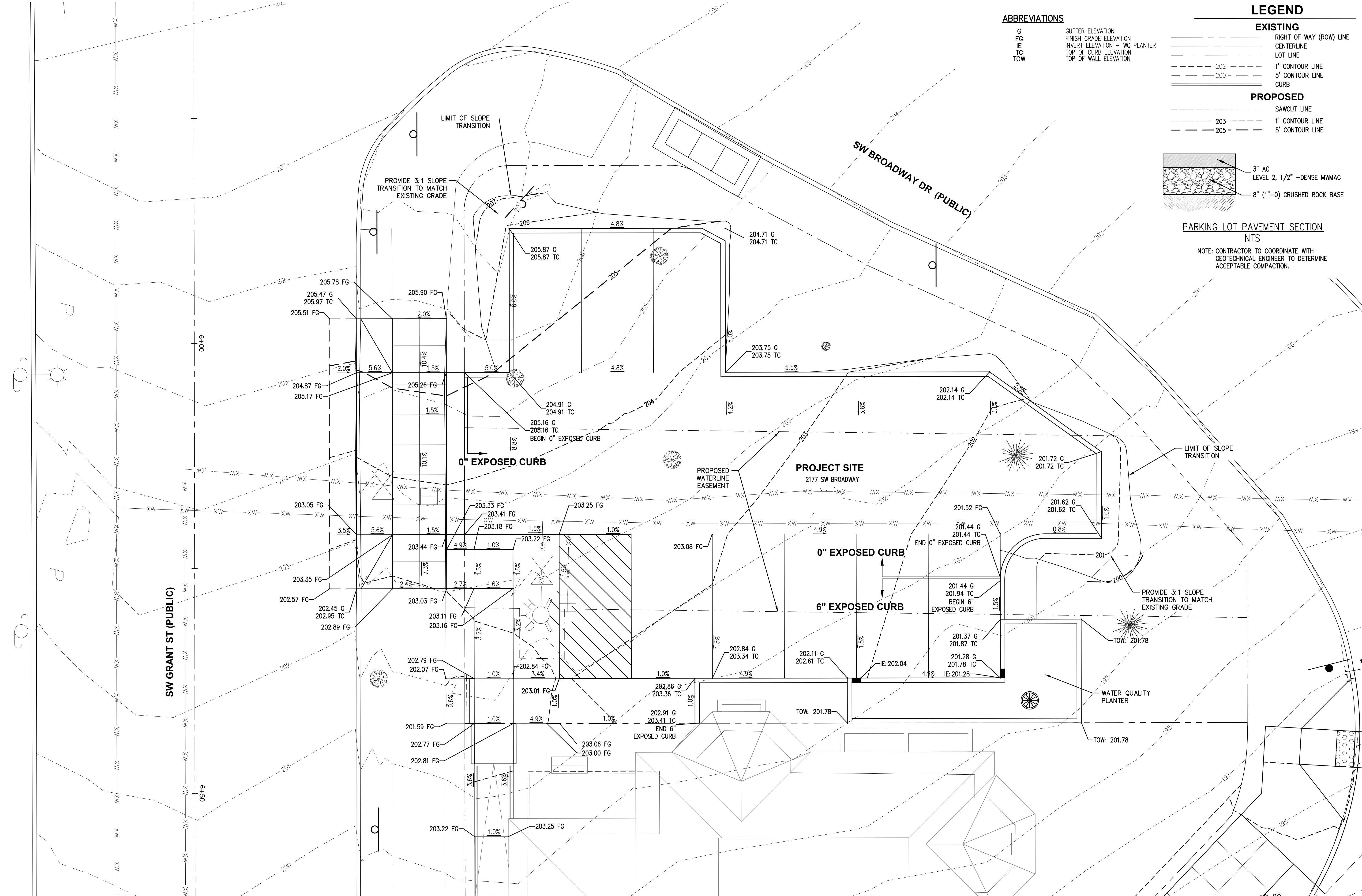
Marianna

Exhibit C: Right-of-Way Facing North



Exhibit C: Right-of-Way Facing South



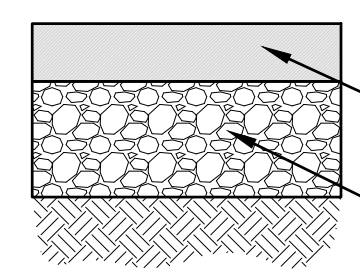


ABBREVIATIONS

- G CUTTER ELEVATION
- FG FINISH GRADE ELEVATION
- IE INVERT ELEVATION - WQ PLANTER
- TC TOP OF CURB ELEVATION
- TOW TOP OF WALL ELEVATION

LEGEND

- EXISTING**
- RIGHT OF WAY (ROW) LINE
 - CENTERLINE
 - LOT LINE
 - - - 202 1' CONTOUR LINE
 - - - 200 5' CONTOUR LINE
 - CURB
- PROPOSED**
- - - SAWCUT LINE
 - - - 203 1' CONTOUR LINE
 - - - 205 5' CONTOUR LINE



**MORRIS MARKS HOUSE
PARKING LOT
2177 SW BROADWAY DRIVE
CITY OF PORTLAND, OREGON**

PARKING LOT GRADING

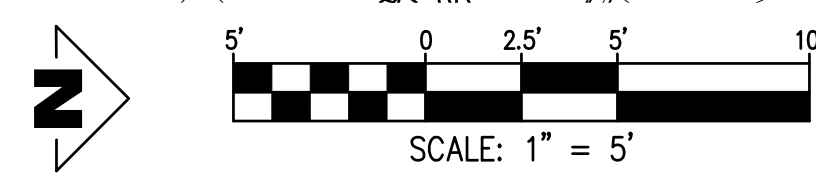
NO.	DATE	DESCRIPTION

EMERIO Design

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FAX: (503) 639-9592
www.emeriodesign.com



SHEET
C01
OF
3



FILE: P:\0702-002 Morris Marks House (dwg civil)\Parking Lot\0702-002 - 01 - Parking Lot Grading, Layout: C01 PARKING LOT GRADING, Plot Date: 12/15/2019 8:39 AM, by: Steve Hansen

