

IMPACT STATEMENT

Legislation title: Vacate portions of NE 27th Ave and NE Holland St south of NE Columbia Blvd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10131)

Contact name: Lance Lindahl, PBOT Right-of-Way Acquisition

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Presenter name: Lance Lindahl

Purpose of proposed legislation and background information:

- The purpose of this legislation is to vacate portions of NE 27th Avenue and NE Holland Street south of NE Columbia Boulevard (the “Street Area”), as recommended in the Bureau Director’s Report.
- The City of Portland initiated this street vacation on its own motion pursuant to ORS 271.130 in connection with PBOT’s recent Local Improvement Project (“LID”) that improved nearby portions of NE 27th Avenue and NE Holland Street.
- The Street Area is not to be improved to City standards and was identified as remnants to the LID with potential assemblage to the abutting private properties for expansion and/or development purposes.
- McInnis Investments LLC (“McInnis”) is the current owner of the properties located to the north and south of that portion of NE Holland Street being vacated east of NE 27th Avenue. McInnis is currently working to develop a privately owned and operated solid waste transfer station under permit of the Oregon DEQ at this location.
- The Planning and Sustainability Commission (“PSC”) reviewed and recommended approval of the street vacation request on October 13, 2020. The attached Bureau Director’s Report was completed on October 27, 2020, 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.

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 above the high end of the range and is estimated (with moderate confidence) to be approximately \$35,000.
- The PBOT LID Manager has provided a billing number for actual expenditures incurred by City staff for the processing of this request. The SAP Cost Object is T00683.SV46. Expenses have occurred in FY 2019-20 and FY 2020-21.
- 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 Street Area will remain as public right-of-way, thereby eliminating the use of this area by the abutting property owner thereby making it very difficult to complete their redevelopment plans.

Community impacts and community involvement:

- Vacation proceedings have been City initiated without a petition or consent of property owners in accordance with ORS 271.130 (Vacation on Council's own motion) and notice to surrounding property owners shall be given as provided by ORS 271.110 (Notice of hearing). As an additional requirement of the state statute, the City 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 received an objection from Tarr Acquisition LLC about a potential loss of secondary access to their property located to the east of the Street Area at 2946 NE Columbia Boulevard. A non-exclusive access easement for the benefit of their property is reserved in the ordinance to address this concern.
 - PBOT received a request from the Concordia Neighborhood Association for a pause in the street vacation process until a community-centered design process has occurred looking at potential bike and pedestrian improvements in this area. PBOT is presently leading a planning process for the area known as the Columbia/Lombard Mobility Corridor Plan. Project managers for this plan have confirmed that the area proposed for vacation as not been identified for future use.
- The PSC advertised and then held a public hearing on October 13, 2020. Although not required by State Statute or City Code, letters were mailed to all the surrounding neighbors within an 'affected area' as defined by ORS 271.080 to notify them of the public hearing thereby giving them an opportunity to be heard. No one from the public came forward to testify in support or opposition of the vacation, and the PSC ultimately recommended approval to City Council, of the vacation request.
- There do not appear to be any other impacts to the community from vacating the Street Area. 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.

100% Renewable Goal:

- Not Applicable.

Budgetary Impact Worksheet

Does this action change appropriations?

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

mjc 4-9-2021