

## IMPACT STATEMENT

**Legislation title:** Vacate unnamed alley between SW McDonnell Terrace and SW Fairmount Blvd subject to certain conditions and reservations (Hearing; VAC-10128)

**Contact name:** Dee A. Walker  
**Contact phone:** 503-865-6348  
**Presenter name:** Dee A. Walker

### **Purpose of proposed legislation and background information:**

- The purpose of the proposed legislation is to vacate the remaining portion of the alley lying between SW McDonnell Terrace and SW Fairmount Boulevard.
- PBOT, Right-of-Way Acquisition received a request from the Petitioner, Natasha Armstrong on March 14, 2018 to vacate the unnamed alley between SW McDonnell Terrace and SW Fairmount Boulevard. The Alley was originally acquired in the duly recorded Plat of Healy Heights recorded January 12, 1911, Multnomah County Plat Records.
- The property on each side of the alley is currently under the same ownership and therefore bisected by the alley. The petition states that the reason for the vacation is to consolidate the alley with the abutting properties. Due to the steep topography, PBOT has no plans for a pedestrian connection through the alley. The vacation would also allow improvements already built within the alley, by a previous property owner, to remain. A portion of the alley was previously vacated and therefore, this request, if successful, would vacate the remaining Alley. No additional development is planned.
- The vacation is in conformance with the City's Comprehensive Plan and is consistent with recommendations made by the Director of PBOT and the Director of the Planning and Sustainability Commission, as provided in the Bureau Director's Report, revised April 19, 2021 and on file with the Auditor and PBOT.

### **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 appears to fall toward the lower part of the range and is estimated (with moderate confidence) to be approximately \$10,000.
- Fees 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 9TR000002801. These expenses are occurring in FY 2019-20, FY 2020-21 and FY 2021-22.

**Community impacts and community involvement:**

- Pursuant to ORS 271.080, the petition has been signed by all abutters and the requisite number of property owners in the ‘affected area’ as defined by ORS 271.080, showing support of the vacation request and all signatures have been verified and certified by the Auditor’s Office on November 1, 2019.
- 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 alley.
- Comments were also solicited from City Bureaus, government agencies, public utilities and affected neighborhood and business associations in the area. PBOT Right-of-Way Acquisition did not receive any objections to the vacation request.
- The Planning & Sustainability Commission advertised and then held a public hearing on February 9, 2021. Although not required by State Statute or City Code, letters were mailed to all the surrounding neighbors within said ‘affected area’ 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 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.

**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

mjc 6-9-2021