

PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

February 14, 2022

SUMMARY OF OBJECTIONS AND FINDINGS TO COUNCIL

Create the Errol Heights Local Improvement District to construct street, sidewalk, and stormwater improvements (Hearing; Ordinance; C-10064)

I. SUMMARY

A written letter of remonstrance representing one (1) of the owners of the 114 properties in the Errol Heights Local Improvement District was received by the filing deadline registering objections to the formation of the local improvement district. Total remonstrances represent 1.4% of property owners in Errol Heights and 1.6% of the estimated assessment within the local improvement district.

II. SPECIFIC RESPONSES TO THE OBJECTION FILED BY PROPERTY OWNER NANCY PEIRCE.

An objection was submitted by Nancy Peirce, owner of the property at 7841 SE 48TH AVE; State ID #1S2E19CA 14600; tax account #R255305600; property ID #R158120; legal description ERROL HEIGHTS, BLOCK 23, LOTS 5&6, 0.22 ACRES; pending lien record #173780; see Attachment 1.

ISSUES RAISED BY THE OBJECTION

Issue No. 1: Every property owner in this neighborhood purchased their property willingly, knowing that it was on a dirt/gravel road and that the unimproved road was the major reason many of us choose this neighborhood.

Findings:

- a. The Errol Heights Street Improvement Project was established after residents approached the city requesting that the gravel roads in the neighborhood be improved to address access and livability issues as well as localized flooding and property damage being

caused by the lack of stormwater management infrastructure. The strong petition support to form the LID, as well as lack of objections, demonstrates property owners' interest to improve the gravel roads in Errol Heights.

- b. The roadway design in Errol Heights is quite minimal, mostly employing PBOT's Shared Street standard that does not fully build out the public right-of-way and strikes a balance between improving the road and stormwater system and maintaining the rural aesthetic of the neighborhood.
- c. 40 of the 114 properties in the LID (representing 35% of the LID) are waived meaning when those properties were developed and then sold, the new owners were notified that at some point in the future, the city may work with property owners to form a LID and pave the roads.

Issue No. 2: My neighbors, family and I enjoy the flock of feral peacocks that live in Errol Heights. They will be killed by increased traffic and traffic speed as they are slow to get out of the way of vehicles - and we are now accustomed to letting the birds take their time.

Findings:

- a. This concern was raised by several residents during the design phase. As a result, the two main east-west connecting roads in Errol Heights (SE Malden and SE Tenino Court/Tenino Drive) will include traffic calming elements such as a chicaned (curvilinear) road design, speed bumps and will be signed at 15 MPH. PBOT will also install Shared Street signage at all entry points into the neighborhood to alert drivers of the unique roadway design and that all modes can use the roadway equally.
- b. During construction, PBOT will closely work with its contractor to ensure safety of the wildlife present throughout the neighborhood and within Errol Heights Park.

Issue No. 3: The road in front of my home has not received ANY maintenance by the City of Portland in the 20 years I have been a full-time resident. My father and husband were both road builders. I have worked as a heavy equipment operator, and my son is a contractor. The roads in Errol Heights could be graveled and graded for a very small fraction of the over \$9,000,000 the LID is proposed to cost. Yearly maintenance of a gravel road would also be a fraction of the cost of maintaining an asphalt surface and gravel parking strips.

Findings:

- a. Over the years, residents have funded gravel deliveries and volunteered their time to fill in the roadways. These temporary improvements often don't even last through a rainy season due to the topography of the project area and steep slopes above Errol Heights that carry significant amounts of stormwater.
- b. In 2020, when PBOT was grading other unimproved roads in the Brentwood-Darlington neighborhood, the project team worked with PBOT Maintenance Operations to deliver gravel to Errol Heights. Once again, neighbors volunteered to distribute the gravel and fill

in the potholes throughout the project area. In 2021, PBOT received a request to deliver additional gravel since the potholes had returned.

- c. The large amount of stormwater, combined with the topography in Errol Heights, causes the gravel to erode and ultimately make its way into Errol and Johnson Creeks, causing erosion, sedimentation, and water quality issues that threatens the existing habitat. The best long-term solution for watershed health, as well as accessibility and livability, is to finally improve the right-of-way by paving and installing stormwater management facilities.

III. RECOMMENDATION

It is the recommendation of the Errol Heights LID Project Manager that the City Council overrule any and all objections and approve the LID Formation Ordinance for the Errol Heights Local Improvement District.

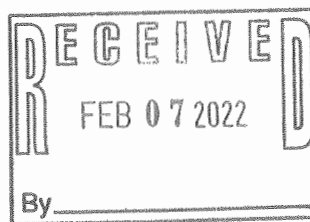
Respectfully submitted,



Elizabeth Tillstrom
Errol Heights LID Project Manager

February 2, 2022

Office of Management and Finance
City of Portland
Revenue Division
111 SW Columbia St, Suite 600
Portland, Oregon 97201-5840



I am writing in in regards to the Errol Heights LID. I am a long-time property owner in this neighborhood:

Property address: 7841 SE 48th Ave. Portland 97206
Legal Description: Errol Hts., Block 23, Lot 5 & 6

I am very much opposed to the proposed sidewalk and stormwater improvements as they are described in this project and have appeared at several community meetings and reached out to both past and present city officials about my concerns.

Every property owner in this neighborhood purchased their property willingly, knowing that it was on a dirt/gravel road and that unimproved road was the major reason many of us choose this neighborhood.

I have almost no street traffic other than my neighbors and a few commercial services such as our waste pick-up service and delivery trucks. I have almost no foot traffic other than neighbors that pass my home daily. I have 2 young grandchildren for whom I do daily childcare and I feel very safe about have them play in my yard and drive because of the low traffic volume.

I choose to get my daily exercise by walking in my neighborhood. The streets here are very safe for this, day and night. There is zero unhoused population in the neighborhood and I rarely see a fellow walker whom I do not recognize as a neighbor. This is another reason I love my neighborhood and living here.

My neighbors, family and I enjoy the flock of feral peacocks that live in Errol Heights. They will be killed by increased traffic and traffic speed as they are slow to get out of the way of vehicles - and we are now accustomed to letting the birds take their time.

The road in front of my home has not received ANY maintenance by the City of Portland in the 20 years I have been a full-time resident. My father and husband were both road builders, I have worked as a heavy equipment operator, and my son is a contractor. The roads in Errol Heights could be graveled and graded for a very small fraction of the over \$9,000,000 the LID is proposed to cost. Yearly maintenance of a gravel road would also be a fraction of the cost of maintaining an asphalt surface and gravel parking strips. Portland as a city has many pressing social needs that need funding that would reach a much larger and more needy population that resurfacing the roads in a neighborhood where the homeowners are not requesting such

an improvement. Admittedly, the contractors who built and sold homes constructed in the last 20 years paid part of their permitting fees for future road improvements, but they are not the homeowners living here.

Many of the unimproved side roads in the nearby Woodstock neighborhood have been graded in the last three years, so the City of Portland should be able to easily estimate the cost of grading Errol Heights roads in lieu of the asphalt.

I also understand there are proposed park improvements planned for Errol Heights park. I do not know of a single neighbor who would benefit from the planned park additions. We now have a lovely community garden and a large field for play and dog walking. The lower park is a developing wetlands with much wildlife. We like what is available. And we have several school and city parks within a few blocks if we desire play structures, basketball courts, soccer, baseball, etc.

I can not attend the February 16th public hearing as I am working at that time. But I believe I speak for many of my neighbor in strong opposition to the planned Errol Heights LID.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Peirce".

Nancy Peirce
7841 SE 48th Ave.
Portland, Oregon 97206
npeirce@mac.com
971-263-7456