

Charlie
Hales
Mayor

John
Widmer
Interim
Director

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NUMBER: **R/W #7561**

Commission Meeting to be held 6:00 PM, May 28, 2013

1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A

I. GENERAL INFORMATION

Street Vacation Request: Proposed vacation of SW Grover Street west of SW Moody Avenue

Petitioner: Street vacation initiated by ZRZ Realty Company. The Petitioner's representative is Ryan Schera from Group Mackenzie. Address is 1515 SE Water Avenue, Suite 100, Portland, OR 97214. Phone 503-224-9560

Purpose: Purpose of vacation is to assemble property for development purposes.

Neighborhood: South Portland Neighborhood Association
Jim Gardiner, Land Use/Planning Committee Chair
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Southwest Neighborhoods, Inc.
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Quarter Section: 3329

Designation/Zone CXdCC

II. FACTS

A. History and Background

SW Grover Street is an unused stub of right of way west of SW Macadam Avenue Kelly Avenue Ramp. It has never been used because it is very steep, short and dead ends against the on ramps to I-5 and I-405 which lead to the Marquam Bridge. It is also the site of many underground utilities, which will have to be protected with easements if this vacation goes forward.

B. Concurrent land use actions

There are no concurrent land use actions.

C. The Transportation Element

This unused segment of right of way has never been used for transportation purposes.

III. FINDINGS

A. Comprehensive Plan Goals and Policies Consideration

The relevant policies of the Transportation Element are:

Policy 6.20 Connectivity states:

Support development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers.

Vacation of this unused segment of right of way will not diminish connectivity in the South Waterfront area.

Policy 6.21 Right-of-Way Opportunities states:

Preserve existing rights-of-way unless there is no existing or future need for them, established street patterns will not be significantly interrupted, and the functional purposes of nearby streets will be maintained.

As noted above this segment of SW Grover Street has never been used for transportation purposes and because of a number of factors never will be.

Policy 6.40 Southwest Transportation District

Approval of this street vacation will support development of the South Waterfront area.

Policy 8.14 Natural Resources, Objective I. States:

Consideration of Scenic Resources in Street Vacations. Require the preservation and maintenance of existing and potential view corridors and view points when approving street vacations. Require view easements within or near street vacations where access to viewpoints or view corridors is desired.

The portion of SW Grover Street proposed for vacation will not interfere with any recognized view corridors

Policy 11.11 Street Plans, Objectives D. and E. state:

D. Provide full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints.

E. Provide bike and pedestrian connections at approximately 330-foot intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints.

The portion of SW Grover Street proposed for vacation is not currently open for public use. Both topography and the adjacent freeway severely constrain public access.

Policy 12.4 Provide for Pedestrians, Objective G. states:

Retain rights for pedestrian access and circulation when considering requests for street vacations. Preserve existing pedestrian routes and protect routes needed by pedestrians in the future. Ensure that street vacations do not reduce access to light and air or the intimate scale that is so much a part of Portland's character.

Vacation of the SW Grover Street will provide for a small public plaza, which will enhance pedestrian access to the newly developed multi-family structure immediately to the north of the proposed vacation.

Findings for Policies 6.20, 6.21, 8.14, 11.11 and 12.4

This vacation is in conformance with above referenced Comprehensive Plan Goals and Policies.

B. Neighborhood Plan considerations

This street vacation is in conformance with the South Waterfront Redevelopment Plan

C. Zoning Code considerations

There are no zoning issues.

D. Subdivision code considerations

There are no sub-division issues.

IV. CONCLUSIONS

Based on the above analysis, Portland Bureau of Transportation states that the right-of-way is not needed to provide for future facilities. Additionally, approval of the street vacation will not affect the functional performance of the street system in the area.

V. STAFF RECOMMENDATION

It is recommended that the street vacation be approved as proposed with the following conditions.

Bureau of Environmental Services:

Has required the reservation of a sewer and water facility easement to the City recorded with the vacation ordinance, that the petitioners provide a drawing that details all proposed encroachments, and that an encroachment agreement that references the proposed building elements must be executed.

Water Bureau

Required the reservation of a sewer and water facility easement to the City be ready to record with the vacation ordinance and that all water main relocation work be completed at the expense of the petitioner and accepted by the Portland Water Bureau.

Portland Streetcar

Required the reservation of a facility easement for electrical service lines and equipment and has required the reservation of an access easement providing clear 24/7 access from SW Moody Avenue to the streetcar substation.

Staff Planner – Stuart Gwin, Phone: 503-823-7788

cc: Lance Lindahl, Right-of-Way Case Manager
Jim Davis, Land Use/Planning Committee Chair
South Portland Neighborhood Association
Leonard Gard
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Don Baack
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Case File

VI. EXHIBITS

Exhibit 1: Area Proposed for Vacation
See following page

Exhibit 1:

Map of area surrounding the proposed vacation





