

Steve
Novick
Commissioner

Leah Treat
Director

**STAFF REPORT AND RECOMMENDATION
TO THE PLANNING AND SUSTAINABILITY COMMISSION**

FILE NUMBER: R/W #7452

COMMISSION MEETING TO BE HELD 12:30 PM, JUNE 10, 2014

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

I. GENERAL INFORMATION

Street Vacation Request: A portion of NE Vancouver Way south of NE Gertz Road

Petitioner: Street vacation initiated by Vee Enterprises LLC. The Petitioner's representative is Roger Vrilikas of 2438 NW Johnson Street, Portland, OR 97201, 503-223-7467.

Purpose: Purpose is to vacate unused right-of-way adjacent to NE Vancouver Way, to consolidate property prior to redevelopment.

Neighborhood: East Columbia Neighborhood Association
Maryhelen Kincaid, Land Use Chair
2209 N Schofield Street
Portland, OR 97217

North Portland Neighborhood Services
Land Use Chair
2209 N Schofield Street
Portland, OR 97217

Quarter Section: 2130

Designation/Zone: EG2h, General Employment 2 zone with an Aircraft Landing Zone overlay.

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II. FACTS

A. History and Background

South of NE Gertz Road, NE Vancouver Way shifts from a north-south orientation to an east-west orientation, before crossing under NE Martin Luther King, Jr. Boulevard. The NE Vancouver Way right-of-way width varies, but heading south it generally reduces from approximately 95 feet just south of Gertz to 60 feet along the arc of the north-south to east-west transition. This proposed vacation will result in additional 60 foot right-of-way by vacating a portion of this transition zone that is not used for a transportation purpose. The area in question is currently occupied by some trees, grass, and parking for a private business. The Petitioner has stated that the reason for the vacation is to consolidate property prior to redevelopment.

B. Concurrent land use actions

There are no concurrent land use actions.

C. The Transportation Element

NE Vancouver Way is classified as a Neighborhood Collector Street (Traffic), a Community Transit Street, a City Bikeway, a City Walkway, a Freight District Street, a Local Service Design Street, and a Major Emergency Response Street.

D. Neighborhood Plan

The proposed vacation is defined as an Impact Area in the Albina Community Plan (ACP). The ACP defined Impact Areas as significant “mainly because of the employment opportunities they provide for the Albina Community population.” No policies or goals of the ACP directly relate to the proposed street vacation.

III. FINDINGS

A. Comprehensive Plan Goals and Policies Consideration

The relevant policies of the Comprehensive Plan 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.

Comment: The proposal will vacate an unused portion of right-of-way while leaving a 60-foot right-of-way intact, and connecting to existing 60-foot right-of-way to the south. This policy is met.

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.

Comment: NE Vancouver Way is a fully improved street with a curb and sidewalk. The remaining right-of-way will be 60 feet wide, and will match the width to the south of the proposed vacation. The proposed vacation will not impact surrounding streets. This policy is met.

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.

Comment: There are no scenic resources related to this site or street vacation. This policy is met.

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.

Comment: The proposed vacation lies on the west side of NE Vancouver Way. Approximately 800 feet further to the west, NE Martin Luther King, Jr. Boulevard is built as a limited access roadway, on a berm. This effectively prevents additional east-west connections through this area, beyond the existing grade-separated crossing on NE Vancouver Way to the south and the slip ramps leading to and from NE Gertz Road to the north. This policy is met.

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.

Comment: The proposed vacation will leave the existing sidewalk intact, and will retain a 60-foot right-of-way. This policy is met.

B. Neighborhood Plan considerations

There are no neighborhood plan considerations.

C. Zoning Code considerations

There are no zoning issues.

D. Subdivision code considerations

There are no sub-division issues.

E. Improvement considerations

Notification of the proposed vacation was sent to relevant public and private entities that may own or maintain physical improvements within the public right-of-way.

The following divisions within the Bureau of Transportation have no objection to the proposed vacation: Planning, Policy and Projects; Active Transportation; Transportation Systems Management; Street Lighting; Bridges and Structures; Development Review; Permit Engineering.

The following City bureaus have no objection to the proposed vacation: Bureau of Development Services, Fire Bureau, Bureau of Parks and Recreation, Urban Forestry Division.

The Portland Water Bureau (PWB) maintains facilities in the area. The Petitioner shall pay for the PWB to relocate the existing water meter out of the proposed vacation area.

The Bureau of Environmental Services (BES) maintains facilities in the area. The City of Portland shall reserve a Public Stormwater Facility and Sewer Easement on the southerly eighty feet and the easterly 3.60 feet of the proposed vacation area for a future public stormwater facility.

The following local agencies have no objection to the proposed vacation: Oregon Department of Transportation, Port of Portland.

Comcast Cable and CenturyLink responded that they have no facilities in the proposed vacation area.

TriMet, Pacific Power and Light, Portland General Electric, and Northwest Natural were notified of the proposed vacation but did not respond.

F. Other Considerations

Neighborhood issues.

The East Columbia Neighborhood Association and North Portland Neighborhood Services were notified of the street vacation process and request. No responses to the proposal were submitted.

IV. 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.

V. TENTATIVE STAFF RECOMMENDATION

The staff recommendation is approval of the vacation of the area as shown on Exhibit 1 with conditions:

Prior to recording of the street vacation ordinance, the Petitioner shall:

1. Pay for the PWB to relocate the existing water meter as detailed in Section III.E. above.

The City of Portland shall reserve a Public Stormwater Facility and Sewer Easement as detailed in Section III.E. 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.

VI. EXHIBITS

1. Map of Area Proposed for Vacation
2. Aerial Photo of Area Proposed for Vacation

Staff Planner – Grant Morehead, AICP
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Email: grant.morehead@portlandoregon.gov

cc: Lance Lindahl, Right-of-Way Case Manager
Maryhelen Kincaid, East Columbia Neighborhood Association
North Portland Neighborhood Services

EXHIBIT 1



NORTH
SCALE: 1" = 50'

PROPOSED VACATION OF A
PORTION OF NE VANCOUVER WAY

A PORTION OF LOTS 3 AND 4, NORTH UNION ACRES
SITUATED IN THE
N.E. 1/4 OF SECTION 10, T1N, R1E, W.M., CITY OF
PORTLAND, MULTNOMAH COUNTY, OREGON
DATE: JULY 18, 2007

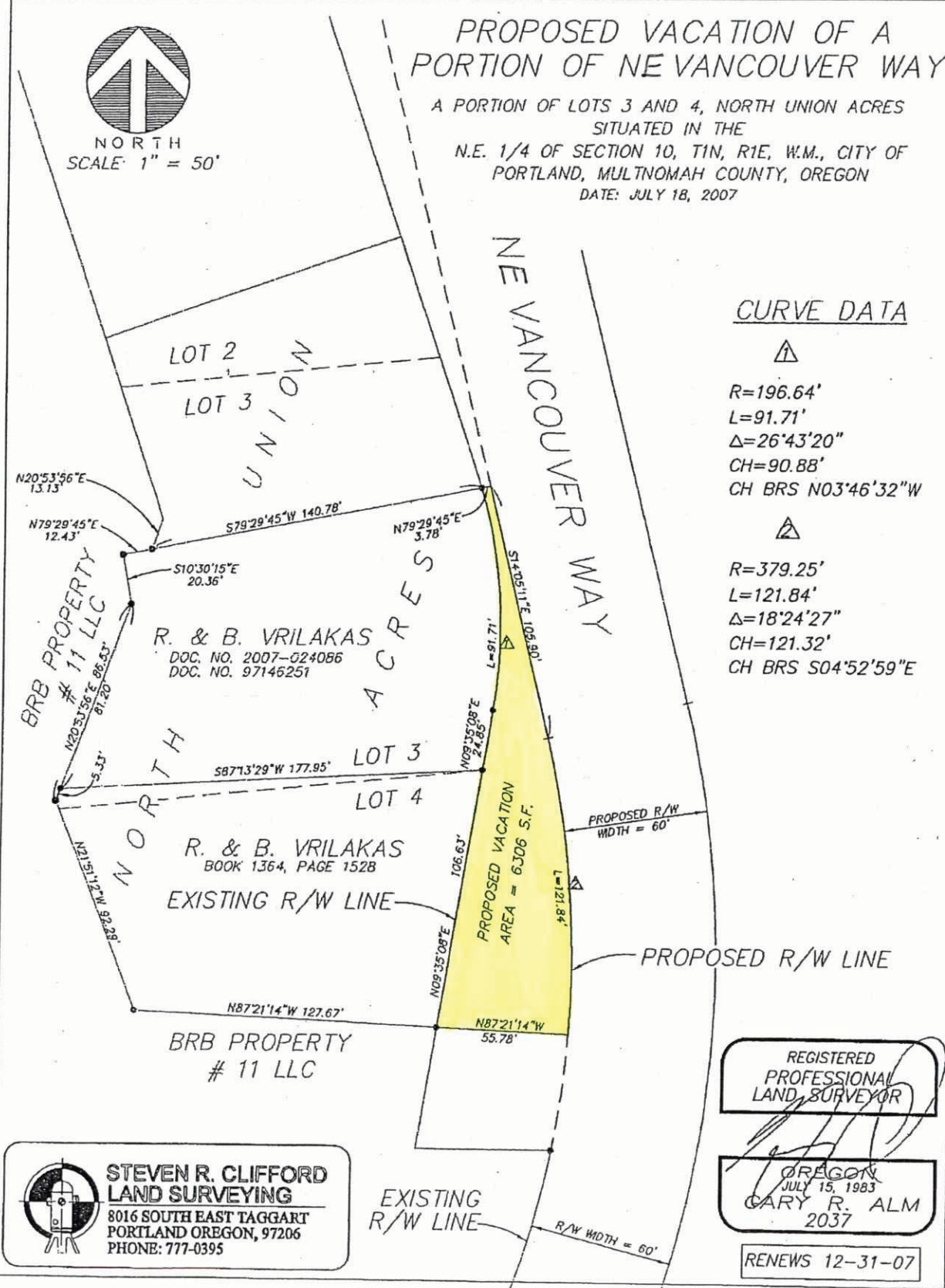
CURVE DATA



R=196.64'
L=91.71'
Δ=26°43'20"
CH=90.88'
CH BRS N03°46'32"W



R=379.25'
L=121.84'
Δ=18°24'27"
CH=121.32'
CH BRS S04°52'59"E



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REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 1983
CARY R. ALM
2037

RENEWS 12-31-07



Exhibit 2

NE Gertz Road

NE Vancouver Way

NE Martin Luther King, Jr. Boulevard

Legend

-  Parcel Boundaries
-  Proposed Vacation (approximate)

