



Steve  
Novick  
Commissioner

September 5, 2014

Leah Treat  
Director

## MEMORANDUM TO COUNCIL

### **Declare intent to initiate local improvement district formation proceedings to create a local improvement district to construct street, sidewalk and stormwater improvements in the SW 45th Ave and California St Local Improvement District (Resolution; C-10048)**

Local improvement district (LID) petitions were received on July 23, 2014 from St. Luke Lutheran Church, a.k.a. St. Luke Lutheran Church of Portland Oregon Inc. ("St. Luke"). A cover letter dated July 15, 2014 with an "Attachment A" was enclosed with the LID petitions; see Attachment 1.

The points of clarification contained in the cover letter and "Attachment A" are not binding on the City or the Portland Bureau of Transportation ("PBOT") and do not amend the general character and scope or other terms and conditions of the LID. However, the cover letter and "Attachment A" are useful in communicating St. Luke's goals and objectives with respect to the LID, and there has been ongoing communication between PBOT and St. Luke since PBOT's receipt of the cover letter, LID petitions and "Attachment A".

If St. Luke is not in agreement with the general character and scope and other terms and conditions of the LID, it may request an amendment to this Resolution, or alternatively it may submit a written remonstrance or objection against the subsequent LID Formation Ordinance.

Don Baack of Southwest Trails, was notified of the proposed LID and related street vacation amendment ordinance by St. Luke on July 25, 2014. He was further briefed by PBOT staff on August 22, 2014, and submitted e-mail testimony requesting a delay in the September 17, 2014 Council date for both this resolution and the accompanying street vacation amendment ordinance; see Attachment 2. The office of Commissioner Steve Novick confirmed on August 22, 2014 that both this resolution and the accompanying street vacation amendment would be considered by Council on September 17, 2014 without a delay to this timeline.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185  
FAX 503-823-7576 • TTY 503-823-6868 • [www.portlandoregon.gov/transportation](http://www.portlandoregon.gov/transportation)

**I. SPECIFIC RESPONSES TO THE POINTS OF CLARIFICATION RAISED BY JON PERKINS, PRESIDENT OF ST. LUKE**

A letter was received on July 23, 2014, from Jon Perkins, president of St. Luke, owners of six (6) properties in common ownership; see Attachment 1:

- a. The property with State ID #1S1E19AA 200; Tax Account #R064300040; Property ID #R113784; legal description BELLA VISTA, BLOCK 1, LOT 4&5; site address 4534 SW VERMONT ST; 9,684 total and proposed assessable square feet; amount as petitioned \$60,304.34; amount as proposed \$40,888.28.
- b. The property with State ID #1S1E19AA 201; Tax Account #R064300060; Property ID #R665286; legal description BELLA VISTA, BLOCK 1, LOT 6&7; vacant at S/4534 SW VERMONT ST; 9,683 total square feet; 6,247 proposed assessable square feet after exemption of 3,436 square feet in environmental protection "p" zone overlay; amount as petitioned \$0.00; amount as proposed \$26,376.40.
- c. The property with State ID #1S1E19AA 2500; Tax Account #R991193260; Property ID #R329507; legal description SECTION 19 1S 1E, TL 2500 2.89 ACRES; site address 6835 SW 46TH AVE; 125,812 total square feet; 100,519 proposed assessable square feet after exemption of 25,293 square feet in environmental protection "p" zone overlay; amount as petitioned \$\$391,769.57; amount as proposed \$424,416.46.
- d. The property with State ID #1S1E19AA 2600; Tax Account R991193190; Property ID #R329500; legal description SECTION 19 1S 1E, TL 2600 0.39 ACRES; site address 4604-4616 SW VERMONT ST; 17,002 total square feet; 13,061 proposed assessable square feet after exemption of 3,941 square feet in environmental protection "p" zone overlay; amount as petitioned \$52,943.01; amount as proposed \$55,146.82.
- e. The property with State ID #1S1E19AA 500; Tax Account R064300170; Property ID #R113787; legal description BELLA VISTA, BLOCK 2, LOT 7-9; site address 6812 SW 46TH AVE; 14,525 total and proposed assessable square feet; amount as petitioned \$45,229.81; amount as proposed \$61,328.20.
- f. The property with State ID #1S1E19AA 600; Tax Account #R064300200; Property ID #R113788; legal description BELLA VISTA, BLOCK 2, LOT 10; vacant at N/6812 SW 46TH AVE; 4,842 total and proposed assessable square feet; amount as petitioned \$20,444.14.

POINTS OF CLARIFICATION RAISED BY THE COVER LETTER AND “EXHIBIT A”:

Point of Clarification No. 1: The LID assessments for the project as currently proposed will be charged only on properties owned by St. Luke, not on St. Luke’s neighbors’ properties.

Findings:

- a) No future assessment is currently proposed for properties not currently under ownership by St Luke.
- b) A future change in ownership of any property proposed for future assessment after adoption of the LID Formation Ordinance will not affect the apportionment of assessments.
- c) Properties within the LID boundary but not owned by St. Luke may be subject to a future assessment if their owner or owners voluntarily sign an agreement with the City to fund sanitary sewer extension improvements or other improvements not described in the LID petitions sent to St. Luke dated May 9, 2014.

Point of Clarification No. 2: St. Luke’s petition in favor of an LID is conditioned on City Council adoption of an amended street vacation ordinance acceptable to St. Luke.

Findings:

- a) The amended street vacation ordinance and this Resolution are concurrently being brought forward for Council consideration.
- b) It is intended for the second reading of the separate and subsequent LID Formation Ordinance to occur on the same date of the second reading of the street vacation amendment. The second reading of the street vacation amendment will occur five (5) weeks instead of one (1) week after its first reading to accommodate this concurrent timeline for adoption of both ordinances.

Point of Clarification No. 3: Approval of the LID Formation Ordinance will meet the conditions of the amended street vacation ordinance, and vacation of SW 46th Avenue between SW Vermont Street and SW California Street, as well as a portion of SW Florida Street east of SW 46th Avenue, will not be contingent upon construction of the actual improvements.

Findings:

- a) Per Section 17.24.055 of City Code, Council approval of the LID will serve as a guarantee that physical improvements to the public right-of-way will be built along SW Vermont Street, SW 45th Avenue, and SW California Street. The LID will build the public infrastructure improvements as part of a public capital improvement (CIP) project with a financial guarantee consisting of the LID liens in lieu of bonding, cash deposits or other financial guarantee. The LID in turn ensures that those conditions that are related to street, sidewalk and stormwater improvements required as a part of the Revised Street Vacation Ordinance will be met.
- b) There are other street vacation conditions will have to be met outside of the LID process and prior to recording of the revised ordinance which includes previously required conditions:
  1. Consolidation of historically platted lot lines that will lose all of their legal street frontage; and
  2. Installing a new fire hydrant and/or a sprinkler system in the main church building; and
  3. Readdressing the property currently addressed as 6812 SW 46th Avenue and potentially the property address as 6835 SW 46th Avenue to have SW California Street addresses; and
  4. Working with the Portland Water Bureau to move existing water facilities and to accept ownership of any abandoned facilities; and
  5. Dedicating additional property to the City as public right-of-way for a new cul-de-sac turnaround and a potential future sidewalk or recreational trail on SW California Street.

Removing or accepting the ongoing costs related to an existing streetlight;

- c) A previous street vacation condition of removing or accepting the ongoing costs related to an existing streetlight no longer applies, because the street vacation area has been reduced to no longer vacate the right-of-way area including the streetlight.

- d) Per Section 17.24.055 of City Code, formation of the LID will satisfy various conditions of the Conditional Use and building permit processes. In addition to the SW 45th Avenue and SW California Street improvements, the LID will also construct improvements to SW Vermont Street between SW 45th Avenue and SW 46th Avenue that are required as a part of the Conditional Use process.

There is a possibility that some of these conditions will change based on surveying and engineering work performed by the LID; for example; a smaller cul-de-sac if the length of SW California Street from the west right-of-way line of SW 45th Avenue to the west cul-de-sac curb line at what is currently SW 46th Avenue is less than 300 feet.

Point of Clarification Issue No. 4: Two (2) additions to the scope of work are sought: replacement of the existing water main in SW California Street, and installation of a fire hydrant at the west end of SW California Street.

Findings:

- a) The Portland Water Bureau (“PWB”) estimated costs for St. Luke on July 9, 2014. The cost for upsizing the current 4” water main with a new 6” water main and installing a new fire hydrant is estimated at \$28,000.00 net of the PWB cost share. The assumed new 2” water meter and service, associated system development charges (SDCs) and SDC credits, and a new 4” fire line is estimated at \$35,000.00 per PWB service ordinance (“book”) rates.
- b) The new fire hydrant will improve fire suppression capabilities for St. Luke properties. Multiple fire hydrants are often used in firefighting. The two closest existing fire hydrants to the St. Luke are to the east and north of the property on which the sanctuary is located, currently addressed as 6835 SW 46th Avenue. The existing fire hydrant to the east is approximately 400 feet away from the property line, with various points of the building even further away; fire hoses would have to be laid across an arterial street, SW 45th Avenue, to fight a fire at St. Luke. The existing fire hydrant to the north is a range of approximately 282 to 593 feet away from the north and south property lines of the property currently addressed as 6835 SW 46th Avenue; fire hoses would have to be laid across an environmental protection (“p) zone and on a slight slope on the current SW 46th Avenue right-of-way rising approximately 16 feet from SW Vermont Street to SW California Street.
- c) The LID budget will be increased by \$63,275.93 for the LID Formation Ordinance, comprised of \$63,000.00 in Portland Water Bureau costs net of cost share and \$275.93 in Auditor’s and financing costs.
- d) The total cost of the LID will therefore increase from \$565,324.37 to \$628,600.30.

Point of Clarification Issue No. 5: St. Luke desires that stormwater be conveyed west from the SW 46th Avenue & California Street intersection rather than north of the SW 46th Avenue & California Street intersection, and that a fire hydrant be installed in the vicinity of the SW 46th Avenue & California Street intersection by the LID.

Findings:

- a) The engineer's estimate was based on a disposal point north of the SW 46th Avenue & California Street intersection consistent with the original street vacation, rather than west of the SW 46th Avenue & California Street intersection, which is consistent with the amended street vacation. The LID project will assume a westerly stormwater disposal point, and any incremental cost increase will be funded from project contingency. The exact alignment of the stormwater outfall route will be determined after completion of survey, which in turn will follow formation of this LID.
- b) The LID budget will be increased to fund a new fire hydrant; see findings for Point of Clarification Issue No. 4.

Point of Clarification Issue No. 6: St. Luke will have reasonable input on the design for improvements adjacent to its properties.

Findings:

- a) The City Engineer will retain sole authority to determine the scope of the improvements; however St. Luke will be invited to meetings throughout the design of the LID and will be provided opportunity to provide input on the planned design.
- b) Outreach regarding street, sidewalk and stormwater improvements in the current public right-of-way adjacent to properties not owned by St. Luke will be made to owners of those properties in lieu of to St. Luke, and right-of-way acquisition to widen these rights-of-way east of St. Luke is not planned.
- c) Outreach regarding a stormwater improvements west of the SW 46th & California Street intersection adjacent to properties not owned by St. Luke will be made to owners of those properties in collaboration with St. Luke.

Point of Clarification Issue No. 7: PBOT will provide funding of overhead costs in the amount of \$89,156.

Findings:

- a) The Portland Bureau of Transportation will fund overhead costs on this LID.
- b) Overhead costs are currently estimated at \$89,156 and PBOT will fund actual, not estimated overhead costs, which will vary from this estimate.

## **II. SPECIFIC RESPONSES TO THE ISSUES RAISED BY DON BAACK OF SW TRAILS.**

An e-mail was received on August 22, 2014, from Don Baack of SW Trails; see Attachment 2. SW Trails is not financially contributing to this project. Mr. Baack previously provided written testimony dated February 22, 2012 for Council consideration of Ordinance No. 185174 adopted by Council on February 29, 2012.

Issue No. 1: St. Luke is now requesting that the requirement of a north-south be eliminated, and that the provision of a pedestrian link of SW Florida Street also be eliminated.

### Findings:

- a. The requirement for a north-south pedestrian connection required of Ordinance No. 185174 approved by Council on February 29, 2014 is being removed by a separate ordinance amending this street vacation concurrent with formation of the LID. The LID will build a north-south pedestrian connection on SW 45th Avenue, an arterial, in lieu of on SW 46th Avenue, a local street. PBOT staff feel that the SW 45th Avenue pedestrian connection is of significantly greater community benefit than a pedestrian connection on SW 46th Avenue.
- b. Ordinance No. 185174 approved by Council on February 29, 2014 did not require an east-west pedestrian connection on SW Florida Street, nor will this LID build such a connection. The LID will build an east-west pedestrian connection on SW California Street, which will avoid an environmental protection zone.



Issue No. 2: Of great interest to Southwest Portland residents is the elimination of parking on SW 45th Avenue, where there is inadequate bus service and inadequate parking to serve the Southwest Community Center.

Findings:

- a. Parking along the west side of SW 45th Avenue between SW Vermont Street and SW California Street creates a sight distance issue for eastbound motorists on SW California Street regardless of whether they are turning left to travel northbound on SW 45th Avenue, or whether they are turning right to travel southbound on SW 45th Avenue. The parking removal is warranted for safety reasons irrespective of the planned sidewalk and bike lane improvements.
- b. Bus service on line #1-Vermont has indeed been dramatically reduced over the years, from service seven (7) days per week including midday weekdays and evenings and nighttime service on weekdays, to now only providing peak hour service on weekdays. Another bus line serving the Maplewood neighborhood, line #46-Maplewood, also previously provided service seven (7) days per week, but has been eliminated in its entirety, with line #1-Vermont absorbing a small portion of the former #46-Maplewood route, causing long out-of-direction travel for some bus riders. The new sidewalks planned by this LID will connect to a new sidewalk connection all the way from the signalized intersection of SW 45th Avenue & Vermont Street to Hillsdale, which is served by multiple bus lines, including frequent service provided by the combination of bus lines #54 Beaverton-Hillsdale Highway and #56 Scholls Ferry Road.
- c. A better and safer location to provide parking for the Southwest Community Center is either to expand on-street parking on the east side of SW 45th Avenue to eliminate the need for pedestrians to cross the street after parking their cars. On street parking will remain west of SW 45th Avenue on SW California Street, with a sidewalk connecting to the signalized intersection of SW 45th Avenue & Vermont Street at which pedestrians may safely cross. If pedestrians choose to cross SW 45th Avenue south of SW Vermont Street, the crossing at the SW California Street intersection will be safer than a crossing at SW Florida Street intersection, because of better sight distances and less proximity to the traffic signal. PBOT is in discussion with Portland Parks and Recreation on alternatives, ranging from encouraging more multimodal access to the Southwest Community Center, or providing additional on street or off street parking.

Issue No. 3: I have requested that Council consideration of this item be deferred from September 17, 2014 to after October 10, 2014.

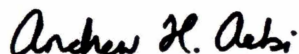
Findings:

- a. St. Luke notified Mr. Baack of the proposed street vacation ordinance amendment and LID on July 25, 2014, but he did not request a delay until August 22, 2014; the office of Commissioner Steve Novick confirmed the same day that there would not be a delay in Council consideration of the street vacation amendment ordinance and the resolution initiating LID formation proceedings.
- b. Mr. Baack is a member of the Pedestrian Advisory Committee (PAC). PBOT staff provided a formal briefing to Mr. Baack on August 22, 2014. PAC previously submitted written testimony on February 21, 2012 for Council consideration of Ordinance No. 185174 adopted by Council on February 29, 2012. PAC was opposed to the original street vacation, but this matter was settled by Council upon Council adoption of Ordinance No. 185174 on February 29, 2012. Although the PAC as a whole is of course free to take a position opposing this LID and the amended street vacation, PBOT staff feel that previous consideration of the street vacation several years ago have provided ample opportunity for community input. PBOT staff further feel that the revised street vacation ordinance and scope of the proposed LID are superior to what was contemplated in 2012. Detail of the proposed changes was sent to David Aulwes, chair of the PAC, on August 26, 2014 (see Attachment 3). The Council hearing on September 17th will provide a timely opportunity for Mr. Baack, the full PAC and other community stakeholders to provide input on the amended street vacation and proposed LID.

### III. RECOMMENDATION

It is the recommendation of the Local Improvement District Administrator that the City Council initiate local improvement district formation proceedings for the SW 46th Avenue and California Street Local Improvement District on September 17, 2014.

Respectfully submitted,



Andrew H. Aebi  
Local Improvement District Administrator



RECEIVED  
JUL 23 2014  
TRANSPORTATION

July 15, 2014

*Via US Mail and electronic mail (andrew.aebi@portlandoregon.gov)*

Mr. Andrew Aebi  
Local Improvement District Administrator  
Portland Bureau of Transportation  
1120 SW Fifth Avenue, Suite 800  
Portland, OR 97204

Re: St. Luke Lutheran Church of Portland, Oregon, Inc.  
Petition for SW 45<sup>th</sup> Ave. and SW California St. Local Improvement District

Dear Mr. Aebi,

Enclosed please find a signed Petition for a SW 45<sup>th</sup> Ave. and SW California St. Local Improvement District ("L.I.D.") signed by Jon Perkins, President, and Maureen Hamlin, Secretary of St. Luke Lutheran Church. As you suggested, we are providing an Attachment A to this cover letter containing clarifications regarding the character and scope of the improvements. The petition and St. Luke's agreement to the L.I.D. are conditioned on reaching agreement on the issues addressed in Attachment A, including reaching agreement with the City on the terms of a revised Street Vacation Ordinance as is currently being discussed with the Bureau of Transportation.

We thank you for all your assistance thus far with this endeavor, and we look forward to working with you to complete these local improvements projects.

Very truly yours,

Jon Perkins  
President, St. Luke Lutheran Church of Portland, Oregon, Inc.

Cc: St. Luke Lutheran Church Master Plan Implementation Team

Conditions to St. Luke's signature to Petition for SW 45<sup>th</sup> Ave. and California St. L.I.D.:

1. The L.I.D. monetary assessments for the project as currently described herein will be charged only on properties owned by St. Luke, not on the properties of St. Luke's neighbors. St. Luke's agreement herein is with respect to street improvements that will be constructed on either St. Luke property or in the existing City right-of-way; St. Luke does not suggest that any St. Luke neighboring properties have agreed to any dedications of their properties.
2. St. Luke's agreement to the L.I.D. is conditioned on adoption by the City of a revised Street Vacation Ordinance acceptable to St. Luke, as currently being discussed with BDS and PBOT.
3. Approval of the LID ordinance will meet the conditions of the revised Street Vacation Ordinance for construction of improvements, rather than completion of the improvements themselves.
4. Additions to the Scope of Work:
  - a. If required, replacement of water line in SW California from SW 45<sup>th</sup> to end of S.W. California that meets the requirements of the Fire and Water Bureaus.
  - b. If required by the Fire Bureau based on St. Luke's development plans, and if appropriate for inclusion, the L.I.D. at the City's discretion will also include installation of a fire hydrant or other equipment required by the Fire Bureau near the termination of S.W. California St.
5. Clarifications to Scope of Work as otherwise described in May 9, 2014 draft Petition and May 5, 2014 Project Estimate Report:
  - a. Rather than a 12" storm sewer to convey SW California St. water to the drainageway on St. Luke property north of Florida, the L.I.D. project scope will be revised to install the storm sewer instead somewhere along the St. Luke southern property line pursuant to the Revised Street Vacation Ordinance, possibly in what will become the 15-foot right-of-way that St. Luke will deed to the City. This storm sewer will connect to the stormwater line in the easement road to the west of St. Luke property. Therefore, no sewer or other easements or rights-of way are required in the portion of vacated S.W. 46<sup>th</sup> Avenue from California to Florida, which is the area planned for construction in St. Luke Stage Two plans. (The 12" storm sewer to convey SW Vermont St. water to existing drainage remains in the project.)
  - b. Rather than construct 300 feet of sidewalk on the south side of S.W. California and 50 feet of sidewalk on the north side of S.W. California, instead the L.I.D. project scope will be revised to provide approximately 300 feet of sidewalk improvements on only the north side of SW California from SW 45<sup>th</sup> to the new cul-de-sac to be constructed at the western end of SW California.
6. St. Luke shall have reasonable input on the design for the improvements adjacent to its properties.
7. PBOT will provide funding of overhead costs in the amount of \$89,156 as set forth in the May 9, 2014 letter from Andrew Aebi to Rev. David Knapp at St. Luke.

x Jon Perkins

David Knapp

**NOTICE TO PETITION SIGNERS:**

If owner of a property is a corporation, the petition must be signed in the name of the Corporation by its president, secretary or manager.  
 If the name of the owner is signed by an agent or person holding power of attorney, the agent or Attorney-In-Fact must have authority to sign.

**TO THE CITY COUNCIL:**

1. This petition is to create the SW 45th Avenue and California Street Local Improvement District.
2. This local improvement district will construct improvements to SW Vermont Street from 100 feet east of SW 46th Avenue to 100 feet west of SW 46th Avenue; SW 45th Avenue from SW California Street; and SW California Street from SW 45th Avenue to SW 46th Avenue and will include any transition work on abutting street(s) and/or intersection(s) determined to be necessary by the City Engineer.
3. The general character and scope of the improvement is as follows: South side of SW Vermont Street: construct new curb, stormwater planters and sidewalk from 102 feet east of the east right-of-way line of SW 46th Avenue to 100 feet west of the west right-of-way line of SW 46th Avenue. West side of SW 45th Avenue: construct new curb, stormwater planters, sidewalk and southbound bicycle lane from 93 feet north of the north right-of-way line of SW Florida Street to the north right-of-way line of SW California Street. South side of SW California Street: construct new stormwater planters, sidewalk with tree wells and street trees from the west right-of-way line of SW 45th Avenue to the east right-of-way line of SW 46th Avenue, terminating at the west end with a cul-de-sac, curb and sidewalk. North side of SW California Street: construct new stormwater planters, sidewalk and street trees from the east right-of-way line of SW 46th Avenue to 50 feet west.
4. A square footage methodology is proposed.

*The undersigned, being the owner or contract purchaser of the described property set opposite my or its name, hereby petition the City Council to improve SW 45th Avenue, SW California Street and SW Vermont Street in conformity with the charter, ordinances and regulations of the City of Portland.*

**Petition Prepared By:**

Andrew Aebi, Local Improvement District Administrator  
 Portland Bureau of Transportation  
 1120 SW Fifth Avenue, Suite 800  
 Portland, OR 97204  
 Telephone: (503) 823-5648  
 E-Mail: andrew.aebi@portlandoregon.gov

**Signature of Property Owner(s) or Contract Purchaser(s):**

Please sign here... -> *[Signature]*  
 ...and date - 7/15/14  
 Please sign here... -> *[Signature]*  
 ...and date - 7-16-14

**Deed Holder or Contract Purchaser:**

**State I.D. #: Tax Acct. #: Site Address/Property Location: Estimate:**

**ST LUKE LUTHERAN CHURCH OF PORTLAND OR  
 INC % STERINGER, C ROBERT**

Total S.F.:	19,366	Assessable S.F.:	19,366	1S1E19AA 200	R064300040	4534 SW VERMONT ST	\$60,304.34
Total S.F.:	125,812	Assessable S.F.:	125,812	1S1E19AA 2500	R991193260	6835 SW 46TH AVE	\$391,769.57
<b>Total S.F.:</b>	<b>145,178</b>	<b>Total Assessable S.F.:</b>	<b>145,178</b>			<b>Total Estimate:</b>	<b>\$452,073.91</b>

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**Petition Prepared By:**

Andrew Aebi, Local Improvement District Administrator  
 Portland Bureau of Transportation  
 1120 SW Fifth Avenue, Suite 800  
 Portland, OR 97204  
 Telephone: (503) 823-5648  
 E-Mail: andrew.aebi@portlandoregon.gov

**Signature of Property Owner(s) or Contract Purchaser(s):**

Please sign here... -> Jon Perkins  
 ...and date - 7/15/14  
 Please sign here... -> [Signature]  
 ...and date - 7.16.14

**Deed Holder or Contract Purchaser:**

**State I.D. #: Tax Acct. #: Site Address/Property Location: Estimate:**

**ST LUKE LUTHERAN CHURCH OF PORTLAND  
 OREGON INC**

Total S.F.:	17,002	Assessable S.F.:	17,002	1S1E19AA 2600	R991193190	4604-4616 SW VERMONT ST	\$52,943.01
Total S.F.:	17,002	Total Assessable S.F.:	17,002	Total Estimate:			\$52,943.01

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**Petition Prepared By:**

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 Telephone: (503) 823-5648  
 E-Mail: andrew.aebi@portlandoregon.gov

**Signature of Property Owner(s) or Contract Purchaser(s):**

*Please sign here... ->* Jon Sakis  
*...and date -* 7/15/14  
*Please sign here... ->* [Signature]  
*...and date -* 7-16-14

**Deed Holder or Contract Purchaser:**

**State I.D. #: Tax Acct. #: Site Address/Property Location: Estimate:**

**ST LUKE'S LUTHERAN CHURCH OF PORTLAND**

Total S.F.:	14,525	Assessable S.F.:	14,525	1S1E19AA 500	R064300170	6812 SW 46TH AVE	\$45,229.81
Total S.F.:	4,842	Assessable S.F.:	4,842	1S1E19AA 600	R064300200	NW/6812 SW 46TH AVE	\$15,077.64
Total S.F.:	19,367	Total Assessable S.F.:	19,367			<b>Total Estimate:</b>	<b>\$60,307.45</b>

**Aebi, Andrew**

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**From:** don tasha baack <tasha2009@q.com>  
**Sent:** Friday, August 22, 2014 4:30 PM  
**To:** Steve Novick  
**Cc:** Lindahl, Lance; McEldowney, David; Aebi, Andrew; Haley, Robert; Commissioner Fritz; Hales, Mayor; Schooley, Sara; aulwes@trimet.org; Doug Klotz; Glenn Bridger.  
**Subject:** Request to reschedule the September 17th Agenda Item relating to the vacation of SW 46th and SW Florida to After Oct 10th

**Commissioner Novick,**

**Several years ago a vacation of SW 46th south of Vermont and SW Florida west of SW 46th was granted with a provision for a pedestrain connection replacing a platted street. The petitioner, ST Luke Lutheran Church, is now requesting that the requirement of an north south connection we eliminated, and that the provision of a pedestrain link on SW Florida also be eliminated. In addition, of great interest to SW residents is the elimination of parking on SW 45th which serves the SW Community Center and Gabriel Park where we have little bus service and inadequate parking to serve the SW Community Center. This matter is tentatively scheduled for the September 17th City Council Agenda.**

**As a member of the Portland Pedestrian Advisory Committee, I feel it is imperative that the committee review the proposed action and if the committee so deacides, comment by letter and in person if appropriate to the respective staff personnel of the City Commissioners. To do this will require the date of the City Council consideration to at least after October 10th.**

**I have requested that the Pedestrian Advisory Committee of the City of Portland** review the proposed changes to the street vacation of SW 46th Avenue south of Vermont at its September 16th Meeting. They will communicating the results of their review to the City Council after that date.

In order for a letter to be written and to allow for for visits to city council staff prior to this issue being addressed by the Portland City Council, I request this item be deferred from being addressed by the Portland City Council until after October 10th.

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Don Baack, t  
6495 SW Burlingame Place



Portland, OR 97239  
503 246 2088  
baack@g.com

## ATTACHMENT 3



Steve  
Novick  
Commissioner

August 26, 2014

Leah Treat  
Director

Mr. David Aulwes, Chair  
Portland Pedestrian Advisory Committee  
Via e-mail

Dear Mr. Aulwes:

Thank you for the written testimony that you provided in conjunction with the SW 46th & Florida street vacation (ROW file #7191) approved by City Council on February 29, 2012 with the passage of Ordinance No. 185174. PBOT staff understand and respect the opposition of the Pedestrian Advisory Committee (PAC) to the original street vacation. Since adoption of the street vacation, St. Luke and the Portland Bureau of Transportation (PBOT) have been working on ensuring compliance with the conditions of the street vacation. Both St. Luke and PBOT have been mindful of PAC's desire for an additional east-west pedestrian/bicycle connection through the St. Luke Church property, connecting SW 45th Avenue to SW 49th Avenue, per the PAC recommendation preferably along SW Florida Street, but alternatively along SW California Street. We agree that regardless of where located, an east-west connection would be an attractive, low-stress alternative to SW Vermont Street. PBOT staff prefer SW California Street for this future connection for several reasons, including avoiding constructing improvements in an environmental protection ("p") zone overlay.

PBOT staff have been working since early this year to refine the original street vacation proposal, and to petition a local improvement district (LID). Subject to Council approval, the key outcome of the refinement is to substitute a requirement for constructing north-south pedestrian improvements on SW 45th Avenue (an arterial), in lieu of either the existing SW 46th Avenue (a local street) or in lieu of a newly-dedication path right-of-way along the eastern property line of St. Luke properties located between SW 45th and SW 46th Avenues (with no street name designation). St. Luke has tendered their petition support for sidewalk improvements to SW Vermont Street, SW 45th Avenue, and SW California Street; a map is enclosed for your review of the planned improvements. A southbound bike lane would also be constructed on SW 45th Avenue. Formation of the LID will ensure that the improvements actually get built, and will provide a better opportunity to coordinate the planned improvements with owners of abutting properties not owned by St. Luke, who are not being asked to financially contribute towards the planned improvements.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185  
FAX 503-823-7576 • TTY 503-823-6868 • [www.portlandoregon.gov/transportation](http://www.portlandoregon.gov/transportation)

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Another key outcome of the refined proposal is to secure an actual right-of-way dedication for the westerly extension of SW California Street west of SW 46th Avenue to connect to SW 49th Avenue in conjunction with recording of the amended street vacation. This largely satisfies condition #9 of the original street vacation:

“At the time of the Conditional Use review or building permit, the Petitioner will meet with the Neighborhood Associations and SW Trails PDX to explore an east-west pedestrian connection in compliance with the SW and Far SE Portland Master Street Plan, incorporated into Chapter 2 of the Transportation System Plan.”

The area of the original street vacation would actually be reduced to retain the SW 46th Avenue & California Street intersection, and the creation of a new 15-foot right-of-way west of the current intersection (along the southern edge of the St. Luke property) would allow for a new pedestrian and bicycle connection in the future. This connection would be built upon the dedication of additional right-of-way to make the eventual final connection to SW 49th Avenue.

City Council will consider the LID on September 17th, along with a first reading of the street vacation amendment ordinance. If Council approves the LID resolution on September 17th, then an ordinance actually forming the LID would be presented to Council on October 15th. We will be requesting to City Council that the second reading of the street vacation amendment ordinance be considered on October 22nd in lieu of the normal one-week delay, so that Council considers both items as a package, and approves them concurrently in October on the same day, should it decide to do so.

If you have any questions about the proposed LID to construct the sidewalk and bike lane improvements, please contact Andrew Aebi at 503-823-5648 or via e-mail at [andrew.aebi@portlandoregon.gov](mailto:andrew.aebi@portlandoregon.gov). If you have any questions about the proposed street vacation amendment ordinance, please contact Lance Lindahl at 503-823-7465 or via e-mail at [lance.lindahl@portlandoregon.gov](mailto:lance.lindahl@portlandoregon.gov). Sara Schooley, PBOT's Pedestrian Coordinator, is also happy to discuss and pedestrian policy issues that you might have; she can be reached at 503-823-4589 or via e-mail at [sara.schooley@portlandoregon.gov](mailto:sara.schooley@portlandoregon.gov).

Sincerely,

*Andrew H. Aebi*

Andrew H. Aebi  
Local Improvement District Administrator

*Lance D. Lindahl*

Lance Lindahl  
Right-of-Way Agent

Enclosures (2):

Map of SW 46th & California LID 2012 concept reflecting original street vacation

Map of proposed SW 45th & California LID reflecting proposed amended street vacation



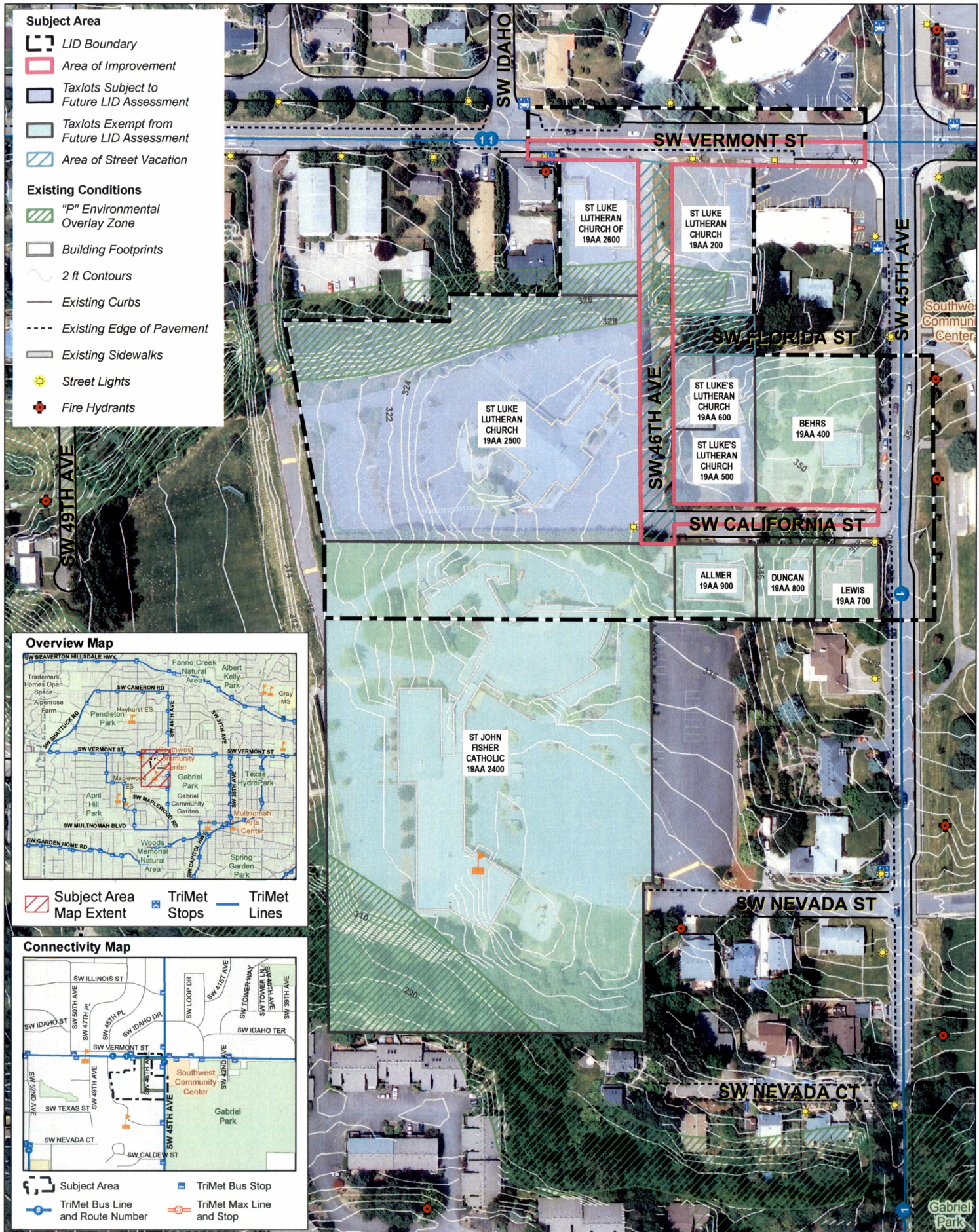
# SW 46th Avenue & California Street LID

### Subject Area

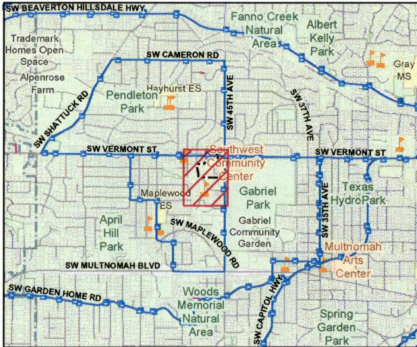
- LID Boundary
- Area of Improvement
- Taxlots Subject to Future LID Assessment
- Taxlots Exempt from Future LID Assessment
- Area of Street Vacation

### Existing Conditions

- "P" Environmental Overlay Zone
- Building Footprints
- 2 ft Contours
- Existing Curbs
- Existing Edge of Pavement
- Existing Sidewalks
- Street Lights
- Fire Hydrants



### Overview Map



- Subject Area
- TriMet Stops
- TriMet Lines

### Connectivity Map



- Subject Area
- TriMet Bus Line and Route Number
- TriMet Bus Stop
- TriMet Max Line and Stop

