

Steve
Novick
Commissioner

Leah Treat
Director

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

FILE NUMBER: R/W #7750

**COMMISSION MEETING TO BE HELD 12:30 PM, OCTOBER 21, 2014
1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A**

I. GENERAL INFORMATION

Street Vacation Request: A portion of SE Gideon Street east of SE Milwaukie Avenue.

Petitioner: Street vacation initiated by TriMet. The Petitioner's contact is Jay Higgins who can be reached at 503-962-2189.

Purpose: Purpose is to vacate a 12-inch wide portion of SE Gideon to create a developable parcel.

Neighborhood: Hosford Abernethy Neighborhood District
Joanne Stainbrook, Land Use/Planning
Committee Co-Chair
C/O Southeast Uplift Neighborhood Program
3534 SE Main St.
Portland, OR 97214
joanne@handpdx.org

Southeast Uplift Neighborhood Program
Bob Kellett, Neighborhood Land Use Program
Manager
3534 SE Main St.
Portland, OR 97214
bob@southeastuplift.com
503-232-0010 x312

Quarter Sections: 3331, 3332

Designation/Zone: IG1, General Industrial 1

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

II. FACTS

A. History and Background

SE Gideon Street is located adjacent to the Clinton Street Station currently under construction as part of the Portland-Milwaukie light rail project. Parcels acquired by TriMet prior to construction lie between Gideon and the tracks to the north. TriMet is working with a developer to develop those parcels. The proposal would use cargo shipping container architecture (“cargotecture”) to build creative work studios and small retail spaces. The project needs an additional 12 inches of site width to be viable for development.

B. Concurrent land use actions

There are no concurrent land use actions.

C. The Transportation Element

SE Gideon Street is classified as a Local Service Traffic Street, a Local Service Transit Street, a Local Service Bikeway, a Local Service Pedestrian Street, a Local Service Truck Street, a Local Service Design Street, and a Minor Emergency Response Street.

D. Neighborhood Plan

There is no neighborhood plan.

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 a portion of right-of-way while retaining mobility for motor vehicles, bicycles, and pedestrians (an 11-foot sidewalk will remain). 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: SE Gideon will remain viable for all modes under this proposal. The proposed vacation will have no impact on the transportation function of any nearby street. 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 proposal will have no impact on connectivity. 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 proposal will retain an 11-foot sidewalk corridor along the north side of SE Gideon Street. Eleven-foot sidewalks are acceptable in the Pedestrian Design Guidelines when 12-foot is not achievable. This policy is met.

B. Neighborhood Plan considerations

There are no neighborhood issues with this vacation.

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 Portland Bureau of Transportation (PBOT) have no objection to the proposed vacation: Planning, Policy and Projects; Permit Engineering, Systems Management, Street Lighting, Bridges and Structures.

PBOT Development Review has no objection to the proposed vacation subject to the following condition: the Petitioner shall provide a survey in order to show that they maintain an 11-foot sidewalk corridor.

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

The Bureau of Environmental Services has no objection to the proposed vacation subject to the following condition: the Petitioner shall maintain a 20-foot wide easement centered over the 12-inch combined sewer in the proposed vacation area. This section of sewer runs perpendicular through the street vacation area between MHABZ090 and MHABZ080.

The Fire Bureau has no objection to the proposed vacation subject to the following condition: access and water supply for all properties in this area shall comply with Chapter 5 and Appendix D of the Oregon Fire Code.

The following local agencies were notified of the proposed vacation but did not submit a response: Oregon Department of Transportation, Port of Portland, TriMet.

Portland General Electric and CenturyLink have facilities in the area and will require an access easement.

Northwest Natural Gas responded that they have no facilities in the area.

Pacific Power and Light and Comcast Cable were notified of the proposed vacation but did not submit a response.

F. Other Considerations

Neighborhood issues.

The Hosford-Abernethy Neighborhood District was notified of the street vacation process and request. No response to the proposal was 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. 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. Provide a survey in order to show that they maintain an 11-foot sidewalk corridor per PBOT Development Review.
2. Provide a sewer easement per the Bureau of Environmental Services.
3. Demonstrate compliance with relevant portions of the Oregon Fire Code as detailed in Section III.E above.
4. Provide utility easements for Portland General Electric and CenturyLink.

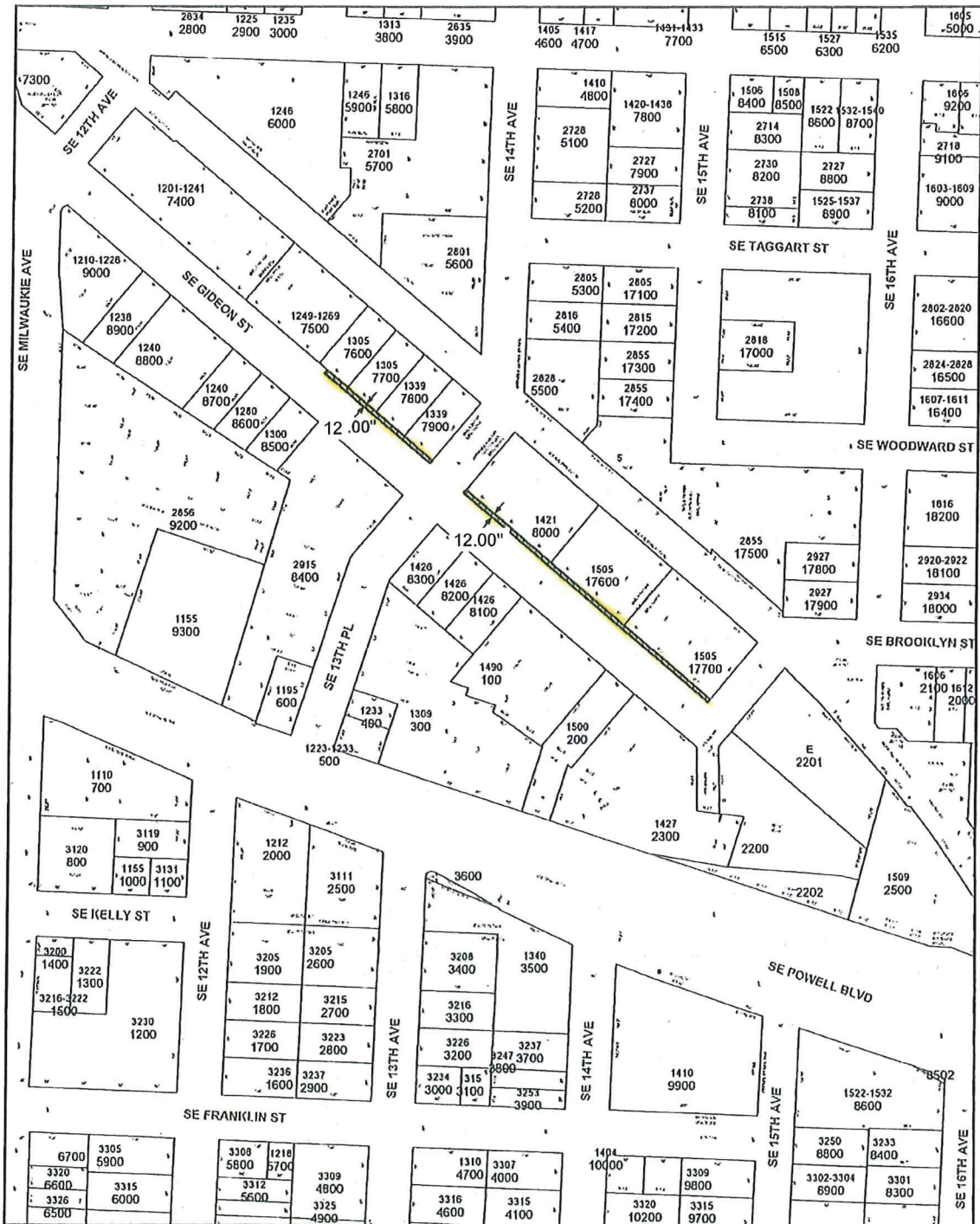
The Portland Bureau of Transportation staff may revise this recommendation upon receipt of new information at any time prior to the Planning and Sustainability Commission's recommendation.

VI. EXHIBITS

1. Area Proposed for Vacation

Staff Planner – Grant Morehead, AICP
Phone: 503-823-9707
Email: grant.morehead@portlandoregon.gov

cc: Sarah Johnston, Right-of-Way Case Manager
Joanne Stainbrook, Hosford Abernethy Neighborhood District
Bob Kellett, Southeast Uplift Neighborhood Program
Case File



SE GIDEON STREET EAST OF SE MILWAUKIE AVENUE

Petitioner: TriMet

Qtr. Section: 3331 Section: 1S1E11



Area Proposed for Vacation



1 inch = 200 feet