



Steve
Novick
Commissioner

Leah Treat
Director

DATE: September 26, 2014
TO: Commissioner Steve Novick
FROM: David McEldowney, Right-of-Way Acquisition Manager
RE: **Public Hearing for consideration of a street vacation request for a portion of E Burnside St west of NE Martin Luther King, JR Blvd – Staff Supplemental Report**

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- 1. Ordinance Title:** Set a hearing date, 9:30 a.m. Wednesday, NOV 12, 2014 to vacate a portion of E Burnside St west of NE Martin Luther King, JR Blvd (Report; VAC-10095)
 - 2. Contact Name, Department, & Phone Number:**
Lance Lindahl, Right-of-Way Acquisition, 503-823-7465
 - 3. Requested Council Date: October 8, 2014**

Consent Agenda Item: X **or** **Regular Agenda Item:** _____
EXPLAIN *why this does or does not require a presentation or Council discussion:*
Public testimony will be taken at the public hearing.

EMERGENCY ITEM (answer below): _____ **or** **NON-EMERGENCY ITEM:** X
If emergency, why does this need to take effect immediately:

4. History of Agenda Item/Background:

A request to vacate a portion of E Burnside Street was received by the Bureau of Transportation on December 11, 2013. The street vacation is proposed in order to consolidate property to make the adjacent lot more developable. PDC is currently working with Guerrilla Development to pursue redevelopment of the adjacent property at 1N1E34DA 3500. The proposed vacation is depicted on Exhibit 1 attached hereto.

Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. No substantive objections were received.

The Planning and Sustainability Commission reviewed and approved the proposed street vacation on June 10, 2014.

An Engineer's Report was completed on July 24, 2014, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the Planning and Sustainability Commission recommendation, will be forwarded to your office under separate cover, along with a recommended Street Vacation Ordinance for consideration by City Council.

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

ORS 271.120 requires that a public hearing be held prior to City Council taking action on the street vacation request. This memo is to serve as a formal request to schedule the required public meeting. The Office of the City Auditor will publish and post notice of the scheduled public hearing. The public notice will provide information on how to obtain information about the proposed street vacation, including copies of the Engineer's Report and Planning and Sustainability Commission Recommendation.

5. Purpose of Agenda Item:

The purpose of this request is to schedule a public hearing for consideration of the proposed street vacation request.

6. Legal Issues:

None

7. What Individuals or Groups Are or Would Be Opposed to This Ordinance?

No opposition to this street vacation request has been received and none is expected.

Supportive?

PBOT staff is supportive of this request.

8. How Does This Relate to Current City Policies?

This action is consistent with current City policies. (City Code Chapter 17.84)

9. Community Participation:

Comments were solicited from affected neighborhood associations and public utilities.

10. Other Government Participation:

Comments were solicited from City Bureaus and government agencies.

11. Financial Impact:

How much money is involved? Approximately \$7,000

Where are these funds coming from? Petitioner, PDC

Report **ORDINANCE NO.**
Title

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<p>INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Novick <i>CW</i></p> <p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Transportation Interim Group Mgr.: Christine Leon <i>CL</i> Development Permitting & Transit Group Other: Greg Jones <i>aj</i></p> <p>Prepared by: Lance D. Lindahl:slg Date Prepared: September 8, 2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date OCTOBER 8, 2014</p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	<p>CLERK USE: DATE FILED <u>OCT 03 2014</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: <i>gu</i> OCT 08 2014 ACCEPTED</p>
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AGENDA

TIME CERTAIN
Start time: _____
Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	