

# PBOT

PORTLAND BUREAU OF TRANSPORTATION

187293

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Steve Novick Commissioner Leah Treat Director

August 3, 2015

**TO:** City Council Members**FROM:** Andrew Aebi, Local Improvement District Administrator**SUBJECT:** August 19, 2015 – 10:15 AM Time Certain Agenda – Diane Fielitz et al  
SE 86th Court & Steele Street LID Formation Ordinance:  
SE 85th Avenue & Steele Street Intersection**Ordinance Title:**

\*Create a local improvement district to construct street, sidewalk and stormwater improvements in the SE 86th Ct and Steele St Local Improvement District (Hearing; Ordinance; C-10051)

An e-mail was received from Diana Fielitz, owner of 5145 SE 85th Avenue with an attachment signed by owners of eight (8) of the nine properties abutting SE 85th Avenue south of SE Raymond Court. The owner of the property at 5105 SE 85th Avenue did not sign the attachment to the e-mail. Neither this property nor the owners of the properties who signed the attachment to the e-mail are proposed for assessment.

Only the property with State ID #1S2E16BC 5500, Tax Account #R796000070 and Property ID #R276534 at 5145 SE 85th Avenue (STITHS ADD, BLOCK 1, LOT 4; hereafter "Fielitz property") is proposed for inclusion within the SE 86th Court & Steele Street local improvement district (hereafter "LID") boundary. The Fielitz property is proposed for inclusion within the LID boundary for the purpose of mitigating any impacts, however minor, that may result from constructing the northwest corner of the proposed SE 85th Avenue & Steele Street intersection near or adjacent to her property. As an example, during the course of design the City Engineer may determine it appropriate to reconstruct the southeast corner of the Fielitz property driveway in close proximity or possibly adjacent to the proposed new intersection. Any such work would be done at no cost to Ms. Fielitz.



The Portland Bureau of Transportation fully complies with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations, complaints and information, call (503) 823-5185, City TTY (503) 823-6868, or use Oregon Relay Service: 711.

Although Ms. Fielitz is entitled to submit a remonstrance, this e-mail will not be counted as a remonstrance since Section 17.08.080 of City Code requires that remonstrances be submitted to the City Auditor either via first-class mail or delivered in person. However Ms. Fielitz will be notified of her right to remonstrate on July 29, 2015.

**I. SPECIFIC RESPONSES TO THE E-MAIL FILED BY DIANA FIELITZ AND WITH AN ATTACHMENT SIGNED BY HER AND OTHER SE 85TH AVENUE PROPERTY OWNERS.**

An e-mail was received on July 26, 2015, from Diana Fielitz, owner of the property with State ID #1S2E16BC 5500, Tax Account #R796000070 and Property ID #R276534 at 5145 SE 85th Avenue; legal description STITHS ADD, BLOCK 1, LOT 4 with no future lien number (see Attachment 1). Although Ms. Fielitz is entitled to remonstrate against the LID, she confirmed in a telephone conversation with the LID Administrator on July 27, 2015 that it was her intent that the e-mail in Attachment 1 not be treated as a remonstrance.

**ISSUES RAISED BY THE E-MAIL**

Issue No. 1: The proposed LID is not necessary for the Generations Project to succeed, negatively impacts the neighbors and is not based on a comprehensive impacts analysis.

Findings:

- a) The applicable street connectivity standard per Section 17.88.080 is street spacing of no more than 530 feet. Connectivity standards are also referenced in other Code and policy sections, including but not limited to Transportation Element of the Comprehensive Plan Goal 11B, Public Rights-Of-Way; and Title 33, City of Portland Planning and Zoning Chapter 33.280 Conditional Uses. The LID is a mechanism by which to meet street connectivity requirements under this section of City Code as well as general connectivity requirements of Title 17 and Title 33 stated by BDS and the Portland Bureau of Transportation (hereafter "PBOT") during the Early Assistance meetings and during the Preapplication Conference referenced in the Findings to Issue No. 9 below.
- b) The proposed SE 86th & Steele LID will not fully meet this standard, leaving the western terminus of the proposed SE Steele Street connection approximately 715 feet east of the east right-of-way line of SE 82nd Avenue. However this will be a significant improvement over the current approximate distance of 1,180 feet from the east right-of-way line of SE 82nd Avenue to the west right-of-way line of SE 86th Court along the alignment of the future SE Steele Street.

- c) Deleting SE Steele Street between SE 85th Avenue and SE 86th Avenue would leave an even less acceptable street connectivity standard, leaving the western terminus of the proposed SE Steele Street connection approximately 955 feet east of the east right-of-way line of SE 82nd Avenue instead of the shorter spacing referenced in Finding 'b'.
- d) Although the future westerly extension of SE Steele Street west of SE 85th Avenue to SE 82nd Avenue is likely many years in the future and will require demolition of one existing multifamily building, once built it will be a 32 feet curb-to-curb width and will be the preferable means of access into the neighborhood versus the narrower curb-to-curb widths on SE 85th Avenue (24 feet) and on SE 86th Avenue (28 feet). The proposed SE 86th & Steele LID would build the intersection of SE 85th Avenue & Steele Street to help facilitate this eventual connection.
- e) The SE 85th & Steele intersection is necessary not only to support City connectivity standards per City Code, but also to avoid an unnecessary right-of-way dedication by Portland Public Schools (hereafter "PPS"), the underlying owner of the Generations Project site. In the absence of this connection, SE Steele Street would still likely be built to the west of SE 86th Avenue, but would terminate to the east of SE 85th Avenue. This would cause awkward maneuvers on SE Steele St., and would require additional right-of-way dedications by PPS and construction of a cul-de-sac by the PBOT to facilitate these maneuvers. This in turn would require significant changes to the planned site improvements.
- f) If the City's connectivity standards are waived now but are enforced later at such time SE Steele St. would be extended at least as far west as SE 85th Avenue, then the PPS dedication would be unnecessary, in turn making it advisable to remove the interim turnaround and vacate this additional PPS right-of-way dedication. This would be an unnecessary expense and impact to the PPS property and to its nonprofit and other partners.
- g) Eliminating the SE 85th & Steele intersection would funnel any increase in traffic that might occur onto only SE 86th Avenue in lieu of dispersing such traffic between SE 85th and SE 86th Avenues, resulting in a disproportionate traffic burden being placed on SE 86th Avenue. Given the wider street width, SE 86th Avenue will be the more attractive street to use between SE Raymond Court and SE Steele Street, and school bus drivers will be instructed to use SE 86th Avenue and not SE 85th Avenue.

Issue No. 2: SE 85th Avenue was designed as a dead-end, with right sized speed, parking and traffic. We intentionally live on a dead-end absent a compelling and unavoidable need to change the character of the street. If major changes will be made to SE 85th Avenue, our livability should be fully considered in the decision-making process.

Findings:

- a) If SE 85th Avenue had been “designed” as a dead-end, there would be an existing cul-de-sac at its southern terminus. A 1960 aerial view shows a dirt path connection between SE 84th Avenue and SE 85th Avenue.
- b) The current southern terminus of SE 85th Avenue abuts both an EX (Central Employment) zone to the west and an R2 residential zone to the east. The current curb-to-curb width of SE 85th Avenue is therefore severely deficient; if being built today a 32'-width would most likely be required.
- c) SE 85th Avenue does not function well today in advance of redevelopment of the PPS property. Vehicles currently must turn around in private driveways or on private property, which provides no permanent right of public access. While traffic will likely increase on SE 85th Avenue when connected to the new SE Steele Street, the new connection will allow vehicles to drive through in lieu of making awkward and tight turning maneuvers in private driveways to turn around and drive back again on SE 85th Avenue in the opposite direction.
- d) Street connectivity will improve emergency response to SE 85th Avenue properties by allowing police, fire, and ambulances to respond from multiple entrance points (see Attachment 2). In an example of a wrong address being given of SE 85th Avenue instead of SE 86th Avenue, a fire truck would have to back out down a very narrow SE 85th Avenue all the way north to SE Raymond Court and then via SE Raymond Court to SE 86th Avenue. If SE 85th Avenue were blocked, then SE Steele Street will provide an alternative means of emergency access.
- e) SE 118th Avenue and SE Liebe Street in the adjacent Powellhurst-Gilbert neighborhood to the east were both formerly dead-end streets. These two streets were connected at the northeast corner of Raymond Park in 2012. There was an extensive outreach effort in advance of Council approval of that LID project, but no complaints were received after connecting the previously two dead-end streets (see record of Ordinance No. 186646 approved by Council on June 11, 2014).

Issue No. 3: We have noticed a couple of surprising errors in the City's data, such as the width of SE 86th Ct. being recorded at 32 feet wide, when it is actually less than 18 feet wide, barely wide enough for two cars pass.

Findings:

- a) The PBOT's geographic information system (GIS) data currently show:
  - 1. SE 86th Court with an 18' curb-to-curb width from SE Raymond Court to the existing SE Steele Street, which will be widened from the proposed new SE Steele Street to the existing SE Steele Street.
  - 2. SE 86th Court unpaved but passable from the existing SE Steele Street to SE Insley Street.
  - 3. SE 86th Avenue with a 28' curb-to-curb width from SE Raymond Court to the proposed new SE Steele Street, which will not change.
  - 4. SE 85th Avenue with a 24' curb-to-curb width from SE Raymond Court to the proposed new SE Steele Street, which will not change.
- b) Proposed typical sections are attached as Exhibit B to this Ordinance. Typical sections for SE 85th Avenue, SE 86th Avenue and SE 86th Court north of the proposed SE Steele Street are provided to help clarify existing widths of these streets, which are not proposed to change.

Issue No. 4: Three dead-end blocks south of SE Raymond Court help buffer neighborhoods to the south and north, discouraging traffic detours from SE 82nd & Foster. It is highly likely that the proposed LID will encourage people to cut through the neighborhood.

Findings:

- a) Southeast Portland is generally built on a grid system that lends itself to "cut-through" traffic. However SE 85th Avenue would be particularly unattractive cut-through due its narrower width than nearby arterials and also because its connectivity is limited on the south side by both the PPS site and the adjacent Garden Villas property addressed at 8435-8437 SE Insley Street.
- b) A westbound motorist at SE 87th Avenue & Foster Road would only achieve a "cut-through" to SE 82nd Avenue & Raymond Court by making seven (7) turning movements instead of a single right turn movement at SE 82nd Avenue & Foster Road.

- c) A southbound motorist at SE 82nd & Raymond Court would only achieve a “cut-through” to SE 87th Avenue & Foster Road by making seven (7) turning movements including two (2) nonsignalized left turns against oncoming traffic instead of a single signalized left turn movement at SE 82nd & Foster.
- d) Scenarios in Findings ‘b’ and ‘c’ above using the neighborhood streets as a “cut-through” to avoid the signalized intersection of SE 82nd Avenue & Foster Road would result in longer travel time and distances than simply using the SE 82nd Avenue & Foster Road intersection.

Issue No. 5: SE 85th Avenue and SE 86th Avenue are both technically too narrow to allow on street parking. On street parking spaces will be removed from 5113 SE 85th Avenue if SE 85th Avenue is connected to SE Steele Street. No parking should be allowed on the north side of SE Steele Street because vehicles would be parking too close to residents’ bedrooms.

Findings:

- a) The narrow widths of these streets are existing conditions predating the redevelopment of the PPS site. Removal of parking for entire existing block faces is neither planned nor proposed by this LID. There may be isolated or “spot” removal of parking if deemed to be necessary by the City Traffic Engineer. The absence of Council approval of this LID would not guarantee that particular parking space(s) would be preserved, particularly if this LID were not approved by Council and additional residential infill development and driveways (unrelated to the Generations Project) were to be constructed.
- b) Parking in the neighborhood is constrained, and concern has been expressed by multiple property owners that existing parking be preserved to the extent possible. Additional parking, even if around the corner, may be a welcome addition to some if not all neighborhood residents. The City Traffic Engineer has discretion to regulate on street parking, and outreach will be made during prior to final assessment of the LID to solicit input from neighborhood residents on parking preferences. This typically occurs after construction is complete and actual observation of the streets can be observed.

Issue No. 6: SE Steele Street will not be wide enough for street trees or bioswales, giving it the look and feel of a parking lot.

Findings:

- a) Street trees will be installed as part of this project and are referenced in Exhibit E of this Ordinance.
- b) Stormwater management facilities will be installed as part of this project and are referenced in Exhibit E of this Ordinance.

Issue No. 7: Garden Villas Apartments has repeatedly tried to build a north end driveway, which PBOT and the Police Bureau have historically opposed. The proposed 3-way intersection at SE 85th Avenue & Steele Street encourages this northern driveway, open an unregulated thoroughfare from the south.

Findings:

- a) Condition No. 3 of Ordinance No. 133468 approved by Council on October 6, 1971 stated the future owners of what is now the Garden Villas property will “allow construction and maintenance of ‘T’ type turnarounds at the south ends of SE 84th and SE 85th Avenues which terminate at the north boundary of this site.” No such “T” type currently exists in the public right-of-way or within an easement on private property as was contemplated in 1971. However the proposed design of SE Steele Street will provide a connection in lieu of a “T” type turnaround at SE 85th Avenue, and will set the stage for the same eventually being provided for SE 84th Avenue to the west.
- b) The planned three-way intersection consists of the existing SE 85th Avenue and SE Steele Street in both directions, and a Type III barricade is planned for the west leg of this intersection, allowing for the future westerly extension of SE Steele Street. It was communicated to Ms. Fielitz in this meeting that the LID does not plan to construct a driveway for Garden Villas Apartments’ access at the south edge of this new intersection, which would constitute a four-way intersection. Garden Villas’ representative, Matt Brown, confirmed on July 15, 2015 that his clients are not requesting such a driveway.
- c) Garden Villas’ representative, Matt Brown, confirmed on July 28, 2015 that his clients would like a replacement parking space to mitigate for the loss of one parking space resulting from construction of the SE 85th & Steele intersection, but did not request that the LID construct a new driveway to serve the Garden Villas’ property (see Attachment 3).

Issue No. 8: The Generations Project site currently serves as a dedicated thoroughfare, convenient located between SE 82nd Avenue and two MAX stations. The development focuses on vehicle connectivity, but it does nothing to maintain safety barriers for pedestrians and cyclists, citing space limitations. This is a major design flaw.

Findings:

- a) The proposed SE 86th & Steele LID will build a new pedestrian and bicycle connection from on SE 86th Court from SE Insley Street to the proposed new SE Steele Street. Vehicles will not be able to use this route as a through connection, until and unless properties concentrated at the south end of this block redevelop and are required by PBOT to construct a street with curbs and sidewalks.
- b) The PPS property does not have a dedicated public access easement across the site. If the site is being used as a “pedestrian thoroughfare” it is done so informally, which underscores the benefit to SE 86th Avenue being a public pedestrian connection that will be constructed by this LID.

Issue No. 9: There has been a poor job of communicating the proposed development to the neighbors. Existing adjacent property owners were not informed or involved in site design and many mundane livability issues have been ignored. The multijurisdictional project has had unclear accountability and leadership.

Findings:

- a) The proposed SE 86th & Steele LID will result in PBOT engaging with neighborhood residents, and PBOT will take the lead in lieu of the developer or the Lents Neighborhood Association, although both will continue to be valued community partners on the LID.
- b) A Lents Neighborhood Association “Listening Session” was held on April 29, 2014. Approximately 140 neighbors in closest proximity to the project were mailed a postcard that included the project website (<http://orsolutions.org/orproject/NAYA>). The site layout was redesigned following this meeting to the current site development plan.
- c) An open house and Oregon Solutions Declaration of Cooperation signing ceremony was held at the PPS site of the former Foster School property on July 8, 2014. This event was open to the public.
- d) The proposed Generations Project was presented at the October 28, 2014 meeting of the Lents Neighborhood Association.



- e) A Preapplication Conference was held by the Bureau of Development Services (BDS) on December 2, 2014 with notification provided by BDS. This conference was open to the public.
- f) The Local Improvement District Administrator met with Ms. Fielitz on June 26, 2015. Her perspectives were very helpful and have helped shape this LID proposal.
- g) The Local Improvement District Administrator met again with Ms. Fielitz on July 14, 2015. The continued dialogue was very helpful.
- h) A second open house is being hosted by PPS and the Native American Youth Association (NAYA) on July 30, 2015 in response to testimony at the July 1, 2015 City Council hearing, which resulted in passage of Resolution No. 37140. This meeting will be the first of multiple meetings moving forward in which PPS will conduct direct outreach in lieu of utilizing the Lents Neighborhood Association for outreach.
- i) PBOT is inviting property owners on SE 85th Avenue, SE 86th Avenue and SE 86th Court south of SE Raymond Court to the August 19, 2015 LID Formation Hearing.
- j) PBOT will schedule an LID open house this fall after formation of the LID to further engage with nearby residents on design details of the LID.

## II. RECOMMENDATION

It is the recommendation of the Local Improvement District Administrator that the City Council form the SE 86th Court and Steele Street Local Improvement District with an emergency clause on August 19, 2015 by passage of this Ordinance.

Respectfully submitted,



Andrew H. Aebi  
Local Improvement District Administrator

**Aebi, Andrew**

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**From:** Fielitz, Diana  
**Sent:** Sunday, July 26, 2015 5:58 PM  
**To:** Aebi, Andrew  
**Cc:** suzypiluso@gmail.com  
**Subject:** Proposed LID at SE 86th and Steele Minority Report  
**Attachments:** 85th Ave Neighborhood Letter Final.pdf, 85th Ave Neighborhood Letter Signed.pdf

187293

Greetings Andrew.

Please find attached the minority report crafted by the residents of 85th Ave. I have included 2 copies; one signed by all the adult residents who participated, the other with just their names listed.

Please let me know if there is anything else we need to do to include this with your ordinance filing.

Thank you and have a great day.  
Diana

## MINORITY REPORT

### 85TH AVE. NEIGHBORS RESPOND TO PROPOSED SE 86TH COURT AND STEELE STREET LID

**Statement of Purpose:** The neighbors of the dead end on 85<sup>th</sup> Ave. only recently learned about the proposed Generations project and have noted several weaknesses to the plan to connect the dead end streets via the proposed LID. We have coordinated the following response to advocate for our interests.

**Residents of 85<sup>th</sup> Ave. oppose the LID as currently designed. The proposed LID is not necessary for the Generations project to succeed, negatively impacts the neighbors and is not based on a comprehensive impacts analysis.**

#### **Neighbor Values**

- We support the NAYA development (Generations project) and long-term community livability for all.
- 85<sup>th</sup> Ave. was designed as a dead end, with right sized speed, parking and traffic.
- We intentionally live on a dead-end absent a compelling and unavoidable need to change the character of the street.
- If major changes will be made to 85<sup>th</sup> Ave., our livability should be fully considered in the decision making process.

**Neighbor Recommendation: Complete a traffic engineering study before LID and Generations Project design approval.**

We have noticed a couple of surprising errors in the City's data, such as the widths of 86<sup>th</sup> Ct. being recorded at 32 feet wide, when it is actually less than 18 feet wide, barely wide enough for two cars to pass.

#### **CONSIDER LONG-TERM, BIG PICTURE TRAFFIC IMPLICATIONS**

- Three dead end blocks south of Raymond Ct. help buffer neighborhoods to the south and north, discouraging traffic detours from 82<sup>nd</sup> Ave and Foster Rd.
- The proposed LID breaks up this buffer. It is highly likely the proposed LID will encourage people cutting through the quiet, residential neighborhoods to detour between Foster Rd. and 82<sup>nd</sup> Ave.

### **CONSIDER PARKING FOR ALL THE RESIDENTS IN THIS SUPERBLOCK, NOT JUST THOSE IN THE NAYA DEVELOPMENT**

- 85<sup>th</sup> and 86<sup>th</sup> Aves. are technically too narrow to allow on street parking. If this rule were enforced city-wide, thousands of single-family homes would lose access to on-street parking.
- 5113 SE 85<sup>th</sup> Ave was developed without off street parking, on the condition of availability of four on street parking spaces. The proposed through road cannot support on street parking spaces. However, the existing condition (quiet dead-end street) works well to support parking for residents of the street.
- The proposed Steele St. connection will not be wide enough for street trees or bioswales, but will have parking on both sides, giving it the look and feel of a parking lot. This connection provides parallel parking on both sides of the street, resulting in vehicles parking just feet from current residents' bedrooms. As an alternative design, providing head in parking on the south side of Steele, with no north side parking would infringe less on the privacy of these four households.

### **PERMANENTLY PREVENT A NORTH-SIDE DRIVEWAY AT GARDEN VILLA**

- Garden Villa apartments have repeatedly tried to build a north end driveway, which PBOT and the Police Bureau have historically opposed.
- The proposed 3-way intersection in the LID at 85<sup>th</sup> and Steele St. encourages this northern driveway, opening an unregulated thoroughfare from the south.

### **IMPROVE SAFETY ON A BUSY PEDESTRIAN CORRIDOR**

- The Generations site currently serves as a dedicated pedestrian thoroughfare, conveniently located between 82<sup>nd</sup> Ave and two Max stations. The development focuses on vehicle connectivity, but it does nothing to maintain safety barriers for pedestrians and cyclists, citing space limitations. This is a major design flaw.

### **ALLOW FOR A MORE COMPLETE PLANNING PROCESS**

- PBOT, NAYA, Portland Public Schools and the Lents Neighborhood Association have all admitted to doing a very poor job of communicating the proposed development to the neighbors. As a result, even those *that would be most impacted by the changes* were not aware of the proposed LID and Generations plans until just this summer. The project has been in development for years. This lack of inclusion has caused neighbors significant stress and confusion.
- The multi-jurisdictional project has had unclear accountability and leadership.
- Existing adjacent property owners were not informed or involved in site design and many mundane livability issues have been ignored.

**Conclusion**

We ask that all voices be heard in this matter. As residents of this neighborhood, we have a clear stake in the long-term success of the Generations Project and neighborhood livability. We are familiar with the opportunities and challenges of the property and look forward to these issues being addressed.

**RESPECTFULLY SUBMITTED BY THE RESIDENTS OF THE  
DEAD-END BLOCK ON SE 85<sup>TH</sup> AVE:**

Jason Gurley and Suzanne Piluso, 5124 SE 85<sup>th</sup> Ave.

Jeanette and Gary Bethune, 5144 SE 85<sup>th</sup> Ave.

Richard Dickman and Rose Lee, 5135 SE 85<sup>th</sup> Ave.

Mark Yeckel and Devin Jaquette, 5113 SE 85<sup>th</sup> Ave.

Mark Dobrowski, 5134 SE 85<sup>th</sup> Ave.

Mark Ryan, 5125 SE 85<sup>th</sup> Ave.

Hong'K Ma, 8504 SE Raymond Ct.

Ben Larrew and Diana Fielitz, 5145 SE 85<sup>th</sup> Ave.

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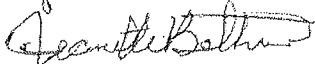
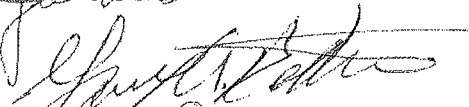
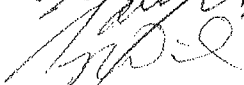





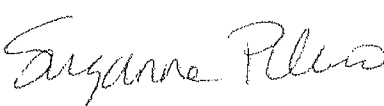
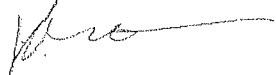

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**NEIGHBOR SIGNATURES**

PRINTED NAME	SIGNATURE	STREET #
JASON GURLEY		5124
Seanette Bethune		5144
Gary A. Bethune		5144
Richard Dickman		5175
Rose Lee		5135
Mark Yeckel		5113
Mark Dobrowski		5134
Mark Ryan		5125
Sam Jagutte		5113
Eugene Piluso		5124
Hongk Ma		8504 (RAYMOND CT., ON CORNER)
Ben Larrew		5145
Diana Frelitz		5145





# PORTLAND FIRE & RESCUE



Dan Saltzman, Commissioner  
Erin Janssens, Fire Chief  
Nate Takara, Fire Marshal  
Prevention Division  
1300 SE Gideon Street  
Portland, OR 97202  
(503) 823-3770  
Fax (503) 823-3969

July 28, 2015

187293

To: Andrew Aebi, Local Improvement District Administrator

From: Nate Takara, Fire Marshal

Subject: SE 86th & Steele LID: Emergency Response

Portland Fire & Rescue (PF&R) has evaluated the Portland Public Schools' site mentioned above in the context of emergency response. Prior to development of the proposed Local Improvement District (LID), PF&R understood there to be two (2) potential scenarios for street improvements:

1. Connect the existing SE 85th Avenue to the new SE Steele Street if the necessary right-of-way can be obtained.
2. Construct a dead-end on the new SE Steele Street west of SE 86th Avenue if the necessary right-of-way cannot be obtained.

Option #1 is clearly preferable to option #2, since irrespective of street lengths or widths, it is always preferable for PF&R to have multiple ways of access in an event of an emergency.

PF&R understands that Portland Bureau of Transportation (PBOT) is poised to obtain the necessary right-of-way to build the SE 85th & Steele intersection. PF&R would therefore be supportive of Council approving the LID with a scope to build this intersection in lieu of having two dead-end streets in this neighborhood, or no SE Steele connection at all west of SE 86th Avenue.



Planning + Urban Design  
Development Services

ATTACHMENT 3

187293

July 27, 2015

Andrew Aebi, LID Administrator  
City of Portland Bureau of Transportation  
1120 SW Fifth Avenue, Room 800  
Portland, OR 97204

**RE: SE 86<sup>th</sup> & Steele LID – Right of Way and TCE Dedication Documents**

Dear Andrew:

As the representative for the owners of the Garden Villas property, I am providing to you the executed dedication documents for the SE 86<sup>th</sup> and Steele LID. As you know, the owners of Garden Villas have agreed to provide the dedication to the City for a nominal cost in return for Portland Public Schools agreeing to assume the proposed assessment for Garden Villas.

We are providing you these documents electronically with the express understanding that the originals will be delivered to you immediately following City Council's approval of the LID consistent with the cost reallocation agreement between Garden Villas and Portland Public Schools. If Council approves the LID in a manner that results in an assessment to Garden Villas, then Garden Villas will withhold the original documents and reserves the right to remonstrate against the LID.

Also, per our earlier discussions, Garden Villas would like to be involved in the design of the project, especially how our property interfaces with the new street. As part of the project, it is clear that there will likely need to be parking removed from our property to accommodate the new street. We request that the City include as part of the LID scope replacement parking elsewhere on our site as a mitigation for the parking lost.

If you have any questions, please do not hesitate to contact me at (503) 341-3794.

Best Regards,

Matt Brown, Representative  
Garden Villas Apartments