

# PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Steve Novick Commissioner Leah Treat Director

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

FILE NUMBER: R/W #8040

CONSENT AGENDA ITEM TO BE CONSIDERED FEBRUARY 23, 2016, 5:00  
PM  
1900 SW 4<sup>TH</sup> BUILDING, 2<sup>ND</sup> FLOOR, ROOM 2500 A

### I. GENERAL INFORMATION

- Street Vacation Request:** R/W #8040, NW 101<sup>st</sup> Ave south of NW Thompson Road
- Petitioner:** Elizabeth Denney, represented by Joseph McDowell. Mr. McDowell can be reached at 503-730-5636.
- Purpose:** The purpose of the vacation is to consolidate the street area with her abutting property and to eliminate an attractive nuisance.
- Neighborhood:** Northwest Heights; contact is Patrick Jones (pandsjones@comcast.net)
- Quarter Sections:** 2719
- Designation / Zone:** R10 (Residential 10,000). The site is within the Northwest Hills Plan District – Skyline Subdistrict.



*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.*

## **II. FACTS**

### **A. History and Background**

This portion of NW 101st Avenue is unmaintained right-of-way that does not contribute to the larger transportation network. It provides access only to the two abutting properties owners. The area is steeply graded, has no boundary markers, and is unsuitable for vehicle traffic.

The jurisdiction of NW 101st Avenue is split between Multnomah County and the City of Portland. The west half will be vacated by the County concurrently with the City's process of vacating the east half.

### **B. Concurrent Land Use Actions**

There are no land use actions that are concurrent with this street vacation request.

### **C. The Transportation Element**

NW 101<sup>st</sup> is not classified in the transportation element of the Comprehensive Plan.

### **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: NW 101<sup>st</sup> at this location is an unimproved street that dead-ends at the Petitioner's residential property. It does not provide a connectivity function.*

**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: NW 101<sup>st</sup> at this location is an unimproved street that dead-ends at the Petitioner's residential property. The proposed vacation will not affect the function of nearby streets.*

**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: No existing or potential view corridors have been identified in the review of the street vacation request.*

**Policy 11.11 Street Plans, Objectives D, E and N 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.

N. Preserve street connectivity in areas of the City that meet the standards of this policy and its objective as shown on Maps 11.11.9 through 11.11.16.

*Comment: Per Objectives D and E, topography makes development of an interconnected street network at this location unfeasible.*

*Per Objective N, the area of the proposed vacation is shown on Northwest District Map 11.11.15 as not meeting the street spacing standard. The property is on the edge of the City boundary and due to topography will not support a street network.*

**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 right-of-way provides local access only. There are no existing or potential pedestrian routes at this location.*

**B. Neighborhood Plan Considerations**

*Comment: There are no neighborhood plan considerations.*

**C. Other Relevant Comprehensive Plan Policies (and/or Plans)**

*Comment: There are no other Comprehensive Plan policies or policies from other adopted plans that are relevant to this request.*

**D. Zoning Code Considerations**

Other zoning code designations that could apply and that should be considered during review of a street vacation request include environmental zoning or designation as a recreational greenway trail.

*Comment: There are no zoning code considerations.*

**E. Subdivision Code Considerations**

Notice of this street vacation request was provided to the Bureau of Development Services (BDS) to determine if there are any relevant impacts to consider related to future subdivision of property in the area. BDS responded with no objection.

**F. Improvement and Utility Considerations**

The street vacation request was reviewed by Portland Bureau of Transportation (PBOT) for conformance with standards for street improvements. No objections to the proposed vacation were raised.

Other public agencies, public and private utilities were notified of this street vacation request.

- The Bureau of Environmental Services responded with no objection.
- The Portland Water Bureau responded with no objection.
- Portland Fire and Rescue responded with no objection.
- Tualatin Valley Fire and Rescue responded with no objection.
- Urban Forestry responded with no objection.
- Portland Parks and Recreation responded with no objection.
- The Bureau of Technology Services responded with no objection.
- ODOT responded with no objection.
- The Port of Portland responded with no objection.
- TriMet responded with no objection.
- PGE responded with no objection.
- Pacific Power responded with no objection.
- CenturyLink responded with no objection.
- Northwest Natural responded with no objection.
- Comcast responded with no objection.

#### **G. Neighborhood Issues**

Notice of this street vacation request was provided to the Northwest Heights Neighborhood Association and Neighbors West/Northwest. No responses were received.

#### **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.

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.

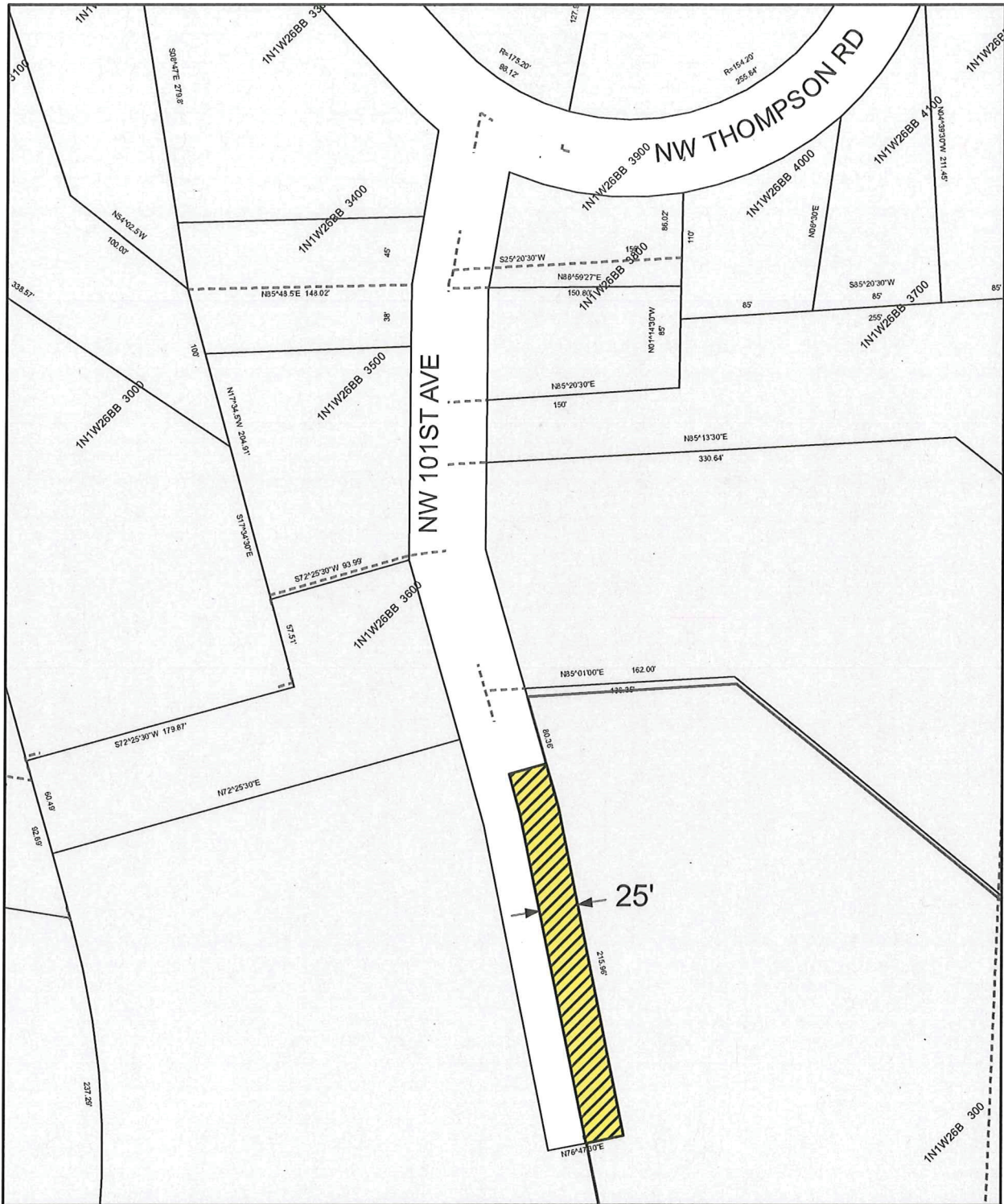
**VI. EXHIBITS**

1. Area proposed for vacation
2. South-facing view of area proposed for vacation.

Bureau of Transportation Staff Planner  
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cc:  
Lance Lindahl, Right-of-Way Case Manager  
Case File

EXHIBIT 1



NW 101st Avenue south of NW Thompson Street

Petitioner: Elizabeth J. Denney

 Area Proposed for Vacation

Section: 1N1W26B



1 inch = 100 feet

Exhibit 2

