

## IMPACT STATEMENT

**Legislation title:** Vacate a portion of SE Grand Ave between SE Spokane St and SE Tacoma St subject to certain conditions and reservations (Hearing; Ordinance; VAC-10093)  
**Contact name:** Karl Arruda, PBOT Right-of-Way Acquisition  
**Contact phone:** 503-823-7067  
**Presenter name:** Karl Arruda

### **Purpose of proposed legislation and background information:**

The purpose of this legislation is to vacate a portion of SE Grand Avenue between SE Spokane Street and SE Tacoma Street, as recommended in the City Engineer's Report.

A petition to vacate a portion of SE Grand Avenue between SE Spokane Street and SE Tacoma Street, was initiated by Diana Richardson ("Owner"), for the purpose of consolidating property for future development.

The petition was certified by the City Auditor's Office on May 20, 2014. The proposed vacation is depicted on Exhibit 2 of the Ordinance.

Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. PBOT requested revisions to the original vacation request to include the retaining wall on the east side of SE Grand and to avoid the new bike and pedestrian ramps constructed as part of the Sellwood Bridge Project. After these changes were made, there were no objections or conditions for the vacation proposal.

The Planning and Sustainability Commission reviewed and approved the proposed street vacation on December 15, 2015. An Engineer's Report was completed on January 26, 2016, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the Planning and Sustainability Commission's recommendation, is attached.

The ordinance complies with state law under ORS 271 and City Code, Chapter 17.84 and will complete the street vacation process.

### **Financial and budgetary impacts:**

The process for vacating streets is a cost recovery program, typically paid for by the Petitioner, and does not have a net impact on PBOT's budget. Expenses for processing a street vacation request typically range between \$8,000 and \$20,000, depending on the complexity. This street vacation falls in the low to middle of the range and is estimated (with moderate confidence) to be approximately \$9,500.

Revenue paid by the Petitioner for this street vacation will cover the actual expenditures incurred by City staff for the processing of this request. The SAP Cost Object is 9TR000001994. The revenue and expenses are occurring in FY 14-15 and FY15-16.

This legislation does not affect staffing levels nor result in a new or modified financial obligation or benefit now or in the future.

If City Council does not approve the ordinance, the retaining wall will remain a PBOT responsibility, and the Petitioner's re-development options may be more limited. A fence (and perhaps other property) belonging to the Petitioner's tenant may be encroaching into the right-of-way and would possibly need to be moved onto tenant's property.

**Community impacts and community involvement:**

Pursuant to ORS 271.080 the Petitioner obtained the required signatures from surrounding property owners in the 'affected area' as stated in said statute, showing support of the vacation request. As an additional requirement of the state statute, the City Auditor also published notice of the public hearing in the Daily Journal of Commerce and has posted the notice in the area proposed for vacation.

Comments were also solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations in North Portland. No objections were received.

The Planning and Sustainability Commission (P&SC) advertised and then held a public hearing on December 15, 2016. No one from the public came forward to testify in support or opposition of the vacation, and the P&SC ultimately approved the vacation request.

There do not appear to be any other impacts to the community from vacating this right-of-way. No opposition to this street vacation request is expected. There is no future public involvement anticipated since this ordinance will conclude the street vacation process.

Information regarding the advertising details can be provided by Toni Anderson, City Auditor's Office, 503-823-4022, or [toni.anderson@portlandoregon.gov](mailto:toni.anderson@portlandoregon.gov).

**Budgetary Impact Worksheet****Does this action change appropriations?**☐ **YES:** Please complete the information below.☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

KK 3-2-16