

# PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Dan Saltzman Commissioner Leah Treat Director

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

FILE NUMBER: R/W #8534

COMMISSION MEETING TO BE HELD: TUESDAY, AUGUST 14, 2018,  
12:30 PM, 1900 SW 4<sup>TH</sup> AVE, SUITE 2500

### I. GENERAL INFORMATION

**Street Vacation Request:** SE 64<sup>th</sup> Avenue south of Sherman Street

**Petitioner:** Portland Parks and Recreation. The representative is Robin Laughlin,  
[Robin.Laughlin@portlandoregon.gov](mailto:Robin.Laughlin@portlandoregon.gov), (971) 940-5567

**Purpose:** The purpose for the vacation is to eliminate a portion of the public right-of-way that is no longer needed for street purposes in order to use the street area for a multi-modal path connecting SE Division Street and SE Sherman Street as part of improvements to the Mount Tabor Yard.

**Neighborhood:** Mount Tabor Neighborhood Association

**State ID:** 1S2E05CC

**Designation/Zone:** OS (Open Space)



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## II. FACTS

### A. History and Background

Portland Parks and Recreation is making improvements to Mt. Tabor Yard. This includes constructing a new shop/warehouse on the west side of the yard and relocating the Horticulture Services operations to the Upper Nursery and Long Block consistent with the park's 2008 Master Plan. The project work also included in the Master Plan is a multi-modal path along the west edge of the property connecting SE Division Street and SE Sherman Street. The SE 64<sup>th</sup> Avenue public right-of-way area proposed for vacation would be used for the multi-modal path connection.

### B. Concurrent Land Use Actions

There are no concurrent land use actions at this time. On May 21, 2018 the Historic Landmarks Commission approved the proposed improvements to Mt. Tabor Yard (LU 17-158467).

### C. The Transportation Element

In the 2035 Transportation System Plan, SE 64<sup>th</sup> Avenue is designated as a city bikeway, local service traffic street, local emergency response, local street design class, local service walkway, and local service truck street.

### D. Neighborhood Plan

SE 64<sup>th</sup> Avenue is located in the Mt. Tabor Neighborhood, which does not have a neighborhood plan. South of SE Division Street is the South Tabor Neighborhood. In its 1995 neighborhood plan, Policy 6.4 is to "Promote safe access from the South Tabor neighborhood to Mt. Tabor Park."

In 2008, Council adopted the Mt. Tabor Master Plan Update which amended the Mt. Tabor Master Plan to include the Mt. Tabor Central Maintenance Yard and Nursery Master Plan. This was the culmination of a year-long planning process in partnership with the Mt. Tabor and South Tabor neighborhoods and a 35-member planning group. The Master Plan includes a multi-modal path connecting SE Division Street and SE Sherman Street.

## III. APPROVAL CRITERIA FINDINGS

### *Title 17.84.025 Approval Criteria for Vacating Streets*

*A. In consideration whether the vacation will prejudice the public interest, the Council will consider the following factors, as relevant:*

- 1. The area proposed to be vacated is not needed presently, and is not identified in any adopted plan, for public services, transportation functions, utility functions, stormwater functions, view corridors and or viewpoints, tree planting/retention, pedestrian amenities, or community or commercial uses.*



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*Comment:* SE 64<sup>th</sup> Avenue south of Sherman is an unmaintained right-of-way that is currently used for Mt. Tabor Yard operations. It is not currently used for the larger transportation system. The area proposed for vacation does not impact access to adjacent properties. The street is identified as a local bikeway in the adopted 2030 Bicycle Master Plan. The proposed multi-use trail is consistent with this plan, as well as the Mt. Tabor Park Master Plan. This criterion is met.

- 2. The vacation does not prevent the extension of, or the retention of public services, transportation functions, utility functions, stormwater functions, view corridors and/or view points.*

*Comment:* With the conditions listed below in section IV., the proposed vacation does not prevent the extension of, or retention of, public services and function. The vacated area is not identified as a view corridor or view point. This criterion is met.

- 3. Public services, transportation functions, or utilities can be extended in an orderly and efficient manner in an alternate location.*

*Comment:* The existing land use and transportation pattern in the area around the proposed street vacation supports the orderly and efficient manner of potential future extension of public services, transportation functions, and utilities. The SE 64<sup>th</sup> Avenue right-of-way is not required for these purposes. This criterion is met.

- 4. The vacation does not impede the future best use, development of, or access to abutting property.*

*Comment:* The properties abutting SE 64<sup>th</sup> Avenue are accessed from SE Sherman Street and SE Division Street. The proposed street vacation does not impede future best use, development of, or access to these abutting properties. The proposed vacation and the planned multi-modal path are consistent with the intended land use described in the zoning code. This criterion is met.

- 5. The area of vacation is not presently, or will not in the future be, needed as part of an interconnected system of public streets that is generally consistent with the street connection and bicycle/pedestrian spacing requirements in section 17.88.040 Through Streets.*

*Comment:* An unmaintained street presently used for Mt. Tabor Yard operations, SE 64<sup>th</sup> Avenue south of SE Sherman Street presently does not serve a larger function in an interconnected system of public streets. The proposed vacation will benefit the pedestrian



and bicycle network by providing a separated pathway that connects SE Sherman Street with SE Division Street. Street spacing in the area meets requirements. This criterion is met.

#### IV. IMPROVEMENT AND UTILITY CONSIDERATIONS

As a condition of the street vacation, a blanket easement will be reserved over the entire area to be vacated for any utility company that may have facilities. Additionally, the proposed street vacation request was reviewed by the following bureaus and agencies and is subject to the identified conditions:

PBOT Development Review	<b>No Objection subject to the following condition:</b> PBOT will obtain a 20 foot wide springing walkway easement centered on the centerline of the planned 12 foot wide multi-modal path.
PBOT Transportation Planning	No objection
PBOT Permit Engineering	No objection
PBOT Transportation Systems Management	No objection
PBOT Active Transportation	No objection
PBOT Bridges and Structures	No objection
Bureau of Development Services	<b>No Objection subject to the following condition:</b> Prior to recording the vacation ordinance, Conditional Use Review must be completed to redefine the CU boundary to include the City's portion of the vacated street area.
Portland Water Bureau	No objection
Bureau of Environmental Services	<b>No Objection subject to the following condition:</b> BES will require a minimum 15 foot wide public sewer easement (centered on the existing pipe) through the vacation area for access for maintenance.
Portland Fire and Rescue.	No objection
Urban Forestry	No objection
Portland Parks and Recreation	No objection
Bureau of Technology Services Corporate GIS	No objection
PBOT Street Lighting	No objection
PBOT Parking Control	No objection
TriMet	No objection
Pacific Power	No objection
Comcast	No Response Received
ODOT	No objection



Port of Portland	No objection
PGE	No objection
CenturyLink	No objection
Northwest Natural	No objection

#### V. NEIGHBORHOOD RESPONSE

Notice of this street vacation request was provided to the Mt. Tabor Neighborhood Association and SE Uplift Neighborhood Coalition. No responses were received.

Notice of the Planning and Sustainability Commission meeting was sent to the affected area shown in Exhibit B.

#### 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 shown on Exhibit A, with conditions:

- Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in IV. above.

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

- A. Area proposed for vacation
- B. Affected Area Map
- C. SE 64<sup>th</sup> & Sherman facing south

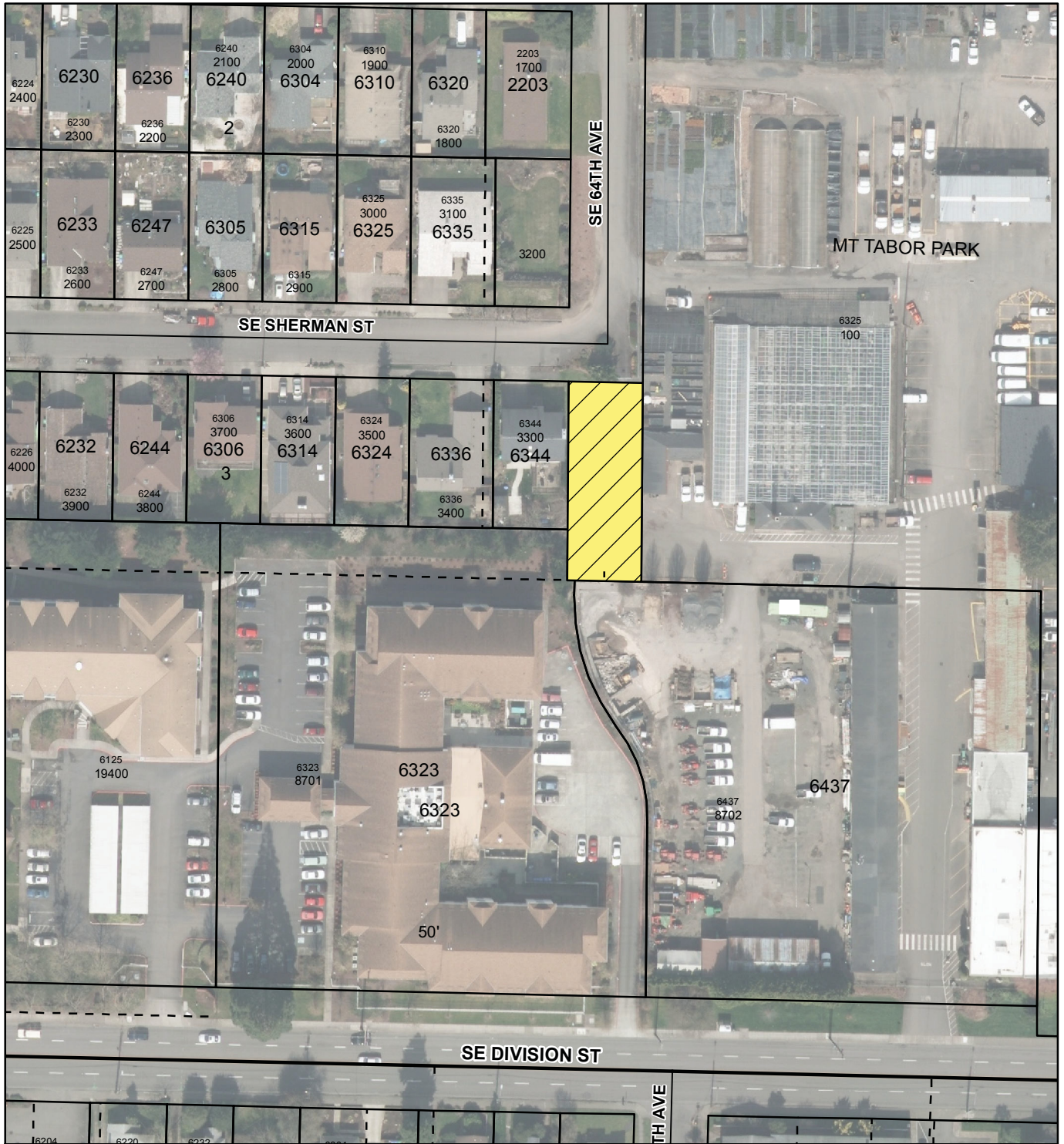
Bureau of Transportation Staff Planner  
 Bob Kellett  
 503/823-6127  
 Bob.Kellett@portlandoregon.gov

cc: Karl Arruda, Right-of-Way Case Manager



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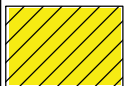
# Exhibit A



## SE 64TH AVENUE SOUTH OF SE SHERMAN STREET

Petitioner: City of Portland

State ID: 1S2E05CC

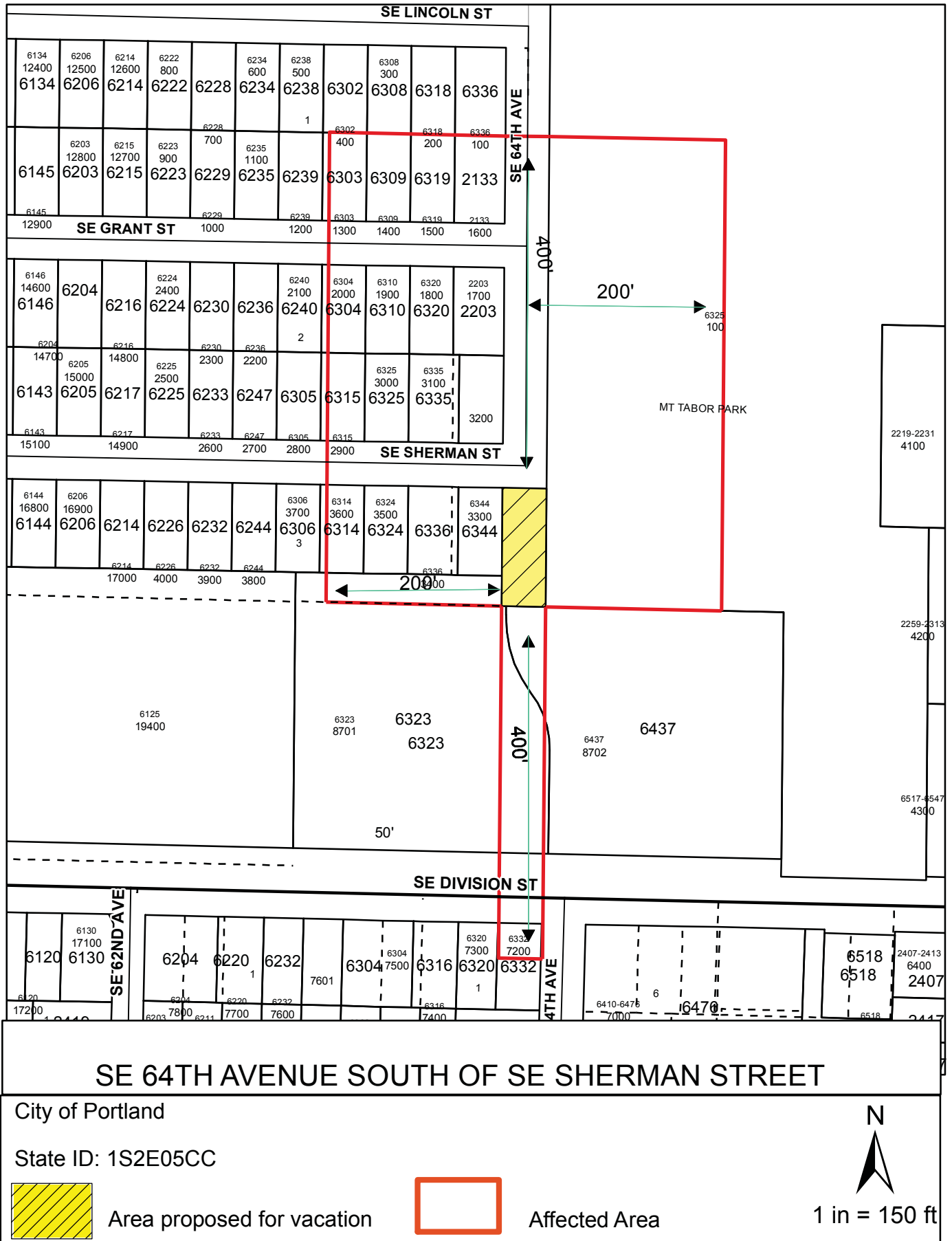


Area proposed for vacation



1 in = 100 ft

# Exhibit B



**Exhibit C: SE 64<sup>th</sup> at SE Sherman facing south**

