



1120 SW Fifth Ave, Suite 1331, Portland OR 97204  
Phone: 503-823-4000 Portland.gov/Transportation

Mingus Mapps Commissioner Millicent Williams Director

## STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

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**FILE NUMBER: R/W #9194**

**COMMISSION MEETING TO BE HELD: 07/09/2024**

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### I. GENERAL INFORMATION

**Street Vacation Request:** NE Alameda St and NE 58<sup>th</sup> Ave

**Petitioner:** Winston Sandino, Sandino Coffee Roasters  
[nicalandllc@gmail.com](mailto:nicalandllc@gmail.com), 503-502-5438

**Purpose:** The stated purpose for the vacation is to expand the usefulness of the existing building by opening a coffee shop and utilizing the unused right-of-way for an outdoor seating area with deck, tables and chairs.

**Neighborhood:** Rose City Park

**State ID:** 1N2E30AD 13000

**Designation/Zones:** CM2 (MU-C) – Commercial/Mixed Use 2  
Aircraft Landing Overlay Zone (h)



*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

Winston Sandino is applying to vacate a segment of right-of-way (ROW) on **NE Alameda St** and **NE 58<sup>th</sup> Ave**. The petition has been signed by all abutters and the requisite number of property owners pursuant to ORS 271.080, and all signatures have been verified and certified.

The stated purpose for the street vacation is to expand the usefulness of the existing building by opening a coffee shop and utilizing the unused right-of-way for an outdoor seating area with deck, tables and chairs. The building lower level will be used as a coffee shop and the applicant may plan to expand this vacant area for an enclosed outdoor seating area for the short term. For the future (long term), if the building zone allows it, this area can be expanded so a future addition to the building lower and upper level can be constructed to increase the square footage of the building.

The site is located in the Rose City Park neighborhood and has the following zoning designations: Commercial/Mixed Use 2 (CM2) base zone with an Aircraft Landing (h) overlay zone. **Commercial/Mixed Use 2 (CM2)** is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas. The **Aircraft Landing (h)** overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation.

### B. Concurrent Land Use Actions

Not applicable for this site.

### C. The Transportation Element

In the 2035 Transportation System Plan, the following describe the TSP classifications for the adjacent rights-of-way proposed for street vacation.

	<i>Adjacent Street 1</i>	<i>Adjacent Street 2</i>	<i>Adjacent Street 3</i>
<b>Street Name</b>	<b>NE Alameda St</b>	<b>NE 58<sup>th</sup> Ave</b>	<b>NE Sandy Blvd</b>
<b>Traffic</b>	Local Service Traffic Street	Local Service Traffic Street	Major City Traffic Street
<b>Transit</b>	Local Service Transit Street	Local Service Transit Street	Major Transit Priority (12 Line Bus Route)
<b>Bicycle</b>	City Bikeway (Neighborhood Greenway)	Local Service Bikeway	Major City Bikeway
<b>Pedestrian</b>	Neighborhood Walkway	Local Service Walkway	Major City Walkway
<b>Freight</b>	Local Service Truck Street	Local Service Truck Street	Major Truck Street
<b>Emergency</b>	Minor Emergency Response	Minor Emergency Response	Major Emergency Response
<b>Design</b>	Local Street	Local Street	Civic Main Street

### D. Neighborhood Plan

The area proposed for vacation is not explicitly identified in a neighborhood plan.

### III. APPROVAL CRITERIA FINDINGS

1. *City Code 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:*

*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.*

**Comment:** The portion of the rights-of-way proposed to be vacated have not been identified in any adopted plans for public services, transportation functions, utility functions, view corridors or viewpoints, pedestrian amenities, or community or commercial uses. **The portion of the rights-of-way proposed for street vacation are not needed presently.**

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 viewpoints.*

**Comment:** The proposed vacation does not prevent the extension of, or retention of, public services, transportation functions, utility functions, subject to the conditions identified in Section IV below. The vacated area is not identified as a view corridor or viewpoint. The vacation is supportive of present and future stormwater functions. **The portion of rights-of-way proposed for vacation should meet the criteria of approval outlined by commenting parties in Section IV. 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 portion of rights-of-way proposed for vacation should meet the criteria of approval outlined by commenting parties in Section IV. This criterion is met.**

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

**Comment:** The portion of rights-of-way proposed for vacation about the already existing property that is included in the petition. The areas proposed for vacation do not impede the future best use, development of, or access to other abutting properties. **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:** Although the rights-of-way proposed for vacation are considered through streets, the area proposed for vacation only impacts a portion of the current right-of-way. If sufficient width is

maintained, the rights-of-way can continue to function as through streets as part of a connected system of public streets. **This criterion is met.**

#### IV. IMPROVEMENT AND UTILITY CONSIDERATIONS

The following bureaus and agencies reviewed the proposed street vacation request which is subject to the following identified conditions:

Commenting Party	Response Date	Comments / Conditions
<b>City Bureaus / Departments Notified:</b>		
<b>Right-of-Way Acquisition</b> Sarah Johnston	3/17/22	Petition Certified
<b>PBOT Development Review</b> Bob Haley	1/10/23	<b>No objection subject to the following conditions:</b> Retain enough ROW measured from the face of the curbs to provide a 12-ft sidewalk corridor on NE Sandy, and 11ft on NE Alameda St and NE 58 <sup>th</sup> Ave.
<b>PBOT Transportation Planning</b> Mel Hogg	5/13/22	<b>No objection subject to the following conditions:</b> Given the walking function and policy classifications of the streets abutting the proposed street vacation site, PBOT Planning will require that sufficient right-of-way is preserved to ensure current and future sidewalks/walkways meet City standards. The Portland Pedestrian Design Guide, which took effect July 1, 2022, requires minimum widths for pedestrian facilities on Civic Main Streets (i.e., NE Sandy Blvd) are 16.5 ft (8 ft for Pedestrian Through Zones, 2.5 ft for Frontage Zones, and 4ft for Furnishing Zones). For Local Streets (i.e., NE Alameda St & NE 58th Ave), the minimum requirements for pedestrian facilities are 12.5 ft (6 ft for Pedestrian Through Zones, 0.5 ft for Frontage Zones, and 4 ft for Furnishing Zones).
<b>PBOT Permit Engineering</b> Chris Wier	1/2/24	No objection.
<b>PBOT Trans Systems Management</b> Rick Nys	4/25/22	No objection.
<b>PBOT Active Transportation</b> Scott Cohen	4/14/22	No objection.
<b>PBOT Bridges and Structures</b> Cameron Glasgow	4/14/22	No objection.
<b>PBOT Street Lighting</b> Charles Radosta	4/14/22	No objection.

<b>Commenting Party</b>	<b>Response Date</b>	<b>Comments / Conditions</b>
<b>PBOT Parking Control</b> Peter Wojcicki	4/19/22	No objection.
<b>Bureau of Development Services</b> Diane Hale	5/24/22	No objection.
<b>BDS Addressing</b> Viktor Palchey	5/27/22	No objection.
<b>Bureau of Environmental Services</b> Emma Kohlsmith	5/27/22	No objection.
<b>Portland Water Bureau</b> Kris Calvert	8/17/23	No objection.
<b>Portland Fire &amp; Rescue</b> Paul Jennings	5/11/22	No objection.
<b>Portland Parks &amp; Recreation</b> Adena Long	5/19/22	No objection.
<b>PP&amp;R Urban Forestry</b> Andrew Gallahan	5/31/22	No objection.
<b>Planning Commission</b>	Pending	Response pending review by the Commission.
<b>Neighborhood Associations Notified:</b>		
<b>Rose City Park Neighborhood Association</b> Zachary Lauritzen	8/22/23	Email response supporting the street vacation.
<b>Central Northeast Neighbors Neighborhood District Coalition</b> Allison Stoll	N/A	No response.
<b>Local Agencies Notified:</b>		
<b>ODOT, Region 1</b>	8/24/23	No objection,
<b>Port of Portland</b> Lewis Lem	N/A	No response.
<b>TriMet</b> Nick Stewart	8/17/23	No objection.
<b>Public Utilities Notified:</b>		

Commenting Party	Response Date	Comments / Conditions
<b>PGE</b> Elise Otjen	4/25/22	No facilities in street area.
<b>Pacific Power</b> Scott Mease	4/14/22	No facilities in street area.
<b>CenturyLink/LUMEN</b>	N/A	No response.
<b>Northwest Natural</b> Stephanie Baxter	N/A	No response.
<b>Comcast Cable</b> Dan Green	4/14/22	No facilities in street area.

## V. NEIGHBORHOOD RESPONSE

Notice of this street vacation request was provided to the Rose City Neighborhood Park Association and Central Northeast Neighbors. Central Northeast Neighbors did not respond. Rose City Neighborhood Association responded with an email in support of the street vacation.

## VI. CONCLUSIONS

Based on the above analysis, Portland Bureau of Transportation states that the portion of the rights-of-way are not needed to provide future facilities. Approval of the street vacation will result in the handover of existing street segments to expand the usefulness of the existing building that abuts the area for vacation. Doing so is not anticipated to affect the functional performance of the street system in the Rose City Park area.

## VII. TENTATIVE STAFF RECOMMENDATION

The staff recommendation is **approval** of the vacation of the area shown on Exhibit 1, with conditions:

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

The Portland Bureau of Transportation staff may revise this recommendation upon receipt of new information at any time prior to the Planning Commission's recommendation.

## VIII. EXHIBITS

1. [Vicinity Maps](#)
2. [Area Proposed for Vacation](#)
3. [Site Detail](#)
4. [Site Photos](#)

### Report prepared by:

Portland Bureau of Transportation Staff Planner

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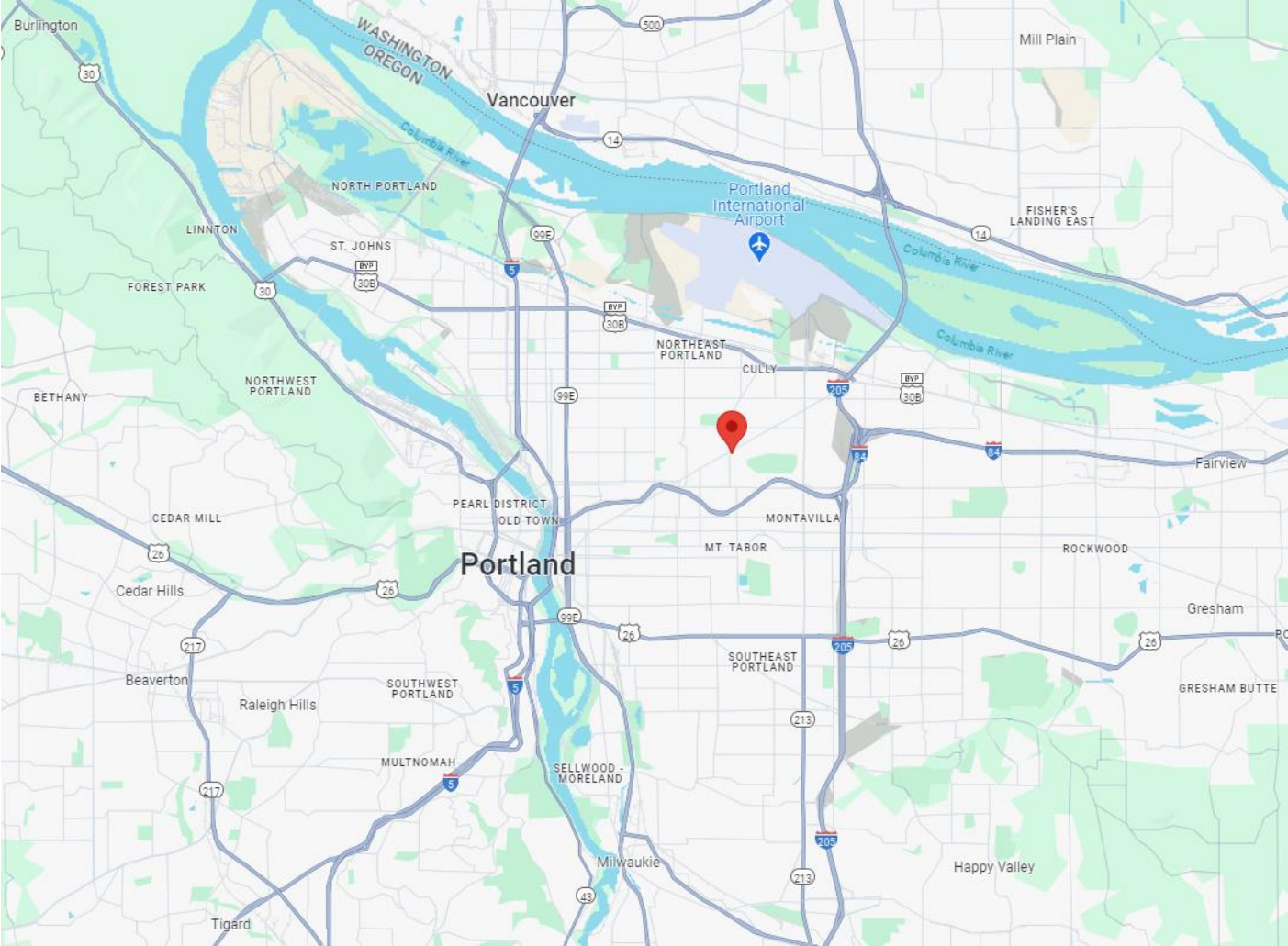
ari.delrosario@portlandoregon.gov

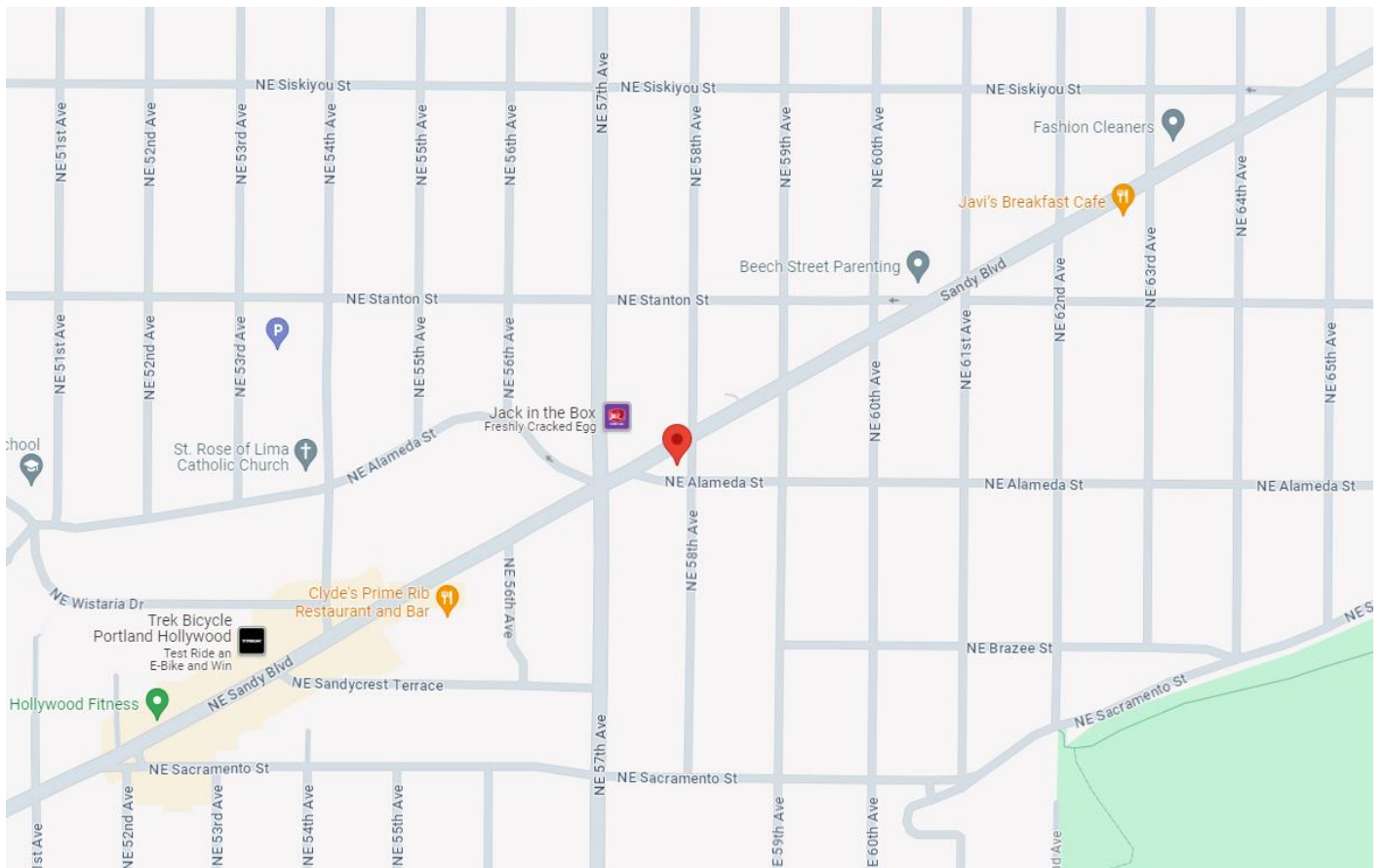
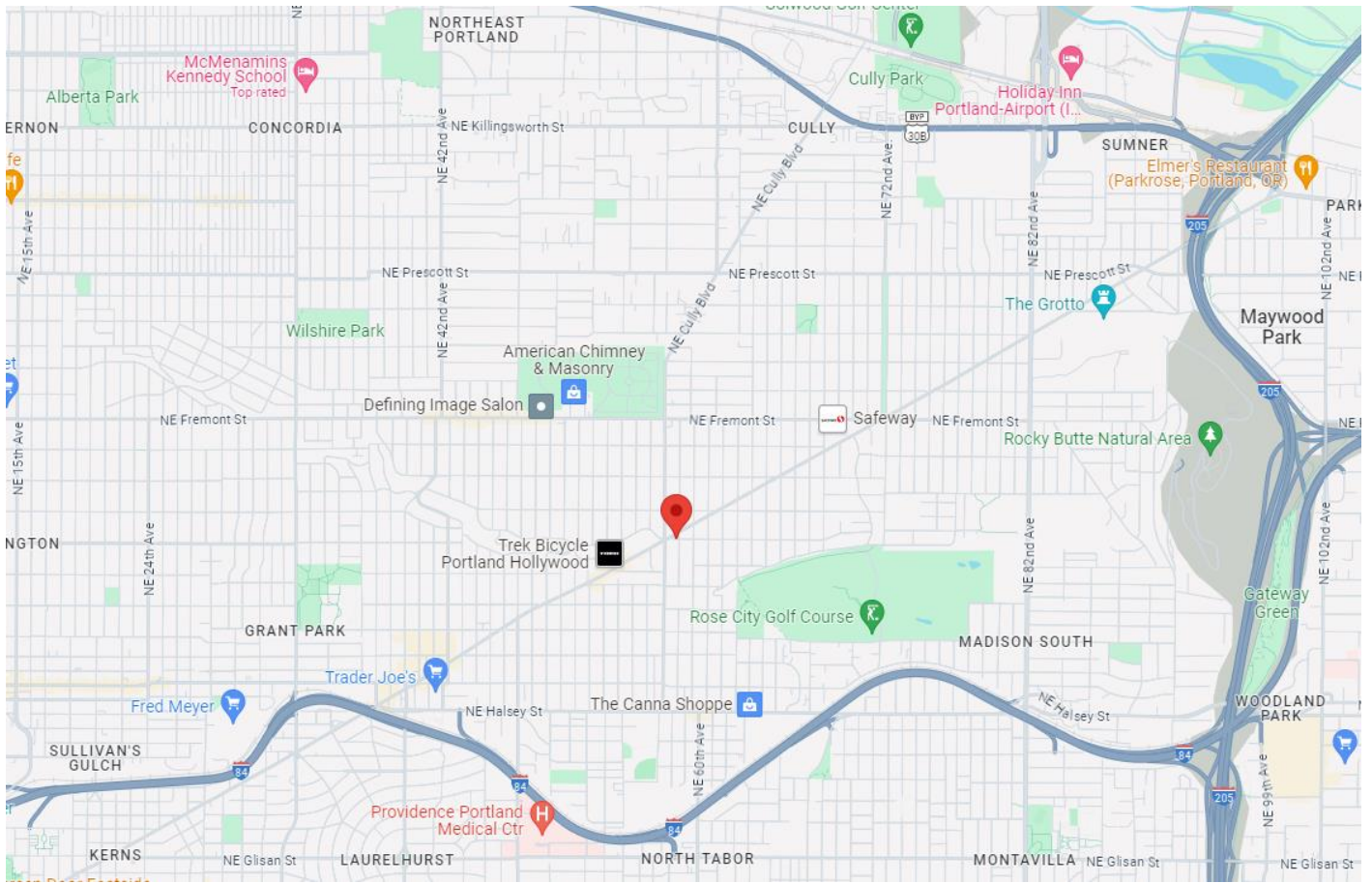
cc: Kevin Balak, Right-of-Way Program Supervisor



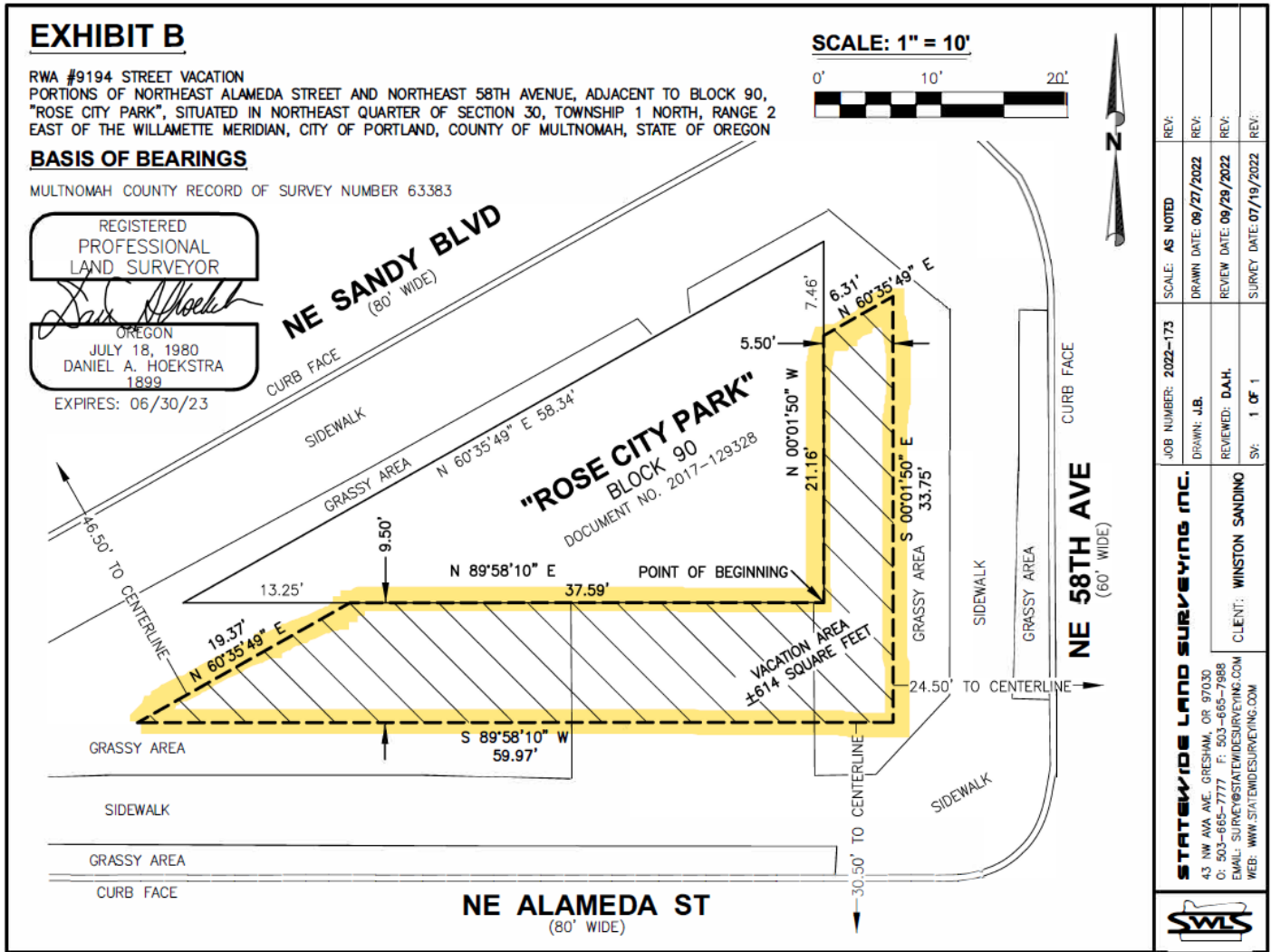
**Exhibit 1: Vicinity Maps**

**Street vacation vicinity maps**





**Exhibit 2: Area Proposed for Vacation**

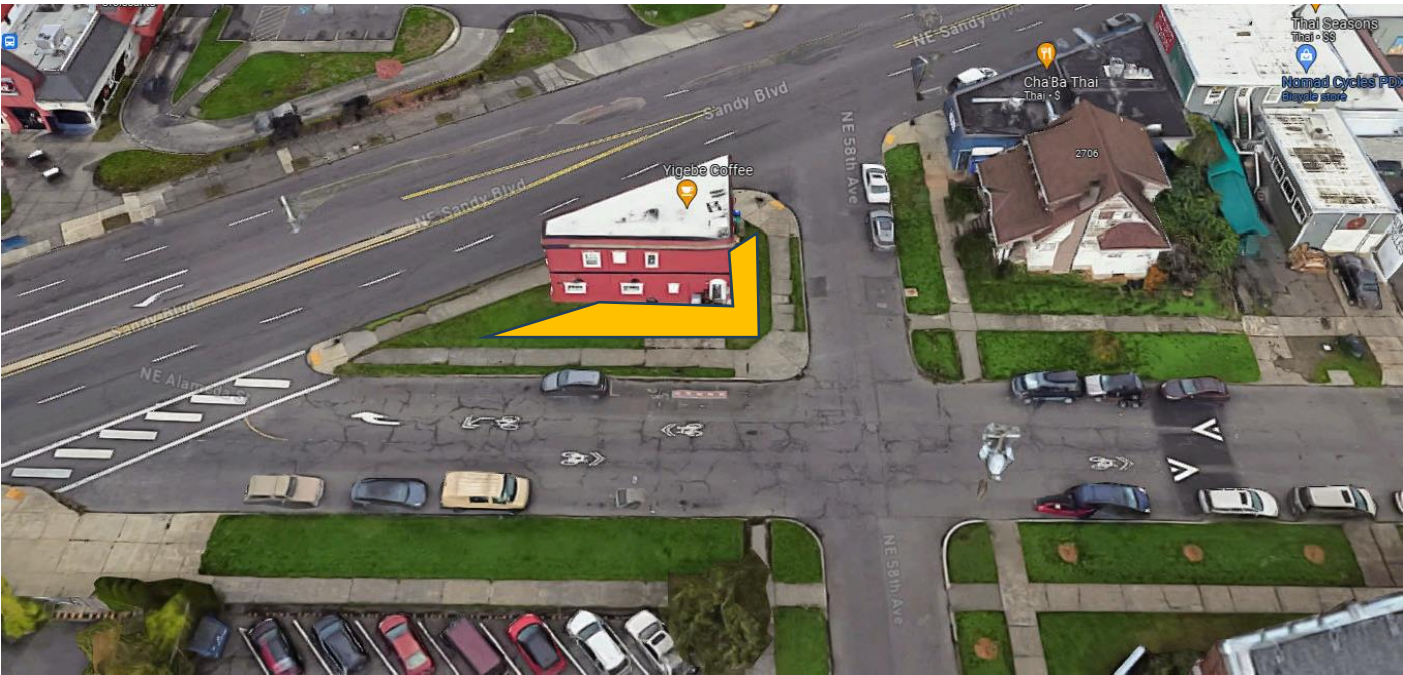


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			REVIEW DATE: 09/29/2022	DRAWN DATE: 09/27/2022			REV: 09/27/2022
							REV: 09/29/2022
							REV: 07/19/2022



**Exhibit 3: Site Detail**

Aerial photo showing proposed vacation area





**Exhibit 4: Site Photos**

NE Sandy Blvd facing east



Intersection of NE Alameda St and NE Sandy Blvd





NE Alameda St



Intersection of NE Alameda St and NE 58<sup>th</sup> Ave





NE 58<sup>th</sup> Ave



NE Sandy Blvd facing southwest

