



CITY OF
PORTLAND
BUREAU OF
TRANSPORTATION



Sam
Adams
Mayor

Tom
Miller
Director

DATE: January 13, 2012
TO: Mayor Sam Adams
FROM: David McEldowney, Right-of-Way Acquisition Manager
RE: **Public Hearing for consideration of a street vacation request for a portion of SW 46th Ave and SW Florida St – Staff Supplemental Report**

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1. **Ordinance Title:** Set a hearing date, 9:30 a.m. Wednesday, FEB 22, 2012, to vacate a portion of SW 46th Ave and a portion of SW Florida St (Report; VAC-10070)
2. **Contact Name, Department, & Phone Number:**
Lance Lindahl, Right-of-Way Acquisition, 503-823-7465
3. **Requested Council Date:** January 25, 2012
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Consent Agenda Item: X **or** **Regular Agenda Item:** _____
Explain why this does or does not require a presentation or Council discussion:
Public testimony will be taken at the public hearing.

EMERGENCY ITEM (answer below): _____ **or** **NON-EMERGENCY ITEM:** X
If emergency, why does this need to take effect immediately:

4. History of Agenda Item/Background:

A petition to vacate a portion of SW 46th Avenue and a portion of SW Florida Street was certified by the City Auditor's Office on March 19, 2010. The street vacation is proposed in order to consolidate property for the future development of church buildings. The proposed vacation is depicted on Exhibit 1 attached hereto.

Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. No substantive objections were received.

The Planning and Sustainability Commission reviewed and approved the proposed street vacation on June 28, 2011.

An Engineer's Report was completed on January 4, 2012, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the Planning and Sustainability Commission recommendation, will be forwarded to your office under separate cover, along with a recommended Street Vacation Ordinance for consideration by City Council.

1120 S.W. 5th Avenue, Suite 800 • Portland, Oregon, 97204-1914 • 503-823-5185
FAX 503-823-7576 or 503-823-7371 • TTY 503-823-6868 • www.portlandoregon.gov

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To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance 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 and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW 5th Ave, Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

ORS 271.120 requires that a public hearing be held prior to City Council taking action on the street vacation request. This memo is to serve as a formal request to schedule the required public meeting. The Office of the City Auditor will publish and post notice of the scheduled public hearing. The public notice will provide information on how to obtain information about the proposed street vacation, including copies of the Engineer's Report and Planning and Sustainability Commission Recommendation.

5. Purpose of Agenda Item:

The purpose of this request is to schedule a public hearing for consideration of the proposed street vacation request.

6. Legal Issues:

None

7. What Individuals or Groups Are or Would Be Opposed to This Ordinance?

SW Trails is opposed to the vacation. It is their position that pedestrian connectivity would be adversely affected.

Supportive?

PBOT staff is supportive of this request.

8. How Does This Relate to Current City Policies?

This action is consistent with current City policies (City Code Chapter 17.84).

9. Community Participation:

Comments were solicited from affected neighborhood associations and public utilities.

10. Other Government Participation:

Comments were solicited from City Bureaus and government agencies.

11. Financial Impact:

How much money is involved? Approximately \$15,000.

Where are these funds coming from? Petitioner, St. Luke Lutheran Church.

Agenda No.
REPORT
 Title

Set a hearing date, 9:30 a.m. Wednesday, February 22, 2012 to vacate a portion of SW 46th Ave and a portion of SW Florida St (Report; VAC-10070)

<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. D. Lindahl on behalf of Mayor Adams</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program <i>Greg Jones</i></p> <p>Prepared by: Lance D. Lindahl:slg Date Prepared: January 3, 2012 <i>slg</i></p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date January 25, 2012</p> <p>City Attorney Approval</p>	<p style="text-align: right; color: blue;">JAN 20 2012</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p> <p style="font-size: 1.2em; font-weight: bold;">JAN 25 2012 ; ACCEPTED</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	