

Sam
Adams
Mayor

Tom
Miller
Director

**STAFF REPORT AND RECOMMENDATION
TO THE PLANNING COMMISSION**

FILE NUMBER: R/W #7415

Commission Meeting to be held 12:30 PM, July 10, 2012

1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A

I. GENERAL INFORMATION

Street Vacation Request: Proposed Vacation of SE Ash St. west of SE 74th Ave.

Petitioner: Street vacation was initiated by Judith Jacks, 196 SE Spokane St., #109, Portland, OR, 503-238-4772, or 971-235-1007

Purpose: Stated purpose for this vacation is to consolidate property, which will eliminate the dumping of garbage and debris along this unimproved public street.

Neighborhood: Mt. Tabor Neighborhood Association
Attn: Stephanie Stewart, Land Use/Planning Cmte. Chair
c/o Southeast Uplift Neighborhood Program
3534 SE Main St.
Portland, OR 97214

Southeast Uplift Neighborhood Program
Attn: Leah Dawkins, Land Use Chair
3534 SE Main St.
Portland, OR 97214

Quarter Section: 3038

Designation/Zone R5 (single family)

II. FACTS

A. History and Background

As is common throughout the city there is a problem with illegal dumping on unused vacant City right-of-way. The petitioner seeks to gain control of this property to prevent continued illegal dumping.

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

Several neighbors (Cyr Duquella, Drew Macuiba, and Vicki Ross) called to ask for more information regarding the proposal. They had various concerns regarding the Petitioner's proposal and development plans. The general concern is that the Petitioner's intent with the vacated property was not accurately explained to the neighbors who consented to the petition and that, instead of open space, the vacated property might be developed into multifamily housing. Ms. Ross' comments were directed at the status of the file, the street vacation costs, and what conditions can be placed on development. They each received information regarding the street vacation process, development procedures, their neighborhood association, and the public hearings with the Planning and Sustainability Commission and the City Council.

B. Concurrent land use actions

There are no concurrent land use actions.

C. The Transportation System Plan

SE Ash St. is a local street and therefore is not addressed in the City's Transportation System Plan.

III. FINDINGS

A. Comprehensive Plan Goals and Policies Consideration

The relevant policies of the Transportation Element 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.

Vacating SE Ash St. at this point will have no impact on neighborhood connectivity. Because of development to the west of it on SE 73rd, there is no possibility to increase connectivity at this location.

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.

Because this is a remnant piece of right-of-way and has no possibility for further connection to the local street network, there is no need for this property.

Policy 6.35 Northeast Transportation District

Objective L.

Use street dedications and street vacations as a tool to support development, while ensuring connectivity and access.

Given current zoning on this property it would support the addition of one single family dwelling.

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.

This street vacation will not adversely impact view corridors.

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

This street vacation will not impact street connectivity in the neighborhood.

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.

The vacation will require the construction of a new upgraded sidewalk, which will provide an improved environment for pedestrians.

Findings for Policies 6.20, 6.21, 8.14, 11.11 and 12.4

This vacation is in conformance with above referenced Comprehensive Plan Goals and Policies.

B. Neighborhood Plan considerations

This street vacation is in conformance with the Mt. Tabor Neighborhood Plan

C. Zoning Code considerations

There are no zoning issues.

D. Subdivision code considerations

There are no sub-division issues.

IV. CONCLUSIONS

Based on the above analysis, Portland Bureau of Transportation states that the right-of-way is not needed to provide for future facilities. Additionally, approval of the street vacation will not affect the functional performance of the street system in the area.

V. STAFF RECOMMENDATION

It is recommended that the street vacation be approved as with the following conditions.

Portland Bureau of Transportation-Development Review

Close street with curb and sidewalk to current City standards

Portland Bureau of Transportation-Permit Engineering

Remove curb returns, sidewalk and asphalt to tangent and construct straight curb and sidewalk to connect to existing curb and sidewalk. Reprofile gutter to drain to existing inlet on SW corner of intersection

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.

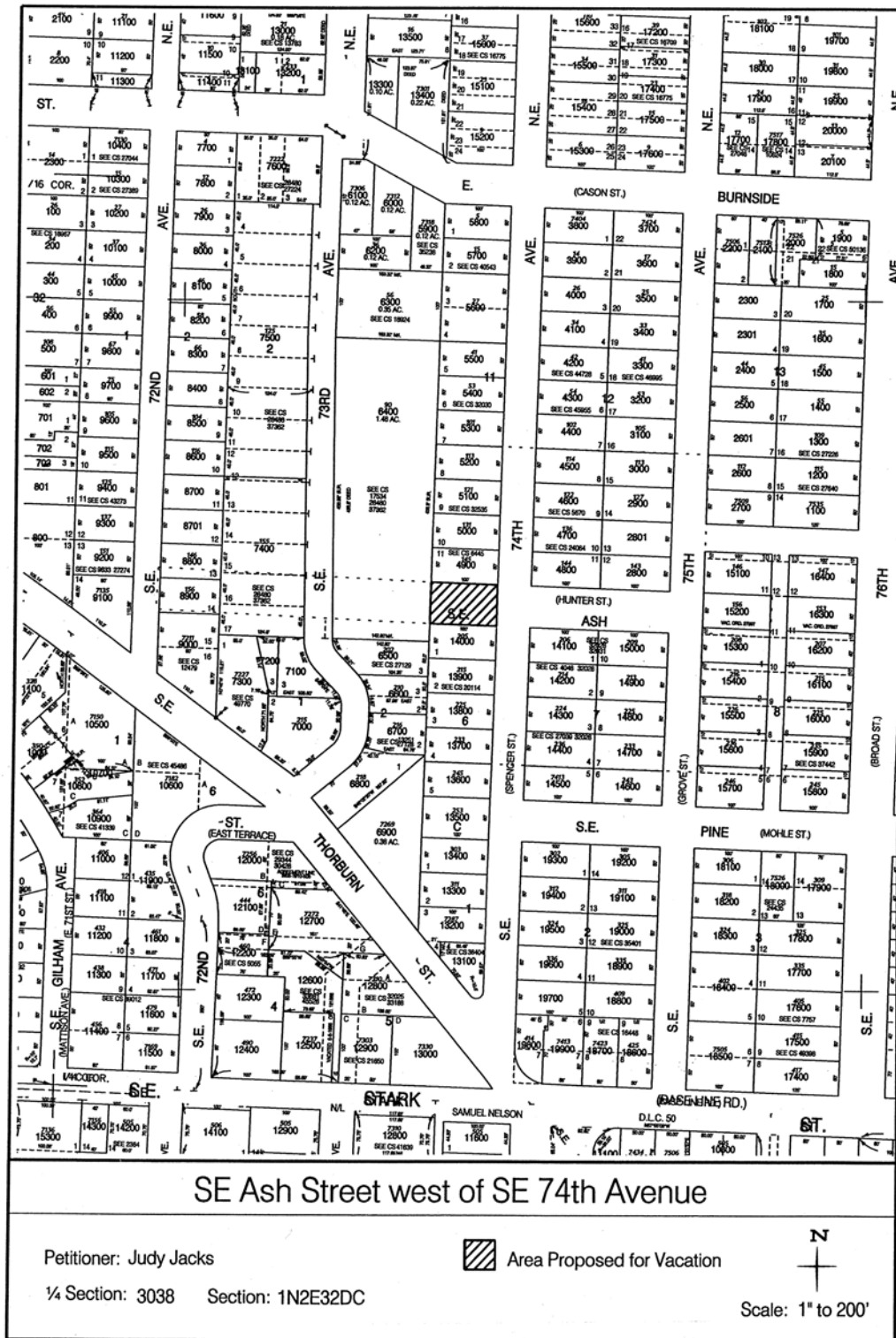
Staff Planner – Stuart Gwin, Phone: 503-823-7788

cc: Karl Arruda, Right-of-Way Case Manager
Stephanie Stewart, Land Use/Planning Cmte. Chair
Mt. Tabor Neighborhood Association
3534 SE Main St.
Portland, OR 97214
Leah Dawkins, Land Use Chair
Southeast Uplift Neighborhood Program
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Case File

VI. EXHIBITS

Exhibit 1: Area Proposed for Vacation
See following page
Exhibit 2: Photos of area proposed for vacation

EXHIBIT 1



SE Ash Street west of SE 74th Avenue

Petitioner: Judy Jacks

¼ Section: 3038 Section: 1N2E32DC

 Area Proposed for Vacation



Scale: 1" to 200'

EXHIBIT 2: Photos of area Proposed for Vacation







