

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Steve Novick Commissioner Leah Treat Director

STAFF REPORT AND RECOMMENDATION TO THE PLANNING AND SUSTAINABILITY COMMISSION

FILE NUMBER: R/W #7961

COMMISSION MEETING TO BE HELD OCTOBER 13, 2015 12:30 PM
1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A

I. GENERAL INFORMATION

- Street Vacation Request:** R/W #7961, NE Sandy Blvd between NE 12th Ave and NE 14th Ave
- Petitioner:** Weston Investment Co, LLC, represented by Larry Porter (5510 SW Dover Loop, Portland, OR 97255; 503-314-9600)
- Purpose:** The purpose of the proposed vacation is to consolidate the right-of-way with the abutting property for future development.
- Neighborhood:** Kerns; contact is Steve Russell, Land Use Chair (Steve@steelbridgerealty.com)
- Quarter Sections:** 3031
- Designation / Zone:** EXdj (Central Employment with a Design Overlay Zone and Main Street Node Overlay Zone)



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II. FACTS

A. History and Background

The areas proposed for vacation were originally platted for development as part of the Lane's Addition to East Portland in 1871. NE Sandy Blvd was extended through this area in 1927 as part of a Public Works project. The required property was taken and established as City streets through City Resolution 17889 ½ and City Ordinance 51093. In 2010, these portions of NE Sandy were eliminated as part of the implementation of the Burnside Transportation and Urban Design Plan, which converted E Burnside and NE Couch Streets to one-way operations between NE Martin Luther King, Jr. Blvd and NE 14th Ave.

Currently, the Petitioner owns those portions of Block 267 that abut NE Sandy and the northern portion of Block 276 that abuts NE Sandy. In addition to its interest in abutting properties, the Petitioner also has significant real estate interest in the area. The Petitioner has been seeking interest in these portions of NE Sandy for several years. A street vacation application was delayed as the Petitioner sought to purchase the land as it was assumed surplus property. As it is established as a City street, the Petitioner must seek to vacate the street per ORS 271.

Currently, these land-locked portions do not serve as public right-of-way. Additionally, the City does not have plans to utilize this space in the future. The City welcomes a street vacation in these portions of NE Sandy so as make effective use of the area.

B. Concurrent Land Use Actions

There are no concurrent land use actions.

C. The Transportation Element

The current (2007) transportation element of the Comprehensive Plan classifies Sandy Blvd as a City Bikeway and Major Truck Street. It is classified as Local Service for other modes. These classifications will be removed as part of the Comprehensive Plan update if the proposed vacation is approved.

D. Neighborhood Plan

The Burnside Transportation and Urban Design Plan was finalized in 2002. The Plan recommended converting E Burnside and NE Couch Streets to one-way operations between NE Martin Luther King, Jr. Blvd and NE 14th Ave. That

project was completed in 2010. The Plan envisioned the vacation of the Sandy Blvd right-of-way and redevelopment of the site as a “catalyst development area.” This proposed vacation is in accordance with those recommendations.

III. FINDINGS

A. Comprehensive Plan Goals and Policies Consideration

The relevant policies of the Comprehensive Plan 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.

Comment: The proposed vacation will not affect connectivity. The Sandy right-of-way is a diagonal through the site, and if the proposed vacation is approved, a standard 200-foot by 200-foot block grid will remain.

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.

Comment: The subject right-of way is completely closed to traffic and is currently being used as a parking lot for adjacent businesses (Exhibits 4 and 5). There is no foreseeable need for this right-of-way in the future. The proposed vacation therefore will have no impact on the function of nearby streets or the overall transportation system.

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.

Comment: No existing or potential view corridors have been identified in the review of the street vacation request.

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

N. Preserve street connectivity in areas of the City that meet the standards of this policy and its objective as shown on Maps 11.11.9 through 11.11.16.

Comment: Per Objectives D and E, the if the vacation is approved, a standard 200-foot by 200-foot block grid will remain and the street spacing standard will be met.

Per Objective N, the area of the proposed vacation is shown on the Central City District Map 11.11.9 as meeting the connectivity standard. The proposed vacation will not affect connectivity due to its diagonal orientation relative to the street grid.

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.

Comment: The proposed vacation will retain a 200-foot by 200-foot block grid, and will not affect pedestrian access and circulation.

B. Neighborhood Plan Considerations

Comment: The proposed vacation is in accordance with the Burnside Transportation and Urban Design Plan.

C. Other Relevant Comprehensive Plan Policies (and/or Plans)

Comment: The Portland Streetcar System Concept Plan envisioned a future streetcar line on East Burnside/ Couch and Sandy to Hollywood Town Center. Portland Streetcar officials were notified of the proposed vacation request, and stated that they have no objection. The proposed vacation will not preclude a potential streetcar extension on Sandy Blvd.

D. Zoning Code Considerations

Other zoning code designations that could apply and that should be considered during review of a street vacation request include environmental zoning or designation as a recreational greenway trail.

Comment: There are no zoning code considerations.

E. Subdivision Code Considerations

Comment: There are no subdivision code issues.

F. Improvement and Utility Considerations

The street vacation request was reviewed by Portland Bureau of Transportation (PBOT) for conformance with standards for street improvements. The following condition of approval will be required by PBOT Street Lighting:

- Petitioner shall have the street light and pole located southwest of NE 14th Ave and Sandy Blvd removed prior to the vacation being recorded. The street light located on NE 13th will be refed from an alternate power source. All work is to be done by the City's approved contractor and paid for by the Petitioner.

The Bureau of Development Services responded with no objection.

The Bureau of Environmental Services requires the following condition of approval:

- The stormwater facility located north of the sidewalk on E Burnside shall be transferred from public to private ownership. The inlet lead from the stormwater facility under the sidewalk to the existing inlet in E Burnside St will be removed or abandoned.

The Portland Water Bureau responded with no objection.

Portland Fire and Rescue responded with no objection.

Urban Forestry responded with no objection.

Portland Parks and Recreation responded with no objection.

The Bureau of Technology Services responded with the following condition:

- Adjacent properties that are using NE Sandy Blvd addresses must be addressed off of streets that are not vacated.

ODOT and TriMet were notified of the proposal but did not respond.

The Port of Portland responded with no objection to the proposal.

PGE, Pacific Power, Century Link and Northwest Natural responded that they have no facilities in the area.

Comcast was notified of the proposed vacation but did not respond.

G. Neighborhood Issues

Notice of this street vacation request was provided to the Kerns Neighborhood Association, which responded with no objection (Exhibit 3). The Buckman Neighborhood Association and South Uplift were notified but did not respond

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 as shown on Exhibit 1 ***with conditions***:

1. Prior to recording the street vacation ordinance, the Petitioner shall comply with all conditions set forth in Sections III.F 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.

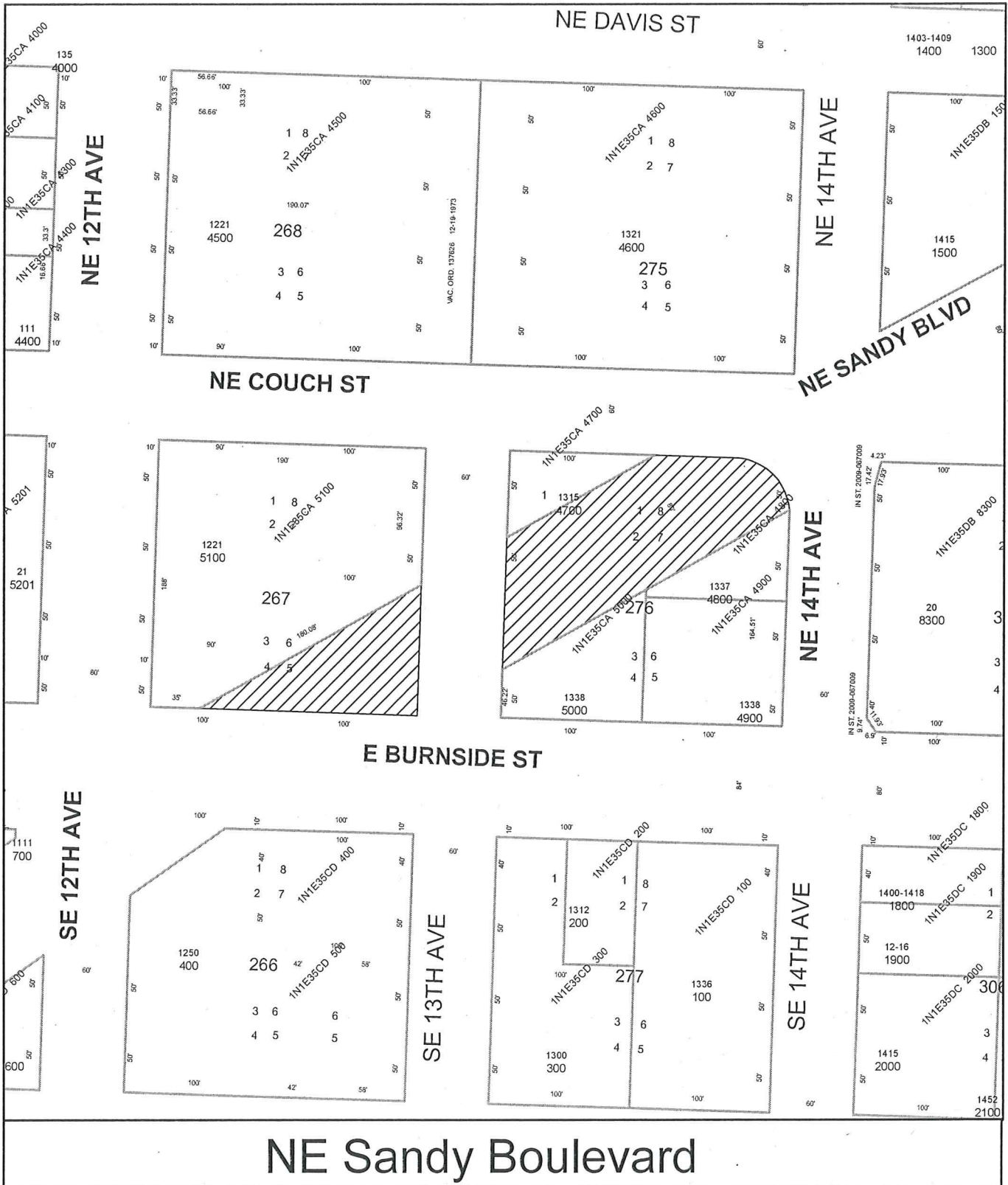
VI. EXHIBITS

1. Area proposed for vacation
2. Page from the Burnside Transportation and Urban Design Plan
3. Letter of support from Kerns Neighborhood Association.
4. Aerial Photo of area with traffic circulation
5. Street view of proposed vacation area

Bureau of Transportation Staff Planner
Grant Morehead, AICP
503/823-9707
Grant.Morehead@portlandoregon.gov

cc:
Lance Lindahl, Right-of-Way Case Manager
Case File

EXHIBIT 1



NE Sandy Boulevard

Petitioner: Weston Investment Co., LLC

 Area Proposed for Vacation

State ID: 1N1E35CA 1/4 Section: 3031



1 in = 100 ft

Lower East Burnside

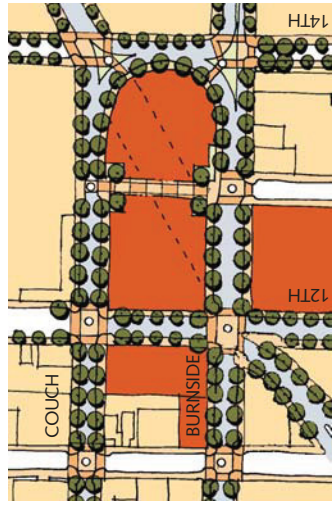
Exhibit 2

12th/Sandy/Burnside



View looking west toward new “signature architecture” concept at NE 14th, Sandy and Couch reinforces the identity of the Central City and Central Eastside Gateway.

Two new city blocks emerge by reconfiguring the East 12th, Sandy and Burnside intersection. This would create an opportunity for new development highlighting the Central City’s Gateway to the Central Eastside. These new blocks would also provide an opportunity for “signature architecture” and could stimulate additional employment based development to the Central Eastside District and the Central City.



Two new blocks are formed by eliminating Sandy Boulevard between 14th and 12th.



Concept showing new development at NE 12th and Sandy which would add jobs, create a special identity for the Central Eastside and potentially stimulate adjacent development projects.

Lindahl, Lance

From: Steve Russell <steve@steelbridgerealty.com>
Sent: Friday, July 17, 2015 3:17 PM
To: Lindahl, Lance
Subject: Street Vacation Request - NE Sandy Blvd.

Hi Lance,

I received the notice you sent re: the Sandy Blvd. street vacation and the Neighborhood Association does not have any objection to the request.

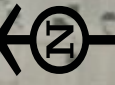
Could you also change the mailing address for future notices, this notice was sent to our PO Box 13350, which only gets picked up once per month at best. That often does not provide enough time to respond with comments or concerns.

Future mailings should be sent to me at the following address:

Steve Russell
Kerns Neighborhood Association
Land Use Chair
623 NE 23rd Avenue
Portland, OR 97232

Thanks for your help.

Steve Russell
Kerns Neighborhood Association
Phone: 503-784-8785
Email: steve@steelbridgerealty.com



NE 14th Ave
NE Sandy Blvd

NE 14th Ave

NE Couch St

E Burnside St

NE 12th Ave

SE Sandy Blvd

Exhibit 4



Exhibit 5

