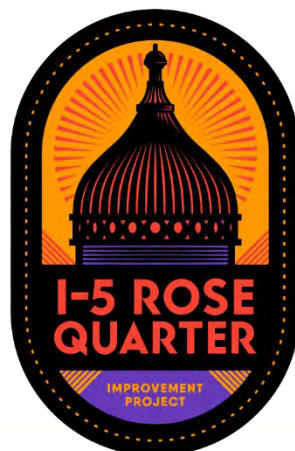


# RIGHT OF WAY SUPPLEMENTAL TECHNICAL REPORT

Oregon Department of Transportation  
June 23, 2022



## Contents

1.0 Introduction .....	2
2.0 Build Alternative Design Changes .....	2
2.1 Design Process .....	2
2.2 Project Area .....	5
2.3 I-5 Mainline Improvements Changes.....	8
2.4 Highway Cover Changes.....	8
2.5 Related Local System Multimodal Improvements Changes .....	10
3.0 Regulatory Framework.....	13
4.0 Methodology and Data Sources.....	13
4.1 Area of Potential Impact.....	13
4.2 Valuation.....	13
5.0 Affected Environment.....	13
6.0 Environmental Consequences.....	13
6.1 No-Build Alternative .....	13
6.1.1 Direct Impacts.....	13
6.1.2 Indirect Impacts.....	13
6.2 Revised Build Alternative.....	14
6.2.1 Short-Term (Construction) Impacts.....	14
6.2.1 Long-Term and Direct Operational Impacts.....	14
6.2.2 Indirect Impacts.....	26
6.3 Cumulative Impacts .....	27
6.4 Conclusion.....	27
7.0 Avoidance, Minimization, and Mitigation Measures.....	27
8.0 Preparers.....	27
9.0 References.....	28

## Tables

Table 1 Estimated ROW Needs.....	24
Table 2 Estimated Affected Parcels.....	24
Table 3 Estimated Displacements of Persons and Property .....	25



Table 4 Estimated Right of Way Costs.....26

## Figures

Figure 1 Hybrid 3 Highway Cover Design Concept ..... 4  
Figure 2 Previous and Current Project Area ..... 7  
Figure 3 Building Parameters on the Cover..... 9  
Figure 4 Local System Multimodal Design Changes ..... 12  
Figure 5 Prosper Portland Parcel at 84 NE Weidler Street, Located at the Corner of NE Weidler Street and the I-5 Northbound Off-ramp ..... 16  
Figure 6 Affected parcels/owners ..... 18  
Figure 7 Parcel Between Broadway Bridge and Steel Bridge on N Interstate Avenue ..... 20  
Figure 8 Affected parcels/owner ..... 22  
Figure 9 Estimated ROW Impacts ..... 23



---

# Executive Summary

This technical report supplements the Revised EA (REA) I-5 Rose Quarter Improvement Project Right of Way Technical Report (ODOT 2019b) with an evaluation of the right of way impacts of the Revised Build Alternative. This Right of Way Supplemental Technical Report concentrates on how the design updates under the Revised Build Alternative would impact Right of Way acquisitions and relocations compared to the No-Build Alternative. This report also includes updates to the estimated cost of right of way using the most recent available data.

Construction impacts of the Revised Build Alternative would be different from the Build Alternative of the REA with additional impacts to some parcels and fewer impacts to others. The Revised Build Alternative would expand the highway cover, increasing the permanent easement impact of some parcels as well as increasing the overall area of temporary construction easements. The Revised Build Alternative would have a reduction in right of way required relative to the Build Alternative because the Revised Build Alternative would not include the Clackamas bicycle/pedestrian overcrossing.

Overall, there has been an increase in the market value of land in the area of the I-5 Rose Quarter project since original estimates were completed for the 2019 Right of Way Technical Report. This increase in land value for commercial and industrial land is accounted for in the new estimate for the value of the land and ranged from 10%-20% of overall cost. The area of impact would increase due to the change in highway cover design and would create two potential new relocations, however the reduction in square footage would require less permanent easements overall. There would be an increase to TCEs needed, and the additional cost is accounted for in the cost estimate. Overall, the increase in market value and cost of additional business tenant relocations would be \$7M.

---

# 1.0 INTRODUCTION

The I-5 Rose Quarter Improvement Project (Project) Environmental Assessment (EA) was released in February 2019. The Federal Highway Administration (FHWA) published a Finding of No Significant Impact (FONSI) and Revised EA (REA) for the Build Alternative on November 6, 2020. Since the issuance of the FONSI, the Oregon Department of Transportation (ODOT) has made changes to the design of the proposed Build Alternative to create a Revised Build Alternative and re-evaluated the changes in the context of the FONSI/REA. At the conclusion of the re-evaluation, FHWA and ODOT agreed that the design changes require additional analyses beyond what was presented in the REA, and FHWA rescinded the FONSI on January 18, 2022. This technical memo supplements the 2019 Right of Way (ROW) Technical Report with an evaluation of the ROW impacts of the Revised Build Alternative compared to the No-Build Alternative and Build Alternative.

## 2.0 BUILD ALTERNATIVE DESIGN CHANGES

Changes to the Build Alternative include modification to the highway cover design and changes associated with advancements in other elements of the project design, some of which require expansion of the Project Area. This section describes the highway cover design changes and design changes that resulted from advancements in project engineering. The evaluation of these changes is presented in Section 6.2 of this supplemental technical report.

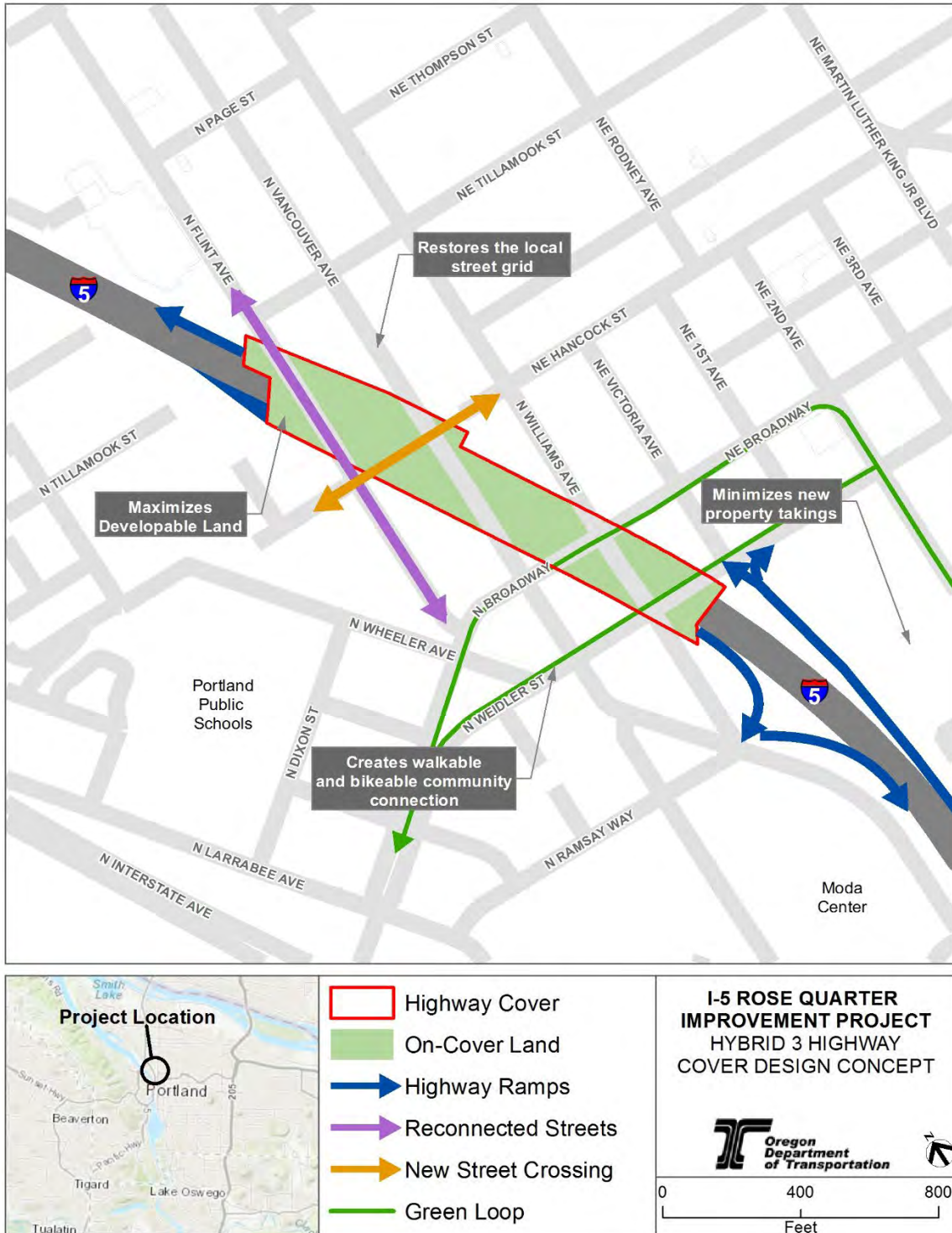
### 2.1 DESIGN PROCESS

Through 2021, ODOT facilitated an Independent Highway Cover Assessment, as directed by the Oregon Transportation Commission, that engaged the Project's advisory committees and community members in a series of collaborative workshops to explore the design opportunities for the highway cover. The purpose of the Independent Highway Cover Assessment was to understand stakeholder goals and objectives within the Project Area, generate potential highway cover scenarios, and assess the impacts and benefits of those scenarios. The Independent Highway Cover Assessment team worked directly with local community members from the historic Albina neighborhood to understand how the highway cover design concepts might best serve the historic Albina community. The Project's Historic Albina Advisory Board (HAAB), Executive Steering Committee (ESC) and the Community Oversight Advisory Board (COAC) also provided input as part of the Independent Highway Cover Assessment process. These sessions explored potential opportunities for economic development in the Albina community and the highway cover design concepts.

---

In July 2021, Oregon Governor Brown convened a series of meetings with Project stakeholders and community organizations to discuss the design concepts developed in the Independent Highway Cover Assessment. In August 2021, the HAAB—as supported by the ESC and the COAC, and through the Governor-led process—recommended “Hybrid 3” as the preferred highway cover design concept (Figure 1). The Hybrid 3 highway cover design concept represents a proposed community solution to maximize developable space on a single highway cover. The Hybrid 3 highway cover design concept maintains the commitment for the Project to create opportunities for the local community to grow wealth through business ownership and long-term career prospects through the Project’s Disadvantaged Business Enterprise and workforce program. Following the community and stakeholder recommendations, in September 2021, the Oregon Transportation Commission directed ODOT to advance further evaluation of the Hybrid 3 highway cover design concept, with conditions related to the Project’s funding process and other technical analyses.

Figure 1 Hybrid 3 Highway Cover Design Concept



Source: Independent Cover Assessment (Independent Cover Assessment Team, 2021)

---

In January 2022, Governor Brown entered into a Letter of Agreement with the City of Portland, Metro, and Multnomah County that demonstrated their shared understanding and collective support for the Hybrid 3 concept as part of the Project. The Letter of Agreement specifically highlights the desire to connect the Lower Albina neighborhood, create buildable space, and enhance wealth-generating opportunities for the community, while simultaneously addressing the area’s transportation needs. Additionally, the Letter of Agreement supports the development of a process to define the future development vision for what could ultimately be built on top of the highway cover upon Project completion – this process is referred to as a Community Framework Agreement. The Letter of Agreement states that the City of Portland will lead a Community Framework Agreement process and that it should be between the City of Portland, ODOT, other state agencies and local jurisdictions as necessary, with the participation of organizations that represent the Albina community and Black residents. Any future real estate or open space development on top of the cover would require executing long-term air rights and lease agreements, and that any such actions or decisions are subject at all times to applicable local, state, and federal laws including but not limited to land use and NEPA processes.

In June 2022, ODOT and the City of Portland executed an Intergovernmental Agreement (IGA), building upon the January 2022 Letter of Agreement. The IGA further states that the City will lead the future highway cover land use, programming and development processes and development of a Community Framework Agreement, in consultation with the ODOT to ensure the highway, local streets and resulting land parcels within the Project are coordinated. As such, ODOT would construct the highway cover as part of the Project and the City of Portland would lead the process to define what is ultimately built on the new land created by the Project’s highway cover. In the IGA, both ODOT and the City agreed that ODOT will retain ownership of the highway cover structure and the new developable area created on the highway cover structure upon Project completion.

The sections below describe the highway cover design changes and the design changes that resulted from advancements in project engineering and are incorporated into the Revised Build Alternative.

## 2.2 PROJECT AREA

The Project Area is defined as the area within which improvements are proposed, including where permanent modifications to adjacent parcels may occur and where potential temporary impacts from construction activities could result. As Project design information advanced, some changes required expansion of the Project Area presented in the REA and FONSI, and in one location the Project Area was reduced (Figure 2). In total, approximately 8.7 acres would be added to the Project Area. The changes are as follows, with letter references to the areas shown in Figure 2:



- 
- A: Utility conflicts with Light Rail Transit along NE Holladay Street between N Interstate Avenue and NE Martin Luther King Jr. Boulevard required expanding the Project Area by 1.9 acres to include additional overhead utility relocations (label A in Figure 2).
  - B: An existing parking lot (known as Aegean Lot) south of N Interstate Avenue and the Broadway Bridge may be used for contractor staging during construction and is added to the Project Area (label B, Figure 2). ODOT identified this 4.3-acre construction staging area for contractor use based on its location, size, and suitability recognizing that, because of the urban setting and high-density land development in the construction area, it would be difficult for a construction contractor to find the space needed near or next to the project work areas for equipment staging, material storage, and the required co-location space for the contractor/construction personnel. This location meets all of the Project requirements: large level open space, proximity to the project work areas, and access for staging/storage of materials and equipment. Any materials stored in the area and site runoff would be subject to the same regulations as required throughout the project site.
  - C: The southern end of the Project Area is expanded by 2.4 acres to include the portion of I-5 south of the Burnside Bridge proposed for a retrofit of the existing bridge rail, restriping the existing freeway, and installation of new guide signs (label C, Figure 2).
  - D: At the northernmost end of the Project Area, a 1.1-acre area of ODOT right of way along the I-5 shoulders is now included in the Project Area for fiber optic conduit (label D, Figure 2).
  - E: In one location, the Project Area was reduced by 1.0 acre. A parking lot west of the intersection of NE Clackamas St and NE 2<sup>nd</sup> Avenue is no longer needed for the Project due to the removal of the Clackamas Bicycle and Pedestrian Crossing (label E, Figure 2).

Figure 2 Previous and Current Project Area.



---

## 2.3 I-5 MAINLINE IMPROVEMENTS CHANGES

The Build Alternative included relocation of the I-5 southbound on-ramp at N Wheeler Avenue to N/NE Weidler Street at N Williams Avenue via the new Weidler/Broadway/Ramsay highway cover, construction of auxiliary lanes and full shoulders (12 feet in width) on I-5 between I-405 and I-84 in both directions, and associated improvements to I-5 through the Project Area. The Revised Build Alternative includes the following changes to those elements of the Build Alternative:

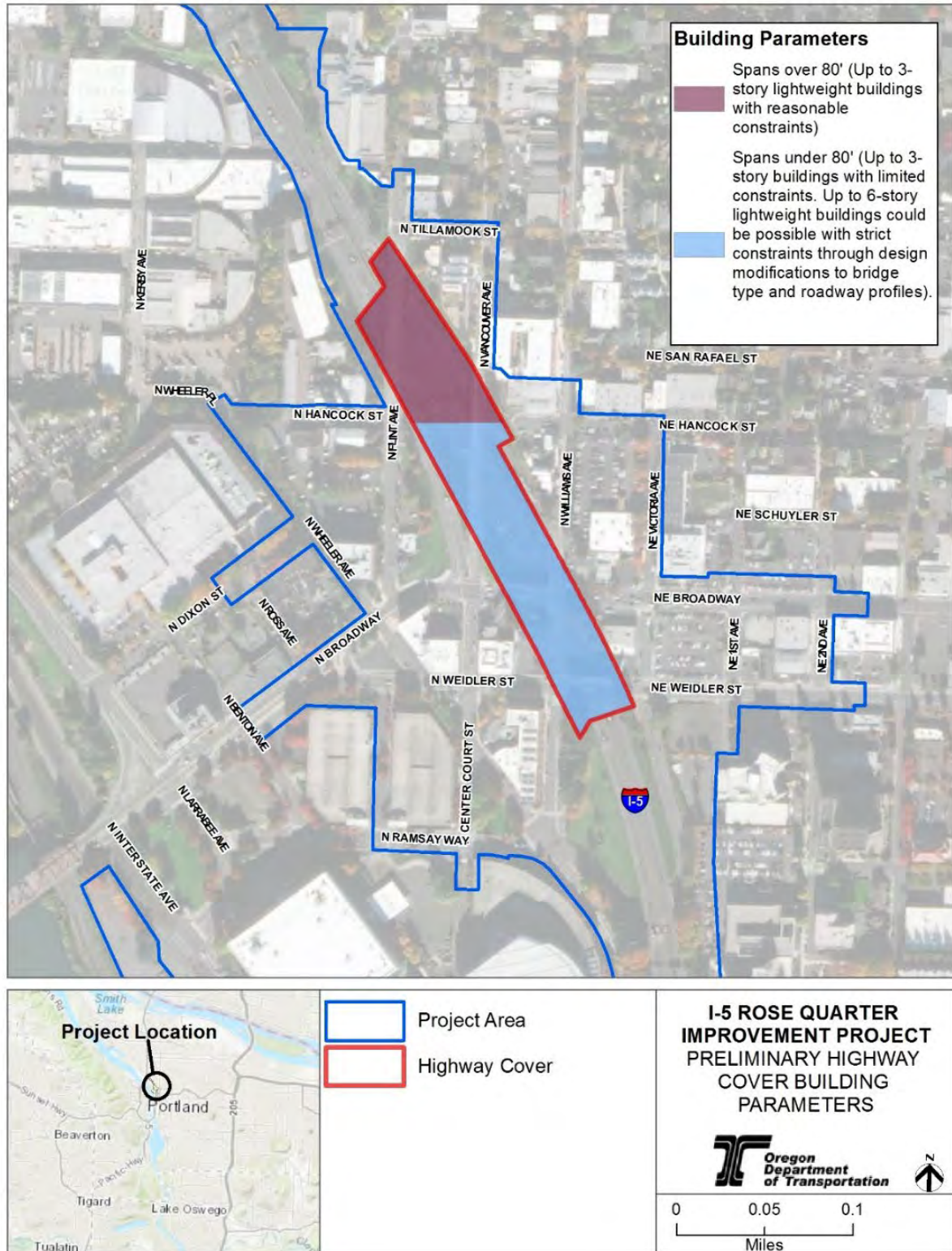
- Move the I-5 southbound exit ramp termini from N Broadway to N Williams Avenue at NE Wheeler Avenue.
- Reduce the freeway median shoulder through the entire Project Area, from 12 feet to 8 feet (4 to 5 feet within highway cover). The outside shoulder width of 12 feet remains unchanged.
- Relocate Noise Wall 24 from N Commercial Avenue near Harriet Tubman Middle School to attach to Walls 1 and 2 along the east edge of I-5.
- Keep the I-5 southbound entrance ramp from NE Wheeler Avenue/N Williams Avenue/N Ramsay Way on the existing alignment rather than relocate it to parallel N Williams Avenue.
- On I-5 south of the Burnside Bridge: retrofit existing bridge rail, restripe freeway in both the NB and SB directions, and install new guide signs on an existing sign structure in the SB direction.

## 2.4 HIGHWAY COVER CHANGES

The Build Alternative included the construction of two highway cover structures over I-5 for roadway crossings and other purposes. The Revised Build Alternative, based on Hybrid 3 (see Figure 1), includes the following changes to the highway covers:

- Provide one continuous highway cover over I-5 rather than separate covers at the existing N Flint Avenue, NE Weidler Street, NE Broadway, N Williams Avenue, and the N Vancouver Avenue overcrossings.
- Expand the limits of the highway cover by approximately 35 feet to the west, and approximately 400 feet to the north.
- Design and construct the highway cover to accommodate multi-story buildings. Due to span length and site constraints, design would constrain building size, location, type, and use on portions of the cover (Figure 3). Generally, buildings up to three stories could be accommodated throughout the highway cover. Buildings of up to six stories could be accommodated where span lengths are shorter than 80 feet with strict design constraints.

Figure 3 Building Parameters on the Cover



---

Future development on the highway cover would follow a community process according to the City-led Community Framework Agreement, as described in Section 2.1. ODOT anticipates this process could continue past completion of cover construction.

As part of the Project, ODOT anticipates programming interim uses on the highway cover for the time period between Project completion and when the City-led development process would be implemented. Upon Project completion, the added surface space created by the highway cover over I-5 could provide an opportunity for new and modern bicycle facilities, making the area more connected, walkable and bike friendly. It could also provide opportunity for various potential types of public spaces, to be precisely determined during the Project's final design phase and through robust community engagement, consisting of one or more of the following types of uses:

- Landscaped areas for active and passive recreation and/or to provide a buffer, backdrop and visual comfort, such as gardens, lawns or planter beds.
- Plazas and hardscaped open space for active and passive recreation, such as courts, plazas, splash pads, picnic areas, and community gathering spaces.
- Interpretive signage, historical markers, landmarks and other areas of historical recognition and narrative such as art pieces and other historical signage/kiosks and pavement focused on the historic Albina community.
- Temporary and lightweight vertical features to support episodic, mobile commercial activities such as a food market shed, eating pavilion, food carts, or picnic venues.

These features may be removed upon implementation of the development determined by the community process or may be incorporated into that development.

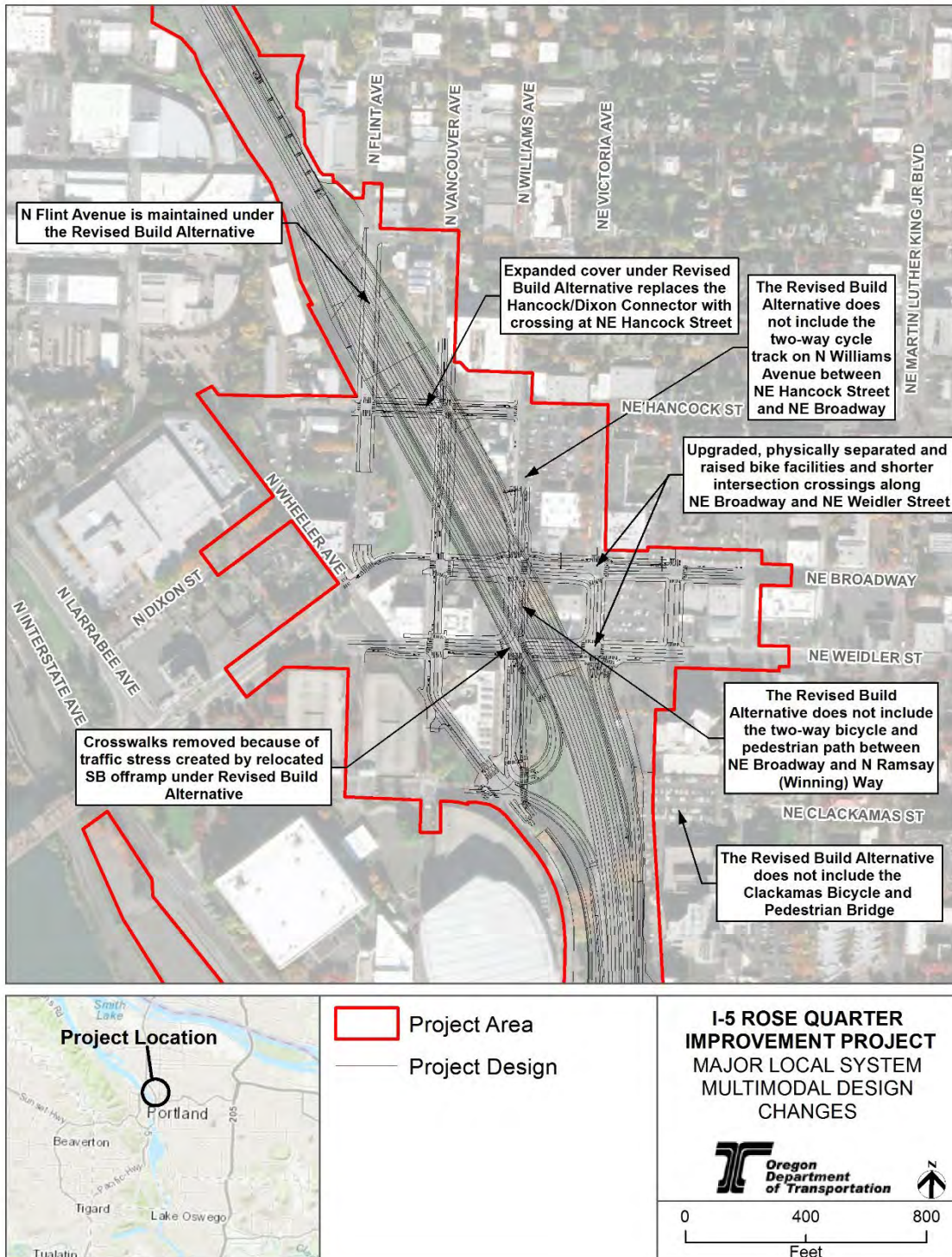
## 2.5 RELATED LOCAL SYSTEM MULTIMODAL IMPROVEMENTS CHANGES

The Build Alternative included construction of a new bicycle and pedestrian bridge over I-5 at NE Clackamas Street and other local street improvements. The Revised Build Alternative includes the following changes to these improvements to accommodate the Hybrid 3 design concept and related changes in traffic patterns (see Figure 4 below):

- Remove the Clackamas Bicycle and Pedestrian Crossing from the Build Alternative.
- Enhance pedestrian and bicycle improvements along NE Broadway and NE Weidler Street.
- Connect N Flint Avenue across I-5 from NE Tillamook Street to N Hancock Street and terminate it at N Broadway.

- 
- Remove the NE Hancock Street overcrossing of I-5, connecting to N Dixon Street. NE Hancock Street would cross I-5 and connect to N Flint Avenue as part of the expanded highway cover.
  - Remove the two-way cycle track on N Williams Avenue between NE Hancock Street and NE Broadway and a two-way bicycle and pedestrian path between NE Broadway and N Ramsay Way and instead convert the on-road bike lane to a protected bike lane, with a transition to the existing on-road bike lane south at or near NE Hancock Street.
  - Close the crosswalk across NE Broadway on the west side of N Williams Avenue and the crosswalk across N Williams Avenue north of NE Weidler Street.

Figure 4 Local System Multimodal Design Changes



---

## 3.0 REGULATORY FRAMEWORK

The regulatory framework is the same as was reported in the 2019 ROW Technical Report, except the ODOT Right of Way Manual used for the analysis was updated in November 2018.

## 4.0 METHODOLOGY AND DATA SOURCES

The methodology and data sources used for this analysis are the same as those used in the 2019 ROW Technical Report.

### 4.1 AREA OF POTENTIAL IMPACT

The Area of Potential Impact for the ROW analysis is the same geography as the Project Area as shown on Figure 2. The changes from the 2019 ROW Technical Report are reflected in Figure 2 (and labeled A through E).

### 4.2 VALUATION

The valuation analysis methodology is the same as the 2019 ROW Technical Report; however, price per square foot land values were updated to 2021-2022 values.

## 5.0 AFFECTED ENVIRONMENT

The affected environment is the same as is reported in the 2019 ROW Technical Report.

## 6.0 ENVIRONMENTAL CONSEQUENCES

### 6.1 NO-BUILD ALTERNATIVE

#### 6.1.1 Direct Impacts

---

As described in the 2019 ROW Technical Report, the No-Build Alternative would not require property acquisition; therefore, there would be no associated ROW impacts or cost.

#### 6.1.2 Indirect Impacts

---

As described in the 2019 ROW Technical Report, the No-Build Alternative could indirectly impact property values and the real estate market due to increasing congestion near the Broadway/Weidler interchanges and continuing safety concerns within the Project Area.



---

## 6.2 REVISED BUILD ALTERNATIVE

### 6.2.1 Short-Term (Construction) Impacts

---

The short-term (construction) impacts of the Build Alternative described in the 2019 ROW Technical Report would not change with the Revised Build Alternative.

### 6.2.1 Long-Term and Direct Operational Impacts

---

The ROW impacts presented in the 2019 ROW Technical Report for the Build Alternative at most locations would not change with the Revised Build Alternative. The following list highlights the major changes in ROW impacts that would occur:

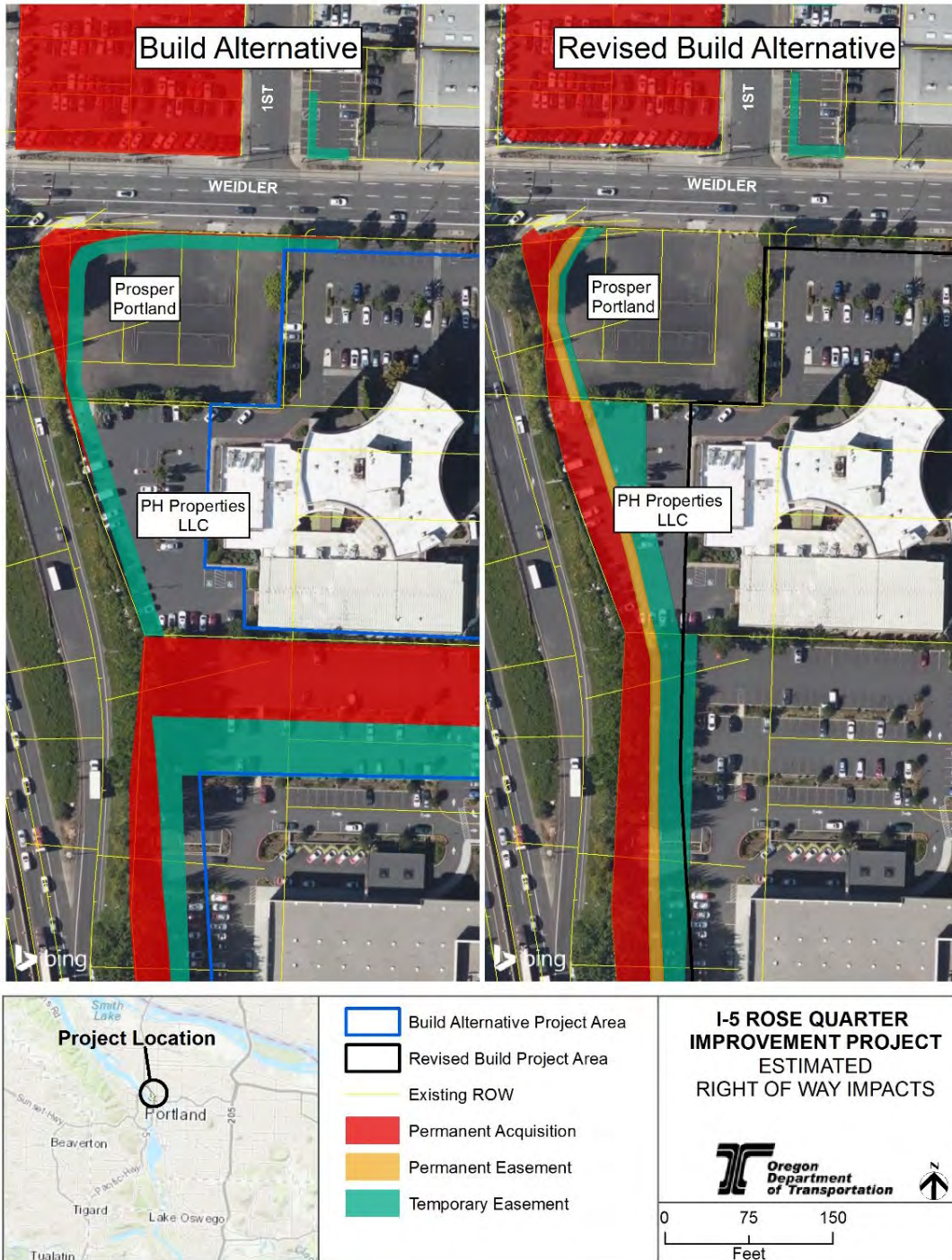
1. Fewer ROW impacts under the Revised Build Alternative to the following parcels:
  - » Union Pacific Railroad Company – The permanent easement needed for the Build Alternative was 7800 sq ft and would be 4,500 sq ft for the Revised Build Alternative. This existing easement offers construction and maintenance access. The Temporary Construction Easement (TCE) was 933 sq ft under the Build Alternative and would be 10,000 sq ft under the Revised Build Alternative.
  - » Day Care Center – The Build Alternative required the relocation of Grandma’s Place Rose Quarter Day Care Center due to acquiring the entire parcel. The Revised Build Alternative would require a 923-sq ft fee acquisition and 2,800-sq ft TCE but no relocation. The 2,800 square feet used for TCE would allow for construction to occur during nighttime construction hours and provide continued access and use of the facility during the day.
  - » City of Portland – There were four acquisitions from City of Portland totaling 25,000 sq ft of TCE in the Build Alternative. The Revised Build Alternative would require acquisition of three parcels and 11,643 sq ft of TCE.
2. Additional ROW impacts under the Revised Build Alternative to the following parcels:
  - » Portland Development Commission (DBA Prosper Portland) – An additional 1,308 sq ft of permanent easement and 1,261 sq ft of TCE would be required from this parcel under the Revised Build Alternative.
  - » Leftbank Annex – The fee acquisition for the Revised Build Alternative would be 1,492 sq ft less than what was required for the Build Alternative. The Revised Build Alternative would require a 5,490 sq ft permanent easement and the Build Alternative required no permanent easement. The TCE for the Revised Build Alternative would be 1,261 sq ft larger than for the Build Alternative and require 5 years rather than 3 years. The duration and size of the TCE under the Revised Build Alternative may require the relocation of a tenant within the Leftbank Annex.

- 
- » Aegean Lot – The Revised Build Alternative would require a 140,000-sq ft TCE from the parking lot owned by Aegean Corp off N Interstate Avenue.
  - » Tillamook Light LLC – The Revised Build Alternative would have an additional 245 sq ft of permanent easement and a reduction of TCE by 1,698 sq ft compared with the Build Alternative. The TCE encompasses all of the parking and impacts their access to storage facility. The Revised Build Alternative improvements to N Hancock Street may create a displaced business due to the size and duration of the TCE.
  - » Portland Public Schools - There would be a reduction from the Build Alternative to the Revised Build Alternative of 1,345 sq ft of fee acquisition and a 201 sq ft reduction of permanent easement from this parcel. There would be an additional 24,427 sq ft of TCE needed at Harriet Tubman Middle School.
  - » PH Properties LLC (Hotel parking) - There would be acquisitions from three parcels owned by PH Properties. The area of fee, permanent easement and TCE would be larger with the Revised Build Alternative compared to the Build Alternative.
  - » Williams Parcels - The Build Alternative required a 467 sq ft fee acquisition and a 1,182 sq ft TCE, whereas the Revised Build Alternative would require a 9,359 sq ft fee acquisition of the entire parcel, which would include the outdoor advertising sign. The current improvement is vacant, and no displacement would be required. Impacts to the outdoor advertising sign was accounted for in the 2019 Right of Way Technical Report.

**Prosper Portland.** The Revised Build Alternative would result in additional temporary and permanent ROW impacts to the Portland Development Commission commercially zoned parcel located at 84 NE Weidler Street, at the corner of NE Weidler Street and the I-5 northbound off ramp, due to a staging area that would expand the area required for construction (Figure 5). A TCE and permanent acquisition were anticipated at this property under the Build Alternative: the area of these fee and permanent easements would increase but the area of TCE would be reduced with the Revised Build Alternative.

Work within the lot located on the south side of NE Weidler Street would impact a non-profit Safe Rest Village leased from Prosper Portland. The occupants would likely be moved to another location on the property or off-site prior to acquisition. If shelters were occupied at the time of acquisition, legal tenancy would be reviewed and ODOT would coordinate with the non-profit organization to avoid any displacements. It's possible that the structures and tenants could be moved "on-site" to an area of the parcel not impacted by the Project, thereby maintaining the current number of shelters on-site. It would depend on the agreements currently in place and whether or not the temporary shelters are still in place at the time of acquisition.

Figure 5 Prosper Portland Parcel at 84 NE Weidler Street, Located at the Corner of NE Weidler Street and the I-5 Northbound Off-ramp.



---

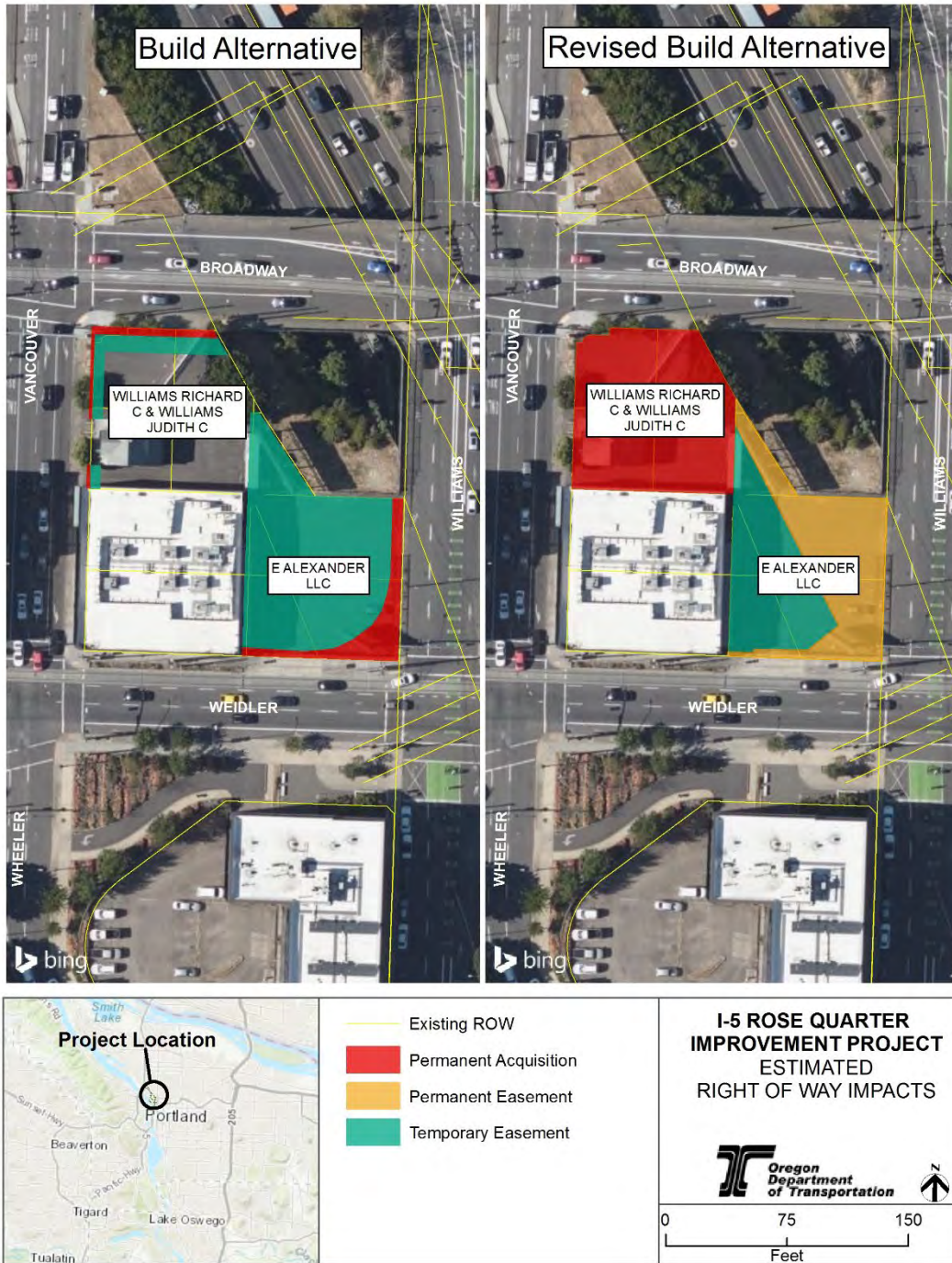
**Legacy Emanuel Hospital.** The Build Alternative required 34,813 sq ft of fee and the Revised Build Alternative would require 14,178 sq ft of fee. It is a reduction of 20,635 sq ft. The Build Alternative required 0 sq ft of permanent easement and the Revised Build Alternative would require 5,078 sq ft of permanent easement. It is an increase of 5,078 sq ft. The Build Alternative required 25,523 sq ft of TCE and the Revised Build Alternative would require 17,980 sq ft of TCE. It is a reduction of 7,543 sq ft.

**Leftbank Annex.** Permanent and temporary impacts to E. Alexander LLC (Leftbank Annex event center) would increase (Figure 6 The expanded highway cover in the Revised Build Alternative would require a larger permanent easement from the parking lot of the event center than the Build Alternative<sup>1</sup>. A TCE may be required on the fenced parking lot adjacent to the building to facilitate the construction of the Revised Build Alternative. This TCE could create a long-term impact to parking and, due to the nature of the tenant business' catering company, could create the need for a tenant-owned business displacement. The 5-year TCE would affect access to event center loading docks and doors. This would create a displacement of the catering company tenant of the building. The parking area is also leased to Moda Center for various events. The contractual obligations of the current owner to their lessee's would further be researched and outlined at the time of the appraisal.

---

<sup>1</sup> There has been a change in ownership on the parcel that combines it with the Leftbank Annex. Both parcels are owned by E Alexander LLC.

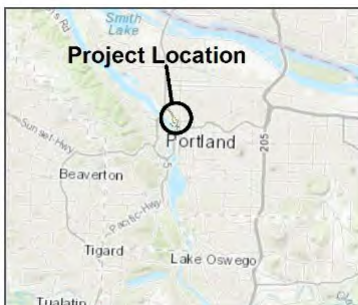
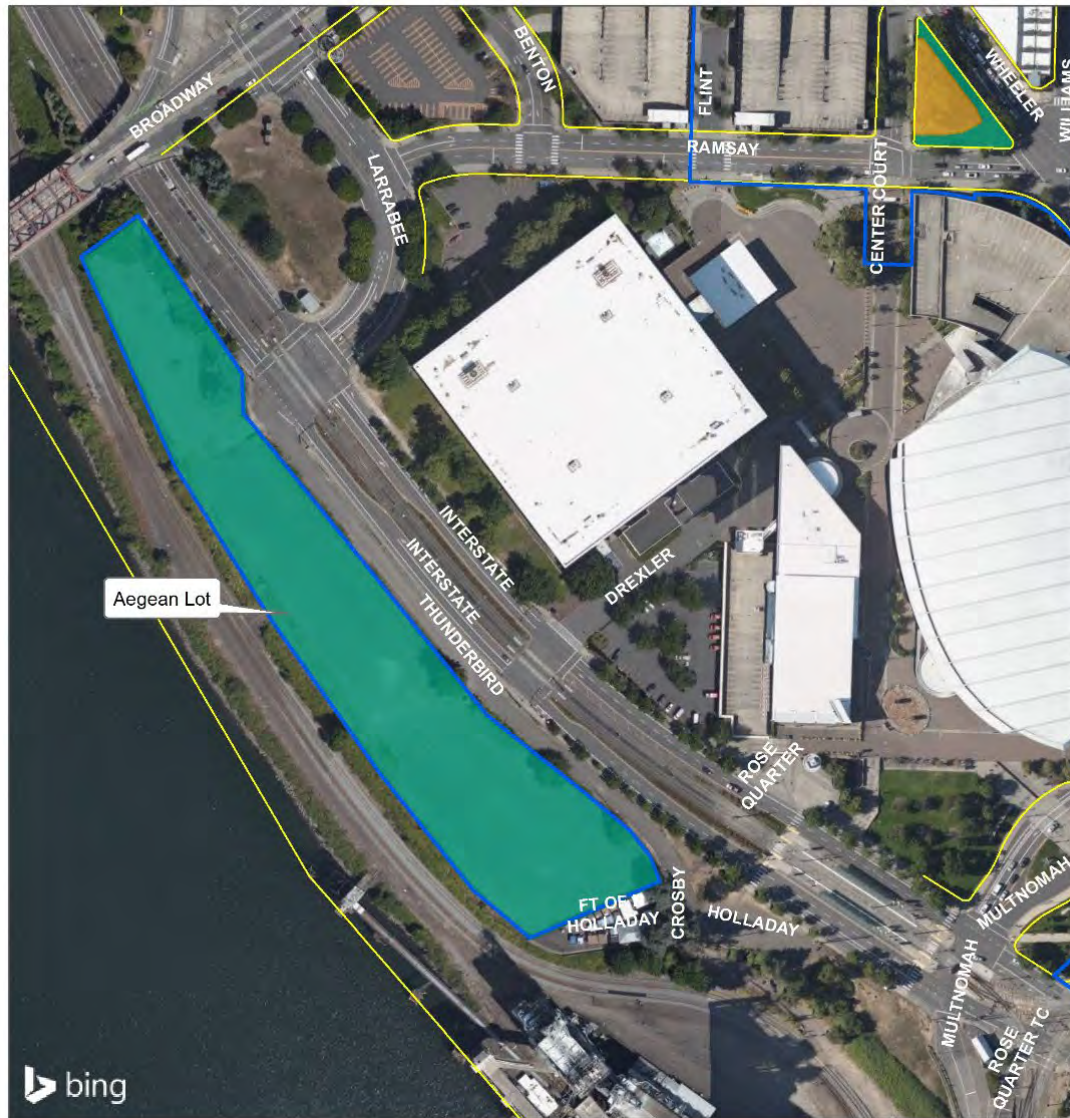
Figure 6 Affected parcels/owners



---

**Aegean Lot.** The paved parking area located between the Broadway Bridge and the Steel bridge off N Interstate Avenue identified for construction staging would require a TCE during construction but would be returned to its original condition post-construction (Figure 7). The TCEs identified for the Build Alternative were not adequate for construction. ODOT identified this construction staging area for contractor use based on its location, size, and availability recognizing that, because of the urban setting and high-density land development in the construction area, it would be difficult for a construction contractor to find the space needed near or next to the project work areas for equipment staging, material storage, and the required space for the contractor/construction personnel. This location would meet all of the Project requirements: large level open space, proximity to the project work areas, and access for staging/storage of materials and equipment.

Figure 7 Parcel Between Broadway Bridge and Steel Bridge on N Interstate Avenue



- Project Area
- Existing ROW
- Permanent Acquisition
- Permanent Easement
- Temporary Easement

**I-5 ROSE QUARTER  
IMPROVEMENT PROJECT  
ESTIMATED  
RIGHT OF WAY IMPACTS**



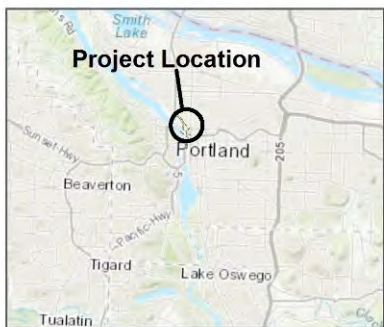
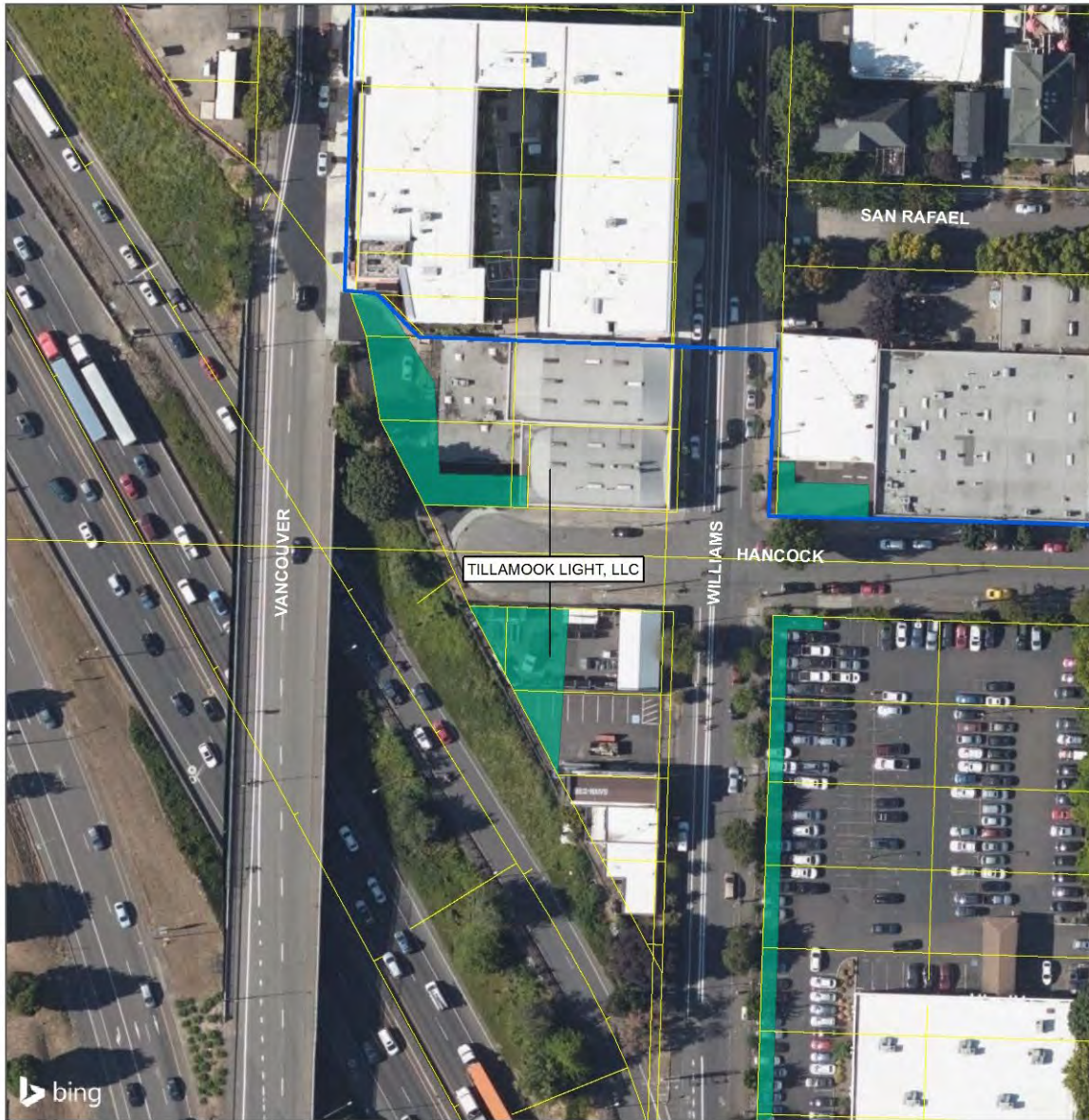
0 0.03 0.06 Miles

---

**Tillamook Light LLC.** The connection of N Hancock Street across I-5 would remove the dead end of N Hancock Street. A plumbing supply tenant, Tillamook Light LLC, currently occupies warehouse spaces on both sides of N Hancock Street (Figure 8) and uses the public right of way to move between the warehouse spaces. The TCEs required to provide construction access would affect this business, i.e., the 5-year TCE would eliminate all of the business parking on north side of N Hancock Street, access to the storage area, and half the space in the storage yard. The impacts to parking and storage create a potential displacement for the tenant. There are no substantial changes from the 2019 ROW Technical Report; however, the TCE would affect business operations and cause displacement. .

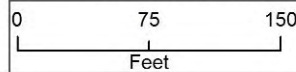


Figure 8 Affected parcels/owner



- Project Area
- Existing ROW
- Permanent Acquisition
- Permanent Easement
- Temporary Easement

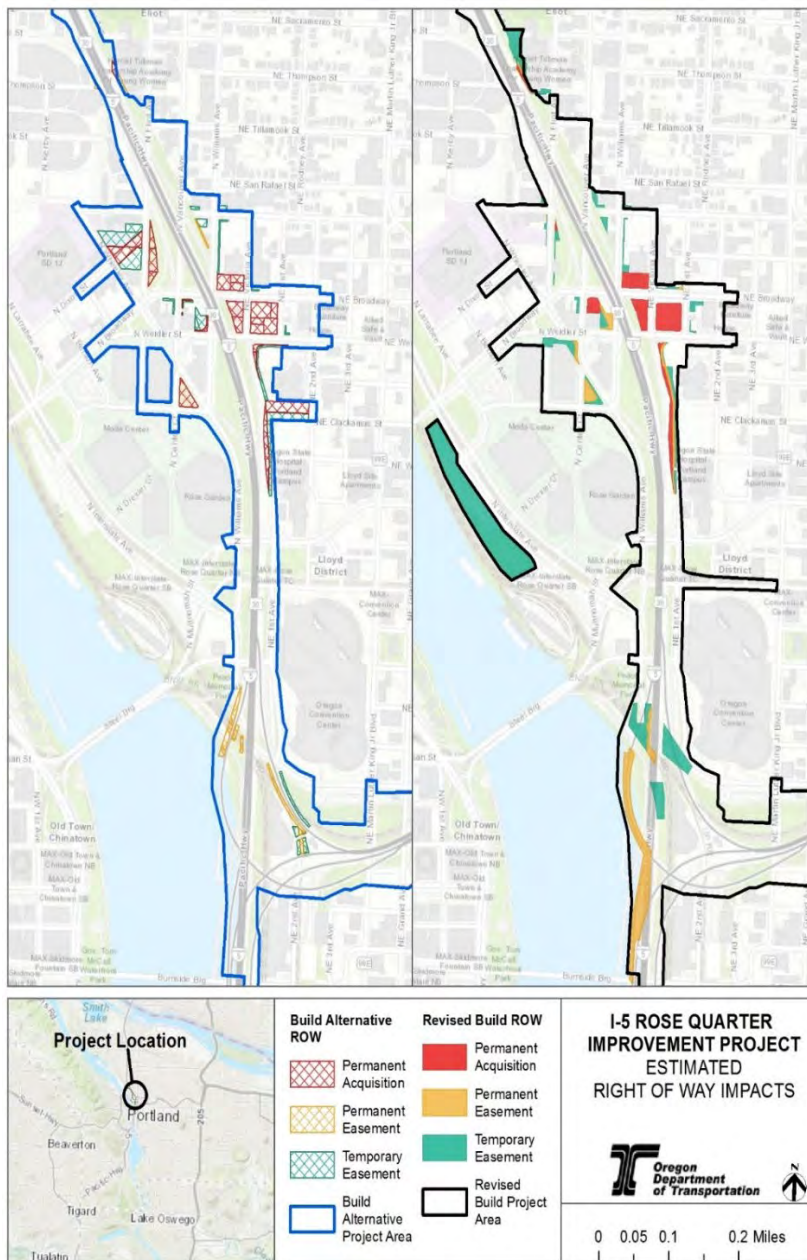
**I-5 ROSE QUARTER  
IMPROVEMENT PROJECT  
ESTIMATED  
RIGHT OF WAY IMPACTS**



**City of Portland:** As identified in Figure 9, this parcel on the south side of Weidler between N Flint Avenue and Vancouver/Center has been added to the Revised Build Alternative and would be an 8,000 sq ft TCE necessary for construction.

**UPRR:** The Build Alternative identified 7,800 sq feet of permanent easement and 933 sq ft of TCE. The Revised Build Alternative would require 4,500 sq ft of permanent easement and 10,000 sq ft of TCE

Figure 9 Estimated ROW Impacts



The Revised Build Alternative would require acquisition of approximately 1.8 acres of ROW area in fee simple, 0.57 acres of permanent easement, and 6.87 acres of TCE (Table 1). The increase in TCE relative to the Build Alternative would mostly be a result of the addition of the 3.21-acre Aegean Lot identified as needed for construction. The remaining additional TCE areas include additional acreage from parcels previously identified in 2019 ROW Technical Report.

Table 1 Estimated ROW Needs

PARCEL TYPE	BUILD ALTERNATIVE (ACRES)	REVISED BUILD ALTERNATIVE (ACRES)	DIFFERENCE (ACRES)
Fee (permanent acquisition)	3.5-4.0	1.8	-1.7-2.2
Permanent Easement	0.5-1.5	0.57	+0.07- (-.93)
Temporary Easement	1.5-2.5	6.87	5.37-4.37

As shown in Table 2, the total number of affected parcels under the Revised Build Alternative would be 33, whereas the Build Alternative would have affected 31. The number of privately-owned properties affected, and the number of partial acquisitions would both be larger under the Revised Build Alternative relative to the Build Alternative, while the publicly owned properties and full site acquisitions would be lower.

Table 2 Estimated Affected Parcels

PARCEL TYPE	BUILD ALTERNATIVE	REVISED BUILD ALTERNATIVE
ROW Files	31	33
Privately Owned	21	27
Publicly Owned	10	6
Full Site Acquisitions	7	4
Partial Acquisitions (Fee, PE, and/or TE)	24	27

Notes: PE = permanent easement; ROW = right-of-way; TE = temporary easement

The total number of potential business displacements would be five under the Revised Build Alternative, compared to four under the Build Alternative (Table 3). Two potential new displacements would include a tenant in the LeftBank Annex event center and a plumbing supply store. There would be no change to personal property-only or residential displacements.

Table 3 Estimated Displacements of Persons and Property

TYPE OF DISPLACEMENT	BUILD ALTERNATIVE	REVISED BUILD ALTERNATIVE
Businesses	4	5
Landlord-Only Business	3	3
Outdoor Advertising Signs	4	4
Personal Property-Only	8	8
Residential	0	0

*Notes: PE = permanent easement; ROW = right-of-way; TE = temporary easement*

These changes would fall within the magnitude of impacts described in the 2019 ROW Technical Report and would be avoided, minimized and mitigated as described in the 2019 ROW Technical Report.

The estimated ROW costs for the Revised Build Alternative would approximately be \$60 million in 2021 dollars (Table 4). The Build Alternative estimated ROW costs were approximately \$50 to \$55 million in 2018 dollars. This estimate includes costs associated with the acquisition of ROW required for construction of the Project. The ROW cost estimates do not include the cost of utility relocation and hazardous material remediation.

Table 4 Estimated Right of Way Costs

LINE ITEM	BUILD ALTERNATIVE (2019\$)	REVISED BUILD ALTERNATIVE (2021\$)
Estimated Land	\$27,692,483	\$31,664,870
Estimated Improvements	\$5,449,800	\$7,171,500
Estimated Damages	\$565,000	\$1,077,000
Estimated Relocation	\$851,000	\$1,908,300
Estimated Demolition	\$465,000	\$505,000
<b>Total Estimated Acquisition Cost</b>	<b>\$35,023,283</b>	<b>\$41,821,670</b>
Estimated ROW Services (Personnel & Expenses)	\$507,000	\$787,000
Contingency	\$17,765,491	\$17,253,188
<b>Grand Total Estimated ROW Cost</b>	<b>\$53,300,000</b>	<b>\$60,386,158</b>

### 6.2.2 Indirect Impacts

Additional changes in design that would reduce the right of way impacts include removal of the N Hancock Street extension to N Dixon Street and removal of the Clackamas Bicycle and Pedestrian Crossing.

Open space on the highway cover may be developed in the future. Ownership of the highway cover structure itself would remain with ODOT for legal and practical purposes. ODOT would determine the appropriate mechanism for maintenance of the structure, whether direct maintenance or through a long-term service contract. Any future real estate or open space development on top of the cover would require the developers to execute long-term air rights and lease agreements, and any such actions or decisions would be subject at all times to applicable local, state, and federal laws, including but not limited to land use and NEPA processes and USC Title 23 and Title VI of the Civil Rights Act requirements.

As an interim measure, ODOT would provide xxx facilities on the highway cover with the completion of construction. This interim cover use would be maintained by ODOT until the future development is initiated under the Community Framework Agreement.

---

## 6.3 CUMULATIVE IMPACTS

Cumulative impacts are anticipated to remain the same as described in the 2019 ROW Technical Report, which include changes in ROW in the Rose Quarter area. No other cumulative impacts are anticipated.

## 6.4 CONCLUSION

Changes to ROW impacts under Revised Build Alternative are summarized as follows:

- The I-5 mainline improvement changes would reduce permanent easement impacts overall.
- The highway cover changes would increase the area of permanent easement needed on the LeftBank Annex event center parcel. The impact to the parking lot adjacent to the event center could affect business operations and the tenant at this location may be eligible for relocation. There would be no structural impacts to buildings. The Revised Build Alternative would eliminate the need for acquisition and relocation of a day care.
- The related local system multimodal changes to N/NE Hancock Street would create the potential of business operations disruption for a plumbing supply store. An appraisal would further determine the extent of possible disruption and the tenant may be eligible for relocation. There would be no structural impacts to buildings. Previously identified ROW for the Hancock-Dixon configuration or the ped/bike bridge would not be required under the Revised Build Alternative.
- The construction contractor would need additional staging area. ODOT would add the Aegean Lot as a TCE.

## 7.0 AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

The avoidance, minimization, and mitigation measures analyzed and implemented are the same as the 2019 ROW Technical Report.

## 8.0 PREPARERS

---

---

## 9.0 REFERENCES

ODOT. 2019. I-5 Rose Quarter Improvements Project Right of Way Technical Report.