



Oregon

Tina Kotek, Governor

Oregon Transportation Commission


Office of the Director, MS 11

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DATE: March 5, 2024

TO: Oregon Transportation Commission



FROM: Kristopher W. Strickler
Director

SUBJECT: Agenda Item N – Urban Mobility Office (UMO) Update

Requested Action:

Receive an update from the Urban Mobility Office on the progress of the I-5 Rose Quarter Improvement Project, and consider approval of a Resolution for an Oregon Department of Transportation (ODOT) and Albina Vision Trust (AVT) partnership related to the project.

Background:

I-5 Rose Quarter Improvement Project

As directed by the 2023 Urban Mobility Strategy Finance Plan confirmed by the Oregon Transportation Commission, ODOT remains committed to working with the Albina community, Historic Albina Advisory Board, and partners to advance the I-5 Rose Quarter Improvement Project. The project is about to achieve the major milestone of completing the Revised Supplemental Environmental Assessment, which includes incorporation of project design refinements that resulted from input received during the 2022/2023 public comment period. An environmental decision document from the Federal Highway Administration is anticipated in March, which will inform next steps in project development.

ODOT is also awaiting an announcement from the US Department of Transportation on the Reconnecting Communities and Neighborhoods grant awards. ODOT, with support from 14 agencies and community organizations, submitted a project grant application in September 2023. The grant request is to complete project design, buy right of way and relocate utilities needed to begin construction, and to construct the project's primary reconnection elements with a focus on the highway cover.

In support of advancing the project, ODOT and Albina Vision Trust have collaboratively prepared a Resolution for the Commission's consideration and approval. Albina Vision Trust was created to steward the vision for the future of lower Albina, achieved non-profit status in 2017, and has demonstrated success and continued momentum for the broader district stewardship and development in Albina. The project includes a highway cover over I-5 that would create new community spaces on top for future development, and also would be expected to have surplus properties that are necessary for project construction but no longer needed upon project completion. There is interest from Albina Vision Trust to explore the future disposition opportunities for these properties and as such, the Resolution's purpose is to define a partnership between ODOT and Albina Vision Trust, focused on establishing and implementing a work plan to jointly explore options for the project's future highway cover governance and ownership of future surplus lands associated with the project.

Outcomes:

With approval from the Commission, ODOT will establish and implement a work plan collaboratively with Albina Vision Trust to jointly explore options for the highway cover governance and future ownership of surplus lands associated with the project, in alignment with the terms of the Resolution.

Without approval, ODOT will not move forward with establishing and implementing a work plan with Albina Vision Trust.

Attachments:

- Attachment 01 – Resolution – I-5 Rose Quarter Improvement Project: ODOT and Albina Vision Trust Partnership

Resolution

I-5 Rose Quarter Improvement Project: ODOT and Albina Vision Trust Partnership

1. **WHEREAS**, the Oregon Transportation Commission (OTC), establishes state transportation policy. The OTC also guides the planning, development and management of a statewide integrated transportation network that provides efficient access, is safe, and enhances Oregon's economy and livability. Although the OTC is not charged with redevelopment, the OTC recognizes that transportation policy can help shape communities; and
2. **WHEREAS**, the OTC recognizes that the original construction of I-5 in the 1960's effectively severed the Lower Albina neighborhood; displaced Albina residents, who were primarily Black families; and created severe generational hardships; the construction of a highway cover would be an opportunity to partially repair such past damage by reconnecting portions of the neighborhood, and such repair is a strongly-desired outcome; and
3. **WHEREAS**, the Albina Vision Trust (AVT) was created to steward the vision for the future of lower Albina and achieved non-profit status in 2017. AVT seeks innovative solutions with a focus on building partnerships. As a nonprofit organization, AVT is positioned to link private interests and public priorities with community values. AVT has been a partner to the Oregon Department of Transportation (ODOT) since 2017 and the driving force behind the AVT Vision - a nationally precedent-setting, 94-acre restorative redevelopment plan for Lower Albina; the largest such initiative in the United States; a holistic, child-centered, district-level plan for the creation and generational sustenance of a diverse, abundant and historically informed zip code in the heart of Portland's central city; and
4. **WHEREAS**, AVT has demonstrated success and continued momentum for the broader district stewardship and development in Albina, including an established resolution from the Portland Public Schools Board of Education granting AVT a right of first offer on its lower Albina Dr. Matthew Prophet Educational Service Center 10.5 acre property (formerly known as the Blanchard Educational Service Center) in 2021, an awarded Reconnecting Communities planning grant in partnership with the City of Portland in 2022, and the groundbreaking and development of Albina One, a 94-unit affordable housing project in Lower Albina in 2023; and
5. **WHEREAS**, the proposed Rose Quarter Improvement Project ("Project") Build Alternative design currently being analyzed through the National Environmental Policy Act (NEPA) process includes: 1) New ramp-to-ramp auxiliary lanes and wider shoulders on I-5 to improve safety and reduce congestion at the state's top traffic bottleneck, 2) A highway cover over I-5 that reconnects local streets and creates new community spaces on top for future development and economic opportunities, 3) Relocation of the I-5 southbound off-ramp from Broadway/Vancouver to the south, connecting with NE

Williams Avenue and NE Weidler Street, 4) Local street improvements including wider paths, accessible curb ramps, better lighting and protected bike lanes for people walking, biking, and rolling, 5) A pedestrian and bicycle bridge that creates a new path over I-5 to connect with the walking and biking network, and 6) A new east-west roadway crossing over I-5 that reconnects Hancock Street, adding another crossing north of Broadway/Weidler; and

6. **WHEREAS**, the OTC strongly supports the Project and AVT's leadership in a restorative redevelopment approach for Albina; and
7. **WHEREAS**, the OTC believes that the Project's Build Alternative, if approved by the Federal Highway Administration (FHWA) through the NEPA process, could restore connectivity in the Lower Albina community and create buildable space and wealth-building opportunities for the community, while simultaneously addressing the area's transportation needs; and
8. **WHEREAS**, the OTC supports the Project's value of restorative justice, defined as restorative justice for the Albina community to accelerate social, racial and economic equity, including sustaining positive tangible change specifically for Portland's Black community, believes this value must inform any redevelopment process associated with the land within the Project area; and
9. **WHEREAS**, the OTC believes the development vision for the highway cover should be guided by members of the Albina community, under the authority of the State and Local Government Partners who have legal responsibility for the development process, and in partnership with other government and community stakeholders. The OTC further believes that this development vision should include wealth-building opportunities for members of the Albina community who live within or were displaced from the Lower Albina neighborhood, which were primarily Black residents and families; and
10. **WHEREAS**, the OTC understands that the Project, if approved by the FHWA, serves as a catalyst to support future redevelopment in Albina and that such redevelopment will require intentional innovation. Through multi-agency and community partnerships, the region is presented with a rare and unique opportunity to position itself as a national leader in transformational, community-driven re-entrification—an opportunity for significant transportation investment dollars to complement and support a comprehensive, long-range strategy to rebuild a community that values children, affordable housing, public spaces, and community wealth-building; and
11. **WHEREAS**, the OTC understands that a work plan between ODOT and AVT will further demonstrate their strong, mutual, and continuing commitment to effective partnerships with each other, with the communities in and previously displaced from the Lower Albina neighborhood, and with the local, state, and federal agencies involved in the Project, understanding 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; and

12. **WHEREAS**, the OTC recognizes that all decisions, actions, or improvements associated with the Project must be executed solely by those entities with the requisite legal and statutory authority and is committed to complying with any applicable state and local government land use and real property disposition rules and laws; that ownership of the highway cover structure itself will remain with ODOT for legal and practical purposes; that ODOT should determine the appropriate mechanism for maintenance of the structure, whether direct maintenance or through a long-term service contract; and that any future real estate or open space development on top of the highway cover would require executing long-term air rights and lease agreements or other appropriate legal arrangements in compliance with applicable law, and that any such actions or decisions are subject at all times to applicable local, state and federal laws; and
13. **WHEREAS**, the OTC recognizes and appreciates that ODOT and AVT are committed to complying with any applicable federal, state and local government environmental and land use laws throughout the Project design, construction, and any subsequent development; and
14. **WHEREAS** the OTC recognizes that the Project is subject to independent review and approval by the FHWA through the NEPA process and any applicable local government review, and any development planning with respect to the Project is contingent on those reviews and approvals.

RESOLUTION

Therefore, be it **RESOLVED** that:

- 1) The OTC values AVT and the efforts to reconnect the Albina community and therefore directs the Director of ODOT, or their designee, to **establish and implement a work plan** collaboratively with AVT to jointly explore options for the highway cover governance and future ownership of surplus lands associated with the Project consistent with the values in this Resolution.
- 2) The objective of the work plan is to determine if AVT can have access and rights to: 1) the future lease(s) and/or easement(s) for developable air rights on the Project's highway cover and 2) ownership and development rights for surplus property associated with the Project, under current law and regulation. As needed, the work plan also will determine what law and regulatory changes are needed to provide AVT with those rights described in Items 1 and 2.
 - a) All such work will unfold within the bounds of applicable laws and regulatory processes; each party will work with its own legal counsel as necessary to support the work.
 - b) Any future legally binding disposition of real property or property rights will be addressed in a separate future agreement or agreements.
 - c) The work plan will identify concrete steps that would need to be taken in order to identify relevant legal and process requirements, including, if applicable, any necessary changes to those requirements.

- d) ODOT will work in partnership with AVT to mutually identify necessary regulatory changes to accomplish the objective, and work together towards mutually-agreed upon regulatory changes as needed.
- e) ODOT and AVT should have a mutually-agreed upon work plan within 60 days of execution of this Resolution.
- f) ODOT will work in good faith with AVT to execute on the work plan to achieve the above mentioned values and objective.