

# REVISED RIGHT OF WAY SUPPLEMENTAL TECHNICAL REPORT

Oregon Department of Transportation  
December 7, 2023



*This page is intentionally left blank.*

## Contents

Executive Summary .....	1
1.0 Introduction .....	2
2.0 Build Alternative Design Changes .....	2
2.1 Design Process .....	2
2.2 Project Area .....	6
2.3 I-5 Mainline Improvements Changes.....	8
2.4 Highway Cover Changes.....	10
2.5 Related Local System Multimodal Improvements Changes .....	13
3.0 Regulatory Framework.....	17
4.0 Methodology and Data Sources.....	17
4.1 Area of Potential Impact.....	17
4.2 Valuation.....	17
5.0 Affected Environment.....	17
6.0 Environmental Consequences.....	17
6.1 No-Build Alternative .....	17
6.1.1 Direct Impacts.....	17
6.1.2 Indirect Impacts.....	17
6.2 Revised Build Alternative.....	18
6.2.1 Short-Term (Construction) Impacts.....	18
6.2.2 Long-Term and Direct Operational Impacts.....	18
6.2.3 Indirect Impacts.....	29
6.3 Cumulative Impacts .....	29
6.4 Conclusion.....	30
7.0 Avoidance, Minimization, and Mitigation Measures.....	30
8.0 Preparers.....	30
9.0 References.....	30

## Tables

Table 1 Estimated ROW Needs.....	27
Table 2 Estimated Affected Parcels.....	27
Table 3 Estimated Displacements of Persons and Property .....	28
Table 4 Estimated Right of Way Costs.....	29

## Figures

Figure 1 Hybrid 3 Highway Cover Design Concept <b>with Ramp Reconfiguration</b> .....	5
Figure 2 Previous and Current Project Area.....	7
<b>Figure 3 I-5 SB Exit Ramp: Traffic Splitting Eastbound from Westbound Traffic</b> .....	9
Figure 4 Building Parameters on the Cover.....	11
Figure 5 Major Local System Multimodal Design Changes .....	14
<b>Figure 6 Design Options for I-5 SB Exit Ramp: Traffic Heading West</b> .....	16
Figure 7 Estimated Right of Way Impacts .....	19
Figure 8 Prosper Portland, PH Properties LLC, and Legacy Emanuel .....	22
Figure 9 Leftbank Annex - Affected Parcels/Owners at N/NE Weidler/ Williams.....	24
Figure 10 Aegean Lot – Affected Parcel on N Interstate Avenue.....	25

---

# Executive Summary

This technical report **presents revisions to the 2022 Right of Way Supplemental Technical Report, which** supplemented 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. **New text inserted since the 2022 Right of Way Supplemental Technical Report is shown in bold text.** 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 area of some parcels as well as increasing the overall area of temporary easements. The Revised Build Alternative would have **an increase in permanent easements and temporary easements but** a reduction in fee acquisition.

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 **and I-5 exit ramp** design and would create two potential new **non-residential** relocations. There would be an increase to **permanent and temporary easement needs**, and the additional cost is accounted for in the cost estimate. Overall, the increase in estimated right of way costs would be **approximately \$17M.**

---

# 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. **ODOT prepared a Transportation Safety Supplemental Technical Report, which was published with the I-5 Rose Quarter Improvement Project Supplemental Environmental Assessment (SEA) on November 15, 2022. In response to public comments received on the SEA, ODOT refined the design of the Revised Build Alternative. This Revised Transportation Safety Supplemental Technical Report reflects changes to the evaluation of the Transportation Safety impacts based on those design refinements, which are described below in Section 2.0. All updated information is shown in bold text.**

## 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 **and comments on the SEA**. 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 **partner** goals and objectives within the Project Area, generate potential highway cover scenarios, and assess the impacts and benefits of these 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 **partners** 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 **partner** 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.

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

---

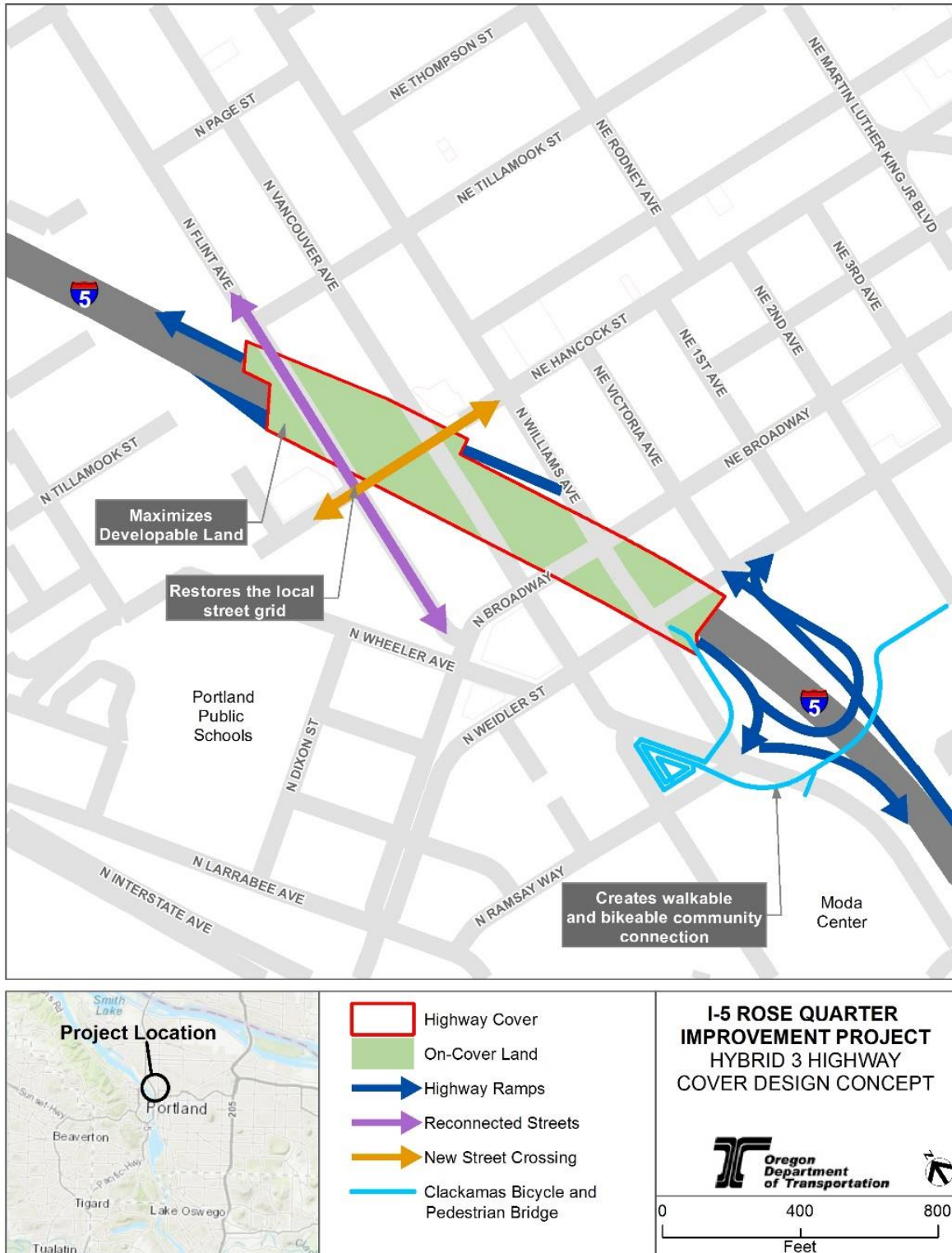
the highway, local streets and resulting land parcels within the Project are coordinated. As such, ODOT would construct the highway cover as part of the Project and the City of Portland would lead the process to define what is ultimately built on the new land created by the Project's highway cover. In 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.

**FHWA and ODOT released the I-5 Rose Quarter Improvement SEA on November 15, 2022. In response to comments on the SEA, ODOT refined the design of the Revised Build Alternative.**

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



Figure 1 Hybrid 3 Highway Cover Design Concept with Ramp Reconfiguration



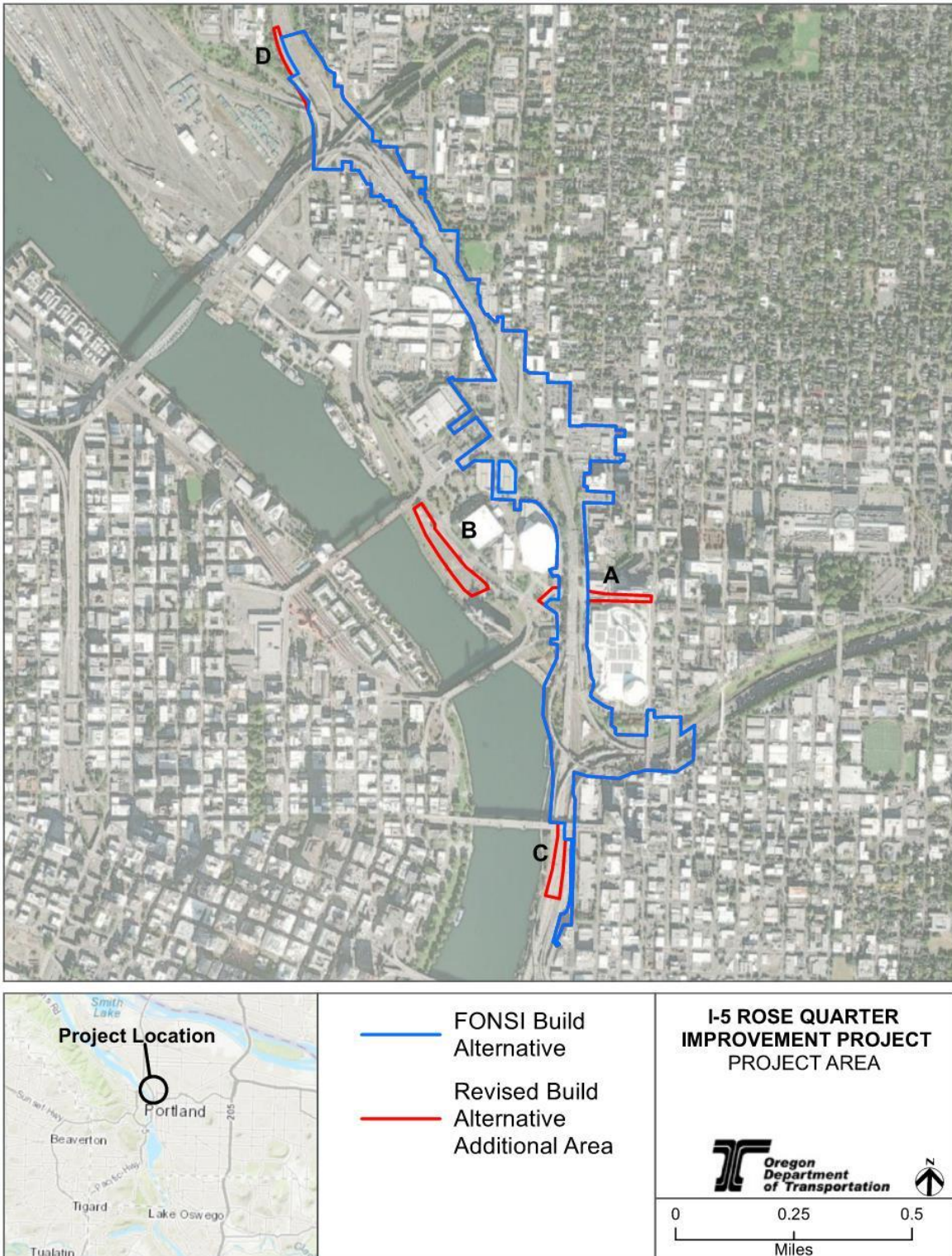
---

## 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. 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 (LRT) 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).

Figure 2 Previous and Current Project Area.



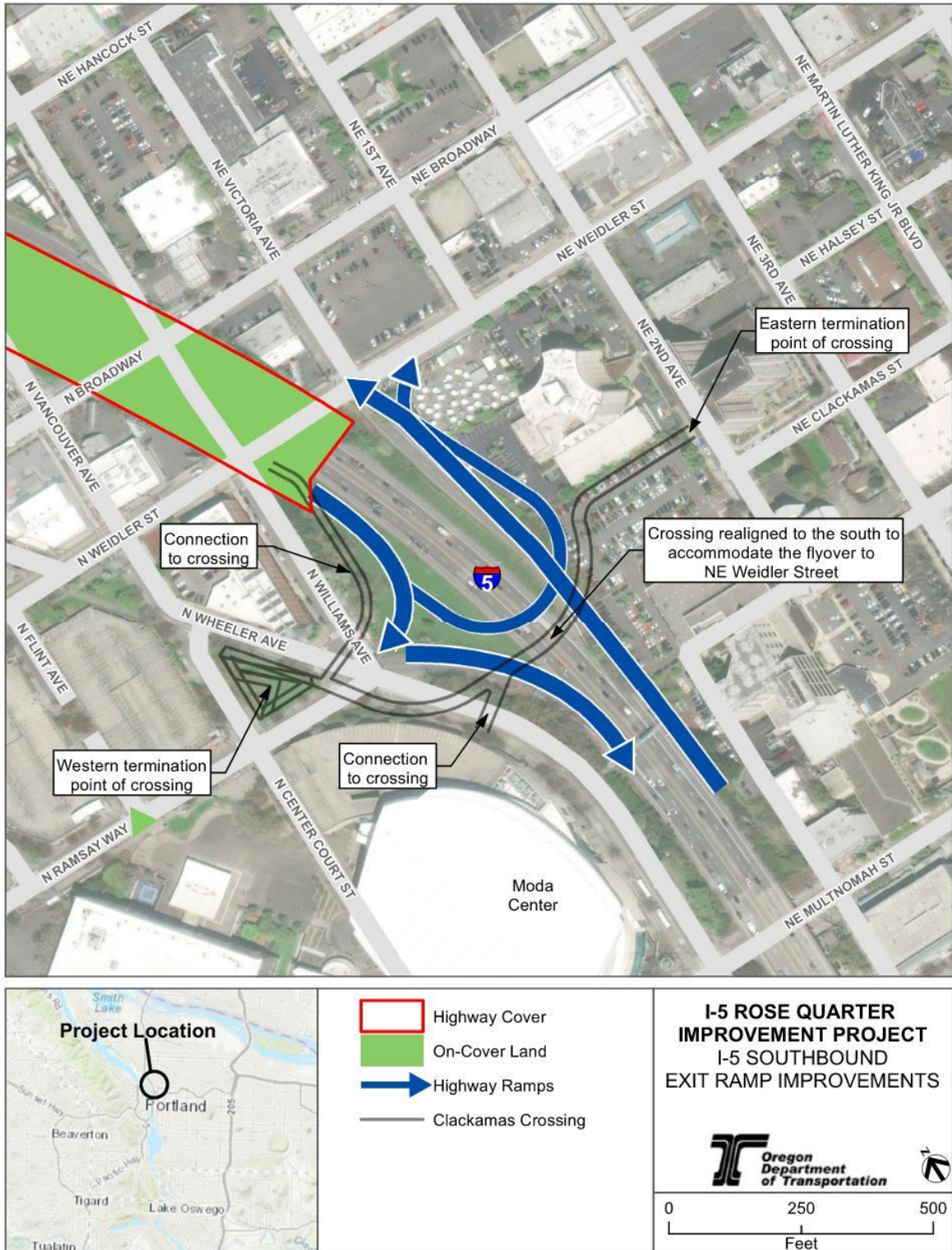
---

## 2.3 I-5 MAINLINE IMPROVEMENTS CHANGES

The Build Alternative included relocation of the I-5 southbound **entrance** 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 Wheeler Avenue/ N Williams Avenue/N Ramsay Way (westbound) **and NE Weidler Street (eastbound). The exit ramp would divide westbound traffic from eastbound traffic as seen in Figure 3, with a single lane connection at N Wheeler Avenue/ N Williams Avenue/ N Ramsay Way and single lane bridge (flyover) over I-5 to connect with NE Weidler Street.**
- 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 N 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 northbound and southbound directions, and install new guide signs on an existing sign structure in the southbound direction.

Figure 3 I-5 SB Exit Ramp: Traffic Splitting Eastbound from Westbound Traffic



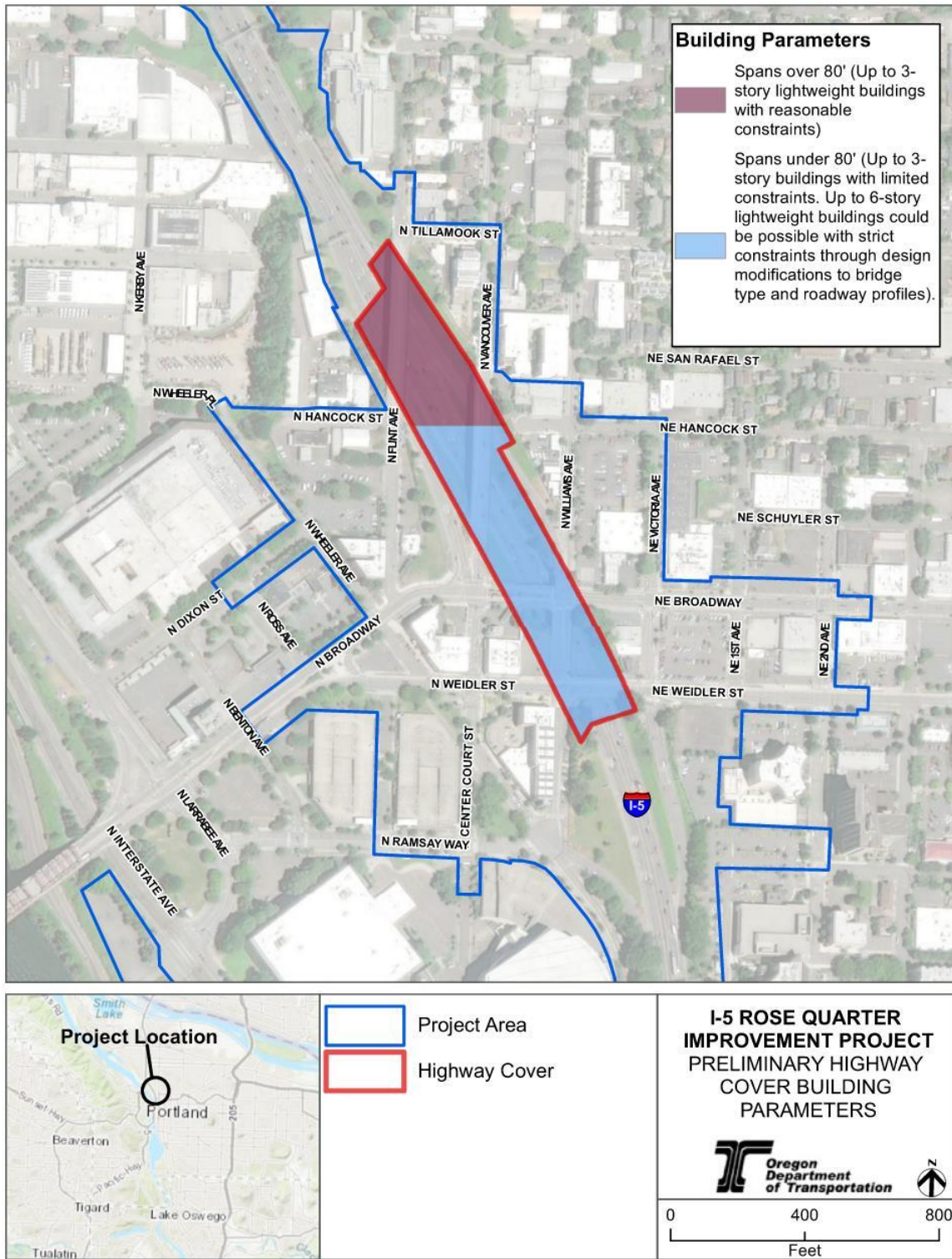
---

## 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 4). 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 4 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 **accessible**, active, and passive recreation and/or to provide a buffer, backdrop and visual comfort, such as gardens, lawns or planter beds.
- **Accessible** plazas and hardscaped open space for active and passive recreation, such as courts, plazas, splash pads, picnic areas, and community gathering spaces.
- **Accessible** 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 **accessible** 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.



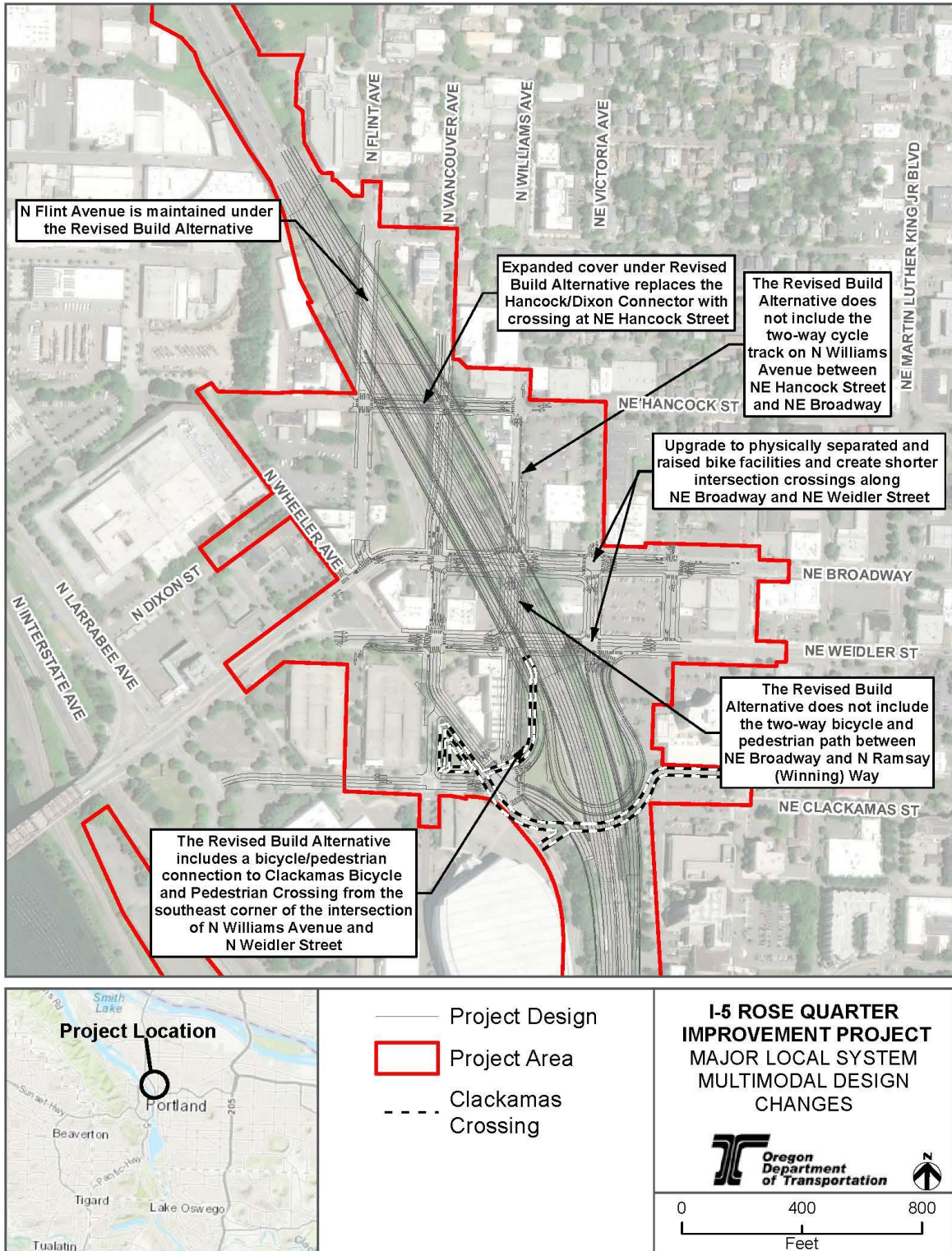
---

## 2.5 RELATED LOCAL SYSTEM MULTIMODAL IMPROVEMENTS CHANGES

The Revised Build Alternative includes the following changes to local system multimodal improvements to accommodate the Hybrid 3 design concept and subsequent design refinements (see Figure 5 below):

- **Construct the accessible Clackamas Bicycle and Pedestrian Crossing (a.k.a. Clackamas Crossing):**
  - » **Realign the crossing to the south to accommodate the flyover to NE Weidler Street**
  - » **Relocate the western termination point of the crossing to the triangle of land framed by N Center Court Street, NE Wheeler Avenue, and N Ramsay Way.**
  - » **Provide the following connections to the crossing (to be confirmed in the final design phase):**
    - / **From the southeast corner of the intersection of N Williams Avenue and N Weidler Street that spans over N Wheeler Avenue and connects to the crossing, and**
    - / **From the Garden Garage, which is attached to the Moda Center**
  - » **Construct wider sidewalks and bike lanes at sidewalk level and physically separated from the roadway with a curb and provide protected bike signal phases at multiple intersections 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 from N Williams Avenue to N Dixon Street as proposed in the Build Alternative. NE Hancock Street would be extended across I-5 and reconnect to NE Hancock Street west of N Flint Avenue as part of the expanded highway cover. Permitted traffic modes and roadway profile to be determined during design.**
- **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 from the design and instead convert the on-road bike lane to a protected bike lane, with a transition to the existing on-road bike lane at or near NE Hancock Street (to be confirmed in the final design phase).**

Figure 5 Major Local System Multimodal Design Changes



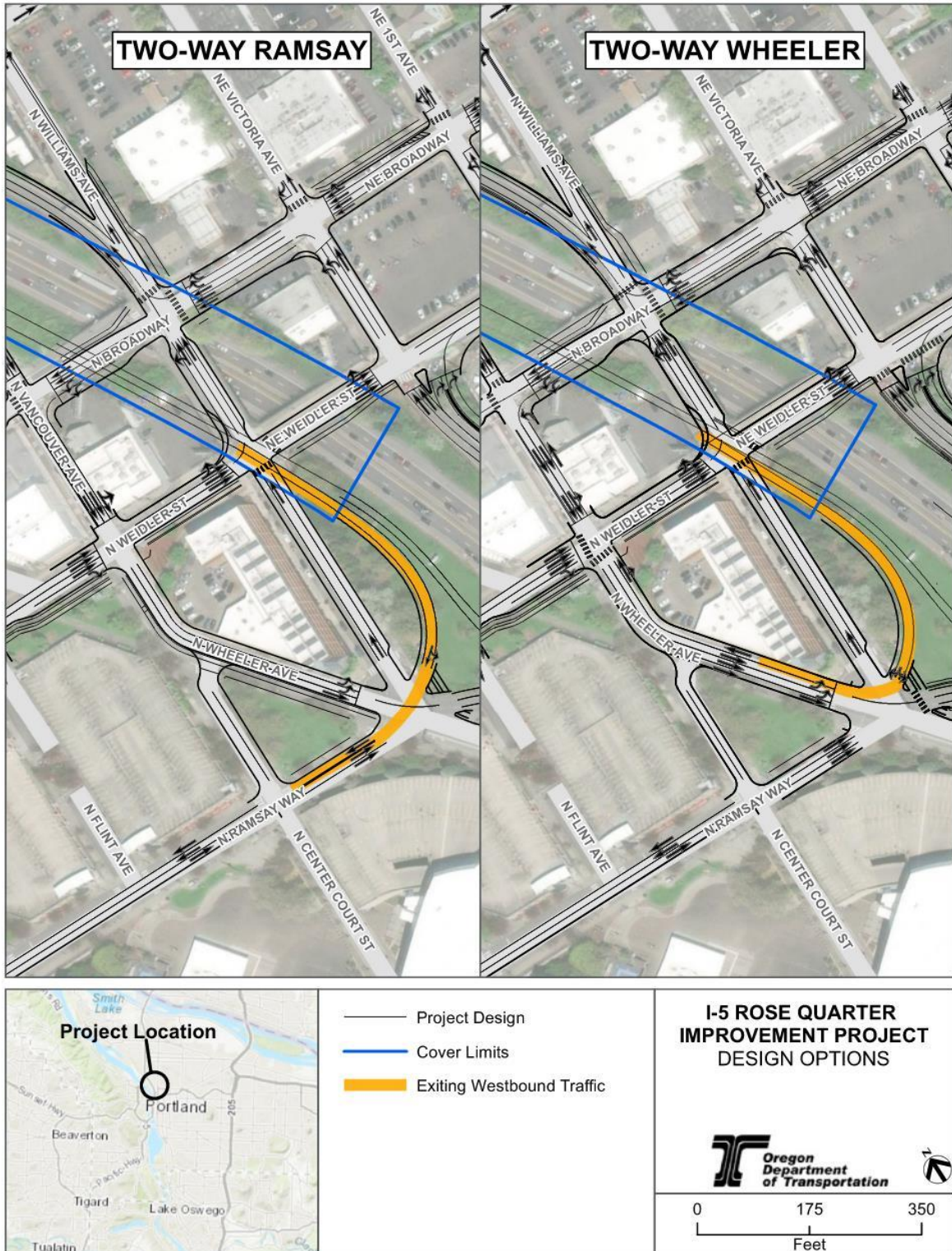
---

To accommodate I-5 southbound traffic exiting at N Wheeler Avenue/ N Williams Avenue/ N Ramsay Way, ODOT is considering two design options, both of which are evaluated in this report (Figure 6):

- **2-way Ramsay Design Option - Convert N Ramsay Way between N Center Court Street and NE Wheeler Avenue from an eastbound one-way facility to a two-way facility.**
- **2-way Wheeler Design Option - Construct a new northbound travel lane on NE Wheeler Avenue between N Broadway and N Ramsay Way and maintain the three existing southbound travel lanes between N Weidler Street and N Ramsay Way.**

Both design options also include a left turn movement from the I-5 southbound exit ramp to southbound N Williams Avenue. This movement was previously accommodated via N Wheeler Avenue/ N Vancouver Avenue between N Broadway and N Ramsay Way.

Figure 6 Design Options for I-5 SB Exit Ramp: Traffic Heading West



---

## 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 right of way 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 D).

### 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 2023 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 right of way 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

---

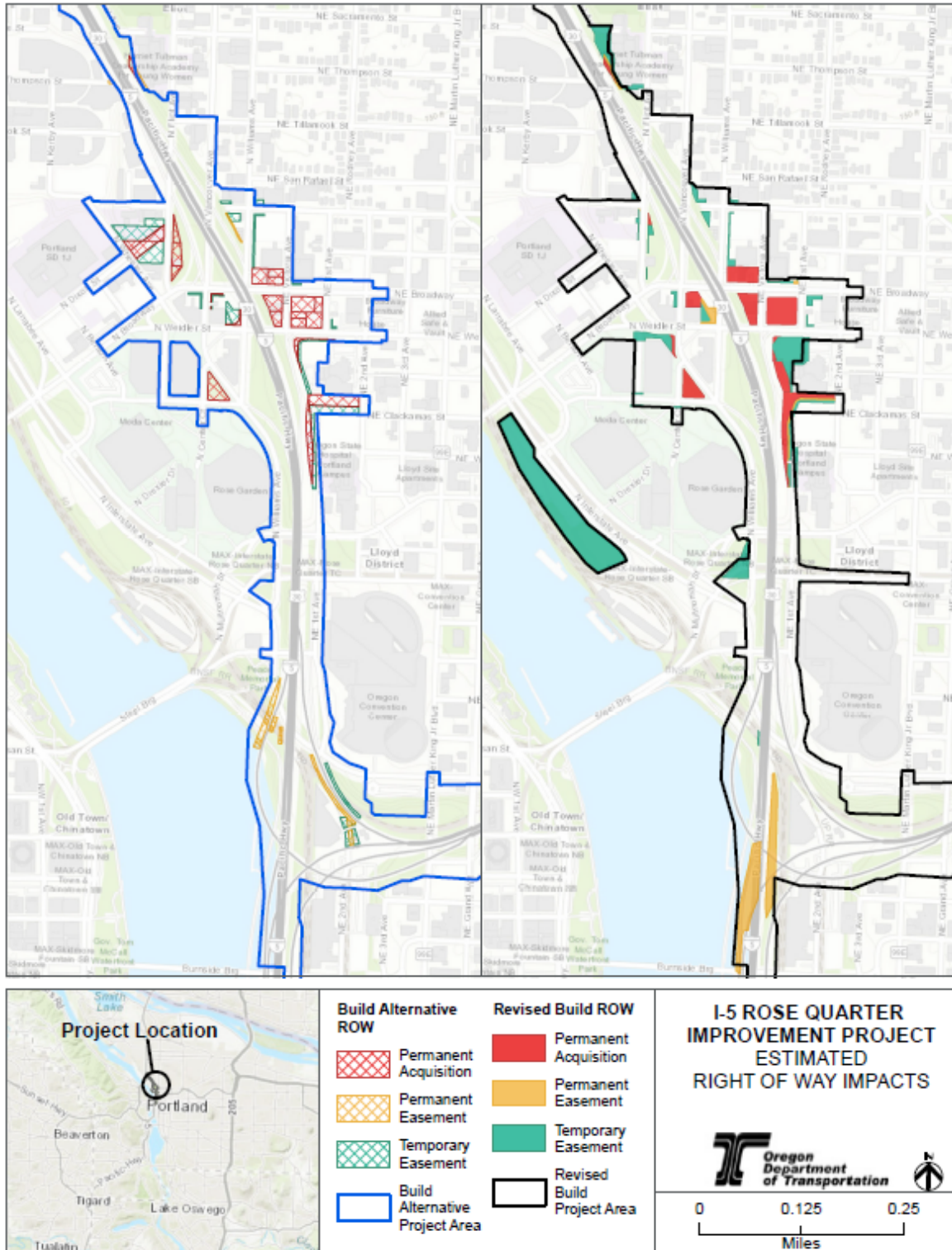
The short-term (construction) impacts of the Build Alternative described in the 2019 ROW Technical Report would not change with the Revised Build Alternative.

### 6.2.2 Long-Term and Direct Operational Impacts

---

The right of way impacts presented in the 2019 ROW Technical Report for the Build Alternative at most locations would not change with the Revised Build Alternative. **A comparison of right of way impacts between the Build Alternative and the Revised Build Alternative is shown in Figure 7.**

Figure 7 Estimated Right of Way Impacts



---

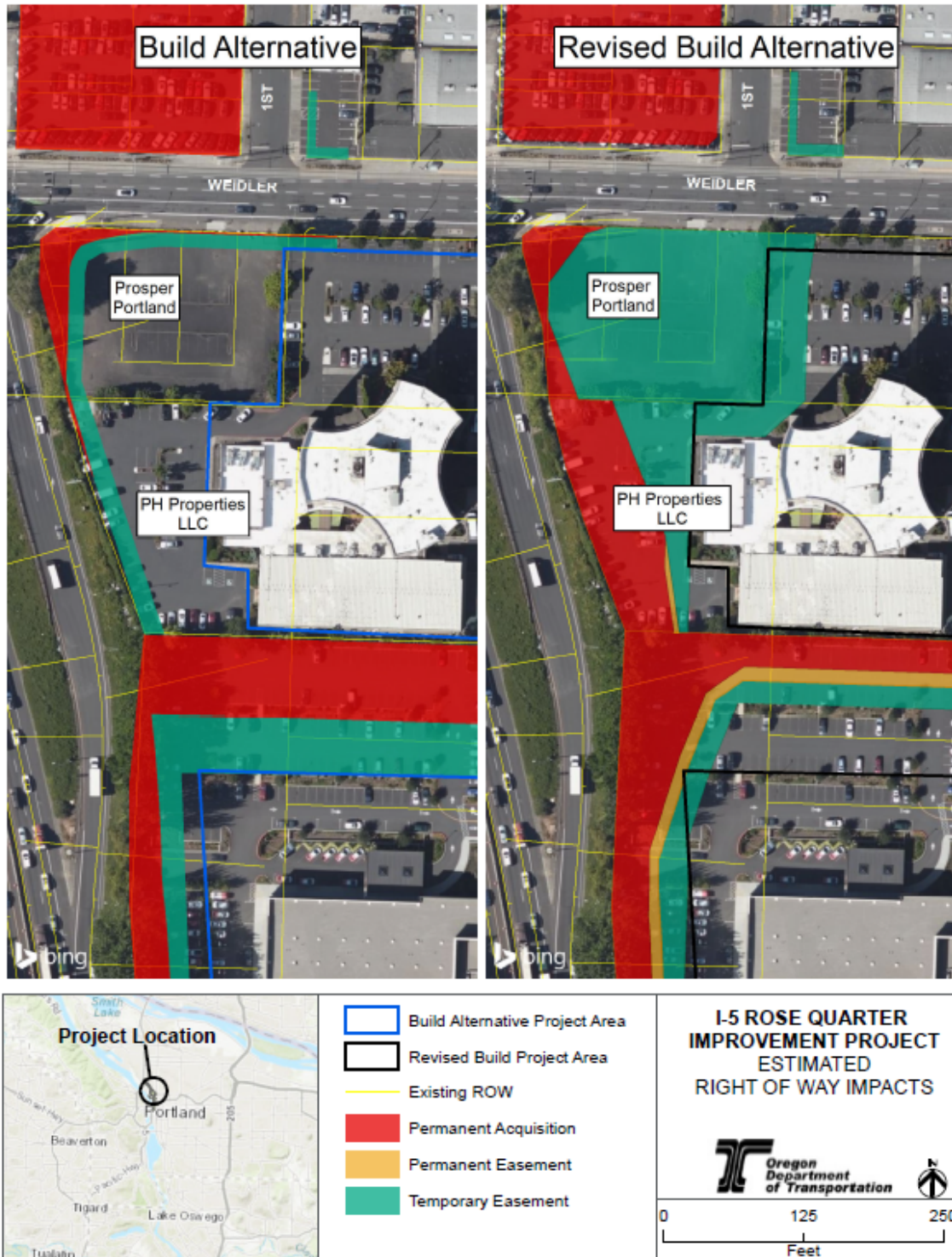
The following list highlights the major changes in right of way impacts that would occur:

1. Fewer right of way impacts under the Revised Build Alternative to the following parcels:
  - » 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-square-foot fee acquisition and a **2,831-square-foot temporary easement (TE)** but no relocation. The 2,831 square feet used for the TE would allow for construction to occur during nighttime construction hours and provide continued access and use of the facility during the day.
  - » Portland Public Schools – **There would be a reduction** from the Build Alternative **relative to the Revised Build Alternative of 1,763 square feet of fee acquisition and a 225-square-foot reduction of permanent easement (PE) from Portland Public Schools parcel.**
2. Additional right of way impacts under the Revised Build Alternative to the following parcels:
  - » Portland Development Commission (DBA Prosper Portland) – The Revised Build Alternative would result in additional temporary and permanent right of way 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 **exit** ramp) due to a staging area that would expand the area required for construction (Figure 8). **An additional 915 square feet of fee acquisition and 23,937 square feet of TE would be required from this parcel under 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. **ODOT will seek to minimize impacts to the Safe Rest Village and will determine eligibility for relocation benefits based on occupancy status at the time that the acquisition offer is made.**
  - » **Portland Public Schools - There would be an additional 15,399 square feet of TE needed at Harriet Tubman Middle School.**
  - » Legacy Emanuel Hospital - The Build Alternative required 34,813 square feet of fee acquisition and the Revised Build Alternative would require **28,122 square feet of fee acquisition**, for a total reduction of **6,691 square feet** (Figure 8). The Build Alternative did not require a **PE** and the Revised Build Alternative would require **8,153 square feet of PE**. The Build Alternative required 25,523 square feet of TE and the Revised Build Alternative would require **29,091 square feet of TE, which is an increase of 3,568 square feet. This increase includes 357 square feet to accommodate the construction of an ADA ramp on N Russell Street.**



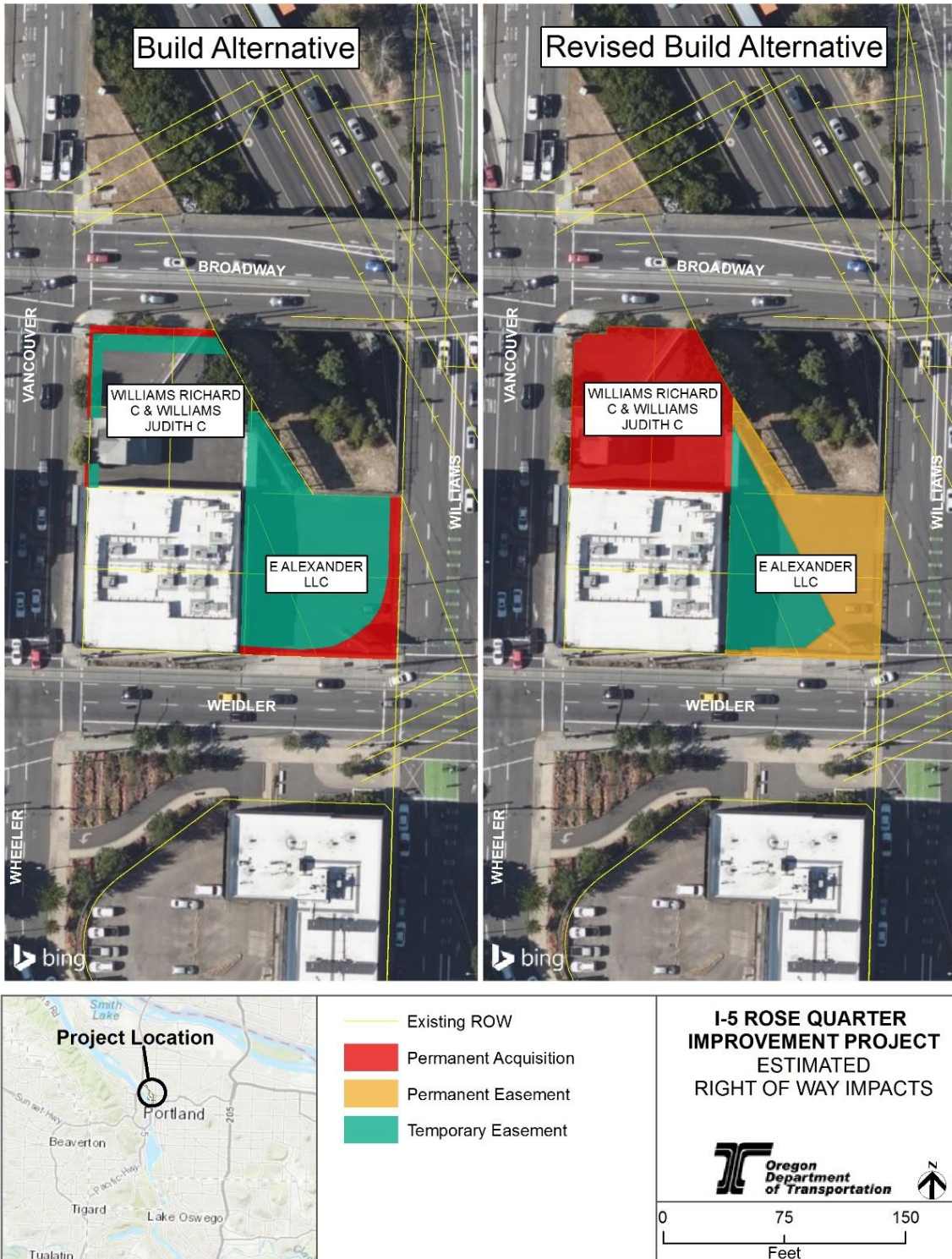
- 
- » **PH Properties, LLC (Hotel parking) – There would be acquisitions from two parcels owned by PH Properties (Figure 8). The area of fee acquisition increased from 1,306 square feet to 13,539 square feet for a total increase of 12,233 square feet. The PE was 0 square feet and increased to 366 square feet. The TE was 4,010 square feet and increased to 28,163 square feet, for an increase of 24,153 square feet.**

Figure 8 Prosper Portland, PH Properties LLC, and Legacy Emanuel



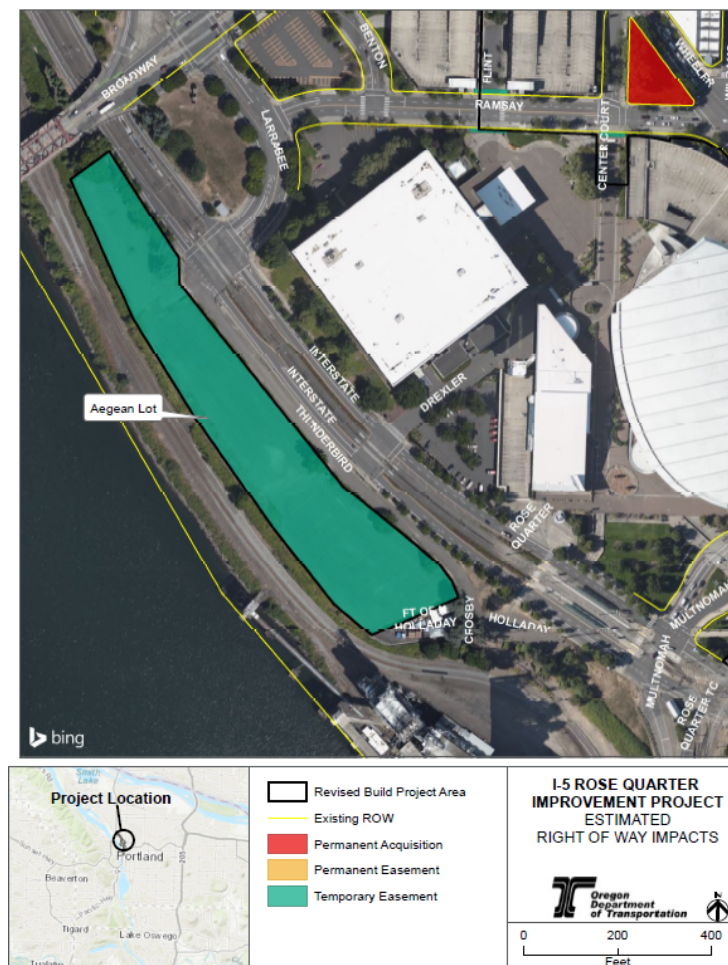
- 
- » **Union Pacific Railroad Company** – The PE needed for the Build Alternative was 7,800 square feet and would be 40,216 square feet for the Revised Build Alternative. This proposed easement offers construction and maintenance access. The TE was 933 square feet under the Build Alternative and would be 899 square feet under the Revised Build Alternative.
  - » **Leftbank Annex (E. Alexander, LLC)** – Permanent and temporary impacts would increase. The Revised Build Alternative would no longer require any fee acquisition (i.e., 1,492 square feet less than what was required for the Build Alternative) but instead would require a 5,490-square-foot PE. The expanded highway cover in the Revised Build Alternative would require a PE from the parking lot of the event center. The TE for the Revised Build Alternative would be 1,394 square feet larger than the TE for the Build Alternative and would be required for 5 years rather than 3 years. A TE may be required on the fenced parking lot adjacent to the building to facilitate the construction of the Revised Build Alternative. This TE 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 TE 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 lessees would further be researched and outlined at the time of the appraisal. See Figure 9 for changes in right of way impacts at this location.
  - » **Williams Parcels** – The Build Alternative required a 467-square-foot fee acquisition and a 1,182-square-foot TE, whereas the Revised Build Alternative would require a 9,379-square-foot 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 were accounted for in the 2019 Right of Way Technical Report.

Figure 9 Leftbank Annex - Affected Parcels/Owners at N/NE Weidler/ Williams



- » **Aegean Lot – The Revised Build Alternative could require a 140,000-square-foot TE from the paved parking lot located between the Broadway and Steel bridges and owned by Aegean Corp off N Interstate Avenue for construction staging (Figure 10). This would be a TE during construction but would be returned to its original condition post-construction. The TEs 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 10 Aegean Lot – Affected Parcel on N Interstate Avenue



- 
- » Tillamook Light, LLC –A plumbing supply tenant, Tillamook Light, LLC, currently occupies warehouse spaces on both sides of N Hancock Street and **takes advantage of the dead-end street and public ROW to move supplies between warehouse spaces. The connection of N Hancock Street across I-5 would remove that street’s dead end. The Revised Build Alternative would have an additional 245 square feet of PE and a reduction of 1,698 square feet of TE compared with the Build Alternative at this location. The TE would encompass all of the parking and affect the tenant’s access to the storage facility;** i.e., the 5-year TE would eliminate all of the business parking on the north side of N Hancock Street, access to the storage area, and half the space in the storage yard. There are no substantial changes from the 2019 ROW Technical Report; however, the TE would affect business operations and **could** cause displacement. **The Revised Build Alternative improvements to N Hancock Street may create a non-residential relocation due to the size and duration of the TE.**
  - » City of Portland – **There were four acquisitions from the City of Portland totaling 25,000 square feet of TE in the Build Alternative. The Revised Build Alternative would require acquisition from 5 parcels which totals 16,236 square feet of fee acquisition and 17,129 square feet of TE, including the addition of 464 square feet of TE from Portland Parks and 1,339 square feet of TE near the Moda Center for driveway reconnections, which are added parcels.**
  - » Stark Street – There is an additional parcel needed to provide access to the right of way under the structures that are being re-constructed, including 870 square feet of PE and 1,394 square feet of TE.
  - » ADA improvements requiring the addition of three TEs from Legacy Emanuel, TriMet, and Metro are accounted for in this report. The additional parcel from Legacy Emanuel is located on N Russell Street and includes 75 square feet of PE and 357 square feet of TE in order to make the crossing ADA compliant. The additional parcel from TriMet is located at NE Wheeler Avenue and includes 19,623 square feet of TE. The third additional acquisition for ADA improvements is from Metro, located at NE 1<sup>st</sup> Avenue and NE Holladay Street, and includes 338 square feet of TE in order to make the curb ramp compliant.

The Revised Build Alternative would require approximately **2.7** acres of ROW area in fee acquisition, **2** acres of PE, and **8** acres of TE (Table 1). **The greatest change between the Build Alternative and the Revised Build Alternative is the additional TE area.** The increase in TE relative to the Build Alternative would mostly be a result of the addition of the 3.21-acre Aegean Lot identified as a potential need for construction. The remaining additional TE areas include additional acreage from parcels previously identified in the 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 to 4.0	<b>2.7</b>	<b>-0.8 to 1.3</b>
Permanent Easement	0.5 to 1.5	<b>2</b>	<b>+1.5 to 0.5</b>
Temporary Easement	1.5 to 2.5	<b>8</b>	<b>+6.5 to 7.5</b>

As shown in Table 2, the total number of affected parcels under the Revised Build Alternative would be **38**, whereas the Build Alternative would have affected 31. The number of **private and publicly** owned properties affected and the number of partial acquisitions would be larger under the Revised Build Alternative relative to the Build Alternative, while the full site acquisitions would be lower.

Table 2 Estimated Affected Parcels

PARCEL TYPE	BUILD ALTERNATIVE	REVISED BUILD ALTERNATIVE
ROW Files	31	<b>38</b>
Privately Owned	21	<b>28</b>
Publicly Owned	10	<b>10</b>
Full Site Acquisitions	7	4
Partial Acquisitions (Fee, PE, and/or TE)	24	<b>34</b>

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

The total number of potential business displacements would be **11** under the Revised Build Alternative, compared to **4** under the Build Alternative (Table 3). Two **additional** new displacements **could potentially** include a tenant in the LeftBank Annex event center and a plumbing supply store. There **may be an additional 40** personal property-only **relocations due to the addition of TE acquisition on the Portland Development Commission parcel. This impact would not result in personal property relocation if the parcel’s lease is not renewed.**

Table 3 Estimated Displacements of Persons and Property

TYPE OF DISPLACEMENT	BUILD ALTERNATIVE	REVISED BUILD ALTERNATIVE
Businesses	4	<b>11</b>
Landlord-Only Business	3	3
Outdoor Advertising Signs	4	4
Personal Property-Only	8	<b>8-48</b>
Residential	0	0

These changes would be avoided, minimized, and mitigated as described in the 2019 ROW Technical Report.

The estimated right of way costs for the Revised Build Alternative would approximately be **\$71** million in 2023 dollars (Table 4). **Accounting for right of way cost increases that may occur between the current year dollars and year of expenditure the estimated cost of right of way acquisition is between \$75 and \$80 million dollars.** The Build Alternative estimated right of way costs were approximately \$50 to \$55 million in 2018 dollars. This estimate includes costs associated with the acquisition of right of way required for construction of the Project. The right of way 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 (2023\$)
Estimated Land	\$27,692,483	<b>\$38,917,868</b>
Estimated Improvements	\$5,449,800	<b>\$8,237,500</b>
Estimated Damages	\$565,000	<b>\$4,028,000</b>
Estimated Relocation	\$851,000	<b>\$1,411,800</b>
Estimated Demolition	\$465,000	\$505,000
<b>Total Estimated Acquisition Cost</b>	<b>\$35,023,283</b>	<b>\$53,100,168</b>
Estimated ROW Services (Personnel & Expenses)	\$507,000	<b>\$925,550</b>
Contingency	\$17,765,491	<b>\$17,013,957</b>
<b>Grand Total Estimated ROW Cost</b>	<b>\$53,300,000</b>	<b>\$71,039,676</b>

### 6.2.3 Indirect Impacts

The highway cover may be developed in the future **as described in Section 2.1**. 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.

The interim **open space use on the cover described in Section 2.4** 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 **increase** permanent **acquisition** impacts overall.
- The highway cover changes would increase the area of **PE** 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 would not be required under the Revised Build Alternative.
- The construction contractor would need additional staging area. ODOT could add the Aegean Lot as a TE.

## 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

NAME	DISCIPLINE	EDUCATION	YEARS OF EXPERIENCE
Leigh Enger	Right of Way	Southern Oregon University	23
Hannah Halpenny	Right of Way	SR/WA and Lewis & Clark College	10

## 9.0 REFERENCES

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