

Authorize agreement with University of Portland establishing conditions and process by which City will remove environmental conservation overlay contingent upon natural resource mitigation by the University of Portland. (Ordinance).



## Background

- **University of Portland identified plans to develop a Gateway Structure**
- **On April 15, 2010, City Council adopted River Plan / North Reach, which applied Environmental Protection and Conservation Overlay Zones to the Bluff**
- **Resolution directed staff to negotiate an agreement with the University for consideration by City Council to remove the environmental conservation overlay zone from a portion of the site (the “Gateway Site”) in exchange for mitigation consistent with what would be required through environmental review.**





## Process

- **August 2010:** The City and the University of Portland signed a contract to begin work on the agreement
- **September 2010:** Site evaluation and development of draft agreement.
- **October 2010:** Refinement of draft agreement. Public outreach via Open House, neighborhood meeting presentation and River Plan News
- **November 2010:** Finalized draft agreement. Continued public engagement



## Mitigation Plan Goals

- **Compensate for impacts to identified natural resources and functions**
- **Restore and enhance remnant Oregon white oak woodland and wildlife corridor connectivity**
- **Establish educational signage to identify the Oregon white oak woodland and explain the historic presence of this unique habitat**
- **Produce a viable plan that will provide long-term enhancement to the Willamette Bluff**







NORTH



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**Mitigation Area Plan**

N.T.S.



## Key elements of Agreement and Gateway Mitigation Plan

- **Gateway Mitigation Plan implementation starting in Spring 2011**
- **The Agreement details implementation schedules including maintenance, monitoring, reporting and long-term protection of mitigation areas, through the year 2063**
- **The City will remove the environmental conservation overlay zone from the Gateway Site and will add new, stricter environmental protection overlay zone over the entire mitigation area**





## Other key items

- This action does not approve any development of the Gateway Site
- Future development would be subject to a Type III land use review to amend the existing campus Conditional Use Master Plan
- University will incorporate sustainable design principles in the future development of the Gateway Site



- **If Council approves the development agreement**, the City and the University of Portland will sign the agreement.
- The University will commence installation of the Gateway Mitigation Plan beginning Spring 2011
- Staff will return to City Council to complete the zone changes at the Gateway Site and Mitigation Plan Areas once all legal proceedings that currently prevent the City from amending the zoning have been resolved.





# CITY/SILTRONIC AGREEMENT

**November 17, 2010**



## Key Milestones

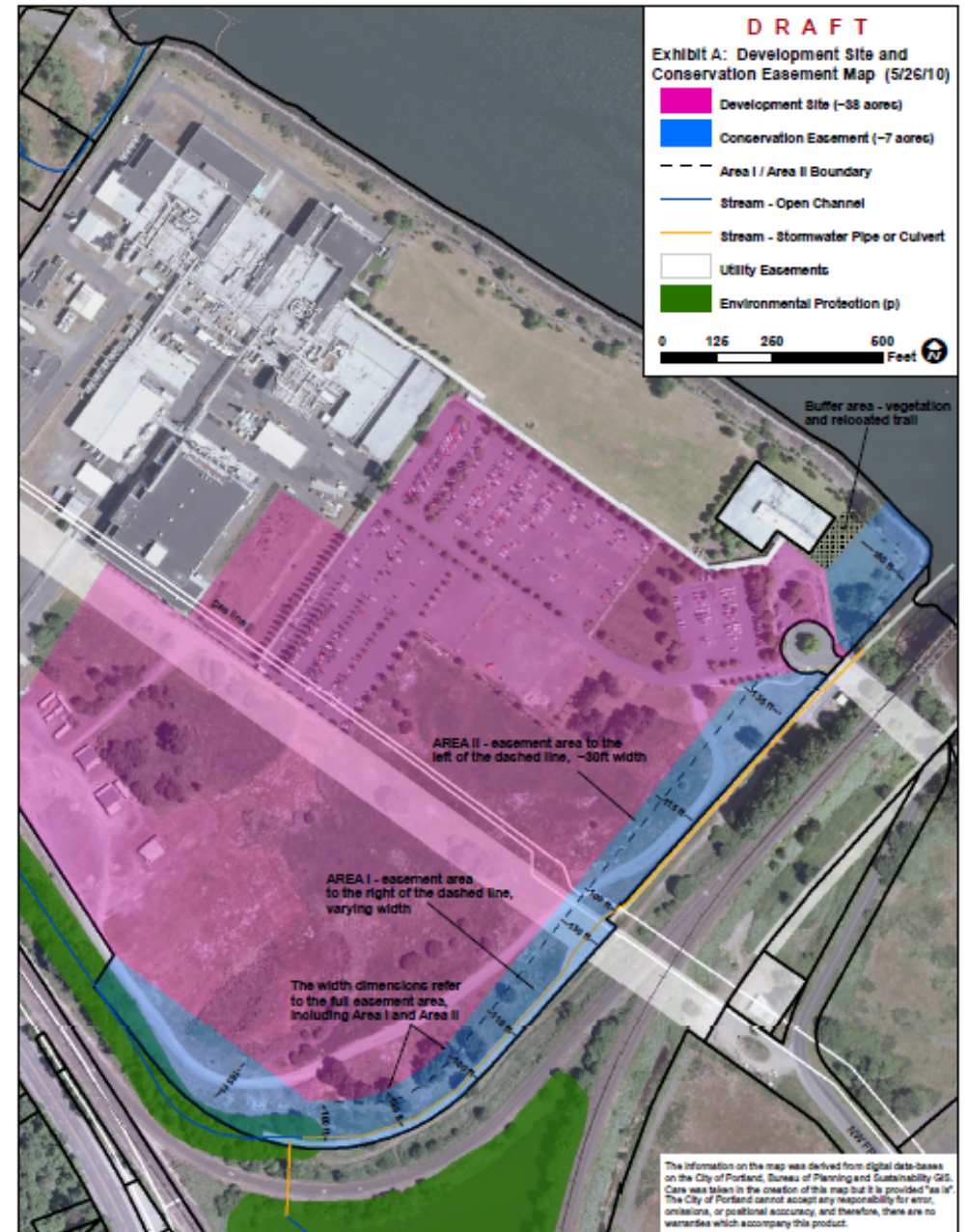
- City Council Resolution adopted (April, 2010)
- Development Agreement approved (June, 2010)





## Basic Agreement

- Siltronic gains a “pre-mitigated” development site and development certainty
- The City gains a conservation easement and opportunity to restore habitat at a key location



The easement outlines what Siltronic cannot do, including:

- Subdivide the easement
- Build permanent structures or roads
- Alter land, water or cause erosion
- Remove trees or other vegetation





Siltronic is allowed certain activities in the easement area prior to, during and after development expansion, including:

- Access to key facilities
- Repair and maintenance
- Storage of construction equipment
- Security and emergency vehicle access



## Other key elements

- Siltronic is required to restore any part of the Easement Area that is disturbed
- The City can conduct restoration at any time in the easement area
- Future construction allowed subject to limitations of the easement.





- ESEE amendments (after the LUBA decision)
- Conceptual restoration plan (BES to develop)

