



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** September 12, 2013  
**To:** Interested Person  
**From:** Kristin Cooper, Land Use Services  
503-823-7547

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 13-184179 AD**

#### **GENERAL INFORMATION**

**Applicant:** David Gray, Interstate Renovation Project Manager  
City Of Portland Water Bureau  
1120 SW 5<sup>th</sup> Ave, Room 600 / Portland OR 97204-1926

**Site Address:** 1900 N INTERSTATE AVE

**Legal Description:** LOT D TL 100, ALBINA; BLOCK 93 LOT 1-7 TL 8700, ALBINA; BLOCK 93 LOT 8 EXC PT IN ST, ALBINA; BLOCK 93 LOT 11 EXC PT IN ST, ALBINA; BLOCK 93 LOT 12-14 EXC PT IN ST LOT 15 EXC PT IN STS, ALBINA; BLOCK 94 TL 200, ALBINA; BLOCK 96 TL 7900, ALBINA; LOT 8-14, DELMER SHAVERS ADD; BLOCK 2 LOT 1 TL 6300, DELMER SHAVERS 2ND

**Tax Account No.:** R009618170, R009618210, R009618290, R009618320, R009618330, R009618370, R009618510, R203800090, R204000100

**State ID No.:** 1N1E27CD 00100, 1N1E27CA 08700, 1N1E27CA 08800, 1N1E27CA 09000, 1N1E27CA 09100, 1N1E27CD 00200, 1N1E27DB 07900, 1N1E27CD 00300, 1N1E27DC 06300

**Quarter Section:** 2829

**Neighborhood:** Eliot, contact Mike Warwick at 503-284-7010.

**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.

**District Coalition:** NE Coalition of Neighborhoods, Shoshana Cohen at 503-388-5004.

**Plan District:** Central City - Lower Albina

**Zoning:** IG1

**Case Type:** AD

**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

#### **Proposal:**

The Portland Water Bureau is undergoing a substantial renovation of its Interstate Facility. The value of the improvements triggered upgrades to nonconforming development on the site, including landscaping, screening and paving. The timing of the upgrades was modified through a land use review adjustment (LU 11-148058 AD), which included a condition of approval requiring removal of English Ivy from a bluff that bisects the eastern portion of the site by

December 31, 2014. Due to the slope of the bluff, the potential instability of the soil and the location of an underground sewer, the Water Bureau is asking to change this requirement. Ivy will be removed and native plants will be installed on areas of the bluff with a lesser slope (less than 1: 1½) and the ivy will be trimmed and maintained over the steeper areas of the bluff (more than 1: 1½). The treatment will begin in 2013 and planting will begin in early 2014. The Water Bureau will maintain and monitor new plantings to ensure they are well-established.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the Adjustment Review approval criteria of Chapter 33.805.040.A-F of the Portland Zoning Code.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on July 25, 2013, and determined to be complete on **August 6, 2013**.

## ANALYSIS

**Site and Vicinity:** The 11-acre Water Bureau site is adjacent to N. Interstate Avenue and N. Larrabee Avenue on the west, N. Tillamook Street on the north, a bluff along the N. Gantenbein Street right-of-way on the east and N. Hancock and N. Wheeler Street on the south. It is the main operations facility for the Water Bureau and contains a water control center, warehouses and exterior storage areas for pipes, valves, heavy equipment and fleet vehicles; repair and calibration facilities; a carpentry shop; administrative offices; emergency response, monitoring and security staff for the site and remote locations; and employee parking.

The majority of the perimeter of the Water Bureau site is surrounded with a chainlink fence with razor wire. Most of the street frontages are also planted with groundcover, shrubs and trees. There is minimal landscaping on the interior of the site, the bulk of which is trees and English Ivy growing on a bluff that bisects the eastern portion of the site from north to south.

The site is adjacent to the Portland Public Schools facility on the south and smaller scale industrial development to the north. The Yellow MAX line runs along N. Interstate Avenue to the west.

**Zoning:** The site is zoned IG1 – General Industrial 1, with a “s” Scenic Resource overlay zone. It is located within the Central City Plan District – Lower Albina Subdistrict. The Water Bureau facility is considered an Industrial Service use and is allowed by right in the IG1 zone.

- The IG1 zone is one of the three zones that implements the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. IG1 areas generally have smaller lots and a grid block pattern.
- The “s” overlay zone is intended to protect Portland’s significant scenic resources. The scenic overlay on this site protects a public viewpoint from Lillis Albina Park and the height of buildings on that portion of the site is limited to 50 feet.
- The Central City plan district implements the Central City Plan and other plans applicable to the Central City area. The district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area.

**Land Use History:** City records indicate that prior land use reviews include the following:

- 11-148058 AD – approval of a 2011 Adjustment Review delaying nonconforming upgrades until December 31, 2016, with conditions.
- 08-125391 PR – 2008 Nonconforming Upgrades Option 2 agreement delaying nonconforming upgrades until July 22, 2011.

- LUR 99-00608 AD – approval of a 1999 adjustment review delaying nonconforming upgrades at the site for three years or for three permits, whichever comes first.
- V 11-76 – 1976 street vacation for segments of N. Hancock Street, N. Benton Avenue, N. Ross Avenue and N. Wheeler Place.
- V 19-62 – 1962 street vacations for portions of N. Wheeler Place and N. Benton Avenue.

**Summary of Applicant’s Statement:** The Water Bureau states that removing the English Ivy from the bluff which bisects the site will make the slope unstable. Stabilizing the slope through other means, such as a retaining wall, is not practical given the expense and the possibility of compromising an underground brick sewer line.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **August 9, 2013**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services;
- Bureau of Transportation Engineering;
- Fire Bureau; and
- Bureau of Parks-Forestry Division.

The Water Bureau responded with the following comment: The Water Bureau has no issues with the requested Adjustment Review for modifications to previous landscaping requirements as described in this LUR. To maintain compliance with City of Portland Title 21.12.070, the Water Bureau will need to consolidate all tax lots for the two property sites noted in this LUR, prior to the Water Bureau signing off on any further building permits. Please see Exhibit E-3 for additional details.

The Site Development Section of BDS responded with the following comment: A geotechnical report will be required at the time of BDS permit that includes recommendations for the design and construction of the proposed improvements. It may be determined that additional geotechnical information is required following our review of the building permit application. Please see Exhibit E-5 for additional details.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on August 9, 2013. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### 33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city’s diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

### 33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F, below, have been met.

- Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

**Findings:** The applicant is requesting an Adjustment to modify a condition of approval from a 2011 Adjustment Review requiring removal of English Ivy from a bluff at the

Interstate Facility by December 31, 2014. English Ivy is listed as a Nuisance Plant on the Portland Plant List and is prohibited in City-required landscaped areas. The bluff at the Interstate Facility is not a City-required landscape area. The removal of ivy was required as mitigation for delaying the additional nonconforming upgrade landscaping and improvements in the parking area on the southern portion of the site.

The purpose for upgrading nonconforming development, as stated in Section 33.258.070.A of the Zoning Code, is as follows:

*This section is primarily aimed at upgrading nonconforming development elements that affect the appearance and impacts of a site. It is not intended to require extensive changes that would be extremely impractical such as moving or lowering buildings.*

The Water Bureau is in the midst of a major phased reconfiguration of its Interstate facility. Much of the redevelopment is already permitted. Upgrades to perimeter and parking lot landscaping will greatly improve the appearance of the site. The landscaping and improvements in the parking area on the southern portion of the site were included in a permit for a new office building issued August 1, 2013. The other main area of landscaping at the site is the ivy-covered bluff. The Water Bureau proposes to remove ivy from portions of the bluff with a slope of less than 1:1½ beginning in 2013 and to replant these areas with native plants in early 2014. The ivy will remain on the portions of the bluff steeper than 1:1½, but will be maintained and trimmed so it does not produce seeds.

Because the landscaping improvements on the southern portion of the site are already under construction and alternative landscaping is proposed where practical, the proposal is consistent with the purpose of nonconforming development upgrades. With a condition ensuring the timing of the planting and maintenance of the bluff, this criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

**Findings:** Because the site is located in a General Industrial zone, it must be demonstrated that the proposal is consistent with the classifications of the adjacent streets and the desired character of the area.

The classifications of the adjacent streets, as identified in the Transportation Element of the Comprehensive Plan, are as follows:

N Interstate Avenue: Regional Transitway/Major Transit Priority street, City Bikeway, City Walkway, Regional Corridor.

N Tillamook Street, N Kerby Street, N Hancock Street, N. Larrabee Avenue and N Wheeler Street: Local Service all modes.

The classifications of the adjacent streets are not relevant to the proposal to modify the condition of approval regarding landscaping from the previous Adjustment Review.

As for being consistent with the desired character of the area, the desired character of an area is established by the purpose statement of the base zone, and any adopted area plans. The site is located in an IG1 zone, which is one of three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial areas. IG1 areas generally have

smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. IG1 areas tend to be the City's older industrial areas.

Policy 18 of the Central City Plan specifies the desired character of the Lower Albina area:

*Strengthen the economic development of the district as an industrial employment area while preserving its historic buildings and providing a connection for pedestrians to the Willamette River.*

*Further:*

- A. Preserve the riverbank for water-dependent industrial uses.*
- B. While providing the cluster of historical buildings along Russell Street, allow a mix of uses which promote the economic health of the district.*
- C. Provide improvements which attract industry to the district, and remove barriers to the movement of industrial goods and equipment.*
- D. Provide a connection for the adjacent neighborhoods to the district and river.*

The renovation project overall will result in a more attractive site with fully landscaped setbacks along the perimeter, more building lines at the street and improved truck/car vehicle separation and circulation. The bluff is interior to the site and is not visible from the perimeter of the site. Because full conformance with nonconforming development upgrade requirements is still proposed at completion of the proposed renovation and alternative landscaping is proposed for the bluff where practical, the Adjustment request equally meets the desired character of the area, and this criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

**Findings:** As only one Adjustment is requested, this criterion is not applicable.

- D.** City-designated scenic resources and historic resources are preserved; and

**Findings:** City-designated scenic resources are identified on the Official Zoning Maps with a lower case "s," and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. A portion of the Water Bureau site is within the scenic resource designation and buildings are limited to 50 feet in height in this area. This Adjustment request is not related to the location or size of any proposed buildings on the site, therefore this criterion is met.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and

**Findings:** Since the 2011 adjustment review, the Water Bureau obtained additional geotechnical information which indicates that the bluff is made up of materials formed by a former riverbank. Removing the English Ivy from the bluff may cause the bank to become unstable. Building a retaining wall to hold the slope would add cost to the redevelopment and could compromise a six-foot diameter, brick-lined sewer at the foot of the slope which serves the site and surrounding businesses.

The Water Bureau proposes to landscape and maintain the bluff in two ways:

- On areas with slope less than 1:1½, the ivy will be treated with herbicides, leaving the stems to retain the soil. The area will then be replanted with native grass seed, 22 small trees and 100 shrubs.
- On areas with slope greater than 1:1½, the ivy will be trimmed at least once per year to keep it from producing seeds.

The herbicide treatment will begin in 2013 in the area with a more gentle slope and replanting will begin in early 2014.

English Ivy is a nuisance species and is prohibited in required landscape areas. Required landscape areas in the IG1 zone include parking, loading and screening areas (a minimum landscape areas is not required in the IG1 zone). With the driveway that currently runs along the length of the bluff being redeveloped as a pedestrian connection, the vegetation in the area is no longer considered required landscaping and is not subject to nonconforming upgrades or the prohibition. The ivy removal was required in the previous adjustment review as mitigation for delaying landscaping improvements on other portions of the site.

Ivy is prohibited in required landscape areas in city to limit its spread. Given the ivy is in a relatively isolated area on the interior of the site and it will be trimmed and maintained without going to seed on the areas where it is to remain on the bluff, the Water Bureau's Invasive Species Coordinator indicates that it would be unlikely to spread from this location. Based on this maintenance and the proposed landscape treatment of the bluff, the applicant has demonstrated it is appropriate to amend the condition of approval from the 2011 adjustment review.

With conditions of approval ensuring the timing of the work and continued monitoring of the new plantings and maintenance of the ivy, this criterion is met.

- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

**Findings:** Environmental overlay zones are designated on the Official Zoning Maps with either a lowercase "p" (Environmental Protection overlay zone) or a "c" (Environmental Conservation overlay zone). As there are no environmental overlay zones mapped on site, this criterion is not applicable.

## **DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## **CONCLUSIONS**

The timing of the Water Bureau's phased redevelopment project and alternative method for maintaining and replanting the bluff on the site will result in a more practical approach to making the overall site more attractive. The end result will still be a site which complies with all city-required nonconforming development upgrades within the timeline established by the 2011 adjustment review.

## **ADMINISTRATIVE DECISION**

Approval of modification to Condition B from LU 11-148058 AD, per the approved site plans, Exhibits C-1 through C-2, signed and dated September 11, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-184179 AD ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. Areas of the ivy-covered bluff on the interior of the site with a slope of less than 1:1½ must be treated with herbicide beginning in 2013, and replanted according to the planting schedule outlined in Exhibit C-2 before December 31, 2014.
- C. The Water Bureau shall monitor and maintain the required plantings for two years to ensure survival and replacement. The Water Bureau is responsible for ongoing survival of required plantings during and beyond the designated two-year monitoring period. Before the permit for the required plantings can be issued, the Water Bureau must obtain a Zoning Permit for a final inspection at the end of the 2-year maintenance and monitoring period. The permit must be finalized no later than 2 years from the final inspection for the installation of planting, for the purpose of ensuring that the required plantings remain. Any required plantings that have not survived must be replaced.
- D. Ivy on areas of the bluff with a slope steeper than 1:1½ must be maintained and trimmed annually to ensure it does not produce seeds.

**Staff Planner: Kristin Cooper**

**Decision rendered by:**  **on September 11, 2013**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: September 12, 2013**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on July 25, 2013, and was determined to be complete on August 6, 2013.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on July 25, 2013.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the

use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 26, 2013**, at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **September 27, 2013**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

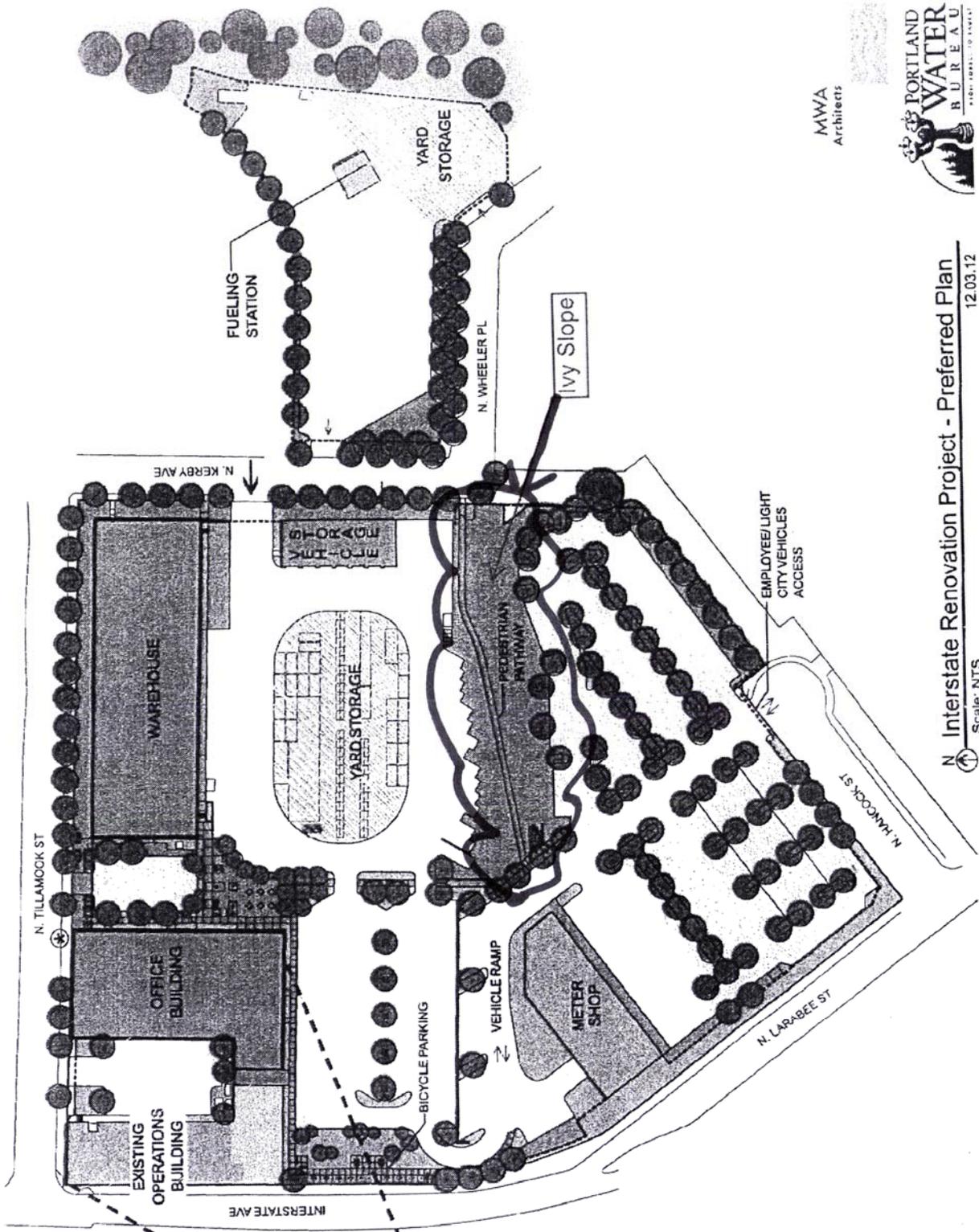
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Portland Water Bureau Memo, dated June 6, 2013 (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
  - 7. Life Safety Review Section of BDS
- F. Correspondence (none)
- G. Other:
  - 1. Original LU Application

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

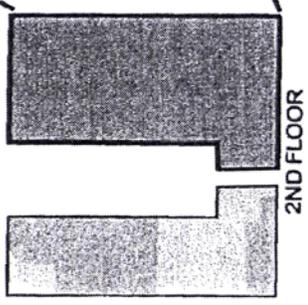




MWA  
Architects



N Interstate Renovation Project - Preferred Plan  
12.03.12  
Scale: N.T.S.



- Symbols Legend**
- ⊗ Public Building Entry
  - ↙ Main Site Entry
  - ← Directional Arrow
  - - - Security Barrier
  - Existing Building
  - New Building
  - Operations Remodel
  - Employee Plaza
  - Generator Turnkey
  - Parking
  - Pedestrian Path
  - Landscape
  - Landscape Swale
  - Yard Storage

CASE NO. 13-184179 AD  
EXHIBIT C.1



Mayor Charlie Hales  
David G. Shaff, Administrator  
1120 SW 5th Avenue, Room 600  
Portland, Oregon 97204-1926  
Information: 503-823-7404  
www.portlandoregon.gov/water



An Equal Opportunity Employer

## MEMORANDUM

Date: June 6, 2013  
To: Kristin Cooper, Bureau of Development Services  
From: Angie Kimpo and David Gray, Portland Water Bureau *D. Gray*  
Re: LU 11-148058 AD, Modified Approach to Removal of English Ivy

The Interstate ivy bank was visited on 5/23 by Kristin Cooper, Senior Planner, BDS; Dominic Maze, Citywide Invasive Species Coordinator, BES; David Gray, Project Manager, PWB; and Angie Kimpo, Invasive Species Coordinator, PWB. The purpose of the site visit was to discuss native vegetation establishment on the slope.

The land use permit specifies removal of the invasive ivy on the slope. BDS/BES Watershed Revegetation Program provided a general recommendation to treat the ivy with herbicides, leave the stems and then direct sow or hydroseed native grass seed. Water Bureau staff expressed concern over the prescribed methodology for the following reasons:

- Leaving dead stems in place would hinder seed in making direct contact with the soil either through broadcasting or through hydroseeding.
- On the vast majority of the slope, the grade is too steep (2:1) for broadcast seed to stay in place.
- For hydroseeding to be effective, the slope should be cleared of debris and stems.

Unfortunately, the act of clearing and grubbing would destabilize the slope because of its steep incline. A geotechnical report completed by MWA Architects describes this conclusion in detail (December 2011, revised May 2012). They estimate that this work would require engineering and construction of a new retaining wall which would cost approximately \$538,000. In addition, the pilings required to build this engineered slope may impact a functional 6' brick-lined sewer line which runs directly underneath the slope. Replacement of this portion of the sewer line would be in the range of \$1-1.2 million dollars.

On site, Invasive Species Coordinators from the City and from the Water Bureau discussed the merits of removing English ivy from the wall. Generally, it was agreed upon that in the context of the landscape, removal of this patch of ivy would not be significant in terms of the threat it

CASE NO. 13-184179AD  
EXHIBIT C.2

poses to natural areas or to tree canopy. The biggest threat of this patch of ivy is that it produces seed which can be carried by birds into local forest canopy. It was also agreed upon that there could be a significant attempt made to slowly convert the bank from ivy to rhizomatous native species without removing the ivy first. Based on these ideas, the following proposal was developed.

## PROPOSED REVEGETATION/CONVERSION STRATEGY

### 1. *Herbicide Treatment of Areas with less than 1: 1 1/2 slope*

Herbicide treatment of ivy will be conducted in all areas which contain less than a 1:1 1/2 slope. In those areas, the following native seed mix will be applied:

Slender hairgrass	<i>Deschampsia elongata</i>	0.5 lbs/1000 s.f.
Pine bluegrass	<i>Poa secunda</i>	0.5 lbs/1000 s.f.
Blue wildrye	<i>Elymus glaucus</i>	0.05 lb/1000 s.f.

### 2. *Woody planting*

Planting will occur in areas that have been treated with herbicide or are clear of ivy. Planting will occur in clusters to help improve survival and to arrange plant material on site so that rope and harness work minimally damages these plants.

<i>Prunus emarginata</i>	Bitter cherry	10 (2 clusters of 5)	bareroot 24-36"
<i>Rhamnus purshiana</i>	Cascara	12 (4 clusters of 3)	bareroot 12-24"
<i>Mahonia aquifolium</i>	Oregon grape	30 (3 clusters of 10)	bareroot 12-24"
<i>Symphoricarpos albus</i>	Snowberry	30 (3 clusters of 10)	bareroot 18-24"
<i>Rosa nutkana</i>	Nootka rose	40 (4 clusters of 10)	bareroot 18-24"

**Totals: 22 small trees, 100 shrubs**

### 3. *Monitoring and Maintenance Schedule*

The site will be actively monitored and maintained for a five year period. Intense treatment and monitoring will occur in the first two years of the project and then regular maintenance will occur for the three years following.

Treatment will occur beginning in the summer of 2013. Planting will occur in the Winter of 2014. PWB staff will continue to spot treat ivy at the top of the slope periodically, several times during each year. PWB staff will also ascend the slope at least once annually in a harness to line trim areas which are too steep to be treated with herbicide.

Formal monitoring and maintenance will be conducted annually. Reports will be submitted to BDS at one year, 3 years and a final report at 5 years. In addition, four years of informal monitoring and maintenance will be conducted on an annual basis after the LUR permit conditions are met. Informal monitoring will consist of one site visit per year to evaluate plant survival and to determine whether other site maintenance needs exist. The long-term goal will be to ensure >80% survival of native plant materials and the absence of English ivy in the sprayed areas (less than 1:1 1/2 slope). Maintenance during the project period will consist of replanting, conducting moisture conservation treatments around the base of plantings, spot treatment of invasive species, cutting of vegetation which limits growth of installed plants, etc. PWB will provide a minimum of two treatment visits in year two and one in years three through five.