

**IN THE CITY COUNCIL OF THE  
CITY OF  
PORTLAND OREGON**

**IN THE MATTER OF AN APPLICATION**

**BY**

Tom Carter, Applicant  
Teresa Elliott, Applicant  
City Of Portland, Owner  
c/o Portland Water Bureau  
1120 SW 5th Avenue Suite 600  
Portland, OR 97204

Tim Brooks, Consultant  
Winterbrook Planning  
310 SW 4th, Ste 1100  
Portland OR 97204

**FOR A**

**Type IV Demolition Review at 2403 SW Jefferson Street (Washington Park)  
LU 14-249689 DM**

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**FINDINGS AND CONCLUSIONS**

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**ADOPTED BY THE CITY COUNCIL ON  
June 25, 2015**

**(\*\*APPROVAL\*\* of a \*\*TYPE IV DEMOLITION REVIEW\*\*)**

IN THE CITY COUNCIL OF THE  
CITY OF  
PORTLAND, OREGON

**IN THE MATTER OF AN APPLICATION  
BY TOM CARTER, PORTLAND WATER BUREAU, FOR A  
Type IV DEMOLITION REVIEW at 2403 SW Jefferson Street LU 14-249689 DM**

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FINDINGS AND CONCLUSIONS

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The findings and conclusions of the City Council in this matter are set forth below.

**I. GENERAL INFORMATION**

**Applicant:** Tom Carter, Applicant  
Teresa Elliott, Applicant  
City Of Portland, Owner  
c/o Portland Water Bureau  
1120 SW 5th Avenue Suite 600  
Portland, OR 97204

Tim Brooks, Consultant  
Winterbrook Planning  
310 SW 4th, Ste 1100  
Portland OR 97204

**Site Address:** 2403 SW Jefferson Street – Washington Park

\*Underline indicates parcels that comprise the site for this application. Other parcels are also owned by the City of Portland.\*

**Legal Description:** TL 300 20.71 ACRES, SECTION 33 1N 1E; TL 100 24.03 ACRES, SECTION 32 1N 1E;  
TL 100 24.98 ACRES, SECTION 05 1S 1E; TL 100 8.16 ACRES, SECTION 04 1S 1E; BLOCK 13 LOT 1-32, WEST END; BLOCK 15 LOT 1-8, WEST END; BLOCK 16 LOT 1-8, WEST END; BLOCK 17 LOT 1-10, WEST END; BLOCK 18 LOT 1-8, WEST END; BLOCK 19 LOT 1-17, WEST END; BLOCK 20 LOT 1-12, WEST END; BLOCK 21 LOT 1-14, WEST END; BLOCK 22 LOT 1-6 LOT 7&8 EXC PT IN ST, WEST END; BLOCK 4 LOT 1, WESTWOOD HILLS; BLOCK 4 S 35.94' OF LOT 2, WESTWOOD HILLS; TL 200 9.57 ACRES, SECTION 04 1S 1E; TL 500 40.94 ACRES, SECTION 05 1S 1E; TL 600 2.00 ACRES, SECTION 05 1S 1E; TL 800 107.18 ACRES, SECTION 05 1S 1E; TL 1200 3.65 ACRES, SECTION 05 1S 1E; TL 1100 6.89 ACRES, SECTION 05 1S 1E; TL 1400 60.69 ACRES, SECTION 05 1S 1E; TL 200 4.22 ACRES, SECTION 32 1N 1E; TL 200 21.12 ACRES, SECTION 05 1S 1E; TL 200 26.02 ACRES, SECTION 32 1N 1E; TL 1000 41.42 ACRES, SECTION 05 1S 1E; TL 700 2.38 ACRES, SECTION 05 1S 1E

**Tax Account No.:** R941321370, R941330040, R991050830, R991041020, R892801070, R892801560, R892801640, R892801720, R892801820, R892801900, R892802070, R892802190, R892802330, R902100870, R902100890, R991040170, R991050020, R991050100, R991050350, R991050720, R991050740, R991050750, R941321360, R991050840, R941321350, R991050800, R991050820, R991050020

**State ID No.:** 1N1E32 00100, 1N1E33C 00300, 1S1E05 01000, 1S1E04 00100,

1S1E05A 00500, 1S1E04BB 06100, 1S1E04BC 05400, 1S1E04BC 05500, 1S1E05A 00400, 1S1E05A 00600, 1S1E05A 00300, 1S1E05A 00200, 1S1E04BC 05600, 1S1E05AC 00200, 1S1E05AC 00100, 1S1E04 00200, 1S1E05 00500, 1S1E05 00600, 1S1E05 00800, 1S1E05 01200, 1S1E05 01100, 1S1E05 01400, 1N1E32 00200, 1S1E05 00100, 1S1E05 00200, 1N1E32C 00200, 1S1E05 00700, 1S1E05 00500  
**Quarter Section:** 3027, 3026, 3126, 3127, 3025, 3125, 3225, 3126, 3226

**Neighborhood:** Arlington Heights, contact Shawn Wood at [s.p.wood@comcast.net](mailto:s.p.wood@comcast.net);  
Goose Hollow, contact Jerry Powell at 503-222-7173;  
Southwest Hills, contact Nancy Seton at [nancyseton@comcast.net](mailto:nancyseton@comcast.net);  
Hillside, contact Peter Stark at 503-274-4111  
Northwest, contact John Bradley at 503-313-7574  
Sylvan-Highlands, contact Dave Malcolm at 503-805-9587;

**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-274-4111; Southwest Neighborhoods, Inc., contact Sylvia Bogert at 503-823-4592

**Other Designations:** Contributing Resources in the Washington Park Reservoirs Historic District, listed in the National Register of Historic Places on January 15, 2004.

**Zoning:** OSc, OSp – Open Space with Environmental Conservation and Environmental Protection overlays

**Case Type:** DM – Demolition Review  
**Procedure:** Type IV, following a public meeting before the Historic Landmarks Commission there will be a hearing before City Council. The Historic Landmarks Commission may offer comments or suggestions, in the form of a letter or testimony, to City Council. City Council makes the final decision on this matter.

## II. INTRODUCTION AND PROCEDURAL HISTORY

**Original Proposal:** On behalf of the City of Portland, and in response to the EPA’s Long Term Enhanced Surface Water Treatment Rule (LT2) and to address seismic concerns and landslide pressures, the Portland Water Bureau requests Demolition Review to remove three contributing resources from the Washington Park Reservoirs Historic District. These resources include Reservoir 3 (built 1894), Reservoir 4 (built 1894), and the Weir Building (built 1946). The proposed replacement system includes a below-ground reservoir with a tiered reflecting pool in the same location and approximate footprint as the existing Reservoir 3 and a reflecting pool and stormwater swale in the same location as the existing Reservoir 4 but with a reduced footprint.

Because the proposal is to demolish Contributing Resources in the Washington Park Reservoirs Historic District, a Type IV Demolition Review is required.

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- 33.846 Historic Resource Reviews
- 33.846.080 Demolition Review

### III. ANALYSIS

**Site and Vicinity:** The Washington Park Reservoirs #3 and #4 are located within Washington Park, due west of the downtown commercial core. The park was developed from 40 acres purchased by the City from Amos and Melinda King in 1871, and originally known as City Park. In 1912, it was renamed Washington Park following a visit from John Charles Olmsted, who recommended a more distinguished name. Washington Park is located in the hills directly west of the King's Hill Historic District, bordered by W Burnside to the north, and north of Highway 26. West of the Park is the Arlington Heights neighborhood, Hoyt Arboretum and the Oregon Zoo.

As the City's population continued to grow and issues arose from shortages due to high demand and poor quality water obtained from the Willamette River and other sources, the City took up the task of creating a new high quality water supply. In 1885, a 15-member Water Committee was appointed made up of prominent business and civic leaders, who took on the task of consolidating the existing water supplies, identifying and acquiring the rights to a new supply, and constructing a system that would provide clean and abundant water to the citizens of Portland. Ultimately, Bull Run Lake was identified as the preferred source as it could provide pristine water through a gravity-fed system, thus nearly eliminating the need for cost-prohibitive pumping. Mt Tabor and Washington Park were identified as the locations to build storage facilities due to their elevations within the city.

The reservoirs were constructed during the City Beautiful movement, which arose in response to the industrialization of cities, and aimed to promote health and civic virtue through the creation of beautiful and inspiring works of architecture and planning. The character of the reservoirs and their accompanying structures, articulated in a Romanesque Revival style, nestled into natural ravines within the landscape embody these values.

The reservoirs were designed by Ernest Leslie Ransome, featuring patented "concrete and twisted iron" poured concrete construction, with the twisted iron placed at 10-foot intervals in each direction, and the façades of the structures featuring decorative designs molded by wooden formwork and tooled and hammered to resemble rusticated stone. Ransome's design is notable in that it was one of the first uses of reinforced concrete for a major work in the United States, at a time when reinforced concrete was just beginning to be employed in construction projects. The ornamental wrought iron fences and lampposts were designed by Whidden and Lewis, and crafted by Johann H. Tuerck of Portland Art Metal Works.

In January 2004, the Washington Park Reservoirs Historic District was listed in the National Register of Historic Places under Criteria A and C, as a locally significant resource. The areas of significance include community planning and development, architecture, engineering, and entertainment and recreation. Listed contributing resources include Reservoir 3, Dam 3, Gatehouse 3, the Weir Building, Reservoir 4, Dam 4, Gatehouse 4, Pump House 1, the Generator House, and two water fountains, one of which is damaged and currently in storage.

A detailed history of the Bull Run water system and a detailed account of the individual contributing resources are included in the Washington Park Reservoirs Historic District National Register nomination (Exhibit A-6).

**Zoning:** The Open Space (OS) zone is intended to preserve public and private open, natural, and improved park and recreation areas identified in the Comprehensive Plan. These areas serve many functions including: providing opportunities for outdoor recreation; providing contrasts to the built environment; preserving scenic qualities; protecting sensitive or fragile environmental areas; preserving the capacity and water quality of the stormwater drainage system; and providing pedestrian and bicycle transportation connections.

The Environmental Conservation Zone “c” overlay conserves important resources and functional values in areas where the resources and functional values can be protected while following environmentally sensitive urban development.

The Environmental Protection Zone “p” overlay provides the highest level of protection to the most important resources and functional values. These resources and functional values are identified and assigned value in the inventory and economic, social, environmental, and energy (ESEE) analysis for each specific study area. Development will be approved in the environmental protection zone only in rare and unusual circumstances.

The Scenic Resource Zone “s” overlay is intended to protect Portland’s significant scenic resources as identified in the Scenic Resources Protection Plan; enhance the appearance of Portland to make it a better place to live and work; create attractive entrance ways to Portland and its districts; improve Portland’s economic vitality by enhancing the City’s attractiveness to its citizens and to visitors; and implement the scenic resource policies and objectives of Portland’s Comprehensive Plan. The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region’s heritage. The regulations implement Portland’s Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region’s citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties.

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

- LU 05-138520 HDZ – Historic Design Review approval for Phase 1 of security and deferred maintenance projects;
- PC 06-173417 – Pre-Application Conference for security and deferred maintenance projects;
- LU 07-137990 HDZ – Historic Design Review approval for Phase 2 of security and deferred maintenance projects
- EA 13-162228 APPT – Early Assistance Appointment related to current proposal; and
- EA 13-200312 DAR – Design Advice Request with the Historic Landmarks Commission for the current proposal.
- EA 14-139549 PC – Pre-Application Conference for the current proposal.

**Agency Review:** A “Request for Response” was mailed February 9, 2015.

The following Bureaus responded with comments:

The **Bureau of Parks-Forestry Division** responded, noting that a tree preservation plan would be required, and suggested conditions of approval, including:

1. A tree preservation must be submitted to Portland Parks and Recreation/Urban Forestry for approval.
2. The applicant must include a tree protection plan and/or modified root protection plan (RPZ) per Title 33 and Title 11 requirements and specifications.
3. Mitigation plan for loss of canopy per Title 33 and Title 11 requirements and approved by Urban Forestry.

Please see Exhibit E-1 for additional details.

The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Life Safety Division of the Bureau of Development Services
- Bureau of Environmental Services
- Fire Bureau
- Bureau of Transportation Engineering
- Site Development Section of BDS

**Finding:** Tree protection is not the subject of this review and is not relevant to demolition review. As noted above, a demolition permit will not be issued until a follow-up Type III Historic Resource Review has been approved. The Portland Water Bureau intends to provide a tree protection plan with the Type III application; the proposal's effect on trees within the project area will be considered during that review. For this reason, these conditions are premature and have not been included as part of this review.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 27, 2015. Written responses received include:

1. Susan Alpert Siegel, President of the Arlington Heights Neighborhood Association, on February 27, 2015, wrote **with concerns** regarding the routing of construction traffic through the neighborhood and the closure of Sacajawea Circle during the project's multi-year construction schedule. Please see Exhibit F-1 for additional details.
2. Nancy Seton, President and Land Use Chair of the Southwest Hills Residential League (SWHRL), on March 6, 2015 wrote in **support** of the proposal to demolish the existing historic reservoirs and with support for the proposed replacement development featuring reflecting pools a restored hillside, and improved access. Please see Exhibit F-2 for additional details.
3. Catherine Ellison, on March 7, 2015, wrote **with concerns** about Sacajawea Circle being closed during construction, stating it would be a tremendous inconvenience, and requesting that alternatives be considered. Please see Exhibit F-3 for additional details.
4. RoseMarie Opp, on March 8, 2015, wrote **with concerns** regarding the effect of buried reservoirs on health, cracks in the Powell Butte reservoir, negative impacts of construction on Washington Park, and concern that the Arlington Heights Neighborhood Association online calendar does not list the April 23<sup>rd</sup> City Council hearing date. Ms. Opp also provided a copy of the October 29, 2014 presentation to the Community Sounding Board and a copy of the City of Portland Public Involvement Principles, both received March 17, 2015. Please see Exhibit F-4 for additional details.
5. Katherine Stansbury, on March 9, 2015, wrote in **opposition** to the proposed disconnection of the Mt. Tabor Reservoirs, citing previous attempts to destroy the reservoirs and the City's failure to request extensions to the LT2 timeline,

- and requesting the Historic Landmarks Commission intervene to delay the project until after the LT2 review. Please see Exhibit F-5 for additional details.
6. Scott Fernandez, on March 9, 2015, wrote in **opposition**, noting the benefits of sunlight, oxygenation, and open air on drinking water and stating that the “landslide characterization issues and reasons for the changes to Washington Park reservoirs have been overblown and portrayed incorrectly.” Please see Exhibit F-6 for additional details.
  7. Ann Witsil, on March 9, 2015, wrote **with concerns** regarding the temporary closure of Sacajawea Circle, suggesting limiting its closing to certain times of day. Please see Exhibit F-7 for additional details.
  8. Eric Nagle, Community Sounding Board member, on March 16, 2015, forwarded a January 27, 2014 memo from the Community Sounding Board to the Historic Landmarks Commission in **support** of the proposal. Mr. Nagle also noted the need for design features that discourage skateboarding to ensure the continued tranquility of the place. Please see Exhibit F-9 for additional details.
  9. Katherine Stansbury, on March 19, 2015, wrote in **opposition**, requesting that the Historic Landmarks Commission make a request to the governor and the Oregon Health Authority to delay the start of the project until January 1, 2017. Please see Exhibit F-9 for additional details.
  10. Beth Giansiracusa, on March 19, 2015, wrote in **opposition** suggesting that the City’s drinking water be treated rather than buried. Please see Exhibit F-10 for additional details.

Received prior to March 30, 2015 Historic Landmarks Commission meeting:

11. Jeffrey E. Boly on March 19, 2015, wrote in **opposition**, stating that the applicant cannot meet the first approval criteria option and suggesting alternative options for Reservoirs #3 and #4. Please see Exhibit F-11 for additional details.
12. Susan Alpert Siegel, President of the Arlington Heights Neighborhood Association, on March 24, 2015, wrote **with concerns** that the proposed restoration efforts are not sufficiently described in the proposal drawings and suggesting the demolition permit drawing must also show the preservation work proposed. Please see Exhibit F-12 for additional details.
13. Joanne Stainbrook, AIA Historic Resources Committee, on March 20, 2015, wrote in **support**, stating the applicant had met with them three times and that they found the level of mitigation proposed is appropriate. Please see Exhibit F-13 for additional details.
14. Floy Jones, on March 29, 2015, provided the Washington Park Reservoirs Historic Structures Report. Please see Exhibit F-14 for additional details.
15. Mary Ann Schwab, on March 30, 2015, wrote **with concerns** regarding construction traffic and location of posting boards. Please see Exhibit F-15 for additional details.
16. Dee White, on March 29, 2015, wrote in **opposition**, stating that the citizen Involvement goal was not met as the public was never given the opportunity to discuss alternatives to demolition. Please see Exhibit F-16 for additional details.
17. Floy Jones, Friends of the Reservoirs, on March 29, 2015, wrote in **opposition**, stating that the applicant has not met Goal 9 Citizen Involvement, and has defied a 2004 City Council ordinance (#36267) which required stakeholder input on future plans for the reservoirs. Please see Exhibit F-17 for additional details.
18. Katherin Kirkpatrick, on March 30, 2015, wrote in **opposition**, stating that demolition of the resources results in a failure to preserve the historic character and function of the resources, and stating that the applicant has not met the EPA’s public notification rules. Please see Exhibit F-18 for additional details.

Received at the March 30, 2015 Historic Landmarks Commission meeting:

19. Chris Kent, on March 30, 2015, provided oral testimony in **support**.
20. John Czarnecki, on March 30, 2015, provided oral and photographic testimony in **support** and suggesting that the maintenance structures east of Reservoir 4 should also be removed.
21. Scott Fernandez, on March 30, 2015, provided oral and written testimony in **opposition**, stating that the landslide and seismic concern are not as bad as have been presented and the negative effects of buried reservoirs is of greater concern.
22. Joe Walsh, on March 30, 2015, provided oral testimony in **opposition**
23. RoseMarie Opp, on March 30, 2015, provided oral and written testimony in **opposition**, stating that buried reservoirs result in negative health effects and with concerns regarding construction traffic.
24. Floy Jones, on March 30, 2015, provided oral testimony in **opposition**.
25. Dee White, on March 30, 2015, provided oral testimony in **opposition**.
26. Jeffrey Boly, on March 30, 2015, provided oral testimony in **opposition**, stating there was less consensus among the community stakeholders than has been presented.
27. Beth Giansiracusa, on March 30, 2015, provided oral testimony in **opposition**.
28. Eileen Brady, on March 30, 2015, provided oral testimony encouraging the Historic Landmarks Commission to attend the Mt. Tabor Appeal hearing at City Council.
29. Mark Wheeler, on February 17, 2015, wrote in **opposition**. These comments were forwarded by Teresa Elliott, Portland Water Bureau.  
Received following the March 30, 2015 Historic Landmarks Commission meeting:
30. Floy Jones, on April 16, 2015, wrote in **opposition** and submitted a 2006 letter from Chet Orloff to City Council. Please see Exhibit I-1 for additional details.
31. Teresa Elliott, Portland Water Bureau, on April 16, 2015, submitted comments received in **opposition** by Sabrina Louise. Please see Exhibit I-3 for additional details.
32. Tana and David Cahill, on April 19, 2015, wrote in **opposition**. Please see Exhibit I-4 for additional details.
33. Brenna McDonald, on April 20, 2015, wrote in **opposition**. Please see Exhibit I-5 for additional details.
34. Catherine Klebl, on April 20, 2015, wrote in **opposition**. Please see Exhibit I-6 for additional details.
35. Ian Keeber, on April 21, 2015, wrote in **opposition**. Please see Exhibit I-7 for additional details.
36. Floy Jones, on April 21, 2015, wrote in **opposition** and submitted a letter, a City Council Resolution, Water Bureau construction figures into the record. Please see Exhibit I-8 for additional details.
37. Mark Bartlett, on April 22, 2015, wrote in **opposition**. Please see Exhibit I-9 for additional details.
38. Jeffrey Boly, on April 22, 2015, wrote in **opposition**. Please see Exhibit I-10 for additional details.
39. Elizabeth Callison, on April 21, 2015, wrote in **opposition**. Please see Exhibit I-11 for additional details.
40. Floy Jones, on April 22, 2015, wrote in **opposition**. Please see Exhibit I-12 for additional details.
41. Dee White, on April 22, 2015, wrote in **opposition** and submitted a 2004 Portland Alliance article about the Mt. Tabor Reservoirs Independent Review Panel. Please see Exhibit I-13 for additional details.
42. Floy Jones, on April 22, 2015, submitted data for a covered Nevada tank. Please see Exhibit I-14 for additional details.
43. Floy Jones, on April 22, 2015, submitted documents including a letter from the Federal Energy Regulatory Commission to Frank Galida, City of Portland,



regarding the Mt. Tabor Reservoirs, pages from the November 2001 Open Reservoir Study by Montgomery Watson Harza, and a February 4, 2013 from Commissioner Steve Novick to the Oregon Health Authority requesting an extension to the LT2 compliance deadline. Please see Exhibit I-15 for additional details.

44. Floy Jones, on April 22, 2015, submitted documents including a Portland Water Bureau 2012 security report regarding criminal mischief at Reservoir #7 at Mt. Tabor Park. Please see Exhibit I-16 for additional details.
45. Floy Jones, on April 22, 2015, wrote in **opposition**. Please see Exhibit I-17 for additional details.
46. Katherin Kirkpatrick, on April 23, 2015, wrote in **opposition** and submitted the Portland Water Bureau's 2011 and 2012 Drinking Water Quality Reports. Please see Exhibit I-18 for additional details.
47. Katherin Kirkpatrick, on April 23, 2015, wrote in **opposition** and submitted a report by Tectonophysics related to the potential of increased radon exposure due to seismic activity. Please see Exhibit I-19 for additional details.
48. Katherin Kirkpatrick, on April 23, 2015, wrote in **opposition** and submitted a May 2014 document entitled "Scientific and Public Health Basis to Retain Open Reservoir Water System for the City of Portland, Oregon" by Scott Fernandez. Please see Exhibit I-20 for additional details.
49. Katherin Kirkpatrick, on April 23, 2015, wrote in **opposition** (see Exhibit I-19). Please see Exhibit I-21 for additional details.
50. Katherin Kirkpatrick, on April 23, 2015, submitted an April 19, 2015 letter by Floy Jones, Friends of the Reservoirs, and March 19, 2015 letter by Jeffrey Boly. Please see Exhibit I-22 for additional details.
51. Katherin Kirkpatrick, on April 23, 2015, submitted a copy of her January 10, 2015 public records request, which remains outstanding. Please see Exhibit I-23 for additional details.
52. Suzanne Sherman, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-24 for additional details.
53. Katherin Kirkpatrick, on April 23, 2015, submitted Dee White's March 30, 2015 testimony in opposition and the March 29, 2015 testimony in opposition by Floy Jones of Friends of the Reservoirs. Please see Exhibit I-25 for additional details.
54. Jeya Arenson, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-26 for additional details.
55. Scott Fernandez, on April 22, 2015, wrote in **opposition**. Please see Exhibit I-27 for additional details.
56. Dee White, on April 22, 2015, wrote in **opposition** and submitted her March 30, 2015 testimony to the Historic Landmarks Commission, the June 2004 Portland Alliance article regarding the Mt. Tabor Reservoirs Independent Review Panel. Please see Exhibit I-28 for additional details.
57. Katherin Kirkpatrick, on April 22, 2015, wrote in **opposition** and submitted survey results regarding options for Mt. Tabor Reservoirs. Please see Exhibit I-29 for additional details.
58. RoseMarie Opp, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-30 for additional details.
59. Jeya Arenson, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-31 for additional details.
60. Seven Stevens, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-32 for additional details.
61. Dan Berger, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-33 for additional details.

Received at City Council hearing April 23, 2015

62. Jessica Engeman, Historic Landmarks Commission, provided oral testimony in **support**.
63. Harris Matarazzo, Historic Landmarks Commission, provided oral testimony in **opposition**.
64. Terri Davis, Portland Parks and Recreation, provided oral testimony in **support**.
65. Eric Nagle, Community Sounding Board, provided oral testimony in **support**.
66. Annie Mahoney, Community Sounding Board, provided oral and written testimony in **support**. Please see Exhibit I-36 for additional details.
67. Chris Kent, Community Sounding Board, provided testimony in **support**.
68. Mary Eng provided testimony in **opposition**.
69. Ben Pickering provided testimony in **opposition**.
70. Scott Fernandez provided oral and written testimony in **opposition**. Please see Exhibit I-37 for additional details.
71. Dee White provided testimony in **opposition**.
72. Michael Wallace provided testimony in **opposition**.
73. Michael Conley, Concordia NA, provided testimony in **opposition**.
74. RoseMarie Opp provided testimony in **opposition**.
75. Daniel Berger provided testimony in **opposition**.
76. Floy Jones, Friends of the Reservoirs, provided testimony in **opposition**.
77. Charles Johnson provided testimony in **opposition**.
78. John Czarnecki provided oral and written testimony in **opposition**. Please see Exhibit I-38 for additional details.
79. Mary Ann Schwab provided testimony in **opposition**. Please see Exhibit I-39 for additional details.
80. Steven Entwhistle provided testimony in **opposition**.
81. Herschel Sole provided testimony in **opposition**.  
Received following the April 23, 2015 City Council hearing
82. Valerie Hunter, on April 23, 2015, wrote in **opposition**. Please see Exhibit I-40 for additional details.
83. Ben Asher, on April 24, 2015, wrote in **opposition**. Please see Exhibit I-41 for additional details.
84. Andrea Kampic, on April 26, 2015, wrote in **opposition**. Please see Exhibit I-42 for additional details.
85. Mark Wheeler, on April 27, 2015, wrote in **opposition**. Please see Exhibit I-43 for additional details.
86. Robert Stabbert, on April 27, 2015, wrote in **opposition**. Please see Exhibit I-44 for additional details.
87. Carolyn Stuart, on April 27, 2015, wrote in **opposition**. Please see Exhibit I-45 for additional details.
88. Mark Bartlett, on April 27, 2015, wrote in **opposition**. Please see Exhibit I-46 for additional details.
89. MaryAnn Amann, on April 27, 2015, wrote in **opposition**. Please see Exhibit I-47 for additional details.
90. Floy Jones, on April 29, 2015, wrote in **opposition** and provided copies of contracts for prior work at Washington Park Reservoirs. Please see Exhibit I-48 for additional details.
91. Michael Wallace, on April 30, 2015, wrote in **opposition**, stating that the chance of a landslide is overstated and with concerns about construction traffic. Please see Exhibit I-49 for additional details.
92. Nancy Newell, on April 30, 2015, wrote in **opposition**, stating that the landslide and earthquake concerns are inaccurate. Please see Exhibit I-50 for additional details.
93. Dee White, on April 30, 2015, wrote in **opposition** and provided copies of the following: Derek Conforth's "Seven Deadly Sins of Landslide Investigation, Analysis, and Design", Nejan Huvaj-Sarihan's "Evaluation of the rate of

- movement of a reactivated landslide”, and Oregon Department of Land Conservation and Development’s “Planning for Natural Hazards: Landslide TRG [Technical Resource Guide]”. Please see Exhibit I-52 for additional details.
94. Laurel Crissman, on April 30, 2015, wrote in **opposition** expressing disappointment for the disregard of scientific arguments in favor of retaining the open reservoirs. Please see Exhibit I-54 for additional details.
  95. Mark Bartlett, on April 30, 2015, wrote in **opposition** with questions regarding ownership of the property. Please see Exhibit I-55 for additional details.
  96. Floy Jones, on April 30, 2015, wrote in **opposition** and provided an article: “Battling Nitrification with Blacklights” by Brian White and Martin Adams. Please see Exhibit I-56 for additional details.
  97. Leslie Rose, on April 30, 2015, wrote in **opposition** citing concerns with disregard for historic structures, taxpayer money, and the lack of public involvement. Please see Exhibit I-57 for additional details.
  98. Daniel Berger, on April 30, 2015, wrote in **opposition** with concerns about land ownership, radon, and suggesting additional study on the landslide and better stewardship of the historic reservoirs. Please see Exhibit I-58 for additional details.
  99. Katherin Kirkpatrick, on April 30, wrote, in **opposition** stating the City had not met the requirements for a Type III historic resource review and conditional use review and that the proposal will remove the resource’s fundamental use. Please see Exhibit I-59 for additional details.
  100. Floy Jones, on April 30, 2015, wrote in **opposition**, stating that the City’s public involvement principles have not met and alternatives have not been considered. Please see Exhibit I-60 for additional details.
  101. Dee White, on April 30, 2015, provided a copy of the City of Portland Public Involvement Principles. Please see Exhibit I-61 for additional details.
  102. Dee White, on April 30, 2015, provided a copy of “Battling Nitrification with Blacklights” by Brian White and Martin Adams. Please see Exhibit I-62 for additional details.
  103. Scott Fernandez, on April 30, 2015, wrote in **opposition**, rebutting PWB comments regarding landslide activity, precipitation events, and rebar from April 23, 2015 City Council hearing. Please see Exhibit I-63 for additional details.
  104. Mary Ann Schwab, on April 30, 2015, wrote in **opposition** with concerns about public process. Please see Exhibit I-64 for additional details.
- Received During 2<sup>nd</sup> 7-day period, ending 5pm on May 7, 2015
105. John Czarnecki, on April 30, 2015, wrote in **opposition** to demolition of Reservoir 4. Please see Exhibit I-65 for additional details.

**Findings:** The Council agrees with BDS staff’s responses to the public concerns, which are summarized below.

*Construction impacts:* While concern about construction traffic is understandable, the Type IV Demolition Review is not the appropriate review in which to address this concern. The focus of this review is whether or not the proposal to demolish the contributing historic resources is consistent with the goals and policies of the Comprehensive Plan. Review of the construction plan and potential neighborhood impacts of the demolition and construction is most relevant and appropriate at the time of the Type III review when the specific details of the replacement proposal and construction plan will be presented and potentially mitigated through conditions in the final decision. It is the approval criteria for these later reviews that require the PWB to address the impacts of the replacement proposal, including construction impacts, on the surrounding neighborhood. Issuance of demolition permits and actual demolition of

the resources will not occur until a Type III Historic Resource Review for these replacement facilities has been approved.

*Process and Public Involvement:* Opponents have argued that the Type IV Demolition Review cannot be approved without approval of the replacement proposal. Opponents have also argued that the public involvement was inadequate and failed to provide adequate opportunity for public comment. The applicant provided a summary of public involvement (Exhibit H-15) that credibly demonstrates that the applicant carried out a thorough public involvement process through a Community Sounding Board, open houses, and public tours. The applicant also worked with the Historic Landmarks Commission through the voluntary Design Advice process to develop a replacement proposal and adequate mitigation prior to submittal of this Type IV application. On May 12, 2015, the Water Bureau submitted Historic Resource Review, Conditional Use Review, Environmental Review, and Tree Review applications for the agreed upon replacement proposal and mitigation. All of these reviews will have a public notification, comment, and hearing process associated with them. A demolition Permit will not be approved until the replacement proposal receives final approval and the construction permit for the replacement proposal is issued. Based on a reading of the applicable approval criteria, Council finds that approval of a Type IV Demolition Review does not require approval of the replacement proposal as a prerequisite. Based on the credible evidence of a thorough public involvement program, Council finds that the applicant's public involvement program supports city policies and goals and is sufficient for the proposal. (Also see the findings for Policy 3.5 Neighborhood Involvement, Objective C of Policy 12.3 Historic Preservation, and Goal 9 Citizen Involvement, below.)

*Lot Consolidation:* Opponents asserted that the Type IV Demolition Review could not proceed without the underlying platted lots being consolidated through a re-platting process. Neither the Portland Zoning Code, nor any other regulation, requires lot consolidation as part of a land use review. City Council finds that lot consolidation is not required for the proposal.

*Property ownership is not proven.* Opponents stated that Washington Park consists of multiple underlying platted lots purchased in some cases for non-Water purposes. They assert that because of this, the Portland Water Bureau lacks authority to obtain permits and work on the questioned lands. The Water Bureau provided evidence (Exhibit I-51) that a) the entire park is owned by the City of Portland, a municipal corporation, and that individual bureaus do not own real estate; b) that the Zoning Code allows "ownerships"—that is, contiguous lots under single ownership—to be considered as a single property; and c) that the City assigns management responsibilities for city-owned property to individual bureaus. Council finds the Water Bureau's evidence credible and persuasive, and based on this evidence, finds that the City is the owner and the Portland Water Bureau is authorized to file the application.

*Consideration of Alternatives:* The Water Bureau met with the Historic Landmarks Commission four times to discuss the overall proposal, before applying for the formal land use review. During those meetings, the Commission asked if there were alternatives to demolition and the Water Bureau responded, noting that four "drivers" create the impetus for the proposal. The four drivers are 1) the presence of an active landslide that damages the existing reservoirs; 2) the requirements of a federal drinking water quality rule promulgated in 2006 (the Long Term 2 Enhanced Surface Water Treatment Rule, or "LT2"); 3) the age and condition of the existing infrastructure; and 4) the susceptibility of the historic structures and infrastructure to earthquake damage. The drivers are thoroughly explained in Exhibits A-7, H-2, and H-14. Exhibit A-7 also presents the alternatives to demolition, which are 1) to make no alterations and instead lobby the EPA to change the rule; 2) to cover the existing reservoirs; 3) to build covered

water storage elsewhere; or 4) to provide treatment facilities at the reservoirs' outlets. The Water Bureau discussed these alternatives in Exhibits A-7 and I-51 and showed that they were passed over because none of them addressed the requirements of the four project drivers. The Historic Landmarks Commission considered the public comments and voted 3-1 to recommend approval of the demolition. Likewise, the same concerns and suggestions for alternatives were raised during the City Council hearing. City Council finds the Portland Water Bureau's evidence credible and persuasive, and based on this evidence, Council finds that alternatives to demolition were adequately considered during the Type IV review, and rejects the alternatives for the reason that none of them will satisfy all four project drivers—the requirements that created the need for the proposal.

*Concerns for Future Water Quality:* The Portland Water Bureau aims to provide the highest quality water and this goal is reinforced by the goals and policies of the Comprehensive Plan, which requires that the Water Bureau continue to exceed state and federal water quality standards. The Environmental Protection Agency is requiring all open finished drinking water reservoirs to be either covered or treated at the point of discharge in order to continue to meet new federal standards for water quality. The proposal is PWB's response to these new standards; non-compliance would be a violation of the federal regulation and the City's Comprehensive Plan. In addition, the evidence presented by project opponents on water quality is not persuasive; for example, asking the City Council to rely on the 1902 statement of a microbiologist, or on the description of an anti-nitrification project in another city, rather than actual conditions in Portland. Instead, the City Council relies on the more persuasive, credible and specific information presented by the applicant.

*Loss of Historic Use:* Some opponents have argued that because the reservoirs have a historic use, they cannot be demolished because it would result in the loss of that use. The historic use of a historic resource is not required in perpetuity for any National Register-listed property. Historic resources are often adapted for alternative use in order to extend their meaningful life. The State Historic Preservation Office noted that demolition of Reservoir 3 and Reservoir 4 constituted an adverse effect but also found that the demolition would not compromise the district's listing on the National Register (Exhibit A-11). As the applicant explains in Exhibit A-7, the historic use of the site for Basic Utilities will continue with the new Reservoir 3. Furthermore, the proposed design of the replacement surface features, together with preservation or restoration of many of the remaining historic structures, will maintain the sense of history and historic use of the site (see discussion under Goal 12, below). Based on a reading of the applicable sections of the Zoning Code and the credible evidence presented by the applicant, City Council finds that the historic use of the reservoirs does not prohibit the termination of that use, nor does the historic use prohibit their demolition.

*Landslide Characterization:* The record shows a long history of landslide movement at this site. Despite the reduced rate of movement over the years, the landslide still presents an active threat on the reservoirs, particularly in the event of a major earthquake. The record also shows that the basins were reinforced with rebar at 10 feet on center, sufficiently less than would be required today to protect the health and safety of citizens. These two factors must be considered together; disregarding these two known factors would be irresponsible. Project opponents testified that the slowing movement of the landslide indicates that it is under control and poses little hazard, and/or that the degree of the hazard has been inflated by the applicant. The applicant provided site-specific explanations by qualified and licensed geotechnical and civil engineers establishing that although landslide movement has indeed slowed, the landslide remains active and a danger to the existing reservoirs, and that the proposed design will significantly mitigate that danger. The City Council finds the explanation of

the engineers to be credible and persuasive, and finds that the landslide hazard is significant and that the design of the new reservoir will address this project driver (also see findings for Policy 11.28 Maintenance).

*Reservoirs no longer needed and so should not be replaced.* Citizens commented that the four-year construction period, during which neither of the two reservoirs will be in use, proves that they do not need to be replaced, but instead could be preserved in place. Evidence in the record shows that water use has declined somewhat over the years, reducing the need for total water storage. Nevertheless, this evidence also shows that the specific location of the Washington Park reservoirs provides significant advantages to efficient and effective operation of the water system (see discussion of Goal 11E, especially Policy 11.29). It also shows that water demand changes seasonally and in response to events (e.g., large fires, pipeline breaks, etc.), and that demands on the system are not always entirely predictable. The applicant contends that the risk of operating without reservoirs in this location during construction is acceptable in order to gain the advantages of the new reservoir when it is completed. One advantage is that the new covered reservoir will be constructed beyond the toe of the landslide in a way that will allow some landslide movement without damaging the reservoir. Another advantage is that the new reservoir and the major pipes that connect to it will be made resistant to earthquake damage. These two advantages will make the water system significantly more resistant to damage and therefore more reliable and resilient for many decades into the future, which supports Goal 11E Water Service and Policy 11.28 Maintenance. Based on this credible evidence, the City Council finds that the proposed new reservoir is needed to replace the old reservoirs in this location, and that the period between demolition and construction of the replacement where there will be no reservoir capacity at the site does not in and of itself make a compelling case that the replacement is not necessary.

*The City of Portland should take a different approach to complying with the "LT2" federal water-quality regulations, or should obtain a waiver, or should delay compliance pending regulatory review at the federal level.* Many citizens made comments regarding LT2 compliance or the validity of the LT2 requirements. As the applicant documented, the City made multiple efforts to seek a waiver or exception to the rules, all of which were unsuccessful. The current approach to LT2 compliance has been publicly considered and was previously adopted by the City Council. This topic is not germane to this review.

Additional concerns have been addressed in the comments below.

**Procedural History:** The application was submitted on December 15, 2014 and deemed complete on January 26, 2015. The initial Notice of Proposal and Posting Notices identified a City Council hearing date of April 23, 2015 and a Historic Landmarks Commission meeting date of March 23, 2015. The March 23<sup>rd</sup> meeting had to be rescheduled to March 30, 2015 for lack of quorum. Notices were reissued with a new Historic Landmarks Commission meeting date of March 30, 2015. At the March 30, 2015 Historic Landmarks Commission meeting, four Commissioners were present. Following the staff and applicant's presentation, public testimony was received. Two members of the public spoke in support and nine spoke in opposition. The Commission deliberated with one Commissioner wondering why we would demolish historic resources and then build something new in an active landslide area when we have enough drinking water storage capacity, suggesting the reservoirs could be preserved for aesthetic purposes. This commissioner asserted that the reservoirs have been allowed to deteriorate, which amounts in his opinion to demolition by neglect and expressed concern for the long-term preservation of the other resources. The majority of the Commission noted that the presentation and communication from the Water

Bureau has been outstanding, comprising several meetings with the Historic Landmarks Commission and noting that the current proposal is based on feedback received, is reasonable, and the level of mitigation is impressive. The Commission voted 3-1 to accept the staff report and to write a letter expressing their support and concerns. This letter is included in the record as Exhibit H-18. Commissioner Harris Matarazzo subsequently wrote a separate letter expressing the dissenting opinion; this letter is in the record as Exhibit I-2.

The application was presented to City Council and the Council heard public testimony on April 23, 2015. The record was held open until 5pm on April 30, 2015, with an additional 7-day response period ending at 5pm on May 7, 2015. At a continued hearing on May 13, 2015, the City Council tentatively voted 5-0 to approve the proposal. A return hearing of June 10, 2015 was set to adopt the Final Findings and Decision. The Council subsequently postponed the return hearing to June 25, 2015 at 2:00 p.m.

#### **IV. ZONING CODE APPROVAL CRITERIA AND FINDINGS**

##### **Chapter 33.445, Historic Resource Protection Overlay Zone, and Chapter 33.846, Historic Reviews**

###### **33.445.030 Types of Historic Resource Designations and Map Symbols**

**C. Historic District.** This type of resource is a collection of individual resources that is of historical or cultural significance at the local, state, or national level. Information supporting a specific district's designation is found in the City's Historic Resource Inventory, its National Register nomination, or the local evaluation done in support of the district's designation.

###### **33.445.330 Demolition of Historic Resources in a Historic District**

Demolition of other historic resources within a Historic District requires demolition review to ensure their historic value is considered. The review period also ensures that there is an opportunity for the community to fully consider alternatives to demolition.

###### **33.846.010 Purpose**

This chapter provides procedures and establishes the approval criteria for all historic reviews. The approval criteria protect the region's historic resources and preserve significant parts of the region's heritage. The reviews recognize and protect the region's historic and architectural resources, ensuring that changes to a designated historic resource preserve historic and architectural values and provide incentives for historic preservation.

###### **33.846.080 Demolition Review**

**A. Purpose.** Demolition review protects resources that have been individually listed in the National Register of Historic Places and those that have been classified as contributing in the analysis done in support of a Historic District's creation. It also protects Historic Landmarks and Conservation Landmarks that have taken advantage of an incentive for historic preservation and historic resources that have a preservation agreement. Demolition review recognizes that historic resources are irreplaceable assets that preserve our heritage, beautify the city, enhance civic identity, and promote economic vitality.

- B. Review procedure.** Demolition reviews are processed through a Type IV procedure.
- C. Approval criteria.** Proposals to demolish a historic resource will be approved if the review body finds that one of the following approval criteria is met:
1. Denial of a demolition permit would effectively deprive the owner of all reasonable economic use of the site; *or*
  2. Demolition of the resource has been evaluated against and, on balance, has been found supportive of the goals and policies of the Comprehensive Plan, and any relevant area plans. The evaluation may consider factors such as:
    - a. The merits of demolition;
    - b. The merits of development that could replace the demolished resource, either as specifically proposed for the site or as allowed under the existing zoning;
    - c. The effect demolition of the resources would have on the area's desired character;
    - d. The effect that redevelopment on the site would have on the area's desired character;
    - e. The merits of preserving the resource, taking into consideration the purposes described in Subsection A; and
    - f. Any proposed mitigation for the demolition

**Findings:** The site is listed as a National Register Historic District, and the reservoir basins and the Weir building are designated contributing resources in the district. Therefore, demolition of the existing reservoir basins and Weir building requires Demolition Review approval.

**The applicant has chosen to address Approval Criterion 2, therefore, the proposal has been evaluated against the:**

1. **Comprehensive Plan Goals and Policies document [Oct 1980/November 2011];**
2. **Scenic Resources Protection Plan [1991], incorporated into the Comprehensive Plan;**
3. **Washington Park Master Plan [1981]**
4. **Washington Park Reservoirs Historic District [2004].**

The PWB addressed the evaluation factors (a through f above) in analyzing the demolition and redevelopment proposal in its application and supporting submittals. Because of the thorough discussion of the effects of the proposals on the historic district as well as the surrounding park and neighborhoods, the City Council generally finds credible and persuasive PWB's conclusions about how and whether the proposal supports the Comprehensive Plan goals and policies as explained below.

## **COMPREHENSIVE PLAN**

### **GOAL 1: METROPOLITAN COORDINATION**

*The Comprehensive Plan shall be coordinated with federal and state law and support regional goals, objectives and plans adopted by the Columbia Region Association of Governments and its successor, the Metropolitan Service District, to promote a regional planning framework.*



**Findings:** While this goal speaks to the coordination of the Comprehensive Plan with state and federal law to promote a regional planning framework, rather than the coordination of specific projects with state and federal law, Policy 1.4 *Intergovernmental Coordination* states: “Insure continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds.

In addition to addressing structural concerns, such as seismic liability and landslide pressures on the aging reservoirs, the proposal to demolish the historic reservoirs (#3 and #4) at Washington Park is, in part, in response to the Environmental Protection Agency’s Long Term 2 Enhanced Surface Water Treatment Rule (LT2). This federal regulation requires that all public water systems that store water in open reservoirs must either cover the reservoirs or treat the reservoir discharge in order to reduce the incidence of disease associated with pathogenic microorganisms. Because the proposal for demolition of the existing reservoirs includes replacement with a new covered reservoir, this proposal complies with federal and state water quality regulations. In addition, the Portland Water Bureau (PWB) has entered into a compliance agreement administered by the Oregon Health Authority (OHA), and this agreement provides a framework for regular communication and coordination with the OHA.

PWB applied to the Oregon State Historic Preservation Office (SHPO) for review of the project. SHPO provided interim advice that although the demolition will adversely affect the historic district, it appears unlikely to affect the district’s listing on the National Register of Historic Places (Exhibit A-11). Because the project involves demolition of contributing resources, SHPO requires mitigation that will help interpret and explain the historic resources and preserve the historic values of the site. PWB has entered negotiations with SHPO to establish appropriate mitigation measures for the site. This ensures that the project will be coordinated with state and federal historic preservation laws.

*This goal is met.*

## **GOAL 2: URBAN DEVELOPMENT**

*Maintain Portland's role as the major regional employment, population and cultural center through public policies that encourage expanded opportunity for housing and jobs, while retaining the character of established residential neighborhoods and business centers.*

**Findings:** The policies and objectives for this goal are primarily related to the development and use of urban lands for housing, employment, and transportation. However, Policy 2.6 *Open Space* states: “Provide opportunities for recreation and visual relief by preserving Portland’s parks, golf courses, trails, parkways and cemeteries...” The proposed replacement development, as discussed during three Design Advice Request meetings with the Historic Landmarks Commission and described in the narrative and drawing set, includes increased public access to the walkways surrounding the proposed reflecting pools, as well as increased public access to the historic resources proposed to remain.

One of the areas of significance for the Historic District is “entertainment and recreation.” In part, this is because the reservoirs were originally open to park visitors and constituted one of the park attractions. Currently, the public lands immediately surrounding the reservoirs are closed to public access. The

proposed redevelopment will reopen and thereby increase public access to these areas, providing more passive recreational opportunities within Washington Park.

This, in turn, will support Washington Park's existing role as a regional attraction and enhance the amenities available to residents of nearby neighborhoods and visitors to nearby business centers. In this way, the proposal will help to maintain Portland's role as the major regional employment, population, and cultural center.

*The proposal supports this goal.*

### **GOAL 3: NEIGHBORHOODS**

*Preserve and reinforce the stability and diversity of the City's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses and insure the City's residential quality and economic vitality.*

**Findings:** Policy 3.5 *Neighborhood Involvement* states: Provide for the active involvement of neighborhood residents and business in decisions affecting their neighborhood and business associations..." Before applying for this Type IV Demolition Review, PWB participated in a more than year-long public outreach process. This process included meetings with a sounding board made up of representatives of the nearby neighborhood associations and business coalitions, meetings with nearby neighborhood associations, site visits, open houses, and other outreach efforts activities. This outreach program provided the opportunity for PWB to inform the public of the challenges of site, PWB's approach to these challenges, receive feedback from the public and various stakeholder groups, and receive design advice from the Historic Landmarks Commission on the proposed replacement development and recommended mitigation for the loss of historic resources. Through the course of this project, this policy has been implemented.

Policy 3.1 *Physical Conditions* states: "Provide and coordinate programs to prevent the deterioration of existing structures and public facilities." Policy 3.4 *Historic Preservation* states: "Preserve and retain historic structures and areas throughout the city." The structural stability of the reservoirs has been continuously compromised by a landslide that was triggered during the original construction of the facility. Over the past 120 years, PWB has repaired sections of the basins and parapet walls of the reservoirs multiple times; however, the persistent pressure of the landslide continues to damage the aging facilities. PWB indicated that even if the City opted to cover the existing reservoirs in place (in response to LT2), the landslide would continue to damage the basins. The Exterior Building Assessment (Exhibit A-4), prepared as part of this application by Peter Meijer Architect in consultation with AECOM, on page 25 states, "Given the degree and type of damage to the parapet basin walls, combined with the amount of previous repairs as a result of landslide damage, the basin walls cannot be effectively repaired."

As stated above, before filing this application, PWB engaged the Historic Landmarks Commission for advice on the proposal, appearing before the Commission a total of four times. The Historic Landmarks Commission expressed a strong desire to mitigate the loss of Reservoir 3 and Reservoir 4 with preservation and restoration of the other contributing resources within the district, including the dams, gatehouses, Pump House 1, fencing, lighting, and the drinking fountain. Much of this work is described in Table 1.1 on pages 13-

19 of Exhibit A-1, the Washington Park Reservoir Improvements Project Application for Historic Demolition Review (revised January 26, 2015 and included in the record as Exhibit A-7). Implementation of an interpretation program and restoration of historic views was also recommended by the Historic Landmarks Commission; these aspects are briefly described on page 43 and pages 88-90 of Exhibit A-7, with views indicated on Sheet 3.0 Preliminary Design Concept. Ultimate approval of the proposed restoration and interpretation activities will require Type III Historic Resource Review approval; however, the proposed work, as indicated above, is based on the recommendations of the public, stakeholder groups, and the Historic Landmarks Commission. In addition, the Historic Landmarks Commission has indicated that the relatively utilitarian 1946 Weir Building is incongruous with the rest of the contributing resources on the site, which are designed in a Romanesque Revival style, and noted that its demolition would not compromise the integrity of the historic district.

While Policy 3.4 states that the City should retain historic structures throughout the city, the practicality of preserving structures perpetually compromised by the overwhelming natural forces—like the landslide that has historically affected the reservoirs—should also be considered. The Washington Park Reservoirs have served the City well for over 100 years, however, this service has not been without complications, as is evidenced by historical reports of landslides, cracking, and leakage from the beginning, as described in Section 1-3 of Exhibits A-1 and A-7. As noted above, the proposal for demolition of Reservoirs 3 and 4 and the Weir Building, also includes, as mitigation, restoration measures for the six (6) contributing structures to remain as well as development of an interpretation program.

*On balance, and with consideration of the unique natural forces undermining the structural stability of the historic reservoir basins, the Council finds that the proposal supports this goal.*

#### **GOAL 4: HOUSING**

*Enhance Portland's vitality as a community at the center of the region's housing market by providing housing of different types, tenures, density, sizes, costs, and locations that accommodate the needs, preferences, and financial capabilities of current and future households.*

**Findings:** This goal applies to the development of housing opportunities, not the redevelopment of existing open space or utility infrastructure.

*This goal is not applicable.*

#### **GOAL 5: ECONOMIC DEVELOPMENT**

*Foster a strong and diverse economy which provides a full range of employment and economic choices for individuals and families in all parts of the city.*

**Findings:** This goal applies to the development of employment opportunities, not the redevelopment of existing open space or utility infrastructure.

*This goal is not applicable.*

#### **GOAL 6: TRANSPORTATION**

*Develop a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and*

*diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility.*

**Findings:** Objective E of Policy 6.22 *Pedestrian Transportation* states: “Develop a citywide network of pedestrian trails that increases pedestrian access for recreation and transportation purposes and links to schools, parks, transit, and shopping as well as to the regional trail system and adjacent cities.” As noted above, the existing reservoirs are largely restricted from public access for safety, liability, and water quality reasons. However, the reservoirs were originally designed with promenades around their perimeter, as was common in the era of the City Beautiful movement, which aspired to encourage civic pride (and moral virtue) through the construction of beautiful public works that indirectly promoted healthy social engagement through the beautification of the city. The proposed redevelopment will restore access to and through the site, as shown in Figure 36 on page 81 of Exhibits A-1 and A-7, providing increased public access for pedestrians and non-motorized vehicles adjacent to the reflecting pools and throughout the reservoirs historic district. The new access and circulation routes will also connect the interior of the historic district to the regional 40-mile trail, which passes through Washington Park. This will allow increased opportunities for pedestrians and bicyclists to experience the historic resources proposed to remain through physical proximity as well as the interpretation program proposed as part of the mitigation. It will also increase the choices available to pedestrians and bicyclists with regard to routes through the park, as well as viewing and resting opportunities within Washington Park.

*The proposal supports this goal.*

#### **GOAL 7: ENERGY**

*Promote a sustainable energy future by increasing energy efficiency in all sectors of the city by ten percent by the year 2000.*

**Findings:** Objective K of Policy 7.2 *Energy Efficiency in City-Owned Facilities* states: “Where practicable, exceed the energy efficiency standards of the Oregon building code for new municipal buildings, facilities and major improvements. Cost-effective energy efficiency measures shall be taken, such as energy efficient lighting, high-efficiency motors and appliances, district heating and cooling systems, and the use of renewable resources.” The Washington Park Reservoirs were listed in the National Register of Historic Places, in part, due to their innovative engineering as gravity is the primary force providing water from a mountain water source 30 miles east to residences and businesses within the city. Thus, the existing water system is extremely energy efficient and, because pumping is limited, also cost-effective.

In order to address the landslide and seismic concerns of the existing aging reservoirs, as well as respond to the LT2 regulations, the existing reservoirs are proposed for demolition so that a new buried reservoir can be constructed within a significant portion of the existing Reservoir 3 footprint. While other sites were analyzed in 2002 as potential locations for new underground reservoirs on the west side, the existing site was determined to be the most practical with regard to energy and cost efficiency in part because much of the area for the new underground reservoir will require relatively little excavation and the presence of the existing conduit infrastructure. Placing the new reservoir at this site will also preserve the ability to operate the water system primarily by gravity and will avoid the need to add pumping capacity, which would consume more energy than today’s system.

In addition, demolition of Reservoir 4 allows the opportunity to reinforce the western hillside with additional earth mass in order to slow the continued movement of the landslide and provides an area, adjacent to the reduced footprint Reservoir 4 reflecting pool, to construct a bioswale for stormwater retention and filtering, thereby avoiding the need for a more energy-consuming response to stormwater management.

*The proposal supports this goal.*

## **GOAL 8: ENVIRONMENT**

*Maintain and improve the quality of Portland's air, water and land resources and protect neighborhoods and business centers from detrimental noise pollution.*

**Findings:** Goal 8.5 *Interagency Cooperation – Water Quality* states: “Continue cooperation with federal, state and regional agencies involved with the management and quality of Portland’s water resources.” The Environmental Protection Agency’s LT2 regulation requires that all open reservoirs be covered or treated at the point of discharge. Despite a protracted effort to obtain either a variance from this regulation or an extension to the agreed-to deadline for compliance, the City was ultimately faced with the responsibility of ensuring its compliance with this regulation. In order to meet the compliance schedule entered into with the U.S. Environmental Protection Agency and Oregon Health Authority, PWB moved forward with application for this proposal. The compliance agreement continues to be a centerpiece of PWB’s cooperation with federal and state agencies concerning water quality. Although LT2 compliance is a factor in the proposal for demolition of the Washington Park Reservoirs, geologic forces play perhaps a more significant role in the request.

Policy 8.13 *Natural Hazards* states: “Control the density of development in areas of natural hazards consistent with the provisions of the City’s Building Code, Chapter 70, the Floodplain Ordinance and the Subdivision Ordinance.” Also, Objective B *Slope Protection and Drainage* of Policy 8.16 *Uplands Protection* states: “Protect slopes from erosion and landslides through the retention and use of vegetation, building code regulations, erosion control measures during construction, and other means.” As noted above, construction of the reservoirs in 1894 triggered an ancient landslide that has, since that time, been the cause of persistent damage and resultant maintenance concerns. Indeed, a December 30, 1894 Oregonian article entitled “Cracks in Reservoir” noted within days of the reservoirs’ first watering, cracks that had apparently been noticed, but not reported, prior to the water being turned on.

*“The water was run out as rapidly as possible. The examination which followed showed many cracks in the cement, near the bottom of the sides on the west side, from the dam to the buttress. In some places the earth had the appearance of being pushed out. In places on the bottom the cement was squeezed or buckled up and cracked clear through, and some water escaped by reason thereof. It is certain the water does not come from below, for that is impervious to water. There is one of two causes at work.*

*“First – Either water is collecting under the lining, and not being able to escape forces its way through the cement; or,*

*“Second – The whole mass of earth on the west side, resting on an underlying stratum of clay, is sliding in. The pressure is due to a lateral or horizontal force and must be one of the two above mentioned.*

*“If it is due to the former, the remedy will be by drainage and heavy retaining walls; if to the latter, the remedy will be hard to find for the pressure will be almost resistless.”*

The reservoirs remained empty for the first ten years of their existence while the City attempted to dewater the hillside and slow the progression of the landslide. Even at present, however, the landslide continues to move. Removal of the existing reservoirs will provide the opportunity to restore the earth slope to the west of Reservoir 4, which will help to slow the movement of the landslide due to the reintroduction of earth mass at this location. Reinforcement of this slope will also help protect upland resources including the International Rose Test Garden and the Japanese Garden which are located within the footprint of this slide, as is shown on page 21 of Exhibits A-1 and A-7. Demolition will also allow the opportunity to construct a new buried reservoir with a footprint shifted slightly east of the existing Reservoir 3 footprint. This will achieve two purposes. First, it will place the new reservoir completely beyond the toe of the landslide, which puts it outside the area in which the ground is shifting. Second, it will allow space between the new reservoir and the adjacent hillside to introduce a compressible material which will serve as a cushion for the persistent landslide. These two measures are designed to protect the new reservoir from landslide damage for decades, thus extending its useful life. Removal of the existing reservoirs and construction of a new earthquake-resistant buried reservoir will also protect downslope residences and the city’s water supply from a potentially catastrophic earthquake event. In addition, demolition of the 1946 Weir Building will allow access for the construction of the new buried reservoir in the proposed location in a manner that minimizes impacts to other historic and natural resources on the site. The proposal will therefore support Policies 8.13 and 8.16 by removing the reservoir basins (the structures most severely damaged by the landslide) and replacing them with better-protected structures designed to modern standards and building codes. In addition, by restoring the slope above Reservoir 4, the entire site (including the remaining historic structures) will face less risk of damage due to the additional mitigation of the landslide.

Policy 8.14 *Natural Resources* states: “Conserve significant natural and scenic resource sites and values through a combination of programs...Balance the conservation of significant natural resources with the need for other urban uses and activities through evaluation of economic, social, environmental, and energy consequences of such actions.” The City adopted environmental and scenic overlay zoning in this area in 1992 (through adoption of the Southwest Hills Resource Protection Plan) to implement this policy when considering development in the area. The proposal supports Objective C, *Impact Avoidance*, because the proposed demolition and redevelopment will occur in previously disturbed areas with minimal incursion into environmental and scenic resource areas.

Two other objectives under Policy 8.14 apply directly to the scenic resources at the site. Objective K, *Enhancing View Corridors* applies to the Sacajawea scenic corridor and the view from the Grand Stairway, both of which will be opened to allow views across the historic district. Objective F *Pruning to Maintain and Enhance Views* states: “Actively manage the pruning and cutting of trees and shrubs on public lands or on non-public areas with scenic designations to maintain and enhance scenic views which may be impacted by vegetation.” While restoration of the scenic views noted in the Olmsted Plan or the Scenic Resources Protection Plan is not contingent on demolition of the historic resources, it is worth noting that this aspect of the proposal meets this policy.

Policy 8.17, *Wildlife Habitat*, seeks to conserve existing areas and create new ones in order to increase the variety of fish and wildlife throughout the urban area. Policy 8.16, *Uplands Protection*, is intended to conserve significant upland areas and values related to wildlife, aesthetics and visual appearance, and views and sites (among other purposes). The demolition of Reservoir 4 will allow the upland slope to be restored to its approximate configuration before the reservoirs were constructed in 1894. In addition, a new “lowland habitat” area will be created within the footprint of today’s Reservoir 4 as part of the proposed stormwater facility. The lowland habitat and the restored slope will approximate types of habitat that once existed in the immediate area. This aspect of the proposed redevelopment will support these two policies by creating new wildlife habitat where today there is none and by preserving views, sites, aesthetics, and wildlife values generally on the site.

*The proposal supports this goal.*

### **GOAL 9: CITIZEN INVOLVEMENT**

*Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan.*

**Findings:** Policy 9.1 *Citizen Involvement Coordination* states: “Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals and the general public.” Prior to making application for this Type IV Demolition Review, the Portland Water Bureau embarked on an extensive public outreach campaign which included stakeholder interviews, nine Community sounding Board meetings, four meetings with the Historic Landmarks Commission, American Institute of Architects Historic Resources Committee Briefings, several walking tours, and face-to-face as well as online open houses. This engagement process helped to shape the design concept presented as the proposed replacement for the existing reservoirs. During this process several key values were identified, including the retention of large expanses of open water, retention of as much historic character as possible, provision of interpretive elements, quiet spaces, and habitat, and responsibility for ratepayers’ money. Section 1-4 *Public Involvement, Community Values & Design Options* in Exhibits A-1 and A-7 describes this process in detail. The Portland Water Bureau also posted and regularly updated project information on its website, including the application materials and information about providing comments for this demolition review. These activities provided active coordination with relevant community organizations and made public reports and plans readily available to residents, businesses, and any interested members of the public.

In addition, as part of this process the Bureau of Development Services issued notice of the March 23<sup>rd</sup> Historic Landmarks Commission meeting, later rescheduled to March 30<sup>th</sup>, and the April 23<sup>rd</sup> City Council hearing to neighborhood associations, business groups, and neighbors.

*Taken together, these activities demonstrate the proposal supports this goal.*

**GOAL 10: PLAN REVIEW AND ADMINISTRATION**

*Portland’s Comprehensive Plan will undergo periodic review to assure that it remains an up-to-date and workable framework for land use development. The Plan will be implemented in accordance with State law and the Goals, Policies and Comprehensive Plan Map contained in the adopted Comprehensive Plan.*

**Findings:** This goal relates to the periodic review and implementation of the Comprehensive Plan in accordance with state law. As such, it speaks to a higher level of planning and is not applicable to this specific land use application.

*This goal is not applicable.*

**GOAL 11: PUBLIC FACILITIES**

*Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.*

**Findings:** Goal 11E *Water Service Goal & Policies* states: “Insure that reliable and adequate water supply and delivery systems are available to provide sufficient quantities of high quality water at adequate pressures to meet the existing and future needs of the community, on an equitable, efficient and self-sustaining basis.”

Policy 11.26 *Quality* states: “Maintain the quality of the water supply at its current level, which exceeds all state and federal water quality standards and satisfies the needs of both domestic and industrial consumers.” While the City maintains water service of exceptional quality, largely due to the protections on the Bull Run Watershed which provides our source water, the federal government has mandated additional protections for water quality, requiring our reservoirs to be either covered or treated at the point of discharge. The City Council made the decision to provide covered storage in previous public processes in part because the Council determined point-of-discharge treatment was found to be infeasible and more expensive. Without constructing covered drinking water storage, Portland will no longer meet all state and federal water quality standards. The proposal to demolish the existing reservoirs and construct a new buried reservoir in approximately the same location is, in part, a response to this regulation and supports Policy 11.26.

Policy 11.28 *Maintenance* states: “Maintain storage and distribution facilities in order to protect water quality, insure a reliable supply, assure adequate flow for all user needs, and minimize water loss.” Aside from the federal regulations, other factors provide impetus for the proposal. For one, the Council, like PWB, considers this policy applicable to the entire water system and recognizes that aging infrastructure must be replaced as it approaches the end of its useful life. Also, and as noted above, construction of the reservoirs in 1894 triggered an ancient landslide that has ever since imposed significant pressure and deformation on the reservoirs due to persistent sliding. This has created considerable maintenance needs over the past 120 years, which are of greater concern as the seismically susceptible reservoirs continue to age. PWB states that retrofitting the existing facilities to withstand the continued pressures of the landslide would be costly and inefficient, and the efforts would ultimately be futile. To overcome this problem, the proposed replacement reservoir will be positioned east of the existing Reservoir 3 and outside of the toe of the landslide. In addition, significant fill is proposed to reconstruct the slope of the hillside above and within a portion of the existing footprint of Reservoir 4, which is intended to further slow the encroaching landslide. The proposed demolition



(and redevelopment) will greatly reduce maintenance requirements at this site while increasing the reliability of supply, thus supporting this policy.

Policy 11.29 *Storage* states: “Maintain city storage capacity of at least three times the average daily use of city users. Additional storage capacity contracted by outside-city water users will also be maintained.” Since the time this policy was adopted, PWB developed its groundwater supply field, which provides a large quantity of water (much more than a three-day supply) that functions within the system as stored water. In addition, the total demand for water held at the Reservoir 4 elevation has declined due to the reduction in industrial water demand along the Willamette River in northwest Portland. As a result, PWB has stated that their current water needs are met, even without replacing the capacity of Reservoir 4 on the site. The new buried reservoir to be located in approximately the same location as the existing Reservoir 3, combined with other storage sites within the City, will be sufficient to meet the city’s needs, and therefore supports this policy.

Policy 11.31 *Design and Community Impact* states: “Design water facilities to be compatible with the area in which they are located.” The design of the proposed replacement development is the result of community participation and advice from the Historic Landmarks Commission and other stakeholders. The proposed development includes a buried reservoir with a cascading reflecting pool in approximately the same location and footprint as the existing Reservoir 3. This reflecting pool will ensure that visible water is present adjacent to Gatehouse 3 and the Dam and at approximately the same elevation as with the historic condition. Similarly, at Reservoir 4, while there will be no buried reservoir, there will be a reflecting pool adjacent to Gatehouse 4 and the Dam in order to preserve the historic character of these features.

In addition, the reservoirs are currently restricted from public access due to liability concerns. The proposed redevelopment will incorporate greater connectivity to the visible water features and the remaining historic resources, as well as increased opportunities for passive recreation throughout the site. An interpretation program will be developed to tell the story of the Washington Park Reservoirs and the Bull Run water delivery system. These aspects of the proposal will ensure that the new facility will be compatible with the area in which it is located - a public park - where nature, beauty, and opportunities for passive recreation are part of its essential character. The provision of surface water features, public access, and interpretive materials ensures that the proposed demolition and redevelopment will support this policy.

Policy 11.36 *Water Pressure* states: “Provide water at standard pressures (40 to 110 lbs. per square inch) to all users whenever possible.” By proposing to locate the new buried reservoir in essentially the same location and at the same elevation as the existing Reservoir 3, existing water pressure that meets this standard will be maintained. The proposal thus supports this policy.

Goal 11F, *Parks and Recreation*, states: “Maximize the quality, safety, and usability of parklands and facilities through the efficient maintenance and operation of park improvements, preservation of parks and open space, and equitable allocation of active and passive recreation opportunities for the citizens of Portland.”

Policy 11.38, *Master Development Plans*, states: “Maintain master development plans for city parks that address user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and citizen involvement.” The Washington Park Master Plan is the master development plan for Washington Park, and as described below, the proposal supports Policy 3, which deals with the reservoirs site (see discussion of Washington Park Master Plan below). In addition, the proposal for demolition and redevelopment was prepared in cooperation with Portland Parks and Recreation, and has considered explicitly many of the policies of concern to the master plan, including user group needs, development priorities, development and maintenance costs, program opportunities, and citizen involvement. In these ways, the proposed demolition and redevelopment support this policy.

Policy 11.39, *Maintenance*, states: “Provide programmed preventive maintenance to all city park and recreational facilities in a manner which reduces unplanned reactive maintenance and emphasizes the use of scheduled service delivery.” The current proposal supports both Goal 11F *Parks and Recreation* and Policy 11.39 *Maintenance* because the area currently closed to public access will be opened and attractive modern facilities will be constructed. For example, the chain-link fence below Sherwood Boulevard will be moved to a less-conspicuous location, improving the view. The proposal will also reduce future maintenance costs by demolishing the deteriorating reservoirs, further stabilizing the landslide, and preserving or rehabilitating the remaining historic structures in the district. Pedestrian access and the Grand Stairway will improve the safety and usability of this portion of the park. Finally, the proposed redevelopment does not change the balance between passive and active recreational experiences available in Washington Park or the amount of open space in the park. It simply improves the recreational opportunities in this part of the park while reducing ongoing maintenance costs for these deteriorating structures. Therefore, the proposed demolition and redevelopment will support Goal 11F and this policy. This will maximize the quality and usability of the park generally and of the park improvement managed by the Water Bureau within the historic district.

*For the reasons stated above, the proposal supports this goal.*

## **GOAL 12: URBAN DESIGN**

*Enhance Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations.*

**Findings:** Policy 12.1 *Portland’s Character* states: “Enhance and extend Portland’s attractive identity. Build on design elements, features and themes identified with the City. Recognize and extend the use of City themes that establish a basis of a shared identity reinforcing the individual’s sense of participation in a larger community.” The Washington Park open reservoirs have served our City for more than 100 years, providing an essential service as well as beautiful vistas of the intersection of architecture, utility, and nature. The structures have become symbolic of Portlander’s appreciation and embrace of nature and are much beloved by the majority of the population aware of their existence and a source of pride for the City.

Unfortunately, the overwhelming forces of nature have not been kind to these structures and the preservation of these facilities has been an ongoing challenge since before their initial completion. As described above, the continued preservation of the existing historic reservoirs, with the persistent landslide

pressures continuing to compromise their structural stability, appears to be unsustainable in the long run. Through cooperation with the Community Sounding Board, the Historic Landmarks Commission, and a number of other stakeholders, PWB has proposed a replacement facility that is both attractive and engaging, providing the opportunity for the City to build a new legacy. Although the original reservoir basins are to be demolished, the proposal will retain the important Romanesque gatehouses and dams. The proposed redevelopment will reconnect citizens with the reservoirs in a new way through: (a) restoration of and reconnection with the historic resources to remain; (b) educational programming; and (c) restored views toward the city and the Bull Run watershed beyond, referred to as the Olmsted View. The proposal, by building upon the existing historic themes and preserving many features of the site, supports Objective B.

Objective B of Policy 12.1 states: “Preserve and enhance the character of Portland’s neighborhoods. Encourage the development of attractive and unique characteristics which aid each neighborhood in developing its individual identity.” While the reservoirs, as publicly-owned facilities belong to the general public, they are located within the Arlington Heights neighborhood and are a rather unique characteristic of this neighborhood and a part of its unique identity. Members of the Arlington Heights Neighborhood Association, as well as members of neighboring neighborhoods, participated in the Community Sounding Board discussions and helped to shape the development of the proposal for replacement facilities. Throughout this process, the participation and cooperation between the public and PWB has demonstrated the best of collaborative community planning. The resulting proposal for redevelopment will retain the most visible and striking of the historic structures in the historic district. This, along with views across open water, will help preserve the contribution of this historic district to the identity and character of the nearby neighborhood. The new access to the reservoir area will make the historic district even more significant than it is today in contributing to the unique characteristics of these neighborhoods. The proposed demolition and redevelopment therefore support this Objective of Policy 12.1.

Objective C of Policy 12.1 states: “Enhance the sense Portlanders have that they are living close to nature...Design new development to enhance the natural environment that is so much a part of Portland’s character.” Objective H states: “Preserve and enhance existing public viewpoints, scenic sites and scenic corridors. As new development occurs, take advantage of opportunities to create new views of Portland’s rivers, bridges, the surrounding mountains and hills, and the Central City skyline.” As noted above, the proposed replacement development will provide increased pedestrian access to the water features. Within the footprint of the redeveloped Reservoir 4, a grassy swale will provide additional wildlife habitat adjacent to the lower reflecting pool. The City’s Scenic Views, Sites, and Corridors Resource Protection Plan lists certain scenic views, sites, and drives worthy of protection. While some of these are within Washington Park, none specifically describe views that include the existing reservoirs; therefore these designated views and drives will not be affected by the proposal. However, as noted above, the Olmsted view to the Bull Run watershed area will be restored. The proposal thereby retains elements of the Olmsted concept of “nature in the city” and enhances and restores to the historic district public viewpoints and the sense of “living close to nature,” which support Objectives C and H of Policy 12.1.

*For the reasons explained above, the proposal supports this policy.*

Policy 12.3 *Historic Preservation* states: “Enhance the City’s identity through the protection of Portland’s significant historic resources. Preserve and reuse the historic artifacts as part of Portland’s fabric. Encourage development to sensitively incorporate preservation of historic structures and artifacts.” It is without question that the Washington Park Reservoirs are among the City of Portland’s most significant historic resources. The construction of the Bull Run water delivery system in 1894, with the reservoirs serving as the grand finale, helped provide clean and safe drinking water to the citizens of a rapidly growing city. Indeed, the reservoirs were one of the first and grandest public works projects initiated and completed by the City. As the National Register nomination states:

*“The layout of the reservoirs, on the east and west side of the Willamette River, was one of the early connections to the two sides of Portland divided by the river. The result of a government-business paradigm for public works, funding the creation of Portland’s Bull Run water system, of which the reservoirs are an integral part serving as the water storage and delivery system, was a landmark process for Oregon’s legislature that illustrated a commitment to public health and an adequate supply of high quality water using a cost effective delivery design. Consequently, subsequent and similar public-private investments ensued, such as the funding and construction of Portland City Hall in 1895, the development of park planning, and the installation of public drinking fountains, the Benson Bubblers in 1912, in downtown Portland.”*

Consideration of the future of the reservoirs has been a decades-long question, with the 1981 Washington Park Master Plan noting the federal government had previously urged the covering of all open reservoirs, and therefore acknowledging this was a possibility. As reported in the December 30, 1894 Oregonian article “Cracks in the Reservoir”, one commenter suggested that *“nothing could save either of them and...it would be better for the taxpayers to shut them down.”* Instead, the City did its best to keep the reservoirs in service for over 100 years. These same techniques could probably continue to extend the life of the reservoirs a few more decades, however, the federal government now requires that the water in existing open reservoirs be either covered or treated at the point of discharge. Given these options, and with consideration of the history of nature’s influence on the site, the decision was made to seek approval for the construction of a new buried reservoir and reinforcement of the hillside, with demolition of the existing historic reservoirs as a consequence.

While the basins and parapets walls of Reservoirs 3 and 4 and the Weir Building are proposed to be demolished, the applicant proposes as mitigation for their loss restoration activities to the contributing resources proposed to remain, educational programming, and increased access and accessibility. The proposed restoration activities include the following: rehabilitation of Dam 3, including repair and reconstruction (as needed) of the parapet wall and balustrade, and removal of unnecessary piping and equipment; rehabilitation of Dam 4, including repair and reconstruction (as needed) of the parapet wall and balustrade, and removal of unnecessary piping and equipment; restoration of windows to Pump House 1, affording interior views to “Thumper” (the historic water pump inside); structural upgrade, roof replacement, replacement of non-historic metal doors with more appropriate doors, and removal of unnecessary

equipment to Gatehouse 3; replacement of non-historic metal doors with more appropriate doors and removal of unnecessary equipment to Gatehouse 4; cleaning of the Generator Building and all other buildings and structures to remain; plus patching of holes, and crack and spall repair on all contributing buildings and structures to remain. In addition, retention and rehabilitation of the historic fencing along Dams 3 and 4 and along the east and south edges of Reservoir 4, rehabilitation of the historic light post ironwork, renovation of 3 decorative concrete urns, and removal of non-historic incompatible lighting and introduction of new visually unobtrusive lighting is also proposed. While Reservoirs 3 and 4 and the Weir Building are proposed for demolition, the remaining historic resources will be rehabilitated and incorporated into the new design.

Objective A of Policy 12.3 states: “Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.” As noted above, the remaining historic resources will be rehabilitated and incorporated into the new development. While a significant portion of the new development will be underground, new reflecting pools, pedestrian paths, and lighting are proposed. These new elements will be juxtaposed against the remaining historic resources, adding contrast while still being compatible. In addition, interpretive programming, proposed as mitigation, will highlight the historic resources, informing the public of their history and significance.

Objective B states: “Support the preservation of Portland’s historic resources through public information, advocacy and leadership within the community as well as through the use of regulatory tools.” This Demolition Review meets the regulatory aspect of this policy. Active preservation of the historic resources to remain, restoration of deteriorated historic features, and the development of interpretive programming, as is proposed as the mitigation for the loss of Reservoirs 3 and 4 and the Weir Building, meets the other aspects of this objective.

Objective C of Policy 12.3 states: “Maintain a process that creates opportunities for those interested in the preservation of Portland’s significant historic resources to participate in the review of development projects that propose to alter or remove historic resources.” The Type IV Demolition Review process affords the public the opportunity to comment on the proposed demolition and replacement development. A subsequent Type III Historic Resource Review will provide additional opportunity for the public to comment as the redevelopment proposal continues to become more specific and refined. In addition to the official public involvement and notification processes, the PWB engaged in an extensive public outreach campaign to help develop the general concepts for this proposal. That outreach, combined with design advice by the Historic Landmarks Commission, significantly shaped the current proposal.

Demolition of the historic Reservoirs 3 and 4, as well as the Weir Building, when considered out of the context of the overall development proposal, appears not to meet the City’s Historic Preservation goal. In conjunction with the proposal to rehabilitate the remaining historic resources, implement interpretive programming, and increase public accessibility to these remaining historic resources, *when combined with these mitigation provisions*, the Council finds that the City’s Historic Preservation goals are met.

*Although this proposal doesn't support every aspect of the policy, the Council finds that on balance and with PWB's proposed mitigation the proposal supports this policy.*

Objective B of Policy 12.4 *Provide for Pedestrians* states: "Enhance the environment occupied by Portland's pedestrians. Seek to enrich these places with designs that express the pleasure and hold the pleasant surprises of urban living." As noted above, the redevelopment proposal includes increased pedestrian accessibility to the proposed reflecting pools and the historic resources to remain, as well as introduces interpretive programming and provides additional routes for pedestrians and bicyclists. Currently the reservoirs and much of the land around them is restricted from public access for liability reasons. As a result of the proposed redevelopment, these lands will be reopened, affording new opportunities for passive recreation and surprise.

*For the reasons stated above, the proposal supports this policy.*

*On balance, and with consideration of the unique natural forces undermining the structural stability of the historic reservoir basins described under Policy 12.1 and with the mitigation measures described under Policy 12.3 the Council finds that the proposal is sufficiently supportive of this goal.*

## **WASHINGTON PARK MASTER PLAN**

### **RECOMMENDATION 3: RESERVOIRS**

- A. *Move the chain-link fence around the reservoirs to a less unsightly position lower on the slope.*
- B. *If the reservoirs are covered, flood the covered area with shallow water to preserve their traditional attractive appearance.*

**Findings:** Currently, chain link fencing remains along the upper elevation portions of Sherwood Avenue. Some fencing was replaced with iron fencing in 2005 and 2007. PWB indicates that as part of the redevelopment proposal, portions of the existing chain-link fencing will be moved, which will allow for increased accessibility adjacent to the proposed replacement water features and the historic resources proposed to remain. As noted under "B", covering of the reservoirs was anticipated more than 30 years ago. Consistent with "B," As suggested, the proposed redevelopment will include a reflecting pool over a new buried Reservoir 3 as well as a reflecting pool adjacent to the Reservoir 4 dam and gatehouse, in a reduced footprint of the existing Reservoir 4.

*Based on the explanation and findings above, the Council finds that PWB's proposal satisfies the approval criterion for demolition review contained in PCC 33.846.080.C.2.*

## **OTHER TECHNICAL REQUIREMENTS**

### **V. CONCLUSIONS**

The Washington Park Reservoirs were constructed in 1894 within a natural ravine in what was then called City Park. Unfortunately, the shape of the natural ravine was enhanced with excavation that led to the awakening of an ancient landslide that has exerted its pressure on the reservoirs, resulting in cracking and compromised integrity

since before they were even completed. Herculean efforts were undertaken that have allowed the reservoirs to serve the City for over 100 years; however, the force of gravity persists and compromises the reservoirs' ability to withstand a more unpredictable events such as a significant earthquake. In addition, the Environmental Protection Agency has mandated that drinking water in open reservoirs be either covered or treated at the point of discharge, which ultimately has prompted the City's proposal to demolish the reservoirs and build a new buried reservoir at this point in time, rather than at some later point in time.

Prior to this Demolition Review, there have been only two other Demolition Reviews in the City's history. In the first Demolition Review (LU 09-171258 DM), the City Council also found that it has broad discretion in deciding how to balance applicable comprehensive plan goals and policies, and specifically that "The Council has the authority to give certain relevant goals and policies more weight" and others less in deciding whether the proposal, on balance, supports the Comprehensive Plan and other relevant area plans.

The proposed demolitions are *not* fully supportive of the two historic preservation policies in the Comprehensive Plan: Neighborhoods Policy 3.4 Historic Preservation and Urban Design Policy 12.3 Historic Preservation. However, the goal of preserving the reservoirs was to preserve two essential characteristics: (1) the storage and distribution of high quality water using a gravity-fed system; and (2) open and accessible water that provides aesthetic, spiritual and recreational value to park visitors seeking solace and respite from urban living. In fact, the covering of Reservoir 3 at its current location is necessary to maintain the first characteristic (water quality), at least to the satisfaction of federal and state regulators; and the second characteristic (open and accessible water) is impossible to achieve if the existing reservoirs are closed to the public.

The City Council finds that on balance, the provision of key public facilities and services is a public necessity and must be given great weight in the review process. Based on the analysis of "project drivers," the Portland Water Bureau has no reasonable choice but to demolish Reservoir 3, Reservoir 4, and the Weir Building. The alternative is to maintain aging infrastructure that violates state and federal rules, which require that these reservoirs be covered. At the same time, the Water Bureau would also be keeping a critical part of the city's water supply in reservoirs that have been and will continue to be vulnerable to damage by an active landslide or seismic events. This approach would hold the public at risk of losing vital water supplies and experiencing downstream flooding as these facilities continue to age and deteriorate, or as a result of a major seismic event.

In both of the prior Historic Demolition cases (LU 09-171259 DM and LU 14-210073 DM), the City Council indicated that in order for a Demolition Review to be approved, the replacement development must provide a significant public benefit in order to make up for the loss of the historic resource.

In this case, the historic resources are considerable and the public benefit must be comparable. As outlined above, the construction of a new buried reservoir will protect downslope properties from a potentially catastrophic event such as an earthquake, while the reinforcement of the slope west of Reservoir 4 will help to slow movement of the landslide, thus protecting upland resources such as the International Rose Test Garden. Neither of these aspects of the proposal are possible if the existing reservoirs are kept in their current configuration. In addition, decommissioning of the existing reservoirs and construction of a new buried reservoir slightly east of the existing Reservoir 3 will require less maintenance over time as it will not be subject to the persistent force of the landslide compromising its integrity. As mitigation, the City

proposes substantial rehabilitation work on the existing historic resources proposed to remain, interpretive programming, and increased accessibility for pedestrians and bicyclists, which will integrate the historic district more fully into Washington Park and allow the public to enjoy this long-closed-off area and its historic resources. These are substantial and significant public benefits.

On balance, City Council finds that the proposal to demolish Reservoirs 3 and 4 and the Weir Building and redevelop the site as proposed in the applicant's narrative (Exhibits A-1 and A-7), is supportive of the relevant goals and policies of the Comprehensive Plan, and therefore warrants approval.

## **VI. DECISION**

**It is the decision of Council to:** Approve the PWB's application to demolish Reservoir 3, Reservoir 4, and the Weir Building, all contributing resources in the National Register Washington Park Reservoirs Historic District, consistent with Exhibits C-1 through C-3.

## **VII. APPEAL INFORMATION**

### **Appeals to the Land Use Board of Appeals (LUBA)**

This is the City's final decision on this matter. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date of the decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the local proceedings for this land use review. You may call LUBA at 1 (503) 373-1265 for further information on filing an appeal.

### **EXHIBITS NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement:
  - 1. Application for Historic Demolition Review, dated December 2014 (98 pages)
  - 2. Changes Over Time (4 sheets)
  - 3. Original Drawings (3 sheets)
  - 4. Exterior Building Assessment
  - 5. Pre-Application Conference Summary Memo, dated June 9, 2014
  - 6. Washington Park Reservoirs National Register nomination
  - 7. Revised Application, received January 26, 2015 (98 pages)
  - 8. Revised Proposed Demolition sheet, dated January 23, 2015
  - 9. AIA Letter of support
  - 10. Community Sounding Board Letter of support, dated January 27, 2014
  - 11. Comments forwarded from Jason Allen, at the State Historic Preservation Office (SHPO), dated March 9, 2015, stating that SHPO found the demolition to adversely affect the historic district, but did not believe the demolition would affect the district's listing on the National Register of Historic Places.
- B. Zoning Map (attached)
- C. Plans & Drawings:
  - 1. Existing Site Conditions (attached)
  - 2. Proposed Demolition (attached)
  - 3. Preliminary Design Concept (attached)
- D. Notification information:
  - 1. Request for response
  - 2. Posting letter sent to applicant
  - 3. Notice to be posted
  - 4. Applicant's statement certifying posting



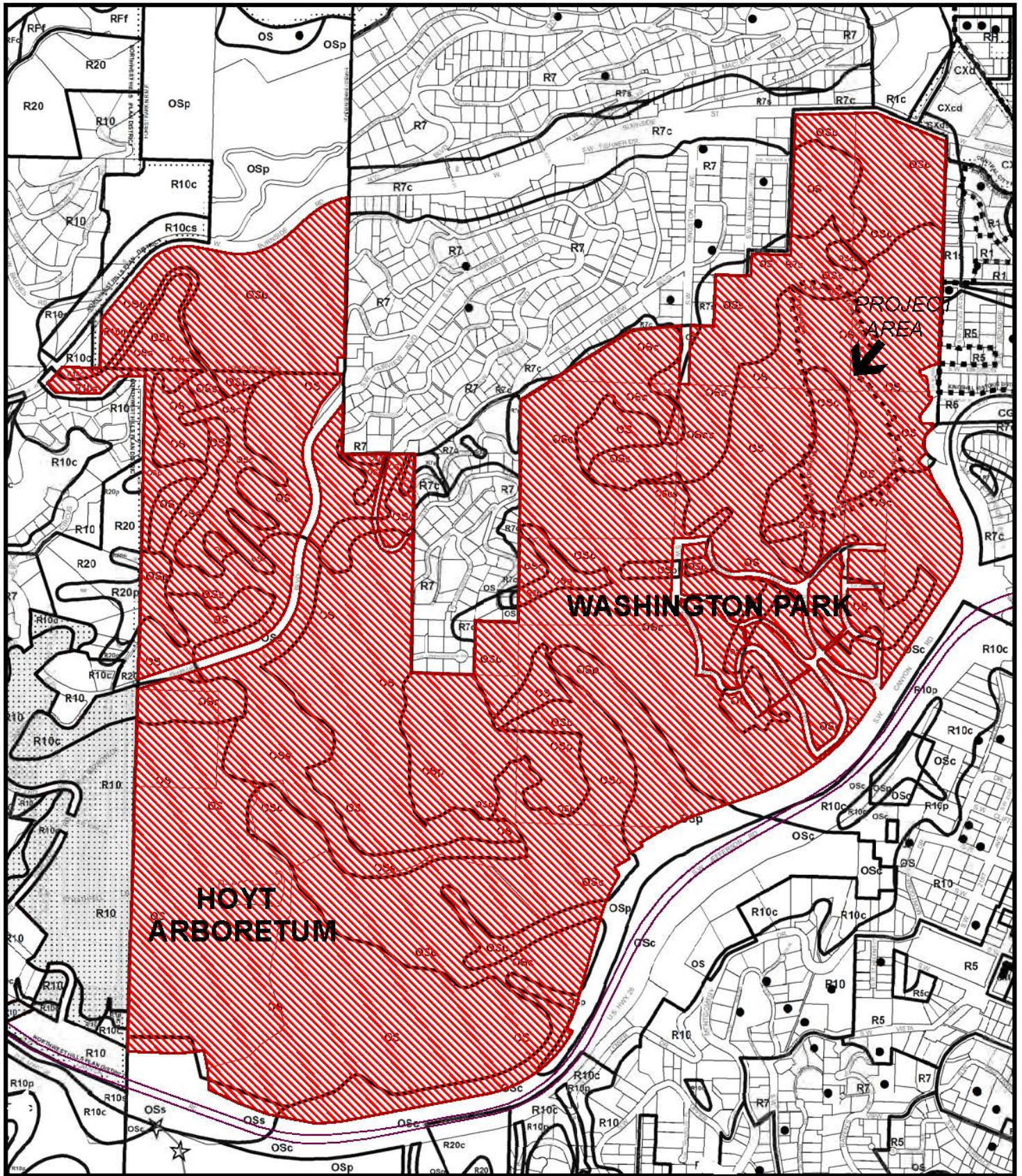
5. Mailing list
  6. Mailed notice
  7. Revised Posting Notice
  8. 2<sup>nd</sup> Certification form
  9. Revised Notice
  10. Revised Notice Mailing List
  11. Map of Posting Notice Locations
- E. Agency Responses:
1. Bureau of Parks, Forestry Division
  2. Water Bureau
  3. Life Safety Division of BDS
  4. Bureau of Environmental Services
  5. Fire Bureau
  6. Bureau of Transportation Engineering and Development Review
  7. Site Development Review Section of Bureau of Development Services
- F. Letters:
1. Susan Alpert Siegel, President of the Arlington Heights Neighborhood Association, on February 27, 2015, wrote with concerns regarding the routing of construction traffic through the neighborhood and the closure of Sacajawea Circle during the project's multi-year construction schedule.
  2. Nancy Seton, President and Land Use Chair of the Southwest Hills Residential League (SWHRL), on March 6, 2015 wrote in support of the proposal to demolish the existing historic reservoirs and with support for the proposed replacement development featuring reflecting pools a restored hillside, and improved access.
  3. Catherine Ellison, on March 7, 2015, wrote with concerns about Sacajawea Circle being closed during construction, stating it would be a tremendous inconvenience, and requesting that alternatives be considered.
  4. RoseMarie Opp, on March 8, 2015, wrote with concerns regarding the effect of buried reservoirs on health, cracks in the Powell Butte reservoir, negative impacts of construction on Washington Park, and concern that the Arlington Heights Neighborhood Association online calendar does not list the April 23<sup>rd</sup> City Council hearing date. Ms. Opp also provided a copy of the October 29, 2014 presentation to the Community Sounding Board and a copy of the City of Portland Public Involvement Principles, both received March 17, 2015
  5. Katherine Stansbury, on March 9, 2015, wrote in opposition to the proposed disconnection of the Mt. Tabor Reservoirs, citing previous attempts to destroy the reservoirs and the City's failure to request extensions to the LT2 timeline, and requesting the Historic Landmarks Commission intervene to delay the project until after the LT2 review.
  6. Scott Fernandez, on March 9, 2015, wrote in opposition, noting the benefits of sunlight, oxygenation, and open air on drinking water and stating that the "landslide characterization issues and reasons for the changes to Washington Park reservoirs have been overblown and portrayed incorrectly."
  7. Ann Witsil, on March 9, 2015, wrote with concerns regarding the temporary closure of Sacajawea Circle, suggesting limiting its closing to certain times of day.
  8. Eric Nagle, Community Sounding Board member, on March 16, 2015, forwarded a January 27, 2014 memo from the Community Sounding Board to the Historic Landmarks Commission in support of the proposal. Mr. Nagle also noted the need for design features that discourage skateboarding to ensure the continued tranquility of the place.
  9. Katherine Stansbury, on March 19, 2015, wrote in opposition, requesting that the Historic Landmarks Commission make a request to the governor and the Oregon Health Authority to delay the start of the project until January 1, 2017.

10. Beth Giansiracusa, on March 19, 2015, wrote in opposition suggesting that the City's drinking water be treated rather than buried.
  11. Jeffrey E. Boly on March 19, 2015, wrote in opposition, stating that the applicant cannot meet the first approval criteria option and suggesting alternative options for Reservoirs #3 and #4.
  12. Susan Alpert Siegel, President of the Arlington Heights Neighborhood Association, on March 24, 2015, wrote with concerns that the proposed restoration efforts are not sufficiently described in the proposal drawings and suggesting the demolition permit drawing must also show the preservation work proposed.
  13. Joanne Stainbrook, AIA Historic Resources Committee, on March 20, 2015, wrote in support, stating the applicant had met with them three times and that they found the level of mitigation proposed is appropriate.
  14. Floy Jones, on March 29, 2015, provided the Washington Park Reservoirs Historic Structures Report.
  15. Mary Ann Schwab, on March 30, 2015, wrote with concerns regarding construction traffic and location of posting boards.
  16. Dee White, on March 29, 2015, wrote in opposition, stating that the citizen Involvement goal was not met as the public was never given the opportunity to discuss alternatives to demolition.
  17. Floy Jones, Friends of the Reservoirs, on March 29, 2015, wrote in opposition, stating that the applicant has not met Goal 9 Citizen Involvement, and has defied a 2004 City Council ordinance (#36267) which required stakeholder input on future plans for the reservoirs.
  18. Katherin Kirkpatrick, on March 30, 2015, wrote in opposition, stating that demolition of the resources results in a failure to preserve the historic character and function of the resources, and stating that the applicant has not met the EPA's public notification rules.
- G. Other:
1. Original LUR Application
  2. Incomplete Letter, dated January 14, 2015
  3. Applicant Drawing Set for Historic Landmarks Commission meeting March 30, 2015
  4. Applicant's Supplementary Materials
- H. Historic Landmarks Commission meeting March 30, 2015
1. Staff Presentation to Historic Landmarks Commission, dated March 30, 2015
  2. Applicant Presentation to Historic Landmarks Commission, dated March 30, 2015
  3. Chris Kent, on March 30, 2015, provided oral testimony in support
  4. John Czarnecki, on March 30, 2015, provided oral and photographic testimony in support and suggesting that the maintenance structures east of Reservoir 4 should also be removed.
  5. Scott Fernandez, on March 30, 2015, provided oral and written testimony in opposition stating that the landslide and seismic concern are not as bad as have been presented and the negative effects of buried reservoirs is of greater concern.
  6. Joe Walsh, on March 30, 2015, provided oral testimony in opposition
  7. RoseMarie Opp, on March 30, 2015, provided oral and written testimony in opposition, stating that buried reservoirs result in negative health effects and with concerns regarding construction traffic.
  8. Floy Jones, on March 30, 2015, provided oral testimony in opposition
  9. Dee White, on March 30, 2015, provided oral testimony in opposition
  10. Jeffrey Boly, on March 30, 2015, provided oral testimony in opposition, stating there was less consensus among the community stakeholders than has been presented.

11. Beth Giansiracusa, on March 30, 2015, provided oral testimony in opposition
  12. Eileen Brady, on March 30, 2015, provided oral testimony encouraging the Historic Landmarks Commission to attend the Mt. Tabor Appeal hearing at City Council.
  13. Mark Wheeler, on February 17, 2015, wrote in opposition. These comments were forwarded by Teresa Elliott, Portland Water Bureau.
  14. Portland Water Bureau Memo to City Council, dated April 9, 2015
  15. Portland Water Bureau Public Involvement Summary, dated April 2015
  16. Type IV Land Use Hearing Meeting Packet, dated April 23, 2015
  17. Application Materials resubmitted for City Council hearing
  18. Historic Landmarks Commission letter to City Council, dated April 13, 2015
  19. Staff Report and Recommendation to City Council, dated April 13, 2015
- I. City Council Hearing
1. Floy Jones, on April 16, 2015, wrote in opposition and submitted a 2006 letter from Chet Orloff to City Council
  2. Historic Landmarks Commissioner Harris Matarazzo, on April 17, 2015, wrote in opposition
  3. Teresa Elliott, Portland Water Bureau, on April 16, 2015, submitted comments received in opposition by Sabrina Louise.
  4. Tana and David Cahill, on April 19, 2015, wrote in opposition
  5. Brenna McDonald, on April 20, 2015, wrote in opposition
  6. Catherine Klebl, on April 20, 2015, wrote in opposition
  7. Ian Keeber, on April 21, 2015, wrote in opposition
  8. Floy Jones, on April 21, 2015, wrote in opposition and submitted a letter, a City Council Resolution, Water Bureau construction figures into the record
  9. Mark Bartlett, on April 22, 2015, wrote in opposition
  10. Jeffrey Boly, on April 22, 2015, wrote in opposition
  11. Elizabeth Callison, on April 21, 2015, wrote in opposition
  12. Floy Jones, on April 22, 2015, wrote in opposition
  13. Dee White, on April 22, 2015, wrote in opposition and submitted a 2004 Portland Alliance article about the Mt. Tabor Reservoirs Independent Review Panel
  14. Floy Jones, on April 22, 2015, submitted data for a covered Nevada tank
  15. Floy Jones, on April 22, 2015, submitted documents including a letter from the Federal Energy Regulatory Commission to Frank Galida, City of Portland, regarding the Mt. Tabor Reservoirs, pages from the November 2001 Open Reservoir Study by Montgomery Watson Harza, and a February 4, 2013 from Commissioner Steve Novick to the Oregon Health Authority requesting an extension to the LT2 compliance deadline
  16. Floy Jones, on April 22, 2015, submitted documents including a Portland Water Bureau 2012 security report regarding criminal mischief at Reservoir #7 at Mt. Tabor Park
  17. Floy Jones, on April 22, 2015, wrote in opposition
  18. Katherin Kirkpatrick, on April 23, 2015, wrote in opposition and submitted the Portland Water Bureau's 2011 and 2012 Drinking Water Quality Reports
  19. Katherin Kirkpatrick, on April 23, 2015, wrote in opposition and submitted a report by Tectonophysics related to the potential of increased radon exposure due to seismic activity
  20. Katherin Kirkpatrick, on April 23, 2015, wrote in opposition and submitted a May 2014 document entitled "Scientific and Public Health Basis to Retain Open Reservoir Water System for the City of Portland, Oregon" by Scott Fernandez
  21. Katherin Kirkpatrick, on April 23, 2015, wrote in opposition (see Exhibit I-19)
  22. Katherin Kirkpatrick, on April 23, 2015, submitted an April 19, 2015 letter by Floy Jones, Friends of the Reservoirs, and March 19, 2015 letter by Jeffrey Boly

23. Katherin Kirkpatrick, on April 23, 2015, submitted a copy of her January 10, 2015 public records request, which remains outstanding
24. Suzanne Sherman, on April 23, 2015, wrote in opposition
25. Katherin Kirkpatrick, on April 23, 2015, submitted Dee White's March 30, 2015 testimony in opposition and the March 29, 2015 testimony in opposition by Floy Jones of Friends of the Reservoirs
26. Jeya Arenson, on April 23, 2015, wrote in opposition
27. Scott Fernandez, on April 22, 2015, wrote in opposition
28. Dee White, on April 22, 2015, wrote in opposition and submitted her March 30, 2015 testimony to the Historic Landmarks Commission, the June 2004 Portland Alliance article regarding the Mt. Tabor Reservoirs Independent Review Panel
29. Katherin Kirkpatrick, on April 22, 2015, wrote in opposition and submitted survey results regarding options for Mt. Tabor Reservoirs
30. RoseMarie Opp, on April 23, 2015, wrote in opposition
31. Jeya Arenson, on April 23, 2015, wrote in opposition
32. Seven Stevens, on April 23, 2015, wrote in opposition
33. Dan Berger, on April 23, 2015, wrote in opposition  
Received at City Council hearing April 23, 2015
34. BDS Staff Presentation to City Council, dated April 23, 2015
35. Portland Water Bureau Presentation to City Council, dated April 23, 2015
36. Annie Mahoney, Community Sounding Board, provided oral and written testimony in support
37. Scott Fernandez provided oral and written testimony in opposition
38. John Czarnecki provided oral and written testimony in opposition
39. Mary Ann Schwab provided oral and written testimony in opposition  
Received during 1<sup>st</sup> 7-day period, ending 5pm on April 30, 2015
40. Valerie Hunter, on April 23, 2015, wrote in opposition
41. Ben Asher, on April 24, 2015, wrote in opposition
42. Andrea Kampic, on April 26, 2015, wrote in opposition
43. Mark Wheeler, on April 27, 2015, wrote in opposition
44. Robert Stabbert, on April 27, 2015, wrote in opposition
45. Carolyn Stuart, on April 27, 2015, wrote in opposition
46. Mark Bartlett, on April 27, 2015, wrote in opposition
47. MaryAnn Amann, on April 27, 2015, wrote in opposition
48. Floy Jones, on April 29, 2015, wrote in opposition and provided copies of contracts for prior work at Washington Park Reservoirs
49. Michael Wallace, on April 30, 2015, wrote in opposition, stating that the chance of a landslide is overstated and with concerns about construction traffic
50. Nancy Newell, on April 30, 2015, wrote in opposition, stating that the landslide and earthquake concerns are inaccurate
51. Tom Carter, PWB, on April 30, 2015, provided comments responding to issues raised by public comments
52. Dee White, on April 30, 2015, wrote in opposition and provided copies of the following: Derek Conforth's "Seven Deadly Sins of Landslide Investigation, Analysis, and Design", Nejan Huvaj-Sarihan's "Evaluation of the rate of movement of a reactivated landslide", and Oregon Department of Land Conservation and Development's "Planning for Natural Hazards: Landslide TRG [Technical Resource Guide]"
53. Jaymee Cuti, PWB, wrote on April 30, 2015, responding to Katherin Kirkpatrick's records request (Exhibit I-23)
54. Laurel Crissman, on April 30, 2015, wrote in opposition expressing disappointment for the disregard of scientific arguments in favor of retaining the open reservoirs

55. Mark Bartlett, on April 30, 2015, wrote in opposition with questions regarding ownership of the property
  56. Floy Jones, on April 30, 2015, wrote in opposition and provided an article: "Battling Nitrification with Blacklights" by Brian White and Martin Adams
  57. Leslie Rose, on April 30, 2015, wrote in opposition citing concerns with disregard for historic structures, taxpayer money, and the lack of public involvement
  58. Daniel Berger, on April 30, 2015, wrote in opposition with concerns about land ownership, radon, and suggesting additional study on the landslide and better stewardship of the historic reservoirs
  59. Katherin Kirkpatrick, on April 30, wrote, in opposition stating the City had not met the requirements for a Type III historic resource review and conditional use review and that the proposal will remove the resource's fundamental use
  60. Floy Jones, on April 30, 2015, wrote in opposition, stating that the City's public involvement principles have not been met and alternatives have not been considered
  61. Dee White, on April 30, 2015, provided a copy of the City of Portland Public Involvement Principles
  62. Dee White, on April 30, 2015, provided a copy of "Battling Nitrification with Blacklights" by Brian White and Martin Adams
  63. Scott Fernandez, on April 30, 2015, wrote in opposition, rebutting PWB comments regarding landslide activity, precipitation events, and rebar from April 23, 2015 City Council hearing
  64. Mary Ann Schwab, on April 30, 2015, wrote in opposition with concerns about public process
- Received During 2<sup>nd</sup> 7-day period, ending 5pm on May 7, 2015
65. John Czarnecki, on April 30, 2015, wrote in opposition to demolition of Reservoir 4
  66. Extension to 120-day Review Period, dated May 5, 2015
  67. Portland Water Bureau Rebuttal, dated May 7, 2015
  68. Extension to 120-day Review period, dated May 20, 2015

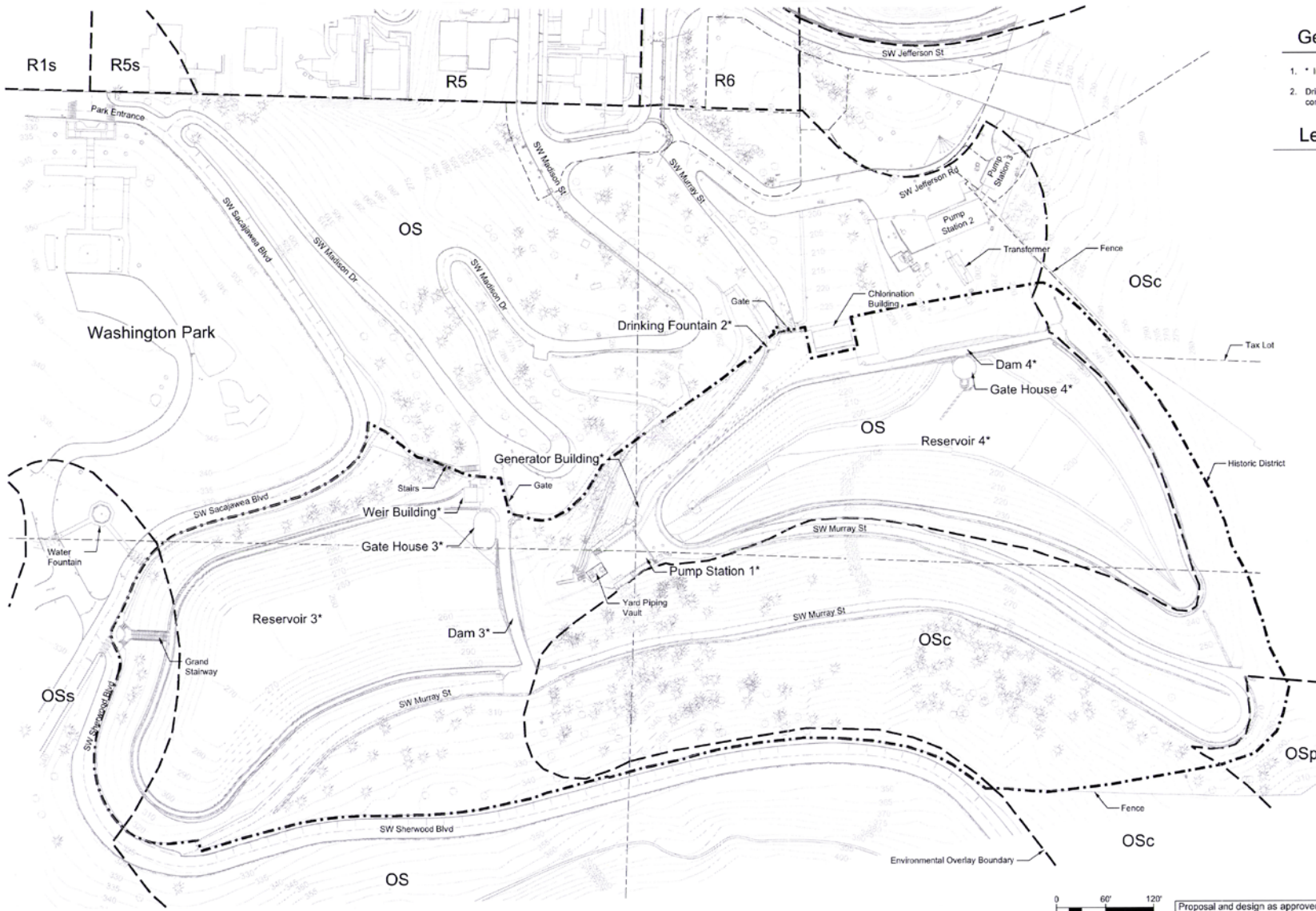


# ZONING

-  Site
-  Historic Landmark

File No. LU 14-249689 DM  
 1/4 Section 3025, 3026, 3027, 3125, 3126, 3127, 3225, 3226  
 Scale 1 inch = 800 feet  
 State\_Id 1S1E05 500  
 Exhibit B (Feb 05, 2015)



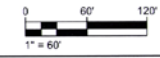


**General Notes**

- \* Indicates items that are contributing resources
- Drinking fountain 1 (Contributing Resource) not shown. It is a concrete "remnant" only.

**Legend**

- Tax Lots
- Washington Park Reservoirs Historic District
- Zoning Boundary
- Coniferous Tree
- Deciduous Tree



Proposal and design as approved in case file No. LU 14-XXXXX. No field changes allowed.

Verify Scale: 1" Bar measures one inch at full size. If not one inch then adjust scales accordingly.

No.	Date	Description	App'd.

**AECOM**  
 111 S.W. Fifth Avenue, Suite 1150,  
 Portland, Oregon 97204  
 (503) 227-1042 tel (503) 227-1048 fax

Designed By CEN	Program Mgr KW
Drawn By 	Const Mgr ML
Checked By 	Design Supr MW
Project Mgr JM	Date 

Draft  
Land Use  
Review

**PORTLAND WATER BUREAU**  
 FROM FOREST TO FAUCET

**Preliminary**

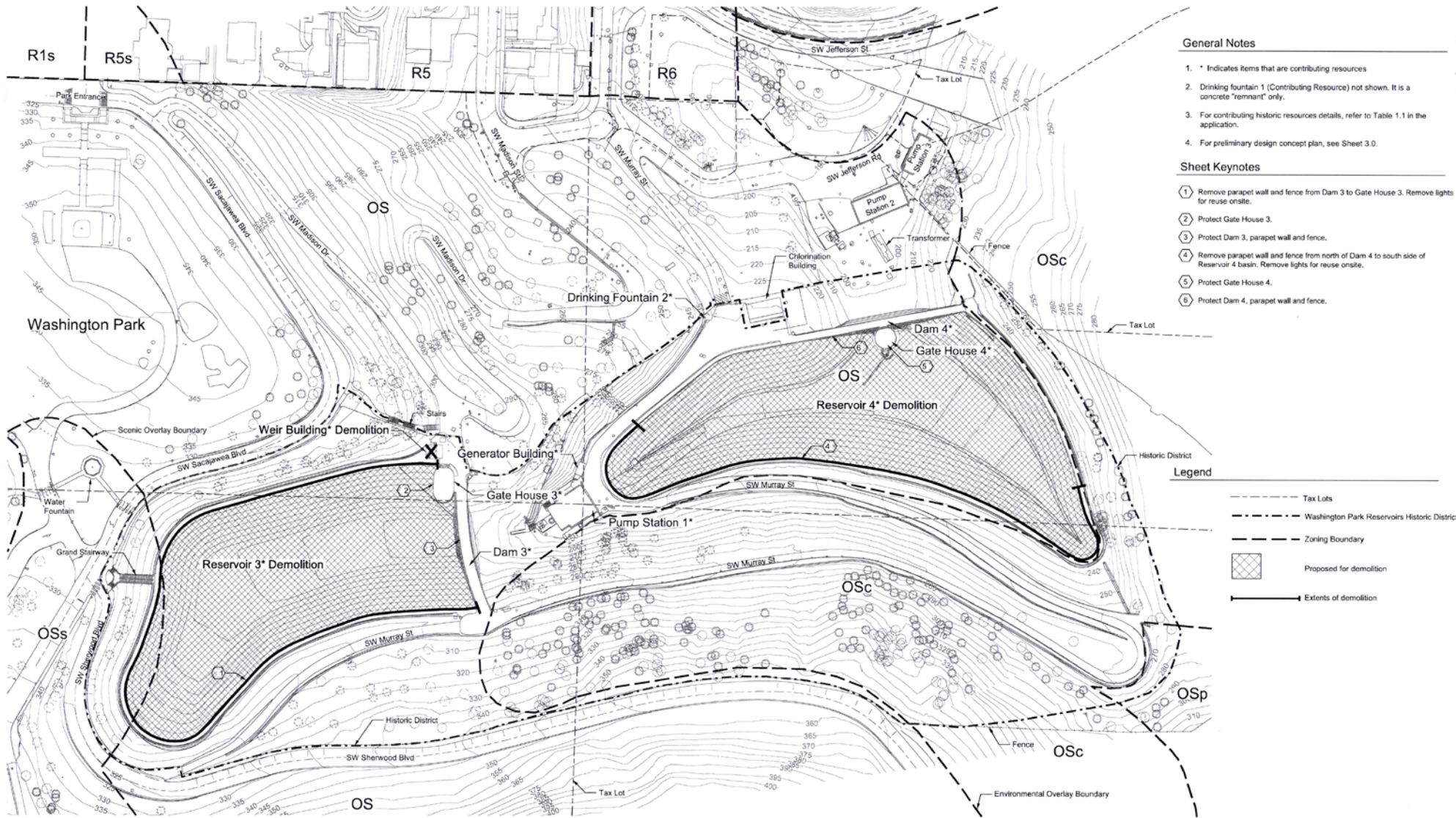


Washington Park Reservoir Improvements  
 Existing Site Conditions

Overall Site  
 Plan

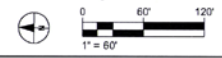
SAF Project No. <b>W01402</b>
SAE Station 3006, 3027, 3128, 3127
Drawing No. Sheet 1.0
Sheet No. #1

LU 14 - 249689 - DW



- General Notes**
- \* Indicates items that are contributing resources
  - Drinking fountain 1 (Contributing Resource) not shown. It is a concrete "remnant" only.
  - For contributing historic resources details, refer to Table 1.1 in the application.
  - For preliminary design concept plan, see Sheet 3.0.
- Sheet Keynotes**
- Remove parapet wall and fence from Dam 3 to Gate House 3. Remove lights for reuse onsite.
  - Protect Gate House 3.
  - Protect Dam 3, parapet wall and fence.
  - Remove parapet wall and fence from north of Dam 4 to south side of Reservoir 4 basin. Remove lights for reuse onsite.
  - Protect Gate House 4.
  - Protect Dam 4, parapet wall and fence.

- Legend**
- Tax Lots
  - - - - Washington Park Reservoirs Historic District
  - - - - Zoning Boundary
  - ▨ Proposed for demolition
  - Extents of demolition



Proposal and design as approved in case file No. LU 14-XXXXX. No field changes allowed.

Verify Scale: 0 1"  
Bar measures one inch at full size. If not one inch then adjust scales accordingly.

No	Date	Description	Asst

**AECOM**  
 111 S.W. Fifth Avenue, Suite 1150,  
 Portland, Oregon 97204  
 (503) 227-1042 tel (503) 227-1048 fax

Designed By CEN	Program Mgr KW
Drawn By	Coord Mgr ML
Checked By	Design Super MW
Project Mgr JM	Date

Draft  
Land Use  
Review

**PORTLAND WATER BUREAU**  
 FROM FOREST TO FAUCET

**Preliminary**  
 Thomas Elliot, Principal Engineer, PE No 19174 (DR) \_\_\_\_\_ Date \_\_\_\_\_



Washington Park Reservoir Improvements  
**Proposed Demolition**  
 Overall Site Plan

SAP Project No: **W01402**  
 1/4 Section  
 3008, 3009  
 3128, 3127  
 Drawing No: **Sheet 2.0**  
 Sheet No. of \_\_\_\_\_



LU 14 - 249689 - DM

**General Notes**

1. \* Indicates items that are Contributing Resources
2. Drinking fountain 1 (Contributing Resource) not shown. It is a concrete "remnant" only.

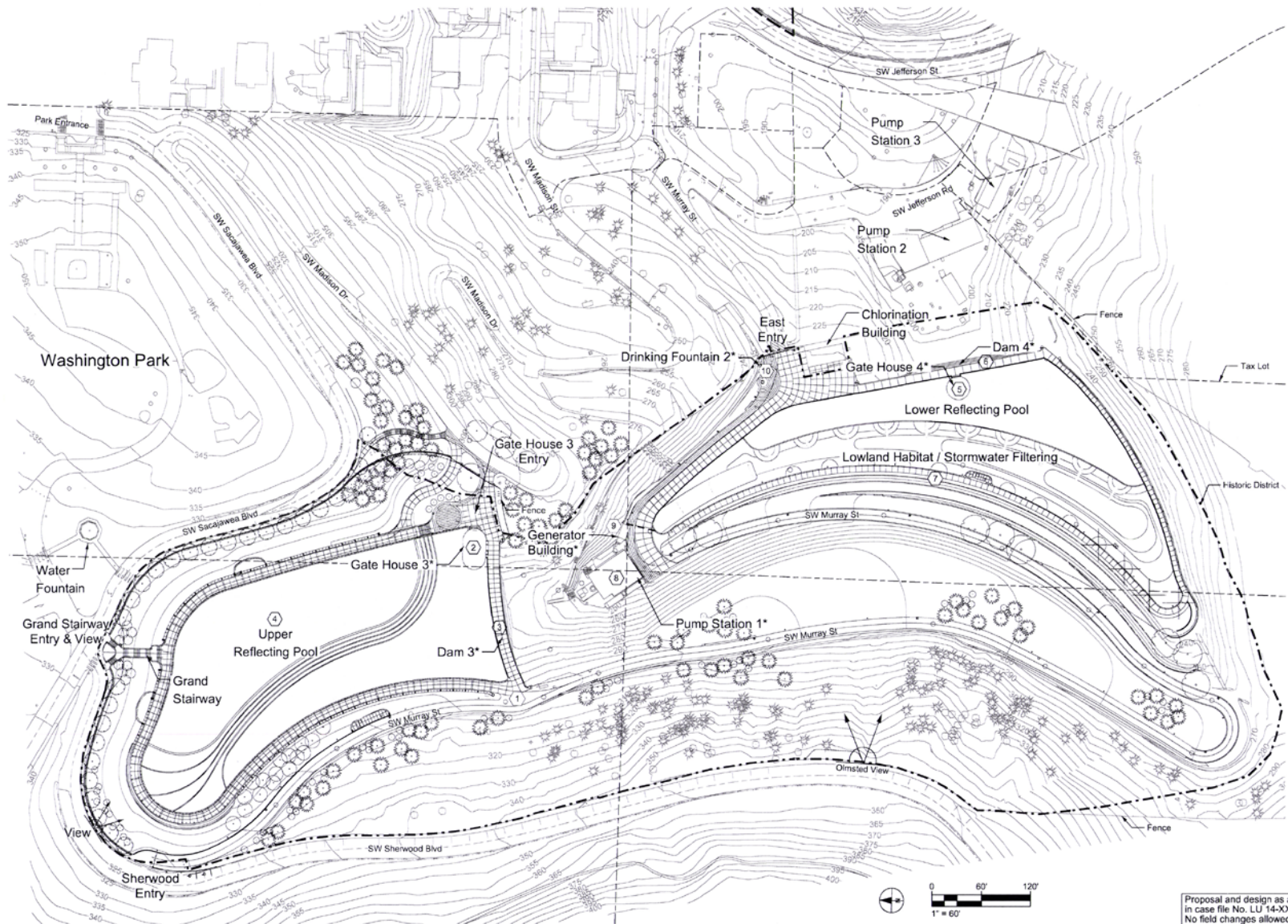
**Sheet Keynotes**

**Proposed Preservation/Rehabilitation Actions**

- ① Overall Site
  - Restore public access to site, including entries at Grand Stairway, Sherwood Blvd, Dam 4 and Gate House 3
  - Restore historic views (Grand Stairway, Sherwood and Olmsted View - SHPO mitigation)
  - Remove contemporary pole light fixtures, extraneous piping, and equipment
  - Install interpretive features at entries and within site (SHPO mitigation)
- ② Gatehouse 3
  - Clean exterior
  - Repair concrete spalls and patch holes on exterior
  - Structural upgrade
  - Replace double doors with historically appropriate doors
  - Paint and repair existing windows
  - New roof
- ③ Dam 3
  - Rehabilitate parapet wall and remove extraneous conduit and piping
  - Rehabilitate historic fence on top of Dam parapet wall
  - Rehabilitate concrete balustrade
  - Reconstruct missing historic lamp posts and function (SHPO mitigation)
  - Grind down asphalt topping on dam surface and pour new concrete topping
- ④ Reservoir 3 Area
  - Rebuild Grand Stairway and preserve two urns at top
  - Rehabilitate urn west of Dam 3 and reinstall in original location
  - Rehabilitate historic perimeter fencing and adaptively reuse (shorten)
  - Rehabilitate historic basin perimeter lights and adaptively reuse
- ⑤ Gatehouse 4
  - Clean exterior
  - Repair concrete spalls and patch holes on exterior
  - Repair and paint existing windows
  - Replace double doors with historically appropriate doors
- ⑥ Dam 4
  - Rehabilitate parapet wall and remove extraneous conduit and piping
  - Rehabilitate historic fence on top of Dam parapet wall
  - Rehabilitate concrete balustrade
  - Reconstruct missing historic lamp posts and function (SHPO mitigation)
  - Grind down asphalt topping on dam surface and pour new concrete topping
- ⑦ Reservoir 4 Area
  - Rehabilitate or replace in kind the concrete parapet wall north and south of Dam 4
  - Rehabilitate and reinstall historic perimeter fence where parapet wall is rebuilt north and south of Dam 4
  - Rehabilitate historic perimeter basin pole lights and adaptively reuse
- ⑧ Pump Station 1
  - Repair and paint existing windows
  - Install two front windows in existing openings matching historic windows
  - Replace front doors with historically appropriate doors
- ⑨ Generator Building
  - Clean exterior
- ⑩ Drinking Fountain 2
  - Rehabilitate fountain and restore function (SHPO mitigation)

**Legend**

- Tax Lots
- Washington Park Reservoirs Historic District
- Proposed public access



Proposal and design as approved in case file No. LU 14-XXXX. No field changes allowed.

Verify Scale: 0 1" = 100' Bar measures one inch at full size. If not one inch then adjust scales accordingly.

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Designed By CEN	Program Mgr KW
Drawn By Conec Mgr ML	Design Super MW
Checked By	Date
Project Mgr JM	

Draft  
Land Use  
Review

**PORTLAND WATER BUREAU**  
 FROM FOREST TO FAUCET

**Preliminary**



Washington Park Reservoir Improvements  
**Preliminary Design Concept**  
 Project No. **WO1402**

Overall Site  
Plan  
Sheet No. **3.0**  
of