



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
Rebecca Esau, Director
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www.portlandoregon.gov/bds

Date: July 9, 2019
To: Interested Person
From: Stacey Castleberry, Land Use Services
503-823-7586/Stacey.Castleberry@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on July 30, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-101042 GW, in your letter. It also is helpful to address your letter to me, Stacey Castleberry. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 19-101042 GW

(see City File # 16-201421 CC)

Applicants: B P & Lester & Regina & John Foundation Et Al & No
12550 SE 93rd Avenue, #300
Clackamas, OR 97015

Leigh Schwarz
Johns Landing Owners Association
5858 SW Riveridge Lane, Unit 19
Portland, OR 97239

Sean Pickel
Bridge City Community Management
12550 SE 93rd Avenue, #300
Clackamas, OR 97015

Site Address: Riverfront parcel located east of Riverpoint and Bankside
Condominiums at 5818 SW Riverpoint Lane adjacent to the Willamette
Greenway Trail

Legal Description: TL 200 2.55 ACRES DEFERRAL-POTENTIAL ADDITIONAL TAX,
SECTION 15 1S 1E

Tax Account No.: R991151220

State ID No.: 1S1E15D 00200

Quarter Section: 3629,3630

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.

Business District:	South Portland Business Association, contact info@southportlanddba.com.
District Coalition:	Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.
Plan District:	Macadam
Other Designations:	Willamette Greenway Setback; Ordinary High Water line, 100-year floodplain.
Zoning:	R1d,g--; Multi Dwelling Residential Zone with Design Zone Overlay and River General Greenway Overlay, located in Macadam Plan District
Case Type:	GW – Greenway Review
Procedure:	Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: Native trees were cut and/or topped along the Willamette River within the Willamette Greenway without a City permit or land use review (see City Case File # 16-201421 CC). The applicant, Johns Landing Owners Association (JLOA) seeks approval of a remediation plan, through Greenway Review. The proposed plan will allow JLOA to manage vegetation along the river, to enhance natural resources and provide environmental benefits while maintaining the safety and aesthetics for users of the Greenway Trail.

The JLOA proposed remediation plan has three elements:

1. The Willamette Greenway Trail
2. Riprap Riparian Bank
3. Pendleton Corridor Access – consisting of the Flag Terrace, Pendleton Beach, and Pendleton Point

The Willamette Greenway Trail: The remediation plan proposes to install a permeable shoulder of crushed rock along portions of the Willamette Greenway Trail. JLOA also proposes better signage and speed warnings. The plan will continue maintaining vegetation between the top of the bank to the Willamette Greenway Trail to protect the Willamette Greenway Trail from overgrowth and roots. The goal of these improvements will be better traffic flow for all Willamette Greenway Trail users. The river side of the Willamette Greenway Trail has an existing shoulder area, though the width and surface composition varies.

The Riprap Riparian Bank: Along existing riprap, the remediation plan will change past and current management practices to allow bank vegetation to grow taller – up to ten to fifteen feet at the water's edge. Vegetation at the top of bank will not exceed thirty-six inches, which is taller than vegetation has historically been allowed to grow. The permeable shoulder between the actively used Willamette Greenway Trail and the riparian edge of the riprap will establish a natural riparian transition zone. As part of these improvements, the remediation plan calls for the control of non-native, invasive species.

Pendleton Corridor Access: Pendleton Corridor is the primary public access for the John's Landing southwest neighborhood to the Willamette Greenway Trail, a swimming beach, river access and recreation. A portion of the site is an area referred to as the Flag Terrace. Here, the Willamette Greenway Trail splits along two routes – one close to the water's edge and one farther up the slope that allows the Willamette Greenway Trail to be used during high water events. In this area, the remediation plan proposes to stabilize the slope with minor regrading, remove invasive species, plant native vegetation on the lower slope and a stabilizing groundcover next to the Willamette Greenway Trail, and create a more level, accessible, viewing area at the top of slope. The plan also calls for the addition of a low rockery retaining wall, a dry stream bed, and the addition of public access and seating.

Along this portion of the site is also the area referred to as Pendleton Beach. Pendleton Beach is a low area adjacent to the water's edge subject to annual inundation. The remediation plan maintains the open beach and beach access for river related recreation. It also improves beach and Willamette Greenway Trail visibility and distant sightlines by removing large dense shrubs growing on the beach next to the Willamette Greenway Trail.

Currently, Pendleton Point is primarily a grassy lawn with a bench, along with low-value vegetation in the riprap slope down to the water. The remediation plan proposes to remove invasive species adjacent to the Willamette Greenway Trail leading from Pendleton Beach to Pendleton Point and replace with native plant clusters. It will also replace the grass at Pendleton Point with low growing, water tolerant, low-maintenance, native vegetation. Public use will be enhanced with greater access and seating.

The site is within the City's Willamette Greenway overlay zones, and Zoning Code 33.440.310 requires Greenway Review for removal of trees and other native vegetation, and for development within the Greenway overlay zones. The work must therefore be approved through a Greenway Review.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- Greenway Review Approval Criteria, Zoning Code Section 33.440.350; and
- *Willamette Greenway Design Guidelines*

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on January 3, 2019 and determined to be complete on July 2, 2019.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal.

After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandoregon.gov.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the

appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

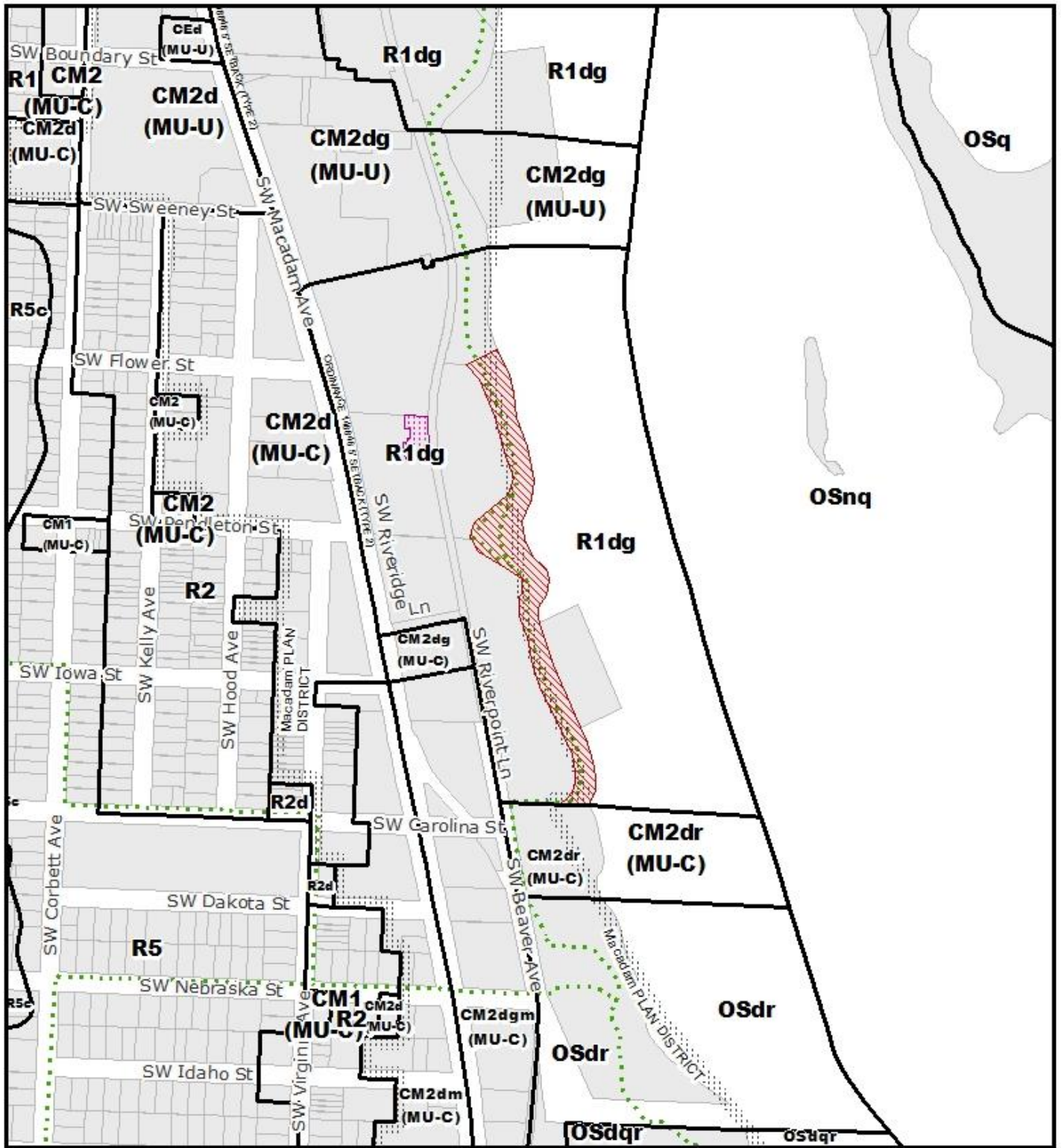
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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

Enclosures:

Zoning Map
Site Plans



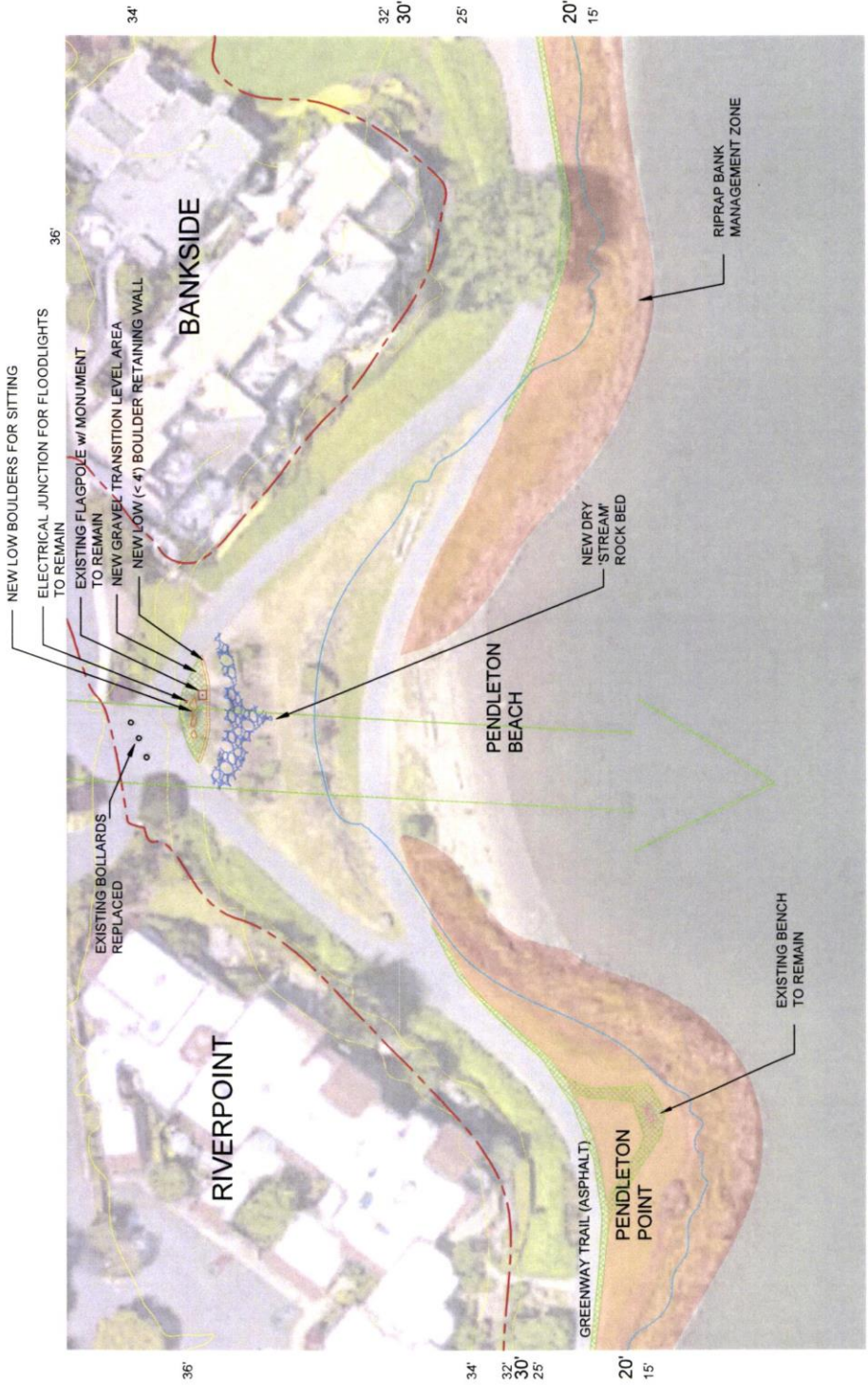
ZONING



THIS SITE LIES WITHIN THE:
MACADAM PLAN DISTRICT

-  Site
-  Also Owned Parcels
-  Recreational Trails

File No.	LU 19-101042 GW
1/4 Section	3629,3630
Scale	1 inch = 400 feet
State ID	1S1E15D 200
Exhibit	B Jan 07, 2019



- 2' Contours (slope < 10%)
- 5' Contours (slope > 10%)
- 10' Contours
- Top of Bank (20' Contour)

- 30' View Corridor
- Rip Rap Bank Management zone
- 1996 Flood - High Water

- Greenway Trail (Path)
- Property administered by JLOA (Zoned Residential 1,000 R1)
- Gravel transition

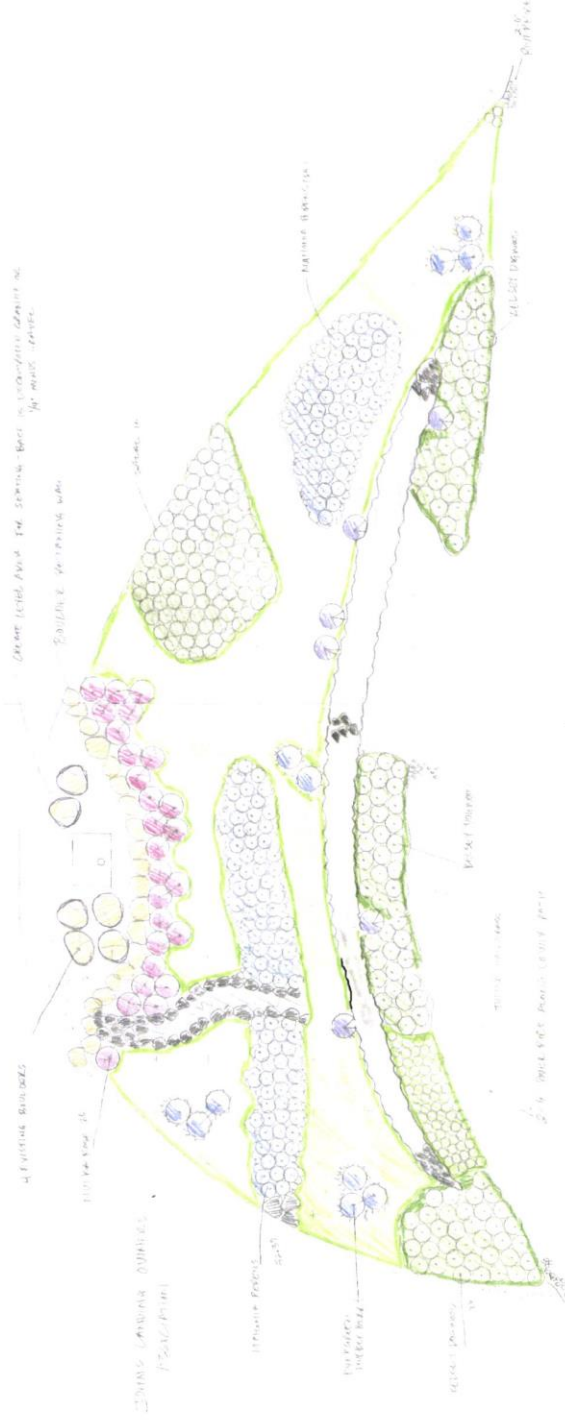
Legend

- Greenway Trail (Path)
- Property administered by JLOA (Zoned Residential 1,000 R1)
- Gravel transition

Johns Landing Owners Association (JLOA)
Proposed Site Plan Pendleton Corridor Access



Plotted Scale on 11x17 Sheet : 1" = 40'
 Date: 6/27/2019



PLANTING PLAN -JLOA FLAGPOLE TERRACE

PLOTTED SCALE ON 11x17 SHEET: 1" = 20'

DRAFT BY REBECCA POZORSKI

6/27/2019

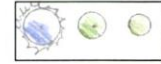
PLANTING LEGEND



DOUGLAS SPIREA (6) 5 GALLON

NUTKA ROSE (26) 5 GALLON

MAHONIA REPENS (156) 1 GALLON
(CREEPING MAHONIA)



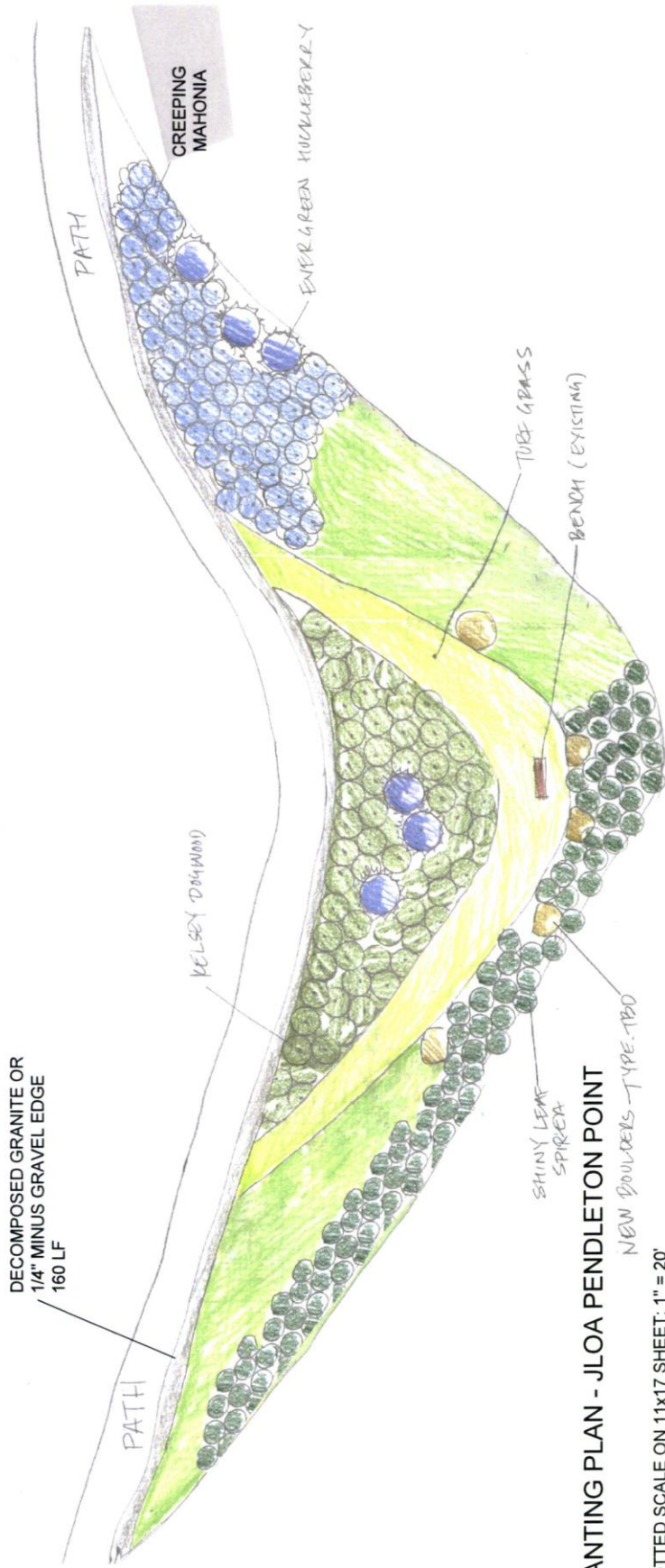
EVERGREEN HUCKLEBERRY (11) 5 GALLON

KELSEY DOGWOOD (124) 2 GALLON

SALAL (101) 1 GALLON



TUFTED HAIRGRASS (729) 1 GALLON
(2' PLANT SPACING = 0.25 PLANTS/ SF)
TOTAL AREA= 2.915 SF



PLANTING PLAN - JLOA PENDLETON POINT

PLOTTED SCALE ON 11x17 SHEET: 1" = 20'
 DRAFT BY REBECCA POZORSKI
 6/27/2019

PLANTING LEGEND

- 

 EVERGREEN HUCKLEBERRY (6) 5 GALLON
- 

 MAHONIA REPENS (51) 1 GALLON
 (CREEPING MAHONIA)
- 

 KELSEY DOGWOOD (56) 2 GALLON
 SHINY LEAF SPIREA (93) 2 GALLON
- 
 TUFTED HAIRGRASS (707) 1 GALLON
 2' PLANT SPACING = 0.25 PLANTS/SF
 Total Area = 2,830 SF