



August 25, 2008

Campus Planning,
Development & Real
Estate

Mail code PP22E
3181 S.W. Sam Jackson Park
Road
Portland, OR 97239-3098
telephone: 503 494-2454
fax: 503 494-1073

Michelle Seward
Senior Planner, Compliance Services
City of Portland Bureau of Development Services
1900 SW 4th Avenue, Suite 5000
Portland, OR 97201

RE: Case #08-112239 CC

Dear Ms. Seward:

The following is OHSU's response to notice of zoning violation dated July 2, 2008 (#08-112239 CC). OHSU is in compliance with all of the design review and environmental conditions related to LU 02-157573 DZ, LU 02-156970 EN, and LU 05-122007 EN. Please review our response and the attachments for explanation and documentation. I am available to answer any of your questions regarding this matter.

Design Review LU 02-157573 DZ

1A. Bike Gutter

The intent of LU 02-157573 DZ was to provide a route for bicyclists to walk their bikes from the Aerial Tram (9th Floor) to Sam Jackson Park Rd. OHSU met and exceeded this requirement by providing two separate bicycle routes, one interior route through the Kohler Pavilion and out the main entrance and ramp to Sam Jackson Park Rd. and a second exterior route from the 9th floor terrace to Sam Jackson Park Rd. by way of a bike gutter between the 9th and 7th floor terraces and a ramp between the 7th floor terrace and the roadway. Both routes provide an easy path for bicyclists to walk their bikes.

While the preliminary design proposed during the entitlement process anticipated a bike gutter between the 7th floor terrace and Sam Jackson Park Rd., this solution raised significant concerns due to the steepness of the gutter and the lack of a wide landing at the bottom of the stairs which is adjacent to passing traffic on Sam Jackson Park Rd. Preliminary design solutions proposed during the entitlement process often require additional engineering to validate the feasibility of the proposed solution. A superior alternative may be determined during design phase based on detailed design study.

It is general practice when designing bike pathways that there is a hierarchy of alternatives to address ease of use and safety:

- i. Level Pathway: Easiest to use and safest for bikers use.
- ii. ADA Compliant Ramp: More difficult to use with minimum safety issues.

- iii. Steeper (non-ADA compliant) Ramp: Difficult to use and increased safety issues.
- iv. Bike Gutter: Most difficult to use and least safe due to steepness and the negotiation of stairs.

A bike gutter was constructed between the 9th and 7th floor terraces as it was the only feasible solution to address the 25-foot difference in elevation. However, when the design team examined the alternatives for providing bicycle access between the 7th floor terrace and Sam Jackson Park Rd., they determined that since the bike gutter was the least desirable for use and safety an alternative solution should be provided if possible. Ultimately, a level ADA compliant pathway was determined to be the best solution.

The City reviewed the pathway design during building permit review to conform to Findings requirement and the level pathway was approved during the permitting process. Further, the City reviewed the pathway at Final Occupancy inspection and the ramp solution was approved.

OHSU contends that the provision of a bike pathway and connection from the Aerial Tram to Sam Jackson Park Road has been satisfied.

1B. Garage Light Screening

OHSU has worked diligently to address the visibility of lights in the KPV garage. First, OHSU fully implemented the approved solution of constructing planter boxes and an automated irrigation system and installing climbing plant material to obscure the lights. Three species of plants were chosen for the boxes: Clematis (*Clematis Armmandii*), Honeysuckle (*Lonicera Ciliosa*), and Jasmine (*Jasminium Polyanthum*). It was anticipated that the plant material would obscure the garage lights by their third season.

However, there have been unexpected challenges with the implementation of this solution. First, while the Jasmine plants have survived with moderate growth, the other two species have experienced significant dieback or limited growth. The Clematis and Honeysuckle appear to have a limited tolerance for this microclimate. Further, the planters were constructed in a row one above the other. This presents a drainage problem due to irrigation water or rainwater dripping from planter boxes above into planters below. The result is heavily overwatered plants in the lower container that die off. OHSU staff have compensated by adjusting the irrigation system and replanting boxes that experience significant die off.

Other steps have been taken to limit the visibility of the lights. First, the lights in the KPV parking structure have carefully been picked by a lighting engineer to reduce light pollution by using efficient light fixture. Second, the number of fixtures was reduced from the original design to further limit the visibility of the lights.

OHSU has complied with the requirements of LU 02-157573DZ by installing the planter boxes, irrigation system and climbing plant material. Further, many attempts have been made to replant the boxes and adjust the existing lights to further limit visibility. However, we acknowledge that the approved solution did not fully succeed in obscuring the lights from the garage. If the city agrees, the next step that we propose is to install climbing plant material at the base of the garage. Plant material placed in native soil with the ability for extended root growth will stand a better chance of survival and require less resources to maintain. While the top of the plants may take a few years to reach the desired height to further obscure the garage lights, this solution would supplement the existing plant system and should address the shortcoming and gaps in the planter boxes.

1C. Transportation Development Matrix

The Transportation Development Matrix (exhibit G35 of LU 02-157573 DZ) was developed by the City of Portland as part of the Marquam Hill Plan Action Charts and was intended to establish a 30-year vision for the future development of the OHSU Campus and related transportation and parking improvements. The matrix was created in order to break down sections of the Marquam Hill Plan and to assign action steps to relevant parties. At no time, was the matrix represented as a binding agreement between the City of Portland and OHSU related to near-term access and parking limitations.

Throughout the plan the transportation development matrix is referred to as “a roadmap for achieving the 30-year transportation objectives...” and one paragraph summarizes the long-term vision for Campus Drive:

“In the long-term plan for Marquam Hill, patient care facilities will be concentrated in the canyon area of the campus. Campus Drive will then serve as the primary access for patients and visitors, minimizing the travel confusion by new and infrequent users of the campus and reducing employee traffic on Terwilliger Blvd. “

These changes are dependent on OHSU replacing the existing dental school with a new patient care tower and moving the hospital entrance and emergency room from Sam Jackson Park Road to a new main entrance and ER on lower Campus Drive. This major development project is years away and was never represented as a near-term transition. Further, several thousand employee parking spaces have direct egress on Campus Drive. These spaces were legally permitted by the City of Portland for employee parking. Ultimately, many of these spaces may be converted to patient parking if the hospital entrance and ER are moved to Campus Drive, but that conversion is decades away.

Directional Signage: T7 of the Transportation Development Matrix was listed as “ongoing” because it is dependent on the long-term changes described above. There is no timeframe listed and OHSU is in compliance with this portion of the matrix. Currently, patient and employee access on Sam Jackson Park Road and Campus Drive are shared and there are no restricted routes on campus. However, OHSU has installed signage at the parking garages to clearly mark patient and employee permit parking. Further, all employees are given a flyer when they receive their annual parking passes that inform them of the recommended access routes for driving to the Marquam Hill Campus (attached). These routes avoid neighborhood streets and Terwilliger Blvd south of Campus Drive and is consistent with the Marquam Hill Plan.

Freight Access and Circulation Plan: The design review decision was recorded on September 18, 2003 and listed the Freight/Service Access and Circulation Plan (T8) as a deliverable to be completed in the first five years. This deadline expires on September 18, 2008 and OHSU has contracted with a transportation consultant to complete the plan. OHSU is in compliance with the design review conditions and will submit a draft of the freight access plan by the September 18, 2008 deadline.

1D. Campus Drive Access Limitations

Exhibit C69 is part of the same Marquam Hill Transportation and Parking System Plan that includes the Transportation Development Matrix mentioned above. Again, this is a 30-Year road map for transportation improvements, not a binding agreement between the City and OHSU that was ever intended to be implemented in the near-term. Nonetheless, OHSU has implemented the first step of the access limitations by distributing a flyer to all employees when they receive their annual parking

passes that inform them of the recommended access routes for driving to the Marquam Hill Campus (attached). The flyer clearly illustrates the recommended access routes to OHSU and lists Terwilliger Blvd. south of Campus Drive as a route to avoid – in addition to numerous local streets. OHSU is in compliance with the design review condition and will implement numbers 2 (enforcement) and 3 (signage) when the new patient care tower is built and the hospital entrance and ER are relocated to lower Campus Drive.

Environmental Review LU 02-156970 EN and LU 05-122007 EN

2A. Tree Planting

OHSU is in compliance with the required plantings per LU 02-156970 EN and LU 05-122007 EN. While the Tram construction delayed completion of mitigation plantings located in front of the Casey Eye Institute (CEI), the planting was completed in July 2007. A temporary irrigation system was also installed in hope of compensating for the dry summer conditions. Unfortunately, significant die off was experienced.

The significant sun exposure at the CEI location contributes to the difficulty of establishing mitigation plants. As a result, we experienced a high amount of die off. In contrast, the earlier planted mitigation efforts located adjacent to upper Campus Drive have fared much better due to partial shade from the bordering forest area.

Nonetheless, OHSU has fully compensated for the plant die-off. Listed below is the planting timeline regarding the plant die-off documented in the January 11, 2008 monitoring report.

- July '07: Original mitigation planting completed at the CEI site with the exception of 10 larger trees. It was recommended that due to the size of the trees it would be best to plant these during the wet weather season.
- Feb – March '08: The 10 larger trees from the original plan were planted by the original landscape contractor. The recommended number of plants from the Jan. 2008 SWCA monitoring report were planted at the CEI location (performed by original landscape contractor under warrantee) plus the Patient Care Facility location (performed in house- see attached invoices). These plantings compensated for the Summer 2007 die-off.
- Fall '08: Monitoring will continue this fall to complete the 2 year requirement at the CEI. This is one year longer than the PCF planting due to delayed timing.
- Winter '09: Replanting will occur to meet monitoring recommendations proposed in Fall '08.

Attached to this letter are invoices documenting OHSU's compliance with the planting requirements.

Again, please contact me if you have any questions about this response or the attachment. Thank you.

Sincerely,

Brian Newman
Director, Campus Planning and Development
Oregon Health and Science University
503-346-0005

KPV Exterior Bike Access Route



Stairs from Sam Jackson Park Rd to 7th Floor Terrace



Bike gutter as proposed would have been very steep and possibly dangerous with close proximity to traffic on Sam Jackson Park Rd.



The pathway ramp alternative provides a much safer route for all bicyclists, regardless of ability, and it provides a direct route to SW Sam Jackson Park Rd.



The ramp provides a seamless connection to the sidewalk and provides plenty of landing space away from the traffic.

Employee Driving Routes to OHSU's Marquam Hill Campus

OHSU employees who drive to work should be aware that there are designated access routes for reaching the Marquam Hill Campus. These routes were identified during the Marquam Hill planning process with the City of Portland in order to minimize employee traffic on the surrounding residential neighborhoods.

Employees are encouraged to plan their routes to work in order to arrive and depart from the Marquam Hill Campus on the designated access routes.

Preferred Employee Access Route to the Marquam Hill Campus:

- SW Sam Jackson Park Rd

Secondary Employee Access Route to the Marquam Hill Campus:

- SW Terwilliger Blvd. north of OHSU (the segment between Campus Drive and downtown)

Routes to Avoid:

- SW Terwilliger Blvd. south of OHSU (the segment between Campus Drive and Capital Hwy)
- SW Marquam Hill Road/Gibbs Street
- SW Sixth Avenue/Bancroft Street/Homestead Drive
- SW Hamilton Terrace/Bancroft Street/Hamilton Street
- SW Condor Avenue

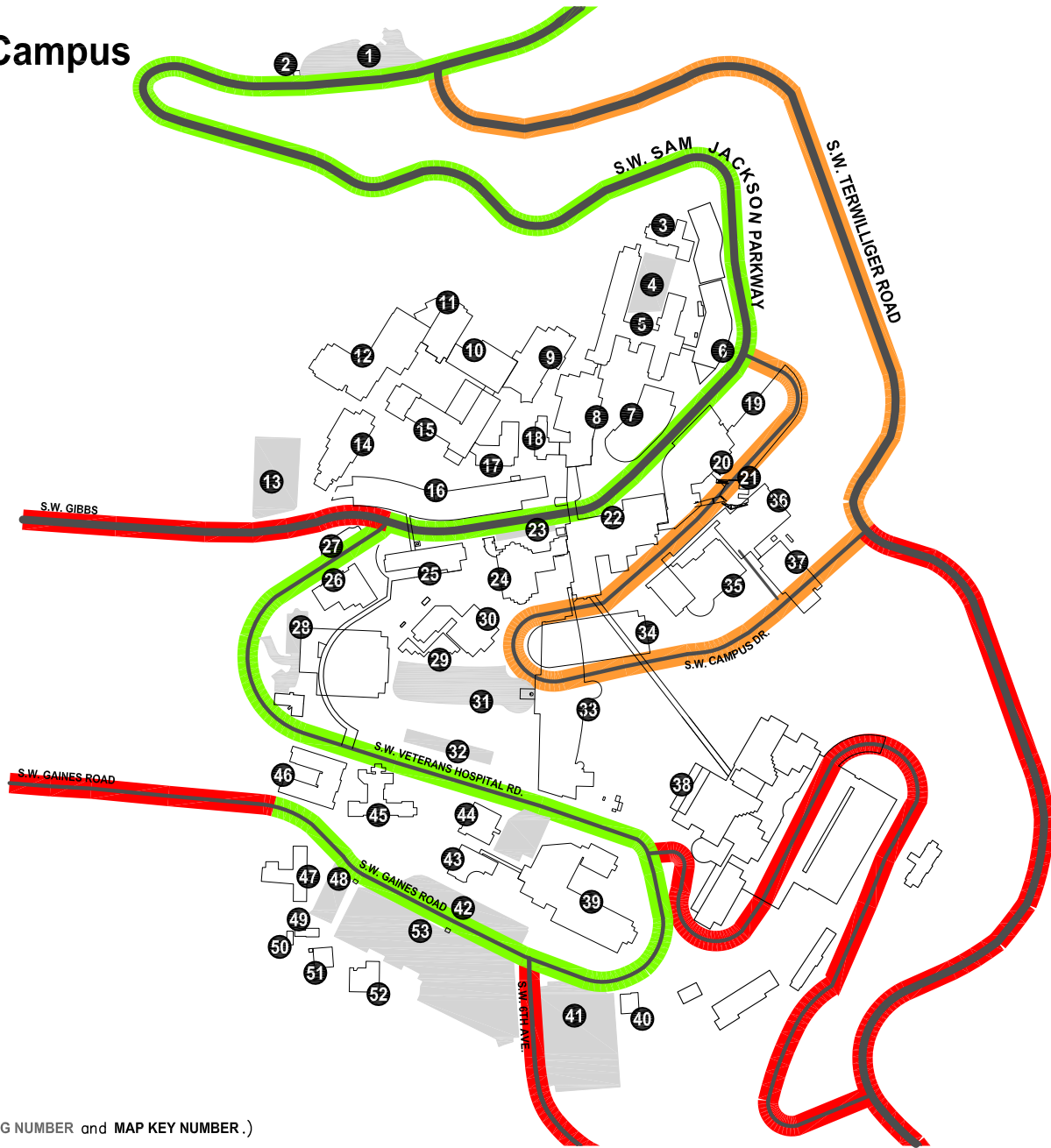
Please see the map on the reverse side of this sheet for an illustration of these routes. Thank you for being a good neighbor to the people who live near OHSU's Marquam Hill Campus.

OHSU Marquam Campus Campus Map



LEGEND

- PRIMARY ROUTE
- SECONDARY ROUTE
- STREETS TO AVOID



(Building names are followed by BUILDING NUMBER and MAP KEY NUMBER.)

Baird Hall 009.....	17
Biomedical Information Communication Center 045.....	24
Biomedical Research Building 018.....	9
Building 28 028.....	44
Campus Services Building 025.....	45
Carnival Parking 582.....	1
Casey Eye Institute 035.....	37
CDRC Parking lot 594.....	42
Child Development & Rehabilitation Center 010.....	39
Child Development & Rehabilitation Center – West 016.....	43
Dillehunt Hall 053.....	18
Doernbecher Children’s Hospital 054.....	33
Dotter Research Laboratory 024.....	40
Emma Jones Hall 031.....	3
Energy Management Center 057.....	52
Fitness & Sports Center 002.....	30
Gaines Hall 005.....	47
Greenhouse 015.....	50
Grounds Shop 014.....	49
Information Booth II 046.....	2
Information/Parking Booth 007.....	27
Mackenzie Hall 001.....	15
Mark O. Hatfield Research Center 056.....	24
Medical Research Building 006.....	10
Modular Building Structure 020.....	29
Motor Pool 032.....	51
Multnomah Pavilion 030.....	5
OHSU Auditorium 004.....	14
OHSU Hospital 013.....	22

Parking Lot 19 519.....	23
Parking Lot 83 583.....	13
Parking Lot 92 592.....	32
Parking Lot 93 593.....	53
Parking Lot 95 595.....	41
Parking Lot 96 596.....	48
Parking Structure 1 (Sam Jackson Park Road) 023.....	16
Parking Structure 2 (Campus Drive) 029.....	34
Parking Structure 3 (Emma Jones) 033.....	4
Parking Structure 4 (Physician’s Pavilion) 037.....	7
Parking Structure 5 (Canyon) 039.....	28
Parking Structure 6 (Casey Eye) 038.....	36
Parking Structure 8 (Doernbecher) 040.....	31
Parking Structure 9 (Kohler Pavilion) 027.....	19
Peter O. Kohler Pavillion 027.....	20
Physical Plant 017.....	26
Physician’s Pavilion.....	7
Richard T. Jones Hall for Basic Medical Sciences 012.....	12
Sam Jackson Hall 003.....	8
School of Dentistry 041.....	35
School of Nursing 044.....	45
Shriners Hospital for Children.....	6
Upper Tram Terminus 227.....	21
Veterans Administration Medical Center.....	38
Vollum Institute for Biomedical Research 034.....	11



OREGON
HEALTH & SCIENCE
UNIVERSITY

Campus Drive Signage



Newly installed directional signage at the entrance to Campus Drive at the southwest corner of the Casey Eye Institute illustrates the patient access route. This sign is in compliance with the Campus Drive access limitations and consistent with OHSU’s long-term plans to locate patient parking and access on lower Campus Drive.



Landscape Certification

Project Information (Must include permit number to assure proper recording)

Date 2/29/08 Permit number _____ IVR number _____

Site location/street address 3181 SW Sam Jackson Park Road

City Portland State Oregon Zip code 97201

Landscape Certifier Information - Check one

Landscape architect Landscape contractor Arborist Other, specify _____

Name Green Art Landscaping

Registration or license type and number 410559 Exp date 12/31/08

Street Address 8335 NW Cornelius Pass Road

City Hillsboro State Oregon Zip code 97124

Day phone 503-617-9990 FAX 503-617-0878 email bpark88533@aol.com or rosieburkoff@yahoo.com

Number required trees planted or preserved: <u>45</u>	Number required shrubs planted or preserved: <u>1199</u>
Has the required ground cover been planted? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	
Has the required landscaping been installed according to the approved plans? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	
• If no, have equivalent substitutions been planted within the limits allowed by code? <input type="checkbox"/> yes <input type="checkbox"/> no	
If substitutions were made, attach a copy of the approved plans showing all substitutions made and describe the substitutions below (attach another sheet if necessary):	
Has irrigation been installed? <input type="checkbox"/> temporary <input type="checkbox"/> permanent <input checked="" type="checkbox"/> none	

The property owner is responsible for ensuring that the required landscaping is installed correctly.

If the landscaping installation is falsely certified, it does not relieve the property owner of the responsibility for providing the required landscaping. The City of Portland does not in any way guarantee the performance of Landscape Certifiers.

If a false or incorrect certification is submitted, BDS will take one or more of the following steps to seek correction of the situation:

- BDS will withhold final approval of the site work until the required landscaping has been installed correctly and verified.
- Where applicable, the issuance of the Certificate of Occupancy will be delayed.
- The case will be referred to the Compliance Services Section of BDS to carry out code enforcement activities, which may result in fines being assessed.
- If a Landscape Certifier has submitted a false or incorrect Landscape Certificate form, BDS will notify the regulatory or certification body with which the certifier is registered.

By signing, I certify that the landscaping at this site was installed in accordance with the approved plans.

Brian Park

7/31/08

Printed Name and Signature of Landscape Certifier

Date

Submit this completed form to BDS Site Development, FAX 503-823-5433 attn: Donna Ault, 1900 SW Fourth Avenue, Suite 5000, Portland OR, 97201. The completed landscape certification form must be submitted and approved prior to requesting the #210 Permanent Erosion Control Inspection.

more information on back 1

Landscape Certification Information

The property owner is responsible for ensuring the required landscaping is installed as approved on the plans, including any irrigation systems or other required elements.

The Landscape Certification program applies to work performed under Residential (RS), Site Development (SD) and Commercial (CO) permits. BDS will continue to inspect landscaping performed under Zoning (ZP) permits; and RS, SD and CO permits which do not require Landscape Certification.

How will I know whether Landscape Certification is required?

BDS will determine whether landscape certification is required during plan check or land use review before the building permit is issued. The applicant will receive a copy of the Landscape Certification form, copies of which may also be obtained online at <http://www.portlandonline.com/bds/>. The type of landscape inspection required is described in the Table entitled "What type of inspection is required?"

Who may certify my landscape installation?

A qualified person must perform Landscape Certifications. In most cases, the landscape designer working on the project must certify that the landscaping was installed in accordance with the approved plans. All Registered Landscape Architects and Landscape Contractors are qualified to provide a Landscape Certification. The State of Oregon registers these professions.

Some landscape installations involve only trees. In these situations, a Certified Arborist (by the International Society of Arboriculture) or a Registered Consulting Arborist (by the American Society of Consulting Arborists) is qualified to certify the installation of trees in accordance with the approved plans.

Some situations require specialized plantings, such as in environmental zones. BDS will accept Landscape Certification by individuals with Bachelor's or higher degrees in Botany, Environmental Science, Horticulture, Forestry/ Silviculture, Ecology and related fields where the training is closely related to the situation being certified.

How is the landscape installation certified?

When the landscaping work is completed at the site, the certifier must submit the completed form to BDS. Your landscape certification must be completed and approved **prior** to requesting an Erosion Control Permanent Measures Inspection (IVR #210).

The Landscape Certification form must be submitted to BDS and all other permit approvals obtained, before the permit can be finalized. The Landscape Certification form will become part of the permit's permanent record.

What if I can't plant my landscaping yet, but the building is finished?

If you need to delay your landscaping installation for seasonal reasons, the landscape installation may be deferred for up to six (6) months following construction. Generally, a seasonal delay is allowed during the summer and winter months. Permanent erosion control measures are still required whether or not a seasonal delay is allowed.

To delay the landscape installation, the property owner or Landscape Certifier will need to submit a written request that includes the date you anticipate the planting to be completed to BDS Site Development, Attn: Donna Ault.

If a Certificate of Occupancy applies to your project (e.g. CO permits), you must also request a temporary Certificate of Occupancy. The temporary Certificate of Occupancy costs \$175.00 per month until all permit approvals are certified as complete and can be requested from the BDS Commercial Inspections Division.

If a Certificate of Occupancy does not apply (e.g. RS and SD permits) a zoning permit (ZP) must be obtained **prior** to approval of the Erosion Control Permanent Measures Inspection (IVR #210) to allow for an inspection of the landscaping after installation. When the landscape installation is complete, submit your Landscape Certification form and call for a Code Compliance inspection (IVR #555) under the ZP permit.

For further information, or if you have questions, call 503-823-6892.

Permit Type { CO: Commercial SD: Site Development RS: 1&2 Family Residential ZP: Zoning	What type of inspection is required?	
	Third Party Certification	BDS Inspection
Eight or fewer individual trees planted or preserved, and 5,000 square feet or less of landscaped area (includes environmental zone plantings)		CO, RS, SD, ZP
Any other required landscaping performed where a Third Party Certification is not required		CO, RS, SD, ZP
More than 8 individual trees planted or preserved, or more than 5,000 square feet of landscaped area (includes environmental zone plantings)	CO, SD, RS	ZP
Required landscaping in all tracts in common ownership	CO, SD, RS	ZP
Wet pond, dry pond, and vegetated infiltration strips and basins	CO, SD, RS	ZP
When Third Party Certifications are specified by the conditions of land use approval	CO, SD, RS	ZP

BDS will continue to inspect landscaping work done under One and Two Family Residential, Commercial and Site Development Permits that do not require Third Party Certification

BDS will continue to inspect landscaping work done under Zoning Permits



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Invoice

DATE	INVOICE #
2/27/2008	1493

PP&R Mt Tabor Nursery & Greenhouse
 Mt Tabor Operations Yard
 6437 SE Division St
 Portland, OR 97206

Phone # 503-823-1636
 Fax # 503-823-2244
 E-mail pkhort@ci.portland.or.us

BILL TO
OHSU Kathy Mathis Facilities Management & Construction 3310 SW US Veterans Hospital Rd Portland, OR 97239

P.O. NUMBER	SHIP	PROJECT
1324840	2/27/2008	OHSU

QUANTITY	DESCRIPTION	PRICE EACH	AMOUNT
21	Pseudotsuga menziesii, 1 gal (Douglas Fir)	3.25	68.25
3	Acer macrophyllum, 1 gal (Big Leaf Maple)	3.25	9.75
13	Rhamnus purshiana, 1 gal (Cascara)	3.25	42.25
50	Thuja plicata, 1 gal (Western Red Cedar)	3.25	162.50
10	Tsuga heterophylla, 1 gal (Western Hemlock)	3.25	32.50
Make checks payable to Portland Parks & Recreation-Horticultural Services, ATTN John —ong		Total	\$315.25

