



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

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Date: August 21, 2015
To: Interested Person
From: Stacey Castleberry, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

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

CASE FILE NUMBER: LU 15-179798 EN

GENERAL INFORMATION

Applicant: Stephen R. Smiley
 3629 NW Gordon Street
 Portland, OR 97210

Site Address: 3607, 3629, and 3499 NW Thurman Street

Legal Description: LOT 3, GORDON GREEN; LOT 4, GORDON GREEN; LOT 5, GORDON GREEN; LOT 6, GORDON GREEN

Tax Account No.: R334700150, R334700200, R334700250, R334700300
State ID No.: 1N1E29CB 00403, 1N1E29CB 00404, 1N1E29CB 00405, 1N1E29CB 00406

Quarter Section: 2825
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest Hills Plan District- Forest Park Subdistric
Other Designations: Potential Landslide Hazard
Zoning: R5c—Residential 5,000 base zone, with Environmental Conservation overlay zone.

Case Type: EN—Environmental Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: The applicant requests Environmental Review to remove four trees that were proposed to be preserved as part of a previous Subdivision/Environmental Review (LUR 99-00942 SU EN), and as part of Site Development Permit (14-119542-000-00- SD). The trees are in an Environmental Conservation overlay zone (conservation or "c"-zone), and adjacent to an intermittent stream that is being daylighted (i.e. removed from a pipe and regraded as a surface conveyance channel). However, the condition and health of these trees now make them unsafe

to retain. According to the arborist report of May 12, 2015 the trees can “meet the City’s definition of “dangerous”. The four trees proposed for removal are identified as follows:

Tree No.	Species	DBH
102	bigleaf maple	18”
103	bigleaf maple	12”
104	bigleaf maple	16”
105	bigleaf maple	14”

All other aspects of the previous Environmental Review will remain as approved by LUR 99-00942 SU EN, except the applicant proposes additional mitigation for the four trees now proposed to be removed.

As part of LUR 99-00042 SU EN and Site Development Permit 14-119542-000-00- SD, 19 trees and 36 shrubs are depicted on plans submitted by the applicant, to be planted in the c-zone. With the removal of the additional four trees, an additional 12 trees will be planted, for a total of 31 trees and 36 shrubs in the area adjacent to the daylighted creek.

A portion of the site is within the City’s Environmental Conservation overlay zone. Certain standards must be met to allow the work to occur by right. If the standards are not met, an Environmental review is required. In this case, Environmental review is necessary because four trees, that were to be retained as part of the hillside stream restoration, have been deemed hazardous and must be removed. This is a change to a Tree Preservation Plan approved in the previous land use review. Removal of the additional four trees is subject to the current procedure applied to the land use review, and the current approval criteria for the original land use review (33.730.140 A). Therefore, the work must be approved through an Environmental Review.

In addition the site is within the Forest Park Subdistrict of the Northwest Hills Plan District and must meet the additional approval criteria for Environmental reviews in the Forest Park Subdistrict.

Relevant Approval Criteria:

To be approved, this proposal must comply with the criteria of Title 33. The applicable criteria for the proposed tree removal from within the Environmental Conservation overlay zone are found in:

- **Section 33.430.250 E Other Development in the Environmental Conservation zone**
- **33.563.210 Northwest Hills Plan District—Forest Park Subdistrict**

In addition the activities within the Forest Park Subdistrict are subject to the prohibition listed in 33.563.200.

ANALYSIS

Site and Vicinity: The focus of this Environmental Review is a narrow portion of the 30-foot wide easement crossing Lots 5 and 6 of the Gordon Green Subdivision, in Northwest Portland. The site is bordered by several single-family homes on the south, north, and west, and by forested area to the east.

The Environmental Conservation overlay zone is located along the lower (eastern) part of the site, generally at the bottom of the steep grade east of NW Thurman and Gordon Streets. A narrow (less than 100 feet) section of conservation zone extends up the slope from the lower portion of the site to NW Thurman Street in the approximate location of a piped intermittent stream. The trees to be removed are situated along this pipe alignment, that is also the alignment of a surface water feature approved by LUR 99-00942 SU EN.

Zoning: The zoning designation on the site is the Residential 5,000 (R5) base zone, with Environmental Conservation (“c”) overlay zone. The site is also in the Northwest Hills Plan District; Forest Park Subdistrict (see zoning on Exhibit B).

The R5 zone is intended to foster the development of single-dwelling residences. No new uses or new dwelling units are proposed through this Environmental Review; the provisions of the Single-Dwelling Zones are not specifically addressed through this Environmental Review.

Environmental overlay zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to preserve the site’s protected resources. They protect the most important environmental features and resources while allowing environmentally sensitive urban development where resources are less significant. The purpose of this land use review is to ensure compliance with the regulations of the environmental zones.

The Northwest Hills plan district protects sites with sensitive and highly valued resources and functional values. The portions of the plan district that include the Balch Creek Watershed and the Forest Park Subdistrict contain unique, high quality resources and functional values that require additional protection beyond that of the Environmental overlay zone. These regulations provide the higher level of protection necessary for the plan district area.

Environmental Resources: The application of the environmental zones is based on detailed studies that have been carried out within eight separate areas of the City. Environmental resources and functional values present in environmental zones are described in environmental inventory reports for these study areas.

The site is located within Resource Site 86 of the *Northwest Hills Natural Area Protection Plan* (Northwest Hills Plan). The inventory concludes that the principle and secondary drainage, their tributaries and forested uplands of Site 86 are of moderately high significance. Developed residential and industrial areas without drainages are of low to medium significance. Food and cover habitat are of progressively higher quality to the north and to the west of Site 86. Forest cover provides open space, scenic and recreational resources; serves as habitat for resident and migratory wildlife; and helps to balance the local water regimen. Snags, downed logs and woody debris found at the site are critical structural and functional components of the watershed ecosystem.

The Northwest Hills Plan identifies perennial and intermittent streams, wildlife habitat, sensitive fauna, forest, open space, and groundwater resources within Site 86. Resource Site 86 also provides scenic, recreational, and historic resources.

Of all the values identified for Resource Site 86, those present on the larger land division site are an intermittent stream, wildlife habitat, forest, and limited groundwater recharge. Resources within the work area subject to this review have been removed, and are being restored with the creek daylighting work.

Land Use History: There are several land use reviews previously processed for this site as outlined below:

VZ 69-90 – Two variances were approved to reduce the minimum front yard from the required 15 feet to zero and reduce the minimum garage setback from the required 22 feet to zero to allow construction of two single family houses.

VZ 248-77 - Approval of a variance to reduce lot depth on three lots in order to divide the property.

ZC 7777-87 – Approval of a zone change from R10 to R5.

VC 33-88 - Two variances were approved to facilitate development of two attached single family houses. The variances included a reduction of the front yard setback from 15 feet to zero and the garage setback from 22 feet to zero for both houses.

LUR 91-00170 MP – A proposed minor partition to create 3 lots on NW Gordon Street.

LU 99-017347 SU EN (LUR 99-00942 SU EN)-- Approved a Preliminary Plan for a nine-lot Subdivision in and an Environmental Review for creation of nine lots; construction access for Lots 5, 6, and 7; stormwater facilities and a daylighted creek; and construction of utilities. The current proposal to remove four big-leaf maple trees from the area along the daylighted creek will effectively revise the previously approved Environmental Review, as it pertains to removal of four additional trees and added mitigation. No other revisions to LU 99-017347 SU EN are proposed.

Summary of Applicant’s Statement:

The reason for this request is to obtain approval to remove 4 trees that were slated to remain as part of a previous Environmental Review (LUR 99-00942 SU EN) and as part of Site Development Permit (14-119542-000-00- SD). The trees are in the Environmental Conservation overlay zone (Conservation or "C"-zone). The daylighting of the intermittent stream was designed to meander around the trees. The condition and health of these trees make them unsafe to maintain. According to the arborist report of May 12, 2015 (see Exhibit A.1 in the application case file) the trees can “meet the City’s definition of “dangerous””.

The intermittent hillside stream that is being daylighted is bordered by two houses presently under construction. These houses are in the Environmental Zone in the transition area on either side of the proposed stream. Presently the intermittent stream is contained in a temporary pipe during the construction of the houses.

As part of LUR 99 -00042 SU EN and Site Development Permit 14-119542-000-00- SD 19 trees and 9 shrubs are being planted in the Environmental Zone. With the removal of the 4 trees, an additional 12 trees are proposes for a total of 31 trees, and Exhibit C.4 indicates 36 native shrubs.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **July 10, 2015**. The following Bureaus have responded with no issues related to the Environmental Review (see “E” exhibits in application case file for details):

- Bureau of Environmental Services
- Water Bureau
- Site Development Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 10, 2015. No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

An environmental review application will be approved if the review body finds that the applicant has shown that all of the applicable approval criteria are met. When environmental review is required because a proposal does not meet one or more of the development standards of Section 33.430.140 through .190, then the approval criteria will only be applied to the aspect of the proposal that does not meet the development standard or standards.

The approval criteria applicable to the proposed development include those found Section 33.430.250.E. The applicant has provided findings for these approval criteria and BDS Land Use Services staff revised these findings or added conditions, where necessary to meet the approval criteria. The criteria and findings for Subsection E are combined where they are similar.

33.430.250.E. Other development in the Environmental Conservation zone or within the Transition Area only. In Environmental Conservation zones or for development within the Transition Area only, the applicant's impact evaluation must demonstrate that all of the following are met:

- 1. Proposed development minimizes the loss of resources and functional values, consistent with allowing those uses generally permitted or allowed in the base zone without a land use review;**
- 2. Proposed development locations, designs, and construction methods are less detrimental to identified resources and functional values than other practicable and significantly different alternatives;**
- 3. There will be no significant detrimental impact on resources and functional values in areas designated to be left undisturbed;**

Findings: The purpose of these criteria is to recognize that some form of development is allowed, consistent with the base zone standards, to demonstrate that alternatives were considered during the design process, and that there are no practicable alternatives that would be less detrimental to the identified resources and functional values; and to demonstrate requires the protection of resources outside of the proposed disturbance area from impacts related to the proposal, such as damage to vegetation, erosion of soils off the site, and downstream impacts to water quality and fish habitat from increased stormwater runoff and erosion off the site.

The applicant seeks Environmental review approval for the removal of 4 trees in order to complete the daylighting of a hillside stream. The trees are deemed not worthy of saving due to poor health and potential hazard. As stated in the Arborist Report dated May 12, 2015 “the existing trees in the vicinity of the swale are recommended for removal because they meet the City’s definition of dangerous. The condition of these trees presents a foreseeable threat of danger that cannot be alleviated by treatment or pruning.

The identified resources present on the site are intermittent stream, wildlife habitat, forest, and limited groundwater recharge. The intermittent stream that crosses this property begins far up in Forest Park. It enters a pipe above NW Aspen Street and then exits the pipe on the subdivision site approximately 150 feet downhill from NW Thurman. The pipe on the subdivision site is a temporary replacement pipe that was added in 1996 when the original pipe began to fail and cause substantial downcutting and erosion damage to the intermittent stream bed.

The wildlife habitat and forest resources near the project area are of moderate value. The neighboring forest consists of early successional, mid-age big-leaf maple (*Acer macrophyllum*) and alder (*Alnus rubra*) with trunk sizes ranging from 10 to 20-inches diameter. The understory is being overrun by English ivy with some Himalayan blackberry in more open areas. Native understory species include Indian plum (*Oemlaria cerasiformis*), vine maple (*Acer circinatum*), and sword fern (*Polystichum munitum*) but not in great numbers.

The primary impact of the proposed tree removal will be minor loss of native tree canopy (4 mature trees).

Findings for LUR 99-00942 SU EN demonstrated that the daylighting the creek met these criteria. Because the trees to be removed from this area are potentially hazardous to neighboring homes, no alternative exists but to remove them.

There will be no significant detrimental impact on resources and functional values in areas designated to be left undisturbed because the proposed construction management plan is

sufficient to limit and control construction impacts to approved disturbance areas only. Temporary construction and erosion control fencing will be installed before clearing takes place, construction access and stockpiling will be controlled, and staging and maneuvering will be limited to approved disturbance areas. *These criteria are met.*

4. **The mitigation plan demonstrates that all significant detrimental impacts on resources and functional values will be compensated for;**
5. **Mitigation will occur within the same watershed as the proposed use or development and within the Portland city limits except when the purpose of the mitigation could be better provided elsewhere; and**
6. **The applicant owns the mitigation site; possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry**

Findings: These criteria require the applicant to assess unavoidable impacts and propose mitigation that is proportional to the impacts, as well as sufficient in character and quantity to replace lost resource functions and values. The proposed mitigation plan is described on in Section 3.0 of the applicant's narrative (Exhibit A.1).

The unavoidable significant detrimental impacts from the proposal are minor native vegetation loss (4 trees) beyond what was originally approved in LUR 99-00942 SU EN. The proposed mitigation plan will compensate for these temporary resource impacts by the addition of 12 trees to the mitigation approved by LUR 99-00942 SU EN, for a total of 31 trees and 36 shrubs as shown on Exhibit C.4.

Mitigation for significant detrimental impacts will be conducted on the same site as the proposed use or development, and the applicant owns the proposed on-site mitigation area. *These criteria are met.*

ADDITIONAL APPROVAL CRITERIA

Forest Park Subdistrict of the Northwest Hills Plan District

33.563.210 Additional Approval Criteria. In addition to the applicable approval criteria of Section 33.430.250, an environmental review application will be approved if the review body finds that all of the following approval criteria are met:

- A. Wildlife.** The location, quantity, quality and structural characteristics of forest vegetation will be sufficient to provide habitat and maintain travel corridors for the following indicator species: pileated woodpecker, sharp-shinned hawk, Roosevelt elk, white-footed vole, and red-legged frog. Standards to meet these criteria are in the applicable Habitat Evaluation Procedure developed by the United States Fish and Wildlife Service;

Findings: The location, quantity, quality and structural characteristics of forest vegetation continue to be sufficient to provide habitat and maintain travel corridors for the indicator species listed because the project site is 300 feet downhill and downstream from Forest Park. The site is not connected to Forest Park because a full block of residential development and two streets separate the site from the park. Additionally, there is no vegetation corridor connection and the stream coming down from the park flows through a pipe for approximately 300 feet before reaching the project site. The project site is at the bottom of the West Hills slope and adjacent to a very heavy industrial area with no vegetation.

There is no suitable habitat for white-footed vole on the site and it is not connected to any of the primary habitat for the other listed species. The site is not likely part of a travel corridor for any of these species, because it is isolated from other important habitats. However, the forest habitat on the site may provide some temporary refuge and occasional foraging opportunities for pileated woodpecker, sharp-shinned hawk, Roosevelt elk, or red-legged frog. The proposed development will not impact the quantity, quality, or structural characteristics of the forest vegetation on the site that are important to the occasional use of the listed species, because

only vegetation within 100 feet of the existing roadway will be removed and a portion of that replanted. The remainder of the forest will be preserved. Additionally, a portion of the piped stream will be opened into a surface water channel that will only improve the habitat quality. *This criterion is met.*

B. Parks and Open Space. Overall scenic, recreational, educational and open space values of Forest Park will not be diminished as a result of development activities; and

Findings: The overall scenic, recreational, educational and open space values of Forest Park will not be diminished as a result of development activities, because the project site is not within or adjacent to Forest Park. Additionally, the project site is 300 feet downhill and downstream from Forest Park. The project site is not visible from the park and is not near any trails or educational facilities so development activities will not affect the park. *This criterion is met.*

C. Miller Creek Watershed. Within the Miller Creek Watershed, shown on Map 563-1, development activities will not degrade natural water quality, quantity, and seasonal flow conditions, and will not increase water temperatures above 68°F. In addition, development activities will not decrease opportunities for fish and amphibian passage.

Findings: The project site is not within the Miller Creek Watershed. This criterion does not apply.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The applicant requests Environmental Review to remove 4 trees that were proposed to be preserved as part of a previous Subdivision/Environmental Review (LUR 99-00942 SU EN). The intermittent stream was designed to be daylighted and meander around the 4 noted trees. The grading approved for the stream work significantly encroaches into the root zones of the 4 trees and they cannot be preserved. The applicant requests revision of LUR 99-00942 SU EN, in order to remove these trees.

All other aspects of the previous Environmental Review will remain as approved by LUR 99-00942 SU EN, except the Mitigation Plan, which will be modified to include 12 additional trees to replace the values removed by the 4 noted trees. Overall, the mitigation will be modified to require a total of 31 trees and 36 shrubs, depicted on attached Exhibit C.4, as proposed by the applicant.

The applicant, and the above findings, have shown that the proposal meets the applicable approval criteria with conditions. Therefore, this proposal should be approved, subject to the conditions outlined in this report.

ADMINISTRATIVE DECISION

Approval of an Environmental Review for:

- Removal of 4 trees from the Environmental Conservation overlay zone, and in substantial conformance with Exhibits C.2, C.3, and C.4, as approved by the City of Portland Bureau of Development Services on **August 18, 2015**. Approval is subject to the following conditions:

NOTE: Activities which expose soil to direct contact with stormwater between October 1 and April 30 are prohibited. An exception to this prohibition is planting of native plants with hand-held equipment, and emergency repair of existing structures.

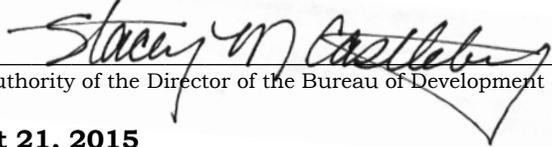
- A. Site Development Permit #14-119542-000-00- SD** shall be revised to reflect this land use review: Copies of the stamped Exhibits C.2 through C.4 from LU 15-179798 EN and Conditions of Approval listed below, shall be included within all plan sets submitted for the Site Development permit. These exhibits shall be included on a sheet that is the same size as the plans submitted for the permit and shall include the following statement, ***"Any field changes shall be in substantial conformance with approved LU 15-179798 EN Exhibits C.2 through C.4."***
- B.** Temporary construction fencing shall be installed according to tree protection measures in Title 11 Tree Code, chapter 11.60, except as specified below. Temporary, 4-foot high, construction fencing shall be placed along the Limits of Construction Disturbance for the approved development, as depicted on Exhibit C.3 Construction Management Plan, or as required by inspection staff during the plan review and/or inspection stages.
1. No mechanized construction vehicles are permitted outside of the approved "Limits of Construction Disturbance" delineated by the temporary construction fence. All planting work, invasive vegetation removal, and other work to be done outside the Limits of Construction Disturbance, shall be conducted using hand held equipment.
- C.** A total of 31 trees, 36 shrubs, and native ground covers, selected from the Portland Plant List, shall be planted, in substantial conformance with Exhibits C.4 Mitigation Plan.
1. Permit plans shall show the approximate location of the trees, shrubs and ground covers required by this condition to be planted in the mitigation area and labeled as "new required landscaping". The plans should illustrate a naturalistic arrangement of plants and should include the location, species, quantity and size of plants to be planted.
 2. Plantings shall be installed between October 1 and March 31 (the planting season).
 3. Prior to installing required mitigation plantings, non-native invasive plants shall be removed from all areas within 10 feet of mitigation plantings, using handheld equipment.
 4. All mitigation and remediation shrubs and trees shall be marked in the field by a tag attached to the top of the plant for easy identification by the City Inspector. All tape shall be a contrasting color that is easily seen and identified.
 5. After installing the required mitigation plantings, the applicant shall request inspection of mitigation plantings and final the Site Development Permit.
- D. The land owner shall maintain the required plantings** for two years to ensure survival and replacement. The land owner is responsible for ongoing survival of required plantings during and beyond the designated two-year monitoring period. The landowner shall:
1. Obtain a Zoning Permit for a final inspection at the end of the 2-year maintenance and monitoring period. The permit must be finalized no later than 2 years from the final inspection for the installation of mitigation planting, for the purpose of ensuring that the required plantings remain. Any required plantings that have not survived must be replaced.
- E.** Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Note: In addition to the requirements of the Zoning Code, all uses and development must comply with other applicable City, regional, state and federal regulations.

This decision applies to only the City's environmental regulations. Activities which the City regulates through PCC 33.430 may also be regulated by other agencies. In cases of overlapping City, Special District, Regional, State, or Federal regulations, the more stringent regulations

will control. City approval does not imply approval by other agencies.

Staff Planner: Stacey Castleberry

Decision rendered by:  **on August 18, 2015.**

By authority of the Director of the Bureau of Development Services

Decision mailed: August 21, 2015

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

Procedural Information. The application for this land use review was submitted on June 3, 2015, and was determined to be complete on **July 7, 2015**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 3, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: November 4, 2015.**

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

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

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

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

Appealing this decision. This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 4, 2015**, at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's

bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

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

Recording the final decision.

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

- *Unless appealed*, The final decision may be recorded on or after **September 8, 2015 – (the first business day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

For further information on recording, please call the County Recorder at 503-988-3034

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

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

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

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

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;

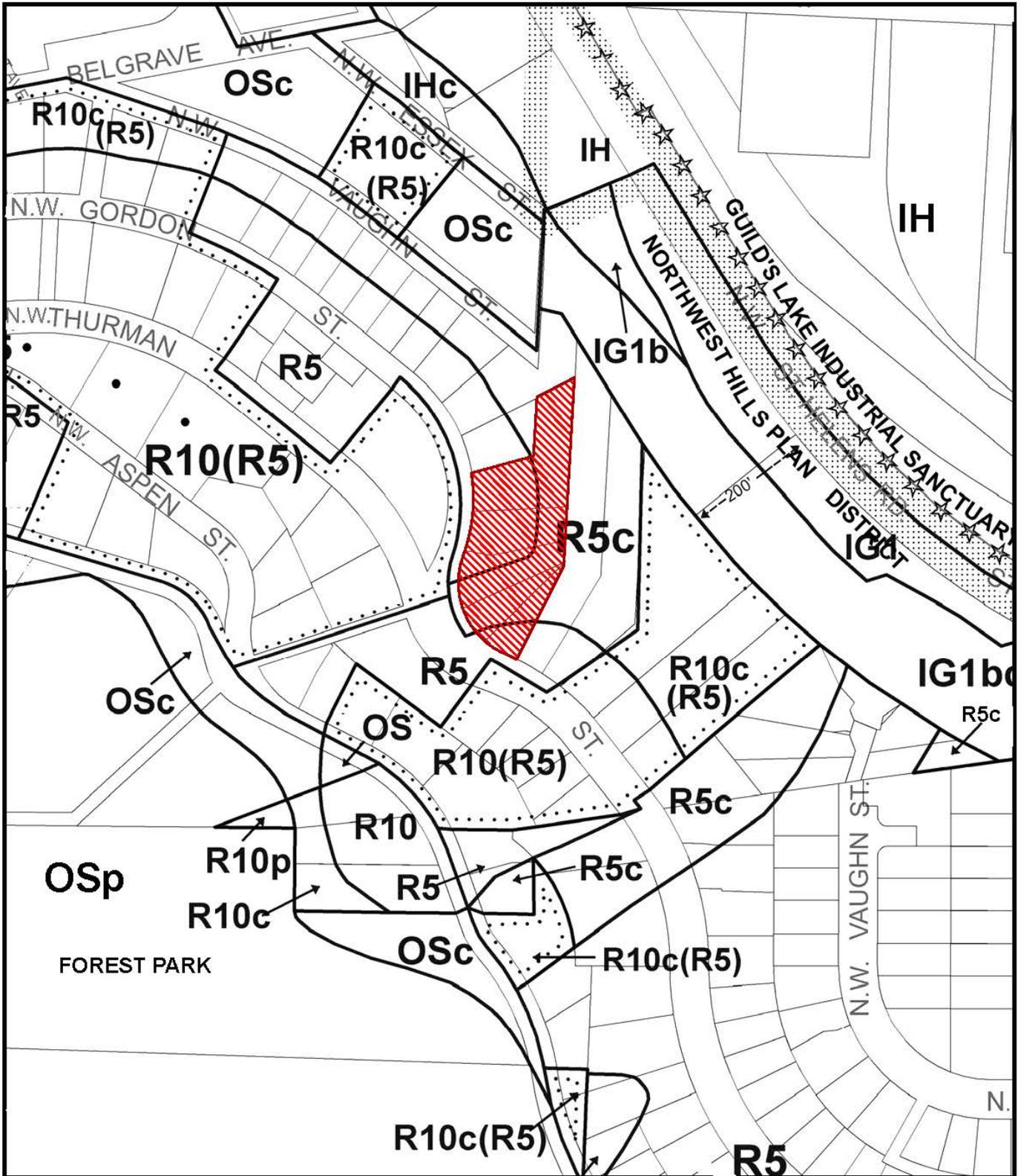
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Existing Conditions Plan
 - 2. Proposed Site Plan (attached)
 - 3. Construction Management Plan (attached)
 - 4. Mitigation Site Plan (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
- F. Correspondence: (None Received)
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter

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).



ZONING

-  Site
-  Historic Landmark
-  Recreational Trail

This site lies within the:
NORTHWEST HILLS PLAN DISTRICT



File No.	LU 15-179798 EN
1/4 Section	2825
Scale	1 inch = 200 feet
State_Id	1N1E29CB 405
Exhibit	B (Jun 05,2015)

GROUND COVER AND SHRUB LEGEND:

SYMBOL	DESCRIPTION	QUANTITY	SIZE	PLANTING
(Symbol)	ARISTARCTUS UN-AGE (ANNUAL)	500	1" O.C.	1" O.C.
(Symbol)	BERBERIS NANA (O.C. OREGON GRASS)	400	228	177
(Symbol)	POLYDRUM MONTANUM (O.C. GRASS)	200	114	86
(Symbol)	BERBERIS AQUATILIS (O.C. OREGON GRASS)	20	20	20
(Symbol)	GAULTHEIA SHALON (O.C.)	8	8	8
(Symbol)	HOLDRIDGE DECORUS (O.C. GRASS)	12	4	8
(Symbol)	PODOCYSSUS MACROPHYLLA	12	7	9
(Symbol)	MACULATA (O.C. GRASS)	12	4	5

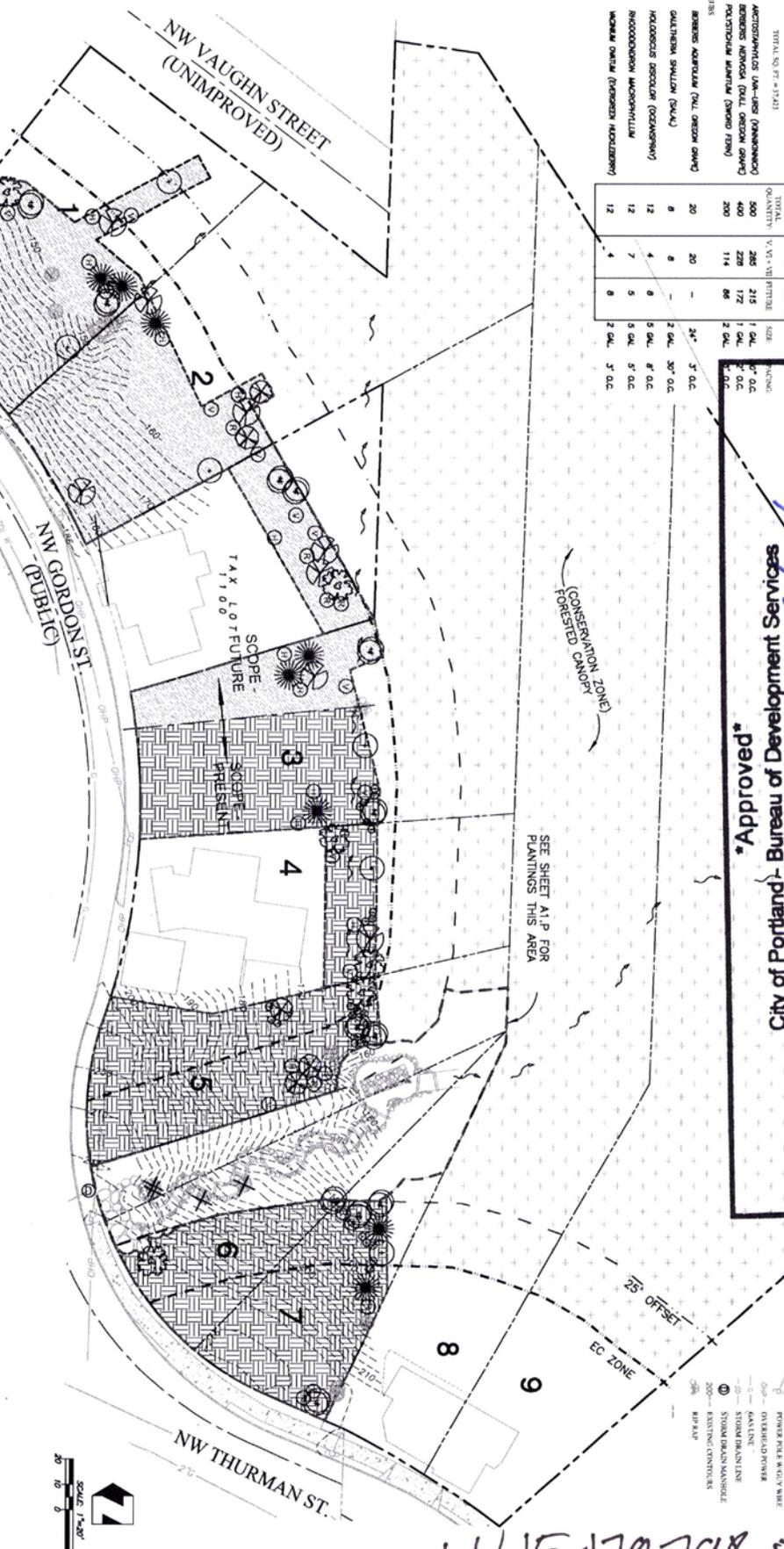
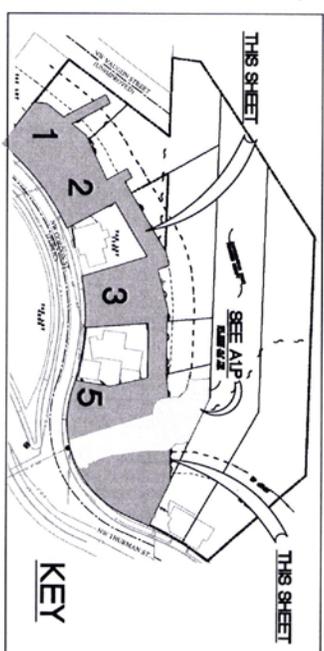
*** Approved ***
 City of Portland - Bureau of Development Services
 Date 5/18/15
 Planner SNC
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

MITIGATION PLANTING PLAN

- NOTES:
1. THE CONTRACTOR SHALL INSTALL PLANT MATERIALS USING TOPSOIL, WHICH CONSISTS OF ONE PART COMPOST AND TWO PARTS SANDY LOAM, AS INDICATED ON THE DETAILS.
 2. PLANTING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 3. PLANTING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
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 9. PLANTING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 10. PLANTING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

TREE LEGEND:

SYMBOL	DESCRIPTION	QUANTITY	SIZE	PLANTING
(Symbol)	ACER CORNICULUM (TREE MAINT)	12	7"	AS SHOWN
(Symbol)	CORNUS AMOMI (PLANTING OREGON)	8	1"	AS SHOWN
(Symbol)	PRUNELLA SPANISH (O.C. GRASS)	8	8"-8"	AS SHOWN
(Symbol)	PODOCYSSUS MACROPHYLLA (O.C. GRASS)	8	8"-8"	AS SHOWN
(Symbol)	MACULATA (O.C. GRASS)	8	8"-8"	AS SHOWN
(Symbol)	MACULATA (O.C. GRASS)	8	8"-8"	AS SHOWN
(Symbol)	MACULATA (O.C. GRASS)	8	8"-8"	AS SHOWN
(Symbol)	MACULATA (O.C. GRASS)	8	8"-8"	AS SHOWN



ENVIRONMENTAL REVIEW
 3505 + 3499 NW THURMAN ST, AND 3607 NW GORDON ST
 PORTLAND, OREGON

PROPOSED
 SITE PLAN
 OVERALL

A-1.M

W 15-179798 FOR
 Exhibit C-2

ATTENTION EXCAVATORS

BEFORE YOU BEGIN ANY EXCAVATION WORK, YOU MUST OBTAIN A PERMIT FROM THE CITY OF PORTLAND. THE PERMITTING PROCESS IS AVAILABLE AT THE CITY OF PORTLAND, 1224 SW 5TH AVENUE, PORTLAND, OREGON 97204. FOR MORE INFORMATION, CALL 503-248-4558.

GEOTECHNICAL ENGINEER NOTES (B03 / P001)

1. ALL CONSTRUCTION SHALL BE IN ACCORD WITH THE GEOTECHNICAL REPORT PROVIDED BY JAMES R. GORDON, INC. (JRG) DATED 08/11/10. CONTACT: JAMES R. GORDON, J.E. AS, P.E. AT 503-248-4666 FOR THE LATEST REPORT.

2. THE PROTECTION OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE EXCAVATOR. THE CITY OF PORTLAND SHALL BE NOTIFIED OF ANY UTILITIES LOCATED ON THE PROJECT SITE PRIOR TO THE START OF EXCAVATION. CALL 503-248-4558.

3. THE PROTECTION OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE EXCAVATOR. THE CITY OF PORTLAND SHALL BE NOTIFIED OF ANY UTILITIES LOCATED ON THE PROJECT SITE PRIOR TO THE START OF EXCAVATION. CALL 503-248-4558.

4. THE PROTECTION OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE EXCAVATOR. THE CITY OF PORTLAND SHALL BE NOTIFIED OF ANY UTILITIES LOCATED ON THE PROJECT SITE PRIOR TO THE START OF EXCAVATION. CALL 503-248-4558.

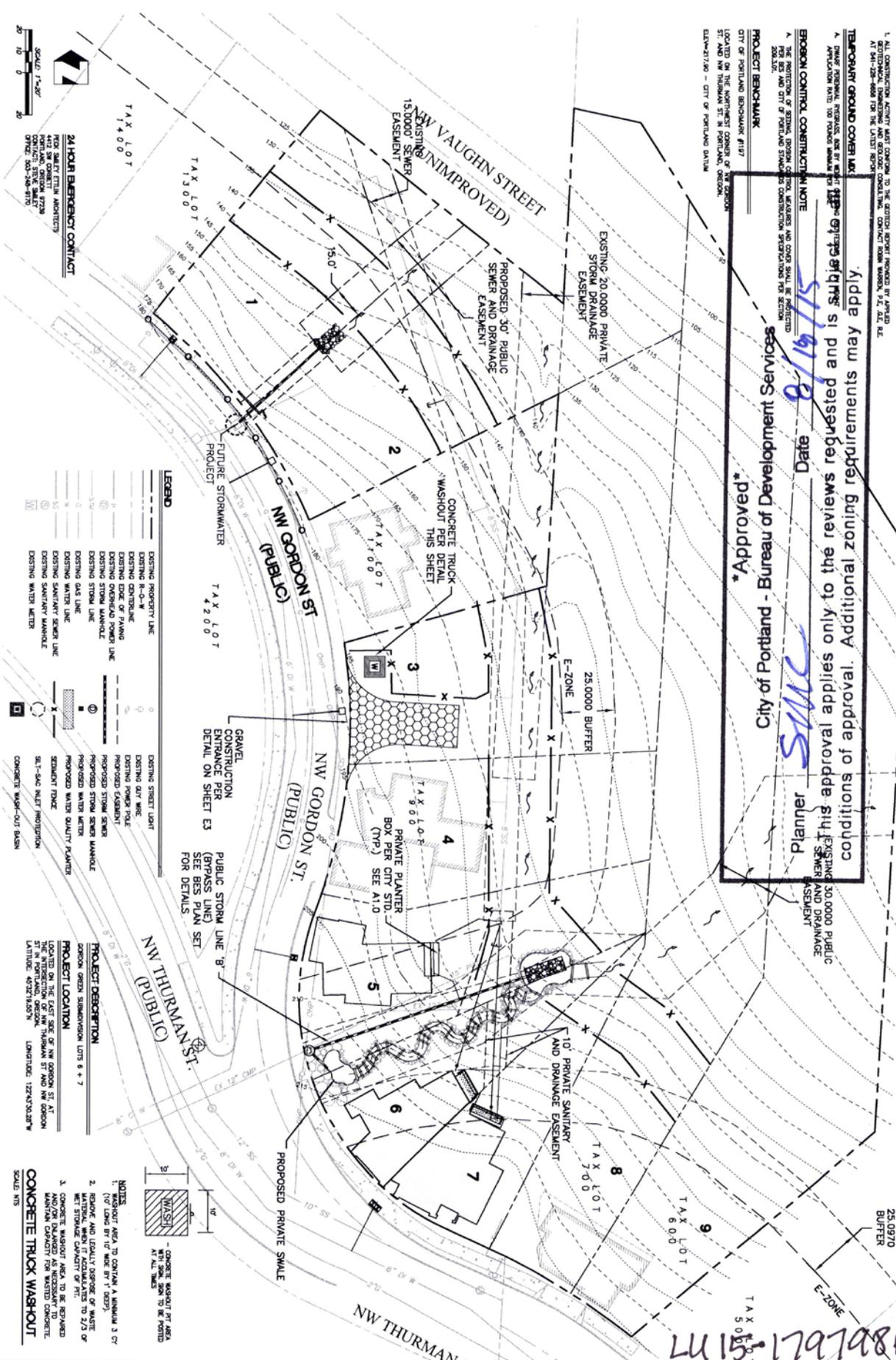
5. THE PROTECTION OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE EXCAVATOR. THE CITY OF PORTLAND SHALL BE NOTIFIED OF ANY UTILITIES LOCATED ON THE PROJECT SITE PRIOR TO THE START OF EXCAVATION. CALL 503-248-4558.

6. THE PROTECTION OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE EXCAVATOR. THE CITY OF PORTLAND SHALL BE NOTIFIED OF ANY UTILITIES LOCATED ON THE PROJECT SITE PRIOR TO THE START OF EXCAVATION. CALL 503-248-4558.

GRADING AND EROSION AND SEDIMENT CONTROL PLANS
GORDON GREEN SUBDIVISION

CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

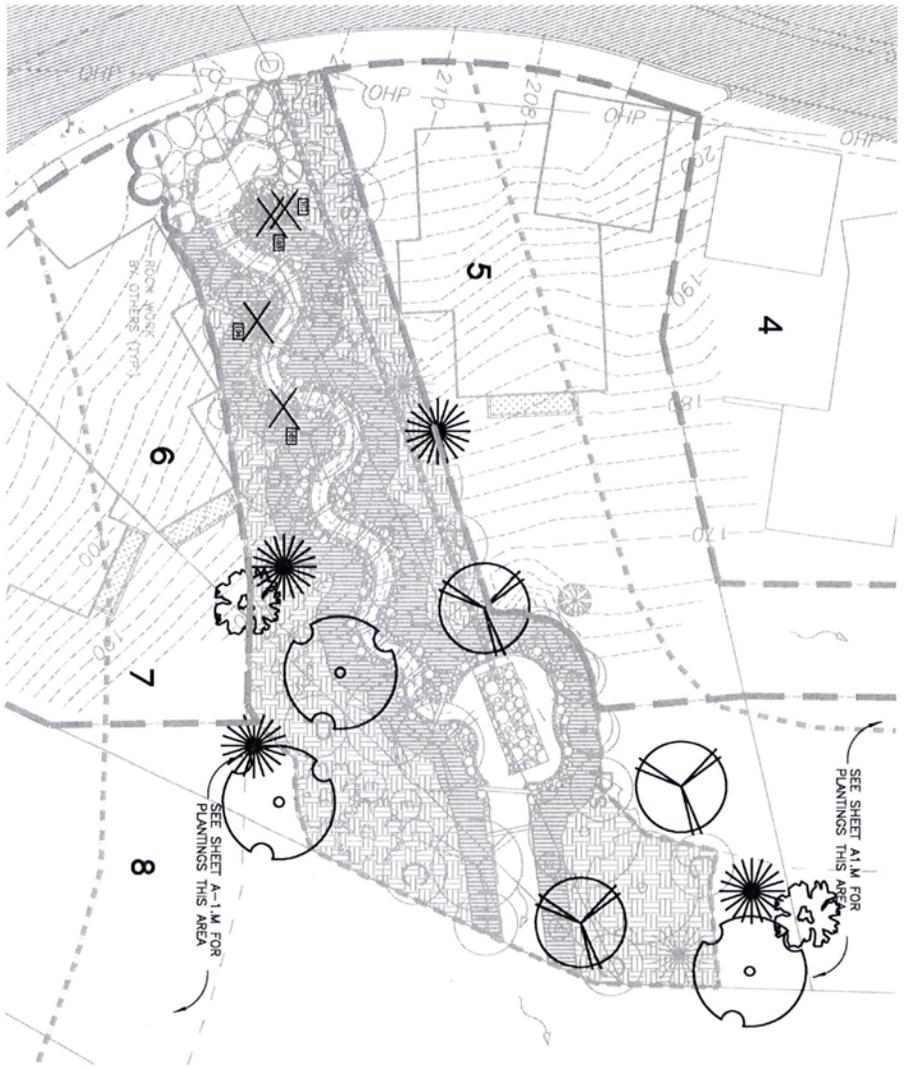
City of Portland - Bureau of Development Services
 Approved*
 Date: 5/19/18
 Planner: SWS



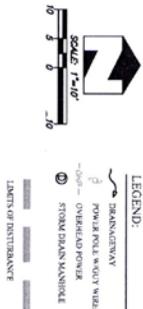
TOTAL SITE AREA = 2.85 ACRES
 TOTAL DISTURBED AREA = 0.86 ACRES
 0.97% (34,187 SF) = 0.86 ACRES

LU 15-179798E

	ENVIRONMENTAL REVIEW 3505 + 3499 NW THURMAN ST, AND 3607 NW GORDON ST PORTLAND, OREGON
	Exhibit C.3
GEOTECHNICAL ENGINEER JAMES R. GORDON, INC. 1-800-333-2344	A-1.C

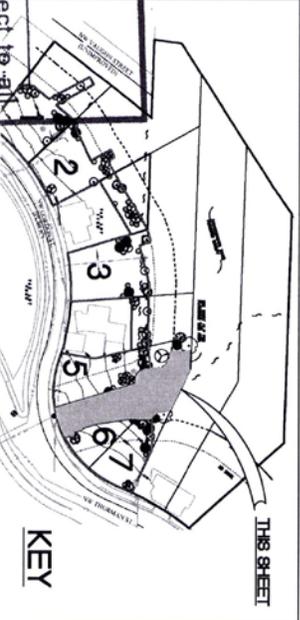


WATER FEATURE PLANTING PLAN



Approved
 City of Portland - Bureau of Development Services
 Planner SMC
 Date 8/18/15

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



SYMBOL	COMMON NAME, Botanic name	QUANTITY	PLANTING	SIZE
	BIG LEAF MAPLE (<i>Acer macrophyllum</i>)	7	10' O.C.	8" x 8"
	RED ALDER (<i>Alnus rubra</i>)	6	10' O.C.	8" x 8"
	WESTERN RED CEDAR (<i>Thuja plicata</i>)	3	10' O.C.	8" x 8"
	DOGWOOD TREE (<i>Fraxinus pennsylvanica</i>)	3	10' O.C.	8" x 8"
		TOTAL: 19		

SYMBOL	COMMON NAME, Botanic name	QUANTITY	SPACING	CAL.
	CASCADIA (<i>Rosa nutkana</i>)	3	4x Spaced	2 gal
	PACIFIC DOGWOOD (<i>Cornus alata</i>)	3	4x Spaced	5 gal
	WINE MAPLE (<i>Acer distichum</i>)	3	4x Spaced	5 gal
	RED ELDERBERRY (<i>Sambucus racemosa</i>)	3	4x Spaced	2 gal
	*RED-TWO DOGWOOD (<i>Cornus stolonifera</i>)	3	4x Spaced	2 gal
	INDIAN PLUM (<i>Amelanchier canadensis</i>)	3	4x Spaced	2 gal
	SNOWBERRY (<i>Symphoricarpos alba</i>)	3	4x Spaced	2 gal
	SALALBERRY (<i>Viburnum parvifolium</i>)	3	4x Spaced	2 gal
	SWOOSH TREE (<i>Psychotria maritima</i>)	3	4x Spaced	2 gal
	CASCADE OREGON GRAPE (<i>Amblyopone menziesii</i>)	3	4x Spaced	2 gal
	TALL OREGON GRAPE (<i>Amblyopone menziesii</i>)	3	4x Spaced	2 gal
	SAUL (<i>Ceanothus velutinus</i>)	3	4x Spaced	2 gal
	*WILLOW (<i>Salix spp.</i>)	*		
	*DOGWOOD SPIRAE (<i>Spiraea douglasii</i>)	*		

SYMBOL	COMMON NAME, Botanic name	QUANTITY	SPACING	SIZE	SEED RATE
	WOOD STREWSPYR (<i>Opuntia missouriensis</i>)	723	18" O.C.	2-1/4" POTS	-
	*SLOAN CLOVER (<i>Anthyllum vulneraria</i>)	723	18" O.C.	2-1/4" POTS	-
	BLUE WILDMINT (<i>Thymus praecox</i>)	-	-	-	30 LB/ACRE
	OREGON BERT GRASS (<i>Lepidosiphon angustifolius</i>)	-	-	-	30 LB/ACRE

NOTES: 1) REFER TO INSTALLING REQUIRED LANDSCAPE PLANTINGS, NON-LIVING ANNUAL PLANTINGS, (SEED HANDLED) EQUIPMENT.
 *PLANT NEAR WATER
 *SEED FOR PALE DUTCHMAN, BUSHY LAYER AND PINEAPPLE BUNCHES (SEE SHEET 7 OF 7 FOR APPROX. QUANTITIES)

ENVIRONMENTAL REVIEW
 3505 + 3499 NW THURMAN ST, AND 3607 NW GORDON ST
 PORTLAND, OREGON

MITIGATION
 SITE PLAN
 WATER FEATURE

A-1.P

L15-179798EN Exhibit C04