



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

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
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Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: March 17, 2017
To: Interested Person
From: Ethan Brown, Land Use Services
[503-823-7920/Ethan.Brown@portlandoregon.gov](mailto:Ethan.Brown@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 April 7, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-240246 EN, in your letter. It also is helpful to address your letter to me, Ethan Brown. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-240246 EN

Applicant/Owner: Maeling Pan and Samir Parikh
10015 SW Terwilliger Blvd.
Portland, OR 97219-7768
Phone: 503-768-6979

Representative: Art Duhon, Duhon Consulting and Design, Inc.
155 NW 338th Ave.
Hillsboro, OR 97124
Phone: 503-317-5655

Site Address: [3233 N/SW Sherwood Pl](#)

Legal Description: LOT 51 EXC PT IN ST, PORTLAND HTS PK
Tax Account No.: R668501370
State ID No.: 1S1E09BC 01201
Quarter Section: 3327

Neighborhood: Southwest Hills Residential League, contact Nancy Seton at 503-224-3840.

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: None

Other Designations: *Southwest Hills Resource Protection Plan (1994)* Site #113, Regulatory Landslide Hazard Area,

Zoning: Base Zone: Residential 7,000 (R7)
Overlay Zone: Environmental Conservation (c)

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

Proposal:

The applicant proposes to construct a new single-family residence with an attached garage, driveway, and outdoor area on an undeveloped 15,811 square foot lot in the southwest hills of Portland.

Most of the site is in the Environmental Conservation (c) overlay zone, except for a small area in the southeast corner, adjacent to SW Sherwood Place. The property consists of a steep, forested slope containing mature deciduous trees with dense undergrowth consisting of native ferns, invasive blackberries, and thick invasive English ivy ground cover. After a short upward slope from the right-of-way, the slope descends in elevation approximately 60 feet down westward toward an unnamed drainage on an adjacent site. The applicant's proposal would create approximately 3,759 square feet of temporary disturbance, and 2,414 square feet of permanent disturbance in the conservation overlay zone. The house is proposed to be set back 21 ft away from the property line in order to avoid the steep terrain adjacent to the right-of-way, and likewise, the driveway is proposed to be in a flatter section in the conservation zone transition area rather than the more steeply sloped section outside the conservation zone entirely.

The proposal would remove 21 native trees, totaling 290 inches, from the conservation zone. Of these trees, 10 would be within the resource area and 11 within the transition area. The applicant proposes to plant a diverse variety of native species (58 trees and 108 shrubs) throughout the disturbed areas as mitigation. Additionally, the applicant proposes to remove 4 trees outside of the conservation zone that will be replaced as required by Title 11 Tree Code.

The site is located in the Environmental Conservation zone; therefore, certain standards must be met to allow work to occur by right. In this case, the proposed house exceeds the general development standards for maximum disturbance area (33.430.140.A), maximum front setbacks (33.430.140.O), and tree removal (33.430.140.J). For these reasons, environmental review is required. The environmental review must address all of these standards and demonstrate that they cannot practicably be met.

Relevant Approval Criteria:

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

- [Section 33.430.250 A](#). Public safety facilities, rights-of-way, driveways, walkways, outfalls, utilities, land divisions, Property Line Adjustments, Planned Developments, and Planned Unit Developments
- [Section 33.430.250 E](#). Other development in the Environmental Conservation zone or within the Transition Area only

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 September 9, 2016 and determined to be complete on March 7, 2017.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- 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 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.

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.

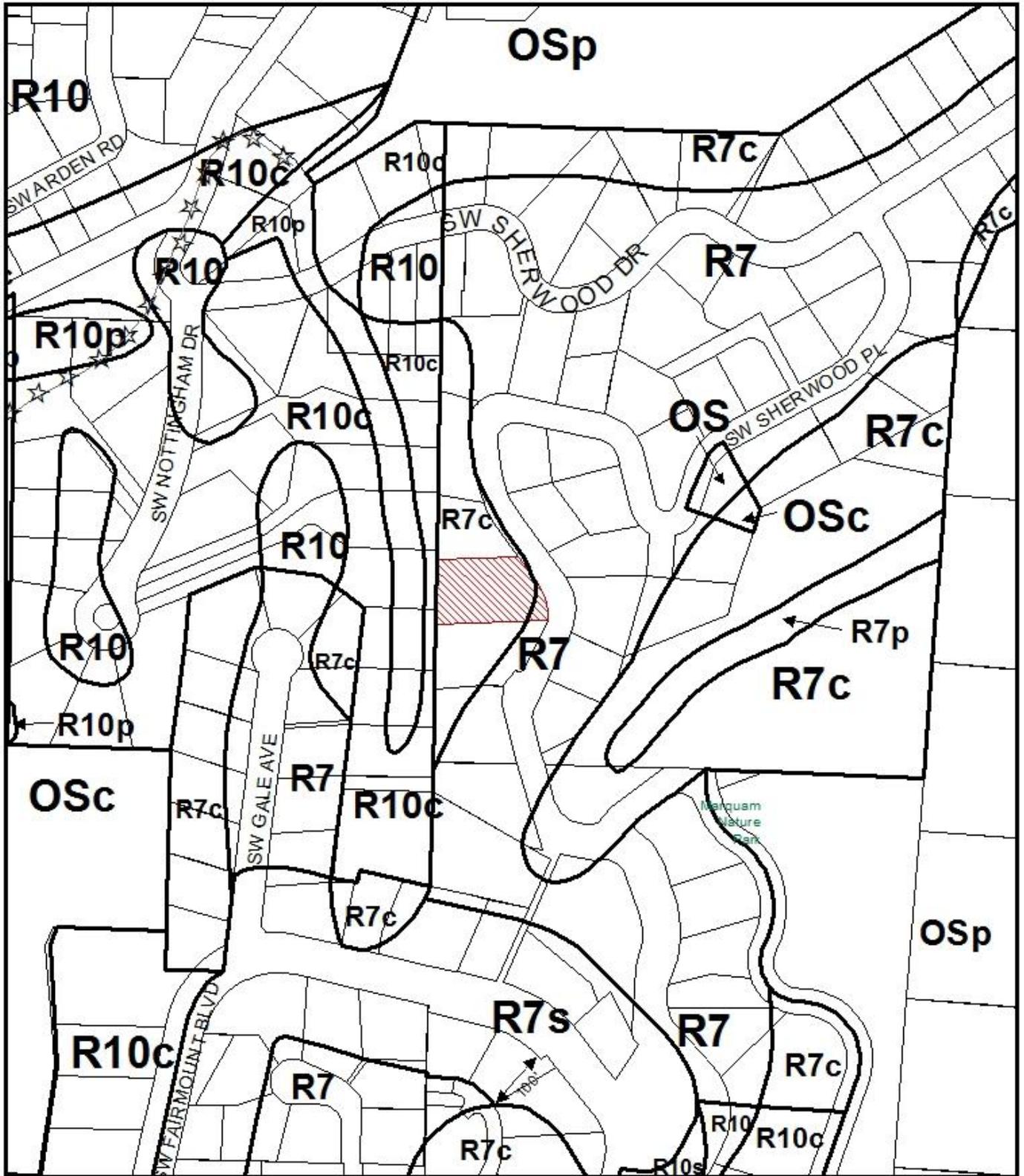
APPEAL OF THE FINAL CITY DECISION

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:

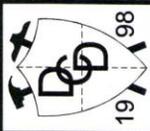
Zoning Map
Site Plan



ZONING

- ↑ NORTH
- ▨ Site
- ☆ Recreational Trails

File No.	LU 16-240246 EN
1/4 Section	3327
Scale	1 inch = 200 feet
State Id	1S1E09BC 1201
Exhibit	B (Sep 13, 2016)



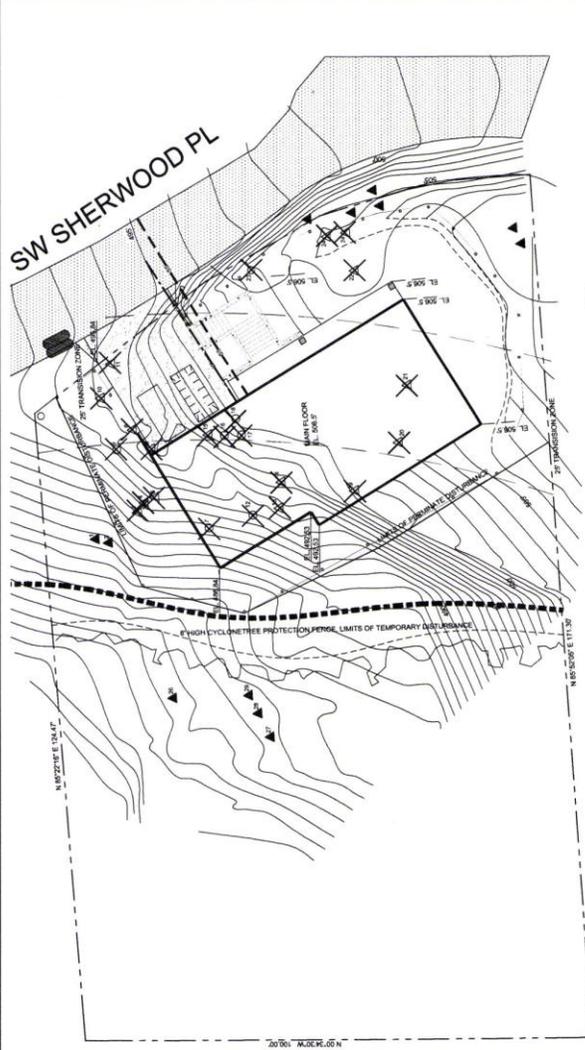
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Importation Disclosure
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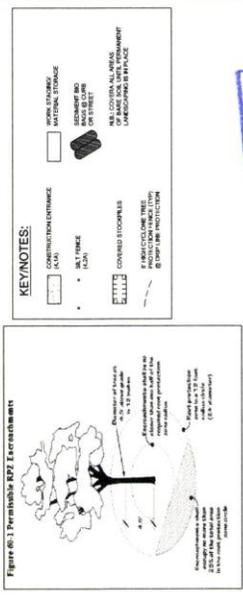
PARIKAH/PAN RESIDENCE
 3233 SW SHERWOOD PL
 PORTLAND, OR 97201

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 PORTLAND, OR 97201

PROJECT NAME:
 REVIEW SET 04/17
 DRAWN BY: AND
 CHECKED BY: AND
 SQUARE FOOTAGE:
 SHERWOOD
 C3.0



CONSTRUCTION MANAGEMENT PLAN
 SCALE: 1"=10'



*BIOBAGS MUST BE REMOVED AT END OF JOB

