



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

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** November 3<sup>rd</sup>, 2017  
**To:** Interested Person  
**From:** William Piro, Land Use Services  
503-823-6039/William.Piro@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 November 27, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-237549 EN, in your letter. It also is helpful to address your letter to me, William Piro. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-237549 EN**

**Applicant:** Keith Jones, AICP  
Harper Houf Peterson Righellis Inc  
205 SE Spokane St Suite 200 | Portland, OR 97202

**Owner:** Gary Rehnberg, President | East Side Plating  
8400 SE 26th Place | Portland OR 97202

**Representative:** Daniel Scarpine, PE | Aquarius Environmental  
3204 NE 40th Ave | Portland, OR 97212

**Site Address:** 8400 SE 26TH PL

**Legal Description:** BLOCK 3-5 TL 400 LAND & IMPS SEE R123722 & R123723 FOR OTHER IMPS & R646131 & R646132 & R646134 FOR MACH & EQUIP, BURLEY HTS & AMD PLAT

**Tax Account No.:** R118600250  
**State ID No.:** 1S1E24C 00400  
**Quarter Section:** 3833

**Neighborhood:** Ardenwald-Johnson Creek, contact Lisa Gunion-Rinker at [astrantialgr@gmail.com](mailto:astrantialgr@gmail.com).

**Business District:** None  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** Johnson Creek Basin Plan District/Floodplain Subdistrict  
**Other Designations:** 100-year Floodplain

**Zoning:** *Base Zone:* General Industrial (IG2), Residential 5,000 (R5)  
*Overlay Zones:* Environmental Protection (p), Environmental Conservation (c).

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

**Proposal:**

The applicant is proposing to install a specialized Electrocoagulation (EC) stormwater treatment system in order to comply with Bureau of Environmental Services (BES) and Oregon Department of Environmental Quality (DEQ) requirements. The treatment system will be installed at the northeastern area of the site within the existing paved parking lot located south of Johnson Creek. The system would include a new interceptor manhole and lift station. This new manhole would be installed in line with an existing main stormwater pipe at a location where the majority of the stormwater currently collects.

This new manhole and lift station will pump water to three (3) 3,000 gallon above-ground retention tanks before being sent to the EC enclosure for treatment. After going through the EC system, cleaned water will be discharged to Johnson Creek via an existing stormwater outfall at the end of the main trunk line.

The entire project is located within the Environmental Conservation zone (c) and corresponding 25-foot transition area. No work is proposed within the Environmental Protection zone (p). Currently there are five stormwater outfalls to Johnson Creek that serve the site. Four of the five outfalls are connected to catch basins at the north end of the parking area and the fifth serves the main stormwater trunk line. Each catch basin will have new lines installed that will direct stormwater to the new EC treatment enclosure. Work within the "c" zone will include removing and replacing two stormwater catch basins and trenching for new stormwater lines that will direct stormwater to the new EC treatment enclosure. Work within the 25-foot transition zone will include the trenching and placement of stormwater line and the installation of an interceptor manhole and lift pump system. The above ground retention tanks and EC treatment enclosure will be placed against the wall of the existing building and will be outside of the Environmental Conservation zone. All proposed development will be under existing paved areas.

The proposal does not entail the removal of any trees on the site. Existing trees within 50-feet of the improvements work area were evaluated for tree location, diameter at breast height (DBH), and to document common (and scientific) names. No trees impacts to trees were identified.

The site is located partially in the Environmental Conservation and Protection overlay zones; therefore, certain standards must be met to allow work to occur by right. Replacement of the catch basins and stormwater lines to the EC stormwater treatment system are subject to the standards in Zoning Code section 33.430.140. In this case, the proposal includes construction of private underground stormwater piping and catch basins that will exceed the disturbance limit described in standard 33.430.140.D; and will *not* be more than 30-feet away from the top-of-bank of Johnson creek as required by Section 33.430.140.F.

**Relevant Approval Criteria:**

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

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- **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 8, 2017 and determined to be complete on Wednesday October 25, 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](http://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.

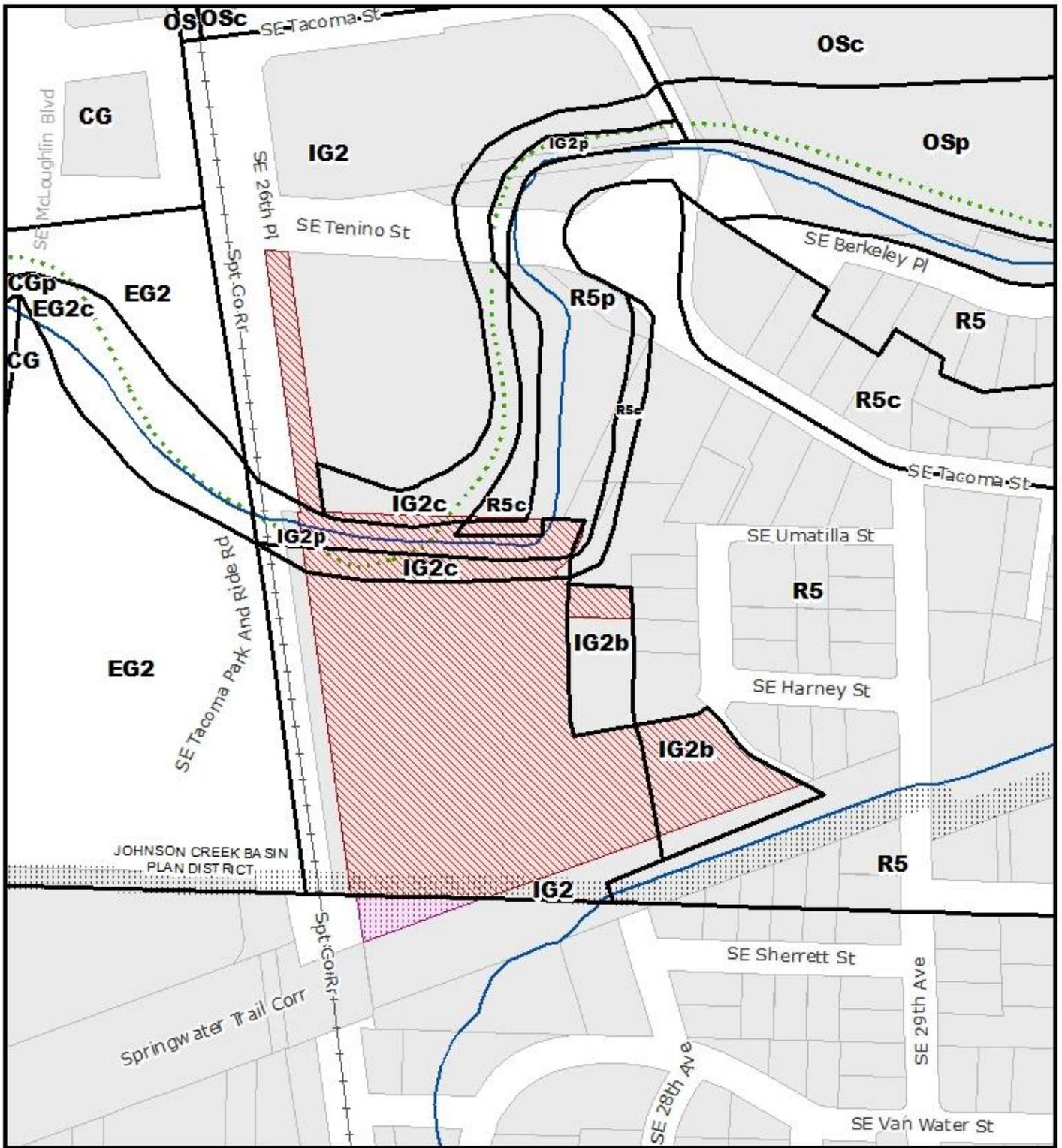
**APPEAL OF THE FINAL CITY DECISION**

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



THIS SITE LIES WITHIN THE:  
JOHNSON CREEK BASIN PLAN DISTRICT  
FLOOD PLAIN SUBDISTRICT

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 17-237549 EN
1/4 Section	3933
Scale	1 inch = 200 feet
State ID	1S1E24C 400
Exhibit	B Sep 13, 2017

