



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** June 12, 2018  
**To:** Interested Person  
**From:** Morgan Steele, Land Use Services  
503-823-7731/Morgan.Steele@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 3, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-139313 EN AD, in your letter. It also is helpful to address your letter to me, Morgan Steele. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 18-139313 EN AD**

**Applicant:** Lee Leighton | Mackenzie  
1515 SE Water Avenue | Portland, OR 97214  
[lleighton@mcknze.com](mailto:lleighton@mcknze.com) | 503/224-9560

**Applicant:** Jake Maxwell | Prologis  
12720 Gateway Drive, Suite 100 | Portland, OR 98168  
[jmaxwell@prologis.com](mailto:jmaxwell@prologis.com) | 206/414-7608

**Owner:** Kelley D Callahan  
9921 S Stratford Ln | Highlands Ranch, CO 80126

**Site Address:** [4615 NE 158TH AVENUE](#)

**Legal Description:** TL 600 1.18 ACRES, SECTION 24 1N 2E; TL 1100 18.18 ACRES, SECTION 24 1N 2E; TL 1100, CANCEL ACCOUNT / SECTION 24 1N 2E, TL 1100, BLDG & OTHER IMPS SEE R318622 (R942241430) FOR LAND

**Tax Account No.:** R942240730, R942241430, R942241431  
**State ID No.:** 1N2E24AD 00600, 1N2E24 01100, 1N2E24 01100A1  
**Quarter Section:** 2545 & 2546

**Neighborhood:** Wilkes Community Group, contact Ed Zarins at [edzgpz@comcast.net](mailto:edzgpz@comcast.net).  
**Business District:** Columbia Corridor Association, contact [info@columbiacorridor.org](mailto:info@columbiacorridor.org) & Parkrose Business Association, contact [parkrosebusinessassociation@gmail.com](mailto:parkrosebusinessassociation@gmail.com)

**District Coalition:** East Portland Neighborhood Office, contact Victor Salinas at 503-823-6694.

**Plan District:** Columbia South Shore - Industrial Business Opportunity Subdistrict  
**Other Designations:** *Natural Resources Protection Plan for the Columbia South Shore – Sites AA and C; 100-Year Floodplain*

**Zoning:** *Base Zone: General Industrial 2 (IG2)*  
*Overlay Zones: Aircraft Landing (h), Environmental Protection (p), Portland International Airport Noise Impact (x)*

**Case Type:** EN – Environmental Review  
 AD – Adjustment Review

**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The proposal includes the excavation of two channels that will hydrologically connect the Columbia Slough with a proposed wetland mitigation area. Currently, the site is undeveloped with an approximately 6.15-acre wetland located in the northern portion of the site. To mitigate for future development in the western portion of the site, that will impact 3.22 acres of the current wetland, the applicant is proposing to construct/enhance 6.53 acres of wetland in the eastern portion of the site. To create seasonal hydrology for the created/enhanced wetland, the applicant is proposing to excavate two channels that will connect the proposed wetland to the slough.

The proposed channels will permanently impact approximately 2,872 square feet of the 50-foot transition area (above top of bank) and approximately 364 square feet of resource area (below top of bank) and require the removal of five native trees. To mitigate for these impacts, the applicant is proposing to install native plantings consisting of nine trees, 250 shrubs, and riparian and upland seed mix in the disturbed areas in and around both channels. There will be no permanent loss of transition or resource area as a result of this project, though there will be a conversion from upland habitat to wetland/channel within the base of the two channels.

Further, as part of the project, approximately 1,750 lineal feet of Columbia South Shore Slough Trail will be built along the southern portion of the property. The Columbia South Shore Plan District requires the Columbia South Shore Slough Trail to be placed in the outer 25 feet of the Environmental Zone. To avoid the removal of native trees, the applicant is proposing to place portions of the trail outside of the Environmental Zone; an Adjustment is therefore requested to place portions of the trail outside of the Environmental Protection overlay zone on the site.

Per Portland Zoning Code Section 33.515.276, resource enhancements within the Environmental Zone are a permitted use if they comply with the development standards of Section 33.515.278 and are subject to an Environmental Review. Additionally, the construction of the Columbia South Shore Slough Trail is a permitted use if it complies with the development standards of Section 33.515.278; however, since the proposed trail cannot meet Standard 33.515.278.B.13, it is subject to an Adjustment Review.

**Relevant Approval Criteria:**

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

**Section [33.805.040](#) – Adjustment Reviews**  
**Section [33.515.280.D.2](#) – Removal of Vegetation**  
**Section [33.515.208.D.4](#) – Resource Enhancement**

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 March 22, 2018, and determined to be complete on June 7, 2018.

**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.

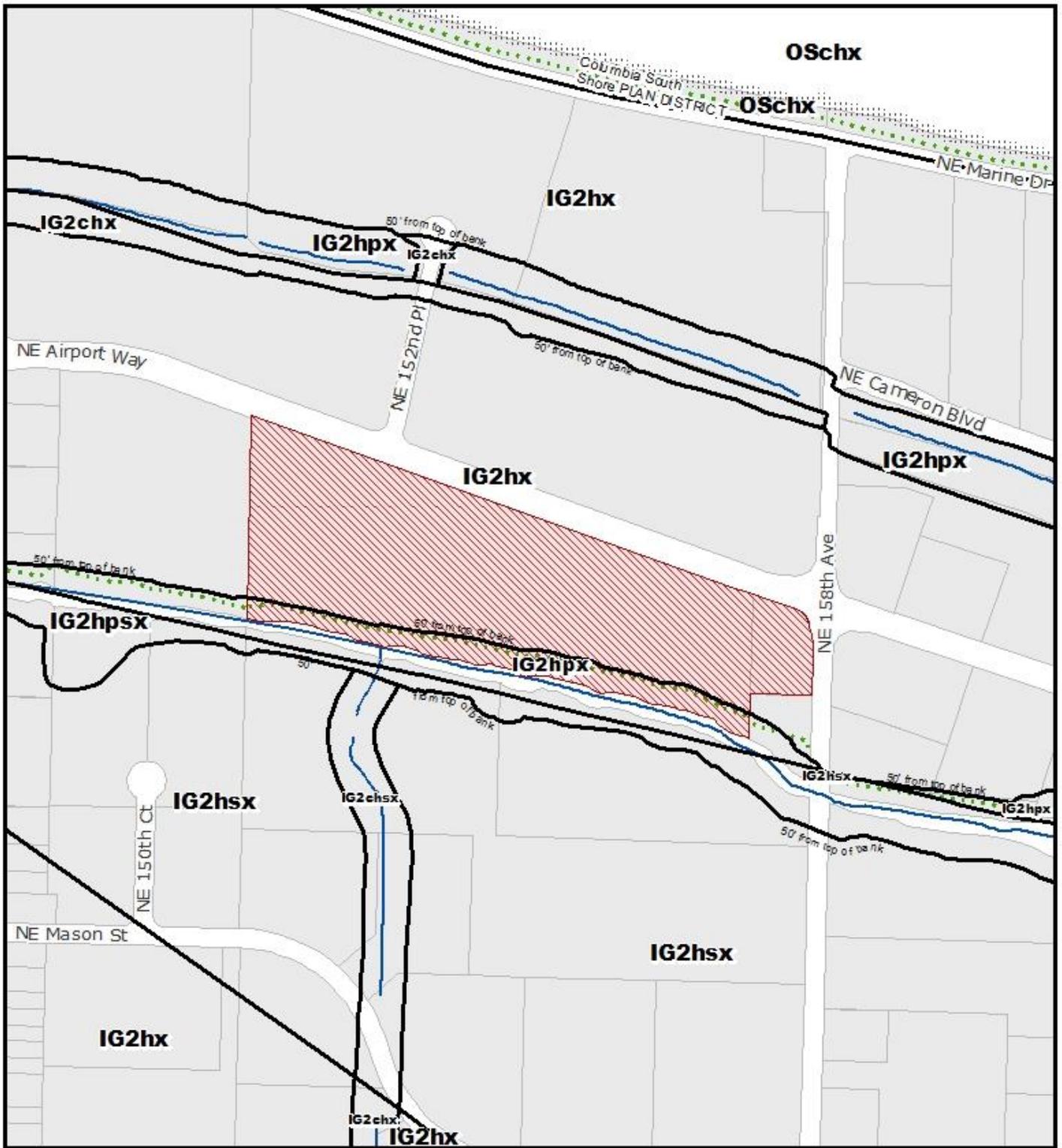
**APPEAL OF THE FINAL CITY DECISION**

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



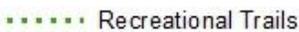
THIS SITE LIES WITHIN THE:  
COLUMBIA SOUTH SHORE  
BUSINESS OPPORTUNITY SUBDISTRICT



Site



Stream



Recreational Trails

File No.	LU 18-139313 EN AD
1/4 Section	2545,2546
Scale	1 inch = 400 feet
State ID	1N2E24 1100
Exhibit	B Jun 06, 2018

