



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

Date: August 6, 2018
To: Interested Person
From: Ethan Brown, Land Use Services
503-823-7920 / 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 August 27, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-183423 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. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 18-183423 EN

Applicants: Chuck Gregory & Haley Smith | Aks Engineering & Forestry, LLC.
12965 SW Herman Road, Suite 100 | Tualatin, OR 97062
Phone: 503-653-6151 | chuckg@aks-eng.com | smith@aks-eng.com

Owners: Josh & Laura Veentjer,
4188 SW Greenleaf Drive | Portland, OR 97221
Phone: 503-201-1309

Site Address: [No address: SW Greenleaf Drive & SW Humphrey Boulevard](#)

Legal Description: BLOCK 9 LOT 4&7 EXC PT IN ST LOT 8, GREEN HILLS; BLOCK 9 LOT 5&6, GREEN HILLS

Tax Account No.: R340301820, R340301840

State ID No.: 1S1E08BA 00700, 1S1E08BA 00701

Quarter Section: 3325

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

Business District: None

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

Plan District: None

Other Designations: Resource Site 124 – *Fanno Creek and Tributaries Conservation Plan*; Landslide Hazard Area; Wildfire Hazard Area

Zoning: *Base Zone:* Residential 10,000 (R10)
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 proposes to construct a new single-family residence on their forested, undeveloped property in Southwest Portland at the intersection of SW Greenleaf Drive and SW Greenleaf Court (an unimproved street). The property stretches north to SW Humphrey Boulevard. Although, the applicant is proposing a stormwater outfall pipe that will discharge in the existing ditch along SW Humphrey Boulevard, the rest of the proposed work will occur directly adjacent to the unimproved SW Greenleaf Court, with access from SW Greenleaf Drive.

The applicant is proposing a three-story single-family home designed for the site that slopes steeply from SW Greenleaf Drive. The proposed home will be constructed within the 25-foot transition area as much as possible but will also require approximately 3,000 square feet of permanent disturbance within the resource area of the Environmental Conservation (c) overlay zone. In addition, the applicant proposes to remove 23 native trees and one non-native tree from the C-zone. To mitigate for the removal of these trees, they propose to plant 80 trees and 138 shrubs. Temporary disturbance areas will be replanted with native shrubs and a 3,240 square-foot nuisance plant removal area will be replanted with native plants (as shown on the attached Mitigation & Remediation Site Plan).

Although the entire property is within both the Environmental Conservation and Environmental Protection (p) overlay zones, the applicant is proposing work only within the Conservation overlay zone. Because there is work within an environmental zone, certain standards must be met to allow work to occur by right. In this case, the applicant is proposing disturbance that exceeds the maximum allowed (33.430.140.A) and tree removal in excess of the standards (33.430.140.J). For these reasons, environmental review is required.

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 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 June 7, 2018 and determined to be complete on July 27, 2018.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- 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 by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

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.portlandoregon.gov.

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.

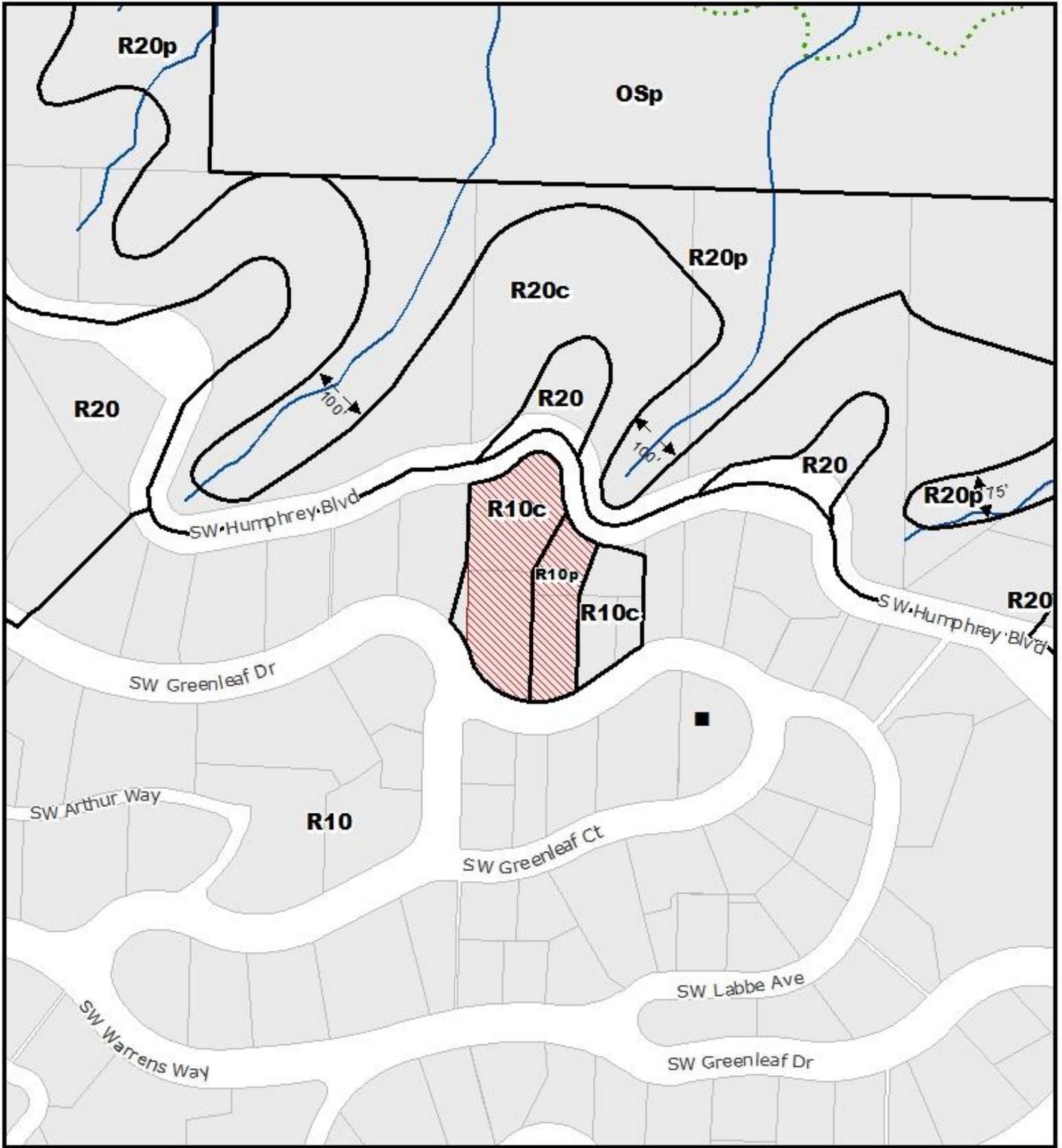
APPEAL OF THE FINAL CITY DECISION

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 Plans

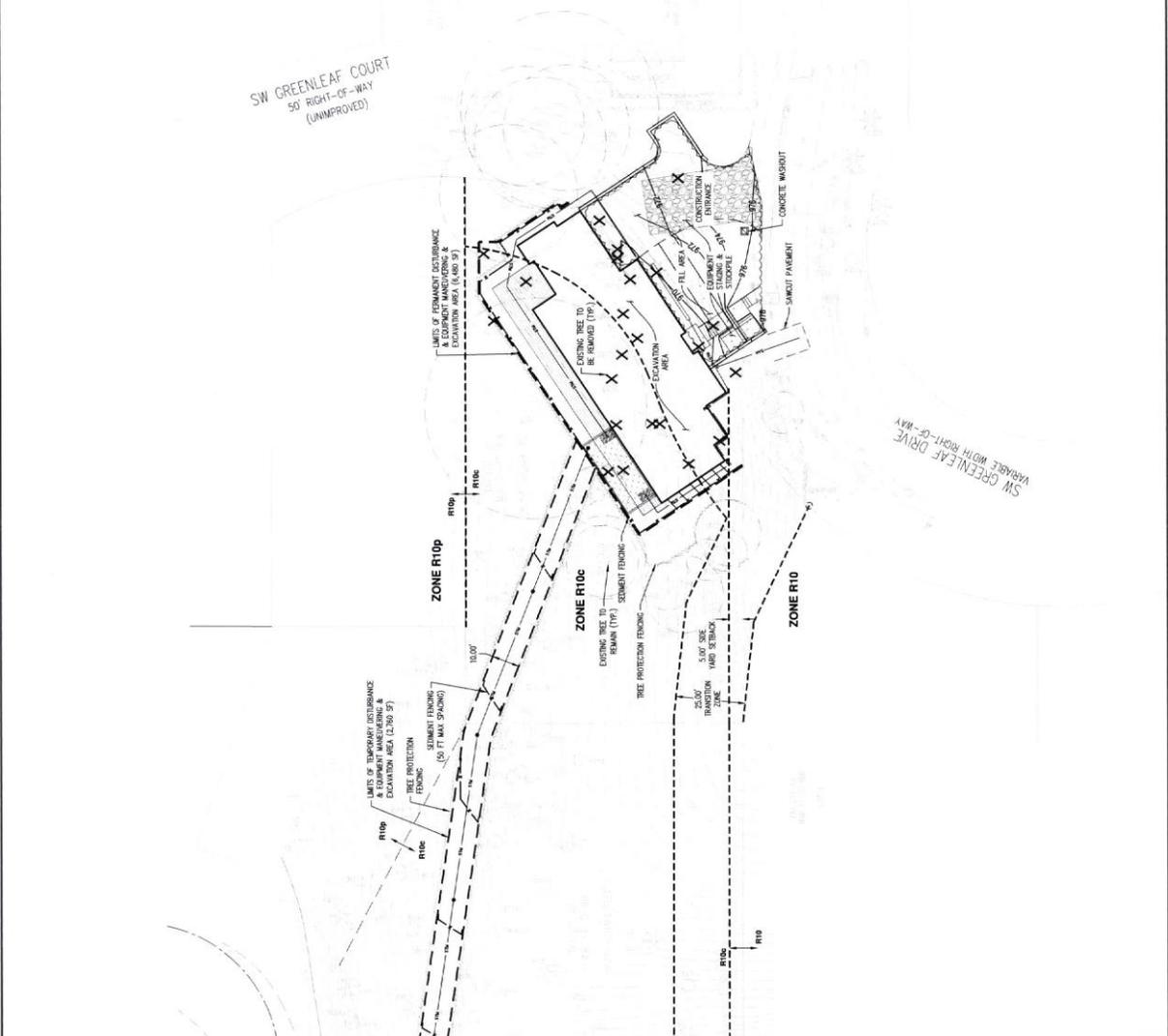
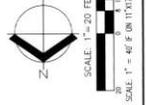


ZONING



-  Site
-  Stream
-  Historic Landmark
-  Recreational Trails

File No.	LU 18-183423 EN
1/4 Section	3325
Scale	1 inch = 200 feet
State ID	1S1E08BA 701
Exhibit	B Jun 12, 2018



- NOTE:**
1. THIS PLAN IS FOR CONSTRUCTION OF THE PROPERTY.
 2. ALL EXCAVATION IS APPROXIMATELY 300 CM (11.81 IN) DEEP, EXCAVATION (450 CM) DEEP, AND WITH THE POINT REVEALATION.
 3. REFER TO MITIGATION/RESTORATION SITE PLAN (SHEET DWG 4) FOR INVASIVE SPECIES REMOVAL AND PLANT REVEALATION.
- METRIC SURVEY SHEET 1 OF 1 FOR LIST OF TREE NUMBERS, SIZES, AND SPECIES OF TREE.

TREE NO.	TREES TO BE REMOVED SPECIES	DIAMETER (IN)
101408	Acer macrophyllum, Bigleaf Maple	25
101409	Acer macrophyllum, Bigleaf Maple	25
101410	Acer macrophyllum, Bigleaf Maple	20
101411	Acer macrophyllum, Bigleaf Maple	21
101412	Acer macrophyllum, Bigleaf Maple	18
101413	Acer macrophyllum, Bigleaf Maple	17, 23, 26, 34
101414	Acer macrophyllum, Bigleaf Maple	13, 15
101415	Acer macrophyllum, Bigleaf Maple	17
101416	Acer macrophyllum, Bigleaf Maple	17
101417	Acer macrophyllum, Bigleaf Maple	20
101418	Acer macrophyllum, Bigleaf Maple	22
101419	Acer macrophyllum, Bigleaf Maple	22
101420	Acer macrophyllum, Bigleaf Maple	41
101421	Pseudotsuga amurensis, Douglas-fir	35
101422	Pseudotsuga amurensis, Douglas-fir	15
101423	Pseudotsuga amurensis, Douglas-fir	32
101424	Acer macrophyllum, Bigleaf Maple	26
101425	Acer macrophyllum, Bigleaf Maple	2, 26
101426	Fraxinus latifolia, Oregon Ash	7
101427	Acer rubrum, Red Alder	7

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