

131/340/MAYOR/AMY RUIZ
131/140/Auditor/Toni
131/140/Auditor/Gayla

YVONNE POELWIJK
1900 SW 4TH AVE, STE
5000
PORTLAND, OR 97204

SYLVIA CATE
DEVELOPMENT SERVICES
299 / 5000

PLANNING AND
SUSTAINABILITY
299 / 7100

DOUG MORGAN
DEVELOPMENT SERVICES
299 / 5000

BES / DEV. SERVICES
106 / 1100

KURT KRUEGER
PBOT
106 / 800

DAWN KRANTZ
PORTLAND FIRE BUREAU
472 / 100

WATER BUREAU PERMITS
106 / 601

OREGONIAN
PORTLAND TEAM
1320 SW BROADWAY
PORTLAND, OR 97201

MARK KNUDSON
C/O PETER BOONE
TUALATIN VALLEY WATER DIST
1850 SW 170TH AVE
BEAVERTON, OR 97006

~~GARDEN HOME WATER
DISTRICT
6217 SW GARDEN HOME RD
PORTLAND, OR 97219-3140
UNDELIVERABLE ADDRESS~~

MONTEY HURLEY
C/O CHRIS GOODELL
AKS ENGINEERING & FORESTRY
13910 SW GALBREATH DR #100
SHERWOOD, OR 97140

GARY MINISZEWSKI
8343 SW 57TH AVENUE
PORTLAND, OR 97219

LEONARD GARD
SW NEIGHBORHOODS INC
7688 SW CAPITOL HWY
PORTLAND, OR 97219

ANTHONY AND TERRI
SCRIBNER
7930 SW 62ND PLACE
PORTLAND, OR 97219

KAYLA MARY LEOPOLD
1306 SW BERTHA BLVD
PORTLAND, OR 97219

OLIVIA LAMB
8116 SW 62ND PLACE
PORTLAND, OR 97219

PERRY C. AND VIRGINIA
OTTMAR
6245 SW GARDEN HOME RD
PORTLAND, OR 97219

JOSEPH AND LIAM CARMODY
8116 SW 62ND PLACE
PORTLAND, OR 97219

ESTER D. MCGINNIS
8331 SW 59TH AVE
PORTLAND, OR 97219

IRWIN C. SCHOONOVER
6316 SW GARDEN HOME RD
PORTLAND, OR 97219

JIM AND IRENE LINMAN
8015 SW 62ND PL
PORTLAND, OR 97219

ROBERT PERKINS
6511 SW GARDEN HOME RD
PORTLAND, OR 97223

NANCY TRULLINGER
5445 SW DOLPH DRIVE
PORTLAND, OR 97219

CHARLES S. OSBORNE
8021 SW 61ST AVE
PORTLAND, OR 97219

MATTHEW & ELIZABETH
RUCKWARDT
8105 SW 62ND PL
PORTLAND, OR 97219

DEAN SMITH
8802 SW 52ND AVENUE
PORTLAND, OR 97219

MIKE & GAYLE CLOPTON
8115 SW 62ND PLACE
PORTLAND, OR 97219

LEE PERLMAN
512 NE BRAZEE STREET
PORTLAND, OR 97212

JACK KLINKER
ASHCREEK NEIGH. ASSN.
8700 SW 54TH AVENUE
PORTLAND, OR 97219

NANCY DONNER
6254 SW GARDEN HOME RD
PORTLAND, OR 97219

DR. CHAROLD & RICHARD
BAER
8039 SW 62ND PLACE
PORTLAND, OR 97219

LYNDON AND TARA RUHNKE
8121 SW 62ND PLACE
PORTLAND, OR 97219

SHARON R. PHILLIPS
8030 SW 62ND PLACE
PORTLAND, OR 97219

MIKE CRALL
8014 SW 62ND PL
PORTLAND, OR 97219

MARIAN AND VICTORITA
GHIONEA
8104 SW 62ND PLACE
PORTLAND, OR 97219

PRISCILLA LANE
5529 SE MORRISON
PORTLAND, OR 97215

INES VOGLAR
6234 SW GARDEN HOME RD
PORTLAND, OR 97219

TONY AND CARLY SALAZAR
6246 SW GARDEN HOME RD
PORTLAND, OR 97219

MAX & ROBERT M. LARSON
6218 SW GARDEN HOME RD
PORTLAND, OR 97219

LARRY DONNER
5840 SW NEBRASKA ST.
PORTLAND, OR 97221

ALAN SMITH
8050 SW 62ND PL
PORTLAND, OR 97219

TRAVIS & ELIZABETH
STENERSON
6317 SW GARDEN HOME RD
PORTLAND, OR 97219

TIMOTHY A. KALBERG
6222 SW GARDEN HOME RD
PORTLAND, OR 97219

GREGORY L. POTTER
8121 SW 64TH AVE
PORTLAND, OR 97219

MARK S. AND DOREEN E.
WOOD
7942 SW 64TH AVE
PORTLAND, OR 97219

CAROLIEN BEISER
6338 SW GARDEN HOME RD
PORTLAND, OR 97219

KAYLA LEOPOLD
7939 SW 62ND PL
PORTLAND, OR 97219

STACIE HARTMAN
8014 SW 62ND PL
PORTLAND, OR 97219

LAURA GHIONEA-SMITH
8050 SW 62ND PL
PORTLAND, OR 97219

DOROTHY GAGE
8000 SW 54TH AVE
PORTLAND, OR 97219

TOMMY BROOKS
CABLE HUSTON
1001 SW 5TH AVE # 2000
PORTLAND, OR 97204

CHRIS GOODELL
AKS ENGINEERING
13910 SW GALBREATH DR
SUITE 100
SHERWOOD, OR 97140

PETER BOONE
TUALATIN VALLEY
DISTRICT
1850 SW 170TH AVENUE
BEAVERTON, OR 97006

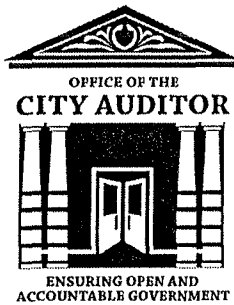
ESTER D. MCGINNIS
8331 SW 59TH AVE
PORTLAND, OR 97219

KIP NAGELY
8037 SW 61ST AVE
PORTLAND OR 97219

LINDSAY M NIED
BAXTER & BAXTER LLP
8835 SW CANYON LN #130
PORTLAND OR 97225

JOSEPH CARMODY
RODGERS INSTRUMENTS
CORP
1300 NE 25TH AVE
HILLSBORO OR 97124

LU 10-200954 HO
MAILED 5-23-2011
54 LABELS
RENOTIFICATION MAILED 7-1-
2011
ORDER MAILED 7-20-11 



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade
1221 S.W. 4th Avenue, Room 140, Portland, Oregon 97204
web: www.portlandonline.com/auditor/
Email: Karla.Moore-Love@portlandoregon.gov
Phone: (503) 823-4086 Fax: (503) 823-4571



July 20, 2011

Mark Knudson, Chief Engineer
Peter Boone, Project Manager
Tualatin Valley Water District
1850 SW 170th Avenue
Beaverton, OR 97006

Garden Home Water District
6217 SW Garden Home Road
Portland, OR 97219-3140

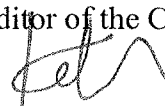
RE: LU 10-200954 CU AD

Appeal of Ashcreek Neighborhood Association against Hearings Officer's decision to approve with conditions the application of Tualatin Valley Water District and Garden Home Water District, property owner, for a conditional use to demolish two water tanks and replace with one water reservoir not to exceed 2 million gallon storage at 6217 SW Garden Home Road (Hearing; LU 10-200954 CU AD)

To Whom It May Concern:

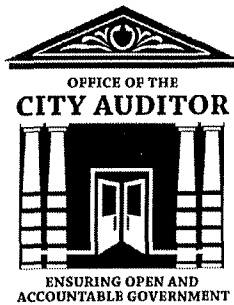
Enclosed is a copy of the Order of Council on LU 10-200954 CU AD. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$46.00 made payable to the Multnomah County Recorder, indicating the file number on your check and Send to: The City of Portland, Office of the City Auditor, 1221 SE 4th Ave. Room 140, Portland, OR 97204-1900**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 for further information on filing an appeal.

Yours sincerely,
LaVonne Griffin-Valade
Auditor of the City of Portland
By: 
Karla Moore-Love, Council Clerk

Encl.

Cc: Montey Hurley & Chris Goodell, AKS Engineering & Forestry, LLC



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade
1221 S.W. 4th Avenue, Room 140, Portland, Oregon 97204
web: www.portlandonline.com/auditor/
Email: Karla.Moore-Love@portlandoregon.gov
Phone: (503) 823-4086 Fax: (503) 823-4571



NOTICE OF FINAL DECISION

TO: All Interested Persons

DATE: July 20, 2011

RE: LU 10-200954 CU AD

Appeal of Ashcreek Neighborhood Association against Hearings Officer's decision to approve with conditions the application of Tualatin Valley Water District and Garden Home Water District, property owner, for a conditional use to demolish two water tanks and replace with one water reservoir not to exceed 2 million gallon storage at 6217 SW Garden Home Road (Hearing; LU 10-200954 CU AD)

Enclosed is a copy of the Order of Council on LU 10-200954 CU AD denying the appeal of the Ashcreek Neighborhood Association and upholding the Hearings Officer's decision with conditions. If you wish to obtain a copy of the City Council's findings and conclusions, please contact Karla Moore-Love, Council Clerk at (503) 823-4086 or by email at: Karla.Moore-Love@portlandoregon.gov

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 for further information on filing an appeal.

Encl.

**ORDER OF COUNCIL ON APPEAL OF
ASHCREEK NEIGHBORHOOD ASSOCIATION AGAINST HEARINGS OFFICER'S DECISION
TO APPROVE WITH CONDITIONS THE APPLICATION OF TUALATIN VALLEY WATER
DISTRICT AND GARDEN HOME WATER DISTRICT, PROPERTY OWNER, FOR A
CONDITIONAL USE TO DEMOLISH TWO WATER TANKS AND REPLACE WITH ONE
WATER RESERVOIR NOT TO EXCEED 2 MILLION GALLON STORAGE AT 6217 SW
GARDEN HOME ROAD (HEARING; LU 10-200954 CU AD)**

Applicants: Mark Knudson, Chief Engineer
Peter Boone, Project Manager
Tualatin Valley Water District
1850 SW 170th Avenue
Beaverton, OR 97006

Garden Home Water District
6217 SW Garden Home Road
Portland, OR 97219-3140

Applicants'

Representative: Montey Hurley and Chris Goodell
AKS Engineering and Forestry, LLC
13910 SW Galbreath Drive., Suite 100
Sherwood, OR 94140

Site Address: 6217 SW GARDEN HOME ROAD

Legal Description: TL 5700 0.35 ACRES, SECTION 19 1S 1E; TL 5600 0.30 ACRES,
SECTION 19 1S 1E

Plan District: None

Zoning: R10: Single Dwelling Residential

Land Use Review: Type III, CU AD: Conditional Use and Adjustments

Proposal: Applicant, Tualatin Valley Water District ("TVWD"), operates a water reservoir and distribution facility at real property generally described as 6217 SW GARDEN HOME ROAD (legal description above-hereafter referred to as the "Site"). The other Applicant, Garden Home Water District, is the owner of the Site.

Currently located on the Site are two steel water tanks, each with the capacity of .5 million gallons ("MG"). One water tank was constructed in 1952 and the other water tank was constructed approximately ten years later. TVWD proposes to upgrade and redevelop the water tank facility at the Site by demolishing the existing water tanks and replacing them with a single 2 MG concrete reservoir. TVWD notes that the existing tanks are approaching 50 and 60 years old and do not meet current codes for seismic standards, nor do they contain an ideal amount of storage capacity to provide an adequate supply of water to the surrounding community.

The existing tanks are approximately 45 feet in height and the proposed concrete reservoir will be approximately 46 feet in height. The Site has a fenced compound around the two water tanks, with an open area to the southwest landscaped with low plants and shrubs with wide gravel pathways and public benches. The east and northern portion of the Site is landscaped with a relatively dense and mature border of sequoia trees. TVWD notes that a few of these trees will be removed to accommodate the improvements, but the majority will remain and be preserved.

At the time of the public hearing TVWD was requesting two Adjustments. Per Exhibits H.40b and H.48 TVWD now requests only one Adjustment. The remaining Adjustment, if granted, would allow vehicle access areas on the Site to remain in gravel rather than be paved with impervious asphalt.

This application triggers a Type III Conditional Use review due to the extent of the redevelopment of an existing conditional use in a residential zone. The requested Adjustment is reviewed concurrently.

The appeal hearing before the City Council was opened in the Council Chambers, 1221 SW 4th Avenue on July 14, 2011 at approximately 3:00 p.m. At the conclusion of the public hearing and after hearing public testimony, Council voted 3-1 to deny the appeal of the Ashcreek Neighborhood Association and uphold the Hearings Officer's decision.

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 10-200954 CU AD** and by this reference made a part of this Order, City Council hereby denies the appeal of the Ashcreek Neighborhood Association and upholds the Hearings Officer's decision to approve with conditions a conditional use to demolish two water tanks and replace with one water reservoir not to exceed 2 million gallon storage at 6217 SW Garden Home Road.

DECISION

It is the decision of Council to deny the appeal by Ashcreek Neighborhood Association and uphold the approval of the Hearings Officer for:

Approve:

- A Conditional Use to demolish two water tanks and replace with one water reservoir not to exceed 2 million gallon storage capacity consistent with Exhibits H.41, H.41a, H.41b, H.41c, H.41d, H.41e and H.41f;
- An Adjustment to 33.266.130.D.1 to allow vehicle areas on site to remain in gravel;

subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 10-200954 CU AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. In order to ensure that visual appearance remains similar to the existing facility, the new facility must utilize the same black finish on the existing chain link security fence and any new sections of security fencing must have the same black finish.

- C. Any plant materials that need to be substituted in lieu of those called out in the landscaping plan should be native species, as recommended by the Bureau of Environmental Services. Applicant shall maintain all berms, trees, shrubs, pathways, pavers and ground cover consistent with Exhibit H.40d.
- D. Applicant shall submit to the Bureau of Development Services, as part of the building permit review process, a specific Emergency Notification Plan that has been approved by the City of Portland Office of Emergency Management, to provide emergency notice alerts to owners/occupants of real property with an elevation of 396 feet elevation or lower (such notification area not to extend beyond 500 feet from any Site boundary).

IT IS SO ORDERED:

JUL 20 2011

Date



Mayor Sam Adams
Presiding Officer at Hearing of
July 14, 2011
3:00 p.m. Session