



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

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Date: September 9, 2011
To: Interested Person
From: Mark Walhood, Land Use Services
503-823-7806

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-159409 AD – CBWTP TREE REMOVAL

GENERAL INFORMATION

Applicant/Contact: James Bowen, AIA
City of Portland Bureau of Environmental Services
1120 SW 5th Avenue, Room 1000
Portland, OR 97204

Property Owner: City of Portland
1120 SW 5th Ave #1000
Portland, OR 97204-1912

Site Address: 5001-5003 N COLUMBIA BLVD

Legal Descriptions: TL 200 1.37 ACRES, SECTION 05 1N 1E; TL 800 39.28 ACRES, SECTION 05 1N 1E; TL 1000 22.50 ACRES, SECTION 05 1N 1E; TL 100 1.00 ACRES, SECTION 05 1N 1E; TL 700 9.56 ACRES, SECTION 05 1N 1E; TL 400 42.89 ACRES, SECTION 05 1N 1E; TL 900 3.77 ACRES, SECTION 05 1N 1E; TL 600 5.68 ACRES, SECTION 05 1N 1E; TL 500 7.52 ACRES, SECTION 05 1N 1E; TL 300 1.96 ACRES, SECTION 05 1N 1E; TL 100 2.84 ACRES, SECTION 05 1N 1E; TL 400 3.64 ACRES, SECTION 05 1N 1E; TL 200 4.77 ACRES, SECTION 05 1N 1E

Tax Account Nos.: R941050080, R941050180, R941050220, R941050320, R941050350, R941050470, R941050480, R941050500, R941050600, R941050180, R941050630, R941050640, R941050650, R941050800

State ID Nos.: 1N1E05C 00200, 1N1E05C 00800, 1N1E05B 01000, 1N1E05CD 00100, 1N1E05C 00700, 1N1E05 00400, 1N1E05C 00900, 1N1E05C 00600, 1N1E05C 00500, 1N1E05C 00800, 1N1E05C 00300, 1N1E05C 00100, 1N1E05C 00400, 1N1E05B 00200

Quarter Section: 1925

Neighborhood: Kenton, contact Steve Rupert at 503-317-6573.
Business District: Columbia Corridor Association, contact Peter Livingston at 503-796-2892.

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: **IH, IHc, IHp, IG2 and IG2c** (IH or Heavy Industrial base zone and IG2 or General Industrial 2 base zone, with portions of the site under both base zoning designations also including the 'c' or Environmental Conservation overlay zone, and a small area at the eastern edge of the site with 'p' or Environmental Protection overlay zoning)

Case Type: **AD** (Adjustment Review)

Procedure: **Type II**, an administrative decision that can be appealed to the Adjustment Committee.

Proposal: The Columbia Boulevard Wastewater Treatment Plant (CBWTP) is in the process of completing significant site improvements, beginning in the late summer and fall of 2011. A separate application has been submitted for an updated Conditional Use Master Plan (LU 11-127659 CU MS AD), during which the full program of proposed renovations and update will be reviewed: that case is scheduled for a public hearing on September 28, 2011. A significant portion of the changes to the site at the CBWTP to be considered under that separate application include a new entry roadway, landscaping, and a new support facility with office and visitor information space near the Columbia Boulevard entry.

The applicant has organized their construction activity into several phases, the first of which involves removal of several modular office buildings along the south edge of the site, and the construction of the new entry/access roadway. Future upgrades to the site will also include significant new landscaping at the plant entrance that will derive their character and content from the nearby natural areas along the Columbia Slough. Proposed road modifications will include re-routing the main access drive to the west of the current drive (see attached site plan), within the root zones of several large established trees.

The CBWTP is classified as a Waste-Related Use in the Zoning Code. Waste-Related Uses are required to provide a 100-foot deep setback across from employment or industrial zones, and a 200-foot deep setback across from residential or open space zones (33.254.080). The southern edge of the CBWTP site abuts both employment and residential zoning, and in both cases this setback area is required to be landscaped to the L1 standard (33.248.020.A) with trees, shrubs, and groundcover.

As part of the new roadway preparation work, the applicant is proposing to remove 17 trees within the Waste-Related Setback along the southern site perimeter, near the main entry, as well as possibly 9 other trees adjacent to but outside the setback. This setback area changes from 100-foot deep along the western portion of the site to 200-foot deep along the eastern portion of the site, based on the zoning on the south side of Columbia Boulevard. To allow the reduction in required landscaping within the 100- and 200-foot setback areas, the applicant has requested this adjustment on a temporary (maximum 3-year) basis, in that new trees and landscaping will be installed as part of the larger site work beginning later in 2011.

In summary, the applicant has requested a (temporary) adjustment to the landscaped Waste-Related Setback standard (33.254.080) along the southern edge of the site, in order to remove 17 trees in the setback for purposes of constructing a new entry roadway.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **33.805.040.A-F, Adjustment Approval Criteria.**

ANALYSIS

Site and Vicinity: The CBWTP main campus is generally bounded by N. Columbia Boulevard on the south, N. Portland Road on the west, the Columbia Slough on the north, and Union Pacific rail lines on the east and southeast. Two portions of the CBWTP campus lie adjacent to, and just beyond these general boundaries: a 36-acre section, identified as Triangle Lake, located just north of the Columbia Slough, and a 24-acre section identified as the western expansion site, located along the south side of the Columbia Slough, west of N. Portland Road. The main campus and the Triangle Lake portions of the site are gated and fenced at their perimeter, with the exception of areas devoted to public access, trails, and a canoe landing and pedestrian/bicycle bridge on the eastern edge of the main campus and along portions of the Columbia Slough.

The surrounding area includes a variety of industrial, open space, and residential uses and developments. East and west of the site, on sites fronting and north of Columbia Boulevard, the area is dominated by industrial service and manufacturing firms. Northwest of the site, on the opposite side of N. Portland Road and north of the Columbia Slough, is Smith and Bybee Lakes, developed as a park and open space use. East of the site, on the opposite side of the Union Pacific rail lines and north of the Columbia Slough, is the Heron Lakes Golf Course. North Columbia Boulevard to the south functions as a dividing line between industrial uses, generally to the north, and residential uses, generally to the south. With the exception of a small cluster of homes north of Columbia Boulevard along N. Van Houten and N. Clarendon Avenues south of the main campus, the nearest residential uses are all located south of N. Columbia Boulevard. The residential neighborhoods to the south are generally located at higher elevations than the relatively flat CBWTP site, as the elevation rises from lowlands north of Columbia Boulevard to the uplands of the North Portland Peninsula.

North Columbia Boulevard abutting the site is a two-way, 4-lane paved roadway with center turning aisle, and includes curbing, but no on-street parking. North Columbia Court abutting the site includes a paved, two-way roadway with sidewalks on the south side, and on-street parking. North Portland Road abutting the site is a paved, two-way roadway with narrow shoulder, but no on-street parking or sidewalks. Primary vehicle access to the site for employees and the public is via the main entry from N. Columbia Boulevard, although additional, limited access entries for service vehicles are also found on N. Columbia Boulevard and N. Portland Road. Sections of N. Portland Road that are north of the Columbia Slough have a pedestrian/bicycle trail on the east side of the roadway, separated from traffic. North Columbia Boulevard also has a walkway separated from the roadway, along the south side of the right-of-way.

North Columbia Boulevard, N. Portland Road, and N. Portsmouth Avenue abutting the site are classified as Community Transit Streets, City Bikeways and City Walkways in the Transportation Element of the Comprehensive Plan (the "TE"). An Off-street Path designation in the TE circles the south and east sides of the main campus, crosses the Columbia Slough in the location of the existing pedestrian/bicycle bridge, and runs from east to west along the site along the north banks of the Slough.

Zoning: The main campus and Triangle Lake portions of the site are within the Heavy Industrial (IH) base zone, and the western portion of the site is within the General Industrial 2 (IG2) base zone. The industrial base zones are for areas of the City that are reserved for industrial uses, and for areas that have a mix of other uses with a strong industrial orientation. Waste-Related Uses, such as sewer treatment plants, are allowed in industrial zones through a conditional use review, but are prohibited in other zones. Portions of the site along the Columbia Slough, and in wetland and riparian areas on the east edge of the site, are within both the "c" or Environmental Conservation and "p" or Environmental Protection overlay zones. Environmental overlay zones are intended to protect resources and functional values that have been identified by the City as providing benefits to the public. Environmental zones provide for development that is sensitive to the site's protected resources, and are implemented through evaluation of projects for conformance with environmental standards and/or criteria.

The northernmost section of the Triangle Lakes area of the site also includes the “h” or Aircraft Landing overlay zone. The Aircraft Landing overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation. Finally, the Public Recreational Trail designation circles the south and east sides of the main campus, crosses the Columbia Slough in the location of the existing pedestrian/bicycle bridge, and runs from east to west along the north banks of the Slough.

Land Use History: City records indicate there are multiple prior land use reviews for the site. These include the following:

PC 5038: Denied Zone Change from 1968 for large portion of N. Portland then within City limits.

PC 5242: Approved Planning Commission initiation of City Zoning for an annexed area along the easterly portion of Smith Lake.

PC 5512: Approved Planning Commission initiation of City Zoning for an annexed area near the Columbia Slough between N. Portland Road and N. Columbia Boulevard.

CU 11-62: Approval of a conditional use to fill a swampy area, in accordance with applicable city codes, but not to continue use of the site as a dump.

CU 86-84: Approved conditional use for a fill of approximately 60,000 cubic yards, subject to conditions of approval.

LUR 92-00284 CU: Approved conditional use for construction of a tipping berm to allow transfer of grit, subject to conditions of approval.

LUR 93-00132 CU: Approved conditional use for construction of a 300 million gallon replacement headworks facility at the CBWTP, subject to conditions of approval.

LUR 95-00207 CU AD: Approved conditional use for the addition of construction trailers, and to reduce setbacks, subject to conditions of approval.

LUR 95-00555 CU: Approved conditional use for the construction of a water reuse facility, in conformance with the approved plans.

LUR 96-00211 EN: Approved environmental review for the construction of the Inverness sewer pipeline across the Columbia Slough, and for the construction of a recreational trail on the north bank of the slough, in conformance with the approved plans.

LUR 96-00800 EN: Approved environmental review to allow the placement of signs along the Columbia Slough for the purpose of warning that fish in the slough are contaminated and should not be eaten. Approval granted in conformance with the submitted plans, with notes regarding cultural sensitivity areas and placement of signs in the right-of-way.

LUR 97-00551 CU EN AD: Approved 10-year conditional use master plan for the CBWTP, with adjustments to standards of Chapter 33.254 - Mining and Waste-Related Uses. Approval granted based on the submitted plans and narratives, and subject to conditions of approval.

LUR 98-00181 AD: Adjustment to waive pedestrian circulation requirements outside the core area of the CBWTP campus. Case withdrawn because pedestrian standards do not apply in I zones.

LUR 01-00219 EN: Environmental review for construction of an eco-roof demonstration shelter over a public trail on the eastern portion of the CBWTP site. Case withdrawn because it was determined to be an unnecessary review (project was located in transition area only).

LUR 01-00297 EN: Approved environmental review for construction of a canoe landing and access stairway, a bark-surfaced pedestrian trail, and excavation of landfill debris. Approval granted based on the approved plans, and subject to conditions of approval.

LU 02-121552 EN: Approved environmental review to repair a landslide on the banks of the Columbia Slough, in accordance with the approved plans, and subject to conditions of approval.

LU 03-174480 CU MS AD: Current valid conditional use master plan for the CBWTP site, approved with conditions and including multiple adjustments.

LU 04-004023 EV: Approved environmental violation review to address activity occurring in the environmental conservation overlay zone, subject to conditions of approval.

LU 04-047911 EN: Approved environmental review for an outfall upgrade project and a 72-inch pipe burst/effluent pump station bank repair project, subject to conditions of approval.

LU 11-127259 CU MS AD: Pending updated conditional use master plan with adjustments. No staff report or decision is available at the time of the decision mailing for this case.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **August 9, 2011**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the request and responded with comments. The BES does not object to the temporary adjustment to the landscaped setback standard. The BES will ensure that future projects on this site comply with bureau standards and requirements, including those outlined in the Stormwater Management Manual and the Sewer and Drainage Facilities Design Manual, during development. City of Portland zoning requirements related to the landscaped setback will also be addressed as necessary as the larger site improvements are further developed. No conditions of approval are necessary for the adjustment request. Exhibit E.1 includes additional information.

The *Water Bureau* responded with no concerns or comments regarding the requested temporary adjustment to the landscaped setback standard. No conditions of approval are requested. Exhibit E.2 contains additional information.

The *Fire Bureau* responded noting that the applicant is required to meet any Fire Code-related requirements at time of modification or development on this site. The Fire Bureau will review any associated permits and apply conditions at that time (if necessary). Exhibit E.3 contains additional information.

The *Urban Forestry Division of Portland Parks and Recreation* notes that the trees proposed for removal in this application have been reviewed by Frank Krawczyk and approved by the Urban Forestry Commission. A mitigation plan was submitted and also approved.

The following Bureaus have responded with no concerns or specific comments:

- The *Portland Bureau of Transportation*;
- The *Life Safety Section of the Bureau of Development Services*; and
- The *Site Development Section of the Bureau of Development Services*.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 9, 2011. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose (Adjustments)

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue providing certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The applicant is expecting to achieve installation of the new landscaping at the entry in the area of tree removal in either 2011 or 2012, so the standard three-year timeline before an adjustment expires will satisfy their intended timeline, but a limit of three years ensures that within a three-year timeframe the tree requirements for the landscaped setback will be again be met. The timeframe is necessary for a temporary adjustment request otherwise it could eliminate the requirement for trees in the setback indefinitely.

The relevant phrase from the purpose statement for the setback around sites with waste-related uses is to 'reduce the impacts and nuisances resulting from mining and waste-related uses on surrounding land uses' (33.254.010). The proposed (temporary) removal of 17 non-native trees within the required setback (and possibly 9 trees outside the setback) will facilitate the planned installation of a new public entrance area and driveway, featuring a more native and abundant landscape design that will dramatically enhance the public 'face' or entry to the CBWTP site. In addition, the intended new office/visitor building will provide additional visual screening for the populated areas to the south and uphill from the site from the more industrial, unlandscaped and utilitarian appearance at the site interior. Temporarily waiving the requirement for trees in the setback area near the CBWTP campus entry facilitates the construction of this more attractive vision for the CBWTP site to be installed in the near future.

Therefore, the proposal to remove 17 trees in the setback along the south edge of the site, and potentially 9 trees outside but adjacent to the setback, for no longer than three years, is able to meet this criterion.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: In their review of transportation-related issues for the adjustment, including adjacent street classifications, the Portland Bureau of Transportation has found no inconsistencies or concerns with this adjustment request. An adjustment to allow 17 (plus 9) trees to be removed from the entry setback area for no more than 3 years, because this activity facilitates the installation of dramatic new landscaping and

a new public face for the site along Columbia Boulevard, is consistent with the desired character of the area. Therefore, this criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: Only one adjustment is requested. This criterion is not applicable.

- D.** City-designated scenic resources and historic resources are preserved; and

Findings: City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the site. Therefore, this criterion is not applicable.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: There are no discernible impacts that would result from granting the requested adjustment, given the three-year duration of the request, and because the request facilitates the installation of a new landscape feature with trees near to the southern edge of the CBWTP site. This criterion is met.

- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: The adjustment request occurs along the south edge of the CBWTP site, well away from any environmental zoning on the site. This criterion does not apply.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

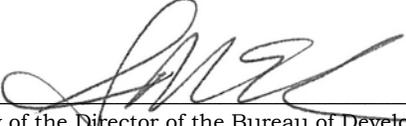
The applicant has requested an adjustment to the landscaped Waste-Related Setback standard (33.254.080) along the southern edge of the Columbia Boulevard Wastewater Treatment Plant, in order to remove 17 trees in the setback for the purposes of constructing a new entry roadway. An additional 9 trees located just to the north of the setback may/will also be removed during the new roadway project. (Although not subject to this Adjustment process, this decision acknowledges the potential to remove the additional 9 trees as well as the 17 trees subject to the review.) To provide assurances that trees will eventually be returned in this location, the adjustment request will be limited to three years, beyond the intended installation timeline of the applicant. This adjustment allows the applicant to begin construction of a new entry condition for the site along its southern edge, with significantly improved landscaping featuring an abundant, native plant landscape design in the area where trees will be removed under this request. The request is able to meet the relevant criteria and should be approved.

ADMINISTRATIVE DECISION

Approval of an Adjustment to temporarily modify the landscaped setback standard for Waste-Related Uses (33.254.080) around the southern entry point and southern edge of the site, in order to remove 17 trees within the setback (*plus 9 trees just north of the setback area*) and waive the tree requirement **for a period of time not to exceed three years from the mailing of this decision**, with tree removal as indicated on the approved site plan and legend, Exhibits C.1 and C.2, both exhibits being signed and dated September 2, 2011, and subject to the following condition:

- A. As part of any necessary permit applications to remove the trees, the tree removal plan and other site plans must reflect the information approved by this land use review as indicated in Exhibits C.1 and C.2. The sheets on which this information appears must be labeled "Tree Removal as approved through LU 11-159409 AD".

Staff Planner: Mark Walhood

Decision rendered by:  **on September 2, 2011.**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 9, 2011

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on July 19, 2011, and was determined to be complete on **August 4, 2011**.

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. Therefore this application was reviewed against the Zoning Code in effect on July 19, 2011.

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 waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: December 2, 2011.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the

use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 23, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **September 26, 2011 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- *By Mail:* Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope; OR
- *In Person:* Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

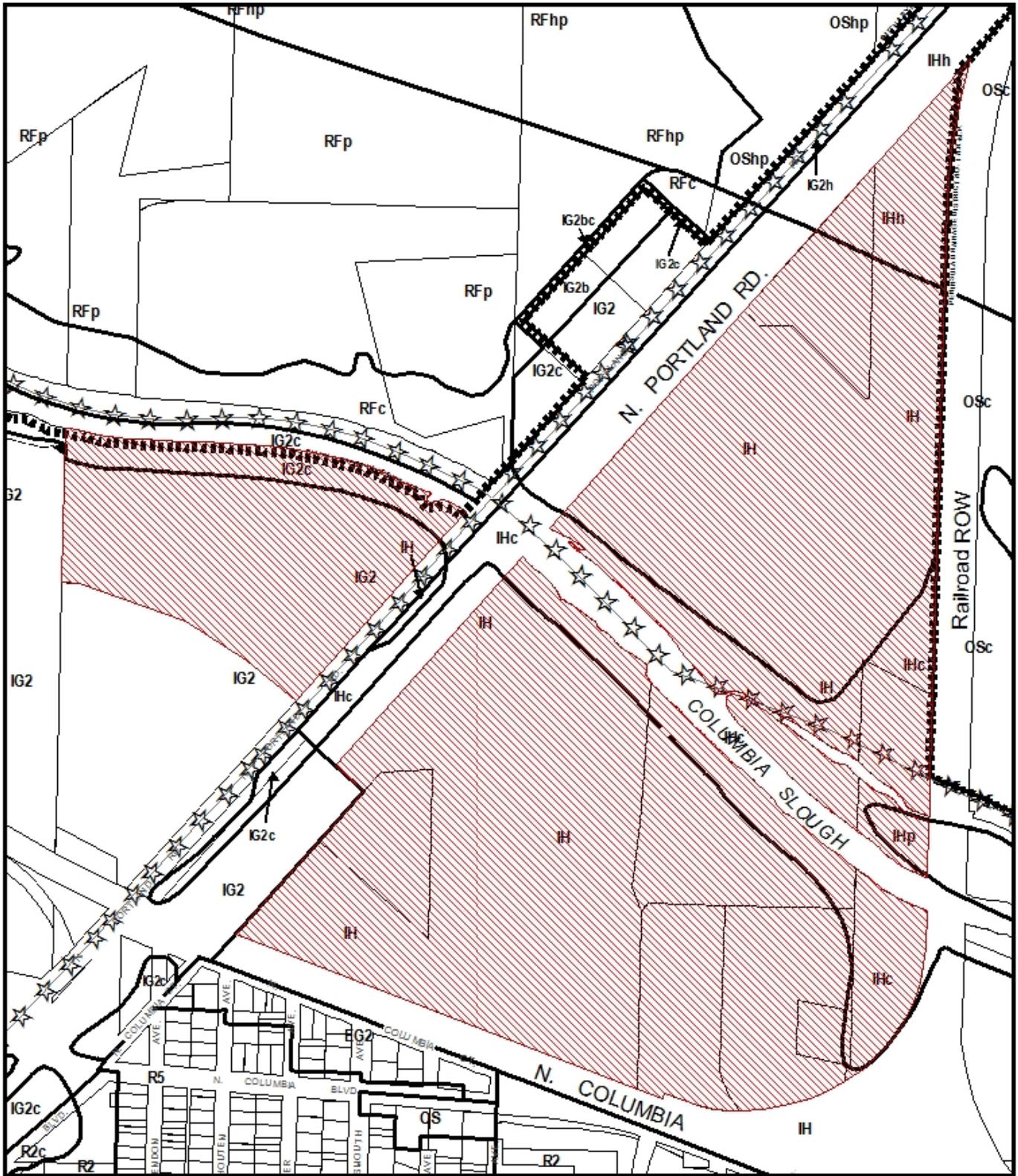
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's statement, submitted photographs, and list of site tax account numbers
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site/Tree Removal Plan (attached)
 - 2. Enlarged Site/Tree Removal Plan Legend (attached)
 - 3. Large, scalable version of approved tree removal plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Fire Bureau
- F. Correspondence: (none received by time of decision)
- G. Other:
 - 1. Original LU Application Form
 - 2. Site History Research

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).



ZONING

 Site

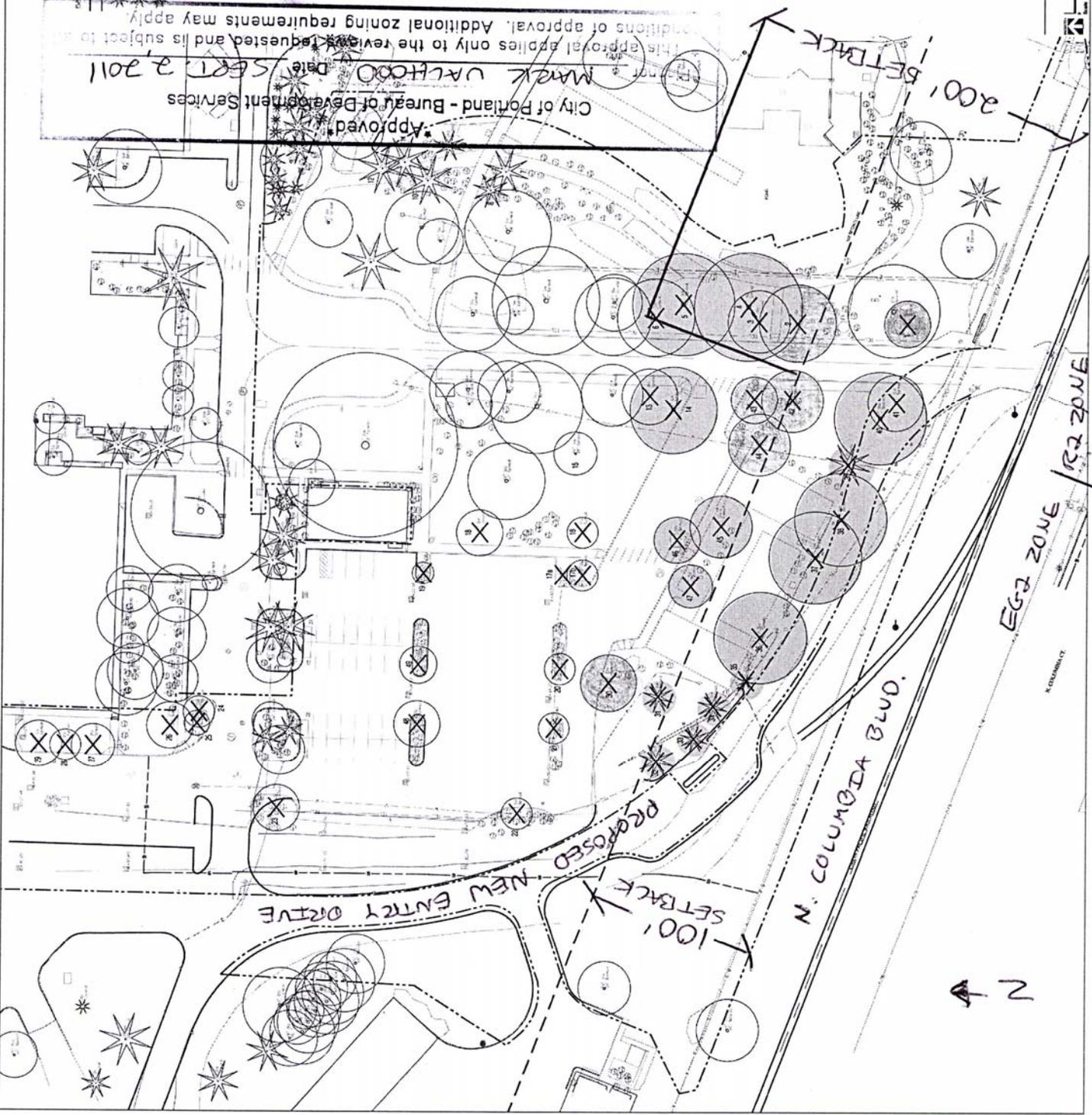


File No.	LU 11-159409 AD
1/4 Section	1924, 1925, 1926, 2025, 2026
Scale	1 inch = 500 feet
State Id	1N1E05C 800
Exhibit	B (Jul 25, 2011)

ADJUSTMENT REQUEST:
 Temporarily waive waste-related setback
 along southern site edge, in order to
 remove 17 trees in setback and
 construct new site entry driveway.
 (DARK SHADED TREES ONLY THIS PHASE)

LU 11-159409 AD
 EXHIBIT C.1

This approval applies only to the revision requested and is subject to conditions of approval. Additional zoning requirements may apply.



PLAN LEGEND

- LIMIT OF WORK
- RIGHT-OF-WAY
-  EXISTING TREE TO REMAIN, PROTECT IN PLACE
-  EXISTING TREE TO BE REMOVED
-  EXISTING TREE TO BE REMOVED (PHASE 1 ONLY)

(DARK SHADED TREES ONLY W/ THIS PHASE)

PHASE 1 TREE DEMO LEGEND

NO	DBH	MITIGATION INCHES	SPECIES
4	40"	40"	QUERCUS RUBRA
5	30"	30"	QUERCUS RUBRA
14	27"	27"	QUERCUS RUBRA
31	10"	10"	PICEA PUNGENS
32	16"	16"	CHAMAECYPARIS
33	15"	15"	CHAMAECYPARIS
34	20"	16"	CHAMAECYPARIS
35	8"	8"	CEDRUS
36	30"	30"	QUERCUS RUBRA
37	27"	27"	QUERCUS RUBRA
38	26"	26"	QUERCUS RUBRA
39	16"	16"	PICEA (?)
40	32"	32"	QUERCUS RUBRA
41	17"	7"	PRUNUS SERRATA (HALF CANOPY) CHERRY
45	18"	18"	ACER RUBRUM (FASTIGIATE)
46	9"	9"	ACER RUBRUM (FASTIGIATE)
47	12"	8"	ACER RUBRUM (FASTIGIATE)
TOTAL	314'	335'	

PHASE 2 TREE DEMO LEGEND

NO	DBH	MITIGATION INCHES	SPECIES
1	11"	8"	PRUNUS SERRATA
2	19"	13"	PRUNUS SERRATA
3	9"	8"	PRUNUS SERRATA
6	22"	15"	PRUNUS SERRATA
13	22"	15"	PRUNUS SERRATA
16	13"	13"	MAGNOLIA GRANDIFLORA
17a	11"	11"	ACER RUBRUM (FASTIGIATE)
17b	12"	12"	?
18	16"	16"	ACER RUBRUM
19	6"	6"	ACER RUBRUM (FASTIGIATE)
20	12"	12"	ACER RUBRUM (FASTIGIATE)
21	11"	11"	ACER RUBRUM (FASTIGIATE)
22	12"	12"	ACER RUBRUM (FASTIGIATE)
23	14"	14"	ACER RUBRUM (FASTIGIATE)
24	6"	6"	ACER PALMATUM
25	6"	6"	ACER PALMATUM
26	7"	0"	PRUNUS SERRATA (LEANING)
27	11"	8"	PRUNUS SERRATA
28	9"	7"	PRUNUS SERRATA
29	12"	8"	PRUNUS SERRATA
30	11"	11"	ACER RUBRUM (FASTIGIATE)
42	19"	13"	PRUNUS SERRATA
43	19"	13"	PRUNUS SERRATA
44	13"	13"	ACER
48	14"	14"	ACER RUBRUM (FASTIGIATE)
49	14"	14"	ACER RUBRUM (FASTIGIATE)
TOTAL	370'	279'	

City of Portland - Bureau of Development Services
 Planner **MAREK WALHOD**
 * Approved*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.
 Date **SEPT. 2, 2011**

These trees may be removed as part of Phase I and are located outside required setback area.

LU 11-159409 AD
 LANDSCAPE PLAN LEGEND
 EXHIBIT C.2