



City of Portland, Oregon
Portland Permitting & Development
Land Use Services

David Kuhnhausen, Interim Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/ppd

Date: July 25, 2024
To: Interested Person
From: Sean Williams, Land Use Services
503-865-6441 / Sean.Williams@portlandoregon.gov

Timothy Novak, Land Use Services
503-823-5395 / Timothy.Novak@portlandoregon.gov

NOTICE OF A PUBLIC HEARING ON A PROPOSAL IN YOUR NEIGHBORHOOD

CASE FILE: LU 24-036049 LDS EN PD
PC # 23-025097
REVIEW BY: Hearings Officer
WHEN: September 25, 2024 @ 1:30 PM

This land use hearing will be limited to remote participation via Zoom. Please refer to the instructions included with this notice to observe and participate remotely (online or by phone).

Additional Hearings Office information is available at www.portland.gov/omf/hearings/land-use.

The development proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map are attached. I am the staff person handling the case. Please contact me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Representative: Chris Goodell
AKS Engineering & Forestry, LLC
12965 SW Herman Road Suite 100
Tualatin, OR 97062
(503) 563-6151 / chrisg@aks-eng.com

Owner: Raleigh Crest LLC
1 SW Columbia Sreet, Suite 900
Portland, OR 97204-4044

Applicant: Walter Remmers
Raleigh Crest LLC
3330 NW Yeon Avenue
Portland, OR 97201

Site Address: 6149 SW Shattuck Road

Legal Description: LOT 3&6&7, SHATTUCK; LOT 4&5 POTENTIAL ADDITIONAL TAX \$12 570.80 DISQ SPEC FARM ASSMT 1990, SHATTUCK; LOT 8 POTENTIAL ADDITIONAL TAX \$2 060.20 DISQ SPEC FARM ASSMT 1990, SHATTUCK; TL 100 51.42 ACRES LAND ONLY SEE R329035 (R991180202) FOR IMPS & R329034 (R991180201) FOR MACH & EQUIP 2006/07 FARM DISQUAL OF 14.30 ACRE, POTENTIAL ADDITIONAL TAX

\$20,057.13, SECTION 18 1S 1E; TL 100 MACH & EQUIP SEE R329033 (R991180200) FOR LAND, SECTION 18 1S 1E; TL 100 IMPS ONLY SEE R329033 (R991180200) FOR LAND, SECTION 18 1S 1E; TL 100 0.37 ACRES, SECTION 18 1S 1E

Tax Account No.: R761700050, R761700070, R761700220, R991180200, R991180201, R991180202, R991182960

State ID No.: 1S1E18CB 00600, 1S1E18CB 00900, 1S1E18CB 00100, 1S1E18 00100, 1S1E18 00100A1, 1S1E18 00100A2, 1S1E18CC 00100

Quarter Section: 3623

Neighborhood: Hayhurst, contact at contact-hayhurst@swni.org

Business District: None

District Coalition: District 4, contact Darlene Urban Garrett at darlene@nwnw.org

Plan District: None

Other Designations: Potential Landslide Hazard, Flood Hazard

Zoning: Residential 7,000 (R7), Residential 10,000 (R10), Environmental Conservation (c) and Protection (p) Overlays, Constrained Sites (z) Overlay

Case Type: Land Division Subdivision (LDS), Environmental (EN) and Planned Development (PD) Review

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal:

The applicant is requesting to subdivide the approximately 51-acre subject property into 130 lots for attached houses and 133 lots for detached houses. Multiple special purpose tracts are proposed for open space/recreation area, stormwater facilities, and environmental resource protection. The applicant is proposing to plat the subdivision in multiple stages, per 33.633.

New public streets, alleys, and pedestrian connections are proposed internal to the site to serve the development and frontage improvements are proposed along the sites SW Shattuck Road frontage. A segment of the Red Electric Trail is proposed along the northern portion of the site connecting SW Shattuck Road to SW Dover Street. Sanitary sewer and water extensions are proposed within the new streets to serve the development. Stormwater management associated with streets and new development consists of collection, treatment, and discharge to adjacent drainageways.

All trees located outside of environmental zones that are subject to 33.630, Tree Preservation are proposed for removal with mitigation consisting of planting new trees throughout the site. A geotechnical report and landslide hazard study have been submitted to address Landslide Hazard Area Approval Criterion (33.632). A Transportation Impact Study has been submitted to address Transportation Impacts approval criterion (33.641).

Planned Development review is requested for modifications to lot dimensions and site-related development standards as follows:

- Setbacks (33.110.220): From 20-foot front to 10-foot front for attached houses and 15-foot front for detached houses. From 10-foot side/rear to 5-foot side/rear for attached house lots and 5-foot side for detached house lots
- Height (33.110.215): From 30 to 35-feet for all attached houses and select detached houses.
- Building Coverage (33.110.225): From variable amount based on table 110-5 to 60 percent for attached house lots and 60 percent for select detached house lots where one-story homes are proposed.
- Required Outdoor Areas (33.110.240): From a minimum dimension of 12 ft. by 12 ft. to 10 ft. by 10 ft. for attached house lots.

- Length of street facing garage wall (33.110.250.C): from 50 to 60 percent of the length of the street-facing building façade for approximately 8 irregularly shaped lots.
- Minimum lot area (33.610.200.B): From a minimum of 6,000 square feet for detached house lots to no less than 5,000 square feet.
- Split Zoned Lots (33.610.500): Allow 7 lots to be split zoned R7 and R10

There are three distinct locations where work and development are proposed within an environmental overlay zone. Of those three locations, two are associated with construction for and development of the subdivision's sanitary and stormwater sewer systems. The third is associated with development of a section of the Red Electric trail, a public, multi-use trail envisioned to be part of a larger trail network connecting the Tualatin and Willamette Rivers.

The trail is proposed along the northern portion of the site, meandering between access points at SW Dover Street to the west and SW Shattuck Road to the east. The trail is proposed within the Environmental Conservation 'c' and Protection 'p' zone overlays and must therefore meet all the applicable standards to occur by right. In this case, the proposal is not meeting two applicable development standards: 33.430.190.B which limits the width of a public trail to no wider than 4 feet and 33.430.190.E which limits removal of native trees to those with a diameter of 12-inches or less.

Of the two projects associated with the sanitary sewer improvements, one is proposed to connect the new development to an existing sewer main at a maintenance hole within the identified wetlands at the south end of the site. The other is proposed off-site about 690 feet north of the northwest corner of the site in an undeveloped portion of the right-of-way of SW 65th Avenue where it transects identified wetlands and a tributary of Fanno Creek. In both cases, the work is proposed within the Environmental Protection 'p' overlay zone. A portion of the work is also within an Environmental Conservation 'c' overlay zone in the southern on-site wetland. Work within the environmental overlays must meet all applicable standards to occur by right. In this case, the work and the land division more generally are subject to the development standards for land divisions in 33.430.160. The proposed utility work within the environmental overlay zones exceeds the maximum disturbance area limits of 33.430.160.B and doesn't meet 33.430.160.J, which requires that the proposal meet the standards of 33.430.150 for utility lines. 33.430.150.C does not allow utility construction within a stream channel, identified wetland, or water body.

The two proposed stormwater sewer improvements are for stormwater outfalls, one off-site near the northern sanitary sewer upgrades and one in the southern wetland area northeast of those sanitary sewer improvements. Both outfalls are proposed within the Environmental Protection 'p' overlay zone. Work within the environmental overlays must meet all applicable standards to occur by right. In this case, 33.430.160.K requires that the standards for stormwater outfalls in 33.430.180 be met. 33.430.180.H limits the number of outfalls at a site to one and the size of the outfall pipe to no more than 6-inches in diameter. There are multiple outfalls proposed on the site and both proposed outfalls will be larger than 6-inches in diameter.

Since all of the above-mentioned elements of the proposal are not meeting one or more of the applicable development standards, per 33.430.220, 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 found in sections:

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**
- **33.854.310, Approval Criteria for Planned Developments in All Zones (E-H only)**
- **33.854.320, Approval Criteria for Modifications of Site-Related Development Standards**
- **33.430.250.A, Approval Criteria for Environmental Review**

The Portland Zoning Code is available online at <https://www.portland.gov/code/33>.

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 April 25, 2024 and determined to be complete on June 28, 2024.

Decision Making Process: Portland Permitting & Development will make a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The staff report will be posted on the Portland Permitting & Development website at <https://www.portland.gov/ppd/zoning-land-use/public-notices>. Land use review notices are listed on the website by the District Coalition in which the site is located; the District Coalition for this site is identified at the beginning of this notice. If you are interested in viewing the file, please contact the planner listed on the front of this notice. The planner can provide information over the phone or via email. Only digital copies of the material in the file are available for viewing.

To comment, you may testify at the hearing, submit comments at www.portland.gov/omf/hearings/land-use; email your comments to HearingsOfficeClerks@portlandoregon.gov; write to the Land Use Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201; or FAX your comments to 503-823-4347. **Please see the enclosed insert for further information on how to testify.** In your comments, you should address the approval criteria. Please refer to the file number when seeking information or submitting testimony. Written comments must be received by the end of the hearing. Please note that all correspondence and testimony received will become part of the public record. The applicant and Portland Permitting & Development staff will be available during the hearing to answer questions and respond to comments. The general order of appearance for oral testimony at the hearing is as follows: Portland Permitting & Development staff report, applicant testimony, testimony of interested parties who wish to ask questions or testify, staff response and closing comments, and applicant's closing comments. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record.

Written comments must be received by the close of the record and should include the case file number. Any new written testimony should be emailed to Sean Williams at Sean.Williams@portlandoregon.gov and Timothy Novak at Timothy.Novak@portlandoregon.gov.

Please note regarding USPS mail: If you choose to mail written testimony via USPS, testimony must be received before the close of the record. Therefore, please mail testimony well in advance of the hearing date.

Thank you for any information you can provide regarding this case.

If you plan to testify at the hearing, please refer to instructions included with this notice.

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.

Appeal Process: You can appeal the decision of the Hearings Officer to the City Council. If appealed, City Council will hold an evidentiary hearing. New evidence can be submitted to the City Council in the event of an appeal of an evidentiary hearing.

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. The City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue in person or in writing by the close of the record at or following the final evidentiary hearing on this case may preclude an appeal to LUBA on that issue. If you do not provide enough detailed information to the Hearings Officer, they may not be able to respond to

the issue you are trying to raise. In such a situation an appeal to LUBA based on that issue may not be allowed.

Hearing Cancellation: This public hearing may be canceled due to inclement weather or other emergency. Contact the Hearings Office at 503-823-7307 or HearingsOfficeClerks@portlandoregon.gov for immediate information regarding cancellations or rescheduling. If canceled, the hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Additional information about the Hearings Office is available at www.portland.gov/omf/hearings/land-use.

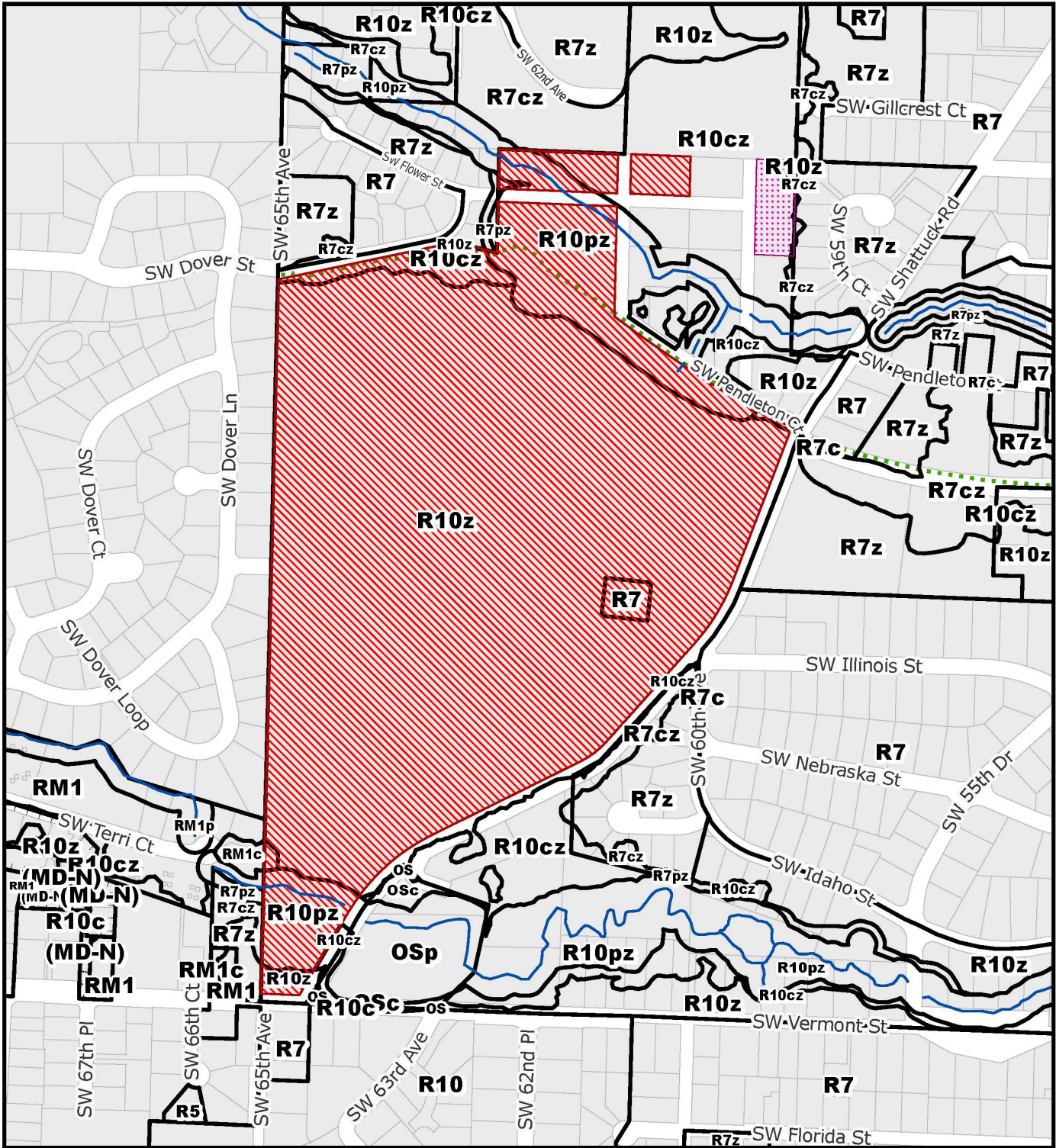
Portland Permitting & Development is committed to providing equal access to information and hearings. To request an accommodation or alternative format of communication, please contact us at least five business days prior to the hearing at 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map

Site Plans

Land Use Hearing Participation Information



For Zoning Code in Effect Post October 1, 2022

ZONING

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 24-036049 LDS EN PD
1/4 Section	3623
Scale	1 inch = 400 feet
State ID	1S1E18 100
Exhibit	B Apr 26, 2024

NOTE: THIS PLAN IS PRELIMINARY AND INTENDED TO SHOW DESIGN INTENT ONLY. POTENTIAL PLAN ELEMENTS, LOCATIONS, AND DETAILS AS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE. LANDSCAPING SHALL CONFORM TO CITY OF PORTLAND DESIGN STANDARDS WHERE APPLICABLE.



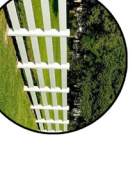
FRONTAGE IMPROVEMENTS
Vermont Street open space frontage improvements include a new bicycle lane, new sidewalks, and street trees.



PEDESTRIAN TRAILS
Pass through trails give pedestrians safe and easy access between lots.



OPEN SPACE
A large open space ideal for play, picnics, and community events.

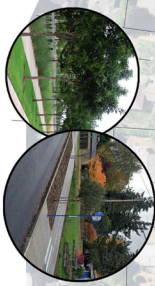


ENVIRONMENTAL RESOURCE
Large open spaces with natural drainage areas and/or wetlands which provide opportunities for resource preservation and wildlife observation.



STORMWATER FACILITY
Regional stormwater facilities provide pollution control and flow attenuation for stormwater runoff during storm events.

WHITE FENCE
Continuation of white 4-rail fence along the Red Electric Trail and SW Shattuck Road



FRONTAGE IMPROVEMENTS
SW Shattuck Road frontage improvements to include a new significant mulchuse path, street trees, and stormwater planters



OPEN SPACE
This will be a future open space to encourage community gathering and growth.



RED ELECTRIC TRAIL
Part of a larger trail network, the Red Electric Trail connects neighborhoods and natural spaces with an easy access mulchuse paved pathway, which invites exploration and active use opportunities for people of all ages.



ATTACHED HOUSING
Thoughtfully designed "duplexes" with alleys in back create a welcoming streetscape.

LU 24-036049 LDS EN PD

SCALE: 1" = 100 FEET

AKS ENGINEERING & FORESTRY, LLC
12965 SW HEAMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

AKS
ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

PRELIMINARY RECREATION AREA AND AMENITIES PLAN
RALEIGH CREST PLANNED DEVELOPMENT SUBDIVISION
PRELIMINARY PLANS
PORTLAND, OREGON

PROJECT NO. 2454
DATE: 09/29/2024
DRAWN BY: JTB
CHECKED BY: JTB
DATE: 10/01/2024

Land Use Hearing Participation Information

Case Number: 24-036049 LDS EN PD (Hearings Office Case Number 4240011)

Site Address: 6149 SW Shattuck Road

Hearing Date: September 25, 2024

Hearing Time: 1:30 PM

The above-referenced land use hearing will take place via the Zoom platform.

Zoom Participation Options and Instructions

Zoom Option

- You will need an internet connection and a personal computer or other internet capable device.
- You can listen, view the City Planner's PowerPoint presentation, and you have the opportunity to provide oral testimony.
- Instructions:

Go to:

<https://us06web.zoom.us/j/81622694428>

Telephone Option

- You will need a telephone.
- You will be able to listen and testify but you will not be able to view documents and presentations shared on the Zoom platform (if any).
- Instructions:

Dial: +1 669 900 6833

Meeting ID: 816 2269 4428#

Written Testimony

- Prior to the Hearing and until the close of evidence, you may submit written testimony. In other words, written testimony can be provided up to the close of the record, which will be announced at the hearing.
- *Note: A document's timeliness is determined by the date/time when it is received by the Hearings Office Clerks.*

- Please reference the case number in any documents you wish to submit.
- Instructions/Options:

Online Case Management System
<https://www.portland.gov/hearings/land-use>



Email: HearingsOfficeClerks@portlandoregon.gov
Mail: Hearings Office, 1900 SW 4th Avenue, Room 3100,
Portland, OR 97201

View File Contents

We use a fully electronic case file. Your online viewing options are available at our website: <https://www.portland.gov/hearings/land-use>
If you do not have online access, you may make a written request for a hard copy of any exhibit to be mailed to you.

Meaningful Access

The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation, or other services, please call 503-823-7307, the TTY at 503-823-6868 or the Oregon Relay Service: 711. Traducción e interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译

Письменный или устный перевод | 翻訳または通訳 | Traducere sau Interpretare 번역 및 통역 | Письмовий або усний переклад | Turjumida ama Fasiraadda

Questions or Concerns

You may contact the Hearings Clerks via email at HearingsOfficeClerks@portlandoregon.gov or by calling 503-823-7307.