



AGENDA

MILWAUKIE PLANNING COMMISSION

REGULAR SESSION

Tuesday, July 28, 2015, 8:00 PM

**MILWAUKIE CITY HALL
10722 SE MAIN STREET**

- 1.0 Call to Order - Procedural Matters**
- 2.0 Planning Commission Minutes** – Motion Needed
- 3.0 Information Items**
- 4.0 Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Hearings** – Public hearings will follow the procedure listed on reverse
 - 5.1 Summary: Riverway Ln Addition
Applicant/Owner: Carter Case/Linsey Pullan
Address: 10545 SE Riverway Ln
File: WG-2015-001
Staff: Vera Kolas
- 6.0 Worksession Items**
- 7.0 Planning Department Other Business/Updates**
- 8.0 Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - August 11, 2015
 - 1. Public Hearing: CPA-2015-002 3 Parks Master Plans
 - 2. Worksession: MFM Neighborhood Main Streets #2
 - August 25, 2015
 - 1. TBD

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Sine Bone, Chair
Shaun Lowcock, Vice Chair
Shane Abma
Shannah Anderson
Scott Barbur
Greg Hemer

Planning Department Staff:

Denny Egner, Planning Director
Li Alligood, Senior Planner
Brett Kelter, Associate Planner
Vera Kolias, Associate Planner
Alicia Martin, Administrative Specialist II



To: Planning Commission

Through: Dennis Egner, Planning Director

From: Vera Kolias, Associate Planner

Date: July 21, 2015 for July 28, 2015, Public Hearing

Subject: File: WG-2015-003
Applicant: Carter Case
Owner(s): Linsey Forni
Address: 10545 SE Riverway Lane
Legal Description (Map & Taxlot): 11E35AB00300
NDA: Historic Milwaukie

ACTION REQUESTED

Approve application WG-2015-003 and the recommended Findings found in Attachment 1. This action would allow for the expansion of an existing single family home within the Willamette Greenway zone.

BACKGROUND INFORMATION

The applicant received front yard setback variance approval in 2014 to construct an addition that would be 0' from the public right-of-way through land use master file VR-14-03. Because the property is located in the Willamette Greenway zone, a Willamette Greenway Conditional Use review is required in order to proceed with the project.

Subject property



A. Site and Vicinity

The property is located within the Willamette Greenway and any development is subject to Conditional Use Approval for Development within the Greenway.

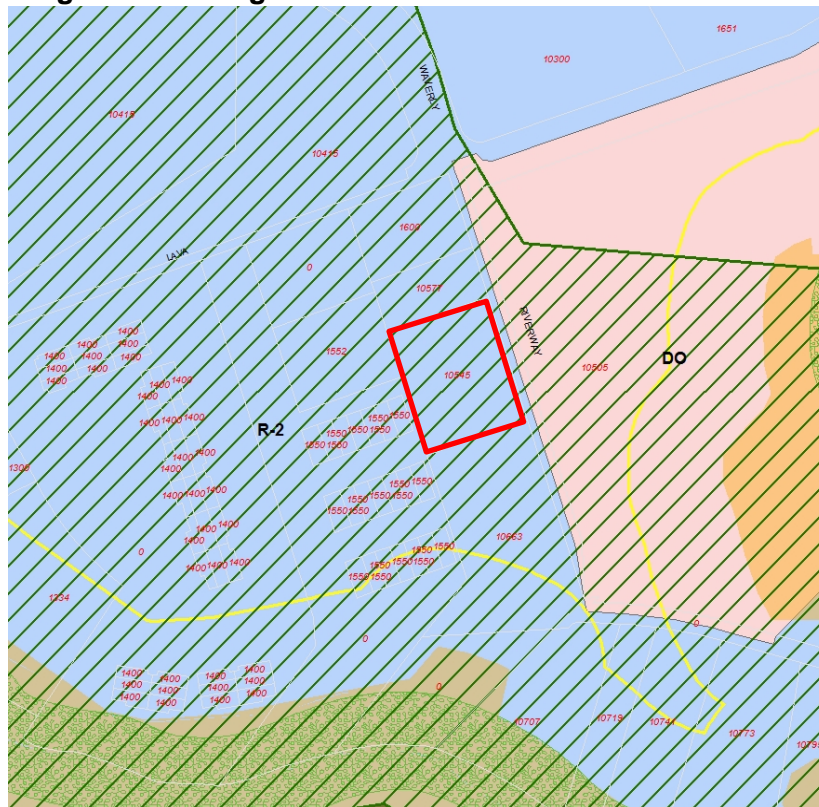
The existing dwelling is set back 20 ft from the eastern property line. If this application is approved, the new addition will be 0' from the front property line (see Land Use History for details). The properties to the north and south are developed with single-family detached dwellings. To the west are multi-family dwellings. The MODA offices and parking lot located to the east. Please refer to Figure 1.


B. Zoning Designation (see Figure 2.)

Residential R-2

Willamette Greenway WG overlay zone

Figure 2. Zoning



 Willamette
Greenway Overlay

Source: 2014 RLIS

C. Comprehensive Plan Designation

High Density Residential HD

D. Land Use History

December 2014: Land use master file VR-14-03, approved with conditions. The variance approval allows for the construction of an addition resulting in a 0' front yard setback.

No previous conditional use review was completed as the existing structure was built in 1954 and prior to the adoption of the City's Willamette Greenway section of the zoning ordinance. Therefore, the use is considered a "de facto conditional use" and can apply for a major or minor modification per MMC 19.905.

E. Proposal

The applicant is seeking land use approvals for Conditional Use Approval for development in the Willamette Greenway. Consistent with the previously approved variance to the required front yard setback of the R-2 zone, the proposed development will expand the existing home with a 640 SF addition. See Attachment 2 for details.

KEY ISSUES

Summary

Staff has identified the following key issues for the Planning Commission's consideration.

Is the proposed project consistent with the objectives and policies ("...to protect, conserve, enhance, and maintain the natural, scenic...and recreational qualities of lands along the Willamette River...") for the Willamette Greenway?

Analysis

Is the proposed project consistent with the objectives and policies ("...to protect, conserve, enhance, and maintain the natural, scenic...and recreational qualities of lands along the Willamette River...") for the Willamette Greenway?

With respect to the Willamette Greenway, the proposed development is consistent with the nature of existing development on the site and the neighborhood, which is not visible from the river. Views to and from the river will not be affected by the proposed development and the site does not provide public access to the river.

In short, the proposed development, given its lack of visibility to and from the Willamette River, is consistent with the objectives and policies for the Willamette Greenway, as established in both the Milwaukie Comprehensive Plan and Zoning Ordinance (specifically, the approval criteria of MMC Subsection 19.401.6—see Attachment 1, Recommended Findings in Support of Approval).

CONCLUSIONS

A. Staff recommendation to the Planning Commission is as follows:

1. Approve the Willamette Greenway conditional use application for the proposed addition. This will allow the addition as a modification to the existing Willamette Greenway conditional use.
2. Adopt the attached Findings and Conditions of Approval.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC Section 19.302 High Density Residential Zones
- MMC Section 19.401 Willamette Greenway Zone
- MMC Section 19.905 Conditional Uses
- MMC Section 19.1006 Type III Review

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has 4 decision-making options as follows:

- A. Approve the application subject to the recommended Findings of Approval.
- B. Approve the application with modified Findings of Approval. Any modifications must be read into the record.
- C. Deny the application upon finding that it does not meet approval criteria.
- D. Continue the hearing.

The final decision on this application, which includes any appeals to the City Council, must be made by October 13, 2015 in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

COMMENTS

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Building and Engineering, Historic Milwaukie Neighborhood District Association (NDA), and Clackamas Fire District #1. The following is a summary of the comments received by the City.

Matt Amos, Clackamas Fire District #1: No comments for this proposal.

ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	Early PC Mailing	PC Packet	Public Copies	E- Packet
1. Recommended Findings of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Applicant's Narrative and Supporting Documentation dated April 2, 2015 and June 15, 2015				
a. Application (dated April 2, 2015)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Narrative – Existing and Proposed Uses; Willamette Greenway review (dated June 15, 2015)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Site Plan (not dated; received June 15, 2015)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Building elevations (dated April 4, 2015; rev. May 24, 2015)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

Early PC Mailing = paper materials provided to Planning Commission at the time of public notice 20 days prior to the hearing.

PC Packet = paper materials provided to Planning Commission 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/planning-commission-142>.

Recommended Findings of Approval
File #WG-2015-003, 10545 SE Riverway Ln Addition

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Carter Case on behalf of Linsey Forni, has applied for relief from the front yard setback to extend the existing single-family home with a one-story addition with daylight basement within the required front yard setback at 10545 SE Riverway Ln. This site is in the R-2 Zone and Willamette Greenway Overlay, and requires Willamette Greenway Conditional Use approval. The land use application file number is WG-2015-003.
2. The proposed development will expand the existing home by 640 sf with a 0-ft front yard setback, as approved by VR-14-03.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC Section 19.401 Willamette Greenway Zone
 - MMC Section 19.905 Conditional Uses
 - MMC Section 19.1006 Type III Review
4. The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was held by the Planning Commission on July 28, 2015, as required by law.
5. MMC Section 19.401 Willamette Greenway Zone

MMC 19.401 establishes standards for the Willamette Greenway overlay designation. The subject property is within the Willamette Greenway zone as shown on the City's zoning map.

a. MMC Subsection 19.401.5 Procedures

MMC 19.401.5 establishes procedures related to proposed uses and activities in the Willamette Greenway zone. Development in the Willamette Greenway zone requires conditional use review, subject to the standards of MMC Section 19.905 and in accordance with the approval criteria established in MMC Subsection 19.401.6.

The project involves the substantial alteration of natural site characteristics and constitutes "development" as defined in MMC Subsection 19.401.4. The proposed development is subject to conditional use review standards of MMC 19.905 and the approval criteria of MMC 19.401.6.

b. MMC Subsection 19.401.6 Criteria

MMC 19.401.6 establishes the criteria for approving conditional uses in the Willamette Greenway zone.

- (1) *Whether the land to be developed has been committed to an urban use, as defined under the State Willamette River Greenway Plan*

The State Willamette River Greenway Plan defines "lands committed to urban use" as "those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate. Economic, developmental and locational factors include such matters as ports, industrial, commercial, residential or

recreational uses of property; the effect these existing uses have on properties in their vicinity, previous public decisions regarding the land in question, as contained in ordinances and such plans as the Lower Willamette River Management Plan, the city or county comprehensive plans, and similar public actions.”

The subject property is zoned for R-2 high density residential use and is already developed with a single family home. The land is committed to an urban use.

(2) *Compatibility with the scenic, natural, historic, economic, and recreational character of the river*

The project area is at least 450 ft from the nearest point of the river, with a tier of residences between. The river is not visible from the project area. The proposed development presents no significant impacts to the character of the river and is compatible.

(3) *Protection of views both toward and away from the river*

The project area is not visible from the river, due to topography and the existence of residential development between the site and the river. The addition will not significantly affect visual corridors to the river.

(4) *Landscaping, aesthetic enhancement, open space, and vegetation between the activity and the river, to the maximum extent practicable*

The project area is separated from the river by residential development, including homes, garages, landscaping, and fencing to the south.

(5) *Public access to and along the river, to the greatest possible degree, by appropriate legal means*

The subject property is not adjacent to the river and does not limit public access to the river.

(6) *Emphasis on water-oriented and recreational uses*

The site is at least 450 ft from the nearest point of the river. The existing residential use is not water-oriented and is not directed toward the river.

(7) *Maintain or increase views between the Willamette River and downtown*

The proposed development is not visible from the river and will have no effect on views between the river and downtown.

(8) *Protection of the natural environment according to regulations in Section 19.402*

The site does not contain any identified natural resources.

(9) *Advice and recommendations of the Design and Landmark Committee, as appropriate*

The proposed development is not subject to review by the Design and Landmarks Committee (DLC).

(10) *Conformance to applicable Comprehensive Plan policies*

The Willamette Greenway Element in the Milwaukie Comprehensive Plan includes policies related to land use, public access and view protection, and maintenance of private property. These policies include the requirement of a conditional use permit for new development and intensification of existing uses;

encouragement for uses that are not water-dependent or water-related to be directed away from the river; evaluation of development impacts to visual corridors; and limitations on authorizing the unrestricted public use of private land.

The proposed development is being reviewed through the conditional use process. The existing approved use is not water-related and is not directed toward the river; the proposed development will not affect that status. No public access through the subject property is proposed, and no public access will be required as a condition of approval of the proposed development.

(11) *The request is consistent with applicable plans and programs of the Division of State Lands*

The proposed development is not inconsistent with any known plans or programs of the Department of State Lands.

(12) *A vegetation buffer plan meeting the conditions of Subsections 19.401.8.A through C*

The subject property is more than 450 ft from the river, more than 400 ft beyond the 25-ft buffer prescribed by MMC 19.401.8.

The Planning Commission finds that the proposed development meets all relevant approval criteria provided in MMC 19.401.6.

The Planning Commission finds that the proposed development meets all applicable standards of the Willamette Greenway zone.

6. MMC Section 19.905 Conditional Uses

MMC 19.905 establishes regulations for conditional uses, including standards for reviewing modifications to existing conditional uses.

a. MMC Subsection 19.905.3 Review Process

MMC 19.905.3 establishes the process by which a new conditional use, or a major or minor modification of an existing conditional use, must be reviewed.

As noted in Finding 5-a, the proposed development is an activity within the Willamette Greenway zone that requires review as a conditional use. The existing use on the subject property is a single family residence constructed in 1954 and is considered a defacto conditional use. The proposed development, which involves a 640 sf addition to the existing home, represents a major modification to the existing use.

MMC 19.905.3.A requires that a major modification of an existing conditional use be evaluated through the Type III review process per MMC Section 19.1006.

b. MMC Subsection 19.905.4 Approval Criteria

MMC 19.905.4.A establishes the general criteria for approval of a new conditional use or a major modification to an existing conditional use.

(1) *The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.*

The subject property is approximately 14,896 sq ft in size. The property is developed with a single family home approximately 2,450 sf in area. The proposed expansion of the western parking area will add 640 sf to the home.

The Planning Commission finds that this standard is met.

- (2) *The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses.*

The site is surrounded by residential development on three sides, with the Moda parking lot located to the east. The proposed development will not affect the existing site landscaping except for a low planting bed, and will extend 20 ft toward SE Riverway Ln.

The Planning Commission finds that this standard is met.

- (3) *All identified impacts will be mitigated to the extent practicable.*

No impacts have been identified by the proposed development.

The Planning Commission finds that this standard is met.

- (4) *The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.*

The proposed addition will not have unmitigated nuisance impacts greater than what is normal for a residential development, which is an allowed use in the R-2 zone.

The Planning Commission finds that this standard is met.

- (5) *The proposed use will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.*

As noted in previous findings, the proposed development will comply with all applicable development standards, requirements of the underlying R-2 zone and other applicable overlay zones, and the standards of MMC 19.905.

The Planning Commission finds that this standard is met.

- (6) *The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.*

As addressed in Finding 5-b-10, the proposed development is consistent with all relevant policies in the Comprehensive Plan.

The Planning Commission finds that this standard is met.

- (7) *Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700.*

The Engineering Department has reviewed the proposal and confirmed that existing public transportation facilities and public utilities are adequate to serve the proposed development.

The Planning Commission finds that this standard is met.

The Planning Commission finds that the proposed development meets all of the approval criteria outlined in MMC 19.905.4.A for a major modification to an existing conditional use.

c. MMC Subsection 19.905.5 Conditions of Approval

MMC 19.905.5 establishes the types of conditions that may be imposed on a conditional use to ensure compatibility with nearby uses. Conditions may be related to a number of issues, including access, landscaping, lighting, and preservation of existing trees.

The Planning Commission finds that, as proposed, the new development sufficiently mitigates any negative impacts as proposed and that no additional conditions are necessary to ensure compatibility with nearby uses.

d. MMC Subsection 19.905.6 Conditional Use Permit

MMC 19.905.6 establishes standards for issuance of a conditional use permit, including upon approval of a major modification of an existing conditional use. The provisions include a requirement to record the conditional use permit with the Clackamas County Recorder's Office and provide a copy to the City prior to commencing operations allowed by the conditional use permit.

The Planning Commission finds that the proposed development is consistent with the relevant standards established in MMC 19.905 for conditional uses.

7. The application was referred to the following departments and agencies on June 16, 2015:

- Milwaukie Building Department
- Milwaukie Engineering Department
- Clackamas Fire District #1

Comments received are as follows:

a. **Matt Amos, Clackamas Fire District:** No comments on this proposal.



ATTACHMENT 2
PLANNING DEPARTMENT
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206

PHONE: 503-786-7630
 FAX: 503-774-8236
 E-MAIL: planning@milwaukieoregon.gov

Application for Land Use Action

Master File #: WG-2015-003

Review type*: ☐ I ☐ II ☒ III ☐ IV ☐ V

CHECK ALL APPLICATION TYPES THAT APPLY:

- ☐ Amendment to Maps and/or Ordinances:
 - ☐ Comprehensive Plan Text Amendment
 - ☐ Comprehensive Plan Map Amendment
 - ☐ Zoning Text Amendment
 - ☐ Zoning Map Amendment
- ☐ Code Interpretation
- ☐ Community Service Use
- ☐ Conditional Use
- ☐ Development Review
- ☐ Director Determination
- ☐ Downtown Design Review
- ☐ Extension to Expiring Approval
- ☐ Historic Resource:
 - ☐ Alteration
 - ☐ Demolition
 - ☐ Status Designation
 - ☐ Status Deletion

- ☐ Land Division:
 - ☐ Final Plat
 - ☐ Lot Consolidation
 - ☐ Partition
 - ☐ Property Line Adjustment
 - ☐ Replat
 - ☐ Subdivision
- ☐ Miscellaneous:
 - ☐ Barbed Wire Fencing
 - ☐ Bee Colony
- ☐ Mixed Use Overlay Review
- ☐ Modification to Existing Approval
- ☐ Natural Resource Review
- ☐ Nonconforming Use Alteration
- ☐ Parking:
 - ☐ Quantity Determination
 - ☐ Quantity Modification
 - ☐ Shared Parking
 - ☐ Structured Parking

- ☐ Planned Development
- ☐ Residential Dwelling:
 - ☐ Accessory Dwelling Unit
 - ☐ Duplex
 - ☐ Manufactured Dwelling Park
 - ☐ Temporary Dwelling Unit
- ☐ Sign Review
- ☐ Transportation Facilities Review
- ☐ Variance:
 - ☐ Use Exception
 - ☐ Variance
- ☒ Willamette Greenway Review
- ☐ Other: _____

Use separate application forms for:

- Annexation and/or Boundary Change
- Compensation for Reduction in Property Value (Measure 37)
- Daily Display Sign
- Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse):

Carter Case

Mailing address: 232 SE Oak St. Portland

Zip: 97214

Phone(s): 503 863 4235

E-mail: cartercase@clear.net

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address:

Zip:

Phone(s):

E-mail:

SITE INFORMATION:

Address: 10545 SE Riverway Lane

Map & Tax Lot(s): 1S1E35AB00300

Comprehensive Plan Designation: R-2

Zoning: R-2

Size of property: 15,044 sq ft

PROPOSAL (describe briefly):

980 sq Addition to SFR.

SIGNATURE:

ATTEST: I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by:

Linsay Pullan

Date:

4-2-15

IMPORTANT INFORMATION ON REVERSE SIDE

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

REVIEW TYPES:

This application will be processed per the assigned review type, as described in the following sections of the Milwaukee Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file	W17.2015.003	\$ 2000			\$	RECEIVED MAY 08 2015 CITY OF MILWAUKIE PLANNING DEPARTMENT
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	
TOTAL AMOUNT RECEIVED: \$ 2000		RECEIPT #: 586964		RCD BY: A. Harkin		
Associated application file #s (appeals, modifications, previous approvals, etc.): VR-14.03						
Neighborhood District Association(s): Historic Milwaukee						
Notes:						

*After discount (if any)

Letter of Authorization:

10545 SE Riverway Lane

RECEIVED

MAY 08 2015

CITY OF MILWAUKIE
PLANNING DEPARTMENT

This letter is to authorize Carter Case to act on our behalf
as application for any and all City land use and permit actions.

A handwritten signature in black ink, appearing to read "Linsey Pullan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Linsey Pullan
land owner



PLANNING DEPARTMENT
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

PHONE: 503-786-7630
FAX: 503-774-8236
E-MAIL: planning@milwaukieoregon.gov

For all Land Use Applications
(except Annexations and Development Review)

Submittal Requirements

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.

Applications without the required application forms and fees will not be accepted.

2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.

Where written authorization is required, applications without written authorization will not be accepted.

3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary on-site "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.

4. **Detailed statement** that demonstrates how the proposal meets all applicable application-specific approval criteria (check with staff) and all applicable development standards (listed below):

- a. **Base zone standards** in Chapter 19.300.
- b. **Overlay zone standards** in Chapter 19.400.
- c. **Supplementary development regulations** in Chapter 19.500.
- d. **Off-street parking and loading standards and requirements** in Chapter 19.600.
- e. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

5. **Site plan(s), preliminary plat, or final plat** as appropriate.

See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.

6. **Copy of valid preapplication conference report**, when a conference was required.

APPLICATION PREPARATION REQUIREMENTS:

- Five hard copies of all application materials are required at the time of submittal (unless submitted electronically). Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: <http://www.milwaukieoregon.gov/communityservices/neighborhoods-program>.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name) Carter Case, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

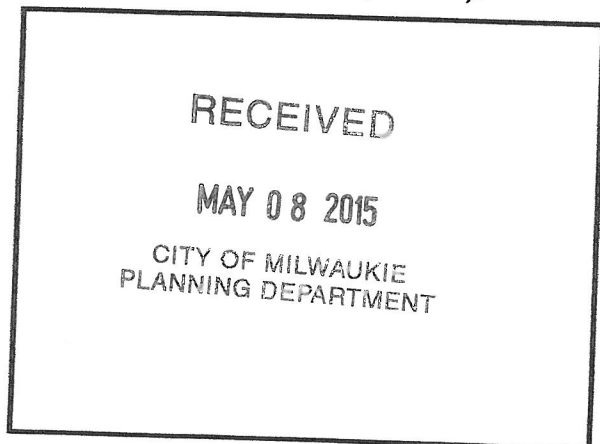
Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature: [Signature]

Date: 4/2/15

Official Use Only

Date Received (date stamp below):



Willamette Greenway Conditional Use:

10545 SE Riverway Lane
Milwaukie, Or

Narrative:

We are proposing an expansion of the existing residence.
640 square feet of living space to the existing residence.

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PLANNING DEPARTMENT

19.401.6 Approval criteria/Willamette Greenway:

- A. N/A Not an urban use.
- B. Our proposed addition will be compatible with the scenic, natural, historic, economic and recreational character of the river.
The existing house we are proposing to add on to is nowhere near the river's edge. It is more than four hundred and fifty feet from the river and there are three existing properties and buildings between this house and the river.
- Therefore, due to this proximity, we feel our proposal does not effect the scenic, natural, historic, economic and recreational character of the river.
- C. Our proposed addition will not effect views toward or away from the river
Because of the above-mentioned proximity, we feel the proposed addition will have no affect on views toward or away from the river
This house can't be seen from the river and does not have a view of the river.
- D. N/A This residence does not abut the river.
- E. N/A This residence does not abut the river.
- F. N/A This residence does not abut the river.
- G. Our proposed addition will not effect views from the river to downtown.
This house can't be seen from the river and does not have a view of the river.
- H. Our proposed addition will not effect the natural environment.
It is more than four hundred and fifty feet from the river and there are three existing properties and buildings between this house and the river.
- I. N/A
- J. Our proposed addition is in conformance to Comprehensive Plan policies.
We are in accordance with chapter 3, Environmental and Natural Resources:
We are adhering to the requirements of the Willamette Greenway Zone, none of the rest apply.

We are in accordance with chapter 4, Land Use:

We meet the criteria & policies for R2 Medium Density zoning

K. N/A This residence does not abut the river.

L. N/A This residence does not abut the river.

19.905.8 De Facto Conditional Use Status

Our proposed addition falls under this category.

Base zone requirements:

Our proposal meets the R2 base zone requirements as follows:

Minimum lot size: 5,000 sf req'd 15,044 sf provided **complies**

Lot coverage: maximum of 45% req'd 43% provided **complies**

Height: 3 stories max req'd 2 stories provided **complies**

Off street parking: Garage provided **complies**

Setbacks: Side yard required: 15 feet

Provided: 37 feet **complies**

Rear yard required: 15 feet

Provided: 25 feet **complies**

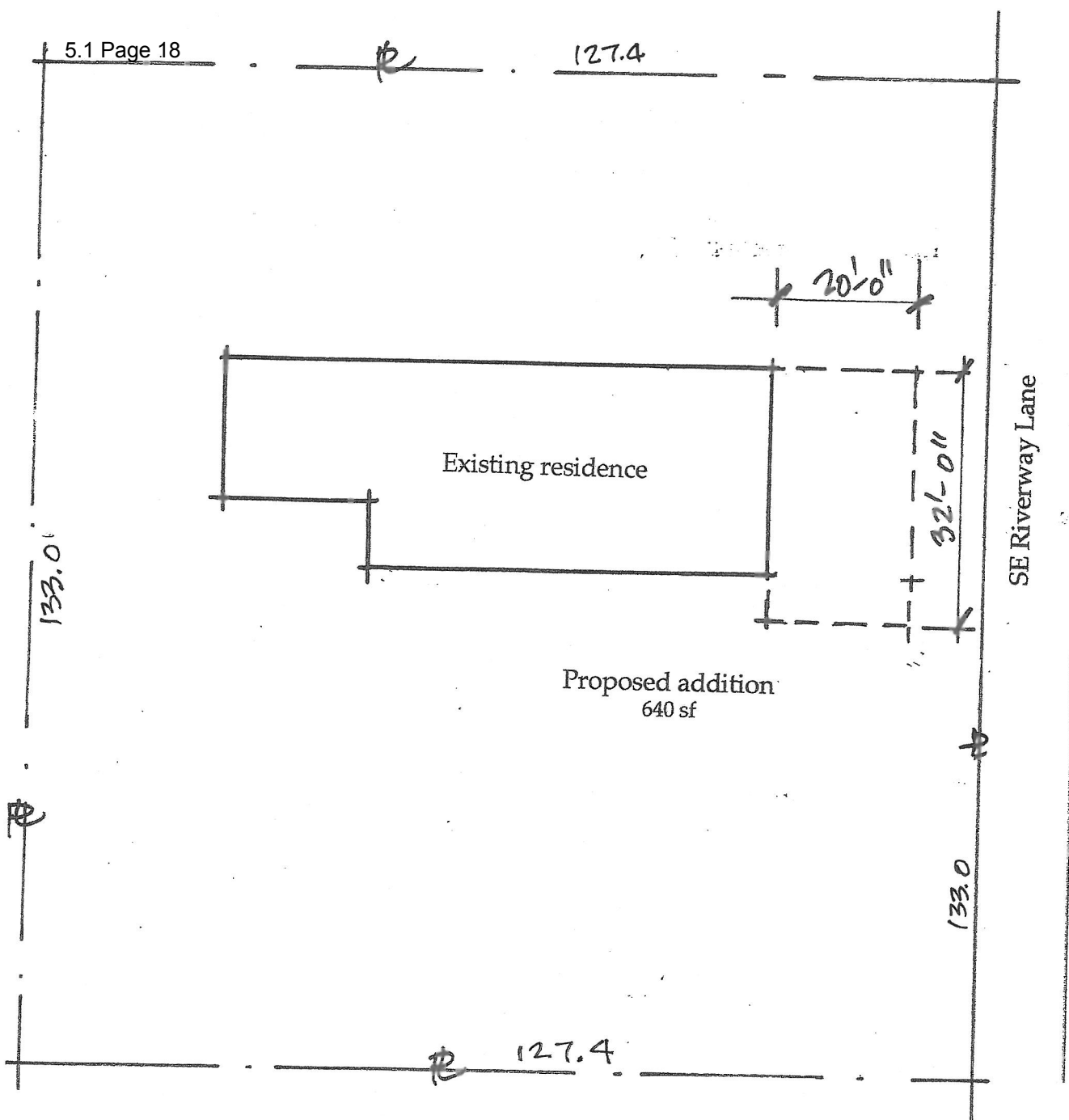
Front yard **ok per variance**

Respectfully submitted

Carter Case

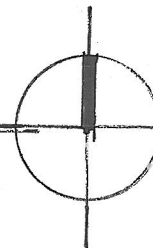
Applicant

503 863 4235



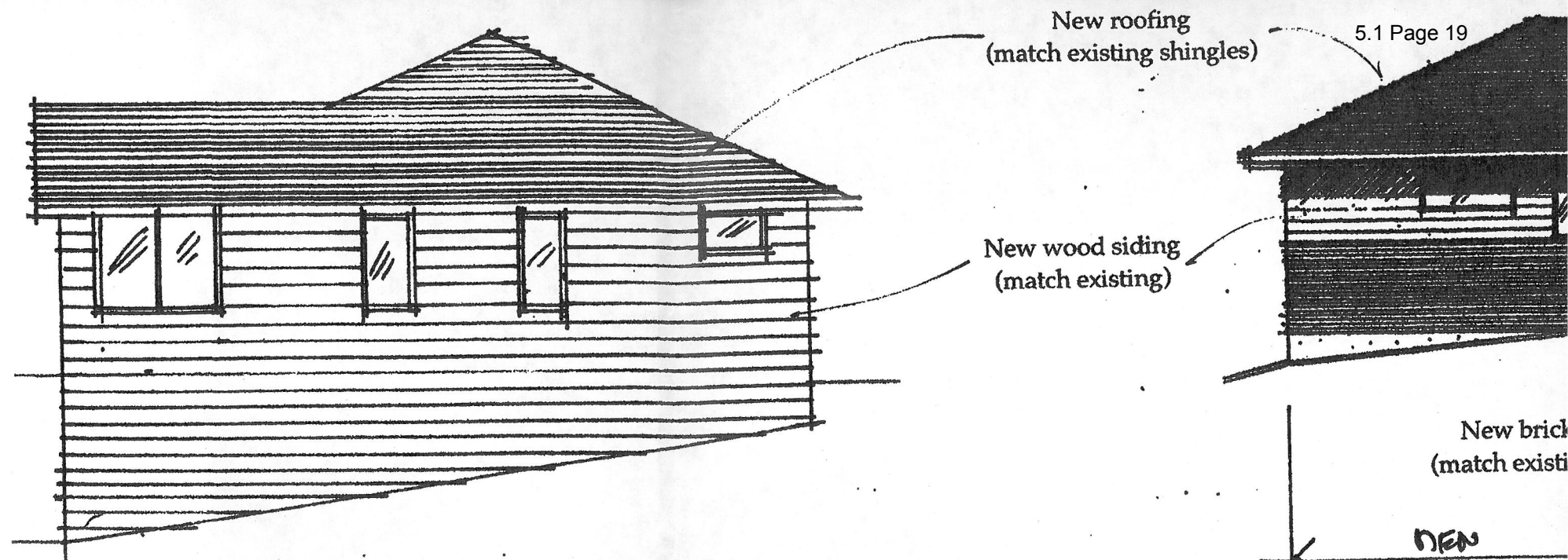
Site Plan

1"=20'-0"



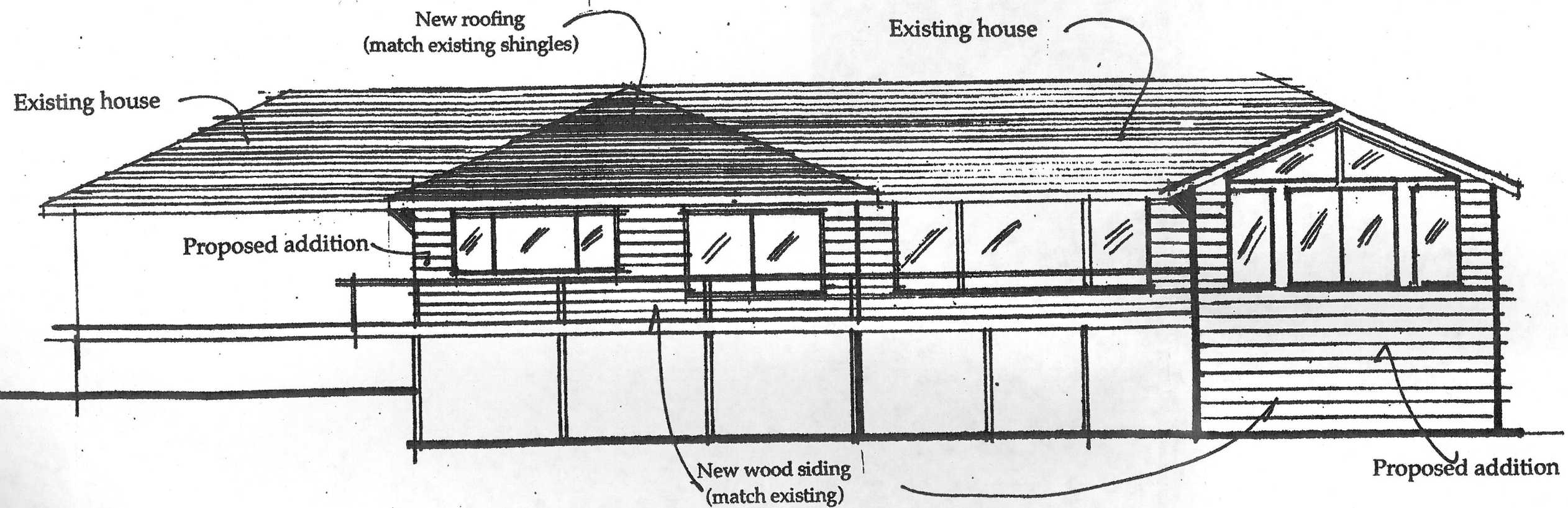
Forni Residence
10545 SE Riverway Lane
Milwaukie, Or

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East Elevation

1/8" = 1'-0"



South Elevation

