



# CITY OF MILWAUKIE

## NOTICE OF TYPE II LAND USE PROPOSAL

Date mailed: February 12, 2019

You are receiving this notice because development has been proposed in your neighborhood. The proposed development requires notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property. A summary of the proposal and information on how to respond to this notice are described below.

**The City will consider written comments on the proposal prior to issuing a decision.**

**To ensure that your comments are considered in the decision, please submit written comments to the staff contact listed below before 5:00 p.m. on Tuesday, February 26, 2019. After that date, there is no guarantee that comments will be incorporated into the decision.**

**The decision may be issued as early as 14 days from the date of this public notice.**

**Please include the land use file number for reference.**

<b>File Number(s):</b>	R-2019-002
<b>Location:</b>	9147 and 9129 SE 29 <sup>th</sup> Ave Tax Lot ID 1S1E25BD, lots 2300 and 2301, respectively <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	Replat the 2 lots to adjust their common boundary, and create a new third lot from the western half of 9147 SE 29 <sup>th</sup> Ave. The 2 existing houses will remain, and a new house will be built on the new lot. There are no special overlays or designations on either property.
<b>Applicant/Primary Contact Person:</b>	Mark Pekarek (c/o Paramount Development Properties, LLC) 2331 Dana Ct, Carlsbad, CA 92008 Phone – 209-609-1564; Email – <a href="mailto:mark@paramountdp.com">mark@paramountdp.com</a>
<b>Owner(s):</b>	Mark Pekarek (9147 SE 29 <sup>th</sup> Ave) Diana & Stacy Gregg (9129 SE 29 <sup>th</sup> Ave)
<b>Staff contact:</b>	Brett Kever, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 Phone – 503-786-7657; Email – <a href="mailto:kerverb@milwaukieoregon.gov">kerverb@milwaukieoregon.gov</a>
<b>Neighborhood District Association(s):</b>	Ardenwald-Johnson Creek NDA, contact Matt Rinker at 971-712-8139.
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• Milwaukie Municipal Code (MMC) Chapter 17.16 Application Requirements and Procedures</li> <li>• MMC Chapter 17.12 Application Procedure and Approval Criteria</li> <li>• MMC Section 19.301 Low Density Residential Zones (including R-7)</li> <li>• MMC Section 19.1005 Type II Review</li> </ul> Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a> .

**To learn more about a proposal:** Contact the staff contact assigned to the proposal or visit the project webpage at <http://www.milwaukieoregon.gov/planning/r-2019-002>. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of materials. Copies of this information can be obtained for a reasonable fee.

**To comment on a proposal:** You are invited to submit comments in writing before the City issues a decision. Comments should be addressed to the staff contact listed above and be directed toward the applicable criteria. If you submit a written comment, you will be sent a copy of the decision. All written comments become part of the permanent record. City staff can discuss this proposal in person or via phone; however, the City will consider only written comments when issuing the decision.

**Neighborhood District Association:** The Neighborhood District Association (NDA), listed on the first page of this notice, may take a position on this proposal. The application materials have been referred to the NDA Chairperson and Land Use Committee members. The proposal may be discussed at an open meeting of the NDA. Please contact the person listed as the neighborhood contact to determine the status of the NDA's review and position on this proposal.

**Decision:** The Planning Director will consider any comments received and issue a decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest the decision would be issued is 14 days from the date of this public notice. The decision may be issued after that date depending upon the amount of comments received and complexity of the proposal.

*A copy of the decision will be mailed only to persons that submit written comments prior to the issuance of a decision.*

**To appeal the decision:** The Planning Director's decision may be appealed by any party that is aggrieved or adversely impacted by the decision, or that believes an error was made regarding the evaluation of the approval standards and criteria for the proposal. Appeals are heard by the Planning Commission and must be filed within 15 days of the issuance of a decision. Notice of an appeal hearing will be sent to all parties that received this notice.

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. The appeal process and requirements are explained in Milwaukie Municipal Code Section 19.1010 Appeals. Contact staff at 503-786-7630 for information about the appeal process.

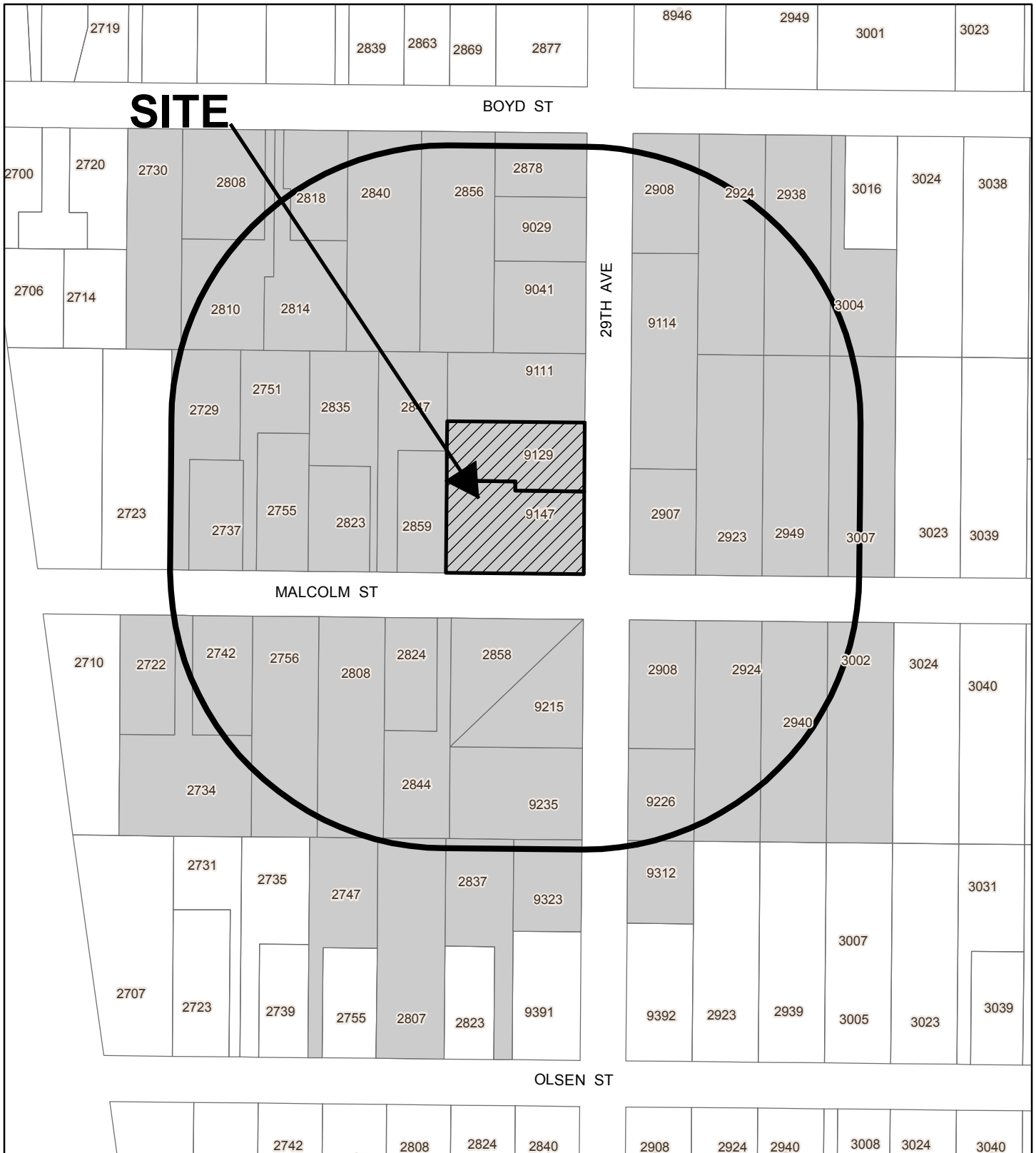
After an appeal hearing, the Planning Commission's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA), 550 Capitol St SE, Suite 235, Salem, OR 97301 (503-373-1265). Any issue that is intended to provide a basis for appeal to LUBA must be raised prior to the issuance of the Planning Director's decision or prior to the conclusion of the Planning Commission's appeal hearing. Failure to raise an issue with sufficient specificity, and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue, will preclude any appeal on that issue to LUBA.

**Enclosures:**

- Location map
- Site Plans = Existing Conditions, Preliminary Plat, & Site Improvement Plan




**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:**

THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.

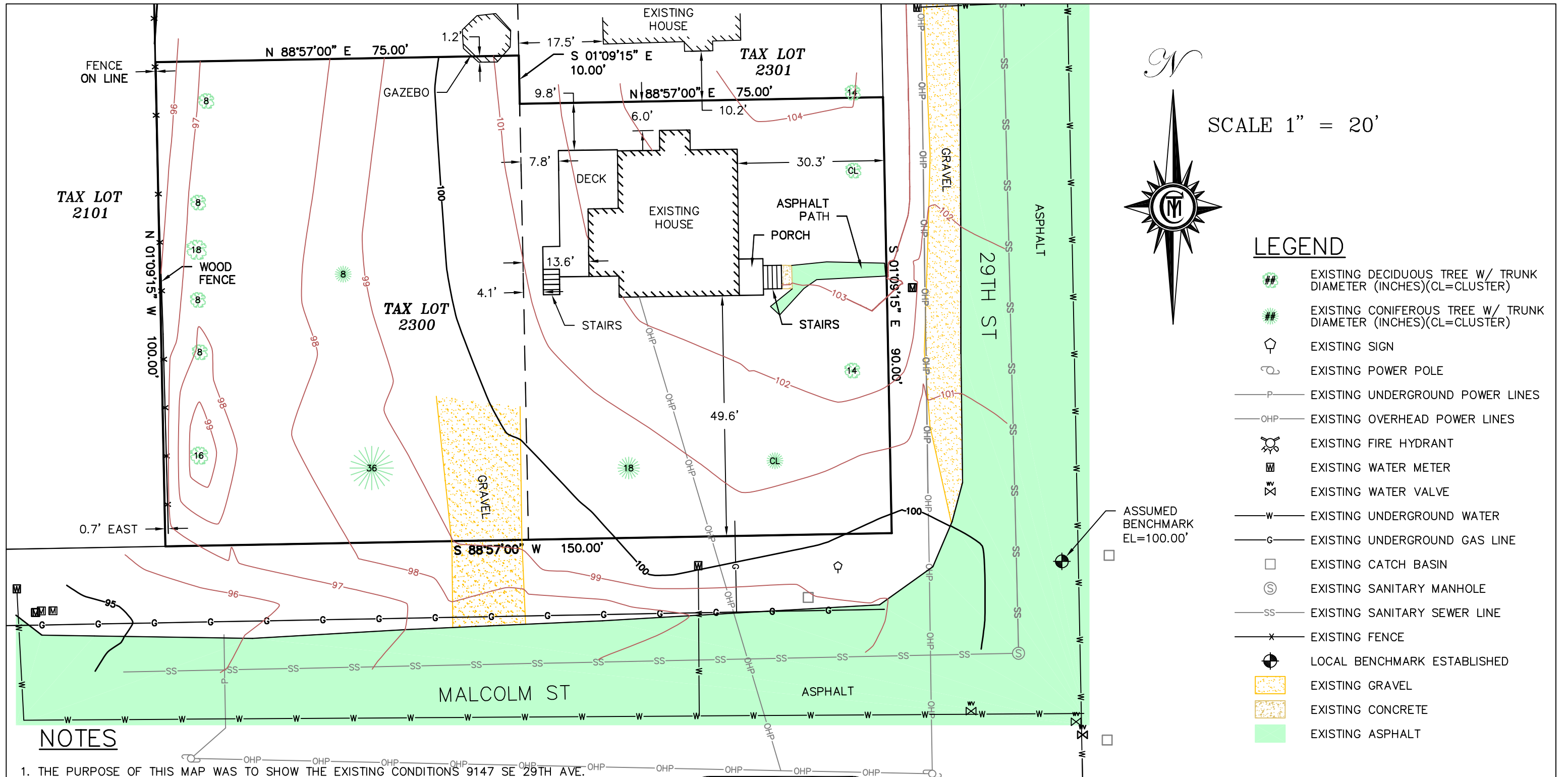


**Site Map**  
**9147 & 9129 SE 29th Ave**  
**Tax Lot ID--1S1E25BD, lots 2300 & 2301**  
**File#R-2019-002**

**Legend**

-  R-2019-002\_sites
-  300-ft notice boundary
-  Properties receiving notice





SCALE 1" = 20'

**LEGEND**

- EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING CONIFEROUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING SIGN
- EXISTING POWER POLE
- EXISTING UNDERGROUND POWER LINES
- EXISTING OVERHEAD POWER LINES
- EXISTING FIRE HYDRANT
- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING UNDERGROUND WATER
- EXISTING UNDERGROUND GAS LINE
- EXISTING CATCH BASIN
- EXISTING SANITARY MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING FENCE
- LOCAL BENCHMARK ESTABLISHED
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING ASPHALT

**NOTES**

1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS 9147 SE 29TH AVE.
2. THE BASIS OF BEARINGS WAS PER PS 17247, CLACKAMAS COUNTY RECORDS.
3. LOCAL DATUM WAS ESTABLISHED BY ASSUMING A LOCAL BENCHMARK ON A SET MAG NAIL ON SE 29TH AVE, AS SHOWN. ELEVATION = 100.00'.
4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF PARAMOUNT DEVELOPMENT PROPERTIES.
5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS, A RECORDED BOUNDARY SURVEY WILL NOT BE FILED AT THIS TIME.
6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES AND LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION. PLEASE NOTIFY THE UTILITY NOTIFICATION CENTER BEFORE ANY DIGGING 1-800-332-2344.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Shaun P. Fidler*

OREGON  
JULY 12, 2005  
SHAUN P. FIDLER  
50333

EXPIRES DECEMBER 31, 2019

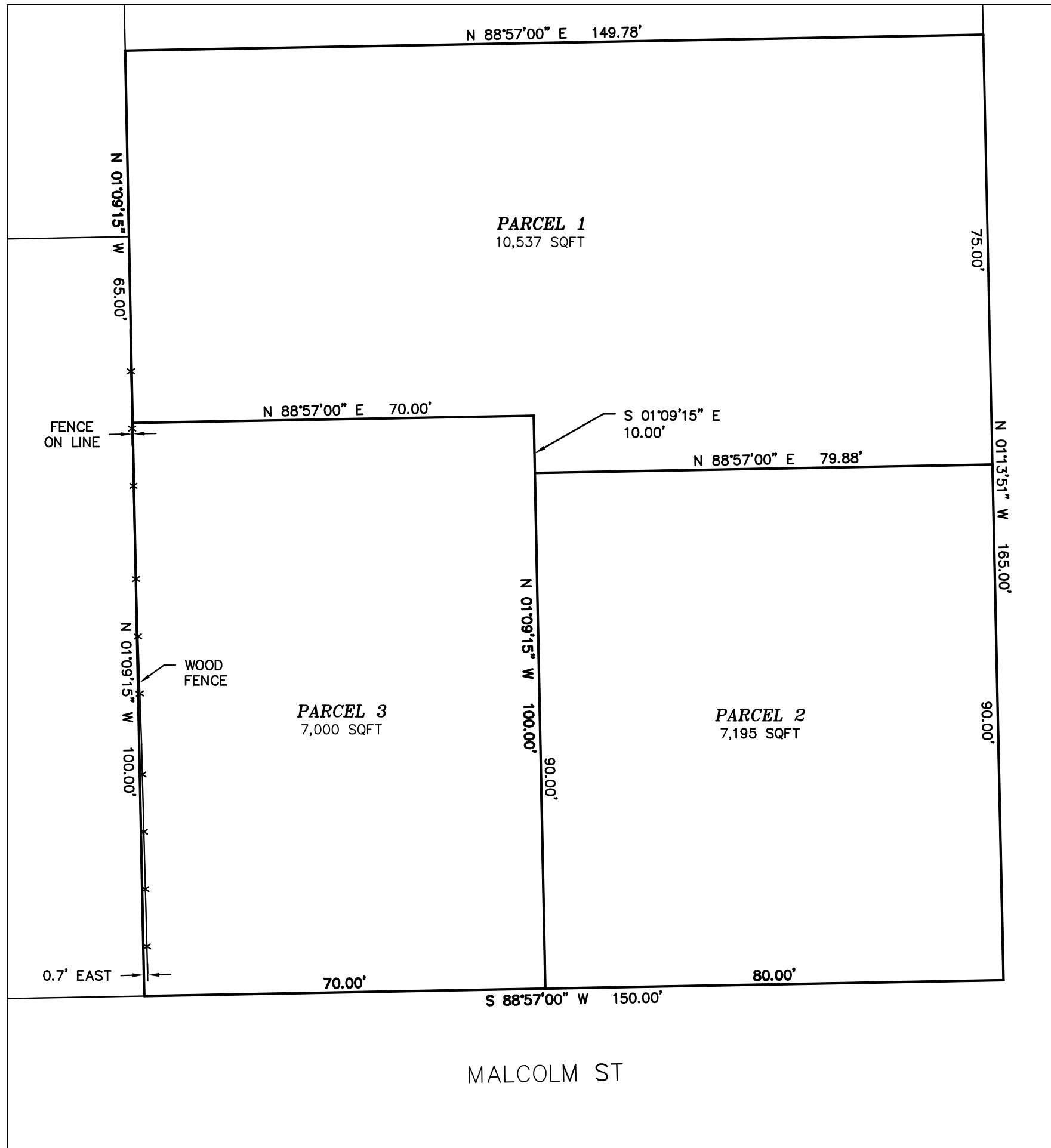
**EXISTING CONDITIONS**

NW 1/4 SEC 25, T1S, R1E, W.M.
CITY OF MILWAUKIE CLACKAMAS COUNTY, OREGON SEPTEMBER 18, 2018
DRAWN: DMR    CHECKED: SPF SCALE 1"=20'    ACCOUNT # 500-627 Y: \500-627\DWG\500627BASE

**9147 SE 29TH AVE**

**CMT SURVEYING AND CONSULTING**

20330 SE HIGHWAY 212  
DAMASCUS, OR 97089  
PHONE (503) 850-4672 FAX (503) 850-4590



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Shaun P. Fidler*

OREGON  
JULY 12, 2005  
SHAUN P. FIDLER  
50333

EXPIRES DECEMBER 31, 2019

<b>PRELIMINARY PLAT</b>
NW 1/4 SEC 25, T1S, R1E, W.M.
CITY OF MILWAUKIE
CLACKAMAS COUNTY, OREGON
JANUARY 18, 2019
DRAWN: DMR CHECKED: SPF
SCALE 1"=20' ACCOUNT # 500-627
Y: \500-627\DWG\500627PRELIM

**9147 SE 29TH AVE**

20330 SE HIGHWAY 212  
DAMASCUS, OR 97089  
PHONE (503) 850-4672 FAX (503) 850-4590

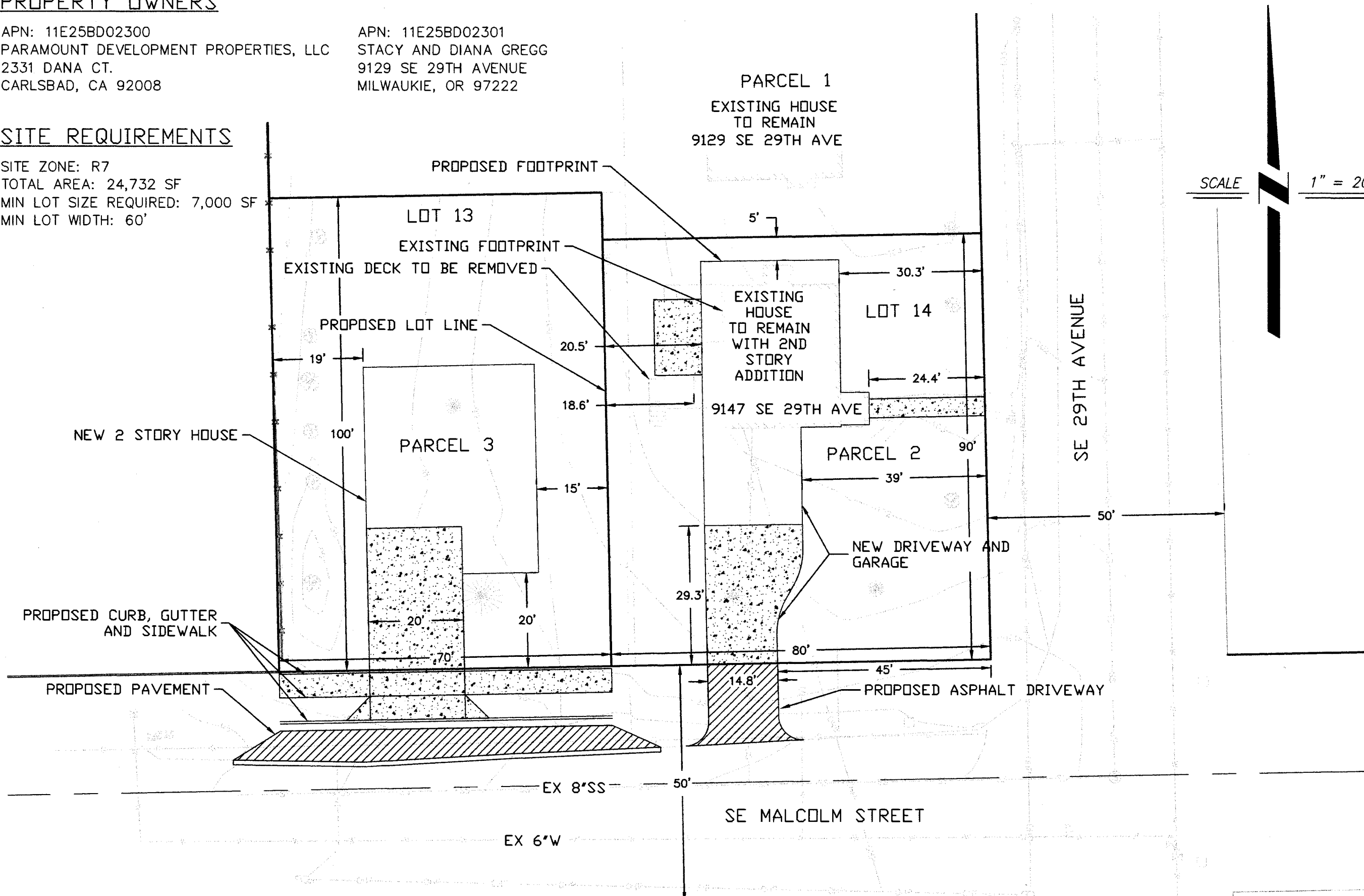
**PROPERTY OWNERS**

APN: 11E25BD02300  
 PARAMOUNT DEVELOPMENT PROPERTIES, LLC  
 2331 DANA CT.  
 CARLSBAD, CA 92008

APN: 11E25BD02301  
 STACY AND DIANA GREGG  
 9129 SE 29TH AVENUE  
 MILWAUKIE, OR 97222

**SITE REQUIREMENTS**

SITE ZONE: R7  
 TOTAL AREA: 24,732 SF  
 MIN LOT SIZE REQUIRED: 7,000 SF  
 MIN LOT WIDTH: 60'



PARAMOUNT DEVELOPMENT PROPERTIES, LLC  
 2331 DANA CT.  
 CARLSBAD, CA 92008  
 (760) 439-1564

January 28, 2019  
**9147 SE 29TH AVENUE**  
**SITE IMPROVEMENT PLAN**  
**MILWAUKIE, OREGON**  
 Paramount Development Properties, LLC 2331 Dana Ct, Carlsbad, CA 92008 (209) 609-1564  
 Prepared By: Mark Peckrek  
 E:\Paramount\_properties\9147 SE 29th Ave - Milwaukie\Land Use Application\2019\_01\_27 site plan submittal.dwg mpeckrek 1/28/19 12:41

**LEGAL DESCRIPTION**

Lots 13 & 14, Block 3, Bonnie View Acres, Plat No. 2 in the County of Clackamas and State of Oregon