



# CITY OF MILWAUKIE

## NOTICE OF PUBLIC HEARING (updated with new master file #)

Date mailed: October 4, 2019

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

**The Milwaukie Planning Commission will hold a public hearing on the proposal at a meeting beginning at 6:30 p.m. on Tuesday, October 22, 2019, at Milwaukie City Hall, 10722 SE Main Street.**

<b>File Number(s):</b>	MLP-2019-002 <b>R-2019-004</b> (master file, with VR-2019-010) <b>(Note: No change to proposal, only an update to master file number.)</b>
<b>Location:</b>	5084 SE King Rd Tax Lot ID 1S2E30CD06800 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	<del>Partition</del> <b>Replat</b> the 11,150-sq-ft property into 2 parcels. The northern lot (6,850 sq ft) includes the existing single-family house, which is used as an assisted living facility; the southern lot (4,300 sq ft) includes 3 accessory structures that would be removed to allow for redevelopment with a new single-family house. The proposal includes 3 variance requests related to standards of the R-5 zone: (1) lot area of Parcel 2, (2) lot depth of Parcel 2, and (3) rear yard setback for Parcel 1. There are no special overlays or designations on the subject property.
<b>Applicant/Primary Contact Person:</b>	Paul Roeger, CMT Surveying & Consulting (applicant's representative) 20330 SE Hwy 212, Damascus, OR 97089 Tel: 503-860-2545; Email: <a href="mailto:paul@cmtsc.net">paul@cmtsc.net</a>
<b>Owner(s):</b>	Lucica Muresan (5084 SE King Rd, Milwaukie, OR 97222)
<b>Staff contact:</b>	Brett Kelter, Associate Planner (City of Milwaukie Planning Department) 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 Tel: 503-786-7657; Email: <a href="mailto:kelverb@milwaukieoregon.gov">kelverb@milwaukieoregon.gov</a>
<b>Neighborhood District Association(s):</b>	Hector Campbell NDA, contact David Aschenbrenner at 503-654-4258 Lewelling NDA, contact Stephan Lashbrook at 503-659-8620 Linwood NDA, contact Zac Perry at 503-572-8636
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• Milwaukie Municipal Code (MMC) Title 17 Land Division</li> <li>• MMC Chapter 12.16 Access Management</li> <li>• MMC Section 19.301 Low Density Residential Zones (incl. R-5)</li> <li>• MMC Chapter 19.600 Off-Street Parking and Loading</li> <li>• MMC Chapter 19.700 Public Facility Improvements</li> <li>• MMC Section 19.911 Variances</li> <li>• MMC Section 19.1006 Type III Review</li> <li>• MMC Chapter 19.1200 Solar Access Protection</li> </ul> <p>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>.</p>

**To learn more about a proposal:** Call the staff contact assigned to the proposal or visit the project webpage at <http://www.milwaukieoregon.gov/planning/r-2019-004>. The staff report on the proposal will also be available for public viewing on **Wednesday, October 16, 2019**, at the following locations:

- Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd (by appointment; open weekdays 8:00 a.m. to 5:00 p.m.)
- Ledding Library Temporary Location, 9600 SE Main St (call 503-786-7580 for current hours)
- City Hall, 10722 SE Main St (open weekdays 8:00 a.m. to 5:00 p.m.)
- City website, <http://www.milwaukieoregon.gov/meetings>

**Copies** of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at the locations listed above.

**To comment on a proposal:** You are invited to attend this hearing or submit comments in writing before the meeting time. You may send written comments in advance to the staff contact listed above, or you may submit your comments in person at the hearing. If you want to present verbal testimony, either pro, con, or to raise questions, you will be invited to speak following the applicant's testimony. Testimony and comments at this hearing must be directed towards the criteria identified. If you submit a written comment or comment in person at the hearing, you will be sent a copy of the decision or recommendation. All written and verbal comments become part of the permanent record.

The **Neighborhood District Association**, listed on the first page of this notice, may take a position on the proposal and may have scheduled an open meeting prior to providing comment to the Planning Commission. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

**To appeal a decision:** Any decision may be appealed to City Council by a person with standing. In order to establish standing, you must do at least one of the following: submit written comments to the staff contact before the hearing date; attend the hearing and sign in; or attend the hearing, sign in, and make a verbal comment. Any issue that is intended to provide a basis for appeal must be raised in writing on or before the hearing date with sufficient specificity to afford the responsible parties an opportunity to respond to the issue. 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 the Land Use Board of Appeals (LUBA).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*

**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.