

MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Master File #: CU-2020-001

Review type*: I II III IV V

CHOOSE APPLICATION TYPE(S):

Conditional Use

...

...

...

...

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): Richard and Frances Sturgis

Mailing address: 11330 Cranwood Cove Roswell, State/Zip: GA 30075

Phone(s): 470-583-4386 Email: jrsturgis61@gmail.com

Please do not include my contact information on public notices or on the City website:

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

SITE INFORMATION:

Address: 10707 SE Riverway Lane Map & Tax Lot(s): 4000

Comprehensive Plan Designation: HD Zoning: R-2 Size of property: 0.44 Acres

PROPOSAL (describe briefly):

Requesting approval to convert to a duplex. Main level (Unit A) to be used for short term rentals. Lower level (Unit B) to be used as longterm rental. See attached proposal

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:

JR Sturgis

Date: 2/24/20

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.

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:

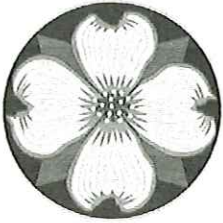
This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- 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

Note: Natural Resource Review applications **may require a refundable deposit**. Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form.

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Master file		\$			RECEIVED FEB 28 2020 CITY OF MILWAUKIE PLANNING DEPARTMENT
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s):					
Notes:					



MILWAUKIE PLANNING
6101 SE Johnson Creek Blvd
Milwaukie OR 97206
503-786-7630
planning@milwaukieoregon.gov

Submittal Requirements

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

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 onsite "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 the following:

A. All applicable development standards (listed below):

1. **Base zone standards** in Chapter 19.300.
2. **Overlay zone standards** in Chapter 19.400.
3. **Supplementary development regulations** in Chapter 19.500.
4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

B. All applicable application-specific approval criteria (check with staff).

These standards can be found in the MMC, here: www.qcode.us/codes/milwaukie/

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. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness. Provide an electronic version, if available.
- 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: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

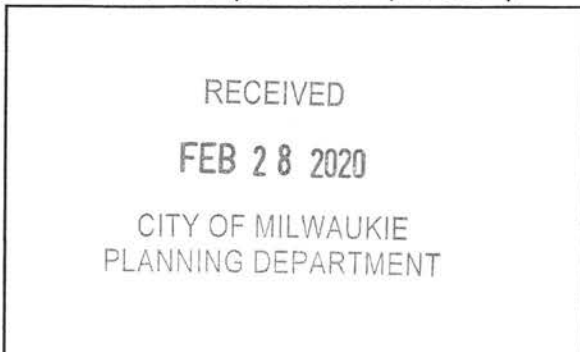
As the authorized applicant I, (print name) Jeffrey R Storgis, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination 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.

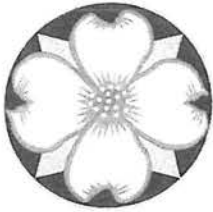
Applicant Signature: 
Date: 2/24/20

Official Use Only

Date Received (date stamp below):



Received by: _____



MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov

Preapplication Request Form

File #: _____

Meeting Date: 12/5/19 Time: _____ Location: 6101 SE Johnson Creek Blvd Today's Date: 11/18/19

Applicants and representatives are expected to present a detailed explanation of their proposal at the conference.

The purpose of the preapplication conference is to acquaint the applicant or applicant's representative with the requirements of the municipal code in preparation for submission of a land use application, including relevant approval criteria, development standards, and procedures. The preapplication conference is not an exhaustive review of all potential issues or requirements. Furthermore, the information provided by the City is not binding, and it does not preclude the City from raising new issues or identifying additional requirements during the land use review process. (MMC 19.1002 Preapplication Conference)

Although the primary purpose is as stated above, preapplication conferences may also be used as part of a due diligence process to obtain a higher degree of certainty about a property development. An applicant is not required to be the property owner to request a preapplication conference.

SITE INFORMATION:

Site Address: 10707 SE RIVERWAY LANE Map & Tax Lot(s): _____ Zone: _____

PROPOSAL (brief description):

DESIGNATE PROPERTY AS A VACATION HOME

APPLICANT:

Project Contact Name: JEFFREY R STURGIS Company: _____

Mailing Address: 11330 CRAWWOOD COVE ROSWELL, GA Zip: 30075

Phone(s): 470-583-4386 Email: JRSTURGIS61@GMAIL.COM

of Expected Attendees: 2 Owner Architect Contractor
 Representative Engineer Other: _____

REQUESTED MEETING TYPE:

- Preapplication Meeting—1st meeting free; 2nd meeting \$50; Subsequent meetings \$100/mtg.**
 - Optional meeting with 2 City staff. No meeting notes are provided by staff.
 - Staff will coordinate meeting date and time once Submittal Information (listed on reverse) is received.
- Preapplication Conference—\$200**
 - Optional or required meeting with 3 or more staff. Meeting notes are provided by staff 2 weeks after the conference.
 - City staff from the Planning, Building, Engineering, and Public Works departments usually attend. Other public agencies (such as the Fire District) may attend as necessary.
 - Appointment times are Thursdays from 10:00 a.m.–11:00 a.m.
 - Appointments are scheduled on a first-come, first-served basis. Preapplication Requests must be submitted during counter hours, and by 12:30 p.m. every Thursday for the first appointment available.
 - Appointments must be made no less than **three weeks** before the desired meeting date for **Major projects** (e.g. commercial, industrial, multi-family, subdivisions) and no less than **two weeks** in advance of the desired meeting date for **Minor projects*** (e.g. single family, ADUs, partitions).
- Transportation Impact Study Review—\$100**
 - Mandatory second meeting if the project requires a Transportation Impact Study (TIS).
 - To be scheduled after completion of a TIS by the applicant's engineer.

IMPORTANT INFORMATION ON REVERSE SIDE

2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

Request

Approval to establish unit A (main level of home) at 10707 SE Riverway Lane as a vacation rental. Unit B (lower level of home) would not be a vacation rental and the two car garage would be a shared space. Unit B would be leased to longer term tenants (i.e. 12 months+).

The Owners

10707 SE Riverway Lane is a single-family home that Richard and Frances Sturgis used as their primary residence from 1992 until early 2018. Richard and Frances were both born and raised in the Portland area. In early 2018, as a result of health considerations, Richard and Frances moved into a retirement facility in Tigard and more recently transitioned into an assisted living facility in Keizer. Care needs for Richard and Frances preclude them from living at the property in the future however the request to establish the property as a vacation home (with upper unit as a vacation rental and lower unit as a long term rental) will help provide necessary income while also allowing them to periodically visit and enjoy the property and life on the river.

The Property

The property is located along the Willamette river on a private drive behind the old Pendleton Woolen Mills building (now Moda). The main floor has 3 bedrooms, 1.5 baths, living and dining area, bonus room, and kitchen (see pictures and layout in separate document). The lower section has 2 bedrooms, 2.0 baths, living and dining area, and kitchen. A stairway connects the main and lower levels. The property has a two car garage. The border with neighbors (to the north and the south) is fully fenced. In addition to the garage, there is room for off-street parking of 4 to 6 cars.

Zoning Information

- Zone	R-2
- Tax Lot ID	11E35AA04000
- Address	10707 SE RIVERWAY LN
- Building Value	293,720
- Land Value	445,464
- Total Value	739,184
- Year built	1956
- Building Sqft	2,888
- GIS Acres	0.42
- Assessor Acres	0.44
- Taxmap	More info
- In Milwaukie?	Yes
- Last Update	11/8/2019, 11:16 AM

2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

- Neighborhood HISTORIC MILWAUKIE
- Zoning Code R-2
- Zoning Code Description MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES
- Zoning Link [More info](#)
- Garbage Hauler Waste Management of Oregon
- Garbage Hauler Contact [More info](#)
- Elementary School Milwaukie Elementary
- Milwaukie Water Service Area Yes
- Milwaukie Sewer Service Area Yes

Code Implications

- Section 19.302 - For the underlying R-2 zone the vacation rental is allowed as a Conditional Use
- Section 19.401 - Willamette Greenway overlay zone- No external changes are being proposed and that Willamette Greenway review is not needed.
- Chapter 19.600 - Off-street parking, to address the requirements for the vacation rental.

In addition to a two car garage the property has off street parking that could accommodate an additional 4+ cars. See area in red square below.



2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

- Chapter 19.702 -Does vacation rental generate more trips?

Our belief is that over the course of a year the average traffic (when compared to fulltime residents) would be lower due to vacancies and rental restrictions we have in place (i.e. no events or parties, limited number of vehicles, etc.) Note – From July 2019 through February 2020 the property was vacant for 90 days (out of a total of 242 days).

- Section 19.905, to address each of the approval criteria for Conditional Uses (in 19.905.4.A). You do need to touch clearly on each of the 7 approval criteria and explain how the proposal meets each one. And you need to specifically address the specific standards for vacation rentals as conditional uses, found in 19.905.9.H.

- o **19.905.4 Approval Criteria**

- A. Establishment of a new conditional use, or major modification of an existing conditional use, shall be approved if the following criteria are met:

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

Response: The property is located on the Willamette river directly behind the Moda complex (formerly Pendleton woolen mills). Borders with single family residences upstream and downstream are fully fenced.



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

Response - There will be no new construction or development at this time. While the property is zoned for higher density development our preference, for now, is to use the existing property without any major construction or modifications. By leasing the downstairs unit as a long-term rental and the

2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

main level as a short term we believe we can generate needed income while retaining the benefits of periodic family use of the property and lower density usage. We do not expect any adverse neighborhood impacts from this approach as the net activity should be equal to or less than when my parents lived at the property and far less than building out the parcel in a manner that aligns with current zoning density allowances.

3. All identified impacts will be mitigated to the extent practicable.

Response - To ensure that the property is well managed and cared for (avoiding adverse impacts), we intend to use a three pronged strategy involving on-site managers (living in unit B), family members in the area (sister in Tigard/brother in Keizer, and an array of exterior wi-fi cameras (currently 5) that allow all family members to have visual access to the property 24/7 and via motion activated notifications. We also have established contractor relationships for managing all property related maintenance and cleaning needs.

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.

Response - None anticipated. We have strict limits on number of people who can stay at the property as well as a limit on cars and a no party/event policy. The external camera system referenced above, along with planned care-taker tenants in unit B, will help to ensure policies are complied with.

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.

Response - Yes.

6. The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.

Response - As referenced above, proposed use is well below density levels allowed under R2 zoning.

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

Response - As our proposed conditional use does not involve any development or redevelopment we do not anticipate any issues with section 19.700.

2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

- B. Minor modification of an existing conditional use shall be approved if the following criteria are met:
 1. The proposed modification will not significantly increase the intensity of the use at this location.

Response - See earlier comments related to 19.702.

2. The proposed modification 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.

Response - See earlier comments.

3. The proposed modification will not negatively impact nearby uses, protected natural features, or public facilities more than the original conditional use.

Response - See earlier comments

4. The proposed modification will comply with any conditions of approval from the original conditional use approval.

Response - Yes.

- **19.905.6 Conditional Use Permit**

The City will issue a conditional use permit upon the approval of an application to establish a conditional use or allow major modification of an existing conditional use. The Planning Director may decide if it is necessary to revise an existing conditional use permit after approval of a minor modification.

Response – N/A

- **19.905.9 Standards Governing Conditional Uses**

- H. Vacation Rentals - Operation of a vacation rental requires the following:
 1. Prior to initial occupancy, the Building Official shall verify that building code and fire code standards are satisfied.

We have requested an inspection and provided requested information regarding doors and window sizing. We have also paid a building inspection/permit fee.

2/26/2020

Conditional Use Request - 10707 SE Riverway Lane, Milwaukie, OR 97222 – Tax Lot - 11E35AA04000
Richard and Frances Sturgis Property

2. With annual filing of MMC Title 5 Business Tax, the operator shall send a notice to neighbors within 300 ft that includes the following information:
 - a. Property owner contact information;
 - b. Vacation rental operator and/or property manager contact information; and
 - c. City of Milwaukie Police nonemergency telephone number.

We will provide.

Benefits to Neighbors

My parents (as well as my aunt who lived next door for 20+ years) established strong relationships with many of their Riverway neighbors. Establishing unit A as a vacation rental not only will allow more opportunities for my parents to return periodically for visits with neighbors, it also provides a place that neighbors could periodically rent out for visiting family members. Beyond the benefits to immediate neighbors, unit A would be a potential option for other Milwaukie residents who are hosting out-of-town guests.

Benefits to Local Businesses

Vacation renters tend to depend more heavily on local businesses as they eat out more frequently and often need other resources during their visit.

Property Overview

10707 SE Riverway Lane
Milwaukie, OR 97222

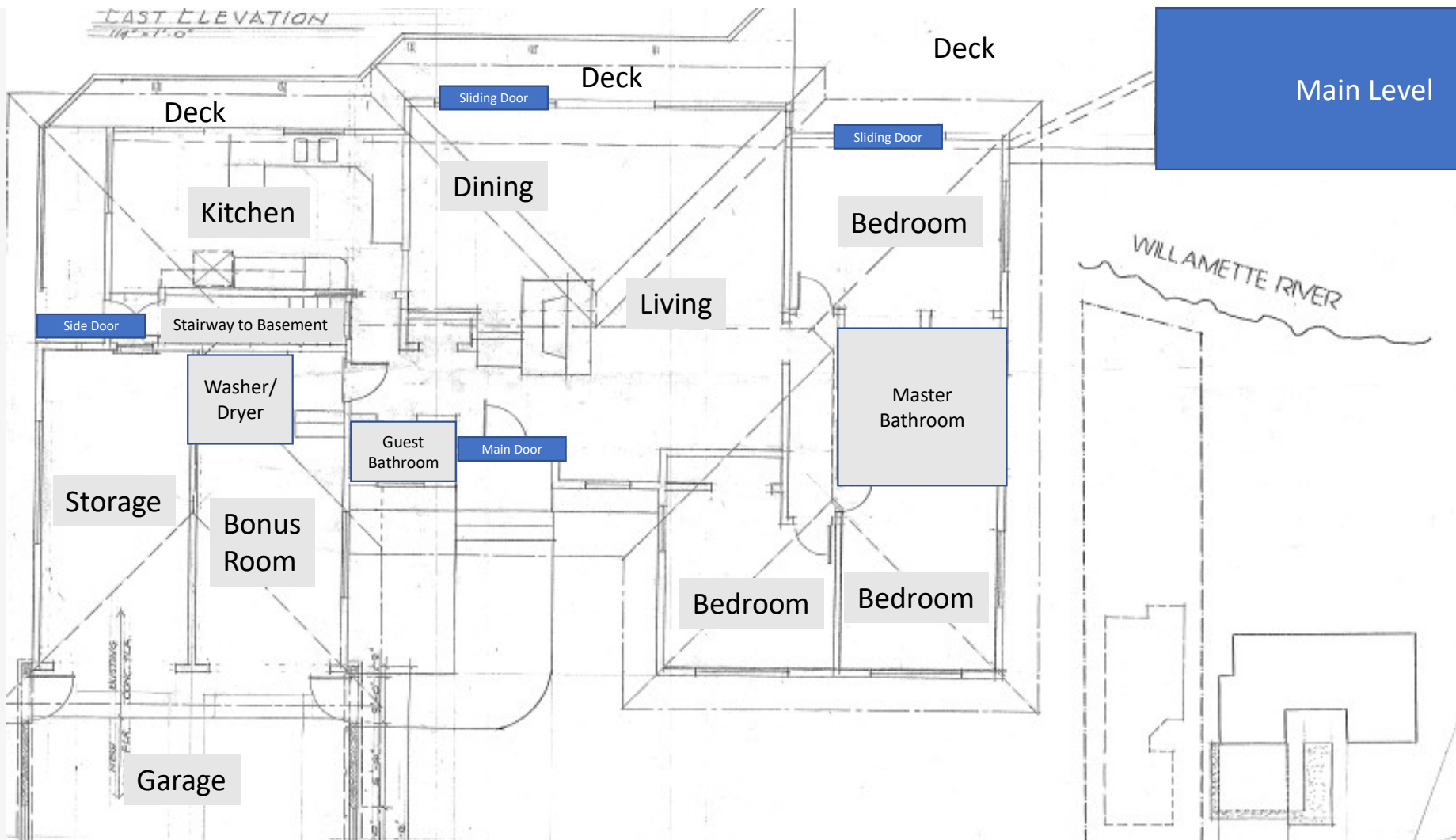




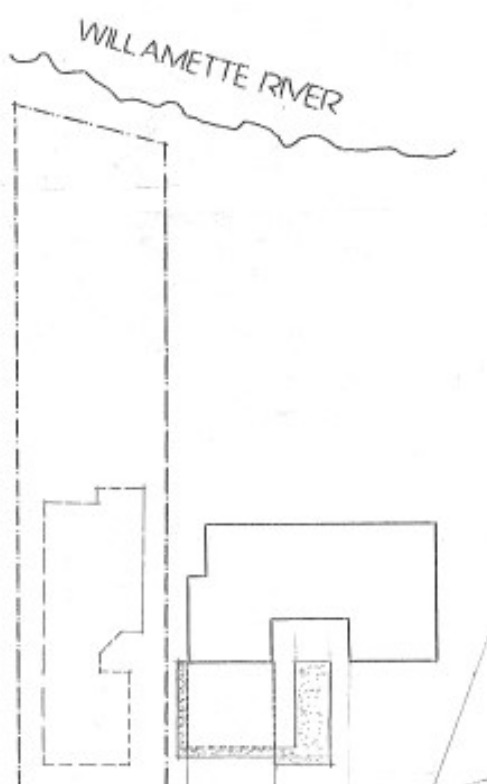


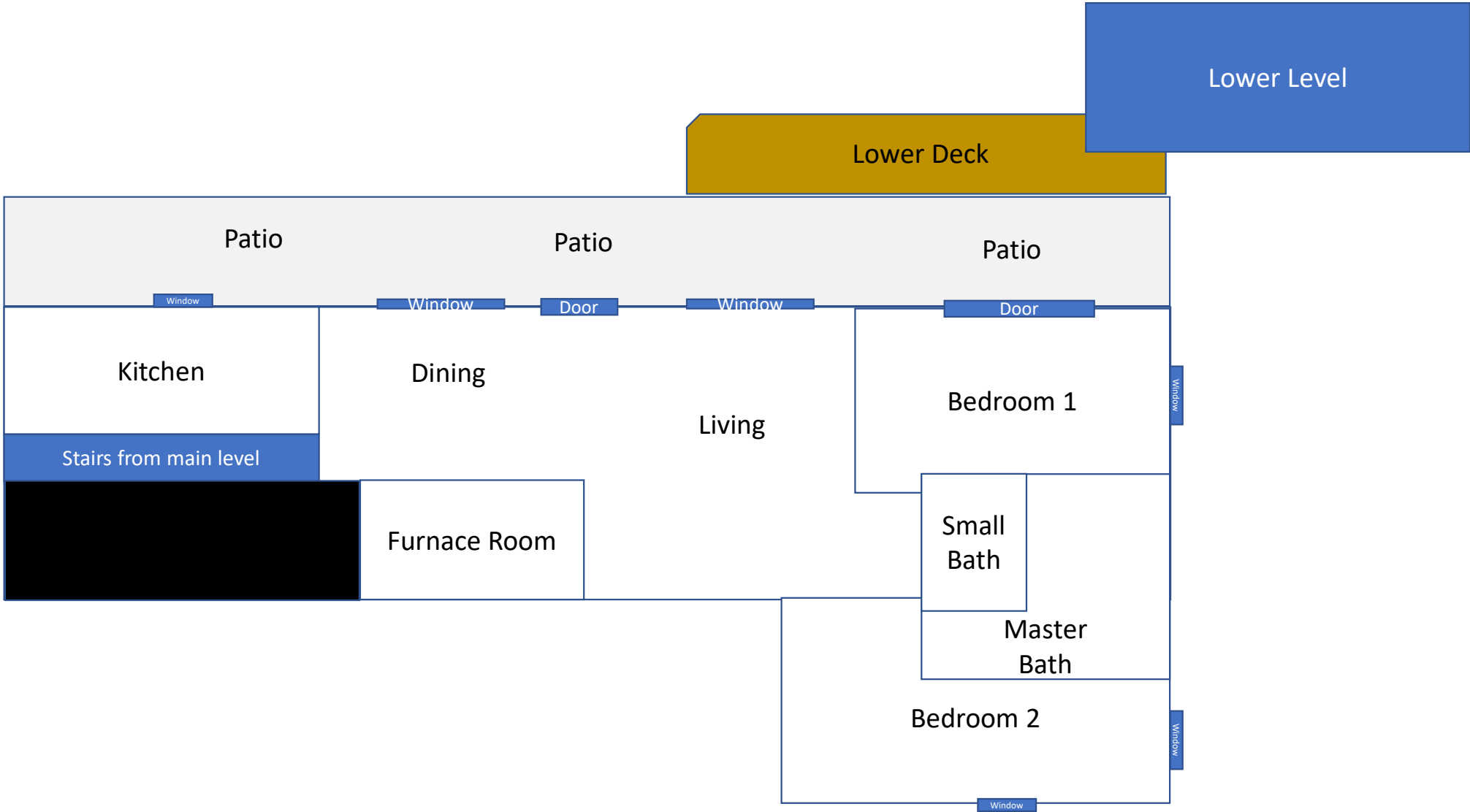


EAST ELEVATION
1/4" = 1'-0"

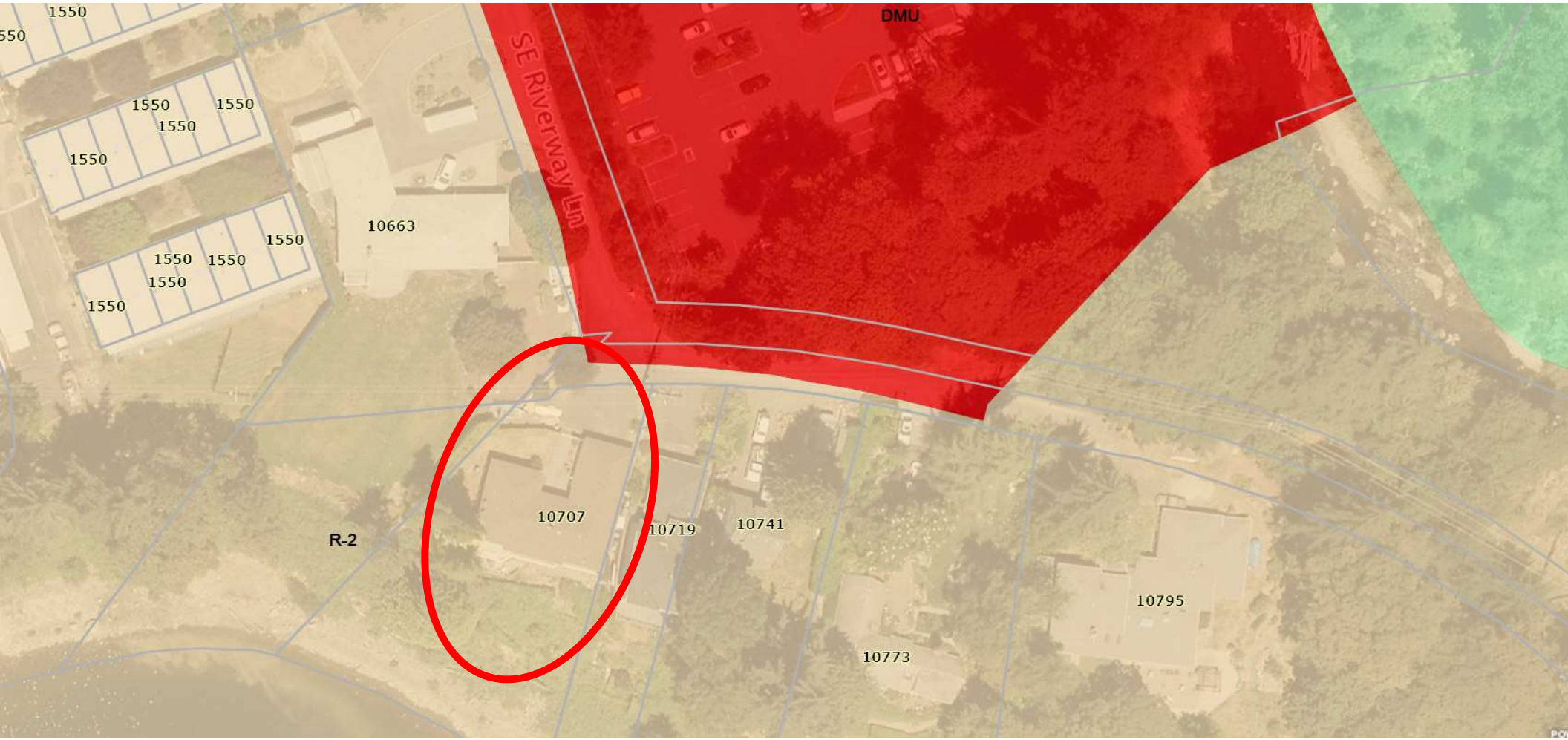


Main Level









1550

DMU

SE Riverway Ln

10663

R-2

10707

10719

10741

10773

10795

1550

1550

1550

1550

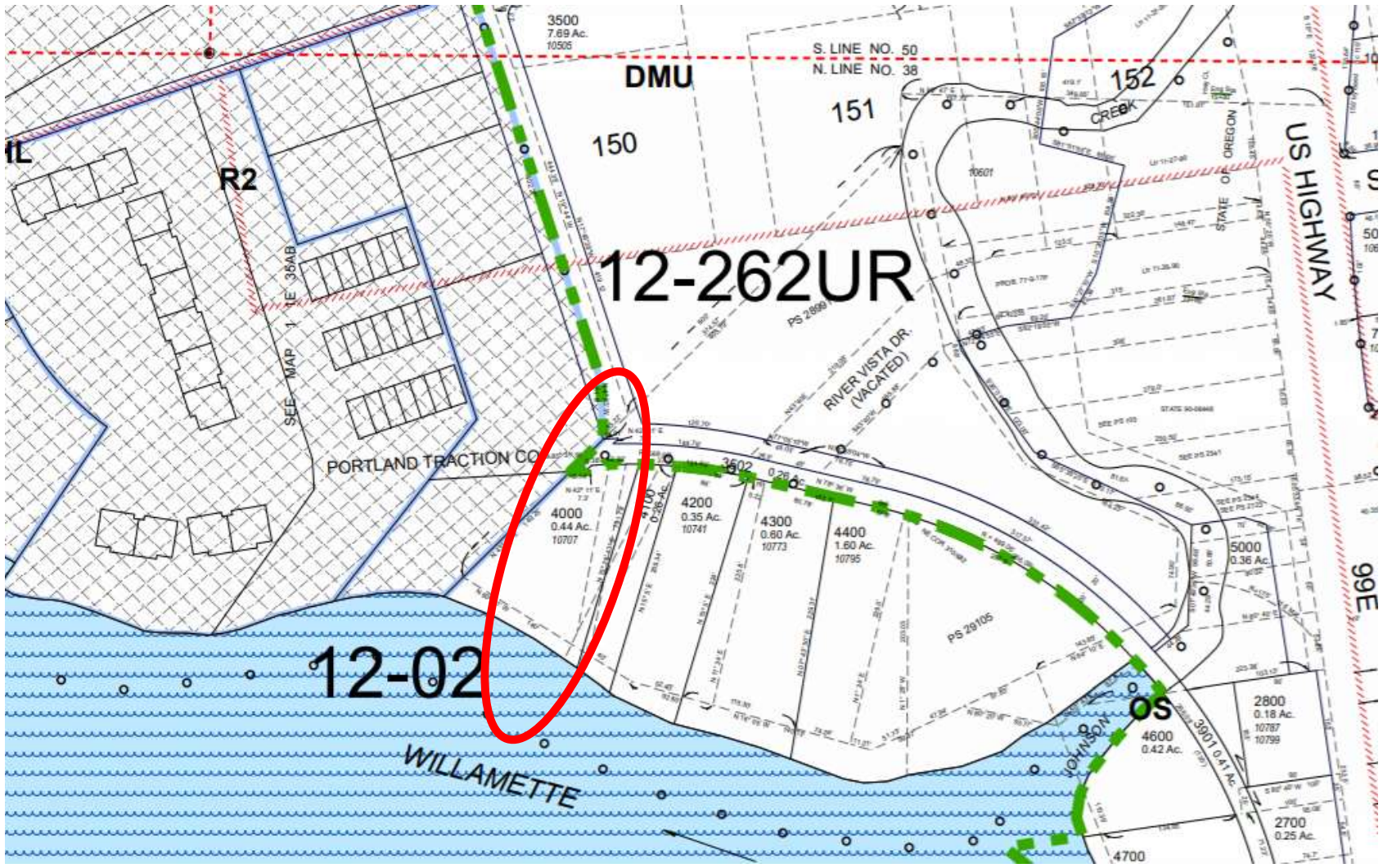
1550

1550

1550

1550

1550



12-262UR

12-02

Appendix A- Timeline Summary

Date	Activity	Comments
July 2019	Initial Notice of Violation-Short Term Rental	
8.21.19	Pre-Application Conference	<ul style="list-style-type: none"> • Agreed to discontinue inclusion of basement unit in AB&B rental. • Committed to pursuing long-term tenant for basement unit.
9.12/.9	Submit forms for rental registration and building inspection. Also sent in check.	
10.1.19	Clarification from planning department	<ul style="list-style-type: none"> • Review of records revealed that property has not been permitted as a duplex. • Conditional use as a duplex would require paying SDC fees.
10.25.19	Sturgis E-mail to planning department	<ul style="list-style-type: none"> • Based on new information we communicated our desire to shift strategy and pursue vacation rental designation.
11.4.19	Correspondence	<ul style="list-style-type: none"> • Align on date for formal pre-application conference - 12/5/19.
11.18.19	Submit Pre-Application Form and Fee	
12.5.19	Pre-Application Conference	
12.12.19	Notification from Milwaukie Building Inspection	<ul style="list-style-type: none"> • Intent to issue permit. • Placed on hold a few days later pending completion of work being managed by planning department.
1.14.20	Milwaukie send pre-application conference report.	<ul style="list-style-type: none"> • A Conditional Use application will be required. • A Type III review and public hearing will be required.
2.26.20	Owner submits preliminary applications and documents to planning department for review.	<ul style="list-style-type: none"> • Owner intent is to obtain approval to use property as a duplex with lower unit rented using long term leases while the main level unit would be rented to short term guests via VRBO and Airb B&B.

Initial correspondence

Pre-App Meeting Correspondence

possible dates for pre-app meeting during week of Aug 19? Inbox x



Brett Kelver <KelverB@milwaukieoregon.gov>

to me ▾

Thu, Aug 8, 2019, 5:11 PM



Jeff,

I'm out of the office all day tomorrow (Friday) but wanted to see if I could tentatively set something up with you as a preapplication meeting during the week you'll be in town (Aug 19-23).

We have considerable flexibility on our end, depending on the availability of our meeting room. Are there any days or times that would work best for you while you're in town?

Let me know and I'll see what I can set up. Thank you!

BRETT KELVER

Associate Planner

City of Milwaukie

o: 503.786.7657 f: 503.774.8236

6101 SE Johnson Creek Blvd • Milwaukie, OR 97206



Jeff Sturgis <jrsturgis61@gmail.com>

to Brett ▾

Aug 16, 2019, 12:52 PM



Let's go with Wednesday at 1. Thanks.

Sent from my iPhone



Brett Kelver <KelverB@milwaukieoregon.gov>


to me ▾

Aug 16, 2019, 12:54 PM



Will do. Thanks! See you here at our office (6101 SE Johnson Creek Blvd) next Wednesday (8/21) at 1pm.

Correspondence following pre-application meeting

 **Jeff Sturgis** <jrsturgis61@gmail.com> Aug 30, 2019, 1:05 PM ☆ ↩ ⋮
to Brett ▾


Brett, thanks again for taking time to meet to discuss alternatives related to short term rentals and vacation home permits for my parents property at 10707 SE Riverway Lane. I wanted to provide an update that hopefully you can share with compliance. Per our discussion we have discontinued marketing the entire home on Air B&B and VRBO. We now just reflect the main floor as being available. As discussed we will honor existing bookings for the full house but will not take any new full house bookings. We are targeting having the basement rented by early November and in fact it may be my sister and brother-in-law who will be moving in.

I'm in the process of filling out the business registration application, rental registration application, and building inspection (structural permit) application. Most of the information is fairly straight forward however getting schematics / layouts its a bit more of a challenge. My parents moved out in early 2018 due to dementia, so locating drawings is proving a bit difficult. We may have to take measurements and submit a crude drawing. Will forward everything early next week along with any payments. We are hoping to receive the short term rental permit once the building department has completed their inspection.

Let me know if all this aligns with what we agreed upon and whether you need any additional information.

Thanks - Jeff

470-583-4386

 **Brett Kolver** <KolverB@milwaukieoregon.gov> Aug 30, 2019, 4:40 PM ☆ ↩ ⋮
to Tim, me ▾

Jeff,

Thanks for your note and update. I'll share the info with Tim Salyers, our code compliance coordinator.

I think your proposed plan of action sounds workable, and I'll keep an eye out for notice of your various submittals next week. I think the business registration and payment can happen online, and you'll want to use the Building Department's Accela system to electronically submit for approval of the short-term rental. The Building Department's short-term rental info page outlines the steps: <https://www.milwaukieoregon.gov/building/short-term-rentals-airbnb>

In the meantime, I still have it on my list to do some more background research on the permitting history at the property, so I can best understand how to move forward with you if/when you decide to pursue a vacation rental approval.

Thanks for checking in. I hope you have a good holiday weekend!

Sounds good.

Great.

You too.

Filing rental registration and inspection request.

Forms for 10707 SE Riverway Rental and Short Term Rental Permits Inbox x



Jeff Sturgis <jrsturgis61@gmail.com>
to Brett ▾

Thu, Sep 12, 2019, 9:32 AM ☆ ↶ ⋮

Brett, the online application system for Milwaukie is not functioning at this time so attached are the forms for getting the right permits for our rental property on Riverway lane. I've processed a check for the rental registration fee and the building permit/inspection. Please forward these forms to the appropriate folks. Let me know if anything else is needed. Thanks.



Brett Kelter <KelterB@milwaukieoregon.gov>
to me ▾

Sep 17, 2019, 12:16 PM ☆ ↶ ⋮

Thanks, Jeff. I'm coordinating with our administrative staff to get the info sent to the right places.

We received your check, and that plus the first page of your attachment we'll aim to send to the Finance folks.

The Building Department has been alerted to the structural permit info and I've asked that their staff get in touch with you if more is needed.

BRETT KELVER
Associate Planner





Rental Registration Application

CITY OF MILWAUKIE
10722 SE Main Street
Milwaukie, OR 97222
503.786.7555

OWNER INFORMATION	
Owner Name Richard N Sturgis	Property Manager (if applicable) Jeff Sturgis
Owner Address 11330 Cranwood Cove	Address 11330 Cranwood Cove
City, State, Zip Roswell, GA 30075	City, State, Zip Roswell, GA 30075
Phone 470-583-4386	Phone 470-583-4386
E-mail	E-mail 1031.Propertymanagement@gmail.com
Mailing Address, City, State, Zip (if same as above, leave blank)	Contact

PROPERTY ADDRESS	PROPERTY TYPE
Example: 12345 SE Main St	<input type="checkbox"/> Residential <input type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial
#1 10707 SE Riverway Lane - Upper	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial
#2 S S - Lower	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial
#3	<input type="checkbox"/> Residential <input type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial
#4	<input type="checkbox"/> Residential <input type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial
#5	<input type="checkbox"/> Residential <input type="checkbox"/> Duplex <input type="checkbox"/> Triplex <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Commercial

If you own/manage more than five rental properties, please attach the required information

RENTAL DESCRIPTION	
Are any of the properties a short-term rental? Which number(s)? # 1	Are any of the properties a vacation rental? Which number(s)? No
Number of owners & employees (two part-time employees are equivalent to one full-time employee) 1	I hereby certify that I am an authorized agent of the business enterprise under application and that the information herein is true and accurate to the best of my knowledge.

RENTAL REGISTRATION	
1. Number of rental properties 1	Name (please print) Jeff Sturgis
2. Registration fee including one owner (\$146) (Commercial and triplex or larger rentals require one registration fee per property) \$146.00	Title Property Manager
3. Cost per additional owner or employee (\$10) \$.00	Signature [Signature]
TOTAL DUE: \$146.00	Date 9/11/19

Mailed check to Brett K for 305.06 to cover this and building permit

FOR OFFICE USE ONLY			
Date Paid	Amount Paid	Receipt #	Rental Registration #



MILWAUKIE BUILDING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7623 | 503.786.7612
 building@milwaukieoregon.gov
 www.buildingpermits.oregon.gov

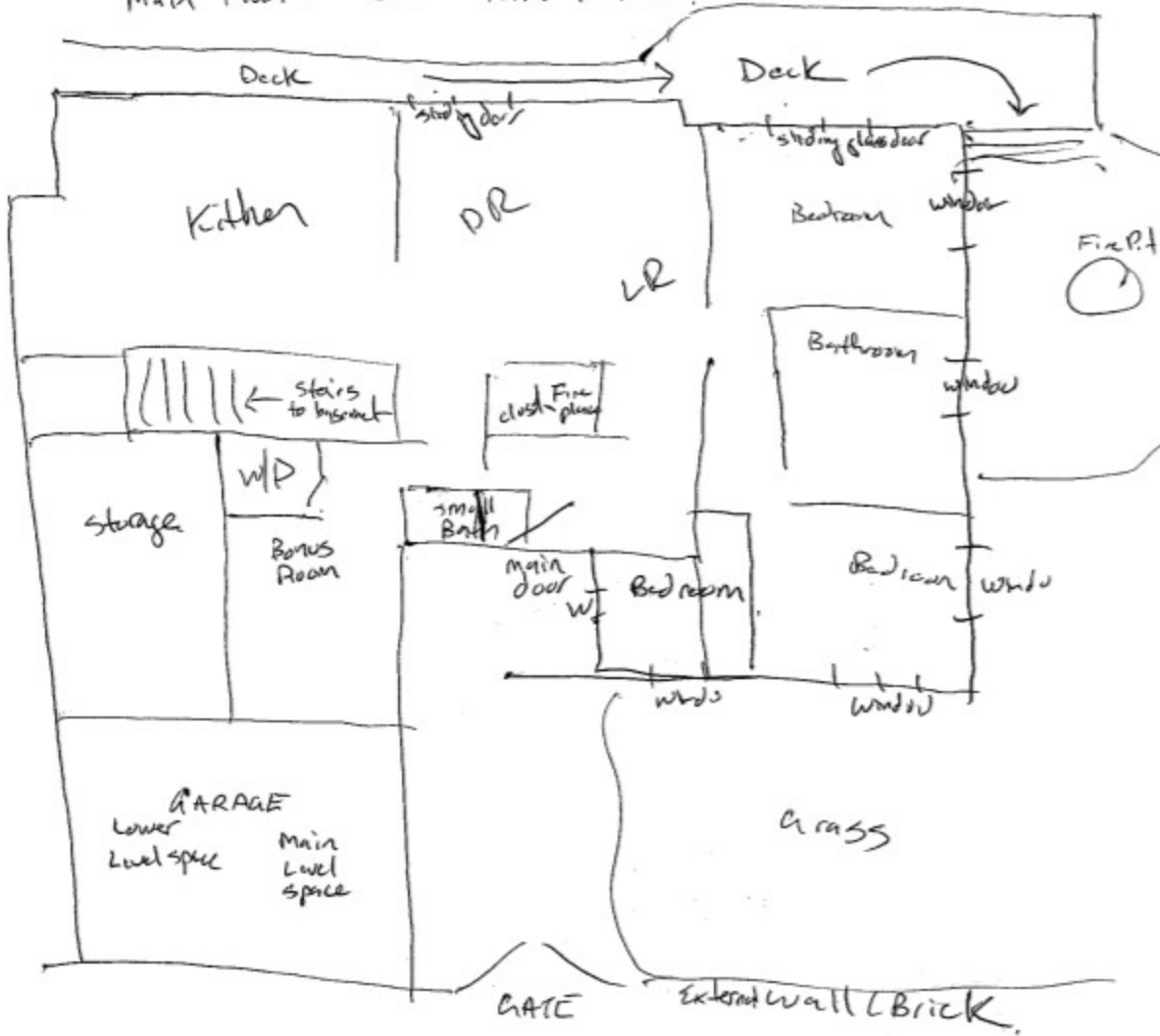
STRUCTURAL PERMIT APPLICATION

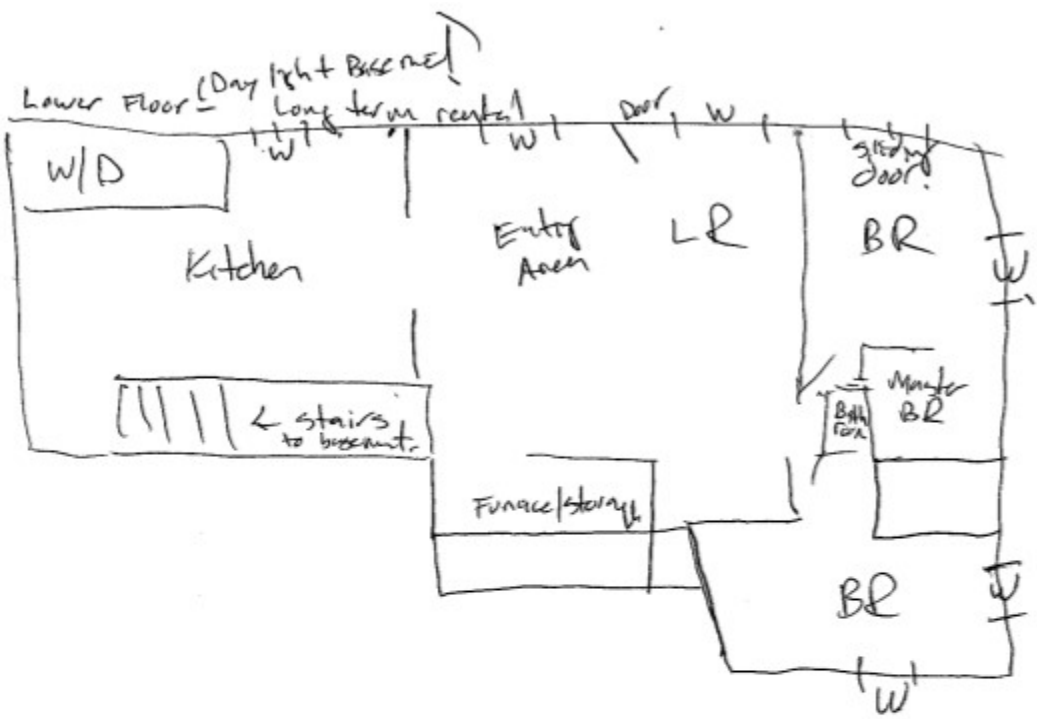
This permit is issued under OAR 918-460-0030. Permits expire if work is not started within 180 days of issuance or if work is suspended for 180 days.

CATEGORY OF CONSTRUCTION		
<input type="checkbox"/> Single Family	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Multi-Family
<input type="checkbox"/> Accessory Bldg		<input type="checkbox"/> Other:
TYPE OF WORK		
<input type="checkbox"/> New Construction		<input type="checkbox"/> Demolition
<input checked="" type="checkbox"/> Addition/Alteration/Replacement / <i>other</i>		
Description of work: <i>Inspection for rental property.</i>		
JOB SITE INFORMATION AND LOCATION		
Job site address: <i>10707 SE Riverway Lane</i>		
City: <i>Milwaukie</i>	State: <i>OR</i>	ZIP: <i>97222</i>
Subdivision:	Lot no.:	
PROPERTY OWNER		
Name: <i>Richard N Sturgis</i>		
Address: <i>11330 Cranwood Cove</i>		
City: <i>Roswell</i>	State: <i>GA</i>	ZIP: <i>30075</i>
Phone: <i>470-583-4386</i> Fax:		
Email: <i>1031.Propertymanagement.com</i>		
This installation is being made on residential or farm property owned by a member of my immediate family or myself, and is exempt from licensing requirements under ORS 701.010.		
Homeowner Sign here: <i>[Signature]</i>		
CONTRACTOR		
Business name: <i>No contractor</i>		
Address:		
City:	State:	ZIP:
Phone:	Fax:	
Email:		
CCB license no.:		
APPLICANT IF DIFFERENT FROM ABOVE		
Name: <i>Jeffrey R Sturgis</i>		
Address: <i>11330 Cranwood Cove</i>		
City: <i>Roswell</i>	State: <i>GA</i>	ZIP: <i>30075</i>
Phone: <i>470-583-4386</i> Fax:		
Email: <i>JRSTURGIS61@GMAIL.COM</i>		
REQUIRED AUTHORIZED SIGNATURE		
Authorized Signature: <i>[Signature]</i>		
Printed name: <i>Jeffrey R Sturgis</i>		
Date: <i>9/11/19</i>		

DEPARTMENT USE ONLY	
Permit Number:	
Date:	
VALUATION / CONSTRUCTION INFORMATION	
Required Data 1-2 Family Dwelling	
Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.	
Valuation:	
Number of bedrooms:	
Number of bathrooms:	
Total number of floors:	
New Dwelling area square footage:	
Garage / Carport area square footage:	
Covered Porch area square footage:	
Deck area square footage:	
Other structure area square footage:	
Required Data Commercial	
Valuation:	
Existing Building area square footage:	
New Building area square footage:	
Number of Stories:	
Type of Construction:	
Occupancy Groups:	
Existing:	
New:	
NOTICE	
All contractors and subcontractors are required to be licensed with the Oregon Construction Contractors Board under ORS 70 and may be required to be licensed in the jurisdiction in which work is being performed.	
BUILDING PERMIT AND RELATED FEES	
Building Permit Fee	\$
Plan Review Fee	\$
Fire & Life Safety Fee	\$
State Surcharge (12% of permit fee)	\$
Technology Fee (5% of permit fee)	\$
TOTAL FEES	\$

main Floor - short Term Rental.





Building Inspection Correspondence

Additional Information is required for record # 601-19-001326-STR at 10707 SE RIVERWAY LN, MILWAUKIE, OR 97222 Inbox x



City of Milwaukie MilwaukieNoReply@accela.com via email.merchantransact.com
to 1031.propertymanagement

Thu, Sep 26, 2019, 12:36 PM



Additional information is required to process your permit application **601-19-001326-STR** at job site address **10707 SE RIVERWAY LN, MILWAUKIE, OR 97222**. Please see the comments below for details.

Workflow Task: Building Review

Comment: Which portion of the house are you renting? Are you renting the entire house? Please provide window sizes in the bedrooms. If they are below grade, please provide window well info. I'll email you a handout with examples.

If you have questions, please contact **Stephanie Marcinkiewicz** at 503-786-7636 or building@milwaukieoregon.gov.

Your record is available online for tracking by clicking here:

<https://aca.oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Building&TabName=Building&capID1=19CAP&capID2=00000&capID3=0013F&agencyCode=MILWAUKIE>

Thank you.

MILWAUKIE
6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
503-786-7636

601-19-001326-STR - Egress Window Handout Inbox x



Stephanie Marcinkiewicz <MarcinkiewiczS@milwaukieoregon.gov>
to 1031.propertymanagement@gmail.com

Thu, Sep 26, 2019, 12:38 PM



Good morning! This is the information we're looking for. If you have any questions, please let me know.

Thank you!
Stephanie

Stephanie Marcinkiewicz
Inspector / Plans Examiner
503.786.7636
City of Milwaukie
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206



JR Sturgis <1031.property.management@gmail.com>
to Stephanie, 1031.propertymanagement@gmail.com

Oct 19, 2019, 12:16 PM



Stephanie, here are the window measurements. Let me know what else you need. Thanks. Feel free to call or text me at 4705834386.
Upstairs Master bedroom: Slider, right side 31 x 32, 45.5 inches off the floor; Sliding door 73 x 32.

Main Bathroom: 31 x 16, 45 inches off the floor

Bedroom #1 (Coral color): 31 x 32, 45.5 inches off the floor - times two

Bedroom #2 (Green color): 31 x 32, 45.5 inches off the floor; 31 x 14, 45.5 inches off the ground

TV Room: 67 x 19, 52 inches off the floor

Downstairs Master: 15 x 13.5, 72 inches off the floor, window well 18 x 20.75 x 71; Sliding doors 74.5 x 30.5 - times two

Downstairs room: tilt opening (15 inches) 30 x 18, 72 inches off the floor - times two , window well 18 x 23 x 70.

Let me know if you have any questions.

--

Sent from my iPhone



Additional Information and Correspondence -

follow-up on unit status of 10707 SE Riverway Ln Inbox x



Brett Kolver <KolverB@milwaukieoregon.gov>

Tue, Oct 1, 2019, 7:20 PM



to me ▾

Jeff,

I've been meaning to follow-up from our in-person meeting here in our offices a few weeks back but didn't get back to it until now, as I've got your short-term rental application in the queue for review.

I'm trying to remember what we talked about with regard to the history of the basement improvement and the formal or informal establishment of an independent unit down there. (For us, a kitchen facility, with either 220 electric wiring for a stove/oven or a gas connection for a stove/oven, is what makes something an independent unit.)

I finally did some checking with the County Assessor's office and confirmed that their records show the property to have only a single-family house, just 1 dwelling unit and no additional unit in the basement. I also looked at our building permit records and found only a 1998 permit for installing a woodstove and a 2016 note about a small addition for a bedroom and deck extension. We have a 1987 conditional use review for a lot line adjustment and lot width variance approved to allow a new home to be built on 10719 SE Riverway Ln adjacent to the east. But I don't see any record of approval for a duplex at the site.

Can you remind me of any other info you might have for this property, in terms of when the basement might have been physically set up as a separate dwelling unit?

I want to be able to outline options for you on this, and I'd like to be as consistent with whatever I said before as possible.

At the moment, if we can't verify that the basement is a legal independent dwelling unit, the options would appear to be (1) formally establish it as a duplex, which would involve paying the associated System Development Charges (SDCs) or (2) disable the kitchen facility in the basement by getting a permit to physically remove whatever electric or gas connection there may be for that.

It might be helpful to talk briefly over the phone to help refresh my memory and to discuss the options. If that's the case, please feel free to call me at your convenience (if you miss me at my desk, please leave a message about when's a good time to call you back).

Thank you,

BRETT KELVER

Associate Planner
City of Milwaukie
o: 503.786.7657 f: 503.774.8236
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206



Brett Kolver <KolverB@milwaukieoregon.gov>

Oct 8, 2019, 12:30 PM



to me ▾

Checking back on this. I am holding off on my review and sign-off of the associated building permit until I hear back from you on this and can sort out the rest of the research on this end.

BRETT KELVER

Associate Planner



Jeff Sturgis <jrsturgis61@gmail.com>

Oct 8, 2019, 1:36 PM



to Brett ▾

See my comments below. We are current measuring window sizes in response to request from building permit group.

Sent from my iPhone

I also looked at our building permit records and found only a 1998 permit for installing a woodstove and a 2016 note about a small addition for a bedroom and deck extension. We have a 1987 conditional use review for a lot line adjustment and lot width variance approved to allow a new home to be built on 10719 SE Riverway Ln adjacent to the east. But I don't see any record of approval for a duplex at the site.

Can you double check records. My grandmother purchased the property in the mid 1980's. To your point they subdivided in 1998 and my aunt built a house. My parents moved in in 1992. Prior to the move they added a two car garage on the front of house. I can't imagine that was done without a building permit. Also prior to moving in in 1992 the basement was remodeled to include a kitchen (second kitchen for home) so a care giver could live in the home to care for my grandmother. So the improvements made to help position the home for my grandmother it also set it up to potentially be a duplex in the future. As my parents moved in in 1992 and lived their until early 2018 the home was never rented out. My nephew lived their throughout 2018 and 1st half 2019.

Can you remind me of any other info you might have for this property, in terms of when the basement might have been physically set up as a separate dwelling unit?

See above.

I want to be able to outline options for you on this, and I'd like to be as consistent with whatever I said before as possible.

At the moment, if we can't verify that the basement is a legal independent dwelling unit, the options would appear to be (1) formally establish it as a duplex, which would involve paying the associated System Development Charges (SDCs)

We want to move towards getting the basement established as a separate dwelling unit

or (2) disable the kitchen facility in the basement by getting a permit to physically remove whatever electric or gas connection there may be for that.

It might be helpful to talk briefly over the phone to help refresh my memory and to discuss the options. If that's the case, please feel free to call me at your convenience (if you miss me at my desk, please leave a message about when's a good time to call you back).

Let me know if this helps. Can schedule call for later in week if needed. Thanks

...



Brett Kolver <KolverB@milwaukieoregon.gov>
to me ▾

Oct 8, 2019, 5:52 PM ☆ ↩ ⋮

Thanks, Jeff, those are helpful reminders.

To be clear, you say the lot was divided in 1988 (not 1998?) and your parents moved into the 10707 house in 1992, that sometime between 1988 and 1992 they added on a 2-car garage—is that correct?

BRETT KOLVER
Associate Planner

...



Jeff Sturgis <jrsturgis61@gmail.com>

Oct 8, 2019, 5:56 PM ☆ ↶ ⋮

to Brett ▾

1988 should be 1987. I was referring to the conditional use permit which is when my aunt built a house next door

We have a 1987 conditional use review for a lot line adjustment and lot width variance approved to allow a new home to be built on 10719 SE Riverway Ln adjacent to the ea

Sent from my iPhone



Brett Kelver <KelverB@milwaukieoregon.gov>

Oct 8, 2019, 7:48 PM ☆ ↶ ⋮

to me ▾

Jeff,

I wasn't able to access the document you sent a link to. Can you try again when you have a chance, and maybe send it as a PDF? Thanks!



Jeff Sturgis <jrsturgis61@gmail.com>

Oct 8, 2019, 8:22 PM ☆ ↶ ⋮

to Brett ▾

Which document are you referring to? I didn't send one today (that I know of).

Sent from my iPhone



Brett Kelver <KelverB@milwaukieoregon.gov>

Oct 8, 2019, 8:25 PM ☆ ↶ ⋮

to me ▾

It looked like you sent a link to something, where you referenced the 1987 lot line adjustment (highlighted in yellow, below).

I can look in our records for this, just thought you might have had a document on hand that I could look at.



Jeff Sturgis <jrsturgis61@gmail.com>

Oct 8, 2019, 8:35 PM ☆ ↶ ⋮

to Brett ▾

No. I had tried to copy and paste a section from your email that referenced the lot line adjustment. I'll be in Portland in early November and can try and locate the drawings my Dad did (he is an architect) for the garage addition. Those drawings, if I can find them, would most likely reference construction date.

Sent from my iPhone



follow-up on options for 10707 SE Riverway Ln Inbox x



Brett Kelter <KelterB@milwaukieoregon.gov>

to me ▾

Thu, Oct 24, 2019, 7:28 PM



Jeff,

I've taken a look back at our records for the property at 10707 SE Riverway Ln and want to give you an update on what I understand the options to be for your proposal to use the property as a short-term rental.

Although I [did find the 1993 permit for the garage addition](#), I did not find any record that officializes the installation of the second kitchen in the basement. Perhaps you have access to some documentation of that, though I'm not sure it would make much difference in the context of what you're trying to achieve with the short-term rental idea, since you noted earlier that the original intent of the second kitchen was for a caregiver (and not as a rental space per se).

If you want to keep the second kitchen, I can think of 2 options:

1. Officially establish the structure as a duplex, which is an outright permitted use in the underlying R-2 zone. However, you would need to pay the required System Development Charges (SDCs) for the new unit, which could be several thousand dollars. And short-term rentals are not allowed in duplex situations where the unit being rented is not occupied 270 days of the year by a primary resident. (I don't know that I mentioned this earlier when we spoke—I was reminded of this limitation when I brought up the issue at a staff meeting today.)
2. Record a deed restriction stipulating that the second kitchen will not be used as part of a separate dwelling unit. However, this would make it highly unlikely that we could approve a short-term rental at the site, unless you could demonstrate that the basement did not have its own entrance and that whomever was occupying the basement would in fact be sharing the upstairs space for entry/exit. If the basement can effectively be an independent unit, then the required deed restriction would not be possible.

Another option could be to officially decommission the stove/oven in one or the other of the kitchen areas, which would mean getting the necessary permits to remove a 220 electrical circuit or the gas line serving the kitchen to be decommissioned. Our current interpretation of what makes a "kitchen facility" is this 220-electric or gas connection, which still leaves the possibility of plugging in hot plates, microwaves, and other conventional appliances. If either the short-term or long-term tenants could deal with that kind of "kitchenette" facility, then that might be a way to move forward.

At the moment, I can't think of other options, but we might be able to brainstorm on it. I'll be out of the office all next week at a training (Oct 28 through Nov 1), but if it would help to talk or meet after then or when you're out here in early November (as you mentioned), maybe we can come up with something else.

In the meantime, I'm going to officially change the status of my Planning Review for your permit to something like "Additional Info Needed," to reflect the need for us to figure out how you want to proceed.

I hope this makes sense, and I apologize that it's taken me this time to come back around to having capacity to delve more into this. It's been a busy summer and start to fall.

Let me know if you have questions—I expect to be in the office all day Friday after an early morning appointment and meeting.

BRETT KELVER

Associate Planner

City of Milwaukie

o: 503.786.7657 f: 503.774.8236

6101 SE Johnson Creek Blvd • Milwaukie, OR 97206

Additional Information is required for record # 601-19-001326-STR at 10707 SE RIVERWAY LN, MILWAUKIE, OR 97222 Inbox x



City of Milwaukie MilwaukieNoReply@accela.com [via email.merchanttransact.com](mailto:via_email.merchanttransact.com)
to 1031.propertymanagement

Fri, Oct 25, 2019, 3:31 PM

Additional information is required to process your permit application **601-19-001326-STR** at job site address **10707 SE RIVERWAY LN, MILWAUKIE, OR 97222**. Please see the comments below for details.

Workflow Task: Planning Review

Comment: There is no evidence of an official approval of the second kitchen facility in the existing house. The owner (Jeff Sturgis) has been informed in a separate email of several options for resolving the issue and moving forward. (Brett Kelper, Associate Planner)

If you have questions, please contact **Brett Kelper** at 503-786-7657 or kelperb@milwaukieoregon.gov.

Your record is available online for tracking by clicking here:

<https://aca.oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Building&TabName=Building&capID1=19CAP&capID2=00000&capID3=0013F&agencyCode=MILWAUKIE>

Thank you.

MILWAUKIE
6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
503-786-7623
building@milwaukieoregon.gov



JR Sturgis <1031.property.management@gmail.com>
to Brett, 1031.propertymanagement@gmail.com

Fri, Oct 25, 2019, 4:30 PM

Both emails work. Based on the new information I think we may need to pivot and pursue vacation home status. I'm finalizing the timing for more trip to PDX. Once confirmed I'll let you know so hopefully we can schedule a meeting. If we get the home approved as a vacation home are we allowed to have two kitchens as long as we aren't running it as a duplex? I've seen other homes (non duplexes) in Oregon with two kitchens. Any info you have on that will be helpful. Thanks.

Sent from my iPhone



Brett Kelper <KelperB@milwaukieoregon.gov>
to me, 1031.propertymanagement@gmail.com

Fri, Oct 25, 2019, 6:42 PM

Jeff,

I think the Conditional Use review that is necessary for approval of a vacation rental would address the question of whether you needed to formally establish it as a duplex (and pay associated SDCs and make or pay for any needed street improvements) or establish a deed restriction saying it would function as a single dwelling unit.


I think you could get approval for a vacation rental in either scenario, but in this case I would want to see what the Planning Commission thought about there effectively being 2 units there already. I could see a decision requiring you to establish it as a duplex, and I could see an allowance for operating it as a single dwelling unit even though it might have separate entrances, since there would be a full-time tenant in one unit and the other more occasionally used for the vacation rental.

Once you know your travel plans, let me know and we'll try to arrange a time to have you stop by and talk this through. In the meantime, the house should probably just be used as a single unit.

BRETT KELVER
Associate Planner




Correspondence Related to Pre-Application Conference – 12.5.19

 **JR Sturgis** <1031.property.management@gmail.com> Sat, Nov 2, 2019, 1:48 PM ☆ ↩ ⋮
to Brett, 1031.propertymanagement@gmail.com ▼

I have formed up my plans for coming to Portland and will be there 12/5 through 12/8. Would definitely like to move forward with pursuing vacation home status. If awarded then we wouldn't need duplex designation. It would just be one home that we would rent out as well as use periodically as a family. Let me know if there is anything we can get started on before my trip. Given the new information we will leave the basement vacant until we reach a resolution. Thanks.

Sent from my iPhone

...

 **Brett Kelder** <KelderB@milwaukieoregon.gov> Mon, Nov 4, 2019, 1:20 PM ☆ ↩ ⋮
to me, 1031.propertymanagement@gmail.com ▼

Thanks for the note, Jeff.

We should probably schedule a formal preapplication conference for the conditional use application that will be needed for a vacation rental. Is there a chance you'll be in town on Thursday, Dec 5 in time for a 10am meeting that day, or is that the day you are flying in?

It would be ideal if you could be available for that 10am window on Thursday, for the best chance at getting someone from each of the key departments to be available. If that won't work, we can try to find another time when you'll be here.

Let me know and we'll see about getting something lined up.


...

 **JR Sturgis** <1031.property.management@gmail.com> Mon, Nov 4, 2019, 2:29 PM ☆ ↩ ⋮
to Brett, 1031.propertymanagement@gmail.com ▼

I can make that work. Let me know if there is any more information I can bring to help expedite the process. Thanks.

Sent from my iPhone

...

 **Brett Kelder** <KelderB@milwaukieoregon.gov> Mon, Nov 4, 2019, 2:44 PM ☆ ↩ ⋮
to me, 1031.propertymanagement@gmail.com ▼


Good! If Thursday, Dec 5, will work, then let's have you go ahead and fill out the standard preapplication conference form and pay the \$200 fee, and we'll get that date set aside for you. <https://www.milwaukieoregon.gov/planning/preapplication-appointment-form>


If you'll provide a simple narrative describing what you'd like to do (including how the vacation rental would operate, how often, how many guests, where they would park, etc.) and outlining any questions you have about process, cost, possible conditions, etc., that will help. Also, it would be good to include a simple site plan and floor plan showing what part of the house would be used for the vacation, available parking.


These appointments are first-come, first-served, so it would be ideal if you could make this arrangement by the end of this week that would help us nail down the meeting date/time for Dec 5.


Let me know if you have additional questions. You can contact our Administrative front desk to make the \$200 payment over the phone with a card.

...

 **Brett Kelver** <KelverB@milwaukieoregon.gov> Mon, Nov 4, 2019, 5:11 PM ☆ ↩ ⋮
to me, 1031.propertymanagement@gmail.com ▾
Actually, I just heard from a colleague that another big pre-app is lining up for the 10am slot on 12/05. Are you available at 9am that day? We can do your pre-app first at 9am and then be out of the way for the larger pre-app afterwards. Let me know if 9am will work.
⋮

 **JR Sturgis** <1031.property.management@gmail.com> Mon, Nov 4, 2019, 6:16 PM ☆ ↩ ⋮
to Brett ▾
That works. Thanks.
Sent from my iPhone
⋮

 **Brett Kelver** <KelverB@milwaukieoregon.gov> Mon, Nov 4, 2019, 7:39 PM ☆ ↩ ⋮
to me ▾
Perfect. Thanks! We'll keep you penciled in at 9am on Dec 5 and will look for your submittal soon to make it official.
⋮

 **Brett Kelver** <KelverB@milwaukieoregon.gov> Tue, Nov 5, 2019, 5:06 PM ☆ ↩ ⋮
to me, 1031.propertymanagement@gmail.com ▾
Jeff,
Sorry for the back-and-forth—the 10am slot just opened back up on Dec 5 (the other pre-app has been rescheduled), so we'd like to shift your pre-app back to 10am. Does that still work for your schedule?
⋮

 **JR Sturgis** Nov 5, 2019, 5:39 PM ☆
That works. Sent from my iPhone

 **Brett Kelver** <KelverB@milwaukieoregon.gov> Nov 5, 2019, 6:01 PM ☆ ↩ ⋮
to me, 1031.propertymanagement@gmail.com ▾
Great, thanks again for being flexible.
⋮

No problem!

My pleasure.

You're welcome!

RE: note on pre-app coordination Inbox x



Brett Kelter <KelterB@milwaukieoregon.gov>
to Jeff, 1031.propertymanagement@gmail.com

Fri, Nov 8, 2019, 8:08 PM

Sorry, I thought I had sent a note to you about this, but I'm not finding a copy in my records here and I may be confusing this with another project.

We need a pre-app form filled out and sent back to us (https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/40761/preappapptrequest_form.pdf) with a description of what you'll be proposing and some simple site- and floor-plans to illustrate how things will work. You should also raise or note any questions you may have about the process, potential conditions or other requirements, timeline for a decision, etc. You'll also need to pay the \$200 pre-app conference fee to hold the spot.

I'm sorry it looks like I didn't already send what I thought I had regarding this information. I expect we can get this lined up next week. Thanks for your quick response.

BRETT KELVER
Associate Planner

From: Jeff Sturgis <jrsturgis61@gmail.com>
Sent: Friday, November 08, 2019 4:59 PM
To: Brett Kelter <KelterB@milwaukieoregon.gov>
Subject: Re: note on pre-app coordination

Let me know what you need to make it official. I have it on my calendar. Thanks.



Brett Kelter <KelterB@milwaukieoregon.gov>
to Jeff, 1031.propertymanagement@gmail.com

Nov 13, 2019, 12:51 PM

Jeff,

Checking in to see if you're on target this week to send the pre-app request form and some materials to officialize the Dec 5 pre-app. You can make a payment by card over the phone for the \$200 conference fee as well.

BRETT KELVER
Associate Planner



Jeff Sturgis <jrsturgis61@gmail.com>
to Brett, 1031.propertymanagement@gmail.com

Nov 13, 2019, 1:14 PM

Also, for the building permit app we provided a rough drawing and window measurements. Let me know if you need more than that. Thanks.

Sent from my iPhone



Brett Kelter <KelterB@milwaukieoregon.gov>
to Jeff, 1031.propertymanagement@gmail.com

Nov 13, 2019, 1:40 PM

For our pre-app conversation, I think the drawings you provided earlier should be fine. We may recommend that a full site plan and building elevations be provided with the actual application submittal, but that's something we can talk about at the pre-app.

With that said, keep in mind that one of the purposes of the pre-app is to help you get a good idea of what you'll need to have in your application submittal. The more info and material you can provide at this stage, the more we can give you feedback on it now instead of potentially having the application get delayed in our completeness review.

I think it would help to get a simple narrative from you that describes your proposal—how and how often the vacation rental would operate, clarify which spaces would be used for the vacation rental versus the long-term rental, parking arrangements, etc. Also, the narrative doc can list out whatever questions you have that you'd like to get answered about the process, costs, timeline, possible conditions, etc.

Since what I think will happen here is that we'll need to have the house be officially approved as a duplex to allow the second kitchen and separate dwelling unit, we'll probably end up refunding the earlier building permit application fee for the short-term rental, but then you'll need a separate new permit and inspection to officialize the duplex unit. It will need to be inspected to be approved as a separate unit. There may be some other one-time impact fees as well—but we can get into all that when we talk on Dec 5.





MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov

Preapplication Request Form

File #: _____

Meeting Date: 12/5/19 Time: _____ Location: 6101 SE Johnson Creek Blvd Today's Date: 11/18/19

Applicants and representatives are expected to present a detailed explanation of their proposal at the conference.

The purpose of the preapplication conference is to acquaint the applicant or applicant's representative with the requirements of the municipal code in preparation for submission of a land use application, including relevant approval criteria, development standards, and procedures. The preapplication conference is not an exhaustive review of all potential issues or requirements. Furthermore, the information provided by the City is not binding, and it does not preclude the City from raising new issues or identifying additional requirements during the land use review process. (MMC 19.1002 Preapplication Conference)

Although the primary purpose is as stated above, preapplication conferences may also be used as part of a due diligence process to obtain a higher degree of certainty about a property development. An applicant is not required to be the property owner to request a preapplication conference.

SITE INFORMATION:

Site Address: 10707 SE RIVERWAY LANE Map & Tax Lot(s): _____ Zone: _____

PROPOSAL (brief description):

DESIGNATE PROPERTY AS A VACATION HOME

APPLICANT:

Project Contact Name: JEFFREY R STURGIS Company: _____

Mailing Address: 11330 CRAWWOOD COVE ROSWELL, GA Zip: 30075

Phone(s): 470-583-4386 Email: _____

of Expected Attendees: 2
 Owner Architect Contractor
 Representative Engineer Other: _____

REQUESTED MEETING TYPE:

- Preapplication Meeting—1st meeting free; 2nd meeting \$50; Subsequent meetings \$100/mtg.**
 - Optional meeting with 2 City staff. No meeting notes are provided by staff.
 - Staff will coordinate meeting date and time once Submittal Information (listed on reverse) is received.
- Preapplication Conference—\$200**
 - Optional or required meeting with 3 or more staff. Meeting notes are provided by staff 2 weeks after the conference.
 - City staff from the Planning, Building, Engineering, and Public Works departments usually attend. Other public agencies (such as the Fire District) may attend as necessary.
 - Appointment times are Thursdays from 10:00 a.m.–11:00 a.m.
 - Appointments are scheduled on a first-come, first-served basis. Preapplication Requests must be submitted during counter hours, and by 12:30 p.m. every Thursday for the first appointment available.
 - Appointments must be made no less than **three weeks** before the desired meeting date for **Major projects** (e.g. commercial, industrial, multi-family, subdivisions) and no less than **two weeks** in advance of the desired meeting date for **Minor projects*** (e.g. single family, ADUs, partitions).
- Transportation Impact Study Review—\$100**
 - Mandatory second meeting if the project requires a Transportation Impact Study (TIS).
 - To be scheduled after completion of a TIS by the applicant's engineer.

IMPORTANT INFORMATION ON REVERSE SIDE

PREAPPLICATION REQUEST CHECKLIST:

Once submitted, application materials and applicant information become public record as well as constitute permission for staff to access the site in preparation for the meeting/conference.

Preapplication Meeting: Please submit 3 hard copies of the required information.

Minimum Requirements:

- Completed Request Form and accompanying fee (if any)
- Preliminary site plan and building plans, showing existing and proposed features. (Plans do not need to be professionally prepared, just accurate and reliable.)
- A detailed narrative description of the proposal that clearly identifies the location, existing and proposed uses, and any proposed construction.
- A list of all questions or issues the applicant would like the City to address.

Preapplication Conference: Please submit 8 hard copies and 1 electronic copy of the required information. Please refer to the [Development Project Checklist](#) for a list of items that may be applicable to your project.

Minimum Requirements

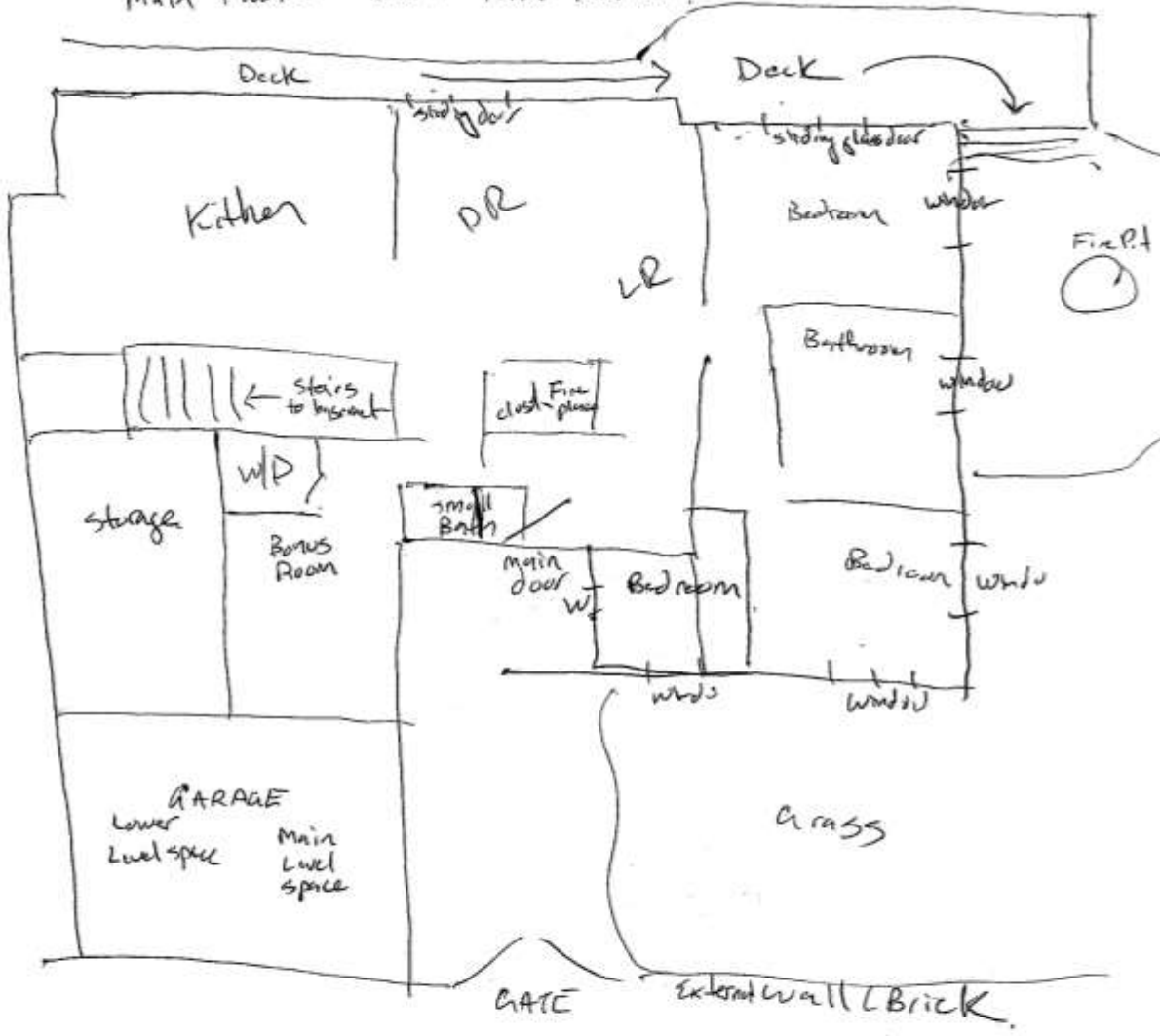
- Completed Request Form and accompanying fee.
- Narrative: A detailed description of your proposal and any specific questions you have. Include a brief description of the physical context of the site, including a map showing the site and surrounding properties.
- A list of all questions or issues the applicant would like the City to address.
- Proposed elevations
- Site/Plot Plan (8½ x 11 or 11 x 17) that includes (if applicable)
 - Parcel and building setback dimensions
 - Existing and proposed structures
 - Location and dimension of existing and proposed easements, access, and driveways
 - Location of existing and proposed utilities: storm, sanitary sewers, and water (including size of service and street location)
 - Width of adjacent right-of-way
 - Existing streets abutting the property
 - Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building)
 - Slope map (if slope is 25% or more)
 - Significant tree locations (all trees with a caliper over 6 inches)
 - Proposed stormwater detention system with topographic contours
 - Location of onsite and adjacent natural resources
 - Circulation system for vehicles, pedestrians, and bicycles

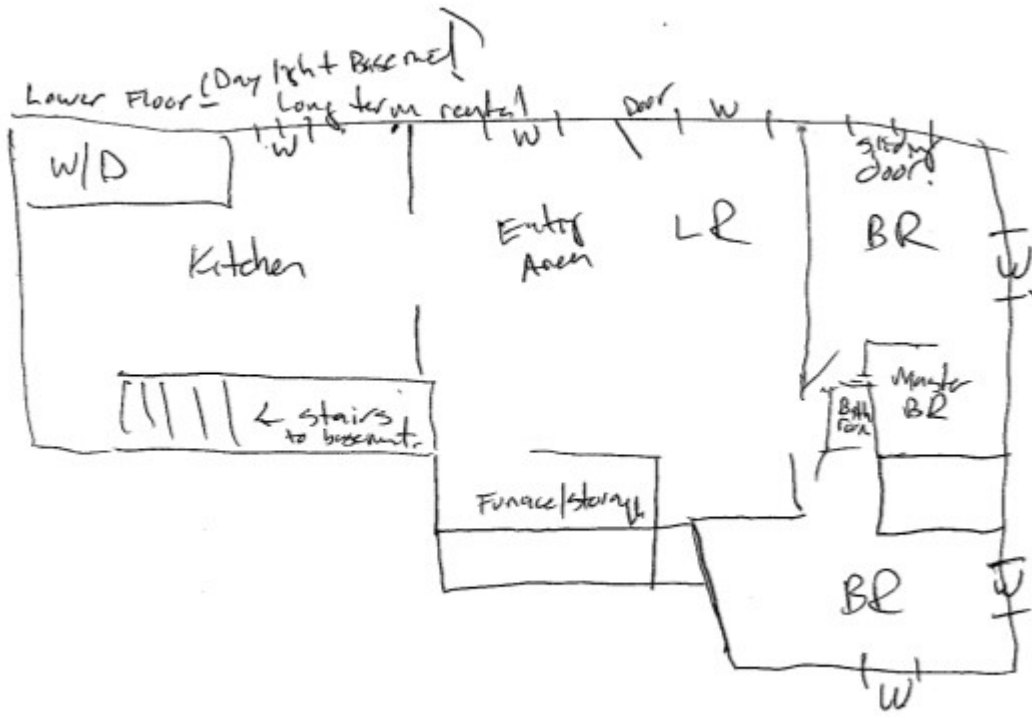
For Office Use Only:

***Project Type:** Minor Developments (e.g. single family, ADUs, partitions): 2 weeks required for review
 Major Developments (e.g. commercial, industrial, multi-family, subdivisions): 3 weeks required for review

Routing: File Planning (2) Engineering (2) Building
 Development Manager Public Works Fire CD Director (development)

main Floor - short Term Rental







Milwaukie Planning Department

6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
503-786-7630
Fax: 503-774-8236
planning@milwaukieoregon.gov

Transaction Receipt

601-19-000118-PLNG

IVR Number: 601004887057

Receipt Number: 18011

Receipt Date: 11/26/19

www.milwaukieoregon.gov

Worksite address: 10707 SE RIVERWAY LN, MILWAUKIE, OR 97222

Parcel: 11E35AA04000

Transaction date	Units	Description	Fees Paid		Paid amount
			Account code	Fee amount	
11/26/19	200.00 Amount	Pre-application Conference	110-000-4480	\$200.00	\$200.00

Fee Notes: 19-019PA

Payment Method: Check number: 7196 Payer: Jeffrey Sturgis Payment Amount: \$200.00
 Transaction Comment: 19-019PA
 Jeffrey Sturgis
 11330 Crawford Cove
 Roswell, GA 30075

Cashier: Dan Harris **Receipt Total:** **\$200.00**


Other Correspondence – December - January

 **Stephanie Marcinkiewicz** <MarcinkiewiczS@milwaukieoregon.gov> Dec 12, 2019, 12:18 PM ☆ ↶ ⋮
to me ▾

Good morning Richard! I have finished this review, however your windows do not meet current code. I spoke to our Building Official and she said as long as they are existing windows that have not been altered and are in bedrooms that have always been bedrooms, they would be fine. We can check that at inspection. You should see an email come through today that says your permit is ready to be issued.


Thank you and have a great day!

⋮

 **Stephanie Marcinkiewicz** <MarcinkiewiczS@milwaukieoregon.gov> Dec 12, 2019, 12:23 PM ☆ ↶ ⋮
to Harmony, me ▾

Hi again Richard! I just went to sign off and apparently Brett with our Planning Division is waiting for additional information so we can't release the permit until he's finished, but my part is done. When Brett signs off, you should receive an email from us to pay for your permit so we can issue that for you.

Thank you!
Stephanie

 **Brett Kelver** <KelverB@milwaukieoregon.gov> Wed, Dec 18, 2019, 1:11 PM ☆ ↶ ⋮
to Jeff, me ▾

Jeff,

Apologies for not getting back to you sooner with more info after our Dec 5 pre-app conference. I hope you had safe travels home.

We should be finalizing the formal pre-app notes by the end of this week and will email them to you.

In the meantime, I believe I had promised to send you some links to the basic forms and info you might need for the application. Here's a starting list:

- Land Use Application form = <https://www.milwaukieoregon.gov/planning/land-use-application>
- Submittal Requirements form = <https://www.milwaukieoregon.gov/planning/submittal-requirements>
- Planning Commission Hearings schedule for 2020 = https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning_commission/page/46731/hrgsched2020applicant.pdf. The actual hearing dates are in the far-right column and the dates by which an application needs to be deemed complete to hit the respective hearing dates are in the far-left column. Note that, because our completeness review can take up to 30 days, you'll want to add another month to the completeness dates in the far-left column in order to figure out by when you'd want to submit the application if you're trying to hit a particular hearing date.

I'm also attaching PDFs of both the application materials and notice of decision for a similar Conditional Use for vacation rental that was processed last year (file #CU-2018-001). This application did not include even a simple site plan and/or floor plan, which I would recommend you provide with your application just to help paint a clearer picture. I also think an application would be improved by addressing the approval criteria of MMC 19.905.4.A as well as the specific considerations for vacation rentals in MMC 19.905.9.H. But this might at least give you an idea of one way you could structure your narrative and customize it to fit your situation.

Please let me know if you have problems with any of the links above or questions about the pre-app notes once they are finalized. I'll be out of the office most of the week of Christmas (in on Mon 12/23, out the rest of the week) but am here this week and all of New Year's week except Jan 1, so give a call or send an email as needed.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.**

2 Attachments



Preapplication Conference Report for 10707 SE Riverway Ln (19-019PA) Inbox x



Daniel Harris <HarrisD@milwaukieoregon.gov>

Tue, Jan 14, 6:59 PM



to me, jrsturgis61@gmail.com, Brett, Samantha, Alex, stevendorman3@msn.com, k1ein23@comcast.net, jeanbaker.milw@gmail.com, mlpark2001@gmail.com, ray1br

Good Afternoon,

Preapplication conference report 19-019PA concerning the property at 10707 SE Riverway Ln is available at the link below. A physical copy of this report has been mailed to the applicant.

Please note that this report has been published without notes from the fire district. No notes had been made available at the time the report was published. An updated version of this report will be published once those notes have been provided to the City of Milwaukie.

<https://www.milwaukieoregon.gov/planning/19-019pa>

With respect,

DAN HARRIS

Administrative Specialist II, Community Development

he/him/his

City of Milwaukie

o: 503.786.7600 d: 503.786.7634

6101 SE Johnson Creek Blvd • Milwaukie, OR 97206



January 14, 2020

Jeff Sturgis
11330 Crawford Cove
Roswell, GA 30075

Re: Preapplication Report

Dear Jeff:

Enclosed is the Preapplication Report Summary from your meeting with the City on December 5, 2019, concerning your proposal for action on property located at 10707 SE Riverway Ln.

A preapplication conference is required prior to submittal of certain types of land use applications in the City of Milwaukie. Where a preapplication conference is required, please be advised of the following:

- Preapplication conferences are valid for a period of 2 years from the date of the conference. If a land use application or development permit has not been submitted within 2 years of the conference date, the Planning Director may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference.

If you have any questions concerning the content of this report, please contact the appropriate City staff.

Sincerely,

Dan Harris
Administrative Specialist II

Enclosure

COMMUNITY DEVELOPMENT
BUILDING • ECONOMIC DEVELOPMENT • ENGINEERING • PLANNING
6101 SE Johnson Creek Blvd., Milwaukie, Oregon 97206
503-786-7600 | www.milwaukieoregon.gov



CITY OF MILWAUKIE
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov
 building@milwaukieoregon.gov
 engineering@milwaukieoregon.gov

Preapplication Conference Report

Project ID: 19-019PA

This report is provided as a follow-up to the meeting that was held on 12/5/2019 at 10:00 AM

The Milwaukie Municipal Code is available here: www.qcode.us/codes/milwaukie/

APPLICANT AND PROJECT INFORMATION	
Applicant:	Jeffrey Sturgis Applicant Role: Owner's Representative
Applicant Address:	11330 Crawford Cove, Roswell, GA 30075
Company:	N/A
Project Name:	N/A
Project Address:	10707 SE Riverway Ln Zone: R-2
Project Description:	Establish second unit on property as vacation rental.
Current Use:	N/A
Applicants Present:	Jeffrey Sturgis, Richard Sturgis
Staff Present:	Brett Kelter, Associate Planner; Alex Roller, Engineering Technician II
PLANNING COMMENTS	
Zoning Compliance (MMC Title 19)	
<input checked="" type="checkbox"/> Use Standards (e.g., residential, commercial, accessory)	A short-term rental is allowed as an accessory use to a primary use (such as a single dwelling unit) in the R-2 zone, where the unit is rented for periods less than 30 days in length and the primary residence is occupied by the owner or operator for no less than 270 days per year. A vacation rental is allowed as a conditional use, where the unit is rented for periods less than 30 days in length and there is no primary occupant (i.e., the owner/operator occupies the unit for less than 270 days per year).
<input checked="" type="checkbox"/> Dimensional Standards	The development standards for the R-2 zone are provided in MMC Table 19.302.4. The applicant has not proposed any exterior physical changes to the existing structure.
Land Use Review Process	
<input checked="" type="checkbox"/> Applications Needed	The proposal to establish a vacation rental will require a Conditional Use application, which requires Type III review and a public hearing with the Planning Commission. If the applicant wishes to simply establish the existing structure as a duplex, no land use application is required. The applicant would simply coordinate with the Building

		<p>Department to arrange whatever inspections are necessary to verify that the structure meets applicable codes and standards for a duplex.</p> <p>If the applicant wishes to maintain the second kitchen as accessory, to formalize the existing structure as a single-family detached dwelling, a covenant must be recorded with the Clackamas County Recorder that stipulates the additional cooking facility will not be used as part of a separate dwelling unit.</p>
<input checked="" type="checkbox"/>	Review Type	<ul style="list-style-type: none"> • Conditional Use = Type III
<input checked="" type="checkbox"/>	Fees	<ul style="list-style-type: none"> • Type III application = \$2,000
<input checked="" type="checkbox"/>	Application Process	<p>The applicant should submit 5 complete copies of all application materials for the City's initial review. Large-format plans are not necessary; 11x17 size is adequate, with an electronic version of all submittal materials. Additional hard copies may be required for referral and review by other agencies—staff will provide a final number as part of the completeness review. A determination of the application's completeness will be issued within 30 days.</p> <p>Once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. Public notice will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will prepare a report with analysis of the proposal and a recommendation for decision that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p>
Overlay Zones (MMC 19.400)		
<input checked="" type="checkbox"/>	Willamette Greenway	The subject property is located within the Willamette Greenway overlay zone (MMC Section 19.401), but since the proposed activity does not constitute a change of use or intensification of use as defined in MMC Subsection 19.401.4, the provisions of the Willamette Greenway overlay are not applicable.
<input checked="" type="checkbox"/>	Natural Resources	The subject property includes designated Water Quality Resource (WQR) and Habitat Conservation Area (HCA) near the river, but since the proposed activity does not involve any physical changes to the site or disturbance of WQR or HCA, the provisions of the Natural Resources overlay zone (MMC Section 19.402) are not applicable.
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	<p>Minimum vegetation for the R-2 zone is 15% of lot area. As per MMC Subsection 19.302.5.C, at least half of the minimum vegetation area must be suitable for outdoor recreation by residents and not have extreme topography or dense vegetation that precludes access. As per MMC Subsection 19.302.5.D, at least 40% of the front yard must be vegetated.</p> <p>Although the existing front yard area is only approximately 20% landscaping and is nonconforming with respect to the front yard landscaping standard, the overall site provides well over 15% landscaping and the proposed activity does not involve any physical changes to the site.</p>

<input type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)	
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Circulation	
<input type="checkbox"/>	Building Design Standards (MMC 19.505)	
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Residential Off-Street Parking Requirements	<p>Single-family dwellings, including detached houses and duplexes, require a minimum of 1 off-street parking space per unit.</p> <p>MMC Section 19.607 establishes parking standards for residential areas, including dimensional and location requirements and restrictions. Required parking spaces cannot be located in the required front yard. Uncovered parking and maneuvering areas cannot cover more than 50% of the front yard area, and no more than 3 spaces can be provided in the required front yard. Driveways must align with the approved driveway approach, with widening allowed as per MMC Subsection 19.607.I.E.</p>
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input checked="" type="checkbox"/>	Conditional Use (MMC 19.905)	<p>Conditional Use review is needed for establishment of a vacation rental in the R-2 zone.</p> <p>The approval criteria for new conditional uses are provided in MMC Subsection 19.905.4.A. MMC Subsection 19.905.5 establishes the types of conditions that may be imposed to assure compatibility and mitigate any adverse impacts. For vacation rentals, Subsection 19.905.9.H provides other considerations that the Planning Commission must factor in to the decision.</p> <p>Note that if the conditional use is approved, the City will prepare a simple Conditional Use Permit (as per MMC Subsection 19.905.6) that must be recorded with the Clackamas County Recorder to bind it to the property and preserve the approval even if there is a change of ownership in the future.</p>
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input type="checkbox"/>	Variance (MMC 19.911)	
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	
<input type="checkbox"/>	Preliminary Plat Requirements	

<input type="checkbox"/>	Final Plat Requirements (See Engineering Section of this Report)	
Sign Code Compliance (MMC Title 14)		
<input type="checkbox"/>	Sign Requirements	
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Historic Milwaukie	Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Historic Milwaukie NDA.
	Choose an item,	
	Choose an item,	Historic Milwaukie NDA Chair Ray Bryan historicmilwaukienda@gmail.com Regular meeting—second Mondays, 6:30pm, Libbie's Restaurant @ 11056 SE Main St
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	Chapter 19.700 of the Milwaukie Municipal Code, herein referred to the "Code", applies to partitions, subdivisions, new construction and modification and or expansions of existing structures or uses that produce a projected increase in vehicle trips. This Transportation Facility Requirements, Code Section 19.708, states that all rights-of-way, streets, sidewalks, necessary public improvements, and other public transportation facilities located in the public right-of-way and abutting the development site shall be adequate at the time of development or shall be made adequate in a timely manner. This property does not front on public right-of-way, so no frontage improvements are required.
<input checked="" type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	No transportation impact study is required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	
<input type="checkbox"/>	Agency Notification	

	(MMC 19.707)	
<input type="checkbox"/>	Transportation Requirements (MMC 19.708)	
<input type="checkbox"/>	Utility Requirements (MMC 19.709)	
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.04.100)	
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Specific Standards (MMC 18.04.160)	
<input type="checkbox"/>	Floodways (MMC 18.04.170)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input type="checkbox"/>	Erosion Control (MMC 16.28)	
<input type="checkbox"/>	Tree Cutting (MMC 16.32)	
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	Applicant did not indicate the want to install a separate water meter for the basement duplex unit. If a new meter is wanted, then there would be additional system development charges (SDC's) in the amount of \$1,984 for a 1/2" meter would be required, as well as an install fee of \$897.
<input type="checkbox"/>	Sewer System (MMC 13.12)	
<input type="checkbox"/>	Stormwater Management (MMC 13.14)	
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	The addition of a new dwelling unit triggers the payment of system development charges (SDC's). Below are the required SDC's based on the current Fee Schedule. Transportation: 640.00 Milwaukie Sewer: 359.00 County Sewer: 4,710.00
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	

<input type="checkbox"/>	Access Requirements (MMC 12.16.040)	
<input type="checkbox"/>	Clear Vision (MMC 12.24)	
Additional Engineering & Public Works Notes		
BUILDING COMMENTS		
<p>All drawings must be submitted electronically through www.buildingpermits.oregon.gov</p> <p>New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx.</p> <p>All building permit applications are electronic and can be applied for online with a valid CC8 license number or engineer/architect license at www.buildingpermits.oregon.gov. Each permit type and subpermit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.</p> <p>Note: Plumbing and electrical plan reviews (when required) are done off site so two (2) paper copies will be required for those reviews only. Paper copies should be delivered to our office for processing.</p> <p>Site utilities require a separate plumbing permit. This permit will require plumbing plan review so two (2) paper copies will be required for this review. Paper copies should be delivered to the Building Division office for processing. The grading plan submitted to the Engineering Department does not cover this review.</p> <p>If you have any building related questions, please email us at building@milwaukieoregon.gov.</p>		
Additional Building Notes		
N/A		
OTHER FEES		
<input type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)
FIRE DISTRICT COMMENTS		
Matt Amos, Fire Inspector for Clackamas Fire District 1 has indicated that the district has no comments for this proposal.		

COORDINATION WITH OTHER AGENCIES

Applicant must communicate directly with outside agencies. These may include the following:

- Metro
- Trimet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | Boiler Approval (State) | |
| <input type="checkbox"/> | Elevator Approval (State) | |
| <input type="checkbox"/> | Health Department Approval (County) | |

Arts Tax

- | | | |
|--------------------------|----------------------------|--|
| <input type="checkbox"/> | Neighborhood Office Permit | |
|--------------------------|----------------------------|--|

Other Right-of-Way Permits

- | | | |
|--------------------------|--|--|
| <input type="checkbox"/> | Major: | |
| <input type="checkbox"/> | Minor: | |
| <input type="checkbox"/> | Painted Intersection Program Permits: | |
| <input type="checkbox"/> | artMOB Application | |
| <input type="checkbox"/> | Traffic Control Plan (Engineering) | |
| <input type="checkbox"/> | Parklet: | |
| <input type="checkbox"/> | Parklet Application/ Planning Approval | |
| <input type="checkbox"/> | Engineering Approval | |
| <input type="checkbox"/> | Building Approval | |
| <input type="checkbox"/> | Sidewalk Café: | |

<input type="checkbox"/>	Tree Removal Permit:	
Infrastructure/Utilities		
<p>Applicant must communicate directly with utility providers. These may include the following:</p> <ul style="list-style-type: none"> • PGE • NW Natural • Clackamas River Water (CRW) • Telecomm (Comcast, Century Link) • Water Environmental Services (WES) • Garbage Collection (Waste Management, Hoodview Disposal and Recycling) 		
Economic Development/Incentives		
<input type="checkbox"/>	Enterprise Zone:	
<input type="checkbox"/>	Vertical Housing Tax Credit:	
<input type="checkbox"/>	New Market Tax Credits:	
<input type="checkbox"/>	Housing Resources:	
PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE		

This is only preliminary preapplication conference information based on the applicant's proposal, and does not cover all possible development scenarios. Other requirements may be added after an applicant submits land use applications or building permits. City policies and code requirements are subject to change. If a note in this report contradicts the Milwaukie Municipal Code, the MMC supersedes the note. If you have any questions, please contact the City staff that attended the conference (listed on Page 1). Contact numbers for these staff are City staff listed at the end of the report.

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

Samantha Vandagriff	Building Official	503-786-7611
Harmony Drake	Permit Specialist	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Dalton Vodden	Associate Engineer	503-786-7617
Alex Roller	Engineering Tech II	503-786-7695

PLANNING DEPARTMENT

Dennis Egnor	Planning Director	503-786-7654
David Levitan	Senior Planner	503-786-7627
Brett Kelver	Associate Planner	503-786-7657
Vera Kollas	Associate Planner	503-786-7653
Mary Heberling	Assistant Planner	503-786-7658

COMMUNITY DEVELOPMENT DEPARTMENT

Leila Aman	Community Development Director	503-786-7616
Alison Wicks	Development Programs Manager	503-786-7661
Alicia Martin	Administrative Specialist II	503-786-7600
Tempest Blanchard	Administrative Specialist II	503-786-7600
Dan Harris	Administrative Specialist II	503-786-7600

CLACKAMAS FIRE DISTRICT

Mike Boumann	Lieutenant Deputy Fire Marshal	503-742-2673
Izak Hamilton	Fire Inspector	503-742-2660

check-in on 10707 SE Riverway Ln vacation rental Inbox x



Brett Kelter

to me, Jeff ▾

Tue, Jan 21, 2:00 PM



Jeff,

Hope your new year is off to a good start! Just touching base to see where you're at with respect to pulling together an application submittal for Conditional Use to establish the vacation rental. Let me know when you get a chance. Thank you!

BRETT KELVER

Associate Planner
City of Milwaukie
o: 503.786.7657 f: 503.774.8236
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206



Jeff Sturgis

to Brett, me ▾

Jan 21, 2020, 5:40 PM



Have been traveling a fair bit but just printed everything you sent and plan on sending in our documents within next week. Will reach out if I have questions. Thanks.

Sent from my iPhone

On Jan 21, 2020, at 2:00 PM, Brett Kelter <KelterB@milwaukieoregon.gov> wrote:



Brett Kelter

to Jeff, me ▾

Jan 21, 2020, 6:35 PM



Ok, sounds good. Will keep an eye out. Thanks!

BRETT KELVER

Associate Planner



Brett Kelter

to Jeff, me ▾

Wed, Feb 12, 6:25 PM (11 days ago)



Jeff,

Just checking back to see if you have an updated timeline for application submittal on the vacation rental. Let me know if you have any additional questions.

BRETT KELVER

Associate Planner

From: Jeff Sturgis <jrsturgis61@gmail.com>

Sent: Tuesday, January 21, 2020 2:40 PM

To: Brett Kelter <KelterB@milwaukieoregon.gov>

Cc: JR Sturgis <1031.property.management@gmail.com>

Subject: Re: check-in on 10707 SE Riverway Ln vacation rental

Have been traveling a fair bit but just printed everything you sent and plan on sending in our documents within next week. Will reach out if I have questions. Thanks.



JR Sturgis <1031.property.management@gmail.com>

to Brett, Jeff ▾

Wed, Feb 12, 6:58 PM (11 days ago)



Planning on being in Portland in two weeks and can drop off the forms and proposal. Started working on it but life has been busy.

Sent from my iPhone

Brett Kelver

Feb 12, 2016 7:41 PM (17 days ago)

to me

Understood. Bringing something in when you're in town sounds like a good plan. Give me a heads up when you are in town and have some idea of when you'll stop by, and I'll coordinate with you as much as possible to get things going.

Keep our counter hours in mind—Monday, Tuesday, and Wednesday from 9am to 12noon and 1pm to 3pm; and Thursday and Friday, 8:30am to 12:30pm (no other afternoon hours on Thurs/Fri).

See you in a couple weeks!

BRETT KELVER

Associate Planner

...

Conditional Use Request Documents Inbox X



JR Sturgis <1031@propertymanagement5@gmail.com>

Feb 12, 2016 4:09 PM (12 hours ago)

to Brett

Brett, attached are draft documents in support of our conditional use request for 10707 SE Riverway. Can you review and let me know what changes need to be made before we finalize printed copies and begin to schedule review meetings. Thanks,

4 Attachments



Brett Kelver

Feb 12, 2016 7:53 PM (1 hour ago)

to me

Thanks, Jeff. I'll take a quick look and get back to you ASAP.

BRETT KELVER

...

Brett Kelver

Feb 12, 2016 7:55 PM (35 minutes ago)

to me

Jeff,

Thanks for sending the draft materials in advance of your submittal. Generally, it looks like you have the components all pulled together, though I have a couple of suggested adjustments and tweaks that may smooth the completeness review process.

On the land use application page itself, on the line for Map & Tax Lot(s), where you have 4000 (the tax lot number), you could plug in the map number as well (1S1E35AA). This is a small item, and if it's not easy to fill that Map number in at this point, we can note it on the submittal form when it comes in.

The place to focus on revisions is in the narrative:

- To be clear, you don't need Conditional Use approval per se to establish the structure as a duplex, as it's an outright permitted use in the R-2 zone. You do need to formally/officially make it a duplex, but that will need to be done through the Building Department—they'll likely require a structural permit(s) and need to verify that

A37

the structure is up to code (including for plumbing and electrical standards, as well as for egress), and there will be some one-time System Development Charges (SDCs) to pay. But the Conditional Use approval is needed to establish a vacation rental in one of the units. This may seem like a technicality, but I think it's important to be clear that the land use approval is only needed for the vacation rental, and that's what the Planning Commission will be focusing on—not whether the structure can function as a duplex. I would suggest revising the narrative slightly to reflect this fact.

- The narrative should also address all of the relevant code sections, which include the following:
 - Section 19.302, for the underlying R-2 zone, to note that the vacation rental is allowed as a Conditional Use
 - Section 19.401, for the Willamette Greenway overlay zone, to confirm that no external changes are being proposed and that Willamette Greenway review is not needed
 - Chapter 19.600, for off-street parking, to address the requirements for the vacation rental as a lodging place, like a bed and breakfast
 - Chapter 19.700, for public facility improvements, to address the applicability section (19.702) and whether the vacation rental is understood to generate more trips (Alex in Engineering could address that question) and whether 19.700 applies to the proposal
 - Most importantly, Section 19.905, to address each of the approval criteria for Conditional Uses (in 19.905.4.A). You do need to touch clearly on each of the 7 approval criteria and explain how the proposal meets each one. And you need to specifically address the specific standards for vacation rentals as conditional uses, found in 19.905.9.H.

At this point I would say that, while we can take in the application and start our completeness review, you should know that we'll probably eventually deem the application incomplete unless we received a revised narrative that addresses each of the approval criteria in 19.905 as well as some address of the other code sections noted above. Since we have 30 days to do the completeness review, and since it might be more convenient for you to at least submit the materials in person while you're in town (and pay the application fee and provide the required 5 hard copies for initial review), I think we'd be amenable to letting you turn in what you have now to get the review process going and then provide additional or revised narrative while we start in on the completeness review.

Does that all make sense? The supporting materials (photos, floorplans, pre-app notes and correspondence) all make a good part of the submittal—it's the narrative that needs more thoroughness and detail in addressing specific code sections.

I should be in the office most of the week this week if you'd like to arrange to call or stop by if it's more helpful to talk directly about this.

I hope this helps. Thanks for sending the materials for preliminary review—I think it's helpful for both parties!

A38

BRETT KELVER

Associate Planner

Land use application

- On the land use application page itself, on the line for Map & Tax Lot(s), where you have 4000 (the tax lot number), you could plug in the map number as well (1S1E35AA).

Narrative

Change conditional use application to reference vacation rental not duplex.

- But the Conditional Use approval is needed to establish a vacation rental in one of the units. This may seem like a technicality, but I think it's important to be clear that the land use approval is only needed for the vacation rental, and that's what the Planning Commission will be focusing on—not whether the structure can function as a duplex. I would suggest revising the narrative slightly to reflect this fact.
- The narrative should also address all of the relevant code sections, which include the following:
 - Section 19.302, for the underlying R-2 zone, to note that the vacation rental is allowed as a Conditional Use
 - Section 19.401, for the Willamette Greenway overlay zone, to confirm that no external changes are being proposed and that Willamette Greenway review is not needed
 - Chapter 19.600, for off-street parking, to address the requirements for the vacation rental as a lodging place, like a bed and breakfast
 - Chapter 19.700, for public facility improvements, to address the applicability section (19.702) and whether the vacation rental is understood to generate more trips (Alex in Engineering could address that question) and whether 19.700 applies to the proposal
 - Most importantly, Section 19.905, to address each of the approval criteria for Conditional Uses (in 19.905.4.A). You do need to touch clearly on each of the 7 approval criteria and explain how the proposal meets each one. And you need to specifically address the specific standards for vacation rentals as conditional uses, found in 19.905.9.H.

At this point I would say that, while we can take in the application and start our completeness review, you should know that we'll probably eventually deem the application incomplete unless we received a revised narrative that addresses each of the approval criteria in 19.905 as well as some address of the other code sections noted above. Since we have 30 days to do the completeness review, and since it might be more convenient for you to at least submit the materials in person while you're in town (and pay the application fee and provide the required 5 hard copies for initial review), I think we'd be amenable to letting you turn in what you have now to get the review process going and then provide additional or revised narrative while we start in on the completeness review.

Does that all make sense? The supporting materials (photos, floorplans, pre-app notes and correspondence) all make a good part of the submittal—it's the narrative that needs more thoroughness and detail in addressing specific code sections.

I should be in the office most of the week this week if you'd like to arrange to call or stop by if it's more helpful to talk directly about this.

I hope this helps. Thanks for sending the materials for preliminary review—I think it's helpful for both parties!