

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: 21-001PA

This report is provided as a follow-up to the meeting that was held on 2/25/2021 at 10:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant: John Sena	Applicant Role: Property Owner
Applicant Address: 3521 SE Filbert ST	
Company:	
Project Name: 3521 SE Filbert ST ADU	
Project Address: 3521 SE Filbert ST	Zone: R-7
Project Description: Convert garage into an ADU	
Current Use: Single-unit dwelling with detached shop/garage	
Applicants Present: John Sena	
Staff Present: Steve Adams, Jennifer Backhaus, Janine Gates, Stephanie Marcinkiewicz,	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	ADU's are permitted by right on residential properties, per MMC 19.910. A detached accessory structure worksheet will be required with the application materials: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/41871/adu_detached_form.pdf . The applicant proposal included converting their 850 sf garage into an ADU. proposed ADU is 850, which is over Type III variance is required to allow the proposed ADU.
<input checked="" type="checkbox"/>	Dimensional Standards	The property is zoned R-7. Please provide a completed R-7 zoning worksheet with the land use application materials: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38351/residentialaccessorystructures_form0.pdf . Accessory structures are subject to the dimensional standards outlined in this worksheet, which should be included with the land use application materials: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38351/residentialaccessorystructures_form0.pdf .

Land Use Review Process		
<input checked="" type="checkbox"/>	Applications Needed	The proposed ADU requires a Type III Variance and Type II ADU review
<input checked="" type="checkbox"/>	Fees	Type III Variance: up to 3 requests permitted under 1 application = \$2,000 Type II ADU review: \$750 (25% discount for concurrent applications)
<input checked="" type="checkbox"/>	Review Type: Type III Review Type: Type II	The proposed detached ADU exceeds 600 sq ft, so is subject to Type II ADU review. A Type III variance is required to allow the ADU to exceed 800 sq ft.
Overlay Zones (MMC 19.400)		
<input type="checkbox"/>	Willamette Greenway	
<input type="checkbox"/>	Natural Resources	
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	The R-7 zone requires that a minimum of 30% of the lot is vegetated.
<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 checked="" type="checkbox"/>	Building Design Standards (MMC 19.910.1.E.4.c)	If the garage was established on or after December 1, 2012 it is required to meet all applicable standards for a new detached accessory dwelling unit. The standards can be found at MMC 19.910.1.E.4.c: https://www.qcode.us/codes/milwaukie/view.php?topic=19-19_900-19_910&frames=on .
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input type="checkbox"/>	Residential Off-Street Parking Requirements	
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input type="checkbox"/>	Conditional Use (MMC 19.905)	

<input type="checkbox"/>	Development Review (MMC 19.906)	
<input checked="" type="checkbox"/>	Variance (MMC 19.911)	<p>Applications for a Type III variance are subject to the approval criteria in MMC 19.911.4.B. The submitted application must provide a detailed narrative explaining how each variance request meets the approval criteria:</p> <p>Discretionary Relief Criteria</p> <p>a. The applicant's alternatives analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.</p> <p>b. The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:</p> <p>(1) The proposed variance avoids or minimizes impacts to surrounding properties.</p> <p>(2) The proposed variance has desirable public benefits.</p> <p>(3) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.</p> <p>c. Impacts from the proposed variance will be mitigated to the extent practicable.</p> <p>http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_900-19_911&frames=on</p>
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"/>	Ardenwald-Johnson Creek	
	Choose an item.	
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)	<p>MMC 19.702 establishes the applicability of MMC 19.700, including to new construction and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.</p> <p>The development proposes establishing a new detached ADU, increasing the intensity of use on the subject property. MMC 19.700 applies to the proposed development.</p>
<input 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 checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>See MMC 13.32 for FILOC</p> <p>See MMC 12.16 for Access Management</p> <p>See MMC 12.24 for Clear Vision</p> <p>The applicant has the option of FILOC but may choose to construct sidewalk improvements instead. Sidewalk installation will not require curb improvements and must adhere to requirements outlined in the Public Works Standards.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	Engineering will evaluate the adequacy of existing public utilities to serve the proposed development and determine whether new public utilities are warranted to ensure compliance with the City's public utility requirements and standards.
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)	The proposed development is not within the regulatory City-mapped soil hazard area.
<input type="checkbox"/>	Erosion Control (MMC 16.28)	An erosion control permit will be required for disturbances of 500 sq ft.
<input type="checkbox"/>	Tree Cutting (MMC 16.32)	Any tree removal within the public right-of-way or on City-owned land requires a permit.
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	While a new water connection is not required, an 8" diameter cast iron main is available. Connection to water mains for service lines 2" and less shall be made by City crews. Excavation and paving shall be the responsibility of the applicant. A utility billing form must be submitted, and fees paid prior to the connection. An SDC estimate has been provided showing fees for a ¾" meter.
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	While a new connection is not required, a 15" diameter concrete main is available. All structures with sanitary facilities are required to be connected to the City sanitary sewer system. The sewer system user at all times shall, at their expense, operate and maintain the service lateral and building sewer in a sanitary manner to the collection trunk or interceptor sewer at no expense to the City. An SDC estimate has been provided.
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	For any new impervious surface, all stormwater shall be managed on site with mitigation facilities designed in accordance with the 2016 Portland Stormwater Management Manual.
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	Development is subject to system development charges (SDCs). SDCs for sewer, county sewer, transportation, water, and county parks must be paid prior to permit issuance. See SDC Estimate for fees and charges. Note that some fees (water SDC, water meter set fee, water connection fee, and street opening) are optional based on final site design choices.
<input checked="" type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	Per the City Engineer, the Fee in Lieu of Construction (FILOC) rate will be \$53 per Linear Foot. At a lot width of 78.02 Linear Feet, the FILOC will be \$4,135.06.
Public Places (MMC 12)		
<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	A Right-of-Way Permit will be required to complete any sidewalk, driveway approach, and/or utility service upgrades in the Right-of-Way.
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	The existing driveway approach can remain as-is unless the applicant wishes to modify or update any portion of the driveway approach or apron in the right-of-way. Any modifications will require compliance with current code and Public Works Standards including, but not limited to, a 7.5-ft distance from the driveway to the side property line, adherence to widening standards, and use of an approved approach design.
<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	Clear vision areas must be maintained around driveway approaches. Coordinate with city staff prior to removing any vegetation in the right-of-way.
Additional Engineering & Public Works Notes		
See SDC Estimate for fees and charges. Please note that the fees highlighted in green are related to an optional water connection. FILOC will not be collected if the applicant chooses to instead install sidewalk under the right-of-way permit.		
BUILDING COMMENTS		

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

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>.

All building permit applications are electronic and can be applied for online with a valid CCB 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.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Additional Building Notes

As discussed, the new ADU will need to meet current energy codes in the current Oregon Residential Specialty Code (ORSC) along with any other applicable code sections that may apply.

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

Please see the attached memorandum for fire district comments.

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		
Applicant must communicate directly with utility providers. These may include the following: <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



Permit Record:

21-005PA

SDCs

Street Address: 3521 SE Filbert St

Prepared By: JMB

Date: 8/4/2021

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 1,992.50	\$ -	\$ -	\$ 1,992.50
Transportation	\$ 70.20	\$ 1,397.50	\$ -	\$ 1,467.70
Storm Drainage	\$ -	\$ -	\$ -	\$ -
Water	\$ 1,066.00	\$ 885.00	\$ 149.00	\$ 2,100.00
Sewer	\$ 304.20	\$ 520.65	\$ -	\$ 824.85
Water Meter Set Fee	\$ 250.00	\$ -	\$ -	\$ 250.00
Review Fee	\$ -	\$ -	\$ 75.00	\$ 75.00
Wastewater Treatment	\$ 6,496.00	\$ -	\$ -	\$ 6,496.00
Short Side Service Connection Fee			\$ 897.00	\$ 897.00
Street Opening Deposit			\$ 1,500.00	\$ 1,500.00
Fees subject to change until final plans and permit issuance				Total \$ 15,603.05
Optional Fees in green added for sewer and water connection and are not required.				

Pre-Application Meeting Comments:

To: Janine Gates, City of Milwaukie

From: **Alex McGladrey**, Deputy Fire Marshal, Clackamas Fire District #1

Date: **03/08/2021**

Re: **21-005PA, Shop Conversion to ADU at 3521 SE Filbert St**

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the Fire and Building Code Officials. The following items should be addressed by the applicant:

Fire Department Apparatus Access

- 1) Provide address numbering that is clearly visible from the street
- 2) No part of a building may be more than 150 feet from an approved fire department access road.
- 3) Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- 4) Driveways serving up to three, single-family dwellings or duplexes may be reduced to 12 feet in width, but shall provide 20 feet of clear width.
- 5) Fire apparatus access roads must support a 75,000 lb. fire apparatus.

Water Supply

- 1) Fire Hydrants, One and Two-Family Dwellings & Accessory Structures: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), additional fire hydrants and mains shall be provided.
- 2) For one and two family dwellings located in areas with reliable municipal fire fighting water supply the following shall apply:
 - a. <3,600 square feet (including attached garage)
 - i. 1,100 gpm @ 20 psi with hydrant within 600 feet of furthest portion of new residential construction, (OFC Section B105.2)
 - b. >3,600 square feet (including attached garage)
 - i. Shall meet fire flow requirements specified in Appendix B of the current Oregon Fire Code, (OFC, Table B105.1)
 - ii. Shall meet hydrant coverage as specified in appendix C of the current Oregon Fire Code, (OFC , Table C105.1)

Note: In lieu of the above fire flow requirements, residential fire sprinklers may be considered as an alternate when approved by the Fire Marshal.

- 3) The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.

Please see our design guide at:

<http://www.clackamasfire.com/wp-content/uploads/2020/07/2020-07-08-Fire-Code-Applications-Guide.pdf>

*Call or email with any questions. alex.mcgladrey@clackamasfire.com

Thank you,

Alex McGladrey
Deputy Fire Marshal
Clackamas Fire District #1
503-742-2662

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

PLANNING DEPARTMENT

Dennis Egner	Planning Director	503-786-7654
Vera Kolias	Senior Planner	503-786-7653
Brett Kelter	Associate Planner	503-786-7657
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