



CITY OF MILWAUKIE

August 4, 2022

Jeff Bromwell
2500 NE Sandy Blvd #D
Portland, OR 97232

Re: Preapplication Report

Dear Jeff:

Enclosed is the Preapplication Report Summary from your meeting with the City on 07/21/2021, concerning your proposal for action on property located at 10011 SE Wichita Ave.

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 Manager may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Manager may require a new preapplication conference.

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

Sincerely,

Will First
Administrative Specialist II



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: 22-007PA

This report is provided as a follow-up to the meeting that was held on 7/21/2022 at 10:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Jeff Bromwell	Applicant Role:	Project Designer
Applicant Address:	2500 NE Sandy Blvd #D		
Company:	Urban Design Build Company		
Project Name:	Detached triplex development		
Project Address:	10011 SE Wichita Ave	Zone:	R-MD
Project Description:	Convert property into middle housing; add detached dwelling and convert existing accessory structure into dwelling for a detached triplex with an accessory structure/studio space		
Current Use:	Single detached dwelling and two accessory structures		
Applicants Present:	Jeff Bromwell		
Staff Present:	Vera Kolas, Courtney Wilson, Jennifer Backhaus		

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	The R-MD zone permits a variety of residential types, including middle housing, which is permitted in a detached and attached form. The proposal is for a detached triplex with an accessory structure.
<input checked="" type="checkbox"/>	Dimensional Standards	Table 19.301.4 includes all applicable dimensional standards in the R-MD zone.

Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed	No land use review is required if the proposal meets all applicable standards.
<input checked="" type="checkbox"/>	Fees (only applicable if land use review is required)	<ul style="list-style-type: none"> Type III = \$2,000 per application Type II = \$1,000 Type I = \$200 <p><u>Note:</u> For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one.</p>

		For technical review of a Natural Resources review, a \$3,000 deposit is required for review of the natural resources report by the city's environmental peer review consultant. The applicant is responsible for the final actual cost of the peer review, though the City will endeavor to have the consultant work within the initial deposit amount.
<input type="checkbox"/>	Review Type: Choose an item.	
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 type="checkbox"/>	Landscaping Requirements	
<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 19.505)	The design standards in 19.505.1 apply to middle housing developments when the closest wall of the street-facing façade is within 50 of a front or street side lot line. The structures on this lot, both existing and proposed, are beyond 50 ft from Wichita Ave. 19.505.1 does not apply to the development as proposed.
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Residential Off-Street Parking Requirements	Middle housing developments are not required to provide off-street parking unless located on an arterial or collector street. Wichita Ave is a residential street; off-street parking is not required for the proposed detached triplex.
<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 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"/>	Lewelling	<p>Any City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property will receive a referral and the opportunity to provide comment on a land use application.</p> <p>Applicants are encouraged to meet with the NDA prior to application submittal: https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda.</p>
	Choose an item.	
	Choose an item.	
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
None.		
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 partitions, subdivisions, replants, 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 proposed development would add two new dwellings. MMC 19.700 applies.</p>
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	A Transportation Facilities Review (TFR) Land Use Application is not required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	A Transportation Impact Study (TIS) is not required.

<input checked="" type="checkbox"/>	Rough Proportionality (MMC 19.705)	<p>The subject property is developed with an existing dwelling and has unimproved frontage on Wichita Avenue. The subject property currently has one gravel accessway on Wichita Avenue.</p> <p>As part of this development the existing accessway must be paved. An asphalt approach and 20 feet of additional paved (or other approved durable dust-free surface) is required beyond the Right-of-Way line.</p> <p>Fee In Lieu Of Construction (FILOC) will be required for the remaining frontage equal to the cost of new curb and sidewalk. See MMC 13.32.</p>
<input type="checkbox"/>	Agency Notification (MMC 19.707)	
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>See MMC 12.16 for Access Requirements</p> <p>See MMC 13.32 for FILOC (Fee In Lieu of Construction)</p> <p>See MMC 12.24 for Clear Vision Standards</p> <p>The applicant is encouraged to pay a Fee In Lieu of Construction (FILOC) rather than construct frontage improvements.</p> <p>The applicant is required to construct an asphalt driveway approach and install 20 feet of paved (or other durable dust-free hard surface) driveway behind the Right-of-Way line.</p>
<input type="checkbox"/>	Utility Requirements (MMC 19.709)	<p>No public utility upgrades are required as part of this development.</p> <p>See MMC 13.04 Water System, MMC 13.12 Sewer System, and MMC 13.14 Stormwater Management for individual private utility requirements.</p>
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.16.030)	The subject property is not located in a designated flood hazard area.
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Compensatory Storage (MMC 18.20.020)	
<input type="checkbox"/>	Floodways (MMC 18.20.010.B)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input checked="" type="checkbox"/>	Erosion Control (MMC 16.28)	<p>Erosion control and prevention is required as outlined in MMC16.28</p> <p>Standard Erosion Prevention and Sediment Control notes</p> <p>Projects that disturb more than 500 square feet within the City of Milwaukie limits require an Erosion Control Permit from the City's Building Department. Even projects that are less than 500 square feet may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project. The applicant is encouraged to use the City's adopted Erosion Prevention and Sediment Control Planning & Design Manual (2008) for assistance in designing an erosion control plan.</p>

<input checked="" type="checkbox"/>	Tree Permits & Development Tree Code (MMC 16.32)	<p>All private trees over 6" in diameter at breast height (DBH) are regulated by the residential private tree code. Private trees are to be protected through development and included on the inventory and protection plan required by the private development tree code (MMC 16.32.042).</p> <p>The tax lot included in the development site is subject to the development tree code (MMC 16.32.042 A-H).</p> <p>The development tree code requires this development to comply and/or mitigate using the following standards:</p> <ul style="list-style-type: none"> - Preservation standard - Planting Standard - Protection Standard - Soil volume standard <p>Bonds are required for tree protection and post development warranties as outlined in the Master Fee Schedule.</p> <p>Submittal requirements are outlined in MMC 16.32.042.H. An ISA Certified Arborist is required to submit the final documents to the city as defined in MMC 16.32.042. Additional supportive documentation, including canopy lists and tree protection and planting guidance are available at www.milwaukieoregon.gov/trees.</p> <p>The development tree code application is due at time of building permit application unless a variance is being requested through the land use application process. Building permits will not be approved without completion and approval of the development tree code application.</p> <p>For more information, please contact urbanforest@milwaukieoregon.gov or call 503-786-7655.</p>
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	<p>The subject property is serviced by an existing Clackamas River Water main. Upsizing of existing service lateral or new connections requires permits through Clackamas River Water. System Development Charges for water will be paid to Clackamas River Water for any new or upsized connections.</p> <p>A City of Milwaukie Right-of-Way permit is still required for any work in the public right-of-way.</p>
<input type="checkbox"/>	Sewer System (MMC 13.12)	<p>The subject property is serviced by an existing 4" sewer lateral connecting to an 8" PVC sewer main.</p> <p>Additional connections, if desired, will require a City of Milwaukie Right-of-Way Permit for any work in the public right-of-way.</p>
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	<p>Stormwater mitigation must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual. Applicant will be required to provide an infiltration test and stormwater management plan that meets the infiltration rate requirements of the site.</p> <p>At the time of development, the applicant will need to install a drywell or other approved overflow management discharge point for runoff from the ROW to assure that rain garden(s) or swale(s) are not overwhelmed during a storm event.</p> <p>All new impervious surface in excess of 500 square feet must be treated.</p> <p>A system development charge must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	<p>All new development or intensification of use shall be subject to system development charges.</p>

		<p>Latest charges are determined by the Master Fee Schedule available here: https://www.milwaukieoregon.gov/finance/fees-charges</p> <p>See SDC estimate provided as part of this report.</p>
<input checked="" type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	<p>A Fee In Lieu of Construction is recommended rather than constructing frontage improvements. Per the City Engineer, the FILOC rate will be \$89 per linear foot (less the width of the driveway approach).</p> <p>With a lot width of 167 feet and an assumed driveway approach width of 20 feet, the FILOC will be \$13,083. The actual total for FILOC may change based on changes to the driveway approach.</p>

Public Places (MMC 12)

<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	A Right-of-Way Permit will be required for all utility work within the right-of-way and all driveway/accessway improvements.
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>Per MMC 12.16.040, private property shall be provided street access via accessways (driveways). These driveways shall be constructed under a right-of-way permit in accordance with the current Milwaukie Public Works Standards</p> <p>The existing driveway will need to be constructed with a durable dust-free surface (such as asphalt or concrete). 20 feet of driveway behind the right-of-way line will also need to be constructed with a durable dust-free surface such as asphalt or other approved material (concrete, pavers, etc.).</p>
<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	A clear vision area shall be maintained at all driveways and accessways.

Additional Engineering & Public Works Notes

An estimate SDC invoice has been provided. This estimate is based on current fiscal year fees and is subject to change after July 1st, 2023. Fees are also based on development assumptions regarding building footprint, utilities, and new impervious surface. These fees are subject to change based on changes to the submitted plans.

A Right-of-Way permit is required for all work in the public Right-of-Way.

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 sub-permit type are separate permits and are subject to the same time review times 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.

Note: Plumbing and electrical plan reviews (when required) are done off site and are subject to that jurisdiction's timelines. The City does not have any control over those timelines, so please plan accordingly.

Site utilities require a separate plumbing permit and will require plumbing plan review. **NOTE:** The grading plan submitted to the Engineering Department does not cover this review.

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

One and two family dwellings shall be constructed to meet the Oregon Residential Specialty Code (ORSC). Attached dwellings with more than three units must be constructed to meet the Oregon Structural Specialty Code (OSSC).

e Fire sprinklers are required in all dwellings required to be constructed under the OSSC.

OTHER FEES

x	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *1% (.01)
x	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
x	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.69 a square foot, Residential = \$1.39 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	
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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:

- 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 Technician	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Jennifer Backhaus	Engineering Technician III	503-786-7608

PLANNING DEPARTMENT

Laura Weigel	Planning Manager	503-786-7654
Vera Kolias	Senior Planner	503-786-7653
Brett Kolver	Senior Planner	503-786-7657
Adam Heroux	Associate Planner	503-786-7658
Ryan Dyar	Assistant Planner	503-786-7661

COMMUNITY DEVELOPMENT DEPARTMENT

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd	Development Programs Manager	503-786-7692
Janine Gates	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
Will First	Administrative Specialist II	503-786-7600

SUSTAINABILTY DEPARTMENT

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7697
Galen Hoshovsky	Environmental Services Coordinator	503-786-7660

CLACKAMAS FIRE DISTRICT

Shawn Olson	Lieutenant Deputy Fire Marshal	shawn.olson@ClackamasFire.com
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Clackamas Fire District #1



Pre-Application Comments:

To: Vera Kolas, Senior Planner, City of Milwaukie

From: Shawn Olson, Fire Marshal, Clackamas Fire District #1

Date: 07-21-2022

Re: 10011 SE Wichita Ave.-New Middle Housing Residence

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 code official. The following items should be addressed by the applicant:

- 1) A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, type of construction, and shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority. **Submit PDF directly to the Clackamas Fire District website at clackamasfire.com once complete.**
- 2) Provide address numbering that is clearly visible from the street.
- 3) No part of a building may be more than 150 feet from an approved fire department access road.
- 4) The inside turning radius and outside turning radius for a 20' wide road shall not be less than 28 feet and 48 feet respectively, measured from the same center point.
- 5) Gates across access roads must be pre-approved by the Fire District.
- 6) Prior to the start of combustible construction, fire hydrants shall be operational and accessible.
- 7) Fire hydrants shall be within 600' of all portions of any new construction.
- 8) 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.
- 9) Please see our design guide at:
<https://clackamasfire.com/fire-prevention/new-construction-resources/>
- 10) If you have questions, please contact Fire Marshal Shawn Olson at shawn.olson@clackamasfire.com or by calling 503-742-2663.

Submit fire apparatus access and water supply site plans to:
<https://clackamasfire.com/access-and-water-supply-plan-review-submittal/>



Permit Record: 22-007PA

SDCs

Street Address: 10011 SE Wichita Ave

Prepared By: JMB

Date: 7/28/2022

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 6,839.00	\$ -	\$ -	\$ 6,839.00
Transportation	\$ 107.35	\$ 2,136.55	\$ -	\$ 2,243.90
Storm Drainage	\$ -	\$ 433.88	\$ -	\$ 433.88
Water	\$ -	\$ -	\$ -	\$ -
Sewer	\$ 1,636.20	\$ 241.20	\$ -	\$ 1,877.40
Water Meter Set Fee	\$ -	\$ -	\$ -	\$ -
Review Fee	\$ -	\$ -	\$ 165.00	\$ 165.00
Wastewater Treatment	\$ 12,040.00	\$ -	\$ -	\$ 12,040.00
			Total	\$ 23,599.18

Fees subject to change until final plans and permit issuance
Water SDCs paid to Clackamas River Water