



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

# Application for Land Use Action

Primary File #: R-2022-005; VR-2022-012

Review type\*:  I  II  III  IV  V

**CHECK ALL APPLICATION TYPES THAT APPLY:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Amendment to Maps and/or<br><input type="checkbox"/> Comprehensive Plan Map Amendment<br><input type="checkbox"/> Zoning Text Amendment<br><input type="checkbox"/> Zoning Map Amendment<br><input type="checkbox"/> Code Interpretation<br><input type="checkbox"/> Community Service Use<br><input type="checkbox"/> Conditional Use<br><input type="checkbox"/> Development Review<br><input type="checkbox"/> Director Determination<br><input type="checkbox"/> Downtown Design Review<br><input type="checkbox"/> Extension to Expiring Approval<br><input type="checkbox"/> Historic Resource:<br><input type="checkbox"/> Alteration<br><input type="checkbox"/> Demolition<br><input type="checkbox"/> Status Designation<br><input type="checkbox"/> Status Deletion | <input checked="" type="checkbox"/> Land Division:<br><input type="checkbox"/> Partition<br><input type="checkbox"/> Property Line Adjustment<br><input checked="" type="checkbox"/> Replat<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Miscellaneous:<br><input type="checkbox"/> Barbed Wire Fencing<br><input type="checkbox"/> Mixed Use Overlay Review<br><input type="checkbox"/> Modification to Existing Approval<br><input type="checkbox"/> Natural Resource Review**<br><input type="checkbox"/> Nonconforming Use Alteration<br><input type="checkbox"/> Parking:<br><input type="checkbox"/> Quantity Determination<br><input type="checkbox"/> Quantity Modification<br><input type="checkbox"/> Shared Parking<br><input type="checkbox"/> Structured Parking<br><input type="checkbox"/> Planned Development | <input type="checkbox"/> Residential Dwelling:<br><input type="checkbox"/> Manufactured Dwelling Park<br><input type="checkbox"/> Temporary Dwelling Unit<br><input type="checkbox"/> Transportation Facilities Review**<br><input checked="" type="checkbox"/> Variance:<br><input type="checkbox"/> Use Exception<br><input checked="" type="checkbox"/> Variance<br><input type="checkbox"/> Willamette Greenway Review<br><input type="checkbox"/> Other: _____<br><b>Use separate application forms for:</b> <ul style="list-style-type: none"> <li>• Annexation and/or Boundary Change</li> <li>• Compensation for Reduction in Property Value (Measure 37)</li> <li>• Daily Display Sign</li> <li>• Appeal</li> </ul> |
|---|--|--|

**RESPONSIBLE PARTIES:** Joseph A. Troychak, Lisa M. Troychak

**APPLICANT** (owner or other eligible applicant—see reverse): Joseph A. Troychak

Mailing address: 10903 SE Home Ave Milwaukie, OR State/Zip: OR 97222

Phone(s): (707) 953-9048 Email: reddestman@msn.com

Please note: The information submitted in this application may be subject to public records law.

**APPLICANT'S REPRESENTATIVE** (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

**SITE INFORMATION:**

Address: 10903 SE Home Ave. Map & Tax Lot(s): 12E31BA10990

Comprehensive Plan Designation: MD Zoning: R-MD Size of property: 21,070 sq ft

**PROPOSAL (describe briefly):** Applicant proposing replat of 21,070 sq ft lot to create two total lots, one 9,070 sq ft lot and one 11,897 sq ft flag lot, and also seeking front & rear setback variance from 30' to 22.5' to establish a single detached dwelling on flag lot.

**SIGNATURE:** I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code 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: [Signature] Date: 10/31/22

**IMPORTANT INFORMATION ON REVERSE SIDE**



**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:** *Completed 10/13/2022*

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

**DEPOSITS:**

Deposits require completion of a Deposit Authorization Form, found at [www.milwaukieoregon.gov/building/deposit-authorization-form](http://www.milwaukieoregon.gov/building/deposit-authorization-form)

**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

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	R-2022-005	\$ 2,000.00			Application materials received on 11/1/2022.  Payment received on 11/03/2022.
Concurrent application files	VR-2022-012	\$ 750.00	25%	Multiple applications.	
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
<b>TOTAL AMOUNT RECEIVED: \$</b>			<b>RECEIPT #:</b>	<b>RCD BY:</b>	

**Associated application file #s** (appeals, modifications, previous approvals, etc.):

**Neighborhood District Association(s):** Hector Campbell NDA

**Notes:**

**LAND USE APPLICATION for PRELIMINARY PLAT LAND DIVISION / REPLAT APPROVAL**

10903 SE Home Ave  
REPLAT

Submitted on 10/31/22 to:  
**City of Milwaukie, Oregon**



**SITE ADDRESS**

10903 SE Home Ave

**PROPERTY TAX INFO**

**MAP: 12E31BA10900** Code Area: 012-002

**TAX ACCOUNT NO: 00090519**

**PLAT INFO**

East one-half (1/2) of the South one-half (1/2) of Lot 1, Block 4, HOMEWOOD PARK, in the City of Milwaukie, County of Clackamas and State of Oregon.

**ZONING**

R-MD Moderate Density

**OWNERS**

Joseph A. Troychak and Lisa M. Troychak, Trustees of The Troychak 2014 Family Trust, dated October 30, 2014

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## SITE DESCRIPTION/ SUMMARY OF PROPOSAL

### SITE DESCRIPTION

*The subject site is identified as 10903 SE Home Ave. The parcel size is 21,070 sq ft and is located within the city's R-MD land use zone. There is an existing house located in the northeastern portion of the site, which will be retained within Parcel 1; the existing driveway will serve both the proposed Parcel 1 and Parcel 2 Flag Lot through an easement in favor of Parcel 1. There is an existing garage on the site located in the flag-pole portion of proposed Parcel 2 Flag Lot, to be removed prior to construction on Parcel 2.*

*The site is relatively flat, and gently slopes toward Home Ave. The parcel has several large and small trees, and other vegetation related to landscaping for the existing house, as shown on the Existing Conditions Map included with this request. Trees within Parcel 1 will be retained. Trees in Parcel 2 will be incorporated into the landscaping, except for two aging fruit trees (#10406 and #10408), which will be removed prior to construction on Parcel 2. Additional trees will be planted if required to meet tree coverage requirements for Parcel 2.*

### SUMMARY OF PROPOSAL

Applicant is requesting approval to divide a 21,070 sq ft lot to create two total lots (replat), one 9,070 sq ft lot (Parcel 1) and one 11,897 sq ft flag lot (Parcel 2). Applicant is further requesting approval for 25% front and rear yard setback variances to reduce the front and rear yard setback from 30 ft, and establish a single detached dwelling 22.5 ft from the front and rear property lines.

*The new Parcel will be served with all public serves, described as follows:*

- **Public Water:** *Public water is available from the City Of Milwaukie by a water mainline within the right of way of SE Home Ave. The existing house on Parcel 1 is currently provided water service by an individual meter, which will be retained. The new Parcel 2 will be serviced by a new water line within the 25-foot street frontage at the time of development.*
- **Sanitary Sewer:** *Sanitary sewer from the City Of Milwaukie is available to the site from an 8" mainline within the right of way of SE Home Ave. The new Parcel 2 will be connected to the public sanitary sewer for individual service by a 4" lateral from this public line at the time of development. The existing house on Parcel 1 is currently connected to the public sewer and that connection will be retained.*
- **Storm Drainage:** *Storm drainage for the parcels will be handled on-site. The specific plans for the conveyance will be submitted to city engineering/or permitting and approval before any new Parcel 2 construction will begin.*
- **Fire Protection:** *The site is provided service from Clackamas County Fire District No. 1, Milwaukie Station No. 2.*

*The new Parcel 2 will be developed with the required and appropriate utilities in compliance with appropriate code sections of the City of Milwaukie 's Development Code/or the R-MD zone, along with all other applicable code sections of the Development Code.*

## TITLE 17 LAND DIVISION

### 17.12.030 APPROVAL CRITERIA FOR LOT CONSOLIDATION, PROPERTY LINE ADJUSTMENT, AND REPLAT

#### A. Approval Criteria

The approval authority may approve, approve with conditions, or deny a lot consolidation, property line adjustment, and/or replat based on the following approval criteria. The applicant for a lot consolidation, property line adjustment, or replat shall demonstrate the following:

1. Compliance with this title and Title 19 of this code.

**Response:** *The included Preliminary Plat, Existing Conditions Map, and Supplemental Map were prepared per the requirements of Title 19 and the required design standards for the R-MD zoning.*

2. The boundary change will allow reasonable development of the affected lots and will not create the need for a variance of any land division or zoning standard.

**Response:** *The proposed land division meets the dimensional standards for 7000 and up lot size (sq ft) for the R-MD zone in Milwaukie Municipal Code (MMC) Table 19.301.4. A 25% variance approval is requested to MMC 19.504.7 Flag Lot Standards, B 2 Section 1 to reduce front and rear yard setbacks 25% from 30 ft to 22.5 ft to facilitate the construction of a single detached dwelling.*

3. Boundary changes shall not reduce residential density below minimum density requirements of the zoning district in which the property is located. (Ord. 1907 (Attach. 1), 2002)

**Response:** *The proposed land division meets the density requirements for R-MD zoning district.*

### 17.16.050 REPLAT

The following shall accompany applications for a replat:

- A. Completed application form signed by all owners of property included in the proposal;
- B. The application fee as adopted by the City Council;
- C. A narrative report that describes how the proposal meets approval criteria;
- D. Additional information as may be required by the application checklist; and
- E. Additional information including full submission requirements for preliminary plat as may be required by the Planning Director upon review of the proposal. (Ord. 1907 (Attach. 1), 2002)

**Response:** *The applicant has prepared an application package, which includes the application form signed by the owners, application fee, narrative report, application checklist, and all information submitted for the Preapplication Conference Report for Project ID: 22-012PA. The preliminary plat map,*

*existing conditions map, and supplemental map provided before the pre-application conference comply with this standard, as noted in Preapplication Conference Report, Preliminary Plat Requirements, P5.*

#### **17.20.030 GENERAL INFORMATION TO BE SHOWN ON THE PRELIMINARY PLAT**

The applicant should also note the approval criteria for a replat in MMC 17.12.30.A. These criteria should be addressed in the applicant's detailed statement demonstrating how the proposal meets all applicable approval criteria (as noted in Preapplication Conference Report, Land Use Review Process, Replat (Type II)):

- A. Preliminary plats shall be prepared by an Oregon registered land surveyor.

**Response:** *The Preliminary Plat was prepared by Centerline Concepts, Land Surveying, Inc.*

B. The following general information shall be submitted with the preliminary plat:

1. Proposed name of the subdivision/partition. The name shall not duplicate nor resemble the name of another subdivision in the county. Subdivision names shall be approved by the County Surveyor in accordance with ORS Chapter 92;
2. Date, north point, and scale of drawing;
3. Appropriate identification clearly stating the map is a preliminary plat;
4. Location by section, township, and range; and a legal description sufficient to define the location and boundaries of the area to be divided;
5. Names and addresses of the owner, subdivider, and engineer or surveyor;
6. Acreage;
7. Structures and yard setbacks;
8. The location, width, and purpose of easements;
9. The location, approximate dimensions, and area of all lots;
10. Lot and block numbers; and
11. Other information as maybe specified on application forms and checklists prescribed by the Planning Director.

**Response:** *Applicant has provided the Preliminary Plat, Existing Conditions Map, Supplemental Map, and Site Plan to address items required by 1 - 10. These items show Existing Conditions on the site, including the location of trees, the dimensions of the existing house, garage, and driveway. The site plan shows the proposed flag lot 22.5 ft setbacks (two variance requests), and the supplemental includes additional information as required.*

- B. Vicinity map shall be drawn at an appropriate scale, showing all existing subdivisions, streets, and unsubdivided land between the proposed subdivision and the nearest existing arterial or collector streets, and showing how proposed streets *may* be extended to connect with existing streets. At a minimum, the vicinity map shall depict future street connections for land within 400 feet of the subject property. (Ord. 1907 (Attach. 1), 2002)

**Response:** *The Existing Conditions Map and Supplemental Map show the site in relation to existing surrounding streets and neighborhoods.*



## 17.28.040 GENERAL LOT DESIGN

This section does not apply to units of land that are created for purposes other than land development including parks, natural areas, right-of-way dedications, or reservations of a similar nature. Lots and tracts created for cottage cluster housing development, per Subsection 19.505.4, are also exempt from the requirements of this section.

### A. Size and Shape

Lot size, width, shape, and orientation shall be appropriate for the location and the type of use contemplated. Minimum lot standards shall conform to Title 19.

### B. Rectilinear Lots Required

Lot shape shall be rectilinear, except where not practicable due to location along a street radius, or existing lot shape. The sidelines of lots, as far as practicable, shall run at right angles to the street upon which the lots face. As far as practicable, the rear lot line shall run parallel to the street.

### C. Limits on Compound Lot Line Segments

Changes in direction alongside and rear lot lines shall be avoided. Cumulative lateral changes in direction of a side or rear lot line exceeding 10% of the distance between opposing lot corners along a given lot line may only be permitted through the variance provisions of MMC Subsection 19.911. Changes in direction shall be measured from a straight line drawn between opposing lot corners.

### D. Adjustments to Lot Shape Standard

Lot shape standards may be adjusted subject to Section 19.911 Variances.

### E. Limits on Double and Reversed Frontage Lots

Double frontage and reversed frontage lots should be avoided, except where essential to provide separations of residential development from railroads, traffic arteries, or adjacent nonresidential uses, or to overcome specific disadvantages of topography and orientation.

### F. Measurement of Required Frontage

Pursuant to the definition and development standards contained in Title 19 for frontage, required frontage shall be measured along the street upon which the lot takes access. (Ord. 2161 § 2, 2018; Ord. 2051 § 2, 2012; Ord. 2025 § 3, 2011; Ord. 2003 § 2, 2009; Ord. 1907 (Attach. 1), 2002)

**Response:** *The Preliminary Partition Plat shows Parcel 1 Lot and Parcel 2 Flag Lot conform to 17.28.040 requirements (above), including 25.27 ft (> 25 ft requirement) of Home Ave Required Frontage.*

## TITLE 19 ZONING - DEVELOPMENT STANDARDS

### 19.301 MODERATE DENSITY RESIDENTIAL ZONES

#### 19.301.2 Allowed Uses in Moderate Density Residential Zones

Uses allowed, either allowed by right or conditionally, in the moderate density residential zones are listed in Table 19.301.2.

**Response:** *The applicant is proposing a permitted R-MD use of a single family detached dwelling that meets Table 19.301.2 Standards/Additional Provisions for Subsection 19.505.1 Single Detached and Middle Housing Residential Development.*

#### 19.301.4 Development Standards

In the moderate density residential zones, the development standards in Table 19.301.4 apply. Notes and/or cross references to other applicable code sections are listed in the “Standards/Additional Provisions” column. Additional standards are provided in Subsection 19.301.5.

**Response:** *The applicant is proposing a permitted dwelling type of a single family detached dwelling that meets all requirements in Table 19.301.4 Moderate Density Residential Development Standards for a lot size of 7,000 and up (sq ft).*

#### 19.301.5 Additional Development Standards

##### A. Yards

On lots greater than 7,000 sq ft in the R-MD Zone, one side yard shall be at least 5 ft and one side yard shall be at least 10 ft, except on a corner lot the street side yard shall be 20 ft.

##### B. Lot Coverage

The lot coverage standards in Subsection 19.301.4.B.4 are modified for specific uses and lot sizes as described below. The reductions and increases are combined for properties that are described by more than one of the situations below.

##### 1. Decreased Lot Coverage for Large Lots

The maximum lot coverage percentage in Subsection 19.301.4.B.4 is reduced by 10 percentage points for a single detached dwelling, duplex, or residential home on a lot that is more than 10,000 sq ft in Subsection 19.301.4.A.1.

##### 2. Increased Lot Coverage for Single Detached and Middle Housing Dwellings

##### C. Front Yard Minimum Vegetation

At least 40% of the front yard shall be vegetated. The front yard vegetation area required by this subsection counts toward the minimum required vegetation for the lot. A property may provide less than the 40% of the front yard vegetation requirement if it is necessary to provide a turnaround area so that vehicles can enter a collector or arterial street in a forward motion.

#### D. Residential Densities

The minimum development densities in Subsection 19.301.4.C.1 are applicable for land divisions and replats that change the number of lots. Maximum densities apply to single detached dwellings; middle housing is exempt from maximum density, except for townhouses.

If a proposal for a replat or land division is not able to meet the minimum density requirement—due to the dimensional requirements for lot width, lot depth, or lot frontage—the minimum density requirement shall instead be equal to the maximum number of lots that can be obtained from the site given its dimensional constraints. The inability of new lot lines to meet required yard dimensions from existing structures shall not be considered as a basis for automatically lowering the minimum density requirement.

#### E. Accessory Structure Standards

Standards specific to accessory structures are contained in Section 19.502.

#### F. Off-Street Parking and Loading

Off-street parking and loading is required as specified in Chapter 19.600.

#### G. Public Facility Improvements

Transportation requirements and public facility improvements are required as specified in Chapter 19.700.

#### H. Additional Standards

Depending upon the type of use and development proposed, the following sections of Chapter 19.500 Supplementary Development Regulations may apply. These sections are referenced for convenience, and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.

1. Subsection 19.504.4 Buildings on the Same Lot
2. Subsection 19.504.8 Flag Lot and Back Lot Design and Development Standards
3. Subsection 19.505.1 Single Detached and Middle Housing Residential Development
4. Subsection 19.505.2 Garages and Carports
5. Subsection 19.506.4 Manufactured Dwelling Siting and Design Standards, Siting Standards

(Ord. 2134 § 2, 2016; Ord. 2120 § 2, 2016; Ord. 2110 § 2 (Exh. G), 2015; Ord. 2051 § 2, 2012)

### **19.504.8 Flag Lot and Back Lot Design and Development Standards**

#### A. Applicability



Flag lots in all zones are subject to the development standards of this subsection.

## B. Development Standards – Flag Lots

### 2. Yard Setbacks for Flag Lots

1. Front and rear yard: The minimum front and rear yard requirement for flag lots is 30 ft.

**Response:** *The applicant is proposing a lot size greater than 7,000 sq ft in the R-MD Zone, which will meet all requirements at the building permit application stage, as specified in 19.301.5 Additional Development Standards Sections A-H (above), except for Section H, Item 2. Subsection 19.504.8 Flag Lot and Back Lot Design and Development Standards. where applicant is requesting approval for 25% front and rear yard setback variances to reduce the front and rear yard setback from 30 ft and establish a single detached dwelling 22.5 ft from the front and rear property lines.*

### **Notes from Preapplication Conference Report for Zoning Compliance (MMC Title 19):**

**Date Report Completed: 10/26/2022 City of Milwaukie DRT PA Report Page 1 of 11**

*Dimensional standards for the Moderate Density Residential (R-MD) zoned lots are provided in Milwaukie Municipal Code (MMC) Table 19.301.4. The minimum lot size for a single-family dwelling is 5,000 sq ft, with a minimum width of 50 ft and a minimum depth of 80 ft. For lots larger than 7,000 sq ft, the minimum width is 60 ft, and the minimum depth is 80 ft. Standard lots must have a minimum of 35 ft of frontage on a public street.*

*Flag lots are required to have a minimum of 25 ft of frontage on a public street. The area contained within an accessway portion of the lot shall not be counted toward meeting the minimum lot area requirements. Front and rear yard setbacks on a flag lot are greater for single detached units than for middle-housing units; the minimum front and rear yard requirement for a single detached dwelling on a flag lot is 30 ft. This requirement is reduced to 20 ft for the development of middle housing. The minimum side yard setback on a flag lot is 10 ft for both primary and accessory structures. MMC Subsection 19.504.7.D requires that flag lots be screened using either plantings or a fence; screening must be installed prior to final inspections before occupancy of the site. Fencing along an accessway may not be located nearer to the street than the front building line of the house located on lots that abut the flag lot and must also comply with the clear vision standards in MMC 12.24. See MMC 19.504.7.D for full details on screening requirements.*

*The minimum density for the R-MD zone depends on the size of the lot. Please consult table MMC 19.301.4 MMC Subsection 19.202.4 establishes procedures for rounding density calculations. Staff calculated minimum density to be 2 units  $[(21,070/43560) * 5] = 2.4$ ; this is rounded down per 19.202.4 to 2 units.*

*Development standards for the lots themselves (including setbacks, building height, lot coverage, minimum vegetation, etc.) are also found in MMC Table 19.301.4 and are more relevant at the building permit stage, except where existing structures will remain.*

### **19.1003 APPLICATION SUBMITTAL**

The applicant should submit a complete electronic copy of all application materials listed in MMC 19.1003.2 for the City's initial review (as noted in Preapplication Conference Report, Land Use Review Process, Replat (Type II)).

#### **19.1003.2 Application Submittal Requirements**

All application information must be sufficiently detailed and specific to the development being proposed to allow for adequate public review. The application submittal must include all of the items listed below for the City to accept the application and initiate completeness review.

If the application requires sign notice, a sign posting and sign posting affidavit will be required per Subsection 19.1001.6.C.1. If the application requires a public hearing, additional items may be required per Subsection 19.1001.6.D prior to the public hearing.

- A. Application form, including signature(s) of the property owner or public agency initiating the application.
- B. Deed, title report, or other proof of ownership.
- C. Detailed and comprehensive description of all existing and proposed uses and structures, including a summary of all information contained in any site plans. The description may need to include both a written and graphic component such as elevation drawings, 3-D models, and photo simulations, etc. For applications where the subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary on-site "story pole" installations that simulate the proposed development, and photographic representations thereof, may be required at the time of application submittal.
- D. Detailed statement that demonstrates how the proposal meets all applicable approval criteria, zoning and land use regulations, and development standards.
- E. Site plan(s), preliminary plat, or final plat as applicable.
- F. All materials identified on the Submittal Requirements form, including the signature(s) of the applicant submitting the materials.
- G. Payment of all applicable land use application fee(s) and deposit(s), based on the fee schedule in effect on the date of application submittal.
- H. Copy of a valid preapplication conference report if one was required per Subsection 19.1002.2.

#### ***Response:***

*The applicant has provided all information required as noted in 19.1003.2 Application Submittal Requirements A-H (above).*

## Application for Variance (Type II)

### **Notes from Preapplication Conference Report for Zoning Compliance (MMC Title 19):**

**Date Report Completed: 10/26/2022 City of Milwaukie DRT PA Report Page 1 of 11**

Per MMC 19.504.7, the front and rear yard setback for a flag lot in all zones is 30 ft for a single detached dwelling. The applicant communicated that they wish to apply for a reduction of up to 25% (7.5 ft) of the front and rear yard width standard through a Type II review, as permitted under MMC 19.911.3.B. The applicant should submit a complete electronic copy of all application materials listed in MMC 19.1003.2 for the City's initial review (as noted in Preapplication Conference Report, Land Use Review Process, Variance (Type II):

The applicant should also note the approval criteria for a Type II variance in MMC 19.911.4.A. These criteria should be addressed in the applicant's detailed statement demonstrating how the proposal meets all applicable approval criteria.

### **Notes from Preapplication Conference Report for Variance Approval Criteria (MMC 19.911):**

**Date Report Completed: 10/26/2022 City of Milwaukie DRT PA Report Page 6 of 11:**

Up to 3 variance requests can be included in a single variance application (for that single application fee). In the pre-application meeting, the applicant indicated they wished to pursue a variance to the front and rear yard 30 ft setback requirement for a single detached dwelling on a flag lot. Each is considered a separate request for a total of two variance requests. MMC 19.911.2.B allows for limited variations to numerical standards in the code, including a variance of up to 25% to a front, rear, or street-side yard width standard. MMC 19.911.4.A establishes approval criteria for Type II variances in general. The applicant shall address all the criteria in that section to reduce the front and rear yard setbacks on the flag parcel to 22.5 ft for a single detached dwelling.

## 19.911.4 Approval Criteria

### A. Type II Variances

An application for a Type II variance shall be approved when all of the following criteria have been met:

1. The proposed variance, or cumulative effect of multiple variances, will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare.

**Response:** *The proposed front and rear setback variances meet the above criteria based on the inherently private and mature landscaped setting of proposed Parcel 2, relative to surrounding properties and proposed Parcel 1. As shown on the Existing Conditions Map, the western property line (rear setback) is lined with large mature Cyprus trees (>20 ft in height), which together with mature Butterfly trees completely shield the neighboring home (home site near Ada Lane, away from Parcel 2 SW property corner). The existing house on Parcel 1 is shielded by existing landscaping, including mature trees and shrubs near proposed Parcel 2 eastern property line (22.5 ft proposed variance to front setback). The southern property line has an existing 6 ft wooden privacy fence, which shields both southerly neighbors on Ada Lane. Homewood Park on the northern property line provides additional tree coverage and privacy to the surroundings.*



2. The proposed variance will not interfere with planned future improvements to any public transportation facility or utility identified in an officially adopted plan such as the Transportation System Plan or Water Master Plan.

**Response:** *The proposed variances meet above criteria. Proposed Parcel 2's front-facing eastern property line is approximately 114 ft from Home Ave, and therefore the variances won't impact future improvements to Transportation System or Water Master Plans on Home Ave.*

3. Where site improvements already exist, the proposed variance will sustain the integrity of, or enhance, an existing building or site design.

**Response:** *The proposed variance meets above criteria, as the existing house and mature landscaping near the front setback on proposed Parcel 2 will be retained.*

4. Impacts from the proposed variance will be mitigated to the extent practicable.

**Response:** *The proposed variances meet above criteria, as the impact will be mitigated by the existing landscaping, and an additional privacy fence to be built along the front property line for the new Parcel 2 eastern property line during construction on Parcel 2.*

5. The proposed variance would allow the development to preserve a priority tree or trees, or provide more opportunity to plant new trees to achieve 40% canopy, as required by Chapter 16.32.

**Response:** *The proposed variance meets above criteria, by preserving most existing trees and allows for the opportunity to plant new trees to achieve the 40% canopy if required.*



# EXISTING CONDITIONS MAP

LOCATED IN THE  
N.W. 1/4 SECTION 31, T.1S., R.2E., W.M.  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
AUGUST 9, 2022 SCALE 1"=10'

## SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAVD 88.  
THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "HOMWOOD PARK", RECORDS OF CLACKAMAS COUNTY.  
NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.  
NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

## UTILITY NOTES:

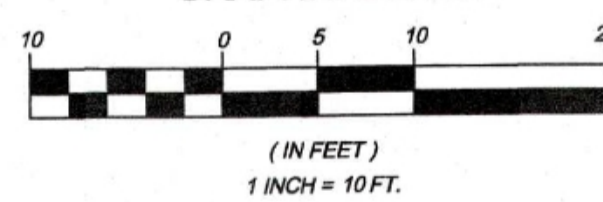
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## LEGEND:

Some Symbols shown may not be used on map

- |  |                       |
|--|-----------------------|
| 12" DECIDUOUS TREE                                       | ○ TRAFFIC SIGNAL POLE |
| 24" EVERGREEN TREE                                       | ○ UTILITY POLE        |
| DEAD TREE  | ○ LIGHT POLE          |
| ○ STORM SEWER MANHOLE                                    | ○ GUY WIRE            |
| □ CATCH BASIN  | □ ELECTRIC BOX        |
| □ CURB INLET   | □ ELECTRIC METER      |
| □ AREA DRAIN   | □ TRANSFORMER         |
| □ DITCH INLET  | □ ELECTRIC RISER      |
| ○ SANITARY SEWER CLEANOUT                                | □ HEAT PUMP           |
| ○ SANITARY SEWER MANHOLE                                 | ○ GATE POST           |
| ○ FIRE HYDRANT   | □ CABLE TV BOX        |
| ○ WATER MANHOLE  | □ CABLE TV RISER      |
| ○ WATER METER  | ○ OVERHEAD LINE       |
| ○ WATER VALVE  | ○ GAS LINE            |
| ○ HOSE BIB   | ○ ELECTRICAL LINE     |
| ○ IRRIGATION CONTROL VALVE                               | ○ COMMUNICATIONS LINE |
| ○ GAS VALVE  | ○ SANITARY SEWER LINE |
| ○ GAS METER  | ○ STORM DRAIN LINE    |
| ○ UTILITY RISER  | ○ WATER LINE          |
| ○ UTILITY BOX  | ○ FENCE LINE          |
| ○ TELEPHONE MANHOLE                                      | ○ HANDRAIL            |
| ○ TELEPHONE RISER  | ○ ARBORVITAE ROW      |
| ○ STORM OUTFALL  | ○ CONCRETE SURFACE    |
| ○ SIGN   | ○ ASPHALT SURFACE     |
| ○ BOLLARD  |                       |
| ○ FOUND MONUMENT   |                       |
| ○ DOWN SPOUT TO STORM SYSTEM                             |                       |
| ○ DOWN SPOUT TO SPLASH GUARD OR GROUND W/ PIPE DIRECTION |                       |

## GRAPHIC SCALE



SIGNED ON: *[Signature]*

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JULY 13, 2004  
TOBY G. BOLDEN  
6037LS

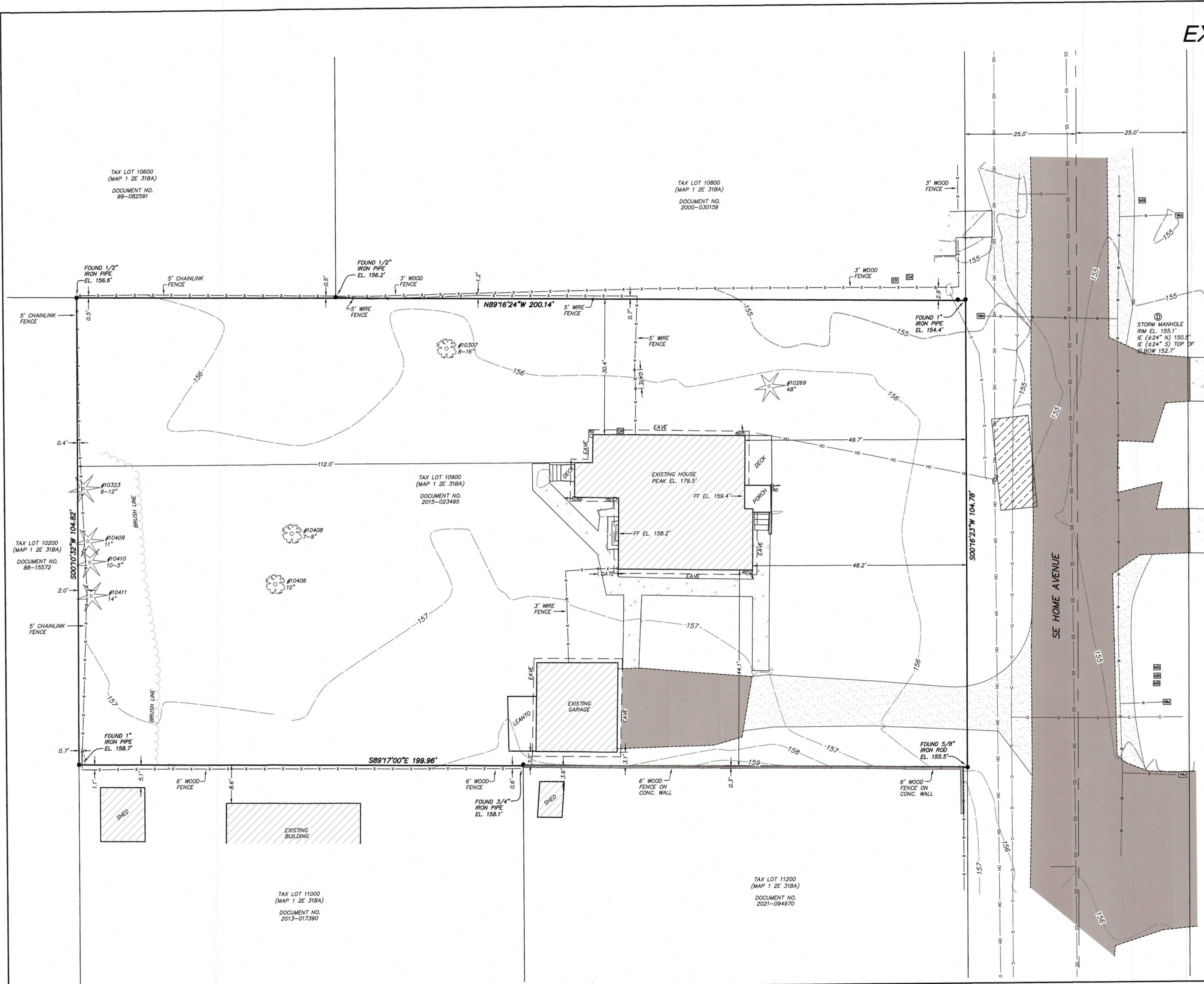
RENEWS: DECEMBER 31, 2023



## CENTERLINE CONCEPTS LAND SURVEYING, INC.

19376 MOLALLA AVE., SUITE 120  
OREGON CITY, OREGON 97045  
PHONE 503.650.0188 FAX 503.650.0189

PLOTTED IN: \PROJECTS\TROYCHAK-HOME AVE-SE-10903\DWG\ECM-C3D.dwg



TAX LOT 10600  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
99-082591

TAX LOT 10800  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
2000-030159

TAX LOT 10900  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
2015-023495

TAX LOT 10200  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
88-15572

TAX LOT 11000  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
2013-017390

TAX LOT 11200  
(MAP 1 2E 31BA)  
DOCUMENT NO.  
2021-084970



# SUPPLEMENTAL MAP

LOCATED IN THE  
N.W. 1/4 SECTION 31, T.1S., R.2E., W.M.  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
AUGUST 9, 2022 SCALE 1"=10'

## LEGEND:

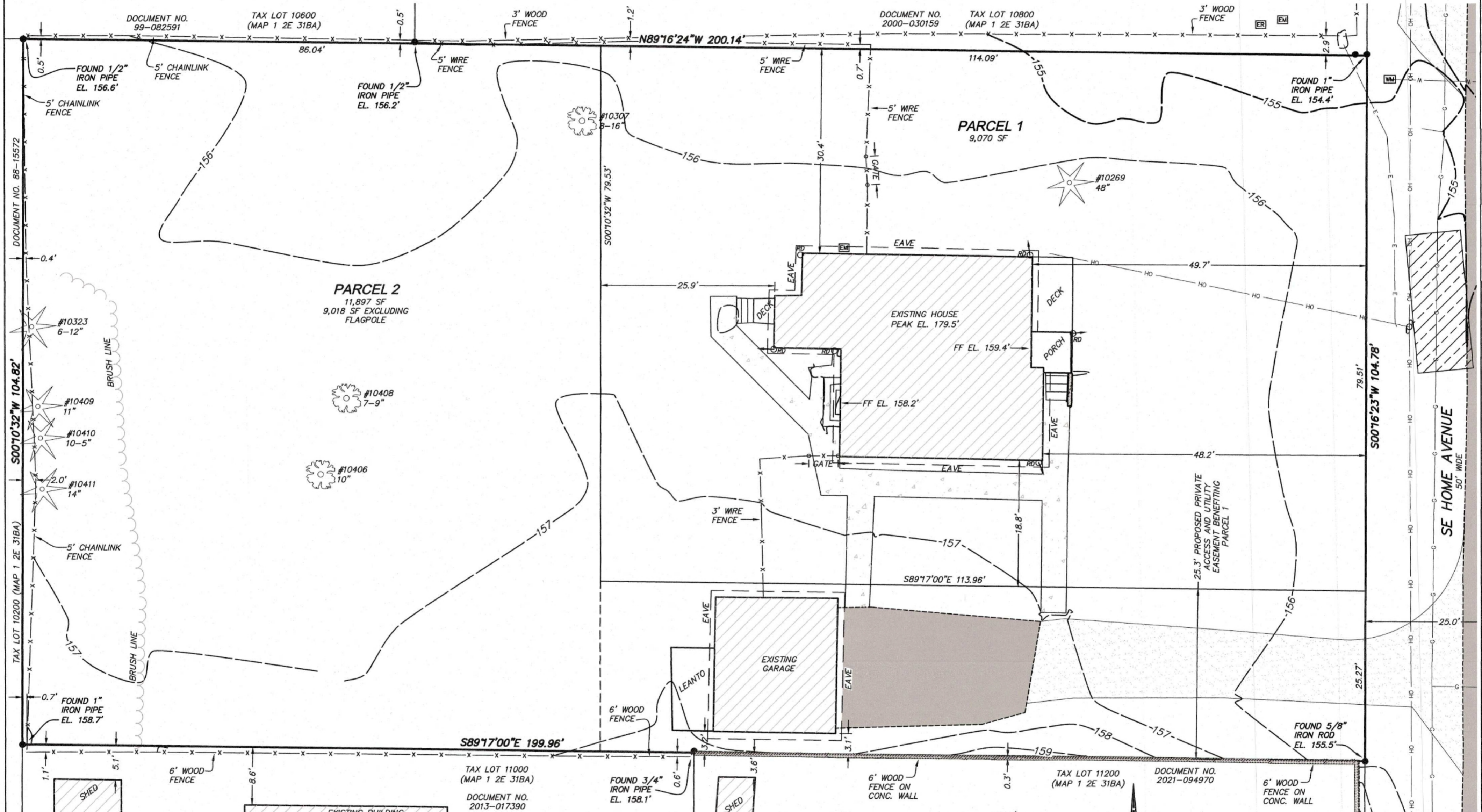
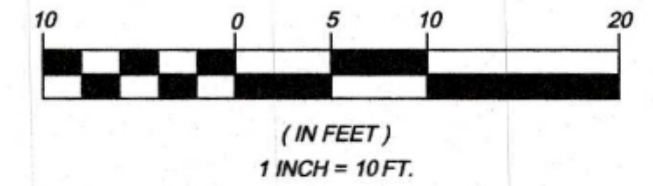
- 12" DECIDUOUS TREE
- 24" EVERGREEN TREE
- WM WATER METER
- FOUND MONUMENT
- RD DOWN SPOUT TO STORM SYSTEM

- RD DOWN SPOUT TO SPLASH GUARD OR GROUND W/ PIPE DIRECTION
- EM ELECTRIC METER
- ER ELECTRIC RISER
- GP GATE POST

- OH OVERHEAD LINE
- G GAS LINE
- E ELECTRICAL LINE
- W WATER LINE
- X-X FENCE LINE

- CONCRETE SURFACE
- ASPHALT SURFACE

## GRAPHIC SCALE



**SURVEY NOTES:**  
THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAVD 88.  
THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "HOMWOOD PARK", RECORDS OF CLACKAMAS COUNTY.  
NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.  
NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

**UTILITY NOTES:**  
THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP ARE SHOWN BASED ON A COMBINATION OF INFORMATION, INCLUDING VISIBLE ABOVE GROUND STRUCTURES, AVAILABLE AS BUILT AND GIS MAPPING FROM LOCAL JURISDICTIONS, AS WELL AS SURFACE MARKINGS BY ONE CALL.  
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SIGNED ON: *T. Bolden*  
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
OREGON  
JULY 13, 2004  
**TOBY G. BOLDEN**  
60377LS

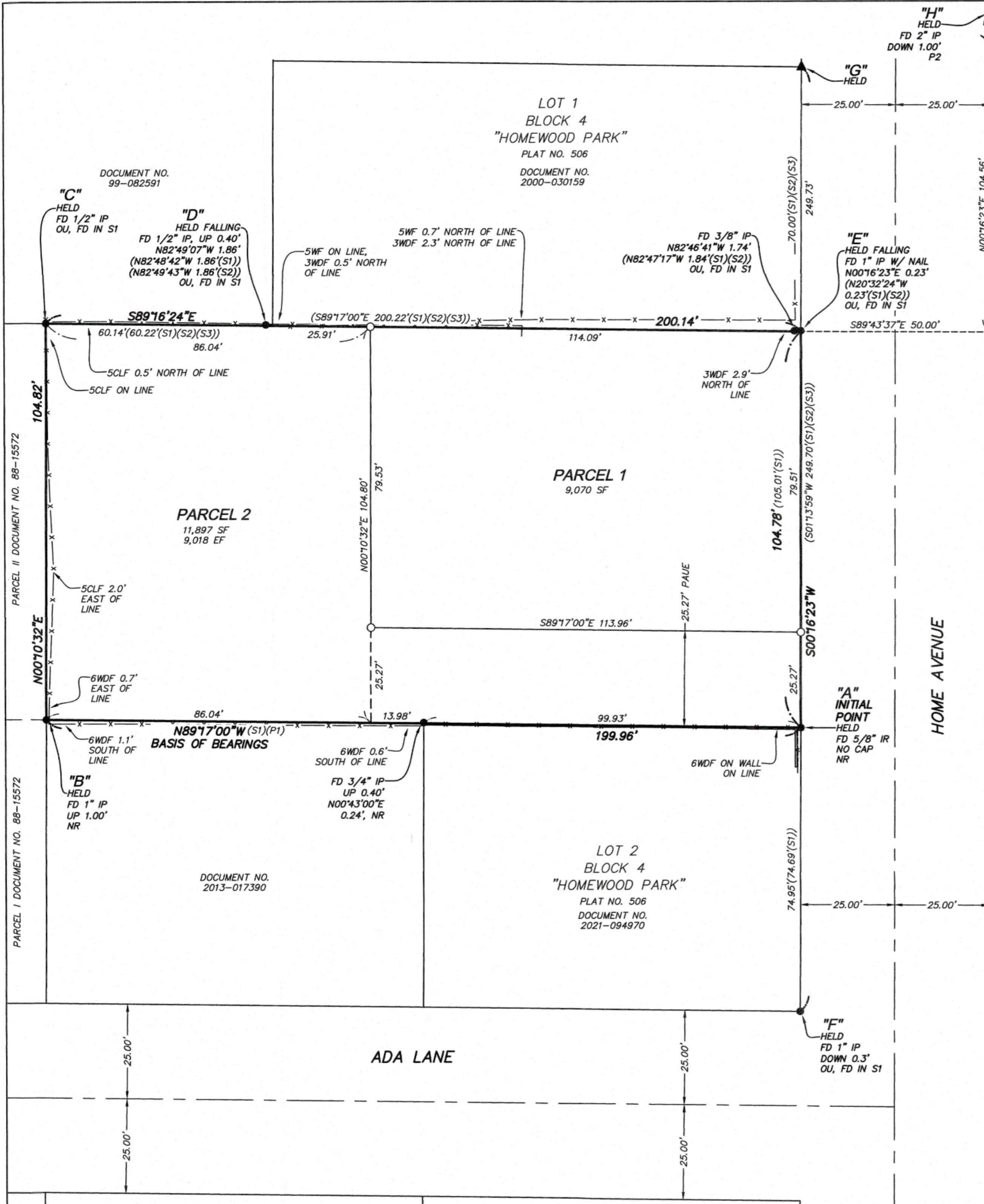


**CENTERLINE CONCEPTS**  
LAND SURVEYING, INC.  
19376 MOLALLA AVE., SUITE 120  
OREGON CITY, OREGON 97045  
PHONE 503.650.0188 FAX 503.650.0189

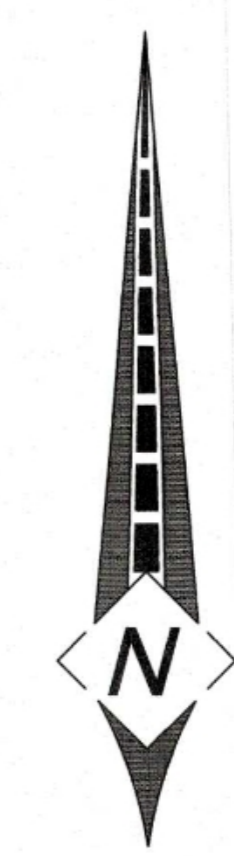
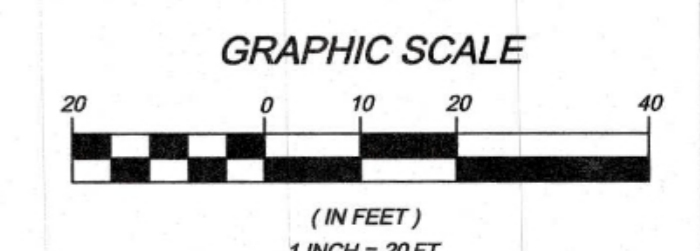


# PARTITION PLAT NO. 2022-

A PORTION OF LOT 1, BLOCK 4, "HOMEWOOD PARK", PLAT NO. 506, LOCATED IN THE N.W. 1/4 SECTION 31, T.1S., R.2E., W.M. CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
 AUGUST 22, 2022 SCALE 1"=20'  
 PLANNING FILE NO. SHEET 1 OF 2



- LEGEND:**
- SET 5/8" x 30" IRON ROD W/ RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS" ON \_\_\_\_\_, 2022
  - △ SET 1.17" COPPER DISC (BERNTSEN BP1) MARKED "BOLDEN LS 60377" ON \_\_\_\_\_, 2022
  - FOUND MONUMENT AS NOTED
  - ▲ FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP MARKED "GAYLORD PLS 929" FROM S2
- XXX.XX'(X) = HELD RECORD DISTANCES & BEARINGS  
 (XXX.XX'(X)) = RECORD DISTANCES & BEARINGS  
 IR = IRON ROD  
 IP = IRON PIPE  
 FD = FOUND  
 W/ = WITH  
 OU = ORIGIN UNKNOWN  
 NR = NO RECORD  
 YPC = YELLOW PLASTIC CAP  
 R/W = RIGHT OF WAY  
 PAUE = PRIVATE ACCESS AND UTILITY EASEMENT BENEFITING PARCEL 1, SEE NOTE 2 ON SHEET 2.  
 SF = SQUARE FEET  
 EF = SQUARE FEET EXCLUDING FLAG POLE  
 DOCUMENT NO. = DEED DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS  
 SN = SURVEY NUMBER, CLACKAMAS COUNTY SURVEYOR'S OFFICE  
 S1 = SN 26346  
 S2 = SN 27774  
 S3 = SN 28808  
 P1 = "HOMEWOOD PARK" PLAT NO. 506  
 P2 = "CAROL ACRES NO. 2" PLAT NO. 830  
 3WDF = 3' WOOD FENCE  
 6WDF = 6' WOOD FENCE  
 5WF = 5' WIRE FENCE  
 5CLF = 5' CHAINLINK FENCE



SIGNED ON: 23 Aug 22  
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
  
**OREGON**  
 JULY 13, 2004  
**TOBY G. BOLDEN**  
 60377LS  
 RENEWS: DECEMBER 31, 2023

**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.  
 19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189



**NARRATIVE:**

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND CONVEYED BY DEED RECORDED AS DOCUMENT NO. 2015-023495, CLACKAMAS COUNTY DEED RECORDS, DESCRIBED THEREIN AS THE EAST ONE-HALF OF THE SOUTH ONE-HALF OF LOT 1, BLOCK 4, "HOMWOOD PARK", PLAT NO. 506, IN ACCORDANCE WITH CITY OF MILWAUKIE CASE FILE NO. XX-XXXXXX.

FOR THE SOUTH LINE OF SAID LOT 1, AND MY BASIS OF BEARINGS, I HELD NORTH 89°17'00" WEST BETWEEN FOUND MONUMENTS "A" AND "B", PER SAID PLAT.

FOR THE NORTH LINE OF THE SUBJECT TRACT, I HELD FOUND MONUMENT "C" AND RECORD FALLINGS TO FOUND MONUMENTS "D" AND "E", PER SURVEYS NO. 26346, 27774, AND 28808.

FOR THE EAST LINE OF THE SUBJECT TRACT, BEING THE WEST RIGHT OF WAY LINE OF SE HOME AVENUE (A 50.00 FOOT WIDE RIGHT OF WAY), I HELD FOUND MONUMENTS "F", "A", "E", AND "G", AND A POINT 50.00 FEET WEST OF FOUND MONUMENT "H", PER SAID PLAT AND THE PLAT OF "CAROL ACRES NO. 2", PLAT NO. 830, AND SURVEY NO. 27774.

I HELD FOUND MONUMENT "C" (ORIGIN UNKNOWN) AND FOUND MONUMENT "B" (AN ORIGINAL PLAT MONUMENT) FOR THE WEST LINE OF THE SUBJECT TRACT.

**PLAT NOTES:**

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY CITY OF MILWAUKIE PLANNING FILE NO. \_\_\_\_\_

2. A MAINTENANCE AGREEMENT FOR THE PRIVATE ACCESS AND UTILITY EASEMENT BENEFITING PARCEL 1 HAS BEEN RECORDED AS DOCUMENT NO. \_\_\_\_\_ CLACKAMAS COUNTY PLAT RECORDS.

**DECLARATION:**

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, JOSEPH A. TROYCHAK AND LISA M. TROYCHAK, TRUSTEES OF THE TROYCHAK 2014 FAMILY TRUST, DATED OCTOBER 30, 2014, THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THE ANNEXED MAP TO BE A CORRECT MAP OF THE PARTITION OF SAID PROPERTY AND THAT WE HAVE CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF OREGON REVISED STATUTES AND FURTHERMORE DOES NOT CLAIM ANY PROPERTY BEYOND THE BOUNDARY AS SHOWN HEREON. THIS PLAT IS SUBJECT TO RESTRICTIONS AS NOTED HEREON.

FURTHERMORE, WE DO HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED ON SAID MAP.

\_\_\_\_\_  
JOSEPH A. TROYCHAK - TRUSTEE  
TROYCHAK 2014 FAMILY TRUST, DATED OCTOBER 30, 2014

\_\_\_\_\_  
LISA M. TROYCHAK - TRUSTEE  
TROYCHAK 2014 FAMILY TRUST, DATED OCTOBER 30, 2014

**ACKNOWLEDGEMENT:**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

\_\_\_\_\_ BY JOSEPH A. TROYCHAK, TRUSTEE OF THE  
TROYCHAK 2014 FAMILY TRUST, DATED OCTOBER 30, 2014.

\_\_\_\_\_  
NOTARY SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC - OREGON

COMMISSION NO.: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**ACKNOWLEDGEMENT:**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

\_\_\_\_\_ BY LISA M. TROYCHAK, TRUSTEE OF THE  
TROYCHAK 2014 FAMILY TRUST, DATED OCTOBER 30, 2014.

\_\_\_\_\_  
NOTARY SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC - OREGON

COMMISSION NO.: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**PARTITION PLAT NO. 2022-\_\_\_\_\_**

A PORTION OF LOT 1, BLOCK 4, "HOMWOOD PARK", PLAT NO. 506, LOCATED IN THE N.W. 1/4 SECTION 31, T.1S., R.2E., W.M. CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
AUGUST 22, 2022 SCALE 1"=20'  
PLANNING FILE NO. \_\_\_\_\_  
SHEET 1 OF 2

**SURVEYOR'S CERTIFICATE:**

I, TOBY G. BOLDEN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE ATTACHED PARTITION MAP, SAID LAND BEING DESCRIBED AS FOLLOWS:

A PORTION OF LOT 1, BLOCK 4, "HOMWOOD PARK", PLAT NO. 506, CLACKAMAS COUNTY PLAT RECORDS, LOCATED IN THE N.W. 1/4 OF SECTION 31, T.1S., R.2E., W.M., CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A 5/8" IRON ROD WITH NO CAP FOUND AT THE NORTHEAST CORNER OF ADJOINING LOT 2 OF SAID BLOCK 4; THENCE ALONG THE NORTH LINE OF SAID ADJOINING LOT 2, NORTH 89°17'00" WEST, 199.96 FEET TO THE SOUTHEAST CORNER OF THAT ADJOINING TRACT OF LAND DESCRIBED AS PARCEL II IN DEED RECORDED AS DOCUMENT NO. 88-15572, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF SAID ADJOINING TRACT OF LAND DESCRIBED AS PARCEL II, NORTH 00°10'32" EAST, 104.82 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF THAT ADJOINING TRACT OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 99-082591, CLACKAMAS COUNTY DEED RECORDS, AND CONTINUING ALONG THE SOUTH LINE OF THAT ADJOINING TRACT OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 2000-030159, CLACKAMAS COUNTY DEED RECORDS, SOUTH 89°16'24" EAST, 200.14 FEET TO THE WEST RIGHT OF WAY LINE OF HOME AVENUE, BEING 25.00 FEET WEST OF THE CENTERLINE THEREOF WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00°16'23" WEST, 104.78 FEET TO THE INITIAL POINT.

CONTAINING 20,967 SQUARE FEET

SIGNED ON: 23 AUG 22

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 13, 2004 TOBY G. BOLDEN 60377LS

RENEWS: DECEMBER 31, 2023

**APPROVALS:**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
CITY OF MILWAUKIE PLANNING DIRECTOR

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
CITY OF MILWAUKIE CITY ENGINEER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH JUNE 30, \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
CLACKAMAS COUNTY ASSESSOR AND TAX COLLECTOR

BY: \_\_\_\_\_  
DEPUTY

STATE OF OREGON )  
COUNTY OF CLACKAMAS ) SS

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.,

AS PARTITION PLAT NO. \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: \_\_\_\_\_  
DEPUTY



**CENTERLINE CONCEPTS**

LAND SURVEYING, INC.

19376 MOLALLA AVE., SUITE 120

OREGON CITY, OREGON 97045

PHONE 503.650.0188 FAX 503.650.0189





# CITY OF MILWAUKIE

October 28, 2022

Joe Troychak  
10903 SE Home Ave  
Milwaukie, OR 97222

**Re: Preapplication Report**

Dear Joe:

Enclosed is the Preapplication Report Summary from your meeting with the City on October 13, 2022, concerning your proposal for action on property located at 10903 SE Home 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,

Emilie Bushlen  
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: 22-012PA

This report is provided as a follow-up to the meeting that was held on 10/13/2022 at 10:00 AM

The Milwaukie Municipal Code is available here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)

## APPLICANT AND PROJECT INFORMATION

<b>Applicant:</b>	Joe Troychak	<b>Applicant Role:</b> Property Owner
<b>Applicant Address:</b>	10903 SE Home Ave	
<b>Company:</b>	N/A	
<b>Project Name:</b>	10903 SE Home Ave Replat and Variance	
<b>Project Address:</b>	10903 SE Home Ave	<b>Zone:</b> R-MD
<b>Project Description:</b>	The applicant is proposing to divide a 21,070 sq ft lot to create two total lots, one 9,070 sq ft lot and one 11,897 sq ft flag lot. The applicant is also seeking a front and rear yard setback variance to reduce the front and rear yard setback from 30 ft and establish a single detached dwelling 22.5 ft from the front and rear property lines.	
<b>Current Use:</b>	Single Detached Dwelling (Residential)	
<b>Applicants Present:</b>	Joe Troychak	
<b>Staff Present:</b>	Ryan Dyar, Assistant Planner; Vera Kalias, Senior Planner; Galen Hoshovsky, Environmental Services Coordinator; Jennifer Backhaus, Engineering Technician III; Eanna Zaya, Engineering Technician I; Courtney Wilson, Urban Forester	

## PLANNING COMMENTS

### Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	<b>Use Standards (e.g., residential, commercial, accessory)</b>	In the Moderate Density Residential Zone (R-MD), single-detached residential uses are permitted outright according to Milwaukie Municipal Code (MMC) 19.301.2.
<input checked="" type="checkbox"/>	<b>Dimensional Standards (including standards for flag lots)</b>	Dimensional standards for the Moderate Density Residential (R-MD) zoned lots are provided in Milwaukie Municipal Code (MMC) Table 19.301.4. The minimum lot size for a single-family dwelling is 5,000 sq ft, with a minimum width of 50 ft and a minimum depth of 80 ft. For lots larger than 7,000 sq ft, the minimum width is 60 ft, and the minimum depth is 80 ft. Standard lots must have a minimum of 35 ft of frontage on a public street.  Flag lots are required to have a minimum of 25 ft of frontage on a public street. The area contained within an accessway portion of the lot shall not be counted toward meeting the minimum lot area requirements. Front and rear yard setbacks on a flag lot are greater for single detached units than for middle-housing units; the minimum front and rear yard requirement for a single detached dwelling on a flag lot is 30 ft. This requirement is reduced



		<p>to 20 ft for the development of middle housing. The minimum side yard setback on a flag lot is 10 ft for both primary and accessory structures. MMC Subsection 19.504.7.D requires that flag lots be screened using either plantings or a fence; screening must be installed prior to final inspections before occupancy of the site. Fencing along an accessway may not be located nearer to the street than the front building line of the house located on lots that abut the flag lot and must also comply with the clear vision standards in MMC 12.24. See MMC 19.504.7.D for full details on screening requirements.</p> <p>The minimum density for the R-MD zone depends on the size of the lot. Please consult table MMC 19.301.4 MMC Subsection 19.202.4 establishes procedures for rounding density calculations. Staff calculated minimum density to be 2 units <math>[(21,070/43560) * 5] = 2.4</math>; this is rounded down per 19.202.4 to 2 units.</p> <p>Development standards for the lots themselves (including setbacks, building height, lot coverage, minimum vegetation, etc.) are also found in MMC Table 19.301.4 and are more relevant at the building permit stage, except where existing structures will remain.</p>
--	--	---

**Land Use Review Process**

<input checked="" type="checkbox"/>	<b>Applications Needed</b>	<p><u>Replat (Type II)</u></p> <p>Per MMC 17.12.020, a replat is required when making changes to a lot in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, including an increase or decrease in the number of lots. The subject property was created as part of the Homewood Park Subdivision (platted 1925). The applicant should submit a complete electronic copy of all application materials listed in MMC 19.1003.2 for the City's initial review. The applicant should also note the approval criteria for a replat in MMC 17.12.30.A. These criteria should be addressed in the applicant's detailed statement demonstrating how the proposal meets all applicable approval criteria.</p> <p><u>Variance (Type II)</u></p> <p>Per MMC 19.504.7, the front and rear yard setback for a flag lot in all zones is 30 ft for a single detached dwelling. The applicant communicated that they wish to apply for a reduction of up to 25% (7.5 ft) of the front and rear yard width standard through a Type II review, as permitted under MMC 19.911.3.B. The applicant should submit a complete electronic copy of all application materials listed in MMC 19.1003.2 for the City's initial review. The applicant should also note the approval criteria for a Type II variance in MMC 19.911.4.A. These criteria should be addressed in the applicant's detailed statement demonstrating how the proposal meets all applicable approval criteria.</p> <p><u>Final Plat (Type I)</u></p> <p>Following approval of a replat application, the applicant is required to submit a final plat application, which is processed in accordance with the Type I procedure.</p>
<input checked="" type="checkbox"/>	<b>Fees</b>	<ul style="list-style-type: none"> <li>• Replat (Type II) = \$2,000 (Replat fees are similar to those of the action they replicate, a partition in this case).</li> <li>• Variance (Type II) = \$1,000 (reduced to \$750 with discount)</li> <li>• Final Plat (Type I) = \$200 (will be processed separately, after replat approval)</li> </ul> <p>Note: For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one.</p>
<input checked="" type="checkbox"/>	<b>Review Type: Type II</b>	<p>A Type II review is processed in accordance with the procedural requirements in MMC 19.1005. Accordingly, the application will be referred to the proximate neighborhood associations (Hector Campbell NDA, in this case) and affected City departments or other governmental agencies. Public notice will be mailed to the applicant, the property owner of record of the subject property, and the owners of record of properties within 300 ft of the perimeter of the subject property. If no comments are received within 14 days from the date of referral, the City will presume that no comments will be submitted.</p>

		In compliance with the provisions in ORS 197.311, the city will deem the application complete or incomplete within 30-days of receiving the application. Once deemed complete, the city has a total of 120 days to issue a notice of decision approving or denying the application. City staff aims to issue decisions much more quickly than what state law permits—typically a two-month timeframe for Type II decisions. Type II decisions are made at an administrative level by the City's Planning Manager. Once a decision has been issued, the applicant has 15 days from the date of its mailing to appeal the decision in writing before it becomes final. An appeal would be heard in a public hearing by the Planning Commission as a final decision maker.
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**Overlay Zones (MMC 19.400)**

<input type="checkbox"/>	<b>Willamette Greenway</b>	
<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	

**Site Improvements/Site Context**

<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	<p>For single detached residential development, there are only a few specific requirements for landscaping:</p> <ul style="list-style-type: none"> <li>• Minimum vegetation requirement = 30% for lots 7,000 sq ft and up.</li> <li>• Front yard minimum vegetation = 40% of the front yard (measured between the front face of the house and the front property, so not simply the area within the required front yard setback of 20 ft, 22.5 ft, or 30 ft)</li> <li>• No more than 20% of the required vegetation area shall be covered in mulch or bark dust. Mulch or bark dust under the canopy of trees or shrubs is excluded from this limit. Plans for development shall include landscaping plans which shall be reviewed for conformance to this standard.</li> </ul> <p>Related to landscaping, parking and maneuvering areas cannot exceed 50% of the front yard area (as per MMC Subsection 19.607.1.D).</p>
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<input type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)</b>	
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<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	
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<input type="checkbox"/>	<b>Circulation</b>	
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<input checked="" type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	MMC Subsection 19.505.1 provides design standards for single-family dwellings, including building articulation, street-facing façade design, main entrances, and detailed design. Compliance with these standards will be confirmed at the building permit stage.
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<input type="checkbox"/>	<b>Downtown Design Standards (MMC 19.508)</b>	
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**Parking Standards (MMC 19.600)**

<input checked="" type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	<p>As per MMC Table 19.605.1, a minimum of one off-street parking space is required per single-family dwelling unit.</p> <p>MMC Section 19.607 establishes requirements for residential off-street parking. The required parking space must be at least 9 ft wide and 18 ft deep and cannot be within an adjacent</p>
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		public street right-of-way, over an access easement, or over a public sidewalk. All required parking spaces, as well as all parking and maneuvering areas within a required front or side yard, must have a durable and dust-free surface.  No more than 3 residential parking spaces are allowed within the required front yard. Uncovered parking spaces and maneuvering areas cannot exceed 50% of the front yard area.
<input type="checkbox"/>	<b>Multi-Family/Commercial Parking Requirements</b>	
<b>Approval Criteria (MMC 19.900)</b>		
<input type="checkbox"/>	<b>Community Service Use (CSU) (MMC 19.904)</b>	
<input type="checkbox"/>	<b>Conditional Use (MMC 19.905)</b>	
<input type="checkbox"/>	<b>Development Review (MMC 19.906)</b>	
<input checked="" type="checkbox"/>	<b>Variance (MMC 19.911)</b>	Up to 3 variance requests can be included in a single variance application (for that single application fee). In the pre-application meeting, the applicant indicated they wished to pursue a variance to the front and rear yard 30 ft setback requirement for a single detached dwelling on a flag lot. Each is considered a separate request for a total of two variance requests. MMC 19.911.2.B allows for limited variations to numerical standards in the code, including a variance of up to 25% to a front, rear, or street-side yard width standard. MMC 19.911.4.A establishes approval criteria for Type II variances in general. The applicant shall address all the criteria in that section to reduce the front and rear yard setbacks on the flag parcel to 22.5 ft for a single detached dwelling.
<b>Land Division (MMC Title 17)</b>		
<input checked="" type="checkbox"/>	<b>Design Standards</b>	MMC Section 17.28.040 establishes general standards for lot design, including a requirement for rectilinear lots (as practicable) and limits on compound lot line segments. Cumulative lateral changes in the direction of the side or rear lot lines must not exceed 10% of the distance between opposing lot corners along a given lot line unless a Type III variance is granted. The site plan provided shows a property configuration that complies with this standard.
<input checked="" type="checkbox"/>	<b>Preliminary Plat Requirements</b>	MMC Section 17.16.050 provides application requirements for a replat. This list includes full submission requirements for a preliminary plat. With the replat application, please provide a preliminary plat created by a professional licensed land surveyor in accordance with the requirements in MMC 17.20. The preliminary plat map, existing conditions map, and supplemental map provided before the pre-application conference comply with this standard.
<input checked="" type="checkbox"/>	<b>Final Plat Requirements (See Engineering Section of this Report)</b>	MMC Section 17.16.070 provides application requirements and procedures for final plats, with a reference to the City's final plat checklist. The checklist outlines the specific pieces of information that must be shown on the plat, based on the provisions for the final plat established in MMC Chapter 17.24.  MMC Section 17.12.050 establishes the following approval criteria for final plats. The final plat application will be required upon approval of an application for a replat.
<b>Sign Code Compliance (MMC Title 14)</b>		
<input type="checkbox"/>	<b>Sign Requirements</b>	

<b>Noise (MMC Title 16)</b>		
<input type="checkbox"/>	<b>Noise Mitigation (MMC 16.24)</b>	
<b>Neighborhood District Associations</b>		
<input checked="" type="checkbox"/>	<b>Hector Campbell</b>	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 site is within the Hector Campbell NDA.
	Choose an item.	
	Choose an item.	<b><u>Hector Campbell NDA Chair</u></b> Corinn deTorres <a href="mailto:corinn@chapeltheatreMilwaukie.com">corinn@chapeltheatreMilwaukie.com</a> Meets quarterly: Jan 11, 2023 (6-8 pm), March 19 <sup>th</sup> , 2023 (3-5 pm), May 10, 2023 (6-8) pm.
<b>Other Permits/Registration</b>		
<input type="checkbox"/>	<b>Business Registration</b>	
<input type="checkbox"/>	<b>Home Occupation Compliance (MMC 19.507)</b>	
<b>Additional Planning Notes</b>		
<b>ENGINEERING &amp; PUBLIC WORKS COMMENTS</b>		
<b>Public Facility Improvements (MMC 19.700)</b>		
<input checked="" type="checkbox"/>	<b>Applicability (MMC 19.702)</b>	MMC 19.702 establishes the applicability of MMC 19.700, including to partitions, subdivisions, replats, 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.  The proposed replat will establish a new lot. MMC 19.700 applies.
<input type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	A Transportation Facilities Review (TFR) Land Use Application is not required.
<input type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>	A Transportation Impact Study (TIS) is not required.
<input type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	No agency notification is required as part of this development.
<input checked="" type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	Access Management: All development subject to MMC 19.700 shall comply with access management standards contained in MMC 12.16.  The combined driveway approach must be established prior to future development. See MMC 12.16 for additional driveway and approach guidelines.  Clear Vision: All developments subject to MMC 19.700 shall comply with clear vision standards contained in MMC 12.24.

<input checked="" type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>	<p>A 10-ft public utility easement (PUE) is required along the Home Avenue frontage.</p> <p>See MMC 13.04 for Water System requirements.</p> <p>See MMC 13.12 for Sewer System requirements.</p> <p>Home Avenue is currently under moratorium. In order to connect to water and sewer for the new lot, hard surface asphalt cuts are required. At the time of development, the applicant will have three options for street repair related to utility connections:</p> <ol style="list-style-type: none"> <li>1. The applicant can complete the street repair to the Moratorium Street standards which includes a 10-ft by full lane width 2-in grind and overlay in both directions centered on the trench.</li> <li>2. The applicant can pay the Moratorium Street Fee in lieu of the additional Moratorium Street repair (general trench repair standards will still apply). The fee is based on total asphalt cut/trench square footage, and the number of years since the roadway was repaved.</li> <li>3. Wait to develop the new lot until after Home Avenue is no longer under Moratorium (September 2027).</li> </ol>
<b>Flood Hazard Area (MMC 18)</b>		
<input type="checkbox"/>	<b>Development Permit (MMC 18.16.030)</b>	The subject property is not in a flood hazard zone.
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>	
<input type="checkbox"/>	<b>Compensatory Storage (MMC 18.20.020)</b>	
<input type="checkbox"/>	<b>Floodways (MMC 18.20.010.B)</b>	
<b>Environmental Protection (MMC 16)</b>		
<input type="checkbox"/>	<b>Weak Foundation Soils (MMC 16.16)</b>	
<input checked="" type="checkbox"/>	<b>Erosion Control (MMC 16.28)</b>	<p>Erosion control and prevention is required as outlined in MMC16.28</p> <p><a href="#">Standard Erosion Prevention and Sediment Control notes</a></p> <p>Projects that disturb more than 500 square feet within the City of Milwaukie limits require an <a href="#">Erosion Control Permit</a> 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.</p> <p>Please review the City's <a href="#">Erosion Prevention and Sediment Control requirements</a>. The applicant is encouraged to use the City's adopted <a href="#">Erosion Prevention and Sediment Control Planning &amp; Design Manual (2020)</a> for assistance in designing an erosion control plan.</p> <p>Development sites between 1 acre and 5 acres should apply for a 1200-CN permit as outlined on <a href="https://www.milwaukieoregon.gov/publicworks/1200cn">https://www.milwaukieoregon.gov/publicworks/1200cn</a>. Applicants will use the DEQ 1200-C permit application but submit it to the city for review and approval through the Milwaukie Erosion and Sediment Control Program. A 1200-C permit can be found on the DEQ website at <a href="https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx</a>. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>For more information, please visit <a href="https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control">https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control</a> or contact <a href="mailto:erosioncontrol@milwaukieoregon.gov">erosioncontrol@milwaukieoregon.gov</a>.</p>

<input checked="" type="checkbox"/>	<b>Tree Code (MMC 16.32)</b>	<p>All public trees over 2" in diameter at breast height (DBH) are regulated by the public tree code. Public 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). Public tree removals require an approved permit for removal, which includes a notice period lasting 14 days but can extend to 28 days if public comment is received.</p> <p>Public trees require a permit for planting (free) – visit <a href="http://milwaukieoregon.gov/trees">milwaukieoregon.gov/trees</a> to learn more.</p> <p>Frontage improvements include tree replanting requirements in the ROW following the public works standards. Public trees may count for partial credit in the development tree code as described in 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). If the lot is being subdivided, then the development tree code applies to each lot independently. If the applicant consolidates tax lots, the final consolidated tax lot would be subject to the development tree code.</p> <p>The development tree code requires for this development compliance and/or mitigation associated with the following standards:</p> <ul style="list-style-type: none"> <li>- Preservation standard</li> <li>- Planting Standard</li> <li>- Protection Standard</li> <li>- Soil volume standard.</li> </ul> <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage <a href="#">here</a>. Mitigation fees are outlined in the <a href="#">Master Fee Schedule</a>. The applicant may seek a variance for one or more of these standards through a Type III variance process (MMC 16.32.042.E)</p> <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 <a href="http://www.milwaukieoregon.gov/trees">www.milwaukieoregon.gov/trees</a>.</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 <a href="mailto:urbanforest@milwaukieoregon.gov">urbanforest@milwaukieoregon.gov</a> or call 503-786-7655.</p>
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**Public Services (MMC 13)**

<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>The newly created lot will require a new water connection at the time of development. Connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: <a href="https://www.milwaukieoregon.gov/building/water-connection-application">https://www.milwaukieoregon.gov/building/water-connection-application</a></p> <p>A system development charge and a water service connection fee must be paid prior to new connections to city water.</p> <p>Connecting to the existing water main in Home Avenue may require payment of Moratorium Fees or extended asphalt repair.</p>
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>The newly created lot will require a new sewer connection at the time of development. Connection and extension of City utilities is subject to plan and application review.</p> <p>An 8" Concrete sewer main is available in Home Avenue. An 8" Cast Iron force main is located adjacent to the concrete main. Do not damage or attempt to establish a connection to the force main.</p>

		A system development charge must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.  Connecting to the existing wastewater main in Home Avenue will require payment of Moratorium Fees or extended asphalt repair.
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	Stormwater mitigation must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual.  A system development charge must be paid at the time of development and prior to building permit issuance.
<input type="checkbox"/>	<b>System Development Charge (MMC 13.28.040)</b>	All new development or intensifications of use shall be subject to system development charges.
<input type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	

### Public Places (MMC 12)

<input checked="" type="checkbox"/>	<b>Right of Way Permit (MMC 12.08.020)</b>	A Right-of-Way Permit will be required for construction of the new shared accessway.  A Right-of-Way Permit will also be required for the construction of utility connections at the time of development.
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	Per MMC 12.16.040, private property must be provided street access via accessways (driveways). These driveways must be constructed under a right-of-way permit in accordance with the current Milwaukie Public Works Standards.  A shared accessway between the existing lot and the new lot is proposed due to site constraints. The new approach design is subject to plan review and a Right-of-Way Permit is required.  The shared accessway must be at least 12-ft wide and be located 5-ft away from either side property line.
<input checked="" type="checkbox"/>	<b>Clear Vision (MMC 12.24)</b>	A clear vision area shall be maintained at all driveways and accessways.

### Additional Engineering & Public Works Notes

System Development Charges will be assessed at the time of development for the new lot.

Contact Engineering prior to applying for a Right-of-Way permit for future utility connections as fees and repair standards may have changed.

A Right-of-Way permit is required to be issued prior to construction of the new driveway approach.

### BUILDING COMMENTS

All drawings must be submitted electronically through [www.buildingpermits.oregon.gov](http://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](http://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](mailto:building@milwaukieoregon.gov).

### Additional Building Notes

e.g. sprinklers, accessibility, alarms, bathrooms, exits, elevator

### OTHER FEES

<input checked="" type="checkbox"/>	<b>Construction Excise Tax</b> Affordable Housing CET – Applies to any project with a construction value of over 100,000.	<b>Calculation:</b> Valuation *12% (.12)
<input checked="" type="checkbox"/>	<b>Metro Excise Tax</b> Metro – Applies to any project with a construction value of over \$100,000.	<b>Calculation:</b> Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	<b>School Excise Tax</b> School CET – Applies to any new square footage.	<b>Calculation:</b> Commercial = \$0.69 a square foot, Residential = \$1.39 a square foot (not including garages)

### 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"/>	<b>Boiler Approval (State)</b>	
<input type="checkbox"/>	<b>Elevator Approval (State)</b>	

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

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**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**

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**BUILDING DEPARTMENT**

Vacant	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
Vacant	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
Vacant	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	<a href="mailto:shawn.olson@ClackamasFire.com">shawn.olson@ClackamasFire.com</a>
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