



CITY OF MILWAUKIE

March 16, 2023

Bill Krasnogorov
14195 SE Dagwood Ln.
Happy Valley, OR 97086

Re: Preapplication Report

Dear Bill:

Enclosed is the Preapplication Report Summary from your meeting with the City on March 2, 2023, concerning your proposal for action on property located at 11909 SE Stanley 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,

Petra Johnson
Administrative Specialist II



CITY OF MILWAUKIE
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Preapplication Conference Report

Project ID: 23-001PA

This report is provided as a follow-up to the meeting that was held on 3/2/2023 at 11:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Bill Krasnogorov	Applicant Role: Developer
Applicant Address:	14195 SE Dagwood Ln, Happy Valley, OR 97086	
Company:	Red Hills Land and Design, LLC	
Project Name:	38-unit cottage cluster	
Project Address:	11909 SE Stanley Ave (tax lots 5400 & 5500)	Zone: R-MD (Moderate Density Residential)
Project Description:	Cottage cluster development with six clusters of 38 units total.	
Current Use:	Existing single-unit house	
Applicants Present:	Bill Krasnogorov (prospective owner/developer), Eugene Lew (Re/Max Equity Group)	
Staff Present:	Brett Kelter (Senior Planner), Steve Adams (City Engineer), Jennifer Backhaus (Engineering Tech III), Eanna Zaya (Engineering Tech I), Courtney Wilson (Urban Forester), Natalie Rogers (Climate & Natural Resources Manager), Patrick McLeod (Building Official), Shawn Olson (Fire Marshal, Clackamas Fire District #1)	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	The property is zoned Moderate Density Residential (R-MD), which allows a variety of residential housing types, including single-unit detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	Dimensional Standards	Dimensional standards for the R-MD zone are provided in Milwaukie Municipal Code (MMC) Section 19.301 (specifically in MMC Subsection 19.301.4) and vary depending on lot size. Setback requirements are provided in MMC Table 19.301.4. The subject property is comprised of two tax lots under the same ownership. Lot 5400 is a parent lot developed with a single-unit house; Lot 5500 is a flag lot that functions as the back yard of lot 5400. The overall property is approximately 61,780 sq ft (1.42 acres). The property has just over 180 ft of street frontage on Stanley Avenue and is 350 ft deep. No conventional land division is proposed.

Land Use Review Process

☒	<p>Applications Needed, Fees, and Review Type</p>	<p>The subject property is comprised of two lots that appear to have been created by a method other than plat. The applicant has proposed to consolidate the two lots. Lot consolidations may be recorded by deed subject to approval of the County Surveyor.</p> <p>No land use application is required for middle housing development unless a variance is requested or a land division is proposed. Applicable standards for development will be reviewed and confirmed as part of the building permit review.</p> <p>For any proposed land division or boundary adjustment:</p> <ul style="list-style-type: none"> • Lot Consolidation (Type I review) = \$200 <p>Other possible applications:</p> <ul style="list-style-type: none"> • Parking Modification (if pursued) = Type II (\$1,000) • Natural Resource review (if needed) (Type I, II, or III) = \$200, \$1,000, or \$2,000, respectively (Where a technical report is required, a \$3,000 deposit will be collected as part of covering the costs of peer review by the City's on-call natural resources consultant.) <p><u>Note:</u> For multiple applications processed concurrently, there is a 25% discount offered for each application fee after paying full price for the most expensive application.</p>
☒	<p>Application Process</p>	<p>The applicant must submit a complete electronic copy of all application materials for the City's initial review. A determination of the application's completeness will be issued within 30 days. (<u>Note:</u> For a middle housing land division, a completeness determination will be issued within 21 days.) If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>For Type I applications, an administrative decision by the Planning Manager will be issued as soon as possible once the application has been determined to be complete.</p> <p>For Type II applications, within seven (7) days of the application being deemed complete, public notice of the application will be sent to property owners and current residents within 300 ft of the subject property, and a sign with notice of the application must be posted on the site. The application will also be referred to other relevant departments and agencies for review and comment. Parties will have at least 14 days to provide comments before a decision is issued by the Planning Manager.</p> <p>For Type III applications, a public hearing with the Planning Commission will be scheduled once the application is deemed complete. At present, meetings are being conducted in a hybrid format, with the option of participating in person at City Hall or online via Zoom. Public notice of the hearing will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will coordinate with the applicant to provide the necessary sign(s). Staff will prepare a report with analysis of the proposal and a recommendation that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission for a decision.</p> <p>Issuance of a decision (Type I, II, or III) starts a 15-day appeal period for the applicant and any party who establishes standing. If no appeal is received within the 15-day window, the decision becomes final. Any appeal of a Type I or II decision would be heard by the Planning Commission for the final local decision; an appeal of a Type III decision would be heard by the City Council.</p> <p>Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p> <p>Note that the state requires land use decisions to be issued within 120 days of being deemed complete. For middle housing land divisions, which are processed using Type II review, the decision deadline is 63 days.</p>

		The 2023 schedule for Planning Commission hearings is attached for reference if needed. It includes dates by which an application must be deemed complete to be eligible for a particular hearing date.
Overlay Zones (MMC 19.400)		
<input type="checkbox"/>	Willamette Greenway	
<input checked="" type="checkbox"/>	Natural Resources	<p>The City's Natural Resources (NR) Administrative map was recently updated to correct some errors concerning the subject property (see land use file #NR-2022-002). The map previously showed a wetland covering all of Lot 5500 as well as a protected stream-type feature along the southern edge of the property, with accompanying Water Quality Resource (WQR) and Habitat Conservation Area (HCA) designations on the site. The detailed boundary verification approved with NR-2022-002 removed the wetland and HCA designations from the property and reclassified the stream as a secondary protected water feature with a 15-ft protective WQR buffer on either side of the stream (including only about 5 ft of WQR buffer on the subject property).</p> <p>Any activity within the WQR buffer on the site is subject to the applicable provisions of MMC Section 19.402. Some activities are exempt from review, such as those that do not increase any area of existing WQR disturbance—these are outlined in MMC Subsection 19.402.4. Otherwise, temporary and permanent disturbance of WQR areas is subject to natural resources review (Type I, II, or III). If any portion of the WQR buffer on the property will be disturbed, the applicant should be prepared to show the efforts made to avoid, minimize, and mitigate for any WQR disturbance. Mitigation plantings with native species are often required to restore disturbed areas and must show a minimum 80% survival rate two years after planting.</p> <p>The provisions of MMC Subsection 19.402.13, for boundary adjustments or land divisions of properties that include WQR or HCA areas, are not applicable to lot consolidations.</p> <p>For natural resource review at the Type III level, an impact evaluation and analysis prepared by a qualified professional is required. The applicant must also pay for peer review of that report by the City's on-call natural resources consultant—a deposit for this purpose will be collected with the application submittal.</p>
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	<p>In the R-MD zone, the minimum vegetation requirement for lots 7,000 sq ft or larger is 30% (with maximum lot coverage of 30%).</p> <p>For cottage cluster development in the R-MD zone, a maximum of 60% of lot area can be impervious, and at least 35% of the lot area must be vegetated.</p> <p>Common open space must be provided with a courtyard for each cottage cluster, equal in size to at least 150 sq ft per cottage. The common courtyard must be a single, contiguous piece; must be abutted by cottages on at least two sides; and must be a minimum of 15 ft wide at its narrowest dimension. The courtyard must be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area and may also include recreational amenities. Impervious elements must not exceed 75% of the total courtyard area.</p>
<input checked="" type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)	Walkways must be constructed with a hard-surface material, permeable for stormwater, and no less than 3 ft wide. Where adjacent to parking areas where vehicles will overhang the walkway, a 7-ft-wide walkway must be provided.

<input type="checkbox"/>	Connectivity to surrounding properties	
<input checked="" type="checkbox"/>	Circulation	<p>For cottage clusters, the entire site is subject to the requirements of MMC Subsection 19.505.1.D.2. These include providing continuous connections between buildings, abutting streets, common buildings, common open space, and vehicle and bicycle parking areas. At least one pedestrian connection to an abutting street frontage is required for each 200 linear ft of street frontage.</p>
<input checked="" type="checkbox"/>	Building Design Standards (MMC 19.505)	<p>Design standards for new single-unit detached and middle housing residential dwellings are provided in MMC Subsection 19.505.1 and may apply to cottage cluster development. In addition, specific standards for cottage cluster housing are in MMC 19.505.4.</p> <p>Key points for cottage cluster development:</p> <ul style="list-style-type: none"> • No maximum density. • Max. building footprint is 900 sq ft; max. average floor area per unit is 1,400 sq ft. • Maximum building height is 25 ft or 2 stories, whichever is greater; however, in the space between 5 and 10 ft from the rear property line, maximum height is 15 ft. • Minimum 6-ft separation between structures. • Side and rear setbacks are 5 ft. • Minimum front site setback is 10 ft; maximum is 20 ft. • Per cluster, a minimum of 3 cottages are required, with a maximum of 12 permitted. • Clusters must be separated by a minimum of 10 ft. • Standards for common open space are established in MMC 19.505.1.D.1. <p>For the proposed 38-cottage cluster scenario (two clusters each of 4, 7, and 8 cottages), the front yard setback requirements (min. and max.) are applicable to the front-most cottage. With a proposed setback of approximately 10 ft for the front-most cottages, this scenario meets the minimum 10-ft front yard setback standard as well as the maximum 20-ft front yard setback. The side and rear yard setback standards apply to all cottages, as does the 6-ft separation requirement.</p> <p>Each cottage must either abut the common courtyard or be directly connected to it by a pedestrian path. At least 50% of the cottages within a cluster must be oriented toward the courtyard: have a main entrance facing the courtyard, within 10 ft of the courtyard, and connected to the courtyard by a pedestrian path. Cottages within 20 ft of a street property line may have their entrances facing the street.</p> <p>As per MMC Table 19.505.1.B.1, cottages facing the street must meet the following standards of MMC Subsection 19.505.1.C: Articulation, Eyes on the Street, Main Entrance, Detailed Design. Cottages facing a courtyard or pedestrian path must also meet the Eyes on the Street and Main Entrance standards. As a whole, cottage clusters must meet the Privacy & Screening standards of MMC 19.505.1.D.4 as well as the Sustainability standards of MMC 19.505.1.D.5.</p> <p>Key points for townhouse development:</p> <ul style="list-style-type: none"> • Each townhouse must be on its own lot, with public street frontage and a minimum lot size of 1,500 sq ft. A private street does not provide adequate frontage for townhouse development. • No more than four consecutive attached townhouses sharing a common wall(s) are allowed. • Private-to-public transition area (vertical or horizontal) is required between each dwelling and the street. • Garages and off-street parking areas must not be prominent features in the front yard—units must share driveway access, with a maximum 10-ft width for driveways. Otherwise, access must be provided at the rear of the units.
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	

Parking Standards (MMC 19.600)

<input checked="" type="checkbox"/>	Residential Off-Street Parking Requirements	<p>MMC Table 19.605.1 establishes parking quantity requirements. For cottage clusters, a minimum of 0.5 spaces per unit is required, with a maximum of 1 space per unit allowed.</p> <p>If the applicant wishes to propose exceeding the maximum allowed parking quantity, a parking modification application would be required as per MMC Subsection 19.605.2. In general, staff is disinclined to support and recommend approval of modification requests to exceed the maximum allowed vehicle parking—however, the circumstances of the site and location will be considered in determining whether to support a specific variance request (e.g., availability of on-street parking, proximity to mass transit options, etc.).</p> <p>As per MMC Subsection 19.505.4.E.2, off-street parking spaces for cottage clusters must be in common parking areas and not on the same lot as any individual cottage unit. For cottage clusters over 8 units, there must be at least two separate parking areas with a minimum of 4 spaces per area. Parking areas must be set back from the street—if the axis of the longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street; if the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.</p> <p>Parking spaces for cottages may be located within a detached garage or carport, with no more than 4 parking spaces in any structure. Garages/carports must be at least 10 ft from any cottage dwelling and must match the materials, trim, and roof pitch of the cottages. The interior height is limited to 8 ft, unless a modification request for a case using space-saving parking technology is approved through the variance process. As per MMC 19.505.4.E.2, parking spaces not in a garage or carport must be screened from common open space, public streets, and adjacent residential uses by landscaping and/or other screening such as fencing; chain-link fencing with slats is not allowed as parking area screening. In addition, as per MMC 19.505.1.D.3, landscaping, fencing, or walls at least 3 ft tall must separate clustered parking areas and parking structures from common courtyards and public streets.</p> <p>As per MMC Subsection 19.505.1.D.3, for cottage cluster projects with 16 cottages or more, parking clusters are limited to no more than 8 contiguous spaces. Parking clusters must be separated by at least 4 ft of landscaped area and can be covered, subject to the limitations noted in the paragraph above. Parking spaces may not be located between the street property line and the front façade of cottages located closest to the street property line. Parking spaces may not be located within 10 ft of other property lines; driveways and drive aisles may be located within 10 ft of other property lines. The proposal to locate some off-street parking spaces across the boundary between the two lots comprising the subject property is problematic because of the 10-ft separation standard, as both a variance and a shared parking/access agreement would be needed. Staff recommends that the two lots be consolidated to eliminate this conflict (in addition to the issue of how tree canopy and tree-removal mitigation is calculated).</p>
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	

Approval Criteria (MMC 19.900)

<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input 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)	
<input checked="" type="checkbox"/>	Other Requirements	<p>Lot consolidations and property line adjustments must be recorded by survey with the County Surveyor. Application requirements are provided in MMC Section 17.16.040; approval criteria are established in MMC Section 17.12.030.</p> <p>For the proposed cottage cluster scenarios, the applicant has proposed to consolidate the two lots that comprise the subject property. This will avoid the need for a variance to standards related to off-street parking (distance of parking spaces from property lines) and will facilitate the calculation of tree canopy and assessment of mitigation for tree removal.</p> <p>Once the proposed middle housing is developed (or approved for development), the property can be divided to place each cottage unit on its own lot. These land divisions do not require that each new cottage lot comply with the same development and design standards as the "parent" lot, but the resulting lots cannot be further divided. The middle housing land division process is an expedited one and is handled with Type II review; the final decision (including an appeal, if necessary) must be issued within 63 days of the application being deemed complete.</p>
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"/>	Linwood <hr/> Choose an item. <hr/> Choose an item.	<p>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 Linwood NDA.</p> <p><u>Linwood NDA Chair</u> Elizabeth Start linwoodnda@gmail.com</p> <p>Regular meeting is second Thursday of most months—next meeting is Thursday, April 13, 2023, at 7pm. Meetings are typically in the library at Linwood Elementary (11909 SE Linwood Ave), but please check the City calendar to confirm whether the next meeting will be in person, online, or both.</p>
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	

<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<p>MMC 19.702 establishes the applicability of MMC 19.700, including to 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.</p> <p>The proposed development is to establish a 38-cottage cluster middle housing development. MMC 19.700 applies.</p> <p>Facility improvements or a Fee In Lieu of Construction (FILOC) and a 5' Right-of-Way (ROW) dedication are required as part of this development. See MMC 19.708 Transportation Requirements and MMC 13.32 Fee in Lieu of Construction for more information.</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"/>	Agency Notification (MMC 19.707)	<p>The City must provide notification to Metro and Clackamas County whenever a proposed development is within 200 ft of a designated arterial or collector roadway.</p> <p>Stanley Avenue is identified as a collector roadway, so Metro and Clackamas County will be notified.</p>
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>Access Management: All development subject to MMC 19.700 shall comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All developments subject to MMC 19.700 shall comply with clear vision standards contained in MMC 12.24.</p> <p>For the new development, payment of a Fee In Lieu of Construction (FILOC) is recommended for the entire frontage of Stanley Avenue (less the width of any new accessways). See MMC 13.32 Fee In Lieu of Construction.</p> <p>The applicant may choose instead to construct all frontage improvements which will include new curb, gutter, and sidewalk.</p> <p>The city has plans to construct improvements on Stanley Avenue, but a date is not yet certain. FILOC is highly recommended rather than construction of improvements.</p> <p>5' ROW dedication is required.</p> <p>If frontage improvements are constructed, they must conform with the City of Milwaukie Public Works Standards. Design standards must be in accordance with MMC 19.708.2 Street Design Standards and are subject to plan review and approval.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	A 10-ft public utility easement (PUE) will be required along the Stanley Avenue frontage.

Flood Hazard Area (MMC 18)

<input type="checkbox"/>	Development Permit (MMC 18.16.030)	The subject property is not in a flood hazard zone.
<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.</p> <p>Please review the City's Erosion Prevention and Sediment Control requirements. The applicant is encouraged to use the City's adopted Erosion Prevention and Sediment Control Planning & Design Manual (2020) 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 https://www.milwaukieoregon.gov/publicworks/1200cn. 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 https://www.oregon.gov/deq/wa/wapermits/Pages/Stormwater-Construction.aspx. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	Tree Code (MMC 16.32)	<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 milwaukieoregon.gov/trees to learn more.</p> <p>Frontage improvements include tree replanting requirements in the public right-of-way (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 lots included in the development site will be subject to the development tree code (MMC 16.32.042 A-H), with the standards applied to each tax 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"> - Preservation standard - Planting standard - Protection standard - Soil volume standard. <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage here. Mitigation fees are outlined in the Master Fee Schedule. 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>Note that there is no preservation mitigation fee assessed for trees removed above the 30% canopy cover threshold. Each lot must then provide a minimum of 40% canopy, either by planting or by paying a mitigation fee of \$5 per sq ft of needed canopy. Large-diameter trees receive bonus canopy multipliers depending on their size.</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 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>
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Public Services (MMC 13)

<input checked="" type="checkbox"/>	Water System (MMC 13.04)	<p>New or upsized connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: https://www.milwaukieoregon.gov/building/water-connection-application</p> <p>A system development charge (SDC) and a water service connection fee must be paid prior to any new or upsized connections to city water.</p> <p>Multiple water meters may be allowed subject to plan review. Water meters must be placed in the right-of-way and cannot be placed on private property.</p> <p>A 10" water main located in Stanley Avenue is available for connection.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	<p>New or upsized connections to City utilities is subject to plan and application review.</p> <p>An SDC must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p> <p>An 8" concrete sewer main located in Stanley Avenue is available for connection.</p> <p>A ROW Permit is required to complete this work.</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. Once treated on site, stormwater can be discharged into the existing stormwater swale along the southern property boundary.</p> <p>Stormwater facilities are subject to plan review and approval prior to permit issuance and construction. An Operations & Maintenance form is required prior to occupancy.</p>

		An SDC must be paid prior to building permit issuance. A 15' buffer from the stormwater swale along the southern property boundary is required.
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	All new development or intensification of use shall be subject to SDCs. Latest charges are determined by the Master Fee Schedule available here: https://www.milwaukieoregon.gov/finance/fees-charges An estimate has been provided as an attachment to these notes. Actual charges are subject to final plans and review.
<input checked="" type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	Payment of the FILOC for the entire frontage on Stanley Avenue is recommended rather than constructing improvements, because a capital improvement project is planned on Stanley Avenue within the next couple of years. The fee is calculated at \$133.50/LF. This fee will not include the width of any new accessways.

Public Places (MMC 12)

<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	A ROW Permit will be required for all frontage improvements, utility work within the ROW, extension of public utilities, and driveway construction for the development.
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	Per MMC 12.16.040, private property must be provided street access via accessways (driveways). These driveways must be constructed under a ROW permit in accordance with the current Milwaukie Public Works Standards. Accessway requirements will be determined based on final design and unit count. A shared accessway will need to have a minimum width allowed for the number of serviced units. Multi-unit residential or middle housing developments with more than 8 dwelling units on a collector street must have a minimum accessway width of 24'.
<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

Final ROW requirements and SDC estimates will depend on the final development design chosen. The City recommends paying FILOC rather than constructing frontage improvements.

SDC estimates have been provided for 38-cottage development. Units were assumed at 1,000 to 1,300 sq ft, one new 2"-water meter was added for the development, assumed 70% site coverage for new impervious surface area. Further estimates can be provided upon request by emailing engineering@milwaukieoregon.gov—please provide number of units, size of units, total impervious surface area, and water service information.

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.

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

All buildings must meet the Oregon Residential Specialty Code (ORSC) after new lots lines are established.

Water and sewer lines on private property can be in the same trench as long as the pipe materials and conditions in OPSC 609.2 are met.

609.2 Trenches. Water pipes shall not be run or laid in the same trench as building sewer or drainage piping constructed of clay or materials that are not approved for use within a building unless both of the following conditions are met:

(1) The bottom of the water pipe shall be not less than 12 inches (305 mm) above the top of the sewer or drain line.

(2) The water pipe shall be placed on a solid shelf excavated at one side of the common trench with a clear horizontal distance of not less than 12 inches (305 mm) from the sewer or drain line.

Water pipes crossing sewer or drainage piping constructed of clay or materials that are not approved for use within a building shall be laid not less than 12 inches (305 mm) above the sewer or drain pipe.

OTHER FEES

<input checked="" type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input checked="" type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	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

Boiler Approval (State)

Elevator Approval (State)

Health Department Approval (County)

Arts Tax

Neighborhood Office Permit

Other Right-of-Way Permits

Major:

Minor:

Painted Intersection Program Permits:

artMOB Application

Traffic Control Plan (Engineering)

Parklet:

Parklet Application/ Planning Approval

Engineering Approval

Building Approval

Sidewalk Café:

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

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

Patrick McLeod	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
Eanna Zaya	Engineering Technician I	503-786-7609

PLANNING DEPARTMENT

Laura Weigel	Planning Manager	503-786-7654
Vera Koliass	Senior Planner	503-786-7653
Brett Kelper	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
Petra Johnson	Administrative Specialist II	503-786-7600

SUSTAINABILITY DEPARTMENT

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7655
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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MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov

2023 Planning Commission Hearing Schedule

About the Deadlines

- Applications can be submitted at any time.
- The City must deem an application complete on or before the **COMPLETE APPLICATION DEADLINE** in order for the application to be eligible for the **FIRST POTENTIAL HEARING DATE**.²
- Since applications are rarely complete upon first submission, the City recommends application submission 2 weeks in advance of the **COMPLETE APPLICATION DEADLINE** to allow time for you to make the application complete.³
- New information submitted after the **NEW INFORMATION DEADLINE** could cause your hearing date be continued.

About the Scheduling Process

- Complete applications are scheduled for hearing in the order in which they are deemed complete.
- There is no guarantee of any particular hearing date.⁴ However, City staff can provide you with up-to-date hearing date availability and scheduling information upon request.
- There are things over which neither you nor the City has control that may prevent your application from being heard on a specific date.
 (For example, the hearing schedule may already be full or a previous hearing may need to be continued to the next available hearing date.)
- The City reserves the right to schedule City business items on the Planning Commission agenda as needed and to cancel any scheduled Planning Commission meeting.
- Some applications require a hearing before the Planning Commission and City Council. Check with staff for City Council hearing schedule information.
- Hearing schedule is subject to change.⁵

2023 Planning Commission Hearing Schedule		
Complete Application Deadline ¹	New Information Deadline	First Potential Hearing Date
Nov 23, 2022	Dec 12, 2022	Jan 10, 2023
Dec 09, 2022	Dec 23, 2022	Jan 24, 2023
Dec 23, 2022	Jan 13	Feb 14
Jan 13	Jan 30	Feb 28
Jan 27	Feb 13	Mar 14
Feb 10	Feb 27	Mar 28
Feb 24	Mar 13	Apr 11
Mar 10	Mar 27	Apr 25
Mar 24	Apr 10	May 09
Apr 07	Apr 24	May 23
Apr 28	May 15	Jun 13
May 12	May 26	Jun 27
May 26	Jun 12	Jul 11
Jun 09	Jun 26	Jul 25
Jun 23	Jul 10	Aug 08
Jul 07	Jul 24	Aug 22
Jul 28	Aug 14	Sep 12
Aug 11	Aug 28	Sep 26
Aug 25	Sep 11	Oct 10
Sep 08	Sep 25	Oct 24
Sep 29	Oct 16	Nov 14
Oct 13	Oct 30	Nov 28
Oct 27	Nov 13	Dec 12
No Meeting December 26, 2023		
Nov 22	Dec 11	Jan 9, 2024
Dec 08	Dec 22	Jan 23, 2024
Bold green-shaded dates indicate rescheduled dates to accommodate holidays.		

¹ City staff needs a minimum of 46 days to prepare an application for hearing.
² Items needed for application completeness vary by application type and project complexity. If a preapplication conference is required for an application and/or for a related traffic impact study, the City will not accept the application until the required conferences are held.
³ Under Oregon law, the City has 30 days to review an application for completeness.
⁴ As required by Oregon law, the City will issue a decision within 120 days of the deemed complete date, unless you grant a waiver.
⁵ For most current info, see Planning Commission page: <https://www.milwaukieoregon.gov/bc-pc>



Permit Record: 23-001PA

SDCs

Street Address: 11909 SE Stanley Ave

Prepared By: JMB

Date: 3/16/2023

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ -	\$ -	\$ -	\$ -
Transportation	\$ 2,678.10	\$ 53,301.30	\$ -	\$ 55,979.40
Storm Drainage	\$ -	\$ 16,034.81	\$ -	\$ 16,034.81
Water	\$ 4,833.00	\$ 4,019.00	\$ 680.00	\$ 9,532.00
Sewer	\$ 30,178.80	\$ 4,448.80	\$ -	\$ 34,627.60
Water Meter Set Fee	\$ 740.00	\$ -	\$ -	\$ 740.00
Review Fee	\$ -	\$ -	\$ 165.00	\$ 165.00
Wastewater Treatment	\$ 252,840.00	\$ -	\$ -	\$ 252,840.00
			Total	\$ 369,918.81

Fees subject to change until final plans and permit issuance.
Assumed 1,000-1,300 sqft units, one 2" water meter, 70% lot coverage.

Clackamas Fire District #1



Pre-Application Comments:

To: Brett Kelter, Senior Planner, City of Milwaukie
From: Shawn Olson, Fire Marshal, Clackamas Fire District #1
Date: 03-02-2023
Re: 23-001PA-38 Cottage Cluster, Stanley Ave.

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:

Fire Apparatus Access:

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.
2. Provide address numbers that are clearly visible from the street for all homes.
 - a. Address signage can be installed near the entrance to provide property identification for each home.
3. No part of a building may be more than 150 feet from an approved fire department access road.
4. Access roads with fire hydrants shall be 26' wide with no parking designations.
5. 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.
6. Gates across access roads must be pre-approved by the Fire District.
7. Prior to the start of combustible construction, fire hydrants shall be operational and accessible.
8. Access roads greater than 150' in length require a fire department turnaround.
9. Provide "No Parking, Fire Lane" to both sides of private road on 20' streets.

Water Supply:

1. Fire hydrants, one- and two-family dwellings and accessory structures: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), additional fire hydrants and mains shall be provided.
2. The minimum available fire flow for single family dwellings served by a municipal water supply shall be 1,000 gallons per minute @20 psi. Single family homes over 3,600 sq.ft. Require additional fire flow. See Appendix B of the Oregon Fire Code.
3. Fire hydrants shall be within 600' of all portions of any new construction.
4. 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.
5. Please see our design guide at: <https://clackamasfire.com/fire-prevention/new-construction-resources/>
6. 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/>