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Preapplication Conference Report

Project ID: 23-002PA

This report is provided as a follow-up to the meeting that was held on 3/3/2023 at 10:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Frank Stock	Applicant Role: Property Owner/Developer
Applicant Address:	WDC Properties, PO Box 96068, Portland, OR 97296	
Company:	WDC Properties	
Project Name:	11-lot townhouse development; multi-unit development	
Project Address:	1600 SE Lava Dr.	Zone: HDR
Project Description:	Subdivide existing 2 lots into 11 townhouse lots with one townhouse on each lot; OR a 14-unit multi-unit development	
Current Use:	Vacant	
Applicants Present:	Gene Bolante (Studio 3 Architecture); Britany Randall (Brand Land Use)	
Staff Present:	Vera Kalias (Senior Planner); Jennifer Backhaus (Engineering Tech III); Jennifer Garbely (Assistant City Engineer); Eanna Zaya (Engineering Tech I); Courtney Wilson (Urban Forester); Shawn Olson (Clackamas Fire Marshall)	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	The property is zoned High Density Residential (HDR), which allows a variety of residential housing types, including single-unit detached dwellings, multi-unit development, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	Dimensional Standards	Dimensional standards for the HDR zone are provided in Milwaukie Municipal Code (MMC) Section 19.302 (specifically in MMC Subsection 19.302.4). Townhouse lots have a lot size range of 1,500 sq ft – 2,999 sq ft. Multi-unit development requires a minimum lot size of 5,000 sq ft. The following minimum setbacks apply to each townhouse lot (and to the overall site as well): Front yard: 20 ft Side yard: 5 ft Rear yard: 15 ft

		<p>Street side yard: 15 ft</p> <p>Maximum lot coverage is 50% and minimum vegetation is 15%.</p> <p>Maximum building height in the HDR is 45 ft and that there is a side yard height plane standard to regulate bulk at the side property line (25 ft/45 degrees).</p>
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Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed, Fees, and Review Type	<p>The proposal is for an 11-lot subdivision for townhouses. NOTE: applicant subsequently requested information on a 14-unit multi-unit apartment development as well.</p> <p><u>Townhouse development</u></p> <ul style="list-style-type: none"> • Subdivision (Type III review) = \$4,400 plus \$100 per lot over four lots • Willamette Greenway (Type III review) = \$2,000 • Variance to driveway spacing if needed (Type III) = \$2,000 • Final Plat (Type I review) = \$200 (processed after the preliminary plat approval) <p><u>Multi-unit development</u></p> <ul style="list-style-type: none"> • Willamette Greenway (Type III review) = \$2,000 • Variance if needed (Type III) = \$2,000 • Lot Consolidation (Type I review) = \$200 • Multi-unit design review (Type I or Type II): \$200 or \$1,000 <p>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>NOTE:</p> <ul style="list-style-type: none"> • The applicant could choose to not subdivide the site and keep the two existing parcels as is. Each of those lots could have a quadplex, which could then be divided in a later application as a middle housing land division (Type II review). Each lot would still be considered a quadplex with 4 tax lots. <p>Please note that the city does not approve final plats until all public improvements have been designed, constructed, bonded, and inspected.</p>
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<input checked="" type="checkbox"/>	Application Process	<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. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>Where multiple applications with different review types are processed concurrently, the overall package will be processed according to the highest review type.</p> <p>With Type III review, 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.</p> <p>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).</p> <p>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>With Type III review, issuance of a decision 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 III decision would be heard by the City Council for the final local decision.</p>
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		<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: Please refer to the Engineering Department notes regarding any required transportation impact review and analysis.</p>
Overlay Zones (MMC 19.400)		
<input checked="" type="checkbox"/>	Willamette Greenway	<p>The entire site falls within the Willamette Greenway overlay.</p> <p>Land use actions and development within the Willamette Greenway overlay zone are conditional uses and so are subject to the provisions of MMC 19.905. Note that a conditional use permit will be provided upon approval and must be recorded with Clackamas County.</p> <p>In addition to the approval criteria for conditional uses that must be addressed (MMC 19.905.4.A), the Willamette Greenway criteria established in MMC 19.401.6 must also be addressed.</p> <p>There are no specific lighting requirements in the WG overlay.</p>
<input type="checkbox"/>	Natural Resources	
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	<p>In the HDR zone, the minimum vegetation requirement is 15%, which would apply to each townhouse lot.</p> <p>If the applicant elects to move forward with a multi-unit development, then the landscaping requirements are found in the multi-unit design standards/guidelines established in MMC Subsection 19.505.3.</p> <p>With the multi-unit option, the standards include the following: one tree planted or preserved for every 2,000 sq ft of site area; trees planted to provide canopy coverage (within five years) of at least one-third of any common open space.</p> <p>Alternately, the applicant could choose to address the multi-unit guideline for landscaping, which includes landscaping to provide a canopy for open spaces and courtyards and a buffer from adjacent properties; water-conservation strategies for landscaping; and shading of hardscapes.</p>
<input checked="" type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.505.4)	<p>MMC Subsection 19.504.9 establishes standards for on-site pedestrian walkways, but they would only apply directly to this project if the applicant elects not to address the standards/guidelines provided in MMC Subsection 19.505.3 for multi-unit projects. MMC 19.504.9 requires walkways to link the site with the public sidewalk system as well as between parts of a site where the public is invited to walk. Walkways must be constructed with a hard surface material, permeable for stormwater, no less than 5 ft in width, and lighted to a minimum average of 0.5 footcandles.</p> <p>MMC Section 19.609 establishes general standards for bicycle parking. For multi-unit development, a minimum of 1 space per unit is required, and a minimum of 50% of the spaces must be covered and/or enclosed (in lockers or a secure room). Bike parking spaces must be at least 2 ft wide and 6 ft deep, with a 5-ft-wide access aisle, with 7 ft of overhead clearance for covered spaces. Bike racks must be securely anchored and designed to allow the frame and one wheel to be locked to the rack with a U-shaped shackle lock.</p> <p>If the applicant opts to address the multi-unit standards of MMC 19.505.3, note that those standards for pedestrian circulation are essentially the same as those established in MMC 19.504.9. For bicycle parking, there are specific standards for the required covered parking, including that the entrance to the parking area be secured and accessible for residents</p>

		only, have minimum stall dimensions of 2.5 ft by 6.5 ft, illuminated at least to a 1.0-footcandle level, and located 30 ft or less from the main entrance to the dwelling structure. If the applicant chooses to address the multi-unit design guidelines, the pedestrian circulation should provide safe, direct, and usable pedestrian facilities and connections throughout the development. The bicycle parking should be secure, sheltered, and conveniently located.
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Flag Lot Design Standards (MMC 19.504.7)	
<input checked="" type="checkbox"/>	Building Design Standards (MMC 19.505)	<p>MMC 19.505.1 includes specific minimum building design standards for middle housing and MMC 19.505.5 includes specific design standards for townhouses, including transition area and driveway access/parking.</p> <p>Review of compliance with design standards for the townhomes will occur during permit review. Design standards apply to street-facing facades within 50 ft of a front or street side lot line or that face a common green or courtyard.</p> <p>The townhouse design standards worksheet, which is required to be submitted with the building permit applications, can be found here: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/design_standards_form_townhouses_revised_feb2023.pdf.</p> <p>If the applicant elects to consolidate the lots and construct multi-unit housing, then the multi-unit design standards and development review process would apply (MMC 19.505.3): https://library.gcode.us/lib/milwaukie_or/pub/municipal_code/item/title_19-chapter_19_500-19_505. MMC 19.505.3 includes information about the design standards and review process for multi-unit developments. This is done via a land use review process: Type I for multi-unit design standards process or Type II for multi-unit design guidelines. Building elevations and a narrative showing how the proposed design meets the required standards or guidelines are required.</p>
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Off-Street Parking Requirements (MMC 19.600)	<p>As of Jan. 1, 2023, the city can no longer require minimum parking for this site. MMC Table 19.605.1 establishes maximum parking quantity requirements.</p> <p>If new off-street parking is provided, it must meet MMC 19.600 regulations, including the provision of electric vehicle charging (MMC 19.605.5) and parking area design and landscaping (MC 19.606).</p> <p>MMC 19.609 requires that bicycle parking be provided for all middle housing developments – in no case can there be fewer than 2 bicycle parking spaces per lot.</p> <p>Bicycle parking for multi-unit developments was referenced above.</p>
<input checked="" type="checkbox"/>	Multi-Family/Commercial Parking Requirements	See above.
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	

<input checked="" type="checkbox"/>	Conditional Use (MMC 19.905)	Willamette Greenway review is a conditional use subject to the approval criteria in MMC 19.905.4: https://library.gcode.us/lib/milwaukie_or/pub/municipal_code/item/title_19-chapter_19_900-19_905 .
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input checked="" type="checkbox"/>	Variance (MMC 19.911)	<p>It is possible that the applicant will require a variance to the MMC 12.16 driveway spacing standards.</p> <p>MMC Subsection 19.911.4.B establishes the approval criteria for Type III variances, which is the type of variance that would be needed if the applicant opts to adjust some of the standards noted above in this report. (Type II variances are limited to very specific numerical adjustments for a short list of particular standards.) There are two sets of criteria, one for general discretionary relief and one for economic hardship.</p> <p>The discretionary relief track is the more commonly chosen one, as it is usually difficult to show that unusual site characteristics preclude any reasonable economic use of the property. The discretionary relief criteria include the requirement to provide an alternatives analysis of, at a minimum, the impacts and benefits of the proposed variance as compared to the baseline code requirements. In addition, the applicant must show that the proposed variance is reasonable and appropriate and that it meets at least one of three sub-criteria (avoid or minimize impacts to surrounding properties, have desirable public benefits, or respond to the existing built or natural environment in a creative or sensitive manner). Finally, the applicant must show that impacts from the proposed variance will be mitigated to the extent practicable.</p> <p>Up to three distinct variance requests may be included in a single variance application (a fourth would require a separate variance application), but the applicant must address the approval criteria for each individual variance separately.</p>
Land Division (MMC Title 17)		
<input checked="" type="checkbox"/>	Design Standards	<p>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. As per MMC 17.28.040.C, cumulative lateral changes in direction of a side or rear property line that exceed 10% of the distance between opposing lot corners along that line require a variance.</p> <p>NOTE: Other than townhouses, which are, by definition, on their own lots, once/if middle housing is developed (or approved for development) on any lots, the lots can be divided to place each middle housing unit on its own lot. These divisions do not require that each new middle housing 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>
<input checked="" type="checkbox"/>	Preliminary Plat Requirements	<p><u>Multi-unit development</u></p> <p>Lot consolidation (MMC 17.12.030): https://library.gcode.us/lib/milwaukie_or/pub/municipal_code/item/title_17-chapter_17_12-17_12_030</p> <p><u>Townhouse development – subdivision</u></p> <p>MMC Section 17.16.060 provides application requirements and procedures for preliminary plats, including a reference to the City's preliminary plat checklist. The checklist outlines the specific pieces of information that must be shown on the plat, based on the provisions for preliminary plat established in MMC Chapter 17.20.</p>

		<p>MMC Section 17.12.040 establishes approval criteria for preliminary plats. The application must include a narrative description demonstrating that the proposal meets all applicable code requirements and design standards, and it must meet the following criteria:</p> <p>(1) the proposed plat complies with Title 19 and other applicable regulations and standards;</p> <p>(2) the proposed land division allows for reasonable development and does not create the need for a variance;</p> <p>(3) the proposed subdivision plat name is not duplicative and satisfies all applicable standards of ORS 92.090(1); and</p> <p>(4) the streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street pattern.</p> <p>NOTE: MMC 17.20.030.C requires that a vicinity map be provided 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. The proposed subdivision may not preclude future connections and land division of surrounding properties.</p> <p>MMC 17.20 Preliminary Plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_20&showAll=1&frames=off</p> <p>Preliminary plat checklist: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist.pdf</p> <p>MMC 17.12.040 Approval criteria for preliminary plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_040&frames=off</p>
<input checked="" type="checkbox"/>	<p>Final Plat Requirements (See also Engineering Section of this Report)</p>	<p>Final plat not required for lot consolidation.</p> <p>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 final plat established in MMC Chapter 17.24.</p> <p>MMC Section 17.12.050 establishes the following approval criteria for final plats:</p> <p>(1) Compliance with the preliminary plat approved by the approval authority, with all conditions of approval satisfied.</p> <p>(2) The preliminary plat approval has not lapsed.</p> <p>(3) The streets and roads for public use are dedicated without reservation or restriction other than revisionary rights upon vacation of any such street or road and easements for public utilities.</p> <p>(4) The plat contains a donation to the public of all common improvements, including streets, roads, parks, sewage disposal, and water supply systems.</p> <p>(5) All common improvements required as conditions of approval have been described and referenced on the plat, and where appropriate, instruments to be recorded have been submitted.</p> <p>(6) The plat complies with the Zoning Ordinance and other applicable ordinances and regulations.</p> <p>(7) Submission of signed deeds when access control strips are shown on the plat.</p> <p>(8) The plat contains an affidavit by the land surveyor who surveyed that the land represented on the plat was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92.060. The plat must indicate the initial point of the survey and</p>

		<p>give the dimensions and kind of such monument and its reference to some corner established by the U.S. Survey or giving two or more objects for identifying its location.</p> <p>Note that construction of all required public improvements must be completed, inspected, and accepted by the City prior to the City's sign-off on the final plat, unless an arrangement for bonding or other interim measure is made and agreed upon by the City.</p> <p>MMC 17.24 Final Plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_24&frames=off</p> <p>Final plat checklist: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/finalplatchecklist.pdf</p> <p>MMC 17.12.050 Approval criteria for final plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_050&frames=off</p>
Sign Code Compliance (MMC Title 14)		
<input checked="" type="checkbox"/>	Sign Requirements	Although no signage has been proposed at this point, note that MMC Section 14.16.020 provides the standards and limitations for signage proposed in the high density residential zone.
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Historic Milwaukie	<p>Any City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property will receive a referral and the opportunity to provide comment on the application.</p> <p>Applicants are encouraged to meet with the NDA prior to application submittal: https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda.</p>
	Choose an item.	
	Choose an item.	
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	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 development is to subdivide the existing property into 11 new lots, or to create multi-unit housing that would result in 14 new units. In both cases, MMC 19.700 applies.
<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 type="checkbox"/>	Agency Notification (MMC 19.707)	No public agency notifications are required.
<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>The intersection at Riverway Lane, Lava Drive, and Waverly Court shall be realigned such that the stop bar and stop sign for eastbound traffic on Lava Drive shall be relocated to better align with Waverly Ct.</p> <p>A 5-ft wide Right-of-Way dedication and 5-ft wide sidewalk easement will be required on Lava Drive.</p> <p>Street improvement design is subject to plan review and approval. Improvements for the right-of-way along Lava Drive will include (but are not limited to): 3-5-ft wide landscape strips, 5-ft wide setback sidewalk (in an easement) and new curb and gutter. Street trees are required to be planted at a minimum of every 40 feet in accordance with the Public Works Standards and the Milwaukie Street Tree List and Planting Guidelines.</p> <p>A Fee In Lieu of Construction (FILOC) will be required for the Riverway Ln frontage. The rate of this fee is \$89/LF.</p> <p>The applicant must provide engineered plans for review and approval prior to permit issuance and construction. A Right-of-Way permit is required to construct all new right-of-way improvements, accessways, and utility connections.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	<p>A 10-ft public utility easement (PUE) will be required along the Lava Drive frontage of each lot.</p> <p>For each new lot created, individual utility connections are required. If the Multi-Unit housing option is constructed, a single water and sewer connection is acceptable.</p> <p>The applicant must provide engineered plans for review and approval prior to permit issuance and construction. A Right-of-Way Permit is required to construct these improvements.</p>
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>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 Control Permit Program Handout for city processes, requirements, and example erosion control plans. 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/wq/wqpermits/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 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 will be subject to the development tree code (MMC 16.32.042 A-H). If dividing the existing lot, the development tree code and the included standards apply 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>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</p>

	<p>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>For the 11-lot townhouse option, all newly created lots will require new water connections. For the single lot 14-unit multi-unit housing option, a single water connection and meter is acceptable. An existing 10-in water main in Lava Drive is available.</p> <p>New water meters must be provided for each new lot. 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 and a water service connection fee must be paid prior to any increase in service size or new connection to city water.</p>
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	<p>For the 11-lot townhouse option, all newly created lots will require new sewer connections. For the single lot 14-unit multi-unit housing option, a single appropriately sized sewer connection is acceptable. An existing 8-in concrete pipe in Lava Drive is available.</p> <p>Connection to City utilities is subject to plan and application review.</p> <p>A system development charge must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</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.</p> <p>All new impervious surface area more than 500 square feet is required to be treated on site. Stormwater facilities are subject to plan review.</p> <p>A system development charge must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	<p>All new development or intensification of use shall be subject to system development charges.</p> <p>Latest charges are determined by the Master Fee Schedule available here: https://www.milwaukieoregon.gov/finance/fees-charges</p> <p>An SDC estimate for both options has been provided as part of this report.</p>
<input checked="" type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	<p>A Fee in Lieu of Construction will be required for the frontage along Riverway Lane. This fee is calculated at \$89/LF.</p>

Public Places (MMC 12)

<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	<p>A Right-of-Way Permit will be required for all frontage improvements, utility work within the right-of-way, and accessway construction.</p> <p>For the 11-lot townhouse option, Individual right-of-way permits will be required to construct any driveway approaches and utility connections for the newly created lots.</p>
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>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 and are subject to plan review. For residential uses of four or fewer units accessing local or neighborhood streets (as</p>

		found in the 11-lot townhouse option), the accessways must be at least 45 feet from the nearest intersecting street face of curb. For multi-unit residential properties of 5 or more units, accessways must be at least 100 feet from the nearest intersecting street face of curb. This measurement is taken from the face of curb on Waverly Ct. As currently designed, the 11-lot townhouse option does not meet this standard, and a variance or re-design would be required. As currently designed, the 14-unit multi-unit residential option meets this standard with the single driveway on the west edge of the property.
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<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	A clear vision area shall be maintained at all driveways and accessways.
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Additional Engineering & Public Works Notes

SDC estimates have been provided for both options. See estimates for assumptions. Actual SDC costs are dependent on final plan review.

BUILDING COMMENTS

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

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov . Each permit type and sub-permit type are separate permits and are subject to the same time review times and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

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

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

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

If you are building the middle housing building, the building must meet the Oregon Structural Specialty Code (OSSC) and fire sprinklers will be required. Multiple structural permits may be required depending on construction.

If you are building the townhomes on individual lots, the buildings must meet the Oregon Residential Specialty Code (ORSC). Each unit will require their own permits.

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)
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FIRE DISTRICT COMMENTS

For a type V-B, 14,100 sq.ft. building the minimum fire flow will be 1,500 GPM with fire sprinklers. Fire sprinklers allow for a reduction in fire flow. When the applicant has the nearest fire hydrant tested, this is the mark they need to meet.

Please also see the attached memorandum for fire district comments.

COORDINATION WITH OTHER AGENCIES

- Applicant must communicate directly with outside agencies. These may include the following:**
- Metro
 - Trimet
 - North Clackamas School District
 - North Clackamas Parks and Recreation District (NCPRD)
 - Oregon Parks and Recreation
 - ODOT/ODOT Rail
 - Department of State Lands
 - Oregon Marine Board
 - Oregon Department of Fish and Wildlife (ODOT)
 - State Historic Preservation Office
 - Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

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

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
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Other Right-of-Way Permits

<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	
<input type="checkbox"/>	Traffic Control Plan (Engineering)	

<input type="checkbox"/>	Parklet:	
	<input type="checkbox"/> Parklet Application/ Planning Approval	
	<input type="checkbox"/> Engineering Approval	
	<input type="checkbox"/> Building Approval	
<input type="checkbox"/>	Sidewalk Café:	
<input type="checkbox"/>	Tree Removal Permit:	

Infrastructure/Utilities

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

- PGE
- NW Natural
- Clackamas River Water (CRW)
- Telecomm (Comcast, Century Link)
- Water Environmental Services (WES)
- Garbage Collection (Waste Management, Hoodview Disposal and Recycling)

Economic Development/Incentives

<input type="checkbox"/>	Enterprise Zone:	
<input type="checkbox"/>	Vertical Housing Tax Credit:	
<input type="checkbox"/>	New Market Tax Credits:	
<input type="checkbox"/>	Housing Resources:	

PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

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

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

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

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	503-786-7655
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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Clackamas Fire District #1



Pre-Application Comments:

To: Vera Koliass, Senior Planner, City of Milwaukie
From: Shawn Olson, Fire Marshal, Clackamas Fire District #1
Date: 3-9-2023
Re: 23-002PA Townhomes, 1600 SE Lava Rd.

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

- 1) A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, type of construction, and shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority. Submit PDF directly to the Clackamas Fire District website at clackamasfire.com once complete. Call with any questions regarding design requirements and submittal process. 503-742-2663.
- 2) Provide address numbering that is clearly visible from the street.
- 3) Access streets between 26 feet and less than 32 feet in width must have parking restricted to one side of the street. Access streets less than 26 feet in width must have parking restricted on both sides of the street. No parking restrictions for access roads 32 feet wide or more.
- 4) All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code Appendix B.
- 5) A third-party agency will need to conduct a fire flow test on existing fire hydrants. Provide a copy of the test report when you submit the fire access and water supply plan.

- 6) Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Additional private on-site fire hydrants may be required for larger buildings. Fire sprinklers may reduce the water supply requirements.
- 7) Prior to the start of combustible construction required fire hydrants shall be operational and accessible.
- 8) The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.
 - a. When ready, submit all fire apparatus access and water supply plans to:
[Fire Apparatus Access/Water Supply Plan Submittal](#)
- 9) Please see our design guide at:
<https://clackamasfire.com/fire-prevention/new-construction-resources/>

If you have questions please contact Clackamas Fire District @503-742-2663 or email at shawn.olson@clackamasfire.com



Permit Record: 23-002PA - 14 Multi-Unit Option SDCs

Street Address: 1600 Lava Drive

Prepared By: JMB

Date: 3/23/2023

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 46,527.00	\$ -	\$ -	\$ 46,527.00
Transportation	\$ 946.94	\$ 18,846.62	\$ -	\$ 19,793.56
Storm Drainage	\$ -	\$ 2,743.02	\$ -	\$ 2,743.02
Water	\$ 36,085.00	\$ 29,954.00	\$ 5,054.00	\$ 71,093.00
Sewer	\$ 7,999.20	\$ 1,179.20	\$ -	\$ 9,178.40
Water Meter Set Fee	\$ 6,100.00	\$ -	\$ -	\$ 6,100.00
Review Fee	\$ -	\$ -	\$ 165.00	\$ 165.00
Wastewater Treatment	\$ 87,720.00	\$ -	\$ -	\$ 87,720.00
			Total	\$ 243,319.98

Fees subject to change until final plans and permit issuance

Assumptions: 14 units (500 - 800 sf), single 1.5" water meter, 9,850 sf new impervious surface.



Permit Record: 23-002PA - 11 Townhouse OpticSDCs

Street Address: 1600 Lava Drive

Prepared By: JMB

Date: 3/23/2023

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 35,703.00	\$ -	\$ -	\$ 35,703.00
Transportation	\$ 694.95	\$ 13,831.35	\$ -	\$ 14,526.30
Storm Drainage	\$ -	\$ 3,338.16	\$ -	\$ 3,338.16
Water	\$ 11,150.00	\$ 9,260.00	\$ 1,560.00	\$ 21,970.00
Sewer	\$ 8,908.20	\$ 1,313.20	\$ -	\$ 10,221.40
Water Meter Set Fee	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00
Review Fee	\$ -	\$ -	\$ 165.00	\$ 165.00
Wastewater Treatment	\$ 67,080.00	\$ -	\$ -	\$ 67,080.00
			Total	\$ 155,503.86

Fees subject to change until final plans and permit issuance

Assumptions: 11,400 sf of new impervious area, new 3/4" meters for each unit (10 new).