



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

Application for Land Use Action

Primary File #: **EXT-2023-002**

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|--|--|---|
| <input type="checkbox"/> Amendment to Maps and/or | <input type="checkbox"/> Land Division: | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Comprehensive Plan Map | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Residential Dwelling |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Lot Consolidation | <input type="checkbox"/> Manufactured Dwelling Park |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Partition | <input type="checkbox"/> Manufactured Dwelling |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Temporary Dwelling Unit |
| <input type="checkbox"/> Code Interpretation | <input type="checkbox"/> Replat | <input type="checkbox"/> Transportation Facilities Review** |
| <input type="checkbox"/> Community Service Use | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Variance: |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Mixed Use Overlay Review | <input type="checkbox"/> Use Exception |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Modification to Existing Approval | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Director Determination | <input type="checkbox"/> Natural Resource Review** | <input type="checkbox"/> Willamette Greenway Review |
| <input type="checkbox"/> Downtown Design Review | <input type="checkbox"/> Nonconforming Use Alteration | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Extension to Expiring Approval | <input type="checkbox"/> Parking: | Use separate application forms for: |
| <input type="checkbox"/> Historic Resource: | <input type="checkbox"/> Quantity Determination | Annexation and/or Boundary Change |
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Quantity Modification | • Compensation for Reduction in Property |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Shared Parking | • Value (Measure 37) |
| <input type="checkbox"/> Status Designation | <input type="checkbox"/> Structured Parking | Daily Display Sign |
| <input type="checkbox"/> Status Deletion | | • Appeal |

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Coho Point, LLC	
Mailing address: 8191 N. Lombard st. STE 113 Portland	State/Zip: OR, 97203
Phone(s): 503.954.2489	Email: angela@urbanlivingpropertymanagement.com
<i>Please note: The information submitted in this application may be subject to public records law.</i>	
APPLICANT'S REPRESENTATIVE (if different than above): Jones Architecture	
Mailing address: 120 NW 9th ave. STE 210	State/Zip: OR, 97209
Phone(s): 503.477.9165	Email: rscanlan@jonesarc.com

SITE INFORMATION:

Address: 11103 SE Main st. Milwaukie, OR 97222 Map & Tax Lot(s): 11E35AD01100		
Comprehensive Plan Designation: TC	Zoning: DMU	Size of property: 42,541 SF

PROPOSAL (describe briefly):

Request for extension for the Approved Land Use File # DR-2021-001

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:	Date: 6-7-2023

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.
 ** Natural Resource and Transportation Review applications **may require a refundable deposit.**

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:

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

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	EXT-2023-002	\$ 1,000			Materials submitted 6/12/2023 Payment submitted 6/16/2023
Concurrent application files		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 1,000			RECEIPT #:	RCD BY: BK	
Associated application file #s (appeals, modifications, previous approvals, etc.): DR-2021-001 (primary file)					
Neighborhood District Association(s): Historic Milwaukie					
Notes: Request for two-year extension of approval due to expire on 10/14/2023.					



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Submittal Requirements

For all Land Use Applications
(except Annexations and Development Review)

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.
Applications without the required application forms and fees will not be accepted.
2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.
Where written authorization is required, applications without written authorization will not be accepted.
3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.
Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.
4. **Detailed statement** that demonstrates how the proposal meets the following:
 - A. All applicable development standards (listed below):
 1. **Base zone standards** in Chapter 19.300.
 2. **Overlay zone standards** in Chapter 19.400.
 3. **Supplementary development regulations** in Chapter 19.500.
 4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
 5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.
 - B. All applicable application-specific approval criteria (check with staff).
 - C. Compliance with the Tree Code (MMC 16.32): www.milwaukieoregon.gov/trees
These standards can be found in the MMC, here: www.aocode.us/codes/milwaukie/
5. **Site plan(s), preliminary plat, or final plat** as appropriate.
See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.
6. **Copy of valid preapplication conference report**, when a conference was required.

APPLICATION PREPARATION REQUIREMENTS:

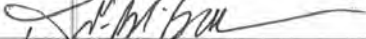
- Electronic copies of all application materials are required at the time of submittal.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

As the authorized applicant I, (print name) _____, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature: _____ 

Date: _____ 

Official Use Only

Date Received (date stamp below):

<p>Materials submitted 6/12/2023</p> <p>Payment submitted 6/16/2023</p>

Received by: BK

Request for Extension to Land Use Approval

Pursuant to Section 19.908, the Coho Point LLC requests a 2-year extension from September 29, 2023, to September 29, 2025, for the land use approval under DR-2021-001 and related WG, NR, VR, P and TFR reviews and decisions.

Applicability

Under 19.908.2 an extension may be requested for any unexpired land use application that was required by Title 19 of the Milwaukie Municipal Code and that was approved through a Type I, II or III review. The subject land use approval was processed as a Type III and is therefore eligible for an extension request.

Review Process

Under 19.908.3 this application for extension was requested prior to the expiration date of the approval. The expiration date is September 29, 2023. This extension application was filed on June 9th, 2023, within 6 months of the current expiration date.

The applicant is requesting a 2-year extension from September 29, 2023, to September 29, 2025. This 2-year time frame will now align more closely with the due diligence extension on the related Disposition and Development Agreement between the City and Coho Point LLC that has been extended to March 21, 2024.

Because the original approval was a Type III procedure, we understand that the Planning Director will notify the Planning Commission of this extension request. We also understand that this extension will be reviewed under a Type II procedure per Section 19.1005.

Approval Criteria

To our knowledge there have not been any significant changes on the property, in the vicinity of the property, or to any relevant regulations since the original application was approved in 2022, including traffic or natural resource conditions. We are also not proposing any changes to the development approved in the application or to any of the conditions of approval.

Conclusion

We therefore request a 2-year extension on the land use approval under DR-2021-001 from September 29, 2023, to September 29, 2025.