



MILWAUKIE PLANNING
 10501 SE Main St.
 Milwaukie OR 97222
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #: CSU-2023-005

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 Plot | <input type="checkbox"/> Residential Dwelling |
| 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 checked="" 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 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): **Bridge City Church**

Mailing address: **2816 & 2825 SE Harrison Street** State/Zip: **OR/97222**

Phone(s): **503-810-5888** Email: **Schelske@bridgecity.org**

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

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

Mailing address: **2816 SE Harrison Street** State/Zip: **OR/97222**

Phone(s): **503-313-4702** Email: **Jennifer@sunshineelcc.com**

SITE INFORMATION:

Address: **2816 SE Harrison Street** Map & Tax Lot(s):

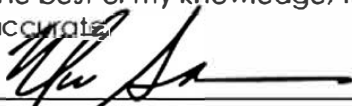
Comprehensive Plan Designation: Zoning: **R-HD** Size of property:

PROPOSAL (describe briefly):

2816-Changing 100 level usage from youth program to childcare center and updating capacity. I

2825-Parking Lot paving, lining, and a new playground added to space for childcare center.

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: **07/28/2023**

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 (after discount, if any)	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	CSU-2023-005	\$ 2,000.00			Application materials received on 9/21/23. Fee paid on 9/26/23.
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 2,000.00			RECEIPT #: 26558		RCD BY: R. Dyar

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

Neighborhood District Association(s): Historic Milwaukie NDA

Notes: Application for a major modification to a day/after-school care operation at 2816 SE Harrison St (Bridge City Community Church).

The applicant proposes to increase the number of students served, modify the hours of operation, and add a new play area at 2835 SE Harrison St, which currently serves as parking for the church and includes a single-detached dwelling which is currently rented to tenant. The church property serves multiple tenants beyond the daycare operation.

To City of Milwaukie Building and Planning

From: Bridge City Church and Sunshine Early Learning Centers

Address: 2816 and 2835 SE Harrison Road, Milwaukie, OR 97222

Land Use Proposal

The church property is currently being used in a number of ways. Bridge City Community Church, the property owner, meets in the building for worship on Sunday evenings, as well as other church life activities. Bridge City is a congregation of 35 people. Bridge City's philosophy about the building is that it should be used in such ways as serve the community rather than sitting empty. Presently these other uses include:

Omega Fire Ministries, a church congregation that meets in the building for worship on Sunday mornings, as well as other church activities. Omega Fire is a congregation of about 60 people.

Community group uses include: The Northwest Mineral Prospector's Club monthly meeting (30 people), periodic birthday parties, family events, weddings, and funerals.

Three upper-floor offices are shared with other low-traffic groups. An accountant, an IT professional, and three therapists share a single office space.

The church property includes a small rental house (2835 SE Harrison) which is rented to a family that the church is helping get back on their feet.

The church also makes the parking lot available periodically to other neighborhood uses, such as overflow parking for Stehn's Funeral home, and special event parking for the Waldorf School.

Sunshine Early Learning Center is proposing to add a playground, walking path, lined parking and use additional space downstairs for children ages 3 to 5 years old. They will use the 100 level for this purpose which is 4 classrooms totaling approximately 2400sqft (currently this space was used by an afterschool program but it now will be at preschool classrooms)

Currently licensed

- 54 students on the 200 level. 26 that are under 2 ½ and 28 that are 3 and over. (not currently enrolled about 45 total at this time)
- 30 before and after school program on the 100-level left side fellowship hall.

Current Total Licensed would be 84 total students.

Proposed

- 54 students on the 200 level, 26 that are under 2 ½ and 28 that are 3-5 years old.
- 30 before and after school program on the 100-level left side fellowship hall side

- **60 students 100 level classrooms under the 200 Early Learning Center as preschool promise program 4 classes of 15 children ages 3 years to 5 years old.**

The total license would be 144 students.

General community service use approval criteria for a major modification to a conditional use in [MMC 19.904.4](#) (pasted below).

- The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed in the CSU, the standards of the underlying zone are met;*

The playground will be set back 150 from the front property line. And 25ft from the property line to the right and no other changes that effect set back are needed.

- Specific standards for the proposed uses as found in Subsections 19.904.7-11 are met; **We are adding a playground to give children more outdoor play space.***

- The childcare center is Monday through Friday from 7:00am-5:30pm(existing) The Preschool promise program is Monday-Thursday 8:00am-3:00pm (new added Program)*

- This program will benefit the community by bringing in an additional early learning program which this community desperately needs over an empty building. The city of Milwaukie has very few certified childcare centers. Sunshine Early Learning Centers is the only Certified center in downtown Milwaukie at this time.*

- The location is a perfect location for this space, it has ample parking, outdoor space, and rooms that are large and meant for classrooms.*

- Specific community service use standards for school/day-care centers in [MMC 19.904.7](#). (pasted below). If you recall from the pre-application conference, you'll need to show your math on the outdoor play area requirement to demonstrate compliance.

- Preschools, nursery schools, day-care centers, or kindergartens shall provide a fenced, outdoor play area of at least 75 sq ft for each child of total capacity, or a greater amount if so required by state law. In facilities where groups of children are scheduled at different times for outdoor play, the total play area may be reduced proportionally based on the number of children playing out-of-doors at one time. However, the total play area may not be reduced by more than half. These uses must comply with the State Children's Services Division requirements as well as the City provisions.*

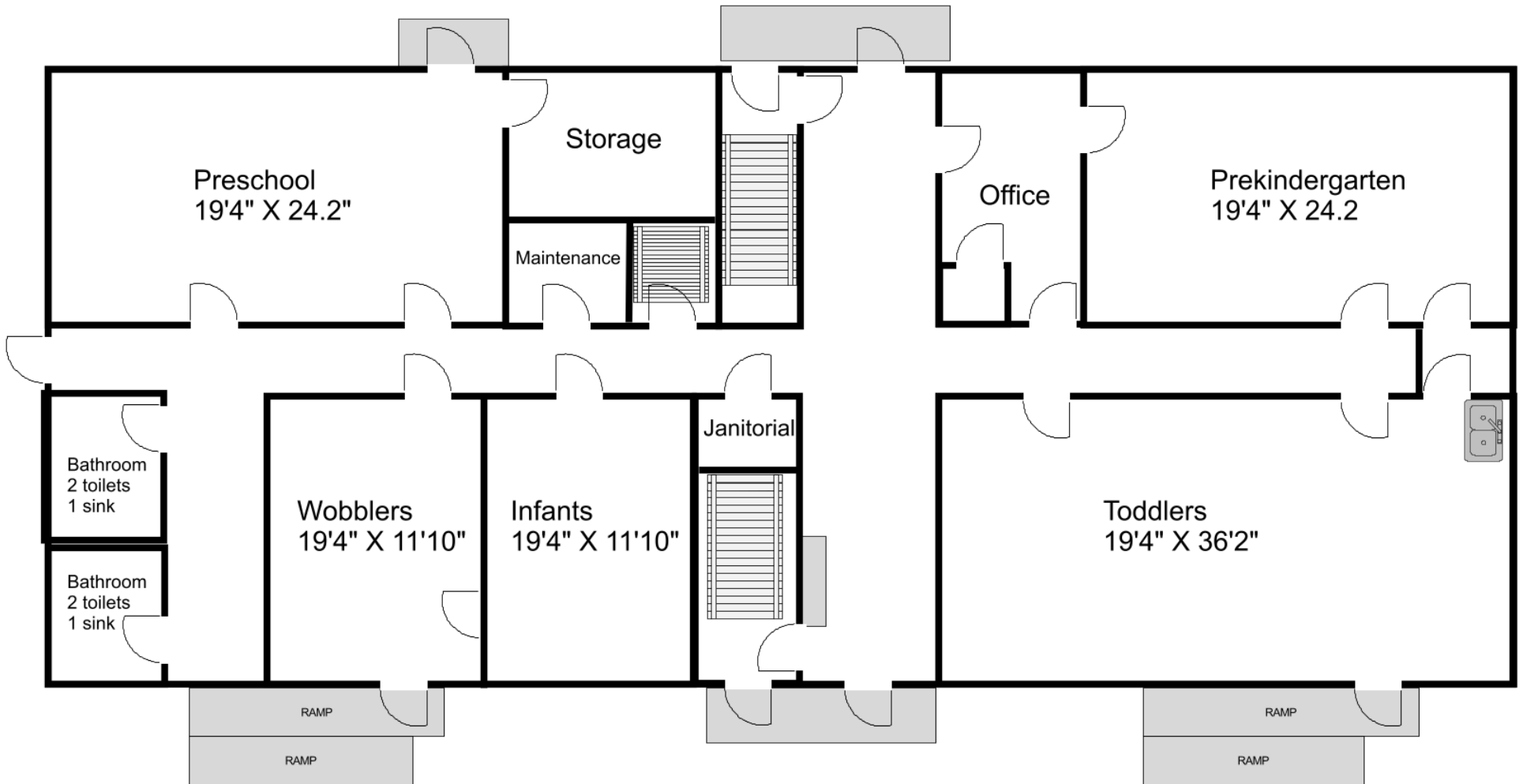
- 1. We currently have current play ground that is 1250sq ft. We would be adding an additional playground that is 85ft by 20 ft which is 1750 sq ft giving us a total 2950. 40 students can play at one time between the 2 playgrounds that is 1/3 of the***

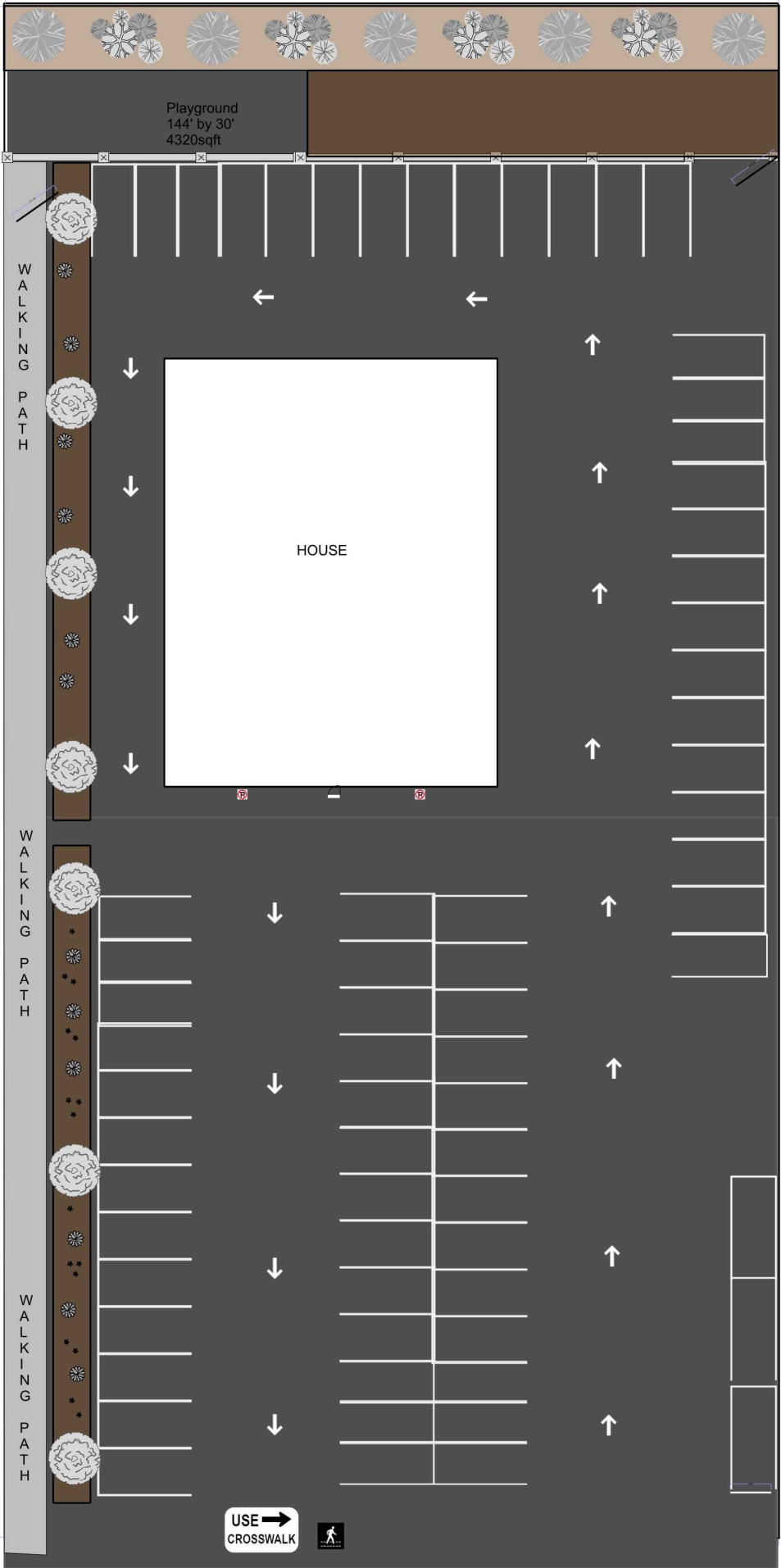
license capacity at 1 time. According to childcare licensing regulations and Oregon Department of Early Learning and Care you must have at least ¼ of the total occupancy worth of outdoor space.

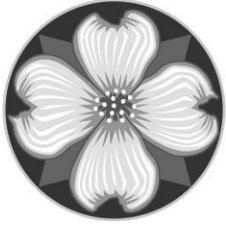
- b. *Walkways, both on and off the site, shall be provided as necessary for safe pedestrian access to schools subject to the requirements and standards of Chapter 19.700.*
 - c. ***We will install a walking stated by the design included that will have a barrier between the walking space and parking lot and will have a crossing guard when crossing the street at the designated walking path.***
 - d. *Where Subsection 19.904.7.B is applicable, a sight-obscuring fence of 4 to 6 ft in height shall be provided to separate the play area from adjacent residential uses. **We will be installing a 4 ft fence with privacy slats and 2 crash bar emergency exits.***
 - e. *Safe loading and ingress and egress will be provided on and to the site. **All classrooms have a save individual egress. As per the plans included.***
 - f. *Off-street parking (including buses) shall be provided as per Chapter 19.600.*
 - 1. ***Pick up and drop off will be located in the back parking lot drive with church and childcare designated drop off spots with the one way drive through. All mini buses, staff parking, and additional parent parking will be across the street at the current parking lot.***
 - g. *Bicycle facilities are required which adequately serve the facility.*
 - 1. ***We have 2 bike racks currently that will house more then the needed load.***
 - h. *15% of the total site is to be landscaped.*
 - 1. ***We have address this is the site plan.***
- On-Site Walkway and Circulation Standards in MMC 19.504.7. After talking more with Engineering, the City Engineer has determined that MMC 19.700 does apply, which in turn makes MMC 19.504.7 applicable.
 - a. Requirement: *All development subject to Chapter 19.700 (excluding single detached and multi-unit residential development) shall provide a system of walkways that encourages safe and convenient pedestrian movement within and through the development site. Redevelopment projects that involve remodeling or changes in use must be brought closer into conformance with this requirement to the greatest extent practicable. On-site walkways shall link the site with the public street sidewalk system, where sidewalks exist, or to the edge of the paved public street, where sidewalks do not exist. Walkways are required between parts of a site where the public is invited to walk. Walkways are not required between buildings or portions of a site that are not intended or likely to be used by pedestrians, such as truck loading docks and warehouses.*
 - b. Location: *A walkway into the site shall be provided for every 300 ft of street frontage.*

- c. *Connections: Walkways shall connect building entrances to one another and building entrances to adjacent public streets and existing or planned transit stops. On-site walkways shall connect with walkways, sidewalks, bicycle facilities, alleys, and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institutional, or park use. The City may require connections to be constructed and extended to the property line at the time of development.*
- d. *Routing: Walkways shall be reasonably direct. Driveway crossings shall be minimized. Internal parking lot circulation and design shall provide reasonably direct access for pedestrians from streets and transit stops to primary buildings on the site.*
- e. *Design Standards: Walkways shall be constructed with a hard surface material, shall be permeable for stormwater, and shall be no less than 5 ft in width. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials. On-site walkways shall be lighted to an average 5/10-footcandle level. Stairs or ramps shall be provided where necessary to provide a direct route.*

In response to these statements above we have sidewalks, driveways, with correct curbing and requirements per our plan. We will have curbing around the barrier between walk path and parking lot. We will line all other parking, walkways and directional paths.







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

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.qcode.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.

G:\Planning\Internal\Administrative - General Info\Applications & Handouts\Submittal Rqmts_Form_revised.docx—Rev.

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) Jennifer Foglesong, 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: 09/21/2023

Official Use Only

Date Received (date stamp below):

Received by: _____



CITY OF MILWAUKIE
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov
 building@milwaukieoregon.gov
 engineering@milwaukieoregon.gov

Preapplication Conference Report

Project ID: 23-005PA

This report is provided as a follow-up to the meeting that was held on 5/25/2023 at 10:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Jennifer Foglesong	Applicant Role: Business Owner
Applicant Address:	2816 SE Harrison St, Milwaukie, OR 97266	
Company:	Sunshine Early Learning Center	
Project Name:	Major Modification to Community Service Use	
Project Address:	2816 & 2825 SE Harrison St	Zone: R-HD
Project Description:	Major modification to community service use (daycare/afterschool care)	
Current Use:	2816 SE Harrison St: Various Community Service Uses, including afterschool and daycare. 2825 SE Harrison St: Single detached dwelling and off-street parking serving multiple community service uses located at 2816 SE Harrison St.	
Applicants Present:	Jennifer Foglesong	
Staff Present:	Ryan Dyar (Assistant Planner); Jennifer Backhaus (Engineering Tech III)	

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 (R-HD), which allows a variety of residential housing types, offices, hotels, and community services uses.
<input checked="" type="checkbox"/>	Dimensional Standards	Dimensional standards for the R-HD zone are provided in Milwaukie Municipal Code (MMC) Section 19.302 (specifically in MMC Subsection 19.302.4). As staff understands the proposal, there will be minor cosmetic improvements—paint and new flooring—at the church building at 2816 SE Harrison St. The following minimum setbacks apply to 2825 SE Harrison St, which is the location of the new playground. Maximum Lot Coverage = 50% Minimum Vegetation = 15%

		<p>Staff determined the above are the most pertinent development standards based on the proposal. Please see MMC Table 19.302.4 for a complete list of development standards.</p> <p>The applicant should also note the setback standards for daycare operations listed in MMC Subsection 19.904.7. The location of the proposed playground will likely be discussed during the public hearing with the Planning Commission.</p> <p>Minimum setback requirements:</p> <p>Front yard: 20 ft</p> <p>Rear yard: 20 ft</p> <p>Side yard: 20 ft</p>
--	--	--

Land Use Review Process		
--------------------------------	--	--

<input checked="" type="checkbox"/>	<p>Applications Needed, Fees, and Review Type</p>	<p>The proposal seeks to modify daycare and afterschool operations. The daycare was originally approved as a community service overlay at 2816 SE Harrison St in 1991 (land use file #CSO-91-03). The afterschool operation was approved as a community service overlay in 2002 (land use file #CSO-02-06). Community service overlays are now referred to as community service uses.</p> <p>The applicant is seeking to build a playground at 2825 SE Harrison St and to increase the number of students served which was limited under previous decisions. A 2007 minor modification to the daycare use permitted a maximum of 45 students; the applicant plans to greatly exceed this number. A 2002 approval for the afterschool operation limited the number of students to 25 and only granted approval for after-school care and weekend programming. The applicant is seeking to modify the approval to increase the total number of students served and offer before as well as after-school care services.</p> <p>MMC Section 19.904 establishes the process and standards for modifying an existing CSU. MMC Subsection 19.905.A states that the establishment of a new, or major modification to an existing CSU, is subject to a Type III review, with a public hearing and decision by the Planning Commission.</p> <p>MMC Subsection 19.904.5.C establishes criteria under which the Planning Manager may approve minor modifications to an existing CSU. It states that if the use contravenes any conditions specifically placed on the development by the Planning Commission or increases the intensity of use, it is ineligible for a minor modification and must go through the major modification process. Increasing the number of students served and expanding the operation to another property increases the intensity and contravenes conditions of approval placed on the use by the Milwaukie Planning Commission in CSU-91-03 and CSO-02-06. The proposal is consequently subject to a major modification process.</p> <ul style="list-style-type: none"> • Major Modification to a Community Service Use (Type III review) = \$2,000 • Variance (Type III review) = \$2,000 reduced to \$1,500 (25% per multiple applications discount). Variance application may not be required if the applicant can demonstrate sufficient play area space per MMC 19.904.7.B.
-------------------------------------	--	---

<input checked="" type="checkbox"/>	<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. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</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</p>
-------------------------------------	-----------------------------------	---

	<p>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 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.</p> <p>Development permits (if required) 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.</p> <p>The 2023 schedule for Planning Commission hearings, including dates by which an application must be deemed complete to be eligible for a particular hearing date, is attached for reference if needed.</p>
--	---

Overlay Zones (MMC 19.400)

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

Site Improvements/Site Context

<input checked="" type="checkbox"/>	Landscaping Requirements	<p>In the R-HD zone:</p> <ul style="list-style-type: none"> • Minimum vegetation requirement = 15% of lot area <p>As discussed during the preapplication conference, the site of the proposed development does not conform with the 15% landscaping requirement. Per MMC 19.804.2, the site alteration cannot increase the nonconformity.</p> <p>The applicant discussed adding landscaping to buffer the parking lot walkway from the areas designated for vehicular maneuvering, as is required under MMC 19.504.8. Should the applicant decide to move forward with this plan, the newly added landscaped buffer would count towards the 15% minimum requirement.</p>
<input checked="" type="checkbox"/>	Onsite Pedestrian Improvements (MMC 19.505.4)	<p>As per MMC Subsection 19.504.8, walkways are required between parts of a site where the public is invited to walk. Walkways must be constructed with a hard-surface material, permeable to stormwater, and no less than 5 ft wide. Walkways are required to be reasonably direct, lighted to an average 5/10-footcandle level, and physically separated from the off-street parking area by landscaping, a raised curb, or distinctive paving materials. Where adjacent to parking areas where vehicles will overhang the walkway, a 7-ft-wide walkway must be provided.</p> <p>The site currently is considered non-conforming with this standard. As part of the proposal, the applicant is proposing to add a walkway. The applicant should be aware that the Planning Commission may look to the standards in MMC Subsection 19.504.8 for guidance when considering appropriate conditions of approval.</p>
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Flag Lot Design Standards (MMC 19.504.7)	

<input type="checkbox"/>	Building Design Standards (MMC 19.505)	
<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>Per MMC Subsection 19.602.2, changes to existing off-street parking or loading areas that bring the area out of conformance with Chapter 19.600, or further out of conformance if already nonconforming, are prohibited. Staff will evaluate the existing property for conformance with the standards in MMC Chapter 19.600 through the application process and ensure no actions take the property further out of conformance.</p> <p>The applicant should refer to MMC Section 19.606 for parking area design and landscaping standards and should be aware that the Planning Commission may look to the standards in this subsection and MMC Section 19.600 generally for guidance when considering appropriate conditions of approval.</p> <p>As part of their application, the applicant should coordinate with the property owner to provide an up-to-date list of all users of the church facility and off-street parking area. This list should include how much square footage each church use occupies.</p>
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input checked="" type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	<p>MMC Subsection 19.904.4 establishes the approval criteria for a major modification to a CSU. Additionally, MMC Subsection 19.904.4.7 includes specific standards for schools and daycare centers. A discussion of how the proposal complies with the approval criteria and standards of approval for daycare operations should be addressed in the application narrative.</p> <p>As discussed in the preapplication conference, the applicant should note that MMC Subsection 19.904.7 requires that daycare centers provide a fenced, outdoor play area of at least 75 sq ft for each child of total capacity, or a greater amount if so, required by state law. In facilities where groups of children are scheduled at different times for outdoor play, the total play area may be reduced proportionally based on the number of children playing outdoors at one time. However, the total play area may not be reduced by more than half. These uses must comply with the State Children's Services Division requirements as well as the City provisions (see variance discussion below).</p> <p>Based on the preapplication conference discussion and the materials submitted ahead of the conference, it is unclear whether the proposal will comply with MMC Subsection 19.904.7.B., which requires a minimum of 75 sq. ft. of outdoor play area for each child of total capacity. This area may be reduced by up to half if the children will use the play area in an asynchronous manner. The applicant will be required to specify in their application narrative the various programs they're proposing to operate on-site, the number of children each program will serve, and the days and hours of operation of each program. To satisfy MMC 19.904.7.B and avoid the need for a variance, the applicant will need to include a schedule of how the playground space is programmed (i.e. which students and how many will be using the space at any given time).</p> <p>Asight-obscuring fence of 4 to 6 ft in height shall be provided to separate the play area from adjacent residential uses.</p> <p>The applicant should note that per MMC Subsection 19.904.5.B, in permitting a CSU or the modification of an existing one, the City may impose suitable conditions which assure compatibility of the use with other uses in the vicinity. As mentioned above, the applicant should be aware that staff and the Planning Commission will likely refer to the standards in</p>

		MMC Chapter 19.600 and MMC Subsection 19.504.8 for guidance on the proposed walkway and improvements to the off-street parking area.
<input type="checkbox"/>	Conditional Use (MMC 19.905)	
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input checked="" type="checkbox"/>	Variance (MMC 19.911)	MMC Section 19.911 establishes processes and standards for approving relief requests from specific code provisions. Should the applicant not be able to meet any of the standards for a CSU, a variance application will be required and processed as a Type III review. The approval criteria for a Type III variance request can be found in MMC 19.911.3.C.
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	
<input type="checkbox"/>	Preliminary Plat Requirements	
<input type="checkbox"/>	Final Plat Requirements (See also Engineering Section of this Report)	
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 R-HD zone.
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Historic Milwaukie	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. Applicants are encouraged to meet with the NDA prior to application submittal: https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda
	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)	Engineering has determined that the proposed use does not meet the applicability thresholds established in MMC 19.702.
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	
<input type="checkbox"/>	Agency Notification (MMC 19.707)	
<input type="checkbox"/>	Transportation Requirements (MMC 19.708)	
<input type="checkbox"/>	Utility Requirements (MMC 19.709)	
Flood Hazard Area (MMC 18)		
<input checked="" 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 MMC 16.28</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/wa/wapermits/Pages/Stormwater-Construction.aspx. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p>

		For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov .
<input checked="" type="checkbox"/>	Tree Code (MMC 16.32)	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. Public trees require a permit for planting (free) – visit milwaukieoregon.gov/trees to learn more.
Public Services (MMC 13)		
<input type="checkbox"/>	Water System (MMC 13.04)	
<input type="checkbox"/>	Sewer System (MMC 13.12)	
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	Any new impervious area of more than 500 square feet would be required to be treated on-site; however, the proposal does not appear to include any new impervious area. When applicable, stormwater mitigation must meet the city's NPDES permit through the design of facilities according to the 2016 City of Portland Stormwater Management Manual.
<input type="checkbox"/>	System Development Charge (MMC 13.28.040)	
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	
<input type="checkbox"/>	Access Requirements (MMC 12.16.040)	
<input type="checkbox"/>	Clear Vision (MMC 12.24)	
Additional Engineering & Public Works Notes		
BUILDING COMMENTS		

If building permits are required, 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 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 type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input 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

COORDINATION WITH OTHER AGENCIES

If required, 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	
--------------------------	----------------------------	--

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

- Enterprise Zone:**
- Vertical Housing Tax Credit:**
- New Market Tax Credits:**
- 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 (vacant)	Development Programs Manager	503-786-7692
Emilie Bushlen	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Petra Johnson	Administrative Specialist II	503-786-7600
	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
-------------	--------------------------------	--