



# CITY OF MILWAUKIE

April 18, 2024

Brad Bane  
38 NW Davis St. #300  
Portland, OR 97209

**Re: Preapplication Report**

Dear Brad:

Enclosed is the Preapplication Report Summary from your meeting with the City on 04/04/2024, concerning your proposal for action on property located at 10505 SE 31<sup>st</sup> Ave.

A preapplication conference is required prior to submittal of certain types of land use applications in the City of Milwaukie. Where a preapplication conference is required, please be advised of the following:

- Preapplication conferences are valid for a period of 2 years from the date of the conference. If a land use application or development permit has not been submitted within 2 years of the conference date, the Planning Manager may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Manager may require a new preapplication conference.

If you have any questions concerning the content of this report, please contact the appropriate City staff.

Sincerely,

Petra Johnson  
Administrative Specialist II



**CITY OF MILWAUKIE**  
 10501 SE Main St  
 Milwaukie OR 97222  
 503.786.7555  
 planning@milwaukieoregon.gov  
 building@milwaukieoregon.gov  
 engineering@milwaukieoregon.gov

# Preapplication Conference Report

Project ID: 24-003PA

This report is provided as a follow-up to the meeting that was held on 4/4/2024 at 11:00 AM

The Milwaukie Municipal Code is available here: <https://ecode360.com/MI4969>

## APPLICANT AND PROJECT INFORMATION

<b>Applicant:</b>	Brad Bane	<b>Applicant Role:</b> Architect
<b>Applicant Address:</b>	38 NW Davis St #300, Portland, OR 97209	
<b>Company:</b>	Ankrom Moisan	
<b>Project Name:</b>	Murphy Site Residential Development	
<b>Project Address:</b>	10505 SE 31 <sup>st</sup> Ave	<b>Zone:</b> GMU (General Mixed Use)
<b>Project Description:</b>	276-unit multiunit residential development	
<b>Current Use:</b>	Vacant	
<b>Applicants Present:</b>	Brad Bane, Ankrom Moisan (architect); Bronson Graff, Ankrom Moisan; Steve Hansen, Emerio Design; Wylie Gibbons, Gibbons-Kaplan Development; Taylor Kaplan, Gibbons-Kaplan Development; John Murphy, The Murphy Company; Dan Hollingshead, The Murphy Company; Erik Bildman, The Murphy Company.	
<b>Staff Present:</b>	Vera Kolas (Senior Planner), Jennifer Backhaus (Engineering Tech III), Joseph Briglio (Community Development Director), Laura Weigel (Planning Manager), Abraham Tayar (ODOT), Marah Danielson (ODOT), Bob Stolle (ODOT-Rail), Riley Gill (Environmental Services Coordinator).	

## PLANNING COMMENTS

### Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	<b>Use Standards (e.g., residential, commercial, accessory)</b>	The property is zoned General Mixed Use (GMU) with a Flex Space Overlay (FSO), which allows a variety of uses, including multi-unit residential and mixed use development, restaurants and drinking establishments, offices, and manufacturing.
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	Table 19.303.3 includes all applicable dimensional standards, including building height, FAR, setbacks, frontage occupancy, and lot coverage standards.

### Land Use Review Process

<input checked="" type="checkbox"/>	<b>Applications Needed, Fees, and Review Type</b>	The proposal includes consolidation of multiple lots that are part of a platted subdivision. <ul style="list-style-type: none"> <li>Type I Lot Consolidation (MMC 17.12.020): \$200</li> </ul>
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		<ul style="list-style-type: none"> <li>• Upon approval of the lot consolidation, the applicant must record the signed lot consolidation with Clackamas County and submit a copy of the recorded document with the city. This must be done prior to the issuance of any development permits.</li> <li>• Transportation Facilities Review (Type II review): \$1,000 + reserve deposit (see notes below under Application Process) <ul style="list-style-type: none"> <li>• MMC 19.704 – Transportation Impact Analysis</li> <li>• Managed by the Engineering Department</li> </ul> </li> <li>• Development review – Type I or Type II for multiunit residential development</li> </ul> <ul style="list-style-type: none"> <li>• Type III = \$2,000</li> <li>• Type II = \$1,000</li> <li>• Type I = \$200</li> </ul> <p><u>Note:</u> For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one.</p>
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<input checked="" type="checkbox"/>	<b>Application Process</b>	<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.</p> <p>For Type II applications, within 7 days of the application being deemed complete, public notice of the application will be sent to property owners and current residents within 300 ft of the subject property, and a sign with notice of the application must be posted on the site. The application will also be referred to other relevant departments and agencies for review and comment. Parties will have at least 14 days to provide comments before a decision is issued.</p> <p>With Type II 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 II decision would be heard by the Planning Commission for the final local decision.</p> <p>Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p> <p><b>NOTE:</b> It is <u>strongly recommended</u> that the TIS review process be initiated early and before the land use application is submitted. This is because the city's engineering consultant will be tasked with scoping the TIS with coordination with the Engineering Department. In this case, ODOT will participate in the scoping process, so the sooner this process is initiated, the better. Therefore, the applicant is encouraged to submit the TFR application as soon as possible to initiate that process so that the land use application includes the final TIS.</p>
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**Overlay Zones (MMC 19.400)**

<input type="checkbox"/>	<b>Willamette Greenway</b>	The site is not in the Willamette Greenway
<input type="checkbox"/>	<b>Natural Resources</b>	There are no designated natural resources on the subject property.
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input checked="" type="checkbox"/>	<b>Flex Space Overlay</b>	The property contains the Flex Space Overlay, but the proposal does not include any uses permitted by it.

**Site Improvements/Site Context**

<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	Landscaping requirements in the GMU are addressed in Section 19.303. Landscaping and open space requirements for multi-unit buildings is detailed in 19.505.3.
<input checked="" type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements</b>	MMC Subsection 19.505.3 establishes standards for on-site pedestrian walkways for multi-unit development.

		<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>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 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.</p> <p>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.</p> <p>Please note that the city is currently in the code adoption phase of implementation of the Climate Friendly and Equitable Communities Act (CFEC). The code amendments are expected to be effective on June 21, 2024. The proposed amendments include specific bike parking standards that the applicant should review: <a href="https://www.milwaukieoregon.gov/planning/za-2022-005">https://www.milwaukieoregon.gov/planning/za-2022-005</a>.</p> <p>Central Milwaukie Bikeway (CMB):</p> <p>The Central Milwaukie Land Use and Transportation Plan, adopted in 2015, identified a multi-modal neighborhood greenway connecting the planned 29th Avenue Neighborhood Greenway with the Monroe Neighborhood Greenway. The concept involved three opportunity sites in the central Milwaukie area: the Murphy site, McFarland site, and Clackamas County Housing Authority's Hillside Manor (click on graphic to make the image bigger).</p> <p>In October 2019, staff applied to the Oregon Department of Land Conservation and Development (DLCD) through its Transportation and Growth Management (TGM) Quick Response program for assistance in developing a revised concept plan for the bikeway and multi-modal connection. The proposal received approval for funding in November 2019, and a consultant team from Alta Planning + Design was selected to work on the project, which officially kicked off in August 2020.</p> <p>The goal was to analyze multi-modal connectivity issues within the project area and identify alternatives with planning-level cost estimates. The approach involves engagement and discussion with key stakeholders as well as at least one community meeting to review and discuss the concept alternatives. The final product was a concept report that presented the revised design.</p> <p>Although City Council did not adopt a final route, staff is moving forward with a variation of Option 2: <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/119321/cmbc_concept_design_report_draft_20210226_web.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/119321/cmbc_concept_design_report_draft_20210226_web.pdf</a></p> <p>The applicant will be expected to accommodate the CMB as part of the development. During the pre-application conference, the applicant team confirmed that the CMB would not access the site itself. Therefore, the CMB would follow Meek St to the east, travel south on 32<sup>nd</sup> Ave, and cross at Llewellyn St. The city will work with the applicant to confirm the design and cross-section of the ped/bike improvements required for this section of the CMB.</p>
<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	
<input type="checkbox"/>	<b>Circulation</b>	
<input checked="" type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	<p>The multi-unit design standards and development review process apply to the proposal (MMC 19.505.3): <a href="https://ecode360.com/43868384">https://ecode360.com/43868384</a>. 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-</p>

		unit design guidelines. Building elevations and a narrative showing how the proposed design meets the required standards or guidelines are required with the land use application.
<input type="checkbox"/>	<b>Downtown Design Review (MMC 19.907) and Downtown Design Standards (MMC 19.508)</b>	
<b>Parking Standards (MMC 19.600)</b>		
<input checked="" type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	<p>Per Oregon Administrative Rules (OAR) 660-012-0012 and 660-12-0440, which relate to Climate-Friendly and Equitable Communities (CFEC) rulemaking, the City is prohibited from mandating minimum off-street vehicular parking quantity requirements because of the subject property's proximity to a TriMet bus stop.</p> <p>No off-street vehicle parking is required for the proposed development. However, parking is proposed for the development, so MMC 19.600 applies. Subsection 19.602.3.A states that development of a vacant site must have off-street parking areas that conform to the requirements of 19.600. Therefore, the parking area must comply with the electric vehicle charging requirements in MMC 19.605.5.B and the design and landscaping requirements of Subsection 19.606, including: parking space size, landscaping (specifically interior landscaping), and wheel stops.</p> <p>Plans submitted for review will need to show specific calculations to confirm that the parking lot meets the quantity standard and the design and landscaping standards.</p> <p>Please note that the city is currently in the code adoption phase of implementation of the Climate Friendly and Equitable Communities Act (CFEC). The code amendments are expected to be effective on June 21, 2024. The proposed amendments include specific improvement standards that the applicant should review: <a href="https://www.milwaukieoregon.gov/planning/za-2022-005">https://www.milwaukieoregon.gov/planning/za-2022-005</a>.</p>
<input type="checkbox"/>	<b>Commercial Parking Requirements (MMC 19.600)</b>	
<b>Approval Criteria (MMC 19.900)</b>		
<input type="checkbox"/>	<b>Community Service Use (CSU) (MMC 19.904)</b>	
<input type="checkbox"/>	<b>Conditional Use (MMC 19.905)</b>	
<input type="checkbox"/>	<b>Variance (MMC 19.911)</b>	
<b>Land Division (MMC Title 17)</b>		
<input type="checkbox"/>	<b>Design Standards</b>	
<input checked="" type="checkbox"/>	<b>Preliminary Plat Requirements</b>	<p>Parcel consolidation within the platted subdivision is required prior to the issuance of any development permits.</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><a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist_form_revised.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist_form_revised.pdf</a>.</p> <p>Upon approval of the lot consolidation, the applicant must record the signed lot consolidation with Clackamas County and submit a copy of the recorded documents,</p>

		including any easements, with the city. This must be done prior to the issuance of any development permits.
<input type="checkbox"/>	<b>Final Plat Requirements (See Engineering Section of this Report)</b>	
<input type="checkbox"/>	<b>Other Requirements</b>	
<b>Sign Code Compliance (MMC Title 14)</b>		
<input checked="" type="checkbox"/>	<b>Sign Requirements</b>	MMC Section 14.16.040 establishes standards for signage in the GMU zone.
<b>Noise (MMC Title 16)</b>		
<input type="checkbox"/>	<b>Noise Mitigation (MMC 16.24)</b>	
<b>Neighborhood District Associations</b>		
<input checked="" type="checkbox"/>	<b>Ardenwald-Johnson Creek</b>	<p>Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Ardenwald-Johnson Creek NDA.</p> <p><b><u>Ardenwald NDA contact</u></b></p> <p>Chris Holle-Bailey, Chair  <a href="mailto:chrisinardenwald@gmail.com">chrisinardenwald@gmail.com</a></p> <p>Regular meeting schedule is the fourth Monday of most months. Meetings are typically held at the Milwaukie Café and Bottle Shop, 9401 SE 32<sup>nd</sup> Ave, but please check the City calendar to confirm whether the meeting will be in person, online, or both.</p> <p><a href="https://www.milwaukieoregon.gov/citymanager/ardenwald-johnson-creek-nda">https://www.milwaukieoregon.gov/citymanager/ardenwald-johnson-creek-nda</a></p>
	Choose an item.	
	Choose an item.	
<b>Other Permits/Registration</b>		
<input type="checkbox"/>	<b>Business Registration</b>	
<input type="checkbox"/>	<b>Home Occupation Compliance (MMC 19.507)</b>	
<b>Additional Planning Notes</b>		
The street vacation process includes the submittal of a full application package, staff review for completeness, payment of fees, and a hearing before the City Council. The process takes approximately 3-4 weeks depending on City Council meeting schedules. Final recording of the street vacation ordinance is required prior to approval of the lot consolidation.		
<b>ENGINEERING &amp; PUBLIC WORKS COMMENTS</b>		
<b>Public Facility Improvements (MMC 19.700)</b>		
<input checked="" type="checkbox"/>	<b>Applicability (MMC 19.702)</b>	MMC 19.702 establishes the applicability of MMC 19.700, including to partitions, subdivisions, replats, new construction, and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.

		<p>The proposal is to establish a 276-unit multiunit housing development. The City Engineer has determined this change in use would generate an increase in vehicle trips. MMC 19.700 applies.</p> <p>Facility improvements are required as part of this development. See MMC 19.708 Transportation Requirements and MMC 13.32 Fee in Lieu of Construction for more information.</p>
<input checked="" type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	<p>Per MMC 19.703.2, because the proposed development triggers a Transportation Impact Study (TIS), a Transportation Facilities Review (TFR) application is required.</p> <p>The TFR application will be processed and reviewed concurrently with the other required applications discussed in these notes.</p> <p>MMC 19.703.3 establishes the approval criteria for transportation facilities review, including compliance with the procedures, requirements, and standards of MMC 19.700 and the Public Works Standards; provision of transportation improvements and mitigation in rough proportion to potential impacts; and compliance with the City's basic safety and functionality standards (e.g., street drainage, safe access and clear vision, public utilities, frontage improvements, level of service).</p>
<input checked="" type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>	<p>A Transportation Impact Study (TIS) is required.</p> <p>A pre-scoping meeting to determine the parameters of the study is recommended. The City's on-call traffic engineer is Kittelson &amp; Associates. The applicant and/or their traffic engineer can coordinate the scheduling of this meeting with the city's engineering department.</p> <p>The applicant must pay a reserve deposit of \$2,500 at TFR submission. This deposit covers the cost of scoping and review of the TIS.</p>
<input checked="" type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	<p>The city must provide notification to the following agencies under certain circumstances.</p> <p>Oregon Department of Transportation (ODOT) whenever a proposed development is within 200 ft of a state highway.</p> <p>The development is within 200 ft of Highway 224, ODOT will be notified.</p> <p>ODOT Rail Division whenever the proposed development is within 300 ft of a public railroad crossing.</p> <p>The development is within 300 ft of the public railroad crossing at Harrison Street, ODOT Rail Division will be notified.</p> <p>Metro and Clackamas County when a development is within 200 ft of a designated arterial or collector roadway as identified in Figure 8-1 of the Transportation System Plan (TSP).</p> <p>The development is within 200 ft of 32<sup>nd</sup> Avenue, a collector street identified in the TSP and Harrison Street, an arterial street identified in the TSP. Metro and Clackamas County will be notified.</p> <p>TriMet if the proposed development is within 200 ft of an existing or proposed transit route on the current TriMet service map and/or Figure 7-3 of the Transportation System Plan (TSP).</p> <p>32<sup>nd</sup> Avenue and Harrison Street have existing bus routes, so TriMet will be notified.</p>
<input checked="" type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	<p>Access Management: All development subject to MMC 19.700 must comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All developments subject to MMC 19.700 must comply with clear vision standards contained in MMC 12.24.</p> <p>ROW dedication for Meek Street, 32<sup>nd</sup> Avenue, and Harrison Street will be required to construct all required improvements as described in this section.</p> <p>All new streets shall be dedicated, designed, and improved in accordance with MMC 19.700 and the city's Public Works Standards.</p>

		<p>Street improvement design is subject to plan review and approval. Improvements for the right-of-way include (but are not limited to): 8-ft wide travel lanes, 5-ft wide landscape strips, 5-ft wide setback sidewalk, and on-street parking. Street tree planting will be required in landscaping areas at a minimum of every 40 feet in accordance with the Public Works Standards and the Milwaukie Street Tree List and Planting Guidelines. A designated bicycle route connecting to the new route constructed under the Hillside Development will be required subject to plan review.</p> <p>The existing accessways on Harrison Street will be abandoned and replaced with curb and sidewalk and must comply with Street and Sidewalk Excavations, Construction, and Repair standards contained in MMC 12.08, all applicable Americans with Disabilities Act standards and requirements, and City of Milwaukie's Public Works Standards.</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 right-of-way improvements.</p>
<input checked="" type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>	<p>A 10-ft public utility easement (PUE) will be required along the Meek Street, 32<sup>nd</sup> Avenue, and Harrison Street frontages.</p> <p>Abandonment of existing city mainlines within the property is allowable subject to plan review and permit approval. The applicant must provide engineering plans for review prior to permit issuance and construction. A Right-of-Way permit is required to construct these improvements.</p>
<b>Flood Hazard Area (MMC 18)</b>		
<input type="checkbox"/>	<b>Development Permit (MMC 18.16.030)</b>	The subject property is not in a flood hazard zone.
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>	
<input type="checkbox"/>	<b>Compensatory Storage (MMC 18.20.020)</b>	
<input type="checkbox"/>	<b>Floodways (MMC 18.20.010.B)</b>	
<b>Environmental Protection (MMC 16)</b>		
<input type="checkbox"/>	<b>Weak Foundation Soils (MMC 16.16)</b>	
<input checked="" type="checkbox"/>	<b>Erosion Control (MMC 16.28)</b>	<p>Construction sites 5 acres or more are subject to 1200-C requirements. Details can be found here: <a href="https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx</a></p> <p>Erosion control and prevention is required as outlined in MMC16.28</p> <p><a href="#">Standard Erosion Prevention and Sediment Control notes</a></p> <p>Projects that disturb more than 500 sq ft within the City of Milwaukie limits require an <a href="#">Erosion Control Permit</a> from the City's Building Department. Even projects that are less than 500 sq ft may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's <a href="#">Erosion Prevention and Sediment Control requirements</a>. The applicant is encouraged to use the City's adopted <a href="#">Erosion Prevention and Sediment Control Planning &amp; Design Manual (2020)</a> for assistance in designing an erosion control plan.</p> <p>Development sites between 1 acre and 5 acres should apply for a 1200-CN permit as outlined on <a href="https://www.milwaukieoregon.gov/publicworks/1200cn">https://www.milwaukieoregon.gov/publicworks/1200cn</a>. Applicants will use the DEQ 1200-C permit application but submit it to the city for review and approval through the</p>



		<p>Milwaukie Erosion and Sediment Control Program. A 1200-C permit can be found on the DEQ website at <a href="https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx</a>. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>For more information, please visit <a href="https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control">https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control</a> or contact <a href="mailto:erosioncontrol@milwaukieoregon.gov">erosioncontrol@milwaukieoregon.gov</a>.</p>
<input checked="" type="checkbox"/>	<b>Tree Code (MMC 16.32)</b>	<p>All public trees over 2" in diameter at breast height (DBH) are regulated by the public tree code. Public trees are to be protected through development. Public tree removals require an approved permit for removal, which includes a notice period lasting 14 days but can extend to 28 days if public comment is received.</p> <p>Public trees require a permit for planting (free) – visit <a href="http://milwaukieoregon.gov/trees">milwaukieoregon.gov/trees</a> to learn more.</p> <p>Frontage improvements include tree replanting requirements in the public right-of-way (ROW) following the public works standards. Public trees may count for partial credit in the development tree code as described in MMC 16.32.042.</p> <p>For more information, please contact <a href="mailto:urbanforest@milwaukieoregon.gov">urbanforest@milwaukieoregon.gov</a> or call 503-786-7655.</p>
<b>Public Services (MMC 13)</b>		
<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>New or upsized connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: <a href="https://www.milwaukieoregon.gov/building/water-connection-application">https://www.milwaukieoregon.gov/building/water-connection-application</a></p> <p>A system development charge (SDC) and a water service connection fee must be paid prior to any new or upsized connections to city water.</p> <p>Multiple water meters may be allowed subject to plan review. Water meters must be placed in the right-of-way and cannot be placed on private property.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>New or upsized connections to City utilities are subject to plan and application review.</p> <p>An SDC must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	<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>Stormwater facilities are subject to plan review and approval prior to permit issuance and construction. An Operations &amp; Maintenance form is required prior to occupancy.</p> <p>An SDC must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	<b>System Development Charge (MMC 13.28.040)</b>	<p>All new development or intensification of use shall be subject to SDCs.</p> <p>Latest charges are determined by the Master Fee Schedule available here: <a href="https://www.milwaukieoregon.gov/finance/fees-charges">https://www.milwaukieoregon.gov/finance/fees-charges</a></p> <p>An estimate will be provided upon request. Actual charges are subject to final plans and review.</p>
<input type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	
<b>Public Places (MMC 12)</b>		

☒	<b>Right of Way Permit (MMC 12.08.020)</b>	<p>A ROW Permit will be required for utility work within the ROW, accessway construction or abandonment, and any frontage improvements constructed.</p> <p>An Engineer's Estimate for all public improvements is required prior to permit issuance. An initial ROW permit fee of 1.5% of the initial estimate is due prior to permit review.</p> <p>A performance bond for 130% of the final Engineer's Estimate and a ROW permit fee of 5.5% (less the original permit review fee) is required prior to permit issuance. A maintenance bond for 10% of the Engineer's Estimate is required at the end of construction pending final as-built approval.</p>
☒	<b>Access Requirements (MMC 12.16.040)</b>	<p>Per MMC 12.16.040, private property must be provided with street access via accessways (driveways). These driveways must be constructed under a ROW permit in accordance with the current Milwaukie Public Works Standards.</p> <p>The number of accessways on collectors and near state highways must be minimized whenever possible. The development must remove all accessways connecting to Harrison Street. Proposed accessway locations on 32<sup>nd</sup> Avenue and Meek Street are subject to plan review.</p>
☒	<b>Clear Vision (MMC 12.24)</b>	A clear vision area shall be maintained at all driveways and accessways.

**Additional Engineering & Public Works Notes**

Final ROW requirements and System Development Charges are subject to final design and plan review.  
SDC estimates can be provided pending further information on unit sizes, total impervious surface area, and water service sizes.  
A bicycle route is required as part of the final frontage improvement requirements. Final location and design is subject to plan review.

**BUILDING COMMENTS**

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

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

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

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

Site utilities require a separate plumbing permit and will require plumbing plan review.

If you have any building related questions, please email us at [building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov).

**All construction will fall under the current commercial codes:**

**Oregon Structural Specialty Code (OSSC), Oregon Plumbing Specialty Code (OPSC), Oregon Electrical Specialty Code (OESC), Oregon Mechanical Specialty Code (OMSC), etc.**

**OTHER FEES**

☒	<b>Construction Excise Tax</b> Affordable Housing CET - Applies to any project with a	<b>Calculation:</b> Valuation *12% (.12)
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	construction value of over 100,000.	
<input checked="" type="checkbox"/>	<b>Metro Excise Tax</b> Metro – Applies to any project with a construction value of over \$100,000.	<b>Calculation:</b> Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	<b>School Excise Tax</b> School CET – Applies to any new square footage.	<b>Calculation:</b> Commercial = \$0.78 a square foot, Residential = \$1.56 a square foot (not including garages)

**FIRE DISTRICT COMMENTS**

Please see the attached memorandum for fire district comments.

**COORDINATION WITH OTHER AGENCIES**

**Applicant must communicate directly with outside agencies. These may include the following:**

- Metro
- TriMet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

**MISCELLANEOUS**

**State or County Approvals Needed**

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

**Arts Tax**

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

<input type="checkbox"/>	<b>Major:</b>	
<input type="checkbox"/>	<b>Minor:</b>	
<input type="checkbox"/>	<b>Painted Intersection Program Permits:</b>	

<input type="checkbox"/>	<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**

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

Sincerely,

**City of Milwaukie Development Review Team**

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### **BUILDING DEPARTMENT**

Patrick McLeod	Building Official	503-786-7611
Harmony Drake	Permit Technician	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

### **ENGINEERING DEPARTMENT**

Jennifer Garbely	City Engineer	503-786-7534
Jeff Tolentino	Assistant City Engineer	503-786-7605
Jennifer Backhaus	Engineering Technician III	503-786-7608
Eanna Zaya	Engineering Technician I	503-786-7609

### **PLANNING DEPARTMENT**

Laura Weigel	Planning Manager	503-786-7654
Vera Koliass	Senior Planner	503-786-7653
Brett Kelder	Senior Planner	503-786-7657
Adam Heroux	Associate Planner	503-786-7658
Ryan Dyar	Assistant Planner	503-786-7661

### **COMMUNITY DEVELOPMENT DEPARTMENT**

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd	Development Programs Manager	503-786-7692
(vacant)	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
Petra Johnson	Administrative Specialist II	503-786-7600

### **SUSTAINABILITY DEPARTMENT**

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7655
Riley Gill	Environmental Services Coordinator	503-786-7660

### **CLACKAMAS FIRE DISTRICT**

Shawn Olson	Fire Marshal	<a href="mailto:shawn.olson@ClackamasFire.com">shawn.olson@ClackamasFire.com</a>
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## **Pre-Application Comments**

**To:** City of Milwaukie

**From:** Shawn Olson, Fire Marshal, Clackamas Fire District #1

**Date:** 4-17-2024

**Re:** 24-003PA Murphy Site Property

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:

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### **Fire Apparatus Access:**

1. Fire department access to be established within 150' of all portions of a structure.
  - A. To include all buildings.
2. All fire department access roads to have minimum turning inside turning radius of 28' and outside radius of 48'.
3. Building 30' or higher, require aerial apparatus access. Roads to be 26' wide.
4. No parking fire lanes to be painted red. Curbs to be painted on one side for roads 26-32' feet wide or 26' wide or less, no parking on both sides.
5. Gates across access roads must be pre-approved by the Fire District.
6. All gates to have fire access. Electronic gates will have manual override switches.
7. Provide address numbering that is clearly visible from the street for all buildings.

### **Water Supply:**

1. Fire Hydrants, Commercial Buildings: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

Note: This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code Appendix B.
2. 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.
  - a. An additional fire hydrant may be needed for LLewellyn and SE 32<sup>nd</sup> Ave. Property entrance.
3. Fire department connections are to be labeled with the building number or address that it serves.
4. The fire department connection for any fire sprinkler system shall be placed as near as possible to the street, and within 100 feet of a fire hydrant
5. Minimum fire flow requirements shall be met according to Appendix B of the Oregon Fire Code (22).

- a. Reductions are allowed when the building is provided with a full fire sprinkler system. (Table B105.2)
- b. Provide fire hydrant flow testing from the closest fire hydrant. Minimum GPM is 1,500 to meet fire flow.

When ready, submit all fire apparatus access and water supply plans to: [Fire Apparatus Access/Water Supply Plan Submittal](#)

If you have questions, please contact Clackamas Fire District @503-742-2663 or email at [shawn.olson@clackamasfire.com](mailto:shawn.olson@clackamasfire.com)