



# CITY OF MILWAUKIE

April 23, 2025

Land Use File(s): MHLD-2025-002

## NOTICE OF RESCINDED DECISION

This is official notice of action taken by the Milwaukie Planning Manager on April 23, 2025.

*Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov).*

**Applicant(s):** Alec Shah (Shah Housing Solutions, LLC)  
**Location(s):** 5036 SE Harrison St  
**Tax Lot(s):** 1S2E30CD, tax lot 11300  
**Application Type(s):** Middle Housing Land Division  
**Decision:** The initial Type II decision is rescinded and will be re-processed.

### Explanation

The proposal to divide the subject property to create four sublots using the middle housing land division process was erroneously reviewed as a Type II land use application instead of as an expedited land division as required by Oregon Revised Statutes (ORS) 92.031. A decision was initially issued on April 8, 2025, with the appeal period ending on April 23, 2025. After additional consideration of the applicable ORS, and prior to the decision becoming effective as per Milwaukie Municipal Code (MMC) Subsection 19.1001.7.D, the Planning Manager has determined that the proposal was improperly noticed and should be processed again using the appropriate procedures as outlined in ORS 197.360 to 197.380 as directed by ORS 92.031. The initially issued decision is hereby formally rescinded, and the application will be re-processed with the required procedures established in ORS 197.360 to 197.380.

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Laura Weigel, AICP  
Planning Manager

cc: Alec Shah, Shah Housing Solutions, LLC, applicant (via email)  
Rick Givens, planning consultant, applicant's representative (via email)  
Planning Commission (via email)  
Joseph Briglio, Acting Community Development Director (via email)

Jennifer Garbely, City Engineer (via email)  
Jeff Tolentino, Assistant City Engineer (via email)  
Engineering Development Review (via email)  
Patrick McLeod, Building Official (via email)  
Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)  
Harmony Drake, Permit Coordinator (via email)  
Emilie Bushlen, Building Permit Technician (via email)  
Shawn Olson, Fire Marshal, Clackamas Fire District #1 (via email)  
Interested Persons (via email)  
NDA(s): Hector Campbell (via email)  
Land Use File(s): MHLD-2025-002  
Address File(s): 5036 SE Harrison St