



CITY OF MILWAUKIE

NOTICE OF PROPOSED MIDDLE HOUSING LAND DIVISION

Date mailed: April 24, 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.

You are receiving this notice because a middle housing land division (MHL D) regulated by Oregon Revised Statutes ([ORS 92.031](#)) has been proposed in your neighborhood. The proposed MHL D requires notice to the property owner, applicant, and all property owners and neighborhood district association(s) within 100 feet of the subject property. A summary of the proposal and information on how to respond to this notice are described below.

The City will consider written comments on the proposal prior to issuing a decision. As required by ORS 92.031, this application will be processed under the procedures set forth in ORS [197.360-197.380](#). To provide the basis for an appeal, an issue(s) must be raised in writing prior to the expiration of the comment period and must be raised with sufficient specificity to enable staff to respond to the issue. ORS 197.375(1)(c) identifies the four (4) allegations that can provide the basis for an appeal:

- (A) [An allegation] Of violation of the substantive provisions of the applicable land use regulations;
- (B) Of unconstitutionality of the decision;
- (C) That the application is not eligible for review under [ORS 92.031 \(Middle housing land division\)](#) or [ORS 197.360 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#) and should be reviewed as a land use decision or limited land use decision; or
- (D) That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

To ensure that your comments are considered in the decision, please submit written comments to the staff contact listed below before 5:00 p.m. on Thursday, May 8, 2025.

The decision on this application may be issued as early as 15 days from the date of this public notice. The Notice of Decision must be issued within 63 days of the date the application is deemed complete.

Please include the file number for reference.

File Number(s):	MHL D-2025-001 & MHL D-2025-002 (middle housing land division)
Location:	5026 & 5036 SE Harrison St Tax Lot ID 1S2E30CD, lots 11200 & 11300 <i>A map of the sites is located on the last page of this notice.</i>

Proposal:	Each of the two “parent” lots are being developed with a detached quadplex (4 separated dwelling units), as allowed outright in the underlying Moderate Density Residential (R-MD) zone. The proposed action will place each new dwelling on its own sub-lot, but each parent lot will remain a quadplex development for purposes of zoning. An initial notice of this action was provided improperly, as it referenced the Type II review process instead of the process for expedited land division. This revised notice is in accordance with the applicable procedures of Oregon Revised Statutes (ORS) 92.031 and 197.360-380.
Applicant/Primary Contact Person:	Rick Givens (applicant's representative) Tel. 503-351-8204; Email rickgivens@gmail.com
Owner(s):	Alec Shah (Shah Housing Solutions) 4399 Kenthorpe Way, West Linn, OR 97068
Staff contact:	Brett Kelter, AICP, Senior Planner City of Milwaukie Planning Department 10501 SE Main St, Milwaukie, OR 97222 503-786-7657, kelterb@milwaukieoregon.gov
Neighborhood District Association(s):	Hector Campbell NDA, contact Corinn deTorres (Chair) at 971-350-9675 or campbellneighbors@gmail.com .
Applicable Criteria:	<ul style="list-style-type: none"> • Milwaukie Municipal Code (MMC) Chapter 12.16 Access Management • MMC Title 17 Land Division, including: <ul style="list-style-type: none"> ◦ MMC Chapter 17.24 Requirements for Tracts & Easements ◦ MMC Chapter 17.26 Middle Housing & Expedited Land Divisions • MMC Section 19.301 Moderate Density Residential zone (R-MD) • MMC Chapter 19.700 Public Facility Improvements Copies of these criteria are available upon request and can also be found at www.qcode.us/codes/milwaukie/ .



To learn more about a proposal: Contact the staff contact assigned to the proposal or visit the project webpages at www.milwaukieoregon.gov/planning/mhld-2025-001 and www.milwaukieoregon.gov/planning/mhld-2025-002. The application materials and the applicable approval criteria and development standards are available for review online—please call or email the staff contact for more information.



To comment on a proposal: You are invited to submit comments in writing before the City issues a decision. Comments should be addressed to the staff contact listed above, be directed toward the applicable criteria, and state the issues that may provide the basis for an appeal under ORS 197.375 (1)(c), as noted above. If you submit a written comment, you will be sent a copy of the decision. All written comments become part of the permanent record. City staff can discuss this proposal in

person or via telephone. However, the City will consider only written comments when issuing the decision on this proposal.

Neighborhood District Association: The Neighborhood District Association (NDA), listed on the first page of this notice, may take a position on this proposal. The application materials have been referred to the NDA Chairperson and Land Use Committee members. The proposal may be discussed at an open meeting of the NDA. Please contact the person listed as the neighborhood contact to determine the status of the NDA's review and position on this proposal.

Decision: The Planning Manager will consider any comments received and issue a decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest the decision would be issued is 14 days from the date of this public notice. The decision may be issued after that date and must be issued within 63 days of the date of the application is deemed complete.

A copy of the decision will be mailed only to persons that submit written comments prior to the issuance of a decision.

To appeal the decision: Per ORS 197.375, the Planning Manager's decision may be appealed by the applicant or any person or organization who files written comments by the deadline for comments. An appeal must be based solely on the allegations identified in ORS 197.375(1)(c). Appeals are heard by an appointed referee or designated hearings officer as stated in ORS 197.375(2) following the process identified in ORS 197.375(3)–(8). Appeals must be filed within 14 days of the issuance of a decision. Notice of an appeal hearing will be sent as identified in ORS 197.375(3).

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. Contact staff at 503-786-7630 for information about the appeal process.

The Oregon Land Use Board of Appeals (LUBA) does not have jurisdiction to consider any decision, aspects of decision, or actions made under ORS 92.031 or ORS 197.360 to 197.380. Pursuant to [ORS 197.375\(8\)](#), any party to a proceeding before a referee may seek judicial review of the referee's decision in the manner provided for review of final orders of LUBA under ORS 197.850 and 197.855.

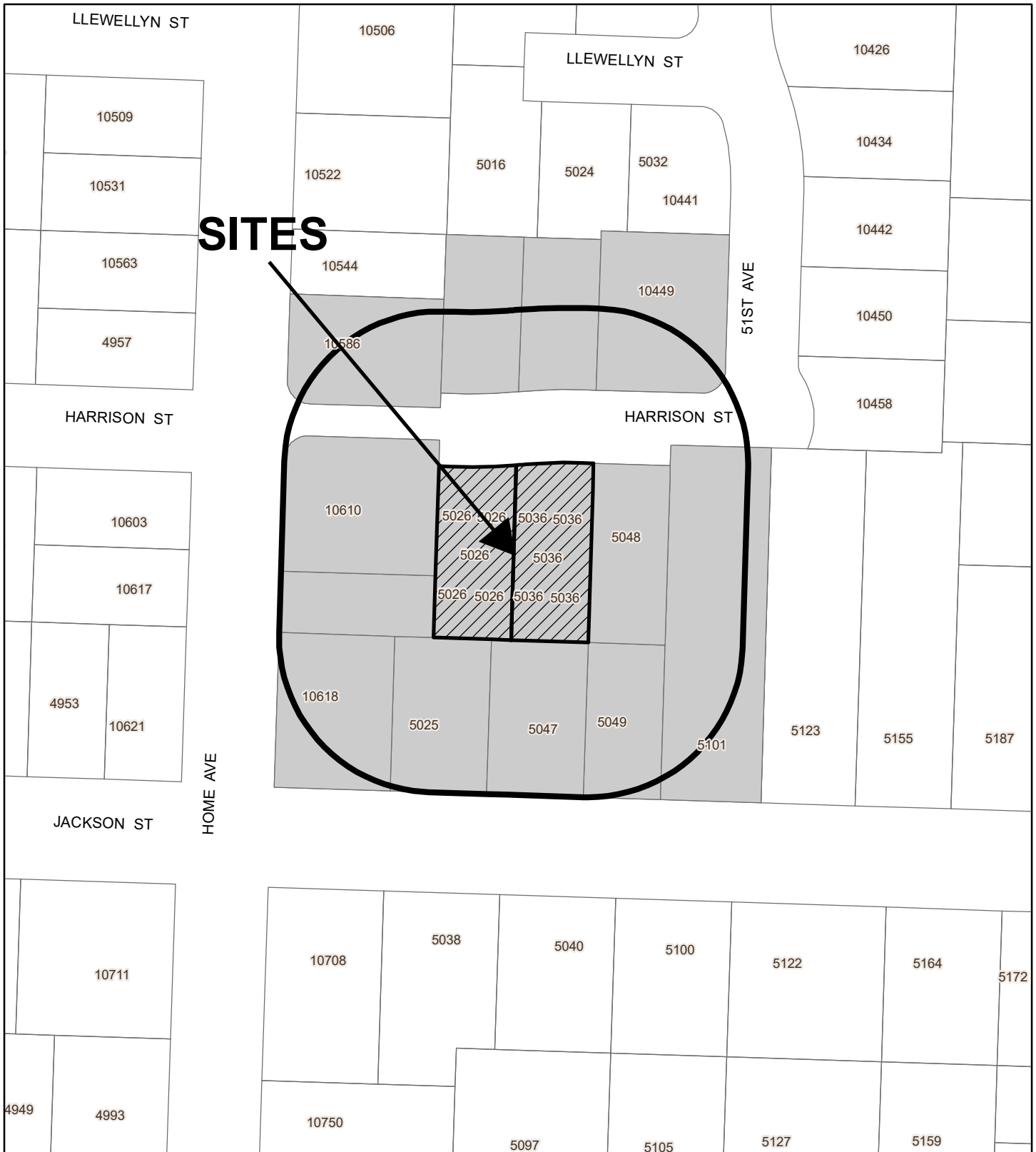
Enclosures:

- Location map
- Proposed preliminary plats

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:

THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE PROMPTLY
FORWARDED TO THE PURCHASER.

Enclosure 1



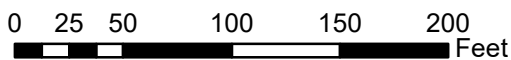
Location Map

5026 & 5036 SE Harrison St

(Tax ID = 1S2E30CD, lots 11200 & 11300)

File #s MHL-2025-001 (5026 site)

MHL-2025-002 (5036 site)



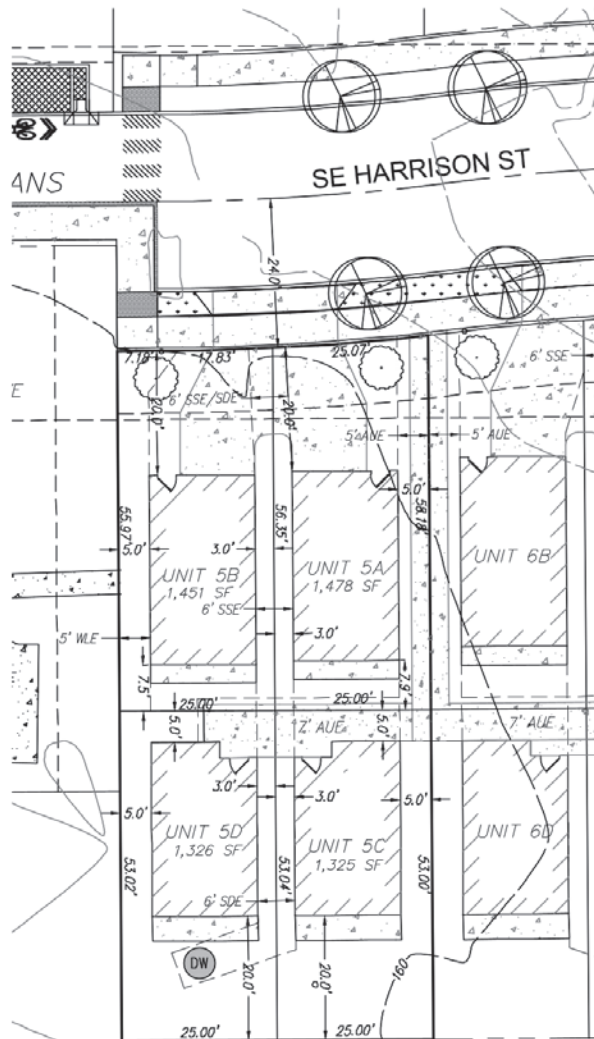
Legend

- 100-ft public notice boundary
- MHL-2025-001 & -002 sites
- Properties receiving notice
- Other tax lots

Enclosure 2

5026 SE Harrison St

(File #MHL-2025-001)



TAX LOT 900
MAP 1S, 2E, 31BA
DEED DOC. NO.
2012-064574

TAX LOT 1000
MAP 1S, 2E, 31B
DEED DOC. NO.
2016-066055



Scale: 1" = 20'

NOTES

Owner/Applicant:
Alec Shah
Shah Housing Solutions, LLC
4399 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Legal: 12E30CD11200

Address: 5026 SE Harrison St.

Water: City of Milwaukie

Sewer: City of Milwaukie

Contours: Site Survey

Site Area: 5,580 SF

Engineer:
DL Consulting WA, Inc.
4400 NE 77th Ave, Ste 275
Vancouver WA 98662
PH: (360) 567-6466

Surveyor:
Centerline Concepts, Inc.
19376 Molalla Ave,
Oregon City, OR 97045
PH: (503) 650-0188

Zoning: R-MD

PUE = Public Utility Easement
AUE = Access & Utility Easement
SSE = Private Sanitary Sewer Easement
WLE = Private Waterline Easement
SDE = Private Storm Drainage Easement



Vicinity Map

LOT COVERAGE		
UNIT	5A	598 SQ. FT.
UNIT	5B	598 SQ. FT.
UNIT	5C	536 SQ. FT.
UNIT	5D	536 SQ. FT.
TOTAL		2,264 SQ. FT.
LOT AREA		5,580 SQ. FT.
PERCENTAGE		40.57 %

MIDDLE HOUSING 10% INCREASE	
AREAS OF STRUCTURE UNDER 20' TALL	
UNIT 5A	85 SQ. FT.
UNIT 5B	85 SQ. FT.
UNIT -5C	144 SQ. FT.
UNIT -5D	144 SQ. FT.
TOTAL	458 SQ. FT.
LOT AREA	5,580 SQ. FT.
PERCENTAGE	8.27 %

<u>DISCOUNT REDUCTION PERCENTAGE</u>	
TOTAL COVERAGE PERCENTAGE	40.57 %
PERCENTAGE UNDER 20'	-8.27 %
PERCENTAGE DISCOUNT TOTAL	32.3 %

MIDDLE HOUSING LOT COVERAGE	
TOTAL LOT COVERAGE	2,264 SQ. FT.
AREA UNDER 20'	-458 SQ. FT.
LOT COVERAGE	1,806 SQ. FT.
LOT AREA	5,580 SQ. FT.
LOT COVERAGE	32.3 %

DESIGNED: R.E.G.			
DRAWN: R.E.G.			
SCALE: 1" = 20'			
DATE: February 2025			
FILE: 25-SHA-100	DATE	NO.	REVISION

Richard E. Givens, Planning Consultant
292 W Sunrise Vista Dr.
Green Valley, Arizona 85614
PH: (503) 351-8204

APPLICANT: Alec Shah, Shah Housing Solutions LLC
4399 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

MHLD - Lot 5 Shah & Trip Estates
Preliminary Plan

1/1

(File #MHL-2025-002)

NOTES

Owner/Applicant:
Alec Shah
Shah Housing Solutions, LLC
4399 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Legal: 12E30CD11300

Address: 5036 SE Harrison St.

Water: City of Milwaukie

Sewer: City of Milwaukie

Contours: Site Survey

Site Area: 5,758 SF

Engineer:
DL Consulting WA, Inc.
4400 NE 77th Ave, Ste 275
Vancouver WA 98662
PH: (360) 567-6466

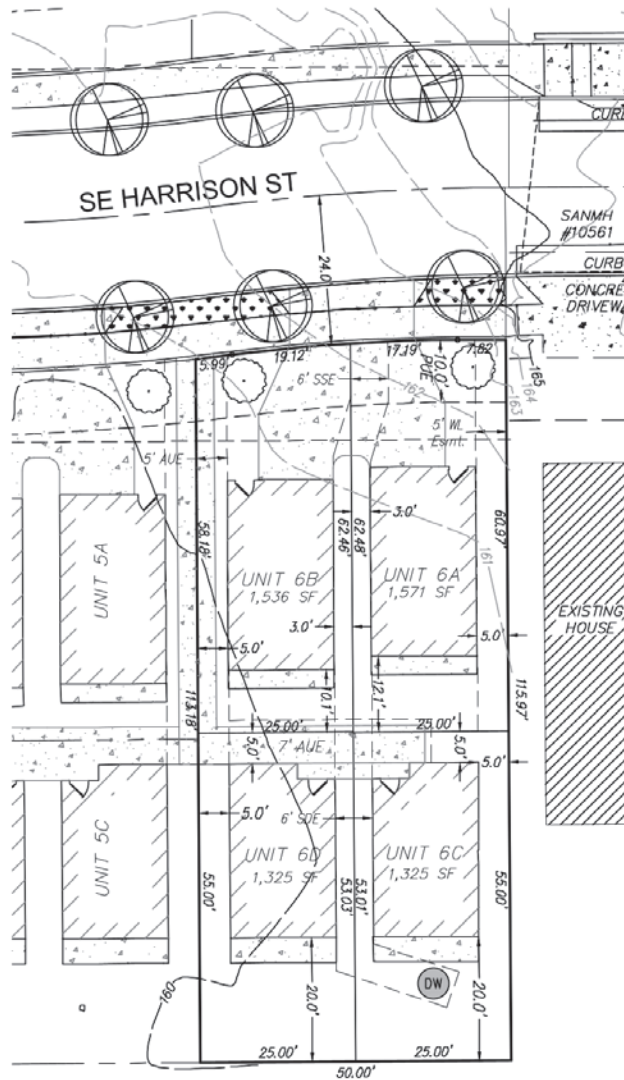
Surveyor:
Centerline Concepts, Inc.
19376 Molalla Ave,
Oregon City, OR 97045
PH: (503) 650-0188

Zoning: R-MD

PUE = Public Utility Easement
AUE = Access & Utility Easement
SSE = Private Sanitary Sewer Easement
WLE = Private Waterline Easement
SDE = Private Storm Drainage Easement



Scale: 1" = 20'



TAX LOT 1000
MAP 1S, 2E, 31BA
DEED DOC. NO.
2016-066055

Vicinity Map



LOT COVERAGE		LOT 6
UNIT	6A	590 SQ. FT.
UNIT	6B	698 SQ. FT.
UNIT	6C	536 SQ. FT.
UNIT	6D	536 SQ. FT.

TOTAL	2,264 SQ. FT.
LOT AREA	6,758 SQ. FT.
PERCENTAGE	33.31 %

MIDDLE HOUSING 10% INCREASE

AREAS OF STRUCTURE UNDER 20' TALL		
UNIT	6A	85 SQ. FT.
UNIT	6B	85 SQ. FT.
UNIT	6C	144 SQ. FT.
UNIT	6D	144 SQ. FT.

TOTAL	458 SQ. FT.
LOT AREA	5,758 SQ. FT.
PERCENTAGE	7.95 %

DISCOUNT REDUCTION PERCENTAGE

TOTAL COVERAGE PERCENTAGE	39.31 %
PERCENTAGE UNDER 20'	-7.85 %
PERCENTAGE DISCOUNT TOTAL	31.46 %

MIDDLE HOUSING LOT COVERAGE

TOTAL LOT COVERAGE	2,264 SQ. FT.
AREA UNDER 20'	458 SQ. FT.
LOT COVERAGE	1,806 SQ. FT.
LOT AREA	5,758 SQ. FT.
LOT COVERAGE	31.36 %

DESIGNED: R.E.G.			
DRAWN: R.E.G.			
SCALE: 1" = 20'			
DATE: February 2025			
FILE: 25-SHA-100	DATE	NO.	REVISION

Richard E. Givens, Planning Consultant
292 W Sunrise Vista Dr.
Green Valley, Arizona 85614
PH: (503) 351-8204

APPLICANT: Shah Housing Solutions, LLC
4399 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

MHLD - Lot 6 Shah & Trip Estates
Preliminary Plan

1/1