



## NOTICE OF TYPE II LAND USE PROPOSAL

*Date mailed: January 15, 2016*

You are receiving this notice because development has been proposed in your neighborhood. The proposed development requires notice to the property owner; applicant; and all property owners, residents, and neighborhood district associations within 300 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. The decision may be issued as early as 14 days from the date of this public notice.**

**Written comments are due to the staff contact listed below no later than 5:00 p.m. on Friday, January 29, 2016. Please include the land use file number for reference.**

<b>File Number:</b>	MLP-2015-005; VR-2015-005
<b>Location:</b>	5302 SE Logus Rd (Assessor Map 12E31DB00700) <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	Divide the existing parcel into 3 new parcels. The proposal is 1 flag lot in addition to a portion of the parent lot with the remaining land left for potential development or division in the future. Parcels 1 and 2 will front on Logus Rd. Parcel 3 will front on Mullan St. A variance is requested for the front and rear yard setbacks on Parcel 2 to allow setbacks of 22.5 ft rather than the 30 ft required. The existing home is proposed to remain. The new parcels would be vacant developable parcels in the R7 zone.
<b>Applicant/Primary Contact Person:</b>	Pacific Designs N.W. Charles Clark PO Box 22208 Milwaukie, OR 97269 Tel. (503) 789-0067
<b>Owner(s):</b>	<u>Same as above.</u>
<b>Staff contact:</b>	Vera Kalias, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7653 <a href="mailto:kaliasv@milwaukieoregon.gov">kaliasv@milwaukieoregon.gov</a>
<b>Neighborhood District Association:</b>	Lewelling ND, contact Bryan Trotter at 971-295-0393
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• MMC 19.301, Low Density Residential Zones</li> <li>• MMC 19.504.8, Flag Lot Design and Development Standards</li> <li>• MMC 19.700, Public Facility Improvements</li> <li>• MMC 19.911, Variances</li> <li>• MMC 19.1005 Type II review</li> <li>• MMC 17.12.040, Approval Criteria for Preliminary Plat</li> <li>• MMC 17.20, Preliminary Plat</li> <li>• MMC 17.28, Design Standards</li> <li>• MMC 17.32, Improvements</li> </ul> <p>Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a>.</p>

**To learn more about a proposal:** Contact the staff contact assigned to the proposal. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

**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 and be directed toward the applicable criteria. 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.

**Decision:** The Planning Director will consider any comments received and issue a decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest date that the decision would be issued is January 29, 2016. The decision may be issued after this date depending upon the amount of comments received and complexity of the proposal.

*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:** The Planning Director's decision may be appealed by any party that is aggrieved or adversely impacted by the decision, or that believes an error was made regarding the evaluation of the approval standards and criteria for the proposal. Appeals are heard by the Planning Commission, and must be filed within 15 days of the issuance of a decision. Notice of an appeal hearing will be sent to all parties that received this notice.

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. The appeal process and requirements are explained in Milwaukie Municipal Code Section 19.1010 Appeals. Contact staff at 503-786-7630 for information about the appeal process.

After an appeal hearing, the Planning Commission's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA), 550 Capitol St SE, Suite 235, Salem, OR 97301 (503-373-1265). Any issue that is intended to provide a basis for appeal to LUBA must be raised prior to the issuance of the Planning Director's decision or prior to the conclusion of the Planning Commission's appeal hearing. Failure to raise an issue with sufficient specificity, and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue, will preclude any appeal on that issue to LUBA.

**Enclosures:**

Location map  
Site Plan

**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.