



## NOTICE OF PUBLIC HEARING

*Date mailed: November 2, 2016*

You are receiving this notice because development has been proposed in your neighborhood. The proposal requires a public hearing by the Milwaukie Planning Commission and notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property. The proposal and information on how to respond to this notice are described below.

**The Milwaukie Planning Commission will hold a public hearing on the proposal at a meeting beginning at 6:30 p.m. on Tuesday, November 22, 2016, at Milwaukie City Hall, 10722 SE Main Street.**

<b>File Number(s):</b>	S-2016-001; VR-2016-007
<b>Location:</b>	5126 SE King Rd Tax Lot ID 12E30CD 6900, 7400, 7700, 7701, 10300, 10400 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	Applicant seeks approval for a subdivision comprised of 14 lots and 1 tract on a 2.66 acre property fronting the south side of SE King Rd. Applicant seeks a variance from the street/intersection spacing standards in MMC 19.708.1 to allow access to and from a proposed public street new street on SE King Rd less than the minimum required 530 ft from SE Home Ave and SE 52 Ave. A variance is also sought from MMC 12.02 and 12.16 for the same issue. 14 new lots ranging in size between 5,008 SF to 6,876 SF will be served by 2 new public streets: SE 51 <sup>st</sup> Ave (which will run north-south connecting to SE King Rd) and SE Lewellyn St (which will connect to SE 51 <sup>st</sup> Ave near the center of the site). Two existing single-family homes will be removed. City utility services will be provided via an extension of public sanitary sewer and water lines from SE King Rd to serve all of the proposed new lots.
<b>Applicant/Primary Contact Person:</b>	Kurt Dalbey, Mission Homes, LLC PO Box 1689, Lake Oswego, OR 97035 503-781-1814 / <a href="mailto:kdalbey@gmail.com">kdalbey@gmail.com</a>
<b>Owner(s):</b>	Paul Deggendorfer 11813 NE 15 <sup>th</sup> St, Vancouver, WA 98684 Eva Marie Deggendorfer 4230 SE King Rd, Milwaukie, OR 97222
<b>Staff contact:</b>	Vera Kolas, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7653 / <a href="mailto:koliasv@milwaukieoregon.gov">koliasv@milwaukieoregon.gov</a>

<b>Neighborhood District Association(s):</b>	Lewelling NDA, contact Bryan Trotter at 971-295-0393. Linwood NDA, contact Zac Perry at <a href="mailto:linwoodzp@gmail.com">linwoodzp@gmail.com</a> . Hector Campbell NDA, contact Dave Aschenbrenner at 503-654-4258.
<b>Applicable Criteria:</b> from Milwaukie Municipal Code (MMC)	<ul style="list-style-type: none"> <li>• MMC 12.02 Public Works Standards</li> <li>• MMC 12.16 Access Management</li> <li>• MMC 12.24 Clear Vision at Intersections</li> <li>• MMC 17.12 Application Procedure and Approval Criteria - Land Division</li> <li>• MMC 17.20 Preliminary Plat</li> <li>• MMC 17.28 Design Standards</li> <li>• MMC 17.32 Improvements</li> <li>• MMC 19.301 Low Density Residential Zones</li> <li>• MMC 19.500 Supplementary Development Regulations</li> <li>• MMC 19.600 Off-street Parking</li> <li>• MMC 19.700 Public Facility Improvements</li> <li>• MMC 19.1006 Type III Review</li> <li>• MMC 19.1200 Solar Access Protection</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:** Call the staff contact assigned to the proposal. The staff report on the proposal will also be available for public viewing after 8 a.m. on **Tuesday, November 15, 2016**, at the following locations:

- Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd (open weekdays 8:00 a.m. to 5:00 p.m.)
- Ledding Library, 10660 SE 21st St (call 503-786-7580 for current hours)
- City Hall, 10722 SE Main St (open weekdays 8:00 a.m. to 5:00 p.m.)
- City website, <http://www.milwaukieoregon.gov/meetings>

Copies of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at the locations listed above.

**To comment on a proposal:** You are invited to attend this hearing or submit comments in writing before the meeting time. You may send written comments in advance to the staff contact listed above, or you may submit your comments in person at the hearing. If you want to present verbal testimony, either pro, con, or to raise questions, you will be invited to speak following the applicant’s testimony. Testimony and comments at this hearing must be directed towards the criteria identified. If you submit a written comment or comment in person at the hearing, you will be sent a copy of the decision or recommendation. All written and verbal comments become part of the permanent record.

The Neighborhood District Association, listed on the first page of this notice, may take a position on the proposal and may have scheduled an open meeting prior to providing comment to the Planning Commission. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

**To appeal a decision:** Any decision may be appealed to City Council by a person with standing. In order to establish standing, you must do at least one of the following: submit written comments to the staff contact before the hearing date; attend the hearing and sign in; or attend the hearing, sign in, and make a verbal comment. Any issue that is intended to provide a basis for appeal must be raised in writing on or before the hearing date with sufficient specificity to afford the responsible parties an opportunity to respond to the

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Kurt Dalbey, 5126 SE King Rd  
Planning Commission hearing date: November 22, 2016

issue. 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 the Land Use Board of Appeals (LUBA).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*

**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.