



## NOTICE OF PUBLIC HEARING

*Date mailed: August 16, 2017*

You are receiving this notice because development has been proposed in your neighborhood. The proposal requires a public hearing by the Milwaukie City Council and notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within at least 300 feet of the subject property. Notice is being provided to property owners and residents within 500 feet of the subject property, at the applicant's request. The proposal and information on how to respond to this notice are described below.

**The Milwaukie City Council will hold a public hearing on the proposal at a meeting beginning at 6:00 p.m. on Tuesday, September 5, 2017, at Milwaukie City Hall, 10722 SE Main Street.**

<b>File Number(s):</b>	PD-2017-001 (master file)—with ZA-2017-001, S-2017-001, NR-2017-001, TFR-2017-001, VR-2017-003, and CSU-2017-001
<b>Location:</b>	13333 SE Rusk Rd 2S2E06AD, tax lots 600, 700, 900, and 901 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	The applicant proposes to separate the church property from the developable area to the west and north and establish a 92-unit Planned Development subdivision. The site is split-zoned R-3 and R-10, and the proposal includes a zone change to R-3PD and R-10PD. The site includes designated natural resource areas that will be disturbed by the project, triggering a Natural Resource review (with a variance request to create some lots that have little to no buildable area outside the natural resource areas), in addition to Transportation Facilities review. The applicant's submittal includes reports related to natural resources, wetland delineation, preliminary drainage, and geotechnical aspects of the site, as well as a Traffic Impact Study (TIS).
<b>Applicant/Primary Contact Person:</b>	Serah Breakstone, c/o DOWL (applicant's representative) 720 SW Washington St, Suite 750, Portland, OR 97205 Tel. (971) 280-8661; E-mail <a href="mailto:sbreakstone@dowl.com">sbreakstone@dowl.com</a>
<b>Owner(s):</b>	Brownstone Development, Inc. 47 South State St, Lake Oswego, OR 97934
<b>Staff contact:</b>	Brett Kever, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7657 kelverb@milwaukieoregon.gov
<b>Neighborhood District Association(s):</b>	Lake Road NDA, contact Vince Alvarez at 503-358-1574.

<b>Applicable Criteria:</b>	<ul style="list-style-type: none"><li>• Milwaukie Municipal Code (MMC) Section 19.1007 Type IV Review</li><li>• MMC Section 19.311 Planned Development Zone (PD)</li><li>• MMC Section 19.301 Low Density Residential Zones (incl. R-10)</li><li>• MMC Section 19.302 Medium &amp; High Density Residential Zones (incl. R-3)</li><li>• MMC Title 17 Land Division</li><li>• MMC Title 18 Flood Hazard Regulations</li><li>• MMC Section 19.402 Natural Resources</li><li>• MMC Subsection 19.505.5 Building Design Standards for Rowhouses</li><li>• MMC Chapter 19.600 Off-Street Parking and Loading</li><li>• MMC Chapter 19.700 Public Facility Improvements</li><li>• MMC Section 19.902 Amendments to Maps and Ordinances</li><li>• MMC Subsection 19.904 Community Service Uses</li><li>• MMC Section 19.911 Variances</li><li>• MMC Chapter 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>
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**To learn more about a proposal:** Call the staff contact assigned to the proposal or visit the project webpage at <https://www.milwaukieoregon.gov/planning/pd-2017-001>. The staff report on the proposal will also be available for public viewing after 8 a.m. on **Wednesday, August 30, 2017**, 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 21<sup>st</sup> Ave (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 City Council. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

**Recommendation:** On July 25, 2017, the Planning Commission voted to recommend approval of the project by the City Council. The recommendation has been forwarded to the City Council, who will make the final decision on this application. The Commission's recommendation is considered by the City Council in issuing their decision; however, the Commission's recommendation is nonbinding and is not appealable.

**To appeal a decision:** The City Council's decision may be appealed 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 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.