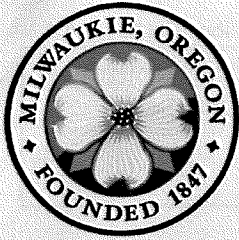


601-17-800095

Application for Land Use Action



PLANNING DEPARTMENT
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

PHONE: 503-786-7630
FAX: 503-774-8236
E-MAIL: planning@milwaukieoregon.gov

Master File #: CSU-2017-004

Review type*: I II III IV V

☐ CHECK ALL APPLICATION TYPES THAT APPLY:

- Amendment to Maps and/or Ordinances:
 - Comprehensive Plan Text Amendment
 - Comprehensive Plan Map Amendment
 - Zoning Text Amendment
 - Zoning Map Amendment
- Code Interpretation
- Community Service Use
- Conditional Use
- Development Review
- Director Determination
- Downtown Design Review
- Extension to Expiring Approval
- Historic Resource:
 - Alteration
 - Demolition
 - Status Designation
 - Status Deletion

- Land Division:
 - Final Plat
 - Lot Consolidation
 - Partition
 - Property Line Adjustment
 - Replat
 - Subdivision
- Miscellaneous:
 - Barbed Wire Fencing
 - Modification to Existing Approval
 - Natural Resource Review
 - Nonconforming Use Alteration
- Parking:
 - Quantity Determination
 - Quantity Modification
 - Shared Parking
 - Structured Parking
- Planned Development
- Preliminary Circulation Plan

- Residential Dwelling:
 - Accessory Dwelling Unit
 - Duplex
 - Manufactured Dwelling Park
 - Temporary Dwelling Unit
- Sign Review
- Transportation Facilities Review
- Variance:
 - Building Height Variance
 - Use Exception
 - Variance
- Willamette Greenway Review
- Other: _____

- Use separate application forms for:**
- Annexation and/or Boundary Change
 - Compensation for Reduction in Property Value (Measure 37)
 - Daily Display Sign
 - Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Tamara L. Jata

Mailing address: 14135 S Canyon Rdg. Cir, Oregon City Zip: 97045

Phone(s): 503-481-4884 E-mail: blueberrytutoring@gmail.com

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: Same Zip: _____

Phone(s): _____ E-mail: _____

SITE INFORMATION:

Address: 10670 SE 52nd Ave. 97222 Map & Tax Lot(s): 12E31AB64000

Comprehensive Plan Designation: _____ Zoning: _____ Size of property: _____

PROPOSAL (describe briefly):

Title III - placing a school within an existing church.

SIGNATURE: Tamara L Jata

ATTEST: I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: [Signature] Date: 6/28/2017

IMPORTANT INFORMATION ON REVERSE SIDE

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

REVIEW TYPES:

This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file		\$			\$	RECEIVED JUN 29 2017 CITY OF MILWAUKIE PLANNING DEPARTMENT
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:		RCD BY:	

Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s):

Notes:

*After discount (if any)



Transaction Receipt

Record Number: 601-17-000095-PLNG

Receipt Number: 13010

MILWAUKIE

6101 SE Johnson Creek Blvd

Milwaukie, OR 97206

Phone: 503-786-7613

www.milwaukieoregon.gov

Address: 10670 SE 52ND AVE, MILWAUKIE, OR 97222

Parcel Number: 12E31AB04000

building@milwaukieoregon.gov

Receipt Date: 6/29/17

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type III Quasi-Judicial Review	110-000-4480-0000	\$2,000.00
		\$2,000.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Credit Card Authorization - 05003G	TAMARA JATA	PAYOR IS APPLICANT	\$2,000.00
			\$2,000.00



RECEIVED

JUN 29 2017

CITY OF MILWAUKIE
PLANNING DEPARTMENT

June 28, 2017
RE: Application for School
10670 SE 52nd Ave
Milwaukie, OR 97222

Blueberry House is a tutoring company offering religious education to home school students in the community. We also offer after school tutoring to students from public and private schools. We serve students throughout the metro area. We are requesting a permit to operate out of the Church of God building located at 10670 SE 52nd Ave. Blueberry House Tutoring LLC employs five teachers. We currently have 40 students enrolled. We operate from September – May. Classes are offered Monday through Thursday from 8:30am – 5:30pm. We are sharing three rooms on the second floor with the church. We have a fourth room on the second floor that is not shared. We are sharing 2 rooms on the first floor with the church.

Sincerely;
Tammy Jata
Director
Blueberry House Tutoring LLC
503-481-4884

Bowker
10650 SE 52nd Ave
Milwaukie, Or 97222

March 6, 2017

RECEIVED

JUN 29 2017

CITY OF MILWAUKIE
PLANNING DEPARTMENT

To Whom it may concern;

Our home is located at 10650 S.E. 52nd Ave in Milwaukie, next door to where Blueberry House is located. We have been informed that Blueberry House is applying for a permit for the school to permanently locate in our neighborhood. We whole heartedly approve and are happy to have them be a part of our neighborhood.

Thank you,

Larry & Denise Bowker

RECEIVED

JUN 29 2017

CITY OF MILWAUKIE
PLANNING DEPARTMENT

To whom it may concern.

Dear Dave Flannery.

I live in the House behind the Church and am offering up a good report on Blue Berry house. Children are well behaved well watched at play in the parking lot at recess time, and all the staff has been very considerate to me and the neighbors.

Traffic to and fro, has been slow and considerate to all.

All in all they are a great addition to the neighborhood.

God Bless

Thanks,

Dave Flannery
10680 S.E. 52nd Ave. Milw., OR 97222

503-680-4030





Living Water Community Fellowship

10670 SE 52nd Milwaukie Or,97222 | 971-206-8146| Email:lwcfoffice@gmail.com

Date: June 17, 2017

Re: Blueberry House

Att: To Whom It May Concern

This letter is to confirm that Blueberry House has our permission to use our church facility as a school Monday through Thursday's. We have enjoyed having them this last school year and look forward to the next school year. As the lead pastor of the church I am duly authorized to grant my permission to Tammy and her school to continue in our facility. Should you need further information please do not hesitate to call or write us.

Best Regards,

Pastor Aaron Tebeck

RECEIVED
JUN 29 2017
CITY OF MILWAUKIE
PLANNING DEPARTMENT

Blueberry House Tutoring LLC
10670 SE 52nd Ave
Milwaukie, OR 97222
June 28, 2017
Prepared by;
Tamara Jata/Owner

RECEIVED

JUN 29 2017

CITY OF MILWAUKIE
PLANNING DEPARTMENT

Community Service Usage - Schools

19.904.4. Approval Criteria

A. The building setback, height limitation, off street parking and similar requirements governing the size and location in the zone are met.

- The proposed service usage is to for use of an existing building.

B. Specific standards for the proposed uses as found in Subsections 19.904 7-11 are met.
(See subsection 7-11)

C. The hours and level of operation of the proposed use are reasonably compatible with surrounding uses.

- The building would be used by Blueberry House Tutoring LLC between the hours of 8:30 am - 5:30 pm. Monday through Thursday during the months of September - May. There are many schools around this neighborhood and these hours are compatible with all schools. Blueberry House would have little impact on the neighborhood due to the daytime use of the building. Most of the neighbors are at work and kids are in school during the majority of this time.

D. The public benefits of the proposed use are greater than the negative impact, if any, on the neighborhood...

- Blueberry House LLC will benefit the neighborhood by offering a community service that is needed for children in the area. Tutoring is a very popular and much needed resource for parents in the North Clackamas/Milwaukie school district.
- Not only will the tutoring benefit the people of the city, our clients will also bring in revenue for neighboring stores and coffee shops.
- Our occupancy of the building also cuts down on crime in the neighborhood and on the church property. The parking lot has formerly been used as a meeting spot for teenagers to hang out and destroy property and for drug addicts to shoot up in the relative privacy behind the church. The building has been graffitied, and teenagers have been known to run across the roof and enter the building through the courtyard and destroy property inside the building. Over our winter break, the garbage can was set on fire; the fire was so hot it left nothing but the axle melted into the asphalt. Mail is stolen from the mailbox consistently. The bank has called about forged checks from this address. Homeless people have broken windows in the building to sleep inside. Blueberry House LLC has cut the vandalism down by 100% during the hours they are occupying the building. The church people are only in the building a couple of hours a week, thus the open use of the property for the homeless and lawless.

Blueberry House Tutoring LLC

10670 SE 52nd Ave

Milwaukie, OR 97222

June 28, 2017

Prepared by;

Tamara Jata/Owner

- Blueberry House LLC is not impacting the church due to our use of the building in off hours. Their services are held Wednesday at 7 pm and Sunday from 10am -1:00pm. We are not in the building at that time.

E. The location is appropriate for the type of use proposed.

- Blueberry House Tutoring LLC is a company offering tutoring and religious instruction to all public, private and homeschool students in the SE Portland area. There are several schools and community centers within a couple mile radius, making our proposed school a good fit for the neighborhood. Religious instruction within the building is already an approved use of this property and building. We are now requesting permission for a Service Usage permit to offer religious instruction to homeschoolers through classes in religion and academics that are faith based and aligned with Christian principles, therefore, the location is very appropriate for what we are proposing.

19.904.7. Specific Standards for Schools

A. Schools shall provide the site area/pupil ratio required by state law....

- We are proposing a school in an existing building. All blueprints, floor plans and capacity for students has already been turned into the city of Milwaukie.

B. Preschools, nursery schools, daycare centers, or kindergartens shall provide a fenced outdoor play area of at least 75 sq ft for each child of total capacity or greater if required by law.

- Play area is existing.

C. Walkways both on and off the site shall be provided as necessary...

- We are requesting permission for a school in an existing building, therefore, walkways and parking lots were already in place for the church.

D. Sight obscuring fence of 4ft to 6ft in height shall be provided to separate the play area from adjacent residential uses.

- The property is currently fenced.

E. Public facilities must be adequate to serve the facility.

- Public facilities were part of the initial plan for the building of the church and are adequate for our proposed use.

F. Safe loading and egress and ingress will be provided on and to the site.

- We are requesting permission to use an existing building that already had the egress and the ingress in place.

Blueberry House Tutoring LLC

10670 SE 52nd Ave

Milwaukie, OR 97222

June 28, 2017

Prepared by;

Tamara Jata/Owner

G. Off street parking is provided.

- There are approximately 64 parking spaces on the property. We use six of these spaces for employee cars. The other spaces are used for drop off and pick up at 8:30 am and again at 3:15pm. We have about 25 cars that come and go during that time frame. There is a front paved area for busses to pull off of the street.

H. Minimum setback requirements

- Moving into an existing building; setback were already in place

I. Bicycle facilities are required.

- There is currently no bicycle facility on site. Blueberry House LLC is aware of the need for this and we are going to meet this requirement to bring the parking up to code.

J. 15% of the total site is to be landscaped

- The existing church property has been landscaped prior to our proposal.

CITY OF MILWAUKIE

PreApp Project ID #: 17-004PA

PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on 2/23/2017 at 10:00am

Applicant Name: Tammy Jata
Company: Blueberry House Tutoring LLC
Applicant 'Role': Owner
Address Line 1: 14135 S Canyon Ridge Circle
Address Line 2:
City, State Zip: Oregon City OR 97045
Project Name: Homeschool Classes
Description: Homeschool classes in the Church of God buiding
ProjectAddress: 10670 SE 52nd Ave
Zone: Residential R-7
Occupancy Group:
ConstructionType:
Use: Low Density (LD)
Occupant Load:
AppsPresent: Rachelle David, Tamara Jata
Staff Attendance: Vera Koliias, Samantha Vandagriff, Alex Roller

BUILDING ISSUES

ADA:

Structural: The halls for an E occupancy must be a minimum of 72 inches in width.

Mechanical:

Plumbing:

Plumb Site Utilities:

Electrical:

Notes:

Please note all drawings must be individually rolled. If the drawings are small enough to fold they must be individually folded.

FIRE MARSHAL ISSUES

- Fire Sprinklers:** The building shall be fully sprinkled throughout.
- Fire Alarms:** A manual fire alarm system shall be installed.
- Fire Hydrants:**
- Turn Arouds:**
- Addressing:**
- Fire Protection:**
- Fire Access:**
- Hazardous Mat.:**
- Fire Marshal Notes:** No comments.

PUBLIC WORKS ISSUES

- Water:** No water utility work is being proposed.
- Sewer:** No wastewater utility work is being proposed.
- Storm:** Submission of a storm water management plan by a qualified professional engineer is required as part of the proposed development. The plan shall conform to Section 2 - Stormwater Design Standards of the City of Milwaukie Pubic Works Standards.
The storm water management plan shall demonstrate that the post-development runoff does not exceed the pre-development, including any existing storm water management facilities serving the development property. Also, the plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland 2008 Stormwater Management Manual for design of water quality facilities.
All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See City of Milwaukie Public Works Standards for design and construction standards and detailed drawings.

The storm SDC is based on the amount of new impervious surface constructed at the site. One storm SDC unit is the equivalent of 2,706 square feet of impervious surface. The storm SDC is currently \$845 per unit. The storm SDC will be assessed and collected at the time the building permits are issued. If no additional impervious area is being created, then no storm SDC's will be required.
- Street:** The proposed development fronts the south side of SE 52nd Avenue, a neighborhood route. The portion of SE 52nd Avenue fronting the proposed development has a right-of-way width of 60 feet and a paved width of 26 feet with undeveloped shoulders on both sides.
- Frontage:** Chapter 19.700 of the Milwaukie Municipal Code, hereafter referred to as "Code", applies to partitions, subdivisions, and new construction. No frontage improvements will be required.

- Right of Way:** The existing right-of-way on SE 52nd Avenue fronting the proposed development is of adequate width and no right-of-way dedication is required.
- Driveways:** Code Section 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway approach currently conforms to Milwaukie's Public Works Standards.
- Erosion Control:** Per Code Section 16.28.020(C), an erosion control permit is required prior to placement of fill, site clearing, or land disturbances, including but not limited to grubbing, clearing or removal of ground vegetation, grading, excavation, or other activities, any of which results in the disturbance or exposure of soils exceeding five hundred square feet.
- Code Section 16.28.020(E) states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, Section 16.28.020(B) states that an erosion control plan that meets the requirements of Section 16.28.030 is required prior to any approval of an erosion control permit.
- Traffic Impact Study:** Code Section 19.704.1(A) states that the City will determine whether a transportation impact study (TIS) is required. In the event the proposed development will significantly increase the intensity of use, a transportation impact study will be required. The City of Milwaukie Engineering Director has determined that this project will not need a TIS.
- PW Notes:**
- TRANSPORTATION SDC
The Transportation SDC will be based on the increase in trips generated by the new use per the Trip Generation Handbook from the Institute of Transportation Engineers. The SDC for transportation is \$1,921 per trip generated. Credits will be given for any demolished structures, which shall be based upon the existing use of the structures. The trips generated by the school use is higher than the church use. The preliminary calculations indicate an additional trip count of 5.85 trips, which corresponds to a transportation SDC of \$11,237.
- PARKS & RECREATION SDC
No additional parks fees are required

PLANNING ISSUES

- Setbacks:** The proposal is for a school use within an existing building built in 1962. No modifications to the existing structure are proposed. MMC 19.302.4 establishes the setback in the R-7 zone: the front yard setback = 20 feet; side yard setback = 5 feet/10 feet; rear yard setback = 20 feet.
- Landscape:** The proposal is for school use within an existing building. No modifications to the existing site are proposed. In the R-7 zone, a minimum of 30% of the site must be landscaped. Vegetated areas can be planted in trees, grass, shrubs, or bark dust for planting beds, with no more than 20% of the landscaped area finished in bark dust (as per MMC Subsection 19.504.7). A maximum of 30% of the site may be covered by structures, including decks or patios over 18 inches above grade.
- Parking:** This property has an on-site parking lot. As per the off-street parking standards of MMC Chapter 19.600, religious institutions must provide a minimum of 1 parking space for every 4 seats to a maximum of 1 space for every 2 seats. A day care center is also located in the building, which is required to provide a minimum of 2 spaces per 1,000 SF of floor area. School uses are required to provide a minimum of 1 space per classroom. Please refer to MMC 19.605.1 for specific details.

Transportation Review: Please see the Public Works notes for more information about the requirements of MMC 19.700.

Application Procedures: Land use applications required:
•New Community Service Use (Type III)

The subject property is an approved Community Service Use and it appears that the the building, built in 1962, has been operated as a religious institution since that time. School uses are permitted in the R-7 zone as community service uses. In order to operate a separate school use within the church building, approval for a new community service use is required, which is a Type III land use review process.

MMC 19.904 covers the community service use review process. MMC 19.904.4 establishes the criteria under which the community service use will be reviewed; MMC 19.904.7 provides specific standards for schools. All of these criteria and standards must be addressed in the land use application.

MMC 19.1006 describes the Type III land use review process.

The current application fee for Type III review is \$2,000.

For the City's initial review, the applicant should submit 5 complete copies of the application, including all required forms and checklists. A determination of the application's completeness will be issued within 30 days. If deemed incomplete, additional information will be requested. If deemed complete, additional copies of the application may be required for referral to other departments, the Historic Milwaukie Neighborhood District Association (NDA), and other relevant parties and agencies. City staff will inform the applicant of the total number of copies needed.

For Type III review, once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. Staff will determine the earliest available date that allows time for preparation of a staff report (including a recommendation regarding approval) as well as provision of the required public notice to property owners and residents within 300 ft of the subject property, at least 20 days prior to the public hearing. A sign giving notice of the application must be posted on the subject property at least 14 days prior to the hearing.

Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.

The property is in the Linwood neighborhood and on the border of the Hector Campbell neighborhood. Prior to submitting the application, the applicant is encouraged to present the project at a regular meeting of the Linwood NDA, which occurs at 7 p.m. on the second Thursday of every month at Linwood Elementary School (11909 SE Linwood Ave). Contact information can be found here: <http://www.milwaukieoregon.gov/citymanager/linwood-nda> .

Natural Resource Review: There are no natural resources on the subject property.

Lot Geography: The subject property is a rectilinear lot fronting on SE 52nd Ave.

Planning Notes: The applicant should review the community service use approval criteria and specific standards for schools to be sure that the proposal adequately addresses each of them.

The application narrative should include a detailed and specific description of the school activities, classroom use, number of students, class size, schedule (including details about the church use), etc. so that staff and the Planning Commission have a clear understanding of the operation and its use of the building.

CITY OF MILWAUKIE

PreApp Project ID #: 17-004PA

PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on 2/23/2017 at 10:00am

Applicant Name: Tammy Jata
Company: Blueberry House Tutoring LLC
Applicant 'Role': Owner
Address Line 1: 14135 S Canyon Ridge Circle
Address Line 2:
City, State Zip: Oregon City OR 97045
Project Name: Homeschool Classes
Description: Homeschool classes in the Church of God buiding
ProjectAddress: 10670 SE 52nd Ave
Zone: Residential R-7
Occupancy Group:
ConstructionType:
Use: Low Density (LD)
Occupant Load:
AppsPresent: Rachelle David, Tamara Jata
Staff Attendance: Vera Koliias, Samantha Vandagriff, Alex Roller

BUILDING ISSUES

ADA:

Structural: The halls for an E occupancy must be a minimum of 72 inches in width.

Mechanical:

Plumbing:

Plumb Site Utilities:

Electrical:

Notes:

Please note all drawings must be individually rolled. If the drawings are small enough to fold they must be individually folded.

FIRE MARSHAL ISSUES

- Fire Sprinklers:** The building shall be fully sprinkled throughout.
- Fire Alarms:** A manual fire alarm system shall be installed.
- Fire Hydrants:**
- Turn Arounds:**
- Addressing:**
- Fire Protection:**
- Fire Access:**
- Hazardous Mat.:**
- Fire Marshal Notes:** No comments.

PUBLIC WORKS ISSUES

- Water:** No water utility work is being proposed.
- Sewer:** No wastewater utility work is being proposed.
- Storm:** Submission of a storm water management plan by a qualified professional engineer is required as part of the proposed development. The plan shall conform to Section 2 - Stormwater Design Standards of the City of Milwaukie Pubic Works Standards.
The storm water management plan shall demonstrate that the post-development runoff does not exceed the pre-development, including any existing storm water management facilities serving the development property. Also, the plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland 2008 Stormwater Management Manual for design of water quality facilities.
All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See City of Milwaukie Public Works Standards for design and construction standards and detailed drawings.

The storm SDC is based on the amount of new impervious surface constructed at the site. One storm SDC unit is the equivalent of 2,706 square feet of impervious surface. The storm SDC is currently \$845 per unit. The storm SDC will be assessed and collected at the time the building permits are issued. If no additional impervious area is being created, then no storm SDC's will be required.
- Street:** The proposed development fronts the south side of SE 52nd Avenue, a neighborhood route. The portion of SE 52nd Avenue fronting the proposed development has a right-of-way width of 60 feet and a paved width of 26 feet with undeveloped shoulders on both sides.
- Frontage:** Chapter 19.700 of the Milwaukie Municipal Code, hereafter referred to as "Code", applies to partitions, subdivisions, and new construction. No frontage improvements will be required.

- Right of Way:** The existing right-of-way on SE 52nd Avenue fronting the proposed development is of adequate width and no right-of-way dedication is required.
- Driveways:** Code Section 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway approach currently conforms to Milwaukie's Public Works Standards.
- Erosion Control:** Per Code Section 16.28.020(C), an erosion control permit is required prior to placement of fill, site clearing, or land disturbances, including but not limited to grubbing, clearing or removal of ground vegetation, grading, excavation, or other activities, any of which results in the disturbance or exposure of soils exceeding five hundred square feet.
- Code Section 16.28.020(E) states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, Section 16.28.020(B) states that an erosion control plan that meets the requirements of Section 16.28.030 is required prior to any approval of an erosion control permit.
- Traffic Impact Study:** Code Section 19.704.1(A) states that the City will determine whether a transportation impact study (TIS) is required. In the event the proposed development will significantly increase the intensity of use, a transportation impact study will be required. The City of Milwaukie Engineering Director has determined that this project will not need a TIS.
- PW Notes:**
- TRANSPORTATION SDC
The Transportation SDC will be based on the increase in trips generated by the new use per the Trip Generation Handbook from the Institute of Transportation Engineers. The SDC for transportation is \$1,921 per trip generated. Credits will be given for any demolished structures, which shall be based upon the existing use of the structures. The trips generated by the school use is higher than the church use. The preliminary calculations indicate an additional trip count of 5.85 trips, which corresponds to a transportation SDC of \$11,237.
- PARKS & RECREATION SDC
No additional parks fees are required

PLANNING ISSUES

- Setbacks:** The proposal is for a school use within an existing building built in 1962. No modifications to the existing structure are proposed. MMC 19.302.4 establishes the setback in the R-7 zone: the front yard setback = 20 feet; side yard setback = 5 feet/10 feet; rear yard setback = 20 feet.
- Landscape:** The proposal is for school use within an existing building. No modifications to the existing site are proposed. In the R-7 zone, a minimum of 30% of the site must be landscaped. Vegetated areas can be planted in trees, grass, shrubs, or bark dust for planting beds, with no more than 20% of the landscaped area finished in bark dust (as per MMC Subsection 19.504.7). A maximum of 30% of the site may be covered by structures, including decks or patios over 18 inches above grade.
- Parking:** This property has an on-site parking lot. As per the off-street parking standards of MMC Chapter 19.600, religious institutions must provide a minimum of 1 parking space for every 4 seats to a maximum of 1 space for every 2 seats. A day care center is also located in the building, which is required to provide a minimum of 2 spaces per 1,000 SF of floor area. School uses are required to provide a minimum of 1 space per classroom. Please refer to MMC 19.605.1 for specific details.

Transportation Review: Please see the Public Works notes for more information about the requirements of MMC 19.700.

Application Procedures: Land use applications required:
•New Community Service Use (Type III)

The subject property is an approved Community Service Use and it appears that the the building, built in 1962, has been operated as a religious institution since that time. School uses are permitted in the R-7 zone as community service uses. In order to operate a separate school use within the church building, approval for a new community service use is required, which is a Type III land use review process.

MMC 19.904 covers the community service use review process. MMC 19.904.4 establishes the criteria under which the community service use will be reviewed; MMC 19.904.7 provides specific standards for schools. All of these criteria and standards must be addressed in the land use application.

MMC 19.1006 describes the Type III land use review process.

The current application fee for Type III review is \$2,000.

For the City's initial review, the applicant should submit 5 complete copies of the application, including all required forms and checklists. A determination of the application's completeness will be issued within 30 days. If deemed incomplete, additional information will be requested. If deemed complete, additional copies of the application may be required for referral to other departments, the Historic Milwaukie Neighborhood District Association (NDA), and other relevant parties and agencies. City staff will inform the applicant of the total number of copies needed.

For Type III review, once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. Staff will determine the earliest available date that allows time for preparation of a staff report (including a recommendation regarding approval) as well as provision of the required public notice to property owners and residents within 300 ft of the subject property, at least 20 days prior to the public hearing. A sign giving notice of the application must be posted on the subject property at least 14 days prior to the hearing.

Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.

The property is in the Linwood neighborhood and on the border of the Hector Campbell neighborhood. Prior to submitting the application, the applicant is encouraged to present the project at a regular meeting of the Linwood NDA, which occurs at 7 p.m. on the second Thursday of every month at Linwood Elementary School (11909 SE Linwood Ave). Contact information can be found here: <http://www.milwaukieoregon.gov/citymanager/linwood-nda> .

Natural Resource Review: There are no natural resources on the subject property.

Lot Geography: The subject property is a rectilinear lot fronting on SE 52nd Ave.

Planning Notes: The applicant should review the community service use approval criteria and specific standards for schools to be sure that the proposal adequately addresses each of them.

The application narrative should include a detailed and specific description of the school activities, classroom use, number of students, class size, schedule (including details about the church use), etc. so that staff and the Planning Commission have a clear understanding of the operation and its use of the building.

The Milwaukie zoning code can be accessed at:
<http://www.qcode.us/codes/milwaukie/view.php?topic=19&frames=off>

ADDITIONAL NOTES AND ISSUES

County Health Notes:

Other Notes:

This is only preliminary preapplication conference information based on the applicant's proposal and does not cover all possible development scenarios. Other requirements may be added after an applicant submits land use applications or building permits. City policies and code requirements are subject to change. If you have any questions, please contact the City staff that attended the conference (listed on Page 1). Contact numbers for these staff are City staff listed at the end of the report.

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

Samantha Vandagriff - Building Official - 503-786-7611

Bonnie Lanz - Permit Specialist - 503-786-7613

ENGINEERING DEPARTMENT

Chuck Eaton - Engineering Director - 503-786-7605

Geoff Nettleton - Civil Engineer - 503-786-760

Rick Buen - Civil Engineer - 503-786-7602

Alex Roller - Engineering Tech II - 503-786-7695

Jennifer Backhaus - Engineering Tech I - 503-786-7608

COMMUNITY DEVELOPMENT DEPARTMENT

Alma Flores - Comm. Dev. Director - 503-786-7652

Alicia Martin - Admin Specialist - 503-786-7600

Avery Pickard - Admin Specialist - 503-786-7600

Joyce Stahly - Admin Specialist - 503-786-7600

PLANNING DEPARTMENT

Dennis Egner - Planning Director - 503-786-7654

David Levitan - Senior Planner - 503-786-7627

Brett Kelder - Associate Planner - 503-786-7657

Vera Kalias - Associate Planner - 503-786-7653

Mary Heberling - Assistant Planner - 503-786-7658

CLACKAMAS FIRE DISTRICT

Mike Boumann - Lieutenant Deputy Fire Marshal - 503-742-2673

Matt Amos - Fire Inspector - 503-742-2661

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: City of Milwaukie Planning Department
From: Matt Amos, Fire Inspector, Clackamas Fire District #1
Date: 3/9/2017
Re: 10670 SE 52nd Ave 17-004PA

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

COMMENTS:

1. The Fire District has no comments for this proposal.