



CITY OF MILWAUKIE

January 14, 2020

Jeff Sturgis
11330 Crawford Cove
Roswell, GA 30075

Re: Preapplication Report

Dear Jeff:

Enclosed is the Preapplication Report Summary from your meeting with the City on December 5, 2019, concerning your proposal for action on property located at 10707 SE Riverway Ln.

A preapplication conference is required prior to submittal of certain types of land use applications in the City of Milwaukie. Where a preapplication conference is required, please be advised of the following:

- Preapplication conferences are valid for a period of 2 years from the date of the conference. If a land use application or development permit has not been submitted within 2 years of the conference date, the Planning Director may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference.

If you have any questions concerning the content of this report, please contact the appropriate City staff.

Sincerely,

Dan Harris
Administrative Specialist II

Enclosure

cc: Brett Kever, Associate Planner
Samantha Vandagriff, Building Official
Alex Roller, Engineering Technician II
File



CITY OF MILWAUKIE
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 Milwaukie OR 97206
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Preapplication Conference Report

Project ID: 19-019PA

This report is provided as a follow-up to the meeting that was held on 12/5/2019 at 10:00 AM

The Milwaukie Municipal Code is available here: www.qcode.us/codes/milwaukie/

APPLICANT AND PROJECT INFORMATION

Applicant:	Jeffrey Sturgis	Applicant Role: Owner's Representative
Applicant Address:	11330 Crawford Cove, Roswell, GA 30075	
Company:	N/A	
Project Name:	N/A	
Project Address:	10707 SE Riverway Ln	Zone: R-2
Project Description:	Establish second unit on property as vacation rental.	
Current Use:	N/A	
Applicants Present:	Jeffrey Sturgis, Richard Sturgis	
Staff Present:	Brett Kelper, Associate Planner; Alex Roller, Engineering Technician II	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	A short-term rental is allowed as an accessory use to a primary use (such as a single dwelling unit) in the R-2 zone, where the unit is rented for periods less than 30 days in length and the primary residence is occupied by the owner or operator for no less than 270 days per year. A vacation rental is allowed as a conditional use, where the unit is rented for periods less than 30 days in length and there is no primary occupant (i.e., the owner/operator occupies the unit for less than 270 days per year).
<input checked="" type="checkbox"/>	Dimensional Standards	The development standards for the R-2 zone are provided in MMC Table 19.302.4. The applicant has not proposed any exterior physical changes to the existing structure.

Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed	The proposal to establish a vacation rental will require a Conditional Use application, which requires Type III review and a public hearing with the Planning Commission. If the applicant wishes to simply establish the existing structure as a duplex, no land use application is required. The applicant would simply coordinate with the Building
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		<p>Department to arrange whatever inspections are necessary to verify that the structure meets applicable codes and standards for a duplex.</p> <p>If the applicant wishes to maintain the second kitchen as accessory, to formalize the existing structure as a single-family detached dwelling, a covenant must be recorded with the Clackamas County Recorder that stipulates the additional cooking facility will not be used as part of a separate dwelling unit.</p>
<input checked="" type="checkbox"/>	Review Type	<ul style="list-style-type: none"> • Conditional Use = Type III
<input checked="" type="checkbox"/>	Fees	<ul style="list-style-type: none"> • Type III application = \$2,000
<input checked="" type="checkbox"/>	Application Process	<p>The applicant should submit 5 complete copies of all application materials for the City's initial review. Large-format plans are not necessary; 11x17 size is adequate, with an electronic version of all submittal materials. Additional hard copies may be required for referral and review by other agencies—staff will provide a final number as part of the completeness review. A determination of the application's completeness will be issued within 30 days.</p> <p>Once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. Public notice will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will prepare a report with analysis of the proposal and a recommendation for decision that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p>
Overlay Zones (MMC 19.400)		
<input checked="" type="checkbox"/>	Willamette Greenway	The subject property is located within the Willamette Greenway overlay zone (MMC Section 19.401), but since the proposed activity does not constitute a change of use or intensification of use as defined in MMC Subsection 19.401.4, the provisions of the Willamette Greenway overlay are not applicable.
<input checked="" type="checkbox"/>	Natural Resources	The subject property includes designated Water Quality Resource (WQR) and Habitat Conservation Area (HCA) near the river, but since the proposed activity does not involve any physical changes to the site or disturbance of WQR or HCA, the provisions of the Natural Resources overlay zone (MMC Section 19.402) are not applicable.
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	<p>Minimum vegetation for the R-2 zone is 15% of lot area. As per MMC Subsection 19.302.5.C, at least half of the minimum vegetation area must be suitable for outdoor recreation by residents and not have extreme topography or dense vegetation that precludes access. As per MMC Subsection 19.302.5.D, at least 40% of the front yard must be vegetated.</p> <p>Although the existing front yard area is only approximately 20% landscaping and is nonconforming with respect to the front yard landscaping standard, the overall site provides well over 15% landscaping and the proposed activity does not involve any physical changes to the site.</p>

<input type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)	
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Circulation	
<input type="checkbox"/>	Building Design Standards (MMC 19.505)	
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Residential Off-Street Parking Requirements	<p>Single-family dwellings, including detached houses and duplexes, require a minimum of 1 off-street parking space per unit.</p> <p>MMC Section 19.607 establishes parking standards for residential areas, including dimensional and location requirements and restrictions. Required parking spaces cannot be located in the required front yard. Uncovered parking and maneuvering areas cannot cover more than 50% of the front yard area, and no more than 3 spaces can be provided in the required front yard. Driveways must align with the approved driveway approach, with widening allowed as per MMC Subsection 19.607.1.E.</p>
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input checked="" type="checkbox"/>	Conditional Use (MMC 19.905)	<p>Conditional Use review is needed for establishment of a vacation rental in the R-2 zone.</p> <p>The approval criteria for new conditional uses are provided in MMC Subsection 19.905.4.A. MMC Subsection 19.905.5 establishes the types of conditions that may be imposed to assure compatibility and mitigate any adverse impacts. For vacation rentals, Subsection 19.905.9.H provides other considerations that the Planning Commission must factor in to the decision.</p> <p>Note that if the conditional use is approved, the City will prepare a simple Conditional Use Permit (as per MMC Subsection 19.905.6) that must be recorded with the Clackamas County Recorder to bind it to the property and preserve the approval even if there is a change of ownership in the future.</p>
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input type="checkbox"/>	Variance (MMC 19.911)	
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	
<input type="checkbox"/>	Preliminary Plat Requirements	

<input type="checkbox"/>	Final Plat Requirements (See Engineering Section of this Report)	
Sign Code Compliance (MMC Title 14)		
<input type="checkbox"/>	Sign Requirements	
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Historic Milwaukie	<p>Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Historic Milwaukie NDA.</p> <p><u>Historic Milwaukie NDA Chair</u> Ray Bryan historicmilwaukienda@gmail.com Regular meeting—second Mondays, 6:30pm, Libbie's Restaurant @11056 SE Main St</p>
	Choose an item.	
	Choose an item.	
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<p>Chapter 19.700 of the Milwaukie Municipal Code, herein referred to the "Code", applies to partitions, subdivisions, new construction and modification and or expansions of existing structures or uses that produce a projected increase in vehicle trips.</p> <p>This Transportation Facility Requirements, Code Section 19.708, states that all rights-of-way, streets, sidewalks, necessary public improvements, and other public transportation facilities located in the public right-of-way and abutting the development site shall be adequate at the time of development or shall be made adequate in a timely manner. This property does not front on public right-of-way, so no frontage improvements are required.</p>
<input checked="" type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	No transportation impact study is required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	
<input type="checkbox"/>	Agency Notification	

	(MMC 19.707)	
<input type="checkbox"/>	Transportation Requirements (MMC 19.708)	
<input type="checkbox"/>	Utility Requirements (MMC 19.709)	
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.04.100)	
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Specific Standards (MMC 18.04.160)	
<input type="checkbox"/>	Floodways (MMC 18.04.170)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input type="checkbox"/>	Erosion Control (MMC 16.28)	
<input type="checkbox"/>	Tree Cutting (MMC 16.32)	
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	Applicant did not indicate the want to install a separate water meter for the basement duplex unit. If a new meter is wanted, then there would be additional system development charges (SDC's) in the amount of \$1,984 for a ¾" meter would be required, as well as an install fee of \$897.
<input type="checkbox"/>	Sewer System (MMC 13.12)	
<input type="checkbox"/>	Stormwater Management (MMC 13.14)	
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	The addition of a new dwelling unit triggers the payment of system development charges (SDC's). Below are the required SDC's based on the current Fee Schedule. Transportation: 640.00 Milwaukie Sewer: 359.00 County Sewer: 4,710.00
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	

<input type="checkbox"/>	Access Requirements (MMC 12.16.040)	
<input type="checkbox"/>	Clear Vision (MMC 12.24)	

Additional Engineering & Public Works Notes

BUILDING COMMENTS

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov. Each permit type and subpermit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

Note: Plumbing and electrical plan reviews (when required) are done off site so two (2) paper copies will be required for those reviews only. Paper copies should be delivered to our office for processing.

Site utilities require a separate plumbing permit. This permit will require plumbing plan review so two (2) paper copies will be required for this review. Paper copies should be delivered to the Building Division office for processing. The grading plan submitted to the Engineering Department does not cover this review.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Additional Building Notes

N/A

OTHER FEES

<input type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)

FIRE DISTRICT COMMENTS

Matt Amos, Fire Inspector for Clackamas Fire District 1 has indicated that the district has no comments for this proposal.

COORDINATION WITH OTHER AGENCIES

Applicant must communicate directly with outside agencies. These may include the following:

- Metro
- Trimet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

<input type="checkbox"/>	Boiler Approval (State)	
<input type="checkbox"/>	Elevator Approval (State)	
<input type="checkbox"/>	Health Department Approval (County)	

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
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Other Right-of-Way Permits

<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	
<input type="checkbox"/>	Traffic Control Plan (Engineering)	
<input type="checkbox"/>	Parklet:	
<input type="checkbox"/>	Parklet Application/ Planning Approval	
<input type="checkbox"/>	Engineering Approval	
<input type="checkbox"/>	Building Approval	
<input type="checkbox"/>	Sidewalk Café:	

<input type="checkbox"/>	Tree Removal Permit:	
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Infrastructure/Utilities

Applicant must communicate directly with utility providers. These may include the following:

- PGE
- NW Natural
- Clackamas River Water (CRW)
- Telecomm (Comcast, Century Link)
- Water Environmental Services (WES)
- Garbage Collection (Waste Management, Hoodview Disposal and Recycling)

Economic Development/Incentives

<input type="checkbox"/>	Enterprise Zone:	
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<input type="checkbox"/>	Vertical Housing Tax Credit:	
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<input type="checkbox"/>	New Market Tax Credits:	
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<input type="checkbox"/>	Housing Resources:	
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PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

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 a note in this report contradicts the Milwaukie Municipal Code, the MMC supersedes the note. 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
Harmony Drake	Permit Specialist	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Dalton Vodden	Associate Engineer	503-786-7617
Alex Roller	Engineering Tech II	503-786-7695

PLANNING DEPARTMENT

Dennis Egnor	Planning Director	503-786-7654
David Levitan	Senior Planner	503-786-7627
Brett Kolver	Associate Planner	503-786-7657
Vera Kolas	Associate Planner	503-786-7653
Mary Heberling	Assistant Planner	503-786-7658

COMMUNITY DEVELOPMENT DEPARTMENT

Leila Aman	Community Development Director	503-786-7616
Alison Wicks	Development Programs Manager	503-786-7661
Alicia Martin	Administrative Specialist II	503-786-7600
Tempest Blanchard	Administrative Specialist II	503-786-7600
Dan Harris	Administrative Specialist II	503-786-7600

CLACKAMAS FIRE DISTRICT

Mike Boumann	Lieutenant Deputy Fire Marshal	503-742-2673
Izak Hamilton	Fire Inspector	503-742-2660