

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, APRIL 11, 2006

**COMMISSIONERS PRESENT**

Donald Hammang, Chair  
Jeff Klein, Vice-chair  
Lisa Batey  
Teresa Bresaw  
Catherine Brinkman  
Dick Newman

**STAFF PRESENT**

Katie Mangle,  
Planning Director  
Brett Kelter,  
Assistant Planner  
Gary Firestone,  
Legal Counsel  
Shirley Richardson,  
Hearings Reporter

**COMMISSIONERS ABSENT**

None

1.0 CALL TO ORDER

The meeting was called to order at 6:35 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA -- None.

4.0 INFORMATION ITEMS -- City Council Minutes

City Council minutes can be found on the City web site at  
[www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)

5.0 PUBLIC COMMENT -- None.

6.0 PUBLIC HEARINGS

6.1 Applicant: J. T. Walker  
Owner: J. T. Walker  
Location: 11598 SE Beckman Avenue  
Proposal: Four lot subdivision and Transportation Plan Review  
File Numbers: S-06-01 & TPR-06-02  
NDA: Linwood

**Vice-Chair Klein** opened the hearing on a four-lot subdivision S-06-01 and Transportation Planning Review TPR-06-02, a minor quasi-judicial hearing to consider approval of development of a four-lot subdivision and related public improvements. The criteria to be addressed can be found in the Milwaukie Zoning Ordinance Section 19.302 - Residential R-7 Zone; Section 19.1011.3 - Minor Quasi Judicial Review; Section 19.1400 - Transportation Planning, Design Standards and Procedures; and in the Milwaukie Land Division Ordinance Section 17.12 - Application Procedure and Approval Criteria; Section 17.16 - Application Requirements and Procedures; Section 17.20 - Preliminary Plat; Section 17.28 - Design Standards and Section 17.32 - Improvements.

**Vice-Chair Klein** asked if there were any conflicts of interest or ex-parte contacts to declare? **Commissioner Brinkman** asked to be excused because her law firm has several J. T. Walkers in their records and she is not sure whether the applicant is a client of her firm and as indicated under state statute relating to conflict of interest because of possible financial gain impacts. **Vice-Chair Klein** excused Commissioner Brinkman from making a decision on this issue. There were no other conflicts of interest or ex-parte contacts declared.

**Vice-Chair Klein** asked if any member of the Planning Commission visited the site; 5 hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the staff report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

#### STAFF REPORT

**Brett Kelter** reviewed the staff report with the Commission. The purpose of the application is to allow a four-lot subdivision located at 11598 SE Beckman Avenue in the Linnwood Neighborhood. Overheads were shown of the subject site and surrounding area.

The key issues of this project involve transportation and public improvements. The existing right-of-way along Beckman is 40 feet; the requirement for local streets is 50 feet. Staff is requiring 5 feet of dedication. 56<sup>th</sup> is also a local designated street; its right-of-way is currently 50 feet. On this side of the site staff is requiring 25 feet of dedication to complete the 50-foot right of way section.

Photographs were shown of the existing lot; a view of Beckman across the lot towards the east and a view looking south down Beckman. The applicant is requesting an adjustment from the requirement to provide a landscape strip between the curb and the required sidewalk; staff is recommending approval of the adjustment request. It would be difficult to acquire enough right-of-way beyond the site to get a landscape strip to allow a sidewalk beyond the subject

site. The applicant will be providing a 6-foot sidewalk at the curb. Possibly in the future, an additional curb-tight sidewalk can be provided.

Photos were shown on the east side, north of 56<sup>th</sup> showing an existing curb and curb-tight sidewalk as well as other views looking south. An overhead was shown of the overview of the street system. The proposed project will have dedication of proposed right of way with improvements to curbs and curb-tight sidewalks and existing right-of-ways and will open the dead end 56<sup>th</sup> Street to traffic in both directions.

It has been questioned why the City is requiring that the dead-end street on 56<sup>th</sup> will be opened. Staff feels that opening the street system improves the emergency access and effectively improves the connection and access for a variety of wheeled vehicles besides cars (bikes, skateboards, wheel chairs, etc.). This will establish connectivity, which is one of the main goals in the Comprehensive Plan. There is the possibility at some point in the future that Beckman Terrace will open up as well. Providing connectivity allows some relief of traffic from the collector streets and allows local traffic to stay on the local streets without having to go out onto a collector like Stanley Avenue to move around in the neighborhood.

This proposal did not meet the requirements to provide a traffic impact study. There will only be two of the four lots proposed that will front on and face 56<sup>th</sup> Avenue. The staff believes that the majority of the traffic that will be added to the site will be from those as well as other locals in the area who have not been able to go through this dead end. There will be some additional traffic from this proposal, although staff does not believe it will be significant.

The proposal is the maximum level of land division that can happen on this site under these circumstances. Duplexes would not be allowed because they require 14,000 sq.ft. and the lots are roughly 7, 900 sq.ft. All setback requirements are met. There is an existing 15-foot sanitary sewer easement on the north property boundary.

#### QUESTIONS FROM THE COMMISSIONERS

**Commissioner Batey** asked for clarification of who owns the sanitary easement. **Zack Weigel**, City Engineer, stated that this is a public sanitary sewer easement for the benefit of the public, which is kept clear to allow access for repair and maintenance to the sewer system.

**Commissioner Bresaw** asked if the setback is measured from the sidewalk or measured from the house. **Mr. Kelter** stated that the setback is measured from the property line back to where the house would be. In this case the right-of-way is being measured from the centerline of the road. There is 16 feet of pavement from the centerline of the road to the curb, 6 feet of sidewalk; half of the 50-foot

right of way is 25. Three feet from the edge of the sidewalk is the approximate property line, which is the point of the setback.

**Commissioner Newman** asked why open 56<sup>th</sup> Street in front of the development rather than pushing through an opening at Beckman Terrace? **Mr. Kelter** stated that a large part has to do with code requirements, which indicate the amount of frontage on a public street and the adequacy of that public street. **Mr. Weigel** stated that the frontage from the north of the development up to Waymeier is the same distance as the required street improvements would be on Beckman. To be proportional staff suggested pushing through 56<sup>th</sup> Avenue rather than Beckman Terrace. Better trip generation is gained by using this street than Beckman Terrace.

**Chair Hammang** asked if two of the lots don't have to meet street requirements. Kelter pointed out existing street rights-of-way; it is not adequate and does not meet street standards. **Mr. Weigel** reported that the street will be widened to a standard local street so emergency vehicles can access the street.

**Commissioner Batey** asked why planter strips are not required on 56<sup>th</sup> since there is a 50-foot right-of-way. **Mr. Kelter** stated that the existing sidewalks are curb-tight. The intent is to be consistent with what's there. **Mr. Weigel** pointed out the existing sidewalks both north and south. The proposed curb-tight sidewalks will be connecting with those existing sidewalks.

#### CORRESPONDENCE

**Vice-chair Klein** asked if there had been any correspondence received since the mailing of the packet. **Mr. Kelter** stated that there have been phone calls regarding the opening of the street and there have also been questions at the desk.

#### APPLICANT PRESENTATION

Speaking: Mark Person, W. D. Wells & Associates, Inc., 4230 NE Fremont Street, Portland

**Mr. Person** stated that he is here representing the applicant. He stated that he didn't have much to add as Mr. Kelter has done a good job reviewing the project. They agree with all the conditions of approval. They understand where the City is coming from regarding connectivity and understand that the neighbors like the dead end as it is now. He stated that this is a hard situation.

He submitted copies of the house plans that the applicant is considering for this property. These will all be single-family detached homes. **Vice-chair Klein** stated that the pictures are not germane to land use issues and will not be used as part of the decision.



## QUESTIONS FROM THE COMMISSIONERS

**Commissioner Batey** asked about the trees to be removed, as the X's to indicate removal were not on any of the trees. **Mr. Person** stated that there is a line of trees along Beckman and they will try to save as many of the trees as possible.

**Commissioner Bresaw** asked if there would be a minimum setback because the homes are so large. **Mr. Person** stated that the builder would determine the setbacks at the time of construction.

TESTIMONY IN FAVOR -- None

## QUESTIONS OR COMMENTS

Speaking: Kale Brown, 11547 SE 56<sup>th</sup>, Milwaukie

**Mr. Brown** stated that he had several questions regarding his parent's property that is adjacent to the subject site:

- Will there still be parking along the street.
- Will there be parking signs or yellow curbs.
- Will existing mailboxes be removed (on Waymeier) and if so will they be replaced by the builder
- Will the existing fencing will be removed and replaced.
- Will the power pole remain and/or will underground facilities be placed only on the new four lots.

## TESTIMONY IN OPPOSITION

Speaking: Frank Huseman, 5732 SE Lloyd Street, Milwaukie

**Mr. Huseman** voiced several concerns about the traffic impacts of opening this street.

- There are currently 16 children on this short stretch of street. There is one house being sold and there could be additional children. Two more houses on this street may produce more children.
- The residents are comfortable with the situation of a dead end street with no through traffic
- Opening this street will provide access for more traffic, faster traffic
- Is there a possibility of speed bumps on at least Lloyd Street; even some of the locals drive too fast
- When there was construction at the end of Lloyd Street he had to talk to the construction workers about their speed

- 16 children on this street and opening this up to more traffic will make it very dangerous
- This will make 21 homes, which is a criterion for opening the street.
- There will be a tremendous traffic problem by opening this street.
- He suggested a lane down the middle and making the lots narrower

There are serious safety issues on this street and he is not in favor of this application. He feels the pictures being passed around as the type of housing proposed is too much for the character of the neighborhood. He is comfortable with the way the neighborhood is now; there are great families on this street and a lot of it has to do with the dead end situation.

Speaking: Michael Murry, 5687 SE Lloyd Street, Milwaukie

**Mr. Murry** stated that the idea of construction of houses is inevitable. The through street is the problem he has.

He would like to see a variance to opening up this street. He understands that it takes 21 homes to open up a dead end street. The entrance to Lloyd Street off of Stanley Avenue is a dedicated school zone of 20 miles per hour. Opening up that street puts more traffic on Lloyd Street.

His concern is for the children; there is a lot of outside play on the street. A lot of the neighbors put up signs on this street that there are children at play. Removing the signs of "no-outlet" and "dead end" will decrease the safety factor of the road. He counts 20 children on the street. His dad bought the first house on the street, he moved back to the house because he likes the area.

He would like to see the barricade remain and allow 2 lots of development which releases the 21 house requirement to open the street and keep it a closed-in street. He quoted Section 19.404 Subsection 3, line 3; "if it results in potentially hazard condition" you can get a variance from the 21 houses. He hopes that this statute can be used and it will result in a win/win situation.

#### ADDITIONAL COMMENTS FROM STAFF

**Brett Kelter** responded to the questions asked:

- Parking continued on 56<sup>th</sup> Avenue Part of the improvement would be a 32-foot wide paved street section 2 that allows for two 10-foot travel lanes for traffic and two 6-foot parking strips on each side. This width allows for on-street parking.
- Mailboxes on Waymeier This will depend on the location of the mailbox. If the box is in public right-of-way being developed it would have to be removed and relocated. **Mr. Firestone** stated that the current property

owner of the mailbox would not be required to pay for moving the box; presumably it would be the developer.

- Will fencing be Removed The fencing is up to the builder. There are regulations regarding the 6-foot maximum height allowed on side and rear property lines. It will depend on the footprint of the house. If the people who purchase the lot want a fence the builder will put them in; if not, they won't.
- Will Power Pole Remain This will depend on the specifics of the utilities, where they are located. **Mr. Brown** stated that his parents are the only two houses along this street to have above ground power lines. He asked if they will have to tie in with the underground utilities if the developer decides to do underground facilities. **Mr. Weigel** stated that it would be up to the franchise utility to decide whether they replace the utilities or leave the existing facility. **Mr. Firestone** stated that new facilities have to be underground; if there are existing above-ground utilities, typically they can stay if they are off-site.
- Possibility of Putting a Lane Down the Center of Subject Property from Beckman Street This would allow the lots to have access from Beckman and there would be no opening of 56<sup>th</sup> Street. Other options were explored before the final configuration was decided. This possibility was reviewed and it was found that there are limitations based on requirements of street width and how much property fronts the street. There was no way to get adequate street into the middle of the property that would allow creation of lots that would meet the standards for lot width and lot depth in this zone.
- Variance to Re-open Closed Street The Comprehensive Plan and sections of the Transportation related code encourage and require that there be connectivity. Staff feels that pushing the street through rather than allowing it to continue to be a dead-end better serves connectivity of the area. **Mr. Firestone** stated that typically a variance is not possible when the standard can be met.
- Speed bumps on Lloyd Street **Mr. Weigel** stated that with the addition of two houses on 56<sup>th</sup> Avenue, the street would function as a local road. The number of trips that will be added will not increase the number of trips on the street and existing speeds. If there are speed issues there is a process where people can talk to the Engineering Department to find out their options regarding making improvements to slow traffic down. The only entrance and exit into this neighborhood is through Stanley and all the traffic that will be in this neighborhood will be local traffic; there will be no big increase in traffic from people who do not live in this neighborhood by this development on 56<sup>th</sup> Avenue. Putting the street through will help with the emergency access thus decreasing potential safety hazards.

QUESTIONS FROM THE COMMISSIONERS REGARDING CLARITY

**Commissioner Batey** asked how many trips a single-family house generates. **Mr. Weigel** stated that a single-family residence on an average is about 9 trips per day. This would mean an increase of 18 trips per day from this development.

Speaking: Kale Brown, 11547 SE 56<sup>th</sup> Avenue, Milwaukie

**Mr. Brown** voiced concern that opening 56<sup>th</sup> will allow for additional development to the north.

Speaking: Sabrina Murry, 5687 SE Lloyd Street, Milwaukie

**Ms. Murry** stated that she did not agree that this development would not increase traffic. She is at home all day, out in the yard and around home; she sees how much traffic there is. A dead-end street says a lot; people don't come down the street. When this street is opened, there will be a lot more traffic than expected. It is great that the emergency vehicles can get through, but the Commission needs to understand that there are a lot of kids physically on the street everyday.

If you take away this dead-end street, there is another huge lot off of Waymeier that will eventually be developed. While there is construction on Waymeier and there will be a ton more houses there and it will be a steam roll effect of lots resulting in more development and more houses. They enjoy the safety and closeness of a dead-end street. They feel safe there now and they feel the City is taking that away from them.

#### QUESTIONS FROM THE COMMISSIONERS

**Chair Hammang** asked if there would be any signage westbound on Lloyd. Will Lloyd Street meet the requirements for "no outlet" signage? **Mr. Weigel** stated that he would review the codes to see if signage is possible.

#### APPLICANT'S CLOSING COMMENTS

**Mr. Person** stated that the existing fence would remain if possible. They considered a flag on Beckman but it didn't work. They will have had to make improvements on 56<sup>th</sup> regardless of how the lot was developed.

#### DISCUSSION AMONG THE COMMISSIONERS

**Vice-chair Klein** closed the public testimony portion of the hearing and opened it up to discussion among the Commissioners. The issue at hand is subdivision and the transportation review. Staff has concluded that land use standards and codes have been met. The Planning Commission must decide whether it meets the standards and codes for transportation review.

**Commissioner Bresaw** stated that she drove around the area and it is a nice quiet area. No one wants to open up a dead-end but she feels it is important that this street be opened.

**Commissioner Batey** stated that she agrees that opening the street will be an improvement to the community. The Mayor has asked that streets and sidewalks be considered in every application. She agrees that options should be reviewed that would deter people from coming down that street; possibly signage.

**Mr. Firestone** stated that there might be other sign alternatives that can discourage traffic from the street. The Engineering Department has stated that they would look into what signs are available to the neighborhood to deter traffic. The applicant can be conditioned to pay for such signage that the Engineering Department determines is appropriate.

**Mr. Kelter** noted that the conditions of approval #3(D) indicate, "The City of Milwaukie will install all streets relative to traffic control and street names. The applicant shall be responsible for the cost of all street signs for the proposed development. Necessary street signage shall be determined as part of the improvements design review."

**Commissioner Bresaw** moved to approve applications Subdivision S-06-01 and Transportation Planning Review TPR-06-02 and adopt the recommended findings and conditions in support of approval, authorizing the development of a four-lot subdivision and related public improvements and further that the City of Milwaukie to review the signage for this proposal. **Commissioner Newman** seconded the motion.

Ayes: Batey, Bresaw, Hammang, Newman, Klein

Nays: None

Motion Carried 5-0.

7.0 WORKSESSION ITEMS -- None.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS / UPDATES

10.1 Matters from the Planning Director

**Ms. Mangle** stated that at the upcoming worksession there would be discussions on

- Zoning amendments and Comprehensive Plan amendments text for Commission review and approval regarding the Kellogg Sewerage Treatment Plant Community Service Overlay. Basically the language is stating that major utility facilities to be listed as prohibited uses in the SCO and stating that such uses may not be enlarged, upgraded, remodeled or altered in any way. This will preclude the County from enlarging the structure. Minor changes can be made for applicable safety or health efforts relating to the adequacy of the facility.
- Code fixes and the top 10 list revised by staff for level of difficulty and level of pain. Discussion followed on the priority decision of some of the items on the list.

**Ms. Mangle** reported that the City has hired a new Planner, Ryan Marquardt. He will be starting on Monday, April 17<sup>th</sup>.

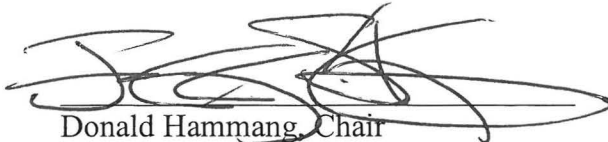
**Mr. Brown** reported that at the May 9<sup>th</sup> meeting there might be an application of Wunderland Theatre for approval to turn on their cabinet sign.

**Chair Hammang** asked that the City review the three bridges project and how some of the portions of the project may have to be closed. It is hoped that these trails will not be closed for longer than necessary.


11.0 NEXT MEETING -- April 25, 2006

**Commissioner Bresaw** moved to adjourn the meeting of April 11, 2006. **Commissioner Klein** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 8:36 p.m.



Donald Hammang, Chair



Shirley Richardson, Hearings Reporter

# MILWAUKIE PLANNING COMMISSION

MILWAUKIE CITY HALL  
10722 SE MAIN STREET

## AGENDA TUESDAY, April 11, 2006 6:30 PM

		ACTION REQUIRED
1.0	<b>Call to Order</b>	
2.0	<b>Procedural Matters</b> If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. Thank You.	
3.0	<b>Planning Commission Minutes</b> Approved PC Minutes can be found on the City web site at: <a href="http://www.cityofmilwaukie.org">www.cityofmilwaukie.org</a>	Motion Needed
4.0 3.1	<b>Information Items – City Council Minutes</b> April 11, 2006  City Council Minutes can be found on the City web site at: <a href="http://www.cityofmilwaukie.org">www.cityofmilwaukie.org</a>	Information Only
5.0	<b>Public Comment</b> This is an opportunity for the public to comment on any item not on the agenda	
6.0 6.1	<b>Public Hearings</b> Type of Hearing: Minor Quasi-Judicial Applicant: J.T. Walker Owner: J.T. Walker Location: 11598 SE Beckman Avenue Proposal: Four lot Subdivision and Transportation Plan Review. File Numbers: S-06-01 & TPR-06-02 NDA: Linwood  Staff Person: Brett Kelter	Discussion and Motion Needed For These Items
7.0	<b>Worksession Items</b>	
8.0	<b>Discussion Items</b> This is an opportunity for comment or discussion by the Planning Commission for items not on the agenda.	Review and Decision
9.0	<b>Old Business</b>	
10.0 10.1 10.2	<b>Other Business/Updates</b> Matters from the Planning Director Design and Landmark Committee Report	Information Only Review and Comment
11.0	<b>Next Meeting:</b> April 25, 2006  The above items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.	

1. Last for Future Meetings:



## Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

### Public Hearing Procedure

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** The staff report is followed by any verbal or written correspondence that has been received since the Commission was presented with its packets.
3. **APPLICANT'S PRESENTATION.** We will then have the applicant make a presentation, followed by:
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **COMMENTS OR QUESTIONS.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** We will then take testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** When you testify, we will ask you to come to the front podium and give your name and address for the recorded minutes. Please remain at the podium until the Chairperson has asked if there are any questions for you from the Commissioners.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all testimony, we will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. We will then enter into deliberation among the Planning Commissioners. From this point in the hearing we will not receive any additional testimony from the audience, but we may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION/ACTION.** It is our intention to make a decision this evening on each issue before us. Decisions of the Planning Commission may be appealed to the City Council. If you desire to appeal a decision, please contact the Planning Department during normal office hours for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** The Planning Commission may, if requested by any party, allow a continuance or leave the record open for the presentation of additional evidence, testimony or argument. Any such continuance or extension requested by the applicant shall result in an extension of the 120-day time period for making a decision.
12. **TIME LIMIT POLICY.** All meetings will end at 10:00pm. The Planning Commission will pause hearings/agenda items at 9:45pm to discuss options of either continuing the agenda item to a future date or finishing the agenda item.

**The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Planning Department office at 786-7600.**

#### Milwaukie Planning Commission:

Donald Hammang, Chair  
Jeff Klein, Vice Chair  
Lisa Batey  
Teresa Bresaw  
Catherine Brinkman  
Dick Newman

#### Planning Department Staff:

Katie Mangle, Planning Director  
Vacant, Associate Planner  
Susan Shanks, Associate Planner  
Brett Kelter, Assistant Planner  
Jeanne Garst, Office Supervisor  
Karin Gardner, Administrative Assistant  
Marcia Hamley, Administrative Assistant  
Shirley Richardson, Hearings Reporter



**To:** Planning Commission  
**From:** Brett Kelter, Assistant Planner  
**Through:** Katie Mangle, Planning Director  
**Date:** April 11, 2006  
**Subject:** Files: S-06-01 and TPR-06-02  
Applicant: J.T. Walker  
Address: 11598 SE Beckman Avenue  
NDA: Linwood

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### **Action Requested**

Approve applications S-06-01 and TPR-06-02 and adopt the recommended findings and conditions in support of approval, authorizing development of a four-lot subdivision and related public improvements.

### **Key Issues**

1. The applicant is proposing a four-lot subdivision between Beckman and 56<sup>th</sup> Avenues.
2. Transportation Planning Design Standards
  - a. Adjustment - The applicant has requested an adjustment to the minimum planter strip requirement.  
Engineering director recommends approval of the request.
  - b. 56<sup>th</sup> Avenue will be improved to local street standards.
  - c. A traffic study is not required.
3. As conditioned, staff believes the proposal complies with the following (see Attachment 2 — Zoning Compliance Report):
  - a. Underlying Residential R-7 development standards.
  - b. Applicable standards of the subdivision ordinance.

### **Existing Conditions and Project Description**

The applicant is proposing to subdivide a 0.93-acre parcel into four (4) lots. The parcel is located between Beckman Avenue and 56<sup>th</sup> Avenue approximately 1600 feet north of Railroad Avenue. The property is located in the Residential R-7 Zone. Surrounding parcels vary in size but average 9,700 square feet in area.

The existing house will be removed and four new single-family residences will be constructed.

The applicant is proposing:

- a. Development of four lots averaging 9,115 square feet in area. Two lots will front Beckman Avenue and two lots will front 56<sup>th</sup> Avenue.
- b. Construction of new sidewalks along Beckman Avenue and along 56<sup>th</sup> Avenue.
- c. Street improvements to 56<sup>th</sup> Avenue.
- d. Right-of-way dedication on Beckman Avenue and 56<sup>th</sup> Avenue.
- e. Underground utilities for the new lots.

The applicant is proposing the following improvements within the right-of-way:

- a. Five (5) feet of dedication on Beckman Avenue.
- b. Twenty-five (25) feet of dedication on 56<sup>th</sup> Avenue.
- c. Construction of a 6-foot curb-tight sidewalk along Beckman Avenue and 56<sup>th</sup> Avenue.
- d. The widening of 56<sup>th</sup> Avenue to local street standards from the project site to the intersection of 56<sup>th</sup> Avenue and Waymire Street, as shown in Attachment 3 — Applicant's Site Plan.

### **Analysis of Key Issues**

The applicant has requested an adjustment to omit the required landscape strip and proposes to construct a 6-foot curb-tight sidewalk on Beckman Avenue and 56<sup>th</sup> Avenue. The Engineering Director has reviewed the adjustment request and recommends approval for the following reasons:

- a. There is an existing curb-tight sidewalk to the north and south of the development on 56<sup>th</sup> Avenue. The new sidewalk will match the existing sidewalks.
- b. Staff believes that strict compliance of the design standards is infeasible due to engineering limitations.<sup>1</sup> The existing right-of-way along Beckman Avenue is 40 feet. The required right-of-way for local streets is 50 feet. In order to bring Beckman Avenue in compliance with the 50-foot right-of-way requirement, other property owners would have to dedicate right-of-way or the city would have to buy right-of-way.<sup>2</sup> The existing right-of-way is large enough to accommodate a curb-tight sidewalk.

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<sup>1</sup> Milwaukie Municipal Code (MMC) 19.1404(C)(4).

<sup>2</sup> The majority of the properties are already developed to their maximum potential, therefore obtaining right-of-way at time of development is not feasible for the majority of properties along Beckman Avenue. The City must advise applicants to design sidewalks that will fit into the existing 40-foot right-of-way. The existing right-of-way does not provide adequate width to accommodate a sidewalk and a landscape strip.

- c. The adjustment is consistent with the purposes of the Transportation Design Standards.<sup>3</sup>
- d. The proposed 6-foot curb-tight sidewalk will adequately serve the site.

### **Summary**

As conditioned, staff believes the applicant has demonstrated compliance with applicable criteria as follows:

- 1. The proposal complies with the development standards of the Residential R-7 zone.
- 2. Required right-of-way dedication will be provided for Beckman and 56<sup>th</sup> Avenues.
- 3. Public improvements will be provided for Beckman and 56<sup>th</sup> Avenues (curb and curb-tight sidewalk).
- 4. The proposal complies with the subdivision standards as set forth in the Land Division Ordinance.

### **Code Authority and Decision Making Process**

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance and Land Division Ordinance as follows:

- a. Milwaukie Zoning Ordinance
  - 19.302 Residential R-7 zone
  - 19.1011.3 Minor Quasi-Judicial Review
  - 19.1400 Transportation Planning, Design Standards, and Procedures
- b. Milwaukie Land Division Ordinance
  - 17.12 Application Procedure and Approval Criteria
  - 17.16 Application Requirements and Procedures
  - 17.20 Preliminary Plat
  - 17.28 Design Standards
  - 17.32 Improvements

### **Comments**

Comments were received from city departments and the Linwood Neighborhood District Association. The following bullet points summarize comments received:

- The Engineering Department provided a memorandum that is included with this report as Attachment 4 — Engineering Director Memorandum. The following is a summary of the Engineering Department's primary comments:
  - a. A 5-foot right-of-way dedication is required along the Beckman Avenue frontage of the development, including the construction of a 6-foot-wide curb-tight sidewalk.

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<sup>3</sup> MMC Section 19.1400 Transportation Planning Design Standards and Procedures.

- b. A 25-foot right-of-way dedication is required along the 56<sup>th</sup> Avenue frontage of the development, with full street improvements including widening the existing half-street to full local street width requirements and construction of a 6-inch curb and 6-foot-wide curb-tight sidewalk. Similar improvements, excluding sidewalks, are required along the east side of 56<sup>th</sup> Avenue from the proposed development to Waymire Street.
  - c. The request for an adjustment to eliminate landscape strips on both frontages along Beckman Avenue and 56<sup>th</sup> Avenue is justified. Limitations to the right-of-way adjacent to the property make it infeasible to comply with the required landscape strips beyond the proposed development.
  - d. A transportation impact analysis is not required for the proposed development.
- The Public Works Department provided site maps showing exiting sewer and storm-system lines.
  - The Building Department requires that all construction shall conform to the Oregon Residential Specialty Code.
  - The Clackamas County Fire District #1 had no comments on this project.
  - Dolly Macken-Hambright, co-chair of the Linwood Neighborhood District Association, commented that the proposed development should be an improvement to the area and suggested only that the site area be kept clean during construction for the benefit of the neighborhood.

**Attachments**

1. Recommended Findings and Conditions in Support of Approval
2. Zoning Compliance Report
3. Applicant's Site Plan
4. Engineering Director Memorandum
5. Applicant's Narrative

## Attachment 1

### Findings and Conditions in Support of Approval

1. The applicant is proposing to subdivide a 0.93-acre parcel into four (4) lots averaging 9,115 square feet in area. Two lots will front Beckman Avenue and two lots will front 56<sup>th</sup> Avenue. The proposal includes the following:
  - a. Construct 6-foot curb-tight sidewalks on Beckman and 56<sup>th</sup> Avenues.
  - b. 56<sup>th</sup> Avenue will be widened to create two travel lanes from the project site to the intersection of 56<sup>th</sup> Avenue and Waymire Street as shown in Attachment 3 — Applicant's Site Plan.
  - c. Five (5) feet of right-of-way dedication on Beckman Avenue and 25 feet of dedication on 56<sup>th</sup> Avenue.
  - d. Underground utilities for the new lots.
2. Public notice has been provided in accordance with the Milwaukie Municipal Code (MMC) Section 19.1011.3 – Minor Quasi Judicial Review. A public hearing was held April 11, 2006 as required by law.
3. The proposal is subject to the following provisions of the Zoning Ordinance and Land Division Ordinance as follows:
  - a. Milwaukie Zoning Ordinance
    - 19.302 - Residential R-7
    - 19.1011.3 - Minor Quasi-Judicial Review
    - 19.1400 - Transportation Planning, Design Standards, and Procedures
  - b. Milwaukie Land Division Ordinance
    - 17.12 - Application Procedure and Approval Criteria
    - 17.16 - Application Requirements and Procedures
    - 17.20 - Preliminary Plat
    - 17.28 - Design Standards
    - 17.32 - Improvements
4. The applicant has submitted a subdivision application that includes a written narrative and site plans addressing applicable criteria of Title 17- Land Division. Attachment 2 – Zoning Compliance Report demonstrates compliance with Title 17. As conditioned, the Planning Commission finds that the proposal complies with all applicable sections of MMC Title 17– Land Division.
5. MMC Section 19.302 – Residential R-7 Zone.  
  
As conditioned, the Planning Commission finds that the proposal is consistent with MMC Section 19.302 – Residential R-7 Zone lot width, depth, area, and setback requirements. Attachment 2 – Zoning Compliance Report demonstrates compliance with Section 19.302.



6. MMC Chapter 19.1400 – Transportation Planning applies to all subdivisions. As conditioned, the Planning Commission finds that the application complies with MMC Chapter 19.1400:
- a. MMC Section 19.1404 authorizes the Engineering Director to approve adjustments to transportation facility design standards. The applicant has requested an adjustment request to omit the planter strip on Beckman Avenue and 56<sup>th</sup> Avenue. MMC Table 19.1409.3 requires a 5-foot planter strip on local streets. Both Beckman Avenue and 56<sup>th</sup> Avenue are local streets. The applicant will construct a 6-foot curb-tight sidewalk along Beckman Avenue and 56<sup>th</sup> Avenue. The applicant has demonstrated compliance with the adjustment criteria as shown in Attachment 5 – Applicant's Narrative. The Planning Commission approved this adjustment request upon finding the following (see Attachment 4 – Engineering Director Memorandum):
    - 1) Elimination of the planter strip meets the minimum dimensions of MMC Table 19.1409.3. The adjustment is consistent with the purposes of Chapter 19.1400 and the Milwaukie Transportation System Plan.
    - 2) The properties adjacent to the proposed development lack adequate room to construct a planter strip because the existing right-of-way is less than local street standards. The adjacent properties are fully developed. Any additional right-of-way to extend landscape strip improvements will require volunteered dedication of property or purchase of right-of-way by the City. Strict compliance with the required landscape strip width is not feasible due to the right-of-way limitations adjacent to the proposed development.
  - b. MMC Section 19.1405.5 establishes approval criteria for transportation review applications and ensures that impacts are mitigated. MMC Section 19.1407 requires streets, sidewalks, and transportation facilities to be safe, convenient, and adequate to accommodate the impacts of new development.

The proposed development will create unsafe transportation conditions without construction of offsite street improvements on 56<sup>th</sup> Avenue. Currently, 56<sup>th</sup> Avenue is not open to through traffic due to lack of street improvements. The proposed frontage improvements will connect the closed-end street systems on 56<sup>th</sup> Avenue, just north of the proposed development. The proposed connecting half-street consists of a 15-foot-wide paved roadway between the north limits of the proposed development and Waymire Street. The half-street is less than two travel lanes in width and will create an unsafe traffic condition.

Therefore, the applicant proposes to widen the connecting half-street on 56<sup>th</sup> Avenue to full local street width requirements to



mitigate the unsafe traffic conditions. The street section will consist of two 10-foot travel lanes with 6-foot parking strips and 6-inch curbs on each side of the roadway. As proposed, the development will not result in hazardous or unsafe transportation conditions or unacceptable level of service impacts that cannot be mitigated.

- c. MMC Section 19.1408 requires submission of a transportation impact analysis documenting the development impacts on the surrounding transportation system. The proposed development did not score the 100 points necessary to require a transportation impact analysis in accordance with the Transportation Design Manual. As a result, a transportation impact analysis is not required.
- d. MMC Section 19.1409 establishes standards for street design and improvement requires that all streets and necessary rights-of-way shall be dedicated to the public for street purposes in accordance with Table 19.1409.3.

The applicant is proposing a 5-foot right-of-way dedication and 6-foot curb-tight sidewalk on Beckman Avenue fronting the proposed development. The Planning Commission has approved an adjustment authorizing elimination of the landscape strip requirement on Beckman Avenue.

The applicant is proposing a 25-foot right-of-way dedication and half-street improvement on the west side of 56<sup>th</sup> Avenue fronting the proposed development. The half-street improvement includes a 10-foot travel lane, 6-foot parking strip, 6-inch curb, and 6-foot curb-tight sidewalk. The Planning Commission has approved an adjustment authorizing elimination of the landscape strip requirement on the west side of 56<sup>th</sup> Avenue.

Currently, 56<sup>th</sup> Avenue is an unimproved road with no through access. The proposed development creates a paved through street less than 20 feet in width. A barricade is required to prevent the through movement. The proposed development will create a closed-end street system serving more than 20 dwellings.

A half-street improvement on 56<sup>th</sup> Avenue is not acceptable because the property opposite of the proposed development cannot reasonably develop further. The applicant is proposing offsite improvements on the east side of 56<sup>th</sup> Avenue along the entire fronting portion of 5604 SE Waymire Street to make adequate the transportation system serving the site. The half-street improvement includes a 10-foot travel lane, 6-foot parking strip, and 6-inch curb.

The Planning Commission finds that the proposed offsite improvements are proportional to the impacts of the development. The street improvements that would normally be required on Beckman Avenue are being constructed on 56<sup>th</sup> Avenue, close to

the proposed development. The majority of the trips using the offsite site improvements will be generated by the proposed development.

- e. MMC Section 19.1410 establishes standards for pedestrian facilities. The applicant will construct all new sidewalk and driveway approaches on both Beckman Avenue and 56<sup>th</sup> Avenue fronting the proposed development to meet the current requirements of the Americans with Disabilities Act. The Planning Commission finds that the proposed development, as conditioned, is consistent with MMC Section 19.1410.
  - f. MMC Section 19.1411 establishes standards for bicycle facilities. The portions of Beckman Avenue and 56<sup>th</sup> Avenue fronting the proposed development are not classified as bike routes in the Transportation System Plan. As a result, bike lane improvements are not required as part of the proposed development. The Planning Commission finds that the proposed development is consistent with MMC Section 19.1411.
  - g. MMC Section 19.1412 establishes standards for transit facilities. The portions of Beckman Avenue and 56<sup>th</sup> Avenue fronting the proposed development are not classified as transit routes in the Transportation System Plan. As a result, transit improvements are not required as part of the proposed development. The Planning Commission finds that the proposed development is consistent with MMC Section 19.1412.
  - h. MMC Section 19.1413 establishes standards for access management. The driveway approach must be 7.5 feet from the property line. The allowed driveway approach width for single-family residential uses is between 9 feet and 18 feet. The Planning Commission finds that the proposed development, as conditioned, is consistent with MMC Section 19.1413.
7. Title 16 of the Milwaukie Municipal Code requires that the applicant obtain an erosion control permit prior to construction or commencement of any earth-disturbing activities. As conditioned the application complies with MMC Title 16 – Erosion Control.

#### **Recommended Conditions of Approval**

- 1. The final plat application shall be submitted in accordance with Land Division Ordinance 17.24.
- 2. Prior to submission of the final plat, the following shall be resolved:
  - a. Provide a narrative description of all actions taken to comply with conditions of approval.
  - b. Provide a narrative of all changes made that are not related to conditions of approval.

- c. The plat shall be in substantial conformance with the applicant's site plan submitted February 27, 2006, except as modified by conditions of this approval.
  - d. A detailed stormwater management plan shall be submitted with the final plat application. The report shall detail pre- and post - construction flows in sufficient detail to demonstrate flows into the city storm system. The report shall also detail how run-off from yards will be managed to minimize impacts on adjoining properties.
  - e. Dedication of rights-of-way along Beckman Avenue and 56<sup>th</sup> Avenue shall be in a form acceptable to the City Attorney and shall be submitted with the final plat application. Dedication shall be provided as follows:
    - 1) Dedicate 5 feet of right-of-way on Beckman Avenue fronting the proposed development.
    - 2) Dedicate 25 feet of right-of-way on 56<sup>th</sup> Avenue fronting the proposed development.
  - f. A note shall be placed on the plat indicating that the partition is subject to requirements of City of Milwaukie Applications S-06-01 and TPR-06-02.
  - g. Full engineered plans for all the public improvements must be submitted for review and approval before any construction begins. Street design and construction plans shall be prepared in accordance with city standards. The improvements must be completed or funded before the City will sign the subdivision plat. An inspection fee of five and one-half percent (5.5%) of the construction cost of the public improvements must be paid before construction begins. A payment and performance bond for 100 percent of the cost of the public improvements must be provided prior to the start of construction. The contractor must have a pre-construction conference with the City before construction begins.
  - h. An erosion control plan and permit application must be submitted along with the engineered plans for public improvements. Additionally, an erosion control plan and permit application will be required along with each building permit application on each individual lot. Erosion controls shall be inspected by the city in accordance with the approved erosion control plan.
3. Prior to recording the final plat, the following shall be resolved:
- a. Install stubs for utility service connections to the property lines to avoid disturbing street improvements.
  - b. Improve existing storm system such that all storm runoff from impervious surface created from the required street improvements is captured and conveyed to the nearest feasible public storm system.

- c. Construct all street improvements as follows:
  - 1) Construct street improvements on 56<sup>th</sup> Avenue fronting the proposed development. The street improvements include a 32-foot-wide paved street with 6-inch standard curb.
  - 2) Extend street improvements on the east side of 56<sup>th</sup> Avenue from the proposed development to Waymire Street. The street improvements include a 32-foot-wide paved street with 6-inch standard curb on the east side of 56<sup>th</sup> Avenue.
- d. The City of Milwaukie shall install all street signs relative to traffic control and street names. The applicant shall be responsible for the costs of all street signage for the proposed development. Necessary street signage shall be determined as part of the public improvements design review.
4. Prior to construction or any earth-disturbing activities, erosion controls, construction barriers/wetland preservation controls shall be installed and inspected by the city in accordance with an approved erosion control plan.
5. Prior to issuance of any building permit the following shall be resolved.
  - a. All public improvements must be completed before the first building permit is issued.
  - b. The final plat must be recorded with Clackamas County.
6. The public right-of-way shall not be used for storage of equipment, materials, construction trailers or construction vehicles. All construction vehicles, materials, and trailers shall be stored on site.
7. Prior to final inspection for any building the following shall be resolved:
  - a. Submit approved public improvement Mylar "As Constructed" plans to the City of Milwaukie Planning Department.
  - b. Complete the construction of a six-foot-wide curb-tight sidewalk on Beckman Avenue fronting the proposed development.
  - c. Complete the construction of a six-foot-wide curb-tight sidewalk on 56<sup>th</sup> Avenue fronting the proposed development.
8. Other requirements:
  - a. Construct all public improvements to City of Milwaukie standards for construction.
  - b. Construct sidewalk and driveway approaches to meet all applicable guidelines of the Americans with Disabilities Act.
  - c. Construct driveway approaches 7.5 feet from the property line.
  - d. All driveway approaches for the proposed development are to be between 9 feet and 18 feet in width.

## Attachment 2

## Zoning Compliance Report

## MMC 19.302 – Residential R-7 Development Standards

19.302.3 Standards—in a Residential R-7 Zone the following standards shall apply:

Standard	Required	Proposed for Parcels 1, 2, 3, and 4
Lot Size	7000 square feet	The proposed parcels will be approximately 9,115 square feet in area.
Front Yard Setback	20 feet	Large enough to accommodate 20-foot front yard setback.
Side Yard Setback	10 and 5 feet, corner lot 20 feet on side abutting the street	The parcels will be 71 feet in width, which is large enough to accommodate required 5-foot and 10-foot side yard setbacks.
Rear Yard Setback	20 feet	The parcels will be 128 feet in depth, which is large enough to accommodate a 20-foot rear yard setback.
Off-Street Parking	As specified in Section 19.500	Off-street parking will be addressed at time of building permit for each parcel.
Height Restrictions	35 feet	Height restrictions will be addressed at time of building permit.
Lot Coverage	30 percent	The lots will be approximately 9,115 square feet, which is 2,000 square feet larger than the minimum area required for the R-7 Zone. The lots are large enough to accommodate houses while complying with lot coverage standards.
Minimum Vegetation	30 percent	The lots are large enough to accommodate houses while complying with minimum vegetation requirements.
Access Requirements	35 feet	Each lot will front a public street for at least 71 feet.
Lot Width	60 feet	Each lot will be approximately 71 feet in width.
Lot Depth	80 feet	Each lot will be approximately 128 feet in depth.
Transportation Requirements	Various	Adjustment requested to eliminate landscaping strips on Beckman and 56 <sup>th</sup> Avenues. Staff recommends approval of adjustment request. Analysis of adjustment criteria and other transportation requirements is provided in Attachment 4 — Engineering Director Memorandum.

**Section 17.12.040 Approval criteria for preliminary plat.**

- A. Approval Criteria. The approval authority may approve, approve with conditions, or deny a preliminary plat based on the following approval criteria:

1. The proposed preliminary plat complies with Title 19 of this code and other applicable ordinances, regulations, and design standards.

*Staff has reviewed the proposal for consistency with standards of the underlying Residential R-7 Zone as shown in the table above. As addressed in the staff report, the applicant has demonstrated compliance with Section 1400 – Transportation Planning Design Standards and Procedures.*

2. The proposed division will allow reasonable development and will not create the need for a variance of any land division or zoning standard.

*The development is consistent with lot width, depth, and area of adjacent parcels. The proposal requires no variances.*

3. The proposed plat name is not duplicative and the plat otherwise satisfies the provisions of Oregon Revised Statutes 92.090(1).

*The proposed preliminary plat has been prepared by a licensed surveyor in accordance with Oregon state law. As conditioned, the plat name will not duplicate the name of an existing plat.*

4. The streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

*The applicant will dedicate 5 feet of right-of-way along Beckman Avenue and 25 feet along 56<sup>th</sup> Avenue. The applicant will pave and widen 56<sup>th</sup> Avenue creating two travel lanes from the project site north to Waymire Street, creating connectivity for the development site and adjacent parcels. See Attachment 3 — Applicant's Site Plan.*

5. A detailed narrative description demonstrating how the proposal conforms to all applicable code sections and design standards.

*The applicant's narrative addresses how the proposal meets all applicable code sections and design standards (Attachment 5 — Applicant's Narrative).*



- B. Conditions of Approval. The approval authority may attach such conditions as are necessary to carry out the applicable ordinances and regulations and may require access control strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties. (Ord. 1907 (Attach. 1), 2002)

*Staff has reviewed the application against applicable sections of the Milwaukie Municipal Code. Attachment 1 of the staff report identifies Recommended Findings and Conditions in Support of Approval.*

#### **Section 17.16.060 Preliminary plat for partition and subdivision.**

The following shall accompany applications for partition:

- A. Completed application form signed by all owners of property included in the proposal.  
*The applicant has submitted and signed all required forms.*
- B. Application fee as adopted by the city council.  
*Applicable fees for subdivision and transportation review applications have been paid.*
- C. Completed and signed "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate.  
*The applicant has submitted and signed all required forms.*
- D. All information specified on the "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate.  
*See Attachment 5 — Applicant's Narrative.*
- E. Requirements and information specified in Chapter 17.20.  
*See Attachment 5 — Applicant's Narrative.*
- F. Any additional information as may be needed to demonstrate compliance with approval criteria.  
*See Attachment 5 — Applicant's Narrative.*

#### **Section 17.20.010 Submission of plans.**

Applicants for partition, subdivision, and replat shall prepare a preliminary plat and such improvement plans and other supplemental material including as may be required to describe and represent the objectives of the proposal.

*The applicant has submitted an Existing Conditions Map, Preliminary Plat, Preliminary Development Plan, Preliminary Grading Plan, and Preliminary Utility Plan as required by the Milwaukie Municipal Code.*

#### **Section 17.20.020 Scale.**



The preliminary plat shall be drawn at a scale and on a sheet size that reliably and conveniently represents design details sufficient for the proper plan review and determination of compliance with this title.

*The applicant has submitted full-size plans as well as 11"x17" half-size plans. Sheets in both plan sizes utilize scales of 1" = 20' and 1" = 30'.*

**Section 17.20.030 General information to be shown on the preliminary plat.**

- A. Preliminary plats shall be prepared by an Oregon registered land surveyor.

*An Oregon registered land surveyor prepared the preliminary plat. All information required to be identified on the Preliminary Plat has been included on the attached plans as listed below in Section 17.20.030 (B).*

- B. The following general information shall be submitted with the preliminary plat:

1. Proposed name of the subdivision/partition. The name shall not duplicate nor resemble the name of another subdivision in the county. Subdivision names shall be approved by the county surveyor in accordance with Oregon Revised Statutes Chapter 92;
2. Date, north point, and scale of drawing;
3. Appropriate identification clearly stating the map is a preliminary plat;
4. Location by section, township, and range; and a legal description sufficient to define the location and boundaries of the area to be divided;
5. Surveyor;
6. Acreage;
7. Structures and yard setbacks;
8. The location, width, and purpose of easements;
9. The location, approximate dimensions, and area of all lots;
10. Lot and block numbers; and
11. Other information as maybe specified on application forms and checklists prescribed by the planning director.

- C. Vicinity map shall be drawn at an appropriate scale, showing all existing subdivisions, streets, and unsubdivided land between the proposed subdivision and the nearest existing arterial or collector streets and showing how proposed streets may be extended to

connect with existing streets. At a minimum, the vicinity map shall depict future street connections for land within four hundred (400) feet of the subject property.

*The applicant has submitted a vicinity map showing required information. See Attachment 3 — Applicant's Site Plan.*

**Section 17.20.040 Building lines prohibited.**

Platted building lines are prohibited. The effect of building lines may be executed through recordation of instruments, which shall be referenced on the recorded plat.

*Building lines are not shown on the Preliminary Plat. The Preliminary Development Plan shows the location of the existing residence and possible building footprints based upon setback requirements of the Residential R-7 Zone.*

**Section 17.20.050 Existing conditions.**

*Existing conditions are shown on the applicant's Existing Conditions site plan. The site plan shows the location of existing streets, utilities contours, natural features, and zoning districts. Existing structures that are proposed to be removed have been identified on the Preliminary Development Plan. The applicant has indicated that there are no wetlands, watercourses, floodways, floodplains, or areas containing slopes twenty-five percent or greater on the subject site. See Attachment 3 – Applicant's Site Plan.*

**Section 17.20.060 Proposed conditions.**

*The applicant has addressed proposed condition requirements on the Preliminary Development and Grading and Utility plans. These plans show all proposed improvements including the new street and utilities, setbacks, possible building footprints, and grading for the site. The applicant has included preliminary engineering analysis of the street improvements. The Preliminary Development plan indicates structures to be removed and shows the possible future development of the property adjacent to the proposed new street. The improvements shown on the attached plans will be installed prior to filing of the Final Plat.*

**Section 17.20.080 Filing.**

The subdivider shall, within thirty days, submit the final plat for signatures of other public officials required by law. Approval of the final plat shall be null and void if the plat is not submitted within the time specified or if the plat is not recorded within thirty days after the date the last required signature has been obtained. One copy of the recorded plat shall be supplied to the city.

*As conditioned, the proposal is consistent with MMC Section 17.28.080 – Filing.*

**Section 17.28 Design Standards****Section 17.28.010 Conformity of Subdivision**

*As conditioned, staff believes the proposed subdivision complies with all applicable standards of the Milwaukie Municipal Code.*

**17.28.020 Streets**

*The applicant will dedicate 5 feet of right-of-way along Beckman Avenue and 25 feet along 56<sup>th</sup> Avenue. The applicant will pave and widen 56<sup>th</sup> Avenue to create two travel lanes, providing connectivity between the development site and Waymire Street. The applicant will construct a 6-foot curb-tight sidewalk on Beckman Avenue and 56<sup>th</sup> Avenue consistent with City standards. As conditioned, the proposal complies with 17.28.020.*

**17.28.030 Easements**

*The preliminary plat shows a 15-foot existing sanitary sewer easement along the northern property lines of proposed parcels 1 and 4.*

**17.28.040 General Lot Design**

*The applicant has addressed applicable lot design standards. The proposed lots are rectilinear in shape. The proposed lot lines are perpendicular to existing and proposed streets. Double frontage lots and compound lot line segments are not proposed.*

**17.32 Improvements**

*Staff has reviewed the proposal for consistency with streets, curbs, sidewalks, sanitary sewer, drainage, underground utilities & sewer facilities, street light standards, street signs, and water. As conditioned, staff believes the proposal is consistent with MMC Section 17.32 – Improvements.*

*A detailed stormwater management plan shall be submitted with the final plat application. The report shall detail pre- and post-construction flows in sufficient detail to demonstrate flows into the city storm system. The report shall also detail how run-off from yards will be managed to minimize impacts on adjoining properties. The existing storm system shall be improved such that all storm runoff from impervious surface created from the required street improvements is captured and conveyed to the nearest feasible public storm system.*

*Stubs for utility service connections shall be installed to the property lines to avoid disturbing street improvements.*

*Full engineered plans for all public improvements must be submitted for review and approval before any construction begins. Street design and construction plans shall be prepared in accordance with city standards.*

*Street improvements on 56<sup>th</sup> Avenue shall be constructed fronting the proposed development. The street improvements include a 32-foot-wide paved street with 6-inch standard curb and 6-foot curb-tight sidewalk. Street improvements on the east side of 56<sup>th</sup> Avenue shall be extended from the proposed development to Waymire Street. The street improvements include a 32-foot-wide paved street with 6-inch standard curb on the east side of 56<sup>th</sup> Avenue. A six-foot-wide curb-tight sidewalk shall be constructed on Beckman Avenue fronting the proposed development.*

**Section 17.40.010 Environmental protection.**

*The property is not designated as a water quality resource property and is not subject to environmental protection standards.*

**Section 17.44.010 Variance.**

A variance of any provision of this title may only be granted in accordance with Chapter 19.700.

*The proposed 4-lot subdivision does not require approval of any variances.*

**MMC Section 1400 Transportation Planning Design Standards and Procedures.**

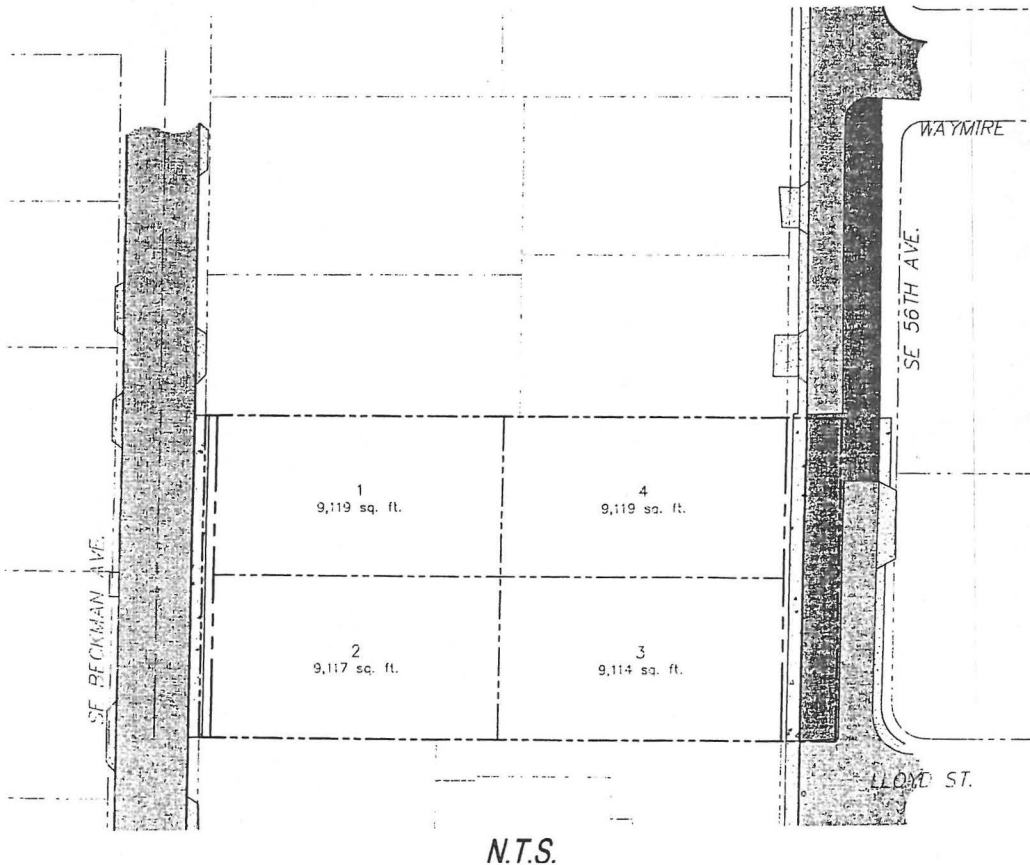
MMC Chapter 19.1400 applies to subdivisions. The proposed development is a 4-lot subdivision. The Engineering Department finds that MMC Chapter 19.1400 applies to the proposed development.

*See Attachment 4 — Engineering Director Memorandum.*

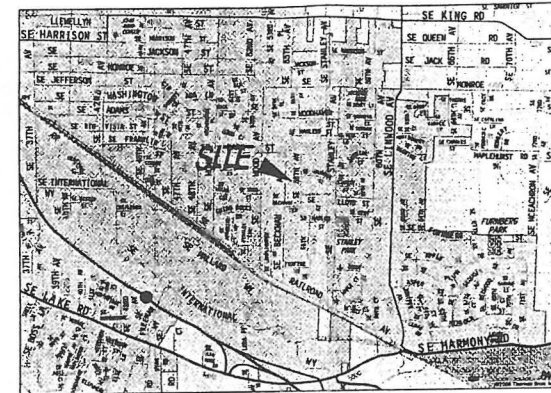
# BECKMAN AVENUE SUBDIVISION

## DRAWINGS:

1. COVER SHEET / VICINITY MAP / INDEX OF DRAWINGS
2. PRELIMINARY PLAT
3. EXISTING CONDITIONS PLAN
4. PRELIMINARY UTILITY PLAN
5. GRADING/EROSION CONTROL



## VICINITY MAP



N.T.S.

APPLICANT: J.T. CONSTRUCTION, LLC  
ATTENTION: JOHN WALKER  
2508 SE BECKMAN AVENUE  
REDMOND, OR 97756

APPLICANTS REPRESENTATIVE: WB WELLS AND ASSOCIATES  
ATTENTION: MARK PERSON  
4230 NE FREMONT STREET  
PORTLAND, OR 97213

SITE ADDRESS: 11598 SE BECKMAN AVENUE

PROPOSAL: 4-LOT SUBDIVISION

LAND USE: R-7

SIZE: 0.93 ACRES

TOPOGRAPHY: FIELD SURVEY BY WB WELLS & ASSOCIATES

LEGAL DESCRIPTION: TAX LOT 5400, MAP 1S 2E 31 AC

SANITARY SEWER: CITY OF MILWAUKIE

FIRE: CITY OF MILWAUKIE

WATER: CITY OF MILWAUKIE



COVER SHEET  
BECKMAN SUBDIVISION  
FOR  
J.T. WALKER CONSTRUCTION  
CITY OF MILWAUKIE, OREGON

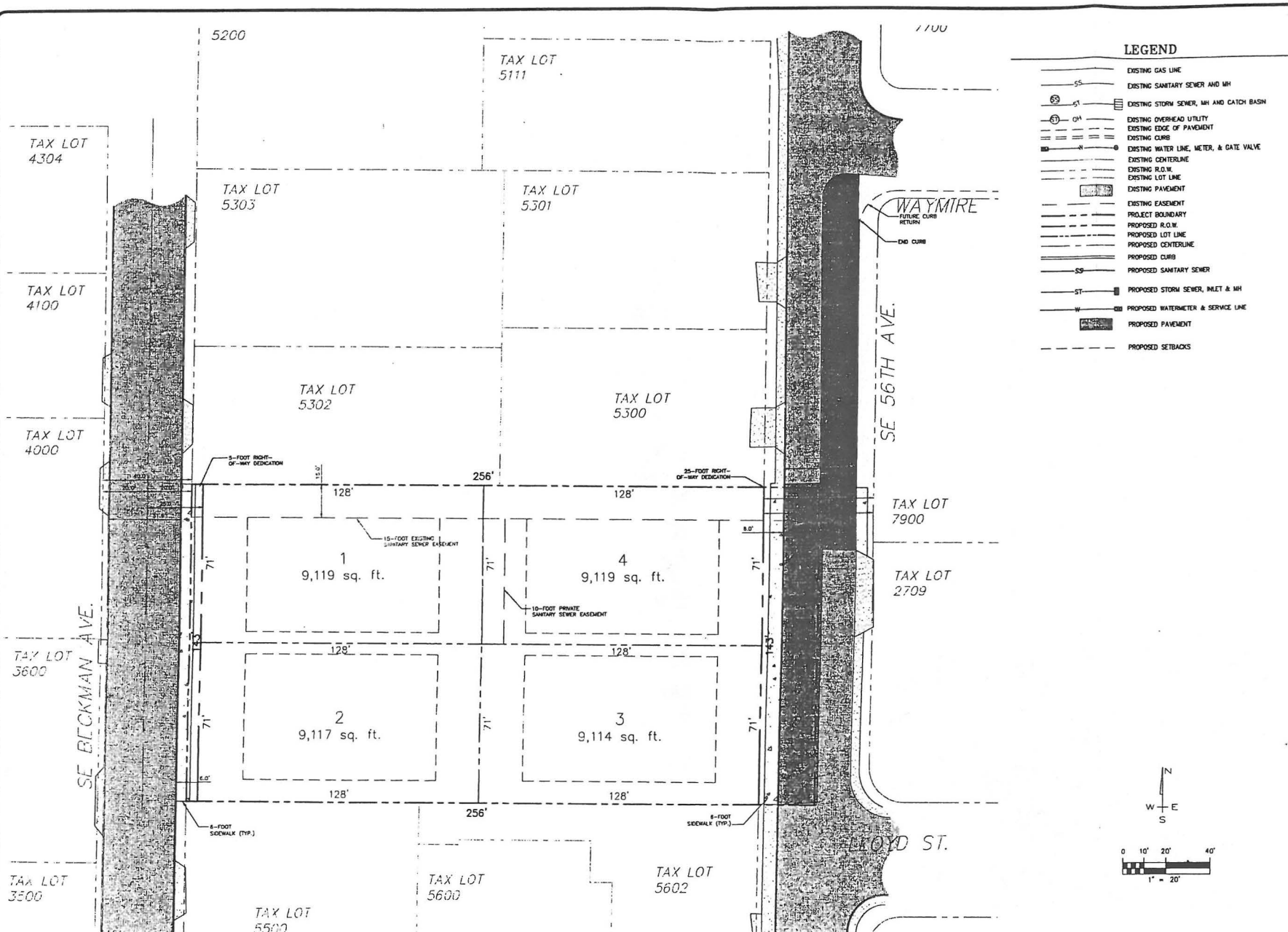


J.T. WALKER CONST.  
Attn: John Walker  
2508 SE 35th Court  
Redmond, OR 97756  
503-564-5932























## REVISIONS:

DESIGNED BY:  
DRAWN BY: M.D.P.  
CHECKED BY:  
FILE D:05-000-ENG-DWG  
PLOT DATE: mm-dd-yy  
JOB NO: 05-351  
© 2005 M.D.P. 2005

SHEET 1 OF 5



# LEGEND

	EXISTING GAS LINE
	EXISTING SANITARY SEWER AND MH
	EXISTING STORM SEWER, MH AND CATCH BASIN
	EXISTING OVERHEAD UTILITY
	EXISTING EDGE OF PAVEMENT
	EXISTING CURB
	EXISTING WATER LINE, METER, & GATE VALVE
	EXISTING CENTERLINE
	EXISTING R.O.W.
	EXISTING LOT LINE
	EXISTING PAVEMENT
	EXISTING EASEMENT
	PROJECT BOUNDARY
	PROPOSED R.O.W.
	PROPOSED LOT LINE
	PROPOSED CENTERLINE
	PROPOSED CURB
	PROPOSED SANITARY SEWER
	PROPOSED STORM SEWER, INLET & MH
	PROPOSED WATERMETER & SERVICE LINE
	PROPOSED PAVEMENT
	PROPOSED SETBACKS

**W.B. WELLS**  
 & Associates, Inc.  
 ENGINEERS-SURVEYORS-PLANNERS  
 4230 NE FREEMONT STREET  
 PORTLAND, OREGON 97213  
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 e-mail address: info@wbwells.com



PRELIMINARY PLAT  
BECKMAN SUBDIVISION

FOR

J.T. WALKER CONSTRUCTION  
CITY OF MILWAUKEE, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Thomas P. Beilan*  
OREGON  
JULY 17, 1984  
THOMAS P. BEILAN  
# 2084  
EXP. 12-31-07

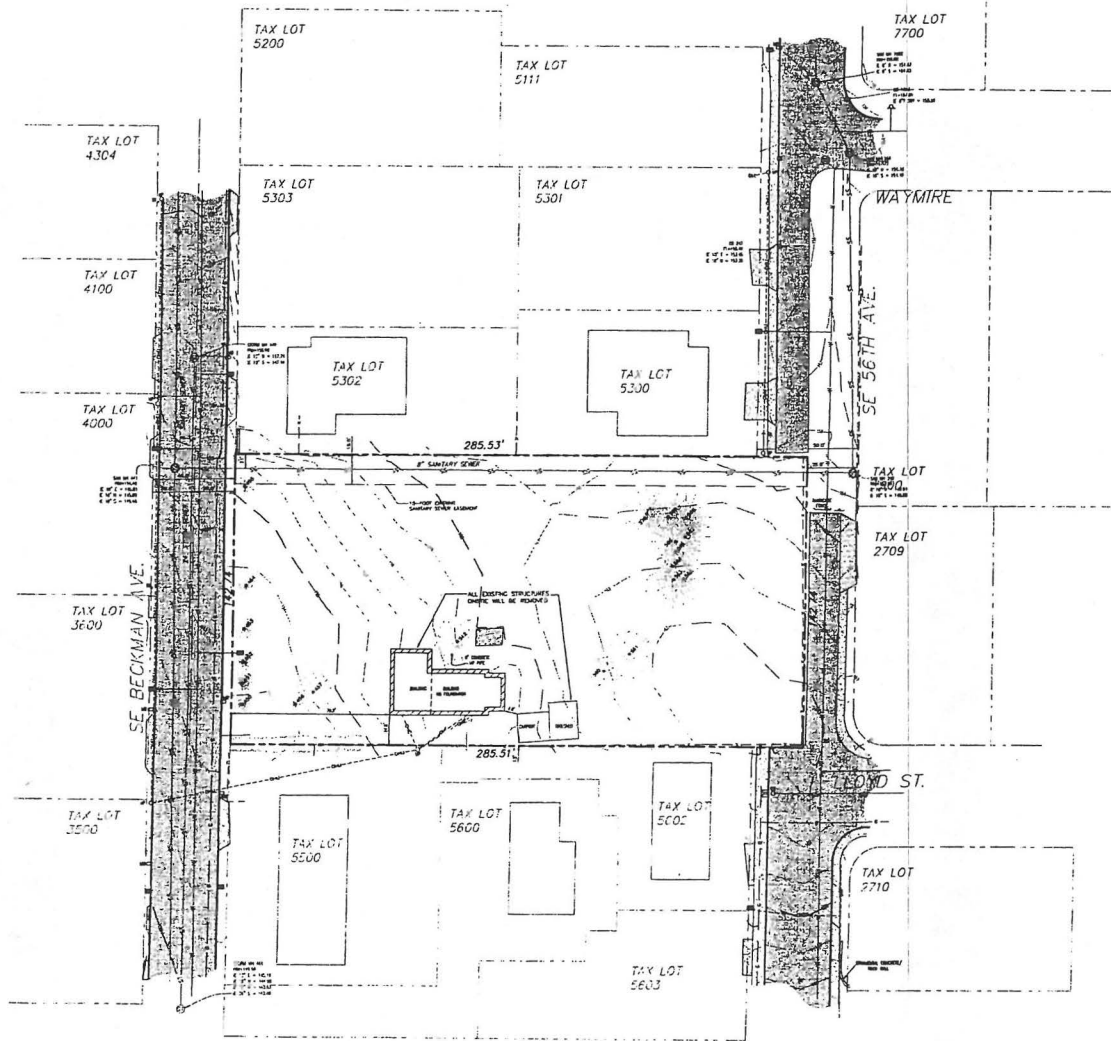
**JT WALKER CONST.**  
Attn: John Walker  
2508 SW 35th Court  
Redmond, OR 97756  
503-504-5932

REVISIONS:

DESIGNED BY:	
DRAWN BY:	M.D.P.
CHECKED BY:	
FILE ID:	05-000-ENG-.DW
PLOT DATE:	mm-dd-yy
JOB NO:	05-351

SHEET 2 OF 5





**PROPOSED**

- CS PROPOSED SANITARY SEWER
- PROPOSED SANITARY MH
- ST PROPOSED STORM SEWER
- PROPOSED STORM MH
- PROPOSED CATCH BASIN
- W PROPOSED WATER LINE
- W PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED WATER METER
- PROPOSED CENTER LINE
- PROPOSED CURB
- BOUNDARY
- PROPOSED POLE W/ LIGHT
- PROPOSED CONCRETE
- PROPOSED SAND FILTER OR FLOW-THRU PLANTER
- PROPOSED LOTLINE

**EXISTING**

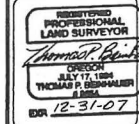
- EXISTING SANITARY SEWER
- EXISTING SANITARY MH
- EXISTING STORM SEWER
- EXISTING STORM MH
- EXISTING CATCH BASIN
- W EXISTING WATER LINE
- W EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING CENTER LINE
- EXISTING CURB
- EXISTING BOUNDARY
- EXISTING POLE W/ LIGHT
- EXISTING CONCRETE
- CONCRETE TO BE REMOVED
- EXISTING LOTLINE
- 123.45 EXISTING SPOT ELEVATION
- WOOD FENCE
- WIRE FENCE
- OVER HEAD UTILITY TO BE REMOVED
- EXISTING TREE
- TREE TO BE REMOVED
- SHRUBS TO BE REMOVED

N  
W E  
S

TREE TABLE			
NO.	TRUNK SIZE	TYPE	Ø DRIP
450	8"	CONIFER	10'
451	8"	CONIFER	10'
452	8"	CONIFER	10'
456	8"	CONIFER	10'
454	8"	CONIFER	10'
455	8"	CONIFER	10'
456	6"	CONIFER	10'
457	12"-14"	DECIDUOUS	25'
512		DECIDUOUS	25'
560	8"	DECIDUOUS	15'
561	10"-11"	DECIDUOUS	10'
562	13"	CONIFER	30'
563	18"	CONIFER	30'
564	14"	CONIFER	25'
565	12"	CONIFER	25'
566	11"	CONIFER	25'
567	13"	CONIFER	25'
568	12"	CONIFER	25'
569	12"	CONIFER	25'
570	13"	CONIFER	25'



**EXISTING CONDITIONS**  
**BECKMAN SUBDIVISION**  
 FOR  
**J.T. WALKER CONSTRUCTION**  
 CITY OF MILWAUKIE, OREGON



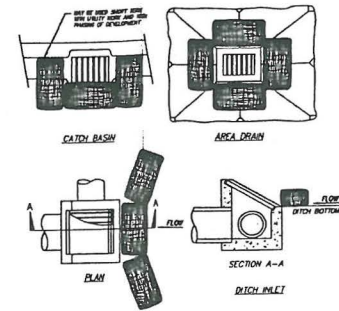
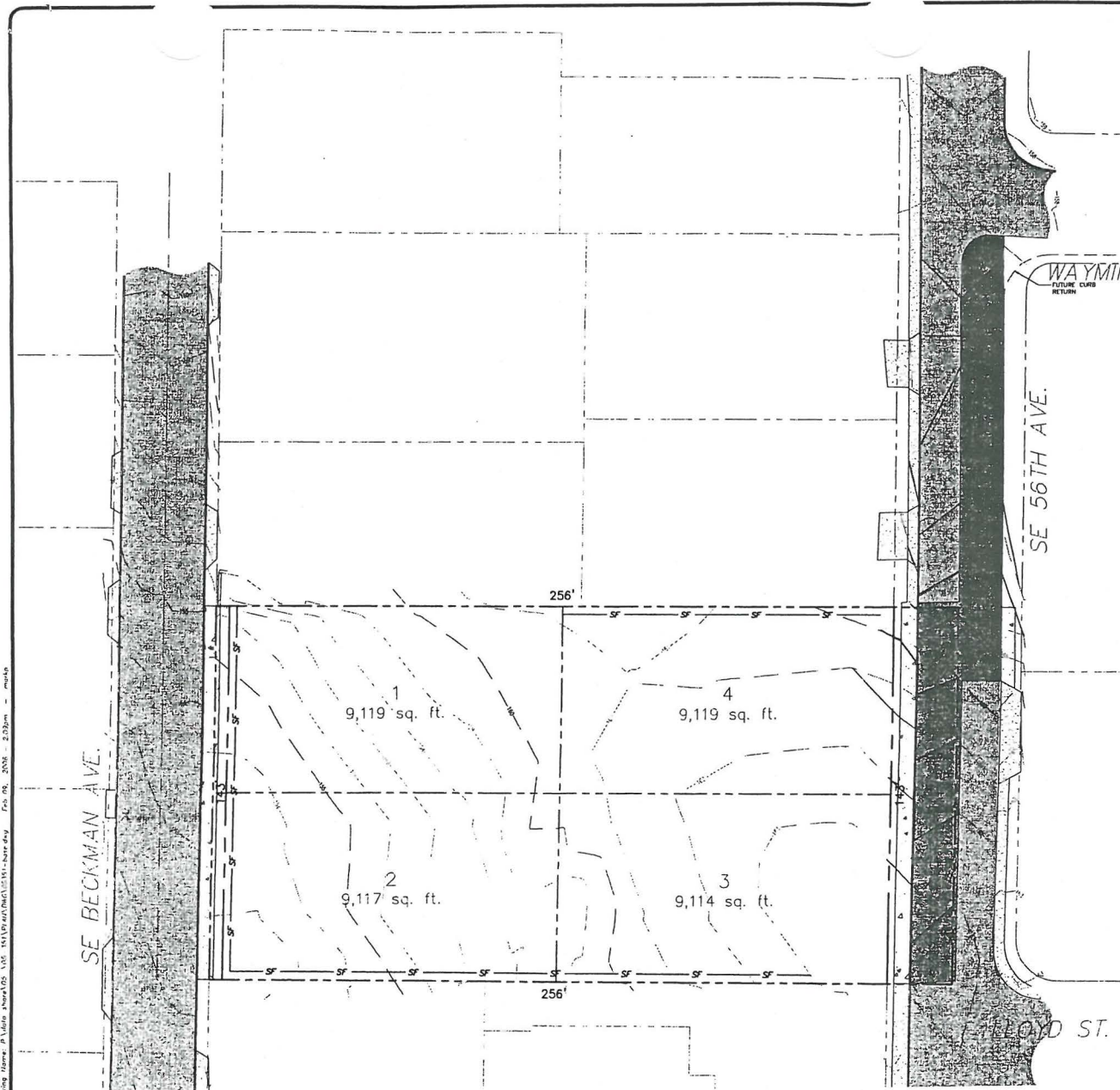
**JT WALKER CONST.**  
 Attn: John Walker  
 2500 SW 35th Court  
 Redmond, OR 97758  
 503-544-5932

REVISIONS:

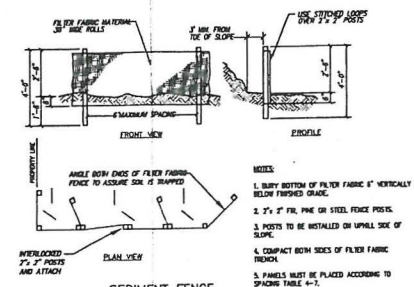

DESIGNED BY: \_\_\_\_\_  
 DRAWN BY: M.D.P.  
 CHECKED BY: \_\_\_\_\_  
 FILE ID: 05-000-ENG-DMC  
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 JOB NO: 05-351  
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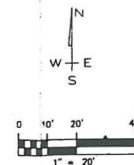


TEMPORARY BIOFILTER BAGS  
SCALE: NTS



- NOTES:
1. BURY BOTTOM OF FILTER FABRIC 8" VERTICALLY BELOW FINISHED GRADE.
  2. 2" x 2" FIB. PINE OR STEEL FENCE POSTS.
  3. POSTS TO BE INSTALLED ON UPHILL SIDE OF SLOPE.
  4. COMPACT BOTH SIDES OF FILTER FABRIC TRENCH.
  5. PANELS MUST BE PLACED ACCORDING TO SPACING TABLE 4-7.

A diagram showing a horizontal line representing a silt fence, labeled "SF" and "SILT FENCE". Below the line, there is a circular symbol representing a proposed inlet protection, labeled "PROPOSED INLET PROTECTION".



GRADING/EROSION CONTROL  
BECKMAN SUBDIVISION

FOR  
J.T. WALKER CONSTRUCTION  
CITY OF MILWAUKIE, OREGON



**JT WALKER CONST.**  
Attn: John Walker  
2500 SW 35th Court  
Redmond, OR 97758  
503-504-5932

REVISIONS:

DESIGNED BY:	
DRAWN BY:	M.D.P.
CHECKED BY:	
FILE ID:	05-000-ENG-.DWG
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JOB NO:	05-351
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SHEET 5 OF 5

**MEMORANDUM**

**TO:** Community Development Department  
**THROUGH:** Paul Shirey, Director of Engineering  
**FROM:** Zach Weigel, Civil Engineer  
**RE:** 4-Lot Subdivision – 11598 SE Beckman Avenue  
S-06-01 and TPR-06-02  
**DATE:** March 7, 2006

Subdivide an existing parcel into 4 lots and construct public frontage improvements.

1. MMC Chapter 17.32 - Improvements

The Planning Commission finds that the proposed development, as conditioned, complies with Chapter 17.32.

2. MMC Chapter 19.1400 - Transportation

The Planning Commission finds that the following complies with applicable criteria of MMC Chapter 19.1400.

- a. MMC Chapter 19.1400 applies to subdivisions, except as limited by MMC subsection 19.1403.1.

The proposed development is a 4-lot subdivision. Subdivisions are not limited by MMC subsection 19.1403.1

The Planning Commission finds that MMC Chapter 19.1400 applies to the proposed development.

- b. MMC Section 19.1404 authorizes the Engineering Director to approve adjustments to transportation facility design standards.

The applicant requests an adjustment to eliminate the landscape strip on SE Beckman Avenue and SE 56<sup>TH</sup> Avenue. MMC Table 19.1409.3 requires a 5-foot planter strip on local streets. Both SE Beckman Avenue and SE 56<sup>TH</sup> Avenue are local streets.

The Planning Commission approved the adjustment request upon finding the following:

1. Elimination of the planter strip meets the minimum dimensions of MMC Table 19.1409.3. The adjustment is consistent with the purposes of Chapter 19.1400 and the Milwaukie Transportation System Plan.
2. The properties adjacent to the proposed development lack adequate room to construct a planter strip because the existing

right-of-way is less than local street standards. The adjacent properties are fully developed. Any additional right-of-way to extend landscape strip improvements requires volunteered dedication of property or purchase of right-of-way by the City. Strict compliance with the required landscape strip width is not feasible due to the right-of-way limitations adjacent to the proposed development.

- c. MMC Section 19.1405.5 establishes approval criteria for transportation review applications and ensure impacts are mitigated.

MMC Section 19.1407 requires streets, sidewalks, and transportation facilities to be safe, convenient, and adequate to accommodate the impacts of new development.

The proposed development will create unsafe transportation conditions without construction of offsite street improvements on SE 56<sup>TH</sup> Avenue. Currently, SE 56<sup>TH</sup> Avenue is not open to through traffic due to lack of street improvements.

The proposed development frontage improvements will connect the once closed end street systems on SE 56<sup>TH</sup> Avenue, just north of the proposed development. This connecting half street consists of a 15-foot wide paved roadway between the north limits of the proposed development and SE Waymire Street. The half street is less than two travel lanes in width and will create an unsafe traffic condition.

The applicant proposes to widen the connecting half street on SE 56<sup>TH</sup> Avenue to full local street width requirements to mitigate the unsafe traffic conditions. The street section will consist of two 10-foot travel lanes with 6-foot parking strips and 6-inch curbs on each side of the roadway.

The Planning Commission finds that the proposed development will not result in hazardous or unsafe transportation conditions or unacceptable level of service impacts that cannot be mitigated.

- d. MMC Section 19.1408 requires submission of a transportation impact analysis documenting the development impacts on the surrounding transportation system.

The proposed development did not score the 100 points necessary to require a transportation impact analysis in accordance with the Transportation Design Manual. As a result, a transportation impact analysis is not required with this application.

- e. MMC Section 19.1409 establishes standards for street design and improvement.

The applicant is proposing a 5-foot right-of-way dedication and 6-foot curb tight sidewalk on SE Beckman Avenue fronting the proposed development.

The Planning Commission has approved an adjustment authorizing elimination of the landscape strip requirement on SE Beckman Avenue.



The applicant is proposing a 25-foot right-of-way dedication and half street improvement on the west side of SE 56<sup>TH</sup> Avenue fronting the proposed development. The half street improvement includes a 10-foot travel lane, 6-foot parking strip, 6-inch curb, and 6-foot curb tight sidewalk.

The Planning Commission has approved an adjustment authorizing elimination of the landscape strip requirement on the west side of SE 56<sup>TH</sup> Avenue.

Currently, SE 56<sup>TH</sup> Avenue is an unimproved road with no through access. The proposed development creates a paved through street less than 20 feet in width. A barricade is required to prevent the through movement.

The proposed development will create a closed end street system serving more than 20 dwellings.

A half-street improvement on SE 56<sup>TH</sup> Avenue is not acceptable because the property opposite of the proposed development cannot reasonably develop further.

The applicant is proposing offsite improvements on the east side of SE 56<sup>th</sup> Avenue along the entire fronting portion of 5604 SE Waymire Street to make the transportation system serving the site adequate. The half street improvement includes a 10-foot travel lane, 6-foot parking strip, and 6-inch curb.

The Planning Commission finds that the proposed offsite improvements are proportional to the impacts of the development. The street improvements that would normally be required on SE Beckman Avenue are being constructed on SE 56<sup>TH</sup> Avenue, close to the proposed development. The majority of the trips using the offsite site improvements will be generated by the proposed development.

- f. MMC Section 19.1410 establishes standards for pedestrian facilities.

The applicant will construct all new sidewalk and driveway approaches on SE Beckman Avenue and SE 56<sup>TH</sup> Avenue fronting the proposed development to meet the current requirements of the Americans with Disabilities Act.

The Planning Commission finds that the proposed development, as conditioned, is consistent with MMC Section 19.1410.

- g. MMC Section 19.1411 establishes standards for bicycle facilities.

The portions of SE Beckman Avenue and SE 56<sup>TH</sup> Avenue fronting the proposed development are not classified as bike routes in the Transportation System Plan. As a result, bike lane improvements as part of the proposed development are not required.

The Planning Commission finds that the proposed development is consistent with MMC Section 19.1411.

- h. MMC Section 19.1412 establishes standards for transit facilities.

The portions of SE Beckman Avenue and SE 56<sup>TH</sup> Avenue fronting the proposed development are not classified as transit routes in the Transportation System Plan. As a result, transit improvements as part of the proposed development are not required.

The Planning Commission finds that the proposed development is consistent with MMC Section 19.1412.

- i. MMC Section 19.1413 establishes standards for access management.

The driveway approach must be 7.5 feet from the property line.

The allowed driveway approach width for single-family residential uses is between 9 feet and 18 feet.

The Planning Commission finds that the proposed development, as conditioned, is consistent with MMC Section 19.1413.

3. Milwaukie Municipal Code requires erosion controls to be installed prior to earth disturbing activities. A condition of approval has been recommended to ensure compliance with this requirement.

### **Recommended Conditions of Approval**

1. Prior to approval of the final plat and issuance of any building permits the following shall be resolved:
  - a. Submit full-engineered plans for all public improvements to the City of Milwaukie Planning Department for review and approval.
  - b. Pay an inspection fee equal to 5.5% of the cost of the public improvements.
  - c. Provide a payment and performance bond for 100 percent of the cost of the public improvements prior to the start of construction.
  - d. Provide an erosion control plan and obtain an erosion control permit.
  - e. Dedicate 5 feet of right-of-way on SE Beckman Avenue fronting the proposed development.
  - f. Dedicate 25 feet of right-of-way on SE 56<sup>TH</sup> Avenue fronting the proposed development.
  - g. Install all underground utilities prior to surfacing streets as follows:
    - i. Extend stubs for utility service connections to the property lines to avoid disturbing street improvements.
    - ii. Improve existing storm system such that all storm runoff from impervious surface created from the required street improvements is captured and conveyed to the nearest feasible public storm system.
  - h. Construct all required street improvements as follows:
    - i. Construct street improvements on SE 56<sup>TH</sup> Avenue fronting the proposed development. The street improvements include a 32-foot



wide paved street with 6-inch standard curb, and 6-foot curb tight sidewalk fronting the proposed development.

- ii. Extend street improvements on the east side of SE 56<sup>TH</sup> Avenue from the proposed development to SE Waymire Street. The street improvements include a 32-foot wide paved street with 6-inch standard curb on the east side of SE 56<sup>TH</sup> Avenue.
  - i. The City of Milwaukie shall install all street signs, relative to traffic control and street names. The applicant shall be responsible for the costs of all street signing for the proposed development. Necessary street signage shall be determined as part of the public improvements design review.
2. Prior to final inspection for any building the following shall be resolved:
  - a. Submit approved public improvement Mylar "As Constructed" plans to the City of Milwaukie Planning Department.
  - b. Construct 6-foot wide curb tight sidewalk on SE Beckman Avenue fronting the proposed development.
  - c. Construct 6-foot wide curb tight sidewalk on SE 56<sup>TH</sup> Avenue fronting the proposed development.
3. Other requirements.
  - a. Construct all public improvements to City of Milwaukie standards for construction.
  - b. Construct sidewalk and driveway approaches to meet all applicable guidelines of the Americans with Disabilities Act.
  - c. Construct driveway approaches 7.5 feet from the property line.
  - d. All driveway approaches for the proposed development are to be between 9 feet and 18 feet in width.

# **Subdivision Application**

**For**

## **Beckman Subdivision**

**4-Lot Single-Family Subdivision**

**11598 SE Beckman Avenue**

**Presented to the City of Milwaukie Community Development  
Department**

**Applicant:**

**J.T. Walker Construction, LLC**

**Attn: John Walker**

**2508 SW 35th Court**

**Redmond, OR 97756**

**Representative:**

**WB Wells & Associates, Inc.**

**February 2006**

## BECKMAN AVENUE SUBDIVISION

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V.	DEVELOPMENT STANDARDS
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	• 19.302 - Residential Zone R-7
	• 19.1011.3 - Minor Quasi-Judicial Review
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	MILWAUKIE LAND DIVISION ORDINANCE:
	• 17.12 - Application Procedure and Approval Criteria
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	• 17.28 - Design Standards
	• 17.32 - Improvements

### Additional Materials

Application Form

Pre-Application Notes

Ownership Information

Preliminary Plat Checklist

Submission Requirements

Tax Map

DRAWINGS: Cover Sheet

Preliminary Plat

Existing Conditions Plan

Preliminary Utility Plan

Grading and Erosion Control Plan

## **I. PROJECT DATA**

**APPLICATION:** 4-Lot Single-Family Subdivision

**ZONING:** R-7 Zone

**ACREAGE:** 0.93 Acres

**LOCATION:** 11598 SE Beckman Avenue

**REPRESENTATIVE :** W.B. Wells & Associates, Inc.  
Attn: Mark Person  
4230 N.E. Fremont Street  
Portland, OR 97213  
503-284-5896

**APPLICANT/OWNER:** J.T. Walker Construction, LLC  
Attn: John Walker  
2508 SW 35th Court  
Redmond, OR 97756

**LEGAL:** Tax Lot 5400, Map 1S 2E 31AC

**NEIGHBORHOOD:** Linwood

## **II. INTRODUCTION**

The applicant requests preliminary approval for a 4-lot single-family subdivision at 11598 SE Beckman Avenue. The site is approximately 0.93 acres in size and is zoned R-7 within the City of Milwaukie. The site is described as Tax Lot 5400, Tax Map 1S 2E 31AC. There is an existing dwelling that will be removed sometime after preliminary approval. The subject site fronts on SE Beckman Avenue to the west and SE 56th Avenue to the east. This application will demonstrate that the proposed subdivision complies with the applicable policies and regulations of the City of Milwaukie Development Code.

## **III. PROJECT DESCRIPTION**

The applicant is proposing a 4-lot single-family subdivision. Two of the proposed lots will face SE Beckman Avenue to the west and two lots will face SE 56th Avenue to the east. A 6-foot sidewalk will be constructed along SE Beckman to the west. On the east, the applicant will dedicate 25 feet of right-of-way to improve SE 56th Avenue to City of Milwaukie Standards. Improvements on SE 56th will include 32 feet of pavement and curb tight 6-foot sidewalk. SE 56th Avenue will be improved offsite to the north to the intersection of SE Waymire Street as shown on the attached preliminary development plans.

## CITY OF MILWAUKIE LAND DIVISION ORDINANCE

CHAPTER 17.12 APPLICATION PROCEDURE AND APPROVAL CRITERIA

## A. Approval Criteria

1. The proposed preliminary plat complies with Title 19 of this code and other applicable ordinances, regulations and design standards.

**RESPONSE:**

*As described in this narrative and shown on the preliminary development plans (attached), this application has addressed and meets the applicable standards of Titles 17 and 19 of the City of Code.*

2. The proposed subdivision will allow reasonable development and will not create the need for a variance of any land division or zoning standard.

**RESPONSE:**

*The proposed subdivision will meet the criteria of this code; no variance is requested at this time. The adjoining property around this site is developed.*

3. The proposed plat name is not duplicative and the plat otherwise satisfies the provisions of Oregon Revised Statutes 92.090(1).

**RESPONSE:**

*The proposed preliminary plat has been prepared by a licensed surveyor in accordance with Oregon State Law. The proposed subdivision name is Beckman Subdivision.*

4. The streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street or road pattern.

**RESPONSE:**

*No new streets or roads are proposed as part of this application. This application will only improve existing streets. Two proposed lots will front towards SE Beckman to the west and two lots will front towards 56th Avenue to the east.*

5. A detailed narrative description demonstrating how the proposal conforms to all applicable code sections and design standards.

**RESPONSE:**

*This narrative addresses how the proposed subdivision conforms to all the applicable code sections and design standards.*

**CHAPTER 17.16 APPLICATION REQUIREMENTS AND PROCEDURES****17.16.060: Preliminary Plat for Partition and Subdivision**

- A. Completed application form signed by all owners of the property included in the proposal

**RESPONSE:**

*The applicant is proposing a 4-lot subdivision. A subdivision application form has been included with this submittal that has been signed by the owner of the property.*

- B. Application fee as adopted by the City Council

**RESPONSE:**

*Application fees for the Subdivision have been submitted with this application.*

- C. Completed and signed "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate;

**RESPONSE:**

*Completed and signed copies of the submission requirements sheet and subdivision checklist have been included with this submittal.*

- D. All information specified on the "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate;

**RESPONSE:**

*This narrative, in coordination with the attached development plans, satisfies all of the applicable information specified on the submission requirements and subdivision checklist forms.*

- E. Requirements and information specified in Chapter 17.20; and

**RESPONSE:**

*The applicable requirements of Chapter 17.20 are addressed within this narrative, below.*

- F. Any additional information may be needed to demonstrate compliance with approval criteria.

**RESPONSE:**

*A copy of the pre-application conference report has been included with this submittal.*

**CHAPTER 17.20 PRELIMINARY PLAT****17.20.010: Submission of Plans****RESPONSE:**



*Included with this submittal are a Preliminary Plat, an Existing Conditions Plan, a Preliminary Grading and Erosion Control Plan and a Preliminary Utility Plan.*

**17.20.020: Scale****RESPONSE:**

*Included with this submittal are full-size plans to a recognized scale in addition to half size plans.*

**17.20.030: General Information to be Shown on the Preliminary Plat****RESPONSE:**

*The preliminary plat has been prepared and stamped by an Oregon registered land surveyor. All of the necessary information has been shown on the preliminary development plans.*

**17.20.040: Building Lines Prohibited****RESPONSE:**

*No building lines are shown on the Preliminary Plat. The preliminary development plans show the possible building envelopes based upon the setback requirements of the R-7 Zone.*

**17.20.050: Existing Conditions****RESPONSE:**

*An Existing Conditions Plan is included with the preliminary development plan set. The Existing Conditions Plan shows existing streets, utilities, contours, natural features and zoning districts. Existing structures to be removed are shown on the preliminary development plans. There are no wetlands, watercourses, floodways, floodplains, or areas of slopes greater than 25% on site.*

**17.20.060: Proposed Conditions****RESPONSE:**

*As described within this narrative and shown on the preliminary development plans, the applicant is proposing a 4-lot subdivision with associated public improvements. There is an existing home onsite that will be removed after preliminary approval. The improvements shown on the preliminary plans will be constructed or bonded for prior to Final Plat approval and prior to the issuance of building permits.*

**CHAPTER 17.28      DESIGN STANDARDS****17.28.010: Conformity of Subdivision****RESPONSE:**

*As demonstrated by this narrative and the attached preliminary development plans, the proposed 4-lot single-family subdivision conforms to the applicable City Codes.*

**17.28.020: Streets****RESPONSE:**

*The proposed 4-lot subdivision has frontage along two streets. SE Beckman Avenue to the west of the site is improved with curbs along both sides and currently has a 40-foot right-of-way. As part of this application 5 feet of additional right-of-way and a 6 foot sidewalk will be constructed along the site's frontage of Beckman. The applicant is seeking an adjustment to remove the required landscape strip. The adjustment criteria are addressed within this narrative, below.*

*SE 56th Avenue to the east is a half street. As part of this application, SE 56th Avenue will be improved to a full street along the site's frontage. Twenty-five feet of additional right-of-way will be dedicated to SE 56th Avenue along the site's eastern boundary. The pavement along 56th will be widened to 32 feet and a 6-foot curb-tight sidewalk will be constructed. As required by the City of Milwaukie, 32 feet of pavement for SE 56th Avenue will be constructed from the site's south property line, north to the intersection of Waymire Street.*

**17.28.030: Easements****RESPONSE:**

*There is an existing sanitary sewer easement that runs across the north property line of the site as shown on the preliminary development plans. The applicant is proposing a 10-foot private sanitary sewer easement along the back of proposed lot 4. This easement is necessary to provide sanitary sewer to proposed lot 3.*

**17.28.040: General Lot Design****RESPONSE:**

*All of the applicable lot design standards are addressed under Title 19, below. As shown on the preliminary development plans and as described within this narrative, two proposed lots will front on SE Beckman to the west and two proposed lots will front on SE 56th Avenue to the east. The lots are rectilinear in shape, lot lines are perpendicular and there are no double-fronted or compound lot lines.*

**CHAPTER 17.32 IMPROVEMENTS****17.32.020: Required Improvements****A. Streets****RESPONSE:**

*As described above, the proposed subdivision includes the completion of a half-street for SE 56th Avenue with offsite improvements and the construction of a sidewalk along the site's frontage on SE Beckman Avenue. The applicant proposes to construct a 32 foot wide paved road for SE 56th Avenue with curb and sidewalk. The 32 feet of pavement will extend north to Waymire Street as required by the City of Milwaukie. The sidewalk along SE 56th Avenue will be curb tight. An adjustment request to eliminate the landscape strip along 56th Avenue is included with this application.*

**B. Curbs****RESPONSE:**

*As shown on the attached plans, there are existing curbs along SE Beckman Avenue and the applicant is proposing to place curbs along both sides of SE 56th Avenue in accordance with City Standards.*

**C. Sidewalks****RESPONSE:**

*As shown on the preliminary development plans, the applicant is proposing a 6-foot sidewalk along SE Beckman Avenue and 6-foot curb tight sidewalk along the site's frontage of SE 56th Avenue.*

**D. Sanitary Sewers****RESPONSE:**

*There is an existing 8 inch sanitary sewer line that runs across the northern property line of the site. This sewer line will serve proposed lots 1, 3 and 4. Proposed lot 2 will have sanitary sewer service from an existing sewer line within Beckman Avenue. Sanitary sewer services are depicted on the preliminary development plans included with this submittal.*

**E. Drainage****RESPONSE:**

*No change in drainage will occur on SE Beckman Avenue. A new catch basin will be installed as shown on the preliminary utility plan on SE 56th Avenue. Individual lot drainage will be addressed at the time of building permits.*

**F. Underground Utility and Service Facilities****RESPONSE:**

*As required and shown on the preliminary development plans, all proposed utilities will be placed underground as required by the City of Milwaukee.*

**G. Street Light Standards****RESPONSE:**

*As required, street lights for streets will be developed according to City Standards. Further information on street lights will be provided at the time of building permit.*

**H. Street Signs****RESPONSE:**

*No street signs are proposed as part of this development application.*

**I. Monuments**

**RESPONSE:**

*As required, monuments will be installed at the proper locations by an Oregon licensed surveyor.*

**J. Water****RESPONSE:**

*There is currently existing water in both SE Beckman Avenue and SE 56th Avenue. The proposed lots will tap into those existing services as shown on the preliminary utility plan. Proposed lot 1 will utilize the existing water meter as shown on the preliminary development plans.*

**CITY OF MILWAUKIE ZONING ORDINANCE****CHAPTER 19.300 USE ZONES****SECTION 19.302: RESIDENTIAL ZONE R-7****19.302.3: Standards**

- A. Lot Size:** Lot area shall be at least seven thousand (7,000) square feet. For a single-family attached complex the lot shall be an average of at least seven thousand (7,000) square feet per unit. Lot width shall be at least sixty (60) feet. The minimum lot width shall be thirty (30) feet for the interior single-family attached units. Average lot depth shall be at least eight (80) feet.

**RESPONSE:**

*As shown on the attached preliminary development plans, each of the proposed lots is greater than 7,000 square feet in size, wider than 60 feet and has a lot depth of at least 80 feet.*

<b>TABLE 1</b>		
	<b>Required</b>	<b>Proposed</b>
Lot 1 Area	7,000 SF	9,119 SF
Lot 1 Width	60 ft.	71 ft.
Lot 1 Depth	80 ft.	128 ft.
Lot 2 Area	7,000 SF	9,117 SF
Lot 2 Width	60 ft.	71 ft.
Lot 2 Depth	80 ft.	128 ft.
Lot 3 Area	7,000 SF	9,114 SF
Lot 3 Width	60 ft.	71 ft.
Lot 3 Depth	80 ft.	128 ft.
Lot 4 Area	7,000 SF	9,119 SF
Lot 4 Width	60 ft.	71 ft.
Lot 4 Depth	80 ft.	128 ft.

- B. Front Yard:** A front yard shall be at least twenty (20) feet.

- C. **Side Yard:** A side yard shall be at least five (5) feet and one side shall be at least ten (10) feet, except on corner lots a side yard shall be at least twenty (20) feet on the side abutting a street. For interior single-family attached units, side yards are not required.
- D. **Rear Yard:** A rear yard shall be at least twenty (20) feet.

**RESPONSE:**

*Yard setbacks are shown on the preliminary development plans. All of the proposed lots will meet the minimum setback requirements.*

- F. **Off-Street Parking and Loading:** As specified in Chapter 19.500.
- G. **Height Restriction:** Maximum height of a structure shall be two and one-half (2 1/2) stories or thirty-five (35) feet, whichever is less.

**RESPONSE:**

*The future dwellings will meet the height restrictions of this zone and be under 2.5 stories or 35 feet.*

- H. **Lot Coverage:** Maximum area that may be covered by the dwelling structure and accessory buildings shall not exceed thirty percent (30%) of the total area of the lot.

**RESPONSE:**

*The proposed houses will not exceed thirty percent of the total lot area.*

- I. **Minimum Vegetation:** Minimum area that must be left or planted in trees, grass, shrubs, barkdust for planting beds, etc will be thirty percent (30%) of the total area of the lot.

**RESPONSE:**

*Minimum vegetation of 30% will be maintained on each developed lot.*

- J. **Frontage Requirements:** Every lot shall abut a public street other than an alley for at least thirty-five (35) feet, except as provided in the subdivision ordinance.

**RESPONSE:**

*Every lot has more than 35 feet of frontage along a public street as indicated on the preliminary development plans.*

- K. **Minimum Density:** Minimum development densities for subdivisions, planned development, mixed use development and other proposals reviewed by the planning commission, pursuant to subsection 19.1011.3, Minor Quasi-Judicial Review, shall be at least 5.0 to 6.2 dwelling units per net acre.



**L. Transportation Requirements and Standards: as specified in Chapter 19.1400.**

**RESPONSE:**

*The transportation requirements and standards of Chapter 19.1400 are addressed in detail, below.*

**CHAPTER 19.1000 ADMINISTRATIVE PROCEDURES**

**19.1011: Procedures**

**19.1011.3: Minor Quasi-Judicial Review**

**RESPONSE:**

*The applicant is requesting approval for a 4-lot single-family subdivision on approximately 0.93 gross acres. As required, this application has been submitted under the Minor Quasi-Judicial Review procedure.*

*A copy of the applicant's Pre-Application Conference notes has been included with this submittal. Per the City of Milwaukie requirements, once this application is deemed complete and is scheduled for review by the planning commission, property owners within 300 feet of the site will be notified and a sign will be posted indicating the date of the hearing.*

**CHAPTER 19.1400 TRANSPORTATION PLANNING, DESIGN STANDARDS AND PROCEDURES**

**19.1404: Exception, Adjustment or Variance**

**C. Adjustments**

- 1. In all cases the adjustment is consistent with the purposes of Chapter 19.1400 and the Milwaukie Transportation System Plan;**

**RESPONSE:**

*The applicant is requesting an adjustment to eliminate the required landscape strip on both SE Beckman Avenue and SE 56th Avenue. The existing sidewalks in the area are all curb tight. In the interest of consistency and pedestrian friendly travel, a curb tight sidewalk is consistent with the purposes of Chapter 19.1400 and the Milwaukie Transportation System Plan.*

**19.1405: Development Review Process**

**19.1405.3: Minor or Major Quasi-Judicial Review**

**RESPONSE:**



*The applicant is proposing a 4-lot subdivision; this application has been submitted under the Minor Quasi-Judicial Review procedure. A signed copy of the application for Transportation Review has been included with this application. All applications for land use action have been consolidated with this review.*

**19.1405.5: Approval Criteria**

- A. The proposed development and related transportation improvements comply with procedures, requirements and standards of Chapter 19.1400 and the Transportation Design Manual unless an exception or adjustment has been granted in accordance with Section 19.1404 or a variance has been granted in accordance with Chapter 19.700.**

**RESPONSE:**

*As described in this narrative and as shown on the preliminary development plans attached, this application complies with the procedures, requirements and standards of Chapter 19.1400 and the Transportation Design Manual.*

- B. If a transportation impact analysis is required, the findings of the analysis ensure that the development will provide transportation improvements and mitigation in rough proportion to the identified impacts of the development.**

**RESPONSE:**

*As identified in the Pre-application conference notes (attached) the proposed 4-lot subdivision does not require a Traffic Impact Study.*

- C. All required improvements identified under City review of a transportation impact analysis shall be provided or otherwise accommodated in accordance with Section 19.1408.4-Mitigation.**

**RESPONSE:**

*As mentioned above, the proposed application does not require a Traffic Impact Study; therefore, this criterion does not apply.*

- D. The proposed development will not result in hazardous or unsafe transportation conditions or unacceptable level of service impacts that cannot be mitigated.**

**RESPONSE:**

*The applicant is proposing to construct a 6-foot curb tight sidewalk along SE Beckman Avenue to the west and to complete half street improvements to SE 56th Avenue on the east. The applicant will construct a 32 foot wide street with curb tight sidewalk along the site's frontage of SE 56th Avenue. Per the City of Milwaukie's request, the 32 foot wide improvements will continue north to the intersection of Waymire Street as shown on the preliminary development plans. The proposed development will not result in hazardous or unsafe transportation conditions or unacceptable level of service impacts, in fact, the proposed improvements will most likely make the transportation conditions safer.*

**19.1407.2: Adequacy Requirement**

Rights-of-way, streets, sidewalks, necessary public improvements and other public transportation facilities shall be adequate at the time of development or shall be made adequate in a timely manner for all development projects subject to review under Chapter 19.1400. The provision applies to transportation facilities located in the public right-of-way abutting the development site.

The provision may also apply to transportation facilities located in rights-of-way that do not abut the site when a transportation impact analysis conducted under Section 19.1408 demonstrates that affected facilities are insufficient to accommodate the impacts of the proposed development. In such cases transportation improvements are required in rough proportion to the impacts created by the development in accordance with Section 19.1408.

**RESPONSE:**

*The applicant will dedicate an additional 5 feet of right-of-way along SE Beckman Avenue to the west and 25 feet of right-of-way along SE 56th Avenue to the east.*

**19.1409: Street Requirements and Design Standards****19.1409.1: General Provisions**

- A. Streets shall be designed and improved in accordance with the standards of this Chapter and the Transportation Design Manual.
- B. Streets shall be designed in consideration of Chapter 5 of the Milwaukie Comprehensive Plan. Chapter 5, Figure 6.1 illustrates the Functional Classification of Streets; Figure 6.10 illustrates the Street Master Plan.
- C. No development permit shall be issued unless it complies with the Adequate Transportation Facility Requirement set forth in Section 19.1408.

**RESPONSE:**

*The proposed streets will be improved in accordance with the standards of this Chapter and the Transportation Design Manual. The applicant has considered Chapter 5 of the Milwaukie Comprehensive Plan when proposing transportation improvements. The Transportation Facility Requirements set forth in Section 19.1408 are addressed within this narrative.*

- D. No development shall be issued unless the development has frontage or approved access to a public street. For lots that are legally nonconforming with regard to frontage, an access easement sufficient to accommodate required improvements will be required.

**RESPONSE:**

*The subject site has frontage along SE Beckman Avenue to the west and SE 56th Avenue to the east.*

- E. All transportation facilities shall be designed and improved in accordance with the standards of this Chapter and the Transportation Design Manual. ODOT facilities shall be designed consistent with State and Federal standards.**

**RESPONSE:**

*All transportation facilities will be designed and improved in accordance with City of Milwaukee Standards and the Transportation Design Manual. There are no ODOT facilities proposed as part of this application.*

- F. Cross sections for street improvements by functional classification are included in the Transportation Design Manual.**
- G. Rights-of-way shall be provided in accordance with the widths shown in Table 19.1409.3 and may not be varied under provisions of this Chapter.**

**RESPONSE:**

*The existing right-of-way along SE Beckman Avenue is 40 feet. The applicant will dedicate 5 additional feet of right-of-way along SE Beckman for a half width right-of-way of 25 feet.*

*On the east side of the site, 25 feet of right of way will be dedicated to complete SE 56th Avenue.*

- H. Transportation facility design standards shall be provided in accordance with the dimensions shown as "required" on Table 19.1409.3.**

**RESPONSE:**

*As required, the proposed street improvements meet the Transportation Facility Design Standards of Table 19.1409.3. The Local Residential half street improvements will include two 10-foot travel lanes, a 6 foot wide on-street parking lane on both sides, a 6 inch curb and a 6-foot sidewalk.*

- I. Under provisions of Section 19.1404-Adjustments and Exceptions, the City Engineer may authorize adjustments to transportation facility design standards not less than the "minimum allowed" dimensions in Table 19.1409.3.**

**RESPONSE:**

*As demonstrated by this narrative and the attached preliminary plans, the proposed street improvements are not less than the "minimum allowed" dimensions identified in Table 19.1409.3.*

**19.1409.2 Street Functional Classification and Improvement Standards.**

- A. Right-of-way and Improvements.** Table 19.1409.3 specifies right-of-way widths and improvement standards by street functional classification. The Transportation Design Manual includes cross sections that illustrate the improvements (e.g., lanes, parking strip, sidewalk, etc.) associated with each functional classification and right-of-way width.

**RESPONSE:**

*As mentioned previously, the applicant will dedicate the necessary right-of-way for both SE Beckman and SE 56th. The applicant is requesting an adjustment to eliminate the required landscape strips on both streets.*

- B. Dedication.** All streets and necessary rights-of-way shall be dedicated to the public for street purposes in accordance with Table 19.1409.3 and Section 19.1407 Adequate Transportation Facility Requirements. Additional dedication may be required at intersections for improvements identified as needed by the Milwaukie Transportation System Plan or a transportation impact analysis conducted under Section 19.1408.

**RESPONSE:**

*Five additional feet of right-of-way will be dedicated along SE Beckman Avenue and 25 feet of right-of-way will be dedicated for SE 56th Avenue.*

- C. Improvements.** No development shall occur unless the development has frontage or approved access to a public street.
- 1. Any new street or additional street width planned as a portion of an existing street shall be dedicated and improved in accordance with this Chapter.**

**RESPONSE:**

*The applicant is proposing to build a 6-foot sidewalk along SE Beckman to the west and to construct a half street along SE 56th Avenue that includes 32-feet of pavement, curb and curb tight sidewalk.*

- 2. New development shall be connected to the street network by a paved street.**

**RESPONSE:**

*All four of the proposed lots will have access to the street network. Two of the proposed lots will have direct access to SE Beckman Avenue to the west and two of the proposed lots will have direct access to SE 56th Avenue to the east.*

3. **Half-street improvements, as opposed to full-width street improvements, are generally not acceptable. However, half-street improvements may be approved where essential to reasonable development of the property and when the review authority finds that it will be possible to obtain the dedication and/or improvement of the remainder of the street when property on the other side of the half-street is developed. The minimum width for a half-street improvement shall be 20 feet.**

**RESPONSE:**

*No half street improvements are proposed as part of this application; however, an existing half street, SE 56th Avenue, will be completed. As previously stated, a 6-foot curb tight sidewalk will be added to SE Beckman Avenue and SE 56th Avenue will be fully improved to a 32 foot paved surface with curb and sidewalk.*

4. **To ensure adequate access to a development site, the review authority may require off-site street improvements concurrent with development if warranted by a Transportation Impact Analysis.**

**RESPONSE:**

*Per the City's Pre-Application notes, SE 56th Avenue will be improved off-site from the proposed subdivision north to Waymire Street.*

5. **Where necessary to give access or permit future development of adjoining land, streets shall be extended to the boundary lines of the tract to be developed, and:**
  - D. **Traffic calming may be required in the design of a proposed street through the development review process or through the Neighborhood Traffic Management Program for existing streets. Traffic calming devices shall be designed to the standards in the Transportation Design Manual.**
  - E. **Vision Clearance. No signs, structures, or vegetation in excess of three feet in height shall be placed in "vision clearance areas" at intersections of streets, driveways, and alleys based on the guidelines in the most recent edition of the "AASHTO Policy on Geometric Design of Highways and Streets" (Green Book). The City Engineer may vary sight distance standards in the interest of preserving significant vegetation, or other valued features, where the variance will not cause undue safety hazards.**

**RESPONSE:**

*No new streets are proposed as a part of this application and no existing intersections will be effected. An existing half street (SE 56th Avenue) will be completed as part of this application.*

- F. Additional Setbacks from Major Streets.** Yards abutting a major street are subject to additional yard requirements. Yards shall be measured so that the minimum distance from the center line of the right-of-way to the closest point of a building shall be in accordance with Table 19.1409.2.

**RESPONSE:**

*There are no major streets adjacent to this development.*

**19.1409.3 General Street Design Standards****RESPONSE:**

*No new streets are proposed as part of this application.*

**19.1409.4: General Intersection Design Standards****RESPONSE:**

*There are no new intersections proposed as part of this application.*

**19.1410: Pedestrian Requirements and Standards****19.1410.1 General Provisions.**

- A. Pedestrian facilities, including public sidewalks, on-site walkways, and pedestrian/bicycle accessways, shall be designed and improved in accordance with the standards of this Chapter and the Transportation Design Manual.**

**RESPONSE:**

*Per the standards of this Chapter and the Transportation Design Manual, 6-foot public sidewalks are proposed along both SE Beckman Avenue to the west and SE 56th Avenue to the east.*

**19.1410.2 Public sidewalks.**

- A. Requirement.**

**RESPONSE:**

*As stated previously, 6-foot sidewalks will be constructed along the site's frontage of both SE Beckman Avenue to the west and SE 56th Avenue to the east.*



- B. Design Standards.** Standards and cross section details for the location, width and design of public sidewalks are included in the Transportation Design Manual.

**RESPONSE:**

*The proposed sidewalks will be designed and constructed to City standards. Details of the proposed sidewalks will be submitted during the engineering phase of this project.*

**19.1410.4 Pedestrian/bicycle accessways.**

- A. Intent.**

**RESPONSE:**

*As demonstrated by this narrative and the attached preliminary plans, adequate pedestrian and bicycle connections will be satisfied as part of this application. Pedestrian/bicycle accessways are not proposed as part of this application.*

**19.1413.2 Location of Driveway Access**

- B. Distance from property line.** Unless a shared access is proposed or required, new curb cuts for driveway access shall be at least seven and a half feet from the property line in residential districts and at least ten feet from the property line in all other districts.

**RESPONSE:**

*As required, new curb cuts for driveway access will be greater than 7.5 feet from the property line.*

- E. Minimum distance from driveway to intersection curb return.** To protect the safety and capacity of street intersections, the following minimum distance from the intersection curb return to the bottom of the driveway wing shall be maintained:
- 1. For local and neighborhood streets,** driveways for detached or attached single family residential shall be located at least forty-five feet from the intersection curb return, or located as far away from the curb return as possible.

**RESPONSE:**

*Proposed lot 3 is near the intersection of SE 56th Avenue and Lloyd Street. In the interest of meeting this code criterion, the future drive for lot 3 shall be located as far north as possible.*