

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, MARCH 9, 1999

COMMISSIONERS PRESENT

Michael Smith, Chair  
Judith Borden  
Barbara Cartmill  
Tracy Cook  
Donald Hammang  
Mike Miller  
Howard Steward

STAFF PRESENT

Jim Crumley  
Inter. Planning Dir.,  
John Gessner,  
Associate Planner,  
Gary Firestone,  
City Attorney  
Shirley Richardson,  
Hearings Reporter

COMMISSIONERS ABSENT

None

1.0 CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 INFORMATION ITEMS -- City Council Minutes, February 2, 1999.

4.0 PLANNING COMMISSION MINUTES -- February 23, 1999

**Tracy Cook** moved to approve the minutes of February 23, 1999, as corrected.  
**Donald Hammang** seconded. MOTION CARRIED 5-0 with one abstention.  
Mike Smith was not at that meeting.

Ayes: Borden, Cartmill, Cook Hammang, Miller, Steward; Nays: None.

5.0 PUBLIC COMMENTS -- None.

6.0 PUBLIC HEARINGS

**Chair Smith** explained that the agenda showed two public hearings, but the Application for Grant and Beverly Fulmore has been delayed until March 23, 1999.

- 6.1 Applicant: Brad Every and Janet Benson  
Property Owner: Same  
Location: 11632 SE Beckman  
Proposal: To partition two lots by way of lot line adjustments to create three legal lots.  
File Number: MLP-98-12  
NDA: Linwood

**Chair Smith** opened the public hearing on File Number MLP-98-12, an action to allow a three-lot minor land partition of two existing lots. The criteria to be addressed are found in the Partitioning Section 17.320.10 of the City Subdivision Ordinance and Milwaukie Zoning Ordinance Section 302 - R-7 Residential Zone.

**Chair Smith** asked if there were any conflicts of interest or ex-parte contacts to declare. **Tracy Cook** explained that she was the Chair of the Linwood Neighborhood Association. She did not feel this would prevent her from voting on this Application. There were no other conflicts of interest or ex-parte contacts declared. **Chair Smith** asked if any member of the Planning Commission visited the site; four 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

**John Gessner** reviewed the Staff Report with the Commission. He explained that this Application is eligible for administrative review with an option for a public hearing. Due to an administrative error, this application was noticed. Because of that notice, Staff felt the easiest solution would be hold the public hearing rather than re-notify the residents that there would not be a hearing.

The Applicant is proposing a minor land partition for an existing 10,020 sq.ft. lot and an adjacent 14,771 sq.ft. lot into three lots in an R-7 Residential Zone. Overheads were shown of the subject site and surrounding area. Because of this partition, the front yard of one of the proposed lots will be changed. Carports and

accessory structures are not allowed in the front yards. A condition of approval has been recommended that the existing carport be relocated.

The Public Works Department has made recommendations as stated in their memo of February 26, 1999. Two additional pieces of correspondence have been received from Bob Pack and the Linwood Neighborhood Association. Both letters expressed no opposition to the Application. The Neighborhood Association Letter was read into the record.

Changes have been made to the findings and conditions as presented in the February 23, 1999, Staff Report.

Finding #4 -- Delete.

Findings #6 & #7 -- Changed to reflect correct Exhibit numbers.

Condition #1 -- Delete.

Condition #2 -- Changed language to clarify the area subject to easement to insure continued access to Parcel #1 is maintained by labeling the access area.

Condition #3 -- Standard condition requiring that any deed restriction attached to the property be reviewed by City Staff for compliance with city ordinances and approval provisions.

New Condition #8 -- Establishes that the existing carport on parcel one needs to be relocated so that a zoning violation is not created when the plat is filed.

New Condition #9 -- Compliance with Public Works Department recommendations.

Staff recommends approval of Minor Land Partition MLP-98-12 with the findings and conditions as modified.

#### QUESTIONS FROM THE COMMISSIONERS

**Donald Hammang** asked what streets were close to this partition. **Gessner** pointed out on the site map Lloyd Street to the East of the site and 56th Avenue running north and south of the property. Access/curb cuts for two of the lots will be from 56th Avenue.

**Donald Hammang** asked for clarification of how the flag portion would be shared. **John Gessner** pointed out the existing driveways, existing property lines, and the proposed new property lines. He explained that if the driveway is going to be maintained for access to the site, an easement is needed to insure continued access.

**Mike Miller** asked how the easement would be maintained. **John Gessner** stated that the maintenance of the easement would be a requirement imposed by the Public Works Department. It is uncertain how much of the existing driveway will be a part of the final plans. There are several options open for access and it will be determined by the property owners. The Fire Department must have enough room for turn-around or enough room to allow access to all portions of the house by their 150-foot rule.

#### CORRESPONDENCE

No new correspondence was received.

**Chair Smith** reported that Tracy Cook indicated that she remembered talking to the owners of this property within the last year regarding partitioning. She does not feel that their conversation will in any way impair her ability to vote on this issue. He asked if there was any opposition from the Commission to Tracy Cook participating in this hearing. There was no opposition from the Commission nor the audience.

APPLICANT PRESENTATION -- None.

TESTIMONY IN FAVOR -- None.

#### QUESTIONS OR COMMENTS

Speaking: Cliff Swonger, 11634 SE 56th, Milwaukie

**Mr. Swonger** stated that he lives across the street from the subject site. He explained that 56th Avenue is a dead-end street. This Application proposes to widen 56th Avenue. He asked if 56th will be widened down to the existing barricade or will it remain a half street. He asked if there be access from 56th Avenue to these proposed lots. **John Gessner** stated that Public Works has indicated in their comments that half street improvements will be made between the northern and southern limits along the boundary of the property. The

improvements will not go any further than the end of Lot #4. The property owner is responsible for sidewalks, curbs, and utility improvements.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Becky Begeor, 5573 SE Beckman Terrace, Milwaukie

**Ms. Begeor** asked if there were any limitations as to what type of housing can be placed on the lots. **John Gessner** stated that any single-family structure that is allowed in the zoning district is permitted. Mobile Homes are not permitted; however a manufactured home on foundation is permitted.

QUESTIONS FROM THE COMMISSIONERS -- None.

TESTIMONY IN OPPOSITION

Speaking: Jack Rose, 11666 SE 56th, Milwaukie

**Mr. Rose** voiced concern about the vehicle traffic increasing on the dead-end portion of 56th. He does not want to have cars turning around in his driveway. Three lots are blocked off because of this dead-end. Cars that turn onto this street have a hard time turning around to leave. There are barricades at both ends of the street and there is no place for the street to be continued.

**Mr. Rose** noted that a corner of his lot, near the barricade, is not for sale. This property is not available for possible road extension.

QUESTIONS FROM THE COMMISSIONERS -- None.

ADDITIONAL COMMENTS FROM STAFF

**John Gessner** noted that Public Works memo dated February 26, 1999, does not indicate any improvements specified to the driveway within the existing flag lot.

QUESTIONS FOR CLARIFICATIONS

**Mike Miller** noted that the Fire Marshall memo of February 25, 1999, indicates requirements for a 150-foot turn-around and 20-foot clear space. He asked if the Fire Department would impose additional requirements if this were a new flag lot versus an existing flag lot. **Jim Crumley** stated that the revised conditions

require that the Applicant comply with the access and safety requirements of the South Metro Fire District. It is the Applicant's responsibility to negotiate with the Fire Department the specific requirements to be imposed on this Application.

**Judith Borden** asked if there was signage warning of the dead-end street. **Mr. Swonger** stated that there is one small sign (No Outlet) on the corner of Lloyd and Stanley Streets.

APPLICANT'S CLOSING COMMENTS -- None.

#### DELIBERATION AMONG COMMISSIONERS

**Chair Smith** closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

**Mike Miller** asked Staff to work with the Applicant to work out a solution for the placement of the carport. As the site plan is configured now, when Lot #3 is purchased, a small corner of that lot is useless. Possibly the lot line can be adjusted with Lot #1 to give Lot #3 more flexibility in landscaping. **Jim Crumley** stated that this site plan is used as a guideline. Staff has ideas and suggestions and will work with the Applicant in completing his final plat. There are alternative designs that can be used to alleviate the conflict at that corner.

**Donald Hammang** moved to approve Minor Land Partition MLP-98-12 with the revised findings (including language under Condition #9 that this is a housekeeping matter) and revised Conditions of Approval as shown in Exhibit 1. **Judith Borden** seconded MOTION CARRIED 5-0.

7.0 WORKSESSION -- None.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS/UPDATES

10.1 Historic Resources Commission Report. -- None.

10.2 Community Development Department Report. -- None.


**Chair Smith** adjourned the meeting into Executive Session pursuant to ORS 192.660 to discuss possible litigation at 7:20 p.m. There was no audience present.

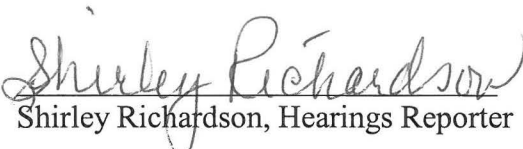
The meeting reconvened at 7:32 p.m.

**Chair Smith** announced that this would be his last meeting. He thanked the Commission for his experiences and opportunity to serve on the Planning Commission. **Donald Hammang** stated that he enjoyed his association with Chair Smith, it has been a pleasure working with him. The other Commissioners concurred. **Jim Crumley** commended Michael Smith on his outstanding job as a Planning Commissioner and his committee work representing the Commission on the Regional Town Center Committee.

- 11.0 NEXT MEETING -- March 23, 1999
- 11.1 S-98-03/VR-98-13 -- Hoesley
- 11.2 S-98-04/VR-98-14 -- Hoesley

Mike Miller moved to adjourn the meeting of March 9, 1999. **Donald Hammang** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 7:42 p.m.

  
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Michael Smith, Chair  
DONALD HAMMANG  
VICE-CHAIR

  
\_\_\_\_\_  
Shirley Richardson, Hearings Reporter



## 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 WHICH 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 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 CHAIR PERSON 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 CHAIR PERSON 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 COMMUNITY DEVELOPMENT DEPARTMENT DURING NORMAL OFFICE HOURS FOR INFORMATION ON THE PROCEDURES AND FEES INVOLVED.

**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:

Michael Smith, Chair  
Judith Borden  
Barbara Cartmill  
Tracy Cook  
Donald Hammang, Vice Chair  
Mike Miller  
Howard Steward

#### Community Development Department Staff:

Martha Bennett, Community Development Director  
Jim Crumley, Interim Planning Director  
John Gessner, Associate Planner  
Janet Wright, Assistant Planner  
Jeanne Garst, Office Assistant  
Marcia Hamley, Office Assistant  
Shirley Richardson, Hearings Reporter



**TO: MILWAUKIE PLANNING COMMISSION**

**FROM: JOHN GESSNER, ASSOCIATE PLANNER**

*JD*

**RE: AGENDA ITEM 6.2**

**DATE: MARCH 5, 1999**

At the Planning Commission meeting of March 9, 1999, staff will be recommending that agenda item 6.2, a request for a Minor Land Partition from Grant and Beverly Fulmore, be continued to March 23, 1999. It is requested that the Commission open this hearing and continue it until March 23, 1999.

Staff is making this request to allow additional time to prepare a report and recommendation on this application.

If you have any questions you can contact me at 786-7652.



**Memo To: Planning Commission**

**From: John Gessner, Associate Planner** *JG*

**Date: March 5, 1999**

**Re: City Council Request for Additional Information**

The City Council, at its February 16, 1999 public hearing, inquired about the Planning Commission's concerns on certain features of the pending amendment package. Specifically, the Council is interested in hearing the Commission's concerns on home occupations and the proposed elimination of "mobile homes" as a permitted structure for temporary occupancy.

The Council was advised of Commission concerns regarding limitations on home distribution such as "Avon" products and proposed temporary-use regulations that call for elimination of mobile homes.

Staff would like to discuss the home occupation and temporary use regulations to make sure all of your concerns are conveyed to the Council.

As this item is not on the agenda, it is requested it be taken up as either a discussion item or under "old business".

**CITY OF MILWAUKIE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF REPORT**

120 Days: April 15, 1999  
NDA: Linwood

Date: February 23, 1999  
File No.: MLP-98-12

**Application:** Minor Land Partition to create 3 lots from 2 lots

**Applicant:** Corbin Shays  
Centerline Concepts, Inc.

**Property Owner:** Brad Every

**Location:** 11632 SE 56<sup>th</sup> Avenue, Milwaukie, Map 1S 2E, 31 AC (See Exhibit 2)

**Zone:** Residential Zone R-7

.....

**PROPOSAL**

The applicant is requesting approval of a minor land partition for an existing 10,020.35 sq. ft. lot (tax lot 5602) and an adjacent 14,771.65 sq. ft. lot (tax lot 5600) into three lots in an R-7 Residential Zone (see exhibit 3). Parcel 1 as proposed contains an area of 10,693 sq. ft. Parcel 2 as proposed contains an area of 7,053 sq. ft., and Parcel 3 as proposed contains an area of 7,027 sq. ft.

**BACKGROUND**

Parcel 1 is an existing "flag" lot accessed from Beckman Avenue. Parcel 2 and Parcel 3 are proposed to be accessed from 56<sup>th</sup> Avenue. An existing house, located on Parcel 1, has an existing unpaved driveway of off Beckman Avenue through this existing 25 foot wide flag access. This access would provide the required public road frontage and could be used for the sewer lateral, water service and storm drainage from the flag lot to Beckman. However, at the west edge of parcel one, the flag access turns 90 degrees and becomes a 15 foot access, because of the lot configuration of Parcel 3. This 15 foot access meets the standards for flag lots in effect at the time of the application. The flag access can be counted as part of the square footage for Parcel 1 under those same regulations. The proposal also calls for an "access easement for the benefit of Parcel 1 across the rear portion of Parcel 3.

The proposal provides for lot sizes above the minimum 7,000 square feet required in the R-7 Residential Zoning District. The property is located in the Linwood Neighborhood District Association (NDA). See Exhibit 2-Vicinity Map.

The existing single family home on Parcel 1 is proposed to remain. There is also a carport attached to the front (southern side) of the house that is to be removed. From the north, the north-

south dividing line between Parcel 1 and Parcel 2 is shown as 5.0 feet east of the back of the existing house, making Parcel 1 64.03 feet wide at that point. The north-south dividing line then jogs 9.71 feet to the east to maintain a 5.0 setback from the front part of the house and increasing the width of Parcel 1 by 9.71 feet. The house is 38.6 feet east of the west edge of the main part of Parcel 1.

Parcel 3 is divided from parcel 1 by this same line, which then jogs 58.75 feet to the west before turning south toward the southern boundary of tax lot 5600. This jog is 26.0 feet south of the front of the existing house, thereby maintaining the minimum 20 front yard requirement for the house. The carport on the front of the house, however, juts into the front yard requirement and will have to be demolished and relocated elsewhere on Parcel 1. The proposed carport as shown on the tentative plan also does not meet the front yard setback requirement.

The east-west line dividing parcels 2 and 3 maintains an 82.78 foot lot width for Parcel 2 and a 60.00 foot lot width for parcel 3. The average lot depth of Parcel 2 is approximately 87 feet. The average lot depth of Parcel 3 is approximately 115 feet.

Tax lots 5600 and 5602 are relatively flat, sloping downward from the northwest to the southeast approximately 4.5 percent.

Public Works is not requiring any additional public road dedication on 56<sup>th</sup> Street. A 25 foot wide strip directly east of Parcels 2 and 3 were dedicated to the City of Milwaukie for street use when Tax Lots 5500, 5600, and 5602 were partitioned. At some point, this strip should be dedicated to the public, making SE 56<sup>th</sup> Street a 50 foot wide right of way.

Immediately to the south of this Minor Land Partition, Beckman Terrace Subdivision includes a one foot reserve strip immediately south of a 25 foot wide strip dedicated to the City of Milwaukie. This reserve strip is dedicated to the public for street purposes.

**RECOMMENDATION:**

**That the Planning Commission approve MLP-98-12 subject to the conditions contained in Exhibit 1.**

**DISCUSSION**

**Compliance with the Comprehensive Plan**

The subject property has a Comprehensive Plan Designation of Low Density (LD) that allows housing development up to 6.7 units per acre. The low-density residential standards apply to this area designated on Map 7.

The proposed partition would result in the addition of two new dwelling units, and this use as allowed by the zoning ordinance complies with the Comprehensive Plan goals and policies, and development standards.

**Compliance with Development Standards of the R-7 Zoning District**

| R-2 Standard Type | Lot# | Lot Area<br>7,000 sq. ft. | Lot Depth<br>80 ft. | Lot Width<br>60 ft. | Front<br>20 ft | Rear<br>20 ft. | Access<br>20 ft. |
|-------------------|------|---------------------------|---------------------|---------------------|----------------|----------------|------------------|
| Existing SFR      | 1    | 10,693 sq. ft.            | 100.17 ft.          | 64.03 ft.           | 28 ft.         | 27.5 ft.       | 25/15* ft.       |

|         |   |               |              |           |      |      |             |
|---------|---|---------------|--------------|-----------|------|------|-------------|
| New Lot | 2 | 7,053 sq. ft. | 87 ft ave.   | 82.78 ft. | ---- | ---- | 82.78 ft.** |
| New Lot | 3 | 7,027 sq ft.  | 116 ft. ave. | 60.00 ft. | ---- | ---  | 60.00 ft.** |

\*-Meets standards at time of application

\*\*-Upon dedication of adjacent strip to public for right-of-way.

The property is located within the R-7 (residential, 7,000 sq. ft. minimum) Zoning District. The proposed Minor Land Partition will meet the lot size, configuration, and development standards applicable to the R-7 Zoning District (Exhibit 3).

The applicant proposes to retain the existing home on Parcel 1. The existing home would comply with the required 20-foot rear yard setbacks as well as the required 5 and 10 foot side yard setbacks. The attached carport of the existing home is within 16 feet of the front of Parcel 1, and will have to be relocated. The proposed location for the new carport as submitted also violates the front yard setback requirement. The existing home on Parcel 1 has roughly 17 % lot coverage, where 30% is the minimum allowed.

### **Compliance with Subdivision Criteria**

Chapter 17.32 of the Subdivision Ordinance sets forth the regulations for land partitions. These provisions allow for the creation of lots from parcels that are under single ownership into smaller lots that meet the standards of the zoning ordinance.

The applicant's proposal meets all of the current Subdivision Ordinance criteria.

### **Neighborhood Association Comments**

The Linwood Neighborhood Association has provided the comments regarding this proposed Minor Land Partition as shown in Exhibit 4.

### **Department of Public Works Comments**

The comments received from the City Public Works Department are set forth in Exhibit 5.

[Paul Roeger is working on this now. He will be proposing that the strip dedicated to the City of Milwaukee be dedicated to the public for use as a public right of way. He will also be making recommendations regarding changing the existing water service from Beckman to the existing house in Parcel 1.]

### **Fire District Comment**

The Fire Marshall provided the comments as set forth in Exhibit 6.

### **CONCLUSION:**

The proposed Minor Land Partition is consistent with the City's Comprehensive Plan and Zoning Regulations. Staff is recommending that the Planning Director approve the Minor Land Partition (MLP-98-12) to allow the creation of 3 lots from two existing tax parcels.

### **FINDINGS FOR MLP-98-11**

1. Parcel 1 is proposed to be 10,693 sq. ft., Lot 2 is proposed to be 7,053 sq. ft., and Lot 3 is proposed to be 7,027 sq. ft.
2. The proposed lots meet the minimum lot area, width, depth, and rear yard setbacks for single family residences in the R-7 Residential zoning district.
3. The existing single family residence meets the R-7 Residential zoning standards, and any new single family residence constructed on the proposed lots 2 and 3 are also able to meet the R-7 Residential standards.
4. The proposed Minor Land Partition is consistent with Land Use Objective 4, Policies 4 and 5, of Milwaukie's Comprehensive Plan, in that it preserves existing housing stock and maintains the single family scale of surrounding properties.
5. This proposal is being reviewed under the Subdivision Ordinance criteria that were in effect prior to November 17, 1998, and meets the requirements of the Subdivision Ordinance, Section 17.32.020.
6. The Department of Public Works has provided comments regarding required Developer installed improvements for utilities and access, and storm drainage connections (Exhibit 5).
7. The proposed Minor Land Partition complies with the Fire Marshall's requirements for fire and emergency access to the lots (Exhibit 6).
8. Minor Land Partition (MLP-98-12) requires an Administrative Type II review per Section 17.32.030 of the City's Subdivision Ordinance. This section refers to the process described in Section 1011.2 of the City's Zoning Ordinance, and Public Notice has been issued.

### **EXHIBITS**

1. Recommended Conditions of Approval
2. Proposed Minor Land Partition Plat Map
3. Department of Public Works Memo
4. Fire Marshall Comments

## EXHIBIT 1

### CONDITIONS FOR APPROVAL FOR MLP-98-12

#### **Community Development:**

1. The proposal meets the requirements of the Subdivision Ordinance, Section 17.32.020 that were in effect prior to the adoption of the partitioning revisions on November 17, 1998.
2. Lot configuration shall be generally as indicated in Exhibit 3. The "access easement" should be specifically designated, including all dimensions.
3. Submittal of the Final Partition Plat shall follow all requirements of Section 17.20 of the City Subdivision Ordinance. The final plat submittal shall include timelines and plans for construction and completion of required improvements.
4. The Final Plat submittal filed and approved by Clackamas County must be completed within one year of the preliminary plat approval for this Minor Land Partition to be valid, in accordance with Section 17.20.010 of the Milwaukie Subdivision Ordinance.
5. A copy of the final approved plat must be provided to the City Community Development Department prior to the issuance of any building permit.
6. The applicant shall comply with all requirements for access and fire safety of the South Metro Fire District.



## MEMORANDUM

**TO:** COMMUNITY DEVELOPMENT

**FROM:** Paul Roeger, P.E. *JNR*  
Civil Engineer

**RE:** MLP-98-12  
11632 SE Beckman Avenue

**DATE:** February 26, 1999

The existing house is connected to City sanitary sewer and water. However, the water service for the existing house runs under the house in front of it at 11620 SE Beckman Avenue.

The original house on this large piece of property was 11632. The house at 11620 was built in 1975 over the top of the water service to 11632. The City installed a new service at the flag strip for 11632. The new house at 11620 was supposed to use the old meter for 11632 and 11632 was supposed to connect to the new meter. However, for some reason, this did not happen. Therefore, it must be done now. There is no easement for 11632 to have the water service under the house at 11620.

City water is available in 56<sup>th</sup> Avenue for the two new lots fronting on 56<sup>th</sup> Avenue.

The existing house at 11632 is connected to the City sanitary sewer in Beckman Avenue. However, the two new lots will need to be served by extending the City sanitary sewer main on Lloyd Street approximately 100-feet to a clean-out and extending a lateral to each lot.

56<sup>th</sup> Avenue is only a half-street approximately 16-feet wide with curb and sidewalk along the east side. When the lot along 56<sup>th</sup> Avenue was partitioned from the house lot (11632) in 1978, 25-feet of property was deeded to the City for a public right-of-way for future street improvements. Now the street improvements must be constructed along 56<sup>th</sup> Avenue, including curb and 5-foot sidewalk. The new curb will be constructed 32-feet from the existing curb and match the grade. The developer must install the sanitary sewer and water services as part of the half-street improvements. Full-engineered drawings must be submitted for approval prior to any construction beginning, including an erosion control plan. A pre-construction conference with the contractor is also required.

Storm drainage in this area is handled by a City storm line in Beckman Terrace or by drywell. Public Works will work with the builder and developer on how the street and houses will be serviced at the time of review of the street improvement plans and the building permits.

Streetlights are existing on 56<sup>th</sup> Avenue.

System Development Charges (SDC's) for sanitary sewer, water, storm drainage, parks and recreation, and transportation will be assessed with the building permits.

**City of Milwaukie Community Development Department**

Title: PW COMMENTS Submitted by: STAFF Date: 3.5.99 # Pages: 1  
File Number: MLP-98-12 Applicant: EVERY Exhibit #: 3



# Clackamas County Fire District



## Fire Prevention Division

2930 SE Oak Grove Blvd.  
Milwaukie, Oregon 97267  
(503) 655-8537  
Fax - (503) 655-8880

RECEIVED

FEB 25 1999

To: Janet Wright Assistant Planner City of Milwaukie

From: Tom Crowder Deputy Fire Marshal

CITY OF MILWAUKIE  
BUILDING DIV.

Re: MLP -98-12

Date: February 25, 1999

After careful review the **Prevention Division of Clackamas County Fire District #1** wishes to report the granting of this minor land partition to divide an existing parcel into 3 tax lots, creating additional flag lots, is not in conflict with the **Uniform Fire Code** adopted by the City Of Milwaukie, as long as it meets the following requirements.

The first is the requirement that fire department access be provided and maintained with a minimum access road of 12 feet within a clear space 20 feet in width, a minimum vertical clearance of 13 feet 6 inches and in conformance with City requirements for driveway access. The access road must be of an all weather type which will handle a minimum of 50 thousand pounds weight load. Additionally, addresses must be *visible from the street* on a contrasting background which identifies each site location on the lot. Fire department turnarounds are required when the distance from the street on the access roadway exceeds 150 feet. Finally, there is a requirement that a fire hydrant be within 500 feet of the furthestmost structure on the lot. This can be field verified by the applicant and also by the water department.

Yours in Fire and Life Safety,

Tom Crowder  
Deputy Fire Marshal

### City of Milwaukie Community Development Department

Title: FIRE COMMENTS Submitted by: STAFF Date: 3.5.99 # Pages: 1  
File Numbers: MLP-98-12 Applicant: EVERY Exhibit #: 4

