



# CITY OF MILWAUKIE

## AGENDA

January 25, 2022

### PLANNING COMMISSION

[milwaukieoregon.gov](http://milwaukieoregon.gov)

**Zoom Video Meeting:** due to high rates of community COVID-19 transmission, the Planning Commission will hold this meeting through Zoom video. The public is invited to watch the meeting online through the City of Milwaukie YouTube page ([https://www.youtube.com/channel/UCRFbfqe3OnDWLQKSB\\_m9cAw](https://www.youtube.com/channel/UCRFbfqe3OnDWLQKSB_m9cAw)) or on Comcast Channel 30 within city limits.

If you wish to provide comments, the city encourages written comments via email at [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov). Written comments should be submitted before the Planning Commission meeting begins to ensure that they can be provided to the Planning Commissioners ahead of time. To speak during the meeting, visit the meeting webpage (<https://www.milwaukieoregon.gov/bc-pc/planning-commission-88>) and follow the Zoom webinar login instructions.

**1.0 Call to Order – Procedural Matters — 6:30 PM**

**2.0 Planning Commission Minutes – Motion Needed**

2.1 September 28, 2021

2.2 October 12, 2021

2.3 October 21, 2021

2.4 October 26, 2021

**3.0 Information Items**

**4.0 Audience Participation** — This is an opportunity for the public to comment on any item not on the agenda

**5.0 Community Involvement Advisory Committee (CIAC)**

**6.0 Hearing Items**

6.1 9285 SE 58th Dr

Summary: Construct a 2-story 1,848-sq ft manufacturing/light industrial building.

Applicant: Troy Lyver, Lyver Engineering and Design, LLC

Address: 9285 SE 58th Dr

File: VR-2021-012 (master file)

Staff: Senior Planner Vera Kolas

6.2 Dogwood Station

Summary: Construct a 6-story multi-unit building with 55 workforce dwelling units.

Applicant: SODO, LLC (represented by Works Progress Architecture)

Address: 2206 SE Washington St

File: VR-2021-017 (master file)

Staff: Senior Planner Vera Kolas

**7.0 Planning Department Other Business/Updates**

**7.1 Planning Commission Elections**

**8.0 Planning Commission Committee Updates and Discussion Items** — This is an opportunity for comment or discussion for items not on the agenda.

**9.0 Forecast for Future Meetings**

February 8, 2022 Canceled

February 22, 2022 Work Session: Income Restricted Housing Code Incentives

Work Session: Oregon Senate Bill 458 – Code Amendments

## 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

1. **PROCEDURAL MATTERS.** If you wish to register to provide spoken comment at this meeting or for background information on agenda items please send an email to [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov).
2. **PLANNING COMMISSION and CITY COUNCIL MINUTES.** City Council and Planning Commission minutes can be found on the City website at [www.milwaukieoregon.gov/meetings](http://www.milwaukieoregon.gov/meetings).
3. **FORECAST FOR FUTURE MEETINGS.** These items are tentatively scheduled but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
4. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

### Public Hearing Procedure

Those who wish to testify should attend the Zoom meeting posted on the city website, state their name and city of residence for the record, and remain available until the Chairperson has asked if there are any questions from the Commissioners. Speakers are asked to submit their contact information to staff via email so they may establish standing.

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.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, any person may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

### **Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice**

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) or phone at 503-786-7502. To request Spanish language translation services email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov) at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the city's YouTube channel and Comcast Channel 30 in city limits.

### **Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)**

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov) o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov) al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el canal de YouTube de la ciudad y el Canal 30 de Comcast dentro de los límites de la ciudad.

#### **Milwaukie Planning Commission:**

Lauren Loosveldt, Chair  
Joseph Edge, Vice Chair  
Greg Hemer  
Robert Massey  
Amy Erdt  
Adam Khosroabadi  
Jacob Sherman

#### **Planning Department Staff:**

Laura Weigel, Planning Manager  
Vera Kolias, Senior Planner  
Brett Kolver, Senior Planner  
Adam Heroux, Associate Planner  
Ryan Dyar, Assistant Planner  
Will First, Administrative Specialist II



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

September 28, 2021

**Present:** Lauren Loosveldt, Chair  
Joseph Edge, Vice Chair  
Greg Hemer  
Adam Khosroabadi  
Robert Massey  
Jacob Sherman  
**Absent:** Amy Erdt

**Staff:** Beth Britell, Civil Engineer  
Jennifer Garbely, Assistant City  
Engineer  
Justin Gericke, City Attorney  
Brett Kelper, Senior Planner  
Laura Weigel, Planning Manager

(00:14:00)

### 1.0 Call to Order — Procedural Matters\*

**Chair Loosveldt** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

**Note:** *The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

(00:14:32)

### 2.0 Information Items

**Laura Weigel, Planning Manager** announced Brett Kelper's promotion to Senior Planner.

(00:15:16)

### 3.0 Audience Participation

No information was presented for this portion of the meeting.

(00:16:46)

### 4.0 Hearing Items

(00:16:49)

#### 4.1 DR-2021-001, Coho Point Redevelopment

**Brett Kelper, Senior Planner**, shared the staff report. The applicant proposed a six-story mixed-use building. The building featured 195 multifamily units, 7,000 sqft of commercial space, and 81 parking stalls in structured parking on the lower level. The proposed development necessitated a Natural Resource review, Willamette

Greenway review, Downtown Design review, and Transportation Facilities review. The applicants requested a building height variance, off-site mitigation of natural resource disturbance, parking quantity modification, and a variance for building setbacks.

**Kelver** noted the parking requirements for the development. One parking space per unit is required for the multifamily portion of the development (195 spaces for 195 units), and no parking is required for the proposed commercial uses. However, there a by-right reduction of 25% is allowed for buildings in the Downtown Mixed-Use zone (DMU), and up to an additional 10% for bike parking facilities beyond the minimum required. After the allowable reductions are considered, a total of 139 spaces are required. The applicant proposed 81 spaces, necessitating a parking quantity modification request to allow the additional reduction of 58 spaces. The proposed transportation demand management (TDM) program provided by the applicant included active marketing and incentives for car-free living that may include rent reduction, TriMet passes, or ride/bike share passes. Additionally, the implementation of the TDM will be monitored and tracked by the applicant. Kelver also noted the City's downtown parking management strategy and its ability to change timed on-street parking and enforce residential permit parking to offset any stress added by the proposed development.

**Kelver** presented the approval criteria for the design review and variances (setbacks and building height). The proposal responds well to the approval criteria with its step-down design, interface with natural area, preservation of key views, minimal shadowing, and public benefits of the walkway and downtown revitalization. The approval criteria for the downtown design review primarily focus on consistency with the applicable design standards and guidelines. The applicant originally presented to the Design and Landmarks Committee (DLC) in 2019, and the DLC recommended approval of the development to the commission after a formal design review meeting earlier this month.

The staff recommendation was to approve the various applications with the conditions of approval included with the staff report. Staff suggested another condition of approval that the applicant must provide additional detail to the City outlining strategies and benchmarks for monitoring the TDM program.

**Commissioner Hemer** asked where the 100-year floodplain line extends to and if the bottom two stories of the building were in the floodplain. **Kelver** responded that part of the development includes a cut and fill process where land would be added or "filled" to raise the base grade of the building above the floodplain. A proportionate amount of land would then be removed or "cut" from the adjacent stream to prevent flooding. **Commissioner Sherman** asked if there was any margin between the 100-year floodplain and the lowest occupied space. **Beth Britell, Civil Engineer**, responded that there is a full story between the base elevation and the habitable space of the building. Electrical and mechanical facilities will be located at a flood protected elevation; the first story

of the building is parking. **Commissioner Sherman** asked if there were other locations considered for the cut and fill process. **Kelver** responded that the compensatory cut should be performed as close to fill as possible. **Britell** noted that because the water is currently a lake the location of the cut is immaterial. **Commissioner Hemer** asked how the development will affect the removal of Kellogg dam. **Britell** further noted that the permits can only be based on the current floodplain and not on the future floodplain given potential dam removal. **Kelver** responded that the current plans will not adversely affect the removal of Kellogg dam. **Vice Chair Edge** asked to see where the creek flows into the dam. **Kelver** used an aerial image to show where the creek flows into the dam and fish ladder. **Jennifer Garbely, Assistant City Engineer**, noted that the cut portion of the natural resource mitigation is designed such that potential future dam removal would be made easier.

**Commissioner Khosroabadi** asked whether the water channel was further restricted by the development and if on-site natural resource mitigation was happening. **Kelver** responded that the channel will not be narrowed and even widened in some parts. He noted that there is limited room for on-site mitigation but that the applicants will be performing off-site mitigation contiguously along Kellogg Creek in Dogwood Park, adjacent to the development site. **Commissioner Hemer** asked if part of what is considered Dogwood Park is being lost given that it is technically the Adams Street right-of-way (ROW). **Kelver** responded that the Adams Street ROW will be more hardscaped but still publicly accessible.

**The applicant team** shared a presentation showing the building design, landscape design, and habitat restoration. The presentation showed the proposed building articulation, building height, parking, affected natural resources areas, and the design process. The proposed building articulation features several different types of building materials to provide a varied façade. The design features traditional architectural styles facing Main and Washington Streets and modern architectural elements as the building turns towards McLoughlin Boulevard and Dogwood Park. The building height was revised after the 2019 meeting with the DLC. The current design received unanimous support from the DLC.

**The applicant team** noted that the below-grade parking level will be accessible to the public and features a public elevator to further increase accessibility. Mitigation plantings will be placed along Dogwood Park directly adjacent to the proposed development site. The courtyard area will contain a water feature that will catch and filter storm water runoff.

**Commissioner Sherman** asked how the proposed design aligns with the Dogwood Park master plan. **Chair Loosveldt** asked if consideration had been given to softening the retaining wall and what considerations were given to habitat in the area. **The applicant** responded that the retaining wall is a series of steel gabions that step up. The rocks will be covered by various plantings that will

provide a habitat for animal life in the area. They further responded that their proposed plan does consider and connect Dogwood Park to the development site.

**Commissioner Khosroabadi** asked if the applicant planned to work with the North Clackamas Watersheds Council. **The applicant** responded that the topic had not come up; however, they are open to working with them.

**Commissioner Sherman** asked what would be used to incentivize car-free living at the site. **The applicant** responded that a combination of financial incentives would be used, noting rent reduction, Tri Met passes, and car/bike share passes as possible incentives. Further, they noted that the conditions of approval are designed such that the methods can be agreed upon by staff and the applicant once the development project is closer to finalization. **Kelver** noted that the language in the conditions of approval is designed to be flexible so that adjustments can be made as necessary.

**Commissioner Khosroabadi** asked whether the height variance affected the number of units. **The applicant** responded that the number of units had decreased somewhat since the origin of the project; however, the building height variance does not change the square footage of the proposed development.

**Heather Koch**, representing the **North Clackamas Parks and Recreation District**, commented that the District would like to review landscape plans for the site going forward.

The Planning Commission discussed the approval criteria. **Vice Chair Edge** and **Commissioner Khosroabadi** stated that they would vote to approve the application with the conditions of approval stated in the staff report. **Commissioner Hemer** stated that he would not vote to approve the application as presented because of the parking variance requested. **Commissioner Sherman, Commissioner Khosroabadi, and Vice Chair Edge** noted their support for the parking variance, in part due to the TDM program discussed in the staff report. **Commissioner Sherman** proposed adding "which the City shall share publicly at least once a year" to the language of the added condition of approval presented during the staff presentation. **Vice Chair Edge** stated that sharing updates to the TDM is important; however, a condition of approval is not the right place to require it. **Laura Weigel, Planning Manager**, stated that the City would support sharing updates publicly in tandem with the downtown parking management strategy. **Justin Gericke, City Attorney**, noted that the information is public regardless of if it is widely available or not.

DR-2021-001, Coho Point Redevelopment, was approved with the findings and added conditions of approval presented in the staff presentation with a 5-1 vote.

(02:47:44)

## 5.0 Planning Department Other Business/Updates

**Commissioner Hemer** thanked the Planning Department for their exemplary customer service.

**Vice Chair Edge** shared that the Oak Lodge Governance Report will be releasing soon.

**Commissioner Hemer** requested the Engage: Milwaukie information be included in the Planning Commission packet for the October 12 meeting.

**Commissioner Sherman** asked when the Measure 56 notification was going out for the middle housing hearing. **Weigel** responded that the notification process will be discussed on October 12.

(02:55:14)

## 6.0 Planning Commission Committee Updates and Discussion Items

No information was presented for this portion of the meeting.

(02:55:14)

## 7.0 Forecast for Future Meetings:

- |                  |  |
|------------------|--|
| October 12, 2021 | 1. Public Hearing: PD-2021-001, Hillside PD<br>2. Public Hearing: Middle Housing Code – Hearing # 1                                  |
| October 21, 2021 | 1. Work Session: Joint meeting with NDA's  |
| October 26, 2021 | 1. Public Hearing: VR-2021-014, 23 <sup>rd</sup> Ave Property Line Adjustment<br>2. Public Hearing: Middle Housing Code – Hearing #2 |

Meeting adjourned at approximately 9:14 p.m.

Respectfully submitted,

Will First, Administrative Specialist II



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

October 12, 2021

**Present:** Lauren Loosveldt, Chair  
Joseph Edge, Vice Chair  
Greg Hemer  
Robert Massey  
Jacob Sherman  
Amy Erdt  
**Absent:** Adam Khosroabadi

**Staff:** Justin Gericke, City Attorney  
Vera Koliass, Senior Planner  
Laura Weigel, Planning Manager

(00:12:54)

### 1.0 Call to Order — Procedural Matters\*

**Chair Loosveldt** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

**Note:** *The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

(00:13:21)

### 2.0 Meeting Minutes

The August 10, 2021 minutes were approved with a 6 – 0 vote.

(00:15:17)

### 3.0 Information Items

**Laura Weigel, Planning Manager**, shared that there will be a presentation and discussion with City Council on the Oak Lodge governance options October 19.

(00:15:53)

### 4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:16:45)

### 5.0 Hearing Items

(00:16:52)

### 5.1 PD-2021-001, Hillside Final Planned Development



**Vera Kolias, Senior Planner**, shared the staff report. The preliminary planned development was approved on March 23, 2021. The planned development will be located at 2889 SE Hillside Court and constructed in two phases, key features of the development included:

- Mixed income multi-family community (30% - 80% AMI)
- 600 total units, of which 400 are new, 100 are replacements, and 100 current units will remain (Hillside Tower).
- Opportunities for commercial and office uses along 32<sup>nd</sup> Ave.
- 41% open space and 29% tree canopy
- Green Building Construction

The existing Hillside Tower on the Northwest portion of the property will remain. The planned development requires a zone change on the northern portion of the property to Residential Medium- and High-Density (R1) and General Mixed-Use (GMU). A ten-lot subdivision allows the planned development to be phased. The applicant's proposed planned development includes lowering the minimum setback to 5 feet in the R1 zone except where adjacent to an R-7 zone on the northern boundary of the site. A parking modification is required as 0.82 parking spaces per unit are proposed including on street parking. 375 bike parking spaces are included in the plan.

The applicants made several changes to their narrative from the approved preliminary planned development. The changes include redesigning frontage on 32<sup>nd</sup> Ave., removing references to a new bike lane on 32<sup>nd</sup> Ave., changing phase 1 to include Lot C, changing the description of architectural character, and the relationship to Central Milwaukie Bikeways Concept plan.

Comments were received from Kate Hawkins and Avi Tayar, P.E., Oregon Department of Transportation (ODOT) which are reflected in the conditions of approval. Additionally, Sharon Johnson commented in support of the application.

Staff found the final development plan consistent with the preliminary plan. Staff recommended that the Planning Commission recommend approval to City Council of the final planned development and program subject to the recommended findings, conditions of approval, and other requirements.

**Commissioner Hemer** noted not all the residential lots in the planned developments have driveways and asked what off-site or on-street parking was available. **Kolias** responded that the planned development includes parking lots for multifamily developments, on-street parking, and off-street parking. **Kolias** further noted that as the phases of development begin, the development plans will need to be reviewed to ensure they are consistent with the parking requirements in the code and as approved by the planned development.

**Commissioner Sherman** asked whether staff had any traffic concerns or plans based on the comments received from ODOT. **Kolias** responded that the

comments received from ODOT were flagging the implication of development at the nearby Murphy site. The Transportation Impact Study conducted for this application did not indicate any off-site traffic improvements were necessary.

**The applicants** shared the updates to the Planned Development since the preliminary application was approved. The applicants have used a variety of public outreach methods to engage the current residents and the surrounding community including holding resident meetings, creating a monthly newsletter, circulating hard copies of application materials, and meeting with the Ardenwald Neighborhood District Association. Working with TriMet, the applicant team changed the frontage along SE 32<sup>nd</sup> Ave. to consolidate various bus stops into one larger stop. The planned development was consolidated into two phases to ensure constant utility and resident access to the existing Hillside Tower.

**Stewart Hayman, a resident**, asked if any traffic mitigation would be performed east of the property along King Rd. **The applicants** responded that the traffic impact study conducted did not indicate negative impacts to any King Rd intersections. **Commissioner Sherman** asked staff if any improvements are planned for the intersection at King Rd and 42<sup>nd</sup> Ave. **Kolias** responded that staff is unaware of any improvements planned at the intersection.

The Planning Commission discussed the application. **Vice Chair Edge and Commissioner Sherman** expressed appreciation for the frontage changes made along 32<sup>nd</sup> Ave and noted their support for the application.

PD-2021-001, Hillside Final Planned Development, was approved by a 6-0 vote.

(01:02:33)

## 5.2 ZA-2021-002, Middle Housing Code

**Kolias** shared the staff presentation. It included the background and goal of the code amendments as well as the policy mandates and aspects of the comprehensive plan which informed the project. The presentation focused on the middle housing and parking aspects of the proposed code amendments. The proposed code amendments ensure compliance with state House Bill 2001 (HB 2001) which requires middle housing to be permitted in all residential zones for detached single-unit dwellings. **Kolias** noted a change in the timeline of the public hearings to provide adequate public notice. **Kolias** summarized the timeline of the public engagement and public notice process.

The proposed code amendments consolidate eight residential zones to six zones merging R-5, R-7, and R-10 into R-MD. The consolidation of these residential zones would not alter the geographic boundaries of the zones. The four existing residential land use designations in the comprehensive plan will be consolidated into two. Low-density (LD) and moderate-density (MD) will be moderate-density (MD) and medium-density (Med. D) and high-density (HD) will be high-density

(HD).

**Commissioner Hemer** asked when R1 zones will be added along arterial streets. **Kolias** responded that rezoning residential zones and addressing high-density zones will be done through the neighborhood Hubs project. **Commissioner Sherman** asked how the public notice process would be carried out considering the multi-phased rezoning. **Kolias** responded that staff will thoughtfully consider the rezoning process and the corresponding public engagement efforts to prevent unnecessary notices. **Commissioner Sherman** asked staff to consider adding protections for residents of manufactured dwelling parks.

**Kolias** noted key code amendments around accessory dwelling units (ADUs) and updates to development standards. ADUs will be permitted by right, subject to design and development standards. Footprint requirements will be revised for accessory structures more than three years old when converted to an ADU. Additionally, a new Type II variance for Type B ADUs seeking a small increase in size will be created. **Commissioner Sherman** asked why the proposed Type II variance was not also applied to Type A ADUs. **Kolias** responded that Type B ADUs are larger than Type As, a size increase of Type A ADUs does not require the proposed Type II variance.

**Kolias** noted that existing development standards limit the form and type of housing allowed. The proposed development standards would comply with HB 2001, simplify the existing residential zones, and permit a broader range of housing types. To provide development flexibility, attached and detached units will be permitted. The proposed code amendments will establish a universal set of design standards that applies to all middle housing. **Vice Chair Edge** asked for clarification regarding why the updated standards applied to lots with a single dwelling unit noting the 10% lot coverage bonus. **Kolias responded** the grouping of 1-4 dwelling units was created to establish design standards for lots which are not multi-family housing, which is defined as five or more units. **Kolias** noted the two sections for increases in lot coverage, one for single family dwelling units and one for middle housing, should be combined into one. **Vice Chair Edge** asked if rear lot standards were added to the code. **Kolias** responded back lot and flag lot design and development standards are located in section 19.504.8.

**Kolias** shared updates to the code in relation to townhouses. Proposed standards are a combination of the state's Large City Model Code and design modeling and recommendations from the project consultant. HB 2001 requirements for townhouses dictate a minimum lot size of 1500 square feet, 20 feet minimum street frontage, and permitting four consecutive attached townhouses. The proposed code amendments allow a maximum of four attached townhouses, ensure sufficient curb and plant strip area, and require shared accesses to be spaced at least 24 feet apart. **Commissioner Sherman** asked what requirements are used to prevent a wall-like effect. **Kolias** responded that townhouses are subject to design standards which have articulation requirements to prevent a wall-like effect.

**Kolias** shared the code amendments for cottage clusters. HB 2001 requires cottage clusters be permitted on lots over 7,000 square feet, prevents maximum lot coverage and density, limits individual building footprints, and establishes design standards in the Large City Model Code. The proposed code amendments would allow detached units in moderate-density zones and attached units in high-density zones. Proposed design standards for cottage clusters include a max building footprint of 900 feet and a maximum building height of two stories. **Commissioner Hemer** asked why there is a 12 unit maximum for moderate-density zones and 8 unit maximum in high-density zones. **Kolias** responded that attached units are allowed in high-density zones, each of which has two dwelling units therefore more total units are permitted in high-density zones. **Vice Chair Edge** asked whether cottage clusters were permitted on back lots. **Kolias** responded that the requirements created in HB 2001 ensures cottage clusters are allowed on any lot of a certain size.

**Kolias** shared the code amendments around middle housing and parking. HB 2001 requires one parking space per unit, which can be in the driveway or setback. Reductions may be granted for proximity to transit and income-restricted housing. The parking modification process has been updated to allow further flexibility for parking requirements. **Commissioner Sherman** asked if parking stall widths are being changed in the proposed code updates. **Kolias** responded no.

**Kolias** shared the proposed code amendments for flag lots and back lots. The proposed code permits middle housing on back lots, reduces front and rear flag lot setbacks to 20 feet, and allows the pole portion of flag lots to count toward minimum lot size. **Commissioner Sherman** asked if there was still a pole width requirement. **Kolias** responded that the proposed code establishes minimum pole width standards but allows for variances when appropriate. **Commissioner Hemer** asked if the maximum back lot restriction was per pole or per parent property and if back lots were to be allowed in new subdivisions. **Kolias** responded it is per parent property and that back lots are currently prohibited in new subdivisions as they are intended for infill development. **Chair Loosveldt** asked if commissioners would support allowing back lots in new subdivisions. **Commissioner Erdt** asked why new subdivisions would intentionally build back lots. **Commissioner Sherman** noted he would only support back lots as infill development. **Commissioner Massey** asked what the intention of the back lot restriction was. **Kolias** noted the code is written to discourage flag lots, but to fully understand the intent behind the restriction, examining the legislative history is necessary. **Vice Chair Edge** noted that back lots should be discouraged although some review type such as a Type III variance should be available for those who do wish to develop back lots. **Commissioner Erdt** reiterated Vice Chair Edge and noted her support for a variance process to increase flexibility.

**Vice Chair Edge** noted HB 2001's language stating municipalities should not expect increased density of more than 3% due to changes in middle housing

and asked if staff knew why that language was included in the bill. **Kolias** responded that staff is not aware but will find out for the next hearing. **Vice Chair Edge** asked how many single unit dwellings have been permitted in the City since 2009. **Kolias** responded 133 units were permitted since 2009. **Vice Chair Edge** asked how much further the proposed code goes beyond what is required by HB 2001 and shown in the Large City Model Code. **Kolias** responded the key difference between the City's proposed code and the Large City Model Code is that the City allows detached units in duplex, triplex, and quadplexes. **Vice Chair Edge** asked what capacity is available for new development in low density zones. **Kolias** responded the City's capacity for new development in low density zones is 765 units. **Vice Chair Edge** noted the low predicted change in middle housing based on the 3% prediction in HB 2001. Further, Edge noted the City's desire to solve housing issues and asked staff and the commission to allow quadplexes on any lot.

**Commissioner Erdt** asked if the City has any goals for expanding the share of owner-occupied units and expressed support for increasing the share of owner-occupied housing. **Kolias** responded that three quarters of the projected housing needs of the city are owner-occupied units.

**Chair Loosveldt** asked whether the same standards that apply to quadplex were intended to apply to cottage clusters. **Kolias** responded that the same articulation, glazing, and detailed design building design standards apply but only to the street facing units. Several site design standards however are unique to cottage clusters.

**Micah Meskel, a resident**, commented in support of the proposed code amendments. He noted staff should consider introducing off-street parking maximums, lowering minimum parking requirements to one spot per unit for all units, and eliminating parking restrictions for affordable units.

**Neil Schulman, Executive Director of North Clackamas Watershed Council**, commented in support of the proposed code amendments. Schulman noted support for increased incentives for green infrastructure and reduced parking requirements.

The commissioners discussed the proposed code amendments. **Commissioner Hemer** noted concern in eliminating off street parking requirements citing potential hazards of running cords to the street for electric vehicle charging as a primary concern. **Commissioner Sherman** noted the half space requirement for high-density zones and one space for medium-density zones for cottage clusters and asked the commission and staff to consider only requiring half of a parking space per unit regardless of density. **Vice Chair Edge** noted his support to reduce parking minimums. **Commissioner Massey** expressed concerns for reducing parking minimums. **Commissioner Hemer** asked how an owner-occupied single unit lot could have half a parking space. **Commissioner Sherman** responded his proposal of reducing all parking minimums be for middle housing.

**Chair Loosveldt, Vice Chair Edge, Commissioner Hemer, and Commissioner Sherman** expressed support to allow all middle housing types on any lot where a single unit be allowed. **Commissioner Massey** asked whether the current zoning hierarchy is designed to blend high-density zones into low-density zones. **Kolias** noted that the same design standards will be used for single unit housing and middle housing. **Vice Chair Edge** asked when the housing needs analysis and capacity study will be revisited. **Weigel** answered that the City will conduct a housing needs analysis and housing production strategy during 2022 and 2023.

**Vice Chair Edge** asked if any density bonuses or incentives are awarded for protected affordable housing. **Kolias** responded the only incentive for affordable housing is a parking reduction. **Chair Loosveldt** encouraged staff to explore incentives to encourage income-restricted affordable housing. **Commissioner Erdt** suggested the City start conversations with affordable housing developers to explore various incentives to encourage affordable developments.

The commission voted to continue ZA-2021-002, Middle Housing Code Amendments, on October 26, 2021 by a 6-0 vote.

(03:23:55)

#### **6.0 Planning Department Other Business/Updates**

No information was presented for this portion of the meeting.

(03:23:55)

#### **7.0 Planning Commission Committee Updates and Discussion Items**

No information was presented for this portion of the meeting.

(03:24:50)

#### **8.0 Forecast for Future Meetings**

October 21, 2021	1. Work Session: Joint meeting with NDA's
October 26, 2021	1. Public Hearing: VR-2021-014, 23 <sup>rd</sup> Ave Property Line Adjustment 2. Public Hearing: Middle Housing Code – Hearing #2
November 09, 2021	1. Public Hearing: VR-2021-015, Filbert St ADU Conversion 2. Public Hearing: Middle Housing and Tree Code – Hearing #3

Meeting adjourned at approximately 9:44 p.m.

Respectfully submitted,

Will First, Administrative Specialist II



# CITY OF MILWAUKIE

## PLANNING COMMISSION WORKSESSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

October 21, 2021

**Present:** Lauren Loosveldt, Chair  
Joseph Edge, Vice Chair  
Greg Hemer  
Robert Massey  
Jacob Sherman  
Amy Erdt  
Adam Khosroabadi

**Staff:** Jason Wachs, Community  
Engagement Coordinator  
Laura Weigel, Planning Manager

**Absent:**

(00:00:00)

### 1.0 Welcome and Agenda Overview

**Chair Loosveldt** called the work session to order at 6:30 p.m.

**Note:** The information presented constitutes summarized minutes only. The work session video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.

(00:00:00)

### 2.0 Information Items

No information was presented for this portion of the meeting.

(00:00:00)

### 3.0 NDA Attendee Introductions

Present NDA Members introduced themselves and noted which NDA they represent.

Ardenwald- Johnson Creek	<b>Lisa Gunion-Rinker</b> , Land Use Committee Chair
Hector Campbell	<b>Susan McCarty</b> , Land Use Committee Chair <b>Sarah Smith</b> , Director of Parks and Gardens
Historic Milwaukie	<b>Rich Recker</b> , NDA Chair, <b>Debbie Liptan</b> , NDA Secretary <b>Gary Klein</b> , Land Use Committee Member
Island Station	<b>Charles Bird</b> , NDA Vice-Chair <b>Pam Denham</b> , NDA Secretary and Land Use Committee Chair
Lake Road	<b>Susanna Pai</b> , NDA Treasurer

Lewelling	<b>Rebecca Stavenjord</b> , NDA Chair <b>Howie Oakes</b> , NDA Treasurer
Linwood	None present

**Chair Loosveldt** asked the NDA representatives to share what recent work their NDA has been involved with. **Gunion-Rinker** shared updates for the Ardenwald-Johnson Creek NDA. Key updates included the return of the Davis Graveyard and a fundraiser for Our House, an HIV Care Services organization.

**McCarty** shared updates for the Hector Campbell NDA. Recent work has been centered on engaging community members, strategies include hosting a “walk through the woods” and a concert or picnic series.

**Recker** shared updates for the Historic Milwaukie NDA which has focused on helping improve Downtown Milwaukie through engagement of various stakeholders and community members.

**Bird and Denham** shared updates for the Island Station NDA whose recent focus has been ensuring safety within the neighborhood.

**Pai** shared updates for the Lake Road NDA which has been primarily working on developing Bowman-Brae Park.

**Stavenjord and Oakes** shared updates for the Lewelling NDA which has worked on distributing small grants for local businesses and organizing a spring clean-up. Additionally, the Lewelling NDA has been working to engage community members in a traffic safety survey of which, over 150 responses have been received.

**Laura Weigel, Planning Manager**, shared updates from the planning department. Key updates included comprehensive plan implementation and the upcoming transportation system plan supported by a grant from Oregon Department of Transportation. Additionally, the department will be conducting a Housing Needs Analysis and subsequently a Housing Production Strategy, both of which are grant-supported. Other future projects include the neighborhood HUBS project, Natural Resource review, and Willamette Greenway review. **Denham** asked if there was a centralized page on the City website to find the mentioned projects. **Weigel** responded that there is not a centralized page as many of the projects mentioned are still under development.

**Recker** asked what can be done to combat new developments from avoiding regulations which are still in development. **Weigel** responded that regulations and processes are constantly changing and as such developments can only be reviewed based on current code.

**Gunion-Rinker** asked if the City website showed the geographic location of



each land use application. **Weigel** responded that that feature is not currently available on the City website although the City could add the associated neighborhood for each land use application.

(00:41:07)

#### **4.0 Work Session Items**

(00:41:29)

#### **4.A Identifying Barriers to Providing Feedback to the Planning Commission on Land Use Applications**

**Denham** mentioned there were issues receiving notifications around land use applications and asked what the normal process is for NDA notification. **Chair Loosveldt** suggested notifications be sent to a central member of the committees to avoid issues with turnover. **Bird** suggested Jason Wachs update necessary parties for notifications. **Wachs** responded that individual NDA makeup varies such that sending notifications to all NDA members may be the most practical solution. **Commissioner Sherman** suggested creating a generic email address which auto forwards to necessary parties. **Weigel and Vice Chair Edge** reiterated Sherman's suggestion. **Commissioner Hemer** suggested one member of the discussion with experience creating a generic email which auto forwards notifications create and distribute instructions for how to do so.

**Gunion-Rinker** mentioned lack of time and availability often acts as a barrier for NDA participation. **Chair Loosveldt** noted the Planning Commissioners discussed remaining in hybrid format to help combat availability issues.

**Liptan** mentioned lack of land use experience is a barrier in providing feedback to the Planning Commission. **Klein** reiterated Liptan's comment and asked for a summarized version of land use reports to make it easier for NDA members to read and understand each application. **Weigel** responded staff can provide a presentation and workshop for NDA members to understand the basics of land use planning. Weigel also noted it would not be possible for staff to provide a summarized version of application reports due to staff and time constraints. **Chair Loosveldt** empathized with Liptan's comment and encouraged NDA members to provide feedback regardless of land use experience. **Commissioner Sherman** added that when NDA members review applications the focus should be on how applications meet or fail to meet the approval criteria. **McCarty** noted it is important for NDAs to identify and reach out to community members with land use experience to utilize their knowledge in examining land use applications regardless of holding a position on the NDA board.

**Oakes** suggested requiring major developments to present to the respective NDA. **Weigel** responded if it is legally possible to require developers to meet with the NDA the City will consider adding the requirement for Type III land use applications.

**Commissioner Sherman** suggested adding a hyperlink to the respective NDA website for each parcel on the City GIS site.

**Chair Loosveldt** suggested creating a recurring time for City staff to be available for questions from NDA members. **Weigel** responded that limited staffing capacity makes a recurring meeting impractical, however anyone is welcome to contact planning staff with specific questions.

(00:59:38)

#### **4.B Code and General Questions not Related to Specific Land Use Projects**

No information was presented for this portion of the meeting.

(01:00:07)

#### **4.C Engage Milwaukie**

**Chair Loosveldt** provided a brief description of Engage Milwaukie, polled the participants to gauge who has used the platform, and asked if there were any questions or thoughts about the Engage Milwaukie platform. **Wachs** shared various features of the Engage Milwaukie site and how the site tracks demographic information of participants. **Chair Loosveldt** asked whether NDAs could access site information. **Wachs** responded that it is not possible as the website's host company restricts the number of users with full access.

**Commissioner Massey** noted his support for increased community engagement and noted the traffic safety survey conducted by the Lewelling NDA can be used as a model for other NDAs. Massey noted this info could be used to inform the Transportation System Plan (TSP).

**Recker** noted tools other organizations use to engage community members. Recker noted NDA members often feel they're only consulted when required and that developers do not consider NDA thoughts. **Commissioner Erdt** noted the Milwaukie Chit Chat Facebook Group could be used as an additional engagement tool. **Gunion-Rinker** noted the most effective engagement tool for the Ardenwald-Johnson Creek NDA has been in-person events. **Gunion-Rinker** suggested utilizing informal engagement efforts to discuss land use topics with members of Planning Commission or City staff.

(01:19:59)

#### **4.D Community Involvement Advisory Committee (CIAC)**

**Vice Chair Edge** explained the purpose of and presented an overview of the newly formed CIAC. The Planning Commission will reserve time each meeting and hold an annual meeting for community members to interact with the Commissioners in their role as the CIAC. The purpose of the committee is to discuss topics related to land use with the community. The CIAC will provide opportunities for increased public involvement, work to make technical information easy to understand, ensure public involvement in all phases of the

planning process, and request adequate financial support for public involvement efforts. Edge asked whether NDA members had any thoughts on how to make the Committee most effective.

**Recker** asked who was previously in charge of the committee. **Chair Loosveldt** responded that the Planning Commissioners are the first members as the committee was just created.

(01:37:26)

**5.0 Planning Department Other Business/Updates**

No information was presented for this portion of the meeting.

(01:38:50)

**6.0 Planning Commission Committee Updates and Discussion Items**

No information was presented for this portion of the meeting.

Work session adjourned at approximately 8:25 p.m.

Respectfully submitted,

Will First, Administrative Specialist II



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

October 26, 2021

**Present:** Lauren Loosveldt, Chair  
Joseph Edge, Vice Chair  
Amy Erdt  
Greg Hemer  
Adam Khosroabadi  
Robert Massey  
Jacob Sherman

**Staff:** Justin Gericke, City Attorney  
Vera Kolias, Senior Planner  
Laura Weigel, Planning Manager

**Absent:**

(00:17:00)

### 1.0 Call to Order — Procedural Matters\*

**Chair Loosveldt** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

**Note:** *The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

(00:17:29)

### 2.0 Meeting Minutes

The August 24, 2021 minutes were approved with a 7-0 vote.

(00:18:13)

### 3.0 Information Items

No information was presented for this portion of the meeting.

(00:18:40)

### 4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:19:39)

### 5.0 Hearing Items

(00:19:39)

### 5.1 VR-2021-014, PLA-2021-002, 2215 SE Harrison St

**Vera Koliás, Senior Planner**, shared the staff report, the applicant is seeking a property line adjustment along the northern boundary of the property. The proposed compound property line preserves existing mature vegetation while minimizing impact to the adjoining property owner, staff did not identify any negative impacts of the property line adjustment. The proposed compound property line follows an existing stacked rock wall. Staff recommended approval of the application.

VR-2021-014, PLA-2021-002, 2215 SE Harrison St, was approved by a 7-0 vote.

(00:34:05)

## 5.2 ZA-2021-002, Middle Housing Code, Hearing #2

**Koliás** shared the code review schedule and staff report.

**Koliás** revisited the discussion on flag lots and back lots in new subdivisions. **Koliás** noted the 2002 code amendments which prohibited flag lots and back lots in new subdivisions and a subsequent public information release document which provided rationale for the prohibition. **Koliás** asked the commission if they supported allowing flag lots and back lots in new subdivisions and if they should be allowed out right or through a variance process. **Vice Chair Edge** asked whether subdivisions would continue to be a Type III development review. **Koliás** responded that subdivisions will likely be permitted by right or through a Type II development review process. **Vice Chair Edge** noted his support for allowing back lots and flag lots by right in new subdivisions. **Commissioner Hemer, Commissioner Sherman, and Commissioner Khosroabadi** noted preference for allowing back lots and flag lots by right but added they would support a Type III variance process as well. **Chair Loosveldt** expressed concern for tree canopy goals but noted her support for allowing back lots and flag lots by right.

**Koliás** revisited the proposed updates to the parking code discussed at the October 12 Planning Commission hearing. The current proposal requires one parking space per unit but allows by right reductions of 20-25% for proximity to transit and 50% for income-restricted housing. **Koliás** asked the commission if they supported a reduction in the proposed minimum parking requirement to .5 spaces per dwelling unit and if so, would they support allowing the proposed by right reductions as well.

**Commissioner Massey** asked what parking requirements were recommended by the Comprehensive Plan Implementation Committee (CPIC). **Koliás** responded that CPIC recommended one parking space per unit in accordance with State House Bill 2001 (HB 2001).

**Koliás** shared the results of the 2021 Residential Parking Study. The study found that the average supply of on street parking was 4 stalls per unit and the average minimum demand was 2 parking stalls per unit. **Koliás** concluded there is currently an abundance of on-street parking spaces. **Commissioner Hemer**

asked whether the 2021 Residential Parking Study assumed each garage was occupied. **Kolias** responded that the study assumed each garage was occupied, the garage capacity was calculated based on the number of doors on each garage.

**Vice Chair Edge** noted available parking spaces and projected middle housing production estimates and expressed his support for lowering the required parking to .5 spaces or 0 spaces per unit. **Commissioner Khosroabadi** expressed support for lowering the required parking to .5 or 0 spaces per unit. **Commissioner Sherman** expressed support for lowering barriers to middle housing production including reducing required parking to 0 spaces per unit. **Commissioner Hemer** expressed concern for providing parking adjustments by right for proximity to transit.

**Kolias** noted the guidelines provided by the Large City Model Code, which ties required parking spaces to lot size. The Model Code requires more spaces for larger lots with a maximum of one space per unit. **Vice Chair Edge** asked the commission if they would support a minimum parking requirement which is proportional to lot size. **Commissioner Massey** noted his support for making minimum parking requirements relational to lot size and expressed concern for lowering the minimum parking requirements to .5 or 0 spaces per unit.

**Commissioner Hemer** expressed support for lowering the minimum required parking to 1 fewer total spaces than the number of units for all middle housing developments but noted opposition to removing parking minimums for middle housing.

**Kolias** noted the proposed changes to minimum lot size allowing triplexes and quadplexes on lots greater than 3,000 square feet. **Commissioner Khosroabadi** asked why duplexes are not permitted on lots greater than 1,500 square feet. **Kolias** responded that duplexes are permitted anywhere a detached single-family dwelling is permitted.

**Kolias** noted the additional ways the city can incentivize income-restricted housing. To reduce development costs the city can provide fee reductions, subsidies, and waive System Development Charges (SDCs). Additionally, Kolias proposed reducing minimum setbacks as an additional tool to incentivize income restricted housing. **Chair Loosveldt** expressed support for minimum setback reductions but noted concern in reducing the rear yard setback. **Vice Chair Edge** responded that flag lots and back lots should be allowed to use the larger setback on either the front or rear. **Vice Chair Edge** noted his support for the proposed setback changes for affordable units and asked how the setback adjustment would be used for a development that is partially income restricted. **Edge** expressed support for reducing minimum setbacks for partially income restricted developments. **Commissioner Hemer** expressed support for a tiered approach to reduction of minimum setbacks such that units guaranteed affordable at a lower percentage of the AMI be granted higher setback

reductions. **Hemer** added that setback reductions will visually separate affordable developments from market-rate developments and potentially stigmatize affordable developments. **Commissioner Sherman** requested that minimum setback reductions granted to partially affordable developments include a clause to require the affordable unit to be "substantially similar" to the other units. **Sherman** asked what definition of affordable housing what be used to determine if developments are affordable. **Kolias** responded that affordable housing is defined in the parking section of the proposed code as units which are affordable equal to or less that 80% Area Median Income (AMI) as defined by HUD and guaranteed affordable for 30 years through a restricted covenant.

**Commissioner Hemer** asked how planning staff will know a development is income restricted affordable housing when the applications is submitted. **Kolias** responded that applicants will be required to submit necessary paperwork which guarantees the required covenant and procedures are in place at the time of an application submittal.

**Vice Chair Edge** requested staff provide sample pro formas for affordable housing developments at the next hearing. **Laura Weigel, Planning Manager**, responded that providing pro formas may not be possible at the next hearing as the necessary cross department coordination cannot happen within that time frame.

**Stephen Lashbrook, a Milwaukie resident**, noted his support for the proposed middle housing code updates and expressed concern for reducing parking minimums to .5 or less spaces per unit. Lashbrook requested the definition of half story in the proposed code be rewritten.

**Commissioner Hemer** requested the commission to vote to change the proposed parking reduction for triplexes to either .33 or .67.

**Vice Chair Edge** suggested modifying the minimum parking requirements to 0 spaces per unit based on proximity to frequent service transit stops. **Kolias** noted that there is existing code language for proximity to transit reductions which specifies the site must be within 500 feet walking distance from a transit stop which sees service at least once every 30 minutes during peak hours. **Vice Chair Edge** responded asking if the MMC can refer to TriMet's frequent service routes for the proposed reductions.

**Commissioner Erdt** expressed support for lowering the minimum parking requirement to less than 1 space per unit but more than 0. **Vice Chair Edge** expressed support for lowering the parking minimum to 0 spaces per unit.

**Chair Loosveldt** polled the commission for support of reducing the parking minimum to 0 spaces per unit. Commissioners Khosroabadi, Sherman, Loosveldt, Edge, and Erdt supported reducing the minimum required parking spaces required to 0 for all middle housing except cottage clusters.

**Commissioner Sherman** noted his support for reducing the parking minimums for cottage clusters as well. **Kolias** suggested reducing the parking minimum to .5 spaces per unit for cottage clusters. **Chair Loosveldt** polled the commission for support to lower the required parking to .5 spaces per unit for cottage clusters. Commissioners Khosroabadi, Sherman, Loosveldt, Edge, and Erdt supported reducing the minimum required parking to .5 spaces per unit for cottage clusters.

The commission voted to continue ZA-2021-002, Middle Housing Code Amendments, on November 9, 2021 by a 7-0 vote.

(03:12:35)

#### **6.0 Planning Department Other Business/Updates**

**Weigel** noted two new staff members, Community Development Director Joseph Briglio and Associate Planner Adam Heroux.

(03:13:18)

#### **7.0 Planning Commission Committee Updates and Discussion Items**

**Vice Chair Edge** shared that the City Council discussion with ECONorthwest and the Oak Lodge Governance Steering Committee around the Oak Lodge Governance Project is viewable online.

(03:15:24)

#### **8.0 Forecast for Future Meetings**

November 09, 2021	1. Public Hearing: VR-2021-015, Filbert St ADU Conversion 2. Continued Public Hearing: Middle Housing and Tree Code – Hearing #3
November 23, 2021	Canceled

Meeting adjourned at approximately 9:45 p.m.

Respectfully submitted,

Will First, Administrative Specialist II





# CITY OF MILWAUKIE

**To:** Planning Commission

**Through:** Laura Weigel, Planning Manager  
Steve Adams, City Engineer

**From:** Vera Kalias, Senior Planner  
Jennifer Backhaus, Engineering Technician III

**Date:** January 18, 2022, for January 25, 2022, Public Hearing

**Subject:** **File:** VR-2021-012, DEV-2021-006, P-2021-003  
**Applicant:** Troy Lyver  
**Address:** 9285 SE 58<sup>th</sup> Dr  
**Legal Description (Map & Tax Lot):** 12E30AD01500  
**NDA:** Lewelling

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## **ACTION REQUESTED**

Approve applications VR-2021-012, DEV-2021-006 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow the construction of an 1,848-sq ft manufacturing building and associated improvements on the site.

## **BACKGROUND INFORMATION**

The property is a small vacant lot located at the corner of Johnson Creek Blvd and 58<sup>th</sup> Dr (see Figures 1 and 2). The applicant proposes to construct a 2-story manufacturing building measuring 1,848 sq ft. Variances are requested to reduce the front yard setback on Johnson Creek Blvd to 0 ft, to reduce the perimeter parking area landscaping to 3.5 ft., and to modify the accessway location.



Figure 1. Site and vicinity



Figure 2. Street view of subject property

**A. Site and Vicinity**

The site is located at 9285 SE 58<sup>th</sup> Dr. The 0.08-acre (3,592 sq ft) site is vacant and was formerly used for storage of materials for the adjacent Smith Rock business. The surrounding area consists of small industrial/manufacturing uses and the Wichita Feed and Hardware store site across 58<sup>th</sup> Dr. Across Johnson Creek Blvd is the Springwater Corridor Trail.

**B. Zoning Designation**

M Manufacturing Zone

**C. Comprehensive Plan Designation**

I - Industrial

**D. Land Use History**

City records do not indicate any previous land use activity on this site.

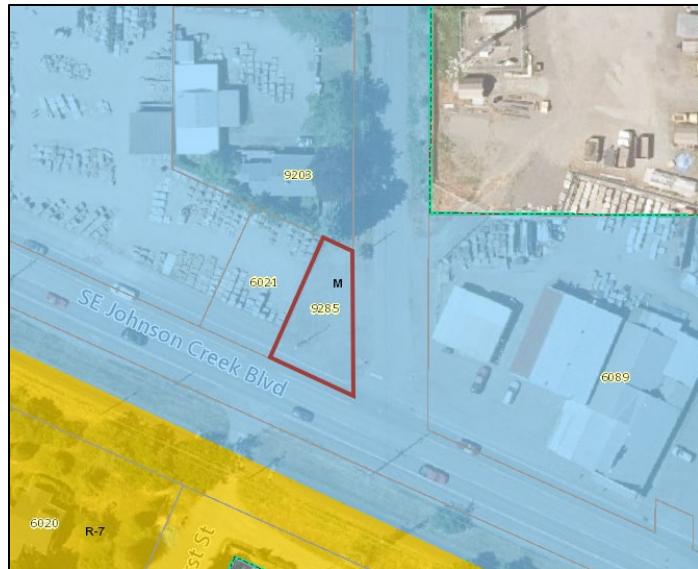


Figure 3. Zoning

**E. Proposal**

The proposed development includes a 2-story 1,848-sq ft manufacturing building, on-site landscaping (including a “living wall”) and parking, and street improvements on 58<sup>th</sup> Dr (See Figures 4 and 5).



Figure 4. 3-D rendering of proposed building

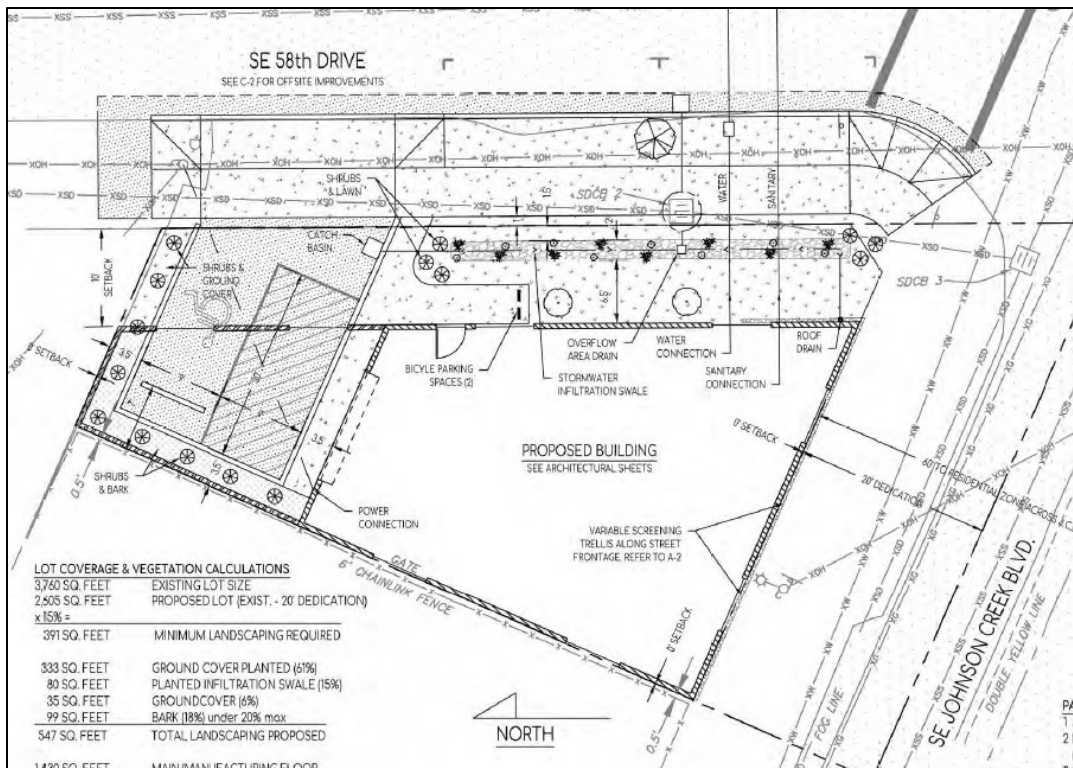


Figure 5. Proposed site plan.

The applicant is seeking land use approvals for the following:

1. A variance to reduce the minimum front yard setback to 0 ft on Johnson Creek Blvd. This request is subject to a Type III review.
2. A variance to reduce the width of parking area perimeter landscaping to 3.5 ft. This request is subject to a Type III review.
3. A variance to the accessway location requirements that would reduce the spacing between the driveway apron and the property line to 4 ft., and the distance from the intersection to 72 ft. This request is subject to a Type III review.
4. Parking modification to allow the required on-site parking space to be the accessible space and other parking to be located on-street. This request is subject to a Type II review.

The project requires approval of the following applications:

1. Type III Variances
2. Type II Development Review
3. Type II Parking Modification

## **KEY ISSUES**

### **Summary**

Staff has identified the following key issue for the Planning Commission's deliberation. Aspects of the proposal not listed below are addressed in the Findings (see Attachment 1) and generally require less analysis and discretion by the Commission.

Are the proposed variances reasonable and appropriate?

### **Analysis**

#### **Are the proposed variances reasonable and appropriate?**

As noted in the application summary, the applicant proposes to construct a manufacturing building on the vacant site, as well as site improvements, such as on-site accessible parking spot and landscaping.

Variances are requested to allow a 0-ft setback on Johnson Creek Blvd, allow 3.5 ft of perimeter landscaping, allow a driveway apron spacing of 4 ft from the property line, and reduced spacing of the driveway distance from Johnson Creek Blvd.

The approval criteria for the variances are listed below and how the application meets the criteria.

- Provides an alternative analysis
  - *0-ft setback on Johnson Creek Blvd: the parcel is less than 4,000 sq ft and the required 20-ft dedication on Johnson Creek Blvd results in a lot size of 2,605 sq ft. Further, the shape of the lot is effectively a triangle, creating an additional development constraint. In addition to the required 10-ft setback on 58<sup>th</sup> Dr, parking, and landscaping, the developable area of the site is reduced by nearly 50%. The alternative to the variance would be to not develop the site, given the multitude of constraints. The applicant has submitted a narrative explaining that maintaining the 20-ft setback, in addition to all of the other requirements, would render the site undevelopable.*
  - *4-ft spacing between driveway apron and property line, and 72-ft spacing from the intersection: As noted above, the small size of the site and its triangular shape limit the options for development on the site. Access from Johnson Creek Blvd is not permitted, so access from 58<sup>th</sup> Dr is the only option. In order to provide as much space between the driveway and the intersection with Johnson Creek Blvd, a reduction in the minimum spacing of 10 ft between the driveway apron and the property line is necessary. The applicant's narrative outlines the ramifications of requiring the 10 ft spacing, which would affect the internal circulation on the site and put the driveway even closer to the intersection. The applicant submitted an access study which confirmed that a spacing of 72 ft rather than the minimum required 100 ft will not result in impacts to safety or sight distance.*
  - *3.5-ft perimeter landscaping: As noted above, the small size of the site and its triangular shape limit the options for development on the site. Requiring the full 6 ft width of landscaping would further reduce an already very small building footprint on the site and render the site effectively undevelopable.*

*This criterion is met.*

- Avoids or minimizes impacts to surrounding properties

*The proposed variances avoid creating adverse impacts for surrounding properties. The site is a corner lot and has only two adjacent properties, both of which are commercial/industrial properties. The 0-ft setback on Johnson Creek Blvd includes the required 20-ft dedication for future improvements to the street. The proposed design includes a "living wall" on the building to help soften the building when it is adjacent to the future sidewalk. The proposed driveway would be located as far as possible from the intersection with Johnson Creek Blvd to maximize safety, while still separating it from the adjacent property. The 3.5-ft space is proposed to be landscaped. The reduction in the width of the landscaped perimeter is a reduction, not an elimination, and would still*

*include landscaping and plants. The proposal minimizes impacts while still providing the ability to develop the site, which is now vacant and underutilized.*

*This criterion is met.*

- Has desirable public benefits

*The proposal will create a modest public benefit by taking a vacant, underutilized site and adding a productive use to the limited Manufacturing zone. Total relief from the landscaping requirement is not requested, as the site will include landscaping, a “living wall” on the building to improve its appearance, and required improvements include street trees, curb, and sidewalk on 58<sup>th</sup> Dr, none of which exist today.*

*This criterion is met.*

- Responds to the existing built or natural environment in a creative and sensitive manner

*The existing built and natural environment will be improved by the development, via the proposed “living wall”, constructing a new building and site improvements on a vacant, underutilized site, and constructing frontage improvements on 58<sup>th</sup> Dr.*

*This criterion is met.*

- Impacts from the proposed variance will be mitigated to the extent practicable

*As noted above, any impacts from the proposed variances will be mitigated via a “living wall”, smaller (but not eliminated) perimeter landscaping, and a reasonable spacing between the driveway apron and the intersection that is still safe. The combination of requested variances allows productive use of a very small vacant and underutilized site, while still adhering to the intent and purpose of the design and development standards in the Manufacturing zone.*

*This criterion is met.*

The applicant and the circumstances of this case have demonstrated that the effect of strict compliance with the setback, perimeter landscaping, and driveway spacing standards would be a site that is effectively undevelopable. Given the proposed improvements to the site and to 58<sup>th</sup> Dr, staff believes granting the variances are reasonable and appropriate.

## **CONCLUSIONS**

### **Staff recommendation to the Planning Commission is as follows:**

1. Approve the variances. This will result in a building with a 0-ft setback on Johnson Creek Blvd, 3.5-ft parking area perimeter landscaped areas, and a driveway spacing of 4 ft to the adjacent property line and 72-ft from the intersection.
2. Approve the parking modification. This will result in a site with one accessible parking space on site and two on-street spaces as part of the required frontage improvements.

3. Adopt the attached Findings and Conditions of Approval.

### **CODE AUTHORITY AND DECISION-MAKING PROCESS**

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC 12.16 Access Management
- MMC 19.309 Manufacturing Zone (M)
- MMC 19.600 Off Street Parking and Loading
- MMC 19.700 Public Facility Improvements
- MMC 19.906 Development Review
- MMC 19.911 Variances

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has 4 decision-making options as follows:

- A. Approve the application subject to the recommended Findings and Conditions of Approval.
- B. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- C. Deny the application upon finding that it does not meet approval criteria.
- D. Continue the hearing.

The final decision on these applications, which includes any appeals to the City Council, must be made by April 6, 2022, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

### **COMMENTS**

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Engineering Department, Building Official, Lewelling Neighborhood District Association (NDA), Clackamas County Engineering Review, Metro, TriMet, and the Clackamas Fire District #1. The following is a summary of the comments received by the City.

- **Milwaukie Engineering Department** – Engineering comments have been incorporated in the Findings under 19.700 and Chapter 12.
- **TriMet** – Comments related to the adjacent bus stop on Johnson Creek Blvd when improvements are made.



A public notice was sent on January 5, 2022 to all property owners within 300 ft of the site. No comments were received.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	Early PC Mailing	PC Packet	Public Copies	Packet
1. Recommended Findings in Support of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Recommended Conditions of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Applicant's Narrative and Supporting Documentation submitted on June 15, 2021 and revised on December 8, 2021.				
a. Narrative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Site Plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Building Plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Access Study	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Comments received	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**Key:**

Early PC Mailing = paper materials provided to Planning Commission at the time of public notice 20 days prior to the hearing.

PC Packet = paper materials provided to Planning Commission 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-88>.

**ATTACHMENT 1**  
**Recommended Findings in Support of Approval**  
**File #VR-2021-012; DEV-2021-006; P-2021-003, 58th Dr Manufacturing Building**

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Troy Lyver, on behalf of the property owners, has applied for approval to construct a manufacturing building and associated site improvements at 9285 SE 58<sup>th</sup> Dr. This site is in the Manufacturing M Zone. The land use application file numbers are VR-2021-012, DEV-2021-006, and P-2021-003.
2. The applicant proposes to construct a 2-story 1,848-sq ft building, site landscaping and parking, and frontage improvements. The proposed development requires variances to minimum front yard setbacks, width of parking area perimeter landscaping, and minimum spacing standards between a driveway apron and a property line and to the nearest intersection. The application proposes to have the required on-site parking space be the accessible space and provide other parking on-street.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
  - MMC 12.16 Access Management
  - MMC 19.309 Manufacturing Zone (M)
  - MMC 19.600 Off Street Parking and Loading
  - MMC 19.700 Public Facility Improvements
  - MMC 19.906 Development Review
  - MMC 19.911 Variances

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was held on January 25, 2022 as required by law.

4. MMC 19.309 Manufacturing
  - a. MMC 19.301 establishes the development standards that are applicable to this site. Table 1 summarizes the existing and proposed conditions on the subject property with respect to the standards relevant to this proposal.

*The proposal is a 2-story building for light manufacturing uses with office space.*

**Table 1: Overview of Compliance with Development Standards**

<b>Manufacturing Zone - M Development Standards</b>			
Standard	Required	Proposed	Staff Comment
1. Setbacks Front Side Rear Street side	Min. 20 ft None None 10 ft	0 ft 0 ft 0 ft 10 ft	A variance has been requested.
2. Building Height	45 ft (max.)	28 ft-10 in	Complies with standard.
3. Landscaping	15% min.	Approx. 20%	Complies with standard.

*Subject to approval of the requested variance, the Planning Commission finds that the proposal complies with the applicable standards of the M zone.*

5. MMC Chapter 19.600 Off-Street Parking and Loading

MMC 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of these requirements includes providing adequate space for off-street parking, minimizing parking impacts to adjacent properties, and minimizing environmental impacts of parking areas.

a. MMC Section 19.602 Applicability

MMC 19.602 establishes the applicability of the provisions of MMC 19.600, and MMC Subsection 19.602.3 establishes thresholds for full compliance with the standards of MMC 19.600. Development of a vacant site is required to provide off-street parking and loading areas that conform fully to the requirements of MMC 19.600.

*The proposed development is an 1,848-sq ft manufacturing building and is required to conform fully to the requirements of MMC 19.600.*

*The Planning Commission finds that the provisions of MMC 19.600 are applicable to the proposed development.*

b. MMC Section 19.605 Vehicle Parking Quantity Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking (off-street) based on estimated parking demand.

*The proposed manufacturing building would be 1,848 sq ft.*

*As per MMC Table 19.605.1, the minimum/maximum number of required off-street parking spaces for a manufacturing use is 1/2 spaces per 1,000 sq ft of floor area. According to MMC Table 19.605.1, the proposed development should provide a minimum of 1 space and would have a maximum of 3 spaces allowed. As proposed, the development would provide 1 accessible (ADA) space on-site and 2 on-street spaces.*

*Subject to approval of the requested parking modification, the Planning Commission finds that this standard is met.*

c. MMC Subsection 19.605.2 Quantity Modifications and Required Parking Determinations

- (1) MMC Subsection 19.605.2 A. allows for the modification of minimum and maximum parking ratio standards as calculated per Table 19.605.1.

*The applicant has requested a modification to the minimum required parking for the development and proposes to provide an on-site accessible parking space and 2 on-street spaces for the development. This allows the required accessible space to be located as close to the building entrance as possible and provides 2 on-street parking spaces as part of the required frontage improvements on 58<sup>th</sup> Dr.*

- (2) MMC Subsection 19.605.2 C.1. contains the approval criteria for granting a parking modification, including a demonstration that the proposed parking quantities are reasonable based on (1) existing parking demand for similar uses in other locations, (2) quantity requirements from other jurisdictions, and (3) professional literature. In addition to this criterion, a request for modifications to decrease the amount of minimum required parking must meet the following criteria:

- (a) The use of transit, parking demand management (TDM) programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.
- (b) The reduction of off-street parking will not adversely affect available on-street parking.
- (c) The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site.

*A small manufacturing building like the one proposed would have a very low parking demand. The total number of onsite employees will be small. The site would provide the required parking space, but it would be the required ADA accessible space. The site is close by a Trimet transit stop and the Springwater Corridor Trail, so alternative modes of travel are possible to the site.*

*The Planning Commission finds that the applicant has adequately addressed the criteria for a parking modification to allow for the required accessible space to be provided on-site, with non-accessible spaces provided on-street.*

d. MMC Section 19.606 Parking Area Design and Landscaping

MMC 19.606 establishes standards for parking area design and landscaping, to ensure that off-street parking areas are safe, environmentally sound, and aesthetically pleasing, and that they have efficient circulation.

- (1) MMC Subsection 19.606.1 Parking Space and Aisle Dimension

MMC 19.606.1 establishes dimensional standards for required off-street parking spaces and drive aisles. For 90°-angle spaces, the minimum width is 9 ft and minimum depth is 18 ft, with a 9-ft minimum curb length and 22-ft drive aisles. Parallel spaces require with 22-ft lengths and a width of 8.5 ft.

*The parking areas shown on the Planned Development plan have been laid out conceptually based on the standards of Table 19.606.1 using a 9-ft wide and 18-ft long parking space. Full compliance with these standards will be shown at the time of development.*

(2) MMC Subsection 19.606.2 Landscaping

MMC 19.606.2 establishes standards for parking lot landscaping, including for perimeter and interior areas. The purpose of these landscaping standards is to provide buffering between parking areas and adjacent properties, break up large expanses of paved area, help delineate between parking spaces and drive aisles, and provide environmental benefits such as stormwater management, carbon dioxide absorption, and a reduction of the urban heat island effect.

(a) MMC Subsection 19.606.2.C Perimeter Landscaping

In all but the downtown zones, perimeter landscaping areas must be at least 6 ft wide where abutting other properties and at least 8 ft wide where abutting the public right-of-way. At least 1 tree must be planted for every 30 lineal ft of landscaped buffer area, with the remainder of the buffer planted with grass, shrubs, ground cover, mulch, or other landscaped treatment. Parking areas adjacent to residential uses must provide a continuous visual screen from 1 to 4 ft above the ground to adequately screen vehicle lights.

*The perimeter parking lot landscaping adjacent to the property line have been designed at 3.5-ft wide.*

*Subject to the approval of the requested variance, this standard is met.*

*As conditioned, the Planning Commission finds that the applicable standards of MMC 19.606.2 are met.*

(3) MMC Subsection 19.606.3 Additional Design Standards

MMC 19.606.3 establishes various design standards, including requirements related to paving and striping, wheel stops, pedestrian access, internal circulation, and lighting.

(a) MMC Subsection 19.606.3.A Paving and Striping

Paving and striping are required for all required maneuvering and standing areas, with a durable and dust-free hard surface and striping to delineate spaces and directional markings for driveways and accessways.

*The plans submitted indicate that the parking area will be paved and striped.*

*This standard is met.*

(b) MMC Subsection 19.606.3.B Wheel Stops

Parking bumpers or wheel stops are required to prevent vehicles from encroaching onto public rights-of-way, adjacent landscaped areas, or pedestrian walkways. Curbing may substitute for wheel stops if vehicles will not encroach into the minimum required width for landscape or pedestrian areas.

*The plans submitted indicate that the parking area will meet this standard.*

*This standard is met.*

(c) MMC Subsection 19.606.3.C Site Access and Drive Aisles

Accessways to parking areas shall be the minimum number necessary to provide access without inhibiting safe circulation on the street. Drive aisles shall meet the dimensional requirements of MMC 19.606.1, including a 22-ft minimum width for drive aisles serving 90°-angle stalls and a 16-ft minimum width for drive aisles not abutting a parking space. Along collector and arterial streets, no parking space shall be located such that its maneuvering area is in an ingress or egress aisle within 20 ft of the back of the sidewalk. Driveways and on-site circulation shall be designed so that vehicles enter the right-of-way in a forward motion.

*The plans submitted indicate that the parking area will meet this standard.*

*This standard is met.*

6. MMC 19.700 Public Facility Improvements

*See Public Facilities Improvement findings below in Finding 9.*

7. MMC Chapter 19.911 Variances

a. MMC 19.911.3 establishes the appropriate review process for variance applications.

*The applicant proposes to: reduce the front yard setback to 0 ft; reduce the perimeter landscaping to 3.5 ft; and reduce the minimum accessway spacing standards.*

*The Planning Commission finds that the request is subject to a Type III Variance review.*

b. MMC 19.911.4 establishes criteria for approving a variance request.

The applicant has chosen to address the discretionary relief criteria of MMC 19.911.4.B.1.

(1) Discretionary relief criteria

- (a) The applicant's alternatives analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.

- *0-ft setback on Johnson Creek Blvd: the parcel is less than 4,000 sq ft and the required 20-ft dedication on Johnson Creek Blvd results in a lot size of 2,605 sq ft. Further, the shape of the lot is effectively a triangle, creating an additional development constraint. In addition to the required 10-ft setback on 58th Dr, parking, and landscaping, the developable area of the site is reduced by nearly 50%. The alternative to the variance would be to not develop the site, given the multitude of constraints. The applicant has submitted a narrative explaining that maintaining the 20-ft setback, in addition to all of the other requirements, would render the site undevelopable.*
- *Spacing between driveway and property line and to the intersection with Johnson Creek Blvd: As noted above, the small size of the site and its triangular shape limit the options for development on the site. Access from Johnson Creek Blvd is not permitted, so access from 58th Dr is the only option. In order to provide as much space between the driveway and the intersection with Johnson Creek Blvd, a reduction in the minimum spacing of 10 ft between the driveway apron and the property line is necessary. The applicant's narrative outlines the ramifications of requiring the 10 ft spacing, which would affect the internal circulation on the site and put the driveway even closer to the intersection. Per Finding 8.b, the submitted access study confirms that a spacing of 72 ft rather than the minimum required 100 ft will not result in impacts to safety or sight distance.*
- *3.5-ft perimeter landscaping: As noted above, the small size of the site and its triangular shape limit the options for development on the site. Requiring the full 6 ft width of landscaping would further reduce an already very small building footprint on the site and render the site effectively undevelopable.*

*This criterion is met.*

- (b) The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:
- (i) The proposed variance avoids or minimizes impacts to surrounding properties.

*The proposed variances avoid creating adverse impacts for surrounding properties. The site is a corner lot and has only two adjacent properties, both of which are commercial/industrial properties. The 0-ft setback on Johnson Creek Blvd includes the required 20-ft dedication for future improvements to the street. The proposed design includes a "living wall" on the building to help soften the building when it is adjacent to the future sidewalk. The proposed driveway would be located as far as possible from the intersection with Johnson Creek Blvd to maximize safety, while still separating it from the adjacent property. The 3.5-ft space is proposed to be landscaped. The reduction in the width of the landscaped perimeter is a reduction, not an elimination, and would still include landscaping and plants. The*

*proposal minimizes impacts while still providing the ability to develop the site, which is now vacant and underutilized. The spacing between the driveway and the intersection with Johnson Creek Blvd would still provide 72 ft of distance which will not impact surrounding properties.*

*This criterion is met.*

(ii) The proposed variance has desirable public benefits.

*The proposal will create a modest public benefit by taking a vacant, underutilized site and adding a productive use to the limited Manufacturing zone. Total relief from the landscaping requirement is not requested, as the site will include landscaping, a “living wall” on the building to improve its appearance, and required improvements include street trees, curb, and sidewalk on 58<sup>th</sup> Dr, none of which exist today.*

*This criterion is met.*

(iii) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.

*The existing built and natural environment will be improved by the development, via the proposed “living wall”, constructing a new building and site improvements on a vacant, underutilized site, and constructing frontage improvements on 58<sup>th</sup> Dr.*

*This criterion is met.*

(c) Impacts from the proposed variance will be mitigated to the extent practicable.

*As noted above, any impacts from the proposed variances will be mitigated via a “living wall”, smaller (but not eliminated) perimeter landscaping, and a reasonable spacing between the driveway apron and the intersection that is still safe. The combination of requested variances allows productive use of a very small vacant and underutilized site, while still adhering to the intent and purpose of the design and development standards in the Manufacturing zone.*

*This criterion is met.*

*The Planning Commission finds that these criteria are met.*

## 8. MMC 12 Streets, Sidewalks, and Public Places

### a. MMC 12.08 – Street & Sidewalk Excavations, Construction, and Repair

MMC 12.08.020 establishes constructions standards for new sidewalks and alterations to existing sidewalks.

*The applicant must not engage in any work in the right-of-way without first obtaining City permit, including any activity resulting in alteration of the surface of the right-of-way or their access to the right-of-way.*



*As conditioned, the standards are met.*

b. MMC 12.16.040 – Access Requirements and Standards

MMC 12.16.040 establishes standards for access (driveway) requirements. As conditioned, the standards are met as summarized below.

(1) MMC 12.16.040.A – Access

MMC 12.16.040.A requires that all properties provide street access with the use of an accessway as set forth in the Public Works Standards.

*The proposed development shall construct a new accessway per the Public Works Standards.*

*As conditioned, standard is met.*

(2) MMC 12.16.040.C – Accessway Location

MMC 12.16.040.C requires that all driveway approaches in non-residential districts must be 10 ft from the side property line, and at least 100 feet away from the nearest intersection.

*The applicant has requested a variance to construct the new driveway 4 ft from the north side property line and approximately 72 ft from the intersection. Per the submitted Access Spacing Study, this location will not result in impacts to safety or sight distance.*

*Subject to approval of the Accessway Location variance, the standard is met.*

(3) MMC 12.16.040.E – Accessway Design

MMC 12.16.040.E requires that all driveway approaches meet Americans with Disabilities Act (ADA) standards and Milwaukie Public Work Standards.

*The applicant has proposed to construct a new driveway that will conform with the Americans with Disabilities Act (ADA) standards and the Milwaukie Public Works Standards.*

*As conditioned, the standard is met.*

(4) MMC 12.16.040.F – Accessway Size

MMC 12.16.040.F requires that industrial uses shall have a minimum driveway apron width of 15 ft and a maximum of 45 ft.

*The applicant has proposed a new driveway apron width of 20 ft which is in conformance with this standard.*

*As conditioned, this standard is met.*

c. MMC 12.24 – Clear Vision at Intersections

MMC 12.24 establishes standards to maintain clear vision areas at intersections in order to protect the safety and welfare of the public in their use of City streets. The clear vision area for all street and driveway or accessway intersections is the area

within 20 ft radius from where the lot line and the edge of a driveway intersect. The provisions of this chapter relate to safety. They shall not be modified through variance and are not subject to appeal.

*The applicant must maintain or remove all trees, shrubs, hedges or other vegetation in excess of three feet in height, measured from the street center grade from the clear vision area. Trees exceeding this height may remain in this area; provided, all branches and foliage are removed to the height of eight feet above the grade.*

*This standard is met.*

*As conditioned, and subject to the approval of the Access Spacing variance, the Planning Commission finds the standards in MMC 12 are met.*

9. MMC 19.700 Public Facility Improvements

a. MMC 19.702 Applicability

MMC 19.702.E establishes the applicability of the provisions of MMC 19.700, including a new dwelling unit, any increase in gross floor area, land divisions, new construction, and modification or expansion of an existing structure or a change or intensification in use that result in any projected increase in vehicle trips or any increase in gross floor area on the site.

*The applicant is proposing to construct a 2-story manufacturing building measuring 1,848 sq ft. MMC 19.700 applies to the proposed development.*

b. MMC Section 19.705 Rough Proportionality

MMC 19.705 requires that transportation improvements be in proportion to impacts of a proposed development. Mitigation of impacts, due to increased demand for transportation facilities associated with the proposed development, must be provided in rough proportion. Guidelines require consideration of a ½ mile radius, existing use within the area, applicable TSP goals, and the benefit of improvements to the development property.

*Based on proportionality guidelines found in MMC 19.705.2, the applicant is found responsible for constructing half street improvements along 58<sup>th</sup> Drive. This includes management of stormwater generated from new impervious surface, on-street parking, and a pedestrian ramp to provide connectivity traveling east along 58<sup>th</sup> Drive at the intersection of Johnson Creek Boulevard.*

*As conditioned, this standard is met.*

c. MMC Section 19.708 Transportation Facility Requirements

MMC 19.708 establishes the City's requirements and standards for improvements to public streets, including pedestrian, bicycle, and transit facilities. The City's street design standards are based on the street classification system described in the City's Transportation System Plan (TSP).

*As conditioned, the proposal meets the standards of MMC 19.708, as summarized below.*

(1) MMC 19.708.1.A – Access Management

All development subject to 19.700 shall comply with the access management standards contained in Chapter 12.16.

*As mentioned in 8.b above, the applicant proposes to construct a new driveway in full compliance with the access management standards contained in Chapter 12.16 and the Public Works Standards.*

(2) MMC 19.708.1.B – Clear Vision

All development subject to 19.700 shall comply with Clear vision requirements in Chapter 12.24.

*As mentioned in 8.c, the proposed development is required to maintain and remove all obstructions within the clear vision area.*

(3) MMC 19.708.1.D – Development in Non-Downtown Zones

*Transportation improvements must be constructed in accordance with the Milwaukie Transportation System Plan and Transportation Design Manual street classification. The development fronts a portion of 58<sup>th</sup> Drive with local street classification.*

*As conditioned, the standards are met.*

d. MMC 19.708.2 Street Design Standards

MMC 19.708.2 establishes standards for street design and improvements.

*Development standards for 58<sup>th</sup> Drive require the construction of a 5 ft sidewalk, a 5 ft landscape strip, a 6 ft parking strip, and curb and gutter.*

*As conditioned, this standard is met.*

e. MMC 19.708.3 – Sidewalk Requirements and Standards

MMC 19.708.3.A.2 requires that sidewalks be provided on the public street frontage of all development in conformance to ADA standards.

*The applicant must construct and maintain ADA compliant 5 ft wide setback sidewalks.*

*As conditioned, this standard is met.*

*As conditioned, the Planning Commission finds the standards in MMC 19.700 are met.*

10. The application was referred to the following departments and agencies on December 10, 2021:

- Milwaukie Building Division
- Milwaukie Engineering Department
- Clackamas County Fire District #1
- Lewelling Neighborhood District Association Chairperson and Land Use Committee

Notice of the application was also sent to surrounding property owners and residents within 300 ft of the site on January 5, 2022, and a sign was posted on the property on January 7, 2022.

No comments were received.

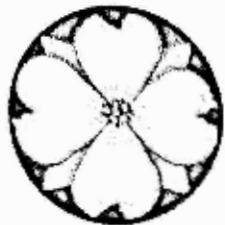
**ATTACHMENT 2**  
**Recommended Conditions of Approval**  
**File #VR-2021-012; 58<sup>th</sup> Dr Manufacturing Building**

**Conditions**

1. The site shall be used in a manner as proposed and approved through this land use action and as submitted in materials received by the City on June 15, 2021 and revised on December 8, 2021.
2. Site landscaping must be maintained in good and healthy condition.
3. Prior to the certificate of occupancy, the following shall be resolved:
  - a. All required landscaping must be installed.
  - b. Construct a 5-ft setback sidewalk, a 5-ft landscape strip (or water quality facility), a 6-ft parking strip, and curb and gutter fronting the proposed development property along SE 58<sup>th</sup> Drive. An issued Right-of-Way permit is required prior to the start of any work within the public right-of-way.
  - c. Construct a driveway approach to meet all guidelines of the Americans with Disabilities Act (ADA). An issued Right-of-Way permit is required prior to the start of any work within the public right-of-way.
  - d. Install stormwater detention and water quality treatment facilities. Stormwater plan review and approval by the Engineering Department required before issuance of building permit and prior to the start of construction.

**Additional Requirements**

1. Prior to issuance of building permits, the following shall be resolved:
  - a. Provide an erosion control plan and obtain an erosion control permit, if needed. Consult with the Engineering Department to determine if an erosion control permit is needed for the driveway and frontage improvements.



**MILWAUKIE PLANNING**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503-786-7630  
 planning@milwaukieoregon.gov

Fees paid on  
 6/22/21 =  
 application date.

# Application for Land Use Action

Master File #: VR-2021-012;

Review type\*:  I  II  III  IV  V

DEV-2021-006

**CHECK ALL APPLICATION TYPES THAT APPLY:**

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Amendment to Maps and/or Ordinances:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Comprehensive Plan Text Amendment</li> <li><input type="checkbox"/> Comprehensive Plan Map Amendment</li> <li><input type="checkbox"/> Zoning Text Amendment</li> <li><input type="checkbox"/> Zoning Map Amendment</li> </ul> </li> <li><input type="checkbox"/> Code Interpretation</li> <li><input type="checkbox"/> Community Service Use</li> <li><input type="checkbox"/> Conditional Use</li> <li><input checked="" type="checkbox"/> Development Review</li> <li><input type="checkbox"/> Director Determination</li> <li><input type="checkbox"/> Downtown Design Review</li> <li><input type="checkbox"/> Extension to Expiring Approval</li> <li><input type="checkbox"/> Historic Resource:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Alteration</li> <li><input type="checkbox"/> Demolition</li> <li><input type="checkbox"/> Status Designation</li> <li><input type="checkbox"/> Status Deletion</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Land Division:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Final Plot</li> <li><input type="checkbox"/> Lot Consolidation</li> <li><input type="checkbox"/> Partition</li> <li><input type="checkbox"/> Property Line Adjustment</li> <li><input type="checkbox"/> Replot</li> <li><input type="checkbox"/> Subdivision</li> </ul> </li> <li><input type="checkbox"/> Miscellaneous:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Barbed Wire Fencing</li> <li><input type="checkbox"/> Mixed Use Overlay Review</li> <li><input type="checkbox"/> Modification to Existing Approval</li> <li><input type="checkbox"/> Natural Resource Review**</li> <li><input type="checkbox"/> Nonconforming Use Alteration</li> <li><input type="checkbox"/> Parking:                                     <ul style="list-style-type: none"> <li><input type="checkbox"/> Quantity Determination</li> <li><input type="checkbox"/> Quantity Modification</li> <li><input type="checkbox"/> Shared Parking</li> <li><input type="checkbox"/> Structured Parking</li> <li><input type="checkbox"/> Planned Development</li> </ul> </li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Residential Dwelling:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Accessory Dwelling Unit</li> <li><input type="checkbox"/> Duplex</li> <li><input type="checkbox"/> Manufactured Dwelling Park</li> <li><input type="checkbox"/> Temporary Dwelling Unit</li> <li><input type="checkbox"/> Sign Review</li> </ul> </li> <li><input type="checkbox"/> Transportation Facilities Review</li> <li><input checked="" type="checkbox"/> Variance:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Use Exception</li> <li><input type="checkbox"/> Variance</li> <li><input type="checkbox"/> Willamette Greenway Review</li> </ul> </li> <li><input type="checkbox"/> Other: _____</li> <li><input type="checkbox"/> Use separate application forms for:                             <ul style="list-style-type: none"> <li>Annexation and/or Boundary Change</li> <li>• Compensation for Reduction in Property Value (Measure 37)</li> <li>• Daily Display Sign</li> <li>• Appeal</li> <li>• Appeal</li> </ul> </li> </ul> |
|--|---|---|

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): **Lyver Engineering and Design, LLC**

Mailing address: **7950 SE 106th Ave, Portland** State/Zip: **OR 97266**

Phone(s): **503-705-5283** Email: **troyl@lyver-ead.com**

Please note: The information submitted in this application may be subject to public records law.

**APPLICANT'S REPRESENTATIVE** (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

**SITE INFORMATION:**

Address: **NoSiteAddress** Map & Tax Lot(s): **12E30AD01500**

Comprehensive Plan Designation: **I** Zoning: **M** Size of property: **0.08Ac**

**PROPOSAL (describe briefly):**

Construction of a 1,848 sq manufacturing/light industrial bldg with onsite parking/loading, landscaping with stormwater facility, and offsite frontage improvements of SE 58th Drive.

**SIGNATURE:**

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

Submitted by: *Carol Phelps / Keith B. Phelps* Date: **06/08/2021**

*Carol Phelps & Keith Phelps* **IMPORTANT INFORMATION ON REVERSE SIDE**  
 = owners

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

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

Type V applications may be initiated by any individual.

**PREAPPLICATION CONFERENCE:**

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

**REVIEW TYPES:**

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

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

**\*\*Note:** Natural Resource Review applications **may require a refundable deposit**. Deposits require completion of a Deposit Authorization Form, found at [www.milwaukieoregon.gov/building/deposit-authorization-form](http://www.milwaukieoregon.gov/building/deposit-authorization-form).

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Master file	VR-2021-012	\$ 2,000			
Concurrent application files	DEV-2021-006	\$ 750	25%		
		\$			
	TOTAL	\$ \$2,750			
Deposit (NR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): N/A					
Notes:					



**MILWAUKIE PLANNING**  
6101 SE Johnson Creek Blvd  
Milwaukie OR 97206  
503-786-7630  
planning@milwaukieoregon.gov

# Submittal Requirements

**For all Land Use Applications**  
(except Annexations and Development Review)

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov) for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.  
*Applications without the required application forms and fees will not be accepted.*
2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.  
*Where written authorization is required, applications without written authorization will not be accepted.*
3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.  
*Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.*
4. **Detailed statement** that demonstrates how the proposal meets the following:
  - A. All applicable development standards (listed below):
    1. **Base zone standards** in Chapter 19.300.
    2. **Overlay zone standards** in Chapter 19.400.
    3. **Supplementary development regulations** in Chapter 19.500.
    4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
    5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.
  - B. All applicable application-specific approval criteria (check with staff).  
*These standards can be found in the MMC, here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)*
5. **Site plan(s), preliminary plat, or final plat** as appropriate.  
*See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.*
6. **Copy of valid preapplication conference report**, when a conference was required.



**APPLICATION PREPARATION REQUIREMENTS:**





- Five hard copies of all application materials are required at the time of submittal. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness. Provide an electronic version, if available.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

**ADDITIONAL INFORMATION:**

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: [www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association](http://www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association).
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name) Keith Phelps and Carol Phelps, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature:    

Date: 06/12/2021

**Official Use Only**

Date Received (date stamp below):

Received by: \_\_\_\_\_



# LYVER ENGINEERING AND DESIGN

7950 SE 106th, Portland, Oregon 97266

Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

November 30, 2021

**Reference:** Phelps Industrial/ Light Manufacturing Bldg  
9285 SE 58th Drive  
**#VR-2021-012;DEV-2021-006**

**LEAD Project No:** 19-042

**Subject:** Comprehensive Project Description

The site at the NW corner of the intersection of SE 58th Drive and Johnson Creek Blvd is currently a vacant gravel lot with no structures, recent address request provided site address of 9285 SE 58th Dr, Milwaukie, OR 97206. The attached proposal for the Phelps Industrial/ Light Manufacturing Bldg Land Use Application is for a 1,848 square feet (sf) manufacturing building as specified by Pacific Building Systems in attached "3c - Building Specifications.pdf" and further in attached "3b - Proposed Building Plans.pdf". The proposed 1,848 sf of floor area is broken up with the main floor of 1,430 sf manufacturing (77%) and the upper floor of 418 sf office space (23%). The second floor office space shall partially cover onsite parking and have direct access to the exterior through either the nearby main entrance or immediate 12'x12' roll up door.

Onsite improvements include previously mentioned onsite parking with direct sidewalk access to both roll up and main entrance. Low vegetation with bark covering is proposed along the parking area with more traditional landscaping of grass, ground cover, shrubbery and small trees in front of the building facade along SE 58th Drive. Onsite stormwater from pavement and roof drainage will be directed to the onsite planted infiltration swale with overflow to the 12" public storm drain system.

Public improvements include the 2' widening of existing pavement and construction of the typical curb & gutter, planting strip and separated sidewalk that meets the city's local street section design. A 20' driveway drop provides access to the onsite parking at the northern end of the property. A curb return and pedestrian crossing is proposed for pedestrian access eastward across SE 58th Drive. While a 20' dedication is provided for SE Johnson Creek Blvd (JCB), no public frontage improvements are required or proposed. Said dedication along JCB significantly reduces the building footprint allowable thus a zero foot setback is requested along that frontage.

These requests require three Type III Variance for Zero Setback, Access Management, and Perimeter Landscaping. The appropriate narratives, maps and additional attachments are itemized on the Land Use Application packet transmittal.



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November 30, 2021

**Reference:** Phelps Industrial/ Light Manufacturing Bldg  
9285 SE 58th Drive  
**#VR-2021-012;DEV-2021-006**

**LEAD Project No:** 19-042

**Subject:** LandUse Detailed Statement for Type II Development  
Review & 2 Type III Variances

### MMC19.906.2 Applicable Development Review Type

The proposal is for new construction over 1000 square feet in the Manufacturing Zone which falls within 120 ft of areas zoned for residential uses and requires a Type II Review.

### MMC19.906.4 Type II Development Review Approval Criteria

The section below outlines how this proposal meets the various approval criteria for a Type II Development Review Application.

19.906.4.A ➡ The applicable standards of MMC19.309 Manufacturing Zone M are as follows;

19.309.2.A= This proposal is an allowable combination of 23% office space and 77% manufacturing, exceeding the minimum manufacturing base usage of 25%.

19.309.6 *Development standards*

*A= Minimum Setbacks.*

Response ➡ While front setback std is 20' the proposed site improvements include a building line with Zero lotline setback due to the required right of way dedication of 20'. This triggers a Type III variance and is discussed under section MMC19.911.4.B below. Corner side yard setbacks of 10' are supplied between the building and SE 58th Drive. No rear or side setbacks are required or provided. Refer to sheet C-1 in "5b - Proposed Site Plans.pdf".

*B= Maximum Height*

Response ➡ This proposal stays within the maximum height of 45' with a northern roof height of 28'-10", sloping to a southern roof height of 23'-0". Refer to sheet A-2 of "3b - Proposed Building Plans.pdf" for elevations.

*C= Parking and Loading* will be discussed below with MMC19.600

*D= Landscaping*

Response ➡ This proposal meets the 15% minimum landscaping requirement. Plan set sheet C-1 in "5b - Proposed Site Plans.pdf" shows lot coverage and vegetation calculations of 547 sf landscaping proposed. Of that, 333 sf will be planted with ground cover, 99 sf will be covered in bark, and 80sf of planted stormwater swale. The bark chip area is only 18% of total landscaping proposed, staying well under the required 20% maximum. The street frontage includes one proposed street tree meeting the requirement of 1 per 40 LF of planter. Plan set sheet C-1 illustrates planting location and types. The specific variety of trees, shrubbery, and various ground cover will be specified in development plans.

*E= Site Access*

Response ➡ This site has limited frontage when reconciled with intersection clearance requirements. Please refer to "4b - Access Study.pdf" for detailed information regarding the proposed site access of a single 20ft wide curb cut for driveway on SE 58th Drive as seen on sheet C-2 of "5b - Proposed Site Plans.pdf". With this site limitation a variance is requested with the Type III Variance Approval Criteria for Access Management itemized near the end of this detailed statement under MMC19.911.4.B.

*F= Transition Area*

Response ➡ Industrial development adjacent to and within 120 ft of areas zoned for residential uses is subject to Type I or II review per Section 19.906 Development Review. The following characteristics will be considered:

1. *Noise*

Response ➡ Any prospective business that will occupy the subject site will be an allowed use in the Manufacturing Zone (M) under the provisions of MMC 19.309.2 (A). Any manufacturing use will not generate a level of sound that

would be intrusive to neighboring uses, whether industrial, commercial or residential. Outside of the residential dwelling 70' across Johnson Creek Blvd, the nearest dwelling (9203 SE 58th Drive) is located to the north of the subject site at a distance of approximately 18 feet. It does appear that this residential structure has industrial/office commercial uses within the adjoining landscape rock yard. However, with the "operations end" of the building located adjacent to Johnson Creek Blvd., this will allow the "administrative end" of the building to act as a buffer between the adjacent structure and the "operations area" of the building. Site generated noise is controlled by established levels through the State of Oregon.

2. *Lighting*

Response ➡ There will be some outside "perimeter" lighting around the site. This lighting will be for both convenience and security. Outdoor lighting will be shielded and directed, as necessary, to protect the structure to the north and south. Lighting will also be positioned to avoid direct light and glare onto Johnson Creek Blvd. and SE 58th Drive. Indoor lighting will not have any impact on adjacent properties.

3. *Hours of Operation*

Response ➡ Any manufacturing business that may occupy the subject site and function fully within the confines of the subject site, and within certain operating business hours. Normal operating hours might be from 7 AM to 7 PM, Monday through Friday. There may be limited weekend hours depending on need for this weekend manufacturing activity, level of business, and demand for any products produced on the subject site.

4. *Delivery and Shipping*

Response ➡ All deliveries and shipping will take place at the northerly end of the building, gaining access via the ADA loading stall and roll up door under the 2nd floor offices. All deliveries vehicles will park along frontage off-site and handcart material to the front or roll-up door. All truck traffic will utilize SE 58th Avenue for direct access to the subject site. It is likely that most, if not all, deliveries and pickups from this business location will be made by

town delivery trucks and vans. Delivery and shipping will take place during operating business hours.

5. *Height of Structure*

Response ➡ The proposed building to be built on the subject site will be 23 feet in height on the southerly end directly adjacent to Johnson Creek Blvd. On the northerly end of the building the height will increase to approximately 28 feet 10 inches. This added height will serve to provide enough space for the offices to be placed on the 2nd floor. According to 19.306.6.B., maximum height for all uses in the M zone is 45 feet. Because all height dimensions of the proposed building will be less than the 45 foot maximum allowed height, the proposed building will satisfy current standards.

6. *Distance to Residential Zone Boundary*

Response ➡ Based on the observations from Vera Kolia, Senior Planner, in her letter dated July 20, 2021, the distance to the nearest R-7 zoned property to the south across Johnson Creek Blvd. is approximately 70 feet. This 70 feet separating the proposed building and manufacturing use from the R-7 zoned area is buffered by a solid wall on the south side of the proposed building constructed with PBR Panel metal roofing and siding. The southern wall may have wide windows located on the upper portion of the wall, but there will be no visibility of the residential area from these windows. With the dedication of additional right-of-way width along the south side frontage with Johnson Creek Blvd., the traffic on Johnson Creek Blvd., and the enclosed nature of the building and the use therein, there will be some mitigation factors from the distance between the subject site and the R-7 zone boundary south of Johnson Creek Blvd. In addition some form of hanging trellis mounted to the south wall will add the building screening from road and residential property. As such, there will be some mitigation for potential impacts from the use of the site for manufacturing purposes.

*G= Public Facility Improvements* will be discussed below under MMC19.700

*H= Additional Standards* are not applicable to the site.

19.906.4.B ➡ The standards of MMC19.400 Overlay Zones not applicable to this site. This criteria has been met.

19.906.4.C ➡ The standards of MMC19.500 Supplementary Development Regulations not applicable to this site. This criteria has been met.

19.906.4.D ➡ The applicable standards of MMC19.600 Off Street Parking and Loading Requirements are as follows;

19.604.2.A = This proposal initially included two on-site spaces provided at the north end under the second floor office structure overhang. The federally required ADA stall was initially planned off-site along the frontage of SE 58th Drive. For aesthetics and safety reasons the applicant now seeks a Type II Modification to allow the option of ADA stall and ADA loading stall to take up the two stall on-site area under the office, thus moving the required single on-site/nonADA parking to be curbside at frontage. Please refer to the modification request discussed in detail below under MMC 19.605.2 Quantity Modifications and Required Parking Determinations.

19.605.1 = *Minimum and Maximum Requirements.*

Per table 19.605.1.G.I, there is a minimum of one and maximum of two spaces per 1000sf of Manufacturing floor area. This proposal includes a modification as discussed in 19.604.2.A. Refer to the modification request in 19.605.2.

MMC 19.605.2 Quantity Modifications and Required Parking Determinations

19.605.2.A.2 = *Applicability*

This modification request is based on a desired number of stalls outside the min/max listed in Table 19.605.1.

19.605.2.C.1 *Approval Criteria = All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity requirements for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.*

Response ➡ The minimum required number of on-site parking spaces for the proposed development of the subject site is 1 (one) with a max of 2 (two). No loading space was required, and none is provided. The new on-site NON ADA parking space stall count is 0(zero). This is reasonable because there are 2 additional parking spaces available off-site along the western curb face of 58th Drive. Technically the site as proposed has 1 on-site parking stall, it is

just ADA rather than for general use. This proposal is based on several factors:

- Safer for handicapped users than parking curbside on SE 58th Avenue near JCB.
- Plenty of space to facilitate accessibility
- Under cover

Since the question of the number of parking spaces required is not truly the issue, this criterion should not apply as it deals with quantities of parking spaces rather than location of parking spaces, in this case, the single handicapped parking space may act as the sole on-site stall.

It would appear that the required one (1) handicapped space is consistent with requirements in other jurisdictions. This is not the issue at hand. The issue is if the handicapped space may be allowed to count towards the minimum and where it should be located. The single onsite handicapped space will “replace” the proposed onsite spaces (one parking space, one loading space adjacent to the roll up door). The non-ADA parking space will be one of two located curbside along the west side of SE 58th Drive, which is directly adjacent to the subject site and easily and conveniently usable for non-ADA users who may be visiting the site. In the end, the size and shape of the subject site creates issues with overall site development, including parking. Based on the location of the handicapped parking space onsite as opposed to offsite, this is the most practical and reasonable solution to the issue.

*19.605.2.C.2 Approval Criteria = In addition to the criteria in 19.605.2.C.1, requests for modifications to decrease the amount of minimum parking required shall meet the following criteria:*

*a. The use of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1;*

Response ➡ The proposed site development plan proposes to reduce onsite parking to be only the handicapped space, in place of the originally proposed regular parking space. Due to site size and shape, and the overall development plan for the site, several issues are created (setbacks, landscaping, onsite parking) that result in perhaps the best alternative for the site being as



proposed with the handicapped space onsite and non-ADA parking at curbside along the westerly side of SE 58th Avenue.

It is highly unlikely that use of transit or parking demand management for such a small site (and small firm which will occupy the site) would have any significant impact on the parking for the site. Total number of onsite employees will be small, resulting in potentially reduced use of vehicles overall for the site. While TriMet Line 34 travels along Johnson Creek Blvd., the location of regular route stops along the line and the frequency of service combine to reduce the attractiveness and usability of transit for onsite employees. As such, it is doubtful that expected vehicle use relative to the subject site will not be reduced as a result of any use of transit.

*19.605.2.C.3 = In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of allowed parking shall meet the following criteria: (a... b... c.....)*

Response ➡ This criterion does not apply because the applicant is proposing only a reduction in the amount of required parking, NOT an increase in the amount of required parking.

*19.606 = Parking Area Design and Landscaping*

Parking space exceeds the requirements of 9ft wide by 20ft long.

*19.606.2.C = Parking Perimeter Landscaping*

Due to site constraints, this proposal requests a variance for the reduction in the required minimum width of perimeter landscaping area from 6ft to 3ft. The Type III Variance Approval Criteria for Parking Perimeter Landscaping is itemized near the end of this detailed statement under MMC19.911.4.B. This northern planter area shall be covered in bark and planted with shrubs. Please refer to the attached "4b - Access Study.pdf" which limits site distance if a tree were planted in the aforementioned landscaping buffer area. No tree is proposed here, please refer to sheet C-1 of "5b - Proposed Site Plans.pdf".

*19.606.3 = Design Standards*

*A = Paving and Striping*

On-site parking area shall be paved with an appropriate section of asphalt on crushed base rock and edged with 16" curb with 6" exposure where appropriate. A single parking stripe will divide the two parking spaces.

*B = Wheel Stops*

Wheel stops included on this site, refer to sheet C-1.

*C = Site Access*

Access to the parking area shall be directly from SE 58th Drive, no Drive aisles proposed.

*D = Pedestrian Access and Circulation*

Pedestrian access from the parking area shall be directly across it's two stall width or via public sidewalk to the main entry.

*E = Internal Circulation* not applicable to this site

*F = Lighting*

While lighting is not required for this site under ten spaces, it is covered by building overhang and will supply appropriate lighting shielded to meet code.

*19.608 = Loading*

*19.608.2.B.1 = Non Residential and Mixed Use Buildings*

With a 1848 sf total floor space, we are under the 20,000 sf threshold and require no loading spaces.

*19.609 = Bicycle Parking*

This proposal includes two bicycle parking stalls / bicycle rack located near the front door, the dimensions of which are 4ft by 6ft on a concrete pad, as required. Refer to the plan set sheet C-1 for details.

*19.906.4.E ➡ The applicable standards of MMC19.700 Public Facility Improvements are as follows;*

*19.702.1.D = Requires frontage improvements along SE 58th Drive*

*19.708 = Transportation Facilities*

*19.708.1.A & B = Access Management & Clear Vision* are discussed in the attached "4.b - Access Study.pdf".

*19.708.1.D = Development in Non-Downtown Zones*

*1 & 2 = SE 58th Drive* shall include a local half street improvement in accordance with MMC19.700 and Public Works standards. The proposed development impacts will not require construction of frontage improvements along Johnson Creek Boulevard. Refer to sheet C-2 of "5b - Proposed Site Plans.pdf".

*3 = 20ft dedication* is required for street right-of-way along Johnson Creek Boulevard, while no dedication is required along 58th Drive.

*9 = The existing street sign* shall be removed/replaced per Public Work Standards.

*10 = No street lights* are proposed.

19.708.1.E = Street Layout and Connectivity does not apply to this site due to lack of blocks within this proposal.

19.708.1.F = Intersection Design and Spacing

This project contains no new intersections. For information on existing intersections please refer to the attached "4.b - Access Study.pdf"

19.708.2 *Street Design Standards*

This proposal applies the final 58th Drive street standard by sawcutting and widening the existing asphalt 2' in order to provide a 6' width parking strip with curb and gutter.

These improvements align with the future design location of Johnson Creek Boulevard 12' travel lanes, 12' center lane, 5' landscape strip, and 6' setback sidewalks.

19.709 *Public Utility Requirements*

19.709.2.A.3 = The existing location of storm drain catch basin #2 (as found in attachment "5a - Existing Conditions Map.pdf") is in conflict with the proposed sidewalk location due to safety hazards. A public catch basin is proposed for its replacement along the new curb line as shown on sheet C-2 of "5b - Proposed Site Plans.pdf". The connection point of this new inlet to the existing 12" storm main under said sidewalk has depth constraints. While a flat top manhole is currently proposed, future engineering plans will seek to resolve this with the public works department.

19.906.4.F ⇒ The applicant is aware of no prior land use approvals. Concurrently three Type III Variances are requested with this Type II Development Review as mentioned above and detailed below.

MMC19.911.4.B Type III Variance Approval Criteria (Zero Setback)

This section outlines how this proposed project meets the various approval criteria for a Variance from the stated standard of 20 feet (19.309.6.A) to the proposed zero (0) setback along the front property line. The selected criteria for this Variance to front setback requirements is the "Discretionary Relief Criteria" as contained in 19.911.4.B.1. These criteria are addressed as follows:

- a. *The applicant's alternative analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to baseline code requirements;*

Response ⇒ The parcel is a very small lot for the potential use identified through the Manufacturing, and results in the need for regulatory relief from the strict implementation of the required

standard of 20 feet of setback. It is likely that this parcel is a “left over” parcel from other land use actions and development of adjacent and surrounding properties. In addition, the triangular shape of the parcel creates potential difficulties with development of the parcel. The combination of the triangular shape and the development requirements that structures, parking areas, internal access routes, are more rectangular geometric shapes, and the two basic shapes do not fit well together. This results in trying to put a “square shape in a triangular hole”.

The subject site is only 3,760 gross square feet in land area, of which there are several required deductions. For example, there is a required right-of-way dedication of 20 feet along the frontage of Johnson Creek Blvd., thus reducing the area of the parcel to 2,605 square feet. This required right-of-way dedication is, in itself, a 30% deduction in the gross size of the parcel. Because this right-of-way dedication is required, there is no alternative for the site than to develop as a 2,605 square foot parcel. In this case, the effective developable size of the parcel is adversely impacted by the required right-of-way dedication, without consideration of potential impacts on adjacent or nearby properties.

In order to “make this parcel work”, other regulatory requirements must also be varied. The required 10-foot setback along the frontage of SE 58th Drive reduces the effective developable area of the parcel to 1,848 square feet, or approximately 49% of the original gross parcel size. Other site restraints include requirements for parking, landscaping, sidewalk, and a stormwater facility, thus reducing the main floor print area to 1,430 sf. This is already an extremely small site for manufacturing usage, and enforcing a setback along Johnson Creek would further reduce the building footprint to 1,091 sf, creating an unreasonable economic use of the property in comparison to other manufacturing zone usage. In the end, the NET DEVELOPABLE area of the subject parcel is now 29% of the original which represents a final developable footprint for the project. In the end, regardless of any impacts on adjacent or nearby properties, the regulatory requirements for dedication, setbacks, and the like may render this site very difficult, if not nearly impossible to develop in an economically practical sense.

As such, a Variance to allow a zero setback along the Johnson Creek Blvd. frontage where the required 20 feet dedication will make a significant difference in the potential developability of the parcel for the proposed building to house a manufacturing function that is allowable in the Manufacturing zone. With the proposed variance to the front setback along Johnson Creek Blvd., the subject parcel can be developed with a useful and practical manner.

b. *The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:*

(1) *The proposed variance avoids or minimizes impacts to surrounding properties;*

Response ➡ Because the property is located on a corner, the impacts on adjacent and surrounding properties will be somewhat limited. With a side yard setback on the westerly side of the site required at zero (0) or more, there will be no adverse impacts on the specific adjacent property there. It should be noted that the adjacent property to the west is an aggregate resource supply yard that is also an allowed use in the Manufacturing zone. Further, the proposed setback variance along the frontage of Johnson Creek Blvd. faces only the public right-of-way on the north side. Distance to the nearest property and land use on the south side is enough that there will be no adverse impacts resulting from the proposed zero setback development on the subject site. In addition, there will be no driveways, doorways, or access points to the proposed building from the Johnson Creek Blvd. side, thus having very little impact on adjacent or surrounding properties to the south. The proposed variance will have no adverse impacts on adjacent or surrounding properties to the south, east or west.

(2) *The proposed variance has desirable public benefits;*

Response ➡ There will be several desirable public benefits resulting from the proposed variance along Johnson Creek Blvd. First and foremost, the site will be developed and put to good use in accordance with the current zoning of the site. As mentioned previously, the site is likely a “left over” parcel from previous land use actions and development of adjacent and surrounding properties. This development of a properly zoned parcel may

reduce pressure on other properties for rezoning or manufacturing use in a location that may not be as desirable as the subject property.

Development and use of the subject site will result in tax payments to the public that currently do not exist, or are at reduced levels due to the vacant nature of the property at the present time. Development of the site will strengthen the “manufacturing” character of the Johnson Creek Blvd. corridor, and will compliment other established uses in the corridor.

*(3) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.*

Response ➡ Because the proposed variance will result in a new building and a new use on the site, the proposed manufacturing use of the site will contribute to the overall upgrading of the Johnson Creek Blvd. corridor. And with other setbacks of the proposed building, and the required landscaping around the site, and some screening type of hanging trellis mounted to the south wall the specific appearance of the site will be significantly improved over the current vacant status of the site. Thus, the aesthetic appearance of the site will contribute to the betterment of the entire Johnson Creek Blvd. corridor.

*c. Impacts from the proposed variance will be mitigated to the extent practical.*

Response ➡ The front setback will be reduced from 20 feet to zero (0) feet along the Johnson Creek Blvd. corridor for the entire frontage of the proposed building. Being 60 feet from the residential zone across (south) Johnson Creek Blvd., there will be no adverse impacts that require mitigation because the north side of the proposed building will not have entrances, driveways, or other site features that would spawn any mitigation, including along the adjacent Springwater Trail on the south side of Johnson Creek Blvd.

With the proposed building only being two stories in height, there will be no adverse impacts that require mitigation. The treatment of the south side of the building as it abuts Johnson Creek Blvd. will result in a face that reflects the tasteful nature through which the building has been designed and built. Use of landscaping

throughout the entire site, as small as it is, will assist in making the site look a bit less “industrial”. Therefore, measures to mitigate any impacts of the variance to reduce the setback to zero (0) feet will be minimal to the point of not needing any mitigation measures.

MMC19.911.4.B Type III Variance Approval Criteria (Access Management)

This section outlines how this proposed project meets the various approval criteria for a Variance for the stated standard for access to the subject site along SE 58th Drive. The selected criteria for this Variance to Access Management requirements is the “Discretionary Relief Criteria” as contained in 19.911.4.B.1. These criteria are addressed as follows:

- a. *The applicant’s alternative analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to baseline code requirements;*

Response ➔ Because of the small size of the parcel and its triangular shape, options for a variety of development factors may be limited. One of these factors is site access. With frontage on two public rights-of-way, access would seem fairly simple. However, no direct access to Johnson Creek Blvd. is possible, leaving access to SE 58th Drive as the only alternative.

The site measures only 75 feet, 9 inches from the southerly boundary to the tip of the site at the intersection of Johnson Creek Blvd. and SE 58th Avenue. This minimal dimension is actually the longest dimension of any of the sides of the parcel. As such, it makes the most practical sense to place the proposed driveway on this side of the parcel. However, the location of the proposed driveway may not meet the required distance from the intersection of Johnson Creek Blvd. and SE 58th Avenue. Further, in accordance with MMC 12.16.040.C.3 it is required that the “nearest edge of the driveway apron shall be 7.5 feet from the side property line in residential districts, and 10-ft in all other districts.” The site is in the Manufacturing zone, which would require a 10-ft “setback” of the driveway apron from the southerly property line. Based on the current site plan, the applicant proposes a “setback” of 3.5 feet in order to allow the needed driveway and internal access management.

The best thing about the location of the proposed driveway is that it is as distant as possible from the intersection of Johnson Creek Blvd. and SE 58th Avenue. Pushing the driveway as far south on the subject site as possible provides the best opportunity for practical, rational, and efficient access to the site. In actual fact, there is no alternative location for the driveway on this site. While the southerly edge of the driveway apron will be only 3.5 feet off the southerly property line, that 3.5 feet will be landscaped as illustrated on Sheet C-1 of "5b - Proposed Site Plans.pdf". This 3.5 foot setback and the proposed landscaping of the setback area will provide the best buffering of the existing land use directly adjacent to the south along SE 58th Avenue.

Therefore, a variance is needed to locate the proposed driveway in the location identified on the preliminary plans. An approved variance to allow the driveway in the proposed location will set the development plan for the site, and allow a viable use of the subject site to occur.

*b. The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the both following criteria:*

*(1) The proposed variance avoids or minimizes impacts to surrounding properties;*

Response ➡ The only property that would be impacted by the approved driveway location would be the property directly adjacent to the south. Any impacts would be mitigated by the 3.5 foot setback and the landscaping of the setback area. The amount of traffic coming and going to/from the site would be a combination of "town delivery" trucks and personal vehicles. No large semi-trucks will be visiting the site. Further, traffic volumes will be relatively limited because this is a smaller capacity operation that fits the profile of land uses allowed, and desired, in the Manufacturing district. In addition, based on the design of the proposed building, all manufacturing activity taking place there will be as distant as possible from the property directly adjacent to the south on SE 58th Avenue. Therefore, the proposed location of the driveway access to the site on SE 58th Avenue has attempted to minimize any impacts on the adjacent property to the south.



(2) *The proposed variance has desirable public benefits;*

Response ➡ The proposed location of the driveway access to the subject site has been placed in the only likely, reasonable, practical, and efficient location possible. While the distance from the edge of the driveway apron to the sight-of-way for Johnson Creek Blvd. may be less than the city's standard, this location is really the only location possible. Public benefits accrue from the location of the driveway as proposed because, (a) an undeveloped piece of property in the Manufacturing zone will be finally developed, leading to increased taxes paid, increased employment, increased industrial base for the city, increased business in the City of Milwaukie, and fulfillment of a dream of the applicants. This combination of public benefits will far outweigh any adverse impacts resulting from approval of the variance.

(3) *The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.*

Response ➡ Planning, site engineering and building design definitely had to be creative in order to make the proposed development of the subject site actually work. The trapezoidal shape of the parcel results in several "odd" corners, dimensions, and spaces to work with. A building has been designed that will provide for the needs of the manufacturing operation on the site and, at the same time, account for the peculiarities of the site. Because not every parcel is a perfect square or rectangle that makes site planning and design relatively easy, this site definitely requires creativity and sensitivity to the local environment. The proposed building, and its proposed use, will fit into the local fabric where such existing uses as City of Milwaukie, Wichita Feed & Hardware, and Smith Rock, Inc. can be found nearby. The proposed location of the driveway access to the site will even benefit the Springwater Trail Corridor by not having direct vehicular access onto Johnson Creek Blvd., thus reducing the potential for conflicts with pedestrians and bicyclists.

c. *Impacts from the proposed variance will be mitigated to the extent practical.*

Response ➡ The location of the driveway access has been placed as far to the north as possible, in order to provide as much distance between the centerline and/or northerly driveway apron and the intersection of Johnson Creek Blvd. and SE 58th Avenue. Sight distance at the point of the driveway will be as much as can

be created in both directions, thus providing some mitigation for the impact of having the driveway access as proposed. With landscaping along the frontage of SE 58th Avenue, and reduced landscaping at the northerly property line, the location of the driveway will appear to be more rational and efficient than for any other location on the site.

MMC 19.911.4.B Type III Variance Approval Criteria (Perimeter Landscaping)

This section outlines how this proposed project meets the various approval criteria for a Variance for the stated standard for perimeter landscaping at various points around the subject site. The selected criteria for this Variance to Perimeter Landscaping requirements contained in MMC 19.606.2.C. is the “Discretionary Relief Criteria” as contained in 19.911.4.B.1. These criteria are addressed as follows:

- a. *The applicant’s alternative analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to baseline code requirements;*

Response ➡ As discussed previously, the smaller size of the site, and the “irregular” trapezoidal shape of the site, combine to make things challenging for the applicants. Simply stated, without some relief from the stated standards for site size, setbacks, and landscape buffers the site cannot be developed as proposed. The character of the site, likely being a remnant parcel from previous regulatory land use actions and development, results in the need for regulatory relief. As noted in the third (3rd) paragraph on page 1, the effective developable size of the site shrinks to approximately 20% of the original site, resulting in a very restrictive site.

To be clear, the applicants are not requesting total relief from the landscaping requirements but, rather, relief through the application of lesser landscape standards at various locations throughout the site. With the proposed zero setback along the Johnson Creek Blvd. frontage, landscaping there will be reduced to some form of a hanging trellis as additional screening along the street frontage (see Sheet A-2 of “3b - Proposed Building Plans.pdf”). Landscaping is also proposed to be reduced along the northerly side of the site, adjacent to the driveway/parking area. Other perimeter landscaping along the westerly side of the site, where the building is planned for a zero lot line development, there is no

landscaping proposed adjacent to the “warehouse” portion of the building. As illustrated on Sheet C-1, there will be landscaping comprised of “shrubs and bark” adjacent to the parking and office portion of the building. Landscaping along the frontage of the site at SE 58th Drive meets code requirements. These proposed reductions in landscaping requirements will assist in making the site developable as proposed, and the site becoming a positive addition to the local landscape.

- b. *The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:*

- (1) *The proposed variance avoids or minimizes impacts to surrounding properties;*

Response ➡ The proposed reduction in landscaping requirements will serve to have the site landscaped, but to lesser standards in order to make use of a very limited site. Perhaps one of the most potentially impacted properties is the site directly adjacent to the north, adjacent to the parking and office portion of the proposed building. There is a 3.5 foot proposed landscape strip that will provide a measure of visual protection for the property to the north. This area of common frontage is only 11 feet in length, thus reducing the amount of exposure. In addition the dwelling on the property north of the subject site is closer to Smith Rock, Inc. than to the proposed development on the subject site. As such, potential impacts to the property to the north are minimized.

- (2) *The proposed variance has desirable public benefits;*

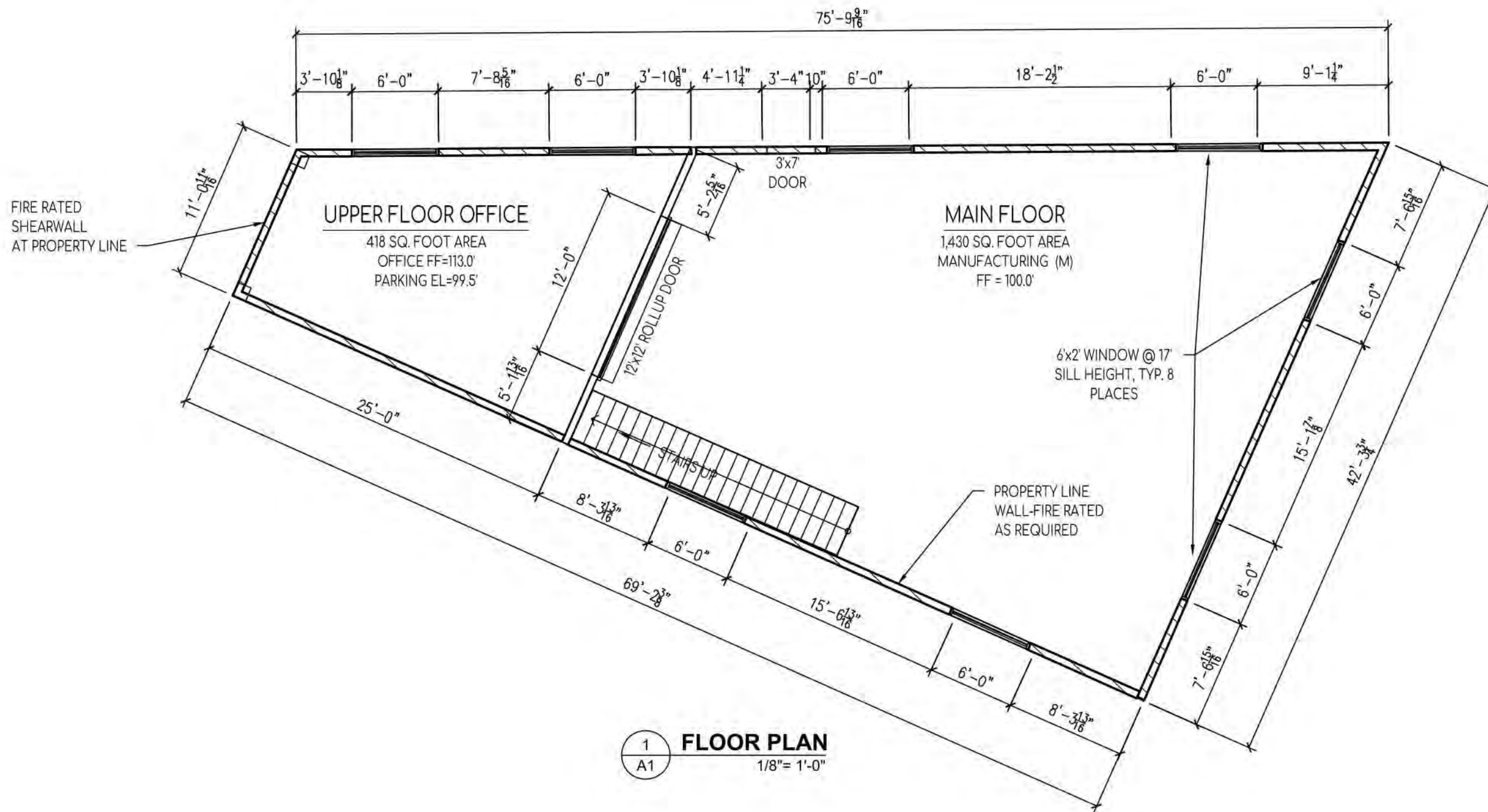
Response ➡ The proposed variance to allow for lesser perimeter landscape standards will allow the site to be developed for a useful, practical, and reasonable use of the land. The combination of the several variances for setbacks, access management, and landscaping will result in a development plan that is reasonable, practical, and sensible. There are major public benefits to the development of this here-to-fore vacant site, including increased tax payments to the public jurisdictions and agencies, upgrading of the local small manufacturing environment along Johnson Creek Blvd., and use of a properly zoned site which should avoid some pressure on other sites throughout the city that may need to be rezoned to accommodate the proposed use, as well as increased local employment.

- (3) *The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.*

Response ➡ The design of the proposed building for the subject site has been done in a practical, tasteful, and reasonable manner such that the design meets the needs of the applicants, and the location of the building on this very limited site. Generally, speaking, the new building, with modified setbacks, access management, and modified perimeter landscaping will fit the site very well, and will blend into the local manufacturing environment. The development of the subject site, with its modified perimeter landscaping, will still “fit” into the local environment and will not appear to be out of place. Once Johnson Creek Blvd. is widened and rebuilt, and once SE 58th Avenue is fully improved, the development of the subject site will become an integral part of the Johnson Creek Blvd. Corridor.

- c. *Impacts from the proposed variance will be mitigated to the extent practical.*

Response ➡ The proposed reduction in landscaping, especially along the westerly and southerly borders of the site, will continue to identify the site as a new manufacturing use of the land. The full landscaping of the frontage on SE 58th Avenue will provide the impression that the entire site is tastefully landscaped throughout. In addition, the use of a hanging trellis on the side of the building at the Johnson Creek Blvd. frontage is a unique and novel way to provide a visual element to an otherwise blank two story wall of a metal industrial building. Wherever possible, landscaping touches have been used to make the overall character of the building and the site in keeping with the intent of the code standards.



1  
A1 **FLOOR PLAN**  
1/8" = 1'-0"



**LYVER ENGINEERING AND DESIGN**

7950 SE 106th, Portland, Oregon 97266  
Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

PROJECT: PHELPS MANUFACTURING	SHEET TITLE: FLOOR PLAN
LOCATION: 58th DR & JC BLVD. MILWAUKIE, OREGON	DATE: 06/14/2021
CLIENT: CAROL PHELPS	SCALE: 1/8" = 1'-0"
LEAD PROJECT #19-042	

REVISIONS: Nov. 2021 - PARKING
-----------------------------------

SHEET:  
**A-1**

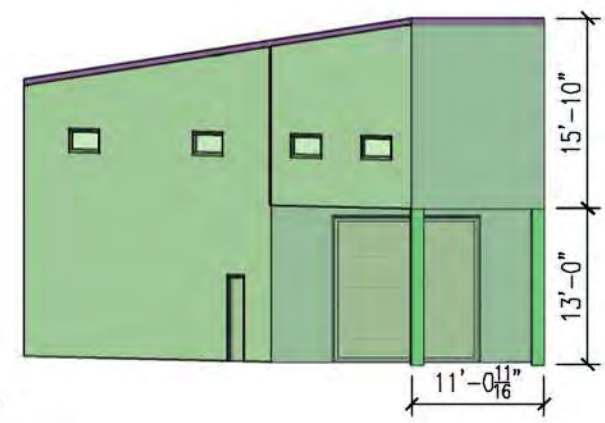


ZONE SCREENING:  
HANGING TRELLIS MOUNTED TO BLDG. ALONG JCB IN  
PATTERN TBD AT PERMITTING.

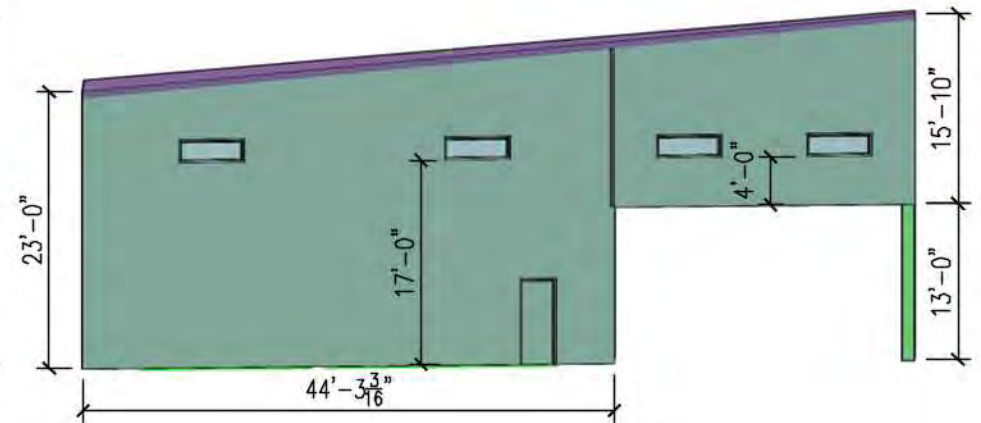
BUILDING EXTERIOR:  
PBR 26 GAUGE ROOFING AND SIDING,  
COLORS TBD AT PERMITTING.



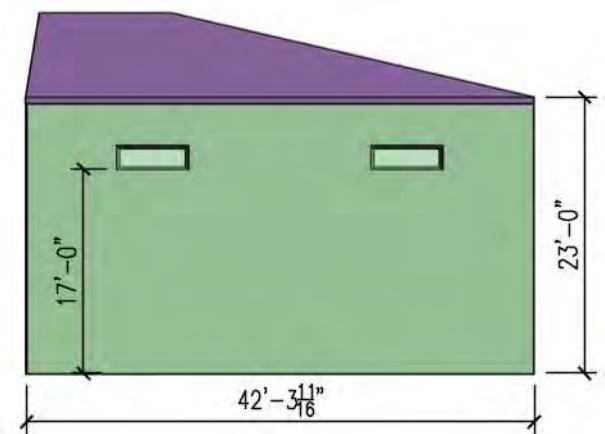
5  
A2 **3-D RENDERINGS**  
NOT TO SCALE



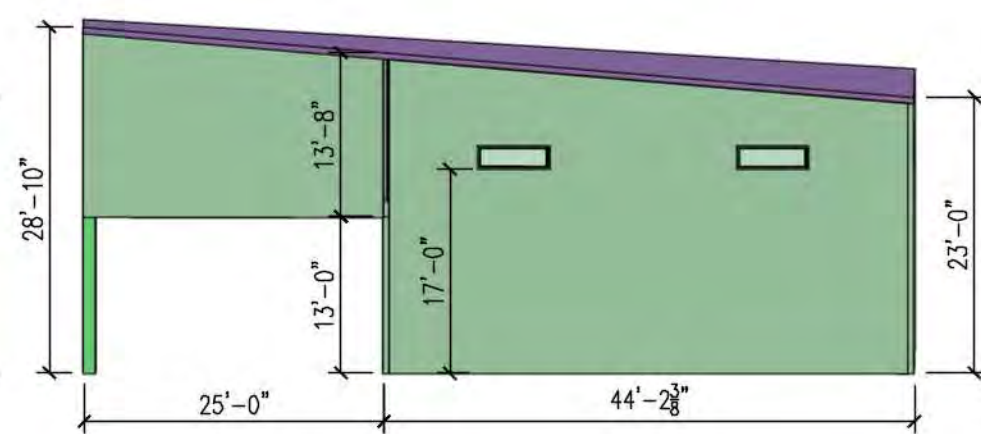
4  
A2 **NORTH  
ELEVATION**  
1/16" = 1'-0"



3  
A2 **EAST  
ELEVATION**  
1/16" = 1'-0"



2  
A2 **SOUTH  
ELEVATION**  
1/16" = 1'-0"



1  
A2 **WEST  
ELEVATION**  
1/16" = 1'-0"



**LYVER ENGINEERING AND DESIGN**

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Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

PROJECT: PHELPS MANUFACTURING	SHEET TITLE: ELEVATIONS
LOCATION: 58th DR & JC BLVD. MILWAUKIE, OREGON	DATE: 06/14/2021
CLIENT: CAROL PHELPS	SCALE: 1/16" = 1'-0"
LEAD PROJECT #19-042	

REVISIONS: Nov. 2021 - PARKING
-----------------------------------

SHEET:  
**A-2**

# EXISTING CONDITIONS MAP

TAX LOT 1500, MAP 1S, 2E, 30AD  
 LOCATED IN THE N.E. 1/4 SECTION 30, T.1S., R.2E., W.M.,  
 CLACKAMAS COUNTY, OREGON  
 FEBRUARY 11, 2019 SCALE 1"=20'

## SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAVD 88.

A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER RECORD OF SURVEY RECORDED UNDER PRIVATE SURVEY NUMBER 2007-421, RECORDS OF CLACKAMAS COUNTY.

THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND ENCROACHMENTS. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.

NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.

NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD SURVEY OF ABOVE GROUND STRUCTURES AND AS MARKED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.

## LEGEND:

Some Symbols shown may not be used on map

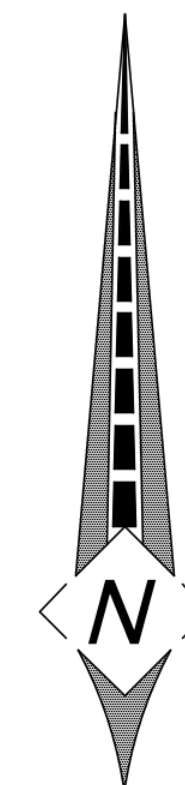
- |  |                            |  |                                   |
|--|----------------------------|--|-----------------------------------|
|  | DECIDUOUS TREE             |  | UTILITY AND LIGHT POLE            |
|  | EVERGREEN TREE             |  | UTILITY POLE                      |
|  | STORM SEWER MANHOLE        |  | LIGHT POLE                        |
|  | CATCH BASIN                |  | GUY WIRE                          |
|  | SANITARY SEWER CLEANOUT    |  | ELECTRIC BOX                      |
|  | SANITARY SEWER MANHOLE     |  | ELECTRIC METER                    |
|  | WATER VALVE                |  | ELECTRICAL POWER PEDESTAL         |
|  | WATER METER                |  | ELECTRIC RISER                    |
|  | FIRE HYDRANT               |  | HEAT PUMP                         |
|  | GAS VALVE                  |  | OVERHEAD LINE                     |
|  | GAS METER                  |  | GAS LINE                          |
|  | BOLLARD                    |  | ELECTRICAL LINE                   |
|  | SIGN                       |  | COMMUNICATIONS LINE               |
|  | MAILBOX                    |  | SANITARY SEWER LINE               |
|  | COMMUNICATIONS PEDESTAL    |  | STORM DRAIN LINE                  |
|  | COMMUNICATIONS MANHOLE     |  | WATER LINE                        |
|  | COMMUNICATIONS BOX         |  | FENCELINE                         |
|  | STORM OUTFALL              |  | UTILITY RISER                     |
|  | FOUND MONUMENT             |  | DOWN SPOUT TO SPLASH GUARD/GROUND |
|  | DOWN SPOUT TO STORM SYSTEM |  |                                   |

SIGNED ON:

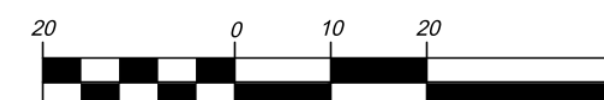
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 13, 2004  
 TOBY G. BOLDEN  
 60377LS

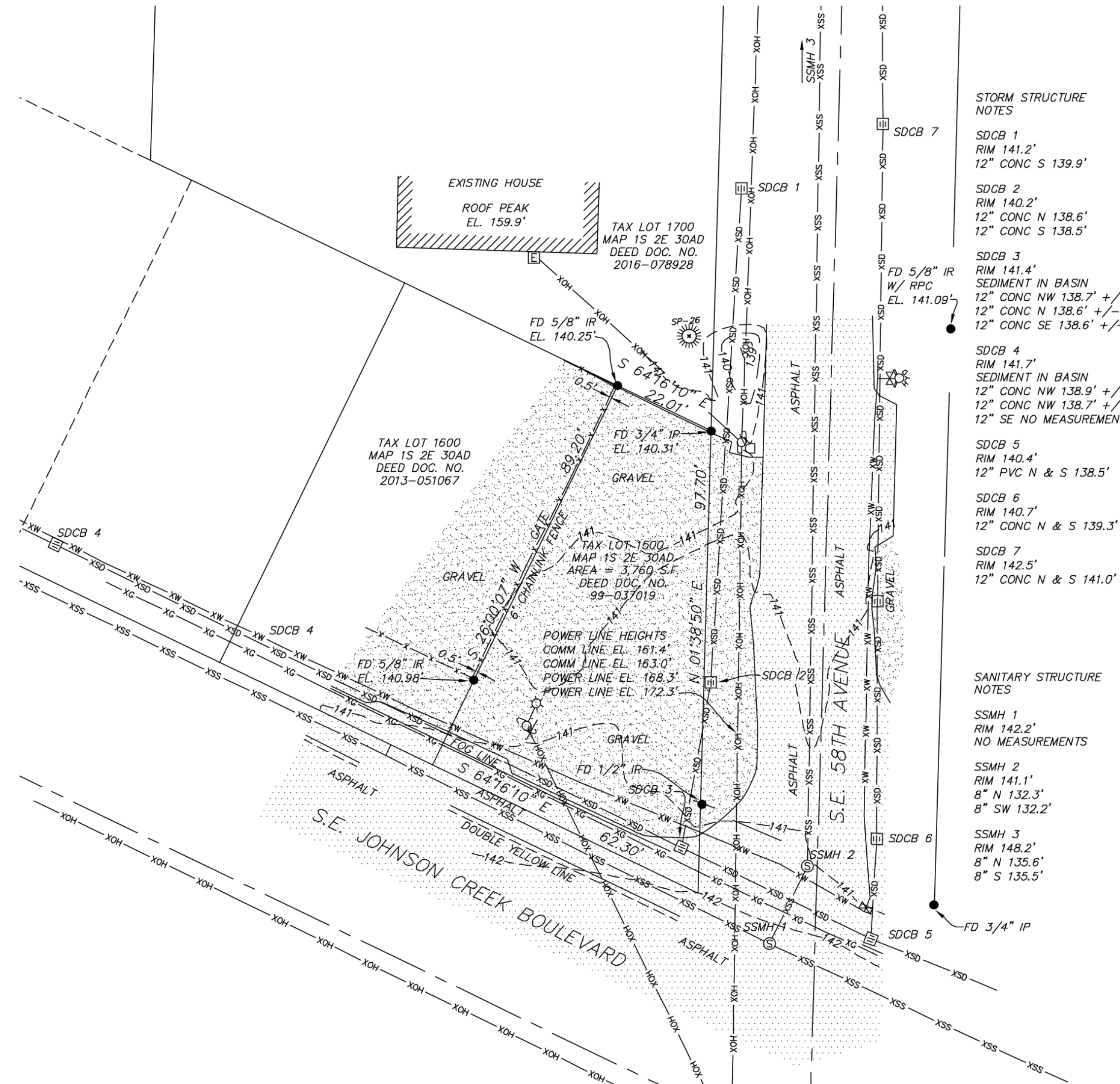
RENEWS: DECEMBER 31, 2019



GRAPHIC SCALE



(IN FEET)  
 1 INCH = 20 FT.



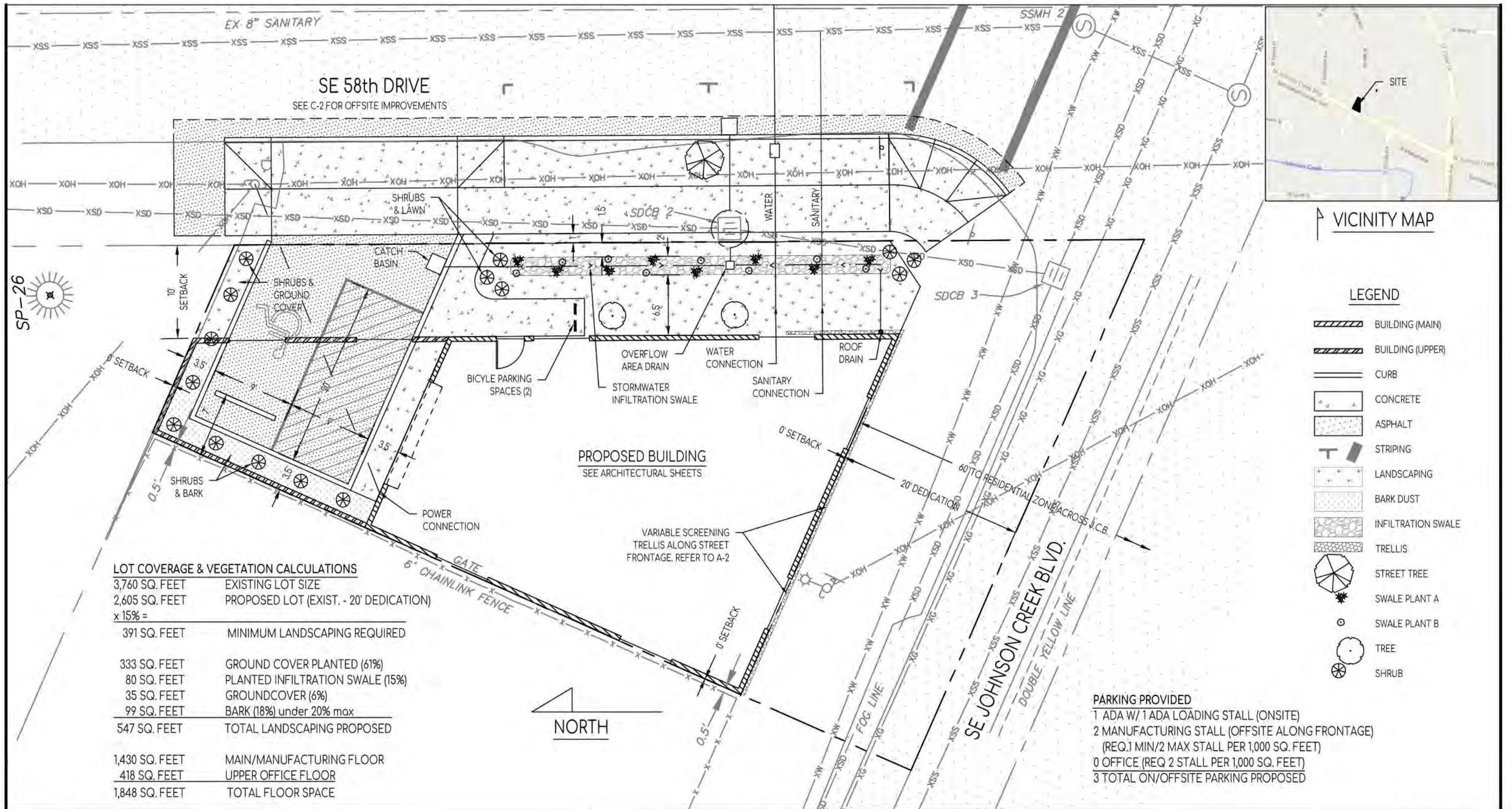
- STORM STRUCTURE NOTES**
- SDCB 1  
 RIM 141.2'  
 12" CONC S 139.9'
- SDCB 2  
 RIM 140.2'  
 12" CONC N 138.6'  
 12" CONC S 138.5'
- SDCB 3  
 RIM 141.4'  
 SEDIMENT IN BASIN  
 W/ RPC  
 EL. 141.09'  
 12" CONC NW 138.7' +/-  
 12" CONC N 138.6' +/-  
 12" CONC SE 138.6' +/-
- SDCB 4  
 RIM 141.7'  
 SEDIMENT IN BASIN  
 12" CONC NW 138.9' +/-  
 12" CONC NW 138.7' +/-  
 12" SE NO MEASUREMENT
- SDCB 5  
 RIM 140.4'  
 12" PVC N & S 138.5'
- SDCB 6  
 RIM 140.7'  
 12" CONC N & S 139.3'
- SDCB 7  
 RIM 142.5'  
 12" CONC N & S 141.0'

- SANITARY STRUCTURE NOTES**
- SSMH 1  
 RIM 142.2'  
 NO MEASUREMENTS
- SSMH 2  
 RIM 141.1'  
 8" N 132.3'  
 8" SW 132.2'
- SSMH 3  
 RIM 148.2'  
 8" N 135.6'  
 8" S 135.5'

**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.

19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189

Plotted: P:\-OPhelps\6 - Originals\LED\ECM\_recover.dwg



VICINITY MAP

LEGEND

- BUILDING (MAIN)
- BUILDING (UPPER)
- CURB
- CONCRETE
- ASPHALT
- STRIPING
- LANDSCAPING
- BARK DUST
- INFILTRATION SWALE
- TRELLIS
- STREET TREE
- SWALE PLANT A
- SWALE PLANT B
- TREE
- SHRUB

**LOT COVERAGE & VEGETATION CALCULATIONS**

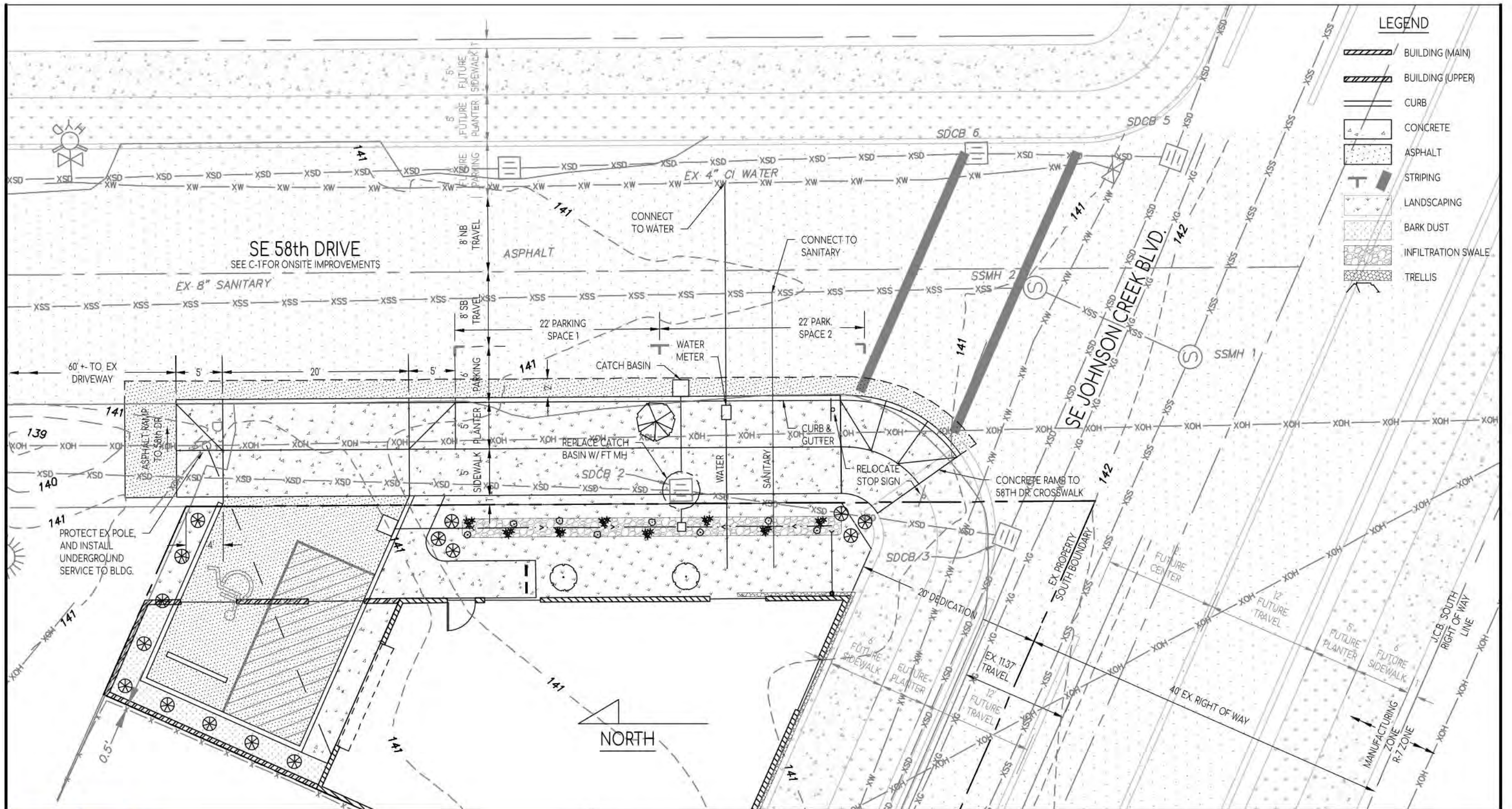
3,760 SQ. FEET	EXISTING LOT SIZE
2,605 SQ. FEET	PROPOSED LOT (EXIST. - 20' DEDICATION)
x 15% =	
391 SQ. FEET	MINIMUM LANDSCAPING REQUIRED
333 SQ. FEET	GROUND COVER PLANTED (61%)
80 SQ. FEET	PLANTED INFILTRATION SWALE (15%)
35 SQ. FEET	GROUND COVER (6%)
99 SQ. FEET	BARK (18%) under 20% max
547 SQ. FEET	TOTAL LANDSCAPING PROPOSED
1,430 SQ. FEET	MAIN/MANUFACTURING FLOOR
418 SQ. FEET	UPPER OFFICE FLOOR
1,848 SQ. FEET	TOTAL FLOOR SPACE

**PARKING PROVIDED**  
 1 ADA W/ 1 ADA LOADING STALL (ONSITE)  
 2 MANUFACTURING STALL (OFFSITE ALONG FRONTAGE)  
 (REQ. 1 MIN/2 MAX STALL PER 1,000 SQ. FEET)  
 0 OFFICE (REQ. 2 STALL PER 1,000 SQ. FEET)  
 3 TOTAL ON/OFFSITE PARKING PROPOSED

**LYVER ENGINEERING AND DESIGN**  
 7950 SE 106th, Portland, Oregon 97266  
 Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

PROJECT: PHELPS MANUFACTURING	SHEET TITLE: PROPOSED SITE PLAN		SHEET:  <b>C-1</b>
LOCATION: 58th DR & JC BLVD. MILWAUKIE, OREGON	DATE: 06/14/2021	REVISIONS: Nov. 2021 - PARKING	
CLIENT: CAROL PHELPS	SCALE: 1" = 10'		
LEAD PROJECT #19-042			





# LYVER ENGINEERING AND DESIGN

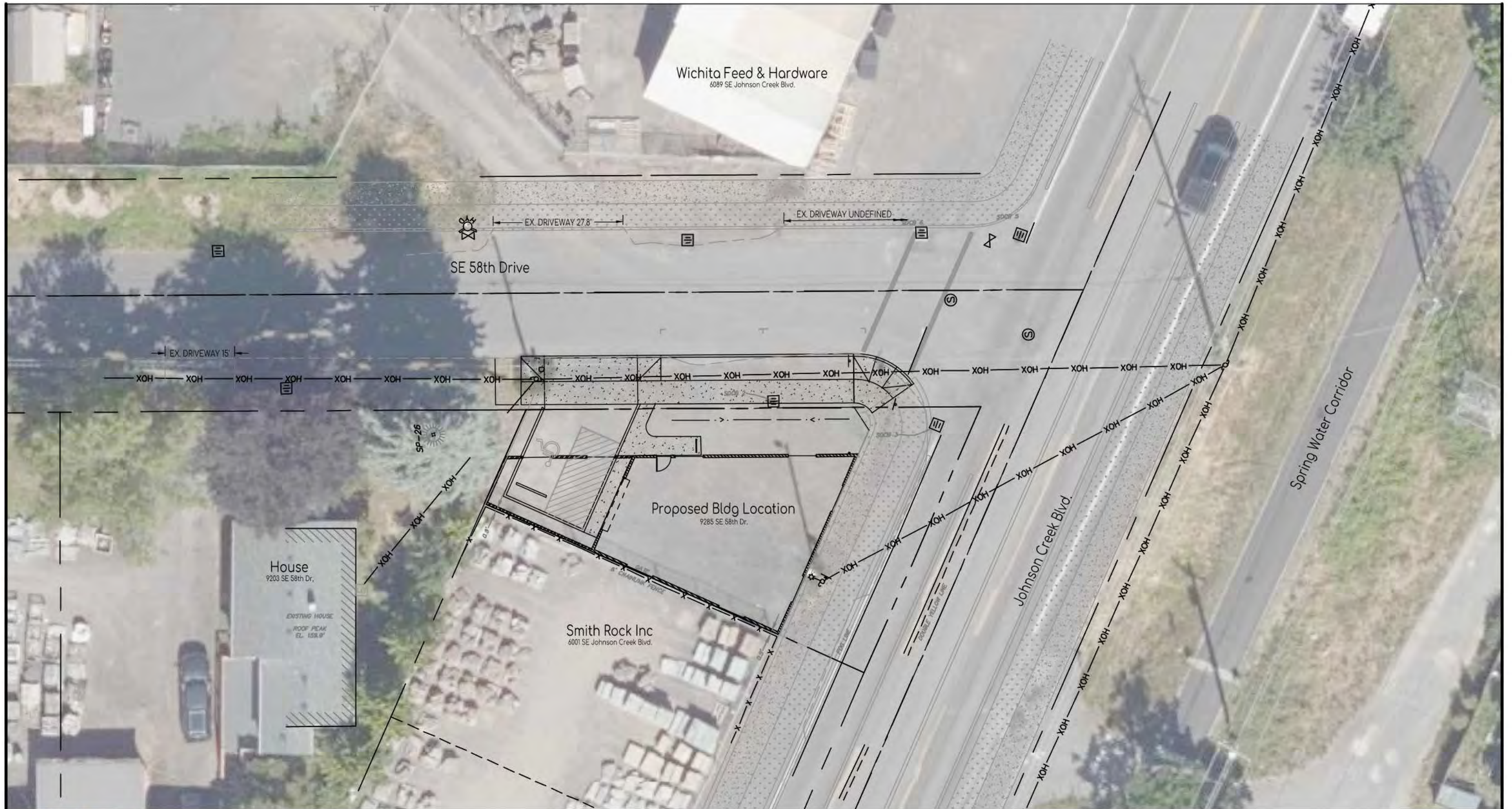
7950 SE 106th, Portland, Oregon 97266  
 Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

PROJECT: PHELPS MANUFACTURING  
 LOCATION: 58th DR & JC BLVD. MILWAUKIE, OREGON  
 CLIENT: CAROL PHELPS  
 LEAD PROJECT #19-042

SHEET TITLE: PROPOSED PUBLIC ROAD IMPROVEMENTS  
 DATE: 06/14/2021  
 SCALE: 1" = 10'

REVISIONS:  
 Nov. 2021 - PARKING

SHEET:  
**C-2**



**LYVER ENGINEERING AND DESIGN**

7950 SE 106th, Portland, Oregon 97266  
 Ph: 503.705.5283 Fax: 503.482.7449 TroyL@Lyver-EAD.com www.Lyver-EAD.com

PROJECT: PHELPS MANUFACTURING  
 LOCATION: 58th DR & JC BLVD. MILWAUKIE, OREGON  
 CLIENT: CAROL PHELPS  
 LEAD PROJECT #19-042

SHEET TITLE: LOCATION PLAN

DATE: 06/14/2021

SCALE: 1" = 20'

REVISIONS:  
 Nov. 2021 - PARKING

SHEET:

C-3



21370 SW Langer Farms Pkwy  
Suite 142, Sherwood, OR 97140



EXPIRES: 12/31/2021

## Technical Memorandum

**To:** Carol and Keith Phelps

**From:** Michael Ard, PE

**Date:** June 14, 2021

**Re:** SE Johnson Creek Boulevard at SE 58<sup>th</sup> Drive Industrial Site – Access Analysis

This transportation analysis memorandum is written to provide information related to a proposed 1,848 square foot light industrial/manufacturing building on the west side of SE 58<sup>th</sup> Drive immediately north of SE Johnson Creek Boulevard in the City of Milwaukie, Oregon.

The site is tax lot 1S2E30AD1500 with an area of approximately 0.08 acres. Given the small footprint of the subject property, there is no access point available which will meet the city’s requirement for a minimum of 100 feet of access spacing from an intersection for an industrial driveway on a local street. Accordingly, a modification of the access spacing standard will be required for the site. This analysis is intended to serve as an access study supporting the requested modification pursuant to the requirements of MMC Section 12.16.040.B.2.

### TRIP GENERATION

In order to assess the potential traffic impacts of the proposed development, a trip generation estimate was prepared using data from the Institute of Transportation Engineer’s *Trip Generation Manual, 10<sup>th</sup> Edition*. The trip data used was for land use code 140, *Manufacturing*. The trip estimate was calculated for a manufacturing facility with a gross floor area of 1,848 square feet. Based on the trip generation estimate, the proposed subdivision would generate 1 new trip during the morning peak hour, 1 new trip during the evening peak hour, and 8 new daily trips.

A summary of the trip generation calculations is provided in Table 1 below. Detailed trip generation calculations are also included in the attached technical appendix.

**Table 1 - Trip Generation Calculation Summary**

SE Johnson Creek Boulevard at SE 58th Drive Industrial Development									
	Morning Peak Hour			Evening Peak Hour			Daily Trips		
	In	Out	Total	In	Out	Total	In	Out	Total
1,848 sf Manufacturing	1	0	1	0	1	1	4	4	8



### ***SITE ACCESS SPACING***

The project site has frontage on both Johnson Creek Boulevard and 58<sup>th</sup> Drive. MMC Section 12.16.040.C.1 requires that access shall be provided first from the street with the lower classification. In this instance, SE Johnson Creek Boulevard is classified by Clackamas County as a Minor Arterial, while SE 58<sup>th</sup> Drive is classified by the City of Milwaukie as a Local Street. Based on these classifications, access is required to be taken from SE 58<sup>th</sup> Drive.

Placing the proposed access at the extreme north end of the project site per the proposed development plan results in access spacing of approximately 72 feet between the near side curb line on SE Johnson Creek Boulevard and the near side of the proposed site access. Since this measurement is less than the 100-foot minimum spacing required under city code, a detailed examination of the impacts of the proposed access spacing was undertaken.

Where intersection spacing is less than the desired standards, it is appropriate to conduct analysis to determine both the potential safety and operational impacts of reduced access spacing. Intersection safety is primarily associated with the available sight lines at the driveway, which can be limited by the proximity to the public intersection. Accordingly, the first analysis conducted was to determine whether adequate sight lines for safe access can be attained under the proposed development plan. Following the safety analysis an operational analysis is appropriate to determine the potential impacts of reduced access spacing on all travel modes, and to identify and mitigation measures that may be appropriate to ensure safe and efficient operation.

### ***INTERSECTION SIGHT DISTANCE***

To determine whether this proposed site access can operate safely, an intersection sight distance analysis was conducted. Based on the posted speed limit of 25 mph on SE 58<sup>th</sup> Drive, a minimum of 280 feet of intersection sight distance is required in each direction for the proposed site access driveway.

In accordance with the methodology described in *A Policy on Geometric Design of Highways and Streets*, published by the American Association of State Highway and Transportation Officials, intersection sight distance is measured from a driver's eye position 14.5 feet behind the edge of the travelled way at an elevation 3.5 feet above the ground to an oncoming driver's eye height of 3.5 feet above the oncoming travel lanes in each direction.

Under existing conditions, intersection sight distance to the north on SE 58<sup>th</sup> Drive is limited to approximately 75 feet by existing vegetation on the west side of the roadway north of the subject property. However, with clearing of vegetation surrounding the wood pole at the north side of the subject property



and cutting of the low limbs of the noble fir on the adjacent property to the north, sight lines in excess of 280 feet to the north can be attained. Accordingly, it is feasible to provide adequate intersection sight distance to the north for safety and operations.

Intersection sight distance to the south will be limited by the proximity to SE Johnson Creek Boulevard as well as the locations of the buildings on both sides of the roadway. Based on the proposed site plan in conjunction with the location of the existing buildings on the north side of SE Johnson Creek Boulevard east of SE 58<sup>th</sup> Drive, it is projected that there will be 260 feet of intersection sight distance for vehicles approaching eastbound on SE Johnson Creek Boulevard and 125 feet of intersection sight distance for vehicles approaching eastbound on SE Johnson Creek Boulevard.

Intersection sight distance is an operational standard based on the desire to minimize the need for through vehicles traveling on the major street to slow or stop to avoid a collision. This minimum standard should be attained where it is reasonably possible to do so. However, where full intersection sight distances cannot be provided reduced sight distances can be accepted provided that the intersection can operate safely, and that the projected operational impacts to through traffic are deemed acceptable. The minimum standard for safe operation of an access is determined based on stopping sight distance rather than intersection sight distance. This is made explicit in *A Policy on Geometric Design for Highway and Streets*, published by the American Association of State Highway and Transportation Officials (the AASHTO “Green Book”), which states:

*Sight distance is also provided at intersections to allow the drivers of stopped vehicles a sufficient view of the intersecting highway to decide when to enter the intersecting highway or to cross it. **If the available sight distance for an entering or crossing vehicle is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions.** However, in some cases, a major-road vehicle may need to stop or slow to accommodate the maneuver by a minor-road vehicle. **To enhance traffic operations, intersection sight distances that exceed stopping sight distances are desirable along the major road.**” [emphasis is mine]*

To evaluate stopping sight distances for the proposed site access on SE 58<sup>th</sup> Drive, it is necessary to determine appropriate design speeds for vehicles approaching from both directions on SE Johnson Creek Boulevard. Vehicles turning from SE Johnson Creek Boulevard onto SE 58<sup>th</sup> Drive must slow to make the corner in either direction. Since SE 58<sup>th</sup> Drive forms a skewed intersection with SE Johnson Creek Boulevard, the turning speeds are slightly elevated for vehicles approaching from the east and slightly decreased for vehicles approaching from the west, as compared to a standard 90-degree intersection. Based on the intersection geometry, it is anticipated that vehicles will make eastbound left turns from SE Johnson Creek Boulevard onto SE 58<sup>th</sup> Drive at speeds of up to 19 mph. For westbound vehicles turning from SE



Johnson Creek Boulevard onto SE 58<sup>th</sup> Drive it is projected that vehicles will turn at speeds of up to 25 mph. These respective design speeds require minimum stopping sight distances of 100 feet and 155 feet, respectively. Since the actual sight distances available in these respective directions are in excess of the required minimums for safety, the proposed access can operate safely.

Based on the intersection sight distance analysis, adequate sight lines can be attained for safe operation of the proposed site access provided that the existing vegetation on the north side of the driveway is removed or trimmed to provide a minimum of 280 feet of intersection sight distance to the north from the proposed access. Although full intersection sight distances cannot be provided to the south for vehicles approaching from SE Johnson Creek Boulevard, the available sight lines are projected to be adequate for safety. A more detailed analysis of the potential operational impacts of the reduced sight distances is provided in the operational analysis section of this report below.

#### ***SITE ACCESS OPERATION***

The proposed site access will be located approximately 50 feet north of the near side of the crosswalk on the north side of SE Johnson Creek Boulevard crossing SE 58<sup>th</sup> Drive. The driveway will also be spaced approximately 65 feet from an existing driveway serving the existing home within the Smith Rock commercial site immediately north of the subject property. An existing driveway serving the storage yard on the east side of SE 58<sup>th</sup> Drive north of the Wichita Feed and Hardware store is located immediately north of the proposed site access. Additionally, the parking area serving the front of the Wichita Feed and Hardware store connects continuously to the east side of SE 58<sup>th</sup> Drive. No other driveways are located within 100 feet of the subject property. With clearing of vegetation on the north side of the proposed site access as previously described, all driveway approaches within the influence area of the proposed access will be visible to drivers exiting the site. Accordingly, the available sight lines will be adequate to allow drivers exiting from all driveways to see and avoid conflicts originating at other driveways in the site vicinity.

The 50-foot spacing between the proposed site access and the near (north) side of the crosswalk crossing SE 58<sup>th</sup> Drive allows sufficient stacking space for approximately 2 vehicles. Based on observations of traffic volumes at the intersection of SE Johnson Creek Boulevard and SE 58<sup>th</sup> Drive, no queues were observed to accumulate on SE 58<sup>th</sup> Drive southbound. Accordingly, it is anticipated that southbound queues will not significantly obstruct safe and efficient access in or out of the subject property.

Since sight distances to the south will be less than the desired minimum intersection sight distances, it is anticipated that when vehicles exit the site access by turning to the north while vehicles are turning from SE Johnson Creek Boulevard, the through vehicles traveling along SE 58<sup>th</sup> Drive may need to slow to



avoid collisions at the access. Based on the available sight distances, it is anticipated that the maximum operational delays induced to through traffic on SE 58<sup>th</sup> Drive will be 3.4 seconds for vehicles making eastbound left turns onto SE 58<sup>th</sup> Drive and 0.6 seconds for vehicles making westbound right turns onto SE 58<sup>th</sup> Drive. Given the low trip generation of the site (4 vehicles entering and 4 vehicles exiting per day on average), the fact that less than 25 percent of exiting trips would be expected to turn left onto SE 58<sup>th</sup> Drive resulting in a potential conflict, and the low volume of through traffic on SE 58<sup>th</sup> Drive, it is anticipated that the average induced delays resulting from the proposed access spacing will be well below 1 second per day. Since SE 58<sup>th</sup> Drive is classified as a local street on which delays to through traffic are considered normal and acceptable, the operational impact of the proposed access spacing is negligible. Accordingly, no mitigations are recommended to offset the operational impacts of the proposed site access spacing.

Based on a review of the proposed site plan, the proposed access spacing is projected to have no impacts on pedestrians or people riding bicycles. Similarly, the proposed access spacing is projected to have no impact on transit users.

Since the proposed development is industrial in nature, it is expected that some vehicles exiting the site may consist of trucks. The eye height of people driving trucks is significantly higher than the eye height of people driving passenger vehicles. Since safe operation of the proposed access depends on adequate clearing of vegetation for drivers exiting the driveway to see vehicles approaching from the north, the sight lines provided by vegetation clearing should be sufficient for both passenger vehicles and trucks. Accordingly, vegetation clearing should be provided which is sufficient to ensure clear sight lines between 3.5 feet above the driveway elevation and 7.6 feet above the driveway elevation.

### ***CONCLUSIONS***

Based on the analysis, the proposed site access on SE 58<sup>th</sup> Drive will result in no significant operational or safety impacts if vegetation is cleared from the north side of the driveway to provide a minimum of 280 feet of continuous intersection sight distance to the north as measured from a minimum passenger vehicle driver's eye height of 3.5 feet above the driveway elevation to a maximum truck eye height of 7.6 feet above the driveway elevation. No other operational or safety mitigations are recommended in conjunction with the proposed development.

If you have any questions regarding this analysis, please feel free to contact me at (503)537-8511 or by email at [mike.ard@gmail.com](mailto:mike.ard@gmail.com).



2100 N Pacific Hwy.  
Woodburn, OR 97071  
www.pbsbuildings.com

Toll Free 800-727-7844  
Phone 503-981-9581  
Fax 503-981-9584

Job Number:  
Quote Number: 10645 R1  
Quote Request: NC02214  
Salesperson: Neil Chambers

CUSTOMER INFORMATION:	PROJECT INFORMATION:
Customer:	Project Name: <b>New Building</b>
Contact: <b>Keith and Carol Phelps</b>	Project For:
Address: <b>PO Box 68631</b>	Address: <b>58th and Johnson Creek Blvd</b>
City: <b>Oak Grove</b> State: <b>OR</b> Zip: <b>97268</b>	City: <b>Portland</b> State: <b>OR</b> Zip: <b>97206</b>
Phone: <b>971-212-4159</b> Fax:	County: <b>Multnomah</b> Building Use: <b>Commercial</b>
Cell: Email: <b>phelpsent@aol.com</b>	Desired Delivery Date (subject to factory approval):

**BASIC BUILDING:**

Building Type:  Symmetrical  Single Slope  Lean-to  Other

Width: **45'-0"** Length: **42'-0"** Low Sidewall Eave Height: **23'-0"** High Sidewall Eave Height: **26'-9"**

Roof Pitch: **1 :12** Minimum Rafter Clearance:

Sidewall Bay Spacing: **21'-4", 20'-8"** Left Endwall Bay Spacing: **(2) @ 24'-8 1/4" (Skewed)**

Special Girt Spacing: Right Endwall Bay Spacing: **(2) @ 22'-6"**

**DESIGN CODES:** Note: It is the builder/contractor responsibility to verify building codes and loadings with the local building department.

Governing Code	Building Code: <b>OSSC14 (Oregon Structural Specialty Code 2014)</b>	Risk Category: <b>II Standard Occupancy</b>
Roof Load	Collateral Load: <b>1 psf</b> Live Load: <b>20 psf</b> <input type="checkbox"/> Reducible	Dead Load: <b>2.5 psf</b>
Wind Load	Wind Speed: <b>120 mph</b> Exposure: <b>C</b>	Enclosure: <b>Closed</b>
Snow Load	Ground Snow: <b>9 psf</b> Roof Snow: <b>20 psf</b>	Thermal Factor: <b>Heated</b>
Seismic Data	Seismic Design Category: <b>D</b> Ss: <b>0.972</b> S1: <b>0.413</b>	Sms: <b>1.080</b> Sm1: <b>0.655</b>

**FRAMING DATA:**

Frame Type: **RF - Standard Rigid Frame** Interior Column Spacing:  
 Straight Exterior Columns  Unsupported Exterior Columns  Special, See Notes

Structural Finish: **Standard Enamel Color**  Blue  Green  Grey  Red  Other

Left Endwall Frame: **Post and Beam** High Sidewall Bracing: **Portal Frame** Low Sidewall Bracing: **X-Bracing**

Right Endwall Frame: **Post and Beam** Left Endwall Bracing: **X-Bracing** Right Endwall Bracing: **X-Bracing**

Eave Condition: **Gutters and Downspouts** High Sidewall Girts: **Bi-Pass** Low Sidewall Girts: **Bi-Pass**

Base Condition: **Base Angle** Left Endwall Girts: **Bi-Pass** Right Endwall Girts: **Bi-Pass**

**SHEETING:**

Roof Panels: **PBR** Gauge: **26** Finish: **Painted** Screw Length: **Long 1.5"**

Wall Panels: **PBR** Gauge: **26** Finish: **Painted** Screw Length: **Long 1.5"**

**INSULATION:**

Roof Insulation: **6" VRR (R-19)** Use Thermal Block:  Yes  No Insulation by PBS:  Yes  No

Wall Insulation: **4" VRR (R-13)** Use Thermal Tape:  Yes  No Insulation by PBS:  Yes  No

**ROOF & WALL FRAMED OPENINGS:**

Qty:	Width:	Height:	Type:	Location:	Sill Height:
1	12'-0"	12'-0"	Overhead Door	High Sidewall	
2	6'-0"	2'-0"	Window	Low Sidewall	19'-0"
2	6'-0"	2'-0"	Window	Left Endwall	19'-0"
2	6'-0"	2'-0"	Window	Right Endwall	19'-0"



<b>ROOF EXTENSIONS:</b>					
Extension:	None	Location:		Soffit <input type="checkbox"/>	None
Width:	Start Bay:	End Bay:		Gauge:	Finish:
Extension:	None	Location:		Soffit <input type="checkbox"/>	None
Width:	Start Bay:	End Bay:		Gauge:	Finish:
<b>CANOPIES:</b>					
Location:	None	Roof Panels:	Height:	Soffit <input type="checkbox"/>	None
Width:	Start Bay:	End Bay:	Slope:	Gauge:	Finish:
Location:	None	Roof Panels:	Height:	Soffit <input type="checkbox"/>	None
Width:	Start Bay:	End Bay:	Slope:	Gauge:	Finish:
<b>PARTITION WALLS:</b>					
Orientation:	None	Bay Spacing:		Panels:	
Length:	Offset Left:	Insulation:		Gauge:	Finish:
Orientation:	None	Bay Spacing:		Panels:	
Length:	Offset Left:	Insulation:		Gauge:	Finish:
<b>LINER PANELS:</b>					
Location:	None	Notes:		Panels:	
Start Bay:	End Bay:	Height:	<input type="checkbox"/> Liner Trim	Gauge:	Finish:
Location:	None	Notes:		Panels:	
Start Bay:	End Bay:	Height:	<input type="checkbox"/> Liner Trim	Gauge:	Finish:
<b>ACCESSORIES:</b>					
Qty:	1	3070 Walk Door	Notes:	Insulated walk-in door with lever-lockset	
Qty:			Notes:		
Qty:			Notes:		
Qty:			Notes:		
<b>NOTES:</b>					
1. Standard X-bracing.					
2. Post and beam end frames.					
3. 26 gauge painted PBR roofing and siding.					
4. The left endwall is skewed with the front left corner set in 20'-3 13/16".					
5. 25'-0" x 21'-8 3/16" lean-to attached to the high sidewall. (See FORM 2: ADDITIONAL STRUCTURES - BUILDING B)					
<b>ALTERNATES:</b>				Price	Initials
Alt 1					
Alt 2					
Alt 3					
<b>CONTRACT AMOUNT:</b>					
Price:	<b>\$53,600.00</b>	Building Package F.O.B. Job Site	Weight:	<b>35,447 lbs.</b>	
Terms:	20% down payment at time of order, balance due upon delivery.				
Sales tax, anchor bolts, and concrete design are not included. Bid is good for 7 days. Contract price is good for 21 days.					
<b>PACIFIC BUILDING SYSTEMS</b>					
Manufactured by: Truss "T" Structures, Inc. 2100 N Pacific Highway Woodburn, OR 97071			Buyer's Signature: _____ Buyer's Name: _____ Billing Address: _____ Accounts Payable Email: _____ Reseller Permit #: _____ Date: _____ PO #: _____		
By: _____ Authorized Signature			Title: <i>VP President</i> 6/26/19		

<b>BASIC BUILDING:</b>					
Building Type: <input type="checkbox"/> Symmetrical <input type="checkbox"/> Single Slope <input checked="" type="checkbox"/> Lean-to <input type="checkbox"/> Other					
Width: 25'-0"		Length: 21'-8 3/16"		Low Sidewall Eave Height: 26'-9"	
Roof Pitch: -1 :12		High Sidewall Eave Height: 28'-10"			
Minimum Rafter Clearance:					
Sidewall Bay Spacing: 21'-8"			Left Endwall Bay Spacing: 27'-5 3/16" (Skewed)		
Special Girt Spacing: Right Endwall Bay Spacing: 25'-0"					
<b>FRAMING DATA:</b>					
Frame Type: <b>LT - Lean-To</b>		Interior Column Spacing:			
<input type="checkbox"/> Straight Exterior Columns		<input type="checkbox"/> Unsupported Exterior Columns		<input type="checkbox"/> Special, See Notes	
Common Wall Condition: <b>Girts and Sheeting</b>		Bracing Condition in Common Wall: <b>Portal Frame</b>			
Left Endwall Frame: <b>Half-Loaded Lean-To</b>		High Sidewall Bracing: <b>Portal Frame</b>		Low Sidewall Bracing: <b>Common Wall</b>	
Right Endwall Frame: <b>Half-Loaded Lean-To</b>		Left Endwall Bracing: <b>None</b>		Right Endwall Bracing: <b>None</b>	
Eave Condition: <b>Gutters and Downspouts</b>		High Sidewall Girts: <b>Bi-Pass</b>		Low Sidewall Girts: <b>Bi-Pass</b>	
Base Condition: <b>None</b>		Left Endwall Girts: <b>Bi-Pass</b>		Right Endwall Girts: <b>Common Wall</b>	
<b>SHEETING:</b>					
Roof Panels: <b>PBR</b>		Gauge: <b>26</b>		Finish: <b>Painted</b>	
				Screw Length: <b>Per Design</b>	
Wall Panels: <b>PBR</b>		Gauge: <b>26</b>		Finish: <b>Painted</b>	
				Screw Length: <b>Per Design</b>	
<b>INSULATION:</b>					
Roof Insulation: <b>6" VRR (R-19)</b>		Use Thermal Block: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Insulation by PBS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Wall Insulation: <b>4" VRR (R-13)</b>		Use Thermal Tape: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Insulation by PBS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>ROOF &amp; WALL FRAMED OPENINGS:</b>					
Qty:	Width:	Height:	Type:	Location:	Sill Height:
2	6'-0"	2'-0"	Window	Left Endwall	19'-0"
<b>ROOF EXTENSIONS:</b>					
Extension: <b>None</b>		Location:		Soffit <input type="checkbox"/> <b>None</b>	
Width:		Start Bay:		End Bay:	
				Gauge: Finish:	
Extension: <b>None</b>		Location:		Soffit <input type="checkbox"/> <b>None</b>	
Width:		Start Bay:		End Bay:	
				Gauge: Finish:	
<b>CANOPIES:</b>					
Location: <b>None</b>		Roof Panels:		Height:	
Width:		Start Bay:		End Bay:	
				Slope:	
				Gauge: Finish:	
Location: <b>None</b>		Roof Panels:		Height:	
Width:		Start Bay:		End Bay:	
				Slope:	
				Gauge: Finish:	
<b>PARTITION WALLS:</b>					
Orientation: <b>None</b>		Bay Spacing:		Panels:	
Length:		Offset Left:		Insulation:	
				Gauge: Finish:	
Orientation: <b>None</b>		Bay Spacing:		Panels:	
Length:		Offset Left:		Insulation:	
				Gauge: Finish:	
<b>LINER PANELS:</b>					
Location: <b>None</b>		Notes:		Panels:	
Start Bay:		End Bay:		Height:	
				<input type="checkbox"/> Liner Trim	
				Gauge: Finish:	
Location: <b>None</b>		Notes:		Panels:	
Start Bay:		End Bay:		Height:	
				<input type="checkbox"/> Liner Trim	
				Gauge: Finish:	
<b>NOTES:</b>					
1. Portal braced at the high sidewall, standard X-bracing elsewhere.					
2. Half-loaded lean-to end frames.					
3. 26 gauge painted PBR roofing and siding.					
4. Full width x full length light storage mezzanine. (See FORM 5: MEZZANINE DATA)					
5. Open below 13'-6" at all walls.					
6. Low sidewall connected to main building.					



2100 N Pacific Hwy.  
Woodburn, OR 97071  
www.pbsbuildings.com

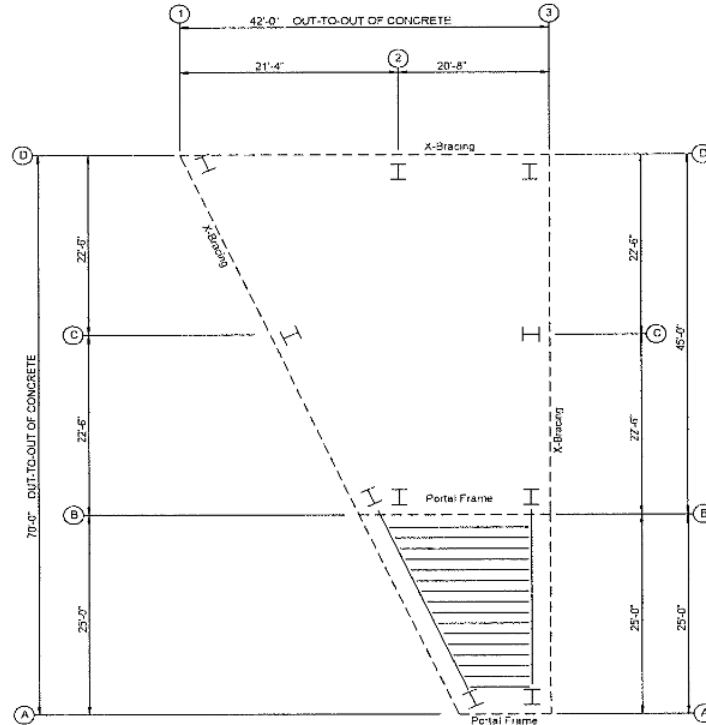
Toll Free 800-727-7844  
Phone 503-981-9581  
Fax 503-981-9584

**CUSTOMER INFORMATION:**

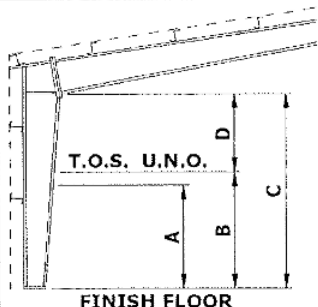
Customer: \_\_\_\_\_  
 Contact: **Keith and Carol Phelps**  
 Address: **PO Box 68631**  
 City: **Oak Grove** State: **OR** Zip: **97268**  
 Phone: **971-212-4159** Fax: \_\_\_\_\_  
 Cell: \_\_\_\_\_ Email: **phelpsent@aol.com**

**PROJECT INFORMATION:**

Project Name: **New Building**  
 Project For: \_\_\_\_\_  
 Address: **58th and Johnson Creek Blvd**  
 City: **Portland** State: **OR** Zip: **97206**  
 County: **Multnomah** Building Use: **Commercial**  
 Desired Delivery Date (subject to factory approval): \_\_\_\_\_



MEZZANINE PLAN



**Critical Dimensions:**

- A 13'-6"
- B 15'-0"
- C 25'-0"
- D (C - B)

Correct usage and loads imposed on mezzanine are the responsibilities of the purchaser to relate to PBS. PBS will design the mezzanine based on the given live and dead loads. Dead loads separated into two categories: structural and non-structural. Structural dead loads are to include mezzanine beams, floor joists, decking, concrete cover, all other structural components associated with the floor design. Non-structural dead loads include partition loads, ceiling loads, carpets, or any temporary loads to the floor above and ceiling below as well as permanent mechanical service equipment. Live loads are based on the usage of the floor system, and typically specified by the purchaser.

Design Loads: Live: <b>100 psf</b> Dead: <b>15 psf</b>	Beams: <input checked="" type="checkbox"/> By PBS <input type="checkbox"/> By Others	
Joists: <input checked="" type="checkbox"/> By PBS <input type="checkbox"/> By Others	Columns: <input checked="" type="checkbox"/> By PBS <input type="checkbox"/> By Others	
Type: <input checked="" type="checkbox"/> C or Z <input type="checkbox"/> Bar Joist <input type="checkbox"/> Wide Flange <input type="checkbox"/> Other:	Base Plate Bearing: <input checked="" type="checkbox"/> At Finish Floor <input type="checkbox"/> Below Finish Floor	
Spacing: <input checked="" type="checkbox"/> By PBS <input type="checkbox"/> By Others:	<b>MATERIAL BY OTHERS</b>	
Connections: <input checked="" type="checkbox"/> Bolted <input type="checkbox"/> Field Welded	Stairs	Railing
Floor Deck: <input type="checkbox"/> By PBS <input checked="" type="checkbox"/> By Others	Framed Openings: (Locate Above) *Dimension on drawing above	
Floor Type: <b>Plywood</b> Floor Thickness: <b>1 1/8"</b>	Size	Size
Edge Angle: <input type="checkbox"/> By PBS <input checked="" type="checkbox"/> By Others Size:	A _____ x _____	C _____ x _____
	B _____ x _____	D _____ x _____
	<b>NOTE:</b> Indicate bays where X-Bracing is allowed.	

**1. DEFINITIONS:**

Those terms and conditions and the Quote/Contract, along with all attachments, prepared by Seller for Purchaser are together referred to as the "Agreement." As used in Agreement, "Seller" shall mean Truss "T" Structures Inc. dba Pacific Building Systems an Oregon corporation, and "Purchaser" shall mean the person or entity identified as customer in the Quote/Contract.

**2. PRODUCT:**

This Agreement covers only the Seller's standard metal building system components and related accessories identified in the Quote for Purchaser and does not include any construction or installation services. The terms and specifications set forth on Seller's Contract/Quote shall control, notwithstanding any specifications or instructions provided by Purchaser. Any deviation from the Seller's standard specifications will be specified in the Notes section of the Contract/Quote. Seller reserves the right to substitute materials as it sees fit without notice to purchaser to meet Seller's standard's specifications.

**3. COMMON INDUSTRY PRACTICES:**

"The Common Industry Practices" in the current edition of the Metal Building Manufacturer's Association ("MBMA") Building Systems Manual, are incorporated into this Agreement by reference. The "Common Industry Practices" apply to this transaction unless the terms thereof conflict with the express terms of this Agreement in which event the terms of this Agreement shall govern.

**4. TERMS OF PAYMENT:**

- 4.1 If the total amount of this Agreement is less than \$250,000.00 then 20% is due at the time Seller accepts this Agreement, the remaining balance to be paid Cash on Delivery ("C.O.D.") or tender accepted by Seller prior to any unloading of materials and/or components.
- 4.2 If the total amount of this Agreement is greater than \$250,000.00 then 20% is due at time Seller accepts Agreement, 40% prior to any fabrication process and/or purchasing of materials and the remaining balance to be paid Cash on Delivery ("C.O.D.") or tender accepted by Seller prior to any unloading of materials and/or components.
- 4.3 If this Agreement contains hangar door(s), in addition to the payment terms stated above, Purchaser shall pay 50% of the total cost of the door at time that Seller accepts this Agreement and 50% at time of fabrication of the hangar door by the manufacturer.
- 4.4 Payments which are not paid when due shall accrue late fees of one and one-half per cent (1.5 %) per month on the unpaid balance until paid. Purchaser will pay all Seller's costs of collecting or securing any amount due hereunder, including lien expenses, reasonable attorney's fees and litigation expenses. No retainage by Purchaser is permitted. If Purchaser fails to make the payments required by this Agreement, Seller may suspend performance to include, without limitation, design, fabrication or delivery of Products until payment is made, including any and all added costs related to unpaid payment. Purchaser shall pay Seller's costs of engineering, work orders, purchase of out-sourced materials or services, processing, detailing, and production of all approval, permit, erection, or similar drawings and work completed.

**5. TAXES:**

Unless otherwise specified, taxes are not included in the sales price and will be paid by Purchaser. Applicable taxes will be charged unless appropriate documentation (resale certificate) is submitted to Seller authorizing exemption from payment of taxes prior to acceptance of this Agreement.

**6. DELIVERY:**

Delivery shall be within a reasonable time as scheduled by Seller after acceptance of this Agreement and prior to fabrication of the products, at the location identified in the Quote/Contract. Seller may adjust the delivery schedule due to any delays in return of approval drawings, order clarification, product or design changes, credit hold, Purchaser or End Customer design or fabrication holds or any other delay caused by Purchaser or End Customer ("Purchaser Delays"). If at any given time the Seller experiences delays out of Seller's control, the price provided in this Agreement may be increased by Seller until date of shipment by any additional costs incurred by Seller, including increased material costs. Such price increases shall be implemented by change order issued by Seller. Purchaser agrees to make available a safe location for unloading. If in the opinion of the Seller's driver or carrier service the delivery of materials and/or components is deemed as unsafe or impractical to reach the site to off-load, delivery shall be that place where off-loading may reasonably proceed. Each load shall be unloaded by the Purchaser at the time and date of scheduled delivery. If this does not occur, the Purchaser agrees to pay additional fees of \$50 per hour per load, with a maximum of \$400 per load. Purchaser also agrees to off load and reload material destined for other sites at no cost to Seller.

**7. INSPECTION PERIOD:**

Purchaser shall have fifteen (15) business days to inspect the product after delivery by Seller's driver or Carrier Service. If Purchaser does not deliver to Seller notice objecting to any defects or non-conformity of the product in accordance to this Agreement within the fifteen-day inspection period, then Purchaser will be deemed to have accepted delivery of the product and limit Purchaser to the remedies provided for under this Agreement.

WARNING: This material is subject to severe water damage if moisture is allowed to get between the parts; therefore, it MUST BE STORED UNDER COVER and pro and elevated to allow for drainage until erected. If moisture is allowed to get between the parts "RUST" or "PAINT LIFT OFF" may occur. Seller shall have no responsibility or liability for damage resulting from improperly stored product and Purchaser assumes full responsibility for the condition of the Product following delivery.

**8. SHORTAGES & BACK CHARGES:**

Seller shall not be responsible for loss or damage to Products after delivery. Seller will not pay any claims or accept any back-charges from the Purchaser related to correction of errors and repairs unless the following procedure is followed: (1) Purchaser prior to any correction or repair, must provide Seller with a written notice describing the problem; (2) Purchaser must provide Seller with sufficient information to allow Seller to evaluate the problem; determine the estimated amount of man-hours needed and Products required; and determine the direct cost to the Purchaser to correct the problem; and (3) If Seller determines that correction is necessary, Seller will authorize the corrective process by issuing the Purchaser a written authorization. After receiving the authorization, the Purchaser can make the corrections. The hourly labor rate for work to be approved by Seller prior to any commencement of work, only Seller approved labor rate will be charged. COST OF EQUIPMENT (RENTAL EXPENSE, VALUE OR DEPRECIATION), TOOLS, SUPERVISION, OVERHEAD AND PROFIT, DELAY CHARGES OR CONSEQUENTIAL LIQUIDATED OR INCIDENTAL DAMAGES ARE EXCLUDED. SELLER WILL NOT BE LIABLE FOR ANY CLAIMS OR BACK CHARGES PERFORMED WITHOUT SELLER'S PRIOR AUTHORIZATION. FREIGHT DAMAGE MUST BE NOTED ON SHIPPING DOCUMENTS AND NOTICE MUST BE GIVEN TO SELLER PRIOR TO THE CARRIER LEAVING THE DELIVERY SITE. SHORTAGES MUST BE REPORTED WITHIN FIFTEEN (15) BUSINESS DAYS FOLLOWING SHIPMENT. ALL OTHER CLAIMS MUST BE SUBMITTED WITHIN THREE (3) MONTHS OF DELIVERY. Any legal action or proceeding by Purchaser for breach of this Agreement must be commenced within one (1) year from date of delivery or the date. Any claims which have not been asserted by written notice within the designated periods of time are waived.

**9. PURCHASER DELAYS:**

If, at Purchaser's request, Seller agrees to delay delivery of Products after commencement of fabrication, then Purchaser shall make full payment at time of Seller invoice. Risk of loss shall be assumed by Purchaser upon notice that the Products are fabricated. Upon written request from Seller, Purchaser shall provide reasonable evidence of property insurance on the Products and designate Seller as loss payee. Seller may charge Purchaser a reasonable storage charge per day until actual shipment. Storage charges are due prior to delivery of the Product.

**10. LIMITED WARRANTY:**

Seller warrants its products against defects in material and defects in fabrication of the products from that specified in the Quote/Contract for a period of one (1) year from date of delivery to Purchaser. Damage or failures due to faulty or improper handling, storage, or erection by Purchaser or others are not covered by this Warranty, including without limitation defects in paint and rust. This Warranty is further limited by the following: (1) The Products must be erected promptly after shipment to Purchaser; (2) Damages from outside sources, misuse and abuse, lack of proper maintenance (including removal of excessive loads such as snow and ice), unauthorized modification or alteration to the Products, addition of unspecified collateral loads, damages caused by negligence of others, or natural storms imposing loads beyond specified design loads, and normal wear and tear are excluded from Seller's Warranty. This Warranty does not cover goods, materials, inventory, accessories, parts or attachments or other property which are not manufactured by Seller. This Warranty is non-assignable and non-transferable. THE WARRANTY SET FORTH ABOVE IS SUBJECT TO THE LIMITATIONS SPECIFIED, AND THIS AGREEMENT EXCLUDES ALL OTHER WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, INCLUDING, BUT NOT LIMITED TO, WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE.

**11. EXCLUSIVE REMEDIES:**

Purchaser's exclusive remedy is that Seller will, at its option, either repair or replace defective or non-conforming component(s). If for any reason, Seller is unable to reasonably remedy the breach of warranty by repair or replacement of defective component(s), as determined by Seller in its sole discretion, then Purchaser's sole and exclusive remedy is for a refund of the cost of the defective or nonconforming components.

**12. CONSEQUENTIAL, INCIDENTAL AND LIQUIDATED DAMAGES:**

SELLER SHALL NOT BE LIABLE TO PURCHASER, OR ANY OTHER PARTY, FOR INCIDENTAL, LIQUIDATED, SPECIAL OR CONSEQUENTIAL DAMAGES OF ANY TYPE, including, but not limited to, loss of profits, loss of rents, loss or expense arising from any building or plant closing, construction or completion delays, labor or overhead expense, increased operating expense, increased insurance or maintenance expense, business interruption, damage or loss to inventory or any other property, or any other type of consequential, incidental, or special loss or damage whatsoever, whether claims for such damages or losses shall be based upon contract warranty, tort, negligence, strict liability, or any other cause of action.

**13. FORCE MAJEURE:**

Seller shall have no liability for delay, failure to fabricate or deliver the Products caused directly or indirectly by fire, strike, act of God, war, insurrection, terrorism and any disruption of supply, transportation or essential services, acts of government, floods, storms, damage or delay of procuring essential materials or materials specially ordered by Purchaser which must be purchased by Seller, excessive backlog, or other acts or circumstances beyond the reasonable control of Seller. Seller shall give Purchaser reasonable notice of an occurrence of a Force Majeure event; and Seller's time for performance shall be deemed extended for a sufficient time to reasonably complete performance under the circumstances.

**14. PURCHASE SPECIFICATIONS:**

It is Purchaser's responsibility to determine the intended use and end use of the building in which the products will be incorporated, and to determine and specify all loading for the building, including, but not limited to, live load, wind load, snow load, collateral, mechanical or auxiliary loads, seismic data, importance and exposure factors, and all requirements for compliance with applicable building codes, statutory and regulatory requirements pertaining to the products and completed structure. This responsibility will not be performed by Seller. If project plans or any form of project documentation has been submitted to Seller for use of building estimation, and/or conformity to Purchaser's project it is the Purchaser's responsibility to ensure the project documentation and this Agreement coincides and will fulfill the Purchaser's and/or End User's desired end product, it is not the Seller's responsibility to ensure products and components that are not considered Seller's standard metal building system components be included based off any and all Purchaser provided documentation and/or information. Purchaser acknowledges that Seller is not a Design Professional, Engineer of Record or architectural firm. Purchaser is responsible to ensure Seller has most recent and updated structural and architectural drawings to work from.

**15. ERECTION:**

Purchaser acknowledges that the Products must be erected in accordance with Seller's erection drawings, details, manuals and any applicable erection specifications. Seller has no responsibility for erection, supervision of erection, or inspection of erection of the Products. Field connections, structural connections, bracing to structural systems provided by others are not the responsibility of Seller. Purchaser shall indemnify, defend and hold Seller harmless from all claims, actions, damages, losses or expenses, including without limitation reasonable attorney's fees and litigation expenses, arising from personal injuries or property damage resulting from (1) noncompliance with Seller's erection plans and specifications; (2) negligent or faulty erection of the products by Purchaser or its subcontractors; (3) inadequate structural systems, connections, or bracing provided by any other firm other than Seller; or (4) any breach of any of Purchaser's obligations under this Agreement.

**16. ACCEPTANCE, APPROVAL, CHANGE ORDERS AND CANCELLATION:**

This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Electronic signature, facsimile or email transmission of any signed original document, and retransmission or email of any signed facsimile or email transmission, shall be the same as delivery of an original. This Agreement will be considered approved only after Seller has supplied to the Purchaser approval drawings based off this Agreement, at that time it will be the Purchaser's responsibility to fulfill any insufficient data, approve color choices, date, sign, and return approval drawings to Seller before this Agreement can and will be considered approved. Seller will not perform or proceed forward in any process (design, engineering or detailing) without Purchaser approval. If any changes and/or modifications are made to this Agreement, Seller will provide to Purchaser a written notice of change (Change Order) to the Agreement. PBS reserves the right to pass on material cost increases (from PBS suppliers) occurring after date of signed contract. You will be notified of any cost that will be incurred prior to fabrication of your project. The Seller may stop and or hold the process of this Agreement until the Seller has received from Purchaser approved changes (Signed Change Order). Purchaser may cancel this Agreement by giving written notice to Seller. In the event of such cancellation the Purchaser agrees to pay Seller the actual costs and damages incurred by Seller, which include, but are not limited to, lost profits, incidental damages in preparation to perform this Agreement and Seller's expenses of order processing, engineering, detailing, purchase of material and fabrication.

**17. BENEFIT:**

Purchaser may not assign, transfer or delegate this Agreement or any interest or obligation herein. This Agreement shall bind and benefit only Seller and Purchaser; shall not benefit any other persons or entities ("Third Parties"); and shall not be deemed to create any rights in favor of any End Customer or Third Parties, whether or not referred to in this Agreement.

**18. ENTIRE AGREEMENT:**

This Agreement sets forth the entire agreement of the parties. There are no representations, terms, warranties or undertakings except as stated in this Agreement.

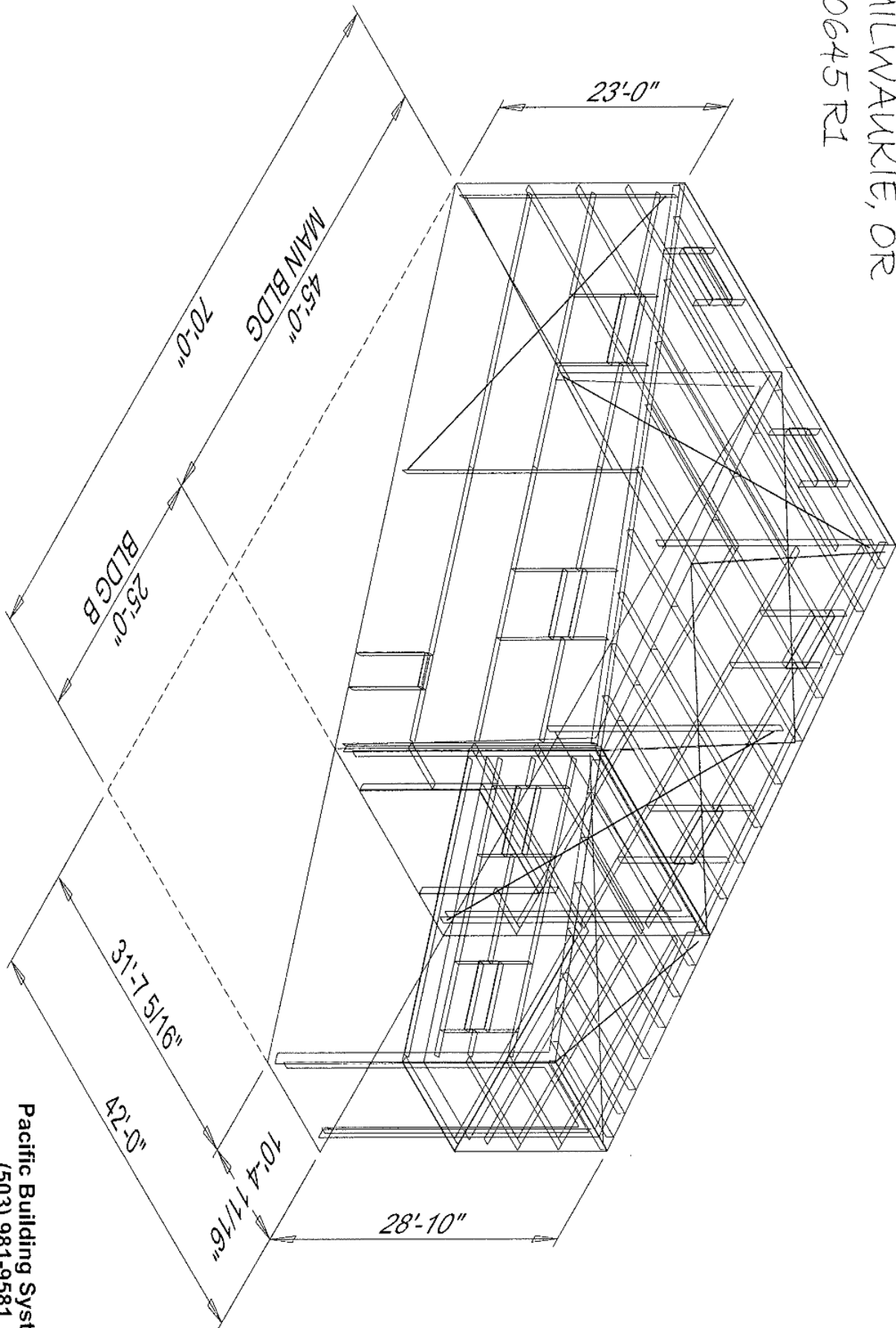
**19. SEVERABILITY:**

If any provision of this Agreement is found to be invalid or unenforceable under applicable law, such provision shall be severable and the remaining provisions of this Agreement shall remain in full force and effect. The headings of the paragraphs of this Agreement are for convenience of reference and shall not limit or otherwise affect any provisions of this Agreement.

**20. APPLICABLE LAW & JURISDICTION:**

This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of laws. The sole and exclusive jurisdiction and venue for any legal action arising from this Agreement (excluding enforcement of liens against End Customers) shall be the state courts in Marion County, Oregon. Purchaser consents to such jurisdiction and venue and waives and covenants not to assert any defense thereto.

KEITH AND CAROL PHELPS  
NEW BUILDING  
MILWAUKIE, OR  
10645 R1



Pacific Building Systems  
(503) 981-9581  
2100 N. Pacific Hwy.  
Woodburn, OR 97071



# CITY OF MILWAUKIE

July 18, 2019

Carol & Keith Phelps  
PO Box 68631  
Oak Grove OR 97268

**Re: Preapplication Report**

Dear Carol & Keith:

Enclosed is the Preapplication Report Summary from your meeting with the City on June 13, 2019, concerning your proposal for action on property located at the corner of SE 58<sup>th</sup> Ave and SE Johnson Creek Blvd.

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

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

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

Sincerely,

Alicia Martin  
Administrative Specialist II

Enclosure

cc: Troy Lyver  
file



# CITY OF MILWAUKIE

PreApp Project ID #: 19-010PA

## PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on **6/13/2019** at **10:00am**

**Applicant Name:** Keith and Carol Phelps

**Company:**

**Applicant 'Role':** Owner

**Address Line 1:** PO Box 68631

**Address Line 2:**

**City, State Zip:** Oak Grove OR 97268

**Project Name:** New Industrial/Light Manufacturing Building

**Description:** New Industrial/Light Manufacturing Building

**ProjectAddress:** Johnson Creek Blvd & 58th Ave

**Zone:** Manufacturing (M)

**Occupancy Group:**

**ConstructionType:**

**Use:** Industrial (I)

**Occupant Load:**

**AppsPresent:** Troy Lyver, Carol Phelps

**Staff Attendance:** Vera Kalias, Steve Adams, Samantha Vandagriff, Tay Stone, Dalton Vodden

### BUILDING ISSUES

**ADA:** ADA parking shall be provided. If parking is to be provided on street as purposed, the sidewalk can be used as the adjacent unloading zone for the ADA parking.

**Structural:** Structure shall meet all the requirements of the Oregon Structural Specialty Code (OSSC). Second story interior stair shall have an exit or exit pathway directly to the exterior.

**Mechanical:**

**Plumbing:**

**Plumb Site Utilities:**

**Electrical:**

**Notes:**

**Dated Completed:** 7/18/2019

**City of Milwaukie DRT PA Report**

**Page 1 of 8**

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

### **FIRE MARSHAL ISSUES**

**Fire Sprinklers:**

**Fire Alarms:**

**Fire Hydrants:**

**Turn Arounds:**

**Addressing:**

**Fire Protection:**

**Fire Access:**

**Hazardous Mat.:**

**Fire Marshal Notes:** See attached notes.

### **PUBLIC WORKS ISSUES**

**Water:** The development is located within the service district of Clackamas River Water (CRW). New connections are managed through CRW's New Services Coordinator, Betty Johnson, at (503) 723-2571 or [bjohnson@crwater.com](mailto:bjohnson@crwater.com).

**Sewer:** A City of Milwaukie 8-inch PVC wastewater main on SE 58th Dr is available to provide service to the proposed development. Currently, the wastewater System Development Charge (SDC) is comprised of two components. The first component is the City's SDC charge per plumbing fixture units in accordance with the Uniform Plumbing Code and the second component is the City of Portland's SDC for treatment per equivalent dwelling unit that the City collects and forwards to Portland. The wastewater SDC will be assessed and collected at the time the building permits are issued.

**Storm:** Submission of a storm water management plan by a qualified professional engineer is required as part of the proposed development. The plan shall conform to Section 2 - Stormwater Design Standards of the City of Milwaukie Pubic Works Standards.  
The storm water management plan shall demonstrate that the post-development runoff does not exceed the pre-development, including any existing storm water management facilities serving the development property. Also, the plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland 2016 Stormwater Management Manual for design of water quality facilities.  
All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See City of Milwaukie Public Works Standards for design and construction standards and detailed drawings. A 12" concrete storm line is available on SE 58th Dr if infiltration is not feasible.

The storm SDC is based on the amount of new impervious surface constructed at the site. The storm SDC will be assessed and collected at the time the building permits are issued.

**Street:**

The proposed development fronts the north side of SE Johnson Creek Blvd and the west side of SE 58th Drive. The portion of SE Johnson Creek Blvd fronting the proposed development has a right-of-way width of 40 feet, a paved width of 38 feet and unimproved shoulders on both sides of the road. The portion of SE 58th Dr fronting the proposed development has a right-of-way width of 50 feet, paved width of 24 ft with an unimproved shoulder.

The Transportation SDC will be based on the increase in trips generated by the new use per the Trip Generation Handbook from the Institute of Transportation Engineers. The SDC for transportation is per PM peak trip generated. Credits will be given for any existing use of structures.

**Frontage:**

Chapter 19.700 of the Milwaukie Municipal Code (MMC) applies to partitions, subdivisions, new construction and modification and or expansions of existing structures or uses that produce a projected increase in vehicle trips.

Transportation Facility Requirements, Code Section 19.708, states that all rights-of-way, streets, sidewalks, necessary public improvements, and other public transportation facilities located in the public right-of-way and abutting the development site shall be adequate at the time of development or shall be made adequate in a timely manner.

Final Street Design of SE 58th Dr

- 8 foot travel lanes
- 6 foot parking strips with curb & gutter
- 5-foot landscape strips
- 5-foot setback sidewalks

Final Street Design of SE Johnson Creek Blvd

- 12-foot travel lanes
- 12-foot center lane
- 5-foot landscape strips
- 6-foot setback sidewalks

The applicant will be responsible for constructing half street improvements along the fronting portion of SE 58th Dr to mitigate impacts. This will include management of stormwater generated from new impervious surface and a pedestrian ramp to provide connectivity traveling east across SE 58th Dr at the intersection of SE Johnson Creek Blvd. A portion of the planned landscape strip may be converted to an accessible route to allow for the establishment of an accessible parking spot along SE 58th Dr. The proposed development’s impacts will not require construction of frontage improvements along SE Johnson Creek Dr.

**Right of Way:**

The existing 50-foot right-of-way on SE 58th Dr fronting the proposed development is of adequate width to accommodate the planned cross-section. The right-of-way width of SE Johnson Creek Blvd will require a dedication of twenty feet by the applicant.

**Driveways:**

New accessways are subject to all access management requirements found in MMC Chapter 12.16. The minimum spacing from an intersection for an industrial driveway on a local street is set by MMC section 12.16.040.C.4.b at 100 feet. Modification of spacing will be necessary for this site. Access spacing can be modified through an access study prepared and certified by a registered professional traffic engineer in the State of Oregon. The method for access modification is described in MMC section 12.16.040.B.2. The access study shall include the following:

- a. Review of site access spacing and design;
- b. Evaluation of traffic impacts adjacent to the site within a distance equal to the access spacing distance from the project site (100 feet for this development);

- c. Review of all modes of transportation to the site;
- d. Mitigation measures where access spacing standards are not met that include, but are not limited to, assessment of medians, consolidation of accessways, shared accessways, temporary access, provision of future consolidated accessways, or other measures that would be acceptable to the Engineering Director.

MMC section 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway approaches shall be improved to meet the requirements of Milwaukie's Public Works Standards, Section 5.0085, at the time of development. The width of industrial driveway aprons are governed by 12.16.040.F.7 to be between 15 feet and 45 feet.

Relief from any access management requirement or standard of Section 12.16.040 may be granted through a variance process, which requires submission and approval of a Variance land use application.

**Erosion Control:**

MMC section 16.28.020.C states an erosion control permit is required prior to placement of fill, site clearing, or land disturbances, including but not limited to grubbing, clearing or removal of ground vegetation, grading, excavation, or other activities, any of which results in the disturbance or exposure of soils exceeding five hundred square feet. The proposed development exceeds the threshold therefore, an erosion control permit is required.

Code Section 16.28.02.E states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, MMC section 16.28.020.B states that an erosion control plan that meets the requirements listed in MMC section 16.28.030 prior to any approval of an erosion control permit.

**Traffic Impact Study:**

MMC 19.704 states the Engineering Director will determine whether a proposed development has impacts on the transportation system by using existing transportation data. If the Engineering Director cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. It is the responsibility of the applicant to provide enough detailed information for the Engineering Director to make a TIS determination. The Engineering Director has determined that sufficient existing transportation data is available for the City to determine the transportation system impacts of the development. A project specific TIS is not required for this development at this time. Changes to the application may alter this determination.

**PW Notes:**

**APPLICABILITY OF PRE-APPLICATION REVIEW**

The comments provided are preliminary and intended to address the original application materials submitted unless otherwise specifically called out in the notes. The information contained within these notes may change over time due to changes or additional information presented for the development. This pre-application review is for the following:

The construction of an industrial building near the intersection of SE 58th Dr and SE Johnson Creek Blvd.

**SYSTEM DEVELOPMENT CHARGES (SDC'S)**

There was insufficient information to estimate SDC's with the pre-application submitted. All SDC's are calculated, assessed, and collected at the time of building permit is issued.

In addition to the SDC's mentioned earlier, there is a Parks & Recreation System Development Charge (SDC) that is triggered with an intensification of use. Currently, the parks and recreation SDC is based on the number of employees according to the Metro Employment Density Study. The parks and recreation SDC will be assessed and collected at the time the building permits are issued.

**OVERHEAD UTILITIES**

All utility lines, including, but not limited to, those required for electric, communication, lighting, cable television services, and related facilities shall be placed underground.

#### REQUIREMENTS PRIOR TO CERTIFICATE OF OCCUPANCY

Engineered plans for public improvements (street, sidewalk, and utility) are to be submitted and approved prior to start of construction. Full-engineered design is required along the frontage of the proposed development. Plans shall be prepared by a Professional Engineer licensed in the State of Oregon.

- The applicant shall pay an inspection fee of 5.5% of the cost of public improvements prior to start of construction.
- The applicant shall provide a payment and performance bond for 100% of the cost of the public improvements prior to the start of construction.
- The applicant shall provide a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie prior to the final inspection.
- The applicant shall provide a maintenance bond for 100% of the cost of the public improvements prior to the final inspection

#### ADDITIONAL REQUIREMENTS

- All fees mentioned are subject to change in accordance with the City of Milwaukie Master Fee Schedule.

### PLANNING ISSUES

#### Setbacks:

For new development in the Manufacturing (M) zone, front yard setbacks are 20 ft; street side yard setback is 10 ft. No setback is required for a side or rear yard unless the property abuts a residential district, in which case the setbacks would have to match those of the adjacent residential zone.

#### Landscape:

In the M zone, a minimum of 15% of the site must be landscaped. Vegetated areas can be planted in trees, grass, shrubs, or bark dust for planting beds, with no more than 20% of the landscaped area finished in bark dust (as per Milwaukie Municipal Code (MMC) Subsection 19.504.7).

#### Parking:

MMC Chapter 19.600 establishes the off-street parking standards for development. As per MMC Section 19.605 and Table 19.605.1, general office uses require a minimum of 2 off-street parking spaces per 1,000 sq ft of floor area; warehouse uses less than 150,000 sq ft require 0.3 spaces per 1,000 sq ft of floor area; manufacturing uses require 1 space per 1,000 sq ft of floor area. Based on the proposed building of 1,430 sq ft of manufacturing and 418 sq ft of associated office space, 1 off-street parking space is required.

Parking lot design standards are provided in MMC Section 19.606, including requirements for parking stall dimension and perimeter and interior landscaping.

Loading areas must meet the standards of MMC Section 19.608 and shall not obstruct travel within the right-of-way or provide a hindrance to private streets or adjacent properties.

Contact the City's Building Department for information on ADA parking requirements for the proposed new building.

**Transportation Review:** New construction triggers the requirements of MMC Chapter 19.700 Public Facility Improvements. Please see the Public Works notes for information about the requirements of MMC 19.700.

**Application Procedures:** The proposal requires 2 land use applications:  
1. Type III Variance  
2. Type II Development Review

#### Variance

The proposal shows the new building with a 0-ft front yard setback off Johnson Creek Blvd, due to the required 20-ft right-of-way dedication. A Type III variance is required to allow the project as proposed. MMC 19.911.4.B identifies the approval criteria for a Type III variance. Staff recommends that the applicant consider choosing a building design that includes windows or other design features on the street facing façade, as well as trellis structures for plant material to soften the building wall at the property line. An attractive street-facing façade would respond to the Type III variance approval criteria.

#### Development Review

In the M zone, new construction of a building over 1,000 sq ft and within 120 ft of a residential zone requires a Type II Development Review. MMC 19.906.4 identifies the approval criteria for this review.

During the pre-application conference, staff discussed off-street parking as it relates to required frontage improvements on 58th Ave, including on-street parking. This would allow the area originally identified for parallel off-street parking (with mountable curb that is not approvable) to be used for additional landscaping. A revised site plan could provide flexibility when designing the area near the loading door, and possibly providing an off-street parking space.

The current application fees are as follows: \$2,000 for Type III review, \$1,000 for Type II review, and \$200 for Type I review. For multiple applications submitted concurrently, the most expensive application is charged full price and additional applications are discounted by 25%.

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

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

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

Prior to submitting the application, particularly if it will trigger a public hearing, the applicant is encouraged to present the project at a regular meeting of the Lewelling NDA, which occurs at 6:30 p.m. on the second Wednesday of every month at the Chapel Theatre (4107 SE Harrison St). Contact information: <https://www.milwaukieoregon.gov/citymanager/lewelling-nda>.

**Natural Resource Review:** The subject property does not include any mapped resource areas.

**Lot Geography:** The subject property is a triangular-shaped corner lot with frontage on both 58th Ave and Johnson Creek Blvd.

**Planning Notes:**

### **ADDITIONAL NOTES AND ISSUES**

**County Health Notes:**

**Other Notes:**

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

**Sincerely,**

**City of Milwaukie Development Review Team**

**BUILDING DEPARTMENT**

**Samantha Vandagriff - Building Official - 503-786-7611**

**Stephanie Marcinkiewicz**

**- Inspector/Plans Examiner - 503-786-7613**

**ENGINEERING DEPARTMENT**

**Steve Adams - City Engineer - 503-786-7573 Alex Roller -**

**Engineering Tech II - 503-786-7695**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Leila Aman - Comm. Dev. Director - 503-786-7616**

**Alicia Martin - Admin Specialist - 503-786-7600**

**PLANNING DEPARTMENT**

**Dennis Egnor - Planning Director - 503-786-7654**

**David Levitan - Senior Planner - 503-786-7627**

**Brett Kolver - Associate Planner - 503-786-7657**

**Vera Kolas - Associate Planner - 503-786-7653**

**Mary Heberling - Assistant Planner - 503-786-7658**

**CLACKAMAS FIRE DISTRICT**

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

**Matt Amos - Fire Inspector - 503-742-2661**



# Clackamas County Fire District #1

## Fire Prevention Office



### E-mail Memorandum

**To:** City of Milwaukie Planning Department  
**From:** Izak Hamilton, Fire Inspector, Clackamas Fire District #1  
**Date:** 7/17/2019  
**Re:** 19-010PA, SE 58<sup>th</sup> Ave., SE Johnson Creek Blvd.

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

**A Fire Access and Water Supply plan is required for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, and type of construction. The applicant shall provide fire flow tests per NFPA 291, and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority.**

#### Access:

1. Provide address numbering that is clearly visible from the street.
2. No part of the building may be more than 150 from an approved fire department access road.

#### Water Supply

1. Fire Hydrants Commercial Buildings: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

Note: This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.

2. All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code. Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Additional private on-site fire hydrants may be required for larger buildings. Fire sprinklers may reduce the water supply requirements.
3. Buildings constructed in areas without a reliable firefighting water supply may require the installation of a fire sprinkler system in order to comply with the Fire Code. Larger structures may also require development of an accessible water supply such as a pond, tank or reservoir, with a minimum capacity as approved by the Fire District.
4. Prior to the start of combustible construction required fire hydrants shall be operational and accessible.
5. The fire department connection (FDC) for any fire sprinkler system shall be placed as near as possible to the street, and within 100 feet of a fire hydrant.
6. Hazardous materials storage and use shall conform to the Fire Code and nationally recognized standards.
7. Storage of commodities in excess of 12 feet in height shall comply with the high pile storage provisions of the Fire Code.
8. Hazardous processes regulated by the Fire Code shall be approved by the Fire District.

**Notes:**

1. Comments may not be all inclusive based on information provided.
2. Please visit our website for access to our Fire flow Worksheet, and Fire Code Application Guide.

<http://www.clackamasfire.com/fire-prevention/new-construction-resources/>

**From:** [Wyffels, Michelle](#)  
**To:** [Vera Kolas](#)  
**Subject:** RE: VR-2021-012 Notice of Type III Land Use Proposal and Referral  
**Date:** Thursday, December 30, 2021 10:30:50

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**This Message originated outside your organization.**

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Vera-

TriMet has a westbound bus stop (Stop ID 13787) at this intersection. If there are plans for a sidewalk or other frontage improvements along Johnson Creek Blvd, I would like to chat about incorporating a safe and ADA accessible bus stop into the project.

Sincerely,

Michelle Wyffels  
Planner  
TriMet

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**From:** Will First <firstw@milwaukieoregon.gov>  
**Sent:** Friday, December 10, 2021 1:00 PM  
**To:** Laura Weigel <WeigelL@milwaukieoregon.gov>; Steve Adams <AdamsS@milwaukieoregon.gov>; Jennifer Backhaus <BackhausJ@milwaukieoregon.gov>; Peter Passarelli <PassarelliP@milwaukieoregon.gov>; Justin Gericke <GerickeJ@milwaukieoregon.gov>; engineering@clackamasfire.com; Jason Wachs <WachsJ@milwaukieoregon.gov>; Development Review <Development\_Review@TriMet.org>; landusenotifications@oregonmetro.gov; lewellingndachair@gmail.com; lisamlashbrook@gmail.com; howie@crazycat.org; drampa82@gmail.com; thomas.landvatter@gmail.com  
**Cc:** Vera Kolas <KolasV@milwaukieoregon.gov>  
**Subject:** VR-2021-012 Notice of Type III Land Use Proposal and Referral

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Hello,

Please access the link below to find the Notice of Type III Land Use Proposal and Application Referral for land use application VR-2021-012 for 9285 SE 58<sup>th</sup> Dr. If you have any questions, please feel free to contact Senior Planner Vera Kolas at 503-786-7653 or [koliasv@milwaukieoregon.gov](mailto:koliasv@milwaukieoregon.gov).

<https://www.milwaukieoregon.gov/planning/vr-2021-012>

Thank You.

**Will First**  
Administrative Specialist II

he • him • his  
City of Milwaukie, Community Development  
503.786.7600

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# CITY OF MILWAUKIE

**To:** Planning Commission

**Through:** Laura Weigel, Planning Manager

**From:** Vera Kolas, Senior Planner

**Date:** January 18, for January 25, 2022, Public Hearing

**Subject:** **Master File:** VR-2021-017  
**Applicant/Owner:** SODO, LLC  
**Applicant's Representative:** Jessamyn Griffin, Works Progress Architecture  
**Address:** 2206 SE Washington St  
**Legal Description (Map & Tax Lots):** 11E36BC01700  
**NDA(s):** Historic Milwaukie

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## ACTION REQUESTED

Approve the land use applications associated with master file #VR-2021-017 and adopt the Recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for the development of a six-story residential building at 2206 SE Washington St.

## BACKGROUND INFORMATION

The proposal is to construct a six-story residential building with 55 workforce priced dwelling units on a site in downtown Milwaukie (see Figure 1). No off-street parking will be provided on the site. The proposal includes 43 parking spaces on two different properties in the downtown that would be made available for tenants for a monthly fee.



Figure 1. Proposed development

**A. Site and Vicinity**

The site, which is located at 2206 SE Washington St, is approximately 0.23 acres (approximately 10,028 sq ft) and is developed with a 2-story single-unit home (see Figure 2). The subject property is surrounded by commercial development to the north, south, and east, and the Orange Line rail tracks are to the west.



Figure 2. Site and vicinity

- B. Zoning Designation** (see Figure 3)  
The site is at the eastern edge of Milwaukie’s downtown area in the Downtown Mixed Use Zone (DMU), with the R-1-B zone directly to the east.
- C. Comprehensive Plan Designation**  
Town Center (TC)
- D. Land Use History**  
City records indicate no previous land use actions for this site.

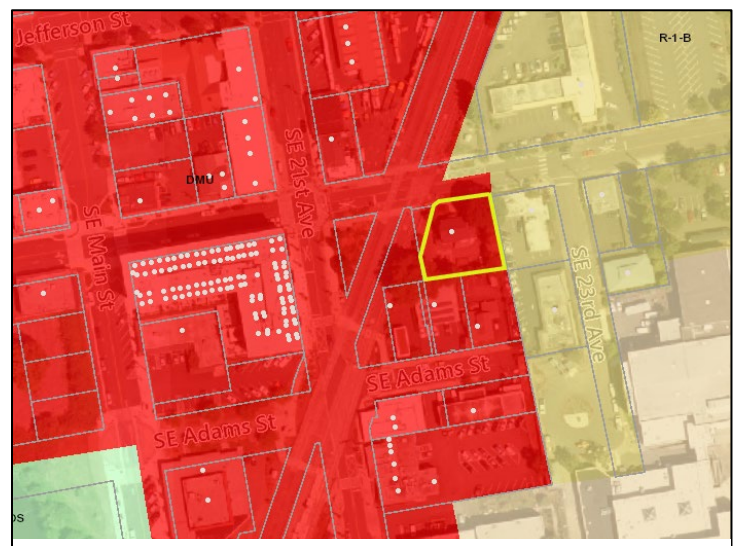


Figure 3. Zoning

## E. Proposal

The proposal is to construct a six-story residential building with 55 workforce priced dwelling units. The units would be a mix of one and two-bedroom units priced at 80% MFI, contingent upon securing subsidies. The building would include shared amenity spaces, a common outdoor area in a central courtyard, and integrated stormwater planters. The top floor includes a roof top deck. The proposed building is pursuing Earth Advantage or LEED green building certification (see Figure 4). A



Figure 4. Level 1 floor plan

parking quantity

modification is proposed to allow a development with no off-street parking on-site, but rather to allow for 43 parking spaces on two other downtown properties. The spaces would be made available to tenants for a monthly fee. A variance is requested to the building height limitation (to allow one extra story). The project requires review for consistency with the downtown design standards/guidelines.

The project requires approval of the following applications:

1. Downtown Design Review (land use master file #DR-2021-004)
2. Variance Request (VR-2021-017)
3. Parking Quantity Modification (P-2021-002)
4. Transportation Facilities Review (TFR-2021-003)

## KEY ISSUES

### Summary

Staff has identified the following key issue(s) for the Planning Commission's deliberation. Aspects of the proposal not listed below are addressed in the Findings (see Attachment 1) and generally require less analysis and discretion by the Commission.

- A. Is the requested modification to the required parking quantity a justifiable one?

- B. Do the building's design and the overall project's public benefits warrant the granting of the requested height variance?

## Analysis

### A. Is the requested modification to the required parking quantity a justifiable one?

The proposed development is a 55-unit residential building of one- and two-bedroom units with rents priced at 80% MFI. The development is proposed as a transit oriented development, given its close proximity to both light rail and nine bus route, ZipCar availability, and the 45% increase in secure bike parking for the building.

In the DMU zone, multifamily residential units in the DMU require one off-street parking space per unit. However, the code allows by-right reductions to the parking requirements for different scenarios, including where light rail or other frequent public transit service is available. For uses in the DMU zone, parking can automatically be reduced by 25% (per MMC Subsection 19.605.3.B.2.c). For every six bicycle parking spaces provided beyond the minimum number required, vehicle parking in the DMU zone can be further reduced by 5%.<sup>1</sup>

With 55 vehicle parking spaces as the baseline requirement, 55 bicycle parking spaces are also required. The proposed development includes 82 bicycle spaces, or 27 more than the minimum. That translates to an allowed reduction of five spaces for bike parking ( $27 \div 6 = 4.5 = 5$ ). The DMU-based reduction of 25% translates to a reduction of 14 spaces ( $0.25 \times 55 = 13.75$ , rounded up to 14). As proposed, the new development is allowed a total reduction of 19 spaces, resetting the minimum required parking to 36 spaces.

Beyond the by-right reductions, the applicant has proposed to provide no on-site parking. Rather, the development would be marketed as a transit oriented development, with ample bike parking, and would provide 43 off-site spaces available for lease to tenants for a monthly fee. The applicant has secured signed agreements with the owners of the Odd Fellows Hall at 10282 SE Main St for 20 spaces and with the owner of the property at 2305 SE Washington St for 23 spaces. This translates into a 0.78 spaces/unit parking ratio, which is above the minimum required. In addition to the off-site spaces, the development would provide lobby monitors for TriMet bus and train departures, a designated ride-share pick up and drop off area at the front of the building, and a ZipCar available for use by the tenants that would be parked across the street on TriMet property. Providing parking spaces for lease off-site accomplishes two important things:

- Charging for off-site parking means that only those who need parking pay for it rather than all tenants paying for the construction of parking on-site, thereby decoupling parking from housing; and

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<sup>1</sup> The allowed reduction for extra bike parking is actually 10%, but since the total maximum reduction allowed in the DMU zone is 30% and projects get an automatic 25% reduction just for being in the DMU zone, only 5% more is available through the bike parking reduction.



- Using under-utilized existing parking areas reduces construction costs and optimizes the use of existing downtown parking rather than building more. This includes additional parking spaces being built on the site located at 2305 SE Washington St. Shared parking agreements was a key factor in the 2018 Downtown Parking Management Strategy.

The proposal for a development to provide no on-site parking for new housing downtown reflects a growing trend across the region and many other parts of the country. Staff notes the significant reduction in off-street parking approved for the Coho Point development. As stated in the staff report for that application: “Town centers and urban cores are at the foreground of this shift as places where land is even more of a commodity, where light rail and other public transit services are more readily available, and where development codes emphasize improved walkability. Ride-share services (e.g., Uber, Lyft) continue to increase the feasibility of living in smaller cities and suburban areas without a personal vehicle... Overall, as more residential units are built downtown, the demand for more amenities and services will drive new business development that will improve downtown livability and make it more possible to live without a vehicle.”

The applicant has provided a report from Clifton-Currans LLC which assesses the feasibility of eliminating the on-site parking requirements for residential developments in downtown Milwaukie. According to the data presented in the report, nearly 15% of renter-occupied households in Milwaukie have no vehicle available and of the households that do own a vehicle, 53% have only one vehicle. In addition, there is available on-street parking within walking distance of the site. This data, combined with the proposal for 82 bike parking spaces, the ZipCar for the tenants, nearby on-street loading spaces, and the 43 off-site spaces available for lease, supports the proposal that the development be approved without on-site parking.

As noted above, another critical aspect to allowing reduced parking is the City Council strategy for downtown parking management adopted in September 2018 ([https://www.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018\\_with\\_final\\_plan\\_document.pdf](https://www.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018_with_final_plan_document.pdf)). The document includes a summary of existing on- and off-street parking capacity downtown, estimates of future parking demand, and 28 recommended strategies for managing that demand. The strategies are intended to “improve the efficiency of the City’s parking system and provide a solid foundation for decision-making and accommodating future growth.” Chief among the strategies is a confirmation that the City will take an active role in managing parking, including by enforcing restrictions and facilitating the creation of new parking supply.

As the manager of the on-street parking system, the City can adjust the days and hours of parking limits as needed in response to the changing downtown environment and any conflicts that may arise over time. The site is relatively close to nearest residential streets in the downtown area and there is an official process in place that neighbors can use to establish a residential parking permit program if on-street parking by building residents becomes a problem.

The proposal to provide leased off-street parking spaces, ample bike parking, and a ZipCar is a reasonable approach to committing the site to providing workforce housing. The City's sustainability goals, as expressed in the newly updated Comprehensive Plan, are supportive of a shift away from total dependence on personal vehicles, and the management tools are in place to make the proposed arrangement a success. The City's commitment to actively managing the parking system (e.g., through enforcement, residential permit programs, facilitation of shared parking arrangements, etc.) will provide the pressure necessary to make the project successful.

**B. Do the building's design and the overall project's public benefits warrant the granting of the requested height variance?**

MMC Section 19.907.2 establishes the applicability of downtown design review for development in the downtown. The proposed development is a fully residential building; per MMC Subsection 19.907.2.C.11, an applicant may elect to design the building to meet the design guidelines for multifamily development found in MMC Subsection 19.505.3.D or to meet the downtown design standards found in 19.508. The applicant has elected to design the building to meet the multifamily design guidelines.

However, because the proposal includes a request for a building height variance in the DMU zone (MMC Subsection 19.911.6), downtown design review is required as part of the approval for the height variance.

The building height variance is subject to Type III review with the same process as downtown design review, with a recommendation by the DLC and a final decision by the Planning Commission. MMC Subsection 19.911.6.D establishes the following approval criteria for building height variance requests:

1. Substantial consistency with the Downtown Design Guidelines
2. The proposed height variance will result in a project that is exceptional in the quality of detailing, appearance, and materials or creates a positive unique relationship to other nearby structures, views, or open space.
3. The proposed height variance preserves important views to the Willamette River, limits shadows on public open spaces, and ensures step downs and transitions to neighborhoods at the edge of the DMU zone.
4. The proposed height variance will result in a project that provides public benefits and/or amenities beyond those required by the base zone standards and that will increase downtown vibrancy and/or help meet sustainability goals.

As noted earlier in this staff report, the proposed building would be 64 ft-8 inches tall, which is less than the maximum allowed height of 69 ft. However, because it is proposed to be 6 stories rather than 5 stories, a height variance is required. The additional story allows the project to provide 9 more workforce dwelling units and the rooftop deck. The

development also provides more than 5,000 sq ft of common amenity space, in the form of the rooftop deck, outdoor terrace, and large lobby area. In one respect, the requested variance is not to effective building height, but to the number of stories, which allows additional dwelling units and amenities while still complying with the maximum building height.

As described by the applicant, the building's massing has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood, while also complying with the Milwaukie Multifamily Design Guidelines.

The proposed building design is U-shaped to maximize tenants' access to natural light and air. This U-shaped design also reduces the overall massing of the building from a traditional double access off a corridor design. The interior courtyard breaks up the size of the building. The building is set back from the rail line and steps down at the southwest corner to provide a transition to the lower commercial buildings that are adjacent.

The proposed design provides significant outdoor amenities to the tenants and view opportunities to downtown and the Willamette River. The proposed design also allows 80% of the units to have direct views into the central courtyard and all units have windows on at least two sides. The proposed design includes a setback from the northwest corner allowing for views from Washington St into the landscaped terrace and storefront glazing on the ground floor where the lobby will be located activates views to and from the public space. The ground floor patio space will be open to the public, providing another gathering spot in the downtown.

The proposed building height responds to buildings in the downtown area, including the new high school, Axeltree, and the Coho Point development. Vertical flashing and jogged parapet heights break down the scale of the building as well. Changes in material, depending on the facing wall, add to scale and delineation of use: box rib siding facing the street, vertical wood siding facing the interior, and flat metal panels and glazing for the ground floor lobby and public facing street level façade.

Rooftop equipment would be set back from the parapet so that no equipment would be visible from the street sight lines.



Figure 5. Rendering - view of building from the northwest

The proliferation and arrangement of vertically oriented windows allow daylight into the interior spaces and create engaging façades on all sides of the building.

In summary, staff believes the design is consistent with the applicable design guidelines and that it is approvable as proposed, without need of modifications. Likewise, staff believes the requested building height variance is supportable and should be approved.

### **Design and Landmarks Committee Review**

The Design and Landmarks Committee (DLC) met on January 3, 2022 to review the project. However, only two committee members were able to attend. Although the meeting continued with presentations and discussion, there was not a quorum of the DLC. The members present supported the requested height variance. However, because there was not a quorum, a second meeting has been scheduled for January 20, 2022. The results of that meeting will be presented at the public hearing on January 25, 2022.

### **Staff recommendation to the Planning Commission is as follows:**

1. Approve the application for downtown design review (file #DR-2021-004) to allow the proposed six-story residential building.
2. Approve the building height variance to allow one additional story above the maximum allowed building height (VR-2021-017).
3. Approve the proposed parking quantity modification to reduce the number of required off-street parking spaces (P-2021-002).

4. Approve the application for transportation facilities review (TFR-2021-003) to confirm that public improvements are provided as necessary and appropriate.
5. Adopt the attached Findings and Conditions of Approval.

## **CODE AUTHORITY AND DECISION-MAKING PROCESS**

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC Chapter 12.16 Access Management
- MMC Section 19.304 Downtown Zones (including Downtown Mixed Use DMU)
- MMC Subsection 19.505.3 Multifamily Housing
- MMC Section 19.510 Green Building Standards
- MMC Chapter 19.600 Off-Street Parking and Loading
- MMC Chapter 19.700 Public Facility Improvements
- MMC Section 19.907 Downtown Design Review
- MMC Section 19.911 Variances (incl. 19.911.6 Building Height Variance in DMU zone)
- MMC Section 19.1006 Type III Review
- MMC Section 19.1011 Design Review Meetings

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has four decision-making options as follows:

- A. Approve the application subject to the recommended Findings and Conditions of Approval.
- B. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- C. Deny the application upon finding that it does not meet approval criteria.
- D. Continue the hearing.

The 120-day timeline for providing a final decision on these applications, which includes any appeals to the City Council, is April 7, 2022, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. However, as required by MMC Subsection 19.911.6.C.1, the applicant has waived the time period in which the application must be decided.

## COMMENTS

Notice of the proposed development was given to the following agencies and persons on December 10, 2021: City of Milwaukie Community Development, Engineering, Building, Public Works Departments; Historic Milwaukie Neighborhood District Association (NDA); Clackamas Fire District #1 (CFD#1); Metro; Oregon Department of Transportation (ODOT); TriMet; North Clackamas School District; and NW Natural.

Notice was provided to all properties within 300 ft of the subject property on January 5, 2022. Comments received are as follows (see Attachment 6):

- **Sandra Jones, Axeltree Apts:** questions and concerns about the lack of on-site parking and the proposed off-site parking.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	Early PC Mailing	Public Copies	E-Packet
1. Recommended Findings for Downtown Design Review in Support of Approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Recommended Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Design Review Checklist (completed by staff)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Applicant's Submittal Materials (received October 15, 2021, unless otherwise noted)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Project Narrative (updated December 1, 2021)			
b. Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Preliminary Drainage Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Transportation Impact Analysis	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Parking Agreements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f. Preapplication Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
g. Parking Study	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Kittleson Transportation Review (prepared for City on October 28, 2021)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Comments received	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

Early PC Mailing = materials provided electronically to Design and Landmarks Committee (DLC) after application deemed complete.

Public Copies = materials posted online to application website (<https://www.milwaukieoregon.gov/planning/vr-2021-017>).

E-Packet = meeting packet materials available one week before the meeting, posted online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-88>.

**ATTACHMENT 1**  
**Recommended Findings in Support of Approval**  
**File #VR-2021-017, TFR-2021-003, P-2021-002, DR-2021-004 – Dogwood Station**

Sections of the Milwaukie Municipal Code addressed in these findings are specific to downtown design review and the building height variance only.

1. The applicant, Jessamyn Griffin, on behalf of SODO, LLC, has applied for approval to construct a multiunit residential building at 2206 SE Washington St. This site is in the DMU Zone. The land use application master file number is VR-2021-017.
2. The proposal is to construct a 6-story multi-unit building with 55 workforce dwelling units. The proposed development does not include any on-site vehicular parking (but does include bicycle parking), so a parking modification is requested to allow no on-site parking. 43 off-site parking spaces are proposed on two different properties in the downtown for lease to tenants of the proposed building. The building height complies with the maximum measured building height, but at 6 stories (not the max. 5 stories) a height variance is required.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
  - MMC Section 19.304 Downtown Mixed Use Zone
  - MMC Subsection 19.505.3 Multifamily Housing
  - MMC Section 19.510 Green Building Standards
  - MMC Section 19.605 Vehicle Parking Requirements
  - MMC Section 19.609 Bicycle Parking
  - MMC Chapter 19.700 Public Improvements
  - MMC Section 19.907 Downtown Design Review
  - MMC Subsection 19.911.6 Building Height Variance in Downtown Mixed Use Zone
  - MMC Section 19.1006 Type III Review
  - MMC Section 19.1011 Design Review Meetings

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A design review meeting was held on January 3, 2022, and a public hearing was held on January 25, 2022, as required by law.

4. MMC Section 19.304 Downtown Zones (including Downtown Mixed Use DMU)  
MMC 19.304 establishes standards for the downtown zones, including the Downtown Mixed Use (DMU) zone.
  - a. MMC Subsection 19.304.2 Uses  
MMC 19.304.2 establishes the uses allowed in the DMU zone, including multifamily residential dwellings and commercial uses such as eating and drinking establishments and retail-oriented sales.

*The proposed development is a 55-unit residential. This use is allowed outright in the DMU zone.*

*This standard is met.*

b. MMC Subsection 19.304.3 Use Limitations, Restrictions, and Provisions

MMC Subsection 19.304.3.A.1 establishes limitations for residential uses in downtown Milwaukie. Along Main Street south of Scott Street, residential dwellings are not permitted on the ground floor. Lobbies for upper-floor units are permitted on the ground floor only if a commercial use is located along a majority of the property's street frontage. Live/work units and rowhouses are not permitted on Main Street.

*The proposed development is a standalone residential building along Washington St.*

*This standard is met.*

c. MMC Subsections 19.304.4 and 19.304.5 Development Standards and Detailed Development Standards

MMC Table 19.304.4 lists the general categories of development standards for the DMU zone and MMC 19.304.5 provides additional detail for each category.

(1) MMC Subsection 19.304.5.A Floor Area Ratios

The Floor Area Ratio (FAR) is a tool for regulating the intensity of development. The minimum FAR is established in MMC Table 19.304.4.B.1 and Figure 19.304-3 and applies to nonresidential development, including mixed-use buildings. Standalone residential densities are controlled by minimum density requirements.

*The proposed development is a standalone residential building.*

*The FAR standard is not applicable to the proposed development.*

(2) MMC Subsection 19.304.5.B Building Height

Base maximum building heights are specified in MMC Figure 19.304-4, with height bonuses available for buildings that meet the standards of MMC Subsection 19.304.5.B.3. In the majority of downtown, the base maximum building height is three stories or 45 ft. One additional story (or 12 ft of additional building height) is allowed for new buildings that devote at least one story or 25% of the gross floor area to a residential or lodging use. An additional story is allowed for new buildings that receive approvals and certification as identified in MMC Section 19.510. Additional building height beyond these bonuses requires a Type III variance per MMC Subsection 19.911.6.

*The proposed building is six stories and 65 ft in height, as measured from the base point defined in MMC Subsection 19.202.2.B.1. As a building that provides at least one story of residential use, it is allowed one additional story above the three-story base standard. The applicant has also indicated that they are planning to construct the building to either LEED or Earth Advantage standards, which are listed in MMC Section 19.510 as*



*approved green building programs (see Finding 6.) With these allowed height bonuses, the building is approvable up to a height of five stories or 69 ft. A condition has been established to ensure that evidence of the necessary green building certification is submitted. A variance has been requested to allow the sixth story and is discussed in Finding 10-d.*

*As proposed, as conditioned, and with the approval of the building height variance discussed in Finding 10-d, this standard is met.*

(3) MMC Subsection 19.304.5.D Street Setbacks/Build-To Lines

Required build-to lines are used in combination with the frontage occupancy requirements of MMC Subsection 19.304.5. to ensure that the ground floors of buildings engage the street. No minimum street setbacks are required. MMC Figure 19.304-5 identifies block faces where zero setbacks are required (first-floor build-to lines), where 75% of the first floor must be built with a zero setback and the remaining 25% may be set back from the front lot line a maximum of 20 ft. The front setback must provide usable open space that meets the requirements of MMC Subsection 19.304.5.H. For other block faces, there is no build-to line requirement and the maximum setback is 10 ft. The front setback must provide usable open space. The portions of the building used to meet the build-to line requirement must have a depth of at least 20 ft.

*As identified on MMC Figure 19.304-5, the subject property does not have a zero-setback requirement, but does have a maximum setback of 10 ft. The project has a required 5-ft dedication along the Washington Street frontage. The main entry, lobby, and exit access along Washington Street are recessed 3 ft.*

*As proposed, this standard is met.*

(4) MMC Subsection 19.304.5.E Frontage Occupancy

To ensure that buildings are used to create a “street wall” that contributes to a walkable and pedestrian-friendly environment, minimum frontage occupancy requirements are established for block faces identified on MMC Figure 19.304-6 and are used in combination with the required build-to line of MMC Subsection 19.304.3.D. MMC Figure 19.304-6 identifies block faces where either 90%, 75%, or 50% of the site’s street frontage must be occupied by a building or buildings. If the site has frontage on more than one street, the frontage occupancy requirement must be met on one street only.

*The subject property has frontage on Washington Street and is subject to the 50% requirement. The property has 83 ft of frontage on Washington St and has, as proposed, nearly 72 ft of frontage occupancy.*

*This standard is met.*

(5) MMC Subsection 19.304.5.F Primary Entrances

All new buildings must have at least one primary entrance facing an abutting street or connected to the public sidewalk with a pedestrian walkway. If a development is on the corner of Main Street and another street, the primary entrance must be oriented toward Main Street. If the development is on the corner of McLoughlin Boulevard and another street, the primary entrance may be oriented toward either street.

*The proposed residential building has two main entrances off Washington Street.*

*This standard is met.*

(6) MMC Subsection 19.304.5.G Off-Street Parking

Off-street parking for residential uses is required at the ratios established in MMC Table 19.605.1, and all other applicable standards of MMC Chapter 19.600 apply. All nonresidential uses are exempt from the off-street parking requirements.

*The proposed building provides 55 multifamily residential units. The applicant has proposed a parking quantity modification to reduce the minimum number of required parking spaces. The proposed modification and the requirements of MMC 19.600 are addressed in Finding 7.*

*As proposed, and with the approval of the parking quantity modification discussed in Finding 11, this standard is met.*

(7) MMC Subsection 19.304.5.H Open Space

When a building is set back from the sidewalk, at least 50% of the setback area must provide usable open space, such as a public plaza or pedestrian amenities, that is abutted on at least two sides by retail shops, restaurants, offices, services, or residences with windows and entrances fronting on the space. Usable open space must be accessible at grade adjacent to the sidewalk and may be hardscaped or landscaped, including plazas, courtyards, gardens, terraces, outdoor seating, and small parks.

*The proposed design includes a 680-sq ft ground floor terrace which abuts the building to the west, provides a screen wall to the east, and is contained to the south via a large rock retaining wall.*

*As proposed, this standard is met.*

(8) MMC Subsection 19.304.5.I Transition Measures

For properties north of Harrison Street and located within 50 ft of a lower-density residential zone (R-10, R-7, or R-5), transition area measures apply. Within 50 ft of the property line abutting lower-density residential zones, buildings must provide a step back of at least 6 ft for any portion of the building above 35 ft and the height bonuses established in MMC Subsection 19.304.5.B.3 cannot be applied.

*The subject property is south of Harrison Street and is not adjacent to any residentially zoned properties.*

*This standard is not applicable.*

(9) MMC Subsection 19.304.5.J Residential Density

Minimum densities for stand-alone multifamily dwellings and senior/retirement housing in the DMU Zone shall be 30 units per acre. Maximum residential densities are controlled by height limits.

*The proposed development is a six-story residential building with 55 dwelling units. The site is 10,277 sq ft with translates into a minimum density of 7 dwelling units. The FAR requirements and building height limitations are discussed above in Findings 4-c-1 and 4-c-2, respectively, in conjunction with a building height variance discussed in Finding 10-d.*

*As proposed, and with the approval of the building height variance discussed in Finding 15-d, this standard is met.*

*The proposed development meets the applicable development standards, including the detailed development standards, of MMC 19.304.4 and 19.304.5.*

d. MMC Subsection 19.304.6 Public Area Requirements

The Public Area Requirements (PAR) implement the Downtown and Riverfront Land Use Framework Plan and are intended to ensure a safe, comfortable, contiguous pedestrian-oriented environment as revitalization occurs in downtown. The PAR are defined as improvements within the public ROW and include such features as sidewalks, bicycle lanes, on-street parking, curb extensions, lighting, street furniture, and landscaping. The PAR is implemented through MMC Chapter 19.700 and the Public Works Standards.

*As discussed in Finding 12-f, curb and stormwater facilities have already been installed along the Washington Street frontage as part of the TriMet Orange Line Light Rail Project and will not be required except where the existing driveway is to be removed. A Right-of-Way Permit is required to remove the existing driveway and to install new curb and sidewalk.*

*As conditioned, this standard is met.*

*As proposed, and as conditioned or discussed elsewhere in these findings, the Planning Commission finds that the applicable standards of the DMU zone are met.*

5. MMC Chapter 19.500 Supplementary Development Regulations

a. MMC Subsection 19.505.3 Multifamily Housing

MMC 19.505.3 establishes design standards for multifamily housing, to facilitate the development of attractive housing that encourages multimodal transportation and good site and building design. The requirements of this subsection are intended to achieve the principles of livability, compatibility, safety and functionality, and

sustainability. The design elements, established in MMC Subsection 19.505.3.D, are applicable to all new multifamily housing developments with 3 or more units.

- (1) MMC Subsection 19.505.3.B states that all new multifamily and congregate housing developments with 3 or more dwelling units on a single lot are subject to the design elements in Table 19.505.3.D.

*The proposed development will have 55 dwelling units on a single lot and is considered multifamily. The proposed development meets the applicability standards of MMC 19.505.3.B.*

- (2) MMC Subsection 19.505.3.D contain standards for Multifamily Design Guidelines.

*The proposed multifamily development is following the Design Guidelines for the Discretionary Process. The application meets the standards of this section as described in Table 2 below.*

<b>Table 19.505.3.D Design Guidelines—Multifamily Housing</b>		
<b>Design Element</b>	<b>Guideline</b>	<b>Findings</b>
<b>1. Private Open Space</b>	<p>The development should provide private open space for each dwelling unit, with direct access from the dwelling unit and visually and/or physically separate from common areas.</p> <p>The development may provide common open space in lieu of private open space if the common open space is well designed, adequately sized, and functionally similar to private open space.</p>	<p><i>The project proposes significant common open space in lieu of private open space. Common open space is provided at multiple locations through the building to maximize access and variety of use. Common open spaces include a terrace at grade level, central courtyard and rooftop deck, totaling approximately 2,500 sq ft.</i></p>
<b>2. Public Open Space</b>	<p>The development should provide sufficient open space for the purpose of outdoor recreation, scenic amenity, or shared outdoor space for people to gather.</p>	<p><i>Common open space is provided at multiple locations throughout building to maximize access and variety of use. Common open spaces include a terrace at grade level, central courtyard and roof top deck, totaling approximately 2,500 sq ft (over 20% of the total 10,227 sq ft site area). The roof top deck provides a total area of 815 sq ft, the terrace contributes approximately 680 sq ft, and the central courtyard provides over 1,000 sq ft of common open space with a variety of casual seating areas.</i></p>

**Table 19.505.3.D**  
**Design Guidelines—Multifamily Housing**

Design Element	Guideline	Findings
<p><b>3. Pedestrian Circulation</b></p>	<p>Site design should promote safe, direct, and usable pedestrian facilities and connections throughout the development. Ground-floor units should provide a clear transition from the public realm to the private dwellings.</p>	<p><i>The project offers multiple points of entry. Two public facing entries are provided along Washington Street, as well as a terrace entrance at the north west corner which is set back to provide transition from the street. Ground floor units are provided a more direct and protected entry point along the east side. Additionally, ground floor units are buffered from the more public facing lobby and public entries via the central courtyard, where tenants transition from public interior to the exterior egress balconies that serve each individual unit.</i></p>
<p><b>4. Vehicle and Bicycle Parking</b></p>	<p>Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located.</p>	<p><i>The applicant has requested a parking modification to provide off-site parking for the development.</i>  <i>82 bicycle parking spaces are provided in the fully secure basement bike storage area.</i></p>
<p><b>5. Building Orientation and Entrances</b></p>	<p>Buildings should be located with the principal façade oriented to the street or a street-facing open space such as a courtyard. Building entrances should be well-defined and protect people from the elements.</p>	<p><i>The principal façade, and two protected public entries, are proposed on Washington Street.</i></p>

**Table 19.505.3.D**  
**Design Guidelines—Multifamily Housing**

Design Element	Guideline	Findings
<p><b>6. Building Façade Design</b></p>	<p>Changes in wall planes, layering, horizontal &amp; vertical datums, building materials, color, and/or fenestration should be incorporated to create simple and visually interesting buildings</p> <p>Windows and doors should be designed to create depth and shadows and to emphasize wall thickness and give expression to residential buildings.</p> <p>Windows should be used to provide articulation to the façade and visibility into the street.</p> <p>Building facades should be compatible with adjacent building facades.</p> <p>Garage doors shall be integrated into the design of the larger façade in terms of color, scale, materials, and building style.</p>	<p><i>All facades, including the street-facing façade, are broken down into rhythms which correspond to unit locations via vertical flashing breaks in the material. The base of the building has differentiated material and glazing strategies from the remainder of the building. Along the north façade and north east corner, the building provides a material change at the ground floor common and support spaces where flat metal panels create a base and delineate from the box rib finish applied at private units. Changes in parapet height, material, and other massing designs at the top and base of the building are located based on these vertical breaks.</i></p> <p><i>Window fenestration is organized in simple, vertically interesting patterns. Windows are detailed to accentuate openings through a hemmed flashing extension of the frame.</i></p> <p><i>The building's massing and façade have been developed to maximize tenants' access to natural light and air. As the building approaches the west it is set back to allow a comfortable distance from the adjacent rail line which also stepping down at the southwest corner to break up the mass and transition to the adjacent lower commercial buildings.</i></p> <p><i>The garage door color and location are integrated into the massing and material transition at the ground floor. The color matches the color of the building wall in which it is located.</i></p>
<p><b>7. Building Materials</b></p>	<p>Buildings should be constructed with architectural materials that provide a sense of permanence and high quality, incorporating a hierarchy of building materials that are durable.</p> <p>Street-facing facades should consist predominantly of a simple palette of long-lasting materials such as brick, stone, stucco, wood siding, and wood shingles.</p> <p>Split-faced block and gypsum reinforced fiber concrete (for trim elements) should only be used in limited quantities.</p> <p>Fencing should be durable, maintainable, and attractive.</p>	<p><i>Durable and contemporary box rib siding will clad the main facades along the north, south, east and west, with metal panel at the ground floor façade along the public faces. No split-faced block, gypsum reinforced fiber concrete is proposed. A fence is proposed along the west and south edges of the terrace to provide visual and sound buffering from the adjacent rail line, as well as separating the more public facing terrace from the private courtyard below.</i></p>

**Table 19.505.3.D**  
**Design Guidelines—Multifamily Housing**

Design Element	Guideline	Findings
<b>8. Landscaping</b>	Landscaping should be used to provide a canopy for open spaces and courtyards, and to buffer the development from adjacent properties. Existing, healthy trees should be preserved whenever possible. Landscape strategies that conserve water should be included. Hardscapes should be shaded where possible, as a means of reducing energy costs (heat island effect) and improving stormwater management.	<i>Five trees will be located at the courtyard to provide canopy coverage for portions of the upper terrace and the lower open space areas within the courtyard. Overall, the trees have been selected and located such that at least one-third of the terrace and courtyard will be covered within 5 years. Paving materials with a solar reflective index value of at least 29 will be used for at least 25% of the hardscape surfaces. The helps to reject solar heat absorption. Landscape buffering through the use of tall shrubs is proposed for the south and west property lines. A permanent irrigation system using drip and subsurface irrigation is proposed.</i>
<b>9. Screening</b>	Mechanical equipment, garbage collection areas, and other site equipment and utilities should be screened so they are not visible from the street and public or private open spaces. Screening should be visually compatible with other architectural elements in the development.	<i>Trash, recycling, and all utilities are proposed to be completely enclosed at the ground floor and separated from the main entrance by over 5 ft. The generator would be located sub-grade in the basement. Rooftop mechanical equipment would be set back from the parapet so that no equipment will be visible from the street sight lines.</i>
<b>10. Recycling Areas</b>	Recycling areas should be appropriately sized to accommodate the amount of recyclable materials generated by residents. Areas should be located such that they provide convenient access for residents and for waste/recycling haulers. Recycling areas located outdoors should be appropriately screened or located so they are not prominent features viewed from the street.	<i>A recycling area will be located in the ground floor trash room. Access is provided along the street face at the north east corner of the building, allowing for convenient use by both residents and trash haulers. The room is completely enclosed.</i>

**Table 19.505.3.D**  
**Design Guidelines—Multifamily Housing**

Design Element	Guideline	Findings
<p><b>11. Sustainability</b></p>	<p>Development should optimize energy efficiency by designing for building orientation for passive heat gain, shading, day-lighting, and natural ventilation. Sustainable materials, particularly those with recycled content, should be used whenever possible. Sustainable architectural elements should be incorporated to increase occupant health and maximize a building's positive impact on the environment. When appropriate to the context, buildings should be placed on the site giving consideration to optimum solar orientation. Methods for providing summer shading for south-facing walls, and the implementation of photovoltaic systems on the south-facing area of the roof, are to be considered.</p>	<p><i>The building's massing has been developed to maximize tenant's access to natural light and air. Each unit has both courtyard facing and exterior facing spaces, allowing for optimal cross ventilation and a variety of natural lighting throughout. Glazing percentages have been maximized along the north facing façade at Washington Street (26%), and glazing reduced to 20% along the south face of the property. With corner units being the only spaces exposed at east and west, windows have been excluded on the east face and glazing reduced at the west. Additionally, each unit has multiple operable windows, all of which will be provided with interior window treatments for individual control of each window light.</i></p> <p><i>As proposed, the project would be built to meet Earth Advantage or LEED certification per MMC 19.510.</i></p> <p><i>The building has been sited and the roof laid out such that the main north and south bays could be easily adapted for solar in the future and will be designed for solar ready application.</i></p>
<p><b>12. Privacy Considerations</b></p>	<p>Development should consider the privacy of, and sight lines to, adjacent residential properties, and should be oriented and/or screened to maximize the privacy of surrounding residences.</p>	<p><i>There are no adjacent residential properties.</i></p>



**Table 19.505.3.D  
 Design Guidelines—Multifamily Housing**

Design Element	Guideline	Findings
<p><b>13. Safety</b></p>	<p>Development should be designed to maximize visual surveillance, create defensible spaces, and define access to and from the site. Lighting should be provided that is adequate for safety and surveillance, while not imposing lighting impacts to nearby properties. The site should be generally consistent with the principles of Crime Prevention Through Environmental Design (CPTED):</p> <ul style="list-style-type: none"> <li>• Natural Surveillance</li> <li>• Natural Access Control</li> <li>• Territorial Reinforcement</li> </ul>	<p>80% of the units have direct views into the central courtyard and all units have views into the open air egress balconies serving as access to all residents. Additionally, the location of unit windows and open air balconies allows for views of the surrounding sites from all sides of the property.</p> <p>Public entries along the street façade open into a highly visible shared lobby space, buffered to the south by the central courtyard providing both a visual and physical change in access to the more private unit entries. Additionally, a fence is proposed along the west and south edge of the terrace to provide visual and sound buffering from the adjacent rail line, as well as separating the more public facing terrace from the private courtyard below. Site lighting will be provided to highlight safety and circulation and will meet the 0.5 footcandle minimum requirement. No feature exterior architectural uplights are proposed, avoiding any chance of sky pollution and lights shining into residential units.</p>

*The Planning Commission finds that, as conditioned, the discretionary multifamily design guidelines have been met.*

**6. MMC Section 19.510 Green Building Standards**

Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building’s life cycle. For the purposes of height bonuses, a green building is defined as a building that will achieve certification or similar approval documentation at any level of one of the following programs: Living Building Challenge, LEED, Earth Advantage, Passive House, Enterprise Green Communities, or Energy Trust of Oregon’s New Buildings program (confirming participation in the Path to Net Zero program offering).

Height bonus eligibility will be verified at the time of building permit submittal and is contingent upon a green building certification submittal. Height bonus awards may be revoked, and/or other permits or approvals may be withheld, if the project fails to achieve the required energy reduction and/or certification.

*As discussed in Finding 4-c-2, the proposed development includes a request for height bonuses to add one story of building height, which is based on the new building qualifying for a LEED or Earth*

*Advantage certification. A condition has been established requiring confirmation of the necessary green building certification submittal and subsequent award at relevant parts of the development review process.*

*As conditioned, the Planning Commission finds that the applicable standards are met.*

7. MMC Chapter 19.600 Off-Street Parking and Loading

MMC 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of these requirements includes providing adequate space for off-street parking, minimizing parking impacts to adjacent properties, and minimizing environmental impacts of parking areas.

a. MMC Section 19.602 Applicability

MMC 19.602 establishes the applicability of the provisions of MMC 19.600, and MMC Subsection 19.602.3 establishes thresholds for full compliance with the standards of MMC 19.600. Development of a vacant site is required to provide off-street parking and loading areas that conform fully to the requirements of MMC 19.600.

*The proposed development is a six-story standalone residential building with 55 residential units.*

*The Planning Commission finds that the provisions of MMC 19.600 are applicable to the proposed development.*

b. MMC Section 19.605 Vehicle Parking Quantity Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking (off-street) based on estimated parking demand.

(1) MMC Subsection 19.605.1 Minimum and Maximum Requirements

MMC Table 19.605.1 provides minimum and maximum quantity requirements for multifamily dwellings containing three or more dwelling units. For multifamily dwelling units located in the DMU zone, a minimum of one space per unit is required and a maximum of two spaces per unit is allowed. As per MMC Subsection 19.304.5.G.3, all nonresidential uses in the DMU are exempt from the off-street parking requirements.

*The proposed development would establish 55 residential units. A minimum of 36 off-street spaces are required; a maximum of 110 spaces are allowed. A total of 43 off-site parking spaces are proposed; exemptions and by-right reductions to the quantity requirements are discussed below in Finding 7-b-3.*

(2) MMC Subsection 19.605.2 Quantity Modifications and Required Parking Determinations

MMC 19.605.2 establishes a process for modifying the minimum and maximum parking ratios listed in MMC Table 19.605.1.

(a) MMC Subsection 19.605.2.B Application

The application for a parking determination must include a description of the proposed uses of the site and identification of factors specific to the proposed use and/or site (e.g., proximity of transit, parking demand management programs, etc.) that affect parking demand. Additionally, the application must provide data and analysis to support the determination or modification request (i.e., parking demand information from professional literature, parking standards for similar uses in other jurisdictions, and parking quantity and use data from similar existing developments). The Planning Manager may waive any of the specific data analysis requirements if the information is not readily available or relevant, as long as sufficient documentation is provided to support the request.

*The applicant has included a description of the site and addressed the factors specific to the site, including proximity to transit, proposed off-site parking available for lease, and a site-specific analysis of the need for off-street parking at this location. Given that the City has a downtown parking management strategy (adopted in September 2018), the Planning Manager has waived the requirement for new specific data analysis. The downtown parking management strategy itself is based on the collection and analysis of parking demand and usage data from Milwaukie to assess the actual-use dynamics and access characteristics of the on- and off-street parking systems in the downtown area. The strategy reflects the City's intention to actively manage parking with the expectation that continued growth will impact the existing parking supply downtown. The Planning Manager's waiver is also based on the parking analysis document and off-site parking proposal included with the applicant's submittal materials, which outlines the principles designed to make the proposed parking arrangement work.*

(b) MMC Subsection 19.605.2.C Approval Criteria

MMC Subsection 19.605.2.C.1 provides the baseline approval criteria for granting a parking modification, including a demonstration that the proposed parking quantities are reasonable based on the data and information that the Planning Manager has deemed relevant. In addition, MMC Subsection 19.605.2.C.2 requires that requests for modifications to decrease the amount of minimum required parking must demonstrate that (1) the use of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1; (2) that the reduction of off-street parking will not adversely affect available on-street parking; and (3) that the requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site.

*As noted above, the Planning Manager has determined that it is reasonable to ground an assessment of the proposed parking modification in consideration of the City's adopted downtown parking management strategy and the applicant's*

*proposed parking solution/transportation demand management program (TDM). The subject property's location downtown, in close proximity to the Milwaukie light rail station and bus routes, with access to a public sidewalk network and bikeways like the Trolley Trail and Springwater Trail corridor, provides a number of alternatives to vehicle use and will help reduce the need for vehicle parking.*

*The applicant's proposed parking solution provides 43 off-site parking spaces available for lease to tenants for a monthly fee, 82 secure bike parking spaces, lobby monitors for TriMet bus and train departures, a designated ride-share pick up and drop off area at the front of the building, and a ZipCar for use by tenants that would be parked directly across the street.*

*A condition has been established to ensure that the TDM program is implemented and monitored over the life of the proposed development and that responsibility for implementation of the program transfers to subsequent owners/operators of the development. The success of the City's parking management strategy will depend in part on a combination of consistent enforcement actions and targeted adjustments to parking regulations in response to the evolving parking situation downtown. Together, the TDM program and the City's downtown parking management strategy will ensure that the proposed reduction in parking for the new building will not adversely affect available on-street parking.*

*Based on the specific circumstances of the proposed use and the site and taken together with the implementation of the proposed TDM program and the City's downtown parking management strategy, the requested parking modification is effectively the smallest reduction needed for the proposed development to function as designed.*

*The Planning Commission finds that the proposed parking modification satisfies the applicable approval criteria.*

*As proposed, the Planning Commission finds that the minimum required off-street parking for the proposed use can be modified as proposed, to zero on-site spaces and 43 off-site spaces.*

(3) MMC Subsection 19.605.3 Exemptions and By-Right Reductions to Quantity Requirements

MMC 19.605.3 establishes certain exemptions and reductions to the quantity requirements of MMC 19.605.1, including a 25% reduction for locations in the DMU zone and a 10% reduction for the provision of covered and secure bicycle parking in addition to what is required by MMC Section 19.609 (at a ratio of one reduced vehicle parking space for each six additional bicycle parking spaces). Applicants are allowed to utilize multiple reductions, provided the total reduction allowed in the DMU zone is no more than 30%.

*For the proposed 55 multifamily residential units, the applicant has proposed a by-right reduction to the minimum required parking quantity, in addition to a parking quantity*

*modification to further reduce the number of required spaces. With the 25% reduction allowed for being in the DMU zone, the project qualifies for a reduction of 14 spaces. With the bike storage room in the lower level of the building, the project provides 82 bicycle parking spaces where 55 are required, resulting in 27 extra spaces and qualifying the project for an additional reduction of five vehicle spaces.*

*In total, the proposed development is entitled to a by-right reduction of 19 spaces, bringing the adjusted minimum requirement down to 36 spaces.*

*As proposed, and as per the by-right reductions allowed and the approval of the proposed parking quantity modification to further reduce the minimum number of required parking spaces, the Planning Commission finds that the proposed development meets the vehicle parking quantity requirements of MMC 19.605.*

c. MMC Section 19.606 Parking Area Design and Landscaping

MMC 19.606 establishes standards for parking area design and landscaping, to ensure that off-street parking areas are safe, environmentally sound, and aesthetically pleasing, and that they have efficient circulation. These standards are intended primarily for outdoor parking areas, though some of the standards are applicable to parking structures as well.

MMC Subsection 19.606.1 establishes dimensional standards for required off-street parking spaces and drive aisles. For 90°-angle spaces, the minimum width is 9 ft and minimum depth is 18 ft, with 22-ft drive aisles. MMC Subsection 19.606.3 establishes various design standards, including requirements related to paving and striping, wheel stops, pedestrian access, internal circulation, and lighting.

*The proposed development does not propose any off-street parking, but 43 off-site parking spaces are proposed for lease to tenants.*

*As proposed, and subject to approval of the requested parking modification, the Planning Commission finds that this standard is not applicable.*

d. MMC Section 19.608 Loading

MMC 19.608 establishes standards for off-street loading areas and empowers the Planning Manager to determine whether loading spaces are required. Off-street loading is not required in the DMU zone. Where loading spaces are required, spaces must be at least 35 ft long and 10 ft wide, with a height clearance of 13 ft, and located where not a hindrance to drive aisles or walkways.

*The subject property is zoned DMU, so no off-street loading is required. However, the parallel parking spaces in front of 2236 SE Washington St are proposed to be converted into loading zone parking.*

*This standard is met.*

e. MMC Section 19.609 Bicycle Parking

MMC 19.609 establishes standards for bicycle parking for new development, including for multifamily housing and commercial uses. Unless otherwise specified, the number of bicycle parking spaces is at least 10% of the minimum required vehicle parking for the use. For multifamily residential development with four or more units, MMC Subsection 19.609.2 requires a minimum of one bicycle parking space per unit, with at least 50% of the spaces covered and/or enclosed (in lockers or a secure room). MMC Subsection 19.609.3.A requires that each bicycle parking space have minimum dimensions of 2 ft by 6 ft, with 5-ft-wide aisles for maneuvering. MMC Subsection 19.609.4 requires bike racks to be located within 50 ft of a main building entrance.

*For the proposed residential building in the DMU zone, 55 bicycle spaces are required, one for each of the 55 multifamily residential units. At least 28 of the bike spaces must be covered or enclosed.*

*As proposed, 82 bicycle parking spaces will be provided within the new building in a fully secure basement bike room. The bike parking will be provided through a combination of 28 standard spaces and 54 vertically hung spaces. The vertical racks require less clearance between adjacent bikes, allowing for a more compact footprint. A condition has been established to ensure that the proposed racks are installed in such a way that the minimum dimensional standards are met.*

*The Planning Commission finds that the proposed bicycle parking exceeds the minimum number of required spaces, is all within the building and covered/enclosed, and, as conditioned, that the other applicable standards are met.*

f. MMC Section 19.610 Carpool and Vanpool Parking

MMC 19.610 establishes carpool parking standards for new industrial, institutional, and commercial development with 20 or more required parking spaces.

*The proposed development is a residential building in the DMU zone, with 55 multifamily residential units. This standard is not applicable.*

*As proposed, and as conditioned where necessary, the Planning Commission finds that the proposed development meets all applicable standards MMC 19.600 for off-street parking.*

8. MMC Chapter 19.700 Public Facility Improvements

MMC 19.700 is intended to ensure that development, including redevelopment, provides public facilities that are safe, convenient, and adequate in rough proportion to their public facility impacts.

a. MMC Section 19.702 Applicability

MMC 19.702 establishes the applicability of the provisions of MMC 19.700, including new construction.

*The applicant proposes to develop a six-story residential building with 55 residential units. The proposed new construction triggers the requirements of MMC 19.700.*

b. MMC Section 19.703 Review Process

MMC 19.703 establishes the review process for development that is subject to MMC 19.700, including requiring a preapplication conference, establishing the type of application required, and providing approval criteria.

*The applicant had a preapplication conference with City staff on April 15, 2021, prior to application submittal. The proposed development does not require a full Transportation Impact Study; however, a traffic memo is required (as addressed in Finding 8-c). The proposal's compliance with MMC 19.700 has been evaluated through a concurrent Transportation Facilities Review application.*

c. MMC Section 19.704 Transportation Impact Evaluation

MMC 19.704 establishes the process and requirements for evaluating development impacts on the surrounding transportation system, including determining when a formal Transportation Impact Study (TIS) is necessary and what mitigation measures will be required.

*While the proposed development will trigger an increase in trip generation above the existing use on the site, a full Traffic Impact Study is not required. A traffic memorandum outlining how the increased vehicle trips will be mitigated as well as outlining option off-site parking and/or loading zones was required.*

*As submitted, and with a condition established to ensure that sufficient mitigation measures are in place, the applicant's traffic memorandum is sufficient to meet the requirements of MMC 19.704.*

d. MMC Section 19.705 Rough Proportionality

MMC 19.705 requires that transportation impacts of the proposed development be mitigated in proportion to its potential impacts.

*The proposed development will result in an increase in both AM and PM peak hour trips; however, the traffic memo submitted by the applicant concluded that Transit-Oriented Developments typically see less increased trip than those proposed by the ITE. Per the memo, the existing on-street parking and off-street parking (via shared parking agreements) will absorb the increased parking needs for this development. Further, the traffic memo concludes that the addition of a designated onsite pick-up/drop-off spot will accommodate growing demand for delivery and ridesharing parking needs.*

*As proposed and conditioned, mitigation for the transportation impacts of the proposed development is consistent with MMC 19.705.*

e. MMC Section 19.707 Agency Notification and Coordinated Review

MMC 19.707 establishes provisions for coordinating land use application review with other agencies that may have some interest in a project that is in proximity to facilities they manage.

*The application was referred to ODOT Rail Division, Clackamas County Department of Transportation and Development (DTD), TriMet, and Metro for comment.*

f. MMC Section 19.708 Transportation Facility Requirements

MMC 19.708 establishes the City's requirements and standards for improvements to public streets, including pedestrian, bicycle, and transit facilities.

(1) MMC Subsection 19.708.1 General Street Requirements and Standards

MMC 19.708.1 provides general standards for streets, including for access management, clear vision, street layout and connectivity, and intersection design and spacing.

*As proposed, the development is consistent with the applicable standards of MMC 19.708.1.*

(2) MMC Subsection 19.708.2 Street Design Standards

MMC 19.708.2 provides design standards for streets, including dimensional requirements for the various street elements (e.g., travel lanes, bike lanes, on-street parking, landscape strips, and sidewalks).

*Curb and stormwater facilities have already been installed along the Washington Street frontage as part of the TriMet Orange Line Light Rail Project and will not be required except where the existing driveway is to be removed. A Right-of-Way Permit is required to remove the existing driveway and to install new curb and sidewalk.*

*As conditioned, the development is consistent with all applicable standards of MMC 19.708.2.*

(3) MMC Subsection 19.708.6 Transit Requirements and Standards

MMC 19.708.6 provides standards for transit facilities.

*Washington Street is classified as a transit route in the Milwaukie TSP, but no new routes or facilities are proposed.*

*These standards are not applicable.*

*As proposed, the development meets all applicable standards of MMC 19.708.*

*As conditioned, the Planning Commission finds that the proposed development meets the applicable public facility improvement standards of MMC 19.700.*

9. MMC Section 19.907 Downtown Design Review

MMC 19.907 establishes the applicability, procedure, and approval criteria for design review of development downtown.

a. MMC Subsection 19.907.2 Applicability



For new development that is a stand-alone multifamily residential building, there are two options for review: addressing the multifamily development code section 19.505.3 or downtown design review in 19.907.

An applicant may elect to meet the design guidelines in Table 19.505.3.D or process the application through Type II downtown design review if the applicant prefers to meet the design standards of MMC Section 19.508.

*As addressed in Finding 5, the applicant has elected to design the building in compliance with the multifamily design guidelines in Table 19.505.3.D.*

*The Planning Commission finds that downtown design review does not apply to the proposed development.*

10. MMC Subsection 19.911.6 Building Height Variance in the Downtown Mixed Use Zone

MMC 19.911.6 provides a discretionary option for variances to maximum building heights in the Downtown Mixed Use (DMU) Zone to reward buildings of truly exceptional design that respond to the specific context of their location and provide desired public benefits and/or amenities. The Type III building height variance is an option for proposed buildings that exceed the maximum heights or stories allowed through the bonuses specified in MMC Figure 19.304-4, MMC Subsection 19.304.5.B.3, and MMC Section 19.510.

The building height variance is subject to Type III review and approval by the Design and Landmarks Committee and the Planning Commission, in accordance with MMC Chapter 19.907 and MMC Section 19.1011. The building height variance will be consolidated with downtown design review. Because the building height variance provides substantial flexibility and discretion, additional time will be required for public input and technical evaluation of the proposal. To use this option, the applicant must sign a waiver of the 120-day decision requirement.

*The proposed building is utilizing allowable bonuses (for residential development and green building) to qualify for two additional stories above the base maximum height of three stories. In addition, the applicant has requested a variance to add one more story to the design. The proposed building would be approximately 65 ft tall, which complies with the measured maximum building height of 69 ft. However, it is proposed to have 6 stories, rather than 5 stories, which would allow for 9 additional dwelling units and the roof deck. The additional story is subject to the review procedures and approval criteria established in MMC 19.911.6 for building height variances in the DMU zone.*

(1) MMC Subsection 19.911.6.D establishes the following approval criteria for building height variance requests:

b. Substantial consistency with the Downtown Design Guidelines.

*(a) Per MMC 19.907.2.C.11, a new stand-alone multifamily residential building may be reviewed against the multifamily design guidelines in Table 19.505.3.D. An applicant may elect to meet these design guidelines rather than the downtown design standards in 19.508.*

*The applicant has designed the building per Table 19.505.3.D. However, the building height variance requires consistency with the Downtown Design Guidelines that are applicable to a building height variance – see Table 2.*

**Table 2. Downtown Design Guidelines**

<b>MILWAUKIE CHARACTER GUIDELINES</b>	
<b>Guideline</b>	<b>Recommended Findings</b>
<b>Consider View Opportunities</b>	<p><i>The building is designed to orient views toward downtown and the Willamette River and includes a rooftop deck. 80% of the units have direct views into the central courtyard, and all units have windows on at least 2 sides, providing an opportunity for views from multiple directions in each living space. The location of unit windows and open air balconies allow for views of the surrounding sites from all sides of the property/building.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<b>Consider Context</b>	<p><i>The proposed building would be approximately 65 ft tall, which complies with the measured maximum building height of 69 ft. However, it is proposed to have 6 stories, rather than 5 stories, which would allow for 9 additional dwelling units and the roof deck. The site is nearby or adjacent to a variety of building scales, styles, and sizes. The proposed design is appropriate for a location close to the new high school, the Axeltree development, and the recently-approved Coho Point development.</i></p> <p><i>To further breakdown the scale of the building, all facades, including the street-facing façade, are broken down into rhythms which correspond to a more residential scale, delineating between individual units with vertical flashing breaks in the material as well as jogged parapet heights.</i></p> <p><i>Material applications support both a break down of scale and delineation of</i></p>

	<p><i>use with box rib, vertical wood siding, and metal panels depending on area of the building and corresponding use. The materials selected (box rib, wood siding, and metal panels) are not inconsistent with other development in the area.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<p><b>Promote Architectural Compatibility</b></p>	<p><i>The proposed building would be approximately 65 ft tall, which complies with the measured maximum building height of 69 ft. However, it is proposed to have 6 stories, rather than 5 stories, which would allow for 9 additional dwelling units and the roof deck. The site is nearby or adjacent to a variety of building scales, styles, and sizes. The proposed design is appropriate for a location close to the new high school, the Axeltree development, and the recently-approved Coho Point development.</i></p> <p><i>To further breakdown the scale of the building, all facades, including the street-facing façade, are broken down into rhythms which correspond to a more residential scale, delineating between individual units with vertical flashing breaks in the material as well as jogged parapet heights.</i></p> <p><i>Material applications support both a bread down of scale and delineation of use with box rib, vertical wood siding, and metal panels depending on area of the building and corresponding use. The materials selected (box rib, wood siding, and metal panels) are not inconsistent with other development in the area.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<p><b>PEDESTRIAN EMPHASIS GUIDELINES</b></p>	
<p><b>Guideline</b></p>	<p><b>Recommended Findings</b></p>

<p><b>Reinforce and Enhance the Pedestrian System</b></p> <p><b>Barriers to pedestrian movement and visual and other nuisances should be avoided or eliminated, so that the pedestrian is the priority in all development projects.</b></p>	<p><i>The additional story and height allow the building's program to be dispersed more vertically, allowing for opportunities for open space and pedestrian interaction on the ground floor/public right of way. The project includes a 5-ft dedication along the north, as well as an open terrace directly accessible off Washington St. The building's main entries are set back 3 ft to provide protection from the weather as well as enhanced pedestrian walkways. All trash rooms are located inside the building and all utilities will be located inside the building.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<p><b>Define the Pedestrian Environment</b></p> <p><b>Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.</b></p>	<p><i>The additional story and height allow the building's program to be dispersed more vertically, allowing for opportunities for public/common open space and pedestrian interaction on the ground floor/public right of way. The project includes a 5-ft dedication along the north, as well as an open terrace directly accessible off Washington St. The building's main lobby entry is set back 3 ft to provide protection from the weather as well as enhanced pedestrian access and interaction. The main lobby is highly visible to Washington St with extensive storefront glazing and at the northwest corner where the building steps back to provide an open terrace for additional access and interaction. The building façade material changes from box rib to define the private unit levels to a high grade metal panel at the ground floor, which delineates a more public realm and scale.</i></p> <p><i>The proposed development meets this guideline.</i></p>

**ARCHITECTURE GUIDELINES**

Guideline	Recommended Findings
<p><b>Silhouette and Roofline</b></p>	<p><i>The additional height and story provides the project a way to maintain the 4:1 FAR, while applying the area/program to a U-shaped footprint, as well as a step down at the southwest corner to further break down the roof area and provide a roof deck for residents. All facades include jogged parapet heights, aligning with deep vertical flashing breaks to visually delineate between units and provide a more residentially scaled roofline in conjunction with the façade. At the ground level, recessed entries and overhangs align with the proposed parapet jogs and vertical breaks.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<p><b>Rooftops</b></p>	<p><i>The proposed design includes jogged parapet heights and a roof deck for residents. Rooftop mechanical equipment will be set back from the parapet so that no equipment will be visible from the street sight lines.</i></p> <p><i>The proposed development meets this guideline.</i></p>
<p><b>Green Architecture</b></p>	<p><i>The building is proposed to be constructed to achieve with LEED or Earth Advantage certification.</i></p> <p><i>The proposed development meets this guideline.</i></p>

*The proposed design is substantially consistent with the downtown design guidelines applicable to a standalone residential building and the requested building height variance.*

- c. The proposed height variance will result in a project that is exceptional in the quality of detailing, appearance, and materials or creates a positive unique relationship to other nearby structures, views, or open space.

*With the height bonuses allowed by MMC 19.304.5.B.3, the proposed development is allowed five stories. In order to pull some of the building massing back from the rail line and provide additional residential units and a roof deck, the proposed building would comply with the*

*maximum building height at 65 ft, but has been designed at 6 stories, rather than 5. The massing has been designed to maximize tenants' access to natural light and air and step the building down at the southwest corner to break up the mass and transition to the adjacent lower commercial buildings.*

- d. The proposed height variance preserves important views to the Willamette River, limits shadows on public open spaces, and ensures step downs and transitions to neighborhoods at the edge of the DMU zone.

*The proposed design meets the maximum building height at 65 ft, but requests a variance to allow 6 stories, rather than 5 stories. The building is designed to maximize views to downtown and the Willamette River for the residential units, with a step back on the top floor to provide a large roof deck for tenants.*

- e. The proposed height variance will result in a project that provides public benefits and/or amenities beyond those required by the base zone standards and that will increase downtown vibrancy and/or help meet sustainability goals.

*The proposed development will provide 55 units of needed workforce housing in downtown Milwaukie, which is consistent with the goals and policies of the City's recently updated Comprehensive Plan. The project takes a very small site directly adjacent to the light rail line and creatively provides a combination of housing units, generous bike parking space, and 5,000 sq ft of common outdoor and amenity spaces for the tenants that will help revitalize the downtown in a key transition area. The height variance allows the new building to include 9 additional dwelling units and roof deck under the maximum building height.*

*The proposed development complies with the approval criteria in MMC 19.911.6.*

#### 11. MMC Section 19.1011 Design Review Meetings

MMC 19.1011 establishes the procedures and requirements for the design review meetings that are required in conjunction with applications for downtown design review. These include designating the Design and Landmarks Committee (DLC) as the body that conducts design review meetings and setting rules of procedure, identifying requirements for providing public notice, and outlining the components of the recommendation report that is to be provided to the Planning Commission.

*The DLC held a public design review meeting to consider the proposed development on January 3, 2022 and recommended approval. However, there was not a quorum at this meeting, so a rescheduled design review meeting was held on January 20, 2022. This finding serves as the required report to Planning Commission.*

*The DLC reviewed the downtown design review portion of the proposed development against the approval criteria established for Type III building height variance review in MMC Subsection 19.911.6.D. The facts that the DLC relied on for its determination are reflected in Finding 10. The DLC voted unanimously to recommend approval of the requested building height variance, as discussed in Finding 10.*

12. The application was referred to the following departments and agencies on December 10, 2021:

- Milwaukie Engineering Department
- Milwaukie Building Department
- Milwaukie Public Works Department
- Historic Milwaukie Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC)
- Clackamas Fire District #1 (CFD)
- Metro
- Oregon Department of Transportation (ODOT)
- TriMet
- North Clackamas School District
- NW Natural

Public notice was sent to all properties within 300 ft of the site on January 5, 2022. Comments received are as follows:

- **Sandra Jones, Axeltree Apts:** questions and concerns about the lack of on-site parking and the proposed off-site parking.

**Recommended Conditions of Approval  
Master File #VR-2021-017, Dogwood Station redevelopment**

**Conditions**

1. At the time of submittal of the associated development permit application(s), the following must be resolved:
  - a. Final plans submitted for development permit review must be in substantial conformance with the plans and drawings approved by this action, which are the revised plans and drawings received by the City on October 19, 2021 and revised through December 1, 2021, except as otherwise modified by these conditions of approval.
  - b. Provide a narrative describing all actions taken to comply with these conditions of approval. In addition, describe any changes made after the issuance of this land use decision that are not related to these conditions of approval.
  - c. As per Finding 6, provide confirmation of the necessary green building certification submittal.
  - d. As per Finding 7-e, provide sufficient detail to confirm that the dimensional requirements for bicycle parking are met (as established in MMC Subsection 19.609.3) or are reasonably sufficient for use for the proposed vertical racks provided in the bike-storage room.
2. Prior to final inspection of the required building permit and issuance of a certificate of occupancy, the following must be resolved:
  - a. Provide a narrative describing all actions taken to comply with these conditions of approval. In addition, describe any changes made after the issuance of development permits that are not related to these conditions of approval.
  - b. As per Finding 6, submit documentation confirming that the necessary green building certification has been awarded.
  - c. Submit documentation from the project landscape designer attesting that all proposed site plantings been completed in conformance with the approved site plans and with applicable City standards.
  - d. Confirm that all required street and utility improvements under the required City Right-of-Way permit have been installed and inspected.
3. As per Finding 7-b-2, the ongoing implementation of a Transportation Demand Management (TDM) program is required as part of the operation of the approved development, including: the provision of 43 off-site parking spaces as identified in the application package, lobby monitors displaying TriMet bus and light rail schedule information, the drop off and pick up space in front of the building, and the dedicated ZipCar located in a space across the street from the development. The applicant must provide additional detail to City staff sufficient to demonstrate how the various strategies



included in the TDM program that was provided as part of the applicant's submittal materials will be implemented, including the establishment of performance benchmarks and a regular monitoring component. Responsibility for ongoing implementation of the TDM program is not limited to the applicant but will transfer to any future owner/operator of the approved development.

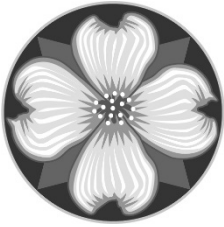
### **Additional Requirements**

The following items are not conditions of approval necessary to meet applicable land use review criteria. They relate to other development standards and permitting requirements contained in the Milwaukie Municipal Code (MMC) and Public Works Standards that are required at various points in the development and permitting process.

1. At the time of submittal of the associated development permit application(s), the following must be resolved:
  - a. The applicant must submit an application for Development Review in accordance with the standards established in MMC Section 19.906.
  - b. Submit a final stormwater management plan to the City of Milwaukie Engineering Department for review and approval. The plan must be prepared in accordance with Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards. Submit full-engineered plans for construction of all required public improvements to be reviewed and approved by the City of Milwaukie Engineering Department. All utilities must conform to the Milwaukie Public Works Standards.
2. Prior to commencement of any earth-disturbing activities, the applicant must obtain a City erosion control permit.
3. Obtain a City ROW permit for construction of all required public improvements.
  - a. Pay an inspection fee equal to 5.5% of the cost of the public improvements.
  - b. Provide a payment and performance bond for 130% of the cost of the required public improvements.
  - c. Upgrade or install all necessary underground utilities, including water and wastewater service laterals.
  - d. The existing driveway must be removed and replaced with curb, gutter, and sidewalk in conformance with the Americans with Disabilities Act and Milwaukie Public Works Standards.
  - e. The final site plan must be approved by the City Engineer prior to construction.
  - f. Provide a 12-month Maintenance Bond for 10% of the cost of the required public improvements upon completion of the construction.
  - g. Provide a final approved set of electronic (PDF file) "As Constructed" drawings to the City of Milwaukie prior to final inspection.
6. Expiration of Approval

As per MMC Subsection 19.1001.7.E, the land use approval granted with this decision will expire and become void unless the following criteria are satisfied. For proposals requiring any kind of development permit, the development must complete both of the following steps:

- a. Obtain and pay for all necessary development permits and start construction within two years of land use approval.
- b. Pass final inspection and/or obtain a certificate of occupancy within four years of land use approval.



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# Downtown Design Review Checklist

**Project/Applicant Name:** Dogwood Station  
**Project Address:** 2206 SE Washington St  
**Application Submission Date:** October 18, 2021  
**Zoning:** DMU  
**Building Use:** Multifamily residential (55 units)  
**Other:**  
**Completed By:** Vera Kolas, Senior Planner **on:** December 13, 2021

## STANDARDS AND GUIDELINES

		Complies		
		Yes	No	NA
<b>A. Development and Design Standards</b>				
<b>1. Development Standards</b> (Per list of MMC Table 19.304.4)				
a.	Permitted Use .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Minimum Lot Size .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Minimum Street Frontage .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Floor Area Ratio .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Building Height .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Flexible Ground Floor Space .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Street Setbacks/Build-to Lines .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h.	Frontage Occupancy Requirements .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	Primary Entrances .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	Off-street Parking Required .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k.	Open Space .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l.	Transition Measures .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m.	Residential Density Requirements .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Design Standards</b> (Per list of MMC 19.508)				
a.	Building Façade Details .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Corners .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Weather Protection .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Exterior Building Materials .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Windows and Doors .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Roofs and Rooftop Equipment .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Open Space/Plazas .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>B. Design Guidelines</b>				
<b>1. Milwaukie Character</b>				
a.	Reinforce Milwaukie's Sense of Place .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Integrate the Environment .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Promote Linkages to Horticultural Heritage .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Establish or Strengthen Gateways .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Consider View Opportunities .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Consider Context .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Promote Architectural Compatibility .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h.	Preserve Historic Buildings .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i.	Use Architectural Contrast Wisely .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	Integrate Art .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# DOWNTOWN DESIGN REVIEW CHECKLIST

	Complies		
	Yes	No	NA
<b>2. Pedestrian Emphasis</b>			
a. Reinforce and Enhance the Pedestrian System.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Define the Pedestrian Environment .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Protect the Pedestrian from the Elements .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Provide Places for Stopping and Viewing.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create Successful Outdoor Spaces.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Integrate Barrier-Free Design .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. Architecture</b>			
a. Corner Doors.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Retail and Commercial Doors .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Residential Doors .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Wall Materials.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Wall Structure .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Retail Windows.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Residential Bay Windows.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Silhouette and Roofline .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rooftops .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Green Architecture .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Building Security.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Parking Structures .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. Lighting</b>			
a. Exterior Building Lighting .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Parking Lot Lighting .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Landscape Lighting .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Sign Lighting .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5. Signs</b>			
a. Wall Signs.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Hanging or Projecting Signs .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Window Signs .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Awning Signs .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Information and Guide Signs .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Kiosks and Monument Signs .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Temporary Signs.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Notes:**

Where particular development standards are not met, variances or modifications have been applied for and are addressed elsewhere in the general findings.

The proposed development is a fully residential building and the applicant has opted to comply with the multifamily design guidelines in MMC 19.505.3.

Note that, although many of the design guidelines are checked as being Not Applicable (NA), that does not mean that the design is not consistent with those guidelines--just that those guidelines were not deemed to be applicable to the requested building height variance.



**MILWAUKIE PLANNING**  
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# Application for Land Use Action

Master File #: VR-2021-017; TFR-2021-003;

Review type\*:  I  II  III  IV  V P-2021-002; DR-2021-004

**CHECK ALL APPLICATION TYPES THAT APPLY:**

<input type="checkbox"/> Amendment to Maps and/or Ordinances: <input type="checkbox"/> Comprehensive Plan Text Amendment <input type="checkbox"/> Comprehensive Plan Map Amendment <input type="checkbox"/> Zoning Text Amendment <input type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Code Interpretation <input type="checkbox"/> Community Service Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Development Review <input type="checkbox"/> Director Determination <input checked="" type="checkbox"/> Downtown Design Review <input type="checkbox"/> Extension to Expiring Approval <input type="checkbox"/> Historic Resource: <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Status Designation <input type="checkbox"/> Status Deletion	<input type="checkbox"/> Land Division: <input type="checkbox"/> Final Plat <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Partition <input type="checkbox"/> Property Line Adjustment <input type="checkbox"/> Replat <input type="checkbox"/> Subdivision <input type="checkbox"/> Miscellaneous: <input type="checkbox"/> Barbed Wire Fencing <input type="checkbox"/> Mixed Use Overlay Review <input type="checkbox"/> Modification to Existing Approval <input type="checkbox"/> Natural Resource Review** <input type="checkbox"/> Nonconforming Use Alteration <input type="checkbox"/> Parking: <input checked="" type="checkbox"/> Quantity Determination <input type="checkbox"/> Quantity Modification <input type="checkbox"/> Shared Parking <input type="checkbox"/> Structured Parking <input type="checkbox"/> Planned Development	<input type="checkbox"/> Residential Dwelling: <input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Duplex <input type="checkbox"/> Manufactured Dwelling Park <input type="checkbox"/> Temporary Dwelling Unit <input type="checkbox"/> Sign Review <input checked="" type="checkbox"/> Transportation Facilities Review <input type="checkbox"/> Variance: <input type="checkbox"/> Variance <input type="checkbox"/> Willamette Greenway Review <input checked="" type="checkbox"/> Other: <u>Parking Variance and Building Height Variance</u> <input type="checkbox"/> Use separate application forms for: Annexation and/or Boundary Change • Compensation for Reduction in Property Value (Measure 37) Daily Display Sign • Appeal • Appled
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**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): **Sodo LLC**

Mailing address: **3436 SE Johnson Creek Blvd** State/Zip: **97222**

Phone(s): **503-975-3035** Email: **jenniferdillan@gmail.com**

Please note: The information submitted in this application may be subject to public records law.

**APPLICANT'S REPRESENTATIVE** (if different than above): **Works Progress Architecture - Jessamyn Griffin**

Mailing address: **811 SE Stark Street, S210** State/Zip: **97214**

Phone(s): **503.234.2945** Email: **jessamyn@worksarchitecture.net**

**SITE INFORMATION:**

Address: **2206 SE Washington Street** Map & Tax Lot(s): **11E36BC01700**

Comprehensive Plan Designation: **TC** Zoning: **DMU** Size of property: **.23 Acres**

**PROPOSAL (describe briefly):**

Dogwood Station is a new 6 story Multifamily project offering 55 workforce units.

The project has a unique and highly sustainable approach to multifamily. No on-site parking.

**SIGNATURE:**

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

Submitted by: *Jennifer Dillan* Date: **10/15/2021**

**IMPORTANT INFORMATION ON REVERSE SIDE**

\*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.

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

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

**Type V** applications may be initiated by any individual.

**PREAPPLICATION CONFERENCE:**

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

**REVIEW TYPES:**

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

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

**\*\*Note:** Natural Resource Review applications **may require a refundable deposit**. Deposits require completion of a Deposit Authorization Form, found at [www.milwaukieoregon.gov/building/deposit-authorization-form](http://www.milwaukieoregon.gov/building/deposit-authorization-form).

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Master file	VR-2021-017	\$ 2,000			
Concurrent application files	TFR-2021-003	\$ 750	25%		
	P-2021-002	\$ 750	25%		
	DR-2021-004	\$ 750	25%		
	N/A	\$ 4,000 (Transportation review deposit)			
Deposit (NR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): Historic Milwaukie					
Notes:					

December 1st, 2021

Vera Kolas, City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 9720

## Land Use Incompleteness Response

File: VR-2021-017, TRF-2021-003, P-2021-002, DR-2021-004  
Project/Site: Dogwood Station, 2206 SE Washington St.

Dear Ms. Kolas,

In response to your Incompleteness check and issued list of items needing resolution, please find the attached revised narrative, and summary below for reference.

### Response to Completeness Items

1.a. MMC 19.911.6. Building Height Variance in the Downtown Mixed Use Zone (and subsequent Approval Criteria).

- See added sections responding to the required Milwaukie Downtown Design Guidelines as they pertain to the Building Height Variance.

1.b MMC 19.505.3 – Multifamily Housing, (1) 19.505.3.B – Applicability, (2) 19.505.3.C – Review Process, and (3) Calculation requests.

- All sections from table 19.505.3 have been included and responded to.
- Project requests to be reviewed under the Discretionary Process
- See revised sections/responses.

### Response to Approvability Items

1. Photometric plan deemed unnecessary given the Discretionary Process review/requirements. Site lighting will be provided to highlight safety and circulation and will meet the 0.5 footcandle minimum requirement. No feature exterior architectural/building uplights are proposed – avoiding any chance of sky pollution and lights shining into residential units.

2. Off site parking agreement for 2305 SE Washington added to narrative appendix. The team is aware of the parking design standards and will work with the city and property owners to assure compliance.
3. Team is aware of stormwater design requirements and will assure compliance for future permit review.

### Response to Informational Items

1. Frontage occupancy updated. See response under section 19.304.4.B.5
2. Affordable workforce housing clarified as follows: *workforce affordable rents at 80% MFI are contingent on securing subsidies to support this program. Funding programs we are pursuing include a Metro Transit Oriented grant, OHCS MEP funds, and City of Milwaukie CET funds*

Should you have any additional questions please feel free to reach out directly to me via email ([jessamyn@worksarchitecture.net](mailto:jessamyn@worksarchitecture.net)) or on my cell at 503.545.9289.

Sincerely,  
Jessamyn Griffin



Works Progress Architecture





## DOGWOOD STATION 2206 SE WASHINGTON STREET

Works Progress Architecture  
Land Use Review Narrative  
Original Sumbittal October 15<sup>th</sup>, 2021  
Revised Submittal December 1<sup>st</sup>, 2021

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## Requested Land Use Reviews

- Downtown Design Review, Multifamily Design Review (Type II)
- Transportation Facilities Review (Type II)
- Variances
  - o Parking Adjustment (Type II)
  - o Building Height in DMU Zone (Type III)
- Development Review (Type I application during permit - not included in this submittal)

## Applicable Title 19 Zoning Sections

- 19.304 Downtown Zones
- 19.505.3 Multifamily Housing (Building Design Standards)
- 19.510 Green Building Standards
- 19.605 Vehicle Parking Quantity Requirements
- 19.609 Bicycle Parking
- 19.700 Public Facility Improvements
- 19.911.6 Building Height Variance in Downtown Mixed Use Zone
  - Development and Design Standards and Milwaukie Downtown Design Guidelines as they pertain to the Building Height Variance

## Project Narrative

Dogwood Station is a new 6 story workforce Multifamily project located at 2206 SE Washington St, between SE 21<sup>st</sup> and SE 23<sup>rd</sup>. The existing site houses a single family residence and is bordered by commercial buildings to the south and east, with the Southern Pacific Railroad line to the west and street frontage along SE Washington.

The site is ideally located for public transit access with a Max station and nine bus stops all within an 1/8 mile radius of the site. Additionally the project provides 82 long term bike spaces in the fully secure basement of the building.

The project consists of 55 workforce priced units, offering a mix of both 1 and 2 bedroom configurations on all levels (workforce affordable rents at 80% MFI are contingent on securing subsidies to support this program. Funding programs we are pursuing include a Metro Transit Oriented grant, OHCS MEP funds, and City of Milwaukie CET funds). At the ground floor a generous entry lobby and shared amenity space face SE Washington and offers a place for tenants to gather both inside as well as outside on the adjacent terrace. The building also offers additional common outdoor area by way of a central courtyard with a variety of casual seating options and integrated storm-water planters. As the "U" shaped building footprint extends up, this same void allows for views into the courtyard and open air circulation to all units by way of exterior egress balconies. At the top floor a third common outdoor amenity is provided by way of a roof top deck.

The building's massing has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood in transition, while also complying with the Milwaukie Multifamily Design Guidelines. As the building approaches the west it is set back to allow for a comfortable distance from the adjacent rail line while simultaneously stepping down at the southwest corner to break up the mass and transition to the lower commercial buildings beyond. Durable and contemporary box rib siding will clad the main façades along the north, south, east and west, with metal panel at the ground floor façade along the public faces. At the open air corridor vertical wood siding is applied along unit entries, and perforated metal guardrails at the walkways.

Dogwood Station offers a unique and highly sustainable approach to multifamily workforce housing and is pursuing Earth Advantage or LEED certification.

## Base Zone Standards - Downtown Mixed Use (DMU)

### 19.304.2 Uses, A. Permitted Uses

Multifamily residential allowed outright

### 19.304.4 Development Standards

- 19.304.4.B.1 Floor area ration (FAR) = 4:1 max
  - Site area = 10,277 sf
  - Proposed GSF = 41,108 sf
- 19.304.4.B.2 Building height = 3 stories or 45 ft max, with height bonus of up to 5 stories and/or 69 ft
  - Proposed building is 6 stories and 64'-8" to top of roof. We are requesting a bonus level and height variance per 19.911.6. See related section of the narrative.

- 19.304.5.B.3 Height Bonuses

A building can utilize up to 2 of the development incentive bonuses of this subsection, for a total of 2 stories or 24 ft of additional height, whichever is less, above the height maximum specified in Figure 19.304-4.

- a. Residential

New buildings that devote at least one story or 25% of the gross floor area to residential uses are permitted 1 additional story or an additional 12 ft of building height, whichever is less. The residential height bonus cannot be used in combination with the lodging height bonus.

- The proposed building is 100% residential, allowing for one additional story.
  - Green Building  
Project proposals that receive approvals and certification as identified in Section 19.510 are permitted 1 additional story or an additional 12 ft of building height, whichever is less.
    - See section 19.510 for conformance.
  - Building Height Variance  
Additional building height may be approved through Type III variance review, per Subsection 19.911.6 Building Height Variance.
    - We are requesting additional height and 1 bonus story per section 19.911.6. See related section of the narrative.

- 19.304.4.B.4 Setbacks/build-to lines
  - Minimum street setback = 0 ft
  - Maximum street setback = 10-20 ft,
  - Side and rear setbacks = None required
  - Figure 19.304-5 First-Floor Build-To Lines = not applicable
  - The project has a required 5' dedication along the SE Washington frontage. The main entry, lobby and exit access along SE Washington, are recessed 3'. These setbacks provide both protected entries as well as a pedestrian friendly and engaging first floor.
  
- 19.304.4.B.5 Frontage Occupancy
  - Figure 19.304-6 Minimum Frontage Occupancy: 50%
  - The site has 83 linear feet running parallel with SE Washington (83' x 50% = 41 ½' minimum frontage occupancy). The project complies with this requirement as it proposes 71'-10" of frontage occupancy along SE Washington.
  
- 19.304.4.B.6 Primary Entrances
  - Per 19.304.5.F, All new buildings shall have at least one primary entrance facing an abutting street
    - The project complies with this requirement as it proposes 2 main entrances off SE Washington.
  
- 19.304.4.B.7 Off-street Parking
  - Per 19.304.5.G.2 Off-Street Parking Standards
    - Per 19.304.5.G.2.a, Off-street parking for residential uses is required at the ratios established in Table 19.605.1
    - We are requesting a parking modification per 19.605.2. See related section of the narrative for calculations and proposed alternate.
  
- 19.304.4.B.8 Open Space
  - Per section 19.304.5.H
    - 2. Standards
      - a. When a building is set back from the sidewalk, at least 50% of the setback area shall provide usable open space, such as a public plaza or pedestrian amenities, that meets the standards of this subsection. Building setbacks cannot exceed the

- maximum setbacks established by Subsection 19.304.5.D and the frontage occupancy requirements of Subsection 19.304.5.E.
- b. Usable open space shall be abutted on at least two sides by retail shops, restaurants, offices, services, or residences with windows and entrances fronting on the space.
  - c. Usable open space must be accessible at grade adjacent to the sidewalk.
  - d. Open space may be hardscaped or landscaped, including plazas, courtyards, gardens, terraces, outdoor seating, and small parks.
    - Proposed Terrace provides highly desirable hard scaped open space at grade. The terrace abuts the building to the west and provides a screen wall to the east, and is contained to the south via a large rock retaining wall.

### 19.505.3 Multifamily Housing (Building Design Guidelines)

#### A. Purpose

The purpose of these design standards is to facilitate the development of attractive multifamily housing that encourages multimodal transportation. They encourage good site and building design, which contributes to livability, safety, and sustainability; helps create a stronger community; and fosters a quality environment for residents and neighbors.

The guidelines and standards are intended to achieve the following principles that the City encourages for multifamily development:

#### 1. Livability

Development should contribute to a livable neighborhood by incorporating visually pleasing design, minimizing the impact of vehicles, emphasizing pedestrian and bicycle connections, and providing public and private open spaces for outdoor use.

- The project is ideally situated to minimize the use/need of vehicles, proposing no on-site parking, and instead providing 45% more bike storage than required, as well as negotiating agreements with adjacent properties for off site parking access. The building's massing approach sets back at the ground floor providing a covered and inviting pedestrian zone, including an generously sized terrace adjacent to the main right of way along SE Washington.

#### 2. Compatibility

Development should have a scale that is appropriate for the surrounding neighborhood and maintains the overall residential character of Milwaukie.

- The building's massing has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood in transition, while also complying with the Milwaukie Multifamily Design Guidelines. As the building approaches the west it is set back to allow for a comfortable distance from the adjacent rail line while simultaneously stepping down at the southwest corner to break up the mass and transition to the lower commercial buildings beyond. Along the open-air corridor, vertical wood siding is applied to enhance unit entries and provide a warm and welcoming residential feel.

### 3. Safety and Functionality

Development should be safe and functional, by providing visibility into and within a multifamily development and by creating a circulation system that prioritizes bicycle and pedestrian safety.

- The building's unique "U" shaped massing allows for windows on two sides or more of each unit, providing more views into and out of all the units. Additionally generous glass storefronts are provided at the ground level to further encourage view and activity between the common areas and street. The building provides a central courtyard to both encourage casual seating and featured access to the fully secure and covered bike storage.

### 4. Sustainability

Development should incorporate sustainable design and building practices, such as energy conservation, preservation of trees and open space, quality building materials, and alternative transportation modes.

- The project is currently running a parallel approach to achieve LEED or Earth Advantage certification. The project will be registered and submitted prior to the permit submittal.

## B. Applicability

The design elements in Table 19.505.3.D in this subsection apply, as described below, to all multifamily and congregate housing developments with 3 or more dwelling units on a single lot. Cottage cluster housing and rowhouses on their own lots are subject to separate standards and are therefore exempt from Subsection 19.505.3. Housing development that is on a single lot and emulates the style of cottage cluster housing or rowhouses is subject to the standards of this subsection.

1. All new multifamily or congregate housing development is subject to the design elements in this subsection.



- See response below to Table 19.505.3.D

### C. Review Process

Two possible review processes are available for review of multifamily or congregate housing development: objective and discretionary. An applicant may choose which process to use. The objective process uses clear objective standards that do not require the use of discretionary decision-making. The discretionary process uses design guidelines that are more discretionary in nature and are intended to provide the applicant with more design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or guidelines are being met.

2. Projects reviewed through the discretionary process will be evaluated through a Type II development review, pursuant to Chapter 19.906.

- The project elects to be reviewed under the Discretionary Process.

### D. Design Guidelines and Standards, Table 19.505.3.D (Discretionary Process)

1. Subsection 19.505.3.D.1 Private Open Space.

The development should provide private open space for each dwelling unit. Private open space should have direct access from the dwelling unit and should be visually and/or physically separate from common areas.

The development may provide common open space in lieu of private open space if the common open space is well designed, adequately sized, and functionally similar to private open space.

- The project proposes significant common open space in lieu of private open space. Common open space is provided at multiple locations through the building to maximize access and variety of use. Common open spaces include a terrace at grade level, central courtyard and roof top deck, totaling approximately 2,500 sf.

2. Subsection 19.505.3.D.2 Public Open Space.

The development should provide sufficient open space for the purpose of outdoor recreation, scenic amenity, or shared outdoor space for people to gather.

- Common open space is provided at multiple locations through the building to maximize access and variety of use. Common open spaces include a terrace at grade level, central courtyard and roof top deck, totaling approximately 2,500 sf (over 20% of the total 10,227 sf site area). The roof top deck provides a total area of 815 sf, the terrace contributes approximately 680 sf, and the central courtyard provides over 1,000 sf of common open space with a variety of casual seating areas.

3. Subsection 19.505.3.D.3 Pedestrian Circulation

Site design should promote safe, direct, and usable pedestrian facilities and connections throughout the development. Ground-floor units should provide a clear transition from the public realm to the private dwellings

- The project offers multiple points of entry. Two public facing entries are provide to the north along SE Washington, as well as a terrace entrance at the north west corner which is set back slightly to provide transition from the street. Ground floor units are provided a more direct and protected entry point along the east. Additionally ground floor units are buffered from the more public facing lobby and public entries via the central courtyard, where tenants transition from public interior to the exterior egress balconies that serve each individual unit.

#### 4. Subsection 19.505.3.D.4 Vehicle and Bicycle Parking

Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located

- The project proposes no parking on site. See section additional information in response so section 19.605
- In order to provide more than the required bike parking and locate all bike storage in a covered secure area, the project proposes to dedicate a larger bike storage area at the lower level of the building, conveniently accessed via the central courtyard (including a bike rail along the stair).

#### 5. Subsection 19.505.3.D.5 Building Orientation and Entrances

Buildings should be located with the principal façade oriented to the street or a street-facing open space such as a courtyard. Building entrances should be well-defined and protect people from the elements.

- The principal façade, along with two protected public entries are provide along SE Washington.

#### 6. Subsection 19.505.3.D.6 Building Façade Design

Changes in wall planes, layering, horizontal datums, vertical datums, building materials, color, and/or fenestration shall be incorporated to create simple and visually interesting buildings.

- All facades, including the street-facing façade, are broken down into rhythms which correspond to unit locations via vertical flashing breaks in the material. The base of the building has differentiated material and glazing strategies from the remainder of the building. Along the north façade and north east corner the building provides a material change at the ground floor common and support spaces where flat metal panels create a base and delineate from the box rib

finish applied at private units. Changes in parapet height, material, and other massing moves at the top and base of the building are located based on these vertical breaks.

Windows and doors should be designed to create depth and shadows and to emphasize wall thickness and give expression to residential buildings.

- Fenestration is organized in simple, vertically interesting patterns. Windows are detailed in such a way as to accentuate openings through a hemmed flashing extension of the frame.

Windows should be used to provide articulation to the façade and visibility into the street.

- Fenestration is organized in simple, vertically interesting patterns. Windows are detailed in such a way as to accentuate openings through a hemmed flashing extension of the frame.

Building façades shall be compatible with adjacent building façades.

- The building's massing and façade has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood in transition, while also complying with the Milwaukie Multifamily Design Guidelines. As the building approaches the west it is set back to allow for a comfortable distance from the adjacent rail line while simultaneously stepping down at the southwest corner to break up the mass and transition to the lower commercial buildings beyond.

Garage doors shall be integrated into the design of the larger façade in terms of color, scale, materials, and building style

- The garage door color and location is integrated into the massing and material transition at the ground floor. The garage door matches the color of the area in which it is located.

#### 7. Subsection 19.505.3.D.7 Building Materials

Buildings should be constructed with architectural materials that provide a sense of permanence and high quality.

Street-facing façades shall consist predominantly of a simple palette of long-lasting materials such as brick, stone, stucco, wood siding, and wood shingles.

A hierarchy of building materials shall be incorporated. The materials shall be durable and reflect a sense of permanence and quality of development.

Split-faced block and gypsum reinforced fiber concrete (for trim elements) shall only be used in limited quantities.

Fencing shall be durable, maintainable, and attractive.

- Durable and contemporary box rib siding will clad the main façades along the north, south, east and west, with metal panel at the ground floor façade along the public faces. No split-faced block, gypsum reinforced fiber concrete is proposed. A fence is proposed along the west and south edge of the terrace to provide visual and sound buffering from the adjacent rail line, as well as separating the more public facing terrace from the private courtyard below.

#### 8. Subsection 19.505.3.D.8 Landscaping

Landscaping of multifamily developments should be used to provide a canopy for open spaces and courtyards, and to buffer the development from adjacent properties. Existing, healthy trees should be preserved whenever possible. Landscape strategies that conserve water shall be included. Hardscapes shall be shaded where possible, as a means of reducing energy costs (heat island effect) and improving stormwater management

- Five Trees will be located at the courtyard to provide canopy coverage for portions of the upper commercial terrace and the lower open space areas within the courtyard. Overall, the trees are selected and located such that at least 1/3 of the commercial terrace and the courtyard will be covered within 5 years. Paving materials with an SRI value of at least 29 will be used for at least 25% of the hardscape surfaces. Landscape buffering through the use of tall shrubs is proposed for the south and west property lines. A permanent irrigation system using drip and subsurface irrigation is proposed for the project.

#### 9. Subsection 19.505.3.D.9 Screening

Mechanical equipment, garbage collection areas, and other site equipment and utilities should be screened so they are not visible from the street and public or private open spaces. Screening should be visually compatible with other architectural elements in the development.

- Trash, PPOE, Electrical and Telecom are completely enclosed at the ground floor, and appropriately separated from the main entrance by well over 5 ft, and the generator is located sub grade in the basement. Roof top mechanical will be setback from the parapet such that no equipment will be visible from the street sight lines.

#### 10. Subsection 19.505.3.D.10

Recycling areas should be appropriately sized to accommodate the amount of recyclable materials generated by residents. Areas should be located such that they provide convenient access for residents and for waste and

recycling haulers. Recycling areas located outdoors should be appropriately screened or located so that they are not prominent features viewed from the street.

- A recycling area is accommodated in the generously sized ground floor trash room. Access is provided along the street face at the north east corner of the building, allowing for both convenient use by the residents and recycling haulers. The room is completely enclosed.

#### 11. Subsection 19.505.3.D.11 Sustainability

Multifamily development should optimize energy efficiency by designing for building orientation for passive heat gain, shading, day-lighting, and natural ventilation. Sustainable materials, particularly those with recycled content, should be used whenever possible. Sustainable architectural elements shall be incorporated to increase occupant health and maximize a building's positive impact on the environment.

- The building's massing has been developed to maximize tenant's access to natural light and air. Each unit has both courtyard facing and exterior facing spaces, allowing for optimal cross ventilation and a variety of natural lighting throughout. Glazing percentages have been maximized along the north facing façade at SE Washington (at 26%), and glazing reduced to 20% along the south face of the property. With corner units being the only spaces exposed at the east and west, windows have been excluded on the east face and glazing reduced at the west. Additionally each unit has multiple operable windows, all of which will be provided with interior window treatments for individual control of each window light.
- The project is currently running a parallel approach to achieve LEED or Earth Advantage certification. The project will be registered and submitted prior to the permit submittal.

When appropriate to the context, buildings should be placed on the site giving consideration to optimum solar orientation. Methods for providing summer shading for south-facing walls, and the implementation of photovoltaic systems on the south-facing area of the roof, are to be considered.

- The building has been situated and the roof laid out such that the main north and south bays could be easily adapted for solar in the future and will be designed for solar ready application.

#### 12. Subsection 19.505.3.D.12 Privacy Considerations

Multifamily development should consider the privacy of, and sight lines to, adjacent residential properties, and be oriented and/or screened to maximize the privacy of surrounding residences.

- N/A. No adjacent residential properties

### 13. Subsection 19.505.3.D.13 Safety

Multifamily development should be designed to maximize visual surveillance, create defensible spaces, and define access to and from the site. Lighting should be provided that is adequate for safety and surveillance, while not imposing lighting impacts to nearby properties. The site should be generally consistent with the principles of Crime Prevention Through Environmental Design:

- Natural Surveillance: Areas where people and their activities can be readily observed.
- 80% of the units have direct views into the central courtyard, and all units have views into the open air egress balconies serving as access to all residents. Additionally the location of unit windows and open air balconies allows for views of the surrounding sites from all sides of the property/building.
- Natural Access Control: Guide how people come to and from a space through careful placement of entrances, landscaping, fences, and lighting.
- Territorial Reinforcement: Increased definition of space improves proprietary concern and reinforces social control.
- Public entries along the street façade open into a highly visible shared lobby space, buffered to the south by the central courtyard, providing both a visual and physical change in access to the more private unit entries. Additionally a fence is proposed along the west and south edge of the terrace to provide visual and sound buffering from the adjacent rail line, as well as separating the more public facing terrace from the private courtyard below. Site lighting will be provided to highlight safety and circulation and will meet the 0.5 footcandle minimum requirement. No feature exterior architectural/building uplights are proposed – avoiding any chance of sky pollution and lights shining into residential units.

### 19.510 Green Building Standards

Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life cycle from siting to design, construction, operation, maintenance, renovation, and deconstruction. For the purposes of height bonuses and/or meeting the local criteria for the Milwaukie

Vertical Housing Development Zone Program (MMC Chapter 3.65), a green building shall be defined as a building that will achieve certification or similar approval documentation, as applicable, at any level of one of the following programs:

1. Living Building Challenge;
  2. LEED;
  3. Earth Advantage;
  4. Passive House;
  5. Enterprise Green Communities; or
  6. Energy Trust of Oregon's New Buildings program confirming participation in the Path to Net Zero program offering.
- The project is currently running a parallel approach to achieve LEED or Earth Advantage certification. The project will be registered and submitted prior to the permit submittal.

#### 19.605 Vehicle Parking Quantity Requirements

- 19.605.1 Minimum and Maximum Requirements
  - A. Off-street parking for residential uses is required at the ratios established in Table 19.605. Modifications to the standards in Table 19.605.1 may be made as per Section 19.605.
    - Per 19.605.1.A.2.a, 1 space per dwelling unit required (55 units = 55 parking spaces)
    - We are requesting a parking modification per 19.605.2, see applicable section below.
- 19.605.2 Quantity Modifications and Required Parking Determinations
  - 19.605.2.B Application
    - a. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, etc.).
      - i. A multifamily workforce housing project consisting of 55 units, comprised of 34 one bedrooms and 21 two bedrooms. Workforce affordable rents at 80% MFI are contingent on securing subsidies to support this program. Funding programs we are pursuing include a Metro Transit Oriented grant, OHCS MEP funds, and City of Milwaukie CET funds. Additional building program

includes utility, common and support areas for the tenants. All on site use will be residential in nature and does not require parking for general public.

- b. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.
  - i. Dogwood Station is specifically designed to meet the needs of Milwaukie's valued workforce. These are the city's middle earners; the teachers, the nurses, the shopkeepers, firefighters, college graduates and burgeoning entrepreneurs. It is built to be beautiful -- with the warmth of mass timber wood in every apartment -- as well as affordable and practical. Located in the heart of walkable historic downtown, just 1 block from the MAX station and right along multiple bus lines, Dogwood Station makes a car-free life easy and possible. There are even Transit Tracker monitors in our lobby to make sure you get where you are going on time. Abundant, well-lit bike storage and a designated ZipCar right across the street means there are multiple transportation options. For car owners, we have 43 designated parking spots available for lease. These are first come, first serve to residents, and are offered at below market rate for parking in Milwaukie.
  - ii. The site is ideally situated for public transit use/support with a Max station and nine TriMet bus routes within 1/8 a mile radius of the site. Additionally, the project is providing 82 fully secure/covered bike parking space (27 more than the required 55). No on-site parking is proposed, but shared-use agreements for up to 43 spaces at nearby locations are planned (see details below).
  - iii. To improve tenant experience, optimize the projects proximity to mass transit, and offset any residual impact on the surrounding area, the developers are building in a suite of transit-related amenities including ample bike storage, lobby monitors for TriMet bus and Max departures, a designated pick up/drop off area at the front of the building, a publicly available ZipCar across



the street, and optional shared parking. We have a signed Memorandum of Understanding with Odd Fellows for 20 spots of shared parking at their 10282 SE Main St location as well as a signed Memorandum of Understanding with Amato/Craig Properties for 23 parking spaces across the street from the project at 2305 SE Washington. Agreements with TriMet for the ZipCar spot across the street are in progress and expected to be forthcoming.

- iv. See appendix for the following additional support material.
  - 1. Memorandum of Understanding for lease of up to 20 parking spaces at 10282 SE Main St.
  - 2. Memorandum of Understanding for lease of up to 23 parking spaces at 2305 SE Washington St.
  - 3. 1 ZipCar at adjacent TriMet lot, accessed via easement through 2305 SE Washington St.
- c. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Director may waive requirements of Subsection 19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.
  - a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.
  - b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
  - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences

between the existing development and the proposed development.

- i. Provided in this application is a trip generation report from Lancaster Mobley (see attached Traffic & Parking Memorandum ) indicating that the traffic added due to the project is expected to be very low. Additionally, Dr. Kelly Clifton and Amanda Howell of Clifton-Currans, LLC have completed a report that summarizes the latest evidence from recent studies in the Portland area and beyond on the relationship between parking, trip generation, and car ownership in affordable, transit-oriented multifamily housing. TriMet has provided a letter of support for the project.
  - d. Propose a minimum and maximum parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a range (low and high number of parking spaces) for each development phase and both a minimum and maximum number of parking spaces to be provided at buildout of the project.
    - i. Proposed minimum parking ratio of .78 spaces per dwelling unit (43 standard spaces) proposed off site as described in the attached memo and exhibits.
- 19.605.2.C Approval Criteria
    1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity requirements for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
      - ii. See attached Traffic & Parking Memorandum
    2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to decrease the amount of minimum required parking shall meet the following criteria:
      - a. The use of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.
        - iii. See attached Traffic & Parking Memorandum

- b. The reduction of off-street parking will not adversely affect available on-street parking.
  - iv. See attached Traffic & Parking Memorandum
- c. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site.
  - v. See attached Traffic & Parking Memorandum
- Per 19.605.3.B Reductions to Minimum Parking Requirements allows for 30% reduction for sites in the DMU zone
  - We are requesting a parking modification per section 19.605.2 above.

### 19.609 Bicycle Parking

- o 19.609.2 Quantity of Spaces
  - A3. Multifamily residential development with 4 or more units shall provide 1 space per unit.
    - The project proposed to go above and beyond the 55 required long term bike spaces and will provide 82 bike spaces.
  - B1 & 2. A minimum of 50% of the bicycle spaces shall be covered and/or enclosed (in lockers or a secure room) if more than 10 bicycle parking spaces are required or the project is Multifamily with 4 or more units.
    - All long term bike spaces are located in the fully secure/covered basement.
- o 19.609.3 Space Standards and Racks
  - A. The dimension of each bicycle parking space shall be a minimum of 2 x 6 ft. A 5-ft-wide access aisle must be provided. If spaces are covered, 7 ft of overhead clearance must be provided. Bicycle racks must be securely anchored and designed to allow the frame and 1 wheel to be locked to a rack using a high security, U-shaped, shackle lock.
    - In order to maximize the projects bike storage offering we propose to include 28 standard spaces (2x6 footprint per bike) and 54 vertical hung spaces (16x42 footprint per bike). The project proposes to use a highly functional and commercially acceptable vertical rack. Because bikes are stored vertically in this system less clearance is required between adjacent bikes, allowing for a more compact footprint as well as greater variety and quantity of bikes to be

stored. See the appendix for more information on the proposed rack.

B. Lighting shall conform to the standards of Subsection 19.606.3.F  
19.606.3.F. Lighting

Lighting is required for parking areas with more than 10 spaces. The Planning Director may require lighting for parking areas of less than 10 spaces if the parking area would not be safe due to the lack of lighting. Lighting shall be designed to enhance safe access for vehicles and pedestrians on the site, and shall meet the following standards:

1. Lighting luminaires shall have a cutoff angle of 90 degrees or greater to ensure that lighting is directed toward the parking surface.
2. Parking area lighting shall not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site.
3. Pedestrian walkways and bicycle parking areas in off-street parking areas shall have a minimum illumination level of 0.5 footcandles, measured horizontally at the ground level.
4. Where practicable, lights shall be placed so they do not shine directly into any WQR and/or HCA location. The type, size, and intensity of lighting shall be selected so that impacts to habitat functions are minimized.

- Site lighting will be provided to highlight safety and circulation and will meet the 0.5 footcandle minimum requirement. No feature exterior architectural/building uplights are proposed – avoiding any chance of sky pollution and lights shining into residential units or off site.

o 19.609.4 Location

A. Bicycle parking facilities shall meet the following requirements:

1. Located within 50 ft of the main building entrance.
  - In order to provide more than the required parking and locate all bike storage in a covered secure area, the project proposes to dedicated a larger bike storage area further than 50 ft from the main entrance.
2. Closer to the entrance than the nearest non-ADA designated vehicle parking space.
  - No on-site parking proposed.
3. Designed to provide direct access to a public right-of-way.

- Bike storage access is available through the main courtyard and directly out the lobby or via a side entrance along the east – both leading directly to the right of way.
- 4. Dispersed for multiple entrances.
  - In order to provide more than the required parking and locate all bike storage in a covered secure area, the project proposes to dedicated one larger bike storage area.
- 5. In a location that is visible to building occupants or from the main parking lot.
  - No on site parking proposed. Bike storage is readily visible from the main lobby, central courtyard and all exterior walkways accessed by each unit.
- 6. Designed not to impede pedestrians along sidewalks or public rights-of-way.
  - No bike parking proposed in or directly adjacent to the public right-of-way.
- 7. Separated from vehicle parking areas by curbing or other similar physical barriers.
  - No on-site parking proposed.

#### 19.700 Public Facility Improvements

- 19.704 Transportation Impact Evaluation
 

Per EA notes: A full Traffic Impact Study is not required for this development. A memo outlining how the increased vehicle trips will be mitigated and outlining optional off-site parking and/or loading zones will be required.

  - See attached Traffic & Parking Memorandum
- 19.708 Transportation Requirements
 

Per EA notes: See MMC 12.16 for Access Management?

  - To be provided under future Civil submittal with Building Permit
- 19.709 Utility Requirements
 

Per EA notes: Sewer and water utilities will need to be upsized for this development. This work must be done under a right-of-way permit.

  - Schematic utilities located, see associated site and building plan. Full details to be provided under future right-of-way permit.

## 19.911.6 Building Height Variance in DMU Zone

### o 19.911.6.D Approval Criteria

2. Substantial consistency with the Downtown Design Guidelines.
  - Dogwood Station strives to provide a variety of unique program elements, quality design and materials and a highly sustainable approach to multifamily housing while also complying with the Milwaukie Multifamily Design Guidelines. See section below directly responding to related Downtown Design Guidelines.
3. The proposed height variance will result in a project that is exceptional in the quality of detailing, appearance and materials or creates a positive unique relationship to other nearby structures, views or open space.
  - Massing has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood in transition, while also complying with the Milwaukie Multifamily Design Guidelines. As the building approaches the west it is set back to allow for a comfortable distance from the adjacent rail line while simultaneously stepping down at the southwest corner to break up the mass and transition to the lower commercial buildings beyond.
4. The proposed height variance preserves important views to the Willamette River, limits shadows on public open spaces and ensures step downs and transitions to neighborhoods at the edge of the Downtown Mixed Use Zone.
  - The building's proposed height of 65' is under the maximum 69' allowed with bonuses (both of which are met), and therefore meets the intent of the code. The variance is asking for approval of an additional story given the maximum with bonuses would only allow 5 stories under the 69' height.
5. The proposed height variance will result in a project that provides public benefits and/or amenities beyond those required by the base zone standards and that will increase downtown vibrancy and/or help meet sustainability goals.
  - The variance is asking for approval of an additional story given the maximum with bonuses would only allow 5 stories. The addition of the sixth story allows the project to provide nine more workforce units and the roof top deck. The additional square footage accounted for by an added story also allows the project to provide generous common, outdoor and sustainably dedicated spaces throughout the building, dedicating over 5,000 sf in all to such

spaces. The oversized lobby and associated outdoor terrace will enhance tenant engagement at the ground floor. Three outdoor common areas offered across three separate levels provide a variety of options for independent, small and large group gatherings and functions. The oversized bike storage provides 45% more bike spaces than required, and offers full security and coverage to all.

## Development and Design Standards (as they pertain to Building Height Variance)

- 1. Development Standards
  - Floor Area Ratio
    - The requested Height Variance will allow the project to meet the 4:1 FAR Per 19.304.4.B.1. No additional FAR is requested  
Site area = 10,277 sf  
Proposed GSF = 41,108 sf
  - Building Height
    - The requested Height Variance is needed to allow the additional story within the allowed 69' height bonus per 19.304.4.B.2  
Building height = height bonus of up to 5 stories and/or 69 ft applicable
    - Proposed building is 6 stories and 64'-8" to top of roof. We are requesting a bonus level and height variance to allow for the building to take advantage of the height bonus, with an added level to maximize program and affordable units within the project.
- 2. Design Standards
  - Roofs
    - There are no roof specific design standards per 19.505.3 Multifamily Housing

## Milwaukie Downtown Design Guidelines (as they pertain to Building Height Variance)

- B.1 Milwaukie Character
  - Consider View Opportunities  
*Building designs should maximize views of natural features or public spaces.*

Create new viewing opportunities by situating windows, entrances, and adjacent exterior spaces so they relate to surrounding points of interest and activity.

Buildings should be designed with glass areas that face important and appealing visual features both nearby and in the distance. For example, views from buildings in downtown Milwaukie might highlight the Main Street Plaza, Willamette Riverfront Park, Scott Park, Spring Creek - all of which can be taken advantage of and incorporated into a building's design, in a sense, by being visible from within the building.

#### Recommended

- Views of streets and interior courtyards.
  - Views of parks.
  - Views of natural features such as streams, lakes, ponds or specimen landscape plantings
- Providing the building with an additional level and bonus height up to 65' allows for a more unique building footprint as well as generous application of outdoor amenity spaces, including the ground floor courtyard and roof top deck. Both outdoor amenities expand view opportunities, with the central green space providing a major on site feature (both visible and accessible to all residents), and the roof deck providing views to downtown Milwaukie and the Willamette Riverfront. 80% of the units have direct views into the central courtyard, and all units have windows on at least two sides, providing a unique opportunity for views from multiple directions in each space. Additionally, the location of unit windows and open air balconies allows for views of the surrounding sites from all sides of the property/building. From the perspective of the public, the building is held back from the northwest corner, allowing for views from SE Washington into the landscaped terrace, and the northwest corner of the main lobby provides extensive storefront glazing to activate both views into and out of the more public facing space.
- Consider Context  
*A building should strengthen and enhance the characteristics of its setting, or at least maintain key unifying patterns.*

A common downtown Milwaukie architectural vocabulary can be established by addressing and responding to the basic features of existing or future high quality buildings. Proportions of windows,



placement of entries, decorative elements, style, materials and silhouette are examples of features that may be used to establish a sense of unity in Downtown Milwaukie. Design features such as wall texture, materials, color, medallions, columns, pilasters, window proportions and facade articulation may all still be used to acknowledge the characteristics of surrounding buildings - and ought to be considered.

#### Recommended

- Building elements similar to adjacent historic or significant high quality buildings.
- The additional height and story provides the project a way to maintain the 4:1 FAR, while applying the area/program to a U shaped footprint – breaking down the scale from what would otherwise be a solid rectangular mass. Additionally the added top story steps back at the southwest corner to further break down the scale and provide a transition to the smaller scale developments to the north and south.
- Given the site’s location and proximity to a variety of building scales and styles, the building’s height, massing and design have been developed in response to this context, providing an appropriately suited building for the neighborhood in transition. The project height and scale references both the existing Highschool building to the east, and what the future scale of development assumes based on Milwaukie’s code and the new Axletree apartments to the west.
- To further breakdown the scale of the building, all facades, including the street-facing façade, are broken down into rhythms which correspond to a more residential scale, delineating between individual units via vertical flashing breaks in the material as well as jogged parapet heights.
- Material applications have been carefully considered to support both a break down of scale and delineation of use. Where the units face out, the building is clad in box rib, providing a durable and high quality finish with a texture in scale appropriate for residential. Where the units face in at their exterior entries the building is clad in a softer/warmer, vertical wood siding, reminiscent of what one might expect at a front porch. At the ground floor lobby and public facing street façade, the base of the building is differentiated with flat metal

panels and extensive glazing strategies to delineate the more public spaces from the private.

- Promote Architectural Compatibility  
*Buildings should be “good neighbors.” They should be compatible with surrounding buildings by avoiding disruptive excesses. New buildings should not attempt to be the center of attention.*

Compatibility can be viewed in terms of a fit or misfit between the design “vocabulary” of the project and that of its surrounding architecture. A design that “fits” - i.e. relates to the nearby buildings by using architectural elements such as scale, color, rhythm and proportion in a way similar to that of the earlier buildings - will contribute to and enhance the area’s character. A design that ignores its neighbors may damage the special qualities and identity of downtown.

Recommended

- Buildings that repeat and strengthen established district colors, forms and massing and height.
- The additional height and story provides the project a way to maintain the 4:1 FAR, while applying the area/program to a U shaped footprint – breaking down the scale from what would otherwise be a solid rectangular mass. Additionally the added top story steps back at the southwest corner to further break down the scale and provide a transition to the smaller scale developments to the north and south.
- Given the site’s location and proximity to a variety of building scales and styles, the building’s height, massing and design have been developed in response to this context, providing an appropriately suited building for the neighborhood in transition. The project height and scale references both the existing Highschool building to the east, and what the future scale of development assumes based on Milwaukie’s code and the new Axletree apartments to the west.
- To further breakdown the scale of the building, all facades, including the street-facing façade, are broken down into rhythms which correspond to a more residential scale, delineating between

individual units via vertical flashing breaks in the material as well as jogged parapet heights.

- Material applications have been carefully considered to support both a break down of scale and delineation of use. Where the units face out, the building is clad in box rib, providing a durable and high quality finish with a texture in scale appropriate for residential. Where the units face in at their exterior entries the building is clad in a softer/warmer, vertical wood siding, reminiscent of what one might expect at a front porch. At the ground floor lobby and public facing street façade, the base of the building is differentiated with flat metal panels and extensive glazing strategies to delineate the more public spaces from the private.

- B.2 Pedestrian Emphasis

- Reinforce and Enhance the Pedestrian System

*Barriers to pedestrian movement and visual and other nuisances should be avoided or eliminated, so that the pedestrian is the priority in all development projects.*

Develop pedestrian routes that are attractive and convenient. Sidewalks should be continuous.

Interruptions such as vehicle curb cuts or change of grade are strongly discouraged. Walkways should be direct and free of barriers such as utility poles or other obstructions.

Separating and protecting pedestrians from other nuisances such as noise and odors is also important.

Mitigation of these nuisances by screening or enclosing loading docks, mechanical equipment, garbage dumpsters and other unsightly items is encouraged. These components should be located away from where pedestrians may congregate and instead kept to service areas or alleys whenever possible.

Recommended

- Mid-block landscaped pedestrian walkways.
- Parking lot walkways.
- Trash dumpster enclosures.
- Utility/substation enclosures.

- The additional story and height allow the building's program to be dispersed more vertically, allowing for greater opportunities for open space and pedestrian interaction at the ground floor/public right of way.
  - The project includes a 5' dedication along the north, as well as an open terrace directly accessible off SE Washington. Additionally, the building main entries are set back another 3' to provide protection and enhanced pedestrian walkways.
  - All utilities/trash are fully enclosed.
- Define the Pedestrian Environment  
*Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.*

The most important part of a building is its lowest 15' where the pedestrian experiences the building the most. Within this zone, building facades should contribute positively to the street environment by creating an enclosed and comfortable street edge. Along public areas, building transparency should foster interaction between the public and private realm.

Recommended

- Windows - transparent or displays at street level.
  - Walls that create visual interest by providing a variety of forms, colors and compatible cladding materials.
  - Walls that have a comfortable rhythm of bays, columns, pilasters or other articulation.
- The additional story and height allow the building's program to be dispersed more vertically, allowing for greater opportunities for public/common space and open space/pedestrian interaction at the ground floor/public right of way.
  - At the ground floor facing SE Washington, the project offers a generous 5' dedication and 3' setback at main lobby entries to further encourage pedestrian access and interaction.
  - The main lobby is highly visible with extensive storefront glazing at the ground floor along the street façade and at the northwest corner where the building steps back to provide an open terrace for additional access and interaction. Additionally the building exterior

facade material changes from box rib above (defining the more private unit levels), to a high grade metal panel at the ground floor, delineating a more public realm and scale.

- o B.3 Architecture

- o Silhouette and Roofline

*Create interest and detail in silhouette and roofline.*

Building rooflines should enliven the pedestrian experience and be of visual interest, with detail that will create a skyline composed of interesting forms and shadows.

Building silhouette should be compatible with those of other buildings along the existing streetscape.

In some cases, it may be appropriate to mark an entryway with a distinct form - a tower for example- to emphasize the significance of the building entry.

For residential buildings, roof massing should be simple yet not dull or unarticulated. For example, flat roofs may be appropriate if they have a cornice, designed with depth and detail expressing the top of the building wall. Dormers set into sloped roofs may be appropriate. These forms provide visual interest, and bring additional living space, light and ventilation to upper floor and attic spaces.

Recommended

- Dormer windows.
- Towers or similar vertical architectural expressions of important building functions such as entries.
- Varied roofline heights.
- If cornices are used they should be well-detailed. They should have significant proportions (height and depth) that create visual interest and shadow lines.

- The additional height and story provides the project a way to maintain the 4:1 FAR, while applying the area/program to a U shaped footprint, as well as step down at the southwest corner to further break down the roof area and provide a generous roof deck for residents.
- All facades offer jogged parapet heights, aligning with deep vertical flashing breaks to visually delineate between units and provide a

more residentially scaled roofline in conjunction with the façade. At the ground level, recessed entries and overhangs align with the proposed parapet jogs and vertical breaks to further strengthen this cohesive expression.

- o Rooftops  
*Integrate rooftop elements into building design.*

Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design.

Roof mounted mechanical equipment should be hidden from view by parapets. If building parapets do not provide adequate screening, screening walls or enclosures installed as an integral part of the architectural design should be used.

Roof terraces and gardens are encouraged.

Recommended

- Screened mechanical units.
  - Rooftop penthouse occupied residential or office spaces.
  - Rooftop gardens.
  - “Green” roofs that reduce stormwater runoff.
- The additional height and story provides the project a way to maintain the 4:1 FAR, while applying the area/program to a U shaped footprint, as well as step down at the southwest corner to further break down the roof area and provide a generous roof deck for residents.
  - Roof top mechanical will be setback from the parapet such that no equipment will be visible from the street sight lines.



# DOGWOOD STATION 2206 SE WASHINGTON STREET

WORKS PROGRESS ARCHITECTURE  
LAND USE REVIEW SUBMITTAL  
OCTOBER 15, 2021

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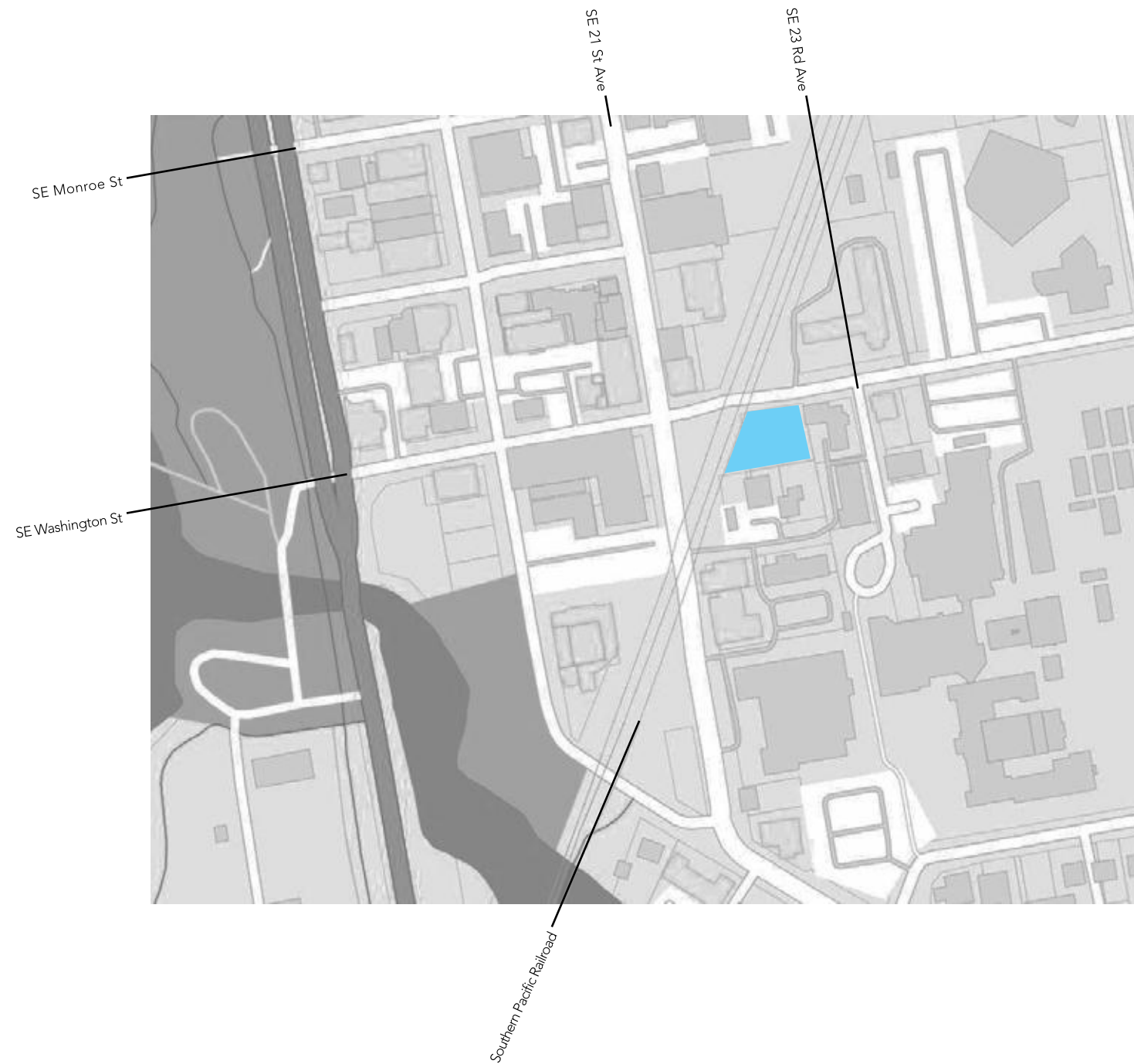
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# C1 PROJECT AND SITE INFORMATION



Dogwood Station is a new 6 story workforce Multifamily project located at 2206 SE Washington St, between SE 21st and SE 23rd. The existing site houses a single family residence and is bordered by commercial buildings to the south and east, with the Southern Pacific Railroad line to the west and street frontage along SE Washington.

The site is ideally located for public transit access with a Max station and nine bus stops all within 1/8 mile radius of the site. Additionally the project provides 82 long term bike spaces in the fully secure basement of the building.

The project consists of 55 Workforce priced units, offering a mix of both 1 and 2 bedroom configurations on all levels (workforce affordable rents at 80% MFI are contingent on securing subsidies to support this program - Funding programs we are pursuing include a Metro Transit Oriented grant, OHCS MEP funds, and City of Milwaukie CET funds). At the ground floor a generous entry lobby and shared amenity space face SE Washington and offers a place for tenants to gather both inside as well as outside on the adjacent terrace. The building also offers additional common outdoor area by way of a central courtyard with a variety of casual seating options and integrated storm-water planters. As the "U" shaped building footprint extends up, this same

void allows for views into the courtyard and open air circulation to all units by way of exterior egress balconies. At the top floor a third common outdoor amenity is provided by way of a roof top deck.

The building's massing has been developed to maximize tenant's access to natural light and air, as well as provide an appropriately suited building for the neighborhood in transition, while also complying with the Milwaukie Multifamily Design Guidelines. As the building approaches the west it is set back to allow for a comfortable distance from the adjacent rail line while simultaneously stepping down at the southwest corner to break up the mass and transition to the lower commercial buildings beyond. Durable and contemporary box rib siding will clad the main façades along the north, south, east and west, with metal panel at the ground floor façade along the public faces. At the open air corridor vertical wood siding is applied along unit entries, and perforated metal guardrails at the walkways

Dogwood Station offers a unique and highly sustainable approach to multifamily housing and is pursuing Earth Advantage or LEED certification..



View of Site From SE Washington, Looking West



View of Site from SE Washington & Rail Crossing, Looking East



View from Site on SE Washington, Looking East



- Site
- Bike Transit
- Light Rail Transit
- Bus Transit



Commercial Complex, View looking North from the intersection of SE Washington & SE 23rd



View from Mainstreet looking South

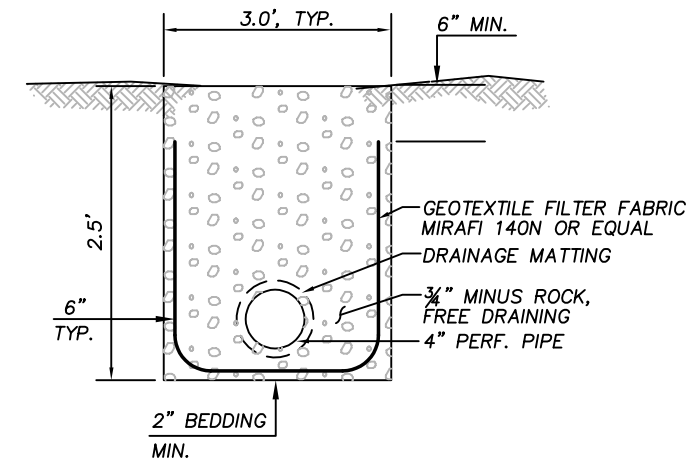
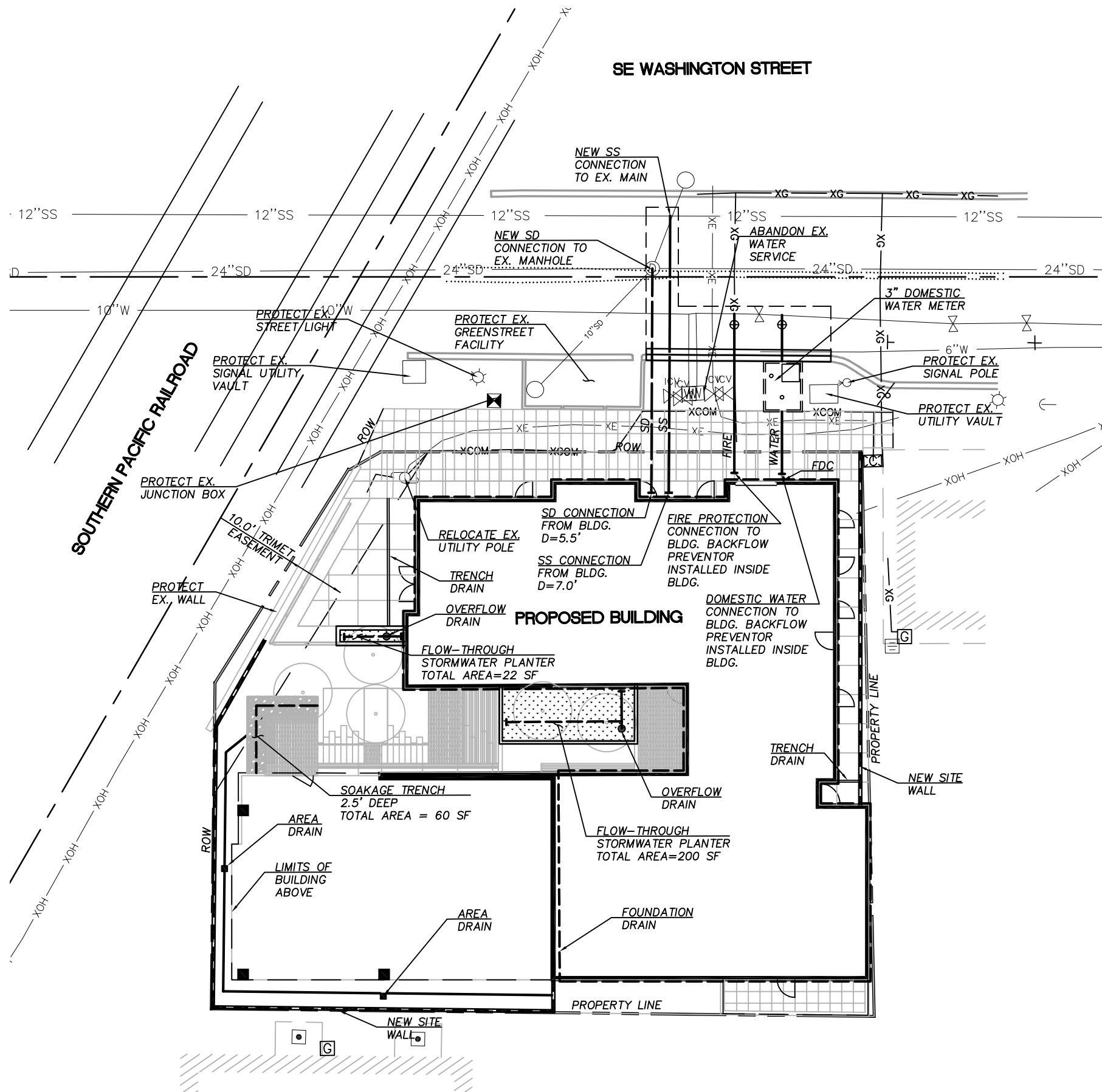


Axletree Apartments, View looking North from the intersection of SE 21st and SE Adams St

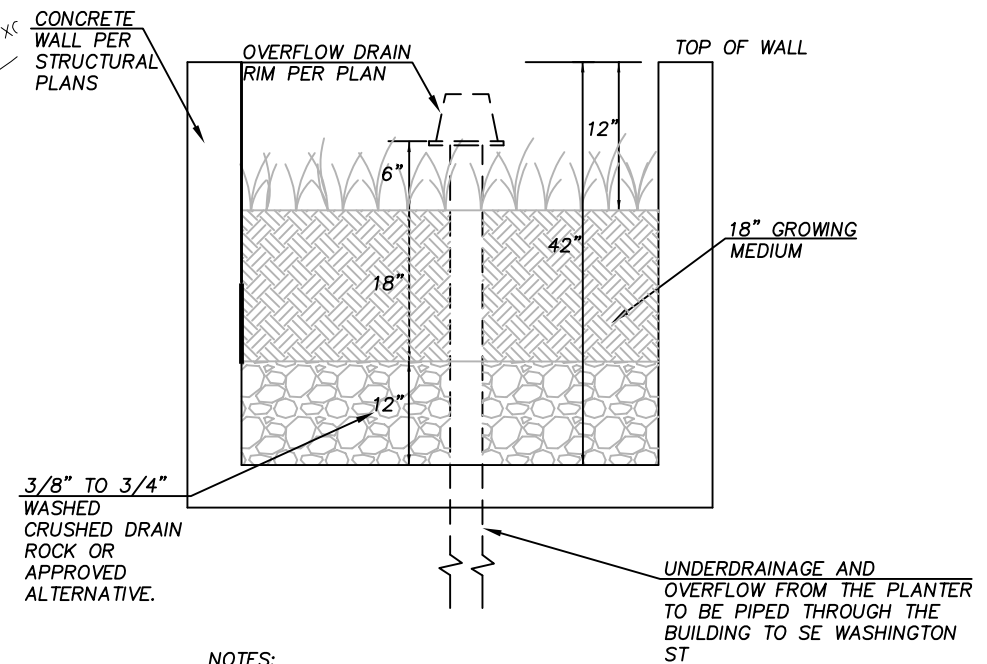


Milwaukie High School, View looking South on SE 23rd Ave

## C2 SITE DRAWINGS

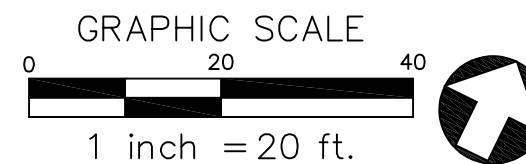


**2 SOAKAGE TRENCH**  
NTS



**1 STORMWATER FLOW-THROUGH PLANTER**  
NTS

- NOTES:**
1. PLANTING PER LANDSCAPING PLANS.
  2. GROWING MEDIUM PER SPECIFICATIONS.
  3. CONSTRUCT ROCK PAD AT DOWNSPOUT OUTFALLS.











Level 6 terrace



42" height counter

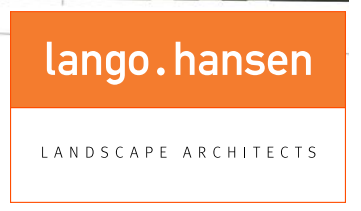
Cafe furniture

Lounge furniture



Fire pit











Pedestal pavers





42" height modular planters



PLANT SCHEDULE

PLANT SCHEDULE – LEVEL 1						
SYMBOL	ABBR	BOTANICAL NAME	COMMON NAME	SIZE/ CONDITION	SPACING	QUANTITY
TREES						
	CE	Cornus 'Eddie's White Wonder'	Eddie's White Wonder Dogwood	3" CAL B&B	AS SHOWN	3
	FP	Frangula purshiana	Cascara	3" CAL B&B	AS SHOWN	2

PLANT SCHEDULE – LEVEL 1						
SYMBOL	ABBR	BOTANICAL NAME	COMMON NAME	SIZE/ CONDITION	SPACING	QUANTITY
ORNAMENTAL PLANTINGS						
	CEGR	Ceanothus griseus var horizontalis 'Diamond Heights'	Diamond Heights Carmel Creeper	#1/CONT.	AS SHOWN	32
	EUJA	Euonymus japonicus 'Grandifolius'	Japanese Euonymus	#5/CONT.	AS SHOWN	15
	HAMA	Hakonechloa macra 'Aureola'	Golden Japanese Forest Grass	#2/CONT.	AS SHOWN	27
	ILGL	Ilex glabra 'Shamrock'	Inkberry	#5/CONT.	AS SHOWN	45
	MASC	Mahonia 'Soft Caress'	Soft Caress Mahonia	#5/CONT.	AS SHOWN	3
	PEHA	Pennisetum alopecuroides 'Hameln'	Hameln Fountain Grass	#3/CONT.	AS SHOWN	5
	POMU	Polystichum munitum	Sword Fern	#5/CONT.	AS SHOWN	20
	SAHO	Sarcococca hookeriana var humilis	Sweetbox	#2/CONT.	AS SHOWN	27
	THCI	Thymus x citriodorus 'Lime'	Lime Thyme	#1/CONT.	AS SHOWN	101
	TRJA	Trachelospermum jasminoides 'Madison'	Madison Jasmine	#3/CONT.	AS SHOWN	5

PLANT SCHEDULE – LEVEL 1						
SYMBOL	ABBR	BOTANICAL NAME	COMMON NAME	SIZE/ CONDITION	SPACING	QUANTITY
STORMWATER PLANTINGS						
	IRSI	Iris sibirica	Siberian Iris	#1/CONT.	AS SHOWN	24
	JUPA	Juncus patens	Spreading Rush	#1/CONT.	AS SHOWN	87
	LIMU	Liriope muscari 'Big Blue'	Lilyturf	#2/CONT.	AS SHOWN	193
	NADO	Nandina domestica	Heavenly Bamboo	#5/CONT.	AS SHOWN	7

TREE & SHRUB IMAGES



**Eddie's White Wonder Dogwood**  
Cornus 'Eddie's White Wonder'



**Cascara**  
Frangula purshiana



**Japanese Euonymus**  
Euonymus japonicus 'Grandifolius'



**Inkberry**  
Ilex glabra 'Shamrock'

lango.hansen

LANDSCAPE ARCHITECTS

PLANT IMAGES



**Hameln Fountain Grass**  
*Pennisetum alopecuroides* 'Hameln'



**Soft Caress Mahonia**  
*Mahonia* 'Soft Caress'



**Western Sword Fern**  
*Polystichum munitum*



**Madison Jasmine**  
*Trachelospermum jasminoides* 'Madison'



**Heavenly Bamboo**  
*Nandina domestica*



**Spreading Rush**  
*Juncus patens*



**Lime Thyme**  
*Thymus* 'Lime'



**Sweetbox**  
*Sarcococca hookeriana* var *humilis*



**Diamond Heights Creeper**  
*Ceanothus griseus* var *horizontalis*



**Japanese Forest Grass**  
*Hakonechloa macra* 'Aureola'



**Siberian Iris**  
*Iris siberica*

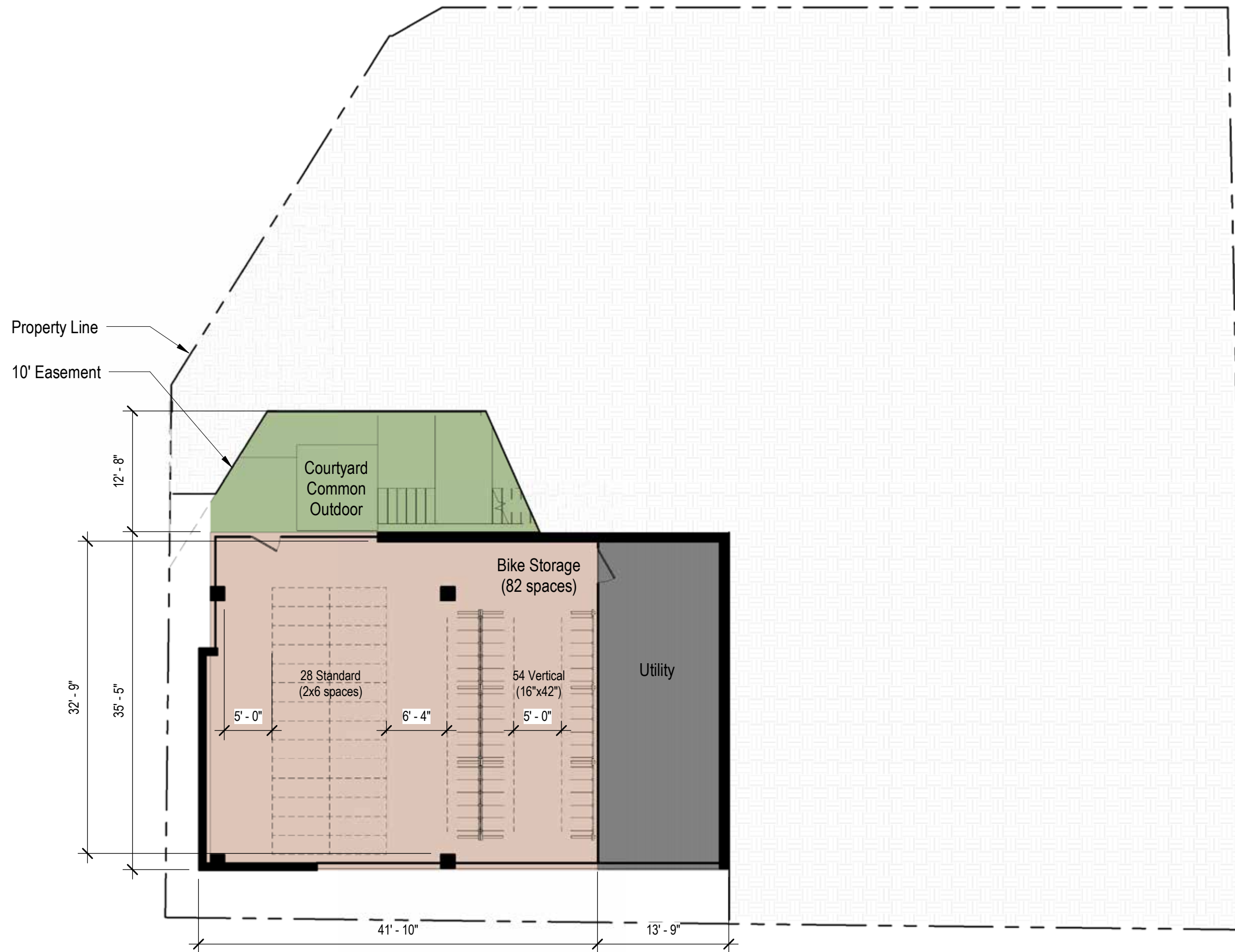


**Big Blue Lilyturf**  
*Liriope muscari* 'Big Blue'







lango.hansen

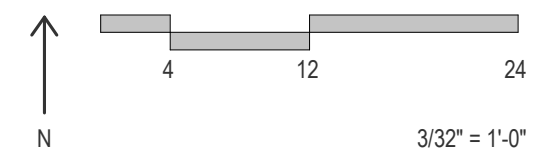
LANDSCAPE ARCHITECTS

# C3 BUILDING DRAWINGS



**Building Area Legend**

 2-Bed	 Common
 1-Bed	 Circulation - Open
 Common Outdoor	 Core / Utility



# C3 BUILDING DRAWINGS

## C3.2 FLOOR PLAN - LEVEL 1

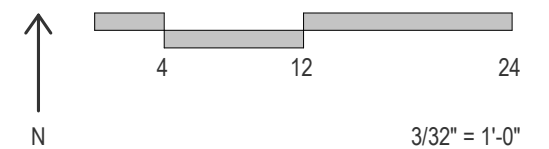


**C3 BUILDING DRAWINGS**  
C3.3 FLOOR PLAN - LEVEL 2-5

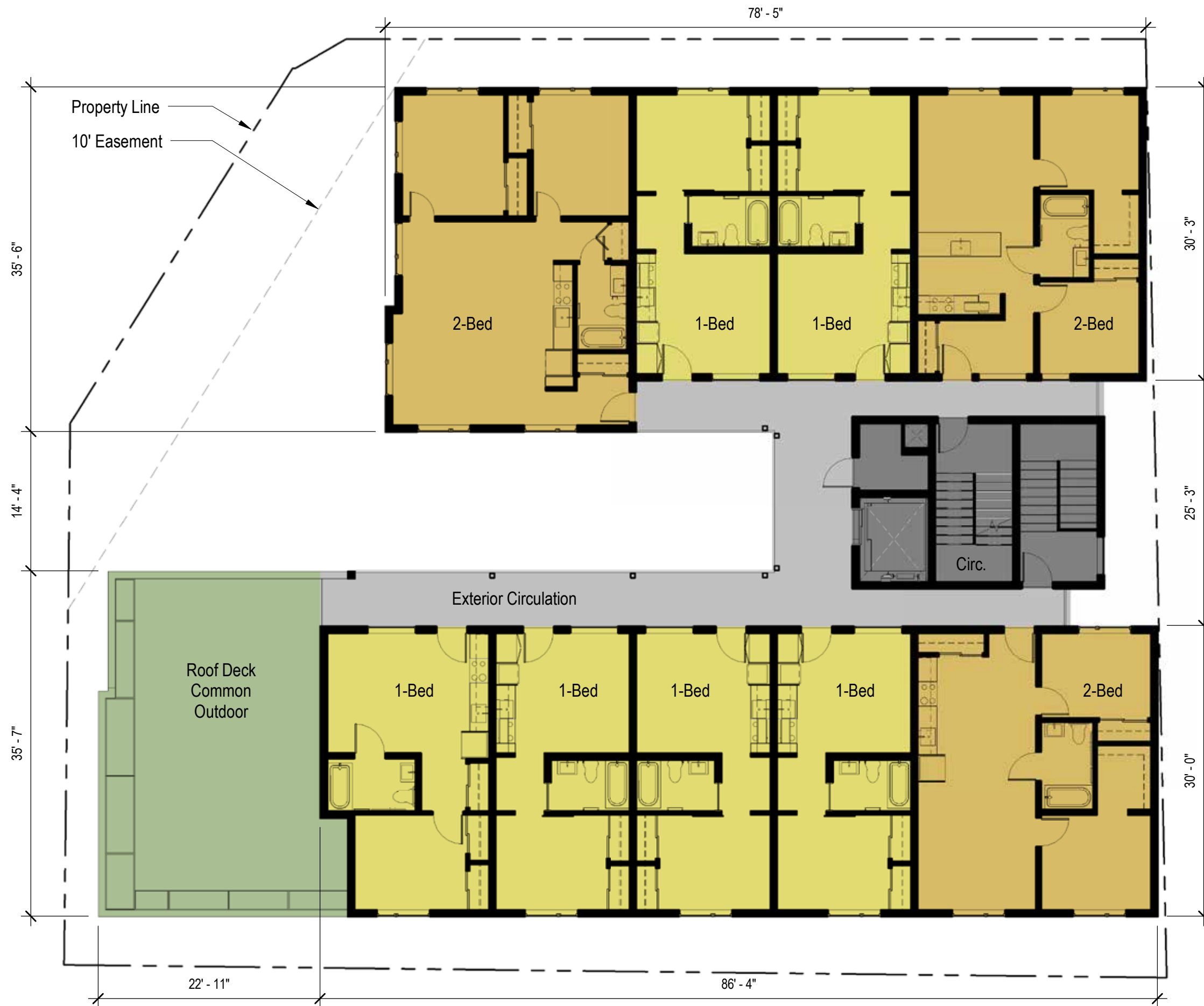


**Building Area Legend**







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<span style="display:inline-block; width:15px; height:15px; background-color:#f0e68c; border:1px solid black;"></span> 1-Bed	<span style="display:inline-block; width:15px; height:15px; background-color:#d9d9d9; border:1px solid black;"></span> Circulation - Open
<span style="display:inline-block; width:15px; height:15px; background-color:#8cbe8c; border:1px solid black;"></span> Common Outdoor	<span style="display:inline-block; width:15px; height:15px; background-color:#666666; border:1px solid black;"></span> Core / Utility

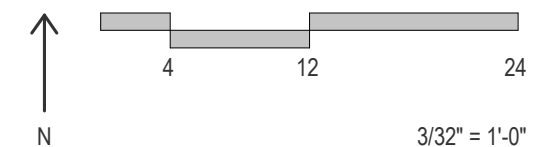


**C3 BUILDING DRAWINGS**  
C3.4 FLOOR PLAN - LEVEL 6

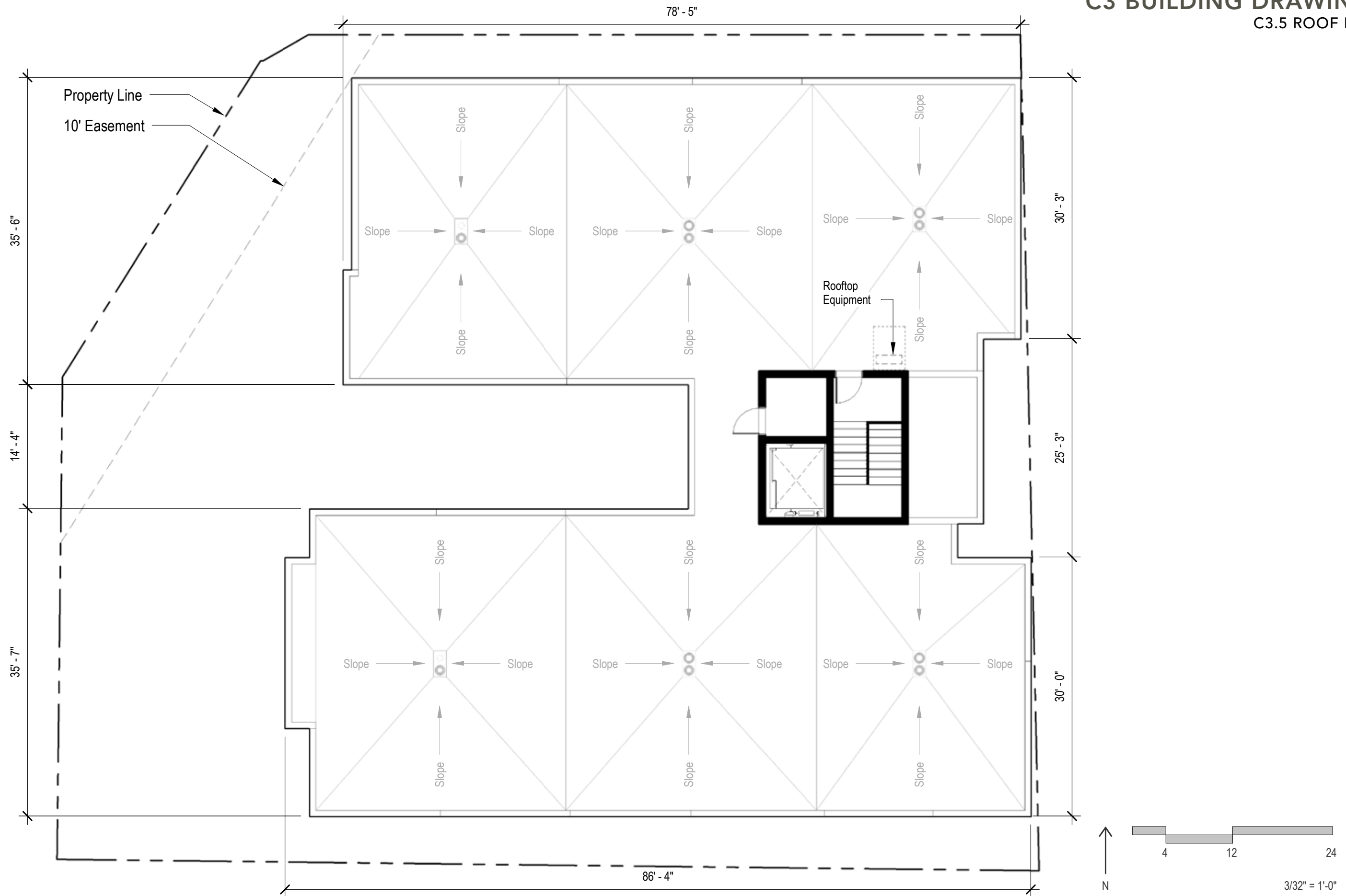


**Building Area Legend**

 2-Bed	 Common
 1-Bed	 Circulation - Open
 Common Outdoor	 Core / Utility





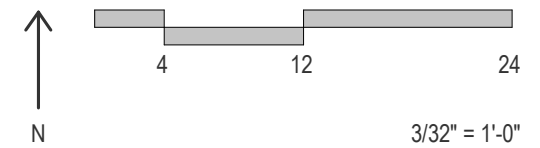
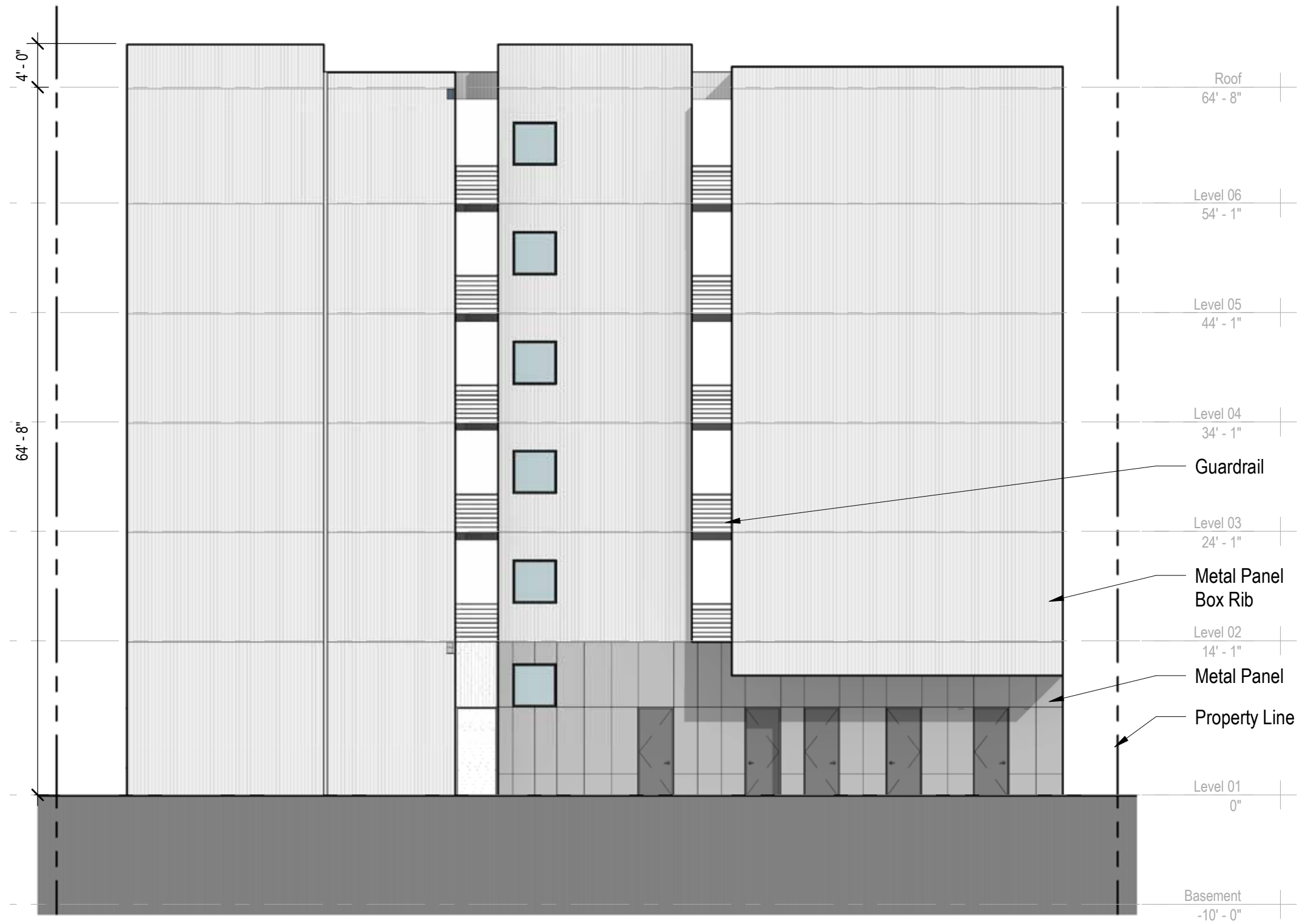


# C3 BUILDING DRAWINGS

## C3.6 NORTH ELEVATION



**C3 BUILDING DRAWINGS**  
C3.7 EAST ELEVATION



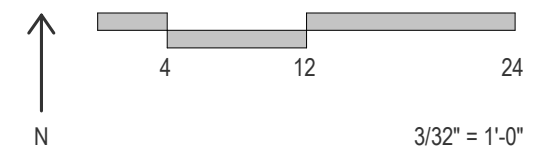
# C3 BUILDING DRAWINGS

## C3.8 SOUTH ELEVATION



**C3 BUILDING DRAWINGS**  
C3.9 WEST ELEVATION







# C4 PERSPECTIVES









AERIAL LOOKING NORTHEAST



LOWER LEVEL



SEATING TERRACES





Appendix:

Stormwater Management Report

Traffic & Parking Memorandum

Clifton-Currans LLC Report

Proposed Shared Parking Support

Shared Parking Agreement for 10282 SE Main St

Shared Parking Agreement for 2305 SE Washington St

Shared Parking Study for 2305 SE Washington St

Bikes Storage Support Material

# Stormwater Management Report



October 12, 2021

Engineering Department  
City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 97206

**Subject: Dogwood Station  
Preliminary Stormwater Management  
Report**



Attachments:

1. Utility Plan / Catchment Map / Details
2. PAC Calculations
3. HydroCAD Calculations

#### Project Overview

The project site is located in Milwaukie, Oregon and is bordered by SE Washington Street to the north, and the railroad to the west. The property Tax Lot ID is 11E36BC01700. The project site is approximately 0.23 acres in size and is zoned Downtown Mixed Use. The entire project site lies in the Kellogg Creek drainage basin.

The site is currently occupied by a single-family residence, shed, concrete paving, and gravel paving.

Proposed development includes the construction of a 5-story apartment building with no on-site parking. The private site includes 7,850 SF of new impervious area, which will be managed by a 200 SF flow-through stormwater planter, a 22 SF flow-through stormwater planter, and a 2.5 ft deep, 60 SF soakage trench.

This project is required to provide stormwater management and disposal in accordance with the 2016 Portland Stormwater Management Manual (SWMM) for the newly constructed impervious areas. This includes provisions for pollution reduction (quality control) and disposal of stormwater runoff. Detention (quantity control) is not required because the existing 24" storm pipe in SE Washington Street has sufficient capacity. This project meets the SWMM requirements by utilizing the following methods.

#### Quality Control

Stormwater quality control is met with two vegetated flow-through planters. The growing medium used in the planters will filter the water quality storm. The planters will be lined, and underdrainage will be provided to collect runoff after it has filtered through the growing medium. Overflow drains will collect runoff from larger storm events.

The Presumptive Approach Calculator (PAC) was used to calculate the stormwater facility areas needed to meet the stormwater management requirements. See attached PAC Calculations. Below is a summary of the results.

Table 1 – Catchment Areas and Facility Table

Catchment/ Facility ID	Source (roof, road, etc.)	Imper. Area (sf)	Ownership (private/ public)	Facility Type/ Function	Facility Size (sf)	CN #
A	Roof	6665	Private	Flow-Through Planter	200	98
B	Courtyard	410	Private	Flow-Through Planter	22	98
C	Courtyard	775	Private	Soakage Trench	2.5' deep, 60 SF	98

Disposal

Stormwater systems must be designed to discharge stormwater in accordance with the SWMM Disposal Hierarchy that requires all facilities discharge to the highest technically feasible disposal method, which are ranked as follows:

- Category 1 On-site infiltration with a surface infiltration facility
- Category 2 On-site infiltration with a private drywell or soakage trench
- Category 3 Off-site flow to drainage way, river, or storm-only pipe
- Category 4 Off-site flow to a combined sewer

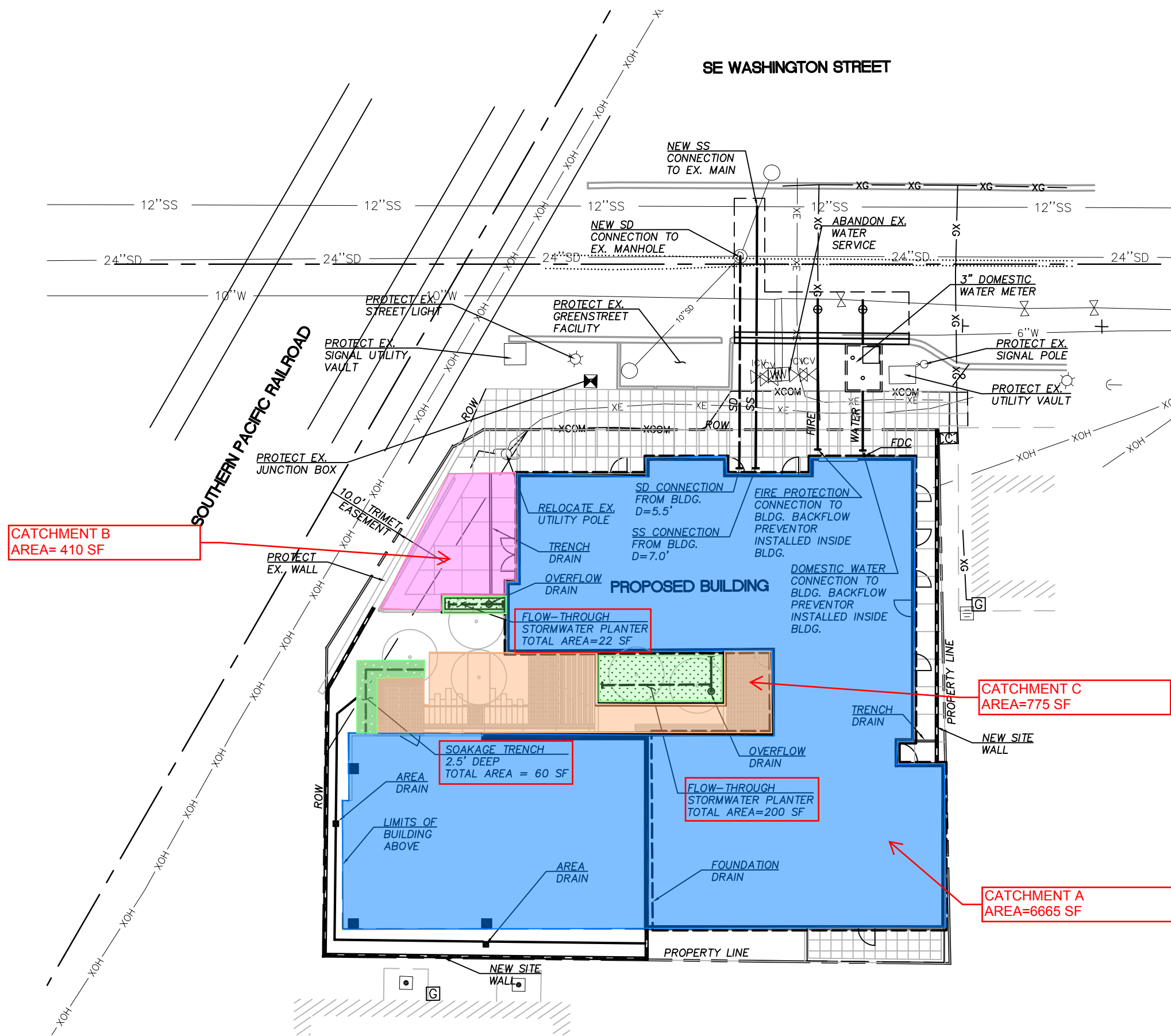
Disposal for a majority of the site will be designed under Category 3 with a connection to the existing public 24" storm-only sewer in SE Washington Street. A small portion of the internal courtyard will be managed under Category 1 with a surface infiltration facility due to existing site grade at the SW corner of the site being lower than the SD main in SE Washington. Full site infiltration is not feasible for this site due to shallow groundwater. Please call if you have any questions or comments.

Sincerely,  
**Humber Design Group, Inc.**

Dave Humber, P.E.  
 Principal

"I hereby certify that this Stormwater Management Report for the Dogwood Station project has been prepared by me or under my supervision and meets minimum standards of the City of Milwaukie and normal standards of engineering practice. I hereby acknowledge and agree that the jurisdiction does not and will not assume liability for the sufficiency, suitability, or performance of drainage facilities designed by me."

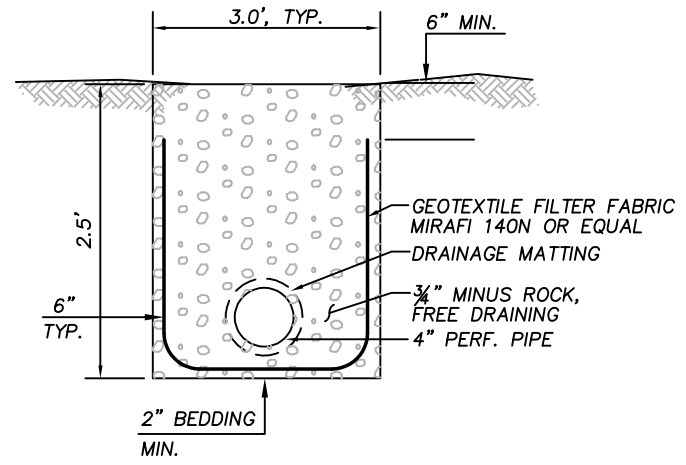




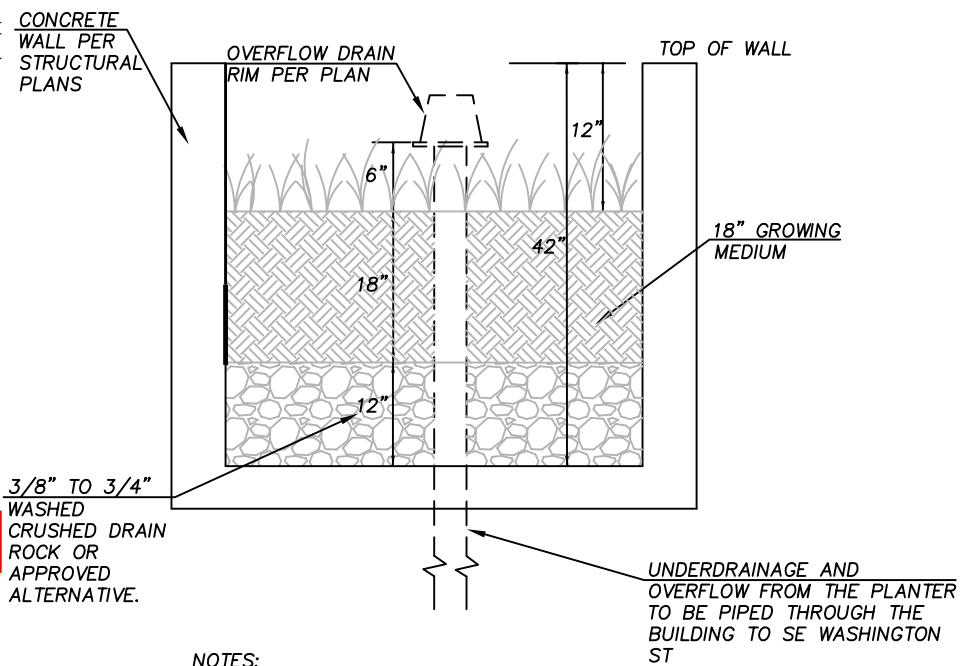
CATCHMENT B  
AREA= 410 SF

CATCHMENT C  
AREA=775 SF

CATCHMENT A  
AREA=6665 SF

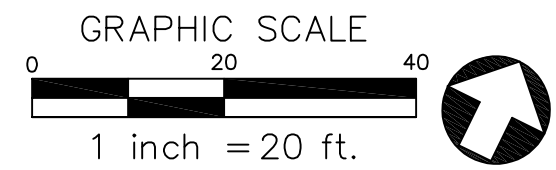


**2 SOAKAGE TRENCH**  
NTS



**1 STORMWATER FLOW-THROUGH PLANTER**  
NTS

- NOTES:**
1. PLANTING PER LANDSCAPING PLANS.
  2. GROWING MEDIUM PER SPECIFICATIONS.
  3. CONSTRUCT ROCK PAD AT DOWNSPOUT OUTFALLS.



# PAC Report

Project Name 2206 Washington	Permit No.	Created 10/8/21 12:01 PM
Project Address 2206 SE Washington Street Milwaukie, OR 97222	Designer Andrew xu	Last Modified 10/15/21 1:56 PM
	Company HDG	Report Generated 10/15/21 1:56 PM

## Project Summary

2206 Washington

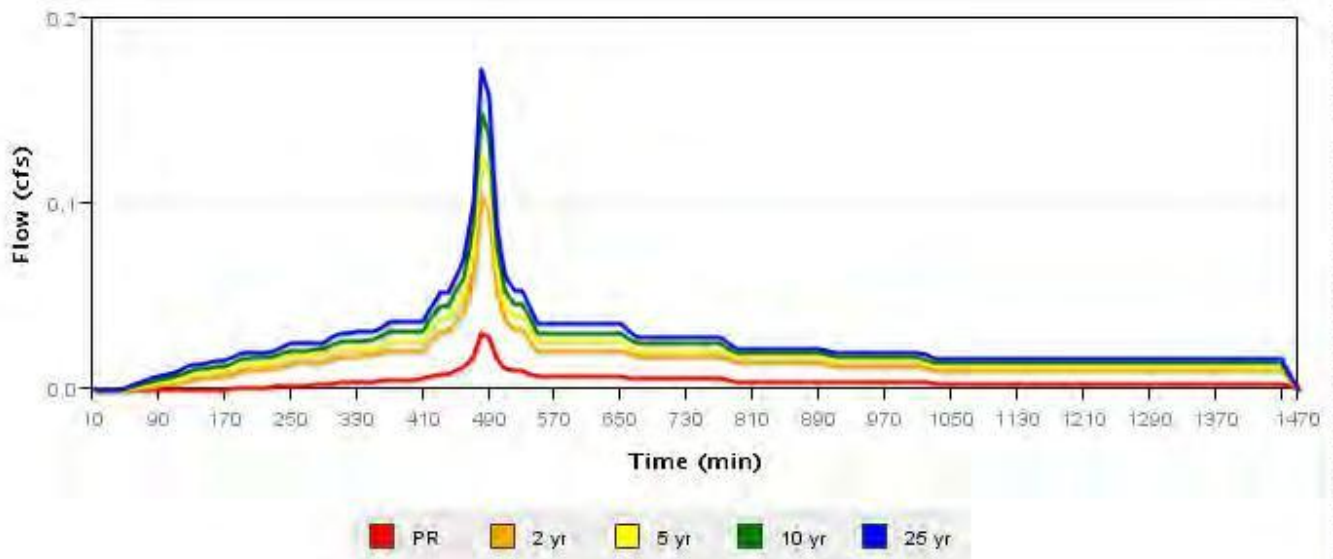
Catchment Name	Impervious Area (sq ft)	Native Soil Design Infiltration Rate	Hierarchy Category	Facility Type	Facility Config	Facility Size (sq ft)	Facility Sizing Ratio	PR Results	Flow Control Results
Impervious Area	7315	0.00	3	Planter (Flat)	D	200	2.7%	Pass	Not Used

## Catchment Impervious Area

Site Soils & Infiltration Testing Data	Infiltration Testing Procedure	Open Pit Falling Head
	Native Soil Infiltration Rate ( $I_{test}$ )	0.00 ⚠
Correction Factor	$CF_{test}$	2
Design Infiltration Rates	Native Soil ( $I_{dsgn}$ )	0.00 in/hr ⚠
	Imported Growing Medium	2.00 in/hr
Catchment Information	Hierarchy Category	3
	Disposal Point	A
	Hierarchy Description	Off-site flow to drainageway, river, or storm-only pipe system
	Pollution Reduction Requirement	Pass
	10-year Storm Requirement	N/A
	Flow Control Requirement	N/A
	Impervious Area	7315 sq ft 0.168 acre
	Time of Concentration ( $T_c$ )	5
	Pre-Development Curve Number ( $CN_{pre}$ )	72
Post-Development Curve Number ( $CN_{post}$ )	98	

⚠ Indicates value is outside of recommended range

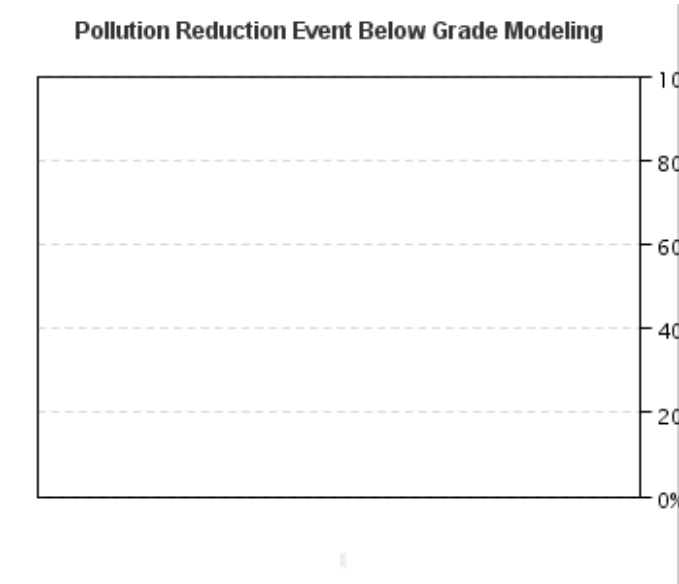
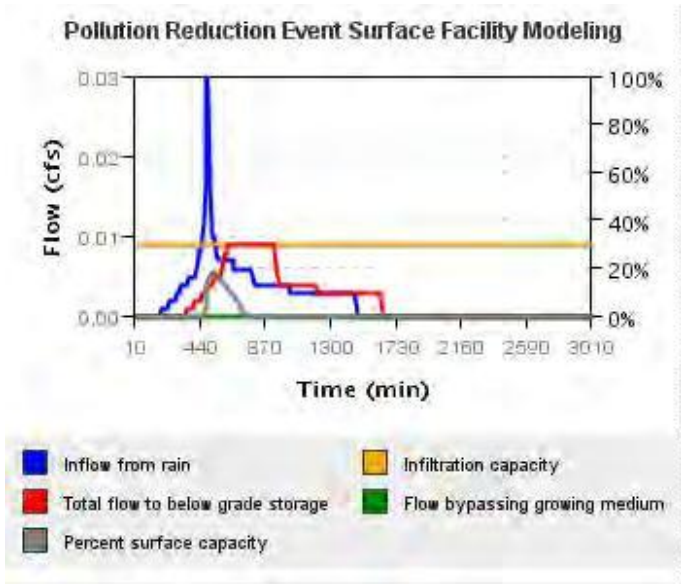
## SBUH Results



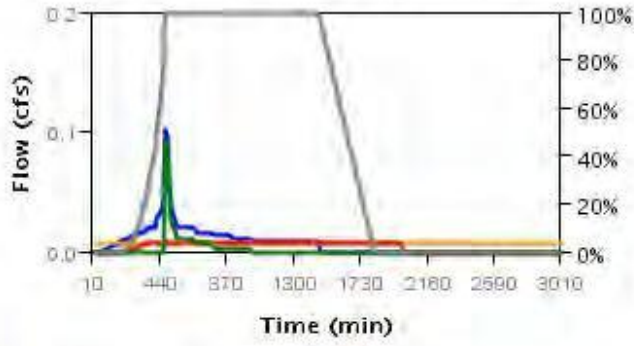
	Pre-Development Rate and Volume		Post-Development Rate and Volume	
	Peak Rate (cfs)	Volume (cf)	Peak Rate (cfs)	Volume (cf)
<b>PR</b>	0	0.422	0.03	382.229
<b>2 yr</b>	0.009	291.082	0.103	1323.619
<b>5 yr</b>	0.021	456.731	0.126	1626.794
<b>10 yr</b>	0.035	643.75	0.149	1930.423
<b>25 yr</b>	0.05	847.567	0.172	2234.338

# Facility Impervious Area

<b>Facility Details</b>	Facility Type	<b>Planter (Flat)</b>
	Facility Configuration	<b>D: Lined Facility with RS and Ud</b>
	Facility Shape	<b>Planter</b>
	<b>Above Grade Storage Data</b>	
	Bottom Area	<b>200 sq ft</b>
	Bottom Width	<b>10.00 ft</b>
	Storage Depth 1	<b>12.0 in</b>
	Growing Medium Depth	<b>18 in</b>
	Surface Capacity at Depth 1	<b>200.0 cu ft</b>
	Design Infiltration Rate for Native Soil	<b>0.000 in/hr</b>
	Infiltration Capacity	<b>0.009 cfs</b>
<b>Facility Facts</b>	Total Facility Area Including Freeboard	<b>200.00 sq ft</b>
	Sizing Ratio	<b>2.7%</b>
<b>Pollution Reduction Results</b>	Pollution Reduction Score	<b>Pass</b>
	Overflow Volume	<b>385.352 cf</b>
	Surface Capacity Used	<b>18%</b>
<b>Flow Control Results</b>	Flow Control Score	<b>Not Used</b>
	Overflow Volume	<b>1929.234 cf</b>
	Surface Capacity Used	<b>100%</b>



2 Year Event Surface Facility Modeling

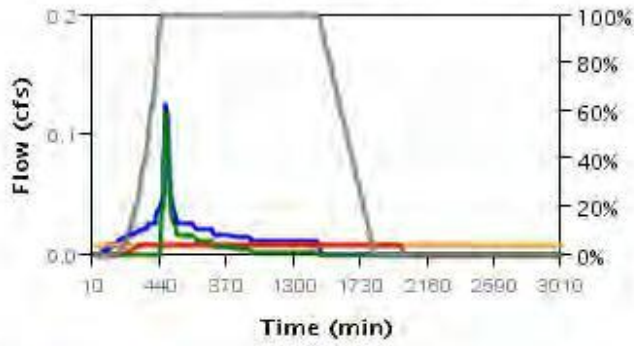


- Inflow from rain
- Total flow to below grade storage
- Percent surface capacity
- Infiltration capacity
- Flow bypassing growing medium

2 Year Event Below Grade Modeling



5 Year Event Surface Facility Modeling

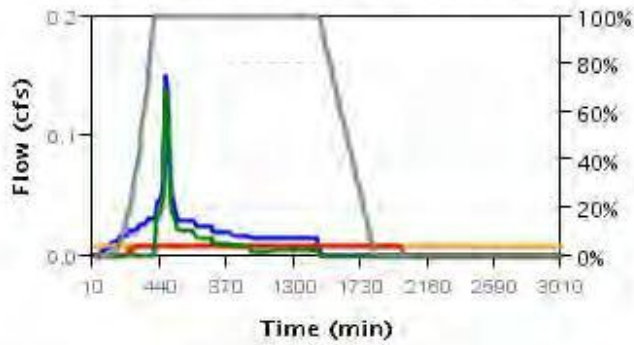


- Inflow from rain
- Total flow to below grade storage
- Percent surface capacity
- Infiltration capacity
- Flow bypassing growing medium

5 Year Event Below Grade Modeling



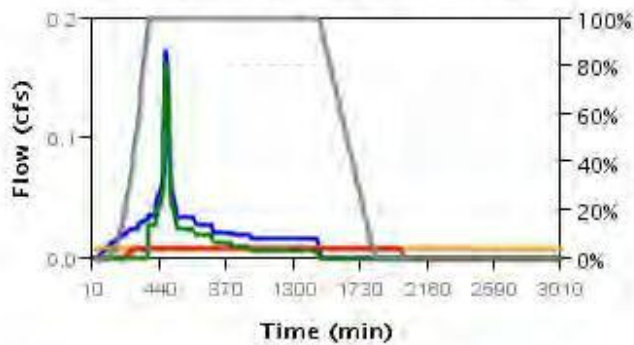
**10 Year Event Surface Facility Modeling**



**10 Year Event Below Grade Modeling**



**25 Year Event Surface Facility Modeling**



**25 Year Event Below Grade Modeling**



**infiltration trench**

Prepared by Humber Design Group, Inc.

HydroCAD® 10.00-15 s/n 09142 © 2015 HydroCAD Software Solutions LLC

Type IA 24-hr **10yr Rainfall=3.40"**

Printed 10/12/2021

Page 2

**Summary for Pond 3P: Soakage Trench**

Inflow Area = 775 sf, 100.00% Impervious, Inflow Depth = 3.17" for 10yr event  
 Inflow = 0.01 cfs @ 7.90 hrs, Volume= 205 cf  
 Outflow = 0.00 cfs @ 5.55 hrs, Volume= 205 cf, Atten= 80%, Lag= 0.0 min  
 Discarded = 0.00 cfs @ 5.55 hrs, Volume= 205 cf

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 102.06' @ 10.86 hrs Surf.Area= 60 sf Storage= 41 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)  
 Center-of-Mass det. time= 122.3 min ( 787.1 - 664.8 )

Volume	Invert	Avail.Storage	Storage Description
#1	100.00'	50 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

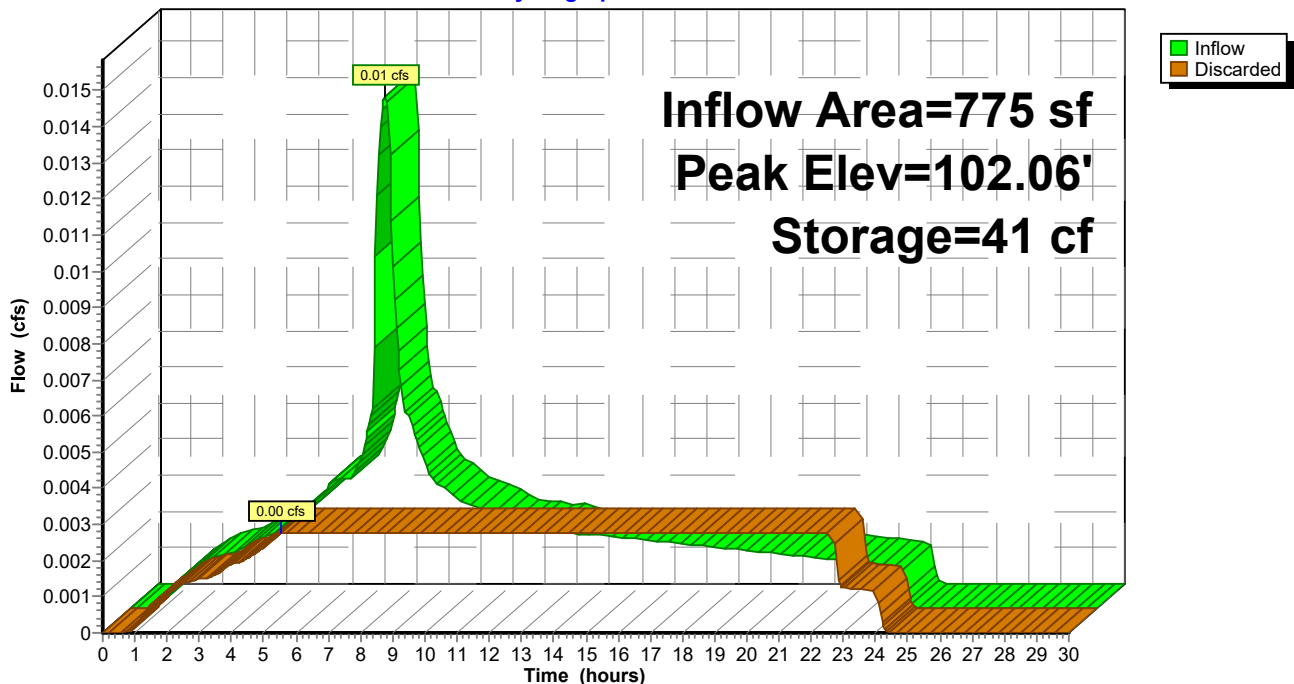
Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
100.00	60	0.0	0	0
102.50	60	33.0	50	50

Device	Routing	Invert	Outlet Devices
#1	Discarded	100.00'	<b>2.000 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.00 cfs @ 5.55 hrs HW=100.03' (Free Discharge)  
 ↑1=Exfiltration (Exfiltration Controls 0.00 cfs)

**Pond 3P: Soakage Trench**

Hydrograph





## Traffic & Parking Memorandum

## Memorandum

To: City of Milwaukie Planning Staff  
Copy: Jessy Ledesma, HomeWork Development  
From: Jennifer Danziger  
Date: October 14, 2021  
Subject: 2206 SE Washington Street – Trip Generation



RENEWS: 12-31-21

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## Introduction

A workforce housing project consisting of 55 units in a six-story building is proposed to be located at 2206 SW Washington Street in Milwaukie, Oregon. The project will include 34 one-bedroom units and 21 two-bedroom units as well as some ground floor amenities targeted at residents.

This unique project seeks to capitalize on the nearby transit that includes the MAX Orange Line light rail and nine TriMet bus routes within 1/8 mile of the site. No on-site parking is proposed but a shared-use agreement for parking at two nearby locations is planned. Access to a Zipcar for interested residents is also planned.

This memorandum estimates potential trip generation for the site based on the surrounding area, potential income restrictions, and multiple building concepts.

## Surrounding Neighborhood and Setting

The proposed development is in the heart of downtown Milwaukie. This area has been changing with the addition of the MAX Orange Line, the redevelopment of Riverfront Park, the reconstruction of Milwaukie High School, and the addition of several new urban housing projects.

In recent publications of the *Trip Generation Manual*,<sup>1</sup> the Institute of Transportation Engineers (ITE) recognizes that setting should be a factor in identifying trip characteristics for a development. ITE defined four setting types: City Center Core, Dense Multi-Use Urban, General Urban/Suburban, and Rural. Most of Milwaukie may still be characterized as General Urban/Suburban, which is defined as “an area associated with almost homogeneous vehicle-centered access. Nearly all person trips that enter or exit a development site are by passenger or commercial vehicle.” However, downtown Milwaukie is changing and could be better characterized as Dense Multi-Use Urban, which is defined as “a fully-developed area (or nearly so) with diverse and interacting complementary land uses, good pedestrian connectivity, and convenient frequent transit. The area can be a well-developed urban area outside a major metropolitan downtown or a moderate size urban area downtown.”

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<sup>1</sup> Institute of Transportation Engineers. (2021). *Trip generation manual*, 11<sup>th</sup> Edition.

## Housing Trip Generation

Trip generation for affordable housing is generally lower than market-rate housing, due in part to reduced vehicle ownership of residents. The *Trip Generation Manual* includes limited data for affordable housing in general urban/suburban settings but has a more robust data set for Dense Multi-Use Urban settings. Trip rates for land use code (LUC) 223, *Affordable Housing (Income Limits)* were used as the basis for the trip generation. The total number of bedrooms was used as the variable in the calculations as the composition and size of units affects trip generation.

Table 1 presents the person and vehicle trip generation estimates for a 76-bedroom workforce housing development assuming that the downtown Milwaukie location reflects the Dense Multi-Use Urban setting. The proposed housing development is estimated at 61 morning peak hour, 49 evening peak hour, and 592 daily person trips. Vehicle trip generation is estimated at 19 morning peak hour, 14 evening peak hour, and 176 daily trips.

**Table 1: Person and Vehicle Trip Generation for Workforce Housing based on ITE Rates**

Scenario / Land Use / Trip Type		Intensity	Morning Peak Hour			Evening Peak Hour			Daily Trips <sup>2</sup>
			In	Out	Total	In <sup>1</sup>	Out <sup>1</sup>	Total	
LUC 223 – Affordable Housing (Income Limits)	Person Trips	55 DU 76 Beds	15	46	61	29	20	49	592
	Vehicle Trips		6	13	19	8	6	14	176

Notes:

1. Directional split data for person trips is assumed to be the same as vehicle trips for the evening peak hour.

2. Daily trip rates are not available for LUC 223; the daily rate was estimated by averaging the ratio of the daily rate/morning rate for LUC 221 x morning rate for LUC 223 and the daily rate/evening rate for LUC 221 x evening rate for LUC 223. LUC 221 is multifamily (mid-rise) housing.

The 11<sup>th</sup> edition of the *Trip Generation Manual* does include a category for General Urban/Suburban setting with a subcategory of Close to Rail Transit, which is defined as applicable when the “walking distance between the residential site entrance and the closest rail transit station entrance is ½ mile or less.” The trip generation for 55 DU is estimated at 18 morning peak hour, 16 evening peak hour, and 261 daily trips. The peak hour results are very similar to the rates for affordable housing (LUC 223) in the Dense Multi-Use Urban setting and support the estimates in Table 1.

## Conclusion

The site’s vehicle trip generation is likely to be dispersed over several blocks with no single point-source of traffic created with the project. Parking for the workforce will not be on site, rather a shared-use agreement for parking at a nearby locations is planned.

Given the low vehicle trip generation for the housing and the dispersion of trips to multiple parking lots, the traffic added at any intersection is expected to be very low. Therefore, a transportation impact study appears unwarranted for the proposed development. Furthermore, access safety has already been considered the shared parking locations; thus, no evaluation of site access is necessary.



## TRIP GENERATION CALCULATIONS

*Land Use:* Affordable Housing  
*Land Use Code:* 223  
*Setting/Location:* Dense Multi-Use Urban  
*Variable:* Bedrooms  
*Variable Value:* 76

### AM PEAK HOUR

*Trip Rate:* 0.25

	Enter	Exit	Total
Directional Distribution	33%	67%	
Trip Ends	6	13	19

### PM PEAK HOUR

*Trip Rate:* 0.18

	Enter	Exit	Total
Directional Distribution	59%	41%	
Trip Ends	8	6	14

### WEEKDAY

*Trip Rate:* 2.32

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	88	88	176

### SATURDAY

*Trip Rate:*

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	0	0	0

<i>LU 221 Ratio</i>	<i>10.5</i>	<i>x</i>	<i>AM</i>
<i>LU 221 Ratio</i>	<i>11.3</i>	<i>x</i>	<i>PM</i>

Source: TRIP GENERATION, 11th Edition



## TRIP GENERATION CALCULATIONS

*Land Use:* Affordable Housing  
*Land Use Code:* 223  
*Setting/Location:* Dense Multi-Use Urban  
*Variable:* Bedrooms  
*Variable Value:* 76

### AM PEAK HOUR

*Trip Rate:* 0.8

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	15	46	61

### PM PEAK HOUR

*Trip Rate:* 0.64

	Enter	Exit	Total
Directional Distribution	59%	41%	
Trip Ends	29	20	49

### WEEKDAY

*Trip Rate:* 7.79

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	296	296	592

LU 221 Ratio      10.5      x      AM  
 LU 221 Ratio      11.3      x      PM

### SATURDAY

*Trip Rate:*

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	0	0	0

Source: TRIP GENERATION, Tenth Edition

## Clifton-Currans LLC Report

## Memorandum

**From:** Kelly Clifton and Amanda Howell, Clifton-Currans, LLC  
**To:** City of Milwaukie, Dept of Planning  
**Date:** 10/15/2021

### Introduction

The purpose of this addendum is to assess the feasibility of reducing or eliminating the parking requirements for affordable, residential developments in downtown Milwaukie, Oregon. Our analysis is based upon evidence from the latest research available on car ownership and use (trip generation) and best practices in coordinating land development in transportation. This memo is focused on the proposed Dogwood Station development at 2206 SE Washington Street - a mixed-use residential development aiming to provide workforce housing in downtown Milwaukie, supporting the highest and best use of the parcel.

Many cities have been re-evaluating their parking requirements for new developments, fee structures for on-street parking, and neighborhood permitting structures in order to meet future planning goals around livability, sustainability, and affordability. Parking provision has been identified as a major barrier to equitable-oriented developments near transit<sup>1</sup>. Although the approaches vary by city size, overall supply and demand, and long-range goals, the overall trend is to reduce parking minimums, unbundle parking from rent, and implement transportation demand management programs to reduce auto dependency. This planning orientation represents a paradigm shift away from a “predict and provide” approach that uses historic data to predict vehicle trips and then accommodates them with parking and increased roadway capacity. This new perspective seeks to create a land use and transportation environment that is supportive of the planning goals for an area. If Milwaukie hopes to achieve the planning goals established in the 2040 Comprehensive Plan, aggressive action—such as moving away from a “predict and provide” approach—is required.

**Given its proximity to downtown, its adjacency to transit, and its provision of workforce housing, Dogwood Station is in line with Milwaukie's goals and policies as stated in the 2040 Comprehensive Plan. It will increase the supply of housing, it will encourage denser development in the Town Center, it will promote the use of active transportation modes and transit, encourage a walkable neighborhood, and increase economic opportunities for locally owned and operated businesses by bringing more residents to the area.**

Based upon findings from our own work and that of others, we recommend the following:

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<sup>1</sup> SPARCC. Parking: A Major Barrier to Equitably Oriented Transit, 2020.

\*\*\*\*\*[.sparcchub.org/wp-content/uploads/2020/02/Parking-A-Major-Barrier-to-Equitably-Oriented-Transit.pdf](https://www.sparcchub.org/wp-content/uploads/2020/02/Parking-A-Major-Barrier-to-Equitably-Oriented-Transit.pdf)

- Allow Dogwood Station to be developed with no on-site parking for residents but with an adjacent parking spot for delivery/rideshare pickup and drop off;
- Institute a parking management plan that prices parking appropriately and implements a residential parking permit program to balance the parking supply and demand; and
- Provide transportation demand management strategies for residents to provide transportation alternatives to car ownership and use.

The remainder of this memo provides evidence in support of these recommendations that is applicable to the Dogwood Station Development and will help to achieve the City's planning goals.

### **Site Accessibility**

The proposed site of the Dogwood Station development has a high level of accessibility to destinations by all modes given its location in the downtown of the historic Milwaukie neighborhood. The scale of the development is appropriate for such an area, where the land use market for residential and other uses is greater than that for parking. As this and other residential buildings with ground floor retail are developed, the downtown area will continue to mature into a livable and economically thriving area. Affordable housing should be a priority for this area given its development trajectory and the need to have accessible, workforce housing in the mix of residential options.

Walk Score<sup>2</sup> (a national metric to evaluate site accessibility by walking, cycling, and transit) provides a mechanism to evaluate the current accessibility of the site as well as other sites referenced in this memo. The Dogwood Station site is given a Walk Score of 87 (Very Walkable), Transit Score of 56 (Good Transit), and Bike Score of 85 (Very Bikeable). There are many destinations reachable by these modes that support daily life without the need for a personally owned vehicle.

As more residential developments are built downtown, it is more likely that a supermarket will have sufficient population to support a new store in the area. Until then, there is a seasonal farmers market and several small markets located nearby. The closest supermarket is one mile away (Safeway at 4320 SE King Road), an approximate 10-minute bus ride (#33 line). Further, online grocery deliveries (which are available from Safeway) have become increasingly common during the pandemic and SNAP (Supplemental Nutrition Assistance Program) benefits can be used for online orders.

### **Car Ownership and Use**

Evidence from the Portland region and comparable locations around the country shows that residents of affordable housing and transit-oriented development own fewer cars and travel less

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<sup>2</sup> <https://www.walkscore.com/score/2206-se-washington-st-milwaukie-or-97222>



by automobile than residents of other housing types. Furthermore, renters overall have a tendency to own fewer vehicles than homeowners.

Renters in Milwaukie own far fewer cars overall than homeowners. According to the 2019 American Community Survey<sup>3</sup>, nearly **15% of renter-occupied housing units in Milwaukie have no vehicle available** compared to approximately 8% overall. Of those households that own vehicles, a larger proportion of renters own only one vehicle - 53% of renters have just one vehicle available, compared to 37% of the general population.

Those living in transit-oriented developments (TODs) also own fewer cars. Since 2005, Professor Jennifer Dill has been surveying residents of TODs in the Portland, OR metro region (Dill and McNeil 2020<sup>4</sup>). These surveys were conducted in 2005, 2007, 2010, 2014, and 2018 and capture the changing maturity of the transit system and TODs. These include a total of 44 developments (residential apartments with and without ground floor retail) in the City of Portland as well as suburban locations throughout the region. The Dogwood Station site is comparable to the locations. The sites are all or mostly market rate apartments or condos with 11 developments having some affordable units provided. Study respondents had an average household size of 1.7. Two thirds or more work outside of the home.

In this study, the majority of TOD residents' households have zero or one vehicle available. Zero car households ranged from 6% in the West Suburbs to 27% in Gresham, but **all of these rates were well below the car ownership levels of surrounding residents (with the exception of Portland City Center)**. Further, 14% of the respondents did indicate that they got rid of a vehicle because of the characteristics of the neighborhood and another 9% responded that they were considering getting rid of a vehicle.

Residents of affordable housing in the region own even fewer vehicles. In a recent survey of affordable housing residents in Portland participating in the Transportation Wallet for Residents of Affordable Housing (TWR AH), **only 29% of the respondents owned vehicles**<sup>5</sup>. The TWR AH program provides a suite of transportation options to Portland residents of affordable housing, including a prepaid Visa card that could be applied to TriMet reduced fare passes, a free bikeshare membership, and small credits (~\$25) for shared e-scooters, ride hailing services (Uber/Lyft, e.g.), taxi, or car share. Results from this survey also show that 90% of participants took advantage of the transit pass, 50% used ride hailing, 30% used taxis, and around 12% utilized bikeshare and scooters.

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<sup>3</sup> American Community Survey 2019 5-Year Estimates, Tables A10030 & A10054B

<sup>4</sup> Dill, J. and McNeil, N. Transit-Oriented Development in Portland: Multiyear Summary Report of Portland State University Surveys, Final Project Report, National Institute for Transportation and Communities, Portland State University, Portland Oregon, 2020. Available for download here: [\\*\\*\\*\\*\\*trec.pdx.edu/news/what-do-15-years-travel-surveys-tell-us-about-tod-residents](https://www.trec.pdx.edu/news/what-do-15-years-travel-surveys-tell-us-about-tod-residents)

<sup>5</sup> Tan H, McNeil N, MacArthur J, Rodgers K. Evaluation of a Transportation Incentive Program for Affordable Housing Residents. Transportation Research Record. March 2021. doi:10.1177/0361198121997431

The Transportation Wallet for Residents of Affordable Housing is also a prime example of a Transportation Demand Management (TDM) program, which is a critical component of supporting alternatives to car use and ownership. TDM efforts are focused on travel behavior outcomes, such as reducing drive-alone trips, by incentivizing other options. A TDM program paired with a highly accessible site (e.g., walkable, transit-oriented) has a synergistic and complementary relationship and helps to support behavior change. Many residential TDM programs are newer but increasing in popularity and prevalence as part of the paradigm shift away from a “predict and provide” auto-centric planning orientation.

A 2019 study of multifamily housing in Portland<sup>6</sup> offers data on vehicle use (as well as the use of other modes). **These data suggest that even without parking provided on site, residents will still make trips by automobile, although well below the rate predicted by the Institute of Transportation Engineers (ITE). And their use of other modes, including walking and transit, is also robust.** The novel aspect of this study is the capture of both onsite vehicle trips (e.g. parked on site) and off site vehicle trips (e.g. parked off site, ride hailing, carshare). However, there is no information available on car ownership rates of residents. Although all of the multifamily housing included in this study are market rate rentals, three of the developments have no parking on site available to residents: Jeanne Manor (67 units, mixed use, avg. 529 sq. ft.), Footprint Hollywood (54 units, avg 168 sq. ft.), Theory 33 (30 units, mixed use, avg. 616 sq. ft.). Tables 1 and 2 (in the Addenda) show other characteristics of the sites included in this study as well as the sites evaluated in the TWRAH study.

The AM and PM peak mode shares are shown in Tables 3 and 4 (in the Addenda). Sites are organized by the characteristics of the development location (Central City, Urban Center, Other) and include information on the parking ratios (parking supply per dwelling unit) and accessibility. While the mode share of on-site vehicle trips for the three zero-parking developments is obviously zero, the tables show that they do generate vehicle trips for vehicles off site. In the AM peak (Table 3), the automobile mode share is: Jeanne Manor at 24%; Footprint Hollywood at 29%; and Theory 33 at 59%. For the PM peak, it is: Jeanne Manor at 27%; Footprint Hollywood at 28%; and Theory 33 at 58%.

These reported mode shares may seem high for zero parking developments but need to be shown relative to the overall amount of trip-making to gain perspective. Figures 1 and 2 (in the Addenda) show the person trips<sup>7</sup> per dwelling unit and the mode shares. Here, we see that **total trips per dwelling unit during the morning and evening peak are relatively small** (e.g. 0.55 trips per dwelling unit for Theory 33 in the AM peak, 60% of which are by car). In fact, Table 5 (in the Addenda) shows that the resulting **vehicle trip rates are well below what would be predicted by the Institute of Transportation Engineers Trip Generation Manual, even when accounting for on- and off-site vehicle trips.**

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<sup>6</sup> Clifton-Currans, LLC. Multifamily Housing Trip Generation and Freight Study, Portland Bureau of Transportation, Portland, Oregon, 2020.

<sup>7</sup> A person trip is the movement of one person between two activity locations using any mode of transport. A person trip rate is an average of all trips, regardless of mode, made per dwelling unit for the peak hour.

## Existing Parking Supply

It is likely that some residents of Dogwood Station will own and use a car. For example, if we apply the car ownership rate from the TWRRAH study (29%) to Dogwood Station, we would expect approximately 16 residents to own vehicles. Given that Milwaukie has not yet built out the downtown area to its full potential, the number of vehicles owned by residents may initially be higher than 29%. But even with a more conservative estimate of 50% of units with a vehicle, this number could be accommodated by existing on street capacity.

According to findings from the 2018 Downtown Parking Management Strategy, **there is plenty of existing on- and off-street parking capacity to absorb the additional demand in the immediate area.** The 2018 analysis found that on-street occupancy rates peaked at 58%, while off-street parking occupancy peaked at 50%<sup>8</sup> (see Executive Summary in the Addenda). The industry standard is that parking is not considered to be “constrained” until 85% utilization. Milwaukie is not close to that. Approximately 1,000 off-street spots and 260 on-street spots were available during peak hours (about 44% and 41% of total parking supply, respectively). Given the existing capacity, the consultant who conducted the parking demand analysis recommended a series of strategies designed to “get the right vehicle to the right parking spot,” including adopting the industry standard 85% rule for measuring parking performance and removing barriers/identifying opportunities to promote shared-use parking.

While a parking utilization study for downtown Milwaukie is beyond our scope—and seemingly unnecessary since there not have been significant changes in population or employment density downtown since the 2018 study was completed—we do have some observations about the current parking situation (as of September 16, 2021) that suggest that there is still adequate on-street and off-street parking capacity in the downtown area. School is now in session and the local schools have sufficient on- and off-street parking for faculty and students. The streets adjacent to the proposed site have free on-street parking with a 2-hr limit from 8am-5pm; however, there are no parking restrictions after 5pm when residents are most likely to be parked at home. Further from the site, there are no on-street parking restrictions and sufficient capacity for additional vehicles. There are also several options to pursue shared parking agreements with private landholders in the area.

## Further Reduction Strategies

**As stated, building workforce housing near transit is likely to result in around 16 additional vehicles, a number that can easily be absorbed with existing parking.** However, there are other strategies that can be employed to reduce parking demand even more, some

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<sup>8</sup> Downtown Milwaukie Parking Strategy, Rick Williams Consulting, 2018. Retrieved from: [\\*\\*\\*\\*\\*.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018\\_with\\_final\\_plan\\_document.pdf](http://*****.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018_with_final_plan_document.pdf)

which can be implemented by the developer and others that would have to be implemented by the City.

- **Parking Management.** The City of Milwaukie could implement a Residential Permit parking program to help manage the supply and demand across various users—residents, employees, and visitors—in the downtown area. Milwaukie already has a parking permit program available for employees, and more than half the businesses in the area are closed by 6pm. Currently, parking is free, albeit time limited. If parking capacity becomes more constrained, the City of Milwaukie could consider charging for parking.
- **Shared Parking Agreements.** A couple of sites nearby have been identified with available parking capacity. The developers of Dogwood Station could enter into shared parking agreements with these private landholders to allow residents of Dogwood Station to park vehicles there. They currently have a Memorandum of Understanding with the Odd Fellows Hall (10282 SE Main St.) to provide shared parking for up to 20 spaces and are in the process of developing additional plans with the owners of 2305 SE Washington for 23 more parking spaces. These agreements can mitigate some of the parking demand from residents who own cars in the near term as Milwaukie continues to build out its downtown.
- **Real Time Transit Information.** The development plans to have real-time public transit information in the lobby of Dogwood Station. Providing real-time passenger information about public transit arrivals in lobbies or other public places serves as a constant reminder of transit as a travel option, increases rider satisfaction, reduces wait time (real and perceived), and reduces the learning curve for new riders. Thus, these benefits can increase the ridership potential of transit-oriented development.
- **Car and ridesharing.** Having options to use a vehicle on occasion makes it easier for residents of Dogwood Station to live without a privately owned car. Ridesharing options are increasingly available and the supply of vehicles is expected to increase as we recover from the COVID-19 pandemic. TriMet has committed a parcel of their land across the street as dedicated car sharing space. The developers are working with them and the owners of 2305 SE Washington to supply a publicly available ZipCar at that site. Both of these options will reduce dependency on privately owned vehicles and thus the demand for parking.
- **Onsite Pick-up/Drop-off Spot.** Demand for passenger and delivery pick-up and drop-off zones has been steadily increasing. As data from the Multifamily Housing Trip Generation and Freight Study show, people living in buildings with zero parking do still generate auto trips, including ridehail, and evidence from the TWRAH program show that participants do make use of ridehail and taxis. The COVID-19 pandemic has also accelerated e-commerce trends with more and more people across all income categories adopting online ordering, including e-grocery shopping (Figure 3 in the Addenda). By including an onsite pick-up/drop-off spot, Dogwood Station can help accommodate the growing demand for these services (including grocery delivery from nearby Safeway) while minimizing instances of double parking.

- **Bicycle Parking and Support.** Supplying free and secure bicycle parking in sufficient numbers would be expected to further reduce car usage and ownership as well. Related amenities such as a bicycle repair station could also be added.

## Milwaukie’s Planning Goals

Milwaukie has an ambitious vision for 2040 of being “**a flourishing city that is entirely equitable, delightfully livable, and completely sustainable.**”<sup>9</sup> While Milwaukie has adopted a Comprehensive Plan designed to help achieve this vision, the City has acknowledged that there are significant challenges to overcome. Like most cities in the area, housing affordability has been a growing concern in Milwaukie, with the City Council declaring a housing emergency in April 2016. According to the 2019 American Community Survey, Milwaukie has a residential vacancy rate of 4.4%—compared to 6.5% for Portland and 5.8% for Clackamas County—indicating that housing supply is low.<sup>10</sup> **Nearly half of renters in Milwaukie are rent-burdened**; 24.7% of renters spend between 30-49% of their income on rent and 24.8% spend 50% or more.<sup>11</sup> As evidence has shown, the cost of building parking drives up the cost of rent.<sup>12</sup>

To address these challenges and promote a more livable, equitable, affordable, and sustainable community, the city’s adopted Comprehensive Plan outlines a series of goals and policies, including the following:

- **Policy 7.2.2.** Allow and encourage the development of housing types that are affordable to low- or moderate-income households, including middle housing types in low and medium density zones as well as larger apartment and condominium developments in high-density and mixed-use zones.
- **Policy 7.2.3** Pursue programs and incentives that reduce the impacts that development/design standards and fees have on housing affordability, including modifications to parking requirements, system development charges, and frontage improvements.
- **Policy 7.3.4** Promote the use of active transportation modes and transit to provide more reliable options for neighborhood residents and help reduce driving.
- **Policy 7.3.5** Increase economic opportunities for locally owned and operated businesses by encouraging the development and redevelopment of more housing near transit, shopping, local businesses, parks, and schools.
- **Policy 7.4.1** Implement land use and public investment decisions and standards that: a) encourage creation of denser development in centers, neighborhood hubs and along

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<sup>9</sup> City of Milwaukie Comprehensive Plan, 2020. Retrieved from: [\\*\\*\\*\\*\\*.milwaukieoregon.gov/planning/comprehensive-plan-update.](http://www.milwaukieoregon.gov/planning/comprehensive-plan-update)

<sup>10</sup> American Community Survey 2019 5-Year Estimates, Table A10044

<sup>11</sup> American Community Survey 2019 5-Year Estimates, Table B18002

<sup>12</sup> Shoup, Donald. (2014). The High Cost of Minimum Parking Requirements. DOI: 10.1108/S2044-994120140000005011.

corridors; and b) foster development of accessible community gathering places, commercial uses, and other amenities provide opportunities.

The proposed development is consistent with the Milwaukie's aim to plan for people rather than cars and helps the city achieve its laudable goals of increasing equity, livability, and sustainability as established in the 2040 vision.

### **About the Authors**

Kelly J. Clifton, PhD is a professor of civil and environmental engineering at Portland State University and serves as the interim Associate Vice President for Research and Graduate Studies. With over 25 years of experience, she is an internationally recognized expert in transportation and land use research. She is also a principal in Clifton-Currans, LLC where she has helped cities develop and evaluate Transportation System Development Charges, standards for transportation data collection, and evaluation of the transportation impacts of new development. She has a PhD in Community and Regional Planning from the University of Texas at Austin. More information about her work can be found at: [kellyjclifton.com](http://kellyjclifton.com); [SUPERLab.us](http://SUPERLab.us); and [clifton-currans.com](http://clifton-currans.com).

Amanda Howell is a researcher with the Urbanism Next Center at the University of Oregon with expertise in emerging transportation technologies and their impacts on cities. She is also the newest partner at Clifton-Currans, LLC providing consulting support for cities as they plan for the future of transportation. She holds a Master's in Urban and Regional Planning from Portland State University and a Bachelor's in Mass Communications from the University of California, Berkeley.

## Addenda

Tables 1-5

Figures 1-3

Executive Summary of Downtown Milwaukie Parking Strategy, Rick Williams Consulting, 2018.

Retrieved from:

[\\*\\*\\*\\*\\*.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018\\_with\\_final\\_plan\\_document.pdf](http://*****.milwaukieoregon.gov/sites/default/files/fileattachments/ordinance/93841/r82-2018_with_final_plan_document.pdf)

**Table 1 2019 MF Housing Trip Generation and Freight Study Site Characteristics**

Property	Transit Routes within 1/2 mi	Parking Ratio <sup>13</sup>	Walk	Accessibility Scores <sup>14</sup>		
				Transit	Bike	Distance to Nearest Grocery Store (mi)
<b>Dogwood Station</b>	<b>11</b>	<b>0</b>	<b>87</b>	<b>56</b>	<b>85</b>	<b>1</b>
<b>1. Central City</b>						
Couch 9	16	0.5	100	97	98	0.1
Modera Belmont	9	0.5	92	76	100	0.2
Modera Pearl	11	0.8	92	62	99	0.2
Jeanne Manor	16	0.0	99	97	89	0.1
<b>2. Center</b>						
Multnomah Village	3	0.5	72	42	64	0.6
Marvel 29	5	0.6	92	48	93	0.1
L.L. Hawkins	6	0.7	96	56	96	0.1
Footprint Hollywood	9	0.0	94	70	94	0.1
Theory 33	3	0.0	92	52	100	0.5
<b>3. Other</b>						
Treehouse	8	0.1	49	64	54.5	1.2
Grant Park Village (Henshaw)	3	0.6	92	66	91	0.1
Grant Park Village (Quimby)	3	0.7	92	66	91	0.1

<sup>13</sup> Parking spaces per dwelling unit.

<sup>14</sup> As defined by WalkScore.com.

**Table 2 Transportation Wallet for Residents of Affordable Housing Study Site Characteristics**

Property	Transit Routes within 1/2 mi	Walk	Accessibility Scores <sup>15</sup>		
			Transit	Bike	Distance to Nearest Grocery Store (mi)
<b>Dogwood Station</b>	<b>11</b>	<b>87</b>	<b>56</b>	<b>85</b>	<b>1</b>
<b>Portland Transportation Wallet for Affordable Housing Sites</b>					
PCRI / Beatrice Morrow	6	85	51	100	0.3
PCRI / Maya Angelou	7	94	54	100	0.4
PCRI / Park Terrace	5	88	54	100	0.4
PCRI / Margaret Carter	14	83	70	99	0.4
Human Solutions / Arbor Glen	3	31	45	71	1.1
Hacienda CDC / Villa de Clara Vista	5	59	42	81	0.7
Rose CDC / Orchards of 82nd	3	89	53	95	0.2
Reach CDC / Bronaugh Apartments	50	99	93	92	0.3
Reach CDC / Gray's Landing	30	83	70	93	2.1
Home Forward / Hollywood East	11	94	69	93	0.1
Catholic Charities / Kateri Park	7	85	56	86	0.7
Reach CDC / The Admiral	50	99	95	89	0.2
Catholic Charities / Esperanza Court	7	82	54	93	0.6
Catholic Charities / Howard House	7	84	57	87	0.6

<sup>15</sup> Ibid.



**Table 3 MF Housing Trip Generation and Freight Study AM Peak Hour (7–10AM) Site Characteristics and Mode Share**

Property <sup>1</sup>	Site Characteristics			Proportion of Person Trips Made by On-Site Vehicles	AM Mode Share (7-10AM) for Person Trips Not Counted as an On-Site Vehicle Trip							
	Parking Ratio <sup>2</sup>	Accessibility Scores <sup>3</sup>			Off-Site Vehicle <sup>4</sup>	Walk <sup>5</sup>	Bike <sup>6</sup>	Scooter <sup>7</sup>	Transit <sup>8</sup>	Ridehailing <sup>g</sup>	Carshare <sup>e</sup>	
		Walk	Transit									Bike
<b>Dogwood Station</b>	<b>0</b>	<b>87</b>	<b>56</b>	<b>85</b>	-	-	-	-	-	-	-	-
<b>1. Central City</b>												
Couch 9	0.46	100	97	98	45%	34%	45%	4%	0%	2%	15%	0%
Moderà Belmont	0.53	92	76	100	31%	23%	54%	6%	0%	10%	6%	0%
Moderà Pearl	0.75	92	62	99	59%	40%	40%	3%	0%	6%	11%	0%
Jeanne Manor	0	99	97	89	0%	24%	47%	0%	0%	24%	5%	0%
<b>2. Center</b>												
Multnomah Village	0.54	72	42	64	21%	33%	40%	0%	0%	13%	13%	0%
Marvel 29	0.62	92	48	93	50%	42%	48%	0%	0%	6%	3%	0%
L.L. Hawkins	0.71	96	56	96	56%	26%	58%	8%	0%	3%	3%	3%
Footprint Hollywood	0	94	70	94	0%	29%	39%	0%	0%	27%	0%	5%
Theory 33	0	92	52	100	0%	59%	18%	0%	0%	12%	12%	0%
<b>3. Other</b>												
Treehouse	0.1	49	64	54.5	11%	17%	73%	0%	0%	10%	0%	0%
Grant Park Village (Henshaw)	0.57	92	66	91	24%	68%	21%	4%	0%	7%	0%	0%
Grant Park Village (Quimby)	0.66	92	66	91	21%	54%	22%	2%	0%	17%	4%	0%

**Notes:**

1 Sorted by TSDC Citywide Rate study place types (<https://www.portlandoregon.gov/transportation/article/676993>, page 40) and parking supply.

2 Parking spaces per dwelling unit.

3 As defined by the Walkscore.com.

4 Aggregated vehicle-modes, including personal, delivery, and garbage/recycling.

5 Includes wheelchair and skateboard responses.

6 Personal or shared

7 Includes trips made by bus, streetcar, or light rail transit.

**Table 4 MF Housing Trip Generation and Freight Study PM Peak Hour (4-7PM) Site Characteristics and Mode Share**

Property <sup>1</sup>	Site Characteristics			Proportion of Person Trips Made by On-Site Vehicles	PM Mode Share (4-7PM) for Person Trips Not Counted as an On-Site Vehicle Trip							
	Parking Ratio <sup>2</sup>	Accessibility Scores <sup>3</sup>			Off-Site Vehicle <sup>4</sup>	Walk <sup>5</sup>	Bike <sup>6</sup>	Scoter <sup>7</sup>	Transit <sup>8</sup>	Ridehailing	Carshare	
		Walk	Transit	Bike								
<b>Dogwood Station</b>		<b>0</b>	<b>87</b>	<b>56</b>	<b>85</b>	-	-	-	-	-	-	-
<b>1. Central City</b>												
Couch 9	0.46	100	97	98	19%	37%	43%	0%	0%	13%	7%	0%
Modera Belmont	0.53	92	76	100	21%	39%	43%	9%	0%	8%	1%	0%
Modera Pearl	0.75	92	62	99	58%	40%	39%	4%	4%	6%	7%	0%
Jeanne Manor	0	99	97	89	0%	27%	50%	0%	3%	10%	10%	0%
<b>2. Center</b>												
Multnomah Village	0.54	72	42	64	36%	26%	53%	3%	0%	15%	3%	0%
Marvel 29	0.62	92	48	93	40%	37%	48%	0%	0%	14%	1%	0%
L.L. Hawkins	0.71	96	56	96	33%	12%	75%	3%	5%	3%	2%	0%
Footprint Hollywood	0	94	70	94	0%	28%	48%	0%	0%	25%	0%	0%
Theory 33	0	92	52	100	0%	58%	17%	0%	0%	0%	0%	25%
<b>3. Other</b>												
Treehouse	0.1	49	64	54.5	31%	53%	0%	0%	14%	2%	0%	31%
Grant Park Village (Henshaw)	0.57	92	66	91	6%	81%	6%	6%	0%	0%	0%	6%
Grant Park Village (Quimby)	0.66	92	66	91	27%	39%	6%	2%	25%	0%	0%	27%

**Notes:**

1 Sorted by TSDC Citywide Rate study place types (<https://www.portlandoregon.gov/transportation/article/676993>, page 40) and parking supply.

2 Parking spaces per dwelling unit.

3 As defined by the Walkscore.com.

4 Aggregated vehicle-modes, including personal, delivery, and garbage/recycling.

5 Includes wheelchair and skateboard responses.

6 Personal or shared

7 Includes trips made by bus, streetcar, or light rail transit.



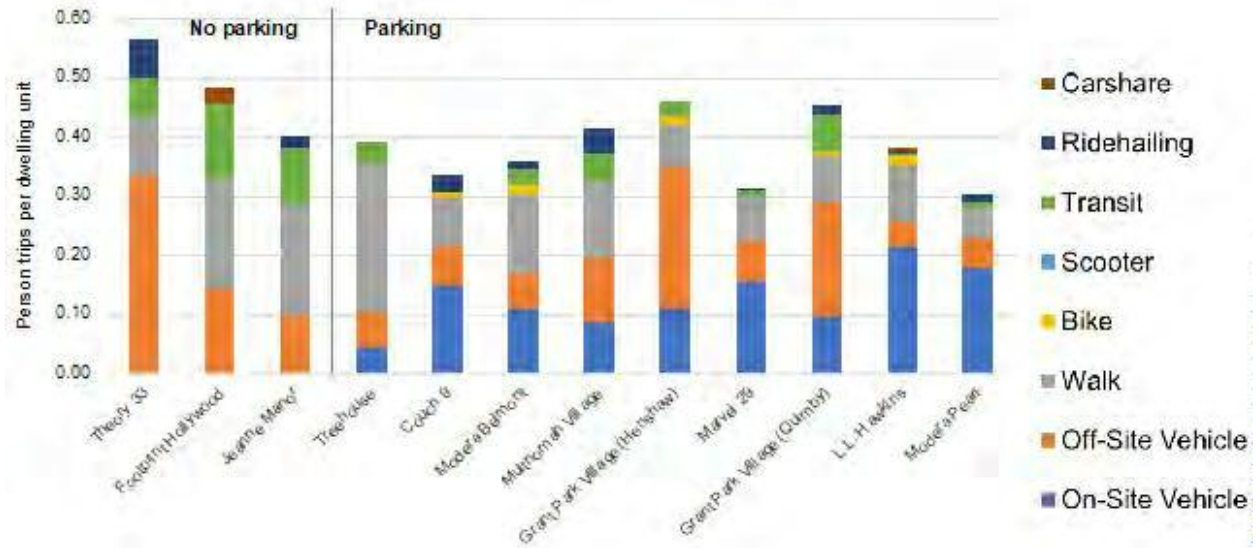


Figure 1 MF Housing Trip Generation and Freight Study AM Person Trip Rates by Mode

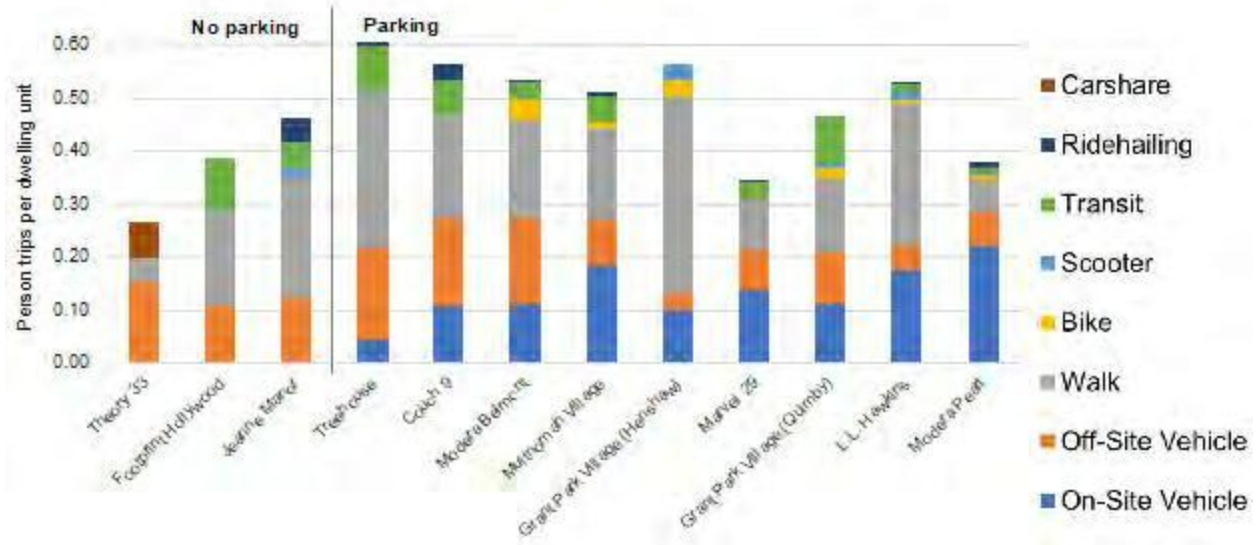
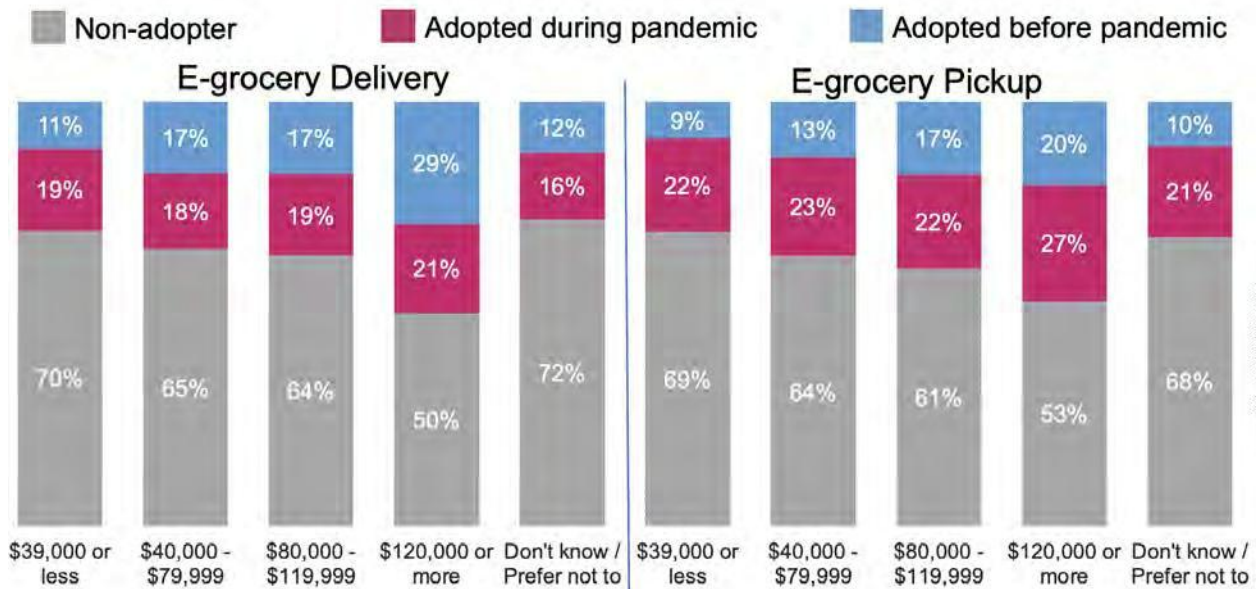


Figure 2 MF Housing Trip Generation and Freight Study PM Person Trip Rates by Mode

**Table 5 Peak Hour Motorized Vehicle Trip Rates**

Property	AM Peak Hour			PM Peak Hour		
	On-Site Vehicle Trip Rate (Observed)	Off-Site Vehicle Trip Rate (Calculated)	Motorized Vehicle Trip Rate ITE LU 220 <sup>a</sup>	On-Site Vehicle Trip Rate (Observed)	Off-Site Vehicle Trip Rate (Calculated)	Motorized Vehicle Trip Rate ITE LU 220 <sup>a</sup>
Couch 9	0.11	0.07	0.51	0.09	0.14	0.62
Footprint Hollywood	0	0.14		0	0.1	
GPV Henshaw	0.09	0.23		0.09	0.03	
GPV Quimby	0.08	0.18		0.11	0.08	
Jeanne Manor	0	0.11		0	0.14	
LL Hawkins	0.19	0.05		0.14	0.05	
Marvel 29	0.14	0.06		0.13	0.06	
Modera Belmont	0.09	0.07		0.11	0.15	
Modera Pearl	0.17	0.06		0.18	0.07	
Miltnomah Village	0.09	0.15		0.16	0.08	
Theory 33	0	0.33		0	0.18	
TreeHouse	0.04	0.06		0.04	0.13	

<sup>a</sup> Source: Institute of Transportation Engineers, 10th Ed., 2017



**Figure 3 E-Grocery Shopping Adoption During the COVID-19 Pandemic and Recovery by Income Range<sup>16</sup>**

<sup>16</sup> Data collected by Clifton (PI), Howell, and team from two waves of a cross-sectional survey (September/October 2020 and January/February 2021) of residents in Oregon, Washington, Florida, Michigan, and Arizona. Research is ongoing.

[For Downtown Milwaukie Parking Strategy Executive Summary, see email attachment for the time being.]

## **Proposed Shared Parking Support**

# Proposed Shared Parking for 2206 SE Washington St



10282 SE Main St  
Commercial parking to  
the north

2305 SE Washington St  
Adjacent Commercial site

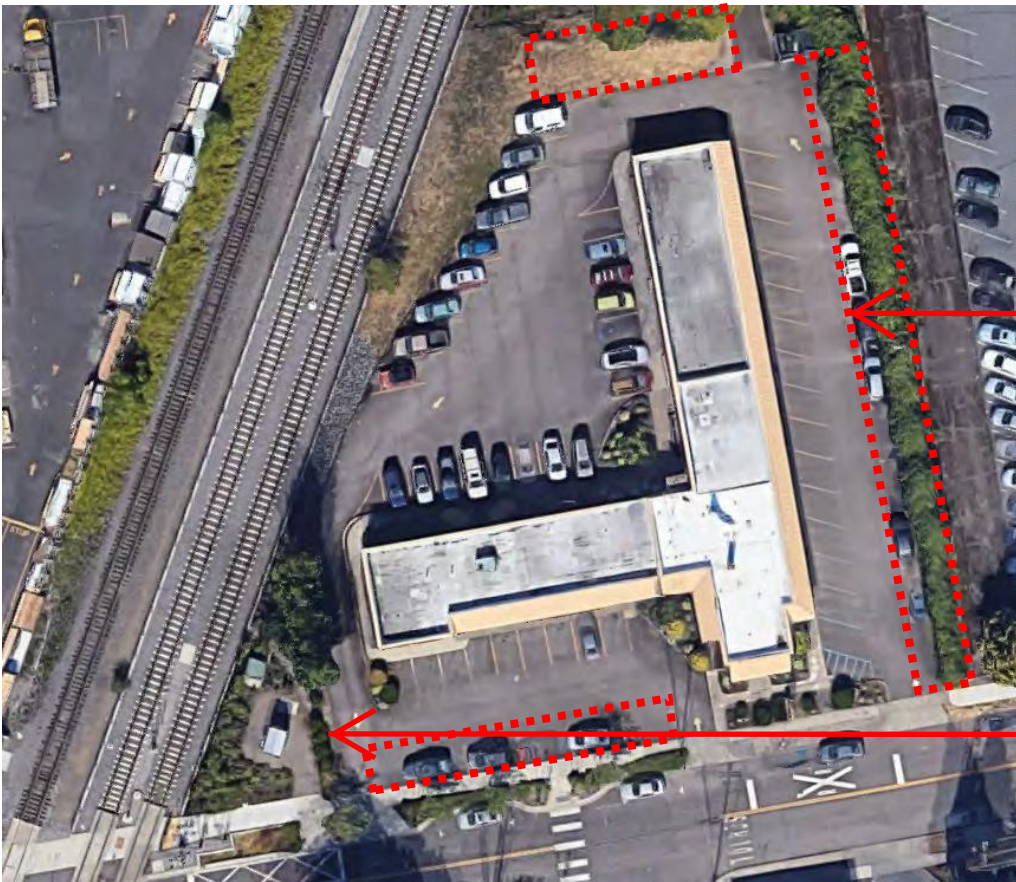
Adjacent TriMet site

Site Location





See attached agreement  
for up to 20 spaces



See attached agreement  
& study for  
up to 23 spaces

Adjacent TriMet site  
(1) off site Zip-Car space

**Shared Parking Agreement for  
10828 SE Main St.**

Memorandum of Understanding

This Memorandum of Understanding between Sodo LLC ("Sodo") and IOOF Samaritan Lodge #2 ("Odd Fellows") serves to memorialize an agreement between the parties on the principal terms of a lease agreement granting Sodo the right to lease up to 20 parking spots for use by its future tenants at 2206 SE Washington Street, Milwaukie, OR.

The parties intend to finalize all points and sign a lease agreement on or before August 1, 2022, or at such other time as the parties agree.

This is a memorandum of understanding only, and is not legally binding on either party. However, both parties agree in good faith that this memorandum accurately reflects its intentions and that it expects and intends to go ahead with the lease roughly upon the terms of this memo.

Odd Fellows owns and operates a building and attached parking lot located at 10282 SE Main St, Milwaukie, OR. Sodo owns and intends to develop property at 2206 SE Washington St, Milwaukie, OR.

Odd Fellows agrees to rent up to 20 parking spots to Sodo at such time as the property has been developed and is occupied by tenants.

Sodo will only be obligated to pay for spots that are actually rented to tenants. The total number of spots rented will be between 0 and 20. Sodo will pay Odd Fellows \$70 per rented spot each month.

Sodo intends and expects (but does not guarantee) that development will be finished and tenants will begin occupancy before January 1, 2023.

The lease will continue for at least 3 years. After the initial 1-year period, an annual 3% rent escalation shall apply in each subsequent year. After year 3, there will be an option to extend for 7 more years. In the case of development of the site, the contract can be terminated at any time after the 3<sup>rd</sup> year once Odd Fellows supplies to Sodo an approved building permit.

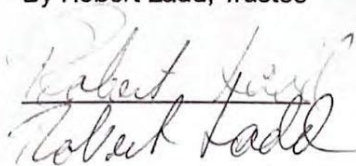
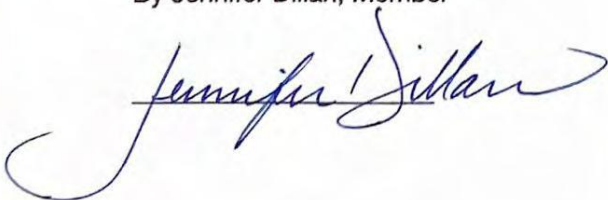
Odd Fellows will be responsible for safe lighting, routine cleaning and maintenance of the parking spots.

The spots that Odd Fellows intends to lease are indicated on the attached satellite image, circled in pen.

Dated: October 8, 2021

Sodo LLC  
By Jennifer Dillan, Member

IOOF Samaritan Lodge #2  
By Robert Ladd, Trustee



**Shared Parking Agreement for  
2305 SE Washington St**

Memorandum of Understanding

This Memorandum of Understanding between Sodo LLC ("Sodo") and Amato/Craig Properties Inc. ("Amato/Craig Properties") serves to memorialize an agreement between the parties on the principal terms of a lease agreement granting Sodo the right to lease 23 parking spots for use by its future tenants at 2206 SE Washington Street, Milwaukie, OR.

The parties intend to finalize all points and sign a lease agreement on or before August 1, 2022, or at such other time as the parties mutually agree.

This is a memorandum of understanding only, and is not legally binding on either party. However, both parties agree in good faith that this memorandum accurately reflects its intentions and that it expects and intends to execute the binding the lease agreement pursuant to the terms of this memo.

Amato/Craig Properties owns and operates a building and attached parking lot located at 2305 SE Washington Ave Milwaukie, OR. Sodo owns and intends to develop property at 2206 SE Washington St, Milwaukie, OR.

Amato/Craig Properties agrees to lease 23 parking spots to Sodo at such time as the property has received its Certificate of Occupancy. Sodo intends and expects (but does not guarantee) that Certificate of Occupancy will be granted before March 1, 2024.

The total number of spots leased by Sodo LLC will be 23. Sodo will pay Amato/Craig Properties \$80 per spot each month.

The lease will continue for at least 3 years. After the initial 1-year period, an annual 3% rent escalation shall apply in each subsequent year. After year 3, there will be an option to extend for 7 more years. In the case of development of the site, the contract can be terminated any time after the 3<sup>rd</sup> year once Amato/Craig Properties supplies to Sodo an approved building permit.

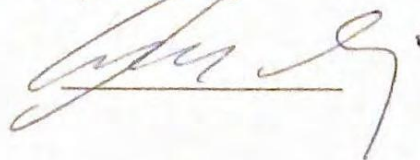
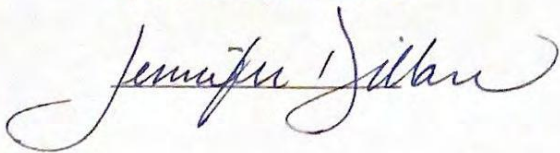
Amato/Craig Properties will continue to be responsible for safe lighting, routine cleaning and maintenance of the parking spots.

The areas in which parking for Sodo will be provided are indicated on the attached Exhibit 1 satellite image, highlighted in red pen. Exhibit 2 shows the architect's render that Sodo provided to Amato/Craig Properties which indicates areas in which - after improvements - accommodates the agreed upon parking spaces.

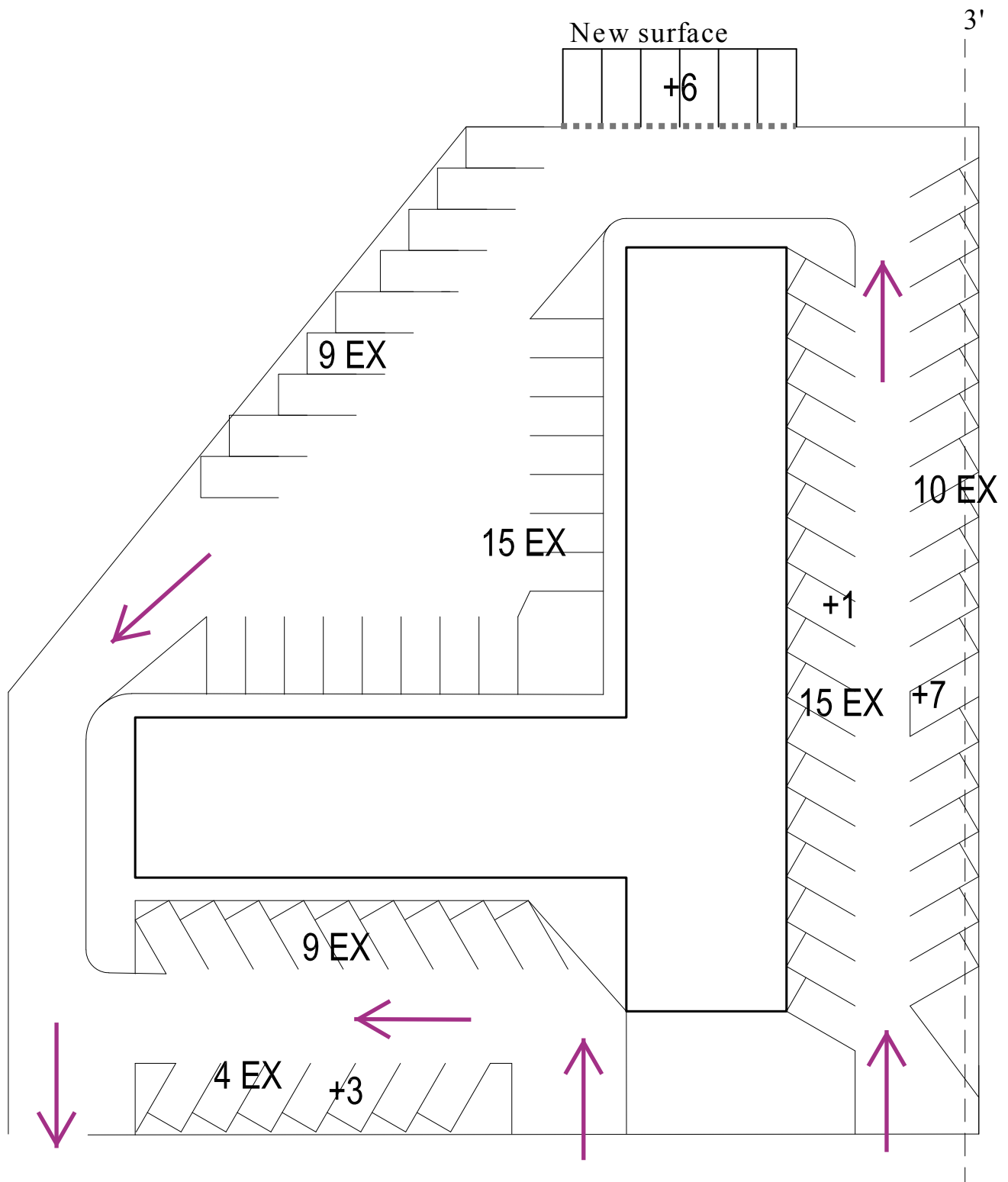
Dated: November 24, 2021

Sodo LLC  
By Jennifer Dillan, Member

Amato/Craig Properties Inc.  
By Arnold Craig



**Shared Parking Study for  
2305 SE Washington St.**



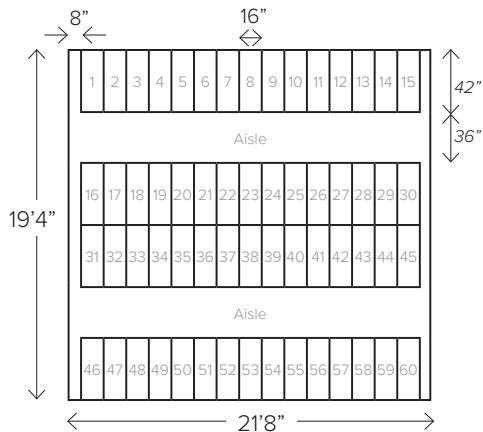
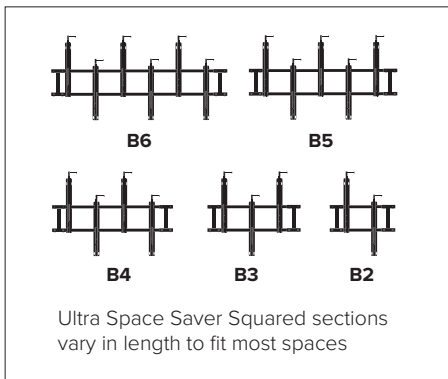
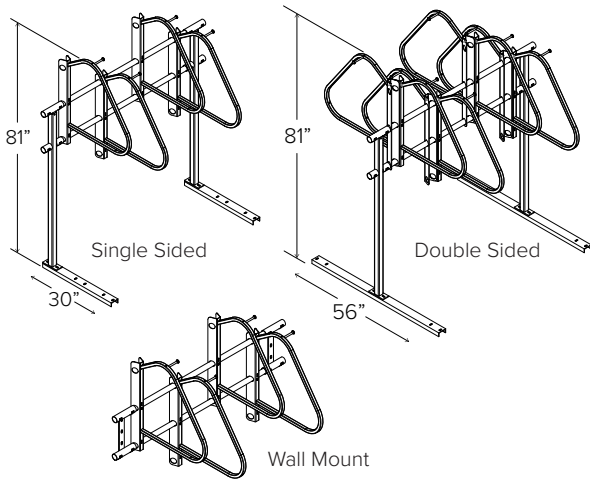
62 existing stalls

17 additional stalls

10% of EX + 17 NEW = 23 Stalls

## **Bike Storage Support Material**





As a general guideline, the above space can fit approximately 60 bicycles.

The Ultra Space Saver Squared parks one bike every 16" with a typical bike extending out 42" from the wall.

### CAPACITY

Modular construction  
1 bike per arm

### MATERIALS

**Hanger:** 1" square tube with steel slider head with tamperproof locking bolts.  
**Upright:** 2" square tube.  
**Feet:** AISI C3 x 4.1 galvanized steel channel.  
**Crossbeams:** 2" sched. 40 galvanized pipe.

### FINISHES

- Black Powder Coat (Interior Use)**  
Our interior powder coat finish assures a high level of adhesion and durability for indoor use by following these steps:  
1. Sandblast  
2. Final thick TGIC polyester powder coat
- Black Powder Coat (Exterior Use) Additional Cost**  
Our exterior powder coat finish assures a high level of adhesion and durability for outdoor or exposed air use by following these steps:  
1. Sandblast  
2. Epoxy primer electrostatically applied  
3. Final thick TGIC polyester powder coat

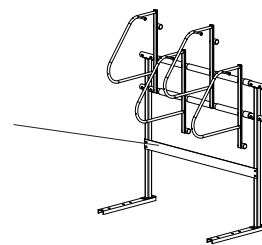
### MOUNT OPTIONS

- Floor mount**  
Ultra Space Saver Squared have steel channel feet (30" for single sided and 56" for double sided units) which must be anchored to the floor.
- Wall mount**  
A wall mounted unit which contains special brackets is also available for CMU or solid concrete walls. Cannot be used on sheetrock without additional support.

### WHEEL STOPS

- Include wheel stops**

Optional wheel stops are available for an additional cost





# CITY OF MILWAUKIE

April 30, 2021

Jennifer Dillan  
3402 SE Harney Ct  
Milwaukie OR, 97222

**Re: Preapplication Report**

Dear Jennifer:

Enclosed is the Preapplication Report Summary from your meeting with the City on 04/15/2021, concerning your proposal for action on property located at 2206 SE Washington St.

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

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

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

Sincerely,

*Tempest Blanchard*

Tempest Blanchard  
Administrative Specialist II



**CITY OF MILWAUKIE**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503.786.7600  
 planning@milwaukieoregon.gov  
 building@milwaukieoregon.gov  
 engineering@milwaukieoregon.gov

# Preapplication Conference Report

Project ID: 21-003PA

This report is provided as a follow-up to the meeting that was held on 4/15/2021 at 10:00 AM

The Milwaukie Municipal Code is available here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)

## APPLICANT AND PROJECT INFORMATION

<b>Applicant:</b>	Jennifer Dillan	<b>Applicant Role:</b> Representative
<b>Applicant Address:</b>	3402 SE Harney Ct, Milwaukie, OR, 97222	
<b>Company:</b>		
<b>Project Name:</b>	Dogwood Station	
<b>Project Address:</b>	2206 SE Washington St	<b>Zone:</b> Downtown Mixed Use (DMU)
<b>Project Description:</b>	Construct a new 5-story 56-unit apartment building. No on-site vehicular parking is proposed.	
<b>Current Use:</b>	Vacant	
<b>Applicants Present:</b>	Jessy Ledesma, HomeWork Development – Developer; Jennifer Dillan -- Co-owner and Co-developer; Joshua Shulman -- Co-owner; Stanely Shulman -- Co-owner; Carrie Strickland, W.PA -- Principle Architect; Adam Hostetler, W.PA – Architect; Holly Kang, W.PA -- Designer	
<b>Staff Present:</b>	Vera Kolas (Planning Dept), Laura Weigel (Planning Dept.); Alison Wicks, (Community Development Dept.); Steve Adams, Jennifer Backhaus (Engineering Dept.); Samantha Vandagriff (Building Dept.); Jere Sonne (Public Works); Alex McGladrey (Clackamas Fire District #1); Kate Hawkins (ODOT); Bob Stolle (ODOT)	

## PLANNING COMMENTS

### Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	<b>Use Standards (e.g., residential, commercial, accessory)</b>	As per Milwaukie Municipal Code (MMC) Section 19.304. in the Downtown Mixed Use (DMU) zone, multifamily residential uses are allowed outright, subject to specific limitations.  Please confirm compliance with these standards in the land use application materials.
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	MMC Table 19.304.4 establishes the various dimensional standards for the DMU zone. Key relevant standards include the following: <ul style="list-style-type: none"> <li>• Floor area ratio (FAR) = maximum is 4:1</li> <li>• Building height = maximum is 3 stories or 45 ft, with height bonuses available for up to 2 more stories (up to 69 ft total)</li> <li>• Setbacks/build-to lines = for block faces on Washington Street a minimum of 75% of the first floor must be built with a zero setback, with the remaining 25% set back no</li> </ul>

		<p>more than 20 ft from the property line; any setback area along these block faces must provide usable open space, such as a public plaza or pedestrian amenities</p> <ul style="list-style-type: none"> <li>• Frontage occupancy requirement = at least 75% of the Washington Street frontage must be occupied by a building(s)</li> </ul> <p>Please address each of the applicable standards – table format is acceptable. For building height bonuses, please be specific about the green building program proposed (see discussion below for MMC 19.510).</p>
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**Land Use Review Process**

<input checked="" type="checkbox"/>	<b>Applications Needed</b>	<p>Step 1: Downtown Design Review; Transportation Facilities Review (TFR), including Traffic Impact Study (TIS) process; Parking Quantity Modification</p> <p>Step 2: Development Review during permitting for the building</p>
<input checked="" type="checkbox"/>	<b>Fees</b>	<ul style="list-style-type: none"> <li>• Type III = \$2,000 per application</li> <li>• Type II = \$1,000</li> <li>• Type I = \$200</li> </ul> <p><u>Note:</u> For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one.</p> <p>For technical review of a TIS, a \$1,500 deposit is required to cover the cost of preparation of a scope of work, followed by a \$2,500 deposit for review of the TIS itself.</p> <p>The applicant is responsible for the final actual cost of the peer review, though the City will endeavor to have the consultant work within the initial deposit amount.</p>
<input checked="" type="checkbox"/>	<b>Review Type</b>	<ul style="list-style-type: none"> <li>• Building height variance in the DMU zone (Type III) – if requested.</li> <li>• Multifamily design review = Type II (\$1,000)</li> <li>• Parking Quantity Modification = Type II (\$750 w/ discount)</li> <li>• Transportation Facilities Review = Type II (\$750 w/ discount)</li> </ul> <p>Development Review = Type I (\$200)</p>

**Overlay Zones (MMC 19.400)**

<input type="checkbox"/>	<b>Willamette Greenway</b>	
<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	

**Site Improvements/Site Context**

<input type="checkbox"/>	<b>Landscaping Requirements</b>	There are no specific landscaping requirements for the DMU zone.
<input checked="" type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)</b>	For multifamily dwellings, MMC 19.609 requires a minimum of 1 bike parking space per unit. When at least 10 bike spaces are required, or when 10% or more of vehicle parking is covered, then a minimum of 50% of the bike parking provided must also be covered or enclosed (in lockers or a secure room). Bicycle parking spaces must be at least 2 ft wide by 6 ft long, with a 5-ft-wide access aisle. For covered spaces, there must be at least 7 ft of overhead clearance. Bike racks must be securely anchored and designed to allow the frame and at least 1 wheel to be locked to the rack using a high-security, U-shaped shackle lock.
<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	

<input type="checkbox"/>	<b>Circulation</b>	
<input checked="" type="checkbox"/>	<b>Green Building Standards (MMC 19.510)</b>	This section details the approved programs and requirements when seeking a height bonus through green building design. In the application narrative, please be specific about the program proposed.
<input checked="" type="checkbox"/>	<b>Multifamily design standards (MMC 19.505)</b>	As new multifamily residential development downtown is subject to the design standards outlined in 19.505.3. The application materials must provide a response for each standard or guideline. If the proposal meets all development and design standards, then the project is subject to Type I Development Review; if the multi-family design guidelines will be used, then the project is subject to Type II Development Review.
<b>Parking Standards (MMC 19.600)</b>		
<input type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	
<input checked="" type="checkbox"/>	<b>Multi-Family/Commercial Parking Requirements</b>	Off-street parking requirements apply to the multifamily units only (1 space/dwelling unit), not to the commercial uses. Application materials should clearly indicate the calculations for the number of proposed parking spaces and the use of any by-right reductions (up to 30% of the minimum required number) identified in MMC 19.605.3. Any proposed modifications to the required parking quantity would be addressed with a Type II parking modification per MMC 19.605.2. Please review the documentation requirements and approval criteria to ensure that the narrative includes all necessary information. See also additional notes below.
<b>Approval Criteria (MMC 19.900)</b>		
<input type="checkbox"/>	<b>Community Service Use (CSU) (MMC 19.904)</b>	
<input checked="" type="checkbox"/>	<b>Development Review (MMC 19.906)</b>	Development review (Type I) will be required in conjunction with the building permit process for the project, to confirm compliance with the code and the land use approval. Approval criteria for development review are provided in MMC 19.906.4.
<input type="checkbox"/>	<b>Downtown Design Review (MMC 19.907)</b>	
<input checked="" type="checkbox"/>	<b>Variance (MMC 19.911)</b>	A building height variance to allow a 6 story building would be required. Please review MMC 19.911.6 for detailed approval criteria.
<b>Land Division (MMC Title 17)</b>		
<input type="checkbox"/>	<b>Design Standards</b>	
<input type="checkbox"/>	<b>Preliminary Plat Requirements</b>	
<input type="checkbox"/>	<b>Final Plat Requirements (See Engineering Section of this Report)</b>	
<b>Sign Code Compliance (MMC Title 14)</b>		

<input type="checkbox"/>	<b>Sign Requirements</b>	MMC 14.16.060 establishes standards for the types of signs that are allowed in downtown zones including the DMU. Please keep these standards in mind when finalizing the building design, to facilitate the obtaining of sign permits as needed.
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**Noise (MMC Title 16)**

<input type="checkbox"/>	<b>Noise Mitigation (MMC 16.24)</b>	
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**Neighborhood District Associations**

<input checked="" type="checkbox"/>	<b>Historic Milwaukie</b>	Any City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property will receive a referral and the opportunity to provide comment on the application.
	Choose an item.	Applicants are encouraged to meet with the NDA prior to application submittal: <a href="https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda">https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda</a> .

**Other Permits/Registration**

<input type="checkbox"/>	<b>Business Registration</b>	
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<input type="checkbox"/>	<b>Home Occupation Compliance (MMC 19.507)</b>	
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**Additional Planning Notes**

The applicant asked for clarification on building height – could a 6-story building be permitted in the 69-ft building height maximum? No – the height bonus section is clear that up to 2 stories or 24 ft, whichever is less, is permitted. A building height variance would be required to allow 6 stories.

Regarding the parking modification to allow no off-street parking on the site, staff is concerned about the approvability of such a modification without some accommodations:

- Recommend that a TDM program is provided for the site. Milwaukie does not currently have urban services close enough to the site to be walkable, nor does it have frequent transit service to get to a grocery store in the City. Additionally, bicycle infrastructure is planned, but not yet built, and it could be challenging for non-experienced riders to meet their daily needs year-round on bicycle. A TDM program will need to be developed to ensure people have mobility choices, including driving a car.
- Applicant must attempt to find offsite parking (whether leased or shared or shared/leased) for the 39 vehicles required to meet the code. Please ensure that tenants in the building are aware that street parking is generally not available and if there is parking available (off-site) it should be made clear than there are 39 spaces available for 56 units. Assuming residents will have to pay for those spaces, this must be made clear to residents leasing in the building and possibly captured in writing. Experience with other residential buildings in the downtown has shown that the lack of available on-street parking in the downtown is an issue, as most residents do have cars.
- For those residents who have chosen not to have a car, please consider providing Tri-Met passes.

**ENGINEERING & PUBLIC WORKS COMMENTS**

**Public Facility Improvements (MMC 19.700)**

<input checked="" type="checkbox"/>	<b>Applicability (MMC 19.702)</b>	MMC 19.702 establishes the applicability of MMC 19.700, including to new construction and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.  The proposed development would result in new construction that would increase vehicle trips and does therefore trigger the applicability of MMC 19.700.
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<input type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	
<input checked="" type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>	A full Traffic Impact Study is not required for this development. A memo outlining how the increased vehicle trips will be mitigated and outlining optional off-site parking and/or loading zones will be required.
<input checked="" type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	As per the stipulations of MMC 19.707.1, the following agencies will receive notification of the proposed development: ODOT Rail Division, Metro, Clackamas County, and TriMet.
<input checked="" type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	See MMC 12.16 for Access Management.
<input checked="" type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>	Sewer and water utilities will need to be upsized for this development. This work must be done under a right-of-way permit.  Connection to water mains for service lines 2" and less shall be made by City crews. Excavation and paving shall be the responsibility of the applicant. A utility billing form must be submitted, and fees paid prior to connection. A 10" HDPE Water main is adjacent to the development.
<b>Flood Hazard Area (MMC 18)</b>		
<input type="checkbox"/>	<b>Development Permit (MMC 18.04.100)</b>	
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>	
<input type="checkbox"/>	<b>Specific Standards (MMC 18.04.160)</b>	
<input type="checkbox"/>	<b>Floodways (MMC 18.04.170)</b>	
<b>Environmental Protection (MMC 16)</b>		
<input type="checkbox"/>	<b>Weak Foundation Soils (MMC 16.16)</b>	
<input type="checkbox"/>	<b>Erosion Control (MMC 16.28)</b>	
<input type="checkbox"/>	<b>Tree Cutting (MMC 16.32)</b>	
<b>Public Services (MMC 13)</b>		
<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	Per MMC 13.04, for upgrading the meter size detailed drawings must be provided to the Engineering Department. These drawings must indicate the size and location of the existing City water main, the existing and proposed City service, meter location, and size, and the private service and size. This can be provided on the building permit site plan and/or with the Right of Way Permit.  Additional fees and SDCs are required based on upgraded meter size. The provided SDC estimate is based on an upgrade to a 2" water service and meter. Higher sizes will incur higher fees/SDCs.  Meters for sizes above 2" shall be provided by the applicant.
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	Per MMC 13.12, connection to the public sewer system for new buildings or structures is required prior to the issuance of a certificate of occupancy.

		A right-of-way permit is required to install, upsize, or repair the sewer lateral in the public right-of-way.
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	Treatment facilities are to be designed to meet the 2016 City of Portland Stormwater Management Manual.
<input checked="" type="checkbox"/>	<b>System Development Charge (MMC 13.28.040)</b>	Development is subject to system development charges (SDCs). SDCs for sewer, county sewer, transportation, water, and county parks must be paid prior to permit issuance.  The provided SDC Estimate assumes a 2" water service, 44,000 sq-ft of impervious surface area, and the following fixture units: 1 dishwasher, 1 toilet, 1 shower, and 2 sinks. Actual SDC numbers will change based on information provided during the permitting process.
<input type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	

### Public Places (MMC 12)

<input checked="" type="checkbox"/>	<b>Right of Way Permit (MMC 12.08.020)</b>	A Right-of-Way Permit will be required to complete driveway improvements and upgrades to utilities.
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	A right-of-way permit is required to remove the existing driveway.
<input type="checkbox"/>	<b>Clear Vision (MMC 12.24)</b>	

### Additional Engineering & Public Works Notes

The provided SDC estimate is subject to change based on actual building application submittals. Fees may be higher or lower depending on plans.

A traffic impacts memo is required in lieu of a full Traffic Impacts Study. The memo should outline how the increased vehicle trips will be mitigated, what options for off-street parking will be made available, how loading zones will be implemented.

### BUILDING COMMENTS

All drawings must be submitted electronically through [www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov)

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

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at [www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov). Each permit type and sub-permit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows. Plans should be submitted as a set and not individual pages. If full plan sets become too large, please break them up by civil, architectural, structural.

The grading plan submitted to the Engineering Department does not cover the inground plumbing or the fire line review.

If you have any building related questions, please email us at [building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov).

### Additional Building Notes

This building will be required to have sprinklers throughout and alarms as per chapter 9 of the Oregon Structural Specialty Code (OSSC).

Plan review is running at 6 to 8 weeks for first review for the building division. Revision submittals are taken in order as they are received. All reviews, including deferred submittals, are subject to this review timeline.



Reviews for electrical and plumbing are done by Clackamas County for us (all submittals and paperwork as submitted in the same manner as the building permit). Review timelines for these are based on their workload and can vary from the 6-8 weeks of the building and mechanical review time frames.

### OTHER FEES

<input type="checkbox"/>	<b>Affordable Housing Construction Excise Tax</b>  Affordable Housing CET – Applies to any project with a construction value of over 100,000.	<b>Calculation:</b> Valuation *1% (.01)
<input type="checkbox"/>	<b>Metro Excise Tax</b>  Metro – Applies to any project with a construction value of over \$100,000.	<b>Calculation:</b> Valuation *.12% (.0012)
<input type="checkbox"/>	<b>School Excise Tax</b>  School CET – Applies to any new square footage.	<b>Calculation:</b> Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)

### FIRE DISTRICT COMMENTS

Please see the attached memorandum for fire district comments.

### COORDINATION WITH OTHER AGENCIES

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

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

### MISCELLANEOUS

#### State or County Approvals Needed

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

#### Arts Tax

<input type="checkbox"/>	<b>Neighborhood Office Permit</b>	
<b>Other Right-of-Way Permits</b>		
<input type="checkbox"/>	<b>Major:</b>	
<input type="checkbox"/>	<b>Minor:</b>	
<input type="checkbox"/>	<b>Painted Intersection Program Permits:</b>	
<input type="checkbox"/>	<b>artMOB Application</b>	
<input type="checkbox"/>	<b>Traffic Control Plan (Engineering)</b>	
<input type="checkbox"/>	<b>Parklet:</b>	
<input type="checkbox"/>	<b>Parklet Application/ Planning Approval</b>	
<input type="checkbox"/>	<b>Engineering Approval</b>	
<input type="checkbox"/>	<b>Building Approval</b>	
<input type="checkbox"/>	<b>Sidewalk Café:</b>	
<input type="checkbox"/>	<b>Tree Removal Permit:</b>	
<b>Infrastructure/Utilities</b>		
<b>Applicant must communicate directly with utility providers. These may include the following:</b>		
<ul style="list-style-type: none"> <li>• PGE</li> <li>• NW Natural</li> <li>• Clackamas River Water (CRW)</li> <li>• Telecomm (Comcast, Century Link)</li> <li>• Water Environmental Services (WES)</li> <li>• Garbage Collection (Waste Management, Hoodview Disposal and Recycling)</li> </ul>		
<b>Economic Development/Incentives</b>		
<input type="checkbox"/>	<b>Enterprise Zone:</b>	Project is located in the North Urban Clackamas County Enterprise Zone. Enterprise Zone incentives are available to businesses that locating or expanding. Proposed project does not qualify for Enterprise Zone incentives.
<input type="checkbox"/>	<b>Vertical Housing Development Zone:</b>	Project is located in the Milwaukie Vertical Housing Development Zone. VHDZ incentives are available to projects with ground floor commercial uses. Proposed project does not qualify for VHDZ incentives.
<input type="checkbox"/>	<b>New Market Tax Credits:</b>	Project is located in a census tract that is not eligible for NMTC.
<input type="checkbox"/>	<b>Housing Resources:</b>	Contact Christina Fadenrecht, Housing and Economic Development Assistant for more information about CET grant program. FadenrechtC@milwaukieoregon.gov

**PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE**

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

Sincerely,

City of Milwaukie Development Review Team

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#### **BUILDING DEPARTMENT**

<b>Samantha Vandagriff</b>	<b>Building Official</b>	<b>503-786-7611</b>
<b>Harmony Drake</b>	<b>Permit Technician</b>	<b>503-786-7623</b>
<b>Stephanie Marcinkiewicz</b>	<b>Inspector/Plans Examiner</b>	<b>503-786-7636</b>

#### **ENGINEERING DEPARTMENT**

<b>Steve Adams</b>	<b>City Engineer</b>	<b>503-786-7605</b>
<b>Jennifer Backhaus</b>	<b>Engineering Technician III</b>	<b>503-786-7617</b>

#### **PLANNING DEPARTMENT**

<b>Laura Weigel</b>	<b>Planning Manager</b>	<b>503-786-7654</b>
<b>Vera Kalias</b>	<b>Senior Planner</b>	<b>503-786-7653</b>
<b>Brett Kolver</b>	<b>Associate Planner</b>	<b>503-786-7657</b>
<b>Mary Heberling</b>	<b>Assistant Planner</b>	<b>503-786-7658</b>
<b>Janine Gates</b>	<b>Assistant Planner</b>	

#### **COMMUNITY DEVELOPMENT DEPARTMENT**

<b>Leila Aman</b>	<b>Community Development Director</b>	<b>503-786-7616</b>
<b>Alison Wicks</b>	<b>Development Project Manager</b>	<b>503-786-7661</b>
<b>Christina Fadenrecht</b>	<b>Housing and Economic Development Assistant</b>	<b>503-786-7600</b>
<b>Tempest Blanchard</b>	<b>Administrative Specialist II</b>	<b>503-786-7600</b>
<b>Emilie Bushlen</b>	<b>Administrative Specialist II</b>	<b>503-786-7600</b>

#### **CLACKAMAS FIRE DISTRICT**

<b>Mike Boumann</b>	<b>Lieutenant Deputy Fire Marshal</b>	<b>503-742-2673</b>
<b>Alex McGladrey</b>	<b>Fire Inspector</b>	<b>503-742-2660</b>

## **Pre-Application Comments:**

**To:** Vera Kolas, City of Milwaukie

**From:** Alex McGladrey, Deputy Fire Marshal, Clackamas Fire District #1

**Date:** 13/04/2021

**Re:** 21-003PA, 56 Unit Apartment Complex at 2206 SE Washington St

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

- 1) A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, and type of construction. The applicant shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority. In addition, a pdf version shall be sent directly to alex.mcgladrey@clackamasfire.com.
- 2) CFD#1 Fire Flow/Hydrant worksheet shall be completed and submitted with the Fire Access & Water Supply Plan. This can be found on our website at: <https://clackamasfire.com/fire-prevention/new-construction-resources/>
- 3) Provide address numbering that is clearly visible from the street.
- 4) No part of a building may be more than 150 feet from an approved fire department access road.
- 5) The inside turning radius and outside turning radius for a 20' wide road shall not be less than 28 feet and 48 feet respectively, measured from the same center point.
- 6) Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- 7) Buildings exceeding 30 feet in height shall require extra width and proximity provisions for aerial apparatus.
- 8) Access streets between 26 feet and less than 32 feet in width must have parking restricted to one side of the street. Access streets less than 26 feet in width must have parking restricted on both sides of the street. No parking restrictions for access roads 32 feet wide or more.
- 9) Fire Hydrants, Commercial Buildings: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

Note: This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.

- 10) All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code. Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Fire sprinklers may reduce the water supply requirements.
- 11) The fire department connection (FDC) for any fire sprinkler system shall be placed as near as possible to the street, and within 100 feet of a fire hydrant.
- 12) The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.
- 13) Please see our design guide at:  
<https://clackamasfire.com/fire-prevention/new-construction-resources/>
- 14) If you have questions please contact Alex McGladrey with Clackamas Fire District 503-742-2662 or alex.mcgladrey@clackamasfire.com



# Oregon

Kate Brown, Governor

## Department of Transportation

Region 1 Headquarters  
123 NW Flanders Street  
Portland, Oregon 97209  
(503) 731.8200  
FAX (503) 731.8259

April 20, 2021

ODOT #12074

## ODOT Response

<b>Project Name:</b> Dogwood Station	<b>Applicant:</b> Jennifer Dillan
<b>Jurisdiction:</b> City of Milwaukie	<b>Jurisdiction Case #:</b> 21-003PA
<b>Site Address:</b> 2206 SE Washington St, Milwaukie, OR	<b>Legal Description:</b> 01S 01E 36BC <b>Tax Lot(s):</b> 01700
<b>State Highway:</b> OR 99E	<b>Mileposts:</b> 5.94

The site of this proposed land use action is in the vicinity of OR 99E and is adjacent to TriMet's MAX Orange Line and the Southern Pacific Railroad tracks. ODOT has permitting authority for these facilities and an interest in ensuring that the proposed land use is compatible with their safe and efficient operation.

### COMMENTS/FINDINGS

ODOT has reviewed the submitted application materials for a 56-unit apartment building in the Downtown Mixed Use (DMU) zone. As proposed, the application does not include on-site parking or vehicular access.

ODOT's Rail and Public Transit Division (RPTD) also reviewed the project for impacts to the adjacent MAX and Southern Pacific rail lines. ODOT RPTD does not anticipate the need for a Rail Crossing Order, as the development does not propose any changes to on-street parking and will not reduce sight distance for vehicles or pedestrians. ODOT recommends the applicant communicate with TriMet as appropriate when demolition and construction activities take place near the rail tracks. Please contact Sean Batty, TriMet Director of Engineering and Construction Delivery, at [BattyS@trimet.org](mailto:BattyS@trimet.org) for coordination purposes.

### ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

#### Traffic Impacts

- If a traffic impact analysis is required by the City of Milwaukie, ODOT recommends the applicant assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Please contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

### ADVISORY INFORMATION

#### Noise

- The applicant is advised that a residential development on the proposed site may be exposed to noise from heavy rail freight trains, passenger trains, or transit vehicles. It is generally not the State's responsibility to provide mitigation for receptors that are built

after the noise source is in place. Builders should take appropriate measures to mitigate the noise impacts.

**Please send a copy of the Land Use Notice to:**

ODOT Region 1 Planning  
Development Review  
123 NW Flanders St  
Portland, OR 97209

[ODOT\\_R1\\_DevRev@odot.state.or.us](mailto:ODOT_R1_DevRev@odot.state.or.us)

Development Review Planner: Kate Hawkins	503.731.3049, kate.w.hawkins@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221 abraham.tayar@odot.state.or.us





Permit Record: 21-003PA

SDCs

Street Address: 2206 SE Washington St

Prepared By: JMB

Date: 4/29/2021

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 198,063.00	\$ -	\$ -	\$ 198,063.00
Transportation	\$ 2,305.80	\$ 45,874.44	\$ -	\$ 48,180.24
Storm Drainage	\$ -	\$ 14,726.06	\$ -	\$ 14,726.06
Water	\$ 3,798.00	\$ 3,157.00	\$ 533.00	\$ 7,488.00
Sewer	\$ 13,877.50	\$ 23,729.00	\$ -	\$ 37,606.50
Water Meter Set Fee	\$ 740.00	\$ -	\$ -	\$ 740.00
Review Fee	\$ -	\$ -	\$ 150.00	\$ 150.00
Wastewater Treatment	\$ 350,619.00	\$ -	\$ -	\$ 350,619.00
			Total	\$ 657,572.80

Fees subject to change until final plans and permit issuance

# Memorandum

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October 28, 2021

Project# 26335

To: Steve Adams, City Engineer, City of Milwaukie  
From: Julia Kuhn  
CC: Jamestaun Kraupp  
RE: Dogwood Station (City Case #VR-2021-017)

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On behalf of the City staff, we have reviewed the October 14, 2021 *Traffic and Parking Memorandum* (herein referred to as the October Memo) submitted by Lancaster Mobley on behalf of the Dogwood Station development proposed at 2206 SE Washington Street. Our review was guided by Milwaukie Municipal Code Section 19.704 requirements, City staff direction provided at the pre-application conference for the project, and consistency with general traffic and parking engineering guidance and principals. This memorandum provides an overview of our findings for consideration by City staff.

## Trip Generation & Assignment

Like mentioned in the October 2021 Memo, we too have found that there is a lack of available data sources for estimating the vehicular trips associated with affordable and/or workforce housing projects. Like many of our projects for these types of developments, the Applicant also reviewed a variety of trip generation rates to serve as a proxy for determining the potential for off-site vehicular impacts. We reviewed their use of comparable proxy rates and agree that the trip generation estimates presented in the October 2021 Memo are reasonable for use for this proposed development.

As shown in Table 1 of the October 2021 Memo, the number of vehicular trips generated during the weekday AM and PM peak hours is estimated to be less than 20 vehicles per peak hour. With this low trip estimate, we agree that a vehicular analyses of off-site intersection operations appears to be unnecessary as part of this submittal.

As such, we concur that the October 2021 Memo is reasonable in its conclusions regarding trip generation and the absence of off-site intersection impacts.

## Parking Needs

Similar to trip generation, there is limited published data about the parking needs associated with affordable/workforce housing. The October 2021 Memo applies a broad Transportation System Plan-type approach to illustrate that this type of housing would logically require less parking than a market rate apartment. The October 2021 memorandum's system-level review of influencing factors related to parking is reasonable and comprehensive and draws reasonable conclusions.

Our experience on other similar projects has been to either (1) obtain and/or collect parking demand data at comparable sites with similar uses or (2) use a parking generation rates from a "proxy" land use type within the *Parking Generation Manual* (published by the Institute of Transportation Engineers) to better understand the potential parking needs. That being said, recent studies we have completed that have been approved at similar sites in the Metro area have identified that parking demand ratios for affordable housing can vary between 0.5 and 0.81 spaces per unit, depending on the land use context, income

levels, access to transit, etc. The October 2021 Memo outlined many of the influencing factors that we too have identified in our evaluation of parking demand.

Using previously collected data, one could reasonably conclude that the 55 units of workforce housing could utilize between 28 and 45 spaces (i.e., 0.5 – 0.81 space per unit). The October 2021 Memo includes an executed agreement with an adjacent property owner with guaranteed use of 20 spaces as well as an intent to obtain 23 additional spaces at a second location. With the proximity of this site to the nearby MAX Main Street station as well as the commercial and office opportunities in downtown Milwaukie, one could conclude that there are many alternatives to single occupancy vehicle travel for the future residents who can afford a vehicle. Based on these considerations, the total off-site parking supply identified by the Applicant appears to be reasonable.

## Curb-side Passenger Loading

Notes from the City's pre-application conference indicate the need to clarify how curb-side passenger drop-off/pick-up could occur at this location. The October 2021 Memo qualitatively identifies the importance of providing clarity on how passengers can be safely dropped off and picked up but does not appear to specify how this site is being designed to accommodate this activity.

If clarity on this design element is not provided elsewhere in the Applicant's submittal package, we might suggest that the City request additional details on how the site is being designed to accommodate safe passenger loading as well as how to minimize the potential interactions between people driving, people walking, and people riding bikes.

## Truck Loading

The October 2021 Memo does not discuss how truck loading for resident move-in/move-out activities, truck deliveries and/or package deliveries may occur at this site. If information on this design element is not provided elsewhere in the Applicant's submittal package, we might suggest that the City request additional details on how truck loading and package delivery will be safely accommodated.

## Conclusions

In general, our review found that the methodology and principles applied within the October 2021 Traffic and Parking Memo appear to be reasonable and consistent with City development code requirements as well as a standard practice and guidelines. We also find that the conclusions regarding the absence of off-site vehicular impacts as well as the identified off-site parking supply to be reasonable. As noted, we suggest that, if not provided elsewhere in the submittal package, the City may want to consider requesting additional details on how the site is being designed to safely accommodate both passenger pick-up/drop-off activities for residents as well as truck delivery and package deliveries.

Please let us know if you'd like to discuss our review in more detail.

## ATTACHMENT 6

**From:** [Sandra Jones](#)  
**To:** [Vera Koliias](#)  
**Subject:** Question/comment for Public Hearing: VR-2021-017 (2206 SE Washington St.)  
**Date:** Friday, January 7, 2022 21:44:08

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**This Message originated outside your organization.**

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Hello Vera Koliias,

I am writing my concerns/comments in advance of the Public Hearing scheduled for 6:30 PM on Tuesday, January 25, 2022.

My chief concern is PARKING. *This proposed apartment building has ZERO on-site parking spaces* and the new Coho Point Property [SouthWest corner of SE Main and SE Washington St]) only has about 50% spaces per the total number of the apartments available. I am a resident of Axletree Apartment. Our building has on-site parking for tenants (we have about 80 on-site parking spaces for 90+ apartments which is approximately 80%).

I love living downtown and I understand why the city wants to encourage downtown living especially since it is so close to public transportation.

HOWEVER, for those of us who *live* here...it is difficult for us to have "visitors" to our homes. People who do not use public transportation for whatever reason (usually disability or security reasons) have to move their cars every 2 hours (using the "Block rule") and often end up parking so far away that they need me to provide them a "ride" to their car. I have 2 small grandchildren (one is disabled) and it is just not safe for their mother to try and safely control two active small children to get to my apartment.

When these two new apartment buildings (with too little or no parking allowance) are occupied, there will be very little "public" parking because these tenants will be forced to use these places and move their cars every 2 hours. This will leave no or very little parking for businesses as well as visitors to apartment residents.

I would like more information about the **"43 off-site parking spaces are proposed on two different properties in the downtown for lease to tenants of proposed building."** which is listed in the Proposal. Where are these properties who are going to lease spaces to these new tenants located? Will these properties also lease parking to Axletree tenants as well Coho Point tenants? Will these parking spaces be available 24 hours/7 days a week? How much will these spaces cost?

My concern is that if more apartment residents occupy the (very) little amount of public parking that is available in the small area that will now be occupied by THREE multi-story apartment buildings. I am likewise concerned about the small businesses already in our area. Then when each of these 3 apartment buildings actually fill their retail spaces....where are the customers of these "new businesses" supposed to park?

So, I feel the lack of public parking will not only impact "visitor" parking for our apartment residents, but also for the retail spaces. If you include the use of at least some of these public parking spaces by residents of all 3 apartments (especially between 6pm and 8am and all day Sundays), it will greatly reduce availability to the "public".

I had these similar concerns when the Coho Point planning was discussed. Now with the addition of another apartment building it is the same concern all over again....but even worse.

Thanks for listening.

Sandra E Jones  
Axletree Apartments  
11125 SE 21st Avenue  
Milwaukie, OR 97222

[sandrajones82@gmail.com](mailto:sandrajones82@gmail.com)

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97222