

Vera Kolias

From: Shasta Williams <shastalee27@gmail.com>
Sent: Monday, June 24, 2019 1:20 PM
To: Vera Kolias
Subject: Monroe and 37th St. Apartments

Hello,

My name is Shasta and I have lived in Milwaukie for the last 10 years. I am right off 42nd on Se Washington St.

I am very concerned about the level of traffic that the new apartment complex could bring in.

I worry because I am out walking a lot in my neighborhood. I walk my dogs everyday and I walk my kids to the park or up to the local stores.

I also seen an increase in traffic around railroad Avenue. This street gets very backed up during the day, especially if there is ever a train. I have to drive this several times a day to take my kids and pick them up from school. My husband works off Lake road and this is the way he drives I to work.

I wanted to reach out with my concerns and hope they will be considered. I feel like traffic, safety issues, environmental issues, and local schools should all be a factory when deciding on new developments. Especially ones so large.

Thank you for reading my email.

Shasta Williams

Vera Kolias

From: julie@sterling.net
Sent: Monday, June 24, 2019 10:46 PM
To: Vera Kolias
Subject: Neighborhood Traffic Management on Monroe Street apartment project

To whom it may concern,

As a former City of Milwaukie Traffic Safety Board member for over 9 years, I would suggest that the City do traffic counts immediately on the streets that will be impacted by this apartment complex development on 37th Ave. and Monroe. This proposed development will negatively impact neighborhood livability in a huge way with increased traffic. You need to have these initial traffic counts as a baseline to determine the traffic impacts.

I know from experience that the developer will deny and minimize the traffic impacts to the neighborhood in order to get the project approved. When Milwaukie Marketplace was developed, the developer said there would be no significant traffic impacts to the surrounding neighborhood streets. We knew better than to believe it. We challenged the developers on this issue. **After the Marketplace was built, we used our factual traffic counts taken before the completion of Milwaukie Marketplace and traffic counts taken after Milwaukie Marketplace opened for business, to prove the developers were wrong. There was a huge increase in traffic into the surrounding neighborhood streets, especially 34th Ave.**

We formed the 34th Ave. Task Force to protect our street. We knew before construction began, that 34th Ave. was going to get the most traffic from the development. Consequently, the Milwaukie Traffic Safety Board, working closely with the City of Portland Traffic Engineers, wrote The Milwaukie Neighborhood Traffic Management Program in the 1990's. This document should still be on public record in the City of Milwaukie. It specifically outlines traffic calming procedures for neighborhood streets.

The City Council budgeted a certain amount of money each year for traffic calming projects on problematic streets that met specific criteria.

Long story short, 34th Ave. got its livability back with traffic calming, devices, speed bumps and traffic circles following criteria within the Milwaukie Neighborhood Traffic Management Program.

Like many previous developments in the region, developers finish their project and then leave the area without installing adequate traffic calming methods to protect surrounding neighborhoods. Increased traffic in the neighborhoods decreases livability, bike and pedestrian safety, and our property values.

Traffic calming costs money. The developer needs to be proactive and pay for the traffic calming on the streets that will be impacted as part of the approval process. Also check to see if the City of Milwaukie still has a line item budget for traffic calming and check the amount. **The City of Milwaukie and Developers need to be responsible for the negative traffic impacts these developments create in our neighborhoods.**

Sincerely,

Julie Wisner

3325 SE Wister St
Milwaukie, OR 97222

VR-2019-003 Request for Land Use Action
Monroe Apartments Building Height Type III Zoning Variance
FINAL Public Comment submitted by Chris Ortolano on June 25, 2019

SUMMARY

The application for land use action, [VR-2019-003](#), seeking a building height variance for a single 5 story building on the McFarland site is contingent upon demonstrating fulfillment of 4 sets of criteria outlined in section 19.911.7.D Building Height Variance in the General Mixed Use Zone.

Two of the criteria address the need to “ensure adequate transitions to adjacent neighborhoods” and the need to “mitigate any impacts from the proposed project to the extent practicable.”

A third criteria indicates that the project must be exceptional in quality, and a fourth specifies public amenities beyond the public base zone standards and increasing vibrancy.

To the extent that the [Monroe Street Greenway Washington Street Alignment](#) constitutes a transition to adjacent neighborhoods, and to the extent that the location of a single driveway at 37th Ave and Washington Street impacts that transition, the applicant has failed to meet the standards of building height variance criteria.

In fact, the Monroe Street Greenway Washington Street Alignment is the most important public amenity, contributes the most vibrancy to the project, yet is severely impacted by the design.

I respectfully urge the Planning Commission to carefully review VR-2019-003 for full consideration and satisfaction all the Building Height Variance Criteria, and to deny the application until the criteria have been fully satisfied.

INTRODUCTION

To prepare my comments, I spoke with dozens of people. Seniors who’ve lived their whole lives here. Young families newly relocated from Portland. Senior planners and land use policy experts. I’ve walked the site, reviewed the building height variance application, and the code.

Throughout this process, one theme rings true. Milwaukie is a community of neighbors, planners, and elected officials. We have the opportunity to work together to develop an exceptional project. At the end of the day, that is the most important outcome.

In the variance request, VR-2019-003 Request for Land Use Action, the applicant Dean Masukawa, proposed a fifth story on Building 1 of the Monroe Apartments on the site.

This opportunity site, known as the McFarland site, is zoned for 4 stories, and could be currently developed as such. Given the applicant’s drawings for the Monroe Apartments, the site plan

also consists of 234 units, 317 bedrooms, 294 parking spots, and a single driveway at 37th Ave and Washington St.

The applicant has elected to phase the permitting process to confirm approval of the proposed 5-story building prior to submitting for the subsequent land use review processes as follows.

- Phase 1: building height variance
- Phase 2: development review, variance, transportation facilities review
 - o Includes City and peer review of transportation impact study

To approve the building height variance request, the Planning Commission must confirm or deny that all the requirements in the building code section 19.911.7.D, have been satisfied.

BUILDING HEIGHT VARIANCE CRITERIA

1. The proposed project avoids or minimizes impacts to surrounding properties. Any impacts from the proposed project will be mitigated to the extent **practicable**.

The applicant's alternative analysis shall provide, at a minimum, an analysis of the impacts and benefits of the baseline proposal as compared to the baseline code requirements.

2. The proposed project is creative, and is **exceptional** in the quality of detailing, appearance, and materials, or creates a **positive unique relationship** to other nearby structures, views, or open spaces.

3. The proposal will result in a project that provides **public benefits and/or amenities** beyond those required by the public base zone standards and that will **increase vibrancy** and/or help meet sustainability goals.

4. The proposed project ensures **adequate transitions** to adjacent neighborhoods.

I urge the Planning Commission to consider the applicant's request in light of the height variance approval criteria specified above and my public comments as stated below

Building Height Variance Approval Criteria # 1

Does the proposed project avoid or minimize impacts to the surrounding properties? Any impacts from the proposed project will be mitigated to the extent practicable.

Criteria #1 does not specify that impacts to surrounding properties are limited to potential visual impacts. In fact the criteria clearly states that any impacts from the proposed project as it relates to adjacent properties will be mitigated to the extent practicable.

With regards to variance approval criteria #1, the applicant stated they “identified visual impacts to the surrounding single family homes as a potential impact of building 1’s 5-story design” *however they did not refer to any other potential impacts.*

Given the location of the proposed site plan to provide parking for 294 vehicles, and a single driveway located at the intersection at 37th Ave and Washington Street, the proposed project actually increases the impact to surrounding properties by routing a significant amount of vehicle traffic directly into the intersection which is also the preferred Greenway alignment adopted by Milwaukie City Council in 2016.

The intersection at 37th Ave and Washington Street is further complicated by the very near proximity of a railroad crossing, and concrete quiet zone medians, that further complicate the intersection leading to traffic bottlenecks, less than 200 feet from the proposed single entrance.

Does the location of the single driveway at the confluence of the Monroe Street Greenway, designated to encourage bicycle and pedestrians, in fact constitute a liability due to the increased dangers posed by the complications of the intersection and increased traffic rates?

Given the potential impacts to the surrounding properties, and that practicable mitigation measures have not been considered, I ask the Planning Commission has the height variance approval criteria # 1 been fully considered and how is it satisfied by the applicant?

Building Height Variance Approval Criteria # 2

Is the proposed project creative, and is it exceptional in the quality of detailing, appearance, and materials, or does it create a positive unique relationship to other nearby structures, views, or open spaces?

The applicant has submitted documentation, with regards to variance approval criteria #2, that “(the proposal) is designed with high-quality materials, and a lower pitched roof to maintain residential character.”

The JDA group has been involved in the design and construction of exceptional quality residential buildings such as the [Natasha Project](#), now known as the Elara, in Seattle.

In fact almost all of the JDA multi-family residential projects have some exceptional quality of detailing, appearance, and materials that the Monroe Apartments do not.

This suggests that JDA is fully capable and aware of what constitutes an exceptional quality in a residential project, and may be using high-quality materials, but this does not constitute exceptional quality in detailing, appearance and materials as exhibited in their other projects.

As stated by the applicant, “the building massing is characterized by the mill inspiration by the *repetition of simple vertical geometric facade elements.*”

In addition the exterior materials as stated by the applicant are as follows: composite shingle asphalt roofing, cement siding, vinyl windows, fiberglass patio doors, metal railing, and PTAC's.

Does the proposed project does create a positive unique relationship to other nearby structures, views, or open spaces other than enhance a very small street park and build a multi-use bike path along the railroad tracks? Are either of these exceptional or unique?

Given the lack of exceptional quality, or any positive unique relationships to the surrounding properties, I ask the Planning Commission has the height variance approval criteria # 2 been fully considered and how is it satisfied by the applicant?

Building Height Variance Approval Criteria # 3

Does the proposal result in a project that provides public benefits and/or amenities beyond those required by the public base zone standards and will the proposal increase vibrancy and/or help meet sustainability goals?

The applicant has submitted documentation, with regards to variance approval criteria #3, that "additional landscaping and adherence to green building standards (as required by the building code) constitutes public benefits beyond those required by the public base zone standards."

The applicant has indeed proposed a multi-use pathway along the railroad tracks, which Council adopted as part of the Greenway, but the current design does not insure for the safe passage of non-motorized vehicles and pedestrians as it will be bordered on both sides by continuous walls and fencing, making it difficult to seek refuge should a hostile encounter occur.

What other public benefits and/or amenities beyond the base zone standards are required for this project to be exceptional? Has the applicant considered traffic calming measures such as additional striping, signage, beacons, and sidewalks especially in adjacent neighborhood areas where sidewalks are missing and potential cut-through traffic is significant?

Given the lack of consideration for ways to provide public amenities beyond the base zone standard and also increase vibrancy, I ask the Planning Commission has the height variance approval criteria # 3 been fully considered and how is it satisfied by the applicant?

Building Height Variance Approval Criteria # 4

Does the proposed project ensure adequate transitions to adjacent neighborhoods?

The Merriam Webster dictionary definition of the word "ensure" is to make sure, certain, or safe : GUARANTEE. Note there is no additional definition of this word in the city building code.

With regards to variance approval criteria #4, the applicant stated that “our proposal includes mitigation measures to blunt impacts of additional density on the low-density neighborhood and new and improved infrastructure to connect the housing areas to the commercial amenities.”

They cite improvements to a small street park at the corner of a busy intersection of Monroe and 37th Avenue, and the Greenway multi-use path along the rail corridor as “providing for integration and a smooth transition between the housing areas and the adjacent commercial amenities” and that “the addition of these features will minimize the impacts of additional density on the open space facilities currently serving the existing neighborhood.”

However the impacts of additional density are most acute precisely at the single driveway where most residents will enter and exit their apartments, thus creating an inadequate transition to the Monroe Street Greenway Washington Street Alignment.

In fact, the Monroe Street Greenway Washington Street Alignment is the most important public amenity, contributes the most vibrancy to the project, yet is severely impacted by the design.

To the extent that the Monroe Street Greenway Washington Street Alignment constitutes a transition to adjacent neighborhoods, and to the extent that the location of a single driveway at 37th Ave and Washington Street impacts that transition, has applicant guaranteed that transition is sure, certain, and safe?

Given the lack ensuring adequate transitions to adjacent neighborhoods, I ask the Planning Commission has the height variance approval criteria #4 been fully considered and how is it satisfied by the applicant?

CONCLUSION

In addition to the building code section 19.911.7.D, has the applicant fully acknowledged and considered the Framework and Principles described in the [Central Milwaukie Land Use and Transportation Plan](#) (CMLUTP).

The CMLUTP, adopted by City Council in February 2016, after thousands of hours of citizen volunteer involvement, provides guidelines and principles for how the development of opportunity sites such as the McFarland site should in fact proceed.

Page 9 of the CMLUTP clearly states that one of the fundamental concepts is to

“improve connectivity within the district with easily accessible multimodal pathways that are safe and attractive.”

Page of 11 the CMLUTP clearly states

“that land use and transportation are inextricably linked, and therefore must be considered together in the planning for Central Milwaukie”

Page 20 of the CMLUTP clearly states that

“The McFarland site can support two new access points, one on 37th Ave at Jefferson St and one near the center of the site on Monroe Street. These access points will provide internal circulation while still leaving enough room for the Oak St/Monroe St intersection and railroad crossing to function optimally.”

The decision the Planning Commission faces tonight may rest on the interpretation of words like exceptional, ensure, and transition. However the Building Height Variance Criteria is very specific with regard to ensuring adequate transitions to adjacent neighborhoods. And it further states that *any impacts from the proposed project will be mitigated to the extent practicable.*

Does the location of the single driveway at 37th and Washington Ave provide ensure adequate transitions to adjacent neighborhoods? And to what extent is it practicable to relocate the driveway? Based on my meetings with senior planners, I would argue that at this stage in the development process it is practicable to move the driveway, based on the definition of the word in the building code below.

According to the applicant's statement:

Practicable is defined by section 19.201 as “capable of being realized after considering cost, existing technology, logistics, and other relevant considerations; such as ecological functions, scenic views, natural features, existing infrastructure, and/or adjacent uses.”

Members of the Planning Commission, is the Monroe Street Greenway Washington Alignment [adopted by Council in 2015](#) considered an adjacent use? If so, to what extent is it capable of avoid or minimize impacts to the Greenway at the intersection of Washington St. and 37th Ave after realizing costs associated with costs, technology, logistics and relevant considerations?

Given that the current proposed site plan degrades the safety and quality of the adopted Monroe Street Greenway Washington St. alignment, and given that the site plan and does little to improve public amenities or increase vibrancy with the surrounding area, and in fact degrades the Greenway transition to the adjacent neighborhoods at Washington St. and 37th Ave,

I respectfully urge the Planning Commission to carefully review VR-2019-003 for full consideration and satisfaction all the Building Height Variance Criteria, and to deny the application until the criteria have been fully satisfied.

BIKE MILWAUKIE

6/25/2019

Dear Planning Commission,

We are writing to you in regards to the Monroe Apartments Building Height Type III Zoning Variance being requested in application VR-2019-003. We support the written comments provided by Chris Ortolano regarding this project.

We specifically want to discuss item 4 in the set of criteria that needs to be met for this variance.

4. The proposed project ensures adequate transitions to adjacent neighborhoods.

The proposed driveway at 37th and Washington only serves the property development, by utilizing contaminated land that they are not able to build housing on. It does not provide adequate transitions to the Hector Campbell neighborhood directly to the East. The proposed driveway allows for easier and increased cut-through traffic on what are currently low volume neighborhood streets. Installing a driveway at the same location of the future Monroe Neighborhood Greenway crossing of 37th will create a dangerous intersection that has the potential for deadly “right hook collisions” which have injured and killed many cyclists in Portland and other cities. This driveway poses a serious liability to the developer and the City and will severely degrade the quality and safety of the Neighborhood Greenway at this intersection and the neighborhood farther east along Washington Street. An argument could be made that a solution can be engineered to solve potential conflicts between vehicles, bikes and pedestrians at this intersection.... but why not just move the flow of vehicles to a different location (onto Monroe) from the flow of non-motorized traffic which is expected to take place on Washington, so that the conflicts are more easily avoided?

Once built, the Monroe Neighborhood Greenway will be the primary East/West connection for non-motorized traffic in Milwaukie and it crosses 37th and utilizes Washington Street for multiple blocks directly to the east of the proposed Monroe Apartments. It will connect the Trolley Trail and downtown to the eastern border of Milwaukie at Linwood and then it will continue all the way out to the I-205 bike path. The Monroe Greenway has been in the Milwaukie TSP since 2007, is in the County TSP, and is identified in the Metro Regional Transportation Plan as a “regionally significant” project. Once completed we expect the Monroe Greenway to become a highly used piece of infrastructure much like SE Portland’s Clinton Street Greenway which sees over 3000 bike trips per day (count from 2016).

The implementation of a successful Monroe Neighborhood Greenway in the coming years relies on the Greenway Concept Plan to be protected and preserved by the City of Milwaukie Staff and Planning Commission.

We propose that the height variance be permitted with a condition of approval: that the proposed driveway, currently located at 37th and Washington, be moved to “near the center of the site on Monroe Street” as suggested for this site on page 20 of the Central Milwaukie Land Use and Transportation Plan. Moving the driveway to Monroe will prevent a bottleneck of traffic and safety issues that will be created once the Monroe Neighborhood Greenway is built.

Thank you for your time and consideration,



Matt Menely



Greg Baartz-Bowman

Bike Milwaukie
Co-Founders/Organizers
Milwaukie Residents