



## AGENDA

### MILWAUKIE PLANNING COMMISSION Tuesday, February 14, 2017, 6:30 PM

MILWAUKIE CITY HALL  
10722 SE MAIN STREET

**1.0 Call to Order - Procedural Matters**

**2.0 Planning Commission Minutes – Motion Needed**

- 2.1 May 24, 2016
- 2.2 June 14, 2016
- 2.3 June 28, 2016
- 2.4 October 25, 2016
- 2.5 December 13, 2016

**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 Public Hearings** – Public hearings will follow the procedure listed on reverse

- 5.1 Summary: Harmony Rd Mini-storage  
Applicant/Owner: Hans Thygeson  
Address: 5945 & 5965 SE Harmony Rd  
File: CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003  
Staff: Brett Kelter

**6.0 Worksession Items**

- 6.1 Summary: Sign Code Amendments  
Staff: Vera Koliass

**7.0 Planning Department Other Business/Updates**

**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 28, 2017
  - 1. Public Hearing: ZA-2016-003 Sign Code Amendments *tentative*
  - 2. Worksession: North Milwaukie Industrial Area (NMIA)
- March 14, 2017
  - 1. Worksession: Variance Training

### 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 speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email [planning@ci.milwaukie.or.us](mailto:planning@ci.milwaukie.or.us). Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **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 come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

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.

*The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.*

#### Milwaukie Planning Commission:

Greg Hemer, Chair  
Scott Barbur, Vice Chair  
Shannah Anderson  
Adam Argo  
John Burns  
Greg Hemer  
Kim Travis

#### Planning Department Staff:

Denny Egner, Planning Director  
David Levitan, Senior Planner  
Brett Kelder, Associate Planner  
Vera Kolas, Associate Planner  
Mary Heberling, Assistant Planner  
Alicia Martin, Administrative Specialist II  
Avery Pickard, Administrative Specialist II

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
Tuesday, May 24, 2016  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Adams, Chair  
Shane Abma  
Shannah Anderson  
Adam Argo  
Scott Barbur  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Brett Kelter, Associate Planner  
Shelby Rihala, City Attorney

**COMMISSIONERS ABSENT**

Shawn Lowcock, Vice Chair

**1.0 Call to Order – Procedural Matters\***

**Chair Adams** 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>.*

**2.0 Planning Commission Minutes**

2.1 September 8, 2015

**It was moved by Commissioner Anderson and seconded by Commissioner Hemer to approve the September 8, 2015, Planning Commission minutes as presented. The motion passed unanimously.**

**3.0 Information Items**

**Denny Egner, Planning Director**, noted the process to recruit for a Visioning Advisory Committee had begun for the Visioning project as part of the Comprehensive Plan update.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

**5.0 Public Hearings**

5.1 Summary: 19<sup>th</sup> Ave Garage  
Applicant/Owner: Tim Austin LLC/Terrance & Esperanza Martin  
Address: 11906 SE 19<sup>th</sup> Ave  
File: WG-2016-001  
Staff: Brett Kelter

**Chair Adams** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Commissioner Hemer** declared a potential conflict of interest due to a personal and professional relationship with the applicant, and read a statement into the record. He stated that

he could be objective in his decision.

**Brett Kelder, Associate Planner**, presented the staff report via PowerPoint and noted the location, zoning, and the Willamette Greenway overlay and Habitat Conservation Area designation which was what triggered the Type III review. He reviewed the proposal to remove an existing shed and to replace it with new detached garage. He described the intent of the Willamette Greenway overlay with regard to impacts on views to and from the river, compatibility with character of the river, and open space between activity and river, which he believed were not issues with this proposal. Staff recommended approval, and he reviewed the decision-making options.

After calling for public testimony and having none, **Chair Adams** closed the public testimony portion of the hearing.

**It was moved by Commissioner Hemer and seconded by Commissioner Abma to approve land use application WG-2016-001 for 11906 SE 19th Ave with the recommended findings and conditions as presented. The motion passed unanimously.**

5.2 Summary: Washington St Nonconforming Use  
Applicant/Owner: Daniel Hallock, Dynasty Construction  
Address: 2926 SE Washington St  
File: NCU-2016-001  
Staff: Keith Liden

**Chair Adams** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Commissioner Barbur** recused himself from the public hearing due to a conflict with his law firm.

**Denny Egner, Planning Director**, presented the staff report via PowerPoint on behalf of Keith Liden. He noted the location and zoning, which was Neighborhood-Commercial CN. The zoning was unusual because it was for this property and the adjacent property, which had a small store, and it was unknown as to why this property was zoned commercial. The current zoning created a problem for the property as it was a nonconforming use and prohibited changes to the residence. The proposal was to expand the residence but would retain current front and side yard setbacks and meet rear yard setback. Staff recommended approval.

No one spoke in favor or opposition to the application.

**It was moved by Commissioner Anderson and seconded by Commissioner Abma to approve land use application NCU-2016-001 for 2926 SE Washington St with the recommended findings and conditions as presented. The motion passed unanimously.**

5.3 Summary: Marijuana Businesses Regulations Code Amendments  
Applicant: City of Milwaukie  
File: ZA-2016-001  
Staff: Denny Egner

**Chair Adams** called the hearing to order and read the conduct of legislative hearing format into the record.

**Chair Adams** declared ex parte contacts with two of the members of the audience that would be giving testimony, where there was discussion regarding the proposed amendments.

**Mr. Egner** presented the staff report via PowerPoint and reviewed the proposal. He said the proposed amendments added regulations of marijuana businesses and addressed retail sales, testing, research, processing, warehousing, and production/growing. He further reviewed the proposal in each area as noted.

- Retail: Regulations for medicinal dispensaries and retail shops would be combined and the same standards that currently applied to dispensaries would be applied to retail shops.
- Testing/Research Labs: allowed in zones where offices were permitted.
- Processing and Warehousing: allowed in industrial and some commercial zones.
- All would be subject to security and odor control regulations.
- Production/Growing: agricultural use was currently limited to residential and commercial zones.
  - For production and growing in residential zones, the proposal was to add the requirement for growing indoors only with odor control methods and a 12 plant limit. However, growing for recreational/personal use would continue to be allowed outdoors.
  - Production would not be allowed in commercial and mixed use zones.
  - For industrial zones, production would be permitted in the M Manufacturing Zone along Johnson Creek Blvd, allowed as a conditional use in the BI Business Industrial Zone, and not permitted in the North Milwaukie Industrial Area (NMIA) zones (Denny – does this mean all of the NMI area.

**Mr. Egner** reviewed the key issues for the Commission to consider:

- Energy use standards regarding renewable energy were proposed to be removed from this amendment package and included as part of the business registration process.
- Medical marijuana home occupation grow sites were proposed to be indoor with a 12 plant limit.
- The proposal prohibits grow sites in the NMIA due to the current project underway for future planning of the area. An option would be to allow grow sites by conditional use with limits on size and buffers between grow sites. He noted he was hesitant to propose allowing investments in grow sites in that area if a goal of the NMIA project was to increase employment density, etc.

Staff recommended that the Commission recommend Council approval of the proposed amendments but without the Energy Use Standard as noted above.

Staff answered questions regarding the NMIA area, colocation, packaging, the proposed City tax, and odor control.

**Chair Adams** called for public testimony.

**Matt Haslet, 2200 SE Mailwell Dr**, asked the Commission to consider allowing production in the NMIA. He owned a building at the address which had housed heavy manufacturing until the company went bankrupt and now the building had been mostly vacant for the last few years. He noted the majority of the interest in the building had come from marijuana growers or for warehousing/storage but not from any heavy manufacturing tenants. If marijuana production was allowed in the zone, the property could employ more people than by other uses allowed.

**James Schwartz, Cascade High Organics**, noted he had been in contact with Mr. Egner to

assist in crafting the proposed amendments. He had had a medical marijuana grow site in the NMIA but decided to move due the hardship of the regulations. He noted that:

- His facility had air scrubbing (odor control) which was used for multiple reasons, including security, and he believed that any major player in this industry would not operate a site without air scrubbing. The industry was heavily scrutinized and regulated.
- He noted the number of employees he had was a much higher ratio for area than what the current code goal was, and added that high-yield indoor marijuana cultivation was not the same as outdoor agriculture with regard to staffing.
- The argument for employment intensiveness was ill-conceived as the zoning currently allowed for large warehouse spaces to function with only 1 employee, and the like.
- Regarding sustainability, he noted the industry used high wattage lighting and he believed that solar power would not be able to keep up with the demand or schedule. He disagreed with codifying such regulations for a specific industry and noted the complications with such regulations with regard to enforcement and the lack of option for growers renting space.

**Mr. Schwartz** emphasized his willingness to work with the Commission to help the City be a model jurisdiction for working with the industry to create a healthy and sustainable community.

**Ron Buel, Dank Bros, LLC**, described his business plan for a recreational retail production facility in Milwaukie, and noted some of the OLCC regulations. He said he ultimately wanted a Tier II production facility (up to 10,000 sq ft grow site) and what was initially proposed for the NMIA was allowing a Tier I production facility (up to 5,000 sq ft). He noted the gross revenue and staffing forecast for a Tier II operation and suggested that the Commission consider allowing Tier II. Available space for production was limited and in high demand in the region, and he believed that Mr. Haslet should be allowed to make his space available to those interested in it.

**Mr. Egner** noted that regarding the goal of employment intensity for the M-TSA Manufacturing-Tacoma Station Area zoning, he predicted that through the NMIA project the goal would be around 40 persons per acre. He added that currently the area had very low employees per acre due to warehouse uses, and that area was being looked at as an area with great employment potential. He gave some background on the NMIA project. He also noted that his intent with the proposed regulations was to start small and that smaller operations seemed to fit the area better.

**Chair Adams** closed public testimony.

Planning Commission Deliberation

**Commissioner Hemer** noted that he was opposed to requiring 100% renewable energy as it would be very difficult to enforce and was not fair to require that of only one industry. Regarding operations in the NMIA, he felt that with the testimony provided, such operations met the employment goal of the area so he proposed to change the proposal to allow them through Conditional Use.

- **Commissioner Barbur** proposed to allow them outright and did not find the justification in limiting current uses based on the possibility of what a future study may find.
- **Commissioner Abma** explained what was unique about the M-TSA area in terms of what could be developed there and therefore the reasoning behind the study and hesitation to allow this use outright.
- **Commissioner Hemer** responded that the use should be treated the same in the same zoning district, regardless of the location of the district.

- **The Commission** agreed that the energy use requirement would be better handled outside of land use, such as through the business license process.

**The Commission** reviewed the issues for review and agreed on the proposals as follows:

- To allow operations as a Conditional Use in the M-TSA Zone, permitted outright in the M Manufacturing Zones, and Conditional Use in the B-I Business Industrial Zone.
- To strike the 100% renewable energy requirement.
- To strike the number of plants provision from Low and Medium/High Density Residential zones.
- **The Commission** agreed to the rest of the proposed amendments.

**It was moved by Commissioner Hemer and seconded by Commissioner Anderson to recommend approval to City Council for legislative application ZA-2016-001 for Marijuana Businesses Regulations Code Amendments with the recommended findings of approval as amended. The motion passed 5-1 with Commissioner Abma opposing.**

## 6.0 Worksession Items

## 7.0 Planning Department Other Business/Updates

**Mr. Egner** noted the Commission was encouraged to attend a joint session on June 23 with Council regarding the Economic Opportunities Analysis and the Housing Needs Analysis, which were significant components of the future Comprehensive Plan update.

- **Commissioner Argo** noted that he was on the Technical Advisory Committee and had attended a recent focus group. Feedback from employers was that they would like to grow job opportunities in Milwaukie. He hoped that staff would be able to take the feedback heard and square it with the consultant's work.

**Chair Adams** noted that the work on the Urban Renewal project was going well.

- **Mr. Egner** added the timeline of the Urban Renewal Plan for adoption.

## 8.0 Planning Commission Discussion Items

**Commissioner Barbur** applauded the City and community's work on the Library Expansion project since the bond measure passed to fund the project.

**Commissioner Hemer** encouraged the public to attend an event on June 11 at the Milwaukie Museum for the celebration of the Clair Kuppenbender Research Library.

## 9.0 Forecast for Future Meetings:

June 14, 2016	1. Public Hearing: ZA-2016-001 Marijuana Businesses Code Amendments <i>tentative</i>
	2. Public Hearing: VR-2016-004 10922 SE 42 <sup>nd</sup> Ave
June 23, 2016	1. Joint Study Session: Economic Opportunities Analysis Update
June 28, 2016	1. Public Hearing: CU-2016-002 Bob's Red Mill Restaurant and Sign

Meeting adjourned at approximately 9:56 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Shane Abma, Chair



**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
Tuesday, June 14, 2016  
6:30 PM**

**COMMISSIONERS PRESENT**

Shaun Lowcock, Vice Chair  
Scott Barbur  
Shane Abma  
Shannah Anderson  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Vera Kolas, Associate Planner

**COMMISSIONERS ABSENT**

Sine Adams, Chair  
Adam Argo

**1.0 Call to Order – Procedural Matters\***

**Vice Chair Lowcock** 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>.*

**2.0 Planning Commission Minutes****3.0 Information Items**

**Denny Egner, Planning Director**, stated that applications for the Visioning Advisory Committee were due by Friday, June 17. He also reminded the Commission about the joint session next week regarding the Economic Opportunities Analysis and the Housing Needs Analysis.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none. Is he into anything in particular

**5.0 Public Hearings**

- 5.1 Summary: 42<sup>nd</sup> Ave Variance  
Applicant/Owner: Darren Smith/Frontier Ventures, LLC  
Address: 10922 SE 42<sup>nd</sup> Ave  
File: VR-2016-004  
Staff: Vera Kolas

**Vice Chair Lowcock** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Vera Kolas, Associate Planner**, presented the staff report via PowerPoint. She noted the size of the property was less than the required minimum 7,000 sq ft for the R-7 zoning. Previous owners had constructed a number of additions without permits, including a garage converted to living space, a rear addition built within the rear yard setback, and a carport within the front yard

setback. The proposal was to legalize the rear addition, remove the carport and in its place construct an attached garage that would satisfy the off-street parking requirement. Also proposed was to remove the accessory structure shed to reduce the overall lot coverage. The applicant has also submitted a structural report to satisfy the as-built conditions by building code requirements. She noted that the carport and accessory structure have already been removed.

**Ms. Kolias** reviewed the approval criteria which the proposal met, and staff believed the proposal did not have any negative impacts. Staff recommended approval with the findings and conditions.

**Vice Chair Lowcock** called for the applicant's testimony.

**Darren Smith, 19500 Hidden Springs Rd, West Linn OR**, added to the staff presentation that a previous resident of the property had stopped by the house and said the additions were in place in the 1960s. He looked forward to bringing the home back into repair.

**Vice Chair Lowcock** called for public testimony.

**April Westfall, 5723 NE Ainsworth St Portland OR**, was in support of the proposal. She was interested in purchasing the home with her partner, Darren Smith, and wanted to make the home beautiful again.

**Vice Chair Lowcock** closed public testimony.

**Commissioner Abma** appreciated the applicant's proposal to improve a dilapidated property. However, he was concerned about setting precedent for violating the code and then asking for forgiveness through a variance and thought Findings 6.b.(2)(b) and (c) were not met.

**The Commission** agreed with Commissioner Abma's assessment regarding the findings and to base the approval on Finding criterion 6.b.(2)(a).

**It was moved by Commissioner Hemer and seconded by Commissioner Anderson to approve land use application VR-2016-004 for 10922 SE 42nd Ave with the recommended findings and conditions as amended. The motion passed unanimously.**

## **6.0 Worksession Items**

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

#### **7.1 Planning Commission Notebook Supplemental Update**

**Mr. Egner** noted the supplemental packets would be mailed to the Commissioners.

## **8.0 Planning Commission Discussion Items**

**Commissioner Abma** said that he had volunteered for the City at the Milwaukie Farmers Market the previous weekend for public interest in the bike and pedestrian paths that the City was proposing. He added that a number of young couples spoke with him, stating that they had recently moved to Milwaukie from Portland.

## **9.0 Forecast for Future Meetings:**

- |               |   |
|---------------|---|
| June 23, 2016 | 1. Joint Session with City Council: Economic Opportunities Analysis |
| June 28, 2016 | 1. Public Hearing: CU-2016-002 Bob's Red Mill Sign/Restaurant       |
| July 12, 2016 | 1. Worksession: Urban Renewal Plan Review                           |

**Mr. Egner** briefed the Commission on their role for reviewing the Urban Renewal Plan.

Meeting adjourned at approximately 7:13 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Shane Abma, Chair for  
Sine Adams, Chair

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
Tuesday, June 28, 2016  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Adams, Chair  
Shane Abma  
Adam Argo,  
Scott Barbur  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Brett Kelter, Associate Planner  
Shelby Rihala, City Attorney

**COMMISSIONERS ABSENT**

Shaun Lowcock, Vice Chair  
Shannah Anderson

**1.0 Call to Order – Procedural Matters\***

**Chair Adams** 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>.*

**2.0 Planning Commission Minutes****3.0 Information Items**

**Denny Egner, Planning Director**, said the Urban Renewal Plan review by the Planning Commission was scheduled for July 28, 2016. That same day staff would be meeting with Clackamas County Commissioners regarding the Plan. The City Council hearing was scheduled for August 2.

Regarding the Community Visioning project, there were 52 applicants for the Visioning Advisory Committee and recommendations for the committee would go to Council on July 5.

**Mr. Egner** also noted that staff was currently in the process of hiring an Assistant Planner.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

**5.0 Public Hearings**

- 5.1 Summary: Bob's Red Mill Sign and Restaurant  
Applicant/Owner: The Bookin Group LLC/Triad Grain Group LLC  
Address: 5000 SE International Way  
File: CU-2016-002, VR-2016-005  
Staff: Brett Kelter

**Chair Adams** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Commissioner Hemer** declared a potential conflict of interest and read a statement into the record regarding Bob's Red Mill's contributions to the Milwaukie Historical Society and Museum. He stated he would be able to make an objective decision on the application.

**Commissioner Barbur** declared the same potential conflict of interest with regard to contributions from Bob's Red Mill.

**Brett Kelder, Associate Planner**, presented the staff report via PowerPoint on behalf of Keith Liden, Temporary Planner. The applications were a Conditional Use for expansion of the current restaurant use as well as a Variance Request for two sign adjustments. He reviewed the vicinity, zoning, and site conditions. He noted the current uses and outlined the allowed sizes for the Business Industrial B-I zone for those uses. The Conditional Use request was to allow for expanding the restaurant sometime in the future. The sign adjustments were to allow a second freestanding sign on a different frontage and a maximum height of 40ft for another sign where 25 ft maximum height was permitted, due to a grade difference between where the sign would be located and where it would be seen from (Hwy 224). He displayed the proposed drawings for the signs.

**Mr. Kelder** reviewed the key issues for the Commission to consider, regarding whether a restaurant use was consistent with the Comprehensive Plan in industrial districts, how much space should be allocated for the restaurant and outlet store, and whether the second sign satisfied relevant adjustment criteria. He outlined the details of each issue and the decision-making options.

**Chair Adams** called for the applicant's testimony.

**Rob Gage, Bob's Red Mill Restaurant Manager**, introduced the applicant members. He noted that when he was interviewed for the position, he asked why the company did not have a sign since Bob's Red Mill was an iconic company and should have an establishment sign.

**Laura Mather, Administrative Assistant to the President's Office for Bob's Red Mill**, spoke on Bob Moore's behalf and gave some background of the company.

**Ed Mercer, Ramsay Sign Co.**, noted the intention and the design of the proposed sign, and added that it adhered to ODOT's standards.

**Chris Hagerman, The Bookin Group**, said the goals for applying for the Conditional Use were 1) to provide more flexibility within the building for any small expansions in the future, noting the amount of process required in the past for small modifications; and 2) to not be limited by the market of the business industrial area but to draw business more broadly. He added that the application for the sign adjustments was to utilize the flexibility in the code that allowed for special cases such as this one. He described the intended use of the freestanding sign along Hwy 224 to convey relevant information and public benefit.

**Chair Adams** closed public testimony.

**The Commission** agreed on decision Option 1-A and appreciated staff's work on the application and the public benefit Bob's Red Mill brought to the community.

**It was moved by Commissioner Hemer and seconded by Commissioner Argo to approve land use applications CU-2016-002 and VR-2016-005 Bob's Red Mill Sign and Restaurant as presented.**

#### **6.0 Worksession Items**

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

#### **8.0 Planning Commission Discussion Items**

**Commissioner Hemer** clarified what the Commission's role was regarding reviewing the Urban Renewal Plan.

- **Mr. Egner** responded that the Commission was to ensure that the proposed Urban Renewal Plan was consistent with the goals and objectives of the Comprehensive Plan.

**Commission Hemer** suggested that elections should be put on a future agenda due to Chair Adams departure from the Commission.

#### **9.0 Forecast for Future Meetings:**

July 12, 2016	1. Worksession: Urban Renewal Update
July 26, 2016	1. TBD

Meeting adjourned at approximately 7:50 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Shane Abma, Chair for  
 Sine Adams, Chair

**CITY OF MILWAUKIE  
 PLANNING COMMISSION  
 MINUTES  
 Milwaukie City Hall  
 10722 SE Main Street  
 TUESDAY, October 25, 2015  
 6:30 PM**

**COMMISSIONERS PRESENT**

Shane Abma, Chair  
 Scott Barbur, Vice Chair  
 Shannah Anderson  
 Greg Hemer  
 Adam Argo

**STAFF PRESENT**

David Levitan, Senior Planner  
 Vera Kolas, Associate Planner

**COMMISSIONERS ABSENT**

**1.0 Call to Order – Procedural Matters\***

**Chair Abma** 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>.*

**2.0 Planning Commission Minutes** – No minutes for review.

**3.0 Information Items**

**Vera Kolas, Associate Planner**, announced the North Milwaukie Industrial Area Plan Open House would be held October 26<sup>th</sup> from 5:00 to 7:30 pm at the OLCC Headquarters to get feedback from the public on the 200-acre industrial area north of downtown. She confirmed the presentation would be given twice and people could drop in during the open house at any time.

**David Levitan, Senior Planner**, announced that on November 2<sup>nd</sup> at the Waldorf School gymnasium, the Community Vision Open House would begin at 6:00 pm with the Town Hall following at 6:30 pm. At the event, attendees would be divided into small groups to discuss the major themes arising from the community outreach about the Vision Statement thus far.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

**5.0 Public Hearings** – No public hearings scheduled.

**6.0 Worksession Items**

6.2 Summary: Visioning Community Conversation — Item was taken out of order.  
 Staff: David Levitan

**David Levitan, Senior Planner**, reviewed the staff report PowerPoint, and updated the Commission on the progress of the Milwaukie All Aboard Community Vision project. He reviewed the public engagement work and activities as well as some of the public input received to date, which would be used to inform the November 2<sup>nd</sup> Town Hall meeting. He noted the

online survey was still available at [www.milwaukievision.org](http://www.milwaukievision.org). His additional comments and responses to key questions were as follows:

- City Council decided that because it was a community-driven effort, the Vision's Action Plan would serve as the foundation for Council's future goal setting sessions. Council's goal setting would be integrated with the annual work done to update the Action Plan, which would be dynamic so things could be added or priorities shifted.
- He noted the Vision Statement would lead not only into the Action Plan, but also land use and transportation-related items that would feed the Comprehensive Plan Update, so staff wanted to get input from the Planning Commission as the Vision Statement and Action Plan were developed.
- The Vision Advisory Committee (VAC), comprised of Milwaukie residents, focused on the actual development of the Vision Statement and Action Plan, while the Steering Committee advised staff and the City Manager's office on ways to do outreach and how to collaborate with the school and parks districts on various events.
- Some major themes arising from community outreach were the lack of accessibility to and availability of transportation modes, valuing natural resources and open spaces, and affordable housing. People also saw Milwaukie as a community where they could volunteer or get involved.

**Commissioner Anderson** noted the aggressive schedule and was impressed by the coordinated agendas for the VAC as well as the consultants from Cogan Owens Greene, who have done a good job of synthesizing all the information coming in. Having the Youth Vision Action Team involved with stakeholder engagement likely facilitated input the City would not have received otherwise.

**Mr. Levitan** reviewed the timelines for the three phases and timeline of the Community Vision process, with the Community Vision completed in late June or early July 2017. He believed Council would continue with its more traditional goal setting process for 2017 as staff was still trying to coordinate that process. Work on the Comprehensive Plan update had already begun, including the Housing Needs Analysis and Economic Opportunities Analysis, which would return to the Commission in the next month or two for refinement. Staff wanted to be ready to take the community's feedback and develop the work plan for the Comprehensive Plan update.

**The Commission** addressed the questions from staff, and consented to have Commissioner Anderson, as the Commission's Community Vision Liaison, provide brief monthly updates. Staff would still report to the Commission at key milestones in the process to get input on the Vision Statement language and draft Action Plan later in the process. Given other opportunities for providing input, the Commission agreed to not hold an abbreviated Community Conversation.

**The Commission** consented to have Commissioners serving as liaisons to various committees also provide monthly updates to the Commission.

- 6.1 Summary: Housekeeping Code Amendments — Item was taken out of order.  
Staff: Vera Kalias

**Vera Kalias, Associate Planner**, presented the staff report on the proposed Housekeeping Code Amendments, highlighting the key language changes made since the September worksession, as well as City Council's concerns and recommendations. She addressed clarifying questions from the Commission and her key comments were as follows:



- Given that Council had similar concerns with the Type II and III review process proposed in the Willamette Greenway Overlay (MMC 19.401), that portion would be eliminated and the list of exemptions retained. Staff would present a more comprehensive code amendment proposal in the spring.
- The Code Commentary provided with the 30-day notice would explain the proposed amendments in layman's terms, including the reason for eliminating Figure 19.306.1.E.
- Due to changes to the Forecast for Future Meetings, the first public hearing for the Housekeeping Code Amendments would be December 13<sup>th</sup>, not on November 8<sup>th</sup>, and no hearing on the Code Amendments would be held on November 22<sup>nd</sup> date (corrected date).
- This was the first set of Code amendments the City had done for some time and staff hoped to do housekeeping Code amendments annually, in the fall or winter, and then more complex Code amendments each spring.

## 7.0 Planning Department Other Business/Updates

**Ms. Kolias** reported staff was conducting a Type II review of S-2015-001, a 5-lot subdivision approved last year at 5419 SE King Rd. The applicant requested a 6-month extension on the final plat to finish the street due to a delay in PGE's work. The improvements were expected to be completed rather quickly, but the submission of the mylars and the City's review of the installation of the utilities to sign off in time could extend beyond the applicant's November 17<sup>th</sup> deadline. Without the extension, the applicant would have to start over with the original subdivision application.

The Commission had no concerns with staff approving the extension.

**Ms. Kolias** verified that Wichita School was in the County and therefore did not require any City review of the new parking lot.

## 8.0 Planning Commission Discussion Items

**Commissioner Argo** updated the Commission on the Advisory Group meeting for the North Milwaukie Industrial Area project, which included a presentation of the Existing Conditions Report that was also available on the City's website. He encouraged everyone to read the report and contact City Project Manager Amy Koski with any questions.

**Commissioner Barbur** noted the Library Task Force was disbanded just before the May election. He understood a committee was to be appointed to do community outreach on the library's design after an architectural firm was hired.

**Chair Abma** reported that the Housing Needs Analysis Committee had finished its meetings and was waiting on the final report.

**Ms. Kolias** confirmed the Visioning Town Hall would be recorded and aired on local TV. She noted interviews were being conducted for the Planning Commission's vacancies, but no selections had been made.

## 9.0 Forecast for Future Meetings:

November 8      1. Housekeeping Code Amendments – Hearing # 1

November 21    1. S-2016-001 – 5120 SE King Rd., 14-lot subdivision, *tentative*

2. Housekeeping Code Amendments – Hearing # 2, *tentative*
3. CU-2016-001 – 5945 & 5965 SE Harmony Rd., mini-storage, *tentative*
4. CU-2016-004 – 2816 SE Harrison St., Bridge City, *tentative*

**Ms. Kolia**s confirmed the November 8<sup>th</sup> Planning Commission meeting had been cancelled. She corrected the Forecast to state, “November ~~21~~ **22**” and clarified that the first public hearing for the Housekeeping Code Amendments would be December 13<sup>th</sup>. There would be no public hearing on the amendments on November 22<sup>nd</sup>, and the remaining three hearings were no longer tentative.

Meeting adjourned at approximately 7:49 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Shane Abma, Chair

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, December 13, 2016  
6:30 PM**

**COMMISSIONERS PRESENT**

Shane Abma, Chair  
Shannah Anderson  
Adam Argo  
Kim Travis  
John Burns

**STAFF PRESENT**

Denny Egner, Planning Director  
Vera Kolias, Associate Planner

**COMMISSIONERS ABSENT**

Greg Hemer

**1.0 Call to Order – Procedural Matters\***

**Chair Abma** 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>.*

**2.0 Planning Commission Minutes**

2.1 February 9, 2016

2.2 February 23, 2016

**Commissioner Anderson** corrected that she had not attended the meeting. **Commissioner Argo** clarified the he should have been shown as present.

2.3 March 22, 2016

2.4 July 12, 2016

2.5 August 9, 2016

**It was moved by Commissioner Anderson and seconded by Commissioner Argo to approve the Planning Commission Minutes for February 9, March 22, July 12, and August 9, 2016 as presented. The motion passed unanimously. The February 23, 2016, minutes were pulled to verify attendees and a quorum vote.**

**3.0 Information Items**

**Denny Egner, Planning Director**, noted the King Rd subdivision that the Commission recently approved was formally appealed today by the Hector Campbell Neighborhood District Association (NDA) with Ley Garnett as the spokesperson. The appeal would likely be heard at City Council on January 17<sup>th</sup>. The Commission would receive the appeal information as part of the 20-day notice.

At the December 20<sup>th</sup> Council meeting, a presentation was given on the Economic Opportunities Analysis and Economic Development Strategy. The Housing Needs Analysis would also be presented and would eventually be presented to the Planning Commission.

**Chair Abma** introduced new Planning Commissioners Kim Travis and John Burns, who briefly described where they lived and their professions.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

#### **5.0 Public Hearings**

5.1 Summary: Harmony Rd Mini-storage—to be continued again to January 10, 2017  
Applicant/Owner: Hans Thygeson  
Address: 5945 & 5965 SE Harmony Rd  
File: CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003  
Staff: Brett Kolver

**Chair Abma** called the hearing to order, noting the applicant had requested a continuance.

**It was moved by Commissioner Argo and seconded by Commissioner Anderson to continue the public hearing for CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003, 5945 & 5965 SE Harmony Rd, to a date certain of January 10, 2017. The motion passed unanimously.**

5.2 Summary: Housekeeping Code Amendments  
File: ZA-2016-002  
Staff: Vera Koliass

**Chair Abma** called the hearing to order and read the conduct of legislative hearing format into the record.

**Vera Koliass, Associate Planner**, noted the worksessions held to date with the Commission and City Council. Notification was provided to the NDAs, as well as property owners and tenants of the affected properties in the CL Zone, to ensure they were aware of the proposed amendments. She presented the staff report via PowerPoint and reviewed the proposed Housekeeping Code Amendments. She addressed clarifying questions, and described the key issues related to accessory structures and fence height, as well as roof signs, which were detailed in the supplemental staff report.

Discussion of the key issues and feedback from the Commission were as follows:

Accessory structures. Council was concerned about any loophole in the Code that could allow applicants to build a very large garage, for example, by attaching it to a house to avoid the required variance. The concern regarded whether the new structure actually functioned as an addition. Because different standards applied to accessory structures versus additions, staff proposed language with specific dimensions and standards to clarify under what circumstances a structure was an addition and not an accessory structure. Graphics were also included to illustrate these dimensions and standards.

- The graphics were helpful, but Figure 19.502.2.3 (5.2 Page 20) was not needed because accessory structures were separate structures. The other graphics needed to be redrawn to more accurately reflect the required distances.

- Staff confirmed the measurement units would be changed to be consistent throughout the Code subsections. The required 36-in or 3-ft for a corridor was a consistent width for a standard hallway in the Building Code.

Fence Height. Currently, a Type III variance was required for homeowners wanting a fence taller than 42 inches on their property. The proposed amendments included a Type II variance for fences that would establish limited variations for fences. In some instances, however, fences taller than 6 to 8 ft were appropriate, particularly given significant grade changes between the street and property.

- Staff noted that at a worksession, the City Council asked for a clear and objective standard that could be applied when an elevation difference existed between the street and property; however, it was challenging to write standards that could be universally applied. Staff did not recommend such standards because the Type III process existed for such discretionary situations and the Type II process would provide a solution most of the time.
- Staff noted the background of the request and added that Council sought a way to make slight adjustments to fence heights through a Type II process due to the expense, timeframe, and risk of a Type III variance.
- Staff noted there had been discussions about including a different fee for the Type II fence variance, but that was yet to be determined.

Roof Signs. Currently, properties with multiple frontages may combine the length of their frontages to determine the maximum size of a roof sign, which was based on a recent land use appeal. However, the Code had no maximum size limit for roof signs. Staff sought input about including a maximum size for roof signs and whether only a single frontage should be used to calculate the size of a roof sign.

- The City's Sign Code was content-neutral so signage did not have to relate to the business or building activity and could be leased out to project any message.
- **Mr. Egner** noted adding or changing the standards would essentially place new restrictions on property owners and the changes had not been noticed to properties in the Manufacturing Zone, as roof signs were only permitted in the Manufacturing Zone. If the Commission wanted changes, he suggested removing the Code section on roof signs from the proposed amendments to re-notice and hold a new hearing on that Code section.
- The language regarding the number of signs allowed that were "multi-faced" created some confusion about the number of signs allowed that were not multi-faced. The language seemed to imply the restriction was only on multi-faced signs.
- The Commission concurred that that the Sign Code section regarding roof signs should be pulled from the amendment package and discussed potential changes to the maximum limit for roof signs and to align roof sign requirements with free-standing sign standards.

**Ms. Koliass** confirmed that staff would clarify the repeated use of the term "stormwater" in the definition of utility facilities as it related to the proposed amendments in MMC 19.402 Natural Resources. She explained that the new language of Chapter 19.401.5.B specified items that would not have been considered intensification or change in use by the definition. The list helped staff and applicants know what could be done on a property within the Willamette Greenway Zone that would be exempt from the Type III review. The language came from Goal 15, the Willamette Greenway Goal, and simply added clarity to the definitions.

**Chair Abma** closed the public hearing. He confirmed the changes regarded the roof signs and changes to the accessory structure graphics.

**It was moved by Commissioner Argo and seconded by Commissioner Anderson to recommend approval to City Council of ZA-2016-002 Housekeeping Amendments with the recommended findings as amended, but pulling the Title 14 Signs section of the amendments package to notice and amend at a later date. The motion passed unanimously.**

## **6.0 Worksession Items**

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

#### **7.1 Planning Commission Notebook Replacement Pages**

**Mr. Egner** noted the Commissioners were provided replacement pages that included the new marijuana and short-term rentals code sections.

## **8.0 Planning Commission Discussion Items**

**Commissioner Anderson** noted the Vision Advisory Committee took input from the open house and made some modifications to the Vision Statement and began crafting goal statements under the various categories: People, Planet, Place, Prosperity. She invited the Commissioners to attend the Vision Advisory Committee meetings.

- **Mr. Egner** added the next Visioning Town Hall was planned for February 15<sup>th</sup>. He described the exercises James Rojas, a member of the consultant team, would conduct for kids and adult groups the week before the Town Hall.

**Commissioner Argo** stated the Advisory Group for the North Milwaukie Industrial Area Project was working on the Framework Plan component and had done an Economic Feasibility Analysis study, which followed an existing conditions assessment. The materials continue to be released on the City's website. He anticipated about three or four more meetings would be held.

- **Mr. Egner** added that the next meetings of the Technical Group and the Advisory Group would focus on a conceptual discussion to determine what level of change people were comfortable with.

**Chair Abma** announced Milwaukie's Annual Winter's Solstice would be on December 17<sup>th</sup> at 5:00 pm where people could watch the Christmas ships at Milwaukie Riverfront Park.

## **9.0 Forecast for Future Meetings:**

- |                  |   |
|------------------|---|
| January 10, 2017 | 1. Public Hearing: WG-2016-002, VR-2016-008 – 20 <sup>th</sup> Ave Garage |
|                  | 2. Public Hearing: CU-2016-001 et al – Harmony Road mini storage          |
|                  | 3. Worksession: Visioning Update  |
| January 24, 2017 | 1. TBD  |

Meeting adjourned at approximately 8:12 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



# MILWAUKIE

*Dogwood City of the West*

**To:** Planning Commission

**Through:** Dennis Egner, Planning Director

**From:** Brett Kelder, Associate Planner

**Date:** February 7, 2017, for February 14, 2017, Public Hearing

**Subject:** **Master File:** CU-2016-001 (with NR-2016-001, TFR-2016-001, and VR-2016-003)  
**Applicant/Owner:** Hans Thygeson  
**Addresses:** 5945 & 5965 SE Harmony Rd  
**Legal Description (Map & Tax Lot):** 1S2E31D, tax lots 1800 and 1900  
**NDA:** NA (Milwaukie Business Industrial)

## ACTION REQUESTED

Re-open the public hearing to consider applications CU-2016-001, NR-2016-001, TFR-2016-001, and VR-2016-003. Hear staff and applicant presentations, take public testimony, and deliberate on the key issues presented in this report, as well as any other issues raised at the hearing. If needed, continue the hearing to a date certain and provide staff and the applicant with a clear list of any additional information needed for the Commission's consideration and decision. Otherwise, approve the applications and adopt the Recommended Findings and Conditions of Approval found in Attachments 1 and 2 (which will follow this report under separate cover). This action would allow for development of a mini-storage facility at 5945 and 5965 SE Harmony Road.

## BACKGROUND INFORMATION

The applicant proposes to develop 1,005 enclosed mini-storage units contained in two buildings, occupying approximately 100,000 sq ft on the 3-acre site. The property is separated into northern and southern halves by Minthorn

Figure 1. Vicinity



Creek. A new bridge is proposed to provide access between the two buildings. Access to and from the site will be through a shared driveway with the adjacent property to the west.

**A. Site and Vicinity**

The site is located at 5945 and 5965 SE Harmony Rd, within the Business Industrial zoned area between International Way and Railroad Avenue (see Figure 1, previous page). The site consists of two tax lots—the smaller lot (5945 SE Harmony Rd) was previously developed with a single-family house that was demolished in 2014; the larger lot (5965 SE Harmony Rd) includes a vacant light-industrial building and also previously included a single-family house that was demolished in 2014.

The property is bisected by Minthorn Creek and a designated water quality resource area (see Figure 2). Access to the site will be provided through a shared driveway with an adjacent property in the International Way Business Center to the west, which will allow right-in and right-out turns to and from Harmony Road. At this time, it is not clear whether the applicant will also have access into the site from the existing shared driveway into the business center property from International Way.

The surrounding area consists of light industrial and professional office development within the Business Industrial zone to the west, as well as the 20-unit complex of Harmony Park Townhouse Apartments to the east.

**B. Zoning Designation**

Business Industrial (B-I) – see Figure 3

**C. Comprehensive Plan Designation**

Industrial (I)

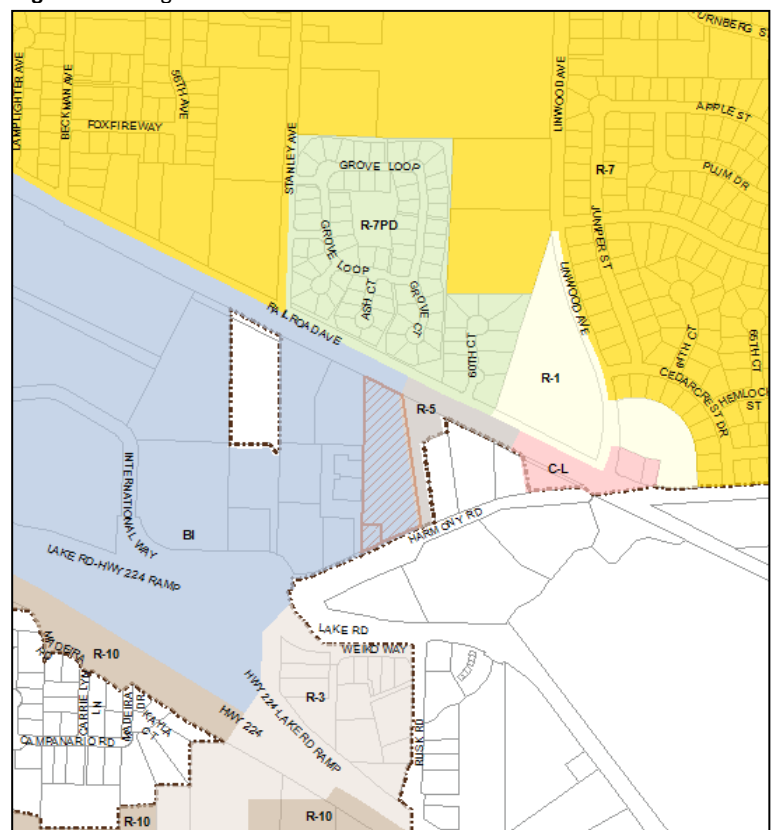
**D. Land Use History**

- **2007:** Conditional Use approval for development of a mini-storage facility (master file #CU-07-02), with Water Quality Resource review (WQR-07-01), Transportation Plan Review (TPR-

Figure 2. Site with natural resource designations



Figure 3. Zoning





07-12), Variance Request (VR-07-06), and Transition Area Review (TAR-07-01). The project was very similar to the current proposal, though with a variance request to reduce the number of required parking spaces. The application package was approved but the project was not built and the land use approval expired.

- 2007:** Annexation (A-07-02) to bring the site into the city limits, in conjunction with the proposed conditional use to allow mini-storage development. The annexation was processed and approved through the non-expedited process, as the property owner wished to adjust the new City zoning designation of the site from Manufacturing (M), which would have been the default designation from the County’s Light Industrial (I2) and General Industrial (GI) designations at the time, to the City’s Business Industrial (BI) designation. The adopting ordinance was Ord. 1984.

The adjacent properties in the International Way Business Center to the west were developed in 2005, following approval of a land use application for subdivision, transportation plan review, water quality resource review, and variance request (master file #TPR-04-06). One of the conditions of approval required the developing site to establish a shared access agreement with the subject property, though it is not clear that the condition included sharing the International Way access specifically.

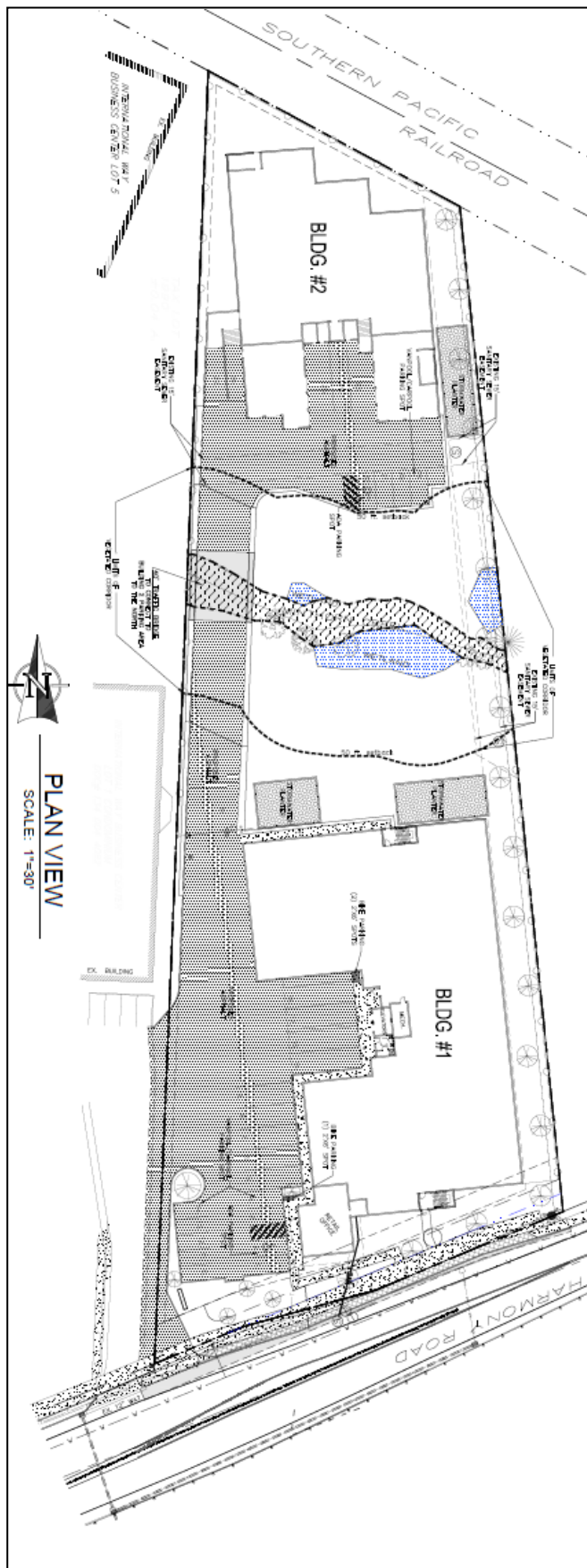
**E. Proposal**

The applicant is seeking land use approval for development of a commercial mini-storage facility on the subject property, with 1,005 enclosed units in two 3-story buildings (see Figure 4). Mini-storage is a conditional use in the underlying Business Industrial (B-I) zone.

The project involves construction of a new bridge over Minthorn Creek to connect the northern and southern halves of the site. Impacts to the designated Water Quality Resource (WQR) and Habitat Conservation Area (HCA) will be mitigated with native tree and shrub plantings to restore the vegetated corridor along the creek.

Access to the site will be shared with the

Figure 4. Proposed site plan



adjacent property to the west, including through an existing driveway that will be widened to allow right-in and right-out movements at Harmony Road. A variance has been requested to reduce the required front yard setback from 20 ft to 15 ft, which would allow several small portions of the southernmost building to be situated closer to the front property line.

The project requires approval of the following applications:

1. Conditional Use (master file #CU-2016-001)
2. Natural Resource review (file #NR-2016-001)
3. Transportation Facility Review (file #TFR-2016-001)
4. Variance Request (file #VR-2016-003)

The Applicant's Narrative and Supporting Documentation includes more information and detail about the proposed development and was attached with the early packet mailing in advance of the original November 22, 2016, hearing. Additional information, revised materials, and public comments have been received since the November 2016 early packet mailing—see Attachment 3 for the complete list of materials. This staff report is intended to replace the November 22 staff report.

## KEY ISSUES

### Summary

Staff has identified the following key issues 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. Are there any practicable alternatives to the proposed disturbance to the WQR and HCA?
- B. If disturbance to the WQR and/or HCA is unavoidable, is the proposed mitigation adequate?
- C. How well will the proposed shared access arrangement perform, given the existing development and uses on the adjacent properties to the west?
- D. Are there negative impacts resulting from a reduction of the width of perimeter landscaping for the southwestern parking area?

### Analysis

#### A. Are there any practicable alternatives to the proposed disturbance to the WQR and HCA?

Minthorn Creek, which bisects the site, is a perennial stream that drains into Mt Scott Creek a few hundred yards downstream to the east of the subject property. Although it does not flow year-round and does not include a delineated floodplain, Minthorn Creek is nonetheless hydrologically connected to Mt Scott Creek and thus has a significant role in contributing to both water quality and habitat provision. Minthorn Creek drains from the wetland complex at 37<sup>th</sup> Avenue and Railroad Avenue and runs through the business industrial area along International Way, where it has been piped, channeled, and otherwise severely impacted by development. However, starting a few properties upstream from the subject property, the riparian corridor is more intact and presents an opportunity for preservation and enhancement near its confluence with Mt Scott Creek.

The applicant's proposal is mindful of the creek and its associated wetlands and riparian buffer, as it locates the new buildings as far from either side of the creek as practicable. And

the proposed new bridge is located on the west side of the site, opposite the wetlands. However, some portions of the WQR and HCA will be disturbed and a considerable amount of fill will be required to sufficiently level the ground for the proposed development. Especially on the north side of the creek, where the existing slope gradually rises well beyond the WQR and HCA boundaries, the fill will significantly change the topography near the protected riparian corridor. The applicant has the burden of exploring meaningful alternatives or adjustments to the proposed development, in order to justify the natural resource disturbance.

The applicant's natural resources report addresses only one alternative to the proposed bridge: access the northern portion of the site from the Railroad Avenue frontage. The report indicates that the existing railroad tracks between the northern property boundary and Railroad Avenue preclude practicable access from that direction, therefore the proposed bridge is the only practicable alternative for developing the northern portion of the site.

ESA, the City's on-call natural resource consultant, reviewed the applicant's report and noted that another option would be to share access across the existing bridge on the adjacent property to the west. This suggestion was echoed in comments provided by the North Clackamas Urban Watersheds Council (NCUWC).

As staff understands the existing situation, a private access easement exists across the multiple properties to the west (including the bridge), allowing circulation throughout the site known as the International Way Business Center. It is not clear whether the applicant has access to any part of the easement beyond the existing driveway to Harmony Road. The northeastern-most building on the business center site (addressed as 5841 SE International Way) is



**Figure 5.** View toward northern portion of subject property from adjacent property to the west, using existing bridge

currently occupied by Cook Security Group, with an east-west drive aisle through the parking area that dead-ends near the western boundary of the subject property (see Figure 5). It appears that the drive aisle could be extended eastward into the subject property to provide access to the northern portion of the site. This would eliminate the need for construction of a second bridge across the creek and the resulting disturbance to the WQR and HCA. While the City cannot compel an adjacent property owner to provide access to the subject property, it is not clear that the applicant has thoroughly explored this option.

In addition, the NCUWC comments propose the alternative of foregoing any development on the northern portion of the site and instead focusing all new activity on the southern portion of the site, which has been previously developed. The NCUWC comments indicate support for a variance to allow a new building to exceed the maximum height limit, in order to accommodate the same overall floor area as the two proposed buildings combined. It would be helpful for the applicant to address any issues that might be associated with a taller mini-storage building, such as whether ground-floor units differ greatly from ones on higher stories. One challenge with this alternative would be the provision of the required off-street parking, although that might be accomplished in a variety of ways, including (1) with a shared parking agreement for the existing parking areas on the adjacent site to the west, (2) by establishing additional spaces on the north side of a new single building, or (3) through a request to modify the minimum number of parking spaces required. This alternative would also significantly increase the mass of the new single building, which may present some impacts to the adjacent apartments to the east.

According to the bridge embankment detail provided by the applicant, the bridge span will be 40 to 80 ft long, though the final span length is not clear. One other alternative to consider is providing the longest feasible bridge span, to keep the abutments and supporting slope farther from the ordinary high water mark on each side of the creek. This would minimize impacts to the creek and creek bed and would reduce the amount of fill material needed to construct the new roadway, given the existing elevation contours on the site.

Staff believes these various alternatives should be considered and explored more fully by the applicant, prior to the Planning Commission determining whether to approve the development as proposed or with modifications.

**B. If disturbance to the WQR and/or HCA is unavoidable, is the proposed mitigation adequate?**

Depending on a more thorough analysis of the additional alternatives suggested in Key Issue A, the limits of disturbance and the overall site plan may require adjustment, which would affect the required mitigation. In general, ESA and staff agree that the proposed mitigation is adequate to offset the impacts of WQR and HCA disturbance. The applicant proposes to plant native species of trees and shrubs at a ratio of 5 trees and 25 shrubs per 500 sq ft of temporary or permanent WQR and HCA disturbance, which is based on the HCA mitigation option provided in MMC Subsection 19.402.11.D.2.b. Plantings will be concentrated on the south side of the creek, where existing tree cover is sparsest. These measures are all reasonable and appropriate.

However, staff has identified several specific aspects of the proposed development and mitigation that may need to be further clarified or addressed by the applicant:

- The project involves construction of retaining walls on the north and south sides of the creek, including a wall to shore up the northern parking area along the edge of the WQR. It is unclear from the applicant's materials whether construction of the retaining wall will involve some temporary WQR disturbance that was not accounted for in the mitigation planting calculations. Figures 5 and 6 in the applicant's natural resource report (revised version from November 10, 2016) are not consistent with regard to the exact nature of disturbance in this location.
- Stormwater will be managed on site in three large planters, two on the south side of the creek and one on the north side. The outfalls for all three planters extend into the WQR and have been accounted for as permanent WQR disturbance, though they do not represent direct discharges into the WQR. The proposed location of the outfall pipe for the northern planter would necessitate the removal of a tree within the WQR. Staff wonders whether the outfall's location could be adjusted to avoid the need for the tree's removal.
- One of the suggestions received from NCUWC was to consider a minimum clearance height of 10 ft under the proposed new bridge, to accommodate the passage of deer-sized wildlife. According to the embankment detail provided by the applicant, clearance under the proposed bridge would be approximately 7.5 ft above the ordinary high water mark. As per the questions raised in Key Issue A, staff wonders whether a longer bridge span might provide the suggested clearance, or if the site could be graded in such a way as to raise the bridge height. It would be helpful if the applicant could address this issue, perhaps with a revised detail of the bridge embankment with a longer span or a higher embankment sufficient to achieve the suggested minimum 10-ft clearance above the ordinary high water mark.
- Figure 6 in the applicant's natural resource report indicates that "debris and noxious material" will be removed from within the mitigation area on the north side of the creek, while "debris and noxious weeds" will be removed from the south side. Staff

recommends a condition to clarify that, as part of the approved mitigation, invasive plants will be removed from within the mitigation areas on both sides of the creek.

- The applicant's preliminary landscape plan (Sheet 4.1, received September 27, 2016) is not consistent with the landscape plantings shown on Figure 6 (Mitigation Plan) of the applicant's revised natural resource report. For example, Figure 6 shows a series of new trees along the eastern property boundary, though it is not clear what species. While it may not be necessary for the applicant to provide a single, revised landscaping plan that includes both mitigation plantings and other site landscaping, the relevant plan(s) should be revised to be consistent, clear, and thorough.
- It is unclear from the applicant's various plans whether any fencing will be provided on top of retaining walls or along the WQR or HCA boundaries. Staff understands there may be liability concerns for safety along the tops of retaining walls, though there are pros and cons to fencing along natural resource areas in general. Fences can serve to limit trespassing, but they can also make it more difficult to remove garbage and can limit the movement of terrestrial wildlife through the larger area.

### **C. How well will the proposed shared access arrangement perform, given the existing development and uses on the adjacent properties to the west?**

An estimate of trip generation for the proposed development, based on the International Transportation Engineers (ITE) manual and the number of proposed storage units (1,005), is for an average of 250 one-way trips per day (each trip being either in or out of the site). This reflects an average of just over 10% of the units being accessed each day if each round trip was to a single unit, although the nature of the use is also likely to include multiple visits to individual units during a given day. As proposed, most of these new trips will come from the newly established right-in turning movement from Harmony Road.

As proposed, a widened shared access from Harmony Road will allow right-in turns and should limit impacts on the adjacent properties to the west. Clackamas County has jurisdiction over Harmony Road, so the applicant has coordinated extensively with the County's Department of Transportation and Development to confirm that the widened access will provide the necessary turning movements and sight distances to perform safely. Required changes will include adjusting the location of the existing median on Harmony Road in front of the site and providing adequate signage, striping, and pavement markings along Harmony Road and in the accessway itself.

The Harmony Road access is expected to be the primary point of entry to the site, though some new trips will probably use the shared entrance from International Way. For first-time visitors to the site, some eastbound traffic on Lake Road may not recognize the option to use the left turn at International Way to access the mini-storage site. This may result in instances of eastbound traffic inadvertently passing the new mini-storage facility since there is no left turn into the site from Harmony Road east of the International Way intersection. In those cases, the vehicles will end up either at the Harmony/Railroad/Linwood intersection or might try to turn around in the parking lot for the adjacent Harmony Road Townhouse Apartments.

Although the 2005 land use approval for development of the adjacent International Way Business Center site to the west (master file #TPR-04-06) included a condition requiring the developing site to establish a shared access agreement with the subject property, it is not clear that the condition included sharing the International Way access specifically. An agreement recorded in 2010 officially established an easement over the existing Harmony Road access, but neither staff nor the applicant are aware of a similar agreement for access from International Way. Staff encourages the applicant to work with the adjacent property owner(s) in the International Way Business Center to formally establish access to the

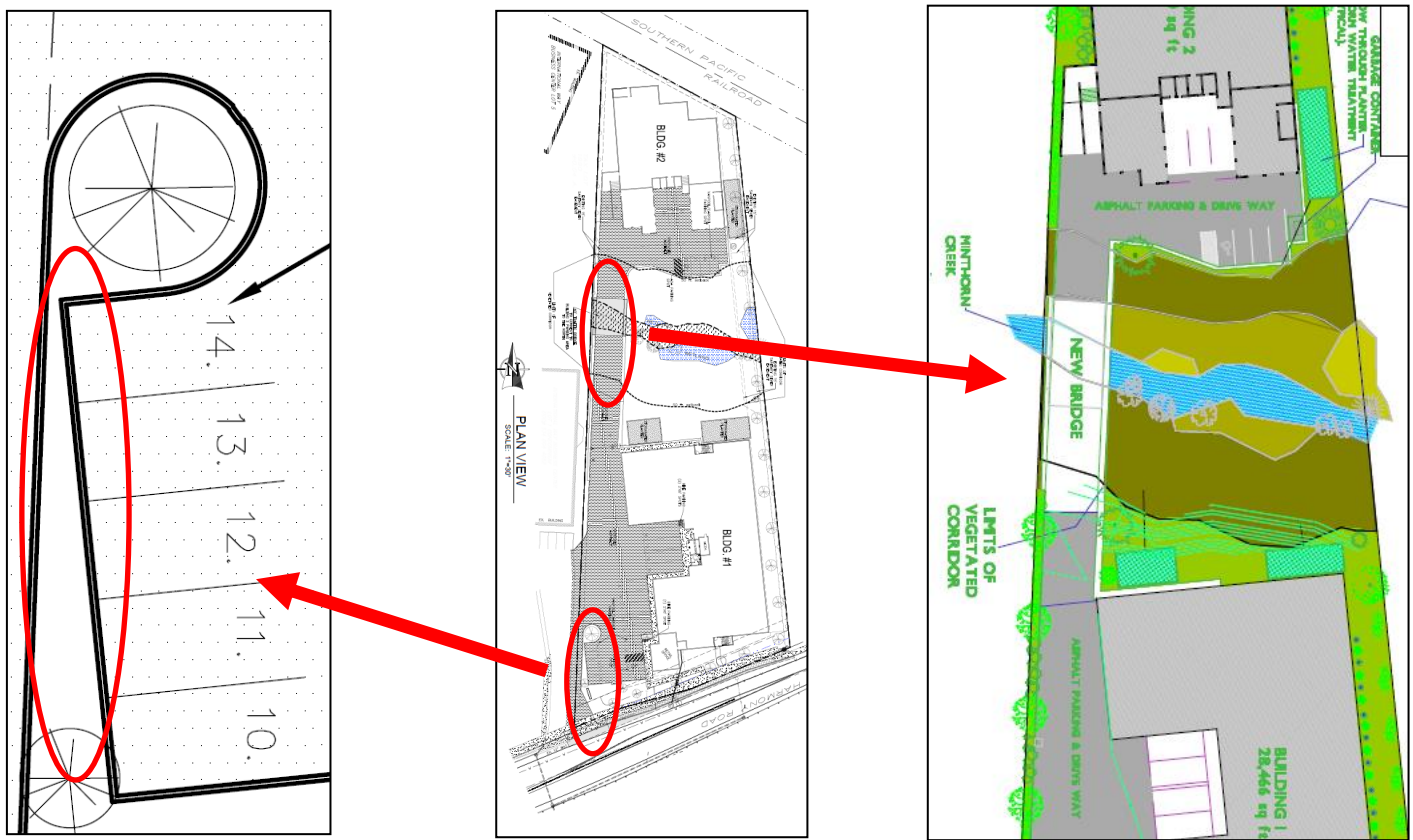
existing driveway from International Way. If that effort is successful, the applicant may wish to explore an arrangement to establish off-site signage on the International Way frontage of the adjacent property at 5811 SE International Way.

**D. Are there negative impacts resulting from a reduction of the width of perimeter landscaping for the southwestern parking area?**

As proposed, the perimeter landscaping adjacent to the southwestern parking area does not meet the minimum width requirement of 6 ft where it abuts the accessway to Harmony Road. The angular, non-rectilinear shape of the subject property results in a portion of the southwestern parking area being less than 2 ft wide—in addition, the narrow strips adjacent to the new accessway leading to and across the proposed new bridge and on the western end of the northern parking area are also less than 6 ft wide (see Figure 6).

MMC Subsection 19.606.2.C.1 allows the Planning Director to reduce the required minimum width of a perimeter landscaping area where existing constraints make it infeasible. The Planning Director believes that the shared accessway to Harmony Road effectively provides the buffer required by the perimeter landscaping standard. Wheelstops placed in the adjacent parking stalls should prevent vehicles from overhanging into the accessway.

Likewise, the narrow landscaping strips on either side of the new bridge are adjacent to either the back of an adjacent building, the riparian area, or the northern parking area to the east. The Planning Director believes that the narrow width of the landscaping strips in these locations is not detrimental to the adjacent features.



**Figure 6.** Perimeter landscaping at southwestern parking area—less than 2 ft wide adjacent to stall 14 and less than 6 ft wide adjacent to other several other stalls

## CONCLUSIONS

### A. Staff recommendation to the Planning Commission is as follows:

1. Approve the Conditional Use application for the proposed mini-storage facility on the subject property. This will result in two new buildings on the site that provide a total of 1,005 storage units.
2. Approve the Natural Resource Review application for disturbance of the designated natural resource areas (WQR and HCA) on the site. This will result in a new bridge over the portion of Minthorn Creek that crosses the site, to provide a connection between the southern and northern halves of the property.
3. Approve the Transportation Facilities Review application for the proposed development. This will result in confirmation that any traffic impacts resulting from the proposed development are sufficiently addressed and mitigated as necessary.
4. Approve the Variance Request for reduction of the minimum front yard requirement. This will result in small portions of the southernmost proposed building being within 15 ft of the front property line instead of 20 ft as normally required.
5. Adopt the attached Recommended Findings and Conditions of Approval.

### B. Staff recommends the following key conditions of approval (see Attachment 2 for the full list of Conditions of Approval):

- Provide a complete set of revised plans. The revised plans shall be consistent with one another and accurate with respect to the proposed development details, each drawn to scale and providing a legend that clearly identifies all detailed features. In particular, the revised plans shall reflect the widened access to Harmony Road.
- Provide signage, striping, and pavement markings at both the Harmony Road accessway and the primary point of entry to the subject property from the Harmony Road accessway.
- Provide screening (landscaping or fencing) along northern and eastern boundaries.
- Provide wheelstops in the parking stalls within the southwestern parking area where adjacent to the Harmony Road accessway.
- Improve the Harmony Road frontage in accordance with the relevant County standards and design requirements.

## CODE AUTHORITY AND DECISION-MAKING PROCESS

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

- MMC Section 19.310 Business Industrial zone (B-I)
- MMC Subsection 19.501.2 Yard Exceptions
- MMC Subsection 19.504.6 Transition Area Measures
- MMC Section 19.402 Natural Resources
- MMC Chapter 19.600 Off-Street Parking and Loading
- MMC Chapter 19.700 Public Facility Improvements
- MMC Section 19.905 Conditional Uses
- MMC Section 19.911 Variances
- MMC Section 19.1006 Type III Review

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 applicant has granted an open extension to the 120-day clock, allowing a total of up to one year from the date the application was deemed complete to produce a final decision. The final decision on this application, which includes any appeals to the City Council, must be made by **September 27, 2017**, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance.

## COMMENTS

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Building Department, City of Milwaukie Engineering Department, Clackamas Fire District #1, Clackamas County Transportation and Development, ESA (City's on-call consultant for natural resource review), Metro, Oregon Department of Transportation (ODOT), Linwood Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC).

- **Matt Amos, Fire Inspector, Clackamas Fire District #1:** No additional comments beyond those provided to the applicant through the preapplication conference process.
- **Robert Hixson, Civil Engineering Associate, Clackamas County Department of Transportation and Development:** Various comments related to the 2007 and 2016 traffic studies, access, and street improvements.  
*Staff Response: The County's comments have been integrated into the findings for MMC 19.700, with recommended conditions as applicable.*
- **Seth Brumley, Planner, ODOT Region 1:** The proposal appears to be consistent with the previously approved zone change. No additional comments.
- **Rick Buen, Civil Engineer, Milwaukie Engineering Department:** Confirmation of Clackamas County's authority over public improvements along Harmony Road, with information related to requirements for public facility construction.
- **Sarah Hartung, Senior Biologist, ESA:** Peer review of applicant's Natural Resource Report is provided in a memo dated November 8, 2016.  
*Staff Response: ESA's comments have been integrated into the findings for MMC 19.402, with recommended conditions as applicable.*
- **Ed Williams, owner of Harmony Park Apartments (5979-5989 SE Harmony Rd):** The proposed development would complement the apartment complex and other surrounding uses. The subject property is underutilized, and the proposed development will be a low-impact use that will provide a much-needed service to the community.
- **Joseph Edge, Vice Chair of North Clackamas Urban Watersheds Council (NCUWC):** The proposed development could do more to avoid or minimize impacts to the WQR and HCA. One suggested change would be to limit all development to the south side of Minthorn Creek, with a variance to allow a taller single building in that



location and a recorded covenant or conservation easement over the property on the north side of Minthorn Creek. An alternative would be to share access to the north side of Minthorn Creek over the existing bridge on the adjacent property to the west. If a new bridge is allowed, it should provide at least 10 ft of vertical clearance for movement of deer and other wildlife. In general, development should not be allowed within the 100-year floodplain.

Staff Response: Staff has taken the NCUWC comments into consideration for the discussion of key issues in this report.

## ATTACHMENTS

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

	Early PC Mailing (Nov 2)	PC Packet (Nov 22)	PC Packet (Dec 13)	PC Packet (Jan 10)	PC Packet (Feb 14)	Public Copies	E- Packet
1. Recommended Findings in Support of Approval (SENT 2/10/17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Recommended Conditions of Approval (SENT 2/10/17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Applicant's Narrative and Supporting Documentation (received Sept. 27, 2016, unless otherwise noted)							
a. Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Natural Resource Review report (revised version received Nov. 10, 2016)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Landscaping and Lighting Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Site Plan and Civil Sheets (incl. turning movements and site distance on Harmony Road, received Oct. 7, 2016)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Building Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f. Preliminary Stormwater calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
g. Transportation Review documents (incl. 2016 update to 2007 traffic study)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
h. Preapplication Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
i. Modular bridge information (received Oct. 13, 2016) and Erosion Control plan and Bridge Embankment detail (received Oct. 20, 2016)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
j. Exhibit A – Turning Movement (for Harmony Road access, received Jan. 26, 2017)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
k. Harmony Road median and striping plan (revised version received Jan. 31, 2017)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Comments Received							
a. Matt Amos (Clackamas Fire District #1—Oct. 14, 2016)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

- |   |                          |                                     |                                     |                          |                                     |                                     |                                     |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| b. Robert Hixson (Clackamas County Department of Transportation and Development—initial memo Oct. 18, 2016) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Seth Brumley (ODOT Region 1—Oct. 18, 2016)   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Rick Buen (Milwaukie Engineering Department—Oct. 20, 2016)   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Sarah Hartung (ESA, City’s on-call consultant for natural resource review—Nov. 8, 2016)                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Ed Williams (owner of Harmony Park Apartments—Nov. 22, 2016)   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Joseph Edge (Vice Chair, North Clackamas Urban Watersheds Council—Dec. 19 and 21, 2016)                  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Robert Hixson (Clackamas County DTD—revised memo Feb. 2, 2017)   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

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.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/planning-commission-143>.

**Recommended Findings in Support of Approval  
Master File #CU-2016-001  
Harmony Road mini-storage facility**

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, Hans Thygeson, has applied for approval to develop a mini-storage facility at 5945 and 5965 SE Harmony Rd. This site is in the Business Industrial (B-I) Zone. The land use application master file number is CU-2016-001, with accompanying file numbers NR-2016-001, TFR-2016-001, and VR-2016-003.

A similar proposal by the applicant received conditional use approval in August 2008 (master file #CU-07-02). Per the applicant's request in early 2009, the land use approval was extended by 1 year (until February 27, 2010) but expired after no further action was taken to develop the site.

2. The subject property is comprised of two tax lots. The smaller lot (5945 SE Harmony Rd) was previously developed with a single-family house that was demolished in 2014. The larger lot (5965 SE Harmony Rd) includes a vacant light-industrial building and also previously included a single-family house that was demolished in 2014. The proposed development will remove all pre-existing development and construct two buildings (approximately 25,600 sq ft and 13,600 sq ft in size) to establish 1,005 enclosed mini-storage units, a conditional use in the B-I zone. Off-street parking and loading spaces will be provided on the subject property.

Ingress to the site will be provided through a shared right-in-only driveway from Harmony Road. Egress from the site will be through the same shared driveway that allows right-only turns onto Harmony Road.

The subject property includes Minthorn Creek and three small delineated wetlands bisecting the site, which are designated Water Quality Resource (WQR) and Habitat Conservation Area (HCA). The two proposed buildings would be separated by the creek, and the proposed development includes construction of a bridge to provide access to the building on the northern portion of the site. Mitigation plantings will be located within the WQR on the southern creek bank, where there is currently less vegetative cover.

The proposal includes a variance request to reduce the required front yard setback for the building on the southern portion of the site (at the Harmony Road frontage) from 20 ft to 15 ft (a 25% reduction).

3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
  - MMC Section 19.310 Business Industrial zone (B-I)
  - MMC Subsection 19.501.2 Yard Exceptions
  - MMC Subsection 19.504.6 Transition Area Measures
  - MMC Section 19.402 Natural Resources
  - MMC Chapter 19.600 Off-Street Parking and Loading
  - MMC Chapter 19.700 Public Facility Improvements
  - MMC Section 19.905 Conditional Uses
  - MMC Section 19.911 Variances
  - MMC Section 19.1006 Type III Review

4. The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was opened on November 22, 2016, as required by law, and was continued to December 13, 2016, to January 10, 2017, and again to February 14, 2017.

5. MMC Section 19.310 Business Industrial zone (B-I)

MMC 19.310 establishes standards for the Business Industrial (B-I) zone, which is intended to provide a mix of clean, employee-intensive industrial and office uses. As established in MMC Subsection 19.310.5.B.2, mini-storage facilities that lease storage space to the general public are allowed in the B-I zone as a conditional use.

a. MMC Subsection 19.310.5 Conditional Uses

MMC Subsection 19.310.5.A allows for the establishment of conditional uses in the B-I zone, subject to the review process outlined in MMC Section 19.905 Conditional Uses. In addition to meeting the approval criteria provided in MMC 19.905, a conditional use in the B-I zone must also demonstrate compliance with the following criteria:

- (1) Will have minimal adverse impact on the appropriate development of uses permitted outright on abutting properties and the surrounding area, considering location, size, design, and operating characteristics of the use.

*To the west, the subject property is adjacent to existing development on several lots within the International Way Business Center (B-I zone), a combination of warehousing, light-industrial, and commercial office uses. Adjacent to the east is an existing multifamily residential development in the R-5 zone. To the north is right-of-way for the Union Pacific Railroad, Railroad Avenue, and single-family residential development (primarily zoned R-7) within the Linwood neighborhood. To the south is Harmony Road and an electrical substation, as well as additional warehousing or light-industrial development in unincorporated Clackamas County.*

*The proposed development consists of two buildings designed for commercial mini-storage use, with associated off-street parking, landscaping, and a bridge over Minthorn Creek to connect the northern and southern halves of the site. As discussed in Finding 6, a condition has been established to require the proposed development to establish and maintain a transition area between it and the residential areas to the north and east as required by MMC Subsection 19.504.6, to mirror the setback requirements of those adjacent areas and provide landscape screening to minimize impacts.*

*As proposed, the facility will provide 1,005 enclosed mini-storage units that will be accessible to clients 7 days a week between the hours of 6:00 a.m. and 9:00 p.m., with the accompanying sales office typically open Monday through Friday from 9:00 a.m. to 6:00 p.m. Access to the site will be provided through shared driveways on the adjacent properties to the west. According to the International Transportation Engineers (ITE) manual on trip generation, a mini-storage facility the size of the proposed development is estimated to generate approximately 250 total trips per day.*

*The hours of operation and the average number of daily trips to and from the site are consistent with the existing B-I zone uses on the adjacent properties to the west, which include Day Wireless Systems, Breakside Brewery, Gores*

*Construction, Cook Security Group, TPR Industrial, and Aramark Refreshments. The proposed new buildings and the associated parking areas are generally oriented away from the adjacent apartment complex to the east and will have little to no effect on that site. As discussed in Finding 5-b(2), the siting and design of the proposed buildings will ensure that the proposed development is compatible with existing development in the surrounding area.*

- (2) Is compatible with the character and scale of uses allowed within the district and on a site no larger than necessary for the use and operational requirements of the use.

*The proposed development includes two buildings of three stories each, with a maximum height of approximately 42 ft. These aspects are compliant with the height restriction standard for the B-I zone, which is three stories or 45 ft. The subject property is approximately 130,000 sq ft (2.98 acres), which allows adequate space to locate the two proposed buildings, associated off-street parking and loading areas, required landscaping, and a vegetated corridor along the creek and wetland areas in the middle of the site.*

- (3) Will provide vehicular and pedestrian access, circulation, parking, and loading areas which are compatible with uses on the same site or adjacent sites.

*As discussed in Finding 8, the proposed development includes off-street parking and loading areas sufficient to meet the standards of MMC Chapter 19.600.*

- (4) Is a needed service/product in the district, considering the mix of potential clientele and the need to maintain high-quality development in a highly visible area.

*The applicant's narrative indicates that, according to the market analysis prepared in conjunction with the 2007-08 submittal of this proposal, there is a demand for approximately 450,000 sq ft of storage in the area, considering both residential and business needs. The proposed development will provide nearly 100,000 sq ft of consumer-oriented storage. Located near Highway 224 near the intersections of International Way and Lake Road/Harmony Road, the subject property is in a well-traveled corridor.*

*As conditioned, the Planning Commission finds that the proposed development is compliant with the criteria established in MMC 19.310.5.A for conditional uses in the B-I zone.*

b. MMC Subsection 19.310.6 Standards

MMC 19.310.6 establishes the standards for development in the B-I zone. Table 5 illustrates how the proposed development meets the applicable standards of MMC 19.310.6.

<b>Table 5 Development Standards for Business Industrial (B-I) Zone</b>			
<b>Standard</b>	<b>Minimum Requirement</b>	<b>Proposed</b>	<b>Staff Comment</b>
1. Minimum Lot Size	None	Existing lot is approximately 129,700 sq ft	Complies with standard
2. Front Yard	20 ft (in addition to requirements of MMC 19.501.2.A—see Finding 5-b(1))	15 ft	Applicant has requested a variance to this standard (see Finding 11)
3. Side Yard	West side = 0 ft East side = 20 ft (as per MMC 19.504.6—see Finding 6)	12 ft (west side) 20 ft (east side)	Complies with standard
4. Rear Yard	10 ft (except as per MMC 19.501.2.A and MMC 19.504.6—see Findings 5-b(1) and 6, respectively)	10 ft	Complies with standard
5. Off-Street Parking & Loading	24 spaces (at ratio of 1 space per 45 storage units, plus 1 per employee of largest shift)	27 spaces	Complies with standard (see Finding 8 for discussion of additional off-street parking and loading requirements)
6. Site Access	1 curb cut per 100 ft of frontage (for conditional uses)	1 curb cut (shared access) (Access to Harmony Road shared with adjacent properties—existing accessway will be widened to 55 ft)	Complies with standard
7. Height Restriction	Max. 3 stories or 45 ft (whichever is less)	3 stories, 42 ft (both buildings)	Complies with standard
8. Landscaping	15% of site	20% (26,000 sq ft)	Complies with standard
9. Screening & Outside Storage	Allowed with screening	No outside storage proposed	Not Applicable
10. Building Siting & Design	Miscellaneous (see Finding 5-b(2))	Siting and design minimize impacts to natural resources, locate retail office near primary access, and provide adequate aesthetics.	Complies with standard (see Finding 5-b(2))
11. Nuisances	No off-site impacts (dust, odor, fumes, noise, etc.)	Use does not involve manufacturing and will not present nuisances.	Complies with standard

## (1) MMC Subsection 19.501.2 Yard Exceptions

MMC Table 19.501.2.A establishes additional yard requirements for properties fronting on specific streets. The additional yards are measured from the center

line of the right-of-way to the closest point of any building, plus the yard requirements of the underlying zone.

*The subject property has frontage on Harmony Road to the south, which requires an additional yard setback of 40 ft measured from the center line, plus the 20-ft front yard setback requirement of the B-I zone. The Harmony Road right-of-way width varies from approximately 120 ft at the west end of the subject property's frontage to 75 ft at the east. At the eastern end, the right-of-way width is less than 80 ft for only about 15 ft; the 20-ft required side yard along the eastern property line will prevent any portion of the new building from being in a position where the required additional yard setback from Harmony Road would apply.*

*Additionally, the applicant has requested a Type II variance to reduce the B-I zone front yard setback requirement of 20 ft down to 15 ft. As discussed in Finding 11, the variance request supersedes the additional yard setback requirement of MMC 19.501.2.A for the Harmony Road frontage.*

*The subject property also has frontage on the Railroad Avenue right-of-way to the north, which requires an additional yard setback of 30 ft measured from the center line, plus the 20-ft rear yard setback requirement of the B-I zone. The Railroad Avenue right-of-way (including the Union Pacific Railroad trackway) is approximately 120 ft wide and allows the subject property to easily meet the additional 30-ft setback requirement of MMC Table 19.501.2.A.*

*As per the approved variance request for the front yard setback, the Planning Commission finds that the additional yard standards of MMC 19.501.2.A are met.*

(2) MMC Subsection 19.310.6.J Building Siting and Design

MMC 19.310.6.J establishes seven principles for building and siting design in the B-I zone:

- (a) Sites shall be developed to the maximum extent practicable, so that buildings have solar access and utilize other natural features in their design.

*The proposed development will maximize its use of the site area with new buildings and parking areas on the northern and southern portions of the property, leaving Minthorn Creek and the associated wetlands in the middle. Disturbance to the designated WQR and HCA will be limited to the area for the new bridge that will connect the two halves of the site as well as a few square feet along the edge of the northern parking area.*

*As proposed, both new buildings have flat roofs and are situated on the site in such a way that they will be available for solar equipment if so desired in the future. The sales office in particular, which will be located within the south end of the southern building, will benefit from solar access.*

- (b) Assure that building placement and orientation and landscaping allow ease of security surveillance.

*As proposed, the placement and orientation of the two buildings place the sales office near the primary site access, which is convenient for users and enhances surveillance and security of the site.*

- (c) Design buildings with shapes, colors, materials, textures, lines, and other architectural design features which enhance the character of the district and complement the surrounding area and development, considering, but not limited to, the following techniques:

- (i) Use color, materials, and architectural design to visually reduce the scale and impact of large buildings.

*As proposed, the new buildings will be constructed with plain and split-faced concrete masonry unit (CMU) block with standing seam metal siding, all in earth-tone colors (tan and brown). The elevations that face the public rights-of-way to the north and south include window treatments that enhance the aesthetic appearance of each building. The east elevations of both buildings present large expanses of façade (approximately 7,200 sq ft for the southern building and approximately 6,000 sq ft for the northern building) to the existing multifamily residential development on the adjacent property to the east. However, the facades are articulated with a combination of windows, horizontal and vertical design elements, and finish treatments.*

- (ii) Use building materials and features that are durable and consistent with the proposed use of the building, level of exposure to public view, and exposure to natural elements.

*As proposed, the new buildings are similar in style and materials to other like buildings in the B-1 zone. Where the new buildings are more visible to the adjacent public rights-of-way and the primary access point, the design includes a higher percentage of window area, which provides additional articulation for the facades and reduces the visual impact of blank walls*

- (d) To the extent possible, screen or mask roof-mounted mechanical equipment, except solar collection apparatus, from view.

*As proposed, no mechanical equipment will be located on any rooftops. This standard is not applicable.*

- (e) Orient major service activity areas (e.g., loading, delivery, and garbage collection, etc.) of the development away from major streets.

*Harmony Road to the south and Railroad Avenue to the north are the two major streets adjacent to the subject property. As proposed, the loading area for the southern building will be on the west side of the building, which does not face either of the adjacent streets. The loading area for the northern building will be on the south side of the building but sufficiently separated from Harmony Road by both distance and the southern building. The garbage collection area is proposed for the southeast corner of the northern parking area, well away from the Harmony Road frontage.*

- (f) Arrange use and buildings to maximize opportunities for shared circulation, access, parking, loading, pedestrian walkways and plazas, recreation areas, and transit-related facilities.

*The proposed development will share site access with the adjacent properties to the east. Ingress to the site will be through a right-in shared*



*access from Harmony Road; egress from the site will be through a shared access to Harmony Road.*

- (g) Provisions for bus shelters, bike racks, street furniture, kiosks, drinking fountains, art sculptures, and/or other pedestrian and transit amenities as required by Chapter 19.700.

*As discussed in Finding 9, the proposed development will provide street improvements along the Harmony Road frontage of the subject property, including sidewalk, landscape strip, and other modifications related to the shared accessway at Harmony Road.*

*The proposed development meets the applicable principles for building siting and design in the B-I zone, as provided in MMC 19.310.6.J.*

*As conditioned and per the approved variance request discussed in Finding 11, the Planning Commission finds that the proposed development meets the applicable development standards of MMC 19.310.6 for the B-I zone.*

*As conditioned and per the approved variance request discussed in Finding 11, the Planning Commission finds that the proposed development meets all applicable standards of MMC 19.310 for the B-I zone.*

#### 6. MMC Subsection 19.504.6 Transition Area Measures

MMC 19.504.6 establishes the following measures to minimize impacts from commercial, mixed-use, or industrial development where abutting or adjacent to properties zoned for lower-density use.

- (MMC Subsection 19.504.6.A) – All yards that abut, or are adjacent across a right-of-way from, a lower-density zone shall be at least as wide as the required front yard width of the adjacent lower-density zone. This additional yard requirement shall supersede the base zone yard requirements for the development property where applicable, except in the NMU (Neighborhood Mixed Use) Zone.
- (MMC Subsection 19.504.6.B) – All yards that abut, or are adjacent across a right-of-way from, a lower-density zone shall be maintained as open space. Natural vegetation, landscaping, or fencing shall be provided to at least the 6-ft level to screen lower-density residential uses from direct view across the open space, subject to the provisions of Subsection 19.502.2.B for fencing.

*Across the Railroad Avenue right-of-way to the north, the subject property is adjacent to the Planned Development R-7PD zone, which is a low-density residential zone. The R-5 zone, a moderate density residential zone, is adjacent to the subject property along its eastern boundary. The proposed development, which is for commercial mini-storage, is subject to the requirements for transition area measures as per MMC 19.504.6.*

*As required by the land use decision for land use file numbers S-74-03 and PD-74-01, which established that R-7PD zone, the minimum required front yard of the adjacent R-7PD development is 10 ft. Therefore, the minimum rear yard requirement for the proposed development is also 10 ft. As proposed, the rear yard of the building closest to the rear property line will be set back at least 10 ft and will be maintained as landscaped open space. A condition has been established to require landscape plantings or fencing at least 6 ft in height along the rear property line, sufficient to screen the proposed development from adjacent residential uses across Railroad Avenue to the north.*

*The front yard requirement of the R-5 zone, to the east of the subject property, is 20 ft. As proposed, both new buildings would be set back 20 ft from the eastern property line. In addition, the applicant's site plans show newly planted trees along the length of the eastern boundary, though spaced at intervals that do not meet the screening requirements established in MMC 19.504.6.B. A condition has been established to ensure that the applicant's site and/or landscaping plans will be revised as necessary to show that this screening requirement is met.*

*As conditioned, the Planning Commission finds that the proposed development will meet the applicable transition area measures established in MMC 19.504.6.*

## 7. MMC Section 19.402 Natural Resources

MMC 19.402 establishes regulations for designated natural resource areas. The standards and requirements of MMC 19.402 are an acknowledgment that many of the riparian, wildlife, and wetland resources in the community have been adversely impacted by development over time. The regulations are intended to minimize additional negative impacts and to restore and improve natural resources where possible.

### a. MMC Subsection 19.402.3 Applicability

MMC 19.402.3 establishes applicability of the Natural Resource (NR) regulations, including all properties containing Water Quality Resources (WQRs) and Habitat Conservation Areas (HCAs) as shown on the City's Natural Resource (NR) Administrative Map.

*The site is bisected by Minthorn Creek and includes three small delineated wetlands, all of which are protected water features. As per MMC Table 19.402.15, primary protected water features, along with their associated vegetated corridors, constitute a WQR on the site. The City's NR Administrative Map also shows an overlapping HCA designation on the site, extending beyond the WQR by a few square feet on the western side of the site.*

*As presented in the applicant's submittal materials, the proposed activity will disturb approximately 5,340 sq ft of WQR and/or HCA area. At that scale, the proposed activity is not listed as exempt according to the standards outlined in MMC 19.402.4.*

*The Planning Commission finds that the requirements of MMC 19.402 are applicable to the proposed activity.*

### b. MMC Subsection 19.402.7 Activities Requiring Type II Review

MMC 19.402.7 establishes that certain activities within a designated WQR and/or HCA are subject to Type II review in accordance with MMC 19.1005. As per MMC 19.402.7.E, this includes boundary verifications that propose substantial corrections to the NR Administrative Map, including identifying the precise location of wetlands, as required by MMC 19.402.15.A.

*The subject property includes three small delineated wetlands. As provided in MMC Subsection 19.402.15.A, the Type II review process is required to confirm the specific location of wetlands. However, the proposed activity also requires applications for review for Natural Resource disturbance, Conditional Use review, Transportation Facility review, and a Variance request that are being processed concurrently with Type III review. As provided in MMC 19.1001.6.B.1, concurrent applications shall be processed according to the highest numbered review type, with a single decision to be issued that includes findings for all concurrent applications.*

*The Planning Commission finds that the boundary verification for wetlands shall be processed concurrently with Type III review.*

c. MMC Subsection 19.402.8 Activities Requiring Type III Review

MMC 19.402.8 establishes that certain activities within a designated WQR and/or HCA are subject to Type III review in accordance with MMC 19.1006. As per MMC 19.402.8.A.1, this includes activities allowed in the base zone that are not otherwise exempt or permitted as a Type I or II activity.

*As discussed in Finding 10, the proposed development is allowed as a conditional use in the underlying Business Industrial (B-I) zone. The level of disturbance proposed within the designated WQR and HCA areas on the subject property exceeds the levels allowed by Type I and II review, as provided in MMC 19.402.6 and 402.7, respectively. As such, the activity must be reviewed using Type III review and the discretionary process established in MMC 19.402.12.*

*The Planning Commission finds that the proposed activity is subject to Type III review.*

d. MMC Subsection 19.402.9 Construction Management Plans

MMC 19.402.9 establishes standards for construction management plans, which are required for projects that disturb more than 150 sq ft of designated natural resource area. Construction management plans must provide information related to site access, staging of materials and equipment, and measures for tree protection and erosion control.

*The applicant's submittal materials include two erosion control plans. One plan shows the locations of proposed erosion control measures, access to the work area for machinery and people, and inlet protection for the proposed on-site stormwater system; the other plan shows additional erosion control measures. Neither plan shows a staging area(s) for equipment and materials or measures to protect existing trees within the WQR and HCA that will remain. A condition has been established to ensure that the two plans will be merged and updated to serve as the construction management plan required by MMC 19.402.9.*

*As conditioned, the Planning Commission finds that the requirements of MMC 19.402.9 will be met.*

e. MMC Subsection 19.402.11 Development Standards

MMC 19.402.11 establishes development standards for projects that impact a designated natural resource.

- (1) MMC Subsection 19.402.11.A provides standards for protecting natural resource areas during development, including requirements to mark work areas, flag WQRs and HCAs that are to remain undeveloped, and conduct all work in accordance with an approved construction management plan.

*The proposed project is subject to all relevant standards in MMC 19.402.11.A. As addressed in Finding 7-d, a condition has been established to ensure that all project work is performed in accordance with an approved construction management plan.*

*As conditioned, the Planning Commission finds that this standard is met.*

- (2) MMC Subsection 19.402.11.B establishes general standards for required mitigation, including requirements related to items such as plant species, size, spacing, and diversity, as well as location of mitigation area, removal of invasive vegetation, and plant survival.

*The applicant has provided a mitigation plan for the proposed disturbance to the WQR and HCA within the project area (Figure 6 in the applicant's revised natural resource report). The plan designates Mitigation Area A on the north side of the creek and Mitigation Area B on the south side. Mitigation Area B, which is categorized as being in "Poor" condition based on the low percentage of existing vegetation and canopy, is the focus of an extensive mitigation planting of native trees and shrubs.*

*The mitigation plan includes information about species, size, spacing, and survival within Mitigation Area B. As proposed, existing man-made debris and noxious materials will be inventoried and removed from both Mitigation Areas A and B. The plan indicates that nuisance species vegetation will be removed prior to planting, that mitigation plantings will be maintained for 2 years, and that all WQR and HCA areas that are temporarily disturbed will be restored with native species seed and plantings. A condition has been established to clarify that all invasive or nuisance species vegetation (as identified on the Milwaukie Native Plant List), noxious materials, and man-made debris such as concrete rubble shall be removed from within the entire WQR and HCA on the site, on the north and south sides of the creek. Another condition has been established to ensure that lights will be located and/or shielded to avoid shining directly into the WQR and HCA.*

*As conditioned, the Planning Commission finds that these standards are met.*

- (3) MMC Subsection 19.402.11.C establishes mitigation requirements for disturbance within WQRs. The requirements vary depending on the existing condition of the WQR, according to the categories established in MMC Table 19.402.11.C. For Class A "Good" WQR conditions, MMC Table 19.402.11.C requires that the applicant submit a plan for mitigating water quality impacts related to the development; for Class C "Poor" WQR conditions, the table requires restoration and mitigation with native species using a City-approved plan.

*As proposed, the proposed development will permanently disturb approximately 4,800 sq ft and temporarily disturb approximately 280 sq ft within the WQR. As discussed in Finding 7-e(2), the northern portion of the WQR on the site is categorized as Class A ("Good"), with the southern portion categorized as Class C ("Poor"). In addition, approximately 260 sq ft within the HCA-only areas on the site will be permanently disturbed.*

*Using the mitigation planting ratio provided in MMC Subsection 19.402.11.D.2.b as a guide, the applicant proposes to plant 5 trees and 25 shrubs per 500 sq ft of disturbance area. For the approximate total WQR and HCA disturbance of 5,340 sq ft (both permanent and temporary disturbance), the applicant proposes to plant 53 native trees and 267 native shrubs, all located in the southern portion of the WQR (Mitigation Area B). As proposed, the mitigation plantings will meet the minimum requirements established in MMC Subsection 19.402.11.B. Mitigation trees will be of at least ½-in caliper (measured at 6 ft above the*

*ground level after planting) and shrubs will be of at least 1-gallon size and at least 12-in height.*

*ESA (Environmental Science Associates), the City's consultant for on-call natural resource services, has evaluated the proposed mitigation plan and concluded that, with a few adjustments, it adequately addresses the proposed WQR and HCA disturbance. ESA provided additional recommendations to limit erosion related to the new bridge embankments; improve the species diversity of the mitigation plantings; and clarify that invasive species plants, noxious material, and man-made debris such as concrete rubble shall be removed from the mitigation areas on both sides of the creek. Conditions have been established in response to ESA's recommendations to ensure that the proposed mitigation is sufficient for the impacts of the proposed disturbance to the WQR and HCA. In addition, a condition has been established to require that the mitigation planting plan be revised following final engineering design for the proposed development, to reflect and mitigate for the actual amount of permanent and temporary disturbance to the WQR and HCA, using the formula of 5 trees and 25 shrubs per 500 sq ft of disturbance.*

*As conditioned, the Planning Commission finds that this standard is met.*

- (4) MMC Subsection 19.402.11.D establishes nondiscretionary standards for disturbance within HCAs. For nonresidential properties, a maximum net disturbance of 10% of the HCA on the site is allowed by right, subject to the mitigation requirements established in MMC Subsection 19.402.11.D.2. Where a proposed development would disturb more HCA than allowed, Subsection 19.402.11.D.1.d specifies that the development is subject to the general discretionary review criteria outlined in MMC Subsection 19.402.12.C.1.

*The subject property includes approximately 260 sq ft of HCA that extends beyond the boundaries of the WQR, and the proposed development will disturb 100% of it. Therefore, the proposed HCA disturbance is subject to the general discretionary review criteria of MMC 19.402.12.C.1, which are addressed in Finding 7-e(3). As proposed, disturbance to the HCA and WQR will be mitigated in similar fashion, which ESA has concluded is sufficient when conditioned with additional recommendations as presented in Finding 7-e(3).*

*As conditioned, the Planning Commission finds that this standard is met.*

*The Planning Commission finds that, as conditioned, the proposed development meets the applicable standards of MMC 19.402.11.*

- f. MMC Subsection 19.402.12 General Discretionary Review

MMC 19.402.12 establishes the discretionary review process for activities that substantially disturb designated natural resource areas.

- (1) Impact Evaluation and Analysis

MMC Subsection 19.402.12.A requires an impact evaluation and alternatives analysis in order to determine compliance with the approval criteria for discretionary review and to evaluate alternatives to the proposed development. A technical report prepared by a qualified natural resource professional is required and should include the following components:

- Identification of ecological functions

- Inventory of vegetation
- Assessment of water quality impacts
- Alternatives analysis
- Demonstration that no practicable alternative method or design exists that would have a lesser impact on the resource and that impacts are mitigated to the extent practicable
- Mitigation plan

*The applicant's submittal materials include a technical report prepared by Pacific Habitat Services, Inc., a private firm providing a range of environmental consulting services including natural resource assessment, wetland delineation, and environmental restoration. The technical report includes an impact evaluation and alternatives analysis consistent with the required components listed above.*

*The technical report includes an inventory of existing vegetation and discusses the ecological function of the existing WQR and HCA areas within the project area, noting that the function is limited by the sparse existing tree canopy on the south side of Minthorn Creek, where additional shading of the riparian area would be beneficial. The streambanks are generally well vegetated with a combination of trees, shrubs, and ground cover vegetation, which effectively buffers the creek from the existing development to the south. The existing vegetation provides some bank stabilization, and there is little evidence of active bank erosion. However, the clay loam soil limits the ability of water to infiltrate into the soil, and the relatively steep slopes and lack of woody vegetation on the south side of the stream limit the streamflow moderation and water storage functions of the existing riparian habitat.*

*The proposed development involves construction of a bridge over Minthorn Creek to provide vehicle access to the northern portion of the property, where the second of two proposed mini-storage buildings will be located. As proposed, the bridge is of a modular nature, which involves excavation on each side of the creek to establish abutments onto which a prefabricated steel bridge will be fixed to span the creek. The creek will continue to flow freely under the bridge and will not be piped through a culvert. Height clearance under the proposed new bridge is approximately 7.5 ft at the ordinary high water mark, with an engineered fill slope and rip-rap providing support for each abutment. The length of the bridge span itself is projected as a range of 40 ft to 80 ft, pending the results of final engineering design. As proposed, the toe of the engineered fill slope would be located at the ordinary high water mark of the creek.*

*The technical report considers one alternative to the proposed bridge: accessing the northern portion of the site from the Railroad Avenue frontage. Since the existing railroad tracks between the northern property boundary and Railroad Avenue preclude practicable access from that direction, the report concludes that the Railroad Avenue access alternative is not feasible and that the proposed bridge is the only practicable way to develop the northern portion of the site.*

*The technical report includes an accounting of the proposed development's anticipated impacts to the WQR and HCA areas on the site, with an assessment*

*of water quality impacts. The report concludes that, with the proposed erosion control measures, stormwater treatment facilities located outside the WQR and HCA, and mitigation plantings within the riparian corridor, the proposed development does not negatively impact water quality.*

*Finally, as discussed in Finding 7-e, the technical report includes a mitigation plan that calls for replanting temporarily disturbed areas and the south streambank with native species plants, with trees and shrubs to be planted in the ratios listed in MMC Subsection 19.402.11.D.2.b. The native species trees, shrubs, and groundcover will improve the quality of vegetated cover within the WQR and HCA. The mitigation plan includes an implementation schedule and plan for maintenance and monitoring to ensure successful planting survival.*

*As proposed, the Planning Commission finds that the applicant's impact evaluation and alternatives analysis is sufficient for purposes of reviewing the proposed activity against the approval criteria provided in MMC 19.402.12. This standard is met.*

(2) Approval Criteria

MMC Subsection 19.402.12.B provides the approval criteria for discretionary review as follows:

*Note: ESA reviewed the applicant's technical report and presented its assessment to the City in a summary memo, which informs this portion of the findings.*

- Avoid – The proposed activity avoids the intrusion of development into the WQR and/or HCA to the extent practicable, and has less detrimental impact to the natural resource areas than other practicable alternatives.

*Just over a third of the site is located on the northern portion of the property, which is bisected by Minthorn Creek and three small wetlands. The applicant's submittal suggests that the development's success depends on using the northern portion of the site. The technical report considers one alternative to the proposed bridge, that of accessing the northern portion of the site from the Railroad Avenue frontage.*

*Although its northern boundary is adjacent to the Railroad Avenue right-of-way, the property's frontage is physically separated from the street by a Union Pacific Railroad line. The railroad tracks preclude practicable access to the site from Railroad Avenue, so the report concludes that the proposed bridge is the only practicable way to develop the northern portion of the site.*

*Through ESA's peer review and comments received from the North Clackamas Urban Watersheds Council (NCUWC), City staff has identified three additional alternatives:*

- *Alternative A – Forego all development on the northern portion of the site and concentrate it on the southern portion, with a single building tall enough to accommodate the originally proposed overall floor area. This option would require a variance to the maximum height allowance of the B-1 zone (45 ft or 3 stories) and some revision to the parking plan. Shared parking agreements with the adjacent properties to the west*

*and/or a formal parking reduction might be necessary to address those concerns.*

- *Alternative B – Use the existing bridge in the International Way Business Center, adjacent to the west, to access the northern portion of the subject property. This option would require coordination with and consent by the adjoining property owners. Access across the existing bridge is already part of the shared access easement for the businesses in the International Way Business Park.*
- *Alternative C – Extend the length of the proposed bridge span as much as practicable (to 80 ft or beyond), so that the bridge abutments are located farther from each side of the creek and present fewer impacts to the WQR.*

*Constructing the same number of proposed storage units (1,005) in the form of a single building on the southern portion of the site would require a structure well over the proposed 3-story size. Assuming that a variance to the B-I zone height limitation of 45 ft were granted, a taller building would require additional structural engineering for support and would involve significantly higher costs for construction. In addition, it would present a greater impact in mass to the existing apartment complex to the east. Unless some off-street parking was provided within the new building itself, the applicant would depend on securing shared parking agreements with one or more of the buildings in the International Way Business Center to the west, assuming enough spaces are available beyond the current demand. Alternative A does not appear to be immediately practicable.*

*The existing bridge in the International Way Business Center was constructed when the site was developed in 2005-06. One of the conditions from the associated land use approval (file #TPR-04-06) required the provision of shared access for the subject property, though it is not clear whether the condition extended to use of the bridge for access to the northern portion of the subject property. The relevant property owners in the business center have provided a shared access easement along the western boundary of the subject property (to Harmony Road), and that appears to have satisfied the condition. Absent a more specific condition, the City cannot compel the adjacent property owner(s) to provide additional access across their site(s) for the benefit of the applicant, which would be necessary for Alternative B.*

*The modular bridge format has its own limitations with respect to how long a bridge span can be before the abutments require additional support and increased disturbance for embankments. However, the proposed development involves a significant amount of grading on the site to establish topography suitable for development, and it is reasonable to expect that the applicant has some control over the elevations of the bridge abutments on either side of the creek. By providing a bridge longer than the minimum required to span the creek, the applicant has some opportunity to increase the distance of the supporting embankments from the ordinary high water mark, which will reduce impacts to water quality and habitat. The result will also provide greater clearance under the bridge, both in terms of height and width, which will improve conditions for terrestrial*



*wildlife passage. Alternative C appears to be practicable to a degree, and a condition has been established to ensure that the applicant pursues the option of increasing the length of the bridge span to the greatest extent practicable.*

- Minimize – If the applicant demonstrates that there is no practicable alternative to avoid disturbance of the natural resource, then the proposed activity shall minimize detrimental impacts to the extent practicable.

*As conditioned, the new bridge will minimize disturbance impacts to the WQR and HCA on the site to the greatest extent practicable. The new bridge will be 40 to 80 ft long and approximately 38 ft wide, with two travel lanes and located along the western edge of the subject property, as far away from the delineated wetlands as possible. Furthermore, the proposed method of bridge construction is one that involves minimal excavation and disturbance, with pre-cast concrete abutments being placed on either side before the roadway portion is lowered into place by crane. The overall result is a relatively narrow footprint of disturbance, with no supporting structures in the creek itself.*

*The retaining walls, which will be constructed on both sides of the creek to support the balance of fill proposed to level the topography of the development areas, are located outside the WQR and HCA except for a few small areas on the north side of the creek. As proposed, it is not clear that the northern building and its associated parking and maneuvering areas have been sized and positioned to minimize the impact of the northern retaining wall. A condition has been established to require the applicant to demonstrate that there is no practicable way to reduce or reposition the northern building and/or its associated parking and maneuvering areas sufficient to minimize further disturbance impacts (permanent and temporary) of the northern retaining wall on the WQR.*

*The three stormwater planters are located entirely outside the WQR and HCA, although the outfall pipe for each does extend into the WQR and has been accounted for as permanent disturbance in the applicant's mitigation plan. As proposed, the outfall for the northern stormwater planter would require removal of an existing deciduous tree. A condition has been established to require the relocation of the northern stormwater planter outfall sufficient to preserve the existing tree and thus minimize impacts to the WQR.*

- Mitigate – If the applicant demonstrates that there is no practicable alternative that will avoid disturbance of the natural resource, then the proposed activity shall mitigate for adverse impacts to the resource area. The applicant shall present a mitigation plan that demonstrates compensation for detrimental impacts to ecological functions, with mitigation occurring on the site of the disturbance to the extent practicable, utilization of native plants, and a maintenance plan to ensure the success of plantings.

*As discussed in Finding 7-e, mitigation for the proposed impacts to the WQR and HCA will take the form of native species plantings along the south streambank, with trees and shrubs provided in numbers consistent with the ratios listed in MMC Subsection 19.402.11.D.2.b (i.e., 5 trees and*

*25 shrubs for every 500 sq ft of disturbance within an HCA). In addition, the mitigation plan calls for groundcover plantings consisting of a mix of native grasses and herbaceous plants.*

*ESA has reviewed the mitigation plan and concurs that the applicant's approach is reasonable and adequate to account for the project's adverse impacts to the WQR and HCA. ESA has recommended adding or substituting two additional tree species to the planting list to increase diversity, as well as ensuring that existing concrete rubble embedded in the stream will be removed as part of the mitigation activities. Conditions have been established to incorporate ESA's recommendations, including a condition to clarify that all invasive or nuisance species vegetation (as identified on the Milwaukie Native Plants List), noxious materials, and man-made debris such as concrete rubble shall be removed from the entire WQR and HCA on the site, on the north and south sides of the creek. As conditioned, the mitigation is sufficient for the proposed disturbance to the WQR and HCA areas.*

*As conditioned, the Planning Commission finds that the proposed development meets the approval criteria for discretionary review as established in MMC 19.402.12.B.*

(3) Limitations and Mitigation for Disturbance of HCAs

MMC Subsection 19.402.12.C establishes the discretionary review process for mitigation of more HCA disturbance than would be allowed by the nondiscretionary standards of MMC Subsection 19.402.11.D.1. In such cases, the applicant must submit an Impact Evaluation and Alternatives Analysis consistent with the standards established in MMC 19.402.12.A and subject to the approval criteria established in MMC 19.402.12.B.

*As discussed in Finding 7-f(1), the applicant's submittal materials include a technical report that provides an evaluation of impacts to the WQR as well as to those impacted HCA areas beyond the WQR, consistent with the standards established in MMC 19.402.12.A. As discussed in Finding 7-f(2), the proposed development, with the conditions noted therein, meets the approval criteria established in MMC 19.402.12.B.*

*As conditioned, the Planning Commission finds that the proposed development meets the discretionary standards for disturbance of HCAs as established in MMC 19.402.12.C.*

*The Planning Commission finds that, as conditioned, the proposed development meets the applicable discretionary review standards of MMC 19.402.12.*

g. MMC Subsection 19.402.15 Boundary Verification and Map Administration

MMC 19.402.15 establishes standards for verifying the boundaries of WQRs and HCAs and for administering the City's Natural Resource (NR) Administrative Map.

The locations of WQRs are determined based on the provisions of MMC Table 19.402.15. For streams, the WQR includes the feature itself and a vegetated corridor that extends 50 ft from the ordinary high water mark or 2-year recurrence interval flood elevation. Where the slope exceeds 25% for less than 150 ft, the vegetated corridor is measured with a 50-ft width from the break in the 25% slope. For wetlands,

a wetland delineation report prepared by a professional wetland specialist and approved by the Department of State Lands (DSL) is required.

For HCAs, the City's NR Administrative Map is assumed to be accurate with respect to location unless challenged by the applicant, using the procedures outlined in either MMC Subsection 19.402.15.A.1 or MMC Subsection 19.402.15.A.2.b.

*The technical report provided by the applicant includes a detailed topographic map showing the accurate boundaries of the WQR using the provisions of MMC Table 19.402.15, as well as a wetland delineation report approved by DSL. The applicant is not challenging the accuracy of the NR Administrative Map with respect to the HCA location on the site.*

*The Planning Commission finds that the City's NR Administrative Map shall be adjusted to reflect the detailed information provided by the applicant with respect to the WQR location and the location of the delineated wetlands on the site.*

*As conditioned, the Planning Commission finds that the proposed development, including disturbance and restoration of a portion of the designated natural resource area on the subject property, meets all applicable standards of MMC 19.402.*

#### 8. 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. Specifically, MMC Subsection 19.602.3 addresses applicability for development of vacant sites as well as for improvements to existing off-street parking areas for development and changes in use.

*The proposed development will establish a new use on the subject property, completely reconfiguring the site with two new buildings and associated off-street parking areas. This represents an increase of more than 100% of the existing floor area and structure footprint, which triggers a requirement for compliance with MMC 19.600 as per MMC Subsection 19.602.3.A.*

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

##### b. MMC Section 19.605 Vehicle Parking Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking based on estimated parking demand. MMC Table 19.605.1 provides minimum and maximum requirements for a range of different uses. For mini-warehousing and self-service storage, a minimum of 1 space is required per 45 storage units, plus 1 space per employee of the largest shift. A maximum of 1 space per 20 storage units is allowed, plus 1 space per employee of the largest shift.

*The proposed development will establish a total of 1,005 mini-storage units, with a total of two employees anticipated for the largest shift. According to MMC Table 19.605.1, a minimum of 22 spaces are required for the units, plus 2 spaces for the employees, for a minimum total of 24 spaces. A maximum of 50 spaces are allowed for the units, plus 2 spaces for the employees, for a maximum total of 52 spaces.*

*The applicant's site plan shows a total of 27 off-street parking and loading spaces, including 2 ADA parking spaces with adjacent loading areas.*

*The Planning Commission finds that the off-street parking associated with the proposed development meets the minimum quantity standard established in MMC 19.605 and does not exceed the maximum. This standard is met.*

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.

(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 19 ft, with a 22-ft-wide drive aisles for either one- or two-way maneuvering.

*The applicant has submitted a parking plan that utilizes 90°-angle spaces and two-way drive aisles. As proposed, the dimensions for new spaces and drive aisles meet the minimum standards.*

*This standard is met.*

(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 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 40 lineal feet 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.

*As proposed, the perimeter landscaping areas abutting the public right-of-way along Harmony Road will be at least 8 ft wide. However, the proposed perimeter landscaping areas abutting the adjacent property to the west (5851 SE Harmony Rd) are less than 6 ft wide. One affected portion of the adjacent property is the access driveway to Harmony Road. Others include narrow strips adjacent to the new roadway leading to and across the proposed new bridge.*

*MMC Subsection 19.606.2.C.1 allows the Planning Director to reduce the required minimum width of perimeter landscaping areas where existing constraints make it infeasible. The Planning Director has evaluated this aspect of the project and finds that, given both the constraints of the*

*location of the existing accessway to Harmony Road and the importance of locating the new bridge and roadway as close to the western property boundary as practicable to minimize impacts to the WQR, the proposed perimeter width reductions are allowable.*

*Tree and shrub vegetation is proposed for all perimeter landscaping areas. A condition has been established to ensure that a continuous visual screen is provided from 1 to 4 ft above the ground in that portion of the perimeter buffer for the northern parking area adjacent to the residential property to the east.*

*As conditioned, this standard is met.*

(b) MMC 19.606.2.D Interior Landscaping

At least 25 sq ft of interior landscaped area must be provided for each parking space. Planting areas must be at least 120 sq ft in area, at least 6 ft in width, and dispersed throughout the parking area. For landscape islands, at least 1 tree shall be planted per island, with the remainder of the buffer planted with grass, shrubs, ground cover, mulch, or other landscaped treatment.

*The applicant's site plans show a single interior landscaped area, provided in the form of the vegetated corridors on both sides of Minthorn Creek in the middle of the site. The 27 spaces provided require a total area of 675 sq ft of interior landscaping; the Minthorn Creek landscaped area is more than 24,000 sq ft, with 53 proposed new trees. As proposed, the Minthorn Creek landscaped area provides sufficient interior landscaping for the northern parking area but not for the southern parking area. A condition has been established to ensure that an interior landscaping area is provided in the southern parking area.*

*As conditioned, this standard is met.*

(c) MMC 19.606.2.E Other Parking and Landscaping Provisions

Preservation of existing trees in the off-street parking area is encouraged and may be credited toward the total number of trees required. Parking area landscaping must be installed prior to final inspection, unless a performance bond is posted with the City. Required landscaping areas may serve as stormwater management facilities, and pedestrian walkways are allowed within landscape buffers if the buffer is at least 2 ft wider than required by MMC 19.606.2.C and 19.606.2.D.

*On Figure 5 within the applicant's revised natural resources report, the locations are shown of existing trees to be removed from within the WQR and HCA, mostly where directly in the path of the proposed new bridge and roadway that will connect both halves of the site. As proposed, one tree would be removed from the area where a stormwater outfall pipe will be located on the northern side of Minthorn Creek; however, as discussed in Finding 7-f(2), a condition has been established to require the relocation of the outfall sufficient to preserve the tree in question.*

*Other existing trees outside the WQR and HCA are shown on Figure 5, though it is not clear which will remain and which will be removed. Most of the existing trees shown within the areas that will be developed with*

*parking areas and accessways will have to be removed, though at least a few trees within the large interior landscaping area along the creek seem savable. A condition has been established to require a revised landscaping plan showing which existing trees will remain and which will be removed, including a rationale for removal of any trees not clearly within the development footprint of such features as the new buildings, roadways, parking and maneuvering areas, retaining walls, etc.*

*As conditioned, this standard is 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.

*As proposed, the new off-street parking areas will be paved and striped in accordance with the standards of MMC 19.606.3.A. As addressed in Findings 8-c(3)(e) and 8-f, conditions have been established to ensure that signage and pavement markings sufficient to delineate internal circulation and carpool parking are provided.*

*This standard is met.*

(b) MMC 19.606.3.B Wheel Stops

Parking bumpers or wheel stops are required to prevent vehicles from encroaching onto public right-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.

*From the site plans in the applicant's submittal materials, it is not clear that curbing or wheel stops are provided sufficient to prevent vehicles from encroaching into adjacent landscape areas and pedestrian walkways. In particular, the parking area adjacent to the southwest corner of the southern building is adjacent to both a pedestrian walkway and perimeter landscaping. A condition has been established to ensure that site plans are revised as necessary to show wheel stops in the stalls abutting perimeter landscaping areas and pedestrian walkways adjacent to the southern building.*

*As conditioned, this standard is met.*

(c) MMC 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.

*Due to the shared nature of access to the site and the configuration of existing development on the adjacent properties to the west, there is a*

*single point of access to the proposed development. As discussed in Finding 9-f, the proposed shared access onto Harmony Road meets the County's safety and functionality standards and will not inhibit safe circulation on the street.*

*As proposed, the parking area drive aisles and the bridge roadway access between the two new buildings are at least 22 ft wide and meet the relevant dimensional requirements of MMC 19.606.1.*

*This standard is met.*

(d) MMC 19.606.3.D Pedestrian Access and Circulation

Pedestrian access shall be provided so that no off-street parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance or a walkway that is continuous, leads to a building entrance, and meets the design standards of Subsection 19.504.9.E.

*As proposed, none of the new or modified parking spaces will be further than 100 ft from a building entrance or pedestrian walkway that leads to a building entrance. The applicant's submittal materials do not provide sufficient detail to determine whether the proposed on-site walkways are constructed with pervious materials for stormwater purposes. A condition has been established to ensure that all on-site walkways meet the applicable standards of MMC 19.504.9.E.*

*As conditioned, this standard is met.*

(e) MMC 19.606.3.E Internal Circulation

The Planning Director has the authority to review the pedestrian, bicycle, and vehicular circulation of the site and impose conditions to ensure safe and efficient on-site circulation. Such conditions may include, but are not limited to, on-site signage, pavement markings, addition or modification of curbs, and modification of drive aisle dimensions.

*The Planning Director has reviewed the proposed parking plan and determined that additional pavement markings and signage are required to ensure that on-site circulation will be safe and efficient. In particular, the point of entry to the subject property from the shared access on the driveway at Harmony Road is wide and located where site users may become confused. A condition has been established to ensure that the parking plan is revised to include sufficient details about pavement markings and signage that will ensure safe and efficient circulation.*

*As conditioned, this standard is met.*

(f) MMC 19.606.3.F Lighting

Lighting is required for parking areas with more than 10 spaces and must have a cutoff angle of 90 degrees or greater to ensure that lighting is directed toward the parking surface. Lighting shall not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site, and shall provide a minimum illumination of 0.5 footcandles for pedestrian walkways in off-street parking areas.

*The applicant's submittal materials include a preliminary lighting plan that shows illumination from the lighting proposed around each of the two new*

*buildings. However, the plan is not sufficiently labeled to confirm the actual illumination levels. Furthermore, the plan does not show any lighting for the 5 to 7 spaces proposed at the perimeter of the parking area located near the southwestern corner of the southern building. A condition has been established to require revisions to the preliminary lighting plan sufficient to demonstrate that all on-site walkways and parking spaces will be adequately lit.*

*As conditioned, this standard is met.*

*As conditioned, the applicable additional design standards of MMC 19.606.3 are met.*

*As conditioned, the Planning Commission finds that the applicable design and landscaping standards of MMC 19.606 are met.*

d. MMC Section 19.608 Loading

MMC 19.608 establishes standards for off-street loading areas and empowers the Planning Director to determine whether or not loading spaces are required. In the case of the proposed mini-storage facility, the Planning Director has determined that no loading spaces are required.

*The Planning Commission finds that this standard is not applicable.*

e. MMC Section 19.609 Bicycle Parking

MMC 19.609 establishes standards for bicycle parking, which is required for all new commercial and industrial development. The required quantity of bicycle parking spaces is equivalent to 10% of the minimum vehicle parking required, with a minimum of 2 bicycle spaces. Bicycle parking spaces must be at least 2 ft by 6 ft, with a 5-ft-wide access aisle and securely anchored racks that allow the frame and one wheel of a bike to be locked to the rack using a U-shaped lock. Bicycle parking spaces must be illuminated to a level of at least 0.5 footcandles and located within 50 ft of the main building entrance.

*As addressed in Finding 8-b, a minimum of 24 vehicle parking spaces are required for the proposed development, resulting in a minimum requirement of 2 bicycle parking spaces. The applicant's site plan shows 3 bicycle parking spaces located near a main entrance on the west side of the southern building, where they will be illuminated by the exterior building lighting. However, additional details about the proposed bicycle parking are needed to ensure that it complies with the relevant standards of MMC 19.609. A condition has been established to ensure that the relevant standards are met.*

*As conditioned, the Planning Commission finds that this standard is met.*

f. MMC Section 19.610 Carpool and Vanpool Parking

MMC 19.610 establishes parking standards for vehicles used to carpool, which is required for all new commercial and industrial development. The required quantity of carpool parking spaces is equivalent to 10% of the minimum vehicle parking required, with a minimum of 2 bicycle spaces. Carpool parking spaces must be located closer to the main building entrances than other employee parking, except ADA spaces.

*As addressed in Finding 8-b, a minimum of 24 vehicle parking spaces are required for the proposed development, resulting in a minimum requirement of 2 carpool parking spaces. The applicant's site plan shows a total of 3 carpool parking spaces, with 1*



*located near the northern building and 2 located near the southern building. However, additional details about the proposed on-site designation of the proposed carpool parking are needed to ensure that it complies with the signage or pavement marking standards of MMC Subsection 19.610.4. A condition has been established to ensure that these standards are met.*

*As conditioned, the Planning Commission finds that this standard is met.*

*The Planning Commission finds that, as conditioned, the proposed development meets the applicable off-street parking standards of MMC 19.600.*

9. MMC Chapter 19.700 Public Facility Improvements

MMC 19.700 establishes provisions to ensure that development 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 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 proposes to develop a mini-storage facility, comprised of two buildings and associated parking and loading areas, on the subject property. 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 prior to application submittal, on December 4, 2014. The proposed development triggers a Transportation Impact Study (as addressed in Finding 9-c). The proposal's compliance with MMC 19.700 has been evaluated through a concurrent Transportation Facilities Review application. Finding 9-f addresses the proposal's compliance with the approval criteria established in MMC Subsection 19.703.3, particularly the required transportation facility improvements.*

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.

*There is no active use on the subject property, so the proposed development will trigger a significant increase in trip generation and therefore requires a TIS. The applicant's 2007 submittal for a similar proposed development included a TIS that evaluated the projected impacts and prescribed mitigation measures. Clackamas County has maintenance authority and jurisdiction over Harmony Road, and the applicant coordinated with the County's Department of Transportation and Development ("the County") to determine whether any additions or updates to the 2007 TIS were needed. The County, as well as DKS, the City's traffic consultant, has concluded that the 2007 TIS remains valid, with only a few minor additions.*

*In the current submittal, the applicant included a sight-distance analysis for the access onto Harmony Road, based on a speed study conducted in 2016. The applicant also prepared an analysis of truck-turning movements for the Harmony Road access, to demonstrate that the existing access can be widened to safely allow right-in movements from Harmony Road. After reviewing the updated materials, both the County and DKS have concluded that the proposed modifications to the Harmony Road accessway will function adequately for both right-in and right-out turning movements. The existing divider median in Harmony Road prevents left turns onto or from Harmony Road. Aside from the frontage improvements required by the County (discussed in Finding 9-f), no other traffic-related adjustments are needed.*

*As proposed, the applicant's TIS 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 generate new trips that will impact the surrounding transportation system. Harmony Road is classified as a major arterial roadway and is under Clackamas County jurisdiction. Along the subject property's frontage, Harmony Road is part of both the County's Essential Pedestrian Network and the Planned Bikeway Network. A project to improve pedestrian and bicycle facilities along this section of Harmony Road is identified in the County's Capital Improvement Plan. The County's review of the proposed development has concluded that the anticipated impacts from the proposed development warrant improvements along the subject property's frontage on Harmony Road sufficient to meet the current County standards. Conditions have been established to ensure that these standards will be met.*

*As conditioned, the proposed development is consistent with MMC 19.705 and the required improvements are roughly proportional to the proposed development's impacts.*

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 the Oregon Department of Transportation (ODOT), Clackamas County, and Metro for comment. The section of Harmony Road fronting the subject property is under the jurisdiction of Clackamas County. The County has regulatory authority where transportation impacts and improvement standards are concerned, and the County's Department of Transportation and Development (DTD) provided comments that have been incorporated into these findings and the associated conditions of approval.*

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. However, the subject property's public street frontage is along Harmony Road, which is under the jurisdiction of Clackamas County. Where the City has more restrictive standards than the County for certain elements, it is the City's practice to defer to the County

standards when the proposed development demonstrates that there is no practicable alternative and that the proposal presents the minimum exception necessary to provide a safe and functional design. Such situations are evaluated at the time of development permit review.

The following findings provided by the County DTD address the County's requirements for such elements as access management, clear vision, street design, and bicycle and pedestrian facilities; and provide the principal basis for related conditions of approval.

- (1) *The applicant has proposed the construction of a mini-storage business, as a conditional use, in a City of Milwaukie Business Industrial zone. The subject property has frontage on Harmony Road, an urban street under the jurisdiction of Clackamas County. The applicant proposes modification of the existing right-out-only Harmony Road driveway approach so that it will permit both right-in and right-out turning maneuvers.*
- (2) *The subject property is located adjacent to the northerly side of Harmony Road, easterly from International Way. The subject property has been annexed into the City, requiring that the land use review be done through a City land use action. However, Harmony Road is under the jurisdiction of Clackamas County which results in Clackamas County providing requirements for Harmony Road frontage improvements and onsite operations which could impact Harmony Road safety and operations. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths, and access standards for major arterial roads. Harmony Road is classified as a major arterial roadway adjacent to the subject property, in the Clackamas County Comprehensive Plan.*
- (3) *The applicant's submittal materials include site plans which were developed for a right-in/right-out shared private road approach intersection with Harmony Road. Subsequent to the receipt of the submitted materials, County Engineering staff was advised that the Harmony Road access would remain as a right-out only. An October 18, 2016, memorandum was provided by the County to City staff evaluating the proposal with retention of the existing right-out only access to Harmony Road.*
- (4) *On or about November 16, 2016, County Engineering staff was advised that there had been a misunderstanding regarding access and the applicant actually wanted to continue to propose a right-in/right-out driveway approach. Since that time, County Engineering staff has been working with City staff, the applicant, and the applicant's engineer to develop acceptable geometry for a right-in/right-out access. Based on the applicant's engineer's submittal dated January 25, 2017, acceptable geometry has been illustrated and essentially only additional details associated with the raised median and striping of Harmony Road remain to be resolved. A condition has been established to ensure that the necessary details will be provided.*
- (5) *The traffic impact study for the current mini-storage proposal is dated from 2007 and also evaluates operations based on the right-in/right-out access scenario. Traffic Engineering staff has evaluated the 2007 traffic impact study, applied appropriate adjustments where needed, and finds that a right-in/right-out shared private road approach will be able to comply with current operational standards. A speed study, observed by County Engineering staff, was also done in 2016,*

*providing valid data for determining appropriate sight distance requirements for the access intersection with Harmony Road. This was needed, as the speed data from 2007 was too dated to be considered valid.*

- (6) *This portion of Harmony Road, adjacent to the subject property, is a section of the Essential Pedestrian Network. This information is illustrated on County Comprehensive Plan Map 5-3 (March 1, 2014). In addition, Harmony Road is also a part of the Planned Bikeway Network, shown on County Comprehensive Plan Map 5-2a (March 1, 2014). Therefore, Harmony Road will require bike lanes and unobstructed sidewalks.*

*Since Harmony Road is under Clackamas County jurisdiction, Clackamas County requires that the sidewalk width requirements and any landscape strip width requirements and street trees conform to County standards.*

- (7) *The Clackamas County Capital Improvement Plan identifies the section of Harmony Road from Highway 213 (82<sup>nd</sup> Avenue) to Highway 224 with project number 1022. Proposed improvements include construction of bicycle and pedestrian facilities. This project, if approved and constructed, will provide for these desired improvements along the subject property frontage.*
- (8) *Clackamas County's Roadway Standards indicate that three-lane major arterial roads with bike lanes shall have a minimum right-of-way width of 80 ft with 8-ft-wide sign, slope, public utility, and sidewalk easements on each side of the roadway. The applicant shall demonstrate that a minimum 40-ft-wide one-half right-of-way exists along the entire Harmony Road site frontage or dedicate additional right-of-way to provide it. In addition, the applicant shall grant an 8-ft-wide sign, slope, sidewalk, and public utility easement along the entire Harmony Road site frontage.*
- (9) *When the development to the west was approved, it was required to provide access easements to the subject property to provide for shared access opportunities when the subject property developed. Reciprocal easements regarding access are now required to be provided by the subject property owner so that the right-in from Harmony Road will be able to be used to access the properties currently only provided access via the International Way right-in only driveway approach. Development of the subject property will allow mini-storage related traffic to utilize the existing right-in only ingress from International Way and the existing right-out egress maneuver to Harmony Road.*
- (10) *The County recommends the City of Milwaukie Planning Department condition the applicant to enter into a road maintenance agreement with the owners of the development to the west for maintenance of shared onsite circulation facilities.*
- (11) *The applicant is subject to the provisions of Clackamas County Zoning and Development Ordinance (ZDO) Section 1007, pertaining to frontage improvements, and Section 1008 and Roadway Standards Chapter 4, pertaining to surface water management associated with Harmony Road. Additionally, the applicant is subject to other ZDO requirements, the Clackamas County Comprehensive Plan, and Clackamas County Roadway Standards regarding issues within the Harmony Road right-of-way and onsite issues (principally with the shared private road throat, signing, and pavement markings and legends) that would impact the County right-of-way and traffic operations on Harmony Road.*

- (12) *Minimum frontage improvements on the Harmony Road frontage include, but are not necessarily limited to, up to a half-street improvement, pavement widening if necessary, and storm drainage facilities. In addition, extension of the raised median (including relocation of a portion of the existing raised median), standard curb or curb and gutter when curb line slope is less than 1%, a modified driveway approach, a minimum 7-ft-wide unobstructed sidewalk behind a minimum 5-ft-wide landscape strip with street trees, and a pavement taper if necessary, are required.*
- (13) *All curbs shall typically be type "C", or curb and gutter if curb line slope is less than 1%, if they carry, direct, or channel surface water. Alternative curbs will be considered when it is determined by the County DTD that type "C" curbs or curb and gutter are not appropriate. Extruded curbs for carrying, directing, or channeling surface water shall not be allowed.*
- (14) *A 50-ft-wide roadway section, curb to curb on Harmony Road, is the usual minimum desirable width for this type of roadway and would be consistent with the Clackamas County Roadway Standards. Typically, 12-ft-wide travel lanes, a 14-ft-wide center two-way left turn lane, and 6-ft bike lanes comprise a 50-ft-wide street cross section. However, in this case the required median and associated shy distances will increase the minimum pavement width to approximately 56 ft where the full three-lane section is required. The additional 6 ft of width is typically comprised of a minimum 2-ft-wide median curb and 2 ft of shy distance on each side of the median.*

*The existing westerly limits of the existing right-out only shared private road approach intersecting with Harmony Road shall be retained as currently constructed. The driveway approach shall be widened to the east as illustrated on the exhibit provided to County Engineering staff on or about January 25, 2017. The Sisul Engineering exhibit is labeled "EXHIBIT "A" TURNING MOVEMENT" and is dated January 25, 2017. The maximum throat width for the shared private road intersecting with Harmony Road shall be 55 ft and the minimum throat length shall be 50 ft per Roadway Standards Subsection 330.1-f, measured from the back of the sidewalk. Therefore, no drive aisles shall intersect with the shared private road within 50 ft of the back of the sidewalk.*

*Note from City staff: The City's standards for a driveway approach into an industrial property allow a maximum width of 45 ft. A wider approach is acceptable when it can be demonstrated that the additional width is the minimum required to allow adequate turning movements for whatever the County determines the standard design vehicle to be for the Harmony Road accessway.*

- (15) *The proposed right-in/right-out shared private road approach intersecting with Harmony Road shall provide adequate intersection sight distances and adequate stopping sight distances for both passenger vehicles and trucks in accordance with Clackamas County Roadway Standards and American Association of State Highway and Transportation Officials (AASHTO) requirements. Since the modified approach will continue to allow exiting maneuvers that are right-out only maneuvers, intersection sight distance measurements requiring evaluation are for right turns of passenger vehicles, single unit trucks, and combination trucks exiting the site and entering onto*

*Harmony Road. In addition, the stopping sight distance requiring evaluation is for westbound vehicles approaching the Harmony Road approach.*

*The 2016 speed study data indicates that an 85<sup>th</sup> percentile speed of 36 miles per hour was observed and recorded for westbound vehicles. Based on this speed, the intersection sight distance requirements for passenger vehicles, single unit trucks, and combination trucks is 345 ft, 450 ft, and 560 ft, respectively. In addition, 275 ft of stopping sight distance is required for westbound traffic approaching the Harmony Road access, based on an analysis prepared by Lancaster Engineering staff and confirmed by County Engineering staff. Based on field measurements made by Lancaster Engineering staff and preliminary drawings prepared by Sisul Engineering, the intersection sight distances are feasible to provide for the shared private road access intersection with Harmony Road.*

*Prior to approval of the use of the existing shared private road approach for the mini-storage business, the applicant shall provide plan and profile drawings, based on survey data, with sight lines, illustrating adequate intersection sight distances for passenger vehicles and trucks exiting the proposed Harmony Road access. In addition, the exhibit shall illustrate adequate stopping sight distances for passenger vehicles and trucks on Harmony Road approaching the shared private road access from the east.*

- (16) The applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards Section 245 along the entire Harmony Road site frontage.*
- (17) The submitted preliminary civil plan sheets, illustrating Harmony Road improvements, are again based on a widened shared private road approach intersection with Harmony Road allowing for both right-in and right-out turning maneuvers. Since the submittal of those plans, the geometry of the access has been modified and additional Harmony Road modifications will be required regarding the raised median and striping. The previously submitted civil plans will understandably require revisions.*

*For example, a portion of the raised median will be required to be relocated and will also require extension easterly. However, the existing striping along the site frontage shall generally remain as is with minor modifications as needed. The raised median extension shall generally be in accordance with the January 25, 2017, turning movement exhibit provided by Sisul Engineering. The existing shared private road approach intersecting with Harmony Road will be required to be widened.*

*Easterly from the easterly terminus of the extended raised median, along the entire site frontage easterly, Harmony Road shall provide for a minimum 12-ft-wide westbound travel lane and a 6-ft-wide westbound bike lane. Appropriate tapers, as needed, shall also be designed and constructed for curb lines and striping. Northerly from the westbound bike lane, type "C" curb, or curb and gutter when curb line slope is less than 1%, minimum 5-ft-wide landscape strip with street trees and a minimum 7-ft-wide unobstructed sidewalk shall be constructed easterly from the shared private road approach intersection with Harmony Road to the easterly property line. The new curb line shall minimize inflection points and shall be designed and constructed in a straight line or as close to a straight line as possible.*

*Obstructions within the limits of the sidewalk shall be relocated. The fire hydrant illustrated on the civil drawings near the easterly property line adjacent to Harmony Road shall be relocated and the 7-ft-wide unobstructed sidewalk extended to the easterly property line.*

- (18) *Currently, the shared private road approach intersection with Harmony Road is provided with a “STOP” sign and a “RIGHT TURN ONLY” sign behind the sidewalk. Additional improvements, including a stop bar behind the sidewalk and an approximately 50-ft-long double yellow pavement stripe separating ingress and egress traffic are also required by the County. The driveway striping shall begin at the stop bar just behind the stop bar.*
- (19) *Plans submitted in anticipation of receiving a Development permit from Clackamas County, for road and frontage construction activities within the Harmony Road right-of-way, shall include additional detail, such as an illustration of the full width of Harmony Road, along the site frontage, and extending 200 ft beyond the limits of the property, both northeasterly and southwesterly.*

*Any existing driveway approaches within these limits shall also be illustrated. The right-of-way limits on each side of the road shall be illustrated. The additional detail shall also include a striping plan illustrating the existing and proposed striping on Harmony Road, also extending a minimum of 200 ft beyond the limits of the property.*

*All illustrated features shall be to scale and dimensioned. A legend for various line work shall also be provided. Storm drainage features shall be illustrated and stormwater runoff from the shared private road shall not be permitted to flow onto Harmony Road. Installation of a slotted drain would be one method to address this stormwater runoff from the shared private road. Ultimately, the applicant shall provide a set of construction plans to Clackamas County that are in conformance with Clackamas County Roadway Standards Section 140.*

- (20) *Prior to the initiation of any construction activities within the Harmony Road right-of-way, the applicant shall submit plans and obtain a Development permit for improvements to Harmony Road or the frontage. The cost of the permit will be in accordance with the current fee schedule and based on an approved cost estimate for the road and frontage improvements. A performance surety shall also be required in an amount equal to 125% of the approved cost estimate.*
- (21) *The use of public rights-of-way for construction vehicle staging is not authorized by the Roadway Standards and poses a potentially deleterious effect of the proposed use, because it contributes to congestion, reduces sight distance, and occupies shoulders intended for emergencies and other purposes. To protect the public from such effects, the applicant shall be required to submit a construction vehicle management plan for review and approval by the County DTD, Construction and Development Section, before the County issues a Development Permit. The plan shall show that the construction vehicles and materials will not be staged or queued up on improved public streets and shoulders under County jurisdiction without specific authority from the DTD for that purpose.*

*Conditions have been established in response to these County findings, to ensure that the proposed development will meet all applicable standards of MMC 19.708, the*

*Clackamas County Roadway Standards, and any other applicable County requirements.*

*As conditioned, the Planning Commission finds that the proposed development meets the applicable public facility improvement standards of MMC 19.700.*

10. MMC Section 19.905 Conditional Uses

MMC 19.905 establishes regulations for conditional uses, including standards for establishing new conditional uses.

a. MMC Subsection 19.905.2 Applicability

MMC 19.905 applies to the establishment of conditional uses as identified in the base zones of MMC Chapter 19.300.

*As noted in Finding 5-a and as established in MMC Subsection 19.310.5, conditional uses such as the proposed mini-storage facility may be approved pursuant to the provisions of Section 19.905. The provisions of MMC 19.905 are applicable to the proposed development.*

b. MMC Subsection 19.905.3 Review Process

MMC 19.905.3 establishes the process by which a new conditional use, or a major or minor modification of an existing conditional use, must be reviewed.

*The proposed development is an activity listed in MMC Subsection 19.310.5.B as an allowable conditional use within the B-I zone and represents a new use on the subject property.*

*MMC 19.905.3.A requires that proposed new conditional uses be evaluated through the Type III review process per MMC Section 19.1006.*

c. MMC Subsection 19.905.4 Approval Criteria

MMC 19.905.4.A establishes the approval criteria for a new conditional use or a major modification to an existing conditional use.

- (1) The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.

*The subject property is approximately 130,000 sq ft in area and is located within the City's Business Industrial (B-I) zone, which allows mini-storage facilities as a conditional use. The site is near an interchange with Highway 224 and so is easily accessible to the surrounding area. Access would be shared with the commercial and light-industrial uses on the adjacent properties to the west, to reduce impacts to Harmony Road and the nearby intersection of Harmony Road, Lake Road, and International Way.*

*The site topography is relatively flat on the southern half, where the larger of two buildings is proposed. A smaller building will be located on the northern half of the site, across a new bridge over Minthorn Creek, which the proposed site plan acknowledges as a natural divider of the property. The site was previously developed with two single-family houses that have been demolished and a light-industrial building that will be removed.*

*The Planning Commission finds that this standard is met.*

- (2) The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses.



*The existing commercial and light-industrial uses on the adjacent properties to the west generate traffic and business activity that is similar to the levels associated with the proposed development. The hours of operation of the proposed development (7 days a week, 6:00 a.m. to 9:00 p.m. for the storage facility; and Monday through Friday, 9:00 a.m. to 6:00 p.m. for the sales office) are similar to those of the other adjacent businesses. Except for the additional vehicle traffic sharing access to the site, the proposed development should have minimal impacts on the adjacent properties to the west.*

*The proposed new buildings will face Harmony Road. The east elevations of both buildings will have minimal visual impact on the existing apartment complex on the adjacent property to the east. Each includes a few windows that provide some minimal articulation without significantly impacting privacy for the adjacent apartment buildings. The finishing details for both buildings include some variety in siding materials/textures and/or color, which improve the visual aesthetic presented to the adjacent buildings. The buildings are set back 20 ft from the east property line, which makes them very close to mirroring the side yard height plane standard of the adjacent R-5 zone and reduces the massing impact on the adjacent apartment buildings.*

*The Planning Commission finds that this standard is met.*

- (3) All identified impacts will be mitigated to the extent practicable.

*As discussed in Finding 7 and as conditioned, the impacts of the proposed development on the WQR and HCA will be sufficiently mitigated.*

*As conditioned, the Planning Commission finds that this standard is met.*

- (4) The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.

*The proposed development, a commercial mini-storage facility, will not result in unmitigated nuisance impacts that are any greater than those associated with the uses allowed outright in the underlying B-1 zone.*

*The Planning Commission finds that this standard is met.*

- (5) The proposed use will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.

*As addressed in Findings 5 and 6, and as conditioned where necessary, the proposed development complies with the applicable development standards and requirements of the underlying B-1 zone and the associated transition area measures, respectively. As addressed in Finding 7, and as conditioned where necessary, the proposed development complies with the applicable standards for development that impacts designated natural resource areas. As addressed elsewhere in Finding 10, the proposed development complies with the applicable development standards for conditional uses.*

*The Planning Commission finds that this standard is met.*

- (6) The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.

*The proposed development, a commercial mini-storage facility, is listed as a conditional use in the underlying Business Industrial (B-I) zone, which allows a mix of clean, employee-intensive industrial and office uses. Within Chapter 4 (Land Use) of the City's Comprehensive Plan, the Economic Base and Industrial/Commercial Lands element includes two objectives related to the proposed development.*

*Within Objective #4 (Industrial Land Use), Policy #3 focuses on reserving lands designated as "Industrial" on Comprehensive Plan Map 8 (Land Use) for industrial, manufacturing, distribution, and supporting land uses. The subject property has an "Industrial" designation on Map 8, and the proposed development of a commercial mini-storage facility is a supporting land use. As one form of individualized warehousing, the proposed development provides space and opportunity for other land uses within the surrounding area to make more efficient use of their base properties.*

*Within Objective #5 (Industrial Impacts), Policy #1 focuses on ensuring that impacts from industrial development on adjacent residential areas will be minimized. As addressed elsewhere in Finding 10, the proposed development will be compatible with adjacent uses, presents no visual or physical burdens on the surrounding area, and will operate in a manner that is compatible with adjacent uses.*

*The Planning Commission finds that the proposed development is consistent with all relevant policies in the Comprehensive Plan.*

- (7) Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700.

*Both the Clackamas County Department of Transportation and Development (which has authority over the adjacent Harmony Road right-of-way) and the City's Engineering Department have reviewed the proposal and confirmed that, as discussed in Finding 9 and as conditioned where necessary, the existing public transportation facilities and public utilities are adequate to serve the proposed development.*

*The Planning Commission finds that this standard is met.*

*The Planning Commission finds that the proposed development meets all of the approval criteria outlined in MMC 19.905.4.A for a establishing a new conditional use.*

- d. MMC Subsection 19.905.5 Conditions of Approval

MMC 19.905.5 establishes the types of conditions that may be imposed on a conditional use to ensure compatibility with nearby uses. Conditions may be related to a number of issues, including access, landscaping, lighting, and preservation of existing trees.

*The Planning Commission finds that several conditions of approval are necessary to ensure that the proposed development is compatible with nearby uses. These include conditions requiring landscape screening along the rear property line and revised spacing of landscaping along the eastern boundary, to meet the transition area standards of MMC Subsection 19.504.6.B.*

e. MMC Subsection 19.905.6 Conditional Use Permit

MMC 19.905.6 establishes standards for issuance of a conditional use permit, including upon approval of a major modification of an existing conditional use. The provisions include a requirement to record the conditional use permit with the Clackamas County Recorder's Office and provide a copy to the City prior to commencing operations allowed by the conditional use permit.

*An advisory note has been included with the conditions of approval to outline the conditional use permit process.*

*The Planning Commission finds that the proposed development is consistent with the relevant standards established in MMC 19.905 for conditional uses.*

11. MMC Section 19.911 Variances

MMC Section 19.911 establishes the variance process for seeking relief from specific code sections that have the unintended effect of preventing reasonable development or imposing undue hardship.

a. MMC Subsection 19.911.2 Applicability

MMC 19.911.2 establishes applicability standards for variance requests.

Variances may be requested to any standard of MMC Title 19, provided the request is not specifically listed as ineligible in MMC Subsection 19.911.2.B.

*The applicant has requested a variance to reduce the required front yard setback by 25%, to 15 ft from the 20-ft minimum standard for the B-I zone (MMC Subsection 19.310.6.B). The requested variance would allow the southern building to be up to 5 ft closer to Harmony Road at three points along that frontage.*

*The request would not eliminate the restriction on a prohibited activity, change a required review type, allow a use not allowed outright in the B-I zone, or otherwise produce any of the results listed in MMC Subsection 19.911.2.B. The request is eligible for a variance as per MMC 19.911.2.*

b. MMC Subsection 19.911.3 Review Process

MMC 19.911.3 establishes review processes for different types of variances. Specifically, MMC Subsection 19.911.3.B allows for limited variations to numerical standards, including a variance of up to 25% to a front yard standard. MMC Subsection 19.911.3.C establishes the Type III review process for larger or more complex variations to standards that require additional discretion and warrant a public hearing.

*The applicant has requested a variance of 5 ft to the 20-ft front yard standard for the B-I zone. The request is for a variance of no more than 25% to a front yard standard and, as per MMC 19.911.3, qualifies for Type II review.*

c. MMC Subsection 19.911.4 Approval Criteria

MMC 19.911.4 establishes approval criteria for variance requests. Specifically, MMC Subsection 19.911.4.A provides approval criteria for Type II variances:

- (1) The proposed variance, or cumulative effect of multiple variances, will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare.

*The requested variance would allow the proposed southern building to be within 15 ft of the front property line along Harmony Road. The encroachment into the front yard setback is spread among three small points of the front building face, including an exterior stairwell, and totals approximately 115 sq ft. The alignment of the Harmony Road right-of-way runs at an angle along the subject property frontage, making it difficult to locate a rectilinear building on the rectilinear lot without orienting it at an angle on the site, which would significantly constrain the building footprint and on-site improvements. The requested variance allows the applicant to locate the proposed southern building farther from Minthorn Creek and the associated vegetated corridor. And it does not prevent the applicant from constructing the required public sidewalk and landscape strip along the Harmony Road frontage.*

*The Planning Commission finds that the proposed variance will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare. This criterion is met.*

- (2) The proposed variance will not interfere with planned future improvements to any public transportation facility or utility identified in an officially adopted plan such as the Transportation System Plan or Water Master Plan.

*As addressed in Finding 9-f, the required frontage improvements along the Harmony Road frontage of the subject property include an 8-ft-wide easement on the property, to allow for location of a public sidewalk if necessary. By maintaining a 15-ft minimum front yard setback, the requested variance would maintain a buffer of at least 7 ft between any future public improvements and the three points in question of the southern building.*

*The Planning Commission finds that the requested variance does not interfere with any planned future public transportation facility or utility improvements. This criterion is met.*

- (3) Where site improvements already exist, the proposed variance will sustain the integrity of, or enhance, an existing building or site design.

*As proposed, the subject property will be completely redeveloped with new structures and site improvements. The requested variance does not relate to any existing building or site design that will remain.*

*The Planning Commission finds that this criterion is not applicable to the proposed development.*

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

*The requested variance would effectively bring three small portions of the proposed southern building closer to the required public improvements along the Harmony Road right-of-way. As per the applicant's landscaping plan, the street trees proposed for the landscape strip will screen the building from Harmony Road. Two of the three small points that will be closer than 20 ft from the front property line are not active-interface portions of the building, and the third is an exterior stairwell that is not part of a main entrance.*

*The Planning Commission finds that the requested variance will not generate negative impacts that require mitigation. This criterion is met.*

*The Planning Commission finds that the approval criteria for a Type II variance request, as provided in MMC 19.911.4.A, are met.*

*The Planning Commission finds that the requested variance is allowable as per the standards of MMC 19.911.*

12. The application was referred to the following departments and agencies on October 4, 2016:

- Milwaukie Building Department
- Milwaukie Engineering Department
- Clackamas Fire District #1
- Clackamas County Transportation and Development
- ESA (City's on-call consultant for natural resource review)
- Metro
- Oregon Department of Transportation (ODOT)
- Linwood Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC)

The comments received are summarized as follows:

- a. **Matt Amos, Fire Inspector, Clackamas Fire District #1:** No additional comments beyond those provided to the applicant through the preapplication conference process.
- b. **Robert Hixson, Civil Engineering Associate, Clackamas County Department of Transportation and Development:** Various comments related to the 2007 and 2016 traffic studies, access, and street improvements.
- c. **Seth Brumley, Planner, ODOT Region 1:** The proposal appears to be consistent with the previously approved zone change. No additional comments.
- d. **Rick Buen, Civil Engineer, Milwaukie Engineering Department:** Confirmation of Clackamas County's authority over public improvements along Harmony Road, with information related to requirements for public facility construction.
- e. **Sarah Hartung, Senior Biologist, ESA:** Peer review of applicant's Natural Resource Report is provided in a memo dated November 8, 2016.
- f. **Ed Williams, owner of Harmony Park Apartments (5979-5989 SE Harmony Rd):** The proposed development would complement the apartment complex and other surrounding uses. The subject property is underutilized, and the proposed development will be a low-impact use that will provide a much-needed service to the community.
- g. **Joseph Edge, Vice Chair of North Clackamas Urban Watersheds Council:** The proposed development could do more to avoid or minimize impacts to the WQR and HCA. One suggested change would be to limit all development to the south side of Minthorn Creek, with a variance to allow a taller single building in that location and a recorded covenant or conservation easement over the property on the north side of Minthorn Creek. An alternative would be to share access to the north side of Minthorn Creek over the existing bridge on the adjacent property to the west. If a new bridge is allowed, it should provide at least 10 ft of vertical clearance for movement of deer and other wildlife. In general, development should not be allowed within the 100-year floodplain.

**Recommended Conditions of Approval**  
**Master File #CU-2016-001**  
**Harmony Road mini-storage facility**

**Conditions**

1. Final plans submitted for building permit review shall be in substantial conformance with plans approved by this action, which are the plans stamped received by the City on September 27, 2016; and modified by the plans related to sight-distance for the Harmony Road access, stamped received on October 7, 2016; the information related to the proposed new modular bridge, stamped received on October 13, 2016; the erosion control plan and bridge embankment detail, stamped received on October 20, 2016; the revised Natural Resources report, stamped received on November 10, 2016; the revised plans related to turning movements, stamped received on January 26, 2017; and the Harmony Road median and striping plan, stamped received on January 31, 2017; except as otherwise modified by these conditions of approval.

The final plans shall be comprised of a complete set of revised plans. The revised plans shall be consistent with one another, accurate with respect to the proposed development details, drawn to scale, and providing a legend that clearly identifies all detailed features.

The modifications required by these conditions of approval include the following revisions to all relevant plan sheets:

- a. As discussed in Finding 9-f, demonstrate that the existing access onto Harmony Road will be widened to allow for right-in and right-out turning movements, as shown on the Sisul Engineering exhibit labeled "EXHIBIT "A" TURNING MOVEMENT" and dated January 25, 2017 (stamped received by the City on January 26, 2017).
- b. As per Finding 6, provide landscape plantings or fencing at least 6 ft in height along the north- and east-side property lines, sufficient to screen the proposed development from adjacent residential uses.
- c. As per Finding 7-d, revise the Construction Management Plan (Preliminary Grading and Erosion Control Plan, Sheet C-4) with the following changes:
  - (1) Integrate the adjusted Erosion Control plan (Sheet B.2, stamped received October 20, 2016) with Sheet C-4 from the initial submittal, to show sediment fencing extending up the slopes on both sides of the creek and along the boundaries of the WQR at the top of the slope on both banks, and to show the limits of grading.
  - (2) Show tree protection measures for existing trees within the WQR and HCA on site, including a root protection zone extending from the trunk of each potentially affected tree to the outer edge of the tree's canopy.
  - (3) Clarify the location of all staging and access areas, and ensure that all temporary disturbance areas have been identified and accounted for in the revised mitigation plan.
- d. As per Finding 7-e, make the following modifications:
  - (1) Revise the preliminary lighting plan to demonstrate that lights are located and/or shielded as necessary to avoid light shining directly into the WQR and HCA.
  - (2) Following final engineering design for the proposed development, revise the mitigation planting plan as needed to reflect the actual amount of permanent and temporary disturbance to the Water Quality Resource (WQR) and Habitat Conservation Area (HCA) on the site. The applicant shall adjust the number of

- mitigation plantings accordingly, using the formula of 5 trees and 25 shrubs per 500 sq ft of WQR or HCA disturbance.
- (3) Add Ponderosa pine (or valley pine) and Oregon white oak to the tree species list in the mitigation plant for greater diversity.
  - (4) Add the following specific measures to the bridge embankment cross section (Sheet B.1, stamped received October 20, 2016) to reduce the risk of scouring and erosion during large storm events:
    - (a) Add rip-rap on the bank upstream of both sides of the bridge, using 12- to 18-in diameter rock.
    - (b) Install a 2- to 4-ft counter-sink sill along the base of both bridge embankments.
    - (c) Install toe protection at the toe of the slope leading down to the creek.
- e. As per Finding 7-f, make the following modifications:
- (1) Reduce or reposition the northern building and/or its associated parking and maneuvering areas to allow adjustments to the location of the northern retaining wall, sufficient to minimize further disturbance (permanent and temporary) of the WQR. Otherwise, demonstrate that there is no practicable way to do so. Any such modifications shall be accounted for in the revised mitigation plan as noted in Condition 1-d(1) and shall not cause the building or parking and maneuvering area to go out of conformance with the other applicable standards of Title 19, as per the findings of this land use decision.
  - (2) Relocate the outfall pipe for the northern stormwater planter, sufficient to preserve the existing deciduous tree marked for removal as shown on Figure 5 of the applicant's revised natural resource report.
- f. As per Finding 8-c(2), make the following revisions:
- (1) Where the perimeter buffer for the northern parking area is adjacent to the residential property to the east, provide a continuous visual screen (using fencing or vegetation) that is opaque year-round from 1 to 4 ft above the ground to adequately screen vehicle lights.
  - (2) Establish an interior landscaped area in the southern parking area to break up the row of parking spaces adjacent to the southern building. The new landscaped area shall meet the applicable dimensional and planting requirements of MMC Subsection 19.606.2.D.
  - (3) Provide a revised landscaping plan that clearly shows which existing trees will remain and which will be removed, including a rationale for removal of any trees not clearly within the development footprint of such features as the new buildings, roadways, parking and maneuvering areas, retaining walls, etc.
- g. As per Finding 8-c(3), make the following revisions:
- (1) Provide wheel stops in the stalls abutting perimeter landscaping areas and pedestrian walkways adjacent to the southernmost new building.
  - (2) Provide sufficient detail to demonstrate that all on-site walkways are at least 5 ft wide, constructed of hard surface materials that are permeable for stormwater, and meet all other applicable design standards of MMC Subsection 19.504.9.E.
  - (3) Provide pavement marking and signage details for on-site circulation, including for the primary access point from the adjacent properties to the west. The

revised plan sheets shall include directional pavement markings and clear signage to distinguish the accessway into the subject property from the shared accessway to Harmony Road.

- (4) Demonstrate that all on-site walkways and parking spaces are lit to a minimum level of 0.5 footcandles.
  - h. As per Finding 8-e, provide sufficient detail to demonstrate that the proposed bicycle parking meets the applicable standards of MMC Section 19.609. For example, the plan should indicate the type of rack to be used, how it will be anchored, and the dimensions of the bicycle parking spaces, in addition to confirming that the location is within 50 ft of a main building entrance.
  - i. As per Finding 8-f, provide pavement marking and/or signage details for each of the proposed carpool parking spaces.
2. At the time of submittal of any building permit application for the approved development, 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.
3. As per Finding 9-f, the following items are project requirements from the Development Engineering Division of the Clackamas County Department of Transportation and Development (DTD). These conditions of approval are not intended to include every engineering requirement necessary for the successful completion of this project, but are provided to illustrate to the applicant specific details regarding the required improvements that may prove helpful in determining the cost and scope of the project. These conditions are based upon the requirements detailed in the County's Comprehensive Plan (Comp Plan), the County's Zoning and Development Ordinance (ZDO), and the County's Site Development and Roadway Construction Standards (Roadway Standards). Additional requirements, beyond those stated in the conditions of approval, may be required. The applicant may discuss the requirements of the project with County DTD staff at any time.

The requirements specifically required by the Comp Plan and the ZDO cannot be modified by the Development Engineering Division. However, the requirements detailed in these conditions of approval, derived from the Roadway Standards, are based upon nationally accepted standards and engineering judgment and may be modified pursuant to Section 170 of the Roadway Standards. The applicant is required to provide sufficient justification to staff in the request. County staff shall determine if a modification is warranted.

- a. All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with the Roadway Standards.
- b. The applicant shall obtain a Development Permit from the County DTD prior to the initiation of any construction activities associated with the project.
- c. The applicant shall verify by a professional survey that adequate right-of-way width exists along the entire site frontage, on the northerly side of Harmony Road to permit construction of the required roadway and frontage improvements or shall dedicate additional right-of-way as necessary to provide it. At a minimum, a 40-ft-wide one-half right-of-way width is required on the northerly side of Harmony Road. Contact Deana Mulder for the dedication of right-of-way form and specifics of exhibits to be included with submittals.
- d. The applicant shall grant an 8-ft-wide public easement for signs, slopes, sidewalks and public utilities along the entire Harmony Road site frontage on the northerly side



of Harmony Road. Contact Deana Mulder for the grant of easement form and specifics of exhibits to be included with submittals.

- e. The applicant shall grant and record minimum 30-ft-wide reciprocal access easements to the properties to the west where similar easements were granted to the subject property when the development to the west was approved by the City of Milwaukie. In addition, the applicant shall grant an access easement to these same properties to the west for the use of the portion of the widened shared private road approach and driveway which will be located on the subject property. The applicant shall record the easement with Clackamas County and provide a copy of the recorded easement to the City of Milwaukie Planning Department before the County accepts the project and releases the performance surety.
- f. The westerly limits of the existing shared private road approach intersection with Harmony Road shall be retained as constructed. The existing driveway approach shall be widened easterly, providing a maximum throat width of 55 ft at the sidewalk, and in conformance with geometry illustrated on the Sisul Engineering exhibit labeled "EXHIBIT "A" TURNING MOVEMENT" and dated January 25, 2017 (stamped received by the City on January 26, 2017). A minimum 50-ft-long throat, measured from the back of the sidewalk, without intersecting drive aisles within the 50-ft length, per Roadway Standards Subsection 330.1-f, shall be provided and maintained.

Note: The City's standards for a driveway approach into an industrial property allow a maximum width of 45 ft. A wider approach is acceptable if it can be demonstrated that the additional width is the minimum required to allow adequate turning movements for whatever the County determines the standard design vehicle to be for the Harmony Road accessway.

- g. The applicant shall design and construct improvements along the entire site frontage of Harmony Road. These improvements shall consist of:
  - (1) Up to a half-street improvement. Structural section for Harmony Road improvements shall consist of 7.5 in of Level 3 Hot Mix Asphalt Concrete (HMAC), Performance Grade (PG) 70-22,  $\frac{3}{4}$ " dense or  $\frac{1}{2}$ " dense placed in lifts consisting of 2.5 in per lift, over 4 in of  $\frac{3}{4}$ "-0 aggregate leveling course, over 10 in of 1- $\frac{1}{2}$ "-0 aggregate base course, over geotextile fabric.
  - (2) Standard curb, or curb and gutter if curb line slope is less than 1%, and appropriate pavement widening to accommodate the necessary improvements of westbound bike lane (minimum 6 ft wide), westbound travel lane (minimum 12 ft wide), turn lanes, raised median lengths, locations and widths (an extension easterly of the raised median as illustrated on the Sisul Engineering exhibit labeled "EXHIBIT "A" TURNING MOVEMENT" and dated January 25, 2017), and associated shy distances (minimum 2 ft). Lane widths, median lengths, widths and shy distances, and curb offset and curb alignment shall be proposed by the applicant and shall be reviewed and approved by Clackamas County Traffic Engineering staff prior to the issuance of a Development permit. Centerline of the right-of-way shall be established by a registered survey.
  - (3) Drainage facilities in conformance with City of Milwaukie requirements, ZDO Section 1008, and Roadway Standards Chapter 4. Stormwater runoff flowing over the site driveway approach shall not flow onto Harmony Road and shall be intercepted by a slotted drain or an alternate method approved by County Engineering staff.

- (4) A minimum 7-ft-wide unobstructed sidewalk behind a minimum 5-ft-wide landscape strip with appropriate street trees. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc., when they are located within the limits of the sidewalk. Mailboxes shall be relocated or replaced in accordance with standards established by the local Post Office. Additional easements, as necessary, shall be granted to provide for any sidewalk eyebrows.
  - (5) Appropriate pavement and striping tapers, where required, in accordance with Roadway Standards Section 250.6.4 for transitions.
- h. The applicant shall propose a striping plan for Harmony Road along the subject property frontage and easterly and westerly from the property frontage to allow for appropriate striping and any necessary transitions. The applicant shall also propose, for review and approval by County Development Engineering and Traffic Engineering staff, the use of paint or thermoplastic for striping improvements.
  - i. The applicant shall provide a copy of the City of Milwaukie approved drainage study and Engineer's detention calculations to County DTD Engineering, Deana Mulder.
  - j. The applicant shall provide adequate intersection sight distances and stopping sight distances (including appropriate adjustments for grades) at the shared private road approach intersection with Harmony Road in accordance with the Roadway Standards and American Association of State Highway and Transportation Officials (AASHTO) requirements for passenger vehicles, single unit trucks, and combination trucks. In addition, no plantings at maturity, retaining walls, embankments, fences, or any other objects shall be allowed to obstruct vehicular sight distances. Minimum intersection sight distances for passenger vehicles, single unit trucks, and combination trucks, all making right turns, shall be 345 ft, 450 ft, and 560 ft, respectively, at the shared private road approach intersection with Harmony Road. Intersection sight distances shall be measured 14.5 ft back from the edge of the travel lane. In addition, minimum stopping sight distance for westbound vehicles shall be 275 ft.
  - k. The applicant shall comply with the Roadway Standards clear zone requirements in accordance with Roadway Standards Section 245 along the entire Harmony Road site frontage.
  - l. The applicant shall provide an Engineer's cost estimate to County Engineering, to be reviewed and approved, for the asphalt concrete, aggregates, curbs, sidewalks, striping improvements, and any other required public improvement associated with Harmony Road.
  - m. The applicant shall provide Clackamas County a performance surety in an amount equal to 125% of the Clackamas County approved cost estimate for the Harmony Road improvements.
  - n. The applicant shall install and maintain additional traffic control features at the shared private road approach intersection with Harmony Road and on the shared driveway approach. These features shall include a stop bar behind the sidewalk and a double yellow line, separating ingress and egress maneuvers, a minimum of 50 ft in length.
  - o. All traffic control devices on private property, located where private driveways intersect County facilities, shall be installed and maintained by the applicant and shall meet standards set forth in the Manual on Uniform Traffic Control Devices and relevant Oregon supplements.

- p. Prior to the issuance of a building permit, the applicant shall submit to the Clackamas County Engineering Office:
- (1) Written approval from the local Fire District for the planned access, circulation, and fire lanes. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.
  - (2) Written approval from City of Milwaukie for surface water detention facilities and erosion control measures.
  - (3) A set of site and street frontage improvement construction plans, including a signing and striping plan, for review, in conformance with Roadway Standards Section 140, to Deana Mulder in Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit. The permit will be for driveway approach, driveway, road, curb, sidewalk, striping, and drainage improvements. The permit fee will be calculated in accordance with the current fee structure and will be based on the approved cost estimate for the Harmony Road driveway approach and driveway improvements within the Harmony Road right-of-way.  
  
The submitted plans shall provide plan and profile data and sight lines, based on survey data, illustrating adequate intersection sight distances for passenger vehicles, single unit trucks, and combination trucks exiting the Harmony Road shared private road approach. In addition, the submitted plans shall provide plan and profile data and sight lines illustrating adequate stopping sight distance for passenger vehicles on Harmony Road approaching the Harmony Road shared private road from the east. The submitted plans shall also include a detailed striping plan and a legend for various line work. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp the construction plans for all required improvements.
  - (4) A Fire Access and water supply plan for commercial buildings over 1000 sq ft 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, fire department connection (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.  
(Applicable for developments with potable water supply provided by a water authority.)
- q. Following completion of site construction activities of buildings over 1000 sq ft or when required by Clackamas Fire District #1, the applicant shall provide as-built Fire Access and Water Supply PDF plans to the local Fire District and the City. The PDF plans 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 plans shall include any supporting details of the access, circulation, water vaults, fire lines, valves, FDC, backflow devices, etc. For this proposal, the PDF as-built plan sheets shall be transmitted to [mike.boumann@clackamasfire.com](mailto:mike.boumann@clackamasfire.com) (Deputy Fire Marshal Mike Boumann) and appropriate City staff as determined by the City of Milwaukie.
- r. Before the County issues a Development Permit, the applicant shall submit a construction vehicle management and staging plan for review and approval by the County DTD, Construction and Development Section. The plan shall show that

construction vehicles and materials will not be staged or queued-up on public streets and shoulders without specific authority from DTD for that purpose.

4. Prior to final inspection of any building permit, the following shall 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 this land use decision that are not related to these conditions of approval.
  - b. Submit a letter from the project landscape designer attesting that all required site plantings have been completed in conformance with the approved site plans and with City standards, including all mitigation plantings. This includes removal of all invasive or nuisance species vegetation (as identified on the Milwaukie Native Plant List), noxious materials, and man-made debris such as concrete rubble from within the entire WQR and HCA on the site, on the north and south sides of the creek, as per Finding 7-e.
  - c. Construct and receive County Engineering inspection for all required public improvements, as established in Finding 9-f.
  - d. Construct a private stormwater management system on the proposed development property for runoff created by the property. The private stormwater management system shall be constructed to the requirements of the approved stormwater management plan.
  - e. Remove all signs, structures, or vegetation in excess of 3 ft in height located in "clear vision areas" at intersections of streets, driveways, and alleys fronting the proposed 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. Prior to commencement of any earth-disturbing activities, the applicant shall obtain an erosion control permit.
2. Limitations on Development Activity  
Development activity on the site shall be limited to 7:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday and Sunday, as per MMC Subsection 8.08.070(I).
3. Conditional Use Permit  
As per MMC Subsection 19.905.6, the City will issue a conditional use permit upon approval of a new conditional use. The applicant must record the conditional use permit with the Clackamas County Recorder's Office and provide a copy to the City prior to commencing operations allowed by the conditional use permit.
4. The level of use approved by this action shall be permitted only after issuance of a certificate of occupancy. The site may be used in a manner substantially similar to what has been proposed and approved through this land use action, including the hours and levels of proposed activities and services.
5. Landscaping Maintenance  
As per MMC Subsection 19.606.2.E.3, required parking area landscaping shall be maintained in good and healthy condition. As per MMC Subsection 19.402.11.B.9, a

minimum of 80% of all required mitigation plantings for WQR or HCA disturbance shall remain alive on the second anniversary of the date the planting is completed.

6. Requirements from Clackamas Fire District #1 (CFD#1)

The following requirements are based on review of the applicant's original plan submittal and may not be all inclusive. Review of a full set of scaled revised plans will be required.

a. Fire Departments Apparatus Access

- (1) Provide address numbering that is clearly visible from the street.
- (2) No part of a building may be more than 150 ft from an approved fire department access road.
- (3) Provide an approved turnaround for dead-end access roads exceeding 150 ft in length.
- (4) When building height exceeds 30 ft from lowest level of fire department access then aerial provisions will apply.
- (5) Fire Lane signage or curb striping per CFD#1. Parking restrictions for access roads less than 32 ft in width. Minimum 20-ft clear width for access roads and 26 ft adjacent to fire hydrants. Vertical height requirement is 13 ft 6 in.
- (6) Traffic bridge shall meet minimum apparatus access requirements.

b. Water Supply

- (1) Fire Hydrants, Commercial Buildings: Where a portion of the building is more than 400 ft 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.

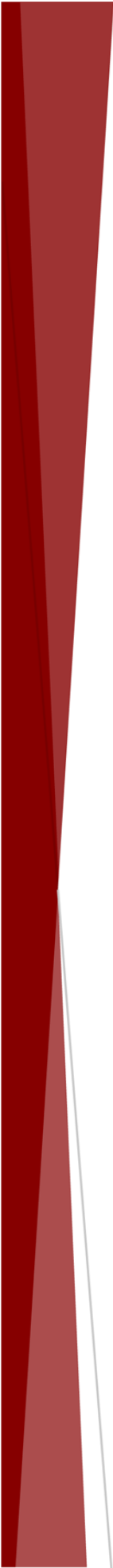
Note: This distance may be increased to 600 ft for buildings equipped throughout with an approved automatic sprinkler system.

- (2) All new buildings shall have a firefighting water supply that meets the fire flow requirements of Appendix B of the Oregon Fire Code.
- (3) Fire Department Connection (FDC) shall be within 100 ft of a public fire hydrant.
- (4) Fire hydrant locations shall meet the requirements of Appendix C of the Oregon Fire Code.

7. Expiration of Approval

As per MMC 19.1001.7.E.1.a, proposals requiring any kind of development permit must complete both of the following steps:

- a. Obtain and pay for all necessary development permits and start construction within two (2) years of land use approval.
- b. Pass final inspection and/or obtain a certificate of occupancy within four (4) years of land use approval.



# **Harmony Storage**

## Conditional Use Narrative

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## GENERAL INFORMATION

Property Owner and Applicant: **HT Investment Properties, LLC**  
1962 Wallace Road, NW  
Salem, OR 97034  
Contact: Hans Thygeson  
Phone: (503) 485-1836  
Email: hans@htpllc.com

Applicant's Representative: **3J Consulting, Inc.**  
5075 SW Griffith Drive, Suite 150  
Beaverton, OR 97005  
Contact: Andrew Tull  
Phone: 503-545-1907  
Email: andrew.tull@3j-consulting.com

## SITE INFORMATION

Parcel Number: 12E 31D 1900, 1990, & 1800  
Address: 5900 & 6011 SE Harmony Road

Size: 2.96 acres

Neighborhood Association:

Zoning Designation: Business Industrial Zone BI

Existing Use: Residential (Vacant)

Street Functional Classifications: Harmony Road is classified as an arterial

Surrounding Zoning: The properties to the west are zoned BI, Business Industrial. The property to the east is zoned R5. The properties to the north are zoned R7PD. The properties to the south are not within the city limits of Milwaukie.

## **INTRODUCTION**

### **APPLICANT'S REQUEST**

The Applicant seeks approval of an application for a Conditional Use Permit and a Type II Variance for a property located at 5900 and 6011 SE Harmony Road in the Business Industrial Zone (BI). The Applicant is proposing to develop a warehouse storage facility consisting of enclosed storage units. The Applicant concurrently seeks the approval of a Natural Resource Review and Transit Facility Review of the subject property. This narrative has been prepared in order to document compliance with the relevant sections of Milwaukie's Municipal Code (MMC).

### **PROPOSAL**

The intent of this application is to provide a warehouse storage facility of 1,005 enclosed storage units, a use permitted through a Conditional Use Permit. An additional intent of this development is to minimize impacts and provide mitigation for the Water Quality Resource Area (Minthorn Creek) that transverses the property.

The project site consists of a total of 2.96 acres. The property is located on SE Harmony Avenue west of SE Linwood Avenue and south of Railroad Avenue.

## APPLICABLE CRITERIA

The following sections of Milwaukie’s Municipal Code (MMC) have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for conditional use permit and variance.

### City of Milwaukie Municipal Code (Chapter MMC 19):

<b>MMC 19.310</b>	<b>BUSINESS INDUSTRIAL ZONE BI</b>
<b>MMC 19.402</b>	<b>NATURAL RESOURCES</b>
<b>MMC 19.501</b>	<b>GENERAL EXCEPTIONS</b>
<b>MMC 19.600</b>	<b>OFF STREET PARKING AND LOADING</b>
<b>MMC 19.700</b>	<b>PUBLIC FACILITY IMPROVEMENTS</b>
<b>MMC 19.905</b>	<b>CONDITIONAL USE PERMIT</b>
<b>MMC 19.911</b>	<b>VARIANCES</b>

## CHAPTER 19.300 BASE ZONES

### 19.310 BUSINESS INDUSTRIAL ZONE BI

#### 19.310.5 CONDITIONAL USES

- A. **Conditional uses may be established in a business industrial district subject to review and action on the specific proposal, pursuant to Section 19.905 Conditional Uses. Approval shall not be granted unless the proposal satisfies the criteria in Section 19.905; and, in addition, the proposed use:**
- 1. Will have minimal adverse impact on the appropriate development of uses permitted outright on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;**

#### **Applicant's Finding:**

The purpose of the Business Industrial (BI) Zone is to implement the policies of the Comprehensive Plan for industrial land uses providing a mix of clean, employee-intensive, industrial and offices uses with associated services in locations supportive of mass transit and the regional transportation network.

The Applicant has proposed to locate a Mini-Storage facility within a site that is zoned for Business Industrial Uses. The project will consist of two new public storage buildings, two parking areas, and a small bridge which will link the two parking areas to the site’s primary access. The site is located adjacent to the international way business center to the west which contains a mixture of office and warehouse styled facilities. To the north

is right-of-way belonging to the Southern Pacific Railroad, and to the east is an existing residential neighborhood. The site is zoned for business industrial uses, within which mini-storage uses are a conditionally permitted use. The proposed development will be setback appropriately from surrounding uses. The proposed operation of the site as a mini-storage facility will be a relatively low generator of traffic. The Applicant has prepared and submitted a traffic impact statement which estimates that a total of 80 trips per day will be generated by the site (Appendix C).

The proposal considers the existing development within the area, has been sized in accordance with the requirements of the underlying zone, and will have no adverse impacts on the surrounding neighborhood.

**2. Is compatible with the character and scale of uses allowed within the district and on a site no larger than necessary for the use and operational requirements of the use;**

**Applicant's Finding:**

The proposed development will meet the height and coverage standards allowed outright in the Business Industrial Zone.

The requirements of this section have been satisfied.

**3. Will provide vehicular and pedestrian access, circulation, parking, and loading areas which are compatible with uses on the same site or adjacent sites; and**

**Applicant's Finding:**

The proposal will meet the requirements of the Business Industrial Zone and Clackamas County's requirements for pedestrian access, circulation, parking and loading areas.

The requirements of this section have been satisfied.

**4. Is a needed service/product in the district, considering the mix of potential clientele and the need to maintain high-quality development in a highly visible area.**

**Applicant's Finding:**

The applicant is proposing to construct an attractive, high quality storage facility on the subject property. The Applicant previously submitted an application for the development of this site as a storage facility in 2008. That development was approved but never constructed due to market conditions.

The Applicant, as part of the 2008 submission, prepared a market analysis which estimated that based upon the existing number of residences and businesses within the area, a demand for approximately 452,000 sf of storage currently could be supported. The proposed development would respond to that demand through the provision of nearly 100,000 sf of consumer oriented, high quality secured storage.

The Applicant anticipates that this high quality facility will generate a significant amount

of use from the surrounding neighborhoods and businesses.

**B. Uses allowed subject to the above conditions are:**

- 1. Public and private community buildings, indoor and outdoor recreational facilities, such as swimming pools, racquetball clubs, athletic clubs, health and exercise spas, gymnasiums, tennis courts, playground, and other similar uses, developed to serve primarily the recreational needs of clients and employees of the district;**
- 2. Mini-warehousing, mini-storage, public storage, and similar commercial facilities that lease storage space to the general public;**
- 3. A limited use or uses that exceed 25% of the building's square footage as per Subsection 19.310.4.B.2 above.**

**Applicant's Finding:**

Under Section 2 above, mini-warehousing, mini-storage, public storage, and similar commercial facilities that lease storage space to the general public are allowed uses subject to the conditions listed in 19.310.5.A. The conditions listed in 19.310.5.A have been met.

The requirements of this section have been satisfied.

**19.310.6. STANDARDS**

**In the BI district, the following standards shall apply to all uses:**

- A. Lot size. None, except that lots created shall be of a size sufficient to fulfill the applicable standards of this district.**

**Applicant's Finding:**

No new lots will be created as a part of the proposed development.

The requirements of this section have been satisfied.

- B. Front yard. A front yard shall be at least 20 ft unless additional setback is required in Subsection 19.501.2.A.**

**Applicant's Finding:**

Section 19.501.2.A requires that properties along Harmony Road be provided with a special setback of 40 feet from the centerline. The Applicant has proposed a right-of-way dedication that will create a new half-width right-of-way width along the project's frontage of 40 feet. The proposed building has been located approximately 20 feet away from the new right-of-way line. Three small portions of the building project into the front setback but only for a few feet each. The Applicant has provided an application for a variance for the front yard setback encroachment and has addressed the applicable sections of 19.911 for a Type II variance.

The requirements of this section have been satisfied.

**C. Side yard. No side yard shall be required except on corner lots where a side yard shall be at least 10 ft on the side abutting the street, unless additional setback is required in Subsection 19.501.2.A.**

**Applicant's Finding:** The side yard setback for buildings within the BI district typically have no side yard setback. Because this site is adjacent to a lower density zone, the City's transition area measures apply (Section 19.504.6). A 20' foot side yard setback has therefore been applied to the site's eastern boundary, adjacent to the R-5 zoning district.

The requirements of this section have been satisfied.

**D. Rear yard. No rear yard shall be required except as provided in Subsection 19.501.2.A.**

**Applicant's Finding:** Zoning to the North of the property is R-7PD and requires a 10' setback. Even though Railroad Avenue runs between the subject property and the adjacent property Transitional Area Measures in MC Subsection 19.504.6 require the rear yard of the proposed development be at least as wide as the required front yard in the adjacent zone (10').

The requirements of this section have been satisfied.

**E. Off-street parking and loading. As specified in Chapter 19.600.**

**Applicant's Finding:** Off-street parking and loading has been addressed as part of the Applicant's response to section 19.600.

The requirements of this section have been satisfied.

**F. Site Access**

**One curb cut (45 ft maximum) per 150 ft of street frontage, or fraction thereof, for industrial uses; and 1 curb cut per 100 ft of street frontage or fraction thereof, for business park, limited or conditional uses.**

**Applicant's Finding:** The Applicant is proposing to widen an existing access driveway which is currently shared with the property to the west. No new access to the site will be proposed therefore the curb cut standard does not apply to this application.

**G. Height restriction. Maximum height of a structure shall be 3 stories or 45 ft, whichever is less.**

**Applicant's Finding:** The Applicant proposes two buildings which will be three stories each. The height of building 1 from the lowest elevation to the highest point of the site will be 42 feet. The height of building 2 from the lowest site point along the building to the highest point on

the roof will be 39 feet.

The requirements of this section have been satisfied.

#### H. Landscaping

**15% of the site must be landscaped, except for sites adjacent to Hwy. 224, which shall provide landscaping to 20% of the site. This should consist of a variety of lawn, trees, shrubbery, and ground cover. Street trees must be provided along street frontages and within required off-street parking lots to help delineate entrances, provide shade, and permeable areas for stormwater runoff. A bond or financial guarantee for landscape completion shall be required.**

**Applicant's Finding:** A total of 20% of the site or 26,000 sf of landscaping will be provided along the edges of the building and along the parking areas.

This standard has been met.

#### I. Screening and Outside Storage

**Outside storage adjacent to International Way, Freeman Way, 37th Ave., Lake Road, or Hwy. 224 is prohibited. Outside storage in side or rear yards is allowed, provided it is enclosed by a sight-obscuring fence or vegetative screen.**

**Applicant's Finding:** No outside storage has been proposed along any of the roadways which are restricted by this section. The Applicant has not proposed any outdoor storage on site therefore this standard does not apply.

#### J. Building Siting and Design

**Buildings and sites shall be designed using the following principles:**

- 1. Sites shall be developed to the maximum extent practicable, so that buildings have solar access and utilize other natural features in their design.**

**Applicant's Finding:** The proposed building configuration has been aligned to specifically avoid impacts to the small section of Minthorn creek which traverses the property. Both the creek and the buffers associated with the creek will be maintained in their current alignment. Due to the presence of the creek, a small bridge has been proposed in order to link the northern and southern ends of the site; however, the proposed crossing has been kept as small as possible to avoid impacts.

The proposed buildings will be industrial in nature and the buildings do not require or benefit from an orientation which maximizes solar access. The occupied portions of the building, the sales and maintenance offices have been

oriented toward the south, both to clearly define the retail front of the property. This alignment also maximizes solar orientation for the occupied portions of the buildings.

The requirements of this section have been satisfied.

**2. Assure that building placement and orientation and landscaping allow ease of security surveillance.**

**Applicant's Finding:**

The Applicant has placed the buildings in an orientation which places the retail office for the facility near to the property's primary access location. This placement allows both convenience for users of the site and provides the opportunity for employees to monitor visitors to the site. With the primary office's southern orientation, security and surveillance will be passively available.

The requirements of this section have been satisfied.

**3. Design buildings with shapes, colors, materials, textures, lines, and other architectural design features which enhance the character of the district and complement the surrounding area and development, considering, but not limited to, the following techniques:**

- a. Use color, materials, and architectural design to visually reduce the scale and impact of large buildings;
- b. Use building materials and features that are durable and consistent with the proposed use of the building, level of exposure to public view, and exposure to natural elements.

**Applicant's Finding:**

Elevations of the proposed buildings have been provided within the attached architectural plans. The structures have been proposed to be plain and split faced CMU walls with standing seam metal siding in earth tone colors of tans and browns. The materials proposed will be durable and attractive and will be consistent with the look of other modern storage facilities within the region. The buildings have been architecturally designed to provide a modern and well considered appearance.

The requirements of this section have been met.

**4. To the extent possible, screen or mask roof-mounted mechanical equipment, except solar collection apparatus, from view.**



**Applicant's Finding:** No Mechanical equipment will be located on any of the proposed rooftops. This section does not apply.

**5. Orient major service activity areas (e.g., loading, delivery, and garbage collection, etc.) of the development away from major streets.**

**Applicant's Finding:** The proposed service areas for the project's southernmost building will be located to face the west, with the major public street, Harmony Road, being located to the south of the site. The northern building's proposed access will be located to face the south however, this access area will be shielded from the street by distance, vegetation, and the other building. A single refuse collection facility will be located between the two buildings, near the eastern edge of the northern parking lot. The garbage collection facility will not be visible from the street.

The requirements of this section have been met.

**6. Arrange use and buildings to maximize opportunities for shared circulation, access, parking, loading, pedestrian walkways and plazas, recreation areas, and transit-related facilities.**

**Applicant's Finding:** The site will take access to Harmony Road via an access area that the project will share with the site located immediately west of the site. The functional classification of Harmony and the proximity of the existing access drive to the west to the site's frontage necessitates the shared connection. As a result of the shared access drive, the southern portion of the western site boundary will be shared with the property to the west, allowing ample opportunity for shared circulation and access between businesses. The Applicant will also be proposing a new sidewalk along Harmony Road. The new sidewalk will provide direct access to Trimet's Lake and Harmony Bus Lines (29 and 152) at the intersection of Harmony and Lake Road.

The requirements of this section have been met.

**7. Provisions for bus shelters, bike racks, street furniture, kiosks, drinking fountains, art sculptures, and/or other pedestrian and transit amenities as required by Chapter 19.700.**

**Applicant's Finding:** Section 19.700 describes the types of projects to which the provision of shelters, bike racks, street furniture, kiosks, drinking fountains, and other pedestrian and transit amenities apply. The proposed use does not trigger the need for the

installation of any such facilities along the project's frontage.

**K. Nuisances**

**The use shall not be of a type or intensity which produces dust, odor, smoke, fumes, noise, glare, heat, or vibrations which are incompatible with other uses allowed in this zone; and the use does not produce off-site impacts that create nuisance as defined by the Oregon D.E.Q. and the City Noise Ordinance.**

**Applicant's  
Finding:**

The finished state of the site will result in no greater amount of dust than is currently present. Sixty-one percent of the site will be covered with buildings and paved surfaces, which will not generate dust. The only dust that will occur will be the construction phase of the project, and that can be mitigated through the use of watering trucks. All areas that will be disturbed by the proposed improvements will eventually be returned to a near dust-free state through landscaping and paving.

No manufacturing processes of any type will be conducted on the property. Storage will be fully enclosed within buildings and dangerous or hazardous materials will not be allowed to be stored at this location. No outdoor storage will be permitted anywhere on the site.

The storage units will be semi-heated but will not contain electrical outlets except for a few ground level units. The absence of running water and power precludes users of the facility from creating noise and dust and limits the use of the storage units to storage only.

The presence of employee and user vehicles at the facility will generate only a small percentage of the emissions from vehicles in the area, and no odor should be generated from the property.

The buildings should minimize or altogether eliminate glare potential to the apartment buildings to the east. The painted metal roof, CMU and metal siding with earth tones and mat finish will serve to reduce glare rather than enhance it. No chrome or other reflective material will be affixed to the exterior of the buildings.

The requirements of this section have been satisfied.

## 19.402 NATURAL RESOURCES

### 19.402.11. DEVELOPMENT STANDARDS

#### A. Protection of natural resources during site development

During development of any site containing a designated natural resource, the following standards shall apply:

1. **Work areas shall be marked to reduce potential damage to the WQR and/or HCA.**

**Applicant's Finding:** The site contains a section of Minthorn Creek, a small group of wetlands, and a vegetative corridor. The natural resource area present on the site has been mapped by the City's Natural Resource Administrative Map. The site has been visited by a qualified wetland biologist and the resources on the property have been mapped by a qualified wetland biologist.

The Applicant has prepared a site plan which avoids the wetlands and creek to the greatest possible extent while providing a single two-way access bridge over the creek and wetlands which will connect the northern and southern buildable portions of the site.

The areas of the Water Quality Resources on site will be marked during construction to reduce the potential for damage to the Water Quality Resources.

The requirements of this section are met.

2. **Trees in WQRs or HCAs shall not be used as anchors for stabilizing construction equipment.**

**Applicant's Finding:** No trees or vegetation located within the Water Quality Resource area or the vegetative corridors will be used as anchors or for stabilizing construction equipment. These areas on site will be marked to prohibit entry.

The requirements of this section are met.

3. **Native soils disturbed during development shall be conserved on the property.**

**Applicant's Finding:** Native soils located within the Water Quality Resource areas shall not be disturbed during construction.

The requirements of this section are met.

- 4. An erosion and sediment control plan is required and shall be prepared in compliance with requirements set forth in the City's Public Works Standards.**

**Applicant's  
Finding:**

The Applicant has prepared a preliminary grading and erosion control plan. Prior to the start of any construction activities, the applicant will apply for a grading and erosion control permit, consistent with the standards required by the City's Public Works Department.

The requirements of this section are met.

- 5. Site preparation and construction practices shall be followed that prevent drainage of hazardous materials or erosion, pollution, or sedimentation to any WQR adjacent to the project area.**

**Applicant's  
Finding:**

The Applicant is prepared to implement best management practices on site to prevent the drainage of hazardous materials, erosion, pollution or sedimentation within the resources and the vegetative corridors.

The requirements of this section are met.

- 6. Stormwater flows that result from proposed development within and to natural drainage courses shall not exceed predevelopment flows.**

**Applicant's  
Finding:**

The Applicant has prepared a preliminary stormwater detention and water quality plan for the project which has been designed to prevent flows within and to natural drainage courses which might exceed pre-developed conditions. The stormwater management report has been attached hereto within Appendix D.

The requirements of this section are met.

- 7. Prior to construction, the WQR and/or HCA that is to remain undeveloped shall be flagged, fenced, or otherwise marked and shall remain undisturbed. Such markings shall be maintained until construction is complete.**

**Applicant's  
Finding:**

The Applicant has identified and mapped the site's Water Quality Resource overlays. While a portion of these areas will be impacted through the installation of a small bridge, the remaining portions of the resource will be fenced during construction to ensure that construction activities are not undertaken within the protected areas. The requirements of this section can be met.

8. **The construction phase of the development shall be done in such a manner as to safeguard the resource portions of the site that have not been approved for development.**

**Applicant's Finding:** The Applicant intends to avoid construction activities within the resource areas which are not approved for development through this application. The requirements of this section are met.

9. **Where practicable, lights shall be placed so that 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.**

**Applicant's Finding:** No lighting is proposed which would shine directly into or at the vegetative corridor associated with the Minthorn Creek Water Quality Resource area. The requirements of this section are met.

10. **All work on the property shall conform to a construction management plan prepared according to Subsection 19.402.9.**

**Applicant's Finding:** The site contains a section of Minthorn Creek, a small group of wetlands, and a vegetative corridor. The natural resource area present on the site has been mapped by the City's Natural Resource Administrative Map. The site has been visited by a qualified wetland biologist and the resources on the property have been mapped by a qualified wetland biologist.

The Applicant has prepared a site plan which avoids the wetlands and creek to the greatest possible extent while providing a single two-way access bridge over the creek and wetlands which will connect the northern and southern buildable portions of the site. The Applicant has prepared a construction management plan which will conform to the requirements of 19.402.9. The Final Construction management plan will be provided to the City's Engineering Department prior to the commencement of construction activities.

The requirements of this section are met.

## **B. General Standards for Required Mitigation**

Where mitigation is required by Section 19.402 for disturbance to WQRs and/or HCAs, the following general standards shall apply:

### **1. Disturbance**

- a. **Designated natural resources that are affected by temporary disturbances shall be restored, and those affected by permanent disturbances shall be mitigated, in accordance with the standards provided in Subsection 19.402.11.C for WQRs and Subsection 19.402.11.D.2 for HCAs, as applicable.**

**Applicant's Finding:** Any temporary impacts associated with construction of the proposed bridge across Minthorn creek shall be restored. The proposed bridge crossing, which will require approximately 4,777 square feet of permanent impact through the establishment of the permanent crossing, will be mitigated for on site in accordance with the requirements of Section 19.402.11.C. The proposed mitigation area for the site is located along the northern side of the southern building, adjacent to the creek and vegetative corridor. The total area identified for mitigation is 5,442 square feet.

The requirements of this section are met.

**b. Landscape plantings are not considered to be disturbances, except for those plantings that are part of a non-exempt stormwater facility; e.g., raingarden or bioswale.**

## 2. Required Plants

**Unless specified elsewhere in Section 19.402, all trees, shrubs, and ground cover planted as mitigation shall be native plants, as identified on the Milwaukie Native Plant List. Applicants are encouraged to choose particular native species that are appropriately suited for the specific conditions of the planting site; e.g., shade, soil type, moisture, topography, etc.**

**Applicant's Finding:** The Applicant will only plant native plants, as identified on the Milwaukie Native Plant List, as mitigation plantings. The proposed plantings will be appropriately suited for the site's specific conditions.

The requirements of this section are met.

## 3. Plant Size

**Replacement trees shall average at least a ½-in caliper—measured at 6 in above the ground level for field-grown trees or above the soil line for container-grown trees—unless they are oak or madrone, which may be 1-gallon size. Shrubs shall be at least 1-gallon size and 12 in high.**

**Applicant's Finding:** The Applicant will incorporate the guidelines required by this section in selecting plants which are appropriately sized to satisfy the mitigation requirements.

The requirements of this section are met.

## 4. Plant Spacing

**Trees shall be planted between 8 and 12 ft on center. Shrubs shall be planted between 4 and 5 ft on center or clustered in single-species groups of no more than 4 plants, with each cluster planted between 8 and 10 ft on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing measurements.**

**Applicant's Finding:** A preliminary Landscaping plan has been provided. The Applicant will provide a final planting plan along with the final construction documents which will illustrate the required mitigation plantings. Within the final landscape plan, trees will be planted in the proposed mitigation area and will be spaced in accordance with the requirements of this section.

The requirements of this section are met.

#### **5. Plant Diversity**

**Shrubs shall consist of at least 2 different species. If 10 trees or more are planted, then no more than 50% of the trees shall be of the same genus.**

**Applicant's Finding:** The Applicant will provide a planting plan along with the final construction documents which will illustrate the required mitigation plantings. Within the final landscape plan, plantings meeting the City's diversity requirements will be provided.

The requirements of this section are met.

#### **6. Location of Mitigation Area**

##### **a. On-Site Mitigation**

**All mitigation vegetation shall be planted on the applicant's site within the designated natural resource that is disturbed, or in an area contiguous to the resource area; however, if the vegetation is planted outside of the resource area, the applicant shall preserve the contiguous planting area by executing a deed restriction such as a restrictive covenant.**

**Applicant's Finding:** The Applicant will provide a planting plan along with the final construction documents which will illustrate the required mitigation plantings. The proposed mitigation area is to be fully located on site and will consist of a total of 5,442 square feet. The proposed mitigation area will be planted immediately adjacent to the vegetative corridor adjacent to the resource. The proposed planting area will be provided with a deed restriction identifying the mitigation planting area as a restricted planting area.

The requirements of this section are met.

**b. Off-Site Mitigation**

- 1) For disturbances allowed within WQRs, off-site mitigation shall not be used to meet the mitigation requirements of Section 19.402.
- 2) For disturbances allowed within HCAs, off-site mitigation vegetation may be planted within an area contiguous to the subject-property HCA, provided there is documentation that the applicant possesses legal authority to conduct and maintain the mitigation, such as having a sufficient ownership interest in the mitigation site. If the off-site mitigation is not within an HCA, the applicant shall document that the mitigation site will be protected after the monitoring period expires, such as through the use of a restrictive covenant.

**Applicant's Finding:** All proposed mitigation planting areas are proposed to be located on-site. This section does not apply.

The requirements of this section are met.

**7. Invasive Vegetation**

**Invasive nonnative or noxious vegetation shall be removed within the mitigation area prior to planting, including, but not limited to, species identified as nuisance plants on the Milwaukie Native Plant List.**

**Applicant's Finding:** Any and all invasive plants will be removed from the mitigation planting area prior to planting.

The requirements of this section are met.

**8. Ground Cover**

**Bare or open soil areas remaining after the required tree and shrub plantings shall be planted or seeded to 100% surface coverage with grasses or other ground cover species identified as native on the Milwaukie Native Plant List. Revegetation shall occur during the next planting season following the site disturbance.**

**Applicant's Finding:** The Applicant will provide a planting plan along with the final construction documents which will illustrate the required mitigation plantings. Within the final landscape plan, any bare or open soil areas remaining after the required tree and shrub plantings shall be planted with ground covers selected from the City of Milwaukie's Native Plant List.



The requirements of this section are met.

#### 9. Tree and Shrub Survival

A minimum of 80% of the trees and shrubs planted shall remain alive on the second anniversary of the date that the mitigation planting is completed.

##### a. Required Practices

To enhance survival of the mitigation plantings, the following practices are required:

- 1) Mulch new plantings to a minimum of 3-in depth and 18-in diameter to retain moisture and discourage weed growth.
- 2) Remove or control nonnative or noxious vegetation throughout the maintenance period.

**Applicant's Finding:**

The Applicant will maintain the newly proposed plantings throughout the mitigation planting maintenance period, as required by this section.

The requirements of this section are met.

##### b. Recommended Practices

To enhance survival of tree replacement and vegetation plantings, the following practices are recommended:

- 1) Plant bare root trees between December 1 and April 15; plant potted plants between October 15 and April 30.
- 2) Use plant sleeves or fencing to protect trees and shrubs against wildlife browsing and the resulting damage to plants.
- 3) Water new plantings at a rate of 1 in per week between June 15 and October 15 for the first 2 years following planting.

**Applicant's Finding:**

The Applicant notes the planting recommendations and intends to follow the City's guidelines for recommended planting practices.

The requirements of this section are met.

##### c. Monitoring and Reporting

Monitoring of the mitigation site is the ongoing responsibility of the property owner. Plants that die shall be replaced in kind as needed to ensure the minimum 80% survival rate. The Planning Director may require a maintenance bond to cover the continued health and survival of all plantings. A maintenance bond shall not be required for land use applications related to

**owner-occupied single-family residential projects. An annual report on the survival rate of all plantings shall be submitted for 2 years.**

**Applicant's Finding:** The Applicant notes the City’s monitoring and maintenance bond requirements and will comply with the City’s requirements throughout the maintenance period.

The requirements of this section are met.

**10. Light Impacts**

**Where practicable, lights shall be placed so that 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.**

**Applicant's Finding:** No lighting that will shine directly into the proposed Water Quality Resource area or the proposed mitigation planting areas has been proposed.

The requirements of this section have been met.

**C. Mitigation Requirements for Disturbance within WQRs**

- 1. The requirements for mitigation vary depending on the existing condition of the WQR on the project site at the time of application. The existing condition of the WQR shall be assessed in accordance with the categories established in Table 19.402.11.C.**
- 2. When disturbance within a WQR is approved according to the standards of Section 19.402, the disturbance shall be mitigated according to the requirements outlined in Table 19.402.11.C and the standards established in Subsection 19.402.11.B.**

<b>Table 19.402.11.C Mitigation Requirements for WQRs</b>	
Existing Condition of WQR	Requirements
<b>Class A (“Good”)</b>	
<b>Extent and character of existing vegetation provides good conditions for water quality and wildlife habitat</b>	
Combination of trees, shrubs, and ground cover are 80% present, with more than 50% tree canopy coverage in vegetated corridor.	<ul style="list-style-type: none"> <li>• Submit a plan for mitigating water quality impacts related to the development, including: sediments, temperature, nutrients, or any other condition that may have caused the protected water feature to be listed on DEQ’s 303(d) list.</li> <li>• Inventory and remove debris and noxious materials.</li> </ul>
<b>Class B (“Marginal”)</b>	
<b>Extent and character of existing vegetation provides marginal conditions for water quality and</b>	

<b>wildlife habitat</b>	
Combination of trees, shrubs, and ground cover are 80% present, with 25-50% canopy coverage in vegetated corridor.	<ul style="list-style-type: none"> <li>• Restore and mitigate disturbed areas with native species from the Milwaukie Native Plant List, using a City-approved plan developed to represent the vegetative composition that would naturally occur on the site.</li> <li>• Inventory and remove debris and noxious materials.</li> </ul>
<b>Class C (“Poor”)</b>	
<b>Extent and character of existing vegetation provides poor conditions for water quality and wildlife habitat</b>	
Combination of trees, shrubs, and ground cover are less than 80% present and/or less than 25% canopy coverage in vegetated corridor.	<ul style="list-style-type: none"> <li>• Restore and mitigate disturbed areas with native species from the Milwaukie Native Plant List, using a City-approved plan developed to represent the vegetative composition that would naturally occur on the site.</li> <li>• Plant and/or seed all bare areas to provide 100% surface coverage.</li> <li>• Inventory and remove debris and noxious materials.</li> </ul>

**Applicant's Finding:** The portion of Minthorn creek which will be impacted by the proposed development of a bridge crossing has been categorized by the project’s wetland biologist as being in poor quality. The Applicant intends to mitigate for the proposed crossing through the establishment of a mitigation planting area located to the north of the southernmost building. The proposed mitigation planting area will be planted with plants selected from the Milwaukie Native Plant List and with ground covers which would be capable of providing 100% surface coverage. As part of this planting plan, any noxious materials or invasive plantings shall be inventoried and removed.

The requirements of this section have been met.

**CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS**

**19.501 GENERAL EXCEPTIONS**

**19.501.2. YARD EXCEPTIONS**

- A. In addition to yard requirements listed for each zoning district, buildings along certain major streets are subject to additional yard requirements as provided in Table 19.501.2.A below. Yards shall be measured so that the minimum distance from the center line of the right-of-**

way to the closest point of any building is the distance listed in Table 19.501.2.A plus the yard requirement of the underlying zone.

Table 19.501.2.A Additional Yard Requirements	
Major Street	Distance from Centerline (plus yard requirements in zone)
Firwood Street (55th Ave. to Stanley Ave.)	25'
<b>Harmony Road</b>	<b>40'</b>
Harrison Street (Milwaukie expressway to 44 <sup>th</sup> Ave)	40'
Harrison Street (Milwaukie Expressway to McLoughlin Blvd.)	30'
Harvey Street (32nd Ave. to 42nd Ave.)	25'
Howe Street (42nd Ave. to 43rd Ave.)	30'
Johnson Creek Boulevard	30'
King Road	40'
Linwood Avenue	40'
Lake Road	30'
Logus Road	25'
Monroe Street (52 <sup>nd</sup> Ave. to Linwood Ave)	30'
Oak Street	30'
Oatfield Road	30'
Ochoco Street	30'
Olsen Street	25'
Railroad Avenue	30'
River Road (south of Lark St.)	30'
Roswell Street (32nd Ave. to 42nd Ave.)	25'
Washington Street (west of Railroad Ave.)	30'
Willow Street (Windsor Dr. to Stanley Ave.)	25'
17th Avenue (Ochoco St. to McLoughlin Blvd.)	40'
32nd Avenue (north of Harrison St.)	30'
37th Avenue (Lake Rd. to Grogan Ave.)	25'
40th Avenue (Harvey St. to Railroad Ave.)	30'
42nd Avenue (Johnson Creek Blvd. to Howe St.)	30'
42nd Avenue (Harrison St. to King Rd.)	30'
43rd Avenue (Howe St. to King Rd.)	30'
55th Avenue (Firwood St. to Johnson Creek Blvd.)	25'

**Applicant's Finding:**

The Applicant is required to provide a special setback of 40 feet from the centerline of Harmony Road, along the project's frontage. This has resulted in the dedication of approximately 6 feet of property along the project's frontage. All setbacks and dimensional standards have been measured using the newly established right-of-way line as the new front property line.

The requirements of this section are met.

## CHAPTER 19.600 OFF-STREET PARKING AND LOADING

### 19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development provides adequate, but not excessive, vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions and reductions to these ratios based on location or on-site amenities. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

The Downtown Storefront (DS) Zone and the portion of the Downtown Office (DO) Zone north of Washington Street and east of McLoughlin Boulevard are exempt from the requirements of Section 19.605.

#### 19.605.1. MINIMUM AND MAXIMUM REQUIREMENTS

- A. Development shall provide at least the minimum and not more than the maximum number of parking spaces as listed in Table 19.605.1. Modifications to the standards in Table 19.605.1 may be made as per Section 19.605. Where multiple ratios are listed, the Planning Director shall determine which ratio to apply to the proposed development or use.

**Applicant's Finding:** Table 19.605.1 states that mini-storage units are required to provide parking at a rate of 1 space per 45 storage units, plus 1 space per employee of the largest shift.

Building number one will have a total of 607 storage units. The second building will have a total of 398 units. The total number of units proposed is 1,005. A total of two staff members is the total number of employees anticipated for the largest shift.

The total number of spaces that are therefore required is 25; 23 spaces based upon the unit count plus two additional spaces for staff.

The applicant has provided a total of 29 parking spaces on site, exceeding the minimum number of spaces required by four spaces. This standard has been met.

\*\*\*

- E. Parking spaces for disabled persons, and other improvements related to parking, loading, and maneuvering for disabled persons, shall conform to the Americans with Disabilities Act and shall be subject to review and approval by the Building Official. Spaces reserved for disabled persons are included in the minimum required and maximum allowed number of off-street parking spaces.**

**Applicant's Finding:** The Applicant has proposed to locate two separate ADA compliant stalls on site, one in front of each of the two buildings. This proposal is consistent with the standards of the Americans with Disabilities Act. The requirements of this section have been met.

## **CHAPTER 19.700 PUBLIC FACILITY IMPROVEMENTS**

### **19.708 TRANSPORTATION FACILITY REQUIREMENTS**

#### **19.708.1 GENERAL STREET REQUIREMENTS AND STANDARDS**

##### **A. Access Management**

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

**Applicant's Finding:** Access to the property has been proposed in accordance with the standards listed within Chapter 12.16 of the City's Municipal Code and in consultation with Clackamas County's Department of Transportation and Development.

##### **B. Clear Vision**

**All development subject to Chapter 19.700 shall comply with clear vision standards contained in Chapter 12.24.**

**Applicant's Finding:** The Applicant has provided several diagrams on plan sheet C4 which illustrate the proposed access to the property, the proposed improvements to the driveway and Harmony, and a section drawing illustrating the site distance available to the site at the proposed driveway location. The proposed plans comply with the clear vision requirements listed within Chapter 12.24 of the City's Municipal Code and are consistent with the requirements provided by Clackamas County's Department of Transportation and Development.

##### **D. Development in Non-Downtown Zones**

**Development in a non-downtown zone that has frontage on a street section shown in the PAR is subject to the requirements of the Milwaukie Public Works Standards, which implements the street design standards and right-of-way dedication requirements contained in the PAR for that street frontage. The following general provisions apply only to street frontages that**

are not shown in the PAR and for development that is not in any of the downtown zones listed in Subsection 19.708.1.C above:

1. **Streets shall be designed and improved in accordance with the standards of this chapter and the Public Works Standards. ODOT facilities shall be designed consistent with State and federal standards. County facilities shall be designed consistent with County standards.**

**Applicant's Finding:** Harmony Road falls adjacent to the site's southern boundary. Harmony is currently under the jurisdiction of Clackamas County. Limited improvements to Harmony have been proposed. The improvements along Harmony have been designed to be consistent with the County's requirements.

The requirements of this section have been met.

2. **Streets shall be designed according to their functional classification per Figure 8-3b of the TSP.**

**Applicant's Finding:** Clackamas County classifies Harmony Road as a Three Lane Major Arterial, requiring an 80 foot wide right-of-way. The Applicant's proposed development includes a dedication of several feet of property along the project's frontage to create a 40 foot wide half right-of-way as measured from the roadway's centerline. The proposed development has been designed in accordance with the County's requirements for three lane major arterials.

The requirements of this section have been met.

3. **Street right-of-way shall be dedicated to the public for street purposes in accordance with Subsection 19.708.2. Right-of-way shall be dedicated at the corners of street intersections to accommodate the required turning radii and transportation facilities in accordance with Section 19.708 and the Public Works Standards. Additional dedication may be required at intersections for improvements identified by the TSP or a required transportation impact study.**

**Applicant's Finding:** All required dedications along Harmony have been proposed by the Applicant.

The requirements of this section have been met.

4. **The City shall not approve any development permits for a proposed development unless it has frontage or approved access to a public street.**

**Applicant's Finding:** The subject property has access from and frontage along Harmony Road.  
The requirements of this section have been met.

**5. Off-site street improvements shall only be required to ensure adequate access to the proposed development and to mitigate for off-site impacts of the proposed development.**

**Applicant's Finding:** The Applicant has worked in consultation with the County's Department of Transportation and Development to identify and design any required off-site improvements. At this time, it does not appear that off-site improvements, beyond the improvements required to facilitate driveway access, will be required.  
The requirements of this section have been met.

**19.709 PUBLIC UTILITY REQUIREMENTS**

**19.709.1 REVIEW PROCESS**

The Engineering Director shall review all proposed development subject to Chapter 19.700 per Section 19.702 in order to: (1) evaluate the adequacy of existing public utilities to serve the proposed development, and (2) determine whether new public utilities or an expansion of existing public utilities is warranted to ensure compliance with the City's public utility requirements and standards.

**A. Permit Review**

The Engineering Director shall make every effort to review all development permit applications for compliance with the City's public utility requirements and standards within 10 working days of application submittal. Upon completion of this review, the Engineering Director shall either approve the application, request additional information, or impose conditions on the application to ensure compliance with this chapter.

**B. Review Standards**

Review standards for public utilities shall be those standards currently in effect, or as modified, and identified in such public documents as Milwaukie's Comprehensive Plan, Wastewater Master Plan, Water Master Plan, Stormwater Master Plan, Transportation System Plan, and Public Works Standards.

**19.709.2 PUBLIC UTILITY IMPROVEMENTS**

Public utility improvements shall be required for proposed development that would have a detrimental effect on existing public utilities, cause capacity problems for existing public utilities, or fail to meet standards in the Public Works Standards. Development shall be required to complete or otherwise provide for the completion of the required improvements.



- A. **The Engineering Director shall determine which, if any, utility improvements are required. The Engineering Director's determination requiring utility improvements shall be based upon an analysis that shows the proposed development will result in one or more of the following situations:**
  1. **Exceeds the design capacity of the utility.**
  2. **Exceeds Public Works Standards or other generally accepted standards.**
  3. **Creates a potential safety hazard.**
  4. **Creates an ongoing maintenance problem.**
- B. **The Engineering Director may approve one of the following to ensure completion of required utility improvements.**
  1. **Formation of a reimbursement district in accordance with Chapter 13.30 for off-site public facility improvements fronting other properties.**
  2. **Formation of a local improvement district in accordance with Chapter 3.08 for off-site public facility improvements fronting other properties.**

**Applicant's Finding:**

The Applicant has received direction from the City's Engineering department that the site should take access to an existing eight inch water main located within Harmony. The proposed line has been designed within the plans to be extended to the east property line of the proposed development.

The Applicant notes that the property is entitled to a system development charge credit which will be based upon the size of the existing water meter serving the property.

Sewer has been provided to serve the two buildings on the site via the extension of a new sewer line which will connect the southernmost building to an existing sanitary line located within Harmony Road. These improvements are shown on Plan C1 within the preliminary development plans.

The proposed stormwater management system has been designed to capture, detain, and treat the stormwater which will be generated from the newly proposed impervious surfaces on the site. The system has been designed based upon the City's required stormwater manual and has been submitted for the City's review, along with a set of preliminary stormwater calculations, justifying the proposed design.

At no point during the Applicant's preliminary discussions with the City's Engineering Department have any concerns regarding capacity, safety, or hazardous conditions been raised. The Applicant has not requested the formation of a reimbursement district for the proposed improvements. The Applicant has requested System Development Charge credits for which the

development is entitled due to the presence of the recently demolished single family home on the property. The requirements of this section are met.

### **19.709.3 DESIGN STANDARDS**

**Public utility improvements shall be designed and improved in accordance with the requirements of this chapter, the Public Works Standards, and improvement standards and specifications identified by the City during the development review process. The applicant shall provide engineered utility plans to the Engineering Director for review and approval prior to construction to demonstrate compliance with all City standards and requirements.**

**Applicant's Finding:** The Applicant has designed the proposed site improvement plans to be consistent with the City's Public Works Standards. The Applicant has provided the required preliminary engineering plans along with this submission and understands that the City's Engineering Department may require minor variations to ensure compliance with the City's standards and requirements. The requirements of this section have been met.

## **CHAPTER 19.900 LAND USE APPLICATIONS**

### **19.905 CONDITIONAL USES**

#### **19.905.4. APPROVAL CRITERIA**

**A. Establishment of a new conditional use, or major modification of an existing conditional use, shall be approved if the following criteria are met:**

- 1. The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.**

**Applicant's Finding:** The buildings have been sized and situated on the lot to meet all applicable setbacks, parking, and turn radius requirements. The lot has access on Harmony Rd to allow easy ingress and egress for customers. The current use to the west is a commercial development that is similar in size and traffic type that is associated with the purposed use. The requirements of this section have been met.

- 2. The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses.**

**Applicant's Finding:**

The lot has several different uses on the adjacent properties; there is a commercial development to the west with lots of truck traffic and business activity. To the south is Harmony Rd. a busy thoroughfare with moderate traffic during business hours. There is an apartment complex to the east that has the rear of their apartment buildings facing the property. To the North are railroad tracks running in-between the property line and SE Railroad Ave. The front building (building#1) was situated on the site with the entry facing the commercial development to the west as well as all parking and vehicle unloading areas located on the west side as far away from the residential use to the East as possible. The site has a very similar use as the commercial development to the West. Both have tenants entering and exiting during normal business hours and occasional small truck traffic arriving to load or unload. It will share the entry with this development. The commercial development to the West also receives larger Simi-trucks delivering goods; we do not anticipate Simi-trucks entering our business as it does not contain large enough storage units to warrant the use of a Simi-truck to fill. The building (building#2) at the rear of the lot has a commercial building located to the West, with railroad tracks and SE Railroad Ave to the North and undevelopable open space to the East. The requirements of this section have been met.

**3. All identified impacts will be mitigated to the extent practicable.**

**Applicant's Finding:**

The proposed Self-storage facility will use the existing driveway to the West currently used by the commercial development to the West so ingress and egress should not create any increased nuisance. The building is situated to position all activity (loading and unloading) as far from the residential uses that the geography of the lot will allow.

The Applicant did meet with the neighbors of the property and the Linwood Neighborhood Association on March 12, 2015 and no significant issues were raised by the neighborhood as potential nuisances or impacts. The requirements of this section have been met.

**4. The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.**

**Applicant's Finding:**

The proposed use is a Self-storage facility that is very similar in use to the "Uses allowed outright". Specifically, item "C" of the MMC 19.310.2 "Warehousing and Distribution"; Self-storage is basically a Warehouse for the public to lease space in. Both require the entry and egress of trucks and vehicles that load and

unload at the facility on a short term basis. However the self-storage will not have large tractor-trailer type trucks using the site as a large warehouse would.

The site will not generate any unmitigated impacts to other properties within the immediate vicinity and is similar to other uses which are permitted outright within the zone. The requirements of this section have been met.

**5. The proposed use will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.**

**Applicant's Finding:**

The proposed development complies with the applicable development standards in that it meets the minimum required dimensional criteria for lot size, front, side and rear yards.

Off-street parking, per table 19.605.1, has been provided at a level which meets the requirements of the City's Codes.

The proposed building will not exceed the City's height limitations for structures within the BI zone and the project has been adequately buffered through the incorporation of a series of landscape plantings within the required buffers.

The requirements of this section have been met.

**6. The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.**

**Applicant's Finding:**

The proposed development is a use which is Conditionally permitted within the underlying zoning district. The Conditional approval of the proposed development would successfully implement the policies and goals of the City's Comprehensive Plan.

The requirements of this section have been met.

**7. Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700.**

**Applicant's Finding:**

The proposed development will take access to Harmony Road via a shared driveway which will receive minor improvements to facilitate the required access. Harmony Road will be improved to the County's current standards for a three lane minor arterial, consistent with the County's requirements for

roadway improvements. All transportation access and public utilities will be improved prior to the Applicant's request for final occupancy.

The requirements of this section have been met.

## **19.911 VARIANCES**

### **19.911.1 Purpose**

**Variances provide relief from specific code provisions that have the unintended effect of preventing reasonable development or imposing undue hardship. Variances are intended to provide some flexibility while ensuring that the intent of each development standard is met. Variances may be granted for the purpose of fostering reinvestment in existing buildings, allowing for creative infill development solutions, avoiding environmental impacts, and/or precluding an economic taking of property. Variances shall not be granted that would be detrimental to public health, safety, or welfare.**

### **19.911.2 Applicability**

#### **A. Eligible Variances**

**Except for situations described in Subsection 19.911.2.B, a variance may be requested to any standard or regulation in Titles 17 or 19 of the Milwaukie Municipal Code, or any other portion of the Milwaukie Municipal Code that constitutes a land use regulation per ORS 197.015.**

#### **B. Ineligible Variances**

**A variance may not be requested for the following purposes:**

- 1. To eliminate restrictions on uses or development that contain the word "prohibited."**
- 2. To change a required review type.**
- 3. To change or omit the steps of a procedure.**
- 4. To change a definition.**
- 5. To increase, or have the same effect as increasing, the maximum permitted density for a residential zone.**
- 6. To justify or allow a Building Code violation.**
- 7. To allow a use that is not allowed outright by the base zone. Requests of this nature may be allowed through the use exception provisions in Subsection 19.911.5, nonconforming use replacement provisions in Subsection 19.804.1.B.2, conditional use provisions in Section 19.905, or community service use provisions in Section 19.904.**

#### **C. Exceptions**

**A variance application is not required where other sections of the municipal code specifically provide for exceptions, adjustments, or modifications to standards either "by right" or as part of a specific land use application review process.**

### 19.911.3 Review Process

#### A. General Provisions

1. Variance applications shall be evaluated through either a Type II or III review, depending on the nature and scope of the variance request and the discretion involved in the decision-making process.
2. Variance applications may be combined with, and reviewed concurrently with, other land use applications.
3. One variance application may include up to three variance requests. Each variance request must be addressed separately in the application. If all of the variance requests are Type II, the application will be processed through a Type II review. If one or more of the variance requests is Type III, the application will be processed through a Type III review. Additional variance requests must be made on a separate variance application.

**Applicant's  
Finding:**

The Applicant has requested approval of a Type II variance application to allow for a small encroachment of a stairway and part of the front retail office into the front 20 yard setback on the property. The Applicant has shown that the requested variance qualifies for review as a Type II limited variation to the City's numerical standards and has provided responses to the City's approval criteria for a Type II review. The Applicant requests that this request for a variance to the front yard setback be considered concurrently with this request for a Conditional Use Permit for the property.

#### B. Type II Variances

**Type II variances allow for limited variations to numerical standards. The following types of variance requests shall be evaluated through a Type II review per Section 19.1005:**

1. A variance of up to 40% to a side yard width standard.
2. A variance of up to 25% to a front, rear, or street side yard width standard. A front yard width may not be reduced to less than 15 ft through a Type II review.

**Applicant's  
Finding:**

The Applicant has requested an encroachment of 5 feet into the property's front yard setback in order to allow for a small encroachment by an external stairway and a small portion of the southernmost building's retail and sales office. Less than 25% of the required 20 foot setback will be impacted by this variance request, and the 5-foot encroachment represents 25% of the required 20-foot front yard setback. The small areas of encroachment into the front yard setback will not reduce the front yard width to less than 15 feet and, therefore, a Type II review is appropriate.

The requirements of this standard have been met.

3. A variance of up to 10% to lot coverage or minimum vegetation standards.

4. A variance of up to 10% to lot width or depth standards.
5. A variance of up to 10% to a lot frontage standard.
6. A variance to compliance with Subsection 19.505.1.C.4 Detailed Design, or with Subsection 19.901.1.E.4.c.(1) in cases where a unique and creative housing design merits flexibility from the requirements of that subsection.

#### 19.911.4 Approval Criteria

##### A. Type II Variances

An application for a Type II variance shall be approved when all of the following criteria have been met:

1. The proposed variance, or cumulative effect of multiple variances, will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare.

**Applicant's Finding:**

The proposed variance for encroachment into the front yard setback is minor in nature and will not create any detrimental effects on any of the surrounding properties. The proposed variance allows the proposed improvements on the site to better avoid the natural resource areas located on site. The public's health, safety, and welfare will not in any way be affected through the approval of the requested setback reduction.

The requirements of this standard have been met.

2. The proposed variance will not interfere with planned future improvements to any public transportation facility or utility identified in an officially adopted plan such as the Transportation System Plan or Water Master Plan.

**Applicant's Finding:**

The City of Milwaukie requires a half right-of-way width of 40 feet along Harmony Road as does Clackamas County's Department of Transportation and Development. The proposed development has dedicated additional right-of-way along Harmony in response to this requirement. The proposed setback for development of the subject site is measured from the edge of the newly dedicated right-of-way and a front yard setback of 20 feet is typically required. The proposed variance would enable a small portion of southernmost building to encroach into the required front setback area but not into the right-of-way. The proposed width of the right-of-way has been specifically identified as necessary by the County's transportation system plan and the proposed variance for the front yard setback is not anticipated to interfere with any further planned improvements along Harmony.

The requirements of this standard have been met.

3. **Where site improvements already exist, the proposed variance will sustain the integrity of, or enhance, an existing building or site design.**

**Applicant's Finding:** All site improvements are related to new improvements. This criteria does not apply.

4. **Impacts from the proposed variance will be mitigated to the extent practicable.**

**Applicant's Finding:** The Applicant is unaware of any impacts associated with the proposed variance which may require mitigation.

## **SUMMARY AND CONCLUSION**

Based upon the materials submitted herein, the Applicant respectfully requests a recommendation for approval from the City's Planning Department and a favorable decision from the City's Planning Commission for this application for a Conditional Use permit and for the requested Type II Variance.



# **Natural Resource Review for the Proposed Harmony Road Self Storage, Milwaukie, Oregon**

(Township 1 South, Range 2 East, Section 31D, TL 1800 and 1900)

**Prepared for**

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PHS Project Number: 6072

**September 23, 2016**

**revised November 10, 2016**



## **1.0 INTRODUCTION**

The Applicant, HT Investment Properties, LLC, is proposing to develop a warehouse storage facility consisting of 1,005 enclosed storage units on the property located at 5945 and 5965 SE Harmony Road in the City of Milwaukie, Oregon (Township 1 South, Range 2 East, Section 31D, Tax Lots 1800 and 1900) and seeks approval of an application for a Conditional Use Permit and a Type II Variance for the proposed development. Pacific Habitat Services, Inc. (PHS) has prepared a Natural Resource Review in accordance with Milwaukie Municipal Code (MMC) Section 19.402 to support this application.

The project site consists of approximately 2.96 acres located on SE Harmony Avenue west of SE Linwood Avenue and south of Railroad Avenue. The approximate location of the site is shown on the USGS Gladstone, Oregon topographic quadrangle, which is included as Figure 1, and the tax lot map, which is included as Figure 2. All figures are in Appendix A. The site includes Minthorn Creek and associated wetlands. PHS delineated the jurisdictional limits of Minthorn Creek and associated wetlands in October 2014. The surveyed locations of Minthorn Creek and associated wetlands are depicted on Figure 3. The Oregon Department of State Lands (DSL) issued a letter of concurrence confirming the delineated wetlands and waters of the State on March 4, 2015. A copy of the concurrence is provided in Appendix B.

Minthorn Creek is a perennial tributary to Mount Scott Creek, which is located approximately 1,000 feet downstream of the project site, and therefore it and its associated wetlands are Primary Protected Water Features, as defined in the City of Milwaukie's Natural Resources Code (MMC 19.402). As stated in a letter from the City of Milwaukie dated September 13, 2016, this project is subject to discretionary review under MMC Subsections 19.402.8 and 19.402.12, and impact evaluation and alternatives analysis are required per MMC Subsection 19.402.12.A. This Natural Resource Review describes the existing Water Quality Resource (WQR) and Habitat Conservation Area (HCA) on the site and demonstrates project compliance with the applicable sections of the municipal code. This Natural Resource review includes an evaluation of the condition of the WQR on the site, an analysis of potential impacts from the proposed development on the WQR and the HCA, and a mitigation plan to compensate for those impacts.

## **2.0 EXISTING WQR AND HCA ON THE PROJECT SITE**

Minthorn Creek and its associated wetlands are primary protected water features, and as described in Table 19.402.15, Determination of WQR Location in the MMC Subsection 19.402.15, primary protected water features have an associated vegetated corridor of 50 to 200 feet wide depending on the slopes adjacent to the resource. Because the slopes adjacent to Minthorn Creek and its associated wetlands within the Harmony Road Storage site are less than 25 percent, the associated vegetated corridor is 50 feet wide. The extent of the vegetated corridor on the project site, based on the surveyed boundaries of wetlands and waterways is depicted on Figure 4. The total area of WQR on the site (not including the stream and wetlands) is approximately 20,117 sq.ft. (0.46 ac.).

Minthorn Creek also has an associated HCA. The Milwaukie Interactive Zoning Map (<http://milwaukie.maps.arcgis.com/apps/webappviewer/index.html?id=48bfb9fc517446f9af954d4d1c4413af>) shows HCA extending onto the western portion of the site only. Discussions with Brett Kelter, Associate Planner with the City of Milwaukie Community Development, indicate that the City-mapped HCA can be used to comply with MMC 19.402. Therefore, the City's GIS-mapped HCA, as provided by the City of Milwaukie, is depicted on Figure 4. The total area of HCA on the project site is approximately 5,442 sq.ft. (0.12 ac.); however, the HCA boundaries closely correspond to the WQR boundaries such that only a very small portion of the HCA (approximately 257 sq.ft. (0.006 acres)) extends beyond the limits of the WQR. This HCA is used in the impact evaluation and alternatives analysis below.

### **3.0 COMPLIANCE WITH MILWAUKIE MUNICIPAL CODE**

#### **MMC 19.402.12 - General Discretionary Review**

##### **A. Impact Evaluation and Alternatives Analysis**

*An impact evaluation and alternatives analysis is required to determine compliance with the approval criteria for general discretionary review and to evaluate development alternatives for a particular property. A report presenting this evaluation and analysis shall be prepared and signed by a knowledgeable and qualified natural resource professional, such as a wildlife biologist, botanist, or hydrologist. At the Planning Director's discretion, the requirement to provide such a report may be waived for small projects that trigger discretionary review but can be evaluated without professional assistance.*

*The alternatives shall be evaluated on the basis of their impact on WQRs and HCAs, the ecological functions provided by the resource on the property, and off-site impacts within the subwatershed (6th Field Hydrologic Unit Code) where the property is located. The evaluation and analysis shall include the following:*

- 1. Identification of the ecological functions of riparian habitat found on the property, as described in Subsection 19.402.1.C.2.*

Subsection 19.402.1.C.2 of the Milwaukie Municipal Code (MMC) identifies seven functions and values that contribute to water quality and to fish and wildlife habitat in urban streamside areas. Descriptions of the functions and values provided by the riparian habitat on the project site are provided below.

Vegetated corridors to separate protected water features from development – The vegetated buffer south of Minthorn Creek provides a buffer that separates existing and former development on the southern part of the site from the primary protected water feature. Although tree cover is rather sparse south of the creek, the dense shrub and herbaceous vegetation provide wildlife habitat and water quality benefits to the stream. North of the stream, the vegetated corridor contains many trees, but there is no development on the northern portion of the site.

Microclimate and shade – Trees within the WQR provide shade to the stream and help to regulate the microclimate within the riparian corridor. However, this function is limited within the project site because tree cover on the south side of the stream, where it would most effectively shade the stream is rather sparse, as described below.

Streamflow moderation and water storage – Within the project area, Minthorn Creek has a relatively narrow floodplain. The floodplain on the north side of the creek is vegetated with a mixture of trees and shrubs, while the floodplain on the south side of the stream is vegetated primarily by various herbaceous species and Himalayan blackberry (*Rubus armeniacus*). During high flow events, vegetation within the floodplain helps to slow floodwaters and reduce downstream flooding. Because of the predominance of non-woody vegetation on the south side of Minthorn Creek and the relatively steep gradient of the stream within the project area, the riparian corridor within the project area provides limited streamflow moderation and water storage functions.

Water filtration, infiltration, and natural purification – Vegetation within the riparian corridor along Minthorn Creek slows runoff from adjacent areas and filters sediments and other pollutants from the runoff before it reaches the stream. By slowing the runoff, the vegetation also increases the potential for water to infiltrate into the soil before reaching the stream. However, the predominantly clay loam soils within the project area reduce the ability of the water to infiltrate into the soil.

Bank stabilization and sediment and pollution control – Streambanks within the project area are generally well-vegetated with trees, shrubs, and dense herbaceous vegetation. This vegetation helps to stabilize the banks, and there is little evidence of active bank erosion within the project site.

Large wood recruitment and retention and natural channel dynamics – Within the project area, trees occur primarily on the north side of Minthorn Creek. These trees have the potential to become large woody material. When these trees fall into the stream, they have the potential to affect the natural channel dynamics. However, because of the relatively small size of the stream, any large woody material that falls into the stream is likely to remain on the project site rather than be carried downstream.

Organic material resources –Vegetation within the riparian corridor provides organic material that serve as the basis for the aquatic food web. Under the existing conditions, the riparian corridor within the project site is vegetated with a mixture of native and non-native trees, shrubs, and herbaceous species, which contribute organic materials to the stream.

**2. *An inventory of vegetation, sufficient to categorize the existing condition of the WQR per Table 19.402.11.C, including the percentage of ground and canopy coverage materials within the WQR.***

Plant communities within the vegetated corridor include a mixture of wooded and non-wooded communities. PHS identified two separate plant communities within the on-site vegetated corridor based on the predominance of woody species in the community. North of Minthorn Creek, the vegetated corridor has a well-developed forest canopy; while south of Minthorn Creek, the vegetated corridor is dominated by Himalayan blackberry with just a few scattered trees. PHS took two sample points to characterize the plant community north of the creek, and one sample point to characterize the plant community south of Minthorn Creek. A brief description and an evaluation of the condition of each of the communities are provided below.

## North of Minthorn Creek

The WQR north of Minthorn Creek contains an open canopy formed by widely spaced trees, predominantly black cottonwoods (*Populus balsamifera*) and Oregon ash (*Fraxinus latifolia*). The area has a relatively dense understory of tree saplings and shrubs. Common species in the understory include Oregon ash, Portuguese laurel (*Prunus lusitanica*), Himalayan blackberry, snowberry (*Symphoricarpos albus*), English hawthorn (*Crataegus monogyna*), and clustered rose (*Rosa pisocarpa*). The groundcover contains a diverse mixture of native and non-native species. Himalayan blackberry and English ivy are listed as invasive, noxious weeds by the Oregon Department of Agriculture. Other non-native species are present within the plant community, but they are not listed as invasive or noxious weeds at this time. Tables 1 and 2 summarize the species composition at two sample points within the plant community.

**Table 1. Plant Community North of Minthorn Creek as Characterized by Sample Point 1**

Botanical Name	Common Name	Cover (%)
<b>Trees</b>		<b>30</b>
<i>Populus balsamifera</i>	Black cottonwood	30
<b>Shrubs and Saplings</b>		<b>75</b>
<i>Fraxinus latifolia</i>	Oregon ash	20
<i>Prunus lusitanica</i>	Portuguese laurel	20
<i>Rosa pisocarpa</i>	Clustered rose	20
<i>Prunus cerasifera</i>	Cherry plum	10
<i>Rubus discolor</i>	Himalayan blackberry	5
<b>Ground Cover</b>		<b>32</b>
<i>Rubus ursinus</i>	California dewberry	25
<i>Equisetum telmateia</i>	Giant horsetail	2
<i>Ranunculus repens</i>	Creeping buttercup	5

**Table 2. Plant Community South of Minthorn Creek as Characterized by Sample Point 2**

Botanical Name	Common Name	Cover (%)
<b>Trees</b>		<b>90</b>
<i>Populus trichocarpa</i>	Black cottonwood	60
<i>Fraxinus latifolia</i>	Oregon ash	20
<i>Prunus avium</i>	Sweet cherry	10
<b>Shrubs</b>		<b>90</b>
<i>Symphoricarpos albus</i>	Snowberry	50
<i>Prunus lusitanica</i>	Portuguese laurel	20
<i>Crataegus monogyna</i>	English hawthorn	10
<i>Rubus armeniacus</i>	Himalayan blackberry	10
<i>Corylus cornuta</i>	Beaked hazelnut	5
<b>Ground Cover</b>		<b>100</b>
<i>Hedera helix</i>	English ivy	60
<i>Equisetum arvense</i>	Field horsetail	20
<i>Poa</i> sp.	Bluegrass	20

The plant community north of Minthorn Creek has an open tree canopy with coverage that varies from 30 to 90 percent. Canopy coverage across the entire plant community exceeds 50 percent. The combined tree, shrub and ground cover layers provide coverage that exceeds 80 percent. As such, the existing condition of the WQR north of Minthorn Creek meets the definition of a Class A (“Good”) WQR, as defined in Table 19.402.11.C of the municipal code.

**South of Minthorn Creek**

Although several trees are present along the southern bank of the stream, the plant community south of Minthorn Creek is dominated by dense Himalayan blackberry and herbaceous vegetation. The sample point for this plant community was selected to represent the general absence of trees and characterize the major portion of the plant community. Himalayan blackberry is listed as invasive, noxious weeds by the Oregon Department of Agriculture. The majority of herbaceous species within the plant community are non-native; however, none of the other non-native species present within the plant community are not listed as invasive or noxious weeds at this time. Table 3 summarizes the species composition within the plant community south of Minthorn Creek.

**Table 3. Plant Community South of Minthorn Creek as Characterized by Sample Point 3**

Botanical Name	Common Name	Cover (%)
<b>Shrubs</b>		<b>60</b>
<i>Rubus armeniacus</i>	Himalayan blackberry	60
<b>Ground Cover</b>		<b>110</b>
<i>Agrostis stolonifera</i>	Spreading bentgrass	70
<i>Schedonorus arundinacea</i>	Tall fescue	20
<i>Poa</i> sp.	Bluegrass	10
<i>Equisetum arvense</i>	Field horsetail	5
<i>Galium aparine</i>	Cleavers	5

As described above and shown by Sample Point 3, the plant community south of Minthorn Creek has little or no tree canopy coverage. The combined tree, shrub and groundcover layers provide coverage that exceeds 80 percent; however, tree canopy coverage is less than 25 percent. Therefore, the existing condition of the WQR south of Minthorn Creek meets the definition of a Class C (“Poor”) WQR, as defined in Table 19.402.11.C of the municipal code.

3. *An assessment of the water quality impacts related to the development, including sediments, temperature and nutrients, sediment control, and temperature control, or any other condition with the potential to cause the protected water feature to be listed on DEQ’s 303(d) list.*

The proposed project will result in impacts to WQR and HCA associated with Minthorn Creek. A bridge will be constructed across Minthorn Creek along the western site boundary. This will result in impacts to approximately 4,520 sq.ft. (0.10 ac.) of WQR and 257 sq.ft. (0.006 ac.) of HCA beyond the limits of the WQR. The parking lot associated with the Building #2 in the northern part of the site will extend into the WQR, resulting in approximately 145 sq.ft. (0.003 ac.) of impact in the WQR. Additionally three stormwater outfalls will be constructed within the WQR. The construction of these outfalls will result in approximately 147 sq. ft. (0.003 ac.) of permanent impact for the construction of the outfall and rip rap pad and approximately 280 sq.ft.

(0.006 ac.) of additional disturbance to the WQR. The areas of permanent and temporary disturbance within the HCA and WQR are summarized in Table 4, below.

**Table 5. Summary of Permanent and Temporary Disturbance in the WQR and HCA**

Activity	Permanent Disturbance (sq.ft./ac.)		Temporary Disturbance (sq.ft./ac.)	
	WQR	HCA	WQR	HCA
Bridge Construction	4,520 / 0.10	257 / 0.006	0 / 0	0 / 0
Parking Lot Construction	145 / 0.003	0 / 0	0 / 0	0 / 0
Stormwater Outfalls	147 / 0.003	0 / 0	280 / 0.006	0 / 0
<b>Total</b>	<b>4,812 / 0.11</b>	<b>257 / 0.006</b>	<b>280 / 0.006</b>	<b>0 / 0</b>

The proposed project is not anticipated to have any adverse impacts to water quality. The use of erosion and sediment controls during construction will prevent sediment-related impacts to water quality. The proposed project is not anticipated to result in additional nutrient inputs to the stream, and the restoration of the riparian corridor on the south side of Minthorn Creek will increase shade on the stream as the riparian plantings mature, helping to reduce water temperatures in the stream. The stormwater outfalls will discharge treated stormwater to the WQR, and the riprap pads at the outfalls will dissipate flows preventing erosion and sedimentation downslope of the outfalls and prevent impacts to water quality.

4. *An alternatives analysis, providing an explanation of the rationale behind choosing the alternative selected, listing measures that will be taken to avoid and/or minimize adverse impacts to designated natural resources, and demonstrating that:*
  - a. *No practicable alternatives to the requested development exist that will not disturb the WQR or HCA.*

Minthorn Creek crosses the center of the site from west to east. Because of the location of the resources, it is not possible to access the northern portion of the site without crossing the vegetated corridor. It is not practicable to access the northern portion of the site from Railroad Avenue because of the railroad tracks between the site and street. There are no practicable alternatives for developing the northern portion of the site that avoids impacts to the WQR.

- b. *Development in the WQR and/or HCA has been limited to the area necessary to allow for the proposed use.*

Development within the WQR and HCA has been limited to the area necessary to allow for the proposed use. Development within the WQR and HCA is limited to a bridge needed for access to the northern portion of the site, minor disturbance for the construction of the parking area in the northern portion of the site, and three stormwater outfalls that will discharge treated stormwater from flow through planter boxes. Buildings, parking areas, and stormwater treatment facilities will be located entirely outside the WQR and HCA. The disturbance for the parking lot construction is necessary to accommodate required setbacks in the northern part of the site.

- c. *If disturbed, the WQR can be restored to an equal or better condition in accordance with Table 19.402.11.C; and the HCA can be restored consistent with the mitigation requirements of Subsection 19.402.11.D.2.*

Portions of the WQR temporarily disturbed for the construction of the three stormwater discharges will be restored to equal or better condition in accordance with Table 19.402.11.D.2. Mitigation is described in more detail below.

*d. Road crossings will be minimized as much as possible.*

The proposed project includes one road crossing to provide access to the northern portion of the site. The road crossing has been designed to minimize impacts to the WQR. The road crosses the WQR where the WQR is narrowest and where there are no wetlands adjacent to the creek. Additionally, the road will cross the WQR on a bridge, which will eliminate the need for sideslopes, which would increase the area of WQR impacted.

5. *Evidence that the applicant has done the following, for applications proposing routine repair and maintenance, alteration, and/or total replacement of existing structures located within the WQR:*
- a. *Demonstrated that no practicable alternative design or method of development exists that would have a lesser impact on the WQR than the one proposed. If no such practicable alternative design or method of development exists, the project shall be conditioned to limit its disturbance and impact on the WQR to the minimum extent necessary to achieve the proposed repair/maintenance, alteration, and/or replacement.*
  - b. *Provided mitigation to ensure that impacts to the functions and values of the WQR will be mitigated or restored to the extent practicable.*

Not applicable. The proposed project does not include routine repair and maintenance, alteration, and/or total replacement of existing structures within the WQR.

6. *A mitigation plan for the designated natural resource that contains the following information:*
- a. *A description of adverse impacts that will be caused as a result of development.*

The proposed project will result in impacts to WQR and HCA associated with Minthorn Creek. A bridge will be constructed across Minthorn Creek along the western site boundary. This will result in impacts to approximately 4,520 sq.ft. (0.10 ac.) of WQR and 257 sq.ft. (0.006 ac.) of HCA beyond the limits of the WQR. The parking lot associated with the Building #2 in the northern part of the site will extend into the WQR, resulting in approximately 145 sq.ft. (0.003 ac.) of impact in the WQR. Additionally three stormwater outfalls will be constructed within the WQR. The construction of these outfalls will result in approximately 147 sq. ft. (0.003 ac.) of permanent impact for the construction of the outfall and rip rap pad and approximately 280 sq.ft. (0.006 ac.) of additional disturbance to the WQR. The project will result in total permanent impact to approximately 4,812 sq.ft. of WQR and 257 sq.ft. of HCA and total temporary impact to approximately 280 sq.ft. of WQR/

- b. *An explanation of measures that will be taken to avoid, minimize, and/or mitigate adverse impacts to the designated natural resource; in accordance with, but not limited to, Table 19.402.11.C for WQRs and Subsection 19.402.11.D.2 for HCAs.*

As discussed above, it is not possible to avoid impacts to the WQR. Adverse effects to the resources have been minimized by limiting impacts to one road crossing, which crosses the WQR on a bridge structure at the point where the WQR is the narrowest, and discharges from three flow-through stormwater planters. Mitigation for the unavoidable impacts will be provided through the inventory of man-made debris and noxious materials that might be present within the WQR and the removal of any such material present; the implementation of a stormwater plan that meets City requirements for runoff rates and water quality; the removal of non-native, invasive plants from the riparian corridor; and installation of tree and shrub plantings within Wetland Mitigation B on the south side of Minthorn Creek to restore a diverse, native plant community. Compliance with the mitigation requirements outlined in Table 19.402.11.C and



Subsection 19.402.11.D.2 to compensate for proposed impacts to the WQR and HCA are described below.

As depicted on Figure 4, the existing condition of WQR on the north side of Minthorn Creek is Class A (“Good”); the existing condition of the WQR on the south side of the creek is Class C (“Poor”). Mitigation requirements for disturbance in a Class A WQR, as listed in Table 19.402.11.C, are listed below, as are the components of the project design that have been incorporated to insure compliance with the mitigation requirements.

- ***Submit a plan for mitigating water quality impacts related to the development, including: sediments, temperature, nutrients, or any other condition that may have caused the protected water feature to be listed on DEQ’s 303(d) list.***

Sisul Engineering submitted Preliminary Storm Detention and Water Quality Calculations (dated July 21, 2015) with the conditional use permit application demonstrating that the proposed stormwater management facilities treat runoff to meet the City of Milwaukie’s water quality requirements and detain post-development runoff at or below pre-development release rates.

- ***Inventory and remove debris and noxious materials.***

At the time of site construction, the Applicant will identify man-made debris and noxious materials that may be present within the WQR. Any such debris or materials will be removed from the WQR. This will occur within Mitigation Areas A and B, as shown on Figure 6.

Mitigation requirements for disturbance in a Class C WQR, as listed in Table 19.402.11.C, are listed below, as are the components of the project design that have been incorporated to insure compliance with the mitigation requirements.

- ***Restore and mitigate disturbed areas with native species from the Milwaukie Native Plant List, using a City-approved plan developed to represent the vegetative composition that would naturally occur on the site.***

All disturbed areas within the WQR will be restored with native trees and shrubs and reseeded with a native seed mix. Trees and shrubs will be planted within Mitigation Area B on the south side of Minthorn Creek to restore a native plant community within the WQR.

The number of trees and shrubs to be planted in Mitigation Area B was determined in accordance with MMC Subsection 19.402.11.D.2. Six trees will be removed from the HCA and WQR, as shown on Figure 5. As prescribed by Table 19.402.11.D.2.a, 13 trees and 21 shrubs would be required under Mitigation Option 1 to mitigate for the trees to be removed. Under Mitigation Option 2, 53 trees (5,349 sq.ft. impact area x 5 trees per 500 sq.ft. of impact area = 53 trees) and 267 shrubs (5,349 sq.ft. impact area x 25 shrubs per 500 sq.ft. of impact area = 267 shrubs) would be planted to mitigate for impacts to 5,349 sq.ft. of WQR and HCA impact. Because Mitigation Option 2 results in more tree plantings, Mitigation Option 2 was used to determine the number of trees and shrubs to be planted in accordance with MMC Subsection 19.402.11.D.2. A list of trees and shrubs proposed for planting are provided in Table 5, below.

**Table 5. Proposed Riparian Restoration Planting List**

Species	Common Name	Quantity	Stock Type	Plant Size
<b>Trees</b>				
<i>Alnus rubra</i>	Red alder	17	Container or field-grown	½ in caliper
<i>Fraxinus latifolia</i>	Oregon ash	18	Container or field-grown	½ in caliper
<i>Thuja plicata</i>	Western redcedar	18	Container or field-grown	½ in caliper
<b>Shrubs</b>				
<i>Cornus alba</i>	Red-osier dogwood	89	1 gal.	12 in
<i>Rosa pisocarpa</i>	Clustered rose	89	1 gal.	12 in
<i>Sambucus racemosa</i>	Red elderberry	89	1 gal.	12 in
<b>Herbaceous seed mix</b>				
<i>Agrostis exarata</i>	Spike bentgrass	2.0 lbs/ac	Seed	n/a
<i>Bromus carinatus</i>	California brome	2.0 lbs/ac	Seed	n/a
<i>Deschampsia cespitosa</i>	Tufted hairgrass	3.0 lbs/ac	Seed	n/a
<i>Elymus glaucus</i>	Blue wildrye	3.0 lbs/ac	Seed	n/a
<i>Hordeum brachyantherum</i>	Meadow barley	2.0 lbs/ac	Seed	n/a
<i>Lupinus rivularis</i>	Riverbank lupine	3.5 lbs/ac	Seed	n/a

These mitigation plantings meet the requirements of MMC Subsection 19.402.11.D, as follows:

- All areas temporarily disturbed will be restored and permanent impacts will be mitigated by the tree and shrub plantings, as described above.
- All species proposed for planting are native species, as identified on the Milwaukie Native Plant List.
- Trees to be planted will average at least a ½-in caliper (measured at 6 inches above the ground level for field-grown trees or above the soil line for container-grown trees). Shrubs shall be at least 1-gallon size and 12 inches high.
- Trees will be planted between 8 and 12 feet on center. Shrubs will be planted between 4 and 5 feet on center or clustered in single-species groups of no more than 4 plants, with each cluster planted between 8 and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing measurements.
- More than two species of shrubs are proposed, and not more than 50 percent of the trees to be planted are of the same genus.
- All mitigation will occur on site.

- Invasive non-native or noxious vegetation will be removed within the mitigation area prior to planting, including, but not limited to, species identified as nuisance plants on the Milwaukie Native Plant List.
- Bare or open soil areas remaining after the required tree and shrub plantings will be seeded to 100% surface coverage with grasses or other ground cover species identified as native on the Milwaukie Native Plant List. Revegetation will occur during the next planting season following the site disturbance.

- ***Plant and/or seed all bare areas to provide 100% surface coverage.***

All disturbed soil surfaces will be seeded with a native seed mix, as described in Table 4, above. Areas temporarily disturbed for the construction of stormwater outfalls and due to the removal of invasive plant species will be seeded with this seed mix.

- ***Inventory and remove debris and noxious materials.***

At the time of site construction, the Applicant will identify man-made debris and noxious materials that may be present within the WQR. Any such debris or materials will be removed from the WQR. This will occur within Mitigation Areas A and B, as shown on Figure 6.

- c. ***Sufficient description to demonstrate how the following standards will be achieved:***

- (1) ***Where existing vegetation has been removed, the site shall be revegetated as soon as practicable.***

Following the completion of the construction of the proposed stormwater outfalls, disturbed soils will be reseeded with the native seed mix described in Table 4, above. Within Mitigation Area B, soils disturbed as a result of the removal of non-native invasive plants will be seeded with the native seed mix described in Table 4 as soon as practicable following the removal of the invasive plants. Woody material will be planted in Mitigation Area B in the fall/winter 2017 to maximize the survival of the plantings.

- (2) ***Where practicable, lights shall be placed so that 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.***

Lights will be placed so that they do not shine directly into the WQR. The type, size, and intensity of lighting will be selected so that impacts to habitat functions are minimized. The Lighting Plan, prepared by Creations Northwest and submitted with the conditional use application, shows the proposed lighting relative to the WQR.

- (3) ***Areas of standing trees, shrubs, and natural vegetation will remain connected or contiguous; particularly along natural drainage courses, except where mitigation is approved; so as to provide a transition between the proposed development and the designated natural resource and to provide opportunity for food, water, and cover for animals located within the WQR.***

With the exception of the removal of invasive plants from Mitigation Area B, existing trees, shrubs, and natural vegetation within the WQR will remain undisturbed during the proposed construction.

- d. *A map showing where the specific mitigation activities will occur. Off-site mitigation related to WQRs shall not be used to meet the mitigation requirements of Section 19.402.*

Figure 6 depicts the location of proposed mitigation activities. No mitigation is proposed to occur off site.

- e. *An implementation schedule; including a timeline for construction, mitigation, mitigation maintenance, monitoring, and reporting; as well as a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the allowable windows for in-water work as designated by ODFW.*

Construction of the proposed project is anticipated to occur in the spring and summer of 2017. Activities associated with the WQR/HCA mitigation are anticipated to begin in summer 2017. Removal of any existing man-made debris and noxious materials from the WQR will occur in summer 2017, as will the removal of invasive plants from Mitigation Area B (Figure 6). Restoration plantings will be installed in Mitigation Area B in fall/winter 2017.

Monitoring of the restoration area will be conducted in the late summer of 2017 and again in summer 2018. An annual monitoring report documenting the survival of the restoration plantings will be submitted to the City of Milwaukie by December 31 of each monitoring year. Plants that die shall be replaced in kind as needed to ensure the minimum 80% survival rate.

No in-stream work is proposed to occur as part of this project.

#### **B. Approval Criteria**

1. *Unless specified elsewhere in Section 19.402, applications subject to the discretionary review process shall demonstrate how the proposed activity complies with the following criteria:*

- a. *Avoid*

*The proposed activity avoids the intrusion of development into the WQR and/or HCA to the extent practicable. The proposed activity shall have less detrimental impact to the designated natural resource than other practicable alternatives, including significantly different practicable alternatives that propose less development within the resource area.*

The proposed project avoids development within the WQR and HCA to the maximum extent practicable. The only impacts to the WQR and HCA result from the road crossing and stormwater outfalls. As discussed above, it is not possible to access the northern portion of the site and completely avoid impacts to the WQR.

- b. *Minimize*

*If the applicant demonstrates that there is no practicable alternative that will avoid disturbance of the designated natural resource, then the proposed activity within the resource area shall minimize detrimental impacts to the extent practicable.*

- (1) *The proposed activity shall minimize detrimental impacts to ecological functions and loss of habitat, consistent with uses allowed by right under the base zone, to the extent practicable.*

Implementation of the proposed mitigation will ensure the proposed project minimizes adverse effects to the ecological functions of the WQR and loss of habitat, as follows:

- The minimization of areal impacts as well as the proposed plantings to restore a native plant community on the south side of Minthorn Creek will ensure that the WQR continues to provide a vegetated corridors that separates protected water features from development.

- As the proposed tree and shrub plantings south of Minthorn Creek mature, they will increasingly provide microclimate regulation and shade for the stream, and provide better microclimate regulation and shade as compared to the existing plant community on the south side of the creek.
- As the proposed tree and shrub plantings south of Minthorn Creek mature they will provide more effective streamflow moderation during high flow events than the Himalayan blackberry and herbaceous plant community that is present under existing conditions.
- The diverse plant community within the WQR will continue to provide water filtration, infiltration, and natural purification functions. The proposed project will not adversely affect these functions.
- The proposed restoration plantings and the resulting diverse plant community within the WQR will continue to provide bank stabilization and sediment and pollution control functions. The proposed project will not adversely affect these functions.
- Trees will remain within the vegetated corridor following construction, and therefore, the WQR will continue to provide the potential for large wood recruitment and retention functions. The proposed bridge will completely span the creek and this will not have an adverse impact on channel dynamics.
- Because the WQR will continue to be vegetated with a diverse plant community, the proposed project will not adversely affect the resource's ability to provide organic inputs to the stream and riparian area.

(2) *To the extent practicable within the designated natural resource, the proposed activity shall be designed, located, and constructed to:*

*(a) Minimize grading, removal of native vegetation, and disturbance and removal of native soils; by using the approaches described in Subsection 19.402.11.A, reducing building footprints, and using minimal excavation foundation systems (e.g., pier, post, or piling foundation).*

In accordance with MMC Subsection 19.402.11.A, the following measures will be implemented to minimize impacts to the WQR on the site:

- Work areas will be marked to reduce potential damage to the WQR.
- Trees in the WQR will not be used as anchors for stabilizing construction equipment.
- Native soils disturbed during development shall be conserved on the property.
- The Applicant has prepared a preliminary grading and erosion control plan. Prior to the start of any construction activities, the applicant will apply for a grading and erosion control permit, consistent with the standards required by the City's Public Works Department.
- The Applicant will implement best management practices on site to prevent the drainage of hazardous materials, erosion, pollution or sedimentation within the resources and the vegetative corridors.

- The Applicant has prepared a preliminary stormwater detention and water quality plan for the project which has been designed to prevent flows within and to natural drainage courses which might exceed pre-developed conditions.
- Prior to construction, the WQR that is to remain undeveloped will be flagged, fenced, or otherwise marked and shall remain undisturbed. Such markings will be maintained until construction is complete.
- The construction phase of the development shall be done in such a manner as to safeguard the resource portions of the site that have not been approved for development.
- Lights will be placed so that they do not shine directly into the WQR.
- The Applicant has prepared a Preliminary Grading and Erosion Control Plan which will conform to the requirements of 19.402.9. The Final Construction Grading and Erosion Control Plan will be provided to the City's Engineering Department prior to the commencement of construction activities.

*(b) Minimize adverse hydrological impacts on water resources.*

The implementation of the proposed stormwater management plan, which detains post-development runoff at or below pre-development release rates will ensure that hydrologic impacts to the water resource are minimized. The construction of a bridge that completely spans the stream channel will ensure the project avoids hydraulic impacts to the stream channel.

*(c) Minimize impacts on wildlife corridors and fish passage.*

The construction of a bridge that completely spans the stream channel will ensure the project avoids impacts to fish passage along this reach of Minthorn Creek. Restoration of a diverse native plant community within the riparian corridor will ensure that impacts to wildlife habitat are minimized.

*(d) Allow for use of other techniques to further minimize the impacts of development in the resource area; such as using native plants throughout the site (not just in the resource area), locating other required landscaping adjacent to the resource area, reducing light spill-off into the resource area from development, preserving and maintaining existing trees and tree canopy coverage, and/or planting trees where appropriate to maximize future tree canopy coverage.*

Impacts to the on-site resources have been minimized to the extent practicable.

*c. Mitigate*

*If the applicant demonstrates that there is no practicable alternative that will avoid disturbance of the designated natural resource, then the proposed activity shall mitigate for adverse impacts to the resource area. All proposed mitigation plans shall meet the following standards:*

- (1) The mitigation plan shall demonstrate that it compensates for detrimental impacts to the ecological functions of resource areas, after taking into consideration the applicant's efforts to minimize such detrimental impacts.*

As described above, implementation of the proposed mitigation will ensure the proposed project minimizes adverse effects to the ecological functions of the WQR and loss of habitat, as follows:

- The minimization of areal impacts as well as the proposed plantings to restore a native plant community on the south side of Minthorn Creek will ensure that the WQR

continues to provide a vegetated corridors that separates protected water features from development.

- As the proposed tree and shrub plantings south of Minthorn Creek mature, they will increasingly provide microclimate regulation and shade for the stream, and provide better microclimate regulation and shade as compared to the existing plant community on the south side of the creek.
- As the proposed tree and shrub plantings south of Minthorn Creek mature, they will provide more effective streamflow moderation during high flow events than the Himalayan blackberry and herbaceous plant community that is present under existing conditions.
- The diverse plant community within the WQR will continue to provide water filtration, infiltration, and natural purification functions. The proposed project will not adversely affect these functions.
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- Trees will remain within the vegetated corridor following construction, and therefore, the WQR will continue to provide the potential for large wood recruitment and retention functions. The proposed bridge will completely span the creek and this will not have an adverse impact on channel dynamics.
- Because the WQR will continue to be vegetated with a diverse plant community, the proposed project will not adversely affect the resource's ability to provide organic inputs to the stream and riparian area.

***(2) Mitigation shall occur on the site of the disturbance, to the extent practicable. Off-site mitigation for disturbance of WQRs shall not be approved. Off-site mitigation for disturbance of HCAs shall be approved if the applicant has demonstrated that it is not practicable to complete the mitigation on-site and if the applicant has documented that they can carry out and ensure the success of the off-site mitigation as outlined in Subsection 19.402.11.B.5.***

***In addition, if the off-site mitigation area is not within the same subwatershed (6th Field Hydrologic Unit Code) as the related disturbed HCA, the applicant shall demonstrate that it is not practicable to complete the mitigation within the same subwatershed and that, considering the purpose of the mitigation, the mitigation will provide more ecological functional value if implemented outside of the subwatershed.***

All mitigation will occur on site.

***(3) All revegetation plantings shall use native plants listed on the Milwaukie Native Plant List.***

Only native species will be installed in the revegetation plantings. A list of species to be planted is provided in Table 4, above.

***(4) All in-stream work in fish-bearing streams shall be done in accordance with the allowable windows for in-water work as designated by ODFW.***

No in-stream work is proposed to occur with this project.

*(5) A mitigation maintenance plan shall be included and shall be sufficient to ensure the success of the planting. Compliance with the plan shall be a condition of development approval.*

The Applicant will undertake the following mitigation maintenance measures to ensure a minimum of 80 percent of the trees and shrubs planted remain alive two years after the mitigation planting is completed.

- New plantings will be mulched to a minimum of 3-inch depth and 18-inch diameter to retain moisture and discourage weed growth.
- Non-native or noxious vegetation will be removed or controlled throughout the maintenance period.
- Plant sleeves or fencing will be used to protect trees and shrubs against wildlife browsing and the resulting damage to plants.
- New plantings will be watered at a rate of 1 inch per week between June 15 and October 15 for the first two years following planting.



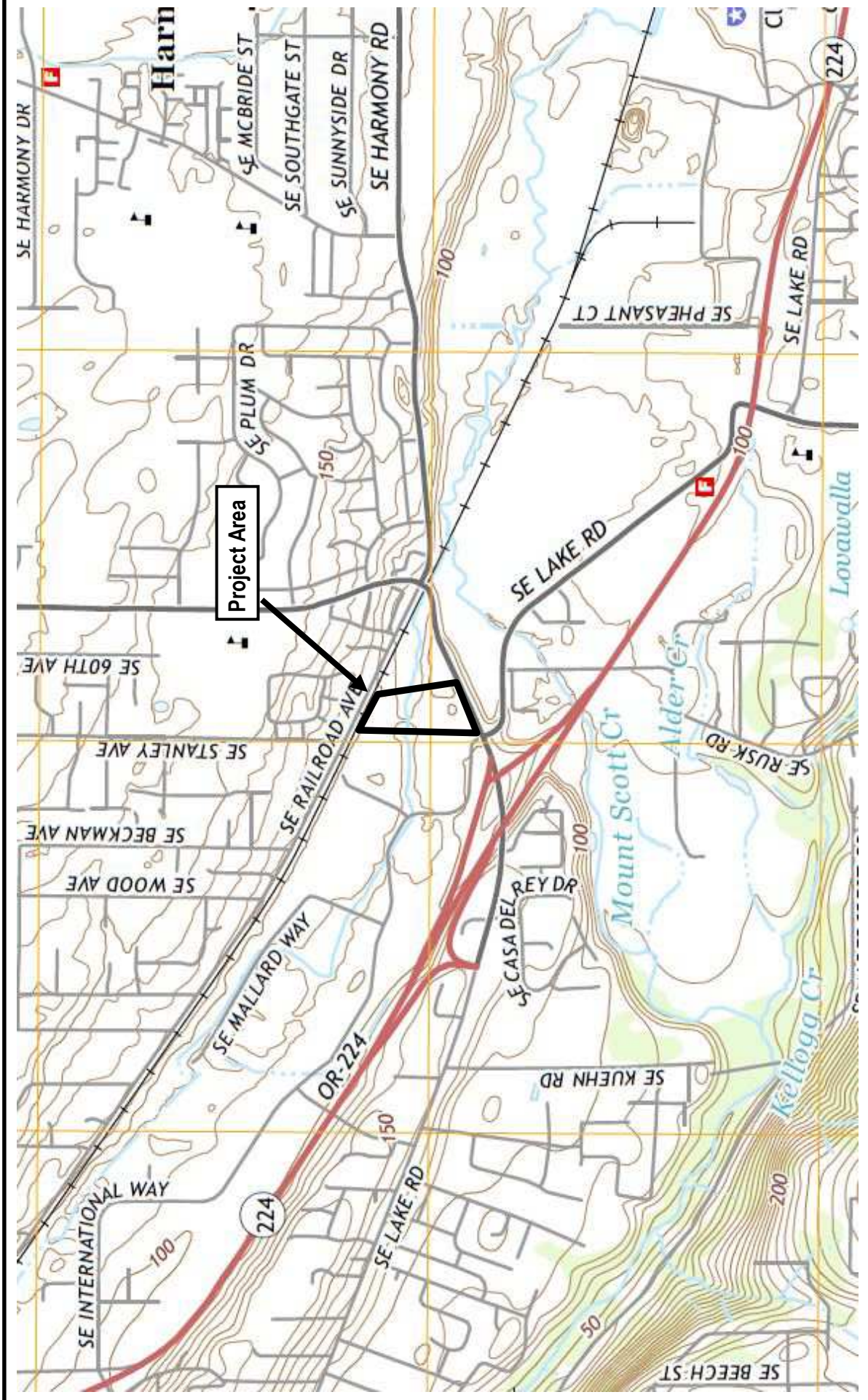


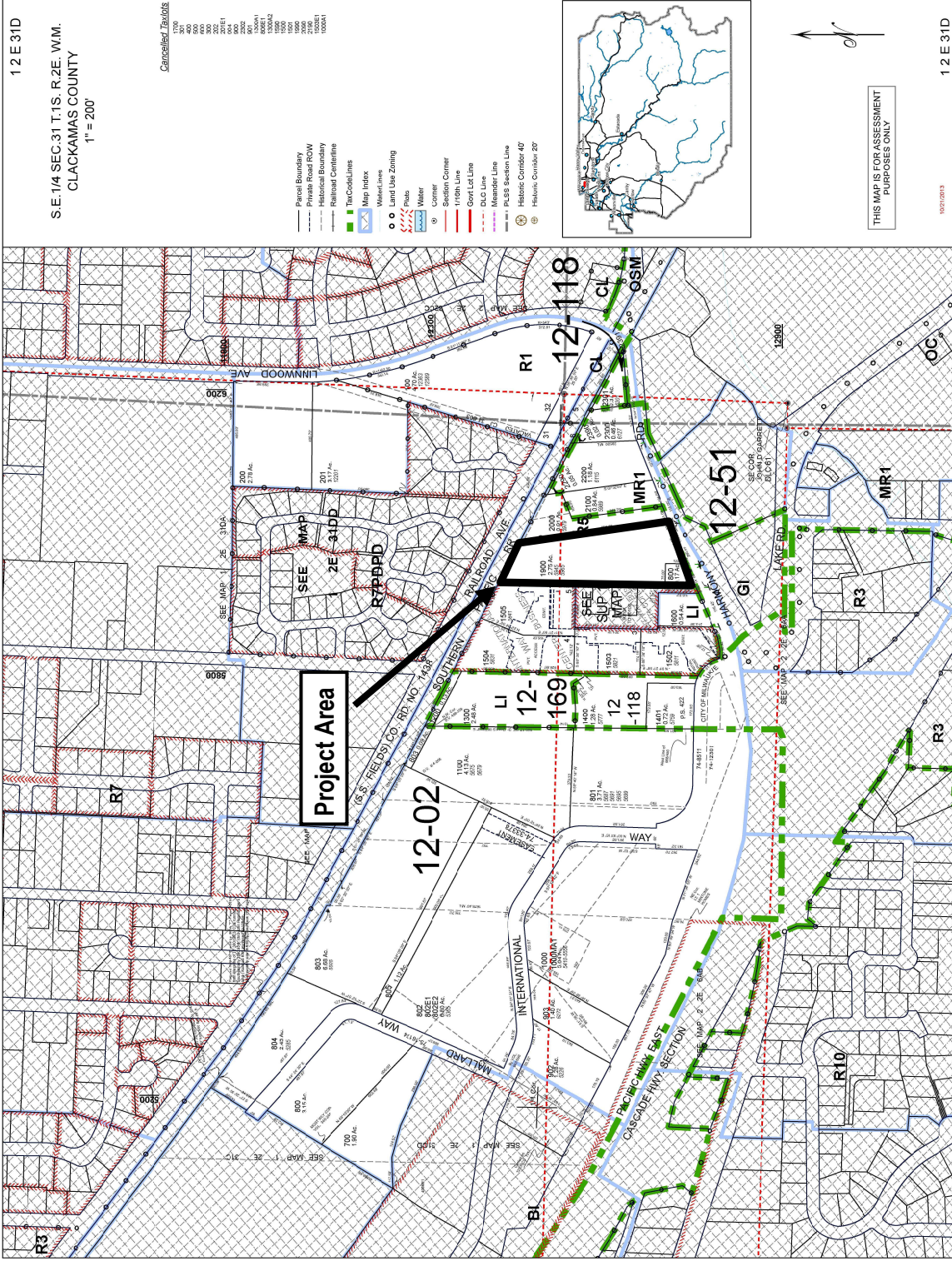
FIGURE  
1

General Location and Topography  
 Harmony Road Self Storage - Milwaukie, Clackamas County, Oregon  
 United States Geological Survey (USGS), Gladstone, OR, 7.5 Quadrangle, 2014

Project #6023  
 09/14/2016



Pacific Habitat Services, Inc.  
 9450 SW Commerce Circle, Suite 180  
 Wilsonville, OR 97070



**FIGURE  
2**

**Tax Lot Map  
Harmony Road Self Storage - Milwaukie, Clackamas County, Oregon  
The Oregon Map (ormap.net)**

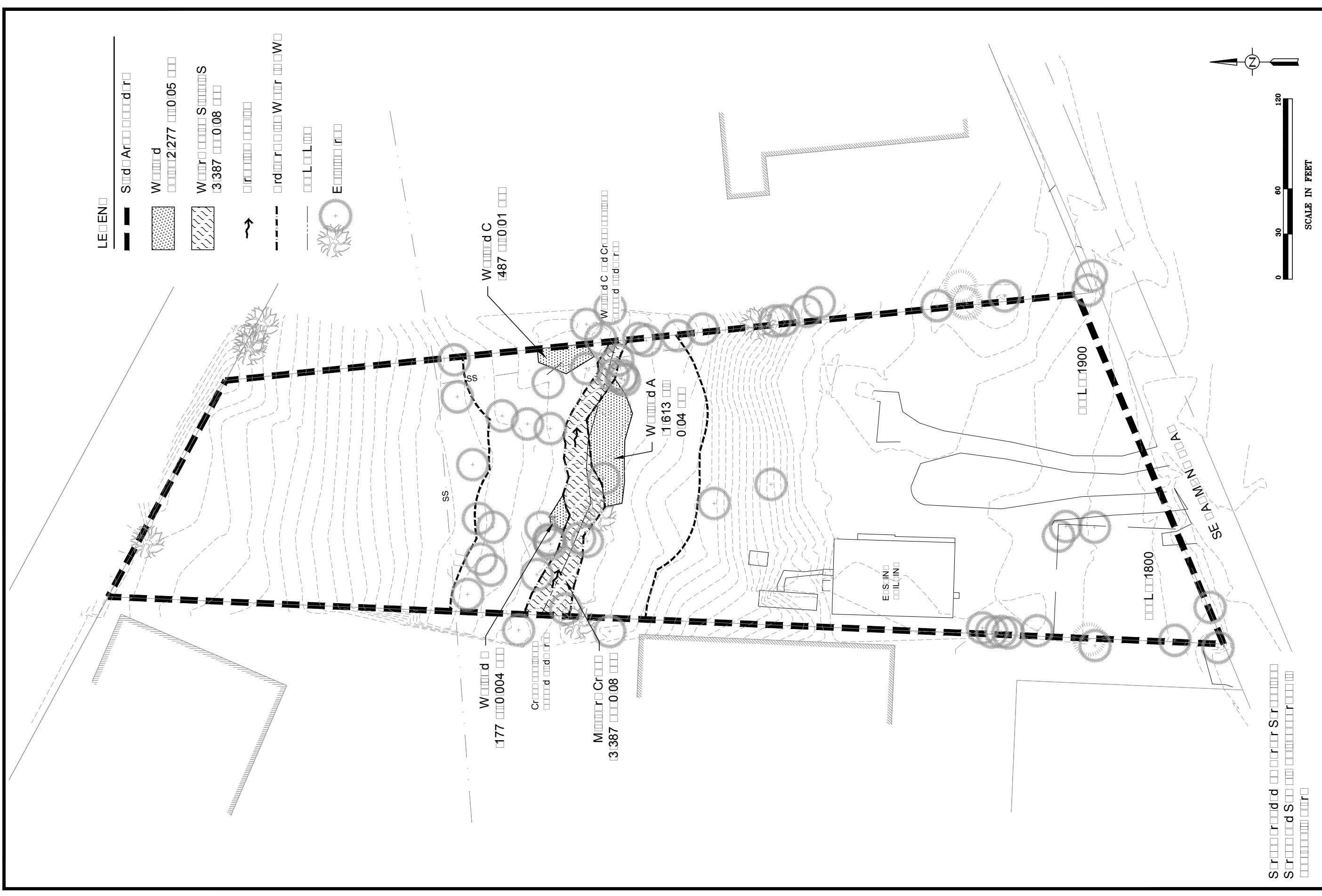
Project #6023  
09/14/2016



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

**LE** EN

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- W 2277 0.05
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- rd
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- E



SS

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M 3387 0.08 Cr

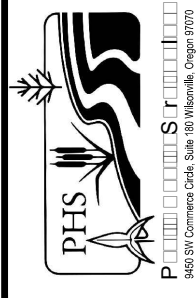
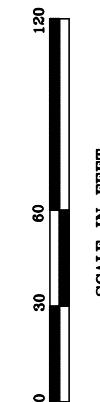
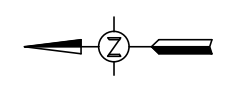
W 487 0.01 C

W 1613 0.04 A

L 1900

L 1800

SEAMEN A



PHS  
 9450 SW Commerce Circle, Suite 160, Wilsonville, Oregon 97070  
 Phone: 503.570.0800 Fax: 503.570.0855

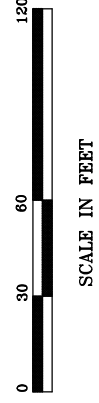
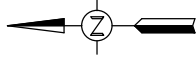
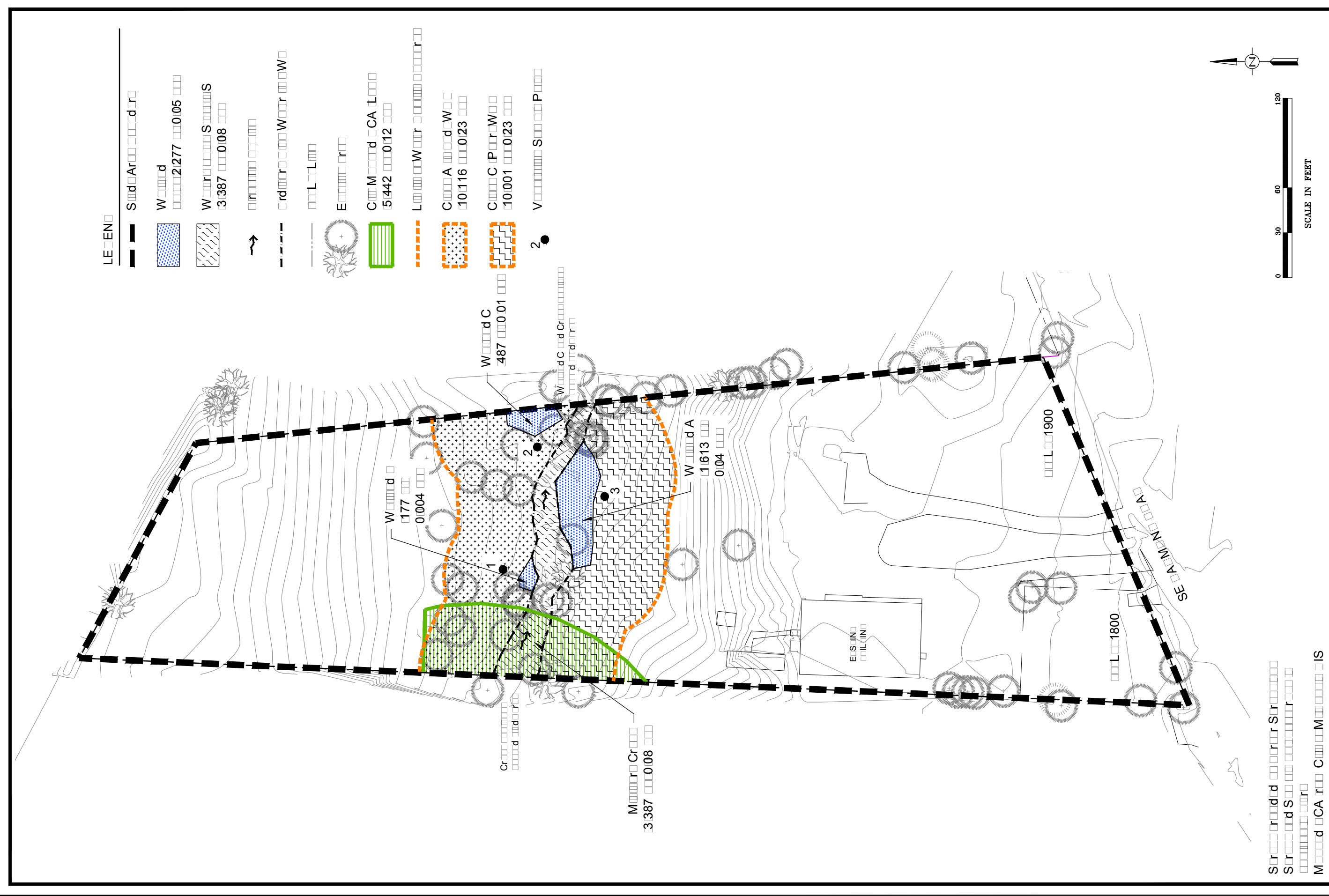
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**3**

9.21.2016



LEGEN

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- rd
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- C M CA L 5:442 0:12
- L W 10:116 0:23
- C A d W 10:001 0:23
- 2 V S P

Side Sid  
 Side Sid  
 M CA C M



9450 SW Commerce Circle, Suite 180, Wilsonville, Oregon 97070  
 Phone: 503.570.0800 Fax: 503.570.0855

Side Sid  
 Side Sid  
 Side Sid



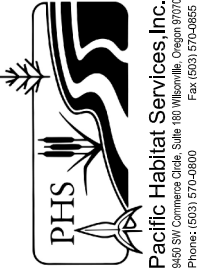
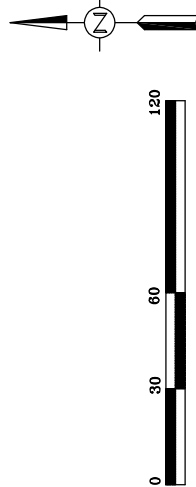
**LEGEND**

- Study Area Boundary
- Wetland  
Total (2,277 sf / 0.05 ac)
- Waters of the State/US  
(3,387 sf / 0.08 ac)
- Direction of Flow
- Ordinary High Water (OHW)
- TaxLot Line
- Permanent WQR Impact  
(4,812 sf / 0.11 ac)
- Temporary WQR Impact  
(280 sf / 0.006 ac)
- City Mapped HCA  
Permanent Impact  
(257 sf / 0.006 ac)
- Tree To Be Removed
- Limits of Disturbance
- Inlet Protection

**TREE REMOVAL TABLE**

TYPE	SIZE
Deciduous	8"
Deciduous	11"
Deciduous	10"
Deciduous	10"
Deciduous	14"
Deciduous	12"

Survey provided by Barker Surveying.  
Survey and Sample point accuracy is  
sub-centimeter. Site Plan provided by  
Sisul Engineering

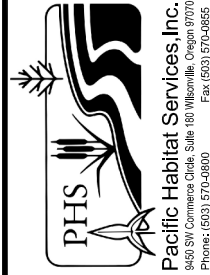
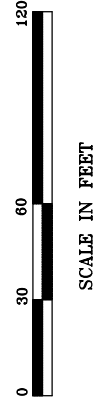


Site Plan With WQR and HCA Impacts  
Harmony Road Self Storage - Clackamas County, OR

FIGURE  
**5**



Survey provided by Barker Surveying.  
 Survey and Sample point accuracy is sub-centimeter. Site plan provided by Sisul Engineering.



Mitigation Plan  
 Harmony Road Self Storage - Clackamas County, OR

FIGURE 6

# Appendix B



# Oregon

Kate Brown, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregonstatelands.us](http://www.oregonstatelands.us)

March 4, 2015

HT Investment Properties, LLC  
Attn: Hans Thygeson  
825 Harritt Dive Northwest  
Salem, OR 97304

Re: WD #2014-0547 Wetland Delineation Report for a Proposed Commercial  
Development at 6011 SE Harmony Road  
Clackamas County; T1S R2E Sec. 31D, Tax Lots 1800 and 1900

Dear Mr. Thygeson:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services, Inc. for the site referenced above. Based upon the information presented in the report and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figure 6 of the report. Within the study area, three wetlands (totaling approximately 0.054 acres) and a segment of Minthorn Creek were identified.

The wetlands and creek are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,



Peter Ryan, PWS  
Jurisdiction Coordinator

Approved by



Kathy Verble, CPSS  
Aquatic Resource Specialist

Enclosures

ec: Craig Tumer, PWS, Pacific Habitat Services  
City of Milwaukie Planning Department  
Dominic Yballe, Corps of Engineers  
Anita Huffman, DSL



WP# 2014-0547

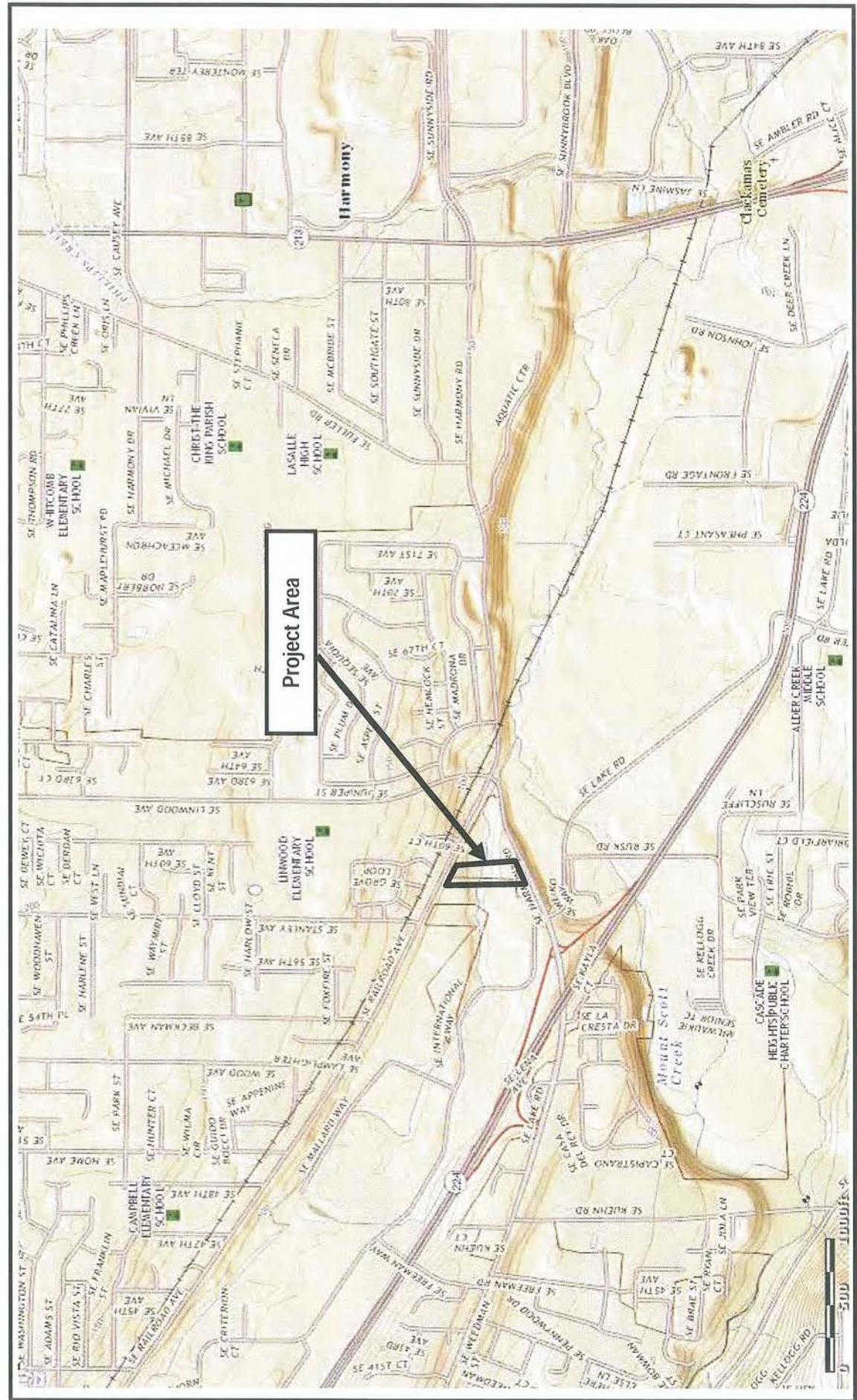


FIGURE 1

General Location and Topography  
6011 SE Harmony Road - Portland, Oregon  
(USGS The National Map Viewer, Gladstone Quadrangle, 2014)

4096  
12/16/14



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

WD# 2014-0547

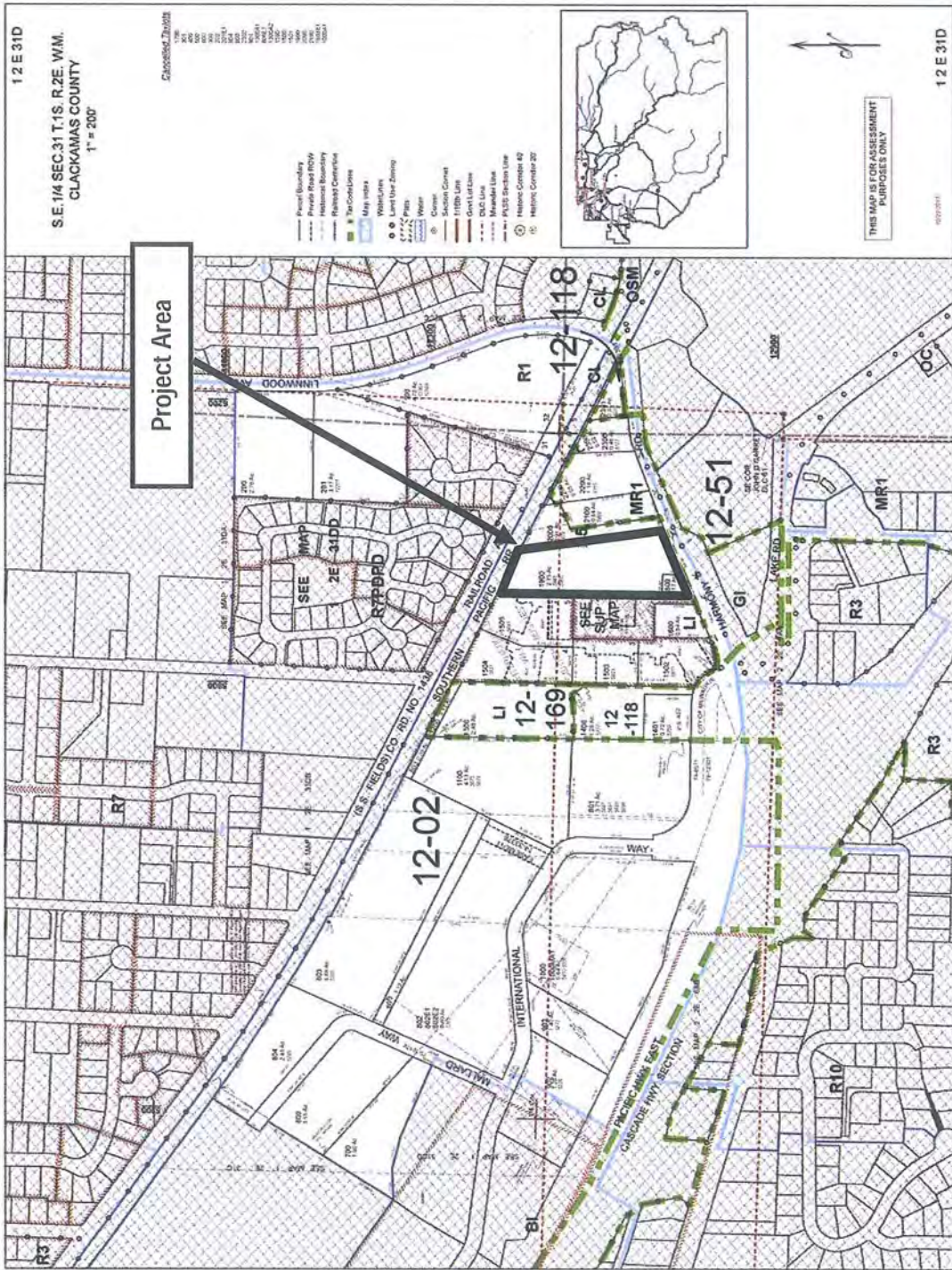


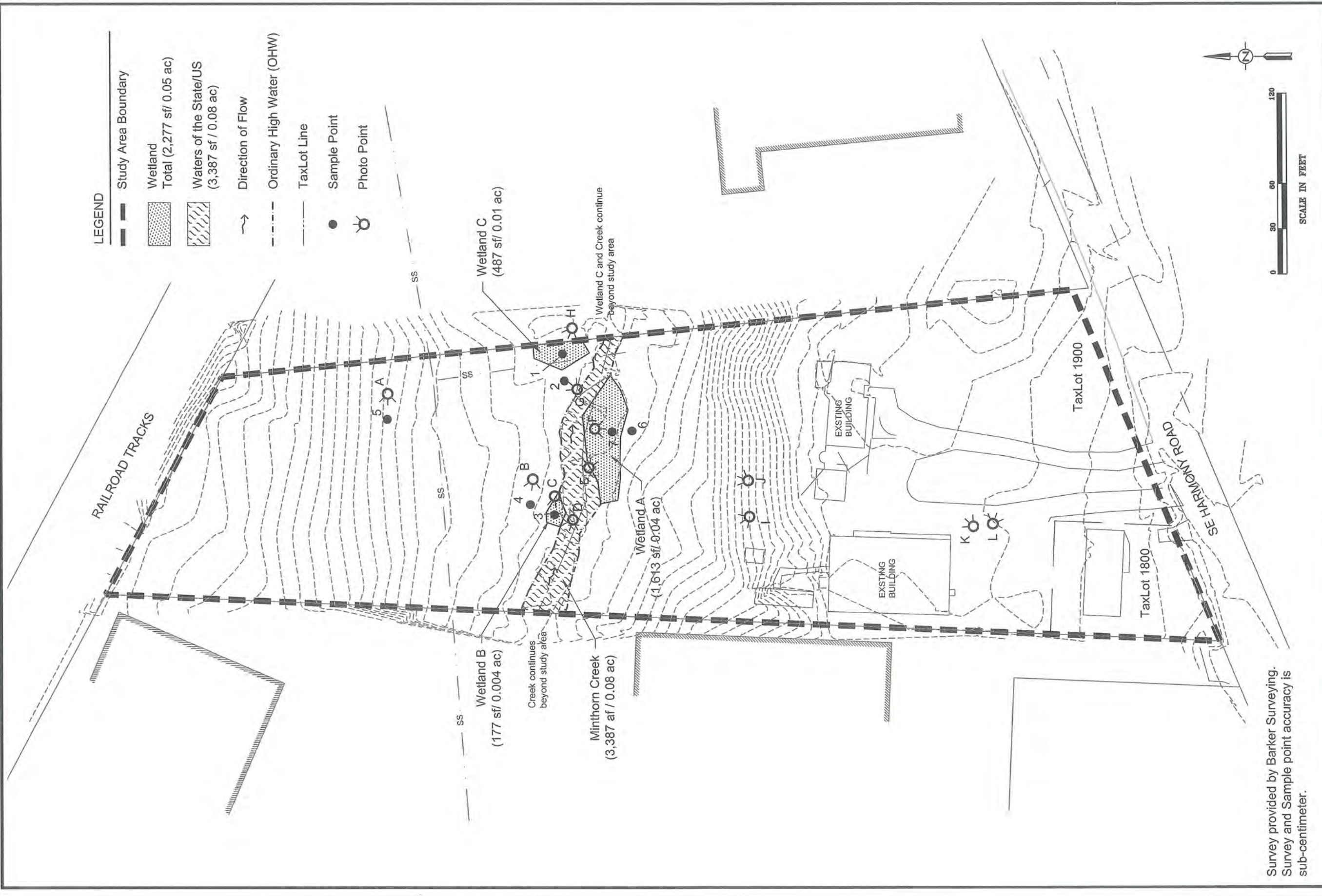
FIGURE 2

Tax Lot Map 12 E 31D, lots 1800 & 1900 Clackamas County 6011 SE Harmony Road - Portland, Oregon (ormap.net, 2014)

4096  
12/16/14



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070



**DSL WD #** 2014-0547

**Approval Issued** 3/4/2015

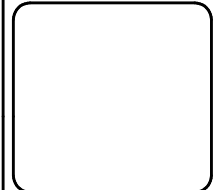
**Approval Expires** 3/4/2020

Wetland Delineation  
6011 SE Harmony Road - Clackamas County, OR

FIGURE  
**6**

12-05-2014

REVISIONS	DATE



**CREATIONS  
NORTHWEST**  
West Linn, Oregon

**HARMONY ROAD  
SELF STORAGE**  
5965 SE Harmony Rd  
Milwaukie, Oregon

COMMERCIAL STORAGE BUILDINGS  
**PRELIMINARY  
LANDSCAPE  
PLAN**

CADD NAME:  
HARMONY LNDSCLP  
DATE: 7-15-15  
SCALE: AS SHOWN  
DRAWN BY: R L H  
PROJECT #HARMONY

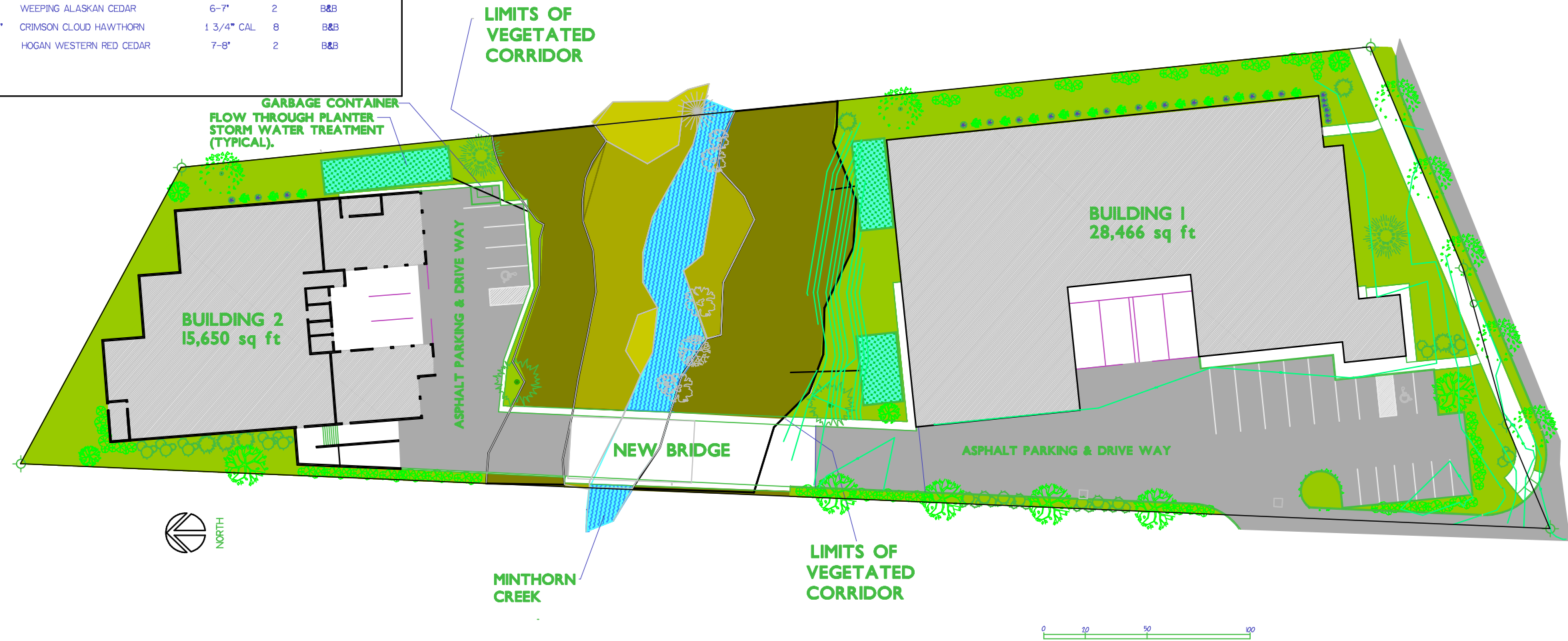
SHEET No.  
**4.1**  
of

**LANDSCAPE LEDGEND:**

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QTY.	COMMENTS
<b>GROUNDCOVERS/ PERENNIALS</b>					
■	ACTOSTAPHYLOS UVA-URSI	KINNICKINICK	1 GAL.	3" O.C.	CONTAINER
■	CAREX STIPATA	SAWBEEK SEDGE	1 GAL.	12" O.C.	CONTAINER
■	IRIS SIBERIAN	SIBERIAN IRIS	1 GAL.	12" O.C.	CONTAINER
■	MOHONIA REPENS	CREEPING MAHONIA	1 GAL.	3" O.C.	CONTAINER
■	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL.	12" O.C.	CONTAINER
■	RUBUS CALYCIPOIDES	CREEPING RASBERRY	4" POT	3" O.C.	CONTAINER
<b>SHRUBS</b>					
●	CORNUS ALBA 'ELAGANTISSIMA'	VARIGATED REDTRIG DOGWOOD	3 GAL.	4	CONTAINER
●	HOLODISCUS DISCOLOR	OCEANSPRAY	3 GAL.	16	CONTAINER
●	MAHONIA AQUIFOLIUM	OREGON GRAPE	5 GAL.	35	CONTAINER
●	ROSA RUGOSA	RUGOSA ROSE	3 GAL.	6	CONTAINER
●	SPIRAEA DOUGLASII	DOUGLASII WESTERN SPIRAEA	3 GAL.	3	CONTAINER
●	BERBERIS THUNDERGII	BAR BERRY	3 GAL.	30	CONTAINER
●	BOXUS SINICA	BOXWOOD	3 GAL.	21	CONTAINER
<b>TREES</b>					
●	ACER CIRCINATUM	VINE MAPLE	5-6'	5	B&B
●	CHAMAECYPARIS NOOT 'PENDULA'	WEeping ALASKAN CEDAR	6-7'	2	B&B
●	CRATAEGUS LAEV. 'CRIMSON CLOUD'	CRIMSON CLOUD HAWTHORN	1 3/4" CAL.	8	B&B
●	THUJA PLICATA 'HOGAN'	HOGAN WESTERN RED CEDAR	7-8'	2	B&B

**APPROXIMATE AREAS:**

TOTAL LOT AREA :	124,843 SQ FT
(15% = 18,726.45 SQ FT)	
BUILDING AREA:	44,116 SQ FT
LANDSCAPED AREA: BARNDOUST AND BEDS:	26,000 SQ FT
PARKING & DRIVEWAYS:	22,010 SQ FT
BALANCE OF AREA IS CREEK AND BRIDGE	



# PRELIMINARY LANDSCAPE PLAN

SCALE: 1" = 20'-0"

REVISIONS	DATE

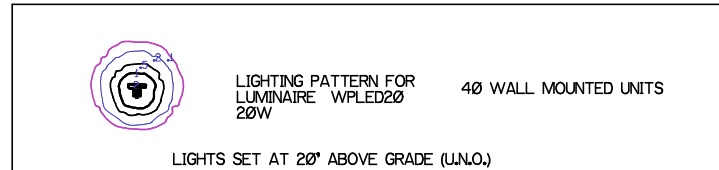
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NORTHWEST**  
West Linn, Oregon

**HARMONY ROAD  
SELF STORAGE**  
5965 SE Harmony Rd  
Milwaukie, Oregon

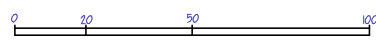
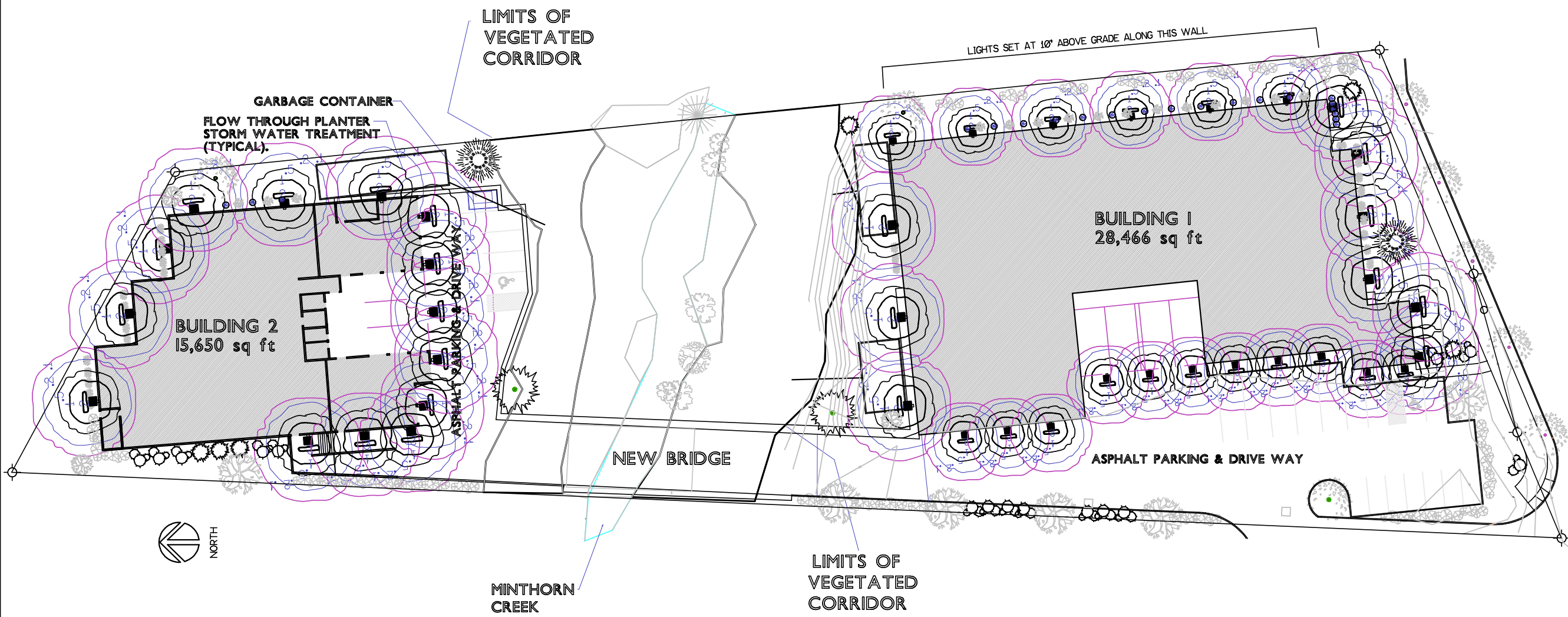
COMMERCIAL STORAGE BUILDINGS  
**PRELIMINARY  
LIGHTING  
PLAN**

CADD NAME:  
HARMONY LITING  
DATE: 9-26-16  
SCALE: AS SHOWN  
DRAWN BY: R L H  
PROJECT #HARMONY

SHEET No.  
**4.2**  
of

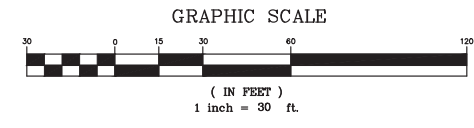
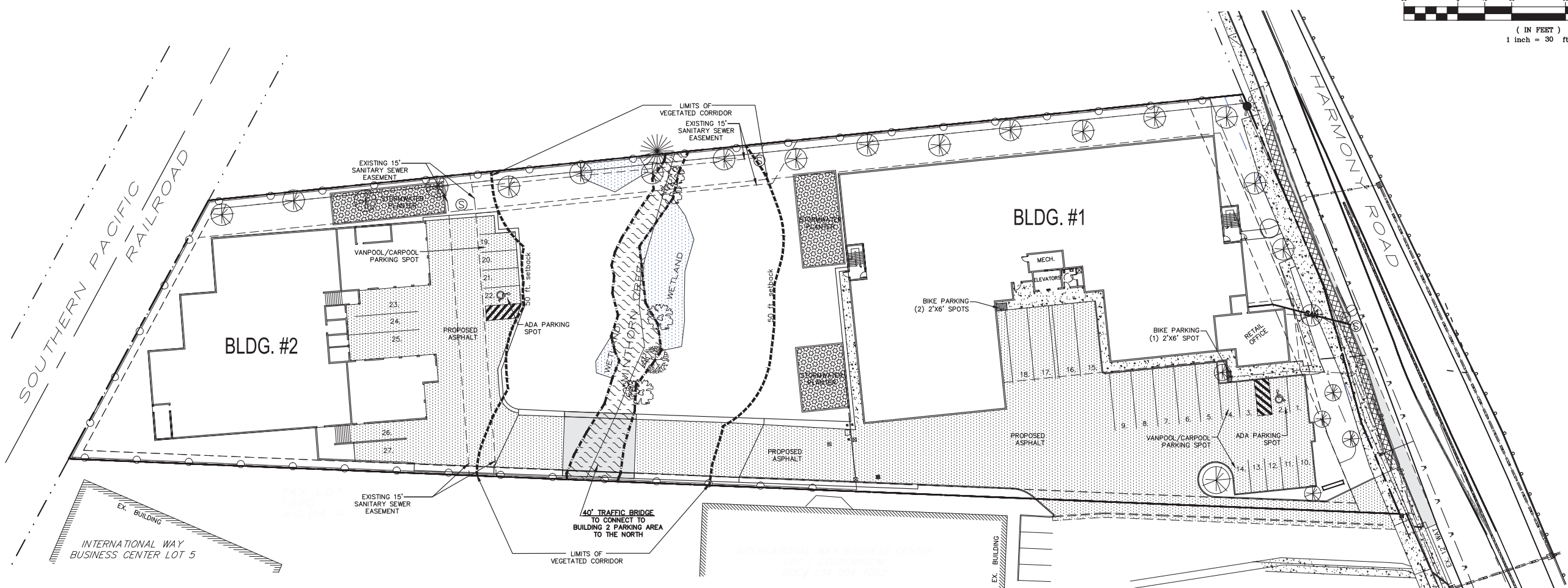


APPROXIMATE AREAS:  
TOTAL LOT AREA : 124,843 SQ FT  
(15% = 18,726.45 SQ FT)  
BUILDING AREA: 44,116 SQ FT



# PRELIMINARY LIGHTING PLAN

SCALE: 1" = 20'-0"



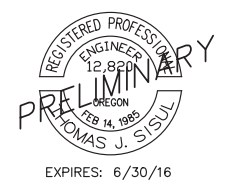
PLAN VIEW  
SCALE: 1"=30'

REVISIONS	BY

HARMONY ROAD  
SELF STORAGE  
H.T. INVESTMENTS, LLC.

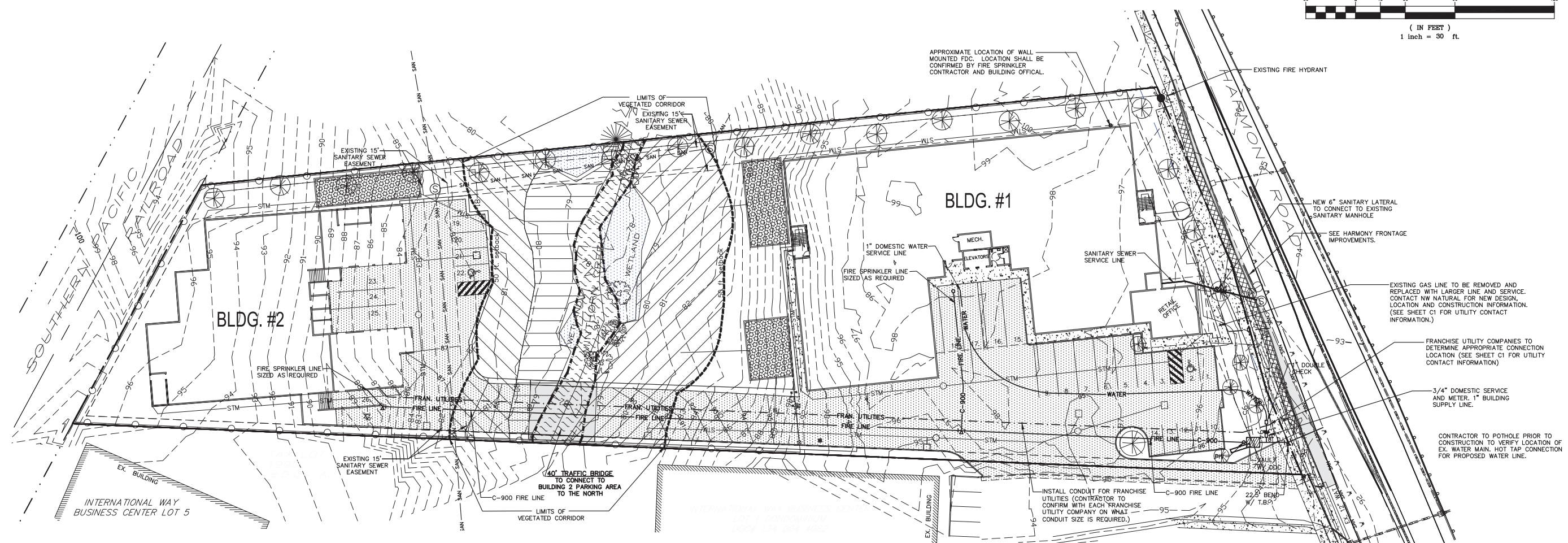
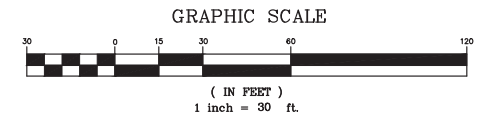
Preliminary Site Plan

**SISUL ENGINEERING**  
375 PORTLAND AVENUE  
CLATSOP COUNTY, OREGON 97027  
(503) 667-0188  
DRAWING: s07-113-SI.E.dwg



DATE	SEPT 2016
SCALE	NOTED
DRAWN	JVM
JOB	SGL 07-113
SHEET	C1
DF	6 SHEETS

REVISIONS	BY
REVISED PER CITY COMMENTS (9-28-16)	JM

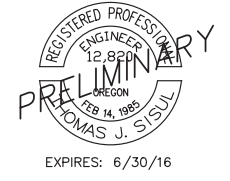


**PLAN VIEW**  
SCALE: 1"=30'

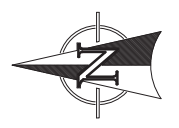
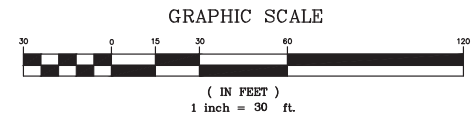
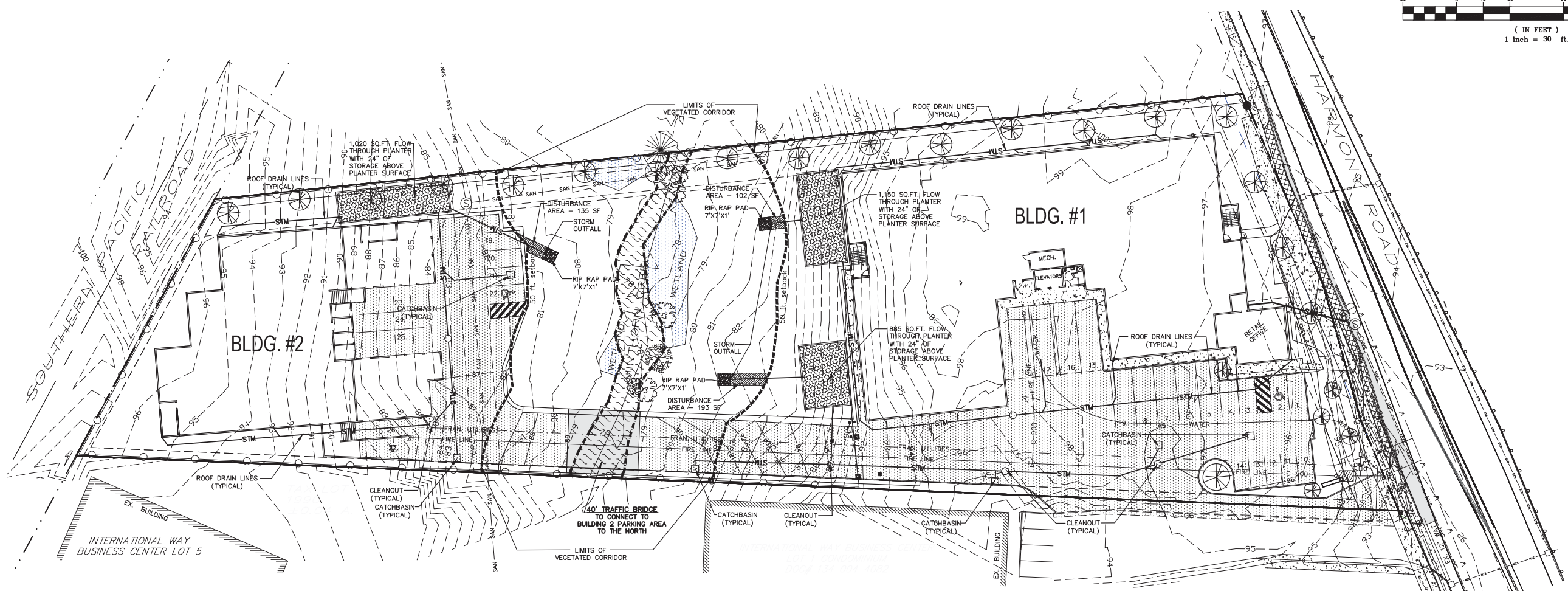
**HARMONY ROAD SELF STORAGE**  
H.T. INVESTMENTS, LLC.

Preliminary Utility Plan

**SISUL ENGINEERING**  
375 PORTLAND AVENUE  
CLATSOP COUNTY, OREGON 97027  
(503) 667-0180  
DRAWING: c07-113-UTILITY.dwg



DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	C2
OF	6 SHEETS



**PLAN VIEW**  
SCALE: 1"=30'

REVISIONS	BY
REVISED PER CITY COMMENTS (P-26-16)	JM

**HARMONY ROAD  
SELF STORAGE**  
H. T. INVESTMENTS, LLC.

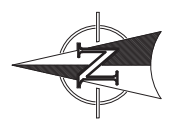
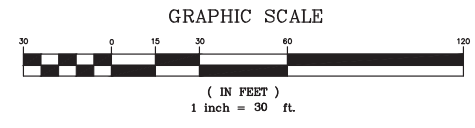
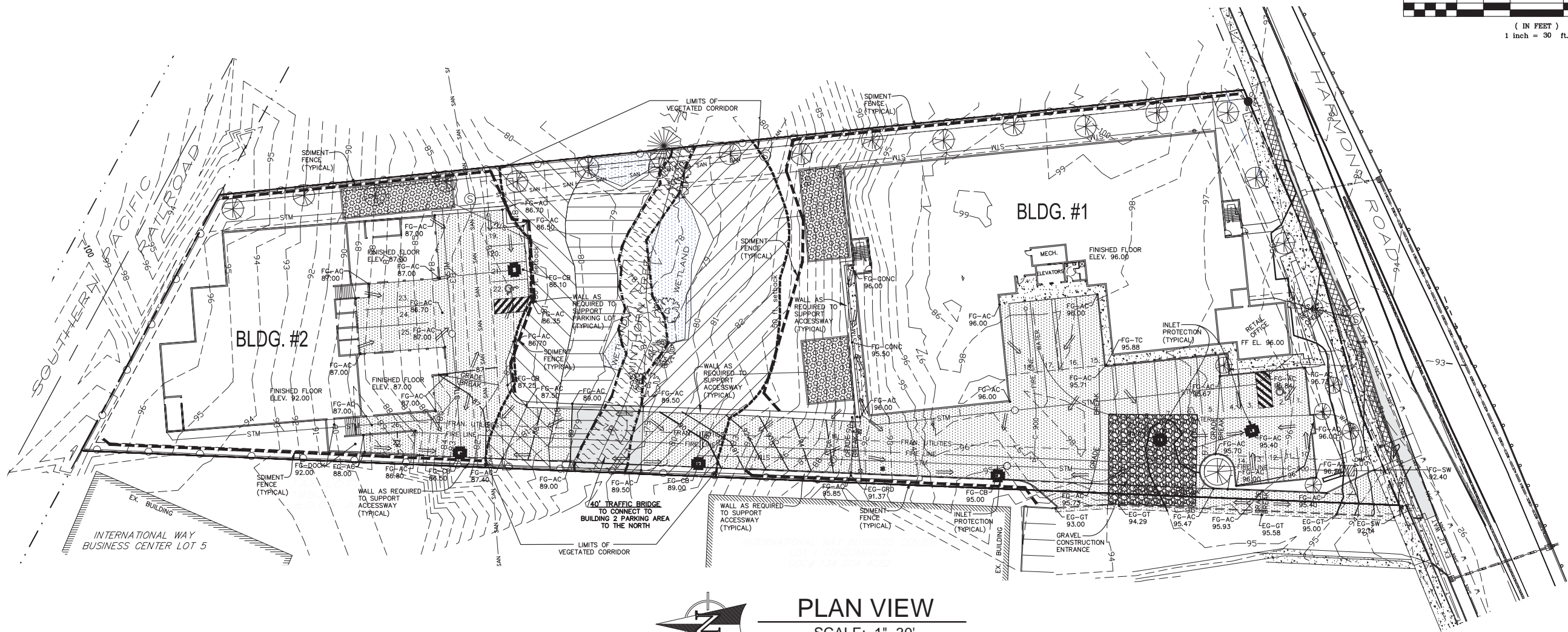
Preliminary Storm Drain Plan

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188  
DRAWING: c07-113-STORM.dwg

DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	<b>C3</b>
OF 6 SHEETS	







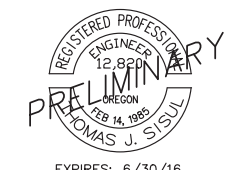
**PLAN VIEW**  
SCALE: 1"=30'

REVISIONS	BY
REVISED PER CITY COMMENTS (P-26-16)	JM

**HARMONY ROAD  
SELF STORAGE**  
H. T. INVESTMENTS, LLC.

Preliminary Grading and  
Erosion Control Plan

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188  
DRAWING: c07-113-GRABE.dwg



EXPIRES: 6/30/16

DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	<b>C4</b>
OF 6 SHEETS	

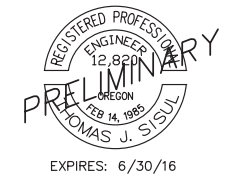
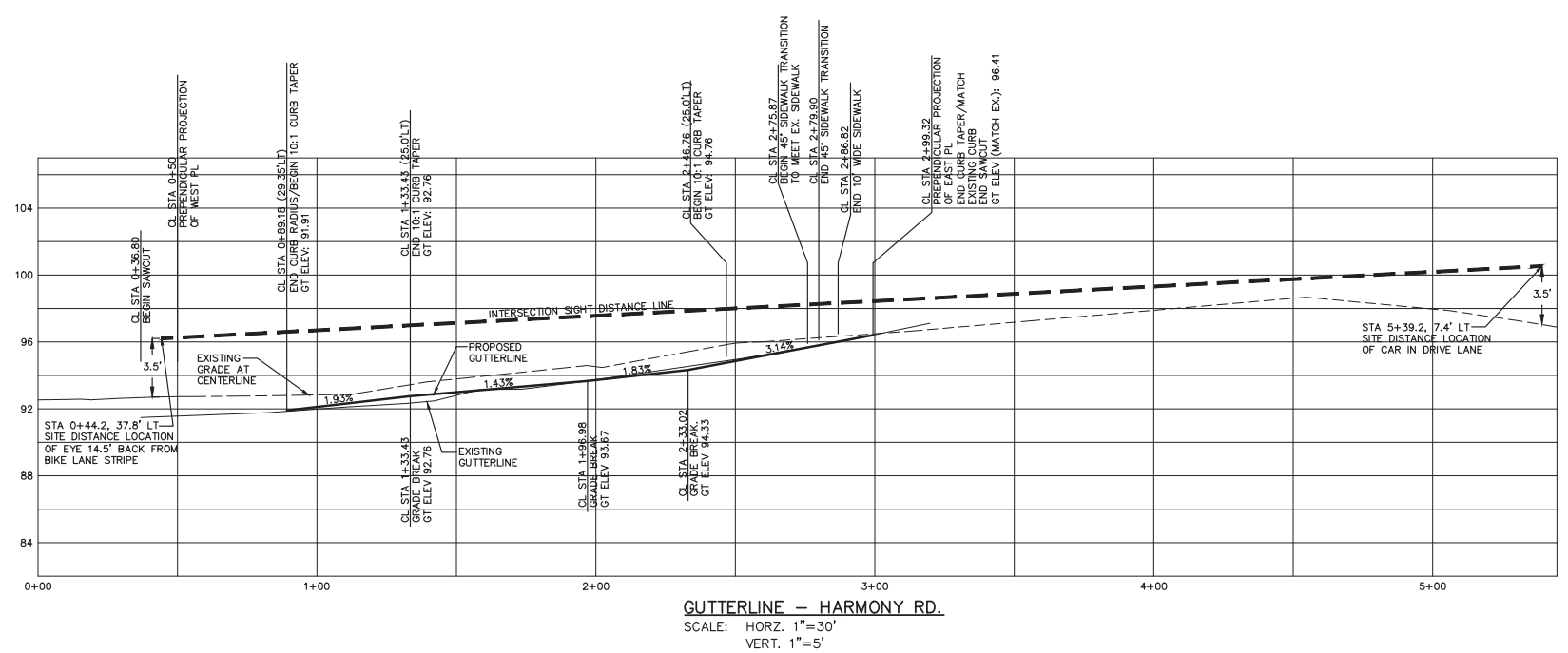
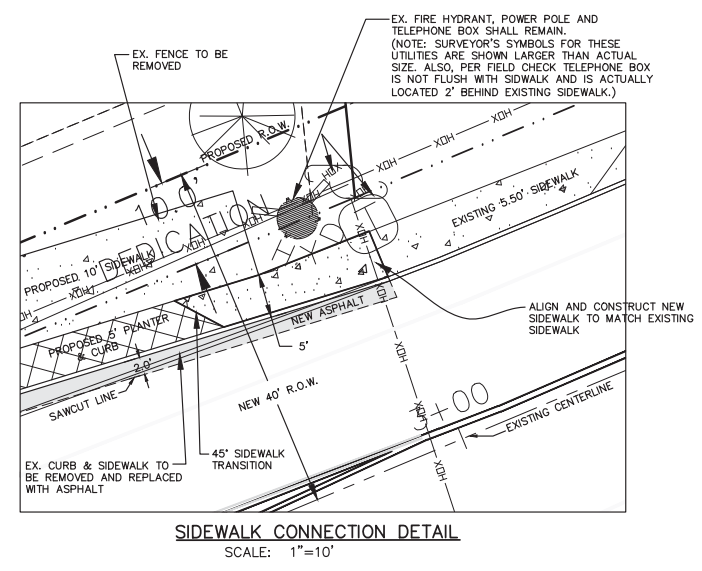
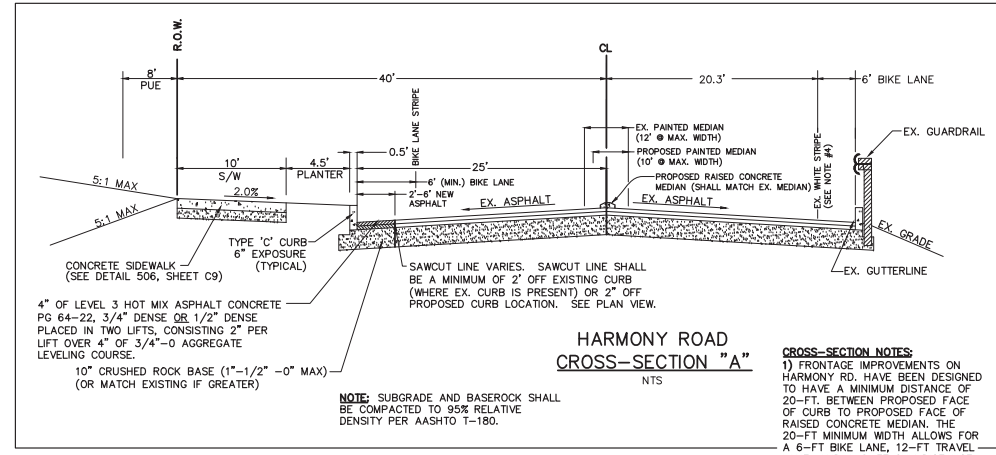
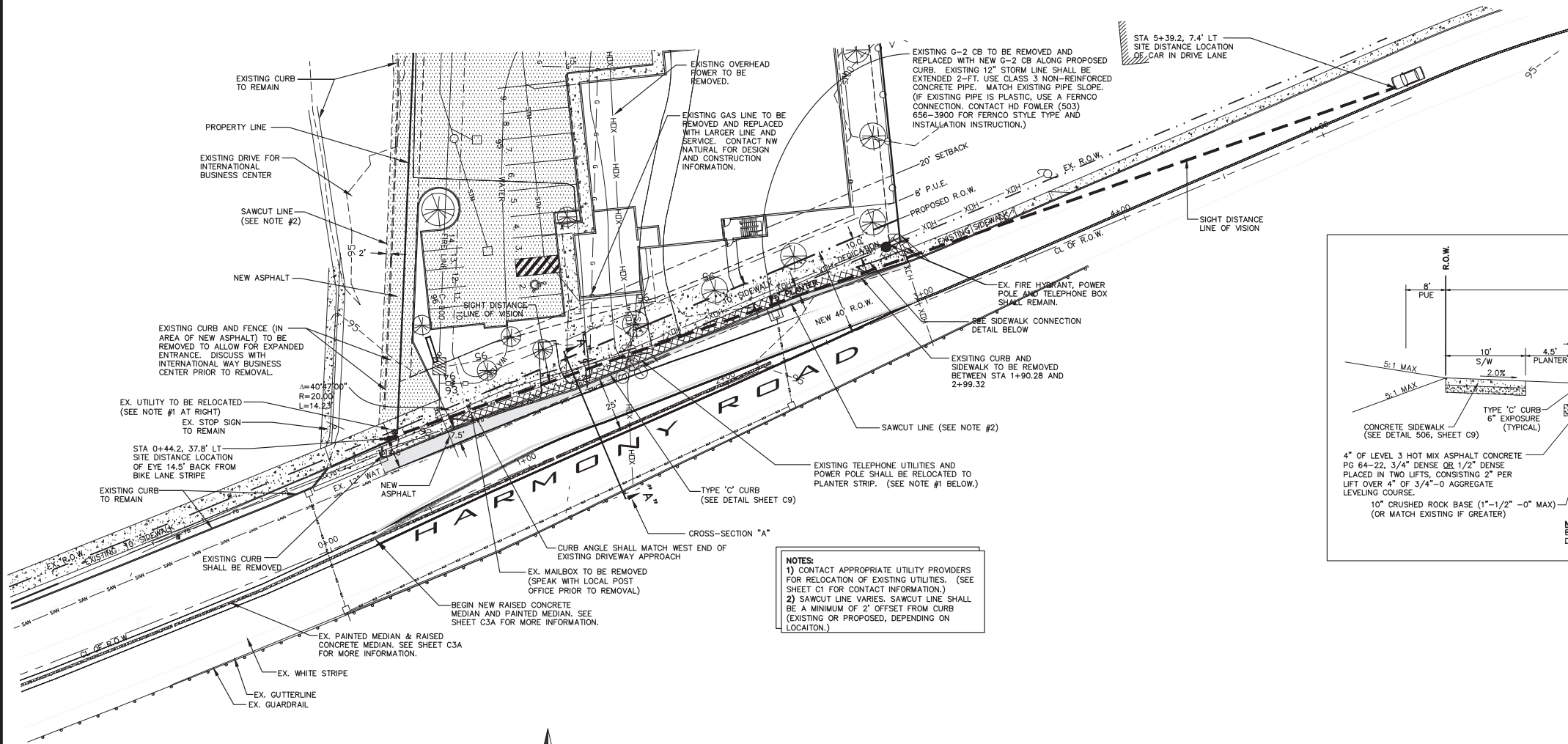
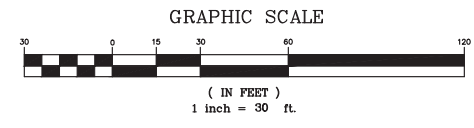
REVISIONS	BY
REVISED PER CITY COMMENTS (9-28-16)	JJM

**HARMONY ROAD SELF STORAGE**  
H. T. INVESTMENTS, LLC.

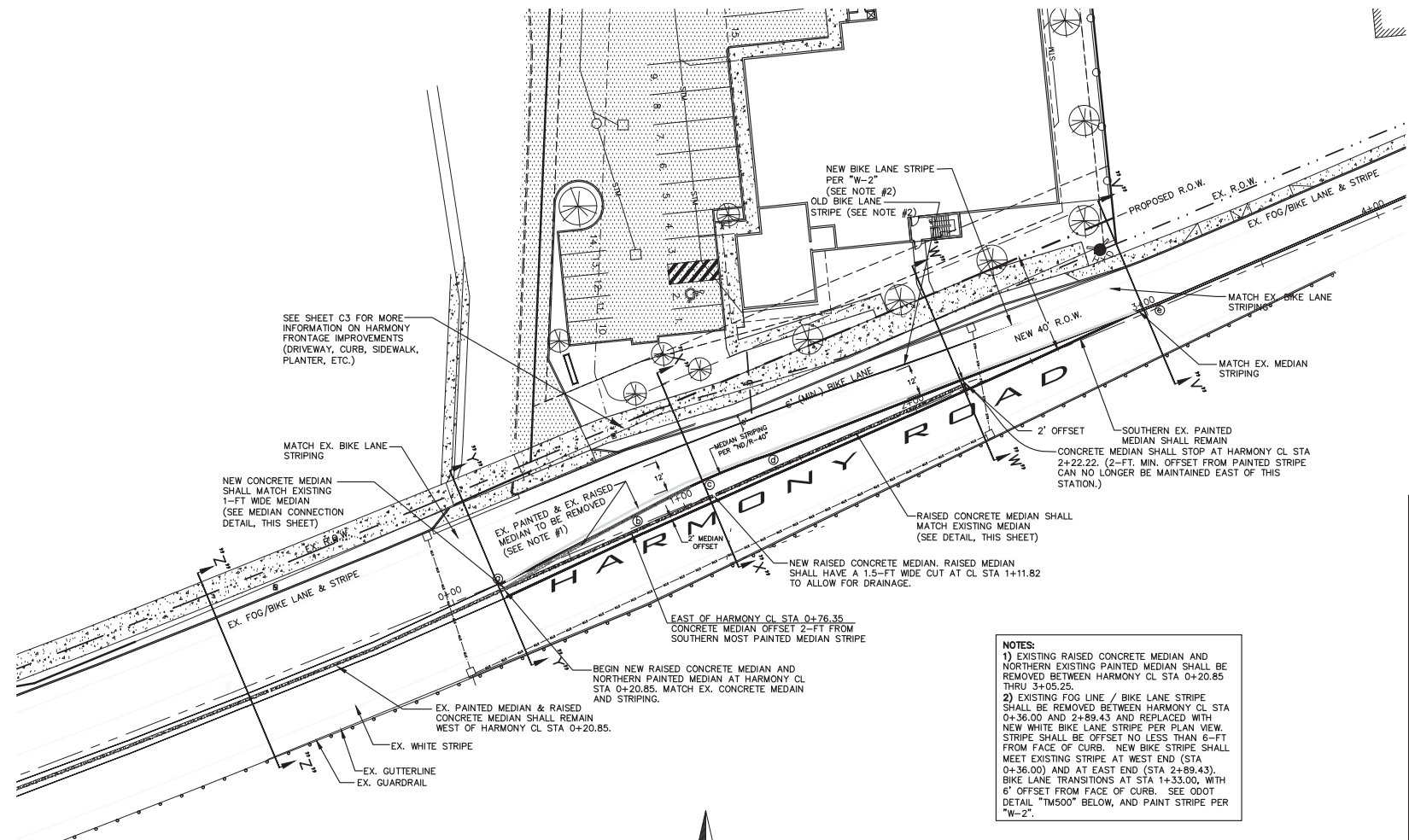
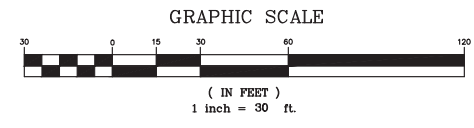
Harmony Frontage Improvements

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188  
DRAWING: c07-113-FRONTAGE.dwg

DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	C5
OF	6 SHEETS



REVISIONS	BY
REVISED PER CITY COMMENTS (9-28-16)	JJM

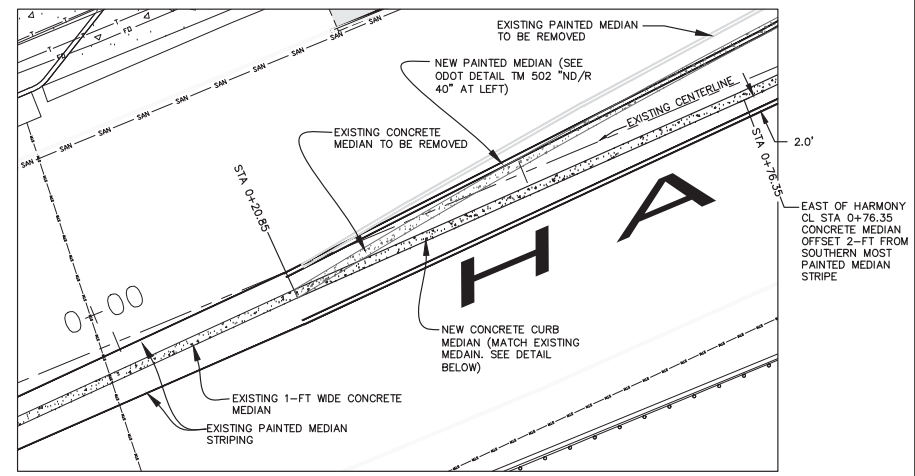


**NEW NORTH PAINTED MEDIAN**

POINT	STA	OFFSET FROM EX. PAINTED MEDIAN	LINE TYPE
ⓐ	0+24.54	VARIABLE	LINE
ⓑ	0+81.03	2'-FT.	SEE NOTE 1 BELOW
ⓒ	1+10.32	2'-FT.	SEE NOTE 1 BELOW
ⓓ	1+39.70	2'-FT.	SEE NOTE 1 BELOW
ⓔ	3+05.25	VARIABLE	LINE

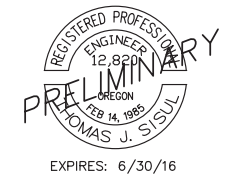
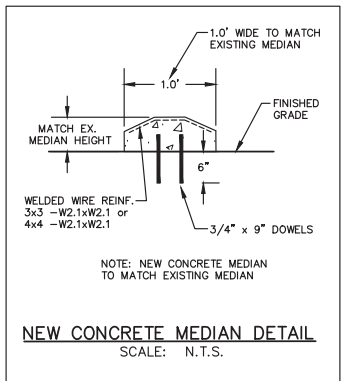
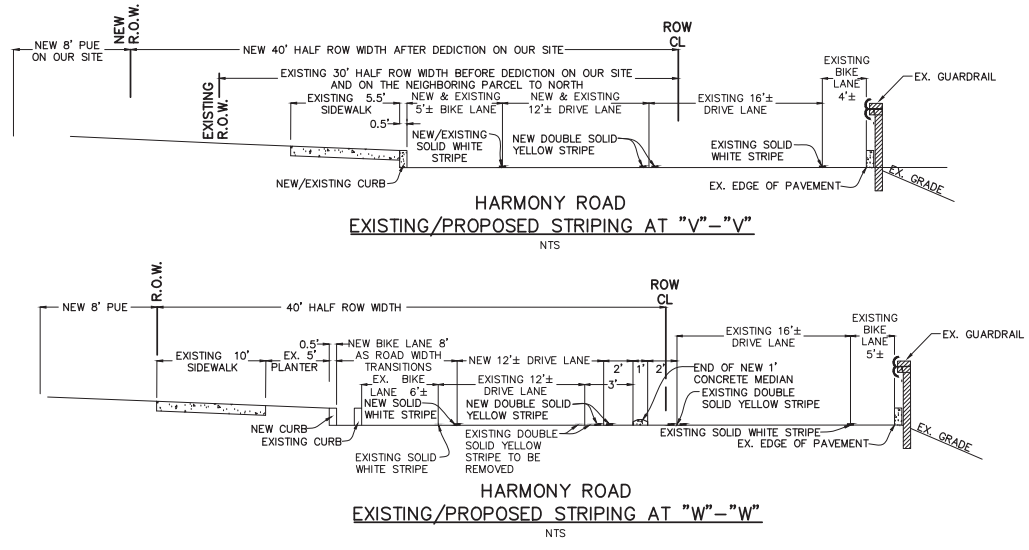
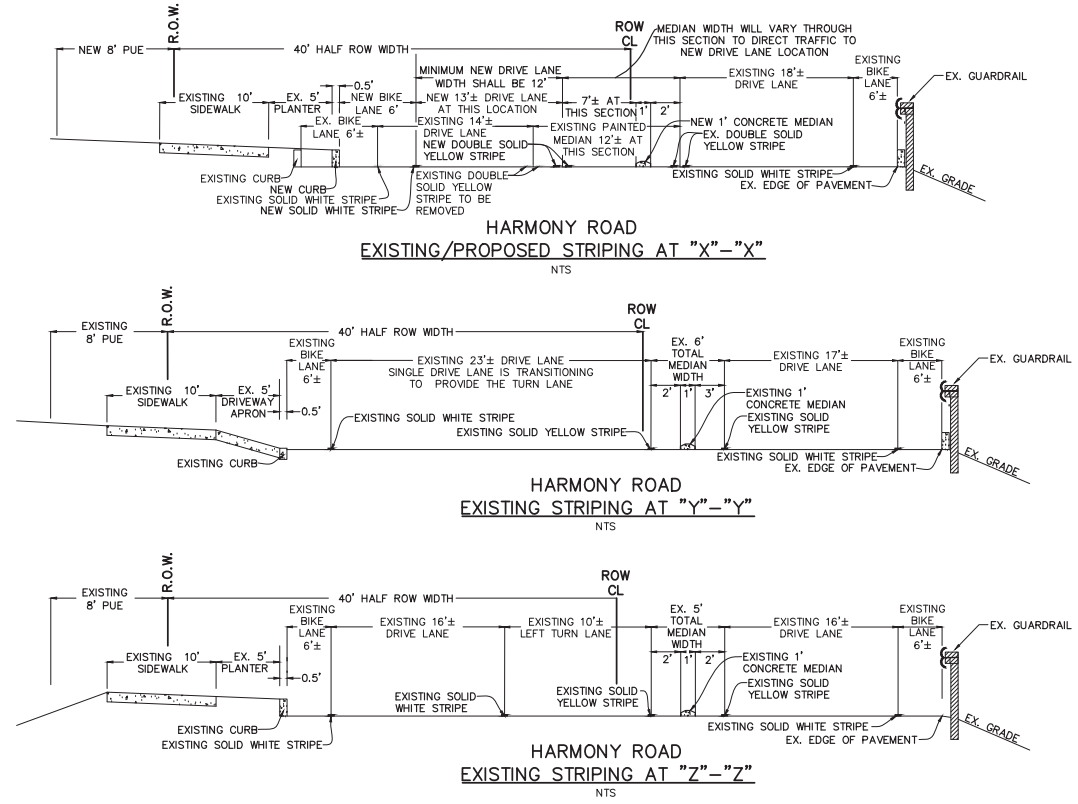
**NOTE:**  
 1) POINTS ⓐ, ⓑ, & ⓓ ARE POINTS ON A SINGLE ARC. ARC INFO: DELTA = 11°30'00", RADIUS = 284.57', LENGTH = 58.80'.  
 2) NEW CONCRETE MEDIAN SHALL BE AT LEAST 2'-FT FROM THE EXISTING SOUTHERN STRIPE.  
 3) NEW NORTH MEDIAN STRIPING NECESSARY TO ALLOW ROOM FOR 6'-FT. BIKE LANE AND 12'-FT. TRAVEL LANE.  
 4) PROPOSED STRIPING SHALL FOLLOW ODOT DETAIL TM502 'ND/R-40', SHOWN THIS SHEET.

**NOTES:**  
 1) EXISTING RAISED CONCRETE MEDIAN AND NORTHERN EXISTING PAINTED MEDIAN SHALL BE REMOVED BETWEEN HARMONY CL STA 0+20.85 THRU 3+05.25.  
 2) EXISTING FOG LINE / BIKE LANE STRIPE SHALL BE REMOVED BETWEEN HARMONY CL STA 0+36.00 AND 2+89.43 AND REPLACED WITH NEW WHITE BIKE LANE STRIPE PER PLAN VIEW. STRIPE SHALL BE OFFSET NO LESS THAN 6'-FT FROM FACE OF CURB. NEW BIKE STRIPE SHALL MEET EXISTING STRIPE AT WEST END (STA 0+36.00) AND AT EAST END (STA 2+89.43). BIKE LANE TRANSITIONS AT STA 1+33.00, WITH 6' OFFSET FROM FACE OF CURB. SEE ODOT DETAIL "TM500" BELOW, AND PAINT STRIPE PER "W-2".



**PLAN VIEW**  
SCALE: 1"=30'

**MEDIAN CONNECTION DETAIL**  
SCALE: 1"=10'



**HARMONY ROAD SELF STORAGE**  
H. T. INVESTMENTS, LLC.

Harmony Median & Striping Plan

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
CLATSOP COUNTY, OREGON 97027  
(503) 657-0188  
DRAWING: c07-113-FRONTAGE.dwg

DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	C6
OF	6 SHEETS

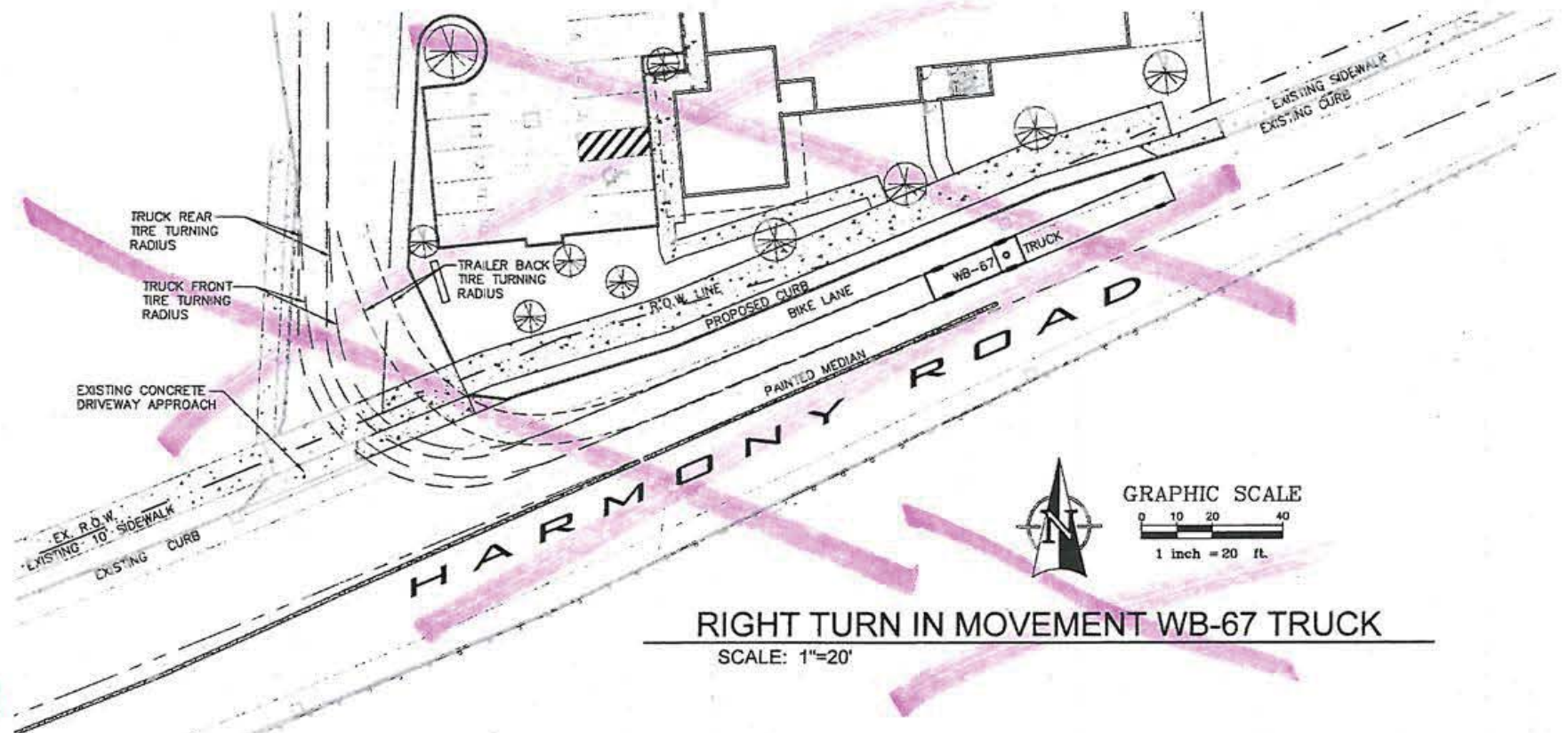
REVISIONS	BY

HARMONY ROAD  
SELF STORAGE

Harmony Truck Turning Motions

**SISUL ENGINEERING**  
375 PORTLAND AVENUE  
CLATSOP, OREGON 97027  
(503) 857-0188

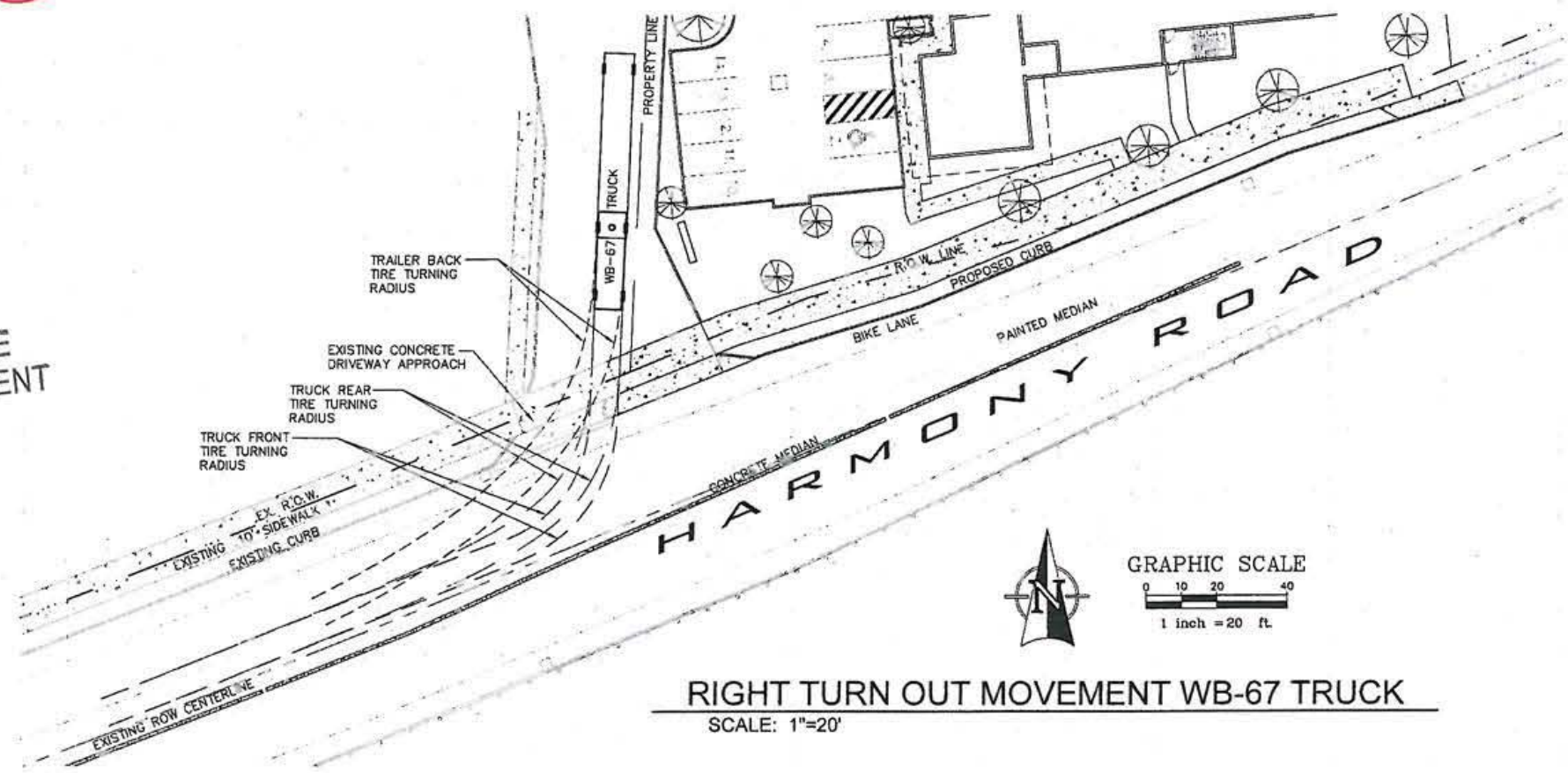
DATE	JULY 2016
SCALE	NOTED
DRAWN	JEE
JOB	SQL 07-113
SHEET	1
OF	1 SHEETS



RIGHT TURN IN MOVEMENT WB-67 TRUCK  
SCALE: 1"=20'

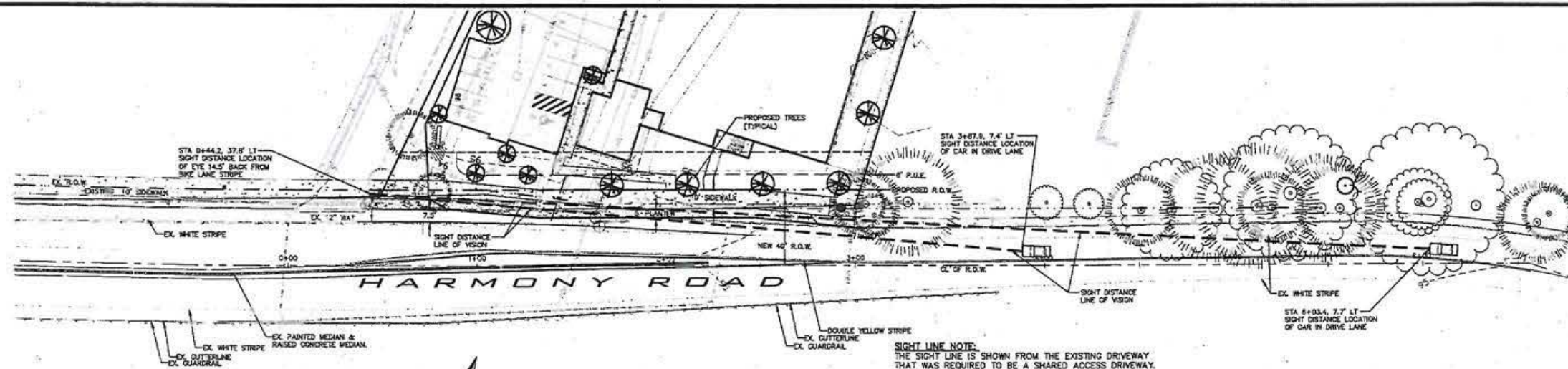
*Per applicant, will be right-out only. (b2)*

RECEIVED  
OCT 07 2016  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT



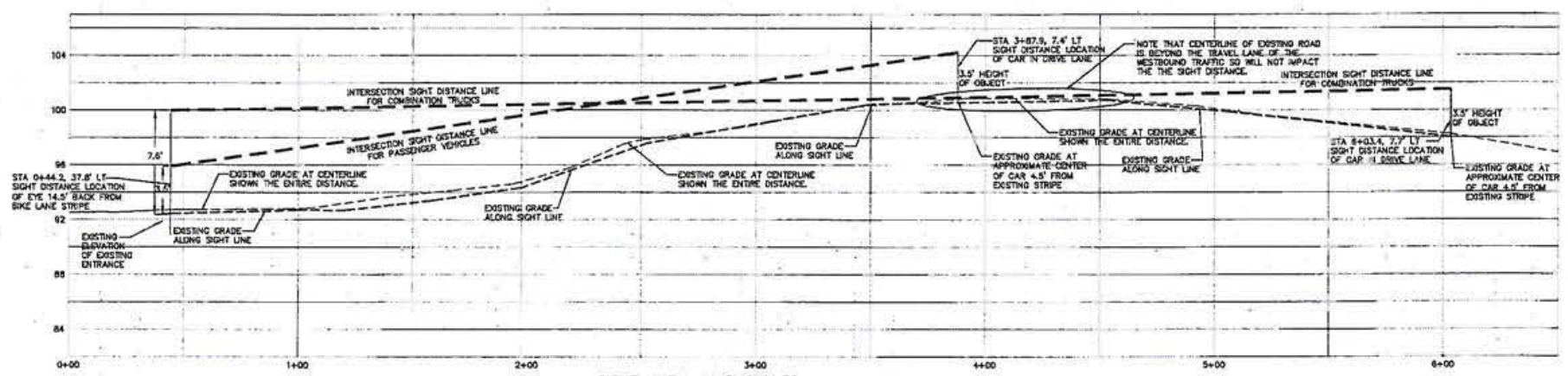
RIGHT TURN OUT MOVEMENT WB-67 TRUCK  
SCALE: 1"=20'



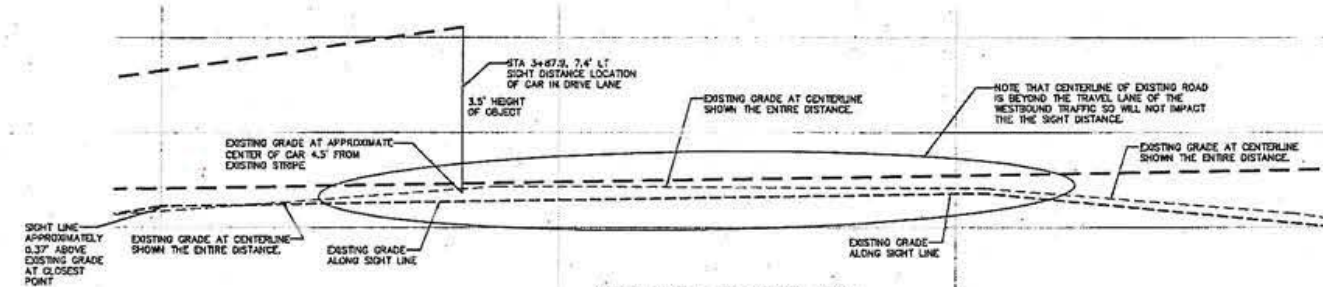


**PLAN VIEW**  
SCALE: 1"=30'

**SIGHT LINE NOTE:**  
THE SIGHT LINE IS SHOWN FROM THE EXISTING DRIVEWAY THAT WAS REQUIRED TO BE A SHARED ACCESS DRIVEWAY. THE SITE LINES ARE ONLY SHOWN TO THE EAST AS THE DRIVEWAY IS RESTRICTED TO RIGHT IN AND RIGHT OUT BY THE CONCRETE MEDIAN EXISTING IN FRONT OF THE EXISTING DRIVEWAY. THERE ARE NO TREE TRUNKS IN THE SIGHT LINES AS SHOWN ON THIS PLAN, SO NO TREE SHADOWS HAVE BEEN ADDRESSED WITH THIS DRAWING.



**SIGHT LINE - HARMONY RD.**  
SCALE: HORIZ. 1"=30'  
VERT. 1"=5'



**SIGHT LINE - ENLARGED AREA**  
SCALE: HORIZ. 1"=10'  
VERT. 1"=1.67'

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OCT 07 2016  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT

REVISIONS	BY

**HARMONY ROAD  
SELF STORAGE**

Harmony Sight Distance

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188  
www.sisul.com

DATE	JUNE 2016
SCALE	NOTED
DRAWN	JEE
JOB	SG. 07-113
SHEET	1
OF	1 SHEETS



# Building 1



**East Elevation**  
 0 2 4 8 16

Client:  
 HT Investment  
 Properties, LLC

825 Harritt Drive NW  
 Salem, Oregon 97304

Project:  
 Harmony Road  
 Self Storage

5965 SE Harmony Road  
 Milwaukie, Oregon

Sheet Title:  
**Building  
 Elevations**

Revisions:

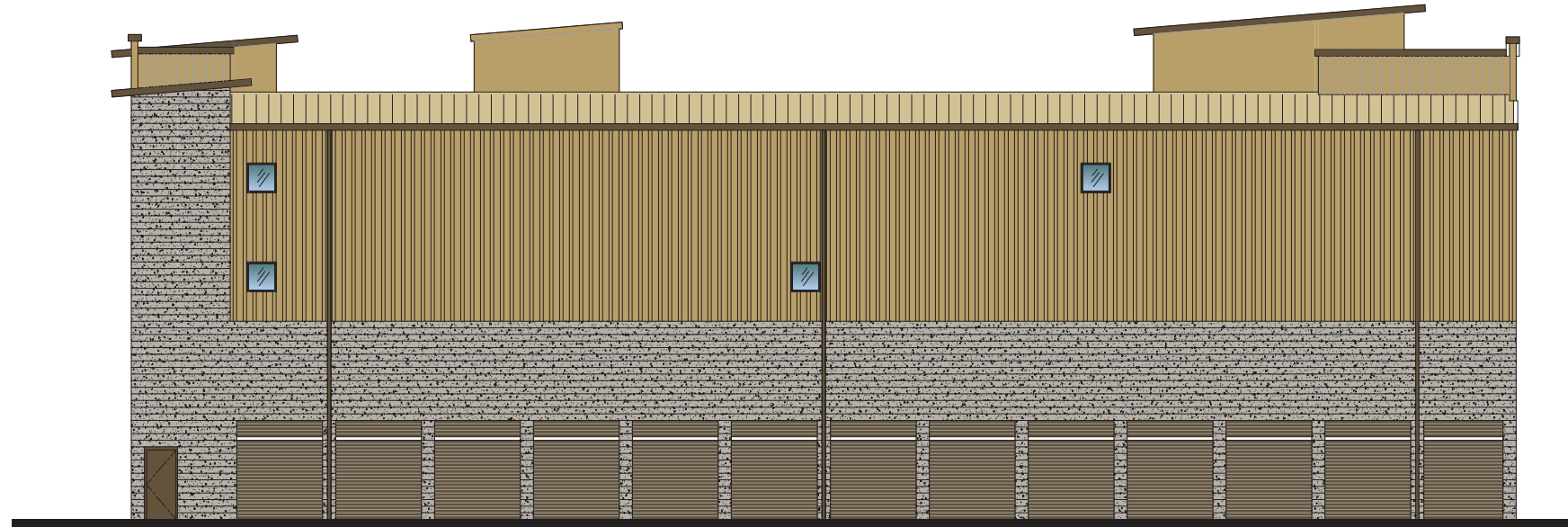


**West Elevation**  
 0 2 4 8 16

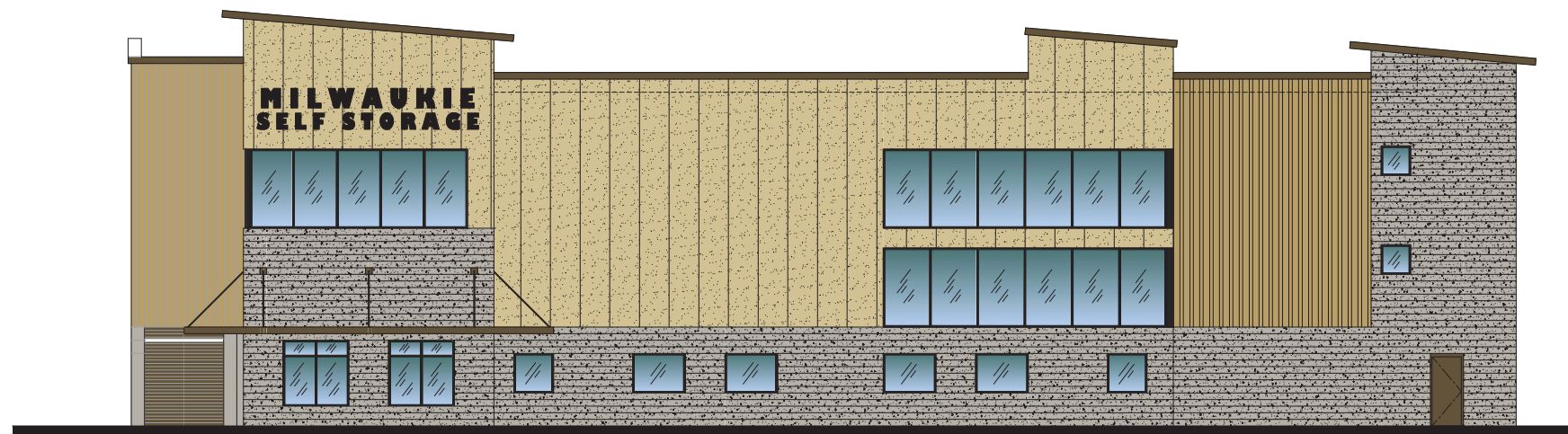
MILDREN DESIGN GROUP, P.C., 2010, ALL RIGHTS RESERVED ©  
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Date:  
 Drawn by: \_\_\_\_\_ Checked by: \_\_\_\_\_  
 CLT WEM  
 Job Number: 110021  
 Sheet

# Building 1



North Elevation



South Elevation



Client:  
 HT Investment  
 Properties, LLC

825 Harritt Drive NW  
 Salem, Oregon 97304

Project:  
 Harmony Road  
 Self Storage

5965 SE Harmony Road  
 Milwaukie, Oregon

Sheet Title:  
**Building  
 Elevations**

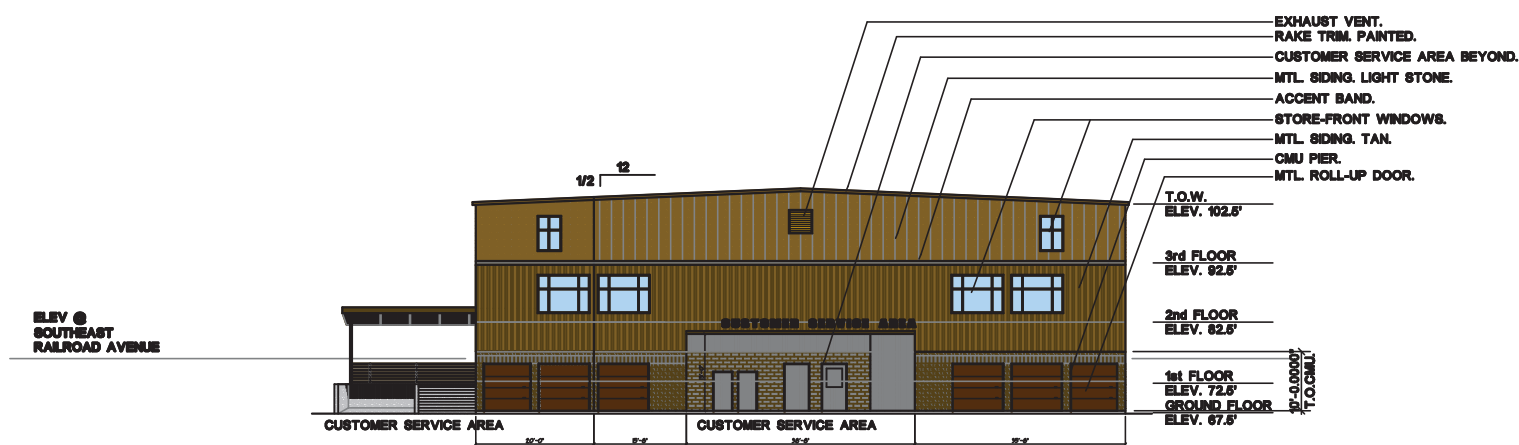
Revisions:

MILDREN DESIGN GROUP, P.C., 2010, ALL  
 RIGHTS RESERVED. ©

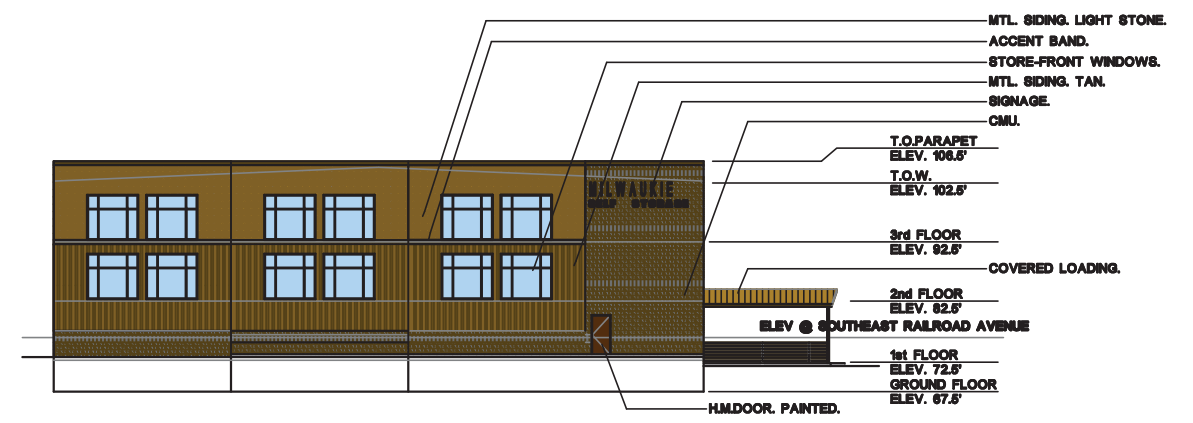
THESE DRAWINGS ARE THE PROPERTY OF  
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 MANNER, EXCEPT WITH THE PRIOR WRITTEN  
 PERMISSION OF MILDREN DESIGN GROUP, P.C.

Date:  
 Drawn by: CLT      Checked by: WEM  
 Job Number: 110021  
 Sheet

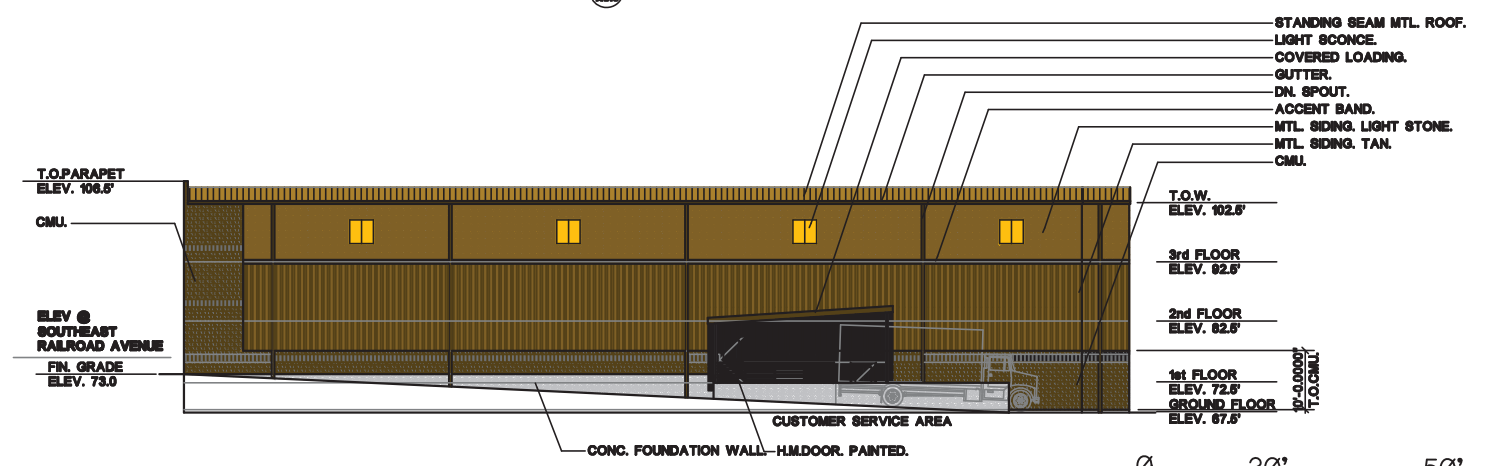
REVISIONS	DATE



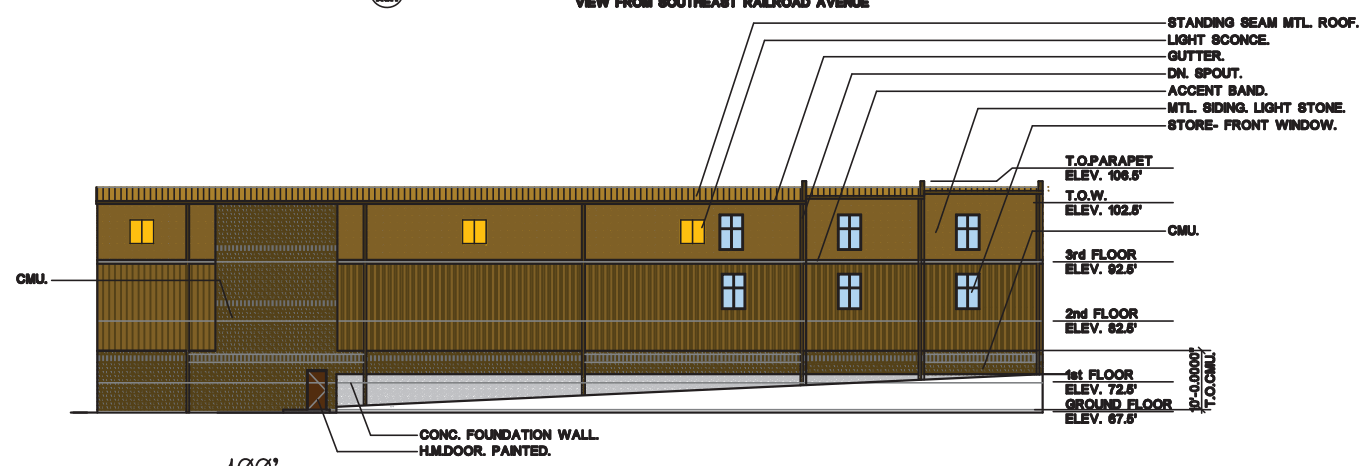
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A&A SOUTH ELEVATION BLDG. "2"



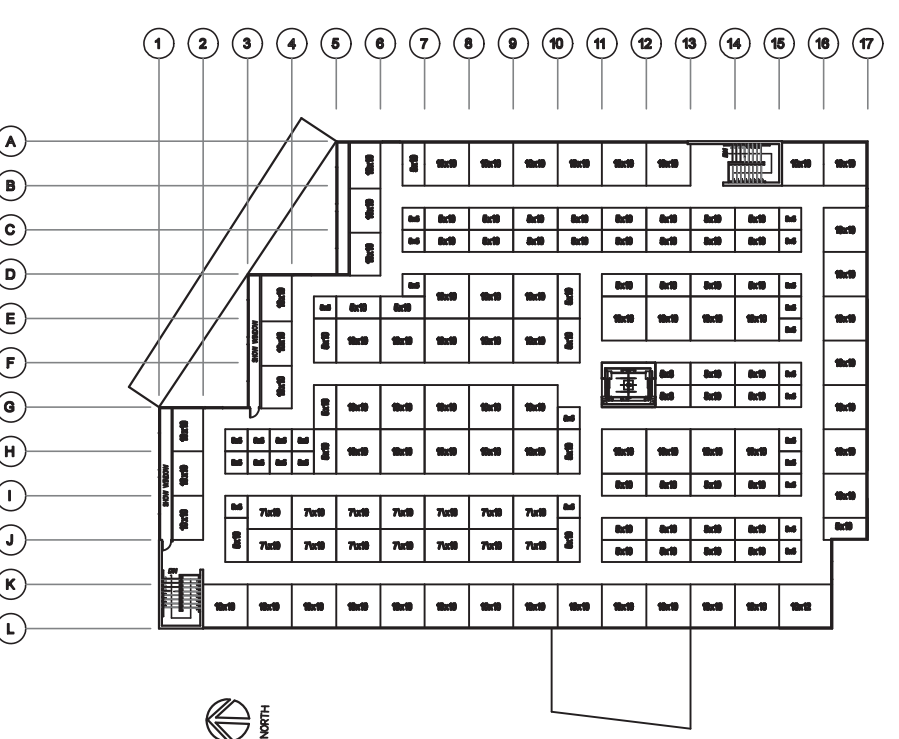
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A&A NORTH ELEVATION BLDG. "2"  
VIEW FROM SOUTHEAST RAILROAD AVENUE



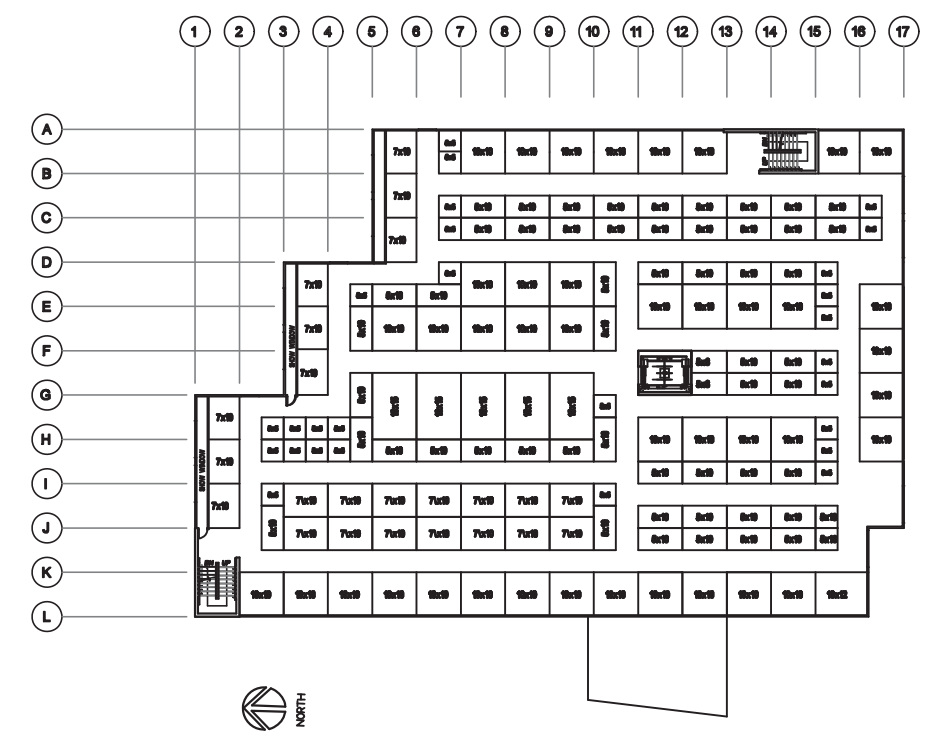
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A&A WEST ELEVATION BLDG. "2"



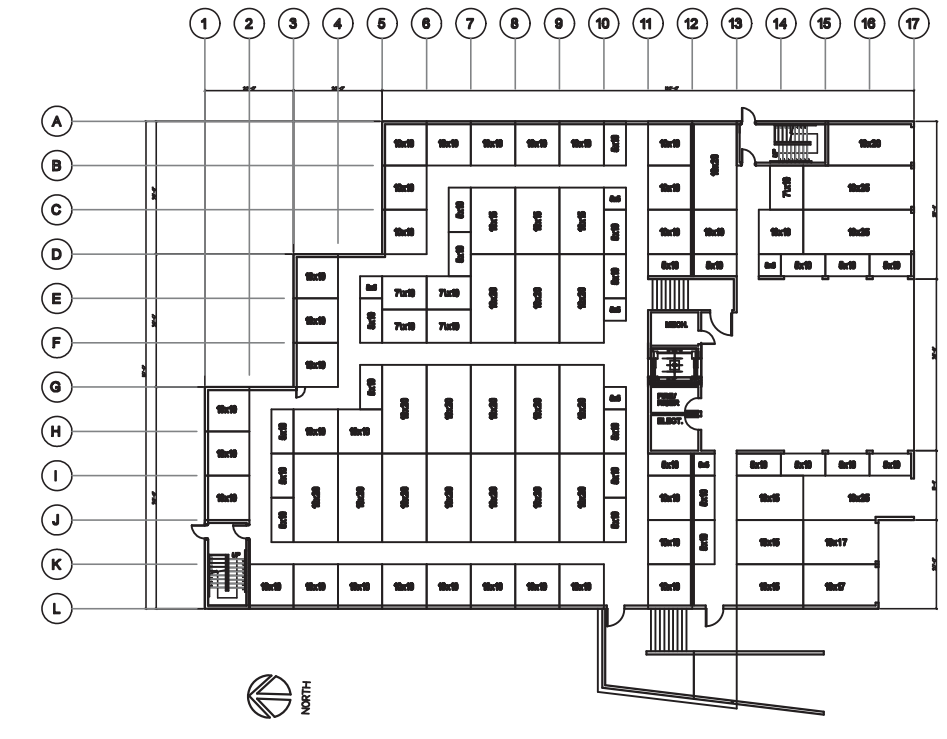
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A&A EAST ELEVATION BLDG. "2"



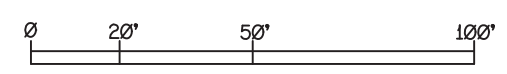
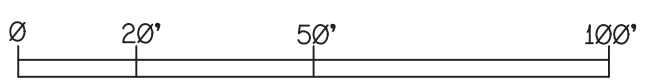
1  
A&A THIRD FLOOR BLDG. "2"



1  
A&A SECOND FLOOR BLDG. "2"



1  
A&A FIRST FLOOR BLDG. "2"  
SCALE 3/32" = 1'-0"



CREATIONS  
NORTHWEST  
West Linn, Oregon

HARMONY ROAD  
SELF STORAGE  
5965 SE Harmony Rd  
Milwaukie, Oregon

COMMERCIAL STORAGE BUILDINGS  
**BUILDING 2**

CADD NAME:  
HARMONY BLD 2  
DATE: 9-26-19  
SCALE: AS SHOWN  
DRAWN BY: R L H  
PROJECT #HARMONY

SHEET No.  
1  
of



# *Harmony Road Self Storage*

J.O. SGL 07-113

July 21, 2015

## ***PRELIMINARY STORM DETENTION AND WATER QUALITY CALCULATIONS***

### **SISUL ENGINEERING**

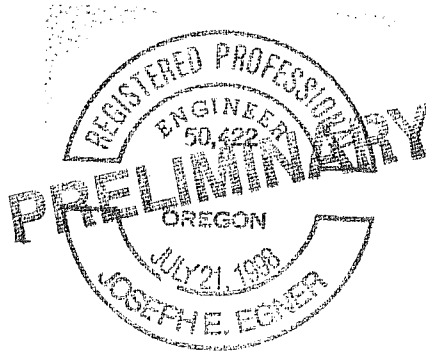
*A Division of Sisul Enterprises, Inc.*

**375 PORTLAND AVE.**

**Gladstone, OR 97027**

phone: (503) 657-0188

fax: (503) 657-5779



# Harmony Road Self Storage (SGL 07-113)

## DESIGN CONDITIONS:

This storm detention system is designed to limit the increase in runoff due to development of this property, to a level below that required by The City of Milwaukie. We have used the City of Portland's stormwater manual to design a system meets the required treatment and then detains the larger events to at or below undeveloped releases.

This project will be broken into three basins to accomplish this. The first basin (Basin A) will consist of the roof area for Building 1. The second basin (Basin B) will consist of the pavement and parking lot to the south of the creek. The third basin (Basin c) will consist of the roof of building 2 and the pavement and parking lot to the north of the creek. Because of the sites area restrictions, the steepness of the site and poor infiltrating soils we cannot use infiltration facilities to deal with the runoff from theses areas. We will use the City of Portland's PAC calculator to size flow through facilities for each of these basins. The PAC calculator looks only at the impervious areas being ran to a facility. To check the detention of the facility we will run the PAC calculator on the basins area with a CN number representing a pervious surface. This will ignore the existing structures that are on site but will give a release below the existing

---

## AREAS:

Total Site Area = 2.87 acres

## DEVELOPED SITE:

- Basin A** (See attached site plan):
  - Pervious Area = **0.68 acres (undeveloped site)**
  - Impervious Area = **0.68 acres (developed site)**
- Basin B** (See attached site plan):
  - Pervious Area = **0.52 acres (undeveloped site)**
  - Impervious Area = **0.52 acres (developed site)**
- Basin C** (See attached site plan):
  - Pervious Area = **0.60 acres (undeveloped site)**
  - Impervious Area = **0.60 acres (developed site)**

---

## SOIL:

Per Clackamas County Soil Survey, most of the site is a Wapato silty clay loam. The soil is a classified in hydrologic group 'D'. (see attached sheet)

---

## CURVE NUMBERS: (see attached sheet)

### Undeveloped Basins

Pervious Surface (pasture) =====> 89

### Developed Basins

Impervious (Pavement and Roofs) =====> 98

---

**STORM RUNOFF DETENTION DESIGN:**

We will size flow thru planters for each basin to treat the required surfaces and reduce the flows to or below the undeveloped flow rates for each basin.

**BASIN A:**

Per the attached PAC Sheet for Basin A (Aun-undeveloped, Adev-developed) gives us the undeveloped flows and the developed flows for basin A.

**BASIN A FLOW RATES:**

STORM EVENT	Undeveloped Area Flows	Developed Area Flows	Planter Release Flow Rates
2yr	<b>0.227 cfs</b>	<b>0.416 cfs</b>	<b>0.053 cfs</b>
5yr	<b>0.308 cfs</b>	<b>0.508 cfs</b>	<b>0.085 cfs</b>
10yr	<b>0.391 cfs</b>	<b>0.600 cfs</b>	<b>0.121 cfs</b>
25yr	<b>0.476 cfs</b>	<b>0.691 cfs</b>	<b>0.355 cfs</b>

This shows that using a flow through planter with a storage depth of 24-inchs and a surface area of 1,150-SqFt will provide the required treatment and detention requirements for this basin. This shows the planter will reduce the developed flow release rates to be at or below the undeveloped flow rates.

---

**BASIN B:**

Per the attached PAC Sheet for Basin B (Bun-undeveloped, Bdev-developed) gives us the undeveloped flows and the developed flows for basin B.

**BASIN A FLOW RATES:**

STORM EVENT	Undeveloped Area Flows	Developed Area Flows	Planter Release Flow Rates
2yr	<b>0.175 cfs</b>	<b>0.320 cfs</b>	<b>0.041 cfs</b>
5yr	<b>0.237 cfs</b>	<b>0.390 cfs</b>	<b>0.065 cfs</b>
10yr	<b>0.301 cfs</b>	<b>0.461 cfs</b>	<b>0.093 cfs</b>
25yr	<b>0.365 cfs</b>	<b>0.531 cfs</b>	<b>0.273 cfs</b>

This shows that using a flow through planter with a storage depth of 24-inchs and a surface area of 885-SqFt will provide the required treatment and detention requirements for this basin. This shows the planter will reduce the developed flow release rates to be at or below the undeveloped flow rates.

---

**BASIN C:**

Per the attached PAC Sheet for Basin C (Cun-undeveloped, Cdev-developed) gives us the undeveloped flows and the developed flows for basin C.

**BASIN A FLOW RATES:**

STORM EVENT	Undeveloped Area Flows	Developed Area Flows	Planter Release Flow Rates
2yr	<b>0.202 cfs</b>	<b>0.369 cfs</b>	<b>0.047 cfs</b>
5yr	<b>0.273 cfs</b>	<b>0.451 cfs</b>	<b>0.067 cfs</b>
10yr	<b>0.347 cfs</b>	<b>0.532 cfs</b>	<b>0.108 cfs</b>
25yr	<b>0.422 cfs</b>	<b>0.613 cfs</b>	<b>0.315 cfs</b>

This shows that using a flow through planter with a storage depth of 24-inchs and a surface area of 1,020-SqFt will provide the required treatment and detention requirements for this basin. This shows the planter will reduce the developed flow release rates to be at or below the undeveloped flow rates.

---

**SUMMARY:**

This storm detention system is designed to limit the increase in runoff due to development of this property, to a level below that required by the City of Milwaukie. We have shown that by the use of flow through basins the water quality event is met for each basin and the developed storm events will be released at rates less than the corresponding undeveloped sites releases. We believe that we have shown the City of Milwaukie's stormwater requirements for water quality and quantity can be met by the use of the flow through planters.

# **SUPPORTING DOCUMENTS:**

TABLE 3.5.2B SCS WESTERN WASHINGTON RUNOFF CURVE NUMBERS

SCS WESTERN WASHINGTON RUNOFF CURVE NUMBERS (Published by SCS in 1982)					
Runoff curve numbers for selected agricultural, suburban and urban land use for Type 1A rainfall distribution, 24-hour storm duration.					
LAND USE DESCRIPTION		CURVE NUMBERS BY HYDROLOGIC SOIL GROUP			
		A	B	C	D
Cultivated land(1):	winter condition	86	91	94	95
Mountain open areas:	low growing brush and grasslands	74	82	89	92
Meadow or pasture:		65	78	85	89
Wood or forest land:	undisturbed or older second growth	42	64	76	81
Wood or forest land:	young second growth or brush	55	72	81	86
Orchard:	with cover crop	81	88	92	94
Open spaces, lawns, parks, golf courses, cemeteries, landscaping.					
good condition:	grass cover on 75% or more of the area	68	80	86	90
fair condition:	grass cover on 50% to 75% of the area	77	85	90	92
Gravel roads and parking lots		76	85	89	91
Dirt roads and parking lots		72	82	87	89
Impervious surfaces, pavement, roofs, etc.		98	98	98	98
Open water bodies: lakes, wetlands, ponds, etc.		100	100	100	100
Single Family Residential (2)					
Dwelling Unit/Gross Acre	% Impervious (3)	Separate curve number shall be selected for pervious and impervious portion of the site or basin			
1.0 DU/GA	15				
1.5 DU/GA	20				
2.0 DU/GA	25				
2.5 DU/GA	30				
3.0 DU/GA	34				
3.5 DU/GA	38				
4.0 DU/GA	42				
4.5 DU/GA	46				
5.0 DU/GA	48				
5.5 DU/GA	50				
6.0 DU/GA	52				
6.5 DU/GA	54				
7.0 DU/GA	56				
Planned unit developments, condominiums, apartments, commercial business and industrial areas.	% impervious must be computed				

- (1) For a more detailed description of agricultural land use curve numbers refer to National Engineering Handbook, Section 4, Hydrology, Chapter 9, August 1972.
- (2) Assumes roof and driveway runoff is directed into street/storm system.
- (3) The remaining pervious areas (lawn) are considered to be in good condition for these curve numbers.



TABLE 14.--SOIL AND WATER FEATURES--Continued

Soil name and map symbol	Hydrologic group	Flooding			High water table			Bedrock		Risk of corrosion	
		Frequency	Duration	Months	Depth Ft	Kind	Months	Depth In	Hardness	Uncoated steel	Concrete
69*. Pits											
70B, 70C, 70D----- Powell	C	None-----	---	---	1.5-2.0	Perched	Dec-Apr	>60	---	Moderate	Moderate.
71A, 71B, 71C----- Quatama	C	None-----	---	---	2.0-3.0	Apparent	Dec-Apr	>60	---	Moderate	Moderate.
72D, 72E----- Ritner	C	None-----	---	---	>6.0	---	---	20-40	Hard	Moderate	Moderate.
73*. Riverwash											
74F*: Rock outcrop. Cryochrepts.											
75*. Rubble land											
76B, 76C, 77B----- Salem	B	None-----	---	---	>6.0	---	---	>60	---	Moderate	Moderate.
78B, 78C, 78D, 78E----- Saum	C	None-----	---	---	>6.0	---	---	40-60	Hard	Moderate	Moderate.
79B, 79C----- Sawtell	C	None-----	---	---	1.5-3.0	Perched	Nov-Apr	>60	---	Moderate	Moderate.
80B, 80C, 80D, 80E----- Springwater	C	None-----	---	---	>6.0	---	---	20-40	Soft	Moderate	Moderate.
81D*, 81E*: Talapus-----	B	None-----	---	---	>6.0	---	---	>60	---	Moderate	Moderate.
Lastance-----	B	None-----	---	---	>6.0	---	---	>60	---	High-----	High.
82*. Urban land											
83, 84----- Wapato	D	Frequent---	Brief-----	Dec-Feb	+5-1.0	Apparent	Dec-Feb	>60	---	Moderate	Moderate.
85D*: Wilhoit-----	B	None-----	---	---	>6.0	---	---	40-60	Soft	Moderate	Moderate.
Zygore-----	B	None-----	---	---	>6.0	---	---	>60	---	Moderate	Moderate.
86A, 86B, 86C, 87A----- Willamette	B	None-----	---	---	>6.0	---	---	>60	---	Moderate	Moderate.
88A, 88B----- Willamette	C	None-----	---	---	2.5-3.5	Apparent	Dec-Mar	>60	---	Moderate	Moderate.
89D----- Witzel	D	None-----	---	---	>6.0	---	---	12-20	Hard	Moderate	Moderate.
90F*: Witzel-----	D	None-----	---	---	>6.0	---	---	12-20	Hard	Moderate	Moderate.
Rock outcrop.											
91A, 91B, 91C----- Woodburn	C	None-----	---	---	2.0-3.0	Perched	Dec-Apr	>60	---	Moderate	Moderate.

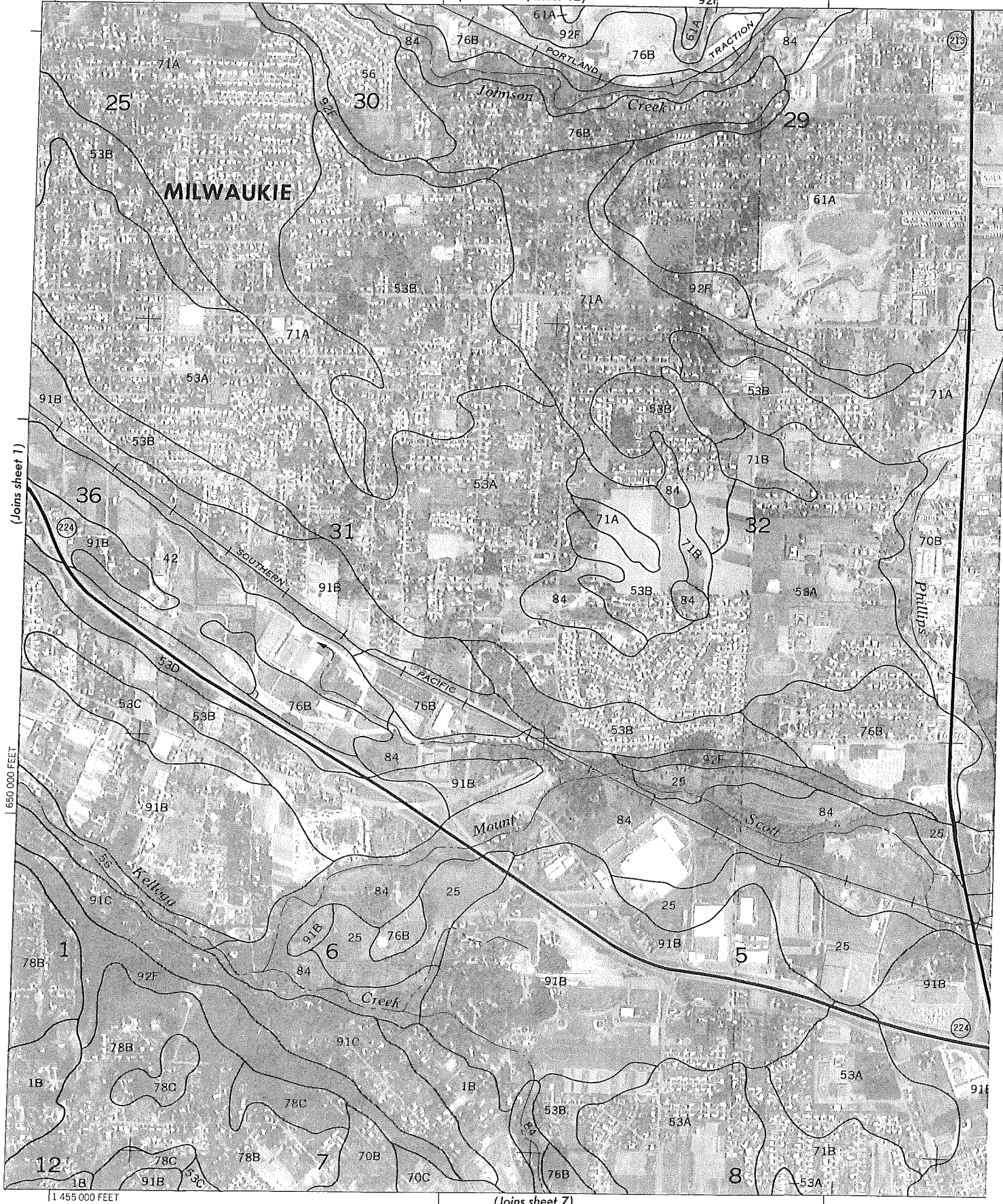
See footnote at end of table.



R. 1 E. | R. 2 E.

(Joins inset B, sheet 12)

92F



(Joins sheet 1)

1 650 000 FEET

1 455 000 FEET

(Joins sheet 7)





BUILDING 2  
13,840 SQ.FT.

TOTAL BASIN 'C'  
26,130 SQ.FT.

PARKING LOT  
12,290 SQ.FT.

PARKING LOT  
BASIN 'B'  
22,635 Q.FT.

BUILDING 1  
BASIN 'A'  
29,475 SQ.FT.



# Presumptive Approach Calculator ver. 1.2

Catchment Data

Project Name: Harmony Road Self Stgorage  
 Project Address: Harmony Road  
Milwaukie, OR  
 Designer: Joe Egner  
 Company: Sisul Engineering

Catchment ID: Bun

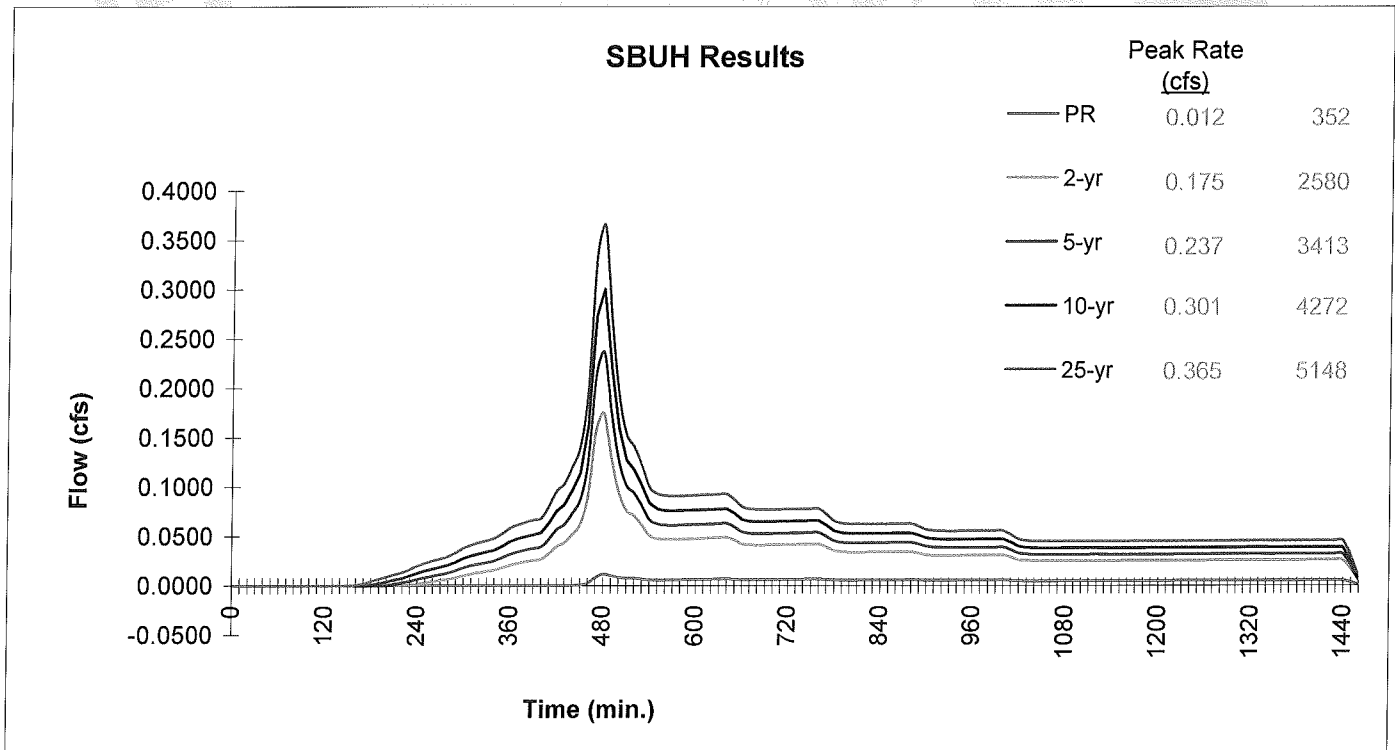
Date: 07/21/15

Permit Number: 0

Run Time 7/22/2015 2:57:28 PM

Drainage Catchment Information	
Catchment ID	Bun
<b>Catchment Area</b>	
Impervious Area	22,635 SF
Impervious Area	0.52 ac
Impervious Area Curve Number, $CN_{imp}$	89
Time of Concentration, $T_c$ , minutes	10 min.
Site Soils & Infiltration Testing Data	
Infiltration Testing Procedure:	Open Pit Falling Head
Native Soil Field Tested Infiltration Rate ( $I_{test}$ ):	4 in/hr
Bottom of Facility Meets Required Separation From High Groundwater Per BES SWMM Section 1.4:	Yes
Correction Factor Component	
$CF_{test}$ (ranges from 1 to 3)	2
Design Infiltration Rates	
$I_{dsgn}$ for Native ( $I_{test} / CF_{test}$ ):	2.00 in/hr
$I_{dsgn}$ for Imported Growing Medium:	2.00 in/hr

**Execute SBUH Calculations**





# Presumptive Approach Calculator ver. 1.2

Catchment Data

Project Name: Harmony Road Self Storage  
 Project Address: Harmony Road  
Milwaukie, OR  
 Designer: Joe Egner  
 Company: Sisul Engineering

Catchment ID: Bdev

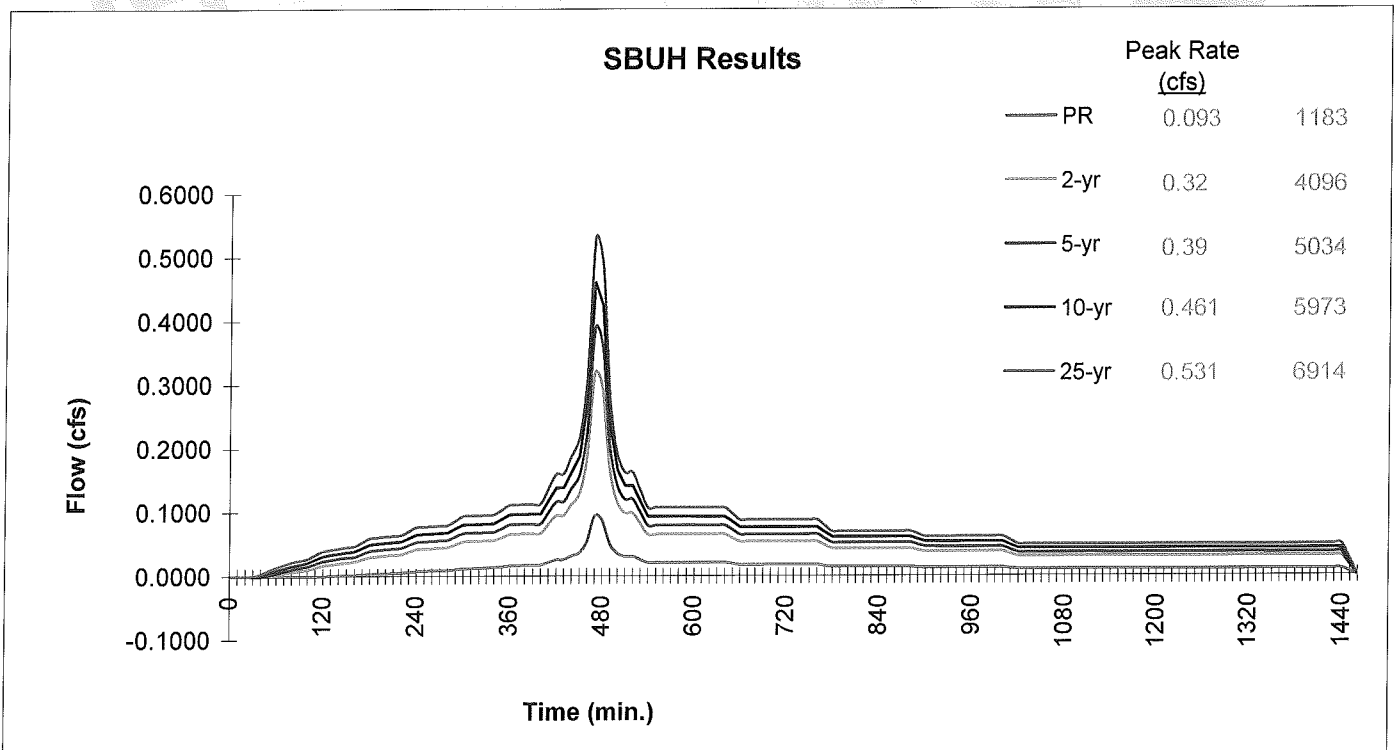
Date: 07/21/15

Permit Number: 0

Run Time 7/22/2015 3:02:10 PM

Drainage Catchment Information	
Catchment ID	Bdev
<b>Catchment Area</b>	
Impervious Area	22,635 SF
Impervious Area	0.52 ac
Impervious Area Curve Number, $CN_{imp}$	98
Time of Concentration, $T_c$ , minutes	5 min.
Site Soils & Infiltration Testing Data	
Infiltration Testing Procedure:	Open Pit Falling Head
Native Soil Field Tested Infiltration Rate ( $I_{test}$ ):	4 in/hr
Bottom of Facility Meets Required Separation From High Groundwater Per BES SWMM Section 1.4:	Yes
Correction Factor Component	
$CF_{test}$ (ranges from 1 to 3)	2
Design Infiltration Rates	
$I_{dsgn}$ for Native ( $I_{test} / CF_{test}$ ):	2.00 in/hr
$I_{dsgn}$ for Imported Growing Medium:	2.00 in/hr

**Execute SBUH Calculations**





**Presumptive Approach Calculator ver. 1.2**

Catchment ID: **Bdev**

Run Time 7/22/2015 3:02:10 PM

Project Name: Harmony Road Self Stgorage

Catchment ID: Bdev

Date: 7/21/2015

**Instructions:**

1. Identify which Stormwater Hierarchy Category the facility.
2. Select Facility Type.
3. Identify facility shape of surface facility to more accurately estimate surface volume, except for Swales and sloped planters that use the PAC Sloped Facility Worksheet to enter data.
4. Select type of facility configuration.
5. Complete data entry for all highlighted cells.

Catchment facility will meet Hierarchy Category: 4

**Goal Summary:**

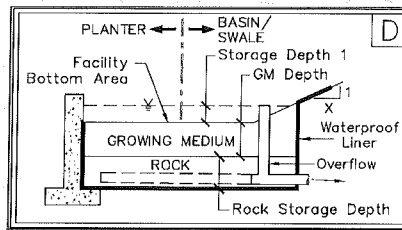
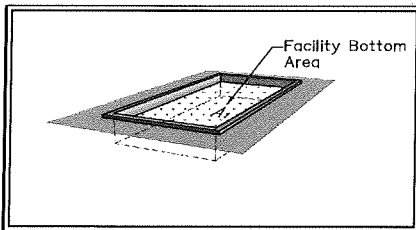
Hierarchy Category	SWMM Requirement	RESULTS box below needs to display...	
		Pollution Reduction as a	10-yr (aka disposal) as a
4	Off-site flow to a combined sewer.	PASS	N/A

Facility Type = Planter (Flat)



Facility Shape: Rectangle/Square

Facility Configuration: D



Calculation Guide  
Max. Rock Stor.  
Bottom Area  
**885 SF**

**DATA FOR ABOVE GRADE STORAGE COMPONENT**

Facility Bottom Area = 885 sf  
 Bottom Width = 20.0 ft  
 Facility Side Slope = 0 to 1  
 Storage Depth 1 = 24 in  
 Growing Medium Depth = 18 in  
 Freeboard Depth = N/A in

**BELOW GRADE STORAGE**

<Warning

Surface Capacity at Depth 1 = 1,770 cf  
 GM Design Infiltration Rate = 2.00 in/hr  
 Infiltration Capacity = 0.041 cfs

Rock Storage Capacity = \_\_\_\_\_ cf  
 Native Design Infiltration Rate = \_\_\_\_\_ in/hr  
 Infiltration Capacity = \_\_\_\_\_ cfs

RESULTS		Overflow Volume			
Pollution Reduction	<b>PASS</b>	0 CF	4%	Surf. Cap. Used	Run PAC
Output File					
Peak cfs	<u>2-yr</u>	<u>5-yr</u>	<u>10-yr</u>	<u>25-yr</u>	
	0.041	0.058	0.093	0.273	

FACILITY FACTS	
Total Facility Area Including Freeboard =	<b>885 SF</b>
Sizing Ratio (Total Facility Area / Catchment Area) =	<b>0.039</b>



# Presumptive Approach Calculator ver. 1.2

Catchment Data

Project Name: Harmony Road Self Stgorage  
 Project Address: Harmony Road  
Milwaukie, OR  
 Designer: Joe Egner  
 Company: Sisul Engineering

Catchment ID: Cun

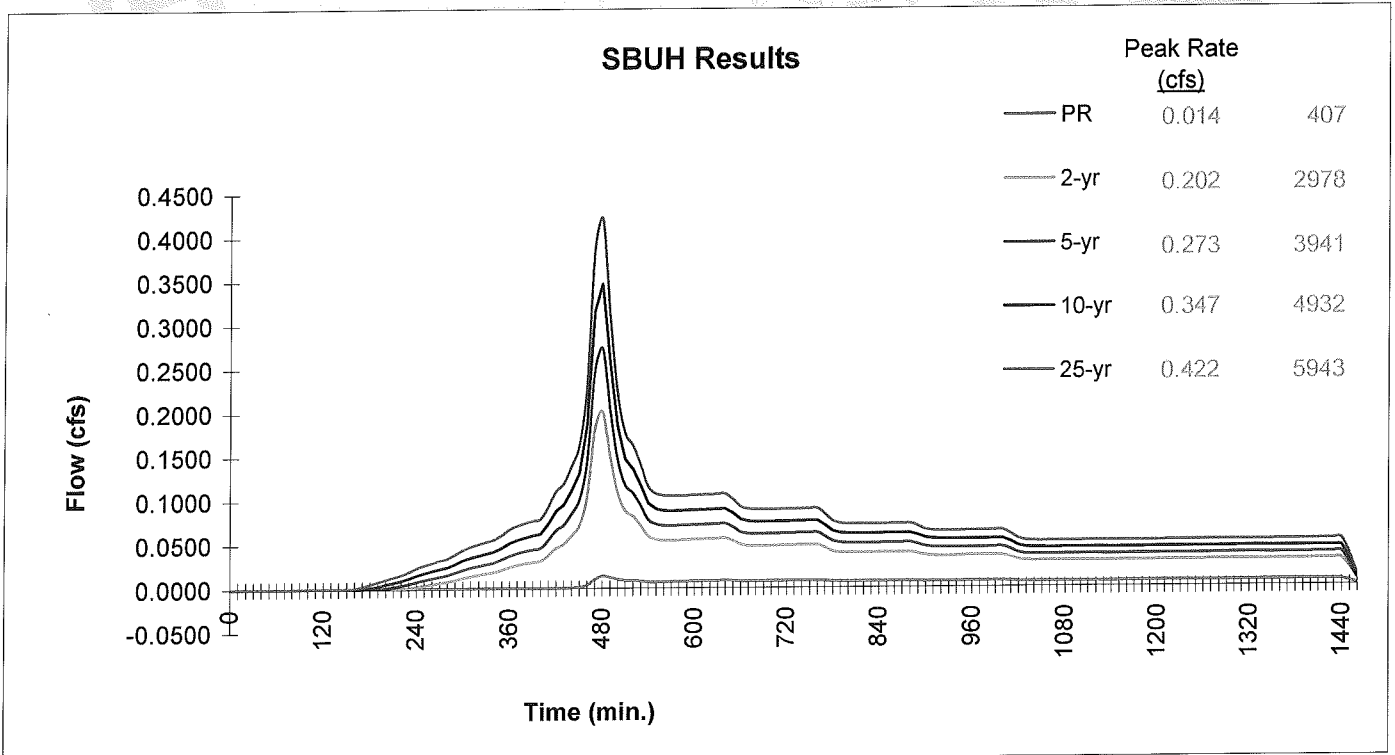
Date: 07/21/15

Permit Number: 0

Run Time 7/22/2015 3:10:23 PM

Drainage Catchment Information	
Catchment ID	Cun
<b>Catchment Area</b>	
Impervious Area	26,130 SF
Impervious Area	0.60 ac
Impervious Area Curve Number, $CN_{imp}$	89
Time of Concentration, $T_c$ , minutes	10 min.
Site Soils & Infiltration Testing Data	
Infiltration Testing Procedure:	Open Pit Falling Head
Native Soil Field Tested Infiltration Rate ( $I_{test}$ ):	2 in/hr
Bottom of Facility Meets Required Separation From High Groundwater Per BES SWMM Section 1.4:	Yes
Correction Factor Component	
$CF_{test}$ (ranges from 1 to 3)	2
Design Infiltration Rates	
$I_{dsgn}$ for Native ( $I_{test} / CF_{test}$ ):	1.00 in/hr
$I_{dsgn}$ for Imported Growing Medium:	2.00 in/hr

**Execute SBUH Calculations**





# Presumptive Approach Calculator ver. 1.2

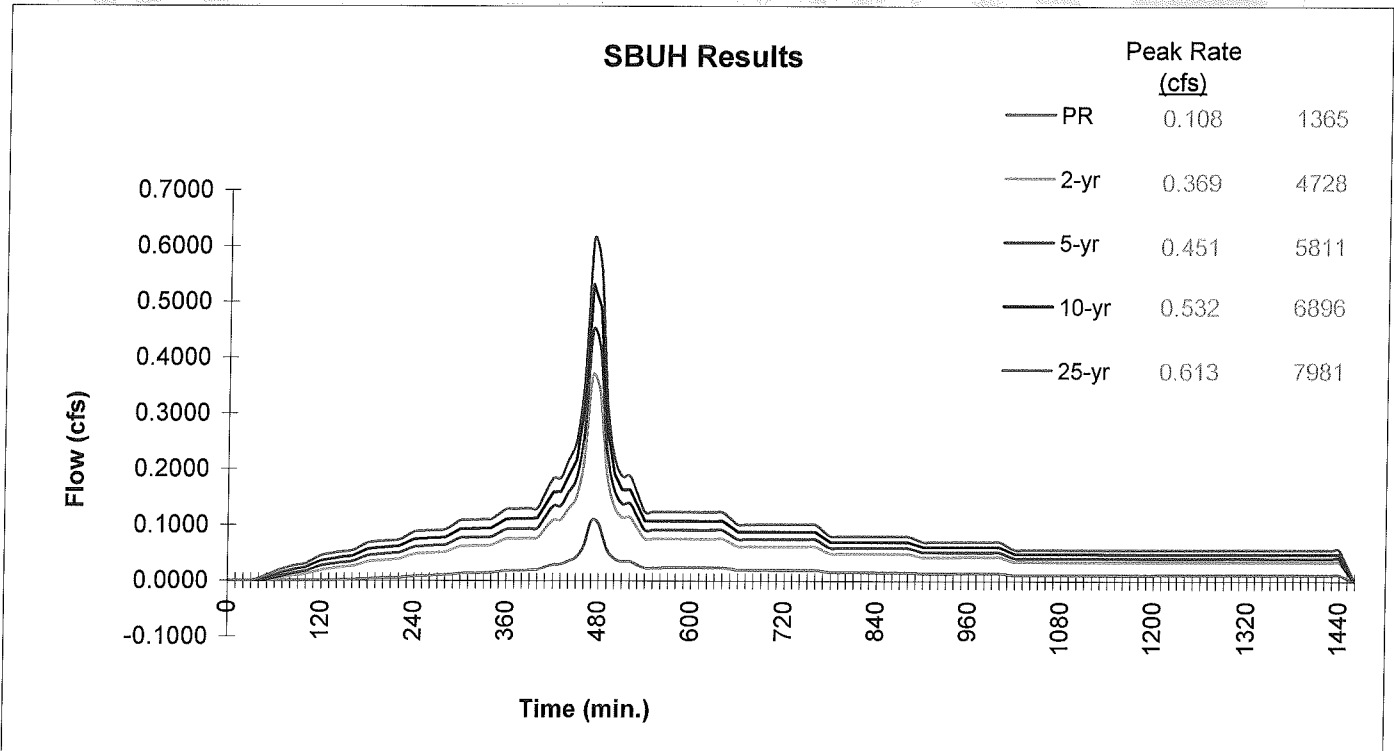
Catchment Data

Project Name: Harmony Road Self Storage  
 Project Address: Harmony Road  
Milwaukie, OR  
 Designer: Joe Egner  
 Company: Sisul Engineering

Catchment ID: Cdev  
 Date: 07/21/15  
 Permit Number: 0  
 Run Time 7/22/2015 3:10:23 PM

Drainage Catchment Information	
Catchment ID	Cdev
<b>Catchment Area</b>	
Impervious Area	26,130 SF
Impervious Area	0.60 ac
Impervious Area Curve Number, $CN_{imp}$	98
Time of Concentration, $T_c$ , minutes	5 min.
Site Soils & Infiltration Testing Data	
Infiltration Testing Procedure:	Open Pit Falling Head
Native Soil Field Tested Infiltration Rate ( $I_{test}$ ):	2 in/hr
Bottom of Facility Meets Required Separation From High Groundwater Per BES SWMM Section 1.4:	Yes
Correction Factor Component	
$CF_{test}$ (ranges from 1 to 3)	2
Design Infiltration Rates	
$I_{dsgn}$ for Native ( $I_{test} / CF_{test}$ ):	1.00 in/hr
$I_{dsgn}$ for Imported Growing Medium:	2.00 in/hr

**Execute SBUH Calculations**





**Presumptive Approach Calculator ver. 1.2**

Catchment ID: **Cdev**

Run Time: 7/22/2015 3:16:16 PM

Project Name: Harmony Road Self Storage

Catchment ID: Cdev

Date: 7/21/2015

**Instructions:**

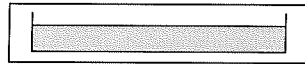
1. Identify which Stormwater Hierarchy Category the facility.
2. Select Facility Type.
3. Identify facility shape of surface facility to more accurately estimate surface volume, except for Swales and sloped planters that use the PAC Sloped Facility Worksheet to enter data.
4. Select type of facility configuration.
5. Complete data entry for all highlighted cells.

Catchment facility will meet Hierarchy Category: 4

**Goal Summary:**

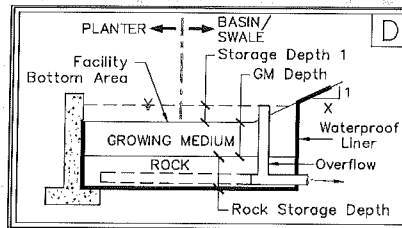
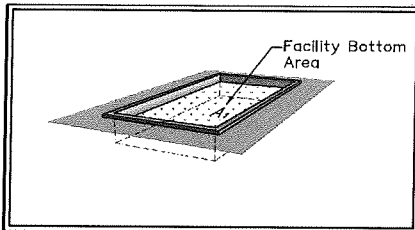
Hierarchy Category	SWMM Requirement	RESULTS box below needs to display...	
		Pollution Reduction as a	10-yr (aka disposal) as a
4	Off-site flow to a combined sewer.	PASS	N/A

Facility Type = Planter (Flat)



Facility Shape: Rectangle/Square

Facility Configuration: D



<b>Calculation Guide</b>
Max. Rock Stor. Bottom Area
<b>1,020 SF</b>

**DATA FOR ABOVE GRADE STORAGE COMPONENT**

Facility Bottom Area = 1,020 sf  
 Bottom Width = 20.0 ft  
 Facility Side Slope = 0 to 1  
 Storage Depth 1 = 24 in  
 Growing Medium Depth = 18 in  
 Freeboard Depth = N/A in

**BELOW GRADE STORAGE**

<Warning

Surface Capacity at Depth 1 = 2,040 cf  
 GM Design Infiltration Rate = 2.00 in/hr  
 Infiltration Capacity = 0.047 cfs

Rock Storage Capacity = \_\_\_\_\_ cf  
 Native Design Infiltration Rate = \_\_\_\_\_ in/hr  
 Infiltration Capacity = \_\_\_\_\_ cfs

<b>RESULTS</b>	Overflow Volume			
Pollution Reduction	<b>PASS</b>	0 CF	4% Surf. Cap. Used	Run PAC
Output File				
	<b>2-yr</b>	<b>5-yr</b>	<b>10-yr</b>	<b>25-yr</b>
Peak cfs	0.047	0.067	0.108	0.315

<b>FACILITY FACTS</b>
Total Facility Area Including Freeboard = <b>1,020 SF</b>
Sizing Ratio (Total Facility Area / Catchment Area) = <b>0.039</b>



**KITTELSON & ASSOCIATES, INC.**

TRANSPORTATION ENGINEERING / PLANNING

610 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8169

October 29, 2007

Project #: 8905.0

Mr. Robert Hixson  
Clackamas County  
9101 SE Sunnybrook Blvd.  
Clackamas, OR 97015

Mr. Zachary Weigel  
City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 97206

***RE: Transportation Impact Analysis for Harmony Road Self Storage***

Dear Robert & Zach:

HT Investment Properties proposes to develop a self-storage facility on SE Harmony Road east of SE International Way in Milwaukie, Oregon. A site vicinity map is provided in Figure 1. Under the proposal, the 2.96-acre site, currently zoned Manufacturing (M), would be changed to Business Industrial (BI). Under the BI zoning, a self-storage facility would be allowed as a conditional use. The zone change is proposed to be contingent on approval and development of the self-storage facility. If the conditional use for the self-storage facility is not approved, the zoning would revert back to manufacturing.

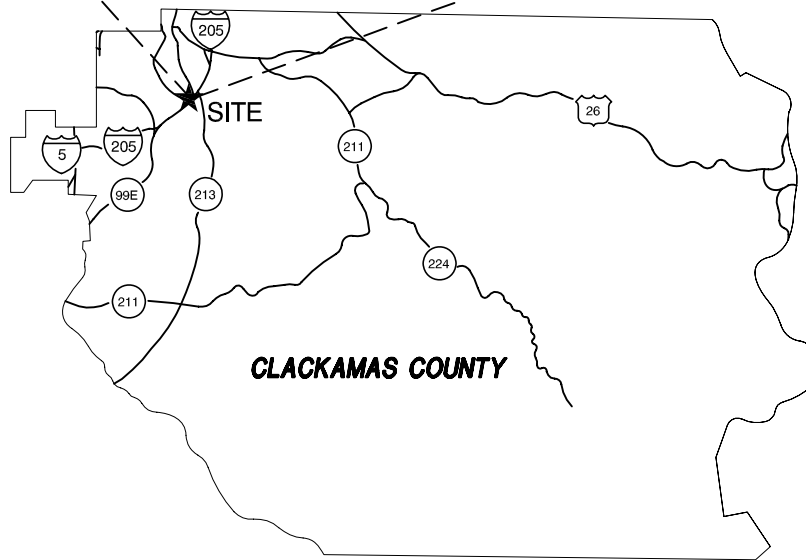
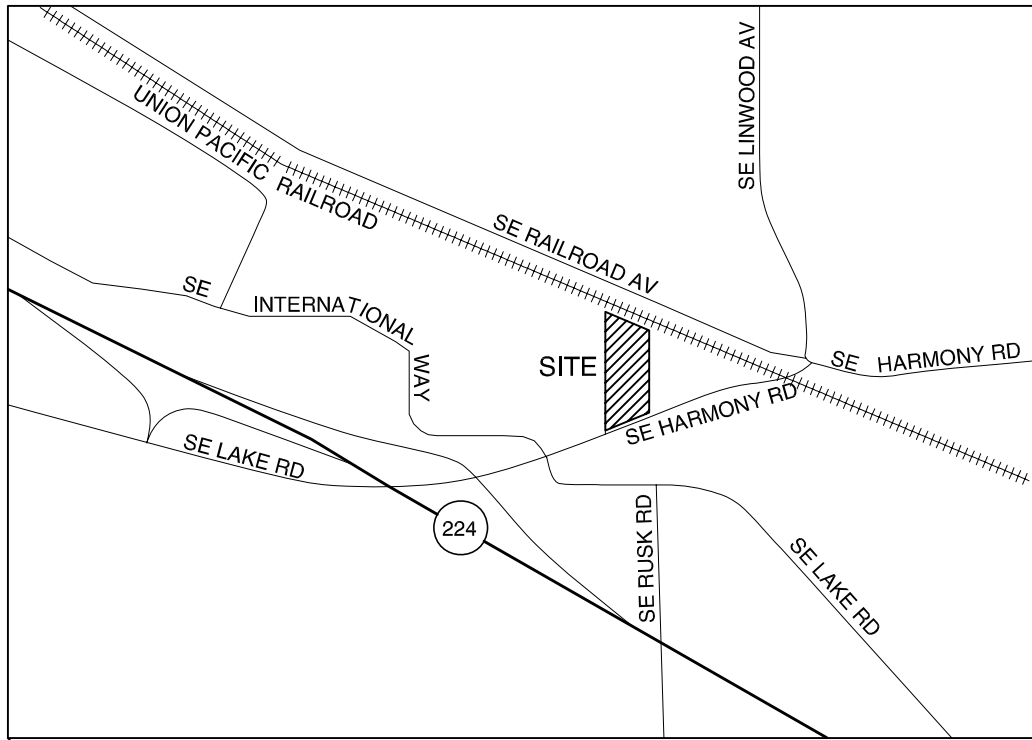
Kittelison & Associates, Inc. (KAI) reviewed the traffic implications of the proposed rezone as they relate to the Oregon Transportation Planning Rule (TPR). The proposed zone change and conditional use is expected to decrease the weekday daily and peak hour trip generation potential of the overall site and, as a result, does not trigger a full transportation impact analysis of long-term future conditions. This report summarizes the analysis assumptions, methodology, and findings as well as a summary demonstrating the proposed rezone's compliance with the TPR.

KAI also reviewed the traffic impacts of the proposed self-storage facility, based on the scope of work identified in consultation with the City of Milwaukie, Clackamas County, and the Oregon Department of Transportation (ODOT). This report identifies the key assumptions, methodology, and findings of the analysis.





(NO SCALE)



**SITE VICINITY MAP  
MILWAUKIE, OREGON**

**FIGURE  
1**

H:\profile\8905 - Milwaukie Mini Storage\dwgs\figs\8905Fig01.dwg Oct 29, 2007 - 4:25pm - csemler Layout Tab: Fig01

## **TPR ANALYSIS FOR PROPOSED ZONE CHANGE**

Oregon Statewide Planning Goals and the Oregon Administrative Rules (OAR) establish the parameters under which a rezone may be approved. OAR Chapter 660-012, the Transportation Planning Rule (TPR), establishes criteria under which a rezone's transportation impacts must be evaluated. If a proposed rezone is expected to result in an increase in traffic beyond that which would occur through development under the existing zoning, an operational analysis is required to assess whether the rezone will "significantly affect" the transportation needs.

The first step in assessing a given rezone's potential transportation impact is to compare the trip generation potential of the site assuming a reasonable "worst case" development scenario under the existing and proposed zoning. If the trip generation potential increases under the proposed zoning, additional analysis is required. Conversely, if the trip generation potential is reduced, the traffic impacts of site development are also reduced and no additional operational analysis is required to satisfy the TPR. The following sections document the study site's trip generation potential under the existing and proposed zoning.

### **Trip Generation Comparison for Potential Land Use Scenarios**

In order to evaluate the potential traffic impacts of the proposed zone change, potential development scenarios were estimated for the project site under existing and proposed zone designations. Chapter 19.30 of the Milwaukie zoning code identifies allowable land uses under the M and BI zone designations. The reasonable worst case land use scenarios were estimated with assistance from the project team, as reported in the *Harmony Road Zone Analysis* (Reference 1) conducted by the project team. The report is being submitted with the application for this project. Based on a review of allowed uses, it was determined that the reasonable worst case scenario under existing M zoning would be a combination of manufacturing and office uses.

As was noted previously, the proposed rezone would be contingent upon development of the proposed self-storage facility as described in this report. If the self-storage facility is not approved and developed, the land will revert back to Manufacturing zoning. Therefore, the reasonable worst case development scenario under the proposed rezone would be the planned 100,000-square-foot self-storage facility.

Trip generation estimates for the office and manufacturing land uses were developed based on observations from similar land uses, as summarized in the standard reference manual, *Trip Generation*, (Reference 2), published by the Institute of Transportation Engineers (ITE). In order to estimate trip generation at the proposed mini-storage facility, a trip generation study was conducted at three similar facilities in the Milwaukie area. Trip counts were conducted on a mid-week day during the a.m. and p.m. peak periods (7:00-9:00 a.m. and 4:00-6:00 p.m.). Table 1 shows the "worst-case" trip generation under each zoning scenario as well as the net trip change between the existing and proposed zoning scenarios.

**Table 1**  
**Weekday Trip Generation Estimates, Reasonable Worst Case Development Scenarios**

Land Use	ITE Code	Size	Daily Trips	AM Peak Hour			PM Peak Hour*		
				Total	In	Out	Total	In	Out
<b>Existing Manufacturing Zone</b>									
Manufacturing	140	25,000	100	20	15	5	20	10	10
General Office	710	75,000	820	115	100	15	110	20	90
<b>Total</b>			<b>920</b>	<b>135</b>	<b>115</b>	<b>20</b>	<b>130</b>	<b>30</b>	<b>100</b>
<b>Business Industrial - Proposed Conditional Use</b>									
Mini-Storage		450 units	80	5	<5	<5	10	5	5
<b>Net Trips</b>									
<b>Difference (Existing – Proposed Conditional Use)</b>			-850	-130	-110	-20	-120	-25	-100

As shown in Table 1, the proposed zone change, subject to the planned development of a 100,000-square-foot self-storage facility on the site, would significantly decrease the trip generation potential of the site compared to the existing zoning. *Traffic counts and calculations from the trip generation study are provided in Appendix "A".*

**Transportation Planning Rule Compliance**

OAR Section 660-12-0060 of the TPR sets forth the criteria for evaluating plan and land use regulation amendments. Table 2 below summarizes the criteria in Section 660-012-0060 and their applicability to the proposed rezone application.

**Table 2**  
**Summary of Criteria in OAR 660-012-0060**

Criterion	Description	Applicable?
1	Describes how to determine if a proposed land use action results in a significant impact.	See response below
2	Describes measures for complying with Criterion #1 where a significant impact is determined.	No
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility	No
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	See response below
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Provides guidelines for mixed-use, pedestrian-friendly neighborhood	No

As noted in Table 2, there are eight criteria that apply to Plan and Land Use Regulation Amendments. Of these, Criteria #1 and #4 are applicable to the proposed land use action and Criterion #1(C) conveys the most significant aspect of the proposed land use as it relates to TPR; the reduction in site trip generation potential. The specific elements of the criterion are provided below in italics with our response shown in standard font.

*(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

**Response:** The proposed rezone will not require changes to the functional classification of existing or planned transportation facilities, will not require a change to the standards implementing the comprehensive plan, and will not significantly affect a transportation facility as measured at the end of the planning period identified in the adopted transportation system plan.

*(b) Change standards implementing a functional classification system; or*

**Response:** The proposed rezone will not require changes to the standards implementing the functional classification system;

*(c) As measured at the end of the planning period identified in the adopted transportation system plan:*

*(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

**Response:** The proposed rezone will not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility.

*(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*

**Response:** The proposed rezone will not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

*(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

**Response:** The proposed rezone will lower the reasonable “worst-case” trip generation potential of the site and therefore reduce the impact of potential site development scenarios as it relates to transportation facilities.

*(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.*

**Response:** The project team is coordinating the assessment of the proposed rezone with the City of Milwaukie, Clackamas County, and ODOT.

## **TRAFFIC IMPACT ANALYSIS**

This section identifies the traffic impacts associated with the proposed self-storage facility.

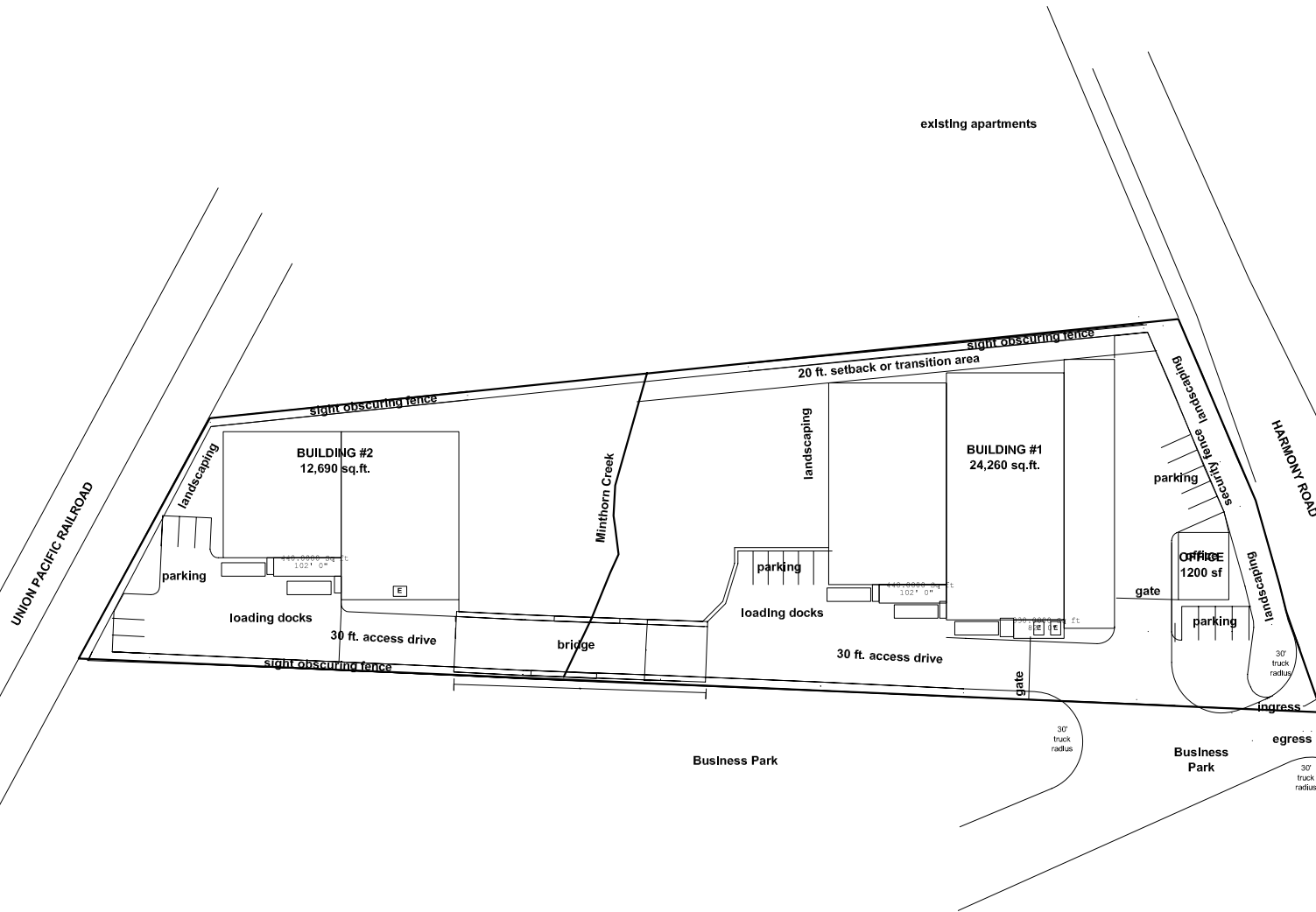
### **Project Description**

The project is proposed to include approximately 100,000 square feet of self-storage space, including 450 units. The proposed site plan is shown in Figure 2. As the site plan shows, access is proposed via a right-in/right-out driveway on SE Harmony Road. The International Way Business Park, located directly west of the project site, currently has a right-out driveway on SE Harmony Road. The proposed project would augment this driveway to allow right turn ingress movements and would provide a single shared access point for the business park and the self-storage facility. This analysis addresses the following transportation issues:

- Year 2007 existing land use and transportation system conditions within the site vicinity;
- Planned developments and transportation improvements in the study area;
- Forecast year 2009 background traffic conditions during the weekday a.m. and p.m. peak hours;
- Trip generation and distribution estimates for the proposed development;
- Forecast year 2009 total traffic conditions with full build-out of the site during the weekday a.m. and p.m. peak hours;



H:\profile\8905 - Milwaukie Mini Storage\dwgs\figs\8905Fig01.dwg Oct 30, 2007 - 11:21am - csemier Layout Tab: Fig02



PROPOSED SITE PLAN  
MILWAUKIE, OREGON

FIGURE  
2

- An evaluation of the proposed site access, including Clackamas County access regulations;
- A review of on-site traffic operations and circulation; and,
- Conclusions and recommendations.

### **Scope of the Analysis**

This analysis determines the transportation-related impacts associated with the proposed office building and was prepared in accordance with City of Milwaukie transportation impact analysis requirements. The study intersections and overall study area for this project were selected based on direction provided by staff from the City of Milwaukie and Clackamas County. Operational analyses were performed at the following intersections:

- SE International Way/SE Harmony Road
- SE Linwood Ave/SE Harmony Road
- Proposed site driveway/SE Harmony Road

### **Intersection Levels of Service**

All level-of-service analyses described in this report were performed in accordance with the procedures stated in the *2000 Highway Capacity Manual* (Reference 3). *A description of level of service (LOS) and the criteria by which they are determined is presented in Appendix "B." Appendix "B" also indicates how LOS is measured and what is generally considered the acceptable range of LOS.*

To ensure that the analyses were based on a reasonable worst-case scenario, the peak 15-minute flow rates were used in the evaluation of all intersection levels of service. For this reason, the analyses reflect conditions that are only likely to occur for 15 minutes out of each average peak hour. Traffic conditions during typical weekday hours are expected to operate under better conditions than those described in this report.

### **Signalized Intersections**

The SE International Way/SE Harmony Road and SE Linwood Avenue/SE Harmony Road intersections are signalized. LOS analyses for signalized intersections are based on the average control delay per vehicle entering the intersection. The City of Milwaukie requires that LOS "D" or better be maintained at signalized intersections. Signal timing information used in the analysis of this intersection was based on field observations during typical weekday peak hours.

### **Unsignalized Intersections**

Level-of-service analyses in this report for two-way stop-controlled intersections are based on the intersection's ability to accommodate the most difficult, or critical, approach as overall intersection level of service is not defined by the *2000 Highway Capacity Manual*. The City of Milwaukie considers unsignalized intersections to be operating acceptably as long as the intersection operates at LOS "D" or better.

**EXISTING CONDITIONS**

The existing conditions analysis identifies site conditions and the current operational and geometric characteristics of roadways within the study area. The purpose of this section is to provide a basis of comparison for future conditions.

The site of the proposed self-storage facility was visited and inventoried several times, most recently in September 2007. Information was collected regarding site conditions, adjacent land uses, existing traffic operations, and transportation facilities in the study area.

**Site Conditions & Adjacent Land Uses**

The site is currently occupied by a single-family home and a 4,000 square foot light industrial cabinet shop. A second single family home at the site was demolished in July of 2007. Each property has a dedicated full-access driveway onto SE Harmony Road (total of three driveways). The International Way Business Park is located to the west and has a right-out only driveway onto SE Harmony Road. The proposed development site is bordered to the north by a railroad line and SE Railroad Avenue. An apartment complex is located to the east of the site.

**Transportation Facilities**

The site is located on SE Harmony Road near Highway 224 (see Figure 1). Table 3 provides a summary of the facilities in the immediate vicinity of the project site. The existing lane configurations and traffic control devices at the study intersections are shown in Figure 3.

**Table 3  
 Existing Transportation Facilities and Roadway Designations**

Roadway	Classification	Cross Section	Speed Limit	Side-walks	Bike Lanes	On-Street Parking
SE Harmony Road	Major Arterial	2-3 lanes	40 mph	Partial <sup>1</sup>	Yes	No
SE Linwood Avenue	Minor Arterial	3 lanes	40 mph	Yes	Yes	No
SE Lake Road	Minor Arterial	2 lanes	40 mph	No	Yes	No
SE Railroad Avenue	Collector	3 lanes	40 mph	Partial <sup>2</sup>	No	No
SE International Way	Local	2 lanes	25 mph	Partial <sup>3</sup>	No	No

<sup>1</sup>Sidewalks only provided on north side and east of subject property.  
<sup>2</sup>Sidewalks only provided on north side  
<sup>3</sup>Sidewalks only provided in front of the International Way Business Center

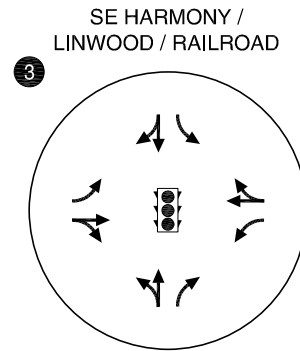
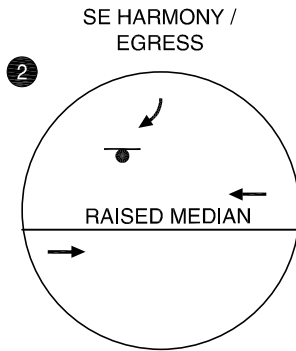
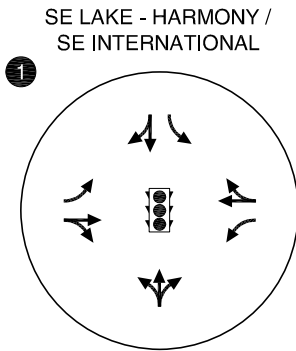
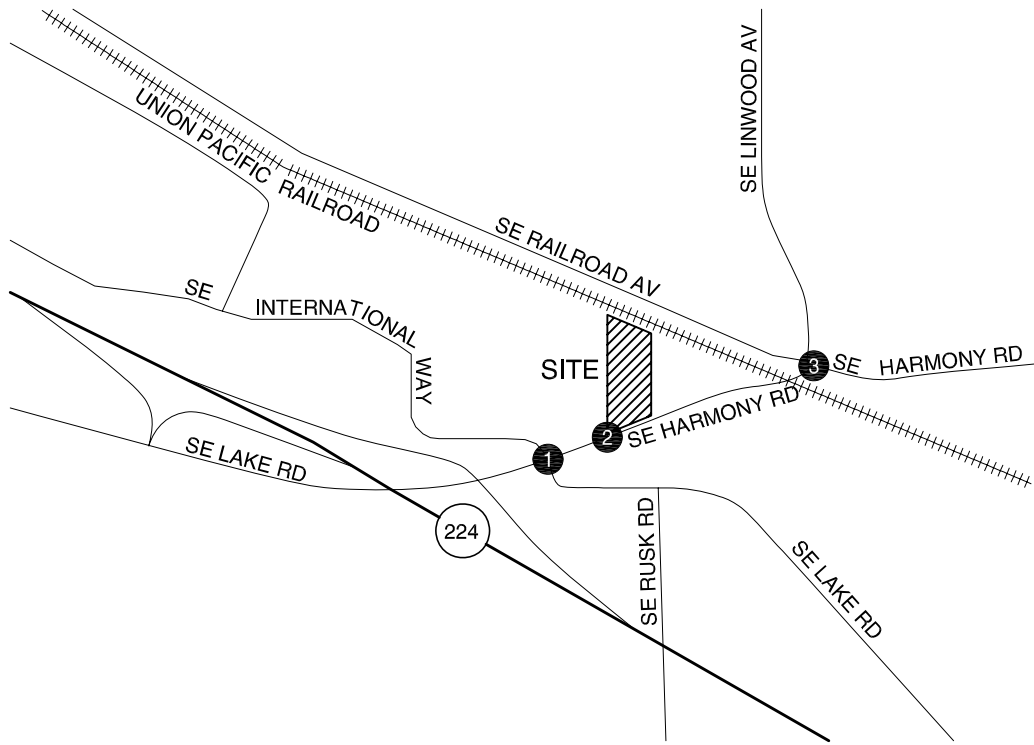
**Pedestrian and Bicycle Conditions**

Both of the signalized intersections have pedestrian crossing signals. Partial sidewalks are provided along the north side of SE Harmony Road, but in several locations are inaccessible due to overgrown foliage. There are currently no sidewalks along the site frontage. Field observations within the site vicinity revealed very low levels of pedestrian activity and bicycle activity along the study roadways.





(NO SCALE)



LEGEND

- STOP SIGN
- TRAFFIC SIGNAL

EXISTING LANE CONFIGURATIONS AND TRAFFIC CONTROL DEVICES MILWAUKIE, OREGON

FIGURE 3

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## Transit Facilities

TriMet provides the following transit service in the site vicinity.

- Route 28-Linwood provides service between Milwaukie Transit Center and Clackamas Town Center. The route travels along SE Linwood Road and SE Harmony Road, with the nearest bus stop to the proposed development site at the intersection of SE Linwood Road/SE Harmony Road, approximately 1000 feet away. Service is provided on weekdays between approximately 6:30 a.m. and 7:30 p.m., nearly once every hour. There is no Saturday, Sunday, or holiday service.
- Route 29-Lake/Webster Rd also provides service between Milwaukie Transit Center and Clackamas Town Center. The route travels along SE Lake Road and south along SE Webster Road before traveling back north along SE Johnson Road and SE 82<sup>nd</sup> Avenue. The nearest bus stop is located at the SE Lake Road/SE Harmony Road intersection, approximately 500 feet from the proposed development site. Service is provided on weekdays between approximately 6:00 a.m. and 8:00 p.m., nearly once every hour. There is no Saturday, Sunday, or holiday service.
- Route 152-Milwaukie also provides service between Milwaukie Transit Center and Clackamas Town Center. The route travels along SE International Way and SE Lake Road. The nearest bus stop is shared with Route 29, and is located at the intersection of SE Lake Road/SE Harmony Road, approximately 500 feet from the proposed development site. Service is provided between approximately 6:45 a.m. and 5:15 p.m. at intervals of an hour and a half. There is no Saturday, Sunday, or holiday service.

All three of these routes provide access to the Milwaukie Transit Center, which provides connections to a wide variety of bus routes serving most of the region.

## Traffic Volumes and Existing Peak Hour Operations

Manual turning movement counts were obtained at the study intersections on mid-week days in August 2007. These counts were conducted during the weekday morning (7:00 a.m. to 9:00 a.m.) and evening (4:00 p.m. to 6:00 p.m.) peak periods for the SE International Way/SE Harmony Road and site egress/SE Harmony Road intersections. Turning movement counts at SE Linwood Avenue/SE Harmony Road were collected in April 2006<sup>1</sup> and applied to this study. A historical examination of traffic volumes was performed which found that volumes in the area decreased between 2002 and 2006. In order to provide a conservative analysis, a one-percent annual growth rate was applied to the volumes at this intersection.

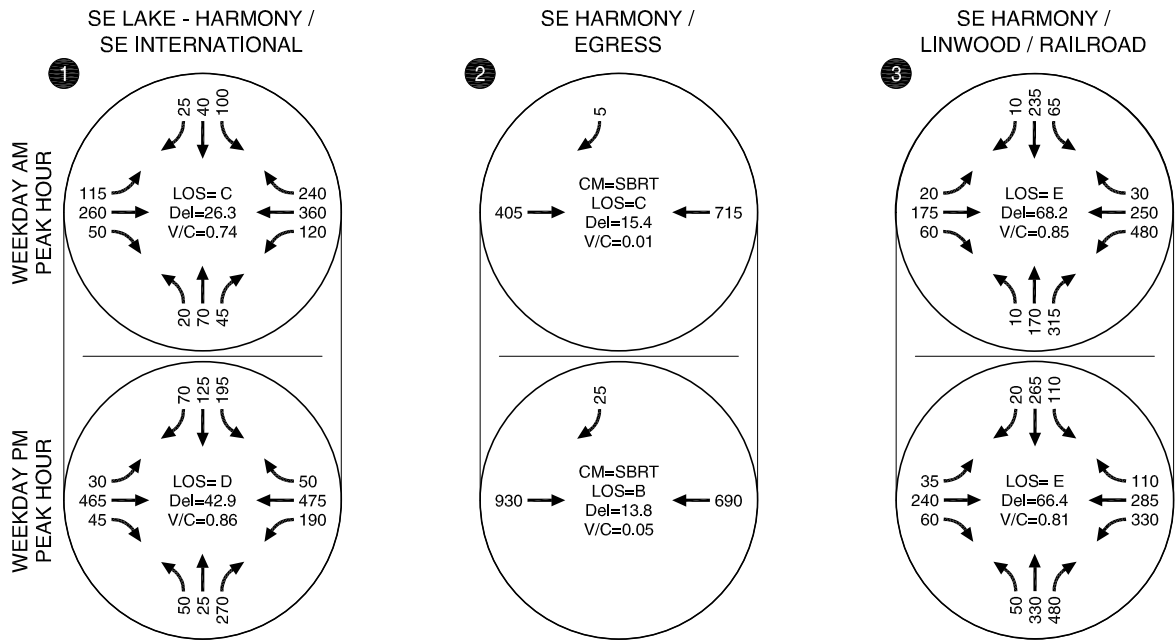
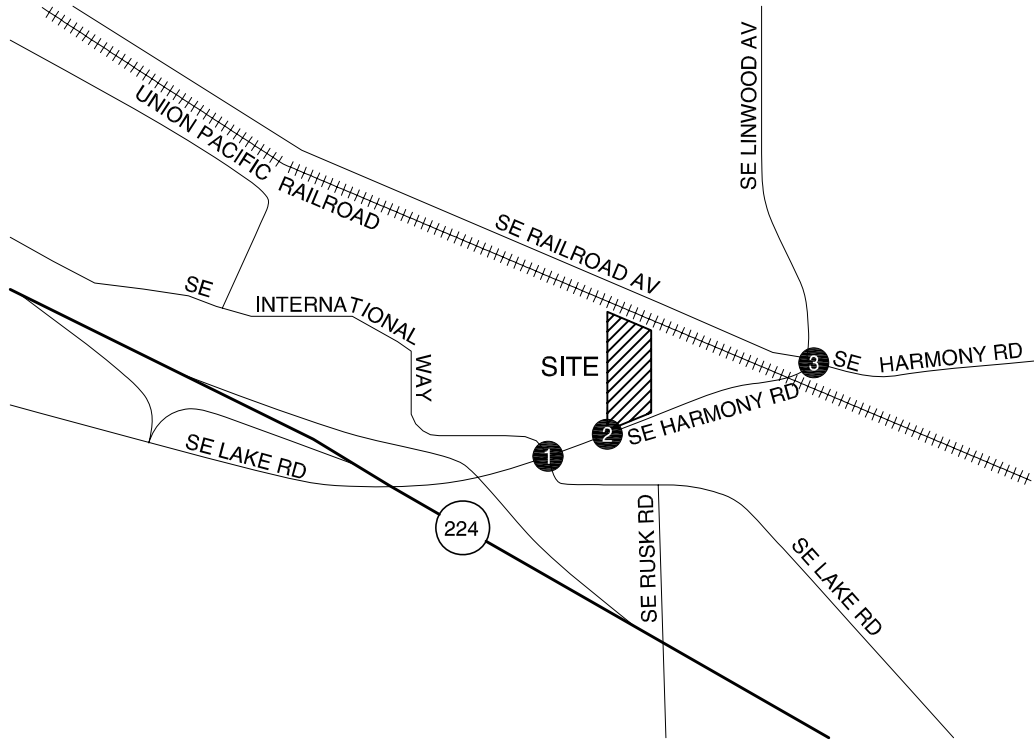
The turning movement counts from the weekday a.m. and p.m. peak hours were summarized and rounded to the nearest five vehicles per hour. The weekday morning peak hour was found to occur between 7:15 and 8:15 a.m., and the evening peak hour was found to occur between 4:10 and 5:10 p.m. Figure 4 summarizes the results of the intersection analysis for the three study intersections.

---

<sup>1</sup> Use of these counts was approved by Clackamas County staff via email on October 23, 2007.



(NO SCALE)



**LEGEND**

CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)  
 Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED)/CRITICAL MOVEMENT CONTROL DELAY (UNSIGNALIZED)  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2007 EXISTING TRAFFIC CONDITIONS  
 WEEKDAY AM & PM PEAK HOURS  
 MILWAUKIE, OREGON**

**FIGURE  
 4**

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As shown in the figure, the SE International Way/SE Harmony Road intersection and the site access operate acceptably during both weekday a.m. and p.m. peak hours. The SE Linwood Avenue/SE Harmony Road intersection operates at LOS "E" during the weekday a.m. and p.m. peak hours. *Appendix "C" includes the year 2007 existing conditions analysis worksheets.*

#### *SE Linwood Avenue/SE Harmony Road*

The existing LOS "E" at the SE Linwood Avenue/SE Harmony Road intersection in part reflects a geometric constraint at the intersection. The unconventional intersection alignment precludes simultaneous northbound and southbound left-turn movements; as such, the signal utilizes split phasing for the northbound and southbound approaches, on an unusually long cycle length (up to 175 seconds).

In addition to the LOS "E" identified above, a major rail line crosses the northbound approach to the intersection approximately 20 feet south of the stop bar. The rail line is used by scheduled Amtrak passenger trains and multiple unscheduled freight trains on a daily basis. Depending on the speed of passing trains, the grade crossing gates can be closed for durations ranging from approximately one minute to three to five minutes. The rail crossing was not incorporated in the analysis.

Multiple field observations indicate that the crossings are not frequent during the weekday peak periods. Recent counts at the rail crossing identified three trains crossing during the weekday a.m. peak period (7:00 to 9:00 a.m.) and one train crossing during the weekday p.m. peak period (4:00 to 6:00 p.m.). The first two trains reported during the morning count occurred during the actual system peak hour, while the third morning train and the evening train were outside of the peak hour analysis period.

It is recognized that the reported train passage during the traffic count period represent only one day of field conditions and that variation occurs daily. During the course of three separate site visits, trains were observed to have caused extensive queuing along Harmony Road on one occasion and minimal train-related queuing was observed on the other two occasions.

#### **Crash History**

A five-year (2002-2006) crash history of the study intersections was obtained from the ODOT. There were no crashes reported during the analysis period at any of the study intersections. *Appendix "D" includes the crash data summary reports from ODOT.*

#### **TRANSPORTATION IMPACT ANALYSIS**

The transportation impact analysis identifies how the study area's transportation system will operate upon full build-out of the proposed development. The impact of traffic generated by the proposed self storage facility during typical weekday peak hours was examined as follows:

- Planned developments and transportation improvements in the site vicinity were identified and reviewed;

- Background traffic conditions (without site development) for the year 2009 were analyzed for the study intersections;
- Future peak hour site-generated trips were estimated for build-out of the proposed project;
- Site-generated traffic from proposed project were added to the background traffic volumes to evaluate year 2009 total traffic operations at the study intersections; and,
- Site access and circulation were examined.

### **2009 Background Traffic Volumes**

The background traffic analysis identifies how the study area's transportation system will operate in the year the proposed self storage facility will be completed and occupied. The 2009 background traffic volumes include approved or in-process developments. Based on information obtained during a recent project in the area, the following approved/in-process projects were identified for inclusion in background conditions:

- Sunnybrook Office Development;
- Clackamas Town Center expansion;
- Causey Village; and,
- Clackamas Community College.

City staff did not identify any other developments for inclusion in the analysis.

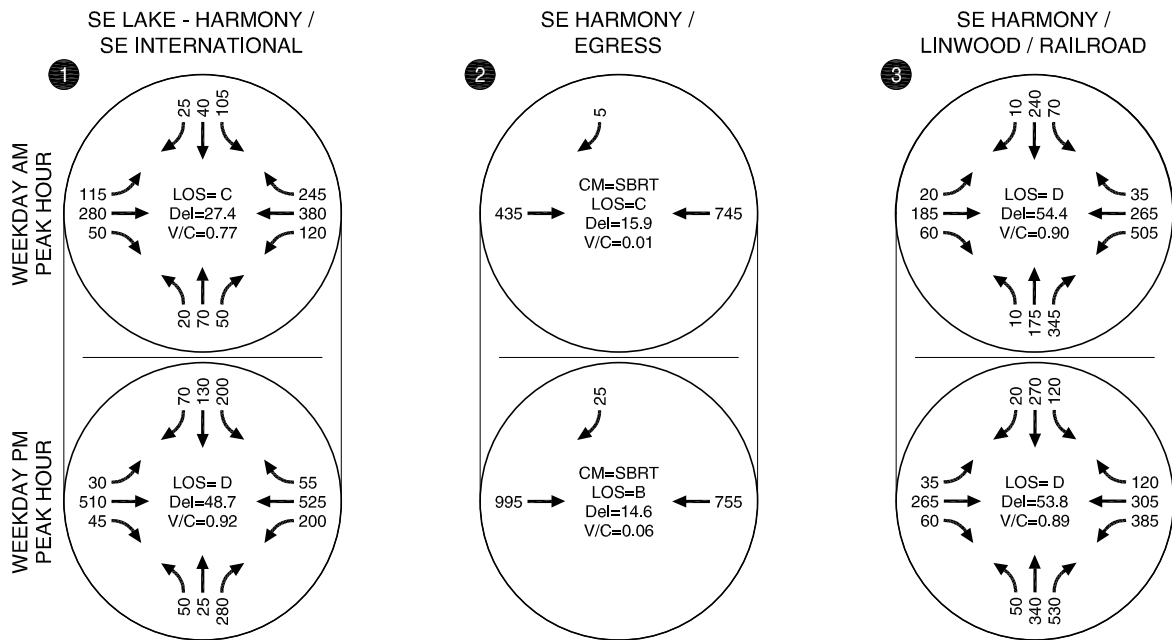
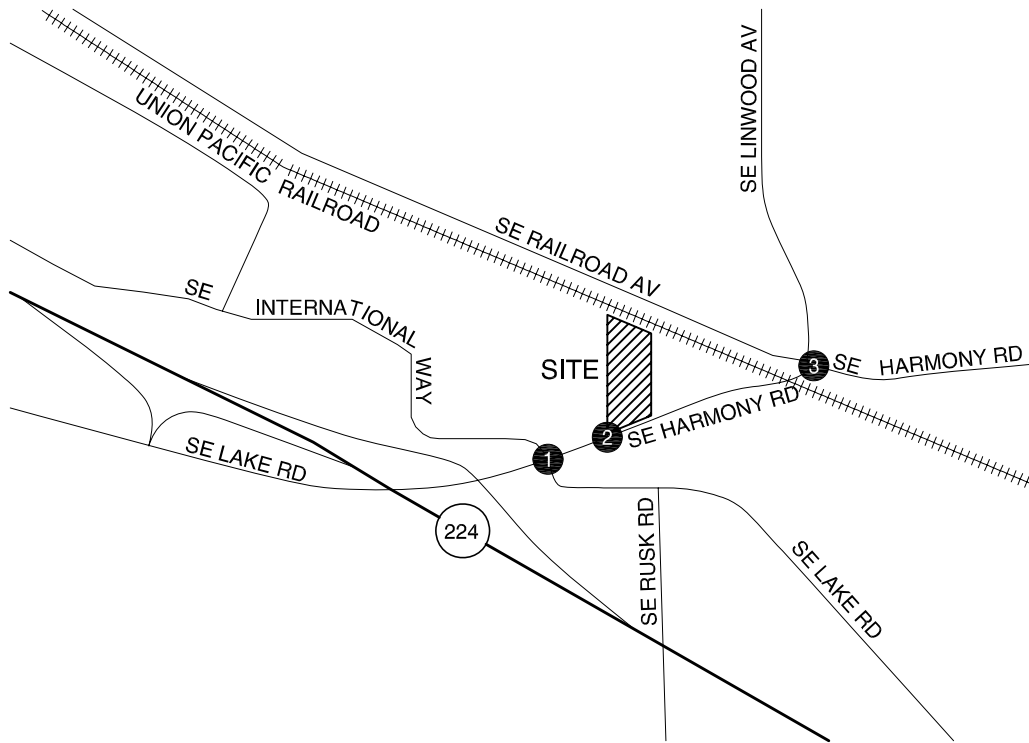
In addition to the increased traffic resulting from the identified in-process developments, traffic growth in the area was estimated based on a review of historic volumes at the study intersections. The historic volumes revealed that peak hour traffic volumes have been generally constant over the last several years, with a slight increase at the SE International Way/SE Harmony Road intersection which appear to be directly related to the International Way business park. A slight decrease in traffic at the SE Linwood Avenue/SE Harmony Road intersection has occurred. Although the review revealed generally stable or declining traffic volumes, a one-percent annual growth rate was applied to the 2007 traffic volumes in order to reflect a conservative analysis. *Appendix "E" contains the historic traffic volumes used in this analysis.*

### **Planned Transportation Improvements**

The SE Harmony/Linwood/Railroad intersection is planned to be modified with installation of a northbound right-turn overlap phase. This change was incorporated in the analysis. In addition, the analysis shows that reducing the overall traffic signal cycle length from 175 to 130 seconds would result in acceptable level of service and volume-to-capacity ratio. The resulting weekday a.m. and p.m. peak hour traffic volumes and intersection operations for 2009 background conditions are summarized in Figure 5.



(NO SCALE)



**LEGEND**

CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)  
 Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED)/CRITICAL MOVEMENT CONTROL DELAY (UNSIGNALIZED)  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2009 BACKGROUND TRAFFIC CONDITIONS  
 WEEKDAY AM & PM PEAK HOURS  
 MILWAUKIE, OREGON**

FIGURE  
**5**

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As indicated in the figure, the study intersections are all forecast to operate acceptably during the weekday a.m. and p.m. peak hours with the planned improvements at the SE Harmony Road/SE Linwood Road intersection. Appendix "F" contains the year 2009 background level-of-service worksheets.

**Proposed Development Plan**

The project is proposed to include an approximately 100,000-square-foot mini-storage facility with approximately 450 storage units. Access is proposed to be via a right-in/right-out driveway on SE Harmony Road which will incorporate the existing right-out driveway serving the International Way Business Park directly west of the project site<sup>2</sup>. A secondary ingress will be via a right-in driveway on SW International Way, under an access easement from the business park.

**Trip Generation**

As described earlier, trip generation estimates for the proposed mini-storage facility were developed from traffic counts conducted at three existing self-storage facilities in Milwaukie, Oregon. Mid-weekday counts were conducted during the weekday a.m. and p.m. peak periods (7:00-9:00 a.m. and 4:00-6:00 p.m.). Peak hour trip generation rates were developed as a function of the number of storage units at each site. Weekday daily trip generation was estimated based on the relationship of daily to peak hour trips, as summarized in the standard reference manual, *Trip Generation* (Reference 3). The trip generation estimate for the proposed mini-storage facility is summarized in Table 4. The table also shows the estimated trip generation for the existing land uses, based on data summarized in *Trip Generation*.

**Table 4  
 Estimated Weekday Trip Generation**

Land Use	ITE Code	Size	Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Land Use									
Mini-Warehouse		450 units	80*	4	2	2	8	4	4
Existing Land Uses									
Single Family Home	210	2 homes	20	2	0	2	2	2	0
Light Industrial	110	4,000 s.f.	28	4	3	1	4	1	3
<b>Total</b>			<b>48</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>3</b>
Net Change									
Incremental Trips			32	-2	-1	-1	2	1	1

\* A reduction to the ITE daily total trips was applied to match those measured for the a.m. and p.m. peak hours

<sup>2</sup> At the time that the International Way Business Park access was developed, there was not sufficient property width to provide a two-way driveway. The Harmony Road Mini Storage development proposes conversion of this driveway to allow right-in/right-out movements.

As Table 4 shows, the proposed redevelopment of the site is estimated to result in only slight changes in site-generated traffic during typical weekday a.m. and p.m. peak hours.

### **Trip Distribution**

The trip distribution pattern for the site was estimated based on roadway facilities in the area, existing travel patterns, and the location and type of surrounding developments. Figure 6 shows the estimated trip distribution pattern. The trips were assigned to the study intersections according to the estimated distribution pattern, as shown in Figure 6. Figure 6 also illustrates anticipated re-routing of traffic entering the International Way Business Park; these trips currently utilize the driveway on SE International Way but with the development would be able to enter via the right-in/right-out driveway on SE Harmony Road. This new ingress opportunity is estimated to reduce westbound right turns at the SE Harmony/SE International Way intersection by approximately ten vehicles during the weekday a.m. peak hour and by approximately five vehicles during the weekday p.m. peak hour.

### **2009 Total Traffic Conditions**

The total traffic conditions analysis forecasts how the study area's transportation system will operate with the inclusion of traffic from the proposed mini-storage facility and the re-routing of trips to the new driveway. The site-generated trips at the study intersections (Figures 7 and 8) were added to the 2009 background traffic volumes (Figure 5) to arrive at the total traffic volumes as shown in Figure 9. As indicated in the figure, the total traffic analysis determined that all of the study intersections will continue to operate acceptably upon site build-out during both the weekday a.m. and p.m. peak hours. Some intersection operations improved slightly due to the re-routed business park trips. *Appendix "G" contains the 2009 total traffic level-of-service worksheets.*

### **Sensitivity Analysis**

A sensitivity analysis was conducted to analyze traffic impacts using an alternative trip generation estimate requested by ODOT. The alternative trip generation estimate is based on building square footage instead of storage units and results in a higher trip estimate. Under this approach, the net new trips generated by the proposed development site is estimated to be two trips during the weekday a.m. peak hour, and nine trips during the weekday p.m. peak hour. The analysis found that each of the study intersections will operate acceptably under the alternative trip generation estimate. *Appendix "H" contains the sensitivity analysis level-of-service worksheets.*

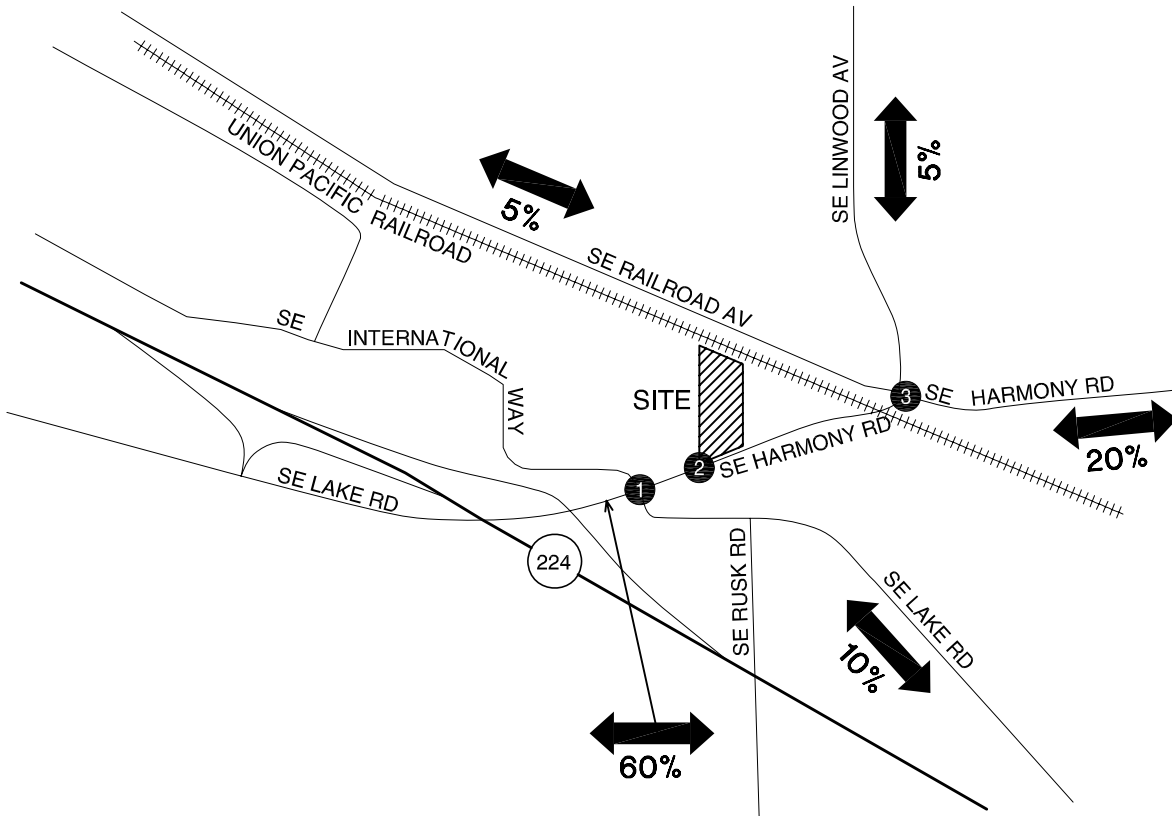
## **CLACKAMAS COUNTY ACCESS MANAGEMENT PLAN**

As described above, access to the site is proposed via a right-in/right-out driveway on SE Harmony Road. Under the proposed site plan, an existing right-out driveway serving the International Way Business Park will be modified to provide right-in/right-out access to both the existing business park and the proposed self-storage facility. This section addresses access spacing, intersection operations, including queuing, and sight distance.





(NO SCALE)



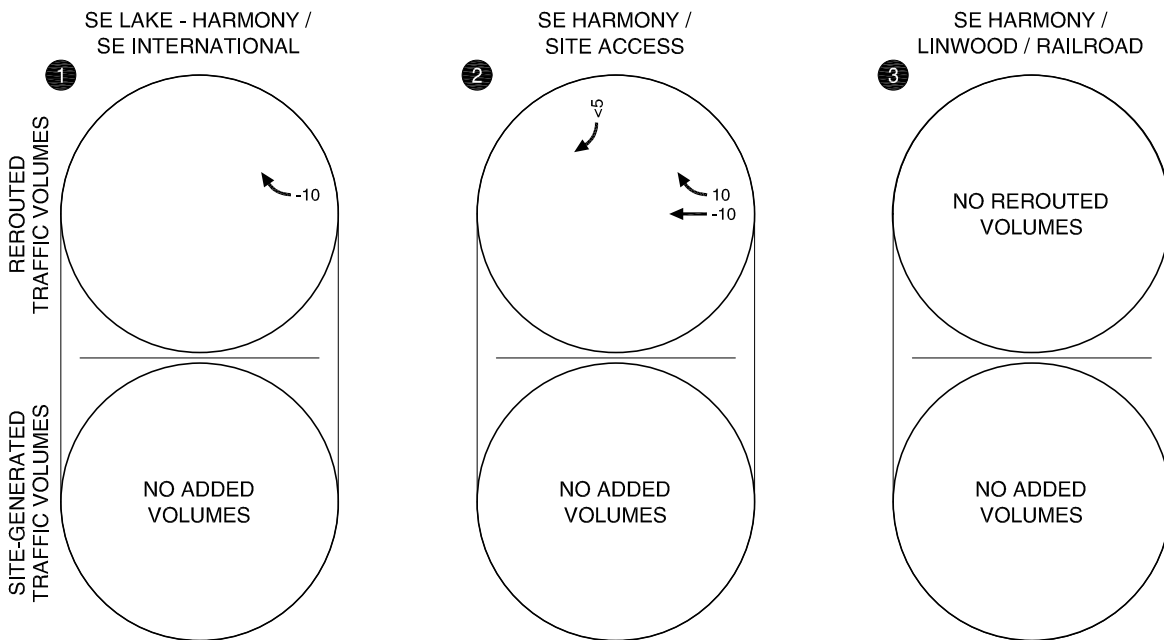
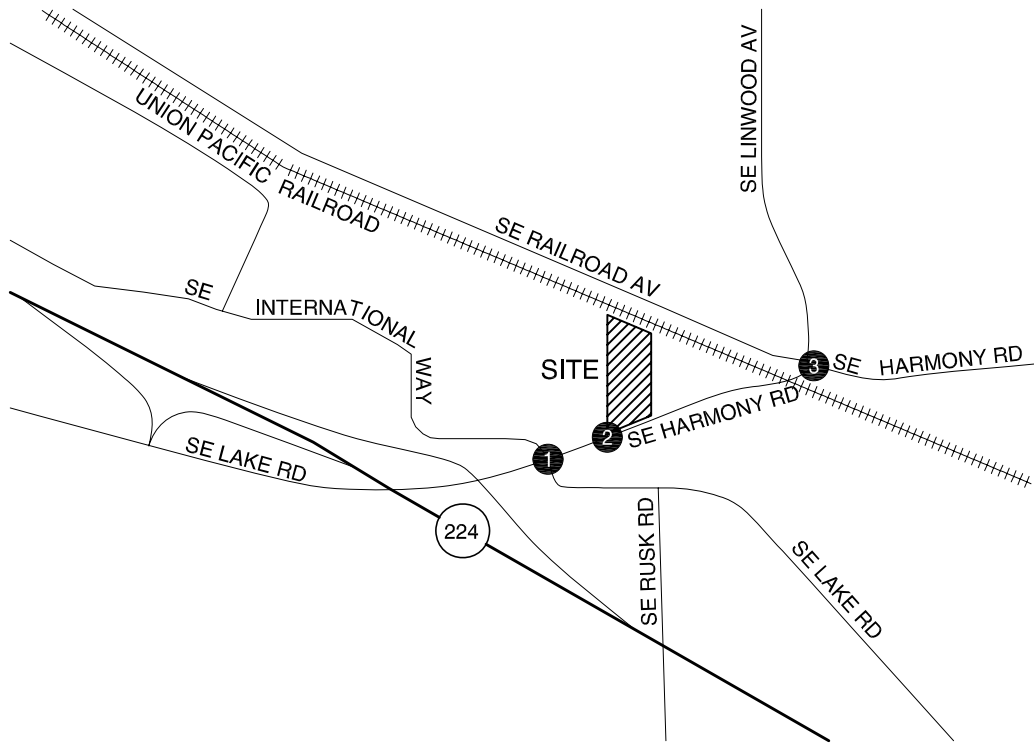
ESTIMATED TRIP DISTRIBUTION PATTERN  
MILWAUKIE, OREGON

FIGURE  
**6**

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(NO SCALE)



NOTE: TRAFFIC VOLUMES HAVE BEEN ROUNDED TO THE NEAREST FIVE TRIPS

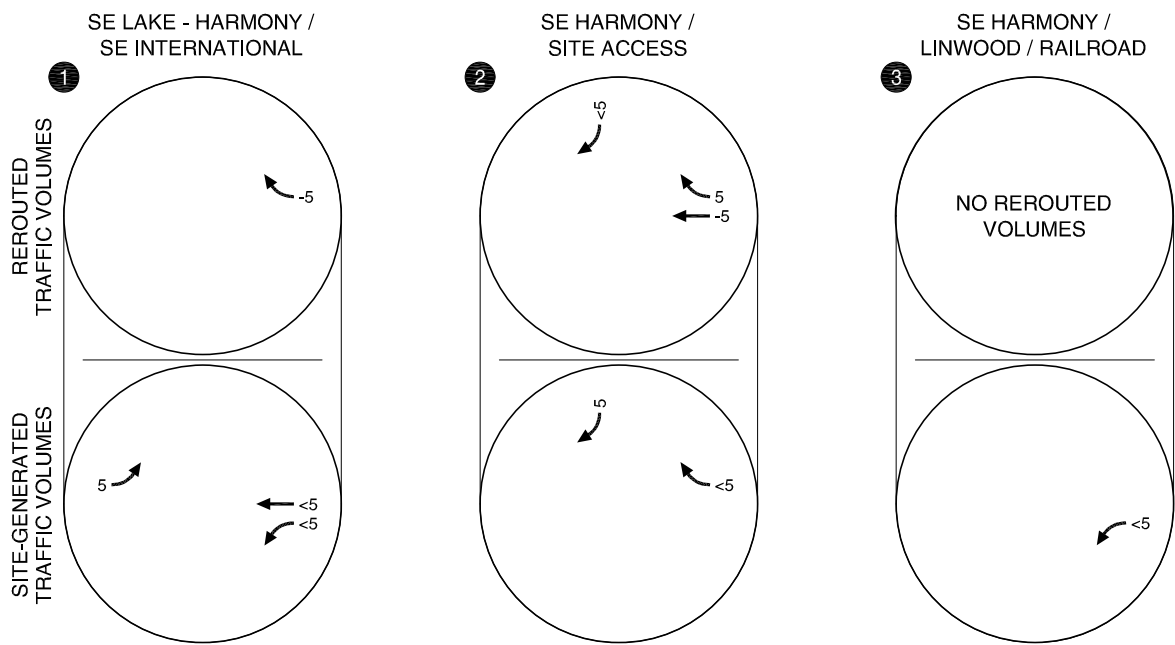
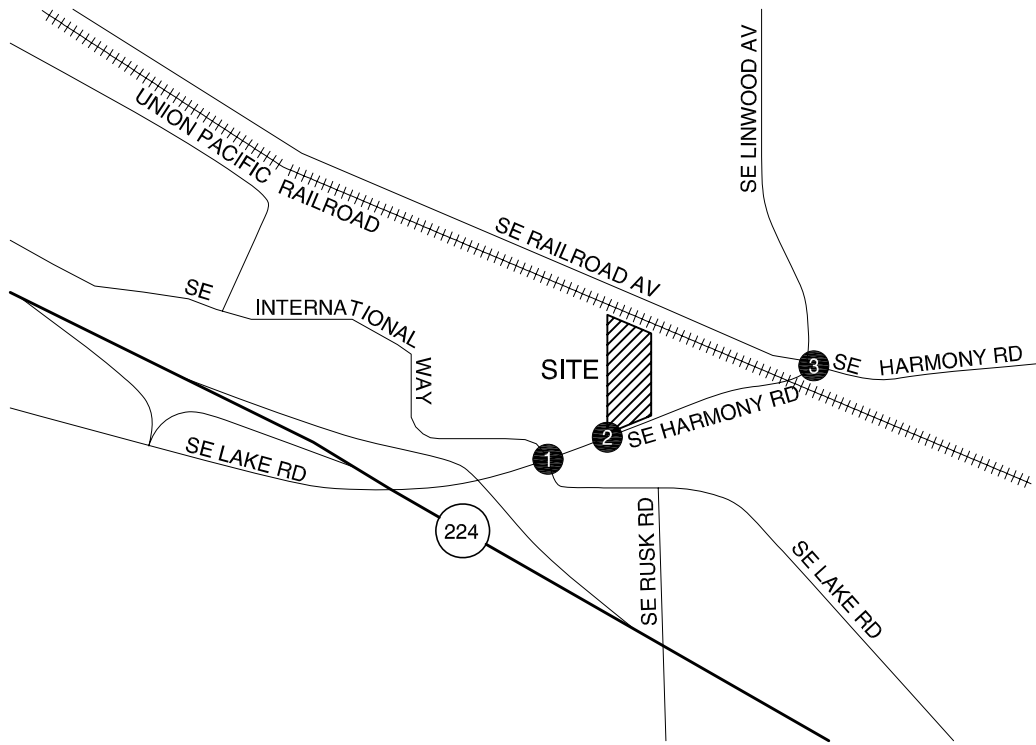
**SITE-GENERATED AND REROUTED BUSINESS PARK TRAFFIC VOLUMES  
WEEKDAY AM PEAK HOUR  
MILWAUKIE, OREGON**

FIGURE  
**7**

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NOTE: TRAFFIC VOLUMES HAVE BEEN ROUNDED TO THE NEAREST FIVE TRIPS

**SITE-GENERATED AND REROUTED BUSINESS PARK TRAFFIC VOLUMES  
WEEKDAY PM PEAK HOUR  
MILWAUKIE, OREGON**

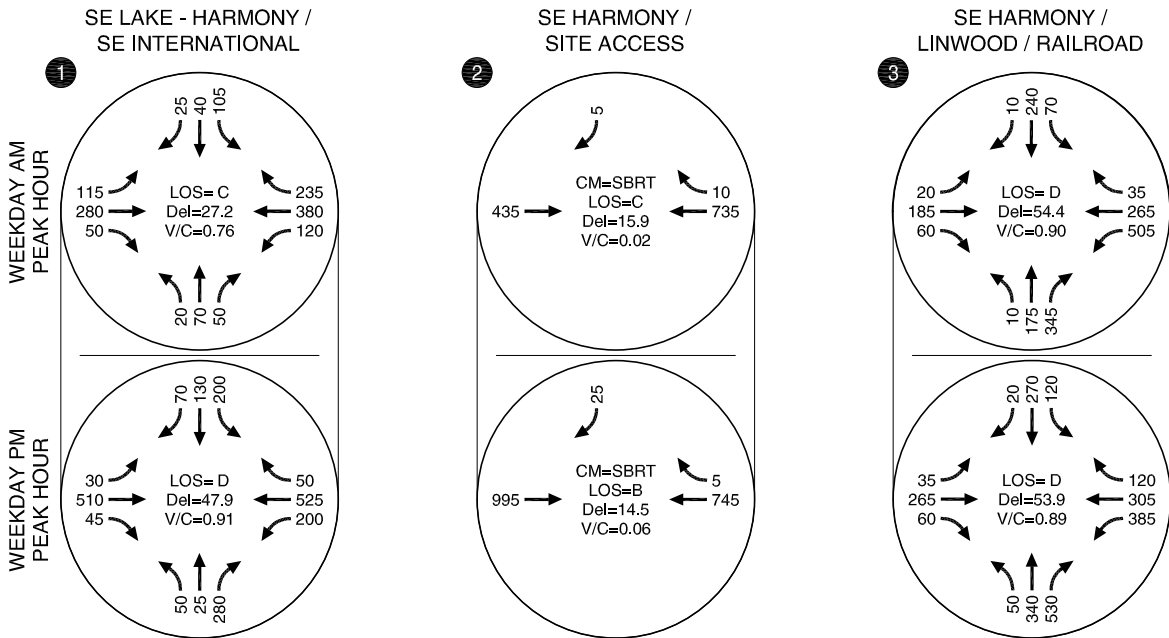
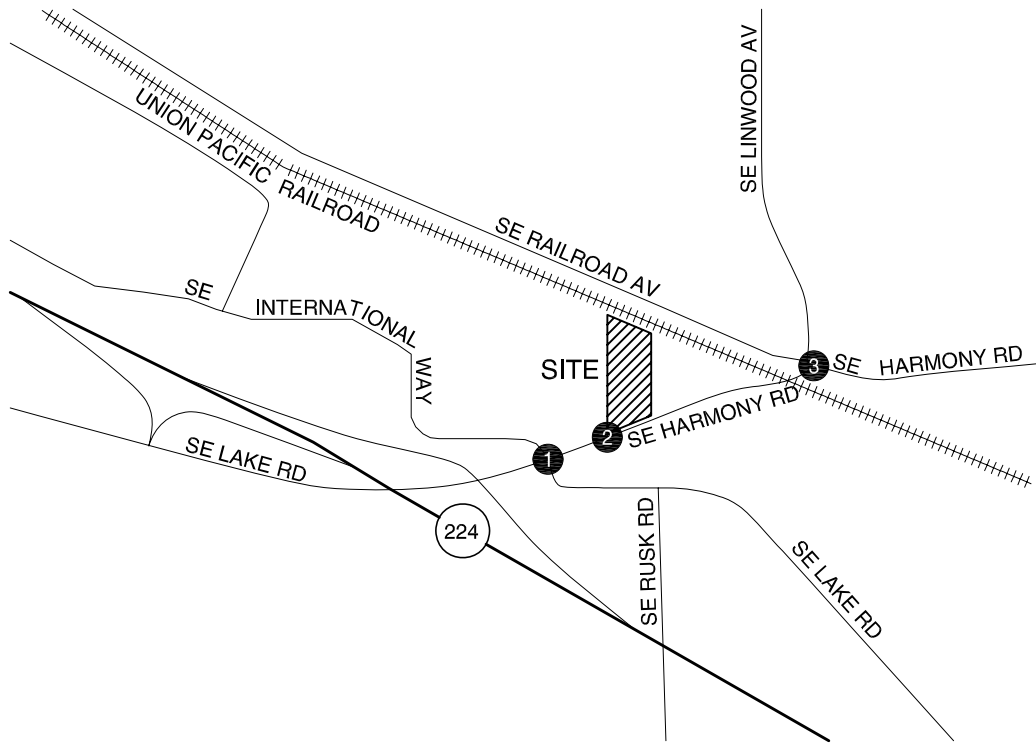
FIGURE

**8**

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(NO SCALE)



**LEGEND**

CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)  
 Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED)/CRITICAL MOVEMENT CONTROL DELAY (UNSIGNALIZED)  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2009 TOTAL TRAFFIC VOLUMES  
 WEEKDAY AM & PM PEAK HOURS  
 MILWAUKIE, OREGON**

**FIGURE  
 9**

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### **Intersection Operations/Queuing**

As shown in Figure 9, the proposed driveway is expected to operate acceptably under 2009 total traffic conditions during both weekday a.m. and p.m. peak hours.

Queuing at the SE Harmony/SE International Way intersection has been identified as a concern by Clackamas County staff. Because of the very slight increase in traffic volumes associated with the proposed project, no measurable impacts on queuing are expected to result from the project. However, some slight benefits may be realized by allowing ingress to the International Way Business Park via the right-in/right-out driveway on SE Harmony Road.

A more significant improvement will result from the removal of conflicting left-turn movements that are currently allowed at the three existing site driveways.

### **Access Spacing**

Clackamas County classifies SE Harmony Road as a major arterial. According to Table V-5 of the Clackamas County Comprehensive Plan, driveways on these facilities should be located to provide 400 feet spacing, except where no other alternatives exist. Figure 10 illustrates the existing access spacing along SE Harmony Road. Figure 10 shows the three driveways currently along the site frontage on SE Harmony Way, resulting in access spacing of 98 feet, 27 feet, 32 feet, and 177 feet (west to east, center-line to center-line).

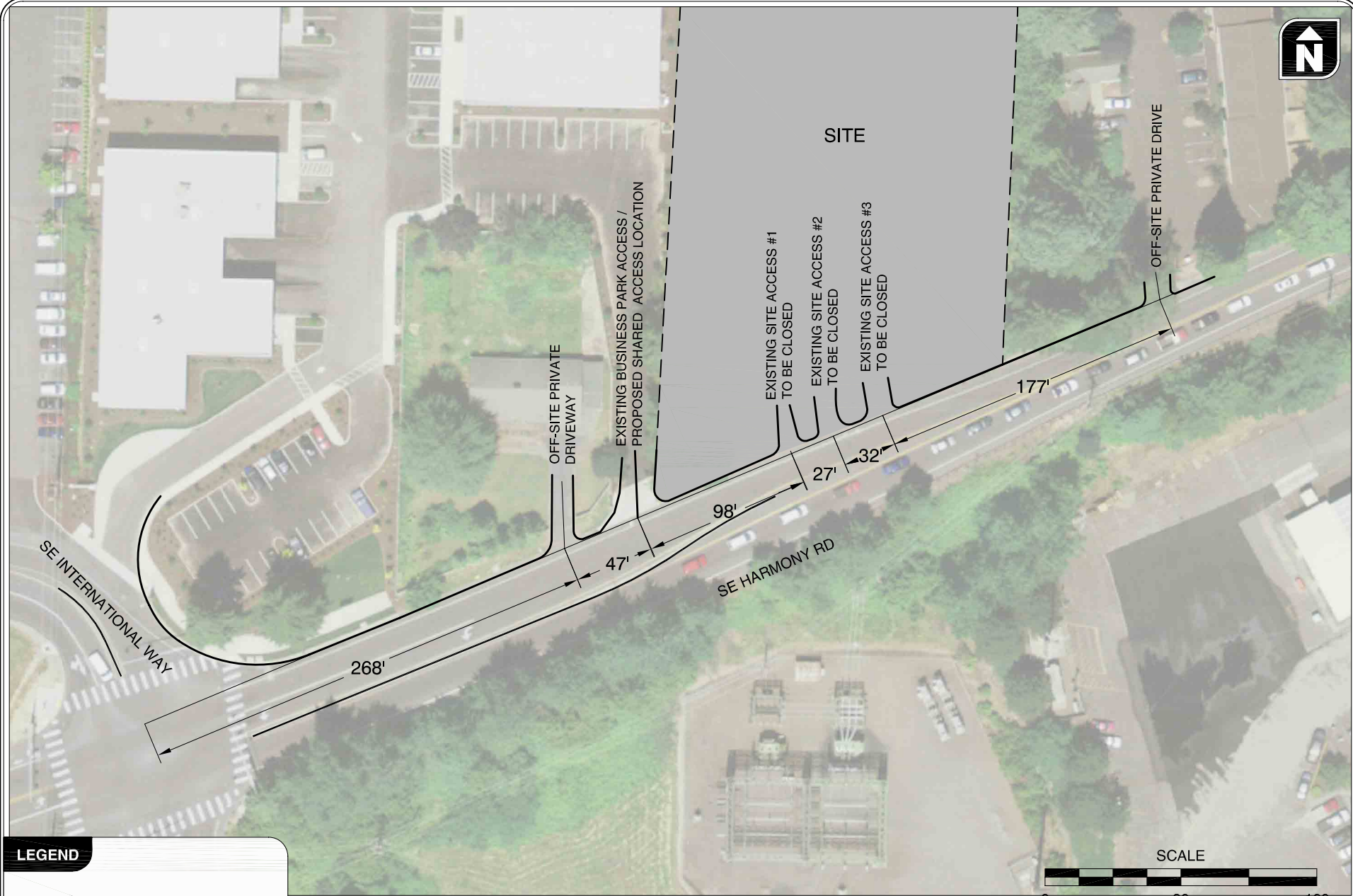
Figure 11 depicts the proposed access plan, which would close the three existing full-access driveways and modify the existing right-out driveway serving the International Way Business Park so that it would provide right-in/right-out access to the self-storage and the business park. As the figure shows, the proposed access plan would improve access spacing to 312 feet along the site frontage. Further, this plan would remove conflicting left turn movements that are currently permitted at the three private driveways serving the site.

### **Sight Distance**

Intersection and stopping sight distance were evaluated at the proposed SE Harmony Road access. The sight distance evaluation was conducted according to the standard manual *A Policy on Geometric Design of Highways and Streets* (commonly referred to as the *Green Book*) published by the American Association of State Highway and Transportation Officials (AASHTO, Reference 4).

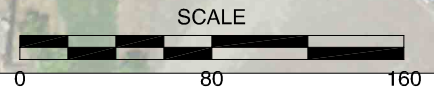
A speed study was conducted on SE Harmony Road to determine the 85<sup>th</sup> percentile travel speed. The speed study was conducted approximately 800 feet east of SE International Way for a 24-hour period in October 2007. The 85<sup>th</sup> percentile speed was found to be 37 miles per hour (mph) for westbound vehicles approaching the site. Table 5 summarizes the AASHTO guidelines according to travel speeds of 37 miles per hour as well as measured sight distances at the proposed driveway. The measured sight distances assume the removal of brush along the roadway frontage of the proposed development site.

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**LEGEND**

- - - - SITE BOUNDARY
- — — EXISTING RAISED MEDIAN



EXISTING ACCESS SPACING ON HARMONY ROAD MILWAUKIE, OREGON

FIGURE 10

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**LEGEND**

- - - - - SITE BOUNDARY
- — — — — EXISTING RAISED MEDIAN

PROPOSED ACCESS SPACING ON HARMONY ROAD MILWAUKIE, OREGON

FIGURE 11

**Table 5  
 Sight Distance Calculations at Existing Right-Out on SE Harmony Road**

Vehicle	Intersection Sight Distance			Stopping Sight Distance		
	AASHTO	Measured	Adequate?	AASHTO	Measured <sup>1</sup>	Adequate?
Passenger Car <sup>2</sup>	355'	540'	Yes	270'	460'	Yes
Single Unit Truck <sup>3</sup>	465'	560'	Yes	270'	460'	Yes
Combination Truck <sup>3</sup>	575'	560'	No	270'	460'	Yes

<sup>1</sup> Measured from 3.5' driver's eye height to 2.5' fender height  
<sup>2</sup> Measured from 3.5' driver's eye height to 3.5' driver's eye height  
<sup>3</sup> Measured from 7.5' driver's eye height to 3.5' driver's eye height

As shown in Table 5, the existing right-out only access meets AASHTO requirements for both intersection and stopping sight distances for passenger cars and single-unit trucks. For combination trucks, 560 feet of intersection sight distance is available where 575 feet is considered desirable.

AASHTO also identifies the minimum sight distance as equal to the stopping sight distance for approaching vehicles. The calculated minimum stopping sight distance is 270 feet. The measured intersection sight distance of 560 feet is greater than the minimum sight distance standard identified by AASHTO and is therefore sufficient according to AASHTO standards.<sup>3</sup> Further, vehicle counts revealed only one combination truck using the driveway during the weekday a.m. and p.m. peak hours. Therefore, for the vast majority of traffic, AASHTO's "desired" sight distance is available. *The speed study report and sight distance calculations are provided in Appendix "I"*

**FINDINGS & CONCLUSION**

The analysis described in this report resulted in the following key findings and recommendations:

**TPR Compliance**

- Comparing allowed uses, the proposed zone change and conditional use application results in a reduction of site trip generation potential from approximately 920 daily trips (under current zoning) to approximately 80 daily trips, with the proposed conditional use self-storage facility. The application is estimated to reduce peak period trips by approximately 130 and 125 trips during the a.m. and p.m. peak hours, respectively.

**Existing Conditions**

- The SE International Way/SE Harmony Road intersection and the site access operate acceptably during both weekday a.m. and p.m. peak hours. The SE Linwood Avenue/SE

---

<sup>3</sup> The AASHTO *Green Book*, page 651, states that "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."



Harmony Road intersection operates at LOS "E" during the weekday a.m. and p.m. peak hours.

- Based on ODOT data, there were no reported crashes at the study intersections over the most recent five-year period for which data are available.

## 2009 Future Conditions

- The study intersections are all forecast to operate acceptably during the weekday a.m. and p.m. peak hours under 2009 background conditions, with planned installation of a northbound right-turn overlap phase and assumed signal timing changes at the SE Harmony/Linwood/Railroad intersection.
- The proposed development is estimated to result in only minor changes in weekday trip generation when compared to the existing single family homes and industrial building on-site. Weekday trips are estimated to increase by approximately 30 daily trips, with a.m. peak hour trips declining slightly (approximately two trips) and p.m. peak hour trips increasing slightly (approximately two trips).
- The study intersections are all forecast to operate acceptably during the weekday a.m. and p.m. peak hours under 2009 total traffic conditions. Total volumes include site-generated trips and re-routed traffic resulting in the International Way Business Park vehicles using the new right-in access on SE Harmony Road.
- The proposed project is not expected to have a measurable impact on intersection queuing. However, removal of the left-turn movements at the existing site driveways will eliminate conflicting movements that currently can exacerbate queuing conditions. Further, some out of direction travel to the International Way Business Park will be reduced due to the new shared right-in access on SE Harmony Road.

## Access Management

- The proposed access plan will result in closure of three full access driveways and will bring access spacing closer to Clackamas County desired standards.
- Adequate sight distance will be available at the proposed site driveway for passenger vehicles, single-unit trucks, and combination trucks, according to AASHTO standards.

Based on the analysis and findings documented in this report, the proposed zone change, contingent on the approval and development of the proposed self-storage facility, can be approved without negatively impacting the transportation system.


## Recommendations


- Remove existing vegetation along the site frontage to improve sight lines at the proposed shared access driveway.

- Approval of the proposed zone change should be subject to a "trip cap" equivalent to the proposed 450-unit mini storage facility (80 daily trips, 5 a.m. peak hour trips, 10 p.m. peak hour trips)

We look forward to discussing this project with you at the earliest opportunity.

Sincerely,  
KITTELSON & ASSOCIATES, INC.

  
Judith Gray  
Senior Planner

  
Conor Semler  
Transportation Analyst

### References

1. LandDesignNW, *Harmony Road Zone Analysis*, 2007.
2. Institute of Transportation Engineers. *Trip Generation*, Seventh Edition. 2003
3. Transportation Research Board. *Highway Capacity Manual*. 2000
4. American Association of State Highway and Transportation Officials. *A Policy on Geometric Design of Highways and Streets*, 2004.

### Appendices

- A. Traffic Count and Trip Generation Count Data
- B. Description of Level-of-Service Methods and Criteria
- C. 2007 Existing Conditions Analysis Worksheets
- D. Crash Data
- E. Historic Traffic Counts
- F. 2009 Background Conditions Analysis Worksheets
- G. 2009 Total Traffic Conditions Analysis Worksheets
- H. Sensitivity Analysis Worksheets
- I. Speed Study Report & Sight Distance Calculations



RECEIVED

SEP 27 2016

CITY OF MILWAUKIE  
PLANNING DEPARTMENT



**LANCASTER  
ENGINEERING**

321 SW 4<sup>th</sup> Ave., Suite 400  
Portland, OR 97204  
phone: 503.248.0313  
fax: 503.248.9251  
lancasterengineering.com

March 23, 2016

Robert Hixson  
Clackamas County Department of Transportation and Development  
150 Beaver Creek Road  
Oregon City, OR 97045

RE: *Sight Distance Analysis at 5945 SE Harmony Road*

Dear Robert,

This letter describes the results of our analysis of sight distance at the shared right-in, right-out access serving the proposed self-storage facility at 5945 SE Harmony Road in Clackamas County, Oregon.

The letter details the results of our sight distance measurements, speed data collection and associated analysis. It also includes a design modification request as allowed in Section 170.1 of the Clackamas County Roadway Standards.

***Sight Distance at the Shared Right-In, Right-Out Driveway Location***

Sight distance was measured for three distinct design vehicle movements at the shared driveway location on Harmony Road. These included measurement of Intersection Sight Distance (ISD) for passenger vehicles exiting the driveway onto Harmony Road, ISD for trucks exiting the driveway onto Harmony Road, and Stopping Sight Distance (SSD) for westbound vehicles turning into the site access from Harmony Road.

Stopping sight distance was measured from the position of the rear of a stopped vehicle waiting within the travel lane on SE Harmony Road, intending to make a westbound right turn into the shared access driveway. The measurements used an object height of 2.0 feet above the roadway within the westbound travel lane and an oncoming westbound driver's eye height of 3.5 feet above the roadway. The available stopping sight distance was measured to be 434 feet.

In order to determine the minimum required intersection sight distances and stopping sight distance for the shared access driveway, speed data was collected for westbound vehicles at the limits of sight distance. The actual measurements were made at a position approximately 485 feet east of the centerline of the shared access. Speed data was collected for 100 free-flowing vehicles during a mid-week day, and data collection was observed by Clackamas County staff to ensure that the collected data was collected in accordance with the standards established by Clackamas County and the American Association of State Highway and Transportation Officials.

Robert Hixson  
March 23, 2016  
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Based on the collected speed data, the 85<sup>th</sup> percentile speed of westbound vehicles on SE Harmony Road was measured to be 36 mph. Over the braking distance for westbound vehicles, there is a downhill grade of up to 3.5 percent. Based on these factors, the minimum required stopping sight distance for safety was calculated to be 275 feet. The measured available stopping sight distance of 434 feet is well in excess of the minimum required. Accordingly, the proposed site access can operate safely with respect to westbound vehicles entering the site and no sight distance mitigations are recommended for the future right-turn movement from SE Harmony Road into the site.

For passenger cars, intersection sight distance was measured from a position within the shared driveway 14.5 feet behind the edge of the traveled way, with a driver's eye height of 3.5 feet above the driveway surface elevation. The measurements were made to an oncoming driver's eye height of 3.5 feet above the roadway within the oncoming (westbound) travel lane on SE Harmony Road. The available intersection sight distance was measured to be 420 feet. Based on the measured 85<sup>th</sup> percentile speed of westbound traffic, the minimum intersection sight distance required to ensure minimal interruptions to the flow of through traffic was calculated to be 400 feet. Since the available intersection sight distance is in excess of the minimum required, passenger vehicles can turn from the shared driveway onto SE Harmony Road westbound without unduly impacting the flow of westbound through vehicles. No sight distance mitigations are recommended for future right-turn movements by passenger vehicles turning westbound onto SE Harmony Road.

For trucks, intersection sight distance was measured from a position within the shared driveway 14.5 feet behind the edge of the traveled way, with a driver's eye height of 7.6 feet above the driveway surface elevation. The measurements were made to an oncoming driver's eye height of 3.5 feet above the roadway within the oncoming (westbound) travel lane on SE Harmony Road. The available intersection sight distance was measured to be 263 feet, as limited by low branches on the trees immediately east of the shared driveway on the north side of the roadway. With clearing of the low branches, it is anticipated that sight distance for trucks can be improved to 585 feet. Based on the measured 85<sup>th</sup> percentile speed of westbound traffic, the minimum intersection sight distance required to ensure minimal interruptions to the flow of through traffic when trucks turn onto SE Harmony Road was calculated to be 610 feet.

The available intersection sight distance for trucks is marginally less than the minimum required by AASHTO and the Clackamas County Roadway Standards. Accordingly, it is anticipated that when heavy vehicles turn from the driveway onto SE Harmony Road, some additional delay to westbound through traffic may reasonably be anticipated. It should be noted, however, that the available intersection sight distance is well in excess of the minimum required stopping sight distance. Accordingly, trucks can safely exit the driveway and turn onto SE Harmony Road. The measured intersection sight distance for trucks was approximately 25 feet short of the desired minimum intersection sight distance. As vehicles approach the driveway at 36 mph, they will cover this distance in 0.5 seconds. Accordingly, the additional delay that would be anticipated in association



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with the limited truck intersection sight distance is 0.5 seconds when trucks are entering the roadway at the same time as vehicles are approaching at the limits of sight distance. This extremely small increase in potential delays to through traffic will have a negligible impact on operation of the adjacent roadway and the site access intersection.

### ***Request for Design Modification***

Section 170.1.2 of the Roadway Standards contains a list of conditions identifying when a modification may be requested. Since the driveway is located at the extreme west end of the subject property, the available intersection sight distance is at its maximum at the shared driveway location. Accordingly, there is no possible location for the driveway where all ISD minimums specified by the county can be satisfied. This specification therefore cannot be met without "undue hardship." Moreover, stopping sight distance (SSD) for the driveway can be achieved, indicating that the driveway can operate safely, and intersection sight distance for passenger cars is also available, indicating that most vehicles entering SE Harmony Road from the shared access will not unduly impact the flow of through traffic, and the potential impacts on through traffic that can occur when trucks turn onto SE Harmony Road are extremely minimal. For these reason, subsection (c.) of 170.1.2 is met, indicating that the County may grant a modification.

Per Section 170.1.1, the request for a design modification should include four items. These items are listed below, with the response to each following.

### ***Desired Modification***

The requested modification is to allow the use of the Modified ISD for trucks as provided in Section 240.7, despite the traffic volumes on SE 130<sup>th</sup> Avenue and the subject driveway not conforming to the traffic volume criteria in Table 2-5. Specifically, it is requested that the stopping sight distance for the 85<sup>th</sup> percentile of traffic speeds as measured in our speed study conducted on March 10, 2016 be used as the applicable standard, with the provision that truck intersection sight distance shall be improved to the maximum extent possible through clearing of the tree limbs and vegetation currently obstructing sight lines for truck eye heights of up to 7.6 feet.

### ***Reason for the Request***

The subject property is adjacent to SE Harmony Road and has no other site frontage. An existing access driveway onto SE Harmony Road is located on the adjacent parcel to the west. The maximum achievable sight distance for any location along the frontage of the subject property is at the extreme west end of the property, since this location maximizes the distance to the crest vertical curve to the east. Accordingly, providing an improved, shared access driveway on the property line achieves the maximum possible sight distance for the subject property.



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***Comparison between Standard & Modification, for Performance, Function, Maintainability, Safety, etc.***

At the 85<sup>th</sup> percentile speed of 36 mph, the minimum required stopping distance for safety is 275 feet. This includes the distance travelled as drivers see and react to potential conflicts as well as the distance necessary for braking. The available sight distance to the east for trucks entering the roadway from the site access currently does not meet this minimum. However, sight lines are restricted by low tree limbs and associated vegetation within the frontage of the subject property. With trimming of low limbs and vegetation, intersection sight distance well in excess of the minimum required for safety is attainable.

With clearing of low limbs and associated vegetation from the trees on the north side of SE Harmony Road immediately east of the shared driveway location, adequate intersection sight distance for passenger cars and single-unit trucks will be available. Accordingly, these vehicles will not significantly impact the flow of westbound through traffic along SE Harmony Road when exiting from the shared driveway. For tractor-trailer trucks, intersection sight distance to the east will be approximately 25 feet short of the desired minimum. Based on the speed of approaching traffic, it is anticipated that large trucks exiting the driveway as vehicles approach from the limits of sight distance may result in an added delay to westbound through traffic of up to 0.5 seconds. This impact to through traffic is minimal and essentially negligible.

Approval of the requested modification will have no negative impacts on the safety or maintainability of the shared driveway intersection on SE Harmony Road, and will have negligible impacts on the performance and function of SE Harmony Road.

***References to Regionally or Nationally Accepted Specifications & Standards, Record of Successful use by other Agencies, etc.***

The sight distance requirements in Section 240 of the Roadway Standards are based upon the sight distance standards in the 2011 AASHTO manual. This manual provides nationally-accepted standards for roadway design, including sight distance. The premise of the requested Design Modification is to accept the maximized truck ISD attainable at the shared access driveway upon clearing of vegetation within the frontage of the subject property and in excess of the minimum required SSD rather than the full truck ISD.

The AASHTO Manual contrasts SSD to ISD by stating that, "Intersection Sight Distance criteria for stop-controlled intersections are longer than stopping sight distance to ensure that the intersection operates smoothly. Minor road vehicle operators can wait until they can proceed safely without forcing a major road operator to stop." This indicates that providing ISD allows the major street traffic to flow smoothly and without interruptions.



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Additionally, "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, this may require a major-road vehicle to stop or slow to accommodate the maneuver by a minor-road vehicle. To enhance operations, intersection sight distances that exceed stopping sight distances are desirable along the major road." Thus, the minimum requirement for safe operation of a proposed intersection or driveway is that SSD be available in each direction to ensure that oncoming vehicles have sufficient reaction time and space to stop to avoid collisions.

Lancaster Engineering has an extensive experience in evaluating sight distance in virtually all City, County, and State agencies in the Portland Metro area. Most jurisdictions require that ISD standards be met when feasible, with many (including Washington County) adhering to ISD standards as strictly as possible. Still, in each jurisdiction there have been instances where it was not possible to provide the full ISD in each direction and SSD standards were used as an alternative minimum standard to ensure safe operation.

In this instance, since truck intersection sight distance nearly matching the sight distance required for relatively uninterrupted flow of through traffic is attainable, it is anticipated that approval of the requested modification will result in no negative impacts to safety, and only negligible impacts to the flow of through traffic.

## Summary & Conclusions

At the proposed new driveway location, the minimum intersection sight distance specified by the County for trucks entering the roadway from the shared site access is not available. However, the speed study conducted on March 10, 2016 confirms that the necessary stopping sight distance required for safe operation of the shared driveway is attainable for all movements and all vehicle types. Because truck intersection sight distance cannot reasonably be improved to achieve County standards, a Design Modification is recommended. Since adequate stopping sight distance is attainable, this modification is allowed by *Clackamas County Roadway Standards* and supported by *A Policy on Geometric Design of Highways and Streets* and will allow safe operation of the driveway.

The shared driveway location allows for stopping sight distances to be achieved in all cases without the necessary lines of sight crossing other properties. Therefore, no sight distance easements are necessary to accommodate safe operation of the driveway upon approval of the requested design modification. Interruptions to the flow of through traffic will also be minimized under the proposed design modification, since adequate intersection sight distance is already available for passenger vehicles and intersection sight distance for trucks will be improved to the maximum extent possible

*le*

Robert Hixson  
March 23, 2016  
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by appropriate clearing of tree limbs and associated vegetation within the frontage of the subject property.

If you have any questions or concerns regarding this analysis, please don't hesitate to contact us.

Sincerely,



Michael Ard, PE  
Senior Transportation Engineer

p. 503.248.0313  
e. mike@lancasterengineering.com



EXPIRES 12/31/17



## APPENDIX

**5945 SE Harmony Road - WB Speed Data (Sorted)**

Speed Ranking	Speed (mph)
100	45
99	44
98	42
97	39
96	39
95	38
94	38
93	38
92	38
91	38
90	37
89	37
88	36
87	36
86	36
<b>85</b>	<b>36</b>
	<b>&lt;-- 85th Percentile Speed</b>
84	35
83	35
82	35
81	35
80	35
79	35
78	35
77	34
76	34
75	34
74	34
73	34
72	34
71	34
70	34
69	33
68	33
67	33
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18	30
17	30
16	30
15	30
14	29
13	29
12	28
11	28
10	28

9	28
8	28
7	28
6	27
5	27
4	27
3	26
2	25
1	22

## Sight Distance Analysis Worksheet - 5945 SE Harmony Road

Stopping Sight Distance	Reaction Distance	Braking Distance
Travel Speed      36 mph	Travel Speed      36 mph	Travel Speed      36 mph
Reaction Time    2.5 seconds	Travel Speed      52.9 fps	Acceleration      11.2 ft/sec <sup>2</sup>
Acceleration    11.2 ft/sec <sup>2</sup>	Reaction Time    2.5 seconds	Grade (percent)   -3.50%
Grade (percent) -3.50%	Reaction Distance <b>132.3 feet</b>	Braking Distance <b>138.1 feet</b>

Distance	Required*	Measured*	Adequate?	Notes
ISD	270.4	434	Yes	
SU Truck ISD	396.9	420	Yes	
WB Truck ISD	502.7	263	No	Truck ISD can increase to 585' with clearing of vegetation
	608.6	263	No	Truck ISD can increase to 585' with clearing of vegetation

\* All distances are in feet. Required sight lines are rounded up to the nearest 5-foot interval within the accompanying report.

The only sight distance requirement not projected to be met with clearing of vegetation is truck ISD for tractor-trailer trucks. Based on the projected deficiency of 25 feet, delays of up to 0.5 seconds may be expected when tractor-trailer trucks enter SW Harmony Road while vehicles are approaching westbound at the limits of sight distance.



December 19, 2014

Andrew Tull  
3J Consulting, Inc.  
5075 SW Griffith Drive, Ste 150  
Beaverton, OR 97005

**Re: Preapplication Report**

Dear Andrew:

Enclosed is the Preapplication Report Summary from your meeting with the City on December 4, 2014, concerning your proposal for action on property located at 5945 and 5965 SE Harmony Rd.

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,

Blanca Marston  
Administrative Specialist II

Enclosure

cc: Hans Thygeson  
File



**PRE-APPLICATION CONFERENCE REPORT**

**This report is provided as a follow-up to a meeting that was held on 12/4/2014 at 10:00AM**

**Applicant Name:** Andrew Tull  
**Company:** 3J Consulting, Inc.  
**Applicant 'Role':** Contractor  
**Address Line 1:** 5075 SW Griffith Drive, Ste 150  
**Address Line 2:**  
**City, State Zip:** Beaverton OR 97005  
**Project Name:** Mini Storage  
**Description:**  
**ProjectAddress:** 5945 & 5965 SE Harmony Rd  
**Zone:** BI zone with HCA and WQR overlays.  
**Occupancy Group:**  
**ConstructionType:**  
**Use:** Current residential and industrial. Proposed public storage facility, which is a conditional use in th  
**Occupant Load:**  
**AppsPresent:** Andrew Tull, Hans Thygeson  
**Staff Attendance:** Jason Rice, Li Alligood

**BUILDING ISSUES**

**ADA:**  
**Structural:** New plans will need to be submitted with updates for the new code version. Finished floor shall be located a minimum of one foot above the base flood elevation.  
Retaining walls over 4 feet in height measured from the bottom of the footing to the top of the wall, or that retain a surcharge are required to be engineered and permitted.  
**Mechanical:**  
**Plumbing:**  
**Plumb Site Utilities:**  
**Electrical:**



**Notes:**

**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 Arouds:**

**Addressing:**

**Fire Protection:**

**Fire Access:**

**Hazardous Mat.:**

**Fire Marshal Notes:** A Fire Access and water supply plan for commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1.

SEE ATTACHED COMMENTS.

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. (Applicable for developments with potable water supply provided by a water authority.)

Following completion of site construction activities of buildings over 1000 square feet or when required by Clackamas Fire District #1, the applicant shall provide as-built Fire Access and Water Supply pdf plans to the local Fire District and the County. The pdf plans 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 plans shall include any supporting details of the access, circulation, water vaults, fire lines, valves, fdc, backflow devices, etc.

For this proposal, the pdf as-built plan sheets shall be transmitted to [mike.boumann@clackamasfire.com](mailto:mike.boumann@clackamasfire.com) (Deputy Fire Marshal Mike Boumann) and [deanam@co.clackamas.or.us](mailto:deanam@co.clackamas.or.us) (Development Review Coordinator Deana Mulder)

**PUBLIC WORKS ISSUES**

**Water:**

There is an existing 8-inch water main that is available to serve the proposed development. The existing 8-inch main will need to be extended to the east property line of the proposed development property for future development. The City of Milwaukie Operations Department will install up to a 2-inch water service. Water service installation fees are due at issuance of building permits. Also, the most current water service installation fees are available on the City of Milwaukie website.

The water System Development Charge (SDC) is based on the size of water meter serving the property.

The corresponding water SDC will be assessed with installation of a water meter. Water SDC credit will be provided based on the size of any existing water meter serving the property removed from service. The water SDC will be assessed and collected at the time the building permits are issued.

**Sewer:**

Currently, the wastewater System Development Charge (SDC) is comprised of two components. The first component is the City's SDC charge of \$893.00 and the second component is the County's connection fee for treatment of \$5,670 that the City collects and forwards to the County. Both charges are per connection unit. The wastewater SDC and connection fee is assessed using a plumbing fixture count from Table 7-3 of the Uniform Plumbing Code. The wastewater SDC connection units are calculated by dividing the fixture count of new plumbing fixtures by sixteen. 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 Public 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 most current 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.

The storm SDC is based on the amount of new impervious surface constructed at the site. One storm SDC unit is the equivalent of 2,706 square feet of impervious surface. The storm SDC is currently \$823 per unit. 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 Harmony Road, an arterial roadway. See Clackamas County requirements under the Notes section of this report.

**Frontage:**

Chapter 19.700 of the Milwaukie Municipal Code, hereafter referred to as "Code", applies to partitions, subdivisions, and new construction.

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. See Clackamas County requirements under the Notes section of this report.

**Right of Way:**

Right-of-way shall be dedicated in accordance with Code Chapter 19.700, Code Table 19.708.2. See Clackamas County requirements under the Notes section of this report.

**Driveways:**

Code 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. The proposed development will not be able to meet the access spacing targets required on an arterial roadway in Code Section 12.16.040.C.

**Erosion Control:**

Per Code Section 16.28.020(C), 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.

Code Section 16.28.020(E) states that an erosion control permit is required prior to issuance of building

permits or approval of construction plans. Also, Section 16.28.020(B) states that an erosion control plan that meets the requirements of Section 16.28.030 is required prior to any approval of an erosion control permit.

**Traffic Impact Study:** See Clackamas County Note #10.

**PW Notes:**

**TRANSPORTATION SDC**

The Transportation SDC is based on the increase in trips generated per the Trip Generation Handbook from the Institute of Transportation Engineers. The SDC for transportation is \$1,676 per trip generated. Credit is applied to any demolished structures and is based upon the existing use of the structures. The Transportation SDC is assessed and collected at the time the building permits are issued.

**PARKS & RECREATION SDC**

The Parks and Recreation SDC is based on an increase number of employees. Employee data is calculated using Table 5-4 of North Clackamas Parks & Recreation District System Development Charges Update Methodology Report dated September 28, 2007. The employment data of Table 5-4 is based on an increase in floor area and/or change in use for a proposed development. The SDC for parks and recreation is \$60.00 per additional employee. The Parks and Recreation SDC is assessed and collected at the time the building permits are issued.

## PLANNING ISSUES

**Setbacks:**

The setbacks for the BI zone are as follows: front yard shall be at least 20 feet, rear and side yards shall be at least 0 feet. Cornices, eaves, canopies, sunshades, gutters, steps, unroofed landings, and flues may project up to 24 inches into a required side yard and up to 36 inches into a required front or rear yard.

Per MMC Table 19.501.2, Harmony Rd has been identified as a major street, and additional yard requirements apply. Buildings on site must be set back a minimum distance of 40 feet from the centerline of Harmony Rd, but in no case closer than 20 feet to the front property line. A survey will be required to verify that the setbacks from the centerline of Harmony Rd are met.

The proposed commercial or industrial project is adjacent to a lower density zone, and Transition Area Measures apply per Milwaukie Municipal Code (MMC) Subsection 19.504.6. This subsection requires a side yard setback of 20 ft on the east side to match the front yard setback of the adjacent R-5 zone. In addition, the east side yard setback must be maintained as open space and natural vegetation, landscaping, or fencing shall be provided to the 6-ft level to screen lower-density residential uses from direct view across the open space.

The proposed building is very close to the minimum 20-ft front yard setback from Harmony Rd and the minimum 20-ft east side yard transition area requirement. Given this location, a hub and tack survey or a field measurement of the south property line will be required prior to the foundation inspection to verify that the setbacks are met.

**Landscape:**

The minimum vegetation standards for the BI zone must be demonstrated at the time of land use application and met at the time of building permit submission. The BI zone requires that 15% of the total area of the lot be left or planted in trees, grass, shrubs, planting beds, etc. See 'Parking' for more information about parking lot landscaping requirements.

**Parking:**

Off-street parking standards contained in Milwaukie Municipal Code (MMC) Chapter 19.600 must be demonstrated at the time of land use application and met at the time of building permit submission. Perimeter and interior landscaping of parking areas must demonstrate compliance with the standards of

MMC 19.606.2. Parking lot landscaping may count toward the BI zone 15% landscaping requirement. A parking and landscaping plan is required at the time of building permit application. Modification to minimum and maximum parking space requirements are allowed through Type II review pursuant to MMC Section 19.605.2.

Per the applicant, the proposed use is a mini-storage. The minimum parking quantity ratio for mini-storage is 1 space/45 storage units, plus 1 space per employee of the largest shift. The maximum parking quantity ratio is 1 space/20 storage units, plus 1 space per employee of the largest shift. The number of bicycle parking spaces shall be at least 10% of the minimum required vehicle parking for the use; in no case shall less than 2 spaces be provided.

**Transportation Review:** The City's transportation requirements are located in MMC 19.700. The Engineering Department has determined that this chapter will be triggered by the proposed project. See 'Public Works' notes for details.

**Application Procedures:** The following applications must be submitted and approved before the development permits are submitted. Applications can be submitted concurrently; the applications will be processed according to the highest numbered review type. There is a 25% discount for the least expensive application(s). Fees listed below are effective July 1, 2014 to June 30, 2015.

**Conditional Use (CU):** Approval of a mini-storage facility in the BI zone is subject to Conditional Use review. The application is reviewed through a Type III review pursuant to MMC 19.1006, and the application fee is \$2,000. The application requirements and approval criteria for a CU application are in MMC 19.905. Upon CU approval, the applicant must record the CU permit with Clackamas County and provide a copy to the City.

**Transportation Facilities Review (TFR):** A Transportation Impact Study (TIS) is required, and TFR approval will be required to evaluate the impacts of the proposed development. The application is reviewed through a Type II review per MMC 19.1005, and the application fee is \$1,000. The approval criteria for TFR applications are in MMC 19.703.3. The Planning Director will determine the actual cost of a TIS scope of work preparation, and a reserve deposit in the amount of \$1,000 will be required. A reserve deposit of \$2,500 is required for a review of the TIS. The deposit amount beyond the actual cost will be refunded.

**Natural Resource (NR):** NR approval (boundary verification of the on-site wetlands) is required for the proposed development. The application is reviewed through a Type II review per MMC 19.1005, and the application fee is \$1,000. The procedures and approval criteria for NR boundary verification applications are in MMC 19.402.15.A.2.a.

**Natural Resource (NR):** NR approval is required because the proposal involves disruption of the mapped Water Quality Resource area on site for the construction of a crossing. The application is reviewed through a Type III review pursuant to MMC 19.1006, and the application fee is \$2,000. The application requirements and approval criteria for a NR application are in MMC 19.402.12. A reserve deposit in the amount of \$2,000 is required for review of the alternatives analysis and other submittals. The deposit amount beyond the actual cost will be refunded.

Additionally, the City may require proof of other jurisdictional approval or review of any proposed stream crossings and storm facilities, i.e. Army Corps, Department of State Lands (DSL), and Department of Environmental Quality (DEQ).

The following land use applications must be submitted prior to or concurrent with development permits:

**Development (DEV):** After approval of the CU/TFR/NR applications, and before start of construction,

DEV approval will be required. The application is reviewed through a Type II review per MMC 19.1005, and the application fee is \$1,000. The application requirements and approval criteria for a DEV application are in MMC 19.906. The proposal must meet the standards of MMC 19.310 Business Industrial zone BI.

Natural Resource (NR): Prior to commencement of construction, a Construction Management Plan (CMP) is required. The application is reviewed through a Type I review per MMC 19.1004, and there is no application fee. The application requirements and approval criteria for a NR CMP application are in MMC 19.402.9.

Type I applications are administrative in nature and are decided by the Planning Director. The timeline for review and approval is generally 10-15 business days.

Type II applications are administrative in nature and are decided by the Planning Director after a public notice period. The timeline for review and approval is 30 – 45 days.

Type III applications are discretionary in nature and require minor quasi-judicial review by the Planning Commission. The timeline for review and approval is generally 3-4 months. The Planning Commission hears land use applications on the second Tuesday of every month, and complete applications need to be submitted to the Planning Department no later than 45 days prior to the target Planning Commission hearing date. In general, staff recommends that an applicant submit at least 30 days prior to the 45-day deadline in order to ensure that there is time to make all applications complete if they are initially deemed incomplete.

Building permits will be accepted for review only after the appeal period for all land use decisions has expired.

Land use application submission materials are listed below for your convenience. Please refer to the handouts distributed in the meeting for more detailed information.

1. All applicable land use applications forms with signatures of property owners.
2. All applicable land use application fees.
3. Completed and signed "Submittal Requirements" form.
4. Completed and signed "Site Plan Checklist and Procedures" form.
4. 5 copies of an existing conditions and a proposed conditions site plan, both to scale. These two site plans can be combined onto one site plan.
5. 5 copies of a detailed narrative describing compliance with all applicable code sections.
6. Once the application is deemed complete, additional copies will be requested for neighborhood district distribution to City departments, applicable governmental agencies, and the association for review. 12 copies of the complete application will be required for Type II applications; 22 copies will be required for Type III applications.

**Natural Resource Review:** The site is bisected by Minthorn Creek and by an unnamed WQR area in the middle of the property. There is a small Habitat Conservation Area (HCA) on the western center of the site.

**Lot Geography:** The site consists of two tax lots and is generally rectilinear in shape.

- Planning Notes:**
- 1) The City will consider the two tax lots as a single site for the purposes of setbacks, lot coverage, minimum vegetation, etc.
  - 2) A second preapplication conference will be required to the TIS. The cost for this conference is \$100.
  - 3) The site is located within 300 ft of the Linwood NDA, and the NDA will have the opportunity to

review and comment on the application. The applicant may wish to present the proposal to the Linwood NDA in advance of application submittal in order to identify any potential concerns.

4) Public notice signs will need to be posted on site prior to any hearing or decision on a Type II or Type III land use application. Notice of the application will be sent to property owners within 300 ft of the subject property. The applicant may wish to communicate with these property owners prior to submittal of the zone change application in order to identify any potential concerns.

5) Many zoning ordinance references and standards have been renumbered, reorganized, updated, or completely revised since the previous mini-storage application (CU-07-02) was approved in 2007, including, but not limited to: 19.310 Business Industrial Zone BI; 19.402 Natural Resources; 19.600 Off-Street Parking and Loading; 19.700 Public Facility Improvements; and 19.905 Conditional Uses.

6) The preapplication conference is valid for purposes of submitting future land use applications as described in 19.1002.4. In general, a preapplication conference is valid for 2 years.

7) The Milwaukie Municipal Code is available online at <http://www.qcode.us/codes/milwaukie/>.

### ADDITIONAL NOTES AND ISSUES

#### County Health Notes:

#### Other Notes:

CLACKAMAS COUNTY REQUIREMENTS (only applies to a partition of the proposed development property, a replat would not trigger the following requirements)

1. The subject property is located adjacent to the northerly side of Harmony Road, easterly from International Way. The subject property has been annexed into the City, so the land use review will be done through a City land use action.

However, Harmony Road is under the jurisdiction of Clackamas County and is classified as a major arterial roadway. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for major arterial roads.

2. This portion of Harmony Road is a section of the Essential Pedestrian Network identified in the Pedestrian Master Plan 2003 and is also a part of the Bicycle Master Plan 2003. Therefore, Harmony Road will require bike lanes and unobstructed sidewalks. As the road will likely be under City of Milwaukie jurisdiction in the future, Clackamas County recommends that the sidewalk width requirements and any landscape strip width requirements conform to City standards.

3. The Clackamas County Capital Improvement Plan identifies the section of Harmony Road from Highway 213 (82nd Avenue) to Highway 224 with project number 1022. Proposed improvements include modification of the intersection of Harmony Road/Linwood Avenue/Railroad Avenue, and construction of bicycle and pedestrian facilities. The previous CIP recommended widening to five lanes, but the updated CIP does not recommend widening to five lanes.

4. Clackamas County's Roadway Standards indicate that three lane major arterial roads with bike lanes shall have a minimum right-of-way width of 80 feet with eight-foot wide sign, slope, utility, and sidewalk easements on each side of the roadway.

5. The applicant has proposed the construction of a mini storage development, as a conditional use, in what is anticipated to be a City of Milwaukie Business Industrial zone. The subject property has frontage on Harmony Road, a Clackamas County facility, and the applicant has proposed a shared access to Harmony Road, with turning maneuvers restricted to right-in/right-out only turning movements.

The applicant is therefore subject to the provisions of Clackamas County Zoning and

Development Ordinance (ZDO) section 1007, pertaining to frontage improvements and section 1008 pertaining to surface water management. Additionally, the applicant is subject to other ZDO requirements, the Clackamas County Comprehensive Plan and Clackamas County Roadway Standards regarding issues within the Harmony Road right-of-way and onsite issues that would impact the County right-of-way and traffic operations on Harmony Road.

6. Minimum frontage improvements on the Harmony Road frontage include, but are not necessarily limited to, up to a half-street improvement, pavement widening, and storm drainage facilities. In addition, standard curb or curb and gutter when curblines slope is less than one percent, widened driveway approach (if sight distances are illustrated to meet County minimums), an unobstructed sidewalk meeting City of Milwaukie width requirements, behind a landscape strip meeting City of Milwaukie width requirements, and pavement tapers are required.

7. All curbs shall typically be type "C", or curb and gutter if curb line slope is less than one percent, if they carry, direct or channel surface water. Alternative curbs will be considered when it is determined by the Clackamas County Department of Transportation and Development that type "C" curbs or curb and gutter are not appropriate. Extruded curbs for carrying, directing, or channeling surface water shall not be allowed.

8. A 50-foot wide roadway section, curb to curb on Harmony Road, is the minimum desirable width at this location and would be consistent with the Clackamas County Roadway Standards. Typically, 12-foot wide travel lanes, a 14-foot wide center two way left turn lane and six foot bike lanes comprise the 50-foot wide section. However, in this case the required median and associated shy distances will increase the minimum pavement width to approximately 56 feet where the full three lane section is required. The additional six feet of width is comprised of a minimum

two-foot wide median curb and two feet of shy distance on each side of the median.

9. The County has adopted access control standards to provide positive impact on traffic safety and efficiency for County and State roads. These standards promote shared access points to comply with access control, spacing standards, and to promote safer operations. Applicable references include ZDO section 1007 and Clackamas County Roadway Standards subsection 220.2.

The applicant shall grant and record minimum 24-foot wide easements, granting access over the drive aisles and driveway on the site to the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 to the west, at locations determined by the previous approval of the International Way Business Center, provided, before the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 may use the easements over the site, those owners shall grant to the owner of the subject site a reciprocal easement for access purposes to and over the drive aisles on Tax Lots 1501, 1502, 1503, 1504, and 1505 so as to provide access for the site from International Way and to and from Harmony Road. Neither the grading plan for this site, nor the construction of any structures shall preclude the use of the easements. The applicant shall file the easements in the County records office before the County and City accepts the project and releases the performance surety. Since the crossover easements are needed to provide circulation between properties, the applicant shall improve those portions of the easements on the subject site as approved by the City of Milwaukie.

10. The proposed right-in/right-out only driveway to Harmony Road, to be shared with the existing development to the west, will be permitted by Clackamas County only if it provides adequate intersection sight distances and adequate stopping sight distances for both passenger vehicles and trucks in accordance with AASHTO requirements.

Previously, this access was partially evaluated based on a speed study.

That study is now dated and a new study is required to reflect current conditions. Prior to the scheduling of a new speed study, the applicant shall contact Clackamas County for speed study

requirements. For example, one requirement is that speed studies shall not be run during a week with a holiday in it. Therefore, the soonest a study could be run would be during the week of January 5-9, 2015. Please contact Engineering staff person Robert Hixson, at [roberth@co.clackamas.or.us](mailto:roberth@co.clackamas.or.us) or 503-742-4708 for speed study requirements and coordination information.

The previously submitted speed study data, with an 85th percentile westbound approach speed of 37 miles per hour, indicated that a minimum of 575 feet of intersection sight distance was required to be provided for a combination truck exiting the driveway approach intersection with Harmony Road. Staff agreed that 575 feet of intersection sight distance would have been required with an 85th percentile speed of 37 miles per hour. Kittelson and Associates staff measured the existing sight distance and found it to be approximately 560 feet, which would have been inadequate since it did not meet the minimum requirement. However, Table 5 from the traffic impact analysis indicated that a driver's eye height of 7.5 feet was used, while the AASHTO standard height for this measurement is 7.6 feet. The additional tenth of a foot of eye height may have allowed for the provision of adequate intersection sight distance for trucks. This measurement should have been re-evaluated using the correct eye height. If the intersection sight distance was adequate with the 7.6-foot eye height, the existing road geometry may have been found to be adequate. If the sight distance measurements remain substandard, based on current speed study data, the applicant would need to propose improvements that would allow for the provision of adequate intersection sight distance for combination trucks. If no such improvements were proposed, the widened access would not be approved.

Table 5 of the traffic impact analysis also indicated that an object height of 2.5 feet was used for stopping sight distance measurements. The required object height for this measurement, according to AASHTO standards, is 2.0 feet. Using a 2.5-foot object height likely resulted in reported stopping sight distances which are longer than were actually available. Revised stopping sight distances shall be provided using the correct object height of 2.0 feet.

Prior to approval of a proposed driveway approach, the applicant shall provide plan and profile drawings, based on survey data, with sight lines, illustrating adequate intersection sight distances for passenger vehicles and trucks exiting the proposed Harmony Road driveway and adequate stopping sight distances for passenger vehicles and trucks on Harmony Road approaching the driveway from the east.

If this is unable to be provided, the access will not be approved.

11. If the proposed access to Harmony Road is unable to meet minimum sight distance standards, the site shall be provided access by the existing entrance only and exit only driveway approaches existing on the development to the west, as allowed by the crossover easements required through the approval of the development to the west.

12. Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245.

13. The submitted civil plan sheet submitted several years ago provided insufficient detail and dimensions to fully evaluate the proposed street and driveway design, including the median. Staff was in agreement with the concept for the street (right-in/right-out driveway and center median) and was able to recommend conditions that would provide for an appropriate street cross section.

In conjunction with the development of the site, the existing Harmony Road median shall be extended easterly to help prohibit inappropriate turning maneuvers associated with an approved widened driveway approach. Two feet of shy distance shall be provided on each side of the median. To insure that adequate maneuvering room is available at the site driveway intersection with Harmony Road, the applicant shall illustrate the turning maneuvers of WB-67



combination trucks at the site driveway. Visibility of the median will be an important issue to consider and the applicant shall propose features that will be associated with the median that will enhance its visibility to drivers. The ultimate configuration of the median and any associated features to enhance visibility shall be approved in writing by Clackamas County Traffic Engineering staff prior to the issuance of a Development permit for improvements to Harmony Road.

14. Plans submitted in anticipation of receiving a Development permit from Clackamas County, for road construction activities within the Harmony Road right-of-way, shall include additional detail, such as an illustration of the full width of Harmony Road, along the site frontage, and extending 200 feet beyond the limits of the property, both northeasterly and southwesterly. Any driveways within these limits shall also be illustrated. The right-of-way limits on each side of the road shall be illustrated. The additional detail shall also include a striping plan illustrating the existing and proposed striping on Harmony Road, also extending a minimum of 200 feet beyond the limits of the property. All illustrated features shall be to scale and dimensioned. A legend for various line work shall also be provided. Storm drainage features shall be illustrated and storm water runoff from the driveway shall not be permitted to flow onto Harmony Road. Ultimately, the applicant shall provide a set of construction plans to Clackamas County which are in conformance with Clackamas County Roadway Standards section 140.

15. Prior to the initiation of any construction activities on Harmony Road, the applicant shall submit plans and obtain a Development permit for improvements to Harmony Road. The cost of the permit will be in accordance with the current fee schedule and based on an approved cost estimate for the road improvements. A performance surety shall also be required in an amount equal to 125% of the approved cost estimate.

16. The use of public rights-of-way for construction vehicle staging is not authorized by the Roadway Standards and poses a potentially deleterious effect of the proposed use, because it contributes to congestion, reduces sight distance, and occupies shoulders intended for emergencies and other purposes. To protect the public from such effects, the applicant shall be required to submit a construction vehicle management plan for review and approval by the County DTD, Construction and Development Section, before the County issues a Development Permit. The plan shall show that the construction vehicles and materials will not be staged or queued up on improved public streets and shoulders without specific authority from DTD for that purpose.

Preface to recommended conditions of approval:

The following items are project requirements from the Department of Transportation and Development's Development Engineering Division. These conditions of approval are not intended to include every engineering requirement necessary for the successful completion of this project, but are provided to illustrate to the applicant specific details regarding the required improvements that may prove helpful in determining the cost and scope of the project. These conditions are based upon the requirements detailed in the County's Comprehensive Plan (Comp Plan), the County's Zoning and Development Ordinance (ZDO) and the County's Site Development and Roadway Construction Standards (Roadway Standards). Additional requirements, beyond those stated in the conditions of approval, may be required. The applicant may discuss the requirements of the project with staff at any time.

The requirements specifically required by the Comp Plan and the ZDO cannot be modified by the Development Engineering Division. However, the requirements detailed in these conditions of approval, derived from the Roadway Standards, are based upon nationally accepted standards and engineering judgment and may be modified pursuant to Section 170 of the Roadway Standards. The applicant is required to provide sufficient justification to staff in the request.

Staff shall determine if a modification is warranted.

Clackamas County Conditions of Approval:

- 1) All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with Clackamas County Roadway Standards.
- 2) The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.
- 3) The applicant shall verify by a professional survey that adequate right-of-way width exists along the entire site frontage, on the northerly side of Harmony Road to permit construction of the required roadway and frontage improvements or shall dedicate additional right-of-way as necessary to provide it. At a minimum, a 40-foot wide one-half right-of-way width is required on the northerly side of Harmony Road.

Contact Deana Mulder for the dedication of right-of-way form and specifics of exhibits to be included with submittals.

- 4) The applicant shall grant an eight-foot wide public easement for signs, slopes, sidewalks and public utilities along the entire Harmony Road site frontage on the northerly side of Harmony Road. Contact Deana Mulder for the grant of easement form and specifics of exhibits to be included with submittals.

- 5) The applicant shall design and construct improvements along the entire site frontage of Harmony Road. These improvements shall consist of:

- a) Up to a half-street improvement. Structural section for Harmony Road improvements shall consist of seven and one-half inches of Level 3 Hot Mix Asphalt Concrete (HMAC), Performance Grade (PG) 70-22, ¾" dense or ½" dense placed in lifts consisting of two and one-half inches per lift, over four inches of ¾"-0 aggregate leveling course, over 10 inches of 1-1/2"-0 aggregate base course, over geotextile fabric.

- b) Standard curb, or curb and gutter if curb line slope is less than one percent, and appropriate pavement widening to accommodate the necessary improvements of bike lanes, travel lanes, turn lanes, median, and associated shy distances.

Lane widths, median widths, and shy distance shall be proposed by the applicant and shall be reviewed and approved by Clackamas County Traffic Engineering staff prior to the issuance of a Street Construction and Encroachment permit. Centerline of the right-of-way shall be established by a registered survey.

- c) Drainage facilities in conformance with City of Milwaukie requirements, ZDO section 1008, and Clackamas County Roadway Standards Chapter 4.

Storm water runoff from the site driveway shall not flow onto Harmony Road.

- d) An unobstructed sidewalk with a width consistent with City of Milwaukie requirements behind a landscape strip also consistent with City of Milwaukie requirements. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc, when they are located within the limits of the sidewalk. Mailboxes shall be relocated or replaced in accordance with standards established by the local Post Office. Additional easement, as necessary, shall be granted to provide for any sidewalk eyebrows.

- e) One driveway approach, generally in conformance with Roadway Standards Drawing D650, but modified as necessary to accommodate the turning maneuvers of combination trucks. Proposed driveway approach modifications require approval of County Traffic Engineering staff.

- f) An extension of the existing median to approximately the easterly property line. Appropriate tapers shall be provided for the median curb or island. Two feet of shy distance shall be provided on each side of the median. The ultimate configuration of the median, including features to enhance visibility, shall be approved in writing by Clackamas County Traffic Engineering staff prior to the issuance of a Development permit for improvements to Harmony

Road.

g) Appropriate pavement tapers in accordance with Roadway Standards Section 250.6.4 for the transition from a wider to a narrower section of roadway.

6) The applicant shall grant and record minimum 24-foot wide easements, granting access over the drive aisles and driveway on the site to the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 to the west, at locations determined by the previous approval of the International Way Business Center, provided, before the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 may use the easements over the site, those owners shall grant to the owner of the subject site a reciprocal easement for access purposes to and over the drive aisles on Tax Lots 1501, 1502, 1503, 1504, and 1505 so as to provide access from the site to International Way and Harmony Road. Neither the grading plan for this site, nor the construction of any structures shall preclude the use of the easements. The applicant shall file the easements in the County records office before the County and City accepts the project and releases the performance surety. Since the crossover easements are needed to provide circulation between properties, the applicant shall improve those portions of the easements on the subject site as approved by the City of Milwaukie.

7) The applicant shall show the paths traced by the extremities of anticipated large vehicles (combination trucks, delivery trucks, garbage and recycling trucks, etc), including off-tracking, on the site plan to insure adequate turning radii are provided for the anticipated large vehicles entering and exiting the Harmony Road site driveway, if the driveway reconfiguration is approved.

8) The applicant shall provide a copy of the City of Milwaukie approved drainage study and Engineer's detention calculations to DTD Engineering, Deana Mulder.

9) The applicant shall provide adequate intersection sight distances and stopping sight distances (including appropriate adjustments for grades) at the driveway approach intersection with Harmony Road in accordance with AASHTO standards for both passenger vehicles and combination trucks or the approach will not be approved.

In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distances.

Minimum intersection sight distances for passenger vehicles and combination trucks, at the driveway approach intersection with Harmony Road, shall be as calculated by County Engineering staff based on the 85th percentile speed of westbound vehicles, based on valid speed study data, collected at a location approximately 575 feet easterly from the proposed reconfigured Harmony Road driveway approach. Intersection sight distances shall be measured 14.5 feet back from the edge of the travel lane. If passenger vehicle and combination truck sight distances, both intersection and stopping, do not meet County Roadway Standards minimums, the access will not be approved.

10) The applicant shall provide an Engineer's cost estimate to Clackamas County Engineering, to be reviewed and approved, for the asphalt concrete, aggregates, curbs, sidewalks and any other required public improvement associated with Harmony Road.

11) The applicant shall provide Clackamas County a performance surety in an amount equal to 125% of the Clackamas County approved cost estimate for the Harmony Road improvements.

12) The applicant shall install and maintain a 30-inch "STOP" sign, behind the sidewalk, with the bottom of the sign positioned seven feet above the surface of the sidewalk, at the driveway intersection with Harmony Road. (Manual on Uniform Traffic Control Devices)

13) All traffic control devices on private property, located where private driveways intersect County facilities shall be installed and maintained by the applicant, and shall meet standards set forth in the Manual on Uniform Traffic Control Devices and relevant Oregon supplements.

14) Prior to the issuance of a building permit, the applicant shall submit to Clackamas County Engineering Office:

a) Written approval from the local Fire District for the planned access, circulation, and fire

lanes. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.

b)Written approval from City of Milwaukie for surface water detention facilities and erosion control measures.

c)A set of street improvement construction plans for review, in conformance with Clackamas County Roadway Standards Section 140, to Deana Mulder in Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit. The permit will be for road, driveway approach, curb, median, sidewalk, and drainage improvements. The permit fee will be calculated in accordance with the current fee structure and will be based on the approved cost estimate for the Harmony Road improvements.

The submitted plans shall provide plan and profile data and sight lines illustrating adequate intersection sight distances for passenger vehicles and combination trucks exiting the Harmony Road driveway. In addition, the submitted plans shall provide plan and profile data and sight lines illustrating adequate stopping sight distances for passenger vehicles and combination trucks on Harmony Road approaching the Harmony Road driveway from the east. The submitted plans shall also include a detailed striping plan. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp the construction plans for all required improvements.

15)Before the County issues a Development Permit, the applicant shall submit a construction vehicle management and staging plan for review and approval by the County DTD, Construction and Development Section. That plan shall show that construction vehicles and materials will not be staged or queued-up on public streets and shoulders without specific authority from DTD for the purpose.

**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**

**Bonnie Lanz - Permit Specialist - 503-786-7613**

**ENGINEERING DEPARTMENT**

**Jason Rice - Engineering Director - 503-786-7605**

**Brad Albert - Civil Engineer - 503-786-7609**

**Adriana Slavens - Civil Engineer - 503-786-7602**

**Chrissy Dawson - Engineering Technician II - 503-786-7610**

**Alex Roller - Engineering Technician I - 503-786-7695**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Stephen Butler - Comm. Dev. Dir. - 503-786-7652**

**Marcia Hamley - Admin Specialist - 503-786-7656**

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

**Blanca Marston -Admin Specialist - 503-786-7600**

**PLANNING DEPARTMENT**

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

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

**Li Alligood - Associate Planner - 503-786-7627**

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

**CLACKAMAS FIRE DISTRICT**

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

# Clackamas County Fire District #1

## Fire Prevention Office



### E-mail Memorandum

**To:** City of Milwaukie Planning  
**From:** Mike Boumann, Deputy Fire Marshal, Clackamas Fire District #1  
**Date:** 12/11/2014  
**Re:** Preliminary review for Mini Storage @ 5945 SE Harmony Road

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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:

#### COMMENTS:

##### FD Apparatus Access

- 1) Provide address numbering that is clearly visible from the street.
- 2) No part of a building may be more than 150 feet from an approved fire department access road.
- 3) Provide an approved turnaround for dead end access roads exceeding 150 feet in length.
- 4) When building height exceeds 30' from lowest level of fire department access then arial provisions will apply.
- 5) Fire Lane signage or curb striping per CFD#1. Parking restrictions for access roads less than 32' in width. Minimum 20' clear width for access roads and 26' adjacent to fire hydrants. Vertical height requirement is 13'-6".
- 6) Traffic bridge shall meet minimum apparatus access requirements.

## 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 Appendix B the Fire Code.
- 3) Fire Department Connection (FDC) shall be within 100' of a public fire hydrant.
- 4) Fire hydrant locations shall meet the requirements of Appendix C of the Oregon Fire Code.

\*Comments may not be all inclusive. Review of full set of scaled plans will be required.

Call Deputy Fire Marshal Mike Boumann with any questions, 503-742-2673

Feel free to use the below document for reference.

<http://www.clackamasfire.com/documents/fireprevention/firecodeapplicationguide.pdf>

\*Contact Clackamas Fire District #1 at 503-742-2660 for any questions.

# Modular Steel Bridges



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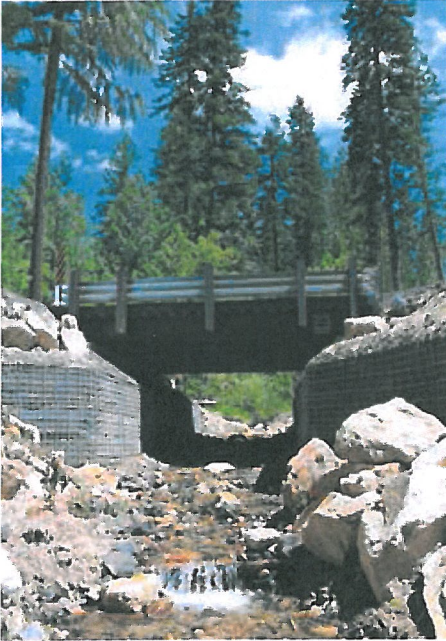


## Modular Steel Bridges

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RECOMMENDED FOR

- ▶ Logging Roads
- ▶ Fish Passage
- ▶ Detour Bridges
- ▶ Oil and Gas Exploration Roads
- ▶ Stream Crossings



With production facilities in the East and West, Big R Bridge provides complete bridging solutions for the Forestry and Public Works sectors nationwide. Our strong yet light-weight modular bridges can be packaged with several in-house abutment systems including precast concrete sills and steel back walls, Vist-A-Wall™ MSE retaining walls or Bolt-A-Bin® abutments.

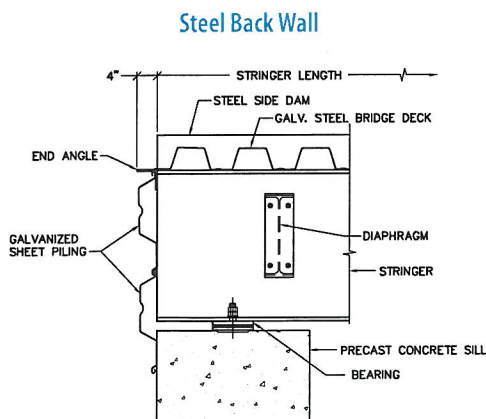


### Standard Features

- ▶ Heavy duty loadings (U-80 off-highway trucks and greater)
- ▶ Single lane bridges are 14' or 16' wide
- ▶ Low-maintenance weathering steel structural members
- ▶ Galvanized steel structural decking
- ▶ Bearing plates and pads
- ▶ Curb or railing systems

### Optional Features

- ▶ Painted or hot-dip galvanized steel structural members
- ▶ Available in any width
- ▶ Steel back wall systems
- ▶ Precast concrete sills
- ▶ Timber running planks



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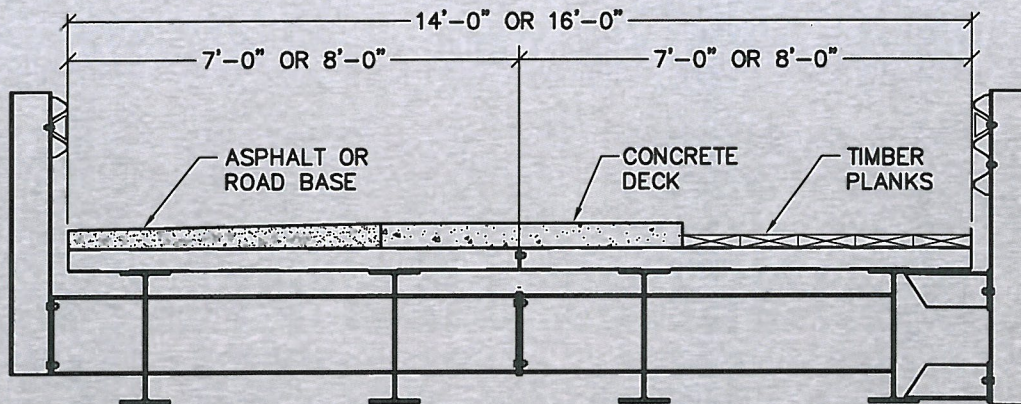


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- ▶ Provide the desired bridge length and width
- ▶ Specify the design vehicle loading
- ▶ Choose weathering steel, painted or galvanized steel structural members
- ▶ Select a foundation system
- ▶ Contact Big R for pricing and delivery

½ Bridge Weight (lbs.)*		
Length	14' Wide	16' Wide
30'	7,900	8,400
40'	11,300	11,800
50'	15,600	16,300
60'	22,000	22,800
70'	28,200	29,100
80'	36,100	37,100

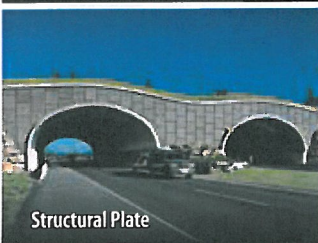
\* Bridge weights are approximate. Weight will vary based on the design vehicle, railing system and decking options.



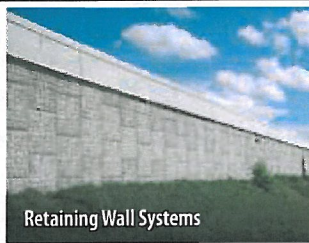
The information, suggested applications and tables in this brochure are accurate and correct to the best of our knowledge, and are intended for general information purposes only. These general guidelines are not intended to be relied upon as final specifications, and we do not guarantee specific results for any particular purpose. We strongly recommend consultation with a Big R Bridge sales professional before making any design and purchasing decisions.

BIGR072014

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Structural Plate



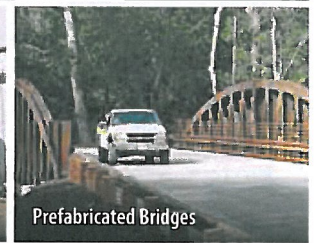
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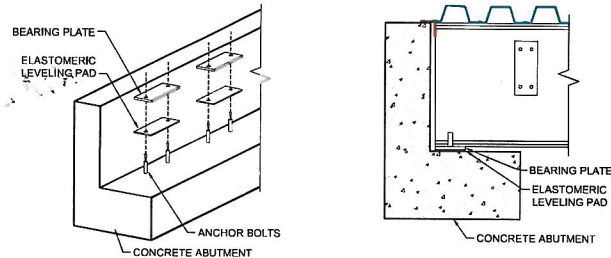
**Atlantic Industries Limited**  
Canada Headquarters  
Dorchester, New Brunswick  
877-245-7473

**Atlantic Industries Limited**  
South America Office  
Santiago, Chile  
+56-99-871-5828

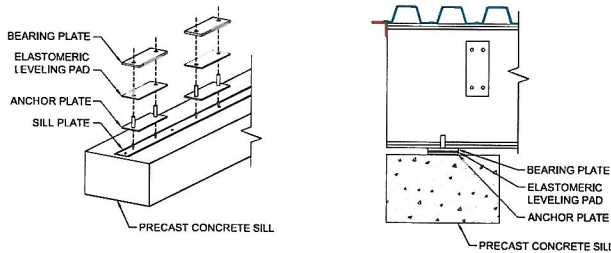


**BEARING PREPARATION**

- ALL BEARING PLATES, ELASTOMERIC LEVELING PADS AND ANCHOR PLATES (IF REQUIRED) WILL BE DELIVERED LOOSE ALONG WITH THE BRIDGE. THE BEARING PLATES WILL HAVE HOLES FOR THE FIXED END AND SLOTS FOR THE EXPANSION END OF THE BRIDGE WHICH MUST BE CENTERED ON THE ANCHOR BOLTS TO ALLOW FOR PROPER EXPANSION.
- FOR ABUTMENT APPLICATIONS PLACE THE ELASTOMERIC LEVELING PAD ALONG WITH A BEARING PLATE DIRECTLY ON THE ABUTMENT SEAT AT EACH BEARING LOCATION. FOR PRECAST SILL APPLICATIONS, AN ANCHOR PLATE MUST BE POSITIONED ON THE EMBEDDED SILL PLATE AND WELDED IN PLACE PRIOR TO PLACING THE ELASTOMERIC PAD AND BEARING PLATE.
- ASSURE THAT ALL BEARING PLATES ARE AT THE CORRECT ELEVATION, AND THAT THERE IS GOOD BEARING BETWEEN THE ABUTMENT AND THE LEVELING PAD. IF NECESSARY, SHIM THE PLATE OR USE NON-SHRINK GROUT UNDER THE ENTIRE BEARING PAD IN ORDER TO ASSURE 100% BEARING AND PROPER FINAL ELEVATION.
- REFER TO THE SHOP DRAWINGS FOR ANY SPECIAL INSTRUCTIONS RELATED TO BEARINGS.



TYPICAL ABUTMENT DETAIL



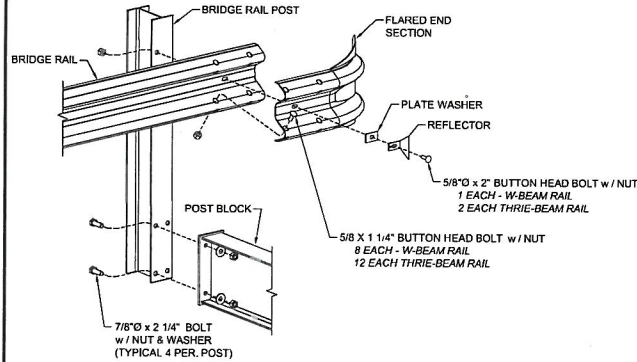
TYPICAL PRECAST SILL DETAIL

RECEIVED  
 OCT 13 2016  
 CITY OF MILWAUKIE  
 PLANNING DEPARTMENT

**RAIL ASSEMBLY INSTRUCTIONS (WHEN REQUIRED)**

THE BRIDGE RAIL AND POSTS WILL BE DELIVERED LOOSE ALONG WITH THE BRIDGE SECTIONS AND MAY BE INSTALLED PRIOR TO, OR AFTER SETTING THE BRIDGE SECTIONS. THE JOB SITE WILL DETERMINE WHICH METHOD IS PREFERABLE.

- EACH BRIDGE RAIL POST SHALL BE FASTENED TO A BRIDGE SECTION POST BLOCK WITH HEX HEAD BOLTS. EACH OF THE FOUR HOLE LOCATIONS ON THE LOWER END OF THE POST WILL RECEIVE ONE BOLT, ONE WASHER, AND ONE NUT.
- THE BRIDGE RAIL IS ATTACHED TO THE POSTS WITH EITHER ONE BUTTON HEAD BOLT FOR W-BEAM RAIL OR TWO BUTTON HEAD BOLTS FOR THRIE-BEAM RAIL. EACH HOLE LOCATIONS WILL RECEIVE ONE BUTTON HEAD OVAL SHOULDERED BOLT, ONE REFLECTOR, ONE PLATE WASHER, AND ONE RECESSED NUT.
- THE OVERLAPPING RAIL SPLICE AND FLARED END SECTIONS SHALL BE FASTENED TOGETHER WITH BUTTON HEAD BOLTS. EACH HOLE LOCATION, EIGHT EACH FOR W-BEAM AND TWELVE EACH FOR THRIE-BEAM, SHALL RECEIVE ONE BUTTON HEAD OVAL SHOULDERED BOLT AND ONE RECESSED NUT.
- REFER TO THE SHOP DRAWINGS FOR ANY SPECIAL INSTRUCTIONS RELATED TO BRIDGE RAIL.

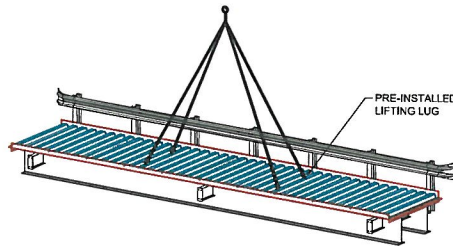


TYPICAL BRIDGE RAIL ASSEMBLY

**LIFTING INSTRUCTIONS**

IT IS RECOMMENDED THAT EACH BRIDGE SECTION BE LIFTED FROM THE PRE-INSTALLED LIFTING LUGS. EACH LIFTING LUG HAS A CAPACITY OF 24,000 POUNDS AT A 45-DEGREE LIFT ANGLE. LIFTING MAY ALSO BE DONE AT THE ENDS OF THE BRIDGE AT THE BEARING PLATE LOCATIONS.

- ALTERNATIVELY, BRIDGES WITHOUT PRE-INSTALLED DECK PANELS MAY BE LIFTED FROM A MINIMUM OF (4) POINTS THAT ARE AT LEAST 1/4 TO 1/3 OF THE BRIDGE SPAN FROM THE END OF THE BRIDGE.
- IF BRIDGE HAS MORE THAN 2 SECTIONS, SECTIONS ARE TO BE SET IN NUMERICAL ORDER AS SHOWN ON THE SHOP DRAWINGS STRUCTURAL DETAIL.



**SETTING INSTRUCTIONS**

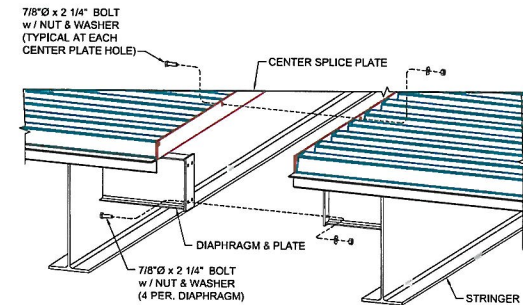
- AFTER PLACING THE BRIDGE, ADJUST STRUCTURE ON THE FOUNDATIONS SO THAT SPACING IS EQUAL AT BOTH ENDS OR AS DIRECTED IN NOTES ON THE SHOP DRAWINGS. IF AN EXPANSION END GAP IS DESIGNATED IN THE SHOP DRAWINGS IT MUST MAINTAINED FOR PROPER EXPANSION. IF THE BRIDGE HAS AN ELEVATION DIFFERENCE, BE SURE TO SET THE HIGH END OF THE BRIDGE ON THE HIGHER FOUNDATION. REFER TO THE SHOP DRAWINGS FOR CORRECT ALIGNMENT.
- DIAPHRAGM SPLICE PLATES AND CENTER SPLICE PLATES SHALL BE CONNECTED WITH HEX HEAD BOLTS. EACH OF THE HOLE LOCATION ON THE SPLICE PLATES WILL RECEIVE ONE BOLT, ONE WASHER, AND ONE NUT.
- FIELD WELD ALL BEARING PLATES TO THE BRIDGE STRINGERS AS DIRECTED IN THE SHOP DRAWINGS.
- EACH ANCHOR BOLT WILL RECEIVE (1) WASHER AND (2) NUTS. ONE END OF THE BRIDGE IS DESIGNED TO BE FIXED AND THE NUTS ARE TO BE INSTALLED TIGHT. THE EXPANSION END WILL HAVE THE FIRST NUT TIGHTENED FINGER TIGHT TO THE WASHER PLACED ON THE BEARING PLATE. THE SECOND NUT WILL BE INSTALLED TIGHT TO THE FIRST.
- WHEN INSTALLING PAINTED BRIDGES CARE MUST BE TAKEN TO MINIMIZE DAMAGE TO THE FINISH DURING INSTALLATION. IT WILL BE THE RESPONSIBILITY OF THE ONSITE CONTRACTOR TO PERFORM ALL TOUCH-UP PAINTING AS NECESSARY. A NOMINAL AMOUNT OF TOUCH-UP PAINT WILL BE SUPPLIED.
- TIGHTENING OF THE BOLTS SHALL BE IN ACCORDANCE WITH THE 'SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS' BY RCSC. WE RECOMMEND USING THE TURN-OF-NUT PROCEDURE DESCRIBED BELOW:

BRING ALL BOLTS TO A 'SNUG TIGHT' CONDITION TO INSURE THAT THE PARTS OF THE JOINT ARE BROUGHT INTO GOOD CONTACT WITH EACH OTHER. SNUG TIGHT IS DEFINED AS THE TIGHTNESS ATTAINED BY A FEW IMPACTS OF AN IMPACT WRENCH OR THE FULL EFFORT OF A MAN USING AN ORDINARY SPUD WRENCH. FOLLOWING THIS INITIAL OPERATION ALL BOLTS SHALL THEN BE TIGHTENED ADDITIONALLY BY THE APPLICABLE AMOUNT OF NUT ROTATION AS SPECIFIED IN THE TABLE BELOW, WITH THE TIGHTENING PROGRESSING SYSTEMATICALLY FROM THE MOST RIGID PART OF THE JOINT TO ITS FREE EDGES. DURING THIS OPERATION, THERE SHALL BE NO ROTATION OF THE PART NOT TURNED BY THE WRENCH.

NUT ROTATION FROM SNUG TIGHT CONDITION	
BOLT LENGTH (AS MEASURED FROM UNDERSIDE OF HEAD TO EXTREME END OF POINT)	DISPOSITION OF OUTER FACES OF BOLTED PARTS BOTH FACES NORMAL TO BOLT AXIS
NOT MORE THAN 4 DIAMETERS	1/3 TURN
MORE THAN 4 DIAMETERS BUT NOT MORE THAN 8 DIAMETERS	1/2 TURN
MORE THAN 8 DIAMETERS BUT NOT MORE THAN 12 DIAMETERS	2/3 TURN

NUT ROTATION IS RELATIVE TO BOLT, REGARDLESS OF THE ELEMENT (NUT OR BOLT) BEING TURNED. FOR BOLTS INSTALLED BY 1/2 TURN AND LESS, THE TOLERANCE SHOULD BE PLUS OR MINUS 30°; FOR BOLTS INSTALLED BY 2/3 TURN AND MORE, THE TOLERANCE SHOULD BE PLUS OR MINUS 45°.

- IF ANY NUTS CANNOT BE TIGHTENED, GRIT MAY HAVE BECOME LODGED IN THE THREADS. REMOVE THE GRIT AND RETIGHTEN.

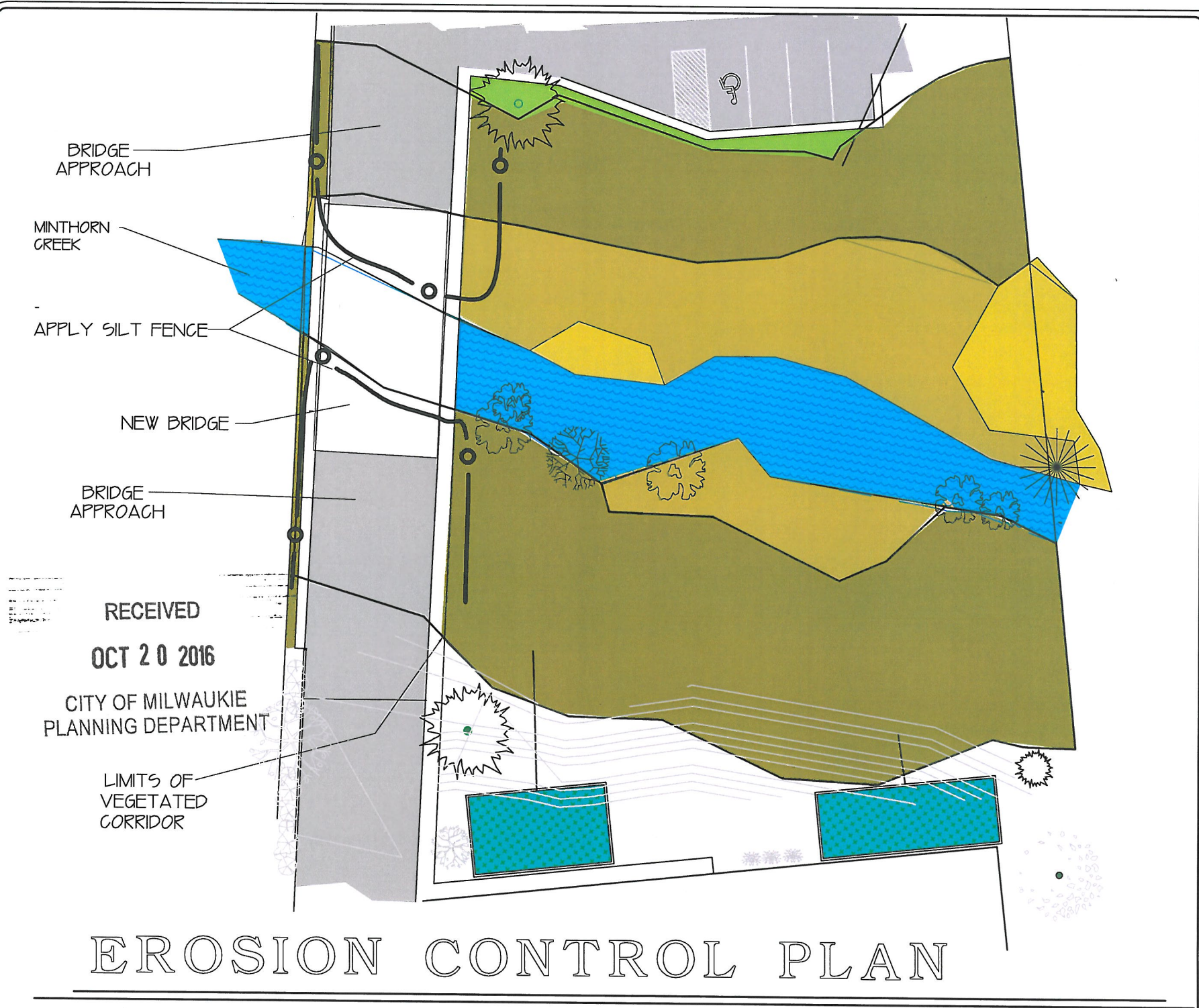


TYPICAL DIAPHRAGM SPLICE

0 RELEASED  
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 SHEET NO. 1 OF 1



BRIDGE APPROACH

MINTHORN CREEK

APPLY SILT FENCE

NEW BRIDGE

BRIDGE APPROACH

RECEIVED

OCT 20 2016

CITY OF MILWAUKIE PLANNING DEPARTMENT

LIMITS OF VEGETATED CORRIDOR

# EROSION CONTROL PLAN

REVISIONS	DATE

**Creations Northwest, LLC**  
 CREATION  
 2800 Warrenton Falls Drive  
 West Linn, Oregon  
 Office: 503-998-5563

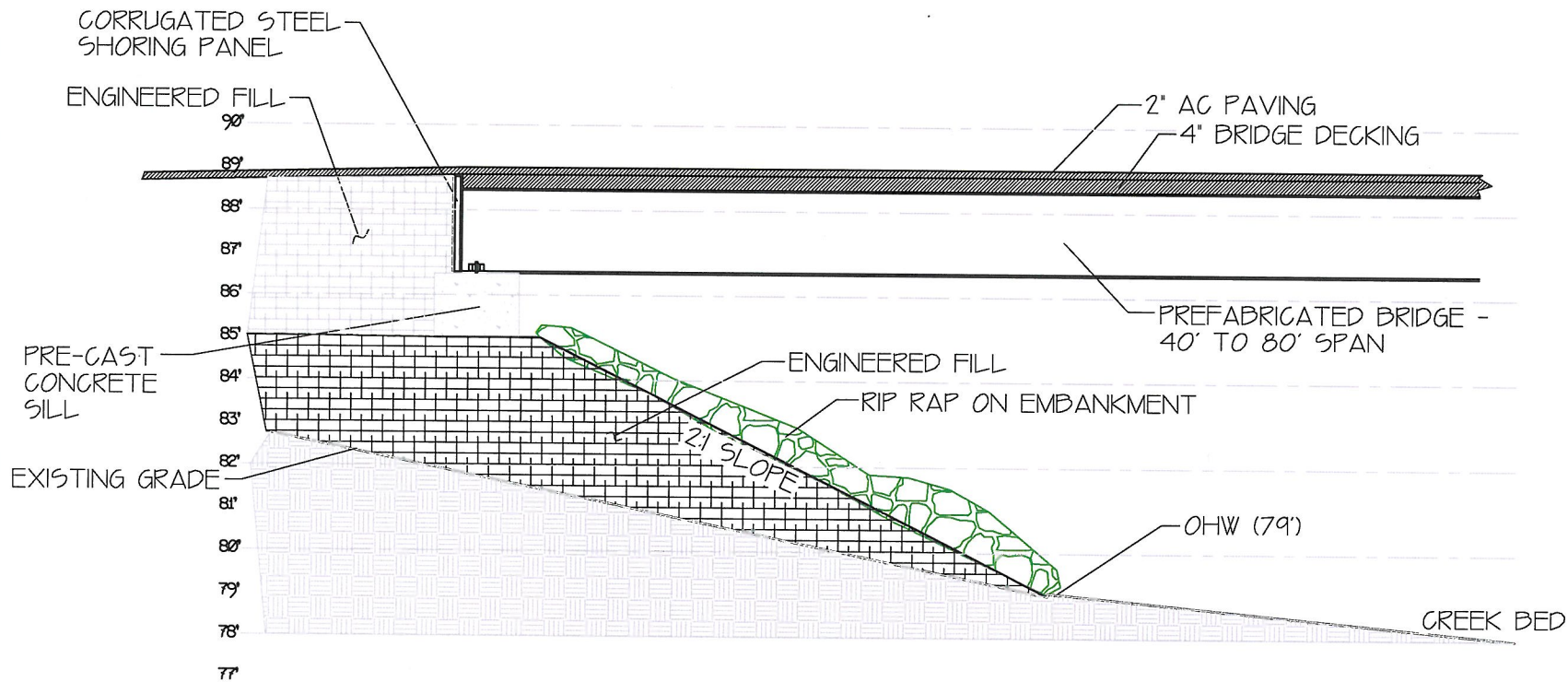
**HARMONY ROAD SELF STORAGE**  
 5965 SE Harmony Rd  
 Milwaukie, Oregon

COMMERCIAL STORAGE BUILDINGS  
**BRIDGE CONSTRUCTION EROSION CONTROL**

CADD NAME: HARMONY EC  
 DATE: 10-20-16  
 SCALE: AS SHOWN  
 DRAWN BY: RLH  
 PROJECT #HARMONY

SHEET No. **B.2**  
 of

1" = 30'



# BRIDGE EMBANKMENT DETAIL

1/4" = 1'-0"

RECEIVED

OCT 20 2016

CITY OF MILWAUKIE  
PLANNING DEPARTMENT

REVISIONS	DATE

**Creations Northwest, LLC**  
 2500 Wilamette Falls Drive, Office: 503-908-0553  
 West Linn, Oregon

**HARMONY ROAD  
SELF STORAGE**  
 5965 SE Harmony Rd  
 Milwaukie, Oregon

COMMERCIAL STORAGE BUILDINGS  
**ON SITE BRIDGE  
EMBANKMENT  
DETAIL**

CADD NAME: HARMONY BE  
 DATE: 10-20-16  
 SCALE: AS SHOWN  
 DRAWN BY: RLH  
 PROJECT # HARMONY

SHEET No.  
**B.1**  
 of

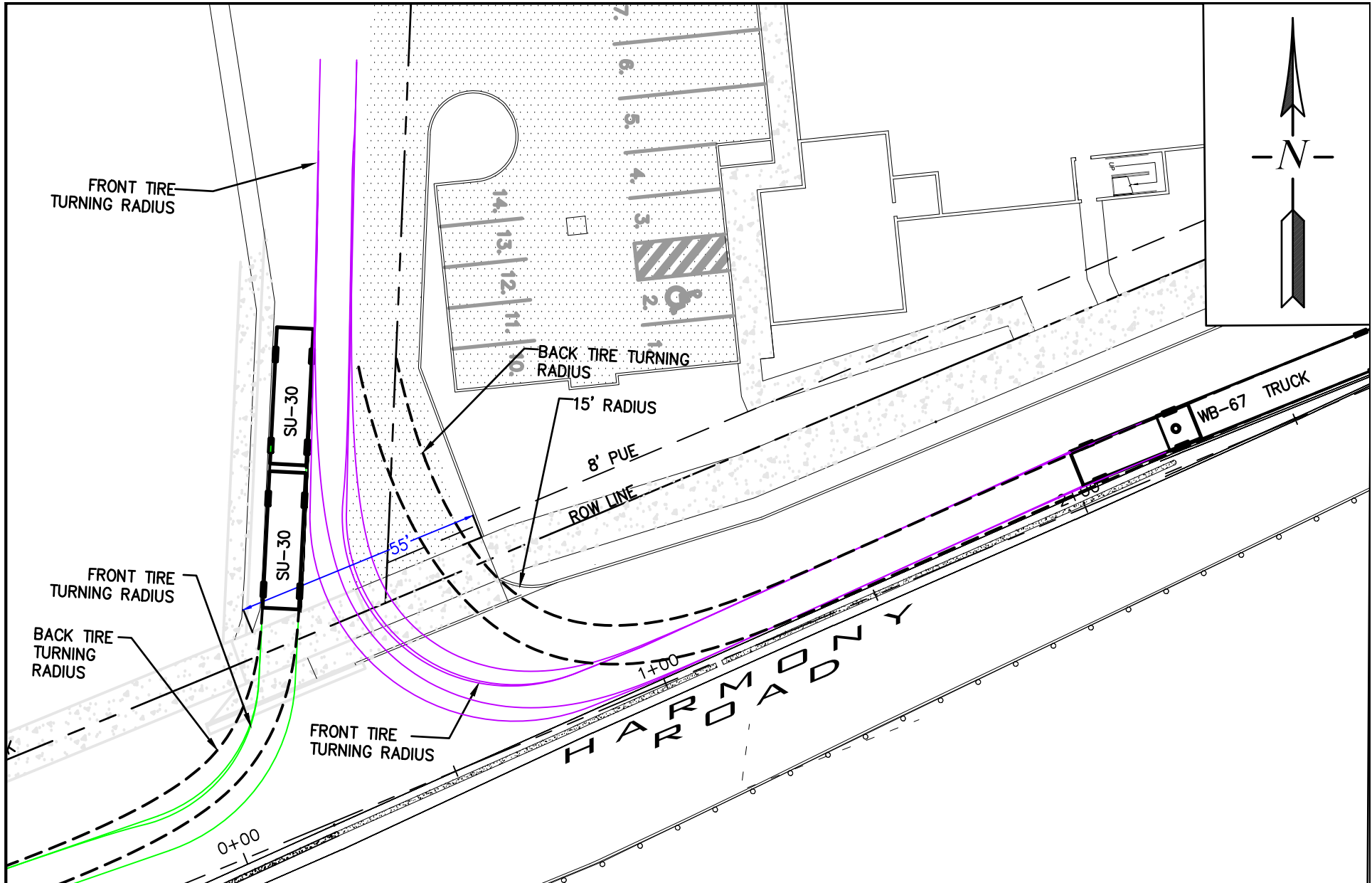


EXHIBIT 'A'  
TURNING MOVEMENT

DATE JAN 25, 2017

SCALE 1"=30'

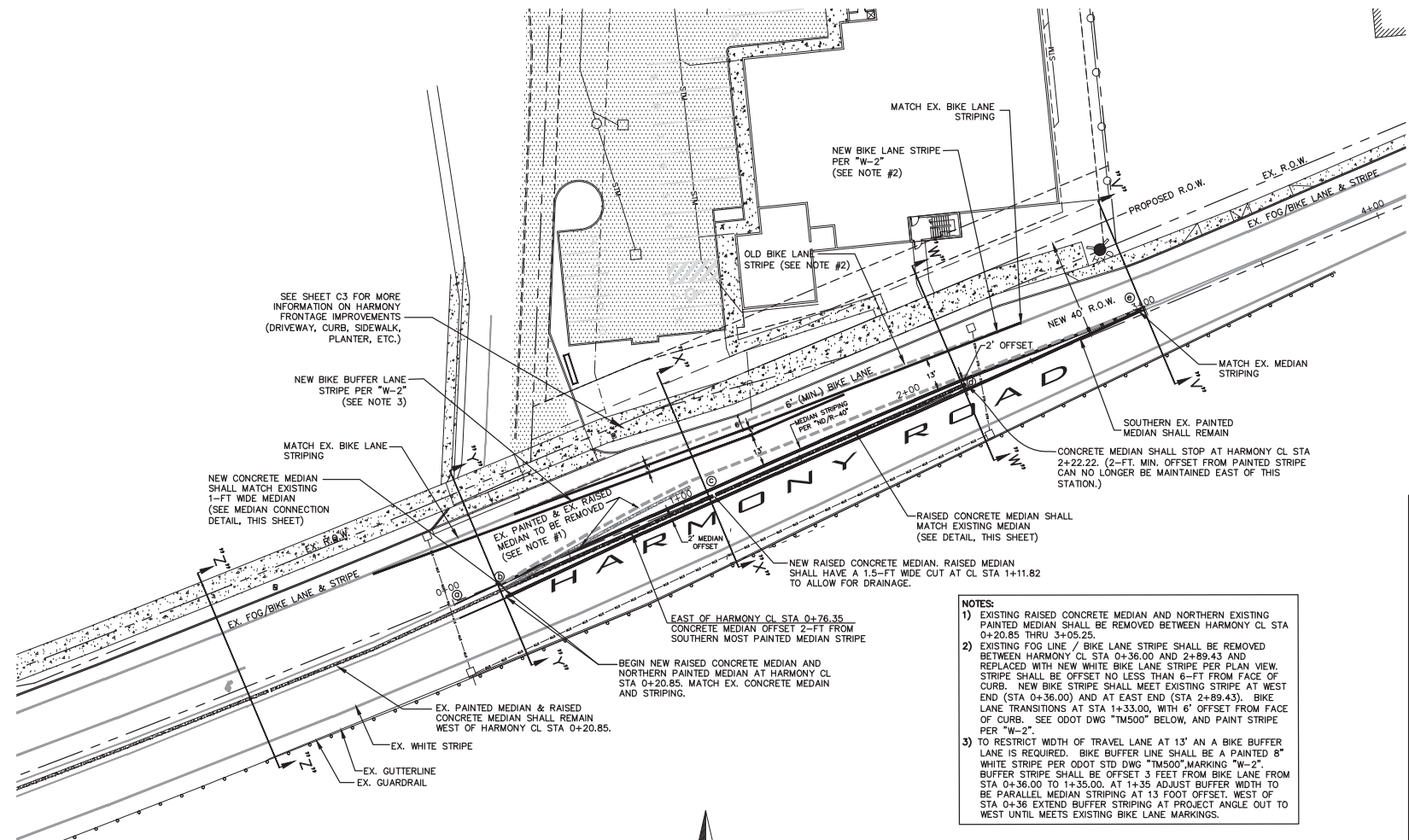
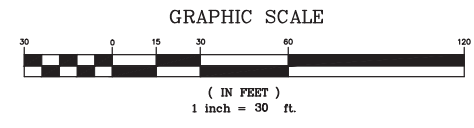
DRAWN JMF

JOB SGL 07-113

**SISUL ENGINEERING**

375 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188

REVISIONS	BY
REVISED PER CITY COMMENTS (9-28-16)	JJM
REVISED PER COUNTY COMMENTS (1-27-17)	JMF

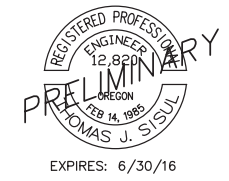
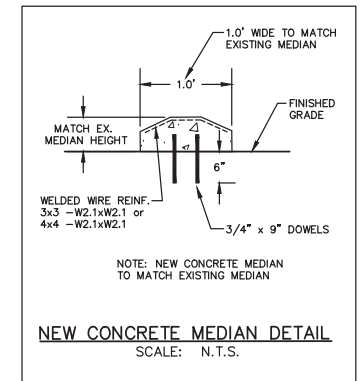
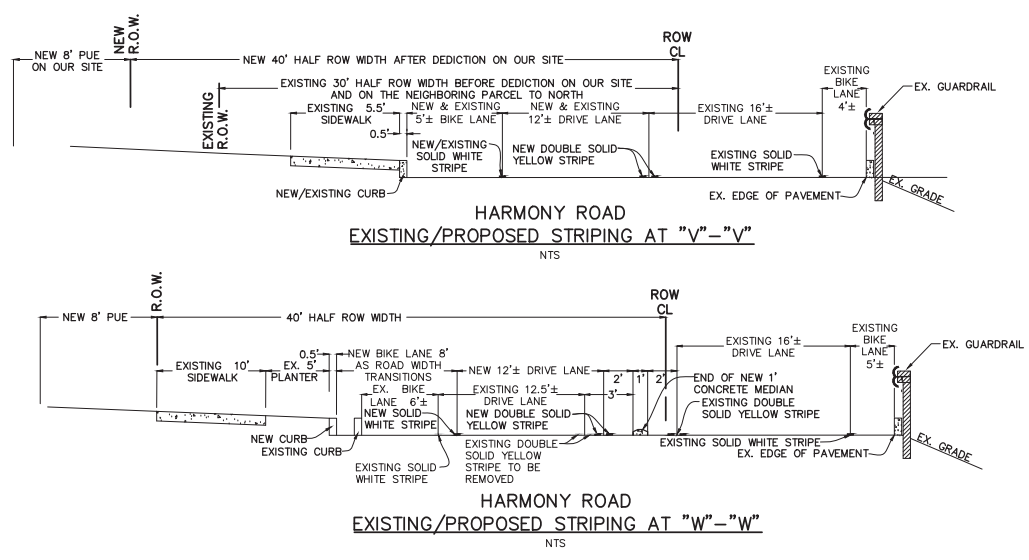
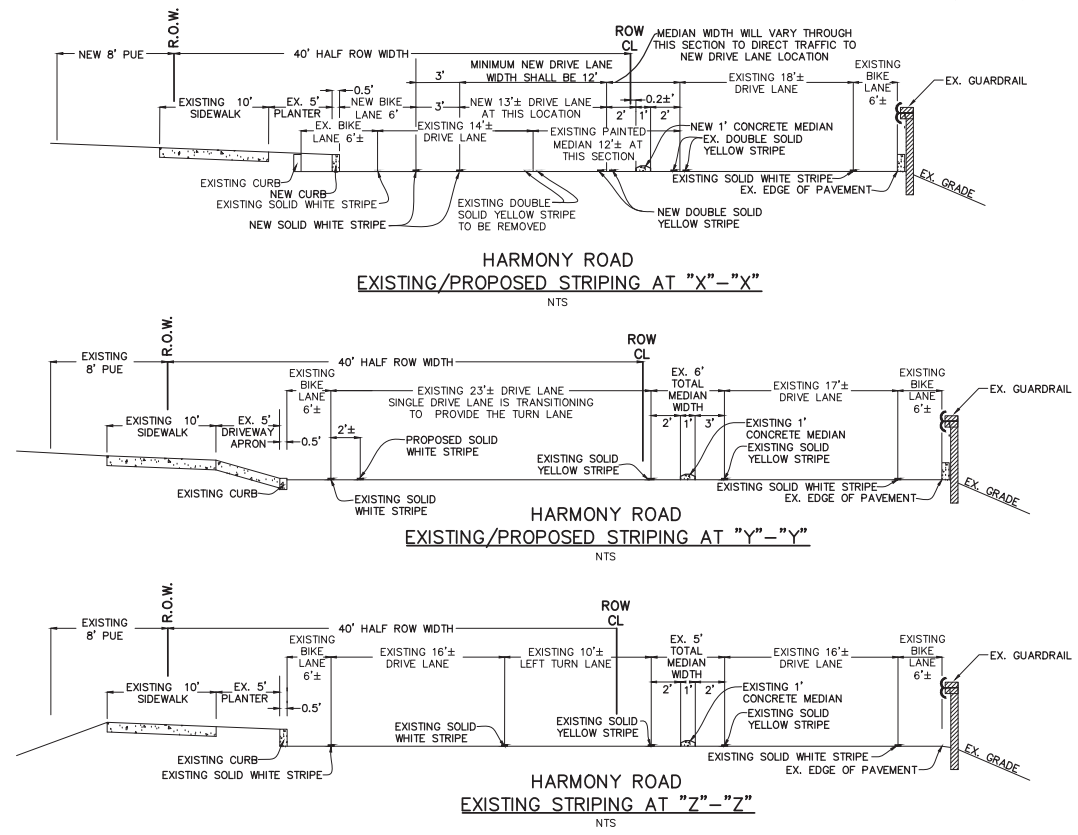
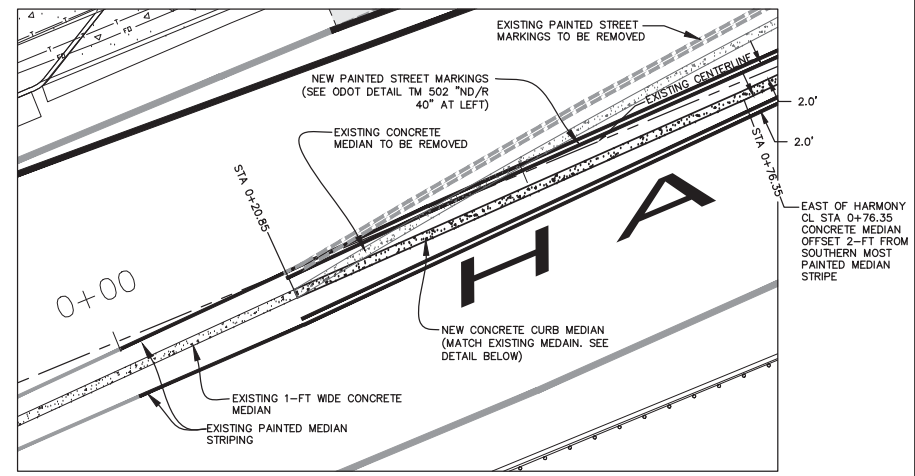


**NEW NORTH PAINTED MEDIAN**

POINT	STA	OFFSET FROM EX. PAINTED MEDIAN	LINE TYPE
⊙	0+00.00	VARIABLE	LINE
⊙	0+20.85	2'-FT.	SEE NOTE 1 BELOW
⊙	1+00.69	2'-FT.	SEE NOTE 1 BELOW
⊙	2+22.22	2'-FT.	SEE NOTE 1 BELOW
⊙	3+00.00	VARIABLE	LINE

- NOTE:**
- POINTS ⊙, ⊙, & ⊙ ARE POINTS ON A SINGLE ARC. ARC INFO: DELTA = 00-16-35°, RADIUS = 41,658.0', LENGTH = 200.97'
  - NEW CONCRETE MEDIAN SHALL BE AT LEAST 2'-FT FROM THE EXISTING SOUTHERN STRIPE.
  - NEW NORTH MEDIAN STRIPING NECESSARY TO ALLOW ROOM FOR 6'-FT. BIKE LANE AND 13'-FT. TRAVEL LANE.
  - PROPOSED MEDIAN STRIPING SHALL FOLLOW ODOT DWG TM502 "ND/R-40", AS SHOWN THIS SHEET. BIKE LANE STRIPING SHALL FOLLOW "W-2".

- NOTES:**
- EXISTING RAISED CONCRETE MEDIAN AND NORTHERN EXISTING PAINTED MEDIAN SHALL BE REMOVED BETWEEN HARMONY CL STA 0+20.85 THRU 3+05.25.
  - EXISTING FOG LINE / BIKE LANE STRIPE SHALL BE REMOVED BETWEEN HARMONY CL STA 0+36.00 AND 2+89.43 AND REPLACED WITH NEW WHITE BIKE LANE STRIPE PER PLAN VIEW. STRIPE SHALL BE OFFSET NO LESS THAN 6'-FT FROM FACE OF CURB. NEW BIKE STRIPE SHALL MEET EXISTING STRIPE AT WEST END (STA 0+36.00) AND AT EAST END (STA 2+89.43). BIKE LANE TRANSITIONS AT STA 1+33.00, WITH 6' OFFSET FROM FACE OF CURB. SEE ODOT DWG "TM500" BELOW, AND PAINT STRIPE PER "W-2".
  - TO RESTRICT WIDTH OF TRAVEL LANE AT 13' AN A BIKE BUFFER LANE IS REQUIRED. BIKE BUFFER LANE SHALL BE A PAINTED 6" WHITE STRIPE PER ODOT STD DWG "TM500", MARKING "W-2". BUFFER STRIPE SHALL BE OFFSET 3 FEET FROM BIKE LANE FROM STA 0+36.00 TO 1+35.00. AT 1+35 ADJUST BUFFER WIDTH TO BE PARALLEL MEDIAN STRIPING AT 13 FOOT OFFSET. WEST OF STA 0+36 EXTEND BUFFER STRIPING AT PROJECT ANGLE OUT TO WEST UNTIL MEETS EXISTING BIKE LANE MARKINGS.



**HARMONY ROAD SELF STORAGE**  
H. T. INVESTMENTS, LLC.

Harmony Median & Striping Plan

**SISUL ENGINEERING**  
3775 PORTLAND AVENUE  
CLATSOP COUNTY, OREGON 97027  
(503) 657-0188  
DRAWING: c07-113-FRONTAGE.dwg

DATE	JULY 2015
SCALE	NOTED
DRAWN	JEE
JOB	SGL 07-113
SHEET	C6
DF	6 SHEETS

EXPIRES: 6/30/16



## ATTACHMENT 4

**Kelver, Brett**

---

**From:** Amos, Matt <Matt.Amos@clackamasfire.com>  
**Sent:** Friday, October 14, 2016 2:14 PM  
**To:** Kelver, Brett  
**Subject:** 5945 & 5965SE Harmony Rd.

Good afternoon Brett,

Clackamas Fire has no additional comments for this project.

Please ensure the applicants designs show the items addressed in the pre-application notes, and comments from the fire district.

Thank you,

**Matt Amos**

Fire Inspector | Fire Prevention

direct: [503.742.2661](tel:503.742.2661)

main: [503.742.2600](tel:503.742.2600)



*To Safely Protect & Preserve  
Life & Property*

**CLACKAMAS FIRE DISTRICT #1**


[www.clackamasfire.com](http://www.clackamasfire.com)

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## Memorandum

**TO:** Brett Kelter, Associate Planner  
City of Milwaukie

**FROM:** Development Engineering, Robert Hixson 

**DATE:** October 18, 2016

**RE:** CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003  
Harmony Road mini-storage  
T1S., R2E., Section 31D, Tax Lots 1900, 1990 and 1800

Development Engineering staff has been requested by City of Milwaukie staff to evaluate this proposal in regards to issues associated with Harmony Road, which is under County jurisdiction. We have visited the site, reviewed the submitted materials, and have the following comments based on our understanding of the proposal:

### Facts and Findings:

1. The subject property is located adjacent to the northerly side of Harmony Road, easterly from International Way. The subject property has been annexed into the City requiring that the land use review be done through a City land use action. However, Harmony Road is under the jurisdiction of Clackamas County which results in Clackamas County providing requirements for Harmony Road frontage improvements and onsite operations which could impact Harmony Road safety and operations. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for major arterial roads. Harmony Road is classified as a major arterial roadway adjacent to the subject property.
2. The submitted materials include site plans which were developed for a right-in/right-out shared private road approach intersection with Harmony Road. Recently received materials indicate that the access point will remain as a right-out only. In addition, the traffic impact study for the proposal is dated from 2007 and also evaluates operations based on the right-in/right-out access scenario. Traffic Engineering staff has evaluated the 2007 traffic impact study, applied appropriate adjustments where needed, and finds that the right-out only shared private road approach will comply with current operational standards. A speed study was also done in 2016, providing valid data for determining appropriate sight distance requirements for the access

intersection with Harmony Road. This was needed as the speed data from 2007 was too dated to be considered valid.

3. This portion of Harmony Road, adjacent to the subject property, is a section of the Essential Pedestrian Network. This information is illustrated on *Comprehensive Plan* Map 5-3 (March 1, 2014). In addition, Harmony Road is also a part of the Planned Bikeway Network, shown on *Comprehensive Plan* Map 5-2a (March 1, 2014). Therefore, Harmony Road will require bike lanes and unobstructed sidewalks. Since Harmony Road is under Clackamas County jurisdiction, Clackamas County requires that the sidewalk width requirements and any landscape strip width requirements and street trees conform to County standards.
4. The Clackamas County Capital Improvement Plan identifies the section of Harmony Road from Highway 213 (82nd Avenue) to Highway 224 with project number 1022. Proposed improvements include construction of bicycle and pedestrian facilities. This project, if approved and constructed, will provide for these desired improvements along the subject property frontage.
5. *Clackamas County's Roadway Standards* indicate that three lane major arterial roads with bike lanes shall have a minimum right-of-way width of 80 feet with eight-foot wide sign, slope, public utility, and sidewalk easements on each side of the roadway. The applicant shall demonstrate that a minimum 40-foot wide one-half right-of-way exists along the entire Harmony Road site frontage or dedicate additional right-of-way to provide it. In addition, the applicant shall grant an eight-foot wide sign, slope, sidewalk, and public utility easement along the entire Harmony Road site frontage.
6. The applicant has proposed the construction of a mini-storage business, as a conditional use, in a City of Milwaukie Business Industrial zone. The subject property has frontage on Harmony Road, a Clackamas County facility, and the applicant proposes adding traffic to an existing shared private road access to Harmony Road, with turning maneuvers at the intersection of the shared private road with Harmony Road restricted to right-out only turning movements. The right-out only exit to Harmony Road is what was previously approved and constructed to serve the development to the west.
7. When the development to the west was approved, it was required to provide access easements to the subject property to provide for shared access opportunities when the subject property developed. This now allows for this current proposed development to utilize the existing right-in only ingress from International Way and the existing right-out only egress to Harmony Road if it is approved.
8. The applicant is subject to the provisions of *Clackamas County Zoning and Development Ordinance (ZDO)* section 1007, pertaining to frontage improvements

and section 1008 and Roadway Standards chapter 4, pertaining to surface water management associated with Harmony Road. Additionally, the applicant is subject to other ZDO requirements, the *Clackamas County Comprehensive Plan* and *Clackamas County Roadway Standards* regarding issues within the Harmony Road right-of-way and onsite issues (principally with the shared private road throat, signing, and pavement markings and legends) which would impact the County right-of-way and traffic operations on Harmony Road.

9. Minimum frontage improvements on the Harmony Road frontage include, but are not necessarily limited to, up to a half-street improvement, pavement widening if necessary, and storm drainage facilities. In addition, standard curb or curb and gutter when curb line slope is less than one percent, a minimum seven-foot wide unobstructed sidewalk behind a minimum five-foot wide landscape strip with street trees and a pavement taper if necessary, are required.
10. All curbs shall typically be type "C", or curb and gutter if curb line slope is less than one percent, if they carry, direct or channel surface water. Alternative curbs will be considered when it is determined by the Clackamas County Department of Transportation and Development that type "C" curbs or curb and gutter are not appropriate. Extruded curbs for carrying, directing, or channeling surface water shall not be allowed.
11. A 50-foot wide roadway section, curb to curb on Harmony Road, is the usual minimum desirable width for this type of roadway and would be consistent with the *Clackamas County Roadway Standards*. Typically, 12-foot wide travel lanes, a 14-foot wide center two way left turn lane and six foot bike lanes comprise a 50-foot wide street cross section. However, in this case the required median and associated shy distances will increase the minimum pavement width to approximately 56 feet where the full three lane section is required. The additional six feet of width is typically comprised of a minimum two-foot wide median curb and two feet of shy distance on each side of the median.

The existing right-out only shared private road approach intersecting with Harmony Road shall be retained as currently constructed. No widening is required or will be permitted. The minimum throat length for the shared private road intersecting with Harmony Road shall be 50 feet, per Roadway Standards subsection 330.1 f, measured from the back of the sidewalk. Therefore, no drive aisles shall intersect with the shared private road within 50 feet of the back of the sidewalk.

12. The proposed right-out only shared private road approach to Harmony Road shall provide adequate intersection sight distances and adequate stopping sight distances for both passenger vehicles and trucks in accordance with *Clackamas County Roadway Standards* and AASHTO requirements. Since the approach will remain as a

right-out only, intersection sight distance measurements requiring evaluation are for right turns of passenger vehicles, single unit trucks and combination trucks exiting the site and entering onto Harmony Road. In addition, the stopping sight distance requiring evaluation is for westbound vehicles approaching the Harmony Road approach.

The 2016 speed study data indicates that an 85th percentile speed of 36 miles per hour was observed and recorded for westbound vehicles. Based on this speed, the intersection sight distance requirements for passenger vehicles, single unit trucks, and combination trucks is 345 feet, 450 feet, and 560 feet, respectively. In addition, 275 feet of stopping sight distance is required for westbound traffic approaching the Harmony Road access, based on an analysis prepared by Lancaster Engineering staff and confirmed by Clackamas County Engineering staff. Based on field measurements made by Lancaster Engineering staff and preliminary drawings prepared by Sisul Engineering, the intersection sight distances are feasible to provide for the shared private road right-out only intersection with Harmony Road.

Prior to approval of the use of the existing shared private road approach for the mini-storage business, the applicant shall provide plan and profile drawings, based on survey data, with sight lines, illustrating adequate intersection sight distances for passenger vehicles and trucks exiting the proposed Harmony Road access and adequate stopping sight distances for passenger vehicles and trucks on Harmony Road approaching the shared private road access from the east.

13. Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245 along the entire Harmony Road site frontage.
14. The submitted preliminary civil plan sheets, illustrating Harmony Road improvements, are again based on a widened shared private road approach intersection with Harmony Road allowing for both right-in and right-out turning maneuvers. Since the current proposal does not include a right-in/right-out approach, the civil plans will understandably require revisions.

For example, the raised median will not require extension easterly and the existing shared private road approach intersecting with Harmony Road will not be required or be permitted to be widened. Easterly from the easterly terminus of the raised median, along the entire site frontage easterly, Harmony Road shall provide for a minimum 12-foot wide westbound travel land and a six-foot wide westbound bike lane. Northerly from the westbound bike lane, type "C" curb, or curb and gutter when curb line slope is less than one percent, minimum five-foot wide landscape strip with street trees and a minimum seven foot wide unobstructed sidewalk shall be constructed

easterly from the existing shared private road approach intersection with Harmony Road to the easterly property line. Obstructions within the limits of the sidewalk shall be relocated. The fire hydrant illustrated on the civil drawings near the easterly property line adjacent to Harmony Road shall be relocated and the seven-foot wide unobstructed sidewalk extended to the easterly property line.

15. Currently, the shared private road approach intersection with Harmony Road is provided with a "STOP" sign and a "RIGHT TURN ONLY" sign behind the sidewalk. Additional improvements, including a stop bar behind the sidewalk, an arrow pavement legend indicating traffic is restricted to southbound only and a "DO NOT ENTER" sign facing Harmony Road and angled towards westbound traffic are also required by Clackamas County.

16. Plans submitted in anticipation of receiving a Development permit from Clackamas County, for road and frontage construction activities within the Harmony Road right-of-way, shall include additional detail, such as an illustration of the full width of Harmony Road, along the site frontage, and extending 200 feet beyond the limits of the property, both northeasterly and southwesterly. Any existing driveway approaches within these limits shall also be illustrated. The right-of-way limits on each side of the road shall be illustrated. The additional detail shall also include a striping plan illustrating the existing and proposed striping on Harmony Road, also extending a minimum of 200 feet beyond the limits of the property.

All illustrated features shall be to scale and dimensioned. A legend for various line work shall also be provided. Storm drainage features shall be illustrated and storm water runoff from the shared private road shall not be permitted to flow onto Harmony Road. Installation of a slotted drain would be one method to address this storm water runoff from the shared private road. Ultimately, the applicant shall provide a set of construction plans to Clackamas County which are in conformance with Clackamas County *Roadway Standards* section 140.

17. Prior to the initiation of any construction activities within the Harmony Road right-of-way, the applicant shall submit plans and obtain a Development permit for improvements to Harmony Road or the frontage. The cost of the permit will be in accordance with the current fee schedule and based on an approved cost estimate for the road and frontage improvements. A performance surety shall also be required in an amount equal to 125% of the approved cost estimate.

18. The use of public rights-of-way for construction vehicle staging is not authorized by the Roadway Standards and poses a potentially deleterious effect of the proposed use, because it contributes to congestion, reduces sight distance, and occupies shoulders intended for emergencies and other purposes. To protect the public from such effects,

the applicant shall be required to submit a construction vehicle management plan for review and approval by the County DTD, Construction and Development Section, before the County issues a Development Permit. The plan shall show that the construction vehicles and materials will not be staged or queued up on improved public streets and shoulders under County jurisdiction without specific authority from DTD for that purpose.

**Preface to recommended conditions of approval:**

The following items are project requirements from the Department of Transportation and Development's Development Engineering Division. These conditions of approval are not intended to include every engineering requirement necessary for the successful completion of this project, but are provided to illustrate to the applicant specific details regarding the required improvements that may prove helpful in determining the cost and scope of the project. These conditions are based upon the requirements detailed in the County's Comprehensive Plan (Comp Plan), the County's Zoning and Development Ordinance (ZDO) and the County's Site Development and Roadway Construction Standards (Roadway Standards). Additional requirements, beyond those stated in the conditions of approval, may be required. The applicant may discuss the requirements of the project with staff at any time.

The requirements specifically required by the Comp Plan and the ZDO cannot be modified by the Development Engineering Division. However, the requirements detailed in these conditions of approval, derived from the Roadway Standards, are based upon nationally accepted standards and engineering judgment and may be modified pursuant to Section 170 of the Roadway Standards. The applicant is required to provide sufficient justification to staff in the request. Staff shall determine if a modification is warranted.

**Recommended Conditions of Approval:**

- 1) All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with *Clackamas County Roadway Standards*.
- 2) The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.
- 3) The applicant shall verify by a professional survey that adequate right-of-way width exists along the entire site frontage, on the northerly side of Harmony Road to permit construction of the required roadway and frontage improvements or shall dedicate additional right-of-way as necessary to provide it. At a minimum, a 40-foot wide one-half right-of-way width is required on the northerly side of Harmony Road.



Contact Deana Mulder for the dedication of right-of-way form and specifics of exhibits to be included with submittals.

- 4) The applicant shall grant an eight-foot wide public easement for signs, slopes, sidewalks and public utilities along the entire Harmony Road site frontage on the northerly side of Harmony Road. Contact Deana Mulder for the grant of easement form and specifics of exhibits to be included with submittals.
- 5) The existing shared private road approach intersection with Harmony Road shall be retained in its current configuration from the face of the existing curb to the back of the existing sidewalk. A minimum 50-foot long throat width, measured from the back of the sidewalk, without intersecting drive aisles within the 50-foot length, per Roadway Standards subsection 330.1 f, shall be provided and maintained.
- 6) The applicant shall design and construct improvements along the entire site frontage of Harmony Road. These improvements shall consist of:
  - a) Up to a half-street improvement. Structural section for Harmony Road improvements shall consist of seven and one-half inches of Level 3 Hot Mix Asphalt Concrete (HMAC), Performance Grade (PG) 70-22,  $\frac{3}{4}$ " dense or  $\frac{1}{2}$ " dense placed in lifts consisting of two and one-half inches per lift, over four inches of  $\frac{3}{4}$ "-0 aggregate leveling course, over 10 inches of 1- $\frac{1}{2}$ "-0 aggregate base course, over geotextile fabric.
  - b) Standard curb, or curb and gutter if curb line slope is less than one percent, and appropriate pavement widening to accommodate the necessary improvements of bike lanes (minimum six feet wide), travel lanes (minimum 12 feet wide), turn lanes, median lengths and widths, and associated shy distances (minimum two feet). Lane widths, median lengths and widths, and shy distances shall be proposed by the applicant and shall be reviewed and approved by Clackamas County Traffic Engineering staff prior to the issuance of a Development permit. Centerline of the right-of-way shall be established by a registered survey.
  - c) Drainage facilities in conformance with City of Milwaukie requirements, ZDO section 1008, and *Clackamas County Roadway Standards* chapter 4. Storm water runoff from the site driveway shall not flow onto Harmony Road and shall be intercepted by a slotted drain or an alternate method approved by County Engineering staff.
  - d) A minimum seven-foot wide unobstructed sidewalk behind a minimum five-foot wide landscape strip with appropriate street trees. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc, when they are located within the limits of the sidewalk. Mailboxes shall be relocated or replaced in accordance with

standards established by the local Post Office. Additional easement, as necessary, shall be granted to provide for any sidewalk eyebrows.

- e) Appropriate pavement tapers, where required, in accordance with *Roadway Standards* Section 250.6.4 for transitions.
- 7) The applicant shall provide a copy of the City of Milwaukie approved drainage study and Engineer's detention calculations to DTD Engineering, Deana Mulder.
- 8) The applicant shall provide adequate intersection sight distances and stopping sight distances (including appropriate adjustments for grades) at the shared private road approach intersection with Harmony Road in accordance with Clackamas County *Roadway Standards* and AASHTO requirements for passenger vehicles, single unit trucks, and combination trucks. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distances. Minimum intersection sight distances for passenger vehicles, single unit trucks, and combination trucks, all making right turns, shall be 345 feet, 450 feet, and 560 feet respectively, at the shared private road approach intersection with Harmony Road. Intersection sight distances shall be measured 14.5 feet back from the edge of the travel lane. In addition, minimum stopping sight distance for westbound vehicles shall be 275 feet.
- 9) Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245 along the entire Harmony Road site frontage.
- 10) The applicant shall provide an Engineer's cost estimate to Clackamas County Engineering, to be reviewed and approved, for the asphalt concrete, aggregates, curbs, sidewalks and any other required public improvement associated with Harmony Road.
- 11) The applicant shall provide Clackamas County a performance surety in an amount equal to 125% of the Clackamas County approved cost estimate for the Harmony Road improvements.
- 12) Applicant shall install and maintain additional traffic control features at the shared private road approach intersection with Harmony Road, including a stop bar behind the sidewalk, an arrow pavement legend behind the sidewalk indicating traffic is restricted to southbound only and a "DO NOT ENTER" sign behind the sidewalk facing Harmony Road and angled towards westbound traffic.
- 13) All traffic control devices on private property, located where private driveways intersect County facilities shall be installed and maintained by the applicant, and shall meet standards set forth in the *Manual on Uniform Traffic Control Devices* and relevant Oregon supplements.

- 14) Prior to the issuance of a building permit, the applicant shall submit to Clackamas County Engineering Office:
- a) Written approval from the local Fire District for the planned access, circulation, and fire lanes. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.
  - b) Written approval from City of Milwaukie for surface water detention facilities and erosion control measures.
  - c) A set of site frontage and street improvement construction plans for review, in conformance with *Clackamas County Roadway Standards* Section 140, to Deana Mulder in Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit. The permit will be for road, curb, sidewalk, and drainage improvements. The permit fee will be calculated in accordance with the current fee structure and will be based on the approved cost estimate for the Harmony Road improvements.

The submitted plans shall provide plan and profile data and sight lines illustrating adequate intersection sight distances for passenger vehicles, single unit trucks, and combination trucks exiting the Harmony Road shared private road approach. In addition, the submitted plans shall provide plan and profile data and sight lines illustrating adequate stopping sight distance for passenger vehicles on Harmony Road approaching the Harmony Road shared private road from the east. The submitted plans shall also include a detailed striping plan and a legend for various line work. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp the construction plans for all required improvements.

- d) A Fire Access and water supply plan for 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. (Applicable for developments with potable water supply provided by a water authority.)
- 15) Following completion of site construction activities of buildings over 1000 square feet or when required by Clackamas Fire District #1, the applicant shall provide as-built Fire Access and Water Supply pdf plans to the local Fire District and the County. The pdf plans 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 plans shall include any supporting details of the access, circulation, water vaults, fire lines, valves, fdc, backflow devices, etc.

For this proposal, the pdf as-built plan sheets shall be transmitted to [mike.boumann@clackamasfire.com](mailto:mike.boumann@clackamasfire.com) (Deputy Fire Marshal Mike Boumann) and [deanam@co.clackamas.or.us](mailto:deanam@co.clackamas.or.us) (Development Review Coordinator Deana Mulder)

- 16) Before the County issues a Development Permit, the applicant shall submit a construction vehicle management and staging plan for review and approval by the County DTD, Construction and Development Section. That plan shall show that construction vehicles and materials will not be staged or queued-up on public streets and shoulders without specific authority from DTD for the purpose.

**Kelver, Brett**

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**From:** Seth.A.Brumley@odot.state.or.us  
**Sent:** Tuesday, October 18, 2016 3:43 PM  
**To:** Kelver, Brett  
**Cc:** abraham.tayar@odot.state.or.us; andy.jeffrey@odot.state.or.us;  
Seth.A.Brumley@odot.state.or.us  
**Subject:** ODOT Case # 6927 Harmony Rd Self Storage

Hello Brett,

The proposed self-storage facility appears to be consistent with the previously approved zone change. ODOT has no further comment.

Thank you,

Seth Brumley  
ODOT Region 1 Planner  
123 NW Flanders St.  
Portland, OR 97209  
(503) 731-8234



**TO:** Brett Kolver, Associate Planner  
City of Milwaukie

**FROM:** Rick Buen, Civil Engineer  
City of Milwaukie

**DATE:** October 20, 2016

**RE:** CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003  
Harmony Road mini-storage  
T1S., R2E., Section 31D, Tax Lots 1900, 1990 and 1800

Comments based on our understanding of the proposal:

1. Use the Portland Curve Numbers (CN) on Table A-2 of the City of Portland Storm Water Management Manual.
2. The soil map shows 4 different soil types but the report indicates only type D. Calculation should reflect a weighted value of CN per the type of soil present on site.
3. Missing Basin A Presumptive Approach calculations for both developed and undeveloped.
4. The applicant has proposed the construction of a mini-storage business, as a conditional use, in a City of Milwaukie Business Industrial zone. The subject property has frontage on Harmony Road, a Clackamas County facility. All proposed improvements along SE Harmony road shall be per Clackamas County's Roadway Standards and shall be reviewed by the Clackamas County Engineering Department.
5. The Traffic Impact Study has been reviewed by both the City of Milwaukie and Clackamas County. Both confirmed that the updated materials confirmed that no other traffic-related adjustments are needed.
6. Invert elevations and slope shall be provided for sanitary storm and sanitary sewer lines. Design criteria for all utilities shall be per the current City of Milwaukie Public Works Standards.







819 SE Morrison Street  
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Portland, OR 97214  
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503.274.2024 **fax**

[www.esassoc.com](http://www.esassoc.com)

# memorandum

date November 8, 2016  
to Brett Kelper, AICP  
from Sarah Hartung, Senior Biologist; Mauria Pappagallo, P.E.  
subject Natural Resource Review for mini-storage project 5945 & 5965 SE Harmony Rd (Assessor Map 1S2E31D, tax lots 1800 and 1900) Land Use File (master) #CU-2016-001

This memorandum summarizes our technical review of land use application materials relating to site natural resources regulated by Milwaukie's Municipal Code, including Habitat Conservation Areas (HCAs) and Water Quality Resources (WQRs). Specific technical review tasks identified by the City are identified **in bold**, followed by our responses.

**1. Conduct a site visit to assess existing conditions and generally corroborate the figures and narrative provided in the application submittal.**

Response: ESA staff (Jeff Barna and Sarah Hartung) visited the project site on October 12, 2016. The site visit involved walking the property to assess existing conditions with the applicant's land use application materials in hand. In general, ESA observed site conditions consistent with those illustrated on the application figures and in the narrative. Observations related specifically to the figures and regulated resource boundaries presented in the land use application materials are noted below.

- **WQR and HCA boundaries:** The boundaries of Minthorn Creek, wetlands, and the 50-foot setbacks appear accurate. As indicated on Figure 4 of the narrative, no slopes exceed 25% when measured in 25 foot increments from the OHWM/wetland boundaries. The boundary of the HCA also appears accurate according to the City's map. As a separate housekeeping note, the WQR mapping at the north end of the property appears to be outdated. See Exhibit A below.

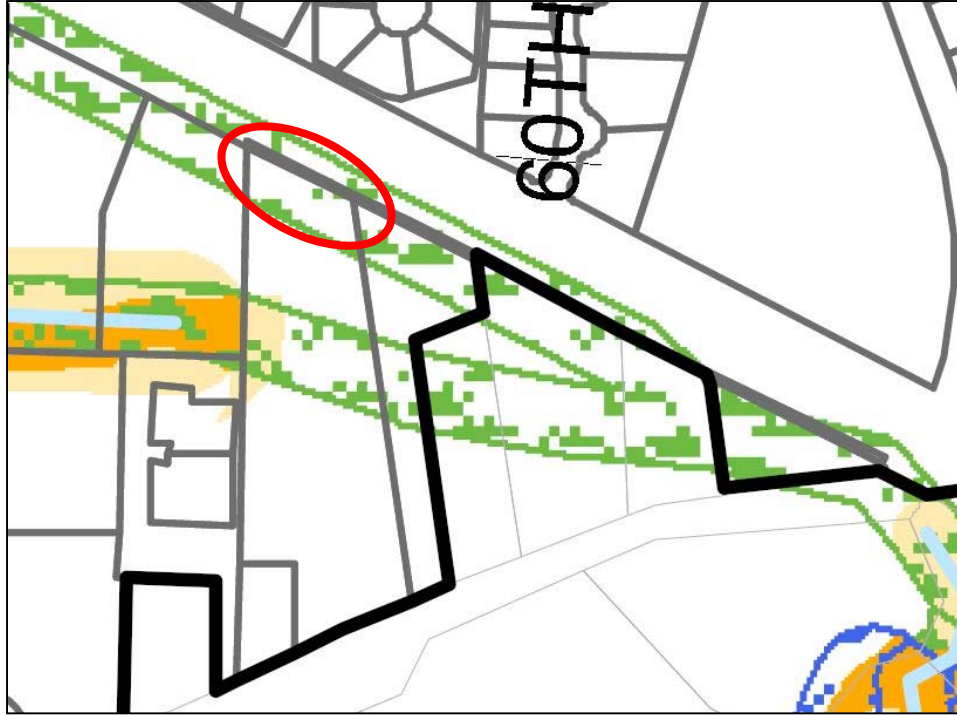


Exhibit A: Obsolete WQR mapping at north end of property circled in red.

- Figures 5 and 6 of the narrative show landscape trees in a strip through the WQR along the eastern property line. Please describe what this involves (i.e. clearing of understory, etc.) and the purpose. Describe the impacts to the WQR and mitigation.
- Proposed planting list: We understand that the plant quantities shown on Figure 6 are correct and that Table 4 on page 9 of the narrative shows the incorrect quantities. Please update Table 4.
- Grading plan: Show limits of grading on the ECP to be consistent with Grading Plan.
- Erosion control plan: The ECP provided shows silt fencing stopping short of the WQR limits. We recommend extending the fencing up the slopes and around the water quality buffers to improve the function of silt fencing (see Exhibit B below).

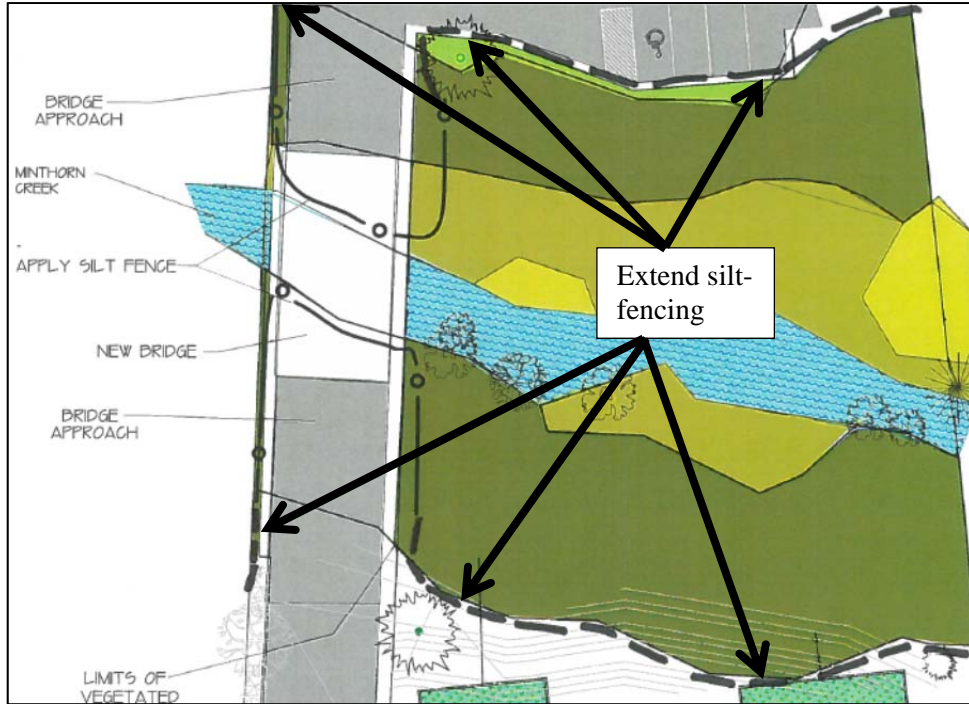


Exhibit B: Erosion control plan – we recommend extending silt fencing along entire length of WQR.

- Bridge design: We understand Minthorn Creek is a small stream with low flow; however, consider the following measures in Exhibit C to reduce the risk of scour during large storm events for the lifespan of the bridge:

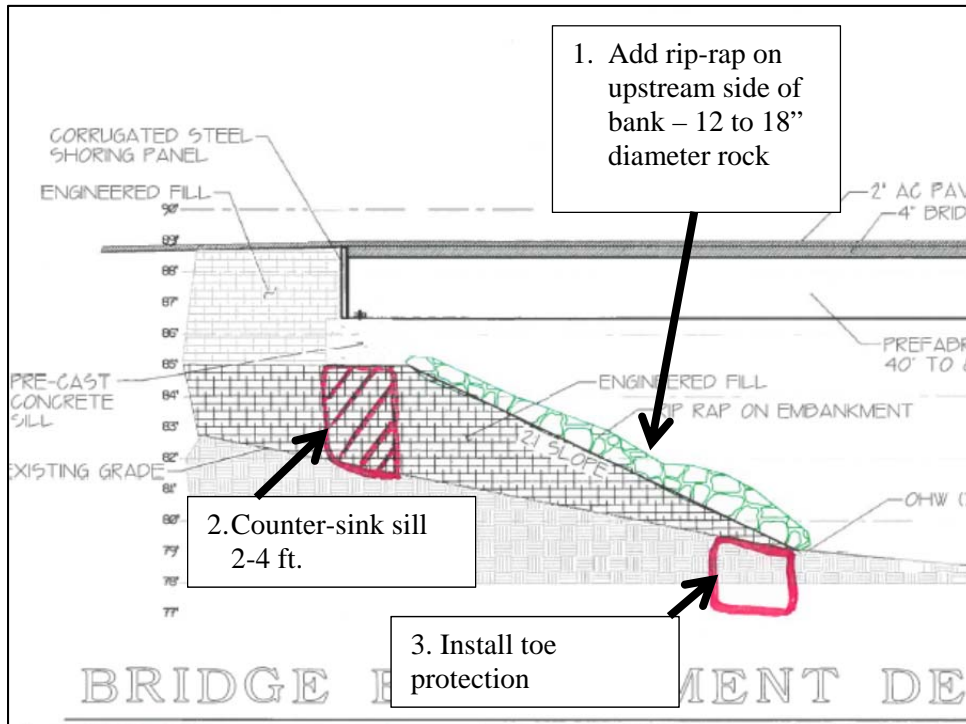


Exhibit C: Measures to reduce bridge scour.

**2. Review the Natural Resource Review report prepared by Pacific Habitat Services. Assess and comment on the applicant's responses to the following requirements:**

**a. Inventory of existing vegetation, identification of the ecological functions of riparian habitat, and categorization of the existing condition of the WQR on the subject property**

Response:

- The categorization of the existing conditions of the North and South WQR's as "good" and "poor," respectively, is accurate.
- The text refers to the Oregon Department of Agriculture noxious weed list, but it seems more appropriate to reference the City of Milwaukie/Portland Native List which outlines several nuisance plant species. The inventory of existing vegetation presented in the narrative is incomplete (when compared with the Portland list of nuisance plants), and could include: periwinkle (*Vinca* sp. - observed along the stream) and English holly (*Ilex aquifolium* - observed in the North WQR). Also, English hawthorn (*Crataegus monogyna*) is a nuisance plant that was observed in the North WQR.

**b. Analysis of alternatives to the proposed development, including an explanation of the rationale behind choosing the alternative selected**

Response:

- The orientation of Minthorn Creek and the presence of the railroad clearly limit access to the north side of the property and the narrative states that there are no practicable alternatives other than a proposed bridge for developing the northern portion of the site. As part of a complete review of avoidance options, the narrative could briefly address whether the bridge on the neighboring property to the west was considered as an alternative and why it is or isn't practicable (see Exhibit D below).

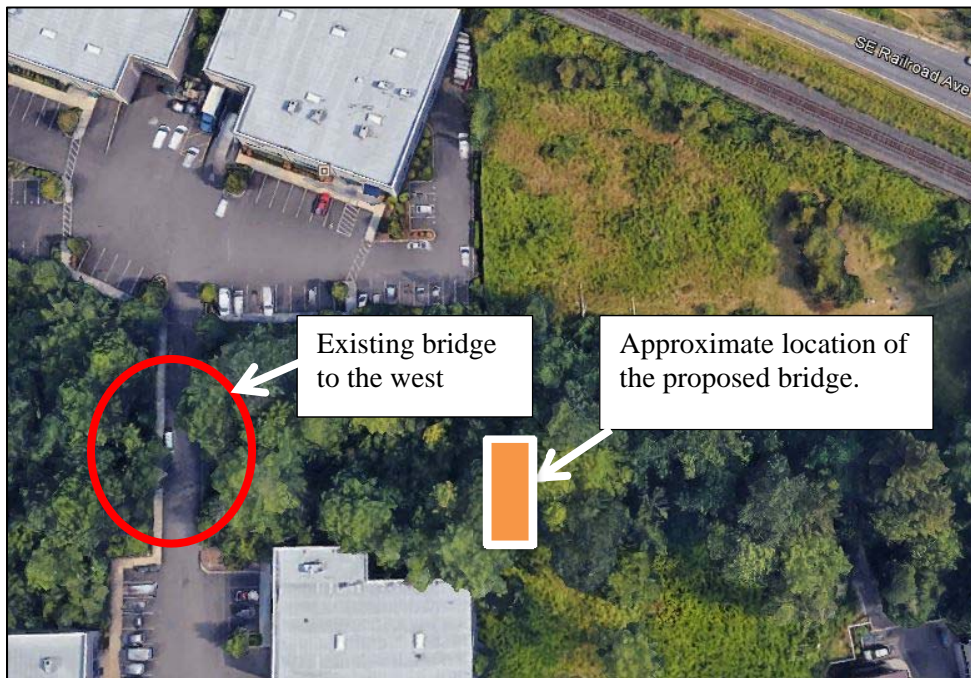


Exhibit D: Address the existing bridge to the west as a project alternative.

- The narrative does not adequately justify the location of the stormwater outfall on the north side of the WQR, which appears to be the reason for the proposed removal of a tree. Can the outfall be

located to avoid removing the tree, which appears to be a black cottonwood, or is there another reason for removing this tree?

**c. Mitigation plan that is appropriate for the proposed disturbance and that ensures the disturbed portions of the WQR and HCA will be restored to an equal or better condition, including appropriateness of the proposed mitigation planting list**

Response:

- The proposed on-site mitigation is adequate and meets the city's code, with a few minor points of improvement:
  - o Does the 5,446 sf of impact account for the potential need to place riprap beyond the limits of the bridge footprint? Based on images of a typical Big "R" Bridge, it appears that the riprap would be placed 2-3 ft. beyond the bridge, but the plan view does not show this detail.
  - o The proposed riparian restoration planting list is suitable and includes red alder and Oregon ash - both common species. Consider adding (or substituting with) Ponderosa pine (valley pine) and Oregon white oak to the list of trees to increase diversity.
  - o We recommend conducting the inventory of "man-made debris and noxious materials" as part of this application process to develop mitigation measures. We observed some concrete rubble embedded in the stream – clarify if this type of material would be removed as part of mitigation.

**3. Evaluate the proposed activity with respect to the three approval criteria established in MMC Subsection 19.402.12.B:**

**a. Avoid – The proposed activity will have less detrimental impact to the WQR and HCA than other practicable alternatives.**

Response:

- Other than the potential for sharing the existing bridge to the west (see Exhibit C above), a bridge crossing appears to be the only practical solution to accessing the northern side of the WQR and would be less of an impact compared with a culvert (for example).

**b. Minimize – Where impacts cannot be avoided, the proposed activity shall minimize detrimental impacts to the extent practicable.**

Response:

- With the extension of silt fencing up the slope and around the WQR as recommended in Exhibit B and with the minimization measures listed on page 12 of the narrative, the proposed project appears to minimize impacts to Minthorn Creek and associated wetlands consistent with 19.402.11A.

**c. Mitigate – The proposed mitigation plan demonstrates appropriate and adequate mitigation for adverse impacts to the WQR and HCA.**

Response:

- The native plantings proposed for the south side of Minthorn Creek (Mitigation Area B) shown on Figure 6 of the narrative are appropriate and adequate to compensate for proposed project impacts.
- Please clarify what it means to "inventory man-made debris and noxious materials" as it relates to the north side of Minthorn Creek (Mitigation Area A). Does this involve removing nuisance plants such

as English hawthorn and English holly? The WQR on the north side is in good condition, but could be further improved by replacing these nuisance shrubs/saplings with native species.

Thank you for the opportunity to review the Harmony Road Self Storage project. Please let me know if you have any questions or would like to discuss any of the information presented in this memorandum.

## Kelver, Brett

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**From:** Ed Williams <edwlv01@gmail.com>  
**Sent:** Tuesday, November 22, 2016 9:04 AM  
**To:** Kelver, Brett  
**Subject:** CU-2016-001

### **Brett**

I am unable to attend the Planning Commission meeting scheduled for this evening but please accept this letter as my enthusiastic support for the application.

My wife and I have owned Harmony Park Apartments bordering this parcel for over 20 years and this project would be a compliment to our Apartments and the surrounding uses.

Improving this formerly underutilized parcel with mini-storage is a low impact use that will add a much needed service to the community.

I am familiar with Mr. Thygeson's projects and having a developer with his experience investing in our community is reassuring.

Sincerely

***Ed Williams***

16479 S.E. Oak Meadow Ct. Damascus OR 97089

Mobile [702-234-9961](tel:702-234-9961)

Fax [503-482-5047](tel:503-482-5047)

*Harmony Park Apartments LLC*

5979,5989 SE Harmony Rd

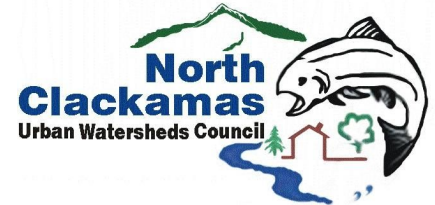
Milwaukie OR 97222





# North Clackamas Urban Watersheds Council

1900 SE Milport Rd, Suite C • Milwaukie, OR 97222  
coordinator@ncuwc.org • www.ncuwc.org



Brett Kelter, AICP  
Associate Planner  
City of Milwaukie

RE: Application master file #CU-2016-001, et al.

The North Clackamas Urban Watersheds Council (NCUWC) seeks to improve water quality through partnerships with public and private entities, habitat restoration projects and community education, and advocacy for the protection and enhancement of our watersheds' fish and wildlife habitat. Our mission is to protect and enhance our watersheds' water quality, fish, and wildlife habitat. The NCUWC Issues and Opportunities Committee (IOC) advocates to further the Council's mission, including the objective to advocate for protection and enhancement of local watershed ecosystems. As part of this advocacy we monitor land use and development applications received by the jurisdictions within our watersheds, and review and submit comments on those involving properties within floodplains, or those that do or should trigger reviews for habitat conservation areas and/or water quality resource areas.

The IOC has reviewed the land use application for a proposed self-service storage facility located at 5945 & 5965 SE Harmony Rd and the applicable criteria from the Milwaukie Municipal Code (MMC).

## I. HCA/WQRA Avoid and Minimize Strategy Concerns

A. NCUWC strongly prefers that the portion of the site northerly of Minthorn Creek remains undeveloped in perpetuity to better protect and preserve the functional values of the Habitat Conservation Area (HCA) and Water Quality Resource Area (WQRA) on the site as compared to applicant's proposal. We find that the applicant proposes a new bridge across Minthorn Creek for vehicular access to a proposed structure located to the north of Minthorn Creek, and that this bridge will create permanent disturbances to the HCA and WQRA on the subject site. We find that the intent of MMC **19.402.1** includes item **B**: "*minimize additional adverse impacts and to restore and improve resources, where possible, while balancing property rights and development needs of the city.*" We find that a development that would "minimize additional adverse impacts" to the natural resources on the site would be a development that was located entirely to the south of Minthorn Creek, and that balancing this condition of approval against "property rights and development needs" would require that the resulting development is permitted to build all of the floor area - or in this case, the same number of storage units (1,005) - as proposed by the applicant. We find that MMC **19.905.5** grants the Planning Commission authority to impose conditions of approval, including item **B**: "*Requiring structure and site design features that minimize environmental impact...*" and **J**: "*requiring the protection and preservation of...watercourses, habitat areas, and drainage areas.*"

NCUWC requests that the City refer to the **intent** of MMC **19.402.1**, item **C.5**: "*Allow and encourage habitat-friendly development while minimizing the impact on water quality and fish and wildlife habitat functions.*" We request that you meet this intent by approving a variance to the maximum allowed building

# North Clackamas Urban Watersheds Council

1900 SE Milport Rd, Suite C • Milwaukie, OR 97222  
coordinator@ncuwc.org • www.ncuwc.org



height in the BI district, sufficient that applicant may fully develop the proposed number of storage units in a single structure located to the south of Minthorn Creek. This design alternative eliminates the need for a bridge that will permanently disturb portions of the HCA and WQRA on the site, thus "*minimizing the impact on water quality and fish and wildlife habitat functions.*" We believe that such a variance would satisfy the Discretionary Relief Criteria specified in MMC **19.911.4.B.1**.

Based on these findings, NCUWC asks the City to:

1. impose the following conditions of approval:
  - a. prohibit improvements to the subject site north of Minthorn Creek and any disturbance to the HCA and WQRA as part of this land use application; and
  - b. require a restrictive covenant or conservation easement recorded with the county that protects the HCA, WQRA, and area north of Minthorn Creek from future development in perpetuity; and
2. approve a variance to maximum building height for the BI district sufficient for applicant to construct the total proposed number of storage units in a structure south of Minthorn Creek.

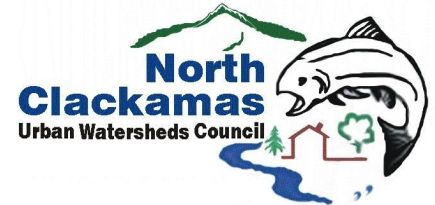
B. In the event that the City chooses not to impose the above conditions of approval as requested by NCUWC to better protect the functional values of the natural resources on the subject site, NCUWC would prefer to see the proposed bridge removed from applicant's preferred design alternative and instead require applicant to utilize the reciprocal access easements required by Clackamas County to facilitate access to the northerly portion of the site. In light of these required easements, NCUWC finds that it is completely unnecessary to disturb the HCA and WQRA on the subject site to provide access to the northern building, as access to the northerly portion of the site is legally guaranteed without the proposed bridge. We again refer you to the **intent** of MMC **19.402.1**, item **(C)(5)**: "*Allow and encourage habitat-friendly development while minimizing the impact on water quality and fish and wildlife habitat functions.*" There is no more effective way to minimize the proposed permanent disturbance to the HCA and WQRA on the subject site than by not building a new bridge across Minthorn Creek, especially when that bridge is clearly not required due to the existing bridge on the neighboring site to the west that will be covered by a reciprocal access easement that is required by Clackamas County.

For reference, from the pre-application conference notes, Clackamas County is requiring that:

*"The applicant shall grant and record minimum 24-foot wide easements, granting access over the drive aisles and driveway on the site to the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 to the west, at locations determined by the previous approval of the International Way Business Center, provided, before the owners of Tax Lots 1501, 1502, 1503, 1504, and 1505 may use the easements over the site, those owners shall grant to the owner of the subject site a reciprocal easement for access purposes to and over the drive aisles on Tax Lots 1501, 1502, 1503, 1504, and 1505 so as to provide access for the site from International Way and to and from Harmony Road. Neither the grading plan for this site, nor the construction of any structures shall preclude the use of the easements. The applicant shall file the easements in the County records office before the County and City accepts the project and releases the performance surety. Since*

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*the crossover easements are needed to provide circulation between properties, the applicant shall improve those portions of the easements on the subject site as approved by the City of Milwaukie."*

Based on these findings, NCUWC asks the City to impose the following conditions of approval:

1. prohibit a new bridge crossing the HCA and WQRA as part of this land use application; and
2. require a restrictive covenant or conservation easement recorded with the county that protects the HCA and WQRA from future development in perpetuity.

C. In the event that the reciprocal access easements required by Clackamas County are insufficient grounds to apply a condition of approval prohibiting the proposed bridge resulting in a permanent disturbance to the HCA and WQRA on the subject site, NCUWC implores the City to impose as a condition of approval:

1. a new bridge over Minthorn Creek shall provide sufficient vertical clearance so as not to inhibit the movement of wildlife along the WQRA corridor.

We find this condition is supported by MMC **19.402.12.B.1.b(2)(c)**: "*Minimize impacts on wildlife corridors and fish passage.*"

## **II. Floodplain Delineation Concerns**

NCUWC is concerned about the lack of detail provided for the 100-year floodplain delineation along Minthorn Creek. No improvements should be allowed in any part of the 100-year floodplain of Minthorn Creek. Please refer to the requirements of MMC **Title 18**.

## **III. Known Upstream Pollutants**

NCUWC believes the city should take measurements for pollutants in Minthorn Creek including, but not limited to, chromium. Blount, Inc., located upstream from the subject site, was fined by Oregon DEQ in November, 2016, for "*for exceeding the chromium emission limits contained in its Air Contaminant Discharge Permit*" and for "*failing to obtain approval before making operational changes at the plant that resulted in an increase in production capacity.*"

<http://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=1452>

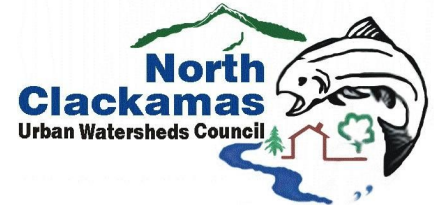
Thank you,

Joseph P. Edge  
Vice-Chair  
North Clackamas Urban Watersheds Council

Terry John Gibson  
Chair  
North Clackamas Urban Watersheds Council

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Brett Kelter, AICP  
Associate Planner  
City of Milwaukie

Subject: Addendum to North Clackamas Urban Watersheds Council's Issues and Opportunities Committee Findings and Comments RE: Application master file #CU-2016-001, et al., sent December 19, 2016 at 1:52 PM.

## I. Floodplain Delineation Concerns

A. Upon review of the Flood Insurance Rate Maps published by FEMA, we find that no floodplain is delineated for Minthorn Creek except in the immediate area where it empties into Mount Scott Creek. We are not confident this accurately reflects flood risks. We know that virtually the entire business Park was part of a seasonal lake with a high water table and often floods in the winter, but this is not apparent on the Flood Insurance Rate Maps.

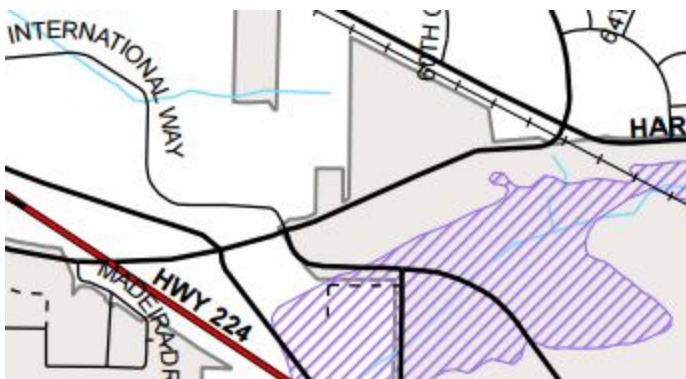


Figure 1. City of Milwaukie Oregon Flood Map. Minthorn Creek is the disconnected blue line crossing International Way as well as the line that connects to Mount Scott Creek south of the Harmony/Railroad intersection.

<http://www.milwaukieoregon.gov/sites/default/files/fileattachments/flood08.pdf>

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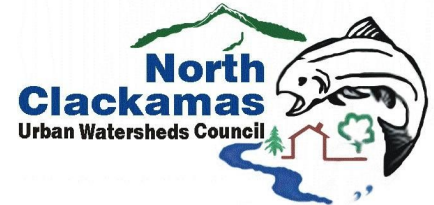


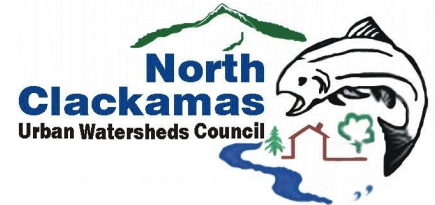
Figure 2. The subject site is tax lots 1800 and 1900. Tax lot 1600 and the “International Way Business Center Condo” tax lots are not referenced in the proposal.

## II. Reciprocal Access Easement

A. Upon reviewing the tax maps for the SE ¼ of Section 31 Township 1 South Range 2 East Willamette Meridian in Clackamas County, we find that a “private access easement” exists and covers the drive aisles and vehicular maneuvering and parking areas on tax lots 1502, 1503, 1504, and 1505, including the existing bridge across Minthorn Creek (please see figure 2; the access easement is denoted by a dashed line). Tax lot 1501 has been canceled. Clackamas County’s specific requirement is “those owners shall grant to the owner of the subject site a reciprocal easement for access purposes to and over the drive aisles on Tax Lots 1501, 1502, 1503, 1504, and 1505 so as to provide access for the site from International Way and to and from Harmony Road.” The County’s

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requirements specifically call out the tax lots located northerly of Minthorn Creek on the International Way Business Center site. There is no express written exception to this requirement for buildings located northerly of Minthorn Creek on the subject site, and the access easement on tax lot 1505 abuts the common property line shared with the subject site.

### III. Bridge Crossing Design Specifications for Wildlife Habitat Connectivity

A. We adopt by reference the findings of the paper titled "Multiple-Use Crossing Structures for Providing Wildlife Habitat Connectivity" (Ruediger and Jacobson 2013). This paper states:

*Specific "wildlife-friendly measures" (structures that facilitate movement of fish and other aquatic organisms) include providing a dry natural stream bank within the bridge dimensions where wildlife could cross under the [road]way; providing a natural stream bottom where aquatic organisms can move; providing adequate height for target species and providing wing-fencing so wildlife are funneled into the crossing. The width of the structure should be capable of containing the stream at average bank full level, or greater, without unnatural restrictions that would cause accelerated water velocities.*

*A general guideline for wildlife friendly bridge height is (Ruediger and DiGiorgio 2007):*

- *Large land mammals (including Elk/Moose): 12 feet or higher*
- ***Deer, black bear and similar size animals: 10 feet, or higher***
- *Medium sized mammals such as coyotes, bobcats: 4 feet, or higher*
- *Small mammals, such as raccoons and opossum: 3 feet or higher*

*Bridge width will vary based on the size and morphology of the stream or river, but should be at least a few feet wider than average "bank-full" high water. This width would provide for potential wildlife and aquatic organism movement at all seasons except for extreme flood events.*

*Bridges across rivers and streams provide crossings along natural movement corridors (riparian areas) for many wildlife species. In areas where stream crossings are frequent, there may not be a necessity for other wildlife crossings. Bridge crossings would likely benefit wildlife in urban, suburban and rural environments and can provide an ecologically effective mosaic of streamside "green spaces" and parks as described by Gary Evink in his 1998 ICOET paper entitled "Ecological Highways".*

[http://www.icoet.net/ICOET\\_2013/documents/papers/ICOET2013\\_Paper402C\\_Ruediger\\_Jacobson.pdf](http://www.icoet.net/ICOET_2013/documents/papers/ICOET2013_Paper402C_Ruediger_Jacobson.pdf)

Thank you,

Joseph P. Edge  
Vice-Chair  
North Clackamas Urban Watersheds Council

Terry John Gibson  
Chair  
North Clackamas Urban Watersheds Council

## **Memorandum**

**TO:** Brett Kelter, Associate Planner  
City of Milwaukie

**FROM:** Development Engineering, Robert Hixson *Robert Hixson*

**DATE:** February 2, 2017

**RE:** CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003  
Harmony Road mini-storage  
T1S., R2E., Section 31D, Tax Lots 1900, 1990 and 1800

**THIS MEMORANDUM SHALL REPLACE THE JANUARY 30, 2017,  
MEMORANDUM.**

Development Engineering staff has been requested by City of Milwaukie staff to evaluate this proposal in regards to issues associated with Harmony Road, which is under County jurisdiction. We have visited the site, reviewed the submitted materials provided with the application, and additional materials provided by Sisul Engineering. We have the following comments which are based on our understanding of the current proposal and is based on all materials received up to January 27, 2017, at 4:00 PM.

### **Facts and Findings:**

1. The applicant has proposed the construction of a mini-storage business, as a conditional use, in a City of Milwaukie Business Industrial zone. The subject property has frontage on Harmony Road, an urban street under the jurisdiction of Clackamas County. The applicant proposes modification of the existing right-out only Harmony Road driveway approach so that it will permit both right-in and right-out turning maneuvers.
2. The subject property is located adjacent to the northerly side of Harmony Road, easterly from International Way. The subject property has been annexed into the City requiring that the land use review be done through a City land use action. However, Harmony Road is under the jurisdiction of Clackamas County which results in Clackamas County providing requirements for Harmony Road frontage improvements and certain onsite operations which could impact Harmony Road safety and operations. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for major arterial roads. Harmony Road is classified as a

major arterial roadway, adjacent to the subject property, in the Clackamas County Comprehensive Plan.

3. The submitted materials include site plans which were developed for a right-in/right-out shared private road approach intersection with Harmony Road. Subsequent to the receipt of the submitted materials Engineering staff were advised that the Harmony Road access would remain as a right-out only. An October 18, 2016, memorandum was provided by the County to City staff evaluating the proposal with retention of the existing right-out only access to Harmony Road.
4. On or about November 16, 2016, Engineering staff was advised that there had been a misunderstanding regarding access and the applicant actually wanted to continue to propose a right-in/right-out driveway approach. Since that time Engineering staff has been working with City staff, the applicant and the applicant's Engineer to develop acceptable geometry for a right-in/right-out access. Based on the applicant's Engineer's submittal dated January 25, 2017, acceptable geometry has been illustrated and essentially only additional details associated with the raised median and striping of Harmony Road remain to be resolved. These details are feasible to address in conditions of approval but the applicant's Engineer may be able to provide a drawing illustrating proposed striping and median revisions prior to the Planning Commission meeting now scheduled for February 14, 2017.
5. The traffic impact study for the current mini-storage proposal is dated from 2007 and also evaluates operations based on a right-in/right-out access scenario. Traffic Engineering staff has evaluated the 2007 traffic impact study, applied appropriate adjustments where needed, and finds that a right-in/right-out shared private road approach will be able to comply with current operational standards. A speed study, observed by County Engineering staff, was also done in 2016, providing valid data for the determination of appropriate sight distance requirements for the access intersection with Harmony Road. The new speed study was needed as the speed data from 2007 was too dated to be considered valid.
6. This portion of Harmony Road, adjacent to the subject property, is a section of the Essential Pedestrian Network. This information is illustrated on *Comprehensive Plan* Map 5-3 (March 1, 2014). In addition, Harmony Road is also a part of the Planned Bikeway Network, shown on *Comprehensive Plan* Map 5-2a (March 1, 2014). Therefore, Harmony Road will require bike lanes and unobstructed sidewalks. Since Harmony Road is under Clackamas County jurisdiction, Clackamas County requires that the sidewalk width requirements and any landscape strip width requirements and street trees conform to County standards.
7. The Clackamas County Capital Improvement Plan identifies the section of Harmony Road from Highway 213 (82nd Avenue) to Highway 224 with project



number 1022. Proposed improvements include construction of bicycle and pedestrian facilities. This project, if approved and constructed, will provide for these desired improvements along the subject property frontage.

8. Clackamas County's Roadway Standards indicate that three lane major arterial roads with bike lanes shall have a minimum right-of-way width of 80 feet with eight-foot wide sign, slope, public utility, and sidewalk easements on each side of the roadway. The applicant shall demonstrate that a minimum 40-foot wide one-half right-of-way exists along the entire Harmony Road site frontage or dedicate additional right-of-way to provide it. In addition, the applicant shall grant an eight-foot wide sign, slope, sidewalk, and public utility easement along the entire Harmony Road site frontage.
9. When the development to the west was approved, it was required to provide access easements to the subject property to provide for shared access opportunities when the subject property developed. Reciprocal easements regarding access are now required to be provided by the subject property owner so that the right-in from Harmony Road will be able to be used to access the properties currently only provided access via the International Way right-in only driveway approach. Development of the subject property will allow mini-storage related traffic to utilize the existing right-in only ingress from International Way and the existing right-out egress maneuver to Harmony Road.
10. Clackamas County recommends the City of Milwaukie Planning Division condition the applicant to enter into a road maintenance agreement with the owners of the development to the west for maintenance of shared onsite circulation facilities.
11. The applicant is subject to the provisions of Clackamas County Zoning and Development Ordinance (ZDO) section 1007, pertaining to frontage improvements and section 1008 and Roadway Standards chapter four, pertaining to surface water management associated with Harmony Road. Additionally, the applicant is subject to other ZDO requirements, the Clackamas County Comprehensive Plan and Clackamas County Roadway Standards regarding issues within the Harmony Road right-of-way and onsite issues (principally with the shared private road throat, signing, and pavement markings and legends) which would impact the County right-of-way and traffic operations on Harmony Road.
12. Minimum frontage improvements on the Harmony Road frontage include, but are not necessarily limited to, up to a half-street improvement, pavement widening if necessary, and storm drainage facilities. In addition, extension of the raised median (including relocation of a portion of the existing raised median), standard curb or curb and gutter when curb line slope is less than one percent, a modified driveway approach, a minimum seven-foot wide unobstructed sidewalk behind a minimum

five-foot wide landscape strip with street trees and a pavement taper if necessary, are required.

13. All curbs shall typically be type "C", or curb and gutter if curb line slope is less than one percent, if they carry, direct or channel surface water. Alternative curbs will be considered when it is determined by the Clackamas County Department of Transportation and Development that type "C" curbs or curb and gutter are not appropriate. Extruded curbs for carrying, directing, or channeling surface water shall not be allowed.
14. A 50-foot wide roadway section, curb to curb on Harmony Road, is the usual minimum desirable width for this type of roadway and would be consistent with the Clackamas County Roadway Standards. Typically, 12-foot wide travel lanes, a 14-foot wide center two way left turn lane and six foot bike lanes comprise a 50-foot wide street cross section. However, in this case the required median and associated shy distances will increase the minimum pavement width to approximately 56 feet where the full three lane section is required. The additional six feet of width is typically comprised of a minimum two-foot wide raised concrete median curb and two feet of shy distance on each side of the raised median.

The existing westerly limits of the existing right-out only shared private road approach intersecting with Harmony Road shall be retained as currently constructed. The driveway approach shall be widened to the east as illustrated on the exhibit provided to County Engineering staff on or about January 25, 2017. The Sisul Engineering exhibit is labeled "EXHIBIT "A" TURNING MOVEMENT" and is dated January 25, 2017. The maximum throat width for the shared private road intersecting with Harmony Road shall be 55 feet and the minimum throat length shall be 50 feet per Roadway Standards subsection 330.1 f, measured from the back of the sidewalk. Therefore, no drive aisles shall intersect with the shared private road within 50 feet of the back of the sidewalk.

15. The proposed right-in/right-out shared private road approach intersecting with Harmony Road shall provide adequate intersection sight distances and adequate stopping sight distances for both passenger vehicles and trucks in accordance with Clackamas County Roadway Standards and AASHTO requirements. Since the modified approach will continue to allow exiting maneuvers that are right-out only maneuvers, intersection sight distance measurements requiring evaluation are for right turns of passenger vehicles, single unit trucks and combination trucks exiting the site and entering onto Harmony Road. In addition, the stopping sight distance requiring evaluation is for westbound vehicles approaching the Harmony Road approach.

The 2016 speed study data indicates that an 85th percentile speed of 36 miles per

hour was observed and recorded for westbound vehicles. Based on this speed, the intersection sight distance requirements for passenger vehicles, single unit trucks, and combination trucks is 345 feet, 450 feet, and 560 feet, respectively, to the east. In addition, 275 feet of stopping sight distance is required for westbound traffic approaching the Harmony Road access. These distances are based on an analysis prepared by Lancaster Engineering staff and confirmed by Clackamas County Engineering staff. Based on field measurements made by Lancaster Engineering staff and preliminary drawings prepared by Sisul Engineering, the intersection sight distances and stopping sight distances are feasible to provide for the shared private road access intersection with Harmony Road.

Prior to approval of the use of the existing shared private road approach for the mini-storage business, the applicant shall provide plan and profile drawings, based on survey data, with sight lines, illustrating adequate intersection sight distances for passenger vehicles and trucks exiting the proposed Harmony Road access. In addition, the exhibit shall illustrate adequate stopping sight distances for passenger vehicles and trucks on Harmony Road approaching the shared private road access from the east.

16. Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245 along the entire Harmony Road site frontage.
17. The submitted preliminary civil plan sheets, illustrating Harmony Road improvements, are again based on a widened shared private road approach intersection with Harmony Road allowing for both right-in and right-out turning maneuvers. Since the submittal of those plans, the geometry of the access has been modified and additional Harmony Road modifications will be required regarding the raised median and striping. The previously submitted civil plans will understandably require revisions.

For example, a portion of the raised median will be required to be relocated and will also require extension easterly. However, the existing striping along the site frontage shall generally remain as is with minor modifications as needed. The raised median extension shall generally be in accordance with the January 25, 2017, turning movement exhibit provided by Sisul Engineering. The existing shared private road approach intersecting with Harmony Road will be required to be widened. Easterly from the easterly terminus of the extended raised median, along the entire site frontage easterly, Harmony Road shall provide for a minimum 12-foot wide westbound travel lane and a six-foot wide westbound bike lane. Appropriate tapers, as needed, shall also be designed and constructed for curb lines and striping. Northerly from the westbound bike lane, type "C" curb, or curb and gutter when curb

line slope is less than one percent, minimum five-foot wide landscape strip with street trees and a minimum seven foot wide unobstructed sidewalk shall be constructed easterly from the shared private road approach intersection with Harmony Road to the easterly property line. The new curb line shall minimize inflection points and shall be designed and constructed in a straight line or as close to a straight line as possible. Obstructions within the limits of the sidewalk shall be relocated. The fire hydrant illustrated on the civil drawings near the easterly property line adjacent to Harmony Road shall be relocated and the seven-foot wide unobstructed sidewalk extended to the easterly property line.

18. Currently, the shared private road approach intersection with Harmony Road is provided with a "STOP" sign and a "RIGHT TURN ONLY" sign behind the sidewalk. Additional improvements, including a stop bar behind the sidewalk and an approximately 50-foot long double yellow pavement stripe separating ingress and egress traffic are also required by Clackamas County. The driveway striping shall begin at the stop bar just behind the stop bar.
19. Plans submitted in anticipation of receiving a Development permit from Clackamas County, for road and frontage construction activities within the Harmony Road right-of-way, shall include additional detail, such as an illustration of the full width of Harmony Road, along the site frontage, and extending 200 feet beyond the limits of the property, both northeasterly and southwesterly. Any existing driveway approaches within these limits shall also be illustrated. The right-of-way limits on each side of the road shall be illustrated. The additional detail shall also include a striping plan illustrating the existing and proposed striping on Harmony Road, also extending a minimum of 200 feet beyond the limits of the property.

All illustrated features shall be to scale and dimensioned. A legend for various line work shall also be provided. Storm drainage features shall be illustrated and storm water runoff from the shared private road shall not be permitted to flow onto Harmony Road. Installation of a slotted drain would be one method to address this storm water runoff from the shared private road. Ultimately, the applicant shall provide a set of construction plans to Clackamas County which are in conformance with Clackamas County *Roadway Standards* section 140.

20. Prior to the initiation of any construction activities within the Harmony Road right-of-way, the applicant shall submit plans and obtain a Development permit for improvements to Harmony Road or the frontage. The cost of the permit will be in accordance with the current fee schedule and based on an approved cost estimate for the road and frontage improvements. A performance surety shall also be required in an amount equal to 125% of the approved cost estimate.

21. The use of public rights-of-way for construction vehicle staging is not authorized by the Roadway Standards and poses a potentially deleterious effect of the proposed use, because it contributes to congestion, reduces sight distance, and occupies shoulders intended for emergencies and other purposes. To protect the public from such effects, the applicant shall be required to submit a construction vehicle management plan for review and approval by the County DTD, Construction and Development Section, before the County issues a Development Permit. The plan shall show that the construction vehicles and materials will not be staged or queued up on improved public streets and shoulders under County jurisdiction without specific authority from DTD for that purpose.

**Preface to recommended conditions of approval:**

The following items are project requirements from the Department of Transportation and Development's Development Engineering Division. These conditions of approval are not intended to include every engineering requirement necessary for the successful completion of this project, but are provided to illustrate to the applicant specific details regarding the required improvements that may prove helpful in determining the cost and scope of the project. These conditions are based upon the requirements detailed in the County's Comprehensive Plan (Comp Plan), the County's Zoning and Development Ordinance (ZDO) and the County's Site Development and Roadway Construction Standards (Roadway Standards). Additional requirements, beyond those stated in the conditions of approval, may be required. The applicant may discuss the requirements of the project with staff at any time.

The requirements specifically required by the Comp Plan and the ZDO cannot be modified by the Development Engineering Division. However, the requirements detailed in these conditions of approval, derived from the Roadway Standards, are based upon nationally accepted standards and engineering judgment and may be modified pursuant to Section 170 of the Roadway Standards. The applicant is required to provide sufficient justification to staff in the request. Staff shall determine if a modification is warranted.

**Recommended Conditions of Approval:**

- 1) All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with *Clackamas County Roadway Standards*.
- 2) The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.

- 3) The applicant shall verify by a professional survey that adequate right-of-way width exists along the entire site frontage, on the northerly side of Harmony Road to permit construction of the required roadway and frontage improvements or shall dedicate additional right-of-way as necessary to provide it. At a minimum, a 40-foot wide one-half right-of-way width is required on the northerly side of Harmony Road. Contact Deana Mulder for the dedication of right-of-way form and specifics of exhibits to be included with submittals.
- 4) The applicant shall grant an eight-foot wide public easement for signs, slopes, sidewalks and public utilities along the entire Harmony Road site frontage on the northerly side of Harmony Road. Contact Deana Mulder for the grant of easement form and specifics of exhibits to be included with submittals.
- 5) The applicant shall grant and record minimum 30-foot wide reciprocal access easements to the properties to the west where similar easements were granted to the subject property when the development to the west was approved by the City of Milwaukie. In addition, the applicant shall grant an access easement to these same properties to the west for the use of the portion of the widened shared private road approach and driveway which will be located on the subject property. The applicant shall file the easement in the City of Milwaukie records office before the County accepts the project and releases the performance surety.
- 6) The westerly limits of the existing shared private road approach intersection with Harmony Road shall be retained as constructed. The existing driveway approach shall be widened easterly, providing a maximum throat width of 55 feet at the sidewalk, and in conformance with geometry illustrated on the January 27, 2016, Sisul Engineering exhibit labeled "EXHIBIT "A" TURNING MOVEMENT". A minimum 50-foot long throat, measured from the back of the sidewalk, without intersecting drive aisles within the 50-foot length, per Roadway Standards subsection 330.1 f, shall be provided and maintained.
- 7) The applicant shall design and construct improvements along the entire site frontage of Harmony Road. These improvements shall consist of:
  - a) Up to a half-street improvement. Structural section for Harmony Road improvements shall consist of seven and one-half inches of Level 3 Hot Mix Asphalt Concrete (HMAC), Performance Grade (PG) 70-22, ¾" dense or ½" dense placed in lifts consisting of two and one-half inches per lift, over four inches of ¾"-0 aggregate leveling course, over 10 inches of 1-1/2"-0 aggregate base course, over geotextile fabric.
  - b) Standard curb, or curb and gutter if curb line slope is less than one percent, and appropriate pavement widening to accommodate the necessary improvements of west bound bike lane (minimum six feet wide), west bound travel lane (minimum

12 feet wide), turn lanes, raised median lengths, locations and widths (an extension easterly of the raised median as illustrated on the January 27, 2016, Sisul Engineering exhibit labeled "EXHIBIT "A" TURNING MOVEMENT"), and associated shy distances (minimum two feet). Lane widths, median lengths, widths and shy distances, and curb offset and curb alignment shall be proposed by the applicant and shall be reviewed and approved by Clackamas County Traffic Engineering staff prior to the issuance of a Development permit. Centerline of the right-of-way shall be established by a registered survey.

- c) Drainage facilities in conformance with City of Milwaukie requirements, ZDO section 1008, and *Clackamas County Roadway Standards* chapter four. Storm water runoff flowing over the site driveway approach shall not flow onto Harmony Road and shall be intercepted by a slotted drain or an alternate method approved by County Engineering staff.
  - d) A minimum seven-foot wide unobstructed sidewalk behind a minimum five-foot wide landscape strip with appropriate street trees. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc, when they are located within the limits of the sidewalk. Mailboxes shall be relocated or replaced in accordance with standards established by the local Post Office. Additional easement, as necessary, shall be granted to provide for any sidewalk eyebrows.
  - e) Appropriate pavement and striping tapers, where required, in accordance with *Roadway Standards* Section 250.6.4 for transitions.
- 8) The applicant shall propose a striping plan for Harmony Road along the subject property frontage and easterly and westerly from the property frontage to allow for appropriate striping and any necessary transitions. The applicant shall also propose, for review and approval by Development Engineering and Traffic Engineering staff, the use of paint or thermoplastic for striping improvements.
- 9) The applicant shall provide a copy of the City of Milwaukie approved drainage study and Engineer's detention calculations to DTD Engineering, Deana Mulder.
- 10) The applicant shall provide adequate intersection sight distances and stopping sight distances (including appropriate adjustments for grades) at the shared private road approach intersection with Harmony Road in accordance with *Clackamas County Roadway Standards* and AASHTO requirements for passenger vehicles, single unit trucks, and combination trucks. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distances. Minimum intersection sight distances for passenger vehicles, single unit trucks, and combination trucks, all making right turns, shall be 345 feet, 450 feet, and 560 feet respectively, at the shared private road approach intersection with Harmony Road. Intersection sight distances shall be measured 14.5 feet back from the edge of

the travel lane. In addition, minimum stopping sight distance for westbound vehicles shall be 275 feet.

- 11) Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245 along the entire Harmony Road site frontage.
- 12) The applicant shall provide an Engineer's cost estimate to Clackamas County Engineering, to be reviewed and approved, for the asphalt concrete, aggregates, curbs, sidewalks, striping improvements, and any other required public improvement associated with Harmony Road.
- 13) The applicant shall provide Clackamas County a performance surety in an amount equal to 125% of the Clackamas County approved cost estimate for the Harmony Road improvements.
- 14) Applicant shall install and maintain additional traffic control features at the shared private road approach intersection with Harmony Road and on the shared driveway approach. These features shall include a stop bar behind the sidewalk and a double yellow line, separating ingress and egress maneuvers, a minimum of 50 feet in length.
- 15) All traffic control devices on private property, located where private driveways intersect County facilities shall be installed and maintained by the applicant, and shall meet standards set forth in the *Manual on Uniform Traffic Control Devices* and relevant Oregon supplements.
- 16) Prior to the issuance of a building permit, the applicant shall submit to Clackamas County Engineering Office:
  - a) Written approval from the local Fire District for the planned access, circulation, and fire lanes. The approval shall be in the form of site and utility plans stamped and signed by the Fire Marshal.
  - b) Written approval from City of Milwaukie for surface water detention facilities and erosion control measures.
  - c) A set of site and street frontage improvement construction plans, including a signing and striping plan, for review, in conformance with *Clackamas County Roadway Standards* Section 140, to Deana Mulder in Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit. The permit will be for driveway approach, driveway, road, curb, sidewalk, striping, and drainage improvements. The permit fee will be calculated in accordance with the current fee structure and will be based on the approved cost estimate for the Harmony Road, driveway approach and driveway improvements within the Harmony Road right-of-way.



The submitted plans shall provide plan and profile data and sight lines, based on survey data, illustrating adequate intersection sight distances for passenger vehicles, single unit trucks, and combination trucks exiting the Harmony Road shared private road approach. In addition, the submitted plans shall provide plan and profile data and sight lines illustrating adequate stopping sight distance for passenger vehicles on Harmony Road approaching the Harmony Road shared private road from the east. The submitted plans shall also include a detailed striping plan and a legend for various line work. The applicant shall have an Engineer, registered in the state of Oregon, design and stamp the construction plans for all required improvements.

- d) A Fire Access and water supply plan for 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. (Applicable for developments with potable water supply provided by a water authority.)
- 17) Following completion of site construction activities of buildings over 1000 square feet or when required by Clackamas Fire District #1, the applicant shall provide as-built Fire Access and Water Supply pdf plans to the local Fire District and the City. The pdf plans 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 plans shall include any supporting details of the access, circulation, water vaults, fire lines, valves, fdc, backflow devices, etc. For this proposal, the pdf as-built plan sheets shall be transmitted to [mike.boumann@clackamasfire.com](mailto:mike.boumann@clackamasfire.com) (Deputy Fire Marshal Mike Boumann) and appropriate City staff determined by the City of Milwaukie.
- 18) Before the County issues a Development Permit, the applicant shall submit a construction vehicle management and staging plan for review and approval by the County DTD, Construction and Development Section. That plan shall show that construction vehicles and materials will not be staged or queued-up on public streets and shoulders without specific authority from DTD for the purpose.



**To:** Planning Commission  
**Through:** Dennis Egner, Planning Director  
**From:** Vera Kolas, Associate Planner  
**Date:** February 7, 2017, for February 14, 2017 Worksession  
**Subject:** Sign Code Amendments Briefing

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### **ACTION REQUESTED**

No action. Review the revised package of sign code amendments in underline/strikeout format developed by staff and provide direction about implementing the changes under consideration. This is a briefing for discussion only.

### **BACKGROUND INFORMATION**

Based on the discussion at the December 13, 2016 Planning Commission public hearing for the proposed housekeeping code amendments, the proposed amendments affecting Title 14 – Signs were removed from the housekeeping code amendment package. This was done in order to provide the opportunity for more significant amendments and the required Measure 56 notice to affected properties. The proposed sign code amendments are limited to MMC 14.16.050 Manufacturing Zone.

The amendments also propose to clarify the decision from land use file #CI-2015-002 and the subsequent appeal (land use file #AP-2016-001) regarding roof signs.

The interpretation rendered in file #CI-2015-002 was that the area of roof signs for properties in Manufacturing and Business Industrial zones is calculated in relation to the length of a single street frontage. For multiple-frontage properties, the effect of this interpretation is to limit the maximum size of roof signs, since they are based on the length of only one frontage. The decision by the Planning Commission in file #AP-2016-001 was that there was some error with respect to the term “frontage” as a matter of fact or law concerning the interpretation established in file #CI-2015-002. The Planning Commission approved the appellant’s appeal and reversed the interpretation established in file #CI-2015-002, establishing the following interpretation instead:

- Where a subject property in any of the City’s manufacturing zones has multiple frontages, the allowed area of a single proposed roof sign may be based on the combined length of multiple frontages.

- The Planning Commission adopted no interpretation regarding the determination of number of signs.

The current sign code does not have a maximum size for a roof sign; the size is determined based on the amount of frontage of the subject property. Further, the current sign code does not specify a limit of the number of roof signs. In the past, multiple roof signs have been permitted.

Staff has proposed two options for the sign code amendments as follows:

- **OPTION 1 SUMMARY**
  - 1 freestanding sign per frontage
  - 1 roof sign in place of 1 permitted freestanding sign
  - Size of roof sign determined by 1 frontage only
  - Maximum size of roof sign is 250 sq ft, which is the maximum size of a freestanding sign
- **OPTION 2 SUMMARY**
  - 1 freestanding sign per frontage; if more than 300 ft, then 1 additional freestanding sign on that frontage.
  - 1 roof sign in place of 1 permitted freestanding sign
  - Size of roof sign determined by 1 frontage only
  - Maximum size of roof sign is 250 sq ft, which is the maximum size of a freestanding sign

## **KEY QUESTIONS**

1. Do the proposed amendments satisfy the goal of clarifying the method of calculating the size and number of permitted roof and freestanding signs?
2. Do the proposed amendments address the city's concern about the maximum size of roof signs?

To assist in the Commission's analysis, the following are the standard sizes of billboards used in the outdoor advertising market. These are the standard sizes used worldwide.

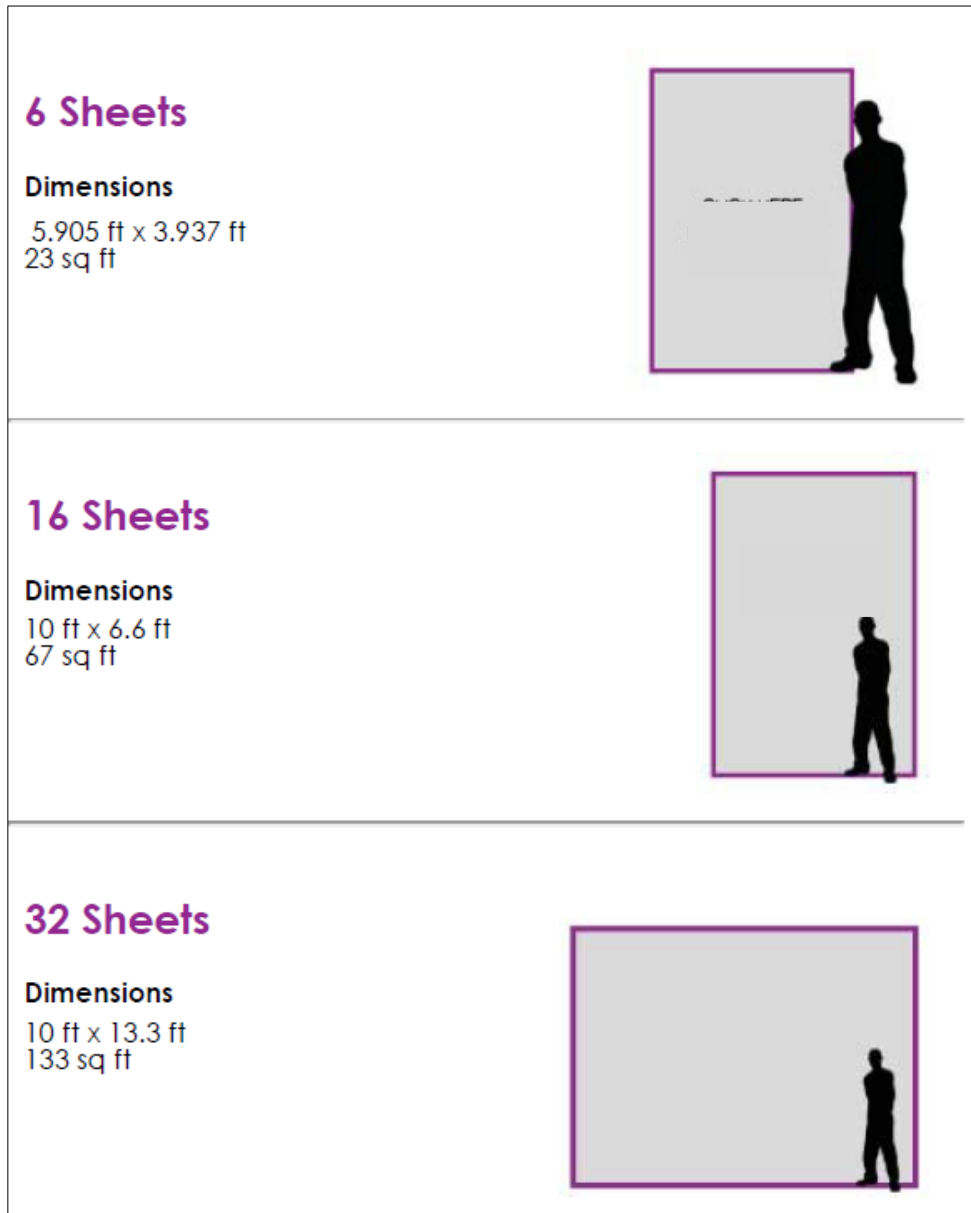


Figure 1. Standard sizes of billboards. Source: [www.spaceoutdooradvertising.co.uk](http://www.spaceoutdooradvertising.co.uk)

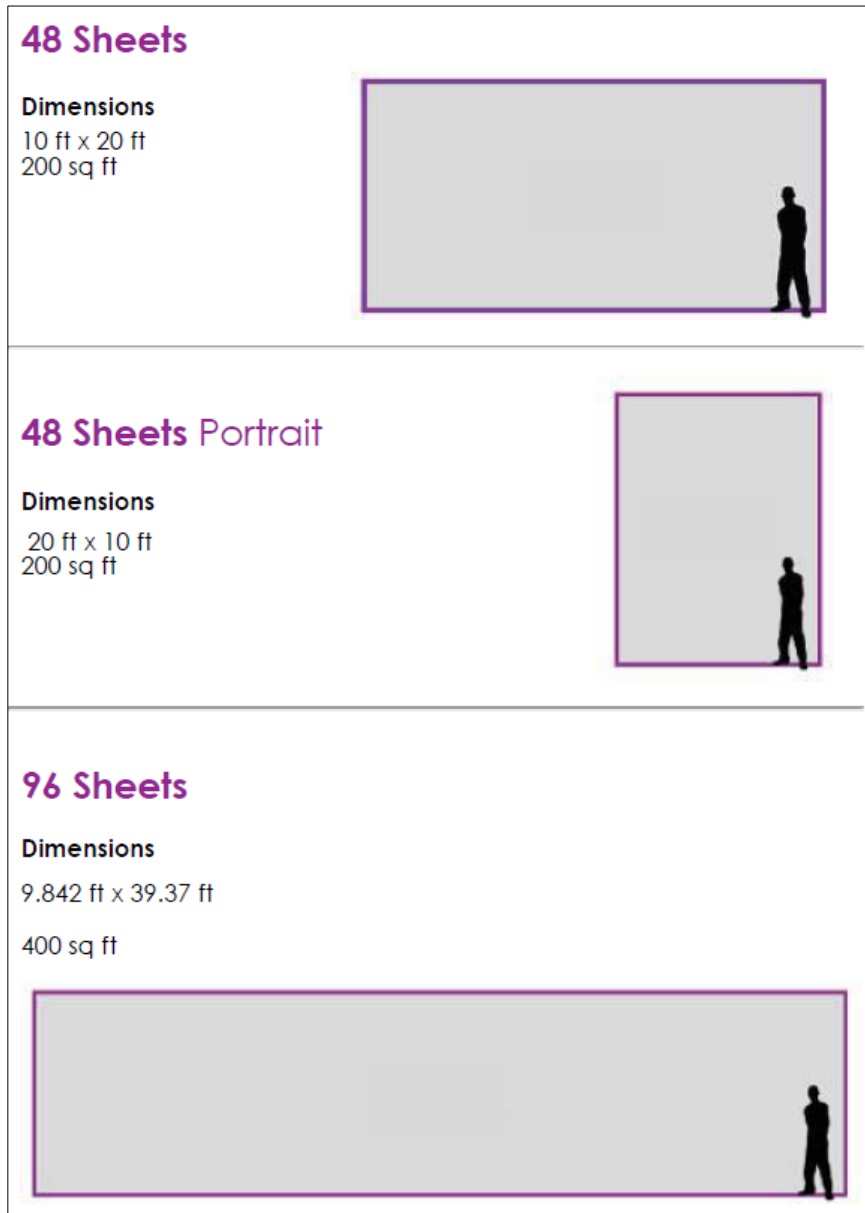


Figure 2. Standard sizes of billboards. Source: [www.spaceoutdooradvertising.co.uk](http://www.spaceoutdooradvertising.co.uk)

Table 1. Standard sizes of billboards.

Size	Width (ft)	Height (ft)	Area (sq ft)
4 Sheet	3	5	17
6 Sheet	4	6	23
12 Sheet	10	5	50
16 Sheet	7	10	67
32 Sheet	13	10	133
48 Sheet	20	10	200
64 Sheet	27	10	267
96 Sheet	40	10	400



Figure 3. 9304 SE Main St. Area of roof sign is 672 sq ft. Source: Google Earth

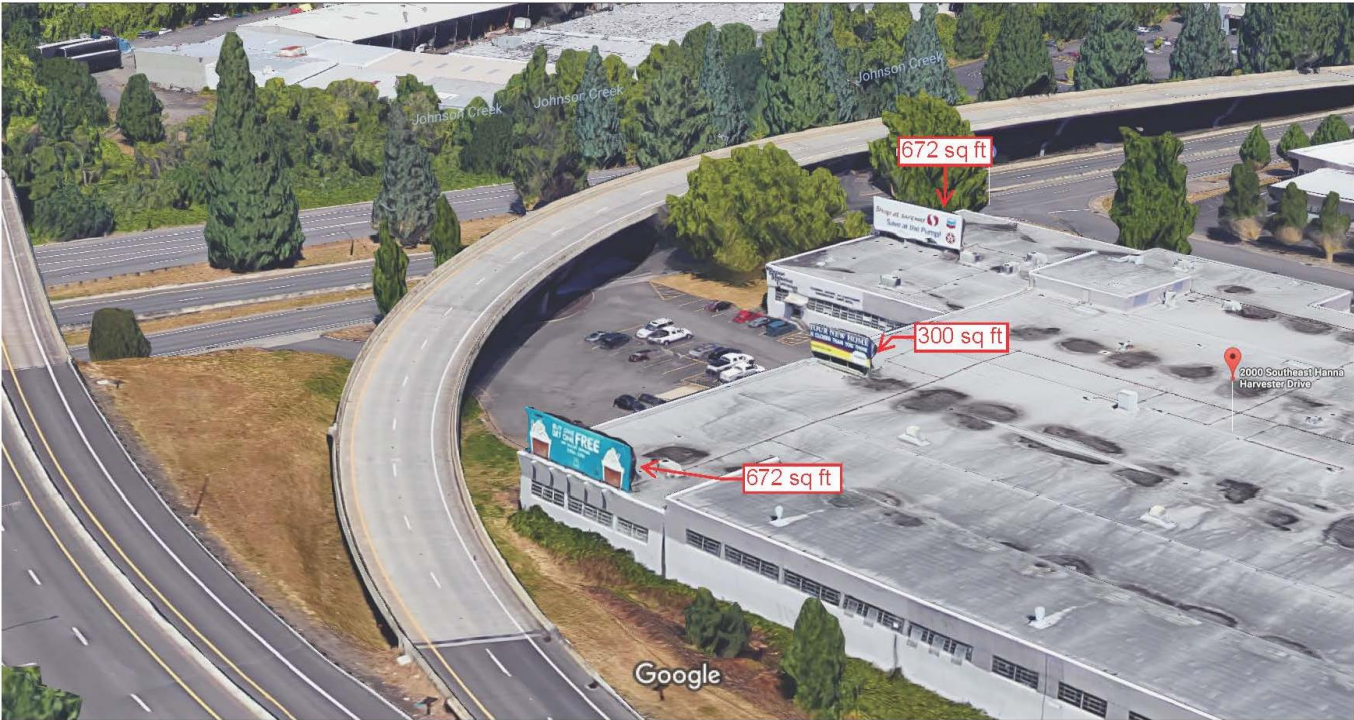


Figure 4. 2000 Hanna Harvester Dr. Source: Google Earth



Figure 5. 2000 Hanna Harvester viewed from 224 ramp. Source: Google Earth



Figure 6. 2000 Hanna Harvester Dr viewed from 224 ramp. Source: Google Earth

**ATTACHMENTS**

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

	PC Packet	Public Copies	E- Packet
1. Draft code amendment language – <u>underline</u> / <del>strikeout</del> -format	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Draft code amendment language – clean format	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

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

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

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/planning-commission-143> .



## Underline/Strikeout Amendments

### Title 14 Signs

#### CHAPTER 14.16 SIGN DISTRICTS

##### 14.16.050 MANUFACTURING ZONE

No sign shall be installed or maintained in an ~~M<sub>1</sub>-or BI Zone~~, or M-TSA Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.050.

#### Amendment Option 1

<b>Table 14.16.050 Standards for Signs in Manufacturing Zones <del>M<sub>1</sub>-or BI</del>, or M-TSA</b>					
Sign Type	Area	Height	Location	Number	Illumination <sup>1</sup>
Freestanding signs	1.5 <del>sq ft</del> <u>SF</u> per lineal ft. of street frontage and 1 additional <del>sq ft</del> <u>SF</u> for each lineal ft. of frontage over 100 ft. <sup>2</sup>	Max. 25 ft from ground level; min. clearance below lowest portion of a sign is 14 ft in any driveway or parking area.	Not permitted on any portion of a street, sidewalk, or public right-of-way.	1 multifaced sign permitted <u>per street frontage</u> . <sup>3</sup>	Permitted
Roof signs	1 <del>sq ft</del> <u>SF</u> per lineal ft. of street frontage. <sup>5</sup>	Max. 8 ft. above highest point of building. <sup>6</sup>	Pending approval by fire marshal <sup>6Z</sup> may not project over parapet wall.	<u>1 multifaced sign per property</u> <del>permitted instead of in place of</del> , not in addition to, <u>1 projecting or freestanding signs</u> . <sup>3</sup>	Permitted
Awning signs	Max. display surface is 25% of awning surface. <sup>7</sup>	No higher than the point where the roofline intersects the exterior wall. <sup>8</sup>	NA.	1 per frontage per occupancy.	Permitted
Daily display signs	Max. 12 <del>sq ft</del> <u>SF</u> per display surface and 24 <del>sq ft</del> <u>SF</u> overall.	Max. 6 ft. above ground level.	Not permitted within required landscaped areas or public right-of-way. <sup>9</sup>	1 per occupancy.	Permitted

<sup>2</sup> Not to exceed 250 ~~square feet~~ of sign area per display surface for each sign, or a total of 1,000 ~~square feet~~ for all display surfaces.

<sup>3</sup> ~~For properties with multiple frontages, one (1) freestanding sign is permitted per frontage. Where a frontage exceeds 300 feet in length, one additional freestanding sign is permitted for such frontage. No freestanding sign shall be permitted on the same premises where there is a roof sign. One (1) roof sign shall be permitted on the same premises, in place of one (1) of the allowable freestanding signs.~~

## Proposed Code Amendment

- <sup>4</sup> Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
- <sup>5</sup> For properties with multiple frontages, the total length of the longest frontage shall be used to calculate the maximum total allowed area for a roof sign. Roof signs shall not exceed 250 sq ft of sign area per display surface.
- <sup>6.6</sup> All roof signs shall be installed in such a manner that there shall be no visible angle iron or similar sign support structure.
- <sup>6.7</sup> Only approved by the fire marshal after a finding that the site, type, and location of the sign will not substantially interfere with firefighting.
- <sup>7.8</sup> Measured in vertical distance times length.
- <sup>8.9</sup> Regardless of the existence of a parapet wall
- <sup>9.10</sup> A daily display sign may be allowed within the public right-of-way subject to the standards of Section 14.20.040.

## Amendment Option 2

Table 14.16.050 Standards for Signs in Manufacturing Zones M <sub>1</sub> , <del>or</del> BI <sub>1</sub> , or M-TSA					
Sign Type	Area	Height	Location	Number	Illumination <sup>1</sup>
Freestanding signs	1.5 <del>sq ft SF</del> per lineal ft. of street frontage and 1 additional <del>sq ft SF</del> for each lineal ft. of frontage over 100 ft. <sup>2</sup>	Max. 25 ft from ground level; min. clearance below lowest portion of a sign is 14 ft in any driveway or parking area.	Not permitted on any portion of a street, sidewalk, or public right-of-way.	1 multifaced sign permitted <u>per street frontage.</u> <sup>3</sup>	Permitted
Roof signs	1 <del>sq ft SF</del> per lineal ft. of street frontage. <sup>5</sup>	Max. 8 ft. above highest point of building. <sup>6.6</sup>	Pending approval by fire marshal <sup>6.7</sup> may not project over parapet wall.	<u>1 multifaced sign per property</u> <del>Permitted instead of in place of,</del> not in addition to, <u>1 projecting or freestanding signs.</u> <sup>3</sup>	Permitted
Awning signs	Max. display surface is 25% of awning surface. <sup>7.8</sup>	No higher than the point where the roofline intersects the exterior wall. <sup>8.9</sup>	NA.	1 per frontage per occupancy.	Permitted
Daily display signs	Max. 12 <del>sq ft SF</del> per display surface and 24 <del>sq ft SF</del> overall.	Max. 6 ft. above ground level.	Not permitted within required landscaped areas or public right-of-way. <sup>9.10</sup>	1 per occupancy.	Permitted

<sup>2</sup> Not to exceed 250 square feet of sign area per display surface for each sign, or a total of 1,000 square feet for all display surfaces.

<sup>3</sup> For properties with multiple frontages, one (1) freestanding sign is permitted per frontage. In addition, where a single frontage exceeds 300 feet in length, one additional freestanding sign is permitted for that frontage. ~~for such~~

**Proposed Code Amendment**

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- ~~frontage No freestanding sign shall be permitted on the same premises where there is a roof sign. One (1) roof sign shall be permitted on the same property, in place of one (1) of the allowable freestanding signs.~~
- <sup>4</sup> Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
- <sup>5</sup> For properties with multiple frontages, the total frontage length of the longest frontage shall be used to calculate the maximum total allowed area for all display surfaces of a roof sign. Roof signs shall not exceed 250 sq ft of sign area per display surface.
- <sup>6.6</sup> All roof signs shall be installed in such a manner that there shall be no visible angle iron or similar sign support structure.
- <sup>6.7</sup> Only approved by the fire marshal after a finding that the site, type, and location of the sign will not substantially interfere with firefighting.
- <sup>7.8</sup> Measured in vertical distance times length.
- <sup>8.9</sup> Regardless of the existence of a parapet wall
- <sup>9.10</sup> A daily display sign may be allowed within the public right-of-way subject to the standards of Section 14.20.040.

## Clean Amendments

### Title 14 Signs

#### CHAPTER 14.16 SIGN DISTRICTS

##### 14.16.050 MANUFACTURING ZONE

No sign shall be installed or maintained in an M, BI Zone, or M-TSA Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.050.

#### Amendment Option 1

Table 14.16.050 Standards for Signs in Manufacturing Zones M, BI, or M-TSA					
Sign Type	Area	Height	Location	Number	Illumination <sup>1</sup>
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Roof signs	1 sq ft per lineal ft of street frontage. <sup>5</sup>	Max. 8 ft above highest point of building. <sup>6</sup>	Pending approval by fire marshal <sup>7</sup> may not project over parapet wall.	1 multifaced sign per property permitted in place of, not in addition to, 1 freestanding sign. <sup>3</sup>	Permitted
Awning signs	Max. display surface is 25% of awning surface. <sup>8</sup>	No higher than the point where the roofline intersects the exterior wall. <sup>9</sup>	NA.	1 per frontage per occupancy.	Permitted
Daily display signs	Max. 12 sq ft per display surface and 24 sq ft overall.	Max. 6 ft above ground level.	Not permitted within required landscaped areas or public right-of-way. <sup>10</sup>	1 per occupancy.	Permitted

<sup>2</sup> Not to exceed 250 sq ft of sign area per display surface for each sign, or a total of 1,000 sq ft for all display surfaces.

<sup>3</sup> For properties with multiple frontages, one (1) freestanding sign is permitted per frontage. One (1) roof sign shall be permitted on the same premises, in place of one (1) of the allowable freestanding signs.

<sup>4</sup> Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

## Proposed Code Amendment

- <sup>5</sup> For properties with multiple frontages, the total length of the longest frontage shall be used to calculate the maximum total allowed area for a roof sign. Roof signs shall not exceed 250 sq ft of sign area per display surface.
- <sup>6</sup> All roof signs shall be installed in such a manner that there shall be no visible angle iron or similar sign support structure.
- <sup>7</sup> Only approved by the fire marshal after a finding that the site, type, and location of the sign will not substantially interfere with firefighting.
- <sup>8</sup> Measured in vertical distance times length.
- <sup>9</sup> Regardless of the existence of a parapet wall
- <sup>10</sup> A daily display sign may be allowed within the public right-of-way subject to the standards of Section 14.20.040.

## Amendment Option 2

Table 14.16.050 Standards for Signs in Manufacturing Zones M, BI, or M-TSA					
Sign Type	Area	Height	Location	Number	Illumination <sup>1</sup>
Freestanding signs	1.5 sq ft per lineal ft of street frontage and 1 additional sq ft for each lineal ft of frontage over 100 ft. <sup>2</sup>	Max. 25 ft from ground level; min. clearance below lowest portion of a sign is 14 ft in any driveway or parking area.	Not permitted on any portion of a street, sidewalk, or public right-of-way.	1 multifaced sign permitted per street frontage. <sup>3</sup>	Permitted
Roof signs	1 sq ft per lineal ft of street frontage. <sup>5</sup>	Max. 8 ft above highest point of building. <sup>6</sup>	Pending approval by fire marshal <sup>7</sup> may not project over parapet wall.	1 multifaced sign per property permitted in place of, not in addition to, 1 freestanding sign. <sup>3</sup>	Permitted
Awning signs	Max. display surface is 25% of awning surface. <sup>8</sup>	No higher than the point where the roofline intersects the exterior wall. <sup>9</sup>	NA.	1 per frontage per occupancy.	Permitted
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<sup>2</sup> Not to exceed 250 sq ft of sign area per display surface for each sign, or a total of 1,000 sq ft for all display surfaces.

<sup>3</sup> For properties with multiple frontages, one (1) freestanding sign is permitted per frontage. In addition, where a single frontage exceeds 300 ft in length, one additional freestanding sign is permitted for that frontage. One (1) roof sign shall be permitted on the same property, in place of one (1) of the allowable freestanding signs.

<sup>4</sup> Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

**Proposed Code Amendment**

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- <sup>5</sup> For properties with multiple frontages, the total frontage length of the longest frontage shall be used to calculate the maximum total allowed area for all display surfaces of a roof sign. Roof signs shall not exceed 250 sq ft of sign area per display surface.
- <sup>6</sup> All roof signs shall be installed in such a manner that there shall be no visible angle iron or similar sign support structure.
- <sup>7</sup> Only approved by the fire marshal after a finding that the site, type, and location of the sign will not substantially interfere with firefighting.
- <sup>8</sup> Measured in vertical distance times length.
- <sup>9</sup> Regardless of the existence of a parapet wall
- <sup>10</sup> A daily display sign may be allowed within the public right-of-way subject to the standards of Section 14.20.040.