



September 23, 2010

Joe Gillock
Asset Management Project Coordinator
Northwest Housing Alternatives
2316 SE Willard St
Milwaukie, OR 97222

RE: Site improvements – Minor Modification Request (Land Use File # **CSU-10-09**)
Building Permit #: n/a (none required)
Tax Lot: 1S1E36BC, tax lots 06100 and 06200
Site Address: 2400 SE Willard St

Dear Mr. Gillock:

On September 1, 2010, you requested approval to make specific site improvements to the Annie Ross House site at 2400 SE Willard St. The subject property has been used to provide transitional housing for homeless families since the mid-1980s. The proposal includes replacing an existing detached garage with a pavilion, replacing existing fencing, constructing a play structure, and installing a new light in the parking area.

In the current version of the Milwaukie Municipal Code (MMC), facilities that provide temporary or transitional housing are specifically listed as eligible community service uses in MMC Subsection 19.321.2. The Annie Ross House was originally approved as a community service use in 1985 (land use file # CS-85-02).

The proposal represents a minor modification to the subject property as an existing community service use (CSU). As per MMC 19.321.6.C, the Planning Director may approve minor modifications to a CSU as long as the modifications meet five specific criteria. I have reviewed the proposed project and am approving it as a minor modification to the existing CSU, with the following evaluation of how the project meets each of the relevant criteria:

1. Does not increase the intensity of any use.

The proposal to make certain improvements at 2400 SE Willard St involves replacement of some existing site features as well as installation of minor amenities. None of the proposed improvements will increase the capacity of the site or the intensity of any use.

2. Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19.

The property at 2400 SE Willard St is part of an 8-lot complex owned and operated by Northwest Housing Alternatives. The entire site is zoned Residential R-2, with a total area of approximately 63,870 sq ft. According to the site plans submitted, there are

two buildings that house offices for Northwest Housing Alternatives, two duplex buildings that provide transitional housing, one duplex for longer-term housing, two transitional cottages, the Annie Ross House, and two detached storage garages. In particular, the portion of the site where the Annie Ross House and one of the detached garages are located consists of two tax lots (addressed as 2400 SE Willard St) with a combined area of approximately 13,145 sq ft.

According to the plans submitted, the detached garage to be removed is approximately 18 ft by 20 ft and is approximately 12 ft from the nearest point of the Annie Ross House. As proposed, the new pavilion will be 10 ft in height and 16 ft by 16 ft in area (256 sq ft) if measured by its "drip-line" footprint. The limitations on single-family residential accessory structures established in MMC 19.402.2 (15 ft maximum height and 850 sq ft maximum area) do not apply to CSUs, so the size and height of the new pavilion are not relevant but would not otherwise be an issue. The new pavilion will remain approximately 12 ft from the nearest point of the Annie Ross House, meeting the minimum standard of 6 ft established in MMC 19.403.5.

As proposed, the replacement of existing fencing will remain in compliance with the standards of MMC 19.402.B.1, which limits fence height for residential uses to a maximum of 6 ft in side and rear yards.

Because the limitations on single-family residential accessory structures (in MMC 19.402.2) do not apply to CSUs, the height of the proposed light pole is not relevant. However, in accordance with the authority provided in MMC 19.321.6.B to establish conditions when approving modifications to CSUs, a condition has been established to ensure that the light on the new pole, as well as any other new or replaced lights, is adequately shielded to prevent glare onto adjacent properties.

The proposed improvements will not result in any changes to the existing off-street parking arrangement for the site.

As conditioned, the proposal will not move the site out of conformance with the applicable requirements of the R-2 zone or other relevant standards of MMC Title 19.

3. Does not result in deterioration or loss of any protected natural feature or open space and does not significantly affect nearby property uses.

The proposal includes removing a portion of existing lawn area to install a play structure. However, that lawn area is not considered "open space" because it is already occupied by several existing play structures that will be removed and replaced by the new play structure. No designated natural features or existing open space will be negatively impacted by the proposed improvements.

4. Does not affect any conditions specifically placed on the development by the planning commission or city council.

The Annie Ross House was approved as a community service use on the site in 1985 with land use file # CS-85-02. The application was initially denied by the Planning Commission because of concerns that it did not provide adequate open space. The Planning Commission's decision was overturned on appeal to the City Council and approved with conditions.

The conditions of approval related to sight-obscuring fencing, open space, emergency exits and alarm systems, parking lot configuration and access, sidewalk repair, staffing levels, off-site screening of clients, and the option for the City Council to hold

subsequent public reviews of the facility to evaluate its performance. At a hearing in April 1990, the City Council reviewed the status of the Annie Ross House and authorized several new conditions related to replacing damaged fencing, location of a smoking area, in-shelter supervision, informational meetings for the neighborhood, and parking lot signage.

The two relevant conditions from the original approval and subsequent Council review relate to fencing and open space. The original approval required 6-ft high, sight-obscuring fencing along the east and south property lines of the site. Since the original approval in 1985, the overall site has expanded to the south and east; the proposed fencing to be replaced is now interior to the site and does not affect this condition. The condition related to providing adequate open space is also unaffected by this proposal, as the proposed new structures (pavilion and play structure) will replace existing structures and will not displace existing open space.

The proposed site improvements will not affect any conditions associated with the previous approval.

5. Does not cause any public facility, including transportation, water, sewer, and storm drainage, to fail to meet any applicable standards for adequacy.

The project will not affect any utilities or public facilities.

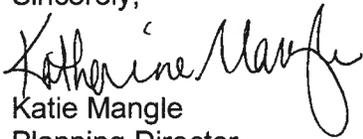
Conditions of Approval

For the proposed site improvements, a demonstration that the following condition has been met shall be provided upon a final inspection by Planning staff:

1. The light fixture on the new light pole, as well as any other new or replaced light fixtures, shall be adequately shielded to prevent glare onto adjacent properties.

This letter constitutes approval of the requested minor modification, with the above-noted conditions. This decision may be appealed to the Planning Commission by filing a notice of appeal with the Planning Director within 15 days of this mailing, or by **October 8, 2010**. If you have any questions about this minor modification approval, you may contact **Brett Kelver**, Associate Planner, by phone at (503) 786-7657 or e-mail at kelverb@ci.milwaukie.or.us.

Sincerely,


Katie Mangle
Planning Director

Copy: Address File (2400 SE Willard St); Land Use File # CSU-10-09
Tom Larsen, Building Official
Bonnie Lanz, Permit Specialist