

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

Application for Land Use Action

Master File #: VR-2019-013

Review type*: I II III IV V

CHOOSE APPLICATION TYPE(S):

Transportation Facility Review

Development Review

Parking: Quantity Modification

Variance: Building Height

...

Use separate application forms for:

- Annexation and/or Boundary Change
- Compensation for Reduction in Property Value (Measure 37)
- Daily Display Sign
- Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Valerie Hunter

Mailing address: 15350 SE Monner Rd. Zip: 97086

Phone(s): 541-419-7253 Email: vshproperty@gmail.com

APPLICANT'S REPRESENTATIVE (if different than above): Aurn White -- BAMA Architecture

Mailing address: 7350 SE Milwaukie Ave. Zip: 97202

Phone(s): 503-253-4283 Email: aurn@bamadesign.com

SITE INFORMATION:

Address: 9391 SE 32nd Avenue Map & Tax Lot(s): 11E25BD07700

Comprehensive Plan Designation: C Zoning: NMU Size of property: 10.80 Sq Ft

PROPOSAL (describe briefly):

Type I Development Review, Type II Transportation Facility Review, Type II Parking Quantity Modification, Type III Variance for non-conforming height in new 4 story mixed-use structure.

SIGNATURE:

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

Submitted by:

Date: January 3, 2020

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.

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

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

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

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

REVIEW TYPES:

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

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

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file		\$			\$	
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	

TOTAL AMOUNT RECEIVED: \$

RECEIPT #:

RCD BY:

Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s):

Notes:

*After discount (if any)

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3/02/2020

Revised Project Narrative

Applicant: Aurnyn White
BAMA Architecture and Design
7350 SE Milwaukie Avenue
Portland, OR 97202



Below is a narrative for a Type III Variance, Type II Parking Quantity Modification, and Type I Development Review for a proposed Four-Story Mixed-Use Building at 9391 SE 32nd Avenue Milwaukie, OR 97222.

This proposal requests a Type III Variance to exceed the base zone height maximum of 45', the proposed maximum height is 48' per MMC 19.911.

This proposal requests a Type II Parking Quantity Modification to reduce the required number of off-street parking stalls from 21.336 to 17 per MMC 19.605.2.

This proposal includes Type I Development Review application per MMC 19.906.

Description of Proposal:

This is a new construction of a 32,548 square-foot, four-story, mixed-use building with 3 commercial tenant spaces and 21 residential dwelling units. Development to include first floor covered parking, public right of way upgrades, site landscaping installation, and demolition of existing auto repair establishment.

This proposal will create a vibrant, attractive mixed-use structure consistent with the standards and purposes of the MMC. This proposal will allow the continued development of the NMU zone located on 32nd Avenue and allow for a pedestrian centered building with a multitude of benefits to the residents, neighbors, and city at large.

Existing Site Conditions:

The site in question is located along the west side of SE 32nd Avenue at the intersection of 32nd Avenue and SE Olsen Street. The site is approx. 0.24 acres in size (10,800 square-foot), with the street facing eastern and southern facades. The property is relatively flat with an overall grade change of approximately 1 foot and currently populated with an automobile repair establishment. The current structure on site is proposed to be demolished. The site has no existing trees or landscaping that require protection.

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Type III Variance – Discretionary Relief Criteria:

Section 19.911.4.B.1.a-c

1. Discretionary Relief Criteria

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

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

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

(2) The proposed variance has desirable public benefits.

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

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

Response:

The proposed Variance is to exceed the code requirement for maximum building height in the NMU Zone. The maximum height in the NMU Zone is 45'-0". This proposal would request the maximum height to be 48'-0". The main bulk of the building (floors 1-3) will meet the maximum height requirement. This proposal asks that a variance be approved that would allow the fourth-floor dwelling unit to be constructed above the height limit. The fourth floor will house a single dwelling and be setback to the extent practical from the exterior walls of the floors below to reduce the overall bulk and visibility of the additional height. The fourth floor would allow an opportunity for a more aesthetically pleasing top floor which would include a large wrap-around deck with decorative parapet rails as well as visible landscaping to be provided around the perimeter of the occupiable roof.

It is difficult to assess the affect of the proposed structure to the relationships of other structures as there has been a lack of new mixed-use structures in the NMU Zone and in the surrounding areas of 32nd Ave. This proposal intends to allow for a precedent of the type of buildings that are beneficial to the area and allow for the maximum effectiveness to meet the growing demands of the area in question. This proposal will allow the area designated as NMU Zone on 32nd Ave. to have an attractive beginning of what can be an economically diverse center for community growth and support.

At the fourth floor, the tall parapet, decorative rail, and planter will act as screening, and will provide greater privacy by restricting the view from the single-family unit, as well as provide greater privacy for the neighbors to the north and west. The

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height of the screening was determined by an analysis of a line-of-sight study, with particular consideration given to the residential properties adjacent to the site.

In an effort to create an inviting building, rather than one that feels dominating and unattractive, the building is designed in a way that provides variations and enhanced interest in the exterior wall. There is maximum glazing at all levels, decorative artistic tile details, and exterior lighting at the pedestrian level, and the use of masonry provides a very tactile experience for pedestrians.

The stated purpose of the NMU Zone is to *“recognize 32nd and 42nd Avenues as neighborhood commercial centers. This zone allows for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity.”* Per MMC 19.303.1.

This development will create a neighborhood commercial center that incorporates small scale retail and services with diverse residential uses all within a safe pedestrian environment. It improves the quality and safety of the public right of way while utilizing a corner lot to create an opportunity for a pedestrian centered urban environment that appropriately utilizes vehicle and bicycle parking, and attractive outside areas. By utilizing the first floor with small scale storefront commercial units and incorporating balconies and ground level exterior area to the north. This proposal will create a neighborhood scale identity while creating much needed higher density housing options for the neighborhood.

This proposal mitigates the effect on surrounding properties as the area of increased height is located as far away from neighboring properties as possible. The mass of the fourth floor will be located on the street facing facades predominately. The building has a large setback from the northern property line allowing for minimum intrusions and concerns to the northern neighbors. On the other façade facing adjacent residential property (western property line) the fourth floor will be setback from the exterior wall of the floors below. An attractive parapet rail and landscaping will be installed to create a visibly attractive roof top while minimizing the visibility, and privacy concerns to the neighboring properties.

By allowing a fourth story single family dwelling, this development will be able to increase the diversity of the housing types in the area and increase the economic viability. It will create an opening for other mixed-use buildings that can meet the economic needs of many individuals. The top floor will be a single dwelling unit, which creates a housing type similar to a single-family residence while still having much needed smaller scale and intentional residential and commercial units below.

By limiting the bulk of the height and requesting a minor change to the height limit this proposal can better meet the purpose of the NMU Zone. The cohesiveness of

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the fourth floor can be achieved by utilizing aesthetic architectural elements, landscaping, and shallow roof pitches.

Type II Parking – Quantity Modification:

Section 19.605.2.C.1-3

- 1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity requirements for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.*
- 2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to decrease the amount of minimum required parking shall meet the following criteria:*
 - a. The use of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.*
 - b. The reduction of off-street parking will not adversely affect available on-street parking.*
 - c. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site.*
- 3. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:*
 - a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.*
 - b. The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.605.3.A.*
 - c. The requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.*

Response:

This proposal includes the construction and installation of 16 standard parking stalls and 1 ADA parking stall. In totality this proposal will provide 17 total automobile parking stalls.

Per MMC Table 19.605.1 this proposal is required to provide 26.67 parking stalls.

20 Residential Units under 800 SF = 20 stalls minimum

1 Residential Unit over 800 SF = 1.25 stalls minimum

1,356 SF of Commercial Area = 5.42 stalls minimum

The parking count minimum can be reduced per MMC 19.605.3.B.1-7.

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By utilizing Reduction 2 – Proximity to mass transit in multi-family buildings the minimum parking can be lowered 20% (20% of 26.67 stalls = 5.334 stalls).

This exception lowers the minimum parking to 21.336 stalls.

This proposal asks that the minimum parking stalls be lowered from 21.336 stalls to 17 total stalls. This reduction is requested due to the small site size and the desire to provide a retail frontage along 32nd Avenue. If additional parking is required, then the pedestrian environment will be compromised as retail spaces will be replaced with parking spaces.

This proposal is consistent with parking requirements in other jurisdictions. Please see attached exhibits from the City of Portland Zoning Code as well as the City of Seattle Municipal code for examples of parking quantities on other jurisdictions.

Due to the fact that this proposal includes almost entirely one-bedroom units, as well as its proximity to mass transit and the amount of proposed bicycle parking, we do not believe an increase in parking would be conducive to this development. Characteristics of one-bedroom tenants is of a lower parking need than larger units. One-bedroom tenants are more likely to be a part of a smaller household, own one or less vehicles, and typically a younger and more mass transit oriented nature.

Based on the experience of BAMA Architecture and our history of designing mixed-use and multi-family structures, we believe this proposal meets the intent of the code by providing adequate parking that does not decrease the livability or the amount of housing that can be provided. Parking has been proposed on this site to the best extent practical. Due to site and building constraints, adding additional parking would be impractical and would reduce the quality of the proposal in a way that is not consistent with other sections of the Municipal Code.

Type I Development Review:

Section 19.906.4.A-F

An application for Type I or Type II development review shall be approved when all of the following criteria have been met:

- A. The proposal complies with all applicable base zone standards in Chapter 19.300.*
- B. The proposal complies with all applicable overlay zone and special area standards in Chapter 19.400.*
- C. The proposal complies with all applicable supplementary development regulations in Chapter 19.500.*
- D. The proposal complies with all applicable off-street parking and loading standards and requirements in Chapter 19.600.*
- E. The proposal complies with all applicable public facility standards and requirements, including any required street improvements, in Chapter 19.700.*
- F. The proposal complies with all applicable conditions of any land use approvals for the proposal issued prior to or concurrent with the development review application. (Ord. 2161 § 2, 2018; Ord. 2036 § 3, 2011; Ord. 2025 § 2, 2011)*

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Response:

This proposal will comply with all criteria listed above. Please see individual section responses below for chapter specific criteria and standards.

Development Standards:

Base Zone Standards:

Section 19.303 Commercial Mixed-Use Zones

This proposal is for uses permitted outright in the NMU zone.

The use for this development is *Mixed-Use*. The uses within the mixed-use structure are commercial tenant spaces and parking on the first floor along with mostly one-bedroom residential dwelling units on the second and third floor, and a larger single dwelling on the fourth floor.

The lot utilized as part of this development currently meets development standards per *MMC Table 19.303.3*.

The total building area proposed is 32,548 square-feet. This is above the minimum floor area ratio of 0.5:1 (lot area is 10,800 square-feet, with a minimum floor area of 5,400 square-feet).

The proposed setbacks in this development are 0'-0" on both the East and South facades (street facing), 1'-0" on the West façade, and 17'-0" on the North façade. The only required building setback in the NMU zone is a maximum street setback of 10'-0", this development will meet that standard.

Maximum lot coverage for this proposal is 85% (9,180 square-feet). This proposal is requesting a lot coverage of 8,137 square-feet. This is within the development standard.

Minimum vegetation for this proposal is 15% of the site area (1,620 square-feet). This proposal includes 1,620 square-feet of qualifying landscaping, therefore meeting the development standards.

All other standards of the base zone will be met as part of this proposal.

Overlay Zone and Special Area Standards:

Section 19.400

This proposal is not located in an overlay zone, and is not defined as a special area, therefore this section is not applicable to this proposal.

Supplementary Development Regulations:

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Section 19.500

There are limited applicable supplementary development regulations applicable for this proposal.

This proposal asks to utilize *MMC 19.501.2.B* to allow for architectural features to extend 24" over the street setback requirements on the South and East façade.

There are no accessory structures or accessory uses proposed as part of this development.

This proposal shall meet all clear vision requirements of *MMC 12.24* for the intersection of 32nd Avenue & Olsen Street.

Neighboring properties are of the same zone designation; therefore, no additional setback is triggered.

The landscape areas will be less than 20% mulch or bark dust.

Compliant walkways are located to allow for easy pedestrian connections to all building entrances.

MMC 19.505.7 Nonresidential Development:

Guidelines and standards:

Building Design Standards:

1. Corners

The building is not located on a key corner, therefore this standard does not apply.

2. Weather Protection

All first floor entries proposed are recessed at least three feet, provided with a canopy, or both.

Proposed weather protection will meet all applicable building codes and will not fetter pedestrian signage.

3. Exterior Building Materials

The street facing facades will be comprised of brick materials, and window glazing totaling more than 80 percent of the building facade.

Decorative metal panels will be utilized as a minor accent on the facades totaling less than 5 percent of the building façade.

No prohibited materials are proposed as part of this proposal.

4. Windows and Doors

This proposal has two street facing facades, on the east and south property line. The street facing facades have openings located throughout totally more than 30 percent of the wall area. Most of the openings are located on the east facing façade and is maximized to the extent practical. The south façade area has more than 30 percent openings in the non-parking area of the façade.

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Ground floor windows will be constructed with a visible transmittance of 0.6 or higher.

All commercial entries will remain unlocked during business hours and residential entries will be secured with key fob entry available to residents only.

All first floor glazing will be clear glazed to allow for light to project into the building.

First floor windows will be located 32" above finished floor to allow for view into the spaces from pedestrians.

Signs will not be installed on more than 50 percent of the window area.

Windows will be slightly recessed into the façade and decorative brick detailing will provide relief to the façade allowing shading to occur.

Building windows will not be constructed with reflective, tinted, or opaque glazing. No simulated divisions are proposed for window systems. Any metal frames proposed will be unexposed or painted.

5. Roofs

The proposed structural will utilize multiple roof forms. Flat and hip roofs will be constructed on the fourth floor. All hip roofs will have a pitch of 4/12 minimum and will have eaves that project 18" minimum.

6. Rooftop Equipment and Screening

All rooftop equipment will not extend over 10' in height and will be setback a minimum of 5' from the roof edge. All equipment will not be visible from public view

7. Ground-Level Screening

No mechanical or communication equipment, outdoor storage, or outdoor garbage and recycling areas are located on the outside of the building.

8. Rooftop Structures

No rooftop structures will be constructed over 10' in height.

Off-Street Parking and Loading Standards and Requirements:

Section 19.600

This proposal includes the construction and installation of 16 standard parking stalls and 1 ADA parking stall. In totality this proposal will provide 17 total automobile parking stalls.

Per MMC Table 19.605.1 this proposal is required to provide 26.67 parking stalls.

20 Residential Units under 800 SF = 20 stalls minimum

1 Residential Unit over 800 SF = 1.25 stalls minimum

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1,356 SF of Commercial Area = 5.42 stalls minimum

The parking count minimum can be reduced per MMC 19.605.3.B.1-7.

By utilizing Reduction 2 – Proximity to mass transit in multi-family buildings the minimum parking can be lowered 20% (20% of 26.67 stalls = 5.334 stalls).

This exception lowers the minimum parking to 21.336 stalls.

This proposal asks for a variance to reduce the overall required parking stalls.

Parking stalls will be utilized appropriately and will not be used for storage or other prohibited activities.

Parking spaces will be designed to the appropriate width, length, and aisle requirements.

All parking areas will be installed inside the building, therefore removing the requirement for parking lot landscaping.

The parking area will be constructed with concrete, striped, and wheel stops will be installed at all parking stalls.

The parking area will be well lit and pedestrian areas will be identified through changes in color and texture from parking areas.

Loading spaces are not required as part of this proposal.

Bicycle Parking Requirements MMC 19.609

Quantities:

21 Residential Units = 21 bicycle parking spaces

1,356 SF of Commercial Area = 5.42 stalls X (0.1) = .542 bicycle parking spaces

Total spaces required = 22

Total units provided = 22

Bicycle parking will be provided a minimum of 2' x 6' for the stall as well as a 5' clear minimum access aisle.

Public Facility Standards and Requirements:

Section 19.700

Response: This proposal will comply with all standards set forth in MMC 19.700 and the public works standards.

The applicant will submit full engineering plans at building permit submittal for use of determining required updates to public facilities and required street improvements.

Compliance with Applicable Land Use Approvals:

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Response: This proposal will meet all the requirements or conditions of any land use approval on this site.

Type III Variance – Driveway Exception -- Economic Hardship Criteria:

B. Type III Variances

An application for a Type III variance shall be approved when all of the criteria in either Subsection 19.911.4.B.1 or 2 have been met. An applicant may choose which set of criteria to meet based upon the nature of the variance request, the nature of the development proposal, and the existing site conditions.

1. Discretionary Relief Criteria

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

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

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

(2) The proposed variance has desirable public benefits.

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

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

2. Economic Hardship Criteria

a. Due to unusual site characteristics and/or other physical conditions on or near the site, the variance is necessary to allow reasonable economic use of the property comparable with other properties in the same area and zoning district.

b. The proposed variance is the minimum variance necessary to allow for reasonable economic use of the property.

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

Response: The applicant is pursuing a Type III Variance driveway distance exception, under the economic hardship criteria of unusual site dimensions and orientation. This proposal requests to construct a driveway less than 100' from the nearest intersection. The proposed driveway location on SE Olsen Street is a less impactful location and is of a lower classification than 32nd Avenue. By utilizing this location, the effect on pedestrian and vehicle movement is minimized. The proposed driveway location allows for a more attractive and inviting pedestrian centered front entry with less vehicle traffic and accentuates bicycle parking options. Both frontages will be improved per City of Milwaukie requirements. Without this variance no on-site parking would be permitted, creating an economic burden to the applicant, further, it would increase the strain on the

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transportation system. We believe the driveway location proposed would be the least negatively impactful option and would mitigate adverse effects to the extent practical.

Prepared by: Aurn White – BAMA Architecture

Table B for 23.54.015 Required Parking for residential uses		
Use	Minimum parking required	
I. General residential uses		
A.	Adult family homes	1 space for each dwelling unit
B.	Artist's studio/dwellings	1 space for each dwelling unit
C.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences	1 space for each 4 sleeping rooms
F.	Cottage housing developments	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015 ¹	1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units

Table B for 23.54.015 Required Parking for residential uses		
Use		Minimum parking required
J.	Nursing homes ²	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units	1 space for each dwelling unit
II. Residential use requirements for specific areas		
L.	All residential uses within urban centers or within the Station Area Overlay District ¹	No minimum requirement
M.	All residential uses in commercial, RSL and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area ^{1, 4}	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ¹	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ¹	1.5 spaces for each dwelling unit
III. Multifamily residential use requirements with rent and income criteria		

Table B for 23.54.015

Required Parking for residential uses

Use		Minimum parking required
P.	For each dwelling unit rent and income-restricted at or below 80 percent of the median income ^{1, 5}	No minimum requirement

Footnotes to Table B for 23.54.015

¹ The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a greater or a lesser amount of minimum parking, including no parking, under any other provision of this Section 23.54.015. If more than one such provision may apply, the provision requiring the least amount of minimum parking applies, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other applicable requirement in Part I or Part II of this Table B for 23.54.015. The minimum amount of parking prescribed by Part III of Table B for 23.54.015 applies to individual units within a use, structure, or development instead of any requirements in Parts I or II of Table B for 23.54.015.

² For development within single-family zones the Director may waive some or all of the minimum parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the minimum parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions are effective only as long as the conditions that justify the waiver are present. When the conditions are no longer present, the development shall provide the amount of minimum parking that otherwise is required.

³ No parking is required for single-family residential uses on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3.

⁴ Except as provided in Part III of Table B for 23.54.015, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry

Table B for 23.54.015

Required Parking for residential uses

Use	Minimum parking required
<p>Terminal.</p> <p>⁵ Dwelling units qualifying for parking reductions according to Part III of Table B for 23.54.015 shall be subject to a recorded restrictive housing covenant or recorded regulatory agreement that includes rent and income restrictions at or below 80 percent of median income, without a minimum household income requirement. The housing covenant or regulatory agreement including rent and income restrictions qualifying the development for parking reductions according to Part III of Table B for 23.54.015 shall be for a term of at least 15 years from the date of issuance of the certificate of occupancy and shall be recorded with the King County Recorder, signed and acknowledged by the owner(s), in a form prescribed by the Director of Housing. If these provisions are applied to a development for housing for persons 55 or more years of age, such housing shall have qualified for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.</p>	

- f. City of Portland bike-sharing stations may substitute for required parking if all of the following are met:
- (1) A City of Portland bike-sharing station providing 15 docks and 10 shared bicycles reduces the motor vehicle parking requirement by 3 spaces. The provision of each addition of 4 docks and 2 shared bicycles reduces the motor vehicle parking requirement by an additional space, up to a maximum of 25 percent of the required parking spaces;
 - (2) The bike-sharing station must be adjacent to, and visible from the street, and must be publicly accessible;
 - (3) The bike-sharing station must be shown on the building plans; and
 - (4) A copy of the signed agreement between the property owner and the Portland Bureau of Transportation must be submitted before the building permit is approved.

Table 266-1	
Minimum Required and Maximum Allowed Parking Spaces By Zone [1], [2]	
Zone	Requirement
OS, RF – RH, RMP, EG, I, IR	Minimum is Standard A in Table 266-2. Maximum is Standard B in Table 266-2.
CR, CM1, CM2, CM3, CE, CI	Minimum for sites that are 7,500 square feet or less in size: No minimum except for Household Living, which has the following minimums: 0 for 1 to 30 units; 0.20 per unit for 31-40 units; 0.25 per unit for 41-50 units; and 0.33 per unit for 51+ units. Minimum for all other sites is Standard A in Table 266-2 Maximum is Standard B in Table 266-2.
EX	No minimum except for Household Living, which has the following minimums: 0 for 1 to 3 units; 1 per 2 units for four+ units; and SROs are exempt. Maximum is Standard A in Table 266-2, except: 1) Retail, personal service, repair-oriented - Maximum is 1 per 200 sq. ft. of net building area. 2) Restaurants and bars - Maximum is 1 per 75 sq. ft. of net building area. 3) General office – Maximum is 1 per 400 sq. ft. of net building area. 4) Medical/Dental office – Maximum is 1 per 330 sq. ft. of net building area.



CITY OF MILWAUKIE

July 1, 2019

Auryn White
BAMA Architecture
7350 SE Milwaukie Ave
Portland, OR 97202

Re: Preapplication Report

Dear Auryn:

Enclosed is the Preapplication Report Summary from your meeting with the City on June 6, 2019, concerning your proposal for action on property located at 9391 SE 32nd Avenue.

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,

Dan Harris
Administrative Specialist II

Enclosure

cc: Mildred White, BAMA Architecture
Valerie Hunter, VH Development
Izak Hamilton, Clackamas Fire District #1
Preapplication File

PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on 6/6/2019 at 10AM

Applicant Name: Auryn White

Company: BAMA Architecture

Applicant 'Role': Owner

Address Line 1: 7350 SE Milwaukie Ave

Address Line 2:

City, State Zip: Portland OR 97202

Project Name: 4-story mixed use building

Description: Construct 4-story wood-framed mixed use building with 1st floor retail + covered parking. 2nd-4th floor 28 total res. Units

ProjectAddress: 9391 SE 32ND AVE

Zone: NMU (Neighborhood Mixed Use)

Occupancy Group:

ConstructionType:

Use: Neighborhood Mixed Use

Occupant Load:

AppsPresent: Auryn White, Mildred White, Valerie Hunter

Staff Attendance: Denny Egner, Mary Heberling, Steve Adams, Izak Hamilton

BUILDING ISSUES

ADA:

Structural:

Mechanical:

Plumbing:

Plumb Site Utilities:

Electrical:

Notes: This structure shall comply with all the code provisions of the Oregon Structural Specialty Code (OSSC).

Fire sprinklers and alarms will be required as per Oregon Structural Specialty Code (OSSC).

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

FIRE MARSHAL ISSUES

Fire Sprinklers:

Fire Alarms:

Fire Hydrants:

Turn Arounds:

Addressing:

Fire Protection:

Fire Access:

Hazardous Mat.:

Fire Marshal Notes: See notes attached.

PUBLIC WORKS ISSUES

Water: A City of Milwaukie 6-inch water main on SE 32nd Avenue is available to provide service to the proposed development. A new water service and meter assembly will be required. The development will require separate water meters for the commercial and residential portions of the building. The Water System Development Charge (WSDC) is based on the size of water meter serving the property. A WSDC credit will be provided based on the size of existing water meter(s) being replaced. SDC charges and credits will be assessed at building permit issue.

Please refer to CFD #1 memorandum for fire hydrant and additional requirements

Sewer: An 8-inch concrete wastewater main on SE 32nd Avenue will provide service to the proposed development. The existing service lateral size is unknown, and lateral must be sized to accommodate the proposed development. Currently, the wastewater SDC is comprised of two components: the first component is the City's SDC charge calculated based on plumbing fixture units in accordance with the Uniform Plumbing Code and the second component is the County's SDC for treatment calculated per equivalent dwelling unit that the City collects and forwards to the County. The wastewater SDC will be assessed and collected at the time the building permits are issued.

Storm: Submission of a stormwater 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 Milwaukie Pubic Works Standards.
The stormwater management plan shall demonstrate that the post-development runoff does not exceed the predevelopment, including any existing stormwater management facilities serving the development property. Also, the plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland 2016 Stormwater Management Manual for design of water quality facilities.

All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See Milwaukie Public Works Standards for design and construction standards and detailed drawings.

If the runoff cannot be disposed of with onsite infiltration facilities, connection to the storm system in SE 32nd Avenue will be permitted.

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

Street:

The proposed development fronts the west side of SE 32nd Avenue, which is classified as a Collector Street. The portion of SE 32nd Avenue fronting the proposed development has a right-of-way width of 40 feet, a paved width of 28 feet, and curb tight sidewalks on both sides of the road.

The proposed development fronts the north side of SE Olsen Street, which is classified as a Local Street. The portion of SE Olsen Street fronting the proposed development has a right-of-way width of 50 feet and a paved width of approximately 16 feet with both sides of the road unimproved.

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

Frontage:

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

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

SE Olsen Street

According to Code Table 19.708.2 the local street cross section includes the following:

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

SE 32nd Avenue

According to Code Table 19.708.2 the collector street cross section includes the following:

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

Right of Way:

The existing 50-foot right-of-way on SE Olsen Street fronting the proposed development is of adequate width to accommodate the planned cross-section.

The existing 40-foot right-of-way on SE 32nd Avenue fronting the proposed development is not of adequate width to accommodate the planned cross-section. A dedication of 10 feet may be necessary.

Driveways:

MMC 12.16.040.B addresses spacing requirements from intersections. The minimum spacing from an intersection for multifamily driveways on a local street is 100 feet. The intersection of 32nd Avenue and Olsen Street is at a sufficient distance as proposed.

MMC 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway approaches shall be improved to meet the requirements of Milwaukie's Public Works Standards, Section 5.0085, at the time of development. The plan depicts an opening of 18 feet, which also includes the walkway width. This width appears to be inadequate. Depending on the number of dwelling units, the access width will need to be a minimum of 20 or 24 feet wide, exclusive

of the walkway width.

Erosion Control:

Per MMC 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 500 square feet. The proposed development exceeds the threshold therefore, an erosion control permit is required.

MMC 16.28.020.E states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, MMC 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:

MMC 19.704 states the Engineering Director will determine whether a proposed development has impacts on the transportation system by using existing transportation data. If the Engineering Director cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. The Engineering Director has determined that a project specific TIS is required to determine impacts of the development. The applicant will engage the city to determine scope prior to beginning work on the TIS.

PW Notes:

APPLICABILITY OF PRE-APPLICATION REVIEW

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

This pre-application review is for the following:

The construction of a 3-4 story mixed-use building.

SYSTEM DEVELOPMENT CHARGES (SDC'S)

There was insufficient information to estimate SDCs with the pre-application submitted. All SDCs are calculated, assessed, and collected at the time of building permit issue. Any changes in the proposed use may result in a change in the SDCs that are assessed. An estimate of SDCs can be provided if more detail is provided to staff.

The Parks & Recreation System Development Charge (PRSDC) is triggered when an application on a new dwelling or a change in commercial use is received. The PRSDC is calculate base on dwelling units and employees. Credit can be applied for demolished structures based upon existing use. The parks and recreation SDC will be assessed and collected at the time of building permit issue.

OVERHEAD UTILITIES

The existing building is served by overhead utility lines crossing above SE 32nd Avenue. Service to the new building will need to be placed underground.

REQUIREMENTS PRIOR TO OCCUPANCY

- Engineered plans for public improvements (street, sidewalk, and utility) are to be submitted and approved prior to start of construction. Full-engineered design is required along the frontage of the proposed development. Plans shall be prepared by a Professional Engineer licensed in the State of Oregon.
- The applicant shall pay an inspection fee of 5.5% of the cost of public improvements prior to start of construction.
- The applicant shall provide a payment and performance bond for 100% of the cost of the public improvements prior to the start of construction.
- The applicant shall provide a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie prior to the final inspection.
- The applicant shall provide a maintenance bond for 100% of the cost of the public improvements prior to the final inspection

ADDITIONAL REQUIREMENTS

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

Schedule.

PLANNING ISSUES

Setbacks:

NMU Setback Requirements:
Minimum street setback: none
Maximum street setback: 10 ft
Side and rear setback: none

Additional Setback requirements:

On 32nd Ave: Distance from the centerline: 30 ft, plus any NMU setback requirements

On Olsen St: Distance from centerline: 25 ft, plus any NMU setback requirements. Olsen street is wide enough to meet this setback requirement.

The setback may include usable open space such as plazas, courtyards, terraces, and small parks.

Building Height:

The maximum building height in the NMU is 3 stories or 45 ft, whichever is less. No building height bonuses are available in the NMU zone, but a variance to the height standard is possible. See more details on the variance process under the Application Procedures section.

Lot Coverage:

Maximum lot coverage is 85%. This includes the parking area as it will be covered. Lot coverage means the amount of area covered by building(s) on a lot expressed as a percentage of the total lot area. Lot coverage includes open structures, such as pole barns; building features such as a patio covers, roofed porches, and decks; or similar features with a surface height of more than 18 inches above average grade. Lot coverage does not include eaves.

Nonresidential Development:

New mixed-use buildings within commercial mixed-use zones must meet the standards in 19.505.7 Nonresidential Development. See the standards at link:

http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_500&frames=on

Landscape:

Minimum vegetation: 15%

No more than 20% of the required vegetation area shall be covered in mulch or bark dust. Mulch or bark dust under the canopy of trees or shrubs is excluded from this limit.

Usable open space may be counted toward the minimum vegetation requirement.

Parking:

Quantity Parking Requirements

Multifamily dwelling units with 800 sq ft of floor area or less:

-Minimum: 1 space per dwelling

-Maximum: 2 spaces per dwelling

General Retail:

-Minimum: 2 spaces per 1,000 sq ft of floor area

-Maximum: 5 spaces per 1,000 sq ft of floor area

Eating and Drinking Establishments:

-Minimum: 4 spaces per 1,000 sq ft of floor area

-Maximum: 15 spaces per 1,000 sq ft of floor area

Exemptions and By-Right Reductions to Quantity Requirements

Applicants are allowed to utilize multiple reductions provided that the total reduction in required parking does not exceed 25% of the minimum quantity requirement.

Proximity to Public Transit:

-Parking for commercial and industrial uses may be reduced by up to 10% if the development is within 500 ft walking distance of a transit stop with a peak hour service frequency of 30 mins or less.

-Parking for multifamily uses may be reduced up to 20% if the development is within 500 ft walking distance of a transit stop with a peak hour service frequency of 30 mins or less.

-

Multitenant Commercial Sites:

Where multiple commercial uses occur on the same site, minimum parking requirements shall be calculated as described below. The Planning Director shall have the authority to determine when multiple uses exist on a site:

-Use with highest parking requirement. The use that has the largest total number of minimum parking spaces required shall be required to provide 100% of the minimum number of parking spaces.

-All other uses. All other uses on the site shall be required to provide 80% of the minimum number of parking spaces.

Carpool/Vanpool:

Commercial and industrial developments that provide at least 2 carpool/vanpool parking spaces may reduce the required number of parking spaces by up to 10%.

Bicycle Parking:

The minimum amount of required bicycle parking for all non-single-family residential uses may be reduced by up to 10% for the provision of covered and secured bicycle parking in addition to what is required by Section 19.609. A reduction of 1 vehicle parking space is allowed for every 6 additional bicycle parking spaces installed. The bicycle spaces shall meet all other standards of Section 19.609. If a reduction of 5 or more stalls is granted, then on-site changing facilities for bicyclists, including showers and lockers, are required. The area of an existing parking space in an off-street parking area may be converted into bicycle parking to utilize this reduction.

Car Sharing:

Required parking may be reduced by up to 5% if at least 1 off-street parking space is reserved for a vehicle that is part of a car sharing program. The car sharing program shall be sufficiently large enough, as determined by the Planning Director, to be accessible to persons throughout Milwaukee and its vicinity. The applicant must provide documentation from the car sharing program that the program will utilize the space provided.

Quantity Modifications and Required Parking Determinations

Subsection 19.605.2 allows for the modification of minimum and maximum parking ratios from Table 19.605. The application for a determination and the approval criteria can be found in Subsection 19.605.2. Parking Modification Determination is a separate Type II land use application.

Link to the code section for vehicle parking quantities requirements is here:

http://www.qcode.us/codes/milwaukee/view.php?topic=19-19_600&frames=on

Transportation Review: The proposal will trigger the requirements of MMC Chapter 19.700 Public Facility Improvements. Please see the Public Works notes for more information about the requirements of MMC 19.700 and the necessary right-of-way dedication and/or street frontage improvements.

Application Procedures: The applicant is interested in demolishing the existing structure on the property and building a 3-4 story mixed-use building. Depending on how tall the structure will be and other development standards, there may be a few options for the types of application for the proposal.

1. 3-Story Mixed-Use Building that meets all development standards:

If there are no need for any variances to all development standards (including parking standards, the nonresidential development standards, or other standards related to this development) the process will be a Type I or Type II Development Review application.

The application will be reviewed through a Type I or Type II review per the process and approval criteria for development review found in MMC 19.906 and the application fee for a Type I review is \$200 and for a Type II review is \$1,000. The submitted narrative and site plans for the application should address the following sections of the MMC: 19.303 Commercial Mixed-Use Zones, 19.501 General Exceptions, 19.504.7 Minimum Vegetation, 19.504.9 On-Site Walkways and Circulation, 19.505.7 Nonresidential Development, 19.600 Off-Street Parking and Loading, 19.700 Public Facility Improvements, and 19.906 Development Review.

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

Land use application submission materials are listed below for your convenience. Please refer to the handouts online at the City's website at https://www.milwaukieoregon.gov/forms?keys=&term_node_tid_depth=311&field_microsite_tid_1=All

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. 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. Once the application is deemed complete, additional copies will be requested for distribution to City departments, applicable governmental agencies, and the neighborhood district association for review.
5. Detailed narrative describing compliance with all applicable code sections.

Type I applications are decided by the Planning Director and are administrative in nature. Once the Planning Director renders a decision, there is a fifteen calendar-day appeal period. A decision is generally issued within 14 days of the application being deemed complete. Building permits will be accepted for review only after the appeal period for all land use decisions has expired.

Type II applications are decided by the Planning Director. A public notice is sent to all residents within 300 ft of the site and has a 14-day comment period. A decision is generally issued within 57 days of the application being deemed complete. Once the Planning Director renders a decision, there is a fifteen calendar-day appeal period. Building permits will be accepted for review only after the appeal period for all land use decisions has expired.

2. 4-Story Mixed-Use Building

A 4-story mixed use building does not meet the height requirements for the NMU zone. It will need to go through a Type III Variance process.

In addition to the same requirements needed for a Type I Development Review (see above), a variance application will need to be submitted for any standard that does not meet the requirements of the Milwaukie Municipal Code (MMC), including height. For a Type III Variance application, it will need to explain how it meets the approval criteria for a Type III Variance. See MMC 19.911 Variances on the approval criteria that needs to be addressed. The application will need to specifically address the Discretionary Relief Criteria, which include an alternative analysis, as well as, showing how the proposed variance avoids or minimizes impacts to surrounding properties, has desired public benefits, and responds to the existing built or natural environment in a creative and sensitive manner. The Planning Director and staff will need to see how a 4th story can meet that approval criteria. Creative ways to meet the criteria could be a step-back for the 4th floor, a green roof or other green building materials/amenities, and many more. A mixed-use building with just a 4th story will be hard for the Planning staff to recommend approval on due to it not providing anything that shows it meets the approval criteria.

The variance application will be reviewed through a Type III review per MMC 19.1006 and the application fee is \$2,000. The submittal narrative for the application should address the approval criteria for Type III Variances in MMC 19.911.

If there are multiple variances, one variance application can accommodate up to 3 variance requests.

The submittal requirements and materials are the same as listed above in the Type I process.

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

Multiple applications are addressed concurrently. A Type II application would be reviewed with Type III applications at the Planning Commission, but are subject to the Type II approval criteria; not the Type III approval criteria.

Natural Resource Review: There are no natural resource overlay zones on this lot.

Lot Geography: The subject property is a rectangular lot that is 10,787.21 sq ft.

- Planning Notes:**
1. The preapplication conference is valid for purposes of submitting future land use applications as described in MMC 19.1002.4. A preapplication conference is valid for 2 years.
 2. The Milwaukie Municipal Code is available online at <http://www.qcode.us/codes/milwaukie/view.php?topic=19&frames=off>.
 3. The site is in the Ardenwald-Johnson Creek Neighborhood District Association (NDA) boundary. Staff encourages the applicant to present the proposal to the NDA and/or its Land Use Committee, as well as to the immediate property owners. The NDA's webpage is on-line at <https://www.milwaukieoregon.gov/citymanager/ardenwald-johnson-creek-nda>. Their meetings are held at 6:30 pm on the fourth Monday of the month at Milwaukie Café and Bottle Shop (9401 SE 32nd Ave.) The NDA Chairperson is Matt Rinker (mattrinker@hotmail.com). Please contact the Chair to coordinate a meeting to discuss the proposal.
 4. This site is a brownfield and has been recognized by the Department of Environmental Quality

(DEQ) as having had/or has contaminants on site. Please contact DEQ to assess any remediation that may be needed for this proposal. The City will also refer any submitted applications to DEQ to provide any comments on the proposal, if needed.

ADDITIONAL NOTES AND ISSUES

County Health Notes:

Other Notes:

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

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

Samantha Vandagriff - Building Official - 503-786-7611

Harmony Drake - Permit Specialist - 503-786-7623

Stephanie Marcinkiewicz 503-786-7636

ENGINEERING DEPARTMENT

Steve Admans - City Engineer - 503-786-7605

Dalton Vodden - Associate Engineer - 503-786-7617

Alex Roller - Engineering Tech II - 503-786-7695

COMMUNITY DEVELOPMENT DEPARTMENT

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

Alicia Martin - Admin Specialist - 503-786-7600

Tempest Blanchard -Admin Specialist - 503-786-7600

Dan Harris -Admin Specialist - 503-786-7600

PLANNING DEPARTMENT

Dennis Egner - Planning Director - 503-786-7654

David Levitan - Senior Planner - 503-786-7627

Brett Kelder - Associate Planner - 503-786-7657

Vera Kalias - Associate Planner - 503-786-7653

Mary Heberling - Assistant Planner - 503-786-7658

CLACKAMAS FIRE DISTRICT

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

Izak Hamilton - Fire Inspector - 503-742-2660

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: City of Milwaukie Planning Department
From: Izak Hamilton, Fire Inspector, Clackamas Fire District #1
Date: 6/6/2019
Re: 19-008PA, 9391 SE 32nd Ave., Milwaukie, OR

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

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

Fire Safety Program: In accordance with NFPA 241 Chapter 7 a fire safety program shall include provisions for: Housekeeping, on-site security, fire protection systems, pre fire coordination with the fire district, fire district notification, protection of existing structures and equipment from exposure fires.

(Please see accompanying document)

Access:

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

3. Buildings exceeding 30 feet in height shall require extra width and proximity provisions for aerial apparatus.

Water Supply

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

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

2. All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code. Maximum spacing between hydrants on street frontage shall not exceed 500 feet. Additional private on-site fire hydrants may be required for larger buildings. Fire sprinklers may reduce the water supply requirements.
3. Prior to the start of combustible construction required fire hydrants shall be operational and accessible.
4. The fire department connection (FDC) for any fire sprinkler system shall be placed as near as possible to the street, and within 100 feet of a fire hydrant.

Notes:

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

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



Fire Safety During Construction

The purpose of this document is to outline the minimum requirements in Clackamas Fire District #1 for subdivisions and commercial buildings during construction, alteration, and demolition. The following items, along with the requirements on OFC Chapter 33, and NFPA 241 will be inspected and enforced by the fire district during activities regulated by the referenced standards.

Fire Safety Program: In accordance with NFPA 241 Chapter 7 a fire safety program shall include provisions for: Housekeeping, on-site security, fire protection systems, pre fire coordination with the fire district, fire district notification, protection of existing structures and equipment from exposure fires.

Temporary Offices and Sheds: Separation of the structures shall be in accordance with table 4.2.1 in NFPA 241.

Table 4.2.1 Separation Distances

Temporary Structure Exposing Wall Length		Minimum Separation Distance	
m	ft	m	ft
6	20	9	30
9	30	11	35
12	40	12	40
15	50	14	45
18	60	15	50
>18	>60	18	60

Hot Work: Shall be conducted in accordance with OFC Chapter 35. Permits are not required, but records of the operations should be maintained on site for 48 hours after the hot work has been completed. The fire district shall be notified prior to any hot work operation that will required fire protection or detection systems to be taken out of service. A fire watch is required in areas with combustible materials, and shall continue for no less than 30 minutes after operations are completed, or two hours after roofing operations. The fire watch

shall have a fire extinguisher with a rating of not less than 2-A:20-B:C within 30 feet of the operation. A pre hot work check shall be completed prior to work.

Access: Approved access for fire fighting shall be provided within 100 feet of all fire fighting equipment. (Stand Pipes, FDC's, Hydrants)

Water Supply: Hydrants shall be in service, and available for use prior to the arrival of combustible material on site.

Standpipes: In buildings required to have stand pipes, not less than one shall be provided for use during construction. Hose connections shall be in place adjacent to stairs, and be extended to within one floor of the highest point of construction.

Means of Egress: In buildings greater than 50 feet, or 4 stories in height, shall have at least one temporary **Lighted** stairway. This stairway shall remain clear of obstructions and be readily available for use.

Portable Fire Extinguishers: Structures under construction, alteration, and demolition shall be provided with not less than one 2-A:10-B:C portable fire extinguisher within 75 feet of all portions of the building. Additional fire extinguishers shall be placed at each stairway where combustible materials are present, in every storage shed. Additional fire extinguishers shall be available for other hazardous operations.

Waste Disposal: Accumulations of combustible waste shall be removed for the structure at the end of every work shift.

Storage of Flammable and Combustible Liquids and Gasses: No more than 60 gallons of Class I and II liquids shall be stored in or within 50 feet of the structure. Storage areas shall be marked with "No Smoking" signs. Appropriate NFPA 704 placards shall be in place.

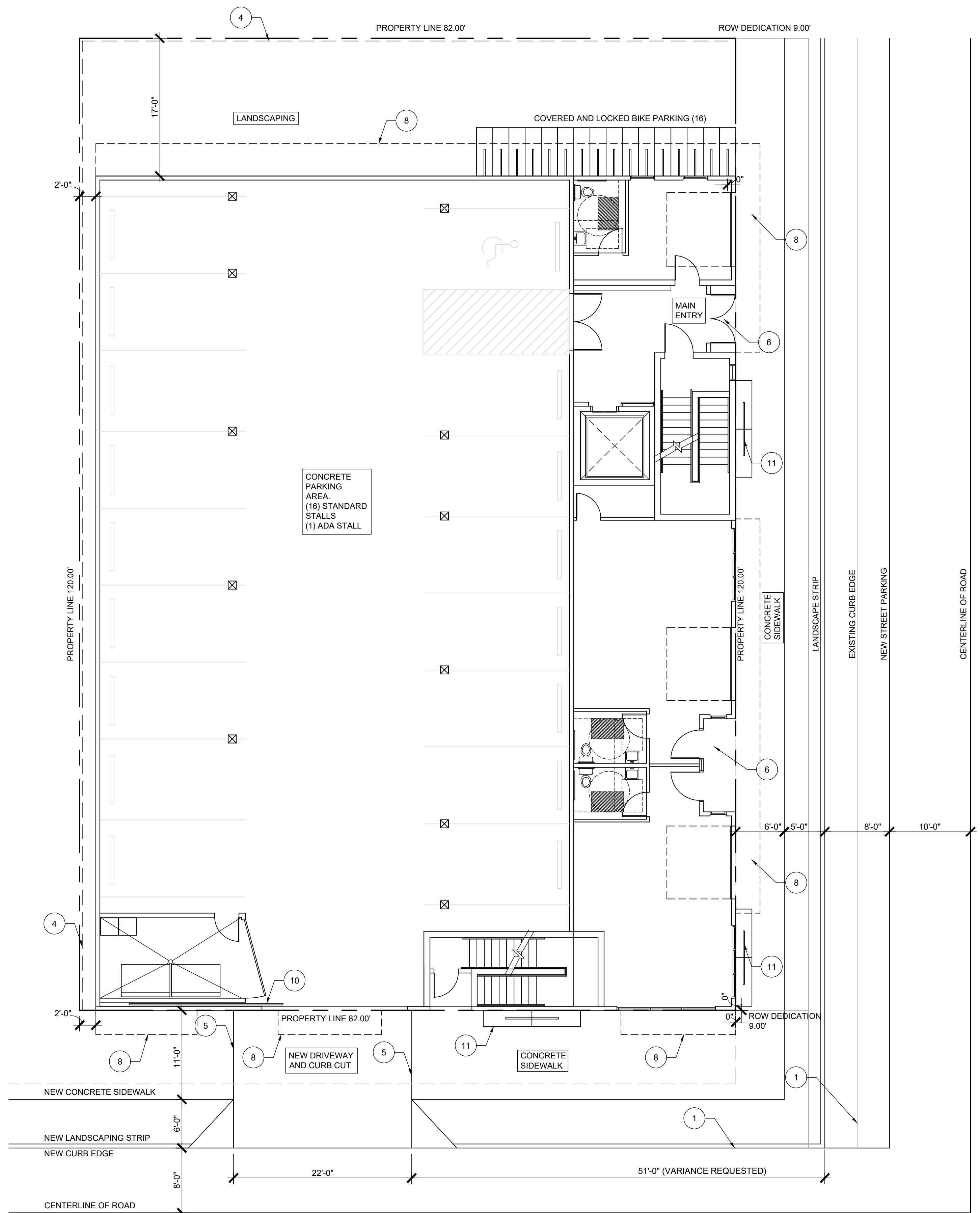
For Additional Information Please Refer to the Following:

Temp Heating equipment OFC Section 3303, NFPA 241 Section 5.2

Smoking Restrictions OFC 3304, NFPA 241 Section 5.3

Explosive Materials OFC 3307, NFPA 241 Section 5.6

Roofing Operations OFC 3317, NFPA 241 Chapter 9



PROPERTY INFORMATION

ADDRESS: 9391 SE 32ND AVE. MILWAUKIE, OR 97222
 PROJECT: RETAIL AND PARKING ON FIRST FLOOR, WITH 28 APARTMENT UNITS 800 SF OR LESS ABOVE.

LEGAL DESCRIPTION

LEGAL DESCRIPTIONS: ARDENWALD, BLOCK 5, LOT 21 AND 22
 TAX LOT ID: 11E25BD07700
 PARCEL NUMBER: 00008547

ZONING CODE INFORMATION

BASE ZONE: NMU (NEIGHBORHOOD MIXED USE)
 SITE AREA: 0.24 ACRES (10,800 SF)

PROPOSED SITE INFORMATION:

BUILDING FOOTPRINT: 9,775 SF (90%)
 EXTERIOR CONCRETE PAVING: 60 SF (0.5%)

MINIMUM FAR ALLOWED: 0.5:1
BUILDING HEIGHT:
 MAXIMUM ALLOWABLE HEIGHT (TABLE 19.303.3): 45'-0"
 ACTUAL HEIGHT (VARIANCE REQUESTED): 51'-1"

MAX SETBACKS ALLOWED:
 MAXIMUM STREET SETBACK: 10'-0"

AUTOMOBILE PARKING REQUIREMENTS (TABLE 19.605.1):

PROVIDED STANDARD PARKING SPACES: 17
 (QUANTITY MODIFICATION REQUESTED)

BICYCLE PARKING REQUIREMENTS (TABLE 266-6):

BIKE PARKING MIN. OF 22 REQUIRED, 22 TO BE PROVIDED.
 STANDARD BIKE PARKING (MIN OF 1 SPACE REQUIRED).
 ENCLOSED BIKE PARKING (1 PER UNIT, 50% MINIMUM OF REQUIRED)

SEE SECTION: 19.609.2

FLOOR AND BUILDING COVERAGE AREA:

FIRST FLOOR COVERED PARKING AREA/RETAIL:	8,137 SF
SECOND FLOOR BUILDING AREA:	8,137 SF
THIRD FLOOR BUILDING AREA:	8,137 SF
FOURTH FLOOR PENTHOUSE BUILDING AREA:	8,137 SF
TOTAL AREA (INCLUDING COVERED PARKING):	32,548 SF

SITE PLAN GENERAL NOTES

EXISTING INFORMATION IS BASED ON DRAWINGS PROVIDED BY AKS.

DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, PROPERTY LINE, OR CENTER OF PAINT STRIPING UNLESS NOTED OTHERWISE.

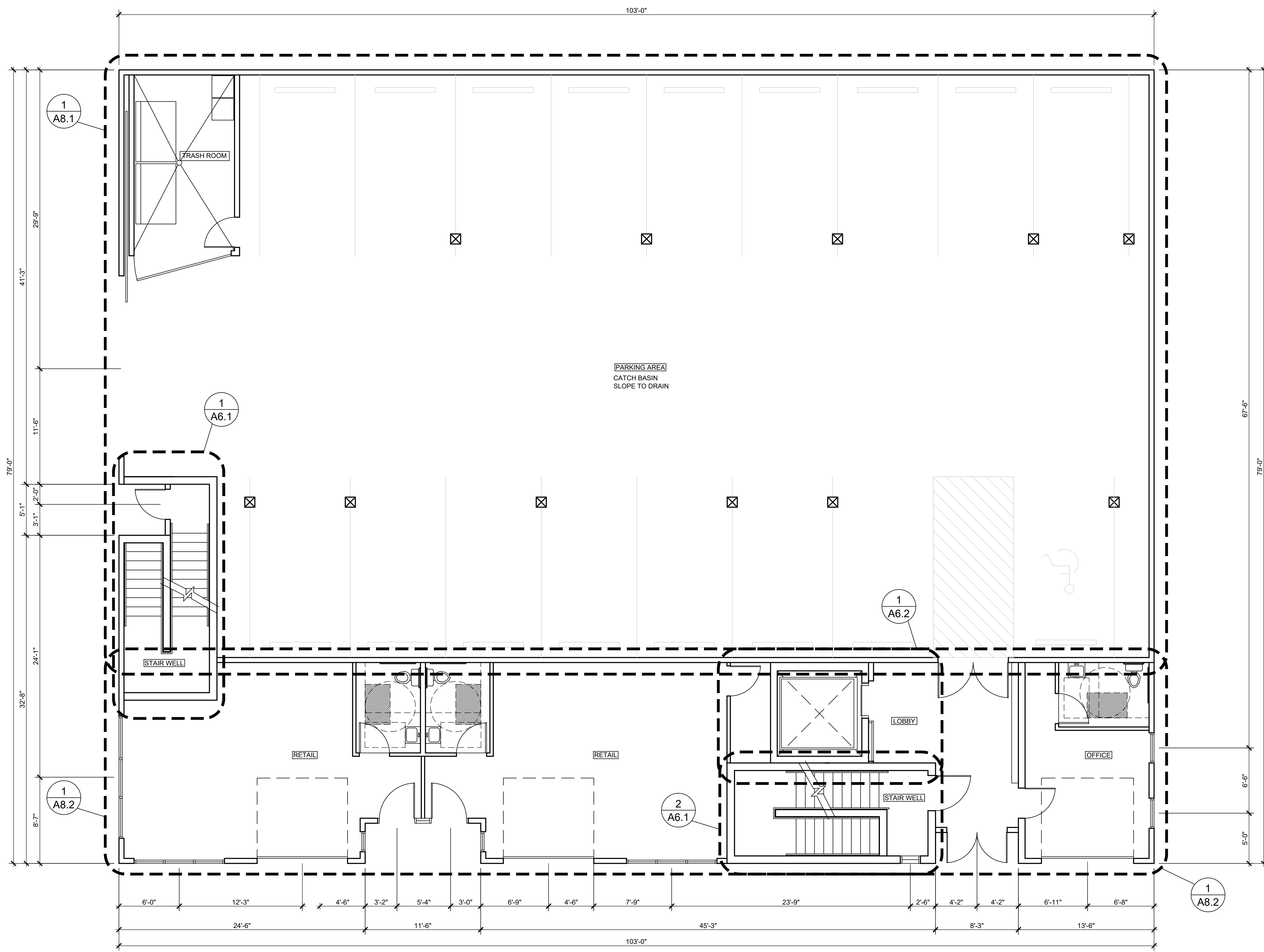
WHERE ACCESS TO OR WITHIN A STRUCTURE OR AN AREA IS RESTRICTED BECAUSE OF SECURED OPENINGS OR WHERE IMMEDIATE ACCESS IS NECESSARY FOR LIFE-SAVING OR FIRE FIGHTING PURPOSES A "KNOXBOX" KEY BOX SHALL BE INSTALLED IN AN APPROVED LOCATION.

SITE PLAN LEGEND

----- PROPERTY LINE

SITE PLAN KEYNOTES

- 1 EXISTING CONCRETE CURB
- 2 INFILL EXISTING DRIVEWAY. SEE CIVIL DRAWINGS
- 3 NOT USED
- 4 NEW 6' FULLY SIGHT-OBSCURING WOOD FENCE. SEE DETAIL 1/SD2.1
- 5 NEW DRIVEWAY. SEE CIVIL DRAWINGS
- 6 NEW CONCRETE PAVING. SEE STRUCTURAL DRAWINGS
- 7 STORMWATER FACILITY. SEE CIVIL DRAWINGS
- 8 FACE OF BUILDING ABOVE
- 9 NOT USED
- 10 20' WIDE CONTROLLED ACCESS ENTRY GATE. SEE ELECTRICAL. PROVIDE KEYBOX FOR EMERGENCY ACCESS.
- 11 SHORT TERM BICYCLE PARKING AREA 2x6' EACH, FOUR TOTAL. SEE DETAIL 11/SD2.1.
- 12 ONE HOUR FIRE-RATED STRUCTURAL POST. SEE STRUCTURAL DRAWINGS AND DETAIL 6/A4.4
- 13 3'-0" HIGH ELECTRICAL TRANSFORMER AND VAULT. SEE CIVIL AND ELECTRICAL DRAWINGS
- 14 INSTALL ONE 6" CONCRETE BOLLARD PER PGE
- 15 SWITCH GEAR. MUST BE 7' MIN. FROM END OF VAULT. SEE ELECTRICAL DRAWINGS. PROVIDE CONCRETE SLAB BELOW



TRUE NORTH
 1 A1.1
FIRST FLOOR PLAN
 SCALE: 3/16" = 1'-0"

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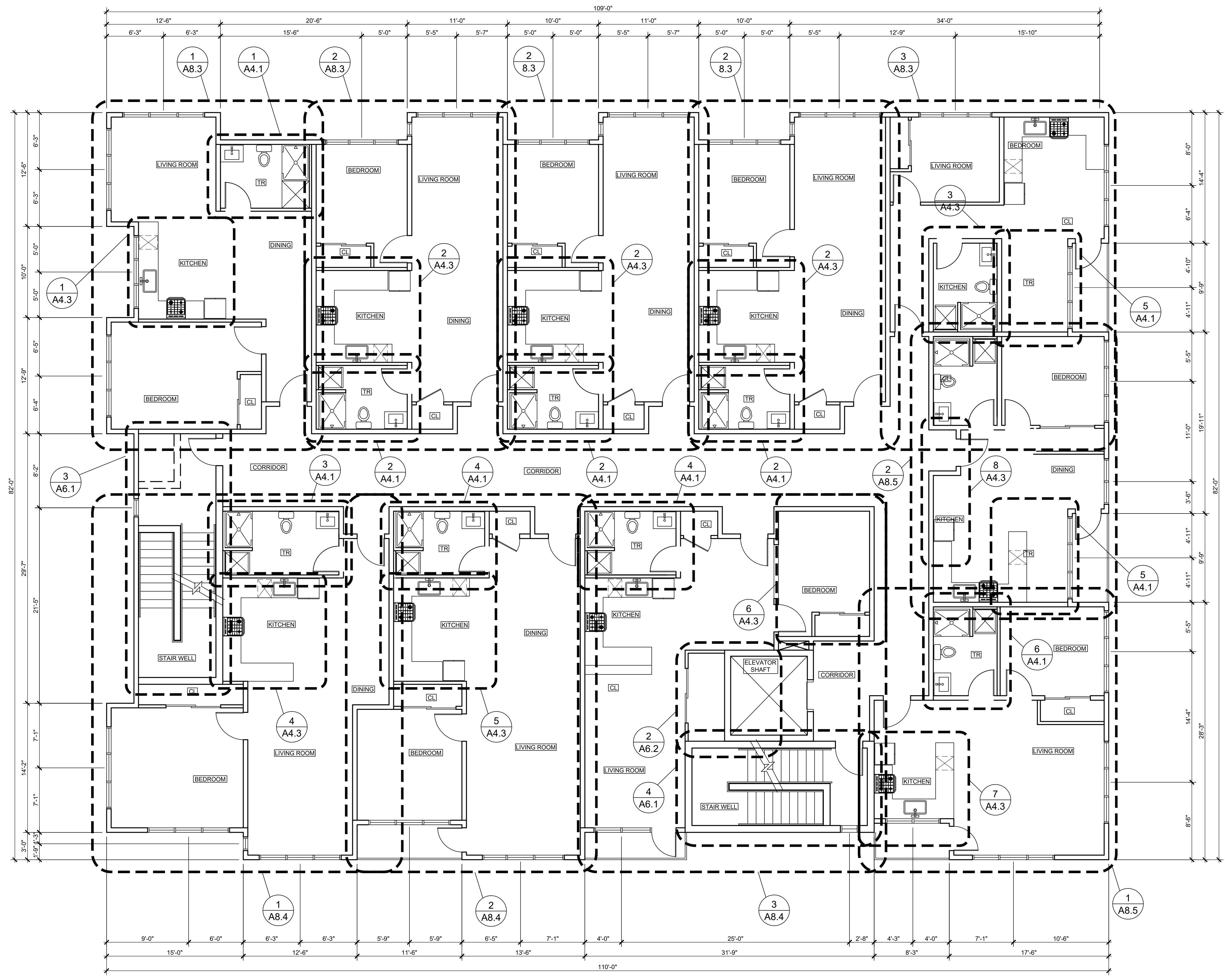
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MIXED USE

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Proj # 201931

BUILDING PERMIT:
 SHEET NO.
A1.1
 FIRST FLOOR PLAN



TRUE NORTH
1
A1.2 SECOND FLOOR PLAN
 SCALE: 3/16" = 1'-0"

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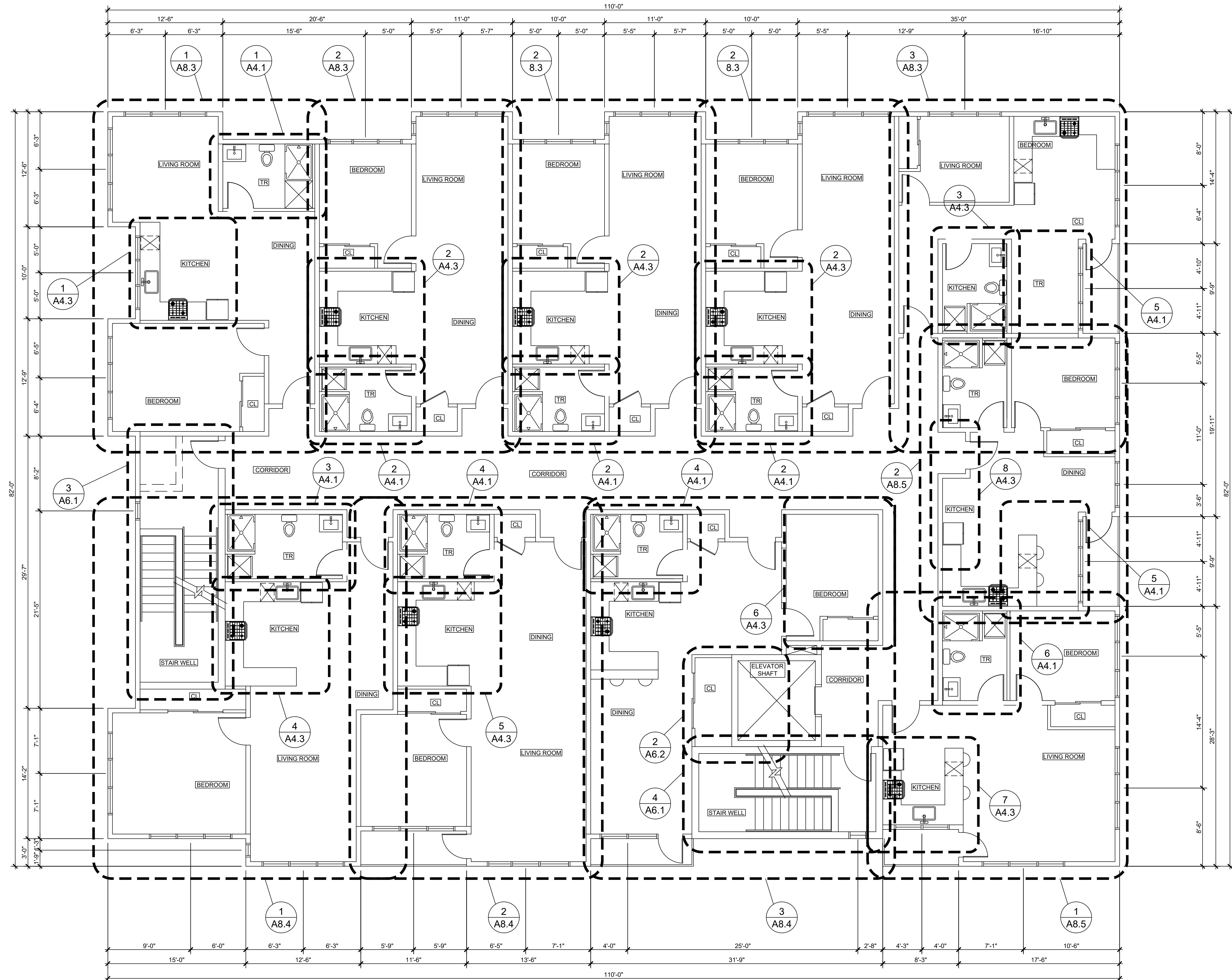


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BUILDING PERMIT:
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A1.2
 SECOND FLOOR PLAN



TRUE NORTH
 1 THIRD FLOOR PLAN
 A1.3 SCALE: 3/16" = 1'-0"



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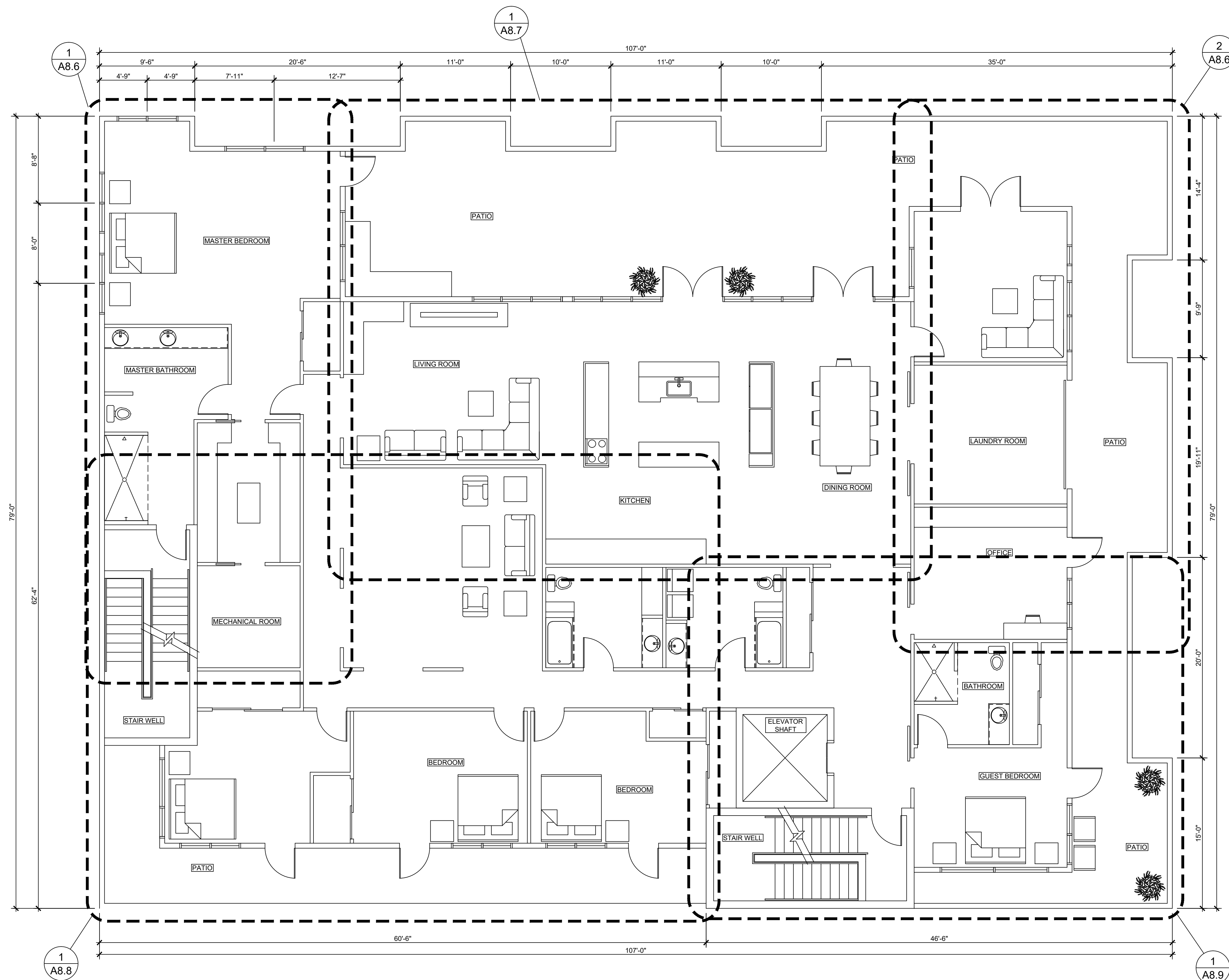
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Proj # 201931

BUILDING PERMIT:

SHEET NO.
A1.3
 THIRD FLOOR PLAN



TRUE NORTH
 1 A1.4
 SCALE: 3/16" = 1'-0"
FOURTH FLOOR PLAN - PENTHOUSE

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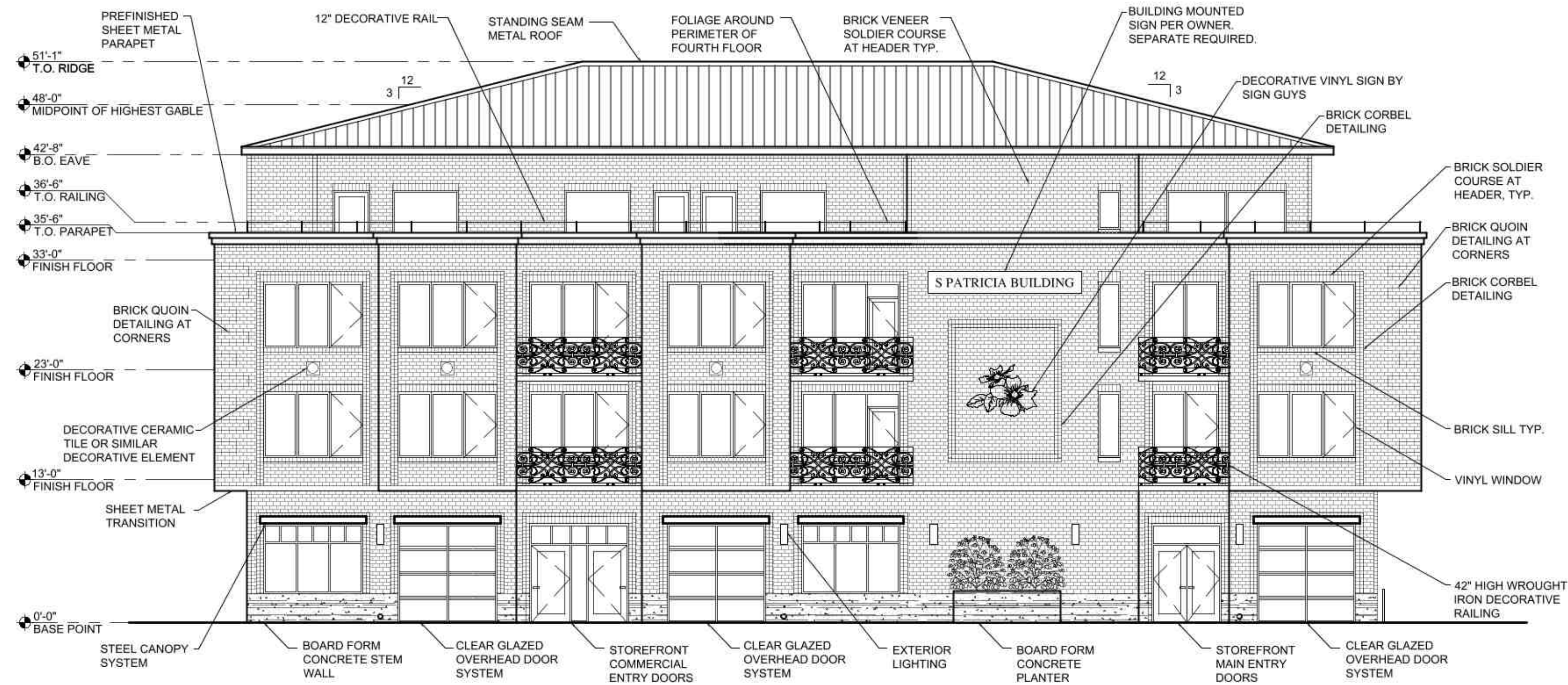
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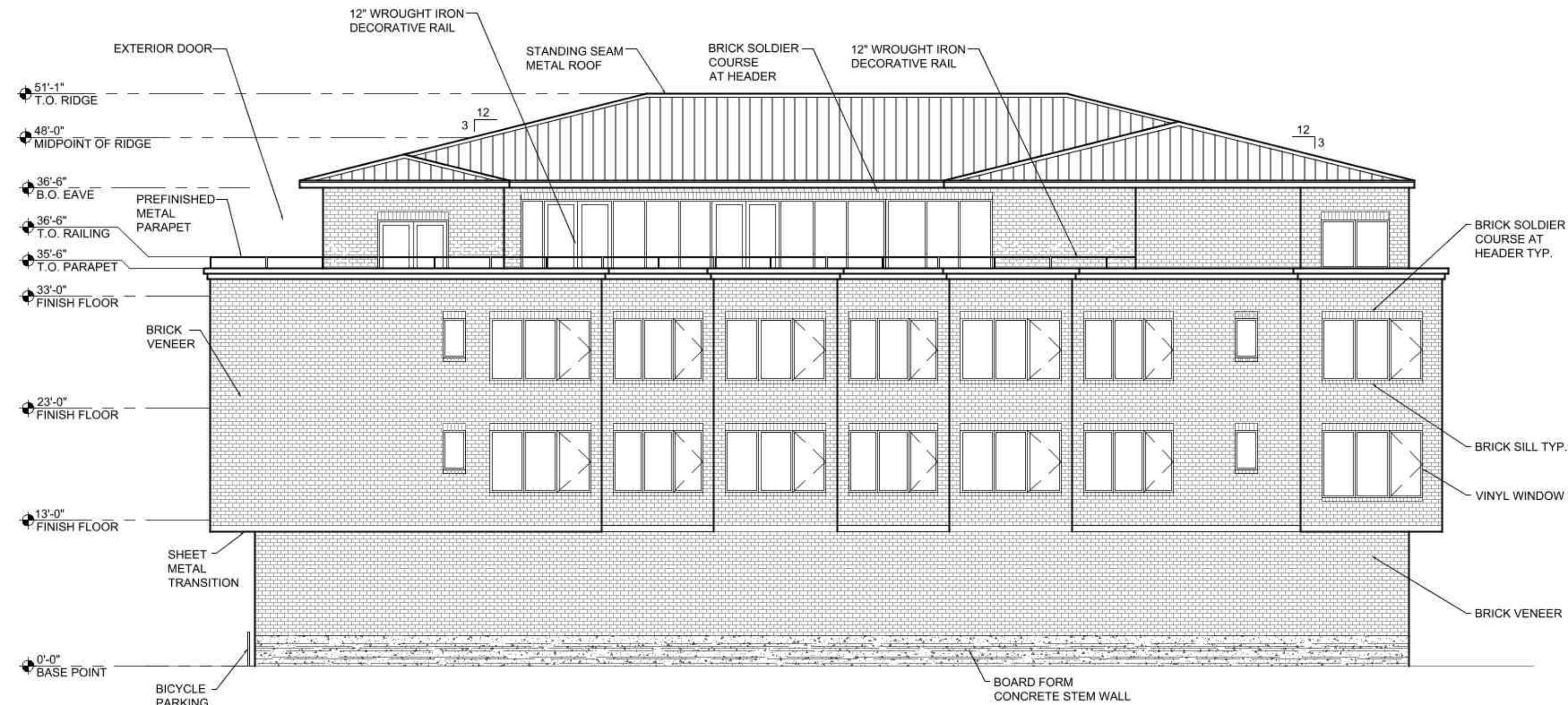
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Proj # 201931

BUILDING PERMIT:
 SHEET NO.
A1.4
 FOURTH FLOOR PLAN -
 PENTHOUSE



1 EAST EXTERIOR ELEVATION
 A2.1 SCALE: 1/8" = 1'-0"



2 WEST EXTERIOR ELEVATION
 A2.1 SCALE: 1/8" = 1'-0"



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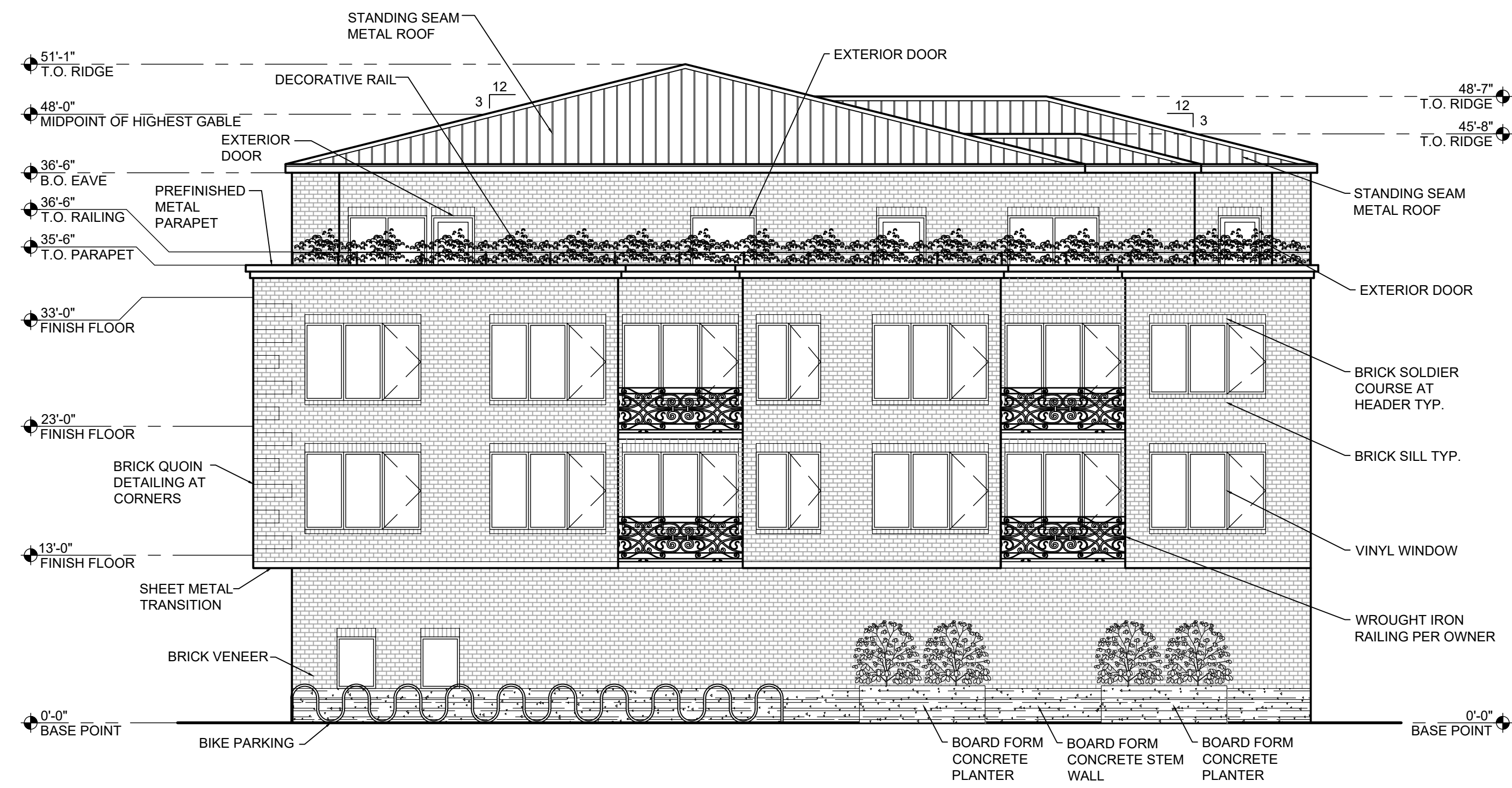
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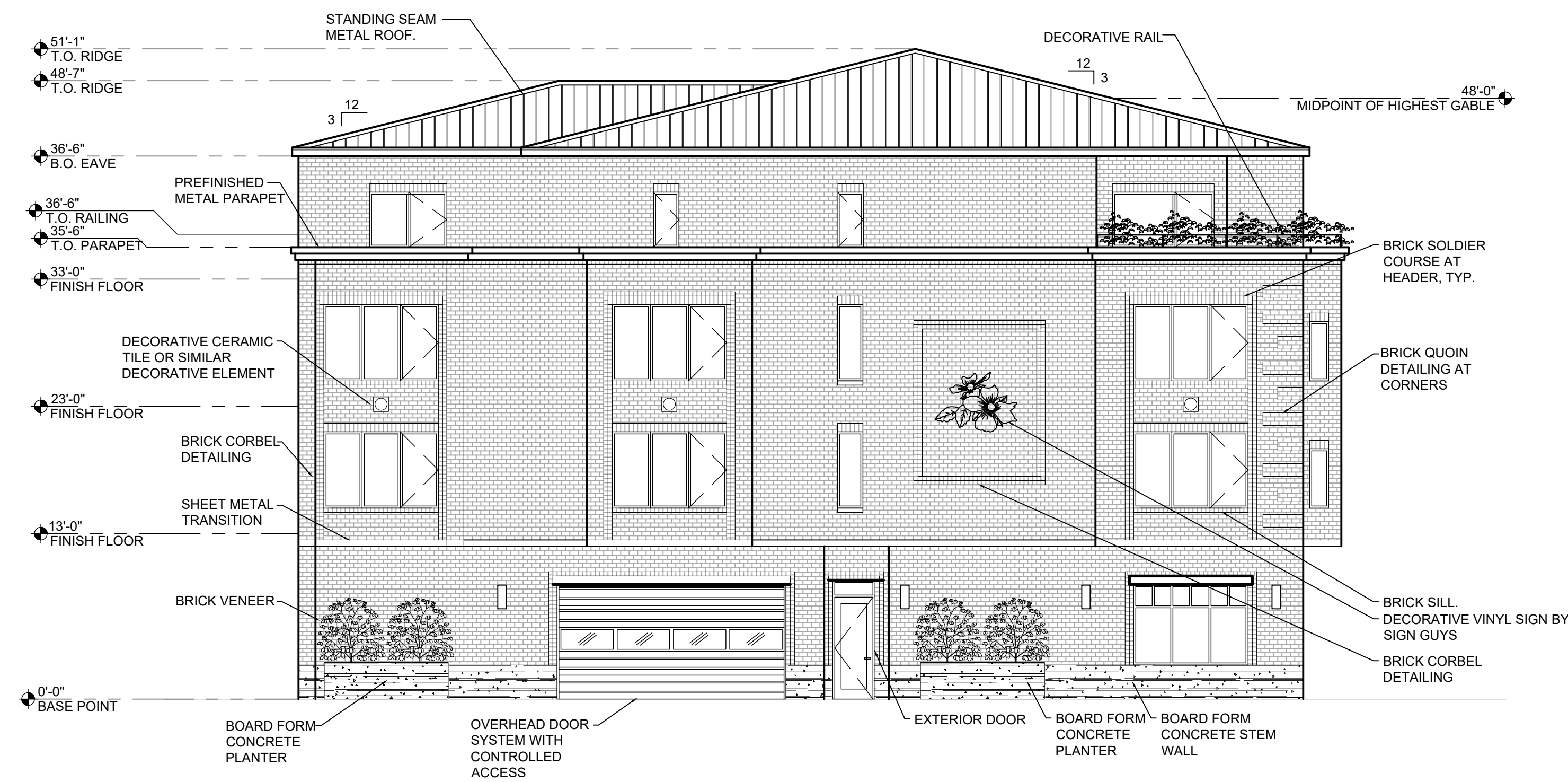
Proj # 201931

REVISIONS:
 OWNER REVISION 04/28/20

BUILDING PERMIT:
 DATE: 4-16-20
 SHEET NO.
A2.1
 EAST & WEST ELEVATIONS



1 NORTH EXTERIOR ELEVATION
 A2.2 SCALE: 1/8" = 1'-0"



2 SOUTH EXTERIOR ELEVATION
 A2.2 SCALE: 1/8" = 1'-0"



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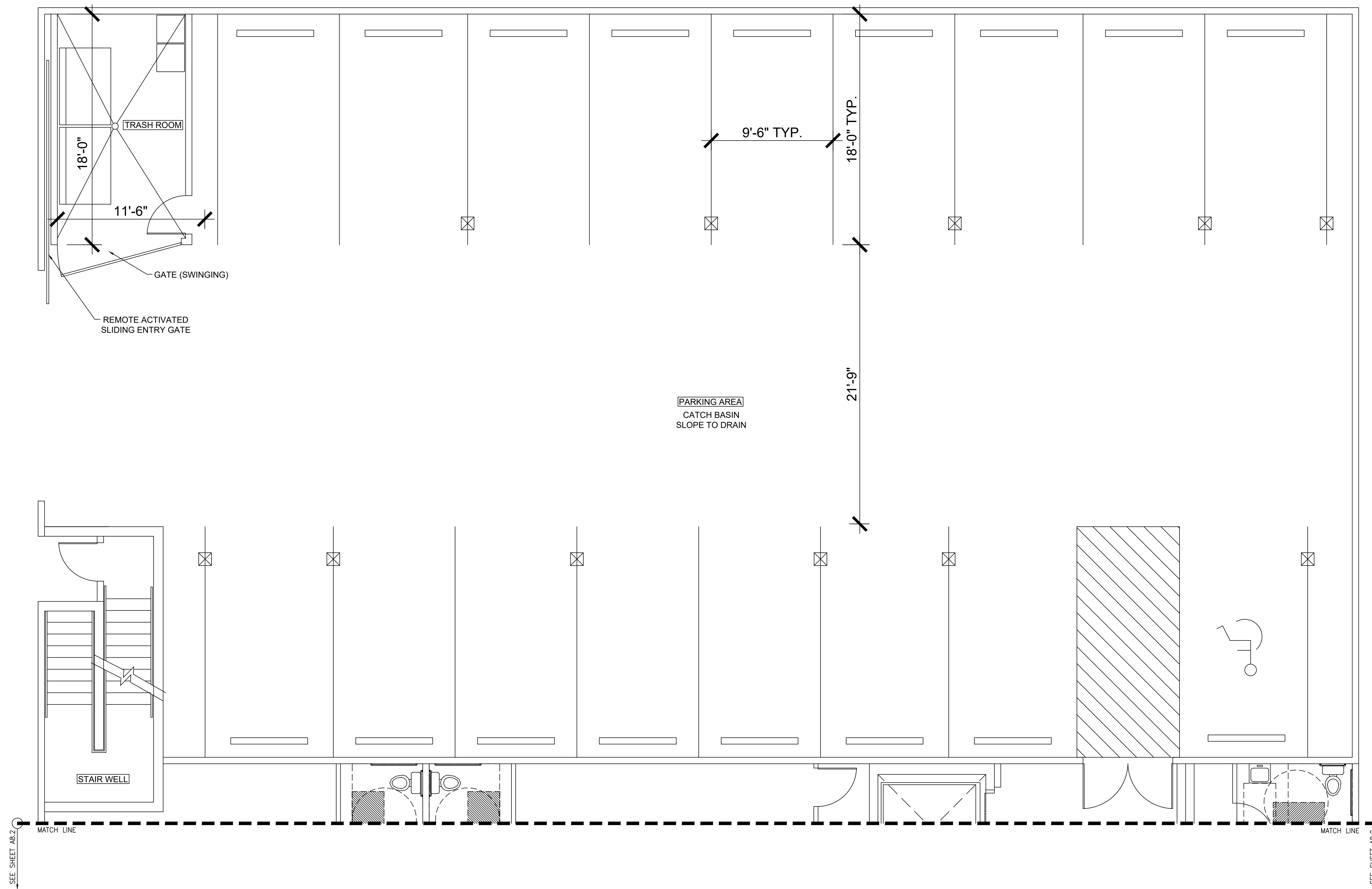
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REVISIONS:
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BUILDING PERMIT:
 DATE: 4-16-20
 SHEET NO.
A2.2
 ELEVATIONS



SEE SHEET A8.2

SEE SHEET A8.2

NORTH
 1
 A8.1 ENLARGED FLOOR PLAN- FIRST FLOOR PARKING
 SCALE: 1/4" = 1'-0" SEE A1.1 FOR EXTERIOR DIMENSIONS

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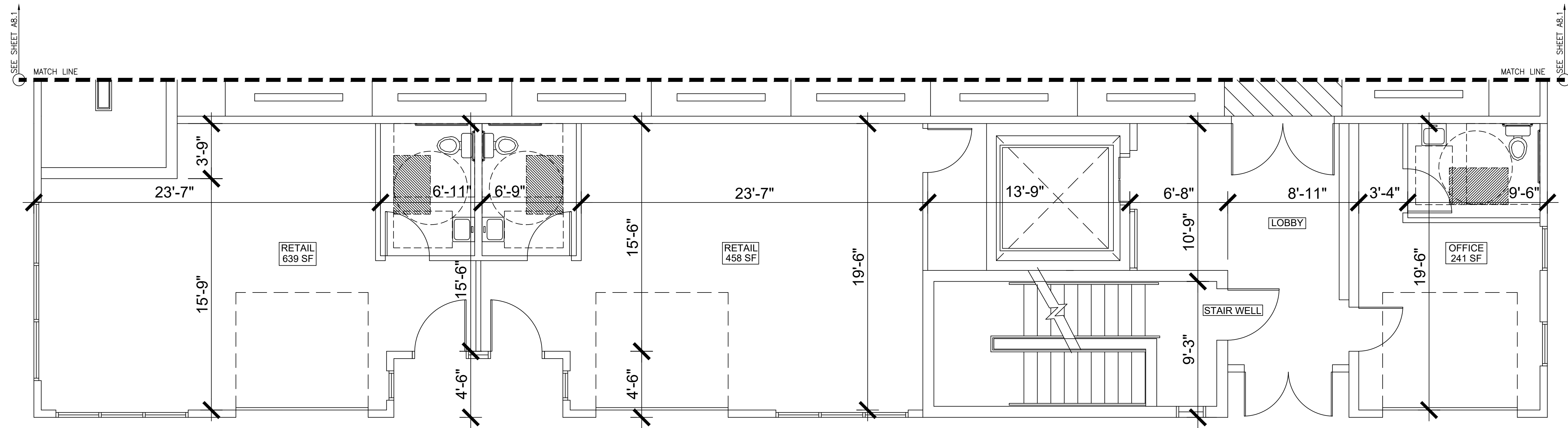
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BUILDING PERMIT:
 SHEET NO.
A8.1
 ENLARGED FIRST FLOOR
 PLANS



NORTH
 1
 A8.2 ENLARGED FLOOR PLAN
 SCALE: 1/4" = 1'-0" SEE A1.1 FOR EXTERIOR DIMENSIONS

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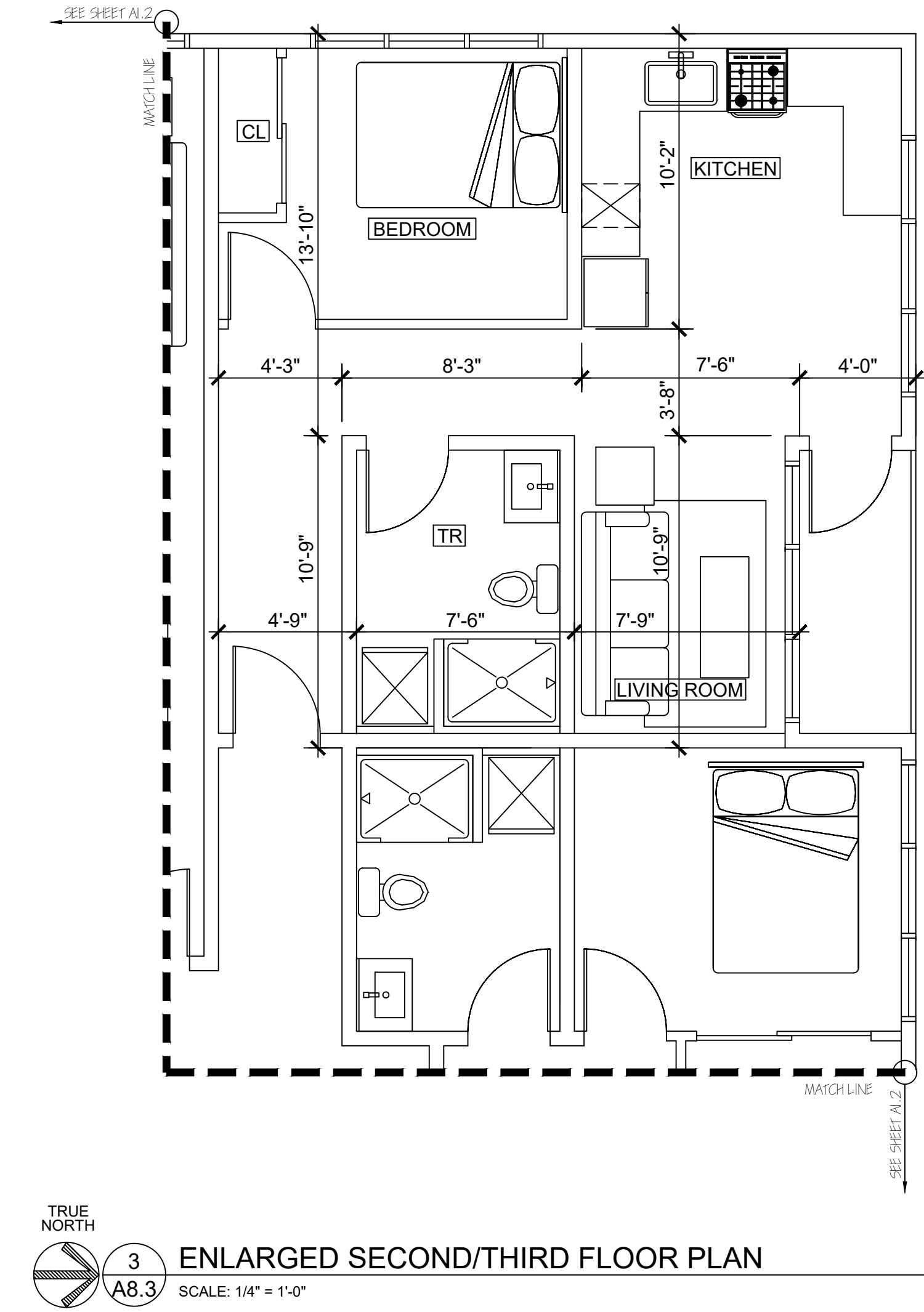
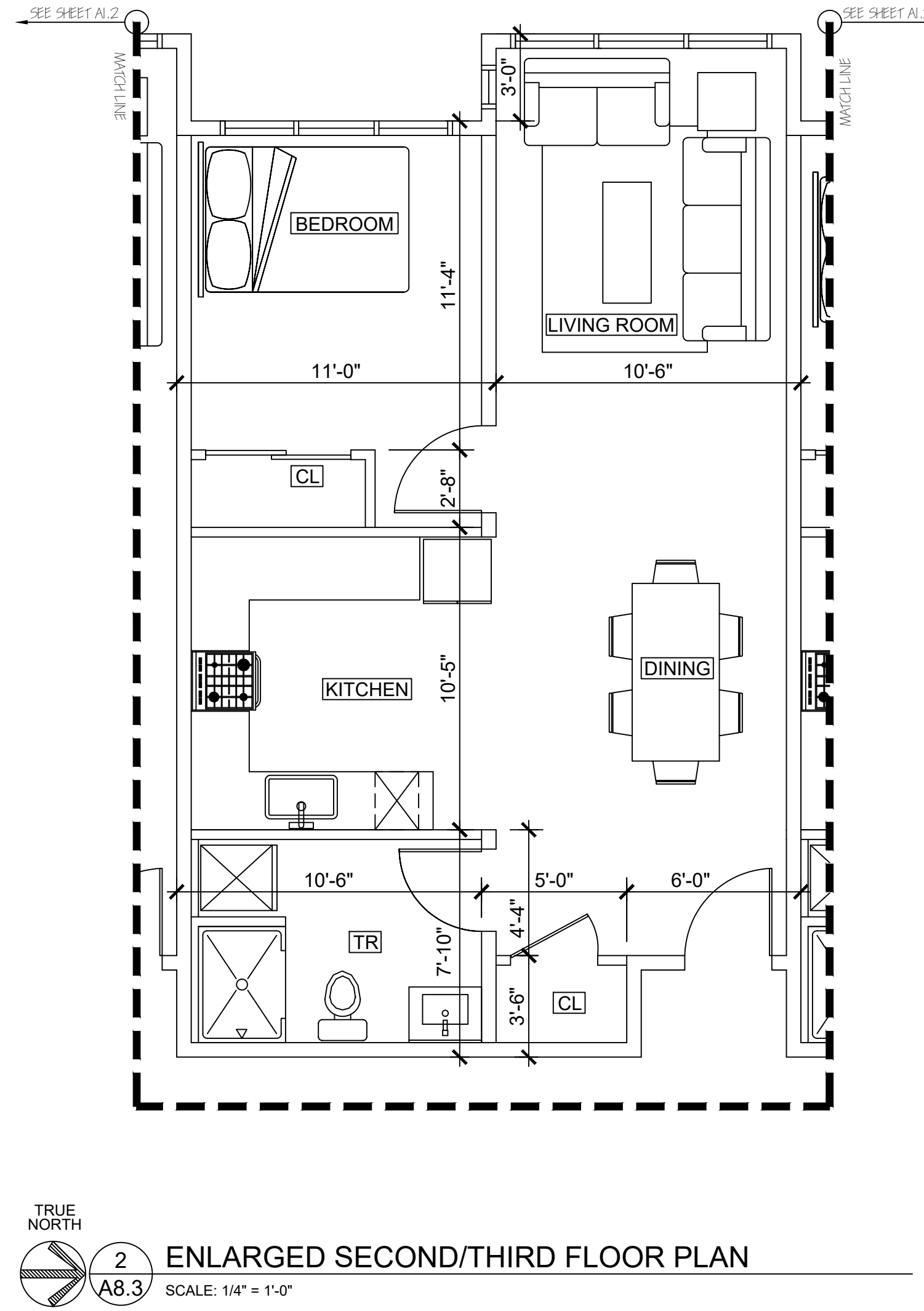
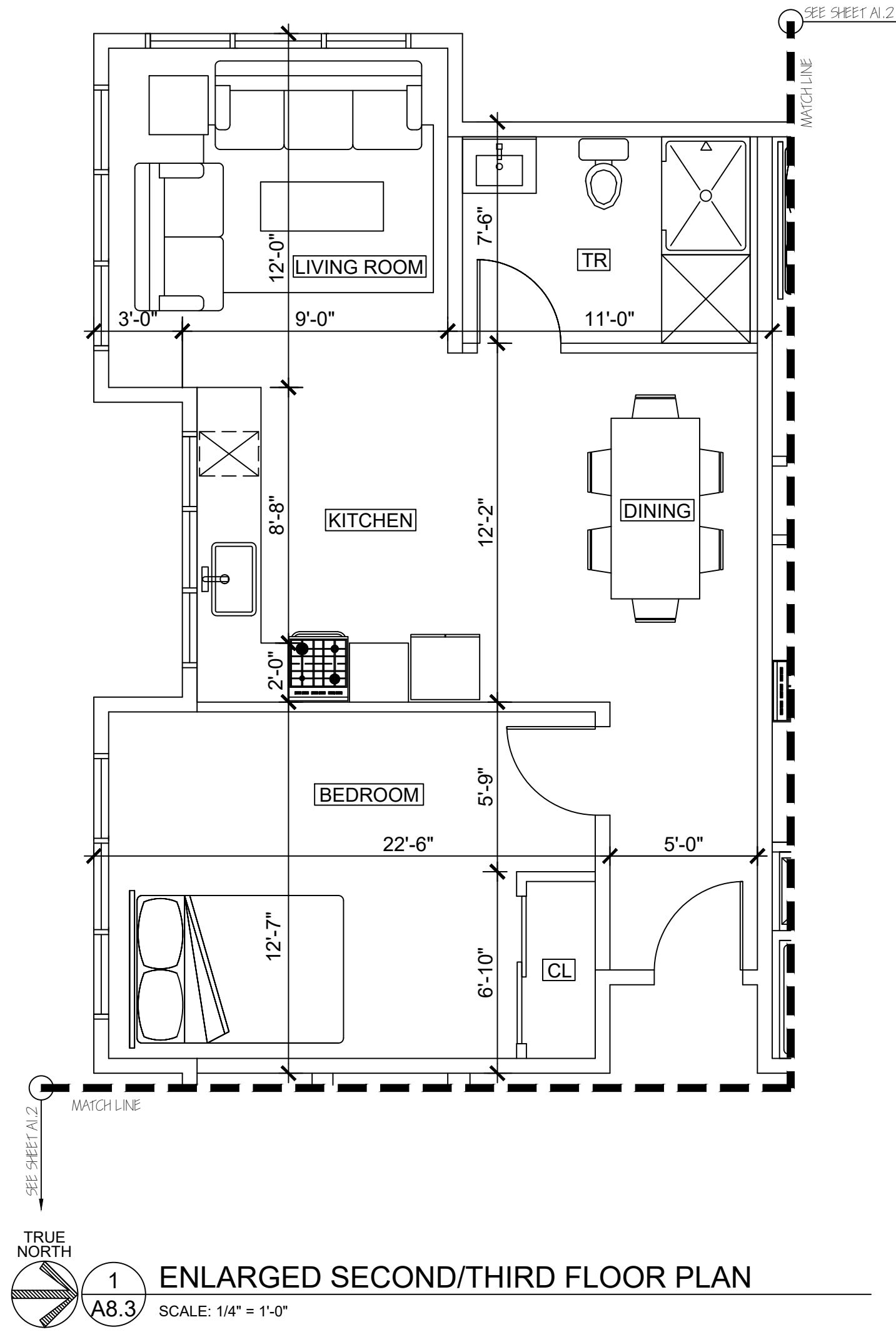
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BUILDING PERMIT:
 SHEET NO.
A8.2
 ENLARGED FIRST FLOOR
 PLANS



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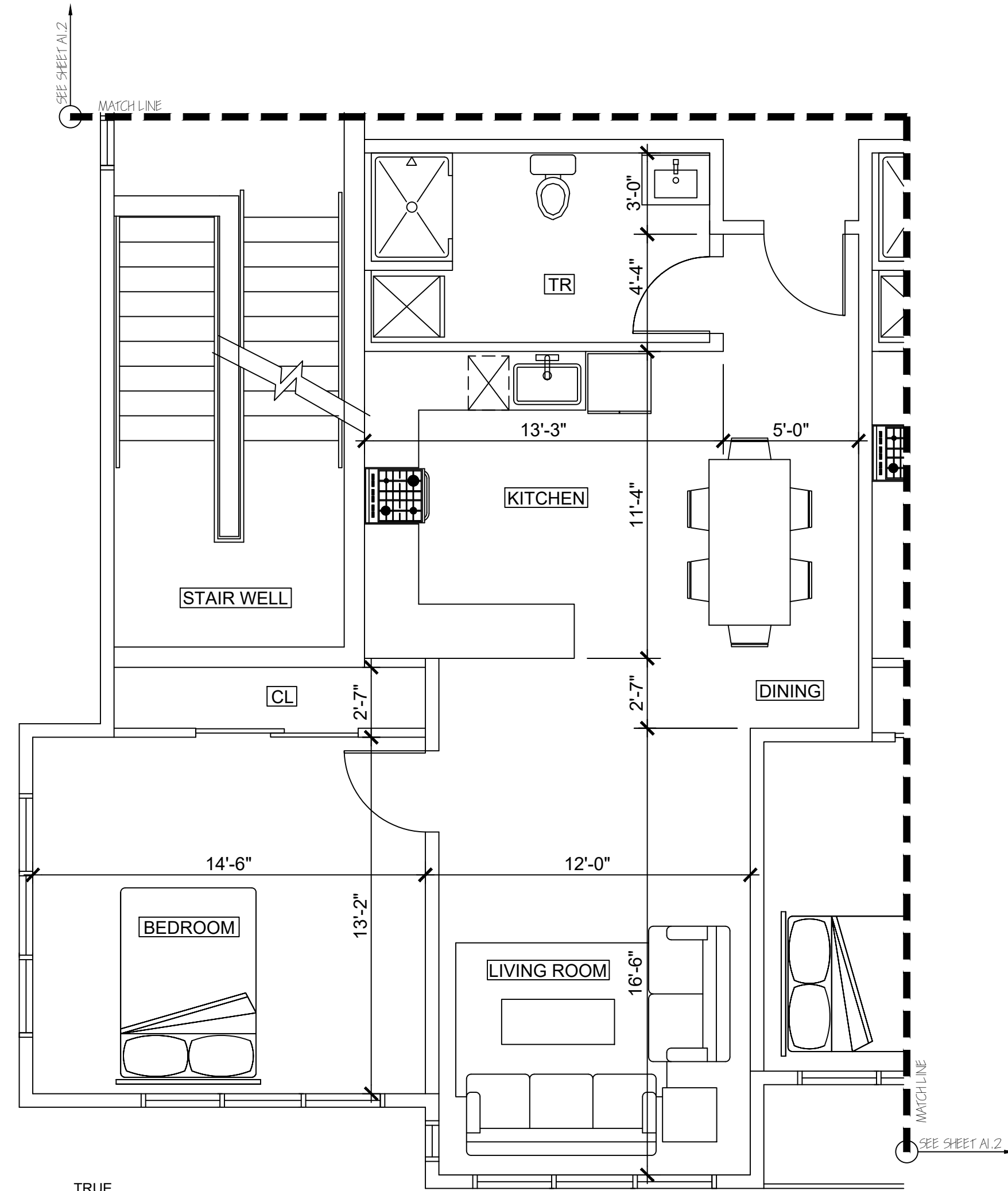
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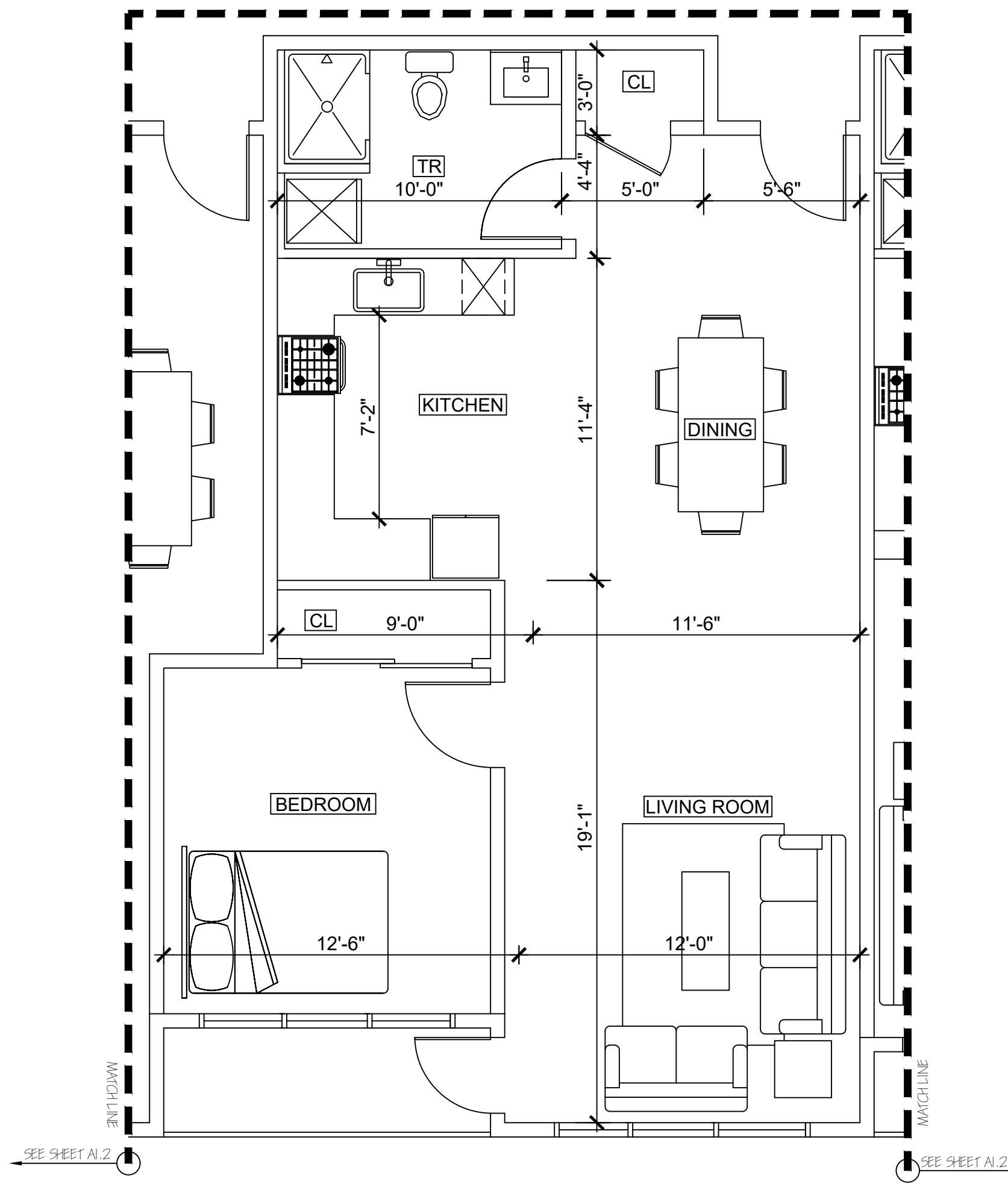
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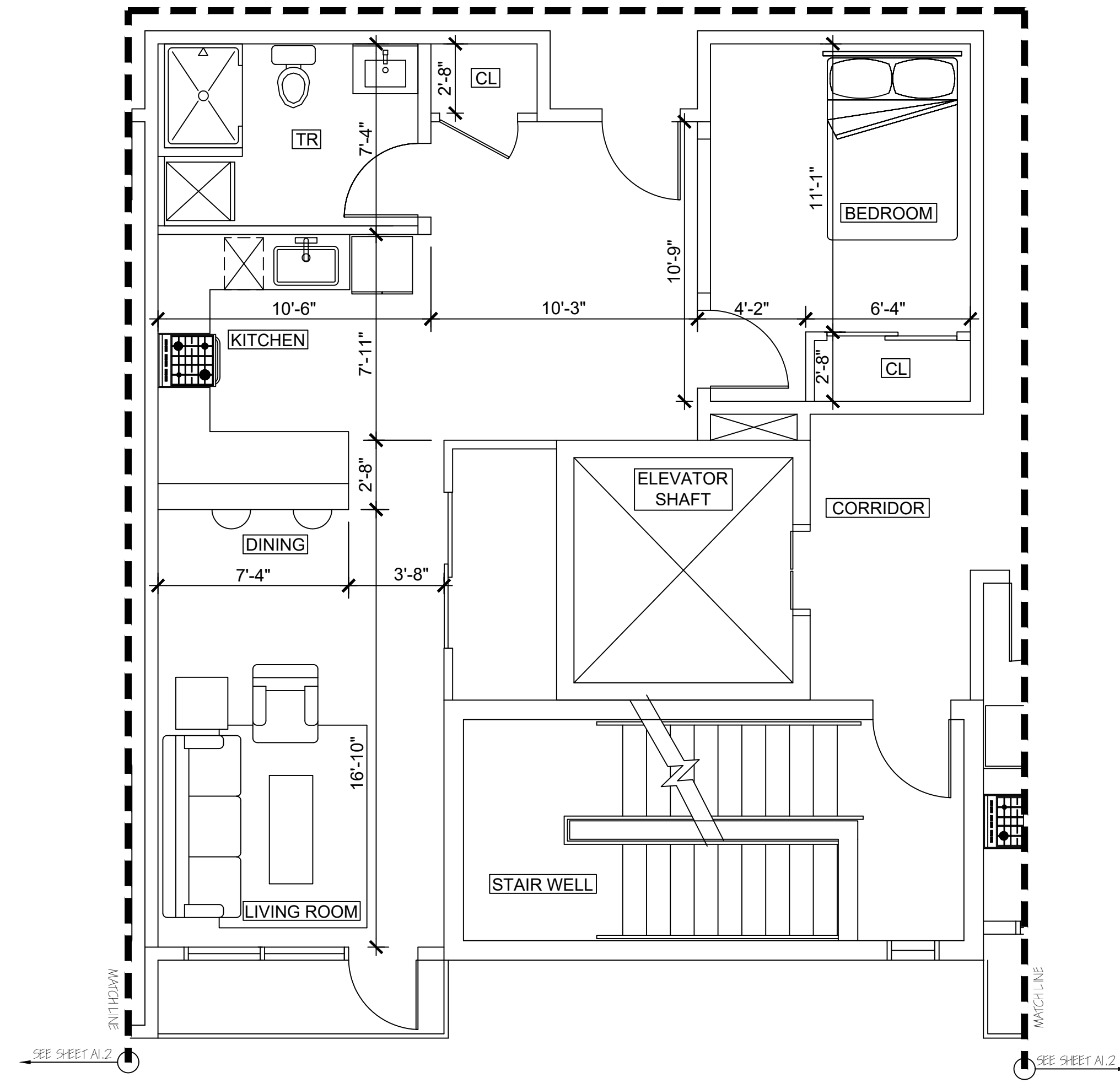
BUILDING PERMIT:
SHEET NO.
A8.3
ENLARGED SECOND/THIRD
FLOOR PLANS



TRUE NORTH
 1
 A8.4 ENLARGED SECOND/THIRD FLOOR PLAN
 SCALE: 1/4" = 1'-0"



TRUE NORTH
 2
 A8.4 ENLARGED SECOND/THIRD FLOOR PLAN
 SCALE: 1/4" = 1'-0"



TRUE NORTH
 3
 A8.4 ENLARGED SECOND/THIRD FLOOR PLAN
 SCALE: 1/4" = 1'-0"

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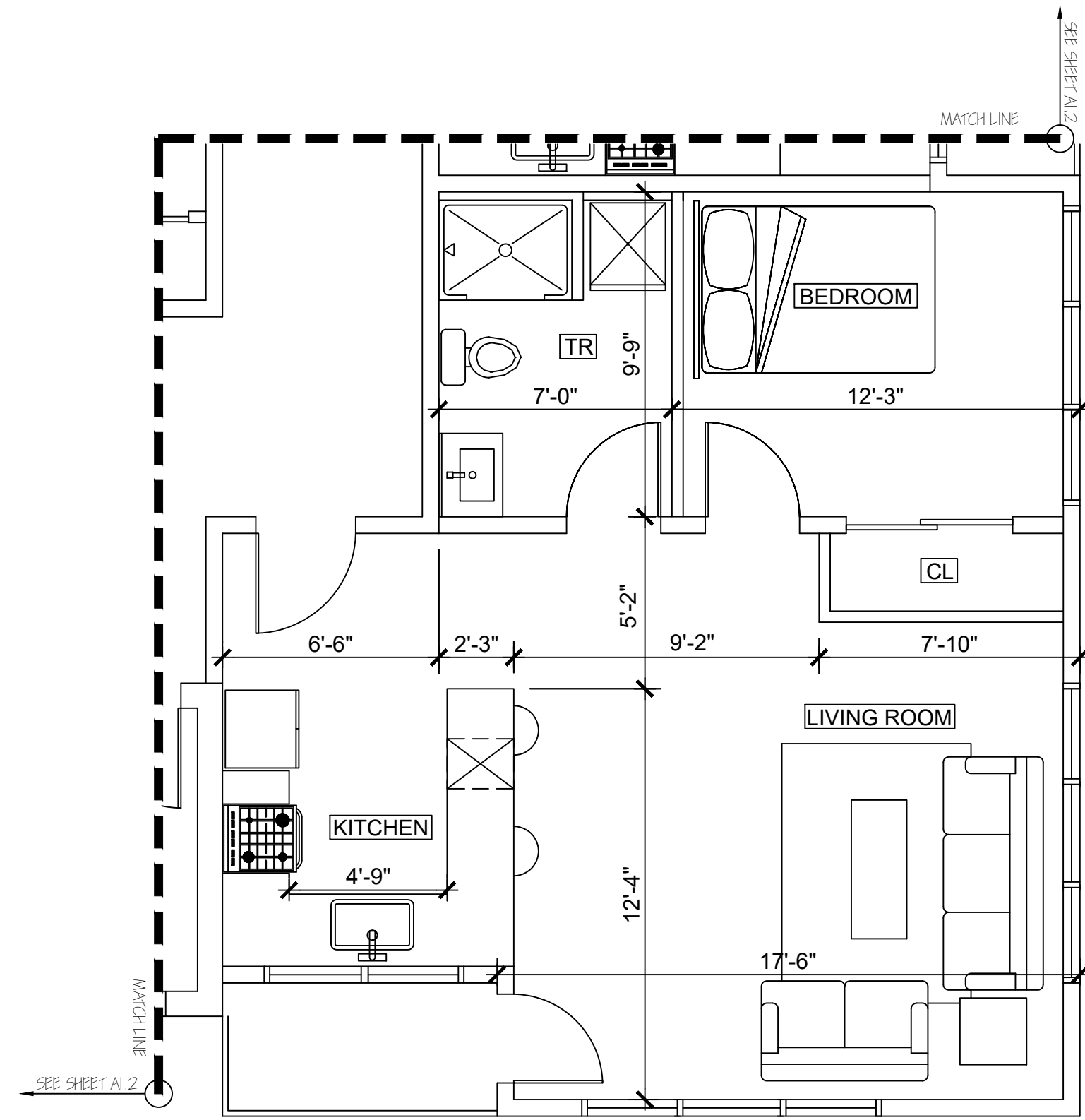
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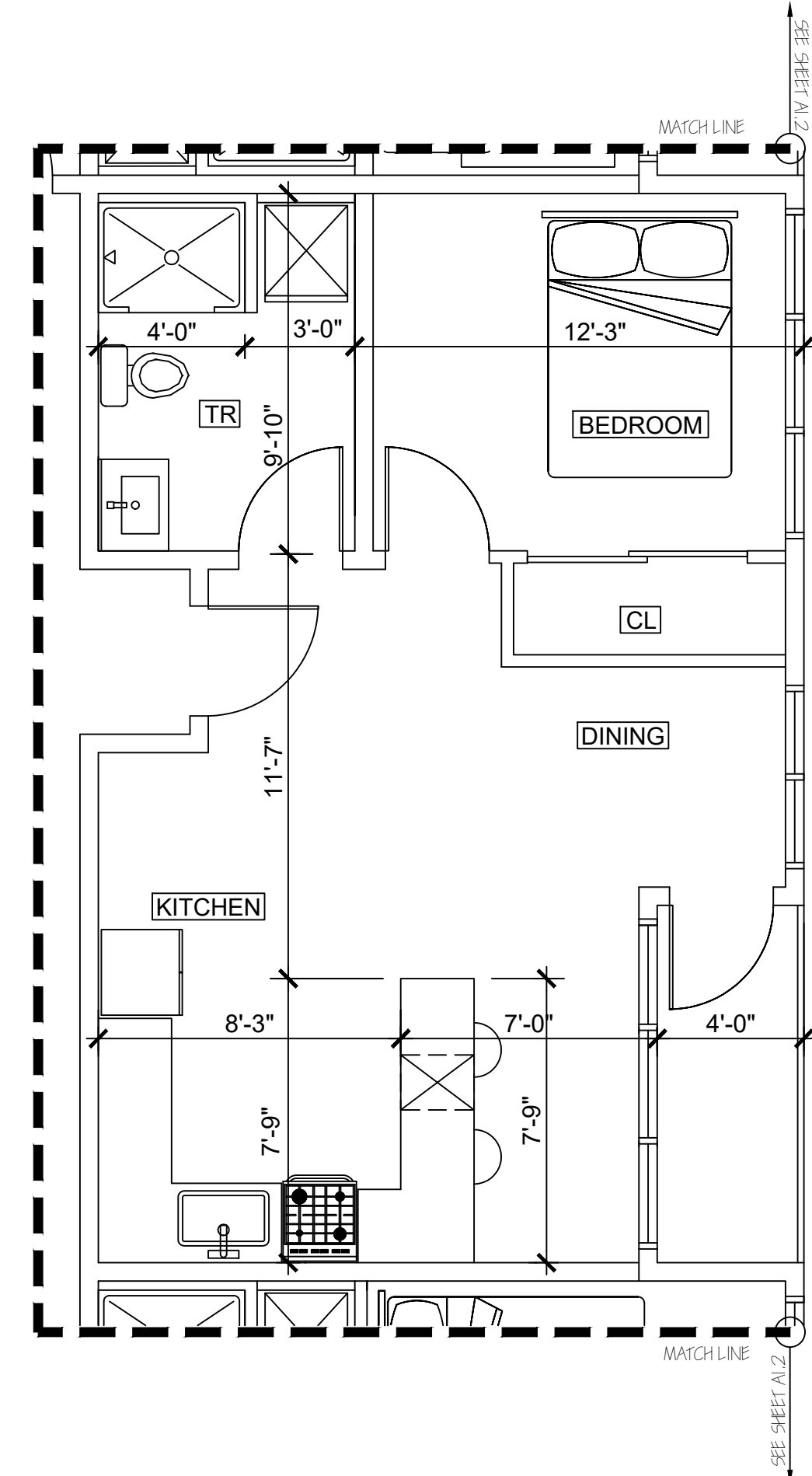
BUILDING PERMIT:
 SHEET NO.
A8.4
 ENLARGED SECOND/THIRD
 FLOOR PLANS



1
A8.5

ENLARGED SECOND/THIRD FLOOR PLAN

SCALE: 1/4" = 1'-0"



2
A8.5

ENLARGED SECOND/THIRD FLOOR PLAN

SCALE: 1/4" = 1'-0"

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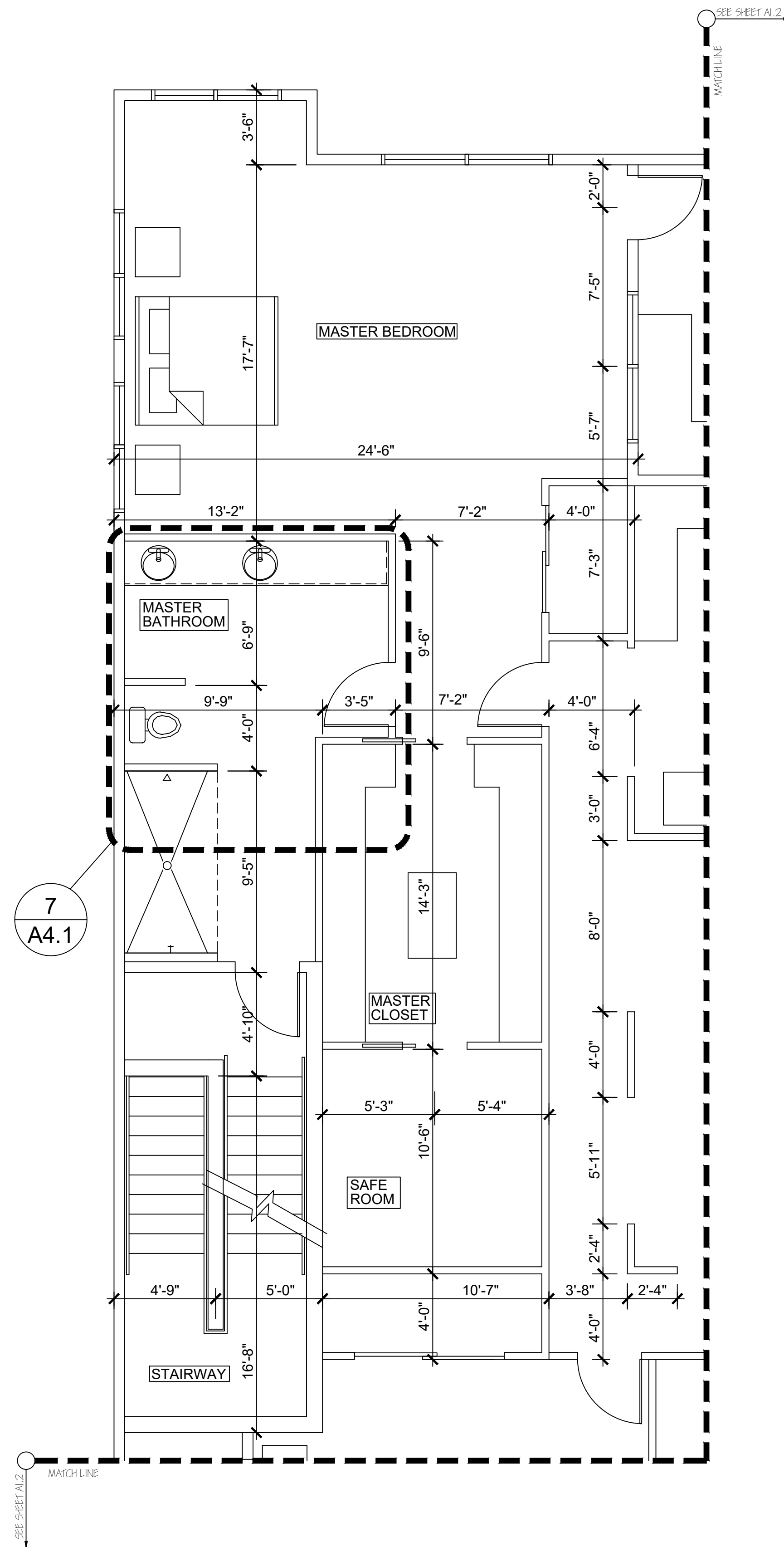
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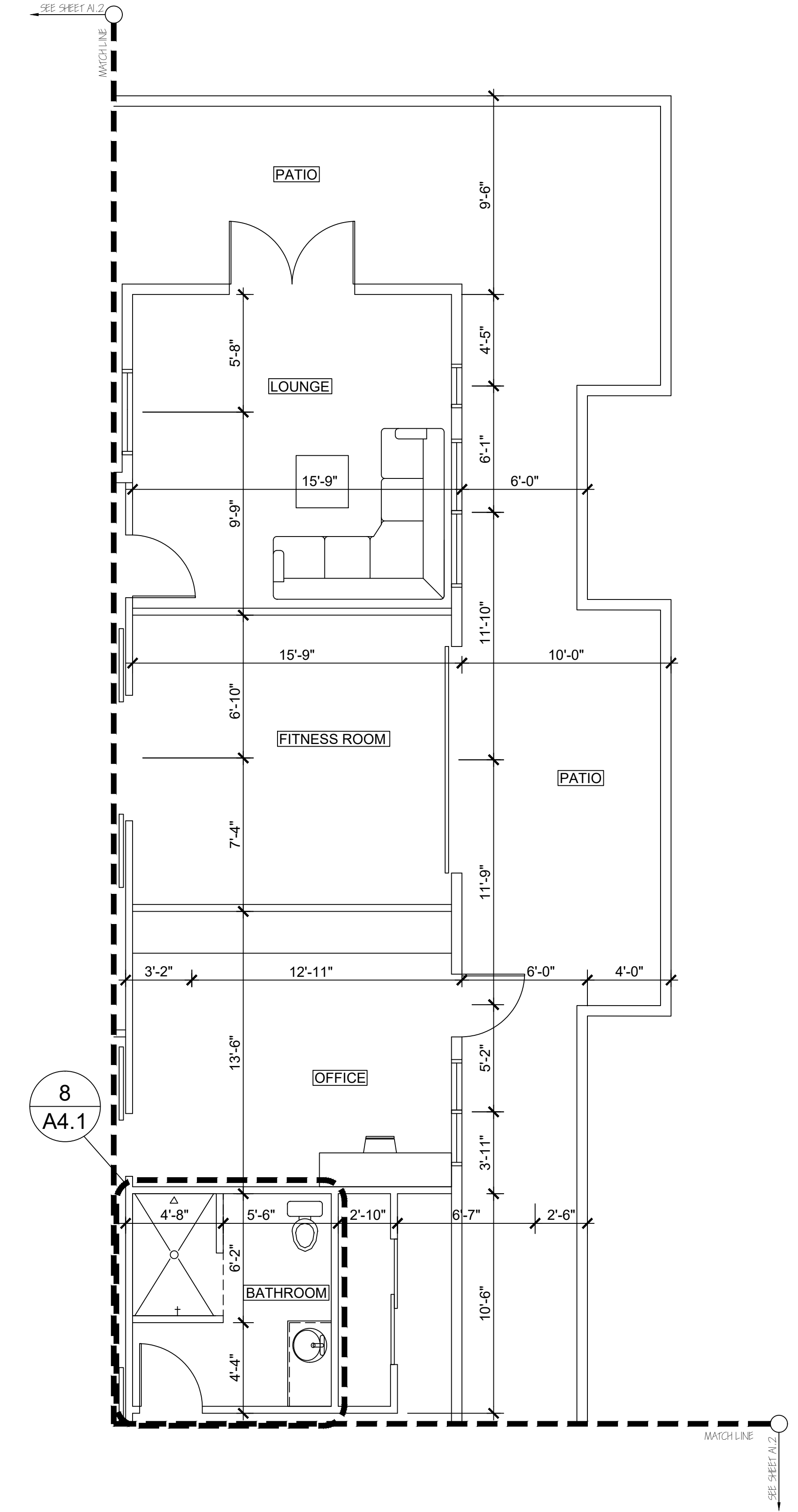
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SHEET NO.
A8.5
ENLARGED SECOND/THIRD
FLOOR PLANS



TRUE NORTH
 1 ENLARGED FOURTH FLOOR PLAN - PENTHOUSE
 A8.6 SCALE: 1/4" = 1'-0"



TRUE NORTH
 2 ENLARGED FOURTH FLOOR PLAN - PENTHOUSE
 A8.6 SCALE: 1/4" = 1'-0"

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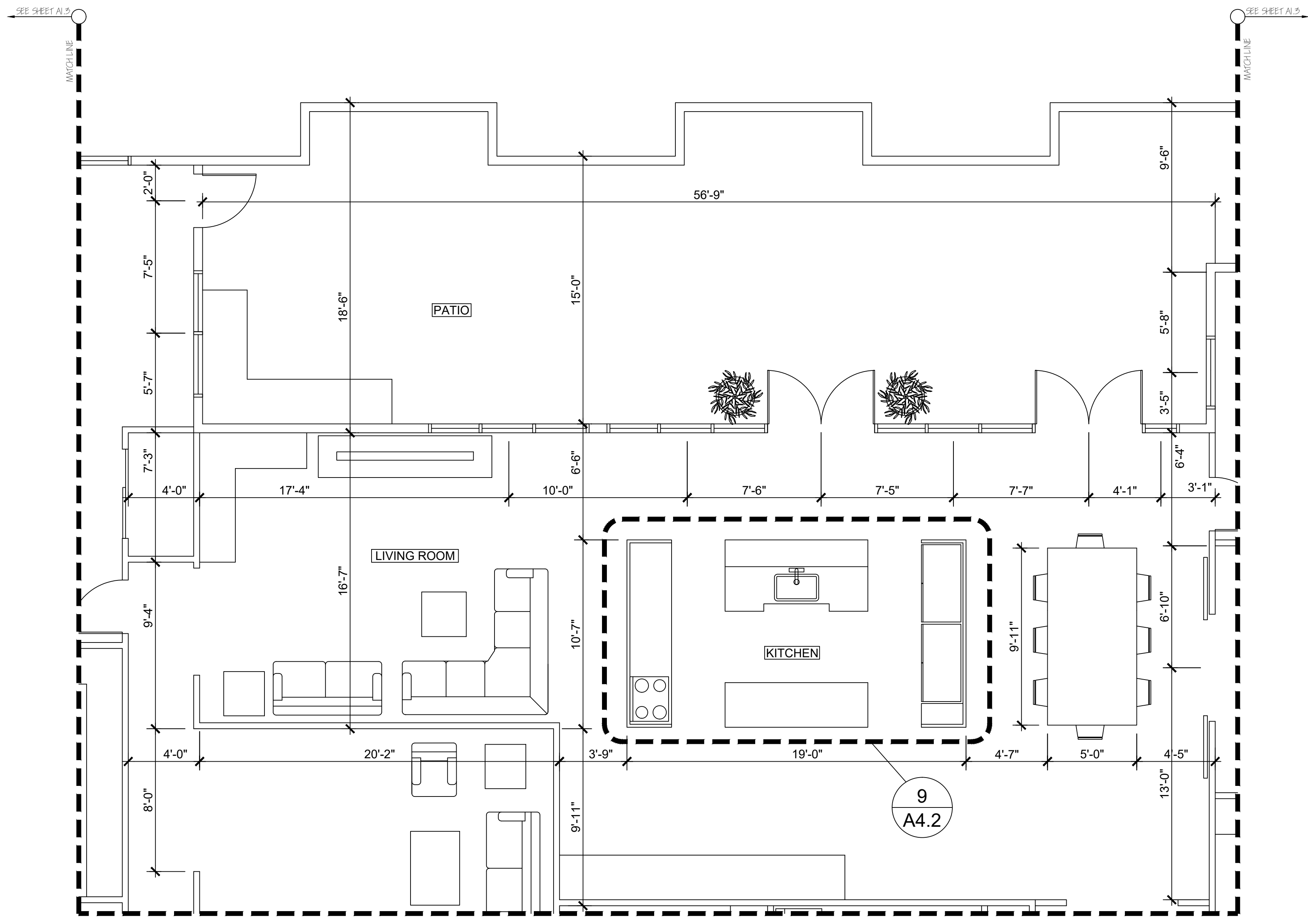
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BUILDING PERMIT:
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A8.6
 ENLARGED PENTHOUSE -
 FOURTH FLOOR PLANS



TRUE NORTH
 1
 A8.7 ENLARGED FOURTH FLOOR PLAN - PENTHOUSE
 SCALE: 1/4" = 1'-0"

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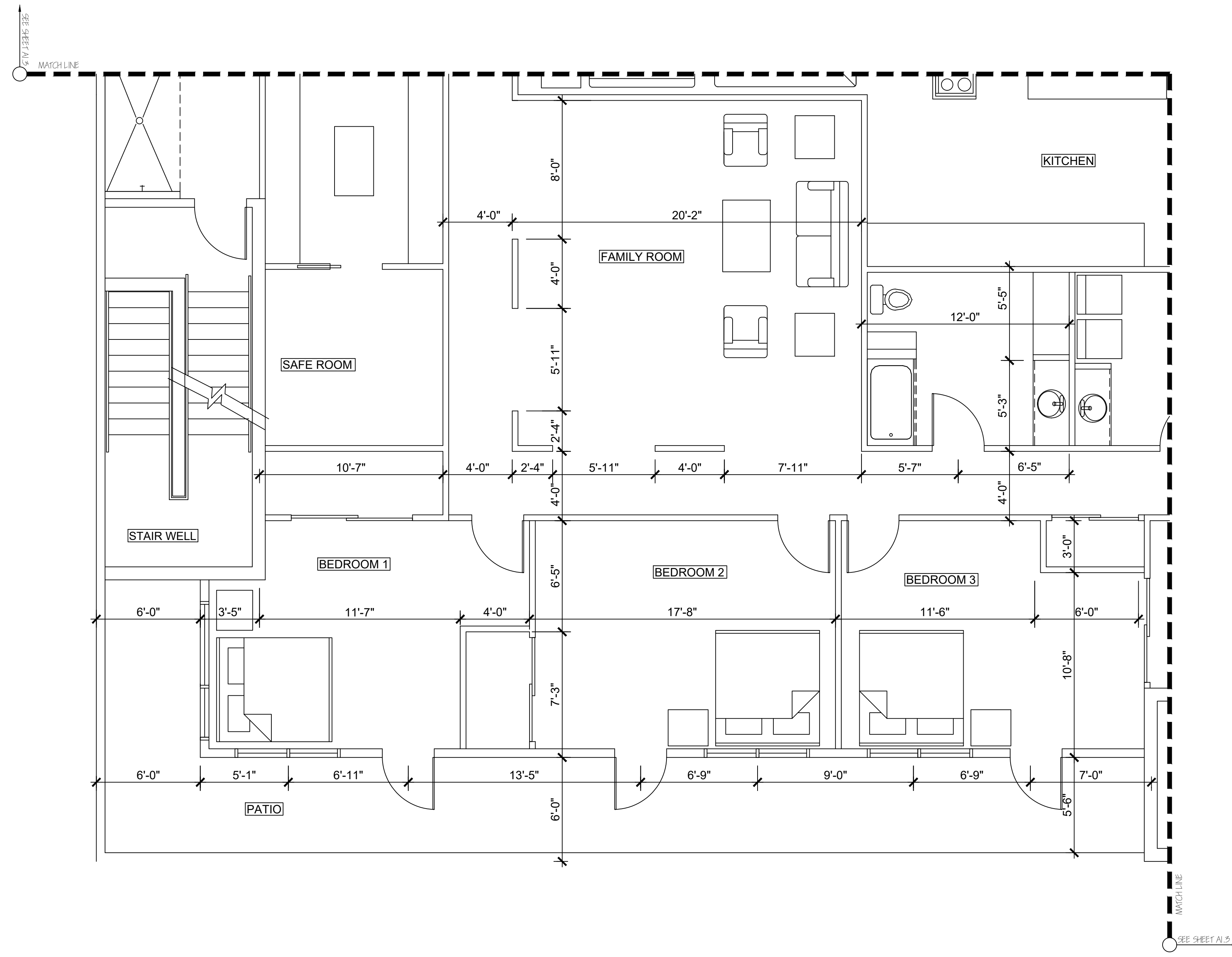
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BUILDING PERMIT:
 SHEET NO.
A8.7
 ENLARGED PENTHOUSE -
 FOURTH FLOOR PLANS



TRUE NORTH
 1
 A8.8
 ENLARGED FOURTH FLOOR PLAN - PENTHOUSE
 SCALE: 1/4" = 1'-0"

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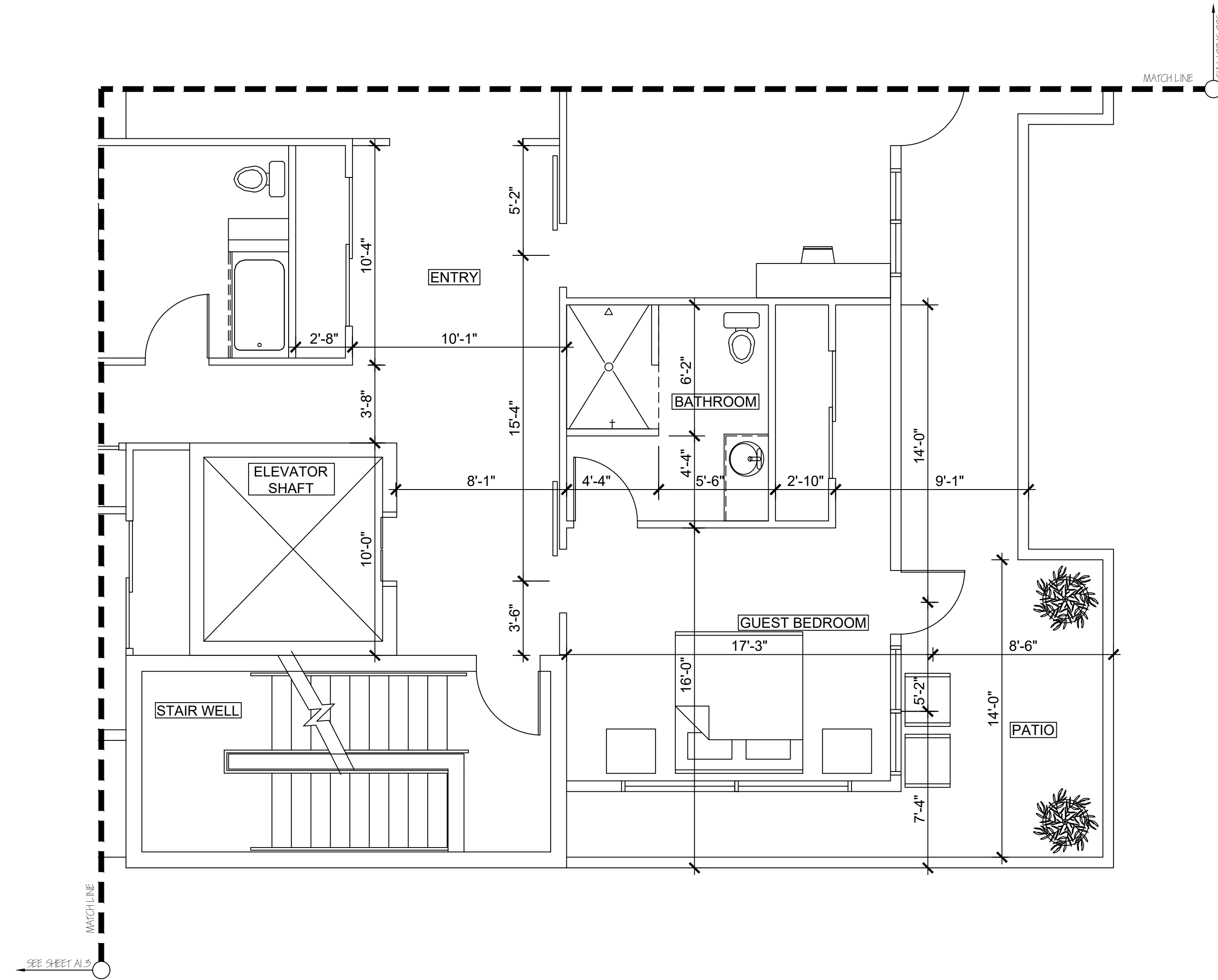
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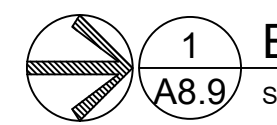
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BUILDING PERMIT:
 SHEET NO.
A8.8
 ENLARGED PENTHOUSE -
 FOURTH FLOOR PLANS



TRUE NORTH



1 ENLARGED FOURTH FLOOR PLAN - PENTHOUSE

SCALE: 1/4" = 1'-0"

SEE SHEET A8.8

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BUILDING PERMIT:
SHEET NO.
A8.9
ENLARGED PENTHOUSE -
FOURTH FLOOR PLANS