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Preapplication Conference Report

Project ID: 20-006PA

This report is provided as a follow-up to the meeting that was held on 8/27/2020 at 10:00 AM

The Milwaukie Municipal Code is available here: www.qcode.us/codes/milwaukie/

APPLICANT AND PROJECT INFORMATION

Applicant:	Kurt Schultz	Applicant Role: Architect
Applicant Address:	338 SW 5 th Ave, Portland, OR 97209	
Company:	SERA Architects	
Project Name:	Kellogg Bowl redevelopment	
Project Address:	10306 SE Main St	Zone: Downtown Mixed Use (DMU)
Project Description:	Redevelop the site to establish a six-story multifamily building with approximately 150 units	
Current Use:	Bowling alley	
Applicants Present:	Kurt Schultz (SERA Architects); Chris Goodell (AKS); Scott Melton and Kathryn Joseph (Pahlisch Development)	
Staff Present:	Brett Kelter, Associate Planner; Steve Adams, City Engineer; Leila Aman, Community Development Director; Matt Amos (Clackamas Fire District #1); Kate Hawkins and Avi Tayar (ODOT)	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	In the Downtown Mixed Use (DMU) zone, multifamily residential housing is an outright permitted use, as per Milwaukie Municipal Code (MMC) Table 19.304.2. For properties with frontage on Main Street, ground-floor residential is permitted only on the blocks north of Scott Street (including the subject property). As per MMC Subsection 19.304.3, there are no other use limitations or restrictions for the proposed development. A small portion of the site (NE corner) is currently zoned Residential R-5, which does not allow multifamily development or its associated off-street parking as a permitted use. For the proposed development, the zoning map would have to be amended to change the R-5 designation to DMU.
<input checked="" type="checkbox"/>	Dimensional Standards	The basic development standards for the DMU zone are provided in MMC Subsection 19.304.4, with additional detailed development standards provided in MMC Subsection 19.304.5.

		<p>The minimum Floor Area Ratio (FAR) is not applicable to residential-only projects like the one proposed, as stand-alone residential densities are controlled by minimum density requirements (30 units per acre); maximum FAR is 4:1.</p> <p>The base maximum height is 4 stories or 55 ft (whichever is less), with a one-story height bonus available for devoting at least one story or 25% of gross floor area to residential use and another one-story height bonus available for green building certification.</p> <p>The site is not on a block with a first-floor build-to line requirement, but the maximum building setback is 10 ft (MMC Subsection 19.304.5.D.2.b(2)). A variance may be necessary to address this standard.</p> <p>For that portion of the site with frontage on Main Street, a minimum of 50% of the frontage must be occupied by a building or buildings. The NE corner of the site also has some frontage on 23rd Avenue, and MMC Subsection 19.304.5.E.2.c allows the 50% frontage occupancy requirement to be met along one or the other frontage. As proposed, it appears the project would need to request a variance from this standard, or else revise the plans to provide a building(s) along a minimum of 50% of one frontage or another.</p> <p>At least one primary entrance must be oriented to face an abutting street (Main Street or 23rd Avenue). The applicant may elect to apply for a variance from this standard as well.</p> <p>Off-street parking is required for residential uses at the ratios established in MMC Table 19.605.1. Parking requirements are addressed in more detail below.</p> <p>As per MMC Subsection 19.304.5.H.2, where a building is set back from the sidewalk, at least 50% of the setback area must provide usable open space such as a plaza or pedestrian amenities.</p> <p>As per MMC Subsection 19.304.5.I, transition measures apply to those portions of a building within 50 ft of the adjacent R-5 zone to the east. Those measures include providing a step back of at least 6 ft for any portion of the building over 35 ft and precluding use of any height bonus.</p>
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Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed	<p>As proposed, the project would require the following applications:</p> <ul style="list-style-type: none"> • Zoning Map Amendment (<u>Note:</u> Because the subject property has a Town Center (TC) land use designation in the City's Comprehensive Plan, an amendment to the Comprehensive Plan Map is not necessary.) • Downtown Design Review • Transportation Facilities Review • Variance (if needed) • Parking Modification (if needed)
<input checked="" type="checkbox"/>	Review Type	<ul style="list-style-type: none"> • Zoning Map Amendment = Type III • Downtown Design Review = Type I, II, or III • Transportation Facilities Review = Type II • Variance = Type III • Parking Modification = Type II
<input checked="" type="checkbox"/>	Fees	<ul style="list-style-type: none"> • Type III application = \$2,000 • Type II = \$1,000 • Type I = \$200 <p><u>Note:</u> For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one. Also, up to three (3) variance requests may be included in one variance application; additional variance requests would need a second variance application and fee.</p>
<input checked="" type="checkbox"/>	Application Process	<p>The applicant should submit a complete electronic copy of all application materials for the City's initial review. Due to the COVID pandemic, hard copies of materials are not currently desired. A determination of the application's completeness will be issued within 30 days.</p>

		<p>Once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. As long as measures remain in place to address the COVID pandemic, the public hearing will be conducted online. Public notice will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will prepare a report with analysis of the proposal and a recommendation for decision that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p>
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Overlay Zones (MMC 19.400)

<input type="checkbox"/>	Willamette Greenway	
<input checked="" type="checkbox"/>	Natural Resources	<p>On the City's current Natural Resources Administrative Map, a small portion of the existing off-street parking and maneuvering area on the site (including the public right-of-way on 23rd Avenue) appears to be within 50 ft of a protected water feature and may meet the definition of a Water Quality Resource (WQR). MMC Subsection 19.402.4 establishes activities that are exempt from the natural resource regulations, including any activity in a public right-of-way as well as alterations or replacement of existing parking improvements.</p> <p>It appears that the proposed development would be exempt from review against the natural resource regulations established in MMC Section 19.402.</p>
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	

Site Improvements/Site Context

<input checked="" type="checkbox"/>	Landscaping Requirements	<p>The landscaping requirements depend on whether the applicant elects to utilize the multifamily design standards/guidelines established in MMC Subsection 19.505.3 or the downtown design standards of MMC Section 19.508.</p> <p>With the multifamily option, the standards include the following: one tree planted or preserved for every 2,000 sq ft of site area; trees planted to provide canopy coverage (within five years) of at least one-third of any common open space; sight-obscuring screening (minimum 6-ft height) along the boundary adjacent to the R-5 zone; for projects with more than 20 units, an irrigation system that minimizes water use and highly reflective paving materials (minimum solar reflective index of at least 29) on at least 25% of hardscape surfaces.</p> <p>Alternately, the applicant could choose to address the multifamily guideline for landscaping, which includes landscaping to provide a canopy for open spaces and courtyards and a buffer from adjacent properties; water-conservation strategies for landscaping; and shading of hardscapes.</p> <p>If the applicant opts to address the downtown design standards of MMC 19.508, the primary standard related to landscaping is the requirement to provide a minimum of 50 sq ft of private or common open space per dwelling unit (MMC Subsection 19.508.4.G). Common open space may take the form of decks, shared patios, roof gardens, recreation rooms, lobbies, or other gathering spaces. With the exception of roof decks or gardens, common open space must be abutted on at least two sides by residential units or by nonresidential uses with windows and entrances fronting on the open space. Private open space may take the form of a porch, deck, balcony, patio, terrace, or other private outdoor area. The private open space provided must be contiguous with the unit.</p>
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<input checked="" type="checkbox"/>	<p>Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)</p>	<p>MMC Subsection 19.504.9 establishes standards for on-site pedestrian walkways, but they would only apply directly to this project if the applicant elects not to address the standards/guidelines provided in MMC Subsection 19.505.3 for multifamily projects. MMC 19.504.9 requires walkways to link the site with the public sidewalk system as well as between parts of a site where the public is invited to walk. Walkways must be constructed with a hard surface material, permeable for stormwater, no less than 5 ft in width, and lighted to a minimum average of 0.5 footcandles.</p> <p>MMC Section 19.609 establishes general standards for bicycle parking. For multifamily development, a minimum of 1 space per unit is required, and a minimum of 50% of the spaces must be covered and/or enclosed (in lockers or a secure room). Bike parking spaces must be at least 2 ft wide and 6 ft deep, with a 5-ft-wide access aisle, with 7 ft of overhead clearance for covered spaces. Bike racks must be securely anchored and designed to allow the frame and one wheel to be locked to the rack with a U-shaped shackle lock.</p> <p>If the applicant opts to address the multifamily standards of MMC 19.505.3, note that those standards for pedestrian circulation are essentially the same as those established in MMC 19.504.9. For bicycle parking, there are specific standards for the required covered parking, including that the entrance to the parking area be secured and accessible for residents only, have minimum stall dimensions of 2.5 ft by 6.5 ft, illuminated at least to a 1.0-footcandle level, and located 30 ft or less from the main entrance to the dwelling structure.</p> <p>If the applicant chooses to address the multifamily design guidelines, the pedestrian circulation should provide safe, direct, and usable pedestrian facilities and connections throughout the development. The bicycle parking should be secure, sheltered, and conveniently located.</p>
<input checked="" type="checkbox"/>	<p>Connectivity to surrounding properties</p>	<p>As per the Engineering notes for Chapter 19.700 below, an opportunity exists to provide pedestrian and bicycle connectivity from the development to Scott Park and Ledding Library in an easement to meet goals of the City's Transportation System Plan (TSP) and Public Area Requirements (PAR) for downtown. The site design should address the possibility of a bike-ped connection from the south and indicate how the proposed layout would not preclude such a connection.</p> <p>Note that, although the site does have frontage on the narrow public right-of-way on 23rd Avenue to the east, the street is essentially a dead-end local street serving a moderate-density residential area. The City has no plans to significantly widen the section of 23rd Avenue adjacent to the subject property and does not envision it being used as an accessway for anything other than pedestrians, bicycles, and emergency vehicles.</p>
<input type="checkbox"/>	<p>Circulation</p>	
<input checked="" type="checkbox"/>	<p>Building Design Standards (MMC 19.505)</p>	<p>Reference has already been made to the multifamily design standards and guidelines established in MMC Subsection 19.505.3. As noted earlier, the applicant has the option of choosing to address the multifamily standards or guidelines instead of the downtown design standards of MMC Section 19.508.</p>

<input checked="" type="checkbox"/>	Downtown Design Standards (MMC 19.508)	<p>Design standards for downtown development are established in MMC Section 19.508. For the proposed residential-only multifamily development, the applicant may elect to address the standards or guidelines for multifamily design provided in MMC Subsection 19.505.3; or the applicant may choose to address the downtown design standards of MMC 19.508 and/or the downtown design guidelines (provided in a separate document incorporated into the zoning code by reference).</p> <p>The downtown design standards cover seven elements: building façade details, corners, weather protection, exterior building materials, windows and doors, roofs and rooftop equipment, and open space/plazas. If the applicant elects to address these design elements (instead of the multifamily elements) and cannot meet all of the standards for a particular element, the applicant must then address the purpose statement of that design standard(s) as well as any relevant downtown design guidelines (which are established in a separate document).</p>
Off-Street Parking Standards (MMC 19.600)		
<input type="checkbox"/>	Residential Off-Street Parking Requirements	
<input checked="" type="checkbox"/>	Multifamily/Commercial Parking Requirements	<p>The minimum required parking ratios for multifamily development are based on the size of units being provided. For units with 800 sq ft of floor area or less, a minimum of one space per unit is required; for units over 800 sq ft in floor area, a minimum of 1.25 spaces per unit are required. Regardless of unit size, no more than two spaces per unit are allowed without a parking modification (Type II review).</p> <p>MMC Section 19.606 establishes standards for parking stall and drive aisle dimension, landscaping, and other elements such as wheel stops, pedestrian access, internal circulation, and lighting.</p> <p>As per MMC Subsection 19.304.5.G, off-street parking is not allowed within 50 ft of the Main Street right-of-way except through a Type III variance request. The applicant would have to demonstrate that the overall project meets the intent of providing a continuous façade of buildings close to Main Street, that the off-street parking area is visually screened from view from Main Street, and that the community need for the proposed parking within 50 ft of Main Street outweighs the need to provide a continuous façade of buildings in that area. Staff suggests that, if the applicant chooses to apply for a variance from this standard, the connection to Main Street should be designed as if it were a street, with parallel parking instead of perpendicular parking spaces, with sidewalks and street trees.</p>
Approval Criteria		
<input checked="" type="checkbox"/>	Zoning Map Amendment (MMC 19.902)	<p>MMC Subsection 19.902.6.B establishes the approval criteria for zoning map amendments, including consideration of compatibility, demonstrated need, the availability of suitable alternative areas, adequate public facilities, consistency of the functional classification and capacity of the transportation system, and consistency with the City's Comprehensive Plan, the Metro Urban Growth Management Functional Plan and policies, and relevant State statutes and administrative rules.</p>
<input checked="" type="checkbox"/>	Downtown Design Review (MMC 19.907)	<p>MMC Subsection 19.907.5 establishes the approval criteria for downtown design review, which essentially serves as development review for projects proposed in downtown zones. Although the level of review depends on the applicant's choice, the approval criteria for each level are essentially the same: compliance with all other applicable standards throughout the zoning code (MMC Title 19) and with the applicable downtown design standards of MMC Section 19.508 as well as the applicable downtown design guidelines as necessary.</p> <p>If the applicant chooses to address the multifamily design elements of MMC 19.505.3, then those standards or guidelines would replace the design elements of MMC 19.508 as approval criteria.</p>

<input checked="" type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	MMC Subsection 19.703.3 establishes the approval criteria for transportation facilities review, including compliance with the procedures, requirements, and standards of MMC Chapter 19.700 and the Public Works Standards; provision of transportation improvements and mitigation in rough proportion to potential impacts; and compliance with the City's basic safety and functionality standards (e.g., street drainage, safe access and clear vision, public utilities, frontage improvements, level of service).
<input checked="" type="checkbox"/>	Variance (MMC 19.911)	<p>MMC Subsection 19.911.4.B establishes the approval criteria for Type III variances, which is the type of variance that would be needed if the applicant opts to adjust some of the standards noted above in this report. (Type II variances are limited to very specific numerical adjustments for a short list of particular standards.) There are two sets of criteria, one for general discretionary relief and one for economic hardship.</p> <p>The discretionary relief track is the more commonly chosen one, as it is usually difficult to show that unusual site characteristics preclude any reasonable economic use of the property. The discretionary relief criteria include the requirement to provide an alternatives analysis of, at a minimum, the impacts and benefits of the proposed variance as compared to the baseline code requirements. In addition, the applicant must show that the proposed variance is reasonable and appropriate and that it meets at least one of three sub-criteria (avoid or minimize impacts to surrounding properties, have desirable public benefits, or respond to the existing built or natural environment in a creative or sensitive manner). Finally, the applicant must show that impacts from the proposed variance will be mitigated to the extent practicable.</p> <p>Up to three distinct variance requests may be included in a single variance application (a fourth would require a separate variance application), but the applicant must address the approval criteria for each individual variance separately.</p>
<input checked="" type="checkbox"/>	Parking Modification (MMC 19.605.2)	MMC Subsection 19.605.2.C establishes the approval criteria for parking modifications. The applicant must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar uses in other locations, parking requirements for a similar use in other jurisdictions, and professional literature about the parking demand of the proposed use. Furthermore, depending on the nature of the proposed modification (decreasing the minimum or increasing the maximum), Subsections C-2 and C-3, respectively, provide additional approval criteria.
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	No boundary change or land division has been proposed.
<input type="checkbox"/>	Preliminary Plat Requirements	
<input type="checkbox"/>	Final Plat Requirements (See Engineering Section of this Report)	
Sign Code Compliance (MMC Title 14)		
<input checked="" type="checkbox"/>	Sign Requirements	Although no signage has been proposed at this point, note that MMC Section 14.16.060 provides the standards and limitations for signage proposed in downtown zones like the underlying DMU zone. Specific standards for sign lighting (including electronic display signs) are provided in MMC Section 14.24.020.
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		

<input checked="" type="checkbox"/>	Historic Milwaukie	<p>Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Historic Milwaukie NDA.</p> <p>Historic Milwaukie NDA Chair Ray Bryan historicmilwaukienda@gmail.com Regular meeting—second Monday, 6:30pm (online)</p>
	Choose an item.	
	Choose an item.	

Other Permits/Registration

<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	

Additional Planning Notes

Note on variances—If the applicant elects to apply for variances from the frontage occupancy and 50-ft parking separation standards, staff suggests that the connection to Main Street should be designed as if it were a street, with parallel parking instead of perpendicular parking spaces and with sidewalks and street trees.

ENGINEERING & PUBLIC WORKS COMMENTS

Public Facility Improvements (MMC 19.700)

<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<p>MMC Section 19.702 establishes the applicability of the public facility improvements regulations of MMC Chapter 19.700, including to new construction and modification and/or expansions of existing structures or uses that produce a projected increase in vehicle trips.</p> <p>The proposed activity would result in a significant change in vehicle trips and does therefore trigger the applicability of MMC 19.700.</p>
<input checked="" type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	<p>As per MMC Subsection 19.703.2, because the proposed development triggers a transportation impact study (TIS), a Transportation Facilities Review (TFR) application is required. The TFR application will be processed and reviewed concurrently with the other required applications discussed in these notes.</p>
<input checked="" type="checkbox"/>	Transportation Impact Evaluation (MMC 19.704)	<p>A TIS is required. A scope for the TIS will be prepared by the Engineering Department and the City's traffic consultant (DKS). Actual costs are charged for both the scope preparation and technical review of the completed TIS; a reserve deposit of \$1,500 will be collected for the scoping and a reserve deposit of \$2,500 will be collected for the technical report review.</p>
<input checked="" type="checkbox"/>	Agency Notification (MMC 19.707)	<p>As per the stipulations of MMC Subsection 19.707.1, the following agencies will receive notification of the proposed development: Oregon Department of Transportation (ODOT), Metro, Clackamas County, and TriMet.</p>
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708) <ol style="list-style-type: none"> 1. General Requirements 2. N/A Subject to PAR 3. Sidewalk Requirements 4. Bicycle Requirements 5. Pedestrian/Bicycle Path Requirements 6. Transit Requirements 	<p>1. All development in downtown zones subject to MMC 19.700 is required to comply with access management standards contained in MMC 12.16, clear vision standards found in 12.24, and downtown streetscape design found in the Public Works Standards.</p> <p>Street layout connectivity and intersection design spacing must comply with standards in this chapter, including extending streets to the boundary lines of developing property where necessary to give access or allow future development of adjoining properties. The adjacent properties and the proposed development gain access from a collector street with access spacing requirements of 300 ft. The proposed development greatly impedes the adjacent properties ability to retain access with the additional trips and accessway location. Extending a public street across taxlot 1S1E25CC00402 would meet the standards</p>

		<p>in this chapter. The standards of this chapter were not clearly met by the materials made available on time of this conference.</p> <p>3. Pedestrian improvements shall be provided on the public street frontage of all development per the requirements of this chapter and goals, objectives, and policies related to Chapter 5 of the Transportation System Plan (TSP) and ADA requirements.</p> <p>4. In the City's Public Area Requirements (PAR) document, the identified bicycle elements adjacent to the development are for a shared travel lane located along Main Street. Any improvements to Main Street should include installation of sharrows or other shared lane markings as deemed appropriate by the City Engineer.</p> <p>5. Opportunity exists to provide pedestrian and bicycle connectivity from the development to Scott Park and Ledding Library in an easement to meet goals of the TSP and PAR. This could connect to the road extension mentioned above, further meeting published goals of a 21st Avenue connection north of Scott Park and the library.</p> <p>6. Transit facilities must be provided in accordance with goals objectives, and policies of chapter 7 of the TSP. Two bus stops already existing within 500 sq ft of adjacent right-of-way of the proposed developments. The bust stops are unsheltered. The applicant should reach out to Trimet to determine if ridership levels require bus shelter or safety improvements.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	Note that an underground public stormwater pipe extends across a portion of the subject property (running southeast to northwest midway across the lot providing access to Main Street). Public utility system upsizing is not expected.
Flood Hazard Area (MMC 18)		
<input checked="" type="checkbox"/>	Development Permit (MMC 18.04.100)	The development parcel is within the 500-yr Flood Hazard Zone but is not within the 100-yr Flood Hazard Zone or Floodway, so a floodplain development permit is not required.
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Specific Standards (MMC 18.04.160)	
<input type="checkbox"/>	Floodways (MMC 18.04.170)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	The proposed development is not within the regulatory City-mapped soil hazard area.
<input checked="" type="checkbox"/>	Erosion Control (MMC 16.28)	An erosion control permit will be required for disturbances over 500 sq ft.
<input checked="" type="checkbox"/>	Tree Cutting (MMC 16.32)	Any tree removal within the public right-of-way or on City-owned land requires a permit.
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	Connection to water mains for service lines 2" and less shall be made by City crews. Excavation and paving shall be the responsibility of the applicant. A utility billing form must be submitted, and fees paid prior to connection. A 6" water main is adjacent to the development lot.
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	All structures with sanitary facilities are required to be connected to the City sanitary sewer system. The sewer system user at all times shall, at their expense, operate and maintain the service lateral and building sewer in a sanitary manner to the collection trunk or interceptor sewer at no expense to the City. Grease interceptors and/or traps shall be provided by the

		food service facility owner to prevent FOG (fats, oil, and grease) from entering the sanitary sewer system.
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	All stormwater shall be managed on site with mitigation facilities designed in accordance with the 2016 Portland Stormwater Management Manual. Where onsite infiltration has been determined to be unfeasible by a geotech professional, connection to the public storm sewer system may be applied for.
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	Based on the information available at the time of this conference, estimated SDCs: <ul style="list-style-type: none"> •Transportation \$106,000 •Stormwater \$0 •Water \$15,000 •Milwaukie Wastewater (WW) \$175,000 •County WW \$1,055,000 •Parks & Rec \$616,000 <p>These numbers are subject to change and are provided for reference only. Final determination shall be made at building permit process.</p>
<input checked="" type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	A fee in lieu of construction may be available for some public improvements. One or more of the following conditions must be met: an inability to achieve proper design standard, the creation of a safety hazard, are already included in a funded city project, cannot be completed without significant offsite improvements, or the full improvements are not proportional to proposed impacts.

Public Places (MMC 12)

<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	Any work within the right-of-way shall require a right-of-way permit. The permit application should include a site plan for all work proposed and a traffic control plan where traffic, including bike and pedestrian, is impacted.
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>Modification of existing nonconforming accessways shall be brought into conformance with the access management requirements of this chapter.</p> <p>Spacing for accessways on collector streets, as identified in the Milwaukie Transportation System Plan, shall be a minimum of three hundred (300) feet.</p> <p>The nearest edge of the driveway apron shall be at least ten (10) feet from the side property line. This standard does not apply to accessways shared between two (2) or more properties.</p> <p>At least three hundred (300) feet minimum distance from the nearest intersecting street face of curb to the nearest edge of driveway apron shall be maintained.</p> <p>The number of accessways on collector streets shall be minimized through the use of shared accessways and coordinated on-site circulation patterns. Within commercial, industrial, and multifamily areas, shared accessways and internal access between similar uses are required to reduce the number of access points to the higher-classified roadways, to improve internal site circulation, and to reduce local trips or movements on the street system. Shared accessways or internal access between uses shall be established by means of common access easements.</p> <p>Multifamily residential uses with more than eight (8) dwelling units, and off-street parking areas with sixteen (16) or more spaces, shall have a minimum driveway apron width of twenty-four (24) feet and a maximum width of thirty (30) feet. Commercial, office, and institutional uses shall have a minimum driveway apron width of twelve (12) feet and a maximum width of thirty-six (36) feet. Mixed commercial residential meeting the above criteria shall have an accessway between twelve (12) and (30) thirty feet.</p>

<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	<p>The clear vision area for all street intersections and all street and railroad intersections shall be that area described in the most recent edition of the "AASHTO Policy on Geometric Design of Highways and Streets." The clear vision area for all street and driveway or accessway intersections shall be that area within a twenty (20)-foot radius from where the lot line and the edge of a driveway intersect.</p> <p>The clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction, except for an occasional utility pole or tree, exceeding three (3) feet in height, measured from the top of the curb, or where no curb exists, from the street centerline grade. Trees exceeding this height may be located in this area; provided, all branches and foliage are removed to the height of eight (8) feet above the grade. Open wire fencing that does not obscure sight more than ten percent (10%) is allowed to a maximum height of six (6) feet.</p>
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Additional Engineering & Public Works Notes

BUILDING COMMENTS

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov . Each permit type and sub-permit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

Note: Plumbing and electrical plan reviews (when required) are done off site. Reviews are currently being done by Clackamas County and plan review times for these reviews vary and are not under the control of the Milwaukie building division. Please allow appropriate time to obtain these permits, as courtesy inspections are not allowed prior to permits being issued. Site utilities follow this process and require a separate plumbing permit, they are not done with the grading/utility permit supplied to Milwaukie Engineering.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Additional Building Notes

This project will require multiple permits, including but not limited to: Building, plumbing, electrical, mechanical, fire sprinkler, fire alarms, fire line (in ground install), backflow, and site utility (plumbing). Each of these submittals is subject to the initial review time that the building department is experiencing. (Currently 6-8 weeks). Based on information provided by the applicant, a preliminary estimate of fees is included as Attachment 1.

OTHER FEES

<input type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input type="checkbox"/>	Metro Excise Tax	Calculation: Valuation *.12% (.0012)

	Metro – Applies to any project with a construction value of over \$100,000.	(Note: There is a cap of \$12,000 on this tax.)
<input type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)

FIRE DISTRICT COMMENTS

Matt Amos, Fire Inspector for Clackamas Fire District 1 has provided comments that are attached to these notes (see Attachment 2).

COORDINATION WITH OTHER AGENCIES

- Applicant must communicate directly with outside agencies. These may include the following:**
- Metro
 - Trimet
 - North Clackamas School District
 - North Clackamas Parks and Recreation District (NCPRD)
 - Oregon Parks and Recreation
 - ODOT/ODOT Rail – **See Attachment 3 for ODOT comments.**
 - Department of State Lands
 - Oregon Marine Board
 - Oregon Department of Fish and Wildlife (ODOT)
 - State Historic Preservation Office
 - Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

<input type="checkbox"/>	Boiler Approval (State)	
<input type="checkbox"/>	Elevator Approval (State)	
<input type="checkbox"/>	Health Department Approval (County)	

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
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Other Right-of-Way Permits

<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	

<input type="checkbox"/>	<input type="checkbox"/>	Traffic Control Plan (Engineering)	
<input type="checkbox"/>	Parklet:		
	<input type="checkbox"/>	Parklet Application/ Planning Approval	
	<input type="checkbox"/>	Engineering Approval	
	<input type="checkbox"/>	Building Approval	
<input type="checkbox"/>	Sidewalk Café:		
<input type="checkbox"/>	Tree Removal Permit:		

Infrastructure/Utilities

Applicant must communicate directly with utility providers. These may include the following:

- PGE
- NW Natural
- Clackamas River Water (CRW)
- Telecomm (Comcast, Century Link)
- Water Environmental Services (WES)
- Garbage Collection (Waste Management, Hoodview Disposal and Recycling)

Economic Development/Incentives

<input type="checkbox"/>	Enterprise Zone:	
<input type="checkbox"/>	Vertical Housing Tax Credit:	
<input type="checkbox"/>	New Market Tax Credits:	
<input type="checkbox"/>	Housing Resources:	

PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

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

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

Samantha Vandagriff	Building Official	503-786-7611
Harmony Drake	Permit Specialist	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Dalton Vodden	Associate Engineer	503-786-7617

PLANNING DEPARTMENT

Laura Weigel	Planning Manager	503-786-7654
Vera Koliass	Senior Planner	503-786-7653
Brett Kolver	Associate Planner	503-786-7657
Mary Heberling	Assistant Planner	503-786-7658
Janine Gates	Assistant Planner	503-786-7627

COMMUNITY DEVELOPMENT DEPARTMENT

Leila Aman	Community Development Director	503-786-7616
Alison Wicks	Development Programs Manager	503-786-7661
Christina Fadenrecht	Housing & Economic Dev. Asst.	503-786-7624
Alicia Martin	Administrative Specialist II	503-786-7600
Tempest Blanchard	Administrative Specialist II	503-786-7600

CLACKAMAS FIRE DISTRICT

Mike Boumann	Lieutenant Deputy Fire Marshal	503-742-2673
Matt Amos	Fire Inspector	503-742-2661

Attachment 1

Structural Permit

Fees based on Valuation of 32,000,000 provided by applicant

Fee Item	Fees	
Structural plan review fee	\$ 145,537.88	
State of Oregon Surcharge - Bldg (12% of applicable fees)	\$ 23,286.06	
Technology Fee	\$ 9,702.53	
Fire life safety plan review	\$ 97,025.25	
Structural building permit fee	\$ 194,050.50	
		\$ 469,602.22

CET Taxes collected on the building permit:

Affordable Housing - Developer incentives (Com)	\$ 153,600.00	
Affordable Housing - Programs and incentives (Com)	\$ 153,600.00	
Affordable Housing Construction Excise Tax - Admin Fee (Com)	\$ 12,800.00	
Metro Construction Excise Tax	\$ 11,400.00	
Metro Construction Excise Tax - Admin Fee	\$ 600.00	
CET - North Clackamas - Com Use	\$ 33,363.00	
CET - North Clackamas - Admin Fee - Com Use	\$ 337.00	
		\$ 365,700.00

Mechanical Permit

Fees based on Valuation of 3,000,000 provided by applicant

Commercial mechanical permit (based on mechanical job val)	\$ 36,954.30	
Mechanical plan review	\$ 18,477.15	
State of Oregon Surcharge - Mech (12% of applicable fees)	\$ 4,434.52	
Technology Fee	\$ 1,847.72	
		\$ 61,713.69

Fire Sprinkler Permit

Fees based on Valuation of 416,000 provided by applicant

Structural plan review fee	\$ 2,225.48	
Fire life safety plan review	\$ 1,483.65	
Structural building permit fee	\$ 2,967.30	
State of Oregon Surcharge - Bldg (12% of applicable fees)	\$ 356.08	
Technology Fee	\$ 148.37	
		\$ 7,180.88

Fire Alarm Permit

Fees based on Valuation of 200,000 provided by applicant

Structural plan review fee	\$ 1,245.38	
Fire life safety plan review	\$ 830.25	
Structural building permit fee	\$ 1,660.50	
State of Oregon Surcharge - Bldg (12% of applicable fees)	\$ 199.26	
Technology Fee	\$ 83.03	
		\$ 4,018.42

Note: These fees are based on the parameters given and subject to change of the parameters change.

Plumbing and Electrical fees are shown on the individual applications. To obtain a fee estimate for either, please fill out the application and email it to building@milwaueiOregon.gov and note that this is for estimation purposes only in the description of work box.

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: City of Milwaukie Planning Department

From: Matt Amos, Fire Inspector, Clackamas Fire District #1

Date: 27/08/2020

Re: 10306 SE Main St.

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:

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.

Prior to the start of the project, a pre-construction meeting shall be held with Clackamas Fire District #1. The project manager/contractor is responsible for developing a written fire safety program. This program shall be made available for review by Clackamas Fire District #1. The plan should address the following:

- a. **Good Housekeeping**
- b. **On-site security**
- c. **Fire protection systems**
 - i. **For construction operations, installation of new fire protection systems as construction progress**
 - ii. **For demolition operations, preservation of existing fire protection systems during demolition**
- d. **Development of a pre-fire plan with the local fire department**

- e. **Consideration of special hazards resulting from previous occupancies**
- f. **Protection of existing structures and equipment from exposure fires resulting from construction, alteration and demolition operations.**

For additional information please refer to the Oregon Fire Code Chapter 33, and NFPA 241.

Access:

- 1) Provide address numbering that is clearly visible from the street.
- 2) Buildings exceeding 30 feet in height shall require extra width and proximity provisions for aerial apparatus.
- 3) Access streets between 26 feet and less than 32 feet in width must have parking restricted to one side of the street. Access streets less than 26 feet in width must have parking restricted on both sides of the street. No parking restrictions for access roads 32 feet wide or more.

Water Supply

- 1) 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.
- 2) 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.

Attachment 3



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

September 1, 2020

ODOT #11789

ODOT Response

Project Name: Kellogg Bowl Redevelopment	Applicant: Kurt Schultz, SERA Architects
Jurisdiction: City of Milwaukie	Jurisdiction Case #: N/A
Site Address: 10306 SE Main St, Milwaukie, OR	Legal Description: 01S 01E 25CC Tax Lot(s): 00401
State Highway: OR 99E	Mileposts: 5.53

The site of this proposed land use action is in the vicinity of OR 99E (SE McLoughlin Blvd). ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.

COMMENTS/FINDINGS

ODOT has reviewed the submitted materials for the proposed six-story apartment building at 10306 SE Main Street in Milwaukie. The proposal includes approximately 150 residential apartments of new construction, where the existing Kellogg Bowl is currently located.

Given the site's proximity to OR 99E and the OR 224 on and off ramps, ODOT recommends that the applicant conduct a traffic study to evaluate impacts to the state highway system. Please contact the ODOT traffic representative listed below in order to scope the traffic study.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Traffic Impacts

- The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

Please send a copy of the Land Use Notice to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

ODOT_R1_DevRev@odot.state.or.us

Development Review Planner: Kate Hawkins	503.731.3049 kate.w.hawkins@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221 abraham.tayar@odot.state.or.us
District Contact: District 2B	d2bup@odot.state.or.us