



May 17, 2021

Dear Mary Heberling, Associate Planner City of Milwaukie,

Providence ElderPlace is based on a national care model called PACE ~ Program of all-inclusive care for the Elderly. Providence ElderPlace Milwaukie currently serves over 200 frail and vulnerable seniors in Clackamas County. PACE serves individuals who are age 55 or over. The average participant is 76 years old and has multiple, complex medical conditions, cognitive and/or functional impairments, and significant health and long-term care needs. Approximately 90 percent are dually eligible for Medicare and Medicaid.

PACE Participants average 5.8 chronic conditions, including congestive heart failure, chronic obstructive pulmonary disease, vascular disease, diabetes with chronic complications, and major depressive bipolar and paranoid disorders. Our Clackamas county participants have a wide array of needs and many come to us not having received the services they need for years, if ever. We are also often supporting them in transitioning to a more appropriate living situation. Our participants reside in supported settings, including adult care homes, assisted living, and residential care facilities. A high percentage of our Clackamas county participants also reside in their own homes or home with others. It is our goal to keep our participants living in the community, avoiding hospitalizations and nursing facility stays.

Providence ElderPlace provides the entire continuum of medical care and long-term services and supports required by frail older adults. These include primary and specialty medical care; in-home services; prescription drugs; specialty care such as audiology, dentistry, optometry, podiatry and speech therapy; respite care; transportation; adult day services, including nursing, meals, nutritional counseling, social work, personal care, and physical, occupational and recreational therapies; and hospital and nursing home care, when necessary. In short, PACE covers all Medicare Parts A, B and D benefits, all Medicaid-covered benefits, and any other services or supports that are medically necessary to maintain or improve the health status of PACE program participants. PACE Participants Are Served by a Comprehensive Team of Professionals: Upon enrollment in PACE, participants and their caregivers meet with an interdisciplinary team (IDT) that includes doctors, nurses, therapists, social workers, dietitians, personal care aides, transportation drivers and others.


Having a larger footprint within the Providence Senior Housing project will allow us to serve more seniors in Clackamas County. Our current location within the Providence Milwaukie Healing Place is just under 4000 square feet. Our projected location within the Senior Housing project will be close to double the square footage. This new location for us will allow us to serve over 300 participants in Clackamas County. We hope to increase enrollment of and service provision to additional diverse communities in the areas, including the Russian community. The new location also allows us the opportunity to be part of a supportive housing campus, and the potential to have apartments designated to PEP Participants, as well as the opportunity to have outdoor space available to our Participants. This location may also offer the opportunity to offer some workforce development opportunities for diverse employee populations in partnership with Clackamas Community College. We would also strive to partner with organizations serving the disabled LGBTQBT population. We have partnered and have recognition from SAGE in serving this population both in our own housing and in our program overall. Partnering with Supportive Housing to increase our service provision to veterans, the homeless population, and the LGBTQBT population will greatly benefit Clackamas county and those individuals in greatest need. With the ability to expand our capacity in a larger space, we will also be able to increase the Clackamas County zip codes we are able to serve.

Thank You for considering the important work we do, serving some of the most frail individuals in Clackamas county. Thank you for your support of our program and the Providence Supportive Housing project on the Providence Milwaukie campus.

Sincerely,

Lori Frank

Lori Frank, MBA
Director PACE Operations
Providence ElderPlace Oregon

From: **ALLE MACLEOD** hello@studio-macleod.com 
Subject:
Date: May 18, 2021 at 3:13 PM
To:



Date of Written Submission: 05/18/2021

Time of Written Submission: 3:13p PST

Summary: Submission of written evidence, arguments and testimony from Bernards/MacLeod Family regarding VR-2021-006

Property Owner Address: 10399 SE 34th Avenue Milwaukie, OR 97222 (Northern property line of proposed development, tax lots #5500 and #5501)

Position with respect to variance request: OPPOSED

To: Mary Heberling, AICP

Assistant Planner

6101 SE Johnson Creek Blvd. Milwaukie, OR 97206

Continuation Hearing Scheduled 5/25/21: VR-2021-006

City of Milwaukie + Planning Commission -

These comments are in response to the continuance granted during the Planning Commission Meeting on May 11th at 6:30p PST in regards to VR-2021-006. We appreciate the additional time to communicate and address in written form the concerns we have regarding the proposed request for variance.

Opening

We want to first acknowledge Providence Milwaukie Hospital (PMH, Applicant) and their objective to create affordable and low-cost housing for elderly community members to 'age in place'. As an adjoining neighbor to the proposed development property, we have had numerous discussions and correspondence with the Applicant over the past 18 months, including quite recently, with respect to:

- The initial proposed project (a 3-story structure 45' tall with 54 units) and
- Relocating the existing recorded utility sewer easement running directly under the proposed building site which solely benefits tax lot #5501.

Some of these written discussions included City and/or County employees as well. **At no point in time did the City of Milwaukie (CoM) planners or the applicant (PMH) indicate to us that an application was in motion for the Planning Commission to: (a) decrease the required setback from the North elevation and property line, and (b) increase the building height from 3 floor to 5 floors without adhering to the required 15' step back above 45'.**

Setback restrictions and maximum building heights without step backs were established in the municipality to minimize negative impacts to adjacent properties when new development is being planned. This is especially true when a commercial project in a GMU aligns with an adjoined residential neighborhood and R3 zoned area such as ours. The applicant is requesting to modify not one of these key requirements but both.

Issues to Consider

Scale. Placement.

In materials presented to the City/Commission in the May 11th meeting, the Applicant attempted to justify in a variety of ways that the mature stand of trees on the project's North elevation will minimize the negative effects of granting approval of a 62' tall building 11' off of the residential property line and without step back for to comply with height requirements. Those statements are simply false and create potentially devastating impact on the beauty and value of the property owner to the North. This property includes an original home listed on the Historical Registry of the City of Milwaukie and State of Oregon. No specifics were provided with respect to the suggested mitigation; it was simply stated as if it were fact that there would be no impact. This is completely unfounded.

Height restrictions were created to lessen the overwhelming impact of large commercial zones adjacent to residential areas. The applicant wants to waive these restrictions yet the only justification provided is that the applicant wants to have more residential units. Their desire does not mitigate the reason these height restrictions exist.

The Applicant and the City planners stated several times that the long time historic family home was 50' away from said property line as part of their 'mitigation' argument for reducing the building's property line setbacks. This point is completely irrelevant. **Building code setback requirements were created and are reinforced by municipalities to protect the property lines of adjacent properties;** the location of the dwellings and other structures on those adjacent properties are not relevant to the application of those rules.

Stand of Trees

The suggested mitigation for the proposed variance to encroach into the established 15' building setback requirements on the North property line is also based on the existing trees to the North. Given this, having an informed opinion provided by a certified arborist

regarding the potential damage or death which could occur to these trees seems paramount. **The Applicant clearly indicated that no such study has been prepared to date.** *If not, why not? Why should this variance be granted in the absence of such analyses given the requested reliance on these trees as important mitigation for approval?* All of the large, mature trees are on Lot #5501 to the North of the proposed development. Should such death/damage occur, the impact would be devastating to our property. The completely secluded historic property would instead be directly facing a 5 story building. Without the trees, the negative visual, noise and shadowing impact from the building would be devastating.

To construct a building with an 11' setback will require further substantial building activity much closer to the North property line. A building 62' high would require a minimum of a 3' overdig to support the foundation for a project of this scale and associated SOW. This overdig would likely result in serious damage to the root systems of these large trees, many of which are 120 years old. Further, there is an additional encroachment of a soffit which would require additional pruning or shearing of these trees. Common practice when working around large trees is that there be no work in the "drip line" of the canopies of each individual tree. **When a Planning Commissioner asked the applicant if the trees on the Northern elevation would be cut down, the applicant provided a vague, ambiguous answer,** shifting focus to talk about other trees that would be added elsewhere on the property in the green spaces or garden area for residents of the development. In other words, the Applicant is not only asking for a 4' encroachment into the code-required setback, the required overdig of a foundation this size will create an even further impact on the existing root systems and inevitably, the canopy of the trees on the Lot #5501 to the North will have to be sheared or severely pruned and defaced in order to get the building in, siding on and the exterior finished.

Question: If this mature stand of trees is being held up as the basis for the mitigation for the variance, if they are destroyed or severely damaged in the process, how can this be justified as appropriate mitigation? This is circular reasoning and disingenuous. We believe that a certified arborist's opinion is crucial and respectfully request that the Planning Commission require this before this variance approval is considered further.

Other Options for Building Location

Given the issues we raised above and those raised by others in opposition (including but not limited to the completely inconsistent commercial structure relative to the 1 and 2 story surrounding homes and the potential impact of parking, traffic, etc.), we wonder whether the Applicant provided information to the City and Planning Commissioners about:

1. Whether any other property location(s) within the PMH site were considered for this development?
2. Whether a different footprint was considered on the current proposed site which would not require a variance of property line setback to the North?
3. Whether other structure design options were considered which would not require any variances in height or setbacks?

Since early 2019, we have been in frequent and specific communication with both the City of Milwaukie (CoM) Planning Department, PMH and the Applicant as we considered buying and saving the original historic Skulason family home (Lot #5501) from almost certain (98%) demolition. Our message has been clear from the beginning. We want to be positive and good neighbors in our efforts to restore this historic home. We ask for the applicant to treat us with the same respect. The arguments put forth as mitigation do not do so.

Other Points of Concern

- We have had multiple discussions in person (pre-COVID), via phone and email with the CoM and PMH regarding the development being proposed and current utility easements in place solely benefiting tax lot #5501 since mid-2019. At no point did the City Planner or Applicant ever indicate there had been a proposed change to the building size/scale, location, etc.
- We asked about the perimeter protocols for mail notifications surrounding #CU-2021-001 (tax lots #6100, 6200 and 6300) and VR-2021-006 (tax lots #5800, 5900 and 6000). The City Planner stated that all properties within a 300' radius were given a weeks notice in the mail. At no point did our directly adjacent property at 10399 SE 34th Avenue 97222 (Northern property line to proposed development, tax lot #5501) ever receive any paperwork surrounding either matter. We only became aware of information for VR-2021-006 because a neighbor mentioned a call the day of the May 11th Planning Commission meeting. This left us no time to send over additional information which we believed would have been relevant to be shared with the Commissioners prior to the meeting.
- As an observation, the summary presented to the Planning Commission by City Planners discussed the impact on 3 of the 4 elevations, skipping over the elevation to the North. The summary provided by the Applicant did the same. *Yet this North elevation is where the variances are being requested and has the greatest negative impact and in fact is the sole neighboring property which directly abuts the proposed development property.* This failure to impartially address issues to the North appears at best careless and at worst intentionally misleading.
- Applicants clearly stated they are pushing for a larger scale building with 5 stories to obtain additional funding and tax breaks available if they hit a certain threshold with HUD. This objective shouldn't be at the mercy of the neighborhood nor should the City set a precedent unduly favoring a large corporation while overlooking the needs and livability of those adjacent residential properties directly affected by the proposed development. This only gives way for future developers to feel confident they, too, will successfully get variances approved by the City to the detriment of the residents of the community.

- The Applicant refers to proposed setbacks from the North property line as the “Rear Yard Setback”. In their comments included in the Agenda packet provided for the May 11th meeting, Applicant stated that adjacent property Lot #5501 can and has been used for a number of office or commercial uses as an incentive for its preservation. This is simply untrue. This mapped Significant Landmark is on the Historical Registry with the State of Oregon and the City of Milwaukie and has continuously been an occupied single family residence dating back to 1912.
- Will a variance also be required for setbacks for the generator and watershed facility (storm water management) also located on the Northern elevation/property line?
- The Applicant suggested that there is a 50 year minimum for the proposed building to maintain the same use as a elderly aging in place facility. What is the penalty for PMH if the building changes functions before the 50 years? Does PMH have to outline what the intended use at year 51 is prior to HUD funding and City approval for development?
- *Attached below* are photos dated 5/16/21 briefly displaying the current stand of trees that sit on on tax lot #5501 (North property line of proposed development) and their extensive canopies that would be dangerously impacted by these variances. Furthermore, a few photos are also included of the recorded private utility easement (solely benefiting tax lot #5501) location that runs directly underneath the proposed development from the Applicant.

We appreciate the time and consideration of the Planning Commissioners and CoM officials and look forward to the meeting scheduled for May 25th in this continuance.

Best,

Alle Bernards, PMP, CPM, LEED AP, ASID, IIDA, NCIDQ

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From: [matt hauck](#)
To: [Milwaukie Planning](#); [Mary Heberling](#)
Cc: [Matt Rinker](#); [Lisa Gunion-Rinker](#)
Subject: VR-2021-006 Continued Hearing_Opposition in Written Comments (HAUCK/CROCKER FAMILY)
Date: Tuesday, May 18, 2021 4:42:28 PM

This Message originated outside your organization.

To:

City of Milwaukie and Providence Supportive Housing
C/O:
Mary Heberling, AICP
Assistant Planner
6101 SE Johnson Creek Blvd. Milwaukie, OR 97206

From:

Matt Hauck and Melany Crocker (homeowners immediately adjacent to proposed project of VR-2021-006)
3425 SE King Rd
Milwaukie, OR 97222

Summary Overview

My wife Melany and I are homeowners at 3425 SE King Rd, a property immediately adjacent to the proposed project from Providence Milwaukie Hospital (PMH) that also is bordered by PMH's main building and emergency room parking lot to the North. Melany and I wish to communicate our concerns of the proposed variances to building height and setbacks codes on the lot located at the intersection of Llewellyn St and 34th. We are supportive of further development in our residential area by PMH, however, have concerns over specific points listed below.

Key Points

Building Height, Setbacks, and Placement: the proposed variance of building height to allow for a structure standing 62' in height were partially addressed on page C12D in the SERA Providence Senior Housing planning commission review document. If there is an assumption of correct scale and building placement within the drawing, the concept presented does not address changes in angles to the sun during *the course of each season during the year, at all times of day during daylight hours*. In our case at the adjacent property of 3425 SE King, we have concerns that through the late fall, winter, and early spring months that any sunlight present during the midafternoon onwards into the evening may be significantly blocked out. These are months where sunlight is already limited in our region due to weather.

We also have concerns with the proposed setback variances, as our property already runs up against

the parking lot to the emergency room and hospital building itself on our North property line at 3425 SE King Rd. With the proposed variance in setbacks moving the large building closer to our own property as well as the neighboring property, we will be in the middle of 2 large, busy buildings in a single-family home, residential area. Specifically, we have concerns about added noise due to closer setbacks and property placement, and as seen on page C13 in the SERA Providence Senior Housing planning commission review document there is a generator being placed on the North property line on the East side of the proposed building.

Lastly, there will be a parking lot placement on the East side of this proposed lot contributing to additional traffic flow to both King Rd and 34th. While the added traffic from this parking lot placement by the intersection of King Rd and 34th will increase noise for our property, there is also a safety concern that must be addressed as a minimum of 3 separate driveways (3425 SE King, 10399 SE 34th, and the proposed PMH lot) will be entering the flow of traffic at what is currently a small, mostly blind corner. A traffic study of at least King Rd, 34th as well as Llewellyn St must be done to further understand the impact of traffic flow as it stands now. Especially given the fact that the city of Milwaukie has recently announced plans to divert a preferred bike path from 32nd, down Llewellyn St, up to 34th to then head towards the area of the fire station.

Conclusion: Opposed to request for variance in current version of proposal

We are in favor of maintenance, care, and *thoughtful* development of the vacant lot of the proposed development location. We also believe that the excessive height and setbacks requested in the variance proposal could potentially have a significant, negative impact to our properties, property value, and quality of living in our neighborhood.

In regard to the specific variances being requested, we are ***opposed*** to their acceptance in their current state by the Planning Commission. However, we wish to be active participants in helping produce an outcome that allows for PMH to continue their mission of knowing, caring, and easing the way of the communities they serve while being mindful the neighboring community itself. The clinic and senior living space, when optimized, will be a welcomed addition to our area.

We look forward to enhanced dialogue from the City of Milwaukie, the Planning Commission, and Providence itself with the neighboring community. As dedicated community members, we are excited about the potential for this area and believe that working in concert together will help realize that potential.

Thank you for your time and consideration on this matter, we look forward to your correspondence.

Respectfully,

Matt Hauck and Melany Crocker
3425 SE King Rd
Milwaukie, OR 97222

Re: VR-2021-006

The deadline assigned to us to respond, within a week's time to the Applicant's variance request, and overall proposal, is absurdly short as it is. We as residential neighbors should be able to contract with subject matter experts in the following areas. Only then should the variance requests be put forward to a vote.

The rush to expedite this vote next week so that the Applicant can apply for the HUD money on their timeline a little over a week from now seems to have been more of a concern to the Planning Department and Planning Commission than our numerous objections as residents to the inappropriate nature of these rushed variance requests without time for neighborhood review in addition to other related issues. I strongly urge the Commission to grant a continuance for 120 days rather than vote.

One of the speakers in favor of NOT approving these variances asked VERY clearly during the meeting for an additional 120 days to respond. Which is more than reasonable given the needs to have qualified subject matter experts create studies, reports and assessments of the overreach on this project. That request was seemingly either forgotten ignored or not considered. Either way it put an undue burden on the residents. The Applicant has had loads of time to work on this proposal. We got 1 additional week after the meeting and only were allowed 3 minutes each to speak during the meeting while the applicant had an unlimited amount of time. Seems pretty unfair.

Seeing this project go from what had long been expressed to the community as a much smaller 3 story building with a clinic on the first floor and 2 floors of elderly housing above mushrooming to this last minute switch nearly doubling the building capacity and now looming over single and only a few 2 story residences is deeply concerning.

The South side of Llewellyn is all residential except for 1 doctor's office that is located inside a 1 story former single family home and still maintains the required setback. The small parking lot belongs to the

commercial building which is located and fronted on Harrison, not Llewellyn. During the meeting everyone spoke as if under the current use the South side of the street was already commercial. It isn't.

None of the South side of the street can even be 3 stories tall if it were to be rebuilt under R-3 zoning. To have a building across the street with a height nearly doubling that is incongruous in the extreme. It would be one thing if the R-3 areas were GMU also. They aren't.

One of the renderings in the actual report is a photo taken of my home located at 10515 SE 34th Ave is a 2 story bungalow painted grey with white trim and a white front porch. Notice how the rendering shows the project towers over me. Aesthetically not pleasing in the least. I will lose all privacy into my back yard. The 3rd, 4th and 5th floors would have a direct sight line in to my private space. My current 6 foot fence will do nothing to mitigate the loss of my privacy. The current trees inside my fence planted 10 years ago by the previous owners have totally overgrown the lot and spacing. Two must be removed now by an arborist as they are not healthy and damaging my exterior and fence. Once removed I have an unsightly view of most of the building. A 120 day continuance is requested to allow us to come up with a plan or request modifications.

Granting this project the 4th & 5th Floors they are seeking makes it loom over the street. It also sets a disturbing precedent for other sites along the street as well as in similar situations elsewhere in the city. What is to stop the Applicant for applying to build something else 5 stories tall on the corner of 32nd & Llewellyn since this will set the precedent?

Next is the issue of the request for a decrease to the setback on the North side of the property. There is a line of magnificent tall historic 100 plus year old trees there. This massive project sited so close to the property line is extremely likely to negatively impact their root system, quite possibly killing them. By the Applicant's design architect's own admission during the meeting he said he is "not an arborist". An arborist must be contacted to assess this impact and provide a report. An environmental impact study must also be done. If these trees were to die, the North side home would lose their privacy screening as well as

not being able to replace them with the same trees at remotely that height. Again, a 120 day continuance is requested.

We also have been told that this project at this scale will now significantly decrease our single family home property values. That is a major sticking point. We have reached out to several appraisers for their input. Full assessments and reports could not be generated in this one week timeline. We request 120 day continuance to gather that vital information. Homes are the single biggest investment most of us have made. We deserve a fair answer to how this affects us all.

It has come to our attention that there are two major additional flaws to this Application. One is that it takes away an existing easement to grant access to the North side property owner to their separate lot adjacent to them on the back side of their home. Currently a driveway exists to access it coming in from Llewellyn through the current small parking area. That is eliminated in the Applicant's plan. The building will be sited directly over it. The other issue is their existing sewer line which cuts through to Llewellyn directly through this project. That has not been addressed. Please add it into the next discussion after a 120 day continuance.

The request for the variance to site the building front portion so close to the street and allow a shortened setback sets a bad precedent as well. Again I urge you to not approve it. The road is already too narrow for the existing traffic flow. Not leaving any room there only worsens an already negative situation for cars and pedestrians alike.

While we are on the subject there has been no mention of a traffic study. We request that the applicant complete one with input from the neighbors. No existing stop signs has resulted in many near misses of striking homes and pedestrians as we have no sidewalks. With elderly residents and clinic patients this is a hazard. Again please grant a 120 day continuance here.

I conditionally could support a clinic being built in the future. I can agree that benefits the community and the elders who do want and need those services. 2 floors of housing above the clinic seems appropriate and in scale with the street and the R3 zone on the South side of the

street. That could allow a good quality of life for all of us, continue most of our privacy and enjoyment. Fixing the easement, sewer and more appropriate setbacks all around are my request. Going forward for HUD money right now is the cart before the horse. None of this should go forward without all the other issues listed above resolved.

Caroline S Krause
10515 SE 34th Ave
Milwaukie OR 97222
(941) 323-5073



Memorandum

To: Mary Heberling, AICP, Associate Planner, City of Milwaukie
From: Li Alligood, AICP, Senior Planner
Copies: Waller Zisette, Providence Supportive Housing
Lynn Lindgren-Schreuder, Housing Development Center
Gauri Rajbaidya, SERA Architects
Date: May 18, 2021
Subject: Additional Applicant Testimony for File #VR-2021-006
Project No.: 19836.100

The applicant, Providence Supportive Housing, submits this additional information in response to public comments submitted prior to the May 11, 2021 Planning Commission as well as public testimony provided at the hearing. As stated at the Planning Commission hearing and in subsequent communication from the City, new information can be submitted until 5:00pm on May 18 and responses to any new information can be submitted until 5:00pm on May 25.

The applicant has an additional 7 days to respond to comments submitted between May 18 and May 25. However, in order to hold a second hearing on the application prior to the May 26, 2021 deadline for the HUD 2021 funding application, the applicant waives the final 7-day response period and agrees to end the public comment period at 5:00pm on May 25.

The submitted comments and testimony generally addressed scale (height and setbacks), green space, traffic, and parking. Each of these items is addressed in more detail below. The applicable criteria for the current variance requests address impacts to adjacent properties; creative design and unique relationship to other structures; public benefits and amenities and meeting sustainability goals; and transition to adjacent neighborhoods.

Comments were also submitted related to criteria that are not applicable to the current request, including the location of the development, parking, traffic, and infrastructure. The Building Height Variance and Variance applications do not directly trigger analysis of traffic impacts or parking needs. As noted elsewhere in the record, traffic impacts and any mitigation measures will be evaluated at the time of Site Plan Review. In addition, parking requirements will be addressed at the time of Site Plan Review through a Type II Parking Adjustment application. However, parking is often a neighborhood concern when new development is proposed, and the parking analysis has been completed to inform the current project design and is addressed by a memo provided by Kittelson and Associates, Inc.

Responses to Public Comments & Testimony Related to Approval Criteria

Scale/Height

The GMU zone height limit is 45 ft. A 12-ft. height increase (for a total height of 57 ft.) is permitted by right (without Planning Commission review and approval) if the project devotes at least one story or 25 percent of the gross floor area to residential uses or if the project receives a green building certification. An additional height bonus of 12 ft. (for a total height of 69 ft.) is permitted through the Type III Building Height Variance process. This provision acknowledges that there is a benefit to both residential uses and green certified buildings in the General Mixed Use zone, and provides a clear path to request the full allowable height bonus through a discretionary

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review process. The proposed building height is 62 ft., or 5 ft. higher than the height permitted by right (i.e. through Type I Site Plan Review).

It is true that, if approved, this would be the tallest building in the Central Milwaukie area (with the exception of Hillside Manor to the northwest, which is 9 stories tall). The nearest commercial building is the Providence Milwaukie Healing Place, which is 3 stories tall. However, the surrounding neighborhood is changing quickly. The Hillside Park Planned Unit Development preliminarily approved by the Planning Commission on March 23, 2021 (File #PD-2020-002) includes 4-story buildings along SE 32nd Ave, which will provide additional context for the requested height. The Murphy Plywood site to the southwest of the Providence Healing Place was identified as an "opportunity site" through the Moving Forward Milwaukie code and plan amendments and mixed-use development is anticipated on that site in the future. Any development within the GMU zone will have the opportunity to request height bonuses through the provisions of MMC 19.304.3.

Opponents have suggested that approving a 5th story for the proposed building will set a precedent in the immediate area. While it is true that all development in the GMU zone has the ability to request bonus height either by right, or through Type III Building Height Variance review, each development requesting height beyond 4 stories will need to demonstrate conformance with the specific considerations and context applicable to the site. For that reason, the Planning Commission can find that approval of this request would not result in setting a precedent for future development in the GMU zone.

Stepbacks

Opponents expressed concern that the reduced upper level stepbacks would have negative impacts on properties to the south. The setback requirements of the base zone are intended to reduce the apparent height of buildings that exceed the base height of 45 ft., so that taller buildings would still appear as 3-4 story buildings. The proposed building steps back above the 4th floor along the eastern side of the building so that the upper level is visually less obtrusive.

Street trees will be planted along SE 34th Ave and SE Llewellyn St as part of the frontage improvements triggered by the development. These trees will soften the apparent height of the building.

As shown in Attachment A Diagram 2, the appearance of the building from the street would change only slightly if the 4th and 5th floors were stepped back the full 15 ft. required by code.

Setbacks

During testimony, questions were posed regarding the location of the proposed building setbacks – why aren't the requested reductions to the setbacks requested to the rear/north of the building rather than the front/south of the building? There are a number of drivers for this decision.

To serve the community in the most optimal way and meet the demand, Providence requires the ElderPlace PACE Clinic to be no less than 7,500 sf of ground floor area. Furthermore, for the "aging in place" model for the senior residents, the HUD funding stipulates the provision more spacious ground floor entry lobby and upper floor units to address the varying mobility needs as residents age than is typical in other affordable housing projects. By keeping the building compliant along the eastern wing, the development team realized that their only way to meet the ground floor clinic area requirements would be to ask for variance in the setback for the western wing of the building. The site does not afford enough area to the north of the western wing to meet this area requirement. The design of the building limits the setback variance to 44'-0" of the building frontage (only about 1/3 of the total frontage) along SE Llewellyn Street.

The proposed building setbacks provide ample area along Llewellyn St to allow for people to gather during drop-off and pick-up for the ground floor clinic function while maintaining a pedestrian oriented urban edge. The

proposed setbacks on the north side of the site provide ample room for new landscaping, planting and a modest maintenance access walkway between the building and the north property line in addition to providing a buffer to the existing trees adjacent to the property line and on the neighboring lot.

Surrounding Uses

This area is in transition, as recent development applications indicate. The homes to the south of the site in the R-3 zone were built in the 1990s or earlier and are modest in size (from 800 sq. ft. to 1744 sq. ft.). The home to the north is approximately 5,400 sq. ft. The home was most recently sold in 2019. The current owner of the property to the north, Alle Bernards, indicated that no commercial uses were being or had been considered for the site.

While this may be the case, it remains true that this property has the option for additional uses per MMC 19.403.8 due to its status as a Significant Historic Landmark. These uses must be approved by the Planning Commission as Conditional Uses and include art and music studios, galleries, offices/clinics, crafts shops, bed and breakfast, gift shops, museum, catering services, bookstores, boutiques, restaurants, antique shops, community centers, or other uses as approved by the Planning Commission.

Likewise, any of the existing buildings to the south of the site could request Conditional Use approval for conversion to an office or clinic use. The building at 3250 SE Llewellyn Street has been converted to medical office use as allowed in the R-3 zone (File # CU-02-02), and the lot to the rear of 3315 SE Harrison St serves JSE Labs and is also permitted as a conditional use. Submitted testimony suggests that the Milwaukie Vein Center is likely to revert to single-family residential use, but given the cost and time associated with converting a home to an office, as well as the physical appearance of the site, may present obstacles to use as a single-family home.

Open Space & Trees

The current application is for the building itself; a proposed open space and surface parking area to the east of the site was approved through CU-2021-001. As noted in that application, the southeast corner of the site will be developed with landscaping and hardscaping. The specifics of the design will be revised for the Site Plan Review application, but this area is intended to provide opportunities for enjoyment of the outdoors and will be available for use by neighbors.

The existing conditions survey included as Sheet C12B of the land use submittal shows that most of the trees on site are located along the northeastern and eastern property lines, with some smaller deciduous trees located along the southern property line. The trees along the northeastern property line consist of pine trees. Based on a visual inspection, these trees are in poor condition. The trees along the eastern and southern property lines will need to be removed to construct the required frontage improvements along SE 34th Ave and SE Llewellyn St, and will be replaced with street trees from the City's approved street tree list.

Most of the trees along the northern property line are located on the property at 10399 SE 35th Ave. A tree protection plan has been prepared by Walsh Construction Co. and is included as Attachment B. Any tree removal would require approval from the property owner. As such, impacts to these trees will be avoided.

Additional Responses to Approval Criteria

Additional responses to the Building Height Variance approval criteria of MMC 19.911.7.D are provided below.

1. *The proposed project avoids or minimizes impacts to surrounding properties. Any impacts from the proposed project will be mitigated to the extent practicable. The applicant's alternatives analysis shall provide, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.*

Additional Response: The applicant submitted an alternatives analysis with the initial land use application submittal.

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

Additional Response: The proposed design is fairly conceptual at this point, and will be refined for the site plan review application. However, the design team is committed to the use of high-quality materials (as shown on Sheet C26 of the land use application submittal).

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

Additional Responses: None of the opponents disagree that the proposed development will provide desired public benefits, and the Rinkers specifically note that the project is a public benefit itself. The City's zoning code identifies residential uses in the GMU zone and green building certification as the requirements for additional height in the GMU zone, which indicates the importance of these policies to the City.

As noted in the materials that have been submitted into the record, the project will provide 71 affordable dwelling units for very low-income seniors, 1 dwelling unit for an on-site manager, and the ElderPlace clinic to serve low-income seniors. The City adopted a Community Vision in September 2017 that identifies availability of affordable housing as an integral component of an equitable, livable, and sustainable City. This development will fill a critical need within the community.

As noted in the record, the project will also receive Earth Advantage Gold certification, which meets the City's goals for sustainability.

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

Additional Response: The design team conducted significant site analysis and the proposed design is intended to respond to the very specific context of the site. As noted in the submitted application materials and in the staff report, the sites to the south are zoned R-3. As shown in Sheet C12D, the proposed building will not cast shadow on existing buildings to the south. Any shadows to the north will be mitigated by the existing mature trees and the distance between the buildings.

Though the existing structures to the south of the site are single-story dwellings and offices, the maximum height of the R-3 zone is 2.5 stories or 35 ft., whichever is less. Office uses are permitted in the R-3 zone as conditional uses. As shown in Diagram 1, the uses directly south of the "west wing" of the building include a medical office and a single-family residential dwelling, each of which is separated from the building by 69 ft. or more.

Testimony submitted suggested that the proposed scale of the building, at 5 stories or 62 feet, is unresponsive to the existing development surrounding the site and state that the existing residences to the south of the site will be negatively impacted by the proposed development. Specific impacts noted include shade and visual impacts.

As shown in the applicant's submittal materials (Sheet C12D), the proposed building will not cast shade over the existing buildings to the south of the site. As shown in the new Diagram 2, the visual impacts to the residential properties to the east will be mitigated by the open space to the east of the building.

The setback reductions are requested because the site is adjacent to the R-3 zone to the north, east, and south. Transition area measures are applicable to the north, east, and south property lines and require 15 ft. setbacks, a significant increase from the GMU zone 0 ft. setback requirement. This creates a unique situation for this site.

As noted in the submitted application materials, the portion of the building directly across from the surface parking lot and medical office is closer to the sidewalk to reflect the non-residential character of the ground floor of the building. The portion of the building across from the single-family residential uses to the south is set back by 20 ft. from the southern property line to reflect the single-family residential uses to the south.

Response to Public Comments & Testimony Not Related to Approval Criteria

Development Operations and Management

Providence is a long term and responsible owner of property and member of the communities where it resides. A letter from Providence ElderPlace, responding to community concerns regarding ElderPlace/PACE Clinic operations, is included as Attachment D.

The use of the affordable housing being developed at Providence Milwaukie House will be tightly regulated under a Regulatory Agreement executed between Providence (acting as owner of the property) and the federal Department of Housing and Urban Development (acting as a project funder). The Regulatory Agreement is recorded on the title of the property and protects HUD's interest in ensuring that the housing portion of the project serves very low-income seniors (ages 62+). The regulatory Agreement begins on the date of execution of the agreement by both parties and ends 50 years later.

Any parking violations or dumping caused by residents of Providence Milwaukie House will be monitored and corrected immediately by on-site staff whose job will be to ensure the cleanliness of the grounds themselves and the surrounding area. Onsite management staff of Providence Housing properties are often invited to participate in community councils and activities through which they build trust and connections with neighbors that help to preempt disruptions that interfere with the quality of life of neighbors of Providence Housing properties, and the quality of life of residents of these affordable housing properties.

Location

Submitted testimony suggests that the proposed development would be more appropriate in another location. Though the purpose of quasi-judicial land use review is the review a submitted proposal, rather than suggest alternative locations, the applicant has considered other locations on the Providence Hospital site and has determined that they are inappropriate for the development. Very few sites that meet HUD criteria for funding are currently available.¹ This site is appropriate for the proposed development for several reasons:

- The site is owned by Providence; therefore, the cost to develop on the land is effectively \$0, which helps to enhance the financing feasibility of the project.
- It is close to healthcare services provided at the hospital that residents of the building will need (e.g., primary care, and behavioral health care services).
- Once developed, the site will include many trees, shaded areas, opportunities for walking, and other healthy activities.
- The site is already zoned for and intended for the mixed-use activities as proposed by the applicant – activities that will promote independence, health, housing stability and well-being for many of Milwaukie's most vulnerable senior citizens.

Providence Hospital has conducted extensive environmental testing on the existing Providence Hospital parking lot at the northeast corner of SE Llewellyn St and SE 34th Ave. This site was previously owned and operated by Stanley Proto-Tools, which sold the property to Providence Hospital in 1996. According to the DEQ

¹ These criteria include existing zoning or timeline for rezone, ownership (time and cost to transfer ownership can present significant obstacles to development), site contamination, and location.

Recommendation for No Further Action for Soils memo dated August 6, 1997,² “The activities on the site while under Stanley Proto-Tools ownership included tool and die work, forging, heat treatment, machining, assembly, calibration, plating, and painting. Chemical and waste storage areas were located both inside and outside the manufacturing building.”

The northern portion of the area, which contains the Providence clinic, was cleared for by the DEQ for development in 2001. The southern portion of the property requires site mitigation to meet environmental requirements for residential buildings. The southeastern portion of the property (where the subject development is proposed) is the only portion of the Providence Hospital site that is supportive of residential uses without site mitigation.

Parking

As noted in the submitted land use application materials, the applicant will submit a Parking Determination request to reduce the off-street parking requirements for the proposed development and approve a shared parking agreement for use of the existing Providence Hospital parking lot at the southeast corner of SE 32nd Ave and SE Llewellyn Street. Though the current application does not include this parking determination, analysis in support of the future request has been completed and is included as Attachment D.

Residents of subsidized affordable housing tend to have much lower vehicle ownership rates. Given that very low-income residents of affordable housing are typically earning a fixed income (from Social Security and/or disability), they do not have additional resources to support the costs of owning a vehicle (maintenance, insurance, gas, etc.).

Providence Supportive Housing has gathered data on several similar projects and has found that the parking ratio for existing deeply affordable senior housing projects is 0.3 spaces per dwelling unit. For the 72 proposed dwelling units, that would result in a parking demand of 21.6 parking spaces.

The surface parking lot to the east as approved by CU2021-001 includes 17 surface parking spaces and 1 loading space to support the residential uses on the site. An additional 23 parking spaces will be available for employees at the southeast corner of SE 32nd Ave and Llewellyn St. These spaces are currently used by employees of the ElderPlace and the use will remain when the new ElderPlace facility is constructed in Providence Milwaukie House. See Attachment A for further discussion.

Traffic & Safety

A full traffic impact analysis (TIA) will be completed at the time of site plan review. This TIA will address the function of nearby intersections and identify any impact mitigation measures and safety measures.

Regardless of the findings of the TIA, the application will construct a new shared vehicle and bicycle travel lane, curb, gutter, planter strip (with street trees) and sidewalk along the entire site frontages on SE 34th Ave and SE Llewellyn St. The project will also underground the existing power lines along those frontages. These improvements will extend the sidewalk on the north side of SE Llewellyn St from the current terminus west of the site to the corner of SE 34th Ave and will extend sidewalks to the northern property line along SE 34th Ave. These sidewalk improvements will create an accessible route to the TriMet stops on SE 32nd Ave.

Potential safety mitigation could include installing stop signs at existing uncontrolled intersections, among other approaches.

² Available online at <https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=118e8f77-9eb2-43e2-bd83-e3b9aa6b892a.pdf&s=ECS1%20No.1171%20Stanley%20Tools%20Soil%20Staff%20Memo.pdf>.

Existing Sewer Line Easement

The existing sewer line easement is shown on Sheet C12B of the submitted application exhibits. This easement is for the benefit of the property to the north (10399 SE 34th Ave). The property owner testified at the hearing that they had not been consulted about this easement; however, the applicant has been in discussions with the property owner regarding the potential relocation of this sewer line and easement for several months. The applicant and design team are aware of this easement and have considered its location and relocation in the site plans.

Conclusion

In conclusion, the applicant continues to believe that the requested building height, setback, and stepback variances meet both the intent and the criteria of MMC 19.911. The applicant respectfully requests approval of the development as proposed.

Attachments

- A. ElderPlace Letter of Support
- B. Site Diagrams and Building Renderings
- C. Tree Protection Plan
- D. Parking Memo



May 17, 2021

Subject: Additional Applicant Testimony for File #VR2021-006

Dear Ms. Heberling & City of Milwaukie Planning Commission

Providence ElderPlace is based on a national care model called PACE ~ Program of all-inclusive care for the Elderly. Providence ElderPlace Milwaukie currently serves close to 250 frail and vulnerable seniors in Clackamas County. PACE serves individuals who are age 55 or over. The average participant is 76 years old and has multiple, complex medical conditions, cognitive and/or functional impairments, and significant health and long-term care needs. Approximately 90 percent are dually eligible for Medicare and Medicaid.

PACE Participants average 5.8 chronic conditions, including congestive heart failure, chronic obstructive pulmonary disease, vascular disease, diabetes with chronic complications, and major depressive bipolar and paranoid disorders. Our Clackamas county participants have a wide array of needs and many come to us not having received the services they need for years, if ever. We are also often supporting them in transitioning to a more appropriate living situation. Our participants reside in supported settings, including adult care homes, assisted living, and residential care facilities. A high percentage of our Clackamas county participants also reside in their own homes or home with others. It is our goal to keep our participants living in the community, avoiding hospitalizations and nursing facility stays.

Providence ElderPlace provides the entire continuum of medical care and long-term services and supports required by frail older adults. These include primary and specialty medical care; in-home services; prescription drugs; specialty care such as audiology, dentistry, optometry, podiatry and speech therapy; respite care; transportation; adult day services, including nursing, meals, nutritional counseling, social work, personal care, and physical, occupational and recreational therapies; and hospital and nursing home care, when necessary. In short, PACE covers all Medicare Parts A, B and D benefits, all Medicaid-covered benefits, and any other services or supports that are medically necessary to maintain or improve the health status of PACE program participants. PACE Participants Are Served by a Comprehensive Team of Professionals: Upon enrollment in

PACE, participants and their caregivers meet with an interdisciplinary team (IDT) that includes doctors, nurses, therapists, social workers, dietitians, personal care aides, transportation drivers and others.

Having a larger footprint within the Providence Senior Housing project will allow us to serve more seniors in Clackamas County. Our current location within the Providence Milwaukie Healing Place is just under 4000 square feet. Our projected location within the Senior Housing project will be close to double the square footage. Partnering with Senior Health to increase our service provision to veterans, the homeless population, and the LGBTQ population will greatly benefit Clackamas county and those individuals in greatest need. With the ability to expand our capacity in a larger space, we will be able to increase the Clackamas County zip codes we are able to serve.

Thank You for considering the important work we do, serving the most frail in Clackamas county. Thank you for your support of our program and the Senior Housing project on the Providence Milwaukie campus.

Sincerely,

Lori Frank

Lori Frank, MBA
Director PACE Operations
Providence ElderPlace Oregon

ATTACHMENT B

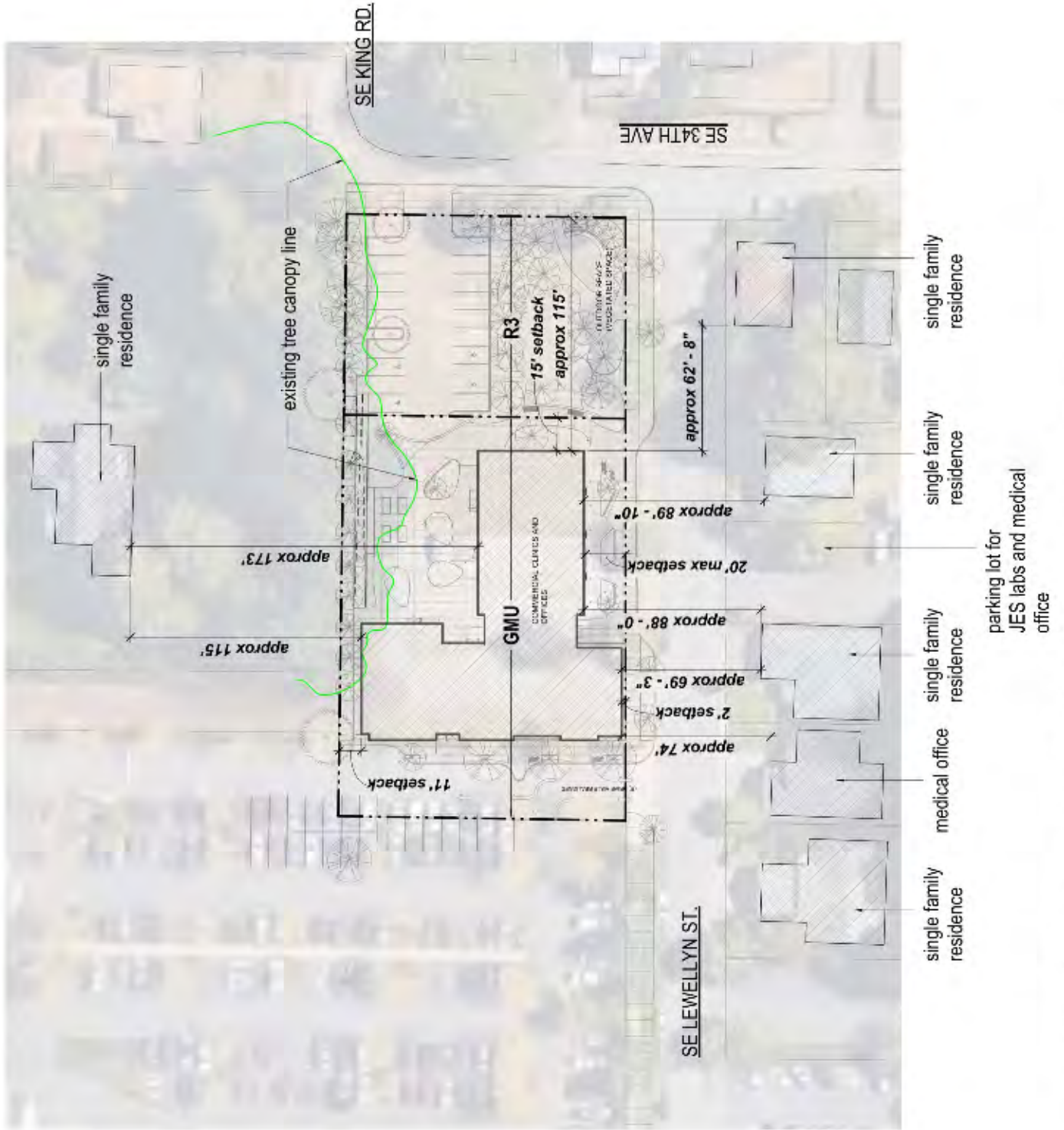


Diagram 1: Distance to neighboring properties and existing tree canopy line

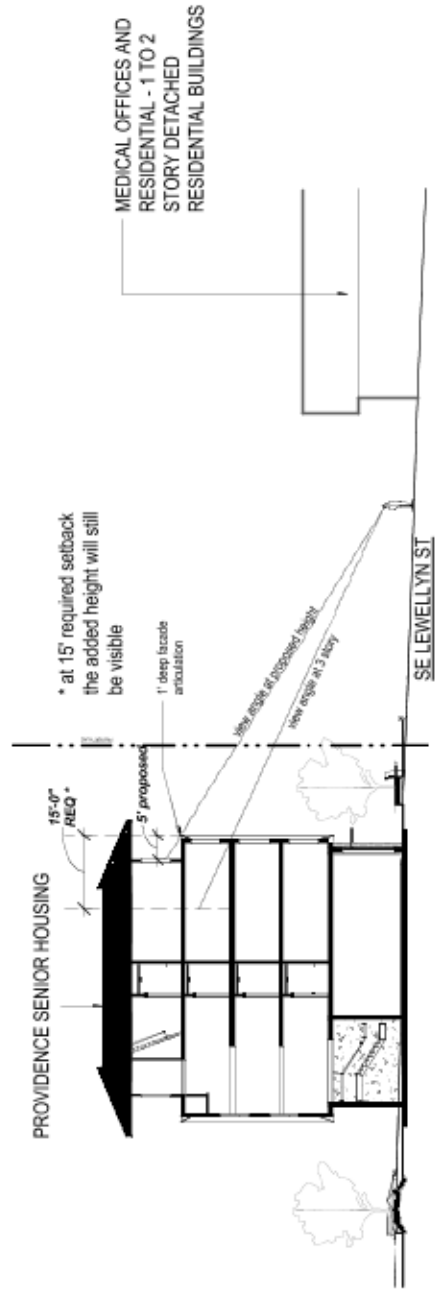


Diagram 2: View angle analysis of the 5th floor step back along the east building wing



View from the corner of SE 34th Ave and SE Lewellyn St



View from the corner of SE 34th Ave and SE Lewellyn St



View from the corner of SE 34th Ave and SE King Rd



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Milwaukie Providence Tree Protection

Walsh Construction will undertake the following measures when working in the root zone to ensure the health and protection of the trees located at north of the project property line at 10399 SE 34th Ave, Milwaukie, OR

A. Intent. Tree protection during development helps to reduce the negative impacts of construction. The tree protection regulations keep the foliage crown, branch structure and trunk clear from direct contact and injury by equipment, materials or disturbances; preserve roots and soil in an intact and non-compacted state; and visibly identify the root protection zone in which no soil disturbance is permitted and other activities are restricted. Maintaining these protections through development will lessen undesirable consequences that may result from uninformed or careless acts, preserve both trees and property values, and reduce risks associated with damaged or destabilized trees.

B. Applicability. These standards apply to any tree that is required to be retained on site or in the street during a development activity. Proposed tree protection shall meet the requirements of Subsection C., below, except that the City Forester may approve or require alternate protection methods for Street or City Trees.

C. Protection methods. The Tree Plan shall show that trees retained are adequately protected during construction using one of the methods described below:

1. Prescriptive Path

a. A root protection zone is established as follows:

(1) For trees on the development site - a minimum of 1 foot radius (measured horizontally away from the face of the tree trunk) for each inch of tree diameter (see Subsection 11.80.020 C., Measurements):

(2) Street Trees – the City Forester may prescribe greater or lesser protection than required for on-site trees.

(3) Existing encroachments into the root protection zone, including structures, paved surfaces and utilities, may remain. New encroachments into the root protection zone are allowed provided:

(a) the area of all new encroachments is less than 25 percent of the remaining root protection zone area when existing encroachments are subtracted; and

(b) no new encroachment is closer than 1/2 the required radius distance (see Figure 60-1);

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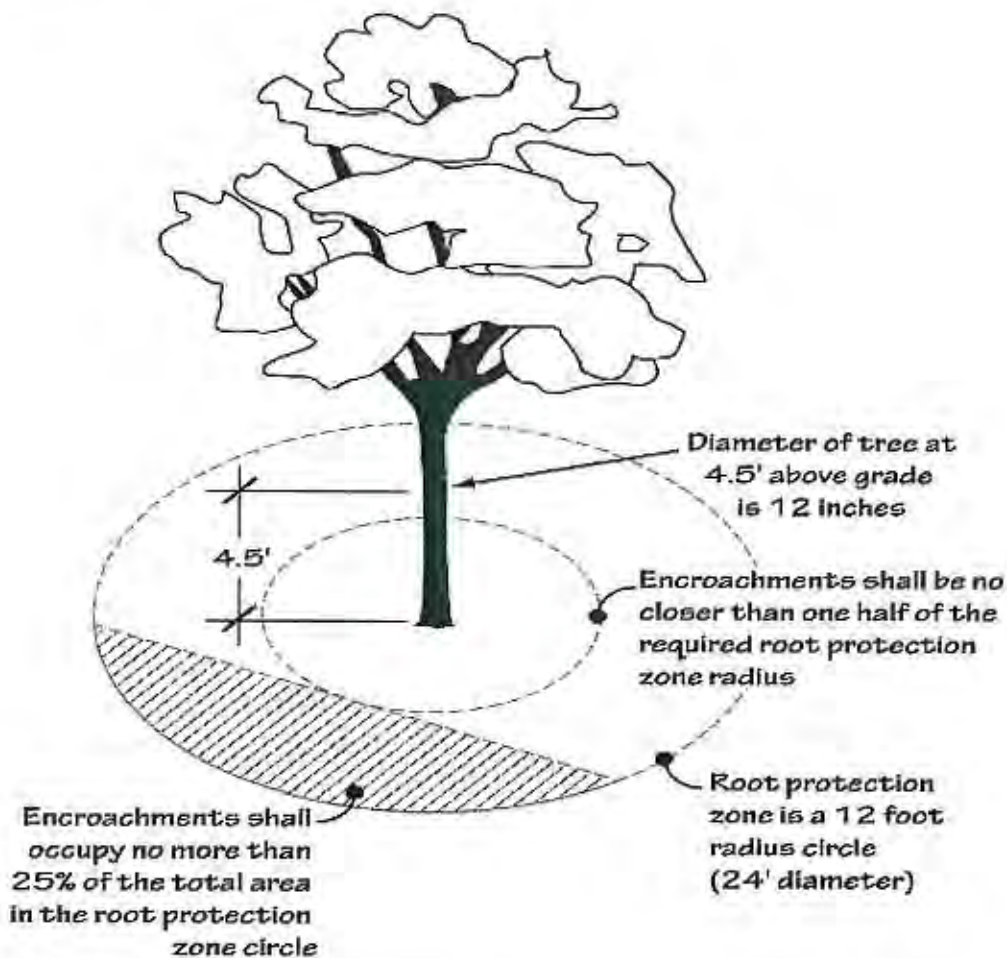
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Figure 60-1

Permissible RPZ Encroachments



b. Protection fencing

(1) Protection fencing consisting of a minimum 6-foot high metal chain link construction fence, secured with 8-foot metal posts shall be established at the edge of the root protection zone and permissible encroachment area on the development site. Existing structures and/or existing secured fencing at least 3.5 feet tall can serve as the required protective fencing.



(2) When a root protection zone extends beyond the development site, protection fencing is not required to extend beyond the development site. Existing structures and/or existing secured fencing at least 3.5 feet tall can serve as the required protective fencing.

c. Signage designating the protection zone and penalties for violations shall be secured in a prominent location on each protection fence;

d. Installation of landscaping required by Title 33 is allowed within the root protection zone and is not an encroachment. Any in-ground irrigation systems are considered encroachments.

e. The following is prohibited within the root protection zone of each tree or outside the limits of the development impact area: ground disturbance or construction activity including vehicle or equipment access (but excluding access on existing streets or driveways), storage of equipment or materials including soil, temporary or permanent stockpiling, proposed buildings, impervious surfaces, underground utilities, excavation or fill, trenching or other work activities; and

f. The fence shall be installed before any ground disturbing activities including clearing and grading, or construction starts; and shall remain in place until final inspection.

2. Performance Path. When the prescriptive path is not practicable, the applicant may propose alternative measures to modify the prescriptive root protection zone, provided the following standards are met:

a. The alternative root protection zone is prepared by an arborist who has visited the site and examined the specific tree's size, location, and extent of root cover, evaluated the tree's tolerance to construction impact based on its species and health, and identified any past impacts that have occurred within the root zone;

b. The arborist has prepared a plan providing the rationale used to demonstrate that the alternate method provides an adequate level of protection based on the findings from the site visit described above;

c. The protection zone shall be marked with signage, stating that penalties will apply for violations, and providing contact information for the arborist;

d. If the alternative methods require the arborist be on site during construction activity, the applicant shall submit a copy of the contract for those services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the trees prior to the City's final inspection;



- e. If the alternative tree protection method involves alternative construction techniques, an explanation of the techniques and materials used shall be submitted;
- f. The arborist shall sign the tree preservation and protection plan and include contact information.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Snow", followed by a long horizontal line.

Dan Snow
Walsh Construction Co.
Project Executive

MEMORANDUM

Date:	May 18, 2021	Project #: 25930
To:	Walter Zisette, Providence Supportive Housing Lynn Lindgren-Schreuder, Housing Development Center	
From:	Julia Kuhn & Chris Brehmer	
Project:	Provide Milwaukie Senior Supportive Housing	
Subject:	Vehicular Parking Quantity Modification – Updated Analyses	

Providence Supportive Housing (“Providence”) is proposing to develop a five-story building on a vacant property to the northeast of the SE 34th Avenue/SE Llewellyn Street intersection adjacent to its Milwaukie Hospital Campus. This new building will include 72 attached senior housing units and 7,500 square feet of space to house services for ElderPlace, which is being relocated from the Healing Place building immediately to the northwest of the site within the Providence Milwaukie campus. The site is subject to the vehicular parking standards in Table 19.605.1 of the Milwaukie Municipal Code (MMC). Per this City requirements, the following minimum vehicular parking supply applies to the site development:

- 1 space per dwelling unit for units less than 800 square feet; and,
- 3.9 spaces per 1,000 square feet of medical/dental offices.

Per the City’s parking requirements, 101 vehicular parking spaces are needed for the building (i.e., 72 spaces for the residential and 29 for ElderPlace) whereas Providence is proposing to supply 41 spaces plus shared use of the parking in the lot directly to the west. The proposed parking includes 17 spaces adjacent to the building for use by the housing (these spaces were approved through CU-2021-001), an agreement with Providence Milwaukie Hospital to utilize parking supply within the existing 178-space Providence/Healing Place building parking immediately west of the building (and within the property boundary of the site), and continued use of the 23-space parking lot to the southeast of the SE 34th Avenue/SE Llewellyn Street intersection that is designated for use by the existing ElderPlace staff today. This staff will be transferring over to the new building.

The remainder of this memo provides technical documentation that can assist with the City’s review of the requested parking quantity modification. As discussed herein, we conclude that the proposed parking supply can be considered reasonable and appropriate to serve the new residents and will avoid unmitigable impacts to the existing campus uses and/or the neighborhood streets.

Parking Quantity Modification

The requested modification for the senior housing vehicular parking requires a Type II determination. Per MMC Section 19.605.2, the following criterion apply to the request:

- *“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.”*
- *“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.”*
- *“The reduction of off-street parking will not adversely affect available on-street parking.”*
- *“The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site.”*

Housing Development Center has prepared the overall narrative to address the above criteria. This memorandum helps support this narrative and addresses the following:

- A brief description of the residents that will be served by proposed housing;
- A review of the applicability of various land use categories and associated parking rates contained in the *Parking General Manual 5th Edition*, as published by the Institute of Transportation Engineers, to understand the potential parking demand for the proposed housing;
- A review of information provided by Providence Supportive Housing staff regarding the parking supplied at other comparable sites operated by Providence in Washington; and,
- A recommended parking supply based on our review of the available data sources. This recommendation can be used to support the request in demonstrating that the request is “reasonable” and will not result in adverse parking impacts to the surrounding uses.

Proposed Housing

Income-restricted seniors will reside in the 72 units proposed and very few of the residents will drive and/or own vehicles. Instead, they will rely primarily on shuttle services offered by ElderPlace as well as transportation provided by family members and/or care givers not residing on-site. Given these characteristics, 17 parking spaces under the proposed building will be provided and additional spaces will be made available through an agreement with Providence Milwaukie Hospital in the existing 178-space parking lot immediately west of the building. This combined supply is proposed to serve the residents versus the 72 vehicular spaces (i.e., 1 space per unit) required by Table 19.605.1 in the MMC.

Information Contained in Parking Generation

There are no immediately comparable land use identified in the *Parking Generation Manual, 5th Edition*, as published by the Institute of Transportation Engineers. Accordingly, we reviewed three possible residential categories to help understand the potential parking demand for the proposed housing. These are outlined below.

- ***Land Use 223 – Affordable Housing for Seniors:*** this land use is described as multifamily housing rented at below market rate to households that “include at least one employed member.” Eligibility can be a “function of limited household income and resident age.” This is a new land use added within the 5th Generation of the *Parking Generation Manual* and as such, there is a limited number of data points available at this time. However, based on the description and the data provided, it appears that this land use could loosely offer a proxy for the housing proposed. The *Parking Generation Manual* cites an average parking ratio needed of 0.38 spaces per unit. This would equate to 27 spaces for the proposed housing but is predicated on data where the households include an employed member (not the case at the proposed facility whose residents will not need to commute to/from work).
- ***Land Use 253 – Congregate Care:*** this land use is described as an “independent living development that provides centralized amenities such as dining, housing keeping, communal transportation, and organized social/recreational activities.” Further, “limited medical services” may or may not be provided on-site. Given the centralized services and communal transportation as well as the potential for on-site medical services, this land use category also seems to be a reasonable proxy for the proposed housing. The *Parking Generation Manual* cites an average parking ratio needed of 0.30 spaces per unit. This would equate to 22 spaces for the proposed housing.
- ***Land Use 254 – Assisted Living:*** this land use is one that “provides either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons.” Further, its “centralized services typically include dining, housekeeping, social and physical activities, medical administration and communal transportation.” Given the centralized services, medical facilities and communal transportation, this description could also be a reasonable proxy for the proposed housing. One could posit that Assisted Living parking demand may be primarily attributable to significant on-site staff needs but prior discussions with other assisted living providers indicate that some residents store their cars on-site. The *Parking Generation Manual* cites an average parking ratio needed of 0.40 spaces per unit, which would equate to 29 spaces for the proposed housing.

If one were to take an average of the three land uses provided (given that no one use is identical to that proposed by Providence at this site but all could be considered reasonable proxies), the parking ratio would suggest 0.36 spaces per unit is “reasonable and appropriate” for consideration for the Supportive Housing proposed. As such, we conclude that applying this ratio would equate to 26 spaces for the 72 units proposed and could help address the findings related to the proposed modification criteria.

Other Comparable Site Information

In addition to the information contained in the *Parking Generation Manual*, Providence Supportive Housing provided parking supply data gathered at two comparable sites in the Seattle Metro area. These are described below.

- *Providence John Gabriel House* – this site is located in Redmond, Washington and includes 74 residential units available for reduced income senior residents. Like the proposed site, this site is also co-located with ElderPlace facilities. There are 29 vehicular parking spaces available for residents of the building, 2 spaces for designated for use by residential staff, and 11 designated for use by ElderPlace. For the residential component, this translates to 0.42 spaces per unit (including residential staff spaces) or 0.39 spaces per unit when considering only the residents’ needs. If one were to apply these same ratios to the Milwaukie site, the 72 units proposed would need 28 – 30 spaces.
- *Providence Joseph House* – this site is located in Burien, Washington and includes 64 residential units available for reduced income senior residents. This site is co-located with King County Housing Authority (KCHA) administrative offices and programmatic space. There are 24 vehicular parking spaces available for residents of the building and 32 spaces provided for KCHA staff/program use (not for residents of the building). For the residential component, this translates to 0.38 spaces per unit to serve the residents’ needs. If one were to apply this same ratios to the Milwaukie site, the 72 units proposed would need 27 spaces.
- *Average of both sites* – averaging the needs of the two Washington sites operated by Providence would suggest 28 – 29 spaces would be needed to serve the Milwaukie residents.

Recommended Parking Supply

There is not a directly comparable site in terms of operations to assess parking demand. Further, the continued effect of COVID-19 on “typical travel patterns” prevents the collection of parking demand data today even if a comparable site were identified. Insights can be drawn from national trends documented through ITE data as well as through Providence Supportive Housing’s experiences in Washington at similar senior, restricted-income facilities. Given the available data reviewed, provision of 26 – 29 vehicular parking spaces is recommended to serve the residents of the proposed building.

Other Considerations Related to the Parking Modification Quantity Request

With 17 spaces within the building currently proposed for use by the housing, we also offer the following considerations for review in determining whether this modification request is “reasonable and appropriate:”

- The proposed housing is within/adjacent to the Providence Milwaukie Hospital Campus. Per information obtained from Providence, the current campus has 374 parking spaces which equates to an overall campus supply of 104 spaces more than are needed per the MMC requirements. Based on the overall campus supply exceeds that needed by code, one could reasonably conclude that:
 - The 104 space surplus within the overall Hospital Campus (beyond the City’s requirement) provides flexibility for atypical demands associated with the campus as well as the proposed housing and/or the existing ElderPlace operations.
- The parking lot located immediately west of the proposed building contains 178 spaces today (this is part of the 374 space campus supply). This parking lot primarily serves the “Healing Place” building immediately to the north of the lot within the Hospital Campus but is also within the boundaries of the site. Today, this building houses clinical uses and the existing ElderPlace staff and operations. The ElderPlace staff are not housed in the 178-space lot. Instead, they are required to park in the 23-space lot located immediate south of SE Llewelyn Street from this lot.
- Per Providence, the Healing Place building is 42,000 square feet in size and no tenants are proposed to occupy the current ElderPlace portion of the building when the operations shift into the new building. Based on the MMC requirements, the Healing Place would require 164 spaces if all of the building were occupied by clinical uses (i.e., 3.9 spaces per 1,000 square feet × 42,000 square feet). As noted above, there are 178 spaces in the parking lot immediately south of this building and the existing ElderPlace staff is prohibited from parking in this location; they instead use the 23-space lot. Given that the overall campus has an excess of 104 spaces (as noted in the bullet above) and this 178-space lot is 14 spaces in excess of the MMC requirements, only could reasonably conclude that:
 - There is adequate and appropriate supply to house a potential future clinical tenant that could move into the former ElderPlace space; and,
 - There are at least 14 additional spaces that could be used by the proposed residents and still maintain an adequate supply for the Healing Place and overall campus. Providence Supportive Housing will enter in an agreement with Providence Milwaukie Hospital to use this parking supply for the proposed residents’ needs.

- The existing ElderPlace staff and operations are moving from the Healing Place building immediately northwest of the site into the proposed building, which represents a distance change of less than 300 feet. This new building is closer to the surface parking lot designated for use by ElderPlace staff (i.e., the 23-space parking lot in the southeast quadrant of the SE Llewelyn Street/SE 32nd Avenue intersection). Per Providence, no new staff will be added when the operations are relocated into the new parking lot and this lot is *very rarely* utilized to its capacity. Based on this information, one could reasonably conclude that:
 - The 23-space lot is in excess of the actual demand associated with ElderPlace;
 - With no change in staffing levels from the existing ElderPlace operations, the existing parking is adequate and appropriate to continue to serve the staff when the new building is occupied and the space re-located; and,
 - The existing 23-space parking lot is closer to the new building than the existing Healing Place building, which makes it even more convenient for ElderPlace staff to access.
- At the Providence John Gabriel House in Redmond, the co-located ElderPlace has 11 designated parking spaces beyond the 29 available for residents and 2 spaces for residential staff. Per Providence representatives, only 5 of these spaces are utilized at any given time. Based on this information, one could reasonably conclude that:
 - The 23-space parking lot at the Milwaukie Campus for ElderPlace exceeds the demand experienced at the comparable facilities in Redmond and, per Providence operations, is more than adequate to serve the existing staff.

Conclusions

When taken altogether, the findings outlined herein support Providence's proposed parking quantity modification to provide 17 spaces for use by the housing, an agreement with Providence Milwaukie Hospital to utilize parking supply within the existing 178-space Providence/Healing Place building parking immediately west of the building (and within the property boundary of the site), and continued use of the 23-space parking lot to the southeast of the SE 34th Avenue/SE Llewellyn Street intersection that is designated for use by the existing ElderPlace staff today. Based on the available data, we conclude the housing needs 26 – 29 spaces and that there are 14 spaces in the parking area south of the Healing Place building and adjacent to the proposed housing (and within the site boundaries) that can reasonably and appropriately serve the proposed residential uses to avoid any unforeseen parking impacts. Utilization of these 14 spaces would ensure that (1) the overall campus has 90 more spaces available for use than the needed supply per the MMC (i.e., 104 space surplus less the 14 space that could be used by the future residents), (2) a new clinical tenant of the Healing Place that replaces the existing ElderPlace space can still be served within the designated 169 spaces (assuming 9 are designated for the housing), and (3) the projected housing demand is only anticipated to need 10 – 13 of the 14 spaces (i.e., 26 – 29 spaces needed less the 17 spaces supplied under the new building). With all of these considerations, we conclude that the proposed parking quantity modification is reasonable and appropriate and avoids unmitigable parking impacts to the existing campus users and/or surrounding neighborhood streets.

Please let us know if you need any additional information and/or have any questions about the information provided.