

June 28, 2021



Brett Kever
City of Milwaukie
Community Development
6101 SE Johnson Creek Boulevard
Milwaukie, OR 97206

RE: File No. DR-2021-003; 10306 SE Main St (Kellogg Bowl site)

Dear Brett:

Thank you for your review of the Henley Place multifamily project and deeming the application complete. This letter is in response to the “approvability items” noted in your letter dated June 15, 2021. The comments are shown in *italics*, with the Applicant’s response directly below.

1. *MMC Section 19.508 Downtown Site and Building Design Standards*

Note that, for purposes of the downtown design review aspect of this application, the proposed building is considered to have two street-facing façades—the west elevation faces Main Street and the east elevation faces 23rd Avenue.

a. *MMC Subsection 19.508.4.A Building Façade Details*

For stand-alone multifamily residential buildings (like the proposed development), the objective standards of MMC Subsection 19.505.3.D.6 are applicable.

- (1) *Glazing—The 25% glazing standard applies to both the west and east elevations. The west elevation appears to meet the standard, but staff’s measure of glazing was closer to the 25% minimum than the 35% figure noted in the narrative. The east elevation does not appear to meet the 25% standard. It would be helpful to see the figures/math for both calculations. If the standard cannot be met, discuss how the design is substantially consistent with the purpose statement of this design element and any applicable downtown design guidelines.*

Response: The preliminary architectural plans have been updated with additional detail showing glazing calculations. Please refer to the window schedule on sheets C25 and C26. Both east and west elevations exceed the minimum glazing percentage requirement.

- (2) *Exterior wall off-sets—It is not clear from the plan sheets that horizontal offsets are provided at 40-ft intervals along the entire length of the primary façade (west elevation) on the ground-floor level. Please confirm whether the aluminum storefront windows along the 80-plus-ft façade of the live/workunits are intended to serve the offset function.*

Response: A partial cross section of the west building façade at the ground floor has been added below the elevation view on sheet C33, which demonstrates that the architectural design provides the required exterior wall off-sets.

b. *MMC Subsection 19.508.4.C Weather Protection*

- (1) *As per MMC Subsection 19.508.4.C.2.a(1), weather protection is required for all ground-floor building entries. Looking at Sheet C-24, it appears there are some entries on or near the south side of the building that are not covered. This includes the entries into the two-bedroom unit at the southeast corner of the building, on both the south and east elevations.*

Please note that the ground-floor entries are not shown consistently on the various plan sheets. Sheets C-10 and C-24 appear to show different entries for the apartment in the southeast corner of the building as well as for the water/fire space in the northwest corner. Please confirm which sheet(s) are the guiding ones and be sure the various elevation sheets reflect the intended design layout.

Response: The plan sheets have been checked and updated for consistency. Weather protection canopies are provided over the public building entries on the west, south and east sides of the building. Some weather canopies are provided over private residential units for aesthetic purposes. Canopies are not provided over all private unit patio doors. Sheet C24 entitled “MMC 19.508.4.C.2 Weather Protection” is the guiding sheet for weather canopy information.

- (2) *There is a pedestrian accessway along the north side of the building, and the narrative indicates that it is covered (page 26). However, no weather protection appears on Sheet C-24 for this northside sidewalk. Please explain this discrepancy and address the purpose statement of this design element and any applicable downtown design guidelines if necessary.*

Response: There is no public building entry on the north side of the building. The accessway along the north façade will be used as an emergency exit route from the exit-only stairwell and by maintenance personnel to access the utility rooms. The narrative response has been updated.

c. *MMC Subsection 19.508.4.E Windows and Doors*

As noted above, the eastern façade (facing 23rd Avenue) is considered street-facing and is therefore subject to the standard for 40% ground-floor windows, which it appears to meet. However, it is not clear that the eastern façade meets the 30% glazing standard for upper floors. Please provide additional information sufficient to demonstrate that this standard is met or discuss how the design is substantially consistent with the purpose statement of this design element and any applicable downtown design guidelines.

Response: The plans have been updated to provide wall openings and glazing area calculations for the west and east facing façades. Please refer to plan sheets C25 and C26.

d. *MMC Subsection 19.508.4.G Open Space*

- (1) *(1) As noted in the applicant’s narrative, the proposal provides far more than the minimum required private and common open space. Please be advised, however, that the presentation of information in Table 2 (page 33) is confusing, as the table is titled as showing indoor common space but includes a sum of all common open space (indoor and outdoor). The inclusion in Table 2 of the common outdoor space from Table 1 (page 32) adds some confusion, especially by not providing a specific*

line with the amount of outdoor common space being tallied. This should not be a problem for approvability but may confuse the parties evaluating the application.

Response: The table provides the sum of the project's total common open space area, including interior and exterior amenities, in response to Subsection 19.508.G.2.b. Common Open Space. The table and its title have been updated for clarity.

- (2) *The narrative indicates that common outdoor space is abutted on two sides by residential units or nonresidential uses with windows and entrances fronting the space as required (page 33). However, this does not appear to be the case for the common outdoor space provided at the ground level at the south side of the building. It may be necessary to address the purpose statement for this design element as well as any applicable downtown design guidelines.*

Response: The project exceeds its minimum 8,900-square foot outdoor space requirement by providing private balconies and a common roof top terrace, which add up to ±9,423 square feet. The roof top terrace meets the code requirement and is abutted on three sides by windows and entrances from the common amenity room and residential units. The ground floor terrace and the public plaza at Main Street, which do not meet the above requirement, are not counted towards meeting the project's outdoor space obligation. Even though those spaces are not required to meet the minimum standard, they are still shown on the plans and are listed in the narrative as open space amenities that provide a benefit to the project. The narrative response has been updated accordingly.

- (3) *As a point of information, be advised that the subject property is not adjacent to Scott Park. The adjacent property to the south (with the pond) is a parcel owned by Mil Athletic, LLC, and is not part of the Scott Park property. As noted in the narrative, the applicant is not requesting credit for open space, but this would not be an option anyway since the subject property is not directly adjacent to an improved public park.*

Response: The reference to Scott Park has been removed from the response in the narrative.

2. MMC Section 19.609 Bicycle Parking

The language in MMC 19.609 does not explicitly state that the required bike spaces cannot be located within individual dwelling units. However, staff's interpretation of this code section is that most of the bike parking provided must be generally accessible, such as in a designated secure room. By placing almost all of the proposed bike parking within the individual dwelling units, the applicant's most recent proposal does not meet this intent. If it is not possible to locate a significant number of bike parking spaces in a more generally accessible location(s), it may be necessary to request a variance from the standards of MMC 19.609 or else accept a condition of approval to ensure that the standards are met.

Response: The Applicant has added several common bicycle storage areas in multiple locations throughout the building. Bike parking requirement is satisfied through a combination of a ground-floor bike lounge accessed from the parking garage, a bike storage room on each floor accessed from the common hallway, some in-unit bike storage in larger residential units, and outside the main building entrance. Please refer to the updated narrative response to MMC Section 19.609. The preliminary architectural plans have



been updated with bike parking locations. Sheet 32 provides the dimensions of bike parking areas and the cut sheet of a typical in-unit built-in rack.

3. *MMC Section 19.911 Variances*

The four requested variances all relate to detailed development standards established in MMC Subsection 19.304.5—maximum building setback, frontage occupancy, provision of open space in the setback area, and off-street parking between the street and the building. Understandably, much of the applicant’s justification for the variances is based on the flag- lot shape of the subject property, and the arguments for each of the four variance requests are linked. The requests to provide off-street parking between the building and Main Street and to vary from the open space requirements are particularly intertwined.

Staff has a few questions or suggestions for consideration of the requested variances:

- *The 900-sq-ft open space area proposed between Main Street and the first parking space in the accessway represents only approximately 6% of the nearly 14,000-sq-ft area of the accessway, well under the 50% minimum standard. Can the applicant explain more about how that gap of 44 percentage points represents the minimum amount of off-street parking that can be provided in favor of establishing more open space?*
- *Although the proposed development would provide almost 11,000 sq ft of common open space (page 33 of the narrative), most of that open space is intended for use by the residents of the new building. The rooftop common areas, interior fitness and amenity rooms, and even the ground-level open space near the pond are not spaces that the general public is particularly invited to use. What aspects of the proposed 900-sq-ft open space are designed or intended to serve as an amenity for downtown visitors and residents, promote livability, and help soften the effects of built and paved areas, meeting the stated intent of MMC Subsection 19.304.5.H?*
- *The narrative asserts that the allowed parking reduction (25% for properties within the Downtown Mixed Use zone) is not desirable for this project (page 54). At the same time, the narrative describes the project’s “reduced parking quantity” as contributing to an environment that is more conducive for bicycles, pedestrians, and transit (page 55). The proposed parking quantity (173 spaces for 178 units) is only a three-percent (3%) reduction of the minimum requirement. How does such a minor parking reduction help to promote biking and transit? And is there truly no opportunity to further reduce parking in the accessway, which would provide open space and therefore reduce the need for both of those two variances?*

With these questions and notes in mind, consider ways to bolster the argument(s) that the requested variances related to parking and open space do in fact represent the minimum variances necessary, particularly given the allowed parking reduction and the opportunity to further engage with Main Street through the open space area between the building and the street.

Response: The variance responses in the narrative have been updated with additional information to further substantiate the need for the variances. In the latest site layout, one parking space in the garage was removed from the preliminary plans to accommodate access to the shared bicycle lounge. As stated therein, it is no feasible for to reduce parking further without jeopardizing the viability of the project.

Thank you for reviewing this information and please let us know if you have further questions.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



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Enclosures

1. Completeness Letter dated June 15, 2021
2. Updated Narrative
3. Updated Preliminary Plans