

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

Application for Land Use Action

Primary File #: P-2024-001;
TFR-2024-001
Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|---|--|--|
| <input type="checkbox"/> Amendment to Maps and/or | <input type="checkbox"/> Land Division: | <input type="checkbox"/> Residential Dwelling: |
| <input type="checkbox"/> Comprehensive Plan Map | <input type="checkbox"/> Partition | <input type="checkbox"/> Manufactured Dwelling Park |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Temporary Dwelling Unit |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Replat | |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Transportation Facilities Review** |
| <input type="checkbox"/> Code Interpretation | <input type="checkbox"/> Miscellaneous: | <input type="checkbox"/> Variance: |
| <input type="checkbox"/> Community Service Use | <input type="checkbox"/> Barbed Wire Fencing | <input type="checkbox"/> Use Exception |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Mixed Use Overlay Review | <input type="checkbox"/> Variance |
| <input checked="" type="checkbox"/> Development Review | <input type="checkbox"/> Modification to Existing Approval | <input type="checkbox"/> Willamette Greenway Review |
| <input type="checkbox"/> Director Determination | <input type="checkbox"/> Natural Resource Review** | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Downtown Design Review | <input type="checkbox"/> Nonconforming Use Alteration | Use separate application forms for: |
| <input type="checkbox"/> Extension to Expiring Approval | <input checked="" type="checkbox"/> Parking: | • Annexation and/or Boundary Change |
| <input type="checkbox"/> Historic Resource: | <input type="checkbox"/> Quantity Determination | • Compensation for Reduction in Property Value (Measure 37) |
| <input type="checkbox"/> Alteration | <input checked="" type="checkbox"/> Quantity Modification | • Daily Display Sign |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Shared Parking | • Appeal |
| <input type="checkbox"/> Status Designation | <input type="checkbox"/> Structured Parking | |
| <input type="checkbox"/> Status Deletion | <input type="checkbox"/> Planned Development | |

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Terry Amundson, Koble Creative Architecture LLC

Mailing address: 2117 NE Oregon St., Suite 301, Portland State/Zip: OR, 97232

Phone(s): 503-539-4300 Email: terry@koblecreative.com

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

SITE INFORMATION:

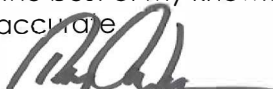
Address: 9815 & 9833 SE 17th Ave., Milwaukie, OR 97222 Map & Tax Lot(s): 11E26DB01000, 11E26DB01200, 11E26DB01201

Comprehensive Plan Designation: LD Zoning: R-MD Size of property: 2.51 acres

PROPOSAL (describe briefly):

A cottage-cluster housing development is proposed that would produce 41 new homes. Residence types include 2 and 3-bedroom units geared toward families. The Project is requesting a parking modification for parking quantities beyond code maximum through a Type II process. Replat to consolidate 3 underlying lots.

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

Submitted by:  Terry Amundson Date: 12/18/2023

IMPORTANT INFORMATION ON REVERSE SIDE

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

** Natural Resource and Transportation Review applications may require a refundable deposit.

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

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

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

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

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

REVIEW TYPES:

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

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

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	P-2023-001	\$ 1,000			
Concurrent application files	TFR-2024-001	\$ 750	25%		
		\$			
	TOTAL	\$ 1,750			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	

TOTAL AMOUNT RECEIVED: \$

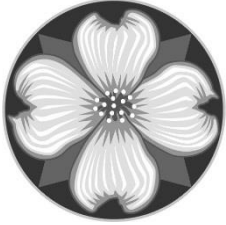
RECEIPT #:

RCD BY:

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

Neighborhood District Association(s): Historic Milwaukie

Notes:



MILWAUKIE PLANNING
6101 SE Johnson Creek Blvd
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503-786-7630
planning@milwaukieoregon.gov

Submittal Requirements

**For all Land Use Applications
(except Annexations and Development Review)**

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.

Applications without the required application forms and fees will not be accepted.

2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.

Where written authorization is required, applications without written authorization will not be accepted.

3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.

4. **Detailed statement** that demonstrates how the proposal meets the following:

A. All applicable development standards (listed below):

1. **Base zone standards** in Chapter 19.300.
2. **Overlay zone standards** in Chapter 19.400.
3. **Supplementary development regulations** in Chapter 19.500.
4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

B. All applicable application-specific approval criteria (check with staff).

C. Compliance with the Tree Code (MMC 16.32): www.milwaukieoregon.gov/trees

These standards can be found in the MMC, here: www.qcode.us/codes/milwaukie/

5. **Site plan(s), preliminary plat, or final plat** as appropriate.

See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.

6. **Copy of valid preapplication conference report**, when a conference was required.

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APPLICATION PREPARATION REQUIREMENTS:

- Electronic copies of all application materials are required at the time of submittal.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

As the authorized applicant I, (print name) Terry Amundson, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature:  Terry Amundson, Koble Creative Architecture LLC

Date: 12/18/2023

Official Use Only

Date Received (date stamp below):

Received by: _____

Date December 18, 2023

Project Milwaukie Cottages

Site Address 9815 & 9833 SE 17th Avenue
Milwaukie, OR 97222
Tax Lots 11E26DB01000, 11E26DB01200 & 11E26DB01201

**Architect/
Applicant** Koble Creative Architecture LLC
Terry Amundson
2117 NE Oregon St. #301
Portland, OR 97232

Developer Ethos Development LLC
Paul Del Vecchio

Re: Type II Land Use Review w/ Modification Request
Statement of Compliance

Description & Request

The subject site is located at 9815 & 9833 SE 17th Avenue and is comprised of three lots totaling approximately 2.51 acres. A single-family home at the 9833 address is the only significant existing structure and would be demolished for the project. Two existing curb cuts on SE 17th provide vehicular access to the site. The site is in the Moderate Density Residential (R-MD) zone.

A cottage-cluster housing development is proposed that would produce 41 new homes. Residence types would include 2 and 3-bedroom units geared toward families. Automobile parking in excess of code requirements would be provided on site.

The Project is requesting a modification for parking beyond code maximum through a Type II process. It is understood that parking more than one car per dwelling requires a modification. The project as shown proposes 61 cars for 41 dwelling units, or 1.5 cars per dwelling.



Conformance to Applicable Standards

Chapter 19.300 – Base Zone Standards

19.301 Moderate Density Residential Zone

The subject site falls in the R-MD (Moderate Density Residential) zone. The standards of this chapter apply as the Base Zone, however in some cases are superseded by the standards for Cottage Cluster Housing. See further information in Section 19.505.4 below.

19.301.2 Allowed Uses in Moderate Density Residential Zones

The overall character of the R-MD zone is one of residential neighborhoods. Allowed uses in the R-MD zone are identified in Table 19.301.2. A variety of housing types including single detached dwellings, duplexes, triplexes, and cottage clusters are all allowed by right. As such, the proposed cottage cluster housing development is a permitted use for this zone.

19.301.3 Use Limitations and Restrictions

The limitations of this section apply to agricultural, horticultural, and marijuana production uses. This section does not apply to the proposed housing development.

19.301.4 Development Standards

Prior to issuance of a building permit, the Applicant acknowledges that the three lots comprising the Project must be consolidated. The resulting property will total approximately 2.51 acres, or approximately 109,164 square feet.

Table 19.301.4 identifies standards for R-MD zone as related to lot size. The size of the subject property places it in the largest category (lots 7,000 SF and up), allowing for the greatest flexibility of housing types, including cottage clusters (Table Section A). The consolidated property width and street frontage will be 250' or more, and the average lot depth will be approximately 425'. The minimum dimensional standards for lots of this size are easily exceeded (Table Section B).

Table 19.301.4 Section C identifies development standards related front, street, side, and rear yard minimums. Also included are building height and coverage limitations. The development standards of Table Section C are superseded by the standards specific to Cottage Cluster housing developments. See further information in Section 19.505.4 below.

Table 19.301.4 Section D sets a minimum density of 5.0 dwellings per acre. Five dwellings/acre x 2.51 acres equals 12.55 minimum dwellings. Additionally, footnote 4 states that cottage clusters are exempt from density maximums. The Project provides 41 total units and therefore meets the standards of this section.

19.301.5 Additional Development Standards

This section identifies specific yard and lot coverage adjustments for certain size lots and uses. The requirements of this section are superseded by the standards for Cottage Cluster developments. See further information in Section 19.505.4 below.

Chapter 19.400 – Overlay Zone Standards

There are no special overlays on the subject property. This section does not apply.



Chapter 19.500 – Supplementary Development Regulations

19.504 Site Design Standards

19.504.1 Clear Vision Areas

This section states that a clear vision area shall be maintained on the corners of all property at the intersection of 2 streets or a street and a railroad. The subject property does not have any corners at intersections. Therefore, this section does not apply.

19.504.2 Maintenance of Minimum Ordinance Requirements

This section states that no lot area, yard, other open space, or off-street parking or loading area shall be reduced by conveyance or otherwise below the minimum requirements of this title. The Owner and Developer have no intention of selling, separating, or otherwise disposing of any part of the subject property for this Project.

19.504.3 Dual Use of Required Open Space

This section states that no required lot area, yard, or other open space or off-street parking or loading area shall be used to meet the required lot area, yard, or other open space or off-street parking area for another use. There is only one use proposed for this Project: residential. As such, there will be no competing multiple uses. Therefore, this standard is met.

19.504.4 Transition Area Measures

This section applies to projects where commercial, mixed-use, or industrial development is proposed abutting or adjacent to properties zoned R-MD. This Project does not propose any of these uses. Therefore, this section does not apply.

19.504.5 Minimum Vegetation

Per this section, no more than 20% of the required vegetation area shall be covered in mulch or bark dust. Mulch or bark dust under the canopy of trees or shrubs is excluded from this limit. Please reference sheet L3 – Landscape Code Plan for conformance with this standard.

19.504.6 Flag Lot and Back Lot Design and Development Standards

The subject property is neither a flag lot nor a back lot. Therefore, this section does not apply.

19.504.7 On-Site Walkways and Circulation

This section pertains to all development subject to Chapter 19.700, excluding single detached and multi-unit residential development. As this cottage cluster development proposes a combination of detached and attached residential units, this section does not apply. Nevertheless, the Project does include a pedestrian circulation system throughout the site. One walkway connection is made to SE McBrod Avenue, and two are provided at SE 17th Avenue. This circulation system connects all residential units and shared facilities, included trash, mail, and parking areas. Reference the Site Plan for more information.

19.504.8 Setbacks Adjacent to Transit



This requirement applies to all new commercial, office, and institutional development within 500 ft of an existing or planned transit route. This Project is a residential development. Therefore, this section does not apply.

19.504.9 Preliminary Circulation Plan

A preliminary circulation plan is required for nonresidential development on sites 3 acres and larger. The proposed Project is a residential development on a site less than three acres. Therefore, this section does not apply.

19.505 Building Design Standards

19.505.4 Cottage Cluster Housing

Cottage cluster housing is defined as groupings of no fewer than 4 dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard per this section. The proposed Project is comprised of 41 dwelling units organized into five cottage clusters, each with its own shared courtyard. Therefore, the standards of this section apply.

19.505.4.C Development Standards

Cottage cluster development standards are summarized in Table 19.505.4.C.1, copied here for convenience. See the responses to table items A through G that follow.

Table 19.505.4.C.1 Cottage Cluster Development Standards		
Standards	R-MD	R-HD, GMU, NMU
A. Structure Types		
1. Building types allowed, minimum and maximum number per cluster	Detached and Attached cottages 3 minimum 12 maximum dwelling units Maximum number of attached units = 3	Detached and Attached cottages 3 minimum 12 maximum dwelling units Maximum number of attached units = 4
B. Dwelling Unit Size		
1. Max building footprint per dwelling unit	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	
C. Height		
1. Max height	25 ft or 2 stories, whichever is greater	
2. Max structure height between 5 & 10 ft of rear lot line	15 ft	
3. Max height to eaves facing common green	1.618 times the narrowest average width between two closest buildings	
D. Setbacks, Separations, and Encroachments		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	



E. Impervious Area, Vegetated Area		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
G. Parking (see also 19.505.4.E.4)		
1. Automobile parking spaces per primary home (minimum)	0.5	0.5
2. Dry, secure bicycle parking spaces per home (minimum)		1.5
3. Guest/short-term bicycle parking spaces per home (minimum)		0.5

Table Section A, Structure Types identifies the types of cottages allowed by right in the Moderate Density and High Density Residential zones. With the passing of Council Ordinance No. 2236, attached cottages are permitted by right in the R-MD zone. The proposed Project is for attached cottages with a maximum of three units attached, as shown on the Proposed Site Plan. As such, this standard is met.

The 41 cottages in this Project are grouped into five clusters. As shown on the Site Plan, there are between 5 and 11 cottages in each cluster. This falls between the 3 minimum and 12 maximum cottages per cluster allowed. As such, this standard is met.

Table Section B, Dwelling Unit Size allows a maximum footprint of 900 sf per cottage and maximum average area of 1,400 sf per cottage. The proposed Project includes a combination of 22 two-bedroom units and 19 three-bedroom units. The footprint of a two-bedroom unit is 20' x 30' = 600 sf, and the footprint of a three-bedroom units is 25' x 30' = 750 sf, both under the 900 sf limit. Two-bedroom units contain 1,120 sf total, and three-bedroom units are 1,420 sf. This produces an average cottage size of 1,259 sf. Being under the 1,400 sf limit, this standard is met.

Table Section C, Height identifies maximum building heights. Cottages may be 25' or 2 stories, whichever is greater. All the proposed cottages are two-stories, so this standard is met. Additionally, the maximum height between 5 and 10 feet of the rear lot line is limited to 15'. No structures are proposed within 10' of the rear lot line. This standard is met. Finally, the height to the eaves of two buildings facing a common courtyard is limited by a factor of the courtyard width. The narrowest proposed courtyard occurs at cluster #2, where there is 33' between facing buildings. $33' \times 1.618 = 53.4'$. Reference sheets A501 and A502 for typical building elevations. As all the proposed buildings are well under 53.4', these standards are met.

Table Section D, Setbacks, Separations, and Encroachments identifies required building setbacks, separations between cottages clusters, and separations between cottages within a cluster. Reference sheet A101 - Proposed Site Plan for dimensions and setbacks. This standard is met.

Table Section E, Impervious Area, Vegetated Areas are limited to 60% impervious area (maximum) and 35% vegetated area (minimum) in the R-MD zone. Reference sheet A102 – Site Area Calcs and the Landscape Plans. The Project provides approximately 53% impervious area and 47% landscape area. This standard is met.

Table Section F, Community and Common Space allows for larger footprints for community buildings, if provided. No shared community building is included with this Project. Section 19.505.4.E.2 provides additional detailed standards for required common courtyards. See the



response to section 19.505.4.E.2 that follows. Also reference the courtyard calculations provided for each of the five courtyards on sheet A102 – Site Area Calcs. Each courtyard is sized in excess of the minimum requirement. These standards are met.

Table Section G, Parking sets the minimum parking requirements for cottage clusters at 0.5 cars/home, 1.5 dry-secure bikes/home, and 0.5 guest bikes/home. Reference A101 – Proposed Site Plan for parking locations and calculations. For the 21 minimum cars required, 61 cars are provided. 62 long-term (dry/secure) bike parking spaces are required and 64 are provided. Of the dry/secure bike parking provided, 40 spaces are within individual units (see unit plans) and 24 are in the commonly accessible bike shed. Additionally, 21 guest bikes are required, and 22 are provided, dispersed throughout the site. As such these minimum standards are met and exceeded.

Note, automobile parking is also noted on Table 19.605.1 which sets a *maximum* of 1 space per dwelling for cottage clusters. Parking maximums may be modified by a Type II land use review. This project proposes parking in excess of code maximums. The 61 spaces provided equate to 1.5 cars per unit. A variance to the parking maximum is requested as part of this submittal. See additional discussion of this variance request under Chapter 19.911 – Variances to follow.

19.505.4.D Cottage Standards

19.505.4.D.1 Size: Allows a maximum footprint of 900 sf per cottage and maximum average area of 1,400 sf per cottage. The proposed Project includes a combination of 22 two-bedroom units and 19 three-bedroom units. The footprint of a two-bedroom unit is 20' x 30' = 600 sf, and the footprint of a three-bedroom units is 25' x 30' = 750 sf, both under the 900 sf limit. Two-bedroom units contain 1,120 sf total, and three-bedroom units are 1,420 sf. This produces an average cottage size of 1,259 sf. Being under the 1,400 sf limit, this standard is met.

19.505.4.D.2 Height: Cottages may be 25' or 2 stories, whichever is greater. All the proposed cottages are two-stories, so this standard is met. Additionally, the maximum height between 5 and 10 feet of the rear lot line is limited to 15'. No structures are proposed within 10' of the rear lot line. This standard is met. Finally, the height to the eaves of two buildings facing a common courtyard is limited by a factor of the courtyard width. The narrowest proposed courtyard occurs at cluster #2, where there is 33' between facing buildings. $33' \times 1.618 = 53.4'$. Reference sheets A501 and A502 for typical building elevations. As all the proposed buildings are well under 53.4', these standards are met.

19.505.4.D.3 Orientation: Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards:

- (1) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.

Reference sheet A101 – Proposed Site Plan. The proposed cottage unit entrances all face pedestrian paths and/or common courtyards. Thus, this standard is met.

- (2) A minimum of 50% of cottages within a cluster must be oriented to the common courtyard and must:
 - (a) Have a main entrance facing the common courtyard;
 - (b) Be within 10 ft from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and



- (c) Be connected to the common courtyard by a pedestrian path.

Of the 41 units proposed, 36 units have main entrances directly facing, and within 10 feet of, common courtyards. The most restricted condition is found at Cluster #5, where 4 cottages face the courtyard and 4 cottages face a pedestrian path adjacent to parking. With 4 of 8 cottages directly facing the courtyard at Cluster #5 (50%), this standard is met. Clusters #1 through #4 easily meet this standard.

- (3) Cottages within 20 ft of a street property line may have their entrances facing the street.

Cottages facing SE 17th Avenue may either have their entrances face the street or the courtyard. Units #1.4, 1.5, 1.6 and #2.4, 2.5, 2.6 face their respective courtyards. This standard is met.

- (4) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Reference sheet A101 – Proposed Site Plan. The proposed cottage unit entrances all face pedestrian paths and/or common courtyards. Thus, this standard is met.

19.505.4.D.4 Design: The design standards in this subsection apply to cottages when the closest wall of the street-facing façade is within 50 ft of a front or street side lot line, when the front of the cottage faces the street, and to dwellings in a cluster or grouping, either facing a shared open space (e.g. a common courtyard) or a pedestrian path. An architectural feature may be used to comply with more than one standard.

- a. Articulation:** All buildings must incorporate design elements that break up all street-facing façades into smaller planes as follows:

- (1) For buildings with 30-60 ft of street frontage, a minimum of one of the following elements must be provided along the street-facing façades...

Two of the buildings proposed, each comprised of three attached cottages (Units 1.4, 1.5, 1.6 & Units 2.4, 2.5, 2.6), have elevations facing SE 17th Avenue that measure 70' in length. These buildings incorporate 2' deep wall offsets that divide each façade into shorter lengths measuring 25', 20', and 25'. Reference sheet A101 – Proposed Site Plan and A202 – Street-Facing Unit Plans. This standard is met.

- b. Eyes on the Street:** At least 15% of the area of each street-facing façade must be windows or entrance doors.

Reference the cottage elevations and window calculations on sheets A501 through A506. The facades of each building have been designed to accommodate 15% or more windows & entry doors where required (i.e. facing a courtyard or street). At wall locations where this standard does not apply (for example, walls facing interior lot lines, or walls between clusters facing each other) window coverage may be reduced when appropriate.

- c. Main Entrance:** At least one main entrance must meet both of the following standards.

- (1) Be no further than 8 ft behind the longest street-facing wall of the building.



- (2) Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch.

The main entrance of each cottage unit is flush with the longest building wall and faces either a common courtyard, or a pedestrian path connecting to the courtyard.

- d. **Detailed Design:** All buildings shall include at least 5 of the following features on any street-facing façade (#1 through #17)...

As shown on A101 – Proposed Site Plan, Units 1.4, 1.5, 1.6 and Units 2.4, 2.5, 2.6 face SE 17th Avenue. Reference the street-facing cottage exteriors on sheets A503 & A504 – Street-Facing Unit Elevations. As shown, the following five detailed design features are incorporated:

- Offset building faces
- Roof eaves
- Roof line offsets
- Horizontal lap siding
- Window trim (See details 1/A801, 2/A801 & 3/A801)

19.505.4.E Site Design and Other Standards

19.505.4.E.1 Number of Cottages Allowed: A cottage cluster must include a minimum of 3 cottages and a maximum of 12 cottages, subject to Table 19.505.4.B.1. Minimum separation between detached units is 6 ft.

The 41 cottages in this Project are grouped into five clusters. As shown on the Site Plan, there are between 5 and 11 cottages in each cluster. This falls between the 3 minimum and 12 maximum cottages per cluster allowed. Building separations are shown on Sheet A101 – Proposed Site Plan. This standard is met.

19.505.4.E.2 Common Open Space: Each of the five cottage clusters proposed in the Project incorporates a common courtyard meeting the standards of this section. Reference sheet A102 – Site Area Calcs, for additional detail on how the Project meets all the following standards:

- a. Each courtyard is a single, contiguous piece.
- b. Cottages must abut the courtyard on at least two sides. The proposed courtyards all have cottages facing them on two or more sides.
- c. The courtyards are sized to provide a minimum of 150 sf per cottage. Reference the calculations shown on sheet A102 – Site Area Calcs.
- d. The minimum allowed dimension of a courtyard is 15'. The narrowest courtyard proposed is at Cluster #2, and its narrowest dimension is 23'.
- e. Reference the Landscape Plan for preliminary planning and paving concepts.
- f. Each courtyard incorporates pedestrian paths connecting the entries of each cottage to common parking areas, trash and mail areas, and other cottage clusters.

19.505.4.E.3 Pedestrian Circulation: The on-site pedestrian circulation system must include the following:



- a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas.

Reference sheet A101 – Proposed Site Plan. The pedestrian circulation system connects the entries of each cottage to common parking areas, trash and mail areas, and other cottage clusters throughout the site.

- b. At least one pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.

The eastern property frontage at SE 17th Avenue measures over 250'. Two pedestrian connections are provided to SE 17th. At the short frontage at SE McBrod Avenue, one pedestrian connection is provided.

- c. Pedestrian walkways must be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.

Where pedestrian paths are adjacent to vehicular areas, they will be protected by raised curbs.

- d. Walkways must be constructed with a hard surface material and must be no less than 3 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway must be provided. The walkways must be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.

The proposed pedestrian walkways are shown 5' wide concrete, typically. Where parking areas are adjacent to walkways, wheel stops will be utilized to limit vehicle encroachment.

19.505.4.E.4 Off-Street Parking

- a. There must be at least 0.5 off-street parking spaces per dwelling unit per Table 19.505.4.B.1. The parking space must be located together with parking spaces for other cottages in a common area, and not located on the same lot as an individual cottage unit.

The 41 units proposed require a minimum of 21 parking spaces. 61 parking spaces are provided, exceeding the minimum requirement. The spaces are grouped in a common area. Reference A101 – Proposed Site plan. This standard is met.

- b. A cottage cluster parking area must be set back from the street. The distance of the setback is dependent on the orientation of the structure or lot. If the axis of the longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street. If the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.

Proposed parking areas are closest to the street at the SE McBrod Avenue property line. The parking areas are 45 degrees from the lot line, requiring a minimum setback of 5'. The parking shown is 10' from the property line. Thus, this standard is met.

- c. If there are more than 8 units in a cottage cluster, there must be at least 2 separate parking areas with a minimum of 4 parking spaces in each area. A drive aisle connecting the 2 areas is permitted if a separate driveway access for each area is not permitted per Chapter 12.16 Access Management.



Per the Pre-Application Report dated December 15, 2022, the only driveway access allowed for the project will be from SE McBrod. No access will be allowed from SE 17th Avenue due to road classification. The multiple parking areas provided by the project will be connected by a 2-way drive aisle. See sheet A101 – Proposed Site Plan.

- d. Parking spaces may be located within a garage or a carport.

No garages or carports are proposed for the project. This section does not apply.

- e. Parking spaces that are not in a garage or carport must be screened from common open space, public streets, and adjacent residential uses by landscaping and/or screen, such as a fence. Chain-link fencing with slats are not allowed as a screen.

Parking areas will be buffered from common courtyards and adjacent buildings by a minimum 4' wide landscape buffer. Reference sheet L3 – Landscape Code Plan.

- f. Off-street parking may be arranged in clusters, subject to the following standards:

- (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
- (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

As shown on A101 – Proposed Site Plan, parking clusters have been limited to a maximum of 8 contiguous spaces.

- (3) Parking clusters must be separated from all other areas by at least 4 ft of landscaping.

As shown on sheet L3 – Landscape Code Plan, all parking areas will be buffered by a minimum 4' wide landscape buffer.

- (4) Clustered parking areas may be covered.

Covered parking has not been shown.

- g. Off-street parking spaces and vehicle maneuvering areas must not be located:

- (1) Within 20 ft of any street property line, except alley property lines;
- (2) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (3) Off-street parking spaces must not be located within 10 ft of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 ft of other property lines.

Per section 19.505.4.E.4.b (above) parking areas at an angle of 45 degrees or more from the lot line may be within 5' of the street. Proposed parking areas are closest to the street at the SE McBrod Avenue property line. The parking areas are 45 degrees from the lot line, requiring a minimum setback of 5'. The parking shown is 10' from the property line. Thus, this standard is met.



- h. Landscaping, fencing, or walls at least 3 ft tall must separate clustered parking areas and parking structures from common courtyards and public streets.

Landscape buffers and fencing, when required, has been used to separate clustered parking areas from common courtyards and public streets. See Proposed Site Plan and Landscape Code Plan sheet L3.

19.505.4.E.5 Fences: All fences on the interior of the development shall be no more than 3 ft high. Fences along the perimeter of the development may be up to 6 ft high, except as restricted by Chapter 12.24 Clear Vision at Intersection. Chain-link fences are prohibited.

In the current plan a 3' fence is called for at the Cluster #3 courtyard, separating it from the adjacent parking. Perimeter fence are not currently shown. If perimeter fences are added as the design develops, they will be limited to 6' in height.

19.505.4.E.6 Conversions: A preexisting single detached dwelling may remain on a lot or parcel with a cottage cluster as described below...

The existing dwelling on the property will be demolished. The section does not apply.

Chapter 19.600 – Off-Street Parking and Loading Standards and Requirements

19.605.1 Minimum and Maximum Requirements

A. Development shall provide at least the minimum and not more than the maximum number of parking spaces as listed in Table 19.605.1. Modifications to the standards in Table 19.605.1 may be made as per Section 19.605.

Table 19.605.1 Minimum To Maximum Off-Street Parking Requirements		
Use	Minimum Required	Maximum Allowed
A. Residential Uses		
1. Single detached dwellings, including manufactured homes.	1 space per primary dwelling unit.	No maximum.
2. Multi-Unit Dwellings	1 space per dwelling unit.	2 spaces per dwelling unit.
3. Middle Housing ¹		
a. Duplexes	0	1 space per dwelling unit
b. Triplexes	0	1 space per dwelling unit
c. Quadplexes	0	1 space per dwelling unit
d. Townhouses ²	0	1 space per dwelling unit
e. Cottage Clusters	0.5 spaces per dwelling unit	1 space per dwelling unit

Table 19.605.1 sets a maximum of 1 space per dwelling for cottage clusters. This project proposes parking in excess of code maximums. The 61 spaces provided equate to 1.5 cars per unit. A variance to the parking maximum is requested as part of this submittal.

19.605.2 Quantity Modifications and Required Parking Determinations

Subsection 19.605.2 allows for the modification of minimum and maximum parking ratios from Table 19.605.1 as well as the determination of minimum and maximum parking requirements. Parking determinations shall be made when the proposed use is not listed in Table 19.605.1 and



for developments with parking demands that are either lower than the minimum required or higher than the maximum allowed. Modifications of parking ratios listed above shall be reviewed as a Type II land use decision.

A complete description of the parking modification request and responses to the approval criteria have been provided by the traffic engineering consultant, Landcaster Mobley. It supplements the Transportation Impact Study, both of which are provided as attachments to this submittal. Please refer to “Milwaukie Cottages – Parking Modification.pdf” for additional info.

19.606.1 Parking Space and Aisle Dimensions

A. The dimensions for required off-street parking spaces and abutting drive aisles, where required, shall be no less than in Table 19.606.1. The minimum dimensions listed in Table 19.606.1 are illustrated in Figure 19.606.1.

Table 19.606.1 Minimum Parking Space And Aisle Dimensions					
Angle (A)	Width (B)	Curb Length (C)	1-Way Aisle Width (D)	2-Way Aisle Width (D)	Depth (E)
0° (Parallel)	8.5'	22'	12'	19'	8.5'
30°	9'	17'	12'	19'	16.5'
45°	9'	12'	13'	19'	18.5'
60°	9'	10'	17'	19'	19'
90°	9'	9'	22'	22'	18'

The Project proposes 90-degree parking and stalls that measure 9' x 18'. The 2-way drive aisles shown measure 24'. Reference A101 – Proposed Site Plan for typical dimensions. These standards are met.

19.606.2 Landscaping

The purpose of the off-street parking lot landscaping standards is to provide vertical and horizontal buffering between parking areas and adjacent properties, break up large expanses of paved area, help delineate parking spaces and drive aisles, and provide environmental benefits such as stormwater management, carbon dioxide absorption, and a reduction of the urban heat island effect.

Conceptual Landscape Plans have been developed to illustrate understanding and compliance with code requirements at a high level. Refer to sheets L2 – Tree Planting Plan and L3 – Landscape Code Plan for additional information.

19.608 Loading

19.608.2.A Residential Buildings: Buildings where all of the floor area is in residential use should meet the following standards:

- 1. Fewer than 50 dwelling units on a site that abuts a local street: no loading spaces required.

The Project proposes 41 dwelling units. Therefore, no dedicated loading space is required, and this standard is met.



19.609 Bicycle Parking

19.609.2.A Quantity of Spaces: The quantity of required bicycle parking spaces shall be as described in this subsection. In no case shall less than 2 spaces be provided.

3. Multi-unit residential and middle housing development with 4 or more units must provide one space per unit. Parking for cottage cluster developments is specified in Table 19.505.4.C.1.

The bicycle parking quantity requirements were addressed previously relative to Table 19.505.4.C.1. As described there, these standards are met.

19.609.3.A Space Standards and Racks: The dimension of each bicycle parking space shall be a minimum of 2 x 6 ft. A 5-ft-wide access aisle must be provided. If spaces are covered, 7 ft of overhead clearance must be provided. Bicycle racks must be securely anchored and designed to allow the frame and 1 wheel to be locked to a rack using a high security, U-shaped, shackle lock.

This Project proposes a combination of horizontally and vertically stored bicycles. All the bikes that are commonly accessible (in the bike shed and guest bikes on site) accommodate a typical 2' x 6' stall and 5' access aisle for each required bicycle. Bike racks will be the inverted "U" style. Reference sheet A101 – Proposed Site Plan and A801 - Details.

The Project proposes that the balance of the dry/secure bicycle storage requirement be accommodated within individual residential units. Many regular riders prefer to keep their valuable bicycles close at hand and safely within their residence. In these locations, wall-hung bicycle racks are typically utilized.

Milwaukie Development Code provides no standards for wall-hung bicycles. As such, the Project has proposed an in-unit bike storage closet that would meet the standards of other jurisdictions. Each in-unit bike space is a dedicated closet a minimum of 2' wide, 4' deep, and allows for 5' of maneuvering clearance behind the bike. The proposed bike hook is shown on sheet A801 – Details. Of the 41 cottages proposed, 40 units accommodate a bike. Only the accessible unit #5.3 is without an interior bike closet. See cottage plans, sheets A201 through A204.

19.609.4.A Location: Bicycle parking facilities shall meet the following requirements:

1. Located within 50 ft of the main building entrance.

Being comprised of 41 individual cottage units, the Project does not have a singular main building entrance. Long-term bike parking is a combination of in-unit parking and within the commonly accessible bike shed. Guest bike parking has been distributed on the site to serve each cluster. See A101 – Proposed Site Plan.

2. Closer to the entrance than the nearest non-ADA designated vehicle parking space.

Being comprised of 41 individual cottage units, the Project does not have a singular main building entrance. Long-term bike parking is a combination of in-unit parking and within the commonly accessible bike shed. Guest bike parking has been distributed on the site to serve each cluster. See A101 – Proposed Site Plan.

3. Designed to provide direct access to a public right-of-way.

All the proposed bicycle parking locations are adjacent to 5' walkways that are connected throughout the site, to both SE McBrod Ave. and SE 17th Ave.



4. Dispersed for multiple entrances.

Being comprised of 41 individual cottage units, the Project does not have a singular main building entrance. Bike parking clusters have been distributed on the site to serve each cluster. See A101 – Proposed Site Plan.

5. In a location that is visible to building occupants or from the main parking lot.

Bike parking locations will be visible from parking lots and/or building occupants. See A101 – Proposed Site Plan.

6. Designed not to impede pedestrians along sidewalks or public rights-of-way.

All the proposed bicycle parking locations are adjacent to 5' walkway/maneuvering areas that will be unimpeded when bikes are parked. See A101 – Proposed Site Plan.

7. Separated from vehicle parking areas by curbing or other similar physical barriers.

Bike parking areas will be separated from parking areas by a raised curb.

Chapter 19.700 – Public Facility Standards and Requirements

As established in the Pre-Application Report dated December 15, 2022, a Transportation Impact Study is required for the Project. The traffic engineering consultant, Landcaster Mobley, completed the Transportation Impact Study dated September 4, 2023 that is provided as an attachment to this submittal. Please refer to "Milwaukie Cottages – Transportation Impact Study.pdf" for additional info.

Chapter 19.911 – Variances

Attached cottages permitted
by Ordinance 2236

As discussed previously, the Project is requesting a parking modification for parking quantities beyond code maximum. Per subsection 19.605.2, modifications of parking ratios shall be reviewed as a Type II land use decision. See attachment "Milwaukie Cottages – Parking Modification.pdf" for a complete discussion of this request.

The Project is also requesting a variance to allow for attached cottages. Per the Pre-Application Report dated December 15, 2022, attached cottages may be permitted in the R-MD zone if approved with a Type III Variance.

19.911.3.C. Type III Variances

Type III variances allow for larger or more complex variations to standards that require additional discretion and warrant a public hearing consistent with the Type III review process. Any variance request that is not specifically listed as a Type II variance per Subsection 19.911.3.B shall be evaluated through a Type III review per Section 19.1006.



Chapter 16.32 – Tree Code

Compliance with Milwaukie Tree Code is required for the Project. An Arborist's Report has been completed by Todd Prager & Associates and is included as an attachment to this submittal. The Landscape drawings demonstrate how tree canopy requirements will be met. See sheets L1 – Tree Preservation Plan, L2 – Tree Planting Plan, and L4 – Details and Notes. Also see "Milwaukie Cottages – Arborists Report.pdf" for additional information.

Summary

The preceding sections demonstrate conformance of the proposed 41 unit cottage-cluster housing development with the applicable approval criteria of Milwaukie Development Code. The Applicant is seeking a modification for parking quantities through a Type II process as allowed for by code. The Applicant respectfully requests that the City review the Type II Land-Use application materials as submitted.

