CITY OF MILWAUKIE

May 14, 2025 Land Use File(s): DR-2025-001

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Commission on May 13, 2025.

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

Applicant(s):	Frank Stock, WDC Properties
Location(s):	10900 SE 21st Ave and 2120 SE Monroe St
Tax Lot(s):	11E36BB04000 and 04100
Application Type(s):	Downtown Design Review
Decision:	Approved with Conditions
Review Criteria:	Milwaukie Municipal Code: • MMC Title 12: Streets, Sidewalks, and Public Places Milwaukie Zoning Ordinance: • MMC Section 19.304 Downtown Mixed Use Zone • MMC Section 19.508 Downtown Site and Building Design Standards and Guidelines • MMC Chapter 19.600 Off-Street Parking and Loading • MMC Chapter 19.700 Public Improvements • MMC Section 19.907 Downtown Design Review • MMC Section 19.1006 Type III Review
Neighborhood(s):	Historic Milwaukie

Appeal period closes: 5:00 p.m., May 29, 2025

COMMUNITY DEVELOPMENT
BUILDING • ECONOMIC DEVELOPMENT • ENGINEERING • PLANNING
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This notice is issued in accordance with Milwaukie Municipal Code (MMC) Section 19.1006 Type III Review. The complete case file for this application is available for review by appointment between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, City Hall, 10501 SE Main St. Please contact Vera Kolias, Senior Planner, at 503-786-7653 or koliasv@milwaukieoregon.gov, if you wish to view this case file or visit the project webpage at https://www.milwaukieoregon.gov/planning/dr-2025-001.

This decision may be appealed by 5:00 p.m. on May 29, 2025, which is 15 days from the date of this decision.[1] (Note: Please arrive by 4:45 p.m. for appeal payment processing.) Only persons who submitted comments or made an appearance of record at the public hearing have standing to appeal the decision by filing a written appeal. An appeal of this decision would be heard by the Milwaukie City Council following the procedures of MMC Section 19.1010 Appeals. This decision will become final on the date above if no appeal is filed during the appeal period. Milwaukie Planning staff can provide information regarding forms, fees, and the appeal process at 503-786-7630 or planning@milwaukieoregon.gov.

Expiration of Approval: Per MMC Subsection 19.1001.7.E, this land use approval expires unless the applicant has: (1) obtained and paid for all necessary development permits and started construction within 2 years of land use approval, and (2) passed final inspection and/or obtained a certificate of occupancy within 4 years of land use approval. Extensions can be granted per MMC Section 19.908.

Findings in Support of Approval

The Findings for this application are included as Exhibit 1.

Conditions of Approval

1. Prior to submittal of the associated development permit application(s), the required application and survey plans to consolidate the parcels on the site must be submitted to the Planning Department.
2. At the time of submittal of the associated development permit application(s), the following must be resolved:
    a. Final plans submitted for development permit review must be in substantial conformance with the plans and drawings approved by this action, which are the revised plans and drawings received by the City on March 19, 2025 and revised on April 1, 2025, except as otherwise modified by these conditions of approval.
    b. Provide a narrative describing all actions taken to comply with these conditions of approval. In addition, describe any changes made after the issuance of this land use decision that are not related to these conditions of approval.

[1] As per MMC Section 19.1010, if the 15th day falls on a weekend or legal holiday, the end of the appeal period shall be extended to the end of the next business day.

c. As per Finding 7-e, provide sufficient detail to confirm that the dimensional requirements for bicycle parking are met (as established in MMC Subsection 19.609.3) for the bike racks, both interior and exterior.

3. Prior to final inspection of the required building permit and issuance of a certificate of occupancy, the following must be resolved:

   a. Per Finding 7-c-2, plant one tree in the landscaped island adjacent to 21st Ave.

   b. Submit documentation from the project landscape designer attesting that all required site plantings have been completed in conformance with the approved site plans and with City standards.

   c. As per Finding 4, the new apron for the proposed accessway must be constructed to meet accessibility and the city's Public Works Standards.

   d. As per Finding 8-e, construct all pedestrian improvements including: new curb-tight 6-ft sidewalk on the 21st Ave and Monroe St frontages and a new bi-directional ADA compliant ramp at the southeast corner of 21st Ave and Monroe St with a 6 ft x 30 ft bulb out on the 21st Ave frontage adjacent to the east/west crosswalk.

Other requirements

The following items are not conditions of approval necessary to meet applicable land use review criteria. They relate to other development standards and permitting requirements contained in the Milwaukie Municipal Code (MMC) and Public Works Standards that are required at various points in the development and permitting process.

1. At the time of submittal of the associated development permit application(s), the following must be resolved:

   a. Submit a final stormwater management plan to the City of Milwaukie Engineering Department for review and approval. The plan must be prepared in accordance with Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards. Submit full-engineered plans for construction of all required public improvements, reviewed and approved by the City of Milwaukie Engineering Department. All utilities must conform to the Milwaukie Public Works Standards.

2. Prior to commencement of any earth-disturbing activities, the applicant must obtain a City erosion control permit.

3. Obtain a City right-of-way (ROW) permit for construction of all required public improvements and accessway alterations.

   a. Provide an engineering estimate for the cost of the public improvements.

   b. Pay an inspection fee equal to 5.5% of the cost of the public improvements.

   c. Provide a payment and performance bond for 130% of the cost of the required public improvements.

d. Clear vision areas must be maintained at all driveways and accessways and on the corners of all property adjacent to an intersection. Remove all signs, structures, or vegetation more than 3 ft in height located in "vision clearance areas" at intersections of streets, driveways, and alleys fronting the proposed development.

e. The final site plan must be approved by the City Engineer prior to construction.

f. Provide a 12-month Maintenance Bond upon completion of the construction.

g. Provide a final approved set of electronic (PDF) "As Constructed" drawings to the City of Milwaukie prior to final inspection.

4. Obtain an Encroachment Permit for the balconies that extend over the public right-of-way.

As per MMC Subsection 19.1001.7.E, the land use approval granted with this decision will expire and become void unless the following criteria are satisfied. For proposals requiring any kind of development permit, the development must complete both of the following steps:

a. Obtain and pay for all necessary development permits and start construction within two years of land use approval.

b. Pass final inspection and/or obtain a certificate of occupancy within four years of land use approval.

Laura Weigel, AICP
Planning Manager

Exhibits

1. Findings in Support of Approval

cc: Frank Stock, WDC Properties (via email)
Gene Bolante, Studio 3 Architecture
Planning Commission (via email)
Joseph Briglio, Assistant City Manager (via email)
Jennifer Garbely, City Engineer (via email)
Jeff Tolentino, Assistant City Engineer (via email)
Engineering Development Review (via email)
Patrick McLeod, Building Official (via email)
Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)
Harmony Drake, Permit Coordinator (via email)
Emilie Bushlen, Permit Technician (via email)

Shawn Olson, CFD#1 (via email)
NDA(s): Historic Milwaukie (via email)
Interested Persons
Land Use File(s): DR-2025-001
Address file: 10900 SE 21st Ave

ATTACHMENT 1
Findings in Support of Approval
Primary File #DR-2025-001; 21st Ave Multi-unit Development

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Frank Stock, WDC Properties, has applied for approval to develop a 4-story multi-unit building and make improvements to an existing parking lot on the two lots that comprise the development site at 10900 SE 21st Ave and 2120 SE Monroe St. The site is in the Downtown Mixed Use (DMU) zone. The land use application file number is DR-2025-001 with an application for downtown design review.

2. The subject property is 0.36 acres in area and is comprised of two tax lots which were the former site of Chase Bank and a parking lot. The site is a corner lot and fronts 21st Ave and Monroe St.

   The proposed development of the residential building includes 45 dwelling units, both private and shared amenity space, secure bike parking for 45 bikes, and a 17-space parking lot, including 9 EV spaces.

3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
   - MMC Title 12: Streets, Sidewalks, and Public Places
   - MMC Section 19.304 Downtown Mixed Use Zone
   - MMC Section 19.508 Downtown Site and Building Design Standards and Guidelines
   - MMC Chapter 19.600 Off-Street Parking and Loading
   - MMC Chapter 19.700 Public Improvements
   - MMC Section 19.907 Downtown Design Review
   - MMC Section 19.1006 Type III Review

   The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing with the Planning Commission was held on May 13, 2025, as required by law.

4. MMC Chapter 12.16 Access Management

   MMC Section 12.16.040 establishes standards for access (driveway) requirements, including access spacing, number and location of accessways, and limitations for access onto collector and arterial streets. New driveways accessing arterial streets must be spaced at least 600 ft from the nearest intersection and at least 10 ft from the side property line. New multifamily driveways onto local streets must be at least 100 ft from the nearest intersection. For multifamily residential uses with more than eight units, the driveway apron must have a minimum width of 24 ft and maximum width of 30 ft.

Access to on-site parking is provided via an existing accessway on 21st Ave. A new apron replacing the existing apron is proposed and will be 22 ft wide. The Applicant acknowledges that that driveway approach must meet accessibility and other jurisdictionally required standards.

As proposed, the Planning Commission finds that the proposed development is consistent with the applicable standards of MMC 12.16.

5. MMC Section 19.304 Downtown Zones (including Downtown Mixed Use DMU)

MMC 19.304 establishes standards for the downtown zones, including the Downtown Mixed Use (DMU) zone.

a. MMC Subsection 19.304.2 Uses

MMC 19.304.2 establishes the uses allowed in the DMU zone, including multi-unit residential development.

The proposed development is multi-unit residential building.

This standard is met.

b. MMC Subsections 19.304.4 and 19.304.5 Development Standards and Detailed Development Standards

MMC Table 19.304.4 lists the general categories of development standards for the DMU zone and MMC 19.304.5 provides additional detail for each category.

(1) MMC Subsection 19.304.5.A Floor Area Ratios

The Floor Area Ratio (FAR) is a tool for regulating the intensity of development. The minimum FAR established in MMC Table 19.304.4.B.1 apply only to nonresidential development. The minimum FAR is 1:1 and the maximum FAR is 6:1.

The total area of the proposed building is 32,666 sq ft on a total consolidated site area of 16,012 sq ft which results in an FAR of 2.04:1.

This standard is met.

(2) MMC Subsection 19.304.5.B Building Height

Base maximum building heights are specified in MMC Figure 19.304-4, with height bonuses available for buildings that meet the standards of MMC Subsection 19.304.5.B.3. The minimum building height is 25 ft and the base maximum is 45 ft.

The proposed building is 55'-6" high. As a residential building, the development qualifies for a height bonus of 12 ft, for a total allowed building height of 57 ft.

This standard is met.

(3) MMC Subsection 19.304.5.C Residential Density

The minimum density for a stand alone residential building is 25 units per acre. There is no maximum density.

The proposed development would be 45 units on 0.36 acres, which is a net residential density of 125 units per acre.

This standard is met.

(4) MMC Subsection 19.304.5.G Off-Street Parking

No off-street parking is required, but if it is provided, then the parking maximums MMC Table 19.605.1, and all other applicable standards of MMC Chapter 19.600, apply. Off-street surface parking lots (including curb cuts) must not be located within 50 ft of the Main Street ROW. Off-street parking must not be located between a building and the street-facing lot line.

The site includes an existing parking area that is proposed to remain, and will provide 17 parking spaces, nine of which will be dedicated for electric vehicles (EV).

As discussed in Finding 7 for off-street parking, this standard is met.

c. MMC Subsection 19.304.6 Public Area Requirements

The Public Area Requirements (PAR) implement the Downtown and Riverfront Land Use Framework Plan and are intended to ensure a safe, comfortable, contiguous pedestrian-oriented environment as revitalization occurs in downtown. The PAR are defined as improvements within the public ROW and include such features as sidewalks, bicycle lanes, on-street parking, curb extensions, lighting, street furniture, and landscaping. The PAR is implemented through MMC Chapter 19.700 and the Public Works Standards.

As discussed in Finding 8-e, the required street improvements are minimal and are consistent with the applicable standards of MMC 19.700 and the Public Works Standards.

This standard is met.

d. MMC Subsection 19.304.7 Additional Standards

Depending upon the type of use and development proposed, the standards for general site design (MMC Section 19.504), for general building design (MMC Section 19.505), and/or downtown site and building design (MMC Section 19.508) may apply.

The design standards of MMC 19.508 are applicable to the proposed development. As discussed in Finding 6 and elsewhere in these findings, the applicable standards of MMC 19.508 are met or are addressed with the necessary conditions of approval as needed.

As proposed, and as discussed and approved elsewhere in these findings, the Planning Commission finds that the applicable standards of the DMU zone are met.

6. MMC Section 19.508 Downtown Site and Building Design Standards

MMC 19.508 establishes design standards for downtown development, to encourage building design and construction with durable, high-quality materials. The design

standards are applicable to all new development. MMC Subsection 19.508.4 establishes standards for seven different elements of design.

The proposed development is for a new multi-unit residential building. The findings for each of the applicable design elements are provided in Table 1, below. The applicant has opted to meet the design guidelines for one design element – Building Massing and Transitions.

Table 1
Downtown Design Elements

A. SITE FRONTAGE

Purpose: To encourage building design and site placement that enlivens the public realm and streetscape through significant building presence along site frontages and active ground-floor uses.

Standard	Findings
a. Frontage occupancy. Minimum frontage occupancy requirements are as follows: 75% along 21st Ave and 50% along Monroe St.	*The frontage along 21st Ave is 128'-8". The building occupies 96'-7", which is 75%. The frontage along Monroe St is 125 ft. The building occupies over 118 ft, which is well over 50%.* *This standard is met.*
b. Build-to lines/street setbacks. A build-to line as illustrated in Figure 19.508.4.A.2.b.(1) must be met for those block faces identified in Figure 19.508.4.A.2.b.	*Figure 19.508.4.A.2.b does not identify the corner of 21st Ave and Monroe St.* *This standard does not apply.*
c. Active ground floor space. For new buildings fronting Main Street, excluding ground-floor residential, certain standards must be met as illustrated in Figure 19.508.4.A.2.c.	*The proposal is for a multi-unit residential building on 21st Ave.* *This standard does not apply.*

B. WALL STRUCTURE AND BUILDING FAÇADE DETAIL

Purpose: To add visual interest to buildings and enhance the street environment with engaging and varied wall structures. Use design features and details to break down the scale and mass of a building to create comfortable, pedestrian-friendly environments and enclosure to public areas.

Standard	Findings

a. Vertical articulation. Buildings of 2 stories and above must be divided vertically to create a defined base, middle, and top by incorporating specific elements as shown in Figure 19.508.4.B.2.a. **(1) Base. A minimum of the first 2 ft above finished grade of the ground-floor street-facing façade must be constructed of brick, stone, or concrete, excluding windows, entrances, and garage openings.** **(2) Middle. The middle of the building between the top of the ground floor and top of the highest floor must incorporate at least one of the following elements:** **(a) A change in exterior building materials and/or material color between the ground floor and upper floors.** **(b) Street-facing balconies or decks at least 2 ft deep and 4 ft wide for at least 25% of the length of the building façade.** **(c) Horizontal architectural elements such as masonry string courses, ledges, and water tables at least 8 in tall that project or recess at least one in from the building face and extend across a minimum of 75% of the façade length.** **(3) Top. The top of the building extends from the ceiling of the uppermost floor to the highest vertical point on the roof of the building. The building top must be distinguished from the building facades by either a cornice or wall cap or a pitched or overhang roof with a minimum fascia height and eaves.**	*The building is provided with a 30" base that will be concrete finish. This element provides an anchor for the building. The base of the building extends to 12'-4" from finished grade and will be finished in stucco, with relief accents and stucco defining trim around the window and door openings.* *The middle section of the building facing both streets will be a mix of metal siding and fiber cement siding. In addition to the different materials, each material will have its own color. Within this middle section, exterior balconies will also be present, that are steel framed and painted. The middle section is roughly 36'-0" in height.* *The top of the building is a formed cap finished in stucco with a height of 3'-0" and depth varying from 1½" to 6". The cornice extends around the building.* *This standard is met.*

b. Horizontal articulation. **(1) The street-facing façade must create a sense of rhythm and variation by incorporating the following as illustrated in Figure 19.508.4.B.2.b:** **(a) The ground floor façade must include columns, piers, pilasters or revealed structural elements projecting a minimum of 4 in from the building face no less than every 30 ft.** **(b) The upper story façade must include one of the following no less than every 30 ft:** **i. A change in wall plane of not less than 2 ft deep and 2 ft wide. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, pediment, coursing, column or similar architectural feature.** **ii. Architectural bays at least 6 ft wide projecting 4 inches or more from the building face, with windows covering at least 50% of the projected wall area.** **(c) As an alternative to complying with (a) and (b) separately, features meeting the requirements of either (a) or (b) may be extended vertically across all stories.** **(2) Horizontal datum lines—such as belt lines, cornices, or upper-floor windows—must line up with adjacent façades if applicable.**	*Horizontal articulation is provided by varying the planes of the street-facing facades by 2'-0" which is extended vertically across all 4 stories. These steps also include a change in materials.* *There are no adjacent building facades related to horizontal datum lines.* *This standard is met.*

C. EXTERIOR BUILDING MATERIALS

Purpose: To encourage the construction of attractive buildings with materials that evoke a sense of permanence and are compatible with downtown Milwaukie and the surrounding built and natural environment.

Standard	Findings
The following standards are applicable to the street-facing façades of all new buildings. For the purposes of this standard, street-facing façades are those abutting streets, courtyards, and/or public squares in all of the downtown. Table 19.508.4.D specifies the primary, secondary, and prohibited material types referenced in this standard. **a. Buildings shall utilize primary materials for at least 90% and 65% of each applicable building façade (groundfloor and upper floor facades respectively).** **b. Secondary materials are permitted on no greater than 35% of each applicable building façade.** **c. Accent materials are permitted on no greater than 10% of each applicable building façade as trims or accents (e.g. flashing, projecting features, ornamentation, etc.).** **d. Buildings shall not use prohibited materials on any exterior wall, whether or not it is a street-facing façade.**	*The base of the building is provided with 36" of concrete at the street facing sides and is continued a minimum 10'-0" as a wraparound on sides not facing the street.* *The ground floor is finished in stucco at the street facing sides and a minimum 10'-0" wraparound on sides not facing the street. Metal siding is used to flank the entry. Both are primary materials.* *Upper floors are a mix of metal siding and fiber cement siding at the street facing sides and a minimum 10'-0" wraparound on sides not facing the street. Both are primary materials.* *Non-street-facing facades will be sided in fiber cement siding.* *This standard is met.*

D. FAÇADE TRANSPARENCY AND ACTIVATION

Purpose: To activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.

Standard	Findings
Residential-Only Buildings **(1) Twenty-five percent of the total street-facing façade for all floors must consist of glazing.** **(2) Street-facing blank walls that contain no glazing are limited to 450 sq ft or 30 linear ft. In instances where a blank wall exceeds 450 sq ft or 30 linear ft, at least one of the following techniques must be employed:** **(a) Articulate the wall with projections or recesses consistent with Subsection 19.508.4.B.2.a.(2).** **(b) Provide a landscaped planting bed or raised planter bed at least 3 ft wide in front of the wall, with plant materials that obscure or screen at least 50% of the wall's surface within 3 years.** **(c) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50% of the blank wall surface.** **(3) Façades that are not street-facing are subject to the blank wall standards of Subsection 19.508.4.D.2.b.(4).**	*On the ground floor, total glazing will be 34% along Monroe St and 31% along 21st Ave.* *Planting beds are provided at the recessed façade areas.* *This guideline is met.*

E. BUILDING ENTRANCES

Purpose: To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

Standard	Findings
a. All new buildings must have at least one primary entrance facing an abutting street. For purposes of this standard, "facing" means within 45 degrees of the street property line.	*The primary building entrance faces 21st Ave, which is the busier of the two streets and is a transit street. This entry leads into the main lobby and recreational area of the building. This is the only main entry provided from the public way.* *This standard is met.*
b. For lots with frontage along more than one street, including multiple lots under common ownership being developed as a single site, the primary entrance must be located as follows: **(1) For lots with one frontage along a transit street, the primary entrance must be oriented to the transit street with the exception of Subsection 19.508.4.E.2.c.** **(2) For lots with frontage along 2 transit streets, the primary entrance must be oriented to the street with higher-frequency transit service or the corner of the 2 streets.** **(3) For lots with frontage along Main Street, the primary entrance must be oriented to Main Street or the corner of the 2 streets, even if the other frontage is along a transit street.** **(4) For lots without frontage on Main Street or a transit street, the primary entrance may be oriented to either street.**	*The primary building entrance faces 21st Ave, which is the busier of the two streets and is a transit street. This entry leads into the main lobby and recreational area of the building. This is the only main entry provided from the public way.* *This standard is met.*

E. BUILDING ENTRANCES

Purpose: To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

Standard	Findings
c. Where a development contains multiple buildings or multiple individual storefronts or residential units and there is insufficient street frontage to meet the above entrance location standards for all buildings, storefronts, or residential units on the subject site, the primary entrances for each Building, storefront, or residential unit may orient to a plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M. When oriented this way, the primary entrances must be connected to the street by an on-site pedestrian walkway either directly or through a plaza, courtyard, or similar pedestrian space	*This standard does not apply.*
d. For residential-only buildings, primary entrances must: **(1) Incorporate one of the design elements in Subsection 19.508.4.E.2.d.(1); or** **(2) Incorporate a covered porch, stoop, or patio with a minimum depth of 4 ft that may be elevated from sidewalk grade by no more than 8 ft.**	*The entry is provided with a 4'-0" overhand of the building above. It is recessed into the façade and a transom is provided above the door.* *This standard is met.*

F. WINDOWS

Purpose: To integrate windows made of high-quality materials that are compatible with the building design to create visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.

Standard	Findings
General Standards **(1) Window openings must provide shadowing by recessing windows 4 in into the façade and/or incorporating exterior trim of at least 4-in reveal and of a contrasting material or color.** **(2) The following materials are approved for new window frames:** **(a) Anodized or painted aluminum windows** **(b) Wood** **(c) Fiberglass** **(d) Alternatively, frameless window systems may be used.** **(3) The use of spandrel glass is limited to floor lines and parapets.** **(4) For modification and expansion of existing buildings, replacement windows must match existing windows with respect to materials and dimensions.**	*The proposed exterior windows will be fiberglass (Anderson Series 100) finished in black or dark brown. Windows are provided in metal trim or fiber cement trim based on the exterior finish. The trim will be a minimum 4" in width.* *This standard is met.*
Prohibited Window Elements **For all street-facing building windows, the following window elements are prohibited:** **(1) Opaque, reflective or mirrored glazing. Opaque glazing is allowed on non-Main-Street façades as necessary for privacy (such as for bathrooms).** **(2) Glazing tinted beyond energy code requirements.** **(3) Simulated divisions (internal or applied synthetic materials).**	*The proposed exterior windows will be fiberglass (Anderson Series 100) finished in black or dark brown. No prohibited window elements are proposed.* *This standard is met.*

F. WINDOWS

Purpose: To integrate windows made of high-quality materials that are compatible with the building design to create visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.

Standard	Findings
Window Placement and Proportion **(1) For nonresidential ground-floor windows, the bottom edge of windows along pedestrian walkways must be an average of no less than one foot and an average of no more than 3 ft above the abutting finished grade.** **(2) For all windows on street-facing façades, each window must comply with at least one of the following to create a sense of pattern and compatible design:** **(a) Window shares the same width or height as another window on the same façade.** **(b) The top or bottom edge of the window aligns with the top or bottom edge of another window on the same façade.**	*The project is a residential development, so there are no non-residential uses on the ground floor.* *Windows facing Monroe St and 21st Ave are all in alignment with one another.* *This standard is met.*

G. CORNERS

Purpose: To create a strong architectural statement at street corners, provide opportunities for pedestrian-scale activity, establish visual landmarks, and enhance visual variety.

Standard	Findings
On corner lots or development sites consisting of more than one lot under common ownership at the corner of 2 public streets—or at the corner of a street and a public area, park, or plaza—nonresidential or mixed-use Buildings must incorporate at least 2 design features.	*The proposed development is a standalone residential building.* *This standard does not apply.*

H. BUILDING MASSING AND TRANSITIONS

Purpose: To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.

Standard	Findings

To address this design element, the development can opt to address the Design Guidelines rather than the design standards related to building massing. **a. Building massing should contribute to a welcoming and pedestrian-scaled sense of enclosure and definition of the street.** **b. Buildings that utilize bonus height should mitigate impacts of additional height and mass by including step backs, façade insets, high façade permeability, and other perceived mass-reducing techniques to ensure access to light, privacy, and sky views for nearby building occupants and people on the street.** **c. Building façades should incorporate variation in height or character to break up the perceived bulk and mass of the building into pedestrian-scale components that create a sense of pattern and rhythm. Such variation should be aligned with horizontal articulation elements to create a harmonious design. (See Subsection 19.508.4.B.3.)** **d. For buildings abutting the moderate density residential zone, building setbacks, step backs, façade articulation, landscaping, fencing, and/or transition measures should be deployed to blend building massing between downtown and any adjacent residentially zoned neighborhoods to reduce perceived mass of buildings.**	*The design standard requires a 6'-0" step back for the portions of the building above the base maximum height. The step back is intended to minimize the impact of the additional bonus height.* *The base maximum height is 45 ft. The applicant is using the additional 12 ft bonus height for residential development for a total allowed height of 57 ft. The proposed building will be 55'-6". The applicant has elected to not provide the 6-ft step back; rather, the applicant seeks to meet the design guidelines.* *As described in the application, providing the 6'-0" step back would reduce the building square footage of the top floor. This would have resulted in a reduction of several apartment units and also increased costs. It would have created unstacked exterior walls and waterproofing challenges. When exterior walls do not align with walls below, it creates engineering challenges to transfer those gravity forces to the building sections below. Utilizing the stepback for residential unit outdoor space would have decreased floor to floor heights to accommodate waterproofing/insulation and framing methods needed.* *The building is provided with a 3-ft high cornice around the perimeter of the Building. This cornice also steps vertically 4 ft to meet other design criteria. The building massing contributes to the surrounding areas by providing a base, middle and top to anchor this corner. The base provides a pedestrian scale development with unique finishes that extend up the façade by 12 ft. The massing is also lessened by the 5-ft protruding balconies provided for the upper level apartments.* *The balconies help reduce the visual height by breaking up the façade and provide an illusion of reduced height. The 2-ft façade elevation undulation from foundation to roof also helps break up these exterior planes and creates a rhythm and pattern along each street façade.* *The building is at the intersection of Monroe St and 21st Ave. Across Monroe St is an open landscaped area and onsite parking for the Portland Waldorf School. The school does not have a large presence of buildings along Monroe St, and lower one- and two-story buildings are adjacent to this site*

H. BUILDING MASSING AND TRANSITIONS

Purpose: To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.

Standard	Findings
	and a parking lot exists at the opposite corner. These existing conditions will help break down the visual height of the new building, providing more of a sense of openness around the new development. *The building facades provide a variation in height where a vertical difference of 4 ft occurs at each façade plane. These planes also step back and forth 2 ft from the property line inward. In addition, the middle section building planes are provided with different materials to help visually break up their masses. The base is provided with the same material to define as a base, but it steps in and out 2 ft as well. All these variations align with each other to create a rhythm.* *This guideline is met.*

I. WEATHER PROTECTION

Purpose: To create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.

Standard	Findings
a. Minimum Weather Protection Coverage **(1) All ground-floor building entries must be protected from the weather by awnings, canopies, marquees, recesses, or similar weather protection.** **(2) Awnings, canopies, marquees, recesses, or similar weather protection must be provided along at least 50% of the ground-floor elevation(s) of a nonresidential or mixed-use building where the building abuts a sidewalk, plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M, or on-site pedestrian walkway.** **(3) Weather protection used to meet this section must extend at least 4 ft over the pedestrian area but no more than 4 ft into the right-of-way. Balconies and recesses meeting these dimensional requirements can be counted toward this requirement.** **(4) Weather protection used to meet the above standards must be at least than 8 ft above the finished grade, including any valance.**	*Ground floor entries have a 4-ft cover provided by a building overhang, which is 8'-7" above grade.* *This standard is met.*

b. Weather Protection Materials, Design, and Details **(1) Materials** **(a) Awnings must be constructed of a non-vinyl cloth or canvas with a matte finish or a material similar in appearance and texture.** **(b) Canopies must be constructed of rigid plastic, metal, glass, or a material similar in appearance and texture.** **(c) Marquees must be constructed of metal, glass, wood, or a material similar in appearance and texture.** **(d) Vinyl or any similar flexible plastic sheet material is prohibited for all weather protection features.** **(e) The structure or frame materials for awnings and canopies must be aluminum or steel.** **(2) Awnings or canopies must be attached directly above an entry or window. Awning and canopy width must not exceed the width of the entry or associated window opening and may not extend over more than one storefront opening. Marquees must be attached to the building directly above the entrance and may extend past the entrance.** **(3) For awnings and canopies, only lighting that illuminates the building and/or sidewalk is allowed. Awnings and canopies must not be illuminated from below or internally.** **(4) Any signage on awnings, canopies or marquees must be consistent with requirements of Subsection 14.16.060.C.**	*Ground floor entries have a 4-ft cover provided by a building overhang which is 8'-7" above grade.* *This standard is met.*

J. ROOFTOPS AND ROOFTOP SCREENING

Purpose: To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.

Standard	Findings
The following standards are applicable to rooftop design and screening of rooftop equipment. **Design Standards** **a. Rooftop Design** **(1) The roof of a building must follow one (or a combination) of the following forms:** **(a) Flat roof (less than 1/12 pitch) or low-slope roof (between 1/12 and 4/12 pitch)** **(b) Hip roof** **(c) Gabled roof** **(d) Dormers** **(e) Shed roof**	*The project proposes a flat roof with minimal slope for drainage. A minimum 12-inch parapet is provided around the perimeter of the roof. A cornice is also provided with a minimum depth of 6 inches around the perimeter.* *Any rooftop equipment will be condensers for the hallways and common area. This equipment will be placed at least 10'-0" back from the building face to avoid viewing from the street.* *This standard is met.*

(2) Roofs are subject to the following standards as applicable: **(a) All flat or low-slope roofs must be architecturally treated or articulated with a parapet wall that projects vertically above the roofline at least 12 in and/or a cornice that projects from the building face at least 6 in. See Figure 19.508.4.B.2.a(3).** **(b) All hip or gabled roofs exposed to view from adjacent public streets and properties must have a minimum 4/12 pitch.** **(c) Sloped roofs with a 4/12 pitch or higher must have eaves, exclusive of rain gutters, that project from the building wall at least 12 in.** **(d) When an addition to an existing structure, or a new structure, is proposed in an existing development, the roof forms for the new structure(s) must have the same slope and be constructed of the same materials as the existing roofing.** **b. Rooftop Equipment Screening** **(1) The following rooftop elements do not require screening:** **(a) Solar panels, wind generators, and green roof features.** **(b) Equipment under 2 ft high, if set back a minimum of 10 ft from the outer edge of the roof.** **(2) If visible from public street view, elevator mechanical equipment or a mechanical penthouse may not extend above the height limit by more than 16 ft, and must use a consistent exterior building material for the mechanical shaft or penthouse.** **(3) Satellite dishes, communications equipment, and all other roof mounted mechanical equipment must be set back a minimum of 10 ft from the roof edge and must be screened from public street view. For purposes of this standard, "public street view" means the pedestrian level from across the adjacent public street and does not include views from adjacent buildings. If necessary, screening from public street view must be achieved by one of the following methods that is at least as tall as the tallest part of the equipment being screened:**	*The project proposes a flat roof with minimal slope for drainage. A minimum 12-inch parapet is provided around the perimeter of the roof. A cornice is also provided with a minimum depth of 6 inches around the perimeter.* *Any rooftop equipment will be condensers for the hallways and common area. This equipment will be placed at least 10'-0" back from the building face to avoid viewing from the street.* *This standard is met.*

J. ROOFTOPS AND ROOFTOP SCREENING

Purpose: To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.

Standard	Findings
(a) A screen around the equipment that is made of an exterior building material used on other portions of the building, or masonry. **(b) Vertical green roof features or regularly maintained, dense foliage that forms an opaque barrier year-round when planted.** **(4) Required screening will not be included in the building's maximum height calculation.**	

K. SERVICE AREAS (SCREENING)

Purpose: To preserve well-designed building frontages and pedestrian environments by minimizing the potential negative impacts of service areas on visual design and circulation while maintaining sufficiently accessible and functional loading, waste collection, utility, and other service areas.

Standard	Findings
Service areas include external utility structures, loading docks, recycling facilities, trash containers, and other similar areas; they exclude off-street parking areas which are subject to Subsection 19.304.5.C. **a. Service areas must be located for access from the most minor street.** **b. Screening must be established on all sides of service areas, except where an opening is required for access. If access is possible only on a side that is visible from a public street, a solid gate or door is required.** **c. Landscaping, structural elements, painting, and/or murals or other public art must be used to screen service areas that are located along a public street frontage. The required screening must result in an opaque barrier to a minimum height of 6 ft.** **d. Where structural forms of screening are utilized, the materials must match the primary or secondary building materials and colors as described in Subsection 19.508.4.C.** **e. For new buildings, waste collection areas must be located within the Building itself rather than a stand-alone waste enclosure.** **f. Residential-only multifamily and mixed-use buildings must meet the recycling area standards of Table 19.505.3.D.10.**	*Waste collection is provided at the interior of the building, a sectional door is provided for access to the parking area to disburse the trash containers. Electrical service is proposed to be located off the parking area and away from the street facades.* *The recycling and trash area is in a separate room of approximately 310 sq ft, located on the first floor of the building off the parking lot entry door. The room will be accessed from the exterior of the building, as well as a door from the bicycle room.* *The collection area will provide containers for trash and recyclables that include cardboard, paper, glass and metals. The trash and recycling containers will be covered.* *With 45 units, the collection capacity must be 450 cubic feet, and the proposed combined containers provide this amount.* *This standard is met.*

L. RESIDENT OPEN SPACE

Purpose: To promote livability in the downtown environment by providing open space amenities within the development site for use by residents.

Standard	Findings
a. Fifty sq ft of resident open space is required for each dwelling unit. The open space may be developed entirely as private open space or common open space, or it may be a combination of the 2 types of open space. Usable open space required by Subsection 19.508.4.A.2.b that meets the design standards of Subsection 19.508.4.M.2 may also be counted towards the resident open space requirement.	*The proposed building will have 45 dwelling units, for a total requirement of 2,250 sq ft of open space. Upper floor balconies have a total area of 1,826 sq ft. The ground floor amenity and common recreation room has a total area of 470 sq ft. The total area of proposed open space is 2,296 sq ft.* *This standard is met.*
b. Private Open Space **(1) Private open space, if provided, must be contiguous to the unit it serves and must be directly accessible from the interior of the dwelling unit.** **(2) Private open space may be provided in the form of a porch, deck, balcony, patio, terrace, or other private outdoor area.** **(3) Areas used for entrances or exits will not be considered as private open space except where such entrances or exits are for the sole use of the unit they serve.** **(4) Balconies, decks, porches and patios must have a minimum depth of 4 ft and may project up to a minimum of 4 ft into the public right-of-way.** **(5) Regardless of location (ground-level or above), where any building wall abuts an outdoor common open space, the wall must include at least one window or door with a minimum of 50% glazing.**	*Balconies are provided for all upper floor units. The balconies are all a minimum of 4 ft wide.* *The exterior walls for the ground floor amenity and common recreation room has multiple windows with over 250 sq ft of glazing on a wall area of approximately 430 sq ft.* *This standard is met.*

M. OUTDOOR AND EXTERIOR BUILDING LIGHTING

Purpose: To incorporate outdoor and exterior building lighting that increases pedestrian comfort, accentuates design and architectural features, enhances safety, and minimizes light pollution (both spill and casting or glare).

Standard	Findings
The following lighting standards apply to the site and building. **Design Standards** **a. Lighting must be designed to comply with the following standards:** **(1) Primary building entrances required in Subsection 19.508.4.E must have a minimum illumination of 2.0 foot-candles.** **(2) All other building entrances and areas underneath weather protection elements described in Element I (Weather Protection) must have a minimum illumination of 1.0 foot-candles.** **(3) Common open spaces for residents subject to Subsection 19.508.4.L must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 1.0 foot-candles throughout the space.** **(4) Plazas and usable open space subject to Subsection 19.508.4.M must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 2.0 foot-candles throughout the space.** **(5) If off-street parking areas are present, lighting must comply with standards in Subsection 19.606.3.F.** **b. Lighting luminaires must have a cutoff angle of 90 degrees or greater to ensure that lighting is directed downward, except as provided for uplighting of flags and permitted building-mounted signs.** **c. Lighting must not cause a light trespass of more than 0.5 footcandles measured vertically at all shared property lines of the site, with the exception of property lines along public right-of-way.** **d. Flashing or strobe lights, fluorescent tube lights, and security spotlights are prohibited on building exteriors.**	*Surface-mounted lighting will be provided at the soffit of building overhangs at entries.* *Wall-mounted lighting will be provided at other locations where soffit does not exist.* *Lighting for parking area is proposed to be provided off building facades.* *As conditioned, to include a photometric plan with the development permit plans, this standard is met.*

As discussed in these findings, and as conditioned, the Planning Commission finds that the proposed design meets the applicable design standards of MMC 19.508.

7. MMC Chapter 19.600 Off-Street Parking and Loading

MMC 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of these requirements includes providing adequate space for off-street parking, minimizing parking impacts to adjacent properties, and minimizing environmental impacts of parking areas.

a. MMC Section 19.602 Applicability

MMC 19.602 establishes the applicability of the provisions of MMC 19.600, and MMC Subsection 19.602.3 establishes thresholds for full compliance with the standards of MMC 19.600. Development of a vacant site is required to provide off-street parking and loading areas that conform fully to the requirements of MMC 19.600.

Per Oregon Administrative Rules (OAR) 660-012-0012 and 660-12-0440, which relate to Climate-Friendly and Equitable Communities (CFEC) rulemaking, the City is prohibited from mandating minimum off-street vehicular parking quantity requirements because of the subject property's proximity to a TriMet bus stop. However, all other provisions of MMC 19.600 may still apply.

The proposed development includes improvements to an existing off-street parking area to serve the proposed building. The parking area is required to conform fully to the requirements of MMC 19.600.

The Planning Commission finds that the provisions of MMC 19.600 are applicable to the proposed development.

b. MMC Section 19.605 Vehicle Parking Quantity Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking (off-street) based on estimated parking demand.

(1) MMC Subsection 19.605.1 Minimum and Maximum Requirements

MMC Table 19.605.1 provides minimum and maximum quantity requirements for eating and drinking establishments. For these uses located in the DMU, no off-street parking is required; the maximum parking permitted is 15 spaces per 1,000 sq ft of floor area.

The proposed development will be a 45-unit residential building. Based on the number of units, the maximum number of parking spaces permitted on the site is 90. The parking area is proposed to have 17 spaces.

As proposed, this standard is met.

c. MMC Section 19.606 Parking Area Design and Landscaping

MMC 19.606 establishes standards for parking area design and landscaping, to ensure that off-street parking areas are safe, environmentally sound, and aesthetically pleasing, and that they have efficient circulation.

(1) MMC Subsection 19.606.1 Parking Space and Aisle Dimension

MMC 19.606.1 establishes dimensional standards for required off-street parking spaces and drive aisles. For 90°-angle spaces, the minimum width is 9 ft and minimum depth is 18 ft, with a 9-ft minimum curb length and 22-ft drive aisles.

The existing parking lot has approximately 24 parking spaces with no landscaping. The proposed parking area will have 17 surface parking spaces, including nine EV spaces, with 90°-angle stalls that measure 9 ft by 18 ft, with a minimum 22-ft-wide drive aisle.

As proposed, this standard is met.

(2) MMC Subsection 19.606.2 Landscaping

MMC 19.606.2 establishes standards for parking lot landscaping, including for perimeter and interior areas. The purpose of these landscaping standards is to provide buffering between parking areas and adjacent properties, break up large expanses of paved area, help delineate between 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.

In the DMU zone, perimeter buffer areas abutting a ROW must be at least four ft wide (measured from the inside of curbs); no buffer is required abutting another property. Within perimeter buffer areas, at least one tree must be planted every 30 lineal feet. All parking areas adjacent to a residential use must have a continuous visual screen in the abutting landscape perimeter area (opaque year-round from one ft to four ft above the ground).

At least 25 sq ft of interior landscaped area must be provided for each parking space, either a divider median between opposing rows of parking or a landscape island in the middle or at the end of a parking row. Interior landscaped areas must be a minimum of 6 ft wide (measured from the inside of curbs). For landscape islands, at least one tree must be planted per island; for divider medians, at least one tree must be planted every 40 lineal feet.

The landscaping requirements apply to outdoor parking lots, and the proposed development includes one adjacent to the building. As shown on the submitted existing site survey and proposed Site Plan, there are very few perimeter areas affecting the parking area, as it is an existing interior parking lot surrounded by buildings. The existing parking lot has approximately 24 parking spaces with no perimeter landscaping or interior landscaped islands. The proposed parking area will have 17 surface parking spaces, and new perimeter landscaped areas proposed to bring the parking lot closer into conformance with the code. These new landscaped areas include: a large, landscaped area at the entrance from 21st Ave, landscaping around the foundation of the building adjacent to the parking spaces, and landscaping along the adjacent building at 2146 SE Monroe St.

The existing, improved, parking lot will have 17 parking spaces. Based on 25 sq ft of landscaping per space, this totals 425 sq ft of required interior landscaping. Although there are no formal interior landscaped islands proposed for the existing parking lot, the

proposed site plan shows new perimeter landscape islands totaling approximately 468 sq ft, not including the new landscaping adjacent to the proposed building. This brings the existing parking lot closer into conformance with the code.

As conditioned, to plant one tree in the landscaped area adjacent to 21st Ave, the applicable standards are met.

(3) MMC Subsection 19.606.3 Additional Design Standards

MMC 19.606.3 establishes various additional design standards for off-street parking areas. Paving and striping are required for all required maneuvering and standing areas. Parking bumpers or wheel stops are required to prevent vehicles from encroaching onto public rights-of-way, adjacent landscaped areas, or pedestrian walkways. Driveways and on-site circulation must be designed so that vehicles enter the ROW in a forward motion. Pedestrian access must be provided so that no off-street parking space is farther than 100 ft away from a building entrance or a walkway that is continuous, leads to a building entrance, and meets the design standards of MMC Subsection 19.504.9.E. Lighting must not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site and must provide a minimum illumination of 0.5 footcandles for pedestrian walkways in off-street parking areas.

The existing parking area is proposed to be improved to meet the requirements of this section. A condition has been established to ensure that this standard is met.

As conditioned, the applicable standards are met.

As proposed and conditioned, the Planning Commission finds that the applicable design and landscaping standards of MMC 19.606 are met.

d. MMC Section 19.608 Loading

MMC 19.608 establishes standards for off-street loading areas and empowers the Planning Manager to determine whether loading spaces are required. Off-street loading is not required in the DMU zone. Where loading spaces are required, spaces must be at least 35 ft long and 10 ft wide, with a height clearance of 13 ft, and located where not a hindrance to drive aisles or walkways.

The subject property is zoned DMU, so no off-street loading is required. This standard is not applicable.

e. MMC Section 19.609 Bicycle Parking

MMC 19.609 establishes standards for bicycle parking for new residential development. The minimum number of long-term spaces is 1 space per unit; the minimum number of short-term spaces is 2 or one per 20 units. MMC Subsection 19.609.4 includes design and location requirements for both long-term and short-term spaces.

The minimum number of bicycle parking spaces for the 45-unit residential building would be 45 long-term spaces (covered and secure) and 4 short-term spaces. Long -term bicycle spaces are proposed to be provided in inverted U-loop racks, allowing two connections points for the bike. The majority of long-term spaces are proposed to be provided in a secure locked bike room on the first floor of the building. A total of 22 long-term bike spaces will be provided with this inverted U-loop bike rack. A total of 14 bike spaces will be provided with wall mounted bike racks. This provides 36 secure bicycle parking spaces within the secure bike room. An additional 9 wall hung bike racks are proposed to be provided in each of the ground floor units of the building. This provides a total of 45 bike parking spaces.

Short-term bike parking is dispersed between the three entry/exit doors in the building. A total of four spaces are proposed in outdoor bike racks.

As proposed and conditioned, the Planning Commission finds that the applicable standards are met.

f. MMC Section 19.610 Carpool and Vanpool Parking

MMC 19.610 establishes carpool parking standards for new industrial, institutional, and commercial development with 20 or more required parking spaces.

The existing parking area has 17 parking spaces. This standard is not applicable.

As proposed and conditioned, the Planning Commission finds that the proposed development meets all applicable standards MMC 19.600 for off-street parking.

8. MMC Chapter 19.700 Public Facility Improvements

MMC 19.700 is intended to ensure that development, including redevelopment, provides public facilities that are safe, convenient, and adequate in rough proportion to their public facility impacts.

a. MMC Section 19.702 Applicability

MMC 19.702 establishes the applicability of the provisions of MMC 19.700, including new construction.

The applicant proposes to develop a multi-unit residential building and to improve an existing adjacent parking area. The proposed new construction triggers the requirements of MMC 19.700.

b. MMC Section 19.703 Review Process

MMC 19.703 establishes the review process for development that is subject to MMC 19.700, including requiring a preapplication conference, establishing the type of application required, and providing approval criteria.

The applicant had a preapplication meeting with City staff on September 19, 2024, prior to application submittal. The City Engineer determined that the proposed development does not trigger a Transportation Impact Study. Finding 8-e addresses the proposal's compliance with the approval criteria established in MMC Subsection 19.703.3, particularly the required frontage improvements.

c. MMC Section 19.705 Rough Proportionality

MMC 19.705 requires that transportation impacts of the proposed development be mitigated in proportion to its potential impacts. Mitigation of impacts, due to increased demand for transportation facilities associated with the proposed development, must be provided in rough proportion. Guidelines require consideration of a ½ mile radius, existing use within the area, applicable TSP goals, and the benefit of improvements to the development property.

Based on proportionality guidelines found in MMC 19.705.2, the City Engineer has determined that the applicant is found responsible for constructing pedestrian improvements for the development.

The existing pedestrian facilities on both frontages of the subject property were found to be insufficient, and the City Engineer has determined that frontage improvements for both would be proportional to the development impacts. A condition has been established to require pedestrian improvements on both the 21st Ave and Monroe St frontages.

These improvements include new curb, a new pedestrian ramp (at the corner of Monroe St and 21st Ave), and new sidewalks in compliance with the Americans with Disabilities Act and the City of Milwaukie Public Works Standards.

As conditioned, this standard is met.

d. MMC Section 19.707 Agency Notification and Coordinated Review

MMC 19.707 establishes provisions for coordinating land use application review with other agencies that may have some interest in a project that is in proximity to facilities they manage.

The subject property fronts 21st Ave, which is classified as an arterial street and is part of a transit route. The subject property also front Monroe St, which is classified as a collector street and the site is within 250 ft of a rail crossing. The application was referred to the Oregon Department of Transportation (ODOT) and TriMet for comment.

This standard is met.

e. MMC Section 19.708 Transportation Facility Requirements

MMC 19.708 establishes the City's requirements and standards for improvements to public streets, including pedestrian, bicycle, and transit facilities.

(1) MMC Subsection 19.708.1 General Street Requirements and Standards

MMC 19.708.1 provides general standards for streets, including access management, clear vision, street layout and connectivity, and intersection design and spacing.

As proposed and conditioned, the development is consistent with the applicable standards of MMC 19.708.1.

(2) MMC Subsection 19.708.2 Street Design Standards

MMC 19.708.2 provides design standards for streets, including dimensional requirements for the various street elements (e.g., travel lanes, bike lanes, on-street parking, landscape strips, and sidewalks).

Pedestrian improvements for the development include new sidewalks for the 21st Ave and Monroe St frontages; and a new bi-directional, ADA compliant, pedestrian ramp at the Southeast corner of 21st Ave and Monroe St, with at 6'x30' bulb out on the 21st Ave frontage adjacent to the east/west crosswalk. Downtown standards for both 21st Ave and Monroe St from the City of Milwaukie Public Works Standards require curb-tight sidewalk to be 6' wide. Street tree planting in compliance with the City of Milwaukie Public Works Standards will be required where able.

As conditioned, this standard is met.

(3) MMC Subsection 19.708.3 Sidewalk Requirements and Standards

MMC 19.708.3 provides standards for public sidewalks, including the requirement for compliance with applicable standards of the Americans with Disabilities Act (ADA).

The proposed development includes one new ADA ramp on 21st Ave at the corner of Monroe St.

Sidewalks must conform to the City of Milwaukie Public Works Standards and the Americans with Disabilities Act requirements.

As conditioned, the development is consistent with all applicable standards of MMC 19.708.3.

(4) MMC Subsection 19.708.6 Transit Requirements and Standards

MMC 19.708.6 provides standards for transit facilities.

The portion of 21st Ave fronting the proposed development is classified as a transit route in the Milwaukie Transportation System Plan (TSP). However, transit facilities are already in place. As a result, transit facility improvements are not required for the proposed development.

As proposed, the development is consistent with all applicable standards of MMC 19.708.6.

As conditioned and proposed, the development will meet all applicable standards of MMC 19.708 and any other applicable City requirements.

The Planning Commission finds that the proposed development meets the applicable public facility improvement standards of MMC 19.700.

9. MMC Section 19.907 Downtown Design Review

MMC 19.907 establishes the applicability, procedure, and approval criteria for design review of development downtown.

a. MMC Subsection 19.907.2 Applicability

A project, addition, or expansion that proposes to meet one or more of the design guidelines of Section 19.508 in lieu of complying with the design standards of Section 19.508 is subject to Type III review.

As addressed in Finding 6, the design does not meet all of the downtown design standards of MMC 19.508. The proposed development is subject to Type III review.

b. MMC Subsection 19.907.5 Approval Criteria

MMC 19.907.5 establishes the approval criteria for Type I, II, and III downtown design review. For Type III review, projects must meet the following criteria:

(1) Compliance with MMC Title 19.

(2) Compliance with applicable design standards in MMC 19.508.

(3) Substantial consistency with the purpose statement of the applicable design standard and the applicable Downtown Design Guideline(s) being utilized in place of the applicable design standard(s).

For the proposed development, compliance with the applicable standards of MMC Title 19 is discussed throughout these findings. Finding 6 discusses the project's compliance with the applicable design standards of MMC 19.508, as well as consistency with the purpose statement of any design standards that are not met and any applicable downtown design guidelines.

As discussed throughout these findings, and particularly in Finding 6, and as conditioned where necessary, the proposed development satisfies the approval criteria for downtown design review.

As addressed throughout these findings, and as conditioned where necessary, the Planning Commission finds that the proposed development meets the approval criteria for Type III downtown design review.

10. The application was referred to the following departments and agencies on March 25, 2025:
    - Milwaukie Community Development Department
    - Milwaukie Engineering Department
    - Milwaukie Building Department
    - Milwaukie Public Works Department
    - Milwaukie Police Department
    - City Attorney
    - Historic Milwaukie Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC)
    - Clackamas Fire District #1 (CFD #1)
    - Clackamas County Department of Transportation & Development

- ODOT
- TriMet
- NW Natural
- North Clackamas School District

11. Notice of the public hearing was provided to all properties within 300 ft of the subject property on April 23, 2025.
Comments were received from Ashleigh Blandin and Justice Rage, 2959 SE Monroe St.