



December 12, 2014

Land Use File(s): DR-14-07

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Commission on December 9, 2014.

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| Applicant: | L&B Holzman, LLC |
| Location: | 10605 SE Main St. |
| Tax Lot: | 1S1E35AA 00300 and 00800 |
| Application Types: | Downtown Design Review |
| Decision: | Approved with Conditions |
| Review Criteria: | <u>Milwaukie Zoning Ordinance:</u> <ul style="list-style-type: none">• Section 19.1006 Type III Review• Chapter 19.600 Off-Street Parking and Loading• Section 19.907 Downtown Design Review• Section 19.1011 Design Review Meetings• Chapter 19.700 Public Facility Improvements |
| Neighborhood: | Historic Milwaukie |

Appeal period closes: 5:00 p.m., December 29, 2014

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 between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please contact Vera Koliass, Associate Planner, at 503-786-7653 or koliassv@milwaukieoregon.gov, if you wish to view this case file.

This decision may be appealed by 5:00 p.m. on December 29, 2014, which is 15 days from the date of this decision. 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.

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

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

1. The applicant, L&B Holzman, LLC (Reliable Credit), has applied for approval to construct additional off-street parking on the lot at 10605 SE Main Street. The site is in the Downtown Commercial zone and the proposal requires Downtown Design Review. The land use application file number is DR-14-07.
2. The applicant proposes to demolish an existing building and construct a new, 13-space employee parking area in its place for use by employees of Reliable Credit site. The applicant proposes interior and perimeter landscaping to be installed in the new parking area, along with additional lighting to match existing parking lot lighting, and stormwater infrastructure. Access to the proposed parking area will be from SE Main St and the egress will be onto SE Scott St.
3. The proposal is subject to the Milwaukie Downtown Design Guidelines and the following MMC provisions:
 - MMC Section 19.907 Downtown Design Review
 - MMC Subsection 19.304.6 Downtown Design Standards
 - MMC Chapter 19.600 Off-Street Parking and Loading
 - MMC Chapter 19.700 Public Facility Improvements
 - MMC Section 19.1000 Review Procedures
4. The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review and MMC Section 19.1011 Design Review Meetings. A public design review meeting was held before the DLC on December 1, 2014, and a public hearing was held before the Planning Commission on December 9, 2014, as required by law.
5. On December 1, 2014, the DLC held a public meeting to review the application. At this meeting the applicant presented a revised design proposal that included four ornamental light fixtures in the parking lot and a low seat wall along the site's SE Main St frontage and the corner with SE Scott St.
6. On December 9, 2014, the Planning Commission held a public hearing to review the application. At this hearing the applicant presented a revised design proposal that included two ornamental light fixtures and two utilitarian light fixtures in the parking lot and a low seat wall with 4' posts along the site's SE Main St frontage and the corner with SE Scott St to address the DLC's recommendation.
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.

 - (1) MMC Subsection 19.602.1 General Applicability

MMC 19.602.1 provides that the regulations of MMC 19.600 apply to all off-street parking areas, whether required by the City as part of development or

voluntarily installed for the convenience of users. Activity that is not described by MMC Subsections 19.602.3 or 19.602.4 is exempt from compliance with the provisions of MMC 19.600.

The subject property includes existing off-street parking areas. The proposed development is an activity that meets the applicability standards of MMC 19.602.4 (see Finding 6-a-(3)).

(2) MMC Subsection 19.602.2 Maintenance Applicability

MMC 19.602.2 provides that property owners shall ensure conformance with the standards of MMC 19.600 with regard to ongoing maintenance, operations, and use of off-street parking areas. Any change to an existing off-street parking area shall not bring the area out of conformance, or further out of conformance if already nonconforming.

The proposed development will expand an existing off-street parking area. The proposed improvements are in conformance with the applicable standards of MMC 19.606, including for stall dimensions, landscaping, and lighting.

(3) MMC Subsection 19.602.4 Applicability not Associated With Development or Change in Use

MMC 19.602.4.A addresses applicability for parking projects developed to serve an existing use but not associated with other development activity or a change in use. Such activity shall conform to the requirements of MMC Sections 19.604 and 19.606-19.611. In addition, the total number of new spaces in the existing and new parking areas shall not exceed the maximum allowed quantity of parking as established in MMC Section 19.605.

The proposed development will serve an existing use on an adjacent property and is not associated with other development activity or a change in use. As addressed in Findings 5-c and 5-e through 5-g, the proposed development will meet all applicable standards of MMC Sections 19.604 and 19.606-611.

The Planning Commission finds that the standards and requirements of MMC 19.600 are applicable to the proposed development.

b. MMC Section 19.603 Review Process and Submittal Requirements

(1) MMC Subsection 19.603.1 Review Process

MMC 19.603.1 establishes the Planning Director as the entity with authority to apply the provisions of Chapter 19.600 unless an application is subject to a quasi-judicial review or appeal, in which case the body reviewing the application has the authority.

The application is subject to Type III review by the Planning Commission, which is therefore the body with authority to apply the provisions of Chapter 19.600.

(2) MMC Subsection 19.603.2 Submittal Requirements

MMC 19.603.2 establishes the requirements for submittal of a parking plan, including the various details that must be presented.

The applicant has submitted a parking plan and supporting information with sufficient detail to demonstrate compliance with the applicable standards of Chapter 19.600.

The Planning Commission finds that this standard is met.

c. MMC Section 19.604 General Parking Standards

MMC 19.604 establishes general standards for off-street parking areas, including requirements related to the provision of parking in conjunction with development activity, the location of accessory parking, and use and availability of parking areas.

The proposed development is an expansion of an existing off-street parking area related to an ongoing office use on an adjacent property. The new parking will be on an adjacent site owned by the same owner as the primary office use and will be available for the employees of the office use.

The Planning Commission finds that this standard is met.

d. MMC Section 19.605 Vehicle Parking Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking based on estimated parking demand.

(1) MMC Subsection 19.605.1 Minimum and Maximum Requirements

MMC Table 19.605.1 provides minimum and maximum requirements for a range of different uses. For general office uses, a minimum of 2 spaces per 1,000 sq ft of floor area are required; a maximum of 3.4 spaces per 1,000 sq ft are allowed.

The adjacent property is developed with an office building approximately 18,750 SF of floor area used for commercial purposes. A minimum of 44 parking spaces are required for that size of office use; a maximum of 74 spaces are allowed. The site includes a total of 21 spaces which falls below the minimum requirement for the current use.

The proposed development would result in a total of 34 spaces.

The Planning Commission finds that this standard is met.

e. MMC Section 19.606 Parking Area Design and Landscaping

(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 diagonal (45-degree-angle) spaces, the minimum width is 9 ft and minimum depth is 18.5 ft, with 13-ft-wide one-way drive aisles.

The applicant has submitted a parking plan that utilizes diagonal spaces. As proposed, the dimensions for new or reconfigured spaces and drive aisles appear to meet the minimum standards.

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.

(a) MMC 19.606.2.C Perimeter Landscaping

In downtown zones, perimeter landscaping areas are not required along lot lines abutting other properties but must be at least 4 ft wide when abutting a right-of-way. At least 1 tree must be planted for every 40 lineal feet of landscaped buffer area, with the remainder of the buffer planted with grass, shrubs, ground cover, mulch, or other landscaped treatment.

As proposed, perimeter landscaping areas near the public right-of-way along SE Main Street are 4 feet wide and will have at least 1 tree planted every 40 lineal feet.

This standard is met.

(b) MMC 19.606.2.D Interior Landscaping

At least 25 sq ft of interior landscaped area must be provided for each parking space. Planting areas must be at least 120 sq ft in area, at least 6 ft in width, and dispersed throughout the parking area. For landscape islands, at least 1 tree shall be planted per island, with the remainder of the buffer planted with grass, shrubs, ground cover, mulch, or other landscaped treatment.

As proposed, interior landscaping areas appear to provide at least 750 sq ft of area, which is nearly twice the area required. New interior landscaping areas appear to be at least 6 ft wide and at least 120 sq ft in area, with at least 1 tree planted per island.

This standard is met.

(c) MMC 19.606.2.E Other Parking and Landscaping Provisions

Preservation of existing trees in the off-street parking area is encouraged and may be credited toward the total number of trees required. Parking area landscaping must be installed prior to final inspection, unless a performance bond is posted with the City. Required landscaping areas may serve as stormwater management facilities, and pedestrian walkways are allowed within landscape buffers if the buffer is at least 2 ft wider than required by MMC 19.606.2.C and 19.606.2.D.

The applicant has submitted a parking plan that preserves an existing tree just to the south of the subject property. As required, parking area landscaping will be installed prior to final inspection, unless a bond is posted with the City.

This standard is met.

(3) MMC Subsection 19.606.3 Additional Design Standards

MMC 19.606.3 establishes various design standards, including requirements related to paving and striping, wheel stops, pedestrian access, internal circulation, and lighting.

(a) MMC 19.606.3.A Paving and Striping

Paving and striping are required for all required maneuvering and standing areas, with a durable and dust-free hard surface and striping to delineate spaces and directional markings for driveways and accessways.

As proposed, the parking lot will be paved and striped.

This standard is met.

(b) MMC 19.606.3.B Wheel Stops

Parking bumpers or wheel stops are required to prevent vehicles from encroaching onto public right-of-way, adjacent landscaped areas, or pedestrian walkways. Curbing or other physical barriers may be substituted for wheel stops if vehicles will not encroach into the minimum required width for landscape or pedestrian areas.

As proposed, wheel stops will be installed.

This standard is met.

(c) MMC 19.606.3.C Site Access and Drive Aisles

Accessways to parking areas shall be the minimum number necessary to provide access without inhibiting safe circulation on the street. Drive aisles shall meet the dimensional requirements of MMC 19.606.1.

The parking area has one access point: one entrance from SE Main Street and one exit onto SE Scott Street. As proposed, all new drive aisles, as well as drive aisles modified by the proposed development, appear to meet the minimum dimensional requirements.

This standard is met.

(d) MMC 19.606.3.D Pedestrian Access and Circulation

Pedestrian access shall be provided so that no off-street parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance or a walkway that is continuous, leads to a building entrance, and meets the design standards of Subsection 19.504.9.E.

As proposed, none of the new or modified parking spaces will be further than 100 ft from a pedestrian walkway. All new and modified pedestrian walkways will be reviewed through the development permitting process to ensure compliance with the various applicable standards established in Subsections 19.606.3.D and 19.504.9.E.

This standard is met.

(e) MMC 19.606.3.E Internal Circulation

The Planning Director has the authority to review the pedestrian, bicycle, and vehicular circulation of the site and impose conditions to ensure safe and efficient on-site circulation. Such conditions may include, but are not limited to, on-site signage, pavement markings, addition or modification of curbs, and modification of drive aisle dimensions.

The Planning Director has reviewed the proposed parking plan and determined that no additional requirements are necessary to ensure safe and efficient on-site circulation.

This standard is met.

(f) MMC 19.606.3.F Lighting

Lighting is required for parking areas with more than 10 spaces and must have a cutoff angle of 90 degrees or greater to ensure that lighting is directed toward the parking surface. Lighting shall not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site, and shall provide a minimum illumination of 0.5 footcandles for pedestrian walkways in off-street parking areas. Where practicable, lights shall be placed so they do not shine directly into any Water Quality Resource (WQR) and/or Habitat Conservation Area (HCA) location.

The proposed development will result in a total of 13 new parking spaces. As discussed in Table 1, two ornamental lights will be provided in the parking lot consistent with the downtown design guidelines and two

additional utilitarian lights matching the existing parking lot lighting style will be provided along the western edge of the parking lot. All new lighting will be reviewed through the development permitting process to ensure compliance with the various applicable illumination standards established in Subsection 19.606.3.F.

This standard is met.

As conditioned, the applicable additional design standards of MMC 19.606.3 will be met.

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

f. MMC Section 19.609 Bicycle Parking

MMC 19.609 establishes standards for bicycle parking, including a requirement to provide a number of bicycle spaces equal to at least 10% of the minimum number of required vehicle spaces. If more than 10 bicycle spaces are required, then a minimum of 50% of the bicycle spaces must be covered and/or enclosed in lockers or a secure room.

The existing office use requires a minimum of 44 vehicle spaces; a minimum of 4 bicycle spaces are required. According to the applicant's materials, the existing development provides 2 bicycle spaces. A condition has been developed to require 2 additional spaces in order to address this issue.

As conditioned, the Planning Commission finds that this standard is met.

g. MMC Section 19.610 Carpool and Vanpool Parking

MMC 19.610 establishes parking standards for vehicles used to carpool. For new development that requires at least 20 parking spaces, a minimum of 10% of the minimum amount of required parking shall be dedicated to carpool or vanpool vehicles. Carpool spaces shall be located closer to the main entrances of the building than other employee parking and shall be clearly designated with signage or pavement markings.

The existing office use requires a minimum of 44 vehicle spaces; a minimum of 4 carpool spaces are required. The existing development provides 4 carpool spaces.

The Planning Commission finds that this standard is met.

8. MMC Section 19.907 Downtown Design Review

MMC 19.907 establishes the procedures and standards for design review in the downtown zones. The purpose of downtown design review is to preserve and enhance the character of downtown Milwaukie; to ensure a degree of order, harmony, and quality in the downtown zones; and to ensure that new development and enlargement of existing development are consistent with the Downtown Design Guidelines.

a. MMC Subsection 19.907.2 Applicability

MMC 19.907.2 establishes that all new construction and changes to buildings and/or properties in the downtown zones is subject to design review.

The proposed development involves the removal of a building and construction of a new parking lot, which is a change to the subject property.

The Planning Commission finds that the proposed development is subject to design review in accordance with the procedures provided in MMC Subsection 19.907.5.

b. MMC Subsection 19.907.5 Application Procedure

MMC 19.907.5 establishes the procedures by which applications for design review shall be processed. As per MMC 19.907.5.C, major exterior alterations are subject to Type III review. The Planning Director has determined that new construction is similar to a major exterior alteration with respect to the necessary level of review.

The Planning Commission finds that, as new construction, the proposed development is subject to Type III downtown design review.

c. MMC Subsection 19.907.6 Application

MMC 19.907.6 establishes the requirements for downtown design review applications, including a completed design review checklist, written statement describing how the proposal meets applicable design guidelines, and site plan showing the proposed development.

The applicant's submittal includes a completed design review checklist, narrative describing the proposed development and addressing applicable criteria, and site plans showing the proposed improvements.

The Planning Commission finds that this standard is met.

d. MMC Subsection 19.907.7 Approval Criteria for Design Review

MMC 19.907.7 establishes the approval criteria for design review applications and the process for modifications to the downtown design standards. The approval authority may approve, approve with conditions, or deny a design review application based on the following criteria:

Compliance with Title 19 Zoning Ordinance

The proposed development does not involve construction of a building. No standards from MMC 19.304 Downtown Zones are applicable to the project.

This approval criterion is not applicable.

Substantial consistency with the Downtown Design Guidelines

Refer to Table 1 below for detailed findings.

The Planning Commission finds that the proposal, as conditioned, is substantially consistent with the Downtown Design Guidelines and that this approval criterion has been met.

Submittal of a complete application and applicable fee as adopted by the City Council

The applicant submitted an application on September 25, 2014. It was deemed incomplete on October 9, 2014. The applicant submitted additional information on October 29, 2014 and the application was deemed complete on November 4, 2014. The applicable design review application fee was paid September 25, 2014.

This approval criterion has been met.

The Planning Commission finds that with the listed conditions the approval criteria for downtown design review are met.

Table 1. Design Review Compliance

| MILWAUKIE CHARACTER GUIDELINES | |
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| Guideline | Recommended Findings |
| <p><i>Reinforce Milwaukie's Sense of Place</i> <i>Strengthen the qualities and characteristics that make Milwaukie a unique place.</i></p> | <p>The design guidelines specifically state that development that is generic and could apply anywhere is not recommended. The proposed development is a new parking lot that, as proposed, does not provide any unique elements to reflect the character of Milwaukie's historic downtown. Although landscaping will be installed to provide a planted edge to both Scott Street and Main Street, a significant edge detail and treatment to emphasize a "small-town urban character" is needed and to maintain consistency with the character of the City's historic Main Street.</p> <p>The proposed development, as conditioned to provide a wall mimicking storefronts, meets this guideline.</p> |
| <p><i>Establish or Strengthen Gateways</i> <i>Projects should use arches, pylons, arbors or other transitions to mark special or primary entries and/or borders between public and private spaces.</i></p> | <p>The design guidelines address the transition between the public and private realm. Structural gateways achieve this by indicating change or separation of transportation modes, such as auto areas from pedestrian areas, such as the separation of the public sidewalk from the proposed parking lot.</p> <p>A structural wall along the east side of the parking lot, that would also be the edge of the pedestrian environment, would be consistent with this guideline. The wall would provide screening and enclosure and separate pedestrians from the vehicles and maintain a public space (the sidewalk) distinct from the private space (the parking lot). A condition has been established to ensure that this guideline is met.</p> <p>The proposed development, as conditioned, meets this guideline.</p> |
| <p><i>(9 other guidelines related to Milwaukie Character)</i></p> | <p>None of the other Milwaukie Character guidelines are applicable to this project.</p> |
| PEDESTRIAN EMPHASIS GUIDELINES | |
| Guideline | Recommended Findings |
| <p><i>Reinforce and Enhance the Pedestrian System</i> <i>Barriers to pedestrian movement and visual and other nuisances should be avoided or eliminated, so that the pedestrian is the priority in all development projects.</i></p> | <p>The proposed development is within 100 feet of the employee entry and is adjacent to two public sidewalks.</p> <p>The proposed development meets this guideline.</p> |
| <p><i>Define the Pedestrian Environment</i> <i>Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.</i></p> | <p>The proposal includes landscaping of varying heights, including red maple trees and water quality swale plantings of rushes, sedges, and several small native shrubs. However, it does not provide a very visually interesting space and does not create a distinctive edge between the public and private space.</p> <p>In order to create a sense of enclosure and</p> |

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| | <p>define the edge between the sidewalk and the parking lot, as well as provide an area for stopping and viewing, the guidelines can be satisfied by constructing a structural wall that includes a seating area. The wall would provide screening and enclosure and separate pedestrians from the vehicles and maintain a public space (the sidewalk) distinct from the private space (the parking lot).</p> <p>The proposed development, as conditioned, meets this guideline.</p> |
| <p><i>Provide Places for Stopping and Viewing</i> <i>Provide safe, comfortable places where people can stop to sit and rest, meet and visit with each other, and otherwise enjoy the downtown surroundings.</i></p> | <p>The proposal includes landscaping of varying width, including red maple trees and water quality swale plantings of rushes, sedges, and several small native shrubs. However, it does not provide places for the pedestrian to stop to site and rest, an important consideration on such a significant section of Main Street.</p> <p>In order to strengthen the edge between the sidewalk and the parking lot, as well as provide an area for stopping and viewing, the applicant shall include a structural wall that includes a seating area. A condition has been established to ensure that this guideline is met.</p> <p>The proposed development, as conditioned, meets this guideline.</p> |
| <p><i>(2 other guidelines related to Pedestrian Emphasis)</i></p> | <p>None of the other Pedestrian Emphasis guidelines are applicable to this project.</p> |

ARCHITECTURE GUIDELINES

| Guideline | Recommended Findings |
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| <p><i>(12 guidelines related to Architecture)</i></p> | <p>The proposed development is the construction of a new parking lot and does not involve a building. The Architecture guidelines refer to buildings and are not applicable to this project.</p> |

LIGHTING GUIDELINES

| Guideline | Recommended Findings |
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| <p><i>Parking Lot Lighting</i> <i>Ornamental street lights should be used to be compatible with downtown streetlight standards identified in the Public Area Requirements.</i></p> | <p>The existing parking area was developed in 1998, prior to the adoption of the Downtown Design Guidelines in 2003. The existing utilitarian lighting fixtures do not match the ornamental style prescribed in this guideline. The site is physically connected to the central downtown area, where other ornamental lights have been installed; specifically, across Main St from the site and further north as well.</p> <p>Maintaining consistency in light of no immediate plans to install light fixtures in this block is important. Although other downtown parking areas do not have this ornamental lighting, they were developed prior to the adoption of the</p> |

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| | <p>Downtown Design Guidelines. The original site plan identifies two utilitarian light fixtures on the west side of the parking lot. The installation of ornamental lighting that is consistent with the Downtown Design Guidelines, on the street side of the parking lot rather than the west side, would be more attractive and would provide lighting for both employees using the parking lot and pedestrians on the adjacent sidewalk. Further, the Downtown Design Guidelines recommend that lighting should be located in landscaped areas wherever possible, and no lighting currently exists on that side of Main Street. The fixture location should align with the location of any future light fixtures installed if/when Public Area Requirements are built. Per MMC 19.606.3.F, the luminaries should have shielding for limiting light trespass.</p> <p>To be consistent with the guidelines, new ornamental lighting must be installed on the east side of the parking lot, within the planting area adjacent to the public sidewalk and shall light both the sidewalk and the parking lot. These ornamental lights are to be in addition to the two utilitarian lights proposed along the western edge of the parking lot.</p> <p>As conditioned, the proposed development meets this guideline.</p> |
| <p><i>(3 other guidelines related to Lighting)</i></p> | <p>None of the other Lighting guidelines are applicable to this project.</p> |
| <p>SIGN GUIDELINES</p> | |
| <p>Guideline</p> | <p>Recommended Findings</p> |
| <p><i>(7 guidelines related to Signs)</i></p> | <p>No signs are proposed as part of this application. The Sign guidelines are not applicable to this project.</p> |

9. MMC Chapter 19.700 Public Facility Improvements

MMC 19.700 establishes provisions to ensure that development provides public facilities that are safe, convenient, and adequate in rough proportion to their public facility impacts. MMC 19.702 establishes the applicability of the provisions of MMC 19.700, including land divisions, new construction, expansions of existing structures, and changes or intensifications in use.

The proposed development consists of the construction of a parking lot for an existing office use, which in and of itself does not increase the vehicle trip generation to and from the site. The Engineering Department has reviewed the application and finds that MMC 19.700 does not apply to this application.

The Planning Commission finds that the standards and requirements of MMC 19.700 are not applicable to the proposed development.

Conditions of Approval

1. The applicant shall submit a Type I Development Review application with final construction plans for construction of the parking lot. These plans shall be a modified version of the plans approved by the Planning Commission (PC) and date stamped by the City on September 25, 2014 and shall conform with these conditions of approval.
2. The development permit submission for the parking lot shall include a detailed description of any proposed plan changes that are not part of these conditions of approval, or that the final decision-making authority did not specify in its decision; such plan change shall be subject to the City's review and approval.
3. The development permit submission for the parking lot shall include a total of 4 bicycle parking spaces for the office use at Reliable Credit.
4. The development permit submission for the parking lot shall include the following items to demonstrate conformance with the Milwaukie Downtown Design Guidelines, specifically those that address Milwaukie Character, the pedestrian environment, and parking lot lighting.
 - a. Two parking lot light fixtures shall be ornamental standards that are consistent with the downtown streetlight standards of the Public Works Standards. These ornamental parking lot light fixtures shall be located within the perimeter landscaping area along the Main Street sidewalk and shall light both the sidewalk and the parking lot.
 - b. Two parking lot light fixtures may be shoe-box style fixtures and shall be located along the western side in the interior of the parking lot.
 - c. A structural edge treatment such as an architectural/structural wall that mimics a storefront shall be installed. The wall must be designed to accommodate the siting of the parking lot light fixtures and landscaping and shall include a seating area. A minimum of two design alternatives showing specific materials, with openings, and a seating area shall be presented to the DLC for review per Condition 4.d below. The wall is intended to separate pedestrians on the sidewalk from the parking lot, provide enclosure, and to define the pedestrian environment.
 - d. The DLC shall review plans for the architectural/structural wall edge treatment to be incorporated into the design of the parking lot per Condition 4.c above. The DLC shall evaluate the proposal for conformance with the Planning Commission's conditions of approval. The applicant shall present the proposal at a public meeting.

Additional Requirements

1. Stormwater Management

Submit a stormwater management plan prepared by a qualified professional engineer with required development/building permits as part of the proposed development. The plan shall conform to Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards.

- a. The stormwater management plan shall demonstrate that the post-development runoff does not exceed the pre-development, including any existing storm water management facilities serving the development site.
- b. The stormwater management plan shall demonstrate compliance with water quality standards in accordance with the City of Portland Stormwater Management Manual.

Development/building permits will not be issued for construction until the stormwater management plan has been approved by the City of Milwaukie.

2. Pursuant to Subsection 19.1001.7.E.2, the time period within which the applicant must obtain development permits for the parking lot is 2 years, and the time period within which the applicant must pass all final inspections is 4 years, from the date of the land use decision on this application.

As per MMC 19.1001.7.E.2.b, land use approvals shall expire unless both steps noted above have been completed or unless the review authority specifies a different expiration date in the land use decision to accommodate large, complex, or phased development projects.



Dennis Egner, AICP
Planning Director

cc: L&B Holzman, LLC (PO Box 22829, Milwaukie, OR 97269)
Tom Sisul (c/o Sisul Engineering, 375 Portland Ave., Gladstone, OR 97027)
Planning Commission (*via e-mail*)
Design and Landmarks Committee (*via e-mail*)
Steve Butler, Community Development Director (*via e-mail*)
Jason Rice, Engineering Director (*via e-mail*)
Brad Albert, Civil Engineer (*via e-mail*)
Bonnie Lanz, Permit Specialist (*via e-mail*)
Mike Boumann and Shawn Olson, CCFD#1 (*via e-mail*)
NDA: Historic Milwaukie (*via e-mail*)
Interested Persons
Land Use File(s): DR-14-07