



PLANNING DEPARTMENT
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206

PHONE: 503-786-7630
 FAX: 503-774-8236
 E-MAIL: planning@milwaukieoregon.gov

Application for Land Use Action

Master File #: _____

Review type*: I II III IV V

CHOOSE APPLICATION TYPE(S):

Use separate application forms for:

- Annexation and/or Boundary Change
- Compensation for Reduction in Property Value (Measure 37)
- Daily Display Sign
- Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse):

Mailing address:

Zip:

Phone(s):

E-mail:

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address:

Zip:

Phone(s):

E-mail:

SITE INFORMATION:

Address:

Map & Tax Lot(s):

Comprehensive Plan Designation:

Zoning:

Size of property:

PROPOSAL (describe briefly):

SIGNATURE:

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

Submitted by:

Date:

IMPORTANT INFORMATION ON REVERSE SIDE

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

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

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

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

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

REVIEW TYPES:

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

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

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file		\$			\$	
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	

TOTAL AMOUNT RECEIVED: \$	RECEIPT #:	RCD BY:
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Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s):

Notes:

*After discount (if any)



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

Submittal Requirements

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

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

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

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

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

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

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

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

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

A. All applicable development standards (listed below):

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

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

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

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

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

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

APPLICATION PREPARATION REQUIREMENTS:

- Five hard copies of all application materials are required at the time of submittal (unless submitted electronically). Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

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

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

Applicant Signature: 

Date: June 5, 2017

Official Use Only

Date Received (date stamp below):

Clackamas County Official Records **2017-029983**
Sherry Hall, County Clerk 05/03/2017 03:05:02 PM
D-D Cnt=1 Stn=0 STEPHEN
\$20.00 \$16.00 \$10.00 \$22.00 \$68.00

After recording send to:

Benjamin Leedy
Stoll Berne
209 SW Oak Street, Suite 500
Portland, OR 97204

**Until a change is requested,
all tax statements shall be sent to:**

B37 Milwaukie Owner LLC
c/o Guardian Development LLC
760 SW 9th Avenue, Suite 2200
Portland, Oregon 97205

STATUTORY WARRANTY DEED

MILWAUKIE DOWNTOWN DEVELOPMENT ASSOCIATION, LLC, an Oregon limited liability company, Grantor, conveys and warrants to the **B37 MILWAUKIE OWNER LLC**, an Oregon limited liability company, Grantee, the real property legally described on attached Exhibit A, free of encumbrances except as set forth on attached Exhibit B:

The true and actual consideration for this transfer is \$1,800,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

[Signature Page Follows]

45141428584-01-0

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[Signature Page Follows]

45141428584-01-0

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DATED as of May 3, 2017.

"GRANTOR"

MILWAUKIE DOWNTOWN DEVELOPMENT ASSOCIATION, LLC, an Oregon limited liability company

By: James M Bernard
Name: James M. Bernard
Title: Member

STATE OF OREGON)
COUNTY OF MULTNOMAH)ss.

On May 2, 2017, this instrument was acknowledged before me by James M. Bernard, as Member of Milwaukie Downtown Development Association, LLC, an Oregon limited liability company.

Shawnda Reszel
Notary Public for Oregon
My Commission Expires: 6.17.19

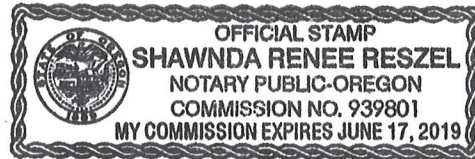


EXHIBIT A

Legal Description

Lots 2 through 6, Block 37, MILWAUKIE, in the City of Milwaukie, County of Clackamas and State of Oregon.

TOGETHER WITH that portion of the vacated alley which inured thereto by reason of Vacation Ordinance No. 35 of the City of Milwaukie, a copy of which was recorded September 7, 1956 in Book 516, Page 124, records of Clackamas County, Oregon.

EXCEPTING from said Lot 6 the South 21 feet 9.48 inches thereof.

EXHIBIT B

Permitted Exceptions

1. Any irregularities, reservations, easements or other matters in the proceedings occasioning the abandonment or vacation of the alley shown below:

Ordinance No.: 35

Purpose: Utilities

Recording Date: September 7, 1956

Recording No: Book 516, Page 124

2. Easement and Settlement Agreement

Filing Date: May 24, 1974

Case No.: 87454

3. The rights of tenants holding under written but unrecorded leases, without any rights of first refusal or rights of first offer.

DOWNTOWN DESIGN REVIEW CHECKLIST

Project/Applicant Name: Project Galaxy
 Project Address: 2036 SE Washington St. Milwaukie OR
 Application Submission Date: June 2, 2017
 Zoning: DMU
 Building Use: Mixed Use - Retail and Apartments
 Completed By: Kurt Schultz - SERA on: 6/2/17

STANDARDS AND GUIDELINES

A. Development and Design Standards	Complies		
	Yes	No	NA
1. Development Standards (Per list of MMC Table 19.304.4)			
a. Permitted Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Minimum Lot Size	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Minimum Street Frontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Floor Area Ratio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Building Height	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Flexible Ground Floor Space	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Street Setbacks/Build-to Lines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Frontage Occupancy Requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Primary Entrances	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Off-street Parking Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Open Space	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Transition Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Residential Density Requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Design Standards (Per list of MMC 19.508) <i>N.A.</i>			
a. Building Façade Details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Corners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Weather Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Exterior Building Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Windows and Doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Roofs and Rooftop Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Open Space/Plazas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Design Guidelines			
1. Milwaukie Character			
a. Reinforce Milwaukie's Sense of Place	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Integrate the Environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Promote Linkages to Horticultural Heritage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Establish or Strengthen Gateways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Consider View Opportunities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Consider Context	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Promote Architectural Compatibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Preserve Historic Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Use Architectural Contrast Wisely	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Integrate Art	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOWNTOWN DESIGN REVIEW CHECKLIST

		Complies		
		Yes	No	NA
2. Pedestrian Emphasis				
a.	Reinforce and Enhance the Pedestrian System.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Define the Pedestrian Environment.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Protect the Pedestrian from the Elements.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Provide Places for Stopping and Viewing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Create Successful Outdoor Spaces.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Integrate Barrier-Free Design.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Architecture				
a.	Corner Doors.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Retail and Commercial Doors.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Residential Doors.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Wall Materials.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Wall Structure.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Retail Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Residential Bay Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h.	Silhouette and Roofline.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	Rooftops.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	Green Architecture.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k.	Building Security.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l.	Parking Structures.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Lighting				
a.	Exterior Building Lighting.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Parking Lot Lighting.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Landscape Lighting.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Sign Lighting..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Signs				
a.	Wall Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Hanging or Projecting Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Window Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Awning Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Information and Guide Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Kiosk Monument Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Temporary Signs..... <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Notes:

Memorandum



Date 06/02/2017
Project Name Project Galaxy Milwaukie
Subject Type III Downtown Design Review Application

LAND USE REVIEWS REQUESTED

- Type III downtown design review
- Type III variance
 - Variance from the MMC 19.304.5.B.2.d requirement for a 6-foot step back for a street-facing portion of the building...
 - Variance from the access spacing standards in MMC 12.16.040.C.4.c.

PROJECT GALAXY NARRATIVE

Project Galaxy is a new 5 story mixed-use Transit Oriented Development in downtown Milwaukie. The project is located on the present location of Bernard's Garage at 2036 SE Washington Street. The 25,523 SF "L" shaped lot is bounded by SE Washington Street to the north, SE Main Street to the west, and SE 21st Ave to the east. The Milwaukie/Main Street orange line Max station is located 1 block to the south near SE 21st Ave and SE Adams Street. Currently Bloom garden supply is located to the south of the property. Project Galaxy will be a highly sustainable project that is pursuing a Green Globes certification.

Project Galaxy will provide 109 market rate apartments ranging from studios, 1 bedroom lofts, traditional 1 bedrooms units, and 2 bedroom units on levels 2-5. The ground floor will provide 8,800 sf of retail/commercial space fronting SE 21st Ave and SE Main Street. The residential lobby will face east towards SE 21st Ave to be convenient to the max stop. Parking is accessed midblock on SE Washington Street and 78 mechanical parking spaces will be provided for the building residents. Bike parking will also be located adjacent to the vehicular parking. The ground floor will be built property line tight on all sides to reinforce its urban location.

The residential floors on levels 2-5 will be in an "L" shaped configuration with the wings aligning with SE 21st Ave and SE Washington Street. An occupied rooftop will be provided on level 2 on top of the concrete podium below. A common room and fitness room will have access out onto the roof terrace. There will also be private residential patios on this podium roof as well as storm-water planters to treat water collected on the roof. Some residential units will also have outdoor balconies.

The building exterior will be designed to promote permanence and quality as well as comply with the Milwaukie Downtown Design Guidelines. The facades have a tripartite façade division of base, middle, and top with an

overhanging cornice. The exterior is designed to convey a contemporary northwest style of architecture with a brick base, fiber cement clad body (middle), and cedar siding at the top and on the bay windows. The building is deliberately asymmetrical to convey that this is an inviting residential building meant for modern living in the urban environment. The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale.

Project Galaxy is designed to be a model for sustainable transit oriented mixed use infill projects in downtown Milwaukie.

1. BASE ZONE STANDARDS

19.304 DOWNTOWN ZONES COMPLIANCE

19.304.5A

FAR 4:1, bonus for structured parking (.5 SF of additional FAR for every 1 SF of structured parking)

Complies. Site area is 25,523 SF. Base FAR allowable is 102,092 SF. We provide 10,000 SF of structured parking for a bonus of 5,000 SF. Total FAR allowable is then 107,692. Actual Project FAR is 103,146 SF, below the maximum allowable.

19.304.5B

HEIGHT: 3 stories and 45' base height (both together, not either-or) Height bonus of 2 stories (5 max) and 24' (57' max) if you do achieve a minimum of 2 incentive bonuses listed

- 25% of gross area in residential
- Lodging
- Green building certification
- Building height variance (Type III process)

Complies. Height is 57'. 12' height bonus achieved through bonus a. An additional story is achieved through bonus c. green building (Green Globes certification)

19.304.5B2d

Requires a 6' setback for any street facing portion of the building that is above the base maximum height. The 6' top floor setback can also be modified through a Type III variance.

Per 19.304.8 we are seeking a variance from this standard. See variance application narrative

19.304.5C2b1

14' minimum clear ceiling at level 1 on Main Street

Complies.

19.304.5C2b2

Interior area adjacent to main street 20' deep minimum

Complies.

19.304.5D2b

Street setbacks/build to lines

Complies.

19.304.5E

Frontage occupancy

Complies.

19.304.5F

Primary Entrance Standards. If a development is on the corner of Main street and another street, the main entrance shall be oriented towards Main street (or can be 45 degrees at corner). Retail entrances also meet this requirement.

Complies.

19.304.5G

Off Street Parking

Off street parking required per 19.600. 1 space per dwelling unit (800 sf or less). 1.25 spaces per dwelling unit (over 800 sf)

Complies. 8 units over 800 SF=10 stalls required. 101 units less than 800 SF=101 stalls required. (111 total required).

- 25% reduction for proximity to public transit= 27 stall reduction
- 10% reduction for additional bicycle parking=11 stall reduction
- 30% maximum reduction in the downtown mixed use zone =33 stall reduction max
- 111-33=78 stalls required, 78 stalls provided in mechanical parking

2. OVERLAY ZONE STANDARDS

19.508 DOWNTOWN SITE AND BUILDING DESIGN STANDARDS

Not applicable in Type III design review

MILWAUKIE DOWNTOWN DESIGN GUIDELINES

1. Milwaukie Character Guidelines

These guidelines address Milwaukie’s unique “sense of place,” its special quality and personality. People’s image of Milwaukie is that of an All-American riverfront town which is hospitable and family oriented. The guidelines address what gives Milwaukie this feeling, this “character” as a unique collection of spaces and buildings, not simply a group of individual projects that could be anywhere. The Milwaukie Character Guidelines consist of the following sections:

• Reinforce Milwaukie’s Sense of Place

Project Galaxy reinforces Milwaukie Character through:

- Active retail storefront at all street frontages
- Use of natural stained cedar siding to reinforce Milwaukie’s rich heritage of tree horticulture
- Use of a ground floor mural that reflects Milwaukie heritage and character on SE Washington Street
- Views oriented to the riverfront

- Small town urban character
- **Integrate the Environment**
Project Galaxy integrates the environment through:
 - Views oriented to the riverfront
 - Second floor podium roof is an occupied terrace with patios and storm-water gardens overlooking the river
 - All parking located inside the building
 - Green building certification
- **Promote Linkages to Horticultural Heritage**
Project Galaxy promotes linkages to Horticultural Heritage through:
 - Use of natural stained cedar siding to reinforce Milwaukie's rich heritage of tree horticulture
 - Use of a ground floor mural that reflects Milwaukie heritage and character on SE Washington Street
 - Use of dogwoods and flowering ornamental trees at the sidewalk and podium level of the building
- **Establish or Strengthen Gateways**
Project Galaxy strengthens gateways through:
 - Strong architectural features at both primary building gateways (NE and NW corners) with shadowbox cantilever form with cedar siding infill and staggered windows
 - Retail/commercial anchors both primary building gateways (NE and NW corners)
- **Consider View Opportunities**
Project Galaxy maximizes view opportunities through:
 - Building organized to maximize residential units with river views
 - Second floor podium roof is an occupied terrace with patios and storm-water gardens overlooking the river
- **Consider Context**
Project Galaxy enhances the Milwaukie Context through:
 - The facades have a tripartite façade division of base, middle, and top with an overhanging cornice like established neighbors
 - Brick base establishes the pedestrian scale like established neighbors
- **Promote Compatibility**
Project Galaxy promotes compatibility through:
 - The facades have a tripartite façade division of base, middle, and top with an overhanging cornice like established neighbors
 - Brick base establishes the pedestrian scale like established neighbors
 - The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale
- **Preserve Historic Buildings**
Not applicable

- Use Architectural Contrast Wisely

Project Galaxy promotes wise contrast through:

- The facades have a tripartite façade division of base, middle, and top with an overhanging cornice like established neighbors (compatibility)
- Brick base establishes the pedestrian scale like established neighbors (compatibility)
- The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale (compatibility)
- The building is clearly the largest building downtown. The building is deliberately asymmetrical to convey that this is an inviting residential building meant for modern living in the urban environment

- Integrate Art

Project Galaxy integrates art through:

- Use of a ground floor mural that reflects Milwaukie heritage and character on SE Washington Street

2. Pedestrian Emphasis Guidelines

In Downtown Milwaukie, the pedestrian is the priority. These guidelines address the ways in which buildings and spaces may be designed to create a convenient, comfortable, human-scaled environment that people will want to be in.

The Pedestrian Emphasis Guidelines include the following:

- Reinforce and Enhance the Pedestrian System

Project Galaxy reinforces the pedestrian system through:

- Active retail storefront at all street frontages
- New sidewalks all frontages
- All parking located inside the building
- All trash rooms are inside the building
- All utilities are in sidewalk vaults or inside the building
- All street frontage have canopies to protect the pedestrian
- Glass overhead garage doors open up retail shops onto Main Street and the future framers market

- Define the Pedestrian Environment

Project Galaxy provides human scale to pedestrian system through:

- Active retail storefront at all street frontages with large storefront windows
- Walls have brick masonry piers at comfortable bays
- All street frontage have canopies to protect the pedestrian
- Use of a ground floor mural that reflects Milwaukie heritage and character on SE Washington Street

- Protect the Pedestrian from the Elements

Project Galaxy protects the pedestrian system through:

- All street frontage have fixed canopies to protect the pedestrian

- Provide Places for Stopping and Viewing

Project Galaxy provides places to stop and visit in the pedestrian system through:

- Active retail storefront at all street frontages with large storefront windows
- Setbacks at all building entrances
- All street frontage have fixed canopies to protect the pedestrian
- Project Galaxy is predominantly property line tight at all frontages to reinforce the urban character of this location

- Create Successful Outdoor Spaces

Project Galaxy creates successful outdoor spaces through:

- Building organized to maximize residential units with river views and to optimize southern exposure
- Second floor podium roof is an occupied terrace with patios and storm-water gardens overlooking the river

- Integrate Barrier-Free Design

All building entrances and features are accessible

3. Architecture Guidelines

The Architecture Guidelines promote quality development while reinforcing the individuality and spirit of Milwaukie. The guidelines promote architectural types indigenous to Milwaukie and/or the Northwest. Buildings in Milwaukie should seem to be “at home” there, reflecting its character and heritage, suiting its climate, landscape and downtown street grid. Within each downtown planning area, building proposals must consider and respond to selected requirements from the following architectural criteria:

- Corner Doors

Project Galaxy creates successful entrances through:

- Retail/commercial anchors both primary building corners (NE and NW corners) with corner entrances
- Doors are of storefront glass

- Retail and Commercial Doors

Project Galaxy creates successful entrances through:

- Large glass storefront doors at all retail entrances
- All doors are double doors
- All doors have transom lights and side lights
- Glass overhead garage doors open up retail shops onto Main Street and the future framers market

- Residential Doors

Not applicable

- Wall Materials

Project Galaxy promotes permanence through:

- The exterior is designed to convey a contemporary northwest style of architecture with a brick base, fiber cement clad middle, and cedar siding at the top and on the bay windows

- Wall Structure

Project Galaxy provides scale defining devices through:

- The facades have a tripartite façade division of base, middle, and top with an overhanging cornice like established neighbors (compatibility)
- Brick base establishes the pedestrian scale like established neighbors
- The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale
- Vertical stacking of windows, piers, and bay windows

• Retail Windows

Project Galaxy creates successful retail windows through:

- Large glass storefront windows at all retail locations
- All doors are double doors
- All doors have transom lights and side lights
- All retail locations have canopies

• Residential Bay Windows

Project Galaxy creates incorporates bay windows:

- Residential bay windows extending from level 2-5 occur on every building elevation
- All bay windows are clad in cedar siding

• Silhouette and Roofline

Project Galaxy creates interest and detail in Silhouette and Roofline through:

- Residential bay windows extending from level 2-5 occur on every building elevation
- Continuous cornice overhang at the roof line
- The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale

• Rooftops

Project Galaxy integrates and uses rooftops through:

- Second floor podium roof is an occupied terrace with patios and storm-water gardens overlooking the river

• Green Architecture

Project Galaxy promotes green architecture through:

- Green building certification (Green Globes)
- Maximizes natural light
- High performance envelope
- Recycled and low VOC materials
- Storm-water gardens on level 2
- Energy efficient lighting, appliances, and HVAC systems

• Building Security

Project Galaxy creates a safe environment through:

- Eyes on the street at all street frontages (retail or building lobby)
- Parking and loading are inside the buildings
- After hours all entrances will have card reader secure entries
- No security gates are provided

- Parking Structures

Project Galaxy integrates parking through:

- All parking is located inside the building in a mechanized parking system and is not visible to the public

4. Lighting Guidelines

Lighting should not only provide nighttime security, but also encourage nighttime patronage of businesses and restaurants. Lighting should create an atmosphere of festivity and activity - especially where special elements or places are concerned. Utilitarian application of glaring, offensively colored lights is not appropriate for downtown. Each development proposal must consider and respond to selected requirements from the following lighting criteria:

- Exterior Building Lighting

All exterior lighting is integral to the façade composition

- Parking Lot Lighting

Not applicable. All parking is inside the building

- Landscape Lighting

Lighting is used to highlight street trees and second floor podium landscaping

- Sign Lighting

Not applicable. Signage is not part of this application

5. Sign Guidelines

Signs should make it easy to locate and identify businesses as well as providing other information relevant to getting around and doing business in downtown; however, signs should never overwhelm either buildings or landscape. Moreover, signs should provide information in a highly graphic format that is complementary to downtown architecture. Tasteful logos, symbols and graphics are encouraged. A strong pedestrian orientation should be encouraged for all signs. Development proposals must consider and respond to selected requirements from the following sign criteria:

Not applicable. Signage is not part of this application

- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

3. SUPPLEMENTARY DEVELOPMENT STANDARDS

The standards of 19.500 do not apply to this project

4. OFF STREET PARKING AND LOADING STANDARDS

Off Street Parking

Off street parking required per 19.600. 1 space per dwelling unit (800 sf or less). 1.25 spaces per dwelling unit (over 800 sf)

Complies. 8 units over 800 SF=10 stalls required. 101 units less than 800 SF=101 stalls required. (111 total required).

- 25% reduction for proximity to public transit= 27 stall reduction
- 10% reduction for additional bicycle parking=11 stall reduction
- 30% maximum reduction in the downtown mixed use zone =33 stall reduction max
- 111-33=78 stalls required, 78 stalls provided in mechanical parking
- Loading spaces not required in the DMU zone

5. PUBLIC FACILITY STANDARDS

19.702 Applicability

19.702.1 General

Chapter 19.700 applies to the following types of development in all zones:

- A. Partitions.
- B. Subdivisions.
- C. Replats that increase the number of lots.
- D. New construction. **Applicable**
- E. Modification or expansion of an existing structure or a change or intensification in use that results in any one of the following. See Subsections 19.702.2-3 for specific applicability provisions for single-family residential development and development in downtown zones.
 1. A new dwelling unit. **Applicable**
 2. Any increase in gross floor area. **Applicable**
 3. Any projected increase in vehicle trips, as determined by the Engineering Director. **Applicable**

19.708.1 General Street Requirements and Standards

A. Access Management

All development subject to Chapter 19.700 shall comply with access management standards contained in Chapter 12.16. **Complies**

B. Clear Vision

All development subject to Chapter 19.700 shall comply with clear vision standards contained in Chapter 12.24. **Complies**

C. Development in Downtown Zones

Street design standards and right-of-way dedication for the downtown zones are subject to the requirements of the Milwaukie Public Works Standards, which implement the streetscape design of the Milwaukie Downtown and Riverfront Plan: Public Area Requirements (PAR). Unless specifically stated otherwise, the standards in Section 19.708 do not apply

to development located in the downtown zones or on street sections shown in the PAR per Subsection 19.304.6. **Complies**

TYPE III VARIANCES REQUESTED

Variance from the MMC 19.304.5.B.2.d requirement for a 6-foot step back for a street-facing portion of the building

MMC 19.304.5.B.2.d requires that buildings shall provide a step back of at least 6' for any street facing portion of the building above the base maximum height (45'). We propose a 5 story building 57' in height. MMC 19.304.5.B.2.d would require a 6' setback above 45' at level 5, the top floor of the project, along SE Main, SE Washington, and SE 21st Ave.

1. Discretionary Relief Criteria

- a. The applicant's alternatives analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.

The building exterior is be designed to promote permanence and quality as well as the Milwaukie Downtown Design Guidelines. The facades have a tripartite façade division of base, middle, and top with an overhanging cornice. The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale. Level 5 has a continuous cornice at the roof line and is materially differentiated from the body of the building by being clad in cedar siding. A metal trim band also defines this level at the 5th floor line.

If the 5th floor was set back 6' on 3 sides, the project would lose 2,500 SF of residential leasable area on level 5 and at least 8 residential units. There would also be a significant increase in structural and exterior skin costs to set back the top floor (transfer beams must be added, plumbing runs would not stack in the units, HVAC ducts would not stack, and the roofs at the setback areas would require significant waterproofing in wood frame construction).

- b. The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:

- (1) The proposed variance avoids or minimizes impacts to surrounding properties.

The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale, and is treated similar to the setback architecturally to create the desired architectural scale desired by the zoning code

- (2) The proposed variance has desirable public benefits.

The variance allows more housing units to be built in the downtown zone and mitigates a loss of residential capacity if the variance was not requested

- (3) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.

The facades have a tripartite façade division of base, middle, and top with an overhanging cornice. The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale. Level 5 has a continuous cornice at the roof line and is materially differentiated from the body of the building by being clad in cedar siding. A metal trim band also defines this level at the 5th floor line.

c. Impacts from the proposed variance will be mitigated to the extent practicable.

The 5th floor is differentiated to reduce its overall perceived height to be compatible with the Milwaukie downtown scale, and is treated similar to the setback architecturally to create the desired architectural scale desired by the zoning code

Variance from the access spacing standards in MMC 12.16.040.C.4.c.

MMC 12.16.040.C.4.c.requires:

Distance from Intersection

To protect the safety and capacity of street intersections, the following minimum distance from the nearest intersecting street face of curb to the nearest edge of driveway apron shall be maintained. Where intersecting streets do not have curb, the distance shall be measured from the nearest intersecting street edge of pavement.

c. At least three hundred (300) feet for collectors, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.

1. Discretionary Relief Criteria

a. The applicant's alternatives analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.

SE Washington street frontage (total block length) is 210' long. We are required to have a single curb cut on SE Washington to access our parking garage as vehicular access is prohibited on SE Main and SE 21st Ave. We have located the curb cut mid-block to stay as far away from either corner as possible.

b. The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:

(1) The proposed variance avoids or minimizes impacts to surrounding properties.

SE Washington street frontage (total block length) is 210' long. We are required to have a single curb cut on SE Washington to access our parking garage as vehicular access is prohibited on SE Main and SE 21st Ave. We have located the curb cut mid-block to stay as far away from either corner as possible. We have submitted a traffic study to the City of Milwaukie that shows minimal impact to the street system from the parking garage

(2) The proposed variance has desirable public benefits.

The variance allows the housing project to be built, creating new residential units in the downtown zone

(3) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.

See criteria 1 response

c. Impacts from the proposed variance will be mitigated to the extent practicable.

We have located the curb cut mid-block to stay as far away from either corner as possible. We have submitted a traffic study to the City of Milwaukie that shows minimal impact to the street system from the parking garage

From Kurt Schultz, SERA

cc



December 14, 2016

Levi Curran, Mike Andrews, Angela Guo, Briana Murtaugh, Tom Brenneke
Guardian Real Estate Services LC
760 SW 9th Ave
Portland, OR 97025

Re: Preapplication Report

Dear Levi et al:

Enclosed is the Preapplication Report Summary from your meeting with the City on November 9, 2016, concerning your proposal for action on property located at the Project Galaxy address.

A preapplication conference is required prior to submittal of certain types of land use applications in the City of Milwaukie. Where a preapplication conference is required, please be advised of the following:

- Preapplication conferences are valid for a period of 2 years from the date of the conference. If a land use application or development permit has not been submitted within 2 years of the conference date, the Planning Director may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference.

If you have any questions concerning the content of this report, please contact the appropriate City staff.

Sincerely,

Avery Pickard
Administrative Specialist II

Enclosure

cc: Michael Rudis, BC Group
Kyle Anderson, GBD Architects

PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on 11/17/2016 at 10:00am

Applicant Name: LEVI CURRAN

Company: GUARDIAN REAL ESTATE SERVICES LLC

Applicant 'Role': Other

Address Line 1: 760 SW 9TH AVE, STE 2200

Address Line 2:

City, State Zip: PORTLAND OR 97025

Project Name: PROJECT GALAXY

Description: PROJECT GALAXY

ProjectAddress: PROJECT GALAXY

Zone: Downtown Mixed Use (DMU)

Occupancy Group: R-2, M, B

ConstructionType:

Use: Proposed mixed-use building and associated parking in a 5-story building: 1 story retail; 4 stories

Occupant Load:

AppsPresent:

Staff Attendance:

BUILDING ISSUES

ADA: ADA Parking will need to be provided in the parking garage.

Structural:

Mechanical: The mechanical parking device will be inspected by the Milwaukie Building Department. (Per the State of Oregon Elevator Chief Inspector)

Plumbing: Gray water can only be directed to a public or private sewer system in the plumbing code. To take gray water and use it for irrigation requires a permit from DEQ and has to follow their regulations.

Plumb Site Utilities:

Electrical:

Notes: We do not have any mechanism in place for fee reductions.

Please note all drawings must be individually rolled. If the drawings are small enough to fold they must be individually folded.

FIRE MARSHAL ISSUES

Fire Sprinklers: A fully compliant NFPA 13 system will be required throughout.

Fire Alarms: A manual fire alarm system will be required throughout.

Fire Hydrants:

Turn Arounds:

Addressing:

Fire Protection:

Fire Access:

Hazardous Mat.:

Fire Marshal Notes:

PUBLIC WORKS ISSUES

Water: Three City of Milwaukie water mains, 10” on SE Washington St, 8” on SE Main St, and 8” on SE 21st Avenue, will serve the proposed development. The water System Development Charge (SDC) is based on the size of water meters serving the property. The corresponding water SDC will be assessed with installation of a water meter. Water SDC credit will be provided based on the size of any existing water meter serving the property removed from service. The water SDC will be assessed and collected at the time the building permits are issued. Water calculations will be required by the applicant for fire flows.

Sewer: City of Milwaukie 12-inch wastewater mains on SE 21st Avenue and SE Main Street will serve the proposed development. Currently, the wastewater System Development Charge (SDC) is comprised of two components. The first component is the City’s SDC charge of \$1075.00 and the second component is the County’s SDC for treatment of \$6,130 that the City collects and forwards to the County. Both SDC charges are per dwelling unit. Apartments are worth .8 dwelling units for the County SDC. For Milwaukie’s SDC, each 1 bedroom and studio apartment are worth .65 dwelling units, while the 2 bedroom units are worth 1 unit. For commercial uses, the Milwaukie wastewater SDC is assessed using a plumbing fixture count from Table 7-3 of the Uniform Plumbing Code. The wastewater SDC connection units are calculated by dividing the fixture count of new plumbing fixtures by sixteen. The wastewater SDC will be assessed and collected at the time the building permits are issued.

Storm: Submission of a storm water management plan by a qualified professional engineer is required as part of the proposed development. The plan shall conform to Section 2 - Stormwater Design Standards of the City of Milwaukie Pubic Works Standards.
A site stormwater management plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland Stormwater Management Manual for design of water quality facilities.
All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See City of Milwaukie Public Works Standards for

design and construction standards and detailed drawings.

No Storm SDC's will be required as the site is currently 100% impervious.

Street:

The proposed development fronts the south side of SE Washington Avenue, a collector street. The portion of SE Washington Avenue fronting the proposed development has a right-of-way width of 60 feet, a paved width of 30 feet, and curb and sidewalk improvements on the both sides of the street.

The proposed development fronts the west side of SE 21st Avenue, an arterial street. The portion of SE 21st Avenue fronting the proposed development has a right-of-way width of 70 feet, a paved width of 24 feet, and curb and sidewalk improvements on both sides of the street.

The proposed development fronts the east side of SE Main Street, a collector street. The portion of SE Main Street fronting the proposed development has a right-of-way width of 80 feet, paved width of 55 feet, and curb and sidewalk improvements on both sides of the street.

Frontage:

Chapter 19.700 of the Milwaukie Municipal Code, hereafter referred to as "Code", applies to partitions, subdivisions, and new construction.

Transportation Facility Requirements, Code Section 19.708, states that all rights-of-way, streets, sidewalks, necessary public improvements, and other public transportation facilities located in the public right-of-way and abutting the development site shall be adequate at the time of development or shall be made adequate in a timely manner.

SE Washington Avenue

According to Public Works Standards; the applicant shall continue the 12-foot sidewalk improvements already completed through the Light Rail improvement project to the west end of the Washington Avenue frontage. These improvements include lighting and tree planting according to PAR requirements.

SE 21st Avenue

The necessary improvements to 21st Avenue were previously constructed with the Light Rail Improvement Project. The applicant is not responsible for any additional improvements, other than removal of unused driveways.

SE Main Street

According to Public Works Standards; Main Street requires a 16' wide sidewalk and parallel parking, trees and lighting. The applicant will be responsible for constructing these improvements.

Some of these improvements may be eligible for Funds in Lieu of Construction (FILOC). Which will be determined with the application

Right of Way:

The existing right-of-way on SE Washington Avenue fronting the proposed development is of adequate width and no right-of-way dedication is required.

The existing right-of-way on SE 21st Avenue fronting the proposed development is of adequate width and no right-of-way dedication is required.

The existing right-of-way on SE Main Street fronting the proposed development is of adequate width and no right-of-way dedication is required

Driveways:

Code Section 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with

Disabilities Act (ADA). Driveway approaches shall be improved to meet the requirements of Milwaukie's Public Works Standards. Any unused driveway approaches shall be removed at time of construction.

Erosion Control:

Per Code Section 16.28.020(C), an erosion control permit is required prior to placement of fill, site clearing, or land disturbances, including but not limited to grubbing, clearing or removal of ground vegetation, grading, excavation, or other activities, any of which results in the disturbance or exposure of soils exceeding five hundred square feet.

Code Section 16.28.020(E) states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, Section 16.28.020(B) states that an erosion control plan that meets the requirements of Section 16.28.030 is required prior to any approval of an erosion control permit.

Traffic Impact Study:

City has determined that with the loading and resident driveway configuration proposed, a TIS will be required.

The transportation impact study triggers a Transportation Facilities Review (TFR) Land Use Application to be filed concurrent with the land use application. Applicant shall pay a deposit of \$1000.00 to scope the traffic impact study. The City of Milwaukie will provide a detailed transportation impact study scope for the traffic study. When the traffic impact study is completed in accordance with the TIS scope, the applicant shall submit the completed TIS to the City with a \$2500.00 deposit to review the TIS. Lastly, a second pre-application meeting with Milwaukie Engineering Staff will be scheduled along with the payment of \$100.00. This meeting is to provide comments on the applicant's traffic impact study prior to submission of any land use applications. Upon completion of the second pre-application meeting, the applicant may submit their land use applications

PW Notes:

TRANSPORTATION SDC

The Transportation SDC will be based on the increase in trips generated by the new use per the Trip Generation Handbook from the Institute of Transportation Engineers. The SDC for transportation is \$1,921 per trip generated. Credits will be given for any demolished structures, which shall be based upon the existing use of the structures.

PARKS & RECREATION SDC

The parks & recreation System Development Charge (SDC) is triggered when application for a building permit on a new dwelling is received. Currently, the parks and recreation SDC for each Multi-Family Residence is \$3,608.00. Credit is applied to any demolished structures and is based upon the existing use of the structures. Commercial space SDC's will be charged at 60\$ per employee. The parks and recreation SDC will be assessed and collected at the time the building permits are issued.

REQUIREMENTS AT FINAL PLAT

- Engineered plans for public improvements (street, sidewalk, and utility) are to be submitted and approved prior to start of construction. Full-engineered design is required along the frontage of the proposed development.

- The applicant shall pay an inspection fee of 5.5% of the cost of public improvements prior to start of construction.

- The applicant shall provide a payment and performance bond for 100% of the cost of the public improvements prior to the start of construction.

- The applicant shall provide a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie prior to the final inspection.

- The applicant shall provide a maintenance bond for 100% of the cost of the public improvements prior to the final inspection.

PLANNING ISSUES

- Setbacks:** In the Downtown Mixed Use (DMU) Zone: Minimum street setback = 0 feet; maximum street setback = 10-20 feet. Please review the following sections in the zoning code for additional information: Figure 19.304-5 First-Floor Build-To Lines; Subsection 19.304.5.D Street Setbacks/Build-To Lines; Subsection 19.304.5.I Transition Measures; Subsection 19.501.2 Yard Exceptions
- Landscape:** Per MMC 19.508.4.G, mixed-use buildings with more than 4 residential units must provide 50 sq ft of private or common open space for each dwelling unit. Details regarding type of open space and credit for existing open space can be found in MMC 19.508.4.G.
- Parking:** Off-street parking for residential uses is required at the ratios established in Table 19.605.1. (Multi-family residential = 1 parking space per dwelling unit in the DMU Zone). All other applicable standards of Chapter 19.600 apply. All nonresidential uses are exempt from the off-street parking requirements. By-right reductions and the parking ratio modification process are described in MMC 19.605.2 and MMC 19.605.3.
- Transportation Review:** The City’s transportation requirements are located in MMC 19.700. Please review the Public Works section for these requirements.
- Application Procedures:** Application procedures are described below.
- Downtown Design Review:
- Downtown design review generally includes review of the proposed structure(s) and site improvements for compliance with applicable design standards. Per MMC 19.906.2.B, Type II development review does not apply to development proposals in the downtown zones as these zones have a separate downtown design review process.
- This application would be reviewed through either a Type II or a Type III process, depending upon whether or not the project meets all of the design standards of MMC 19.508 (Downtown Site and Building Design Standards).
- Designing this project to the design standards would result in a Type II review process. However, applicants, at their option, may choose to use Type III discretionary review. Through Type III review, applicants can address downtown design review requirements through a combination of satisfying certain design standards and, in instances where they elect not to utilize design standards, satisfying the purpose statement of the applicable standard or standards and the applicable design guidelines instead. In such a case, the public hearing and decision will focus on whether or not the project satisfies the requirements of the applicable design guidelines only.
- Per MMC 19.508.5, variances cannot be granted for the design standards of Section 19.508. Projects that cannot meet the design standards in this section must be reviewed through a Type III downtown design review and demonstrate compliance with the Milwaukie Downtown Design Guidelines, pursuant to Section 19.907. A Type III review process would include a review by the Design and Landmark Committee in addition to the Planning Commission.
- Applicant is encouraged to carefully review the following zoning code sections applicable to this

project:

1. MMC 19.304 – Downtown zones
2. MMC 19.508 – Downtown site and design standards
3. MMC 19.600 – Off-street parking
4. MMC 19.907 – Downtown design review

Application fees are based on the current fee schedule. Fees are typically updated on July 1st of each year. Current application fees are as follows: Type I = \$200; Type II = \$1,000; Type III = \$2,000. For concurrent applications, a 25% discount is applied (no discount for the most expensive application).

For the City's initial review, the applicant should submit 5 complete copies of the application, including all required forms and checklists. A determination of the application's completeness will be issued within 30 days. If deemed incomplete, additional information will be requested. If deemed complete, additional copies of the application will be required for referral to other departments, the Neighborhood District Association (NDA), and other relevant parties and agencies. City staff will inform the applicant of the total number of copies needed.

Land use application submission materials are listed below for your convenience. Please refer to the handouts distributed at the pre-application conference for more detailed information.

1. All applicable land use applications forms with signatures of property owners.
2. All applicable land use application fees.
3. Completed and signed "Submittal Requirements".
4. 5 copies of an existing conditions and a proposed conditions site plan, both to scale.

Once the application is deemed complete, additional copies will be requested for distribution to City departments, applicable governmental agencies, and the neighborhood district association for review.

For Type II review, public notice of the application will be mailed to property owners and residents within 300 ft of the subject property no later than 7 days after the application is deemed complete, with 14 days allowed for comments in response. Within 7 days of being deemed complete, a sign giving notice of the application must also be posted on the subject property, to remain until the decision is issued. A decision by the Planning Director will not be issued before the end of the 14-day comment period.

Type III applications are quasi-judicial in nature and are decided by the Planning Commission at a public hearing. The Planning Commission hears land use applications on the second and fourth Tuesdays of every month, and completed applications need to be submitted to the Planning Department no later than 45 days prior to the target Planning Commission hearing. In general, staff recommends that applications be submitted one to two weeks before the 45-day deadline in order to ensure that there is time to make the applications complete if they are initially deemed incomplete. Once the Planning Commission renders a decision, there is a fifteen calendar-day appeal period. Building permits will be accepted for review only after the appeal period for all land use decisions has expired.

Concurrent applications are reviewed together and follow the review procedure of the highest level of review.

Natural Resource Review: The property does not contain any mapped natural resource areas.

Lot Geography: The site is rectilinear in shape.

Planning Notes: 1. The pre-application conference is valid for purposes of submitting future land use applications as

Dated Completed:

City of Milwaukie DRT PA Report

Page 6 of 8

described in MMC 19.1002.4. A preapplication conference is valid for 2 years. Construction of new single-family homes on the newly created lots will require another pre-application conference.

2.The site is located in the Historic Milwaukie Neighborhood District Association (NDA) boundary. Staff strongly encourages the applicant to present any proposed Type II or Type III application to the NDA and/or its Land Use Committee, as well as to the immediate property owners. The NDA's webpage is on-line at <http://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda>. Their meetings are held at 6:30pm on the second Monday of the month at Libbie's Restaurant at 11056 SE Main St. The NDA Chairperson is Ray Bryan (503-794-9354, ray1bryan2@gmail.com). Please contact the Chair to coordinate a meeting to discuss the proposal.

3.As discussed in the conference, the applicant is reminded that the City has a program to allow for the Bancroft financing of SDCs in semi-annual payments over a period of 10 years or less. For more information, please contact Amy Koski at 503-786-7624 (koskia@milwaukieoregon.gov) or Alma Flores at 503-786-7652 (floresa@milwaukieoregon.gov).

4.The applicant submitted several questions for discussion at the conference. Relative to Planning items, the responses are as follows:

- a.FAR bonus for structured parking includes both above and below grade parking. No other FAR bonus is provided in the code.
- b.The 6-foot setback is required for portions of a building above the base maximum height of 3 stories/45 ft.
- c.Parking reductions and modifications to minimum required are covered in MMC 19.600. Tandem parking stalls are generally not considered 2 parking spaces, but are not covered in the code. Applicant may use tandem spaces as part of an application to request reduction in minimum parking required.
- d.Goals for SE 21st Ave are to activate the street front similarly to SE Main street.

5.The Vertical Housing Tax Credit was discussed as an incentive and a general timeline of March 2017 was mentioned for expansion of the City's Vertical Housing Development Zone. Since the conference, that timeline has been slightly modified with anticipated approval of the proposed expansion by the State in May 2017. For more information, please contact Amy Koski at 503-786-7624 (koskia@milwaukieoregon.gov).

6.Information about the Strategic Investment Program (SIP) was shared and one clarification is necessary regarding the conversation at the conference. Specifically, the SIP is only available for projects developed by "traded-sector" businesses defined in Oregon law as "industries in which member firms sell their goods or services into markets for which national or international competition exists." For more information, please contact Amy Koski at 503-786-7624 (koskia@milwaukieoregon.gov) or Alma Flores at 503-786-7652 (floresa@milwaukieoregon.gov).

ADDITIONAL NOTES AND ISSUES

County Health Notes:

Other Notes:

This is only preliminary preapplication conference information based on the applicant's proposal and does not cover all possible development scenarios. Other requirements may be added after an applicant submits land use applications or building permits. City policies and code requirements are subject to change. If you have any questions, please contact the City staff that attended the conference (listed on Page 1). Contact numbers for these staff are City staff listed at the end of the report.

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

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Bonnie Lanz - Permit Specialist - 503-786-7613

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Stacy Stubblefield - Civil Engineer - 503-786-7602

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Alex Roller - Engineering Tech I - 503-786-7695

COMMUNITY DEVELOPMENT DEPARTMENT

Alma Flores, Comm. Dev. Director - 503-786-7652

Marcia Hamley - Admin Specialist - 503-786-7656

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PLANNING DEPARTMENT

Dennis Egnor - Planning Director - 503-786-7654

Li Alligood - Senior Planner - 503-786-7627

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Vera Koliass - Associate Planner - 503-786-7653

CLACKAMAS FIRE DISTRICT

Mike Boumann - Lieutenant Deputy Fire Marshal - 503-742-2673

Matt Amos - Fire Inspector - 503-742-2660



TABLE OF CONTENTS

C01	VIEW FROM NE
C02	TABLE OF CONTENTS
C03	AERIAL VIEW FROM SW
C04	VIEW FROM EAST
C06	EXISTING CONDITIONS - AERIAL
C07	SITE IMAGES
C08	SITE UTILITY / SIDEWALK PLAN
C09	SITE PLAN
C10	FLOOR PLAN - LEVEL 1
C11	FLOOR PLAN- LEVEL 2
C12	FLOOR PLAN- LEVELS 3-4
C13	FLOOR PLAN - LEVEL 5
C14	ROOF PLAN
C15	NORTH ELEVATION
C16	EAST ELEVATION
C17	SOUTH ELEVATION
C18	WEST ELEVATION
C19	MAIN STREET STREETSCAPE











View of Bloom Garden Supply (Looking NE)



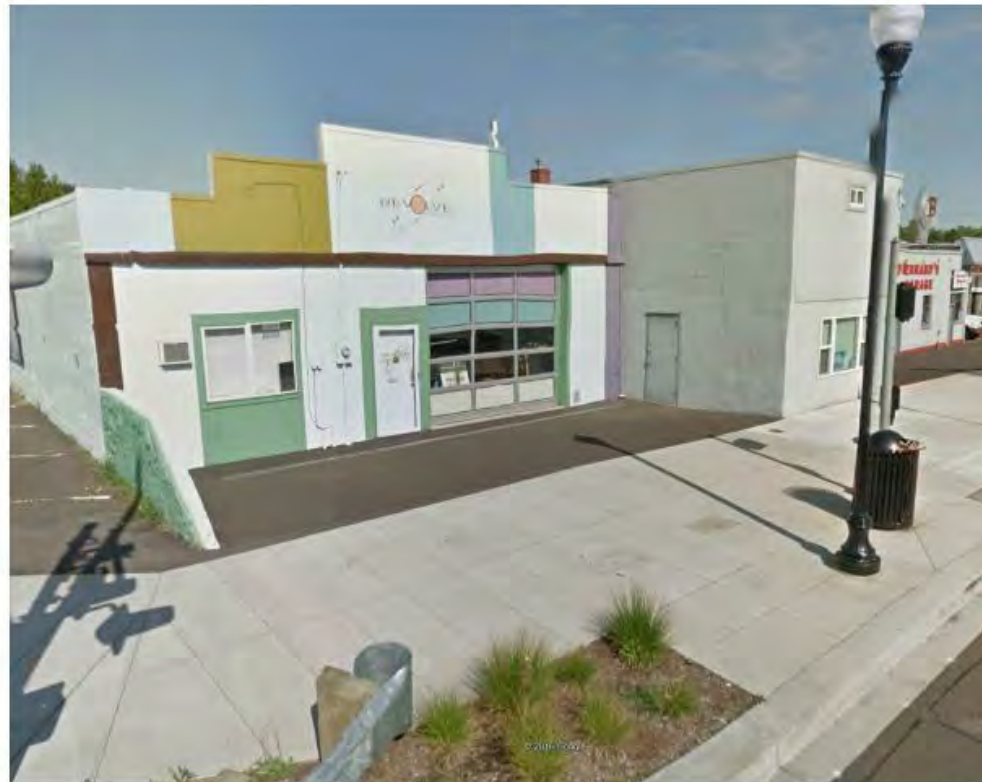
View of Parking (Looking E)



From Corner of Site (Looking SE)



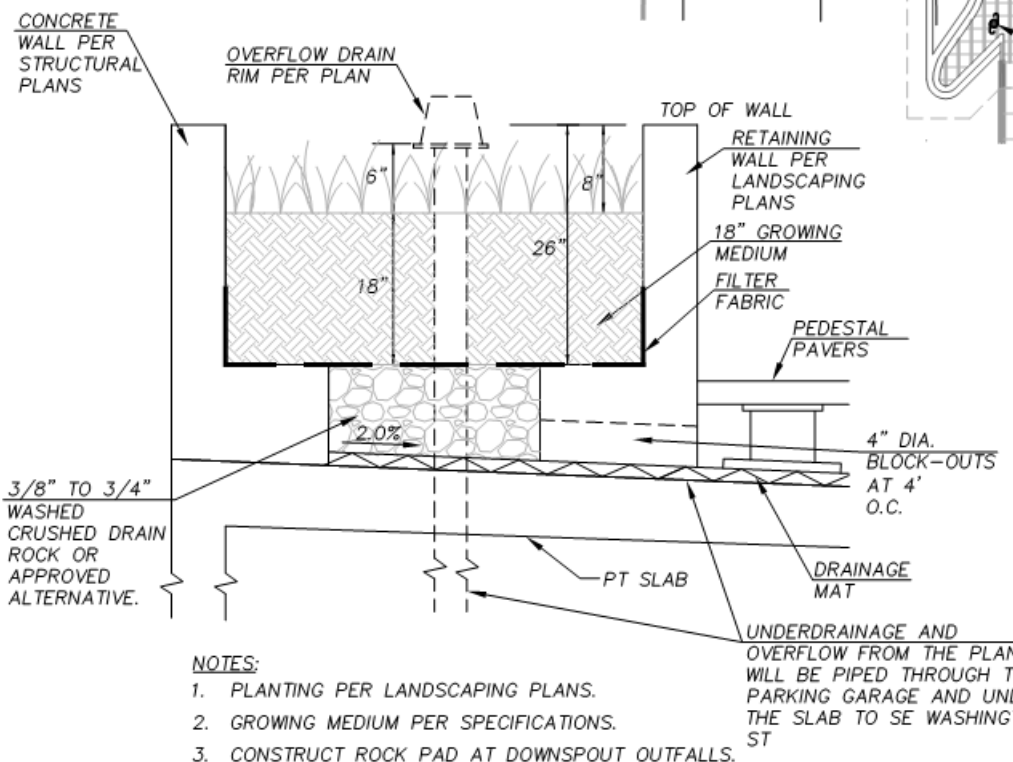
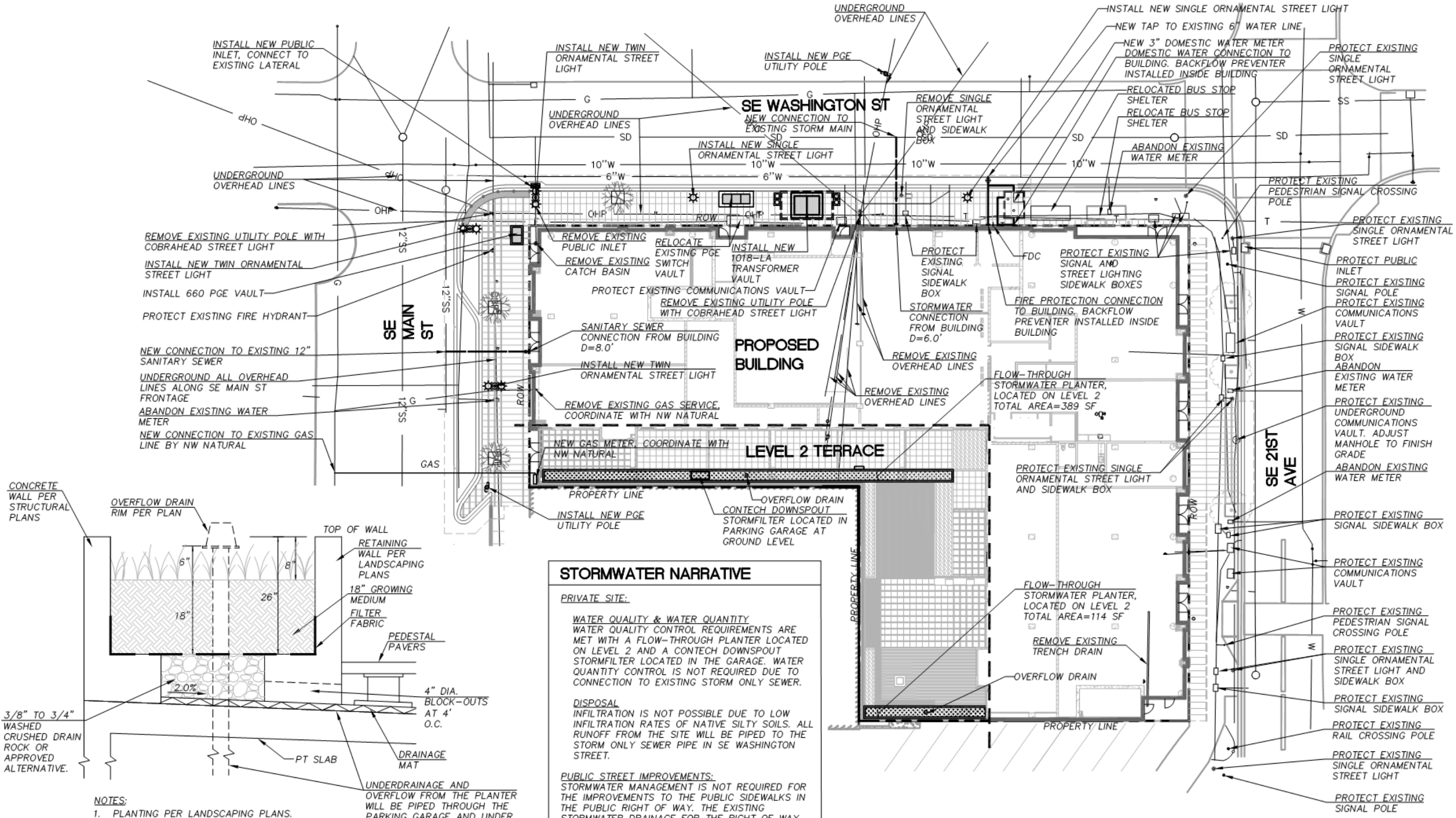
View of Bernards Garage (looking SW)



View of Revolver Vintage (existing on site)



View of SE Corner of Site, looking From MaxLine



STORMWATER NARRATIVE

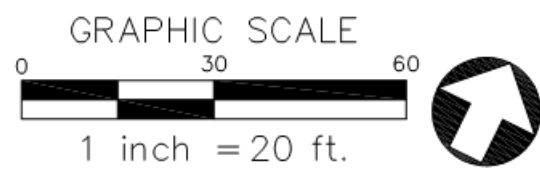
PRIVATE SITE:

WATER QUALITY & WATER QUANTITY
 WATER QUALITY CONTROL REQUIREMENTS ARE MET WITH A FLOW-THROUGH PLANTER LOCATED ON LEVEL 2 AND A CONTECH DOWNSPOUT STORMFILTER LOCATED IN THE GARAGE. WATER QUANTITY CONTROL IS NOT REQUIRED DUE TO CONNECTION TO EXISTING STORM ONLY SEWER.

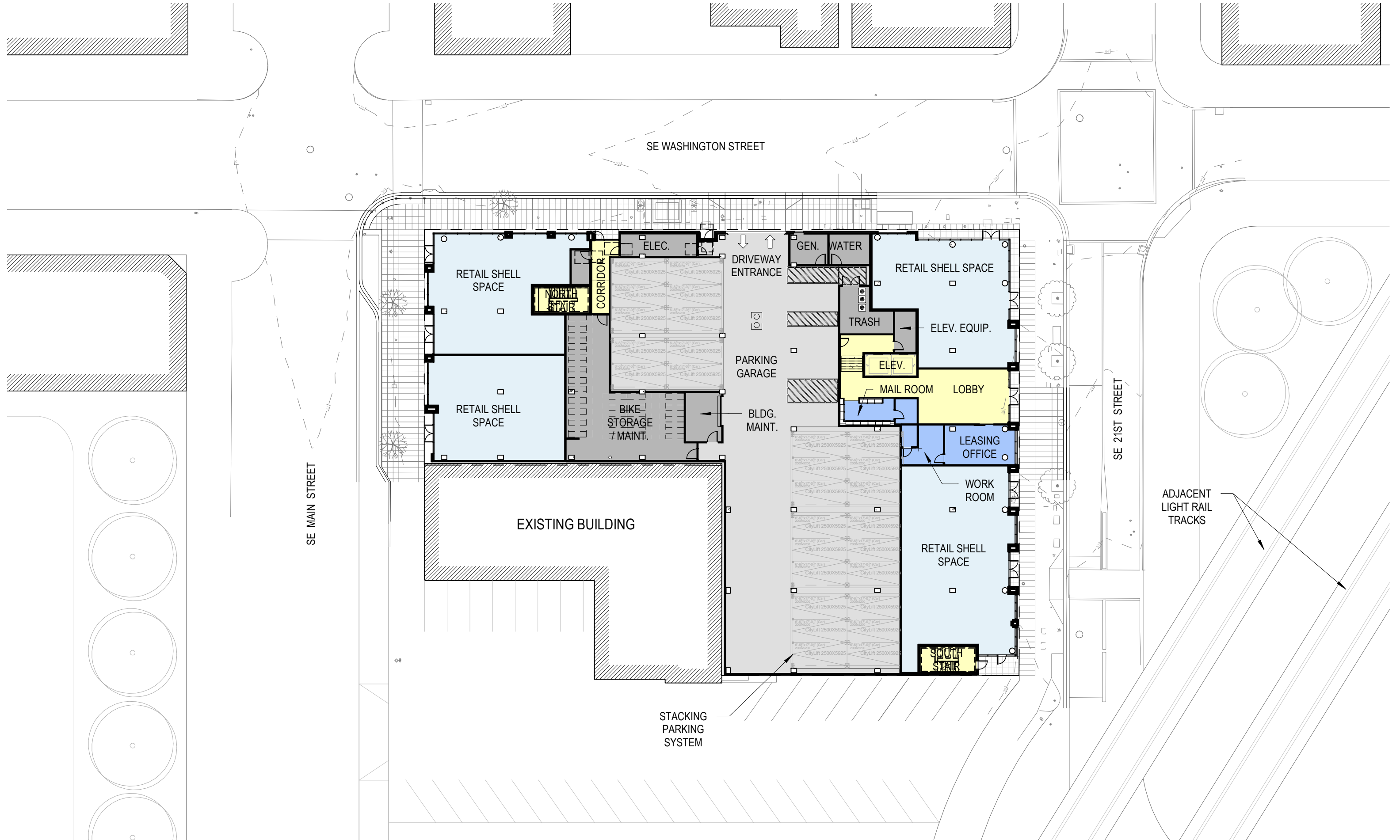
DISPOSAL
 INFILTRATION IS NOT POSSIBLE DUE TO LOW INFILTRATION RATES OF NATIVE SILTY SOILS. ALL RUNOFF FROM THE SITE WILL BE PIPED TO THE STORM ONLY SEWER PIPE IN SE WASHINGTON STREET.

PUBLIC STREET IMPROVEMENTS:
 STORMWATER MANAGEMENT IS NOT REQUIRED FOR THE IMPROVEMENTS TO THE PUBLIC SIDEWALKS IN THE PUBLIC RIGHT OF WAY. THE EXISTING STORMWATER DRAINAGE FOR THE RIGHT OF WAY WILL BE PROTECTED DURING CONSTRUCTION.

- NOTES:**
1. PLANTING PER LANDSCAPING PLANS.
 2. GROWING MEDIUM PER SPECIFICATIONS.
 3. CONSTRUCT ROCK PAD AT DOWNSPOUT OUTFALLS.
- OVERFLOW DRAIN RIM PER PLAN
- CONCRETE WALL PER STRUCTURAL PLANS
- TOP OF WALL
- RETAINING WALL PER LANDSCAPING PLANS
- 18" GROWING MEDIUM
- FILTER FABRIC
- PEDESTAL PAVERS
- 4" DIA. BLOCK-OUTS AT 4' O.C.
- DRAINAGE MAT
- PT SLAB
- UNDERDRAINAGE AND OVERFLOW FROM THE PLANTER WILL BE PIPED THROUGH THE PARKING GARAGE AND UNDER THE SLAB TO SE WASHINGTON ST



1 STORMWATER FLOW-THROUGH PLANTER
 NTS



SE WASHINGTON STREET

SE MAIN STREET

SE 21ST STREET

