CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, April 24, 2012
6:30 PM

COMMISSIONERS PRESENT

Lisa Batey, Chair Nick Harris, Vice Chair Scott Churchill Chris Wilson Mark Gamba Clare Fuchs Shaun Lowcock

STAFF PRESENT

Katie Mangle, Planning Director Ryan Marquardt, Associate Planner Li Alligood, Assistant Planner Damien Hall, City Attorney

1.0 Call to Order – Procedural Matters*

Chair Batey called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

Note: The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at http://www.ci.milwaukie.or.us/meetings.

2.0 Planning Commission Minutes

2.1 February 28, 2012

It was moved by Commissioner Fuchs and seconded by Commissioner Churchill to approve the February 28, 2012, Planning Commission minutes as presented. The minutes were approved unanimously.

3.0 Information Items

3.1 Introduction of Stormwater Master Plan consultant

Gary Parkin, Operations Director, introduced consultant Brown & Caldwell who was working on the Stormwater Master Plan.

Angela Wieland, Brown & Caldwell Engineer, explained the work to be done for the Master Plan.

3.2 Milwaukie Neighborhood Main Streets update

Ryan Marquardt, Associate Planner, updated the Commission on the project, noting the proposed timeline and that a group of Portland State University Urban Planning students were working with the City on the project.

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda. There was none.

5.0 Public Hearings

5.1 Summary: Royalton Place Monument Sign

Applicant/Owner: Lee Winn, Winn Architecture LLC/BDC Milwaukie LLC

Address: 5555 SE King Rd

File: CSU-12-01 Staff: Ryan Marquardt

Chair Batey opened the public hearing for CSU-12-01 and read the conduct of minor quasi-judicial hearing into the meeting record.

Ryan Marquardt, Associate Planner, presented the staff report via PowerPoint. He explained the standards for signage for CSUs and residential zones, noting the proposed sign was larger than was allowed outright thus requiring Commission approval.

Vice Chair Harris moved to approve the application CSU-12-01 for 5555 SE King Rd. Commissioner Wilson seconded the motion, which passed unanimously.

5.2 Summary: Residential Development Standards

Applicant/Owner: City of Milwaukie

File: ZA-11-03

Staff: Li Alligood and Ryan Marquardt

Chair Batey opened the public hearing for ZA-11-03 and read the conduct of continued legislative hearing into the meeting record.

Mr. Marquardt presented the staff report via PowerPoint, and reviewed the list of issues for the Commission to review. He explained Type II administrative variances per request by the Commission.

The Commission discussed nonconformities, multifamily residential sustainability standards, wind systems, Residential-Office-Commercial zone, accessory structures and accessory structure development standards. Staff were advised to revise the proposal per the direction provided.

Commission Gamba moved to continue the public hearing for ZA-11-03 to a special meeting on June 20, 2012. Commission Wilson seconded the motion, which passed unanimously.

- **6.0 Worksession Items** None
- 7.0 Planning Department Other Business/Updates
- 8.0 Planning Commission Discussion Items
- 9.0 Forecast for Future Meetings:

May 8, 2012 1. Worksession: Tacoma Station Area Plan *tentative*

May 22, 2012 1. Worksession: Murals Project

CITY OF MILWAUKIE PLANNING COMMISSION Minutes of April 24, 2012 Page 3

Meeting adjourned at approximately 10:04 p.m.

Respectfully submitted, Alicia Martin, Administrative Specialist II

Lisa Batey, Chair



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday April 24, 2012, 6:30 PM

MILWAUKIE CITY HALL 10722 SE MAIN STREET

1.0	Call to	Order -	Procedural	Matters
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- 2.0 Planning Commission Minutes Motion Needed
 - 2.1 February 28, 2012
- 3.0 Information Items
 - 3.1 Summary: Introduction of Stormwater Master Plan consultant
 - 3.2 Milwaukie Neighborhood Main Streets update (10 min.)
- **4.0** Audience Participation This is an opportunity for the public to comment on any item not on the agenda
- **5.0** Public Hearings Public hearings will follow the procedure listed on reverse
 - 5.1 Summary: Royalton Place Monument Sign

Applicant/Owner: Lee Winn, Winn Architecture, LLC/BDC Milwaukie, LLC

Address: 5555 SE King Rd

File: CSU-12-01

Staff: Ryan Marquardt

5.2 Summary: Residential Development Standards continued from 4/10/12

Applicant: City of Milwaukie

File: ZA-11-03

Staff: Li Alligood and Ryan Marquardt

- 6.0 Worksession Items
- 7.0 Planning Department Other Business/Updates
- **8.0 Planning Commission Discussion Items –** This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:

May 8, 2012 1. Worksession: Tacoma Station Area Plan *tentative*

May 22, 2012 1. Worksession: Murals Project

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

- 1. PROCEDURAL MATTERS. If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
- 2. PLANNING COMMISSION MINUTES. Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
- 3. CITY COUNCIL MINUTES City Council Minutes can be found on the City website at www.cityofmilwaukie.org
- 4. FORECAST FOR FUTURE MEETING. These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
- 5. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

- 1. STAFF REPORT. Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
- 2. CORRESPONDENCE. Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
- 3. APPLICANT'S PRESENTATION.
- 4. PUBLIC TESTIMONY IN SUPPORT. Testimony from those in favor of the application.
- 5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
- 6. PUBLIC TESTIMONY IN OPPOSITION. Testimony from those in opposition to the application.
- 7. QUESTIONS FROM COMMISSIONERS. The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
- 8. REBUTTAL TESTIMONY FROM APPLICANT. After all public testimony, the commission will take rebuttal testimony from the applicant.
- 9. CLOSING OF PUBLIC HEARING. The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
- 10. COMMISSION DISCUSSION AND ACTION. It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
- 11. **MEETING CONTINUANCE**. Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Lisa Batey, Chair Nick Harris, Vice Chair Scott Churchill Chris Wilson Mark Gamba Clare Fuchs Shaun Lowcock

Planning Department Staff:

Katie Mangle, Planning Director Susan Shanks, Senior Planner Brett Kelver, Associate Planner Ryan Marquardt, Associate Planner Li Alligood, Assistant Planner Alicia Martin, Administrative Specialist II

1 2 3 4 5 6 7 8	CITY OF MILWAUKIE RAIZED PLANNING COMMISSION MINUTES Milwaukie City Hall 10722 SE Main Street TUESDAY, February 28, 2012 6:30 PM
9 10 11 12 13 14 15 16	COMMISSIONERS PRESENT Lisa Batey, Chair Chris Wilson Mark Gamba Scott Churchill Russ Stoll Clare Fuchs STAFF PRESENT Katie Mangle, Planning Director Brett Kelver, Associate Planner Ryan Marquardt, Associate Planner Li Alligood, Assistant Planner Justin Gericke, City Attorney
17 18 19	COMMISSIONERS ABSENT Nick Harris, Vice Harris
20 21 22 23	1.0 Call to Order – Procedural Matters* Chair Batey called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.
24 25 26 27	Note : The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at http://www.ci.milwaukie.or.us/meetings.
28	2.0 Planning Commission Minutes
29 30	2.1 November 22, 2011
31	Commissioner Fuchs noted a change of Line 404, on 2.1 Page 12, to read "stated from her
32	experience, bike and pedestrian projects attached to multimodal projects"
33	
34	Commissioner Gamba moved to approve the November 22, 2011, Planning Commission
35	minutes as amended. Commissioner Stoll seconded the motion, which passed with
36	Commissioner Churchill abstaining.
37	
38	2.2 January 10, 2012
39	
40	Commissioner Churchill moved to approve the January 10, 2012 Planning Commission
41	minutes as presented. Commissioner Stoll seconded the motions, which passed
42	unanimously.
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CITY OF MILWAUKIE PLANNING COMMISSION Minutes of February 28, 2012 Page 2

44 3.0 Information Items

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- Chair Batey noted Commissioner Stoll's 1 year anniversary. Commissioner Stoll mentioned
- 47 how he enjoys working with the other Commissioners and staff.

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Katie Mangle, Planning Director, introduced Justin Gericke, City Attorney, who was sitting in for Damien Hall.

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52 **4.0** Audience Participation –This is an opportunity for the public to comment on any item 53 not on the agenda. There was none.

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- 56 **5.0 Public Hearings**
- 57 5.1 Summary: Residential Development Standards
- 58 Applicant: City of Milwaukie
- 59 File: ZA-11-03
- 60 Presenter: Li Alligood and Ryan Marquardt

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62 **Chair Batey** called the hearing to order and read the conduct of legislative hearing format 63 into the record.

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65 **Li Alligood, Assistant Planner,** and **Ryan Marquardt, Associate Planner**, presented the staff 66 report via PowerPoint and described the project's proposal.

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68 **Chair Batey** called for public testimony in support of the project.

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Stephan Lashbrook, 4342 SE Rockwood St, noted he was nearly entirely in support of the project. His comments and concerns addressed garage placement, Accessory Dwelling Units (ADUs), lot size, and tarp structures.

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Nathan Bell, 5249 Brookside Dr, supported ADU regulations with modifications.

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76 **Chair Batey** called for public testimony neutral to the project.

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CITY OF MILWAUKIE PLANNING COMMISSION Minutes of February 28, 2012 Page 3

78 David Aschenbrenner, 11505 SE Home Ave was concerned about the definition of fowl, but 79 supports the provisions on wind turbines, etc. 80 81 Greg Hemer, 5822 SE Harrison St, presented his proposal to include a 100% Made in USA 82 incentive as an optional single-family design criterion. 83 James Knight, 10987 SE 28th Ave, stated he was in favor of increasing housing density and 84 flexibility, specifically for ADUs. 85 86 Ray Bryan, 11416SE 27th Ave, noted that he appreciated work done on the project, especially 87 on multifamily standards. He was concerned about detached ADUs in the backyards of existing 88 lots and the impact of them to neighbors. He opposed personal services allowed as Conditional 89 90 Uses in the Historic Downtown zones. 91 92 **Chair Batey** called for public testimony in opposition to the project. 93 94 Steve Smelser, 13395 SE King Rd Happy Valley, noted his comments pertained to single 95 family detached houses. He was opposed to design standards but not opposed to zoning, 96 although aesthetics were subjective. 97 Katie Mangle, Planning Director, recommended that the hearing be continued to March 13, 98 99 2012, keeping the record open for comment. 100 101 It was moved by Commissioner Churchill and seconded by Commissioner Gamba to continue the public hearing for ZA-11-03/CPA-11-04 Residential Development Standards 102 103 to March 13, 2012, as recommended by staff. The motion passed unanimously. 104 5.2 105 Summary: Furnberg St Single-Family Residence Applicant: Bruce Goldson 106 107 File: WQR-11-05 108 Staff: Brett Kelver 109

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unanimously.

CITY OF MILWAUKIE PLANNING COMMISSION Minutes of February 28, 2012 Page 4 Brett Kelver, Associate Planner, presented the staff report via PowerPoint. . Bruce Goldson, Applicant, presented the application. Chair Batey called for public testimony. **Tracey Anderson, 6415 SE Apple St**, is opposed to a 2-story home due to privacy impacts. She noted that Apple St floods often and more development would aggravate the problem. She asked what the City could do to address the flooding problem before allowing more development. **Jeff McDaniel**, **6405 SE Apple St**, asked about what vegetation was proposed to be removed, noting he had been taking care of the property and would like it to continue to be a preserved resource. **Dennis Teske, 6335 Apple St.** felt that the house would impact wildlife in the nearby pond. He noted that the house built on the west of the pond had impacted the bullfrogs and water flows, and the difference was noticed after the fill went in in 2002. **Chair Batey** called for the Applicant's rebuttal. Mr. Goldson responded that the drainage issue on Apple St was City problem. The conditions for approval included a stormwater easement on the south side of the property, and the impacts to the pond would be minimal and the proposed restoration would help habitat. Chair Batey closed public testimony. The Commission requested further information from staff regarding stormwater management and flooding issues on SE Apple St and potential wetland fill issues on adjacent assisted living facility property.

It was moved by Commissioner Gamba and seconded by Commissioner Churchill to

continue the public hearing for WQR-11-05 to March 13, 2012. The motion passed

CITY OF MILWAUKIE PLANNING COMMISSION Minutes of February 28, 2012 Page 5

144			
145	7.0	Planning Departm	nent Other Business/Updates
146		7.1 Planning C	ommission Elections - postponed
147			
148	8.0	Planning Commis	ssion Discussion Items
149			
150	9.0	Forecast for Futu	re Meetings:
151		March 6, 2012	Annual Meeting with City Council
152		March 13, 2012	1. Public Hearing: ZA-11-03 Residential Development Standards
153			tentative
154			2. Public Hearing: WQR-11-05 Furnberg St Wetland continuation
155		March 27, 2012	1. Public Hearing: ZA-11-03 Residential Development Standards
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158	Meet	ing adjourned at appi	roximately 10:33 p.m.
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162			Respectfully submitted,
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164			Alicia Martin, Administrative Specialist II
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169	Lisa I	Batey, Chair	



To: Planning Commission

Through: Katie Mangle, Planning Director

From: Ryan Marquardt, Associate Planner

Date: April 17, 2012, for April 24, 2012, Public Hearing

Subject: File: CSU-12-01

Applicant: Lee Winn

Owner: BDC Milwaukie, LLC Address: 5555 SE King Rd

Legal Description (Map & Taxlot): 12E30DC 02700

NDA: Lewelling

ACTION REQUESTED

Approve application CSU-12-01 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for installation of a monument sign on King Rd.

BACKGROUND INFORMATION

A. Site and Vicinity

The site is located at 5555 SE King Road. The primary use of the site is a facility named Royalton Place, which is a two-story structure that contains senior independent living, senior assisted living, and a memory care facility. The site has one access to SE King Rd on its southern border. Its northern border fronts on SE Mullan St, which is an undeveloped right-of-way. Much of the surrounding development is large lot single family dwellings. Areas to the east of the site are in unincorporated Clackamas County.

B. Zoning Designation

Residential Zone R-7 (R-7).

Planning Commission Staff Report—Royalton Place monument sign Page 2 of 4

C. Comprehensive Plan Designation

Low Density (LD).

D. Land Use History

- 1978: City Council approved annexation of the site through Resolution #10-1979 (File # A-1978-6). The existing structure on the site for senior and retirement housing was constructed prior to annexation, and the property owner wanted to annex into the city for water service.
- **2005:** Planning Commission approval of a conditional use application for changes to the roof and façade of the structure. This review and approval established the facility as a Conditional Use in the R-7 zone.
- 2011: The Planning Commission provided direction about whether the applicant's proposal for a continuum care facility should be evaluated as a Conditional Use and Community Service Use, or a Community Service Use only. The Planning Commission decided that the proper review would be as a Community Service Use only. The Planning Commission emphasized that their input on the review of this application does not set a precedent for reviewing all similar continuum care facilities as a Community Service Use.
- 2011: CSU-11-05, Planning Commission approved a modification of the facility as a Community Service Use. The approval allowed conversion of a portion of the facility into a memory care unit for residents with Alzheimer's and retained a part of the facility as independent and assisted living for seniors. Minor site modifications were also made to add an outdoor plaza for the memory care unit and to expand the offstreet parking area. The development work pursuant to the approval was approved by DEV-11-03.

E. Proposal

The applicant is seeking land use approvals for installation of a monument sign on King Rd. The sign would have 2 display faces separated by approximately 90 degrees that would face diagonally east and west on King Rd. The area of each face would be 40 sq ft, the total sign height would be 5.5 ft tall, and ground mounted lighting would provide exterior illumination of the sign. See the applicant's materials in Attachment 3 for illustration and plans of the proposed sign.

Note that the proposed sign is not, by itself, a Community Service Use and is not subject to the Community Service Use approval criteria in MMC 19.904.4-5. It is reviewed only against the criteria for special sign allowances in MMC 14.08.090 that are available to community service use and conditional use properties.

KEY ISSUES

Community Service Uses (CSUs) are allowed signs that meet the standards of the sign district in which they are located, or they may request signage as allowed in MMC 14.08.090. This section allows conditional uses and CSUs to have signs that exceed the limitations of their sign district. This is an important allowance since many of these uses are located in residential zones that have very restrictive sign standards.

5555 SE King Rd: Master File #CSU-12-01

Some of the signage allowed by MMC 14.08.090 is subject to a Type I Review, and larger signage, such as the sign in the current proposal, can be permitted by the Planning Commission subject to a Type III Review. The proposal meets the numeric standards in MMC 14.08.090.C related to sign size, height, location, and number of signs. The factors that the Planning Commission may consider in permitting signs pursuant to this section are the proximity of the sign to surrounding residences, the functional classification of the streets, and the scale of surrounding development. Staff's analysis of these issues is as follows:

- The closest point of the closest residential structure to the proposed sign location is approximately 80 ft. All other residences are at least 100 ft away, and most residences are not in close proximity due to the large lot pattern of the area. The proposed location of the sign is near the middle of the property frontage, which minimizes the impact of the sign on any single adjoining property.
- King Rd is designated as an arterial in the Milwaukie Transportation System Plan. This is
 the highest road classification for a road over which the city has road authority. Higher
 classifications suggest higher traffic volumes and are roads on which signage is usually
 more prominent and desirable for non-residential uses.
- The scale of surrounding development is predominantly single family detached dwellings. Although the total area of the sign is proposed to be the maximum that the Planning Commission can allow, staff believes that the lower height of the sign (5.5 ft proposed, 12 ft maximum allowance) makes it compatible with the scale of surrounding development.

CONCLUSIONS

Given these factors, staff believes that the proposed sign is appropriate for the location. Staff's recommendation to the Planning Commission is to approve the application to allow installation of a monument sign and adopt the recommended findings and conditions of approval in Attachments 1 and 2, respectively.

The recommended conditions of approval are focused on ensuring that the applicable sign standards are met. Staff does not believe that they would alter the proposed sign in any appreciable manner.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

Section 14.08.090, Conditional Use and Community Service Use Signs

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has 3 decision-making options as follows:

- A. Approve the application subject to the recommended Findings and Conditions of Approval.
- B. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.

Planning Commission Staff Report—Royalton Place monument sign Page 4 of 4

C. Deny the application upon finding that it does not meet approval criteria.

The Planning Commission has the option of continuing the hearing, although staff believes that there is a low level of complexity for the proposal and a continuation for more information or deliberation is probably not necessary. The final decision on these applications, which includes any appeals to the City Council, must be made by July 14, 2012, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

COMMENTS

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Engineering Department, City of Milwaukie Building Department, Clackamas County Fire District #1 and the Lewelling and the Linwood Neighborhood District Association (NDA) Chairs and Land Use Committees. The Milwaukie Engineering Department commented regarding clear vision standards and Clackamas County Fire District #1 responded that they have no comments (see Attachment 4).

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

- 1. Recommended Findings in Support of Approval (attached)
- 2. Recommended Conditions of Approval (attached)
- 3. Applicant's Narrative and Supporting Documentation dated March 5, 2012 (attached)
- 4. Referral Responses (attached)

Recommended Findings in Support of Approval

Sections of the Milwaukie Municipal Code that are not addressed in these findings are found to not be applicable decision criteria for the development proposal.

- 1. BPM Senior Living (applicant) has submitted a Community Service Use application (File #CSU-12-01). The applicant is seeking approval to construct a freestanding monument sign at an assisted living and memory care facility. The application materials were initially submitted March 5, 2012. City staff deemed the application complete on March 16, 2012.
- 2. The project site is 5555 SE Kind Road, Tax Lot 1S 2E 30DC 02700. A large majority of the site is already developed with a two-story, 27,728 sq ft, 79-unit senior independent living facility and associated parking area. The site has one access to SE King Rd on its southern border. Its northern border fronts on SE Mullan St, which is an undeveloped right-of-way. Much of the surrounding development is large lot single family dwellings. Areas to the east of the site are in unincorporated Clackamas County.
- 3. The base zone of the site is Residential zone R-7 (R-7), and the Comprehensive Plan land use designation is Low Density Residential. There are no overlay zones or designations on the site.
- 4. The proposed sign would be a monument style freestanding sign with two display faces. Each display face would be approximately 8 ft long be 5.5 ft tall at the highest point. The applicant proposes to use ground mounted lights for external illumination of the sign.
- 5. The history of land use applications on the site is as follows.
 - A. A-1978-6: City Council approved annexation of the site through Resolution #10-1979. The existing structure on the site for senior and retirement housing was constructed prior to annexation, and the property owner wanted to annex into the city for water service.
 - B. CU-2005-01: Planning Commission approval of a conditional use application for changes to the roof and façade of the structure. This review and approval established the facility as a Conditional Use in the R-7 zone.
 - C. 2011 CSU Determination: The Planning Commission provided direction about whether the applicant's proposal for a continuum care facility should be evaluated as a Conditional Use and Community Service Use, or a Community Service Use only. The Planning Commission decided that the proper review would be as a Community Service Use only. The Planning Commission emphasized that their input on the review of this application does not set a precedent for reviewing all similar continuum care facilities as a Community Service Use.
 - D. CSU-11-05: Planning Commission approved a modification of the facility as a Community Service Use. The approval allowed conversion of a portion of the facility into a memory care unit for residents with Alzheimer's and retained a part of the facility as independent and assisted living for seniors. Minor site modifications were also made to add an outdoor plaza for the memory care unit and to expand the off-street parking area. The development work pursuant to the approval was approved by DEV-11-03.

Attachment 1: Findings for CSU-12-01 Page -- 2 of 2

There are no outstanding issues or conditions of approval from these land use decisions that affect the current proposal.

- 6. Milwaukie Municipal Code (MMC) 14.08.090 allows signs for Community service Uses (CSUs) to be those allowed in the underlying sign district based on the property zoning. CSU properties may instead use the standards in Table 14.08.090.C if the Planning Commission approves the request. The Planning Commission finds that the proposal is consistent with the standards and criteria of this section as follows:
 - A. The applicant proposes 1 freestanding sign for the property. The total length of the sign would be 13 ft long, would contain two display surfaces of 40 sq ft per surface, and would have an overall height of 5.5 ft. The standards in MMC Table 14.08.090.C are met.
 - B. The Planning Commission may consider the proximity of the sign to residences, the functional classification of adjacent streets, and the scale of surrounding development in permitting the sign. The closest point of the closest residential structure to the proposed sign location is approximately 80 ft. The proposed location of the sign is near the middle of the property frontage, which minimizes the impact of the sign on any single adjoining property. All other residences are at least 100 ft away, and most residences are not in close proximity due to the large lot pattern of the area. King Rd is designated as an arterial in the Milwaukie Transportation System Plan. The scale of surrounding development is predominantly single family detached dwellings. The Planning Commission finds that the proposed sign is appropriate given the distance from nearby residences and the classification of the street, and that the low overall sign height is consistent with the scale of surrounding development.
- 7. MMC 14.16.010, Residential Zone sign district, in which the property is located, allows externally illuminated signs. As conditioned, the par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets, and sign illumination shall be directed away from, and not be reflected upon, adjacent premises. The illumination is also subject to compliance with the illumination standards in MMC Section 14.24.020.
- 8. The proposed sign is required to comply with the standards of MMC 12.24, Clear Vision at Intersections.
- 9. Proposals reviewed under MMC 14.08.090.C require a Type III Review. The application referral, public mailed notice, and posted sign notice, and public hearing held on April 24, 2012 by the Planning Commission are in accordance with MMC Section 19.1006, Type III Review.
- 10. Per MMC 19.1001.7.E.1, land use approvals expire if the approved development is not constructed and completed within specified periods of time. As conditioned, this land use approval will expire within four years of this land use approval unless the conditions in MMC 19.1001.7.E.1 are met or an extension is granted per MMC 19.908.
- 11. The proposal was referred to the following agencies: City of Milwaukie Engineering Department, City of Milwaukie Building Department, Clackamas County Fire District #1 and the Lewelling and the Linwood Neighborhood District Association (NDA) Chairs and Land Use Committees. Comments from the Milwaukie Engineering Department are incorporated into these findings. Clackamas County Fire District #1 responded that they have no comments. No other responses from the application referral were received.

Recommended Conditions of Approval

- 1. Prior to installation of the monument sign, the applicant shall submit a sign permit. The permit shall comply with the following items.
 - A. The proposed sign shall be in substantial conformance with the sign approved by Land Use File #CSU-12-01.
 - B. The total area available for display of a message on each sign face shall not exceed 40 sq ft in area.
 - C. Sign illumination shall comply with the illumination standards in MMC 14.16.010 and 14.24.020.
 - D. The location of the sign shall conform with the intersection clear vision requirements of MMC 12.24.
- 2. Land use approval for installation of the sign will expire within four years of this land use approval unless the conditions in MMC 19.1001.7.E.1 are met or an extension is granted per MMC 19.908.

ATTACHMENT 3



Submitted by: Lee R. Winn

PLANNING DEPARTMENT 6101 SE Johnson Creek Blvd Milwaukie OR 97206

PHONE: 503-786-7630 FAX: 503-774-8236

E-MAIL: planning@ci.milwaukie.or.us

Application for Land Use Action

Master File #: (SU-12-0)
Review type*: □ | □ | | ✓ | | □ | | □ | | ∪ | | |

CHECK ALL APPLICATION TYPES THAT APPLY: Amendment to Maps and/or Ordinances: Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment Zoning Text Amendment Zoning Map Amendment Code Interpretation Community Service Use Conditional Use Development Review	□ Land Division: □ Final Plat □ Lot Consolidation □ Partition □ Property Line Adjustment □ Replat □ Subdivision □ Miscellaneous: □ Barbed Wire Fencing □ Bee Colony □ Multifamily Recycling Area	□ Planned Development □ Residential Dwelling: □ Accessory Dwelling Unit (Type 1) □ Accessory Dwelling Unit (Type 2) □ Manufactured Dwelling Park □ Temporary Dwelling Unit □ Sign Review □ Transportation Facilities Review □ Variance: □ Use Exception □ Variance	
☐ Director Determination☐ Downtown Design Review	■ Mixed Use Overlay Review	☐ Willamette Greenway Review	
☐ Extension to Expiring Approval	 ☐ Modification to Existing Approval ☐ Natural Resource Review 	Other:	
☐ Habitat Conservation Area Review	☐ Nonconforming Use Alteration	lloo comemte annillantian f	
☐ Historic Resource:	☐ Parking:	Use separate application forms for: Annexation and/or Boundary Change	
☐ Alteration	Quantity Determination	Compensation for Reduction in Property	
☐ Demolition	Quantity Modification	Value (Measure 37)	
☐ Status Designation ☐ Status Deletion	☐ Shared Parking	Daily Display Sign	
d Status Deletion	☐ Structured Parking	Appeal	
RESPONSIBLE PARTIES:			
APPLICANT (owner or other eligible a	pplicant-see reverse):BDC Milwau	ıkie, LLC	
Mailing address:1331 NW Lovejoy Suite #775 Portland, OR Zip:97209			
Phone(s):503 724 6151 E-mail:mtbaugh@bpmsl.com			
APPLICANT'S REPRESENTATIVE (if different than above):Lee Winn, Winn Architecture, LLC			
Mailing address:29179 SW Charlotte Lane, Wilsonville, OR Zip:97070			
Phone(s):503 803 6996 E-mail:lee.r.winn@gmail.com			
SITE INFORMATION:			
Address:5555 SE King Road Milwaukie, OR 97222 Map & Tax Lot(s):ID C231165 / Tax Lot 2700			
Comprehensive Plan Designation:LD Zoning:R-7 CSU Size of property:2.2 Acres			
PROPOSAL (describe briefly):			
Request signage review (Type III) for the above facility under CSU overlay.			
Todago to view (Type III) for t	no above facility under CSO overlay	•	
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.			

IMPORTANT INFORMATION ON REVERSE SIDE

Date: 4/1/2012

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		\$			\$	RECEIVED
application files		\$			\$	MAD OF 2042
		\$			\$	MAR 0 5 2012
		\$			\$	CITY OF MILWAUKIE PLANNING DEPARTMENT
SUBTOTALS		\$			\$	
TOTAL AMOU	NT RECEIVED:	\$	RECEIPT #:			RCD BY:

Associated application file #s (appeals	 modifications. 	. previous approval:	s. etc.):
---	------------------------------------	----------------------	-----------

Neighborhood District Association(s):

Notes:

^{*}After discount (if any)



PLANNING DEPARTMENT 6101 SE Johnson Creek Blvd Milwaukie OR 97206

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

Submittal Requirements

PHONE: 503-786-7630 FAX: 503-774-8236

E-MAIL: planning@ci.milwaukie.or.us

All land use applications must be accompanied by a <u>signed</u> 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@ci.milwaukie.or.us 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 all applicable application-specific <u>approval criteria</u> (check with staff) and all applicable <u>development standards</u> (listed below):
 - a. Base zone standards in Chapter 19.300.
 - b. Overlay zone standards in Chapter 19.400.
 - c. Supplementary development regulations in Chapter 19.500.
 - d. Off-street parking and loading standards and requirements in Chapter 19.600.
 - e. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.
- 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 copies of all application materials are required at the time of submittal. Staff will determine how many additional copies are required, if any, once the application has been reviewed for completeness.
- All application materials larger than $8\frac{1}{2}$ 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 application materials must be collated, including large format plans or graphics.

ADDITIONAL INFORMATION:

Received by:__

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. Ar

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: http://www.ci.milwaukie.or.us/communityservices/neighborhoods-program .
Submittal of a full or partial electronic copy of all application materials is strongly encouraged.
As the authorized applicant I, (print name) LEE P. WINN, 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: 4/1/2012
Official Use Only
Date Received (date stamp below):



1331 NW Lovejoy, Suite 775 Portland, OR 97209 503.227.4000 tel 503.274.4685 fax

April 18, 2011

Susan P. Shanks Senior Planner City of Milwaukie 6101 SE Johnson Creek Blvd. Milwaukie, Oregon 97206

RE: BDC Milwaukie, LLC
DBA Royalton Place Apartments
5555 SE King Road, Milwaukie, Oregon 97222

Dear Susan.

I hereby authorize Lee Winn of Lee Winn Architects, to take all actions necessary in order to complete and submit applications for conditional use and building permits on behalf of BDC Milwaukie, LLC-DBA Royalton Place and to take any other actions in order to obtain the appropriate approvals from the City of Milwaukie and Clackamas County. Such granted authority shall be effective the date of this letter and shall expire in one year.

Sincerely.

Walter C. Bowen

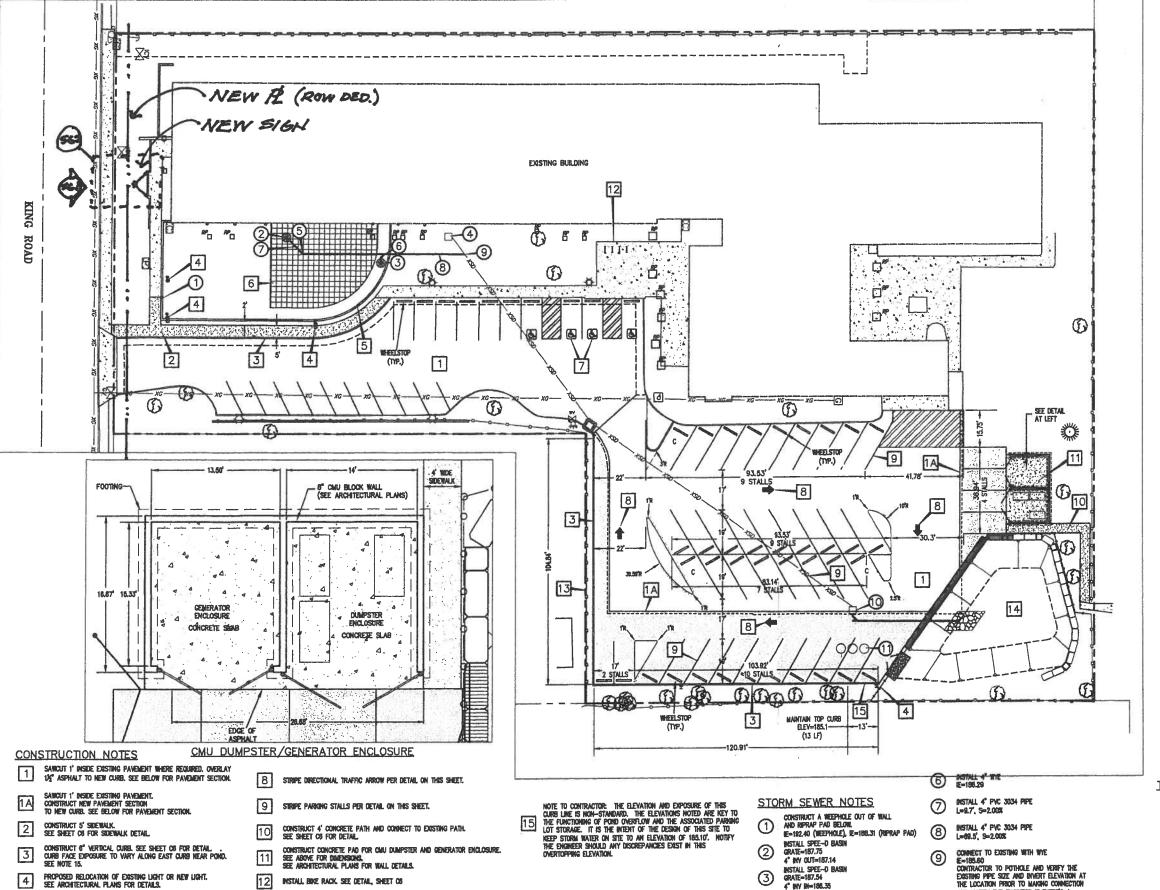
Owner

WINN ARCHITECTURE LLC

29179 SW CHARLOTTE LANE, WILSONVILLE, OR 97070 (503) 803 6996 LEE.R.WINN@GMAIL.COM

Royalton Place Assisted Living and Memory Care Type III Review Narrative:

Per Section 14.08 and Table 14.08.090.c the Royalton Place Assisted Living and Memory Care Facility is requesting to construct a new monument sign with 40 square feet per display surface as shown on the attached drawings. The proposed sign will meet all applicable sections of Clear Vision at Intersections, MMC.12.24 (see attached diagrams), will be located 9" back from the current property line, and will be externally illuminated in compliance with MMC 14.16.010 and MMC 14.24.020.



4" INV IN=186.35

EXISTING CATCH BASIN GRATE=187.43 EX. TOP OF PIPE=186.88 EX. INV OUT=188.12±

INSTALL 4" 45" BEND E=186.99

(CONTRACTOR TO VERIFY IE)

INSTALL BIKE RACK. SEE DETAIL, SHEET OF

CONTRACTOR TO LIMIT EQUIPMENT TRAFFIC ON THE POND BOTTOM. CONDUCT WALL BUILDING ACTIVITIES PRIOR TO CUTTING THE FINAL TWO FEET OF NATIVE SCIL. PLACE GROWING MEDIUM SCIL. FROM OUTSIDE OF POND BOTTOM. PRIOR TO PLACING GROWING MEDIUM THE CONTRACTOR SHALL CONTACT EMERIO DESIGN TO COORDINATE AN IMPLITATION TEST ON THE POND BOTTOM SCIL. AFTER THIS TESTING EFFORT THE CONTRACTOR MAY BE DIRECTED TO SCARRY THE NATIVE SCIL. TO A DEPTH OF THREE FEET AT THE OBSERVATION OF THE ENGINEER.

CONSTRUCT FENCE ON PROPERTY LINE

CONSTRUCT RETAINING WALL WITH FENCE ON TOP. SEE SHEET OF FOR WALL ELEVATIONS. SEE ARCHITECTURAL PLANS FOR WALL AND FENCE DETAILS.

CONSTRUCT PATRO.

SEE SHEET C4 FOR GRADING. SEE ARCHITECTURAL PLAN FOR DETAILS.

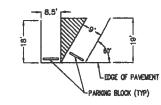
RESTRIPE ADA PARKING STALL AND LOADING ZONES.





LEGEND:

	BOUNDARY OF SITE
	ADJOINING OR INTERIOR PROPERTY LINE
	EASEMENT LINE
	CENTER LINE
 ////	SAWCUT LINE
	EXISTING GAS LINE
xss xss xss	EXISTING SANITARY SEWER LINE
XSD XSD XSD	EXISTING STORM DRAIN LINE
	EXISTING FENCELINE
	EXISTING CURB LINE
7777777777	EXISTING BUILDING LINE
	EXISTING EDGE OF PAVEMENT
	EXISTING AC PAVEMENT TO REMAIN
(\$178)	EXISTING CONCRETE PATH
	EXISTING WALL
₽	EXISTING DECIDUOUS TREE TO REMAIN
٥	EXISTING EVERGREEN TREE TO REMAIN
Õ	EXISTING STORM DRAIN SUMP
ഫ	EXISTING UTILITY POLE
\$	EXISTING LIGHT POLE
D&s	EXISTING ROOF POST
o ^{PRD}	EXISTING ROOF DRAIN
	EXISTING CATCH BASIN
φ¢	EXISTING UTILITY AND LIGHT POLE
\rightarrow	EXISTING GUY WIRE
塑	EXISTING ELECTRICAL POWER PEDESTAL
a.a	EXISTING COMMUNICATIONS PEDESTAL
→	PROPOSED ARROW STRIPING
1	PROPOSED AC PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED CURB LINE
	PROPOSED STREET LINE



PROPOSED CATCH BASIN

PARKING STALL STRIPING DETAIL (TYPICAL)

NOTE:

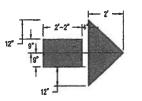
1. PLACE ARROWS IN CENTER OF TRAFFIC LANES. SEE SITE PLAN.

STOP SIGN WITH WITH BEADED REFLECTIVE PAINT. 3. PAIN TWO COATS

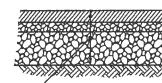
2. PAINT ARROWS AND

MINIMUM. 4. PAINT STOP BAR 12"W X 8"L AT EACH STOP. SEE

SITE PLAN



TYPICAL DIRECTIONAL TRAFFIC ARROW DETAIL
NTS



AND NOTIFY THE ENGINEER IF THERE'S A SIGNIFICANT DIFFERENCE.

FEATHER ASPHALT OVERLAY TO MATCH EXISTING CATCH BASIN RIM. RIM ELEV-183.80

ABANDON EXISTING DRYNELLS PER DEQ REQUIREMENTS.



ARLOTTE DADOS EC.

EMERIO Design

LIVING

PLACE INDEPENDENT

CONSULTANT

W SENIOR LIVING COMPANY A TENANT IMPROVEMENT 1331 NW LOVEJOY, STE 775 PORTLAND, OR 97209 SITE PM

PROJECT REV-1 02.11.11 REV-2 05.16.11 REV-3 05.22.11 REV-4 05.24.11 REV-5 12.12.11

0

CHECKED BY: LW DATE: 01.03.11

NEW PAVEMENT SECTION

PLANT MATERIALS LEGEND

PLANT MATERIALS LEGEND		
SM/BOL	(CLIANTITY)	BOIERTFIC IMAGE COMMON IMAGE
	TR	EE8
	(3) 21/2" catiper	Acer rubrum 'October Glory' 'O.G.' Red Maple
	2" caliper	Cercidiohyllum japonioa Katsura
\odot	(1) 2° caliper	Comus kousa 'Salom'' 'S' Chinese Dogwood
\odot	(1) 2" caliper	Makes Prairitire* P. Flowering Crabapple
Q	(12) 2° caliper	Pyrus celleryeine 'Redspire' 'R' Flowering Peer
	(1) 2" caliper	Zelkova serrata "Village Green" V.Q. Zelkova
	8HPI	UBS
0	(11) 24°	Azalea Girard's Pink'
0	(8) 2 galion	Coloneaster Incleus Parney Cotoneaster
0	(29) 56 feet	Juniperus scapularum 'Skyrooket' 'S: Juniper
o	(96) 1 gallon	Mishonia aquifolium 'Compacta' Compact Oregon Grape
o	(21) 3 gallon	Osmanthus heterophylius 'Goshiki' Goshiki Osmanthus
0	(14) 3 gallon	Pieris japonica 'Dorothy Wycoff' 'D.W.' Pieris
⊙	(11) 24"	Ahododendron PJM Compacts Compact PJM Rhododendron
0	(31) size	Euonymous fortunei 'Emeral Galety' 'E.G.' Euonymous
0	(22) size	Pennisetum aliquerouroides tittle Bunny LB. Dwarf Fountain Grass
•	(39) 2 gallon	Polyetichum munitum Sword Fern
	GRO	UNDCOVER
	(110) 4° pots	Fragaria chiloensis Beach Strawberry
	DETI	ENTION POND
	(300) b.r.	Carex deweyena Dewey's Sedge
	(400) br.	Carax obnupta Stough Sedge
777777	(400) br.	Deschargosia caespitosa Tutted Hair Graes
plant with conservation plugs, 1 plug per source	(300) br.	Eleocharis pakstris Creeping Spikerush
1 plug per square foot, in random groupings	(300)	Juncus tenula Stender Rush
2100 sq. ft. 2,100 plugs total	br. (400) br.	Signal microarpus Smail-fruited Bulrush
964 sq. ft	Seed	OS Native Water Quality Mbc for Wet Areas Plate: 1 lbJ1000 eq. ft.

Gretchen Vadnais landscape architects, L.L.c.

12115 nw old quarry road portland, or 97229 tel: 503.646.3517 fax: 503.288.9343

Oreschen Vadnats F

zevisions
no. date description
1 to/ktz/fi plan check commerts
2 t2/28/15 detention pond

ior Living Company we lovejoy, suite 775 portland, or 97209 fax: 503.227.4000 fax: 503.227.4685

BMP Senior Living C. 1331 nw lovejoy, s. portland, or

Care Courtyard

Memory Care Cor Planting

ROYALTON PLACE

project no: 624 date: 08/15/2011 drawn by: G.V. checked by: K.B.

L1

of: 2 sheets

PLANTING PLAN
NORTH

SCALE 1"=20'-0"

athleen\c\acadit\wbwells\regency\tstrev\regency-laplan-a.dwg



Manufacture & Install (1) 2-sided V-shaped Ground Lit Monument Sign

1/4" aluminum FCO's. Paint satin black, satin white, & logo to match existing logo.

Stud mount to sign with 1/2" spacers

Provide travertine background & stone surround.

Note: Save & re-use all existing FCO's. Install them on one side of new sign.

Fabricate new FCO's for other side of sign & new "Memory Care, Living" letters.

New sign to be installed perpendicular to street.

Install ground lights (1 on each side). Existing sign to be removed.

Verify dimensions, colors, artwork, & installation.







Existing Sign

@ 2012 COPYRIGHT ES&A SIGN CORP.

CAUTION: the chape compare, this, and specimens external brown are the studied property of ESAS light Case, for a proper due than less account diseased, placed, and without the symposited in diseased or do deep control, which is counted diseased as you do not all any other case or only related deep counter of ESAS for Case, the counte

REVISIONS:

1.03.12 (A-01) CHANGED "SENIOR LIVING" TO "ASSISTED LIVING"

1.10.11 (A-02) DECREASED WIDTH TO 8'-0" & DECREASED KERNING OF LETTERS TO FIT.

1.16.11 (A-02) REMOVED "G.C. TO PROVIDE" SPECS.

2.20.12 (A-03) CHANGED TO A Y-SHAPED 2-SIDED SIGN.

CLIENT APPROVAL

INCLUDES COLORS, SPECLING, ARTWORK

PLEASE INITIAL:

PLEASE DATE:

DRAWING NUMBER: 13260-A-03 DATE OF OILGINAL DRAWING: 1230 FE

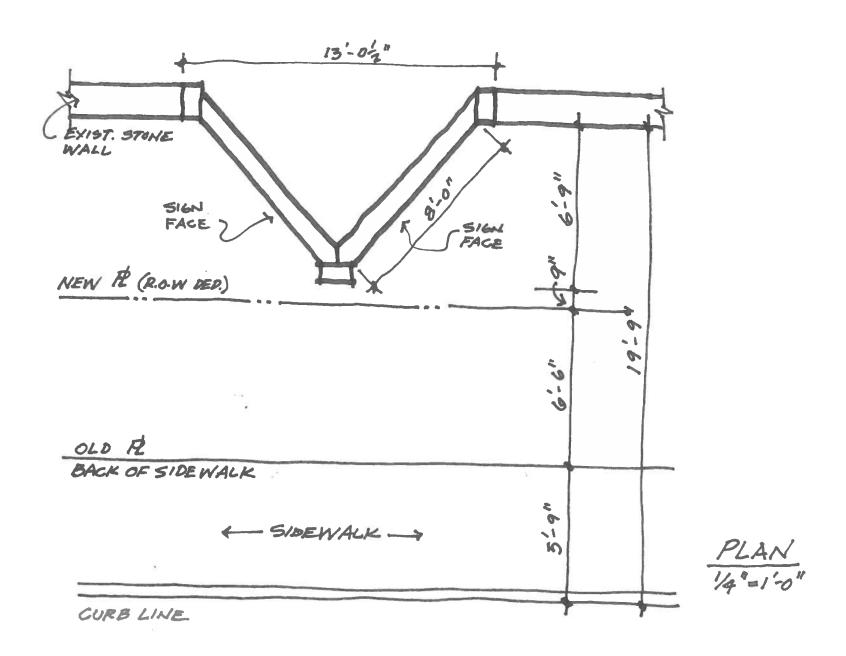
SALES DESIGN: BB BL

PAGE NO:

PRESENTATION FOR: THE ROYALTON 5555 KING RD MILWAUKEE, OR 97267

89975 PRAIRIE RD. EUGENE, OR 97402 541,485,5546 541,485,5813





© 2012 COPYRIGHT ES&A SIGN CORP.

CALITION: the design armited and specificate assisted boson are the mediated property of 1944. Sign Cop., for a project that has been unless disposed placent. and substant do now an experience of the rings energy and the separal decised or people of the register people of the separal decised or people or the register people or register people or the people of the register people or register people

GARRING PRESENTATION ONER PREASE HE FERD NEPRESENTATIVE FOR ACTUAL COLON AND PARTERIAL SAMPLES.

PRECION PRINTERS A MORNOUS WILL IN EXPIRE (OLORS IN CHIERERE ROMES A MARCE)

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INCLUDES COLORS, SPELLING, ARTWORK

PLEASE INITIAL:

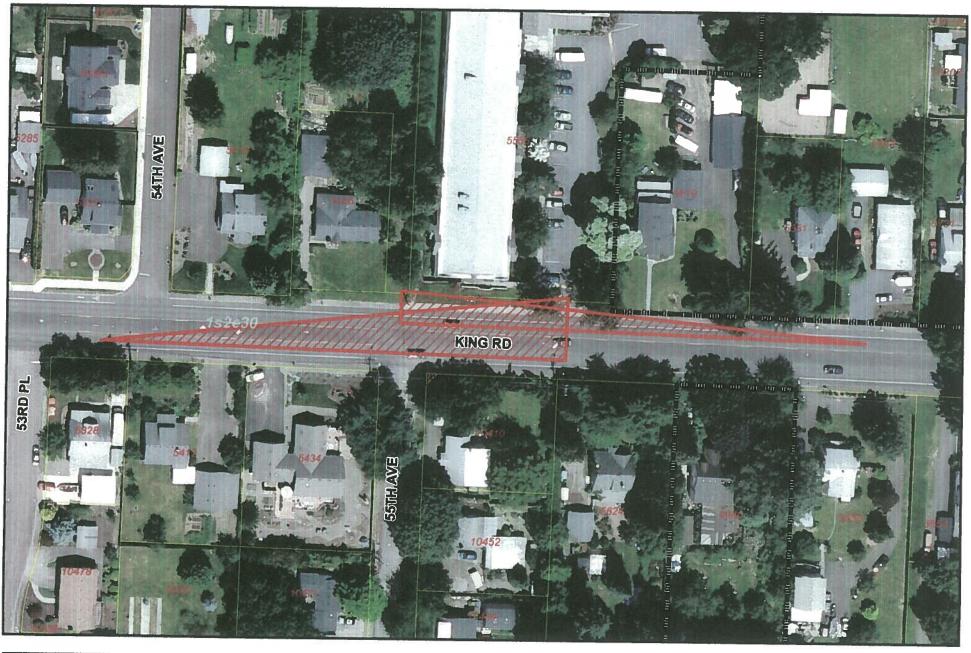
PLEASE DATE:

DRAWING NUMBER: 13260-A-03 DATE OF ORIGINAL DRAWING 12.30.11

SALES: DESIGN. PAGE NO. BL 2 of 2

PRESENTATION FOR: THE ROYALTON 5555 KING RD HILWAUKEE, OR 97267







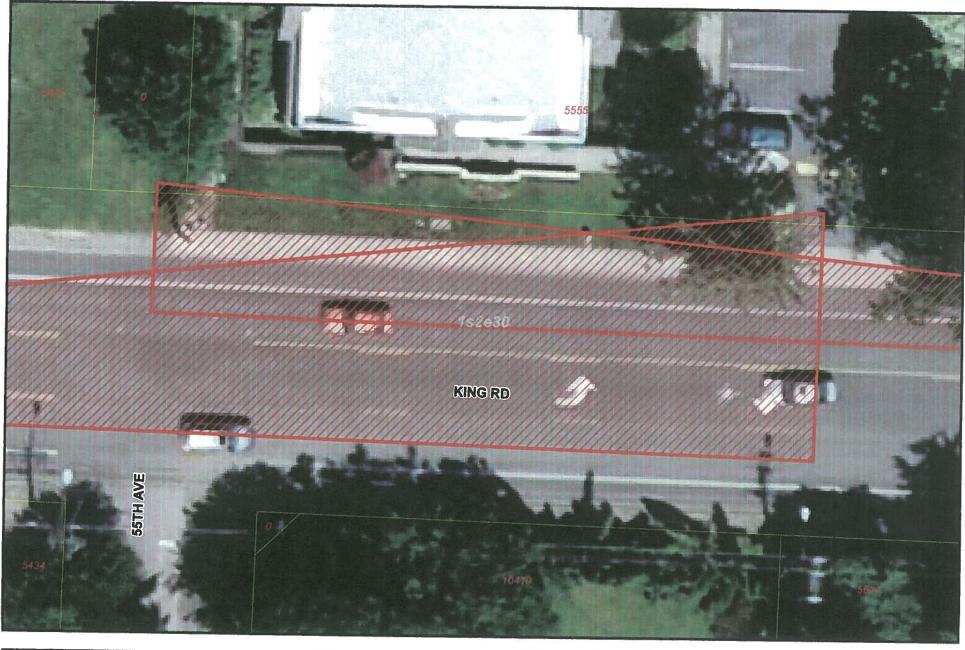
Site Map

Milwaukie Planning Dept. August 2011 Data: City of Milwaukie GIS; Metro RLIS

1 inch = 80 feet



0 15 30 60 90 120 Feet The information depicted on this map is for general reference only. The City of Milwaukie does not accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product.





Site Map

Milwaukie Planning Dept. August 2011 Data: City of Milwaukle GIS; Metro RLIS

1 inch = 20 feet



0 4 8 16 24 32

The information depicted on this map is for general reference only. The City of Milwaukie does not accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product.

Marquardt, Ryan

From: Lee Winn <lee.r.winn@gmail.com>
Sent: Thursday, March 08, 2012 3:36 PM

To: Marquardt, Ryan

Subject: Re: Royalton Place sign application - CSU-12-01

Hi Ryan,

I would like to address the three criteria in MMC 14.08.090.C:

- 1) There are only three residences in the facility that face the sign (one is below grade). The view from the residences is of the back side of the sign which looks like part of the stone wall defining the sidewalk to the south stairwell entry/exit.
- 2) The sign is appropriate to the scale of the building and size of the arterial street (SE King Road).
- 3) The facility frontage is larger than the residences to the east and west of the property. The sign is approximately in the middle of the frontage and thus a large distance from the adjoining property lines. In addition, the landscaping at each property line screens the signage from the adjacent property view. The signage faces the back yard of the property directly across the street. The yard is fenced and landscaped, screening the signage from view.

Please let me know if this adequately addresses the criteria. Thank you,

Lee

WINN ARCHITECTURE LLC

29179 SW CHARLOTTE LANE, WILSONVILLE, OR 97070

(503) 803 6996 LEE.R.WINN@GMAIL.COM

On Thu, Mar 8, 2012 at 11:48 AM, Marquardt, Ryan < MarquardtR@ci.milwaukie.or.us> wrote:

Lee,

I took a look at the sign application. My only suggestion is addressing the criteria in MMC 14.08.090.C. ("...Planning Commission will consider the proximity of the sign to residences, the functional classification of adjacent streets, and the scale of surrounding development"). These are the criteria that the Planning Commission will weigh in deciding whether to permit the sign. I think it is to your benefit as the applicant to make an argument based on these factors as to why the sign should be approved.

Could you please let me know if you plan to send me something on this point to include with the application? I want to know if I should refer the application for comments "as is" or wait for an additional narrative statement.

Thanks,
Ryan
Ryan Marquardt, AICP
Associate Planner
City of Milwaukie
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206
(p) <u>503-786-7658</u>
(f) <u>503-774-8236</u>
(e) MarquardtR@ci.milwaukie.or.us

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is a public record of the City of Milwaukie and is subject to public disclosure unless exempt from disclosure under Oregon Public Records law. This email is subject to the State Retention Schedule.

MILWAUKIE SUSTAINABILITY: Please consider the impact on the environment before printing a paper copy of this message.

CITY OF MILWAUKIE PreApp Project ID #: 12-002 PA PRE-APPLICATION CONFERENCE REPORT

This report is provided as a follow-up to a meeting that was held on 2/9/2012 at 11:00 AM **Applicant Name: LEE WINN** Company: WINN ARCHITECTURE, LLC Applicant 'Role': Architect Address Line 1: 29179 SW CHARLOTTE LANE Address Line 2: City, State Zip: WILSONVILLE OR 97070 Project Name: **ROYALTON PLACE SIGN** Description: TYPE III REVIEW FOR SIGNAGE REVISION FOR ROYALTON PLACE ProjectAddress: 5555 SE KING RD Zone: R-7, Community Service Use Occupancy Group: ConstructionType: Use: Senior retirement and memory care facility. Occupant Load: AppsPresent: Staff Attendance: **BUILDING ISSUES** ADA: Structural: Mechanical: Plumbing: **Plumb Site Utilities:** Electrical: Notes: Sign as proposed does not require a building permit.

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:	
Fire Alarms:	
Fire Hydrants:	
Turn Arounds:	
Addressing:	
Fire Protection:	
Fire Access:	
Hazardous Mat.:	
Fire Marshal Notes:	
	PUBLIC WORKS ISSUES
Water:	
Sewer:	
Storm:	
Street:	
Frontage:	
Right of Way:	
Driveways: Erosion Control:	
Traffic Impact Study:	
PW Notes:	Clear Vision: The proposed sign must meet all applicable sections of MMC.12.24, Clear Vision at Intersections. The sign location will be inspected prior to construction for clear vision. The sign will also be inspected after construction to ensure that it meets all clear vision standards.
	PLANNING ISSUES
Setbacks:	Base zone setbacks for structures are not applicable. The sign cannot be located in intersection clear vision areas, and must be at least 6" back from the current property line to allow work in the right of way to avoid impacts to the sign.
Dated Completed:	City of Milwaukie DRT PA Report Page 2 of 4

Landscape: Not applicable.

Parking: Not applicable.

Transportation Review: Not applicable.

Application Procedures: The application is for a "Sign Review" and is reviewed through a Type III land use review. A

complete application requires the following:

-Land Use application form -Submittal requirements form

-Application fee of \$1,600 (Type III review fee is \$1,700; \$100 of the preapplication conference fee is applied to the review fee)

-Narrative describing the proposed sign and addressing the standards of Milwaukie Municipal Code (MMMC) Table 14.08.090.C and criteria of MMC 14.08.090.C.

-Plans – including site map depicting location of the proposed sign and sign elevations showing the design, materials, and dimensions of the proposed sign.

Please submit 1 hard copy of these materials and 1 electronic copy to me via email (marquardtr@ci.milwaukie.or.us).

Submitting a complete application by Friday, March 9, 2012 would allow adequate time to have a Planning Commission hearing on the application on April 24, 2012. The next deadline would be March 23, 2012, which allows time to prepare for a May 8, 2012 Planning Commission hearing. Please be advised that the City will attempt to schedule application hearings as described in the attached 2012 Planning Commission Hearing Schedule (attached), though we cannot guarantee that an application will be heard on a given date. See the attached schedule for further information.

The City will provide notice to of the proposal to properties within 300 ft of the site 20 days before the hearing. The applicant will be responsible for posting a notice sign at the property 14 days before the hearing, and providing the City with photos of the posted signs and a sign posting affidavit.

The actual installation of the sign will require a sign permit (obtained from the Building Department) and permit fee. The City is willing to accept the permit for review prior to the Planning Commission hearing. The Planning Commission's decision is subject to a 15-day appeal period before the decision becomes final. The City is willing to issue the sign permit during this appeal period if there are not any parties that establish standing during the review process who indicate they might appeal the decision. Installation of the sign is at the applicant's risk during this appeal period.

Natural Resource Review: Not applicable.

Lot Geography: Not applicable.

Planning Notes: Extensions of the sign structure such as a trellis that are physically part of or in close proximity to the

overall sign will be counted as part of the overall sign height (12 ft maximum) and length (20 ft

maximum).

A trellis or similar structure that is not part of or in proximity to the sign can be reviewed as a minor modification to an existing community service use. The application fee for this review is \$25 and receives a Type I administrative-level review. The applicable standards for this application are in MMC 19.904.5.C.

Lighting for the proposed sign is governed by the Residential Zone sign district in MMC 14.16.010. Allowed lighting in this district is external illumination only, and the lighting must be adequately shielded from the right-of-way and other properties. See MMC 14.16.010 and MMC 14.24.020.

ADDITIONAL NOTES AND ISSUES

Other Notes:			
information based on the applicant's proposal and does not juirements may be added after an applicant submits land use code requirements are subject to change. If you have any d the conference (listed on Page 1). Contact numbers for ort.			
COMMUNITY DEVELOPMENT DEPARTMENT Jeanne Garst - Administrative Supervisor - 503-786-7655 Marcia Hamley - Admin Specialist - 503-786-7656			
Blanca Marston -Admin Specialist - 503-786-7600 Alicia Martin -Admin Specialist - 503-786-7600 PLANNING DEPARTMENT Katie Mangle - Planning Director - 503-786-7652 Susan P. Shanks - Senior Planner - 503-786-7653 Brett Kelver - Associate Planner - 503-786-7657 Ryan Marquardt - Associate Planner - 503-786-7658 Li Alligood - Assistant Planner - 503-786-7627			

CLACKAMAS FIRE DISTRICT Doug Whiteley - Lieutenant Deputy Fire Marshal - 503-742-2692 use

<u>MEMORANDUM</u>

TO: Community Development Department
THROUGH: Gary Parkin, Director of Engineering

FROM: Brad Albert, Civil Engineer

RE: Community Service Use – 5555 SE King Road

CSU-12-01

DATE: April 6, 2012

New monument sign in front of the facility.

1. MMC Chapter 19.700 – Transportation Planning, Design Standards, and Procedures

The Engineering Department finds that MMC Chapter 19.700 does apply to this application.

Recommended Conditions of Approval

None

Other notes

The new sign shall conform with clear vision standards as outlined in MMC.12.24. The Engineering Department will field verify that the sign meets the standards prior to final inspection.

Martin, Alicia

From: Martin, Alicia

Sent: Monday, March 19, 2012 1:07 PM

To: Marquardt, Ryan

Subject: FW: CSU-12-01 Application Referral

FYI.

~ Alicia



A Please consider our environment before printing this email.

From: Boumann, Mike [mailto:michaelbou@CCFD1.com]

Sent: Monday, March 19, 2012 9:33 AM

To: Martin, Alicia

Subject: RE: CSU-12-01 Application Referral

The Fire District has no comments on this proposal.

Thanks Ryan,

Mike

Mike Boumann

Lieutenant Deputy Fire Marshal 2930 SE Oak Grove Blvd Milwaukie, OR 97267



phone: 503.742.2673 email: mikebou@ccfd1.com web: www.clackamasfire.com

CLACKAMAS FIRE

From: Martin, Alicia [mailto:MartinA@ci.milwaukie.or.us]

Sent: Friday, March 16, 2012 1:10 PM

To: Asher, Kenny; Albert, Brad; Larsen, Tom; Mangle, Katie; Boumann, Mike; Herrigel, JoAnn; Parkin, Gary;

donnartb@comcast.net; pepi.anderson6@gmail.com; dollym-h@hotmail.com; LinwoodNA@msn.com; wdrendel1@aol.com

Cc: Marguardt, Ryan

Subject: CSU-12-01 Application Referral

Greetings,

Please see the link below to find the Application Referral* and Applicant Materials for land use application CSU-12-01 for 5555 SE King Rd, Royalton Place. If you have any questions, please feel free to contact Ryan Marquardt at 503-786-7658 or marquardtr@ci.milwaukie.or.us.

http://www.ci.milwaukie.or.us/planning/csu-12-01



To: Planning Commission

Through: Katie Mangle, Planning Director

From: Li Alligood, Assistant Planner

Ryan Marquardt, Associate Planner

Date: April 17, 2012, for April 24, 2012, Public Hearing

Subject: File: ZA-11-03, CPA-11-04

File Types: Zoning Ordinance Amendment, Comprehensive Plan Amendment

Applicant: Katie Mangle, Planning Director, City of Milwaukie

ACTION REQUESTED

Continue the public hearing for application ZA-11-03. Hold deliberations and provide direction to staff regarding desired revisions for the recommendation draft of the proposed amendments.

BACKGROUND INFORMATION

A. History of Prior Actions and Discussions

- April 10, 2012: The Planning Commission took public testimony, heard a
 presentation from staff, asked questions of staff, and directed staff to draft revisions
 to the proposed amendments. The Commission continued the public hearing to April
 24, 2012
- March 27, 2012: The Commission discussed the proposal, asked questions of staff, and directed staff to draft revisions to the proposed amendments. The Commission continued the public hearing to April 10, 2012.
- March 13, 2012: The Commission heard a presentation from staff and took additional public testimony. The Commission closed the public testimony portion of the hearing and continued the hearing to March 27, 2012.
- **February 28, 2012:** The Commission opened the public hearing on the application. The Commission heard presentations from staff, took public testimony, and continued the public hearing to March 13, 2012.

Planning Commission Staff Report—Residential Development Standards Update Project Page 2 of 5

- January 31, 2012: The City Council and Commission discussed accessory structure standards, accessory dwelling unit standards, single-family design standards (specifically attached garages), and conditional uses in low-density residential zones during a joint study session.
- **January 24, 2012:** The Commission was briefed on topics in the proposed code amendments, focusing on accessory dwelling units and accessory structures.
- **January 10, 2012:** The Commission was briefed on topics in the proposed code amendments, focusing on single-family dwelling design standards, garage standards, height and mass regulations, and conditional uses in low-density residential uses.
- December 13, 2011: The Commission was briefed on topics in the proposed code amendments, focusing on multifamily standards, cottage cluster housing, rowhouses, and land/building ownership configurations.
- October 25, 2011: The Commission was briefed on the proposed code amendments for the Residential Development Standards project and identified topics for further discussion.
- October 11, 2011: The Commission discussed one aspect of the project: conditional uses in residential zones.
- **September 27, 2011:** The Commission discussed some aspects of the proposed multifamily design standards during a joint study session with City Council.
- June 21, 2011: The Commission discussed some aspects of the proposed single family design and development standards during a joint work session with City Council.
- May 10, 2011: The Commission received a progress report on the project and public involvement activities to date.
- **January 11, 2011:** The Commission reviewed and provided guidance on the updated public involvement plan and web-based survey.
- October 26, 2010: Staff provided the Commission with a project setup summary including the scope of work and project schedule.
- March 16, 2010: Staff provided the Commission with a copy of the intergovernmental agreement between the City and the State of Oregon that committed the City to prepare draft code amendments based on priorities that were identified in the 2009 Smart Growth Code Assessment Final Report.
- August 25, 2009: The Commission reviewed and provided concurrence on the Action Plan presented in the 2009 Smart Growth Code Assessment Final Report.
- **July August 2009**: The Commission held two worksessions to discuss the consultant's code assessment findings, prepared during Phase I of the Smart Growth Code Assistance project.

B. Commission Direction to Staff

At the March 27 and April 10, 2012, public hearings, the Commission discussed the proposal and provided the following direction to staff (only changes to the proposed amendments are noted):

Accessory Dwelling Units (ADUs)

- Establish a requirement that one-story detached ADUs located at the 5 ft side and year setback provide screening in the form of landscaping, a 6-ft fence, or opaque window glazing on the windows facing adjacent properties.
- Revise the proposal to allow accessory structures within the front yard to be converted to ADUs if they are set back at least 60 feet from the front lot line.
 Retain the proposed policy that accessory structures converted to an ADU must meet the setback requirements of a new ADU and cannot take the structure further out of conformance with any ADU design standard.
- Increase the review of two-story detached ADUs that meet the base zone setback standards from Type I to Type II.

Accessory structures

- Accessory structures made of plastic or PVC, with tarp, fabric, or other similar materials
 - Prohibit PVC/tarp on accessory structures unless they are located in a rear yard or not visible from the street.
 - Include an exception for greenhouses.
 - Define temporary accessory structures.

Conditional uses

 Retain the current policy regarding conditional office uses and personal/business service uses in residential zones, and do not expand the areas where those uses would be allowed.

Design standards – Multifamily

- Increase the "menu" of common open space amenities for new multifamily development.
- Establish a "point" system for common open space amenities, to be met on a sliding scale depending on project size.
- Establish a requirement for covered bicycle parking in all multifamily development, with the number of spaces to be determined by project size.

<u>Design standards – Single-family</u>

- Expand the list of options for meeting the single-family dwelling articulation requirement.
- Reduce the threshold for triggering the requirement for single-family home additions to meet design standards. The threshold will be reduced from 300 square feet to 200 square feet of street-facing façade area. Different design standards would apply depending on the size of the street-facing addition:
 - 0 75 square feet: exempt from all design standards.
 - 75 200 square feet: additional façade area subject to only 15% windows ("eyes on the street") standard.

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- 200+ square feet: entire street facing façade, including additional façade area, subject to "eyes on the street," "articulation," and "main entrance" standards as proposed.
- Increase the proposed required front yard landscaping minimum from 30% to 40%.
- Reduce the proposed maximum width of attached garages from 50% of the façade to 40% of the façade, and prepare language that provides options to allow for garage widths of up to 50% through a land use review or by incorporating additional design standards.

C. Discussion Items for April 24, 2012, Hearing

Individual Commissioners have requested that the April 24 hearing include discussion of the following items (all page numbers reference the <u>February 17, 2012, draft</u> of the proposed code amendments):

- New issues (not discussed during the public outreach process and may require additional public input and notification):
 - Should different development standards be applied to lots to with less square footage than the minimum required by the zone they are in?
 - Allowance for installation of rooftop solar energy systems that do not meet the standards of the Historic Preservation Overlay Zone HP on "Significant" and "Contributing" historic properties. (page 83 of 142)

Questions about the draft amendments:

 Where are the areas in which Planning Director discretion is allowed (i.e. Type II Variance Review situations)? Should there be more?

• Policy discussions:

- Should the front setback averaging policy be revised or removed? (page 77 of 142)
- What is the potential of proposed amendments to create nonconforming structures? What tools are already in place to address nonconforming situations?
- Should additional requirements and encouragement for sustainability and livability in be included for multifamily developments? (pages 97 – 106 of 142)
- What are the appropriate minimum side and rear setbacks for accessory structures between 200 and 600 sq ft in area and 10 and 15 ft tall? (pages 80 – 81 of 142)
- Should large accessory structures be allowed on properties of one acre or more in residential zones? (page 82 of 142)
- Should there be a limit on the number of roof-mounted wind energy systems, or a minimum distance between them? (pages 84 – 85 of 142)

Planning Commission Staff Report—Residential Development Standards Update Project Page 5 of 5

Additional items:

 In light of the public comments heard at the April 10 hearing, staff requests that the Planning Commission conform or modify direction regarding the prohibition of temporary accessory structures.

Commissioners are encouraged to contact staff in advance of the hearing with any questions or requests for additional information.

COMMENTS

The following is a summary of the comments received by the City since the March 27, 2012, public hearing. See Attachment 1 for further details. Staff will continue to collect comments and will provide them to the Commission at the April 24 public hearing.

 Darlene Albertson, 5004 SE Hunter Ct, Milwaukie: Supports prohibition of temporary structures.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Public Comments (attached)

ATTACHMENT 1

Alligood, Li

From: Mangle, Katie

Sent: Wednesday, April 11, 2012 10:00 AM

To:Alligood, LiCc:Marquardt, RyanSubject:Fw: Meeting Tonight

From: darlene albertson [mailto:djalber@msn.com]

Sent: Tuesday, April 10, 2012 08:36 PM

To: Mangle, Katie

Subject: Meeting Tonight

I would just like to voice my opinion on the Tarp covers over RV's, Auto's, etc. in the side yard/front yard. 100 percent in favor of the purpose amendment not to "allow them". Not only are they an "eye sore" it brings down the neighborhood and any neighbors living on the street. Actually, it is about time something has been done about this type of problem! In past years, yes, we have owned a motor home but yet out of respect for the neighborhood we had it parked/stored elsewhere. There is nothing more to bringing down a neighborhood than seeing the temporary type car ports/canvas coverings, etc. in a front yard and/or driveway. Anyway, "PLEASE" pass this Ordinance-it will be a blessing to all of us that live in Milwaukie. Darlene Albertson