

September 27, 2021

Project #: 26495

Bob Haley & Rachel Bolton, PE
Portland Bureau of Transportation Development Review
1120 SW 5th Avenue, Room 800
Portland, OR 97204

RE: 5415 to 5425 SE Milwaukie Avenue Rezone Transportation Study (Pre-Application 21-038774)

Dear Bob and Rachel,

CCG Management LCC proposes to rezone a site bisected by SE Milwaukie Avenue. The property on the westside of SE Milwaukie Avenue is zoned CM1 and R5 and proposed to be rezoned to RM4. The northern portion of the site that is west of Milwaukie Avenue is already zoned RM4 and will remain RM4 under the proposed rezone. The property on the eastside of SE Milwaukie Avenue is zoned R2.5 and proposed to be rezoned to RM2. A large strip of the western edge of the property located west of Milwaukie Avenue is subject to the River Environmental (e) and River General (g*) Overlay zones, which limit development opportunities in those areas. The current zoning designations are depicted in the image provided as Exhibit 1. The property west of SE Milwaukie Avenue is currently developed with office space and surface parking today while the property east of SE Milwaukie Avenue is currently paved for surface parking. At this point, no development is proposed on either property.

The request for a change in zoning for each property requires a Transportation Impact Study (TIS) per Chapter 33.855.050.2.c of the zoning code. The enclosed study presents the findings of the TIS and reflects scoping direction received from PBOT staff on the proposed rezone.

OVERVIEW OF PROPOSED REZONING

The portion of the site located west of SE Milwaukie Avenue that is currently zoned CM1 is approximately 34,445 square feet, and the portion zoned R5 is approximately 13,292 square feet (including 10,737 square feet of R5 zone on the parcel identified as Parcel 3 in Exhibit 1 and 2,555 square feet of R5 zone on the parcel identified as Parcel 2 in Exhibit 1). The entirety of the R5 zoned portion of the site is located within the River Overlay zones. The east property is 10,016 square feet in size and zoned R2.5. A comparison of the reasonable worst case development scenario for the existing zones and the proposed zones is provided below.

Exhibit 1. Subject Properties

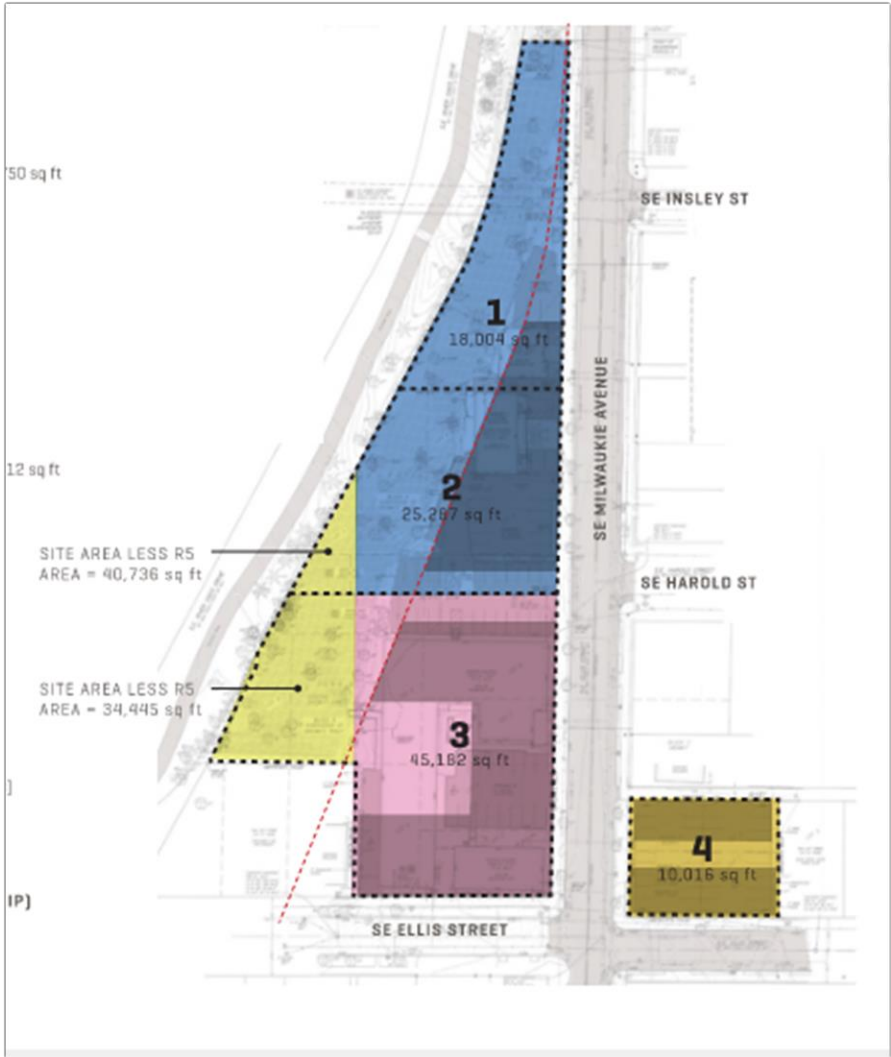


Image Source: HOLST Architecture, Inc.

West Property

Per the City's Zoning Code:

- The identified characteristics of the CM1 zone include *“sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers.... Buildings in this zone will generally be up to three stories tall.”*
 - The maximum allowable floor-area-ratio (FAR) is 1.5:1 and a height of up to 35 feet is permitted per Zoning Code Table 130-2. With bonus, the FAR can be increased to 2.5:1 per Zoning Code Table 130-3¹. Therefore, the maximum FAR is 86,113 square feet (34,445 square feet x 2.5). Using this FAR and assuming a three story building, each floor would be 28,704 square feet.
 - The CM1 zone has a 15 percent minimum landscaped area requirement. Therefore, the reasonable maximum building footprint on the existing CM1 zoned area is 29,278 square feet (34,445 square feet area x 0.85).
 - Given the property location on a Neighborhood Collector (SE Milwaukie Avenue) and a site exceeding 40,000 square feet, Retail Sales and Service or Office uses are limited to a maximum of 40,000 square feet of net building area.
 - A building with a footprint of 28,704 square feet and three stories would result in a building approximately 86,113 square feet in size, which is within the permitted bonus FAR allowance.
 - If the property was developed with ground floor retail and office above, the building would be 28,704 square feet of ground floor retail with 57,409 square feet of office.
 - If instead, the property was developed with ground floor retail and multi-family above (and assuming an apartment size of 650 square feet), the building would be 28,704 square feet of ground floor retail with 88 apartments (i.e., 57,409 square feet ÷ 650 square feet per apartment)
- The R5 zone is a single-dwelling zone intended for single-dwelling neighborhoods. Given the size and location of the R5 zoned area, reasonable development on the R5 zoned portion would be limited to one to two single family homes when just considering the base zone use limitations and development standards. However, the R5 zoned area is located entirely within the River Overlay zones. As a result of the overlay development limitations identified

¹ Bonuses such as the Inclusionary Housing FAR bonus that are earned under a reasonable development scenario and/or are typically earned in similar zones can be considered under the reasonable worst case standard.

below, it is unlikely that any development would occur within the R5 zoned area of the western property under the existing zoning.

- RM4 is *“a high density, urban-scale multi-dwelling zone applied near the Central City, and in town centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended to be an intensely urban zone with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets, with buildings located close to sidewalks with little or no front setback.”*
 - With bonuses applied for inclusionary housing, a FAR of 6:1 can be applied per Zoning Code Table 120-5.
 - A 15 percent minimum landscaping requirement applies to RM4 which would yield a total ground floor of 38,405 square feet. (i.e., 45,182 square feet area × 0.85). However, for the reasons discussed below, any reasonable development will avoid or minimize development within the River Overlay zone areas and would not enable this large of a footprint. Therefore, the reasonable worst-case footprint of a building if the western property were rezoned to RM4 would be approximately 34,445 square feet or less. Using a maximum FAR of 6:1 yields a total building size of 206,670 square feet.
 - RM4 allows limited retail and office use, but each use is limited to 2,000 square feet in size up to a total combined FAR of 0.4:1. Each retail or office use must be within 100 feet of SE Milwaukie Avenue, a Neighborhood Corridor identified on Map 120-1. Given the configuration of the western property, a reasonable development would only include up to three retail or office uses for a total square footage of up to 6,000 square feet. Based on the total potential building size and a reduction for retail allows for 200,670 square feet of residential uses. Using 650 square feet per unit would yield 309 apartments (i.e., 200,670 square feet / 650 square feet per apartment).
- The River General Overlay zone *“allows for uses and development that are consistent with the base zoning and allows for public use and enjoyment of the riverfront.”* The River Environmental Overlay zone *“protects, conserves and enhances important natural resource functions and values while allowing environmentally sensitive development. The purpose of the zone is to limit the impacts from development and vegetation maintenance on the natural resources and functional values contained within the overlay zone.”* New development within the River Environmental Overlay must either comply with standards intended to minimize disturbance area and impacts on resources and functional values within the overlay area or seek approval through a discretionary River Review process that requires an evaluation of alternatives including those outside of the River Environmental Overlay zone. Therefore, while the River Environmental Overlay zone does not prohibit development, the River Review is a lengthy and expensive process and it can be difficult to

obtain approval on sites with development area outside of the overlay. As such, the zone change analyses does not rely on any outcomes that could be achieved through the River Review.

Based on the above, the reasonable worst-case development comparison between the existing and proposed zoning on the western portion of the property would be:

- Existing CM1/R5 Zoning = 86,113 square feet of building area with 28,704 square feet of ground floor retail with 57,409 square feet of office above OR with 88 apartments above.
- RM4 = 206,670 square feet of building area with up to 6,000 square feet of retail and 309 apartments.

East Property

Per the City's Zoning Code:

- R2.5 is a single dwelling residential zoning with a maximum density of 1 unit per 2,500 square feet and a minimum lot size of 1,600 square feet. For lot sizes greater than 5,000 but less than 20,000 square feet, a minimum of two and maximum of four dwelling units are permitted.
 - With one lot that is 10,016 square feet in size, four dwelling units could be placed on this property.
- RM2 is *"a medium-scale multi-dwelling zone that is generally applied in and around a variety of centers and corridors that are well-served by transit. Allowed housing is characterized by buildings of up to three or four stories with a higher percentage of building coverage than in the RM1 zone, while still providing opportunities for landscaping and outdoor spaces that integrate with residential neighborhood characteristics."*
 - The maximum FAR is 1.5:1 per Table 120-3 of the Zoning Code. With bonuses, the FAR can be increased to 2.25:1 per Zoning Code Table 120-5. Therefore, the maximum floor area for a building on the east property under the RM2 zone would be 22,536 square feet. The allowed base height is 45 feet.
 - A 20 percent minimum landscaping requirement applies to RM2 which would yield a total ground floor of 8,013 square feet. (i.e., 10,016 square feet area × 0.8). Assuming development of a three-story building, the total building size would be approximately 24,039 square feet exceeds the maximum floor area. For this reason, the maximum building size would be dictated by the FAR calculation above.
 - RM2 only allows for a maximum of 1,000 square feet for each retail or office use up to a maximum total combined FAR of 0.25:1, or 2,504 square feet for the eastern property. Each retail or office use must be within 100 feet of SE Milwaukie Avenue, a Neighborhood Corridor identified on Map 120-1. Therefore, a reasonable

development scenario could include up to 2,000 square feet of retail and/or office space. Based on the total building size and a reduction for retail allows for 20,536 square feet of residential uses. Using 650 square feet per unit would yield 32 apartments (i.e., 20,536 square feet / 650 square feet per apartment).

Based on the above, the reasonable worst-case development comparison between the existing and proposed zoning on the eastern portion of the property would be:

- R2.5 = 4 single family dwelling units.
- RM2 = 22,536 square feet of building area with 2,000 square feet of retail and 32 apartments.

TRANSPORTATION CRITERIA ASSOCIATED WITH THE ZONE CHANGE

Per Section 33.855.050.2.c of the Zoning Code, the following transportation-related criteria must be addressed to enable the proposed changes in zoning for the property:

Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.

Further, the Oregon Transportation Planning Rule (TPR) implements Statewide Planning Goal 12, "Transportation." OAR Section 660-012-0060(1) and (2) apply to amendments to zoning map designations. OAR 660-012-0060(1) and (2) establishes a two-step process for evaluating an amendment's impacts on the transportation system. First, the trip generation potential of the site assuming a "reasonable worst-case" development scenario under the existing and proposed zoning is assessed. If the development under the proposed zoning meets the "significance threshold" per Oregon Highway Plan (OHP) Policy 1F.5, additional operational analysis is required to assess whether the rezone will "significantly affect" the transportation system. Conversely, if the significance threshold is not met, no additional operational analysis is necessary to conclude that the proposal does not "significantly affect" the transportation system.

OHP Policy 1F.5 establishes the following thresholds for determining significance:

- Any proposed amendment that does not increase the average daily trips by more than 400.
- Any proposed amendment that increases the average daily trips by more than 400 but less than 1,000 for state facilities where:
 - The annual average daily traffic is less than 5,000 for a two-lane highway
 - The annual average daily traffic is less than 15,000 for a three-lane highway
 - The annual average daily traffic is less than 10,000 for a four-lane highway
 - The annual average daily traffic is less than 25,000 for a five-lane highway
- If the increase in traffic between the existing plan and the proposed amendment is more than 1,000 average daily trips, then it is not considered a small increase in traffic and the amendment causes further degradation of the facility and would be subject to existing processes for resolution.

As will be discussed below, neither the west nor east property rezoning could result in development that would increase the daily trip making by more than 400 trips. As such, this TIS presents a qualitative evaluation of conformance of the proposed zone change with the applicable City criteria.

Transportation Capacity Impacts

Based on the potential development scenarios outlined above, we calculated the trip generation potential based on information contained in the *Trip Generation Manual* (Institute of Transportation Engineers, 10th Edition). Tables 1 and 2 present a comparison of potential trip-making associated with the west property whereas Table 3 presents a comparison for the east property. Note that pass-by reductions were not applied to the retail uses given that the intended purpose of retail is to serve the surrounding neighborhoods and the volumes on the adjacent streets would not support a typical 34 percent pass-by associated with retail.

EXHIBIT C

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Table 1. West Property Comparison – CM1/R5 as Office/Retail versus RM4

Land Use	ITE Code	Size	Total Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total Trips	In	Out	Total Trips	In	Out
Existing Zoning - CM1/R5									
Office	710	57,409 sq ft	560	67	58	9	66	11	55
Retail	820	28,704 sq ft	1,084	27	17	10	109	52	57
Total Trips for the Existing Zoning			1,644	94	75	19	175	63	112
Proposed Zoning - RM4									
Mid-Rise Residential	221	309 units	1,680	111	29	82	136	83	53
Retail	820	6,000 sq ft	226	6	4	2	23	11	12
Total Trips for the Proposed Zoning			1,906	117	33	84	159	94	65
Difference in Total Trips (RM4 - CM1/R5)			262	23	-42	65	-16	31	-47

Table 2. West Property Comparison – CM1/R5 as Retail/Residential versus RM4

Land Use	ITE Code	Size	Total Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total Trips	In	Out	Total Trips	In	Out
Existing Zoning - CM1/R5									
Mid-Rise Residential	221	88 units	478	32	8	24	39	24	15
Retail	820	28,704 sq ft	1,084	27	17	10	109	52	57
Total Trips for the Existing Zoning			1,562	59	25	34	148	76	72
Proposed Zoning - RM4									
Mid-Rise Residential	221	309 units	1,680	111	29	82	136	83	53
Retail	820	6,000 sq ft	226	6	4	2	23	11	12
Total Trips for the Proposed Zoning			1,906	117	33	84	159	94	65
Difference in Total Trips (RM4 - CM1/R5)			344	58	8	50	11	18	-7

Table 3. East Property Comparison – R2.5 versus RM2

Land Use	ITE Code	Size	Total Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total Trips	In	Out	Total Trips	In	Out
Existing Zoning - R2.5									
Single Family	210	4 homes	38	3	1	2	4	3	1
Proposed Zoning - RM2									
Mid-Rise Residential	221	32 units	174	12	3	9	14	9	5
Retail	820	2,000 sq ft	76	2	1	1	8	4	4
Total Trips Proposed Zoning			250	14	4	10	22	13	9
Difference in Total Trips (RM2 - R2.5)			212	11	3	8	18	10	8

As shown, none of the scenarios analyzed for either property meet the 400 daily trip increase established by OHP 1F.5 for determining significance. Further, per the City's traffic counting data base, vehicular volumes on SE Milwaukie north of SE Ellis, as measured in October 2020 (during COVID-19 when traffic volumes were lower than typical), revealed a total daily volume of approximately 8,800 vehicles per day.² Given this level of traffic volume and the policy guidance of OHP 1F.5, no significant effects are associated with the zone change. As such, we conclude that no capacity-based analysis is needed to meet the requirements of Oregon's TPR and this criterion is met.

On-Street Parking Impacts

No on-street parking analyses are needed to satisfy the zone change requirements.

Availability of Transit Networks

Today, the property is served by TriMet Routes 19 and 70. The closest bus stops for both routes are located approximately two blocks from the site, as discussed below.

- Route 19 (Woodstock/Glisan) connects "Mt. Scott, SE Portland, Woodstock, Eastmoreland, Portland City Center, Laurelhurst and Gateway, via Flavel, Duke, 82nd, Woodstock, Bybee, Milwaukie, Powell, 5th/6th, Burnside and Glisan". Service is generally provided between 6 AM and midnight on the weekdays and 8 AM – 10 PM on the weekends. The nearest bus stops for Route 19 are located to the north near the SE Insley Street/SE Milwaukie Avenue intersection and to the south near the SE Ramona Street/SE Milwaukie Avenue intersection.
- Route 70 (12th/NE 33rd Ave) connects "the Sunderland neighborhood, SE Portland, Sellwood and Milwaukie, via 33rd, Columbia, Broadway, 21st, Multnomah, 11th/12th and 17th." Service is

² [Traffic Counts \(arcgis.com\)](https://arcgis.com)

generally provided between 5 AM and 11 PM on the weekdays and 8 AM – 8 PM on the weekends. The nearest bus stop for Route 70 is located to the northeast near the SE 17th Avenue/SE Harold Street intersection.

Further, we note that the surrounding streets have the following transit classifications per the City's Transportation System Plan (TSP): SE Milwaukie Avenue and SE 17th Avenue are both transit access streets whereas the remainder are local transit service streets. Finally, although there is limited data within ITE's *Trip Generation Manual* about person trip-making, given the low increase in daily vehicular trips associated with the zone changes, one could postulate that the number of daily transit trip increases would also be low. This minor increase in transit usage can reasonably be concluded to be accommodated by the existing transit service and be consistent with the transit street designations. Therefore, we conclude that there will be no impacts to the transit network and this criterion is met.

Availability of Bicycle Networks

Today, cyclists "share the road" on the adjacent streets. SE Ellis Street, SE Milwaukie Avenue and SE 17th Avenue are all classified as city bikeways whereas the remainder are local bicycle service bikeways.

As discussed above, although there is limited data within the *Trip Generation Manual* about person trip-making, given the low increase in daily vehicular trips associated with the zone changes, one could postulate that the number of daily bike trip increases would also be low. This minor increase in people riding bikes can reasonably be concluded to be accommodated by the existing bicycle network and be consistent with the bicycle street designations. Therefore, we conclude that there will be no impacts to the bicycle network and this criterion is met.

Availability of Pedestrian Networks

For the most part, there are sidewalks on the streets surrounding the property and the TSP classifies the streets as follows:

- SE Ellis Street = neighborhood walkway
- SE Milwaukie Avenue = major city walkway
- SE 17th Avenue = city walkway
- The remainder of the streets are local walkways.

As discussed above, although there is limited data within the *Trip Generation Manual* about person trip-making, given the low increase in daily vehicular trips associated with the zone changes, one could postulate that the number of daily walking trip increases would also be low. This minor increase in people walking can reasonably be concluded to be accommodated by the existing pedestrian network and be consistent with the walkway designations. Therefore, we conclude that there will be no impacts to the pedestrian network and this criterion is met.

Portland Transportation System Plan (TSP) Projects

The Portland TSP identifies the implementation of a neighborhood greenway along SE Ellis Street as part of the SE 14th/SE 15th Avenue Neighborhood Greenway Project. The rezoning of the property would benefit from additional opportunities for walking and cycling associated with this connection. Further, the proposed change in zoning of the property will not change the need or the timing of the project; therefore, no impacts to the TSP projects are anticipated as part of the zone change and this criterion is met.

FINDINGS

As documented herein, the proposed zone change complies with the applicable transportation-related criteria outlined in Chapter 33.855.050.2.c of the City's zoning code. A summary of our findings is presented below.

Transportation Capacity Impacts

- Based on a review of the reasonable worst case scenarios under the existing and proposed zoning for both properties, the estimated vehicular trip increase associated with the proposed rezone is less than 400 daily trips. This daily increase, combined with the measured traffic volumes on SE Milwaukie north of SE Ellis, does not meet the criteria established by the Oregon Highway Plan (OHP) Policy 1F.5 constituting a "significant effect" for the purposes of the TPR. For this reason, we conclude that there are no significant effects associated with the zone change either by the TPR or by the City's criterion and, as such, this criterion is met.

Transit Availability and Impacts

- Today, the property is served by TriMet Routes 19 and 70. The closest bus stops for both routes are located approximately two blocks from the site, which can be considered a comfortable walking distance. Further, with no development proposed at this time, the rezone would not generate additional transit trips. However, given the minor increase in daily trips associated with the "reasonable worst case scenarios" of the proposed zoning, one could postulate that the number of daily transit trip increases would also be low if the properties were rezoned and redeveloped. This minor increase in transit usage can reasonably be concluded to be accommodated by the existing transit service and be consistent with the transit street designations. Therefore, we conclude that there will be no impacts to the transit network and this criterion is met.

Bicycle System Availability and Impacts

- Today, cyclists "share the road" on the adjacent streets. SE Ellis Street, SE Milwaukie Avenue and SE 17th Avenue are all classified as city bikeways whereas the remainder are local bicycle service bikeways. Given the low increase in daily vehicular trips associated with the zone changes, one could postulate that the number of daily bike trip increases would also be low

if the properties were rezoned and redeveloped. This minor increase in people riding bikes can reasonably be concluded to be accommodated by the existing bicycle network and be consistent with the bicycle street designations. Therefore, we conclude that there will be no impacts to the bicycle network and this criterion is met.

Pedestrian System Availability and Impacts

- For the most part, there are sidewalks on the streets surrounding the property. The City's TSP classifies the streets as follows: SE Ellis Street as a neighborhood walkway, SE Milwaukie Avenue as a major city walkway, SE 17th Avenue as a city walkway, with the remaining streets shown as local walkways. Given the low increase in daily vehicular trips associated with the zone changes, one could postulate that the number of daily walking trip increases would also be low if the properties were rezoned and redeveloped. This minor increase in people walking can reasonably be concluded to be accommodated by the existing sidewalk network and be consistent with the walkway designations. Therefore, we conclude that there will be no impacts to the pedestrian network and this criterion is met.

Consistency with the Portland TSP Projects

- The Portland TSP identifies the implementation of a neighborhood greenway along SE Ellis Street as part of the SE 14th/SE 15th Avenue Neighborhood Greenway Project. The rezoning of the property would benefit from additional opportunities for walking and cycling associated with this connection. Further, the proposed change in zoning of the property will not change the need or the timing of the project; therefore, no impacts to the TSP projects are anticipated as part of the zone change and this criterion is met.

Please contact us if you have questions or comments as you review this material.

Sincerely,
KITTELSON & ASSOCIATES, INC.



Julia Kuhn, PE
Senior Principal Engineer

Chris Brehmer, PE
Senior Principal Engineer