



MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #:**VR-2022-007, DEV-2022-002**

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|--|--|--|
| <input type="checkbox"/> Amendment to Maps and/or
<input type="checkbox"/> Comprehensive Plan Map Amendment
<input type="checkbox"/> Zoning Text Amendment
<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Community Service Use
<input type="checkbox"/> Conditional Use
<input checked="" type="checkbox"/> Development Review
<input type="checkbox"/> Director Determination
<input type="checkbox"/> Downtown Design Review
<input type="checkbox"/> Extension to Expiring Approval
<input type="checkbox"/> Historic Resource:
<input type="checkbox"/> Alteration
<input type="checkbox"/> Demolition
<input type="checkbox"/> Status Designation
<input type="checkbox"/> Status Deletion | <input type="checkbox"/> Land Division:
<input type="checkbox"/> Partition
<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Replat
<input type="checkbox"/> Subdivision
<input type="checkbox"/> Miscellaneous:
<input type="checkbox"/> Barbed Wire Fencing
<input type="checkbox"/> Mixed Use Overlay Review
<input type="checkbox"/> Modification to Existing Approval
<input type="checkbox"/> Natural Resource Review**
<input type="checkbox"/> Nonconforming Use Alteration
<input type="checkbox"/> Parking:
<input type="checkbox"/> Quantity Determination
<input type="checkbox"/> Quantity Modification
<input type="checkbox"/> Shared Parking
<input type="checkbox"/> Structured Parking
<input type="checkbox"/> Planned Development | <input type="checkbox"/> Residential Dwelling:
<input type="checkbox"/> Manufactured Dwelling Park
<input type="checkbox"/> Temporary Dwelling Unit
<input type="checkbox"/> Transportation Facilities Review**
<input checked="" type="checkbox"/> Variance:
<input type="checkbox"/> Use Exception
<input checked="" type="checkbox"/> Variance
<input type="checkbox"/> Willamette Greenway Review
<input type="checkbox"/> Other: _____
Use separate application forms for: <ul style="list-style-type: none"> • Annexation and/or Boundary Change • Compensation for Reduction in Property Value (Measure 37) • Daily Display Sign • Appeal |
|--|--|--|

RESPONSIBLE PARTIES:

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

Mailing address: **2400 SE Mailwell Dr.** State/Zip: **OR, 97222**

Phone(s): **(503) 905-5201** Email: **gcarlston@alpinefoods.com**

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above): **Kevin Watkins (Fisher Construction - PM)**

Mailing address: **3200 NW 38th Circle** State/Zip: **WA, 98660**

Phone(s): **(971) 563-3109 / (360) 695-4243** Email: **kdw@fishercgi.com**

SITE INFORMATION:

Address: **9696 SE Omark Drive** Map & Tax Lot(s): **11E25CB00200**

Comprehensive Plan Designation: **I** Zoning: **NME** Size of property: **8.36 AC**

PROPOSAL (describe briefly):

Apply for height variance of new building exceeding the 45' maximum height for Zone NME. Also applying for Type II Development Review for North Milwaukie Innovation Area.

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

Submitted by:  Date: **7-28-22**

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.
 ** Natural Resource and Transportation Review applications **may require a refundable deposit.**

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.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

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	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	VR-2022-007	\$ 2,000			Materials received 7/20/2022 Payment received 7/21/2022
Concurrent application files	DEV-2022-002	\$ 750	25% (off Type II fee)	multiple applications	
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 2,750			RECEIPT #:		RCD BY: BK
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): NA (North Milwaukie Industrial Area)					
Notes:					



Fisher Construction Group, Inc.
Main: 360.757.4094
Fax: 360.757.4005
625 Fisher Lane
Burlington, Washington 98233
www.fishercongl.com

July 29, 2022

Milwaukie Planning
6101 SE Johnson Creek Blvd
Milwaukie, OR 97206

Type III Height Variance Request for Alpine Food Distributing, 9696 SE Omark Dr.

To whom it may concern,

This letter will act as the narrative and descriptive component of our Type III Height Variance submission for our upcoming permit project for Alpine Food Distributing at 9696 SE Omark Dr in Milwaukie, OR. The information in this submission package has been collated to provide the necessary answers and information on our project to the Planning Department so that they may clearly understand our intent with this variance request and the impacts (if any) it may have on the adjacent area. The design team conducted a preapplication meeting with the City on June 30th and the written preapplication report was provided to us on July 14th and has been included with this submittal for your reference.

The project scope consists of the following: There is an existing 49,000 sf tilt-up building on the site which the owner wishes to demolish and replace with a new 53,000 sf freezer warehouse building in its place, with an increased height compared to the existing building it will be replacing. The existing building has a height of 26'-6"ft above grade. The new structure will be 56'-0" from grade to top of parapet. Per the Milwaukie municipal code, the allowable height for this zone/parcel is 45' above grade. The design team was informed during the preapplication meeting that there is an option to get a height increase based on receiving a green building certification. However, this is not within the owner's financial ability and the nature of a cold-storage freezer makes green building certification and extremely difficult benchmark to achieve. Because of this, the purpose of this Type III variance application is to request a variance that will allow us to construct our building to the desired height without the Green Building Certification.

No mechanical equipment or penthouses are planned to be located on the upper roof area. This means the maximum overall building height will be the top of the new freezer parapet (56'-0"). The existing area for this project consists of adjacent warehouse facilities and truck access roads. The increased height of this structure should not adversely impact the function, aesthetic, or land value of any of the adjacent properties around our project.

It is expected that an approval of the height variance would benefit the city by allowing increased storage capabilities for this warehouse, thereby allowing the building operator to increase their business, which would result in an increase in jobs and provide a positive impact for the local businesses that work in the area. Furthermore, granting a height variance would allow the facility to store a more product while maintaining a smaller building footprint. This increases the efficiency of the building's mechanical systems and reduces the impact on the environment because we are increasing the volume-to-footprint ratio.

The height variance has a minimal impact to the surrounding properties, due in part to the nature of the adjacent properties being warehouse facilities and truck access roads. Additionally, because the height variance request is only 11 feet taller than the standard maximum building height typically allowed, the disruption to the overall "feel" of the area will not be affected in a notable way.

This project currently is classified as a wholesale trade, warehousing, distribution building and is located within the NME building zone, which is classified as a permitted type of business within that zoning

category per Table 19.312. This project is not currently located within any applicable special area or overlay zone, and therefore, none of the requirements within chapter 19.400 apply.

This project does not have any accessory structures and is a commercial project that is not located in downtown Milwaukie. It has already been determined during the pre-application meeting held with the City of Milwaukie that this property does not currently meet parking or landscaping requirements, but that the city will consider any attempt at increasing the current number of parking spaces and area of landscaping to be favorable.

As per Chapter 19.600, the current site is deficient in the number of off-street parking stalls required. To this end, we are proposing 28 new parking stalls be placed within the site for off-street parking, to increase the total parking count. The required number of stalls per the code is 27, so this additional parking will put the project into compliance regarding off-street parking counts as defined in table 19.605.1.

Additionally, we are refreshing and expanding the landscaping to increase the percentage on-site. While the current project does not meet the square footage requirements of landscaping, our proposed project will increase the amount of landscaping on the site compared to its current state. While part of the new structure will be constructed on existing landscape area, we propose to add additional landscaping to offset this, and add more landscaping to existing portions of the property that currently have none. We also plan to revitalize adjacent landscape areas that have been left to wither. With the combination of the new landscaping areas and the revitalization of existing landscape areas adjacent to our project, this will have an overall net positive impact on the project site and the adjacent development.

Overall, this project and the height variance will have a net-positive affect on the site in all aspects. It will increase the density and efficiency of the structures on the site. It will improve the off-street parking situation above the current levels, and it will increase the amount of landscaping and greenery on the project site beyond what it currently is. This should be a net benefit not only to the owner of the property being proposed, but to all of the adjacent businesses.

I have provided additional drawings and documents as part of this submittal, which includes the proposed site plan, elevation, and perspective view. These drawings should help illustrate the proposed layout/appearance of the new structure in relation to the overall site. In addition, you will find plat maps, preapplication review notes, and additional information relevant to this Type III height variance request. If additional drawings, information, or documentation is needed, please reach out to me and I will respond to your request promptly.

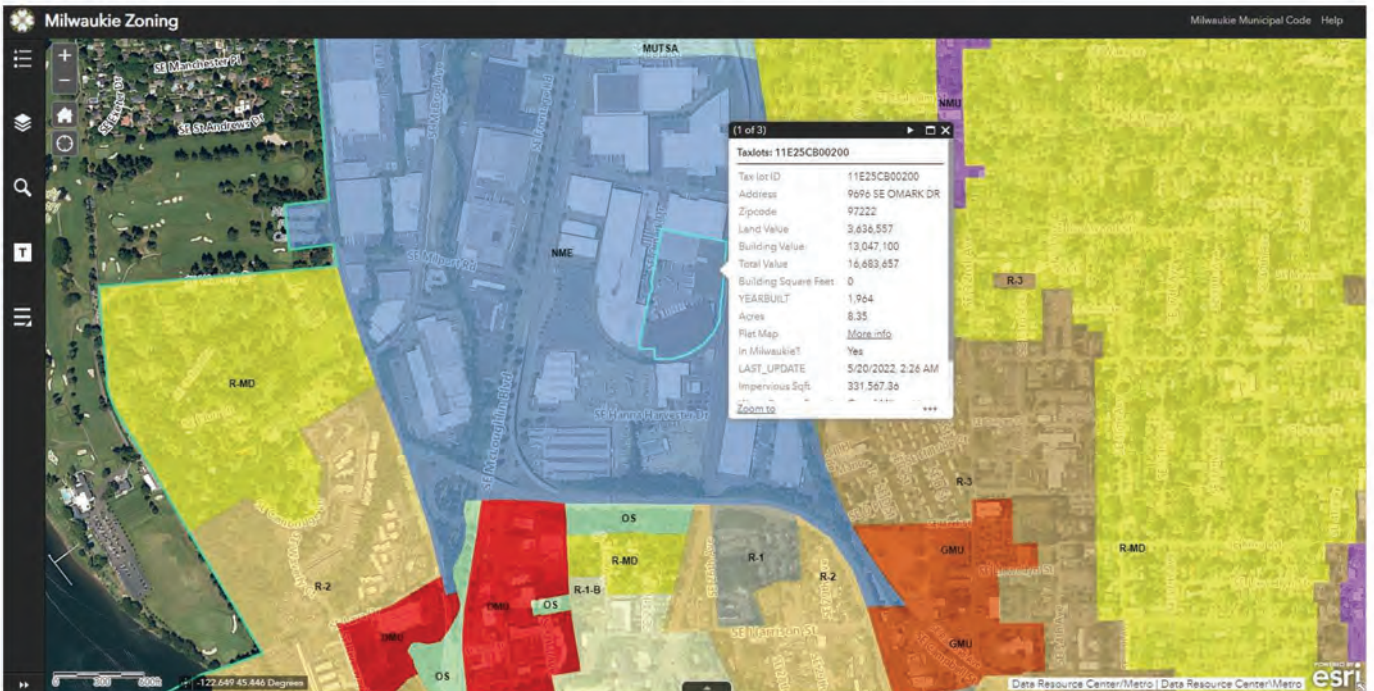
Thank you for your attention.

Sincerely,

Scott Philipp, Architect, AIA
360.757.5674
smp@fishercqi.com



This image shows a perspective with the building being referenced in this variance highlighted red. Adjacent structures are all warehouses or warehouse-related uses.



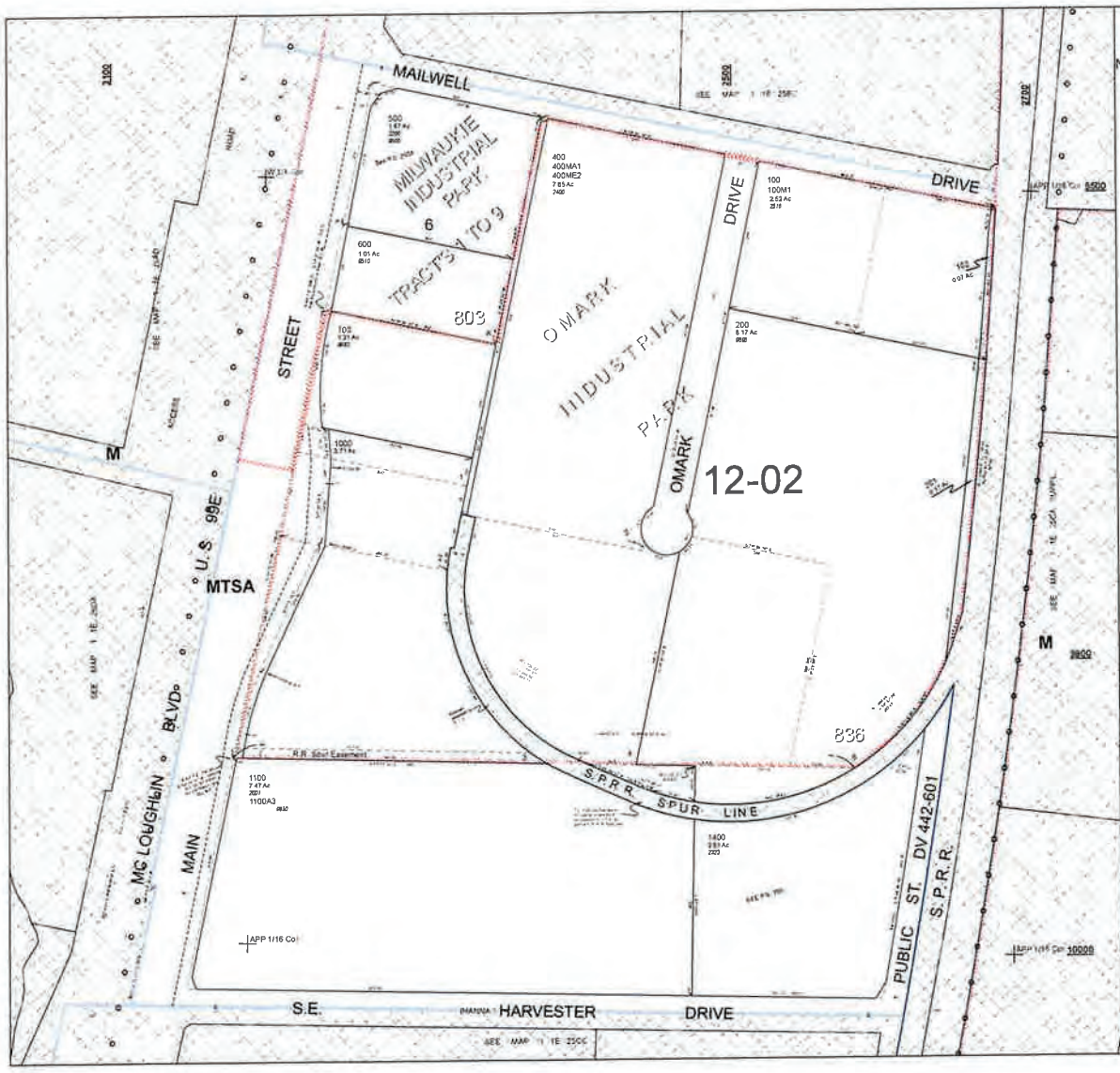
Screenshot from Milwaukie Zoning website showing property information and zoning regions.

Table 19.312.5			
North Milwaukee Innovation Area — Summary of Development Standards			
Standard	NME	MUTSA	Standards/Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	None	None	
2. Minimum street frontage (ft)	None	None	
B. Development Standards			
1. Floor area ratio (min/max)	0.5:1/3:1	0.5:1/3:1	
2. Building height (ft)			
a. Minimum	25	25	Subsection 19.312.6.A Building height bonus Subsection 19.510 Green Building Standards
b. Maximum (Height bonus available)	45-90	45-90	
3. Setbacks (ft)			Subsection 19.501.2 Yard Exceptions
a. Minimum front yard setback	None	None	
b. Maximum front yard setback	10-30 ¹	10-30 ¹	
c. Side and rear setbacks	None ²	None ²	
4. Maximum lot coverage	85%	85%	
5. Minimum Landscaping	15%	15%	Subsection 19.312.6.G Landscaping
6. Flexible ground-floor space	Yes, where applicable	Yes, where applicable	Subsection 19.312.7.B.7 Flexible ground-floor space
7. Off-street parking required	Yes	Yes	Subsection 19.312.6.C Loading and Unloading Areas Subsection 19.312.7.C Parking, Loading and Unloading Areas Chapter 19.600 Off-Street Parking and Loading
8. Frontage occupancy	50%	50%	Subsection 19.312.7.8 Frontage occupancy
C. Other Standards			
1. Residential density requirements (dwelling units per acre)			Subsection 19.202.4 Density Calculations
a. Stand-alone residential			
(1) Minimum	N/A	None	
(2) Maximum	N/A	None	
b. Mixed-use buildings	N/A	None	
2. Signs	Yes	Yes	Subsection 14.16.050 Commercial Zone Subsection 19.312.6.F Signage for Non-manufacturing Uses
3. Design Standards	Yes	Yes	Subsection 19.312.7.A Design Standards for All New Construction and Major Exterior Alterations

Snip showing municipal/zoning code requirements for NME zone and height allowances highlighted.

Table 19.605.1 CONTINUED		
Minimum To Maximum Off-Street Parking Requirements		
Use	Minimum Required	Maximum Allowed
F. Commercial Uses—Services CONTINUED		
3. Personal services, such as a barbershop, beauty parlor, etc.	4 spaces per 1,000 square floor area.	5.4 spaces per 1,000 sq ft of floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	2.8 spaces per 1,000 sq ft of floor area.	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	2 spaces per 1,000 sq ft of floor area.	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	2 spaces per service bay.	3 spaces per service bay.
7. Mortuary/funeral home.	1 space per 5 chapel or parlor seats.	1 space per 3 chapel or parlor seats.
8. Car wash.	No minimum.	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
G. Industrial Uses		
1. Manufacturing.	1 space per 1,000 sq ft of floor area.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.5 spaces per 1,000 sq ft of floor area.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.3 spaces per 1,000 sq ft of floor area.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 45 storage units, plus 1 space per employee of the largest shift.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

Snip showing municipal/zoning parking requirements for our project.



11 E 25CB
MILWAUKIE
N.W 1/4 S.W 1/4 SEC 25 T. 1S. R. 1E. W.M.
CLACKAMAS COUNTY
1" = 100'

D. L. C.
WM. MEEK NO. 50

Cancelled Taxlots

- 101
- 102
- 400MA1
- 400ME1
- 500MA2
- 501
- 500MA3
- 700MA1
- 701
- 800
- 802
- 1001
- 1100A4
- 1100A1
- 1100A2
- 1100A3
- 1100
- 1200
- 1400A1
- 1400A2

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Corridor
- Tax Caster, max
- Map Index
- Water Lines
- Land Use Zoning
- Pits
- Water
- Corner
- Section Corner
- 11/8th Line
- Govt Lot Line
- D.L.C. Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40
- Historic Corridor 20



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

11 E 25CB
MILWAUKIE



CITY OF MILWAUKIE
 6101 SE Johnson Creek Blvd
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Preapplication Conference Report

Project ID: 22-006PA

This report is provided as a follow-up to the meeting that was held on 6/30/2022 at 10:00 AM

The Milwaukie Municipal Code is available here: www.qcode.us/codes/milwaukie/

APPLICANT AND PROJECT INFORMATION		
Applicant:	Kevin Watkins	Applicant Role: Project Manager
Applicant Address:	3200 NW 38 th Circle, Vancouver, WA 98660	
Company:	Fisher Construction Group	
Project Name:	Alpine Food Distributing Freezer	
Project Address:	9696 SE Omark Dr	Zone: NME (North Milwaukie Employment, within the North Milwaukie Innovation Area)
Project Description:	Demolish existing dry-storage warehouse and construct new 50,000-sq-ft freezer building with cold dock and 6,000-sq-ft office.	
Current Use:	47,500-sq-ft dry-storage warehouse, built-in cooler, 2,000-sq-ft office space in adjacent building	
Applicants Present:	Kevin Watkins, Fisher Construction, project manager; Scott Philipp, Fisher Construction, design lead; Destinie Grah, Fisher Construction, design support; Kelli Grover (PE), Firwood Design, civil design lead; Shawn Hood, Alpine Food Distributing, owner	
Staff Present:	Samantha Vandagriff, Building Official; Shawn Olson, Fire Marshal; Jennifer Backhaus, Engineering Technician III; Steve Adams, City Engineer; Natalie Rogers, Climate and Natural Resources Manager; Joseph Briglio, Community Development Director; Brett Kelter, Senior Planner	
PLANNING COMMENTS		
Zoning Compliance (MMC Title 19)		
<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	As per MMC Subsection 19.312.2, warehousing and distribution uses are permitted outright in the NME zone.
<input checked="" type="checkbox"/>	Dimensional Standards	<p>Minimum floor area ratio (FAR) is 0.5:1; max FAR is 3:1.</p> <p>Minimum building height is 25 ft; max is 45 ft, with a bonus of up to 45 ft for projects that receive green building certifications and approvals as allowed in MMC Section 19.510. Without an approved height bonus, a Type III variance will be necessary to exceed the base maximum height.</p> <p>There is no minimum front yard setback. Omark Drive is not designated as a key street in the NME, so there is no maximum front yard setback. For side and rear lot lines not abutting a residential zone there is no required setback.</p>

Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed, Fees, and Review Type	<p>If the proposed building exceeds the maximum height standard (i.e., is not able to take advantage of the height bonus for green buildings), a Type III variance will be required.</p> <p>Since the proposal is for new construction of over 1,000 sq ft within the North Milwaukie Innovation Area, Type II Development Review is required.</p> <ul style="list-style-type: none"> • Variance Request (Type III) = \$2,000 • Development Review (Type II) = \$750 (includes 25% discount for multiple applications) <p><u>Note:</u> For multiple applications processed concurrently, there is a 25% discount offered for each application fee after paying full price for the most expensive application.</p> <p>These applications will be processed concurrently, with a decision by the Planning Commission through the Type III review process.</p>
<input checked="" type="checkbox"/>	Application Process	<p>The applicant must submit a complete electronic copy of all application materials for the City's initial review. A determination of the application's completeness will be issued within 30 days. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>Where multiple applications with different review types are processed concurrently, the overall package will be processed according to the highest review type.</p> <p>With Type III review, a public hearing with the Planning Commission will be scheduled once the application is deemed complete. At present, meetings are being conducted in a hybrid format, with the option of participating in person at City Hall or online via Zoom.</p> <p>Public notice of the hearing will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will coordinate with the applicant to provide the necessary sign(s).</p> <p>Staff will prepare a report with analysis of the proposal and a recommendation that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission for a decision.</p> <p>With Type III review, issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. If no appeal is received within the 15-day window, the decision becomes final. Any appeal of a Type III decision would be heard by the City Council for the final local decision.</p> <p>Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p> <p>The 2022 schedule for Planning Commission hearings, including dates by which an application must be deemed complete to be eligible for a particular hearing date, is attached for reference.</p>

Overlay Zones (MMC 19.400)

<input type="checkbox"/>	Willamette Greenway	(There are no special overlays for the subject property.)
<input type="checkbox"/>	Natural Resources	
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	

Site Improvements/Site Context

☒	Landscaping Requirements and Lot Coverage	<p>Minimum required landscaping is 15% of lot area. Maximum allowed lot coverage is 85% of lot area.</p> <p>The site appears to be nonconforming with respect to the minimum landscaping standard. The proposed development is not required to come into full compliance, but it should not take the site farther out of conformance with respect to landscaping. Where landscaping is removed for the project, at least an equal area should be improved with landscaping.</p>
☒	Onsite Walkways and Circulation (MMC 19.504.9)	<p>MMC Subsection 19.504.9 establishes standards for on-site walkways that connect parts of the site where the public is invited to walk as well as that link the site with the public street sidewalk system. Redevelopment projects must endeavor to bring the site closer to conformance with these standards.</p> <p>Walkways should connect building entrances to one another as well as to adjacent public streets and existing or planned transit stops. Note that new walkways must be at least 5 ft wide and constructed with a hard-surface material that is permeable for stormwater. Walkways must be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials. On-site walkways must be lighted to an average 0.5 footcandle level.</p>
☒	Building Design Standards for the MUTSA and NME Key Streets (MMC 19.312.7)	<p>The building design standards in MMC 19.312.7 are only applicable within the NME on designated key streets, which does not include Omark Drive. These standards are not applicable to the proposed development.</p>
Parking Standards (MMC 19.600)		
☒	Applicability (MMC 19.602)	<p>When development results in an increase of less than 100% of the existing floor area and/or structure footprint, the parking area must be brought closer into conformance. The material costs of such improvements are limited to no more than 10% of the associated permit value. Areas of focus for improvements include paving and striping, providing the minimum number of spaces, bicycle parking, landscaping existing buffers and islands, creating new landscaping areas, and other items as determined by the Planning Manager.</p>
☒	Commercial and Industrial Off-Street Parking Requirements (MMC 19.605)	<p>For warehouse uses greater than 150,000 sq ft, a minimum of 0.3 spaces per 1,000 sq ft are required, with a maximum of 0.4 spaces per 1,000 sq ft allowed. For general office uses, a minimum of 2 spaces per 1,000 sq ft are required, with a maximum of 3.4 spaces per 1,000 sq ft allowed. (For minimum parking, fractions are rounded down to the nearest whole number; for maximum parking, fractions are rounded to the nearest whole number (up or down).</p> <p>As proposed, the total square footage of warehouse on the site is approximately 223,800 sq ft, with 4,000 sq ft of office space. The result is a minimum requirement of 75 spaces and maximum of 104 spaces allowed.</p> <p>The existing site provides only approximately 14 parking spaces, in addition to a large area where trailers are staged before or after loading/unloading. There is no indication of any bike parking on the site.</p>
☒	Parking Area Design and Landscaping (MMC 19.606)	<p>Parking space dimensions are based on the angle of the stall—for standard 90° spaces, the minimum dimensions are 9 ft by 18 ft, with a minimum 22-ft-wide drive aisle.</p> <p>Perimeter landscaping is required at the periphery of the parking area, with a minimum width of 8 ft where adjacent to the public right-of-way and 6-ft width where adjacent to other properties (measured from the inside of curbs). Within the landscaped perimeter, at least one tree must be planted every 30 lineal feet (as evenly spaced as practicable), rounding up where the calculation does not produce a whole number.</p> <p>Interior landscaping is required where there are more than 10 parking spaces, at the ratio of 25 sq ft per parking space. Planting areas must be at least 120 sq ft in area, at least 6 ft in width, and dispersed throughout the parking area. For landscape islands, at least one tree must be planted per island; for divider medians between opposing rows of parking, at least one tree must be planted per 40 lineal feet.</p>

		<p>Required trees must be species that are expected to provide a minimum 20-ft diameter shade canopy within 10 years of planting.</p> <p>Perimeter and interior landscaping count toward the minimum vegetation required for the overall site.</p> <p>Other parking area design standards (MMC Subsection 19.606.3) include requirements for wheel stops, pedestrian access, and lighting. All required parking areas must be paved and striped. Wheel stops must have a minimum 4-in height and prevent vehicles from</p> <p>Pedestrian access must be provided so that no parking space is farther than 100 ft (measured along drive aisles) from a building entrance or walkway that meets the standards of MMC 19.504.9.</p> <p>Lighting is required for parking areas with more than 10 spaces; the Planning Manager can require lighting for smaller parking areas if there are safety concerns. Lighting should not cause light trespass of more than 0.5 footcandles at the site boundaries; luminaries should have a cutoff angle of 90° or greater; pedestrian walkways and bicycle parking areas must have a minimum illumination level of 0.5 footcandles.</p>
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input type="checkbox"/>	Conditional Use (MMC 19.905)	
<input checked="" type="checkbox"/>	Development Review (MMC 19.906)	Development review is required where there is new construction of over 1,000 sq ft within the North Milwaukie Innovation Area, to evaluate the project's compliance with various applicable standards (such as the NMU development standards, off-street parking standards, etc.). The approval criteria for development review are established in MMC 19.906.4.
<input type="checkbox"/>	Variance (MMC 19.911)	<p>Variance approval criteria are established in MMC Subsection 19.911.4. Specifically, Type III variances should address MMC 19.911.4.B. For most projects, the discretionary relief criteria in 19.911.4.B-1 are more appropriate than the economic hardship criteria of 19.911.4.B-2.</p> <p>The applicant might consider addressing the difficulty of constructing a green building that functions as a cold-storage warehouse, making it impossible to utilize a height bonus.</p>
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	No land division or boundary changes are proposed.
<input type="checkbox"/>	Preliminary Plat Requirements	
<input type="checkbox"/>	Final Plat Requirements	
Sign Code Compliance (MMC Title 14)		
<input checked="" type="checkbox"/>	Sign Requirements	Signage allowances for manufacturing zones like the NME are outlined in MMC Section 14.16.050.
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
	Choose an item.	

	Choose an item.	
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<p>MMC 19.702 establishes the applicability of MMC 19.700 including new construction and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.</p> <p>The proposed development would result in an increase in gross floor area and does therefore trigger the applicability of MMC 19.700.</p>
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	A Transportation Facilities Review (TFR) Land Use Application is not required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	A Transportation Impact Study (TIS) is not required.
<input type="checkbox"/>	Rough Proportionality (MMC 19.705)	<p>The subject property takes access off Omark Drive. The requirements for street improvements or Fee In Lieu of Construction for this development are deemed not proportional.</p> <p>Transportation impacts and the need for updated transportation facilities on Omark Drive do not constitute the need for frontage improvements.</p>
<input type="checkbox"/>	Agency Notification (MMC 19.707)	No agency notifications are required.
<input type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>Access Management: All development subject to MMC 19.700 shall comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All development subject to MMC 19.700 shall comply with clear vision standards contained in MMC 12.24</p> <p>No additional frontage improvements are required as part of this development.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	<p>New or expanded public utilities are not required as part of this development.</p> <p>A formalized utility easement for the existing water line on private property will be required as part of this development.</p>
Flood Hazard Area (MMC 18)		
<input checked="" type="checkbox"/>	General Standards (MMC 18.04.150)	A narrow (c.10-ft-wide) strip along the southwestern side of the subject property is within the 500-year floodplain. However, the 500-year floodplain is not regulated by MMC Title 18 and

		the project area itself is not within either the 100-year or 500-year floodplain boundary. This title is not applicable to the proposed development.
<input type="checkbox"/>	Development Permit (MMC 18.16.030)	
<input type="checkbox"/>	Compensatory Storage (MMC 18.20.020)	
<input type="checkbox"/>	Floodways (MMC 18.20.010.B)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input checked="" type="checkbox"/>	Erosion Control (MMC 16.28)	<p>Erosion control and prevention is required as outlined in MMC16.28</p> <p>Standard Erosion Prevention and Sediment Control notes are found at: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/public_works/page/76091/milwaukie_standard_notes_for_erosion_control.pdf</p> <p>Development sites between 1 acre and 5 acres should apply for a 1200-CN permit as outlined on https://www.milwaukieoregon.gov/publicworks/1200cn. Applicants will use the DEQ 1200-C permit application but submit it to the city for review and approval through the Milwaukie Erosion and Sediment Control Program. A 1200-C permit can be found on the DEQ website at https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control covers the erosion control requirements.</p> <p>For more information, please contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	Tree Permits (MMC 16.32)	<p>All public trees over 2" in diameter at breast height (DBH) are regulated by the public tree code. Public trees are to be protected through development and included on the inventory and protection plan required by the private development tree code (MMC 16.32.042). Public tree removals require an approved permit for removal, which includes a notice period lasting 14 days but can extend to 28 days if public comment is received. A permit is needed to plant on public property (at no cost) – visit milwaukieoregon.gov/trees to learn more.</p> <p>The tax lots included in the development site are NOT currently subject to the development tree code (MMC 16.32.042 A-H). Milwaukie's urban forest team can assist with tree selections for the site if needed.</p>
Public Services (MMC 13)		
<input type="checkbox"/>	Water System (MMC 13.04)	<p>If needed, connection and extension of City utilities is subject to plan and application review. Application for city utility billing connection shall be made on approved forms: https://www.milwaukieoregon.gov/building/water-connection-application</p> <p>A system development charge must be paid prior to new connections to city water.</p>
<input type="checkbox"/>	Sewer System (MMC 13.12)	<p>If needed, connection and extension of city utilities is subject to plan and application review. A Right-of-Way permit is required for any work in the public right-of-way or on city owned utilities.</p> <p>A system development charge must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p>

<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	<p>A 1200-Z permit is required for operations on the site that discharge into the stormwater system. Learn more at https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Industrial.aspx . A copy of the completed and approved 1200-Z permit should be sent to the city at publicworks@milwaukieoregon.gov.</p> <p>All new development or intensification of use shall be subject to system development charges.</p> <p>Stormwater mitigation and treatment is required as part of this development. All new impervious surface must be treated on site and must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual. Applicant will be required to provide an infiltration test to be completed by a Geotechnical engineer.</p>
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	<p>All new development or intensification of use shall be subject to system development charges.</p> <p>An estimate has been provided based on the plans provided as part of this application. Actual fees may vary based on plan review.</p> <p>All system development charges must be paid prior to building permit issuance.</p>
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	<p>FILOC is not required as part of this development.</p>

Public Places (MMC 12)

<input type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	<p>A right-of-way permit is required for any work in the public right-of-way, any new or altered connections to public utilities, or work on any accessways.</p>
<input type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>No alterations to the driveway are proposed as part of this development. Any alterations to the existing driveway shall comply with MMC 12.16.040.</p>
<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	<p>A clear vision area shall be maintained at all driveways and accessways.</p>

Additional Engineering & Public Works Notes

An estimated System Development Charges fee sheet has been provided. Please note that these fees can change based on updates to the plans, additional information regarding plumbing fixtures, or any alterations or additions to public utilities such as water.

BUILDING COMMENTS

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov . Each permit type and sub-permit type are separate permits and are subject to the same time review times and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

Note: Plumbing and electrical plan reviews (when required) are done off site and are subject to that jurisdiction's timelines. The City does not have any control over those timelines, so please plan accordingly.

Site utilities require a separate plumbing permit and will require plumbing plan review. **NOTE:** The grading plan submitted to the Engineering Department does not cover this review.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Additional Building Notes

(e.g., sprinklers, accessibility, alarms, bathrooms, exits, elevators) Buildings on the property line must have the required fire rated separation. The fire separation distance can be measured to the middle of the street on the west side.

OTHER FEES

<input checked="" type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input checked="" type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.69 a square foot Residential = \$1.39 a square foot (not including garages)

FIRE DISTRICT COMMENTS

Please see the attached memorandum for fire district comments.

COORDINATION WITH OTHER AGENCIES

Applicant must communicate directly with outside agencies. These may include the following:

- Metro
- TriMet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

<input type="checkbox"/>	Boiler Approval (State)	
<input type="checkbox"/>	Elevator Approval (State)	
<input type="checkbox"/>	Health Department Approval (County)	

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
Other Right-of-Way Permits		
<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	
<input type="checkbox"/>	Traffic Control Plan (Engineering)	
<input type="checkbox"/>	Parklet:	
<input type="checkbox"/>	Parklet Application/ Planning Approval	
<input type="checkbox"/>	Engineering Approval	
<input type="checkbox"/>	Building Approval	
<input type="checkbox"/>	Sidewalk Café:	
<input type="checkbox"/>	Tree Removal Permit:	
Infrastructure/Utilities		
<p>Applicant must communicate directly with utility providers. These may include the following:</p> <ul style="list-style-type: none"> • PGE • NW Natural • Clackamas River Water (CRW) • Telecomm (Comcast, Century Link) • Water Environmental Services (WES) • Garbage Collection (Waste Management, Hoodview Disposal and Recycling) 		
Economic Development/Incentives		
<input type="checkbox"/>	Enterprise Zone:	
<input type="checkbox"/>	Vertical Housing Tax Credit:	
<input type="checkbox"/>	New Market Tax Credits:	
<input type="checkbox"/>	Housing Resources:	

PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

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

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

Samantha Vandagriff	Building Official	503-786-7611
Harmony Drake	Permit Technician	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Jennifer Backhaus	Engineering Technician III	503-786-7608

PLANNING DEPARTMENT

Laura Weigel	Planning Manager	503-786-7654
Vera Koliás	Senior Planner	503-786-7653
Brett Kolver	Senior Planner	503-786-7657
Adam Heroux	Associate Planner	503-786-7658
Ryan Dyar	Assistant Planner	503-786-7661

COMMUNITY DEVELOPMENT DEPARTMENT

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd	Development Programs Manager	503-786-7692
Janine Gates	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
Will First	Administrative Specialist II	503-786-7600

SUSTAINABILITY DEPARTMENT

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7697
Galen Hoshovsky	Environmental Services Coordinator	503-786-7660

CLACKAMAS FIRE DISTRICT

Shawn Olson	Lieutenant Deputy Fire Marshal	shawn.olson@ClackamasFire.com
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Pre-Application Comments:

To: Brett Kelter, Senior Planner, City of Milwaukie

From: Shawn Olson, Fire Marshal, Clackamas Fire District #1

Date: 06-30-2022

Re: 22-006PA-50,000 sq.ft. Freezer-9696 SE Omark Dr.

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

- 1) A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, type of construction, and shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority. **Submit PDF directly to the Clackamas Fire District website at clackamasfire.com once complete.**
- 2) Provide address numbering that is clearly visible from the street.
- 3) No part of a building may be more than 150 feet from an approved fire department access road.
- 4) The inside turning radius and outside turning radius for a 20' wide road shall not be less than 28 feet and 48 feet respectively, measured from the same center point.
- 5) Gates across access roads must be pre-approved by the Fire District.
- 6) Prior to the start of combustible construction, fire hydrants shall be operational and accessible.
- 7) Fire hydrants shall be within 600' of all portions of any new construction.
- 8) Emergency responder radio coverage must be tested or provided due to the following:
 - a. Any building with one or more basement or below-grade building levels.
 - b. Any underground building.
 - c. Any building more than five stories in height.
 - d. Any building 50,000 square feet in size or larger.
 - e. Any building that, through performance testing, does not meet the requirement of section 510 of the Oregon Fire Code.
- 9) The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.
- 10) Please see our design guide at:
<https://clackamasfire.com/fire-prevention/new-construction-resources/>

11) If you have questions, please contact Fire Marshal Shawn Olson at shawn.olson@clackamasfire.com or by calling 503-742-2663.

Submit fire apparatus access and water supply site plans to:
<https://clackamasfire.com/access-and-water-supply-plan-review-submittal/>