



# CITY OF MILWAUKIE

## NOTICE OF TYPE II LAND USE PROPOSAL

Date mailed: April 12, 2023

*Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov).*

You are receiving this notice because development has been proposed in your neighborhood. The proposed development requires notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 300 ft of the subject property. A summary of the proposal and information on how to respond to this notice are described below.

**The City will consider written comments on the proposal prior to issuing a decision.**

**To ensure that your comments are considered in the decision, please submit written comments to the staff contact listed below before 5:00 p.m. on Wednesday, April 26, 2023. After that date, there is no guarantee that comments will be incorporated into the decision.**

**The decision may be issued as early as 15 days from the date of this public notice.**

**Please include the land use file number for reference.**

<b>File Number(s):</b>	CU-2023-001 (primary file), VR-2023-004
<b>Location:</b>	10425 SE 42 <sup>nd</sup> Ave Tax Map 1S1E25DD14700 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	Modify the existing use from vehicle sales and repair to vehicle repair only. Update the existing building, including a significant addition with more vehicle service bays. Site improvements include new landscaping, dedicated parking stalls, and closure of the two existing driveways on 42 <sup>nd</sup> Avenue. Requesting variances from three design standards— exterior building materials, windows & doors, and roof pitch.
<b>Applicant/Primary Contact Person</b>	Weston Sanaee Tel. 503-789-0211, Email <a href="mailto:westonsanaee@gmail.com">westonsanaee@gmail.com</a> .
<b>Owner(s):</b>	Weston Sanaee
<b>Staff contact:</b>	Brett Kelter, AICP, Senior Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 Tel. 503-786-7657, Email <a href="mailto:kerverb@milwaukieoregon.gov">kerverb@milwaukieoregon.gov</a>
<b>Neighborhood District Association(s):</b>	Hector Campbell NDA, contact Corinn deTorres at 971-350-9675. Lewelling NDA, contact Camden McKone at 425-591-6954.

<b>Applicable Criteria:</b>	<ul style="list-style-type: none"><li>• Milwaukie Municipal Code (MMC) Chapter 12.16 Access Management</li><li>• MMC Chapter 12.24 Clear Vision at Intersections</li><li>• MMC Section 19.303 Commercial Mixed-Use zones (incl. NMU)</li><li>• MMC Section 19.504 Site Design Standards</li><li>• MMC Subsection 19.505.7 (Building design standards for) Nonresidential Development</li><li>• MMC Chapter 19.600 Off-Street Parking &amp; Loading</li><li>• MMC Chapter 19.700 Public Facility Improvements</li><li>• MMC Section 19.905 Conditional Uses</li><li>• MMC Section 19.911 Variances</li><li>• MMC Section 19.1005 Type II Review</li></ul> Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a> .
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**To learn more about a proposal:** Contact the staff contact assigned to the proposal or visit the project webpage at [www.milwaukieoregon.gov/planning/cu-2023-001](http://www.milwaukieoregon.gov/planning/cu-2023-001). The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

**To comment on a proposal:** You are invited to submit comments in writing before the City issues a decision. Comments should be addressed to the staff contact listed above and be directed toward the applicable criteria. If you submit a written comment, you will be sent a copy of the decision. All written comments become part of the permanent record. City staff can discuss this proposal in person or via telephone. However, the City will consider only written comments when issuing the decision on this proposal.

**Neighborhood District Association:** The Neighborhood District Association (NDA) listed on the first page of this notice may take a position on this proposal. The application materials have been referred to the NDA Chairperson and Land Use Committee members. The proposal may be discussed at an open meeting of the NDA. Please contact the person listed as the neighborhood contact to determine the status of the NDA’s review and position on this proposal.

**Decision:** The Planning Manager will consider any comments received and issue a decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest the decision would be issued is 15 days from the date of this public notice. The decision may be issued after that date depending upon the amount of comments received and complexity of the proposal.

*A copy of the decision will be mailed only to persons that submit written comments prior to the issuance of a decision.*

**To appeal the decision:** The Planning Manager’s decision may be appealed by any party that is aggrieved or adversely impacted by the decision, or that believes an error was made regarding the evaluation of the approval standards and criteria for the proposal. Appeals are heard by the Planning Commission and must be filed within 15 days of the issuance of a decision. Notice of an appeal hearing will be sent to all parties that received this notice.

Notice of Type II Land Use Proposal—Primary file #CU-2023-001  
Weston Sanaee, 10425 SE 42<sup>nd</sup> Ave  
Earliest date for decision to be issued: April 27, 2023

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. The appeal process and requirements are explained in Milwaukie Municipal Code Section 19.1010 Appeals. Contact staff at 503-786-7630 for information about the appeal process.

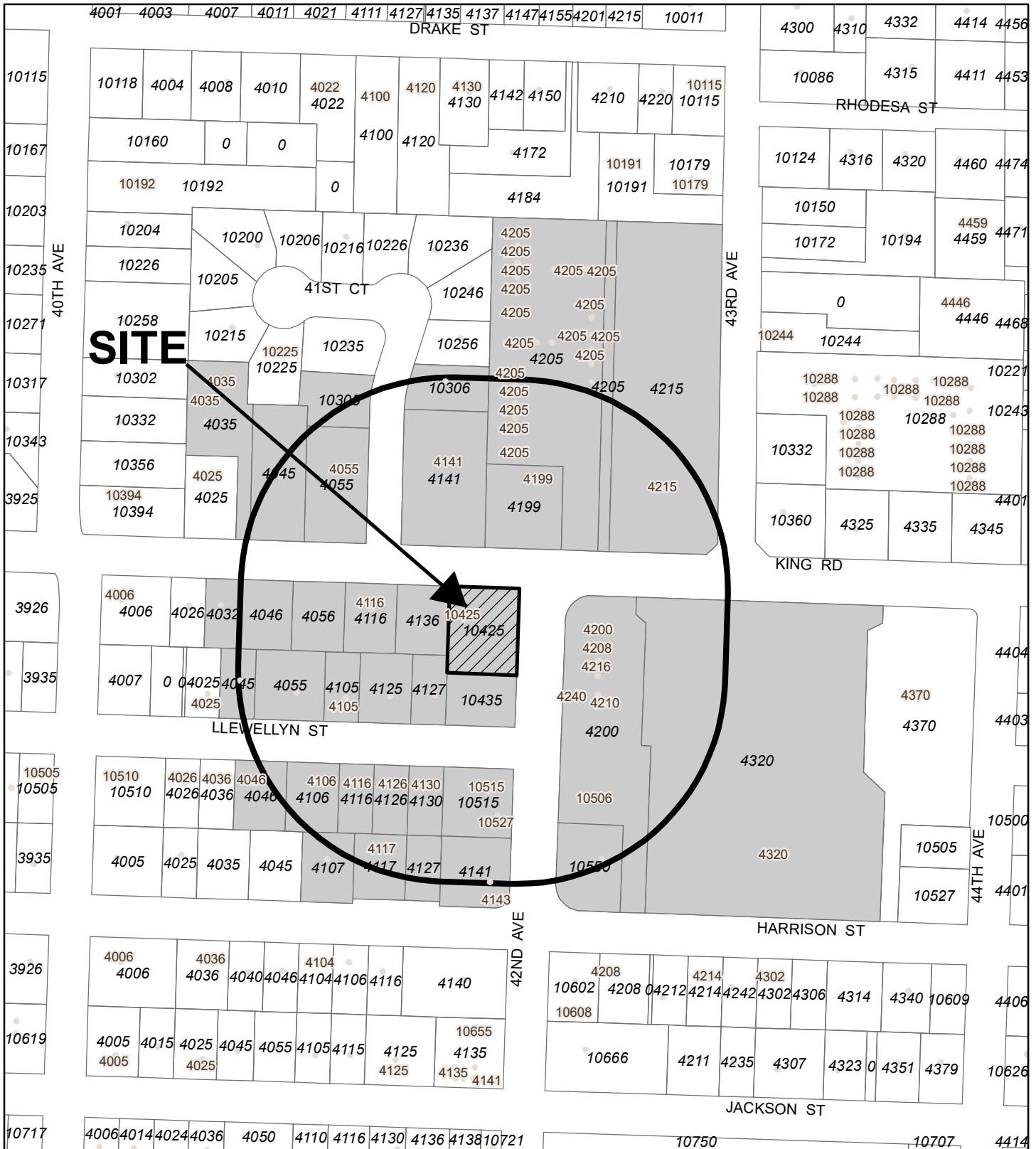
After an appeal hearing, the Planning Commission’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA), 550 Capitol St SE, Suite 235, Salem, OR 97301 (Tel. 503-373-1265). Any issue that is intended to provide a basis for appeal to LUBA must be raised prior to the issuance of the Planning Manager’s decision or prior to the conclusion of the Planning Commission’s appeal hearing. Failure to raise an issue with sufficient specificity and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue will preclude any appeal on that issue to LUBA.

**Enclosures:**

- Location map
- Site plan, building rendering





**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:**

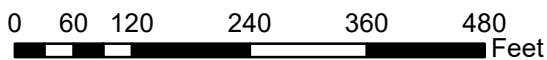
THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.



**Site Map**  
**10425 SE 42nd Ave**  
**(Tax ID 1S1E25DD14700)**  
**Primary File #CU-2023-001**

**Legend**

-  CU-2023-001 site
-  300-ft public notice boundary
-  Properties receiving notice
-  Other tax lots



NOT FOR CONSTRUCTION

MATTHEW STOCKSTILL  
ARCHITECT LLC  
10781 NE RED WING WAY,  
UNIT #201  
HILLSBORO, OREGON 97006

SE 42ND MECHANIC SHOP  
10425 SE 42ND AVENUE,  
MILWAUKIE, OR 97222

REVISIONS

2240

DATE:  
04.10.23

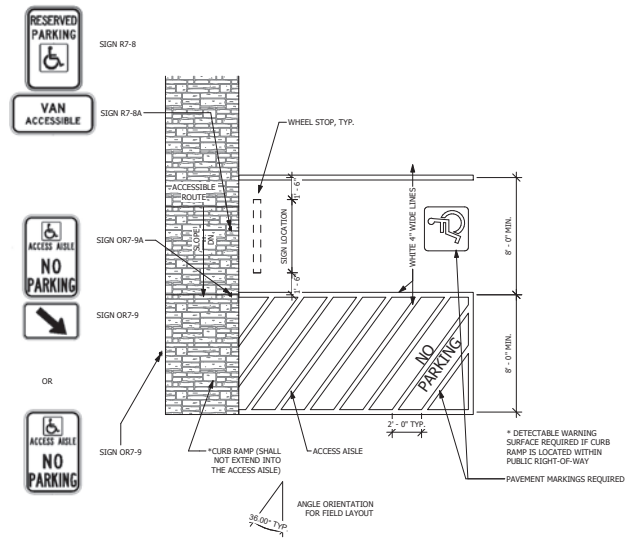
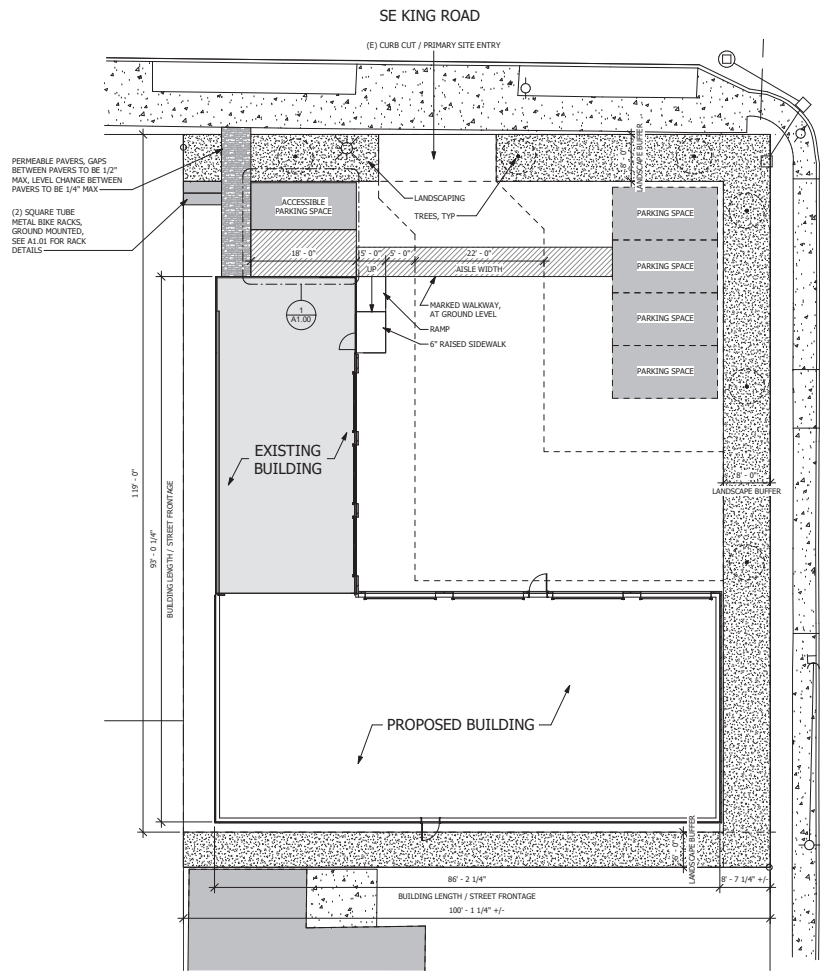
SITE PLAN & ZONING  
INFORMATION

SHEET:

A1.00

ZONING INFORMATION

ZONE = NEIGHBORHOOD MIXED USE			
CODE PROVISION	ALLOWED/REQUIRED	PROPOSED	LOCATION IN PLANS
19.303.2 USES	VEHICLE REPAIR AND SERVICE	VEHICLE REPAIR AND SERVICE	N/A
19.303.3.A.1 MINIMUM LOT SIZE (SQ FT)	1500 SQ FT	12632.4 SQ FT	1/A1.00
19.303.3.A.2 STREET FRONTAGE (FT)	25 FT	93' - 1/4" ALONG EAST FACADES AND 80'-2 1/4" +/- ALONG NORTH FACADES	1/A1.00
19.303.3.B.1 FAR (FT)	5 : 1 (12632.4 x .5 = 6316.2 SQ FT) MAX	-37' : 1 (4651 SQ FT OF BUILDING / 12632.4 SITE SQ FT)	OCCUPANT LOAD SCHEDULE / CS1.00
19.303.3.B.2 BUILDING HEIGHT (FT)	45 FT	22' FT +/-	A3.00 & A3.01
19.303.3.B.3a MIN STREET SETBACK (FT)	N/A	-	-
19.303.3.B.3b MAX STREET SETBACK (FT)	10 FT	8' - 7" ALONG EAST PROPERTY LINE	1/A1.00
19.303.3.B.3c SIDE AND REAR SETBACKS (FT)	NONE	-	-
19.303.3.B.5 MAX LOT COVERAGE	85% (12632.4 x .85 = 10737.5 SQ FT)	37% (4651 SQ FT OF BUILDING / 12632.4 SITE SQ FT)	1/A1.00
19.303.3.B.6 MIN VEGETATION	15% (12632.4 x .15 = 1894.9 SQ FT)	16.8% (2139.56 FT OF LANDSCAPE / 12632.4 SQ FT)	1/A1.00
19.605.1 (F)(2) OFF STREET PARKING FOR VEHICLE REPAIR		5	1/A1.00



3 PROPOSED SITE PLAN  
1" = 10'-0"

1 ACCESSIBLE PARKING STALL  
1/4" = 1'-0"

NOT FOR  
CONSTRUCTION

MATHEW STOCKSTILL  
ARCHITECT LLC  
10781 NE RED WING WAY,  
UNIT #201  
HILLSBORO, OREGON 97006

SE 42ND MECHANIC SHOP  
10425 SE 42ND AVENUE,  
MILWAUKIE, OR 97222



REVISIONS

2240

DATE:  
04.10.23

COVER SHEET

SHEET:

G1.00

PROJECT INFORMATION

ADDRESS: 10425 SE 42ND AVENUE, MILWAUKIE, OR 97222  
LOT SIZE: 13632.4 SQ FT  
PARCEL ID: 11E250014700  
ZONING: NPMU  
PROJECT: AN AUTOMOTIVE MECHANIC SHOP ADDITION IS  
DESCRIPTION: BEING CONSTRUCTED ONTO AN EXISTING  
AUTOMOTIVE MECHANIC SHOP. THE EXISTING  
BUILDING WILL UNDERGO AN INTERIOR  
RENOVATION. THE ADDITION WILL INCLUDE 4  
SERVICE BAYS, A STORAGE ROOM, BREAKROOM  
AND BATHROOM. AN EXISTING FREE STANDING  
CANOPY WILL BE REMOVED.  
EXISTING SQ FT: 1305 SQ FT  
PROPOSED SQ FT: 3346 SQ FT  
TOTAL SQ FT: 4651 SQ FT

SHEET LIST

G1.00 COVER SHEET  
CS1.00 CODE SUMMARY  
A1.00 SITE PLAN & ZONING INFORMATION  
A1.01 BIKE RACK DETAILS  
A2.00 (E) BUILDING INFORMATION  
A2.10 PROPOSED FLOOR PLAN  
A2.20 PROPOSED ROOF PLAN  
A3.00 EXTERIOR ELEVATIONS  
A3.01 EXTERIOR ELEVATIONS  
A4.00 BUILDING SECTIONS

ABBREVIATIONS

(E) EXISTING  
@ AT  
BO BOARD  
COND CONDITIONED  
FT FEET  
GYP GYPSUM  
MFR MANUFACTURER  
PLY PLYWOOD  
SHTHG SHEATHING  
SQ SQUARE  
TYP TYPICAL  
UN UNLESS OTHERWISE NOTED