



CITY OF MILWAUKIE

November 30th, 2023

Terry Amundson
2117 NE Oregon St. #301
Portland, OR 97232

Re: Preapplication Report

Dear Terry:

Enclosed is the Preapplication Report Summary from your meeting with the City on 11/16/2023, concerning your proposal for action on property located at 1915 & 1925 SE Scott St.

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

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

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

Sincerely,

Petra Johnson
Administrative Specialist II



CITY OF MILWAUKIE
 10501 SE Main St
 Milwaukie OR 97222
 503.786.7600
 planning@milwaukieoregon.gov
 building@milwaukieoregon.gov
 engineering@milwaukieoregon.gov

Preapplication Conference Report

Project ID: 23-009PA

This report is provided as a follow-up to the meeting that was held on 11/16/2023 at 11:00 AM

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Terry Amundson	Applicant Role: Architect
Applicant Address:	2117 NE Oregon St. #301, Portland, OR 97232	
Company:	Koble Creative Architecture, LLC	
Project Name:	1847 Food Park	
Project Address:	1925 SE Scott St	Zone: DMU (Downtown Mixed Use)
Project Description:	Food cart pod with associated parking and taproom building	
Current Use:	Vacant (former site of a funeral home and parking lot)	
Applicants Present:	Terry Amundson (architect); Karl Refi (architect); Eric Saunders (owner/developer); Steve Smith (owner/developer)	
Staff Present:	Vera Kolas (Senior Planner), Jennifer Backhaus (Engineering Tech III), Eanna Zaya (Engineering Tech I), Natalie Rogers (Climate and Natural Resources Manager)	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	The property is zoned Downtown Mixed Use (DMU), which allows a variety of uses, including restaurants and drinking establishments, which is how the city would categorize the proposed food cart pod and taproom.
<input checked="" type="checkbox"/>	Dimensional Standards	Table 19.304.4 includes all applicable dimensional standards, including minimum building height of 25 ft and minimum FAR.

Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed, Fees, and Review Type	Downtown Design Review (Type III): downtown design standards not met. Variance (Type III): Minimum FAR in the DMU not met. <ul style="list-style-type: none"> • Type III = \$2,000 • Type II = \$1,000 • Type I = \$200
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		Note: For multiple applications, there is a 25% discount offered for each application fee beyond the most expensive one.
<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.</p> <p>Once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. Public notice 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 prepare a report with analysis of the proposal and a recommendation for decision 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.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p>
Overlay Zones (MMC 19.400)		
<input type="checkbox"/>	Willamette Greenway	The site is not in the Willamette Greenway
<input type="checkbox"/>	Natural Resources	There are no designated natural resources on the subject property.
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	Landscaping requirements in the DMU are addressed in Section 19.508 – the design standards for plazas and open space.
<input checked="" type="checkbox"/>	Onsite Pedestrian/Bike Improvements	<p>MMC Section 19.609 establishes general standards for bicycle parking. Unless otherwise specified, the number of bicycle parking spaces must be at least 10% of the minimum required vehicle parking for the use. In no case would the minimum number of bike parking spaces be fewer than two spaces. Based on the calculations of floor area provided below, the minimum number of parking spaces required on the site would be 9.6, rounded down to 9. Therefore, the development must provide at least <u>two</u> bike parking spaces.</p> <p>Bike parking spaces must be at least 2 ft wide and 6 ft deep, with a 5-ft-wide access aisle, with 7 ft of overhead clearance for covered spaces. Bike racks must be securely anchored and designed to allow the frame and one wheel to be locked to the rack with a U-shaped shackle lock.</p>
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Circulation	
<input type="checkbox"/>	Building Design Standards (MMC 19.505)	
<input checked="" type="checkbox"/>	Downtown Design Review (MMC 19.907) and Downtown Design Standards (MMC 19.508)	New development in the downtown is subject to all downtown design standards and development in the DMU zone is subject to downtown design review. Because the proposal does not meet all the standards of MMC 19.508, the application will be subject to Type III downtown design review. Application requirements and approval criteria are

		<p>detailed in MMC 19.907.4 and 19.907.5 respectively: https://library.gcode.us/lib/milwaukie_or/pub/municipal_code/item/title_19-chapter_19_900-19_907.</p> <p>The design elements, each with specific design standards, are: Site Frontage, Wall Structure and Building Façade Detail, Exterior Building Materials, Façade Transparency and Activation, Building Entrances, Windows, Corners, Building Massing and Transitions, Weather Protection, Roofs and Rooftop Equipment Screening, Service Areas (Screening), Resident Open Space (not applicable), Plazas and Usable Open Space, Outdoor and Exterior Building Lighting. Please provide information for whether or how the proposal meets each design standard.</p> <p>If the applicant cannot meet all of the standards in Section 19.508 for a particular element, the applicant must then address the purpose statement of that design standard(s) as well as the associated guidelines. The Type III application will focus on the standards not met by the proposal.</p> <p>Given the nature of the proposal, it appears that the proposal will <u>not</u> comply with most of the standards, and the application will have to respond to each of the standards (except for resident open space) for both the covered seating area and the taproom. It appears that the proposal <u>might meet</u> the standards for:</p> <ul style="list-style-type: none"> • Plazas and Usable Open Space • Outdoor and Exterior Building Lighting <p>Therefore, the application narrative must provide detailed responses for each of the other design standards and how the proposal addresses the purpose statement and design guidelines for each.</p>
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Parking Standards (MMC 19.600)

<input type="checkbox"/>	Residential Off-Street Parking Requirements	
<input checked="" type="checkbox"/>	Commercial Parking Requirements (MMC 19.600)	<p>Per Oregon Administrative Rules (OAR) 660-012-0012 and 660-12-0440, which relate to Climate-Friendly and Equitable Communities (CFEC) rulemaking, the City is prohibited from mandating minimum off-street vehicular parking quantity requirements because of the subject property's proximity to a TriMet bus stop.</p> <p>No off-street vehicle parking is required for the proposed development. However, parking is proposed for the development, so MMC 19.600 applies.</p> <p>The existing parking area has 17 parking spaces, as shown on the submitted site plan. An existing perimeter buffer area is along McLoughlin Blvd. Subsection 19.602.3.A states that development of a vacant site must have off-street parking areas that conform to the requirements of 19.600. Therefore, the parking area must comply with the design and landscaping requirements of Subsection 19.606, including: parking space size, landscaping (specifically interior landscaping), and wheel stops.</p> <p>MMC 19.605 establishes minimum and maximum parking quantities for specified uses. Eating and drinking establishments have a minimum parking ratio of 4 spaces per 1,000 sq ft of floor area to a maximum of 15 spaces per 1,000 sq ft of floor area.</p> <p>A rough estimate of the floor area of the taproom is approximately 1,200 sq ft per floor for a total of 2,400 sq ft. Based on this estimate of floor area, the maximum number of parking spaces permitted on the site is 36. The existing parking area complies with the quantity requirements in MMC 19.605.</p> <p>Interior landscaping requires 25 sq ft per space. Based on a 17-space parking lot, this totals 425 sq ft of interior landscaping.</p> <p>Plans submitted for review will need to show specific calculations to confirm that the parking lot meets the quantity standard and the design and landscaping standards.</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"/>	Variance (MMC 19.911)	The proposal does not meet the minimum FAR required in the DMU, so a Type III variance will be required as part of the application package. Approval criteria for Type III variances are provided in MMC 19.911.4.B: https://library.gcode.us/lib/milwaukie_or/pub/municipal_code/item/title_19-chapter_19_900-19_911 .
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	
<input type="checkbox"/>	Preliminary Plat Requirements	
<input type="checkbox"/>	Final Plat Requirements (See Engineering Section of this Report)	
<input type="checkbox"/>	Other Requirements	
Sign Code Compliance (MMC Title 14)		
<input checked="" type="checkbox"/>	Sign Requirements	MMC Section 14.16.060 establishes standards for signage in the DMU zone. The proposal is to re-use the existing monument sign with a new face for the name of the development.
Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Historic Milwaukie	Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Historic Milwaukie NDA.
	Choose an item.	
	Choose an item.	<u>Historic Milwaukie NDA contact</u> Debbie Liptan, Secretary historicmilwaukiechair@gmail.com Regular meeting schedule is the second Monday of most months; the next meeting is scheduled for December 11. Meetings are typically held at the Milwaukie City Hall in the Community Room, 10501 SE Main St, but please check the City calendar to confirm whether the next meeting will be in person, online, or both. https://www.milwaukieoregon.gov/citymanager/historic-milwaukie-nda
Other Permits/Registration		
<input checked="" type="checkbox"/>	Business Registration	Each business on the property (including each food cart) is required to obtain a business license: https://milwaukie.gov/built.com/Login?ReturnUrl=%2FAdvancedForms%2FBusiness-Registration-Application .

<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
<p>In the application materials, the proponent asked if the project could be considered a plaza for review purposes. The Planning Department has determined that the entire site is a private development that includes seating areas. It is not a public plaza or open space. Those elements (seating, landscaping, etc.) support the primary use which is a food cart pod and taproom.</p>		
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 to partitions, subdivisions, replats, 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 is to establish a food cart pod. The City Engineer has determined this change in use would generate an increase in vehicle trips. MMC 19.700 applies.</p> <p>Facility improvements are required as part of this development. See MMC 19.708 Transportation Requirements and MMC 13.32 Fee in Lieu of Construction for more information.</p>
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	The proposed development does not trigger a Transportation Facilities Review.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	The proposed development does not trigger a Transportation Impact Study.
<input checked="" type="checkbox"/>	Agency Notification (MMC 19.707)	<p>The city must provide notification to the following agencies under certain circumstances.</p> <p>Oregon Department of Transportation (ODOT) whenever a proposed development is within 200 ft of a state highway.</p> <p>The development is within 200 ft of McLoughlin Blvd/Highway 99-E, ODOT will be notified.</p> <p>Metro and Clackamas County when a development is within 200 ft of a designated arterial or collector roadway as identified in Figure 8-1 of the Transportation System Plan (TSP).</p> <p>The development is within 200 ft of Main St, a collector street identified in the TSP. Metro and Clackamas County will be notified.</p> <p>TriMet if the proposed development is within 200 ft of an existing or proposed transit route on the current TriMet service map and/or Figure 7-3 of the Transportation System Plan (TSP).</p> <p>Main Street has an existing bus route, so TriMet will be notified.</p>
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>Access Management: All development subject to MMC 19.700 must comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All developments subject to MMC 19.700 must comply with clear vision standards contained in MMC 12.24.</p> <p>Construction and replacement of existing sidewalk on both Scott St and Main St frontages will be required. Sidewalk construction must comply with Street and Sidewalk Excavations, Construction, and Repair standards contained in MMC 12.08, all applicable Americans with Disabilities Act standards and requirements, and the City of Milwaukie's Public Works Standards.</p>

		Existing accessways that will not be retained must be abandoned and new sidewalk and curb will be constructed in place.
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	A 10-ft public utility easement (PUE) will be required along both Main St and Scott St frontages.
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.16.030)	The subject property is not in a flood hazard zone.
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<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</p> <p>Projects that disturb more than 500 sq ft within the City of Milwaukie limits require an Erosion Control Permit from the City's Building Department. Even projects that are less than 500 sq ft may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's Erosion Prevention and Sediment Control requirements. The applicant is encouraged to use the City's adopted Erosion Prevention and Sediment Control Planning & Design Manual (2020) for assistance in designing an erosion control plan.</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>For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	Tree Code (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. 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.</p> <p>Public trees require a permit for planting (free) – visit milwaukieoregon.gov/trees to learn more.</p> <p>Frontage improvements include tree replanting requirements in the public right-of-way (ROW) following the public works standards. Public trees may count for partial credit in the development tree code as described in MMC 16.32.042.</p> <p>For more information, please contact urbanforest@milwaukieoregon.gov or call 503-786-7655.</p>

Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	<p>New or upsized connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: https://www.milwaukieoregon.gov/building/water-connection-application</p> <p>A system development charge (SDC) and a water service connection fee must be paid prior to any new or upsized connections to city water.</p> <p>Multiple water meters may be allowed subject to plan review. Water meters must be placed in the right-of-way and cannot be placed on private property.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	<p>New or upsized connections to City utilities are subject to plan and application review.</p> <p>An SDC must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	<p>Stormwater mitigation must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual.</p> <p>Stormwater facilities are subject to plan review and approval prior to permit issuance and construction. An Operations & Maintenance form is required prior to occupancy.</p> <p>An SDC must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	<p>All new development or intensification of use shall be subject to SDCs.</p> <p>Latest charges are determined by the Master Fee Schedule available here: https://www.milwaukieoregon.gov/finance/fees-charges</p> <p>An estimate will be provided upon request. Actual charges are subject to final plans and review.</p>
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	<p>A ROW Permit will be required for utility work within the ROW, accessway construction or abandonment, and any frontage improvements constructed.</p>
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>Per MMC 12.16.040, private property must be provided with street access via accessways (driveways). These driveways must be constructed under a ROW permit in accordance with the current Milwaukie Public Works Standards.</p> <p>The number of accessways on collectors and near state highways must be minimized whenever possible. The development is permitted to retain one existing accessway on Scott St, and one accessway on Main St.</p> <p>The Scott St accessway will be limited to right turn in and right turn out movements only to prevent conflicts with McLoughlin Blvd. The Main St accessway will be used for deliveries and cart access and will not be intended for everyday use.</p> <p>Abandonment of the remaining accessways is required as part of the frontage improvements discussed in 19.700.</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		

Final ROW requirements and SDC fees will depend on the final development design chosen.

SDC estimates can be provided pending further information on: fixture counts, total impervious surface area, and water service sizes.

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.

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

All construction will fall under the current commercial codes:

Oregon Structural Specialty Code (OSSC), Oregon Plumbing Specialty Code (OPSC), Oregon Electrical Specialty Code (OESC), Oregon Mechanical Specialty Code (OMSC), etc.

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 = \$0.78 a square foot, Residential = \$1.56 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 checked="" type="checkbox"/>	Health Department Approval (County)	Food carts and restaurant require County approval.

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
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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

Applicant must communicate directly with utility providers. These may include the following:

- 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

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

ENGINEERING DEPARTMENT

Jennifer Garbely (vacant)	City Engineer	503-786-7534
Jennifer Backhaus	Assistant City Engineer	503-786-7605
Eanna Zaya	Engineering Technician III	503-786-7608
	Engineering Technician I	503-786-7609

PLANNING DEPARTMENT

Laura Weigel	Planning Manager	503-786-7654
Vera Kalias	Senior Planner	503-786-7653
Brett Kelder	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 (vacant)	Development Programs Manager	503-786-7692
Emilie Bushlen	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Petra Johnson	Administrative Specialist II	503-786-7600
	Administrative Specialist II	503-786-7600

SUSTAINABILTY DEPARTMENT

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7655
Riley Gill	Environmental Services Coordinator	503-786-7660

CLACKAMAS FIRE DISTRICT

Shawn Olson	Fire Marshal	shawn.olson@ClackamasFire.com
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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><u>Standard Erosion Prevention and Sediment Control notes:</u></p> <p>Projects that disturb more than 500 sq ft within the City of Milwaukie limits require an <u>Erosion Control Permit</u> from the City's Building Department. Even projects that are less than 500 sq ft may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's <u>Erosion Prevention and Sediment Control requirements</u>. The applicant is encouraged to use the City's adopted <u>Erosion Prevention and Sediment Control Planning & Design Manual (2020)</u> for assistance in designing an erosion control plan.</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>For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	Tree Code (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.</p> <p>Public trees require a permit for planting (free) – visit milwaukieoregon.gov/trees to learn more.</p> <p>Frontage improvements include tree replanting requirements in the public right-of-way (ROW) following the public works standards. Public trees may count for partial credit in the development tree code as described in MMC 16.32.042.</p> <p>The tax lots included in the development site will be subject to the development tree code (MMC 16.32.042 A-H), with the standards applied to each tax lot independently. If the applicant consolidates tax lots, the final consolidated tax lot would be subject to the development tree code.</p> <p>The development tree code requires for this development compliance and/or mitigation associated with the following standards:</p> <ul style="list-style-type: none">- Preservation standard- Planting standard- Protection standard- Soil volume standard <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage here. Mitigation fees are outlined in the Master Fee Schedule. The applicant may seek a variance for one or more of these standards through a Type III variance process (MMC 16.32.042.E).</p>

Note that there is no preservation mitigation fee assessed for trees removed above the 30% canopy cover threshold. Each lot must then provide a minimum of 40% canopy, either by planting or by paying a mitigation fee of \$5 per sq ft of needed canopy. Large-diameter trees receive bonus canopy multipliers depending on their size.

Bonds are required for tree protection and post development warranties as outlined in the Master Fee Schedule.

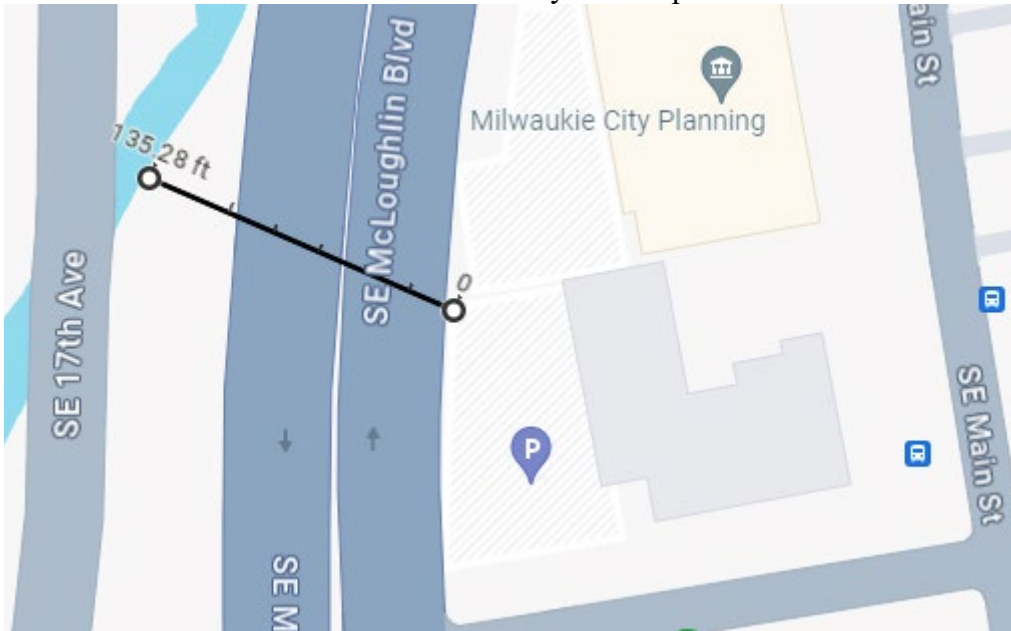
Submittal requirements are outlined in MMC 16.32.042.H. An ISA Certified Arborist is required to submit the final documents to the city as defined in MMC 16.32.042. Additional supportive documentation, including canopy lists and tree protection and planting guidance are available at www.milwaukieoregon.gov/trees.

The development tree code application is due at time of building permit application unless a variance is being requested through the land use application process. Building permits will not be approved without completion and approval of the development tree code application.

For more information, please contact urbanforest@milwaukieoregon.gov or call 503-786-7655.

Riley's considerations:

The work site slopes East to West (12 ft drop towards Willamette) and South to North (10ft drop towards NCH). Runoff for street-level surfaces especially western car parking lot will be North-Westerly towards Willamette/JC. There is only a short run to nearest waterbody and no treatment prior to discharge. Whole site roughly 20,000 sq ft (1/2 acre). Sparsely vegetated and plans to retain 1 on-site tree & 6 ROW trees. Mostly hardscaped site.





Site Specifics: ([drawings](#)) ([file folder](#))

- Large recession in the eastern half of the lot from demo'd basement area
 - To become “recessed dining area” and “2/3s covered”
- No tree canopy for western frontage, southern parking lot, nor between lots
 - A water main runs along curb on 99E.
 - This complicates 99E roadside plantings and likely limited to [this list](#).
 - Daffodils are on list, would unite JCB and NCH in spring
 - Rain garden + tree planting possible for area between NCH parking lot
 - Would intercept sheet flow en route to NCH catch basin
 - Could capture taproom downspouts
 - Plant one tree west and one tree east of parking lot approach on Scott near 99E
 - Existing planter east of approach unlikely to receive runoff at high side, unless site regraded
- Retaining one ~20' tall deciduous tree near NPL & Main St
 - 6 other trees to be removed in same area, including 4 young evergreens that are visible out of NCH windows
 - No ROW trees to be removed
- Sewer lateral to the South at eastern parking lot approach
- Water service line at SPL
 - Site is served by 2 service lines, though one has been turned off for ~3 years

Will need fat/grease interceptors for food trucks

Pre-Application Comments:

To: City of Gladstone

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

Date: 3-16-23

Re: 1847 Food Park-1915-1925 SE Scott St.

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:

All Mobile Food Carts/Pods will need to meet the requirements of Section 319 of the Oregon Fire Code. Comments below are not all inclusive. Applicant is responsible for all sections pertaining to Mobile Food Carts/Pods.

1. Food carts that produce smoke or grease laden vapors when cooking must follow the requirements of Section 319 of the OFC.
2. Food carts shall not block fire department access roads, fire hydrants, or fire lanes.
3. There shall be a minimum 5' separation between combustibles, structures, vehicles, or other cooking operations.
4. Generators shall not be fueled while in operation.
5. Exits shall be kept clear at all times.
6. All electrical wiring shall be in accordance with Section 603 of the OFC.
7. Heating appliances shall be in accordance with Section 603.4, 603.9, and 605.5 through 605.7.
8. Exhaust hoods shall be provided when cooking operations produce smoke or grease laden vapors in accordance with Section 606 of the OFC.
9. Fire protection systems shall be in accordance with Section 319.2.11.1 through 319.2.11.4.
10. Cooking oil storage shall be in accordance with Section 319.2.12 through 319.2.12.5
11. Appliance connection to fuel system shall be in accordance with Section 319.2.13.
12. LP Gas Systems shall be in compliance with Section 319.2.14.
13. CNG Systems shall be in compliance with Section 319.2.15.
14. Solid Food Cooking shall comply with Section 319.2.16.
15. 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.
16. Provide project address numbering that is clearly visible from the street.
17. Fire apparatus needs to be within 150' of all portions of a structure. Ensure Food Carts are accessible.
18. 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.

When ready, submit all fire apparatus access and water supply plans to: [Fire Apparatus Access/Water Supply Plan Submittal](#)

If you have questions please contact Clackamas Fire District @503-742-2663 or email at shawn.olson@clackamasfire.com