



NOTICE OF HEARING

December 20, 2023

Fortuity LLC
501 NE 224th Cir.
Ridgefield, WA 98642

RE:: County of Clackamas v. Fortuity LLC
File: V0009123

Hearing Date: January 11, 2024

Time: This item will not begin before 11:30am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Kimberly Benthin, Code Compliance Specialist for Clackamas County at (503) 742-4457, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox
Attorney at Law
14725 NE 20th Street, #D-5
Bellevue, WA 98007
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



You must have access to the internet or to a telephone line to use the Zoom platform. A Zoom invite has been sent to nicoleceaser73@gmail.com , heatherdevonn@gmail.com rudi@pinocap.com a copy of the link is provided below.

If you would like to present evidence at the Hearing please email or mail your evidence to Kimberly Benthin at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Kimberly Benthin at 503-742-4457 **within 3 calendar days of receipt of the Notice of Hearing.**

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/87096689788?pwd=SIBRMXdhSIRjZWZlQVUrWHRIMTdDz09>

Passcode: 887770

Or One tap mobile:

+16694449171,,87096689788# US

+16699006833,,87096689788# US (San Jose)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968

Webinar ID: 870 9668 9788

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
for the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

FORTUITY LLC,

and

RAINDROPS PLAYHOUSE LLC

Respondents.

File No(s): V0009123

COMPLAINT AND REQUEST FOR HEARING

I, Kimberly Benthin, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents' mailing addresses: Fortuity LLC, Registered Agent, Oleg Lupekha, 10800 SE 82nd Ave, Happy Valley, OR 97086 and Fortuity LLC., 501 NE 224th Cir, Ridgefield, WA 98642. Raindrops Playhouse LLC, Registered Agent, Nicole Ceaser, 10800 SE 82nd Ave, STE B Happy Valley, OR 97086.

2.

The address or location of the violations of law alleged in this Complaint is: 10800 and 10806 SE 82nd Ave, Happy Valley OR 97086 also known as T1S, R2E., Section 33BB, Tax Lot 00800, and is located in Clackamas County, Oregon.

3.

On or about the 20th of March 2023, Respondents violated the following laws, in the following ways:

Respondents violated Chapter 9.02 of the Clackamas County Code Application and Enforcement of the Clackamas County Building Code Section 9.02.040 (A,B,C,D), to-wit: operating a business in the structure without completing all permits and all required inspections, on the above referenced property.

This violation is a Priority 1 Building Code violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Compliance Section of the Department of Transportation and Development.

5.

Notice of the violations was given to Respondents in the following manner: Administrative Citation No. 23091-1A in the amount of \$1,500.00 and Citation No. 23091-1B in the amount of \$1,500.00 was mailed on November 21, 2023 to Respondent Raindrops Playhouse LLC and Respondent Fortuity LLC respectively. A copy of the notice document is attached to this Complaint as Exhibit EE, and incorporated by this reference.

Based on these allegations, petitioner requests that a hearing be set in this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to immediately abate the violation and bring the property


at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation within the range established by Board of County Commissioners. Said range for a Priority 1 Building Code violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and

4. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED this 20th day of December 2023.



Kimberly Benthin
Code Enforcement Specialist
for Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

File No.: V0009123

v.

FORTUITY LLC,

and

RAINDROPS PLAYHOUSE LLC,

STATEMENT OF PROOF

Respondents.

History of Events and Exhibits:

- | | |
|-----------------------------------|---|
| March 8, 2023 | Clackamas County Code Enforcement received a complaint from Clackamas County Building Division. The tenant, Raindrops Playhouse LLC is operating an indoor play gym without issued permits or a certificate of occupancy in place. Permits were in review, but had not yet been approved due to missing items related to fire and life safety concerns that had not been properly addressed by the applicant. |
| March 9, 2023
Exhibits A, B, C | A review of permit submittal records for the structure revealed there are two suites and businesses, Raindrops Playhouse (10806 SE 82 nd Ave.) and a Geico office (10800 SE 82 nd Ave.) within the structure. There were incomplete permits and code concerns related to both suites. |
| March 14, 2023
Exhibit D | Correspondence was mailed to Respondent Fortuity LLC, owner of the structure, requesting them to contact Clackamas County Enforcement Specialist (CES) Benthin, to discuss the violation concerns. |
| March 15, 2023
Exhibit E | Lt Deputy Fire Marshal Valere Liljefelt phoned CES Benthin to discuss the deficiencies and safety concerns of the open and operating business Raindrops Playhouse. Lt Deputy Liljefelt also emailed a copy of the Fire Inspection Report. |
| March 16, 2023
Exhibit: F | Raindrops Playhouse Facebook page reveals they have been open for business January 2023. |
| March 16, 2023
Exhibit G | Fire Marshal Shawn Olson emailed Code Enforcement (CE) Supervisor Michelle Amend regarding his concerns relating to Raindrops Playhouse. |

March 17, 2023 Exhibits H, I, J	Plans Examiner Robert Morris provided a synopsis of the pertinent building history for both suites of this structure for County staff.
March 17, 2023 Exhibit K	CE Supervisor Amend phoned Raindrop Playhouse owners Heather Smith and Nicole Ceaser. The results of the conversation were shared with staff by email.
March 17, 2023 Exhibit L	Plans Examiner Robert Morris notified staff that he had spoken with Architect Alex Porter regarding the permit submittals.
March 19-20, 2023 Exhibit M	Ms. Ceaser emailed CE Supervisor Amend with an update of steps taken to gain compliance.
March 20, 2023 Exhibit N	Fire Marshal Shawn Olson provided an update of progress he observed during a recent visit.
March 20, 2023 Exhibit O	Facts of the alleged violation were reviewed, the violations were confirmed and a Notice of Violation was mailed to the Respondents. The Notice of Violation was mailed via first class mail. The notice requested permit submittal be completed by April 20, 2023.
March 20, 2023 Exhibit P	Architect Alex Porter responded to the March 19-20 email and requested that CES Benthin meet on site to ensure a workable solution.
March 21, 2023 Exhibit Q	Plans Examiner Robert Morris responded to Architect Porter providing clarity on the path of compliance and submittal timing.
March 24, 2023 Exhibit R	Architect Porter sent an email to Plans Examiner Morris regarding the upload of the statement of use, and his intention to file by end of day Friday March 24 th .
March 28, 2023 Exhibit S	Architect Porter provided an email update of his additional upload of a 1 page floor plan for the tenant improvement permit. Ms. Ceaser also provided contact information for the Electrical contractor and Fire alarm contractor.
March 30, 2023 Exhibit T	CES Benthin emailed Ms. Ceaser and Ms. Smith regarding the deficient permit submittal. Ms. Ceaser responded by email with information on a temporary set of stairs for the egress at the loading dock.

<p>March 30 - April 2, 2023 Exhibit U</p>	<p>Architect Porter responded to CES Benthin email stating that the plan sheet submitted was a starting point. Plans Examiner Robert Morris replied that a complete and accurate design is needed that the “starting point” is no closer to permit issuance than the first permit submittal. Architect Porter responded by email stating he had visited the site again and will have the materials to Plans Examiner Morris by end of day (March 30th). On April 2nd Architect Porter emailed Plans Examiner Morris with a summary of what he planned to upload.</p>
<p>April 3-7, 2023 Exhibit V</p>	<p>Plans Examiner Morris performed a cursory review of the plans submitted and had 13 items to be addressed. Architect Porter responded on April 3rd and 7th that he has been working with all parties and is exploring options.</p>
<p>April 11-12, 2023 Exhibit W</p>	<p>Architect Porter and Plans Examiner Morris exchanged emails regarding the submittal process.</p>
<p>April 17, 2023 Exhibit X</p>	<p>Fire Marshal Shawn Olson asked Architect Porter by email when the completed set of plans will be submitted. Architect Porter responded with an update.</p>
<p>May 15, 2023 Exhibit Y</p>	<p>CES Benthin emailed Ms. Smith, Ms. Ceaser, and Mr. Pino noting that no further contact had been made since April 17th. Ms. Ceaser replied that they are talking to everyone all the time and their architect has been in constant contact. Architect Porter replied stating they have been finalizing their response to the last round of check sheets and also noted that the business Raindrops Playhouse is going to extend into the suite occupied by Geico.</p>
<p>May 15, 2023 Exhibit Z</p>	<p>CES Benthin emailed Plans Examiner Robert Morris and he confirmed he had not been contacted since April 17th.</p>
<p>May 16, 2023 Exhibit AA</p>	<p>Emails were exchanged between CES Benthin and Architect Porter regarding progress and when permit submittal will be completed.</p>
<p>May 18, 2023 Exhibit BB</p>	<p>Architect Porter emailed a list of a revised set that he had uploaded to the permit file.</p>
<p>November 20, 2023 Exhibit CC</p>	<p>Fire Marshal Shawn Olson inquired of the County the status of permits. Plans Examiner Robert Morris replied that only a plumbing permit had been issued.</p>
<p>November 20, 2023 Exhibit DD</p>	<p>A review of Raindrops Playhouse website reveals they are open for business seven days a week.</p>

- November 21, 2023
Exhibit EE Citation # 23091-1A was issued to Respondent Raindrops Playhouse LLC and mailed to the Registered Agent. A copy of the citation was also mailed to Nicole Ceaser at 10972 SE Celano Ct, Happy Valley and a copy to Heather Smith at 738 SE Hale Pl. Gresham.
Citation # 23091-1B was issued to Respondent Fortuity LLC and mailed to the Registered Agent. A copy was mailed to Fortuity LLC at 501 NE 224th Cir., Ridgefield, WA
- November 21, 2023
Exhibit FF Fire Marshal Shawn Olson exchanged emails with Architect Porter, he noted that Raindrops Playhouse is operating as an improper occupancy. If a Certificate of Occupancy is not obtained by January 1st, 2024. Fire Marshal Olson may deem the business unsafe.
- December 4, 2023
Exhibit GG Plans Examiner Robert Morris forwarded an email response from Architect Porter regarding the status of the permit submittal.
- December 4, 2023
Exhibit HH Respondent Raindrops Playhouse LLC paid citation # 23091-1 in the amount of \$1,500.00 and one month of administrative compliance fees of \$75.00 for a total payment of \$1,575.00.
- December 18, 2023
Exhibits II The review of the record shows that the documentation required and requested in the original permit in May, 2022, to meet the requirements of OSSC Section 424, remains incomplete in the current permit submittal.
- December 20, 2023 This file was prepared to be set for hearing.

If the Hearings Officer affirms the County's position that a violations of Clackamas County Building Codes exists within the subject structure, the County would request a Continuing Order be issued requiring the Respondents to:

- Complete all required building permit submittals by not later than 15 days from the date of the Hearing
 - And obtain all required inspections including the final approved inspections within 30 days of the permits issuance.
- Obtain and complete the Certificate of Occupancy not later than 45 days of the date of the Hearing

The County will submit a timely Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:

- Payment of Citation 23091-1B for a total of \$1,500.00.
- The imposition of civil penalties of up to \$1,000.00 for each violation noted. A possible total of \$6,000.00.
- The administrative compliance fee to be imposed from March 2023 until the violations are abated. The total administrative compliance fees less the one month paid by respondent Raindrops Playhouse LLC is \$675.00.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondents from violating these laws in the future.

Benthin, Kim

From: Morris, Robert
Sent: Thursday, March 16, 2023 9:34 AM
To: Benthin, Kim
Subject: FW: Indoor Play Gym (B0321122)

See message string below

Robert Morris, Commercial Plans Examiner

Building Codes Division
Clackamas County Department of Transportation and Development
150 Beavercreek Rd., Suite 225, Oregon City, OR 97045
Primary: 503-742-4240
Secondary: 971-378-9764
Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM
www.clackamas.us

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Were you happy with the service you received today?



CLICK A SMILEY

From: Morris, Robert
Sent: Thursday, March 9, 2023 2:07 PM
To: Moreland, Tom <TMoreland@clackamas.us>
Cc: Carlson, Richard <richardcar@clackamas.us>; Countryman, Don <DonCou@clackamas.us>
Subject: RE: Indoor Play Gym (B0321122)

Hi Tom,

Update: I spoke with Don earlier, who verified that the subject business and tenant space is currently open for business and occupied by employees/customers.

Right after I spoke with Don, I received a call from the owner of the business (Nicole). She stated that her landlord Rudy Pino told her that they have a temporary CofO months ago, and that she has been trying to reach the "architect" Darren Bouska... but he has not returned her calls or responded to her messages over the last 6 weeks.

Right after I spoke with Nicole, I received a call from the building owner (and operator of the Geico business next door) and we spoke at length about the remaining review comments, the applicable code requirements, the permits which are/were necessary for the work which had been performed and installations which have been completed, and a number of related topics. Rudy stated that he was not aware that permits had not been issued for the subject tenant space (or that there are

permits which have not yet been finalized for his Geico suite), and that he also was not able to get in contact with Darren Bouska... but that he would contact the project's registered design professional (Kevin Goldsmith, Engineer) and possibly hire an architect to finish the design/permitting work.

Have a good afternoon,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

Primary: 503-742-4240

Secondary: 971-378-9764

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Were you happy with the service you received today?



From: Morris, Robert

Sent: Thursday, March 9, 2023 10:21 AM

To: Moreland, Tom <TMoreland@clackamas.us>

Cc: Carlson, Richard <richardcar@clackamas.us>; Countryman, Don <DonCou@clackamas.us>

Subject: FW: Indoor Play Gym (B0321122)

Hi Tom,

Following up with our phone conversation, please see the below message for the latest correspondence I had with the permit applicant on this project.

Note that the last bullet point was a notice that the work occurring on Dec. 6 which Don had witnessed was not to occur until after the building permit had been issued.

Thank you,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

Primary: 503-742-4240

Secondary: 971-378-9764

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Were you happy with the service you received today?



CLICK A SMILEY

From: NW Precision Design (Darin) <darin@nw-precision.com>
Sent: Wednesday, December 7, 2022 2:35 PM
To: Morris, Robert <RMorris@clackamas.us>
Cc: Carlson, Richard <richardcar@clackamas.us>
Subject: Re: Indoor Play Gym (B0321122)

Warning: External email. Be cautious opening attachments and links.

Thanks Robert, I will review and revise, per items below.

Thanks again,
Darin

NW Precision Design
17407 SW Inkster Drive
Sherwood, OR 97140
Phn: (503)680-6444
email: darin@nw-precision.com

From: "Morris, Robert" <RMorris@clackamas.us>
Date: Wednesday, December 7, 2022 at 2:23 PM
To: "NW Precision Design (Darin)" <darin@nw-precision.com>
Cc: "Carlson, Richard" <richardcar@clackamas.us>
Subject: Indoor Play Gym (B0321122)

Hello Darin,

Regarding the AMM proposal uploaded to Development Direct yesterday, I have a few pertinent questions before presenting the proposal to our Building Official for consideration:

1. The floorplan and 3D rendering both show 7 play structures, 4 of which appear to exceed 150sf in area. Do any of the other 3 play structures exceed 10ft in height? (this will need to be specified within the plans prior to approval)
2. Is 424.5 (300sf max. area for a play structure, unless a special investigation demonstrates adequate fire safety) the only section you wish to propose an alternate to?

- a. 424.4 requires a 5ft horizontal separation (aka setback) from walls, partitions, and means of egress elements (not a 5' wide path of egress), and 20' separation between other play structures. The current plans do not meet these requirements in multiple locations.
3. Both sections of the form were filled-out... are you proposing both an alternate material/design/method per 104.10 and code modification per 104.9?
 - a. Alternate material/design/method approval per 104.10 requires that the proposed alternate:
 - i. comply with the intent of the code
 - ii. be equivalent to the codes requirements in quality, strength, effectiveness, fire resistance, durability, and safety.
 - b. Code modification approval per 104.9 requires:
 - i. a special reason why the strict letter of the code is impractical
 - ii. the modification be in compliance with the intent and purpose of the code
 - iii. the modification may not lessen health, accessibility, life and fire safety, or structural requirements
 4. The submitted form includes one stated reason for both a and b above: "We feel there are 'Clear Paths' to the Exits provided within the Play Structure". Is this the only reason you wish to present to the BO for consideration? This does not appear to address the intent of the code section(s) in question, which are intended to limit the amount of combustible plastics in an area + limit the spread of fire. Here are some snips from the 2018 IBC Commentary for reference:

424.1 General.

Children's play structures installed inside all occupancies covered by this code that exceed 10 feet (3048 in height or 150 square feet (14 m²) in area shall comply with [Sections 424.2](#) through [424.5](#).

❖ Play structures for children's activities have been regulated for some time by the code where structures are located within covered mall buildings. The primary concern, consistent with other structures located within a covered mall building, is the combustibility of such play structures. Due to the potential hazards, the regulations are now applicable where such structures are located within any building regulated by this code, regardless of occupancy classification. The current provisions are essentially identical to those historically regulated children's play structures located within covered mall buildings. Where these structures exceed 10 feet (3048 mm) in height and 150 square feet (14 m²) in area, the provisions of [Sections 424.2](#) through [424.5](#) must be followed.

424.4 Separation.

Children's play structures shall have a horizontal separation from building walls, partitions and from elements of the *means of egress* of not less than 5 feet (1524 mm). Children's playground structures shall have horizontal separation from other children's play structures of not less than 20 feet (6096 mm).

❖ Multiple children's play structures must be isolated from each other by a minimum distance of 20 feet (6096 mm). This separation reduces the concentration of combustible materials within a single area. A minimum separation of 5 feet (1524 mm) is also required between any play structure and portions of the building construction, including means of egress elements, to allow for emergency personnel access and to reduce fire spread potential.

424.5 Area limits.

Children's play structures shall be not greater than 300 square feet (28 m²) in area, unless a special investigation, acceptable to the building official, has demonstrated adequate fire safety.

❖ Play structures are limited to a 300-square-foot (28 m²) area limitation unless adequate fire safety is provided to the building official by way of a special investigation.

Please let me know whether you wish to make any revisions or edits to the AMM form before I present it to our BO.

Also, regarding a few related topics:

- The reports you had uploaded to DevDirect do not clearly demonstrate conformance with the requirements of OSSC Section 424.2.
 - The “statement of ASTM” document addresses only 3 types of play structures (out of the 4+ for which this requirement applies), and does not provide test results (only specifies the tests which were conducted).
 - The “brochure - certification” document is unsigned, incomplete, contains mostly blank sheets, and appears to reference only EU test requirements.
- A structural design (design calculations and construction documents, stamped and signed by an Oregon registered design professional) will be needed to address the construction of each play structure, and for the seismic anchorage of each play structure (anchorage is currently listed as a deferred submittal item), as verified by our plan review engineer yesterday. You may wish to wait until after we are certain which ones will be approved/installed (due to separation and size requirements, if the AMM is not approved) before obtaining and submitting the design calculations and CD's.
- An Oregon registered design professional is required to provide and stamp/sign the submittal documents for this permit, as this involves a change in occupancy (last permitted as an M occupancy, changing to an A-2). My apologies for not having identified this earlier.
- Inspector Supervisor: Don Countryman stated that the play structures were being installed yesterday, during his inspection of the adjacent Geico suite. Please let the owner know that this work may not occur until after the permit has been issued, per OSSC Section 105.1.

If you have questions, or if I can help in any way, please let me know by responding to this email message. I have also copied Richard Carlson, so that he is aware of the situation.

Best Regards,

Robert Morris
Commercial Plans Examiner
Clackamas County - Transportation and Development
Building Codes Division
RMorris@clackamas.us
971-378-9764
150 Beaver Creek Rd., Oregon City, OR 97045

My regular work schedule is Monday through Friday, from 7:30 AM to 4:00 PM

Our Permit lobby is open Monday to Thursday, 8 a.m. to 4 p.m.

Were you happy with the service you received today?



CLICK A SMILEY

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[New Search](#)

Business Entity Data

03-14-2023

15:07

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1758703-94	DLLC	ACT	OREGON	12-22-2020	12-22-2023	
Entity Name FORTUITY LLC						
Foreign Name						

[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	10800 SE 82ND AVE					
Addr 2						
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	12-22-2020	Resign Date
Name	OLEG	LUPEKHA					
Addr 1	10800 SE 82ND AVE						
Addr 2							
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS				
Addr 1	501 NE 224TH CIR					
Addr 2						
CSZ	RIDGEFIELD	WA	98642	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date
Name	OLEG	LUPEKHA				
Addr 1	501 NE 224TH CIR					
Addr 2						
CSZ	RIDGEFIELD	WA	98642	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date
Name	JULIA	LUPEKHA				
Addr 1	501 NE 224TH CIR					
Addr 2						
CSZ	RIDGEFIELD	WA	98642	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date
-------------	-----	--------	--	--	--	--------------------

Name	EVA		PINO		
Addr 1	13614 SE 35TH ST				
Addr 2					
CSZ	VANCOUVER	WA	98683	Country	UNITED STATES OF AMERICA

[New Search](#)




Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
FORTUITY LLC	EN	CUR	12-22-2020	

Please [read](#) before ordering [Copies](#).

[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	12-15-2022		FI		
	AMENDED ANNUAL REPORT	11-10-2021		FI		
	ARTICLES OF ORGANIZATION	12-22-2020		FI	Agent	

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

03-14-2023
15:13

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1979463-96	DLLC	ACT	OREGON	06-08-2022	06-08-2023	
Entity Name RAINDROPS PLAYHOUSE LLC						
Foreign Name						

[New Search](#)

Associated Names

Type						
PPB	PRINCIPAL PLACE OF BUSINESS					
Addr 1	10800 SE 82ND AVE STE B					
Addr 2						
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type				Start Date	Resign Date
AGT	REGISTERED AGENT			06-08-2022	
Name	NICOLE CEASER				
Addr 1	10800 SE 82ND AVE STE B				
Addr 2					
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA

Type						
MAL	MAILING ADDRESS					
Addr 1	10972 SE CELANO CT					
Addr 2						
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA	

Type					Resign Date
MEM	MEMBER				
Name	NICOLE CEASER				
Addr 1	10972 SE CELANO CT				
Addr 2					
CSZ	HAPPY VALLEY	OR	97086	Country	UNITED STATES OF AMERICA

Type					Resign Date
MEM	MEMBER				
Name	HEATHER SMITH				
Addr 1	738 SE HALE PL				
Addr 2					
CSZ	GRESHAM	OR	97080	Country	UNITED STATES OF AMERICA

[New Search](#)


Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
RAINDROPS PLAYHOUSE LLC	EN	CUR	06-08-2022	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	06-08-2022		FI	Agent	

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March 23, 2023

Violation File No.# V0009823

Fortuity LLC
Oleg Lupekha, Registered Agent
10800 SE 82nd Ave
Happy Valley OR 97086

Fortuity LLC
501 NE 224th Circle
Ridgefield WA 98642

**Subject: Violations of the Clackamas County Building Code Title 9
Chapter 9.02.040(A,B,C,D)**

Site Address: 10800 SE 82nd Ave, Happy Valley OR 97086

Legal Description: T1S, R2E, Section 33BB, Tax Lot 00800

The business at this location, Geico, has been open and operating in the structure at the above referenced address without the benefit of all required permits and inspections, including but not limited to the Certificate of Occupancy. See outstanding permit issues listed below:

C0012222 Certificate of Occupancy Geico Office Suite B TI
Submission not complete.

E0234120 for low voltage is expired.
No inspections have occurred

B0620222 Remodel adding bathroom and IT closet.
Last inspection December 6, 2022.

B0625722 Geico Add 2, Relocate 1 sprinkler for TI
Last inspection: November 8, 2022

P0273622 Landwork Suite A Landlord work Suite A - running a new drainage line from outside into the building for a bathroom and a lunch sink.
Last inspection November 29, 2022

E0737122 Geico portion of building. Work: new circuits for general outlets & lighting.
Last inspection occurred November 18, 2022

The structure with incomplete permits has a business operating with staff and customers entering, is a violation of Chapter 9.02 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the violations, please complete one of (or a combination of) the following options **not later than April 24, 2023**:

- Please renew all above listed permits and obtain all required inspections.
 - Respond to requests for clarification or additional information from permitting staff within 15 days of receiving such request.

Or:

- Remove the unpermitted construction. Please be advised that if you choose to do so – you may still be required to obtain permits to confirm the remaining construction and utilities are code compliant. Please schedule an inspection not later than May 24, 2023 to confirm.

This requires a Certificate of Occupancy to be completed. Please complete all requirements for the Certificate of Occupancy **not later than May 24, 2023**.

If you have questions concerning the building permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, or via email at bldservice@clackamas.us. You may also find information on the County's website at <https://www.clackamas.us/building>.

You may also visit the County's offices at 150 Beaver Creek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8 a.m. to 4 p.m., Monday, Tuesday and Thursday. The building is closed to the public on Wednesdays and Fridays, however, our services are available online, by phone or by email. It is recommended that you check the Clackamas County webpage for hours of operation before visiting.

If you have any questions for me you may reach me at 503-742-4457 and my email is kimben@clackamas.us.



Kimberly Benthin
Code Enforcement Specialist
Code Enforcement Section

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.



Citation No. 230098-1

Case No. V0009823

ADMINISTRATIVE CITATION

Date Issued: April 26, 2023

Name and Address of Person(s) Cited:

Name: Fortuity LLC
Mailing Address: 501 NE 224th Circle
City, State, Zip: Ridgefield WA 98642

Date Violation(s) Confirmed: On the 23rd day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 10800 SE 82nd Ave., Happy Valley, OR 97086

Legal Description: T1S, R2E Section 33BB, Tax Lot 00800

Law(s) Violated

- Chapter 7.03 of Clackamas County Code, Road Use, Section
- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A,B,C,D)
- Chapter 9.03 of CCC Excavation and Grading, Section
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C,D)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- Other law: _____

Description of the violation(s):

- 1) The commercial structure at the subject address is open for business allowing the public to enter without completed permits or the Tenant Improvement permit completed with all required inspections. The Certificate of Occupancy also has not been completed

Maximum Civil Penalty \$1000.00

Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Kimberly Benthin
Telephone No.: 503-742-4457

Date: April 26, 2023
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 Beaver Creek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____

Violation File # : V0009823



March 14, 2023

Fortuity LLC
501 NE 224th Cir
Ridgefield, WA 98642

Oleg Lupekha - Registered Agent
10800 SE 82nd Ave
Happy Valley, OR 97086

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 510, and Building Codes, Chapter 9.01.100

Site Address: 10806 SE 82nd Ave Happy Valley, OR 97086
Legal Description: T1S, R2E, Section 33BB, Tax Lot 00800

It has come to the attention of Clackamas County Code Enforcement that construction of an indoor play structure and/or a remodel may have been completed without the benefit of permits. Also a commercial structure may be occupied without a certificate of occupancy.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 510, and Building Codes, Chapters 9.01.100 and 9.02.040 of the Clackamas County Code.

Please contact Kimberly Benthin, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is kimben@clackamas.us

Telephone number is 503-742-4457

**Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

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환영합니다. Korean

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오.

CLACKAMAS FIRE DISTRICT #1

INSPECTION REPORT

RAINDROPS PLAYHOUSE, 10806 SE 82ND AVE, BLDG UNKNOWN, HAPPY VALLEY OR 97086



DETAILS

Inspection Date: 03/15/2023 | Inspection Type: INSPECTION - Special | Inspection Number: 26219 | Shift: N/A | Station: N/A | Unit: N/A | Lead Inspector: SHAWN OLSON | Other Inspectors: VALERE LILJEFELT

STATUS	CODE	DESCRIPTION
FAIL	OFC 102.3 - CHANGE OF USE OR OCCUPANCY	<p>A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code and the International Existing Building Code. Exception: Where approved by the building official, a change of occupancy shall be permitted without complying with the requirements of this code and the International Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.</p> <p>Inspector: VALERE LILJEFELT - Comments: GO THROUGH BUILDING DEPARTMENT PERMITS FOR CHANGE OF OCCUPANCY PERMIT.</p>
FAIL	OFC 1032.1 - MAINTENANCE OF THE MEANS OF EGRESS	<p>The means of egress for buildings or portions thereof shall be maintained in accordance with this section. Overcrowding conditions shall be abated in accordance with Section 109.6.</p> <p>Inspector: VALERE LILJEFELT - Comments: BACK EXIT DOOR EXITS TO GATED AREA. REMOVE GATE TO ALLOW ESCAPE FROM FENCED AREA. GO THROUGH BUILDING DEPARTMENT PERMITTING FOR RAMP REQUIREMENTS AND CONSTRUCTION.</p>
FAIL	OFC 1032.4 - EXIT SIGNS	<p>Exit signs shall be installed and maintained in accordance with the building code that was in effect at the time of construction and the applicable provisions in Section 1104. Decorations, furnishings, equipment or adjacent signage that impairs the visibility of exit signs, creates confusion or prevents identification of the exit shall not be allowed.</p> <p>Inspector: VALERE LILJEFELT - Comments: BACK EXIT DOOR LIGHT IS NON-FUNCTIONING. REPAIR OR REPLACE AS REQUIRED.</p>
FAIL	OFC 509.1 - IDENTIFICATION OF FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS	<p>Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems or fire protection systems shall be identified for the use of the fire department. Approved signs required to identify fire protection system equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.</p> <p>Inspector: VALERE LILJEFELT - Comments: ADD SIGN "FACP" TO SPRINKLER RISER ROOM DOOR FOR IDENTIFICATION OF FIRE ALARM PANEL LOCATION</p>

STATUS	CODE	DESCRIPTION
FAIL	OFC 901.6 - INSPECTION, TESTING AND MAINTENANCE	<p>Fire protection and life safety systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Nonrequired fire protection and life safety systems and equipment shall be inspected, tested and maintained or removed in accordance with Section 901.8. Single- and multiple-station smoke alarms and carbon monoxide alarms installed in Group R-1 and R-2 occupancies shall also be in accordance with NFPA 72, ORS 90.325 and ORS 479.295</p> <p>Inspector: VALERE LILJEFELT - Comments: PROVIDE ANNUAL SERVICE PAPERWORK FOR FIRE ALARM ANNUAL SERVICE</p>
FAIL	OFC 903.5 - TESTING AND MAINTENANCE	<p>Sprinkler systems shall be tested and maintained in accordance with Section 901.</p> <p>Inspector: VALERE LILJEFELT - Comments: PROVIDE ANNUAL FIRE SPRINKLER REPORT</p>
FAIL	OFC 906.1 - FIRE EXTINGUISHERS	<p>Portable fire extinguishers shall be installed in all of the following locations: 1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies. Exceptions: 1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1- A:10-B:C. 2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2- A:20-B:C. 3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following: 3.1. Use of vehicle-mounted extinguishers shall be approved by the fire code official. 3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer or the fire code official for vehicular use. 3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher. 3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers. 3.5. Inspections of vehicle-mounted extinguishers shall be performed daily. 2. Within 30 feet distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I-1; I-2, Condition 1; and R-2 college dormitory occupancies. 3. In areas where flammable or combustible liquids are stored, used or dispensed. 4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1. 5. Where required by the sections indicated in Table 906.1. 6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official. Exception: Portable fire extinguishers are not required at normally unmanned Group U occupancy buildings or structures where a portable fire extinguisher suitable to the hazard of the location is provided on the vehicle of visiting personnel where approved by the fire code official.</p> <p>Inspector: VALERE LILJEFELT - Comments: FIRE EXTINGUISHERS REQUIRE THEIR ANNUAL SERVICE</p>
FAIL	OFC 906.7 - HANGERS AND BRACKETS	<p>Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.</p>

STATUS	CODE	DESCRIPTION
---------------	-------------	--------------------

Inspector: VALERE LILJEFELT - Comments: HANG FIRE EXTINGUISHER IN TAMPER PROOF EXTINGUISHER BOX. OR MOUNT ON WALL AT 5' HIGH.

FAIL OFC 907.2 - WHERE REQUIRED - NEW BUILDINGS AND STRUCTURES

An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed. For Group R-2 occupancies, the manual fire alarm box shall not be located in an area that is open to the public. Exception: The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.

Inspector: VALERE LILJEFELT - Comments: STROBE LIGHTS REQUIRED IN PARTY ROOMS

REINSPECTION DATE

04/14/2023

CONTACT SIGNATURE

HEATHER SMITH
Signed on: 03/15/2023 @ 11:38



INSPECTOR SIGNATURE

SHAWN OLSON
Signed on: 03/15/2023 @ 11:38



QUESTIONS ABOUT YOUR INSPECTION?

SHAWN OLSON
Shawn.Olson@clackamasfire.com
(503) 742-2663



Raindrops Playhouse

114 likes • 148 followers

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Intro

Nestled in Happy Valley, we offer 8000 ft. of indoor all year round play. We can't wait to see you!

- Page · Playground · Amusement & Theme Park
- 10806 SE 82nd Ave , Happy Valley, OR, United States, Oregon
- (503) 850-7246
- raindropsfuntoday@gmail.com
- raindrops.fun
- Closed now

Posts

Filters



Raindrops Playhouse is in Happy Valley, OR.

17h · 🌐

Pssstt 🤫 Parents, did you know we have massage chairs? Yup that's right!! Come sit in these beauties while your little ones get out some energy.

#rdppdx #jumping #kids #children #portland #playplace #adventure #wildandfree #friends #happiness #kidsplaying #bestfriends #positiveparenting #parenting #parentlife #parentingadvice #toddlerfun #junglegym #portland #portlandplayhouse #portlandkidsactivities #portlandkids #pdxkidsplay #pdxplayground #pdxplaygrounds #pdxindoorjungle #pdxindoorplayground



Raindrops Playhouse

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Raindrops Playhouse

January 21 · 🌐



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Raindrops Playhouse

January 14 · 🌐



Come in and see us this weekend!!! We will be open this Monday for MLK Day! Bring your family! See you soon!!

👍 2

2 comments

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Raindrops Playhouse updated their cover photo.

January 14 · 🌐



creat



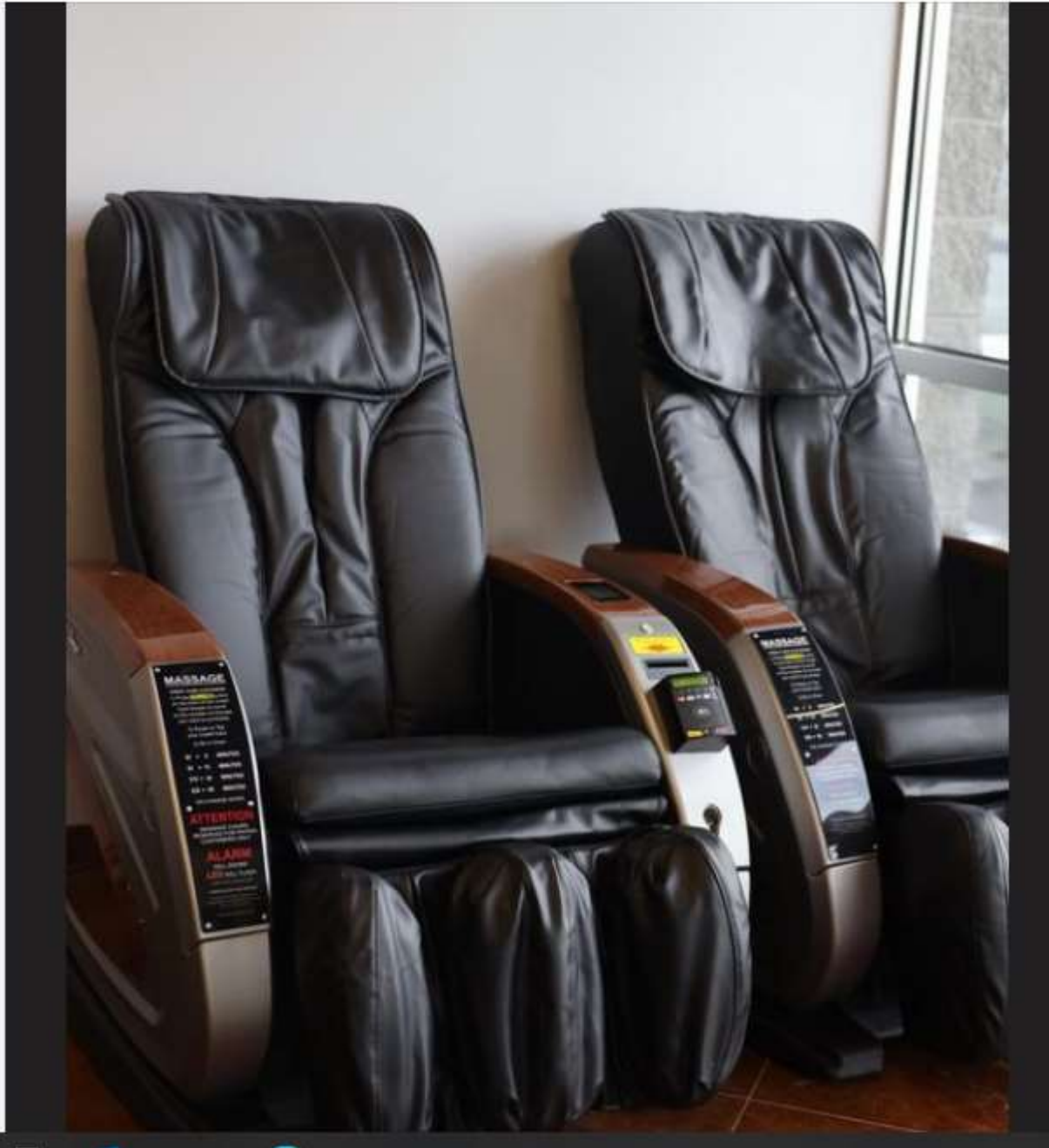
Raindrops Playhouse is in Happy Valley, OR.

17h · 🌐



Pssstt 🤫 Parents, did you know we have massage chairs? Yup that's right!! Come sit in these beauties while your little ones get out some energy.

#rdppdx #jumping #kids #children #portland #playplace #adventure #wildandfree #friends #happiness #kidsplaying #bestfriends #positiveparenting #parenting #parentlife #parentingadvice #toddlerfun #junglegym #portland #portlandplayhouse #portlandkidsactivities #portlandkids #pdxkidsplay #pdxplayground #pdxplaygrounds #pdxindoorjungle #pdxindoorplayground



Benthin, Kim

From: Amend, Michelle
Sent: Thursday, March 16, 2023 1:33 PM
To: Benthin, Kim
Cc: Morris, Robert; Moreland, Tom
Subject: FW: Rain Drop Playhouse-10806 SE 82nd Ave.

Good afternoon,

I want to make sure we are all on the same page so am copying everyone on this email. Please see the below information from Shawn Olson. This information is for our file and Shawn Olson wanted to make sure we are clear on his concerns.

Take care,
Michelle

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Thursday, March 16, 2023 1:28 PM
To: Amend, Michelle <MAmend@clackamas.us>
Subject: Rain Drop Playhouse-10806 SE 82nd Ave.

Warning: External email. Be cautious opening attachments and links.

Michelle,

Here are my concerns relating to Rain Drop Playhouse located at 10806 SE 82nd ave.

Order of priority:

1. Improper lack of egress. The SE exit door path of egress is blocked by a chain link fence. There is no stairwell or ramp. This is a loading dock with an approximate drop of 3 to 4 feet.
2. No change of occupancy or there is a lack of certificate of occupancy.
3. There are inadequate fire alarm notification appliances within the building. The party rooms have notification appliances.
4. Unpermitted work on fire sprinkler system and fire alarm system.

Please let me know where I can assist if needed.

Thank you,

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1

WWW.CLACKAMASFIRE.COM

503-742-2600

Benthin, Kim

From: Morris, Robert
Sent: Friday, March 17, 2023 9:42 AM
To: Amend, Michelle; Moreland, Tom; Benthin, Kim
Cc: Carlson, Richard
Subject: RE: 10806 SE 82nd Ave
Attachments: Email string 1.pdf; Email string 2.pdf

Hello Everyone,

Here's a synopsis of the recent, pertinent building permit history for this building (mechanical, electrical, and plumbing permits are not included for clarity):

- TI building #B0138820 was issued on 4/22/20, for alterations (new demising walls) and a change of occupancy/use (from a mattress store to an insurance office, M to B, at 10800 SE 82nd Ave.).
 - This permit was approved for final inspection on 5/7/20.
- TI permit application (#B0321122) was applied for on 5/22/22, for a proposed "Kids Play Gym" in the newly created suite next door to the Geico office (newly identified as 10806 SE 82nd), with Rudy Pino as the applicant and Darin Bouska as the designer (in response to initial plan review comments, subsequent plan revisions were stamped/signed by Bruce Goldson, P.E. with KG Consultants).
 - This permit application was not accepted until 11/4 due to prescreen corrections, and was originally assigned to Heidi for plan review, but was later re-assigned to me after I became aware of it while reviewing the submittals for fire sprinkler permit #B0329122.
 - This permit has not yet been approved or issued, with significant code (fire and life safety) issues remaining to be adequately addressed.
- Fire sprinkler permit #B0329122 was applied for on 5/25/22, to remove heads under a suspended ceiling which was to be removed within the "Kids Play Gym" space.
 - This permit application was not accepted until 8/31 due prescreen corrections.
 - This permit has not yet been approved or issued. I am currently waiting for the TI permit under #B0321122 to be approved and issued before resuming plan review for this permit.
- On 9/2/22, after receiving the assignment to review fire sprinkler permit #B0329122, I sent an email (see attached "Email string 1") to the applicant for permit #B0138820 (Chelsea Rodgers, Architect), reminding them of the need for a fire sprinkler permit and CofO application for the Geico occupancy/suite.
 - I later received a phone call from Darin Bouska (DBA: NW Precision Design), who was hired by the Geico owner, requesting information on the initial TI permit #B0138820 for

his reference so that he can help with future permitting. This is when I was first informed about Rudy Pino's intent to construct a "play gym" in the unoccupied suite next door to his Geico office (now identified as 10806 SE 82nd Ave.).

- See attached "Email string 2" for ensuing correspondence between Darin, Rudy, and fire sprinkler contractor James Ruark.
- Fire sprinkler permit #B0625722 (affidavit path, no plan review) was applied for and issued on 10/10/22, for sprinkler alterations within the Geico suite.
 - This permit has had 1 inspection, but has not yet been approved for final inspection.
- CofO application #C0012222 was applied for on 10/28/22, for the Geico occupancy.
 - This was originally approved by BCD staff between 10/28 and 10/31.
 - I re-activated all BCD tasks today (3/17), due to the open TI permit under #B0620222 and fire sprinkler affidavit permit #B0625722.
 - This CofO has not yet been issued.
- TI building permit #B0620222 was applied for on 11/4/22 and issued on 11/30/22, for more alterations within the Geico suite (add a bathroom and IT closet).
 - This permit has had 4 inspections, but has not yet been approved for final inspection.

I believe that I have covered all significant occurrences within the list above. Please let me know if additional information is needed.

Best Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

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CLICK A SMILEY

Morris, Robert

From: Morris, Robert
Sent: Friday, September 2, 2022 9:33 AM
To: 'Pino, Rudi'; Chelsea Rodgers
Cc: Building Public Service
Subject: RE: Geico - Tenant Improvement and Change of Occupancy Project @ 10800 SE 82nd Ave., Happy Valley (Permit #B0138820)

Hello Rudi,

The previous message pertains to the Geico occupancy, not the future TI within the adjacent tenant suite.

I should add that the low voltage electrical permit (#E0234120) for the Geico TI project has also expired without final inspection approval (inspections had ever been scheduled for this permit). Please also renew this electrical permit and obtain final inspection approval.

Thank you,

Robert Morris
Commercial Plans Examiner
Clackamas County - Transportation and Development
Building Codes Division
RMorris@clackamas.us
971-378-9764
150 Beaver Creek Rd., Oregon City, OR 97045

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From: Pino, Rudi <RuPino@geico.com>
Sent: Friday, September 2, 2022 9:28 AM
To: Morris, Robert <RMorris@clackamas.us>; Chelsea Rodgers <obsidiandesignpdx@gmail.com>
Cc: Building Public Service <BldService@clackamas.us>
Subject: Re: Geico - Tenant Improvement and Change of Occupancy Project @ 10800 SE 82nd Ave., Happy Valley (Permit #B0138820)

Warning: External email. Be cautious opening attachments and links.

Hi All - To give an update: the change in occupancy plans have not been finalized yet for the other tenant (not GEICO) and the fire sprinkler plans are now being submitted for work to happen at the end of this month.

We should be able to get the low voltage Electrical and IT tower moved in the meantime so my GEICO office can be up and running again. Is this possible? We already have occupancy for my side of tenancy.

Rudi PINO

Sent by GEICO AirWatch Boxer

On September 2, 2022 at 9:21:45 AM PDT, Morris, Robert <RMorris@clackamas.us> wrote:

***** CAUTION: EXTERNAL EMAIL. This email originated from outside the company. Do not open attachments or click on links from unknown or suspicious senders. Report suspicious emails using the Phish Alert Button *****

Dear Chelsea Rodgers,

Regarding the Geico tenant improvement and change of occupancy project at 10800 SE 82nd Ave., Happy Valley (Permit #B0138820):

1. According to the approved plans (copy attached), fire sprinkler system alterations were to be performed under a separate permit. According to permit records for the subject address, this fire sprinkler permit had not been applied for... and it is unclear whether the alterations were completed without the required permit, or whether alterations were determined to be unnecessary. Please let us know why a fire sprinkler permit had not been obtained for this project, and whether the currently existing system complies with the requirements of NFPA 13-2016 (considering the interior partition walls which were constructed as part of this project).
2. A certificate of occupancy was to be applied for and issued prior to the occupancy of the subject tenant space (as required per OSSC Section 111, and as indicated on the approved plan), however this had not been completed. Please contact our Permits staff at bldservice@clackamas.us or 503-742-4240 to submit an [application](#) and begin the [CofO process](#).

If there are questions, or if we can help in any way, please let us know.

Best Regards,

Robert Morris
Commercial Plans Examiner
Clackamas County - Transportation and Development
Building Codes Division
RMorris@clackamas.us
971-378-9764

150 Beaver Creek Rd., Oregon City, OR 97045

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Morris, Robert

From: NW Precision Design (Darin) <darin@nw-precision.com>
Sent: Tuesday, October 4, 2022 12:17 PM
To: Morris, Robert; Rudi Pino | PINO CAPITAL; James Ruark
Cc: Vanport Service
Subject: Re: Geico TI (B0138820)

Warning: External email. Be cautious opening attachments and links.

Thanks Robert.

I just reviewed everything with Rudi and think we have a handle on it now. There was just a bit of a 'hiccup', as we originally had all work together, rather than separated. We also needed to have a new address assigned and now have a clear path forward.

We will get the C of O application sent in for the original GEICO TI, to get that taken care of and will have a new Permit, for the new work, being proposed.

Thanks again,
Darin

NW Precision Design
17407 SW Inkster Drive
Sherwood, OR 97140
Phn: (503)680-6444
email: darin@nw-precision.com

From: "Morris, Robert" <RMorris@clackamas.us>
Date: Tuesday, October 4, 2022 at 11:49 AM
To: Rudi Pino | PINO CAPITAL <rudi@pinocap.com>, James Ruark <jamesr@vanportmech.com>, "NW Precision Design (Darin)" <darin@nw-precision.com>
Cc: Vanport Service <service@vanportmech.com>
Subject: RE: Geico TI (B0138820)

Dear Mr. Pino,

According to county records, a certificate of occupancy had not been applied for (nor issued) for the Geico business at 10800 SE 82ND AVE, HAPPY VALLEY. Please send the attached application form to bldservice@clackamas.us to begin the CofO approval process.

Best Regards,

Robert Morris

Commercial Plans Examiner
Clackamas County - Transportation and Development
Building Codes Division
RMorris@clackamas.us
971-378-9764
150 Beaver Creek Rd., Oregon City, OR 97045

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From: Rudi Pino | PINO CAPITAL <rudi@pinocap.com>

Sent: Tuesday, October 4, 2022 11:30 AM

To: James Ruark <jamesr@vanportmech.com>; NW Precision Design (Darin) <darin@nw-precision.com>

Cc: Morris, Robert <RMorris@clackamas.us>; Vanport Service <service@vanportmech.com>

Subject: Re: Geico TI (B0138820)

Warning: External email. Be cautious opening attachments and links.

Darin - Please send James the **plans he needs** and answers to the questions and requests sent to James from Robert Morris at the city (See below in this email).
Looks like we need to clarify that there is already a **cert of occupancy for GEICO - we're just doing a light remodel of adding a bathroom (That's it)**.

Hello James,

Regarding the current fire sprinkler application (B0329122):

- We will need a revised application that lists the new address.
- Please respond to the review comments for this permit after:
 - the TI permit application for the play gym TI/occupancy has been approved, and
 - the Geico certificate of occupancy has been issued.

As for the fire sprinkler permit addressing alterations within the Geico space, this permit can be approved and issued without a plan review under an [affidavit](#)... but the timing of this permitting/work may affect CofO approval and issuance. I suggest that the Geico CofO be issued prior to commencing with additional permit applications and/or alterations, to avoid any additional confusion or complications.

Best Regards,

Robert Morris

Commercial Plans Examiner

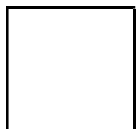
Clackamas County - Transportation and Development

Building Codes Division

RMorris@clackamas.us

971-378-9764

150 Beaver Creek Rd., Oregon City, OR 97045



Rudi Pino | Executive
PINO Capital | rudi@pinocap.com | 360-921-9099

On Wed, Sep 28, 2022 at 1:49 PM James Ruark <jamesr@vanportmech.com> wrote:

Rudi and Darin,

Please let me know when these permits have been issued so I can get my re-submittal in.

Looks like we may have to postpone the work scheduled for October 4th if I cannot get a permit before then?

Thanks,

James

From: Morris, Robert <RMorris@clackamas.us>
Sent: Wednesday, September 28, 2022 12:03 PM
To: James Ruark <jamesr@vanportmech.com>; NW Precision Design (Darin) <darin@nw-precision.com>
Cc: Rudi Pino PINO CAPITAL <rudi@pinocap.com>
Subject: RE: Geico TI (B0138820)

Hello James,

Regarding the current fire sprinkler application (B0329122):

- We will need a revised application that lists the new address.
- Please respond to the review comments for this permit after:
 - the TI permit application for the play gym TI/occupancy has been approved, and
 - the Geico certificate of occupancy has been issued.

As for the fire sprinkler permit addressing alterations within the Geico space, this permit can be approved and issued without a plan review under an [affidavit](#)... but the timing of this permitting/work may affect CofO approval and issuance. I suggest that the Geico CofO be issued prior to commencing with additional permit applications and/or alterations, to avoid any additional confusion or complications.

Best Regards,

Robert Morris

Commercial Plans Examiner

Clackamas County - Transportation and Development

Building Codes Division

RMorris@clackamas.us

971-378-9764

150 Beaver Creek Rd., Oregon City, OR 97045

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From: James Ruark <jamesr@vanportmech.com>

Sent: Wednesday, September 28, 2022 11:41 AM

To: Morris, Robert <RMorris@clackamas.us>; NW Precision Design (Darin) <darin@nw-precision.com>

Cc: Rudi Pino PINO CAPITAL <rudi@pinocap.com>

Subject: RE: Geico TI (B0138820)

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Robert,

Just to clarify:

I will re-submit a drawing for Kid's play gym showing the revised address and cloud area of work associated with B0329120. Do I still need to address the comments regarding the building permit? Do I need to upload a new application?

And, I will submit for a new permit for the Geico tenant space under Building Permit B0329122 showing the (3) sprinklers being modified. Affidavit?

Please verify.

Thanks,

JAMES RUARK (jamesr@vanportmech.com)

VANPORT MECHANICAL & FIRE SPRINKLERS, INC.

6101 NE 127th Ave., Suite 200

Vancouver, WA. 98682

Phone (360) 256-9838 or (503) 241-2311

Fax (360) 256-5886

Website: www.vanportmech.com

WA: VANPOMF851QS, WA. ELEC: VANPOMF850QJ, OR: 208502

From: Morris, Robert <RMorris@clackamas.us>
Sent: Wednesday, September 28, 2022 9:26 AM
To: NW Precision Design (Darin) <darin@nw-precision.com>
Cc: James Ruark <jamesr@vanportmech.com>
Subject: RE: Geico TI (B0138820)

Hello Darin,

Thanks for this clarification - it sounds like fire sprinkler work was not necessary for the previous Geico TI project, although it was listed on the plans by the project architect. I will await the TI permit submittals before proceeding with plan review for the current sprinkler application under #B0329122 (James with Vanport is copied in this response).

Best Regards,

Robert Morris

Commercial Plans Examiner

Clackamas County - Transportation and Development

Building Codes Division

RMorris@clackamas.us

971-378-9764

150 Beaver Creek Rd., Oregon City, OR 97045

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From: NW Precision Design (Darin) <darin@nw-precision.com>

Sent: Wednesday, September 28, 2022 8:38 AM

To: Morris, Robert <RMorris@clackamas.us>

Subject: Re: Geico TI (B0138820)

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Sounds good.

Just to confirm, there was never any Sprinkler scope, in the initially GEICO Occupancy Permit; the work being done now, will be done under a new permit.

Thanks again,

Darin

From: "Morris, Robert" <RMorris@clackamas.us>
Date: Wednesday, September 28, 2022 at 7:56 AM
To: "NW Precision Design (Darin)" <darin@nw-precision.com>
Subject: RE: Geico TI (B0138820)

Hello Darin,

The demising wall work can be under the play gym's TI permit, but if there will be alterations to the Geico suite: A new TI permit application will be needed for that work.

Thank you,

Robert Morris

Commercial Plans Examiner

Clackamas County - Transportation and Development

Building Codes Division

RMorris@clackamas.us

971-378-9764

150 Beavercreek Rd., Oregon City, OR 97045

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From: NW Precision Design (Darin) <darin@nw-precision.com>

Sent: Sunday, September 25, 2022 1:31 PM

To: Morris, Robert <RMorris@clackamas.us>

Cc: Carlson, Richard <richardcar@clackamas.us>

Subject: Re: Geico TI (B0138820)

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Robert, it appears they have now altered the Demising Wall location, with the proposed adjacent tenant. Also, they are adding a Bathroom and Storage Closet, within an existing room not shown on these plans.

Not entirely sure how to handle this, other than a new Permit, since the last one was 'Finaled'?

Can you give me a call to discuss, I don't want to submit anything before clarifying.

Thank you,

Darin

NW Precision Design

17407 SW Inkster Drive

Sherwood, OR 97140

Phn: (503)680-6444

email: darin@nw-precision.com

From: "Morris, Robert" <RMorris@clackamas.us>
Date: Friday, September 23, 2022 at 10:59 AM
To: "NW Precision Design (Darin)" <darin@nw-precision.com>
Subject: Geico TI (B0138820)

Hi Darin,

See attached for a copy of the approved plans and the inspection records for the Geico TI under #B0138820.

Thank you,

Robert Morris

Commercial Plans Examiner

Clackamas County - Transportation and Development

Building Codes Division

RMorris@clackamas.us

971-378-9764

150 Beaver Creek Rd., Oregon City, OR 97045

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To: jamesr@vanportmech.com

Message Score: 45

High (60): Pass

From: rmorris@clackamas.us

My Spam Blocking Level: Low

Medium (75): Pass

Low (90): Pass

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To: jamesr@vanportmech.com

Message Score: 45

High (60): Pass

From: rmorris@clackamas.us

My Spam Blocking Level: Low

Medium (75): Pass

Low (90): Pass

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Benthin, Kim

From: Amend, Michelle
Sent: Friday, March 17, 2023 11:29 AM
To: Morris, Robert; Moreland, Tom; Bell, Cheryl; Benthin, Kim; FIRE DIST BORING SHAWN OLSON
Subject: 10806SE 82nd

Good morning,

I called and spoke to both owners of the business Raindrop's Playhouse, Heather Smith and Nicole Caesar (503-740-9861) this morning. Rudi is the building owner and I did not speak to Rudi. I wanted to give them a heads-up of how critical the fire and life safety concerns are and that we may post the building/business as a dangerous building next week if we do not get the critical items addressed immediately. They let me know they have had issues with the building owner not doing what he said he would but now understand how imminent these issues are and have decided they need to address the issues themselves even if he won't.

Both Heather and Nicole understand how critical some of these issues are and want to start work on them immediately. They stated they knew the egress issue was critical but the building owner would not let them unlock the back gated area. They stated they will address the issue immediately. They knew they would not be able to build stairs and possibly a ramp in a day or two and I told them to work with Robert Morris to come up with a plan to make the business safe for the kids. I let them know that Kim is working on the code enforcement case and would also be a good resource. I have given them Robert Morris' phone number again, Kim Benthin's number and Shawn Olson's number to make sure they had what they need. They will call Robert this morning to start working today on these issues. They asked good questions and really sound sincere in wanting to get these issues abated. I told them we will continue to help them and work with them through this process.

Thanks again for everyone's help. It is very important we keep the kids and families safe in this structure and I think we have a good plan.

Please let me know if you have any questions.

Take care,
Michelle

Michelle Amend, Code Enforcement Supervisor
Code Enforcement
Department of Transportation and Development
150 Beaver Creek Rd.
Primary Phone: 503-742-4785
www.clackamas.us
Hours: M-F from 7:30 a.m. until 4:00 p.m.
Lobby hours 8:00 a.m. until 4:00 p.m. Monday, Tuesday, and Thursday

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Benthin, Kim

From: Morris, Robert
Sent: Friday, March 17, 2023 3:35 PM
To: Amend, Michelle; Benthin, Kim
Subject: FW: Daycare on 82nd

Hello,

Quick FYI - I just spoke with the architect listed below, who says he will be submitting a new building permit application early next week along with new plans and documents.

Have a great weekend,

Robert Morris, Commercial Plans Examiner Building Codes Division Clackamas County Department of Transportation and Development
150 Beavercreek Rd., Suite 225, Oregon City, OR 97045
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-----Original Message-----

From: Alex Porter <porter@mdlshp.com>
Sent: Friday, March 17, 2023 3:08 PM
To: Morris, Robert <RMorris@clackamas.us>
Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>
Subject: Daycare on 82nd

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Hi Robert,

Just left you a voicemail, I'll be helping Nicole and Heather sort this out going forward.

Our intention is to file a new permit application immediately and seek approvals for a TCO so they can remain open during review. Clearly this has been an unusual process - looking forward to discussing solutions with you.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR 97212

Benthin, Kim

From: Amend, Michelle
Sent: Monday, March 20, 2023 7:04 AM
To: Alex Porter; Nicole Ceaser; Benthin, Kim; Morris, Robert
Cc: Heather Smith; FIRE DIST BORING SHAWN OLSON
Subject: RE: Raindrops Playhouse

Good morning,

Alex, thank you for reaching out to us with your information. I have copied Kim Benthin to this email. She is the Code Enforcement Specialist that will be working on this case and is working with Robert Morris. Kim will be the best contact for this case moving forward. I will continue to work with both Nicole and Heather regarding the Dangerous Building portion on this case. Nicole thank you for the updates. The updates will help when working with our acting Building Official for next steps. Once I meet with her I will get back to you with my update.

Thank you,

Michelle Amend, Code Enforcement Supervisor
Code Enforcement
Department of Transportation and Development
150 Beaver Creek Rd.
Primary Phone: 503-742-4785
www.clackamas.us
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From: Alex Porter <porter@mdlshp.com>
Sent: Monday, March 20, 2023 2:04 AM
To: Nicole Ceaser <nicoleceaser73@gmail.com>; Amend, Michelle <MAmend@clackamas.us>
Cc: Heather Smith <heatherdevonn@gmail.com>; FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>
Subject: RE: Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Nicole thanks for the intro and visibility

Hello all – below is my contact information should you need to reach me.

I'll be combing through the plan check comments and updating a set for submittal in the morning with the intention of getting a new permit process started asap. It seems a lot of good has happened in a very short amount of time – looking forward to getting up to speed and helping us all find adequate resolutions to the items at hand.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Nicole Ceaser](#)
Sent: Sunday, March 19, 2023 11:40 PM
To: MAmend@clackamas.us
Cc: Heather Smith; shawn.olson@clackamasfire.com
Subject: Raindrops Playhouse

Hi Michelle/Shawn,

I feel we have made extreme progress over the last few hours/days that we have been given and will continue to do so. Please see our progress below and let us know if you have any questions. Thank you.

1. Our original architect Alex Porter has stepped back in and is going to take the project to the end. He spoke to Robert Morris on Friday and informed him that he will be reapplying under the new code on Monday. He has also made contact with our current structural engineer, Kevin Goldsmith as well. Michelle, you should've also received a voicemail message from Alex with his contact information. We are confident between him and Robert Morris. We can get this done in a timely fashion.
2. Friday I also spoke to James with Vanport Mechanical and Sprinkler and was told that his permit is currently being held up by the building permit. This was also confirmed by Robert Morris and that there is nothing else they can do currently but are ready and willing to head to get their permit as soon as we give them the green light.
3. Friday I also spoke to Eric, the owner of Huser Fire, whom we have used for over 10 years now in the past with our other businesses for our annual inspections, and they so kindly said they will be out Monday morning at 8 AM to complete several of the inspections requested by Shawn. They will also be installing things such as additional fire extinguishers and doing several tests. They will spend several hours there as well.
4. Friday I also spoke with the scheduler at Orient Electric and explained to her our urgency, and they will be out Tuesday morning to install the strobe lights in the party rooms as Shawn requested.

5. On Friday we had the exit sign over our back egress door fixed as it wasn't lighting for some reason. This was per Shawn's request.

6. The fire alarm panel location has been labeled with an FACP label as well per Shawn's request.

7. On Friday our owner Rudi Pino spoke to Shawn on the phone about what he was requesting for a safe exit out of the back egress door and over the weekend. They have been working on that as well and of course we are leaving the gate unlocked during business hours for sure too.

8. Per Shawn's request we have mounted our fire extinguisher as requested.

These are our current updates, but we are confident we can get everything completed that has been asked of us as soon as possible and of course we feel our environment is safe for children. We will provide the next update soon and please let us know if you need any contact numbers for any of these groups. Thank you.

Nicole & Team

Benthin, Kim

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Monday, March 20, 2023 1:09 PM
To: Morris, Robert; Liljefelt, Valere; Amend, Michelle; Benthin, Kim; Moreland, Tom
Subject: Re: Rain Drop Playhouse-10806 SE 82nd Ave. (PERMIT #B0321122)

Warning: External email. Be cautious opening attachments and links.

Good Afternoon All,

I went to Rain Drop Playhouse. They have completed the fire sprinkler annual testing, repaired the exit sign, and added fire extinguishers. Still need to provide second means of egress, but it sounds like that is getting worked on. Fire alarm notification appliances still need to be added to the party rooms.

I appreciate the direction the owners are going in getting these items done in a timely manner.

Almost there. Hopefully within a day or so, a temporary solution is provided for the secondary egress. There were at least 15 to 20 adults and children there when I was on site.

Thank you,

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1
WWW.CLACKAMASFIRE.COM
503-742-2600



March 20, 2023

Violation File No.# V0009123

Fortuity LLC
Oleg Lupekha, Registered Agent
10800 SE 82nd Ave
Happy Valley OR 97086

Nicole Ceaser
10972 SE Celano Ct
Happy Valley OR 97086

Raindrops Playhouse LLC
Nicole Ceaser, Registered Agent
10800 SE 82nd Ave Ste B
Happy Valley OR 97086

Heather Smith
738 SE Hale Pl
Gresham, OR 97080

**Subject: Violations of the Clackamas County Building Code Title 9
Chapter 9.02.040(A, B, C, D)**

Site Address: 10806 SE 82nd Ave, Happy Valley OR 97086
Legal Description: T1S, R2E, Section 33BB, Tax Lot 00800

As you know, the business Raindrops Playhouse is **open and operating** in the structure at the above referenced address without the benefit of all required permits and inspections including but not limited to tenant improvement work (permit # B0321122) and sprinkler system modifications (permit # B0329122).

Documents were submitted for permits #B0321122 and B0329122 in May of 2022. However, the requests from the Building Department for necessary and required information to review these permits has not been completed. As of the date of this letter, the permit submissions have not been completed and therefore the permits have not been issued. (See enclosed plan review comments.)

This is a violation of Chapter 9.02 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the building code violations, please the following options **not later than April 20, 2023**:

- Please submit, or have your professional submit, **ALL** requested information for permits B0321122 and B0329122
 - Respond to any additional requests for clarification or information from permitting staff within 15 days of receiving such request.

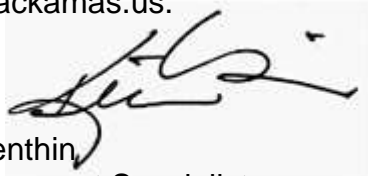
- The permits must have the fees paid in full within ten days of your being notified by Building Codes in order to prevent delay of the issuance of permits.
- Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permits.
- **And**, Please submit, or have your professional submit, all building permit application(s), with full and technical information and plans and fees for all needs such as plumbing, electrical, and mechanical technically complete plans.
 - Respond to requests for clarification or additional information from permitting staff within 15 days of receiving such request.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes in order to prevent delay of the issuance of permits.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).
- **And/Or**: Cease operating the business “Raindrops Playhouse” and cease allowing the public entrance to this site until such time as the location is in compliance with the Building Code.
- **And** Complete a Certificate of Occupancy.

Permits are accepted online only, for more information on this process please refer to the County’s website at <https://www.clackamas.us/development-direct>.

If you have questions concerning the building permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, or via email at bldservice@clackamas.us . You may also find information on the County’s website at <https://www.clackamas.us/building>.

You may also visit the County’s offices at 150 Beavercreek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8 a.m. to 4 p.m., Monday, Tuesday and Thursday. The building is closed to the public on Wednesdays and Fridays, however, our services are available online, by phone or by email. It is recommended that you check the Clackamas County webpage for hours of operation before visiting.

If you have questions for me you may call 503-742-4457 and my email is kimben@clackamas.us.



Kimberly Benthin,
Code Enforcement Specialist
Code Enforcement Section

cc: Oleg Lupekha, 501 NE 224th Circle, Ridgefield WA 98642

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Monday, March 20, 2023 4:51 PM
To: Amend, Michelle; Nicole Ceaser; Benthin, Kim; Morris, Robert
Cc: Heather Smith; FIRE DIST BORING SHAWN OLSON
Subject: RE: Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Thank you Michelle for connecting the dots.

Kim is there a time we could meet onsite this week – I will be flexible to meet your schedule

Robert recommended, and I would concur, that a site visit would be reasonable prior to submission – I would greatly appreciate an opportunity to coordinate with your schedule to review the conditions in person prior to permit submittal to ensure a workable solution.

Update from my end – I want to reiterate our intention to re-file and address these concerns, and our willingness to work with your jurisdiction in the interim. At the moment I would anticipate we'll have a permit by the end of the week.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Amend, Michelle](#)
Sent: Monday, March 20, 2023 7:04 AM
To: [Alex Porter](#); [Nicole Ceaser](#); [Benthin, Kim](#); [Morris, Robert](#)
Cc: [Heather Smith](#); [FIRE DIST BORING SHAWN OLSON](#)
Subject: RE: Raindrops Playhouse

Good morning,

Alex, thank you for reaching out to us with your information. I have copied Kim Benthin to this email. She is the Code Enforcement Specialist that will be working on this case and is working with Robert Morris. Kim will be the best contact for this case moving forward. I will continue to work with both Nicole and Heather regarding the Dangerous Building portion on this case. Nicole thank you for the updates. The updates will help when working with our acting Building Official for next steps. Once I meet with her I will get back to you with my update.

Thank you,

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Tuesday, March 21, 2023 10:20 AM
To: Morris, Robert
Cc: Amend, Michelle; Nicole Ceaser; Benthin, Kim; Heather Smith; FIRE DIST BORING SHAWN OLSON
Subject: Re: Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Hi Robert - Understood on both counts...figured as long as I was walking the site it would be great to meet Kim as well and see things together to make the most of our. Upcoming set.

Issuance by Friday would be an unrealistic expectation of course - I'm targeting Friday for intake, apologies if I misspoke in earlier communications

Thank you,

-Alex

Sent from my iPhone

On Mar 21, 2023, at 7:59 AM, Morris, Robert <RMorris@clackamas.us> wrote:

Hello Alex,

Quick clarifications:

1. During our conversation last week, I had suggested that you visit the site in person prior to drafting plans and compiling documents... so that you can verify conditions as needed to provide a complete and accurate submittal package for permit application. Our staff cannot provide guidance, evaluation services, or requested site visits prior to permit issuance.
2. As for the *timing* of permit issuance, I believe that it may be unrealistic to anticipate permit *issuance* by Friday (considering the fact that an application has not yet been submitted, and our process involves the review and approval of multiple agencies and county divisions).

If you have questions, or if there is anything I can do to help, please let me know.

Best Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

Primary: 503-742-4240

Secondary: 971-378-9764

Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM

www.clackamas.us

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<image001.jpg>

From: Alex Porter <porter@mdlshp.com>

Sent: Monday, March 20, 2023 4:51 PM

To: Amend, Michelle <MAmend@clackamas.us>; Nicole Ceaser <nicoleceaser73@gmail.com>; Benthin, Kim <KimBen@clackamas.us>; Morris, Robert <RMorris@clackamas.us>

Cc: Heather Smith <heatherdevonn@gmail.com>; FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>

Subject: RE: Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Thank you Michelle for connecting the dots.

Kim is there a time we could meet onsite this week – I will be flexible to meet your schedule

Robert recommended, and I would concur, that a site visit would be reasonable prior to submission – I would greatly appreciate an opportunity to coordinate with your schedule to review the conditions in person prior to permit submittal to ensure a workable solution.

Update from my end – I want to reiterate our intention to re-file and address these concerns, and our willingness to work with your jurisdiction in the interim. At the moment I would anticipate we'll have a permit by the end of the week.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Friday, March 24, 2023 1:22 PM
To: Morris, Robert
Cc: Amend, Michelle; Nicole Ceaser; Benthin, Kim; Heather Smith; FIRE DIST BORING SHAWN OLSON
Subject: RE: Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Hello all,

Wanted to let you know our team has started a permit upload through ProjectDox, with the Statement of Use form the only item uploaded at the moment.

We intend to file by the end of the day, but may not hit that mark before close of business, I expect it will find its way to intake screening on Monday.

I've been over your letter to the tenants Kim from 4/20, and Robert I've seen your comments on the prior permit set. Looking forward to being in conversation with you regarding solutions and this new set.

Thank you for your continued assistance and involvement.

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Alex Porter](#)
Sent: Tuesday, March 21, 2023 10:19 AM
To: [Morris, Robert](#)
Cc: [Amend, Michelle](#); [Nicole Ceaser](#); [Benthin, Kim](#); [Heather Smith](#); [FIRE DIST BORING SHAWN OLSON](#)
Subject: Re: Raindrops Playhouse

Hi Robert - Understood on both counts...figured as long as I was walking the site it would be great to meet Kim as well and see things together to make the most of our. Upcoming set.

Issuance by Friday would be an unrealistic expectation of course - I'm targeting Friday for intake, apologies if I misspoke in earlier communications

Thank you,

Benthin, Kim

From: Nicole Ceaser <nicoleceaser73@gmail.com>
Sent: Tuesday, March 28, 2023 2:40 PM
To: Alex Porter
Cc: Benthin, Kim; Heather Smith; Amend, Michelle; Morris, Robert; FIRE DIST BORING SHAWN OLSON
Subject: Re: Upload confirmation for B0160323

Warning: External email. Be cautious opening attachments and links.

Hi All,

It has been an interesting process, trying to get the emergency strobe lights installed in our space but here is a breakdown of what is going on and who is doing what. I just had a conversation with Shawn and he knows where we are at as well. Thanks everybody for your part that you're playing in this process for us.

Western states fire:

Contact Mike Teague 503-314-9731

Mike.teague@wsfp.us

They will be programming the fire alarm panel, possibly creating new fire alarm blueprints and ordering and providing the strobe lights.

Christensen electric:

Contact Ryder 360-601-2751

He will be doing the install of the wiring for the strobe lights on a timer materials job.

Thank you all!

Nicole

On Tue, Mar 28, 2023 at 10:31 AM Alex Porter <porter@mdlshp.com> wrote:

All,

New one page permit for Raindrops playhouse has been submitted. Per my discussions with Robert we plan to move all correspondence and questions to this permit, the former will be abandoned / cancelled. I am not the Owner or Applicant on that other permit, but I'm under the impression we can remove it from the system and it wont have an impact on this permit effort below.

A few notes

- Occupancy summary and egress pathways have been provided
- Plumbing summary has been provided
- Plans are stamped by me (licensed professional architect in state of Oregon)

This covers some of the main comments on the previous permit. What I do expect we will continue to talk about is the attachment of the over 600sf play structure. I have visited the site and was pleased to see the structures are well built and have an abundance of safety padding. I also noted egress signage appears to be in place as well as many ceiling-and-wall mounted horn strobes and alarms.

Clearly we're all interested in a working solution – please do not hesitate to contact me directly with any questions or concerns. I expect we'll go through a few checksheet rounds and may need to do a site visit as well. I'm 100% open to participating in any walks or conversations that help us move the work forward.

Looking forward to your feedback, thank you for your time and consideration to date.

-Alex

Alex Porter

Principal

Model Shop Architecture

[915 NE Failing Street](#)

[Portland OR, 97212](#)

971-645-7117

From: DoNotReplyCLOR@avolvesoftware.com <DoNotReplyCLOR@avolvesoftware.com>

Sent: Tuesday, March 28, 2023 10:23:41 AM

To: Alex Porter <porter@mdlshp.com>

Subject: Upload confirmation for B0160323

UPLOAD COMPLETED

Hello ALEX,

The following files have been received for project - **B0160323 : Building - Commercial New - 12E33BB00800 - [10806 SE 82ND AVE HAPPY VALLEY](#) - Raindrops Playhouse**

Files received:

1. tsdcstatementofuse.pdf
2. 10806 SE 82nd - Tenant Improvement.pdf

Please do not reply to this email.

Overall, I am satisfied with how easy it is
to use this system.



HappyOrNot®

From: [Benthin, Kim](#)
To: [Nicole Ceaser](#); "heatherdevonn@gmail.com"
Cc: [Michelle Amend - Supervisor \(MAmend@clackamas.us\)](#); [Morris, Robert](#)
Subject: B0160323 10806 SE 82nd Ave Violation File # V0009123 Raindrops Playhouse
Date: Thursday, March 30, 2023 3:57:00 PM
Attachments: [23-03-30 Plan Review - Review Comments.pdf](#)
[image003.png](#)

Nicole and Heather,

I noted your email on Tuesday regarding Western States Fire and Christensen Electric doing the installations regarding the fire sprinkler system and alarm. However, neither contractor has yet submitted applications or permits for this work.

Please see the attached review of the submitted 1 page plans by your architect. You will see that there are a number of significant items lacking on this submittal. In effect, there is no viable working plan submitted to abate the violations at this location. For example, you are aware of the concern regarding the rear exit that leads to a fenced-off loading dock with no stair or ramp – a significant safety concern. And yet it is not addressed on this submittal!

The public is entering this structure currently open for business.

Clackamas County paused the posting of your structure as a dangerous building with the promise that code compliance and safety of the public would be addressed with expedience. This has not occurred. We are no closer to compliance.

I will revisit the posting of this structure as a dangerous building with the Building Codes Administrator.

Kimberly Benthin, Code Enforcement Specialist
Clackamas County Department of Transportation and Development
Code Enforcement
150 Beaver Creek Road, Oregon City, OR 97045
Primary phone: 503.742.4457
Hours: M-F from 7:30 a.m. until 4:00 p.m.
Lobby hours 8:00 a.m. until 4:00 p.m. Monday, Tuesday, and Thursday
www.clackamas.us



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Benthin, Kim

From: Nicole Ceaser <nicoleceaser73@gmail.com>
Sent: Thursday, March 30, 2023 5:50 PM
To: Alex Porter; Benthin, Kim
Cc: Amend, Michelle; Morris, Robert; heatherdevonn@gmail.com
Subject: Re: B0160323 10806 SE 82nd Ave Violation File # V0009123 Raindrops Playhouse

Warning: External email. Be cautious opening attachments and links.

Hi Kim/Michelle,

I have left voicemail messages for both of you, but I am caught off guard by the email here as we've been working really hard and have had positive feedback from both Michelle, Robert and Shawn. As Shawn said this week, he's super impressed by how fast we have responded and completed everything he's asked us to do. I think the only thing that you have not been copied on is the temporary stairs that we have purchased for outside our dock for a temporary exit of egress in the back of the space. I have attached a link for you here.

<https://www.webstaurantstore.com/ballymore-ta-5-24-5-step-gray-steel-59-degree-slope-rolling-truck-dock-access-ladder-with-24-wide-steps/324TA524.html>

Please let us know if there is something else that we should be moving faster on please and we will do it.

Thank you,

Nicole & Team

On Thu, Mar 30, 2023 at 3:58 PM Benthin, Kim <KimBen@clackamas.us> wrote:

Nicole and Heather,

I noted your email on Tuesday regarding Western States Fire and Christensen Electric doing the installations regarding the fire sprinkler system and alarm.

However, neither contractor has yet submitted applications or permits for this work.

Please see the attached review of the submitted 1 page plans by your architect. You will see that there are a number of significant items lacking on this submittal. In effect, there is no viable working plan submitted to abate the violations at this location. For example, you are aware of the concern regarding the rear exit that leads to a fenced-off loading dock with no stair or ramp – a significant safety concern. And yet it is not addressed on this submittal!

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Sunday, April 2, 2023 4:11 PM
To: Morris, Robert
Cc: Amend, Michelle; Benthin, Kim; Carlson, Richard; engineering@clackamasfire.com; Heather Smith; Nicole Ceaser
Subject: RE: Raindrops play space
Attachments: 10806 SE 82nd - Tenant Improvement Set.pdf

Warning: External email. Be cautious opening attachments and links.

All,

Please refer to the attached in regards to changes necessary at 10806 SE 82nd Ave.

I will upload this through ProjectDox as soon as we can switch things to applicant response status.

I hope you'll find this summary helpful

- Change of Occupancy to A-3, with a 1-hour fire partition between Raindrops and Geico spaces
- New Ramp and Stair @ exterior Accessible means of egress
- Mezzanine office shown – didn't appear in last set
- Door schedule / panic hardware and casework accessibility details
- I have shown the current locations for all the Egress signage, fire sprinkler locations, FE cabinets, FE Pulls, and FE Alarms and backup lights that Nicole has been specifically working on

In regards to 424.4 compliance, I believe we have a way forward. There is one Play Structure over 600sf, and one under 600 that still needs a special inspection for its anchorage...which I think makes it subject to the 20' separation rules of this code. To that end I have shown adequate separation between the two Play Structures.

I would suggest the remaining on-grade soft-play areas and are not sufficiently structured to qualify as Play Structures and are more akin to furniture.

I will coordinate with the installer regarding the size and type of Powder Actuated Fastener that was used to anchor the two structures – I believe it may actually be an epoxy anchor or a concrete wedge bolt and would like to confirm.

I am coordinating with our group regarding NFPA certifications and materiality, we may need to send some samples away for testing.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture

915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Alex Porter](#)

Sent: Friday, March 31, 2023 12:17 PM

To: [Morris, Robert](#)

Cc: [Amend, Michelle](#); [Benthin, Kim](#); [Carlson, Richard](#); engineering@clackamasfire.com; [Heather Smith](#); [Nicole Ceaser](#)

Subject: RE: Raindrops play space

FYI for those involved – I’ve been to the space again this morning, I see your concerns regarding the second exit, we will update our set to be a full set complete w/ RCP and revised occupancy counts, as well as detail an egress stair at the second exit. We will also provide counter details and interior partition assemblies along with door + hardware specifications...I understand you’re all asking for a complete drawing set including site plans and zoning summaries, which of course is typical for every permit filed in any jurisdiction.

I will have these materials to you asap, but it will be after close of business today.

I gather many of you have been talking about this project for months, and are understandably fatigued. We intend to meet all your expectations, our next set will strive to include the information necessary to satisfy. We share your concerns about occupancy and children’s health and safety.

Thank you for your partnership and helpful feedback, we’re looking forward to resolving these issues.

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Alex Porter](#)

Sent: Friday, March 31, 2023 9:35 AM

To: [Morris, Robert](#)

Cc: [Amend, Michelle](#); [Benthin, Kim](#); [Carlson, Richard](#); engineering@clackamasfire.com; [Heather Smith](#); [Nicole Ceaser](#)

Subject: Re: Raindrops play space

Thanks Robert

Sent from my iPhone

On Mar 31, 2023, at 8:57 AM, Morris, Robert <RMorris@clackamas.us> wrote:

Hello Alex,

The solution which will work will be to submit a complete design which accurately demonstrates conformance with all applicable requirements of the 2022 OSSC, based

on *your* knowledge of the proposed use and *your* evaluation of the onsite conditions, as *the* design professional in responsible charge.

The “starting point” plan which was recently submitted brings us no closer to permit issuance than we were prior to this second permit application... in fact: It essentially takes us a step backwards, with blatant inaccuracies regarding occupancy classification, occupant load, and means of egress.

If you have questions regarding building code requirements, please let me know.

Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

Primary: 503-742-4240

Secondary: 971-378-9764

Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM

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<image001.jpg>

From: Alex Porter <porter@mdlshp.com>

Sent: Thursday, March 30, 2023 5:11 PM

To: Benthin, Kim <KimBen@clackamas.us>

Cc: Amend, Michelle <MAmend@clackamas.us>; Morris, Robert <RMorris@clackamas.us>; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>

Subject: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

Hi Kim - please feel free to reach out to me directly. I understand the concerns at hand. I have proposed discussing the conditions with you in person because I realize the situation is fluid, and we are all interested in finding a workable solution asap.

The plans submitted show a starting point, I have suggested that a short review of the physical conditions together would save everyone significant time in a back-and-forth documentation process.

While we certainly understand and intend to meet the applicable codes, I am also aware there have been many conversations to date and I want to be sure we are putting the correct foot forward with the set we will prepare in response to your feedback here.

Thank you,

-Alex
971-645-7117

Sent from my iPhone

----- Forwarded message -----

From: **Benthin, Kim**<KimBen@clackamas.us>
Date: Thu, Mar 30, 2023 at 3:58 PM
Subject: B0160323 10806 SE 82nd Ave Violation File # V0009123 Raindrops Playhouse
To: Nicole Ceaser
<nicoleceaser73@gmail.com>, heatherdevonn@gmail.com<heatherdevonn@gmail.com>
CC: Amend, Michelle <MAmend@clackamas.us>, Morris, Robert <RMorris@clackamas.us>

Nicole and Heather,

I noted your email on Tuesday regarding Western States Fire and Christensen Electric doing the installations regarding the fire sprinkler system and alarm.

However, neither contractor has yet submitted applications or permits for this work.

Please see the attached review of the submitted 1 page plans by your architect. You will see that there are a number of significant items lacking on this submittal. In effect, there is no viable working plan submitted to abate the violations at this location. For example, you are aware of the concern regarding the rear exit that leads to a fenced-off loading dock with no stair or ramp – a significant safety concern. And yet it is not addressed on this submittal!

The public is entering this structure currently open for business.

Clackamas County paused the posting of your structure as a dangerous building with the promise that code compliance and safety of the public would be addressed with expedience. This has not occurred. We are no closer to compliance.

I will revisit the posting of this structure as a dangerous building with the Building Codes Administrator.

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Friday, April 7, 2023 4:45 PM
To: Morris, Robert
Cc: Amend, Michelle; Benthin, Kim; Carlson, Richard; engineering@clackamasfire.com; Heather Smith; Nicole Ceaser
Subject: Re: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

All,

I've been working closely with Raindrops to and their landlord, structural engineer, equipment installer and fire sprinkler contractor to explore the best options moving forward - we look forward to continuing to work together to find solutions that meet everyone's needs and applicable codes.

Thank you,

-Alex
971-645-7117

Sent from my iPhone

On Apr 3, 2023, at 12:01 PM, Alex Porter <porter@mdlshp.com> wrote:

Thank you Robert,

I'll be reviewing these asap and appreciate your quick and detailed response. Understood this is cursory, we look forward to analyzing and responding to these and any further comments you may have.

Thank you,

-Alex

Sent from my iPhone

On Apr 3, 2023, at 11:48 AM, Morris, Robert <RMorris@clackamas.us> wrote:

Hello Alex,

Please see the comments listed below, based on a cursory review of the attached plans for compliance with the 2022 OSSC:

1. The project summary states that there will be no exterior work under this permit, however exterior means of egress elements necessary for exit discharge are required to be constructed under the scope of this permit. Please revise the summary statement for accuracy, as Planning and other required approvals may be based on this information. [107.2.1]

2. The term “play structure” is defined in OSSC Chapter 2 as: “A structure composed of one or more components, where the user enters a play environment”. This includes all of the play structures which are currently identified as “on-grade soft-play areas” (see attached for renderings submitted under the previous application), and all of those that exceed 150sf in area or 10ft in height must therefore comply with OSSC Sections 424.2 through 424.5 (compliance must be demonstrated within the submittal documents). [107.2.1, 424]

3. Per OSSC Section 424.5, all play structures greater than 600sf in area require a special investigation demonstrating adequate fire safety and those play structures exceeding 600sf in area *or* 10’ in height must be designed in accordance with OSSC Chapter 16 (including the structure’s themselves and their seismic anchorage). Please address. [107.2.1, 424]

4. The main “playroom” area more closely resembles a daycare space than an “exercise room” (load factor of 35 net per Section/Table 1004.5), and the areas containing tables and chairs must be calculated as assembly areas separately in accordance with OSSC Section 1004.9. Please revise. [107.2.1, 1004]

5. Occupant load signs must be posted in accordance with OSSC Section 1004.9. Please address. [107.2.1, 1004.9]

6. The requirements for plumbing fixtures per OSSC Chapter 29 (including drinking fountains) must be addressed within the plans. [107.2.1, 2902.1]

7. The requirements for interior finishes per OSSC Chapter 8 must be addressed within the plans. [107.2.1, 801.1]

8. The “Building Use and Occupancy Data” specifies that occupancies will be both non-separated and separated with a 1hr fire-rated interior demising wall (but the plans lack fire barrier continuity specifications in accordance with OSSC Section 707.5). Please clarify. [107.2.1, 508.1, 707.5]

9. The exterior stairway and ramp will require structural design, and the ramp will require details demonstrating compliance with OSSC Section 1012 and ICC A117.1-2017 (the applicable edition of the accessibility standard) Section 405. Please address [107.2.1, 405, 1102.1]

10. Seismic bracing for interior partitions and suspended ceilings accordance with OSSC Section 1613.1 must be addressed within the plans. [107.2.1, 1613.1]

11. Concealed elements constructed without the required permits and/or inspections require an evaluation letter and supporting documentation in accordance with County Policy #09-02 (copy attached). Please address. [105.1, 107.1, 110]

12. All plan sheets and other final documents require your stamp/signature in accordance with ORS 671. Please address. [107.2.1]

13. Work involving fire alarms requires separate building and electrical permits, and work involving fire sprinklers require a separate building permit. All submittal documents (including those submitted under related permits) must be reviewed by you as the design professional in responsible charge in accordance with OSSC Section 107.3.4. Please specify these requirements within the plans, and ensure that the required permits are applied for and issued prior to the commencement of work. [105.1, 1707.1, 107.2.1, 107.3.4, 110]

Please note that the comments listed above are based only on a cursory review of the attached plans. When ready (and after you have been prompted), please submit a complete and accurate set of submittal documents along with your comment responses using the Development Direct system.

Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045

Primary: 503-742-4240

Secondary: 971-378-9764

Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM

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[<image001.jpg>](#)

From: Alex Porter <porter@mdlshp.com>

Sent: Sunday, April 2, 2023 4:11 PM

To: Morris, Robert <RMorris@clackamas.us>

Cc: Amend, Michelle <MAmend@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>; Carlson, Richard <richardcar@clackamas.us>; engineering@clackamasfire.com; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>

Subject: RE: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

All,

Please refer to the attached in regards to changes necessary at 10806 SE 82nd Ave.

I will upload this through ProjectDox as soon as we can switch things to applicant response status.

I hope you'll find this summary helpful

1. Change of Occupancy to A-3, with a 1-hour fire partition between Raindrops and Geico spaces
2. New Ramp and Stair @ exterior Accessible means of egress
3. Mezzanine office shown – didn't appear in last set
4. Door schedule / panic hardware and casework accessibility details
5. I have shown the current locations for all the Egress signage, fire sprinkler locations, FE cabinets, FE Pulls, and FE Alarms and backup lights that Nicole has been specifically working on

Benthin, Kim

From: Morris, Robert
Sent: Wednesday, April 12, 2023 9:31 AM
To: Alex Porter
Cc: Amend, Michelle; Benthin, Kim; Carlson, Richard; engineering@clackamasfire.com; Heather Smith; Nicole Ceaser; Anderson, Andy
Subject: RE: Raindrops play space (PERMIT #B0160323)

Hello Alex,

We cannot move to the next review cycle until after our structural engineer and Clackamas Fire have completed their current tasks within the Development Direct system, but it sounds like the needed structural design and materials testing remain to be needed before your next submittals will be complete anyways. Incomplete and/or inaccurate submittals will only further delay the review process.

Best Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division
Clackamas County Department of Transportation and Development
150 Beavercreek Rd., Suite 225, Oregon City, OR 97045
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Were you happy with the service you received today?



From: Alex Porter <porter@mdlshp.com>
Sent: Tuesday, April 11, 2023 2:04 PM
To: Morris, Robert <RMorris@clackamas.us>
Cc: Amend, Michelle <MAmend@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>; Carlson, Richard <richardcar@clackamas.us>; engineering@clackamasfire.com; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>
Subject: RE: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

All,

Could we put the permit status into "checksheet" on projectdox so that I can formally upload a revised set with some answers to Robert's below comments.

I can immediately revise occupancy to reflect daycare use, updated p-fixt. table, notes re: occupant signs at the front door, provide UL/HILTI firestop details and address a few other items in this submission.

Items such as engineering and material fire testing will lag behind as we work with our consultants on those aspects.

Nicole has been coordinating further with the fire alarms and sprinklers, and I'm aiming to schedule a time to meet Shawn out there to look at the interior materials. We anticipating needing to send some of these away for testing as previously suggested.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Alex Porter](#)

Sent: Friday, April 7, 2023 4:44 PM

To: [Morris, Robert](#)

Cc: [Amend, Michelle](#); [Benthin, Kim](#); [Carlson, Richard](#); engineering@clackamasfire.com; [Heather Smith](#); [Nicole Ceaser](#)

Subject: Re: Raindrops play space

All,

I've been working closely with Raindrops to and their landlord, structural engineer, equipment installer and fire sprinkler contractor to explore the best options moving forward - we look forward to continuing to work together to find solutions that meet everyone's needs and applicable codes.

Thank you,

-Alex
971-645-7117

Sent from my iPhone

On Apr 3, 2023, at 12:01 PM, Alex Porter <porter@mdlshp.com> wrote:

Thank you Robert,

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Monday, April 17, 2023 4:24 PM
To: FIRE DIST BORING SHAWN OLSON
Cc: Amend, Michelle; Benthin, Kim; Carlson, Richard; Heather Smith; Nicole Ceaser; Morris, Robert
Subject: Re: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

Hi Shawn,

I had emailed a set over that included much greater detail than our initial formal submission- we are waiting for structural to put their line back into checksheet on the initial submittal so we can respond and upload this set.

Robert was kind enough to give us notes on the informal submission via email. Of those comments several require further engineering, as such we have contacted partners to schedule them into our timeline to augment our package within the appropriate calculations.

In the interim we understand you have all been working on this for some time - and it has been weeks since the jobsite was first tagged and I was brought in - I have done my best to keep you updated of progress and solicit your assistance in moving forward efficiently to ensure the appropriate actions are taken to provide adequate life safety at this space.

I absolutely agree it is unfortunate the situation has gotten to this point. We do not misunderstand each other on minimum code requirements or the severity of the current situations. It has not been easy to ascertain what previous errors were made, how to rectify them, what the tenant-owner relationships are and how those may impact possible solutions, and what my best professional advice can and should be for all parties.

We expect to have some time from an engineer soon to tidy up the structural notes on the steel ramp and provide calculations, which should answer the notes on Roberts recent list and hopefully coincide with the permit status being put back into checksheet so we can respond.

Thank you,

-Alex
971-645-7117

Sent from my iPhone

On Apr 17, 2023, at 3:52 PM, Olson, Shawn <shawn.olson@clackamasfire.com> wrote:

Good Afternoon Alex,

Where are we at with formal plan submittals and moving towards a certificate of occupancy? Alex, there is no need for me to meet with you onsite. As the design professional, all requested architectural drawings should have been submitted to Clackamas County by now. It's been a month. I see a lot of emails, but still no completed or detailed plan set.

Will a completed plan set be submitted to Clackamas County Building Department this week?

Thank you,

Shawn Olson
Fire Marshal
503-742-2663
<Outlook-3s2ajrcc.png>

From: Alex Porter <porter@mdlshp.com>
Sent: Tuesday, April 11, 2023 2:04 PM
To: Morris, Robert <RMorris@clackamas.us>
Cc: Amend, Michelle <MAmend@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>; Carlson, Richard <richardcar@clackamas.us>; CCFD1 - Engineering <engineering@clackamasfire.com>; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>
Subject: RE: Raindrops play space

All,

Could we put the permit status into "checksheet" on projectdox so that I can formally upload a revised set with some answers to Robert's below comments.

I can immediately revise occupancy to reflect daycare use, updated p-fixt. table, notes re: occupant signs at the front door, provide UL/HILTI firestop details and address a few other items in this submission.

Items such as engineering and material fire testing will lag behind as we work with our consultants on those aspects.

Nicole has been coordinating further with the fire alarms and sprinklers, and I'm aiming to schedule a time to meet Shawn out there to look at the interior materials. We anticipating needing to send some of these away for testing as previously suggested.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Monday, May 15, 2023 3:53 PM
To: Nicole Ceaser; Amend, Michelle
Cc: Benthin, Kim; FIRE DIST BORING SHAWN OLSON; Heather Smith; Morris, Robert; Rudi Pino | PINO CAPITAL
Subject: RE: Raindrops Playhouse 10806 SE 82nd Ave Violation File No. V0009123 B0160323

Warning: External email. Be cautious opening attachments and links.

Hi,

Lots of email being traded here.

We have been finalizing our response to the last round of checksheets, I just received final engineering on the new ramp this weekend.

However – and to great benefit to the project – Raindrops has elected to lease the remaining portion of the building.

This renders the ramp moot, and I can upload a response to the last round of checksheets on Thursday 5/18.

The revised plans will show a new door between the currently separated tenant spaces, which allows a 2nd means of accessible egress to the 82nd ave side. This will further allow us to relocate play equipment to meet the 20' separation requirements

We thank you for your patience as we work towards solutions that meet everyone's needs. Please expect to see plans uploaded to ProjectDox around 4pm on Thursday 5/18.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

From: [Nicole Ceaser](#)
Sent: Monday, May 15, 2023 2:43 PM
To: [Amend, Michelle](#)
Cc: [Alex Porter](#); [Benthin, Kim](#); [FIRE DIST BORING SHAWN OLSON](#); [Heather Smith](#); [Morris, Robert](#); [Rudi Pino | PINO CAPITAL](#)
Subject: Re: Raindrops Playhouse 10806 SE 82nd Ave Violation File No. V0009123 B0160323

Sounds good, going forward I will make sure all of Alex's updates go to Kim and Robert directly.

Nicole

On Mon, May 15, 2023 at 2:05 PM Amend, Michelle <MAmend@clackamas.us> wrote:

Thank you, Nicole. We do not need to be copied on all your emails. We need the updates we are requesting and we need Alex to provide the information and updates to Kim and Robert. We also need the documents submitted so we can move forward in a positive way to abate the violations. This is taking too long and we haven't move forward.

Thank you,

Michelle Amend, Code Enforcement Supervisor

Code Enforcement Program

Department of Transportation and Development

[150 Beaver Creek Rd.](#)

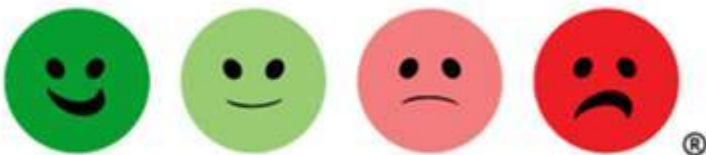
Primary Phone: 503-742-4785

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Lobby hours: 8:00 a.m. until 4:00 p.m. Monday through Thursday

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From: Nicole Ceaser <nicoleceaser73@gmail.com>

Sent: Monday, May 15, 2023 2:00 PM

To: Amend, Michelle <MAmend@clackamas.us>

Cc: Alex Porter <porter@mdlshp.com>; Benthin, Kim <KimBen@clackamas.us>; FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>; Heather Smith <heatherdevonn@gmail.com>; Morris, Robert <RMorris@clackamas.us>; Rudi Pino | PINO CAPITAL <rudi@pinocap.com>

Subject: Re: Raindrops Playhouse [10806 SE 82nd Ave](#) Violation File No. V0009123 B0160323

Warning: External email. Be cautious opening attachments and links.

Moving forward I will make sure that both you and Kim are on all of the emails Michelle, including Robert.

Alex will provide an update within the hour.

Nicole

On Mon, May 15, 2023 at 1:16 PM Amend, Michelle <MAmend@clackamas.us> wrote:

Hi Nicole,

I was looking through these emails and I do not believe you are close to getting your permit. There is a lot that needs submitted and your Architect has not been in contact with Robert Morris and there is a lot left to do before your permit is issued. In the email below Shawn Olson also asks what is happening because nothing is moving forward. You all may be talking to each other but no one is talking to Building Codes or submitting the required documents. Our next step is citation and then we will discuss what we need to do to get everything completed.

Thank you,

Michelle Amend, Code Enforcement Supervisor

Code Enforcement Program

Department of Transportation and Development

[150 Beaver Creek Rd.](#)

Primary Phone: 503-742-4785

www.clackamas.us

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours: 8:00 a.m. until 4:00 p.m. Monday through Thursday

Were you happy with the service you received today?



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From: Nicole Ceaser <nicoleceaser73@gmail.com>

Sent: Monday, May 15, 2023 1:06 PM

To: Benthin, Kim <KimBen@clackamas.us>

Cc: Alex Porter <porter@mdlshp.com>; Amend, Michelle <MAmend@clackamas.us>; Heather Smith <heatherdevonn@gmail.com>; FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>; Rudi Pino |

PINO CAPITAL <rudi@pinocap.com>

Subject: Re: Raindrops Playhouse [10806 SE 82nd Ave](#) Violation File No. V0009123 B0160323

Warning: External email. Be cautious opening attachments and links.

Hi Kim,

Could we get on the phone with you today? We are literally talking to everyone all the time but we don't know who talks to who as we are very new to the whole process as you know. Our architect has been in constant contact as well.

Let's please clarify who needs to be updating you individually as I know we are very close to acquiring our permit.

Nicole & Team

On Mon, May 15, 2023 at 12:10 PM Benthin, Kim <KimBen@clackamas.us> wrote:

Good afternoon,

The building code violations remain for the above noted address.

The County has not received any additional submissions since receipt of the April 17th email below.

Raindrops Playhouse continues to operate and allow children and families to enter the structure. The documents for the permit submittal must be received in an expedient manner.

Please let me know when you expect the permit submittal to be completed. This violation file is overdue for a citation that will be issued to the property owner as well as the business owner(s). The posting of this structure as a dangerous building is being re-evaluated.

Safety of the occupants of this structure is paramount and the lack of any response since April 17th is very concerning.

Kimberly Benthin, Code Enforcement Specialist

Code Enforcement

Clackamas County Department of Transportation and Development

[150 Beaver Creek Road, Oregon City, OR 97045](http://www.clackamas.us)

Primary phone: 503.742.4457

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday, Tuesday, and Thursday

www.clackamas.us

From: Alex Porter <porter@mdlshp.com>

Sent: Monday, April 17, 2023 4:24 PM

To: FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>

Cc: Amend, Michelle <MAmend@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>; Carlson, Richard <richardcar@clackamas.us>; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>; Morris, Robert <RMorris@clackamas.us>

Subject: Re: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

Hi Shawn,

I had emailed a set over that included much greater detail than our initial formal submission- we are waiting for structural to put their line back into checksheet on the initial submittal so we can respond and upload this set.

Benthin, Kim

From: Morris, Robert
Sent: Monday, May 15, 2023 11:55 AM
To: Benthin, Kim
Subject: RE: Raindrops 10806 SE 82nd Ave V0009123 B0160323

No, not a thing...

Robert Morris, Commercial Plans Examiner

Building Codes Division
Clackamas County Department of Transportation and Development
150 Beavercreek Rd., Suite 225, Oregon City, OR 97045
Primary: 503-742-4240
Secondary: 971-378-9764
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Were you happy with the service you received today?



CLICK A SMILEY

From: Benthin, Kim <KimBen@clackamas.us>
Sent: Monday, May 15, 2023 11:53 AM
To: Morris, Robert <RMorris@clackamas.us>
Subject: Raindrops 10806 SE 82nd Ave V0009123 B0160323

Hello Robert,

Have you received anything further for the permit needs since the email below?

Kimberly Benthin
503-742-4457
Clackamas County

From: Alex Porter <porter@mdlshp.com>
Sent: Monday, April 17, 2023 4:24 PM
To: FIRE DIST BORING SHAWN OLSON <shawn.olson@ClackamasFire.com>
Cc: Amend, Michelle <MAmend@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>; Carlson, Richard <richardcar@clackamas.us>; Heather Smith <heatherdevonn@gmail.com>; Nicole Ceaser <nicoleceaser73@gmail.com>; Morris, Robert <RMorris@clackamas.us>
Subject: Re: Raindrops play space

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Tuesday, May 16, 2023 10:26 AM
To: Benthin, Kim
Cc: Nicole Ceaser; Heather Smith
Subject: Re: Raindrops Playspace Update

Warning: External email. Be cautious opening attachments and links.

Hi Kim, Thursday at 4pm

-Alex

Sent from my iPhone

> On May 16, 2023, at 8:14 AM, Benthin, Kim <KimBen@clackamas.us> wrote:

>

> Alex,

>

> I know that Ms. Amend told you to send updates to Mr. Morris and I. However, updates do not bring the property any closer to compliance with the code violations, nor the permit submittal any closer to completion. Please communicate to me your plan for compliance. Please refer any questions or concerns regarding the permitting documents to Mr. Morris. All document submittals and corrections must be uploaded on the County's permitting system.

>

> In your email below you are now stating that 'corrections' will be uploaded. What we are looking for is a technically accurate, detailed, complete set of plans.

>

> You are asking for patience as you work through "a few engineering and leasing scenarios". This lends me to believe that submitting a full set of plans is not going to happen on Thursday.

>

> The business continues to operate in a non-compliant structure and is open to the public. This is a safety concern. If the structure was not open to the public there would be more leniency in allowing you time to work through your scenarios.

>

> When will the technically accurate, detailed, complete set of plans be submitted to the County?

>

>

> Kimberly Benthin
> 503-742-4457
> Clackamas County

>

> -----Original Message-----

> From: Alex Porter <porter@mdlshp.com>

> Sent: Tuesday, May 16, 2023 7:53 AM

> To: Morris, Robert <RMorris@clackamas.us>; Benthin, Kim <KimBen@clackamas.us>

> Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>

> Subject: Raindrops Playspace Update

>

> Warning: External email. Be cautious opening attachments and links.

>
> Hi Robert and Kim,
>
> We are planning to upload corrections by this Thursday at 4pm.
>
> The tenant Raindrops has elected to take over the remaining areas in the building and provide a door between the suites.
>
> This greatly simplifies the plans - allowing us access to a second on-grade storefront exit facing 82nd Ave right of way, and will allow us to reconfigure the play equipment to meet the appropriate 20' separation requirements.
>
> Thank you for your patience as we worked through a few engineering and leasing scenarios.
>
> As always please feel free to contact me with any questions or concerns.
>
> Thank you,
>
> -Alex
> 971-645-7117
>
> Sent from my iPhone

Benthin, Kim

From: Alex Porter <porter@mdlshp.com>
Sent: Thursday, May 18, 2023 12:57 PM
To: Amend, Michelle; Morris, Robert; Benthin, Kim; FIRE DIST BORING SHAWN OLSON
Cc: Nicole Ceaser; Heather Smith; Rudi Pino PINO CAPITAL
Subject: Raindrops Playhouse 10806 SE 82nd Ave Violation File No. V0009123 B0160323

Warning: External email. Be cautious opening attachments and links.

All,

We have uploaded a revised set to ProjectDox, you'll see the following updates

- The tenant now occupies the whole building and has 2 accessible on-grade exits
- The loading dock is no longer part of the egress
- Play structures are separated in accordance with OSSC chapter 4
- Occupancies have been updated to reflect Robert's 4/3 comments on sheet a0.03
- Occupant load signs are noted for Assembly rooms on sheet a0.03
- Plumbing fixture count added to sheet a0.03
- Building is now all A occupancy, references to separated occupancies removed
- Separate trade permits are noted on the cover sheet
- Engineering for the play structures is provided
- A statement letter in accordance with policy 09-02 has been uploaded

We look forward to your feedback.

Thank you,

-Alex

Alex Porter
Principal
Model Shop Architecture
915 NE Failing Street
Portland OR, 97212
971-645-7117

Benthin, Kim

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Monday, November 20, 2023 3:07 PM
To: Morris, Robert; Cass-Crosby, Shirley
Cc: Benthin, Kim
Subject: Re: Raindrops play space (PERMIT #B0160323)

Warning: External email. Be cautious opening attachments and links.

Thank you Robert. So, they still are not in compliance with the appropriate occupancy type? Going from a B to an A-3.

Shawn Olson
Fire Marshal
503-742-2663



From: Morris, Robert <RMorris@clackamas.us>
Sent: Monday, November 20, 2023 3:00 PM
To: Cass-Crosby, Shirley <scasscrosby@clackamas.us>; Olson, Shawn <shawn.olson@ClackamasFire.com>
Cc: Benthin, Kim <KimBen@clackamas.us>
Subject: RE: Raindrops play space (PERMIT #B0160323)

Hi Shawn,

I have not heard anything about fire sprinklers for that location, and it doesn't look like Western States had ever applied for a permit for that work. Additionally, we still have not issued any permits (other than a plumbing permit) for either of the two involved addresses: 10800 and 10806 SE 82nd Ave.

On 11/11/23, their architect (applicant under TI permit #B0160323) submitted a comment response and documents which were purportedly intended to address the play structure fire safety requirements of OSSC Section 424 under the TI permit application... but we are no closer to code compliance or permit issuance than we were before the submittal (see attached report, latest information is highlighted).

Best Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division
Clackamas County Department of Transportation and Development
150 Beaver Creek Rd., Suite 225, Oregon City, OR 97045
Phone: 503-742-4240
Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM
www.clackamas.us

Follow Clackamas County: [Facebook](#) | [Twitter](#) | [YouTube](#) | [Nextdoor](#)

Were you happy with the service you received today?



From: Cass-Crosby, Shirley <scasscrosby@clackamas.us>
Sent: Monday, November 20, 2023 2:39 PM
To: Fire District Sandy Shawn Olson <shawn.olson@ClackamasFire.com>; Morris, Robert <RMorris@clackamas.us>
Subject: RE: Raindrops play space (PERMIT #B0160323)

I have not heard anything, but we can see what Robert says. 😊

Thanks,

Shirley Cass-Crosby
Permit Technician – Building Codes
150 Beaver Creek Rd #225
Oregon City, OR 97045
503.742.4240

www.clackamas.us

Hours: M-Th 7:00 a.m. – 4:00 p.m

Lobby hours: 8:00 a.m. until 4:00 p.m. Monday through Thursday

Were you happy with the service you received today?



Our office hours are Monday – Thursday, 8 am to 4 pm and Friday we are closed to the public, however we are still available for phone calls and emails from 8 am to 3pm.

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Monday, November 20, 2023 2:32 PM
To: Cass-Crosby, Shirley <scasscrosby@clackamas.us>; Morris, Robert <RMorris@clackamas.us>
Subject: Re: Raindrops play space (PERMIT #B0160323)

Warning: External email. Be cautious opening attachments and links.

Hey All,

I received a message from Western States Fire Protection. Raindrops has not paid for work that was conducted back in March. Western States is holding off on finalizing their permit. Have you heard anything about this?

Thank you,

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1
WWW.CLACKAMASFIRE.COM
503-742-2600

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Tuesday, May 2, 2023 7:52 AM
To: Cass-Crosby, Shirley <scasscrosby@clackamas.us>; Morris, Robert <RMorris@clackamas.us>
Subject: Re: Raindrops play space (PERMIT #B0160323)

Great. I drove by yesterday and saw they do have a temporary staircase out the back. So that's good.

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1
WWW.CLACKAMASFIRE.COM
503-742-2600

From: Cass-Crosby, Shirley <scasscrosby@clackamas.us>
Sent: Tuesday, May 2, 2023 7:51 AM
To: Olson, Shawn <shawn.olson@ClackamasFire.com>; Morris, Robert <RMorris@clackamas.us>
Subject: RE: Raindrops play space (PERMIT #B0160323)



- GALLERY
- TICKETS & PARTIES
- PLAYGROUND & PARTY RULES
- MENU
- HOURS
- ABOUT

Step 1:

[Sign a Waiver](#)

Step 2:

[Buy Tickets Now](#)

or

[Book a Party](#)

FUN PASS (NO TIME LIMITATIONS/NO RE-ENTRY, GRIP SOCKS REQUIRED)

Online: \$13.00 (Ages 0-2)
Online: \$15.00 (Ages 3 and Up)
In Person: \$14.00 (Ages 0-2)
In Person: \$16.00 (Ages 3 and Up)

MONTHLY MEMBERSHIP

\$49.99 Per month for the first child and \$30.00 for each additional (memberships renew monthly automatically. Membership cancelation can be done in the facility.)

Play Pass

\$75.00 6 Fun Pass Entries

Book a Party

Umbrella Room

Perfect party room for all ages
Number of Children: 20
Maximum Room Capacity: 35
Activity Time Included: Unlimited
Time in Party Room: 1.5 Hours
Price: \$275
Price Per Extra Child: \$15
Deposit Amount: \$150 (non-refundable)



Sunbeam Room

Perfect party room for all ages
Number of Children: 20
Maximum Room Capacity: 30
Activity Time Included: Unlimited
Time in Party Room: 1.5 Hours
Price: \$275
Price Per Extra Child: \$15
Deposit Amount: \$150 (non-refundable)

Deudrop Room

Perfect party room for smaller parties
Number of Children: 10
Maximum Room Capacity: 15
Activity Time Included: Unlimited
Time in Party Room: 1.5 Hours
Price: \$200
Price Per Extra Child: \$15
Deposit Amount: \$100 (non-refundable)

Sunbeam/Deudrop Combo Room

Perfect party room for larger groups (this is a combo of two rooms please use the combo booking option when booking online)
Number of Children: 25
Maximum Room Capacity: 45
Activity Time Included: Unlimited
Time in Party Room: 1.5 Hours
Price: \$375
Price Per Extra Child: \$15
Deposit Amount: \$150 (non-refundable)

**Party room deposits are non-refundable. If you need to re-schedule your party please contact us for assistance.



- GALLERY
- TICKETS & PARTIES
- PLAYGROUND & PARTY RULES
- MENU
- HOURS
- ABOUT

Playground Details

Welcome to Raindrops Playhouse Indoor Playground! A place your child can come run wild and use their imagination to the fullest! We offer families 8000 ft.² of indoor all year round play. We offer all kinds of different cold varieties of snacks and food and parents are always free. We feature a large indoor play structure for children three years and up and a soft play area for children 0 to 3 years. We also offer a beautiful multi colored net playground that they can swing from as they look to the skies. We have activities that stimulate a child's imagination, help them develop strength and build confidence as well as learn to play with others.

Come Join US!

We are constantly in the process of finding the best play structures and developing fun areas for all to enjoy!

We are open 7 days a week so you can come in and move to escape the heat or the rain. We also can host parties and events!

Come socialize with the other families and make new friends with everyone playing at Raindrops!

Meet the Team

Nicole Ceaser

Owner

Hi families! I grew up one of six kids and always had a love for children. I started babysitting when I was 12 years old and was one of the first nannies in Portland for two of the major agencies. In 2007 I opened my own childcare business out of my home and it grew into a large childcare business that I own now. I am a mom of three children and stay very busy with their activities and sports. With my experience over the years with field trips and such I realized there was a high need for indoor play space for children in our area. So I decided to open my own with my best friend of 25 years! We are excited to share this with all of you!



Heather Smith

Owner

Hi families! I am so excited to share this business with all of you! I am a mom of three children and I have a granddaughter as well. I grew up in Eugene Oregon and was always involved with children from the very beginning. I have worked in childcare centers for most of my life and have always been surrounded by children. Most of my time is spent at my children's activities and sports and I love to travel and vacation. Being a business owner has been a dream of mine and I feel like we have just scratched the surface of what we are capable of doing. I'm so excited to share this with all of you!



Raindrops Playhouse



Indoor Playground
CALL US: 503-850-RAIN

- GALLERY
- TICKETS & PARTIES
- PLAYGROUND & PARTY RULES
- MENU
- HOURS
- ABOUT

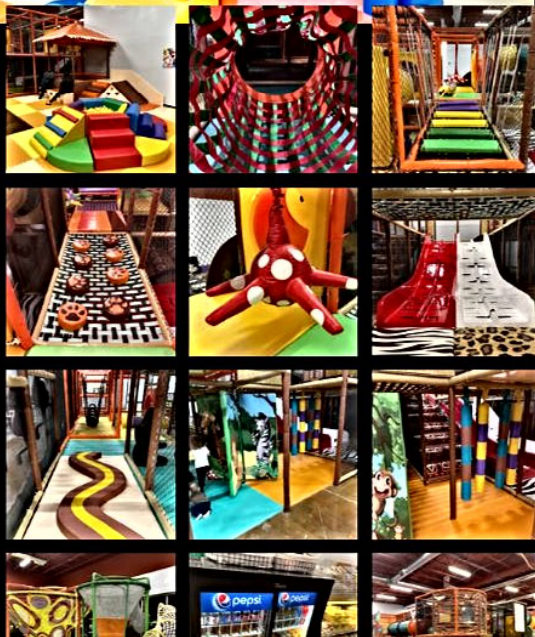


Now Open

Whats New

Monthly Memberships
are now \$49.99
(\$30.00 each
additional child auto
renewal required)

Pizza now available
Friday evenings
Saturday & Sunday
all day
(whole pepperoni and
cheese \$16.00)



Pizza now available
Friday evenings
Saturday & Sunday
all day
(whole pepperoni and
cheese \$16.00)
Play Pass now \$75.00
for 6 visits
Tuesday Daycare Day
* Admission + socks \$1.00 / Admission \$8.00
(promo applies to licensed daycare establishments)
Party Bookings
Monday - Thursday are
discounted 25%

Raindrops Playhouse



Indoor Playground
CALL US: 503-850-RAIN

GALLERY

TICKETS & PARTIES

PLAYGROUND & PARTY RULES

MENU

HOURS

ABOUT

Hours

Sunday:
10:00 AM to 7:00 PM

Monday:
9:00 AM to 7:00 PM

Tuesday:
9:00 AM to 7:00 PM

Wednesday:
9:00 AM to 7:00 PM

Thursday:
9:00 AM to 7:00 PM

Friday:
9:00 AM to 8:00 PM

Saturday:
9:00 AM to 8:00 PM



WE'RE HERE
WHEN YOU
NEED US



Come Join Us Whenever it Fits Your Schedule!

Convenience

Open 7 Days a week for your convenience!
We believe in kids having access to have fun and let out all their energy whenever is needed. We are open 7 days a week!

Call Us: 503-850-RAIN / raindropsfuntoday@gmail.com / 10806 SE 82nd Ave. Happy Valley, OR 97086

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Raindrops Playhouse



Indoor Playground
CALL US: 503-850-RAIN

GALLERY

TICKETS & PARTIES

PLAYGROUND & PARTY RULES

MENU

HOURS

ABOUT

Raindrops Food Menu

Sandwiches
\$5.99-Basic Ham & Swiss or Turkey & Provolone
\$5.99-Tuna Salad
\$3.00-Uncrustables

Bagels & Cream Cheese
\$4.25-Plain & Cheese Bagels

Sweets
\$4.00- Assorted Cookies and Brownies

Salads
\$4.99 Green Salads (Chicken Caesar, Southwest & Club)

Cold Snacks
\$3.75-Lunchables, Salami & Provolone Snack Pack
\$3.50-Balance Breaks
\$1.50-Applesauce, GoGurt, Tillamook Cheese, Babybel Cheese, & Cheese Sticks
\$1.75-Apples & Oranges

Dry Snacks
\$.75-Fruit Snacks
\$1.50-Goldfish & Granola Bars
\$2.00-Trail Mix, Skinny Pop, Chips, Snack Nuts, Organic Layer Fruit, & Z Bars
\$2.75-Pepperoni & Teriyaki Sticks
\$2.50-Kit Kat, Hershey, Reese's, M&M's, Milky Way, Twix, & Snickers
\$3.50-Beef Jerky Treats

Raindrops Drink Menu

Soft Drinks-\$2.85
Pepsi, Diet Pepsi, Mtn Dew, Dr. Pepper, Sierra Mist, Mug Root Beer, Orange Crush, Starry & Aquafina Water.

Juice-\$2.85
Tropicana Apple & Orange Juice

Gatorade-\$2.85
Fruit Punch & Blue Raspberry

Coffee/Tea-\$4.85
Starbucks Mocha Frappe & Vanilla Frappe
Pure Leaf Sweet Tea and Pure Leaf Unsweetened Tea

Rockstar-\$3.85

Capri Sun-\$1.50

Call Us: 503-850-RAIN / raindropsfuntoday@gmail.com / 10806 SE 82nd Ave. Happy Valley, OR 97086

© 2023 by Raindrops



Raindrops Playhouse Rules

- Grip socks required (may be purchased at checkout or brought from home).
- Shoes are not allowed on any cushion flooring area, this includes parents.
- Waiver is required, we suggest filling out online prior to coming in to speed up check in process.
- No outside food or drinks allowed (except in party rooms with reservations, additional party room rules apply).
- We do not limit play time, but we do not allow re-entry.
- No parties allowed in seating areas.
- No party items such as presents, cake, goody bags, cupcakes etc. will be allowed in the facility without a party reservation.
- There must be a parent or guardian over the age of 18 in the facility at all times. Supervision of children is the sole responsibility of the parent/guardian. We are not a drop off center. Parents/Guardians are responsible for their children's behavior while playing.
- Comfortable clothes are recommended, absolutely no shoes may be worn on play structures.
- Please no face-paint or costume make-up when visiting.
- No pets are allowed inside.
- We do not issue refunds for unused online tickets or after you have entered the play area.
- No helium balloons (this includes party rooms)
- You are welcome to enter the facility 15 minutes before your scheduled party to decorate, but do not invite your guests to arrive before your scheduled party time as they will not be allowed in. Please see party room rules regarding decorations.
- This is a family friendly facility.

Party Room Rules

- We do allow outside food in party rooms with reservations. We do not allow food preparation in the room, please no crockpots, plug in devices or warming devices. No glass containers.
- We do allow outside beverages. Outside beverages must be self-contained ex: capri suns, juice boxes, cans of soda (no glass containers).
- No silly string, confetti, glitter or pinatas.
- No helium filled balloons.
- Decorations are permitted but are limited to self-standing and table decor as we do not allow items to be taped and or tacked to the walls.
- We do not recommend ice cream or ice cream cake as we have no freezer storage for it.



Citation No. 23091-1A

Case No. V0009123

ADMINISTRATIVE CITATION

Date Issued: November 21, 2023

Name and Address of Person(s) Cited:

Name: Raindrops Playhouse LLC
Mailing Address: 10800 SE 82nd Ste B
City, State, Zip: Happy Valley, OR 97086

Date Violation(s) Confirmed: On the 20th day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violations: 10800 and 10806 SE 82nd Ave., Happy Valley OR 97086

Legal Description: T1S, R2E Section 33BB, Tax Lot 00800

Law(s) Violated

- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A,B,C,D)
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- Other law: _____

Description of the violation(s):

- 1) The commercial structure on the referenced address is operating a business without completing permitting and inspection requirements including but not limited to; Fire Sprinkler System, Tenant Improvement and Certificate of Occupancy.

Maximum Civil Penalty \$1000.00 Fine \$500.00

- 2) The commercial structure on the referenced address is operating a business without completing Plumbing permitting and inspection requirements.

Maximum Civil Penalty \$1000.00 Fine \$500.00

- 3) The commercial structure on the referenced address is operating a business without completing Electrical and permitting and inspection requirements.

Maximum Civil Penalty \$1000.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,500.00. If you have questions regarding how to abate the violations contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violations described on this form.

Citation issued by: Kimberly Benthin

Date: November 21, 2023

Telephone No.: 503-742-4457 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 Beaver Creek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____

Violation File # : V0009123



Citation No. 23091-1B

Case No. V0009123

ADMINISTRATIVE CITATION

Date Issued: November 21, 2023

Name and Address of Person(s) Cited:

Name: Fortuity LLC
Mailing Address: 10800 SE 82nd Ave
City, State, Zip: Happy Valley, OR 97086

Date Violation(s) Confirmed: On the 20th day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violations: 10800 and 10806 SE 82nd Ave., Happy Valley OR 97086

Legal Description: T1S, R2E Section 33BB, Tax Lot 00800

Law(s) Violated

- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A,B,C,D)
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- Other law: _____

Description of the violation(s):

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Maximum Civil Penalty \$1000.00 Fine \$500.00

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Maximum Civil Penalty \$1000.00 Fine \$500.00

- 3) The commercial structure on the referenced address is operating a business without completing Electrical and permitting and inspection requirements.

Maximum Civil Penalty \$1000.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,500.00. If you have questions regarding how to abate the violations contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

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STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____

Violation File # : V0009123

Benthin, Kim

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Tuesday, November 21, 2023 8:56 AM
To: Amend, Michelle; Morris, Robert; Benthin, Kim
Subject: Fw: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

Hey all,

Here is the email I just sent to Raindrops Playhouse. Please keep me posted if the business owners comply or don't comply. I gave them more than enough time. Due to the holiday season, I gave them until January 1st. If they are not in compliance and have not made progress with their C of O, I will deem the business as unsafe.

Thank you,

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1
WWW.CLACKAMASFIRE.COM
503-742-2600

From: Olson, Shawn <shawn.olson@ClackamasFire.com>
Sent: Tuesday, November 21, 2023 8:52 AM
To: Alex Porter <porter@mdlshp.com>
Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>
Subject: Re: Raindrops play space

Alex,

This process is taking way too long and operating a business without a certificate of occupancy is a liability. The business should not have opened for business without first going through a formal plan review, permits and building finals.

Raindrops Playhouse, per Oregon Fire Code Section 114 is an unsafe occupancy.

[A] 114.1.1 Unsafe conditions.

Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper structures shall be taken down and removed or made safe, as the fire code official deems necessary. Unauthorized entry shall be deemed unsafe. Actions to correct hazards and other deficiencies shall be

Raindrops Playhouse is operating as an **improper occupancy** and has no building department approval to be open. You will need to obtain a C of O from the building department by January 1st, 2024. This is more than adequate time. Otherwise, I will deem the business as unsafe by sending a certified letter to the business owners and building owner, coordinate with the Clackamas County Building Department and Code Enforcement Division and close the business until compliance is achieved.

There are no other solutions to this concern other than obtaining a C of O and complying with Clackamas County Building Departments requests.

Identify the steps necessary to gain compliance with Clackamas County as soon as possible.

Sincerely,

Shawn Olson
Fire Marshal
503-742-2663



"Here for you"

CLACKAMAS FIRE DISTRICT #1
WWW.CLACKAMASFIRE.COM
503-742-2600

From: Alex Porter <porter@mdlshp.com>
Sent: Monday, November 20, 2023 4:42 PM
To: Olson, Shawn <shawn.olson@ClackamasFire.com>
Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>
Subject: Re: Raindrops play space

Afternoon Shawn,

We submitted the manufacturers test reports for material flammability last week - unfortunately the documentation provided isn't great to put it candidly, and Robert wasn't able to clear any of the materials on that basis alone. So the action stands with our group to coordinate materials testing reports locally.

Other than materials flammability reports all other items are signed off on permit review. It is unfortunate the manufacturer is unable and / or unwilling to step up their assistance any further.

What does this all mean - Raindrops will be pursuing materials testing locally. This is both cumbersome and costly, and we are in the process of identifying the agency or agencies who will perform that testing, confirm

their requirements, source the materials either from the manufacturer overseas or dismantle portions of the existing, where possible, to produce the appropriate testing material to satisfy the jurisdictions requirements.

I can keep you in the loop on progress if that's helpful, I understand the current position is not one any of us would have chosen. We continue to support Raindrops in pursuit of c-of-o and appreciate you reaching out.

Thank you,

-Alex
971-645-7117

Sent from my iPhone

On Nov 20, 2023, at 4:03 PM, Olson, Shawn <shawn.olson@clackamasfire.com> wrote:

Alex,

I have heard that Raindrops Play Space has not received a C of O or been approved for an Assembly occupancy yet.

Where are we at with this process? and when is this going to be taken care of?

Thank you,

Shawn Olson
Fire Marshal
503-742-2663
<Outlook-d1l2i4dh.png>

From: Alex Porter <porter@mdlshp.com>
Sent: Thursday, April 20, 2023 3:58 PM
To: Olson, Shawn <shawn.olson@ClackamasFire.com>
Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>
Subject: Re: Raindrops play space

Afternoon all,

Writing to let you know we have onboarded our structural and should know if we have a material testing partner tomorrow.

I will continue to keep an eye out for a checksheet status online so we can respond formally with an updated set.

I believe we'll be prepared with a revised set at the end of next week 4/28 and can upload a formal respond then if the portal is open.

Benthin, Kim

From: Morris, Robert
Sent: Monday, December 4, 2023 7:54 AM
To: Benthin, Kim; Amend, Michelle
Cc: Carlson, Richard; Fire District Sandy Shawn Olson
Subject: FW: Raindrops play space (Permit #B0160323 / Violation #V0009123)
Attachments: UL94CertificationsAndLimitations.pdf

Hello Kim and Michelle,

Just FYI - I received the message below from the architect for Raindrops, and it appears that they will not likely meet the CofO deadline of 1/1/24 set by CFD #1... as they are still trying to obtain adequate testing documentation for the play structures which were installed (rather than obtaining/installing different play structures that were already tested/verified to meet code requirements).

Best Regards,

Robert Morris, Commercial Plans Examiner

Building Codes Division

Clackamas County Department of Transportation and Development

150 Beavercreek Rd., Suite 225, Oregon City, OR 97045

Phone: 503-742-4240

Hours of Operation: Mon - Fri, 7:30 AM to 4:00 PM

www.clackamas.us

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Were you happy with the service you received today?



CLICK A SMILEY

From: Alex Porter <porter@mdlshp.com>
Sent: Friday, December 1, 2023 2:08 PM
To: Fire District Sandy Shawn Olson <shawn.olson@ClackamasFire.com>; Morris, Robert <RMorris@clackamas.us>
Cc: Nicole Ceaser <nicoleceaser73@gmail.com>; Heather Smith <heatherdevonn@gmail.com>
Subject: Re: Raindrops play space

Warning: External email. Be cautious opening attachments and links.

Shawn and Robert,

I wanted to give you an update with our progress. I don't usually correspond outside of devhub but this seems important for everyone's mental health.

- The manufacturer has provided more complete information
- We have vetted this information - some materials have adequate documentation to show compliance with NFPA 701 (the single-ply and thin mesh materials that make up dividing walls, trampolines, and fall protection in the play areas)
- Many materials still have incomplete information - we're going around with the mfr about UL94 vs. UL1975

I've attached a 2-pager from UL that describes the difference between UL94 and UL1975 - you may be intimately familiar already but wanted to include for transparency. We do not misunderstand the requirements or intend to drag this process out, we are doing our best to pull teeth from the original mfr. The manufacturer tested their materials at very small sample sizes - less than 13mm thickness and less than 1m² so they could fit inside the UL94 requirements. It seems they do not want to / will not provide testing to UL1975

As a secondary track

- we have contacted material testing agencies and aligned quotes for testing should we need to pursue that route
- if we cannot get UL1975 reports from the manufacturer, we will order materials and test ourselves
- that timeline is in flux as we try to get as many materials nailed down prior to doing our own testing as possible

I understand this process has taken a very long time. The tenants, Owner, and myself are all very aware. I also share your concerns for life safety. I also recognize that this email does not formally change anything. I am hopeful that you'll appreciate the updates.

I will be in touch with any updates we can share as soon as they become available. I plan to upload the acceptable testing documentation we have next week. I do not expect that information will cover all materials but may allow you to approve some as we continue to make headway towards a successful issuance of the permit...and then we'll talk about inspections and the rest

thank you

-Alex

Alex Porter
Principal
Model Shop Architecture LLC
915 NE Failing Street
Portland OR 97212



Understanding UL 94 Certifications and Limitations

We frequently receive inquiries from code officials about materials with UL 94 flammability ratings. The nature of the questions vary, but in general they involve whether a product or material with a UL 94 rating such as HB or V-0 is suitable for use in a model code application.

Let's shed some light on what the UL 94 Standard and its associated flammability ratings are and, more importantly, what they are not.

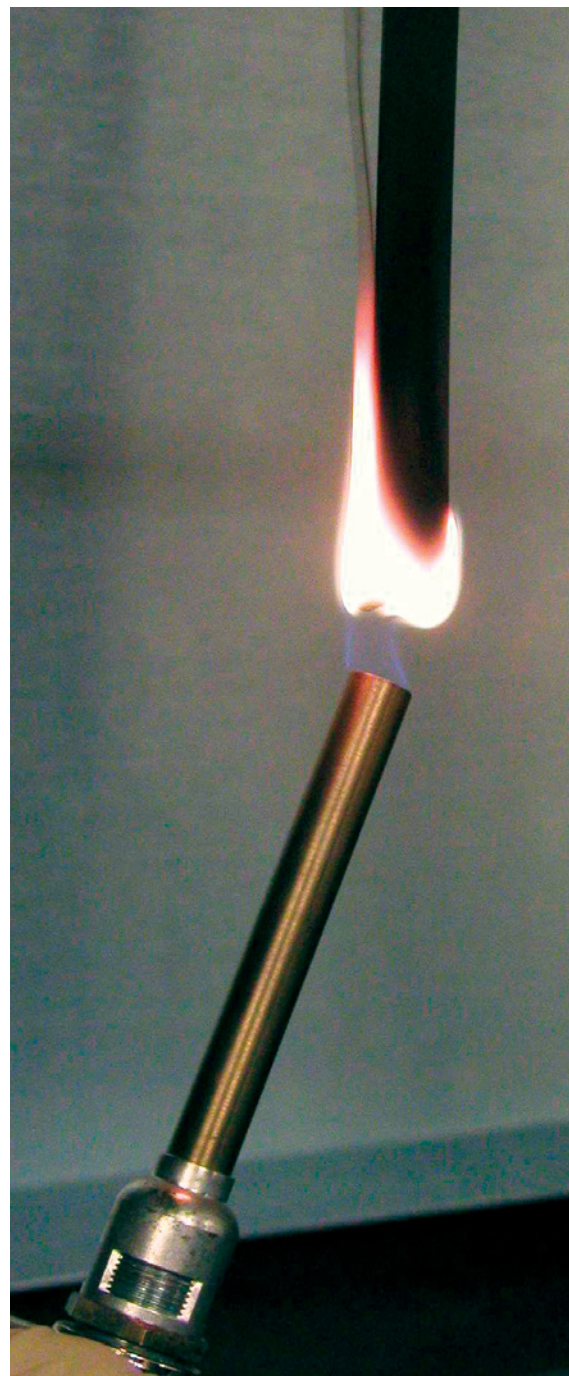
Model building, life safety and fire codes include numerous requirements that products and materials include specified minimum flammability ratings. Among other things, this includes tests to determine the following:

- Hourly fire resistance ratings.
- Surface burning characteristics of interior finish materials (flame spread and smoke developed).
- Roof covering flammability ratings.
- Flammability of contents within the building (such as mattresses, furniture, fabrics or floor coverings).
- Stored commodity classification.

Although the test methods and desired fire performance vary between tests, they have a common underlying principal behind them, namely that (1) a relatively large amount of the material is likely to be present, (2) the ignition source for the material may consist of a fairly substantial open flame or radiant energy source and (3) the tests are primarily based on the end-use of the product. Accordingly the fire tests specified in the model codes often are referred to as medium-scale or large-scale fire tests.

UL 94, the Standard for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances includes small scale tests that evaluate the flammability of polymeric (plastic) materials, used for parts in devices and appliances, in response to a small, open flame or radiant heat source under controlled laboratory conditions. The scope of UL 94 clearly indicates that it does not cover polymeric materials used for building construction, finishing or contents such as wall and floor coverings, furnishings or decorative objects. The results of most UL 94 flammability tests are not applicable to materials whose thickness exceeds 13.0 mm, or whose surface area exceeds 1m².

The UL 94 Standard provides a method for rating the ignition characteristics of plastic materials. Two UL 94 ratings that code officials commonly run across are HB and V (V-0, V-1, or V-2). These ratings are established using small-scale tests in which approximately 5 by ½ inch samples are subject to a ¾ inch, 50W tirrel burner flame ignition source. To achieve a HB rating, test samples, placed horizontally, burn slowly across the sample



1

For more information visit ul.com



Understanding UL 94 Certifications and Limitations (continued)

when the test flame is applied to the end of the sample. To achieve a V rating (e.g. V-2, V-1, or V-0) the test samples, placed vertically with the test flame impinging on the bottom of the sample, must extinguish within specified times, not burning to the top clamp or dripping molten material which ignites a cotton indicator.

UL has tested literally thousands of materials for UL 94 ratings, which are widely published in manufacturers' literature. The customers for these materials are primarily the end-use manufacturers of electrical equipment and products that are required to use UL 94 rated materials in their factory production.

However, building owners, architects or contractors sometimes run across UL 94 rated materials that they think might be used in a model code application, and submit them for AHJ approval. However, as mentioned, model codes do not recognize the small-scale UL 94 fire ratings, and there is no technical basis for accepting a UL 94 rating in lieu of other ratings specified in the Codes.

Plastic Commodity Classifications

One of the more common UL 94 questions we get from fire officials is whether the Classification of plastics stored in accordance with model fire codes can be changed based on the plastic material having a particular UL 94 rating. Unfortunately we are not aware of any firm data that would suggest that a UL 94 rating, by itself, would allow stored plastic materials to change from a Group A to a Group B plastic, etc.



Citation No. 23091-1A

Case No. V0009123

ADMINISTRATIVE CITATION

Date Issued: November 21, 2023

Name and Address of Person(s) Cited:

Name: Raindrops Playhouse LLC
Mailing Address: 10800 SE 82nd Ste B
City, State, Zip: Happy Valley, OR 97086

Date Violation(s) Confirmed: On the 20th day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violations: 10800 and 10806 SE 82nd Ave., Happy Valley OR 97086

Legal Description: T1S, R2E Section 33BB, Tax Lot 00800

Law(s) Violated

- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A,B,C,D)
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- Other law: _____

Description of the violation(s):

- 1) The commercial structure on the referenced address is operating a business without completing permitting and inspection requirements including but not limited to; Fire Sprinkler System, Tenant Improvement and Certificate of Occupancy.

Maximum Civil Penalty \$1000.00 Fine \$500.00

- 2) The commercial structure on the referenced address is operating a business without completing Plumbing permitting and inspection requirements.

Maximum Civil Penalty \$1000.00 Fine \$500.00

- 3) The commercial structure on the referenced address is operating a business without completing Electrical and permitting and inspection requirements.

Maximum Civil Penalty \$1000.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,500.00. If you have questions regarding how to abate the violations contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violations described on this form.

Citation issued by: Kimberly Benthin

Date: November 21, 2023

Telephone No.: 503-742-4457 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 Beaver Creek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

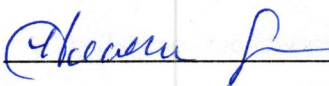
- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature:  Date: 11/30/23

Address: 738 SE Hale Pl. Gresham, OR 97080

Contact Number: 5037409861 Email: heatherdevonn@gmail.com
City, State, Zip

Violation File # : V0009123

Smith
738 SE Hale Pl
Gresham, OR 97080

Clatsamas County Code Enforcement
150 Beaver creek Rd.
Oregon City, OR 97045

97045-409299



PORTLAND OR, OR 97201
JUN 11 2011



RECEIPT

Clackamas County
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK RD.
OREGON CITY, OR 97045

Application: V0009123
Application Type: CodeEnforcement/Violation/NA/NA
Address: 10806 SE 82ND AVE
HAPPY VALLEY, OR 97086

Receipt No. 1396869

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Comments	Payor
Check	2118	\$1575.00	12/7/2023	DBUZZA		Raindrops Playhouse LLC
		<u>\$1575.00</u>				

Owner Info.: FORTUITY LLC
501 NE 224TH CIR
RIDGEFIELD , WA 98642

Work Description: ALLEGED - OCCUPYING A COMERCIAL SPACE W/OUT CERT OF OCCUPANCY AND W/OUT ENGINEERING REVIEW/APPROVAL

Plan Review - Review Comments Report

Project Name: **B0321122**

Workflow Started: **5/20/2022 5:49:28 PM**

Report Generated: **12/14/2023 03:28 PM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
6	1	Building Robert Morris 11/8/22 12:33 PM	Comment Please address the requirements of OSSC Section 424 within the plans. [107.2.1, 424]		<p>Reviewer Response: Robert Morris - 1/10/23 9:52 AM The submitted code modification proposal:</p> <p>1) In Section #1, only the requirements of OSSC Section 424.4 is described, but it appears that OSSC Section 424.5 is also intended to be addressed with this proposal.</p> <p>2) In Section #2, does not state a reason why strict compliance with OSSC Sections 424.4 or 424.5 is either impractical or presents extreme difficulty. The provided narrative also appears to be incomplete (cut-off at the end).</p> <p>3) In Section #3, does not provide reasons why that the proposed modifications meet the intent of the code, and does not provide reasons why the fire protection requirements of the code will not be lessened.</p> <p>It should be noted that the requirements of OSSC Section:</p> <p>A) 424.4 is intended to provide fire separation distance between play structures, thus reducing the concentration of combustible materials within a single area and reduce fire spread potential. This section also is intended to provide access for emergency personnel access.</p> <p>B) 424.5 is intended to require a special investigation proving adequate fire safety to the building official whenever play structures greater than 300sf in area will be erected within a building.</p> <p>As for OSSC Section 424.2 compliance, the submitted document titled: "06 Certification" is not entirely legible, includes sections which are incomplete, contains numerous blank sheets, and does not clearly demonstrate conformance with the requirements of OSSC Section 424.2. Please have the project engineer compile the necessary documentation, and clearly demonstrate conformance with each specific applicable requirement listed under OSSC Section 424.2, within a single report document which is complete, accurate, 100% legible, and which bears their stamp and signature.</p>	Unresolved

Responded by: Darin Bouska - 1/6/23 8:23 AM
See Sheet A4.1, addressing items for Section 424. See
Alt Means App, to address 424.5 and 424.5

Reviewer Response: Robert Morris - 12/13/22 3:08 PM
Please refer to the 12-7-22 email correspondence which
was uploaded to the Documents folder.

Responded by: Darin Bouska - 12/6/22 7:38 AM
See attached, 'APPLICATION FOR APPROVAL OF
ALTERNATIVE TO OR MODIFICATION' form

Responded by: Darin Bouska - 12/6/22 7:38 AM
Section 424.5 - See attached, 'APPLICATION FOR
APPROVAL OF ALTERNATIVE TO OR MODIFICATION'
form. Section 424.4 - Means of Egress are 5'-0", see
Sheet A4.1. Space limitations for 20ft separation of
structures. Section 424.3 - Proposed Play Structures are
'Open Ceiling', Building Fire Sprinkler coverage will be
sufficient for Play Structures. Section 424.2 - See
attached Materials Data Sheet

Plan Review - Review Comments Report

Project Name: **B0160323**

Workflow Started: **3/24/2023 12:23:25 AM**

Report Generated: **12/14/2023 03:18 PM**

REVIEW COMMENTS

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
5	1	Building Robert Morris 3/30/23 2:59 PM	Comment Please demonstrate compliance with the requirements for play structures within the plans. [107.2.1, 424, 1603.1]		<p>Reviewer Response: Robert Morris - 12/6/23 3:11 PM In reviewing the latest submittal documents, the AOR assessment of "accepted" materials listed within the certification matrix appears to be accurate, except as follows:</p> <ol style="list-style-type: none"> 1. The report titled: "TuvRheinland Report No. CN238WGS 001R" does not specifically state which "plastic materials" it pertains to. Need documentation which correlates this report to the "crawl tube" and "crawl tube connector" which the report is attributed to within the AOR matrix. 2. The AmFloor "Rubber Gym Flooring" specifications <p>state that the critical radiant flux does not meet the criteria for Class I interior floor finish per OSSC Section 804.2, as required per OSSC Section 424.2, item #9.</p> <ol style="list-style-type: none"> 3. Section 424.2 Item #10 compliance still needs to be demonstrated for play structure(s) greater than 600sf or 10' in height. <p>Additionally:</p> <ol style="list-style-type: none"> A. Testing for all other materials which are not identified as "accepted" within the matrix remain to be addressed. B. All materials and testing documentation report numbers will need to be separated by play structure and specified as such within plans, for clarity and completeness. C. The height of all play structures needs to be specified within the plans on sheet a2.00. D. The special investigation required for play structures greater than 600sf in area and/or 10ft in height per OSSC Section 424.5 remains to be addressed. <p>PLEASE DO NOT RESPOND TO THIS COMMENT UNTIL AFTER ALL ITEMS LISTED ABOVE HAVE BEEN COMPLETELY ADDRESSED, AND CONFORMANCE WITH THE REQUIREMENTS OF OSSC SECTION 424 HAS BEEN CLEARLY AND COMPLETELY DEMONSTRATED WITHIN THE SUBMITTAL DOCUMENTS.</p>	Unresolved

Responded by: ALEX PORTER - 12/5/23 4:03 PM
Applicant has uploaded additional / revised supporting documentation

Reviewer Response: Robert Morris - 11/14/23 10:54 AM
The uploaded test report for rigid plastics is missing pages and does not specifically state that the materials exhibited a peak rate of heat release not exceeding 400 kW/ m2 when tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m2 in the horizontal orientation at a thickness of 6 mm.

The uploaded test report for foam plastics is missing pages and does not specifically state that the materials have a maximum heat-release rate not greater than 100 kilowatts when tested in accordance with UL 1975 or when tested in accordance with NFPA 289, using the 20

kW ignition source.

It is unclear what requirement the trampoline bed test report is intended to address, but the document is missing pages.

Please:

- 1) Submit documentation which clearly demonstrates conformance with all applicable requirements of OSSC Sections 424.2, correlated with each individual play structure.
- 2) Submit a special investigation report, pertaining to the specific play structure(s) exceeding 600sf and/or 10ft in height, which demonstrates adequate fire safety as required per OSSC Section 424.5.

Responded by: ALEX PORTER - 11/11/23 4:23 PM
Regarding 424.2 applicant has uploaded 3 testing reports to the Reviewer Attachments Folder demonstrating materials compliance information supplied by the manufacturer -- Regarding 424.5 applicant testifies that to the best of our ability the 3 testing reports supplied by the manufacturer have been corroborated with the installed materials and found to reference the appropriate standards

Reviewer Response: Robert Morris - 7/6/23 10:13 AM
This comment does not pertain to engineering or structural adequacy. Section 424.2 pertains to play structure materials, and Section 424.5 pertains to special investigations (regarding fire safety) for play structures exceeding 600sf in area.

Please respond to this comment after plans/documentation addressing these requirements have been uploaded.

Responded by: ALEX PORTER - 7/2/23 8:03 PM
Please clarify - as we understand sufficient information is shown to demonstrate compliance, is there an issue with the engineering?

Reviewer Response: Robert Morris - 5/22/23 2:54 PM
Please also demonstrate conformance with the requirements of OSSC Sections 424.2 and 424.5 within the submittal documents.

Responded by: ALEX PORTER - 5/18/23 12:09 PM
play structures are now separated, engineering supplements for anchorage are provided