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November 15, 2017

Mr. Denny Egner
Planning Director
City of Milwaukie
6101 SE Johnson Creek Boulevard
Milwaukie, OR 97206

Milwaukie High School
Historic Resource Review Application

Dear Denny,

This office represents the North Clackamas School District. This letter has been prepared in order to request an amendment to the City's Comprehensive Plan Map and Zoning Map to delete the Milwaukie High School from the City's Inventory of Historic Resources. In 2016, the District passed a Bond Measure to allow for the funding of new facilities and infrastructure throughout the District. The replacement and modernization of Milwaukie High School was included among the list of bond-funded projects and the removal of the existing main building on campus from the City's Historic Resource Inventory is the first step towards the construction of a new high school.

The Applicant has prepared the attached materials to formally request an Historic Resource Review to delete the property from the City's Inventory, and a Comprehensive Plan Map Amendment and Zoning Map Amendment. Within this document, the Applicant has identified and addressed the applicable approval criteria related to this request.

Please feel free to give me a call if you have any questions or need any additional clarification.

Sincerely,



Andrew Tull
Principal Planner
3J Consulting, Inc.



GENERAL INFORMATION

Applicant:	North Clackamas School District 12451 SE Fuller Road Milwaukie, OR 97222 Contact: David Hobbs Capital Projects Manager
Program Manager:	Heery International Two Centerpointe Drive, Suite 250 Lake Oswego, OR 97035 Contact: Steve Nicholas Phone: 503-431-6180 Email: snichola@heery.com
Architect:	Dull Olson Weekes-IBI Group Architects, Inc. 907 SW Stark Street Portland, OR 97205 Contact: Matt Jacoby Phone: 503-226-6950 Email: matt.jacoby@ibigroup.com
Planning Consultant:	3J Consulting, Inc. 5075 SW Griffith Drive, Suite 150 Beaverton, OR 97005 Contact: Andrew Tull Phone: 503-545-1907 Email: andrew.tull@3j-consulting.com
SITE INFORMATION	
Parcel Number:	11E36BC 5600
Address:	11200 SE 23 rd Avenue
Size:	14.7 acres
Zoning Designation:	R-2 and R-1-B
Existing Use:	Milwaukie High School
Street Functional Classifications:	SE Washington Street is classified as a collector. SE 23 rd Avenue, SE Willard Street and SE 25 th Avenue are classified as local roads.
Surrounding Zoning:	The properties to the south and east are zoned R-2. The properties to the west are zoned R-1-B and DMU. The properties to the north are zoned R-1-B and R-2.



APPLICANT'S REQUEST

The North Clackamas School District is proposing to construct a new high school on the existing Milwaukie High School Campus and seeks approval of an application for an Historic Resource Review to allow for the deletion of Milwaukie High School from the City's Historic Resource Inventory. This narrative has been prepared to describe the proposed development and to document compliance with the relevant sections of Milwaukie's Development Code.

SITE DESCRIPTION/SURROUNDING LAND USE

Milwaukie High School is located at 11300 SE 23rd Avenue within the City of Milwaukie. The site consists of one tax lot, 1S1E36BC 5600, which is traversed by SE Willard Road. The site is approximately 14.7 acres and is primarily zoned R-2, with a small portion of the site west of 23rd Avenue zoned R-1-B. The existing school consists of a primary academic and administrative building, with several connecting additions made to the campus over the years.

STATE HISTORIC PRESERVATION OFFICE PROCESS

Because the North Clackamas School District is a public agency, it is required to consult with the State Historic Preservation Office (SHPO) regarding the site's historic structures. The District is currently working towards a Memorandum of Agreement with the SHPO which will eventually implement several mitigation measures to be undertaken by the NCSO. The latest correspondence from the State indicates that mitigation will mostly likely need to include the following measures:

- State-level documentation including exterior and interior digital photography prior to demolition;
- Physical history and interpretation including interpretive displays and information to be located on campus;
- Digital research and interpretation including historic background and research materials available online; and
- Artifacts which will be salvaged and re-purposed from the old academic building.

The District is amenable to the points requested by the Historic Preservation Office and intends to continue working with the State to reach an agreement.

CHAPTER 19.400 OVERLAY ZONES AND SPECIAL AREAS

19.403 HISTORIC PRESERVATION OVERLAY ZONE HP

19.403.1 Purpose

The intent and purpose of this section is to promote the general welfare by providing for the identification, protection, enhancement, perpetuation, and use of sites, structures, districts, objects, and buildings within the City that reflect the City's unique architectural, archaeological, and historical heritage, and to facilitate preservation of such properties in order to:

- A. Safeguard the City's heritage as embodied and reflected in such resources;**
- B. Encourage public knowledge, understanding, and appreciation of the City's history and culture;**
- C. Foster community and neighborhood pride and sense of identity based on recognition and use of cultural resources;**



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- D. Promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;**
 - E. Preserve diverse and significant architectural styles reflecting phases of the City's history, and encourage complementary design and construction relative to cultural resources;**
 - F. Enhance property value and increase economic and financial benefits to the City and its residents;**
 - G. Identify and resolve conflicts between the preservation of cultural resources and alternative land uses;**
 - H. Integrate the management of cultural resources and relevant data into public and private land management and development processes; and**
 - I. Implement the goals and policies of the Comprehensive Plan.**

19.403.2 Applicability

- A. Section 19.403 shall apply to all historic resources within the City as identified in the Historic Resources Element of the Comprehensive Plan.**
- B. An historic resource may be designated HP on the Zoning Map and placed on the City historic and cultural resources inventory following the procedures of Subsection 19.403.4 of this section.**

Applicant's Facts and Findings: The City's Historic Resource Overlay applies to this site as the City's Comprehensive Plan lists the Milwaukie High School as a Significant Resource within the City's Historic Inventory under Appendix 1, also shown on Map 4.

19.403.4 Process for Designation or Deletion of a Landmark

- A. Application Request**

The owner of record, contract purchaser, or an agent of any of the foregoing, of property within the City may make application for resource designation or deletion. The application shall be in such form and detail as the Planning Director prescribes and processed per Section 19.1007 Type IV Review. The application shall be submitted to the Planning Director. The Planning Commission or the City Council may also initiate such proceedings on their own motion.
- B. Planning Commission**

The Commission shall conduct a public hearing to evaluate the request. The Commission shall enter findings and make a written recommendation to the City Council.
- C. City Council**

The City Council shall conduct a public hearing to consider the recommendation of the Planning Commission on the request and shall either approve, approve with conditions, or deny the request.

Applicant's Facts The Applicant has proposed to amend the City's Comprehensive Plan by



and Findings: removing the Milwaukie High School from the City's Historical Resource Inventory. The process for review of this application will include a review by the Planning Commission, resulting in a recommendation to the City Council. The Council will render a final decision on the combined application.

There are no approval criteria associated with a request to delist a Resource from the City's Inventory. The Applicant has addressed the City's Comprehensive Plan and Map Amendment criteria as a concurrent Amendment to the Comprehensive Plan has been requested. In the absence of criteria for approval, the City can approve the Applicant's request for delisting upon receipt of a formal request.

19.403.7 Demolition

A. Notification of Demolition Request

If an application is made for a building permit to demolish all or part of a designated cultural resource, to the extent that the historic designation is affected, the building official shall, within 7 days of the receipt of an application, transmit a copy of the application to the Commission. This review applies to all resources determined to be "significant" or "contributing" on the inventory. Resources determined to be "unrankable" shall first complete the process referred to in Subsection 19.403.4.

Applicant's Facts and Findings: The Applicant has proposed to remove the Milwaukie High School from the City's Historical Resource inventory and to delete the resource from the City's Comprehensive Plan Map. No formal request for a demolition permit has been submitted at this time. As a demolition permit has not been requested, the provisions of this section do not apply to this application.

Despite the fact that an application for demolition has not been filed, the Applicant has followed many of the provisions listed within this section which would require an owner's action in recognition of the fact that the Milwaukie High School is listed as an Historic Resource within the City. The following comments detail the steps which the District has undertaken to provide notice to the public of the planned demolition and replacement of the Milwaukie High School's main building.

B. Property Owner Action

For a period of not less than 30 days prior to the public hearing the property owner shall do as follows:

- 1. List the property for sale with a real estate agent for a period not less than 90 days with the intent of selling or relocating the resource intact. Such real estate agent shall advertise the property in local and state newspapers of general circulation in the area. This listing requirement can be reduced if the Commission approves the demolition request;**

Applicant's Facts The Milwaukie High School Building was listed for sale. The advertisement



and Findings: was also listed on the State’s Oregon Procurement Information Network – ORPIN, and in the Clackamas Review from July through August. No responses to the advertisement of the property’s removal were received by the district.

2. **Give public notice by posting a visible “For Sale” sign on the property which shall be in bold letters, no less than 6 in. in height, and shall read as a minimum: HISTORIC BUILDING FOR SALE—WILL BE DEMOLISHED UNLESS MOVED;**

Applicant’s Facts and Findings: In July, the Applicant posted a For Sale sign on the property. The sign met all of the dimensional criteria listed within this section. No responses to the advertisement of the property’s removal were received by the district.

3. **Prepare and make available any information related to the history and sales of the property to all individuals, organizations, and agencies who inquire.**

Applicant’s Facts and Findings: The Applicant received no inquiries about the property during the public advertisement period.

C. Public Hearing Review

The Commission shall hold a public hearing within 45 days of application. The procedures shall be the same as those in Section 19.1006 Type III Review.

Applicant’s Facts and Findings: The Applicant has applied for a Type V Application which seeks to amend the City’s Comprehensive Plan by deleting an Historic Resource from the City’s registry. As the Applicant has not yet applied to demolish the structure, the process for review of these applications will include a review by the Planning Commission which will result in a recommendation to the City Council. The Council will render a final decision on the Applications.

D. Review Criteria and Findings

In determining the appropriateness of the demolition, as proposed in an application for a building permit, the Commission shall consider the following:

1. **All plans, drawings and photographs as may be submitted by the applicant;**
2. **Information presented at a public hearing held concerning the proposed work;**
3. **The City Comprehensive Plan, including the economic, social, environmental and energy consequences;**
4. **The purpose as set forth in Subsection 19.403.1;**
5. **The criteria used, and findings and decisions made, in the original designation of the landmark or historic district in which the property under consideration is located;**
6. **The historical and architectural style, design, arrangement, materials, or its appurtenant fixtures; the relationship of such features to similar features of other**



- buildings within the district; and the position of the building or structure in relation to public rights-of-way and to other buildings and structures in the area;**
- 7. The effects of the proposed work upon the protection, enhancement, perpetuation, and use of the district which cause it to possess a special character or special historic or aesthetic interest or value;**
 - 8. Whether denial of the permit would involve substantial hardship to the applicant, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this title.**

Applicant's Facts and Findings: As described above, these criteria do not apply to this application because the Applicant has applied to delete a Historic Resource from the City's Inventory and not demolish a resource. Demolition of the structure will only occur after the request for delisting of the resource has been approved by the City.

Although these criteria do not apply, the Applicant has undertaken a long and thoughtful process to identify and evaluate options associated with the Milwaukie High School Building. The district has prepared several materials which demonstrate that the decision to request deletion of one of the Historic Resources from the Inventory and Comprehensive Plan Map has not been taken lightly. The following is a description of the District's process in arriving at the decision to demolish and replace the existing High School Building.

In November of 2016, the electorate passed a school bond to allow for district-wide construction, maintenance, and replacement of multiple facilities. The replacement or renovation of Milwaukie High School was listed as a high priority project. After passage of the bond, the District engaged DOWA-IBI Group to evaluate options associated with modernization of the existing building. The District also initiated a significant public outreach process which involved consultation and meetings with several recognized neighborhood associations, students, and the general public and discussed options for demolition, retention and replacement.

The District also engaged Peter Meier Architects (PMA), a professional architecture firm specializing in historic preservation and preservation planning to evaluate the potential for preservation of the existing building and to work with the State Historic Preservation Office (SHPO). PMA produced a SHPO Clearance Application which encapsulated the building's history and additions and which described the significant architectural features of the structure. The SHPO Clearance forms are located within Appendix D.

On June 27, the Applicant and the District met with members of the community at Milwaukie High School to discuss the plans for removal of the



existing building and to illustrate the conceptual plans for the new facilities. More than 400 mailed invitations were sent to neighbors residing within 400 feet of the property. Invitations were also mailed to members of the City's Planning Commission, Design and Landmarks Committee, and the City Council. At the June 27th meeting, the DOWA-IBI Group and the District presented the site's conceptual designs and discussed the project's timelines.

Although these criteria do not apply to this application, the Applicant has used these criteria as a guide in preparing to request the delisting of the resource from the City's inventory and the proposed Amendment to the Comprehensive Plan Map to remove the structure from the City's Historic Resource Inventory. The City can find that the Applicant has gone to great lengths to evaluate alternatives to delisting and to involve the public in the decision making process. Ultimately, the decision to demolish the existing Milwaukie High School building and to replace the structure with a new and modern high school will provide the best possible level of service to the District's students and the residents of Milwaukie.

The requirements of this section do not apply to this application; however, the District has followed these guidelines for demolition of an Historic Resource in recognition of building's status as a historic structure.

CHAPTER 19.900 LAND USE APPLICATIONS

19.902 AMENDMENTS TO MAPS AND ORDINANCES

19.902.1 Purpose

This section establishes the process for amending the City's Comprehensive Plan and land use regulations within the Milwaukie Municipal Code. The approval process related to Comprehensive Plan amendments is intended to ensure compliance with State laws and administrative rules, including the 19 Statewide Planning Goals and the Metro Urban Growth Management Functional Plan, Chapter 3.07, Title III of the Metro Code. The approval process related to land use amendments is intended to ensure compliance with the Comprehensive Plan.

The goals and policies of the Comprehensive Plan are implemented, in part, through the land use regulations of the Milwaukie Municipal Code. The sections of the Municipal Code that most directly relate to implementation of the Comprehensive Plan are Title 14 Signs, Title 17 Land Division, and Title 19 Zoning.

19.902.2 Applicability

The requirements of Section 19.902 apply to the amendments described below.

- A. Amendments to add, modify, or delete the text of the Milwaukie Comprehensive Plan or its ancillary documents.**
- B. Amendments to add, modify, or delete the text of Titles 14, 17, and 19 of the Milwaukie Municipal Code, or any other portion of the Milwaukie Municipal Code that constitutes a land use regulation per ORS 197.015.**



- C. Amendments to change the maps of the Milwaukie Comprehensive Plan, including maps within ancillary documents. Changes to these maps resulting from actions taken by Section 19.1104 Expedited Process are exempt from the requirements of Section 19.902.**
- D. Amendments to change the “Zoning Map of Milwaukie, Oregon,” which is the map established by Subsection 19.107.2. Changes to this map resulting from actions taken by Section 19.1104 Expedited Process are exempt from the requirements of Section 19.902.**

Applicant’s Facts and Findings: Milwaukie High School is listed as a significant property within the City’s Comprehensive Plan Appendix 1 - Historic Resources Property List, as well as Map 4 of the Comprehensive Plan. The Applicant has requested removal of the High School from the City’s Resource List and Map 4. The provisions of this section apply to the project because the Applicant has proposed a amendments to the City’s Comprehensive Plan Appendices.

19.902.3 Comprehensive Plan Text Amendments

Changes to the text of the Milwaukie Comprehensive Plan shall be called Comprehensive Plan text amendments.

A. Approval Criteria

Changes to the Milwaukie Comprehensive Plan may be approved if the following criteria are met:

- 1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as proposed to be amended.**

Applicant’s Facts and Findings: The City’s Comprehensive Plan addresses schools in the City’s Recreation and Intergovernmental Cooperation Objectives. The Plan mentions the need to support work with other governmental agencies towards the provision of publicly useable open spaces. The document references the fact that Milwaukie’s schools play an important role in providing open space within the community. The proposed relocation of a main building for a new high school on the grounds of the old school are consistent with the City’s Comprehensive Plan.

- 2. The proposed amendment is in the public interest with regard to neighborhood or community conditions.**

Applicant’s Facts and Findings: North Clackamas School District is pleased to be able to provide education for Milwaukie’s high school students near the center of Milwaukie’s downtown. Having students embedded near the urban center helps to ensure that students, parents, and administrators are integrated within the community. The proposed amendment enables improvements to the existing High School’s campus which are certainly in the best interest of the



public.

3. The public need is best satisfied by this particular proposed amendment.

Applicant's Facts and Findings: Prior to the replacement of an Historic Resource, an applicant must apply to delist the property from the City's Inventory. As alteration of the resource is required in order to continue the provision of services within the community, the public need is satisfied by the proposed amendment.

4. The proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

Applicant's Facts and Findings: Metro's Urban Growth Management Functional Plan calls for institutional uses, including schools, to be located within Centers, Corridors, Station Communities and Main Streets (3.07.640.b.2). The proposed amendment allows for the redevelopment of a site located within the Town Center and adjacent to a MAX Light Rail Station. The proposed amendment is consistent with Metro's Functional Plan.

5. The proposed amendment is consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

Applicant's Facts and Findings: The Oregon Statewide Planning Goals define schools as one of a series of Key Facilities which are primarily planned for by local governments. Key Facilities are described as being essential to the support of more intensive development. The Transportation Planning Rule (TPR) requires any property owner proposing a Comprehensive Plan Amendment or Zoning Map Amendment to assess whether the amendment will have a significant impact on the surrounding transportation network. As this Comprehensive Plan Map Amendment and Zoning Map Amendment application does not include a change of use, the reasonable worst case trip generation on the site has not changed and, therefore, the proposal is compliant with the TPR.

19.902.4 Comprehensive Plan Map Amendments

Changes to the maps of the Milwaukie Comprehensive Plan shall be called Comprehensive Plan map amendments.

A. Review Process

Changes to the maps of the Milwaukie Comprehensive Plan described in Subsection 19.902.2.C shall be evaluated through either a Type IV review, per Section 19.1007, or Type V review, per Section 19.1008. The City Attorney shall have the authority to determine the appropriate review process for each Comprehensive Plan map amendment. The City Attorney's review process determination is not a land use decision per ORS 197.015 and is not subject to appeal.



Generally, Comprehensive Plan map amendments that involve 5 or more properties or encompass more than 2 acres of land are legislative in nature and subject to Type V review. Comprehensive Plan map amendments that involve fewer properties and encompass a smaller area of land are quasi-judicial in nature and subject to Type IV review.

Applicant's Facts and Findings: The Applicant acknowledges the Type V process requirement.

B. Approval Criteria

Changes to the maps of the Milwaukie Comprehensive Plan shall be evaluated against the approval criteria in Subsection 19.902.3.B. A quasi-judicial map amendment shall be approved if these criteria are met. A legislative map amendment may be approved if these criteria are met.

Applicant's Facts and Findings: The Applicant has addressed the approval criteria in Subsection 19.902.3.B as it relates to the proposed Comprehensive Plan Map Amendment.

19.902.6 Zoning Map Amendments

Changes to the Zoning Map of Milwaukie, Oregon, shall be called Zoning Map amendments.

A. Review Process

Applicant's Facts and Findings: The Applicant acknowledges the Type V process requirement.

B. Approval Criteria

Changes to the Zoning Map shall be evaluated against the following approval criteria. A quasi-judicial map amendment shall be approved if the following criteria are met. A legislative map amendment may be approved if the following criteria are met:

- 1. The proposed amendment is compatible with the surrounding area based on the following factors:**
 - a. Site location and character of the area.**
 - b. Predominant land use pattern and density of the area.**
 - c. Expected changes in the development pattern for the area.**

Applicant's Facts and Findings: The proposed Zoning Map Amendment is necessary to allow for the deletion of a historic resource from the City's Inventory to provide for a modernized high school. The overall use of the site will remain the same, therefore the use is compatible with the surrounding area.

The requirements of this section have been met.

- 2. The need is demonstrated for uses allowed by the proposed amendment.**

Applicant's Facts and Findings: In November of 2016, the electorate passed a school bond to allow for district-wide construction, maintenance, and replacement of multiple facilities. The replacement or renovation of Milwaukie High School was listed as a high priority project. The proposed amendment is necessary to



allow for the deletion of a Historic Resource from the City's Inventory to construct a modernized high school, a need demonstrated by the electorate.

3. The availability is shown of suitable alternative areas with the same or similar zoning designation.

Applicant's Facts and Findings: A suitable alternative area is not applicable in a deletion of a historic resource from the City's Inventory, as the historic resource overlay zone is used selectively for specific structures.

4. The subject property and adjacent properties presently have adequate public transportation facilities, public utilities, and services to support the use(s) allowed by the proposed amendment, or such facilities, utilities, and services are proposed or required as a condition of approval for the proposed amendment.

Applicant's Facts and Findings: The existing high school has adequate public transportation facilities, public utilities, and services to support the school. The use of the site will remain the same, therefore adequate facilities exist to serve the new school.

5. The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact study may be required subject to the provisions of Chapter 19.700.

Applicant's Facts and Findings: The proposed deletion of a historic structure from the City's inventory will not impact the existing transportation system.

6. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, including the Land Use Map.

Applicant's Facts and Findings: The City's Comprehensive Plan addresses schools in the City's Recreation and Intergovernmental Cooperation Objectives. The Plan mentions the need to support work with other governmental agencies towards the provision of publicly useable open spaces. The document references the fact that Milwaukie's schools play an important role in providing open space within the community. The proposed relocation of a main building for a new high school on the grounds of the old school are consistent with the City's Comprehensive Plan.

7. The proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

Applicant's Facts and Findings: Metro's Urban Growth Management Functional Plan calls for institutional uses, including schools, to be located within Centers, Corridors, Station Communities and Main Streets (3.07.640.b.2). The proposed amendment allows for the redevelopment of a site located within the Town Center and



adjacent to a MAX Light Rail Station. The proposed amendment is consistent with Metro's Functional Plan.

8. The proposed amendment is consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

Applicant's Facts and Findings: The Oregon Statewide Planning Goals define schools as one of a series of Key Facilities which are primarily planned for by local governments. Key Facilities are described as being essential to the support of more intensive development. The Transportation Planning Rule (TPR) requires any property owner proposing a Comprehensive Plan Amendment or Zoning Map Amendment to assess whether the amendment will have a significant impact on the surrounding transportation network. As this Comprehensive Plan Amendment and Zoning Map Amendment application does not include a change of use, the reasonable worst case trip generation on the site has not changed and, therefore, the proposal is compliant with the TPR.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval from the City Council of this Application for the deletion of Milwaukie High School from the City's Comprehensive Plan Inventory of Historic Resources. We trust that the materials submitted herewith document that the applicant has satisfied the burden of proof in illustrating that the City's standards and codes either have been met or can be met through conditions of approval.

