



AGENDA

MILWAUKIE DESIGN AND LANDMARKS COMMITTEE Monday, May 1, 2017, 6:30 PM

CITY HALL CONFERENCE ROOM
10722 SE MAIN ST

- 1.0 Call to Order—Procedural Matters**
- 2.0 Meeting Notes—Motion Needed**
 - 2.1 April 12, 2017
- 3.0 Information Items**
- 4.0 Audience Participation—**This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Meetings—**Public meetings will follow the procedure listed on reverse
 - 5.1 Recommendation Hearing: Demolition request for “significant” historic property at 4217 SE Railroad Ave (land use file #HR-2017-001)
- 6.0 Worksession Items**
 - 6.1 Summary: Informal presentation—Redevelopment of 2036 SE Washington St
Presenters: Kurt Schultz (Sera Architects) & Tom Brenneke (Guardian Real Estate Svcs)
 - 6.2 Summary: Downtown Design Guidelines Update, Session 16
Presenter: Brett Kelter, Associate Planner
- 7.0 Other Business/Updates**
 - 7.1 Special Election to fill Vice Chair position
- 8.0 Design and Landmark Committee Discussion Items—**This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - June 5, 2017 Continue work on DDG updates (format TBD)
 - July 3, 2017 (*tent.*) TBD

Milwaukie Design and Landmarks Committee Statement

The Design and Landmarks Committee is established to advise the Planning Commission on historic preservation activities, compliance with applicable design guidelines, and to review and recommend appropriate design guidelines and design review processes and procedures to the Planning Commission and City Council.

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@milwaukieoregon.gov. Thank You.
2. **DESIGN AND LANDMARKS COMMITTEE MEETING MINUTES.** Approved DLC Minutes can be found on the City website at www.milwaukieoregon.gov.
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.milwaukieoregon.gov.
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.

Public Meeting Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Committee members.

1. **STAFF REPORT.** Each design review meeting starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommendation with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Committee was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMITTEE MEMBERS.** The committee members will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the Committee will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC MEETING.** The Chairperson will close the public portion of the meeting. The Committee will then enter into deliberation. From this point in the meeting the Committee will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMITTEE DISCUSSION AND ACTION.** It is the Committee's intention to make a recommendation this evening on each issue on the agenda. Design and Landmarks Committee recommendations are not appealable.
11. **MEETING CONTINUANCE.** Prior to the close of the first public meeting, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Design and Landmarks Committee will either continue the public meeting to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Design and Landmarks Committee:

Laurent Loosveldt, Chair
(Vacant Position), Vice Chair
Cynthia Schuster
Michael Corrente
(Vacant Position)

Planning Department Staff:

Denny Egner, Planning Director
David Levitan, Senior Planner
Brett Kelder, Associate Planner
Vera Koliass, Associate Planner
Mary Heberling, Assistant Planner
Avery Pickard, Administrative Specialist II
Alicia Martin, Administrative Specialist II

**CITY OF MILWAUKIE
DESIGN AND LANDMARKS COMMITTEE
NOTES
Milwaukie City Hall
10722 SE Main St
Wednesday, April 12, 2017
6:30 PM**

COMMITTEE MEMBERS PRESENT

Lauren Loosveldt, Chair
Scott Jones, Vice Chair
Michael Corrente
Cynthia Schuster

STAFF PRESENT

Brett Kelper, Associate Planner (staff liaison)

MEMBERS ABSENT

None

1.0 Call to Order – Procedural Matters

Chair Lauren Loosveldt called the meeting to order at 6:33 p.m.

2.0 Design and Landmarks Committee Notes

2.1 March 13, 2017

Chair Loosveldt called for any revisions to the notes from the March meeting. There were none, and the notes were approved unanimously.

3.0 Information Items

Vice Chair Scott Jones announced that he had been appointed to the Planning Commission (to be officialized on April 18) and would be resigning from the Committee, effective as of tonight's meeting. He expressed appreciation for the opportunity to be involved in the group's work over the past 3 years and was excited to transition onto the Planning Commission. He indicated that he would not be able to stay for the entire meeting, and **Associate Planner Brett Kelper** asked if he would share any thoughts about the future direction of the group's work to update the Downtown Design Guidelines (DDG)—his comments and the rest of that conversation are noted under Item 6.1, below.

4.0 Audience Participation – None**5.0 Public Meetings – None****6.0 Worksession Items**

6.1 Downtown Design Guidelines Update, cont.
Staff Person: Brett Kelper, Associate Planner

Vice Chair Jones suggested it would be ideal to preserve the group's valuable work-to-date on the DDG while finding a way to more efficiently use the Committee's time on the project. **Member Cynthia Schuster** agreed that it was important to take a step back and figure out what the design guidelines need to be. She liked the idea of there being some sort of semi-subjective guide (rather than just codified rules) for downtown development that presents some design details and tries to fill in the gaps about elements like materials (type and quality). Based on her read of the design review process, she thinks the guidelines will still be a key part of the process, as she doesn't believe very many projects will be able to use the more clear and objective Type II review option and so will be pushed into the more discretionary Type III review process.

Chair Loosveldt countered that, while she agrees that the DDG should be a reference document, she thinks it should be more prescriptive and/or more specific than the current version of the DDG, which was not set up that way and is too subjective. She thinks that more specific design standards should be codified and is concerned that there may be several important development projects in the meantime that do not get adequate review against the DDG and so need some standards to be codified. **Member Schuster** wondered if an aggressive workplan for the update could be established. She referenced the City of Portland's Main Street guideline document as an example of what she's suggesting, and she offered to send a link to members.

There was some discussion about the challenge of keeping standards relevant if certain specifics are codified. **Mr. Kelper** attempted to clarify the difference in the perspectives of Member Schuster and Chair Loosveldt (flexibility versus codification); the two agreed that the DDG needed to live on and to be an effective tool for producing quality projects. **Chair Loosveldt** suggested that the group might be more helpful in a role of assisting a consultant, as a reviewer of materials rather than a producer (as the group has been). She asked about the availability of funding for a consultant.

Mr. Kelper first indicated that Vice Chair Jones should feel free to leave the meeting whenever he felt he needed and then confirmed that the Planning Director does have funding available for a consultant. The idea was to move as quickly as possible to devise a scope of work, and then have the consultant use its time to assess the problems and gaps identified by the Committee and Planning Commission and develop proposed revisions and new materials for the Committee to review and respond to. It would be ideal if a preliminary scope of work could be available for the group to review at the next meeting on May 1.

Once Vice Chair Jones left (shortly before 7:00 p.m.), as a more formal transition into Item 6.1 from the initial conversation begun under Item 3.0, **Mr. Kelper** asked whether the members had any follow-up questions from the March 28 worksession with the Planning Commission. **Chair Loosveldt** reiterated that the DDG needs to be improved and the design review process needs to give them more teeth. Noting the outdated feeling of some items in the current DDG, she suggested finding ways to make ongoing maintenance of the document less necessary. She also noted gaps in the code itself, as well as outdated references to things like the list of allowed exterior building materials (in MMC 19.508) that need to be revisited and addressed. There was some concern that the current standards for the Type II process might result in new buildings looking more like one another than what was intended.

Mr. Kelper reiterated that the intent of the change to the design review process was to provide a simpler track for developers to use if desired. While the result might be that the Type II process is not utilized as much as anticipated, especially if developers want to be more creative than the Type II process allows, the Type III process is still available as an option. His impression of the intent of the change to the process was not to prescribe a specific design or look for new buildings, certainly not to the degree that might happen in a place like Lake Oswego or Sisters. It remains to be seen whether the Type II process is as effective as hoped at streamlining the process without resulting in same-looking buildings.

Chair Loosveldt noted several open-ended questions that came out of the March 28 worksession: (1) Is it legal to subject an application to the entirety of the DDG, if an applicant chooses to go through Type III review? (2) What is involved in the code amendment process? (3) What things can the group do to prioritize actions to be most effective? (4) When does a design review application get locked in to a particular set of regulations?

Mr. Kelper responded to the last question first, that whatever standards are in place at the time an application is submitted are the ones that apply throughout the review process. He explained that the code amendment process is not normally a quick or simple one—proposed amendments must go to both the Planning Commission and City Council for approval, and there are usually worksessions with

one or both groups as well as time-intensive preparation and analysis involved. However, perhaps a few key adjustments to the current code could be identified as an effective short-term fix. To get at her first question, he suggested it might be most effective to do the assessment exercise suggested in the staff report for this item, with the group working to determine how many of the design guidelines would be applicable in a Type III review. **Chair Loosveldt** recommended that the Planning Director and the Planning Commission be kept apprised of the group's efforts, to stay coordinated and avoid the Committee spending more time working in an inefficient or unproductive manner.

With that, the group turned to one of the matrices included in the meeting packet, to compare the design standards of Milwaukie Municipal Code (MMC) Section 19.508 with the various guidelines in the DDG. The exercise was to consider the purpose statement of each design standard and determine which guidelines could reasonably be considered applicable. Focusing first on the Milwaukie Character guidelines, the members had a long discussion about the methodology and how deeply to dive into the text and Recommended/Not Recommended points provided in the DDG. With group consensus, they indicated on the matrix which guidelines appeared to clearly be applicable, which not, and which needed further consideration.

After approximately 90 minutes of work with the matrix, **Chair Loosveldt** suggested that the slow pace of the exercise might be accelerated if the members could spend some time in advance of the next meeting to fill in the matrix on their own. Then the group could spend its time discussing any points of disagreement or uncertainty instead of grinding through the initial answers. **Member Michael Corrente** suggested posting the matrix to an online space where they could work on it between meetings and see each other's answers, and he offered to modify the existing spreadsheet to be shareable in this way. There was general agreement that this might be a way to continue the discussion more productively at the next meeting.

Whatever shape a revised DDG ends up taking, **Member Schuster** suggested that the group consider establishing a sort of "design enhancement guide" that would serve as a reference to developers, suggesting ideas for architectural, lighting, and signage designs beyond the minimum requirements of the code.

7.0 Other Business/Updates

Mr. Kelper noted that the Committee would hold a public hearing at the May 1 meeting to consider a request to demolish a house on the City's Historic Resources Property List, and he handed out some general information related to the Committee's role in historic resource review. The planner assigned to the case (Vera Koliass) will make a presentation to explain the nature of the request, and the applicant will likely be on hand as well. The Committee will be asked to make a recommendation to the Planning Commission for a final decision. The process will be made more clear at the May 1 meeting.

8.0 Design and Landmarks Committee Discussion Items – None

9.0 Forecast for Future Meetings:

May 1, 2017	Recommendation hearing (demo of historic house), DDG revisions
June 5, 2017	TBD

Chair Loosveldt adjourned the meeting at 9:02 p.m.

Respectfully submitted,
 Brett Kelper, Associate Planner



MILWAUKIE

Dogwood City of the West

To: Design and Landmarks Committee

Through: Dennis Egner, Planning Director

From: Vera Kalias, Associate Planner

Date: April 24, 2017 for May 1, 2017, Public Meeting

Subject: File(s): HR-2017-001 (Master File# S-2017-002)

Applicant: Simon Lofts, Sustainable Development, LLC (represented by Mark Dane, Mark Dane Planning)

Address: 4217 SE Railroad Ave.

Legal Description (Map & Taxlot): 12E31BC08100

NDA: Hector Campbell

ACTION REQUESTED

Recommend that the Planning Commission approve application HR-2017-001 and the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow the demolition/deconstruction of the historic structure located at 4217 SE Railroad Ave.

BACKGROUND INFORMATION

This demolition application is the first part of a larger application for a 19-lot subdivision on 4 tax lots. The subdivision application includes a request to change the zoning from R-7 to R-5 and a corresponding request for a comprehensive plan map amendment from Low Density to Moderate Density (Master File #S-2017-002).

The subject property was included in the 1988 cultural resource survey process as the Keil-Hoesly Farm House. It was constructed in the 1880's and an addition was added in 1895. At the time of assessment, it was listed as being in "fair" condition and was vacant. The property was identified and mapped as a "Significant" historic resource in the Comprehensive Plan (See Attachment X for full resource inventory information).

A. Site and Vicinity

The property is located at 4217 SE Railroad Ave and is approximately 22,129 square feet. The building faces SE Railroad Ave.

The surrounding area consists of residential uses on 3 sides. To the south is SE Railroad Ave, an active rail line, and the Business Industrial Zone. (see Figure 1).

B. Zoning Designation

The site is zoned Residential R-7.

C. Comprehensive Plan Designation

Low Density (LD)

D. Land Use History

- Records indicate that the property has been in residential use since its construction in the 1880's, but has been vacant since approximately 1983. Information provided by the applicant indicates that the structure has not been maintained in over 20 years and has fallen into significant disrepair.
- On March 24, 2017, the applicant submitted a demolition permit to the Building Department, triggering historic resource review. A public hearing with the Planning Commission has been scheduled for May 9, 2017.



Figure 1. Site and Vicinity

E. Proposal

The applicant is currently seeking approval to demolish and/or deconstruct the structure as part of a 19-lot subdivision proposal.

This phase of the project requires approval of the following applications:

- Historic Resource - Demolition (HR-2017-001)

The Design and Landmarks Committee is charged with reviewing and making a recommendation to the Planning Commission on the historic resource demolition application.

F. Code Requirements/Option

- Per MMC 19.403.7, if an application is made for a building permit to demolish all or part of a designated cultural resource, the Planning Commission shall hold a public hearing within 45 days of application following all procedures of a Type III review. The review criteria and findings are discussed later in this staff report.

- The Design and Landmarks Committee was established to advise the Planning Commission on all matters specified in the Planning Commission’s historic preservation activities as outlined in MMC 2.16.010.9-10, which includes reviewing all demolition permits affecting landmarks.
- The Planning Commission has the following decision-making options when reviewing an application to demolish a designated cultural resource:
 - Approval of Demolition Request/Appeals: The Commission may approve the demolition request after considering the review criteria. If no appeal is filed with the City Council, the Building Official shall issue the permit.
 - Denial/Stay of Demolition: The Commission may reject the application and determine that the property should not be demolished. In that event, issuance of the demolition permit is suspended for 30 days from the date of the public hearing.
 - Denial/Stay of Demolition (with extension): The Commission may invoke an extension of the suspension if there is a program or project underway that could result in acquisition of the landmark and it may be successful. The Commission may extend the suspension period to 30 days, to a total of not more than 120 days from the date of the public hearing.

KEY ISSUES

Summary

Review Criteria and Findings (MMC 19.403.7.D). In determining the appropriateness of the demolition, the Planning 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.

Staff has identified the following key issues for the Design and Landmark Committee's deliberation. Aspects of the proposal not listed below are addressed in the Findings (see Attachment 1) and generally require less analysis and discretion by the Committee.

1. Is it appropriate to allow demolition of this particular historic resource?
2. Are there any feasible alternatives to demolishing the building?
3. What steps have been taken to mitigate for the loss of the historic resource?

Analysis

A. Is it appropriate to allow demolition of this particular historic resource?

MMC 19.403.7.D lists eight points that should be considered before approving a demolition permit for an historic resource. The specific points include the original information used in designating the historic resource, relevant comprehensive plan policies, current information presented by the applicant and members of the public, and the effects of the proposed demolition. Each of the specific points is addressed in more detail in Finding 7-C of the Recommended Findings in Support of Approval (see Attachment 1). The applicant presented the project, including the demolition aspect, to the Hector Campbell Neighborhood District Association and received a favorable response from participants.

The building is a "significant" historic resource, the highest designation level. The existing building has stood in the neighborhood since the 1880s. With respect to its historic designation and the architectural style it represents, it is an example of a typical 19th century farmhouse. However, the Statement of Significance states that the house is significant in its association with J.K. Wait, an early Milwaukie pioneer and leader from Connecticut, rather than its design.



Figure 2. Property photo, 1983.



Figure 3. Property photo, March 2017

The home was vacant at the time of the cultural resource inventory, and has been vacant ever since. Photographs supplied by the applicant indicate significant decay in the structure and portions appear to be nearing collapse, including the foundation. The applicant has stated that access to the structure will be provided to salvage any important artifacts for the Milwaukie Museum. The applicant has also stated that the structure would be de-constructed, allowing for re-use of quality material in new construction.

Demolishing the existing building allows the development of a residential subdivision that will provide 19 new homes in a very tight housing market with little inventory.

B. Are there any feasible alternatives to demolishing the building?

The property has been listed for sale to be moved (see Attachment 3.e – real estate listing and property notice). Its location on the site impedes the full development of the property, so if not moved, it must be demolished (deconstructed). The applicant states that maintaining the home on the property would negatively affect the number of lots which would jeopardize the project for financing reasons.

However, the applicant does not provide information about the feasibility of relocating the structure on this site as part of the overall project. The historical significance of the property lies with the structure, not with the site. This was not presented as an alternative and the applicant should address this.

C. What steps have been taken to mitigate for the loss of the historic resource?

In addition to allowing access to the house to select historic artifacts for the Milwaukie Museum, the applicant has stated that every reasonable effort would be made to salvage the demolition materials for reuse where possible.

Staff believes that loss of the existing historic resource will be adequately mitigated through conditions of approval.

CONCLUSIONS**A. Staff recommendation to the Design and Landmarks Committee is as follows:**

1. Recommend approval of the demolition permit, with conditions. This will result in the demolition of a single-family home as the first phase of a subdivision land use review process.
2. Recommend adoption of the attached Findings and Conditions of Approval.

B. Staff recommends the following key conditions of approval (see Attachment 2 for the full list of Conditions of Approval):

- Prior to demolition, staff from the Milwaukie Museum will be permitted to access the property to salvage historic artifacts for use and display at the museum.
- To the greatest extent practicable, the structure will be de-constructed to salvage the demolition materials for reuse where possible.

Other conditions of approval may be generated by the Design and Landmarks Committee and Planning Commission.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC Section 19.403.7 Historic Preservation Overlay - Demolition
- MMC Section 19.1000 Review Procedures

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission considers the DLC recommendation, assesses the application against review criteria and evaluates testimony and evidence received at the public hearing.

The Committee has 3 decision-making options as follows:

- A. Recommend approval of the application subject to the recommended Findings and Conditions of Approval.
- B. Recommend approval of the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- C. Recommend denial of the application and suspend the issuance of the demolition permit for 30 days upon finding that it does not meet the review criteria.

The final decision on the application, which includes any appeals to the City Council, must be made by July 27, 2017, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

COMMENTS

Notice of the proposal was given to the following agencies and persons: City of Milwaukie Community Development, Building, and Engineering Departments; Clackamas Fire District #1; Hector Campbell Neighborhood District Association (NDA); State Historic Preservation Office; Design and Landmarks Committee; and properties within 300 ft of the subject site.

- **Matt Amos, Clackamas Fire District #1:** No comment.
- **David Aschenbrenner, Chair, Hector Campbell NDA:** On Monday, April 10, 2017, the Hector Campbell NDA voted that the NDA had no issue with the demolition of the historic house and asked that the notice sign be relocated for improved visibility. The NDA also requested that artifacts from the home be preserved by the Milwaukie Museum.

ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	DLC Packet	Public Copies	E-Packet
1. Recommended Findings in Support of Approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Recommended Conditions of Approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Applicant's Narrative and Supporting Documentation dated March 22, 2017.			
a. Narrative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Property photographs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Cultural Resources Inventory	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Proposed subdivision plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Real estate listing information	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. 1988 ESEE review	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Comments received.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

DLC Packet = paper materials provided to DLC 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the DLC meeting.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-69>.

ATTACHMENT 1
Recommended Findings in Support of Approval
Land Use File # HR-2017-001 (4217 SE Railroad Ave demolition)

1. The applicant, Simon Lofts of Sustainable Infill Development, LLC, has applied for approval to demolish the historic structure known as the Keil-Hoesly Farm House, which is a designated as a “Significant” historic resource, at 4217 SE Railroad Ave. This site is in the residential R-7 zone. The land use application is HR-2017-001.
2. The applicant has proposed to demolish, or deconstruct, the home as part of a larger land use application package for a 19-lot subdivision (Master File #S-2017-002).

Because the existing structure is a designated “significant” historic resource, approval of an application for historic resource demolition is also required.

3. The proposal is subject to the following provisions of the Zoning Ordinance, MMC Title 19, as follows:

- Subsection 19.403.7 Demolition of designated Historic Resource
- Subsection 19.1006 Type III Review

4. Sections of the Milwaukie Municipal Code not addressed in these findings are found to be not applicable to the decision on this application.

5. Public notice has been provided in accordance with MMC Subsection 19.1006, Type III review. This application is associated with applications for a subdivision, variance, and proposed zoning map and comprehensive plan map changes (Master File #S-2017-001) which will be processed separately. For this land use application, public notice was sent to property owners within 300 feet of the subject property at least 20 days in advance of the required public hearing. A public hearing was held May 9, 2017, as required by law.

6. MMC Section 19.403 Historic Preservation Overlay Zone

MMC Section 19.403 establishes regulations for properties designated as historic resources. Specifically, MMC Subsection 19.403.7 establishes a review process whenever demolition is proposed for properties designated as either “significant” or “contributing” resources.

The subject property is designated as a “significant” resource on the City’s list of historic properties. The applicant has applied for a permit to demolish the existing building on the subject property. The Planning Commission finds that the proposal is subject to the provisions of MMC Subsection 19.403.7.

- A. MMC Subsection 19.403.7.B requires that the property owner list the subject property for sale for at least 90 days, including for at least 30 days prior to the public hearing.

The existing building was posted for sale on March 31, 2017. The listing agent is Bennet Vander with Keller Williams, a real estate firm. The for-sale sign was posted in front of the site on SE Railroad Ave. The posting includes a sign that reads, “HISTORIC BUILDING FOR SALE - WILL BE DEMOLISHED UNLESS MOVED.” The sign is printed in bold letters that are six inches in height. The listing agent prepared an informational flyer for the property and has been available to provide information about the property to anyone who might inquire.

The Planning Commission finds that this standard is met.

- B. MMC Subsection 19.323.7.C requires that the Planning Commission hold a public hearing to consider a request to demolish a historic resource within 45 days of the application.

The original application packet for Historic Resource Demolition (which included concurrent applications for a Subdivision, Variance, Zoning Map Amendment and Comprehensive Plan Map Amendment) was submitted on March 24, 2017. The Planning Commission held a public hearing to consider the demolition application only on May 9, 2017. The Planning Commission finds that this standard is met.

- C. MMC Subsection 19.403.7.D provides review criteria for determining the appropriateness of the demolition request. The Planning Commission is required to consider the following:

i. All plans, drawings, and photographs as may be submitted by the applicant;

The applicant submitted site plans showing proposed conditions as well as photographs of various portions of the existing building and property. The Planning Commission finds that the information submitted is sufficient for consideration of the demolition request.

ii. Information presented at a public hearing held concerning the proposed work;

The applicant presented the project at a regular meeting of the Hector Campbell Neighborhood District Association (NDA) on March 13, 2017, and at a meeting of the Design and Landmarks Committee on May 1, 2017. The Planning Commission held a public hearing focused on the demolition request on May 9, 2017. City staff and the applicant presented information regarding both the historic property and the proposed demolition. The Planning Commission finds that the information presented at the various public meetings and at the public hearing is sufficient for consideration of the demolition request.

iii. The city comprehensive plan, including the economic, social, environmental, and energy consequences (ESEE);

Chapter 3 of the Milwaukie Comprehensive Plan (hereafter referred to as the “Comp Plan”) addresses Environmental and Natural Resources, including a Historic Resources Element. Objective 1 of the Historic Resources Element focuses on identification and preservation of historic resources and includes policies that require City review of proposed demolitions and encourage restoration and maintenance where appropriate. The Planning Commission has reviewed the demolition request pursuant to the City’s Type III review process and finds that demolition is appropriate and that restoration and maintenance are infeasible.

The Planning Commission has reviewed the demolition proposal as required by the municipal code. The applicant has investigated the possibility of using the existing historic structure within the proposed subdivision, but has asserted that attempting to move and renovate the building is not economically or structurally feasible. The applicant has indicated that an effort will be made to reuse or recycle as much of the demolition material as possible, thereby responding to the energy consequences of the demolition.

The 1988 ESEE analysis identifies the economic and social consequences of allowing the demolition of designated resources, including loss of a housing opportunity and a contribution to the community’s image and neighborhood

character. However, the analysis also notes that a resource without much architectural integrity, or in poor condition, may be replaced with a structure of higher assessed value. The assessed value of the subject structure is \$89,570 and an assessed land value of nearly \$168,000, clearly identifying the lack of economic value in the structure. A newly constructed home would have a far greater assessed value.

Given the very poor condition of the structure, the proposed demolition does not present any significant negative social impacts and the proposed improvements are more likely to have a positive economic impact than a negative one.

The Planning Commission finds that the proposed demolition meets the goals, objectives, and policies of the Comp Plan.

iv. The purpose as set forth in MMC Subsection 19.403.1;

MMC Subsection 19.403.1 outlines the purpose of the Historic Preservation overlay zone, including the general goals of protecting, enhancing, perpetuating, and using sites and structures that reflect the city's unique heritage. Specifically, the Historic Preservation overlay is designed to facilitate preservation of historic resources for the following reasons:

- 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;*
- 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.*

With the proposed demolition, the developer intends to create a new 19-lot residential development. The historic structure will be either sold and moved, or it will be deconstructed to re-use the materials. When originally listed as an historic resource, the structure was vacant, but in reasonable repair. Decades later, the structure is nearing collapse, the stability of the foundation is not known, and overall it has not been maintained in a condition that allows it to be preserved. The house is set back from the road and not readily visible; windows are broken and walls are crumbling. Any historic artifacts or implements will be salvaged for use and display at the Milwaukie Museum.

As noted above in Finding 7-C(iii), the consequences of the demolition of the structure, which is in very poor condition, are outweighed by the potential benefits of the proposed development. The proposal meets the goals, objectives, and policies of the Comp Plan. The Planning Commission finds that the proposed demolition fits with the purpose of MMC Subsection 19.403.1.

- v. *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;*

When the house was originally designated as a historic resource as part of a countywide inventory conducted in 1988, it was evaluated and scored using a standard worksheet that addressed its historical association, architecture, and environment. It scored 38 out of 86 possible points (44 percent), with high scores of 10 in 2 categories: 1) in its association with J.K. Wait, one of Milwaukie's earliest pioneers and leaders; and 2) in its style as one of the "finest examples of the Vernacular style in Milwaukie." Although it only scored 38 points, or 44 percent, the house was designated as a "significant" resource because MMC Subsection 19.403.3 defines "significant" as a resource that scores 10 in at least two categories.

The accompanying evaluation report described the house as "reminiscent of the Classical Revival style. This style found expression in farmhouses around the state in the mid 19th century." It noted the "tall, narrow volume capped with a gable roof and the bilateral symmetry of the façade."

The Planning Commission finds that the information provided for the original designation of the historic resource does not provide a compelling reason to save the historic structure, especially given that it has been vacant and not maintained for over 30 years and is in extremely poor condition. Further, much of its significance is its association with an early settler to Milwaukie, rather than the structure itself. The site will continue to be used for residential purposes, the structure will be deconstructed and the materials re-used, and artifacts will be salvaged for use by the Milwaukie Museum.

- vi. *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;*

The existing building was built in "Vernacular" style, reminiscent of the Classical Revival style, with a tall, narrow volume, gable roof, and a bilateral symmetry of the façade arranged around the central entrance. The house was built in 2 phases with the front of the house being the later phase (1890s) and the part most visible from the road. It sits on a bench above Railroad Ave and is partially hidden by overgrown vegetation. The surrounding neighborhood is composed primarily of mid-20th century residences with the International Way industrial area across the street.

The "significant" ranking indicates that the building is a notable in its "vernacular" style, and also due to its association with J.K. Wait, one of Milwaukie's earliest pioneers and leaders. He represented Clackamas County twice in the state legislature and Multnomah County as a senator.

The Planning Commission finds that significant architectural elements of the existing historic resource are substantially degraded and damaged to such a degree, that the request for demolition is justified.

- vii. 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;*

The request for demolition is accompanied by a proposal to build a new 19-lot residential subdivision on the site. As proposed, the site will serve the neighborhood and larger community as a residential neighborhood, providing much needed housing in a very tight real estate market.

The Planning Commission finds that this criterion does not apply to this project, as it is not located in an historic district.

- viii. 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.*

Denial of the demolition permit would potentially result in a delay of the proposed development project. Maintaining the structure on the site in its current location would result in a design not in conformance with site design standards and a reduction in dwelling unit count which would make the project financially infeasible. The only option would be for someone to purchase and move the existing building, the cost of which would likely be prohibitive.

The provisions of MMC Subsection 19.323.7.F allow suspension of the requested demolition permit for a period of up to 30 days from the hearing date. That period may be extended for up to a total of no more than 120 days. If no alternative has been demonstrated to be practical by the end of the suspension period, the demolition permit should be issued. Since the timeline for the subdivision land use review process is still ongoing, there does appear to be time to allow an exploration of alternatives without significantly impacting the overall project. However, the applicant would have to spend some time and money to pursue such alternatives, with little chance of success given the condition of the structure.

The Planning Commission finds that to deny the demolition permit at this time would not serve the public interest and would present some hardship to the applicant.

The Planning Commission finds that the criteria for demolition of a historic resource have been met.

7. MMC Title 16 requires that the applicant obtain an erosion control permit prior to construction or commencement of any earth disturbing activities. As conditioned, the applicant shall comply with MMC Title 16 Erosion Control for the demolition portion of the project.
8. The application was referred to the following departments and agencies on March 31, 2017: Milwaukie Building Division, Milwaukie Engineering Department, Clackamas County Fire District #1, Hector Campbell Neighborhood District Association Chairperson and Land Use Committee, the Design and Landmarks Committee, and the Oregon State Historic Preservation Office.

The comments received are summarized as follows:

- **Matt Amos, Clackamas Fire District #1:** No comment.
- **David Aschenbrenner, Chair, Hector Campbell NDA:** On Monday, April 10, 2017, the Hector Campbell NDA voted to approve the demolition of the historic house and asked

that the notice sign be relocated for improved visibility. The NDA also requested that artifacts from the home be preserved by the Milwaukie Museum.

ATTACHMENT 2
Recommended Conditions in Support of Approval
Land Use File # HR-2017-001 (4217 SE Railroad Ave demolition)

1. Prior to construction or commencement of any earth disturbing activities for the approved demolition, obtain an erosion control permit in accordance with the provisions of Milwaukie Municipal Code (MMC) Title 16 Erosion Control.



PLANNING DEPARTMENT
 6101 5th Johnson Creek Blvd
 Milwaukee OR 97206

PHONE: 503-786-7630
 FAX: 503-774-8236
 E-MAIL: planning@milwaukee.gov

Application for Land Use Action

Master File #: S-2017-002

Review type*: I II III IV V

HR-2017-001
 ZC-2017-002
 VR-2017-001
 CPA-2017-001

CHECK ALL APPLICATION TYPES THAT APPLY:

<input type="checkbox"/> Amendment to Maps and/or Ordinances <input type="checkbox"/> Comprehensive Plan Text Amendment <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment <input type="checkbox"/> Zoning Text Amendment <input checked="" type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Code Interpretation <input type="checkbox"/> Community Service Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Development Review <input type="checkbox"/> Director Determination <input type="checkbox"/> Grant/In-Kind Design Review <input type="checkbox"/> Extension to Existing Approvals <input checked="" type="checkbox"/> Historic Resources <input checked="" type="checkbox"/> Alteration <input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Status Designation <input type="checkbox"/> Status Deletion	<input type="checkbox"/> Land Division <input type="checkbox"/> Final Plat <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Partition <input type="checkbox"/> Property Line Adjustment <input type="checkbox"/> Replat <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Miscellaneous: <input type="checkbox"/> Barbed Wire Fencing <input type="checkbox"/> Modification to Existing Approval <input type="checkbox"/> Natural Resource Review <input type="checkbox"/> Nonconforming Use Abatement <input type="checkbox"/> Parking <input type="checkbox"/> Quantity Determination <input type="checkbox"/> Quantity Modification <input type="checkbox"/> Shared Parking <input type="checkbox"/> Structured Parking <input type="checkbox"/> Planned Development <input type="checkbox"/> Preliminary Circulation Plan	<input type="checkbox"/> Residential Dwelling <input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Duplex <input type="checkbox"/> Manufactured Dwelling Park <input type="checkbox"/> Temporary Dwelling Unit <input type="checkbox"/> Sign Review <input type="checkbox"/> Transportation Facilities Review <input type="checkbox"/> Variances: <input type="checkbox"/> Building Height Variance <input type="checkbox"/> Use Exception <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Willamette Greenway Review <input type="checkbox"/> Other: _____ Use separate application forms for: • Amputation and/or Boundary Change • Compensation for Reduction in Property Value (Article 37) • Daily Discard Sign • Appeal
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RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): SIMON LOFIS

Mailing address: 795 NW Torrey View Ln. Zip 97227

Phone(s): 971-300-6542 Email: SIMON.LOFIS@GMAIL.COM

APPLICANT'S REPRESENTATIVE (if different than above): MARK DANE - MARK DANE PLANNING

Mailing address: 14631 NW MILLCREEK WAY, SUITE 416 Zip: 97005

Phone(s): 503-352-7167 Email: MARK.DANE.PLANNING@GMAIL.COM

SITE INFORMATION:

Address: 4217 & 4219 SE Bay Road Ave. Map & Tax Lot(s): 8000, 8100, 8200, 8300

Comprehensive Plan Designation: _____ Zoning: R-7 Size of property: 3.21

PROPOSAL (describe briefly):

APPLICANT IS PROPOSING A REZONE OF CURRENT R-7 ZONE TO R-5 TO FACILITATE FOR FUTURE DEVELOPMENT.

SIGNATURE: FRANCAR, LLC *Thomas J. Healy, Marianne L. Russell*

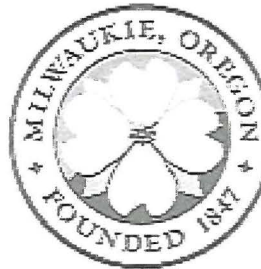
ATTEST: I am the property owner or I am eligible to initiate this application per Milwaukee Municipal Code (MMC) Subsection 19.1001.5.A. If required, I have obtained written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: FRANCAR, LLC *Thomas J. Healy* Date: MARCH 22, 2017

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.

Structural Permit Application



DEPARTMENT USE ONLY	
Permit no.:	
Date Received:	
Date Issued:	By:
Receipt #:	

City of Milwaukie	
6101 SE Johnson Creek Blvd., Milwaukie OR 97206	
Phone: 503-786-7613	Fax: 503-786-7612
Apply for permits on line www.milwaukiepermits.org/online	
Inspections: 503-786-7575 or www.buildingpermits.oregon.gov	

This permit is issued under OAR 918-460-0050. Permits expire if work is not started within 180 days of issuance or if work is suspended for 180 days.

CATEGORY OF CONSTRUCTION		
<input checked="" type="checkbox"/> 1 & 2 Family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Multi-Family
<input type="checkbox"/> Accessory	<input type="checkbox"/> Other	
TYPE OF WORK		
<input type="checkbox"/> New	<input type="checkbox"/> Addition/Alteration/Replacement	<input checked="" type="checkbox"/> Demos
Description of work: DEMO EXISTING HOME		
JOB SITE INFORMATION AND LOCATION		
Job site address: 4217 SE RAILROAD AVE		
City: MILWAUKIE	State: OR	ZIP: 97227
Subdivision:	Lot no.:	
PROPERTY OWNER		
Name: FRANCAE LLC		
Address: 7537 DELMEZ LANE		
City: NORTH BEND	State: OR	ZIP: 97459
Phone: 541-756-7086	Fax:	
E-mail:		
This installation is being made on residential or farm property owned by a member of my immediate family or myself, and is exempt from licensing requirements under ORS 701.010.		
Sign here:	<i>Stephann C. Russell</i> <i>Thomas J. Hall</i> (PRINTED)	
CONTRACTOR		
Business name:		
Address:		
City:	State:	ZIP:
Phone:	Fax:	
E-mail:		
CCB license no.:		
Print name:		
Signature:		
APPLICANT IF DIFFERENT FROM ABOVE		
Name: MARK GANE		
Address: 14631 SW MILLIKAN WAY		
City: BENTON	State: OR	ZIP: 97003
Phone: 503-332-7167	Fax: SUITE 216	

VALUATION / CONSTRUCTION INFORMATION	
Required Data 1-2 Family Dwelling	
Valuation:	
Number of bedrooms:	
Total number of floors:	
New Dwelling area square footage:	
Garage / Carport area square footage:	
Covered Porch area square footage:	
Deck area square footage:	
Other structure area square footage:	
Required Data Commercial	
Valuation:	
Existing Building area square footage:	
New Building area square footage:	
Number of Stories:	
Type of Construction:	
Occupancy Group: Existing: New:	
All contractors and subcontractor's are required to be licensed with the Oregon Construction Contractors Board under ORS 70 and may be required to be licensed in the jurisdiction in which work is being performed.	
BUILDING PERMIT AND RELATED FEES	
Building Permit Fee	\$
Plan Review Fee	\$
12% surcharge	\$
Fire & Life Safety Fee	\$
Deferred Submittals	\$
Meto Excise Tax	\$
Construction License Tax	\$
Investigation Fee	\$
Zoning Fee	\$
Planning Inspection Fee	\$
Less Pre-Paid (receipt # _____)	\$
TOTAL FEES	\$

Title 19 Zoning

Chapter 19.400 Overlay Zones & Special Areas

19.403 Historic Preservation Overlay Zone HP

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.

***Comment:** Having had the opportunity through a site visit to inspect the building the applicant has confirmed that the building is a severe state of disrepair having been abandoned some time ago, and now used for storage, and dumping. The windows are broken / removed, there is substantial water damage. There is notable slumping because there is no foundation for the house, and there is an overall sense of damage, and decay. While this house when it was originally listed some 40 years ago had substantial value as a functioning home, the subsequent decades of neglect, and weathering have caused irreparable harm to the property*

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

***Comment:** The applicant working with his agent has listed the house for sale of the basis of it being moved by a third party to a different site, at the buyers expense. Copies of the adverts are attached to this submittal.*

A sign has also been placed on the home (see attached Photo)

A copy of the original designation, along with current pictures of the property have been made available to the public (see attached documents)

ATTACHMENT 3

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.

Comment: *The applicant will attend the hearing on the date to be determined by staff.*

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;

Comment: The proposed plans/ grading/ utility/ demolition and plat plans have been submitted, as part of this application showing the basis for the new development and the need to move or demolish the house.

2. Information presented at a public hearing held concerning the proposed work;

Comment: Copies of said plans will be presented.

3. The City Comprehensive Plan, including the economic, social, environmental and energy consequences;

Comment: The consequences of this demo will be successfully developed of a 19- lot subdivision. The house will both be sold and moved or the parts will be de-constructed and materials sold. The demolition will allow the applicant to proceed with the development of 19 new single family homes, which in turn will increase the City's Tax base, bring more families into the area, and for the length of construction provide significant construction jobs associated with both the infrastructure and housing construction.

4. The purpose as set forth in Subsection 19.403.1;

Comment: The house was initially listed 10-5-83 was inhabited in reasonable repair. It has been vacant for several decades, waiting to collapse, lack of foundation is not well known, nor has been preserved. The neighborhood association did ask that any historic implements be donated to which the applicant agreed.

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;

Comment: *The criteria to list the building relate more to origin and age and that the addition which was built by the city's first mayor.*

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;

Comment: The house is currently hidden from the road, windows broken, and walls crumbling. There is no direct access to the home.

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;

Comment: The proposed work will allow any historic implements to specific items to go on show and be preserved. It will also allow for the re-use of quality wood material in new construction.

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.

Comment: The denial of the demo would result in a design not compliant with spacing standards and also reduce the lot county jeopardizing the financing of the entire project.

E. Approval of Demolition Request/Appeals

The Commission may approve the demolition request after considering the criteria under Subsection 19.403.7.D above. Action by the Commission approving the issuance of permit for demolition may be appealed to the City Council by any aggrieved party, by filing a notice of appeal, in the same manner as provided in Subsection 19.403.5.F. If no appeal is filed, the Building Official shall issue the permit in compliance with all other codes and ordinances of the City.

Comment: The applicant believes that given the need to remove the home for adequate vehicular circulation necessary for the adequate circulation, and fire protection of the property, and given the severely impacted decomposition of the structure that the Commission has sufficient evidence to permit the applicant to proceed with the demolition of the home.

F. Denial/Stay of Demolition

1. The Commission may reject the application for permit if it determines that in the interest of preserving historic values, the property should not be demolished. In that event, issuance of the permit shall be suspended for a period not exceeding 30 days from the date of public hearing. The Commission may invoke an extension of the suspension period if it determines that there is a program or project under way which could result in public or private acquisition of the landmark, and that there is reasonable ground to believe that such program or project may be successful. Then the Commission, at its discretion, may extend the suspension period to 30 days, to a total of not more than 120 days from the date of public hearing for demolition permit.
2. If all such programs or projects are demonstrated to the Commission to be unsuccessful, and the applicant has not withdrawn his or her application for demolition permit, the building official shall issue such permit, if the application otherwise complies with the codes and ordinances of the City.

ATTACHMENT 3

3. Action by the Commission suspending issuance of the permit for demolition may be appealed to the City Council by the applicant for the permit, by filing a notice of appeal in the same manner as provided in Subsection 19.403.5.F.

***Comment:** Should a stay be filed, the applicant will of course follow protocol on the basis of attempting to make any such purchase successful. At the end of the period if the purchase remains unsuccessful the applicant will proceed with the demolition.*

Cultural

Survey Form

CLACKAMAS COUNT.

PHOTO INFORMATION

ROLL: X

FRAME: 9,10,11.

T. D. NUMBER M-31-R5

STUDY AREA: MILWAUKIE

LEGAL: T. 1S R. 2E SEC. 31BC

TAX (LOTS): 8100

ZONE _____ SIZE _____

IDENTIFICATION:

COMMON/HISTORICAL NAME: The KEIL-HOESLY FARM HOUSE

ADDRESS: 4217 S. E. Railroad Avenue, Milwaukie AREA: Milwaukie

CURRENT OWNER: CARL HOESLY USE: Residence

OWNER'S ADDRESS: 210 W. McLoughlin Blvd., Vancouver, WA 98660

ORIGINAL OWNER: Jacob and Elizabeth Keil USE: Vacant

AREA OF SIGNIFICANCE: TOWN: X COUNTY: _____ CITY: _____ NATION: _____

HISTORIC INTEREST:

THEME: Architecture - 19th Century/Agriculture--Horticulture DATE: 1880's

DESCRIPTION: Jacob and Elizabeth Keil came to Milwaukie in 1876 from Wisconsin. They bought this farm from Mr. Wait when it was a small square building, with only a kitchen, front room and bedroom in 1888. In the 1890's they commissioned Mr. Shindler to build on the front portion of the house. Mr. Shindler was the first mayor of Milwaukie. Some of the original orchard trees still stand, probably acquired from Seth Lewelling Nursery.

ARCHITECTURAL INTEREST:

STYLE: Vernacular STORIES: 2

DATE: 1880's/Add. 1895 CONDITION: fair ARCHITECT: _____

SIDING: Shiplap 8", wide rake and corner boards.

ROOF: Cross Gable

DOORS: _____

WINDOWS: Narrow 1/1 double-hung, architrave molding.

MAIN ENTRANCE: Front entrance: Multi-light with architrave molding. Hip roof supported by chamfered posts and decorative brackets.

NOTES: Additions to the north. Center portion appears to have been built before that of the body of the house, but without later architrave molding. One window 4/4 off kitchen (looking into woodshed).



BIBLIOGRAPHY:
Unrecorded interview w/
a member of the Hoesly-Keil
family.

DATE: 10/5/83

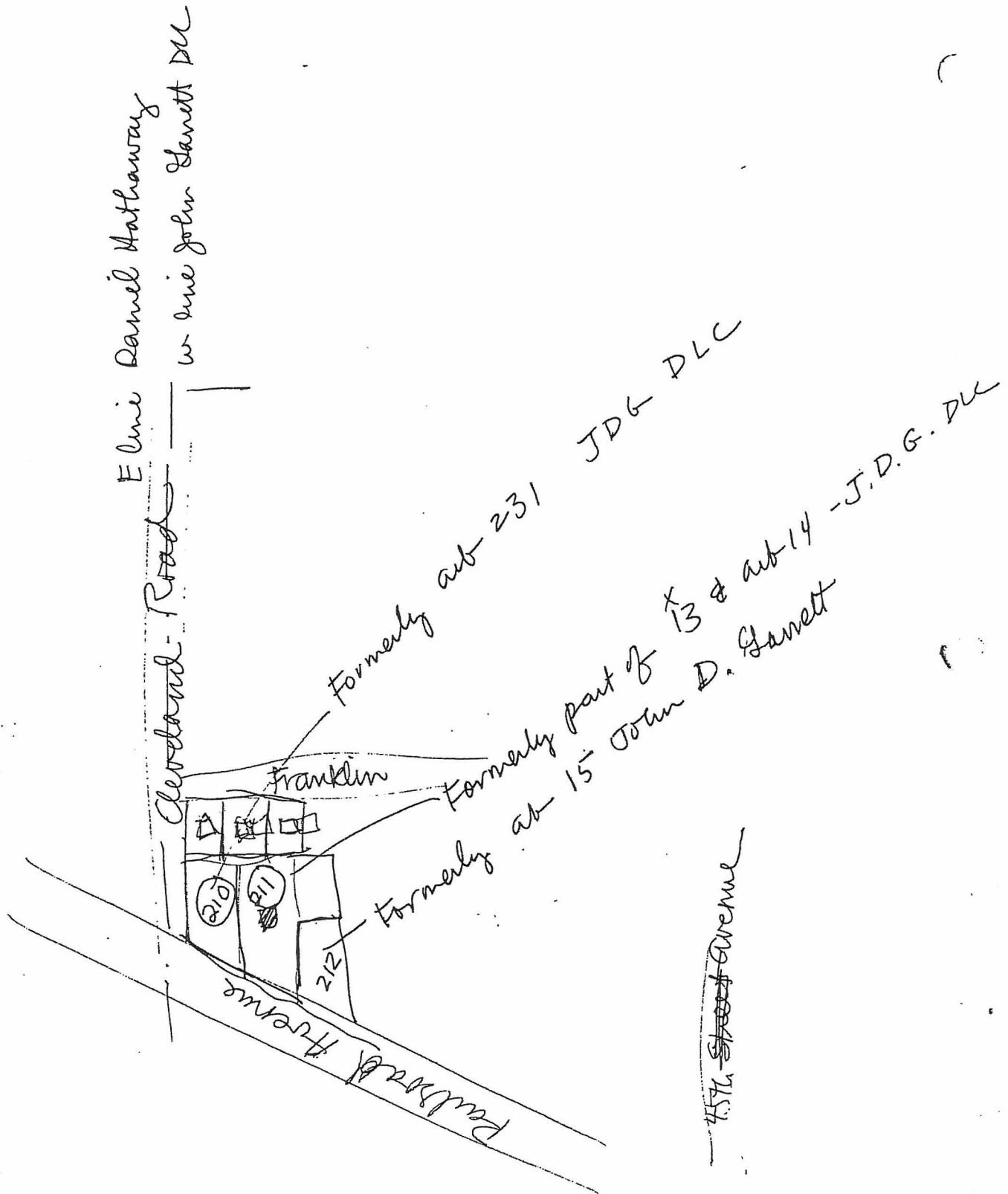
RECORDER: Altier/Hawden

ATTACHMENT 3

Address 4217 SE Paulina Ave
 Addition/Lot/Block: John Havrett D.L.C. Tr. 1#2
 Legal Description 15 NE 31BC 210 I.D.# _____

TITLE NO.	FIRST PARTY	SECOND PARTY	TITLE NO.	DATE	INST.	LOTS
	S.L. Campbell	W.B. Campbell et al	14	1875	Decree	11, 12, 13, 14
	Frank A. Cook	S.S. Campbell	15	1876	QCD	13, 14, 15, 62
	Samuel L & Sarah E. Campbell	Frank A Cook	16	—*	Con	"
	S.L.C. vs.	William B & Horace S. Campbell et al	17	1879	CC	10-17... partition
	Chas A. Campbell	J.K. Wait & Ellen	18	1877	D.	13
	L.O. & A.M. Tugood	Ellen M. Wait	21	1878	D.	13, 15, 80, 62
	deed wrong course left out.					
	Chas G Campbell	J.K. Wait	25	1878	D	13, 14, 15, 62
	L.O. & A.M. Tugood	Ellen M. wait	40	1888	QCD	13, 15, 80, 62
	prob. con					
	Ellen E. & John Groves	J. Keil	41	1888	D.	13, 15, 62
	Anton Keil ①	Elizabeth Keil	106	1903	QCD	13, 14, 15, 62
	Jacob Keil ①	" "	107	"	"	"
	Mary Keil ①	" "	108	"	"	"
	Francis Keil et al	" "	109	"	"	"
	Michael Wald	—	203	1909	Water Rights	11, 12, 13, 16, 17
	Mary Keil et al	T. Yamashita	323	1923	Lease	13, 14, 15
	" "	Tochi Takemoto	324	1923	"	13, 62
	Joseph P. Keil and #313 Keil (sic)	Clack Co & Beckman	473, 476	1929, 1889	D, Road	13, 15, 16...
	Jacob Keil et al	Johanna Dahlmann	536	1931	D	13, 88 (88 out of 13)
	J.D. formally Milton & formerly Keil	Paul Keil et al	551	1931	D.	13, 14
338	J.D. and his	F. St. BK & Mel	576	1933	MFG	14, 15
551	Frank Keil et al	Clack Co	596	1934	QCD	13, 15
	Rest of Paul W. J.P. Keil dec'd	Ellen K. Keil	682	1937	Cont. Equip	13, 14 and 1/2 int
	Ellen K. Keil	Frank & Mary Keil	694	1937	WD.	13, 14
576	F. St. BZ Mel	Johanna & Joseph Dahlmann	695	1937	Part Fee	" "
384	Jacob Vetz as und & gen	" "	696	"	Sit	"
641	Wadham & Company	Mark and Frank Keil	698	1937	D.	14
694	Frank Keil & Helena C. Hoelsy	Placido Acosta & Wallullah Zabala	1053	1949	WD.	13, 14 & 1/2
	Ferdinand & Nancy Jane Hoelsy					

Researched by: _____
 Date: _____



Elm Daniel Hathaway
w line John Ganett DLC

Cleveland Road

Franklin

Formerly ab 231 JDG DLC

Formerly part of 13 & 14 - J.D.G. DLC

Formerly ab 15 John D. Ganett

210

211

212

Paddock Avenue

45th Street Avenue

ATTACHMENT 3

CITY OF MILWAUKIE
CULTURAL RESOURCE INVENTORY
Statement of Significance

ADDRESS: 4217 S.E. Railroad Avenue

The Keil House is one of the finest examples of the Vernacular style in Milwaukie. The tall, narrow volume capped with a gable roof and the bilateral symmetry of the facade arranged around a central entrance is reminiscent of the Classical Revival style. This style found expression in farmhouses around the state in the mid 19th century. The house was built in two phases. The rear portion of the building is the earliest; reportedly constructed some time prior to 1888 when it was purchased by Jacob and Elizabeth Keil. At that time it consisted of a kitchen, bedroom and living area. The front of the house was constructed in the 1890's by William Shindler (see 3235 S.E. Harrison). Shindler, a prominent early citizen of the area, was Milwaukie's first mayor. This portion of the house is the most visibly prominent from the road. It is sheathed in 8' shiplap siding with corner and rake boards. Windows are narrow, one-over-one, double-hung sash with heavy architrave molding.

The Keil house, which is currently vacant, is located on the north side of moderately trafficked Railroad Avenue. It sits on a bench above the road and is partially hidden by overgrown vegetation. The surrounding neighborhood is composed primarily of mid 20th century residences.

The house is significant in its association with J.K. Wait, one of Milwaukie's earliest pioneers and leaders. A farmer, Wait settled in Oregon in 1852 from Connecticut. He represented Clackamas county twice in the state legislature and Multnomah County as a senator.

BIBLIOGRAPHY: TICOR Title Co. Records, Oregon City, Oregon.
Oregon Journal, 4 March 1918, p. 2.
Olsen, Charles Oluf, The History of Milwaukie.

DATE: 3/88

RECORDER: Koler/Morrison Consultants

Site 10: 4217 Railroad

Revised Narrative

Total Points: 38
 Rating Category: Significant
 Reason for Rating: Scores of 10 on PERSON and STYLE

1. PERSON/GROUP/ ORGANIZATION: Associated with the life or activities of a person, group, organization, or institution that has made a significant contribution to the community, state, or nation. (10 out of 10 points, Particularly Strong)

The front of the house was constructed in the 1890's by William Shindler (see 3235 Harrison). Shindler, a prominent early citizen of the area, was Milwaukie's first mayor.

The house is significant in its association with J.K. Wait, one of Milwaukie's earliest pioneers and leaders. A farmer, Wait settled in Oregon in 1852 from Connecticut. He represented Clackamas County twice in the state legislature and Multnomah County as a senator.

Jacob and Elizabeth Keil came to Milwaukie in 1876 from Wisconsin. They bought this farm from Mr. Wait when it was a small square building, with only a kitchen, front room and bedroom in 1888. In the 1890's they commissioned Mr. Shindler to build on the front portion of the house. Mr. Shindler was the first mayor of Milwaukie.

2. EVENT: Associated with an event that has made a significant contribution to the community, state, or nation. (0 out of 10 points, None)
3. PATTERN: Associated with, and illustrative of, broad patterns of cultural, social, political, economic, or industrial history in the community, state, or nation. (0 out of 10 points, None)

Agricultural--Horticulture: 19th Century

4. STYLE/BUILDING TYPE/CONVENTION: Significance as an example of a particular architectural style, building type, or convention. (10 out of 10 points, Excellent)

The Keil House is one of the finest examples of the Vernacular style in Milwaukie. The tall, narrow capped with a gable roof and the bilateral symmetry of the facade arranged around a central entrance is reminiscent of the Classical Revival style. This style found expression in farmhouses around the state in the mid 19th century.

Architecture - 19th Century

5. DESIGN/ARTISTIC QUALITY: Significance due to quality of composition, detailing, and craftsmanship. (2 out of 4 points, Good)

Windows are narrow, one-over-one, double-hung sash with heavy architrave molding.

The multi-light main entrance has architrave molding. A hip roof supported by chamfered posts and decorative brackets.

6. MATERIALS/CONSTRUCTION: Significance as an example of a particular material or method of construction. (0 out of 4 points, Of little interest)

It is sheathed in 8' shiplap siding with corner and rake boards.

7. INTEGRITY: Significance because it retains its original design features, materials, and character. (5 out of 7 points, Minor alterations)

The house was built in two phases. The rear portion of the building is the earlier, reportedly constructed in some time prior to 1888 when it was purchased by Jacob and Elizabeth Keil. At the time it consisted of a kitchen, bedroom and living area. The front of the house was constructed in the 1890's by William Shindler (see 3235 S.E. Harrison).

Additions have been made to the north elevation. The center portion appears to have been built before that of the body of the house, but without later architrave molding.

8. RARITY: Significance as the only remaining, or one of the few remaining properties of a particular style, building type, design, material, or method of construction. (3 out of 10 points, One of several)

9. LANDMARK: Significance as a visual landmark. (5 out of 10 points, Conspicuous/well-known in neighborhood)

The front of the house is the portion most visibly prominent from the road. It sits on a bench above the road and is partially hidden by overgrown vegetation.

10. SETTING: Significance because current land-use surrounding the property contributes to the integrity of the pertinent historic period. (0 out of 4 points, Fair/Poor)

The Keil house is located on the north side of moderately trafficked Railroad Avenue.

11. CONTINUITY: Significant because the property contributes to the continuity or character of the street, neighborhood, or community. (3 out of 7 points, Compatible)

The surrounding neighborhood is composed primarily of mid 20th century residences.

MISCELLANEOUS NOTES

Some of the original orchard trees still stand, probably acquired from Seth Lewelling.

The house is currently vacant.

4893895



Order Confirmation

Ad Order Number 0008112555

Customer		Payor Customer	
VANDER, BENNET		VANDER, BENNET	
Account: 1000799873		Account: 1000799873	
35 NE WEIDLER ST		35 NE WEIDLER ST	
PORTLAND OR 97232 USA		PORTLAND OR 97232 USA	
(503)683-2179		(503)683-2179	
FAX:		PO Number 4217 SE Railroad Ave Sales Rep. Kimberlee O'Neill Order Taker Kimberlee O'Neill Order Source Rep Special Pricing	

Tear Sheets	0	Net Amount	\$497.50
Proofs	0	Tax Amount	\$0.00
Affidavits	1	Total Amount	\$497.50
Blind Box		Payment Method	Credit Card
Promo Type	OR Legal Ad 2x	Payment Amount	\$0.00
Materials		Amount Due	\$497.50
Invoice Text	4217 SE Railroad Ave Milw April 2017		

Ad Schedule

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External Ad #		Color	<NONE>
Production Method	OR AdBooker	Production Notes	
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Product	OregonLive.com	Placement/Class	Announcements
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External Ad #		Color	<NONE>
Production Method	OR AdBooker	Production Notes	
Run Dates	Sort Text HISTORICBUILDINGAT4217SERAILROADAVENUEMILWAUKIE97222FORSALE3BR1BABUILDINGWILLBEDEMOLISH 04/01/2017, 04/02/2017, 04/03/2017, 04/04/2017, 04/05/2017, 04/06/2017, 04/07/2017, 04/08/2017, 04/09/2017, 04/10/2017, 04/11/2017, 04/12/2017, 04/13/2017, 04/14/2017, 04/15/2017, 04/16/2017, 04/17/2017, 04/18/2017, 04/19/2017, 04/20/2017, 04/21/2017, 04/22/2017, 04/23/2017, 04/24/2017, 04/25/2017, 04/26/2017, 04/27/2017, 04/28/2017, 04/29/2017, 04/30/2017		

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0008112555-01

Ad Content Proof

Historic Building at 4217 SE Railroad Avenue, Milwaukie 97222 for sale. 3BR/1BA building will be demolished unless moved. The House is designated as of "historical significant" by City of Milwaukie. The structure for sale is the original building and does not include the land. Building must be purchased AND moved off the land. Building cannot be demolished on site by a new purchaser (it must be moved). Moving Expenses: All costs to move the building shall be the responsibility of the purchaser. Sale Price: Any reasonable offer shall be reviewed. For more information: Bennet, Keller Williams, 503-683-2179

4896022



Order Confirmation

Ad Order Number 0008114696

Customer		Payor Customer	
VANDER, BENNET		VANDER, BENNET	
Account: 1000799873		Account: 1000799873	
35 NE WEIDLER ST		35 NE WEIDLER ST	
PORTLAND OR 97232 USA		PORTLAND OR 97232 USA	
(503)683-2179		(503)683-2179	
FAX:		PO Number 4217 SE Railroad Ave Sales Rep. Kimberlee O'Neill Order Taker Kimberlee O'Neill Order Source Rep Special Pricing	

Tear Sheets 0	Net Amount	\$401.00
Proofs 0	Tax Amount	\$0.00
Affidavits 1	Total Amount	\$401.00
Blind Box	Payment Method	Credit Card
Promo Type OR Legal Ad 2x	Payment Amount	\$0.00
Materials	Amount Due	\$401.00
Invoice Text 4217 SE Railroad Ave May 2017		

Ad Schedule

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Pick Up #	Ad Attributes
External Ad #	Color <NONE>
Production Method OR AdBooker	Production Notes
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05/07/2017, 05/14/2017, 05/21/2017, 05/28/2017	

Product OregonLive.com	Placement/Class Announcements
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0008114696-01

Ad Content Proof

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4896027



Order Confirmation

Ad Order Number 0008114701

Customer

VANDER, BENNET

Account: 1000799873

35 NE WEIDLER ST
PORTLAND OR 97232 USA
(503)683-2179

FAX:

Payor Customer

VANDER, BENNET

Account: 1000799873

35 NE WEIDLER ST
PORTLAND OR 97232 USA
(503)683-2179

PO Number 4217 SE Railroad Ave

Sales Rep. Kimberlee O'Neill

Order Taker Kimberlee O'Neill

Order Source Rep

Special Pricing

Tear Sheets 0	Net Amount	\$401.00
Proofs 0	Tax Amount	\$0.00
Affidavits 1	Total Amount	\$401.00
Blind Box	Payment Method	Credit Card
Promo Type OR Legal Ad 2x	Payment Amount	\$0.00
Materials	Amount Due	\$401.00
Invoice Text 4217 SE Railroad Ave June 2017		

Ad Schedule

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Product OregonLive.com	Placement/Class Announcements
# Inserts 30	POS/Sub-Class PublicNotices
Cost \$15.00	AdNumber 0008114701-01
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Ad Content Proof

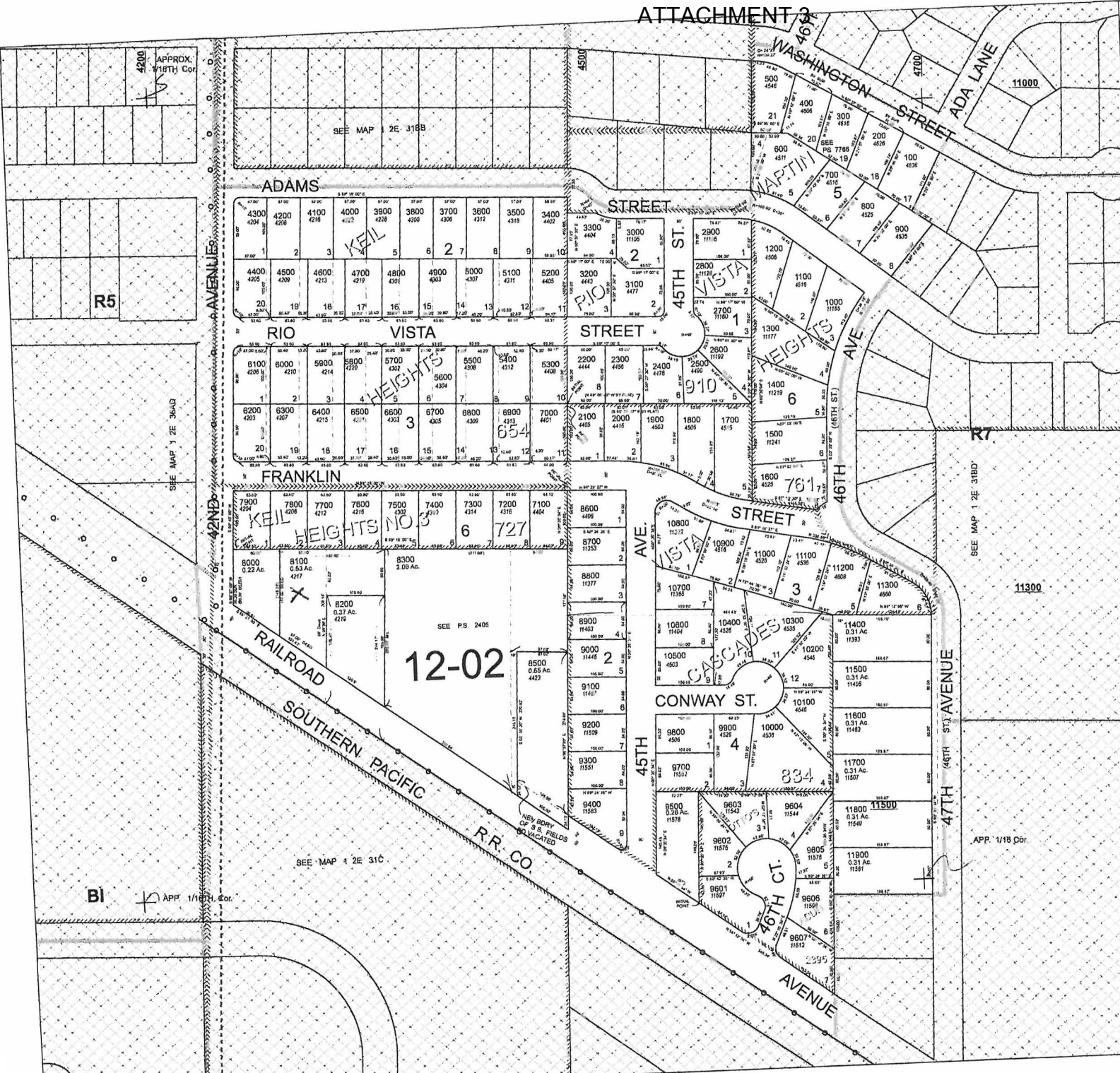
Historic Building at 4217 SE Railroad Avenue, Milwaukie 97222 for sale. 3BR/1BA building will be demolished unless moved. The House is designated as of "historical significant" by City of Milwaukie. The structure for sale is the original building and does not include the land. Building must be purchased AND moved off the land. Building cannot be demolished on site by a new purchaser (it must be moved). Moving Expenses: All costs to move the building shall be the responsibility of the purchaser. Sale Price: Any reasonable offer shall be reviewed. For more information: Bennet, Keller Williams, 503-683-2179

ATTACHMENT 3

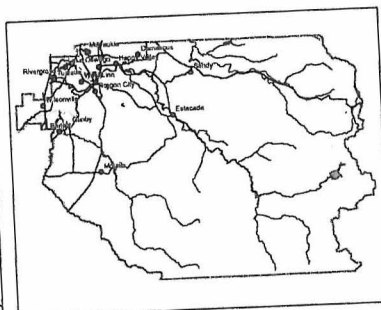
S.W.1/4 N.W.1/4 SEC.31 T.1S. R.2E. W.M.
Clackamas County
1" = 100'

D. L. C.
JOHN D. GARRETT NO. 38

Cancelled Taxlots
8400
9800



- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plata
- Water
- Corner
- Section Corner
- 1/18th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY



12 E 31 BC
MILWAUKIE

MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6

Markdaneplanning@gmail.com 503-332-7167

Living Room



Game Room



Hall



Kitchen

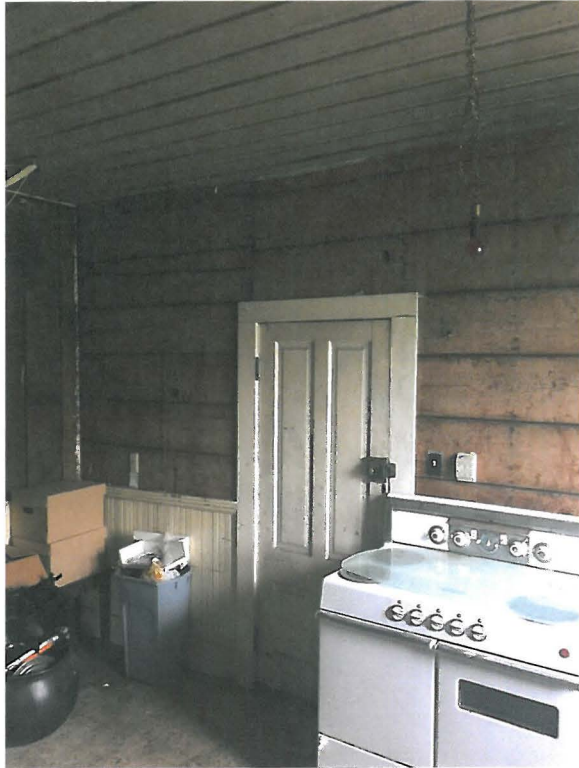


MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6

Markdaneplanning@gmail.com 503-332-7167

Kitchen



Lving Room



Bedroom 1



Bedroom 1



MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6

Markdaneplanning@gmail.com 503-332-7167

Shed



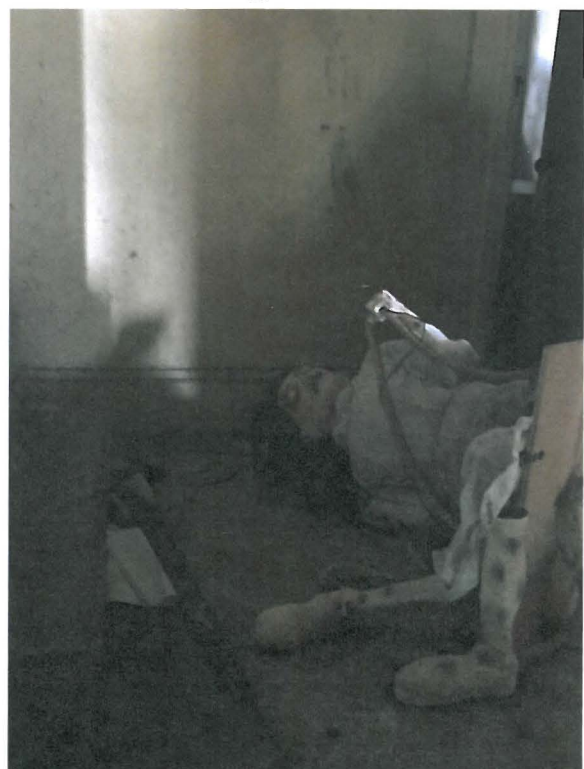
Kitchen sink



Main Stairs



Landing



MARK DANE PLANNING INC.

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Markdaneplanning@gmail.com 503-332-7167

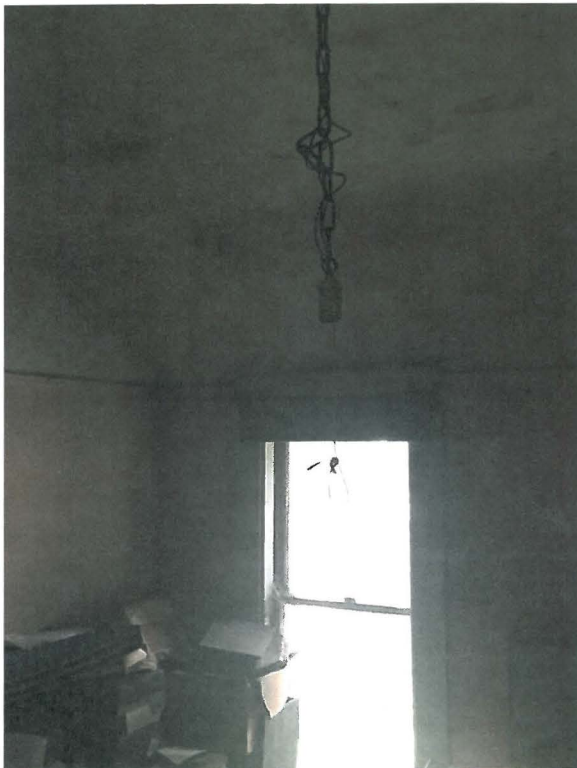
2nd bedroom



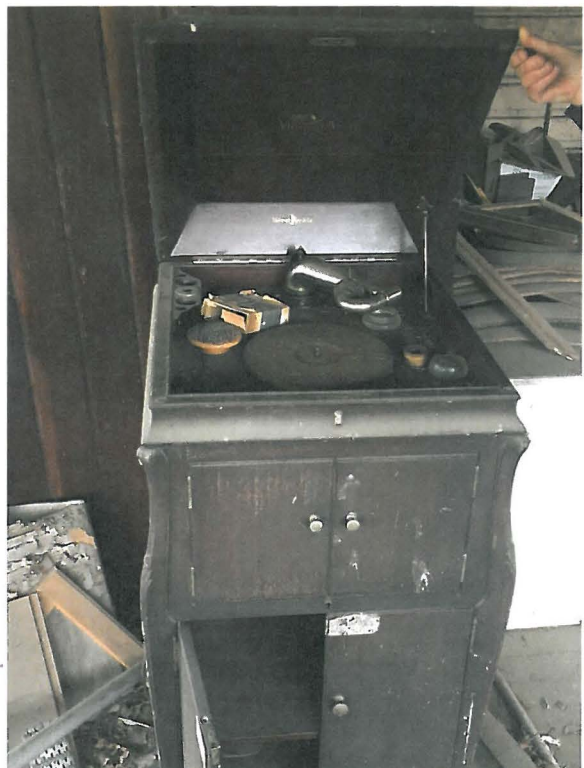
2nd bedroom



3rd bedroom



covered deck



MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6

Markdaneplanning@gmail.com 503-332-7167

Covered deck



bathroom



3rd bedroom



4th bedroom



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1st bedroom



1st bedroom



3rd bedroom



4th bedroom



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Willow tree - fallen



east side of house



HOUSE FROM RAILROAD



ENTRANCE TO CELLAR



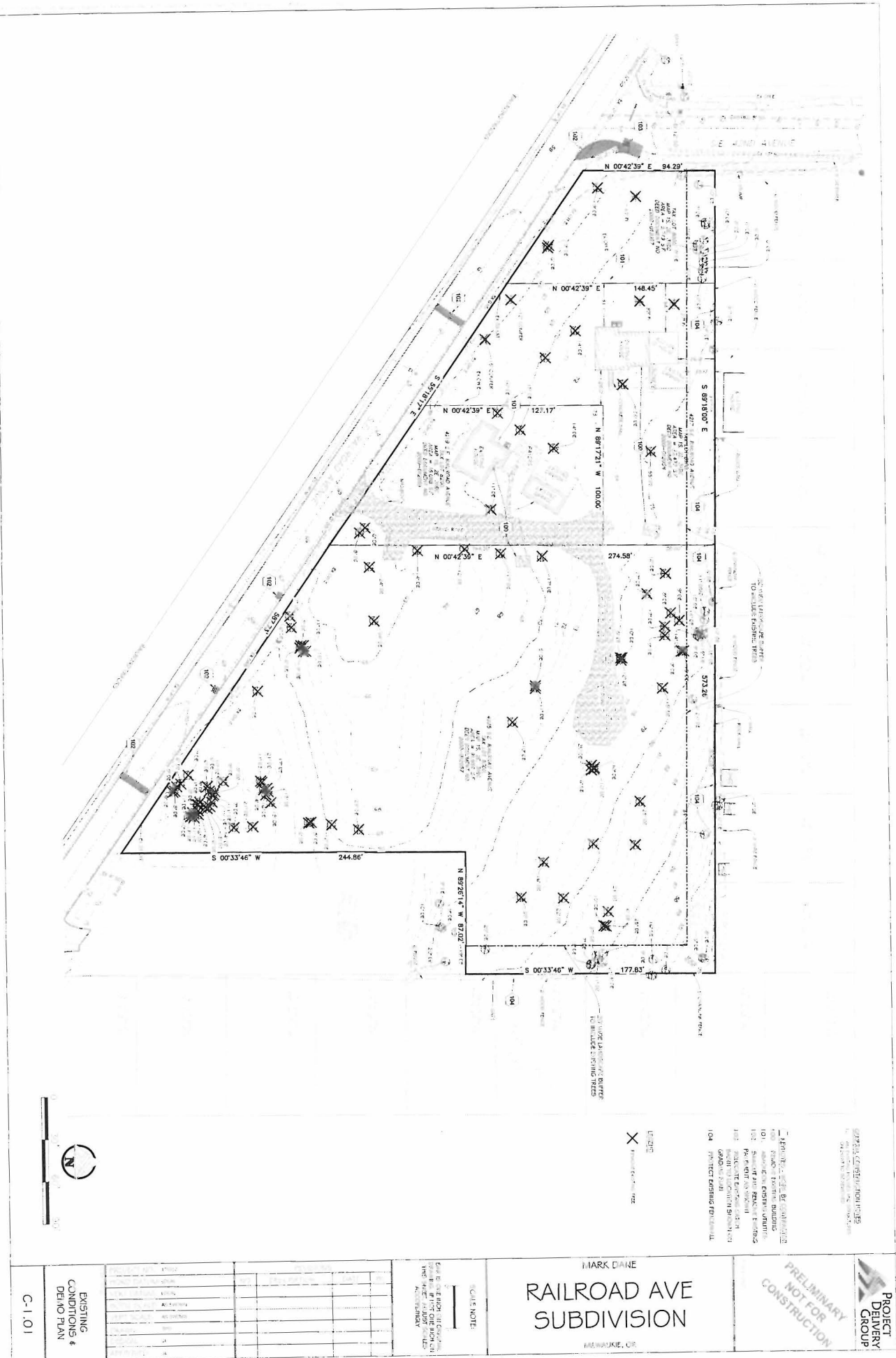
MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6

Markdaneplanning@gmail.com 503-332-7167

DEMOLITION SIGN





C-1.01

EXISTING
CONDITIONS &
DEMO PLAN

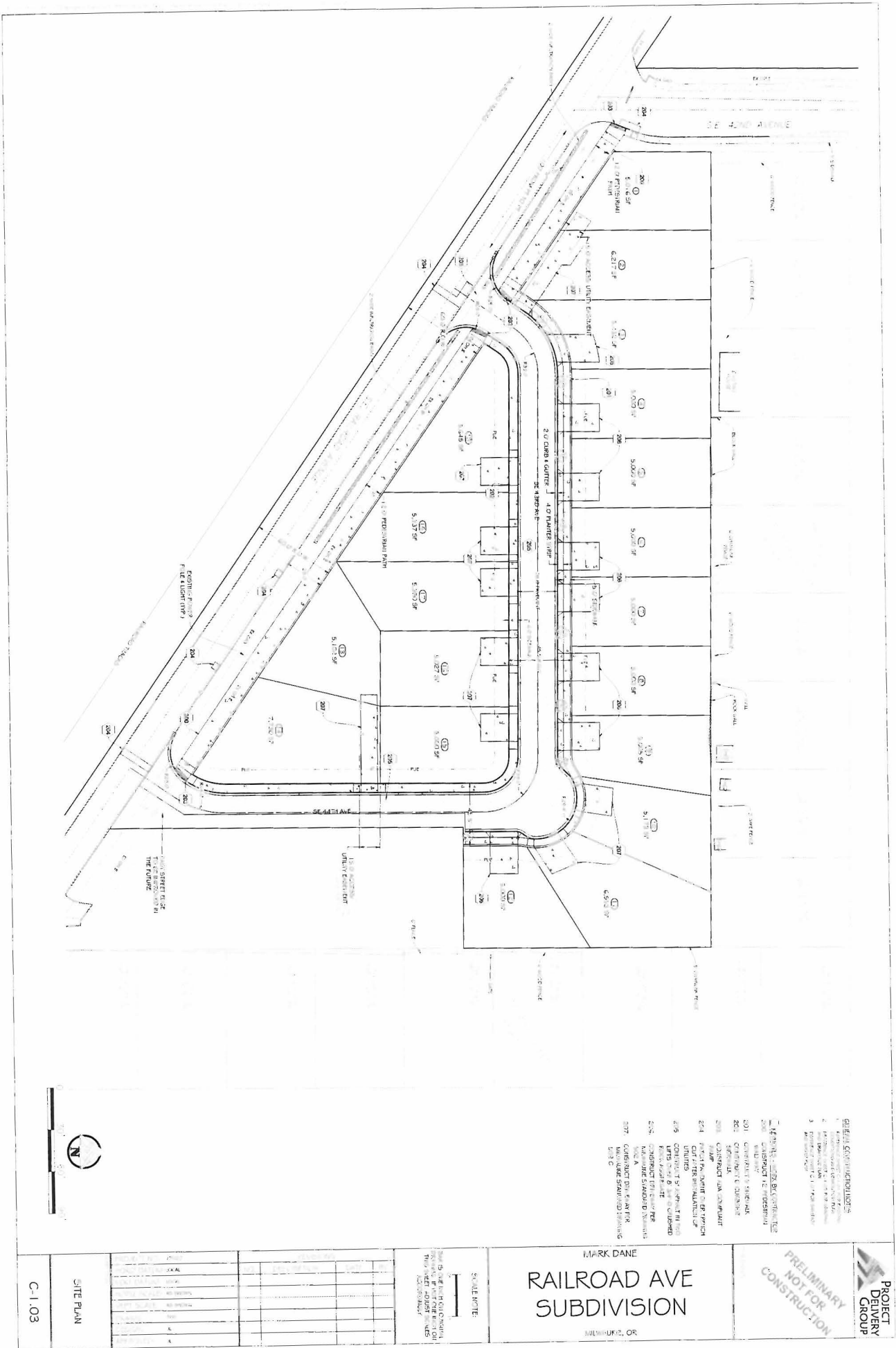
NO.	DESCRIPTION	DATE	BY

DATE: 08/14/2013
 TIME: 10:00 AM
 PROJECT: RAILROAD AVE SUBDIVISION

MARK DAINE
**RAILROAD AVE
 SUBDIVISION**
 MERIDIAN, OR

PRELIMINARY
 NOT FOR
 CONSTRUCTION

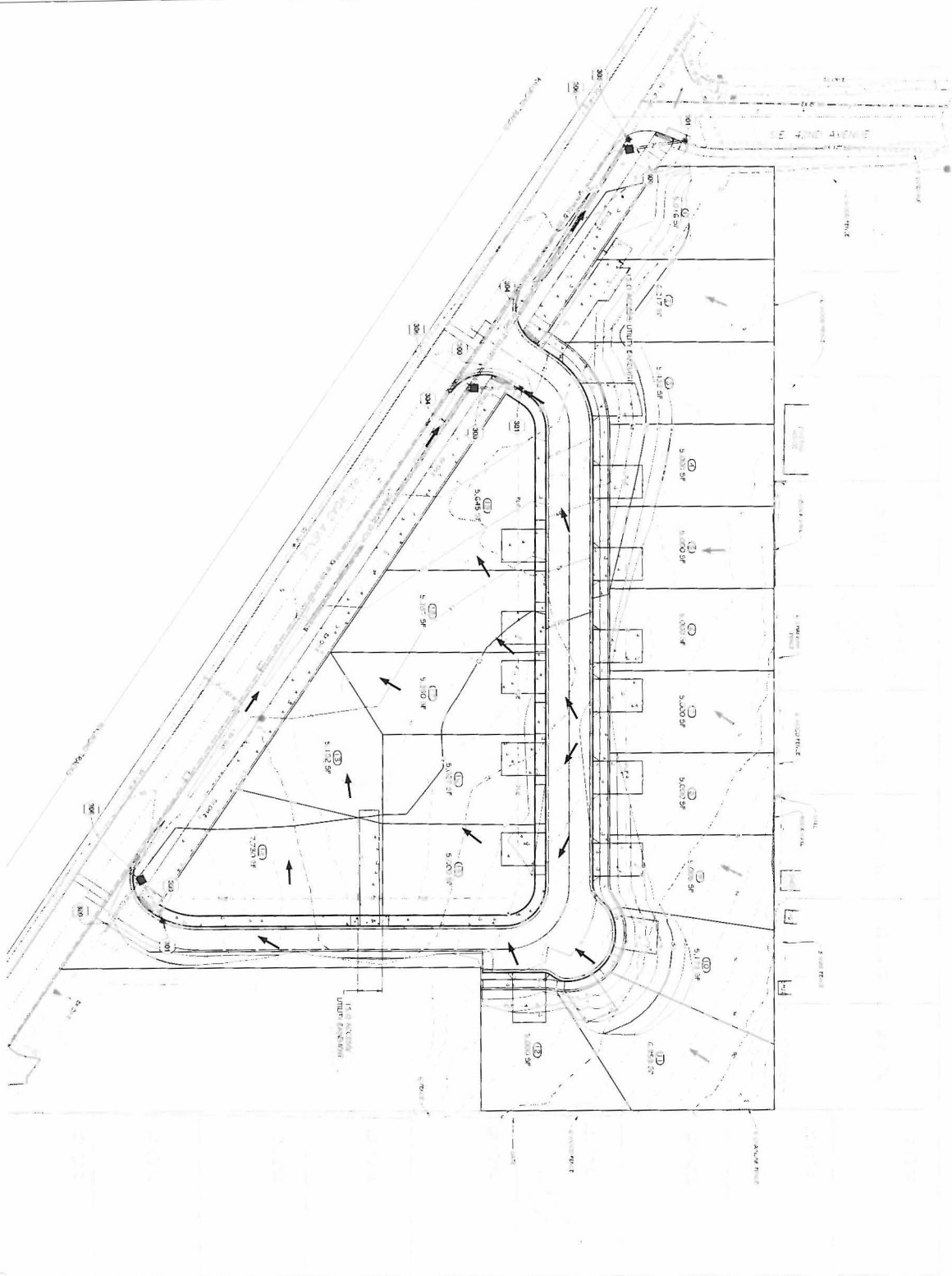
PROJECT
 DELIVERY
 GROUP



- GENERAL CONDITIONS:**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE ADJACENT PROPERTY OWNERS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND RECORDS FROM THE APPROPRIATE AGENCIES.
- NOTES:**
201. CONSTRUCT TO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
 202. CONSTRUCT TO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
 203. CONSTRUCT TO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
 204. CONSTRUCT TO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
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 207. CONSTRUCT TO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.



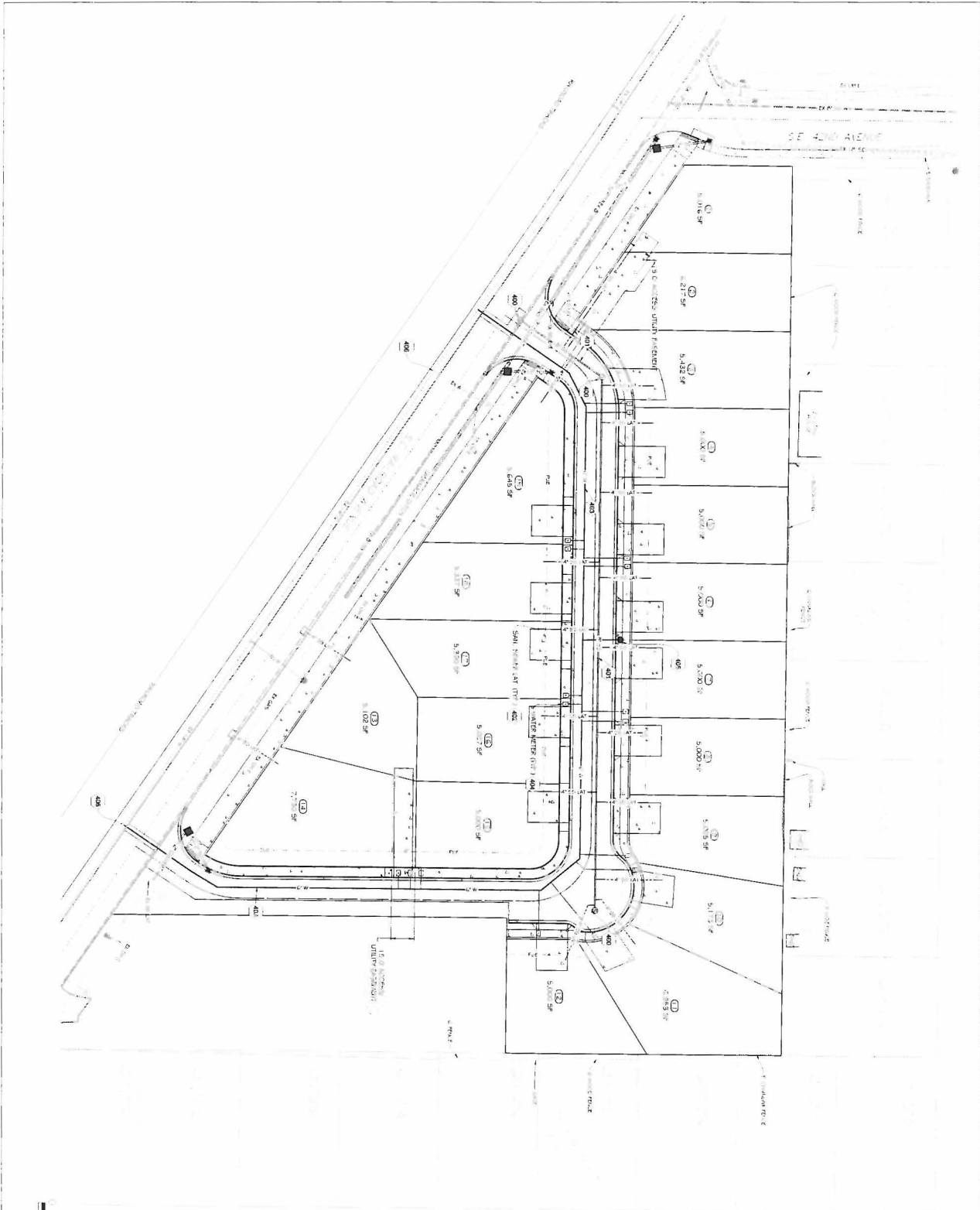
C-1.03	SITE PLAN	<p>SCALE NOTE</p> <p>1" = 100'</p>	<p>MARK DANE</p> <h2 style="margin: 0;">RAILROAD AVE</h2> <h2 style="margin: 0;">SUBDIVISION</h2> <p>MILWAUKEE, OR</p>	<p>PROJECT DELIVERY GROUP</p> <p style="transform: rotate(-45deg);">PRELIMINARY NOT FOR CONSTRUCTION</p>
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GENERAL NOTES:
 1. THIS PLAN IS A PRELIMINARY PLAN.
 2. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
 3. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SURROUNDING AREAS AND HAS FOUND NO ADVERSE EFFECTS TO THE PROPOSED DEVELOPMENT.
 4. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPOSED DEVELOPMENT AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
 5. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPOSED DEVELOPMENT AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.
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<p>C-1.05</p>	<p>GRADING PLAN</p>	<p>MARK DANE RAILROAD AVE SUBDIVISION MILWAUKEE, OR</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p> <p>PROJECT DELIVERY GROUP</p>
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- LEGEND**
- 1. EXTERIOR WALLS BY CODE BOOK
 - 2. INTERIOR WALLS BY CODE BOOK
 - 3. INTERIOR PARTITION WALLS
 - 4. EXTERIOR PARTITION WALLS
 - 5. EXTERIOR FINISH
 - 6. INTERIOR FINISH
 - 7. EXTERIOR FINISH
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 - 18. INTERIOR FINISH
 - 19. EXTERIOR FINISH
 - 20. INTERIOR FINISH

<p>PROJECT DELIVERY GROUP</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>MARK DANE RAILROAD AVE SUBDIVISION WILMINGTON, OR</p>	<p>SCALE NOTE: 1" = 10'-0"</p>	<p>DATE: 11/20/2011 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]</p>
<p>C-1.07</p>	<p>SANITARY AND WATER PLAN</p>			

HISTORIC RESOURCES BACKGROUND REPORT
PAGE 2

IDENTIFYING CONFLICTING USES AND ESEE ANALYSIS:

Methodology:

The Goal 5 administrative rule calls factors which impede preservation conflicting uses. These could include incompatible zoning designations, trends in development in the vicinity, prior public and private improvement commitments, or other factors which may result in alteration or demolition of a structure. The rule requires cities to weigh the relative importance to the community of both preserving the resource and allowing the conflicting uses. Decisions were made as to the impacts of preserving the resource or allowing the conflicting use, although, in most cases, a compromise between the two was thought to be the best solution. Within the new Historic Preservation section of the development code, a process was devised to review demolition and alteration conflicts as development actions are proposed.

Findings:

The likelihood that conflicting uses will occur is often greatest in areas which contain residential structures but are zoned for commercial use. Structures, however, can frequently be converted to commercial uses without detriment to the historic and architectural character of the resource. Routing alteration and demolition proposals through the review process will provide the opportunity to prevent or mitigate the loss of a resource or incompatible alterations to a resource. The exception to this may be areas on which prior commitments have been made (e.g., the shopping center site between Oak, Railroad, Hwy. 224, and 37th Ave.)

Areas containing residential building types which are located in areas designated Medium Density or High Density have a moderate likelihood for conflicting uses. Sometimes these resources could be converted to accommodate multi-family development. Characteristics such as lot size and orientation of the structure could stimulate innovative design solutions to redevelopment pressures without seriously compromising the resource's integrity.

Areas least likely to experience the pressure of redevelopment for conflicting uses are residential buildings, churches, schools, other structures located in areas designated Low Density Residential, or commercial structures within commercially designated areas.

HISTORIC RESOURCES BACKGROUND REPORT
PAGE 3

ES&E Analysis and Conflict Resolution:

This section examines each "category" of conflicting uses and the economic, social, environmental, and energy impacts of both 1) allowing the conflicting uses, and 2) preserving the resource.

LOW AND MODERATE DENSITY (R-10, R-7, R-5):

These Plan and zone designations allow single family residences as outright uses. Resources in these zones would have the fewest pressures from conflicting uses such as changes of use. Single family "attached" units (2-4 in a row) are allowed in each zone as conditional uses, but minimum lot sizes are required for each unit (e.g., 10,000 square feet for a duplex [per unit] in an R-5, 7,000 square feet per unit, R-7 and R-10). Residences, on larger lots may have greater development pressures for single family attached. Alteration or demolition would still be potential conflicting uses.

Economic:

Approximately 52% of the identified resources in Milwaukie fall into this category. Since resources in these areas have the fewest development pressures, economic consequences of preserving the resources should be minimal. Alteration or remodeling of a historic resource is often less costly than demolition and reconstruction of another single family structure. Concentrations of historic structures could be used as an economic development tool. Creating a walking tour or bicycle tour of homes near the City's core, for example, might entice tourists to the downtown area. Similar activities provide recreational opportunities for residents of the City as well.

Economic consequences of allowing conflicting uses fully (including demolition and alteration) could include a reduction of assessed values. A well-maintained historic home would likely have a higher assessed value than a poorly maintained resource, or a smaller, new residence constructed without attention to craftsmanship. Alternatively, a resource without much architectural integrity, or in a poor condition, may be replaced with a structure of higher assessed value.

Social:

Social values of preserving architecturally and historically significant resources are greater than those of protecting resources without integrity or significance. The statements of significance explain each resource's values in more detail.

HISTORIC RESOURCES BACKGROUND REPORT
PAGE 4

Preserving historic resources provides opportunities for housing choices in residential areas, provides educational opportunities, contributes to the community's identity and image, provides architectural interest, and establishes neighborhood character. Other features on many of these parcels, such as mature plantings and larger lots and setbacks, also contribute to the historic setting.

Environmental and Energy Consequences:

There are "energy costs" involved in demolishing an existing structure as well as in building a new one. In terms of window replacement, energy efficiency can be achieved with a variety of combinations of frame and glass types. More thermally-efficient glass could be installed in existing wood frames with similar heat loss results as for standard aluminum frames and glass, for example.

Conflict Resolution:

Retain those historic resources which have maintained their integrity to the greatest degree and have the most significance. Since the conflicting uses in these areas are the fewest, retain as many structures as possible. Allow for adaptive reuse in appropriate areas. On lots of adequate size to accommodate single family attached units, allow for conversion to attached as long as architectural integrity is maintained through high quality design. This may discourage additional partitioning and construction which may compromise the historical setting.

MEDIUM AND HIGH DENSITY (R-3, R-2, R-1):

These zones, as implemented under the Medium or High Density Residential Plan categories, allow between 14 (R-3) and 31 (R-1) units per acre. Office uses are allowed through the conditional use process. In the R-3 zone, apartments are allowed only through the conditional use process.

Economic:

Resources in these areas tend to be clustered near the downtown or near district shopping areas. If lots are large enough, pressures for redevelopment to multi-family could be high. Since office uses are also allowed as conditional uses, utilization of structures for other than residential uses also holds potential.

Any job generation from apartment or housing construction is considered transitory and minimal.

Kolias, Vera

From: David Aschenbrenner <dlasch@comcast.net>
Sent: Monday, April 10, 2017 9:54 PM
To: Kolias, Vera
Cc: Barbur, Scott; Dewitz, Michele; Greg Hemer; Hemer, Michelle; Kellie Lacey; Mark Hurlburt; Milwaukie Museum
Subject: Application Referral HR-2017-001

Hector Campbell NDA has voted to approve the demolition of the historic house at 4212 SE Railroad Ave with one comment. That comment is to move the white sign about removing the house to a location where it is easier to read.

We also request that if the house is demolished, that artifacts can be preserved by the Milwaukie Museum with their coordination and approval.

David Aschenbrenner
Chair, Hector Campbell NDA
MilwaukieOR 97222
503-804-3837
2dasch@gmail.com



Milwaukie Historical Society

3737 SE Adams St. Milwaukie, OR 97222

www.milwaukiehistoricalsociety.com

milwaukiemuseum@gmail.com

April 25, 2017

To: Planning Department, Vera Kalias
Design and Landmarks Committee, Brett Kelter
Planning Commission, Denny Egner

From: Milwaukie Historical Society
3737 SE Adams St.
Milwaukie, OR 97222
milwaukiemuseum@gmail.com

HR-2017-001

Milwaukie Historical Society values and encourages City of Milwaukie Historical Significant Properties to be saved and preserved for future generations, we also recognize the property located at 4217 SE Railroad Ave is in disrepair and has costly and challenging structural integrity issues; therefore Milwaukie Historical Society approves the demolition of the historic house located at 4217 SE Railroad Ave with one comment:

Milwaukie Historical Society requests that if the house is demolished, before demolition, Milwaukie Historical Society may enter the premise and remove artifacts that may be preserved by Milwaukie Historical Society. Milwaukie Historical Society will coordinate artifact removal with the property owner.

Thank you

David Aschenbrenner
President- Milwaukie Historical Society

Corporate/Organizational Sponsors



Preserving Milwaukie's history for future generations

Keil

Jacob and Elizabeth Keil arrived in Milwaukee in 1876 from Wisconsin. They bought a small farm house from Mr. Wait. The Keil farm included 40-48 acres on 42nd and Railroad. The house was a small square building with only a kitchen, front room and bedroom in 1888. In the 1890's they commissioned Mr. Shindler to build on the front portion of the house. The house still sits on the corner where a barn was built behind it and also a gymnasium. An apple orchard covered a lot of their farm, chickens also found a place on the Keil farm. The gym was needed for their three sons, Jake, Frank and Paul who formed a vaudeville trapeze troupe and preformed all over the world. Paul later changed his name to Paul Malverne and became a Hollywood producer, doing movies with stars like Roy Rogers.



VAUDEVILLE STARS. Jake, Frank, and Paul Keil, early Milwaukee brothers who were raised in a house on Railroad Ave., formed a vaudeville troupe and performed all over the world.

Jake Keil's son, Paul, who performed with the group, later changed his name to Paul Malverne and became a Hollywood producer.

Milwaukee Review
July 12, 1973



MILWAUKIE

Dogwood City of the West

To: Design and Landmarks Committee

Through: Dennis Egner, Planning Director

From: Brett Kelper, Associate Planner

Date: April 25, 2017, for May 1, 2017, Worksession

Subject: Downtown Design Guidelines Update – Session 16

ACTION REQUESTED

None. This report is preparation for the Committee's ongoing efforts to update the Downtown Design Guidelines (DDG) document.

BACKGROUND INFORMATION

History of Prior Actions and Discussions

- **Winter 2016 - Winter 2017:** Based on the Committee's adopted DLC Work Program for 2016-17, the group drafts revisions to the guidelines of the DDG's Milwaukie Character and Pedestrian Emphasis elements
- **March 2017:** Worksession discussion with Planning Commission about DDG update

PROCESS TO UPDATE DOWNTOWN DESIGN GUIDELINES

At the April 12 meeting, the Design and Landmarks Committee (DLC) began to work through a matrix designed to compare the Design Standards established in Milwaukie Municipal Code (MMC) Subsection 19.508.4 with the Design Guidelines provided in the Downtown Design Guidelines (DDG) document. As promised, Member Michael Corrente has created an online version of the Design Standards matrix that the members can use to note their assessments and view those of the other members.

Suggestions for Using the Matrices

The suggestion for the May 1 meeting is for the members to use the Design Standards matrix to fill in their assessments of whether each specific Design Guideline seems applicable to a given Design Standard, using a simple "Yes," "No," or "???" indication. The whole group can compare answers in advance of the meeting, and we can then use the available meeting time to discuss differing opinions or lingering questions.

As we found at the April 12 meeting, there are at least a couple of ways to use the Design Standards matrix. One is to start with a single Design Guideline and check it down the matrix against each of the 7 Design Standards. Another is to take each Design Standard and check it

across each of the Design Guidelines. There may be other approaches as well—use whatever method seems most logical or effective for you.

In any case, it seems important to consider the purpose statements of the Design Standards, as well as to look at the “Guideline” language, descriptive text, and Recommended and Not Recommended points for each Design Guideline. You can look at both the existing DDG language and the revisions proposed by the Committee. You may choose to be expansive or restrictive in your assessment. Remember, the idea is to identify which Design Guidelines would be reasonably applicable if a developer could not meet one or more of the Design Standards.

If time allows, the same exercise should be conducted with the Development Standards matrix (based on MMC Subsection 19.304.4). There is not yet an online version of this matrix, but in the meantime members can work with the hard copy that was included in last month’s packet and record their individual answers. If we run out of time for discussion of this matrix on May 1, we can make an online version available in advance of the next Committee meeting.

Overall Goal of the Exercise

Keep in mind that we are trying to come up with answers to the following overall questions:

1. Are the Design Guidelines sufficiently represented by the Development Standards of MMC 19.304.4 and the Design Standards of MMC 19.508.4?
2. If not, which guidelines are not well represented that need to be?

Based on the group’s answers to these questions, we can then consider potential solutions, including amending the code or the DDG (or both). As discussed at the April 12 meeting, funding can be made available to engage a consultant to develop solutions for bridging any gaps identified by the group through these exercises. A draft scope of work for a consultant has not been developed as of this writing.

ATTACHMENTS

None

Note: E-Packet materials will be available online at <http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-69>.