

MILWAUKIE PLANNING
10501 SE Main St.
Milwaukie OR 97222
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Application for Land Use Action

Primary File #: CSU-2024-003

CHECK ALL APPLICATION TYPES THAT APPLY: Amendment to Maps and/or Planned Development Land Division: Comprehensive Plan Map Final Plat Residential Dwelling Amendment Lot Consolidation ■ Manufactured Dwelling Park □ Partition Zoning Text Amendment Manufactured Dwelling Property Line Adjustment Zoning Map Amendment ■ Temporary Dwelling Unit □ Code Interpretation Replat □ Transportation Facilities Review** Community Service Use Subdivision ■ Variance: Use Exception Conditional Use ■ Mixed Use Overlay Review ■ Development Review Modification to Existing Approval ■ Variance ■ Willamette Greenway Review Director Determination ■ Natural Resource Review** Downtown Design Review ■ Nonconforming Use Alteration Extension to Expiring Approval ■ Parking: Use separate application forms for: Quantity Determination ☐ Historic Resource: Annexation and/or Boundary Change Alteration Quantity Modification · Compensation for Reduction in Property Shared Parking Demolition Value (Measure 37) Status Designation Structured Parking Daily Display Sign

a status beletion	Appeal
RESPONSIBLE PARTIES:	
APPLICANT (owner or other eligible applicant—see rev	verse): North Clackamas School District
Mailing address: 12400 SE Freeman Way	State/Zip: Oregon 97222
Phone(s): (503)353-6017	Email: detchonc@nclack.k12.or.us
Please note: The information submitted in this applicat	ion may be subject to public records law.
APPLICANT'S REPRESENTATIVE (if different than above):	Cindy Detchon, Assistant Superintendent Operations
Mailing address:	State/Zip:
Phone(s):	Email:
SITE INFORMATION:	
Address: 11326 SE 47th Ave	Map & Tax Lot(s): 12E3IBD 05700
Comprehensive Plan Designation: Zonin	g:Public Size of property: 3.78 acres
PROPOSAL (describe briefly):	
Utilize lower portion of the campus, buildings A, D, E, F and Gy	m and lower fields for Cascade Heights Public Charter School.
School days are Monday - Thursday 7:45 am - 3:30 pm.	

SIGNATURE: I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code Subsection 19.1001.6.A. If required, I have attached 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: Cindy Detchon Date: 3/04/2024

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.

^{**} Natural Resource and Transportation Review applications may require a refundable deposit.

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19,1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

REVIEW TYPES:

This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

• Type I: Section 19.1004

• Type II: Section 19.1005

• Type III: Section 19.1006

Type IV: Section 19.1007

Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY

FILE TYPE	FILE NUMBER	AMOUNT (after discount, if any)	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	CSU-2024-003	\$ 50			Materials submitted 3/04/2024
Concurrent application files		\$			Payment submitted 3/08/2024
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				☐ Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 50			RECEIPT #: 27460		RCD BY:

Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s): Hector Campbell

Notes: Minor modification to existing community service use. Update (5/10/2024): The review process was revised to Type III because the potential traffic impacts (due to no regular busing) make the proposal a major modification. The higher Type III application fee was waived because the process change resulted from an erroneous initial assessment by Planning staff.

To: Milwaukie City Planning Division

Attn: Brett Kelver

Request for Community Service Use Site: Former Campbell Elementary School 11326 SE 47th Ave, Milwaukie, OR 97222

Owner: North Clackamas School District 12400 SE Freeman Way Milwaukie, OR 97222

Summary:

North Clackamas School District (NCSD) proposes the use of a portion of the site at Campbell Elementary to be the new home for Cascade Heights Public Charter School (CHPCS) beginning in the 2024-2025 school year, with some prior summer activity to prepare the building for an operational school.

CHPCS has been in operation since 2006. The Charter school is an independent public school under the sponsorship of North Clackamas School District and serves approximately 225 students under the supervision of 25 staff members. The prior location of the school is no longer available to the charter school as it is owned by the County and the County has other needs for the facility. The charter school has been looking for alternative properties with no solution, and in working with NCSD, we believe the Campbell site will meet their needs perfectly.

The school operates on a four-day schedule, Monday through Thursday which school hours from 7:45 am - 3:30 pm. There are some before-school and after-school activities for tutoring or childcare. As Oregon law permits, charter schools may draw enrollment from anywhere. However, the majority of the students who currently attend CHPCS are from the North Clackamas School District. Students arrive at school via private transportation. There are no regular school bus drop off and pick up for this school. Once per month, a field trip will be planned for different grade levels on a Friday. NCSD school buses are typically provided for this purpose.

As with all schools, there are occasional evening activities such as a school concert, family night, or a board meeting.

Background:

Campbell Elementary was permitted in 1958 and operated as a K-8 public elementary school until 2011 when the recession created a massive budget shortfall for Oregon schools. Three NCSD schools were closed, including Campbell. The last year in operation, the school enrollment was 305 students with 26 staff members. The school operated Monday - Friday, 7:30 am - 3:30 pm, with typical afterschool activities of an elementary school. Transportation was provided by the school district, which included 3 full-sized buses and one small bus each

morning and afternoon Mon-Fri. In addition, there were several neighborhood students who walked to school daily.

Proposed Utilization of the site:

The school facility is comprised of an upper area that houses two buildings (B and C) as well as a Community Garden and a lower area consisting of five buildings (A, D, E, F, and a gym). CHPCS would utilize only the lower portion of the school grounds.

Additional details are below outlining current use and proposed use:

Upper Site:

Buildings B and C (five classrooms) are currently used on Saturdays only for a Ukranian private school. *This use would not change*. Currently, the neighborhood group utilizes the upper grass and field area for a Community Garden. *This use would not change*.

Lower Site:

Building A: NCSD operates an early childhood evaluation center out of the office area of this building with 4 employees who work with families to provide early support for children who exhibit delays or disabilities that affect learning. These families visit the site by appointment only. *This use would not change.*

Building A: Cafeteria and music room. Currently NCSD houses surplus furniture in this location and sees truck deliveries and pick up on a regular basis. *This use would change.*

CHPCS would utilize both the cafeteria and the music room in this building as part of its daily operations. The surplus items will be relocated.

Building D: This building is currently not utilized except for storage. *This use would change.* CHPCS would use this building for classrooms.

Building E: This building is currently the offices of 6 employees and two large meeting spaces where meetings and training occur regularly for staff. *This use would change.*

CHPCS would utilize this space for their main office staff, classrooms, and counselor services.

Building F: This building contains four classrooms that are used regularly by staff for training and meeting spaces. Many of these trainings occur in the evenings. This use would change.

CHPCS would use this building for classrooms.

Gym: This is a full-sized elementary school gym that serves students in a specialized program twice weekly for physical education. It is also leased regularly for after-school and weekend

rentals to the North Clackamas Parks and Recreation District for youth and community programs. The field is also used for youth programs. *This use would change*.

The use of this building and the fields will continue the afterschool program needs for the community but will also be operated Monday through Thursday by CHPCS for daily physical education classes.

Per Section 19.1004 Type I Review, we believe this request meets the requirements. Specifically:

1. Does not increase the intensity of any use;

The use of the facility is equal to or less than previous Community Service Use. The number of students enrolled in CHPCS is slightly less than the previous school. The amount of traffic is reduced to 4 days instead of 5, and there will be no daily bus traffic. Parent pick-up and drop-off lasts approximately 15-20 minutes at each end of the school hours, Monday through Friday.

2. Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19;

Campbell Elementary is in the Residential Zone R-7. The proposed project does not change the physical properties of the site related to setbacks, building height, lot coverage, and frontage.

None of the work in the proposed project impacts the standards for schools in the community service use chapter of MMC 19.321.10 as it met these standards with the prior use of a school.

3. Does not result in deterioration or loss of any protected natural feature or open space, and does not negatively affect nearby properties;

There is no new construction planned on the property. The Community Garden in the upper section of the school property will be maintained. There are no wetlands or other protected land natural features. The field open space will remain and be open to community use during non-school hours.

4. Does not alter or contravene any conditions specifically placed on the development by the Planning Commission or City Council;

According to City records, the building was permitted in 1958. Several improvements have been added to the site in the intervening years. Most of these improvements have been reviewed and approved by the Planning Commission as a CSO or CSU. The list of City land use records for this property is as follows:

CSO-92-01: Major modification of a CSO; approval of construction of a 3,869 sq ft covered play area and 884 sq ft addition.

CSO-99-09: Major modification of a CSO; approval of construction of a new 6,121 sq ft gym.

CSU-09-05: Minor modification of a CSO; approval of interior remodeling and fixture replacements.

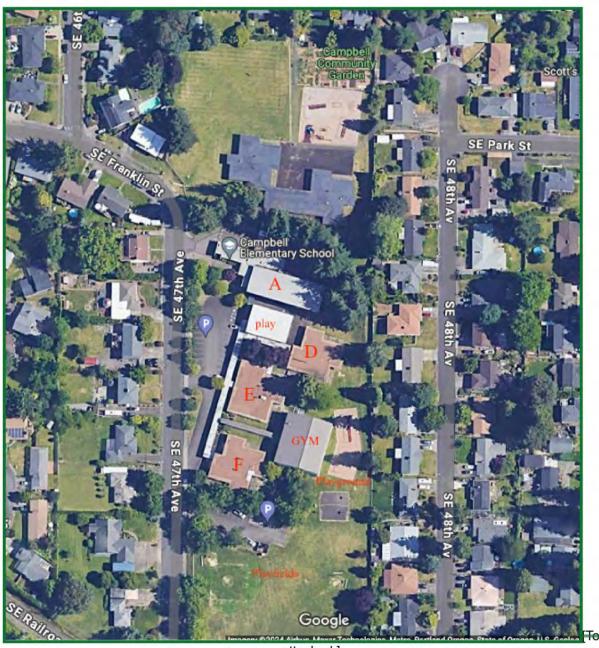
These land use decisions do not contain any conditions that the proposed work would contravene. Only minor interior improvements may be made for cosmetic or security measures will be made.

5. Does not cause any public facility, including transportation, water, sewer, and storm drainage, to fail to meet any applicable standards relating to the adequacy of the public facility.

No changes to the site are being made that would cause any changes to prior Community Service Use, including transportation, water, sewer, or storm drainage.

Exhibit C

The Premises



attached.]

Building A: Cafeteria, kitchen, stage, and music room and access to restrooms.

Buildings D, E, F, and Gym

Lower playfields and playground areas

Covered Play located between Buildings, A and E

Parking lots adjacent to the playfields, behind Building F, and assigned parking spaces in upper lot closest to building E. Up to 10 parking spaces will be labeled for use by District only closest to Building A.

Narrative Supplement Cascade Heights Public Charter School File #CSU-2024-003

The proposal is to allow a public charter school (K-8) to operate at the site where a traditional public elementary school operated until 2011. No new construction or significant physical changes to the existing school campus are proposed. The new charter school will serve approximately 225 students with 25 staff, while the previous elementary school served approximately 305 students with 26 staff. However, the absence of a busing component for the proposed charter school presents potential traffic impacts that warrant consideration of the project as a major modification to the existing CSU, subject to Type III review.

City staff initially indicated that the application could be processed as a minor modification with Type I review, so the original request and narrative addressed the minor modification approval criteria. Now that the application has been reclassified as a major modification, this narrative is provided as a supplement to the original narrative. The response to the approval criteria for a major modification should replace the original response to the minor modification criteria.

Approval Criteria for CSU Major Modification

Milwaukie Municipal Code (MMC) Subsection 19.904.4 provides the following approval criteria for establishment of a new community service use (CSU) or the major modification to a CSU:

- A. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed for a CSU, the standards of the underlying zone must be met.
 - The proposed modification does not include changes that would affect the development standards of the underlying Moderate Density Residential (R-MD) zone.
- B. Specific standards for the proposed uses as found in MMC Subsections 19.904.7-11 are met. MMC Subsection 19.904.7 establishes specific standards for schools, which are addressed as follows:
 - 1. MMC Subsection 19.904.7.A requires public elementary or secondary schools to provide a site area/pupil ratio as required by state law. Other schools must provide 1 acre of site area for each 75 pupils of capacity or for each 2.5 classrooms, whichever is greater, except as provided in Subsection 19.904.7.B below.
 - The school site is approximately 9 acres in size. The new charter school will have approximately 225 pupils, which would require a 3-acre site. There are a total of 18 classrooms, which would require at most a 7.5-acre site. By either measure, the site area/pupil ratio standard is met.
 - 2. MMC Subsection 19.904.7.B requires that preschools, nursery schools, day-care centers, or kindergartens provide a fenced, outdoor play area of at least 75 sq ft for each child of total capacity. Where groups of children are scheduled at different times

for outdoor play, the total play area may be reduced proportionally based on the number of children playing out-of-doors at one time, but with a maximum reduction of no more than half.

The proposed charter school will serve students from kindergarten through 8th grade. With an average of 26 kindergarteners, an outdoor play area of at least 1,950 sq ft is required. The school campus includes an outdoor play area over 125,000 sq ft (2.87 acres) in size, which is fenced where adjacent to residential uses, Railroad Avenue, and 47th Avenue.

3. MMC Subsection 19.904.7.C requires walkways, both on and off the site for safe pedestrian access.

The school site is developed with a network of paved walkways, including an extensive section of covered walkways between various buildings. A public sidewalk extends along the site's frontage on 47th Avenue, a distance of over 800 linear feet.

4. MMC Subsection 19.904.7.D requires sight-obscuring fencing of 4 to 6 ft in height to separate play areas from adjacent residential uses.

The outdoor play area that will be utilized by kindergarteners is within the larger fenced portion of the site and is not directly adjacent to any residential use.

5. MMC Subsection 19.904.7.E requires adequate public facilities to serve the school.

The existing public facilities were adequate to serve the previous elementary school operation and are sufficient to serve the new charter school. The existing driveways onto 47^{th} Avenue allow easy access to the primary pick-up and drop-off area at the front entrance as well as to an off-street parking area on the south side of the building cluster. There is room for some onsite vehicle queuing in the pick-up/drop-off area, and 47^{th} Avenue is wide enough to accommodate on-street parking and queuing without blocking vehicle travel lanes. The attached traffic management plan outlines the measures that will be in place to ensure that vehicle queuing does not negatively impact traffic on 47^{th} Avenue or Railroad Avenue.

6. MMC Subsection 19.904.7.F requires safe loading and ingress and egress on and to the site.

As noted immediately above, the site provides adequate and safe loading and ingress/egress from 47th Avenue. Two existing driveways onto 47th Avenue access the main pick-up/drop-off area in front of the school, with at least 150 lineal feet for queuing on site and 25 off-street parking spots. Another driveway provides access from 47th Avenue to a separate off-street parking area with 39 spaces that are available for some pick-up/drop-off use. In addition, 47th Avenue is wide enough to allow on-street parking and/or queuing along the school frontage, adjacent to a curb-tight sidewalk that connects to the on-site walkway system.

7. MMC Subsection 19.904.7.G requires compliance with the parking standards in MMC 19.600.

Recent changes in state law have limited the ability of local jurisdictions to enforce mandatory minimum off-street vehicle parking requirements. Maximum parking allowances are still applicable, at the ratio of 2 spaces per classroom. The existing site provides up to 18

classrooms and is developed with 64 off-street parking spaces, well over the current maximum allowance of 36 spaces. However, no changes are proposed to the current parking configuration, so the site will not be pushed farther out of conformance. The "excess" parking is actually an important part of the proposed traffic management plan and will help in preventing vehicles from queuing on Railroad Avenue.

- 8. MMC Subsection 19.904.7.H requires minimum yard setbacks of 20 ft.

 The proposed modification does not involve construction of any new structures that would be subject to setback requirements.
- 9. MMC Subsection 19.904.7.I requires bicycle facilities that "adequately serve the site." A previous CSU modification decision in 1999 (file #CSO-99-09) included a condition related to the provision of bicycle parking on the site. Associated documents reference 30 bicycle parking spaces distributed at two of the buildings on campus. That bicycle parking was removed at some point by the School District, but the applicant proposes to re-establish at least 20 of the 30 previously required bicycle parking spaces on the main part of the campus where the new charter school will operate, which will bring the site closer to conformance with the past condition of approval. The applicant proposes to install the bicycle parking by the end of the first school year, to allow time to discern where the new bike racks will be most useful.
- 10. MMC Subsection 19.904.7.J requires a minimum landscaped area of 15%.

 The proposed modification will not impact any of the existing landscaping on the site, which covers over 55% of the campus.
- C. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses.

In the final year of its operation as a K-8 elementary school, Campbell Elementary had an enrollment of 305 students with 26 staff members. The hours of operation were Monday through Friday from 7:30 a.m. to 3:30 p.m., with typical after-school activities. As proposed, the new charter school will operate Monday through Thursday from 7:45 a.m. to 3:30 p.m., with 225 students and 25 staff. Friday field trips, once per month, also occur in smaller groups. The other District activities that have evolved on the site since Campbell Elementary closed in 2011—early childhood evaluation center, Ukrainian school on Saturdays, after-school and weekend youth/community programs, and community garden—will continue as they have been. The proposed modification will not increase the intensity of the historic use of the site, and the hours and levels of operation will be reasonable compatible with surrounding uses.

D. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood.

The subject property has functioned as a school site and has been a valuable community asset for over six decades (since 1958). Even after it closed as a public elementary school in 2011, the athletic fields, gymnasium, and community garden space have continued to be available for use by the neighborhood and larger community. And the buildings themselves have continued to be used by the School District for a number of community-based activities (e.g., early childhood evaluation

center, Ukrainian school on Saturdays, after-school and weekend youth/community programs)—those uses would continue. The new charter school would reinvigorate the site, restoring its historically intended use and potentially drawing young families to live in the neighborhood.

Unlike the previous elementary school, the new charter school will not utilize busing for day-to-day student transportation, so most of the students will arrive in private vehicles. However, carpooling is a common practice and part of the school culture, which reduces the overall number of vehicle trips. Staggered drop-off and pick-up times spread the vehicle volume over a longer period in the mornings and afternoons, preventing excessive queuing and limiting impacts on neighboring streets. The absence of daily busing eliminates both the traffic conflicts and safety concerns that arise from the interaction of buses, cars, and pedestrians and the air pollution stemming from dieselfueled buses. And the new charter school's ability to adjust practices in response to actual conditions is an important improvement over the previous school operation, which had less flexibility as part of the larger District system.

E. The location is appropriate for the type of use proposed.

The Campbell Elementary School site has been in the neighborhood since 1958 and functioned as a public elementary school until 2011. The 9-acre campus provides an assortment of buildings with classrooms, administrative offices, cafeteria, and gymnasium, as well as ball fields and a vast outdoor play area. The site is easily accessible from Railroad Avenue (a collector street) and provides ample space on site and along its 47th Avenue frontage (a local street) for parking and queuing during drop-off and pick-up times. A network of walkways, half of which are covered, connect the various buildings on the site and provide safe access from the street onto the campus. In short, the site was designed to function as an elementary school and is an ideal location for the new charter school.

Cascade Heights Public Charter School Transportation Plan

NCSD believes there is little traffic difference or impact on the neighborhood with Cascade Heights Public Charter School at the Campbell location compared to when Campbell last operated as an NCSD school. If anything, the efficiency of the charter school will create a much smoother and seamless pickup time. After collecting the data and speaking with the former principal and others who understand the impact of buses and morning/afternoon traffic patterns at our elementary schools, we are confident that Cascade Heights will be a welcomed addition to the neighborhood. The following outlines details of the school's plan to manage traffic flow for the campus.

Morning drop off

- o Morning drop-off happens in two waves. Morning club and regular drop-off
- o Morning club is approximately 30 cars that arrive between 6:45 am and 7:15 am
- Regular drop-off begins at 7:45 am and ends at 8:00 am. This is gradual and results in queuing of up to 15 cars.
- Cascade Heights has a long history of hiring parents to build community. Currently, 27 students' parents are staff members. Their cars park in off-street parking spaces and arrive well before school begins.

Afternoon pick up

- Afternoon pick-up begins at 3:20 pm and lasts until 3:45 pm.
- Cars begin to queue up at 3:15 p.m. Students A-H will load at 3:20 p.m., I-M at 3:30, and N-Z at 3:40 p.m. The highest number of cars we have counted for afternoon pickup is 89.
 Other days have ranged between 33 and 77, giving an average of 64 vehicles for afternoon pickup over three waves of times.
- Queuing and loading of vehicles will be led by three traffic control staff members
- Teachers will walk students to cars
- There will be an additional "slow loader" parking area for additional options for families.
 We anticipate allowing 10 families/cars to load in this area.
- o 27 students will leave with their parent staff member independent of the carline process.
- See site map for queuing and loading areas.
- An additional pickup option is at 4:45 p.m. when homework club ends. This is a maximum of 35 cars.

Carpool Plan

- CHPCS Carpooling is a long-standing practice that will increase in use for the 2024/2025 school year.
- Our population is consistent and stable with low attrition. This creates close relationships between families and the overall community.
- A carpool advertising campaign is in effect for the coming year.
- CHPCS currently averages just 64 cars per day during pickup or drop-off times. This
 means an average of 3 children arrive in each car (they may all be from one family or are
 ride-sharing).
- Bike and walking access
- We anticipate 12-15 students will walk or bike to school based on their residence location
- CHPCS is working on increasing this number by providing bike storage and information about the environmental and health benefits of walking and biking.
- Permanent bike racks will be installed during the 2024/2025 school year. In the meantime, storage for bikes will be under the covered, fenced-in area outside. This keeps them safe and free from damage.

 A bike and walk campaign will be in place in the summer of 2024, utilizing guidance from Safe Routes to Schools

Special Events

- Special events such as concerts, presentations, board meetings, harvest festivals, and other community events will occur periodically. These are traditions of the CHPCS community.
- We will continue to create events that add to the community without harming the local community by staggering start times and communicating expectations thoroughly with families
- Example A—Music performance day: Grades K-2 start at 12:30, grades 3-5 start at 1:30, and grades 6-8 start at 2:30. This allows time for parents of different age groups to arrive and leave at other times, preventing overflow parking issues.
- Example B—Night of the Notables and The Living History Wax Museum events are on the same evening. 4th-grade families attend The Living History Wax Museum at 5:00 p.m., and Middle School families attend Night of the Notables at 6:30 p.m.
- Parents will be reminded frequently through handouts, emails, and newsletters that there
 is no parking on Railroad and outlining any other expectations.

Traffic controls

- Staff with traffic control devices will direct traffic in the afternoon pick up lines
- Periodic audits will be conducted to review the timing and the amount of cars that queue in afternoon pick-up lines
- Temporary or permanent signs can be added as needed.
- Regular communication goes out to parents regarding traffic controls, expectations, and any emerging trends that must be addressed.

Parking

There are 64 parking spots on the campus between the front and the side parking lot.

There are 25 spots for staff members, leaving 39 spots for parents/visitors. This does not include street parking.

Community Use

 The ball field and gym will remain available for community use during non-school times through our facility rental process in our Community Services department. As with all schools in NCSD, schools block out the calendar for any special event needs so that group use does not overlap.

Community Outreach

- March 2024: presented at the Campbell NDA meeting
- Summer 2024: Door knocking and flyer distribution/invitation to the Ribbon Cutting and Open House to the immediate neighborhood
- August 28th: Ribbon Cutting (neighbors invited!)
- Quarterly: Community outreach will involve checking in with the Campbel NDA and asking for feedback from neighbors.



The red arrow on 47th Ave represents where car queuing will begin in one line. A staff member will be stationed at the entrance to the first driveway entrance as indicated by the yellow star at that location. Another staff member will assist families in safely loading and exiting the line in the second driveway. The red arrows allow 39 vehicles to be queued up at any time. Given that there will be three waves of pick-up times for families, we anticipate never having more than 29 vehicles in line at any given time. This plan alleviates any concern that cars will ever be backed up onto Railroad Avenue. Up to 10 families will be identified who may need more time to load and will be asked to join the "slow loader" line, as indicated by the blue arrow. A staff member will be assigned to this area, as indicated by the yellow star at the top of the map.