

# ***Exhibit A to the Resolution to T4-2012-2176***

*Post Hearing Staff Report, T4-2012-2176*



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## **STAFF REPORT OF THE PLANNING COMMISSION FROM THE PUBLIC HEARING ON MAY 7, 2012**

### **REQUEST TO DEMOLISH THE SPRINGDALE SCHOOL GARAGE - AN HISTORIC GARAGE ON THE NATIONAL REGISTER OF HISTORIC PLACES (APPLICATION NUMBER T4-2012-2176)**

#### **PART I. INTRODUCTION**

On October 25, 2011, the Springdale School site at 32405 East Historic Columbia River Highway was listed on the National Register of Historic Places, including the covered play structure to the northeast of the school and the detached garage to the west of the school (Exhibit 1). An application was received by Multnomah County on January 24, 2012 to reestablish a school use in the Springdale School building. That application to reestablish the school use is being processed concurrently with this request as a Type 3 application and was considered by a hearings officer May 11, 2012 (T3-2012-2116).

As part of the proposal to reestablish the school, the applicant has proposed to demolish the garage identified on the site plan (Exhibit 2) to make room for the parking lot and bus drop off zone for the new school. This action by the Planning Commission is limited to the issue of demolishing the garage. The garage's significance to the site and the community is discussed in detail in the application to the National Register of Historic Places. Specifically, the garage housed the area's first fire truck and school bus and is described as a 'contributing resource' to the school (Exhibit 1, Page 7).

Because the Springdale School is listed on the National Register of Historic Places, it is considered a Historical Building as defined in Multnomah County Code (MCC) 35.0005 'Historical Building'. That designation triggers review of the proposal to demolish the garage pursuant to the procedures and criteria found in MCC 35.0520 – Historical Structures and Sites Permits. This section of the code requires review by the Planning Commission and Board of County Commissioners before a demolition permit can be approved. This process provides the opportunity for dialogue with the community on the question of whether to preserve buildings, structures and sites that are of significance to the community and are salvageable.

#### **PART II. FINDINGS REQUIRED**

The provisions of the applicable zoning code section MCC 35.0520(C) that govern issuance of a demolition permit to remove the garage include both procedural and substantive standards. The procedural standards in MCC 35.0520(C)(1) through (4) and (C)(6) through (8) require review of the application as a Type IV permit.

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The Planning Commission must make a recommendation to the Board of County Commissioners on the substantive criteria in MCC 35.0520(C)(5). Both the procedural and substantive standards are listed in this staff report.

**Bold** lettering below indicates Multnomah County Code. Findings as a result of the Planning Commission Hearing follow each standard.

\* \* \*

**MCC 35.0520(C) An application for a permit to remove or demolish a building or structure described in this Section shall be subject to the following:**

**(1) The permit shall not be issued for 120 days following the date of filing, unless otherwise authorized by the Board under sub-part (7) of this subsection.**

**Finding:** The application is being processed under the provisions of subpart (7) below.

**(2) The permit application shall be considered a Type IV decision to be initiated by the record owner or the owner's agent.**

**Finding:** The application has been processed as a Type 4 decision and was initiated by the property owners authorized agent, Peter Fry.

**(3) Except as otherwise provided in this subsection, the application shall be subject to the applicable provisions of MCC Chapter 37.**

**Finding:** The application has been processed under the applicable provisions of Chapter 37 as well as the superceding provisions of MCC 35.0520(C).

**(4) A hearing on the application shall be held by the Planning Commission.**

**Finding:** The application was heard at a public hearing before the Planning Commission on May 7, 2012.

**(5) The decision of the Planning Commission shall be in the form of a recommendation to the Board.**

**(a) The Planning Commission may recommend measures to preserve the building or structure, with or without conditions, including by purchase, trade, relocation or by approval of a change of use notwithstanding the use limitations of the district;**

**Finding:** The applicant has requested demolition of the garage building under (5)(b) & (C) below rather than the preservation alternatives in this subsection. The Planning Commission considered convincing testimony and evidence related to the removal criterion in (5)(b) that led them to not recommend preservation of the structure. Additional facts that contribute to a no preservation recommendation include that the garage structure blocks the view of the Springdale School building, the primary historic resource on site, as

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seen from the west on the Historic Columbia River Highway. Additionally, as discussed by Patience Stuart, Preservation Specialist, the garage is only a ‘contributing’ structure to the historic resource of the school site rather than a ‘significant’ historic resource that stands on its own (Exhibit 8 and 9).

**(b) The Planning Commission may recommend removal or demolition of the building or structure based upon a finding that practical preservation measures are inadequate or unavailable.**

**Finding:** The applicant submitted a narrative (Exhibit 4) describing the project and addressing the applicable code criterion discussed above [MCC 35.0520(C)(5)(b)]. The applicant states that “The structure cannot be repaired or restored without a complete demolition, reconstruction, and replication.” The applicant goes on to state that the structure is constructed of ‘clay sand tiles that are rapidly disintegrating.’; that the ‘frame is compromised.’; and that a recent wind storm ‘removed a portion of the roof making the structure dangerous and hazardous.’

The Springdale School garage has been determined to be a historic resource since it has been specifically listed on the National Register of Historic Places. Whether practical preservation measures could restore the historic structure relies in part on the meaning of the term “practical.” MCC Chapter 35, applying to the East of Sandy River Rural Plan Area, does not define this term; however, “practicable” is defined in MCC Chapter 38, the Columbia River Gorge NSA, and can be used to guide the meaning of the term “practical.” In Chapter 38, “practicable” means: “Able to be done, considering technology and cost.” For the purposes of reviewing this standard, it is reasonable to consider the cost, materials and preservation techniques involved when determining whether a building can be practicably preserved as a historic resource.

Significant damage has occurred over the years to every element of the structure due to a lack of maintenance. The lack of maintenance allowed cracking of the protective exterior stucco covering and allowed water into the interior of the structure which has significantly damaged the internal wood framing and the structural tile blocks. The damage has compromised the structural elements to the point where they need to be replaced rather than repaired.

The applicant provided evidence showing that the preservation measures needed to restore the structure would be so extensive that they would essentially replace the entire building. Such an extensive rehabilitation would change the character of the structure to the point that it could no longer be considered historic. Additionally, the original materials are no longer available and would need to be replaced with contemporary replica materials that would make the garage a new, contemporary replica structure.

The applicant provided evidence (Exhibit 9) that the cost to repair the garage would exceed the structure’s value. Part of the high cost is related to the type of replica construction that would be necessary. Even if rehabilitation and replacement measures were commissioned to bring the structure up to code and to a useable state, there is no record on what the structure looked like originally when constructed in the mid 1940’s. Again, the loss of

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integrity that would occur by replacing the structure with a replica would take away any historical significance associated with the building and thus would be inadequate. Therefore, preservation is inadequate since the purpose of the registration as a Historical Place is to preserve that history.

Based on the evidence provided, practical preservation measures to preserve the garage are unavailable and inadequate because the damage is so severe that the structure would need to be replaced wholesale and would render the remaining structure a replica. Therefore demolition of the structure is justified.

### **(c) The Planning Commission recommendation shall be based upon findings in relation to the applicable policies of the Comprehensive Plan.**

**Finding:** The comprehensive plan policies, specifically Comp Plan Policy 16I, support demolition because the garage is only a contributing structure to the overall historic nature of the property and site and is not significant by itself. The primary historic structure and resource of the property is the school – the other structures on site are only contributing resources. A letter from the State Historic Preservation Office (SHPO) was included in the record and contained a Finding of Effect that while the garage is a contributing structure to the historical nature of the site, removal of it would not be significant to that historical nature and would have no adverse effect.

The historic significance of the garage structure is not in the architectural elements and character but rather in the abstract community association with the building as housing the first fire truck and bus for the community. The structure no longer houses those significant elements of the community identity and preservation of the structure would not bring those elements back.

SHPO's recommendation mirrors the preservation specialist's testimony that the significance of the site relies upon the main school building. Additionally, removal of the garage would increase the visibility and focal point to the primary historic resource of the architecturally and culturally significant main school building. Lastly, removal of the garage would provide greater opportunity to provide the main school building with a more functional parking lot that would meet current zoning code requirements which could provide for new uses in the school building. The East of the Sandy River Rural Area Plan contains policies that encourage reuse of the school and site for community based uses, and removing the garage could help facilitate that policy.

### **(6) The Planning Commission decision shall be submitted to the Clerk of the Board by the Planning Director not later than ten days after the decision is announced.**

**Finding:** The Planning Commission recommendation will be submitted to the Clerk no later than May 17, 2012, in compliance with this provision.

### **(7) The Board shall conduct a de novo hearing on the application under the notice and review procedures of a type IV decision and the approval criteria in (5) above. The Board**

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**may affirm, reverse, or modify the recommendation of the Planning Commission. The approval criteria of MCC 37.0705 shall not apply to the decision.**

**Finding:** A de novo hearing before the Board of County Commissioners is set for June 14, 2012.

**(8) In the event the Board fails to act on the application within the 120-day period specified in subpart (C)(1) of this subsection, the Building Official may issue the permit.**

**Finding:** The Board's actions at the June 14, 2012 hearing will conclude the actions required to process this application.

### **PART III. CONCLUSION**

The applicant has met the burden of MCC 35.0520(C)(5)(b) & (c) and as such the request to demolish the historic garage structure should be approved.

### **PART IV. EXHIBITS**

Exhibits:

1.	National Historic Places Registration Form Packet	32 Pages
2.	Site Plan of Springdale School with Garage to be Demolished	1 Page
3.	Site Plan of Springdale School With Garage Preserved	1 Page
4.	Applicant's March 15, 2012 Narrative	5 Pages
5.	April 23, 2012 Memorandum by Peter Meijer, Architect	1 Page
6.	Multnomah County Comprehensive Plan Policy 16:I	2 Pages
7.	Applicant's Level of Effect Application to SHPO	8 Pages
Exhibits Received After Staff Report Completed		
8.	Memorandum in Support of Testimony for Demolition of the Garage Dated May 7, 2012	1 Page
9.	Memorandum on Practical Preservation Measures dated May 7, 2012	3 Pages
10.	May 7, 2012 Letter on the Condition of the Garage Structure from Terry Rommel	2 Pages
11.	April 24, 2012 SHPO Letter Containing Conditions of Approval From SHPO for Case No. 12-0082, Completed and Signed SHPO Clearance Form for SHPO, and Photographs of the Structure	19 Pages