



CITY OF OREGON CITY HISTORIC REVIEW BOARD AGENDA

Commission Chambers, 1234 Linn Avenue, Oregon City and Virtual
Tuesday, September 28, 2021 at 7:00 PM

This meeting will be held online in-person and online via Zoom; please contact planning@orc.org for the meeting link to participate.

CALL TO ORDER

PUBLIC COMMENT

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. To assist in tracking your time, refer to the timer at the dais. Prior to speaking, citizens shall complete a comment form and deliver it to the Staff Member. When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone. The Historic Review Board Officers do not generally engage in dialog with those making comments but may refer the issue to the City Manager.

PUBLIC HEARING

1. GLUA-21-00015 and HR 21-00008: Historic Review for exterior alterations to a noncontributing home in the Canemah National Register District at 601 4th Avenue.
2. GLUA 21-00042 / HR-21-00018: Revision to HR 19-04 for a new single dwelling in the Canemah National Register District at 306 4th Avenue
3. GLUA 21-00052 / HR-21-00020 Modification of HR 20-00001

OTHER BUSINESS

4. December 22, 2016 Minutes
5. January 26, 2021 Minutes

COMMUNICATIONS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WPMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Historic Review Board
From: Planner Kelly Reid

Agenda Date: 09/28/2021

SUBJECT:

GLUA-21-00015 and HR 21-00008: Historic Review for exterior alterations to a noncontributing home in the Canemah National Register District at 601 4th Avenue.

STAFF RECOMMENDATION:

Approval.

EXECUTIVE SUMMARY:

The subject property in the Canemah National Register District is developed with a two-story house. The house is on a 5,000 square foot lot and was constructed in 1979. The period of significance for Canemah is 1850 to 1928; this home is considered non-contributing and out-of-period. The City did not have a historic overlay that required a historic certificate of appropriateness at the time this home was constructed.

New siding, decking, stairs, and porch railing were installed in 2020. The new siding includes fiber cement vertical 'board and batten' siding and textured fiber cement horizontal board siding on the bottom 1/3 of the home, the decking is composite material, and the porch railing is a metal railing. The adopted HRB Policies do not allow for staff approval of these elements; thus, HRB review is required.

The 1979 home does not have historic features to be preserved. The existing house is marginally incompatible in the district and the alterations should be viewed as to how they are or are not increasing the adverse impact the non-contributing house has on the district. While Board and Batten is not common among historic structures in Oregon City, it is also not without precedent. Given the fact that the previous siding was textured vinyl, staff finds that the proposed use of textured fiber cement siding and board and batten as the predominant siding style on this home does not have an adverse effect on the character of the Canemah National Register District.

The applicant has planted shrubs along the front of the porch railing that screen and soften it from 4th Avenue perspective. Staff finds that the vegetation provides ample mitigation and screening for the aluminum railing and porch decking.

The wood staircase railing is built with balusters internal to the rails per the guidelines. The staircase is below grade of 4th Avenue and is not visually obtrusive. It does not block any views of historic homes in the district. Staff finds that the staircase does not have an adverse effect on the district.

Staff advises that if Board finds that the combination of all the alterations results in an overall adverse effect on the district, that a condition of approval be added to either a) replace one of the non-compliant elements with a material that is acceptable, or b) some other mitigation that the Board finds to be acceptable.

BACKGROUND:

See Staff Report and Recommendation document in the agenda item attachments.

OPTIONS:

1. Approve the proposal (staff recommendation)
2. Approve the proposal with conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information



**Historic Review
Staff Report and Recommendation
September 21, 2021**

FILE NO.: GLUA-21-00015/ HR 21-00008: Historic Review

HEARING DATE: September 28, 2021
7:00 p.m

OWNER: Abigail and Jason Klun
601 4th Avenue
Oregon City, OR 97045

Application Submitted: March 29, 2021
Application Complete: April 6, 2021
120-day deadline: November 25, 2021
Notice of Decision:

LOCATION: 601 4th Avenue
Oregon City, OR 97045
Clackamas County Map 3-1E-01AA-01700

REQUEST: Historic Review for exterior alterations to a noncontributing home in the Canemah National Register District.

RECOMMENDATION: Approval.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, of the Oregon City Municipal Code. The City Code Book is available on-line at www.orcity.org.

This application is subject to the Administration and Procedures section of the Oregon City Code set forth in Chapter 17.50. The application and all supporting documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 695 Warner Parrott Road, during regular business days (9 am- 4pm). Copies of these materials may be obtained for a reasonable cost. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. Copies of these materials may be obtained for a reasonable cost in advance. Any interested party may testify at the public hearing and/or submit written testimony at or prior to the close of the record by the Historic Review Board. Notice of the Historic Review Board's decision shall be sent to the applicant and to those persons submitting comments and providing a return address. Any party who participated in the Historic Review Board proceedings may appeal the Historic Review Board's decision by filing a notice of appeal as required by OCMC 17.50.190. Any issue that is intended to provide a basis for appeal must be raised before the close of the Historic Review Board's proceeding, in person or by letter, with sufficient specificity to afford the City Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any review of that issue. Parties with standing may appeal the decision of the City Commission to the Land Use Board of Appeals. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763.

Recommended Conditions of Approval

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

Staff advises that if Board finds that the combination of all the alterations results in an overall adverse effect on the district, that a condition of approval be added to either a) replace one of the non-compliant elements with a material that is acceptable, or b) some other mitigation that the Board finds to be acceptable.

I. BACKGROUND:

Existing Conditions:

The subject property in the Canemah National Register District is developed with a two-story house. The house is on a 5,000 square foot lot and was constructed in 1979. The period of significance for Canemah is 1850 to 1928; this home is considered non-contributing and out-of-period. The City did not have a historic overlay that required a historic certificate of appropriateness at the time this home was constructed.



Figure 1. Vicinity Map



Figure 2. Before new siding and porch rail



Figure 3. After new siding, decking, and porch rail



Figure 4. New landscaping



Figure 5. New landscaping along 4th Avenue



Figure 6. New staircase in front yard

GLUA-21-00015 601 4th Avenue

Project Description:

The new siding, decking, and porch railing were installed in 2020. A staircase in the front yard was constructed in summer 2021, and landscaping was installed. The new siding includes fiber cement vertical 'board and batten' siding and textured fiber cement horizontal board siding on the bottom 1/3 of the home, the decking is composite material, and the porch railing is a metal railing. The adopted HRB Policies (Exhibit 3) do not allow for staff approval of these elements; thus, HRB review is required. Other work, including addition of a window and removal of shutters, meets the HRB policies and is not the subject of this review. The applicant submitted the following narrative explanation for the work that was done on the home.

"Our home, located at 601 4th Avenue in Oregon City's Canemah National Historic District, is being reviewed by the HRB as a result of exterior alterations that included vertical siding and metal porch railings. While located within a historic district, the home itself is not a historic home and therefore did not have "historic character."

The material replacement that occurred was due to the extremely deteriorated state of the siding and porch handrail. The original siding was cracked, which subsequently caused rot damage through the siding and beyond into the sheathing, and had to be replaced in several areas of the home. The siding had also been installed incorrectly, and the material was warped/no longer functioning to preserve the home from weather damage.

The original handrail was so badly deteriorated/rotted, that it was completely unsafe/non-functioning. Prior to the new railing installation, the original railing was actually removed completely by hand, easily. In summary, we replaced the siding and railing with new/high quality materials to ensure longevity and safety."

The applicant submitted additional narrative in September 2021 including the following paragraph:

"The dictionary definition of compatible is "able to exist or occur together without conflict." One drive down 4th Avenue anyone will see how diverse of a street our home is on. Each house is different and some are historic while others are not, and some are even more modern yet. We specifically and purposefully chose materials and colors that were in keeping with our neighborhood without changing any architectural character of our late 70's early 80s home in an effort to blend in with our neighborhood. As this entire process is open to interpretation and is dependent upon the subjective opinions of the volunteer members of the HRB, our opinion is that we are absolutely and very much compatible with the simultaneously modern and historic blend of homes in our diverse district."

Notice and Public Comment:

A public notice was sent to neighbors with 300 feet of the subject property, posted online, emailed to various entities, and posted on site.

The Canemah Neighborhood Association submitted a letter stating: "the neighbors in our district find that the changes made to the home have beautified the property and subsequently increased the property value of all of the homes on the street/neighborhood. We also find that the home is in complete compatibility, aesthetically, with the other homes in our neighborhood and fits in well within the Canemah Historic District."

The letter also questioned the applicability of the historic overlay standards on non-contributing homes in the district. The staff report clarifies applicability in section 17.40.060.A.

See the full letter in Exhibit 5.

II. APPLICABLE STANDARDS AND FINDINGS

17.40.060 - Exterior alteration and new construction.

- A. *Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

Applicable: The proposal for exterior alteration in a historic district is being reviewed by the Historic Review Board. There has been a question raised about the applicability of the historic review process and standards for non-contributing homes in Canemah. The definition in the code of "Historic Site" clarifies the applicability in this case:

17.40.060 - Exterior alteration and new construction.

- A. Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board.

17.04.575 - Historic site.

"Historic site" means the structure and the property surrounding a landmark, a structure in an historic district, or a designated structure in a conservation district.

The house at 601 4th avenue is a structure in a historic district, so changes to the structure are under the purview of this Chapter. The stairs are also considered a structure and can be reviewed through this Chapter as well. Landscaping is not, in itself, able to be reviewed in accordance with these definitions but can be considered for its screening effects.

- B. *Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

Complies with Condition: The applicant submitted the required materials.

- D. [1.] *The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.*

Applicable: The proposal is being reviewed by the Historic Review Board.

2. *The following exterior alterations to historic sites may be subject to administrative approval:*
a. *Work that conforms to the adopted Historic Review Board Policies.*

Not Applicable: The proposal is not subject to administrative approval.

E. For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:

17.40.060.E (1) - The purpose of the historic conservation district as set forth in Section 17.40.010;

Staff Finding: Complies as Proposed. The subject property will remain as a locally designated structure within the Canemah National Register District.

17.40.060.E (2) -The provisions of the city comprehensive plan;

Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Staff Finding: Complies as Proposed. The applicant proposed exterior alterations to a building within the Canemah National Register historic district. The structure is non-contributing; thus, the question being considered here is whether the proposed materials are compatible with the overall character of the district.

17.40.060.E (3) - The economic use of the historic site and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation;

Staff Finding: Not applicable. The residential use is not proposed to change. The structure is non-contributing and thus there is not a public interest in preserving the individual structure per se.

17.40.060.E (4) The value and significance of the historic site;

Staff Finding: Not applicable. The applicant proposed exterior alterations to a building within the Canemah National Register historic district. The structure is non-contributing; it does not have significance within the district.

17.40.060.E (5) - The physical condition of the historic site;

Staff Finding: Complies as proposed. The applicant describes a few elements of the structure that were deteriorating, stating:

"The material replacement that occurred was due to the extremely deteriorated state of the siding and porch handrail. The original siding was cracked, which subsequently caused rot damage through the siding and beyond into the sheathing, and had to be replaced in several areas of the home. The siding had also been installed incorrectly, and the material was warped/no longer functioning to preserve the home from weather damage. The original handrail was so badly deteriorated/rotted, that it was completely unsafe/non-functioning. Prior to the new railing installation, the original railing was actually removed completely by hand, easily. In summary, we replaced the siding and railing with new/high quality materials to ensure longevity and safety."

The applicant's proposal repairs these elements.

17.40.060.E (6) - The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with the historic site;

Staff Finding: See findings in 17.40.060.E (9). Design Guidelines adopted by the Board. All discussion of the compatibility of the materials proposed is found in that section of the staff report.

17.40.060.E (7) Pertinent aesthetic factors as designated by the board;

Staff Finding: Not Applicable. The Board has not identified any additional factors beyond the adopted guidelines.

17.40.060.E (8) Economic, social, environmental and energy consequences; and

Staff Finding: Complies as Proposed. The proposal will have a negligible effect on economic, social, environmental, and energy factors.

17.40.060.E (9) Design guidelines adopted by the historic review board

Staff Finding: Complies as Proposed. The following Design Guidelines for Alterations are included here: Secretary of Interior Standards #1-9, and Oregon City specific guidelines A through F.

Staff would like to quote a previous applicant regarding the application of these guidelines to a non-contributing home:

“The guidelines for alterations and additions look like they would work well when applied to old houses in the historic district. But in our case, the existing 1980-era house is incompatible with the guidelines in almost every way—materials, roof pitch, window types, etc. The only way to make this house look like the historical houses of the neighborhood would be to virtually tear it down and start over. Replacing some of the house’s existing elements with ones that meet the guidelines might technically bring it closer to compliance with individual guidelines, but the result would be a mishmash that would not meet their overall intent.”

This quote points out the difficulty in applying the Design Guidelines for Alterations to non-contributing structures. Because the guidelines are written with historic contributing structures in mind, they are not always relevant or practical when reviewing a non-contributing structure. The Board has the discretion to determine how the guidelines apply and interpret them in a unique case like this one.

It is also important to note that the design guidelines for alterations to existing structures are different from the Design Guidelines for New construction. Whereas the new construction guidelines have very specific guidelines for windows, siding, etc, the alterations guidelines are more general. The content also differs - what is required for new construction may not be appropriate for an alteration, and vice versa.

Design Guidelines for Alterations and Additions

Secretary of Interiors Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Staff Finding: Complies as Proposed. The use of home will continue to be residential.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Staff Finding: Complies as Proposed. The applicant provided the following response:

“Our home, located at 601 4th Avenue in Oregon City’s Canemah National Historic District, is being reviewed by the HRB as a result of exterior alterations that included vertical siding and metal porch railings. While located within a historic district, the home itself is not a historic home and therefore did not have “historic character.” As per

Oregon City's own *Homeowner's Guide to the city of Oregon City's Historic Properties* document, (link below and full copy included in application), our home is considered a "Non-Contributing Home" due to the age of the house, which was built in 1979, making it less than 50 years old.

Therefore, this guideline, (called here "2"), is not applicable to this specific property/home because the property itself is not historic and did not have what would be defined as "historic character." There were no "distinctive features" of the home that existed to characterize it as historic. Any alterations of features, spaces or spatial relationships could not have altered any "historic" character of the house, as defined by the *Homeowner's Guide to the City of Oregon City's Historic Properties*, because the home is not old enough to be considered "historic" prior to renovations."

Staff concurs with the applicant. The 1979 home does not have a distinctive materials; the previous siding was not an element with historic value or character.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Staff Finding: Complies as Proposed.

The applicant responded:

"While this property itself is too young to be considered "historic" and therefore cannot be judged based on any original historic features of which it did not originally have, we used materials and designs that blended in and conformed with the overall historic feel and aesthetic of our neighborhood.

We kept it true to its history, without adding any features that would change the original integrity or structure of the home. It continues to be a physical record of its time while simultaneously fitting in with the historical aesthetic of the neighborhood.

By using vertical siding, we continued the design aesthetic used by twenty five (25) homes (including one business) of our neighbors, all within the Canemah National Historic District (see included photos of each home in our neighborhood that incorporates vertical siding). We retained the integrity of our home's late 1970s architecture by not modifying the structure, shape or form of the building and by not adding conjectural features or elements that would not be found on a home of our home's era, originally. This was done so that it does remain a physical record of its time, place, and use as a 1970s-80s home residence built in an historic neighborhood district. We succeeded in creating a design that both honored and adapted to the historical district the home is located within, while keeping its original character of a late 1970s early 1980s structure and highlighting the architectural "bones" of a house from that era."

Siding:

The subject property was originally built in 1979 with horizontal vinyl siding. Horizontal siding is the predominant siding style in the district. The applicant has replaced the vinyl siding with horizontal fiber cement board siding on a portion of the ground floor, and board and batten vertical siding on the upper portion of the ground floor and the upper floor. The Board and Batten siding extends into the side gable

space as well. Because Board and Batten siding does not follow the HRB policies, which call for new siding to match original siding in both material and style, the Board must review it for compatibility. The relevant HRB Policies are found in Exhibit 4.

Given the fact that the previous siding was textured vinyl, staff finds that the proposed use of board and batten as the predominant siding style on this home does not have an adverse effect on the character of the Canemah National Register District. The siding is not attempting to provide a false sense of history on a home that was clearly built in the 1970s. The character of the home is clearly not historic and would not be mistaken for a historic home with this siding present. As a replacement of vinyl siding, the new siding does not affect the noncontributing status of the home; the home maintains the 1970s appearance due to its shape, size, window placement, and proportions. The color of the boards and battens is the same, which helps them to visually blend together and not stand out (unlike a Tudor style, for example).

A similar material substitution was approved by the board for a 1960s era apartment building. In HR-14-05, the Board approved vinyl windows as a replacement for aluminum windows. Aluminum was not compatible, and the Board found that vinyl replacements are similarly non-compatible and would not increase the non-compatibility of the structure. The findings in this decision state:

The Historic Review Board agreed with staff findings that replacement of the non-historic windows will have no additional effect on the historic district. Rather, the alterations are part of a building wide-improvement which should stabilize the building and ensure that it does not fall into a nuisance state.

The Board also agreed that there is no easily accessible/affordable in-kind replacement for aluminum slider windows. Requiring the applicant to utilize custom metal windows for a non-historic building that has very little architectural integrity and is highly unlikely to become a contributing building in the future would be a burden on the applicant and would have very little effect on the overall significance of the of the historic district.

The Board additionally agreed that requiring fiberglass or wood windows for an architectural style that never utilized those materials would not be meeting the intent of the guidelines. They found that the proposed vinyl slider and fixed windows will utilize the same openings and are a reasonable in-kind replacement option for an obsolete non-historic material.

The Board additionally provided direction to staff that approval of material exceptions should be on a case-by-case basis for non-historic buildings that are regulated by OCMC 17.40 Historic Overlay District.

See Exhibit 4 for the full Staff report and Notice of Decision for HR-14-05.

Porch Railing:

The front porch did not previously include a railing. The applicant added a black aluminum metal railing in front of the home, wrapping around the side to follow porch decking material. This alteration does not attempt to create a false sense of history; aluminum railings are a modern design. While the black railing might be mistaken for wrought iron from afar, the simple, squared off posts and railings and lack of ornamental features are clearly not a historic wrought iron railing.

Decking:

The modern composite decking material is in no way creating a false sense of history.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Staff Finding: Complies as Proposed. No changes to the building have occurred over time that have historical significance or value.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Staff Finding: Complies as Proposed. The 1979 home does not have distinctive materials; the previous siding was not an element with historic value or character.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Staff Finding: Complies as Proposed. The 1979 home does not have any historic features.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Staff Finding: Not applicable. No historic materials were present or damaged.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Staff Finding: Not applicable. No ground disturbance is proposed and none was required for the changes that were made to the home.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Staff Finding: See findings in Design Guideline F: Exterior Features.

The key language in this guideline is “the new work...will be compatible...to protect the integrity of the property and its environment.” The ‘environment’ is the Canemah district. The existing house is marginally incompatible in the district and the alterations should be viewed as to how they are or are not increasing the adverse impact the non-historic house has on the district.

Not increasing the adverse effect on the district means not calling undue attention to the architecture, and not trying to disguise that the house isn’t historic. Staff advises that if Board finds that the combination of all the alterations results in an overall adverse effect on the district, that a condition of approval be added to either a) replace one of the non-compliant elements with a material that is acceptable, or b) some other mitigation that the Board finds to be acceptable.

Oregon City

Design Guidelines: Alterations – Additions

A. Site

1. In addition to the zoning requirements, the relationship of new additions to the street and to the open space between buildings shall be compatible with adjacent historic buildings and with the historic character of the District.

Not applicable. No additions proposed.

2. New additions shall be sited so that the impact to the primary facade(s) is kept to a minimum. Additions shall generally be located at the rear portions of the property or in such locations where they have the least visual impact from public ways.

Not applicable. No additions proposed.

B. Landscape

1. Traditional landscape elements evident in the District (grass, trees, shrubs, picket fences, etc.) should be preserved, and are encouraged in site redevelopment.

Not applicable. No modifications are proposed to the parking area or landscaping.

2. Inappropriate landscape treatments such as berms and extensive ground cover are discouraged.

Not applicable. See Item B1.

C. Building Height

1. In addition to the zoning requirements, the height of new additions shall not exceed the height of the historic building, or of historic buildings in the surrounding area.

Not applicable. No addition and no increase in building height.

D. Building Bulk

1. New additions smaller than the historic building or the historic buildings in the surrounding area are encouraged.

a. Where new additions must be larger, the new addition shall be articulated in such a manner that no single element is visually larger than the historic building or surrounding historic buildings.

Not applicable. No additions proposed.

E. Proportion and Scale

1. The relationship of height to width of new additions and their sub-elements such as windows and doors and of alterations shall be compatible with related elements of the historic building, and with the historic character of the District.

Not applicable. No additions proposed.

2. The relationship of solids to voids (wall to window) shall be compatible with related elements on the historic building, and with the historic character of the District.

Finding: Complies as Proposed. The relationship on the front has not changed. The applicant added a window on the side of the home, which staff found to meet this guideline.

F. Exterior Features

1. General

a. To the extent practicable, original historic architectural elements and materials shall be preserved.

b. Architectural elements and materials for new additions shall be compatible with related elements of the historic building and with the historic character of the District.

c. The preservation, cleaning, repair and other treatment of original materials shall be in accord with the Secretary of Interior's Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Finding: Complies as Proposed. The 1979 home does not have historic features to be preserved.

The existing house is marginally incompatible in the district and the alterations should be viewed as to how they are or are not increasing the adverse impact the non-historic house has on the district. Not increasing the adverse effect on the district means not calling undue attention to the architecture, and not trying to disguise that the house isn't historic.

"While this property itself is too young to be considered "historic" and therefore cannot be judged based on any original historic features of which it did not originally have, we used materials and

designs that blended in and conformed with the overall historic feel and aesthetic of our neighborhood. We kept it true to its history, without adding any features that would change the original integrity or structure of the home. It continues to be a physical record of its time while simultaneously fitting in with the historical aesthetic of the neighborhood.

By using vertical siding, we continued the design aesthetic used by twenty five (25) homes (including one business) of our neighbors, all within the Canemah National Historic District (see included photos of each home in our neighborhood that incorporates vertical siding). We retained the integrity of our home's late 1970s architecture by not modifying the structure, shape or form of the building and by not adding conjectural features or elements that would not be found on a home of our home's era, originally. This was done so that it does remain a physical record of its time, place, and use as a 1970s-80s home residence built in an historic neighborhood district. We succeeded in creating a design that both honored and adapted to the historical district the home is located within, while keeping its original character of a late 1970s early 1980s structure and highlighting the architectural "bones" of a house from that era."

Staff generally concurs with the applicant, but would clarify that the use of any particular materials elsewhere within the district does not necessarily mean that those materials are appropriate. The Canemah National Register nomination was adopted in 1978, and the district was regulated under the historic overlay soon after 1980. Before that time, construction occurred that was not compatible with the character of the district. In addition, the design guidelines have been updated over the years, meaning that a design that may have met guidelines in the 1990s for example, would not necessarily be considered appropriate today.

Many of the neighborhood examples of vertical siding that the applicant has provided are on those structures that are not contributing; built in the 1960s or later and never reviewed against any historic guidelines. Other examples are on accessory structures such as barns or sheds, or used only below the main floor of the home over the foundation. That said, the use of vertical siding does have precedence in the district; one example being 605 3rd Avenue, the Smith Residence, built in 1910, that is contributing. Another example is 814 4th Avenue, the McCord rest Home, built in 1950, which uses "batten" siding according to the inventory form and is considered compatible.



Figure 4. Canemah Historic District Boundary

It is also important to distinguish between simple vertical siding and Board and Batten siding, which is a specific and distinctive style of vertical board siding. While vertical siding might have some precedent in Canemah, specific Board and Batten is not found on any contributing or compatible structures. The two properties identified by the applicant that have Board and Batten siding are on 5th Place, which is outside of the district boundary (see figure 4). Although the Design Guidelines for New Construction are not directly applicable to this application because there is no new building proposed, they do offer some helpful guidance. Regarding siding, the guidelines calls for horizontal boards, and state that “Alternative board siding not matching the approved profiles or texture” is not allowed. Based on the Design Guideline, and the fact that Board and Batten is not found in Canemah historically, it is clear that the City does not intend to promote or allow widespread use within the district.

While Board and Batten is not common among historic structures in Oregon City, it is also not without precedent. The most prominent example of Board and Batten siding in Oregon City is the McCarver House, which is outside of Canemah. The McCarver House, also known as “Locust Farm,” was built in 1850 as a Classical Revival style. The House is located off of Warner Parrott Road and is surrounded by a modern subdivision of newer homes that utilize Board and Batten siding to reflect the historic aesthetic of the McCarver House. The applicant has included a web article entitled “All About Siding” in the application materials; this article states that board and batten siding is common in many styles and eras of home design in the United States. While this may be true, board and batten siding has not been as prevalent in the Pacific Northwest region, and is not common within Oregon City.

Textured fiber cement material:

The textured fiber cement material used for the horizontal siding has been found by the HRB in the past to be artificial and not compatible, because it does not have a wood appearance. In this situation, the textured siding is only on the bottom third of the home, while the board and batten portion of the siding is smooth. It also should be noted that this siding is a replacement for textured vinyl siding, which is arguably more incompatible, or at least similarly incompatible. It is difficult to tell that the siding is textured when viewing from 4th Avenue.

There is precedent of HRB decisions allowing incompatible materials when they are replacing original incompatible materials – one example is a 1960s era building in the Canemah district that was constructed with aluminum windows. In HR-14-05, the Board approved vinyl windows as a replacement for aluminum windows. Aluminum was not compatible, and the Board found that vinyl replacements are similarly non-compatible and would not increase the non-compatibility of the structure (See Exhibit 4). Staff advises that the adverse effect is not increased by replacing vinyl textured siding with fiber cement textured siding, especially given that the new textured siding now only covers about 1/3 of the exterior.

Porch Railing:

The front porch did not previously include a railing. The applicant added a black aluminum metal railing in front of the home, wrapping around the side to follow porch decking material. This material is permitted by the HRB policies only as fencing for non-residential structures, and is specifically identified as not meeting HRB Policy for porch railings. When something does not meet the HRB Policies, it cannot be approved by staff; meaning the Board must review it for compatibility on a case-by-case basis.

Many of the neighborhood examples of metal porch railings that the applicant has provided are on those structures that are not contributing; built in the 1960s or later and never reviewed against any historic guidelines. Some of the examples are wrought iron, while others are aluminum or some other type of metal. The applicant mentions Canemah Children's Park, which utilizes a very similar aluminum railing. Staff notes that the park's use is as a fence, not a porch railing, which is a different application. More importantly, the park is not a residential use. The HRB policies allow aluminum fencing on non-residential properties, which includes parks, commercial uses, and institutional uses. Many of the other neighborhood examples of metal railings that the applicant has provided are on those structures that are not contributing; built in the 1960s or later and never reviewed against any historic guidelines. Also, many of them are wrought iron, which is permitted by the HRB policies, while aluminum is not.

The applicant has planted shrubs along the front of the porch railing that screen and soften it from 4th Avenue perspective. Staff finds that the vegetation provides ample mitigation and screening for the aluminum railing and porch decking.

Staff advises that if Board finds that the combination of all the alterations results in an overall adverse effect on the district, that a condition of approval be added to either a) replace one of the non-compliant elements with a material that is acceptable, or b) some other mitigation that the Board finds to be acceptable.

Front yard staircase:

The applicant constructed a wood staircase in the front yard in summer of 2021. Because it is not attached to the house, it is not considered an alteration to the existing structure. This staircase is wood, and is partially elevated above ground. It replaces a staircase but modifies the footprint and includes a significant portion elevated above the ground, which was not the case with the original staircase. The railing is built with balusters internal to the rails per the guidelines. The staircase is below grade of 4th Avenue and is not visually obtrusive. It does not block any views of historic homes in the district. Staff finds that the staircase does not have an adverse effect on the district.

IV. CONCLUSIONS AND RECOMMENDATIONS

Based on the following findings, staff recommends that the Historic Review Board approve the proposed development of GLUA-21-00015/ HR 21-00008: Historic Review with conditions for the property located at 601 4th Avenue in Oregon City.

Exhibits

1. Vicinity Map
2. Applicant's Submission
3. HRB Policies
4. HR-14-05 Staff Report and Decision
5. Public Comments



Item #1.



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- ☐ Annexation
- ☐ Code Interpretation / Similar Use
- ☐ Concept Development Plan
- ☐ Conditional Use
- ☐ Comprehensive Plan Amendment (Text/Map)
- ☐ Detailed Development Plan
- ☒ Historic Review
- ☐ Municipal Code Amendment
- ☐ Variance
- ☐ Zone Change

File Number(s): GLUA-21-00015 / HR-21-00008

Proposed Land Use or Activity: Historic review for exterior alterations

Project Name: _____ Number of Lots Proposed (If Applicable): _____

Physical Address of Site: 601 4th Avenue

Clackamas County Map and Tax Lot Number(s): _____

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: Abigail L. Klun

Date: _____

Mailing Address: 601 4th Avenue Oregon City, OR 97045

Phone: 971-822-5179

Fax: _____

Email: abigailelli@gmail.com

Property Owner(s):

Property Owner(s) Signature: _____

Property Owner(s) Name Printed: Abigail L. Klun, Jason Klun

Date: _____

Mailing Address: 601 4th Avenue Oregon City, OR 97045

Phone: 971-822-5179

Fax: _____

Email: abigailelli@gmail.com

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: _____

Date: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

Applicable Code and Guidelines for Alteration to historic structure

For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:

1. The purpose of the historic overlay district as set forth in Section 17.40.010;

17.40.010: It is declared as a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this chapter is to:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;*
- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;*
- C. Complement any National Register Historic districts designated in the city;*
- D. Stabilize and improve property values in such districts;*
- E. Foster civic pride in the beauty and noble accomplishments of the past;*
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;*
- G. Strengthen the economy of the city;*
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and*
- I. Carry out the provisions of LCDG Goal 5.*

2. The provisions of the city comprehensive plan;

Section 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Policy 5.3.8: Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

3. The economic use of the historic site and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation;
4. The value and significance of the historic site;
5. The physical condition of the historic site;
6. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with the historic site;
7. Pertinent aesthetic factors as designated by the board;
8. Economic, social, environmental and energy consequences; and

9. Design guidelines adopted by the historic review board.

Design Guidelines for Alterations and Additions

Secretary of Interiors Standards for Rehabilitation

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

RESPONSE: Our home, located at 601 4th Avenue in Oregon City's Canemah National Historic District, is being reviewed by the HRB as a result of exterior alterations that included vertical siding and metal porch railings. While located within a historic district, the home itself is not a historic home and therefore did not have "historic character." As per Oregon City's own *Homeowner's Guide to the city of Oregon City's Historic Properties* document, (link below and full copy included in application), our home is considered a "Non-Contributing Home" due to the age of the house, which was built in 1979, making it less than 50 years old. Our property should be considered exempt from the guidelines of historic preservation. Furthermore, any changes that have been made have not affected the character of our historic neighborhood.

A property may be considered historic if it is at least 50 years old and retains its distinguishing architectural character and design intent. A historic building need not be a pristine example of its architectural style, but should retain a significant portion of its character-defining elements. Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment. In addition, some "noncontributing" properties that are not considered historic are included in historic districts.

https://www.oregoncity.org/sites/default/files/fileattachments/planning/page/3339/1_historicproperty_1.25.2018.pdf (Full document included in application)

In the City's *Architectural Survey Data for Canemah Historic District* sheet, our home is labeled as "Circa 1980." (Full document included in application)

Therefore, this guideline, (called here "2"), is not applicable to this specific property/home because the property itself is not historic and did not have what would be defined as "historic character." There were no "distinctive features" of the home that existed to characterize it as historic. Any alterations of features, spaces or spatial relationships could not have altered any "historic" character of the house, as defined by the *Homeowner's Guide to the City of Oregon City's Historic Properties*, because the home is not old enough to be considered "historic" prior to renovations. Additionally, because all alterations made to the home were in keeping with the neighborhood's overall aesthetic, the historic character of the historic district was not impacted.

We replaced "like for like," (siding for siding, handrail for handrail, etc.) during our external renovation process. Our hired professionally licensed contractor informed us that we did not require special permitting or approval for these renovations. The material replacement that occurred was due to the extremely deteriorated state of the siding and porch handrail. The original siding was cracked, which subsequently caused rot damage through the siding and beyond into the sheathing, and had to be

replaced in several areas of the home. The siding had also been installed incorrectly, and the material was warped/no longer functioning to preserve the home from weather damage. The original handrail was so badly deteriorated/rotted, that it was completely unsafe/non-functioning. Prior to the new railing installation, the original railing was actually removed completely by hand, easily. In summary, we replaced the siding and railing with new/high quality materials to ensure longevity and safety.

As shown in our application, there are 36 examples of homes in close proximity to our own (all within the Canemah National Historic District) that have either the same or similar metal handrails as well as the same or similar siding design and/or materials. A few homes listed have both metal porch handrails and vertical siding, simultaneously. Therefore the exterior alterations that were made are compatible and in keeping with the overall existing historic character of the Canemah National Historic District. Similar designs, materials and colors that are already existing on neighboring homes were used on our home. (Please see below for 36 specific addresses of neighboring homes as precedents that used the same materials and/or design; photos of each home are included in application materials.)

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

RESPONSE: While this property itself is too young to be considered “historic” and therefore cannot be judged based on any original historic features of which it did not originally have, we used materials and designs that blended in and conformed with the overall historic feel and aesthetic of our neighborhood. We kept it true to its history, without adding any features that would change the original integrity or structure of the home. It continues to be a physical record of its time while simultaneously fitting in with the historical aesthetic of the neighborhood.

By using vertical siding, we continued the design aesthetic used by twenty five (25) homes (including one business) of our neighbors, all within the Canemah National Historic District (see included photos of each home in our neighborhood that incorporates vertical siding). We retained the integrity of our home’s late 1970s architecture by not modifying the structure, shape or form of the building and by not adding conjectural features or elements that would not be found on a home of our home’s era, originally. This was done so that it does remain a physical record of its time, place, and use as a 1970s-80s home residence built in an historic neighborhood district. We succeeded in creating a design that both honored and adapted to the historical district the home is located within, while keeping its original character of a late 1970s early 1980s structure and highlighting the architectural “bones” of a house from that era.

Additionally, a professional contractor has identified three other established homes, just on 4th Avenue alone, that also used the same James Hardie Board siding material that we installed on our home. The addresses of those houses are (Please see included photos of the houses below):

1. 611 4th Avenue
2. 625 4th Avenue
3. 804 4th Avenue

These three homes listed above do NOT include the additional six new homes that are also currently being built in our district, and are utilizing James Hardie Board siding material.

Addresses of neighboring homes with vertical siding used on exterior structures, including the main house, attached barns, garages, etc):

1. 205, 207, 209 and 211 3rd Avenue (vertical siding over 100% of exterior of the structure)
2. 216 3rd Avenue (vertical siding on lower level of home)
3. 302 3rd Avenue (vertical siding on lower portion of home)
4. 506 3rd Avenue (vertical siding over bottom half of split-level home)
5. 514 3rd Avenue (vertical siding over 100% of exterior of home)
6. 604 3rd Avenue (vertical siding over 100% of exterior of home)
7. 605 3rd Avenue (This home just recently completed a full renovation that includes vertical siding over 100% of the exterior of the home, as well as the exact same black aluminum railing that was used on our home.)
8. 609 3rd Avenue (vertical siding over lower portion of home)
9. 701 3rd Avenue (vertical siding on exterior garage structure)
10. 801 3rd Avenue (apartment complex)
11. 207 4th Avenue (vertical siding on top side of back porch)
12. 405 4th Avenue
13. 408 4th Avenue (vertical siding on lower porch level)
14. 502 4th Avenue, (Used on lower portion of house and porch as well as entire attached barn;
*Also a noted historic landmark home, the "Capt, Wm. Caseday House," see photo within. Also used on the bottom, lower level of home and porch, see photo.)
15. 605 4th Avenue
16. 713 4th Avenue (Used on garage/storage building in front of house, closest to and most visible from the street)
17. 807 4th Avenue
18. 814 4th Avenue (vertical siding)
19. 202 5th Ave (vertical siding above front home entrance and on shed/barn)
20. 209 Apperson St (vertical siding over lower half of home)
21. 210 Hedges St (Historic George Rakel Residence has vertical siding over half of house and on exterior of out building structure)
22. 302, 304, 306, 308 McLoughlin Blvd (vertical siding in top gables)
23. 416 McLoughlin Blvd (Historical home The Fellows House, vertical siding on large barn)
24. 514 S McLoughlin Blvd - Ross Upholstery (entire building is 100% vertical siding)
25. 215 Miller St (historic Marshall House has vertical siding on chimney and exterior garage structure)

While vertical siding, also called "Board and Batten," has been used on homes widely throughout most eras in history, and can be seen in many architectural styles from Gothic to more Modern, (across the United States and including Oregon and the Canemah Historic District), it is about as historic an aesthetic as there is, used by the early American colonists and dating back to the 1840s in colonial America. This design technique was introduced from England, Sweden and Norway, where it had been used even earlier. See links below for the historical significance of vertical siding (Full articles have been printed and included in our hard copy application for your review):

<https://www.all-about-siding.com/board-and-batten-history.html#:~:text=Board%20and%20batten%20or%20vertical,already%20readily%20adopted%20the%20style.>

<https://www.newyorkalmanack.com/2020/04/board-n-batten-siding-carpenters-gothic-architecture/>

<http://www.phmc.state.pa.us/portal/communities/architecture/styles/gothic-revival.html>

Vertical siding, or Board and Batten, continued to be used in building homes through history and never disappeared, showing up throughout history and in more modern times today as well. You will find vertical siding on homes built in almost every decade. It remained a popular design during the 1970s, when our home was built, and still commonly used today. (Please see included photos of examples of vertical siding in older, historic homes and newer homes from the 1970s-1980s.)

The second exterior alteration under review is the metal porch railing. Metal porch railings have as long and deep a history as vertical siding. There are seven (7) other homes within the Canemah Historic District between 3rd Ave and 4th Ave that also have metal railings (see photos within of neighboring homes with metal porch railings).

Addresses of neighboring homes with metal porch railings:

1. 506 3rd Avenue (wire fence)
2. 605 3rd Avenue (Same exact metal railing as found on our home)
3. 614 3rd Avenue
4. 408 4th Avenue
5. 605 4th Avenue
6. 814 4th Avenue
7. 215 Jerome St (Capt. George Jerome House)

Additionally, Oregon City's own Canemah Children's Park (located in Canemah Historic District) is surrounded by a metal railing very similar in design to the one we used on our home (see included photo).

There is no question whether or not metal railings are considered historic in nature. Blacksmiths have been creating metal railings used on homes for centuries. While the use of pure iron material is no longer cost effective (or weather permitting for the PNW climate), the practice of mixing and using other metal materials to replace iron in home railings is still a historic practice. See link below for historical significance of metal railings (full articles have been printed and included in our hard copy application for your review):

<https://www.bestironworkselpaso.com/the-elegant-history-of-the-wrought-iron-railings-gates-and-staircases>

<https://www.bestironworkselpaso.com/the-art-of-iron-blacksmiths-and-the-eternal-beauty-of-metal>

<https://www.thisoldhouse.com/fences/21019028/all-about-metal-fences>

Please see included photos of metal railings used in older, historic homes as well as newer homes.

Similar to the use of vertical siding, metal porch railings were used in early American structures and are “historical,” while still commonly being used today. They can be seen attached to homes of every decade, all across the United States. These include Oregon and specifically, the Canemah Historic District.

We have demonstrated that with the significant precedents shown in the above homes located in the immediate and surrounding area, it is clear that by installing vertical siding and metal porch railings that we have chosen materials and designs that are not only completely in keeping with the existing aesthetic of our historic neighborhood, but are also nods to historic design styles in their own right. We made purposeful, thoughtful, and careful decisions about the design/materials used on our exterior alterations in an effort to respect, honor, and uphold the historical aesthetic of our neighborhood. We worked to create a home that blended into it while also adding to the value of our own property and of those in our immediate vicinity. We believe that we have added value, charm, and character to our neighborhood by greatly improving the exterior of our home, thus making it a true asset to our area.

Furthermore, some houses within our historic neighborhood have used both vertical siding and metal railings on the same property.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

RESPONSE: This property has not acquired historic significance.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

RESPONSE: While honoring the historic aesthetic of the Canemah Historic District and simultaneously conforming to the architecture of our late 1970s era home, we were able to achieve a design that is compatible with the other homes on our street. We did so by blending the old with the new, through which a combination of both time periods is evident and was preserved. Our home had no existing “examples of craftsmanship that characterize a property” to be preserved, due to its age. It does, however, still blend with the historic district’s distinctive materials, features, finishes, construction techniques, and examples of craftsmanship that characterize the historic district of which it is located within.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence

RESPONSE: Our home had no “historic” features. As described above (where necessary), features such as a porch railing were either replaced or added respective to location for safety, due to deterioration.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

RESPONSE: 601 4th Ave was built in 1979, so it does not have any historic material, features or spatial relationships. Therefore, no historic materials, features or spatial relationships that characterize the property were destroyed as well as any historic materials, features or spatial relationships characterizing

any property in our neighborhood as a result of our home's alterations. New exterior alterations were in keeping with the neighborhood's historic aesthetic as is shown above with examples of homes with vertical siding and metal railings.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

RESPONSE: We did not add new additions, adjacent or new construction to our home. Any exterior alterations that were made, if removed would not affect or change the original structural bones, essential form, and integrity of the property or its environment.

We are new to the area of Oregon City/Canemah National Historic District. Until we received Kelly Reid's phone call on February 8, 2021, we were unaware of any separate approval process required for exterior alterations that existed beyond acquiring standard required building permits (which we had left to our hired contractor to manage). This communication on 2/8/21 was well after our exterior renovation project had been completed. As construction progressed, City Inspectors regularly (sometimes daily), visited our property and spoke directly with the work crew about the ongoing projects. Inspectors witnessed the siding, windows, and doors being installed from beginning to end. The only issue ever raised was the enlargement of a window, along with one additional window being installed. These both required permits which we subsequently obtained before completion of work. During the permit process, our contractor communicated directly on our behalf with City Planner (Kelly Reid) who gave her stamp of approval on the installation of both new windows. Our understanding was that there was a delay in the permit approval process because of a required review regarding whether or not our new windows matched the historical aesthetic of our neighborhood. In the end, both windows were ultimately approved. Because the consideration of historical aesthetics was brought up at that time, we believed that the permit process and the historical review of alterations were one and the same process, and no further application process/action was required.

We chose to raise our daughter in the Canemah National Historic District because of many reasons. Some of the top considerations were in regards to the overall community feel, Canemah Children's Park, and various benefits of the quieter/dead-end street where our home is located. Another specific reason was because of the distinguishing historical nature of the area, which creates a diverse neighborhood full of homes ranging from more modern to extremely historical. Because in a historic area not every home on the street looks the same, but rather the homes are varied/unique and those differences add to the overall charm/character of the neighborhood. We feel that these attributes are key to making it a more desirable place to live. Homes on our street range from having a more historic aesthetic to those that are very modern, much more so than our own home (as you can see from the included photos in our application). We chose 601 4th Avenue because we immediately had a vision of its potential, and how we could also make it better fit in with its neighborhood. We care deeply about our home, our neighbors, and our neighborhood. We strongly feel that it is a priority to improve our home not only for ourselves, but our entire neighborhood by improving the property values of the surrounding area. Our renovation goal was precisely what is being questioned here in this review - to renew/refresh the exterior of our property while also keeping with/boosting the established aesthetic of our street, so that we and our neighbors could be proud of 601 4th Avenue.

Design Guidelines: Alterations – Additions

A. Site

1. In addition to the zoning requirements, the relationship of new additions to the street and to the open space between buildings shall be compatible with adjacent historic buildings and with the historic character of the District.

RESPONSE:

2. New additions shall be sited so that the impact to the primary facade(s) is kept to a minimum. Additions shall generally be located at the rear portions of the property or in such locations where they have the least visual impact from public ways.

RESPONSE:

B. Landscape

1. Traditional landscape elements evident in the District (grass, trees, shrubs, picket fences, etc.) should be preserved, and are encouraged in site redevelopment.

RESPONSE:

2. Inappropriate landscape treatments such as berms and extensive ground cover are discouraged.

RESPONSE:

C. Building Height

1. In addition to the zoning requirements, the height of new additions shall not exceed the height of the historic building, or of historic buildings in the surrounding area.

RESPONSE:

D. Building Bulk

1. New additions smaller than the historic building or the historic buildings in the surrounding area are encouraged.

a. Where new additions must be larger, the new addition shall be articulated in such a manner that no single element is visually larger than the historic building or surrounding historic buildings.

RESPONSE:

E. Proportion and Scale

1. The relationship of height to width of new additions and their sub-elements such as windows and doors and of alterations shall be compatible with related elements of the historic building, and with the historic character of the District.

RESPONSE:

2. The relationship of solids to voids (wall to window) shall be compatible with related elements on the historic building, and with the historic character of the District.

RESPONSE:

F. Exterior Features

1. General

- a. To the extent practicable, original historic architectural elements and materials shall be preserved.*
- b. Architectural elements and materials for new additions shall be compatible with related elements of the historic building and with the historic character of the District.*
- c. The preservation, cleaning, repair and other treatment of original materials shall be in accord with the Secretary of Interior's Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

RESPONSE:



BEFORE

BEFORE



BEFORE





AFTER



AFTER



AFTER



AFTER

We sincerely appreciate the volunteer members of the Historic Review Board and Kelly Reid for everyone's time and consideration of our application for approval of changes made to the exterior of our home. We purchased our home in July of 2020, and immediately discovered a large number of issues that needed to be addressed before winter arrived to make the home livable and safe for our family. Some of these issues that required immediate attention included a leaking and mold-covered roof, broken and missing windows, rotted, moldy siding that extended underneath to the sheathing and interior walls, deteriorated exterior stairs that had entire missing, broken and falling pieces, rotted, broken hand railings and decks that were not even secured to the sides of the house.

During the home purchase process, at no time did our realtor or the seller's listing agent, any neighborhood association, nor any member of the City staff or HRB, inform us of any application approval process for exterior renovations to our new home. There were no documents or disclosures of any kind presented during any part of the home purchase process. There is nothing written in our deed, nor was anything identified during our settlement with regard to an approval process by the HRB for exterior changes, because our house is a non-contributing structure; it is not new construction nor is it a historic home. When purchasing a home within a community that has an HOA, for example, at the time of purchase there are legal documents shared with and signed by the buyers informing the new homeowners of restrictions and requirements regarding what is allowable in that particular community. However, the Canemah Historic District is not part of an HOA, and no documents or notices were part of our home purchase noting what changes are permitted or not permitted. We even had one-on-one conversations with a current HRB member in late December 2020, specifically about our renovations which were nearing the end and coming to completion, and at no time did that board member mention that he had not seen an application come through from us, nor did he notify us that an application process even existed. The question of who is responsible for informing homeowners of the HRB process even came into question at the HRB's own meeting, noted below.

As we were never made aware of any application process and did not know such a thing existed, we didn't know to seek out information ourselves, as we trusted our realtor and contractor and they trusted the City's processes. We proceeded - operating with full transparency - with exterior renovations to our new home starting in July of 2020, immediately after purchasing the house. During our renovation process, our hired contracting company, Superior Exteriors, worked directly with OR City staff to obtain any permits required, as is the contractor's responsibility to do. Our understanding, and that of our contractor's, was that the permit process and historical approval process were one and the same, and any issues related to historical review were addressed simultaneously as part of that permit process.

Our contractor and crew were physically onsite and met personally with City inspectors (who were nearby and/or onsite daily overseeing construction on the new development of cottages being built close to our house) on multiple occasions; those inspectors reviewed, directly discussed and were witness to every single change we made at several different times during our renovation process spanning many months. Our contractor also communicated via email to City staff. After City inspectors regularly reviewed (in-person) all of the changes being undertaken on our home, the only item that the City inspector determined required a permit was a large window

installation, which was ultimately approved and permitted. During that same window permitting process, the consideration of whether or not our home changes met historical guidelines was discussed via email between our contractor and City staff, only and specifically pertaining to the window that required a permit. At no time did any member of any City staff department discuss with each other (to our knowledge) or with us that any of the other renovations, (again which were physically reviewed in-person by City staff), required additional HRB approval. We were still completely unaware at this point that the HRB existed, and that further, separate historical review was necessary. We were operating under the understanding that since all of our changes were reviewed by inspectors in-person and the issue of historic aesthetic was only discussed as it related to the window permitting process, (as that was the only change that the inspectors deemed required a permit), that those City staff members also considered historical aesthetics and any other regulations they check, with regard to the other changes they reviewed onsite. We thought they found no need to pursue any of the other changes from a historical approval perspective. Still up to this point, at no time was there any information given about a separate historic review application process, and so we continued with work on our home with the understanding and belief that the permit process we went through was all-encompassing and all that was required. We felt confident we did everything by the book and with full transparency as we worked directly with the City during this time. (I was informed by City staff later that sometimes departments within the City do not communicate as well with each other as they should, and a more experienced inspector would have brought up the HRB process with us and with City staff notifying them of our changes that required HRB review. The fact that this did not happen is surely not the responsibility of the homeowner, who should not have to bear any consequence of an incomplete or faulty City/HRB process.)

On the Oregon City's website under "Historic Review Process" on the Planning page, it clearly states that this review is intended to take place **before** any renovations are begun:

The Historic Review Board created the design advice process as a way to interact with applicants at the beginning of the design process.

It also states the following confusing message that seems contradictory to this process (and we are not even a 'designated property'):

*Owners of designated properties can make some exterior improvements to their structure **without City involvement** by complying with the [Historic Review Board Policies](#). These cover areas such as:*

- *Painting (which we did)*
- *Replacement and repair of existing siding (which we replaced)*
- *Rain gutters (which we replaced)*
- *Fencing*
- *Foundation repair*
- *Internal repair*
- *Addition of storm windows (we added all new windows and doors)*

It was not until all of the work on our home had been totally completed, some eight months after we purchased our home, that we were blindsighted having received a call from City staff informing us that we had been reported for renovations that required approval, well after all of the work was finished. It was still not until August 17th, 2021, over one year, (13 months to be exact), from when we purchased the home that we received anything in writing with information about any application process for renovations to homes in Canemah that should have been given to us at the time of the home purchase. On August 17, 2021, we received by mail the *Homeowner's Guide to the City of Oregon City's Historic Properties*, which provides some information about what is permissible in our neighborhood. The issues we faced with our new home required attention that could not wait 13 months, and without receiving this information immediately at the time of our home purchase we would have no way of knowing it existed and that there was any process we needed to follow prior to beginning our renovations. And there are faults with this literature and many confusing entries which still do not provide enough clarification.

For example, under the section "What is the difference between maintenance and changes?" as well as in the section "Are there alterations that will not be approved?" and in the following section which reads: "Won't it be more expensive for me to repair or remodel my property in accordance with the ordinance?" in which it specifically notes an allowance for flexibility, stating:

"There are many different materials and methods that may be used for most preservation projects (ours is not even a 'preservation' project since it is not historic). The Standards in the OC's Historic Preservation Ordinance include language that allows flexibility in approach, such as 'wherever possible' and 'when feasible.'"

Our house doesn't fall under this ordinance since it is non-contributing and therefore not historic, yet we still replaced "like-for-like" as close and as much as possible for our materials, to use the City's own language, 'wherever possible.' There is simply no clear, defined, published information pertaining to our specific situation as a non-contributing home that is less than 50 years old, because mandated policies do not exist for non-contributing homes as they do for historic and new construction homes. Since the difference is in fact clearly identified and acknowledged between historic, new construction and non-contributing homes in the City's own literature, we as owners of a non-contributing house cannot be held to those same standards as historic or new construction homes which are clearly identified, separate and fall under specific policies in the City's literature.

Further, on Page 4 of 13 of *Oregon City's Design Guidelines for Alterations*, a photo and example of the McCarver House's new garage and kitchen addition specifically shows a white house with Board and Batten siding, very similar to ours.

In the HRB Policies listed on OC's website, a clear use of the word "*encouraged*" is used pertaining to siding on designated historic structures, which our house is not even designated historic, again here pointing out that there are no written and specific rules for non-contributing homes. "Encouraged" and "mandatory" are not synonyms and nowhere does it read that non-contributing homes fall under a mandatory, legally enforceable policy regarding siding material:

HRB Policy #8 - Exterior Alterations to Buildings in National Historic Districts, or Structures in Conservation Districts or Landmark Structures

Additions shall be reviewed by the HRB. Other alterations are subject to administrative review. Alterations are permitted if they duplicate existing building materials and styles. Wood siding is encouraged if the siding is replaced. Aluminum and vinyl siding and vinyl and aluminum mill finish windows are not permitted, unless the building was originally constructed of such materials and they are greater than 50% of the materials on the building. Wood sash doors are encouraged. Roof alterations shall conform to HRB Policy #5.

Late into the process of preparing for this hearing, we were given a map of Canemah Historic District by City staff. This map is not part of the *Homeowner's Guide* that was mailed to us 13 months after our home purchase; a homeowner would have to know to seek it out. There is no way, especially having been recently given the *Homeowner's Guide*, (which notably **does not include that map** for reference), that homeowners in our neighborhood would even know if their home was one of those required to apply for approval by the HRB. Apparently, some of the homes on our street fall within the Canemah Historic District and are subject to review, and for some reason others do not, yet are still physically located in Canemah District. In fact, the physical street sign for 5th Place is also the same exact physical street sign that has the Canemah historical marker actually affixed to it, yet 5th Place is not technically included in the map as part of the historical boundary area and so those houses are exempt from the HRB review process.

Our home is a "Non-Contributing Home" within a historic district. It was built in 1979 and has no historic features, attributes, value or contributions to Canemah from a historical standpoint. That said, we replaced "like for like" in most circumstances, (which is alluded to in the *Homeowner's Guide* but again is unclear) and followed by example the aesthetic of other houses nearby. For example, one of the issues before you today is that of our textured, vertical siding. The original siding on our home was in fact textured as well. It was made out of a textured LP material that is no longer manufactured due to safety and function issues, and we therefore replaced it with the closest material in similarity that was also safe and functional- textured Hardie Board, a material which looks identical to the original siding on the home, except for the fact we painted it white and alternated horizontal siding on the lower half of the home with Board and Batten on the top half, (the exact flipped design of a home at 718 5th Place beside an entrance to Canemah Children's Park of the same era as our home). This would fall under the City's allowance of being "flexible" and replacing like for like where ever possible. Further, a huge percentage of homes in our area also have vertical siding, as shown by the examples in our application materials, including at least five that have specifically Board and Batten style vertical siding.

We can and have shown in our application materials examples of other homes within Canemah that also have textured Hardie siding, vertical siding, board and batten siding, metal railings and even Trex decks and porches, all of which are materials and designs we are requesting approval to use.

Being a "Non-Contributing Home," we are exempt from the stricter rules bestowed upon historical homes and new construction. Consideration of our renovations is also left up to

interpretation, as admitted by City staff, and is subjective rather than objective, which means a different group of board members could make a different determination at a later date if this process happened at a different time. There is not a black and white, published list of policies for our type of home. While there are very clear guidelines for new construction as well as for historic homes, there is nothing clearly written anywhere for non-contributing homes. The only verbiage pertaining to non-contributing homes is that they are “*Encouraged*” to look compatible with the neighborhood, as noted above. During the April 27, 2021 HRB hearing, a slide was presented that reflected the input of residents of this community as to what “compatibility” means to them. Here are some of their responses:

- Capable of existing together in harmony;
- Adds diversity to the district;
- Blends with surrounding structures;
- Stands side by side with historic structures in a respectful manner;
- Human-centered design;
- Does not stand out from the whole or distract from the whole;
- Not locked into a specific mindset or view as to what is specifically historic for each neighborhood.

The dictionary definition of compatible is “able to exist or occur together without conflict.” One drive down 4th Avenue anyone will see how diverse of a street our home is on. Each house is different and some are historic while others are not, and some are even more modern yet. We specifically and purposefully chose materials and colors that were in keeping with our neighborhood without changing any architectural character of our late 70’s early 80s home in an effort to blend in with our neighborhood. As this entire process is open to interpretation and is dependent upon the subjective opinions of the volunteer members of the HRB, our opinion is that we are absolutely and very much compatible with the simultaneously modern and historic blend of homes in our diverse district.

While we understand that there is currently a passionate debate over similar siding as ours on new construction homes in our neighborhood, we ask that the board consider that we are not a new construction home, and therefore we are not required to adhere to the same, clearly outlined guidelines as new construction homes, specifically when it pertains to siding materials. In fact, there are no written, legally enforceable existing rules or guidelines for a non-contributing home and this process has been characterized as quoted “gray area” and “up to interpretation” by City staff. Being in this “Gray Area” as it’s called by City staff, is in and of itself is a problem when expecting homeowners to adhere to non-existent, or at best unclear, gray “rules,” which are not rules if they are dependent upon interpretation and opinion and are not even defined.

During that April 27th board meeting previously referred to, one board member also raised the question as to how homeowners are informed of the HRB application process to avoid potential financial hardships due to the potential of being required to make additional changes. It was overwhelmingly clear from the discussion that ensued that there is no formal or clear procedure on either the side from the City or the HRB as to who is responsible for informing homeowners of this process and how that could, should, would or is done in any way, other than being mailed the *Homeowner’s Guide* after the county tax records are updated with new homeowner

information some many months after a home purchase; far too many months to wait to begin projects that required timely attention due to safety concerns, and far too many months for new homeowners to be anything less than surprised that this process exists.

The financial hardship that would befall us by having to make additional changes to the changes we already made would be devastating, and we hope that is not the intention of the board to place on homeowners who are simply trying to improve their properties and add value to the neighborhood. Such a decision would be more significantly consequential than if we were found guilty of a felony crime and ordered to pay fines and restitution. It would cost us money we do not have. We've invested everything we have into our home and our community and should not be punished for making improvements that beautified what was once an eye sore.

We had one baby when we moved into this home and we have another baby on the way who we will meet in just a couple of short months. Our dream was to purchase our first, and hopefully last, family home and to stay here for the rest of our lives. We are not house flippers or renters or developers. We are a family planting roots. We love the neighbors we have met and we have gratefully received incredibly positive feedback about the changes we have made to our home. This Historic Review Board serves and represents this community, our neighbors, and us, while protecting the integrity of Canemah's history. At no time did we take any action that was not in good faith, or in the best interest of our community, nor did we ever deliberately or knowingly break any rules. We should not be penalized for something we were not informed even existed in the first place.

Still, in good faith, we want nothing more than to show our willingness to support this neighborhood, and we have proactively taken steps to mitigate the renovations in question with landscaping. There are specific references in the *Homeowner's Guide* that state changes made to a home's exterior are of concern only to the extent of what can be seen from the street. Therefore, we have planted over 60 trees and shrubs (see attached photos) that will eventually grow to block the view of our home from the street so that our siding, metal railings, and Trex front porch will no longer even be visible from the road above, even more so because our home is set down off the road at the bottom of a steep hill and is already somewhat out of close-range view. Of course, this process is not immediate as trees need time to grow and we continue to add to our landscaping plan, but we wanted to do this as a show of good faith that we intend to take measures that provide a compromise for all parties.

During that same April 27th HRB meeting, a board member brought up the issue of not wanting this process to be "burdensome" for homeowners. Unfortunately, it has been nothing but burdensome, incredibly stressful and has had direct negative health impacts on our family. We've spent months (and a lot of money) researching and building our initial, very extensive physical HRB application, before learning that a physical application was no longer even necessary. We then went through months of stress waiting for a hearing, before which in the eleventh hour just a few days before the hearing was to take place, we learned that even more changes would be presented for review after additional reports were made, adding to the list of items we were already aware would be considered for approval. We have done nothing wrong. Being required to make any additional changes would financially devastate our growing family at this vulnerable time in our lives. The fact that a huge oversight or non-existent process with

which homeowners are expected to comply, and lack of communication to us as homebuyers new to this district, and between City departments and the HRB, could be our burden to bear is simply unreasonable and something for which we should not be held accountable.

From: [Abigail Klun](#)
To: [Kelly Reid](#)
Subject: Quick Note
Date: Thursday, September 16, 2021 1:07:51 PM

Hi Kelly,

After a very brief, initial review of the codes you sent over, we wanted to respond with the following observations:

17.40.060 - Exterior alteration and new construction.

A. Except as provided pursuant to subsection I of this section, no person shall alter **any historic site** in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, **unless a certificate of appropriateness has previously been issued by the historic review board.**

17.04.575 - Historic site.

"Historic site" means the structure and the property surrounding a landmark, **a structure in an historic district**, or a designated structure in a conservation district.

Key words being highlighted above in red: How could a "certificate of appropriateness," aka, "approval" by the HRB be attained without proper notification of the HRB approval process given to homeowners in a reasonable and timely manner? That would make this, in our specific circumstance, impossible to have complied with through no fault of the homeowners.

If you would please consider including that language, or we can also prepare to speak on it during the hearing ourselves, that would be helpful.

Thanks again!

Abigail





















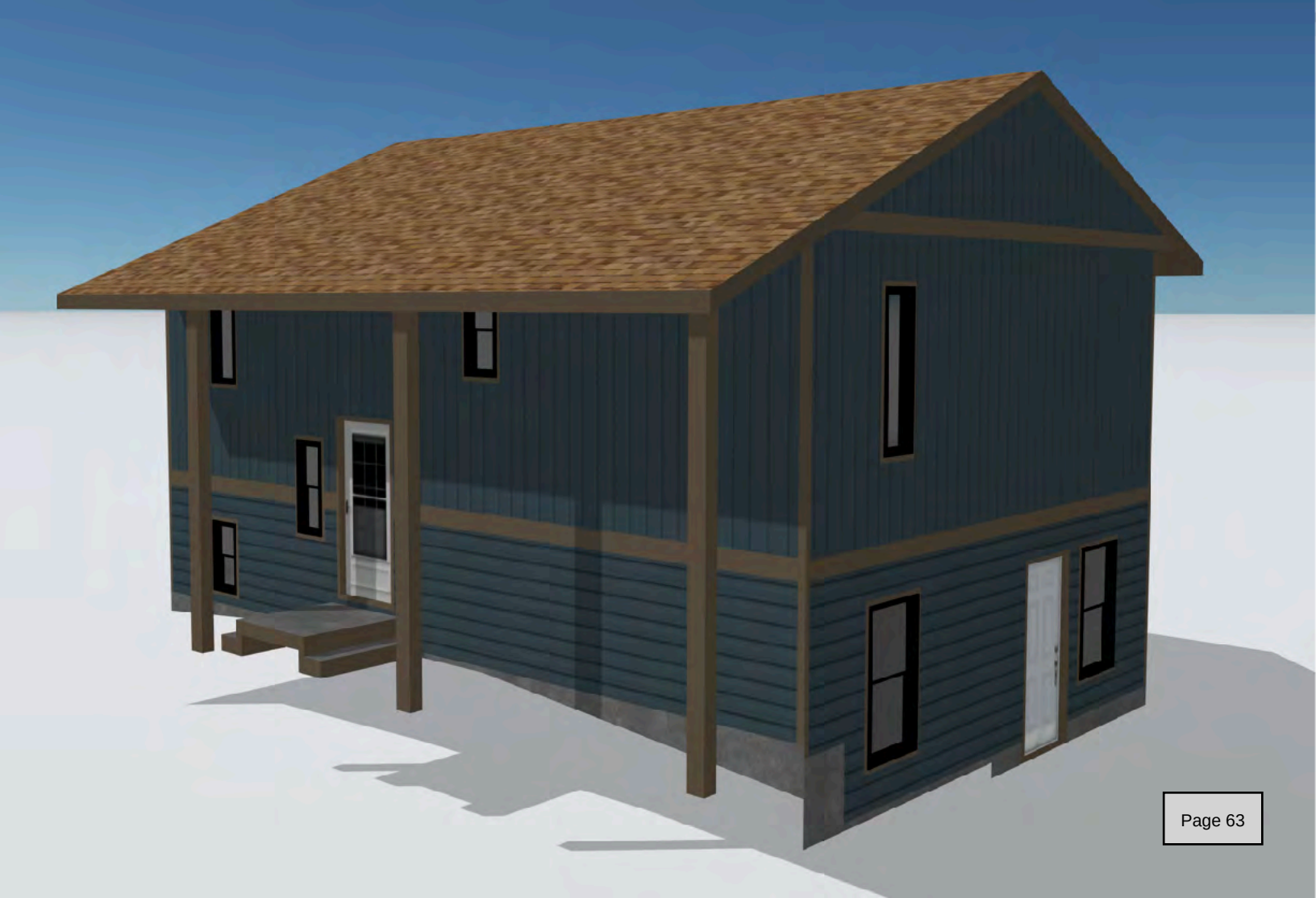




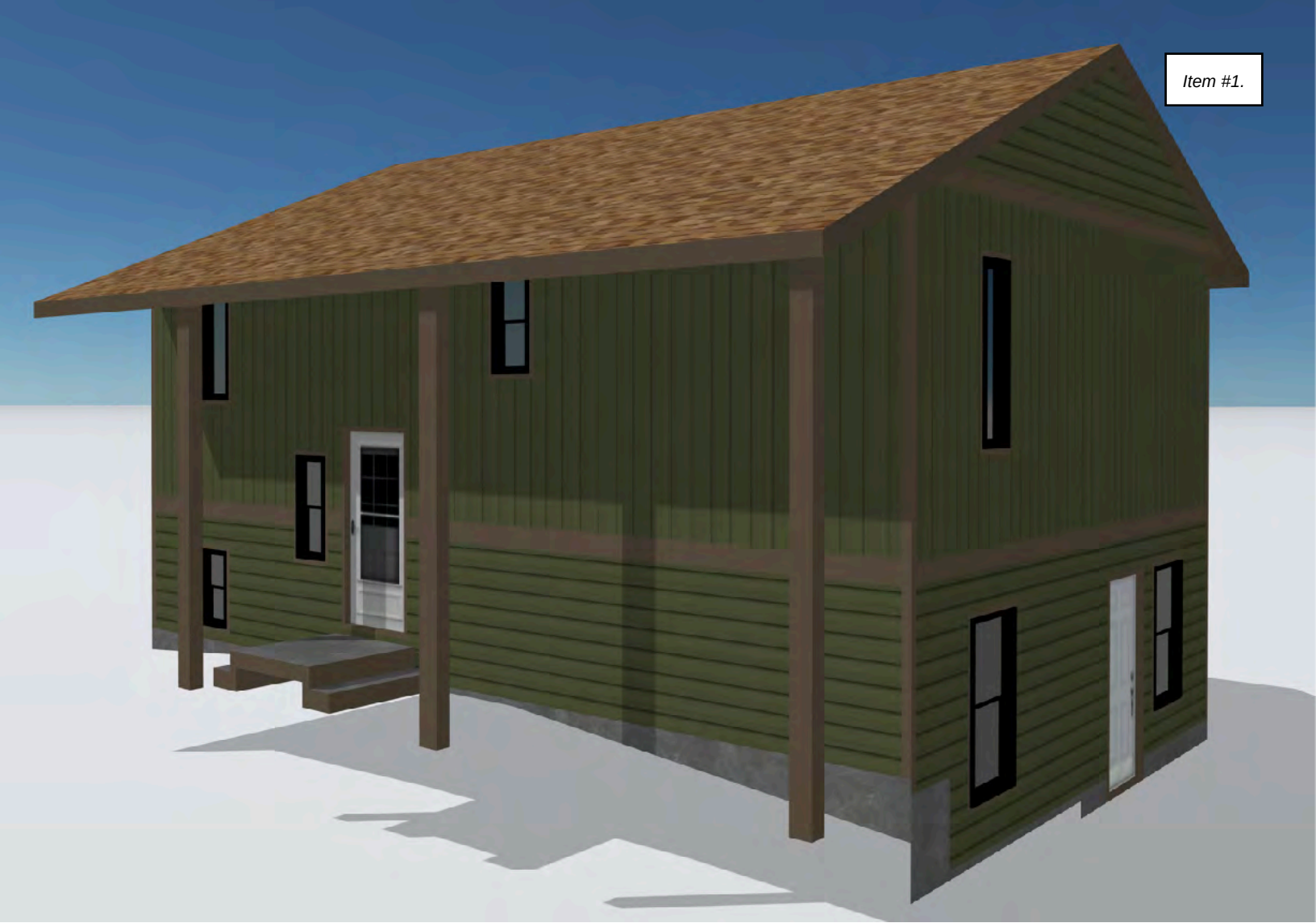


















315 Southeast 6th Avenue



315 Southeast 8th Avenue





































































Item #1.

HISTORIC CANEMAH DISTRICT
← Canemah Cemetary

Blanchard St

CANEMAH
Before the coming of the white immigration, the flat area above the falls was a native encampment called "Kanin" or "Cenoe Place". In 1844 Absalom Hedges staked out a donation land claim and platted it in 1849 naming the area Falls City. The first of several Stern-Wheelers was built by Hedges in 1850-51 and the community was built by upper Willamette Valley to the town below the falls. Several years later the name changed to Canemah, the anglicized version of "Kanin". In 1873, with the completion of the locks, the need to portage around the falls was eliminated; Canemah began to assume the character of a residential area. By 1928, the community petitioned Oregon City for annexation; and was placed on the National Historic Register in 1978.

OLD HOME FORUM

WARNING

NEIGHBORHOOD WATCH
WE ARE WATCHING
TO REPORT SUSPICIOUS
ACTIVITY OR PERSONS
TO
OREGON CITY
POLICE DEPARTMENT

Lost Cat

If you find this cat, please call [phone number]





















Behlen
COUNTRY































































Link to Additional Application Materials:

<https://www.orcity.org/planning/project/glua-21-00015>

1. Land Use App
2. Narrative
3. Photos of Hardie Siding
4. Photos of Vertical Siding
5. Photos of Metal Railings
6. Photos of our home, 601 4th Avenue BEFORE
7. Photos of our home, 601 4th Avenue AFTER
8. Drawings (pdf files of the different renderings created by contractor)
9. Materials Description (These are the files: James Hardie Siding, James Hardie Blog and AlumaRail data sheet) **See appendices at link above**
10. History of Vertical Siding (these are the files: All About Siding, New York Almanac, Gothic Revival Style, Vertical Siding Then and Now) **See appendices at link above**
11. History of Metal Railings (these are the files: Elegant History of Wrought Iron Railings, The Art of Iron, This Old House article, Metal Railings Then and Now) **See appendices at link above**



Historic Review Board Policies

Approved by City Commission on August 7, 2019

CONTENTS

Each HRB Policy is described in this document. The 12 current HRB Policies include:

- HRB Policy #1 - Construction and Repair of Foundations
- HRB Policy #2 - Storm Windows and Doors
- HRB Policy #3 - Repair or Replacement of Siding
- HRB Policy #4 - Gutters and Downspouts
- HRB Policy #5 - Roofs
- HRB Policy #6 - Fences and Walls
- HRB Policy #7 - Construction of Accessory Structures
- HRB Policy #8 - Exterior Alterations to Buildings in National Historic Districts, or Structures in Conservation Districts or Landmark Structures
- HRB Policy #9 - Screen Doors
- HRB Policy #10 - Window Repair and Replacement
- HRB Policy #11 - Porches and Decks
- HRB Policy #12 - Solar Technology

INTRODUCTION

Each and every historic building plays a significant part of the ongoing preservation of Oregon City's local heritage. Historic buildings reflect the lives and aspiration of past generations and their preservation defines the community in many ways. Most of all, thoughtful stewardship of our buildings and surrounding environment can ensure that our sense of identity is passed along to future generations.

These policies are authorized by Section 17.40.060 of the Oregon City Municipal Code and apply to designated historic structures in Oregon City, including:

- All properties in the Canemah National Register Historic District, as the District boundaries existed on Feb. 1, 2017.
- All designated structures in the McLoughlin Conservation District
- All structures individually designated on the National Register before February 1, 2017 and local landmarks located outside of historic districts

Projects that meet the Historic Review Board (HRB) policies do not have to request approval from HRB and rather may obtain administrative staff approval. Where an alteration does not meet the policies, a Type III review by the HRB will be necessary. City staff are available to help property owners determine if their projects satisfy the HRB policies. Property owners are strongly encouraged to seek advice from City staff before proceeding with changes to historic properties. Changes that do not meet the policies are subject to code enforcement action. The policies do not apply to regular maintenance or repair of existing structures.

Owners of properties that do not fall under the Historic Review Process are encouraged to follow the Policies set forth by the HRB by making exterior alterations that maintain the structure's integrity and are compatible with the neighborhood.

POLICIES

HRB Policy #1 (First Adopted 1986; Revised 2019) - Construction and Repair of Foundations

The finished floor elevation of the structure shall not be raised or lowered in relation to the ground level as a result of foundation construction or repair. Any new foundation shall be covered with skirting that matches the original skirting on the structure.

HRB Policy #2 (First Adopted 1986; Revised 2019) - Storm Windows and Doors

Storm window frames and members shall be made of wood, baked enamel, or anodized aluminum. If wooden or enameled, the frames and members shall be painted to match the color of the existing window trim. Mill finish aluminum storm windows are not permitted. Interior storm windows are encouraged.

HRB Policy #3 (First Adopted 1986; Revised 2019) - Repair or Replacement of Siding

On designated structures and contributing structures in the Canemah National Register District, new siding shall match original siding both in material and style. **If fiber cement is desired as a replacement for wood siding, HRB shall review the proposal.** HRB's decision factors will include how well the substitute material matches the original siding in profile and design.

Fiber cement siding is permitted without HRB review under the following circumstances:

- a. On new and existing detached accessory buildings
- b. On non-contributing structures in the Canemah National Register District
- c. As a replacement of vinyl siding on a designated structure
- d. Only smooth fiber cement boards are permitted
- e. Shakes or shingles shall have a straight edge

HRB Policy #4 (First Adopted 1986)- Gutters and Downspouts

Replacement of wooden gutters and downspouts are permitted. Galvanized or enameled aluminum gutters and downspouts shall be painted to match the house. All support straps shall be painted to match the house. New downspouts shall be located to avoid visual interference with architectural features of the street façade. Plastic gutters and downspouts are not permitted. If the downspout empties onto the ground, splashblocks shall be placed at the outflow to disperse the water away from the foundation.

HRB Policy #5 (First Adopted 1986; Revised 2019) - Roofs

Structures shall be re-roofed with either wood shingles, 3-tab composition shingles, or "architectural style" composition shingles. If the roof slope is less than 4/12, rolled composition roofing may be used. Red, dark green, black, dark brown or green and white composition material is encouraged. Slate, tile or tar and gravel roofs may be re-roofed with like materials. The following roof materials are not permitted without Board approval: metal, fiberglass, plastic, corrugated roofing, or shake shingles. Any alteration to the overhang, soffit, or rake board requires Board approval.

HRB Policy #6 (First Adopted 9/88; Revised 6/91; Revised 2019) - Fences and Walls

The following policy is hereby adopted by the Oregon City HRB regarding the construction or alteration of fences and walls within Historic Districts, on designated sites in Conservation Districts, or on individual sites designated as landmarks.

The HRB advises property owners that fences and walls are an extension of the architecture of the house. According to the Secretary of the Interior's Standards for Rehabilitation, additions such as

fences “should be compatible with the size, scale, material and character of the property, neighborhood or environment.” Fences in the front yard are typically more open and decorative, while fences in the side and rear yards are more utilitarian.

Front yard fences or walls and corner side yard fences or walls shall be no more than 42 inches in height and shall not create a traffic sight obstruction (as defined in Chapter 10.32 of the Oregon City Municipal Code). Along rear yards and interior side yards (beyond the front building line), fences or walls may be up to six (6) feet in height. Fences or walls on vacant properties may utilize materials that are in the “ACCEPTABLE” category in front and corner side yards; HRB review is required if rear yard fence types are desired.

Staff may approve fences or walls that are listed in the "ACCEPTABLE" category through an administrative review. Fences or walls that are not listed, or that are specifically listed under the "NOT ACCEPTABLE" category shall be submitted for review and decision by the HRB. Fences or walls that are made of “not allowed” materials may be utilized if fully obscured. Pressure-treated wood may only be used for fence posts and not for any other portions of the fence, and shall be non-incised.

ACCEPTABLE FENCE AND WALL TYPES IN FRONT AND CORNER SIDE YARDS	
DESCRIPTION	EXAMPLE
Wood Picket: Wood fence with vertical pickets spaced at least one inch apart to six inches apart. Pickets may be pointed or straight, and boards may be flat or square. Includes traditional white painted (preferred); unpainted or different color paint is also acceptable. May be scalloped or straight on top, or topped with a railing.	
Iron Picket: Includes wrought iron picket fences with simple or ornate designs	
Ornamental Cast Iron: cast iron fences and gates with ornamentation or detailed designs	
Brick: Includes bricks of any color or size. Allowed in combination with other masonry types	
Basalt Stone: Basalt Stone was quarried locally in Oregon City's past. Basalt stone may be mortared or stacked. Basalt Veneer is typically mortared. This does not include manufactured stone veneer products. May be topped with bricks.	

Combinations of Iron and Masonry: Brick, stone, or cast-in-place concrete with iron fencing atop or integrated into the wall	
Woven Wire: Decorative woven wire with loop top design and with wood posts and rails	
Cast-in-place concrete: Poured concrete wall with smooth or textured finishing	
Steel or aluminum rail: Permitted only on non-residential properties (e.g. commercial buildings, schools, religious institutions)	
Solid wood board (un-spaced picket): Vertical wood boards without spaces between boards. May be scalloped or straight on top, or topped with a railing.	

NOT ACCEPTABLE FENCE AND WALL TYPES IN FRONT AND CORNER SIDE YARDS	
DESCRIPTION	EXAMPLE
Chain-link: Consists of steel wire woven to form a diamond-shaped mesh. Includes uncoated, powder coated, and with or without slats. Also includes chain-link hedge slats.	 
Post and Rail / Split Rail: Also known as a log fence, zigzag fence, worm fence or snake fence, made out of timber logs, usually split lengthwise into rails. Uses two to four rails and is divided into sections with wood posts.	 
Concrete Block: Includes pre-cast panels, CMU, hollow or solid blocks. Both split faced and smooth.	 
Chicken Wire: Unframed fence of thin, flexible metal wire with varied pattern including hexagonal or rectangular shapes. Known as chicken wire, hog wire, or welded wire. May include repeating wood or metal posts.	
Solid wood board or Stockade: Wood fence with vertical or horizontal boards and no spacing. Includes good neighbor fence and stockade fence. May be topped with square lattice or other wood design. May have a scalloped or straight top. Not allowed when obstructing view of historic structure.	 

Vinyl/ Plywood / Hardboard or Asbestos Panel: Plastic, vinyl, fiber cement or asbestos panels. Includes solid fences/walls or those designed to look like wood picket fences.



ACCEPTABLE FENCE AND WALL TYPES IN ALLEYS, REAR AND INTERIOR SIDE YARDS

DESCRIPTION	EXAMPLE
All that are acceptable in front yards	
Concrete Block: Includes pre-cast panels, CMU, hollow or solid blocks. Both split faced and smooth.	
Horizontal Board: Wood fence with at least five horizontal boards. Boards may be spaced or have no spacing. May be topped with square lattice or other wood design.	
Solid wood board or Stockade: Wood fence with vertical or horizontal boards and no spacing. Includes good neighbor fence and stockade fence. May be topped with square lattice or other wood design. May have a scalloped or straight top.	
Wood lattice: Square vertical/horizontal pattern of wood panels with spacing.	

Gabion wall: Consists of rocks or stones enclosed in a metal wire basket	
Goat fence: Welded wire fence with frame of wood around each panel. Known as wire trellis fence, goat fence or livestock fencing.	
Non-basalt stone: May include sandstone, limestone, lavarock, or other rock that would not have been quarried within the Pacific Northwest and used in the historic era.	
Recycled Concrete: Irregularly sized concrete pieces or chunks stacked like stones.	
NOT ACCEPTABLE FENCE AND WALL TYPES IN INTERIOR AND SIDE YARDS	
All that are not acceptable in front yard, unless explicitly listed as acceptable in interior side yards, alleyways, and rear yards.	

HRB Policy #7 (First Adopted 8/96; Revised 2019) – Construction of Accessory Structures

Accessory structures which are 200 square feet or smaller may be reviewed and decision made by staff. The criteria to be used by staff in making the decision shall be as follows:

The building/structure materials shall match the primary resource structure;

The roofing materials shall match the material on the historic/primary resource structure; if the roofing material on the historic/primary structure does not match the original roofing material, HRB Policy #5 shall apply;

The accessory structure shall be painted to match the historic/primary resource;

The structure shall be placed a minimum of three (3) feet from any interior lot line as per Section 17.54 - Accessory Structure Standards.

Any structure that does not meet this standard shall be referred or submitted to the HRB for review and decision.

HRB Policy #8 - Exterior Alterations to Buildings in National Historic Districts, or Structures in Conservation Districts or Landmark Structures

Additions shall be reviewed by the HRB. Other alterations are subject to administrative review. Alterations are permitted if they duplicate existing building materials and styles. Wood siding is encouraged if the siding is replaced. Aluminum and vinyl siding and vinyl and aluminum mill finish windows are not permitted, unless the building was originally constructed of such materials and they are greater than 50% of the materials on the building. Wood sash doors are encouraged. Roof alterations shall conform to HRB Policy #5.

HRB Policy #9 - Screen Doors

Wood storm and screen doors are preferred. If aluminum or other metal storm/screen doors are used, they shall be prefinished or painted a color to match the door or trim. Unless replicating an historic storm/screen door, screen doors shall not obscure the primary door design, and shall not include decorative details or simulated muntins (grids).

Policies 1-9 were reviewed and revised by the HRB at worksessions on October 12, November 9, 2000, and December 14, 2000, and were formally adopted on December 14, 2000 at the HRB's duly noticed public meeting, and revised again in 2019.

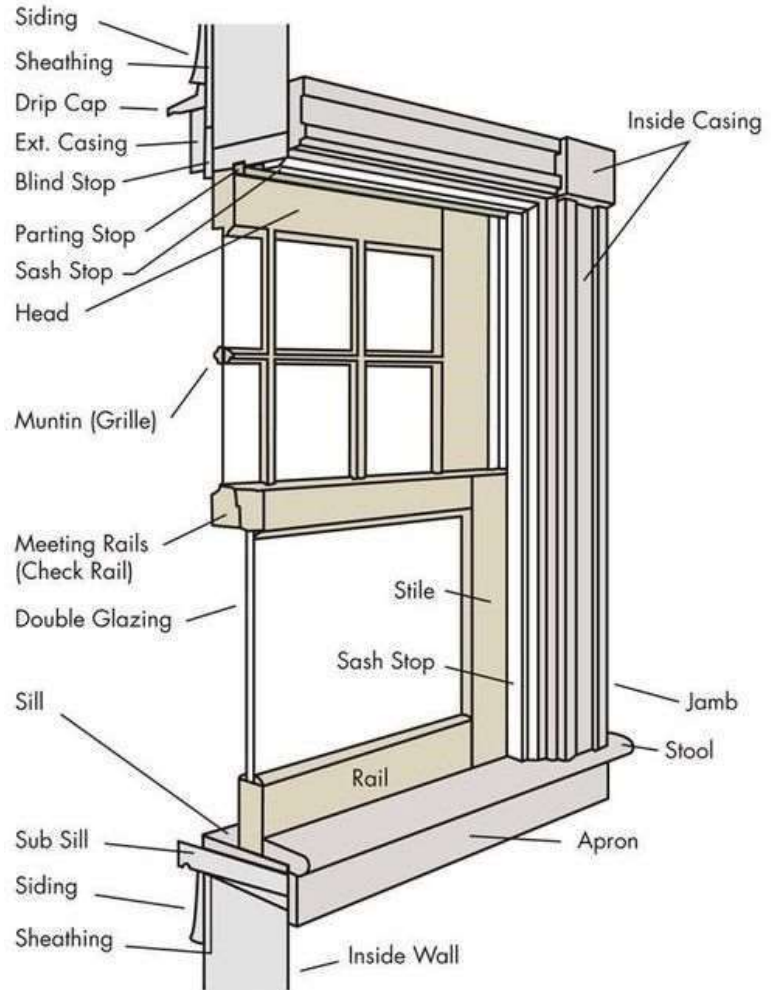
HRB Policy #10 (Adopted 10/2001; Revised 2019) - Window Repair and Replacement

Original wood windows are important architectural features in any historic building. They are the "eyes" of the structure and they convey a sense of handcraftsmanship and detail that cannot be achieved with substitute materials. The HRB maintains that original windows should be retained and repaired whenever possible. If repair is not feasible, replacement of windows is acceptable in accordance with the following:

- a. For structures listed individually on the National Register before February 1, 2017, and locally designated resources, replacement of windows shall be reviewed by the HRB.
- b. For locally designated historic landmarks, designated structures in the McLoughlin District, and contributing structures in the Canemah National Register District, wood, aluminum clad wood, and fiberglass clad wood windows are permitted as replacement windows if they match the original window design. A different window type may be used for egress purposes (for example, casement in place of a picture window) as long as the appearance, including muntins, is the same. It is the owner's responsibility to document the design of the original windows.
- c. If a structure was originally built with aluminum or vinyl windows, vinyl replacement windows are permitted. The owner shall provide evidence of the original window material.

- d. On new and existing accessory structures, and on new and existing non-contributing structures in Canemah National Register District, fiberglass and wood/plastic blended material windows are permitted.
- e. Interior window grids are not permitted.
- f. Replacement windows should match dimensions of original window stiles, rails, and sill depth.
- g. Any proposal that does not meet these policies may be reviewed by the Board. The applicant shall provide a determination of the window's architectural significance and condition to assist the HRB to determine the repair and replacement options for the property.

Owners of non-designated structures are also encouraged to follow this policy for window repair and replacement.



HRB Policy #11 (Adopted 2019) – Porches and Decks

Replacement or alteration of porches and decks older than 50 years shall meet HRB Policy #8. The construction of new front porches shall be reviewed by HRB. Alteration of existing front porches, or construction of new rear porches or decks are permitted without Board review in accordance with the following:

- a. Porch and deck railings shall use vertical balusters and top and bottom rails. Baluster attachment shall be between the rails, not attached on the side of the rail.
- b. Wood decks and porches shall be painted to match a color of the designated structure. Paint-stain is also acceptable if it matches a color of the designated structure.
- c. No pressure treated wood shall be visible.
- d. Composite material (e.g. Trex, TimberTech, Azek) is allowed only for new or existing decks or porches less than 50 years old that are attached to the rear of a structure, to the interior side of a structure, and for detached deck structures in the interior side or rear yard. Composite material color shall match a color of the designated structure.
- e. Aluminum rails on porches and decks are not permitted.
- f. Deck or porch materials made from 100% vinyl are not permitted.

HRB Policy #12 (Adopted 2019) – Solar Technology

Solar technology that meets the criteria in the list below may be utilized on historic properties through staff review. Any proposal that deviates from this policy shall be considered by HRB.

- a. Sloped roof location: Solar panels are permitted on secondary facades of historic buildings and on accessory structures.
- b. Design: Panels on sloped roofs shall project five inches or less from the roof surface and be installed flat; they shall not alter the slope of the roof.
- c. Color: Panels and mounting systems shall be the same color as established roof materials. Mechanical equipment associated with the photovoltaic system shall be as unobtrusive as possible.
- d. Flat roof structures: Solar panel installations on flat roofs shall be set back at least five feet from the roof edge to minimize visibility unless fully obscured from the street by a parapet.
- e. Shingles: Solar shingles are permitted on secondary facades if they match the roof color.
- f. Freestanding: Freestanding or detached on-site solar technologies are permitted in locations behind the front of the home in side and rear yards, unless the side or rear yard abuts an improved public right of way.



Notice of Decision (Revised) July 15, 2014

FILE NO.: HR 14-05

HEARING DATE: Tuesday, June 24, 2014
7:00 p.m. - City Hall
625 Center Street
Oregon City, Oregon 97045

**OWNER/
APPLICANT:** Gary Clark
12020 Hazeldell Avenue,
Oregon City, OR 97045

LOCATION: 205 3rd Avenue
Oregon City, OR 97045

REQUEST: Approval to use an alternate material to replace the original aluminum windows with vinyl on a 1970s 4-plex in the Canemah National Register District

DECISION OF THE HISTORIC REVIEW BOARD: This matter came before the Oregon City Historic Review Board on June 24, 2014 and after deliberation the Historic Review Board voted 4-0 to conditionally approve the applicant's request to construct a new residential building in the McLoughlin Conservation District and providing additional findings relating to architectural details of the building.

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. **Notice of appeal of any Type II, Type III or IV decision must be received in writing by the planning division within fourteen calendar days from the date notice of the challenged decision is provided to those entitled to notice.** Late filing of any appeal shall be deemed a jurisdictional defect and will result in the automatic rejection of any appeal so filed. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

The application, decision, and supporting documents are available for inspection at the Oregon City Planning Division located at 221 Molalla Avenue, Oregon City, OR 97045, (503) 657-0891, between the hours of 8am and 1pm. Copies of these documents are available (for a fee) upon request.

A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 17.50.290(C) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

Additional findings provided by the Historic Review Board

The Historic Review board found that.

The Historic Review Board agreed with staff findings that replacement of the non-historic windows will have no additional effect on the historic district. Rather, the alterations are part of a building wide-improvement which should stabilize the building and ensure that it does not fall into a nuisance state.

The Board also agreed that there is no easily accessible/affordable in-kind replacement for aluminum slider windows. Requiring the applicant to utilize custom metal windows for a non-historic building that has very little architectural integrity and is highly unlikely to become a contributing building in the future would be a burden on the applicant and would have very little effect on the overall significance of the of the historic district.

The Board additionally agreed that requiring fiberglass or wood windows for an architectural style that never utilized those materials would not be meeting the intent of the guidelines. They found that the proposed vinyl slider and fixed windows will utilize the same openings and are a reasonable in-kind replacement option for an obsolete non-historic material.

The Board additionally provided direction to staff that approval of material exceptions should be on a case-by-case basis for non-historic buildings that are regulated by OCMC 17.40 Historic Overlay District.

For the above reasons, and based on the applicant's request for exterior alterations to a non-contributing building in the Canemah National Register District, and the findings contained in the record, the Historic Review Board found at the June 24 2014 Hearing by a vote of 4 to 0 that the criteria for exterior alterations can be met.

Condition of Approval

Revised 7.15.14 to include condition requested at HRB meeting

1. The applicant shall utilize a 1x4 inch exterior wood trim on all windows proposed for replacement.



FILE NO.: HR 14-05

HEARING DATE: Tuesday, June 24, 2014
7:00 p.m. - City Hall
625 Center Street
Oregon City, Oregon 97045

**OWNER/
APPLICANT:** Gary Clark
12020 Hazeldell Avenue,
Oregon City, OR 97045

LOCATION: 205 3rd Avenue
Oregon City, OR 97045

REQUEST: Approval to use an alternate material to replace the original aluminum windows with vinyl on a 1970s 4plex in the Canemah National Register District

REVIEWER: Christina Robertson-Gardiner, AICP, Planner

CRITERIA: The criteria for EXTERIOR ALTERATIONS are set forth in Section 17.40.060 as follows:

BASIC FACTS:

The applicant recently purchased the 1973 four-plex in the Canemah National Register District. He was unaware that all exterior alterations that go beyond maintenance and repair require approval by staff or the Historic Review Board depending on the extent of the work. The 4-plex is located down a step driveway in a grove of trees and is accessed by 3rd Avenue. The rear of the building, however, can be seen from 99E. The building has a combination of fixed and slider aluminum windows, the siding is vertical wood.

The applicant was unable to find an in-kind replacement window product and has opted to request approval by the Historic Review Board for the installation of vinyl windows on the non-contributing, non-historic structure.

- The guidelines for Alterations and Additions and the Historic Review Board Policies recommend replacement in kind for historic wood windows on designated historic properties.

- The design guidelines for New Construction provide guidance on materials for historic architectural styles within the district and historically the HRB has allowed fiberglass windows as an alternate material as it closely resembles the reveal and dimension the historic wood windows that are associated with the historic architectural styles of the district.
- There is little to no guidance on how to treat non-contributing non-historic structures in the historic district especially when the in kind replacement material (non-anodize aluminum) is no longer on the market.

Staff is looking to the Historic Review Board to provide guidance and direction on this issue. There are only a few 1970s buildings in the Canemah National Register District and the Historic Review Board can choose to make a general policy or leave it for a case by case review.

For reason outlined in the findings- staff supports the applicant's request for replacement of the 1970s non-anodized aluminum windows with the prosed vinyl windows.

Exhibit A - Pictures of existing Windows





Proposed Vinyl Window



Site Map



For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:

*Regarding Criterion (1) - **The purpose of the historic conservation district as set forth in Section 17.40.010;***

*Regarding Criterion (2) **The provisions of the city comprehensive plan;***

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Staff finds that that the replacement of the non-historic windows will have no additional affect to the historic district. Rather, the alterations are part of a building wide-improvement which should stabilize the building and ensure that it does not fall into a nuisance state.

Regarding Criterion (3) The economic use of the historic site and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation;

Finding: Historic property owners are more likely to choose to invest in the restoration and rehabilitation of their properties when neighboring buildings are also rehabilitated regardless of the age of the structure. Conversely, allowing this property to become a nuisance would have a detrimental effect on the value of the neighboring historic buildings.

Criterion (4).The value and significance of the historic site;

Finding: The 1973 building is a non-historic non-designated structure which is not part of the period or significance for the district and has very little chance of being included in any updated period of significance. There are only a few 1970s buildings in this district and their inclusion to the period of significance after they have reached 50 years of age will provide little to the story of the area.

Criterion (5) - The physical condition of the historic site;

Finding: The building has had a fair amount of deferred maintenance over the years and the new owner wishes to upgrade the building for new tenants.

Criteria (6) - The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with the historic site;

Finding: As described above, there is no easily accessible/affordable in-kind replacement for aluminum slider windows. Requiring the applicant to utilize custom metal windows for a non-historic building or alternately requiring fiberglass or wood windows for an architectural style that never utilized those materials would not be meeting the intent of the guidelines.

Staff finds that the proposed vinyl slider and fixed windows will utilize the same openings and are a reasonable in-kind replacement option for an obsolete non-historic material.

Criteria (7) Economic, social, environmental and energy consequences; and

The replacement of the failing 1970s aluminum windows with vinyl windows will have an effect on the amount of embodied energy removed from the building. However, the newer windows will provide additional energy savings regardless of the material.

HRB Policy #10- Window Repair and Replacement

Original wood windows are important architectural features in any historic building. They are the "eyes" of the structure and they convey a sense of handcraftsmanship and detail that cannot be achieved with substitute materials. The Historic Review Board maintains that original windows should be retained and repaired whenever possible and replacement of windows should be with in kind materials. For all exterior alterations, involving windows, to: all structures in the Canemah National Register District, designated structures in the McLoughlin Conservation District and other

local Landmarks, the applicant will provide a determination of the window's architectural significance and condition to assist the Historic Review Board to determine the repair and replacement options for the property. Owners of non-designated structures are also encouraged to follow this policy for window repair and replacement. (Adopted October 25, 2001)

Finding: As described above, staff finds that that applicant's request for an in-kind material exception is reasonable considering the buildings location, age, architecture and lack of in-kind options. Furthermore, staff finds that requiring fiberglass or wood windows for replacement does not meet the intent of the policy as these two materials are more associated with the historic architectural styles in the district and not the 1970s NW modern style found on the 4-plex.

CONCLUSION AND RECOMMENDATIONS:

Staff recommends the Historic Review Board approve HR 14-05 as requested.

EXHIBITS

Vicinity Map
Applicant's Submittal
Survey Form

Canemah Neighborhood Association

516 First Avenue, Canemah OR 97045

Oregon City Historic Review Board

cc: Kelly Reid

September 17, 2021

RE: 601 4th Ave.

HRB Members:

In the September 16, 2021 meeting of the Canemah Neighborhood Association, we discussed the above referenced agenda item for the Historic Review Board's September 28, 2021 meeting.

While this home, which was built in 1979, is located within the Canemah National Register Historic District, the home itself is not covered by any definition within the Oregon City Municipal Code (paragraphs 17.04.155, 17.04.160, 17.165, and 1704.170) for historic buildings.

The Code states only that all structures in an historic district are defined as "historic sites" (17.04.575), but provides no specific definition for structures built after the 1950s, nor does the Oregon City website provide any design guidelines for alterations to structures in Canemah built after the 1950s.

While we acknowledge that it is the city's intent that these structures be subject to historic compatibility guidelines, citizens cannot be held accountable to comply with guidelines that are not clearly documented.

Further, the neighbors in our district find that the changes made to the home have beautified the property and subsequently increased the property value of all of the homes on the street/neighborhood. We also find that the home is in complete compatibility, aesthetically, with the other homes in our neighborhood and fits in well within the Canemah Historic District. The homeowners of this property should not be penalized for investing in their home in such a way that has benefited our entire neighborhood. We ask that the HRB approve all of the alterations made to 601 4th Avenue.

The CNA General Membership voted to support the homeowner's request for approval of all revisions made to the home in 2020-2021, and strongly urge HRB approval.

Thank you.

Ken Baysinger, Chair
Canemah Neighborhood Association

From: [Abigail Klun](#)
To: [Kelly Reid](#)
Subject: Re: Hearing
Date: Wednesday, May 12, 2021 12:25:33 PM

Yes, that is correct, and confirmed for the extension of the 120 day deadline to Nov 25th. Please let me know if you need anything else.

Thanks Kelly!

On Wed, May 12, 2021 at 11:18 AM Kelly Reid <kreid@orccity.org> wrote:

Sounds good. Yes, that is in the event of an appeal. Can please you confirm extension of the 120-day deadline to November 25th, then?

Thanks!

Kelly

From: Abigail Klun <abigaillelli@gmail.com>
Sent: Wednesday, May 12, 2021 10:55 AM
To: Kelly Reid <kreid@orccity.org>
Subject: Re: Hearing

Sounds good, thanks so much Kelly. Let's go ahead and plan for September 28th just to be safe. With the 60 day extension, is that in the event we appeal a decision made by the HRB?

Thanks again,

Abigail

On Tue, May 11, 2021 at 8:05 PM Kelly Reid <kreid@orccity.org> wrote:

Hi Abigail,

Absolutely. End of summer meeting dates are August 24 and September 28th. You can let me know which you prefer, and then give us a deadline extension of 60 days beyond that date, just to allow extra time in case more than one hearing is needed.

Stay well.

Kelly

From: Abigail Klun <abigaillelli@gmail.com>
Sent: Tuesday, May 11, 2021 11:02 AM
To: Kelly Reid <kreid@orccity.org>
Subject: Hearing

Good Morning Kelly,

Thanks again for your call last week, I really appreciate all your help. My husband and I have been giving a lot of thought as to (and have gone back and forth A LOT) when to move forward with our HRB hearing. I think because we are in a unique situation having replaced textured siding with textured siding (unlike the requirements for new construction which are clearly laid out that the developer lost his case on), and because we already planned on a future landscape design to give our home more privacy from the road, we do feel somewhat confident that we may be considered in a different light than the developer was.

However, because we are both extremely busy right now with work, and because we are concerned about some health issues having recently become pregnant again, we feel that it's safest to get through the first trimester of my pregnancy without taking on much more additional stress and time-consuming projects that require my focus, which is spread so thin right now. Once we get over the scary hump, we will be more prepared to handle the HRB hearing process and the decisions that result from that.

While we want more than anything to put this behind us and move forward so that it's no longer constantly weighing on the back of our minds, we'd be biting off more than we can chew right now if we had to deal with any repercussions of the hearing decisions during this time. Would it be possible to delay our hearing until the end of the summer? Please let me know your thoughts on this and if you think that's a good idea or if you feel it

would benefit us to move forward sooner.

Thank you again for your insight.

Kindly,

Abigail



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Historic Review Board
From: Planner Kelly Reid

Agenda Date: 09/28/2021

SUBJECT:

GLUA 21-00042 / HR-21-00018: Revision to HR 19-04 for a new single dwelling in the Canemah National Register District at 306 4th Avenue

STAFF RECOMMENDATION:

Staff Recommends approval with conditions.

EXECUTIVE SUMMARY:

The applicant has proposed changes to the HRB-approved 2019 design (HR-19-04) for a Bungalow-style dwelling in the Canemah National Register District in order to comply with Geologic Hazard standards. As design proceeded it was clear that additional retaining walls would be needed, and that the retaining walls would not meet historic guidelines or the city's Geologic Hazard code. The applicant has proposed a re-orientation of the house in order to minimize the height of retaining walls needed, reduce the amount of site disturbance, and achieve compliance with historic design guidelines. The changes include:

- Retaining walls – Two walls at 5 feet in height, and one wall at 4 feet in height, placed in the rear yard area (south of the house). In 2019, only one retaining wall was proposed.
- Rotating the house 90 degrees so that the front elevation faces unimproved Ganong Street rather than 4th Avenue. The garage doors will remain facing Ganong Street, meaning the garage is on the front elevation.
- Reduction in setback from 4th Avenue right of way to 10 feet. The applicant proposes to plant dogwood trees in the front setback area as visual screening.
- Changes to front porch and stair: stair proposed on corner of home, with a wrap-around front porch.

The nature of the process when historic review is combined with geologic hazard review is that design changes are typically necessary throughout the process as the applicant moves forward with more detailed plans, drawings, and permit reviews. The Board should anticipate that some adjustments will be needed, which could include raising or lowering of grades, adjustment of footprint, or minor design changes. Staff recommends that the Board adopt a few conditions of approval to allow some adjustments, but limit

their scope, as well as conditions of approval that anticipate possible changes that the HRB would find to be acceptable if needed.

While a total of 14 feet of retaining wall height is quite significant, the applicant has minimized the wall heights to the extent possible by re-orienting the house. Now that the front of the house will be directly above the garage, the attached garage design is less compatible than the design approved in 2019. However, the applicant has proposed to mitigate this by recessing the garage entrance under the front porch so that it is less visible. The impact of the garage is visually reduced by this design element. The mere existence of the lower level means that the mass of the house is quite large, and the wall length along 4th Avenue is significant. The applicant has increased the excavation on site to place the lower level partially below ground to reduce the massing.

While the staff report includes a recommendation for approval with conditions, staff recognizes there are significant challenges with this property and the size of the proposed house. If the HRB finds that the overall effect of the house mass, attached garage, and the retaining walls would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to reduce the footprint or square footage of the house to further minimize grading and disturbance.

BACKGROUND:

See full Staff Report and Recommendation document in the agenda item attachments.

OPTIONS:

1. Approve the proposal with conditions (staff recommendation)
2. Approve the proposal with modified conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information



**Historic Review
Staff Report and Recommendation
September 21, 2021**

FILE NO.: GLUA 21-00042 / HR-21-00018: Revision to HR 19-04 for a new single dwelling in the Canemah National Register District.

HEARING DATE: September 28, 2021
7:00 p.m. – Commission Chambers
1234 Linn Ave
Oregon, City, Oregon 97045

Application Submitted: July 20, 2021
Application Complete: July 29, 2021
120-day deadline: December 31, 2021
Notice of Decision:

APPLICANT/OWNER: Tim and Taryn Ahaus
20748 Viewpoint Rd
West Linn, OR 97068

LOCATION: 306 4th Avenue
Clackamas County Map 3-2E-06BB Taxlot 00300
Oregon City, OR 97045

REQUEST: Revision to HR 19-04 for a new single dwelling in the Canemah National Register District. Changes to house orientation, proposed retaining walls, and a preservation incentive to allow a reduced front setback for a stair.

REVIEWER: Kelly Reid, AICP, Planner

RECOMMENDATION: Approval with Conditions.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and Low Density Residential District in Chapter 17.08 of the Oregon City Municipal Code. The City Code Book is available on-line at www.oregoncity.org.

This application is subject to the Administration and Procedures section of the Oregon City Code set forth in Chapter 17.50. The application and all supporting documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 698 Warner Parrott Road, during regular business days (9 am- 4pm). Copies of these materials may be obtained for a reasonable cost. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. Copies of these materials may be obtained for a reasonable cost in advance. Any interested party may testify at the public hearing and/or submit written testimony at or prior to the close of the record by the Historic Review Board. Notice of the Historic Review Board's decision shall be sent to the applicant and to those persons submitting comments and providing a return address. Any party who participated in the Historic Review Board proceedings may appeal the Historic Review Board's decision by filing a notice of appeal as required by OCMC 17.50.190. Any issue that is intended to provide a basis for appeal must be raised before the close of the Historic Review Board's proceeding,

in person or by letter, with sufficient specificity to afford the City Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any review of that issue. Parties with standing may appeal the decision of the City Commission to the Land Use Board of Appeals. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763.

Recommended Findings and Conditions of Approval

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

The nature of the process when historic review is combined with geologic hazard review is that design changes are typically necessary throughout the process as the applicant moves forward with more detailed plans, drawings, and permit reviews. The Board should anticipate that some adjustments will be needed, which could include raising or lowering of grades, adjustment of footprint, or minor design changes. Staff recommends that the Board adopt a few conditions of approval to allow some adjustments, but limit their scope, as well as conditions of approval that anticipate possible changes that the HRB would find to be acceptable if needed.

Staff recommends the following changes be permitted if necessary to meet other conditions and/or geologic hazard standards.

- Any reduction in overall footprint of the home or rear porch
- Reduction in front porch depth to a minimum of 6 feet in depth
- Any reduction in height
- Any reduction in retaining wall height
- Adjustment of retaining wall locations behind the home, as long as spacing between walls is maintained
- Adjustment to porch stair that places the staircase farther away from 4th Avenue.
- Change in materials of retaining walls to natural basalt or stone
- Change in materials of pedestrian stair to natural stone

This paragraph can be added into the conditions of approval if desired by the Board.

RETAINING WALLS

Due to the topography of the site, significant retaining walls have been included in the proposed plan. The updated site plan includes three retaining walls on the SE corner of the home. The first wall is an L-shape that frames the driveway. This wall is 5 feet in height. The second wall is set back 5 feet from the first wall and is also 5 feet in height. The third wall is setback another 5 feet and is 4 feet in height. The walls will be visible from Ganong Street. In order to reduce the visual impact, the applicant has proposed landscaping in the spaces between the walls, to provide a softening and screening effect. The City's Design Guidelines for new construction call for retaining walls to be minimized. While a total of 14 feet of retaining wall height is quite significant, the applicant has minimized the wall heights to the extent possible by re-orienting the house.

If the HRB finds that the overall effect of the house mass plus the retaining walls would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to reduce the footprint of the house to further minimize grading and disturbance.

GARAGE

The applicant has proposed a new design that results in the garage doors on the front elevation of the home. The Board had previously approved a tuck under garage on a side elevation, finding that the topographical constraints on the property made the attached, tuck under garage appropriate in the district. Now that the front of the house will be directly above the garage, the design is less compatible. However, the applicant has proposed to mitigate by recessing the garage entrance under the front porch so that it is less visible. The impact of the garage is visually reduced by this design element. However, the mere existence of the lower level means that the mass of the house is quite large, and the wall length along 4th Avenue is significant. The applicant has increased the excavation on site to place the lower level partially below ground to reduce the massing. Staff needs HRB direction on if the balance of grading and massing is appropriate and consistent with the intent of the design guidelines. If the HRB finds that the garage would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to eliminate or reduce the size of the garage.

MASSING

The size of the bungalow was approved in 2019 as 31 feet wide and 46 feet in depth. The Board found that while on the larger end of the spectrum for bungalow houses in Canemah, the size was not excessive. Now that the orientation of the house has been proposed as facing Ganong Street, the effect on the view from 4th Avenue has changed. Instead of seeing the front of the bungalow, the view from 4th Avenue is the side elevation, which includes the lower level wall that is now 56 feet in length (46 feet plus approximately 10 feet of additional wall to screen the garage) and 5 feet in height.

To reduce the massing, staff recommends the following condition:

- A maximum of 5 feet of exposed ground floor wall is permitted along 4th Avenue frontage.

PEDESTRIAN STAIR

The connecting pedestrian stair is consistent with the guidelines and would provide access to the property that would allow for access without having to walk up the steep driveway. Staff is looking for direction from the HRB regarding the impact of the stair on the historic basalt wall. If the Board finds that maintaining the full length of the rock wall is necessary to protect the character of the district, then the Board can waive the pedestrian access. If approved by the HRB, staff recommends some conditions of approval to minimize the impact.

For reference, the 2019 conditions of approval were:

Prior to issuance of Building Permits:

1. The applicant shall minimize grading and comply with any applicable standards in the Geologic Hazard Overlay Chapter 17.44. (P, DS)
2. Exposed area proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one foot must be reviewed by the Historic Review Board. (P)
3. If composite decking is approved, the applicant shall use boards that match the color of the house or trim. (P)
4. The proposed retaining wall shall be a rockery wall, or utilize concrete or natural basalt veneer. Any other material or a height change of more than one foot for the proposed retaining wall shall be considered a modification to this application and be reviewed by the Historic Review Board. (P, DS)

5. Additional natural rockery walls that are less than 4 feet in height are allowed in the site without further Historic Review Board review, but will be subject to review for compliance with the Geologic Hazard Overlay District. (P, DS)
6. The applicant shall modify the grading plan or house design such that the stairs facing 4th Avenue do not exceed 5 feet in height, and shall not increase the number of stairs beyond what is shown in the plans. (P)
7. Proposed retaining walls shall not exceed five feet in height. (P, DS)

Prior to issuance of a Certificate of Occupancy:

8. Incised lumber or pressure treated wood shall not be used on any visible surfaces. (P)
9. The window sash shall be the darkest color of the three color paint scheme.(P)
10. The applicant shall use simple bungalow styled exterior lighting.(P)
11. The applicant shall ensure that shakes/shingles are straight across and not jagged. (P)
12. Windows in the garage door are acceptable but not required. (P)
13. Slider windows are not permitted. (P)
14. The applicant shall plant four native 1.5" caliper replacement trees in the side or front yard as a replacement for the 9 to 11 trees that will be removed. (P)
15. Landscaping shall also be utilized to visually shield the massing under the porch and on side elevations. A maximum of ten shrubs with minimum mature height of 5 feet may be required, with final number and locations selected by staff after construction. (P)
16. The rear door shall be a single door, French doors, or French-style slider door. (P)

Staff recommends that the 2019 conditions of approval be retained, with removal of #2, #4 #5 and #6, and modification of Condition #14 to require two additional trees for a total of six mitigation trees.

Staff also recommends conditions of approval as follows:

17. If any lower portion of the porch stair can be handled by an-at-grade concrete or stone stair rather than an elevated wood staircase, the applicant shall utilize concrete or stone. The applicant shall construct the minimum staircase width and landing area sizes to meet building code, and no larger.
18. The applicant shall limit the width of the pedestrian stair to 4 feet or less. The stair stonework or finishing shall be differentiated from the old basalt stones in the wall to allow observers to understand that the staircase is not historic.
19. A maximum of 5 feet of exposed ground floor wall is permitted along 4th Avenue frontage.
20. If retaining walls in the Ganong Street right of way are not approved the applicant may adjust the site plan as needed to accommodate all the retaining walls on private property. Adjustments that would be acceptable include: Reducing the depth of the home, the front porch, or the rear porch, adjusting the location or width of the driveway, or reducing the size of the driveway pad.
21. The applicant shall eliminate the wrap around porch from the 4th Avenue elevation.
22. The applicant shall ensure that the windows on the rear dormer are 1-over-1 design with a depth difference between the top and bottom sash. A simulated divided lite is acceptable if the depth difference can be achieved.

23. In order to achieve the depth and shadowline of wood windows, the applicant shall include an exterior 2-by sill that projects beyond the window casing on all windows. The depth of the upper sashes shall be at least 2" from the trim. The applicant shall submit the window product details along with a section view to staff for verification that this condition is met, prior to window installation. The applicant was approved to use Andersen Fibrex material windows through HR-19-04. If these windows cannot meet the conditions of approval, other products may be utilized as long as they are not vinyl window products.
24. The applicant shall submit a final landscaping plan to staff prior to installation of landscaping. Staff shall verify that the plan meets the guideline: "Canemah, South of 3rd: native planting mixture, large shrubs and trees are appropriate for any yard. Houses to maintain a sense of privacy to each other. Minimize the removal of trees over 6" in diameter by adjusting house siting, limit tree cutting outside of the house footprint. Replant to preserve tree canopy." Solid hedges or use of rows or arborvitae or similar species shall not be allowed.

I. BACKGROUND:

Site and Context

The subject property is currently an undeveloped parcel located in the Canemah National Historic District and is located on the south side of 4th Ave., at the intersection of 4th Ave. and Ganong St. The subject property is within the Geologic Hazards Overlay District and the Willamette River Greenway overlay which will be reviewed through a separate process. There are unimproved sections of City right-of-way located on the east and west side of this property. Primary access to the property would be from the unimproved portion of Ganong St.

Historic records indicate there was originally a small home on the site at the approximate location of the proposed home. No physical evidence of this structure remains.

The segment of 4th Ave between Miller and Ganong has two vernacular homes constructed prior to 1910, a bungalow likely built about 1910 and two new homes constructed in the vernacular style. The home on the north side of the street at 311 Ganong is a non-historic home with Queen Anne elements. A majority of the lots fronting 4th Ave as well as the unimproved right of ways for Hedges and Ganong Streets are vacant due to steeply sloping terrain.

In 2019, a Bungalow-style home was proposed and approved by the HRB (HR 19-04). The approved home had a side-oriented attached lower level garage, which was approved due to the topographic constraints of the property.



Aerial photo and topography (2ft contours)



Vicinity Map



Existing Conditions



Driveway from 4th Avenue

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Project Summary:

The applicant has proposed changes to the HRB-approved 2019 design in order to comply with Geologic Hazard standards. As design proceeded it was clear that additional retaining walls would be needed, and that the retaining walls would not meet historic guidelines or the city's Geologic Hazard code. The applicant has proposed a re-orientation of the house in order to minimize the height of retaining walls needed, reduce the amount of site disturbance, and achieve compliance with historic design guidelines. The changes include:

- Retaining walls – Two walls at 5 feet in height, and one wall at 4 feet in height, placed in the rear yard area (south of the house). In 2019, only one retaining wall was proposed.
- Rotating the house 90 degrees so that the front elevation faces unimproved Ganong Street rather than 4th Avenue. The garage doors will remain facing Ganong Street, meaning the garage is on the front elevation.
- Reduction in setback from 4th Avenue right of way to 10 feet. The applicant proposes to plant dogwood trees in the front setback area as visual screening.
- Changes to front porch stair: stair proposed on corner of home, beginning at 4th Ave and wrapping around corner to the front porch which faces Ganong Street.

The applicant submitted the following narrative (full narrative attached as Exhibit 2, this includes only excerpts):

After receiving approval from the Historic Review Board (HRB) on Oct 26th, 2019 that we could move forward with our home design, we hired a geotechnical engineer and a civil engineer to start working on the grading plan and the land use permit. Over the past year and half, with multiple revisions and discussions (as well as a soil testing core sample on our lot, 21 feet deep), we have narrowed down the only solution to be able to build on this lot that will meet the land use guidelines from Oregon City and hopefully, the HRB as well. The structure of the home has not changed, but some things have had to be shifted and redesigned in order to make the plan and the location on the site work.

There are several design changes we have had to implement due to the city code on land use for lots between 25-35% grade. Two of the biggest changes which are needed in order to meet or fall under those requirements per the city engineering team are listed below; retaining wall height and site disturbance. We have come to realize that there is no leeway with the city and their requirements, so we hope to meet their codes and ask for variances with the HRB.

After taking this back to our civil engineer (Tom Sisul, owner of Sisul Engineering for 36 years located in Gladstone, OR) he also concurred, the only way a house can meet both the retaining wall requirement and 40% site disturbance for the city's land use requirements is to either 1) Redesign the house so it's wide and short in depth or 2) Rotate the house 90 degrees so it limits cutting into the hillside. Since designing a home that would be wide and short would not meet either the historic design requirements of a vernacular or craftsmen style home from the early 1900's, the only solution was to rotate the home 90 degrees, so it faces Ganong Street instead of 4th Ave, keeping the integrity, look, and original design that was approved by the HRB.

Additional information provided by the applicant on 8/13/21 included:

Secondly, on the revised drawings from our civil engineer, the east most facing of the wall is about 195 or 196 feet elevation. The garage slab will actually be at 190FT elevation THEREFORE THE lower level where the garage will be is going to be excavated OUT and the house will actually be lower than grade level there, reducing the massing of that "daylight basement" by at least 5 feet.

Proposed site plan: 2021



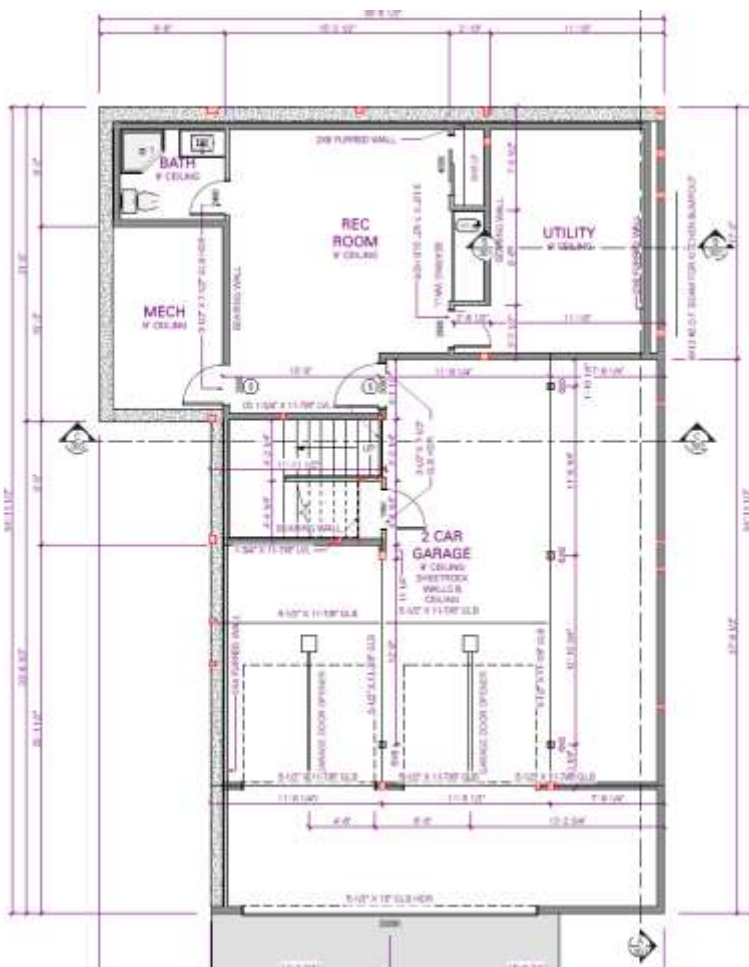


Renderings - 2021



More renderings - 2021

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Floorplan: Ground floor (2021)

HR 21-18







Front elevation – facing Ganong St. (2021)



Side elevation – facing 4th Ave (2021)



Side elevation – facing away from street (2021)



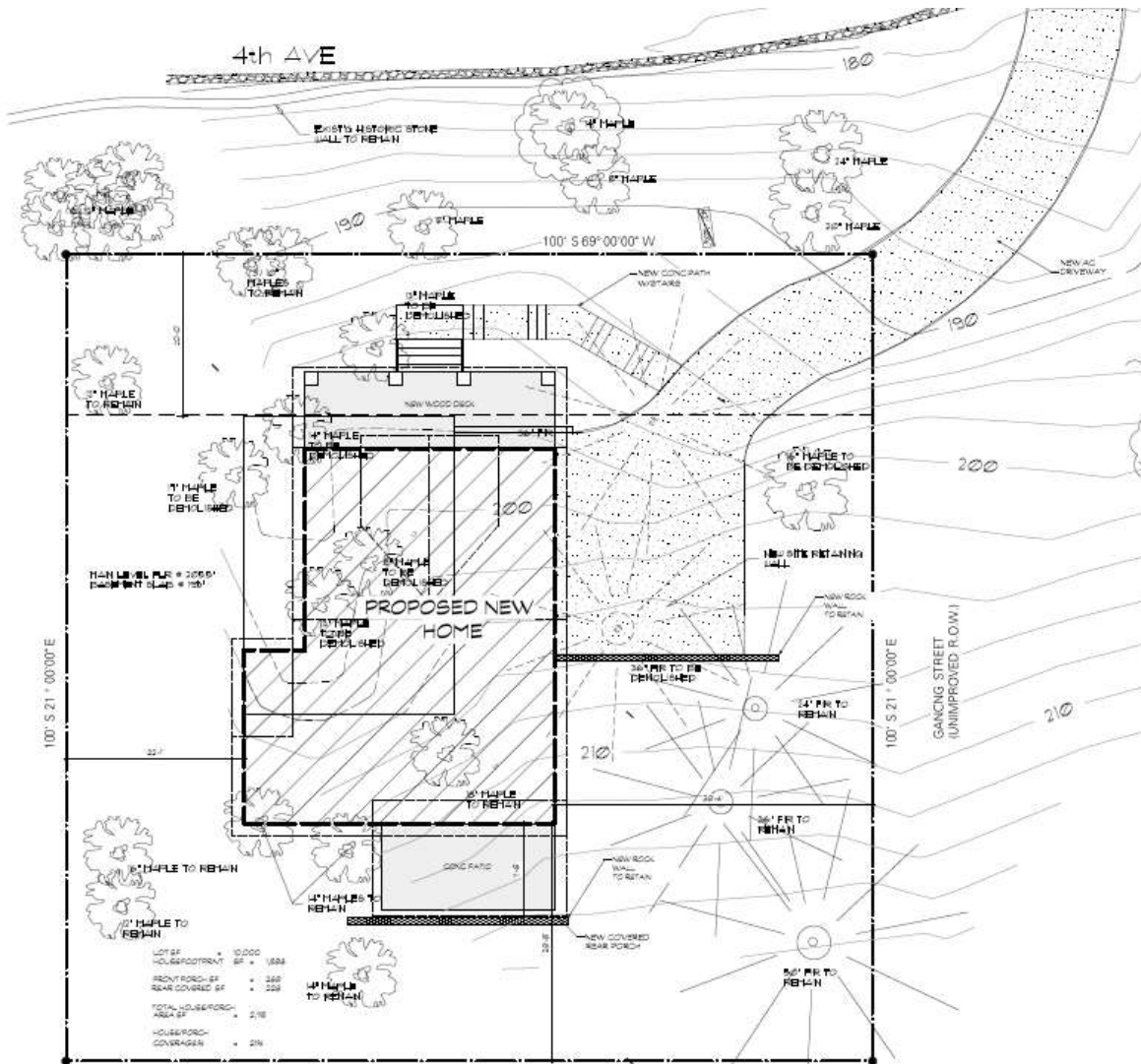
Rear elevation (2021)

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Elevation measurements (subject to change based on revised plans):

- Rock wall base/4th Ave street level: 180 feet elevation
- Garage slab: 192 feet elevation
- Main floor elevation: 202 feet (Rises 22 feet over approximately 33 feet horizontal distance.)
- Total height to peak: (35.5 feet in height from garage slab) 227.5 feet.

The following drawings are part of the original 2019 application.



Site Plan - 2019



Rendering - 2019



View from corner - 2019

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Front elevation - 2019



East elevation - 2019



West elevation - 2019



Rear elevation - 2019

Description of Surrounding Area

The lots directly to the south and west of the subject site are currently vacant, and the homes located at 311 Ganong St. and 349 5th Ave., are not listed on either the local or national register of historic places. There are two homes listed on the Historic Register or potentially eligible directly adjacent to the subject site, those homes are located at 207 4th Ave. and 211 5th Ave.



207 4th Ave.

Directly to the north of the proposed development is the Charles and Sarah Toole Residence. This 2 story house has a gabled roof and one over one shingles. Currently Masonite shingles cover the original shiplap siding. Statement of Significance: *Charles Toole, born in 1863, was a woolsorter at the Oregon City Woolen Mill at the turn of the century. His wife, Sarah, was born in 1868 in England, and emigrated to the United States in 1884. They had seven children. The house is significant for its age; it is a typical vernacular structure for turn-of-the-century Oregon City. Within the Canemah NR District, it is classified as a Secondary structure. The home has been altered and was deemed not contributing in 2008 after being identified as a secondary resource in 1983.*



211 5th Ave.

This home is located to the southeast of the subject site and listed as the Mary Graves House on the register. This is a 2 story home with gabled roof with, wide rakeboards, and four over four double hung windows and shiplap siding. Statement of Significance: The original owner was John Gill, who purchased the property in 1889, when it was built. No biographical information was found on Mr. Gill. The current resident, Crystal Linn, is a daughter of the second owner, Mary Graves, and

former daughter-in-law of Peter Smith, a carpenter who built several houses in Canemah. The house is significant for its age. Within the NR District, it is classified as a Primary structure.



349 5th Ave.

This is a Canemah Vernacular style home that was built circa 2006 and is not listed on the Register of Historic Places



311 Ganong St.

This home is a Queen Anne Vernacular home that was built circa 1996 and is not listed on the Register of historic places.



408 4th Avenue

This home is contributing within the district but has no historical information associated with it. Built circa 1910, the bungalow features a shed dormer on the front, a wrap-around front porch that may have been a later addition, and eclectic styling elements.

Zoning:

The property is zoned R-6 Single-Family Dwelling District and Low Density Residential in the Comprehensive Plan. The property is also located within the Willamette River Greenway, Geologic Hazard and Natural Resource Overlay Districts. The applicant must receive approval through the Geologic Hazard and Willamette River Greenway review processes prior to issuance of building permits. The site has been approved with an NROD verification (NR 17-08) which determined that the protected natural resources are uphill of the subject property and are greater than 150 feet from the property.

Notice and Public Comment:

A public notice was sent to neighbors with 300 feet of the subject property, posted online, emailed to various entities, and posted onsite. Public comments received include:

- Karen Blaha submitted a letter which stated the proposal complies with the guidelines and urged approval with no changes. Karen also submitted a letter requesting that Paul Edgar recuse himself from the hearing. At the first hearing on August 24, 2021, Mr. Edgar responded to this request indicating that he is not biased and has no conflicts of interest. Mr. Edgar did not recuse himself from the matter.
- Chris Sweet submitted a letter that includes the statement “when the historic guidelines are not consistent with the Geological Hazard code, the HRB should give precedence to allow the applicant to re-orient the home to minimize height of retaining walls and reduce the amount of site disturbance.”
- Susan Borger submitted a similar comment to Chris Sweet’s letter urging the Board’s approval of the plan.
- The Canemah Neighborhood Association steering Committee submitted a letter which states “A quorum of the CNA Steering Committee members voted unanimously to support the applicant’s revised plans on this application and strongly urge HRB approval of this home in the Canemah National Register Historic District.”
The Canemah Neighborhood Association also submitted a letter dated September 17, 2021, stating “CNA members voted unanimously to support the applicant’s revised plans, including the

rotation of the primary façade to face the Ganong Street right-of-way, the placement of the garage, and the overall appearance of the proposed home.”

- Dave Green submitted a letter which states” It seems apparent the applicant has gone to great lengths interacting with design professionals and city engineers to craft a design that will meet the variety of rigorous requirements on a challenging lot in this neighborhood and in my view achieved a very pleasing result.”
- Linda Baysinger testified at the first hearing, commenting that Paul Edgar does have bias toward this property and should recuse himself. At the first hearing on August 24, 2021, Mr. Edgar responded to this request indicating that he is not biased and has no conflicts of interest. Mr. Edgar did not recuse himself from the matter. Linda also commented that the design meets the guidelines that the retaining walls would be compatible, and that tree preservation would break up the massing.
- Ron Bistline testified at the first hearing that the subject site is a challenging lot, and that the Board must approve the house footprint prior to a Geologic Hazard review, which can mean two HRB reviews and a lot of time and cost. He testified that the design meets the guidelines and preserves the basalt wall on 4th Avenue. Ron also mentioned removal of ivy to preserve trees and asked about whether a pedestrian connection was required or just a recommendation.
- Josh Wheeler, Assistant City Engineer, submitted a land use transmittal response stating that the following would be required:
 - New structure will be required to have a water and sanitary sewer service per City Standards with appropriate permit.
 - Property may be required right of way dedication or road improvements per OCMC 16.12.11 or may require a modification to meet the standard.
 - Property will be required to obtain a right of way permit for any proposed driveway.
 - Property is required to meet Geologic Hazards Code OCMC 17.44 with respect to density: maximum 1 dwelling unit allowed and with respect to disturbance : 4,000 sf maximum or 50% of the size of the lot, whichever is smaller. It shall meet all portions of the OCMC 17.44 which relates to numerous other items such as cuts and fills and retaining wall height

Staff has recommended some conditions of approval to allow for adjustments that may be required by the Engineering Department through Geologic Hazard review or right-of-way permit requirements.

- The Building Division submitted a response indicating that the proposal does not conflict with their interests.

None of the comments submitted indicate criteria or guidelines that cannot be met.

APPLICABLE CRITERIA:

17.40.060 - Exterior alteration and new construction.

- A. *Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

Applicable: The proposal for new construction in a historic district is being reviewed by the Historic Review Board.

- B. *Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

Complies as Proposed: The applicant submitted the required materials.

- C. *Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,*

1. *A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and*
2. *A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.*

If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

Complies as Proposed. Oregon SHPO and the Native American tribes listed above were notified of the proposed ground disturbance in 2017 when the property was the subject of a separate land use application, also for a single family home. A response was received from SHPO and the Warm Springs tribe (project is referred to as PA 16-45 at the time) and is in the City's files for this project. The letter indicates the level of recommended archaeological monitoring on the site.

- D. [1.] *The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.*

Applicable: The proposal is being reviewed by the Historic Review Board.

2. *The following exterior alterations to historic sites may be subject to administrative approval:*
 - a. *Work that conforms to the adopted Historic Review Board Policies.*

Not Applicable: The proposal is not subject to administrative approval.

- E. *For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:*

Not Applicable: The proposal is not an exterior alteration.

- F. *For construction of new structures in an historic or conservation district, or on an historic site, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall include the following:*
1. *The purpose of the historic conservation district as set forth in Section 17.40.010;*

Finding: Complies with Conditions.

The purpose of the district is:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;
- C. Complement any National Register Historic districts designated in the city;
- D. Stabilize and improve property values in such districts;
- E. Foster civic pride in the beauty and noble accomplishments of the past;
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- G. Strengthen the economy of the city;
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and
- I. Carry out the provisions of LCDC Goal 5.

Finding: See findings from HR-19-04 and within the design guidelines section of this staff report.

2. *The provisions of the city comprehensive plan;*

There are a few goals and policies in the Comprehensive Plan that pertain to this proposal:

Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River. Canemah was listed as a Historic District in the National Register of Historic Places in 1977.

Goal 5.3 Historic Resources

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: See findings from HR-19-04 and within the design guidelines section of this staff report.

3. *The economic effect of the new proposed structure on the historic value of the district or historic site;*

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Finding: See findings from HR-19-04 and within the design guidelines section of this staff report.

4. *The effect of the proposed new structure on the historic value of the district or historic site;*

Finding: Complies with Condition. See findings from HR-19-04 and within the design guidelines section of this staff report. The house is proposed to face directly north towards 4th Ave.

There is a historic basalt rock wall that lines 4th Ave and the northern side of the property. The elevation from the street up to where the house will sit is at approximately 20 feet. The home will sit an additional 10 feet back behind the property line to ensure no disturbance to the historic rock retaining wall. The applicant has added a pedestrian connection to 4th avenue via a staircase leading down the hill, parallel with the driveway. The staircase may require disturbance to a small portion of the historic rock wall at 4th Avenue. While the pedestrian connection is required by guidelines for access, the impact on the wall may not be appropriate. Other homes built in Canemah in the last 20 years include pedestrian access, two examples are on 5th Avenue, shown in images below.



4th Avenue rock wall existing conditions.



Homes with pedestrian access on 5th Avenue in Canemah. Driveway access is from 4th and unimproved Hedges Street. The staircases also provide access to the mailbox locations for these homes.

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USE OF SITE	<i>How the site is planned to be used.</i>	
ASPECT	PRINCIPLE — GOOD EXAMPLE	NOT ALLOWED
Access	Houses and Commercial buildings to have direct pedestrian access from the public sidewalk street to the main entry. Typically, the shortest path, unless topographic considerations Vehicle access to be along side of building, at rear or from alley 	Lack of sidewalk to main entry, circuitous path. Vehicle drive in front of primary façade 

The connecting pedestrian stair is consistent with the guidelines and would provide access to the property that would allow for access without having to walk up the steep driveway. Staff is looking for direction from the HRB regarding the impact of the stair on the historic basalt wall. If the Board finds that maintaining the full length of the rock wall is necessary to protect the character of the district, then the Board can waive the pedestrian access. If approved by the HRB, the applicant shall limit the width of the stair to 4 feet or less. The stair stonework or finishing shall be differentiated from the old basalt stones in the wall to allow observers to understand that the staircase is not historic.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

5. *The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure;*

Finding: See findings from HR-19-04 and within the design guidelines section of this staff report.

6. *Economic, social, environmental and energy consequences;*

Finding: S See findings from HR-19-04 and within the design guidelines section of this staff report.

7. *Design guidelines adopted by the historic review board.*

1. STYLE

New construction shall complement one of these styles to support the historic context. Use of other styles dilutes and distracts from the historic context of the district.

While there may be several styles dominant within the district, the specific choice of a style shall be compatible with adjacent properties, the block, and the neighborhood. It also must be fitting for the particular function of the building and its size.

Finding: The style was approved through HR-19-04 and is not proposed to change. The style is a craftsman bungalow.

2. SITE

Siting principles involve both how the site is used and how the building(s) is placed within the site. The specific lot location and its topography can dictate many requirements.

Residential buildings are to face the street squarely with their primary face in full view, and to be set back from lot lines and be spaced from one another similar to the immediate neighborhood. The primary structure is to be placed in the primary position with accessory structures in a service or ancillary position except where topography is an issue. Yard area between the house and street to primarily be planted with minimal paving only for pedestrian access and for vehicle movement. More private activity spaces to be located at the less public areas of the site.

SITE CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- No uniform front setback; South of 3rd Street: houses may face front or side depending on topography, and may be irregularly situated.
- Lots range from 50x100 to 100x100 and contain a single house.
- Properties edges often not defined; Where fenced, primarily picket or low slat at front with side or partial returns.
- Planting: South of 3rd Street: forest setting, native and ornamental plantings form visual screen and sense of privacy; Elsewhere on the more level portions: lawn and planted area around buildings.
- House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
- Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
- Garages: Not found historically; informal graveled or paved parking next to street or along house; New garages to be located along side or behind house. Where topography is a concern, locate garage offset from building primary façade, close to street with direct access.
- Accessory Buildings: detached, behind along side of house and located to allow use of particular function.
- Streets: South of 3rd Street: narrow, without curbs or sidewalks; casual pedestrian paths and connecting stairs are encouraged.

Finding: See findings from HR-19-04. The applicant has proposed changes to the HRB-approved 2019 design in order to comply with Geologic Hazard standards. As design proceeded it was clear that additional retaining walls would be needed, and that the retaining walls would not meet historic guidelines or the city's Geologic Hazard code. The applicant has proposed a re-orientation of the house in order to minimize the height of retaining walls needed, reduce the amount of site disturbance, and achieve compliance with historic design guidelines. The changes include:

- Retaining walls – Two walls at 5 feet in height, and one wall at 4 feet in height, placed in the rear yard area (south of the house). In 2019, only one retaining wall was proposed.
- Rotating the house 90 degrees so that the front elevation faces unimproved Ganong Street rather than 4th Avenue. The garage doors will remain facing Ganong Street, meaning the garage is on the front elevation.
- Reduction in setback from 4th Avenue right of way to 10 feet. The applicant proposes to plant dogwood trees in the front setback area as visual screening.
- Changes to front porch stair: stair proposed on corner of home, beginning at 4th Ave and wrapping around corner to the front porch which faces Ganong Street.
- Concrete staircase to add pedestrian connection to 4th Avenue

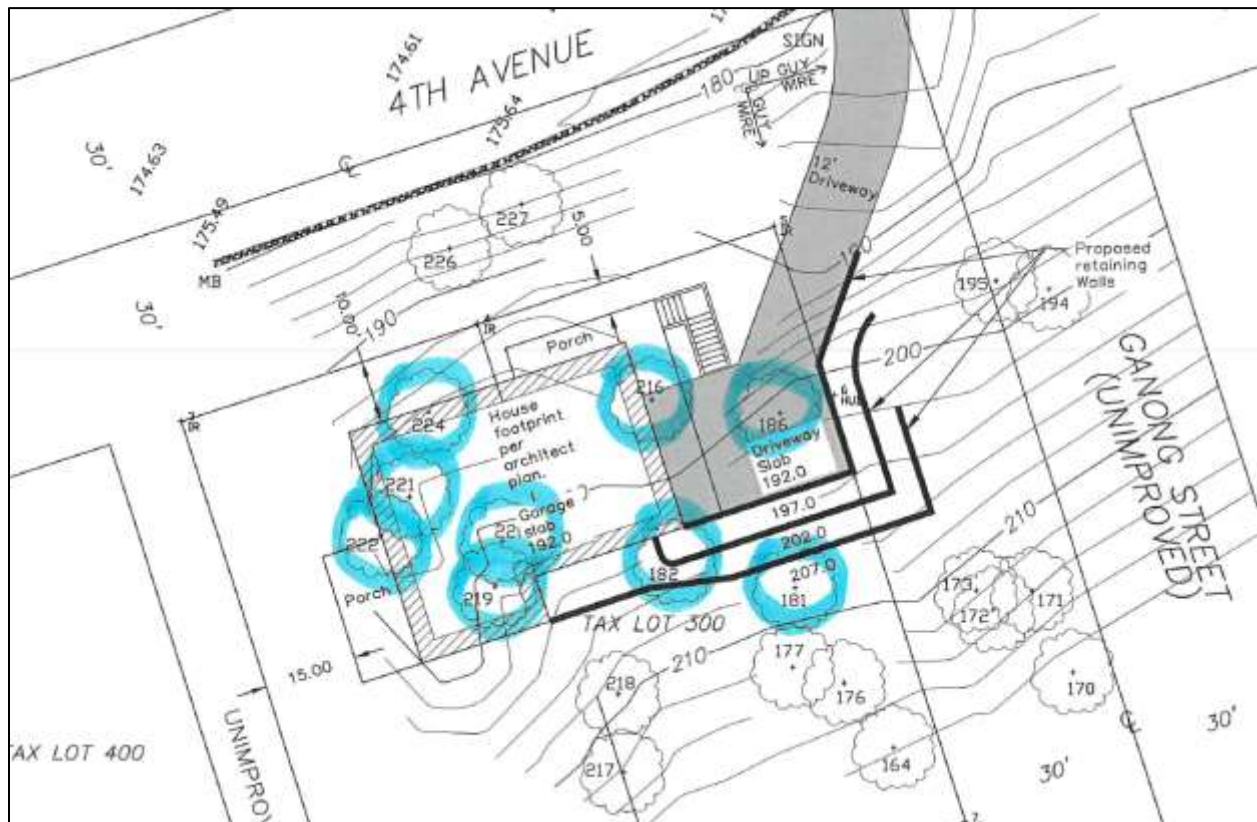
RETAINING WALLS

Due to the topography of the site, significant retaining walls have been included in the proposed plan. The updated site plan includes three retaining walls on the SE corner of the home. The first wall is an L-shape that frames the driveway. This wall is 5 feet in height. The second wall is set back 5 feet from the first wall and is also 5 feet in height. The third wall is setback another 5 feet and is 4 feet in height. The walls will be visible from Ganong Street. In order to reduce the visual impact, the applicant has proposed landscaping in the spaces between the walls, to provide a softening and screening effect. The City's

Design Guidelines for new construction call for retaining walls to be minimized. While a total of 14 feet of retaining wall height is quite significant, the applicant has minimized the wall heights to the extent possible by re-orienting the house. If the HRB finds that the overall effect of the house mass plus the retaining walls would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to reduce the footprint of the house to further minimize grading and disturbance.

Retaining walls in the right of way (unimproved Ganong Street) would require a permanent obstruction in the right of way permit approval by the City Commission. The applicant has not sought this approval. If it is not approved or not sought, the applicant may adjust the site plan as needed to accommodate all the retaining walls on private property. Adjustments that would be acceptable include:
Reducing the depth of the home, the front porch, or the rear porch, adjusting the location or width of the driveway, or reducing the size of the driveway pad.

TREE REMOVAL AND LANDSCAPING



The applicant has identified that 9 trees are required to be removed. This assumption is similar to the previously approved plan; in which case the HRB required a condition of approval to plant four 1.5" caliper trees. Due to the increase length of the façade along 4th Avenue, staff recommends that two additional trees be required.

The applicant shall submit a final landscaping plan to staff prior to installation of landscaping. Staff shall verify that the plans meets the guideline: "Canemah, South of 3rd: native planting mixture, large shrubs and trees are appropriate for any yard. Houses to maintain a sense of privacy to each other. Minimize the removal of trees over 6" in diameter by adjusting house siting, limit tree cutting outside of the house

footprint. Replant to preserve tree canopy.” Solid hedges or use of rows or arborvitae or similar species shall not be allowed.

HOUSE PLACEMENT

The change in orientation meets the guidelines, which allow for “houses may face front or side depending on topography, and may be irregularly situated.”

The applicant has proposed a new design that results in the garage doors on the front elevation of the home. The Board had previously approved a tuck under garage on a side elevation, finding that the topographical constraints on the property made the attached, tuck under garage appropriate in the district. Now that the front of the house will be directly above the garage, the design is less compatible. However, the applicant has proposed to mitigate by recessing the garage entrance under the front porch so that it is less visible. The impact of the garage is visually reduced by this design element. However, the mere existence of the lower level means that the mass of the house is quite large, and the wall length along 4th Avenue is significant. The applicant has increased the excavation on site to place the lower level partially below ground to reduce the massing. Staff needs HRB direction on if the balance of grading and massing is appropriate and consistent with the intent of the design guidelines. If the HRB finds that the garage would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to eliminate or reduce the size of the garage.

The connecting pedestrian stair is consistent with the guidelines. The applicant shall limit the width of the stair to 4 feet or less.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

3. BUILDING FORM

Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style.

BUILDING FORM CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- Building form is difficult to modify for additions, but has versatile floor plan.
- More emphasis on the horizontal than Vernacular; this extends into porch, dormer and window design; more ‘ground hugging’.
- Shape: floor plans are either rectangular, or square
- Height: One, or more often one-and-a-half stories high; possible basement.
- Proportions: Height to width approximately 1:1½; Height to Depth: 1: no more than 2 for main building portion not including front porch.
- Roof: Low-pitched (6:12 maximum) gable roof; front or side facing.
- Bays: possible single story, cantilevered, and rectangular located on side of house.
- Porch: Prominent front porch, roof supported with simple posts (less bulky than in McLoughlin); roof often continues down to create cover over porch; at main story only.

Finding: See findings from HR-19-04. The applicant has proposed a re-orientation of the house in order to minimize the height of retaining walls needed, reduce the amount of site disturbance, and achieve compliance with historic design guidelines.

The applicant has proposed to mitigate for the attached garage under the front façade of the home by recessing the garage entrance under the front porch so that it is less visible. The impact of the garage is visually reduced by this design element. However, the mere existence of the lower level means that the mass of the house is quite large, and the wall length along 4th Avenue is significant. The applicant has increased the excavation on site to place the lower level partially below ground to reduce the massing. A maximum of 5 feet of exposed ground floor wall is permitted along 4th Avenue frontage. If the HRB finds that the garage would have an adverse effect on the character of the historic district, staff recommends a denial with additional findings, or conditions of approval to eliminate or reduce the size of the garage.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

4. DESIGN COMPOSITION

Include a range of more detailed design issues that address groups of elements, individual elements, their design and how they relate to the overall composition and finish. The principles place a traditional emphasis on the design's composition as seen from the exterior, rather than as a result of interior functional planning requirements. They also outwardly convey a sense of quality craftsmanship.

The design composition principles, being more detailed, and stylistically dependent, are typically developed after the previous principles are resolved. These principles also reflect historically appropriate materials, respective finishes, and unobtrusive integration of new technology.

DESIGN COMPOSITION CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- Front façade can be symmetrical or asymmetrical
- Porch: full, not typically wrap-around front porches.
- Roof Overhang: wide, over-hanging eaves and exposed rafter tails; decorative knee brackets under eaves.
- Dormers: single front facing; with lower slope gable or shed roofs
- Chimneys: at interior or projecting on side of house, usually brick.
- Siding: horizontal board siding; typically bevel profile (occasionally shiplap), shingle siding; or a combination, such as horizontal boards on the first floor with shingles on the second floor, or just in the gable or dormer.
- Windows: double-hung; 1:1; large fixed window flanked by two smaller double-hung windows.
- Windows At Dormers: smaller, often grouped at shed dormers; fixed or casement style where smaller.
- Finishes: generally earth tones; no white doors or windows.

Finding: Complies with Condition. Most design elements and materials are not proposed to change. See findings from HR-19-04.

WRAP-AROUND PORCH

The applicant has also added a wrap around porch to break up the massing on the street-facing façade. The design guidelines for bungalows in Canemah note that front porches are not typically wrap-around. Staff's recommendation to the Board is that the wrap around porch is not necessary to reduce the massing. While it does not appear to be extremely visually obtrusive, it may be more visually impactful in reality when viewed from the street below. It also requires a preservation incentive for corner side

setbacks since it will be closer than 10 feet from the property line. Overall, staff finds that the downsides of the porch may outweigh the advantages, and recommends that the Board consider not allowing the wrap around porch.

WINDOWS

The windows on the rear dormer are no longer rear-facing with the re-orientation of the house. These windows will now be visible from 4th Avenue. The proposed windows appear are not 1-over-1. The applicant shall ensure that the windows on the rear dormer are 1-over-1 design with a depth difference between the top and bottom sash. A simulated divided lite is acceptable if the depth difference can be achieved.

In order to achieve the depth and shadowline of wood windows, the applicant shall include an exterior 2-by sill that projects beyond the window casing on all windows. The depth of the upper sashes shall be at least 2" from the trim. The applicant shall submit the window product details along with a section view to staff for verification that this condition is met, prior to window installation. The applicant was approved to use Andersen Fibrex material windows through HR-19-04. If these windows cannot meet the conditions of approval, other products may be utilized as long as they are not vinyl window products.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

17.40.065 - Historic Preservation Incentives.

A. Purpose. *Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.*

B. Eligibility for Historic Preservation Incentives. *All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).*

C. Incentives Allowed. *The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.*

D. Process. *The applicant must request the incentive at the time of application to the Historic Review Board.*

Finding: Complies with Condition. Staff does not recommend a preservation incentive for the wrap around porch.

The applicant requested a preservation incentive for the stair leading to the front porch. Parts of the staircase project into the required setback of 10 feet. Due to the large distance between the street pavement and the house, staff finds that the impact of the reduced setback is minimal.

Due to the large height of the stair and how prominent the white posts and railing would look from the street, reducing the width and size to the minimum allowed will minimize its impact. If any lower portion of the stair can be handled by an-at-grade concrete or stone stair rather than an elevated wood staircase, the applicant shall utilize concrete or stone. The applicant shall construct the minimum staircase width and landing area sizes to meet building code, and no larger.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

Exhibits

1. Vicinity Map
2. Applicant Submittal
3. HR-19-04 Staff Report and Notice of Decision
4. Letters from SHPO and Confederated Tribes of Warm Springs
5. Photos



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- ☐ Annexation
- ☐ Code Interpretation / Similar Use
- ☐ Concept Development Plan
- ☐ Conditional Use
- ☐ Comprehensive Plan Amendment (Text/Map)
- ☐ Detailed Development Plan
- ☒ Historic Review
- ☐ Municipal Code Amendment
- ☒ Variance ???
- ☐ Zone Change

File Number(s): ~~GLUA-19-00029/HR-19-04~~ GLUA-21-000042/HR-21-00018

Proposed Land Use or Activity: Residential Single family, new construction
home in the Canemah District revision to HR-19-04

Project Name: AHAUS Number of Lots Proposed (If Applicable): 1

Physical Address of Site: 3006 4th Ave, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): 3-2E-06BB / 00300

Applicant(s):

Applicant(s) Signature: [Signature] Taryn Lust

Applicant(s) Name Printed: Tim Ahaus Taryn Lust Date: 7/19/2021

Mailing Address: 20748 Viewpoint Rd, West Linn, OR 97068

Phone: 971 506 0751 Fax: _____ Email: tahause@lexarhomes.com

Property Owner(s):

Property Owner(s) Signature: [Signature] Taryn Lust

Property Owner(s) Name Printed: Tim Ahaus Taryn Lust Date: 7/19/2021

Mailing Address: 20748 Viewpoint Rd, West Linn, OR 97068

Phone: 971 506 0751 Fax: _____ Email: tahause@lexarhomes.com

Representative(s):

Representative(s) Signature: (Same As Above)

Representative (s) Name Printed: _____ Date: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

Ahaus Project Revisions – 306 4th Ave

After receiving approval from the Historic Review Board (HRB) on Oct 26th, 2019 that we could move forward with our home design, we hired a geotechnical engineer and a civil engineer to start working on the grading plan and the land use permit. Over the past year and half, with multiple revisions and discussions (as well as a soil testing core sample on our lot, 21 feet deep), we have narrowed down the only solution to be able to build on this lot that will meet the land use guidelines from Oregon City and hopefully, the HRB as well. The structure of the home has not changed, but some things have had to be shifted and redesigned in order to make the plan and the location on the site work.

There are several design changes we have had to implement due to the city code on land use for lots between 25-35% grade. Two of the biggest changes which are needed in order to meet or fall under those requirements per the city engineering team are listed below; retaining wall height and site disturbance. We have come to realize that there is no leeway with the city and their requirements, so we hope to meet their codes and ask for variances with the HRB.

Retaining Walls

After our home and site location was approved by HRB, we sent that into our civil and geotechnical engineer to start working on a grading plan that would be used for a land use permit with the city. After going through location of the home and approach, retaining walls were added to the project. Due to the steep slope of the lot from north to south, the house would have to be cut into the hillside with retaining walls on the southeast side and the south side. Retaining walls would have had to have been (2) 30FT wide by 6FT tall and (2) 70FT long x 6FT tall; creating 24FT total height of retaining walls. City code states, no cuts or retaining wall total height can be more than 15FT. The original plan puts the retaining walls **9FT over** what the city would allow (15FT) and our original house plan will not pass the land use code for this.

40% Site Disturbance

Our original home and location on the lot that was approved has the house facing north towards 4th Ave and garage bays under the home on the east side in a “daylight basement” situation. There is a natural driveway up from the unimproved Ganong Street and Right of Way onto our lot from the corners of 4th and Ganong. Due to the house footprint, the driveway and garage apron, and the amount of retaining walls, total site disturbance is estimated to be between 60-63% of the lot size (10,000 sqft). The city requirement of site disturbance for a lot in the 25-35% grade level is 50% of the size of the lot or 4,000 sqft, whichever is less. Our original plan and site would be **over** the city’s requirement by half (60% vs 40%). The original plan will not pass the land use code per city engineer.

Revisions and Solutions

After multiple emails with the city engineer, a virtual meeting was set between us, the city engineer, the city planner, and the city’s outside engineering consultant on January 21st, 2021. The meeting was held to help answer some design questions and to present some issues our own civil engineer was coming up against in the grading plan and incorporating the city requirements of retaining walls and site disturbance.

After presenting the problems and issues of the lot, the city engineer said the best way to get a structure on this lot was to have the bulk of the structure face east-west to eliminate cutting into the hillside thus reducing retaining walls and overall site disturbance.

After taking this back to our civil engineer (Tom Sisul, owner of Sisul Engineering for 36 years located in Gladstone, OR) he also concurred, the only way a house can meet both the retaining wall requirement and 40% site disturbance for the city's land use requirements is to either 1) Redesign the house so it's wide and short in depth or 2) Rotate the house 90 degrees so it limits cutting into the hillside. Since designing a home that would be wide and short would not meet either the historic design requirements of a vernacular or craftsmen style home from the early 1900's, the only solution was to rotate the home 90 degrees, so it faces Ganong Street instead of 4th Ave, keeping the integrity, look, and original design that was approved by the HRB.

By rotating the house 90 degrees, we are able to not only reduce the number of retaining walls from (4) rows to (3) rows, but also shorten the height of them as well from 6FT to 5FT meeting the HRB guidelines for retaining wall height. We will have (2) Retaining Walls on the south side of the home that are 5FT tall and (1) retaining wall that will be 4FT tall; also putting us under the city's code requirement of no more than 15FT total height in retaining walls.

By rotating the house 90 degrees, we are able to shorten up the driveway approach thus reducing the garage apron on the lot. Since we are cutting out a full row of retaining wall and limiting to how deep those retaining walls go on the property with the original grading plan, we are able to drastically cut down the site disturbance and grading for the lot. New estimates for site disturbance are 37-40% which should be directly in line with the city requirement of 40% max disturbance for a 25-35% grade lot that is 10,000 sqft and fit within their guidelines for approval.

Variance and Addendum Requests and Solutions

We have had to change a few things around to meet city code requirements that are different than what we were originally approved for through HRB. These are the items and what we are asking for approval from the HRB so we can move forward with a land use permit.

1. **Rotating the house 90 degrees to face unimproved Ganong Street.** In order for us to meet the land use requirements for both retaining wall height and for lot disturbance, we must reduce the amount of cutting into the slope. By having the front of the house face east, the longer part of the house can utilize the "more level" north facing section of the lot, reducing the need for cuts into the slope and retaining walls needed for support.
 - a. *In order to help reduce the massing and the side view of the house facing 4th Ave, we will be planting 3 to 4 Dogwood trees to provide a natural visual buffer. Dogwoods can grow 25FT tall and branch outward the same width.*
2. **Garage bays located under front of house.** Obviously by rotating the house 90 degrees to the east facing side, the approach to the house is in the same location so the garage bays must also be kept in the same location. So now the garage bays are directly under the front of the house and its front porch.
 - a. *We decided to inset the garage bays under the front porch to align with the house front walls, so they are not noticeable from the street, hiding their appearance. By doing this, the garage bays will be masked by the side of the porch itself.*

3. **10FT set back North side of the property line.** We are having to push the side of the house to 10FT from the front/north facing side of the property line that faces 4th Ave in order to reduce cutting into the upward slope on our lot. This allows us to get under the 15FT retaining wall requirement from the land use department.
 - a. ***In order to help reduce the massing and the side view of the house facing 4th Ave, we will be planting 3 to 4 Dogwood trees to provide a natural visual buffer. Dogwoods can grow 25FT tall and branch outward the same width.***
4. **Front Entrance Staircase in north setback.** Since the front of the house is now facing Ganong, the stairs can only be placed on the left side, front, or right side of the home. We cannot place the stairs on the left/south facing side of the house as we will have a retaining wall in that location that would interfere with them. We cannot have the stairs going directly up the middle of the house as it would block the entrance into the garage bays, but also impede us from backing up and turning around in the garage apron to get back out from our lot. So, we must put our staircase on the right/north side of the house using a 90 degree turn in order for it to fit. However, by doing this, the staircase will encroach into the north facing (4th Ave) setback by 5FT and would need a variance so we could enter our house.
 - a. ***In order to help reduce the side view of the staircase facing 4th Ave, we will be planting a Dogwood tree or other tree/shrub to be a natural visual buffer.***

Summary

We have looked at all possible ways to get this project to work. We have looked at lowering the house as much as possible and removing its daylight basement and doing an east side detached garage; this would actually create more grade disturbance and add more retaining walls for TWO structures. We have looked at rotating the house 180 degrees so it faces the opposite direction (south) towards 5th Ave, using unimproved Ganong to come off 5th Ave down to the house; this removed some issues, added other issues, and created a huge massing affect from the 4th Ave side looking at the rear of the house. Our civil engineer said we'd have different types of issues with the 5th Ave approach, but might not be as "functional". We also looked at having the house facing south towards 5th Ave, detaching the garage, and placing it in front of the home (like the some of the north side homes off 4th Ave have now), but again, our civil engineer said we would trading in some issues and gaining others and probably would not be worth it.

If the HRB will grant our new design proposal with the following items above, we will be able to move onto the next stage and process with the land use permit. We have discussed all the options with our civil engineer and have exhausted all possible ideas to meet the Oregon City land use requirements. Thank you for your time and consideration of helping us build our home in the Canemah District and we hope to become part of this wonderful community soon.

GENERAL CONSTRUCTION NOTES:

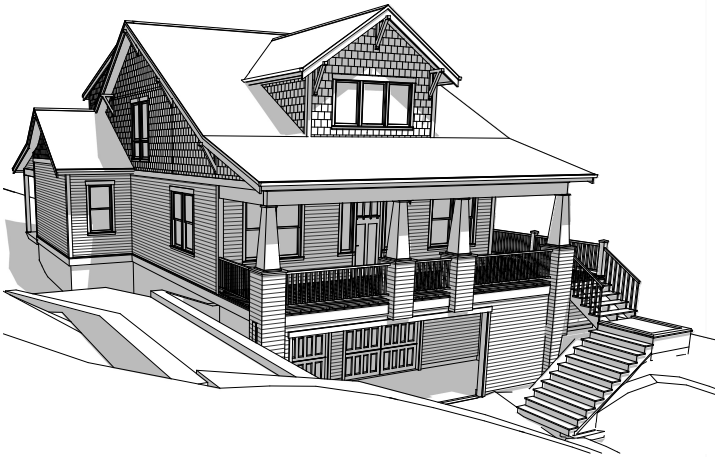
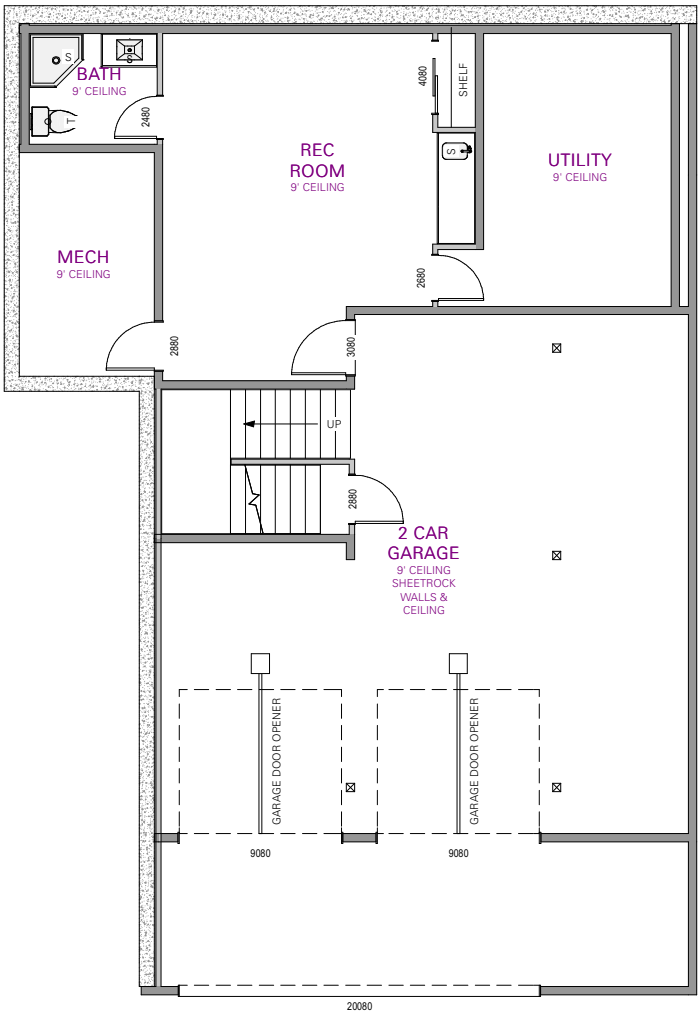
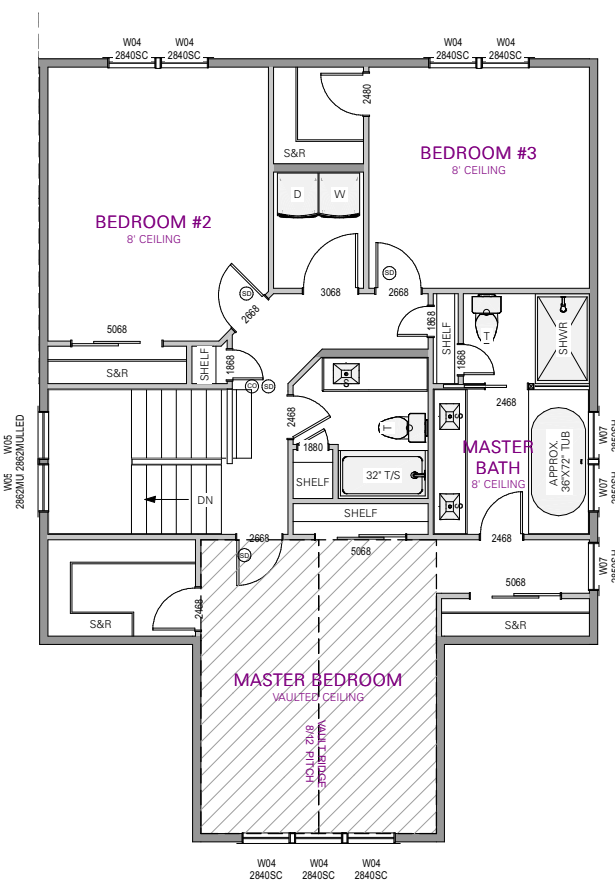
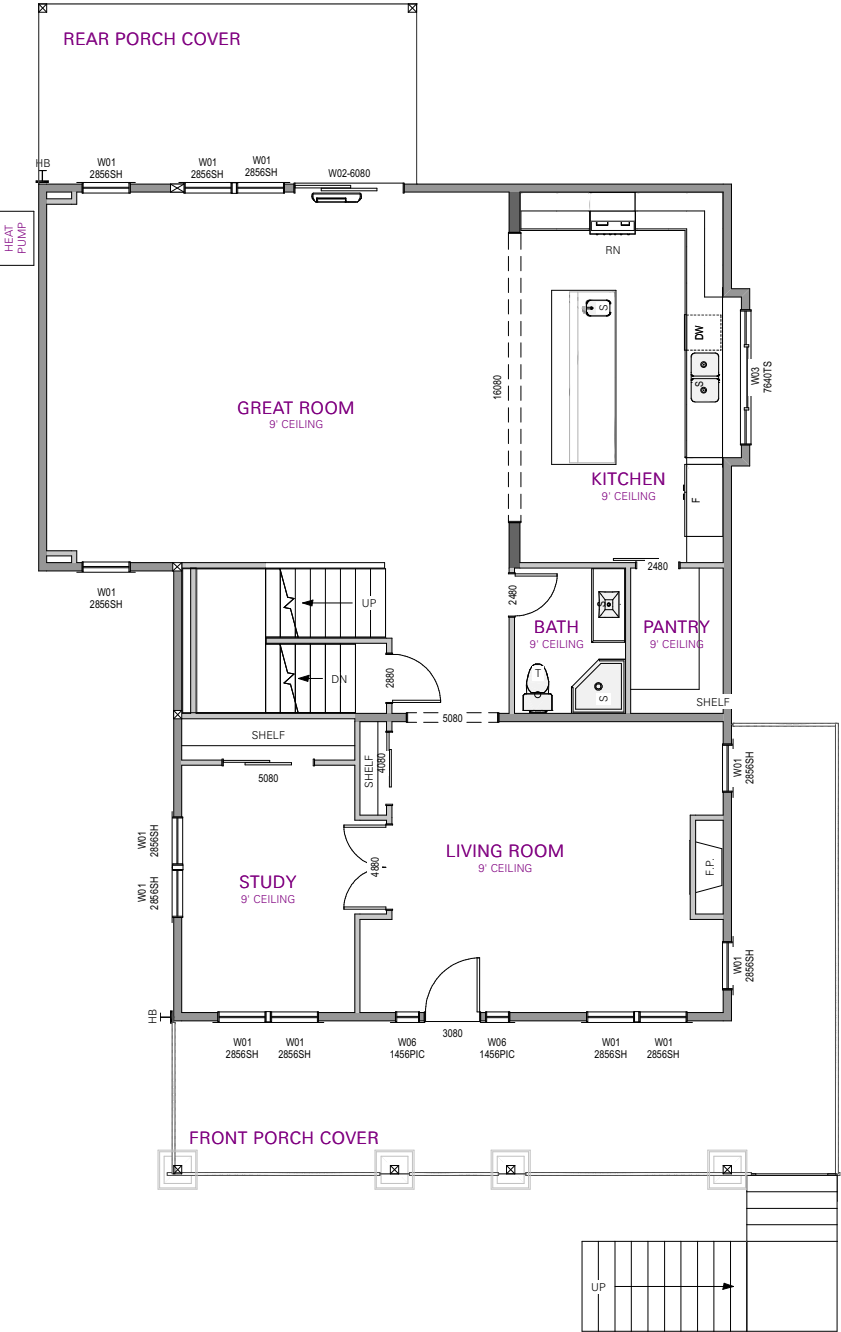
1 - SUB-CONTRACTOR IS RESPONSIBLE FOR THE FOLLOWING:
VERIFYING & MEETING ALL LOCAL & STATE CODE REQUIREMENTS, REVIEWING APPROVED PLANS & COMPLYING WITH ALL APPROVED REQUIREMENTS OF THE ENGINEER & THE BUILDING DEPARTMENT, MEETING ALL SAFETY REQUIREMENTS & STANDARD SAFETY PRACTICES THAT ARE RECOMMENDED & OR REQUIRED BY STATE & LOCAL AUTHORITIES, & VERIFYING ACCURACY OF ALL DIMENSIONS.
DO NOT SCALE THE DRAWINGS! IF DISCREPANCIES OCCUR, PLEASE CONTACT THE DESIGNER.
2 - NO CHANGES ARE TO BE MADE TO THE PLAN WITHOUT THE CONSENT OF THE DESIGNER, ENGINEER & BUILDING DEPARTMENT.
3 - FIRE-BLOCKING IS REQUIRED AT ALL PENETRATIONS AT THE WALLS AND PLATES INCLUDING: PLUMBING, ELECTRICAL & MECHANICAL PENETRATIONS. FIRE-BLOCK AT MIN. 10 FEET O.C. HORIZONTALLY IN WALL CAVITIES.
4 - WATER HEATER IS TO BE INSTALLED PER MANUFACTURER SPECIFICATIONS, 2015 IRC REQUIREMENTS & THE STATE ADOPTED PLUMBING CODE.
TANK MUST BE STRAPPED AT THE UPPER & LOWER THIRD OF THE TANK. AT THE LOWER STRAP, STRAP IS TO BE 4" MIN. ABOVE THE CONTROLS PER 2015 IRC CHAPTER 13 SECTION M1307.2. WHEN INSTALLED IN A GARAGE, ALL APPLIANCES MUST HAVE THE SOURCE OF IGNITION A MIN. OF 18" ABOVE THE SLAB. MECHANICAL/PLUMBING EQUIPMENT IS TO BE PROTECTED FROM IMPACT OF A VEHICLE.
5 - USE 5/8" SHEETROCK OR 1/2" SAG-RESISTANT AT THE CEILING PER 2015 IRC SECTION R702.3.5.
6 - FLASHING IS REQUIRED AT ALL EXTERIOR TRIM EXTRUSIONS, WINDOW SILLS, JAMBS & OTHER AREAS THAT WATER MAY INTRUDE PER THE 2015 IRC. INSTALL WINDOWS PER MFR INSTRUCTIONS.
7 - ALL BEDROOMS ARE TO HAVE AN EGRESS WINDOW WITH A MIN. 20X24 OPENING NOT LESS THAN 5.7 SQUARE FEET.
2015 INTERNATIONAL RESIDENTIAL CODE (IRC)
2015 UNIFORM PLUMBING CODE (UPC)
2017 OREGON RESIDENTIAL SPECIALTY CODE (ORSC)

VENTILATION SYSTEM NOTES:

EXHAUST FANS IN BATHS SHALL BE AS INDICATED ON PLANS WITH 30 CFM CONTINUOUS. TOTAL OF CONTINUOUS CFM RATINGS FOR ALL EXHAUST FANS IN HOUSE SHALL BE IN ACCORDANCE WITH SECTION M1507 OF THE 2015 IRC. SEE TABLE M1507.3.3(1) FOR REQUIRED AMOUNT OF CFM AIRFLOW.

GENERAL STRUCTURAL NOTES:

WIND & SEISMIC HORIZONTAL FORCES IMPOSED ON THIS STRUCTURE ARE RESISTED BY A SYSTEM OF ENGINEERED MEMBERS & FASTENERS DESIGNED TO RESIST THE BASE LOADS SET FORTH BY THE DESIGN CRITERIA. THE HORIZONTAL STRUCTURAL SYSTEM IS ENGINEERED TO TRANSFER THESE LOADS TO A PRESCRIPTIVE FOUNDATION BASED ON THE 2015 IRC. THE PRESCRIPTIVE DESIGN & CONSTRUCTION OF THE VERTICAL FRAMING MEMBERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONVENTIONAL LIGHT FRAME CONSTRUCTION METHODS OF THE 2015 IRC.



3D ISOMETRIC DRAWINGS ARE FOR ILLUSTRATION ONLY! PLANS, DETAILS & ENGINEERING TAKE PRECEDENCE OVER ANY 3D DRAWING WITHIN THIS PLAN.

THE DRAFTING DEPARTMENT HAS NOT UNDERGONE A DESIGN REVIEW FOR THE FUNCTIONALITY OR AESTHETICS OF THIS MODIFIED PLAN. THE CHANGES MADE TO THIS PLAN ARE AT THE DISCRETION OF THE CLIENT & SALES CONSULTANT.

THESE PLANS HAVE BEEN REVIEWED AND APPROVED BY:

TIM AHAUS

SALES ASSOCIATE

DEFINITIONS:

AB: ANCHOR BOLT
APA: THE ENGINEERED WOOD ASSOCIATION (FORMERLY AMERICAN PLYWOOD ASSOCIATION)
BLKG: BLOCKING
BRG: BEARING
BU: BUILT UP
CANT: CANTILEVERED
CONC: CONCRETE
CONT: CONTINUOUS
DBL: DOUBLE
DW: DISHWASHER
DF: DOUGLAS FIR
F: FRIDGE
FDN: FOUNDATION
FRN: FURNACE
FTG: FOOTING
GLB: GLUE LAMINATED BEAM (ALSO GLM)
GWB: GYPSUM WALL BOARD
HF: HEMLOCK FIR
HP: HEAT PUMP
LVL: LAMINATED VENEER LUMBER (ENGINEERED WOOD PRODUCT)
MAX: MAXIMUM
MFR: MANUFACTURER
MIN: MINIMUM
O.C.: ON CENTER (SPACING)
OHD: OVERHEAD DOOR
OSB: ORIENTED STRAND BOARD (SHEATHING)
PTK: PRESSURE TANK
PT: PRESSURE TREATED
PL: POINT LOAD
REQ: REQUIRED
RN: RANGE
S&R: SHELF AND ROD
T&G: TONGUE AND GROOVE
TQW: TOP OF WALL
TYP: TYPICAL
UL: UNDERWRITER LABORATORIES
UNO: UNLESS NOTED OTHERWISE
VH: WATER HEATER
WS: WATER SOFTENER

SHEET INDEX	
LABEL	TITLE
G-000	COVER SHEET
G-001	PERSPECTIVES
S-101	FOUNDATION PLAN
S-102	FLOOR FRAMING PLANS
S-201	LOWER FLOOR BRACED LATERAL PLAN
S-202	MAIN FLOOR BRACED LATERAL PLAN
S-203	UPPER FLOOR BRACED LATERAL PLAN
A-101	LOWER FLOOR PLAN
A-102	MAIN FLOOR PLAN
A-103	UPPER FLOOR PLAN
A-106	ROOF PLAN
A-201	ELEVATIONS
A-301	CROSS SECTIONS
A-302	CROSS SECTIONS
A-303	ENGINEERED WALL SECTIONS
E-101	LOWER & MAIN FLOOR ELECTRICAL PLAN
E-102	UPPER FLOOR ELECTRICAL PLAN

CAD TECHNICIAN:

T. RIELAND
2002 CATON WAY SW
OLYMPIA, WA 98502
360.915.9142 EXT. 123

CONTACT INFORMATION:

CUSTOMER:

TIM AHAUS
306 4TH AVE
OREGON CITY, OR 97045
503.479.7977
PARCEL # - 32E068B

SALES OFFICE:

LEXAR HOMES - PORTLAND OFFICE
221 MOLALLA AVE SUITE 100
OREGON CITY, OR 97045
PHONE: 503.479.7977

DESIGN CRITERIA:

ROOF SNOW LOAD: 25 PSF
WIND SPEED (ASD): 90 MPH
WIND SPEED (ULT): 115 MPH
EXPOSURE: C
SEISMIC ZONE: D
FROST DEPTH: 12"
PLAN SIZE: FULL SIZE
STAMP TYPE: DIGITAL
SS: 0.819
S1: 0.369
SOIL BEARING: 2000 PSF

FLOOR AREAS:

LOWER FLOOR AREA = 567 SQ. FT.
MAIN FLOOR AREA = 1613 SQ. FT.
UPPER FLOOR AREA = 1079 SQ. FT.
TOTAL AREA = 3259 SQ. FT.
2 CAR GARAGE = 756 SQ. FT.
FRONT PORCH COVER = 264 SQ. FT.
REAR PORCH COVER = 210 SQ. FT.

Item #2.

LEXAR HOMES

2002 CATON WAY SW
OLYMPIA, WA 98502
PH (360) 915-9142 EXT. 123
DRAFTING@LEXARHOMES.COM
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PROJECT ID.
100101

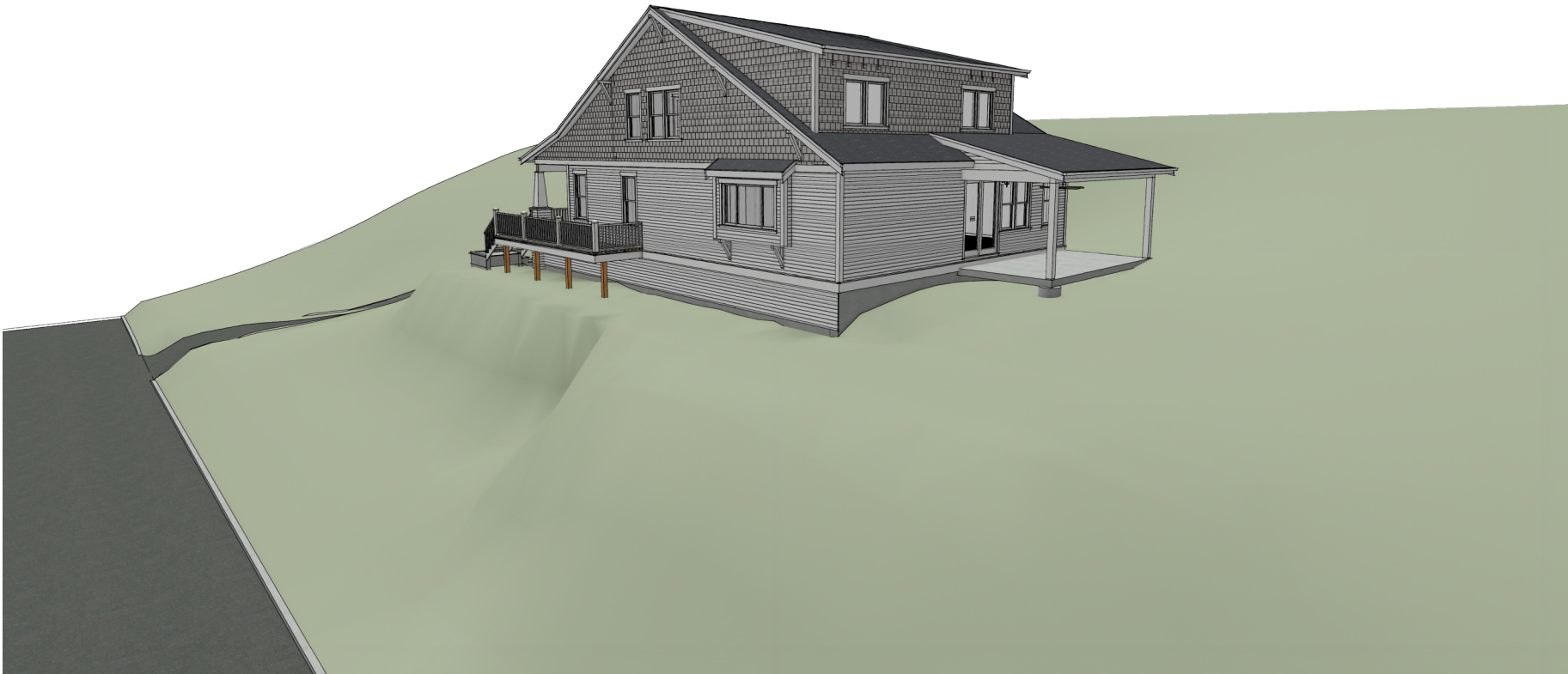
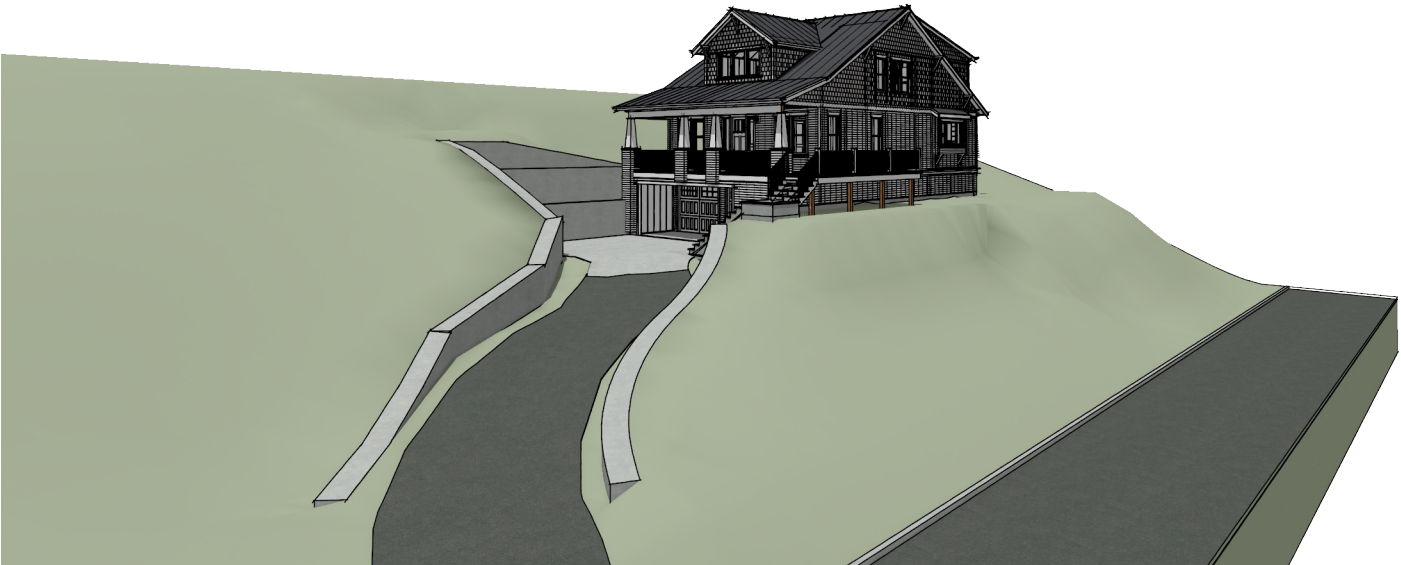
LOCATION:
306 4TH AVE
OREGON CITY, OR 97045
PARCEL ID.
32E068B

CLIENT INFO.
TIM AHAUS
BASE PLAN ID.
CUSTOM

NO.	DATE	REV. BY	DESC.
1	4-13-2020	A.V.	STRUCTURAL

PRINT DATE.
9/1/2021

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REVISION TABLE			
NO.	DATE	REV. BY	DESC.
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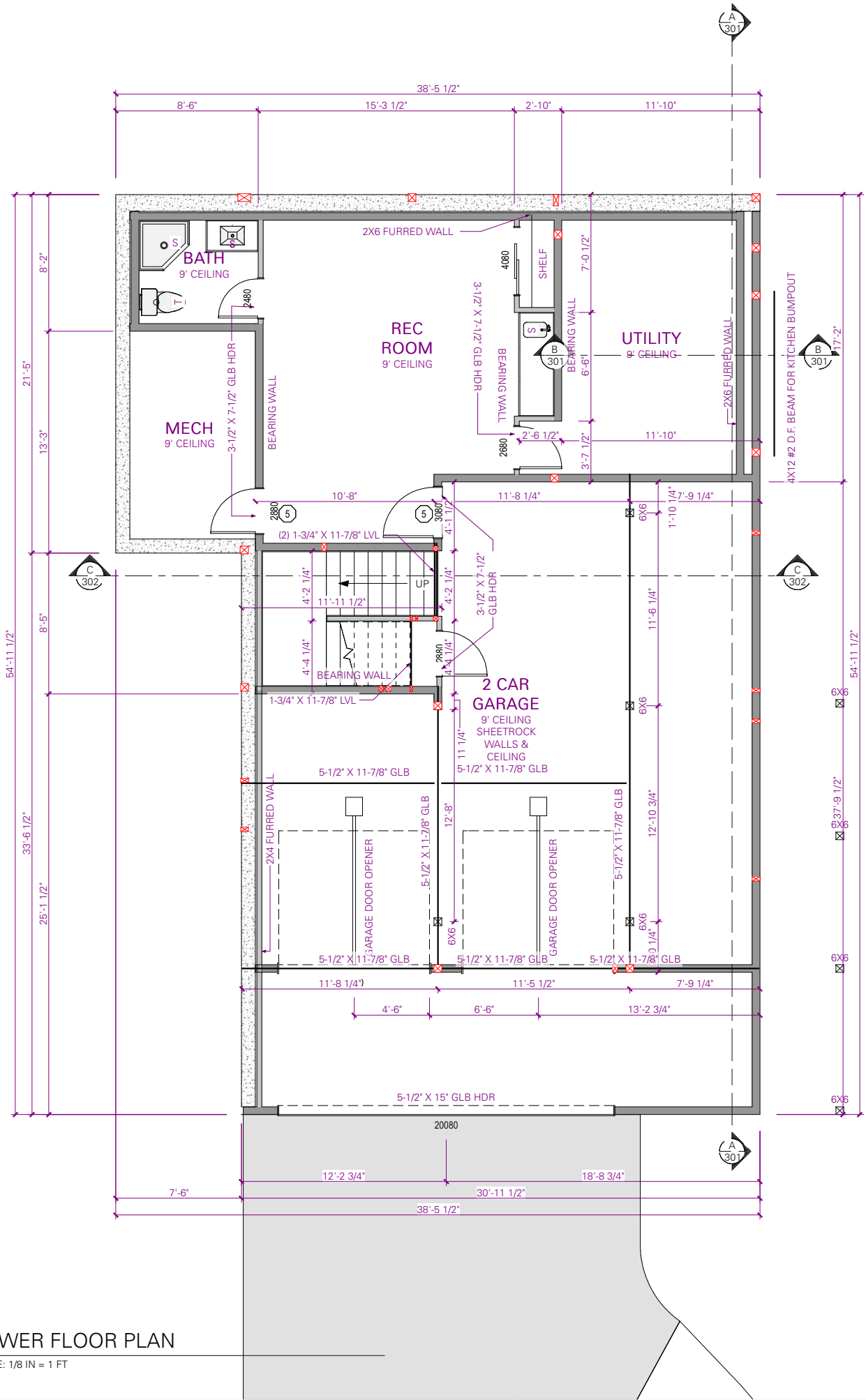
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LOCATION.
308 4TH AVE
OREGON CITY, OR 97045
PARCEL ID.
32E068B

PROJECT ID.
100101

2002 CATON WAY SW
OLYMPIA, WA 98502
PH. (360) 915-9142 EXT. 123
DRAFTING@LEXARHOMES.COM
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FLOOR PLAN NOTES:

- 1 ALL HEADERS ON EXTERIOR WALLS TO BE INSULATED With 2" R-10 RIGID FOAM OR EQ. WHERE ABLE. USE 3-1/2" OR 3-1/8" WIDE HEADERS WHENEVER POSSIBLE TO ACCOMPLISH THIS.
- 2 PROVIDE LANDING (BY OTHERS) AT MIN. 36" DEPTH BY FULL WIDTH OF DOOR. LANDINGS OVER 36" ABOVE GRADE REQUIRE GUARD PER %CODE YEAR% IRC.
- 3 PROVIDE 18" X 24" OPENING FOR CRAWL SPACE ACCESS. PLACE OPENING BETWEEN FLOOR JOISTS. ACCESS TO UNDER FLOOR SPACE PER 2015 IRC R408.4
- 4 PROVIDE A MIN. 22" X 30" ROUGH OPENING FOR ATTIC ACCESS WITH TIGHT FITTING, SELF CLOSING DOOR THAT IS BACKED WITH INSULATION.
- 5 SELF-CLOSING 1-3/8" SOLID CORE (20 MINUTE) FIRE DOOR.
- 6 INSTALL RECESSED DRYER VENT BOX BEHIND DRYER. DRYER VENT TO RUN INTO FOUNDATION TYP. U.N.O.
- 7 PROVIDE 1/8" HARDBOARD WITH FSK PAPER OR EQUIVALENT MOISTURE RATED BOARD BEHIND ALL TUBS & SHOWERS AT EXTERIOR WALLS FOR FULL 6-SIDED INSULATION INSTALL.
- 8 PROVIDE 5/8" TYPE X GWB ON HOUSE/GARAGE COMMON WALLS AS REQUIRED
- 9 PROVIDE CONTINUOUS HANDRAIL ON AT LEAST ONE SIDE, FULL LENGTH OF STAIRS WITH RETURNS AT EACH END. TOP OF HANDRAIL SHALL BE NOT LESS THAN 34" & NOT MORE THAN 38" ABOVE NOSING OF STAIRS.
- 10 THE ENCLOSED USABLE SPACE UNDER STAIRS TO BE ONE-HOUR FIRE-RESISTIVE CONSTRUCTION AT WALLS & CEILING APPLIED AT THE STAIR UNDERSIDE. FIRE BLOCK BETWEEN STRINGERS & ALONG RUN BETWEEN STUDS.

GENERAL FRAMING NOTES:

- A TYPICAL FLOOR FRAMING CONSISTS OF 3/4" T&G APA RATED SHEATHING (SPAN RATING 48/24) OVER I-JOISTS PER PLAN.
- B FIRE-BLOCKING IS REQUIRED AT ALL PENETRATIONS AT THE WALLS & PLATES INCLUDING: PLUMBING, ELECTRICAL & MECHANICAL PENETRATIONS. FIRE-BLOCK AT MIN. 10 FEET O.C. HORIZONTALLY IN WALL CAVITIES.
- C U.N.O. NAIL ALL TOP PLATES TOGETHER WITH 10D NAILS AT 12" O.C. & AT SPLICES WITH 10D NAILS AT 6" O.C. LAP SPLICES A MIN. OF 48" TYPICAL. NAIL ALL BOTTOM PLATES TO FLOOR SHEATHING & MUDSILL WITH (2) 10D NAILS AT EACH STUD BAY. NAIL ALL OSB SHEATHING WITH 8D NAILS AT 6" O.C. ON EDGE & 12" O.C. IN THE FIELD U.N.O. EXTERIOR STUDS MUST BE SPACED AT 16" O.C.
- D WHERE POSTS OCCUR PROVIDE SOLID VERTICAL GRAIN BLOCKING SOLID THRU FLOOR TO MATCHING SUPPORTS U.N.O.
- E PROVIDE (2) BEARING (TRIMMER) STUDS BELOW EACH END OF ALL HEADERS, BEAMS & GIRDER TRUSSES 6'-0" IN LENGTH & OVER U.N.O.
- F USE 5/8" SHEETROCK OR 1/2" SAG-RESISTANT AT CEILING PER 2015 IRC SECTION R702.3.5 & TABLE.
- G SEE ENGINEERING ON S-201 FOR ALL SHEARWALL PLACEMENTS & REQUIREMENTS. SHEARWALL DETAILS MUST BE FOLLOWED EXACTLY. NOTIFY THE DESIGNER OF ANY DISCREPANCIES OR CONCERNS.
- H REVIEW APPROVED PLANS & DETAILS PRIOR TO STARTING FRAMING WORK. CHECK FOR SPECIFIC REQUIREMENTS ON NAILING, BLOCKING, SHEATHING & ANCHOR ATTACHMENTS.
- I 6X6 OR 4X4 POST IN WALL. GANG STUDS MAY BE USED INSTEAD OF SOLID POST TYP. U.N.O.
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 - VERIFY ACCURACY OF ALL DIMENSIONS. DO NOT SCALE THE DRAWINGS! IF DISCREPANCIES OCCUR, PLEASE CONTACT THE DESIGNER.

FLOOR AREAS:

LOWER FLOOR AREA	=	567 SQ. FT.
MAIN FLOOR AREA	=	1613 SQ. FT.
UPPER FLOOR AREA	=	1079 SQ. FT.
TOTAL AREA	=	3259 SQ. FT.
2 CAR GARAGE	=	756 SQ. FT.
FRONT PORCH COVER	=	264 SQ. FT.
REAR PORCH COVER	=	210 SQ. FT.

LEGEND:

- 2X6 WALL - FULL HEIGHT WALL PER PLAN - STUDS SPACED AT 24" O.C. PROVIDE R-R-23.5 BIBS INSULATION ON EXTERIOR WALLS. PROVIDE 1/2" DRYWALL OR 7/16" OSB AS REQUIRED.
- 2X4 WALL - FULL HEIGHT WALL PER PLAN - STUDS SPACED AT 16" O.C. PROVIDE 1/2" DRYWALL ON EACH SIDE AS REQUIRED.
- 2X6 HALF WALL - 42" TALL WALL WITH WOOD CAP. STUDS SPACED AT 16" O.C. WITH 1/2" DRYWALL ON EACH SIDE AS REQ.

DETAIL

A-02

A-07

A-07

Item #2.

LEXAR HOMES

2002 CATON WAY SW
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DRAFTING@LEXARHOMES.COM
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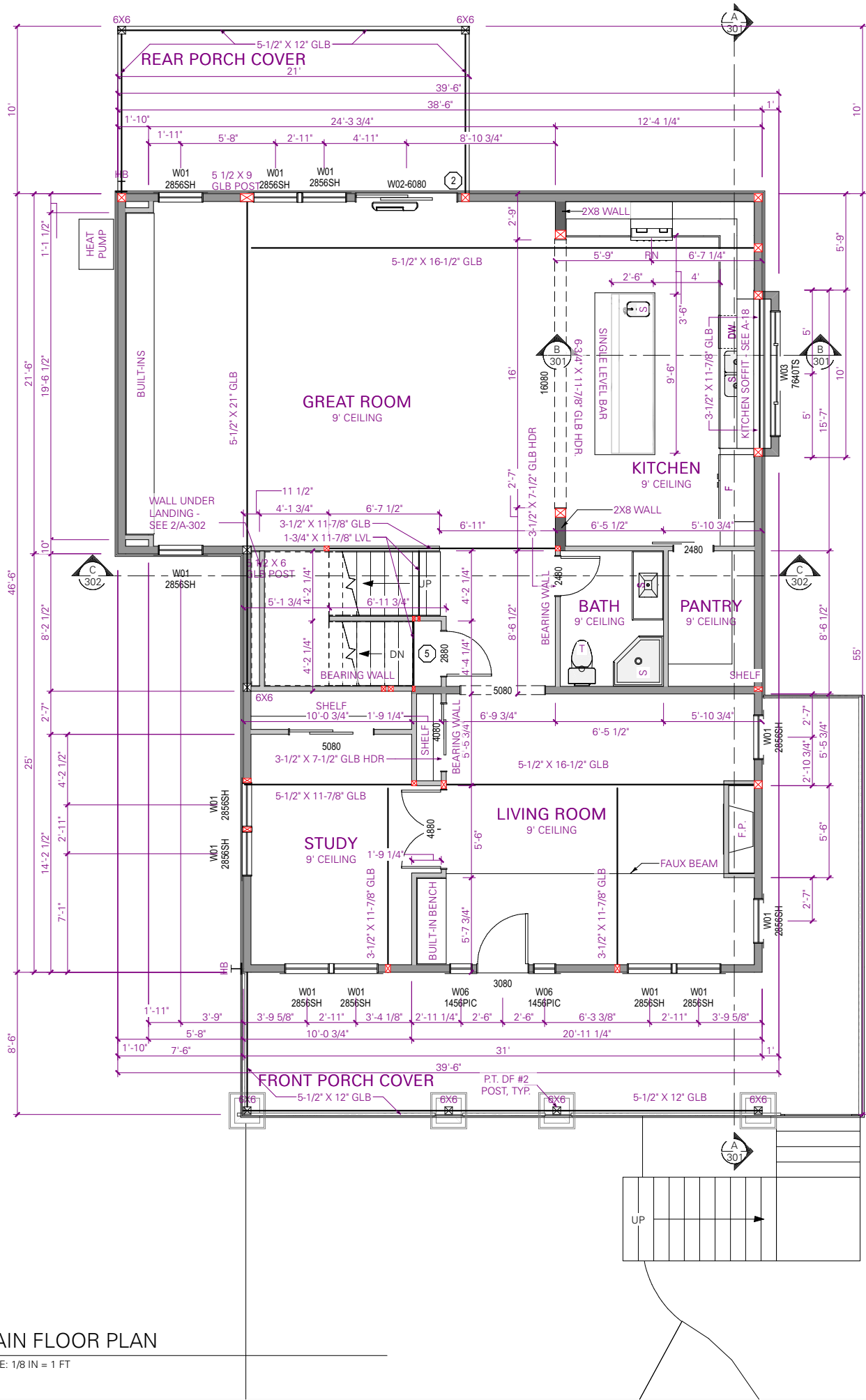
LOCATION:
308 4TH AVE
OREGON CITY, OR 97045
PARCEL ID:
32E068B

CLIENT INFO:
TIM AHJAS
BASE PLAN ID:
CUSTOM

REVISION TABLE
NO. DATE REV. BY DESC.
1 4-13-2020 A.V. STRUCTURAL

PRINT DATE:
9/1/2021

Page 211



WINDOW SCHEDULE							
NUMBER	LABEL	EGRESS	TEMP.	COMMENTS	QTY	AREA (SQ. FT. PER WINDOW)	U-FACTOR
W01	2856SH				12	14.67	0.24
W02	8060 SGD	YES	YES		1	48.0	0.24
W03	7640TS				1	30.0	0.24
W04	2840SC				7	10.67	0.24
W05	2862MULLED			(1) 2842 SC (1) 2820 PIC	2	16.44	0.24
W06	1456PIC				2	7.33	0.24
W07	2850SH		YES	OBS	3	13.33	0.24
TOTALS:						416.26	

EXTERIOR DOOR SCHEDULE					
SIZE	ROOM NAME	FIRE	TEMP.	COMMENTS	AREA (SQ. FT. PER DOOR)
3080 R EX	LIVING ROOM/FRONT PORCH COVER				24.0
3080 L EX	2 CAR GARAGE/REC ROOM	YES			24.0
9080	2 CAR GARAGE/2 CAR GARAGE				72.0
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ROOM FINISH SCHEDULE		
ROOM NAME	AREA (SQ. FT.)	FLOOR FINISH
STUDY	139	
CLOSET	7	
CLOSET	21	
LIVING ROOM	293	
REC ROOM	0	
CLOSET	26	
CLOSET	6	
MECH	1	
KITCHEN	230	
GREAT ROOM	578	
REC ROOM	4	
MASTER BEDROOM	212	
CLOSET	43	
MASTER BEDROOM	24	
BATH	49	
REC ROOM	1	
BEDROOM #2	180	
BEDROOM #3	149	
BATH	6	
CLOSET	15	
MASTER BEDROOM	12	
CLOSET	4	
MASTER BATH	69	
MASTER BATH	34	
UTILITY	31	
MECH	93	
REC ROOM	281	
UTILITY	164	
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STAIRWELL	6	
BATH	43	
REC ROOM	3	
PANTRY	40	

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DETAIL

A-02

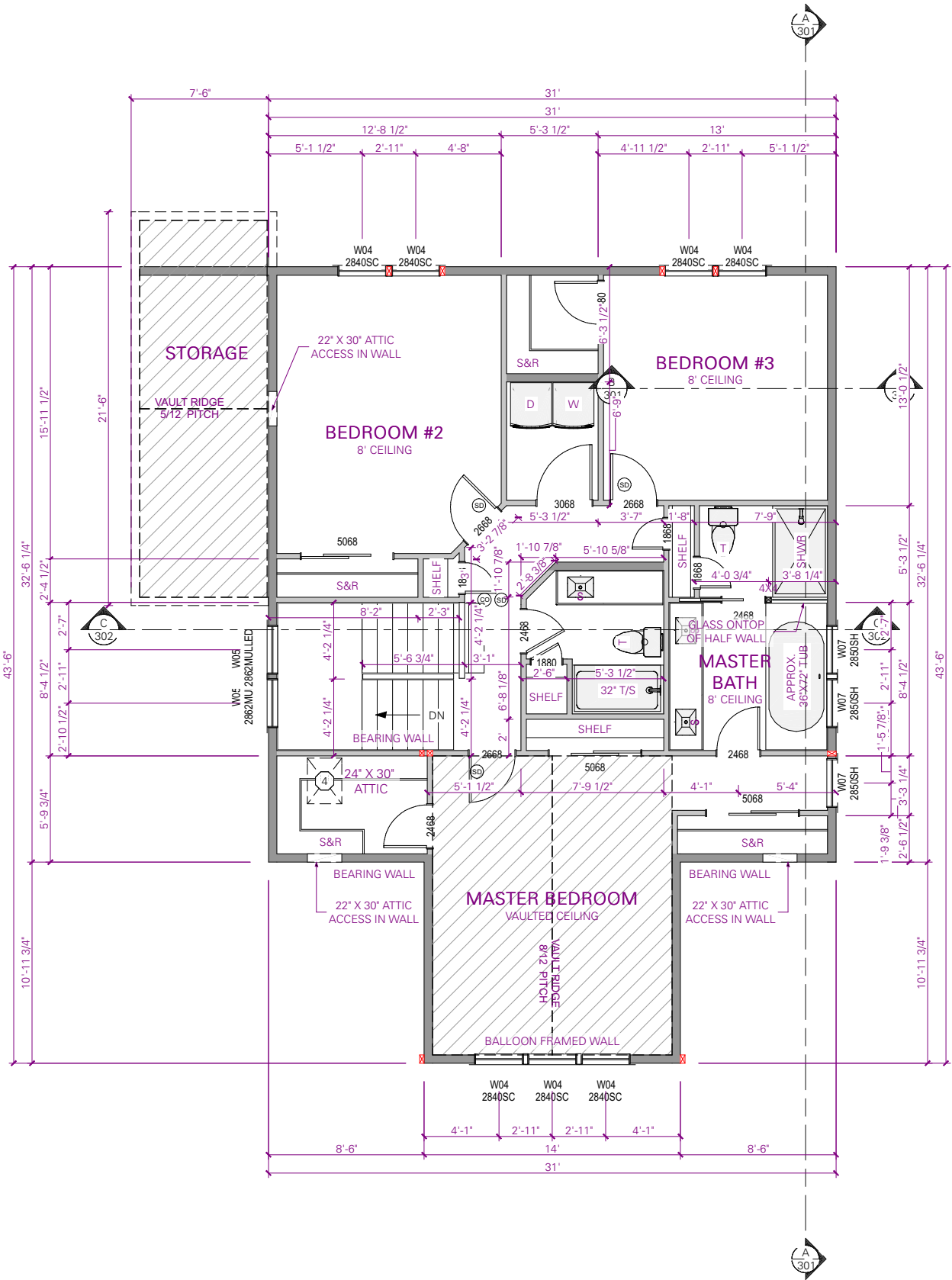
A-07

A-07

REVISION TABLE		REV. BY	DESC.
NO.	DATE	REV. BY	DESC.
1	4-13-2020	A.V.	STRUCTURAL

PRINT DATE:

9/1/2021



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LEGEND:

- =

2X6 WALL - FULL HEIGHT WALL PER PLAN
- STUDS SPACED AT 24" O.C. PROVIDE R-R-23.5 BIBS INSULATION ON EXTERIOR WALLS. PROVIDE 1/2" DRYWALL OR 7/16" OSB AS REQUIRED.
- =

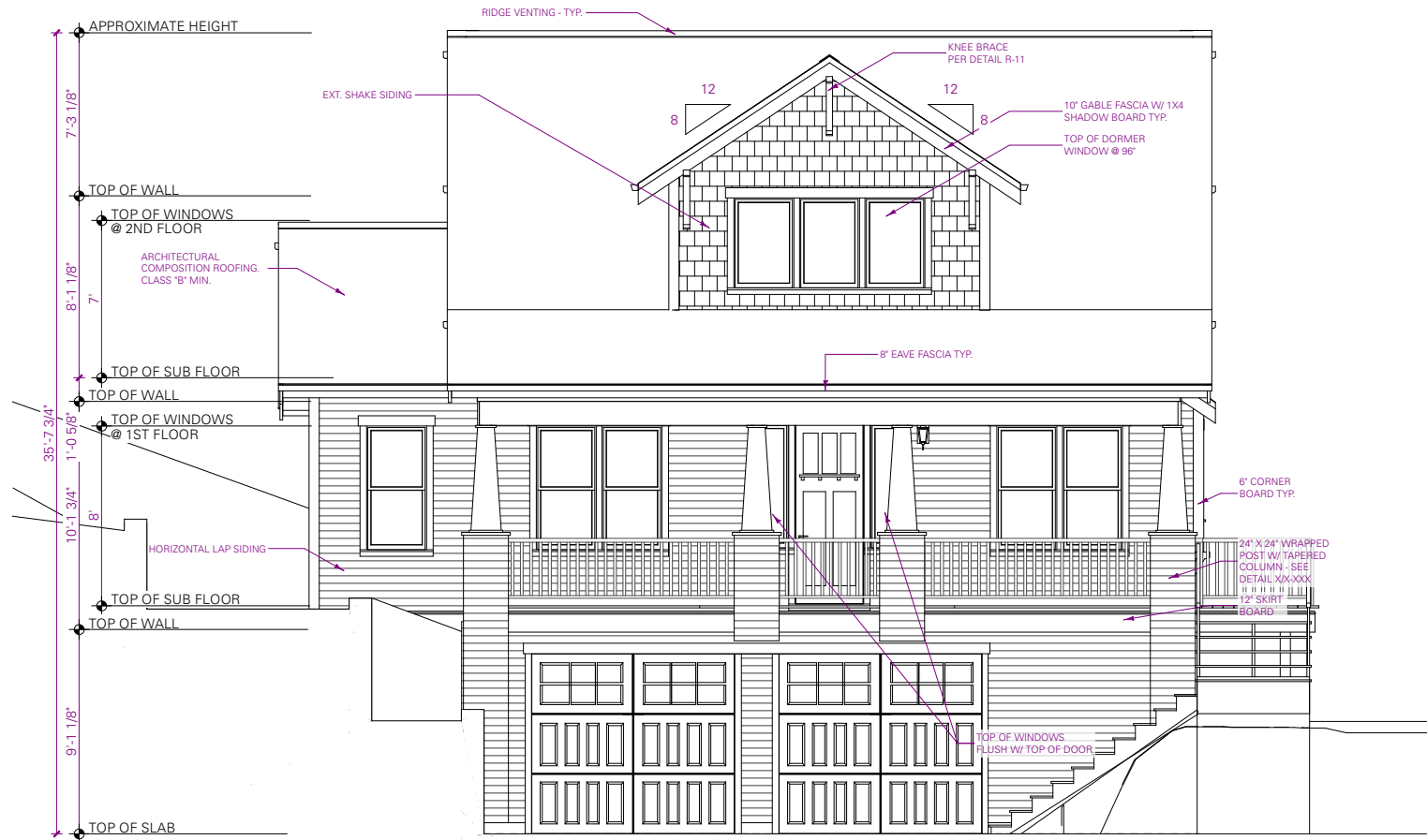
2X4 WALL - FULL HEIGHT WALL PER PLAN
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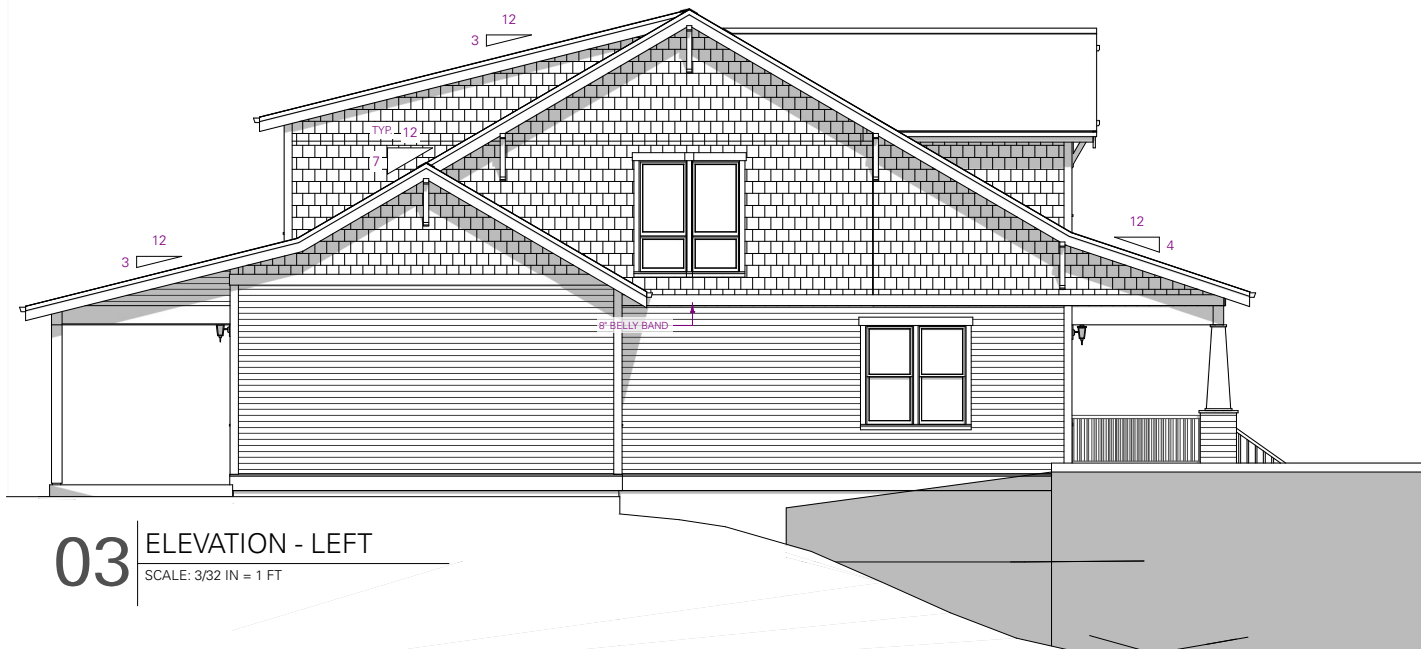
DETAIL

A-02

REVISION TABLE		NO.	DATE	REV. BY	DESC.
1	4-13-2020	A.V.			STRUCTURAL



01 ELEVATION - FRONT
SCALE: 1/8 IN = 1 FT



03 ELEVATION - LEFT
SCALE: 3/32 IN = 1 FT

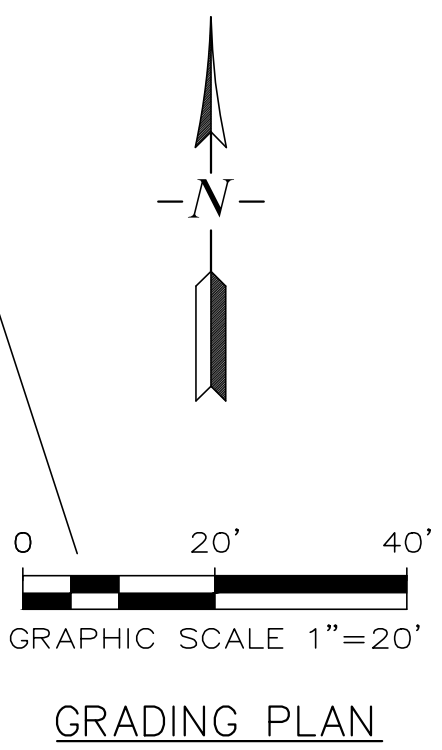
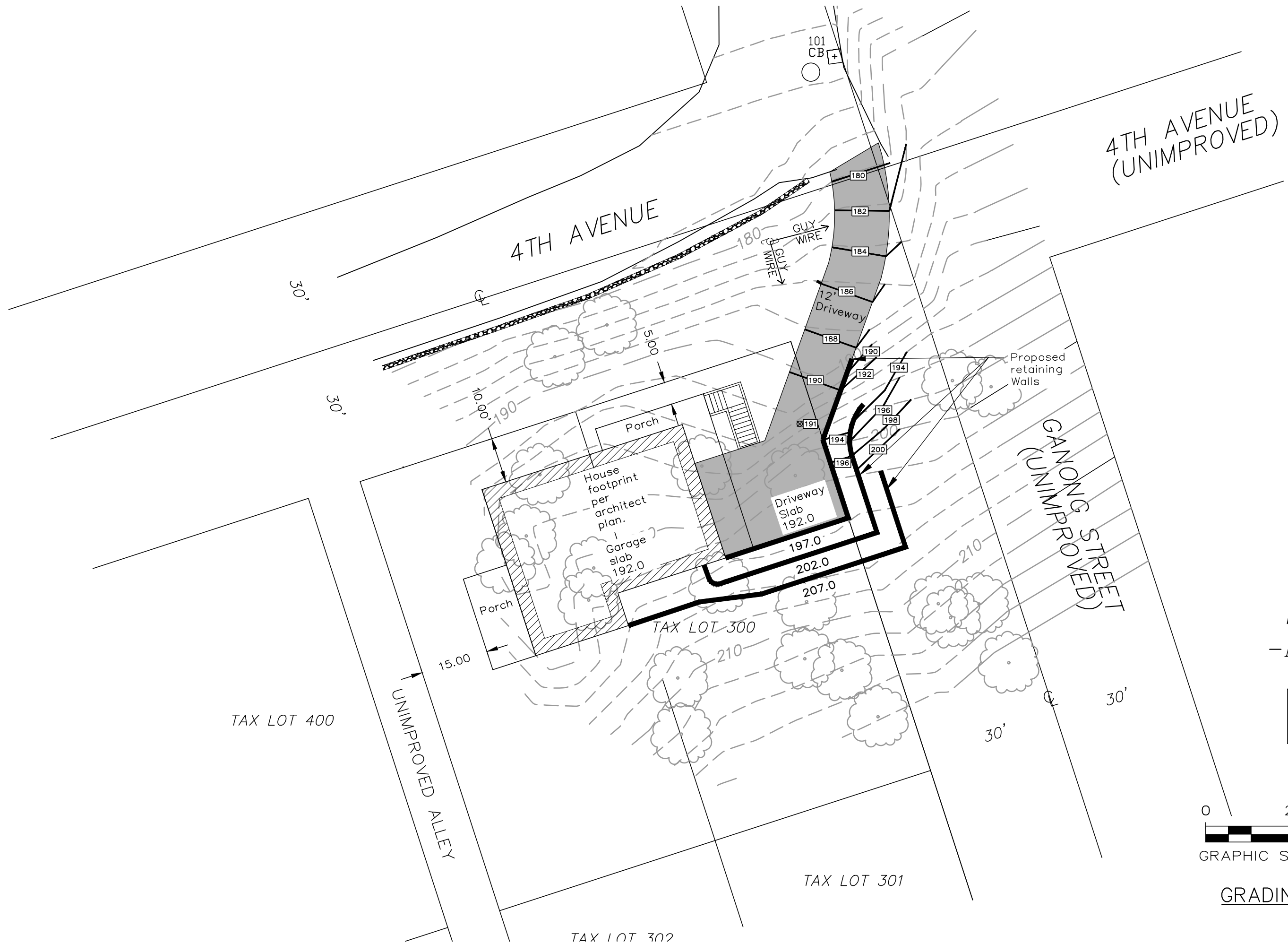


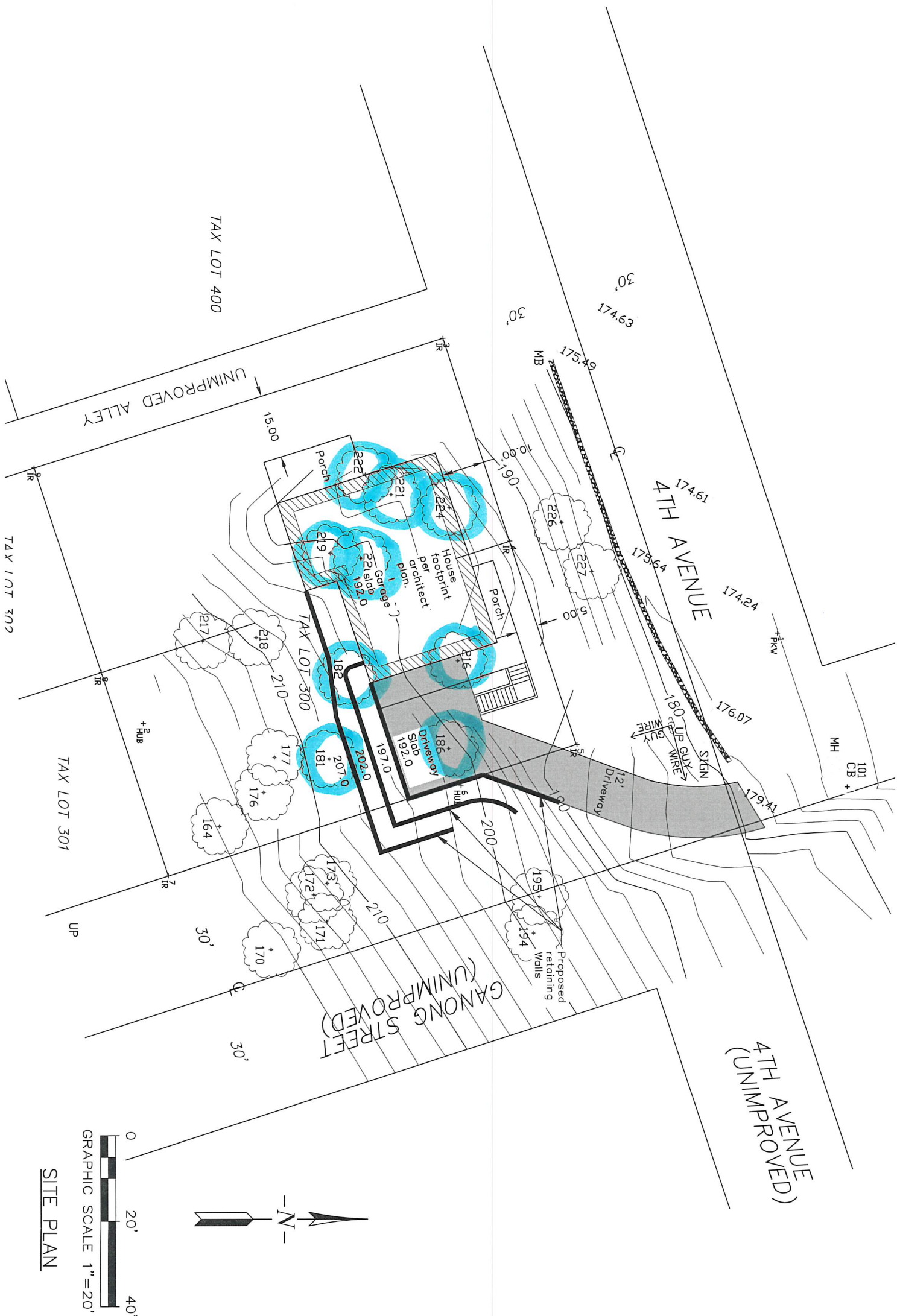
02 ELEVATION - BACK
SCALE: 1/8 IN = 1 FT



04 ELEVATION - RIGHT
SCALE: 3/32 IN = 1 FT

REVISION TABLE	
NO.	DATE
1	4-13-2020
REV. BY DESC.	
A.V. STRUCTURAL	







Drive
way
Tree
Removal
TV#



Tree
Removed
in foot-
print.
#2



Tree
Removal
too close
to
foundation
\$3

Tree's
Remains
Clare
of
H#





#516
Print. V
intex
Z
Trees



From: [Kelly Reid](#)
To: [Kelly Reid](#)
Subject: FW: HRB follow up
Date: Friday, September 17, 2021 12:47:24 PM
Attachments: [image001.png](#)
[Elevation of 1st Floor From Middle of the Street.pdf](#)
[4 Corners.pdf](#)
[Trees Removed.pdf](#)

From: Tim Ahaus <TAhaus@lexarhomes.com>
Sent: Monday, September 13, 2021 3:51 PM
To: Kelly Reid <kreid@orcify.org>
Subject: RE: HRB follow up

Here are 3 different PDF's

1 – My wife Taryn is 5'8" and is holding up a 4FT stick with Pink Ribbon tied to the top with her arm extended upward. I took the picture straight on from the middle of the road on 4th Ave. She is in the front of the house, middle of the house, and rear of the house.

2- I took pictures of the 4 corners of our home looking INWARD for tree references.

3- I took a picture of all the trees that will need to be removed for the house itself. There are 2 smaller trees that are dead in the ROW that we could remove and there are 3, POSSIBLY 4 trees on our property that also look dead. However, what is the definition of a tree? One of them I think is maybe 6 inches in diameter...is that considered a tree?

Thanks...hopefully grading comes soon!

Tim

Tim Ahaus

Sales Manager/NW Oregon Owner



TRUSTED | INNOVATIVE | QUALITY



LexarHomes.com



NE Corner @ 4th



North Middle 4th



North West 2

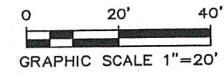
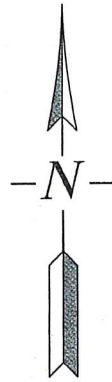
NE Corner



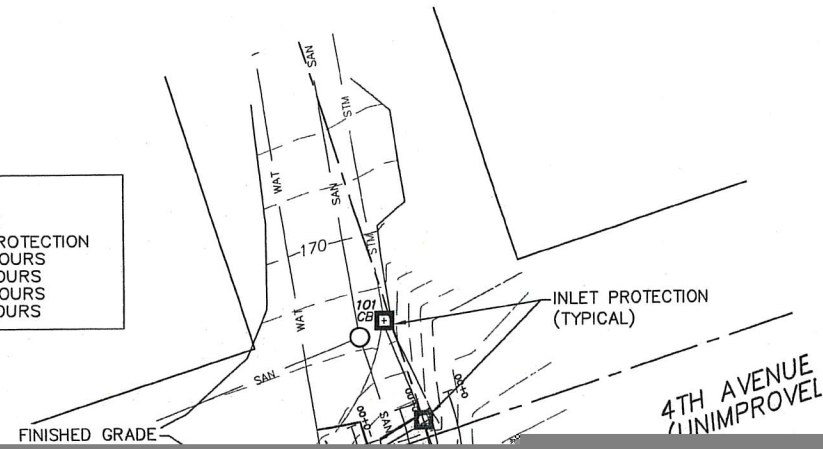


South East Corner

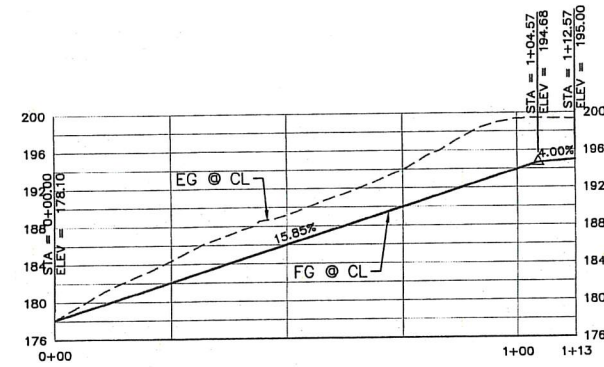




LEGEND:	
	= SEDIMENT FENCE
	= BIOBAG/INLET PROTECTION
	= EG MAJOR CONTOURS
	= EG MINOR CONTOURS
	= FG MAJOR CONTOURS
	= FG MINOR CONTOURS



TREE LEGEND:	
164	56" FIR
170	TREE GROUP
171	24" MAPLE
172	12" MAPLE
173	8" MAPLE
176	10" MAPLE
177	36" FIR
181	40" FIR
182	47" FIR
186	18" MAPLE
194	28" FIR
195	20" FIR
216	40" FIR
217	22" MAPLE
218	18" MAPLE
219	13" MAPLE
220	8" MAPLE
221	12" MAPLE



Item #2.

REGISTERED PROFESSIONAL ENGINEER
12,820
THOMAS J. SISKUL
OREGON
FEB 14, 1993
EXPIRES: 6/30/18

770-4-310

OREGON CITY
ENGINEER
MANAGER



Drive
way
Tree
Removal
TV#



Tree
Removed
in foot-
print.
#2



Tree
Removal
too close
to
foundation
CS

Tree's
Remains
of
H#





6.5 ft
Print + 1
Index
Z
amary
Trees







**Historic Review
Notice of Decision Staff Report
October 23, 2019**

FILE NO.: GLUA-19-00029/HR 19-04: Historic Review Board review of a new single family home in the Canemah National Register Historic District.

HEARING DATE: October 22, 2019
7:00 p.m. – City Hall
625 Center Street
Oregon, City, Oregon 97045

APPLICANT/OWNER: Tim and Taryn Ahaus
20748 Viewpoint Rd
West Linn, OR 97068

LOCATION: 306 4th Avenue
Clackamas County Map 3-2E-06BB Taxlot 00300
Oregon City, OR 97045

REQUEST: New single family home in the Canemah National Register Historic District.

DECISION: On October 22, 2019, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opposing and interested parties, the Oregon City Historic Review Board voted 4-0 to approve the proposal with conditions. The Oregon City Historic Review Board adopted as its own the Staff Report with findings and Conditions of Approval for File Number HR 19-04. The complete record for the Historic Review Board decision is on file at the Planning Division.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and “R-6” Single-Family Dwelling District in Chapter 17.12 of the Oregon City Municipal Code. The City Code Book is available on-line at www.orcity.org.

Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the hearing, in person or by letter, with sufficient specificity to afford the Historic Review Board and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Historic Review Board may be appealed to the City Commission by parties with standing within fourteen (14) calendar days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290(C) must officially approve the

request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

Conditions of Approval

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

Prior to issuance of Building Permits:

1. The applicant shall minimize grading and comply with any applicable standards in the Geologic Hazard Overlay Chapter 17.44. (P, DS)
2. Exposed area proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one foot must be reviewed by the Historic Review Board. (P)
3. If composite decking is approved, the applicant shall use boards that match the color of the house or trim. (P)
4. The proposed retaining wall shall be a rockery wall, or utilize concrete or natural basalt veneer. Any other material or a height change of more than one foot for the proposed retaining wall shall be considered a modification to this application and be reviewed by the Historic Review Board. (P, DS)
5. Additional natural rockery walls that are less than 4 feet in height are allowed in the site without further Historic Review Board review, but will be subject to review for compliance with the Geologic Hazard Overlay District. (P, DS)
6. The applicant shall modify the grading plan or house design such that the stairs facing 4th Avenue do not exceed 5 feet in height, and shall not increase the number of stairs beyond what is shown in the plans. (P)
7. Proposed retaining walls shall not exceed five feet in height. (P, DS)

Prior to issuance of a Certificate of Occupancy:

8. Incised lumber or pressure treated wood shall not be used on any visible surfaces. (P)
9. The window sash shall be the darkest color of the three color paint scheme. (P)
10. The applicant shall use simple bungalow styled exterior lighting. (P)
11. The applicant shall ensure that shakes/shingles are straight across and not jagged. (P)
12. Windows in the garage door are acceptable but not required. (P)
13. Slider windows are not permitted. (P)
14. The applicant shall plant four native 1.5" caliper replacement trees in the side or front yard as a replacement for the 9 to 11 trees that will be removed. (P)
15. Landscaping shall also be utilized to visually shield the massing under the porch and on side elevations. A maximum of ten shrubs with minimum mature height of 5 feet may be required, with final number and locations selected by staff after construction. (P)
16. The rear door shall be a single door, French doors, or French-style slider door. (P)

I. BACKGROUND:

Site and Context

The subject property is currently an undeveloped parcel located in the Canemah National Historic District and is located on the south side of 4th Ave., at the intersection of 4th Ave. and Ganong St. The subject property is within the Geologic Hazards Overlay District and the Willamette River Greenway overlay which will be reviewed through a separate process. There are unimproved sections of City right-of-way located on the east and west side of this property. Primary access to the property would be from the unimproved portion of Ganong St.

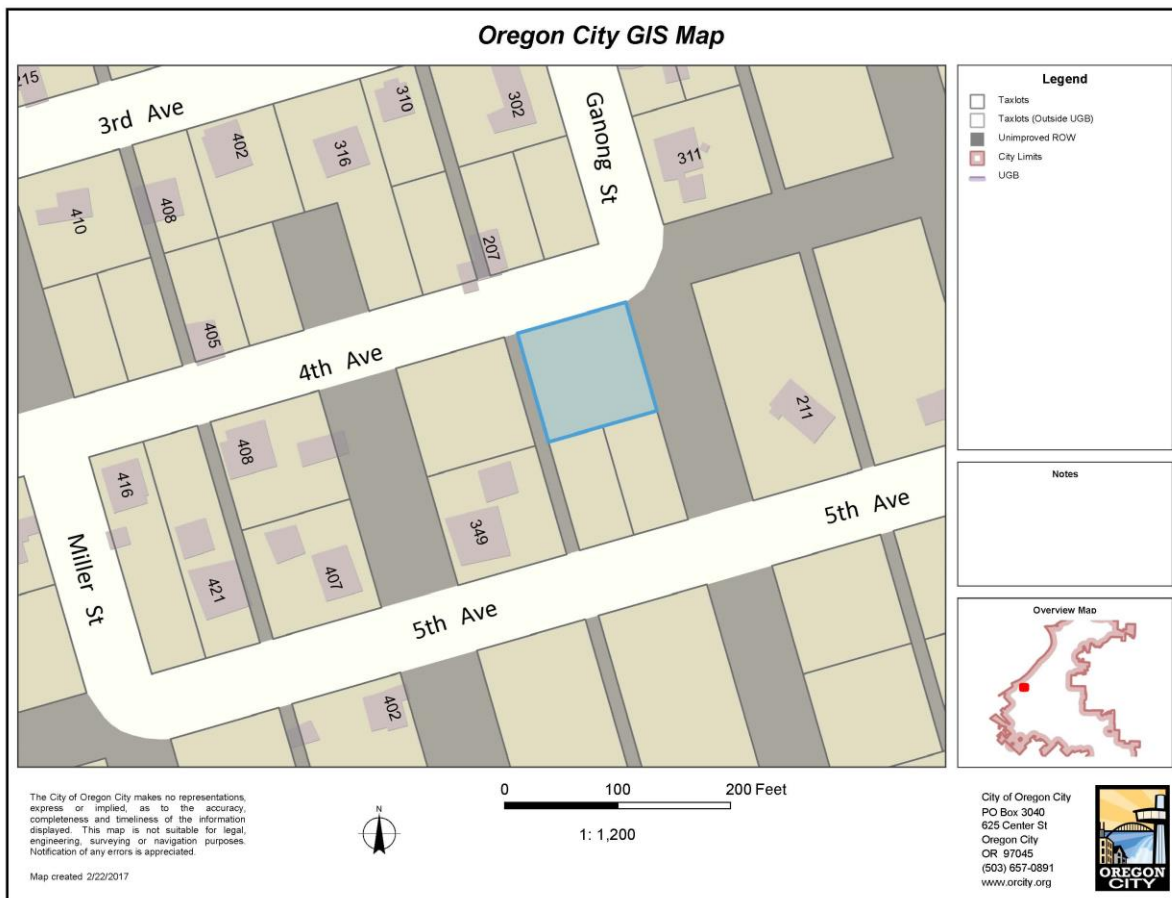
Historic records indicate there was originally a small home on the site at the approximate location of the proposed home. No physical evidence of this structure remains.

The segment of 4th Ave between Miller and Ganong has two vernacular homes constructed prior to 1910, a bungalow likely built about 1910 and two new homes constructed in the vernacular style. The home on the north side of the street at 311 Ganong is a non-historic home with Queen Anne elements. A majority of the lots fronting 4th Ave as well as the unimproved right of ways for Hedges and Ganong Streets are vacant due to steeply sloping terrain.

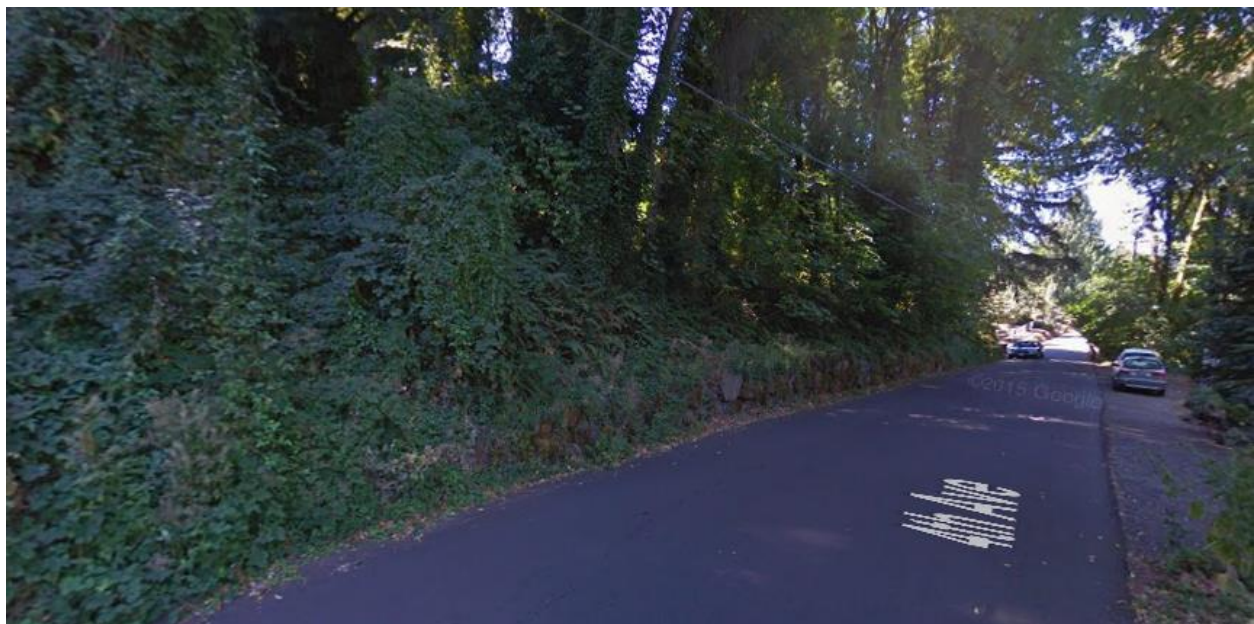
In 2017, a Vernacular-style home was proposed and approved by the HRB (HR 17-01) and through the Geologic Hazard review process. The property has since been sold.



Aerial photo and topography (2ft contours)



Vicinity Map



Existing Conditions

HR 19-04



Driveway from 4th Avenue

The lots directly to the south and west of the subject site are currently vacant, and the homes located at 311 Ganong St. and 349 5th Ave., are not listed on either the local or national register of historic places. There are two homes listed on the Historic Register or potentially eligible directly adjacent to the subject site, those homes are located at 207 4th Ave. and 211 5th Ave.



207 4th Ave.

Directly to the north of the proposed development is the Charles and Sarah Toole Residence. This 2 story house has a gabled roof and one over one shingles. Currently Masonite shingles cover the original shiplap siding. Statement of Significance: *Charles Toole, born in 1863, was a woolsorter at the Oregon City Woolen Mill at the turn of the century. His wife, Sarah, was born in 1868 in England, and emigrated to the United States in 1884. They had seven children. The house is significant for its age; it is a typical vernacular structure for turn-of-the-century Oregon City. Within the Canemah NR District, it is classified as a Secondary structure. The home has been altered and*

was deemed not contributing in 2008 after being identified as a secondary resource in 1983.



211 5th Ave.

This home is located to the southeast of the subject site and listed as the Mary Graves House on the register. This is a 2 story home with gabled roof with, wide rakeboards, and four over four double hung windows and shiplap siding. Statement of Significance: The original owner was John Gill, who purchased the property in 1889, when it was built. No biographical information was found on Mr. Gill. The current resident, Crystal Linn, is a daughter of the second owner, Mary Graves, and

former daughter-in-law of Peter Smith, a carpenter who built several houses in Canemah. The house is significant for its age. Within the NR District, it is classified as a Primary structure.



349 5th Ave.

This is a Canemah Vernacular style home that was built circa 2006 and is not listed on the Register of Historic Places



311 Ganong St.

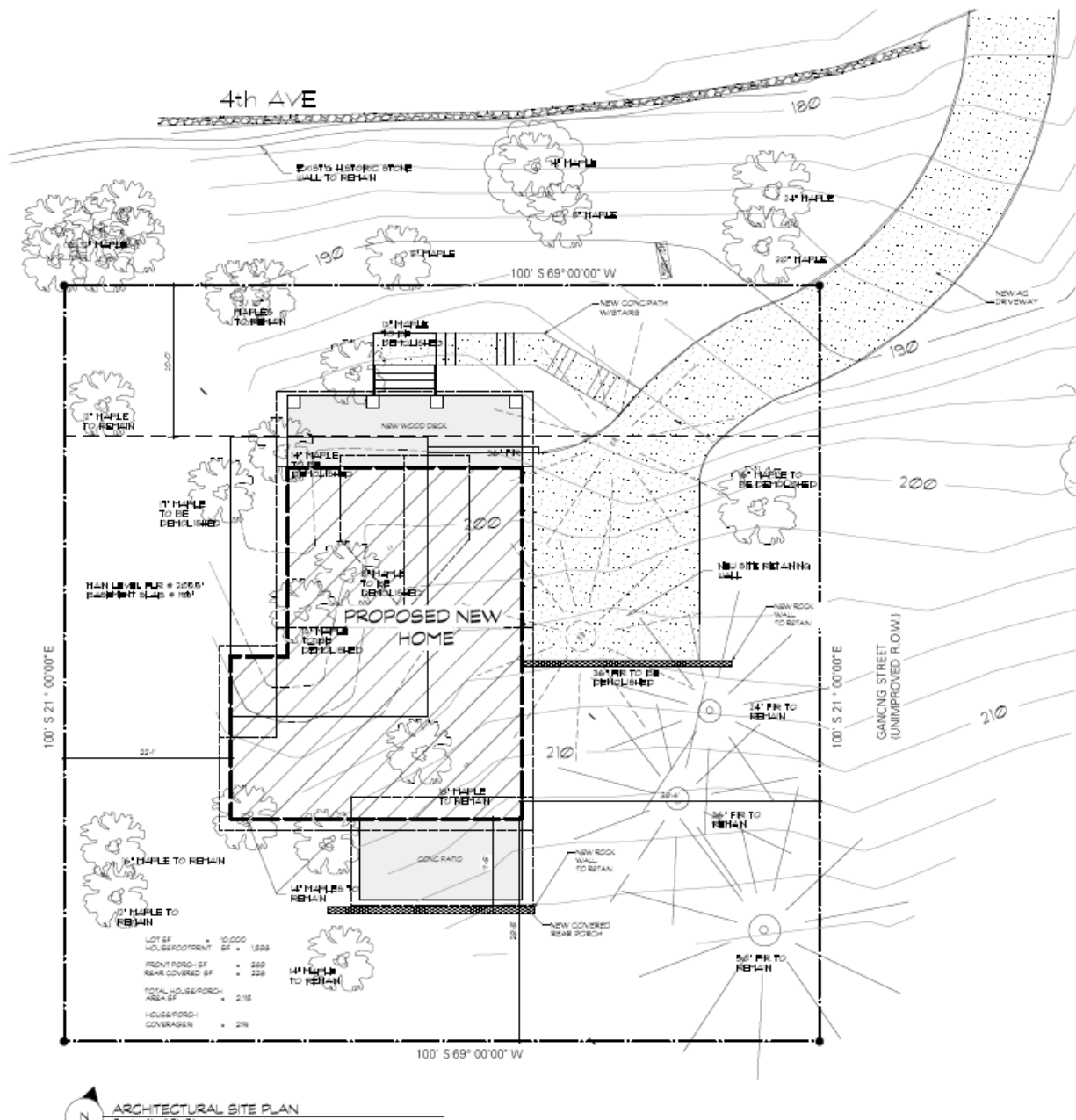
This home is a Queen Anne Vernacular home that was built circa 1996 and is not listed on the Register of historic places.



408 4th Avenue

This home is contributing within the district but has no historical information associated with it. Built circa 1910, the bungalow features a shed dormer on the front, a wrap-around front porch that may have been a later addition, and eclectic styling elements.

APPLICANT'S SUBMITTAL:



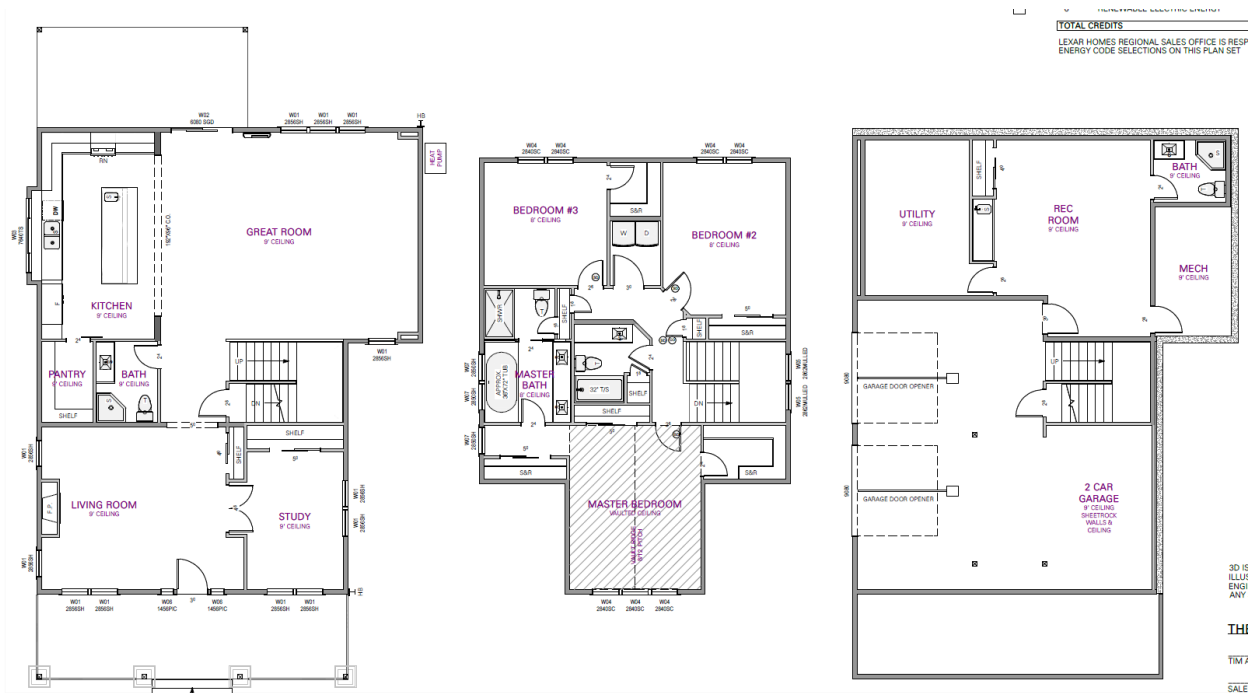
Site Plan



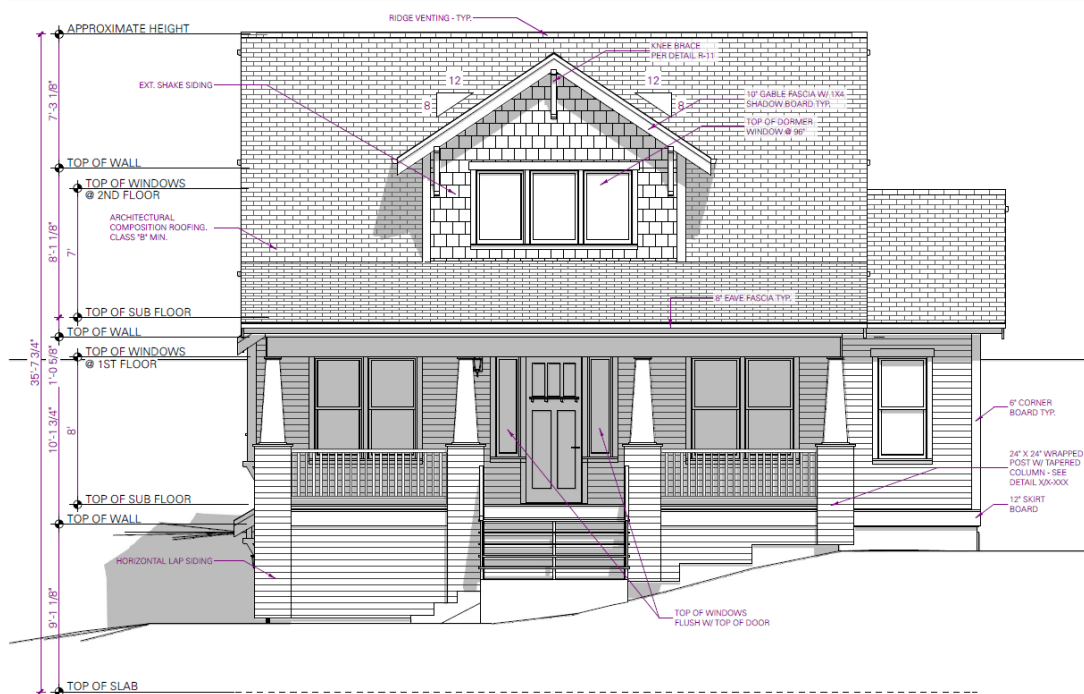
Rendering



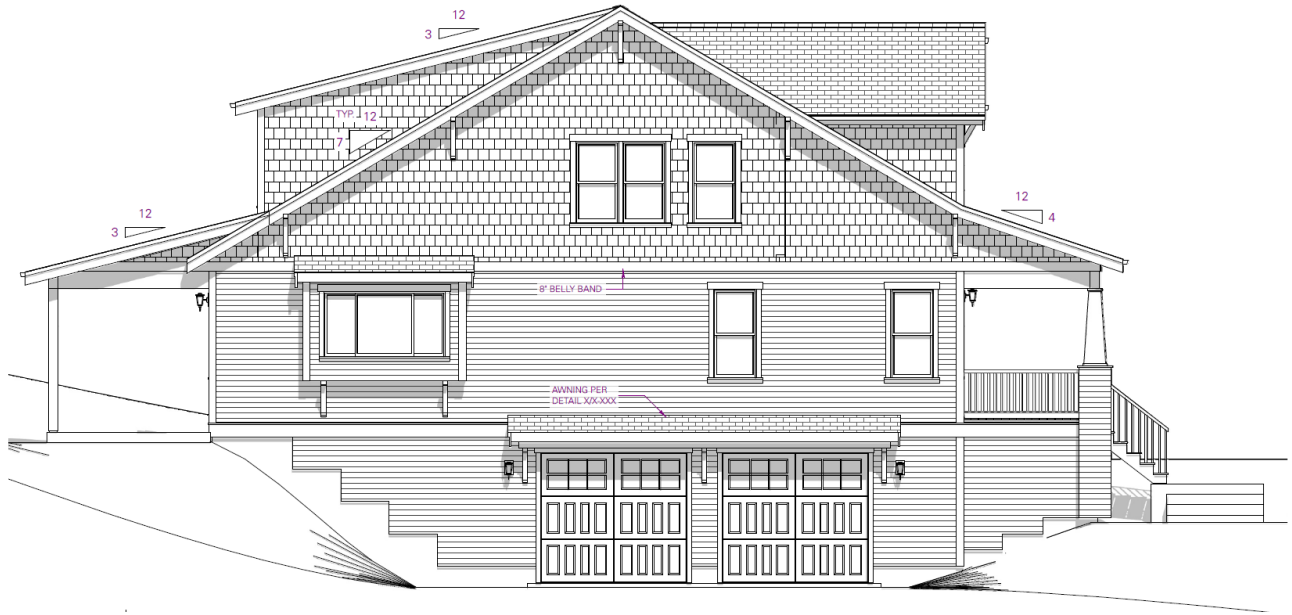
View from corner



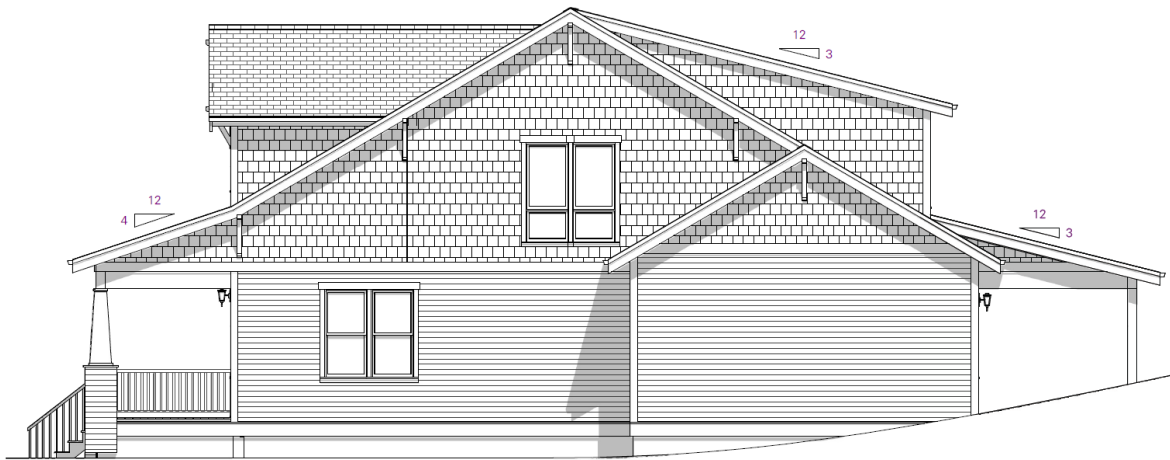
Floor plans



Front elevation



East elevation



West elevation



Rear elevation

Project Summary:

The applicant submitted the following narrative:

A single family residence is being proposed for use and occupancy on this site. The singular structure will be designed with a garage as part of the basement and an attached back patio. The home design will be in the bungalow style, one of two allowed designs in the Canemah District. Due to the challenging nature of this property and its steep grade, a structure must be built with a basement not only for elevation but also for structural integrity of the home. The bungalow is being designed to fit into the historical guidelines and appear as from the early 1900's. However, it is also being designed to enhance the Canemah district aesthetically, help increase neighbor's property values, and create new synergy into this historic neighborhood.

Our initial concept plan had been given input in March 2019 at the Historical Review Board and suggestions, thoughts, ideas and recommendations have been implanted into these first full set of plans.

Zoning:

The property is zoned R-6 Single-Family Dwelling District and Low Density Residential in the Comprehensive Plan. The property is also located within the Willamette River Greenway, Geologic Hazard and Natural Resource Overlay Districts. The applicant must receive approval through the Geologic Hazard and Willamette River Greenway review processes prior to issuance of building permits.

The site has been approved with an NROD verification (NR 17-08) which determined that the protected natural resources are uphill of the subject property and are greater than 150 feet from the property.

Notice and Public Comment:

A public comment was made at the September HRB meeting, when this item was continued, relating to the proposed size of the home. The comment indicated that the home was a lot larger than any historic bungalows in Canemah. This comment is addressed in the staff report.

Staff Analysis Executive Summary:

The applicant has proposed a home with an attached, side entry lower level garage on a 10,000 square foot property. The home is designed as a traditional bungalow with a full width front porch and single front dormer. While larger than many historic bungalows in Canemah, staff does not find that the house is excessively large. The bungalow design is classic and the roof design helps to reduce the appearance of the mass of the home.

Page 27 of the design guidelines states that accessory structures should be detached, subservient to the primary building and be located at less visible areas such as the side or back of the primary building. The previously approved home on this lot also included an attached side-loaded garage on the ground floor. The Historic Review Board made findings to support the attached garage in this specific circumstance. The same findings are applicable to the current proposal and include:

- The site has a steep grade and disturbing less area when developing the site will help maintain the geologic integrity of the site.
- The garage is located underneath the main level of the home and does not increase the envelope of the home beyond that of a single family home located on the site.
- The home is setback more than 20 feet from the 4th Ave right-of-way, which reduces the visibility of the proposed home from the 4th Ave right-of-way.
- The proposed garage is side-loading and located underneath the main level of the home, the only way to see the garage doors would be from the Ganong Street right-of-way and the proposed driveway for the home.

The roof pitch of the proposed home is 7:12, which is slightly higher than the design guideline of 6:12 or less. The materials generally meet the guidelines and the design details are appropriate for a bungalow.

Staff has recommended several conditions of approval to address tree removal, grading, and compatible materials.

CODE RESPONSES:

17.40.060 - Exterior alteration and new construction.

- A. *Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

Applicable: The proposal for new construction in a historic district is being reviewed by the Historic Review Board.

- B. Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

Complies as Proposed: The applicant submitted the required materials.

- C. Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,*
- 1. A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and*
 - 2. A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.*

If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

Complies as Proposed. Oregon SHPO and the Native American tribes listed above were notified of the proposed ground disturbance in 2017 when the property was the subject of a separate land use application, also for a single family home. A response was received from SHPO and the Warm Springs tribe (project is referred to as PA 16-45 at the time) and is in the City's files for this project. The letter indicates the level of recommended archaeological monitoring on the site.

- D. [1.] The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.*

Applicable: The proposal is being reviewed by the Historic Review Board.

- 2. The following exterior alterations to historic sites may be subject to administrative approval:*
 - a. Work that conforms to the adopted Historic Review Board Policies.*

Not Applicable: The proposal is not subject to administrative approval.

- E. For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:*

Not Applicable: The proposal is not an exterior alteration.

- F. For construction of new structures in an historic or conservation district, or on an historic site, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall include the following:*
- 1. The purpose of the historic conservation district as set forth in Section 17.40.010;*

Finding: Complies with Conditions.

The purpose of the district is:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;*

- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;
- C. Complement any National Register Historic districts designated in the city;
- D. Stabilize and improve property values in such districts;
- E. Foster civic pride in the beauty and noble accomplishments of the past;
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- G. Strengthen the economy of the city;
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and
- I. Carry out the provisions of LCDC Goal 5.

Finding: Complies with Condition.

A new single family home is proposed on vacant land within the Canemah National Register District. This new construction will have no impact on the protections provided to contributing resources within the District and through this review, design compatibility between these new structures and existing resources will be assured. The single family use further enhances the dominant use within the district. One of the historic district policies is to “promote the use of historic districts for housing” and other uses. OCMC 17.40.010(H). This suggests a policy toward promoting the use of land within this historic districts. Approving this development will add additional housing stock in an area with currently low housing stock and increasing the housing options for people within Oregon City or looking to move to Oregon City. See detailed findings and conditions in the design guidelines section in this staff report. By meeting the conditions of approval, the home will complement the district. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

2. *The provisions of the city comprehensive plan;*

Finding: Complies with Condition.

There are a few goals and policies in the Comprehensive Plan that pertain to this proposal:

Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River. Canemah was listed as a Historic District in the National Register of Historic Places in 1977.

Goal 5.3 Historic Resources

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

The proposed home and will be located along the 4th Avenue corridor in the Canemah Historic District, which is primarily a street with single family homes on lots of 5,000 to 10,000 square feet. The design will be compatible with the conditions of approval in this staff report. **Staff has determined that it is**

possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Complies as proposed. The segment of 4th Ave between Miller and Ganong has 2 vernacular homes constructed prior to 1910, a bungalow likely built about 1910 and two new homes constructed in the vernacular style. The home on the north side of the street at 311 Ganong is a non-historic home with Queen Anne elements. A majority of the lots fronting 4th Ave as well as the unimproved right of ways for Hedges and Ganong Streets are vacant due to steeply sloping terrain.

The proposed home is located adjacent to an existing vacant property and across the street from one historic resource, the Toole residence, a 1910 Vernacular style home that has been altered and was deemed not contributing in 2008 after being identified as a secondary resource in 1983. Other historic resources are located down the block and will not be impacted by the siting or massing of the proposed home.

The bungalow design differentiates the new construction from the nearby Vernacular homes. One block away is a historic bungalow at 408 4th Avenue. This home features a shed dormer on the front and an embellished front porch. The proposed design of the new home is differentiated from the historic bungalow.

3. *The economic effect of the new proposed structure on the historic value of the district or historic site;*

Finding: Complies as proposed. The single family home is proposed in the Canemah National Register District. The single family use matches the dominant use of the district. Approving this development will add additional housing stock in an area with currently low housing stock and increasing the housing options for people within Oregon City or looking to move to Oregon City.

4. *The effect of the proposed new structure on the historic value of the district or historic site;*

Finding: Complies with Conditions. The proposed home is located on a site that is specifically referenced in the register nomination for the Canemah Historic District. There is a basalt wall that runs east to west along 4th Ave. This wall runs parallel to the subject site and is an important feature in Canemah. The basalt wall shall not be disturbed during the development of the property. As conditioned, the design will continue to enhance the Canemah Historic District and contribute to the existing context of the District.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

5. *The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure;*

Finding: Complies with Conditions.

As conditioned, the design will continue to enhance the Canemah Historic District and contribute to the existing context of the District.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

6. *Economic, social, environmental and energy consequences;*

Finding: Complies as Proposed. The applicant states the following:

"The proposed infill development will utilize the existing City infrastructure and increase the overall density of the Canemah neighborhood in a manner consistent with the original plat and existing development patterns within the historic district. As a new single family home the impact on the transportation, sewer, and water infrastructure will be minimal. The proposed structures have been sited to work with the existing topography, take advantage of views and allow for controlled storm water runoff. No natural resource areas have been identified on the property and the proposed development has been deemed safe by the geo-technical engineers and geologists retained by the Owner. The new home will be constructed to the current Oregon State Energy Code ensuring that the home will be at least 20% more energy efficient than homes built 10 years ago and vastly more efficient than homes constructed with no insulation and site built, single pane windows more than 100 years ago."

Staff concurs and finds that the proposal meets this criterion.

7. *Design guidelines adopted by the historic review board.*

1. STYLE

New construction shall complement one of these styles to support the historic context. Use of other styles dilutes and distracts from the historic context of the district.

While there may be several styles dominant within the district, the specific choice of a style shall be compatible with adjacent properties, the block, and the neighborhood. It also must be fitting for the particular function of the building and its size.

Finding: Complies as Conditioned. The applicant provided the following response:

"We have designed a historic looking version of a bungalow using products and architectural styles that reflect the appearance of historic homes built around the early 1900's. The design and flow of the home will mimic bungalows built around the turn of the previous century by having a full width front patio and porch, centered dormer above porch, beautiful roof line with front facing dormer, boxed craftsman style posts, 1 over 1 double hung windows, extended eaves and eye-brows over windows and garage doors, shake and corbels in the gable ends, clean lines and well balanced front windows with centered door entrance. Centered stairs will lead up onto the porch and will reflect similar bungalow styles found around the Canemah, Oregon City, and Portland area."

Due to the nature and challenging slope of the lot, we are proposing (2) single bay garage doors under the main living space instead of a detached garage. Not only will this limit the excavation and slope disturbance of building another separate structure, it will create usable area for the basement. No matter what type of house or structure is built on this lot, a full basement will be needed on this parcel for elevation and structural integrity."

The applicant has proposed a classic bungalow style. Bungalows have a lower pitch roof than the typical vernacular style homes with a full width front porch, shed dormers and a more horizontal emphasis. The Canemah district contains both bungalow and vernacular homes, although most of the homes in the immediate vicinity are vernacular style. One block away is a historic bungalow at 408 4th Avenue. This home features a shed dormer on the front and an embellished front porch. The proposed design of the new home is differentiated from the historic bungalow.

The guidelines do not state that the home has to be the same style as the adjacent homes, but that it shall be compatible with adjacent properties. Page 42 of the design guidelines states that in Canemah,

adjacent homes vary in form, design, and style, and that new infill should differentiate but continue this pattern. Staff finds that is compatible with the district through the conditions of approval.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

2. SITE

Siting principles involve both how the site is used and how the building(s) is placed within the site. The specific lot location and its topography can dictate many requirements.

Residential buildings are to face the street squarely with their primary face in full view, and to be set back from lot lines and be spaced from one another similar to the immediate neighborhood. The primary structure is to be placed in the primary position with accessory structures in a service or ancillary position except where topography is an issue. Yard area between the house and street to primarily be planted with minimal paving only for pedestrian access and for vehicle movement. More private activity spaces to be located at the less public areas of the site.

SITE CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- No uniform front setback; South of 3rd Street: houses may face front or side depending on topography, and may be irregularly situated.
- Lots range from 50x100 to 100x100 and contain a single house.
- Properties edges often not defined; Where fenced, primarily picket or low slat at front with side or partial returns.
- Planting: South of 3rd Street: forest setting, native and ornamental plantings form visual screen and sense of privacy; Elsewhere on the more level portions: lawn and planted area around buildings.
- House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
- Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
- Garages: Not found historically; informal graveled or paved parking next to street or along house; New garages to be located along side or behind house. Where topography is a concern, locate garage offset from building primary façade, close to street with direct access.
- Accessory Buildings: detached, behind along side of house and located to allow use of particular function.
- Streets: South of 3rd Street: narrow, without curbs or sidewalks; casual pedestrian paths and connecting stairs are encouraged.

Finding: Complies with Conditions.

Elevation of this lot is sloped and has cascading topography from 5th Ave down to 4th Ave. There is a natural driveway to the lot that starts on the ninety degree corner of Ganong and 4th Ave that leads southwest up to a small somewhat level area where the proposed house will be built. This driveway is proposed to lead directly to the proposed garage that will sit under the front portion of the house. The house is proposed to face directly north towards 4th Ave. There is a historic basalt rock wall that lines 4th Ave and the northern side of the property. The elevation from the street up to where the house will sit is at approximately 20 feet. The home will sit an additional 10 feet back behind the property line to ensure no disturbance to the historic rock retaining wall.

The applicant submitted the following description of the proposed vegetation and tree removal: *"This area has several large Douglas fir trees that will have to be removed for excavation of the house. No fence is planned in the front of the house as the natural drop off of the slope provides a barrier. Trees, shrubs, and bushes will be planted on each side of the front porch steps, gently sloping grass will be planted on the west side of the house and extend up to the back of the house where there may be a natural rock retaining wall. To the southeast back portion of the house, a flat lawn area is also planned with a*

natural rock retaining wall as well that will run behind it and extend past the house itself on the south side of the property. Other trees and shrubs will be planted along the sides of the driveway which is TBD but plan on a concrete garage apron at least 20FT back from the garage doors themselves.”

HOUSE PLACEMENT:

The proposed building site is 100x100 steeply sloping from 4th Ave with a more level area for building at the middle portion of the property.

The house is proposed to face 4th Avenue. The home is proposed to be set back more than 35 feet from the 4th avenue rockery wall to allow for more separation between the wall and the home.

RETAINING WALLS:

The proposed home is located on a site that is specifically referenced in the register nomination for the Canemah Historic District. There is a basalt wall that runs east to west along 4th Ave. This wall runs parallel to the subject site and is an important feature in Canemah. The basalt wall shall not be disturbed during the development of the property.

Two new rock retaining walls are proposed on site along the back side of the home and the uphill side of the driveway area. The height of these walls is not indicated on the plans. The maximum height shall be limited to 5 feet. Any additional natural rockery walls that are less than 4 feet are allowed on the site without further Historic Review Board review. The proposed retaining walls shall be a rockery wall, or utilize concrete or natural basalt veneer.

ATTACHED GARAGE:

Page 27 of the design guidelines states that accessory structures should be subservient to the primary building and be located at less visible areas such as the side or back of the primary building. The garage is proposed on the ground level as an attached garage.

The previous approved home on this lot also included an attached side-loaded garage on the ground floor. The Historic Review Board made findings to support the attached garage in this specific circumstance. The same findings are applicable to the current proposal and include:

- The site has a steep grade and disturbing less area when developing the site will help maintain the geologic integrity of the site.
- The garage is located underneath the main level of the home and does not increase the envelope of the home beyond that of a single family home located on the site.
- The home is setback more than 20 feet from the 4th Ave right-of-way, which reduces the visibility of the proposed home from the 4th Ave right-of-way.
- The proposed garage is side-loading and located underneath the main level of the home, the only way to see the garage doors would be from the Ganong Street right-of-way and the proposed driveway for the home.

GRADING AND TREE REMOVAL:

The applicant has not provided information on grading; the site is within the geologic hazard overlay and some grading is anticipated. Page 34 of the design guidelines states that extensive regrading of the lot to raise or lower the main level of the house is not allowed. The applicant shall minimize grading and comply with any applicable standards in the geologic hazard overlay zone.

The applicant proposes to remove two 36" Douglas Fir trees and 7 to 9 maples of various sizes. Three large firs are proposed to remain, along with 3 maples on site and several more maples in the 4th street right-of-way between the property and the 4th street pavement. Page 24 of the design guidelines call for replanting to preserve tree canopy. With the retention of several trees, the canopy will be greatly

preserved; however, staff recommends that the applicant plant four native 1.5" caliper replacement trees in the side or front yard as a replacement for the 9 to 11 trees that will be removed.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

3. BUILDING FORM

Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style.

BUILDING FORM CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- Building form is difficult to modify for additions, but has versatile floor plan.
- More emphasis on the horizontal than Vernacular; this extends into porch, dormer and window design; more 'ground hugging'.
- Shape: floor plans are either rectangular, or square
- Height: One, or more often one-and-a-half stories high; possible basement.
- Proportions: Height to width approximately 1:1½; Height to Depth: 1: no more than 2 for main building portion not including front porch.
- Roof: Low-pitched (6:12 maximum) gable roof; front or side facing.
- Bays: possible single story, cantilevered, and rectangular located on side of house.
- Porch: Prominent front porch, roof supported with simple posts (less bulky than in McLoughlin); roof often continues down to create cover over porch; at main story only.

Finding: Complies with Conditions.

The applicant submitted the following response:

"The bungalow is 31FT Wide in the front and 39.5FT wide in the back by 46.5FT Long on each side and 32FT High (front top of slab of the basement) creating a rectangular shape that is wide, but not as wide as it is deep. The front porch, included in these dimensions are the full width of 31FT wide by 8.5FT deep with boxed craftsman posts providing the historical representation that defines a classic bungalow. We are also proposing a covered back patio cover that mimics the front porch so it looks balanced. The patio cover is 21FT wide by 10FT deep. The goal of the design is to mimic a historic style bungalow but that will function with today's lifestyle. The house will be positioned directly facing 4th Ave along with the centered front facing dormer and front door will be asymmetrical, it will appear in proportion to the size requirements if the house was visible from the street.

Although not visible from the streets, the side of the house that will contain the garage doors will have a bumped out cantilever wall section of 1FT (kitchen sink area) with a craftsman awning over it as well as an awning over each garage door to break up this side of the house and make it more visually appealing. The main portion of the house will have smooth lap siding and the second floor will be separated with a bellyband and contain shakes and corbels on the gabled sides. This will also break up the uniformity of the home and create a more visual appealing façade that is also common with bungalow styles from the early 1900's."

HOUSE FORM:

The floor plan is a rectangular shape with a footprint of approximately 1580 square feet. A public comment made at the September 2019 HRB meeting indicated that the size of the home was much

larger than the historic Bungalows in Canemah. Staff has provided a rough analysis of the majority of the existing historic bungalows in Canemah (see images in Exhibit 4) and determined that the footprint of the home is not exceedingly larger than other bungalows in Canemah. The footprint is larger than any of the historic examples except for 602 1st Avenue, which has a footprint of approximately 1900 square feet. The proposed footprint is 19% larger than the average of 1323 as shown in the table below. The proposed width is in the range of the historic bungalow widths, and the proposed depth is on the higher side but still within the range of the historic bungalow sizes.

Table 1. Canemah Historic Bungalow Dimensions Compared to Proposed Home

Address	Width (approximate in feet)	Depth (approximate in feet)	Footprint (approximate in square feet)
Proposed Home	31(front) to 39 (rear)	46	1580
208 3 rd Avenue	33	40	1370
302 Blanchard St.	36	28	1060
402 5 th Avenue	32	32	1030
408 4 th Avenue	36	33	1240
510 1 st Avenue	30	47	1390
512 S McLoughlin	30	40	1250
514 4 th Avenue	39	26	1230
601 S McLoughlin	30	45	1400
602 1 st Avenue	37	50	1900
609 S McLoughlin	34	32	1130
716 S McLoughlin	30	41	1300
AVERAGE	33	38	1323

HEIGHT:

The design guidelines on page 38 contain a prohibition of residential buildings that vary more than 20% from the heights of the historic neighborhood context unless approved by HRB. The proposed height of the home is approximately 25.5 feet from the main floor to the peak of the roof, not including the basement. The basement is exposed on the east side and is mostly unexposed on the west side. The total height is 32 feet, including the basement. Many historic homes in Canemah are of the 24-28 range in height, and staff finds that the proposed height is appropriate.

The guidelines also state that in Canemah, no greater than 1.5 story plus a basement is permitted. Due to the roof pitch and the design of the front of the home, the home appears as a 1.5 story with a basement. The basement is exposed on the east side of the home, making the east side appear as 2.5 stories. However, due to the steep topography of the property and the requirement to limit grading and excavation, the HRB may find that the garage tucked under the home in the basement area is appropriate.

OVERALL SIZE AND PROPORTIONS:

The applicant states: "The main level will be 1613 sqft and the top floor will be 1079 sqft with the lower level having a bonus room of 567 sqft." Thus, the total square footage is 2692 plus the 567sf basement. This overall size is likely on the larger end for the historic district. Many of the newer homes in Canemah are within this ballpark size, and some of the historic homes may be similar in overall square footage as

well. The traditional bungalow design with the low-slung roof façade serves to mitigate for the overall size of the home.

The height to roof peak is 25 feet and width of the home is 31 feet at the front and 39 feet on the rear. This ratio is approximately 1:1.5 as described in the guidelines.

The depth of the home is approximately 46 feet, making the height to depth ratio less than one.

ROOF PITCH:

The side-facing gable roof pitch is proposed as 7:12 with the front porch and rear shed dormer roofs are at 3:12. The front dormer has a gable roof front-facing with an 8:12 pitch. The 7:12 pitch is greater than the guideline for 6:12 maximum, and is greater than most Canemah bungalows. A lower pitch would reduce the height and massing of the home, although the HRB may find that the proposal is consistent with traditional bungalows in the region.

PORCH AND STAIR:

The home includes a prominent front porch that extends the width of the home. The front porch posts are thick and tapered in the typical bungalow style. The stairs to the front porch appear to number about 9 steps, which is more than allowed under the guidelines for exterior stairways on Page 48, which says exterior stairs exceeding five feet in height at the front of buildings are not allowed. The topography of the site is steep and the applicant has proposed a front stair that turns 90 degrees, which helps to reduce the impact of the staircase height. The applicant shall modify the grading plan or house design such that the stairs facing 4th Avenue do not exceed 5 feet in height, and shall not increase the number of stairs beyond what is shown in the plans.

Exposed siding proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one foot must be reviewed by the Historic Review Board. Landscaping shall also be utilized to visually shield the massing under the porch and on side elevations. A maximum of ten shrubs with minimum mature height of 5 feet may be required, with final number and locations selected by staff after construction.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

4. DESIGN COMPOSITION

Include a range of more detailed design issues that address groups of elements, individual elements, their design and how they relate to the overall composition and finish. The principles place a traditional emphasis on the design's composition as seen from the exterior, rather than as a result of interior functional planning requirements. They also outwardly convey a sense of quality craftsmanship.

The design composition principles, being more detailed, and stylistically dependent, are typically developed after the previous principles are resolved. These principles also reflect historically appropriate materials, respective finishes, and unobtrusive integration of new technology.

DESIGN COMPOSITION CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- Front façade can be symmetrical or asymmetrical
- Porch: full, not typically wrap-around front porches.
- Roof Overhang: wide, over-hanging eaves and exposed rafter tails; decorative knee brackets under eaves.
- Dormers: single front facing; with lower slope gable or shed roofs
- Chimneys: at interior or projecting on side of house, usually brick.

- Siding: horizontal board siding; typically bevel profile (occasionally shiplap), shingle siding; or a combination, such as horizontal boards on the first floor with shingles on the second floor, or just in the gable or dormer.
- Windows: double-hung; 1:1; large fixed window flanked by two smaller double-hung windows.
- Windows At Dormers: smaller, often grouped at shed dormers; fixed or casement style where smaller.
- Finishes: generally earth tones; no white doors or windows.

Finding: Complies with Conditions.

The applicant states:

"In keeping with the historic style of a bungalow, the front façade with be symmetrical in design with a centered front door, centered dormer above, full width front porch, centered porch steps and balanced windows on each side of the front mandoor. Extended eaves and rafter tails will be evident in the design and build as will the lap siding on the main body of the home and shake as well as corbels (knee brackets) on the gabled sides and dormers above. Double hung 1 over 1 windows and picture fixed windows will be used. Colors have not been yet decided for the house but we would like to propose classic white for the main body if possible but ultimately adhering to the HRB guidelines and recommendation of earthen tone colors if classic white is rejected.

The overall design of the home is intended to look as if fits nicely in with historic bungalows from this era but also give the Canemah neighborhood a updated variety as this community grows into the future."

The applicant also provided a materials list.

HOUSE DESIGN:

The front façade is symmetrical due to window variation and left side wing, and the front porch is symmetrical. The porch is full width and does not wrap around the home. The home includes a single dormer with an 8:12 roof pitch. While this pitch is not particularly low as discussed in the guideline, it appears to fit the overall home aesthetic.

Exposed siding proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one feet must be reviewed by the Historic Review Board.

The design utilizes overhanging eaves, exposed rafter tails, and decorative knee brackets, which are all typical of the bungalow style.

Windows on the front facade include paired 1 over 1 double hung windows on each side of the front door. The dormer is proposed to have a bank of three windows. It is not clear if these are casement windows or another type. Slider windows are not permitted.

Windows on the sides are paired 1:1 double hung. Rear windows are paired 1 over 1 and single lite windows.

MATERIALS:

Materials proposed are composition roofing, smooth fiber cement siding with 4" exposure, fiber cement shakes, Andersen fibrex windows, fiber cement shingles on the second story, cedar barge board, and ornamental cedar brackets. The applicant shall ensure that shakes/shingles are straight across and not jagged.

The applicant proposes a wood front door and steel garage doors, along with what appears to be a sliding glass door to the rear porch. Windows in the garage door are acceptable but not required. The sliding glass door is not typical of Canemah; the HRB may want to require use of French doors instead.

The porch decking is proposed as composite material. The porch and stair railing is proposed to be painted white wood. Due to the high elevation of the home above the street and the fact that the porch floor will not be visible from any other property or the street, staff finds that the composite material is acceptable as long as it matches a color of the home.

The remaining materials meet design guidelines as proposed.

The window sash shall be the darkest color of the three color paint scheme.

The applicant shall use simple bungalow styled exterior lighting.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

17.40.065 - Historic Preservation Incentives.

A. Purpose. *Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.*

B. Eligibility for Historic Preservation Incentives. *All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).*

C. Incentives Allowed. *The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.*

D. Process. *The applicant must request the incentive at the time of application to the Historic Review Board.*

Finding: Not Applicable. No preservation incentives are proposed.

II. PUBLIC NOTICE

A public notice was sent to neighbors with 300 feet of the subject property, posted online, emailed to various entities, and posted onsite.

III. CONCLUSIONS AND RECOMMENDATIONS

Based on the following findings, staff recommends that the Historic Review Board approve the proposed development of HR 19-05 with conditions for the property located at 306 4th Avenue, Oregon City, Oregon 97045.

Exhibits

1. Vicinity Map
2. Applicant Submittal
3. Public Comments
4. Bungalow size comparison images
5. 408 4th Inventory Form
6. 207 4th Inventory Form
7. 211 5th Inventory Form
8. Design Advice Items
9. Letters from SHPO and Confederated Tribes of Warm Springs

August 20, 2021

TO: Historic Review Board

FROM Karen Lytle Blaha
514 4th Avenue, Canemah 97045

SUBJECT: GLUA 21-00042/HR21-00018, Revision to HR19-04
New Home: 306 4th Avenue

As a Canemah resident for 26-plus years, I thank you for your consideration on this matter.

I strongly urge this Board to approve this revised application presented by owners Tim and Taryn Ahaus. They have gone to extraordinary lengths to comply with numerous--and occasionally conflicting--regulations and rules. One conflict resonates with a harsh discord: allowed retaining-wall height in the city versus Canemah. I can barely hear the echo of state geologist Dr. Scott Burns telling our Canemah Neighborhood Association that the more concrete we have the better in a city fraught with slide potential.

Building or remodeling in Oregon City, but specifically Canemah, has become an out-of-reach goal with accompanying financial hardship unless you are a person or entity of unlimited finances. This applicant has applied a good-faith effort to comply at many levels and, mind you, a period of years. Before adding yet another burden of tweaks or changes, please calculate and take into consideration the costs of such.

It is time that this application move forward without further delay, and I ask that this Board do what's necessary to achieve that outcome

Again, I sincerely appreciate your time and attention.

From: [KAREN BLAHA](#)
To: [Kelly Reid](#)
Subject: Recusal & Preclusion Request for 8/24
Date: Sunday, August 22, 2021 8:26:40 PM

To: Historic Review Board Members: Grant Blythe, Canemah; Sabrina Ferry, Architect; Carrie Cook, McLoughlin; Raymond Stobie, Chamber; Paul Edgar, At Large

From: Karen Blaha

Subject: REQUEST FOR RECUSAL AND TESTIMONY PRECLUSION FOR
GLUA 21-00042/HR 21-000 REVISION TO HR 19-04

With due respect to the Board and its worthy mission, this is a request for Member Paul Edgar to recuse himself from testimony/comment on the Tim and Taryn Ahaus property for the following reasons.

It is well known that Mr. Edgar was at one time an owner of said property, sold it to a developer, and subsequently objected to its development.

It is also known that Mr. Edgar has had significant exparte contact with the current owner/applicant, giving instruction as to what they can and cannot do with the property.

Further, I request that Mr. Edgar be precluded from temporarily stepping away as a Board member, then providing testimony as a private citizen and representative of Friends of Canemah, litigants against the City and a small closed group that has refused membership to some Canemah residents.

The effect of recusal while still allowing testimony negates the purpose of recusal, resulting in attempts to influence Board colleagues.

However, I would have no objections to Mr. Edgar's testimony, comments and points of view if he simply resigned from the HRB.

I have appreciated several of Mr. Edgar's accomplishments on behalf of Canemah, but transparency is extremely important in matters such as those now before the Board.

Karen Lytle Blaha
514 4th Avenue
Oregon City OR 97045

Cell: 503.989.8905
Email: blahak@comcast.net

From: [R. Chris Sweet](#)
To: [Kelly Reid](#)
Subject: Historic Review Board Comment RE: GLUA 21-00042/HR21-00018, 306 4th Ave, Canemah
Date: Friday, August 20, 2021 12:32:56 PM

August 20, 2021

TO: Historic Review Board
FROM: Chris Sweet, Canemah resident
514 4th Avenue, Oregon City 97045
RE: GLUA 21-00042/HR-21-00018, Revision to HR 19-04

When HRB historic *guidelines* do not line up with city's Geological Hazard code, the board needs to give precedence to allow the applicant to re-orient the home to minimize the height of the retaining wall and reduce the amount of site disturbance.

There are times that *design guidelines* are just that; a framework and are not universally translated to determine a course of action. With city code one must follow applicable laws, codes, rules and regulations.

In this instance the Canemah *guideline* for retaining wall height needs to be evaluated based on the site specifics not on *guidelines* that you would prefer to see. The applicant has made the adjustments to their plans to minimize the impact while still creating a beautiful home to enhance our neighborhood. Approving this does not set precedent for future applicants.

I appreciate the time that the Historic Review Board puts into the challenges to balance requirements against *guidelines* that don't match.

Canemah Neighborhood Association

516 First Avenue, Canemah OR 97045

Oregon City Historic Review Board

cc: Kelly Reid

August 23, 2021

RE: GLUA 21-00042 / HR-21-00018

HRB Members:

In the August 11, 2021 meeting of the Canemah Neighborhood Association Steering Committee, we reviewed the plans and renderings for the above referenced agenda item for the Historic Review Board's August 24, 2021 meeting.

A quorum of the CNA Steering Committee members voted unanimously to support the applicant's revised plans on this application and strongly urge HRB approval of this home in the Canemah National Register Historic District.

Thank you.

Ken Baysinger, Chair

Canemah Neighborhood Association

From: [Robert D. Green](#)
To: [Kelly Reid](#)
Subject: GLUA 21 00042
Date: Sunday, August 22, 2021 3:15:34 PM

Greetings Kelly,

I have recently reviewed the design revisions of the proposed home construction project at Fourth and Ganong with interest since I plan to be moving into the neighborhood in the near future. It seems apparent the applicant has gone to great lengths interacting with design professionals and city engineers to craft a design that will meet the variety of rigorous requirements on a challenging lot in this neighborhood and in my view achieved a very pleasing result. I believe the home as shown will be a very respectful positive addition to the neighborhood and as such I would be supportive of approval.

Kind regards, Dave Green

Sent from my iPad

From: [Susan Borger](#)
To: [Kelly Reid](#)
Subject: HRB meeting 8/24/21
Date: Monday, August 23, 2021 11:28:11 AM

Kelly,
I'm submitting this comment to the upcoming HRB agenda.

re: GLUA-21-00042/ HR-21-00018
Revision for a new single dwelling at 306 4th Avenue

As a resident and homeowner living in the Canemah district of Oregon City, I would be happy to see the plans for this proposed project approved. Building in our community on these complex lots is a challenge for the property owners and the city's oversight. I would recommend discretion with regard to the guidelines to solve the issue of building on this topography.

As I view the staff's recommendations I would choose option 2 or 1, knowing the diligence the Ahaus's have put into this project so far. Let's keep this project moving forward!

Regards,
Susan Borger



LAND USE APPLICATION TRANSMITTAL – RESPONSE FORM

Date: 8-5-21

HR 21-00018

Land Use Application File Number: _____

NAME: Josh Wheeler, Assistant City Engineer

AGENCY: Oregon City Public Works

EMAIL ADDRESS: jwheeler@orccity.org

The land use application material is referred to you for your information, study and official comments. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return a copy of this form to facilitate the processing of this application and to ensure prompt consideration of your recommendations.

Please check the appropriate spaces below.

☐	The proposal does not conflict with our interests.
☐	The proposal conflicts with our interests for the reasons attached. (Please attach additional information)
☒	The proposal would not conflict our interests if the changes noted below or attached are addressed.

Please add any specific comments below or attach a separate document with more information.

New structure will be required to have a water and sanitary sewer service per City Standards with appropriate permit.

Property may be required right of way dedication or road improvements per OCMC 16.12.11 or may require a modification to meet the standard.

Property will be required to obtain a right of way permit for any proposed driveway.

Property is required to meet Geologic Hazards Code OCMC 17.44 with respect to density : maximum 1 dwelling unit allowed and with respect to disturbance : 4,000 sf maximum or 50% of the size of the lot, whichever is smaller. It shall meet all portions of the OCMC 17.44 which relates to numerous other items such as cuts and fills and retaining wall height

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION



LAND USE APPLICATION TRANSMITTAL – RESPONSE FORM

Date: 8.9.21

Land Use Application File Number: Hr-21-00018

NAME: Mike Roberts

AGENCY: City of Oregon City -- Building Division

EMAIL ADDRESS: mroberts@orccity.org

The land use application material is referred to you for your information, study and official comments. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return a copy of this form to facilitate the processing of this application and to ensure prompt consideration of your recommendations.

Please check the appropriate spaces below.

☒

The proposal does not conflict with our interests.

☐ The proposal conflicts with our interests for the reasons attached. (Please attach additional information)

☐ The proposal would not conflict our interests if the changes noted below or attached are addressed.

Please add any specific comments below or attach a separate document with more information.

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

Canemah Neighborhood Association

516 First Avenue, Canemah OR 97045

Oregon City Historic Review Board

cc: Kelly Reid

September 17, 2021

RE: GLUA 21-00042 / HR-21-00018

HRB Members:

In the September 16, 2021 general membership meeting of the Canemah Neighborhood Association, we reviewed the plans and renderings for the above referenced agenda item for the Historic Review Board's September 28, 2021 meeting.

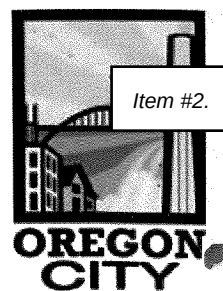
CNA members voted unanimously to support the applicant's revised plans, including the rotation of the primary façade to face the Ganong Street right-of-way, the placement of the garage, and the overall appearance of the proposed home. We strongly urge HRB approval of this home in the Canemah National Register Historic District.

Thank you.

Ken Baysinger, Chair

Canemah Neighborhood Association

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to **3 MINUTES**.
- Give to the Clerk in Chambers **prior** to the meeting.

Date of Meeting 8/24/2021

Item Number From Agenda — GLUA 21-00043/HR-21-00018

NAME: Ron Bristline

***Please provide complete contact information in order to receive notice of a land use decision as required by OCMC 17.50.130(C).

ADDRESS: Street: 712- 4th Ave

City, State, Zip: Oregon City, OR, 97045

PHONE NUMBER: 503-396-2316

E-MAIL ADDRESS: ronbristline@hotmail.com

SIGNATURE: Ron Bristline

COMMENT FORM



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to **3 MINUTES**.
- Give to the Clerk in Chambers **prior** to the meeting.

Date of Meeting Aug. 24, 2021

Item Number From Agenda — GLUA-21-00038 + HR 21-000016

NAME: Denise Beasley

***Please provide complete contact information in order to receive notice of a land use decision as required by OCMC 17.50.130(C).

ADDRESS: Street: 301 Madison St.

City, State, Zip: Oregon City, OR 97045

PHONE NUMBER: 503-650-0704

E-MAIL ADDRESS: dbeasleym@gmail.com

SIGNATURE: Denise Beasley

From: [Paul Edgar](#)
To: [Kelly Reid](#); [Laura Terway](#)
Cc: [Bill Kabeiseman & Carrie Richter <Kim Spiehler](#)
Subject: Re: GLUA 21-00042 / HR-21-00018: Historic Review, a few questions in advance that can be answered and shared
Date: Monday, August 23, 2021 4:13:52 PM

Can you make this email thread - exchange part of the record of GLUA 21-00042/HR 21-00018.

Paul Edgar

On 8/5/2021 9:51 PM, Paul Edgar wrote:

> The Staff Report is fine, I just don't want some gotcha to come up in
 > the HRB meeting and it gets us going in the wrong direction.
 >
 > In our discussions of possible surgical changes to OCMC 17.40 or the
 > Building Guidelines, having "Mass" identified in Sq Ft. like a max of
 > 2,500 would have the potential of raining in these oversized houses
 > that over shadow the comparative size of contributing historic Canemah
 > houses. Even my house has been added to, and design changes and
 > trying to be compatible needs some constraints that are not subjective.
 >

> I may give you a call, also.

>

> Paul

>

> On 8/5/2021 4:04 PM, Kelly Reid wrote:

>> Hi Paul,

>>

>> Would you like to touch base with me over the phone to discuss, or do
 >> you just want to make sure that my staff report addresses these
 >> questions?

>>

>> Thanks,

>>

>>

>> Kelly Reid

>> She/her/hers

>> Planner

>> Community Development Department, City of Oregon City

>> 695 Warner Parrott Rd, Oregon City, OR 97045

>> kreid@orcity.org

>> (503) 496-1540 Direct

>> (503) 722-3789 Main

>> Website

>> Interactive Maps and Apps

>> On-Line Submittal of Land Use Applications

>>

>> The City of Oregon City continues to offer services and programs

>> in-person and online - find facility hours of operation here.

>>

>> Website:www.orcity.org

>> Visit us on Facebook! and Twitter

>> PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the

>> State Retention Schedule and may be made available to the public.

>>
>>
>>

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

>> From: Paul Edgar<pauloedgar@q.com> Sent: Thursday, August 5, 2021

>> 1:32 PM

>> To: Kelly Reid<kreid@orcity.org>

>> Subject: GLUA 21-00042 / HR-21-00018: Historic Review, a few

>> questions in advance that can be answered and shared

>>

>> I have been reading this application and they speak to this as a
>> Craftsman House Design, and I did not know that this is applicable in
>> the Canemah Historic District?? We have Bungalows and Vernaculars?
>> This has a gross Sq. Footage of the 3 floors that equals a total of
>> 4,305 Sq. Ft. which is the foundation up. The finished ground floor,
>> is more than 567 Sq. Ft. and Is this not exceeding our limits in
>> relationship to comparable contributing Canemah Houses within
>> "Massing"?? I understand that they are grandfathered and do not have
>> to comply with the new emergency NROD Codes in relationship to
>> existing landslides, but DOGAMI reflects this site with a historic
>> landslide and isn't this something we are trying to prevent for
>> public safety concerns, and can we get comment from the City
>> Engineer??. This cut into the hillside with the additional cuts for
>> the footers to set the 15 Ft. high walls on, it is surely on the edge
>> of any possible acceptance?? What is the height of the side of this
>> proposed house of the wall that is facing 4th Avenue, from the ground
>> to the peak of the roof. How does that comply with our codes?? I
>> don't see anything in this on the propose windows?? I don't see
>> anything on meeting our codes on the mass of the steps?? What is the
>> distance between the side of the house facing 4th Avenue and the
>> Historic Rock Wall and from the height of the rock wall to the height
>> of the ground level of that 4th Avenue facing of the house wall??

>>

>> Paul Edgar

>>

>

>



Oregon
Kate Brown, Governor

Parks and Recreation Department
State Historic Preservation Office
725 Summer St NE Ste C
Salem, OR 97301-1266
Phone (503) 986-0690
Fax (503) 986-0793
www.oregonheritage.org



November 22, 2016

Ms. Diliaana Vassileva
City of Oregon City Planning
221 Molalla Ave
Ste 200
Oregon City, OR 97045

RE: SHPO Case No. 16-1802
City of Oregon City, PA 16-45, Single Family Dwelling on Tax Lot 300
Single family dwelling construction
3S 2E 6BB, Oregon City, Clackamas County

Dear Ms. Vassileva:

Our office recently received a request to review your application for the project referenced above. In checking our statewide archaeological database, it appears that there have been no previous surveys completed near the proposed project area. However, the project area lies within an area generally perceived to have a high probability for possessing archaeological sites and/or buried human remains. In the absence of sufficient knowledge to predict the location of cultural resources within the project area, extreme caution is recommended during project related ground disturbing activities. Under state law (ORS 358.905 and ORS 97.74) archaeological sites, objects and human remains are protected on both state public and private lands in Oregon. If archaeological objects or sites are discovered during construction, all activities should cease immediately until a professional archaeologist can evaluate the discovery. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project. If the project has a federal nexus (i.e., federal funding, permitting, or oversight) please coordinate with the appropriate lead federal agency representative regarding compliance with Section 106 of the National Historic Preservation Act (NHPA). If you have any questions about the above comments or would like additional information, please feel free to contact our office at your convenience. In order to help us track your project accurately, please reference the SHPO case number above in all correspondence.

Sincerely,

Dennis Griffin, Ph.D., RPA
State Archaeologist
(503) 986-0674
dennis.griffin@oregon.gov

From: [Diliana Vassileva](#)
To: [Christina Robertson-Gardiner](#)
Subject: FW: Development Review in Oregon City -- Multiple Properties PA 16-45
Date: Thursday, October 27, 2016 3:26:35 PM
Attachments: [CTWSROLogo.png](#)

PA 16-45 comments from Warm Springs.

Thanks,

Diliana



Diliana Vassileva
Assistant Planner
Planning Division
 City of Oregon City
 PO Box 3040
 221 Molalla Avenue, Suite 200
 Oregon City, Oregon 97045
 Direct - 503.974.5501
 Planning Division - 503.722.3789
 Fax 503.722.3880

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Please visit us at 221 Molalla Avenue, Suite 200 between the hours of 8:30am-3:30pm Monday through Friday.
 PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: THPO@ctwsbnr.org [mailto:THPO@ctwsbnr.org]
Sent: Monday, October 24, 2016 3:26 PM
To: Diliana Vassileva <dvassileva@ci.oregon-city.or.us>
Cc: Roberta Kirk <roberta.kirk@ctwsbnr.org>
Subject: Re: Development Review in Oregon City -- Multiple Properties PA 16-45

Good afternoon, Diliana,

Thank you for the opportunity to review information on proposed multiple property projects within Oregon City.

As technical reviewer for the Tribal Historic Preservation Office, current concerns with the proposed project APEs and ground-disturbing activities are in regards to impacts to areas known to have been utilized by Tribal ancestors during their movements between traditional use areas of Central Oregon and those of the Willamette Valley. One destination locale in particular is Willamette Falls, just northwest of proposed PA 16-45. We are also aware of a significant archaeological site located between .25 and .5 miles northwest of proposed PA 16-45 that may be directly associated with Willamette Falls and additional archaeological sites in the approximate .5 to 1.5 mile radius. The fact that these sites are located in the vicinity and presence of ethnographic and oral history documentation to the same, we respectfully request that further technical consultation occur with the Tribes to determine the best course within which to address concerns for this area.

If you have any questions or concerns regarding these requests, feel free to contact me or Roberta Kirk (Cc'd above).

Sincerely,

Maralee Wernz, MA

Tribal Historic Preservation Office
Confederated Tribes of the Warm Springs
Reservation of Oregon
PO Box 460
Warm Springs, OR 97761
541.553.4921 / 541.553.3555
THPO@ctwsbnr.org



The Confederated Tribes of the Warm Springs Reservation of Oregon have retained treaty-protected interest in the co-management of Ceded Lands, as well as Usual and Accustomed Lands, as set forth through the Treaty with the Middle Tribes of Oregon, 1855, and the “reserved rights doctrine”, U.S. v. Winans, 198 U.S. 371 [1905].

On Oct 7, 2016, at 1:54 PM, Dilia Vassileva <dvassileva@ci.oregon-city.or.us> wrote:

Good afternoon,

Oregon City's municipal code requires notice be sent to selected Tribes and SHPO before development involving ground disturbance may occur. Oregon City will not be reviewing projects on archaeological criteria, but we want to make sure that the applicant is aware of any potential archeological issues as early in the process as possible.

Please review the attached document and return any comments regarding potential archeological issues to me **within 45 days** and your comments will be forwarded to the applicant.

Thank you and please feel free to contact me with any additional questions or concerns.

<image001.jpg>

Diliana Vassileva

Assistant Planner

Planning Division

City of Oregon City

PO Box 3040

221 Molalla Avenue, Suite 200

Oregon City, Oregon 97045

Direct - 503.974.5501

Planning Division - 503.722.3789

Fax 503.722.3880

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<SHPO Letter 10072016.pdf>



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Historic Review Board

Agenda Date: 09/28/2021

From: Christina Robertson-Gardiner, Senior Planner

SUBJECT: GLUA 21-00052 / HR-21-00020 Exterior modifications to HR 20-01 including but not limited to the inclusion of an ADA ramp and change in final foundation height for a new live/work building in the McLoughlin Conservation District.

STAFF RECOMMENDATION: Staff Recommends Approval with conditions.

EXECUTIVE SUMMARY: Under HR 20-0001, the Applicant was approved for a live/work building that contains a commercial space on the ground level front and a large, 10-bedroom dwelling unit in the remaining portions of the structure in the Mixed-Use Corridor District (MUC-1). With a better understanding of the site conditions after the HRB approval, the Applicant submitted an alternate design for an ADA ramp with the Building Permit package which incorporate the existing site conditions and detail an approach to access the side and rear of the site. The ADA ramp and retaining walls not associated with the building foundation were not part of the permits issued by the Building Division.

BACKGROUND: Under HR 20-0001, the Applicant was approved for a live/work building that contains a commercial space on the ground level front and a large, 10-bedroom dwelling unit in the remaining portions of the structure in the Mixed-Use Corridor District (MUC-1). The Applicant additionally was reviewed for compliance with the Geohazard Overlay District through GLUA 20-0024: GEO 20-0002 SP 20-0052. The site is crossed sloped with elevation dropping from the rear and top front of the site. The low point of the slope is at the NW elevation. At the front lower corner of the lot at the location of the proposed ADA ramp. The geohazard review and Conditions of Approval directed the application to minimize cuts and fills, which resulted in an exposed foundation approximately 4 feet taller at the side door entrance at the finished grade on the downhill side elevation than reflected in the approved HR plans.

With a better understanding of the site conditions, the Applicant submitted an alternative design including an ADA ramp. The ADA ramp and retaining walls not associated with the building foundation have not been authorized under the existing building permits. The submitted ADA ramp plans incorporate the existing site conditions and detail an approach to access the side and rear of the site.

The Applicant originally planned to access the side elevation door with an at-grade side entrance and retaining wall to the rear. With the revised elevation level, the Applicant proposes to utilize an ADA ramp to access the side and rear entrance. The ADA ramp is designed with lap siding to match the house with railings attached on the inside to minimize the massing of the ramp and reduce the visual appearance of the ramp as a separate building element.

OPTIONS:

1. Approve the proposal with conditions (staff recommendation)
2. Approve the proposal with modified conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information

BUDGET IMPACT:

Amount: N/A

FY(s):

Funding Source(s):



**Historic Review
Staff Report and Recommendation
September 21, 2021**

A preliminary analysis of the applicable approval criteria is enclosed within the following staff report. All applicable criteria shall be met, or met with conditions, in order to be approved. The Historic Review Board may choose to adopt the findings as recommended by Staff or alter any finding as determined appropriate.

FILE NO.: GLUA 21-00052 / HR-21-00020
Modification of HR 20-00001

HEARING DATE: September 28,- 2021
7:00 p.m. – Commission Chambers, Libke Public Safety Building
1234 Linn Ave
Oregon, City, Oregon 97045

APPLICANT: Bogdan Smolinets
NW Custom Homes Inc.
15730 SE Bybee Rd
Portland, OR 97236

OWNER: Teresa Yip
5835 SW Hamilton St
Portland, OR 97221

LOCATION: 1020 5th Street
Oregon City, OR 97045
Clackamas County Map 2-2E-31DA-10900

REQUEST: Exterior modifications to HR 20-01 including but not limited to the inclusion of an ADA ramp and change in final foundation height for a new live/work building in the McLoughlin Conservation District.

REVIEWER: Christina Robertson-Gardiner, AICP crobertson@orccity.org

RECOMMENDATION: If the Board finds that the full ADA ramp to the rear elevation and revised foundation height cannot be sufficiently mitigated though the proposed Conditions of Approval, Staff recommends that the Historic Review Board approve the ADA ramp to the side door only and backfill the remainder of the side yard with rockery walls and mitigation planting with the same type of plants proposed in the proposed landscape plan and approve the condition for the window revisions.

Staff is also looking for confirmation from the Historic Review Board that the Applicant has provided sufficient findings/plans to meet the Design Guidelines for New Construction for the revised elements. If the Applicant has not, Staff recommends that the Historic Review Board provide direction for the

Applicant to return at the October Historic Review Board meeting with a revised narrative and any additional plan revisions as directed by the Historic Review Board unless found to be not required if the Applicant can meet the proposed conditions of Approval.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and "MUC" Mixed-Use Corridor District in Chapter 17.29 of the Oregon City Municipal Code. The City Code Book is available on-line at www.oregoncity.org.

Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the hearing, in person or by letter, with sufficient specificity to afford the Historic Review Board and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Historic Review Board may be appealed to the City Commission by parties with standing within fourteen (14) calendar days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290(C) must officially approve the request through a vote of its general membership or Board at a duly announced meeting prior to the filing of an appeal.

Recommended Conditions

If the Historic Review Board finds that the Applicant can comply with the applicable criteria, the following conditions of Approval apply.

(P) = Verify that condition of Approval has been met with the Planning Division.

(DS) = Verify that condition of Approval has been met with the Development Services Division.

(B) = Verify that condition of Approval has been met with the Building Division.

(F) = Verify that condition of Approval has been met with Clackamas Fire Department.

1. The Applicant shall obtain all needed Building permits and Type I Site Plan and Design Review for the ADA ramp prior to construction.
2. If the HRB finds that the full ADA ramp to the rear elevation and revised foundation can be found to be compatible with the massing and design of the approved structure and will not adversely impact the significance of the McLoughlin Conservation District, the following requirements apply:
 - a. The ADA ramp structure shall start at or beyond the front porch and connect to the sidewalk via a concrete ADA path.
 - b. The Applicant shall utilize foundation vent wells to allow as much backfill soil as possible adjacent to the foundation wall.
 - c. The ADA ramp elements shall be painted or paint-stained to match the body paint of the house.
 - d. No exposed pressure-treated wood is allowed.
 - e. Landscape plant details may change but must meet the minimum mature height and width of the approved plant types.
 - f. The Applicant shall either submit a revised site plan and elevation depicting these elements before the October HRB meeting if the application is continued unless the

Historic Review Board determines that the Conditions of Approval and staff report findings are sufficient and a revised plan is not needed by the Historic Review

3. If the HRB finds that the full ADA ramp to the rear elevation and revised foundation height cannot be found to be compatible with the massing and design of the approved structure and sufficiently mitigated, the following requirements apply:

- a. The ADA ramp shall be revised to access the side door only.
- b. The Applicant shall provide a plan to backfill the remainder of the side yard with rockery walls to the extent practicable and appropriate for a geohazard area and provide mitigation planting with the same type of plants proposed in the submitted landscape plan. Landscape plant details may change but must meet the minimum mature height and width of the approved plant types.
- c. The smaller ADA ramp shall utilize the proposed enclosed lap siding design or a simple balusters style handrail with top and bottom rails attached perpendicularly to the balusters.
- d. The ADA ramp structure shall be designed to start at or beyond the front porch and connect to the sidewalk via a concrete ADA path.
- e. The Applicant shall utilize foundation vent wells to allow as much backfill soil as possible adjacent to the foundation wall.
- f. The ADA ramp elements shall be painted or paint-stained to match the body paint of the house.
- g. No exposed pressure-treated wood is allowed.
- h. The Applicant shall either submit a revised site plan and elevation depicting these elements before the October HRB meeting if the application is continued unless the Historic Review Board determines that the Conditions of Approval and staff report findings are sufficient and a revised plan is not needed by the Historic Review

3. The following windows have been approved by Staff as allowed by Condition of Approval #3

- **Window 6& 8** additional 1:1 windows do not change the compatibility of the elevation- approved by Staff .
- **Window 7** – an additional fixed square dormer window does not change the compatibility of the elevation- approved by Staff.

4. The following windows have not been or cannot be approved by Staff as allowed by Condition of Approval #3 and shall be revised as conditioned below:

- **Window 1** – Appeared to be a fixed square window in the original drawings- unclear in this drawing. The final window shall be revised to be either a 1:1 window or a fixed/casement/awning square window.
- **Window 2**- Final window shall be revised to be either a 1:1 window or a fixed/casement/awning square window
- **Window 3**- Final window shall be revised to be either a 1:1 window or a fixed/casement/awning square window
- **Window 4**- An additional fixed square dormer window does not change the compatibility of the elevation but cannot be approved by Staff as it is on the front elevation.
- **Window set 5** – Revised the window set to be slightly shorter to the adjacent 1:1 windows as depicted in approved plans. The proposed plans are unclear.

PROJECT DESCRIPTION

The Applicant was approved under HR 20-01 to build a live/work building that contains a commercial space on the ground level front and a large, 10-bedroom dwelling in the remaining portions of the structure. The main entry for the commercial space is located in the center of the ground floor porch accessed from 5th Street. The residential entry is on the south elevation, with internal stairs leading to the main residential floor.

The project is a live/work dwelling. The City's definition of live/work is as follows:

17.04.645 - Live/work dwelling.

"Live/work dwelling" a dwelling in which a business is designed to be operated on the ground floor. The ground floor commercial, personal service, or office space has visibility, signage, and access from the primary Street.

The Applicant additionally was reviewed for compliance with the Geohazard Overlay District through GLUA 20-0024: GEO 20-0002 SP 20-0052. The site is crossed sloped with elevation dropping from the rear and top front of the site. The low point of the slope is at the NW elevation. At the front lower corner of the lot at the location of the proposed ADA ramp. The geohazard review and Conditions of Approval directed the application to minimize cuts and fills, which resulted in an exposed foundation approximately 4 feet taller at the side door entrance at the finished grade on the downhill side elevation than reflected in the approved HR plans.

With a better understanding of the site conditions, the Applicant submitted an ADA ramp with the Building Permit package. The ADA ramp and retaining walls not associated with the building foundation were not part of the approval package as the Building Division needed additional information. Staff was waiting for the additional information before determining if the ramp needed to be reviewed by the HRB. The submitted ADA ramp plans incorporate the existing site conditions and detail an approach to access the side and rear of the site.

The Applicant originally planned to access the side elevation door with an at-grade side entrance and retaining wall to the rear. With the revised elevation level, the Applicant proposes to utilize an ADA ramp to access the side and rear entrance. The ADA ramp is designed with lap siding to match the house with railings attached on the inside to minimize the massing of the ramp and reduce the visual appearance of the ramp as a separate building element.

The existing condition of the foundation can be seen in the photo taken on September 21, 2021. It shows a floor height of approximately 2- feet above the proposed final grade at the front corner and approximately 4 feet at the side entrance (please note that the existing gravel is not the final grade). Traditionally, Foursquare buildings have a foundation line/top of the floor, typically around 2-4 feet above grade, to be in line with a front porch depending on the specifics of the site. In this instance, the proposed floor height was a little lower in the approved plans for HR 20-01, around 2 feet tall at the front corner, which then sloped up to an at- grade side entrance.

The Geohazard Review and Conditions of Approval directed the Applicant to minimize cuts and fills, which resulted in an exposed foundation 4 feet taller at the side entrance on the downhill side elevation than reflected in the approved HR plans, which is the lowest point of the cross sloped lot. Further cutting into the slope would have been required to meet the preliminary HRB elevation, which was not recommended in the geo review. The Applicant has also indicated that the backfill of soil will be at the top of the foundation vents as the Applicant indicated that they can build foundation wells for the vents. This has been added as a condition of Approval.

Traditionally Foursquare and larger Bungalow-styled buildings that utilize a full foundation have a foundation line/top of the floor typically around 3 ½ feet above grade to be in line with a front porch depending on the specifics of the site. In this instance, the proposed floor height was a little lower, around 2-tall at the closest point of the front, and sloped up to an at-grade side entrance with a retaining wall. Traditionally, the side door would be accessed from a 3-5 step side porch. In this instance, the Applicant has requested an ADA access ramp rather than a side porch to allow for elderly family members better access to the upper stories as the commercial space is accessed from the front porch entrance.

While the Applicant has provided a side elevation plan showing the ADA ramp, the Applicant has not turned in a detailed site plan showing how the ramp will interact with the front porch, sidewalk, and walkway or a narrative that describes how the ramp meets the requirements of the Guidelines for New Construction

Staff will be reviewing the following items in this application and will provide the Board with suggested Conditions of Approval.

1. ADA ramp/foundation height

2. Window revisions not covered by HR 20-0001 Condition of Approval #4 Minor changes to window location or size on the side and rear facades will be acceptable and may be approved at a staff level prior to building permit issuance. One front dormer windows needs Historic Review Board approval for proposed revisions. Staff has also provided Conditions of Approval that address the proposed revisions and has added some side window conditions that would have been reviewed outside of the process for clarity.

Staff has also provided findings for compliance with the applicable sections of the Design Guidelines for New Construction and the approval criteria in OCMC 17.40 Historic Overlay District. If the Board believes additional findings are needed by the Applicant- they should provide that direction at the September HRB meeting.

Staff Recommendation

Staff recommends that the Historic Review Board approve the ADA ramp to the side door and backfill the remainder of the side yard with rockery walls and mitigation planting with the same type of plants proposed in the proposed landscape plan and allow the full ADA ramp if the Board can provide finding for compatibility and mitigation of the impact of the pedestrian view looking up from 5th Street. This approach provides the needed ADA access with a structure that is comparable to the massing of a traditional side porch. Staff finds that the more conservative approach of a reduced ADA ramp to the side door clearly meets the standards for New Construction, and the full Ada ramp to rear elevation can be found to be compatible as conditioned with more dictionary review by the Historic Review Board.

Allowing the larger ADA ramp is not out of the line with the discretion of the HRB and would allow greater access to the building for elderly residents and visitors and would fit the character of a more commercial building in a Commercial District. The Secretary of the Interior provides [guidance](#) on how to design compatible ADA ramps for historic structures, recognizing that access is an important component to both private and public spaces. While this proposal is new construction of a live/work building, reviewing how ADA ramps can be made to fit historic resources can provide background to the best approach for this project. As there are no specific Design Guidelines for ADA access, the Historic Review Board should review the proposal and see if the design and mitigation measures as outlined in the Conditions of Approval can be found to be compatible with the District and provide the best option to allow access for visitors and residents.

Staff is looking for the Historic Review Board to determine if a revision to the approved plans can be found to meet the standards for new construction in the Historic District.

1. If the proposed full ADA ramp is compatible to the McLoughlin Conservation District and can visually be mitigated through the proposed design and plantings.
 - a. If the Board finds that the full ADA ramp to the rear elevation cannot be sufficiently mitigated through the proposed design and plantings, Staff recommends that Historic Review Board approve the ADA ramp to the side door only and backfill the remainder of the side yard with rockery walls, to the extent allowed by Oregon City Development Services and mitigation planting with the same type of plants in the proposed landscape plan that will cover 100% of the exposed area.
2. Does the Board supports the proposed Conditions of Approval for window revisions not covered by HR 20-0001?
3. Confirmation from the Historic Review Board that the Applicant has provided sufficient findings/drawing for meeting the Design Guidelines for New Construction for the revised elements or can be met with the proposed conditions of Approval. If the Applicant has not, Staff recommends that the Historic Review Board provide direction for the Applicant to return at the October Historic Review Board meeting with a revised narrative and any additional plan revisions as directed by the Historic Review Board.

BACKGROUND

Site and Context

The site is located in the McLoughlin Conservation District in the Mixed-Use Corridor Zone. The property is approximately 9500 square feet and has 77 feet of frontage on 5th Avenue. It also borders unimproved JQ Adams Street, which is heavily forested and includes a pedestrian walkway up to the Barclay Hills and Rivercrest neighborhoods. The site is crossed slope upward from 5th and to the back of the lot (see figure 2)

The property is on the edge of the McLoughlin Conservation District.



Figure 1 Vicinity Map (Conservation district shown in purple)



Figure 2-Aerial photo and topography- arrow showing cross-slope



Figure 3 Zoning Map



Figure 4 Existing condition of exposed foundation- September 21, 2021



Figure 5 Neighboring building at 1010 5th Street; a modern commercial building with a low shed roof, roughly U-shaped. The offices are sited in the eastern portion of the building, with a small courtyard framed by the low roof on the west side. The building is primarily clad with stone veneer, but some portions have vertical groove plywood siding. The windows are fixed aluminum sash and are located primarily on the east and west sides of the building. It is not a designated structure in the Mcloughlin Conservation District. (Google Maps- taken prior to construction)

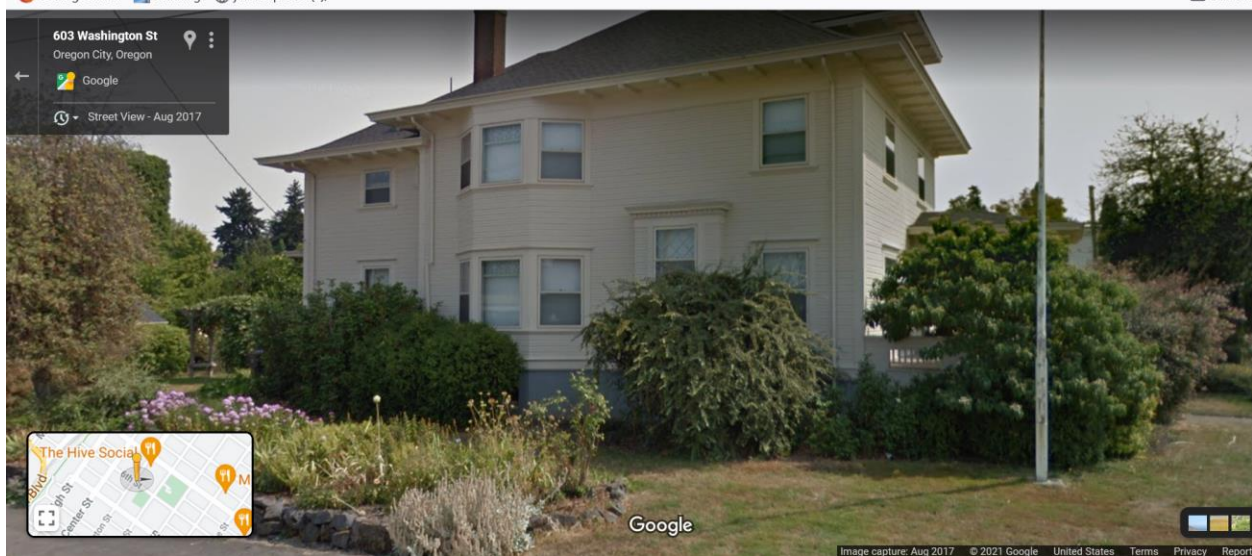


Figure 7-Stevens Crawford House, 603 6th Street. An example of a larger Foursquare/bungalow design with a foundation height of 3 ½ to 4 feet.



Figure 8 -909 Washington Street- Charles Caufield House. An example of a side porch and stair with a 3 ½ to 4-foot foundation height on a sloping site.

Comparison of Approved Site Plan (HR 20-00001 and HR 21-00020)

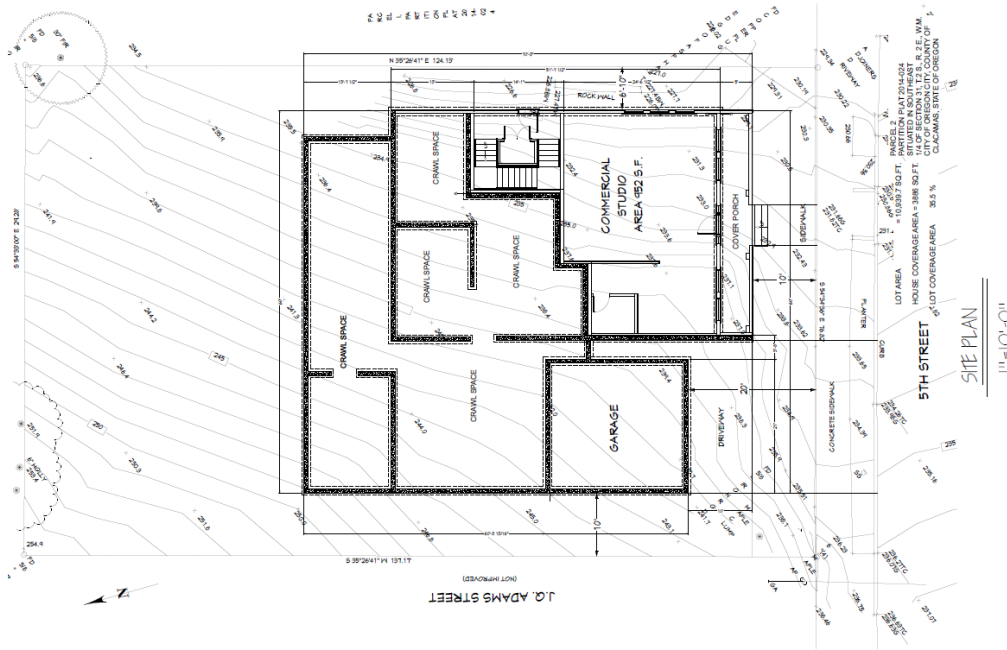


Figure 9 Approved HR 20-01 Site Plan

PLANT LIST:				
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING
STREET TREES				
	2	SYRINGA RETICULATA Japanese Tree Lilac	2" cal.	As Shown
MITIGATION TREES				
	3	CORNUS NUTTALLII Pacific Dogwood	2" cal.	As Shown
	3	TSUGA HETEROPHYLLA Western Hemlock	6" ht.	As Shown
	1	ACER JAPONICUM 'ACONITIFOLIUM' Full Moon Maple	6" ht.	As Shown
SHRUBS				
	29	NANDINA DOMESTICA 'HARBOR BELLE' Harbor Belle Nandina	2 gal.	2' o.c.
	10	PIERIS JAPONICA 'LITTLE HEATH' Little Heath Pieris	5 gal.	3' o.c.
	1	TAXUS MEDIA 'STONEHENGE' Stonehenge Yew	5 gal.	3' o.c.
	6	CORNUS ALBA 'BAILHALO' Ivory Halo Dogwood	2 gal.	5' o.c.
	12	VACCINIUM OVATUM Evergreen Huckleberry	5 gal.	4' o.c.
	32	LEUCOTHOE FONTANESIANA 'NANA' Dwarf Leucothoe	2 gal.	3' o.c.
	13	AUCUBA JAPONICA 'MR. GOLDSTRIKE' Mr. Goldstrike Aucuba	5 gal.	4' o.c.
	35	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	6	CAMELLIA 'FAIRY BLUSH' Fairy Blush Camellia	2 gal.	3' o.c.
	8	CEPHALOTAXUS HARRINGTONIA 'FASTIGIATA' Upright Japanese Plum Yew	5 gal.	2' o.c.
	7	SARCOCOCCA RUSCIFOLIA Sweet Box	1 gal.	3' o.c.
GROUND COVER				
	14	ARCTOSTAPHYLOS U.V.A. 'WOOD'S DWARF' Wood's Dwarf Kinnikinnick	1 gal.	3' o.c.
	63	EPIMEDIUM PERRALCHICUM 'FROHNLEITEN' Frohnleiten Bishop's Hat	1 gal.	2' o.c.
	44	LIRIOPE MUSCARI 'BIG BLUE' Big Blue Lily Turf	1 gal.	2' o.c.

GENERAL NOTES:

- Contractor is to verify all plant quantities.
- Adjust plantings in the field as necessary.
- Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/ build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
- All plants are to be fully foliated, well branched and true to form.
- Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.
- Invasive plant species shall be removed from all landscape areas prior to approval of final occupancy permit.

Figure 10 -2021 Proposal Landscape Plan Details

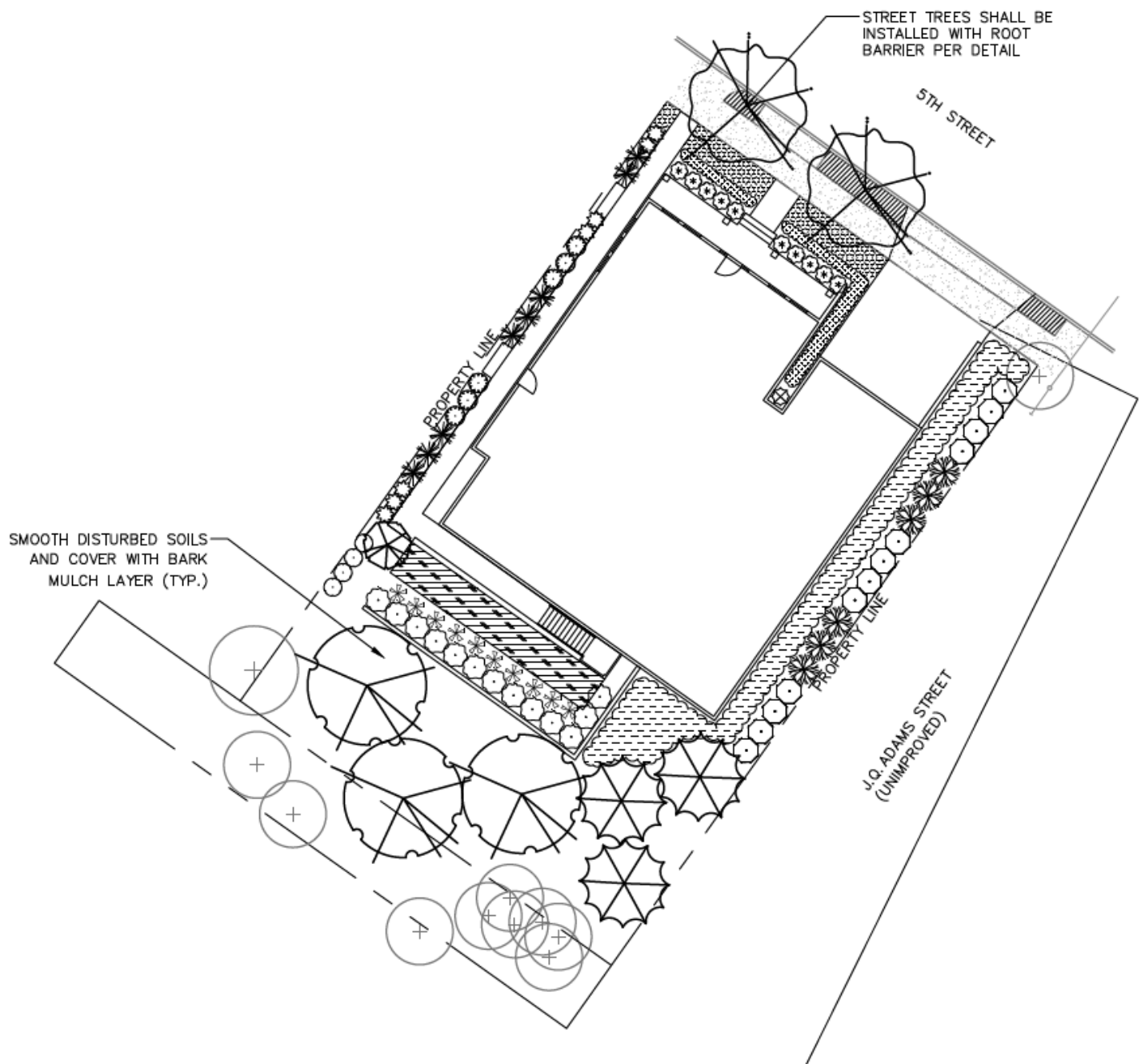


Figure 11- 2021 Proposal Landscape Plan showing ADA ramp location and side yard mitigation plants (Japanese yew, sweetbox, and fairy bush camellia). ADA setbacks to the property line look to 2 1/2 to 3 feet.



Figure 12- Aproved Front Elevation- HR 20-1

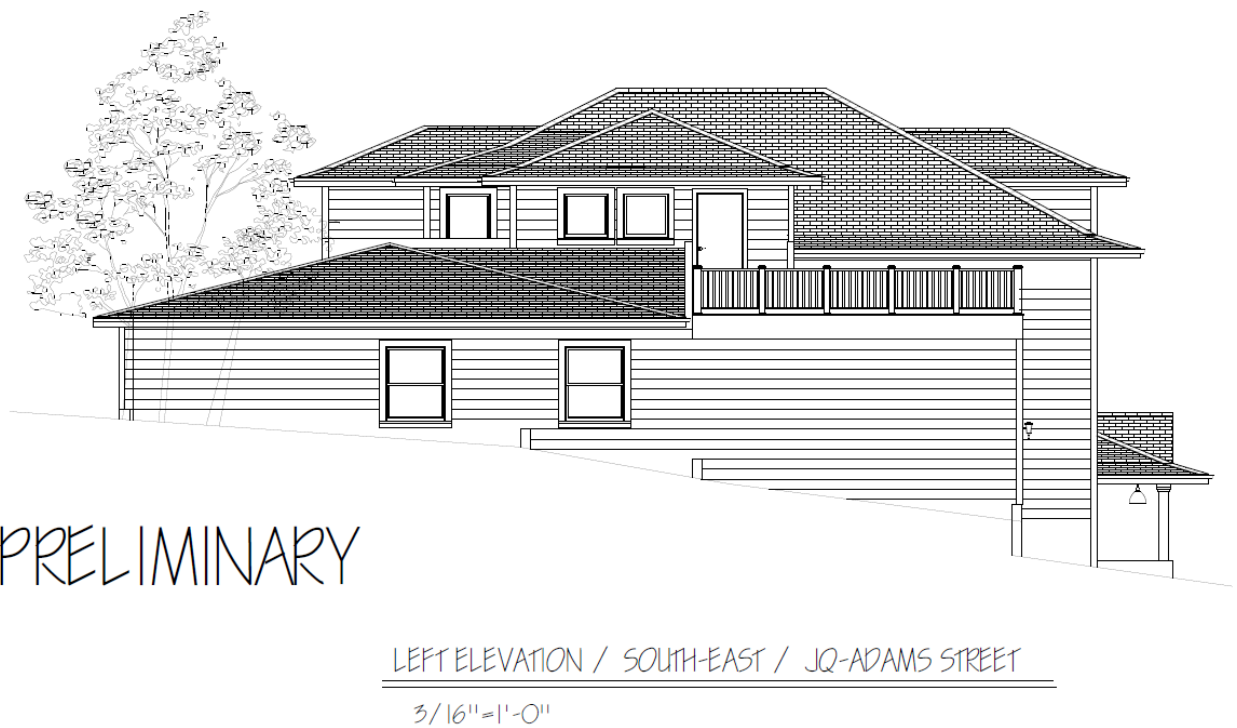


Figure 13-Approved HR 20-01 Left elevation (uphill side)



Figure 14-Approved HR 20-01 Right elevation (downhill side)

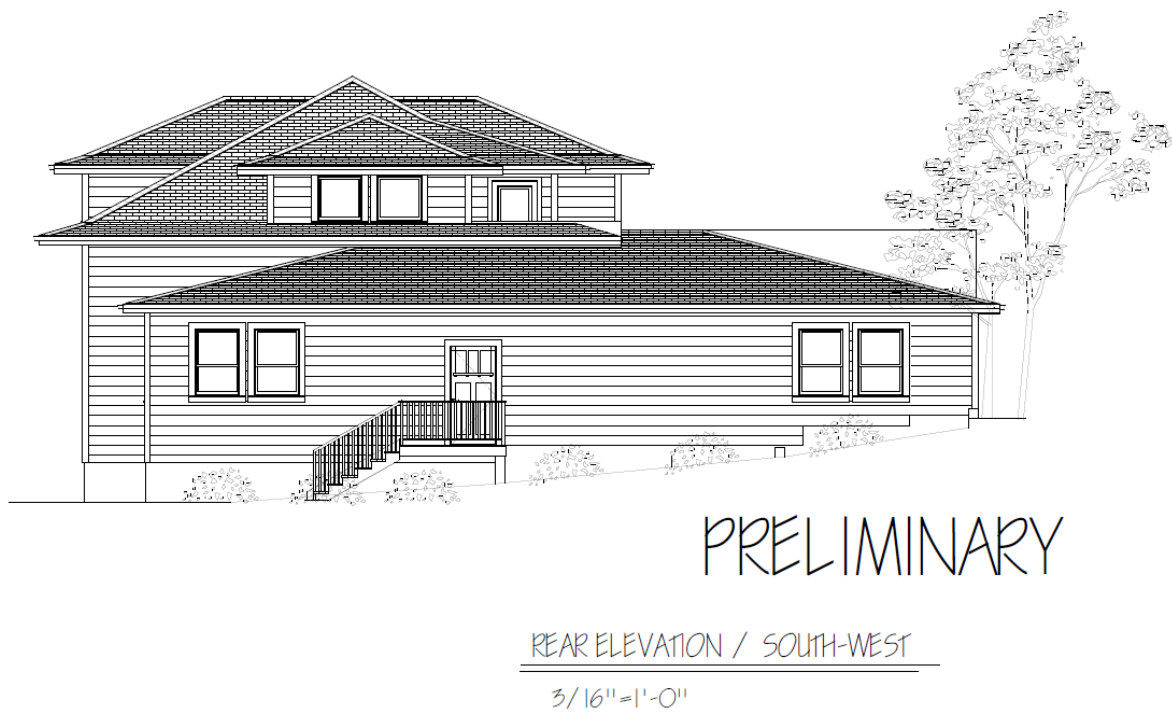


Figure 15-Approved HR 20-01 Rear elevation



Figure 16- Proposed HR 21-00020 Front Elevation & Right elevation (downhill side)- window #s correspond to Conditions of Approval



Figure 17- Proposed HR 21-00020 Left elevation (uphill side) & Rear elevation with proposed elevation. - window #s correspond to Conditions of Approval

Window alterations are identified by number and further discussed in the narrative and proposed Conditions of Approval.

PUBLIC NOTICE AND COMMENT

A public notice was sent to neighbors within 300 feet of the subject property, posted on the City's website, emailed to a variety of stakeholders, a sign was posted onsite. The following comments were received.

McLoughlin Neighborhood Association

- The application is incomplete. The Applicant has not addressed any criteria.
- The request includes a "change in final foundation height." There is no information on the change.
- How does the screen wall itself comply with criteria?
- A floor plan, not a site plan, was submitted. Provide a site plan showing dimensions of all features from the property lines, in particular the west property line.
- On the site plan, show how the ramp ties in at the front; show the existing sidewalk.
- Show the wall, its foundation, and landscaping on a vertical elevation drawing of the north elevation. Depict measurements.
- Address how the wall foundation and proposed landscaping will be accomplished in the small space between the building and west property line without encroaching.

Staff Response: Staff is looking for direction from the Historic review Board on additional items that may be needed to show that the ADA ramp has been designed to minimize the impact on the side elevation. This could include a revised site plan and elevation showing how the ramp will interact with the front porch, sidewalk, and walkway, including measurements of the elements for clarity. Staff recommends that the Applicant either submit a revised site plan and elevation depicting these elements before the September HRB meeting or before the October HRB meeting if the application is continued or accept the Conditions of Approval as recommended by Staff.

Staff is processing the application based on what the Applicant has submitted but will also be asking the Historic Review Board if the Applicant needs to provide additional findings or plans to show compliance with the Design Guidelines.

- Given that the construction is well-underway, it appears that any input on the foundation elevation modification is moot. What are the implications of this change?
- Condition #2 of HR-20-01 requires the Applicant to minimize grading and comply with any applicable standards in the Geologic Hazard Overlay. Address how the retaining wall foundation complies.

Staff Response: As indicated in the project description above, the site crossed sloped with elevation dropping from the rear and top front of the site. The low point of the slope is at the NW elevation at the front lower corner of the lot at the location of the proposed ADA ramp. The geohazard review and conditions of Approval directed the application to minimize cuts and fills, which resulted in an exposed foundation 4 feet taller on the downhill side elevation than reflected in the approved HR plans. Further cutting into the slope would be required to meet the preliminary HRB elevation and is not a recommended approach.

The existing condition of the foundation can be seen in the photos taken on September 21, 2021. They show a floor height of approximately 2- feet above the proposed grade at the front corner and approximately 4 feet from the final grade at the side entrance. Traditionally, Foursquare buildings have a foundation line/top of the floor, typically around 2-4 feet above grade, to be in line with a front porch depending on the specifics of the site. In this instance, the proposed floor height was a little lower on HR 20-01, around 2 feet tall at the front corner, which then sloped up to an at the grade side entrance.

The Applicant has also indicated that the backfill of soil will be at the top of the foundation vents as the Applicant can build foundation wells for the vents. This has been added as a condition of Approval. While the change of exposed foundation on this elevation to the side door is substantial enough from the approved design to require a review by the Historic Review Board, it is not strikingly out of character for the architectural type. The exposed foundation on the side elevation past the side door could be mitigated through a couple of options that are prepared as possible Conditions of Approval for the Historic Review Board.

- *The maximum lot coverage appears to be exceeded; please check the calculation.*

Staff Response: The site is located in the MUC zone, which allows for an 80% lot coverage. This proposal meets that standard.

- *There are exterior changes, such as windows, from the approved plan. The narrative needs to address these changes.*

Staff Response: Staff will be reviewing window revisions not covered by HR 20-0001 Condition of Approval #4 *Minor changes to window location or size on the side and rear facades will be acceptable and may be approved at a staff level prior to building permit issuance* and will be providing recommended conditions to address any outstanding items. Some of the side windows referenced in the condition staff was requiring to be revised to be 1:1 windows outside of this process, but have added them to the conditions for clarity.

Mike Roberts- Building Official- indicated a need for Building Permits for the ADA ramp.

REVIEW CRITERIA

17.40.060 - Exterior alteration and new construction.

- A. *Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the District unless approved by the Board and given a certificate of appropriateness.*

Applicable: This is a proposed modification to an approved New Construction in the McLoughlin Conservation District (HR 20-0001)

- B. *Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the Board prescribes.*

Complies as Proposed: The City processed the application pursuant to Chapter 17.50 of the municipal code. The Applicant provided elevation drawings, landscape plan, floor plan, and a narrative to address the specific revisions requested. Staff is processing the application based on what the Applicant has submitted but will also be asking the Historic Review Board if the Applicant needs to provide additional findings or plans to show compliance with the Design Guidelines.

- C. *Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the Applicant shall provide,*
1. *A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the Applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the Applicant; and*
 2. *A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the Applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the Applicant.*

If, after forty-five days notice from the Applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the

letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

Complies as Proposed. Oregon SHPO and the Native American tribes listed above were notified of the proposed ground disturbance in 2019. A response was received from SHPO and is in the City's files for HR 20-00001. The letter indicates the level of recommended archaeological monitoring on the site. No major change in grading is being proposed for the side ADA ramp beyond the original notice.

D. [1.] The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.

Applicable: The proposal is being reviewed by the Historic Review Board.

F. For construction of new structures in an historic or conservation district, or on an historic site, the criteria to be used by the Board in reaching its decision on the certificate of appropriateness shall include the following:

1. The purpose of the historic conservation district as set forth in Section 17.40.010;

The purpose of the District is:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;
- C. Complement any National Register Historic districts designated in the city;
- D. Stabilize and improve property values in such districts;
- E. Foster civic pride in the beauty and noble accomplishments of the past;
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- G. Strengthen the economy of the city;
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and
- I. Carry out the provisions of LCDC Goal 5.

Finding: Complies as Conditioned

If the Historic Review Board can determine that the revised plans provide sufficient mitigation for the design and massing of the ADA ramp and there is no adverse effect on the significance of the District and there are sufficient findings and plans to demonstrate compliance, Staff has prepared to recommend Conditions of Approval that reduce the impact the ramp has on the building and the McLoghlin Conservation District.

2. The provisions of the city comprehensive plan;

Goal 5.3 Historic Resources

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Complies as Conditioned.

A new live/work dwelling is proposed on vacant land commercial land within the McLoughlin Conservation District. The proposed height, massing, and design of the original design was approved under HR 20-0001. The site does not abut a historic resource, nor is one adjacent to the site. Adding an ADA ramp to the building will not adversely affect the significants of the district and more than the Approval of the original structure under HR 20-0001.

3. *The economic effect of the new proposed structure on the historic value of the District or historic site;*

Finding: Complies as proposed. Approving this development will add additional housing stock ad commercial space in an area with currently low housing stock and increasing the housing options for people within Oregon City or looking to move to Oregon City.

4. *The effect of the proposed new structure on the historic value of the District or historic site;*

Finding: Complies as Conditioned. A new live/work dwelling is proposed on vacant land commercial land within the McLoughlin Conservation District. The proposed height, massing, and design of the original design was approved under HR 20-0001. The site does not abut a historic resource, nor is one adjacent to the site. Adding an ADA ramp to the building will not adversely affect the significants of the district and more than the Approval of the original structure under HR 20-0001.

5. *The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure;*

Finding: Complies as Conditioned.

The proposed height, massing, and design of the structure as conditioned is consistent with the design guidelines appropriate within the District. See detailed findings in the design guidelines section of this staff report.

6. *Economic, social, environmental and energy consequences;*

Finding: Complies as Proposed. The addition of housing stock and commercial space in an existing neighborhood provides more needed housing and is located in an already-developed area in close proximity to goods and services.

7. *Design guidelines adopted by the historic review board.*

Design Guidelines for New Construction – McLoughlin Commercial

1. STYLE

Determining the appropriate style for a new infill project is an important initial step in the design process. Each historic District has different styles that were prevalent during the historic period of significance. These styles are what create the historic context. New construction shall complement one of these styles to support the historic context. Use of other styles dilutes and distracts from the historic context of the District. While there may be several styles dominant within the District, the specific choice of a style shall be compatible with adjacent properties, the block, and the neighborhood. It also must be fitting for the particular function of the building and its size.

Outside of the Seventh Street Commercial Corridor, commercial uses shall employ a residential style architecture to better integrate into the neighborhood fabric. The larger residential styles, such as Queen Anne, Vernacular [single buildings or grouped], and Foursquare, are appropriate. They create a suitable transition to adjacent residential areas and can be built relatively close together to achieve appropriate density. These styles could be utilized for any uses: retail, office or multifamily residential. The carriage building on High Street is an existing residential style structure used for commercial purposes.

Finding: Complies as Proposed. The Applicant has proposed a live/work dwelling in a mixed-use zone on 5th Street, which is outside of the main commercial corridor of the District. The guidelines call for a residential-style architecture outside of the 7th Street Corridor. The Applicant proposed a Foursquare style, which is consistent with the guidelines. The ADA ramp, as conditioned by Staff aims to minimize the ramp's appearance by utilizing lap siding to match the house siding or provide porch railing designed ADA ramp if being design to only access the side entrance.

2. SITE

Siting principles involve both how the site is used and how the building(s) is placed within the site. The specific lot location and its topography can dictate many requirements.

Commercial buildings are to face the Street squarely with their primary face and display areas in full view, to engage the pedestrian, and to be set back only slightly, if at all from the front and side lot lines. Small courtyard area may be appropriate for multifamily and certain commercial uses. Vehicle access to be on the less visible sides or rear.

SITE CHARACTERISTICS OF MCLOUGHLIN COMMERCIAL BUILDINGS

- Rectangular footprint that largely fills the width of the lot.
- Oriented to Street for access, and display. No or small setback from the sidewalk along Street; may not extend all way to rear lot line.
- Small front or side setback is appropriate for residential uses.
- Central or individual ground floor customer-tenant entries. Grouped residential entry to lobby or foyer. Separate service entries.
- Vehicle access and storage at side or rear; may be hidden under the building.
- Landscape: small plantings if there are setbacks; otherwise street trees. Upper story gardens visible from the sidewalk were not used in the historic period, and are discouraged.

I: SITE *continued*

USE OF SITE	How the site is planned to be used.	
ASPECT	PRINCIPLE — GOOD EXAMPLE	NOT ALLOWED
Topography Use	Site houses according to neighboring or contextual practice. At sloping sites, houses were sited at most the easily built portions of the lot and close to grade. At upsloping sites the main level was raised. At downslope sites the main level was lowered. Cross-slope sites utilized the easiest access. Residential garages may extend to front property line at up or down sloping sites. Commercial buildings requiring a larger footprint utilized level lots in close proximity to the street. Buildings may be set back to better integrate with houses where adjacent, and to facilitate grade changes.	Extensive regrading of lot to raise or lower the main level of a house. Tall walls to alter the natural topography for building siting or yard leveling purposes. Commercial buildings without the main level close in height to the public way Foundations, piers or piling more than 1 story in height above natural grade

Finding: Complies with Conditions. The Guidelines direct development on cross slopes to utilize the easiest access and not allow foundation more than 1-story. The Guidelines also allow for a small side yard setback for commercial buildings in the Mcloughlin Conservation District. While Live/work is a bit of a hybrid of commercial and residential, Staff finds that this setback direction still applies and provides direction for a smaller more commercial-scale setbacks for uses that go beyond single-family residential. The setback for the MUC-1 District is 0 feet. The Applicant has proposed a setback that appears to be between 2-3 feet. Staff finds that either ramp option (full ramp to the rear or ½ ramp to side door) meets this standard.

3. BUILDING FORM

Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the District. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style. Existing commercial historic buildings are now less numerous in the districts. Acceptable styles will produce new infill form based on historic character qualities of the original buildings and those found in other similar districts. This new development will then successfully relate to adjacent residential neighborhoods. The appropriate style and form of the new buildings depends upon the site and neighboring, or transitioning context.

BUILDING FORM CHARACTERISTICS OF MCLOUGHLIN COMMERCIAL BUILDINGS

- *Building form and foot print primarily rectangular, possible rectangular additions or wings; possible interior light court, courtyard or areaway.*
- *Massing: A simple rectangular primary form encompassing the primary and visible facades. a parapet or false front that provides the height boundary of the building and hides the view of the roof. Single story with retail or service use; Two or three story with single or mixed use. Basement option*
- *Ground floor typically has high ceilings; retail use with office or residential use above.*
- *Height: Main level close to grade. Single story buildings: minimum 16 foot high parapet. First to Second floor height to be at least 12 feet unless for multifamily use, then may be 10 feet. Upper floor to floor heights at least 10 feet. Maximum Height: Per City code*
- *Height for Commercial Buildings using a Residential Style: First to Second floor height to be at least 10 feet. Main Floor Level Height Above Grade: 2½ feet minimum. Eave Height: 28 feet maximum. Ridge Height maximum: 40 feet.*
- *Residential styles, including Queen Anne, or Foursquare, are encouraged on Seventh above John Q Adams and on Center and High, and where facing or adjoining residential zoning. Alternatively, the use(s) may be embodied in a grouping of smaller buildings.*
- *Full width one or two story porches at front (accessed by interior stair), or rear are appropriate for residential.*
- *Grade level or depressed parking if accessed from rear or rear end of side and generally concealed from sidewalk by building wall, provided commercial or residential use is located along primary Street.*

Finding: Complies with Conditions. The addition of an ADA ramp as conditioned does not contradict any of the Guideline elements above.

4. DESIGN COMPOSITION

Include a range of more detailed design issues that address groups of elements, individual elements, their design and how they relate to the overall composition and finish. The principles place a traditional emphasis on the design's composition as seen from the exterior, rather than as a result of interior functional planning requirements. They also outwardly convey a sense of quality craftsmanship. The design composition principles, being more detailed, and stylistically dependent, are typically developed after the previous principles are resolved. These principles also reflect historically appropriate materials, respective finishes, and unobtrusive integration of new technology.

DESIGN COMPOSITION CHARACTERISTICS OF MCLOUGHLIN COMMERCIAL BUILDINGS

- *Mostly single or double store design to 100 feet in width. Wider than 100 feet requires style change.*
- *False front: covering front gable roof or just an extended wall; may have a parapet on each side (possibly not rear) hiding a low sloped roof.*
- *Streetcar Commercial: wood or masonry construction and finish; generous ground floor retail display with individual or grouped upper level double hung windows in an otherwise solid wall.*

- Large ground floor storefront windows with short bulkhead wall below and very often with transom windows above; wood frames or appropriate metal. Trim at window/transom frame edges.
- Often recessed store entries; side entries typically not recessed. Separate entries for individual stores.
- Streetcar Multifamily: wood or masonry construction and finish. Less emphasis on retail display, but location of public and lobby areas adjoining the public way. Possible upper level window bays within the width and height of the primary or side façades. Possible entry projection.
- Upper Level Entry: typically a single shared entry with small lobby.
- Upper story wood framed windows designed as 'punched' openings in the otherwise solid wall, regularly spaced; individual, paired double hung design or triple units with fixed center and double hung side lights. Possible transom windows. Possible flat arch windows in masonry walls.
- Façade with modest, but defining cornice, possible belt cornice. Wood exteriors can support more detailing; masonry or plaster finished buildings with less detail and ornamentation; typically, no significant form projections or recesses except window bays or entries.
- Materials/Finish: cement plaster (stucco), brick, concrete with plaster over, horizontal board siding; fabric awnings, possible flat steel/wood building supported canopy.

Finding: Complies with Conditions. The addition of an ADA ramp as conditioned does not contradict any of the Guideline elements above. The Guidelines do not provide any specific direction on ADA ramps. Though there is some direction for porches not allowing *"Porches that are not consistent with the architectural style, without roofs (except secondary service accesses or those at grade), or those that are overly ornate for the chosen style"*. As conditioned, the design for the ADA ramp is secondary to front porch access and is designed to be compatible with the building's architecture.

Staff has provided recommended conditions for the three full windows on the uphill side elevation to be 1:1 windows as directed above and to revise or reconfirm the front center windows to be slightly shorter as depicted in the approved plans. These requirements were to occur on a staff level consistent with the Conditions of Approval but have been added to this report for clarity. Staff is specifically requesting Approval by the Board to allow an additional dormer window on the front elevation, which is outside of Staff able to approve.

17.40.065 - Historic Preservation Incentives.

A. Purpose. Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.

B. Eligibility for Historic Preservation Incentives. All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).

C. Incentives Allowed. The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.

D. Process. The Applicant must request the incentive at the time of application to the Historic Review Board.

Finding: Not applicable. No preservation incentives are proposed.

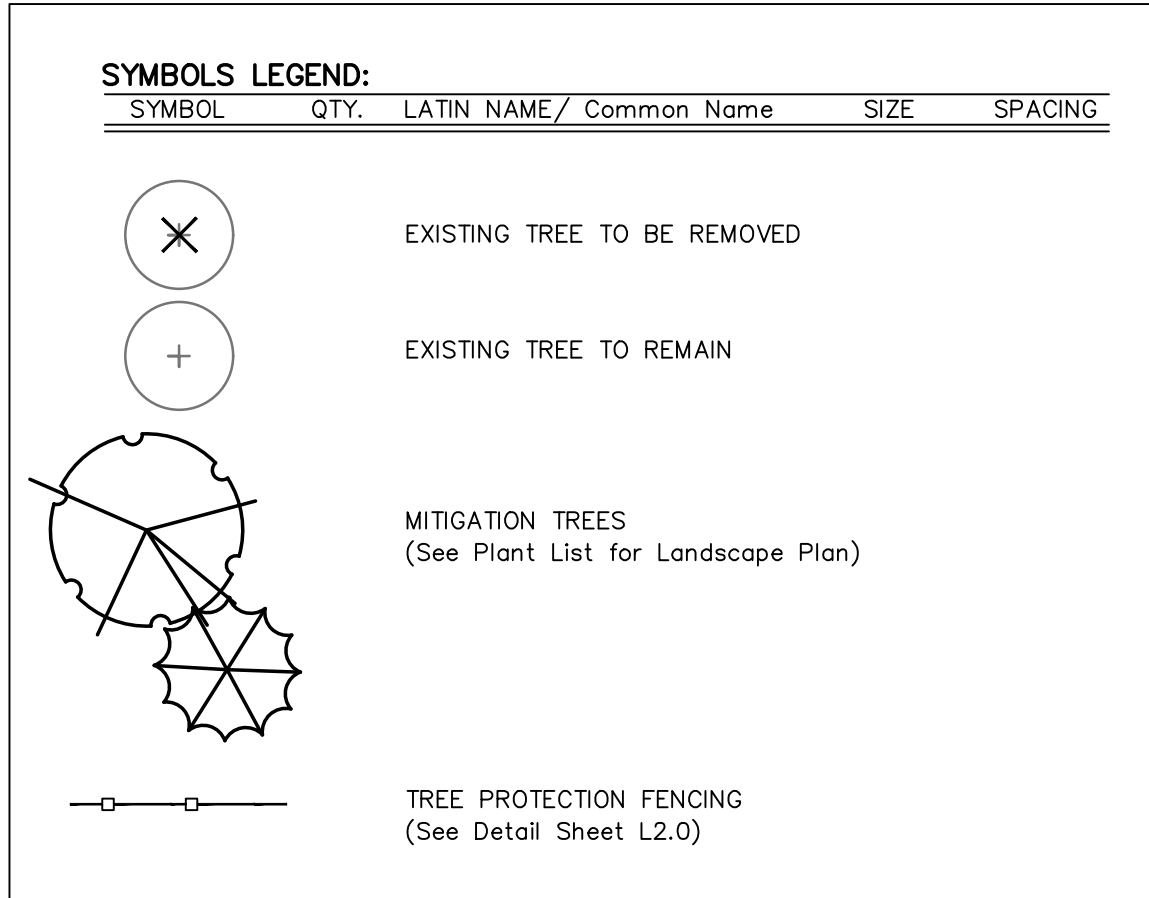
CONCLUSION AND RECOMMENDATION

If the Board finds that the full ADA ramp to the rear elevation and revised foundation height cannot be sufficiently mitigated though the proposed Conditions of Approval, Staff recommends that the Historic Review Board approve the ADA ramp to the side door only and backfill the remainder of the side yard with rockery walls and mitigation planting with the same type of plants proposed in the proposed landscape plan and approve the condition for the window revisions.

Staff is also looking for confirmation from the Historic Review Board that the Applicant has provided sufficient findings/plans to meet the Design Guidelines for New Construction for the revised elements. If the Applicant has not, Staff recommends that the Historic Review Board provide direction for the Applicant to return at the October Historic Review Board meeting with a revised narrative and any additional plan revisions as directed by the Historic Review Board unless found to be not required if the Applicant meets the proposed conditions of Approval.

EXHIBITS

1. Vicinity Map (onfile)
2. Applicant's submittal
3. Secretary of Interior Standards for Rehabilitation- Accessibility (onfile)
4. Public Comment
 - a. McLoughlin Neighborhood Association
5. HR 20-01
 - a. Notice of Decision
 - b. Plans (onfile)

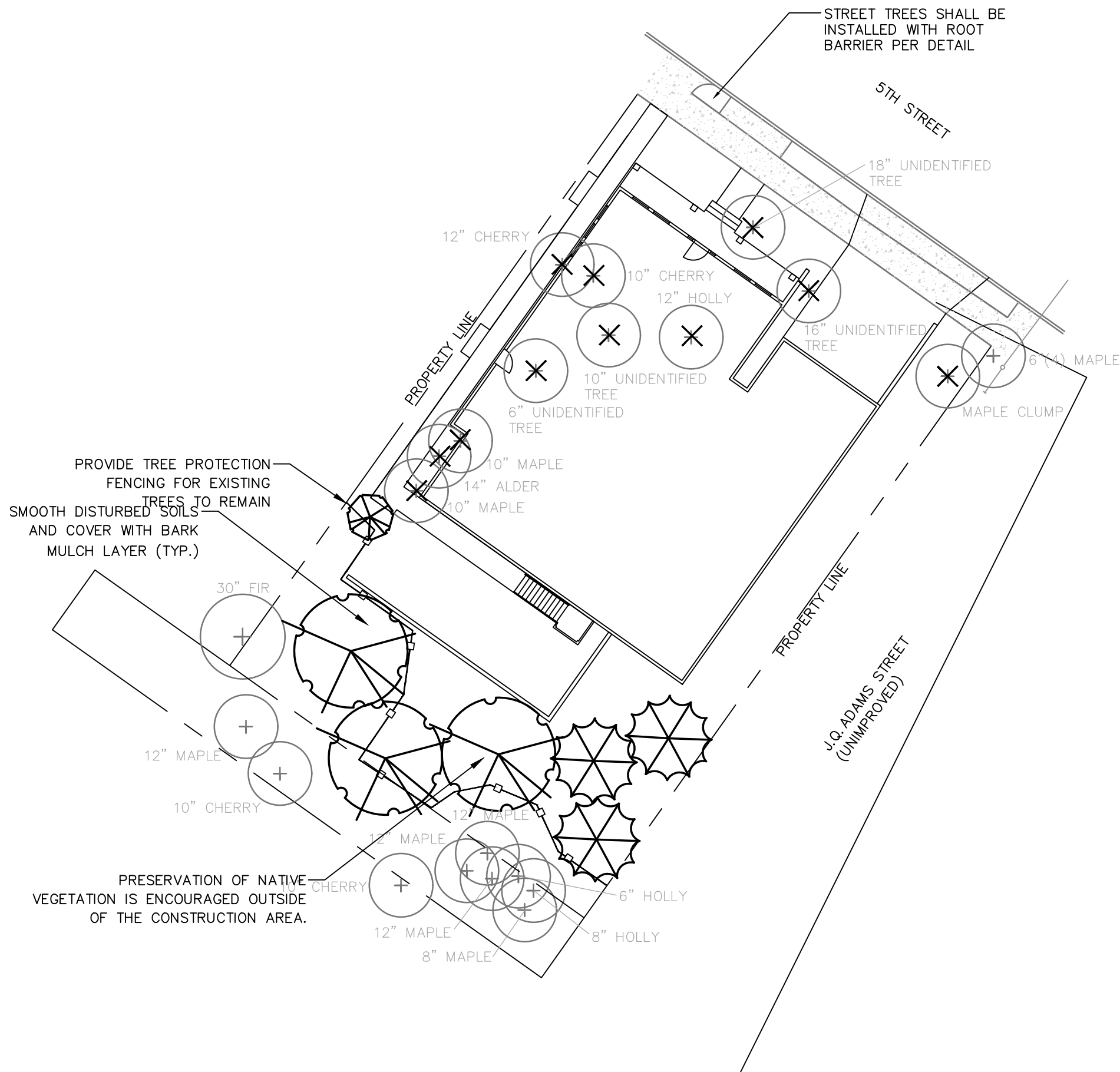


TREE MITIGATION CALCULATIONS:
*See 11/5/19 Arborist Report for Hazardous Tree Descriptions
*The Site Survey shows some existing trees that do not correspond to the Arborist Report, therefore we propose to mitigate for all trees that cannot be identified or reconciled.

Total Existing Trees Removed within Construction Area=11
Hazardous Tree Quantity=6
Invasive Species Trees Quantity=1
Quantity of Trees to be Mitigated=4 (Noted as "Unidentified")
6-12"=2 (Requires 2 Mitigation Trees)
13-18"=2 (Requires 4 Mitigation Trees)
New Mitigation Trees Proposed=6

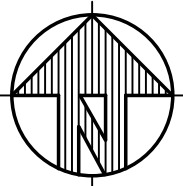
Total Existing Trees Removed outside of Construction Area=0

*Any non-hazardous existing trees shown on this plan to remain, that are removed or damaged during construction, shall be replaced according to the requirements of Oregon City Municipal Code Table 17.41.060-1.



TREE REMOVAL + MITIGATION PLAN

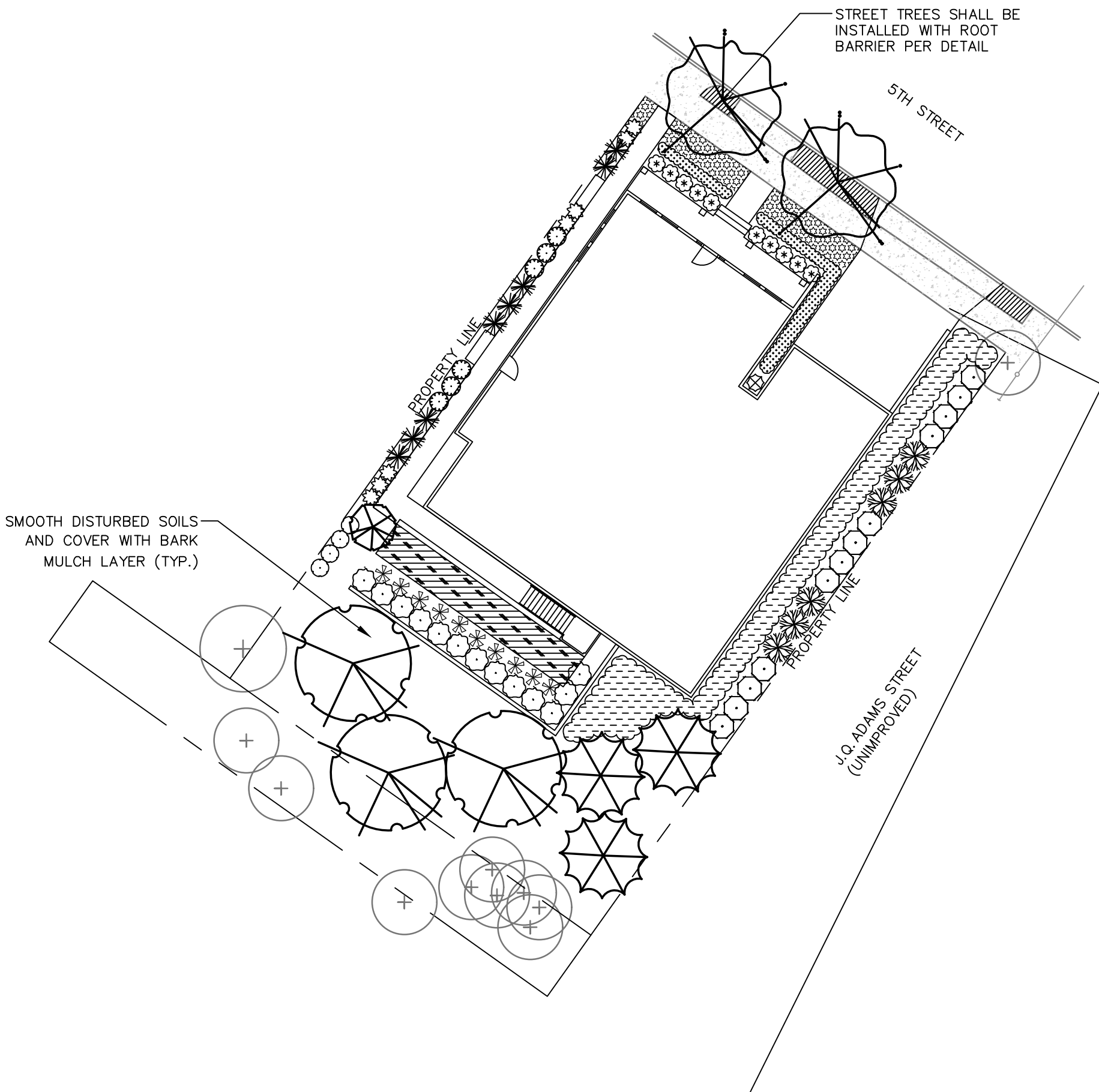
SCALE 1" = 20'-0"



PLANT LIST:				
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING
STREET TREES				
	2	SYRINGA RETICULATA Japanese Tree Lilac	2" cal.	As Shown
MITIGATION TREES				
	3	CORNUS NUTALLII Pacific Dogwood	2" cal.	As Shown
	3	TSUGA HETEROPHYLLA Western Hemlock	6' ht.	As Shown
	1	ACER JAPONICUM 'ACONITIFOLIUM' Full Moon Maple	6' ht.	As Shown
SHRUBS				
	29	NANDINA DOMESTICA 'HARBOR BELLE' Harbor Belle Nandina	2 gal.	2' o.c.
	10	PIERIS JAPONICA 'LITTLE HEATH' Little Heath Pieris	5 gal.	3' o.c.
	1	TAXUS MEDIA 'STONEHENGE' Stonehenge Yew	5 gal.	3' o.c.
	6	CORNUS ALBA 'BAILHALO' Ivory Halo Dogwood	2 gal.	5' o.c.
	12	VACCINIUM OVATUM Evergreen Huckleberry	5 gal.	4' o.c.
	32	LEUCOTHOE FONTANESIANA 'NANA' Dwarf Leucothoe	2 gal.	3' o.c.
	13	AUCUBA JAPONICA 'MR. GOLDSTRIKE' Mr. Goldstrike Aucuba	5 gal.	4' o.c.
	35	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	6	CAMELLIA 'FAIRY BLUSH' Fairy Blush Camellia	2 gal.	3' o.c.
	8	CEPHALOTAXUS HARRINGTONIA 'FASTIGIATA' Upright Japanese Plum Yew	5 gal.	2' o.c.
	7	SARCOCOCCA RUSCIFOLIA Sweet Box	1 gal.	3' o.c.
GROUND COVER				
	14	ARCTOSTAPHYLOS U.U. 'WOOD'S DWARF' Wood's Dwarf Kinnikinnick	1 gal.	3' o.c.
	63	EPIMEDIUM PERRALCHICUM 'FROHNLEITEN' Frohnleiten Bishop's Hat	1 gal.	2' o.c.
	44	LIRIOPE MUSCARI 'BIG BLUE' Big Blue Lily Turf	1 gal.	2' o.c.

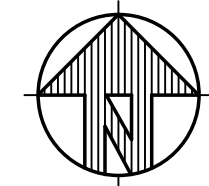
GENERAL NOTES:

- Contractor is to verify all plant quantities.
- Adjust plantings in the field as necessary.
- Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/ build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
- All plants are to be fully foliated, well branched and true to form.
- Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.
- Invasive plant species shall be removed from all landscape areas prior to approval of final occupancy permit.



LANDSCAPE PLAN

SCALE 1" = 20'-0"



Item #3.

REVISIONS

DATE

NO.

REGISTERED
LA793
ERIN HOLSONBACK
OREGON
6/10/2013
EXP. 5/31/21
LANDSCAPE ARCHITECT

OTTEN + ASSOCIATES
LANDSCAPE ARCHITECTURE

3933 South Kelly Avenue, Suite B • Portland, OR 97239
Phone: (503) 972-0311 • www.ottenla.com

5th STREET + J.O. ADAMS STREET

OREGON CITY, OR 97045

LANDSCAPE PLAN

DATE
9-7-2021

SCALE
NOTED

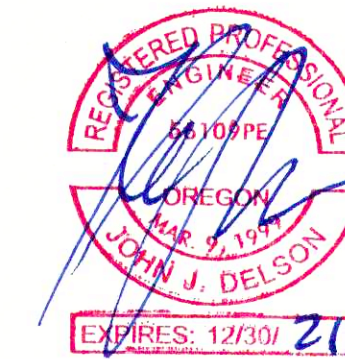
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1 OF 2

Page 307

REVISD 8.30.21



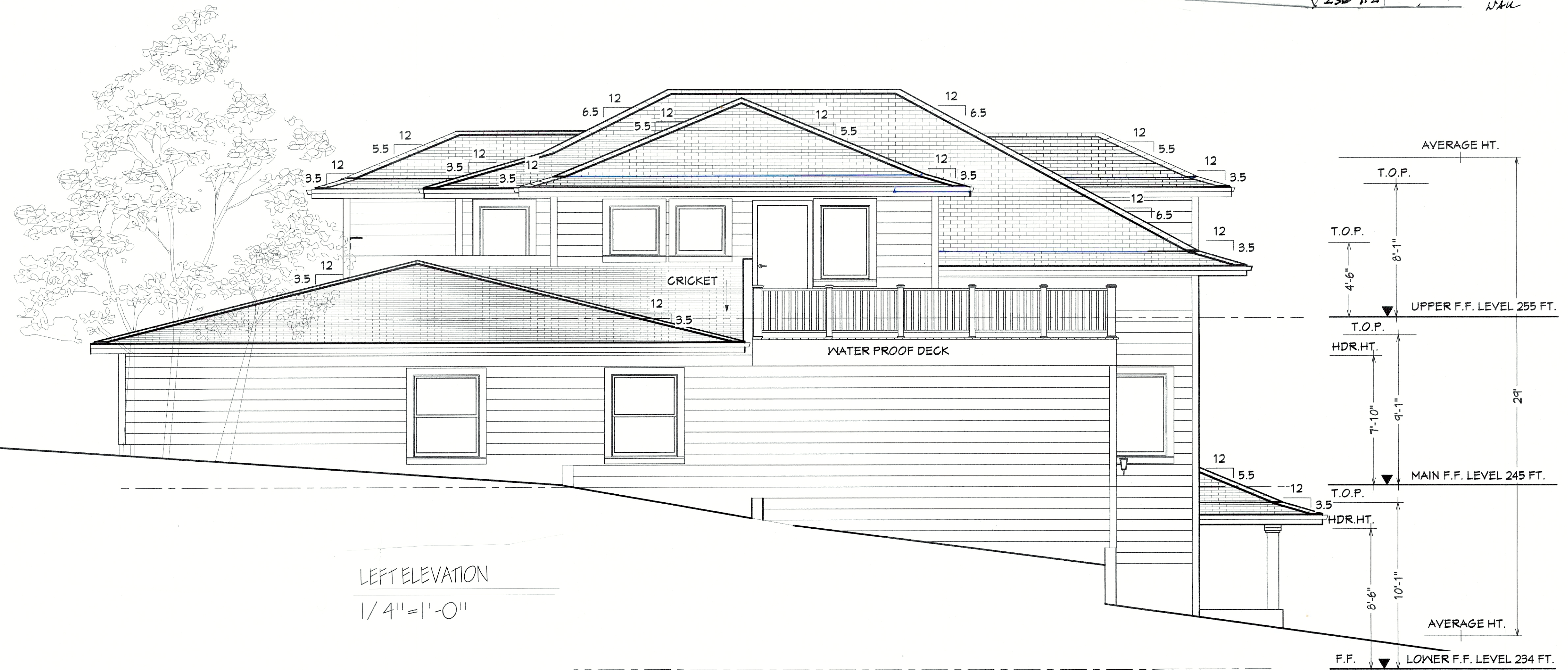
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YIP RESIDENCE
5 TH ST JQ ADAMS ST
OREGON CITY, OR 97045

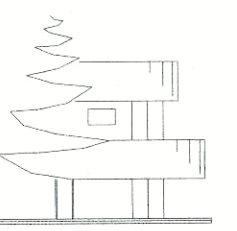
DATE: 4-30-20
LIVING AREA:
JOB NO: A14-T-52
DRAWN BY: JAB

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VANCOUVER, WA 98684
(360) 944-7094



CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS AND NOTIFY ENGINEER OF RECORD IF DIFFERENT PRIOR TO START OF CONSTRUCTION ALL WORK PER LATEST ADOPTED APPLICABLE CODES -TYP.



VIP RESIDENCE
5 TH ST JQ-ADAMS ST
OREGON CITY, OR 97045

DATE: 0 20 21
LIVING AREA:
JOB NO: A19-7-52
DRAWN
BY: *ABG*

SUBCONTRACTORS. IS STRICTLY PROHIBITED. THE PLANS MAY NOT BE REPRODUCED, IN WHOLE OR IN PART, WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE PLANS AS SHOWN AND SPECIFIED. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES RELATING TO THE PLANS MADE BY THE ARCHITECT'S CLIENT OR BY ITS CUSTOMERS, TOWNSHIP, ADOPTION OF THE PLANS TO MEET SPECIFIC STATE AND LOCAL BUILDING CODES AND REGULATIONS, AND SPECIFIC SITE CONDITIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR, UNDER THE CLOSEST SUPERVISION OF THE ARCHITECT, TO CAREFULLY INSPECT ALL DIMENSIONS AND DETAILS IN THE PLANS FOR ERRORS OR OMISSIONS. UNAUTHORIZED OR COPIING OF THESE PLANS, OR THE DESIGN THEY REFLECT, IMPRINGS SEVERE DAMAGES UNDER THE COPYRIGHT ACT. IMPRIMINGS THAT INCLUDE RESULTS OF UP TO \$100,000 PER PAGE OF THE PLANS. A SEPARATE LIST AND SPECIFICATION SHEET IS ATTACHED TO THE LAST SHEET OF THE SET.

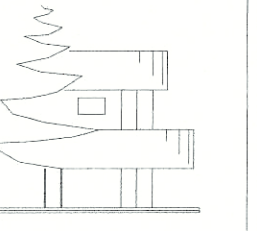
DELSON ENGINEERING, INC.
1204 NE 146TH AVENUE
VANCOUVER, WA 98684
(360) 944-7094

REGISTERED PROFESSIONAL
ENGINEER
56709PE
OREGON
MAR. 9, 1999
JOHN J. DELSON
EXPIRES: 12/30/21


$$1/4'' = 1' - 0''$$

$$1/4'' = 1' - 0''$$

CONTRACTOR TO VERIFY ALL EXISTING DIMENSIONS
AND CONDITIONS AND NOTIFY ENGINEER OF RECORD
IF DIFFERENT PRIOR TO START OF CONSTRUCTION
ALL WORK PER LATEST ADOPTED
APPLICABLE CODES -TYP.



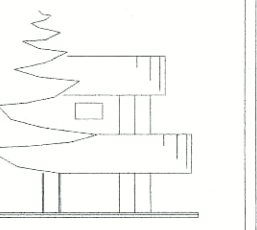
A-12

YIP RESIDENCE
5 TH ST JQ-ADAMS ST
OREGON CITY, OR 97045

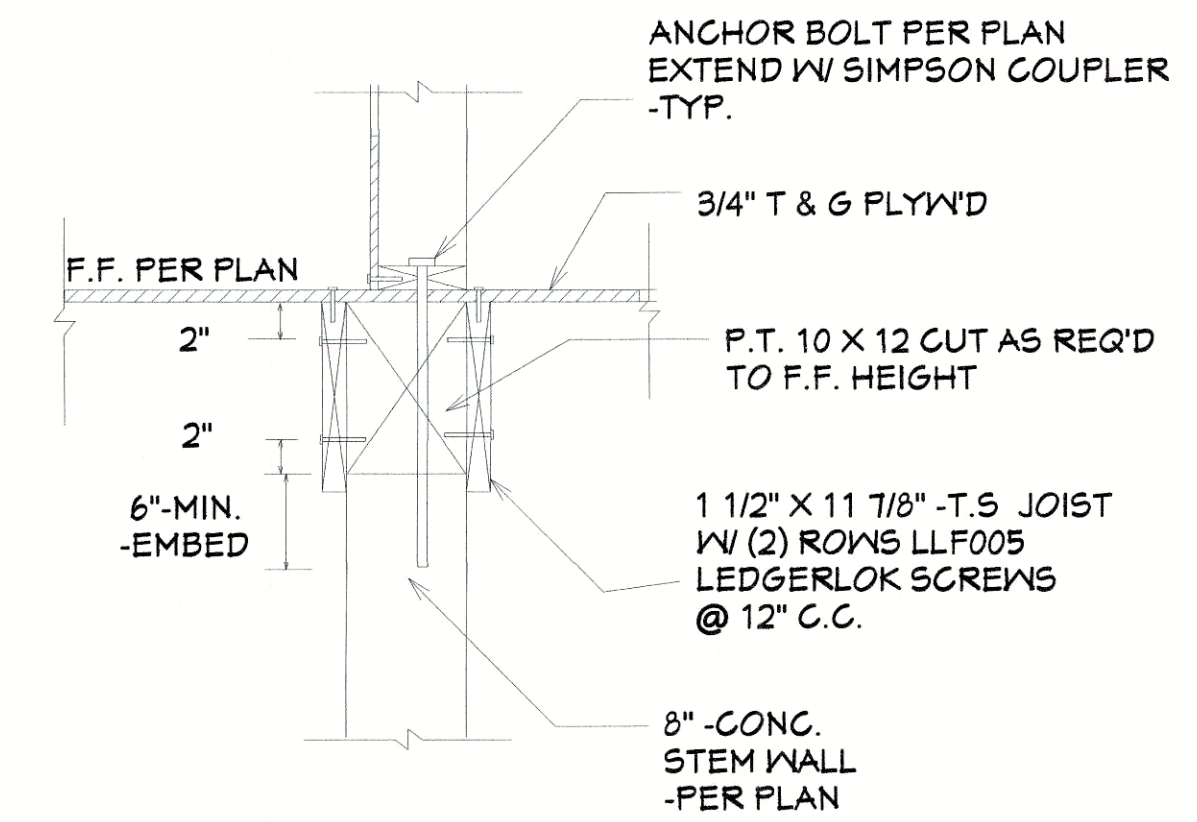
DATE: 8-26-21
LIVING AREA:
JOB NO: A14-7-52
DRAWN BY: JLD

THESE PLANS HAVE BEEN PREPARED FOR THE USE OF THE CUSTOMER AND ARE NOT TO BE USED FOR ANY OTHER PROJECT. THE CUSTOMER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE STRUCTURE SHOWN ON THESE PLANS. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CUSTOMER. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN OF THE STRUCTURE SHOWN ON THESE PLANS. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CUSTOMER. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN OF THE STRUCTURE SHOWN ON THESE PLANS.

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1204 NE 146TH AVENUE
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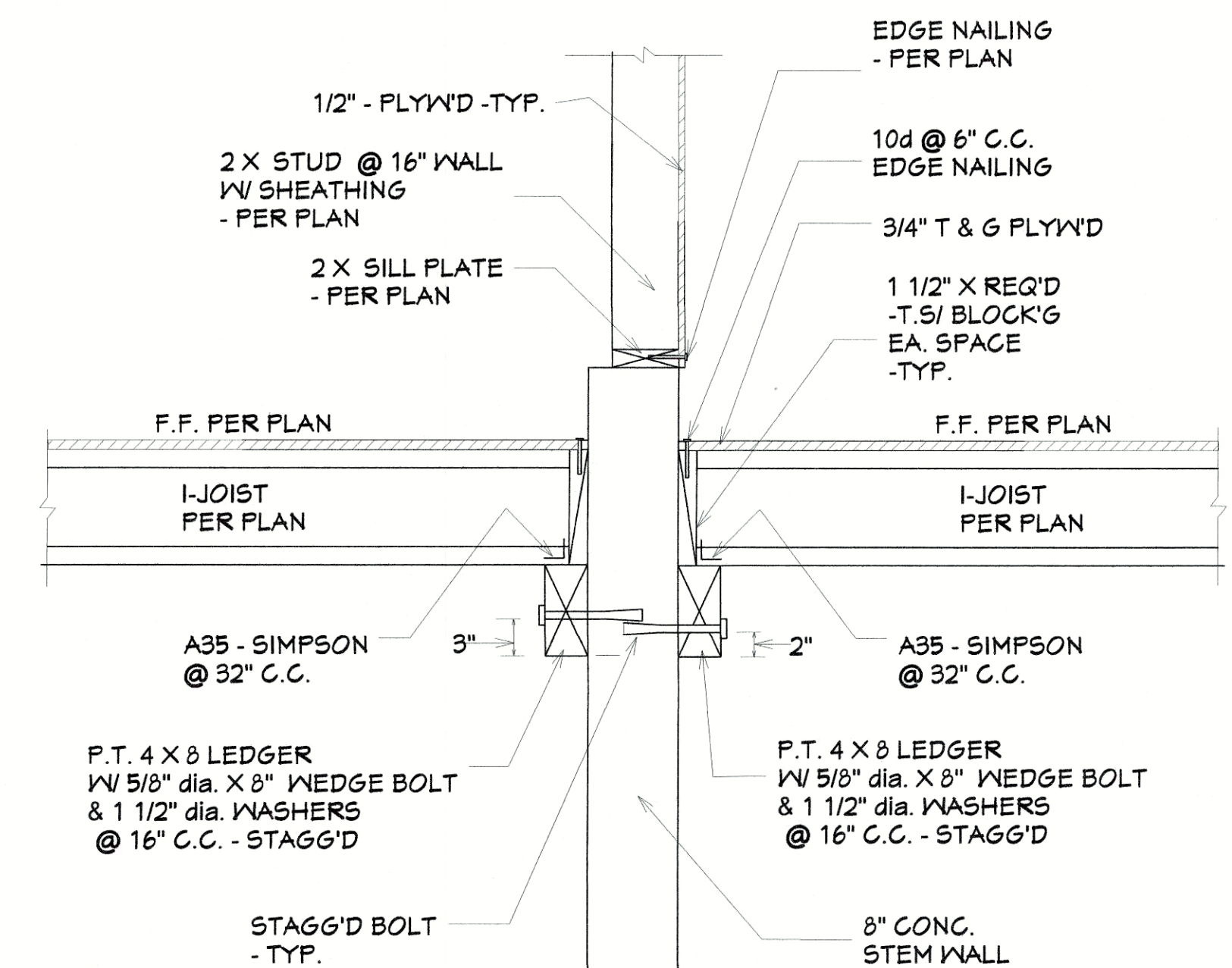


REVISED 8-30-21



DETAIL

1"=1'-0"



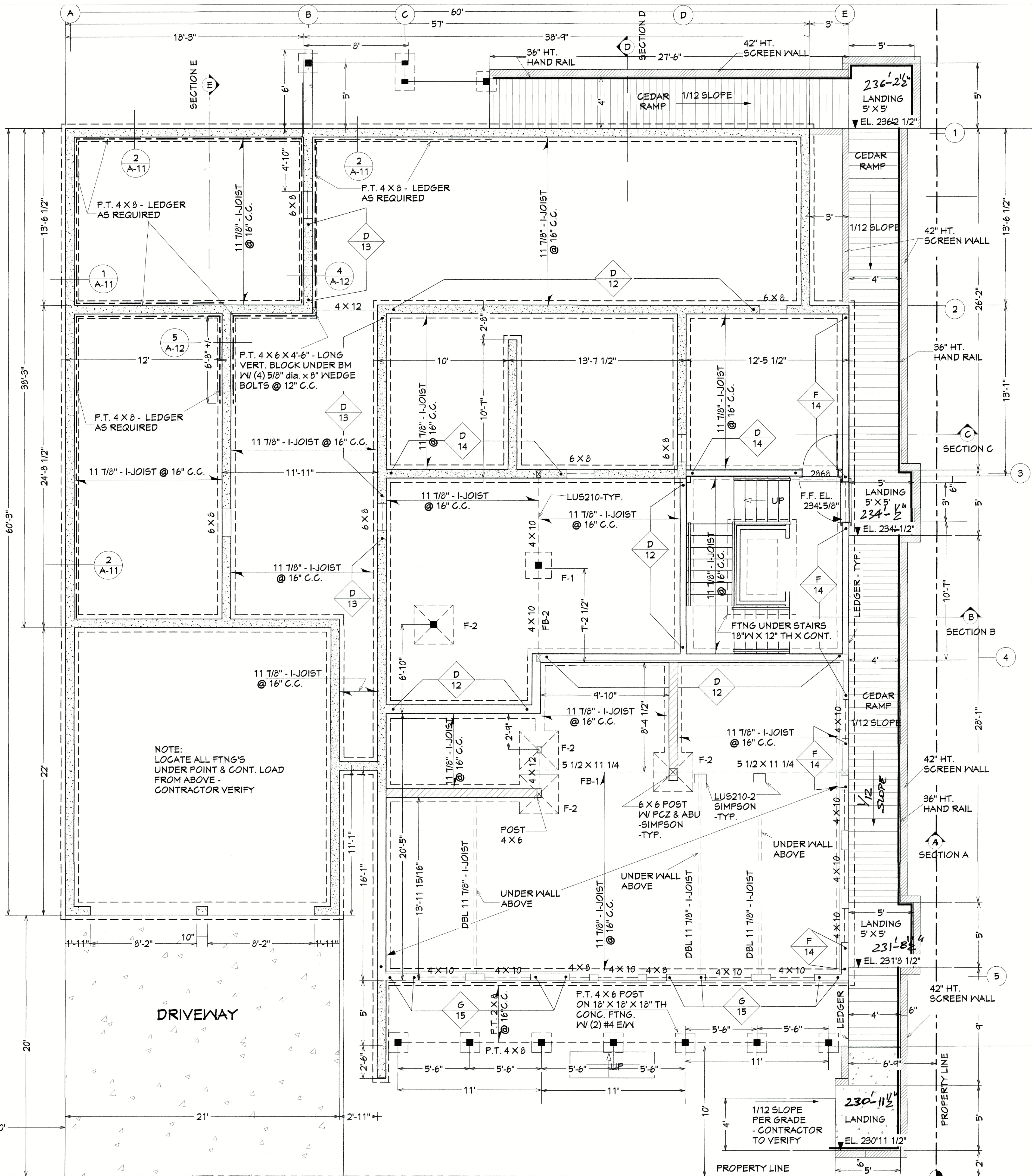
DETAIL

1"=1'-0"

MAIN FLOOR FRAMING PLAN/
FOUNDATION PLAN /
LOWER FLOOR SHEARWALLS PLAN

1/4"=1'-0"

CONTRACTOR TO VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS AND NOTIFY ENGINEER OF RECORD IF DIFFERENT PRIOR TO START OF CONSTRUCTION ALL WORK PER LATEST ADOPTED APPLICABLE CODES -TYP.





LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- ☐ Annexation
- ☐ Code Interpretation / Similar Use
- ☐ Concept Development Plan
- ☐ Conditional Use
- ☐ Comprehensive Plan Amendment (Text/Map)
- ☐ Detailed Development Plan
- ☒ Historic Review
- ☐ Municipal Code Amendment
- ☐ Variance
- ☐ Zone Change

File Number(s): _____

Proposed Land Use or Activity: ADA RAMP

Project Name: YIP RESIDENCE Number of Lots Proposed (If Applicable): _____

Physical Address of Site: 1020 5TH Street Oregon City OR

Clackamas County Map and Tax Lot Number(s): 2-2E-31DA 10900

Applicant(s): Bogdan Smolinets
Applicant(s) Signature: _____

Applicant(s) Name Printed: NW Custom Homes Inc. Date: 08-30-2021

Mailing Address: 15730 SE Bybee dr. Portland OR 97236

Phone: 503-504-6754 Fax: 971-279-5606 Email: nwcustomhomes@yahoo.com

Property Owner(s): _____
Property Owner(s) Signature: _____

Property Owner(s) Name Printed: Teresa Yip Date: 08-30-2021

Mailing Address: 5835 SW Hamilton St. Portland OR 97221

Phone: 971-258-8148 Fax: _____ Email: yipt@aol.com

Representative(s): Bogdan Smolinets
Representative(s) Signature: _____

Representative (s) Name Printed: NW Custom Homes Inc. Date: 08-30-2021

Mailing Address: 15730 SE Bybee dr. Portland OR 97236

Phone: 503-504-9754 Fax: 971-279-5606 Email: nwcustomhomes@yahoo.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.



Delson Engineering, Inc.

1204 NE 146TH AVE
VANCOUVER, WA. 98684

PHONE: (360) 944 -7094

John@Delsonengineering.com

August 30, 2021

Re.: ADA Ramp for main floor access.

NARRATIVES FOR GLUA 20-00024 TERESA YIP

APPLICANT: Name: Bogdan Smolinets 503-504-6754
Address: 15730 SE Bybee Dr
Portland OR 97236

OWNER: Name: Teresa Yip 971-258-8148
Address: 15270 SW Sparrow Loop, unit 102
Beaverton, OR 97007

REQUEST: Description of project:
PR-160-2020 Live Work 5th and JQ Adams

LOCATION: Address: 1020 5th St, Oregon City OR 97045
Map and tax lot number: 10900

To Whom It May Concern:

The owner Teresa Yip is in process of developing the above site to provide care for her elderly family members. Her mother, and aunt currently require ADA accessibility due to the advanced age, As it has been stated, and approved by Historical Board, in the previous approval process.

To accommodate the required ADA wheelchair access to the main level of proposed house, we propose a typical ramp designe per nationwide adopted ADA standards. We propose screening wall of the ramp and the ramp supporting structure using approved Materials, finishes and colors as per current Historical Board standards.

I hope this information meets your needs at this time.
Please call our office if you have any questions.

Respectfully,

John J. Delson P.E. E.O.R.

M C L O U G H L I N

N E I G H B O R H O O D
A S S O C I A T I O N

DATE: September 17, 2021
 TO: Oregon City Historic Review Board
 Christina Robertson-Gardiner, Senior Planner
 FROM: McLoughlin Neighborhood Association
 RE: Comments on GLUA-21-00052/HR-21-00020
 1020 5th Street

- The application is incomplete. The applicant has not addressed any criteria.
- There are exterior changes, such as windows, from the approved plan. The narrative needs to address these changes.
- The request includes a “change in final foundation height.” There is no information on the change.
- Given that the construction is well-underway, it appears that any input on the foundation elevation modification is moot. What are the implications of this change?
- How does the screen wall itself comply with criteria?
- A floor plan, not a site plan, was submitted. Provide a site plan showing dimensions of all features from the property lines, in particular the west property line.
- On the site plan, show how the ramp ties in at the front; show the existing sidewalk.
- Show the wall, its foundation, and landscaping on a vertical elevation drawing of the north elevation. Depict measurements.
- Address how the wall foundation and proposed landscaping will be accomplished in the small space between the building and west property line without encroaching.
- Condition #2 of HR-20-01 requires the applicant to minimize grading and comply with any applicable standards in the Geologic Hazard Overlay. Address how the retaining wall foundation complies.
- The maximum lot coverage appears to be exceeded; please check calculation.



LAND USE APPLICATION TRANSMITTAL

Date: 9/7/2021

DISTRIBUTION OF APPLICATION

x	Building Division		Clackamas County Transportation
x	Development Services		Clackamas County Planning
x	Public Works Operations		Clackamas Fire District #1
x	City Engineer		ODOT – Division Review
	Public Works Director		Oregon City School District
	Parks Manager		Tri-Met
	Community Services Director		Metro
	Police		PGE
	Economic Development Manager		South Fork Water Board
	Traffic Engineer	x	Hamlet of Beaver Creek
	City Manager's Office	x	Holcomb Outlook CPO
x	CIC Chair	x	Central Point / Leland Road / New Era CPO
x	N.A Chair – McLoughlin	x	Other – See Email List
x	N.A. Land Use Chair		Natural Resource Committee
x	Notice of the application mailed to all properties within 300 feet		Other:

COMMENTS DUE BY:	September 17, 2021		
DECISION BODY:	Historic Review Board		
HEARING DATE(s):	September 28, 2021		
DECISION TYPE:	Type III		
FILE #S:	GLUA 21-00052 / HR-21-00020		
PLANNER:	Christina Robertson-Gardiner, Senior Planner	Phone (503) 496-1564	Email crobertson@orc.org
APPLICANT:	Bogdan Smolinets		
REQUEST:	Exterior modifications to HR 20-01 including but not limited to the inclusion of an ADA ramp and change in final foundation height for a new live/work building in the McLoughlin Conservation District		
PROJECT WEBPAGE:	https://www.orcity.org/planning/project/glua-21-00052-hr-21-00020-exterior-modifications-hr-20-01		
ADDRESS(ES):	1020 5 th Street Oregon City, OR 97045		
TAX LOTS:	Clackamas County Map 2-2E-31DA-10900		

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations.

Please check the appropriate spaces below.

☒	The proposal does not conflict with our interests.
☐	The proposal conflicts with our interests for the reasons attached.
☐	The proposal would not conflict our interests if the changes noted below are included.

Permits will be required to be obtained prior to the construction of the ramp.

Michael G. Roberts

Digitally signed by Michael G. Roberts
DN: C=US, E=mroberts@orc.org,
CN=Michael G. Roberts
Date: 2021.09.07 12:28:24-07'00'

Signature

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION



TYPE III – HISTORIC REVIEW

NOTICE OF DECISION

May 28, 2020

FILE NO.: GLUA-20-00005 and HR 20-01: Historic Review

APPLICANT: Bogdan Smolinets
NW Custom Homes Inc.
15730 SE Bybee Rd
Portland, OR 97236

OWNER: Teresa Yip
5835 SW Hamilton St
Portland, OR 97221

DECISION: On May 26, 2020, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opposing and interested parties, the Oregon City Historic Review Board voted 4-0 to approve the proposal with conditions. The Oregon City Historic Review Board adopted as its own the Staff Report with findings and Conditions of Approval for File Number HR 20-01. The complete record for the Historic Review Board decision is on file at the Planning Division.

Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. The process for these land use decisions is controlled by ORS 197.763 and identified in OCMC 17.50. The decision of the Historic Review Board is appealable to the City Commission within fourteen days of the issuance of the final decision. Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the hearing, in person or by letter, with sufficient specificity to afford the Historic Review Board and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Historic Review Board may be appealed to the City Commission by parties with standing. Any appeal will be based on the record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The City Commission decision on appeal from the planning commission is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

Additional Findings by the Historic Review Board

During the deliberation of this application, the Board found that the revised May design that includes reduced height, a reduction in the total square feet and the redesign of the attached garage to create a 3'8" separation all provide the needed additional mitigation to reduce the massing of the building on a sloped lot and constrained lot, where a fully detached garage would require a fair amount of grading. The Board additionally acknowledged that while the Live/Work use was not specifically called out as a design type in the Design Guidelines and is a use that is neither fully commercial nor fully residential, the applicant's method of using a modified Foursquare design was an appropriate approach for the site and use.

Conditions of Approval

HR 20-01

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

Prior to issuance of Building Permits:

1. The Applicant shall obtain all other required land use approvals, including Site Plan and Design Review and Geologic Hazard Overlay reviews before permits are issued or trees are removed onsite.
2. The Applicant shall minimize grading and comply with any applicable standards in the Geologic Hazard Overlay Chapter 17.44. (P, DS)
3. Additional natural rockery walls that are less than 4 feet in height are allowed on the site without further Historic Review Board review, but will be subject to review for compliance with the Geologic Hazard Overlay District. (P, DS)
4. Minor changes to window location or size on the side and rear facades will be acceptable and may be approved at a staff level prior to building permit issuance. (P)
5. The ground floor height shall be 10 feet minimum. The upper stories may be less than 10 feet to reduce the overall height and perceived massing of the building.
6. The Applicant shall not use stamped concrete or visible gabion walls for any retaining walls; rockery, real basalt veneer, or smooth poured concrete are acceptable. All visible retaining walls associated with the garage and left elevation shall be no more than 6 feet tall, all other retaining walls shall be no taller than 4 feet. (P,DS)
7. The front porch gable shall be removed from the front porch and be redesigned as a simple hipped roof porch to be more aligned with the simpler Foursquare design found in Oregon City.
8. A pre-construction meeting with preservation staff is highly encouraged. (P)
9. The Applicant has not proposed a residential care facility as part of this application. If the Applicant proposes a use allowed within the District, it will be reviewed for compliance with the Site Plan and Design Review code found in OCMC 17.62, applicable Building Codes, and any State of Oregon requirements for the use. If these requirements change the approved plans, the Applicant will be required to resubmit for Historic Review Board approval.

10. The Applicant shall utilize two smaller garage doors of less than 12 feet each instead of a single large garage door, or shall reduce the garage width to a single car garage with a door width of 12 feet or less.
11. Windows in the garage door are acceptable but not required. (P)
12. Doors on the front façade shall be solid or half-lite; no full-lite doors are permitted. (P)
13. Vinyl windows are not permitted. The Applicant shall utilize fiberglass of Marvin Integrity quality or equivalent or wood windows. Slider windows are not permitted. (P)
14. The Applicant shall utilize the following unless an alternate has been approved by the Historic Review Board.
 - a. Cement board siding shall be smooth texture. Woodgrain cement board is not allowed.
 - b. Entry doors shall be solid or half-lite doors
 - c. Exterior lighting shall consist of simple lighting contemporary to the foursquare design period.
 - d. Incised lumber or pressure-treated wood shall not be used on any visible surfaces.
 - e. All railings, decking, and stairs shall be finished to match the house body or trim.
 - f. The window sash shall be the darkest color of the three-color paint scheme.
 - g. All porch and stair railings shall be painted or paint the stained wood, with both top and bottom rail, and balusters attached between the rails rather than on the outside.
 - h. Compost decking is allowed on upper floor elevations and rear elevations.
 - i. Fiberglass windows shall be of Marvin Integrity or equivalent quality.



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Item #4.

Meeting Minutes - Draft

Historic Review Board

Tuesday, December 22, 2016

6:00 PM

Commission Chambers

1. Call to Order

Chair Metson called the meeting to order at 6:03 pm

Present: 3 - Ken Baysinger, Derek Metson and Robert Seiwert

Absent: 2 - Claire Met and Jonathan Stone

Staffers: 2- Trevor Martin and Laura Terway

2. Interviews

PC- 16- 115 HR 16- 115 Historic Review Board Interviews

The HRB interviewed the following candidates:

- *Grant Blythe*
- *Tama Tochihara*
- *Gregg Creighton*

The following was a list of questions asked of each candidate:

- 1. Why are you applying for a position on the Historic Review Board?*
- 2. What is your background in historic preservation?*
- 3. Have you served on other boards and commissions and if so, what did you find the most rewarding while serving?*
- 4. How would you approach a contentious hearing?*
- 5. What do you feel is the role of the HRB in relation to the neighborhood associations?*
- 6. Is there a way to balance the direction of an HRB and neighborhood associations?*

Trevor Martin explained the selection process to the board members. The board members deliberated. The consensus of the board members was to not recommend any of the candidates for appointment.

3. Adjournment

Chair Metson adjourned the meeting at 6:56 pm.



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes - Draft

Historic Review Board

Thursday, January 26, 2021

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

The meeting was called to order at 7:03 PM.

Present: 4 - Board Member Carrie Crook, Board Member Sabrina Ferry, Board Member Grant Blythe, Board Member Ray Stobie, and Board Member Paul Edgar

Staffers: 3 - Planner Kelly Reid

2. Public Comment — None

3. Other Business: Election of Chair

Kelly Reid, Planner, read from the code regarding the election of the Chair.

A motion was made by Board Member Edgar, seconded by Board Member Stobie, to nominate Grant Blythe as Chair. The motion carried by the following vote:

Aye: 4 - Board Member Crook, Board Member Stobie, Board Member Edgar, and Board Member Ferry

Abstain: 1 – Board Member Blythe

4. Opportunity for HRB Input on the City Commission Goals and/or Budget

Ms. Reid explained how the City Commission set goals for each biennium that would directly influence the budget. The Commission had asked for input from City Committees on these goals. She explained the recommendations made by the Planning Commission.

There was discussion regarding funding for updating the design guidelines.

A motion was made by Board Member Crook, seconded by Board Member Edgar, to authorize Chair Blythe to draft a letter recommending the City Commission prioritize funding for updating the design guidelines in the next

biennium. The motion carried by the following vote:

Aye: 5 – Chair Blythe, Board Member Crook, Board Member Stobie, Board Member Edgar, and Board Member Ferry

5. HRB 101: Design Guidelines, Anatomy of a Staff Report, and HRB Application Types

Ms. Reid gave a HRB 101 presentation. She discussed the types of reviews that came before the HRB, what was included in the staff report with examples, approval criteria and findings, and design guidelines for alterations, additions, and new construction.

6. April 28, 2020 HRB Minutes

A motion was made by Board Member Crook, seconded by Board Member Stobie, to approve the April 28, 2020 minutes. The motion carried by the following vote:

Aye: 5 – Chair Blythe, Board Member Crook, Board Member Stobie, Board Member Edgar, and Board Member Ferry

7. Communications

Board Member Edgar discussed applications within waters of the state and whether or not Oregon City was in compliance with the rule.

Ms. Reid would contact SHPO and get back to him on the issue.

Ms. Reid discussed the Compatible Change project and Open House, swearing in of new Board members, HRB annual report to the Commission, and City email addresses for new members.

8. Adjournment

Chair Blythe adjourned the meeting at 8:10 PM.