



City of Oregon City

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

Meeting Minutes Historic Review Board

Tuesday, September 28, 2021

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Chair Blythe called the meeting to order at 7:00 PM.

Present: 4 - Board Member Paul Edgar, Board Member Sabrina Ferry, Board Member Ray Stobie, and Board Member Grant Blythe

Staffers: 2 - Planner Kelly Reid, Senior Planner Christina Robertson-Gardiner, and City Attorney Bill Kabeiseman

2. Public Comment — None

3. Public Hearings: 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

Chair Blythe opened the public hearing and read the hearing statement. He asked if any Board member had ex parte contacts, conflicts of interest, bias, or any other statements to declare including a visit to the site.

Board Member Ferry visited the site. Board Member Edgar had walked by and talked to the applicants but never entered into discussions about what they were doing. Board Member Stobie visited the site. Chair Blythe visited the site and asked staff about approval of the work being performed.

Linda Baysinger, resident of Oregon City, thought Board Member Edgar should recuse himself as he had many contacts with the party.

Abigail Klun, applicant, said they had multiple interactions with Board Member Edgar that were inappropriate as a member of the HRB.

Chris Staggs, resident of Oregon City, agreed Board Member Edgar had multiple ex parte contacts with the applicant. He requested that he be recused.

Bill Kabeiseman, City Attorney, explained evidence of bias, ex parte contacts, and conflicts of interest.

Board Member Edgar said he could make an unbiased decision and there no further ex parte contacts to declare. He did not plan to recuse himself.

Kelly Reid, Planner, presented the staff report. This was a request for alterations to a home on 4th Avenue. She discussed the subject site, request, photos of the house, approval criteria, precedent, and landscape mitigation. Staff found there was adequate mitigation to screen the porch railing by using landscaping, the siding could be viewed as a reasonable in-kind replacement as found from a previous decision in 2014, and the staircase did not have an adverse effect on the district. If the Board found that there was an adverse effect, she recommended a condition be added for mitigation to make it acceptable.

Abigail and Jason Klun, applicants, said they had not known they needed approval for exterior alterations. There were no published guidelines for non-contributing structures which led to a lot of confusion. She summarized the purchase of their home and issues that required immediate attention. It wasn't until the work on the home was finished that they were informed that this process existed. She discussed flexibility in materials and methods that could be used. They used materials as close as possible to the original and there was precedence in the area for the materials that had been used. She thought the design and materials were compatible with the neighborhood. They had also mitigated with landscaping.

Ken Baysinger, representing the Canemah Neighborhood Association, said the Association voted unanimously to support this application in every respect. They thought it was a benefit to the neighborhood and did not detract from the historic nature of the neighborhood.

Ron Bistline, Canemah Neighborhood Association Steering Committee, confirmed the Association had approved this application and thought it added value to the neighborhood. Personally he thought there was precedent for this and the landscape screening would mitigate any issues.

Linda Baysinger, resident of Oregon City, supported the application as well. The property had needed these repairs, which were high quality and a good addition to the neighborhood.

Karen Blaha, resident of Oregon City, lived near this property. She thought the improvements were beautiful and did not detract from the neighborhood.

Chris Staggs, resident of Oregon City, read from staff's executive summary which said the home was non-contributing and the materials did not have an adverse effect on the district. He discussed the design guidelines and how there was a lot of variation in Canemah.

Chair Blythe closed the public hearing.

The Board discussed better notification to homeowners, support for the materials used and screening, and findings for approval.

A motion was made by Board Member Edgar, seconded by Board Member Stobie, to approve 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. The motion carried by the following vote:

Aye: 4 – Chair Blythe, Board Member Edgar, Board Member Stobie, and Board Member Ferry

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

Chair Blythe opened the public hearing. He asked if any Board member had ex parte contacts, conflicts of interest, bias, or any other statements to declare.

All Board members had visited the site.

Ken Baysinger, resident of Oregon City, thought Board Member Edgar had bias as he used to own the property and had told several buyers that the property was not buildable and testified against approval of previous applications. He thought Board Member Edgar should recuse himself from the hearing.

Karen Blaha, resident of Oregon City, agreed with Mr. Baysinger's comments. She thought Board Member Edgar had financial benefit to his objections to building since it would affect his property.

Linda Baysinger, resident of Oregon City, requested the Board vote to recuse Board Member Edgar due to financial gain on the property and ongoing bias.

Mr. Kabeiseman explained the City's process for bias and conflicts of interest/financial gain.

Board Member Edgar said he had no pre-existing bias that would prevent him from making a decision based on the code. He planned to participate in the hearing.

Ms. Reid presented the staff report. This was a continuation for a revision to HR 19-04 for a new single family home in the Canemah District. She summarized the application, what had changed, HRB direction needed, elevations and measurements, and recommended conditions of approval.

Tim Ahaus, applicant, discussed the changes that had been made to the application as requested at the last hearing. He then explained the grading plan and the difficulties with the constraints on the property and following the guidelines.

There was discussion regarding the side porch, massing of the house, and windows.

Ron Bistline, Canemah Neighborhood Association, said the Association was in support of the application. Personally, he was concerned about the consistency and length of time for this process.

Ken Baysinger, Canemah Neighborhood Association, said the Association voted unanimously in support of the design as a positive addition to the neighborhood.

Linda Baysinger, resident of Oregon City, gave a history of the sale of the property and concerns with the process.

Karen Blaha, resident of Oregon City, discussed concerns with the HRB process. She thought the application should be approved.

Chair Blythe closed the public hearing.

There was discussion regarding the side porch, width and overall massing on 4th Avenue and compatibility with Canemah bungalow design, and double hung windows.

Chair Blythe reopened the public hearing.

Mr. Ahaus explained the different elevations for the ground floor due to the topography and how the garage would not be seen from the right-of-way. He asked that the condition be modified to reflect the elevation heights.

Chair Blythe closed the public hearing.

There was further discussion regarding the process, pathway for pedestrian access, allowing changes to the rock wall, whether or not to require double hung windows, leaving the side porch to discretion of the applicant, and leaving the length of the structure along 4th Avenue as proposed or squaring up the width and reducing the bulk.

Ms. Reid reviewed the conditions of approval. The Board added to Condition #18 that the applicant would reuse the old basalt stones in the wall or somewhere in the district. They also amended Condition #19, that the exposed ground floor in the center under the peak would not exceed 4 feet, 9 inches and that the exposed ground floor at the corners would not exceed 8 feet due to the topography.

There was consensus to continue the meeting past 10 PM.

The Board amended Condition #21, to leave it up to the applicant's discretion to eliminate the wrap around porch on 4th Avenue or not.

Board Member Edgar did not think the house looked like a Canemah bungalow.

A motion was made by Board Member Ferry, seconded by Board Member Stobie, to approve 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 with the amended conditions of approval. The motion passed by the following vote:

Aye: 3 – Chair Blythe, Board Member Stobie, and Board Member Ferry

Nay: 1 – Board Member Edgar

GLUA 21-00052 / HR-21-00020 Modification of HR 20-00001

Chair Blythe opened the public hearing. He asked if any Board member had ex parte contacts, conflicts of interest, bias, or any other statements to declare.

Board Members Ferry, Stobie, and Blythe had visited the site.

Christina Robertson-Gardiner, Senior Planner, presented the staff report. She submitted a letter into the record from the property owner requesting an ADA ramp. She reviewed the HRB options, applicant's request, site location in the McLoughlin Conservation District, street view, examples of other ramps, landscape plan to mitigate the ramp, and elevations. The guidelines did not provide any specific direction on ADA ramps. Staff thought as conditioned, the design for the ADA ramp was secondary to the front porch access and was designed to be compatible with the building's

architecture. She then discussed the ramp options and window revisions.

There was discussion regarding the full ADA ramp option, size of windows for emergency egress, and new window in the internal staircase.

John Dawson, Dawson Engineering, was representing the applicant. He thought it was mandatory to allow the full ADA ramp for the private and commercial use. They tried to design the ramp so it would not have a visual impact and he explained the design. The ramp would be screened by landscaping. He then discussed the windows proposed.

Jilene Modlin, resident of Oregon City, wanted to make sure ADA was included, but did not understand how it worked with the entrance. She wanted it to be safe and look like it belonged in the neighborhood.

A motion was made by Board Member Edgar, seconded by Board Member Blythe, to continue the hearing for GLUA 21-00052 / HR-21-00020 Modification of HR 20-00001 to October 26, 2021. The motion carried by the following vote:

Aye: 4 – Chair Blythe, Board Member Edgar, Board Member Stobie, and Board Member Ferry

4. Other Business: December 22, 2016 and January 26, 2021 Minutes

This item was not discussed due to the lateness of the meeting.

5. Communications

None

6. Adjournment

Chair Blythe adjourned the meeting at 11:03 PM.