



City of Oregon City

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

Meeting Minutes

Historic Review Board

Tuesday, March 28, 2017

6:00 PM

Commission Chambers

1. Call to Order

Chair Metson called the meeting to order at 6:00 PM.

Present: 4 - Derek Metson, Claire Met, Ken Baysinger and Grant Blythe

Staffers: 3 - Trevor Martin, Laura Terway and Christina Robertson-Gardiner

2. Public Comments

There were no public comments on non-agenda items.

3. Public Hearing

3a. HR 16-09, HR 16-10, HR 16-11, HR 16-12, HR 16-13, and HR 16-14: Seven (7) Proposed Cottage Homes in the Canemah National Register Historic District located near 4th Avenue and Miller Street

Chair Metson reopened the public hearing and read the hearing statement. He asked if the Board had any disclosures regarding this application. There were none. No concerns of the disclosures were identified.

Trevor Martin, Planner, provided the staff report. He discussed context in Canemah. Canemah was a historic district listed on both the national and local registers. He gave a definition of context, which was the relationship of the existing buildings with one another and the relationship any new building would have within the existing neighborhood and buildings. The Canemah district was divided into two different areas, multi-family residential and commercial along 99E and single family residential above 3rd Street. Planning staff looked at the design guidelines for new construction when analyzing an application. These guidelines were adopted in 2006. They described Canemah in 1850 as a small, ship building and mill town to the present as mostly single family residential neighborhood. Canemah was laid out in a 40 block grid pattern without the hills, water features, and trees taken into account. The roads did not necessarily follow the grid pattern, but more or less followed the topography. A lot of the homes that had been built were not regraded or filled, but were put on the site as the site existed. Because of the unique topography, many single family homes in Canemah lacked setbacks as they were placed where they would not fall down the hill and there was a good number of trees in the district because the idea of clearing away trees to view the river was not a feature in Canemah. There were no uniform front setbacks south of 3rd Street. The lots ranged from 50x100 to 100x100 and contained a single home. It was more of a forest setting. The house placement was done to suit the existing topography. In making a decision for this application, there were a lot of good aspects to the application that did mesh well with the design guidelines, but there were some aspects that did not fit. One that did not fit was the density of the project. It

was different from Canemah and he suggested mitigating the project by applying the dimensional standards of the R-6 zoning district.

Laura Terway, Community Development Director, said this was an application for seven cottage homes spaced over 4 lots of record in Canemah. They were all 5,000 square foot lots. The cottage home standards allowed up to two cottage homes per lot and the applicant was proposing seven. The purpose of the HRB was to filter what was allowed to make sure it was contextually appropriate. Staff thought the cottage homes were appropriate if they were mitigated by meeting the setbacks of the zoning designation. The cottage homes were modest in size compared with larger single family homes that were approved for the district. They were smaller, but there would be more of them. To mitigate the fact there were more of them, staff was relying on the setbacks and to keeping the units on the site, however many that might end up being, and not in the adjacent right-of-way or on the property lines.

Chris Staggs, applicant, presented some exhibits. The first was an exhibit of the west elevation and the proposed retaining wall. He provided examples of larger retaining and visual impactful retaining conditions in Canemah, most on 3rd and 4th Avenues. He thought there was an evident and strong precedent for relatively large retaining walls at the street and in the right-of-way around Canemah. There was also a precedent for stone retaining walls with landscape elements growing on and around them, which was his intention for this project. It would be a stepping, landscaped stone wall that blended in with the neighborhood. The second exhibit was of the east elevation which also showed the retaining and planting conditions between his property and the adjacent property. He had found a way to make the retaining wall lower and planted in a way that was in context with Canemah. The next exhibit was of the view down 4th which illustrated the retaining conditions and how it was stepping down to 4th at only three to four feet high adjacent to the right-of-way. It also showed the proposed parking space in the right-of-way with the planting area between the parking area and the street. The next exhibit was the rendering of the cottage home proposed on 4th with a parking spot in the right-of-way and the landscaping between 4th and the right-of-way. This was the parking spot they were requesting a preservation incentive to park in the right-of-way rather than behind the home. They were following the residential guidelines of 1.5 parking spaces per house. There were 11 parking spaces and the majority were behind the homes where they could not be seen. On Miller Street, the parking spaces were visually mitigated by landscaping. The next exhibit showed House 4 and how he had increased the size of the styles and frames of the wood doors in the upper right hand elevation. Previously they were two inch thick frames and now they were four to six inches. All the doors and windows would be wood. The size of the glass had been reduced and the size of the window frames had been increased as well. He thought that brought them more in line with the context of Canemah. All of the glass doors on the ground floor would have appropriate door kicks at the base of the doors with thickness and they would be made out of wood to be durable and long lasting. He entered into the record a traffic study that was done. There was a previous concern about traffic in the neighborhood. The study showed no inherent safety issues associated with the construction of this project. A geotechnical survey and report had also been done which confirmed that it was appropriate to build on this property and what was being proposed was appropriate. There was some public comment on the number of cars that would be parking at this development and concern that trash cans and dumpsters would block mailboxes. He currently had a plan in place for dumpsters behind a gate in both parking areas. There was also concern about the HOA and CC&Rs. He confirmed there would be an HOA and guidelines that would be in alignment with the Canemah historic guidelines. In terms of the preservation incentives, he reiterated that the primary reason for the incentives was that the wetland

on the property severely restricted the property. They would be building less density than was allowed through the cottage home development standards and it would be less density than what was typical in Canemah. He believed there was a nexus for the preservation incentives to allow some parking in the right-of-way which was common in Canemah and the zero lot line for the two homes on Miller and one internal home. There was no visual impact from the home internal to the site because it could not be seen. There was a large right-of-way on Miller between the street and the property line. That space plus the landscaping would be a sufficient mitigation for the neighborhood.

Ms. Met asked if the retaining wall would be stamped concrete or a basalt finish. Mr. Staggs replied it would be a combination of concrete and concrete block with a stone veneer over that.

Ms. Met referred to the parking and how in Canemah there was not large areas where several cars could be parked. They could not guarantee how many cars would be parking there and there was not a lot of on street parking available. She was having a hard time with the density of this application. Regarding the glass elevation on the lower left corner, she thought it still looked like a swiss chalet. It would look better if the upper portion was filled in and not glass.

Mr. Staggs stated the historic guidelines for the City talked about the notion of new development working in conjunction with and being complimentary and compatible with the existing homes. The homes that were built originally in Canemah had limitations in terms of what could be built back then. Today there was more freedom and they were trying to be compatible and respectful to the Canemah neighborhood but they were also trying to open it up to more light in the homes and views to the outside. He thought that was in alignment with the historic guidelines in the sense that they were creating a stronger respect for the environment and a visual connection to the environment.

Ms. Met said they also had the skylights that offered quite a bit of natural light. Mr. Staggs said the skylights were internal to the site and none of them would be facing the street. Regarding the parking, they carefully positioned the parking in a way that it was not right on the street. There was a precedent in Canemah for haphazard and random parking situations and they were doing a much better job of not having the cars in the street.

Chair Metson said regarding Homes 3, 4, and 5, it looked like they would have large sliding glass doors that were facing the interior of the site. Were there any large expanses of glass that would be facing the right-of-way? Were there any on a side elevation that would be plainly visible from a right-of-way? Mr. Staggs answered no, all the large areas of glass were facing internally to the property.

Chair Metson clarified there would only be one very tall retaining wall. Mr. Staggs said that was correct. It was not visible from the right-of-way.

Chair Metson asked for a description of what the R-6 setback standards would do to this project. Mr. Staggs explained along Miller, it would push the homes closer to the wetland. It would be challenging, if not impossible, to fit the homes in that space if they were not on the property line. Ms. Terway clarified Miller would be considered a side yard and the setback would be 5 feet.

Mr. Stone clarified they could build four single family homes on the site instead of the cottage homes. Mr. Martin said correct, there were four existing lots of record that

allowed for four single family homes.

Mr. Stone said the lower right hand lot would need a preservation incentive in order to develop on it. Mr. Martin said yes, that one as well as the property abutting the alley.

Ms. Terway said the preservation incentives that the HRB could grant was for setbacks. They could not trump a development standard that applied to cottage homes. If they allowed retaining walls that the code did not allow in other places, the applicant would have to address that when they went through site plan and design review. For parking, there were minimum and maximum requirements, but it was not the HRB's purview to decide if there was enough parking or not. The HRB had to look at all of the items in the application together to see if they fit within the context of the site and of Canemah. The City's standard for retaining walls was they were to be 3.5 feet tall in front of a home and could be up to 8.5 feet next to or behind a home. This application would be going through another review process for these types of issues.

Mr. Baysinger asked about satisfying the requirement for 1.5 parking spaces per living unit on the property. Three of the parking spaces were outside of the property boundaries. Did that comply with the requirements?

Mr. Martin responded that the standards were adjustable for parking in the right-of-way. It would be through a different means to get there, but it was a possibility to get there. Ms. Terway said they did count adjacent on-street parking in site plan and design review. They would need approval from Public Works and they needed contextual appropriateness from the HRB.

Paul Edgar, resident of Oregon City, asked that the hearing be continued due to the many issues that were yet to be resolved. Errors in the past did not justify repeating those errors into the future. There was no justification for the preservation incentives to continue errors in violation of City code and historic building guidelines. Setbacks for each lot of record were independent, not collective. Setbacks from wetlands was inconsistent with the code. This site had flooded multiple times in recent years, sometimes up to five feet, and it would flood all of these homes. The mass, size, siting, and density were not historically found within Canemah and therefore the application was incompatible. It was also not compatible with the house next door on 4th and Miller. The designs were not found anywhere in Canemah and therefore, they detracted. The code said one house per 5,000 square foot lot and three of these lots were compromised by wetlands, creek, and waters not yet identified. The separation in feet from house to house was not adequate in relationship to historic siting and detracted. Architectural facades, skylights, and roof cut-aways were not historically compatible with vernacular designs or with the district. The window placements and porches were not compatible and also detracted. All parking should be on the property and the street should be protected from being used as a parking lot.

Clint Goodwin, resident of Oregon City, discussed Oregon City historic district rules for building. The rules stated what was not allowed was irregularly spaced buildings in a regularly spaced neighborhood, crowded building sites from too large of building or too small of lot dimension, houses spaced tightly together, disrupting the neighborhood rhythm, or spacing that dismissed the historic quality of existing historic resources. He thought this language showed the application could not be approved. There were some instances where the HRB had leeway on some things, such as breezeways. The HRB did not have leeway on things that were not allowed.

Chair Metson said the Canemah guidelines changed between north or south of 3rd. Mr.

Martin replied that was correct, there were different standards for land north and land south of 3rd.

Chair Metson clarified north of 3rd it was required to have regular buildings, and south of 3rd it was acknowledged that the buildings were historically irregular. Mr. Martin said even though it stated regular, there was allowance for closer setbacks.

Tori Goodwin, resident of Oregon City, was concerned about the historic aspect of the neighborhood. She bought her home in this neighborhood knowing the historic rules and regulations on the property. The rules stated new construction should be harmonious and have a rhythm with the existing buildings, and this proposal did not do that. It would change the neighborhood. Putting in cottage homes and parking lots was a brand new concept for the City and this neighborhood. The preservation incentives made this development encroach on the neighborhood by having more people and cars on the street.

Mr. Staggs presented rebuttal. Through the geotechnical report, civil engineer, and best practice standards they were designing for, there was no indication that there were dangers or situations with flooding. He had been on the property during heavy rains and the water stayed in the wetland. Where the houses would be developed was a distance away from the water. They had purposely delineated the wetland as an amenity for the development and neighborhood. The separation between the cottages was a ten foot requirement according to the cottage homes guidelines. In the historic district guidelines for the City, it stated all buildings and related construction should utilize the following principles in their design: style, siting, building form, and design composition. New construction was supposed to be compatible with the existing historic resources and yet offer strategies that could incorporate new materials and products. New construction was not historic nor should it attempt to be historic, but should stand side by side with historic structures in a respectful manner. The style they were proposing was compatible with the existing homes in Canemah, the siting principles they were using followed the siting principles in Canemah, and the building form they were proposing was compatible with other homes in Canemah as well as the design composition. They were not proposing some radical departure. He thought these homes would be compatible with the context of Canemah.

Chair Metson closed the public hearing.

Mr. Baysinger asked how the cottage home concept had been reconciled with the historic district standards. Ms. Terway said the HRB was the reconciliation. It was all context sensitive. Mr. Martin said the historic standards came first in Canemah, and it was up to the HRB.

Mr. Blythe asked what level of change to the design would require coming back to the HRB. If the HRB approved the application with the conditions proposed and the design had to be changed significantly, what would trigger it to come back to the HRB? Mr. Martin said adding or removing a cottage home from the design or if there was a major adjustment.

Ms. Met was still concerned about the density and the impact of the density. She was not in favor of approving the application.

Mr. Stone said even without applying a cottage homes standard, there could be as many as eight dwelling units on the property if they could meet the requirements because four single family homes plus four accessory dwelling units were allowed. It

was likely that the lower right hand corner would require a preservation incentive regardless of what was being built in order to build on the site. The other lots were easier to build on. He thought the applicant had done a good job of fitting seven homes onto these lots. If they approved the application with staff's conditions with no preservation incentives, this product was going to change dramatically and it would have to come back to the HRB.

Ms. Terway said it depended on how they worded the motion as to the flexibility of the decision.

Chair Metson said the cottage home standards were complicated. He thought these types of homes were focused on creating smaller, quaint, and affordable housing stock that was not repetitious. This was a difficult project. He did not think the zero lot line setback due to the constraints was something new or innovative or a stretch for this neighborhood. This neighborhood was extremely sloped. He was glad the wetlands would be preserved. The historically inappropriate challenging portions of these structures were facing inward and were not visible to the right-of-way. There were expanses of glass that were inset that were not facing the right-of-way. These types of elements had been approved in other applications because they were not visible. He thought the street facing facades were historical and appropriate. The massing was historically appropriate to the original houses in Canemah. He thought four single family homes would be a larger massing for the neighborhood. Economics played a part in looking at putting cottage homes here. The houses and parking were placed in a way that would not be viable otherwise. Three out of the four parking spaces were hidden behind a house and the other parking spaces were grouped together and one was next to a house. He did not know if Public Works would allow parking in the street, although he thought it should be allowed. He was in favor of the approval with staff's conditions with some changes. He thought Condition b regarding House 4 should be changed to allow a wood sliding glass door that was visually consistent with french doors with sidelights. He did not support sliding glass doors if they were vinyl or fiberglass. This door should not be facing or be visible from the right-of-way. The doors should be permitted provided they were consistent with the elevations of the updated record on March 28. Previously he had an issue regarding House 1, however it was brought down in elevation and it was considerably lower than the house next to it and it was not competing. He had an issue with the way the retaining walls were before, and the one that was very visible had been addressed. He agreed Houses 6 and 7 were relatively close to each other, but the houses were the size of a 1.5 car and 2 car garage. They had street coverage of 50 feet. He proposed deleting Condition 2 and not require the applicant to meet the R-6 standard setbacks. He did not think it was reasonable on this constrained site and the applicant was not proposing to cut down trees or build on the steep hillside.

A motion was made by Chair Metson to approve HR 16-09, HR 16-10, HR 16-11, HR 16-12, HR 16-13, and HR 16-14: seven (7) proposed cottage homes in the Canemah National Register Historic District located near 4th Avenue and Miller Street with staff's conditions of approval, striking Condition 2, and modifying Condition B on House 4 to state sliding doors would be permitted provided they were consistent with the elevation submitted on March 28, 2017. The motion failed for lack of a second.

Mr. Blythe said even with staff's conditions there were a number of items per house that staff said they did not have enough information on and he thought more conditions needed to be added. He was not in support of the application as a whole.

Ms. Met was also not in support.

Mr. Baysinger said this centered on the question of density. There were areas in Canemah that had a comparable density, but these were very small homes. He was also concerned that there would not be enough parking for this development. He was not convinced that cottage homes were the right thing to be built on this property.

Mr. Stone said if they approved the application as proposed with staff's conditions, any of the efforts they would have to go through to comply with the conditions would result in a substantially changed project that would need to come back to the HRB. He questioned approving it when it would come back to the HRB again. He liked the cottage homes, but was struggling with the application of this incredibly challenging site. There had never been a building on the property, for good reason. He was not comfortable approving this with the conditions as the conditions would change the application and it would have to come back to the HRB. He was not convinced that preservation incentives should be allowed here. He appreciated the interpretation of the vernacular that was done and appreciated the cottage homes idea, but it was unfortunate that the first cottage home application came on this site.

There was discussion regarding density, clarifying where the setbacks would be and the sizes, and the affect of the preservation incentives.

Chair Metson said with the R-6 setbacks, the property was largely undevelopable and only four homes could go on the property. He did not see how it was a better design or getting to the stated goals. If the objective was less density, that should be stated.

Mr. Stone asked if there was a precedent of approving a single family home to be built on the lower left corner if this was a traditional application. It would require preservation incentives to build on that corner. Chair Metson said yes, there was a similar site for a single family home that the HRB had recently approved. There was potential for this property to be built with a series of single family homes.

Mr. Blythe said he could be convinced that some of the setbacks would apply, but not against the shared lot line with the Casady House.

Ms. Terway said if the HRB wanted to continue the hearing, the hearing needed to be re-opened and the applicant would need to provide an extension to the 120 day rule which was due April 27.

Mr. Blythe said the purpose of a continuance would be for a design that was more compliant with Condition 2. The alternative to a denial for him was a revised application that could meet that with less preservation incentives.

Mr. Stone clarified the HRB was open to preservation incentives, but they wanted to see fewer of them.

A motion was made by Mr. Baysinger to continue the hearing to May 23.

Mr. Baysinger said when the cottage home concept density was established, which was two houses per 5,000 square foot lot, there was a vision in mind. There were four lots in this application, but when the wetland area was excluded, it was less than three lots and they were trying to apply the same density. That was where the problems were coming from as they had to crowd the edges all around. He would be more inclined to approve the application if there were six houses rather than seven. He was talking about the historic appropriateness and reconciling the cottage concept with the Canemah historic requirements. He did not want to set a precedent that they were

uncomfortable with.

Ms. Met said six houses would mean less parking required which would help with the setback issue.

Ms. Terway said if they only wanted one less unit, they could add a condition that there would only be six units.

Mr. Baysinger withdrew his motion to continue.

Mr. Stone said if House 4 was removed, it would address a lot of the concerns. Another option was not allowing the preservation incentives for House 4, the property line adjacent to the Casady House.

Ms. Met thought the chalet look of the upper level on Houses 5, 6, and 7 should be addressed.

Chair Metson reopened the public hearing for the limited purpose of requesting the applicant to extend the 120 day rule time period.

Mr. Staggs agreed to an extension of the 120 day rule to July 11.

Mr. Blythe stated the HRB was not inclined to grant the items in Condition 2, the R-6 zoning and preservation incentives. He thought a revised design was needed. The HRB would like the chalet windows removed. These were the non-rectangular windows on the back side of Houses 5, 6, and 7. The cut ins on the roofs on Houses 2 and 3 should be removed.

Mr. Baysinger agreed the non-rectangular windows and roof cut ins should be removed as they were contemporary features and did not fit in. Regarding the setbacks, the setbacks for Houses 1, 6, and 7 did not bother him. The setbacks for House 4 looked really tight in every direction.

Mr. Stone thought the preservation incentive for House 4 should be removed.

Ms. Met suggested to help with the density to reduce the number of houses to six.

Chair Metson closed the public hearing.

A motion was made by Ms. Met, seconded by Mr. Stone, to continue the hearing for HR 16-09, HR 16-10, HR 16-11, HR 16-12, HR 16-13, and HR 16-14 to May 23, 2017. The motion carried by the following vote:5-0-0

Aye: 5 - Derek Metson, Claire Met, Ken Baysinger, Jonathan Stone and Grant Blythe

3b.

Design Advice for a new single family home with an attached garage in the Canemah National Historic District

Mr. Martin said this was a request for a new single family home in the Canemah neighborhood on the corner of Ganong Street and 4th Avenue.

Todd Iselin, Iselin Architects, and John Ares, property owner, stated they had submitted a different design with a detached garage, but the portion of the site that was being disturbed was so huge and the cost was getting out of hand that they had to scale down the house and get rid of the detached garage. They were now proposing a

garage underneath with side access and it was not visible from the street. The driveway would be off of Ganong. Garages underneath were discouraged in Canemah and they were asking if the HRB had an issue with it. There would be a three foot high retaining wall on the side and a nine foot retaining wall in the back. They had pulled the house forward as much as they could to allow for the 14% slope on Ganong which required regrading at Ganong. Public Works had approved the regrading. There was also a natural resource overlay on the site and a steep slope overlay. The primary reason for putting the garage underneath was to lessen the disturbance area. The previous application had been withdrawn, and they were looking for design advice for the new design. They showed pictures and explained the new design further.

Chair Metson asked if the adjacent lot would not be built out and the street would never be improved. Mr. Iselin replied the street would never be improved as it was 25% to 30% slope. If the adjacent lot built out, they would have access on 5th Street.

Chair Metson was not in favor of the garage underneath.

Mr. Baysinger thought the garage was acceptable due to the advantages of less excavation and the fact the garage underneath would not be seen.

Chair Metson said it was a public right-of-way and even though it was a driveway now it might not be in the future. He did not think the attached garage fit with the historic guidelines.

Mr. Blythe thought the garage underneath was a preferred alternative to the detached garage.

Ms. Met said garages underneath had been used in historic properties before.

Chair Metson thought the rest of the design fit in with the neighborhood. The house was one and a half stories with a basement.

Mr. Blythe asked why there was no pedestrian access to the front door from 4th Avenue. Mr. Iselin said part of the historic rockery wall would have to be dismantled to do that and it would require 28 to 29 stairs. He did not think it would be used as guests would use the driveway.

4. General Business

4a. Willamette Falls Legacy Project Presentation

Christina Robertson-Gardiner, Planner, gave an update on the Willamette Falls Legacy Project. She discussed the public events that had been held. The next event would be held on June 3 at OMSI. There was a conceptual plan for the full Riverwalk as well what phase 1 of the project would include. Phase 1 construction would begin summer of 2018. She showed some pictures of the historic structures on the property. She reviewed the four core values, framework plan, outreach to the tribal community, nine key uses for the site, and calendar of what to expect for each of the seasons on the site. She then explained the public outreach and input received on the design alternatives for the Riverwalk as well as important themes for the site. She described the interpretive plan and framework process as well as interpretive design approaches, take home messages, site asset diagram, and project calendar.

5. Communications

Mr. Stone said the Downtown Oregon City Association in cooperation with the Chamber of Commerce was having a Best of Oregon City promotion. He encouraged everyone to vote between April 1 and 30. There was a Best of Oregon City landmark category and Best of Oregon City history or story category.

Mr. Martin said Oregon City Enhancement Day would be held on April 29. There would be a Special HRB Meeting on April 24 for two public hearings and a Regular HRB Meeting on April 25.

Ms. Met would not be at the next HRB meeting.

Mr. Martin said this was Mr. Stone's last HRB meeting as his term was expiring. The HRB thanked Mr. Stone for his work.

6. Adjournment

Chair Metson adjourned the meeting at 9:30 PM.