

**CITY OF WEST LINN, CLG:
CLACKAMAS COUNTY HISTORIC REVIEW BOARD MINUTES**

Thursday, November 20, 2008

CCHRB Members Present: Roger Bell, Todd Iselin, Jeff Jacqua, Joe Vondrak

CCHRB Members Absent: Bruce Butler, David Turville

HRAB Members Present: None

Guests: Frank Angelo, Angelo Planning, Dennis Ritchie Willamette Area, Sue Smith
6288 Elliott Street, Judy Morton 62080 Geer St.

Staff Present: Peter Spir, Associate Planner; Bryan Brown, Planning Director

Todd Iselin called the meeting to order at 7:00 p.m.

Agenda Topics:

PUBLIC HEARING

DR-08-10- on the request of the City of West Linn and the Tualatin Valley Fire and Rescue to demolish a 1249 square foot house at 1850 Buck Street. TVFR want to demolish the historic landmark structure to make way for a TVFR Fire Station.

This hearing was continued from September 24, 2008.

No abstaining form board members of challenges form audience.

Staff Report

Peter Spir: gave testimony regarding the landmark structure built around the 1900, with the preferred outcome being the relocation of the structure. To that end, the City is trying to facilitate that outcome through transferring SDC charges when or if the house is moved. Staff noted that there is one resident, Sue Smith who is very interested in moving the house. Staff went on to explain that the house also meets the demolition approval criteria of CDC 26 in the event that relocation is impossible. Staff noted that in the event of demolition, a period of time for people to salvage building material would be made available. Staff recommends:

1. Relocation
2. Salvaging of material and demolition if all else fails

Applicant

Frank Angelo, Angelo Planning: representing TVFR, gave an overview on the process that it was always intent to find a buyer and move the house at 1850 Buck Street; it was requested by the City to apply for a demolition permit be applied for to run concurrently with the conditional use project. The Planning Commission heard the conditional use project the night before and asked to have that project continued to December 3, 2008 in order to get a report from this meeting.

It was pointed out that the applicant has been to the Neighborhood Association 16 times over the last year sharing the design of the fire station as well as any other issues and the possibility of demolition.

The applicant is also currently working with Sue Smith on moving the house to another location in the neighborhood. Conversations are going very well and all parties are very optimistic about moving the house to another location in the Bolton Neighborhood.

In terms of salvaging if the house is demolished, three other homes on the block will be removed and the applicant is planning a “salvage weekend” open to the neighborhood to pieces from the home to recycle the materials.

The issue of Section 106 and ORS 358.653 came up. The applicant took it upon themselves to talk to State Historic Preservation Office about this property, and also another, they sent materials and photos to SHPO and received a letter from SHPO stating that TVFR has complied with ORS 350.653 and that section 106 is not applicable. SHPO stated appreciation that TVFR is pursuing relocation of the 1850 Buck Street house because of its status.

Applicant agrees with staff recommendation and will continue with efforts to relocate the house. TVFR stated that they will continue to comply with all applicable codes and instructions from SHPO and continue to work with the neighborhood.

The HRB then asked for public testimony.

Testimony

Judy Morton 6280 Geer Street:

Discussed that this is a very old neighborhood and that the residents are very proud especially of Buck Street and that there is old stone at the end of block at Buck St. marking the intersection which you have to dig down about 18 inches to see it. The streets are lined up to be able to view Mount Hood from the top as is Dillow. She is opposed to demolition hoping house is kept as part of history.

Dennis Ritchie:

Fire Station is much needed and having served on various WL city boards and editor of local historical calendar feels he has a good perspective on the history but feels strongly that we have priorities. He has no objection to the house being demolished if it can not be saved. He said it looks like the house was built in stages and is not the original home. His two major issues:

1. Time line-Mr. Ritchie does not want to see a major delay due to this house in the construction of the new Fire Station.
2. Given TVFR's good faith effort he doesn't want TVFR to be penalized if they try to move the house and it collapses.

Sue Smith, 6288 Elliott Street:

Very interested and optimistic about relocating the house to a property on Lowry Drive, she became interested about a year ago and has checked into relocation with Emmett International. Trees and a telephone pole will have to be dealt with in the move; a foundation will have to be built which according to staff will not pose a problem. She is very close to having everything in place, and the ability to transfer the SDC from existing to the new house location will be extremely helpful. When asked question of CCHRB as to relationship with TVFR and likely hood of relocation happening TVFR responded.

Gary Wilson, TFFR Project Chief:

TVFR has worked with legal counsel to verify legal issues and has begun transactions by creating a bill of sale and the historic registry documents to work with the bill of sale. The TVFR board is fully aware and in support of the project and willing to pick up the cost of the relocation in order to salvage the house. When asked about time needed to be certain this can proceed, TVFR responded that construction would not start until April and the applicant figured about a month. Staff recommends a ninety day period to allow relocation.

In answer to question of agreement made in 2003 between the City and TVFR It was discussed that based on a sophisticated analysis program TVFR determined where stations need to be and both Bolton and Willamette Fire Stations are located correctly for optimum response time. Staff noted that historically the stations have functioned well at their respective locations. TVFR stated that the City had begun to acquire the subject properties including the Buck Street house over the last 8-12 year period for the purpose of accommodating a new fire station at this location. A member of audience stated he thought the acquisition began when the City had to purchase property to install light at the end of West A Street.

A member of the board expressed surprise that the City and TVFR should enter into an agreement without expecting conflict as the property was on the 1984 Clackamas County Historic Inventory and the 1988 City of West Linn historic inventories.

A member of the audience stated she did not believe that acquisition of properties had anything to do with the signal but everything to do with the city building a fire station at this location.

The Board stated they would defer to SHPO and whether this was a Section 106 issue. TVFR responded that there is evidence in the record that SHPO finds that section 106 is not applicable. The use of federal funds triggers section 106 review and since no federal funds were used in this project then section 106 is not applicable.

Planning Director Bryan Brown spoke in favor of saving the structure by relocation. The HRB Chair stated that they (the HRB) are here to preserve historic buildings, not to approve their demolition.

Public Hearing Closed.

Staff stated the option to approve, approve with conditions or deny the demolition. CCHRB moved to approve the demolition. Put to a vote, the motion passed 4:0 with the following conditions of approval:

1. The applicant shall provide Sue Smith or any other person with a bona fide proposal with 120 days to negotiate and complete the removal of the landmark structure at 1850 Buck Street and any accessory structures from date of this decision. The house will be moved to another lot in the Bolton neighborhood. TVFR may, at their discretion, extend the amount of time for Ms. Smith to remove the house from the site if reasonable progress has been made to completing that process.
2. The City agrees that the System Development Charge credit of 1850 Buck Street shall be transferred with the house to its new location.
3. This demolition application (DR-08-10) will be returned to the HRB for a public hearing to decide if a demolition permit shall be issued and under what conditions if condition of approval 1 is not met.

ADJOURNMENT

Their being no other business the meeting was adjourned at 8:30 p.m.