



CITY OF  
**West Linn**  
PLANNING AND DEVELOPMENT

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PLANNING COMMISSION PUBLIC HEARING  
DATE: DECEMBER 3, 2008

FILE NOS.: CUP-08-02/DR-08-09/VAR-08-06/07/08

REQUEST: TO CONSTRUCT A FIRE STATION AT THE BLOCK OF 6174 FAILING STREET REQUIRING A CONDITIONAL USE PERMIT, DESIGN REVIEW AND THREE VARIANCES

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At the November 19, 2008 Planning Commission hearing, the application to construct a fire station was continued so that the following four questions could be addressed:

- 1) Can the two significant maple trees be saved?
- 2) If they are saved, how many parking spaces will be lost? Will that loss be significant?
- 3) Is the removal of the electrical pole on Elliot Street necessary and practical?
- 4) What will the Historic Review Board's decision be regarding the demolition permit for the historic landmark structure at 1850 Buck Street?

Staff offers the following answers:

- 1) Yes, the trees can be saved. The City Arborist finds that they are in very good health and that so long as an area around the trees is left undisturbed, is not compacted or graded then the trees chances of survival are very good. A related question was raised which asked what if the trees are blown down in a storm? Would they block ingress/egress to the fire station by emergency vehicles? The answer is no. The trees are located in the southwest corner of the visitor's parking lot and would not block the driveways just the parking lot. An attached set of drawings shows how the trees can be saved and the area impacted by their protection.
- 2) To save the trees the parking lot will have to be reduced by three parking spaces. This will put the site below the required number of spaces. The fire station will still have 21 spaces. Staff finds that the provisions of CDC 55.170(B) apply. That section allows parking to be reduced by 10% (2.4 spaces which rounds up to 3) in cases when the use has a low parking demand, where the site is near public transit and where *"there is a community interest in the preservation of a particular natural*

*feature of the site which makes it in the public interest to grant an exception to the parking standards.”* Clearly the preservation of two significant trees satisfies the natural feature requirement. Staff finds that there is a low parking demand at the station (see applicant’s discussion page A-32-33). The only time all spaces might be used would be during the occasional evening neighborhood meeting. The rare overflow could be handled by parking along the curb adjacent to the TVFR property. There would be no need to park in front of nearby homes. Also the site is near a Tri-Met stop. Thus the reduction in parking to 21 spaces is appropriate and permitted.

- 3) Regarding the removal of the existing power pole on Elliot Street, the Engineering Department and the Engineer for the applicant have determined that it can be done. The feasibility is verified in a memorandum from the applicant’s engineer Ken Spencer dated November 20, 2008. The conditions relating to power poles/lines should remain “as is”.
- 4) The Historic Review Board held a public hearing on November 20, 2008 on the application to demolish the historic landmark structure at 1850 Buck Street. Their decision was to approve the demolition permit but with the condition that the house will be moved off the property. In the event that the house is not moved within 120 days, the HRB required that the case be brought back to them again to decide the demolition request. It’s an unusual decision: to approve the demolition but not really approve the demolition- but Staff is optimistic that the house will indeed be moved to a new location about five blocks away.

A related issue was whether or not moving the house to a new location compromises the home’s status as a landmark structure. There are five main criteria for determining whether a site, structure, or object may be designated as an Historic Landmark:

1. *Whether the proposed district or landmark would serve the purpose of the Historic District as stated in Section 26.010.*
2. *Reflects the broad cultural or natural history of the community, state, or nation.*
3. *Is identified with historic personages, or with important events in national, state or local history.*
4. *Embodies the distinguishing characteristics of an architectural specimen inherently valuable for a study of a period, style, or method of construction.*
5. *Is a notable work of a master builder, designer, or architect.*

Criterion #3 is the one typically allied to “location” because if a certain historic event took place at this house or at that specific site then the significance or relevance of this house is diminished if it is moved. For example, if in 1905, West Linn City Council held their first meeting in this house and then the house were moved a mile away then the “location significance” would be lost. That is not the case here. No

historic event that would have been the basis for its designation took place in this house or at this location. Therefore, moving the house does not compromise its intrinsic historic architectural value. Finally, an October 14, 2008 e-mail from Chrissy Curran, Associate Deputy of SHPO, recognizes that moving the house is proposed and she outlines documentation per ORS 358.653 to allow that.

Testimony was heard from Charles Awalt that the house is located on a street with five other historic homes and that the homes support each other and help create a historic streetscape.

Staff agrees that the “total is greater than the sum of its parts” vis a vis these homes but Buck Street is not part of a historic district so the presence of the other historic homes is not applicable. There are no state, local or other criterion that prohibit moving a locally designated historic landmark structure from its current location so long as procedures are followed. In practical terms, a countervailing finding is that the proposed new larger location next to 6515 Lowry Drive will provide a superior showcase for the home’s architecture compared to the narrow lot it currently occupies. The prospective owner shows considerable enthusiasm for the task and it is expected that the house will be restored structurally and aesthetically so that the broader interest of historic preservation will be better served.

Charles Awalt then cited ORS 358.653 as being applicable.

*358.653 Conservation program; leases. (1) Any state agency or political subdivision responsible for real property of historic significance in consultation with the State Historic Preservation Officer shall institute a program to conserve the property and assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate.*

*(2) State agencies and political subdivisions may and are encouraged to lease real property of historic significance to private businesses and nonprofit organizations for purposes which are consistent with the nature of the property.*

*(3) Where possible, the Oregon Department of Administrative Services shall acquire or lease buildings of historic significance for state use.*

*(4) As used in this section, “political subdivision” includes counties, cities, school districts and any other governmental unit within the state not included in ORS 358.635. [1983 c.295 §§1,5,6; 1989 c.743 §3]*

Regarding ORS 358.653, staff finds that the record already includes a November 7, 2008 e-mail from Sarah Jalving, CLG Coordinator of the State Historic Preservation Office (SHPO) that definitively declares that TVFR has completed the ORS 358.653 process and nothing more is required. Meanwhile, an October 14, 2008 e-mail from Chrissy Curran, Associate Deputy of SHPO, finds that TVFR and the City are substantially in compliance with ORS 358.653. She does recommend that the city formalize the mitigation for the removal/loss of the building(s) in writing: explaining the project, the properties involved, the expected effects plus photographic and/or narrative documentation of the building before demolition or moving. This can be done by condition of approval.

A final point: the applicant had requested that the interior sidewalks be reduced to six feet instead of eight feet. CDC 55.100(B)(7)(d) requires eight foot wide sidewalks where they are adjacent to parking lots. The eight foot width is intended to provide greater sense of security and separation from vehicles. Given the fact that foot traffic is expected to be limited and infrequent the Planning Commission could make a finding that the provisions of CDC 55.100(B)(7)(i) apply. That code section excuses public facilities from the standards of this chapter when their functional requirements do not or cannot accommodate those standards.

Therefore the following conditions of approval are proposed:

**RECOMMENDED CONDITIONS OF APPROVAL:**

1. The applicant shall obtain approval from the HRB to demolish the house at 1850 Buck Street or shall move the house to a suitable alternate location.
2. All exterior lighting shall be to dark sky design standards and shall not produce off site glare. Design and placement to be approved by Planning Director.
3. A six foot wide water permeable sidewalk shall connect the sidewalk on Elliot Street directly towards (at right angle) the main entrance through a landscaped area. Pedestrian access from Failing Street requires a marked walkway constructed of contrasting paving material across the parking lot from Failing Street sidewalk connecting with the sidewalk at the east end of the main entrance. This will entail the elimination of a landscaping island at the east end of the row of parking. Hardscape in the landscaped area shall be constructed with water permeable materials ~~unless none are available to handle axle weight of fire trucks.~~
4. The applicant shall pay for and install **and maintain** a six foot high solid wood fence along the east side of 1912 Buck Street unless that property owner declines the fence in writing.
5. Interior sidewalks shall be ~~eight~~ **six** feet wide.
6. HVAC shall not exceed noise levels allowed by CDC Chapter 55.
7. The retaining walls on the north and east sides of the site shall be constructed of split or rough faced concrete or facsimile. The actual product must be reviewed and approved by the Planning Director prior to installation.
8. Deviations in the curb line on Buck Street shall be corrected to produce a straight curb line between Elliot and Failing Streets.

9. Street improvements shall be installed per City Engineer.
10. All existing power poles and anchor poles must be removed.
11. All utilities consisting of existing and new utilities must be placed underground.
12. Existing street light illumination level along the project frontages shall be analyzed. New street lights shall be required if there is a need.
13. All designs, materials, workmanships and constructions shall be done per the existing City of West Linn Public Works Design and Construction Standards.
14. **The city shall address ORS 358.653 by formalizing the mitigation for the removal/loss of the building(s) in writing to SHPO: explaining the project, the properties involved, the expected effects plus photographic and/or narrative documentation of the building before demolition or moving.**

Staff also notes that at the hearing, the applicant verbally extended the 120-day period by one week.

ADA

17'-0"

7'-6"

9'-0"

9'-0"

18'-0"

# STATION & VISIT

24 SPACES TO  
12 STANDARD (9'-0")  
& 12 COMPACT (8'-0")

## LOSE 3 SPACES

8'-0"

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

16'-0"

19'-0"

18'-0"

CLEAR

192

190

SIDE PROPERTY LINE S90°00'00"E 2

# CANOPY

STM

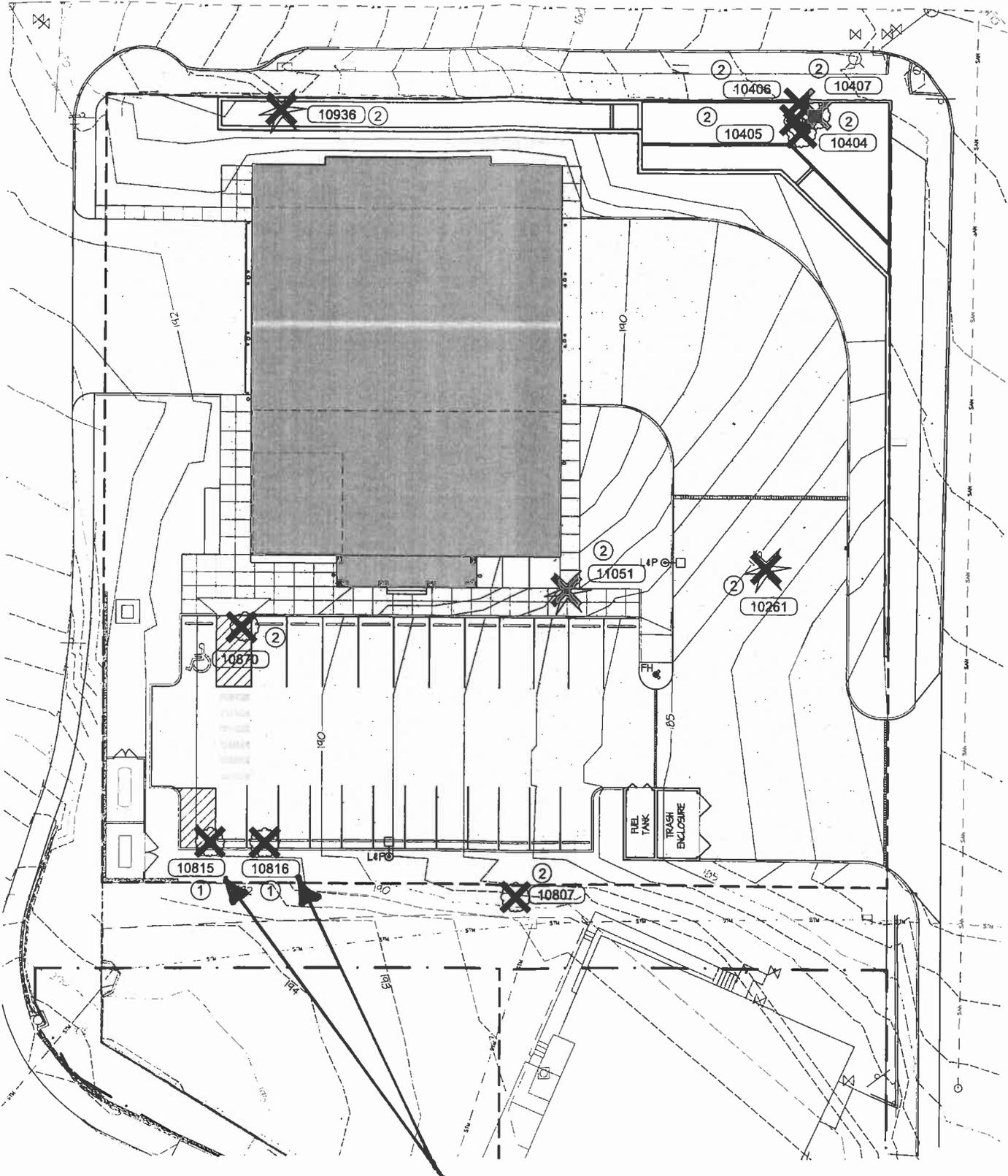
STM

STM

# SIG. TREE TRUNKS

194

193



**TREE PROTECTION SITE PLAN**

0' 5' 10' 20' 40' SCALE: 1:20

**SIGNIF.  
TREES**



THREE-BAY  
FIRE  
STATION  
FF=191.50

TC 191.65  
FG 191.15

FG 191.00

FG 189.50

FG 187.50

FG 184.25

TC 186.00  
FG 185.50

TC 192.00  
FG 191.50

STATION & VISITOR PARKING

FG 187.40

FG 185.30

FG 181.25

TC 192.00  
FG 191.50

FG 187.40

FG 185.25

FG 185.30

TC 191.50  
FG 191.00

TC 186.50  
FG 186.00

FG 182.00

GENERAL PROPAANE  
ENCLOSURE

FUEL  
TANK

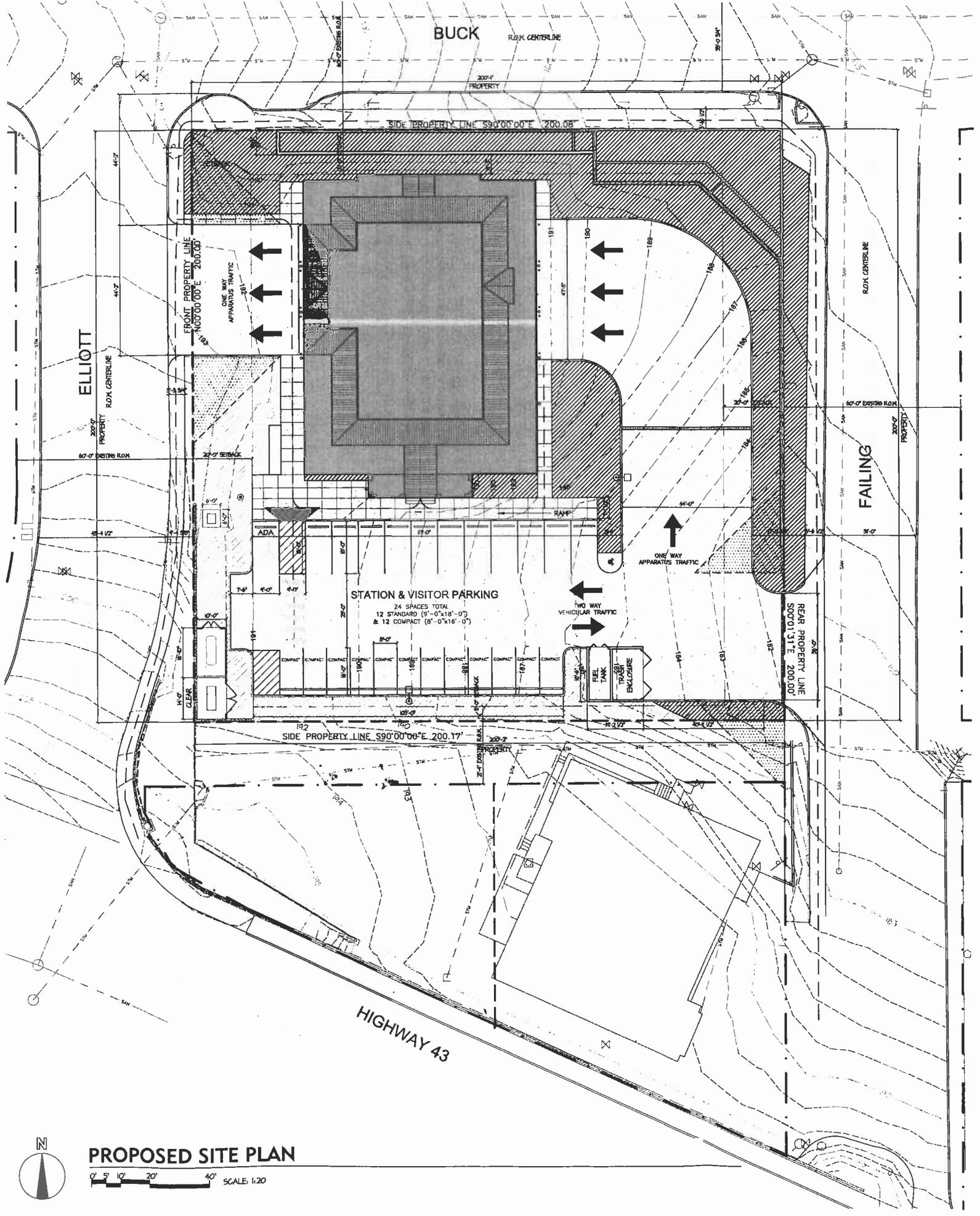
TRASH  
ENCLOSURE

GRADING IN AREA  
OF TREES IS NOT  
TOO SIGNIFICANT

WILLAMETTE DRIVE - HWY 43  
(WIDTH VARIES)

GRADING

6+50  
7+50  
8+50  
9+00



BUCK ROAD CENTERLINE

ELLIOTT ROAD CENTERLINE

FAILING ROAD CENTERLINE

HIGHWAY 43

STATION & VISITOR PARKING

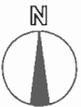
24 SPACES TOTAL  
12 STANDARD (9'-0" x 18'-0")  
& 12 COMPACT (8'-0" x 16'-0")

ONE WAY APPARATUS TRAFFIC

TWO WAY VEHICULAR TRAFFIC

**PROPOSED SITE PLAN**

0' 5' 10' 20' 40' SCALE: 1:20



PRELIMINARY



PECK  
SMILEY  
EYLLIN  
ARCHITECTS

4115 NE 65th ST, AVE  
PORTLAND, OREGON 97238  
PHONE (503) 248-8179  
FAX (503) 248-0231

TV&R WEST LINN  
STATION 58 - BOLTON  
6050 FAILING STREET | WEST LINN, OR

SCHEMATIC DESIGN  
TREE PROTECTION  
PLAN

SITE TREE DATA

TREE #	Species	DBH*
10261	DOUGLAS-FIR	11
10404	HAWTHORN	10
10405	HAWTHORN	6
10406	HAWTHORN	6
10407	HAWTHORN	*20
10807	WILLOW	*48
10815	NORWAY MAPLE	22
10816	NORWAY MAPLE	18
10870	MAGNOLIA	*24
10936	SCOTCH PINE	21
11051	DOUGLAS-FIR	14

\*Diameter, measured height, measured 4.5-feet above ground level  
 †Sum of three codominant stems each measuring 10, 6, and 4 inches DBH  
 ‡Sum of four codominant stems each measuring 12 inches DBH  
 §Sum of two codominant stems each measuring 12 inches DBH

TREE PROTECTION AND PRESERVATION REQUIREMENTS

The tree protection and preservation requirements provided herein are minimal since no trees are planned for retention during construction. If it becomes feasible to preserve significant trees currently scheduled for removal, the trees to be retained shall be re-measured by the project arborist in order to assess possible changes to tree condition. If the trees are determined to be suitable for retention with development, retained trees shall be protected in accordance with the West Linn Tree Technical Manual Specifications for Tree Protection During Construction. At a minimum:

Before Construction

1. Designation of Cut Trees: Trees to be removed shall be clearly marked with construction flagging, spray-painting, paint, or other methods approved in advance by the project arborist. Trees shall be carefully removed so as to avoid other above or below ground obstructions. Roots of trees to be preserved shall be protected. Roots of stumps that are adjacent to retained trees shall be carefully severed prior to stump extraction.
2. Preconstruction Conference: The project arborist shall be on site to discuss methods of tree removal prior to any construction. Prior to commencement of construction, the project arborist will verify in writing to the City Arborist that tree removal occurred satisfactorily.

SUMMARY

Eleven trees are located on site and planned for removal for poor condition or construction, including two non-significant trees, and two significant trees requiring a total of 40 diameter inches of mitigation. The two significant trees could potentially be retained if an alternative parking area can be designed to allow for no less than 10 feet of protection from the center of each tree to the edge of pavement. If these trees can be preserved, the project arborist should be contacted to provide specific recommendations for tree protection in compliance with the West Linn Tree Technical Manual Specifications for Tree Protection During Construction.

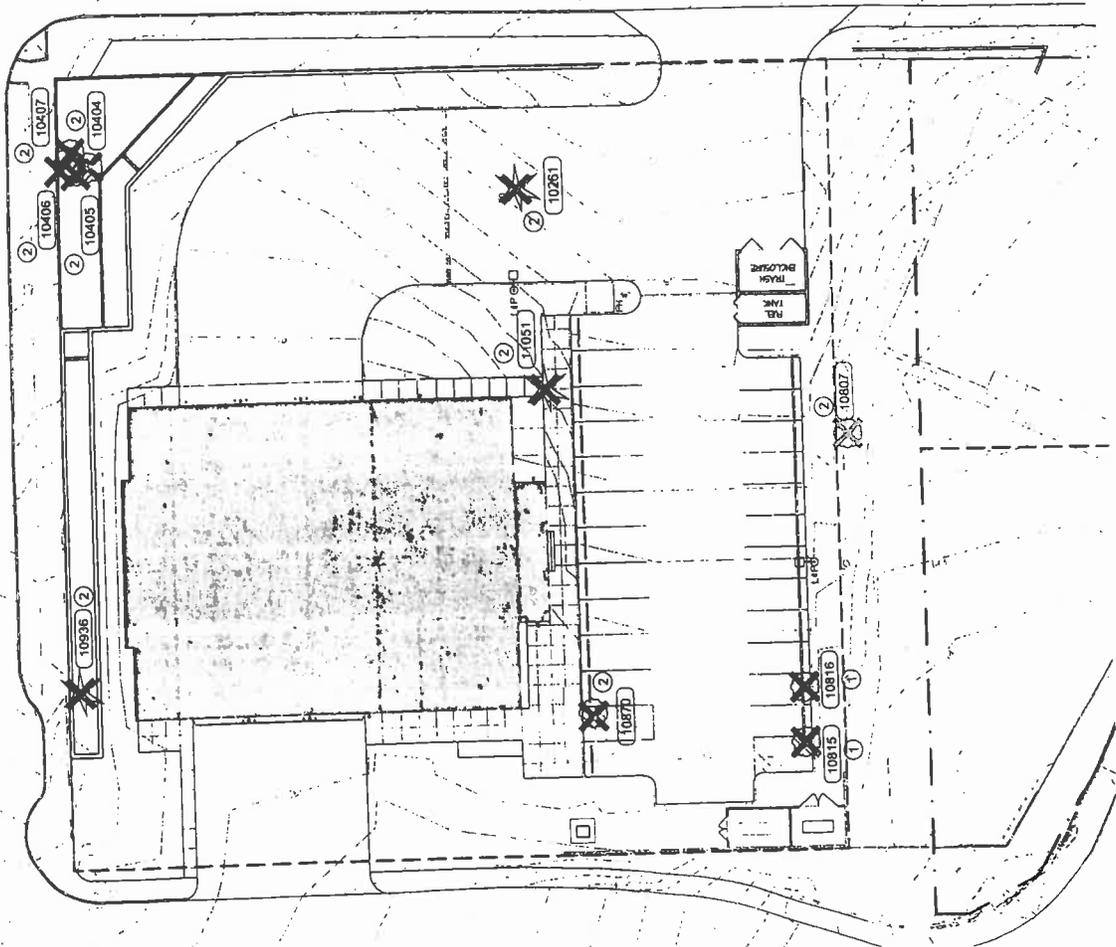
SYMBOL LEGEND

00000 TREE NUMBER

✗ REMOVE EXISTING TREE

PLAN NOTES

- ① SIGNIFICANT TREE TO BE REMOVED
- ② SIGNIFICANT TREE TO BE REMOVED



TREE PROTECTION SITE PLAN

SCALE: 1/20

## Katherine Prew

---

**From:** Sarah Jalving [Sarah.Jalving@state.or.us]  
**Sent:** Friday, November 07, 2008 11:14 AM  
**To:** Katherine Prew  
**Subject:** Re: SHPO Case No. 08-2491

Katie:

Yes, you have completed the ORS 358.653 process. Please continue to work with the City and their HP commission in trying to move the Greaves House, and subsequent salvage if the building can not be moved. Thanks, and have a great weekend~

Sarah Jalving  
CLG Coordinator  
Review & Compliance  
Oregon SHPO  
725 Summer St. NE, Suite C  
Salem, Oregon 97301  
phone: 503.986.0679  
fax: 503.986.0793  
www.OregonHeritage.org

>>> "Katherine Prew" <kprew@angeloplanning.com> 11/7/2008 10:56 AM >>>  
Sarah,

We received your letter today regarding SHPO Case No. 08-2491 regarding the Tualatin Valley Fire & Rescue Station 58 Project and wanted to thank you for your quick turn around on this, it was very much appreciated. Am I correct in thinking that this completes the ORS 358.653 process for all of the properties involved (including the Greaves House) or is there anything more that we need to do?

Thank you again for your help,

Katie Prew

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Katie Prew, AICP

Angelo Planning Group

921 SW Washington Street, Suite 468

Portland, OR 97205

Direct: 503-224-8225

Fax: 503-227-3679

www.angeloplanning.com

## Katherine Prew

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**From:** Chrissy Curran [Chrissy.Curran@state.or.us]  
**Sent:** Tuesday, October 14, 2008 4:45 PM  
**To:** Frank Angelo  
**Cc:** Katherine Prew; cindy.phillips@jordanschradler.com; Sarah Jalving; Stephen Poyser; Roger Roper; Gary C. Wells  
**Subject:** Re: FW: FW: Demolition of 1850 Buck Street, DR-08-10

Frank,

That's quite an email string. Weeding through it, a few more things come to mind in addition to our conversation on the phone today. First, it appears that Section 106 of the National Historic Preservation Act does not apply here. It looks like Sarah threw it out there thinking about possible pass-through funding or permitting, which you have noted is definitely not the case. Secondly, it appears there are other historic properties involved in addition to the 1850 Buck Street property. Thirdly, it appears that there is an obligation to comply with ORS 358.653 and that obligation falls squarely with the city of West Linn as they prepare to transfer the property to TVF&R. A couple more thoughts:

- ORS 358.653 applies to properties of "historic significance" but doesn't really say what that means. We interpret it to mean anything that is listed in or eligible for listing in the National Register of Historic Places. We know the 1850 Buck Street property fits the bill, but we don't know about the 1930s fire station and the other historic houses. We can do a quick determination if the city sends us some color photos and any information it has on the buildings. If they're not eligible, we don't need to worry about them. If they are, they should be included in the mitigation discussion (at least documented before demolition).

- It does sound like TVF&R and the city are on the right track with or without the obligation of ORS 358.653. While compliance with local land use laws doesn't preclude the obligation under 358.653, the agreements you're making through the local review process can serve as mitigation under the ORS. The main thing is to formalize it a little bit more with our office so that the process can hold up to any scrutiny. That's a lot of old buildings going away at once, and there will likely be some savvy public interest if there hasn't been already. So, paperwork-wise, we would expect from the city of West Linn a letter initiating consultation under ORS 358.653, explaining the project, the historic properties involved, and the expected effects to the properties involved. Included in the letter might be an attachment detailing what already sounds like some good mitigation measures already in process. We might ask for something as well, such as photographic and/or narrative documentation of the building(s) before moving on demolition, or something similar. Then we all sign off and it's done.

I hope this all makes sense. Sarah has been out sick, but should be back in the office soon. We can move on the consultation as soon as we get some paperwork from the city. Please call me if you have additional questions.

Chrissy Curran  
Associate Deputy SHPO  
State Historic Preservation Office  
725 Summer Street, Suite C, Salem, OR 97301  
Tel: (503) 986-0684, Fax: (503) 986-0793 chrissy.curran@state.or.us www.oregonheritage.org

>>> "Frank Angelo" <fangelo@angeloplanning.com> 10/14/2008 3:11 PM >>>  
Chrissy - thank you for your consideration and attention in this matter.  
Please give me a call with any questions. I look forward to hearing back from you quickly as we are prepared to move ahead with the hearing on the project.  
Thank you, Frank Angelo

## Project Memorandum

SUBJECT/PROJECT:	TVFR Station 58	DATE:	November 20, 2008
PROJECT NUMBER:	2008-0414	FROM:	Ken Spencer
TO:	Khoi Le City of West Linn 22500 Salamo Rd. West Linn, OR 97068	APPLIES TO:	<input type="checkbox"/> MECHANICAL <input type="checkbox"/> PLUMBING <input checked="" type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE/LIFE SAFETY <input type="checkbox"/> TECHNOLOGIES <input type="checkbox"/> LIGHTING
PHONE NUMBER:	503.722.5517	FAX NUMBER:	

Per our conversation, below is a list of items to consider as related to the street lighting at both facilities and the PGE infrastructure at TVFR Station 58.

There exists a PGE pole on the west side of the project site. This pole serves two purposes.

1. It supports the overhead service conductors that supply power to the Chamber of Commerce building (located across Elliott St., small yellow house).
2. It serves as a guy point to support the pole at the intersection of Buck and Elliott.

In order to comply with chapter 85 of the West Linn CDC, the existing pole will need to be removed. Removal of this pole will have two main points of impact.

1. A new guy pole will need to be installed on the south side of Buck (on the TVFR property) to support the existing pole at the corner of Buck and Elliott. The reason for placement of the new guy pole on the TVFR property is due to the lack of space on the north side of the intersection to support a guy anchor/pole.
2. The existing overhead service to the Chamber of Commerce building will need to be converted to accept an underground feed.



Existing overhead electrical – Chamber Bldg.



Existing pole at mid-block along Elliott.

Regarding the Chamber building electrical service conversion, a couple of items require consideration:

1. The existing PGE meter base is quite old and set up for an overhead feed. It will need to be replaced. The feed to the building will need to come from a 120/240 volt, single phase transformer and not the 120/208 volt, three phase transformer that will serve the fire station. Therefore, a second green box will need to be installed on the TVFR property across from the Chamber building.

2. Replacement of the existing meter base with new equipment will require interconnection to the existing electrical panel inside the building. This will typically require installation of new conductors (wire) to interconnect the meter and the panel. However, it is possible this existing panel is not rated to support termination of the new conductors. Thus, a new panel in the building would be required and may prove difficult due to existing branch circuiting conditions.

Regarding the street lighting, several items require consideration:

1. Existing street lighting luminaires are installed at:
  - a. The southeast corner of the Hwy 43/Failing intersection.
  - b. The pole across Failing St. from the existing fire station
  - c. The northeast corner of the Buck/Failing intersection.
  - d. The northeast corner of the Buck/Eliott intersection.
  - e. The northwest corner of the Hwy 43/Eliott intersection.
  - f. The southeast corner of the Hwy 43/Eliott intersection.
2. Although photometric calculations have not been performed, it's anticipated that up to three new street lighting poles will be required on the TVFR property. The new poles would most likely be required at:
  - a. The mid-block point on the west side of Failing.
  - b. The mid-block point on the south side of Buck.
  - c. The mid-block point on the east side of Eliott.

The overall result of the above-mentioned pole revisions result in a net increase of three poles on the site – one taken away and four added.

Due to the necessity of one or two poles on the east side of Eliott, between Hwy. 43 and Buck, we'd like to propose the overhead line at feeds the Chamber building remain.

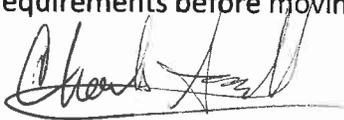
I do hope this helps clarify the impact of the requirements relating to placing utilities underground and augmenting the existing street lighting. I am available to assist answering any questions you may have relating to this information. Please don't hesitate to call. My direct dial number is 503.382.2629.

Thank you.

Failing St Fire Station

rev 11-12-08  
at hearing

I request that the hearing for the Failing St station be held over until after the Historic Review Board Hearing. It is important that we have met ORS 358.653 as well as our own code requirements before moving on.



Charles Awalt

ORS 358.653

358.653 Conservation program; leases. (1) Any state agency or political subdivision responsible for real property of historic significance in consultation with the State Historic Preservation Officer shall institute a program to conserve the property and assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate.

(2) State agencies and political subdivisions may and are encouraged to lease real property of historic significance to private businesses and nonprofit organizations for purposes which are consistent with the nature of the property.

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(4) As used in this section, "political subdivision" includes counties, cities, school districts and any other governmental unit within the state not included in ORS 358.635. [1983 c.295 §§1,5,6; 1989 c.743 §3]

## Spir, Peter

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**From:** Spir, Peter  
**Sent:** Thursday, November 20, 2008 8:16 AM  
**To:** 'ELAINE MAHONEY'  
**Subject:** RE: Bolton Fire Station

Mrs Mahoney

Thank you for your note.

I expect that there will be no problem incorporating the roses into the final landscaping as there is considerable flexibility at the time of actual installation.

Re: the trees, the Planning Commission has asked that we explore how to save them and not significantly compromise the parking lot and number of spaces.

We will discuss it at our next hearing Dec 3, 2009.

Peter Spir

Associate Planner

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**From:** ELAINE MAHONEY [mailto:emahoney240@msn.com]  
**Sent:** Wednesday, November 19, 2008 3:47 PM  
**To:** Spir, Peter  
**Subject:** Bolton Fire Station

Hello Peter,

My name is Elaine Mahoney. I am currently president of the West Linn Garden Club. Our club is one of the oldest organized groups in West Linn and has been active in community projects over the past 90+ years.

Several months ago I spoke with Dave Halley and Gary Wells of the Tualatin Valley Fire Dept about our club planting three Firefighter roses in front of the new Bolton Fire Station which I was told was to start breaking ground this fall. Gary thought that was a good idea. One of our members has seen the landscaping plans which did not include the three rose buses. Now I understand the building won't begin until next spring or summer with the landscaping to begin fall, 2009. The Firefighter roses were developed in honor of the firefighters of 9/11 and have been planted throughout the nation.

Our request now is to plant the roses in front of the existing Bolton Fire Station to then be included in landscaping plans and moved to the new fire station. We hope to do this on 2/14/09 on Oregon's sesquicentennial birthday. In addition I draw your attention to two mature trees in front of the existing fire station, a magnolia and a pine. Might these two trees be included in the new landscaping and moved to the new station. It would be a shame to discard these two beautiful trees.

I am asking that you include this note in the next discussion of the new Bolton Fire Station landscaping and that I hear from you to share with our club members. Thank you.

Sincerely,

Elaine Mahoney

503-655-3044

[emahoney240@msn.com](mailto:emahoney240@msn.com)

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**Spir, Peter**

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**From:** Mary Raethke [mraethke@gmail.com]  
**Sent:** Wednesday, September 17, 2008 2:21 PM  
**To:** Spir, Peter  
**Subject:** File No. DR-08-10

Dear Historic Review Board,

As a property owner near the proposed property, I have no objections to the demolition of the house at 1850 Buck Street. It is an eye-sore to the neighborhood and I see no historic value.

Thank you.

Mary Raethke  
6210 Failing Street  
West Linn, OR 97068  
(503) 723-5575

# FINAL DECISION NOTICE

FILE NO. DR-08-10

*Sent  
11-24-08*

## IN THE MATTER OF DEMOLITION PERMIT TO REMOVE HISTORIC LANDMARK HOUSE AT 1850 BUCK STREET

At their meeting of November 20, 2008, the Clackamas County Historic Review Board (HRB) held a public hearing to consider the request by Tualatin Valley Fire and Rescue (TVFR) to demolish a historic landmark home at 1850 Buck Street to make way for a fire station. The decision was based upon the approval criteria of Chapter 26 of the West Linn Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

Staff made a brief presentation. The applicant stated their desire and support to save the house and facilitate its removal to another location. Demolition would be their last resort if all other options failed. TVFR did note that they were hoping to commence work on the fire station in April 2009. The public hearing was opened. Testimony in opposition was heard from Judy Morton. She favored moving the house. Testimony in favor was heard from Dennis Ritchey and Susan Smith. Susan Smith testified that she is negotiating to relocate the house to a lot a few blocks away. The public hearing was closed.

HRB member Joe Vondrak made a motion to approve the demolition permit with the modified conditions of approval as submitted by staff and the additional condition that the application will be returned to the HRB if condition of approval 1 is not met. Seconded by Jeff Jaqua. Unanimously approved with the following conditions:

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.

This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who

submitted letters into the record, or provided oral or written testimony during the course of the hearing, or signed in on the attendance sheet at the hearing, or who have contacted City Planning staff and made their identities known to staff) may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require payment of fee and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline. The appeal would be heard by the City Council.

  
\_\_\_\_\_  
PETER SPIR, ASSOCIATE PLANNER  
CITY OF WEST LINN

11-24-08  
\_\_\_\_\_  
DATE

Mailed this 24<sup>th</sup> day of NOVEMBER, 2008.

Therefore, this decision becomes final at 5 p.m., DECEMBER 8<sup>th</sup>, 2008.