

**CITY OF WEST LINN  
HISTORIC RESOURCES ADVISORY BOARD MINUTES**

**JUNE 2, 2009**

Members Present: Gail Holmes, Sandy Carter, Charles Awalt, Midge Pierce and Tom Neff.

Members Absent: None

Guest: Ruth Offer

Staff Present: Tom Soppe, Associate Planner

Agenda Topics: Business Items; Minutes; Willamette Historic District Code Update; CLG Grant Update; Mitigation Memo; Miscellaneous Items.

1. CALL TO ORDER

Chair Holmes called the meeting to order at 7:05 p.m. in the Willamette Room of City Hall, 22500 Salamo Road, West Linn, Oregon.

2. BUSINESS ITEMS

2.a. MINUTES

**The Minutes of May 5, 2009 were approved** with two corrections by unanimous vote of those members eligible to vote on them. Mr. Neff joined the meeting after the vote.

2.b. WILLAMETTE HISTORIC DISTRICT CODE UPDATE

The staff had provided draft code and asked for the Board's input before the Planning Commission work session on June 17<sup>th</sup>. Mr. Awalt saw many "inconsistencies" in the document. He disagreed with the purpose language. He said proposed changes to construction specifics in section 25.080 were not appropriate for an historic district. He had provided the members with copies of a draft with his notes, but he acknowledged he found too many things wrong to mark up them all. Mr. Spir was not at the meeting explain his rationale.

Mr. Awalt pointed out some of the inconsistencies he saw. Willamette was a neighborhood of narrow gravel sidewalks, some as narrow as two feet. But the draft stated that most exiting sidewalks were four feet wide and encouraged even wider residential sidewalks. He pointed out the draft code allowed a building to be as high as 35 feet if it were not next to an historic primary or secondary property. He indicated that was not appropriate for the historic area. Ms. Offer said her house was 20' to 25' tall. The members examined the required setbacks and height provisions. The proposed code limited the height of a one-story house to 15 feet and a two-story house to 25 feet. The group observed the Accessory Dwelling Unit (ADU) limit of 30 feet was too high. Ms. Pierce suggested simply saying that the structure had to be "consistent with the height of existing homes." Ms. Holmes and Ms. Pierce estimated that a house with a 10-foot first floor ceiling and an 8-foot second floor ceiling could be 25' or lower. Mr. Awalt advised that houses with "camelback" rooflines (like his house) could be limited to 25

feet, too. Ms. Holmes was concerned because the draft code allowed flat, finished, anodized storm windows.

Ms. Carter suggested board members attend the Planning Commission meeting to explain the draft did not have their stamp of approval. Mr. Awalt said everything that could be used as a primary tool by a preservation officer had been removed and the consultant's suggestions had not been integrated into the draft code.

Mr. Soppe clarified that the entire section of draft code the board was examining was intended to apply to the Willamette District. Mr. Awalt held the draft code was not a code for a National Register of Historic Places District, and that was what the City needed. Ms. Holmes and Mr. Awalt agreed the code should reflect state and Secretary of the Interior standards. Legal decisions would be based on it.

The group then participated in a conference call with consultant, Julie Koler, Andrews History Group. She confirmed that she had Spir's draft and the edits from the last HRAB meeting. She confirmed that she had just received Mr. Awalt's email that referred to four issues, but not the attachment. Mr. Awalt planned to resend it.

Ms. Kohler said she would recommend some minor edits to the draft and discuss inconsistencies she saw in the draft with Mr. Spir. She explained that current terminology that should be used was "contributing" and "noncontributing" instead of "primary" and "secondary" structure. She further clarified that a "structure" was not necessarily something that sheltered human beings: it could refer to a bridge, or trestle, or track. She advised that everything that the board wanted to be the subject of design review should be called a "contributing structure," and things that would have none or a lesser degree of review should be called "noncontributing."

Ms. Koler said a major issue was that there was basic confusion in the way the code was written because it envisioned the formation of future districts too. She recommended having a separate chapter for the Willamette District that contained the unique guidelines that were to apply in that district. It would be a very distinct; enabling, code that provided for creation of overlay zones. When Mr. Soppe advised that Chapter 25 was supposed to only apply to the Willamette District, and another chapter would be added for Holly Grove, Ms. Koler pointed out the Purpose Statement language "in addition" indicated otherwise. She agreed Holly Grove should have its own chapter. She suggested the enabling code should lay out the process for creating an overlay zone specific to that district. It could also be the place to describe the HRAB role and responsibilities.

Ms. Offer observed the district had "contributing" structures that that did not contribute to a national register district because they had been altered, but they were still important to the City. She asked how they could be distinguished from other "contributing" structures for the purpose of local design review? Ms. Koler said the City could define "contributing" any way they wanted. They could use definitions that might be left out of National Register nominations. When asked, she confirmed that for local purposes they could define "contributing" as structures built between specific date ranges. When she was asked where the Secretary of Interior standards could be in the draft code she said they could be inserted into the enabling code.

Mr. Awalt read aloud some of the existing section 20.080 architectural specifications that were struck in the draft code. Ms. Koler said she wanted to talk to Spir to find out what he had been thinking when he removed them. She agreed the struck provisions reflected

the fundamental principles of preservation. Ms. Holmes explained that Mr. Spir was not there and the Board was trying to make sense of the draft. Ms. Koler suggested the Board ask the Planning Director to postpone consideration of the staff's draft and give her more time to work with Spir. Ms. Holmes confirmed that was what the board was inclined to do. When Mr. Soppe advised that the notice of the Planning Commission meeting had already been published, the members considered crafting a communication of their objections to the draft code. They did not think the draft was in keeping with their purpose and goals as it was proposed. Mr. Soppe asked for direction from the HRAB. Mr. Awalt suggested fixing the lot coverage and building height regulations immediately. He said the accessory dwelling unit provisions did not need to be addressed as quickly. He suggested listing Marge \_\_\_\_\_'s house because she wanted it on the list. It was the oldest house in the District, but it was not on any protection list because it had not been accepted to the National Register because it did not look right and it was not on the City's list because it had been "missed" in a 1984 survey.

### *Holly Grove Code discussion*

The members read Planning Director Kerr's memorandum. The staff had not anticipated they would have to wait for a Holly Grove overlay to be done before moving on to finalizing the Willamette code changes. The CLG grants had gotten the Holly Grove project to a point that was a long way from a proposal that could be noticed and heard. The board observed that they could have been done with the Willamette District by now but the state agency had told them they had to go back to the drawing board. That hindered the flow of work. They had anticipated that every year they could use grant money to keep moving forward. Mr. Awalt explained that Kerr was responding to his email in which he had stated that Holly Grove would be the template for the Willamette code. Ms. Carter saw a need to make it clearer to the staff what the board was doing. Mr. Awalt clarified that they were not going to take the Holly Grove code and apply it to Willamette, but they were going to make the Willamette code very much like the Holly Grove code. The administrator should be aware there were two codes that had overlapping elements, but did not overlap where they should not overlap. He said he saw it as a "training" issue. The HRAB wanted a real, "clean" Holly Grove code. The Willamette code had been written in 1985 to be a conservancy district, not the National Historic District the Board wanted. Mr. Soppe explained that Kerr wanted to see the two codes similarly formatted and to have as much overlap as possible. Mr. Awalt said that was not going to happen.

The board then asked Ms. Koler to walk them through the Holly Grove document format and structure so they could see what they should do to the Willamette code. Ms. Koler said she had offered a rough draft and there were sections she still wanted to add. But this was her best shot at the basics. The drawings would convey the idea. She was writing this for an audience of property owners and developers and tried to keep it very simple. The format and everything was up for discussion. She said the document she was drafting could be translated into code language, but this document was more of a technical tool for the applicant. She explained the purpose statement was still very generic and needed to be enhanced. She said if the board agreed on the substantive design review issues and the process put forth for Holly Grove they could develop a similar document for Willamette that staff and applicants at the planning counter could use.

Ms. Koler then discussed the standards. She had left a "placeholder" for inserting Secretary of Interior standards. She had changed the format since the last meeting so it would educate people about the process and historic character first. Each section

explained what the City was trying to preserve and why. The members indicated they felt the format was appropriately explanatory, clear and understandable. Ms. Koler said she would use that format in all sections of the document. She added that she would add more illustrations and photographs. Ms. Carter liked the line drawings. She recalled the staff had put photographs in the Willamette code and some photographs would be good to have in the Holly Grove section to help people understand the architecture.

Mr. Awalt observed the document specified 50% lot coverage. He advised the City's was less. Mr. Soppe confirmed that the residential part of the district was zoned R-10, with a limit of 35% lot coverage, and the commercial part of the district allowed up to 50% lot coverage. Mr. Awalt advised the staff to specify allowable lot coverage in this section of code even though the general code had the same limits, in case the general code changed. He also suggested it would be good to find out the averaged lot coverage so that if a separate garage triggered lot coverage issues the reviewing body could allow a few extra square feet.

Ms. Offer explained there was a problem in Willamette that even though a new structure could not be taller than the adjacent primary structure, the developer was not required to identify what the adjacent height was. Mr. Soppe said applicants were now required to submit that information. He advised that the proposed changes to the Willamette code addressed a problem that developers manipulated the foundation to lower height. Mr. Awalt said he liked the proposed standard to use the average setbacks of adjacent houses because that created a better flow along the street. Mr. Neff cautioned the staff to ensure that the relational volume standards did not allow a house with an addition to be larger than a new house was allowed to be. Mr. Awalt commented that the proposed standards were to control what was developed on the one lot in the district that was large enough to be subdivided into four lots. He added the standards would also apply to Garden Street.

Ms. Holmes commented that the illustration Ms. Koler inserted in the document clearly showed what historic style windows looked like. Ms. Koler planned to insert more illustrations. Board members liked the statement in the draft that, "Metal windows are permissible if and only if documentation shows that the building was constructed with metal windows. "

Ms. Holmes told Ms. Koler about the sidewalk issue. In the Willamette residential area they were two feet wide, but Spir's draft encouraged wider sidewalks. That did not make sense for this district. Ms. Koler agreed to look at that. Ms. Offer suggested the Holly Grove draft should start with a list of exceptions, like the Willamette code did, so people would not have to look hard to find them.

The Board members agreed they would each examine the document in the interim until the next meeting and send Ms. Koler their comments. They planned to continue their discussion at the next meeting. The group ended their conference call.

## 2.c. 2009-11 CLG GRANT UPDATE

Mr. Soppe had inserted copies of the signed contract and confirmation of the grant into members' packets. He noted the HRAB had signed up for conservation mill area overlay work and more surveying in Bolton and Sunset. He said he had not begun working on an RFP yet because he recalled they had talked about moving forward on the mill overlay on their own, without consultants. The members agreed to read the material and

talk about that at their next meeting. Ms. Holmes confirmed that the City would match the grant, even though she had asked them to provide more funding than that.

#### 2.d. MITIGATION MEMO TO CITY COUNCIL

Mr. Soppe asked the Board to vote to send the memorandum to the City Council. They refined the wording. Ms. Holmes heard a **consensus to approve** it.

#### 3. MISCELLANEOUS ITEMS OF INTEREST

Ms. Pierce was concerned about the size of an infill house on a lot on 16<sup>th</sup> Street. Ms. Offer recalled the builder had told the neighbors that he planned to tear the existing house down and build a new one that would appear to be a one-story structure from the street.

Ms. Carter related that she had listened to the City Council talk about Planning Department work priorities the previous evening when there were four projects related to historic preservation. Her sense was that preservation efforts were not enjoying as much support as sustainability efforts. She saw a need to start spreading the message that the “greenest” buildings were those already built and historic areas were a key component of the City and should not be gradually redeveloped. Mr. Soppe recalled the Mayor had said she planned to attend more HRAB meetings in the future.

The group planned to carpool to the June 26<sup>th</sup> hearing to consider the nomination of the Willamette Historic District. Ms. Carter related that she had written a column about the nomination for the *Tidings*, but they had not run it yet.

Mr. Soppe had inserted a copy of a communication from the Clackamas County Economic Development Manager regarding an effort to create a national heritage area.

Mr. Awalt expressed frustration about the lack of City action about things the HRAB thought were important. Perhaps a vote calling for Planning Commission action would be more effective. He suggested voting to ask them to immediately correct two items: building height and lot coverage. Ms. Offer suggested the need to vote to ask them to postpone their work session on the historic district code.

**Mr. Awalt moved** to ask the Planning Commission to postpone their work session on Willamette historic district code changes until after the next HRAB meeting on July 7, 2009 and until the staff had consulted with Andrews History Group about the proposed changes. **Mr. Neff seconded** the motion and it **passed** by unanimous agreement.

Ms. Offer said the code incorrectly said there were some 2.5-story houses in the district. She was concerned about that because that was what allowable height in the district was predicated on. She suggested voting to ask that be corrected. Ms. Carter suggested they vote to ask that the city attorney issue a legal opinion that would result in that change. Mr. Soppe advised the Planning Commission to City Council code changing process would be necessary to make such a code adjustment.

**Ms. Pierce moved** that the HRAB recommend that the Planning Commission and City Council correct an error in the Willamette Historic District code and delete mentions of 2.5-story buildings in Section 25.070(k), Building Height. **Mr. Neff seconded** the motion and it **passed** by unanimous vote.

Mr. Awalt explained the Willamette Historic District was excluded from the City's lot coverage code. That was an error.

**Ms. Pierce revised the previous motion to add that the second error to correct was the lack of a lot coverage restriction for Willamette Historic District. Mr. Neff seconded the motion and it **passed** by unanimous vote.**

Mr. Awalt wanted it on the record that it was a problem that Mr. Spir and the Board had each been doing part of the same work and they did not know what each other was doing. He stressed that having an historic preservation officer would change that. The City needed to create that position.

Ms. Carter related that the Mayor had commented at the City Council meeting that the HRAB worked harder than the Planning Commission.

**4. ADJOURNMENT**

Chair Holmes adjourned the meeting at 9:18 pm

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF  
JUNE 2, 2009**

Agenda Item	Title	Doc Date	Document Description	Document Number

MINUTES APPROVED:

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Gail Holmes, Chair

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Date