



**HISTORIC REVIEW BOARD
Meeting Notes of June 13, 2023**

<u>Members present:</u>	James Manning, Tom Watton, Dan Saltee, Michael Fuller, Kirsten Solberg, and Danny Schreiber
<u>Members absent:</u>	John Steele
<u>City Council present:</u>	Scott Erwin
<u>Public:</u>	Pam Krecklow and Mark Hamilton, West Linn Historic Society, Kevin Godwin, Scott Sutton, James Estes, Jody Carson, Ian Brown,
<u>Staff present:</u>	John Floyd, Associate Planner, Lynn Schroder, Administrative Assistant, and City Attorney Bill Monahan

Staff Liaison: John Floyd - jfloyd@westlinnoregon.gov

1. Call To Order and Roll Call

Chair Manning called the meeting to order at 6:09 pm.

2. Public Comment Related To Items Not On The Agenda

Pam Krecklow and Mark Hamilton commented on the Beckman Stone, a historical marker in West Linn adjacent to the Tualatin River at the end of Dollar Street. The Beckman Stone was moved from the Fields Family cemetery in the location circa 1916. The stone marks Klaus Beckman's death in 1875 in a boat explosion on the Tualatin River. The WLHS seeks to preserve and protect the stone as a local historic landmark.

3. Approval Of Draft Meeting Notes for 4/18/23

Member Watton moved to approve the meeting notes for 4/18/23. Member Schreiber seconded. **Ayes: Watton, Schreiber, Fuller, Saltee, Solberg, and Manning. Nays: None. Abstain: None. The motion passed 6-0-0.**

4. Public Hearing: [DR-23-01 -1919/1949 Willamette Falls Drive - Class II Design Review for a New Commercial Building](#)

Chair Manning introduced application DR-23-01, a Class II Design Review to construct a new commercial building at 1919 & 1949 Willamette Falls Drive. Manning explained the hearing procedures provided in CDC Chapter 99.170 and opened the public hearing.

City Attorney Monahan addressed legal standards and appeal rights. The substantive criteria that apply to the application are contained in Community Development Code (CDC) Chapters 58 (the Willamette Falls Drive Commercial Design District) and 99 (Quasi-Judicial Decision-Making Procedures).

City Attorney Monahan addressed Historic Review Board conflicts of interest, ex-parte contacts, jurisdiction, and bias challenges. Member Watton stated that he is also a member of the Planning Commission. He recused himself from considering the application as a member of the Historic Review Board and stated his intent to consider the application as a Planning Commissioner when it is presented there. Member Schreiber declared that he lives near the property. Members Solberg and Manning declared site visits. Both members confirmed their ability to decide the application based on

the testimony presented at the hearing. No other declarations of ex-parte contacts, conflicts of interest, or bias existed. Monahan asked if any audience member wished to challenge the Historic Review Board's jurisdiction, impartiality, or ex-parte disclosures of any members of the Historic Review Board. There were none.

Associate Planner John Floyd presented the staff report. The applicant requested to demolish the two existing structures and replace them with a two-story commercial building with a rooftop lounge, outdoor patio, and underground parking. The above-ground structure would contain approximately 29,080 square feet of speculative commercial space for retail, service, and restaurant tenants

Floyd explained that per CDC 99.060.D.2(c), the Historic Review Board recommends the Planning Commission regarding the project's compliance with CDC Chapter 58, which contains the standards and criteria for new development within the Willamette Falls Drive Commercial Design District. Once a recommendation is made, a Planning Commission would decide on the application.

The site is zoned General Commercial. Two structures occupy the site. Both were constructed as single-family homes but have been converted to commercial uses. Neither is listed as a local historic resource in the Willamette Historic District or listed on the National Register. Therefore, no historic protections apply per CDC 25.020(A), and the City did not notify SHPO about the proposed demolition.

Three design exceptions are requested as part of the application:

- Use James Hardie fiber cement instead of wood siding and trim.
- Use of brick masonry instead of wood siding along selected portions of the façade
- The use of columns to support an 8.5-foot canopy that wraps the northwestern corner of the building at Willamette Falls Drive and 12th Street.

Most of the building would stand in a two-story configuration with a rooftop lounge and outdoor seating area ("mezzanine") at the corner of Willamette Falls Drive and 12th Street. The outdoor mezzanine is centered on the roof, with a hallway between it and the residential area to the south.

Current standards typically limit structures to no more than 35 feet and two stories. The proposed design falls outside the standards because the mezzanine is above the second story. Floyd noted that the HRB needed to decide about the mezzanine by either an interpretation or a design exception. Given the rooftop lounge area, aka mezzanine, only covers a relatively small area of the footprint, is limited to the western façade area, and employs shorter and horizontally oriented windows to reduce their profile, the HRB could have interpreted the design as effectively being limited to two-stories with a rooftop access area. Alternatively, the HRB could permit the rooftop lounge as part of a design exception and request the applicant provide supplemental findings supporting a design exception.

Kevin Godwin and Scott Sutton of SGR Architecture presented on behalf of the applicant. Godwin discussed the new commercial and proposed design exceptions. He noted that the existing homes were not designated as historic properties. The applicant would facilitate moving the buildings instead of demolishing them if someone wanted. The design of the new commercial building was intended to mimic the structure at the eastern end of the same block in size and scale to create a cohesive design for the entire block. The applicant is seeking two design exceptions for brick masonry and canopies to match the other building. Additionally, the proposed columns complement the design and are historically appropriate. The proposed design seeks to maintain the integrity of the architectural vernacular of the Willamette Falls Drive Commercial Design District.

Sutton addressed the proposed rooftop bar/mezzanine. He stated that the International Building Code defines a mezzanine as a space open to the floor below and taking up no more than $\frac{1}{4}$ of the area below. A mezzanine is considered to be part of the floor beneath it. The entire structure is within the 35-foot height restriction for the District. He addressed the public's concern about noise from the rooftop bar by noting that the space is to be enclosed. The outdoor space is oriented toward Willamette Falls Drive and is buffered by the stairwell. Thirty-five off-street parking spots are provided onsite under the building. The Traffic Impact Analysis demonstrated that the traffic impacts are within the Code requirements.

Member Saltee expressed his concern about noise from the rooftop mezzanine and the extent of the awning into the right of way. He asked about the building entryways.

Member Schreiber noted that although one of the existing buildings was not designated a historic landmark, the bungalow house on the property was built in 1919, according to Sanborn maps. He asked for more information about the offer to move the house rather than demolish it. He asked questions about the rooftop and classifying the mezzanine as a third floor

Member Solberg was concerned about using Hardiboard siding material because it was not appropriate for the historic fabric of the District.

Chair Manning asked for public testimony. James Estes objected to the proposed new construction. He stated that the proposal does not meet the two-story Code criteria.

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James Estes objected to the proposed new construction. He stated that the proposal needed to meet the two-story Code criteria.

Ian Brown stated his concern about the large windows in the back of the proposed buildings that would shine light on residential neighbors. He said the proposed building was inconsistent with the other buildings on the block on the backside. He stated that the design elevations do not show the entire third story. He objected to calculating the building height on a diagonal. He noted the diagonal line would cross over the long corridor in the third story. He objected to the interpretation that the mezzanine is not a third story. He stated that the mezzanine/third floor would be a design exception to the code, but they did not request one for this aspect of the proposal. He objected to the columns because they impede the sidewalk and the ability to use it.

Jody Carson, Historic Willamette Mainstreet, testified in support of the proposal. She stated that the design would complement the historic main street. The underground parking would benefit the commercial area. She wanted the mezzanine to be considered a third floor under the design exception process. She wanted to ensure a clear pedestrian walkway if the columns were allowed. She supported the efforts to relocate the bungalow on the property and requested that the property owner allow neighbors to remove the existing mature plants from the property.

Sutton rebutted that design elevations show the building height on the diagonal because the code requires it to be shown that way. He noted that the property owner would support efforts to relocate the existing bungalow and vegetation if someone demonstrates interest. As currently designed, the location of the columns provides a wider than-required ADA walkway, but the applicant was willing to work with the City on placement. He did not think the applicant needed a design exception for the

mezzanine because they believed it met the building code outright. He said the back windows could be redesigned to meet a 1.5/1 ratio.

There were no requests for continuances.

Chair Manning closed the public hearing and opened deliberations. Members discussed:

- Definition of a mezzanine in the IBC and CDC versus that used by the applicant, and whether the rooftop space is a mezzanine or a third story, and whether it should be approved through an interpretation of the code or as a design exception;
- Whether the windows facing the alley were subject to the vertical height-to-width ratio of 1.5:1 as set forth in CDC 58.060.C.6, and how the standards had been applied to other structures in the district; and
- The appropriateness of a design exception to allow support columns for an extended awning at the corner of Willamette Falls Drive and 12th Street, the limitations the columns impose on use of the sidewalk over time, and the appropriateness of deferring their approval to the City Engineer.

The HRB considered a continuance, but decided they had enough information to make a recommendation.

Member Fuller moved to recommend approval of DR-23-01, as presented, except for the mezzanine based on Chapter 58 to be further discussed by the Planning Commission, and directed staff to prepare a recommendation to the Planning Commission based on the findings in the June 13, 2023 hearing and staff report. Member Saltee seconded. **Ayes: Manning, Fuller, and Saltee. Nays: Schreiber and Solberg. Abstain: None. The motion passed 3-2-0.**

5. Updates on Outreach Efforts to Historic District Homeowners

Administrative Assistant Schroder noted that the Historic Home Ownership Guide brochure was mailed to historic homeowners with the Willamette Historic District in May. Willamette Historic District Walking Tour Storymap postcards would be sent to Willamette District residents in June.

6. Items Of Interest From The Board

Member Watton commented on new paint colors in the buildings in the Willamette District. He noted that the buildings were painted the same color. Members agreed that a Chapter 58 Code review should be prioritized on the docket. Floyd will put a discussion of a Chapter 58 code update on an upcoming HRB agenda.

7. Items Of Interest From Staff

Floyd updated the Board on the upcoming development applications.

8. Adjourn

Chair Manning adjourned the meeting at 9:14 pm.