



## Memorandum

Date: June 9, 2016

To: West Linn Historic Review Board

From: Darren Wyss, Associate Planner

Subject: DR-16-01 – Materials Submitted for May 17, 2016 Public Hearing

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Attached are comments and applicant materials submitted on the day of or at the May 17, 2016 Historic Review Board public hearing on DR-16-01, an application for a 2-Story Mixed-Use Building at 1969 Willamette Falls Drive.

Please feel free to contact me at [dwyss@westlinnoregon.gov](mailto:dwyss@westlinnoregon.gov) or 503-722-5512 with any questions regarding the materials or process.

To The West Linn Historic Review Board  
From Audra Brown (1968 6th Ave)  
Ian Brown (1968 6th Ave)  
James Estes (1992 6th Ave)  
Kristen Woofter (1992 6th Ave)  
Regarding 1969 Willamette Falls Drive Design Review (DR-16-01)

Thank you for providing the opportunity for public comment regarding the proposed development of 1969 Willamette Falls Drive. Our homes (1968 6th Ave and 1992 6th Ave) are immediately to the south of the development site, in an area zoned for single-family detached homes. We share Knapp's Alley for access to our properties. Because of our proximity, the redevelopment of this property will affect us greatly.

We love this neighborhood's vibrant mix of commercial and residential uses. We knew that the property behind us was likely to be redeveloped consistent with its zoning in the Willamette Commercial District. There is much to like about the proposal, which reflects a lot of work by the developer. However, aspects of the application are inconsistent with the Community Development Code, particularly as it relates to the commercial/residential interface and transition from the very public hustle and bustle of the commercial uses and activities to the quieter more personal family-oriented residential area. Our homes were built to respect the CDC's requirements regarding setbacks and other standards that protect neighbors from the impacts of development, and our concerns lead us to oppose this application.

This submission is limited to our concerns as they relate to Chapter 58 of the CDC and the staff report, because it is our understanding that the Historic Review Board's review is limited to these requirements. We have other concerns regarding other chapters, which we will address to the Planning Commission.

### Setback

CDC 58.090(C)(1)(c) provides the following setback standard:

“Rear: 20-foot setback. Setbacks between zero and 20 feet are permitted only if the applicant can demonstrate that he can successfully mitigate any impacts associated with the building in current and future uses as they would relate to abutting residential and other properties.”

The application proposes a zero-foot rear setback. The application states, “The alley provides the separation from adjacent properties to mitigate the impact of this project.” The staff report incorporates this assertion without further comment.

The applicant did not even contact adjacent residents about this development until it provided notice of its mandatory “pre-application” neighborhood meeting on April 25, 2016, long after the February 10, 2016 application submission. The meeting notice indicated that the application had not been submitted, and that the plans were preliminary and could be modified before the application would be submitted. At the meeting, we learned that the applicant had already submitted the application.

The applicant has made no attempt to even identify the impacts of building within the 20-foot setback area, much less to mitigate those impacts. The only “mitigation” identified is that the structure will be separated from adjacent homes by a 20-foot alley, but the alley would exist in any event. The 20-foot alley does not substitute for the 40-foot separation provided by the 20-foot alley plus the 20-foot setback required by code.

We are concerned about the impact of the building on our privacy. The second-story windows will survey backyards as children play, and observe garages when the doors are open. The windows will also provide a view into our homes; they will have a direct line of sight into our master bedrooms, and into the living room, dining room, and kitchen of 1968 6th Avenue. Those viewing from the second-story windows may include not only the proposed office and hotel workers and guests, but also occupants related to future permissible uses, such as bar patrons. Although the building would have an impact on our privacy even if it met the setback standard, building it 20 feet closer to our homes increases that impact.

We are concerned about other impacts of a two-story structure built to the property line. The building will be at least 25 feet high, at its shortest (the elevation drawing shows 24 feet at the southwest corner and 30 feet at the southeast corner, but does not include the parapets).

- The building will block daylight. Although the building is to our north, we currently get a lot of daylight through our north-facing windows. A lot of that daylight will be blocked by structure that is approximately 150 feet long and 30 feet tall. We will lose much more of that daylight than we would if the building complied with the 20-foot setback requirement.
- By looming over Knapp’s Alley, the building will block more blue sky and invade the sense of space that would be expected from a 20-foot setback.
- The building’s lighting will be closer to our homes. Although the applicant’s site lighting plan indicates that light pollution will be limited, the applicant indicated, at the neighborhood meeting, that the building will be very well lit.

- The building wall will reflect noise to neighboring properties. The development would be expected to increase noise from cars, people, garbage, etc. The configuration of the rear of the building will actually magnify this impact, because the semi-enclosed parking area will direct all sound in its only open direction, toward neighboring homes.

Again, setting the building back 20 feet would not eliminate these impacts, but building within the 20-foot setback area magnifies these impacts.

We are also concerned about the impact of the wall along 11th Street being built to the corner of the property, at the intersection with Knapp's Alley. This wall will block the line of sight for traffic turning into Knapp's Alley. Although this problem relates to the "Clear Vision Area" standards set forth in Chapter 42, it also creates impacts particular to the home at 1992 6th Avenue, which shares this intersection with the project site. To avoid whatever hazards may be around the blind corner, cars will be forced to swing wide as they turn onto Knapp's Alley, toward the home's yard and driveway. Residents leaving the driveway will have to contend with traffic coming around the blind corner. This particular impact would be eliminated by the 20 foot setback to create a clear vision area at this intersection consistent with CDC 42.050.

The applicant's burden is to "demonstrate that he can successfully mitigate any impacts associated with the building." The applicant has not even identified an impact to be mitigated. The applicant has not suggested how any impact of building in the setback area could be mitigated.

The applicant has reasoned only that Knapp's Alley "provides the separation from adjacent properties to mitigate the impact of this project," a rationale without any factual basis given. It is a rationale that would apply equally to any future development on the south side of Willamette Falls Drive, and would allow no protection to any of the neighboring homes on 6th Avenue. The commercial buildings on Knapp's Alley have varying heights and setbacks, but few are built to the property line and none are as imposing as the proposed development. Redevelopment here will set a precedent that will affect the entire street, and this design would set a bad precedent.

### Landscaping

CDC 58.090(C)(2) provides that the site is exempt from the landscaping requirements of Chapter 54, "with the exception of parking areas." The application proposes a 13-car parking lot in the rear.

Landscaping within a parking area is required by CDC 54.020(E)(3)(a), which requires one shade tree planted for every eight parking spaces and, for parking lots with 10 to 20 spaces, a minimum five percent of the interior of the parking lot devoted to landscaping. Additionally, landscaping between the parking area and Knapp's Alley is required by CDC 54.020(E)(3)(d), which requires a parking area that abuts a street "to be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width."

The staff report states that landscaping "is not required as parking is not required." Chapter 58, however, explicitly states that although *parking* is not required, and landscaping *unrelated* to parking is not required, any parking areas that *are* provided require landscaping consistent with the code. To interpret the code as suggested by staff would set precedent that any parking spaces beyond those required under any future development in the city do not have to meet landscape requirements.

The staff report also reasons that landscaping "would not screen or buffer uses nor frame or complement views." The parking area off of Knapp's Alley would be in full view of neighboring houses. Perimeter landscaping would screen and buffer the parking from the neighboring residences. Interior landscaping would frame and complement the view.

The staff report also suggests that the landscaping would not survive the conditions for lack of sunlight and precipitation. The fact that the building is designed in a way that makes compliance with the code difficult is not a reason to exempt it from the code. Additionally, the parking area off of Knapp's Alley is open on the south-facing side, and some sunlight would reach the perimeter landscaping; the lack of precipitation could be compensated for by irrigation systems. Finally, setting the building back 20 feet to comply with CDC 58.090(C)(1)(c) will allow normal sunlight and precipitation.

The current parking areas off of Knapp's Alley do not have much landscaping (the current site is an exception). However, the code is clear that landscaping is required for future parking areas in the Willamette Commercial District.

### Variations

The applicant's request for variations regarding the use of brick, the relatively wide second story windows, and the first story windows that do not have the prescribed height from grade are not only inconsistent with the specific standards identified, but also detract from the overall spacing, rhythm, and "emphasis on the vertical" mandated by CDC 58.090(C)(6) and (7). The design standards are composed to encourage consistency with the historic commercial

structures of the district. They do so by requiring large structures to be broken up into narrower, vertically-oriented visual elements that appear similar to existing, smaller structures.

The use of brick requires a variance from CDC 58.090(C)(10). In addition, the brick wainscoting creates a strong horizontal line. This line emphasizes the unity of the structure by running its entire length and by tying together the brick facades around the entrances. This configuration undermines the spacing and rhythm and detracts from the vertical elements that are set above the wainscoting.

The height of the first floor windows requires a variance from CDC 58.090(C)(15), which requires pedestrian level window to “start one and one-half to two and one-half feet above grade.” The grade has a slope, and it would be impossible for the windows to be horizontally aligned with each other and also to meet the design standard. Like the brick wainscoting, the decision to keep the windows in line, from one end of the building to the other, emphasizes the horizontal dimension of the building.

By holding the east end of the building to the same height as the west end of the building, while the sidewalk drops approximately six feet, “Tenant A’s” space is perched high above the sidewalk. “Tenant A’s” entrance is virtually inaccessible to anyone who cannot easily climb stairs, and pedestrians will not be able to “window shop” or even look into its windows, which are located up to six feet or more from the ground. Holding the first story of the building even, rather than following the grade, also prevents “Tenant B” and “Tenant C” from having entrances directly on the sidewalk. One of the key discussions of the neighborhood meeting on April 25, 2016, regarded the need to create a draw for pedestrians on Willamette Drive to continue browsing through the windows of shops and restaurants down its entirety. Approving this variance would deviate from the desired results of a walking neighborhood.

The solution required by the code is for the discrete elements of the building (already mandated by the “Spacing and rhythm” requirement) to follow the grade, and each have their own window heights in compliance with the code. This solution would also the east entrance to be fully accessible and would allow each shop to be directly accessible from the sidewalk.

The second-story windows, which have a height-to-width ratio of 1.75:1, requires a variance from CDC 58.090(16), which requires a height-to-width ratio of 3:1. The applicant reasons simply that wider-than-allowed windows are already around and, in the applicant’s own opinion, look better.

The proposed second-story windows are not narrower than the first-story windows, in either overall width or in their height-to-width ratio. Again, they emphasize the horizontal, rather than the vertical, dimension of the structure.

CDC 58.100 allows such variances if:

“A. The applicant can demonstrate by review of historical records or photographs that the alternative is correct and appropriate to architecture in the region, and especially West Linn, in 1880 – 1915. [or]

“B. The applicant is incorporating exceptional 1880 – 1915 architecture into the building which overcompensates for an omission. The emphasis is upon superior design, detail, or workmanship.”

The applicant has offered several photographs of local buildings that include brick. The applicant suggests that criterion (A) is satisfied because brick similar to the pictured buildings would be “correct and appropriate to architecture in the region.” However, criterion (A) requires that the alternative be correct and appropriate to the architecture “in 1880-1915.” The age of the buildings is not provided, but most are certainly newer than 1880-1915.

The applicant also suggests that criterion (B) is satisfied because brick’s qualities as a building material provide “superior design, detail, or workmanship.” Criterion (B) requires that the applicant incorporate “exceptional 1880-1915 architecture into the building”; the emphasis on superior design, detail, or workmanship relates to that requirement, not the qualities of the non-standard building material. The applicant has not identified any “exceptional” 1880-1915 architecture that it has incorporated into the building to “overcompensate” for the variances.

### Conclusion

We appreciate the effort that has gone into the proposal, and the ultimate redevelopment of the site could be tremendously positive for the Willamette area and West Linn as a whole. We chose to live in this neighborhood because of the vibrant mix of commercial and residential uses. We appreciate the value of future development in our neighborhood, and expect that redevelopment of this site that conforms to the code will occur soon. This proposal, however, would involve building within the setback area without any attempt to mitigate the impact of doing so, would place a parking area off of a narrow residential street without appropriate landscaping to buffer the use, and does not offer architecture that is consistent with the vision embodied in Chapter 58. We hope that you will find that the application is not in compliance

with Chapter 58, and we request that you either recommend denial of the application or, if the applicant wishes, continue the hearing to allow the applicant to meet our concerns.

On the next page are two pictures taken from 1968 6th Avenue, which may be helpful.





View from the roof of the garage of 1968 6th Avenue. The vantage point is set back from the alley more than 20 feet; moving to the property line would provide much greater surveillance. At its shortest, the wall of the structure at the property line is less than seven feet high to the top of the gutter; the proposed structure would loom

almost four times as tall, and would not fit within this frame. The current parking is framed by pleasant landscaping. Parking off of Knapp's Alley is in full view of the master bedroom.

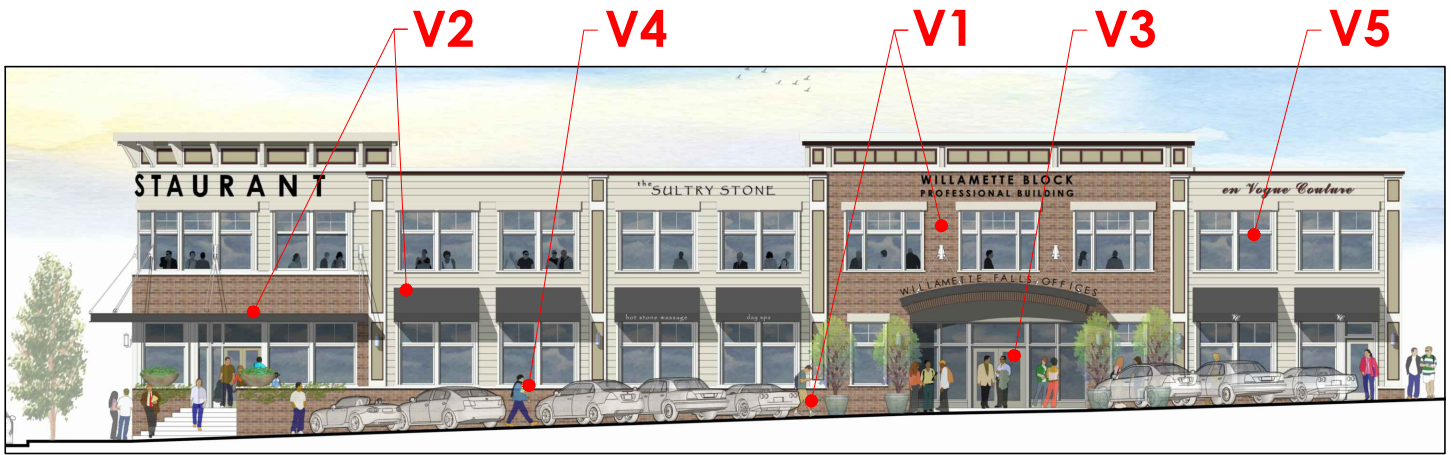


View from the back door of 1968 6th Avenue. The view is similar from the dining room, the kitchen, and the living room. The proposed second-story windows will have a clear view into the home. 1992 6th Avenue does not have a fence to screen the first floor view of the Knapp's Alley parking.

# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon



PROPOSED WILLAMETTE FALLS DRIVE ELEVATION

### REQUESTS FOR VARIANCE

#### 58.100 VARIANCE PROCEDURES:

IN THOSE CIRCUMSTANCES WHERE A DESIGN PROPOSAL CANNOT MEET THE STANDARDS, OR PROPOSES AN ALTERNATIVE TO THE STANDARD, THE HISTORIC REVIEW BOARD MAY GRANT A VARIANCE IN THOSE CASES WHERE ONE OF THE FOLLOWING CRITERIA IS MET:

- A. THE APPLICANT CAN DEMONSTRATE BY REVIEW OF HISTORICAL RECORDS OR PHOTOGRAPHS THAT THE ALTERNATIVE IS CORRECT AND APPROPRIATE TO ARCHITECTURE IN THE REGION, AND ESPECIALLY WEST LINN, IN 1880 – 1915.
- B. THE APPLICANT IS INCORPORATING EXCEPTIONAL 1880 – 1915 ARCHITECTURE INTO THE BUILDING WHICH OVERCOMPENSATES FOR AN OMISSION. THE EMPHASIS IS UPON SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP.

#### REQUESTED VARIANCES:

- V1 STANDARD 58.090.C.10**  
BUILDING MATERIALS AND ORIENTATION:  
'WOOD SHALL BE THE PRINCIPAL BUILDING MATERIAL... BRICK AND CERTAIN CONCRETE CONFIGURATIONS ARE PERMITTED ONLY BY A VARIANCE UNDER CDC 58.090.'
- V2 STANDARD 58.090.C.11**  
AWNINGS:  
'AWNINGS SHALL BE EITHER CANVAS OR VINYL... AWNINGS SHALL, THEREFORE, EXTEND BEYOND THE FRONT PROPERTY LINE TO THE OUTSIDE EDGE OF THE SIDEWALK...'
- V3 STANDARD 58.090.C.13**  
DOORS AND ENTRYWAYS:  
'DOORS SHALL HAVE GLAZING IN THE UPPER TWO-THIRDS TO HALF OF THE DOOR. PANELS SHOULD DECORATE THE LOWER PORTIONS.'
- V4 STANDARD 58.090.C.15**  
DISPLAY OR PEDESTRIAN LEVEL WINDOWS  
'...THE WINDOWS SHALL START ONE AND ONE-HALF TO TWO AND ONE-HALF FEET ABOVE GRADE...'
- V5 STANDARD 58.090.C.16**  
SECOND FLOOR AND OTHER WINDOWS  
'A TYPICAL WINDOW SHOULD HAVE A 3:1 HEIGHT TO WIDTH RATIO FOR THE GLASS AREA.'



#### HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT  
REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS  
CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016



# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon

### V1 REQUESTED VARIANCE:

#### STANDARD 58.090.C.10

BUILDING MATERIALS AND ORIENTATION:

'WOOD SHALL BE THE PRINCIPAL BUILDING MATERIAL... BRICK AND CERTAIN CONCRETE CONFIGURATIONS ARE PERMITTED ONLY BY A VARIANCE UNDER CDC 58.090.'

### DESCRIPTION

THE APPLICANT REQUESTS A VARIANCE TO THE ABOVE STANDARD TO ALLOW THE USE OF BRICK ON THE PROPOSED BUILDING.



THE HANDRIS BUILDING

BRICK BASE/WAINSCOT



TVFR STATION 59

FULL-HEIGHT BRICK FACADE



1980 WILLAMETTE FALLS DRIVE

DURABLE CONCRETE BASE



LIL' COOPERSTOWN

BRICK BASE/WAINSCOT



THE CORNER

BRICK COLUMNS

### RESPONSE TO CRITERIA:

**CRITERIA A - THE ALTERNATIVE IS APPROPRIATE TO ARCHITECTURE IN THE REGION':**

THE PHOTOS PRESENTED AS PART OF THIS VARIANCE REQUEST SHOW FIVE BUILDINGS ON WILLAMETTE FALLS DRIVE IN THE COMMERCIAL DESIGN DISTRICT. FOUR OF THE FIVE EXAMPLES INCLUDE BRICK AS A BASE/WAINSCOT, COLUMNS, OR FULL FACADE. THE FIFTH EXAMPLE USES CONCRETE AS A BASE, AN EXAMPLE OF ANOTHER NON-WOOD DURABLE SURFACE AT THE STREET LEVEL. THE PROPOSED BUILDING INCLUDES A CONTINUOUS BRICK BASE/ WAINSCOT, ALONG WITH PORTIONS OF THE FACADE THAT HAVE BRICK HIGHER ON THE WALL OR FULL HEIGHT. THIS USE OF BRICK IS CONSISTENT WITH THE EXISTING USE OF BRICK/DURABLE BASE MATERIALS IN THE REGION.

**CRITERIA B - 'SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP':**

LOCATED AT THE ENTRY TO THE COMMERCIAL DESIGN DISTRICT, THE PROPOSED BUILDING WILL SERVE AS A GATEWAY ELEMENT. AS SUCH, IT SHOULD EXHIBIT A LEVEL OF RICHNESS AND SOPHISTICATION THAT SETS THE TONE AS VISITORS ENTER THE DISTRICT. BRICK IS WIDELY RECOGNIZED AS A SUBSTANTIAL, RICH LOOKING, LONG LASTING MATERIAL. FURTHER, BRICK HAS A DURABILITY AGAINST THE ELEMENTS THAT ENSURES THAT IT MAINTAINS THOSE QUALITIES OVER TIME.

ON THE PROPOSED BUILDING, THE BRICK IS USED TO ANCHOR THE BUILDING TO THE SITE, CREATE A HUMAN SCALE COMPONENT TO THE WALL, AND PROVIDE A PLEASING MEANS OF DIVIDING THE FACADE INTO VERTICAL ELEMENTS. CRISP DETAILING AND CONSTRUCTION OF CORNERS, CAPS, AND SOLDIER COURSES WILL RESULT IN A SUPERIOR END PRODUCT AS IS APPROPRIATE FOR ITS LOCATION IN THE DISTRICT.

# V1

## HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT  
REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS  
CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016

# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon



2008 WILLAMETTE FALLS DRIVE  
AWNING 48"+ FROM CURB



1914 WILLAMETTE FALLS DRIVE  
AWNING 24"+ FROM CURB /  
STEEL CANOPY 18"+ FROM CURB



1980 WILLAMETTE FALLS DRIVE  
AWNING 24"+ FROM CURB

### V2 REQUESTED VARIANCE:

#### STANDARD 58.090.C.11

##### AWNINGS:

'AWNINGS SHALL BE EITHER CANVAS OR VINYL... AWNINGS SHALL, THEREFORE, EXTEND BEYOND THE FRONT PROPERTY LINE TO THE OUTSIDE EDGE OF THE SIDEWALK...'

##### DESCRIPTION

THE APPLICANT REQUESTS A VARIANCE TO THE ABOVE STANDARD TO ALLOW THE AWNINGS & CANOPIES TO BE HELD APPROX. 18" BEHIND THE CURB LINE.



1880 WILLAMETTE FALLS DRIVE  
AWNING 36"+ FROM CURB

### RESPONSE TO CRITERIA:

#### CRITERIA A - 'THE ALTERNATIVE IS APPROPRIATE TO ARCHITECTURE IN THE REGION':

THE PHOTOS PRESENTED AS PART OF THIS VARIANCE REQUEST SHOW FOUR BUILDINGS ON WILLAMETTE FALLS DRIVE IN THE COMMERCIAL DESIGN DISTRICT. THREE OF THE FOUR EXAMPLES SHOW FABRIC AWNINGS, ONE SHOWS STANDING SEAM METAL AWNINGS, AND ONE SHOWS A FLAT PAINTED STEEL CANOPY. IN ALL OF THE EXAMPLES, THE AWNINGS OR CANOPIES ARE SET BACK FROM THE CURB LINE. THE PROPOSED LOCATION OF THE AWNINGS BEHIND THE CURB LINE IS CONSISTENT WITH THE EXISTING AWNING DESIGNS IN THE AREA.

#### CRITERIA B - 'SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP':

THE PURPOSE OF LOCATING THE AWNING AND CANOPY FACES BEHIND THE FACE OF CURB IS TO PREVENT DAMAGE FROM VEHICLES, SUCH AS DELIVERY VANS, MAKING THIS IS A SUPERIOR DESIGN TO WHAT IS REQUIRED BY THE STANDARD. THE PROPOSED AWNINGS AND CANOPIES STILL MEET THE INTENT OF THE STANDARD - TO PROVIDE PROTECTION FOR PEDESTRIANS FROM THE WEATHER.

# V2

### HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT

REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS  
CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016

**SGA**  
SG ARCHITECTURE, LLC

# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon



2008 WILLAMETTE FALLS DRIVE  
FULL-LIGHT DOOR



1914 WILLAMETTE FALLS DRIVE  
FULL-LIGHT DOOR



1880 WILLAMETTE FALLS DRIVE  
FULL-LIGHT DOOR

### V3 REQUESTED VARIANCE:

#### STANDARD 58.090.C.13

#### DOORS AND ENTRYWAYS:

'DOORS SHALL HAVE GLAZING IN THE UPPER TWO-THIRDS TO HALF OF THE DOOR. PANELS SHOULD DECORATE THE LOWER PORTIONS.'

#### DESCRIPTION

THE APPLICANT REQUESTS A VARIANCE TO THE ABOVE STANDARD TO ALLOW FULL GLASS LIGHTS IN TENANT ENTRY DOORS.

### RESPONSE TO CRITERIA:

CRITERIA A - 'THE ALTERNATIVE IS APPROPRIATE TO ARCHITECTURE IN THE REGION':

THE PHOTOS PRESENTED AS PART OF THIS VARIANCE REQUEST SHOW FOUR EXAMPLES OF FULL LIGHT GLASS DOORS ON THREE BUILDINGS ON WILLAMETTE FALLS DRIVE IN THE COMMERCIAL DESIGN DISTRICT. PROVIDING FULL LIGHT DOORS ON THE PROPOSED WILLAMETTE FALLS DRIVE ELEVATION IS CONSISTENT WITH EXISTING TENANT ENTRIES IN THE AREA.

CRITERIA B - 'SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP':

FULL LIGHT ENTRY DOORS AT TENANT SPACES HAVE THE EFFECT OF MAXIMIZING CLEAR STOREFRONT, WHICH IS CRITICAL TO THE VIABILITY OF RETAIL TENANTS. THE STANDARD FOR PEDESTRIAN LEVEL WINDOWS HAS THE EFFECT OF LIMITING THE MAXIMUM CLEAR STOREFRONT THAT CAN BE ACHIEVED ON THE WILLAMETTE FALLS DRIVE ELEVATION.

PROVIDING ADDITIONAL CLEAR STOREFRONT VIA FULL LIGHT GLAZING AT THE ENTRY DOORS IS A SUPERIOR DESIGN SOLUTION, BECAUSE IT MAXIMIZES THE AMOUNT OF CLEAR RETAIL GLASS ALONG WILLAMETTE FALLS DRIVE.



1914 WILLAMETTE FALLS DRIVE  
FULL-LIGHT DOOR

# V3

### HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT

REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS

CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016

**SGA**  
SG ARCHITECTURE, LLC

# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon



2008 WILLAMETTE FALLS DRIVE  
SILL @ 38" ABOVE SIDEWALK



1914 WILLAMETTE FALLS DRIVE  
SILL @ 42"+ ABOVE SIDEWALK



1980 WILLAMETTE FALLS DRIVE  
SILL @ 48"+ ABOVE SIDEWALK

### V4 REQUESTED VARIANCE:

#### STANDARD 58.090.C.15

DISPLAY OR PEDESTRIAN LEVEL WINDOWS

'...THE WINDOWS SHALL START ONE AND ONE-HALF TO TWO AND ONE-HALF FEET ABOVE GRADE...'

### DESCRIPTION

THE APPLICANT REQUESTS A VARIANCE TO THE ABOVE STANDARD TO ALLOW WINDOW SILLS TO OCCUR MORE THAN 30" ABOVE ADJACENT GRADE.

### RESPONSE TO CRITERIA:

CRITERIA A - 'THE ALTERNATIVE IS APPROPRIATE TO ARCHITECTURE IN THE REGION':

THE PHOTOS PRESENTED AS PART OF THIS VARIANCE REQUEST SHOW FOUR BUILDINGS ON WILLAMETTE FALLS DRIVE IN THE COMMERCIAL DESIGN DISTRICT. AS SHOWN, EACH EXAMPLE BUILDING HAS GROUND FLOOR WINDOWS WITH SILL HEIGHTS MORE THAN 30" ABOVE THE ADJACENT SIDEWALK. THE FIRST FLOOR WINDOW SILL ELEVATION ON THE PROPOSED BUILDING IS CONSISTENT WITH EXISTING BUILDINGS IN THE AREA.

CRITERIA B - 'SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP':

AS SHOWN IN THE PLANS & ELEVATIONS FOR THE PROPOSED BUILDING, THE SIDEWALK ALONG THE WILLAMETTE FALLS DRIVE ELEVATION SLOPES DOWN APPROXIMATELY FIVE FEET FROM WEST TO EAST. AT THE WEST END OF THE ELEVATION, AND EXTENDING EASTWARD TO THE MAIN ENTRY ALCOVE, ALL WINDOWS ARE BETWEEN 18" AND 30" ABOVE THE ADJACENT GRADE. FROM THAT ENTRY TO THE EAST END OF THE ELEVATION, THE GRADE MAKES IT IMPOSSIBLE TO MEET THESE SILL CONSTRAINTS WITHOUT EXTENDING THE SILLS BELOW THE FINISHED FLOOR LINE.

WE ATTEMPTED TO MEET THE INTENT OF THE STANDARD OF CREATING ATTRACTIVE BUILDINGS THAT HAVE A HISTORIC FEEL BY MAINTAINING THE SILL LINE AT 30" ABOVE THE FINISHED FLOOR LINE. THIS DECISION RESULTS IN A SUPERIOR DESIGN BY MAKING THE RESULTING BUILDING FUNCTIONAL FROM THE INTERIOR, WHILE THE CONSTANT SILL LINE ALONG THIS ELEVATION HELPS TO CREATE A PLEASING BASE UPON WHICH THE BUILDING CAN REST.



1860 WILLAMETTE FALLS DRIVE  
SILL @ 38" ABOVE SIDEWALK

# V4

## HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT

REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS

CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016

# WILLAMETTE FALLS

## PROFESSIONAL BUILDING

Willamette Falls Drive & 11th Street West Linn, Oregon



2008 WILLAMETTE FALLS DRIVE  
2.4 : 1 WINDOW RATIO



1914 WILLAMETTE FALLS DRIVE  
2 : 1 WINDOW RATIO



1880 WILLAMETTE FALLS DRIVE  
2 : 1 WINDOW RATIO

### V5 REQUESTED VARIANCE:

#### STANDARD 58.090.C.16

#### SECOND FLOOR AND OTHER WINDOWS

'A TYPICAL WINDOW SHOULD HAVE A 3:1 HEIGHT TO WIDTH RATIO FOR THE GLASS AREA.'

#### DESCRIPTION

THE APPLICANT REQUESTS A VARIANCE TO THE ABOVE STANDARD TO ALLOW SECOND FLOOR WINDOW WITH A HEIGHT TO WIDTH RATIO OF APPROXIMATELY 1.75 : 1.

### RESPONSE TO CRITERIA:

#### CRITERIA A - 'THE ALTERNATIVE IS APPROPRIATE TO ARCHITECTURE IN THE REGION':

THE PHOTOS PRESENTED AS PART OF THIS VARIANCE REQUEST SHOW EXAMPLES OF SECOND FLOOR WINDOWS ON THREE BUILDINGS ON WILLAMETTE FALLS DRIVE IN THE COMMERCIAL DESIGN DISTRICT WHICH ARE AT A LESS THAN 3 : 1 HEIGHT TO WIDTH RATIO.

IN FACT, THE UPPER FLOOR WINDOWS ON MOST OF THE EXISTING BUILDINGS ALONG WILLAMETTE FALLS DRIVE DO NOT MEET THE 3:1 RATIO, WITH NO NOTICEABLE DETRIMENT TO THE HISTORIC CHARACTER OF THE NEIGHBORHOOD. THE DESIGN OF THE SECOND FLOOR WINDOWS ON THE PROPOSED BUILDING IS CONSISTENT WITH EXISTING BUILDINGS IN THE AREA.

#### CRITERIA B - 'SUPERIOR DESIGN, DETAIL, OR WORKMANSHIP':

ON THE PROPOSED BUILDING, THE PREDOMINANT SECOND FLOOR WINDOWS ARE 7' TALL x 4' WIDE, FOR A RATIO OF 1.75 : 1. THE 30" INTERIOR SILL AND 9'-6" HEAD HEIGHTS SHOWN WERE SELECTED AS APPROPRIATE FOR TYPICAL UPPER FLOOR FUNCTIONS SUCH AS OFFICE / SERVICE SPACE.

TO ACHIEVE A 3:1 HEIGHT RATIO WITH A 7' TALL WINDOW, THE WINDOW WOULD BE 2'-4" WIDE. IN OUR PROFESSIONAL OPINION, 2'-4" WIDE WINDOWS WOULD LOOK ODDLY NARROW, EVEN IN A HISTORICAL CONTEXT.

IN AN EFFORT TO ADDRESS THE INTENT OF THIS SECTION, THAT IS, TO PROVIDE VERTICALITY TO THE ELEVATION, WE HAVE DIVIDED THE UPPER LIGHTS OF THESE DOUBLE HUNG UNITS INTO TWO 2'-0" WIDE LIGHTS EACH, WHICH HELPS TO MAKE THE WINDOWS FEEL NARROWER AND MORE VERTICAL.

# V5

### HISTORIC REVIEW BOARD

WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT

REQUEST FOR VARIANCE | CHAPTER 58 STANDARDS

CLASS 2 | HISTORIC REVIEW BOARD MEETING | MAY 17TH, 2016

**SGA**  
SG ARCHITECTURE, LLC

**Willamette Falls Professional Building**  
**Willamette Falls Drive & 11th Street, West Linn**

**Responses to the letter provided by the neighbors at 1968 & 1992 6th Avenue**

To the Historic Review Board:

We have consolidated the letter from the neighbors at 1968 & 1992 6th Avenue to the predominant 4 points of concern, and provided our responses in red below.

**1. Notice of Application**

The applicant did not even contact adjacent residents about this development until it provided notice of its mandatory “pre-application” neighborhood meeting on April 25, 2016, long after the February 10, 2016 application submission. The meeting notice indicated that the application had not been submitted, and that the plans were preliminary and could be modified before the application would be submitted. At the meeting, we learned that the applicant had already submitted the application.

Two neighborhood association meetings were held: one in November 2015, and one on April 25th, 2016.

The meeting notice as posted at the site does not address whether or not the application had been submitted at the time of the meetings. Nonetheless, it is not required that the meeting be held prior to submittal, only that it be completed prior to the application being deemed complete.

**2. Setback/Location on Site**

CDC 58.090(C)(1)(c) provides the following setback standard: “Rear: 20 foot setback. Setbacks between zero and 20 feet are permitted only if the applicant can demonstrate that he can successfully mitigate any impacts associated with the building in current and future uses as they would relate to abutting residential and other properties.”

We are concerned about the impact of the building on our privacy. The second story windows will survey backyards as children play, and observe garages when the doors are open. The windows will also provide a view into our homes; they will have a direct line of sight into our master bedrooms, and into the living room, dining room, and kitchen of 1968 6th Avenue. Those viewing from the second story windows may include not only the proposed office and hotel workers and guests, but also occupants related to future permissible uses, such as bar patrons. Although the building would have an impact on our privacy even if it met the setback standard, building it 20 feet closer to our homes increases that impact.



The subject site is within a relatively urban area, with buildings located in relatively close proximity. The view from the second floor windows along the alley would not be any different than would be expected if the proposed project were a house.

We are concerned about other impacts of a two story structure built to the property line. The building will be at least 25 feet high, at its shortest (the elevation drawing shows 24 feet at the southwest corner and 30 feet at the southeast corner, but does not include the parapets).

While there are no requirements to mitigate the 'large wall' impact of the back of buildings in the District, we have endeavored to diminish that impression by dividing the wall using strong vertical lines and varied top of wall heights to create more of a 'townhouse' appearance.

The building will block daylight. Although the building is to our north, we currently get a lot of daylight through our north facing windows. A lot of that daylight will be blocked by structure that is approximately 150 feet long and 30 feet tall. We will lose much more of that daylight than we would if the building complied with the 20 foot setback requirement.

Light entering north facing windows is indirect, as direct sunlight would come from the south. Neither the quantity nor quality of indirect light will be affected by the proposed building's 0' setback.

By looming over Knapp's Alley, the building will block more blue sky and invade the sense of space that would be expected from a 20 foot setback.

There is no provision in the Code for views to the horizon. The view to the sky above these homes will not be impacted.

The building's lighting will be closer to our homes. Although the applicant's site lighting plan indicates that light pollution will be limited, the applicant indicated, at the neighborhood meeting, that the building will be very well lit.

Lighting on the Knapp's Alley side of the proposed building will be subject to City requirements and restrictions, such as full cut off fixtures, foot-candles at ground level, etc. The only lighting proposed will be under cover above the parking spaces, unless additional area lighting is required by Code. There are no plans to provide decorative lighting along the alley, or to light the surface of the building.

The building wall will reflect noise to neighboring properties. The development would be expected to increase noise from cars, people, garbage, etc. The configuration of the rear of the building will actually magnify this impact, because the semi-enclosed parking area will direct all sound in its only open direction, toward neighboring homes.

Cars currently use the alley for access, and trash is currently collected along the alley as well. The cover over the parking will serve to knock the sound down, rather than magnify it or allow

it to be distributed about the neighborhood as would occur in an open parking lot - which would be the result with the requested 20' setback.

We are also concerned about the impact of the wall along 11th Street being built to the corner of the property, at the intersection with Knapp's Alley. This wall will block the line of sight for traffic turning into Knapp's Alley. Although this problem relates to the "Clear Vision Area" standards set forth in Chapter 42, it also creates impacts particular to the home at 1992 6th Avenue, which shares this intersection with the project site. To avoid whatever hazards may be around the blind corner, cars will be forced to swing wide as they turn onto Knapp's Alley, toward the home's yard and driveway. Residents leaving the driveway will have to contend with traffic coming around the blind corner. This particular impact would be eliminated by the 20 foot setback to create a clear vision area at this intersection consistent with CDC 42.050.

Per Section 42.030 EXCEPTIONS, the area on 11th Street to Willamette Falls Drive, is exempted from the clear vision area requirements of this chapter.

#### "42.030 EXCEPTIONS

The following described area in Willamette shall be exempt from the provisions of this chapter. The units of land zoned General Commercial which abut Willamette Falls Drive, located between 10th and 16th Streets. Beginning at the intersection of Willamette Falls Drive and 11th Street on 7th Avenue to 16th Street; on 16th Street to 9th Avenue; on 9th Avenue to 14th Street to the Tualatin River; following the Tualatin River and Willamette River to 12th Street; on 12th Street to 4th Avenue; on 4th Avenue to 11th Street; on 11th Street to Willamette Falls Drive. This described area does not include the northerly side of Willamette Falls Drive."

The applicant has reasoned only that Knapp's Alley "provides the separation from adjacent properties to mitigate the impact of this project," a rationale without any factual basis given. It is a rationale that would apply equally to any future development on the south side of Willamette Falls Drive, and would allow no protection to any of the neighboring homes on 6th Avenue. The commercial buildings on Knapp's Alley have varying heights and setbacks, but few are built to the property line and none are as imposing as the proposed development. Redevelopment here will set a precedent that will affect the entire street, and this design would set a bad precedent.

There is a strong precedent of commercial buildings in the Historic Commercial District backing up to Knapp's Alley without a setback. In fact, of the twelve commercial properties located along Knapp's Alley between 12th & 14th Streets, six have no setback from the alley. In addition, on the north side of Willamette Falls Drive in the District, two of the three buildings between 11th & 12th Streets have no setback from their alley.

The primary potential impacts on lots across the alley from the proposed 0' setback would be the possibility of parking area lighting extending beyond the alley, and increased noise from cars in the parking area. The proposed design mitigates these impacts by keeping the parking lighting and vehicle noise under cover, which will reduce the amount of light and noise that travels beyond the site boundaries

Note that if the design were to adhere to the 20 foot setback, the parking area would be surface parking, lighted by pole fixtures, wall pack fixtures, or both. These kinds of fixtures would be far more intrusive than the undercover light that is proposed. Further, noise would be able to bounce freely off of the building wall and out into the neighborhood.

### **3. Landscaping**

CDC 58.090(C)(2) provides that the site is exempt from the landscaping requirements of Chapter 54, "with the exception of parking areas." The application proposes a 13 car parking lot in the rear. Landscaping within a parking area is required by CDC 54.020(E)(3)(a), which requires one shade tree planted for every eight parking spaces and, for parking lots with 10 to 20 spaces, a minimum five percent of the interior of the parking lot devoted to landscaping. Additionally, landscaping between the parking area and Knapp's Alley is required by CDC 54.020(E)(3)(d), which requires a parking area that abuts a street "to be set back from the right of way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width."

The staff report states that landscaping "is not required as parking is not required." To interpret the code as suggested by staff would set precedent that any parking spaces beyond those required under any future development in the city do not have to meet landscape requirements.

The staff report also reasons that landscaping "would not screen or buffer uses nor frame or complement views." The parking area off of Knapp's Alley would be in full view of neighboring houses. Perimeter landscaping would screen and buffer the parking from the neighboring residences. Interior landscaping would frame and complement the view.

Parking areas as described in Chapter 54 are presumed by the Code to be uncovered surface parking lots. The proposed project parking is undercover, and more closely resembles a parking structure. If the neighbor's interpretation of Chapter 54 were to be followed to other sites, it would not be possible to construct a parking structure - or covered parking as proposed - as there is no way to provide landscaping in an indoor parking facility.

For parking stalls that back directly onto the alley, it would be impossible to provide the hoped for 10' landscape buffer. There is a strong precedent of uncovered parking areas in the Historic Commercial District backing directly onto Knapp's Alley. Of the twelve commercial properties located along Knapp's Alley between 12th & 14th Streets, six have surface parking backing directly onto the alley - with no landscaping or landscape buffer.

### **4. Variances**

The variances described in the neighbor's letter have been addressed separately as part of this application.

May 18, 2016 DR 16-01

Questions, but not necessarily concerns, from Tom Neff.

p.5 mentions a 29-space parking garage but staff finding 5 (p.7) refers to 20 spaces.

p.6 Q. for staff: C 1.(c) When adjacent property to the west is developed in a "future use", the zero-foot setback here is not likely to be a problem anyway?

p.9 Staff finding 12. Why is full glass requested?

Staff finding 14. If "proposed windows are wood or vinyl-clad wood" why is "P1a BRUSHED ALUMINUM" even listed as an alternative color on the Color/Materials Schedule?

p.10 Staff finding 15. What is the distance from floor to dividing piece of 2<sup>nd</sup> floor window? Just curious, looking ahead, would the second-floor window types have to be changed if floor two becomes a hotel?

p.11 58.090 C26. *Accent trims, windows, etc, should be dark-colored.* While I realize it doesn't say "shall be", is there a reason beyond artistic judgment that most of the window trim is light-on-light except for the center of the building?

p.2 of SGA responses to CDC provisions. Where and what is "the proposed water quality facility at the west property line?"

Will there be cameras covering both the indoor and Knapp's Alley parking facilities?

Will the gate mentioned for the underground parking be such as to prevent after-hours pedestrian access?

As of this writing (6p.m.) I have no objection to any of the variances requested. Staff and applicant, nice job on packet.