

**WEST LINN HISTORIC REVIEW BOARD  
CHAPTER 58 RECOMMENDATION  
DR-23-01**

**IN THE MATTER OF A PROPOSAL FOR A CLASS II DESIGN REVIEW AT 1919 & 1949  
WILLAMETTE FALLS DRIVE.**

The Historic Review Board (HRB) held a public hearing on June 13, 2023. The purpose of the public hearing was to make a recommendation to the West Linn Planning Commission on DR-23-01 compliance with Chapter 58 of the Community Development Code (CDC).

The hearing began with City Attorney addressing legal standards, appeal rights, substantive rights, and procedural issues. Historic Review Board member Watton stated he was also a member of the Planning Commission, and was going to recuse himself from considering the application as a member of the Historic Review Board.

Associate Planner John Floyd presented the application for the demolition of two existing structures, to be replaced with a speculative commercial building to be occupied by a variety of restaurant and office or retail uses. The above ground structure would be multi-story with approximately 29,080 square feet of commercial space, with underground parking to be accessed from the adjoining underground parking garage to the east. Requested design exceptions included the use of fiber-cement and brick masonry in lieu of cedar siding and trim, and the use of columns to support an extended sidewalk canopy.

As part of the presentation, Association Planner Floyd stated CDC Chapter 58 limits structures within the Willamette Falls Design District 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.

Association Planner Floyd concluded with a summary of additional written testimony received after publication of the staff report. This included testimony from Shannen Knight in support of the application, and concern and opposition from Laura and Albert Secchi, Ian and Audra Brown, James Estes, and Kristin Woofter.

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 them. 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 streetscape. He noted his client was 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 sought to maintain the integrity of the architectural vernacular of the Willamette Falls Drive Commercial Design District.

Deliberations discussed a range of design topics and included the following:

- Definition of 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, or otherwise denied;
- 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 on 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 12<sup>th</sup> Street, the limitations the columns impose on use of the sidewalk over time, and the appropriateness of deferring their approval to the City Engineer.

Verbal testimony was received at the hearing from the following parties:

- James Estes objected to the proposed new construction, stating the proposal needed to meet the two-story Code criteria.
- Ian Brown stated 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.


In rebuttal, Sutton stated the 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.

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

After conducting the public hearing, the HRB deliberated and Member fuller moved to recommend approval of DR-23-01, as presented, with a recommendation of further analysis of the “mezzanine area” by the Planning Commission and directed staff to prepare a recommendation. The motion was approved by a vote of three (Manning, Fuller, Salttee) to two (Schreiber, Soldberg), with the following Conditions of Approval as recommended in the staff report:

1. **Approved Plans.** All alterations and improvements shall substantially conform to all submitted tentative plan sheets and supporting materials contained in Exhibit HRB-01.
2. **Engineering Standards.** All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to final building certificate of occupancy. The City may partner with the applicant to fund additional improvements as part of the project.
3. **Vertical Breaks.** Prior to issuance of building permits, the applicant shall submit building permit plans with revised western and southern elevations that demonstrate compliance with CDC 58.080.C.7 that requires strong vertical breaks or lines regularly spaced every 25 to 50 feet.
4. **Entry Doors & Pedestrian Level Windows.** Prior to issuance of building permits, the applicant shall submit building permit plans with revised elevations and door details that demonstrate compliance the glazing and panel ratios for entry doors in CDC 58.080.C.13, and minimum pedestrian level window sill heights within CDC 58.080.C.15.
5. **Awning.** Prior to issuance of building permits, the applicant shall submit building permit plans that demonstrate compliance with the 5-foot minimum awning depth as required in CDC 58.080.C.11.

On behalf of the HRB, I would like to express our appreciation for being provided the opportunity to review the proposal and make this recommendation.

  
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James Manning, Chair  
West Linn Historic Review Board

9/13/23  
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Date