



CITY OF
West Linn

**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: April 24, 2024
FILE NO.: HDR-24-01
REQUEST: Class I Historic Design Review at 1822 5th Ave for replacement of a front door
PLANNER: Aaron Gudelj, Associate Planner

Planning Manager

DSW

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GENERAL INFORMATION

APPLICANT/OWNER: Marcus Malcom
1822 5th Ave
West Linn, OR 97068

SITE LOCATION: 1822 5TH Ave

SITE SIZE: 10,000 square feet

TAXLOT ID: 31E02BA06800

**COMP PLAN
DESIGNATION:** Medium Density Residential

ZONING: Residential, R-5
Willamette Historic District (Local Designation)
Willamette Historic Designation National Register

**APPROVAL
CRITERIA:** Community Development Code (CDC)
Chapter 13: Residential, R-5;
Chapter 25: Overlay Zones – Historic District;
Chapter 99: Procedures for Decision Making: Quasi-Judicial.

120-DAY RULE: The application became complete on February 26, 2024. The 120-day period ends June 25, 2024.

PUBLIC NOTICE: Notice was mailed to property owners within 300 feet of the subject property and to the Willamette Neighborhood Association on February 28, 2024. A sign was placed on the property on February 28, 2024. The notice was also posted on the City's website on February 27, 2024. Therefore, public notice requirements of CDC Chapter 99 have been met.

BACKGROUND

The applicant seeks approval for a Class I Historic Design Review to remove and replace a front door at a single-family residence identified as an eligible contributing historic resource at 1822 5th Ave. The current door has naturally deteriorated to a point that makes repair and restoration difficult: warping, cracking, and the areas around the door hardware are significantly deteriorated. The new custom wood door will be of similar design to the existing door, complete with a three-panel design and reuse of the existing stained-glass.

The subject property is located within the Willamette Historic District and the Willamette Historic District National Register and is identified as an eligible contributing historic resource. Pursuant to records from the State of Oregon Historic Site Database the property's flash glass paneled door is one of the multiple historic characteristics of the property along with the decorative shingles and cross gable at the front of the building. The subject and surrounding properties are zoned Residential R-5 with General Commercial zoning located 3 blocks to the north along Willamette Falls Drive.



Existing Front Door (Facing 5th Ave)



Public comments:

No public comments were submitted.

DECISION

The Community Development Director (designee) approves this application (HDR-24-01), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, and 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met.

- 1. Plans, Elevations, and Narrative. The project shall conform to the plans, elevations, and narrative submitted in Exhibit PD-1 and obtain all necessary building permits.**

The provisions of the Community Development Code Chapter 99 have been met.

Aaron Gudelj
Aaron Gudelj, Associate Planner

April 24, 2024
Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date. The appeal fee is \$400. The appeal must be filed by an individual who has established standing by submitting comments before the decision date.

Mailed this 25th Day of April, 2024.

Therefore, the 14-day appeal period ends at 5 p.m. on May 9, 2024.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
HDR-24-01**

This decision adopts the findings for approval contained within the applicant’s submittal, with the following exceptions and additions:

Community Development Code (CDC) Chapter 13 Residential, R-5

13.030 Permitted Uses

The following uses are permitted outright in this zoning district:

- 1. Single-family attached or detached residential unit.
 - a. Duplex residential units.*
 - b. Triplex residential units.*
 - c. Quadplex residential units.**
- 2. Cottage cluster.*
- 3. Townhouse.*
- 4. Community recreation.*
- 5. Family day care.*
- 6. Residential home.*
- 7. Utilities, minor.*
- 8. Transportation facilities (Type I).*
- 9. Manufactured home. (Ord. 1308, 1991; Ord. 1500, 2003; Ord. 1584, 2008; Ord. 1614 § 3, 2013; Ord. 1635 § 12, 2014; Ord. 1736 § 1 (Exh. A), 2022; Ord. 1745 § 1 (Exh. A), 2023)*

Staff Finding 1: The applicant’s proposal is to remove and replace an existing front door on an existing single-family residence due to natural deterioration. The existing single-family use is an allowed use in the R-5 zone and will not change as a result of the proposed project. The criteria are met.

Chapter 25: Overlay Zones – Historic District

25.060 Design Standards Applicable to Historic Resources

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resource eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC 25.080.

- A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:
 - 1. Retention of original exterior construction and overall structural integrity. The original exterior construction and structural integrity shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, windows and doors including their**

related functional and decorative features, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.

Staff Finding 2: The existing front door has deteriorated beyond repair. The proposed replacement of the front door will involve reuse of the existing stained/flash glass to the greatest extent feasible and the new door will feature a three-panel design similar to the existing door. The criteria are met.

2. Retention of exterior historic material. Removal or alteration of historic exterior materials and features shall be avoided during the construction of new additions or alterations. Deteriorated materials and architectural features shall be repaired rather than replaced, unless the material is beyond repair. In the event replacement of an existing feature is necessary, new materials shall match those of the original building in terms of composition, design, color, texture, and other visual features.

.....

Staff Finding 3: The existing front door has deteriorated beyond repair. The proposed replacement of the front door will involve reuse of the existing stained/flash glass to the greatest extent feasible and the new door will feature a three-panel design similar to the existing door. The criteria are met.

3. Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.

....

Staff Finding 4: The applicant proposes to reuse the existing stained/glass as well as utilizing a three-panel design on the new door; similar to the existing design. The alteration will re-use existing door materials and will be consistent with the existing historical character of the door/building. The criteria are met.

16. Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.

....

Staff Finding 5: The proposed new door will be painted the same color as existing door and will reuse the stained/flash glass from the existing door. The criteria are met.

Chapter 99: Procedures for Decision Making: Quasi-Judicial

99.060 APPROVAL AUTHORITY

This section explains the authority of the Planning Director, Planning Commission, City Council, and Historic Review Board as it relates to quasi-judicial and legislative action.

A. Planning Director authority. The Planning Director shall have the authority to:

.....

v. *Class I Historic Design Review (Chapter 25 CDC).*

Staff Finding 6: The Planning Director(designee) approves the application subject to conditions. The criteria are met.

99.080 NOTICE

Notice shall be given in the following ways:

...

B. *Class B Notice. Notice of a proposed action on a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:*

1. *At least 14 days prior to the decision date, a notice shall be sent by mail to:*
 - a. *The applicant or their agent;*
 - b. *The affected recognized neighborhood association or citizens advisory committee; and*
 - c. *All property owners of record within 300 feet of the site perimeter;*
2. *At least 10 days prior to the earliest date that the approval authority can take action on the application, the applicant shall place a sign, provided by the Community Development Department, on the subject property in plain view. The sign shall state, "This property is the subject of a land use decision," with the type of use or request indicated.*
3. *The Director shall cause an affidavit of mailing of notice and posting of notice to be filed and made part of the administrative record.*
4. *At the conclusion of the land use action the signs shall be removed.*

Staff Finding 7: A Class B Notice was prepared and sent via mail to the applicant, the affected neighborhood association, and all property owners within 300 ft. of the site perimeter on February 28, 2024. A sign detailing the property as being the subject of a land use decision with case details was placed on the property on February 28, 2024. An affidavit of mailing of notice and posting of notice was filed in the land use case record (see Exhibit PD-5). The sign was removed after the conclusion of the action on 5/9/24. The criteria are met.

EXHIBIT PD-1: APPLICANT SUBMITTAL

City of West Linn, Oregon Class I Historic Design Review:

Marcus & Jenny Malcom Residence

1822 5th Avenue West Linn, Oregon 97068

Site Information

Site Area: 10,000 square feet

Neighborhood: Willamette

Comp. Plan: Medium Density Residential

Zoning: R-5 (Single-Family Residential Detached and Attached/Duplex) Overlays: Willamette Historic District Overlay Zone

Project Details

The applicant is proposing a main floor replacement of the front door with a custom wood door that matches as closely as possible the existing door: 3 panel door style, trim and all glass. We will attempt to reuse the existing stained glass or in-kind replacement. The current door has significant damage which makes repair and restoration difficult: warping, cracking and the areas around the door hardware are severely damaged.

The house location is 1822 5th Avenue property, which is in the locally designated Willamette Historic District and inside of the National Register district. Door to be installed at the front of the house facing 5th street. The lot is zoned R-5 and is 10,000 square feet. The property is on the north side of 5th Avenue at the corner of 5th Avenue and 13th Street. Per Clackamas County Assessor data, the house was built c. 1899.

Packet Table of Contents:

- A. Development Review Application
- B. Historical Review Written Narrative (CDC 25.060 & CDC 25.070)
 - a. Historical 1899 5th Ave. Photo of Residence
 - b. Photos of 2024 Existing Residence (door)

B. Historical Review Written Narrative (CDC 25.060 & CDC 25.070)

CDC 25.060:

DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC 25.080.

A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:

1. Retention of original construction.

The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.

The original house constructed in 1899 shall be maintained or restored to the greatest extent practicable during the removal of the original door and the installation of an in-kind door for this project.

2. Retention of historic material.

Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.

The only removal will be the front door itself and possibly some damaged wood sections to the door frame.

3. Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.

The time period of the original 1899 building shall remain consistent.

4. Significance over time. Changes to a property that have acquired historic significance in their own right, and during the period of significance, shall be retained and preserved.

There are no additional changes to the property that have acquired historical significance.

5. Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.

Wood door replacement will be custom built and be as close as possible to the original door.

6. Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.

Since we will be replacing the front door this will be hard to reverse, but can be done.

7. Building additions.

No building additions planned and this section does not apply to the proposed project.

8. Building height and roof pitch.

No changes to the building height or roof pitch and this section does not apply to the proposed project.

9. Roof materials.

No changes to the roof planned and this section does not apply to the proposed project.

10. Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction.

This project will not replace any siding or make any alterations to exterior walls.

11. New exterior walls and siding.

No new exterior walls or siding will be used in this project.

12. Gutters and downspouts.

No gutters or downspouts will be used in this project.

13. New windows.

No new windows will be used in this project.

14. Storm windows.

No storm windows will be used in this project.

15. Window replacement.

No window replacement will be done in this project.

16. Doors.

Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.

A custom wood door will be replacing the current door. We are taking great care to replicate the door to match as close as possible including:

- Dimensions will stay the same
- 3 panel shape and size will be matched
- Trim and moldings will be matched
- As much of the original glass that can be reused will be installed in the new door
- Paint the same color

17. Porches.

No porches will be impacted by this project.

18. Decks.

No decks will be impacted by this project.

19. Foundations.

No foundations will be impacted by this project.

20. Lighting.

No lighting will be impacted by this project.

B. Standards for accessory structures. The following standards apply to accessory structures on properties designated as historic resources in addition to the regulations in Chapter 34 CDC:

Accessory structures are not involved in this project, this section does not apply.



5th Avenue Original Home c. 1899



Front door 2024

EXHIBIT PD-2: OREGON HISTORIC SITE RECORD FROM STATE OF OREGON

Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
address:	1822 SW 5th Ave West Linn, Clackamas County	historic name:	Baker House
assoc addresses:		current/other names:	Baker, Benjamin & Mary Ann, House; Miller-Baker House
location descr:		block/lot/tax lot:	/ 6800
		twshp/rng/sect/qtr sect:	1S 1E 19 BA
PROPERTY CHARACTERISTICS			
resource type:	Building	height (stories):	1.5
elig evaluation:	eligible/significant	total elig resources:	2
prim constr date:	c.1899	total inelig resources:	0
	second date:	NR Status:	Listed in Historic District
		date indiv listed:	
primary orig use:	Single Dwelling	orig use comments:	
second orig use:		prim style comments:	
primary style:	Queen Anne	sec style comments:	
secondary style:	Vernacular	siding comments:	Covered with asphalt shingles. Decorative shingles in gable peak.
primary siding:	Shingle	architect:	
secondary siding:		builder:	
plan type:	Crosswing		
comments/notes:			
GROUPINGS / ASSOCIATIONS			
Survey/Grouping Included In:	Type of Grouping	Date Listed	Date Compiled
West Linn Selective RLS 2011	Survey & Inventory Project		2011
West Linn Survey- Willamette Conservation District	Survey & Inventory Project		2006
West Linn, Willamette Falls Neighborhood, RLS 2008	Survey & Inventory Project		2008
Willamette Historic District	Listed Historic District	09/24/2009	2008
SHPO INFORMATION FOR THIS PROPERTY			
NR date listed:	N/A	106 Project(s):	None
ILS survey date:		Special Assess Project(s):	None
RLS survey date:	03/17/2006	Federal Tax Project(s):	None
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Main Entrance: Encircling porch with flat roof supported by plain posts with consoles and pendants from cornice (?). Notes: Turret with flared tent roof, weather vane, bracketed eaves and paired 1/1 double-hung windows. Brick foundation. Land for the town of Willamette was purchased from B.F. Baker by the Willamette Falls Electric Company, predecessor of Portland General Electric. Baker stipulated that 12th Street run from town to the river to allow residents access to the docks.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
The house at 1822 5th Ave. was constructed in 1899. This house was known as the Miller-Baker House for its association with Charles Miller and the Baker family. Edwin Woodworth, principal and superintendent of Willamette School for many years also owned this home.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
Local Library:		University Library:	
Historical Society:		Other Respository:	
Bibliography:			

EXHBIT PD-3: CUTLTURAL RESOURCES SURVEY

Cultural Resource Survey Form:

CLACKAMAS COUNTY

T. D. NUMBER WL-2-58

PHOTO INFORMATION:

ROLL: XXX
FRAME: 8

STUDY AREA: West Linn
LEGAL: T. 3 R. 1E SEC. 2BA
TAX (LOTS): 6800
ZONE _____ SIZE .23

IDENTIFICATION:

COMMON/HISTORICAL NAME: Baker Residence
ADDRESS: 1822 S.W. 5th Avenue AREA: West Linn
CURRENT OWNER: EDWIN A. WOODWORTH USE: Residence
OWNER'S ADDRESS: same West Linn
ORIGINAL OWNER: BENJAMIN and MARY ANN BAKER USE: Residence
AREA OF SIGNIFICANCE: TOWN: X COUNTY: _____ CITY: _____ NATION: _____

HISTORIC INTEREST:

THEME: Architecture - 19th Century DATE: ca. 1895
DESCRIPTION: Land for the town of Willamette was purchased from B. F. Baker by the Willamette Falls Electric Company, predecessor of Portland General Electric. Baker stipulated that 12th Street run from town to the river to allow residents access to the docks.

ARCHITECTURAL INTEREST:

STYLE: Queen Anne Vernacular STORIES: 1 1/2
DATE: ca. 1895 CONDITION: Good ARCHITECT: _____
SIDING: Covered with asphalt shingles. Decorative shingles in gable peak.
ROOF: Cross gable.
DOORS: Paneled with flash glass.
WINDOWS: Appear to be replaced. Diamond windows on east elevation.

MAIN ENTRANCE: Encircling porch with flat roof supported by plain posts with consoles and pendants from cornice (?).

NOTES: Turret with flared tent roof, weather vane, bracketed eaves and paired 1/1 double-hung windows. Brick foundation.



BIBLIOGRAPHY:

0, 51

DATE: 1/16/84

RECORDER: BORGE/ALTIER
445

EXHBIT PD-4: COMPLETENESS LETTER



CITY OF West Linn

February 26, 2024

Marcus Malcom
1822 5th Ave
West Linn, OR 97068

SUBJECT: Class I Historic Design Review for Replacement of the Front Door at 1822 5th Ave.

Dear Mr. Malcom:

Your application was accepted for review on February 14, 2024, and deemed **complete** on February 26, 2024. The city has 120 days to exhaust all local review; that period ends June 25, 2024.

Please be aware that determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Director to render a decision on your proposal.

A 14-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

Please contact me at 503-742-6058, or by email at jfloyd@westlinnoregon.gov if you have any questions or comments.

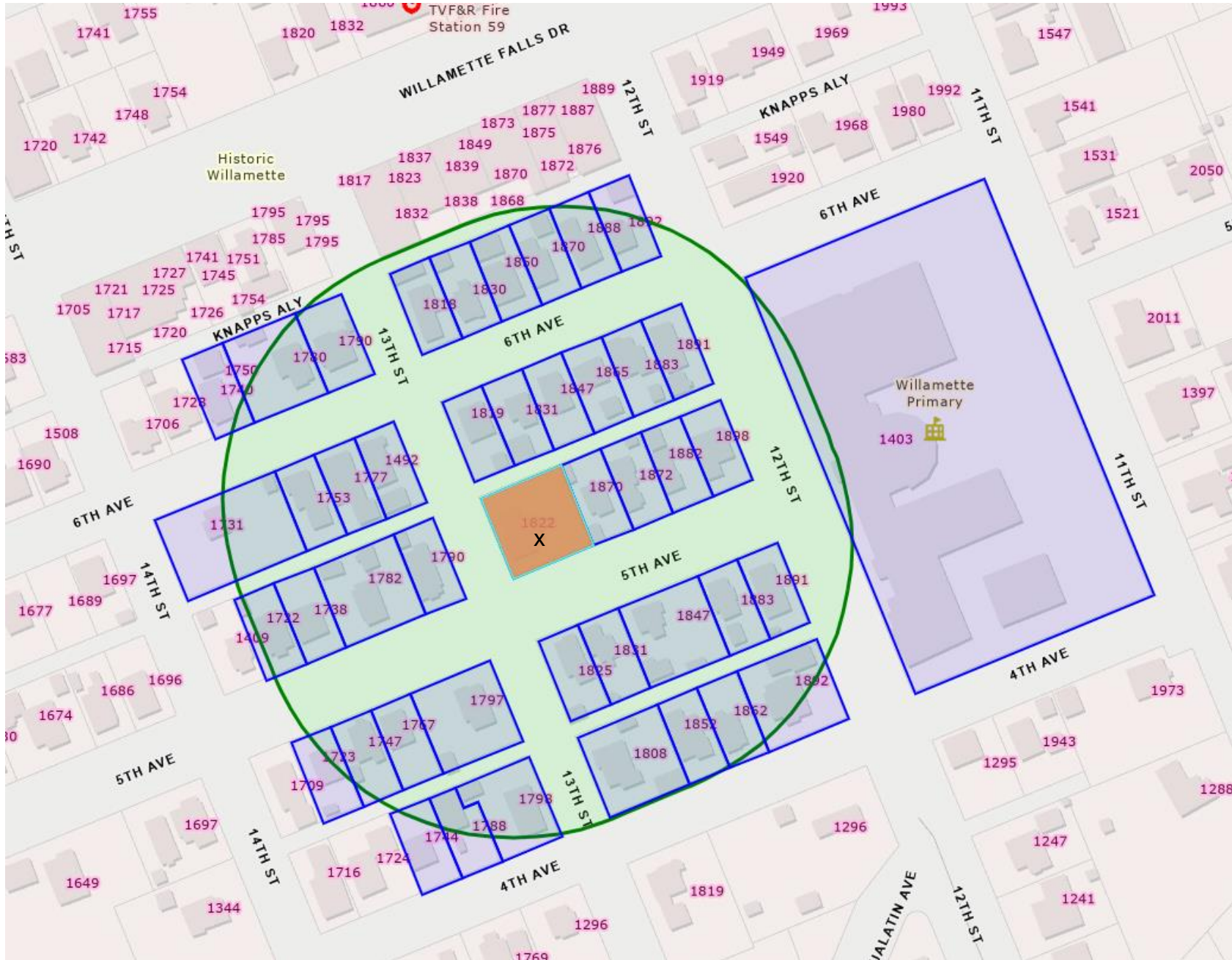
Sincerely,



John Floyd
Senior Planner

EXHIBIT PD-5: AFFADAVIT AND NOTICE PACKET

HDR-24-01 – Notified Properties within 300 feet of 1822 5th Avenue





CITY OF
West Linn

**WEST LINN PLANNING DIRECTOR
NOTICE OF FINAL DECISION
FILE NO. HDR-24-01**

On April 24, 2024, the West Linn Planning Manager approved a request by Marcus Malcom for a Class I Historic Design Review to remove/replace a front door at an eligible contributing resource at 1822 5th Ave. The decision was based on the facts, findings, and conclusions found in the record.

The Planning Director Decision and application are posted on the City's website <https://westlinnoregon.gov/planning/1822-5th-ave-class-1-historic-design-review>

Alternatively, the Final Decision, complete application, and all documents or evidence are available for inspection at City Hall at no cost. Copies may be obtained at a reasonable cost.

Persons who have established standing in this matter may appeal this decision to the West Linn City Council within 14 days of the Final Decision Notice mailing date pursuant to the provisions of CDC Chapter 99 and any other applicable rules and statutes.

Appeals must be filed with the West Linn Community Development Department with the \$400 appeal fee by 5:00 pm. An appeal must include:

- The \$400 appeal fee;
- A reference to the decision (project number) to be appealed;
- The name, address, and signature of the appellant; and
- A statement explaining how the petitioner qualifies as a party of standing, as provided by CDC 99.140.
- The appeal application may state the grounds for appeal.

Any questions should be directed to **Aaron Gudelj at 503-742-6057 or agudelj@westlinnoregon.gov**.

This decision shall become effective at 5:00 p.m. on the fourteenth day from the date of mailing this notice of final decision, unless appealed.

Mailed **April 24, 2024**.

Therefore, this decision becomes effective at 5 p.m., **May 8, 2024**.