

From: [Paul Edgar](#)
To: [Kelly Reid](#); [Laura Terway](#)
Cc: [Ron Bistline - Beaver Creek & Canemah](#); [Jim Nicita - Home/office](#); [Howard Post - Canemah](#); [John M. Lewis](#); [Todd Iselin](#)
Subject: Re: Last night's HRB and Ken Baysinger
Date: Tuesday, September 04, 2018 9:00:39 PM

Good and next week is great. Ron had suggested next week to me too. I will wait to hear if Jim wants to be part of this and I would like to invite Howard Post.

What is important is that you guys have virtual control of the steering wheel and any response made to HR 18-11 will be predicate to how you see all of this.

I feel like Senator John McCain in all of this, with straight talk and for the record I copied Todd Iselin. His bus is however driven by his client, but there is code and these Building Guidelines.

We have an additional issue/opportunity of this undersized pipe that is in Apperson Street and something has to be done. This pipe currently carries water that is part of a perennial creek that flows from the continuance of water coming from the Historic Canemah Waterworks, to the Miller Street Canemah Wetlands, to this pipe that was put into this creek bed between 4th and 5th Avenues and connects into unimproved Apperson Street. This pipe is illegal, as it was never permitted when it was put in. This pipe would have to be completely replaced, with any new construction as part of HR 18-11 and the subsequent improvements to Apperson Street as within conditions of approval.

This pipe and the illegal fill is the reason that with extreme water/rain/snow events, that water gets so deep in the Canemah Wetlands, that this pipe which is of inadequate capacity, creates this added problem/opportunity. In these extreme events, naturally occurring waters just damns up at the entrance to this pipe and with all of the illegal fill it creates this damn, where the water gets so deep in these wetlands, that it flows over Miller Street and down through yards to 4th Avenue and then on to 3rd Avenue. This last happen, approximately 10-years ago.

If the proposed Cottages (now under appeal) were built, the water would be approximately one foot over the First floor of these proposed Cottages. A whole historic stream bed was illegally buried when this pipe was put in and now it has to be brought up to standards with a larger size pipe or the stream bed completely restored to its natural state, which we all know would be environmentally the best.

Thank you, Paul

On 9/4/2018 5:05 PM, Kelly Reid wrote:

Hi Paul,

I would be happy to meet with you to discuss this, perhaps next week. Can you please confirm who would be in attendance?

Thanks,

Kelly Reid, AICP, Planner
Oregon City Planning Division
698 Warner Parrott Road
Oregon City, OR 97045
(503) 496-1540
kreid@orccity.org

Website: www.orccity.org | [Recorder Page](#)
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State Retention Schedule and may be made available to the public.*

From: Paul Edgar [<mailto:pauloedgar@q.com>]
Sent: Tuesday, September 04, 2018 10:44 AM
To: Laura Terway <ltterway@orccity.org>
Cc: Ron Bistline - Beavercreek & Canemah <ronbistline@hotmail.com>; Kelly Reid
<kreid@orccity.org>; Jim Nicita - Home/office <james.nicita@gmail.com>
Subject: Re: Last night's HRB and Ken Baysinger

Would it be possible to meet with you on HR18-11, we need to better understand the direction the your department is going and recommending with this hearing.

1. Do you consider Preservation Incentives as still applying to "Vacant Land"?
2. Do you or do you not consider Oregon City Historic District - Building Guidelines, "Codified Code" that must be complied with?
 - A. **Porch:** Prominent front porch, roof supported with substantial pillars; **roof often continues down to create cover over porch; at main story only.**
 - B. **Height: One, or more often one-and-a-half stories high; possible basement. (This does not list 2 story Bungalows, that are twice the size of any contributing Canemah District Bungalow.)**
 - C. **While there may be several styles dominant within the district, the specific choice of a style shall compatible with adjacent properties, the block, and the neighborhood. (That reads as it does not include the McLouglin Conservation District for Comparable/Compatibles.)**
 - D. Please tell us how this multi level garage, that has virtually NO design compatibility and with this outside deck/patio does not detract from this National Register Historic District?
3. ORS 244.040 prohibits a "Public Official (and Immediate Family)", Ken Baysinger from using or attempting to use their official position to obtain a personal financial benefit.
 - A. If Ken Baysinger (Team Baysinger) made money selling this parcel and did not make this information known before the HRB Hearing, there is reason to believe that he is in violation of ORS 244.040.
 - B. If Ken Baysinger had recused himself and he did not at this past HRB Hearing, it would not have been able to go forward as it would not have had the

minimum needed quorum.

Thank You, Paul Edgar

On 8/30/2018 11:59 AM, Paul Edgar wrote:

Just an update on 8/30/18, it has been suggested to me that in fact Team Baysinger sold the property under review with HR 18-11. We are attempting to get this verified. If this is true and Ken Baysinger said under oath that he had no conflicts of interest, that would be an ethics violation. He told the immediate neighbors, that they (Team Baysinger) were the listing agents for the property under review in HR 18-11, where if verified and they made money doing so, Ken Baysinger is in violation of State of Oregon Ethics Laws.

Paul

PS: This should not be considered part of the record of HR18-11, as this is a separate issue of ethics.

I asked Ken Baysinger, about conflicts of interest with Agenda Items going before the HRB. In both cases he confirmed that the Canemah Neighborhood Association has not taken the responsibility to review and discuss any of the actions that went before the HRB, that were about properties in review from Canemah.

Apparently, CNA activities and/or review coming from the only authorized entity identified by the City of Oregon City to satisfy mandated Goal 1!

Jim Nicita made comment to the HRB on how the Oregon City Historic District Building Guidelines have now been ruled on by LUBA as what is in-effect of them becoming "Standards" that must be complied with just like OCMC 17.40 Codes. Jim went on to attempt to explain his new finding on how Preservation Incentives do not applying to New Construction.

Design Guidelines for New Construction - Style Compatibility

Determining the appropriate style for a new infill project is an important initial step in the design process. **Each historic district has different styles that were prevalent during the historic period of significance.** These styles are what create the historic context. New construction shall compliment one of these styles to support the historic context. **Use of other styles dilutes and distracts from the historic**

context of the district. (There is NO context of Very Large 2 Story Bungalow Houses in the upper areas above 3rd Avenue in Canemah)

While there may be several styles dominant within the district, the specific **choice of a style shall compatible with adjacent properties, the block, and the neighborhood.** It also must be fitting for the particular function of the building and its size. **(There are NO Contributing Bungalow Houses in this area of Canemah)**

Bungalow Forms and Styles are Different Canemah from McLoughlin

The second most common architectural style in Canemah is the Bungalow, built between 1909-1928. While many of the homes in this style are located on the river side of McLoughlin Boulevard, others are scattered on the hillside, up to 4th Street.

Bungalow Building Form - Canemah:

Building form is difficult to modify for additions, but has versatile floor plan.

More emphasis on the horizontal than Vernacular; this extends into porch, dormer and window design; more ‘ground hugging’,

Shape: floor plans are either rectangular, or square,

Height: One, or more often one-and-a-half stories high; possible basement,

Roof: Low-pitched (6:12 minimum) gable roof; front or side facing,

Porch: Prominent front porch, roof supported with substantial pillars; **roof often continues down to create cover over porch; at main story only.**

Garages: Not found historically; informal graveled parking next to street or along house.

From: [Paul Edgar](#)
To: [Laura Terway](#)
Cc: [Kelly Reid](#); [Jim Nicita - Home/office](#); [Howard Post - Canemah](#); [Patti Webb](#)
Subject: Last night's HRB and Ken Baysinger
Date: Wednesday, August 29, 2018 1:05:12 PM

I asked Ken Baysinger, about conflicts of interest with Agenda Items going before the HRB. In both cases he confirmed that the Canemah Neighborhood Association has not taken the responsibility to review and discuss any of the actions that went before the HRB, that were about properties in review from Canemah.

Apparently, CNA activities and/or review coming from the only authorized entity identified by the City of Oregon City to satisfy mandated Goal 1!

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The Canemah National Register Historic District is the Resource

Not it's Individual Parts

- 1. The Canemah National Register Historic District is significant as a collective whole and should be protected in its entirety.**
- 2. New Infill Construction should respond to and protect the integrity of the overall Historic District, much in the same way as an addition does to a Historic Building.**
- 3. The primary source for the Canemah National Register Historic District Status are identified within its Nomination Document, defining characteristics, to which new infill construction should complement and inform.**
- 4. New Infill Construction will reinforce the Historic Significance of the Canemah National Register Historic District.**
- 5. Infill buildings should relate to and strengthen the core characteristics of the Historic District, as identified in the National Register nomination "Statement of Significance".**
- 6. New infill Construction should build upon the story, of the Historic District, through its design, landscape, use, and cultural expression.**
- 7. New Infill Construction should "Compliment and Support the Historic District", with discernible aesthetics, massing, scale and siting.**
- 8. New Infill Houses should not deviate in a detracting manner from the elements that made the Historic District significant and should appear as a complementary member of the District.**
- 9. The design, mass, siting, floor ratio and height, all should correspond to the "Contributing Buildings/Houses within the Historic District", all around you.**
- 10. The Exterior Envelope and Patterning of new Infill Buildings/Houses will reflect the Historic District Characteristics.**
- 11. Infill design elements, patterning, texture and materials should reflect the aesthetic and Historic Themes (Ship Captains) of the Canemah Historic District.**
- 12. Automobile Infrastructure (garages) should be appropriately concealed, when not consistent with the Historic District's Architectural Character.**



7537 SE 116th Ave
Portland Or. 97266
Phone/Fax: 503-760-6642
rdgreencontractor@yahoo.com
CCB #7999

Date: 8-24-18

City of Oregon City Historic Review Board

RE: HR 18-11

To whom it may concern,

As a nearby property owner in Canemah I would like to share my thoughts and concerns regarding the appropriateness of the proposed development relative to my understanding of the goals of the national historic district. I have reviewed the presented submittals and am aware of the modifications that have been made to satisfy concerns that previously have been made.

Regarding the appropriateness of the bungalow style south of 3rd in my view should not be greatly troubling since it would be altogether possible for one to have utilized that style on a flatter parcel during the historic period of significance.

Regarding the styling of the residence, the modifications to bring the design in compliance with previous suggestions have been nicely done and it appears well in harmony with other examples of bungalow styling. I'm concerned that a requirement to lower the upper portion could needlessly compromise the livability and ultimate value of the home with little or perhaps no improvement in architectural styling.

The styling of the garage/ADU is of significant concern to me. In my view the architecture is significantly compromised in the effort to accommodate the large upper level terrace. While the desire for the open entertaining space is understandable it does not seem at all consistent with traditional bungalow styling. It would seem the garage could be 1-1/2 story styling similar to the residence and accommodate the relatively small ADU that is proposed in the upper level and perhaps even include a small covered sitting porch. Moving the stair access to the interior could be helpful as well.

Kind Regards,

Dave Green



7537 SE 116th Ave
Portland Or. 97266
Phone/Fax: 503-760-6642
rdgreencontractor@yahoo.com
CCB #7999

Date: 10-1-18

City of Oregon City Historic Review Board

RE: HR 18-11

To Whom it may concern,

I had opportunity to attend a portion of the HRB meeting of 9-25-18 and heard some of the discussion of this application. This is a follow up of comments I submitted 9-24 (erroneously dated 8-24) regarding architectural styling. In the discussion exploring means of bringing the design closer to "safe harbor" standards I'm increasingly convinced that lowering the upper level to 5' walls not only would significantly compromise the livability and value of the home (loss of windows and reasonable spaciousness) but would compromise the architecture as well by disrupting typical pleasing proportions - the upper level likely appearing "squat" - in a potentially misguided effort to make it appear something it is not. Two possibilities occur to me that may allow 7' walls and mitigate the 2 story appearance, one would be to add a gable roof element (with possibly a small main floor bump out to justify it) and connecting eave eyebrow to the right elevation, somewhat mirroring the left elevation to break up the 2 story right elevation. That said, it seems public view of that side of the residence would be limited or non-existent. The other possibility would be to lower just the first 2-4 feet of the upper level walls to give the appearance of a wide shed dormer on each side, not unusual in bungalow styling but may trigger adjustment of other roof pitches. It would seem the overall attempt of the guidelines on massing is to promote modest sized and proportioned residences and in my view this application nicely meets that intent.

In contrast, my previously expressed concerns regarding the styling of the garage/ADU remain - in my view attempts at tweaking to make it something it is not would likely fall short. I think a re-design to bring it more in harmony with the residence and the historic neighborhood would be appropriate.

Kind Regards,

Dave Green