

**Historic Review**

**Staff Report for a Single Family Home and Detached Garage/ADU in the Canemah Historic District  
October 16, 2018**

- FILE NO.:** HR 18-11: Historic Review Board review of a new single family home and detached garage with upper floor accessory dwelling unit in the Canemah National Register Historic District.
- HEARING DATE:** October 23, 2018  
7:00 p.m. – City Hall  
625 Center Street  
Oregon, City, Oregon 97045
- APPLICANT:** Todd Iselin  
1307 7<sup>th</sup> St  
Oregon City, OR 97045
- OWNER:** Karen and Morris Schademan  
18561 Terry Michael Dr.  
Oregon City, OR 97045
- LOCATION:** Unimproved Apperson and 5<sup>th</sup> Avenues  
Clackamas County Map 3-1E-01AA, Tax Lot 2602  
Oregon City, OR 97045
- REQUEST:** New single family home and detached garage with upper floor accessory dwelling unit in the Canemah National Register Historic District. The application includes a request for preservation incentive to reduce side setback.
- REVIEWER:** Kelly Reid, Planner, AICP
- RECOMMENDATION:** Staff is looking for direction and findings from the Board regarding the second story height and the design of the garage/ADU. Conditions of approval are recommended if the Board finds the proposal is compatible with the district.
- CRITERIA:** Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and “R-6” Single-Family Dwelling District in Chapter 17.12 of the Oregon City Municipal Code. The City Code Book is available on-line at [www.orcity.org](http://www.orcity.org).

*Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the hearing, in person or by letter, with sufficient specificity to afford the Historic Review Board*

*and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Historic Review Board may be appealed to the City Commission by parties with standing within fourteen (14) calendar days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290(C) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.*

#### **Recommended Conditions of Approval**

*(P) = Verify that condition of approval has been met with the Planning Division.*

*(DS) = Verify that condition of approval has been met with the Development Services Division.*

*(B) = Verify that condition of approval has been met with the Building Division.*

*(F) = Verify that condition of approval has been met with Clackamas Fire Department.*

Prior to issuance of Building Permits:

1. The applicant shall minimize grading and comply with any applicable standards in the Geologic Hazard Overlay Chapter 17.44. (P, DS)
2. The applicant shall obtain all necessary permits for work in the Natural Resource Overlay District. (P)
3. For the latticework under the front porch, the applicant shall use 90 degree perpendicular wood lattice or other architectural styles appropriate for house, painted either to match the color of the house or to blend in with the surroundings. (P)
4. Exposed lattice proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one foot must be reviewed by the Historic Review Board. (P)
5. The applicant shall produce a sample of the MDO plywood material to staff; if the material is not equivalent to wood or smooth cement board, the applicant shall use an approved material. (P)
6. The applicant may reduce the setback along the alley to five feet for the accessory structure. (P)

Prior to issuance of a Certificate of Occupancy:

7. The proposed retaining wall shall be a rockery wall, or utilize concrete or natural basalt veneer. Any other material or a height change of more than one foot for the proposed retaining wall shall be considered a modification to this application and be reviewed by the Historic Review Board. (P)
8. Additional natural rockery walls that are less than 4 feet are allowed in the site without further Historic Review Board review, but will be subject to review for compliance with the Geologic Hazard Overlay District. (P)
9. The applicant shall provide visual screening of two large shrubs with at least 5 foot mature height and one tree with at least 25 feet mature height planted between the proposed ADU and the property line. (P)
10. The applicant shall minimize removal of trees greater than 6" DBH behind the home. If tree removal of trees over 6" DBH occurs on the back half of the property, the applicant shall replant one tree for each tree removed to preserve canopy. Replacement trees shall be 2" caliper minimum. (P)
11. Landscaping shall also be utilized to visually shield the massing under the porch and on side elevations and to provide a visual barrier between the proposed structures and the A.E. Davis

residence. A maximum of ten shrubs with minimum mature height of five feet and five large native trees with may be required, with final number and locations selected by staff after construction. Trees shall be a minimum 2" caliper at the time of planting. (P)

12. Incised lumber or pressure treated wood shall not be used on any visible surfaces. (P)
13. All railings, decking and stairs shall be finished to match the house body or trim. (P)
14. Carriage-style garage doors or an alternate that is compatible with the simple bungalow style of garages shall be utilized. (P)
15. The applicant shall utilize the following:
  - a. Wood or fiberglass windows and doors. If fiberglass windows are utilized, they shall be Marvin Integrity or equivalent. (P)
  - b. The window sash shall be the darkest color of the three color paint scheme.(P)
  - c. Simple bungalow styled exterior lighting.(P)

## I. BACKGROUND:

### Site and Context

The subject property is an undeveloped parcel located in the Canemah National Historic District and is located on the south side of unimproved 5<sup>th</sup> Avenue near the intersection of 4<sup>th</sup> Avenue and unimproved Apperson Street.

The subject property is within the Geologic Hazards Overlay District and the Natural Resources Overlay District (NROD) which will be reviewed through a separate process. An unimproved alley lies to the west of the property.

The lot is accessed by a driveway from 4<sup>th</sup> Avenue that is also shared by 702 4<sup>th</sup> Avenue and 616 4<sup>th</sup> Avenue.



*Aerial photo and topography (2ft contours)*





*Existing Conditions*



*Driveway from 4<sup>th</sup> Avenue*

### **702 4<sup>th</sup> Avenue**

The A.E. Davis House is a 1.5 story Vernacular style home that is eligible/contributing in the district. Built circa 1885, it has a full width original porch and porch posts, and a one-story addition at the rear. Windows are wood doublehung, many 4/4, some 1/1.



4<sup>th</sup> Ave- A.E. Davis Hous (c. 1885) Southwest of project site

### **803 5<sup>th</sup> Ave**

The Edward & L.C. Nuttall home is a 1.5 story Vernaculr home built circa 1895. It is eligible/contributing in the district. It has a gable roof and full width front porch circa 1905 and a one-story addition on the rear. The home has been altered with asbestos siding. Windows are 4/4 and 1/1 on the addition.



Edward and LC Nuttall House (c. 1895) South of project site

### **707 4<sup>th</sup> Avenue**

The George and Martha Draper house, built circa 1876, is eligible/contributing in the district. Using gothic revival and vernacular styles, the house is 1.5 stories with a gable roof facing 4<sup>th</sup> Avenue and a side entry. Windows are typical wood double hung 4/4 with a 1/1 window on the south façade and a stained glass window on the west façade. Additions have been added over the years.



**APPLICANT'S SUBMITTAL:**



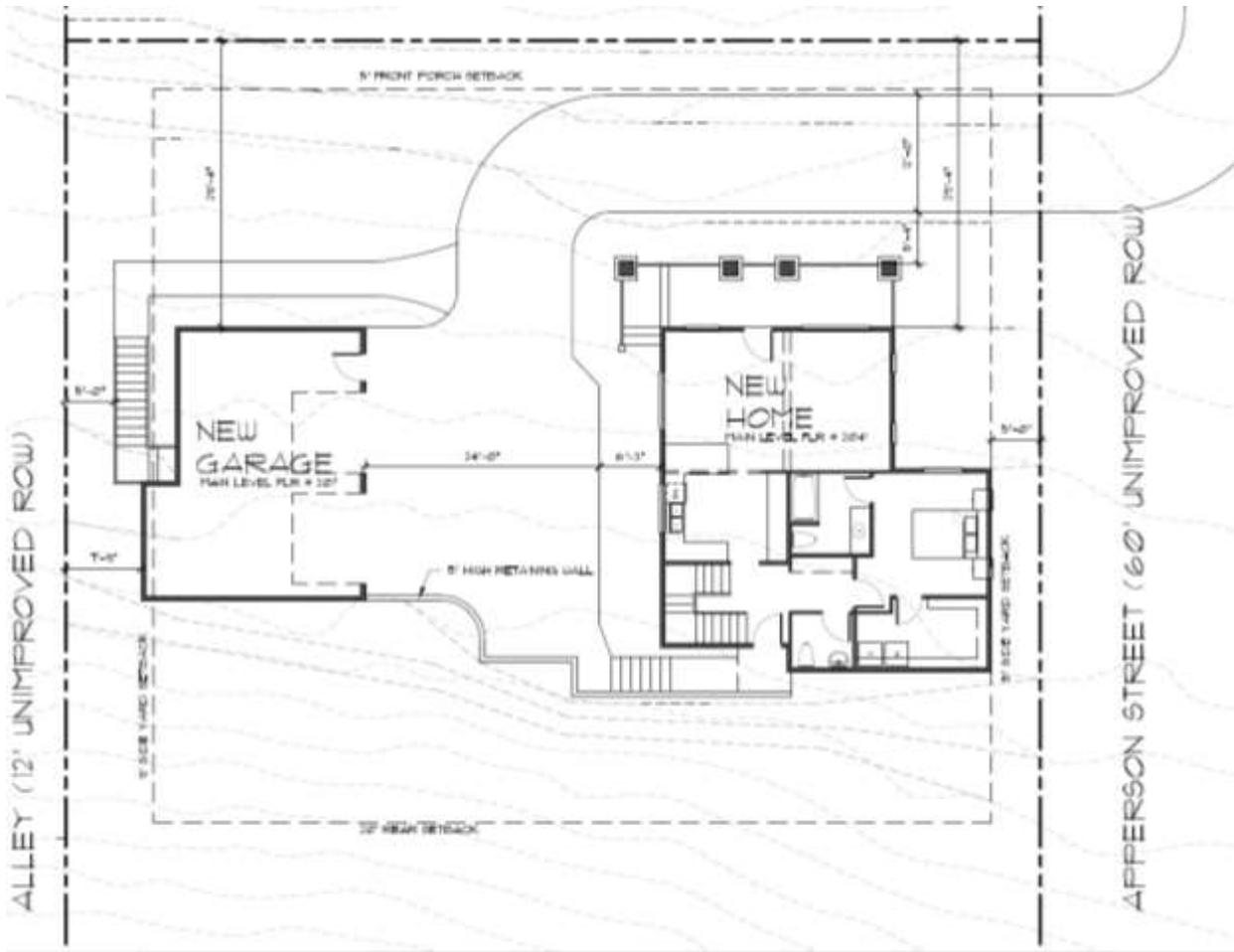
*Rendering from 4<sup>th</sup> Avenue*



*Rendering from 4<sup>th</sup> Avenue*



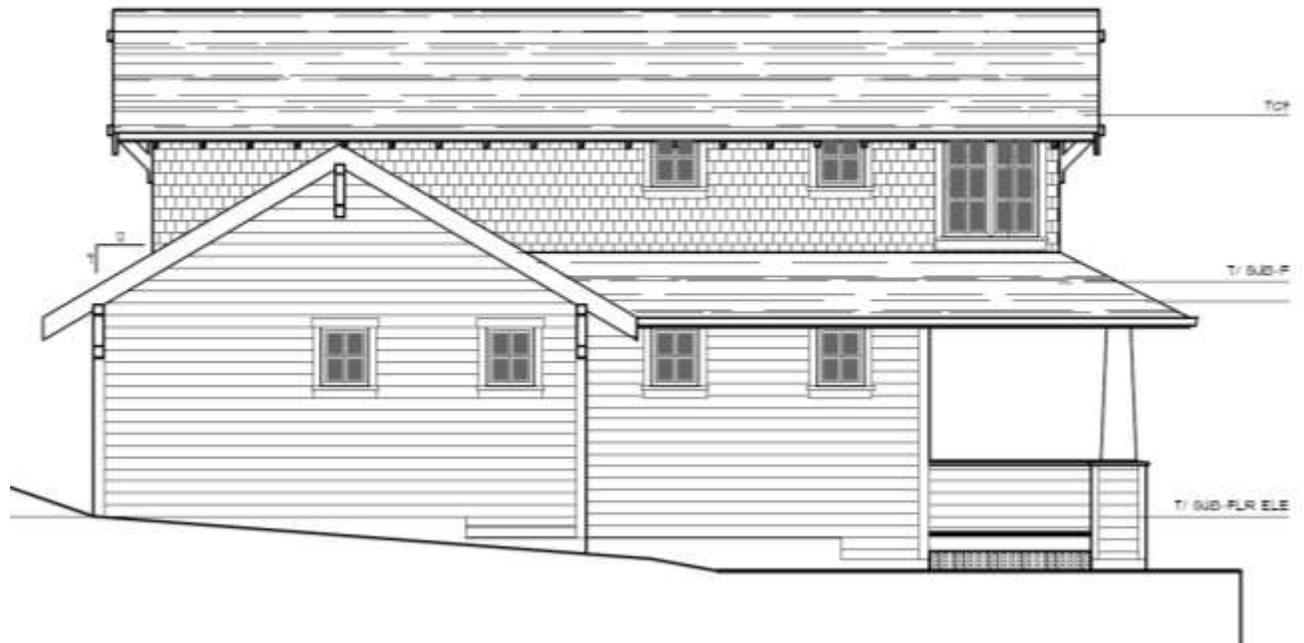
*Rendering from 4<sup>th</sup> Avenue*



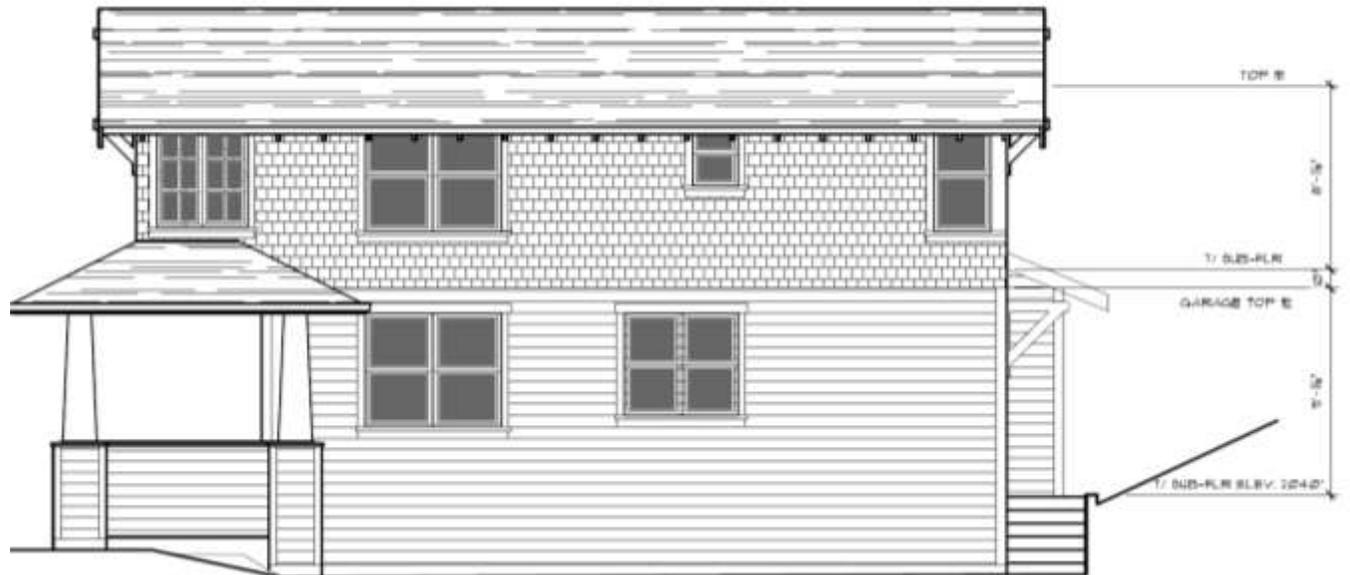
Site Plan



Front elevation: house



*East elevation*



*West elevation*



Rear elevation – house



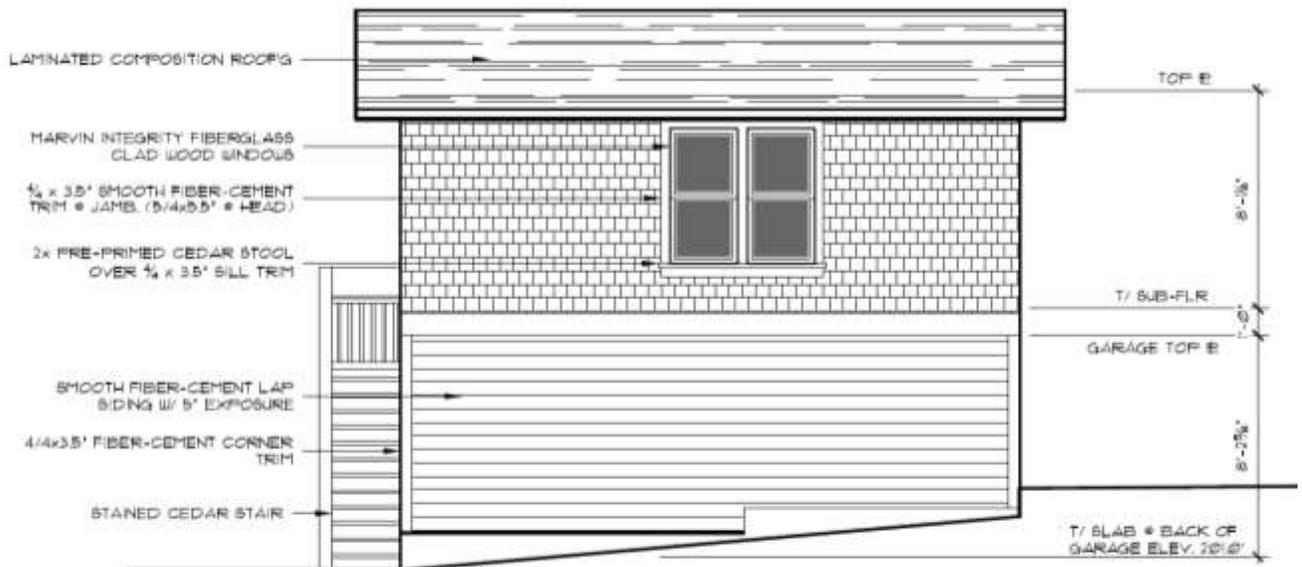
Front elevation: garage



LEFT SIDE ELEVATION - GARAGE



RIGHT SIDE ELEVATION - GARAGE



Rear elevation – garage

**Project Summary:**

The applicant submitted the following narrative:

*The site is currently vacant and is proposed to be accessed by a private driveway from 4th Ave utilizing the unimproved Right of Way of the platted Apperson St. The site is steeply sloping downhill from 5th Ave toward 4th with a fairly level section at the center of the property where development is proposed. A geo-technical report was completed on April 19, 2018 and finds the site to be suitable for the proposed development.*

*The proposed development will consist of a new 1600 s.f., two story single family home and a detached 588 s.f. garage with a 292 s.f. studio apartment above the garage.*

*The buildings have been designed as modified 2 story bungalow structures with style elements per the guidelines for the Canemah Historic District.*

*A preservation incentive is being sought with this application to reduce the 9' side yard setback to the west on the side of the unimproved alley. We are requesting this side yard setback be reduced to 5' rather than pursuing a vacation of the unimproved alley. This will allow for better vehicle maneuvering area on site and a larger landscape buffer from the home to the driveway.*

**Zoning:**

The property is zoned R-6 Single-Family Dwelling District and Low Density Residential in the Comprehensive Plan. The property is also located with the Geologic Hazard and Natural Resource Overlay Districts. The applicant must receive approval through the Geologic Hazard and Natural Resources review processes, if applicable, prior to release of building permits.

**Notice and Public Comment:**

Public notices were mailed to property owners within 300 feet of the subject site, posted on the subject site, and published in a newspaper of general circulation. Public comments that were received are summarized below and responded to within this staff report. Full public comments are attached to this Staff report as Exhibit 3.

- Two comments suggested that preservation incentives are not applicable to vacant land in the historic district, based on the city's definition of "new construction" in Chapter 17.04. For a response, see findings in Section 17.40.065 of this report.
- Comments about the detached garage/ADU questioned the compatibility of the large upper level terrace and the exterior stair, purported that the design detracts from the district, and suggested that the structure be redesigned to better match the main dwelling.
- Two comments suggested that the City's guidelines for new construction be treated as mandatory criteria. Guidelines specifically mentioned include the 1.5 story height maximum, that porches are included on the first floor only, and that the style chosen is not compatible above 3<sup>rd</sup> Avenue.
- One comment was in favor of the bungalow design as modified after the first public hearing in August 2018, and brought up concerns that additional design changes, such as the lowering of the upper floor, may compromise the livability of the home, and would not result in a more compatible appearance.

Regarding the comments about the design guidelines being considered mandatory criteria: The adopted Design Guidelines for new construction contain provisions for an alternative path, as described on page 3, rather than the 'safe harbor' path, that strictly adheres to the guidelines. Using the alternative path requires Board evaluation of how well the proposal fits the intent of the guidelines, and of the overall effect on the historic district. Staff has limited discretion to recommend proposals that do not meet the design guidelines, but the Board has greater discretion to make findings that the design does not have an overall adverse effect on the district. A recent Land Use Board of Appeals (LUBA) ruling added that to determine whether the guidelines were intended to be a mandatory approval criteria, LUBA will apply "a case-by-case inquiry, examining the working and context of the particular plan and land use regulation provisions."

LUBA also found that the New Construction Design Guidelines have two parts: 1) Residential Building Styles, including “Characteristics of the Style”, which constitutes a description of the Canemah Historic District and are not mandatory approval criteria, and 2) Character Guidelines, which include activities and features listed in the ‘not allowed’ column, which are prohibited, and the Principle column, which merely lists good examples.

### **Staff Analysis Executive Summary:**

The applicant has proposed a home with a detached ADU/garage on a 10,000 square foot property. The proposed design of the home strays from the design guidelines; the applicant has chosen the alternative path, as described on page 3 of the adopted Design Guidelines for new construction, rather than the ‘safe harbor’ path, that strictly adheres to the guidelines. Using the alternative path requires Board evaluation of how well the proposal fits the intent of the guidelines, and of the overall effect on the historic district. Staff has limited discretion to recommend proposals that do not meet the design guidelines, but the Board has greater discretion to make findings that the design does not have an overall adverse effect on the district.

In Canemah, the guidelines call for homes to be designed in the Vernacular or Bungalow style. The proposed home has a “modified bungalow” design, with more height and vertical elements than a typical bungalow. The proposed home has a second floor with 6’ 6” wall height, which is marginally a two story design rather than the 1.5 stories maximum as called for in the design guidelines. The home has a wide front porch with thick tapered posts in the Bungalow style; the second story has an enclosed “sleeping porch.”

The design proposed does not stray excessively from the guidelines; its height and second story design are not typical to Canemah, but the design employs many bungalow design elements and features, and proposes quality materials that are compatible with the district. The detached garage/ADU is located to the side of the house on a less prominent portion of the site. While the height of the accessory structure is also not characteristic of Canemah, its small size and location serve to minimize its impact.

The applicant provided some precedent designs of two story bungalows in the region that were built within the period of significance for the Canemah district (1850-1928). The Board has also discussed a few examples in Oregon City during design advice sessions, including a two story structure at 819 6<sup>th</sup> Street in the McLoughlin District, and a two-story bungalow at 503 Madison St. – the Arthur and Daisy Farr House (see Exhibits 5 and 6).

The applicant has reduced the height of the second story of the home based on Board direction, but the design is still more than 1.5 stories. Staff is looking for direction from the Board on whether the reduction in second story height is enough to satisfy the intent of the design guidelines.

The applicant submitted renderings which demonstrate that the home will be minimally visible from 4<sup>th</sup> Avenue, when viewing the contributing structure, the A.E. Davis Residence (see Exhibit 4), which is located in front of the proposed home. Farther down on 4<sup>th</sup> Avenue toward the east, renderings demonstrate that the structures will be more visible, however, there are factors which mitigate this, which are discussed in the staff report. Staff is also looking for direction from the Board on the impact of

the garage/ADU design as seen from 4<sup>th</sup> Avenue on the western side of the A.E. Davis Residence. Design changes that may make the ADU design more compatible with the home are listed on page 27 of this staff report.

Staff has recommended several conditions of approval to address tree removal, grading, screening, and compatible materials.

Staff also recommends granting preservation incentives to allow the setbacks to be measured with the north property line considered the “front” rather than the side, and to reduce the setback along the alley to five feet.

#### **CODE RESPONSES:**

*17.40.060 - Exterior alteration and new construction.*

A. *Except as provided pursuant to subsection 1 of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

**Applicable:** The proposal for new construction in a historic district is being reviewed by the Historic Review Board.

B. *Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

**Complies as Proposed:** The applicant submitted the required materials.

C. *Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,*

- 1. A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and*
- 2. A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.*

*If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.*

**Complies as Proposed.** Oregon SHPO and the Native American tribes listed above were notified of the proposed ground disturbance. A response was received from SHPO and is in the City's files for this project. The letter indicates the level of recommended archaeological monitoring on the site.

D. [1.] *The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.*

**Applicable:** The proposal is being reviewed by the Historic Review Board.

2. *The following exterior alterations to historic sites may be subject to administrative approval:*
  - a. *Work that conforms to the adopted Historic Review Board Policies.*

**Not Applicable:** The proposal is not subject to administrative approval.

E. *For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:*

**Not Applicable:** The proposal is not an exterior alteration.

F. *For construction of new structures in an historic or conservation district, or on an historic site, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall include the following:*

1. *The purpose of the historic conservation district as set forth in Section 17.40.010;*

**Finding:**

The purpose of the district is:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;
- C. Complement any National Register Historic districts designated in the city;
- D. Stabilize and improve property values in such districts;
- E. Foster civic pride in the beauty and noble accomplishments of the past;
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- G. Strengthen the economy of the city;
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and
- I. Carry out the provisions of LCDC Goal 5.

A new single family home coupled with a detached garage and ADU is proposed on vacant land within the Canemah National Register District. This new construction will have no impact on the protections provided to contributing resources within the District and through this review, design compatibility between these new structures and existing resources will be assured. The single family use further enhances the dominant use within the district. One of the historic district policies is to "promote the use of historic districts for housing" and other uses. OCMC 17.40.010(H). This suggests a policy toward promoting the use of land within this historic districts. Approving this development will add additional housing stock in an area with currently low housing stock and increasing the housing options for people within Oregon City or looking to move to Oregon City. The proposed design of the home strays from the design guidelines; the applicant has chosen the alternative path, as described on page 3 of the adopted Design Guidelines for new construction, rather than the 'safe harbor' path, that strictly adheres to the guidelines. See detailed findings and conditions in the design guidelines section in this staff report. Staff

is looking for direction and findings from the Board regarding the second story height and the design of the garage/ADU. Conditions of approval are recommended if the Board finds the proposal is compatible with the district.

2. *The provisions of the city comprehensive plan;*

**Finding:**

There are a few goals and policies in the Comprehensive Plan that pertain to this proposal:

*Section 5*

*Open Spaces, Scenic and Historic Areas, and Natural Resources*

*Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River. Canemah was listed as a Historic District in the National Register of Historic Places in 1977.*

*Goal 5.3 Historic Resources*

*Policy 5.3.1*

*Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.*

The proposed home and will be located along the 4th Avenue corridor in the Canemah Historic District, which is primarily a street with single family homes on lots of 5,000 to 10,000 square feet. The proposed design of the home strays from the design guidelines; the applicant has chosen the alternative path, as described on page 3 of the adopted Design Guidelines for new construction, rather than the 'safe harbor' path, that strictly adheres to the guidelines. See detailed findings and conditions in the design guidelines section in this staff report. Staff is looking for direction and findings from the Board regarding the second story height and the design of the garage/ADU. Conditions of approval are recommended if the Board finds the proposal is compatible with the district.

*Policy 5.3.8*

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

**Finding:**

The proposed home is located adjacent to one designated contributing structure; the A.E. Davis Residence (see Exhibit 4), built circa 1885 of the Vernacular style. Other historic resources are on the other side of 4<sup>th</sup> Avenue or located down the block and will not be impacted by the siting or massing of the proposed home.

The proposed home will be located behind the Davis Residence from the perspective of a pedestrian on 4<sup>th</sup> Avenue. Other rights of way surrounding the property, 5<sup>th</sup> Avenue and Apperson Street, are unimproved and not utilized by the public.

The home is proposed to be sited approximately 18 feet higher than the Davis Residence due to changes in topography, and the new home will be separated by approximately 40 feet from the rear addition on the existing historic home.

The context of the A.E. Davis Residence is natural surroundings with no other structures in direct view when viewing the home from 4<sup>th</sup> Avenue. This proposal includes 24-foot tall and 22-foot tall structures behind the historic home. The applicant submitted renderings which demonstrate that the home will be minimally visible from 4<sup>th</sup> Avenue, when viewing the A.E. Davis Residence. The second level of the garage/ADU structure is visible when viewing the A.E. Davis Residence. The front door and windows of the ADU are mostly obscured by the terrace wall. Staff is looking for direction from the Board on the impact of the garage/ADU design.

Farther down on 4<sup>th</sup> Avenue toward the east, renderings demonstrate that the structures will be more visible and prominent, however, there are factors which mitigate this:

First, the applicant's renderings demonstrate that the appearance of the detached garage /ADU is minimized due to its placement on the lot and distance from the street. Only the top story is visible from this perspective.

Second, while, the home is prominent from this perspective, it does not impact the view of the front of the A.E. Davis Residence. The view of the A.E. Davis residence is the side view here, and the portion of the house that is most in the line of vision is the rear addition which is not part of the significance of the structure.

The applicant shall also add landscaping in front of the home and garage to eventually provide a visual barrier behind the A.E. Davis Residence. The landscaping shall include five large native tree species and five shrubs, with final locations to be determined by staff upon a site visit once the house is under construction.

The modified bungalow design differentiates the new construction from the surrounding Vernacular homes.

3. *The economic effect of the new proposed structure on the historic value of the district or historic site;*

**Finding: Complies as proposed.** The single family home is proposed in the Canemah National Register District. The single family use matches the dominant use of the district. Approving this development will add additional housing stock in an area with currently low housing stock and increasing the housing options for people within Oregon City or looking to move to Oregon City.

4. *The effect of the proposed new structure on the historic value of the district or historic site;*

**Finding: Complies with Conditions.** The proposed design of the home strays from the design guidelines; the applicant has chosen the alternative path, as described on page 3 of the adopted Design Guidelines for new construction, rather than the 'safe harbor' path, that strictly adheres to the guidelines. See detailed findings and conditions in the design guidelines section in this staff report. Staff is looking for direction and findings from the Board regarding the second story height and the design of the garage/ADU. Conditions of approval are recommended if the Board finds the proposal is compatible with the district.

**Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

5. *The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure;*

**Finding:** The proposed design of the home strays from the design guidelines; the applicant has chosen the alternative path, as described on page 3 of the adopted Design Guidelines for new construction, rather than the 'safe harbor' path, that strictly adheres to the guidelines. The applicant has proposed architectural details and materials that are compatible with the district. See detailed findings and conditions in the design guidelines section in this staff report.

Staff is looking for direction and findings from the Board regarding the second story height and the design of the garage/ADU. Conditions of approval are recommended if the Board finds the proposal is compatible with the district.

6. *Economic, social, environmental and energy consequences;*

**Finding: Complies as Proposed.** The applicant states the following:

*"The proposed infill development will utilize the existing City infrastructure and increase the overall density of the Canemah neighborhood in a manner consistent with the original plat and existing development patterns within the historic district. As a new single family home the impact on the transportation, sewer, and water infrastructure will be minimal. The proposed structures have been sited to work with the existing topography, take advantage of views and allow for controlled storm water runoff. No natural resource areas have been identified on the property and the proposed development has been deemed safe by the geo-technical engineers and geologists retained by the Owner. The new home will be constructed to the current Oregon State Energy Code ensuring that the home will be at least 20% more energy efficient than homes built 10 years ago and vastly more efficient than homes constructed with no insulation and site built, single pane windows more than 100 years ago."*

Staff concurs and finds that the proposal meets this criterion.

7. *Design guidelines adopted by the historic review board.*

## 1. STYLE

New construction shall complement one of these styles to support the historic context. Use of other styles dilutes and distracts from the historic context of the district.

While there may be several styles dominant within the district, the specific choice of a style shall be compatible with adjacent properties, the block, and the neighborhood. It also must be fitting for the particular function of the building and its size.

**Finding: Complies as Conditioned.** The applicant provided the following response:

*"The proposed design for this home is an "Alternative Design" based on the Canemah Historic District Design Guidelines, since it falls outside the prescriptive "safe harbor" design for this site, which would dictate a simple vernacular style home.*

*The proposed craftsman bungalow design is a typology allowed within the Canemah Historic District, although discouraged south of 3rd St due to the steep slopes typical in this area to fit better within the topography. This site; however, has a relatively level building area which allows for the proposed horizontal bungalow design and detached garage proposed which helps to keep the overall scale of the development small.*

*The proposed design will also bring some diversity to the immediate neighborhood while being historically compatible with the overall district. This site is in a diluted portion of the Canemah Historic District dominated by non-contributing mid to late 20th century homes. The proposed design will be compatible with the Historic District, yet remain discernable as a contemporary addition."*

The proposed designs of the new home and garage/ADU have a “modified bungalow” design. Bungalows have a lower pitch roof than the typical vernacular style homes with a full width front porch, shed dormers and a more horizontal emphasis. The proposed design contains many Bungalow elements, but has greater massing and height. A public comment was received that questioned the compatibility of the bungalow design, because there are no contributing bungalows above 3<sup>rd</sup> Avenue. The overall Canemah district contains both bungalow and vernacular homes, although most of the homes in the immediate vicinity are vernacular style. Adjacent properties include:

712 4<sup>th</sup>: New construction, Vernacular style

702 4<sup>th</sup>: Contributing structure, vernacular style

616 4<sup>th</sup>: Noncontributing structure, ranch/minimal traditional style

707 4<sup>th</sup>: Contributing structure, Vernacular style

606 4<sup>th</sup>: Contributing structure, Vernacular/Saltbox

The guidelines do not state that the home has to be the same style as the adjacent homes, but that it shall be compatible with adjacent properties. Page 42 of the design guidelines states that in Canemah, adjacent homes vary in form, design, and style, and that new infill should differentiate but continue this pattern. The design of the home contains bungalow elements; staff finds that this style is compatible with the district.

**Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

## 2. SITE

Siting principles involve both how the site is used and how the building(s) is placed within the site. The specific lot location and its topography can dictate many requirements.

Residential buildings are to face the street squarely with their primary face in full view, and to be set back from lot lines and be spaced from one another similar to the immediate neighborhood. The primary structure is to be placed in the primary position with accessory structures in a service or ancillary position except where topography is an issue. Yard area between the house and street to primarily be planted with minimal paving only for pedestrian access and for vehicle movement. More private activity spaces to be located at the less public areas of the site.

### SITE CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- No uniform front setback; South of 3rd Street: houses may face front or side depending on topography, and may be irregularly situated.
- Lots range from 50x100 to 100x100 and contain a single house.
- Properties edges often not defined; Where fenced, primarily picket or low slat at front with side or partial returns.
- Planting: South of 3rd Street: forest setting, native and ornamental plantings form visual screen and sense of privacy; Elsewhere on the more level portions: lawn and planted area around buildings.
- House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
- Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
- Garages: Not found historically; informal graveled or paved parking next to street or along house; New garages to be located along side or behind house. Where topography is a concern, locate garage offset from building primary façade, close to street with direct access.

- Accessory Buildings: detached, behind along side of house and located to allow use of particular function.
- Streets: South of 3rd Street: narrow, without curbs or sidewalks; casual pedestrian paths and connecting stairs are encouraged.

**Finding: Complies with Conditions.**

**HOUSE PLACEMENT:**

The proposed building site is 100x100 steeply sloping from 5<sup>th</sup> Ave with a relatively level area for building at the lower portion of the property. Sanborn maps up to 1925 were reviewed and no structures were shown on this property, but there is evidence that the site may have had a small structure at the proposed building area in the past.

The house is proposed to face 4<sup>th</sup> Avenue, although the property does not have frontage on 4<sup>th</sup> Avenue. This placement is more historically appropriate than facing Apperson Street. The home is proposed on the flat portion of the lot, but set back more than 25 feet from the adjacent property to allow for more separation between itself and the contributing A.E. Davis House.

**RETAINING WALLS:**

Rockery retaining walls are proposed on site. A 5-foot high retaining wall is proposed along the back side of the home and driveway area. Any additional natural rockery walls that are less than 4 feet are allowed on the site without further Historic Review Board review. The proposed retaining wall shall be a rockery wall, or utilize concrete or natural basalt veneer. Any other material or a height change of more than one foot shall be considered a modification to this application and be reviewed by the Historic Review Board.

**GARAGE/ADU PLACEMENT:**

Page 27 of the design guidelines states that accessory structures should be subservient to the primary building and be located at less visible areas such as the side or back of the primary building. The detached garage is proposed at the side of the home and does not project in front of the front of the home. Its placement on the site is less visible from the right of way; it is located at the far side of the property and is behind the existing A.E. Davis Residence at 702 4<sup>th</sup> Avenue. Page 36 of the guidelines calls for houses closer than 15 feet of the lot line to provide visual screening. The accessory dwelling unit will be closer than 15 feet to the side property line. The applicant shall provide visual screening of two large shrubs with at least 5 foot mature height and one tree with at least 25 feet mature height planted between the proposed ADU and the property line.

**GRADING AND TREE REMOVAL:**

The applicant has not provided information on grading; the site is within the geologic hazard overlay and some grading is anticipated. Page 34 of the design guidelines states that extensive regrading of the lot to raise or lower the main level of the house is not allowed. The applicant shall minimize grading and comply with any applicable standards in the geologic hazard overlay zone.

The applicant did not show any trees on the site plan and has not indicated which trees are proposed to be removed. There is one tree over 6" DBH on the flatter part of the lot where the house is proposed; this tree will clearly be removed. Other trees are on the rear of the property on a hillside. The applicant shall minimize removal of trees greater than 6" DBH behind the home. If tree removal of trees over 6" DBH occurs on the back half of the property, the applicant shall replant one tree for each tree removed to preserve canopy. Replacement trees shall be 2" caliper minimum.

**Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

### 3. BUILDING FORM

Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style.

#### BUILDING FORM CHARACTERISTICS OF THE BUNGALOW STYLE IN 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.
- Proportions: Height to width approximately 1:1½; Height to Depth: 1: no more than 2 for main building portion not including front porch.
- Roof: Low-pitched (6:12 maximum) gable roof; front or side facing.
- Bays: possible single story, cantilevered, and rectangular located on side of house.
- Porch: Prominent front porch, roof supported with simple posts (less bulky than in McLoughlin); roof often continues down to create cover over porch; at main story only.

#### Finding:

##### HOUSE FORM:

The floor plan is an "L" shape with the main footprint at 24 feet wide and a 10 foot extension on the back half to create 34 feet in width. The second level does not include the bay/extension on the left side and is rectangular. The proposed home has a second story with 6.5 foot wall height. This design is not specifically supported by the design guidelines; the applicant has elected to propose an alternative design.

The applicant states "Bungalow style homes in Canemah are typically 1- 1 ½ stories constructed on the more level lots. This was associated with the building boom of the 1920's in this area. Nationwide there was a greater variety of the Bungalow style constructed between 1910's-1930's including hillside homes and 2 story variations." The applicant went through two rounds of design advice and multiple public hearings and altered the design to reduce the height of the second story to 6.5 feet. The applicant also provided the following response regarding building height:

*"The Design Guidelines call for Bungalows to be 1 ½ stories in height, but the desire for a small home with an economical footprint has pushed this up slightly higher than a traditional 1 ½ story structure with 4' upper level walls. The second floor is proposed to have 7' high walls and partially vaulted ceilings rather than typical 8' or 9' high walls to keep the overall horizontal/ vertical massing within the prescribed ratio in the Design Guidelines for Bungalow style homes. An alternative would have been to pursue a popular "Airplane Bungalow" design popular in the 1910s-1920's with a full second story nested above the first floor, but the Owner's desire for a small home precluded this."*

Staff note: the design was reduced to 6.5 feet high walls after this statement was submitted.

The two-story design of the structures strays from the design guidelines, which generally limit homes to 1.5 stories. The applicant submitted renderings which demonstrate that the home will be minimally visible from 4<sup>th</sup> Avenue, when viewing the contributing structure, the A.E. Davis Residence, which is located in front of the proposed home. Farther down on 4<sup>th</sup> Avenue toward the east, renderings demonstrate that the structures will be more visible, however, they do not impact the view of the front

of the A.E. Davis Residence. The view of the A.E. Davis residence is the side view here, and the portion of the house that is most in the line of vision is the rear addition which is not part of the significance of the structure.

One public comment was in favor of the bungalow design as modified after the first public hearing in August 2018, and brought up concerns that additional design changes, such as the lowering of the upper floor, may compromise the livability of the home, and would not result in a more compatible appearance.

The applicant provided some precedent designs of two story bungalows in the region that were built within the period of significance for the Canemah district (1850-1928). The Board has also discussed a few examples in Oregon City during design advice sessions, including a two story structure at 819 6<sup>th</sup> Street in the McLoughlin District, and a two-story bungalow at 503 Madison St. – the Arthur and Daisy Farr House (see Exhibits 5 and 6).

The applicant has reduced the height of the second story of the home based on Board direction, but the design is still more than 1.5 stories. Staff is looking for direction from the Board on whether the reduction in second story height is enough to satisfy the intent of the design guidelines.

The proposed height of the home is approximately 24 feet to the peak of the roof, and the proposed height of the detached garage is approximately 21 feet. Both structures are proposed at current 200 foot elevation. While some grading may occur, the grade is not likely to increase significantly, thus the final height will be approximately 221 feet and 224 feet elevation, respectively. The nearest structure is the new home at 712 4<sup>th</sup> Avenue. This home is built at 193 foot elevation and rises approximately 36 feet above grade, or at 229 foot elevation. The proposed structures will appear shorter from 4<sup>th</sup> Avenue than the adjacent home at 712 4<sup>th</sup> Avenue. The variation in size is appropriate and the size is not excessive.

The building bulk is not excessive; the main portion of the building is 24 feet wide. By comparison, the A.E. Davis House, a Vernacular home adjacent to the property, is 20 feet wide. Bungalow designs are typically wider than Vernacular homes.

The front-facing gable roof pitch is proposed as 5:12. The height to roof peak is 24'2" and width of the home is 34' feet with the front porch extension another 4 feet or so. This ratio is approximately 1:1.5. The depth of the home is approximately 35 feet, making the height to depth ratio less than one. The home includes a prominent front porch that extends wider than the home on the right side and is generously covered by the roof. The front porch posts are thick and tapered in the typical bungalow style.

The front porch utilizes a hip roof and wraps around the right side of the home to meet the driveway at grade. Latticework is proposed under the front porch due to the upsloping site. Exposed lattice proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one foot must be reviewed by the Historic Review Board. Landscaping shall also be utilized to visually shield the massing under the porch and on side elevations. A maximum of ten shrubs with minimum mature height of 5 feet and four trees with minimum mature height of 25 feet may be required, with final number and locations selected by staff after construction.

GARAGE/ADU FORM:

The proposed detached garage/ADU is two stories; a garage with a very small one story dwelling on top. The ADU is accessed by an exterior stair on the side of the building that leads to a large terrace over the garage and a front door facing the street. A public comment about the detached garage/ADU questioned the compatibility of the large upper level terrace and the exterior stair. The upper level terrace is an element found in the City's historic districts, but it has not been combined with an ADU or living space over a detached garage in this way. The applicant's renderings demonstrate that the appearance of the detached garage /ADU is minimized from the east view due to its placement on the lot and distance from the street. Only the top story is visible from this perspective. The exterior stair is not visible from the street, as demonstrated by the renderings. From the west side of the A.E. Davis residence, the structure is more visible. The second level of the garage/ADU structure is visible, and the front door and windows of the ADU are mostly obscured by the terrace wall. Staff is looking for direction from the Board on the impact of the garage/ADU design.

The garage doors on the ground floor open towards the home (side-oriented) rather than the street. The height of the overall structure is approximately 21 feet to the peak of the roof. The footprint of the garage is 28 feet by 23 feet, and the second story is 23 feet by 12' 8" set back on the rear half of the garage. The height of the garage/ADU is less than the height of the proposed home.

#### 4. DESIGN COMPOSITION

Include a range of more detailed design issues that address groups of elements, individual elements, their design and how they relate to the overall composition and finish. The principles place a traditional emphasis on the design's composition as seen from the exterior, rather than as a result of interior functional planning requirements. They also outwardly convey a sense of quality craftsmanship.

The design composition principles, being more detailed, and stylistically dependent, are typically developed after the previous principles are resolved. These principles also reflect historically appropriate materials, respective finishes, and unobtrusive integration of new technology.

##### DESIGN COMPOSITION CHARACTERISTICS OF THE BUNGALOW STYLE IN CANEMAH

- Front façade can be symmetrical or asymmetrical
- Porch: full, not typically wrap-around front porches.
- Roof Overhang: wide, over-hanging eaves and exposed rafter tails; decorative knee brackets under eaves.
- Dormers: single front facing; with lower slope gable or shed roofs
- Chimneys: at interior or projecting on side of house, usually brick.
- Siding: horizontal board siding; typically bevel profile (occasionally shiplap), shingle siding; or a combination, such as horizontal boards on the first floor with shingles on the second floor, or just in the gable or dormer.
- Windows: double-hung; 1:1; large fixed window flanked by two smaller double-hung windows.
- Windows At Dormers: smaller, often grouped at shed dormers; fixed or casement style where smaller.
- Finishes: generally earth tones; no white doors or windows.

##### **Finding:**

The applicant states:

*"The proposed buildings have a more horizontal emphasis than the more predominant vernacular style buildings in the neighborhood. The large overhangs, wide barge boards, exposed rafter tails and shallower roof pitches combined with the shed dormers are being used to create a modified bungalow design.*

*Bungalow style homes in Canemah are typically 1- 1 ½ stories constructed on the more level lots. This was associated with the building boom of the 1920's in this area. Nationwide there was a greater variety of the Bungalow style constructed between 1910's-1930's including hillside homes and 2 story variations. The craftsman style elements typically found in these homes; including bracketed gable ends, boxed porch columns and wide profile trim at openings have been incorporated into the proposed design. The garage/ studio apartment building is smaller and subservient to the primary home to be consistent with the historic development pattern in the neighborhood. Contemporary building materials will be utilized in a manner to replicate historic building materials."*

#### HOUSE DESIGN:

The front façade is asymmetrical due to window variation and left side wing, and the front porch is symmetrical. The front porch utilizes a hip roof and wraps around the right side of the home to meet the driveway at grade. The design utilizes overhanging eaves, exposed rafter tails, and decorative knee brackets, which are all typical of the bungalow style. An earlier version of the design included a second story porch. Public comments were received questioning the compatibility of the second story porch. The design was revised after the August 28, 2018 hearing to enclose the second level porch and extend the first story front porch so that the second story would be recessed.

Latticework is proposed under the front porch due to the upsloping site. For the latticework under the front porch, the applicant shall use 90 degree perpendicular wood lattice or other architectural styles appropriate for house, painted either to match the color of the house or to blend in with the surroundings. Exposed lattice proposed under the front porch shall not be more than one foot taller than shown in plans. Any changes exceeding one feet must be reviewed by the Historic Review Board.

Windows on the front facade include a large fixed window on the first floor plus a 3 over 1 fixed, and 3 over 3 casement, and French doors with large fixed windows on the second story. While asymmetry is typical, combined with oversized windows, it may be too busy for the typical bungalow design. Windows on the right side are paired 1:1 double hung, and on the left side are square 2 over 2. Rear windows are paired 1 over 1.

#### MATERIALS:

Materials proposed are composition roofing, smooth fiber cement siding with 5" exposure on the first story, Marvin Integrity fiberglass clad wood windows, fiber cement shingles on the second story, cedar barge board, and ornamental cedar brackets. The porch columns are proposed as painted MDO plywood. The applicant shall produce a sample of the MDO plywood material to staff; if the material is not equivalent to wood or smooth cement board, the applicant shall use an approved material. The remaining materials meet design guidelines as proposed. The applicant shall ensure that all doors are also wood or fiberglass (Marvin integrity or equivalent). The window sash shall be the darkest color of the three color paint scheme. The applicant shall use simple bungalow styled exterior lighting.

#### GARAGE/ADU DESIGN:

The accessory structure has a more simplified design and utilizes the same materials as the home, with horizontal lap siding on the bottom story and shingles on the top story. The roof pitch is 5:12 and the entry is frame with a gable. The front façade contains triple paired windows on each floor. Side and rear facades contain 1 over 1 and paired windows. The façade facing the home has three fixed or louvered top lite windows above 1 over 1 windows.

Public comment about the detached garage/ADU questioned the compatibility of the large upper level terrace and the exterior stair, purported that the design detracts from the district, and suggested that

the structure be redesigned to better match the main dwelling. The accessory building design is simple and not significantly different in style from the main dwelling, although it has a side gable roof rather than front gable, and lacks windows on both sides of the front door. The design may be made more compatible with the main house with some or all of the following changes:

- Add window(s) on the right side of the entry
- Utilize a front gable roof rather than side gable
- Make the front façade of the ADU more visible rather than obscuring it from view with the terrace wall
- Move the stair farther to the rear of the structure so that it is less visible from 4<sup>th</sup> Avenue

The upper level terrace is an element found in the City's historic districts, but it has not been combined with an ADU or living space over a detached garage in this way. The applicant's renderings demonstrate that the appearance of the detached garage /ADU is minimized from the east side due to its placement on the lot and distance from the street. Only the top story is visible from this perspective. The exterior stair is not visible from the street on the east side, as demonstrated by the renderings. From the west side of the A.E. Davis residence, the structure is more visible. The second level of the garage/ADU structure is visible, the stair is partially visible, and the front door and windows of the ADU are mostly obscured by the terrace wall. Staff is looking for direction from the Board on the impact of the garage/ADU design.

Carriage style garage doors or other design consistent with bungalow style shall be utilized.

**17.40.065 - Historic Preservation Incentives.**

**A. Purpose.** *Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.*

**B. Eligibility for Historic Preservation Incentives.** *All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).*

**C. Incentives Allowed.** *The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.*

**D. Process.** *The applicant must request the incentive at the time of application to the Historic Review Board.*

**Finding: Complies as Proposed:** A preservation incentive has been proposed as part of this application, to reduce the side setback from 9 feet to 5 feet for the detached garage/ADU. The property line in question borders the 10' unimproved alley and is not directly adjacent to other private property.

The applicant did not request, but will require an additional preservation incentive to allow the proposed reduced setbacks resulting from the orientation of the home to 4<sup>th</sup> Avenue. The standard front lot line is considered the Apperson Street frontage, but the applicant has proposed instead to orient the home toward 4<sup>th</sup> Avenue and what would normally be considered the side lot line. In the R-6 zone, the front setback is 10 feet minimum and the rear setback is 20 feet minimum. Thus, preservation incentives are needed to reduce the front setback to 5 feet along Apperson St, and the rear setback to 5 feet along the alley. With the proposed rotated orientation, the applicant far exceeds the standard front and rear distances on the sides of the property.

The requested preservation incentive is to reduce the setback along the alley to five feet. As a side setback, this would be required to be 9 feet in the R6 zone. As a rear setback, which it legally is, it would be required to be 20 feet.

Per OCMC 17.40.065(A-D) – Historic preservation incentives are used to allow for compatible development and increase the potential for historically designated properties to be used, protected, renovated, and preserved. All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c). It has been common within Canemah to grant preservation incentives to single family homes to allow for a zero lot line setback as to reduce the impact of the proposed single family home on the existing topography of the site.

In summary, the Guidelines for New Construction describe Canemah with regard to building siting issues with the following relevant components:

- No uniform front setback; South of 3rd Street: houses may face front or side depending on topography.
- Lots are usually 50x100 and contain a single house; variations are found.
- Properties edges often not defined; Where fenced, primarily low slat or picket at front with side or partial returns
- House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
- Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
- Garages: Not found historically; informal graveled parking next to street or along house.

Public comments suggested that preservation incentives are not applicable to vacant land in the historic district, based on the city's definition of "new construction" in Chapter 17.04. All new construction proposals are eligible for the incentive if the proposal receives a certificate of appropriateness from the Historic Review Board. "New construction" as it is defined in OCMC 17.04.815 includes new buildings larger than 200 square feet, even when the structure is located on vacant land. For context, see also OCMC 17.40.060(A) requiring a certificate of appropriateness for "new construction" and not just those parcels that are already developed with historic structures. There is no other specific criteria for the preservation incentive, other than whether it meets the overall intent of Chapter 17.40. While granting the incentive will not necessarily make the proposal *more* compatible, there would be no adverse effect to the district if the incentive is granted. Page 36 of the design guidelines calls for houses closer than 15 feet of the lot line to provide visual screening. The accessory dwelling unit will be closer than 15 feet to the property line. The requested preservation incentives within the submitted application could be viewed as appropriate for the requested development with installation of additional landscaping of screening of two large shrubs with at least 5 foot mature height and one tree with at least 25 feet mature height planted between the proposed ADU and the property line.

Staff finds that the preservation incentive is acceptable for the following reasons:

- Due to the presence of the alley, the building will still be a significant distance from other neighboring structures
- The building itself is proposed with a 7'9" setback, only the exterior staircase will be 5' from the property line
- Historic garages were often located on or near alleys with no setback.

- The landscaping area in between the driveway and home will further separate the home from the parking area, which breaks up the footprint and massing of the overall site.
- Lot coverage is well below the maximum permitted
- The conditioned landscaping between the garage/ADU and the property line will provide additional screening from the street and neighboring properties

## **II. PUBLIC NOTICE**

A public notice was sent to neighbors with 300 feet of the subject property, posted online, emailed to various entities, and posted onsite.

## **III. CONCLUSIONS AND RECOMMENDATIONS**

Based on the following findings, staff recommends that the Historic Review Board approve the proposed development of HR 18-11 with conditions for the property located at Clackamas County Map 3-1E-01AA, Tax Lot 2602, Oregon City, Oregon 97045.

### **Exhibits**

1. Vicinity Map
2. Applicant Submittal
3. Public Comments
4. A.E. Davis Residence Inventory Form
5. 503 Madison St. Inventory Form
6. 819 6<sup>th</sup> St. Inventory Form