



**Historic Review  
Staff Report and Recommendation  
Revised**

November 15, 2022

*A preliminary analysis of the applicable approval criteria is enclosed within the following staff report. All applicable criteria shall be met or met with conditions in order to be approved. The Historic Review Board may choose to adopt the findings as recommended by Staff or alter any finding as determined appropriate.*

- FILE NO.:** GLUA 22-00031: HR-22-00011 resubmission for a full ADA ramp modification of HR 20-00001
- 1<sup>st</sup> HEARING DATE:** September 27, 2022 Historic Review Board Hearing  
Virtual
- APPLICANT:** Bogdan Smolinets  
NW Custom Homes Inc.  
15730 SE Bybee Rd  
Portland, OR 97236
- OWNER:** Teresa Yip  
5835 SW Hamilton St  
Portland, OR 97221
- LOCATION:** 1020 5<sup>th</sup> Street  
Oregon City, OR 97045  
Clackamas County Map 2-2E-31DA-10900
- REQUEST:** Exterior modifications to HR 20-01 resubmission for a full ADA ramp with modifications (Revised Metal Design) *Revised 120-day Deadline March 1, 2023*
- REVIEWER:** Christina Robertson-Gardiner, AICP [crobertson@orcify.org](mailto:crobertson@orcify.org)
- RECOMMENDATION:** Staff believes that with the submittal of revised drawings and concurrence from the landscape architect, it is likely that the revised design, including metal railing and landscaping, will be compatible with the character of the McLoughlin Conservation District as conditioned or if it is not compatible, the Applicant has offered sufficient evidence in the record to find that no other option is consistent with the therapeutic purpose required or would be financially viable. Staff recommends that this matter be continued to a date certain meeting in December to allow the Applicant to submit a modified site plan, elevation, renderings, and landscape architect-designed plans detailing the recommendations identified in this report. Once shown, Staff recommends approval of the application as the proposal demonstrates an appropriate balance between historic resource protection obligations and the needs of the Applicant under the Americans with Disabilities Act.

**CRITERIA:** Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and "MUC" Mixed-Use Corridor District in Chapter 17.29 of the Oregon City Municipal Code. The City Code Book is available online 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**

*If the Historic Review Board finds that the Applicant can comply with the applicable criteria, the following conditions of approval apply.*

*(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.*

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**Staff recommends that this matter be continued to a date certain meeting in December to allow the Applicant to submit a modified site plan, elevation, renderings, and landscape architect-designed plans detailing the recommendations identified in this report. Once shown, Staff, recommends approval of the application as the proposal demonstrates an appropriate balance between historic resource protection and the needs of the Applicant under the Americans with Disabilities Act.**

Recommended revisions prior to approval.

- In order to further differentiate the ramp and the house and reduce its massing on the District, the Applicant shall return at a date certain future meeting with updated elevation drawings that remove horizontal siding from all portions of the ramp structure. Exposed poured-in-place concrete and exposure of the metal structure underneath is encouraged to the extent practicable to allow it to be seen as a lighter, airier structure.
- The Applicant shall remove the rounded columns from the side door entry as rounded columns are not appropriate on a secondary entry. The side porch posts shall be simple and wood-wrapped.

- The Applicant shall remove the highly decorative pendant lighting along the side (right) elevation and rear (if installed) and replace with simple downlighting painted to match the siding color of the house
- The landscape plan appears to show 3 feet and 6 feet planter beds along the side elevation. Whereas the revised site plan shows 2 feet 6 inches and 5 feet 6 inches, respectively. The landscape plan appears not to include the newly approved small concrete retaining wall depicted in the revised site plan. With space at such a premium, it is very important to ensure that both plans are accurate and that the registered landscape architect can confirm in writing that the planting choices will be successful, notwithstanding a potential 6-inch reduction in the planting area.

### **Recommended Conditions of Approval**

1. The Applicant shall install the black powder-coated metal ramp as depicted in the revised plans reviewed at the (future date certain meeting) that implement the recommended revisions from the November 22, 2022 HRB Hearing.
2. Prior to obtaining a full Certificate of Occupancy, the Applicant shall install the revised landscape plan associated with buffering the visual impact of the ramp from 5<sup>th</sup> Street. (Exhibit 1b). One year after obtaining a full Certificate of Occupancy, staff shall perform a site visit to verify that the plantings along the side (right elevation) buffering the ADA ramp are healthy and require replacement plantings for any dead or dying plants.
3. Prior to obtaining a full Certificate of Occupancy, the Applicant shall submit a revised Historic Review Board request for the approved round columns on the front elevation without a concrete pony wall or with additional/barriers railings (HR 22-000010).
4. Prior to obtaining a full Certificate of Occupancy, the Applicant is required to meet all applicable conditions of approval for HR 20-0001, HR 21-00020, and GLUA 20-0024: GEO 20-0002 SP 20-0052. Revisions to the approved plan that encompasses previous HR applications will be reviewed through a [Type I Site Plan and Design Review](#). This includes verifying that the landscaping will, within three years, cover one hundred percent of the landscape area, including replacement planting if warranted.

### **PROJECT DESCRIPTION**

The site has numerous files associated with its construction. The Applicant has submitted an additional revision (metal railings replace wood along with a detailed landscape plan). A timeline of files and project modifications is below.

#### **HR 20-0001 (Initial Approval of Live/Work Building)**

**Proposal:** New Construction with the McLoughlin Conservation District of a live/work building that contains a commercial space on the ground level front and a large, 10-bedroom dwelling in the remaining portions of the structure. No exterior ADA ramps were included with this package.

**Approval:** The Application that was approved under HR 20-01 was the construction of a live/work building designed in the American foursquare style that contains a commercial space on the ground level front and a large, 10-bedroom dwelling in the remaining portions of the structure. The main entry for the commercial space is located in the center of the ground floor porch accessed from 5<sup>th</sup> Street. The residential entry is on the south elevation at grade, with internal stairs leading to the main residential floor, located on the 2<sup>nd</sup> floor above the Street. The project is a live/work dwelling. The City's definition of live/work is as follows:

17.04.645 - Live/work dwelling.

*"Live/work dwelling" a dwelling in which a business is designed to be operated on the ground floor. The ground floor commercial, personal service, or office space has visibility, signage, and access from the primary Street.*

#### **HR 21-00020 and AP 22-0006 (1st proposal of full ADA ramp)**

**Proposal:** Revision to an approved plan for a full ADA Ramp to the rear of the site along with modification of the foundation height and modification of some window locations.

**Approval:** Historic Review Board and City Commission approved a partial exterior ADA ramp to the side door of the house and denied the full ADA ramp proposal.

After the initial Historic Review Board approval in HR 20-0001, the Applicant was additionally reviewed for compliance with the Geohazard Overlay District through GLUA 20-0024: GEO 20-0002 SP 20-0052. The site is crossed sloped with elevation dropping from the rear and top front of the site. The low point of the slope is at the NW elevation. At the front lower corner of the lot was the location of the proposed ADA ramp. The geohazard review and Conditions of Approval directed the application to minimize cuts and fills, which resulted in an exposed foundation approximately 4 feet taller at the side door entrance at the finished grade on the downhill side elevation than reflected in the approved HR plans.

The Applicant originally planned to access the side elevation door with an at-grade side entrance and retaining wall to the rear. With the revised elevation level, the Applicant proposes to utilize an ADA ramp to access the side and rear entrances. The ADA ramp is designed with lap siding to match the house with railings attached on the inside to minimize the massing of the ramp and reduce the visual appearance of the ramp as a separate building element.

The Historic Review Board and City Commission (upon appeal) found that a smaller ADA ramp to the side porch was reasonable as it provided ADA access to the interior of the building, and its impact was minimized by the design and size and conditionally could meet the Guidelines for New Construction and OCMC 17.40.060(G) *construction of new structures in an historic or conservation district*. They both found that the additional building length of the full ADA ramp would be highly visible from the side elevation, elongated the building and further eroded the building's foursquare design, and concluded that the record did not provide sufficient evidence to indicate that screening in the form of additional landscaping could be accommodated taking into account the width the ramp and retaining wall.

#### **October 25, 2022 HRB Hearing**

##### **HR 22-0011 (1<sup>st</sup> proposal -full ADA ramp with wood construction)**

**Proposal:** Review an alternate design of a full ADA ramp to the rear of the site that provides the same general design and material approach HR 21-00020 and AP 22-0006 but with a reduction in the number of ramp switchbacks (from 5 to 3), no reduction in overall length, but the inclusion of new planter areas.

The 1<sup>st</sup> proposal (HR 22-00010) requested a review of an alternate design of a full ADA ramp to the rear of the site that provides the same general design and material approach HR 21-00020 and AP 22-0006 but with a reduction in the number of ramp switchbacks (from 5 to 3), the inclusion of one planter island between the switchbacks and one small planter between the building and the ADA ramp on the side elevation, and the addition of a hipped roof to the side door entry.

The overall length of the full wood ADA design (Option 2) indicates the same length (97 feet total 18 feet beyond the rear of the house). The Applicant did not submit a revised landscape plan indicating how the newly proposed planter areas will screen the massing of the ramp when viewed from 5<sup>th</sup> Street.

The Applicant submitted the following information in their request to approve a modified full ADA wood ramp to access the rear of the building.

1. A short narrative email describing the proposal
2. Revised Site Plan showing an option 1 and 2
3. Revised elevations showing an option 1 and 2
4. Profile study of uphill side elevation demonstrating inability to provide ADA access from the upper elevation or south side of the structure.
5. One photo of the rear of the building (current condition)

The difference between the full wood proposal and the previously denied full ADA ramp (option 1) appears to be the redesign of the ramps to reduce the number of switchbacks from 5 to 3 with no reduction in the overall depth (97 feet total 18 feet beyond the rear of the house).

The Applicant did not submit a revised landscape plan indicating how the newly proposed planter areas will screen the massing of the ramp when viewed from 5<sup>th</sup> Street. The location of the proposed planter areas (between the house and the ramp and within the rear switchbacks) does not appear to be able to provide landscaping that could shield or soften the view from 5<sup>th</sup> Street.

As part of the review for HR 21-00020 and AP 22-0006, the Historic Review Board found that the addition of an 18 feet 4-inch deep switchback ramp to the rear of a building that was at its limit of being considered a foursquare design was not compatible with the intent of the architectural style. The proposed full ramp design, with no measurable change in depth, with the same materials as the house, continues to be too large of mass for the style of the foursquare style and dilutes the historic context of the District.

The lack of a detailed narrative, revised landscape plan, and renderings showing how new planter areas will mitigate the massing of the ramp when viewing it from 5<sup>th</sup> Street, did not give Staff or the Historic Review Board an accurate understanding of how this approach mitigates massing that was one of the primary reasons for denial for the full ADA ramp in the previous application.

The Applicant was encouraged to secure counsel from an expert qualified architect or designer in historic preservation and accessibility options, which could help to inform the effort and alternative analysis response prior to the October 25, 2022 Historic Review Board meeting. At the October 25, 2022 Historic Review Board meeting, the Historic Review Board concurred with Staff's assessment and continued the hearing to November 22, 2022. The Applicant additionally provided a 30-day extension of the 120-day deadline. The new deadline is March 1, 2022.

## **November 22, 2022 HRB Hearing**

**HR 22-0011 (2nd proposal -full ADA ramp with metal railing) \*\*NEW\*\***

**Proposal:** Review a revised design for a full exterior ADA ramp made of black powder-coated metal along with additional alternative analysis findings provided by Heritage Consulting Group.

In response to the HRB request for additional information, the Applicant submitted the following information:

1. Alternative analysis memo, Erin Ward, Heritage Consulting Group

2. Elevation and renderings (revised)
3. Site Plan (revised)
4. Landscape Plan (revised) \*

*\*note the landscape plan scale of 1 in= 20 feet does not appear to match the revised site plan. The landscape plan appears to show 3 feet and 6 feet planter beds along the side elevation. Whereas the revised site plan shows 2 feet 6 inches and 5 feet 6 inches accordingly. With space at such a premium, it is very important to ensure that both plans utilize the same scales and that the registered landscape architect can confirm that the planting choices will be successful notwithstanding a potential 6-inch reduction in the planting area.*

The Historic Review Board is tasked to answer the following questions as part of the analysis for the revised metal railing ADA ramp design:

1. Does the revised metal railing ADA design satisfy the standards, particularly the obligation to ensure that new construction does not introduce a new building style that “dilutes and distracts from the historic context of the district?” Guidelines p 7.
2. If not, short of eliminating the rear exterior ramp, are there other design changes or improvements that would further mitigate those impacts?
  - a. The HRB’s previous denial was based on a finding that the overall length of the building when viewed from the side, without mitigation, failed to reinforce the context of the conservation district with respect to the Foursquare style. Are there additional design/landscaping changes that might further restore the Foursquare style?
3. If the Design Guidelines cannot be satisfied, has the Applicant provided sufficient evidence in the record to reject the other design alternatives as either inconsistent with the Applicant’s identified therapeutic objectives or financially infeasible?

With respect to financial feasibility, it is important to keep in mind that the construction of this building is very nearly complete. Whether or not this Applicant could have made different design decisions to provide an interior to the accessibility as part of the original building design cannot be considered to any greater degree than the HRB would require the same from a retrofit request to make an existing home accessible. In other words, questions of timing for pursuing this request should not be used to penalize this Applicant with respect to its current accessibility needs. If the Board finds that the new metal ADA design meets the standards, then the answer to question #3 does not need to be answered.

### **Analysis Overview- (full ADA ramp with metal railing construction)**

Allowing the larger ADA ramp as currently proposed is not out of the range of discretion of the HRB and would allow greater access to the building for elderly residents and visitors, and would fit the character of a more commercial building in a Commercial District, particularly when it is new construction. The Secretary of the Interior provides [guidance](#) on how to design compatible ADA ramps for historic structures, recognizing that access is an important component to both private and public spaces. While this proposal is new construction of a live/work building, reviewing how ADA ramps can be made to fit historic resources can provide background to the best approach for this project. As there are no specific Design Guidelines for ADA access, the Historic Review Board should review the proposal and see if the design and mitigation measures as outlined in the Conditions of Approval can be found to be compatible with the District and provide the best option to allow access for visitors and residents.

The Applicant has indicated that there will be future elderly residents that will want access to the second floor through a ramp system beyond the existing internal stairwell. They also indicate that they are not comfortable relying on mechanical ADA access that could not be operable during a power failure. There is no city requirement for ADA access for a single-family residence. There is direct ADA access to the commercial office unit at the front of the building.

The crux of the Historic Review analysis of this proposal, as previously explained, is that the burden is on the Applicant to show the evidence necessary to conclude that a full exterior ramp is an architecturally compatible means of allowing residents to access the second floor of the house on a sloped lot.

The Historic Review Board deliberated over multiple meetings in the Spring of 2020 to address massing concerns on the proposed live-work design based on a Foursquare architectural design. The Historic Review Board allowed an attached garage, with conditions, understanding that the need to reduce cuts and fills on the site was reasonable. At no time during this analysis was the need for a ADA access brought up as part of the design discussion. The Historic Review Board spent the majority of their deliberations discussing the large massing of the building; this included dropping the wall height, removing ornamentation, and requiring a visual separation of the garage from the main volume of the housing.

If ADA access was proposed during the initial HR 20-01 review. Staff would have recommended the Applicant look at access from the upper sloped side of the lot (JQ Adams), or pursue an internal ramping or chair lift design. Staff provided the following findings in HR 20-01 *"The Applicant has proposed the foursquare style. The hallmarks of the style include a basically square, boxy design, two-and-one-half stories high, usually with four large, boxy rooms to a floor, a center dormer, and a large front porch with wide stairs. The proposed structure is boxy with a hip roof, large eaves, and symmetrical arrangement, which resembles a foursquare. "* The Applicant has not provided sufficient findings for how the larger switchback ramp will retain the boxy foursquare feeling of the approved design. HR 20-01 allowed a somewhat longer footprint than a class square with a 70' 3" length of the building to 47' width w/o garage)

#### **Use of Metal in a Historic District.**

The Historic Review Board has approved metal elements in both historic districts and on Landmarks. Often they were related to more commercial projects, though one in Canemah was related to the design of a 1970s house and its accessory building. The Board has previously found that metal is an appropriate material for infill development, especially when used to further differentiate new from old or when completely open to the elements. Below are some selected examples

Metal railings were approved as part of this application in 2020 (HR 20-0001) for the flat roof balcony above the garage.



May 26, 2020 HRB Meeting Submittal (HR 20-00001)



619 6<sup>th</sup> Street Ermatinger House ADA ramp (2014)





603 6<sup>th</sup> Street. Stevens Crawford House metal hand railings (2009)

## BACKGROUND

### Site and Context

The site is located in the McLoughlin Conservation District in the Mixed-Use Corridor Zone. The property is approximately 9500 square feet and has 77 feet of frontage on 5<sup>th</sup> Avenue. It also borders unimproved JQ Adams Street, which is heavily forested and includes a pedestrian walkway up to the Barclay Hills and Rivercrest neighborhoods. The site is crossed slope upward from 5<sup>th</sup> and to the back of the lot (see figure 2)

The property is on the edge of the McLoughlin Conservation District.



Figure 1 Vicinity Map (Conservation district shown in purple)



Figure 2-Aerial photo and topography- arrow showing cross-slope



Figure 3 Zoning Map



*Figure 4 Existing condition of side elevation showing unpermitted CMU wall. - September 20, 2022 . CMU wall has been removed as of November 15, 2022*



*Figure 5 existing condition, photo taken November 17, 2022. Note unpermitted CMU wall is removed.*

**\*\*\*NEW\*\*\***



Figure 6 Neighboring building at 1010 5<sup>th</sup> Street; a modern commercial building with a low shed roof, roughly U-shaped. The offices are sited in the eastern portion of the building, with a small courtyard framed by the low roof on the west side. The building is primarily clad with stone veneer, but some portions have vertical groove plywood siding. The windows are fixed aluminum sash and are located primarily on the east and west sides of the building. It is not a designated structure in the Mcloughlin Conservation District. (Google Maps- taken prior to construction)



Figure 7-Stevens Crawford House, 603 6<sup>th</sup> Street. An example of a larger Foursquare/bungalow design with a foundation height of 3 ½ to 4 feet.



*Figure 8 -909 Washington Street- Charles Caufield House. An example of a side porch and stair with a 3 ½ to 4-foot foundation height on a sloping site.*

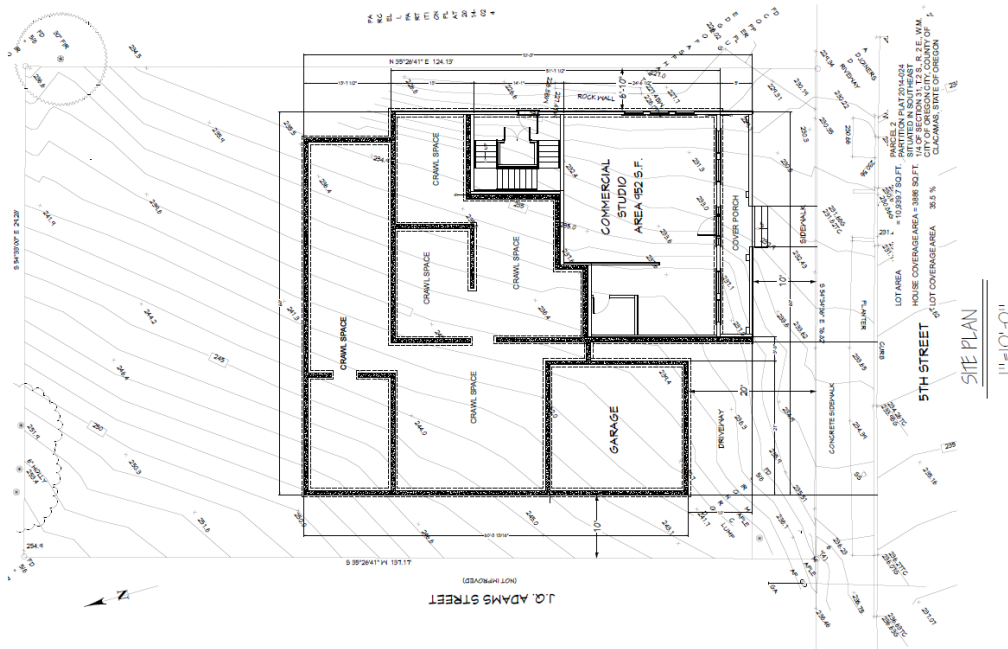


Figure 9 Approved HR 20-01 Site Plan (original proposal)

PLANT LIST:				
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING
<b>STREET TREES</b>				
	2	SYRINGA RETICULATA Japanese Tree Lilac	2" cal.	As Shown
<b>MITIGATION TREES</b>				
	3	CORNUS NUTTALLII Pacific Dogwood	2" cal.	As Shown
	3	TSUGA HETEROPHYLLA Western Hemlock	6" ht.	As Shown
	1	ACER JAPONICUM 'ACONITIFOLIUM' Full Moon Maple	6" ht.	As Shown
<b>SHRUBS</b>				
	29	NANDINA DOMESTICA 'HARBOR BELLE' Harbor Belle Nandina	2 gal.	2' o.c.
	10	PIERIS JAPONICA 'LITTLE HEATH' Little Heath Pieris	5 gal.	3' o.c.
	1	TAXUS MEDIA 'STONEHENGE' Stonehenge Yew	5 gal.	3' o.c.
	6	CORNUS ALBA 'BAILHALO' Ivory Halo Dogwood	2 gal.	5' o.c.
	12	VACCINIUM OVATUM Evergreen Huckleberry	5 gal.	4' o.c.
	32	LEUCOTHOE FONTANESIANA 'NANA' Dwarf Leucothoe	2 gal.	3' o.c.
	13	AUCUBA JAPONICA 'MR. GOLDSTRIKE' Mr. Goldstrike Aucuba	5 gal.	4' o.c.
	35	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	6	CAMELLIA 'FAIRY BLUSH' Fairy Blush Camellia	2 gal.	3' o.c.
	8	CEPHALOTAXUS HARRINGTONIA 'FASTIGIATA' Upright Japanese Plum Yew	5 gal.	2' o.c.
	7	SARCOCOCCA RUSCIFOLIA Sweet Box	1 gal.	3' o.c.
<b>GROUND COVER</b>				
	14	ARCTOSTAPHYLOS U.U. 'WOOD'S DWARF' Wood's Dwarf Kinnikinnick	1 gal.	3' o.c.
	63	EPIMEDIUM PERRALCHICUM 'FROHNLEITEN' Frohneiten Bishop's Hat	1 gal.	2' o.c.
	44	LIRIOPE MUSCARI 'BIG BLUE' Big Blue Lily Turf	1 gal.	2' o.c.

**GENERAL NOTES:**

1. Contractor is to verify all plant quantities.
2. Adjust plantings in the field as necessary.
3. Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/ build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
4. All plants are to be fully foliated, well branched and true to form.
5. Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.
6. Invasive plant species shall be removed from all landscape areas prior to approval of final occupancy permit.

Figure 10 -2021 Proposal Landscape Plan Details



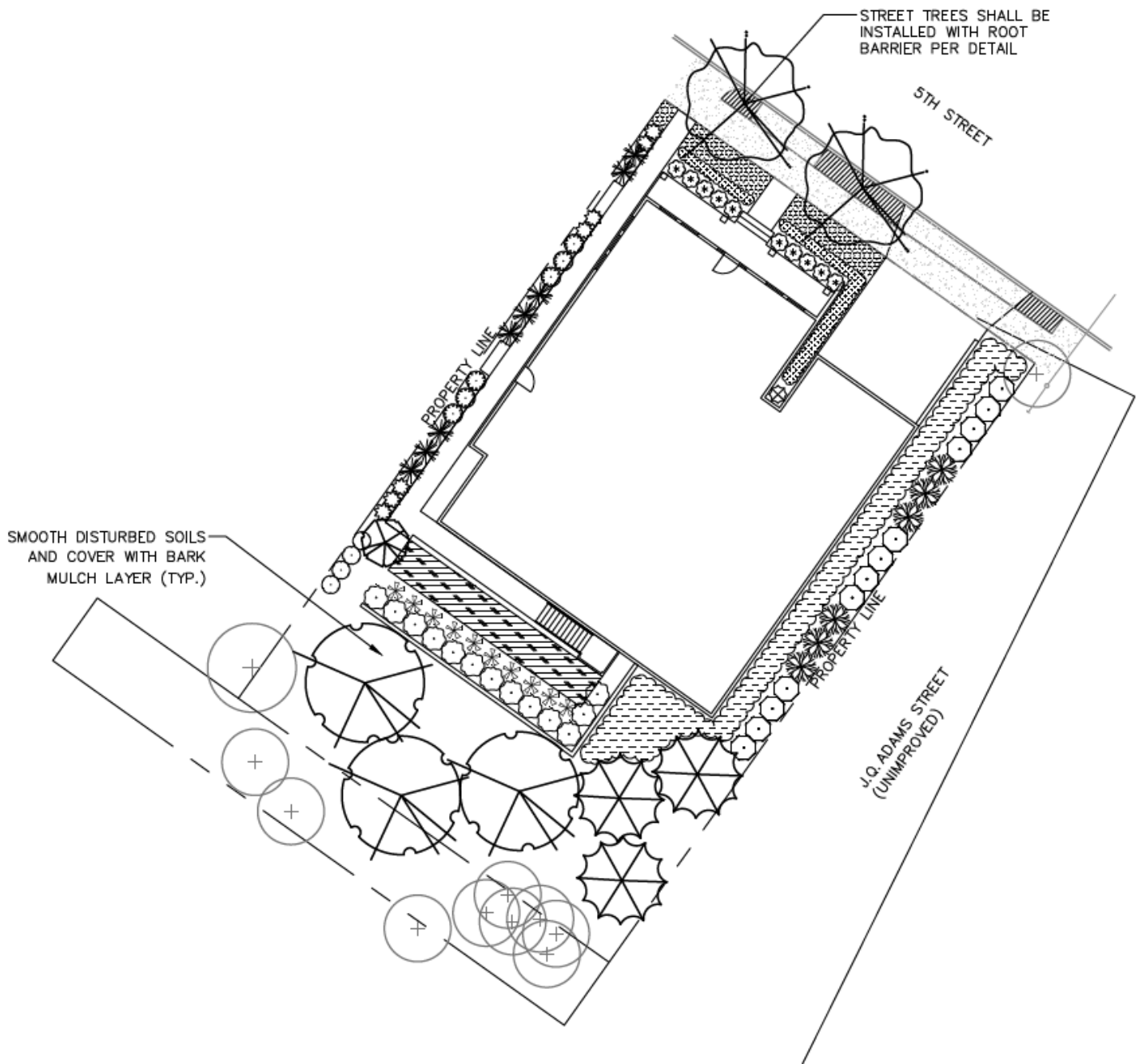


Figure 11-Previous proposed landscape Plan 2021 showing ADA ramp location and side yard mitigation plants (Japanese yew, sweetbox, and fairy bush camellia). ADA setbacks to the property line look to 2 1/2 to 3 feet.

PRELIMINARY



Figure 12- Approved Front Elevation- HR 20-1

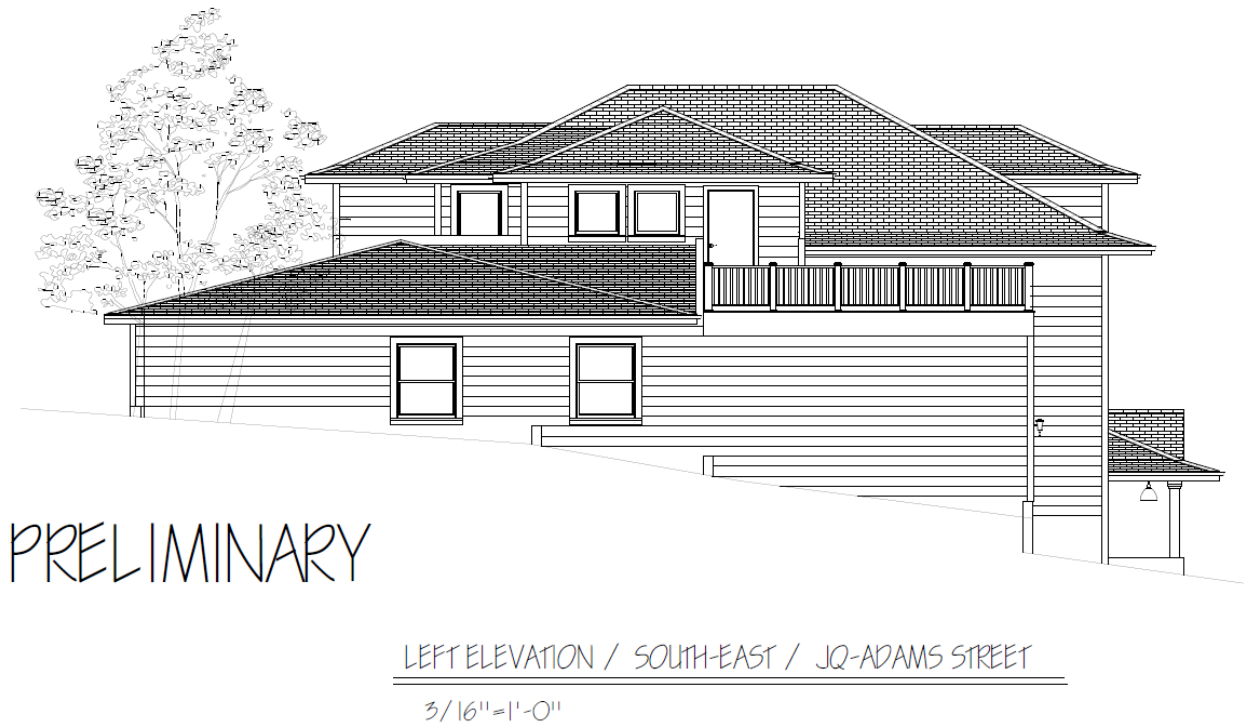


Figure 13-Approved HR 20-01 Left elevation (uphill side)



Figure 14-Approved HR 20-01 Right elevation (downhill side)

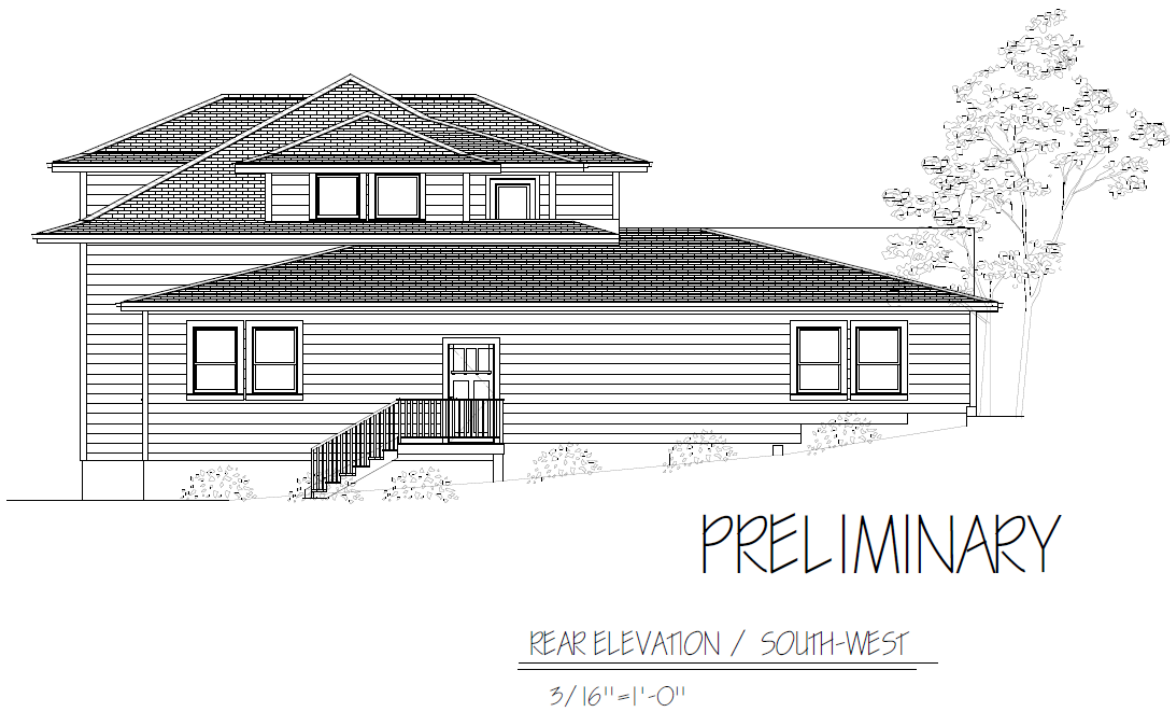


Figure 15-Approved HR 20-01 rear elevation

# PRELIMINARY

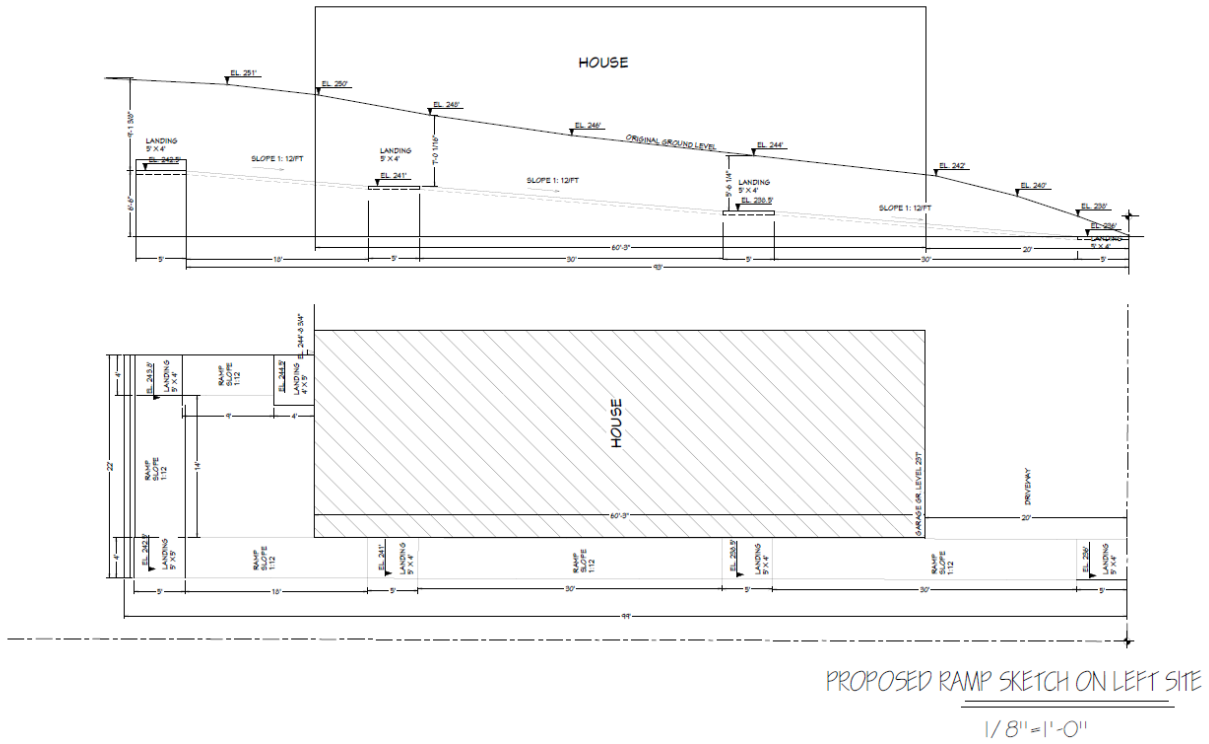


Figure 16 -Proposed uphill side ramp approach study (HR 22-0011)

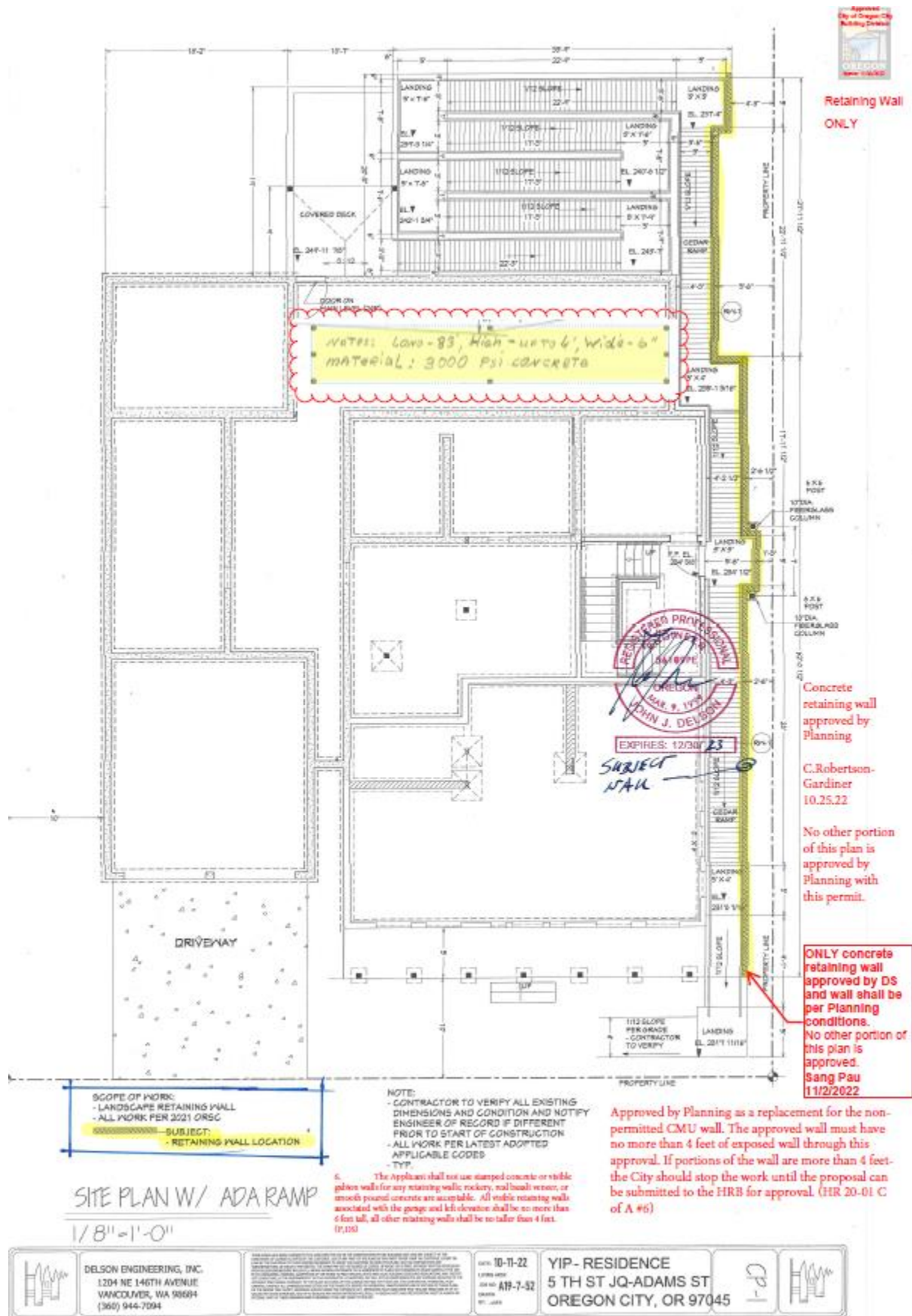















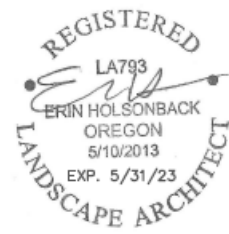


Figure 16 -Revised Site Plan. \*\*\*NEW\*\*\*

A new 4-foot or less concrete retaining wall was approved to replace the non-permitted CMU wall.

**PLANT LIST:**

SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING
<b>STREET TREES</b>				
	2	SYRINGA RETICULATA Japanese Tree Lilac	2" cal.	As Shown
<b>MITIGATION TREES</b>				
	3	CORNUS NUTALLII Pacific Dogwood	2" cal.	As Shown
	3	TSUGA HETEROPHYLLA Western Hemlock	6' ht.	As Shown
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	4	TAXUS MEDIA 'STONEHEDGE' Stonehedge Yew	5 gal.	3' o.c.
	6	CORNUS ALBA 'BAILHALO' Ivory Halo Dogwood	2 gal.	5' o.c.
	7	HYDRANGEA PANICULATA 'LITTLE LIME' Little Lime Hydrangea	2 gal.	3' o.c.
	12	VACCINIUM OVATUM Evergreen Huckleberry	5 gal.	4' o.c.
	24	BUXUS SEMPERVIRENS 'GREEN MOUNTAIN' Green Mountain Boxwood	2 gal.	3' o.c.
	12	CAMELLIA JAPONICA 'NUCCIO'S GEM' Nuccio's Gem Camellia	5 gal.	6' o.c.
	35	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
<b>GROUND COVER</b>				
	14	ARCTOSTAPHYLOS U.U. 'WOOD'S DWARF' Wood's Dwarf Kinnikinnick	1 gal.	3' o.c.
	63	EPIEDIUM PERRALCHICUM 'FROHNLEITEN' Frohnleiten Bishop's Hat	1 gal.	2' o.c.
	44	LIRIOPE MUSCARI 'BIG BLUE' Big Blue Lily Turf	1 gal.	2' o.c.



**OTTEN + ASSOCIATES**  
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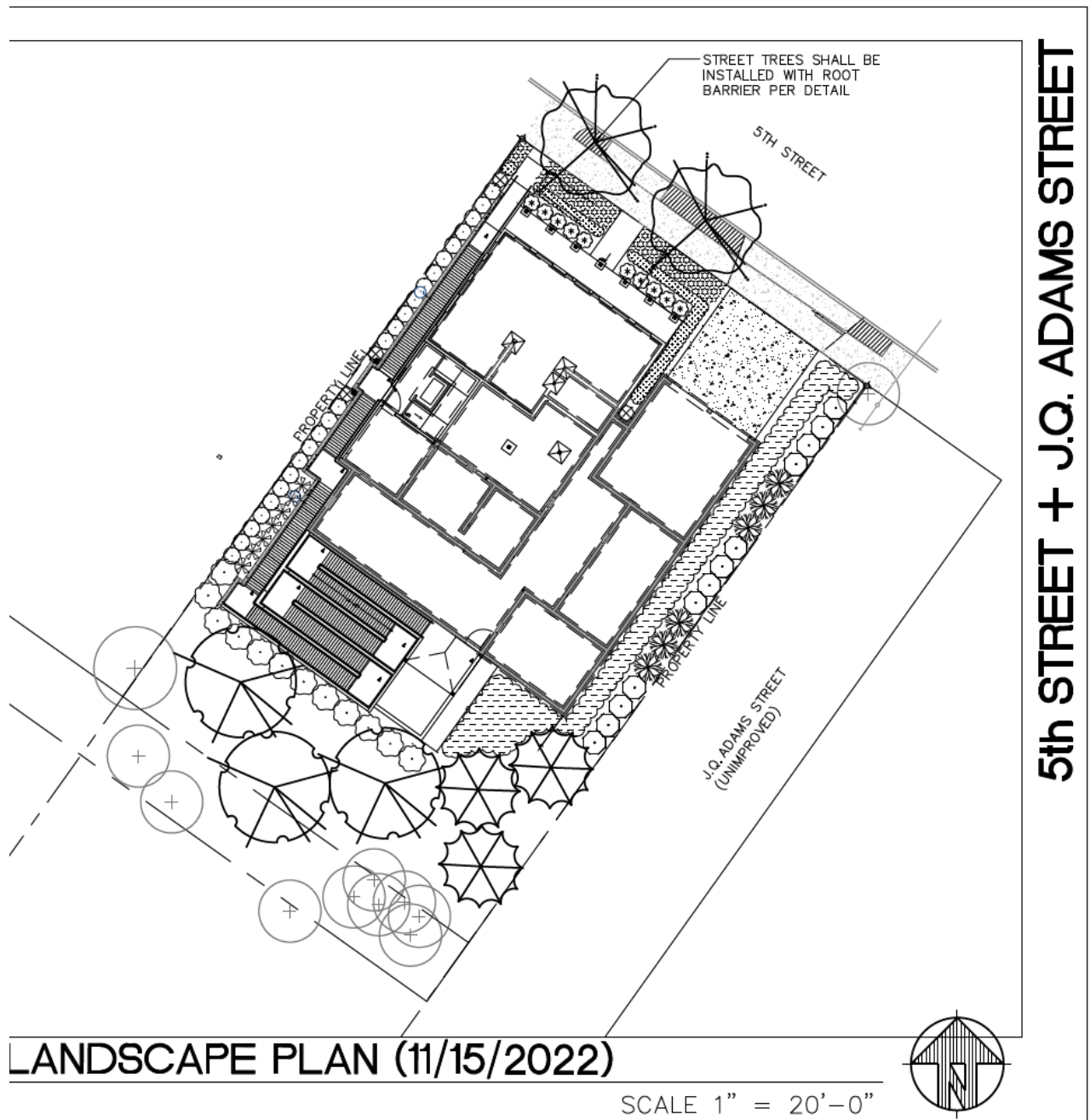


Figure 16 a/b -Landscaping Plan. **\*\*\*NEW\*\*\***

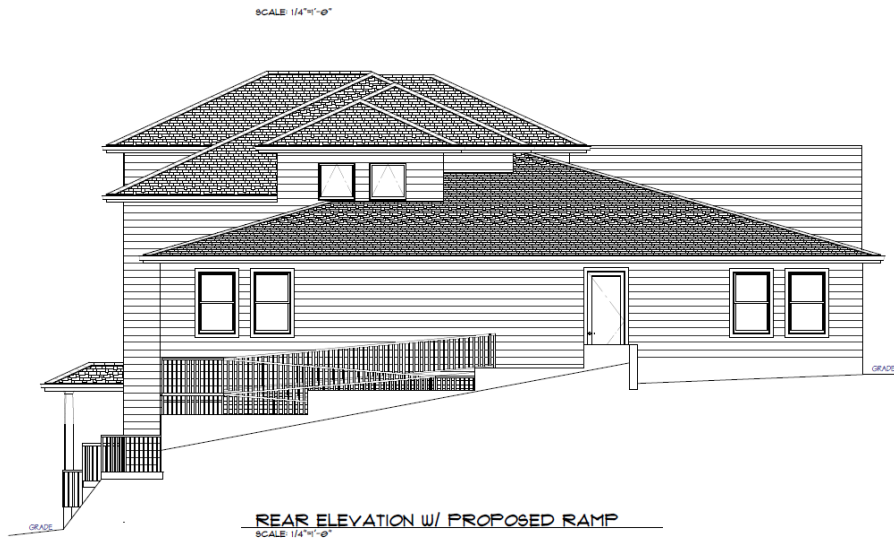


Figure 17 -Proposed rear elevation revised full ADA ramp design (HR 22-0011) **\*\* NEW METAL RAMP DESIGN \*\***

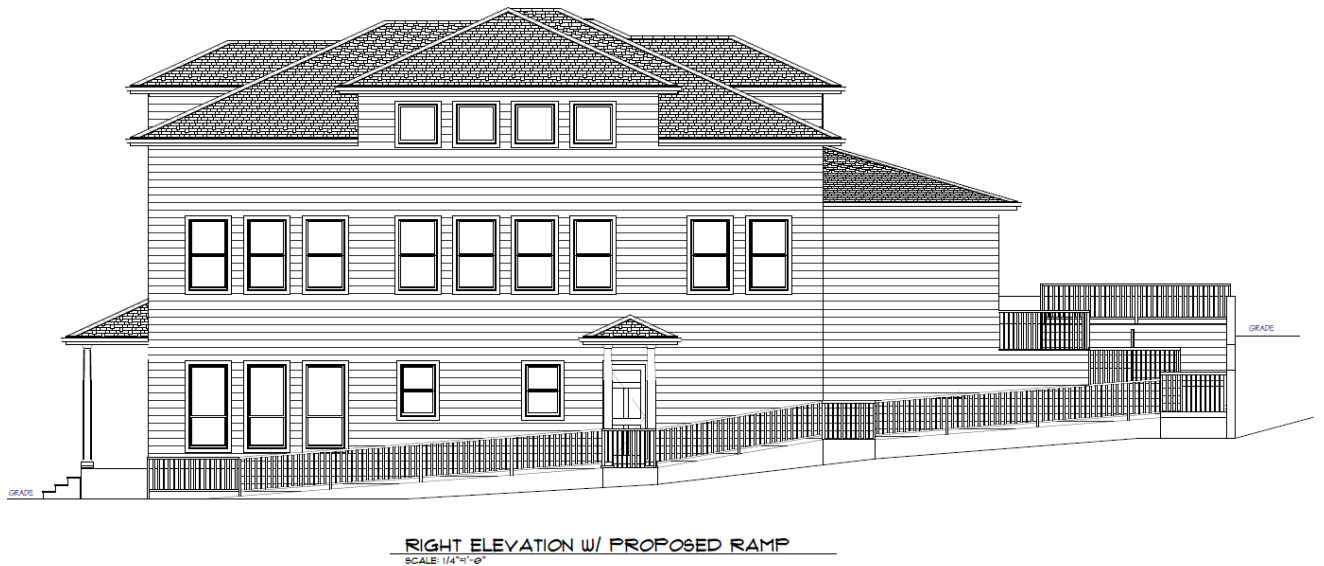


Figure 18 -Proposed side (right) elevation revised full ADA ramp design (HR 22-0011) **NEW METAL RAMP DESIGN \*\***





Figure 19 Front and side (right) rendering **\*\* NEW METAL RAMP DESIGN \*\***



Figure 20- Side (right) and rear rendering. The blue arrows highlight highlights the areas addressed in the recommended revisions that require the removal of all horizontal siding from ADA ramp. **\*\* NEW METAL RAMP DESIGN \*\***

## PUBLIC NOTICE AND COMMENT

A public notice was sent to neighbors within 300 feet of the subject property, posted on the City's website, emailed to a variety of stakeholders, a sign was posted onsite. Jilene Modlin provided public comment at the October 25, 2022 meeting supporting the continuance to find the best option for the ADA ramp.

## REVIEW CRITERIA

*17.40.060 - Exterior alteration and new construction.*

- A. *Except as provided pursuant to subsection I 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:** This is a proposed modification to an approved New Construction in the McLoughlin Conservation District (HR 20-0001)

- 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 City processed the application pursuant to Chapter 17.50 of the municipal code. The Applicant provided elevation drawings, a landscape plan, floor plan, and a narrative to address the specific revisions requested. Staff is processing the application based on what the Applicant has submitted but will also ask the Historic Review Board if the Applicant needs to provide additional findings or plans to comply with the Design Guidelines.

- 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 in 2019. A response was received from SHPO and is in the City's files for HR 20-00001. The letter indicates the level of recommended archaeological monitoring on the site. No major change in grading is being proposed for the side ADA ramp beyond the original notice.

*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.

*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;*

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.

**Finding: Complies with Conditions**

If the Historic Review Board can determine that the revised metal ADA ramp provides sufficient mitigation for the design and massing of the ADA ramp, has no adverse effect on the significance of the District, and there are sufficient findings and plans to demonstrate an alternative analysis conducted of alternate approaches, Staff recommends approval of this application.

As part of HR 21-00020 and AP 22-0006, the Historic Review Board and City Commission provided a list of alternative approaches that the Applicant should review before the Board could look at the full ADA ramp as a potential approval option. Staff has reviewed the Applicant's current findings and submittal against this list.

- 1. An interior ADA access from the ground floor through the garage, interior stairway, or other means.

**HR 22-00011 Applicant's Response:** The Applicant has indicated that as the project is almost completed in the interior of the building, an interior ADA access is not feasible at this time. *At this time, the construction of the building is largely complete. As construction is nearly complete, undertaking a change to the interior design to accommodate an interior means of ADA access would be cost-prohibitive on the part of the owner and is not feasible. The industry standard cost for a chair lift is approximately \$5,000. The industry standard cost for a residential elevator is approximately \$30,000. These prices do not*

*include the cost of undertaking a change to the interior programming of the building. In addition, it is our understanding that the zoning of this area requires that the property be mixed-use (commercial and residential). As the building proposes a commercial use at the first floor and a residential use at the second floor, two separate points of entry are needed to ensure resident and building safety. Creating a shared interior lobby space would remove needed square footage from the commercial space and would not provide the residential space with a separate entrance. As there will be individual entrances to each floor, the currently proposed exterior ramp provides full ADA access to both floors.*

**Staff's Findings:** Staff agrees that it is likely that internal improvements are nearly complete, and any such retrofit is likely infeasible.

2. A noncommercial interior chair lift or residential elevator.

**HR 22-00011 Applicant's Response:** The Applicant has provided the following information. *As explained in item 1, the construction of the building is nearly complete and therefore the addition of an interior chair lift or residential scaled elevator would require major modifications to the home and would be cost-prohibitive on the part of the owner. In looking into these alternatives, the home owner expressed concern about the necessary upkeep and maintenance of an interior chair lift and residential-scaled elevator for providing ADA access as both options would be rendered unusable during power outages or inclement weather*

**Staff's Findings:** The \$5,000 cost of an interior chairlift to the existing stairwell is not an unreasonable constraint and appears to be less than the cost of the exterior ADA ramp. The Applicant has previously mentioned that they were not interested in mechanical means of ADA access that could be impacted by a loss of power or the need for multiple people to leave the residence in an emergency. The Historic Review Board will need to determine if this is sufficient to show that this option is not viable for the Applicant

3. A chair lift accommodation along exterior stairs that hugs the building.

**HR 22-00011 Applicant's Response:** *In exploring the option of installing a chair lift at the exterior stairs, it was determined that the addition of the exterior stair, chair lift, and associated mechanical equipment would add a great deal more visible massing to the building and would have a larger visual impact to the surrounding District than the proposed ramp solution. As currently designed, the proposed exterior ramp is minimally intrusive to the surrounding District with much of it located at the rear of the property. In addition, there is concern that an exterior chair lift would be rendered unusable during power outages or inclement weather and would thus not provide full ADA access to the building. Finally, the installation of an exterior chair lift would be cost-prohibitive and would require many changes to the already constructed property, rendering it not feasible.*

**Staff's Findings:** The Applicant has previously mentioned that they were not interested in mechanical means of ADA access that could be impacted by a loss of power or the need for multiple people to leave the residence in an emergency. The Historic Review Board will need to determine if this is sufficient to show that this option is not viable for the Applicant or determine if an exterior ADA lift would create massing in a more prominent view corridor.

4. An ADA-complaint design relying on the existing uphill topography on the left or southeast side elevation.

**HR 22-00011 Applicant's Response:**The Applicant provided a one-page slope analysis (figure 19) but did not provide narrative findings as to why this approach is not feasible, cost information, ramp size, and potential impact on the house or McLoughlin Conservation District. Erin Ward, Heritage Consulting Group, provided the following information: *The Applicant explored the potential of constructing the exterior ramp at several different locations around the building. The southeast side of the building cannot be used as the grade of the topography does not meet the code requirements for rise of the ramp. Additionally, the proposed ramp provides ADA access to the first floor office space as well as the second floor residential space and the first floor entrance is located on the opposite side of the building. As such the current proposed design provides full ADA access to the interior in a location that is facing the rear of the building and is the least visually intrusive to the surrounding District.*

**Staff's Findings:** At the October 25, 2022 HRB meeting, Johns Delson provided background about the rise over run calculations and indicated that even the upslope side of the building would not meet ADA-approved grade without further excavation towards the front and new retaining walls. The rise-over-run slope calculations would also require a ramp in the rear to get to the backdoor. As this site is located within the Geologic Hazard Overlay District, any additional upslope excavation would require a new Type II GeoHazard Review. With this information, it is reasonable to find that the upslope ADA ramp is not feasible at this time and could require substantial retaining walls to create a lower-sloped flatter area towards the front of the lot.

5. The use of materials and design that create a lighter, airier appearance, such as painted metal.

**HR 22-00011 Applicant's Response:** *In response to the comments received, the design of the ramp has been revised to utilize a painted metal railing rather than wood. The use of metal will allow for a lighter, airier railing and will match what is already installed along the garage roofline. The simple Alumarail by Precision Rail railing design (as shown in the photograph below) is compatible with the conservation district and the Craftsman design of the subject building. Additionally, this type of railing was previously approved for the subject building and therefore will provide a consistent appearance and aesthetic.*



**Staff's Findings:** A wood ramp with horizontal siding may be appropriate for the smaller side entry design, but as it is extended to the rear, which was once compatible, seems to create the large mass that caused the Historic Board and the City Commission to deny the full ADA ramp. The US Department of the Interior National Park Service, Cultural Resources Division has promulgated a Preservation Brief dealing specifically with accessibility, which is attached here and may provide a suitable reference for how the City might interpret its historic standards with respect to the ADA. The brief provides examples of metal designs that are lighter and airier than the wood option. These simpler design look to hide the ramp rather than integrate it into the design of the building.

The submitted metal design utilizes a simple black powder-coated railing and a metal ramp. The ramp is supported by a concrete podium at the side door and retaining walls.

6. Consider whether the removal or reduction in the length of the rear porch would reduce the massing of the ADA ramp.

**HR 22-00011 Applicant's Response:** The Applicant has provided a revised drawing that reduces the number of switchbacks from 5 to 3, does not reduce the overall length of the building and provides an opportunity for planter beds between the house and the ramp and between the switchbacks. The rear covered porch proposed and not approved in HR 21-00020 is not part of this application. *In response to the comments received, the Applicant has revised the design of the rear porch to be smaller in scale and to serve merely as a covered landing at the second floor entrance. Additionally, the massing of the rear ramp has been significantly reduced, limiting the number of switchbacks to the minimum required to meet code. The proponent will add planters facing the rear to further minimize the visibility of the ramp to the surrounding District and adjacent neighbors.*

**Staff's Findings:** The Applicant's revised drawing addressed this. The rear porch has been reduced to a small rear door entry cover.

7. Utilizing a taller retaining wall (assuming that it is made of appropriate materials) toward the rear along the side to provide some level of initial screening that can be further mitigated with plantings.

**HR 22-00011 Applicant's Response:** The Applicant provided updated side elevations of the revised ramp and no detailed narrative response. *In response to comments received, the Applicant has explored the option of a taller retaining wall at the rear of the ramp. While a taller wall would provide additional screening, the construction of a taller retaining wall would be more visually intrusive to the surrounding District. In contrast, the metal railing of the ramp, as proposed, is minimally intrusive to the surrounding District and is low in height. This solution allows more of the previously approved building to remain exposed and does not create a large,*

**Staff's Findings:** The updated landscape plan shows the tight geometry/topography of the back corner of the side elevation. It is unclear if a higher retaining wall is even possible or would even mitigate the ramp massing.

8. Provide a revised landscape plan that incorporates the proposed replacement retaining wall and mitigation planting to ensure that the selected plant types are appropriate for the location.

**HR 22-00011 Applicant's Response:** *The Applicant has discussed the proposed landscape plan with Staff and understands that the landscaping will need to be compatible with the conservation district. It is our understanding that the plantings will either need to be native to the area or historically compatible and of the English garden variety and will further follow up with Staff regarding proposed plantings to ensure they are compatible with the District.*

**Staff's Findings:** A revised landscaping plan was provided with this staff report (Exhibit 1b). For the purposes of this meeting, Staff is concentrating on the portions of the landscape plan that are associated with the ADA ramp. Other portions of the Landscape plan are not consistent with the existing conditions and will need to be revised through the Type I Site Plan and Design Review Process.

A row of 2-gallon Greenmountain boxwood (mature height 3-5 feet) is shown between the ADA ramp and the property line on the side elevation (approx. 3 feet). A row of little lime hydrangeas (mature height 6-8 feet tall) is planned to be planted behind the boxwoods towards the rear of the property line as the ADA ramp stepback. This creates an approx. 6-foot planter area for the final 1/3 of the ramp abutting the property line. Nuccio's Gem Camellias (mature height 15 feet) are planned to wrap around the rear portion of the ramp. These proposed plants do seem to provide adequate long-term screening to mitigate the massing of the ramp.

The landscape plan appears to show 3 feet and 6 feet planter beds along the side elevation. Whereas the revised site plan shows 2 feet 6 inches and 5 feet 6 inches, respectively. The landscape plan appears not to include the newly approved small concrete retaining wall depicted in the revised site plan. With space at such a premium, it is very important to ensure that both plans are accurate and that the registered landscape architect can confirm in writing that the planting choices will be successful notwithstanding a potential 6-inch reduction in the planting area. Recommended revisions and conditions of approval have been added at the beginning of the document to ensure that there is adequate planting space and it is monitored over the next three years

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

*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.*

*Policy 5.3.8*

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

**Finding: Complies as Conditioned** A new live/work dwelling is proposed on vacant commercial land within the McLoughlin Conservation District. The Historic Review Board is tasked with finding the least impactful full ADA ramp option. If the Board finds that the new metal ADA design meets the design standards or finds that the new metal ADA design does not fully meet the standards for approval, but there is sufficient evidence in the record to find that the full-length metal ADA exterior ramp is necessary given the Applicant's therapeutic objectives and financial limitations, then Staff recommends approval of the application as the proposal demonstrates a concerted effort to protect historic resources and meets the needs of the Applicant under the Americans with Disabilities Act.

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

**Finding: Complies as proposed.** Approving this development will add additional housing stock and commercial space 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 as Conditioned** The Historic Review Board is tasked with finding an ADA accessibility design that preserves the historic district character, to the extent feasible. If the

Board finds that the new metal ADA design meets the design standards or finds that the new metal ADA design does not fully meet the standards for approval, but there is sufficient evidence in the record to find that the full-length metal ADA exterior ramp is the least impactful exterior option, then Staff recommends approval of the application as the proposal demonstrates a concerted effort to protect historic resources and meets the needs of the Applicant under the Americans with Disabilities Act.

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: Complies as Conditioned** The Secretary of Interior often recommends using contrasting materials with a lighter, simpler design to reduce impact on historic buildings, and in this case, the resource is the McLoughlin Conservation District.

A black powder-coated metal ramp with simple railings spaced at the minimum needed to meet building code allows for the least amount of visual impact. As stated above in the staff report, metal ADA ramp railings were used in the historic Ermatinger House. They were also approved in the initial HR 20-0001 approval on the uncovered garage balcony, where wood railings would have a very short lifespan. The use of metal railings to reduce massing or address uncovered areas should be differentiated from the use of railings within traditional house architecture, such as a porch or stair railings, which the design guidelines do not recommend.

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

**Finding: Complies as Proposed.** The addition of housing stock and commercial space in an existing neighborhood provides more needed housing and is located in an already-developed area in close proximity to goods and services.

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

## **Design Guidelines for New Construction – McLoughlin Commercial**

### **1. STYLE**

*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 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.*

*Outside of the Seventh Street Commercial Corridor, commercial uses shall employ a residential style architecture to better integrate into the neighborhood fabric. The larger residential styles, such as Queen Anne, Vernacular [single buildings or grouped], and Foursquare, are appropriate. They create a suitable transition to adjacent residential areas and can be built relatively close together to achieve appropriate density. These styles could be utilized for any uses: retail, office or multifamily residential. The carriage building on High Street is an existing residential style structure used for commercial purposes.*

**Finding: Complies as Conditioned** The Historic Review Board is tasked with identifying a ADA accessibility solution that preserves the historic district character, to the extent feasible. The Secretary of Interior often recommends using contrasting materials with a lighter, simpler design to reduce the impact on historic buildings. In this case, the resource is the McLoughlin Conservation District.

A black powder-coated metal ramp with simple railings spaced at the minimum needed to meet building code allows for the least amount of visual impact. Additionally, the use of a contrasting material will help



further to reduce the massing of the ramp on the building; this differentiation addresses the Historic Review Board's concerns that the previous wood ramp was adversely impacting the foursquare design of the building as the ramp appeared to be an extension the building.

**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.*

*Commercial buildings are to face the Street squarely with their primary face and display areas in full view, to engage the pedestrian, and to be set back only slightly, if at all from the front and side lot lines. Small courtyard area may be appropriate for multifamily and certain commercial uses. Vehicle access to be on the less visible sides or rear.*

**SITE CHARACTERISTICS OF M'CLOUGHLIN COMMERCIAL BUILDINGS**

- *Rectangular footprint that largely fills the width of the lot.*
- *Oriented to Street for access, and display. No or small setback from the sidewalk along Street; may not extend all way to rear lot line.*
- *Small front or side setback is appropriate for residential uses.*
- *Central or individual ground floor customer-tenant entries. Grouped residential entry to lobby or foyer. Separate service entries.*
- *Vehicle access and storage at side or rear; may be hidden under the building.*
- *Landscape: small plantings if there are setbacks; otherwise street trees. Upper story gardens visible from the sidewalk were not used in the historic period, and are discouraged.*

**I: SITE** *continued*

USE OF SITE	<i>How the site is planned to be used.</i>	
ASPECT	PRINCIPLE — GOOD EXAMPLE	NOT ALLOWED
<p><b>Topography Use</b></p> <p>Site houses according to neighboring or contextual practice. At sloping sites, houses were sited at most the easily built portions of the lot and close to grade. At upsloping sites the main level was raised. At downslope sites the main level was lowered. Cross-slope sites utilized the easiest access.</p> <p>Residential garages may extend to front property line at up or down sloping sites.</p> <p>Commercial buildings requiring a larger footprint utilized level lots in close proximity to the street.</p> <p>Buildings may be set back to better integrate with houses where adjacent, and to facilitate grade changes.</p>		<p>Extensive regrading of lot to raise or lower the main level of a house. Tall walls to alter the natural topography for building siting or yard leveling purposes.</p> <p>Commercial buildings without the main level close in height to the public way</p> <p>Foundations, piers or piling more than 1 story in height above natural grade</p> 

**Finding: Complies with Conditions.** The Guidelines direct development on cross slopes to utilize the easiest access and not allow foundations more than 1-story. The Guidelines also allow for a small side yard setback for commercial buildings in the Mcloughlin Conservation District. While Live/work is a bit of a hybrid of commercial and residential, Staff finds that this setback direction still applies and provides direction for smaller, more commercial-scale setbacks for uses that go beyond single-family residential. The setback for the MUC-1 District is 0 feet. The Applicant has proposed a setback that appears to be between 2-3 feet. Staff finds that either ramp option meets this standard.

## 2. 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. Existing commercial historic buildings are now less numerous in the districts. Acceptable styles will produce new infill form based on historic character qualities of the original buildings and those found in other similar districts. This new development will then successfully relate to adjacent residential neighborhoods. The appropriate style and form of the new buildings depends upon the site and neighboring, or transitioning context.

### BUILDING FORM CHARACTERISTICS OF MCMCLOUGHLIN COMMERCIAL BUILDINGS

- Building form and foot print primarily rectangular, possible rectangular additions or wings; possible interior light court, courtyard or areaway.
- Massing: A simple rectangular primary form encompassing the primary and visible facades. a parapet or false front that provides the height boundary of the building and hides the view of the roof. Single story with retail or service use; Two or three story with single or mixed use. Basement option
- Ground floor typically has high ceilings; retail use with office or residential use above.
- Height: Main level close to grade. Single story buildings: minimum 16 foot high parapet. First to Second floor height to be at least 12 feet unless for multifamily use, then may be 10 feet. Upper floor to floor heights at least 10 feet. Maximum Height: Per City code
- Height for Commercial Buildings using a Residential Style: First to Second floor height to be at least 10 feet. Main Floor Level Height Above Grade: 2½ feet minimum. Eave Height: 28 feet maximum. Ridge Height maximum: 40 feet.
- Residential styles, including Queen Anne, or Foursquare, are encouraged on Seventh above John Q Adams and on Center and High, and where facing or adjoining residential zoning. Alternatively, the use(s) may be embodied in a grouping of smaller buildings.
- Full width one or two story porches at front (accessed by interior stair), or rear are appropriate for residential.
- Grade level or depressed parking if accessed from rear or rear end of side and generally concealed from sidewalk by building wall, provided commercial or residential use is located along primary Street.

**Finding: Complies with Conditions.** The addition of an ADA ramp as conditioned does not contradict any of the Guideline elements above.

## 3. 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 MCMCLOUGHLIN COMMERCIAL BUILDINGS

- Mostly single or double store design to 100 feet in width. Wider than 100 feet requires style change.
- False front: covering front gable roof or just an extended wall; may have a parapet on each side (possibly not rear) hiding a low sloped roof.
- Streetcar Commercial: wood or masonry construction and finish; generous ground floor retail display with individual or grouped upper level double hung windows in an otherwise solid wall.
- Large ground floor storefront windows with short bulkhead wall below and very often with transom windows above; wood frames or appropriate metal. Trim at window/transom frame edges.
- Often recessed store entries; side entries typically not recessed. Separate entries for individual stores.

- *Streetcar Multifamily: wood or masonry construction and finish. Less emphasis on retail display, but location of public and lobby areas adjoining the public way. Possible upper level window bays within the width and height of the primary or side façades. Possible entry projection.*
- *Upper Level Entry: typically a single shared entry with small lobby.*
- *Upper story wood framed windows designed as 'punched' openings in the otherwise solid wall, regularly spaced; individual, paired double hung design or triple units with fixed center and double hung side lights. Possible transom windows. Possible flat arch windows in masonry walls.*
- *Façade with modest, but defining cornice, possible belt cornice. Wood exteriors can support more detailing; masonry or plaster finished buildings with less detail and ornamentation; typically, no significant form projections or recesses except window bays or entries.*
- *Materials/Finish: cement plaster (stucco), brick, concrete with plaster over, horizontal board siding; fabric awnings, possible flat steel/wood building supported canopy.*

**Finding: Complies as Conditioned** The Historic Review Board is tasked with identifying an ADA accessibility design that preserves the historic district character, to the extent feasible. The Secretary of Interior often recommends using contrasting materials with a lighter, simpler design to reduce the impact on historic buildings. In this case, the resource is the Mcloughlin Conservation District.

A black powder-coated metal ramp with simple railings spaced at the minimum needed to meet building code allows for the least amount of visual impact. Additionally, the use of a contrasting material will help further to reduce the massing of the ramp on the building; this differentiation addresses the Historic Review Board's concerns that the previous wood ramp was adversely impacting the foursquare design of the building as the ramp appeared to be an extension the building.

*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: Not applicable.** No preservation incentives are proposed.

## **CONCLUSION AND RECOMMENDATION**

If the Board finds that the new metal ADA design meets the design standards or finds that the new metal ADA design does not fully meet the standards for approval, but there is sufficient evidence in the record to find that the full-length metal ADA exterior ramp is the least impactful exterior option, then Staff recommends approval of GLUA 22-00031: HR 22-0011 1020 5<sup>th</sup> Steet as the proposal demonstrates a concerted effort to protect historic resources and meets the needs of the Applicant under the Americans with Disabilities Act.

## **EXHIBITS**

1. Applicant Submittal (HR 22-0011)
  - a. November 15, 2022 Memo from Erin Ward, Heritage Consulting Group. **\*\*NEW\*\***
  - b. Applicant Submittal Metal Ramp **\*\*NEW\*\***
    - i. Side and rear elevations
    - ii. Renderings

- iii. Revised landscape plan
    - iv. Revised site plan
    - v. Metal spec
  - c. Applicant Submittal Wood Ramp
- 2. Secretary of Interior Standards for Rehabilitation- Accessibility
- 3. September 27, 2022 MNA comments
- 4. September 27, 2022 Site photos
- 5. September 27, 2022 Public comment Jiline Modlin
- 6. September 27, 2022 HRB Meeting- How much does a stair lift cost (2022) Bob Villa

**ONFILE**

- 7. HR 20-001 (*Original Approval*)
  - a. Staff Report and Notice of Decision
  - b. Plans
- 8. HR 21-0020 (*Denial of Full ADA ramp and Approval of a smaller side entry ADA ramp*)
  - a. Staff Report and Notice of Decision
  - b. Plans
- 9. AP 21-0006 *City Commission (Denial of Full ADA ramp and Approval of a smaller side entry ADA ramp)*
  - a. Staff Report and Notice of Decision
  - b. Plans
- 10. Historic Review Board and City Commission Meetings –  
All Public Hearing for Planning Files GLUA 21-00052 / HR-21-00020 Modification of HR 20-00001, and AP 21-0006

The following meeting agendas, videos, staff report and exhibits for this project are available for viewing at <https://www.orcity.org/meetings> and are part of the record.

Date	City Website
<b>September 28, 2021 Historic Review Board Meeting</b>	<a href="https://www.orcity.org/bc-hrb/historic-review-board-13">https://www.orcity.org/bc-hrb/historic-review-board-13</a>
<b>October 26, 2021 Historic Review Board Meeting</b>	<a href="https://www.orcity.org/bc-hrb/historic-review-board-15">https://www.orcity.org/bc-hrb/historic-review-board-15</a>
<b>November 30, 2021 Historic Review Board Meeting</b>	<a href="https://www.orcity.org/bc-hrb/historic-review-board-16">https://www.orcity.org/bc-hrb/historic-review-board-16</a>
<b>February 2, 2022 City Commission Meeting</b>	<a href="https://www.orcity.org/citycommission/city-commission-regular-meeting-revised-18">https://www.orcity.org/citycommission/city-commission-regular-meeting-revised-18</a>
<b>February 16, 2022 City Commission Meeting</b>	<a href="https://www.orcity.org/citycommission/city-commission-regular-meeting-15">https://www.orcity.org/citycommission/city-commission-regular-meeting-15</a>