



CITY OF MILWAUKIE

AGENDA

June 5, 2023

DESIGN AND LANDMARKS COMMITTEE

Virtual Meeting (via Zoom)
www.milwaukieoregon.gov

- 1.0 Call to Order — Procedural Matters — 6:30 PM**
- 2.0 Meeting Minutes – Motion Needed**
 - 2.1 August 1, 2022
- 3.0 Information Items**
- 4.0 Audience Participation —** This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Meetings**
 - 5.1 Historic resource review—file #HR-2023-001 (10722 SE Main St, current City Hall building)
Staff Person: Vera Kalias, Senior Planner
- 6.0 Worksession Items — None**
- 7.0 Other Business/Updates**
 - 7.1 DLC Looking Forward
- 8.0 Design and Landmarks Committee Discussion Items —** This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - TBD

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

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Milwaukie Design and Landmarks Committee Statement

The Design and Landmarks Committee is established to advise the Planning Commission on historic preservation activities, compliance with applicable design guidelines, and to review and recommend appropriate design guidelines and design review processes and procedures to the Planning Commission and City Council.

- 1. PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@milwaukieoregon.gov. Thank You.
- 2. DESIGN AND LANDMARKS COMMITTEE MEETING MINUTES.** Approved DLC Minutes can be found on the City website at www.milwaukieoregon.gov.
- 3. CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.milwaukieoregon.gov.
- 4. FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.

Public Meeting Procedure

Those who wish to testify should come to the front podium, state their name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Committee members.

- 1. STAFF REPORT.** Each design review meeting starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommendation with reasons for that recommendation.
- 2. CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Committee was presented with its meeting packet.
- 3. APPLICANT'S PRESENTATION.**
- 4. PUBLIC TESTIMONY.** Testimony in support, opposition, and comments or questions from interested persons who are neither in favor of nor opposed to the application.
- 5. QUESTIONS FROM COMMITTEE MEMBERS.** The committee members will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
- 6. REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the Committee will take rebuttal testimony from the applicant.
- 7. CLOSING OF PUBLIC MEETING.** The Chairperson will close the public portion of the meeting. The Committee will then enter into deliberation. From this point in the meeting, the Committee will not receive any additional testimony from the audience but may ask questions of anyone who has testified.
- 8. COMMITTEE DISCUSSION AND ACTION.** It is the Committee's intention to make a recommendation this evening on each issue on the agenda. Design and Landmarks Committee recommendations are not appealable.
- 9. MEETING CONTINUANCE.** Prior to the close of the first public meeting, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Design and Landmarks Committee will either continue the public meeting to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony.

Milwaukie Design and Landmarks Committee:

Cynthia Schuster, Chair
Tracy Orvis, Vice Chair
Mary Neustadter
Juli Garvey
Ryan Lowther

Planning Department Staff:

Laura Weigel, Planning Manager
Vera Kolas, Senior Planner
Brett Kever, Senior Planner
Adam Heroux, Associate Planner
Ryan Dyar, Assistant Planner
Petra Johnson, Administrative Specialist II



CITY OF MILWAUKIE

To: Design and Landmarks Committee
Through: Laura Weigel, Planning Manager
From: Brett Kelter, Senior Planner
Date: May 26, 2023, for June 5, 2023, Meeting
Subject: Meeting Preparation

As it has been almost a year since the last meeting of the Design and Landmarks Committee (DLC), below are a few notes as preparation for the June 5 meeting.

HISTORIC RESOURCE REVIEW

As you will see from the packet materials, Item 5.1 has to do with proposed changes to the current City Hall building at 10722 SE Main St. The building is listed as a “significant” resource on the City’s list of historic properties, so significant exterior alterations require review and approval by the Planning Commission. The DLC’s role in this process is to provide a recommendation to the Planning Commission.

The staff report prepared by Senior Planner Vera Kolia describes the project, outlines the applicable criteria for approval for Historic Resource Review, and provides the analysis.

There is a downtown design review component in addition to the historic resource review; however, because the proposal addresses the applicable standards, the downtown design piece is not subject to discretionary review by the DLC or Planning Commission. The covered entryway proposed by the applicant is a separate structure not attached to the building. The design meets the clear and objective standards for Type I review.

DLC LOOKING FORWARD

The hiatus the DLC has been in for the past ten months underscores a couple realities: (1) without an active project and no land use reviews, there has not been a need to convene the committee on a regular basis; and (2) the Planning Department’s work is currently focused on implementing the new Comprehensive Plan, which does not include work directly related to the DLC at this time. With these things in mind, staff has been contemplating options for the committee’s operations moving forward and will discuss these with the group at the June 5 meeting.

ATTACHMENTS

None

**CITY OF MILWAUKIE
DESIGN AND LANDMARKS COMMITTEE
MINUTES**

**(virtual meeting via Zoom)
Monday, August 1, 2022
6:30 PM**

COMMITTEE MEMBERS PARTICIPATING

Cynthia Schuster, Chair
Tracy Orvis, Vice Chair
Juli Garvey
Ryan Lowther

STAFF PARTICIPATING

Brett Kelper, Senior Planner (staff liaison)

OTHERS PARTICIPATING

(none)

MEMBERS ABSENT

Mary Neustadter

1.0 Call to Order – Procedural Matters

Chair Cynthia Schuster called the meeting to order at 6:31 p.m.

2.0 Design and Landmarks Committee Minutes

2.1 June 6, 2022

Chair Schuster called for any comments on or corrections to the June meeting minutes. There were none, and the minutes were approved unanimously. **Chair Schuster** noted that she had followed up with staff after that meeting on a couple items related to the discussion (including building step backs).

3.0 Information Items

3.1 Introduction of new members, orientation

Staff: Brett Kelper, Senior Planner

Senior Planner Brett Kelper, staff liaison, noted that there were two new members of the committee (both appointed in July 2022) and suggested that everyone each take a couple minutes to say a few things about their background. He opened the introductions by stating that he has been a planner with the city for the past 17 years and has served as staff liaison to the committee twice during that time, most recently since March 2016.

Chair Schuster shared that she grew up in Milwaukie, has an architectural background, and currently works as a senior associate for a local architectural firm. **Vice Chair Tracy Orvis** also has an architectural background (degree from the University of Oregon), works for a local firm, and is originally from Spokane. **Committee Member Juli Garvey** has been in Milwaukie for 26 years, runs a business in downtown Milwaukie with her husband, works as an asset manager for Home Forward (the Portland housing authority), and is interested in downtown development. **Committee Member Ryan Lowther** is from The Dalles, lived in Phoenix before moving to Milwaukie in 2018, has an architectural drafting degree, and works for a local structural engineering firm (KPF). The fifth committee member, Mary Neustadter, was unavailable for this meeting but has a lot of experience and expertise in historic preservation.

4.0 Audience Participation – None

5.0 Public Meetings – None

6.0 Worksession Items – None

7.0 Other Business/Updates

Kelver gave a brief overview of the role of the committee, including making recommendations to the Planning Commission. He noted that it had previously been a commission with decision-making authority (like the Planning Commission) for certain land use applications, but that over time the role shifted to being more advisory. Currently, the committee provides recommendations on higher-level applications for downtown design review and historic resource review. Over the past couple of years, there have been a number of new developments downtown that have required review by the committee (e.g., Axletree, new Ledding Library, Henley Place, Coho Point, Dogwood Station).

Given that the land use review task is sporadic and unpredictable, the committee maintains an annual workplan with a few long-range projects that the group can work on in between reviews. The main project over the past five or six years has been an effort to update the downtown design review section of the code, and it is finally in the adoption stage. An update to the historic resource portion of the code is on the workplan, though it will be a couple of years before there is capacity to do that work. **Kelver** explained more about the basic elements of the current historic resource protections.

Chair Schuster reiterated the impetus for and objectives of the downtown design review update project. **Kelver** noted that the packet materials for the upcoming Planning Commission meeting would include several documents that could serve as a timely orientation to the downtown design review update project for Garvey and Lowther as the newest members. **Vice Chair Orvis** acknowledged that her experience dropping in at the middle of the code update had been positive and a good way to get up to speed on how the process and rules work from the reviewer side.

Kelver closed the orientation with a note on the regular meeting schedule of first Monday of each month (excepting holidays). The schedule has been less regular of late due to the effort to move the code amendments forward, and there may be a bit of a hiatus until the amendments are adopted. He asked if there were any questions.

Lowther asked for clarification about the length of committee member terms with respect to appointment dates. **Kelver** explained that the various positions have staggered term dates and that the two-year term of Lowther's position, for example, was scheduled to end in June 2023 and that he just happened to be appointed in the middle of it. He noted that can certainly ask to be reappointed for a new full term if he desires, and the partial term will not count against the limit established in the bylaws of serving three consecutive full terms.

8.0 Design and Landmarks Committee Discussion Items – None

9.0 Forecast for Future Meetings

TBD

Chair Schuster adjourned the meeting at 7:17 p.m.

Respectfully submitted,

Brett Kelver, Senior Planner



CITY OF MILWAUKIE

To: Design and Landmarks Committee
Through: Laura Weigel, Planning Manager
From: Vera Kolas, Senior Planner
Date: May 26, 2023, for June 5, 2023, Public Meeting
Subject: **File:** HR-2023-001
Applicant: Travis Henry, City Hall Holdings, LLC
Owner(s): City of Milwaukie
Address: 10722 SE Main St
Legal Description (Map & Tax Lot): 1S1E36BB02500
NDA: Historic Milwaukie

ACTION REQUESTED

Recommend approval of application HR-2023-001 and recommend adoption of the Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for the renovation of a portion of the northern first floor of City Hall by replacing a set of windows with storefront entrance doors.

BACKGROUND INFORMATION

In August 2019, City Council authorized the purchase of the Advantis Credit Union building (10501 Main Street) to serve as the next Milwaukie City Hall. The city outgrew the current City Hall building (10722 Main Street) several decades ago and has purchased and built other facilities to accommodate staff and provide essential services. Purchasing the Advantis building will allow the city to consolidate staff and services and create a "one-stop-shop" for Milwaukie residents and businesses, as well as provide room for the city to continue to grow into the future.

In March 2020, the City Council appointed the City Hall Blue Ribbon Committee (CHBRC). From September 2020 to March 2021, the committee held public meetings to learn about the site's history, associated building costs, construction limitations, and developed a set of project

goals using feedback from the community. In Spring 2021, the CHBRC recommended its project goals for the adaptive re-use of City Hall to the City Council. The goals included:

- Historic preservation
- Create a destination
- Maintain open space
- Sustainable building practices
- Minority / Women Business Enterprise Contracting

After a competitive process, the city selected Henry Point Development to reimagine its historic City Hall. The selection committee was impressed with how Henry Point’s proposal focused on the project’s five adopted community goals (listed above). The reuse of City Hall will preserve the building’s iconic façade and the renovated interior will house a variety of tenants, becoming home to a brewery, restaurant, and bakery, along with community art and office space.

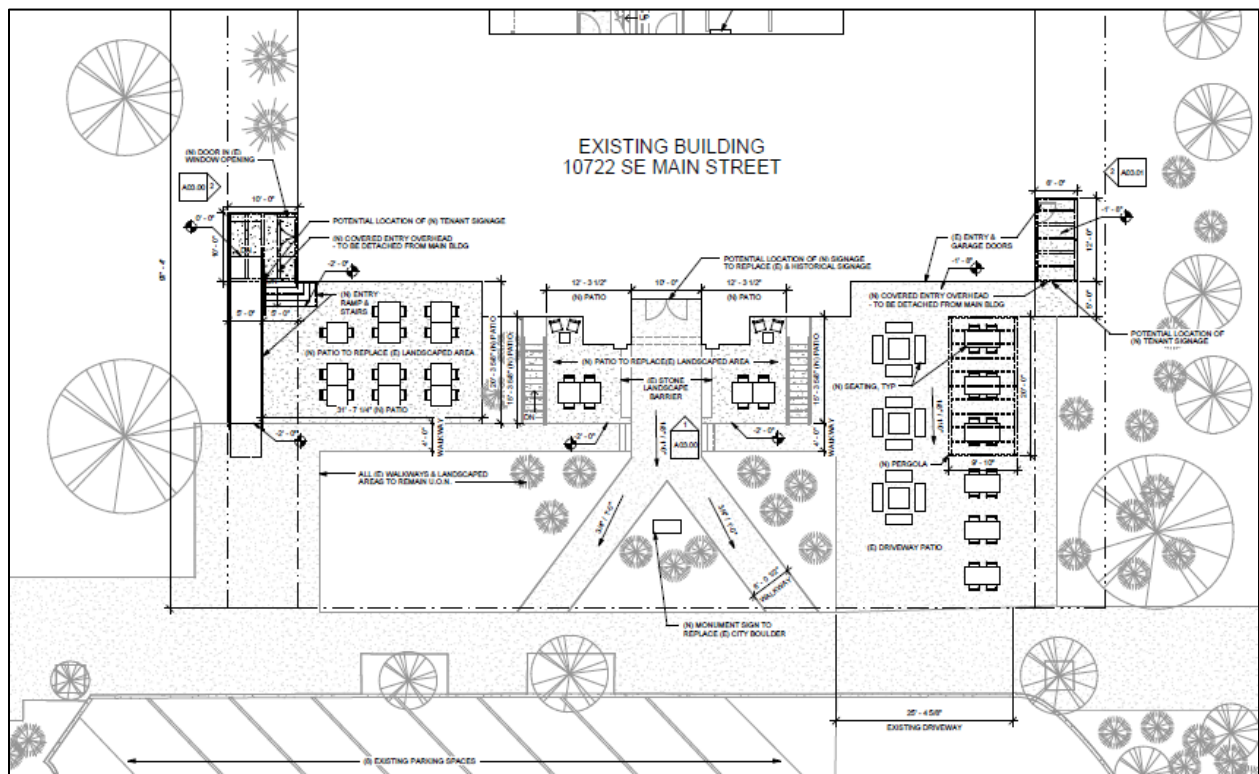


Figure 1. Proposed site plan

A. Site and Vicinity

The site is located at 10722 SE Main St. The overall site contains City Hall, a sculpture garden, and an adjacent parking lot. The project site is only the area of City Hall and the front entrance and plaza area to the sidewalk (see Figure 2).

The surrounding area consists of downtown commercial and residential properties, the TriMet bus area, the Waldorf School, and a municipal parking lot.



Figure 2. Site area and vicinity

B. Zoning Designation

The site is in the Downtown Mixed Use Zone (DMU).

C. Comprehensive Plan Designation

Town Center - TC

D. Land Use History

- **2022:** R-2022-001: Approval to separate the building from the rest of the property.
- **2018:** HR-2018-001: Approval for a remodel of the fire bay (not constructed).
- **2018:** CSU-2018-008: Approval to install a welcome sign.
- **2018:** CSU-2018-014: Approval to install a new ballot box.
- **2015:** DR-015-002; CSU-2015-005: Approval to install a bicycle repair stand in front of City Hall.
- **2014:** CSU-2014-001: Approval to install an information kiosk.
- **2013:** HR-2013-001: Approval to replace the garage doors.
- **2010:** HR-2010-001; CSU-2010-005: Approval to install the sculpture garden.
- **1998:** HR-1998-002: Approval to install an HVAC unit and window replacement.
- **1997:** HR-1997-002: Approval to install a 7-space bike rack.
- **1997:** HR-1997-004: Approval to remove 3 street trees and replace them with 4 Norway Maple trees.

E. Proposal

The applicant is seeking land use approval to alter the structure by replacing an existing 6 ft x 5 ft window on the north wall with a pair of full-lite storefront entrance doors for access to a new business.

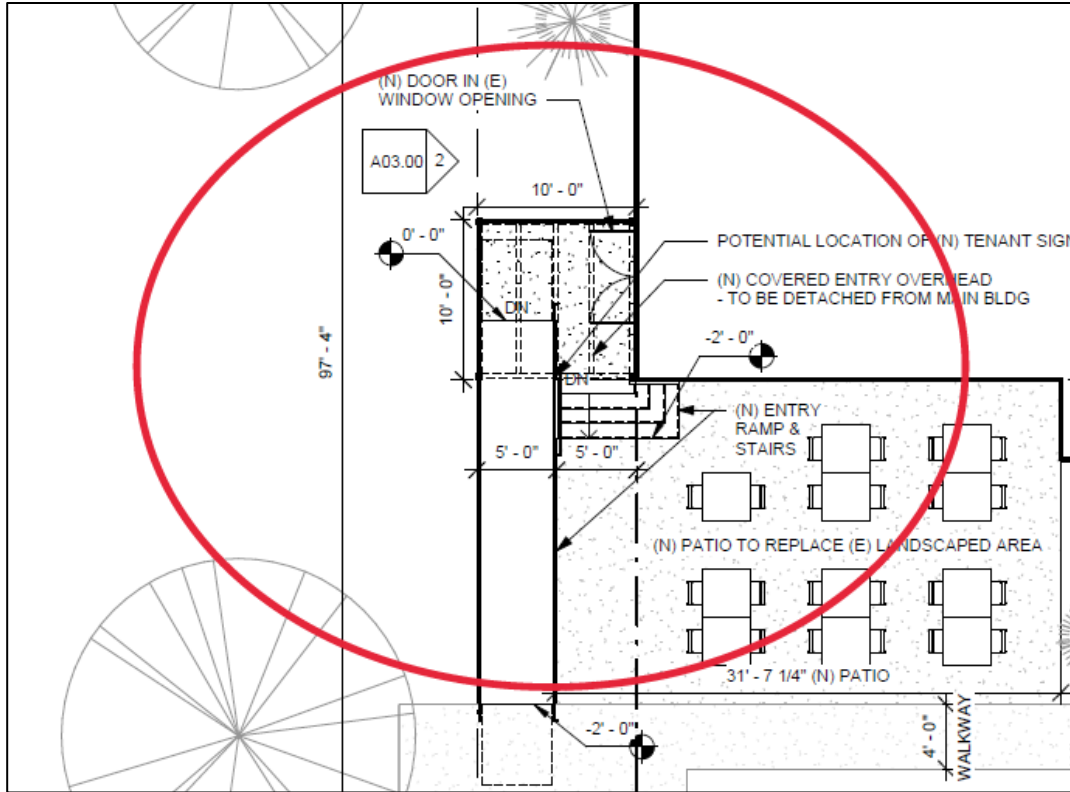


Figure 3. Proposed location of new doors

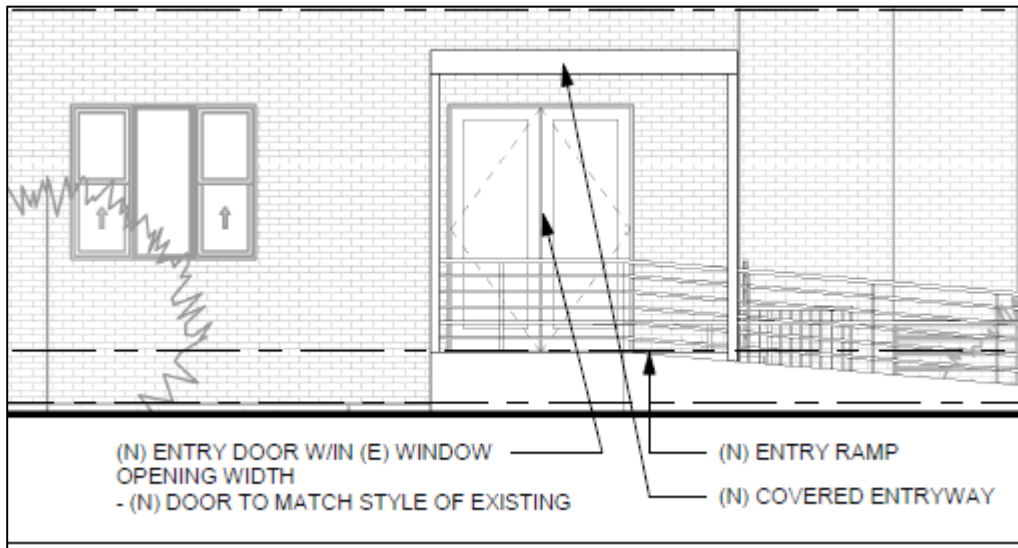


Figure 4. Elevation



Figure 5. Proposed storefront doors



Figure 6. North façade with area of work identified.

The project requires approval of the following applications:

1. HR-2023-001: Type III Historic Resource review (exterior alteration of a landmark)
2. DR-2023-002: Type I Downtown Design Review

Analysis

The proposal includes the installation of a covered entry structure (pergola) and improvements to the front plaza and open space area. These aspects of the application, in addition to the proposed new entry, comply with the relevant downtown design standards as detailed in Attachment 1 – Findings. Therefore, Type I Downtown Design Review is the appropriate review type, and the Committee’s focus of review is on the Type III Historic Resource Review.

Staff has identified the following question for the Committee’s deliberation. Aspects of the proposal not listed below are addressed in the Findings (see Attachment 1) and generally require less analysis and discretion by the Committee.

A. Is the proposal consistent with the visual integrity or style of City Hall?

The proposed alteration to the north façade of City Hall provides an exterior entrance to a new tenant space as part of the adaptive re-use of the building. The door is not a new opening – it is replacing an existing large window in the façade. The proposed doors are wood with a storefront design, keeping with the design of the existing window and allowing for a large amount of light. The materials are consistent with the original time period and the original windows as well. The applicant has indicated that the proposal has been received favorably by the National Parks Service and the State Historic Preservation Office, with an eye toward having City Hall placed on the National Register of Historic Places.

Also, from a pedestrian’s standpoint, the proposed door location is not adjacent to the sidewalk and does not have a direct relationship with pedestrians unless they are customers of the business. This façade does not face Main St and is set back approximately 50 ft from the edge of the nearest sidewalk.

CONCLUSIONS

A. Staff recommendation to the Design and Landmarks Committee:

1. Recommend approval of the Historic Resource review application. This will result in new storefront doors where an existing window is located, providing access to a new business.
2. Recommend adoption of the attached Findings.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC 19.304 Downtown Zones
- MMC 19.403 Historic Preservation Overlay
- MMC 19.508 Downtown Site and Building Design Standards and Guidelines
- MMC 19.907 Downtown Design Review
- MMC 19.1006 Type III Review

This application is subject to Type III Historic Resource review, which requires the DLC to consider whether the applicant has demonstrated compliance with the Historic Preservation Overlay code (MMC 19.403). In Type III reviews, the DLC assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public meeting and submits a recommendation to the Planning Commission for final approval at the public hearing scheduled for June 27, 2023.

The Committee has 3 decision-making options as follows:

- A. Recommend approval of the application subject to the recommended Findings.
- C. Recommend approval of the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- D. Recommend denial of the application upon finding that it does not meet approval criteria.

The final decision on these applications, which includes any appeals to the City Council, must be made by September 14, 2023, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

COMMENTS

Notice of the proposed changes will be provided prior to the public hearing to the following agencies and persons: City of Milwaukie Engineering, Building, and Public Works Departments, Clackamas Fire District #1, the Milwaukie Historical Society, and the Historic Milwaukie Neighborhood District Association (NDA).

ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	DLC Packet	Public Copies	Packet
1. Recommended Findings in Support of Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Recommended Conditions of Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Applicant's Narrative and Supporting Documentation received May 16, 2023.			
a. Narrative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Site Plan and detail sheets	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

Early DLC Mailing = paper materials provided to DLC at the time of application referral.

DLC Packet = paper materials provided to DLC 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the DLC meeting.

Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-dlc/design-and-landmarks-committee-61>.

ATTACHMENT 1
Recommended Findings in Support of Approval
Primary File #HR-2023-001; City Hall adaptive re-use historic review

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Travis Henry on behalf of City Hall Holdings, LLC, has applied for approval to alter the historic structure at 10722 SE Main St. This site is in the Downtown Mixed Use (DMU) Zone. The primary land use application file number is HR-2023-001.
2. The applicant is seeking land use approval to alter the structure by replacing an existing 6 ft x 5 ft window on the north wall with a pair of full-lite storefront entrance doors for access to a new business.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC 19.304 Downtown Mixed Use Zone
 - MMC 19.403 Historic Preservation Overlay
 - MMC 19.508 Downtown Site and Building Design Standards and Guidelines
 - MMC 19.907 Downtown Design Review
 - MMC 19.1006 Type III Review

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public review meeting with the Design and Landmarks Committee was held on June 5, 2023. A public hearing was held on June 27, 2023, as required by law.

4. MMC 19.304 Downtown Zones
 - a. MMC 19.304.3 Uses

MMC Table 19.304.3 establishes the uses that are allowed in the Downtown Mixed Use Zone (DMU).

The building at the subject property is currently used by the City of Milwaukie as a city hall, including city offices on the first floor and city offices, council chambers, and meeting spaces on the second floor.

The proposed adaptive re-use of the building will include office and restaurant space, both of which are uses that are permitted outright in the DMU zone.

The site has been in use as a city hall since it was constructed in 1939. The site has had This standard is met.

- b. MMC 19.304.4 Development Standards

MMC 19.304.4 establishes standards for new development projects in the downtown zones.

This site is an existing building which will contain office space, community space, and restaurants; no changes are proposed that are affected by the development standards. This standard does not apply to the proposal.

5. MMC 19.403 Historic Preservation Overlay

MMC 19.403 provides standards and procedures for review of applications related to identified historic resources.

The subject property is identified on the City historic and cultural resources inventory as a "Significant" historic resource; therefore, the regulations in MMC 19.403 apply.

a. MMC 19.403.5 Alteration and Development

- (1) MMC 19.403.5.A requires review for any exterior alteration of a landmark deemed "Significant" in the City historic inventory.

The subject property is designated a "Significant" historic resource and the proposed improvements are for minor exterior alterations. The proposed improvements are subject to review under the provisions of MMC 19.403.

- (2) MMC 19.403.5.B requires that an application for exterior alteration of a landmark be submitted to the Planning Director, in such form and detail as prescribed by the Director. Applications that do not meet the requirements for projects subject to administrative approval as per MMC 19.403.5.C shall follow the Type III review process outlined in MMC 19.1006.

An application with sufficient detail has been submitted for Type III review. This standard is met.

- (3) MMC 19.403.5.D provides for approval of alteration requests that do not qualify for administrative approval.

The proposed improvement replaces one existing 6 ft x 5 ft window with a pair of full-lite wood storefront doors to provide access to a new tenant space. Stairs and an accessible ramp are also proposed, as well as an unattached pergola to provide weather protection. Because the addition of a new set of doors does not meet the standards for administrative approval, the application has been combined under a Type III review, per MMC 19.1006.

- (4) MMC 19.403.5.E establishes approval criteria for alterations to landmarks.

The proposed improvements have been evaluated against the relevant approval criteria as follows:

(a) Retention of Original Construction

The proposed alteration to the window opening on the north façade does not destroy the distinguishing original qualities defining the resources character; nor does it alter any distinctive architectural features. The proposal replaces a large window with a pair of wood storefront doors. This alteration is located on the north façade which is approximately 50 ft from Harrison St, which is not the primary

street-facing façade on Main St. The doors are proposed to be painted to match existing trim.

The proposed improvement will not alter any remaining historic features or qualities of the landmark.

This criterion is met.

(b) Building Height

No changes to existing building height are proposed. This criterion is not applicable.

(c) Horizontal Additions

No additions are proposed. This criterion is not applicable.

(d) Windows

This proposal includes replacing one window opening on the north façade with a pair of full-lite, glazed wood storefront doors, painted to match the surrounding window trims. The design and proposed materials are consistent with the original time period and will match the visual qualities of the existing windows.

As communicated by the applicant, the State Historic Preservation Office (SHPO) and the National Park Service (NPS) have commented favorably on the proposal.

This criterion is met.

(e) Restoration Possible

If desired in the future, the proposed new entrance door and its associated landing and ramp could be removed. Further restoration in the future would not be precluded.

This criterion is met.

(f) Signs and Lighting

No tenant signage is proposed to be attached to the building. Any signage would be attached to the new wood pergola structures adjacent to, but not connected to, the building.

The proposal includes new lighting fixtures over the roll up doors that are visually compatible with the original character of the building and consistent with NPS and SHPO requirements to maintain eligibility for listing on the National Register of Historic Places.

This criterion is met.

(g) Time Period Consistency

The proposal matches existing materials and finishes currently present on and around the building exterior. The proposed new wood storefront doors will be painted to match existing window trim so that they will blend in and will be enhance and preserve the historic character of the building and serve the functional needs of the new tenant space.

This criterion is met.

(h) Visual Integrity/Style

The proposed improvements will not diminish any of the distinctive stylistic features that remain on the building. No distinctive stylistic features, primary structural elements, or examples of skilled craftsmanship are affected by the proposed design. Modifications made to the existing window to create a new accessible storefront entry have been proposed with the existing window proportions in mind, and all materials selected correspond to existing building materials. The proposal is respectful of the existing building while still meeting current code requirements. The proposed alteration supports and strengthens the geometry and material palette for the building, while also enhancing the pedestrian experience, which is consistent with the goals of this emerging mixed-use district.

This criterion is met.

(i) Replacement or Additional Materials

The existing building façade appears to be in good condition relative to its age and no additional work is expected. Nevertheless, there may be some elements found during the renovation that may require replacement. If this is the case, the applicant will ensure that similar materials and finishes are used, with careful attention to detail to keep the original historic character of the building and consistent with requirements from NPS and SHPO to maintain eligibility for listing on the National Register of Historic Places.

This criterion is met.

(j) Buffering

This requirement relates to screening or buffering when a new commercial or industrial improvement or use is proposed on a designated resource. However, the proposal involves an adaptive re-use of the existing building with permitted uses with only the proposed new entry door as an alteration to the structure. Screening or buffering is not proposed and is not required. However, if required in the future, buffering or screening will be consistent with requirements from NPS and SHPO to maintain eligibility for listing on the National Register of Historic Places.

This criterion is met.

The proposed improvements meet the applicable standards of MMC 19.403.

6. MMC 19.508 Downtown Site and Building Design Standards and Guidelines

- a. Per MMC 19.508.2, the design standards and guidelines generally apply to the street-facing façade of nonresidential, mixed-use, and residential-only multifamily buildings within the DMU zone.

The proposed alteration is on the north façade of the city hall building and is therefore subject to the applicable standards of MMC 19.508.

- (1) Per MMC 19.508.2.B.2, expansions, additions, and/or changes to the street-facing façade are subject to certain standards.

The proposed new storefront entrance and modified front plaza and seating areas are subject to the following standards: Subsection 19.508.4.D Façade Transparency and Activation, Subsection 19.508.4.E Building Entrances, Subsection 19.508.4.I Weather Protection, and Subsection 19.508.4.M Plazas and Usable Open Space.

- b. Per MMC 19.508.4, Downtown Design Elements, development that meets the applicability provisions in Subsection 19.508.2 must meet certain design standards for each element.

- (1) MMC 19.508.4.D provides the standards for façade transparency and activation.

The proposed improvements replace a 6 ft x 5 ft window with 6 ft x 8 ft storefront doors which will increase the transparency to the north façade of the building. This criterion is met.

- (2) MMC 19.508.4.E provides the standards for building entrances.

The proposed alterations are to an existing building which already has a primary building entrance facing Main St. The property is converting from a single occupant building to a multi-tenant building, so another entrance is proposed facing Harrison St (north façade). The proposed set of new full lite glazed doors will create a new storefront entrance for a new separate business, and will include a ramp and stairs connecting to an improved plaza and seating area in the Main St front area.

- (3) MMC 19.508.4.I provides the standards for weather protection.

- (a) MMC 19.508.4.I.2.a includes the standards for minimum weather protection coverage:

- (i) All ground-floor building entries must be protected from the weather by awnings, canopies, or similar weather protection.

The proposed new entrance on the north façade of the building will include constructing a new concrete landing adjacent to the building that will be accessible via a new concrete staircase and ramp. The landing will include an integrated free standing covered walkway canopy structure that will be constructed out of heavy timber and/or steel (likely painted to match the existing window trim) that will complement the architecture and historical character of the building, provide overhead weather protection, as well as outdoor seating/waiting area for customers and visitors.

This criterion is met.

- (ii) Awnings, canopies, or similar weather protection must be provided along at least 50% of the ground-floor elevation of a nonresidential building where the building abuts a sidewalk, plaza, courtyard, or similar pedestrian space.

The proposed canopy structure will be immediately adjacent to the proposed new entrance on the north façade, which is not adjacent to a sidewalk. The canopy structure will cover the entirety of the new entrance and will extend approximately 10 ft off the façade of the building, thereby covering the proposed new landing leading to the new doors.

This criterion is met.

- (iii) Weather protection must extend at least 4 ft over the pedestrian area.

The proposed canopy structure will extend approximately 10 ft off the façade of the building over the proposed new landing at the entrance.

This criterion is met.

- (iv) Weather protection must be at least 8 ft above the finished grade.

The proposed canopy structure will be approximately 9 ft tall.

This criterion is met.

- (b) MMC 19.508.4.I.2.a includes the standards for weather protection materials, design, and details:

- (i) Canopies must be constructed of rigid plastic, metal, glass, or a material similar in appearance and texture. The structure or frame materials for awnings and canopies must be aluminum or steel.

The proposed free standing canopy structure will be constructed out of heavy timbers and/or steel and covered with a clear, rigid plastic roofing material.

As conditioned, this criterion is met.

- (ii) Awnings or canopies must be attached directly above an entry or window.

The proposed weather protection is not a typical canopy that is attached to the building and only over the doors. Because of the requirements for listing on the National Register of Historic Places, the proposed weather protection is a canopy structure that will be constructed immediately adjacent to the new entry doors, providing the required weather protection while maintaining the integrity of the historic building.

As conditioned, this criterion is met.

- (c) MMC 19.508.4.M.2 includes design standards for plazas and usable open space.

- (i) Usable open space must be directly accessible at grade adjacent to the public sidewalk.

The existing building and front area facing Main St and adjacent to the public sidewalk already includes public open space. The proposed

improvements include an expansion of this area with additional seating areas in front of the new ground floor businesses.

This criterion is met.

- (ii) Hardscaping in open spaces must utilize concrete or unit paving and may not use asphalt or gravel surfacing.

The proposed new hardscaped plaza spaces along Main St will be constructed out of concrete.

This criterion is met.

- (iii) Landscaping must be integrated into open spaces as follows:

- (i) A minimum of 10% of the open space area must be landscaped areas incorporating trees, shrubs, and ground cover.

- (ii) No more than 20% of the landscaped area can be covered in mulch or bark dust.

- (iii) Nuisance species are prohibited.

The front open space and plaza area is approximately 5,000 sq ft, which would require a minimum of 500 sq ft of landscaped area. The proposed plans show over 1,300 sq ft of landscaped area, which is planted with shrubs, trees, and lawn. No more than 20% of the landscaped areas will contain mulch or bark dust. No nuisance species are proposed.

This criterion is met.

- (iv) Open spaces must provide at least 3 ft of seating area (bench, ledge, etc.) or one individual seat, including movable seating for outdoor seating areas, per 60 sq ft of plaza or open space area.

The front open space and plaza area is approximately 5,000 sq ft, which would require 77 seats. The proposed plans show 78 seats in the form of benches and individual chairs.

This criterion is met.

The Planning Commissions find that, as conditioned, these criteria are met.

7. MMC 19.907 Downtown Design Review

- a. Per MMC 19.907.2, the standards for downtown design review are applicable to modifications of existing development in the DMU zone.

The proposed new store front entry and plaza area is a modification to an existing development in the DMU zone and is therefore subject to the standards for downtown design review as provided in MMC 19.907.

- b. MMC 19.907.3.B.1 requires that exterior alterations that meet the applicable downtown design standards of Section 19.508 be processed with Type I review.

The proposed improvement includes replacing an existing window with a new set of storefront doors and modifying the front area of the building with a new plaza and seating area, which is shown in these findings to meet the applicable downtown design standards of Section 19.508. The application has been reviewed in accordance with the Type I Downtown Design Review process. This criterion is met.

- c. MMC 19.907.5.A establishes the approval criteria for Type I Downtown Design Review.

(1) Compliance with Title 19

As addressed in Finding 4, the proposed improvement complies with the applicable standards for downtown zones, as provided in MMC 19.304. As addressed in Finding 5, the proposed improvement complies with the applicable standards for historic resources, as provided in MMC 19.403. As addressed in Finding 6, the proposed improvement complies with the applicable standards for downtown design standards. No other standards in Title 19 are applicable to the proposed improvement.

(2) Compliance with applicable design standards in Section 19.508 and any prior land use approvals

As addressed in Finding 6, the proposed improvements have been reviewed against the relevant design standards for Subsection 19.508.4.D Façade Transparency and Activation, Subsection 19.508.4.E Building Entrances, Subsection 19.508.4.I Weather Protection, and Subsection 19.508.4.M Plazas and Usable Open Space.

Prior land use approvals did not contain relevant conditions of approval to the proposed improvements.

The proposed improvements meet the approval criteria of MMC 19.907.5.A Type I Downtown Design Review.

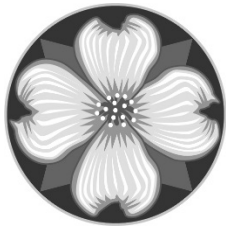
8. The application was referred to the following departments and agencies on September 7, 2018:

- Milwaukie Building Division
- Milwaukie Engineering Department
- Milwaukie Public Works Department
- Clackamas County Fire District #1
- Historic Milwaukie Neighborhood District Association Chairperson and Land Use Committee
- Milwaukie Historical Society
- State Historic Preservation Office (SHPO)

Comments received are summarized as follows:

ATTACHMENT 2
Recommended Conditions of Approval
Primary File #HR-2023-001; City Hall adaptive re-use

1. The final permit application and plans for construction improvements to the building must address the following:
 - a. Final plans submitted for development permit review must be in substantial conformance with plans approved by this action, which are the plans stamped received by the City on May 16, 2023 except as otherwise modified by these conditions.



MILWAUKIE PLANNING

6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #: HR-2023-001; DR-2023-002

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|--|--|---|
| <input type="checkbox"/> Amendment to Maps and/or | <input type="checkbox"/> Land Division: | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Comprehensive Plan Map | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Residential Dwelling |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Lot Consolidation | <input type="checkbox"/> Manufactured Dwelling Park |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Partition | <input type="checkbox"/> Manufactured Dwelling |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Temporary Dwelling Unit |
| <input type="checkbox"/> Code Interpretation | <input type="checkbox"/> Replat | <input type="checkbox"/> Transportation Facilities Review** |
| <input type="checkbox"/> Community Service Use | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Variance: |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Mixed Use Overlay Review | <input type="checkbox"/> Use Exception |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Modification to Existing Approval | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Director Determination | <input type="checkbox"/> Natural Resource Review** | <input type="checkbox"/> Willamette Greenway Review |
| <input checked="" type="checkbox"/> Downtown Design Review | <input type="checkbox"/> Nonconforming Use Alteration | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Extension to Expiring Approval | <input type="checkbox"/> Parking: | Use separate application forms for: |
| <input checked="" type="checkbox"/> Historic Resource: | <input type="checkbox"/> Quantity Determination | Annexation and/or Boundary Change |
| <input checked="" type="checkbox"/> Alteration | <input type="checkbox"/> Quantity Modification | • Compensation for Reduction in Property |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Shared Parking | • Value (Measure 37) |
| <input type="checkbox"/> Status Designation | <input type="checkbox"/> Structured Parking | Daily Display Sign |
| <input type="checkbox"/> Status Deletion | | • Appeal |

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): **City Hall Holdings LLC**

Mailing address: **PO Box 11266 Portland** State/Zip: **OR 97211**

Phone(s): **503-926-4613** Email: **travis@henrypointdevelopment.com**

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

SITE INFORMATION:

Address: **10722 SE Main Street** Map & Tax Lot(s): **11E36BB02500**

Comprehensive Plan Designation: **P / TC** Zoning: **DMU** Size of property: **10,264 SF**

PROPOSAL (describe briefly):

We are proposing minor alterations to the historic City Hall Building, including the modification of one window opening on the north facade to accomodate a new entry door with side lights, and the addition of various hardscape elements, including exterior stairs and ramp to access new doors on north facade and concrete patio spaces.

SIGNATURE: I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by:  Date: **4-26-23**

IMPORTANT INFORMATION ON REVERSE SIDE

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

REVIEW TYPES:

This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	HR-2023-001	\$ 2,000			
Concurrent application files	DR-2023-001	\$ 150	25%	concurrent app.	
		\$			
	TOTAL	\$ 2,150			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:		RCD BY:
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): HISTORIC MILWAUKIE					
Notes:					

From: [Joseph Briglio](#)
To: [Vera Kalias](#)
Cc: [Laura Weigel](#); [Petra Johnson](#)
Subject: Historic City Hall Land Use Application
Date: Tuesday, May 16, 2023 3:59:58 PM

Hi Vera,

The buyers of historic city hall will be submitting a land use application seeking approval for some minor exterior changes. They are authorized to do this via the city's DDA with them. It will be Travis Henry of Henry Point Development, and/or their project LLC called City Hall Holdings, LLC.

Thanks,

JOSEPH BRIGLIO

Community Development Director

he • him • his

City of Milwaukie

p: 503.786.7616 | e: briglij@milwaukieoregon.gov

6101 SE Johnson Creek Blvd | Milwaukie, OR 97206

CITY HALL HOLDINGS LLC

TYPE III HISTORIC REVIEW: Alteration and Development Historic Properties

May 16, 2023

City of Milwaukie Planning Division
6101 SW Johnson Creek Blvd
Milwaukie, OR 97206

Site Address: 10722 SE Main St, Milwaukie, OR, 97222
“Historic City Hall Building”

Background:

We are proposing a minor exterior alteration to the building located at 10722 SE Main St. in Milwaukie, OR, also known in the *Milwaukie Historic Resources Property List* as “Milwaukie City Hall” (MCH). The proposed improvement to the structure includes modifying an existing window opening on the North façade of the building to accommodate a pair of full-lite, wood storefront doors. We are also proposing to construct a new concrete staircase and ramp to access the new storefront, as well as new hardscaped plaza spaces in the existing landscaped areas along the East side of the building, which we will discuss in more detail in the Downtown Design Standards section below.

Design Narrative:

The proposed alteration to the MCH window opening on the North façade has been carefully considered to be architecturally consistent with the historic period of the original construction and seeks to preserve and strengthen the essential historic character of this building while enhancing the visual connection between interior tenant space and the public pedestrian realm.

The proposed alteration is to enlarge an existing 6’-0” x 5’-0” window opening on North façade and to accommodate a pair of full-lite wood storefront doors. The new entrance is critical for our retail tenant and we believe is appropriate and warranted, given the City’s interest in this property becoming a primary retail experience for the City’s residents. The proposed alteration has also been received favorably by National Parks Service (NPS) and State Historic Preservation Office (SHPO)** regarding the property’s eligibility to be placed on the National Register of Historic Places. See attached drawings, including details of the door design and materials.

Approval Criteria:

Per City of Milwaukie Development Code Section MMC 19.403.5

“Approval of a permit to alter a landmark or any property in the HP District shall be based on findings of adherence to the following guidelines:”

1. *Retention of Original Construction*

Distinguishing original qualities defining a resource's character shall not be destroyed. Removal or alteration of historic materials or distinctive architectural features should be avoided when possible.

Response: The proposed alteration to the MCH window opening on the North façade does not destroy the distinguishing original qualities defining the resources character; nor does it alter any distinctive architectural features. Thus, this requirement has been met.

2. *Building Height*

Existing building heights should be maintained. Alteration of roof pitches shall be avoided. Raising or lowering a building's permanent elevation when constructing a foundation shall be avoided, except as required by building code or floodplain development permit.

Response: The proposed alteration to the MCH window opening on the North façade does not impact building height, roof pitches, nor does it raise or lower the buildings permanent elevation. Thus, this requirement has been met.

3. *Horizontal Additions*

The scale and proportion of building additions, including the relationship of windows to walls, shall be visually compatible with the traditional architectural character of the historic building. Contemporary design for alterations and additions is acceptable if the design respects the building's original design and is compatible with the original scale, materials, and window and door-opening proportions of the building.

Response: As stated above in the design narrative, the proposed alteration to the MCH window opening on the North façade has been considered in the context of the original historic significance of the building and will serve to preserve the historic character. No additions to the existing structure are proposed. Thus, this requirement has been met.

4. *Windows*

Window replacements shall match the visual qualities of original windows as closely as possible. Wood window frames are preferred in meeting this standard. However, if non-wood replacements exhibit similar visual qualities as their wooden counterparts, they may be acceptable. The original number of windowpanes shall be maintained or restored when replacements are required.

Response As stated above in the design narrative, the proposed alteration to the MCH window opening on the North façade will include a pair full-lite, glazed wood storefront doors, painted to match the surrounding window trims. The design and proposed materials are consistent with the original time period and will match the visual qualities of the original windows. See attached drawings, including details of the door design and materials. Thus, this requirement has been met.

5. *Restoration Possible*

Except where building code precludes it, new additions or alteration to buildings shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original building could be restored.

Response: The proposed alteration to the MCH window opening on the North façade shall be constructed in such a manner that the opening could easily be infilled and restored to its existing condition, thus preserving the essential form and integrity of the original building. Thus, this requirement has been met.

6. *Signs and Lighting*

Signs, lighting, and other appurtenances (such as walls, fences, awnings, and landscaping) shall be visually compatible with the original character of the building.

Response: We are not proposing to attach any tenant signage to the building. Rather, we plan to attach signing to the new wood pergola structures adjacent to, but not connected to the building.

We plan to replace the two existing flood lights above each roll up door with new lighting fixtures that will be visually compatible with the original character of the building and consistent with requirements from NPS and SHPO** to maintain eligibility for listing on the National Register of Historic Places. Thus, this requirement has been met.

7. *Time Period Consistency*

Buildings shall be recognized as products of their own time. Alterations that have no historical basis or which seek to create an earlier appearance shall be avoided.

Response: The proposed alteration to the MCH window opening on the North façade has been considered in the context of the original historic basis of the building and will serve to enhance and preserve the historic character. Thus, this requirement has been met.

8. *Visual Integrity/Style*

Distinctive stylistic features, such as a line of columns, piers, spandrels, or other primary structural elements, or examples of skilled craftsmanship which characterize a building, shall be maintained, or restored as far as is practicable.

Response: The proposed alteration to the MCH window opening on the North façade will not detract from, nor destroy any architectural elements that contribute to the historic character. The proposed alteration seeks to support and strengthen the geometry and material palette for the building, while also enhancing the pedestrian experience, which is consistent with the goals of this emerging mixed-use district. Thus, this requirement has been met.

9. *Replacement or Additional Materials*

Whenever possible, deteriorated architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, or an addition is proposed, new materials should match those of the original building, to the extent possible, in composition, design, color texture, and other visual qualities

Response: The existing building façade appears to be in good condition relative to its age. Nevertheless, there may be some elements found during the renovation that may require replacement. If this is the case, we will ensure that similar materials and finishes are used, with careful attention to detail to keep the original historic character of the building and consistent with requirements from NPS and SHPO** to maintain eligibility for listing on the National Register of Historic Places. Thus, this requirement has been met.

10. Buffering

An appropriate buffer or screen, as provided under Subsection 19.504.6, may be required when a new commercial or industrial improvement or use is proposed on or adjacent to a designated resource, or within or adjacent to an historic district.

Response: Our current proposal does not include any buffering or screening. However, if required, the buffering or screening will be consistent with requirements from NPS and SHPO** to maintain eligibility for listing on the National Register of Historic Places. Thus, this requirement has been met.

TYPE I DOWNTOWN DESIGN REVIEW

Applicant has reviewed all applicable provisions of the newly adopted Downtown Design Standards, in particular, the following standards as they relate to the proposed new doors:

- Façade Transparency (19.508.4.D)
- Building Entrances (19.508.4.E)
- Weather Protection (19.508.4.I)

In addition, Applicant has reviewed the following standard as it relates to the proposed new plaza/outdoor spaces:

- Plazas and Usable Open Space (19.508.4.M)

19.508.4 Downtown Design Elements

D. Façade Transparency and Activation

- The intent of this section is to activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.

The proposed alterations to the building will increase the overall façade transparency by adding glazing to the North façade, which will in turn, will create an improved visual connection between the interior spaces and exterior public realm. Thus, the intent of the code section is met

E. Building Entrances

- The intent of this section is to create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

The proposed alterations are to an existing building which already has a primary building entrance facing Main Street. In addition, the property is converting from a single occupant building to a multi-tenant building. The proposed set of new full lite glazed doors will create a new entrance for a new separate business. Thus, the intent of the code section is met.

I. Weather Protection

- The intent of this section is to create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.

The proposed new entrance on the North façade of the building will include constructing a new concrete landing adjacent to the building that will be accessible via a new concrete staircase and ramp. In addition, the landing will include an integrated free standing ‘covered walkway’ canopy structure that will be constructed out of heavy timber and/or steel (likely painted to match the existing window trim) that will complement the architecture and historical character of the building, provide overhead weather protection, as well as outdoor seating / waiting area for customers and visitors. Thus, the intent of the code section is met.

a. Design Standards

The proposed free standing ‘covered walkway’ canopy structure will not be connected to the building to be consistent with requirements from NPS and SHPO** to maintain eligibility for listing on the National Register of Historic Places. However, it will be immediately adjacent to the new entrance on the North façade of the building, will be approximately 9 ft tall, cover the entirety of the proposed new entrance and will extend approximately 10 ft off the North façade of the building. The structure will also have a rigid plastic roofing system that will provide weather protection to the public and customers. Thus, the intent of the code section is met.

b. Weather Protection Materials, Design, and Details

(1) Materials

As mentioned above, the proposed free standing canopy structure will be constructed out of heavy timbers and/or steel and covered with a clear, rigid plastic roofing material. Thus, the intent of the code section is met.

M. Plazas and Usable Open Space

- The intent of this section is to ensure that downtown plazas and open spaces are designed for usability for a variety of activities during all hours and seasons; provide amenities for downtown

visitors, businesses, and residents; promote livability; and help soften the effects of built and paved areas.

The proposed new hardscaped plaza spaces along the East side of the building will be designed, constructed, and landscaped for customer seating and gathering. However, due to the historic and public facing nature of the building and project, these features will also be designed as amenities for downtown visitors, businesses, and residents. The plaza spaces will promote livability; and help soften the effects of built and paved areas. Thus, the intent of the code section is met.

2. Design Standards

Open spaces such as plazas, courtyards, gardens, terraces, outdoor seating, small parks, and similar spaces, including usable open space provided to meet the standards of Subsection 19.508.4.A.2.b, must meet the following standards.

a. Where any building wall abuts an open space, the wall must include at least one window or door with a minimum of 50% glazing.

The proposed new hardscaped plaza spaces along the East side of an existing building which contains considerable window glazing. Thus, the intent of the code section is met.

b. Usable open space must be directly accessible at grade adjacent to the public sidewalk.

The proposed new hardscaped plaza spaces along the East side of the building will be set back from the public sidewalks but will be accessible at grade. Thus, the intent of the code section is met.

c. Hardscaping in open spaces must utilize concrete or unit paving and may not use asphalt or gravel surfacing.

The proposed new hardscaped plaza spaces along the East side of the building will be constructed out of concrete. Thus, the intent of the code section is met.

d. Landscaping must be integrated into open spaces to meet the following:

(1) A minimum of 10% of the open space area must be landscaped areas incorporating trees, shrubs, and ground cover.

The existing property is landscaped (beyond the code minimum of 10% of the open space area). However, our design contemplates adding additional landscaping to make the plaza spaces inviting to downtown visitors, businesses, and residents and to create visual separation between each of the hardscaped areas as they relate to leased tenant spaces. Thus, the intent of the code section is met.

(2) No more than 20% of this landscaped area can be covered in mulch or bark dust. This requirement excludes mulch or bark dust under the canopy of trees or shrubs.

The proposed landscape areas will not contain more than 20% mulch or bark dust. Thus, the intent of the code section is met.

(3) Nuisance species listed in the Milwaukie Native Plant List are prohibited.

The proposed landscape areas will not contain nuisance species listed in the Milwaukie Native Plant List. Thus, the intent of the code section is met.

e. Open spaces must provide at least 3 ft of seating area (e.g., bench, ledge, etc.) or one individual seat, including movable seating for outdoor seating areas, per 60 sq ft of plaza or open space area.

The proposed new hardscaped plaza spaces will provide an abundance of seating areas (beyond the code minimum 3ft of seating area per 60 sq ft of plaza) and options such as tables/chairs, picnic tables, and benches. The furniture will be tasteful and of high quality and provide customers and visitors a comfortable and relaxing place to gather. Thus, the intent of the code section is met.

f. Open spaces must be lighted as required by Element N (Outdoor and Exterior Building Lighting).

The proposed new hardscaped plaza spaces will lighted as required by Element N. Thus, the intent of the code section is met.

*** NPS places emphasis on the reversibility of alterations to historic buildings. Rehabilitating historic properties often involves introducing new systems or features to meet contemporary needs. These changes can usually be made in ways that are sympathetic to the existing structure and site. In order to accomplish a sensitive alteration, new features should be both compatible with the historic property and reversible. See Exhibit 'A' for more detail – in particular, Standard #10.*

The Secretary of the Interior's
Standards for Rehabilitation &
*Illustrated Guidelines for
Rehabilitating Historic Buildings*

W. BROWN MORTON III • GARY L. HUME • KAY D. WEEKS • H. WARD JANDL

ANNE E. GRIMMER AND KAY D. WEEKS

Project Directors

U.S. Department of the Interior
National Park Service
Heritage Preservation Services

Washington, D.C.
Reprinted 1997

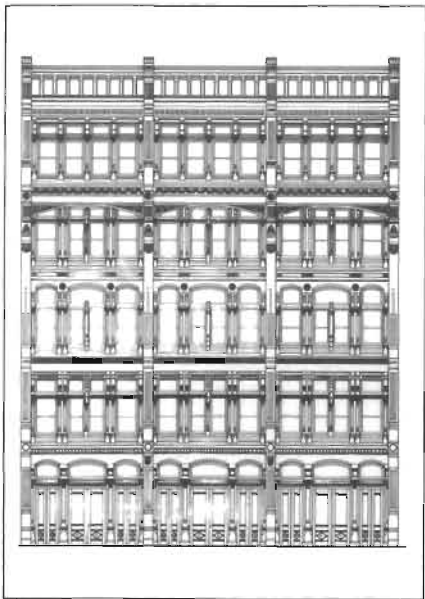
Foreword

A banner year, 1991 marks the 75th anniversary of the National Park Service as well as 25 years of preservation achievements resulting from passage of the National Historic Preservation Act of 1966. Publication of the *illustrated* Guidelines for Rehabilitating Historic Buildings fittingly coincides with the celebration of this important Act that created our National Register programs and established a solid Federal/State partnership nationwide. Since 1966, over 800,000 properties have been placed in the National Register of Historic Places through the joint efforts of State Historic Preservation Offices, Federal agencies, Certified Local Governments, and the private sector. Over the past quarter century, historic preservation grants to the States for survey, planning and rehabilitation have amounted to nearly \$600 million, an investment totaling close to \$1.2 billion with the inclusion of matching non-Federal funds. Additionally, the Preservation Tax Incentives, now in their 14th year, have contributed to the rehabilitation of nearly 22,000 historic properties, representing an investment of almost \$15 billion in private funds.

appropriateness of work treatments for every grant-in-aid and Tax Act project over a 25-year period. By emphasizing repair over replacement, and limited rather than wholesale change to accommodate new uses, the Standards and their accompanying Guidelines seek to ensure the preservation of those qualities for which each property was listed in the National Register.

Finally, this illustrated version of the Guidelines for Rehabilitating Historic Buildings has been designed to enhance overall understanding of basic preservation principles. Showing specific examples of appropriate treatments as well as the consequences of inappropriate treatments is just another aspect of a sustained effort to encourage the most respectful approaches possible in rehabilitating our nation's irreplaceable historic properties.

The Secretary of the Interior's Standards are of particular relevance here because they have been used to determine the



HABS Collection

*The Secretary of the Interior's
Standards for Rehabilitation*

Introduction to the Standards

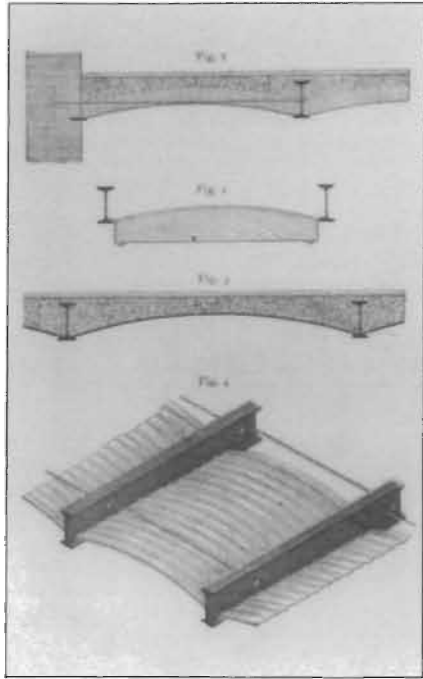
The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places. In partial fulfillment of this responsibility, the Secretary of the Interior's Standards for Historic Preservation Projects have been developed to guide work undertaken on historic buildings; there are separate standards for acquisition, protection, stabilization, preservation, rehabilitation, restoration, and reconstruction. **The Standards for Rehabilitation** (codified in 36 CFR 67) comprise that section of the overall preservation project standards and addresses the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the **Standards for Rehabilitation** have been widely used

over the years — particularly to determine if a rehabilitation qualifies as a Certified Rehabilitation for Federal purposes. In addition, the Standards have guided



Federal agencies in carrying out their historic preservation responsibilities for properties in Federal ownership or control; and State and local officials in reviewing



both Federal and nonfederal rehabilitation proposals. They have also been adopted by historic district and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. To be certified for Federal tax purposes, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s), and where applicable, the district in which it is located.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments —if improperly applied—may cause or accelerate physical deterioration

of the historic building. This can include using improper repointing or exterior masonry cleaning techniques, or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments will result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards.

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



