



CITY OF MILWAUKIE

February 13, 2025

Land Use File(s): HR-2024-002

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Commission on February 11, 2025.

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

| | |
|-----------------------------|--|
| Applicant(s): | Troy Fowler (Fowler Home + Design) on behalf of Mark Eklund (property owner) |
| Location(s): | 1620 SE Waverly Dr |
| Tax Lot(s): | 11E26DB00300 |
| Application Type(s): | Historic Resource Review: Alteration |
| Decision: | Approved |
| Review Criteria: | Milwaukie Municipal Code: <ul style="list-style-type: none">• MMC Section 19.301 Moderate Density Residential Zone• MMC Section 19.403 Historic Preservation Overlay Zone• MMC Section 19.1006 Type III Review |
| Neighborhood(s): | Historic Milwaukie |

Appeal period closes: 5:00 p.m., February 28, 2025

This notice is issued in accordance with Milwaukie Municipal Code (MMC) Section 19.1006 Type III Review. The complete case file for this application is available for review by appointment between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, City Hall, 10501 SE Main St. Please contact Ryan Dyar, Associate Planner, at 503-786-7661 or dyarr@milwaukieoregon.gov, if you wish to view this case file or visit the project webpage at <https://www.milwaukieoregon.gov/planning/hr-2024-002>.

This decision may be appealed by 5:00 p.m. on February 28, 2025, which is 15 days from the date of this decision.¹ (Note: Please arrive by 4:45 p.m. for appeal payment processing.) Only persons who submitted comments or made an appearance of record at the public hearing have standing to appeal the decision by filing a written appeal. An appeal of this decision would be heard by the Milwaukie City Council following the procedures of MMC Section 19.1010 Appeals. This decision will become final on the date above if no appeal is filed during the appeal period. Milwaukie Planning staff can provide information regarding forms, fees, and the appeal process at 503-786-7630 or planning@milwaukieoregon.gov.

Expiration of Approval

Per MMC Subsection 19.1001.7.E, this land use approval expires unless the applicant has: (1) obtained and paid for all necessary development permits and started construction within 2 years of land use approval, and (2) passed final inspection and/or obtained a certificate of occupancy within 4 years of land use approval. Extensions can be granted per MMC Section 19.908.

Planning Commission Recommendations

Note: These are not conditions of approval, but recommendations made by the Milwaukie Planning Commission during the public hearing on February 11, 2025. The applicant is not required to comply with these recommendations, but the Planning Commission believes that incorporating these recommendations would better meet the intent of MMC 19.403.

1. The windows located on the north elevation (street-facing façade) would better meet the intent of MMC 19.403.5.E.4 if they were of divided light style with individual panes of glass separated by members (muntin bars). If faux divisions are proposed, those divisions are recommended to include a raised profile simulating divided lights.
2. The proposal would better comply with MMC 19.403.5.E.8 if the existing Palladian window located on the north elevation of the west wing aligned with the second story window immediately above it, maintaining a straight vertical alignment, consistent with the original.

Findings in Support of Approval

The Findings for this application are included as Exhibit 1.

¹ As per MMC Section 19.1010, if the 15th day falls on a weekend or legal holiday, the end of the appeal period shall be extended to the end of the next business day.



Laura Weigel, AICP
Planning Manager

Exhibits

1. Findings in Support of Approval

cc: Troy Fowler, Applicant Representative, Fowler Home + Design (via email)
Austin Brown, Applicant Representative, Fowler Home + Design (via email)
Mark Eklund, Owner/Applicant (via email)
Planning Commission (via email)
Engineering Development Review (via email)
Patrick McLeod, Building Official (via email)
Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)
Harmony Drake, Permit Coordinator (via email)
Emilie Bushlen, Permit Technician (via email)
Shawn Olson, CFD#1 (via email)
NDA(s): Historic Milwaukie (via email)
Interested Persons: None
Land Use File(s): HR-2024-002

ATTACHMENT 1
Findings in Support of Approval
Primary File #HR-2024-002; 1620 SE Waverly Dr 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's representative, Troy Fowler, has applied on behalf of Mark Eklund (owner) for approval to alter the historic structure at 1620 Waverly Dr. The base zone for this site is Moderate Density Residential (R-MD) and the site contains a Historic Preservation Overlay zoning designation. The primary land use application file number is HR-2024-002.
2. The proposed work includes the addition of a primary wing on the east side of the residence, the addition of a 306 sq ft prefabricated conservatory at the southwest side of the residence, extending the west garage wall 6 ft, and extending the south kitchen and nook walks 8.5 ft and 6 ft respectively. A lanai and porch are proposed for the southern elevation and northwest corner of the house.

On the second floor, wall extensions are proposed on the east wall at the existing bath, the south wall, and west wall. Decks are proposed to the northwest and south. The roof of the main body of the house will remain at the same height as today. Other proposed roofs maintain the existing roof slopes and do not exceed the existing maximum height.

The street-facing façade (northern elevation) is proposed to retain the original character-defining design features highlighted in the 1988 Cultural Resource Inventory.

3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC 19.301 Moderate Density Residential Zone
 - MMC 19.403 Historic Preservation Overlay
 - 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. The initial public hearing public hearing was held on December 10, 2024, as required by law. The public hearing was continued to January 28, 2025, and then again to February 11, 2025.

4. MMC 19.301 Moderate Density Residential Zone

- a. MMC 19.301.3 Uses

MMC Table 19.304.3 establishes the uses that are allowed in the Moderate Density Residential Zone (R-MD)

The property is the site of a single detached dwelling, which is a permitted use in the R-MD zone.

This standard is met.

- b. MMC 19.301.4 Development Standards

MMC 19.301.4 establishes standards for new development in the R-MD zone.

Table 1 provides the applicable standards for development in the R-MD zone.

| Table 1 | | | |
|--------------------------------------|--|------------------------|------------------------|
| Lot and Development Standards | | | |
| Standard | R-MD Requirement | Existing | Proposed |
| Min/max lot size | 5,000+ sq ft (for single detached dwelling) | 36,590 sq ft | 36,590 sq ft |
| Front yard | 20 ft (for lots ≥ 7,000 sq ft) | 86.6 ft | 78.125 ft |
| Side yard(s) | 5 ft/10ft (for lots ≥ 7,000 sq ft) | 34.5 ft/40 ft | 28.5 ft/13 ft |
| Rear yard | 20 ft (for lots ≥ 7,000 sq ft) | 97 ft | 75 ft |
| Maximum Height | 35 ft | 31.08 ft (Max Peak) | 31.08 ft (Max Peak) |
| Maximum Lot Coverage* | 30% = 10,977 sq ft (for lots ≥ 7,000 sq ft) | 2,328 sq ft (6%) | 5,057 sq ft (13%) |
| Minimum Vegetation | 30% = 10,977 sq ft (for lots ≥ 7,000 sq ft) | 28,167 sq ft (76%) | 26,532 sq ft (72%) |

*Note: these numbers are different from what’s shown on the applicant’s site plan. This is because lot coverage per the MCC does not equate to impervious surface or building floor area. See MMC 19.201 for lot coverage definition.

The Planning Commission finds that the proposal meets all applicable development standards of MMC 19.301.

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’s 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 as a “Significant” historic resource, and the proposed improvements are for exterior alterations. Those modifications include: changes to character defining features described in the city’s 1988 Historic Resource Inventory

(1988 Inventory) on the north elevation, a new east wing, a new conservatory to the south, southern bump outs to the kitchen and kitchen nook, and a footprint expansion to the west to extend the garage. The proposed improvements are subject to be reviewed 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.

As described above, the proposal is to modify character-defining features described in the 1988 Historic Resource Inventory and expand the house in all directions.

Because these modifications do not meet the standards for administrative approval, the application has been combined under a Type III review, as 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

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.

The 1988 Inventory identifies multiple features on the north elevation (street-facing) as being distinguishing original qualities, including:

- Primary entrance with paired paneled doors, Swan's neck pediment, full entablature, and Ionic pilasters*
- Stucco exterior cladding*
- Stucco quoining*
- Polygonal bays*
- End wall chimney*
- Palladian window*
- Full-height polygonal bay window with tent roof and spandrel*
- Belt course above heads of second story windows*
- Rectangular plan flanked by two smaller wings on side elevations*

The applicant has proposed replacing the glass in various windows and doors on the north elevation to improve energy efficiency, including those in the polygonal

bays. As discussed below in Finding 5(a)(4)(d), however, the window replacements, including those on the north elevation that are not specifically called out as being distinguishing, will match the design of the originals. Other character-defining features are proposed to be retained.

This criterion is met.

(b) 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.

The applicant is not proposing a new foundation or to raise or lower the building's permanent elevation. The applicant is proposing to maintain roof pitches, including the flat roof above the historic east wing and above the full-height polygonal bay windows.

This criterion is met.

(c) 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.

The applicant has proposed building extensions to the east, west, and south that are visually compatible with the traditional architectural characteristics of the historic building. The additions and alterations utilize stucco cladding or a stucco-like finishing material to match the exiting exterior finish, and the overall scale and design of windows and doors on these elevations respect the building's original Colonial Revival design.

This criterion is met.

(d) 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.

Except for the Palladian windows on the northern and southern elevations, the applicant has proposed replacing all the windows on the house. On the main block (northern elevation), the applicant is proposing to retain the size and appearance of

the single-story bay window with the tent roof and the full height poloidal bay windows; this is notable because these features are called out in the 1988 Inventory. The windows on the east and west wings—on both the first and second floor of the northern elevation—are also proposed to be replaced with windows that match the visual qualities of the original. Windows on other elevations are proposed to be replaced with windows that are consistent with the overall character of the resource but do not always match exactly the design of the originals. These replacements are deemed acceptable, as these elevations are not visible from the public right-of-way and therefore are of lower preservation priority.

This criterion is met.

(e) 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.

The proposed alterations are wood frame construction. While unlikely, in theory, the various expansions and additions could be removed in the future and the original form of the building could be restored.

This criterion is met.

(f) 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.

There is no proposed signage. The existing northern elevation contains a single lantern-style fixture above the primary entrance. The applicant has not shown this light or indicated whether it will be reused in construction. The plans do not show any other or lighting or appurtenances; however, the applicant indicates in their application statement that all proposed lighting and appurtenances will be visually compatible with the original character of the building.

This criterion is met.

(g) 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.

The proposed alterations are consistent with the Colonial Revival architectural style. No proposed changes create a false historical basis or earlier appearance.

This criterion is met.

(h) 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.

As discussed under Criterion 1: Retention of Original Construction, the applicant is proposing to retain features identified as character-defining in the 1988 Inventory, including the north elevation's primary entrance, the exterior stucco cladding, the stucco quoins, and Palladian window, and belt course above the heads of the second story windows on the main block. While many windows on the northern elevation will be replaced, the applicant is proposing replacements that match the original design. The alterations, therefore, will retain the visual integrity of the resource.

This criterion is met.

(i) 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.

The proposed additions and modifications will match the style of the original building; as discussed above, the applicant is proposing to replace nearly all the windows on the north elevation for energy efficiency reasons. To gain more efficiency, replacement is necessary. As discussed above, the replacement windows will match the design of the originals. Other high-preservation-priority architectural features are proposed to be retained.

This criterion is met.

(j) 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.

No new commercial or industrial improvement or use is proposed on a designated resource.

This criterion is not applicable.

The proposed improvements meet the applicable standards of MMC 19.403.

6. The application was referred to the following departments and agencies on October 3, 2024:

- Milwaukie Building Division

- Milwaukie Community Development Department
 - Milwaukie City Attorney
 - Milwaukie Neighborhood District Association Program Manger
 - State of Orgon Parks and Recreation (State Historic Preservation Office)
 - Milwaukie Engineering Department
 - Milwaukie Public Works Department
 - Historic Milwaukie Neighborhood District Association Chairperson and Land Use Committee
7. Notices were sent to all properties within 300 ft of the subject property on November 20, 2024. No comments were provided.