



STAFF RECOMMENDATION to HISTORIC REVIEW BOARD

This document represents the Staff Recommendation on a Land Use Application requesting the addition of three new buildings including a schoolhouse, a sawmill and a future visitor center and the replacement of five (5) existing temporary covers with permanent all weather structures at Phillip Foster Farm. The site is a Historic Landmark and was nominated for inclusion on the National Registry as the Foster (Phillip) Farm.

SECTION 1 – SUMMARY

DATE: November 09, 2022

CASE FILE NO.: Z0499-22-HR

STAFF CONTACT: Joy Fields, jfields@clackamas.us; (503) 742-4510

LOCATION: 22725 SE Eagle Creek RD, Eagle Creek, 97022, located on the southwest corner at the intersection of Hwy 211 and SE Eagle Creek Rd. Tax Map 02S04E31A, Tax Lots 2401 and 2404

APPLICANT: Dave Piper

OWNER: Jacknife-Zion-Horseheaven Historic Society

TOTAL AREA: Approximately 2.30 acres in tax lot 2401 and 2.92 acres in adjacent tax lot 2404 for a total of 5.23 acres

ZONING: RRFF-5 (Rural Residential Farm Forest 5 Acre) and Rural Industrial (for the portion of the property with tax lot #2404).

CITIZENS PLANNING ORGANIZATION: Oak Grove Community Council

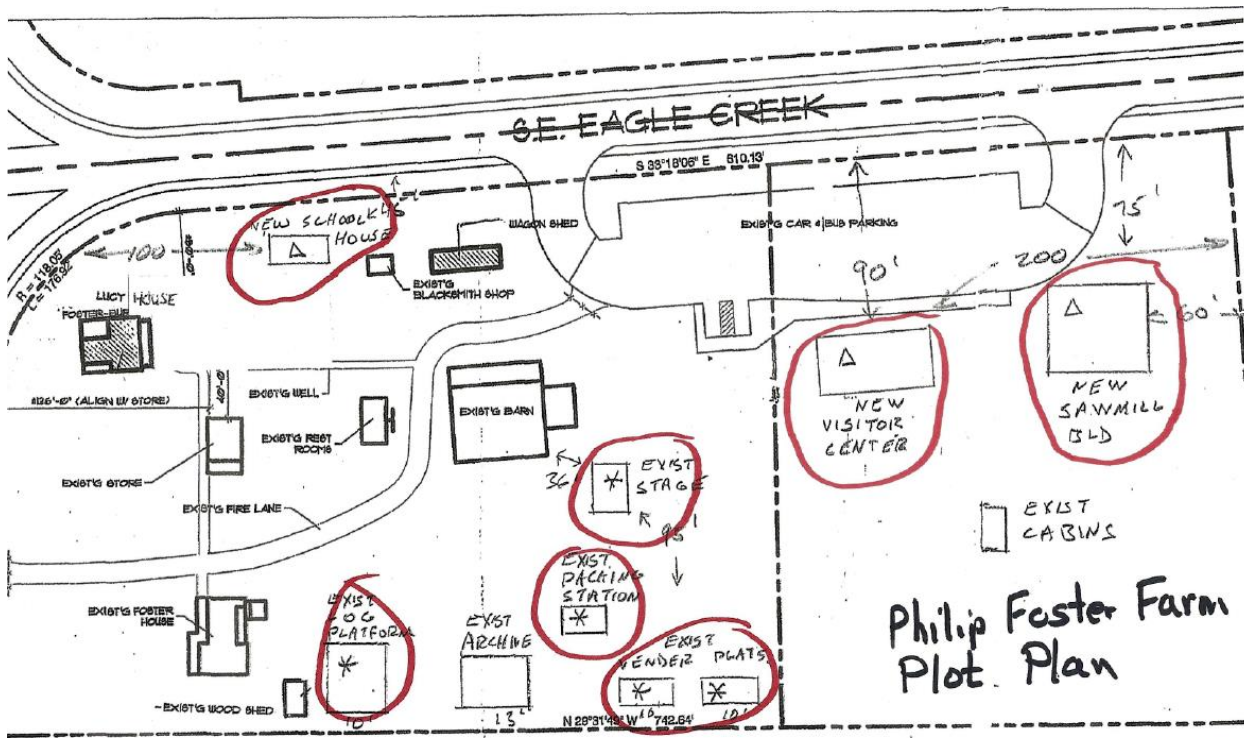
PROPOSAL: Proposed addition to an established Clackamas County Historic Landmark with the addition of three new buildings including a schoolhouse, a sawmill and a future visitor center and the replacement of five (5) existing temporary covers with permanent all weather structures. As described by the applicant, these structures are intended to facilitate additional educational programming.

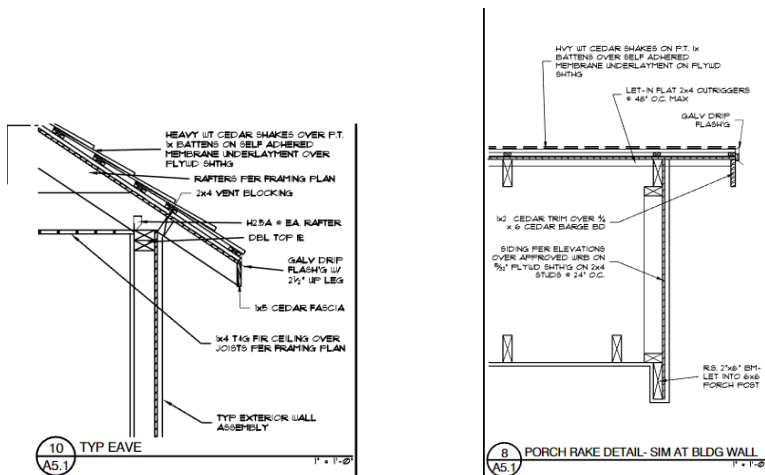
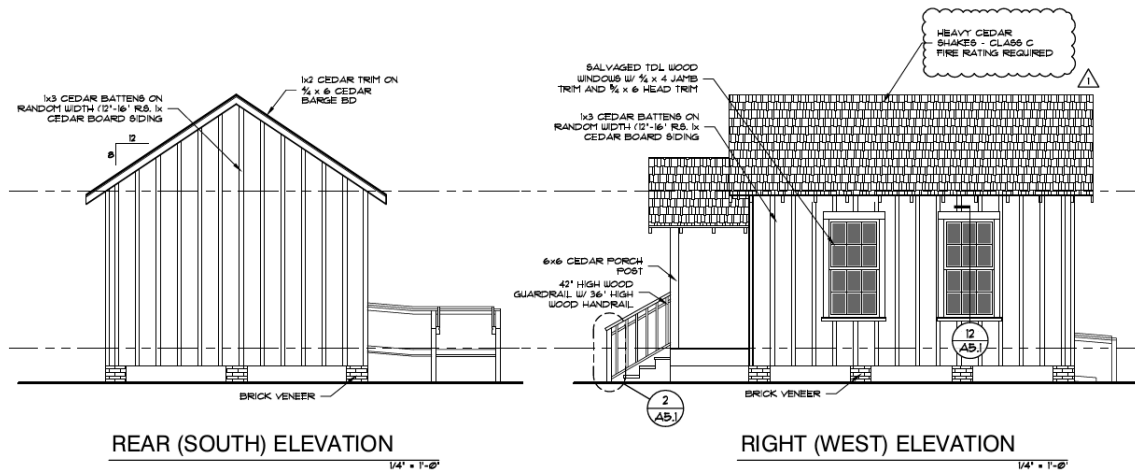
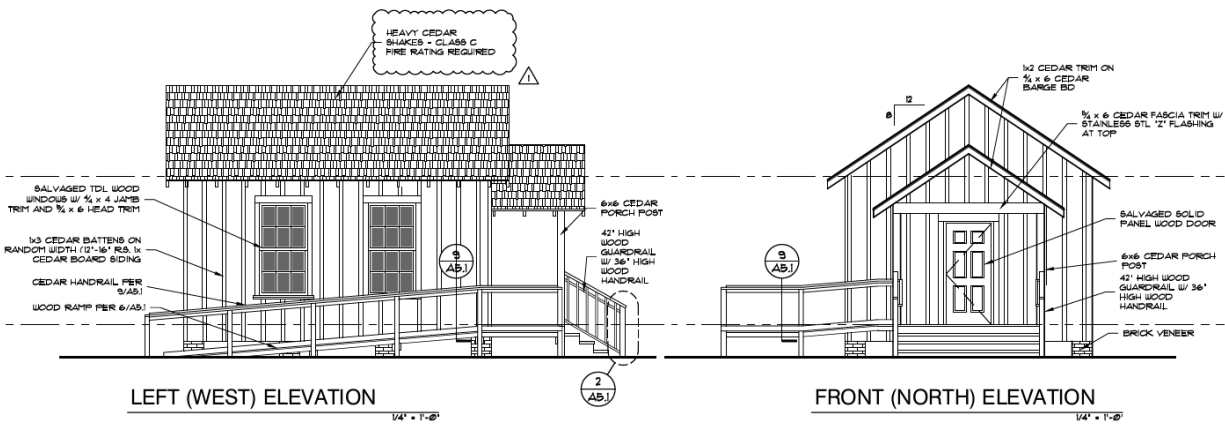
APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Sections(s) 707.05, 707.06(C)(3), and 1307.

Location Map



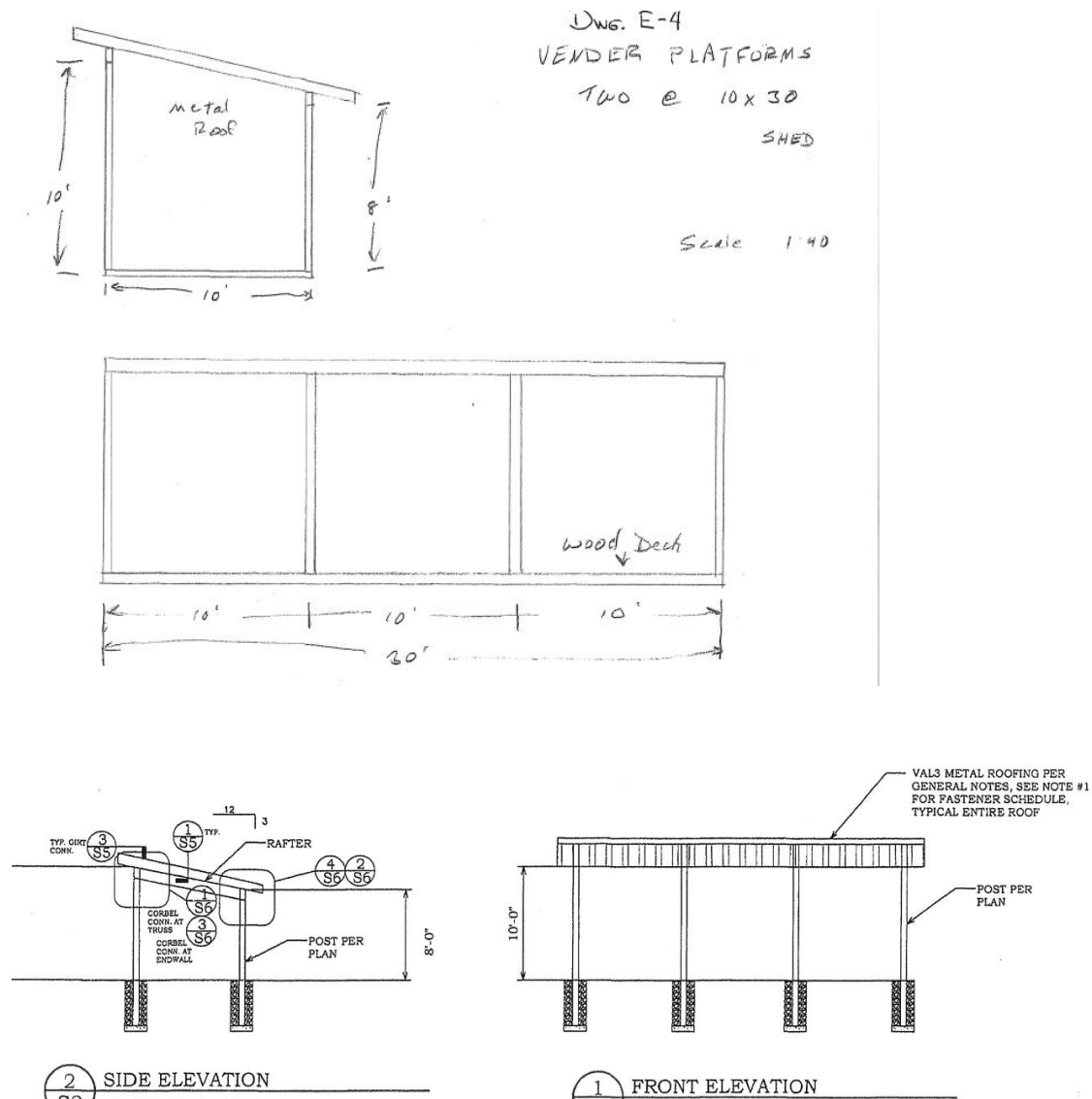
Site Plan



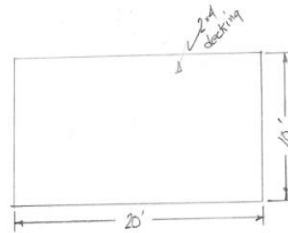


PROPOSED Platforms, Packing Stations, and Stage

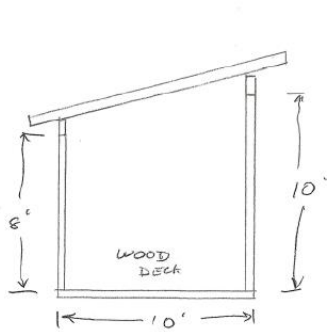
Two Platforms



Packing Station



Philip Foster Farm
Packing Station
Existing Deck



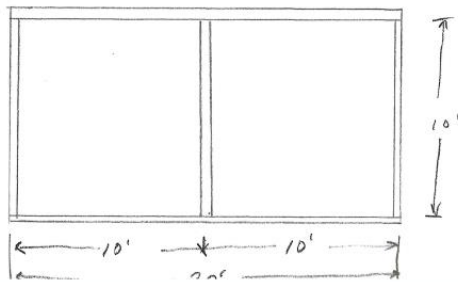
DWG. E-3

PACKING STATION

10' x 20'
SHED

SIDE
ELEV

Scale 1:40

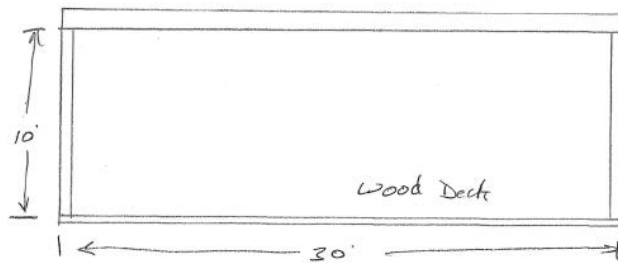


FRONT
ELEV

Stage

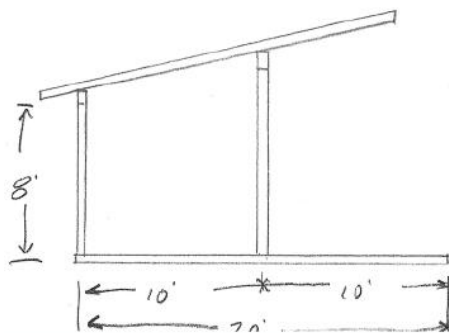


DWG. E-2 STAGE
20' X 30'
SHED



FRONT ELEV

Scale 1:40



SIDE
ELEV

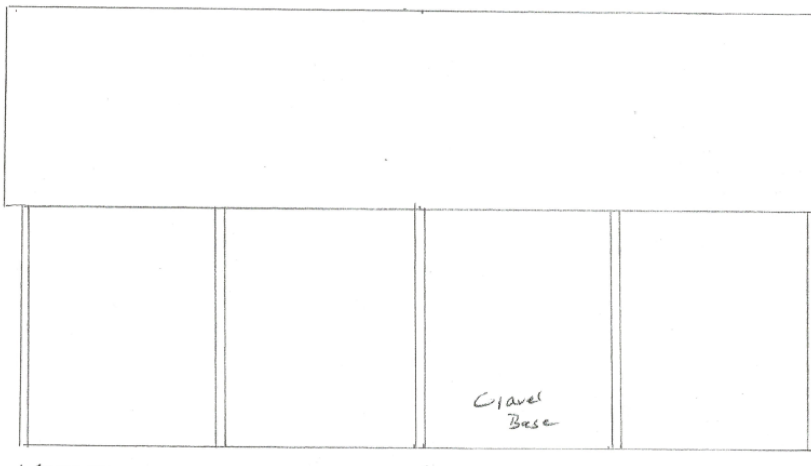
Sawmill

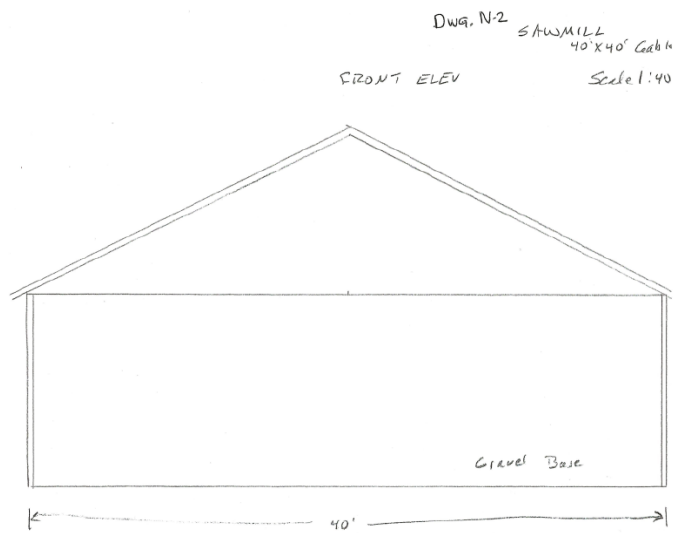


Sawmill – under construction

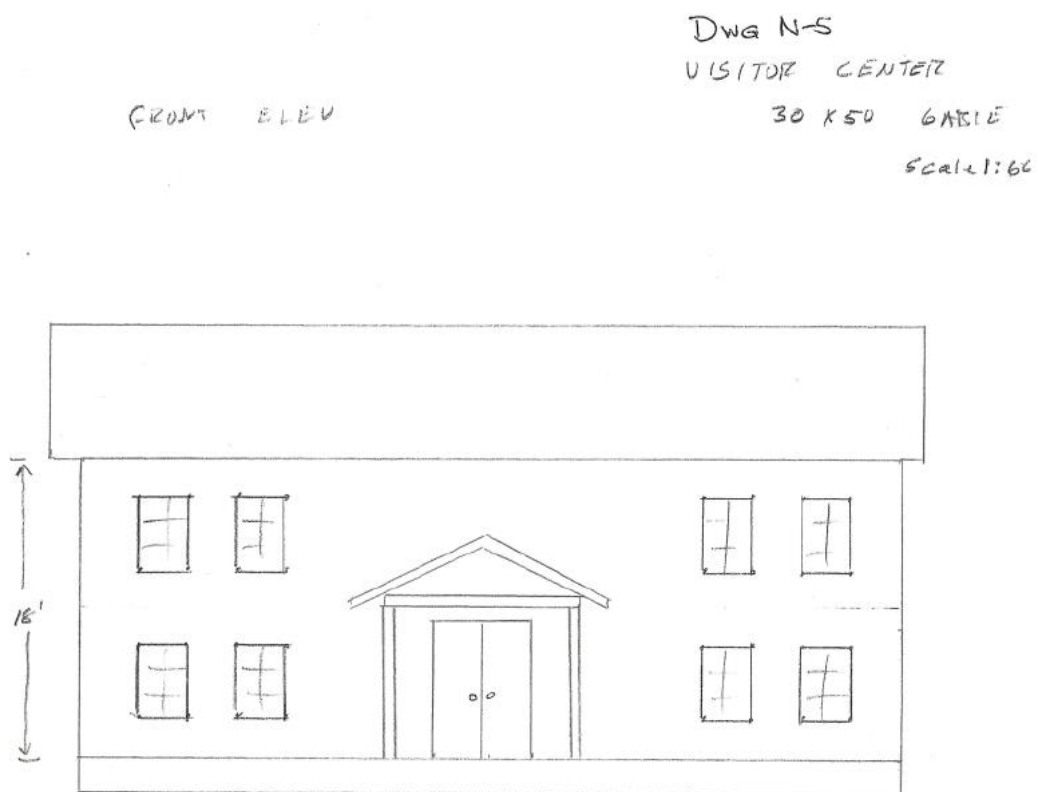
Dwg. N-1
SAWMILL
40'x 40' Gable

Scale 1:40
SIDE VIEW





Proposed Visitor Center:



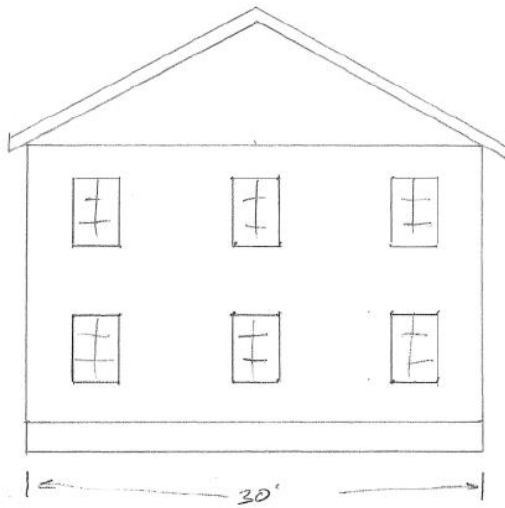
DWG N-6

VISITOR CENTER

SIDE
ELEV

30x50 Gable

Scale 1:60



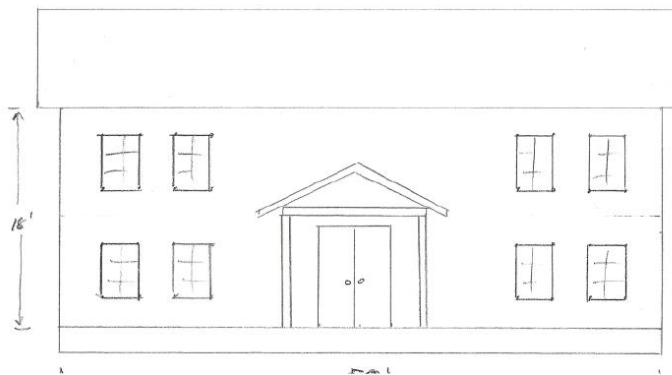
DWG N-5

VISITOR CENTER

FRONT
ELEV

30 X 50 GABLE

Scale 1:60



BACKGROUND:

Excerpts from the 2007 Historic Inventory, and the National Register nomination application follow: "The earliest settlers in the Carver-Eagle Creek-Fischer's Mill area was the Phillip Foster family. Phillip Foster, an immigrant merchant from Maine, arrived in Oregon by sea with his business partner Francis W. Pettygrove in 1843. They established a mercantile in Oregon City that same year. Foster settled in the area near what would later be known as Eagle Creek. At Eagle Creek, Foster staked a land claim, built a large log cabin, planted fruit trees from seeds brought from Maine, and erected a grist mill along Goose Creek, which bisected his claim.

The Philip Foster Farm was an important rendezvous point on the Barlow Toll Road, the last leg of the Oregon Trail through the Cascade Mountain Range to the Willamette Valley. Pioneer diary entries which describe stopping at the Foster Farm are numerous. The site was considered the last major stop on the Trail before arriving at Oregon City, Fosters log cabin no longer stands and his first house on the property burned in 1880.

Foster erected the present house c. 1882-1883, chiefly, it is believed, for one of his sons, and it is the only house associated with Foster remaining at Eagle Creek. The 1882 House, Milkhouse and lilac are original to the site. The barn, while original, has been relocated and rebuilt. buildings (blacksmith shop, store, woodshed and restrooms) have been created in traditional materials to authentically replicate original structures as interpretive museum exhibits. In the Carver-Eagle Creek-Fischer's Mill study area, approximately 460/o of the 64 residences on the inventory are designed in the Vernacular style. The Foster Farm is one of 20 Vernacular residences in the study area constructed during the Progressive Era (1884-1913). This property contains the earliest of three milk houses on the inventory in the study area."

This detail in the historical importance of the Phillip Foster Farm seems to focus on the people and less on the characteristics of the specific property.

Previous land use decisions include:

- A. Z0452-92-C; conditional use permit to construct a replica of an historic country general store, along with associated parking and circulation areas (TL 2401).
- B. Z0804-05-PLA, property line adjustment with foundry to the south, adding approximately 2.01 acres to JZH property (new TL 2404).
- C. Z0299-06-C (Z0247-07-D); expand historic Phillip Foster Farm to the south by adding roughly 2.9 acres (TL 2404) to the development; this for new visitor reception pavilion and interpretive structures along with additional parking for 30+ vehicles and new driveway access(s) to SE Eagle Creek Road.
- D. Z0854-06-C, modifications to Z0452-92-C, addl buildings

The Jackknife-Zion-Horseheaven Historic Society became owners of the property in 1992 (Deed#92- 056750). The Jackknife-Zion-Horse Heaven Historical Society (the Society) seeks additional revenue mainly from school tours throughout the entire year rather than of just in the late spring. To accomplish this the Society applied for a Conditional Use and received approval through Z0404-20 for five (5) platforms used in the tours which need to be weatherized by building roofs over them.

The Conditional Use approval Z0404-20 also included additional structures in the long range plan that are desired in order to improve the number of visits. Including:

1. Sawmill. The Farm has been given an old sawmill which is operable but needs to have a structure to house it. Once adequately housed, the sawmill is intended to mill logs from local forests for use in the other two new buildings as well as to partially enclose the sawmill. The building will eventually contain much needed storage as well. The Society has received a grant for the basic structure.

2. Schoolhouse. The second structure to be built is a 19th century schoolhouse replica. The plan is to utilize as much material as possible from an early 20th century Eagle Creek school which still stands (unused) within a mile of the Farm.
3. Visitor's Center. Finally, the Society envisions a welcoming visitor's center which will be the first point of contact with all visitors. The visitor's center will house a museum (the Farm has many donated historic items that cannot presently be displayed), exhibits, meeting and classrooms, restrooms and a few offices.

Special Condition #2 under Planning and Zoning Conditions for Z0404-20 says " Prior to development, this proposal shall be considered and approved by the Historic Review Board, to include Design Review. Therefore, the Historic Review Board will review the proposed structures and provide guidance on the design.

Site Description: The project site is 5.23 acres in area and is located on the west side of SE Eagle Creek Road and south side of State Highway 21. Access is provided by two existing driveways on SE Eagle Creek Road, serving an existing parking lot. The site is generally level, devoid of "natural features" and occupied with several structures including two homes, a barn, blacksmith shop etc all as part of the Phillip Foster Farm historic site. The (non-profit) Farm has a few part time employees otherwise it is worked by volunteers. The site hosts school tours during the spring, other tours along with drop-in visitors.

DISCUSSION AND RECOMMENDATION:

The Planning and Zoning Staff finds that, based on the findings below, the subject site is eligible for the construction of additional structures to facilitate the expansion of educational events with compliance with the County's Historic Preservation Overlay zoning. The design proposed for the new structures are compatible with the historic character of the property. Based on analysis of the ordinance standards, staff recommends approval of the proposed structures located on the subject site.

Applicable Criteria And Findings: Sections 707.04(A)(1), 707.06(C) provide the criteria used to determine how the Historic Preservation Overlay zone are applied to Historic Landmarks. Section 1307 provides the process by which the application is reviewed.

Section 707.02 APPLICABILITY

A. Section 707 applies to designated Historic Landmarks, Historic Districts, and Historic Corridors

Finding: The property at 22725 SE Eagle Creek Rd is a designated Historic Landmark. This criterion is met.

Section 707.04 Uses Permitted

A. Primary Uses: A Historic Landmark or properties within a Historic District or Historic Corridor may be used for any use which is allowed in the underlying zoning district, including home occupations, provided such use is not detrimental to the preservation of the historic resource, subject to the specific requirements for the use, and all other

requirements of Section 707.

Finding: The use of the property that has Historic Landmark Designation has included many land use reviews and approvals. Thus while the sawmill, school house replica, visitor centers and platforms are not primary uses, they are allowed per conditional use permit Z0404-20. This standard is for informational purposes only, since the sawmill, schoolhouse, visitor center and the other sheds/platforms are considered accessory uses, and thus are not “Primary Uses” under this section. This criterion is not applicable.

B. Conditional Uses: In urban and rural zoning districts, uses listed in Subsection 707.04(B)(2), which are not otherwise allowed in the underlying zoning district, are conditional uses, approval of which is subject to Section 1203, Conditional Use

1. In addition, the following criteria apply:

- a. The use will preserve or improve a resource which would probably not be preserved or improved otherwise;*
- b. The use will not require the extension or development of urban services in rural areas;*
- c. The use will not adversely affect surrounding natural resource uses; and*
- d. The use will utilize existing structures rather than new structures, except where new structures are determined by the Historic Review Board to be in the best interest of preserving the historic resource. All structures of any form or size, including new structures, shall satisfy Subsection 707.06.*

Finding: The addition of the sawmill, school house, visitor center and the other sheds/platforms will improve the ability of the Society in providing educational programs in adverse weather and that will preserve the Historic Landmark by generating additional income that can be used to maintain and preserve the historic homes, barn, and other historic structures.

The proposed uses will not require the extension of urban services in the rural area of Eagle Creek because no additional bathroom or kitchen facilities that would require water or sewer. The recent conditional use application found that “SE Eagle Creek Road is a rural minor arterial roadway located within a 60-foot wide public right-of-way, with an improved road width of approximately 36 feet. The existing right-of-way and road improvements meet the minimum standards for a rural arterial roadway and are adequate to serve the proposed use.”

The subject property is within Eagle Creek, a long established rural community which at one time represented the end of the Oregon Trail. The subject property is split zoned: RRFF-5, Rural Residential Farm Forest for the portion currently developed with Phillip Foster Farm historic site; and RI, Rural Industrial for that part of the site, which is subject of this application to expand the development. Property adjacent to the west and south is site of the old Eagle Creek Foundry in the RI Zone. Further west is EFU zoning and farm use. Across SE Eagle Creek Road, to the east, and north across Highway 211 are properties within the RRFF-5 Zone and generally in rural residential use. There are scattered patches of RC, Rural Commercial Zoning scattered about the area, in recognition of pre-existing commercial uses. Additionally, the location of the proposed structures are in areas of the site developed for visitors and educational events and the five platforms are replacing existing temporary covers. There are no known sensitive environmental overlays or concerns of impacting natural resources including farmland.

The Historic Review board will determine if the additional structures are in the best interest of preserving the historic resource and if there are any design considerations that need to be addressed with the proposed structures during their November meeting. These criterion are met.

Section 707.05 Historic Review Board

A Historic Review Board shall be established pursuant to Subsection 1307.03 and shall have the following responsibilities:

C. Review and make recommendations on all proposed new construction within a Historic District or Corridor, or on property on which a Historic Landmark is located, subject to Subsection 707.06;

Finding: Adding structures to the property requires building permits and are considered new construction on a property on which a Historic Landmark is located. Thus, the Historic Review Board is reviewing and providing recommendations to staff regarding Z0499-22. This criterion is met.

707.06 THE REVIEW PROCESS

Section 707.06.02 C. Alteration and Development:

New Construction: Applications for proposed structures on a Historic Landmark site, or within a Historic District or Historic Corridor shall be reviewed as Type II applications pursuant to Section 1307. Approval of an application shall be subject to the following criteria:

a. The design of the proposed structure is compatible with the design of the landmark building(s) on the site or in the district or corridor considering scale, style, height, and architectural detail, materials, and colors.

Finding: The Historical Society who owns and manages the property seems to be using designs that are compatible with the design of the landmark buildings by including lap siding, false facades, cedar shank shingles etc. The exact proposed methods and materials are provided by the applicant in the Materials List and includes:

1. Saw Mill

The saw mill structure is basically a pole barn. The metal roof is supported by wooden columns and trusses. The front of the building will have a false façade made of old board and bat material. Eventually, much of the building will be sided with rough wood hopefully produced at the mill.

2. School House

The school house is clad in rough sawn cedar siding. The roof is wooden cedar shakes. The windows are from the early 20th century. Additional information as part of the narrative included: "One of the first schools west of the Mississippi was built at Eagle Creek in 1850. It probably didn't last more than 15 or 20 years before being replaced. However, the Farm has a photo of the structure and a materials list for its construction. The building is as close to the original as possible. All wood was cut down just a few miles from the Farm. Windows are from the early 1900s. Much of the construction

utilizes square nails from the mid-19th century. It is being built on piers and of standard stick frame construction with a gable roof, wooden floor and wooden shingles.”

3. Visitor Center

There is no design for the Visitor Center at this point. It will undoubtedly be wooden sided and shake roofed to be consistent with the rest of the Farm.

The two vendor platforms, packing station, stage, and log cabin deck, all are proposed to have a metal roof with a façade in the front to “hide” the metal roof or a false front to give the impression of an old building.

These criterion are met.

b. The location and orientation of the new structure on the site is consistent with the typical location and orientation of similar structures on the site or within the district or corridor, considering setbacks, distances between structures, location of entrances, and similar siting considerations.

c. Changes to yard areas including planters, fences, ponds, walkways and landscape materials should be compatible with the overall historic setting.

Finding: The Historical Setting and orientation of the structures on the site has changed through the years with the addition of bathrooms, the addition of the historic “Burnett, Lucy Foster and Josiah House”, and other additions. The use has been approved through previous land use applications and the additional structures proposed through Z0499-22 does not change the current use of the property. The subject property was designated a historic landmark with significant documentation of the historical importance of the people and use of the property. There was less documentation about whether there are significant characteristics that need to be preserved on site to maintain the historic character of the property. There was mention of the vernacular style of the architecture, the lilac tree, and a formal garden in front of the house, but the remainder of the property was not mentioned in detail in any of the historic inventories referenced by staff. Therefore, staff do not anticipate that the proposed structures will alter the historical significance of the Historic Landmark.

d. Scale of commercial use: Individual permitted uses shall be of a scale appropriate to serve properties surrounding the historic overlay

Finding: The scale of commercial use was approved from a land use perspective through Z0404-20. The application indicates that the proposed structures will provide for an increase in visitors that would be participating in education focused on the historic site within the context of Oregon’s history. This use has been determine to be an appropriate use of a Historic Landmark in the past, and the expansion of that use seems appropriate for the subject property. Because education is important to the continued and future preservation of historic resources, staff finds that the addition of structures to facilitate educational programs year round is appropriate in scale for the Historic Landmark. This criterion is met.

SUMMARY OF FINDINGS AND RECOMMENDATION

The Planning and Zoning Staff finds that the addition of the proposed structures does not compromise the historic integrity of the site and should be allowed on this Clackamas County Historic Landmark. Based on the above analysis of the ordinance standards, staff recommends approval of the additional structures on this property.