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Memorandum

To: Clark County Historic Preservation Commission

From: Keith Jones, Senior Planner

Date: August 3, 2018

Subject: Staff Consultation –Academy Site - PRJ-156213/PIR-66307

Background and Request

The Providence Academy site is located at 400 E. Evergreen Blvd. (Tax Assessor Serial Number 39220000, 39220001, 986035621, 986035622 and 39224000).

The applicant proposes the following:

1. Demolition of 1976 Restaurant Building
(aka El Presidente Mexican Restaurant, aka Century House Restaurant)
2. New Mixed Use Project (Aegis Development)
 - Building A (5 stories – 50 dwelling units – 5,402 SF commercial)
 - Building B (6 stories – 90 dwelling units – 6,803 SF commercial)
 - Surface Parking (169 new paved)
 - Plaza (5,026 square feet)
3. Renovation of west porch of Academy Building

Historic Review Process

The site is within the City's Heritage Overlay District and is on the national historic register. The site and buildings are not on the Clark County register. Section 20.510 (Heritage Overlay) of the City's Land Use and Development Code states that HPC review for new construction and alterations to historic buildings is advisory to City staff. **The City code states that City staff shall consult with the HPC prior to making a decision on the application.**

Agency and Public Comments

The land use approval process for the project is a Type I. Type I projects do not have a public notice or public comment period. However, city staff contacted Nicholas Vann of the

Washington State Department of Archaeology & Historic Preservation Office (DAHP) for feedback. Mr. Vann provided a letter dated July 2, 2018. Both the letter and a response from the applicant (see Attachment 7 and 8).

In addition, the applicant submitted the following letters of support:

1. Letter from Sister Susanne Hartung dated May 31, 2018. (Attachment 9)
2. Resolution from Vancouver's Downtown Association dated June 21, 2018 (Attachment 10)
3. Letter from John McDonagh, Greater Vancouver Chamber of Commerce dated June 28, 2018 (Attachment 11)

Determination of Compliance (Heritage Overlay (20.510.040))

Item 1 – 1976 Restaurant Building Demolition (Attachment 1)

Staff Response: The applicant proposes to demolish the building and replace with landscaping (see Attachment 1). Section 20.510.050.B.3.b states that buildings listed on the federal, state or local registry cannot be demolished without approval from the HPC. The building is not listed on any registry as historic or contributing building and therefore does not require any review before being demolished.

Staff finds that demolishing the building and replacing with landscaping opens up the primary view to the Academy main building from Evergreen Boulevard and is consistent with the intent and purpose of the Heritage Overlay district that was established to maintain an open view of the south end of the Academy from Evergreen Boulevard.

Item 2 – New Mixed Use Project - Aegis Development (Attachment 2-5)

The project complies with the Heritage Overlay requirements as follows:

Section 20.510.030 – Review Process

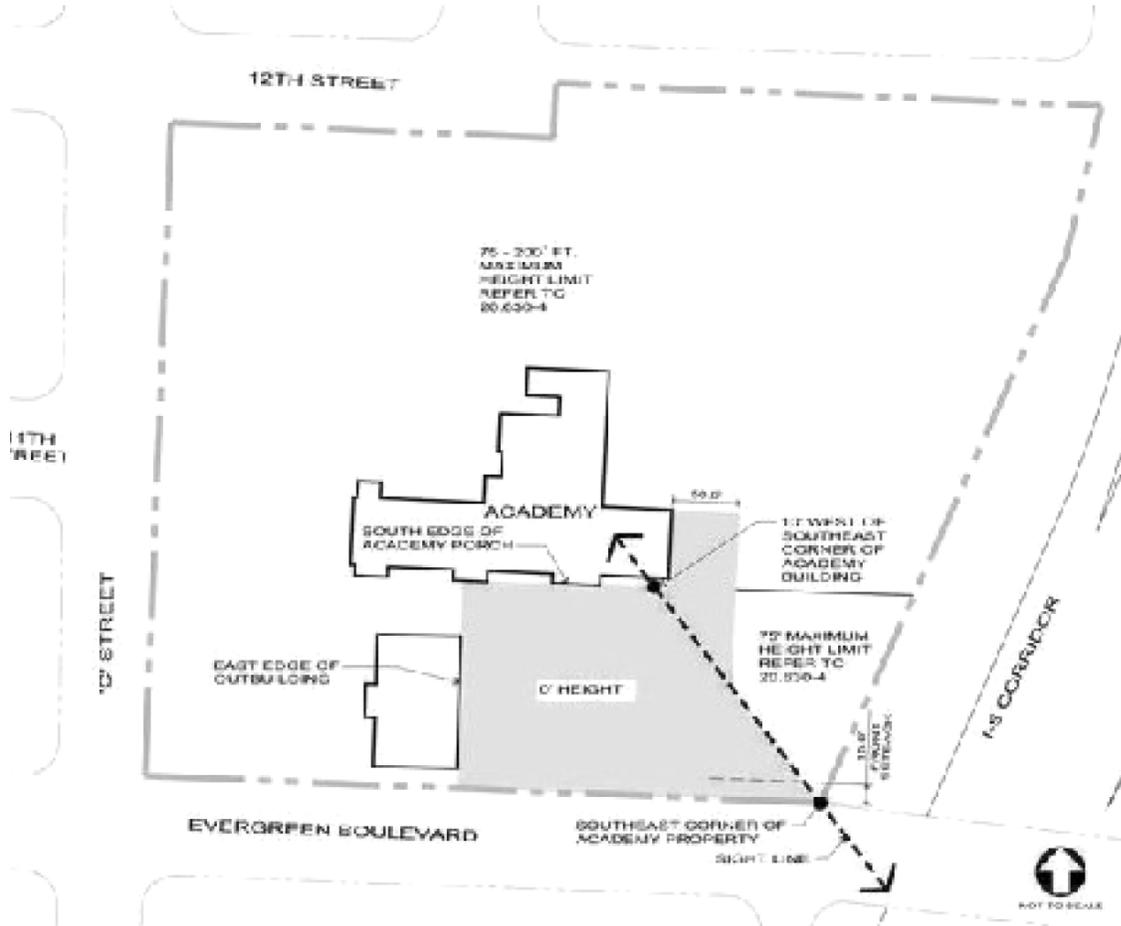
A. New construction. All new construction within a Heritage Overlay District, shall require review by the Planning Official. The standards for such review shall be those standards pertaining to architectural style, design, arrangement, texture, materials, color, and other pertinent factors designated in this section as standards for review of new construction and alterations to buildings within this specific Heritage Overlay District within which such property is located. The Planning Official shall consult with the Clark County Historic Preservation Commission on any new construction project within a Heritage Overlay District.

Staff Response: The proposal is for new construction and consultation with HPC is required. Response to applicable requirements are provided below:

Section 20.510.020 (3) – Standards and Requirements

a. Construction shall not be allowed in the identified (0 ft) height limit area shown and described in the diagram below. New construction in the identified (75 ft) area and the (75 ft

- 200 ft) area shall comply with VMC20.630.050 and the standards and guidelines of this section VMC20.510.020.



Applicant Response: Construction is not proposed within the identified 0-foot height limit area but is proposed within the 75-foot to 200-foot height area and complies with VMC 20.630.050 and the standards and guidelines of VMC 20.510.020.

Staff Response: Staff concurs. The applicant proposes to demolish the former El Presidente restaurant building that is not a contributing structure and does not propose to rebuild in this location. Further, the applicant proposes to set the building near the corner of Evergreen and C Street (Building A) back 58 feet. The proposal exceeds the minimum 15 foot setback in this location which provides greater visibility of the main Academy building from along Evergreen Boulevard and from the corner of Evergreen and C Street.

b. A view corridor of 50 feet in width and a 0 foot height limit from approximately 11th Street looking east to the Main Academy building shall be preserved. In addition, there shall be one or two view corridors with a 0 foot height limit looking south from 12th Street into the Academy site which shall be a cumulative total of 50 feet in width.

Applicant Response: A view corridor of 54 feet in width and a 0 foot height limit is preserved

from approximately 11th Street looking east to the Main Academy building. There are view corridors with a 0 foot height limit looking south from 12th Street into the Academy site which cumulatively total more than 50 feet in width.

Staff Response: Staff concurs. The project meets this standard.

c. All new construction shall be similar in materials and texture to that of the main Academy building, and shall be primarily composed of brick facing, similar in color to that of the main building.

Applicant Response: The cladding of the proposed buildings is primarily (75%) composed of brick facing that is similar in color (red and beige) to that of the main Academy building. Refer to the architectural elevations for more information regarding compliance with this section.

The applicant provided the following details in regard to the brick design:

- Aegis' mostly brick cladding is the same material and texture of the Academy.
- The brick size and layout of Aegis closely resemble the Academy's brick size and layout.
- Brick soldier courses, pilasters, and other brick detailing infuse traditional elements into Aegis to complement the Academy.
- The red brick base of Aegis connects to the Academy and creates a cohesive campus feel from the pedestrian perspective.
- Red brick on the upper façades of Aegis connects to the Academy and creates cohesive campus feel from a distant perspective.
- Aegis' dark colored brick base and the Academy's stone base similarly anchor the buildings.

Staff Response: Staff concurs. The project meets this standard as the project is primarily composed of brick (75%) that is similar in color to the Academy building.

d. No sign shall be installed on the main Academy building above the first story. Free-standing signs on the property shall be limited to directional signs and necessary for parking and traffic control, and a limited number of signs advertising businesses on the premises containing an aggregate signage area of not more than 100 sq ft. No sign or sign structure shall be more than 10 feet in height above the ground level.

Applicant Response: There are no free-standing signs proposed on the property other than directional signs and those necessary for parking and traffic control. The aggregate area of signage signs advertising businesses for the project will not exceed 100 square feet nor exceed 10 feet in height above the ground.

Staff Response: Staff concurs.

e. New construction shall minimize the removal of existing, mature trees exceeding 30 feet in height, and such construction shall be so located and designed as to preserve views of the main Academy building from East Evergreen Boulevard between the freeway and C Street,

and shall preserve a setback from East Evergreen Boulevard of not less than 15 feet for open space and substantial planting, and such setback area shall not be used for parking.

Applicant Response: New construction will require the removal of existing on-site trees, particularly the existing Empress Tree and black locust trees. These trees have been identified by the City of Vancouver Urban Forester as approved for removal. Additionally, existing street trees along C Street will be removed for building construction, utility connections and installation of a new heritage sidewalk. New street trees will be installed meeting City of Vancouver Urban Forestry standards. Aegis is preserving a setback from East Evergreen Boulevard 15 feet for open space and substantial planting. There is no parking proposed in such setback area. No historic structures are proposed for removal on the site of the Project. Aegis is located and designed to preserve views of the main Academy building from East Evergreen Boulevard between the freeway and C Street. The Southern building of Aegis is set back 58' from the Evergreen right of way sidewalk to preserve the view of the Academy from Evergreen Boulevard.

Staff Response: Staff concurs.

Staff Conclusion: The proposal complies with the Heritage Overlay standards.

Section 20.510.040 – Determination of Compliance

General. Determination as to whether a proposed alteration to the exterior of a building, or the design of a new building in a designated historic zone, meets the intent, purposes, and requirements of this chapter, shall be made by the Planning Official, with input from the Clark County Historic Preservation Commission as needed. Demolition permits for buildings listed on the Clark County Heritage Register, State Heritage Register or National Register of Historic Register are subject to approval by the Clark County Historic Preservation Commission, subject to appeal to the City Council, as provided herein.

Staff Response: The approval process for this application is a Type I action. Type I permits are classified as ministerial permits. Decisions on such permits are to be made based on a set of facts without exercise of personal judgement or discretion. This is different than a quasi-judicial application (Type III or Type IV) where a public hearing is required and discretion or judgement is used in applying the standards and/or approval criteria.

For this reason, staff must rely heavily on the clear and objective standards when making a Type I decision. As stated above, the proposal meets the clear and objective standards (Section 20.510.020.3), which staff must base the decision upon.

That being said, the code states that staff shall consult with the Historic Preservation Commission on how the proposal meets the intent and purpose of the Heritage Overlay.

Section 20.510.010 contains the purpose statement for the Heritage Overlay as follows:

General. The Heritage Overlay Districts are intended to preserve the special architectural character and/or historic or cultural significance of certain areas within the City. The following additional regulations are imposed in areas so designated in order to do the

following:

- A. Compatibility. To ensure that new development is compatible in scale, character, and design with existing buildings and with the preservation of existing architectural characteristics of significant buildings in the area.*
- B. Preservation. To preserve and encourage the restoration of existing older buildings in their original architectural style.*
- C. Retention of unique character. To retain, conserve, and improve historical, cultural, and architectural environments attractive to residents and to visitors, thereby promoting the economic health of the City while retaining its unique historical and architectural features.*

Item 3 – Academy Building West Porch Remodel (Attachment 6)

The project complies with the Heritage Overlay requirements as follows:

Section 20.510.030 – Review Process

B. Exterior Alterations. All exterior alterations to a historic building or a structure located within a Heritage Overlay District, visible from a public street or other public place, and all exterior alterations to a building listed on the State or National Registers of Historic Places, including changes to signs, marquees, awnings, canopies or other building appendages, whether a building permit is required or not, as well as wall murals shall require advisory review by the Clark County Historic Preservation Commission. The standards for such review shall be those standards pertaining to architectural style, design, arrangement, texture, materials, color, and other pertinent factors designated in this section as standards for review of new construction and alterations to buildings within the specific Heritage Overlay District within which such property is located. The Clark County Historic Preservation Commission shall apply the standards for historic preservation projects which appear as Title 36, C.F.R., Part 67 of the Federal Register and shall consult with the Planning Official on any exterior alterations to a historic building within Heritage Overlay District.

Staff Response: The applicant proposes to install new porch and stairs on the west elevation of the Academy. The result will remove undesirable covers and deteriorating stairs with a porch system that will have a similar look to the original design.

The project complies with Title 36, C.F.R., Part 67.7, Standards for Rehabilitation are as follows:

- (a) The following Standards for Rehabilitation are the criteria used to determine if a rehabilitation project qualifies as a certified rehabilitation. 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 the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction.*

To be certified, 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.

Staff Response: This section provides background for the standards. It does not contain specific standards.

(b) The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. (The application of these Standards to rehabilitation projects is to be the same as under the previous version so that a project previously acceptable would continue to be acceptable under these Standards.)

(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.

Staff Response: This proposal does not change the existing building use.

(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.

Staff Response: The applicant intends to return the western porch structure to more of its historic character. The original scale of the first story porch and stairs entering from the north do not currently exist nor does the second level porch with balusters and columns that match the original southern porches of the building.

Existing conditions represent a detraction from the historic architectural design and are deteriorating and claimed by the applicant to be hazardous. With the exception of the western staircase, the historic design features will be returned to a historic condition consistent with the original design intent. Although the western staircase is an original feature to the property, the western entry is not a primary entry to the building and the proposed improvements better represent the historic character of the property than the existing condition that detracts from this character.

(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.

Staff Response: The applicant does not propose changes to create a false sense of historical development. Changes to the property are proposed in an effort to return to the building to reflect original architectural elements and design intent.

- (4) *Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*

Staff Response: The proposal does not remove historically significant materials. The materials being removed were added and do not follow the original design intent and detract from the historic character.

- (5) *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.*

Staff Response: The features and finishes proposed added are consistent with the 1910-era image provided by the applicant.

- (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.*

Staff Response: The proposal indicates the western deck(s), columns and railings, including missing features will be replaced and returned to a condition as reflected in pictorial evidence. With the exception of the western staircase that is not proposed to be replaced, the proposal generally matches design, color, texture, and other visual qualities that are consistent with pictorial evidence and the southern porches of the building that were recently renovated by the applicant. The applicant will document the change in stair location.

- (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.*

Staff Response: The applicant has not proposed chemical or physical treatments to clean the building's surfaces.

- (8) *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

Staff Response: The Vancouver Land Use and Development Code Section 20.710.090 is the Discovery Principal under this standard. This section states:

Uncovering archaeological items - In the event that any item of archaeological interest is uncovered during the course of a permitted or approved ground-disturbing action or activity:

Cessation of activity - All ground-disturbing activity shall immediately cease.

Notification - *The applicant shall immediately notify the Planning Official and DAHP.*

Staff Response: The applicant has prepared an Archaeological Survey for the site. The survey has been sent to DAHP. The survey is to remain confidential. The applicant must comply with the forthcoming conditions of DAHP once review of the survey is completed by DAHP.

- (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.*

Staff Response: Exterior alterations proposed are consistent with historic building character.

- (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.*

Staff Response: No new additions are proposed.

- (c) *The quality of materials and craftsmanship used in a rehabilitation project must be commensurate with the quality of materials and craftsmanship of the historic building in question. Certain treatments, if improperly applied, or certain materials by their physical properties, may cause or accelerate physical deterioration of historic buildings. Inappropriate physical treatments include, but are not limited to: improper repointing techniques; improper exterior masonry cleaning methods; or improper introduction of insulation where damage to historic fabric would result. In almost all situations, use of these materials and treatments will result in denial of certification. 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 result in denial of certification. For further information on appropriate and inappropriate rehabilitation treatments, owners are to consult the Guidelines for Rehabilitating Historic Buildings published by the NPS. "Preservation Briefs" and additional technical information to help property owners formulate plans for the rehabilitation, preservation, and continued use of historic properties consistent with the intent of the Secretary's Standards for Rehabilitation are available from the SHPOs and NPS WASO. Owners are responsible for procuring this material as part of property planning for a certified rehabilitation.*

Staff Response: The applicant is advised to consult the Guidelines for Rehabilitating Historic Buildings published by the NPS.

- (d) *In certain limited cases, it may be necessary to dismantle and rebuild portions of a certified historic structure to stabilize and repair weakened structural members and systems. In such cases, the Secretary will consider such extreme intervention as part of a certified rehabilitation if:*

- (1) *The necessity for dismantling is justified in supporting documentation;*

Staff Response: The proposal may include improvements to the column foundations as deemed appropriate.

- (2) *Significant architectural features and overall design are retained; and*

Staff Response: Overall design is more consistent of the original construction and includes significant improvements over the current conditions and is more reflective of the original significant architectural features. The applicant indicates that it may be necessary to construct new concrete columns for the porch. This would include placing a new concrete column base, encasing the existing foundation and applying a veneer of salvaged bricks. This would retain the historical appearance.

- (3) *Adequate historic materials are retained to maintain the architectural and historic integrity of the overall structure.*

Staff Response: The majority of the historic materials associated with the House of Providence are being maintained.

Section 47 of the Internal Revenue Code of 1986 exempts certified historic structures from meeting the physical test for retention of external walls and internal structural framework specified therein for other rehabilitated buildings. Nevertheless, owners are cautioned that the Standards for Rehabilitation require retention of distinguishing historic materials of external and internal walls as well as structural systems. In limited instances, rehabilitations involving removal of existing external walls, i.e., external walls that detract from the historic character of the structure such as in the case of a nonsignificant later addition or walls that have lost their structural integrity due to deterioration may be certified as meeting the Standards for Rehabilitation.

Staff Response: The proposed upgrades to the first and second story porches, northern staircase and the foundation columns appear to be in conformance with this section.

- (e) *Prior approval of a project by Federal, State, and local agencies and organizations does not ensure certification by the Secretary for Federal tax purposes. The Secretary's Standards for Rehabilitation take precedence over other regulations and codes in determining whether the rehabilitation project is consistent with the historic character of the property and, where applicable, the district in which it is located.*

Staff Response No response required.

- (f) *The qualities of a property and its environment which qualify it as a certified historic structure are determined taking into account all available information, including information derived from the physical and architectural attributes of the building; such determinations are not limited to information contained in National Register or related documentation.*

Staff Response: None required.

Conclusion

Staff finds the proposal complies with the standards of the Heritage Overlay. Staff requests advice and input from the Historic Preservation Commission as required by the Heritage Overlay.

Attachments

- 1. Applicant Submittal – El Presidente Restaurant Demolition**
- 2. Applicant Submittal – Aegis Presentation**
- 3. Applicant Submittal – Aegis Design Summary**
- 4. Applicant Submittal – Aegis Public Engagement Summary**
- 5. Applicant Submittal – Aegis Elevations and Site Plan**
- 6. Applicant Submittal – West Porch Reconstruction**
- 7. Letter Nicholas Vann, AIA DAHP dated July 2, 2018**
- 8. Applicant Response DAHP Letter dated July 31, 2018**
- 9. Letter Sister Susanne Hartung, Sister of Providence dated May 31, 2018**
- 10. Resolution from Vancouver’s Downtown Association dated June 21, 2018**
- 11. Letter from John McDonagh, Greater Vancouver Chamber of Commerce dated June 28, 2018**