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MINUTES

February 27, 2020
Historic Landmarks Committee
Regular Meeting

3:00 pm
McMinnville Civic Hall
McMinnville, Oregon

Members Present: Mary Beth Branch, Mark Cooley, Christopher Knapp, and John Mead

Members Absent: Joan Drabkin

Staff Present: Chuck Darnell – Senior Planner

Others Present:

1. Call to Order

Chair Branch called the meeting to order at 3:05 p.m.

2. Citizen Comments

None

3. Action Items

A. HL 1-20: 404 NE Irvine Street - Historic Resources Inventory Amendment - Deletion

Chair Branch had two conflicts of interest and recused herself from the process. Her family was the applicant and her business partner was the applicant's representative.

Vice Chair Mead would be facilitating this agenda item. He asked if any Committee member wished to make a disclosure or abstain from participating or voting on this application. There was none. He asked if any Committee member needed to declare any contact prior to this hearing with the applicant, any other party involved in the application, or any other information outside of staff regarding the subject of the application. Vice Chair Mead said he used to work with Mary Beth and Zack.

Senior Planner Darnell presented the staff report. This was a request for a Historic Resources Inventory amendment to delete a resource from the Inventory. The property was located on the corner of 4th and Irvine. It was an environmental resource. He explained the applicable criteria for the deletion. The applicant provided evidence that showed the condition of the structure was in poor quality and deteriorated for lack of maintenance. Some of the features and qualities that were originally recognized when the resource was listed had been lost. These included the semicircular arch that was above the front porch, the front door was replaced with a more modern, traditional looking door, and window components were missing. Not all of the features had been completely lost, however, and staff did not think that criterion had been satisfied. There were a lot of issues with

the foundation of the porch footings and support beams. The applicant noted issues with the beveled wood siding and with the windows where there was rot, deterioration, and missing glass and sashes. While the features were in poor condition they had not been lost. The applicant provided a lot of research into the process that was followed when the inventory was created. Between 1980 and 1984 there was a lot of survey work done of structures that were over 50 years old. The properties were categorized into four classifications which were still used today. The top three categories, distinctive, significant, and contributory, were taken to a second level of evaluation scored against specific criteria. That level of evaluation was more detailed and documented better. This resource was listed as an environmental resource and was not scored during the second level of evaluation. The applicant stated that the removal or alteration of contributory resources would not have a deleterious effect on the quality of historic continuity experienced in McMinnville. If that was followed, all of the resources below that would be considered to qualify for deletion without a damaging effect. Staff was not in agreement with that broad scale statement applying to all environmental resources. It could set a precedent for the removal of all environmental resources and there was intent behind creating these environmental resources. Staff included some findings that the removal of environmental resources could have a negative effect on historic continuity of the neighborhood and the process in the code should be considered for each individual request on a case by case basis. The applicant provided arguments that the resource no longer satisfied the criteria for recognition and compared it to the four criteria that were used at the time it was classified. Those were history, style and design, integrity, and environment. The applicant noted that there was no evidence of the resource being associated with any significant past events, persons, organizations, trends, or values. There was no particular style or type of construction used for this property. There were many times the word plain was used to describe the features. The survey listed the structure as in good and fair condition. Some of the features had been lost, alterations had been made that had impact to the integrity of the structure, and the structure was in poor condition. The neighborhood was changing character from what it was originally and the resource no longer contributed to the character. There was a mixture of development and redevelopment types on this block other than single family dwellings with a mixed use and commercial on the block. Staff thought the application met this criterion and it could be approved based on that.

Zack Geary, representing the applicant, said overall they agreed with staff's findings. They understood the concern regarding setting a precedent and that the purpose of the Committee was to review applications on a case by case basis not make wholesale decisions that would render their ability to make decisions void. Regarding the changing character of the neighborhood, the NE Gateway ordinance established several zones and this was in Zone 1 of those zones. The overall plan for Zone 1 was a mixed use commercial zone which over time would transition into an extension of the downtown with residential or offices used above active ground floor commercial or retail space with a vibrancy consistent with downtown McMinnville. This was an old single family home whose style was becoming rapidly out of place. Because it was an environmental resource, any alterations to the exterior were not governed by the Committee and someone could come along and change the siding, windows, roof, etc.

Mary Beth Branch, representing the applicant, said the environmental classification was a tricky one as some properties were designated because they were in the first stage of the survey and after being surveyed in the second stage were downgraded to environmental. There was a combination of some who were measured to get where they were and the rest were designated because they were more than 50 years old. They did not intend to state that all environmental properties were not deserving of protection. The applicants had a long standing history of love for and investment in historic properties. This was their neighborhood and they felt strongly that there were better things that could be done with this property outside of what it was now.

Committee Member Knapp asked about the future plans for the property. Mr. Geary replied it would be a connection to downtown and the NE Gateway District. There was going to be renovation on the

mill building and this lot would serve as some flex space for that building to get done. It would potentially be combined with other properties to be mixed use, retail residential oriented.

Ms. Branch said the long term plan was that this property combined with the adjacent property would help get the density development that was called for in the NE Gateway plan as well as the required parking. When this house was listed for sale, it was marketed as bare land as the value associated with the property. She showed pictures of the surrounding area and Gateway District.

Vice Chair Mead asked why they chose to apply for a deletion rather than a demolition. Mr. Geary said they had not decided about the removal of the house. This was the best strategy to remove the barrier to future development of the property. Ms. Branch said they had looked at both options and thought the most honest and defensible approach was deletion.

Committee Member Cooley said regarding their statement that the lowest category was not subject to any intervention by the Committee, did they need to be concerned as a Committee that applicants might delete characteristics so the property could be redeveloped. Mr. Geary agreed it was frustrating that things were changed outside of the process when they should go through the process and things that should go through the process did not have to. He thought it should be a discussion of the Committee and more education of the public.

Committee Member Cooley asked how these properties were currently identified when they came in for permits. Senior Planner Darnell said they were identified on the City's online permitting system. A lot of things could happen without a building permit, such as vinyl siding and window replacement. Ms. Branch pointed out that even if it called for a building permit, the HLC would not have authority to weigh in on that decision for environmental resources.

Senior Planner Darnell clarified only the first two level designations required HLC review for an alteration. One of the permit technicians usually caught these types of applications at the counter, but if it wasn't caught, he would identify it when it came to him. People could do window replacement, roofing, and siding without permits.

Committee Member Cooley said even for the other three designations, there was really nothing to prevent the removal of the qualifying characteristics. Ms. Branch said except that they would be breaking the ordinance and there could be a penalty.

Committee Member Knapp asked if there was a penalty for the owner not maintaining the structure and letting it deteriorate. Ms. Branch said there was nothing to address that.

Senior Planner Darnell said it was a gray area in the code that alteration of these two levels of structure did not require any review, except for demolition or change in the inventory.

Committee Member Cooley pointed out the same deletion criteria would apply if this was a higher resource.

There was discussion regarding the future use of the property and how the interior of the home was in poor condition.

Mr. Geary clarified that if this property was scored today it would no longer meet the criteria for preservation.

Ms. Branch reviewed the scoring categories. The property did not meet any of the history criteria, there was no important architect that designed it or anyone important to the history of McMinnville that lived there. The style and design were not of a particular architectural style or construction. The

integrity was listed on the inventory as good and fair, although it was significant that the fair had more detailed information and that it referenced the porch's condition as fair. Regarding the environmental category, it was not in character with the neighborhood and did not contribute to the continuity of the current neighborhood. She did not think it was strong in any of these categories and that was why they had taken this approach for the application.

Senior Planner Darnell said the request was the deletion and clarified that the application only needed to meet one of the criteria.

Committee Member Knapp asked if the application was denied, what would be their next steps. Ms. Branch said they would have to consult with the applicant.

Committee Member Cooley clarified they were not obligated to apply the scoring submitted by the applicant which implied a score of less than five. They could just address the scoring categories as they related to the additional information and criteria. Some of the original characteristics were lost but not enough necessarily for a deletion.

Committee Member Knapp said some of those characteristics would be easy to replace.

There was consensus that the first criterion for a deletion was not met as stated by staff.

Committee Member Cooley said it was not a black and white issue of retaining residential properties in their current use regardless of their condition or underlying zone in all cases. It was more nuanced and they were all struggling with it going forward. There would be opportunities for redevelopment that could enhance the inventory of housing that the Committee might find themselves standing in the way of for the sake of adhering to the ordinance. He did not want to stand in the way of the redevelopment of a property like this to preserve one unit of housing of the size and quality that this one currently was.

Senior Planner Darnell said in general there was a higher density deficiency in the City.

Committee Member Knapp thought the application somewhat met the criteria and somewhat did not. He did not see a lot wrong with the exterior. What was the best use of this space for McMinnville? He did not want to set a precedent either.

Senior Planner Darnell pointed out the redevelopment and eventual use was not part of the criteria. If this was a higher level resource for the same type of application, the Committee would need to apply the criteria and there would likely be completely different findings related to those criteria.

Vice Chair Mead said they needed to focus on the criterion that said the resource no longer satisfied the criteria for recognition as a historic resource and specifically how it ranked in the scoring categories. Did this small, single family dwelling fit the environment of the neighborhood? There were a few other historic houses on the block that would continue to be preserved, but there was also a commercial nature in the neighborhood. The property was zoned to be redeveloped into a commercial space and the applicants were looking at a mixed use commercial use in the future.

Committee Member Knapp thought it had always been in a mixed residential and commercial area.

Senior Planner Darnell said the criterion had two options, either it didn't meet it at the time or it didn't now. Staff included findings that there was not a lot of evidence to go off of to make the determination of whether or not it met the criteria at the time. Staff thought evaluating at its current state was the one that could be achieved. The Committee could consider a continuation for the applicant to submit more evidence.

Committee Member Knapp did not like deleting a house from the inventory not knowing what was going to happen with the property.

There was discussion regarding previous decisions on applications for deletion and demolition in comparison to this application.

There was consensus to use staff's findings for the second criterion and add findings that the photos of the surrounding neighborhood that were provided by the applicant and the long term plan for the NE Gateway District affected how well the listed resource met the environmental criteria.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Committee Member Cooley moved to approve HL 1-20 based on the findings of fact provided in the decision document. The motion was seconded by Committee Member Knapp and passed unanimously.

4. Committee Comments

None

5. Staff Comments

Senior Planner Darnell said NW Vernacular Historic Preservation would be doing the reconnaissance survey work which would begin in March. He explained the areas that would be surveyed. He would send out notices to property owners as well.

6. Adjournment

Chair Branch adjourned the meeting at 4:35 p.m.