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**Planning Department**  
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## EXHIBIT 2 - STAFF REPORT

**DATE:** November 14, 2019  
**TO:** Historic Landmark Committee Members  
**FROM:** Chuck Darnell, Senior Planner  
**SUBJECT:** DDR 5-19 (Downtown Design Review for Alterations including a Waiver Request) – 903 NE 3<sup>rd</sup> Street

### STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

**OBJECTIVE/S:** Define the unique character through a community process that articulates our core principles

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### Report in Brief:

This is a quasi-judicial review of a Downtown Design Review land-use application for an addition to an existing building on the property at 903 NE 3<sup>rd</sup> Street (Tax Lot 4400, Section 21BD, T. 4 S., R. 4 W., W.M). All exterior building alterations in the Downtown Design Overlay District need to be reviewed and receive approval for how their design complies with McMinnville's downtown design review standards. Per the McMinnville Municipal Code, the McMinnville Historic Landmarks Committee serves as the decision-making body for the design review. The applicant, Ron Burcham, on behalf of property owner Mini Super Hidalgo LLC, is requesting the approval of the exterior design of the proposed expanded building, including the approval of one waiver from a downtown design standard to allow for a reduction in the amount of glazing (i.e. windows and other glass or openings) on the building facades from the required 70 percent to 61 percent on the Third Street façade and 44 percent on the new portion of the Irvine Street façade.

The Downtown Design Review request is subject to the review process described in Section 17.59.030(C)(2) and Section 17.59.030(C)(3) of the McMinnville Municipal Code (MMC). The Historic Landmarks Committee will make a final decision on the application, subject to appeal as described in Section 17.65.080 of the MMC.

### Background:

The subject property is located at 903 NE 3<sup>rd</sup> Street. The property is identified as Tax Lot 4400, Section 21BD, T. 4 S., R. 4 W., W.M. See Vicinity Map (Figure 1) below for the approximate location of the site.

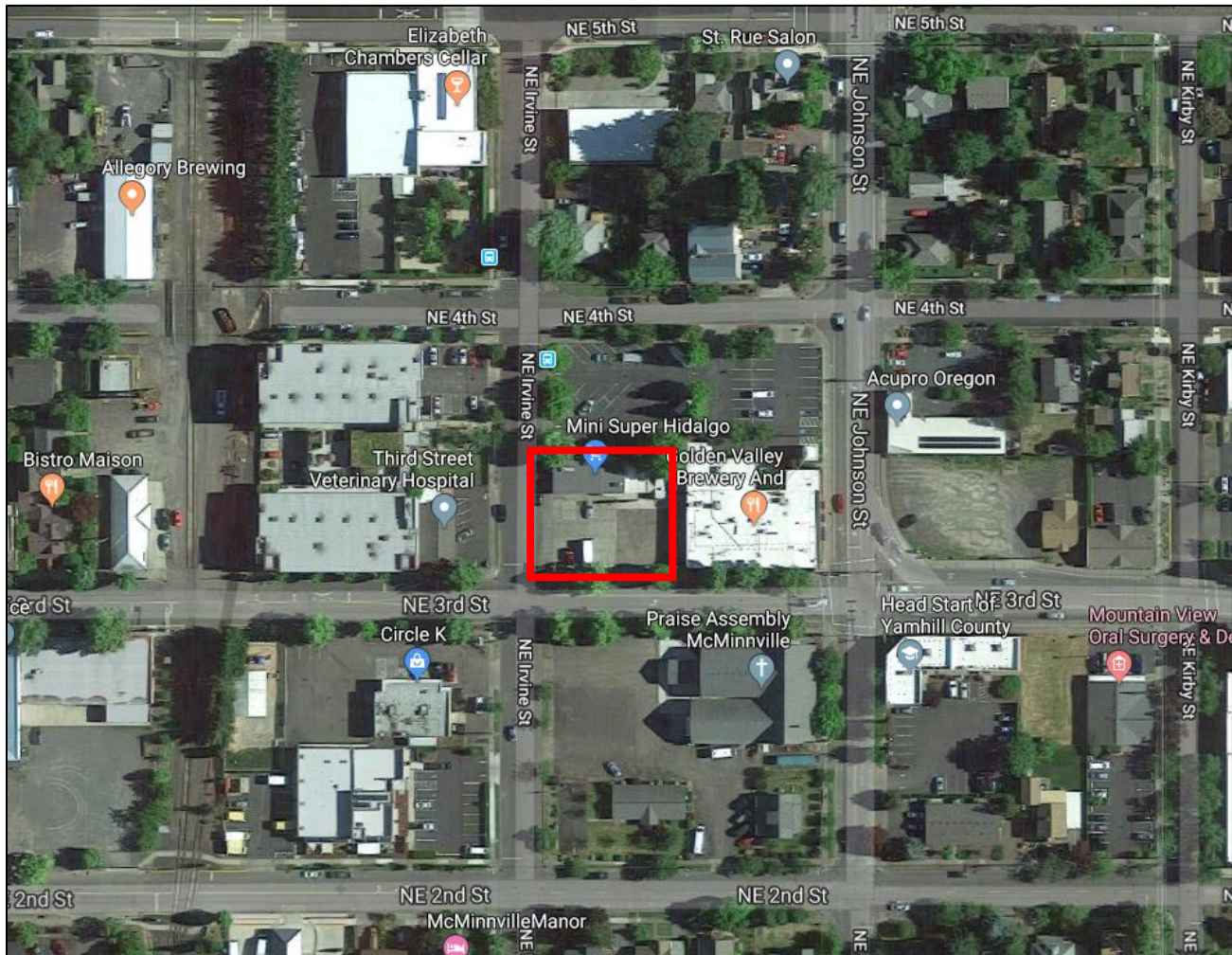
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#### *Attachments:*

*Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of DDR 5-19*

*Attachment B: DDR 5-19 Application Materials*

Figure 1. Vicinity Map



The applicant provided an overview of their proposal and project in the application narrative, which is as follows:

“Phase 1 is an addition under the existing roof (250 sf), infilling the existing building perimeter walls, and applying façade improvements per design standards. The total finished gross floor area will be 2020 sf.

Phase 2 design revisions continue, so design review will be separate applications. Phase 2 will be an addition that will include a permanent restaurant replacing the food wagon and storage, and improvements to the existing parking lot and site.

Architectural features include added storefront glazing, brick base on walls facing streets, new awning wrapping the street facing building walls, and an improved fascia with a new cornice trim.

The existing painted "stucco" finish on wood panels will be improved on street faces to match existing stucco on CMU, and the new “stucco” finish on new wood construction will be a thin coat texture system on wood sheathing or fiber-cement panels between new windows and at improved fascia. Some existing glazing is remaining unchanged.”

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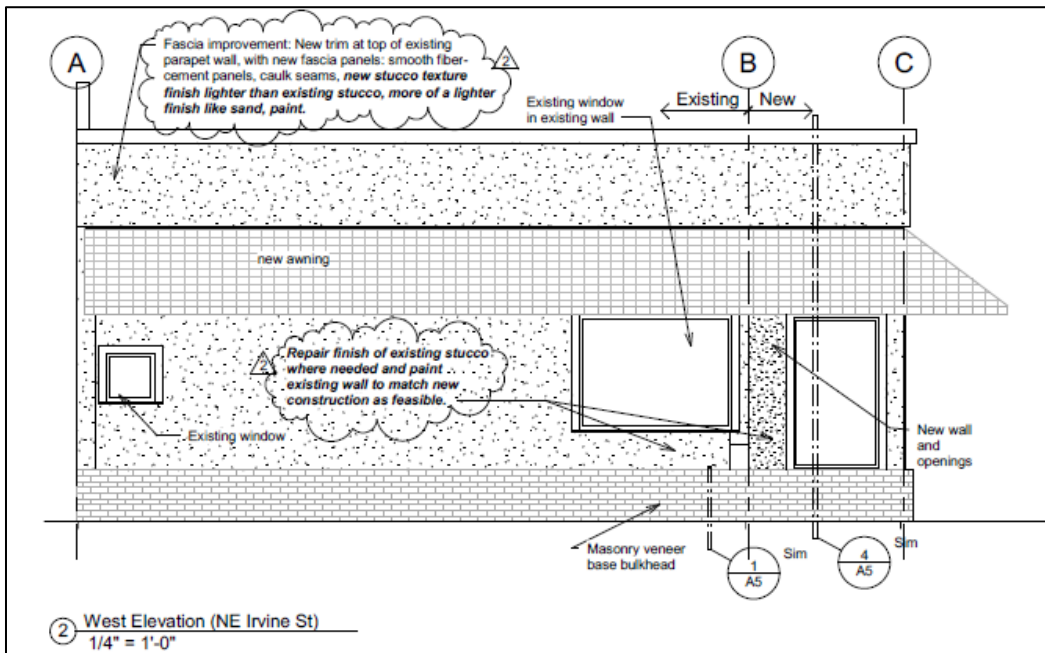
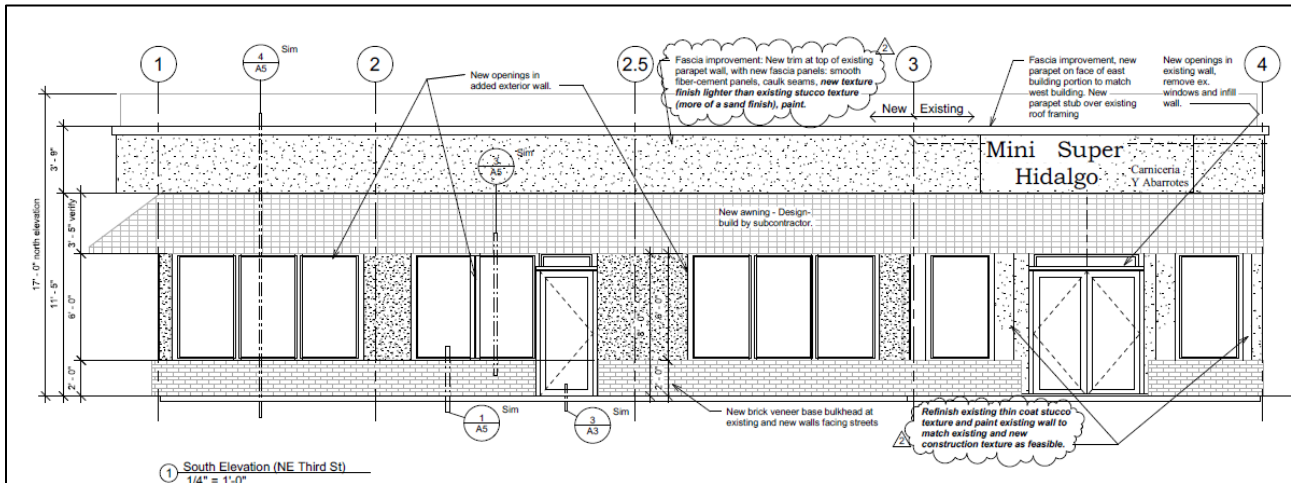
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**Discussion:**

The applicant has provided plans, elevations, and renderings identifying the improvements that would occur on the site. See Street Facing Elevations and Building Rendering (Figure 3 and Figure 4) below.

**Figure 3. Street Facing Elevations**



**Figure 4. Building Rendering**

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Decisions and/or recommendations for approval of the land use application is dependent upon whether or not the application meets state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code. The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria.

The specific review criteria for Downtown Design Review for New Construction in Section 17.59.040 of the MMC require the proposal to be consistent with the applicable Downtown Design Standards and Guidelines in Chapter 17.59 of the MMC, as well as the following review criteria:

1. The City's historic preservation policies set forth in the Comprehensive Plan;
2. If a structure is designated as a historic landmark on the City's Historic Resources Inventory or is listed on the National Register for Historic Places, the City's historic preservation regulations in Chapter 17.65, and in particular, the standards and guidelines contained in Section 17.65.060(2);

In addition, any request for a waiver from a Downtown Design Standard is subject to the specific review criteria in Section 17.59.040(A)(3) of the MMC as follows:

- a. There is a demonstrable difficulty in meeting the specific requirements of this Chapter due to a unique or unusual aspect of the site, an existing structure, or proposed use of the site;
- b. There is demonstrable evidence that the alternative design accomplishes the purpose of this Chapter in a manner that is equal or superior to a project designed consistent with the standards contained herein; and
- c. The waiver requested is the minimum necessary to alleviate the difficulty of meeting the requirements of this Chapter.

### **Current Request**

The applicant has provided a written narrative and findings to support their requests. The narrative and findings are provided in the application materials, and are also reiterated and expanded upon in the Decision Documents for each land use application. The Decision Documents include the specific findings of fact for each of the applicable review criteria, but an overview of the findings in those Decision Documents is provided below.

Overall, much of the project design does meet the applicable Downtown Design Standards, given the fact that the proposal is to complete a small building expansion within the existing building lines of a

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building that is nonconforming in regards to most of the applicable Downtown Design Standards. The existing building is not constructed up to the property line with a zero setback, but the addition will be completed within existing building lines and bring the south façade closer to the Third Street property line. The massing and configuration of the building is not proposed to change, but façade improvements are proposed to make the building more compatible with architectural character on other buildings in the downtown area. The façade design features being incorporated into the building design include a brick bulkhead, new awning system, and improved fascia and cornice cap along the entire south and west building facades. While most of the building addition is on the south side of the building and only an approximately six foot length of new building wall is being added to the west façade, those façade design features are proposed to be included along the entire west façade, which will be an improvement from the design of the existing building.

The proposal also includes the construction of a new storefront window system and recessed entry with transparent door and transom window. A waiver from the minimum glazing percentage is requested, and will be discussed in more detail below. The exterior building materials are proposed to be stucco, or a material consistent in appearance with stucco, to match the existing building walls. Brick will also be used on the bulkhead, and the new awning will be matte finished fabric material, consistent with the awning material standards. Signage is proposed to be updated on the site as well. Some minor clarifications and amendments to some design components are suggested by staff as conditions of approval where necessary to achieve the Downtown Design Standards, which will also be discussed in more detail below.

### Summary of Applicable Downtown Design Standards

Standard	Code Reference	Proposed Project
Zero Setback	17.59.050(A)(1)	Meets Standard based on Existing Building
Massing & Configuration	17.59.050(B)(1)	Meets Standard
Façade Articulation	17.59.050(B)(2)	Meets Standard
Belt Course	17.59.050(B)(3)(a)	N/A
Bulkhead	17.59.050(B)(3)(b)	Meets Standard
Minimum Amount of Glazing	17.59.050(B)(3)(c)	<b>Waiver Requested</b>
Recessed Entry	17.59.050(B)(3)(d)	Meets Standard
Decorative Cornice	17.59.050(B)(3)(e)	Meets Standard
Roofline Orientation	17.59.050(B)(4)	Meets Standard
Entrance Open to ROW	17.59.050(B)(5)	Meets Standard based on Existing Building
Recessed Windows	17.59.050(B)(6)	Meets Standard
Building Foundation	17.59.050(B)(8)	Meets Standard
Exterior Building Materials	17.59.050(C)(1) & (2)	Meets Standard with Condition of Approval
Exterior Building Colors	17.59.050(C)(3)	Meets Standard with Condition of Approval
Awning Design & Locations	17.59.070(A)-(F)	Meets Standards with Condition of Approval
Sign Design & Locations	17.59.080(A)-(E)	Meets Standards

### Glazing Waiver

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The applicant is requesting a waiver from the minimum amount of glazing required on the street facing facades of the building. The primary argument for this waiver is based on the scope of the proposed project, and that it is an addition to the existing nonconforming (in regards to the Downtown Design Standards) building. The addition is relying on the existing roof framing and extending that framing south, resulting in a need for the south wall to include support columns for the roof framing. These columns are proposed to be within solid walls between the new bays of storefront windows and recessed entrance. This results in more wall space in the building and a reduced glazing amount on the south façade of 61% instead of the required 70%, which is still a vast improvement from the existing building façade that includes only 32% glazing.

The alternative design proposed by the applicant does still achieve the overall intent of the Downtown Design Standards, as the new southern wall will include many more features required by the Downtown Design Standards including the storefront window system and recessed entrance, as well as other façade design features including a new brick bulkhead, new awning system, and improved fascia and cornice cap on the building. The solid walls in the building that will support the expanded roof framing also allow for other design standards to be achieved, in that they will add vertical columnar features on the façade that break up and provide variation in the building façade.

The applicant is also requesting a reduction in glazing on the west façade for the portion of the west façade that will be constructed as part of the addition. This portion of the addition is only approximately six feet in width as it fronts onto Irvine Street, and the applicant is proposing to carry the same window pattern proposed on the south façade around the corner onto the west façade. This results in the new portion of the west façade having 44% glazing instead of the required 70%. However, the applicant is proposing an alternative design that carries the other façade design features proposed on the south façade around to the entire west façade of the building, including the new brick bulkhead, new awning system, and improved fascia and cornice cap on the building. This will improve the entire west façade and bring that portion of the building more in conformance with the Downtown Design Standards.

### **Suggested Conditions of Approval**

Staff is suggesting a couple conditions of approval to ensure that all of the applicable Downtown Design Standards are being achieved by the proposal. The first condition of approval is related to the proposed exterior building materials. The existing building is finished with stucco. The applicant is proposing to use textured stucco applied over fiber cement panels on the new portions of the building walls and the improved fascia above the awning system. The building elevations include notes that the walls will all be refinished and repainted to be a consistent stucco appearance and color. In order to ensure that this material is consistent with the “smooth stucco” material that is allowed in the Downtown Design Standards, a condition of approval is suggested to require that a built example of the proposed exterior building materials be submitted to the Historic Landmarks Committee for review prior to the issuance of building permits for the proposed development.

Secondly, the applicant did provide a rendering that identifies colors of the building and described in their narrative that the colors applied to the building would be subtle, neutral, or earth tone. The colors shown in the rendering consist of shades of red, brown and tan, which are generally all subtle, neutral, and earth tones. To ensure that the final colors applied to the building are subtle, neutral, and earth tone in color, a condition of approval is included to require that the applicant provide samples or examples of the exterior building colors to the Planning Department for review and approval by the Planning Director prior to application on the building.

### **Commission Options:**

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- 1) Close the public meeting and **APPROVE** the application, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public meeting to a specific date and time.
- 3) Close the public meeting, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public meeting and **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Recommendation:**

Based on the information and plans provided, staff believes that most of the Downtown Design Standards are being achieved by the proposed building design, and that the suggested conditions of approval would allow for the proposed design to achieve those standards that were not explicitly satisfied in the application materials.

Staff is recommending approval of the application, subject to the following suggested conditions of approval:

1. That the applicant shall submit building permit applications prior to completing any work. The construction plans submitted with the building permit applications will be reviewed by the Planning Director for consistency with the written narrative, exhibits, drawings, and renderings submitted for review by the Historic Landmarks Committee, along with any revisions to respond to other conditions of approval.
2. That the applicant shall provide a built example of the final exterior panel building material to be reviewed and approved by the Historic Landmarks Committee prior to the release of building permits for the proposed development. The built example shall include an example of the treatment of any seam that is to be caulked and painted over with the sand-textured paint.
3. That the applicant shall provide samples or examples of the exterior building colors to the Planning Department for review and approval by the Planning Director prior to application on the building.

**MOTION FOR DDR 5-19:**

**BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE HISTORIC LANDMARKS COMMITTEE APPROVES DDR 5-19, SUBJECT TO THE CONDITIONS OF APPROVAL PROVIDED IN THE DECISION DOCUMENT.**

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