



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
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DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR THE DELETION OF THE HISTORIC RESOURCE AT 404 NE IRVINE STREET FROM THE HISTORIC RESOURCES INVENTORY

- DOCKET:** HL 1-20 (Historic Resources Inventory Amendment)
- REQUEST:** The applicant has submitted a written request to delete and remove an existing historic resource from the McMinnville Historic Resources Inventory. The historic resource is a residential building that is listed on the McMinnville Historic Resources Inventory as an Environmental resource (Resource Number D800).
- LOCATION:** 404 NE Irvine Street. The property described as Lot 5, Block 17, Rowlands Addition. The property is also identified as Tax Lot 2000, Section 21BD, T. 4 S., R. 4 W., W.M.
- ZONING:** C-3 (General Commercial)
- APPLICANT:** Zachary Geary, Branch Geary, Inc., on behalf of property owner Gerald Legard
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** January 28, 2020
- HEARINGS BODY & ACTION:** McMinnville Historic Landmarks Committee
- HEARING DATE & LOCATION:** February 27, 2020, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- PROCEDURE:** An application for a Historic Resources Inventory Amendment is processed in accordance with the procedures in Section 17.65.030 of the McMinnville Municipal Code.
- CRITERIA:** The applicable criteria for a Historic Resources Inventory Amendment are specified in Section 17.65.030(C) through 17.65.030(F) of the McMinnville Municipal Code. More specifically, the only criteria applicable to a deletion of a resource from the Historic Resources Inventory are in Section 17.65.030(F). In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.
- APPEAL:** As specified in Section 17.65.080 of the McMinnville Municipal Code, the Historic Landmarks Committee's decision may be appealed to the Planning Commission

Attachments:

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within fifteen (15) days of the date written notice of decision is mailed. The City’s final decision is subject to a 120 day processing timeline, including resolution of any local appeal.

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. Their comments are provided in this document.

RECOMMENDATION

Based on the findings and conclusionary findings, the Historic Landmarks Committee finds the applicable criteria are satisfied and **APPROVES** the Historic Resources Inventory Amendment (HL 1-20).

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DECISION: APPROVAL
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Planning Department: _____
Heather Richards, Planning Director

Date: March 5, 2020

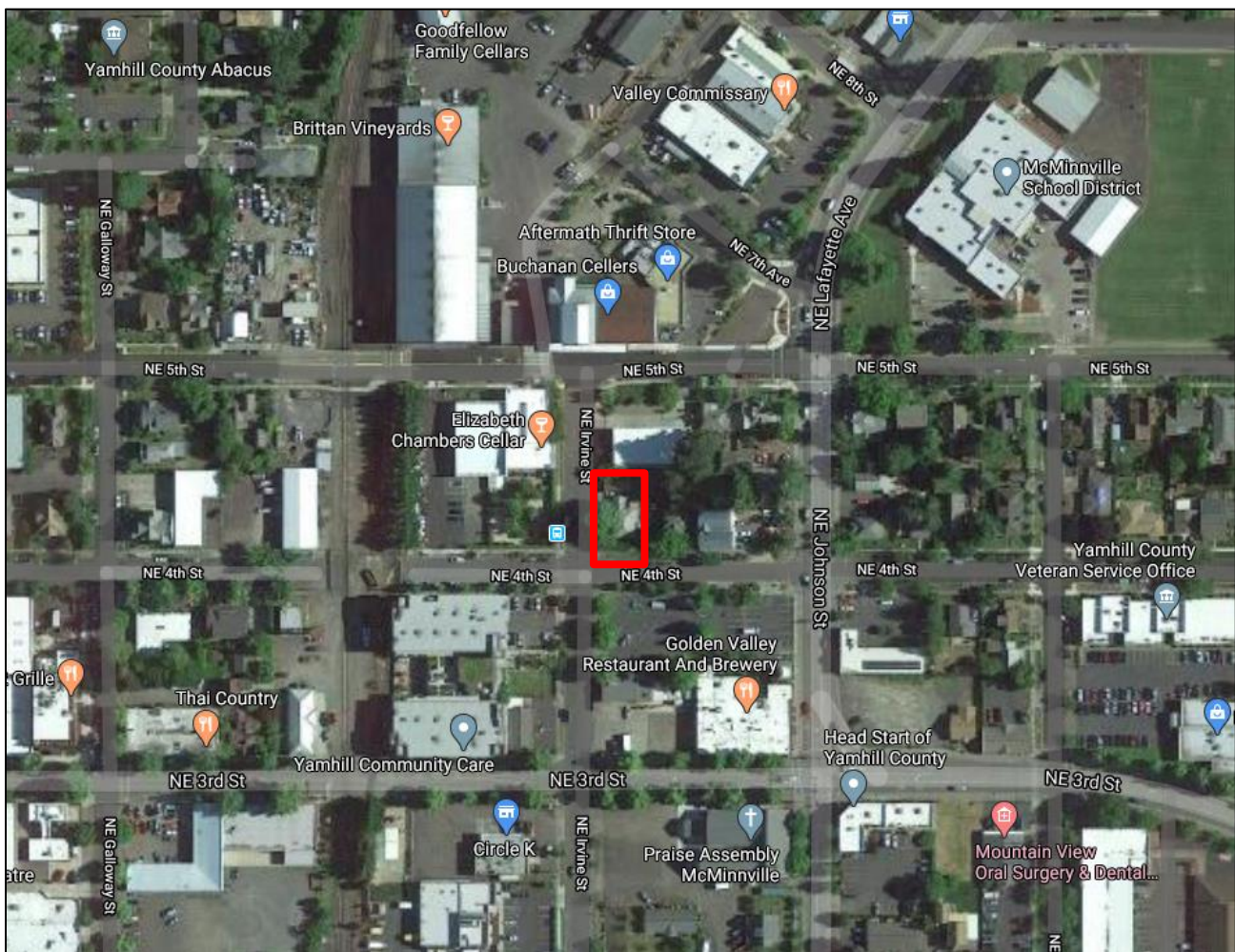
I. APPLICATION SUMMARY:

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of the subject site and the request under consideration. Staff has found the information provided to accurately reflect the current land use request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to staff’s comments.

Subject Property & Request

The subject property is located at 404 NE Irvine Street. The property described as Lot 5, Block 17, Rowlands Addition. The property is also identified as Tax Lot 2000, Section 21BD, T. 4 S., R. 4 W., W.M. **See Vicinity Map (Figure 1) below.**

Figure 1. Vicinity Map



The existing building on the subject property is listed on the Historic Resources Inventory as an Environmental historic resource (resource number D800).

Background

The property was originally surveyed in 1980, which is the date that the “Statement of Historical Significance and Property Description” were drafted and included on the Historic Resources Inventory

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sheet (resource number D800) for the subject property. The survey photo of the building is dated as 1980. This survey work led to the inclusion of the property on the Historic Resources Inventory, and the Historic Resources Inventory was adopted by the McMinnville City Council on April 14, 1987 by Ordinance 4401. The “Statement of Historical Significance and Property Description” states the following:

“A one story medium hip roof structure with cornerboards and beveled wood siding; a single central interior chimney. All windows are corniced and double hung sash with plain mouldings.

The off center east entrance has a door with side lights; the door is corniced with plain moulding and has a projecting one bay pediment porch with plain barge board and a semi-circular arch. It is supported by wood pillars on a small wooden porch. The foundation is concrete. There is an attached low gable extension on the north which appears to be an original small separate apartment. There is also a small hip roof extension on the northeast corner. There is a detached beveled wooden garage.”

An image of the historic resource from the time of the survey in 1980 is provided below:



An image of the historic resource as it exists today, as provided by the applicant in their application materials, is provided below:

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Summary of Criteria & Issues

The application (HL 1-20) is subject to Historic Resources Inventory Amendment review criteria in Section 17.65.030(C) through 17.65.030(F) of the McMinnville Municipal Code. More specifically, because the request is to delete the historic resource from the Historic Resources Inventory, the only criteria applicable to a deletion of a resource from the Historic Resources Inventory are in Section 17.65.030(F). The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria in Section 17.65.030(F) of the McMinnville Municipal Code, require the Historic Landmarks Committee to base each decision on the following criteria:

- F. Except as provided in Section 17.65.030 (E), the Historic Landmarks Committee shall base each decision regarding deletions from the inventory on the following criteria:
1. The resource has lost the qualities for which it was originally recognized; or
 2. Additional information shows that the resource no longer satisfies the criteria for recognition as a historic resource or did not satisfy the criteria for recognition as a historic resource at time of listing; or
 3. The Building Official declares that the resource poses a clear and immediate hazard to public safety and must be demolished to abate the unsafe condition.

The applicant has provided findings to support the request for the deletion of the historic resource from the Historic Resources Inventory. These will be discussed in detail in Section VII (Conclusionary Findings) below.

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II. CONDITIONS:

None.

III. ATTACHMENTS:

1. HL 1-20 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:**Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The following comments were received:

- McMinnville Engineering Department

No comments.

- McMinnville Building Department

No building permit necessary, based on the new ruling from Salem, however, a plumbing permit will be necessary for capping any sewer(s). Permitting for asbestos and lead is not handled by the City and up to the building owner to ensure compliance with the applicable regulation.

- McMinnville Fire Department

We have no issues with this request.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. As of the date of the Historic Landmarks Committee public meeting on February 27, 2020, no public testimony had been received by the Planning Department.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Zachary Geary, Branch Geary, Inc., on behalf of property owner Gerald Legard, submitted the Historic Resources Inventory Amendment application (HL 1-20) on January 7, 2020. The applicant submitted a revised application narrative on January 22, 2020.
2. The application was deemed complete on January 28, 2020. Based on that date, the 120 day land use decision time limit expires on May 27, 2020.
3. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas.

Comments received from agencies are addressed in the Decision Document.

4. Notice of the application and the February 27, 2020 Historic Landmarks Committee public meeting was mailed to property owners within 300 feet of the subject property in accordance with Section 17.65.070(C) of the Zoning Ordinance on February 6, 2020.
5. No public testimony was submitted to the Planning Department prior to the Historic Landmarks Committee public meeting.
6. On February 27, 2020, the Historic Landmarks Committee held a duly noticed public meeting to consider the request.

VI. FINDINGS OF FACT – GENERAL FINDINGS

1. **Location:** 404 NE Irvine Street. The property described as Lot 5, Block 17, Rowlands Addition. The property is also identified as Tax Lot 2000, Section 21BD, T. 4 S., R. 4 W., W.M.
2. **Size:** Approximately 6,000 square feet.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Northeast Gateway Planned Development Overlay District (Ordinance 4971)
6. **Current Use:** Single Family Residential
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** Historic Resources Inventory – Resource Number D800.
 - b. **Other:** None
8. **Other Features:** The site is developed with a single family residential structure. There site is generally flat. The only significant or distinguishing natural features associated with this property are a few large trees located in the front yard on the property.

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9. **Utilities:**
 - a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site.
 - c. **Sewer:** Sanitary sewer service is available to the subject site.
 - d. **Stormwater:** Storm sewer service is available to the subject site.
 - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

10. **Transportation:** The site is adjacent to NE Irvine Street on the west and NE 4th Street on the south, which are both identified as local streets in the McMinnville Transportation System Plan. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for local streets as 50 feet. The right-of-way widths adjacent to the subject site on both sides are 60 feet. While there is no specific development associated with this land use application, there will be no right-of-way dedication required during the course of development of the property.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a deletion of a historic resource from the Historic Resources Inventory are specified in Section 17.65.030(F) of the McMinnville Municipal Code.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. “Proposals” specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, polices, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL III 2: TO PRESERVE AND PROTECT SITES, STRUCTURES, AREAS, AND OBJECTS OF HISTORICAL, CULTURAL, ARCHITECTURAL, OR ARCHAEOLOGICAL SIGNIFICANCE TO THE CITY OF McMINNVILLE.

APPLICANT’S RESPONSE: None.

FINDING: NOT SATISFIED. The focus of the comprehensive plan goal and the purpose of the Historic Preservation chapter are to restore and preserve structures that have special historical or architectural significance. A removal of a historic resource from the Historic Resources Inventory clearly does not meet that intent. The Historic Landmarks Committee, after reviewing the testimony and materials provided by the applicant, found that other criteria for the consideration of the deletion of the resource were being satisfied. Those will be described in more detail below.

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GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

GOAL X 2: TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The process for a Historic Resources Inventory Amendment provides an opportunity for citizen involvement throughout the process through the public notice and the public meeting process. Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public meeting(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide criteria applicable to the request:

Chapter 17.03. General Provisions

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

17.65.030 Historic Resources Inventory. The McMinnville Historic Resources Inventory, compiled in 1983/84 and as subsequently updated, is hereby adopted and shall be maintained and updated as required. The inventory shall be used to identify historic districts, buildings, structures, sites, and objects for the purposes of this ordinance.

- A. The Historic Landmarks Committee shall be authorized to make all additions, deletions, and changes to the inventory. Any addition, deletion or change, including a reevaluation of the significance of any resource, shall conform to the requirements of this section.
- B. Any person may file an application with the Planning Director to amend the inventory by adding or deleting a resource or changing the level of significance of a resource. Applications shall be

submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040 of the McMinnville Zoning Ordinance. The Historic Landmarks Committee shall act on such an application within thirty (30) days of the date the application was deemed complete by the Planning Department. The Committee may delay action on an application for up to thirty (30) days from the date of their meeting so that additional information needed for a decision can be obtained. The owner of the site which is under consideration and the applicant (if different) shall be notified of the time and place of the Historic Landmarks Committee review, although their presence shall not be necessary for action to be taken on the application.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The applicant, who is representing the property owner, filed an application and request for approval of the removal of the historic resource from the Historic Resources Inventory. The application was reviewed by the Historic Landmarks Committee within 30 days of the application being deemed complete.

- C. The Historic Landmarks Committee shall base each decision regarding additions or changes to the inventory on the following criteria:
1. History. The resource is associated with significant past events, persons, organizations, trends, or values which were important at the city, county, state, or national level. The age of the resource relative to other local development contributes to its historic significance;
 2. Style/Design. The resource is representative of a particular style or a type of construction. The uniqueness of the resource or its quality of composition, detailing, or craftsmanship contribute to its design significance. The resource was designated or constructed by a craftsman, contractor, designer, or architect of local, state, or national importance;
 3. Integrity. The resource retains original design elements, materials, and character with relatively minor alterations, if any; and
 4. Environment. The resource contributes to the character or continuity of the street or neighborhood.
 5. Consistency with the National Register Criteria for Evaluation as follows:
 - a. The resource is associated with events that have made a significant contribution to the broad patterns of our history; or
 - b. The resource is associated with lives of significant persons in our past; or
 - c. The resource embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - d. The resource has yielded or may be likely to yield, information important in history or prehistory; and
 6. The designation of the resource is consistent with the priorities described in the historic preservation plan.

APPLICANT’S RESPONSE: None.

FINDING: NOT APPLICABLE. The request is for a deletion of the historic resource from the Historic Resources Inventory. The request is not an addition or change to the inventory, so therefore, these criteria are not applicable.

- E. The Historic Landmarks Committee must remove a historic resource from the inventory if the designation was imposed on the property and the owner at the time of designation:
- a. Has retained ownership since the time of designation; and
 - b. Can demonstrate that the owner objected to the designation on the public record; or

- c. Was not provided an opportunity to object to the designation; and
- d. Requests that the Historic Landmarks Committee remove the resource from the inventory.

APPLICANT’S RESPONSE: None.

FINDING: NOT APPLICABLE. The applicant, who is representing the property owner, did not request the removal based on the designation being imposed on the property and the owner. The application narrative also states that the current owner purchased the property in August 2019, and therefore has not retained ownership since the time of designation.

- F. Except as provided in Section 17.65.030 (E), the Historic Landmarks Committee shall base each decision regarding deletions from the inventory on the following criteria:
 - a. The resource has lost the qualities for which it was originally recognized; or

APPLICANT’S RESPONSE: The resource has undergone little to no maintenance or upkeep to keep the structure healthy. Even the banal qualities outlined in the resource inventory sheet have deteriorated and dilapidated to the point that it no longer even “creates the background or context for the more significant resources”. Many, if not all, of the lost qualities of this home, as simple and plain as they were, are irrevocable. There is no path of restoration to get the siding to original quality.

Additional Applicant Findings: Investigation of the property leads to a current assessment to the condition to contain many items of varying degree of severity, all to illustrate the long-term neglect of the house which leads it to have lost the qualities for which it was originally recognized. The “detached apartment” listed in the report appears to not have a continuous concrete foundation but a pier block and framed foundation with little to keep water and animals out and contains no original quality. The front porch’s floor has fallen in to grave disrepair, with a cobbled-together floor of wood, plywood, and shingles – all sitting on a mess of concrete block, which is not original to the structure. In addition, the roof and structure of the entry porch are sagging away from the house. Lost is the palladian (or catenary arch) that adorned the entry. The siding, an old cedar bevel, has many instances of over and under-driven fasteners that now remain exposed and uncaulked, leading to signs of moisture intrusion and rot. The siding has buckled in and out, with some pieces simply having fallen off. Odd work through the ages shows at areas of the siding where butt-joints meet in the field and don not line up horizontally. Trim and fascia is coming apart, if not already missing altogether, and has lost the qualities for which it was originally recognized. Windows have been painted over, boarded up, smashed, sashes disappeared, and unkept. There seems to be a room addition of unknown date in the rear of the house that has concrete pier block foundation, with little to no moisture prevention. Little to no overhang provides no relief or protection from the weather. HVAC vents have been periodically inserted into the siding. The original door itself is no longer present. The original garage door to the garage doesn’t appear to be the same as the current garage door. There is a ~4” hole in the wall from the interior to the exterior. The chimney is no longer in use, as evidenced by the bag over the chimney at the top and the lack of any accessibility inside the house.

FINDING: NOT SATISFIED. The City does not find that this criteria is satisfied. The applicant’s findings clearly describe that many of the features and qualities of the historic resource are in poor condition due to lack of maintenance over time. However, the applicant has not described that most of the qualities for which the resource was originally recognized have been lost, as is specifically required by the criteria. Qualities that were listed in the Historic Resources Inventory that have been lost, based on the findings and photographic evidence provided by the applicant, include the “semi-circular arch” within the projecting pediment porch, the original door, and potentially some windows that are boarded up. However, most of the other qualities and features for which the historic resource was originally recognized still remain, even though some

or all of the features may be in poor condition. The hip roof structure, cornerboards, beveled siding, and chimney all still remain on the structure. Windows remain in most places, and the exterior cornice and moulding around the windows is still in place. The east entrance is still located off center, and the door may have been replaced but the side lights and the exterior moulding around the door and side lights still remain. The other extensions and detached structures also still remain, although potentially in poor condition.

- b. Additional information shows that the resource no longer satisfies the criteria for recognition as a historic resource or did not satisfy the criteria for recognition as a historic resource at time of listing; or

APPLICANT’S RESPONSE: The scoring process for Historic Resources went through a two-step evaluation to list and rank properties. The first step was to get everything available on the list to evaluate, the second was to assign values and scores to each of the units. The scored properties all made their way to Appendix 5, the compendium and ranking of all scored properties. The property 404 NE Irvine, Resource number D800, does not appear listed anywhere, indicating it either wasn’t worthy of a score or it scored so low it wasn’t worth reporting. The house has no distinctive architectural significance to contribute to the character and story of McMinnville and seem to have only arrived on the list for its construction date and no longer satisfies the criteria for recognition as a historic resource. Because the property was never scored within the guidelines for recognition and classification ranking, it can also be surmised that the property never satisfied the original criteria for recognition as a historic resource at the time of the original survey. If you were to score this home today it would fail to meet the merits of a landmark. The home has no strengths in any category used to tally the scored homes. History: other than its date of construction, 1925, the home has no historical significance. Style/design: the home is attributed no particular architectural style, and no significant craftsmanship or details (in fact it lists plain several times). Integrity: the condition of the home on the assessment is marked as “fair”, the next-to-worse designation available. Environment: the neighborhood was and is “changing in character”, moving away from the roots of this house and no longer “contributes to the character or continuity of the street or neighborhood” (quotes from Appendix 4, Page 3, under description of 4. environment).

Additional Applicant Findings: The structure residing at 404 NE Irvine was, according to the Historic Resources Survey sheet, constructed in 1925. It was rated as “Environmental”, and assigned a resource number of D800, as part of the Historic Resource Evaluation process via survey on July 31, 1980 by Gary and Beth Westford. Following the survey, the house was identified for the process outlined in Appendix 4, underwent a two-step evaluation process, then assigned a designation. The house was never evaluated or scored in the point scoring process.

From Appendix A:

“In general, resources given the highest scores were considered to be important due to historical association or architectural integrity, uniqueness, or quality. These resources were titled “significant resources”. The resources which received average scores were classified as “contributory resources” and were considered to enhance the overall historic character of a neighborhood or the City. The removal or alteration of contributory resources would have a deleterious effect on the quality of historic continuity experienced in McMinnville. The third, or lowest class included resources which did not necessarily contribute to the historic character of the community but did create the background or context for the more significant resources. These resources were called “environmental resources”. The staff added an additional class for those “significant” resources which were outstanding for architectural or historic reasons and potentially worthy of nomination to National Register of Historic Places. The historic resources in their highest class were titled “distinctive resources”.

Following the above methodology, the structure located at 404 NE Irvine was assigned to “Environmental resources” and thusly was not “important due to historical association or architectural integrity, uniqueness, or quality” (Significant Resource), nor was it “considered to enhance the overall historic character of a neighborhood or the City” (Contributory Resource), or was not “outstanding for architectural or historic reasons and potentially worthy of nomination to National Register of Historic Places” (Distinctive Resource). If “the removal or alteration of contributory resources would have a deleterious effect on the quality of historic continuity experienced in McMinnville” of all properties scored as Contributory has been established, then all those below would be able to be considered and qualify for deletion without deleterious effect.

According to the Historic Resources Survey report for 404 NE Irvine, the house is:

“A one story medium hip roof structure with corner boards and beveled wood siding; a single central interior chimney. All windows are corniced and are double hung sash with plain mouldings. The off center east entrance has a door with side lights; the door is corniced with plain moulding and has a projecting one bay pediment porch with plain barge board and a semi-circular arch. It is supported by wood pillars on a small wooden porch. The foundation is concrete. There is an attached low gable extension on the north which appears to be an original small separate apartment. There is also a small hip roof extension on the northeast corner. There is a detached beveled wooden garage.”

The description of the house includes nothing of architectural note or significance, indicating little to no importance, other than the date of it’s construction, 1925. The word “plain” appears multiple times. On the second page of the survey, the home was indicated to be both “B. Good” as well as “C. Fair”, under the “C. Fair” category it was additionally checked that “3. Missing material in small area. roof”, indicating this “Fair” condition is a more accurate condition at the time of the survey.

FINDING: SATISFIED. The City concurs with portions of the applicant’s findings, but clarifies that the City does not find that all resources that were classified below a Contributory resource are considered or qualified for deletion from the Historic Resources Inventory. The City finds that the removal of an Environmental resource could still have an impact on the historic continuity of the city, but perhaps not a “deleterious”, or significantly damaging, effect as would be the case if the resource was of a higher classification. The City finds that the process within the McMinnville Municipal Code for the consideration of any addition, change, or deletion from the Historic Resources Inventory must be followed for each individual request, and that the applicable review criteria must be applied to and considered with each individual historic resource and request to determine whether the change or removal meets the criteria.

The City also clarifies the applicant’s description of the Historic Resources Inventory evaluation process, and clarifies that the structure was designated as an “Environmental” resource during the first stage of evaluation described in Appendix 4 of the Historic Landmarks Committee. Therefore, the structure was not included in the second stage of evaluation that used more specific criteria to score and evaluate most structures that are currently designated on the Historic Resources Inventory. More specifically, the second stage of evaluation is described in Appendix 4 of the Historic Resources Inventory report as follows:

“In the second stage of evaluation, the resources in the top three classes (i.e. distinctive, significant, and contributory) were given scores by the staff based on how well the resources met established criteria. Points were given in four categories of criteria as follows: History – up to three points; Style – up to three points; Integrity – up to two points; Environment – up to two points. Up to two bonus points were awarded if unique

circumstances affected a resource's total score. The criteria and evaluation process are described below.

1. History. The resource is associated with significant past events, persons, organizations, trends, or values which were important on a city, county, state, or national level. The age of the resource relative to other local development contributes to its historic significance. [...]
2. Style/Design. The resource is representative of a particular style or type of construction. The uniqueness of the resource or its quality of composition, detailing, or craftsmanship contribute to its design significance. The resource was designed or constructed by a craftsman, contractor, designer, or architect of local, state, or national importance [...]
3. Integrity. The resource retains original design elements, materials, and character with relatively minor alteration, if any. [...]
4. Environment. The resource contributes to the character or continuity of the street or neighborhood. [...]

After the points were awarded for each of the categories of criteria, the scores were totaled. Resources were classified as follows:

“Distinctive Resources” – 9 or 10 points;
 “Significant Resources” – 7 or 8 points;
 “Contributory Resources” – 5 or 6 points;
 “Environmental Resources” – Less than 5 points.”

The City does not find that the fact that the resource was not included in the second stage of evaluation means that the resource did not satisfy the criteria for recognition as a historic resource at the time of listing. The Historic Landmarks Committee at the time of recognition did decide to include the subject resource in the Environmental classification based on the information that was available to them at that time. While that didn't include the second stage of evaluation that scored the resource against the four categories of criteria, the Historic Landmarks Committee did take action to designate the resource (and all other Environmental resources). Without any other evidence available or provided by the applicant, the City does not find that the resource did not satisfy the criteria for recognition as a historic resource at the time of listing.

The applicant's findings did evaluate the structure as it exists today against the criteria that are described in Appendix 4 of the Historic Resources Inventory report and listed above.

The City does find and concurs with the applicant that the structure no longer satisfies the criteria for recognition today. In particular, the applicant notes that the factors influencing the Integrity and Environment criteria have changed. At the time of the survey, the resource was listed as both “Good” and “Fair”. The “Fair” designation was the second to worst designation possible for the structure. There is not any noticeable deterioration or loss of integrity of the structure in the survey sheet's photo from 1980. However, as described in more detail in the applicant's findings for Section 17.65.030(F)(1) above, some of the original design elements have been lost, including the “semi-circular arch” within the projecting pediment porch, the original door, and potentially some windows that are boarded up (Integrity criteria). The applicant has also argued that the location of the structure is within a neighborhood that is “changing in character” and that the structure no longer “contributes to the character or continuity of the street or neighborhood” as described in the criteria. There has been redevelopment on the same block as the structure in question, which is not in any style or form that is compatible with a historic single family development pattern, including the Buchanan Cellers retail store north of the site and another

mixed use building east of the site on the corner of 4th Street and Johnson Street. The subject property is also located in Zone 1 of the Northeast Gateway Planned Development Overlay District. Zone 1 of the Northeast Gateway Planned Development Overlay District is described in Section 3 of Ordinance 4971 as being a mixed-use commercial zone which, overtime will transition into an extension of the downtown with residential or office uses above active ground floor commercial or retail space with a vibrancy consistent with that associated with downtown McMinnville (Environment criteria).

The applicant argues that there is no evidence in the 1980 survey sheet that the resource is associated with significant past events, persons, organizations, trends, or values that were important on a city, county, state, or national level (History criteria). The applicant also argues that the 1980 survey sheet also does not describe the resource as being representative of a particular style of type of construction, and as noted by the applicant, the survey sheet repeatedly lists some of the architectural features of the structure as “plain”. Some of the styles of architecture and style that are described further in the description of the “Style/Design” criteria that were used to identify other historic resources included “bungalow”, “rural vernacular”, “Queen Anne”, and “Italianate”. Other building styles are referenced in other Historic Resources Inventory sheets including “revival”, “farmhouse”, and “colonial” descriptions of building style or type. Many Historic Resources Inventory sheets, primarily those for Distinctive and Significant resources, do have references to a particular building style. None of these styles were included in the description of the structure at 404 NE Irvine Street in the 1980 survey sheet (Style/Design criteria).

- c. The Building Official declares that the resource poses a clear and immediate hazard to public safety and must be demolished to abate the unsafe condition.

APPLICANT’S RESPONSE: Does not apply in this case.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

17.65.070 Public Notice.

- A. After the adoption of the initial inventory, all new additions, deletions, or changes to the inventory shall comply with subsection (c) of this section.
- B. Any Historic Landmark Committee review of a Certificate of Approval application for a historic resource or landmark shall comply with subsection (c) of this section.
- C. Prior to the meeting, owners of property located within 300 feet of the historic resource under consideration shall be notified of the time and place of the Historic Landmarks Committee meeting and the purpose of the meeting. If reasonable effort has been made to notify an owner, failure of the owner to receive notice shall not impair the validity of the proceedings.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. Prior to the Historic Landmarks Committee meeting on February 27, 2020, notification of the application and the time and place of the Historic Landmarks Committee was provided to property owners within 300 feet of the historic resource under consideration. Copies of the notification materials are on file with the McMinnville Planning Department.

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