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## EXHIBIT 4 - STAFF REPORT

DATE: March 11, 2021  
TO: Historic Landmark Committee Members  
FROM: Chuck Darnell, Senior Planner  
SUBJECT: PUBLIC MEETING: HL 1-21 (Certificate of Approval for Demolition) –  
900 SE Baker Street (Linfield University Campus)

### 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 Certificate of Approval for Demolition land use application to allow for the demolition of the existing historic resource and building located at 900 SE Baker Street (Tax Lot 400, Section 20DD, T. 4 S., R. 4 W., W.M.). The existing building is listed on the McMinnville Historic Resources Inventory as an “Significant” historic resource - resource number B549. (The City of McMinnville has four classifications for historic resources in descending order, A, B, C and D). Per the McMinnville Municipal Code, the McMinnville Historic Landmarks Committee serves as the decision-making body for the review of any Certificate of Approval for Demolition application. The Certificate of Approval for Demolition request is subject to the review process described in Section 17.65.050 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 900 SE Baker Street, and the historic landmark and building in question is located on the Linfield University campus. The property is identified as Tax Lot 400, Section 20DD, T. 4 S., R. 4 W., W.M. **See Vicinity Map (Figure 1) below, which identifies the approximate location of the building in question.**

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**Figure 1. Vicinity Map (Building Outline Approximate)**

The existing building on the subject property was listed on the Historic Resources Inventory as an Significant resource (resource number B549).

The property was originally surveyed in 1983 and 1984, which is the date that the “Statement of Historical Significance and Property Description” were drafted and included on the Historic Resources Inventory sheet (resource number B549) for the subject property. 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 Historic Resources Inventory has since been incorporated into the McMinnville Municipal Code (MMC) through its adoption and reference in MMC Section 17.65.030(A). The “Statement of Historical Significance and Property Description” states the following:

“A group of McMinnville businessmen led by R.H. Windishar raised funds for Mac Hall in 1936. Mac hall was the “first dormitory in the history of the college to be built especially for men.” It was completed in 1937 and was intended to hold 58 students, “with spacious public lounges and an apartment for the house-mother. This building was named Mac Hall in joint recognition of the nickname of the City of McMinnville and that of “Old Mac,” the college so dear to students and faculty alike before its name was changed to Linfield.” (Jonas Jonasson in Kenneth Holmes’ *Linfield’s Hundred Years*, 1956, p. 47 and 66.)

This two and one-half story building has a high gable roof with gable end wall terminating in a squared peak, dutch gable style. The enclosed roof eaves have dentilled frieze. There is a continuous shed roof dormer on both sides. A small hip roofed dormer frames the door on the street side. The campus facing

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side has an applied pediment on Tuscan Doric columns. The door has side lights and a segmented arch single light transom. Both sides are bilaterally symmetrical. The corners have quoins. There are 9 bays on street and campus sides and 3 at ends. Windows are 8/8 double hung sash.”

An image of the historic resource from the time of the survey in 1983 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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### **Discussion:**

Decisions and/or recommendations for approval of the land use application are 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 Certificate of Approval for Demolition requests, in Section 17.65.050(B) of the McMinnville Zoning Ordinance, require the Historic Landmarks Committee to base each decision on the following criteria:

1. The City's historic policies set forth in the comprehensive plan and the purpose of this ordinance;
2. The economic use of the historic resource and the reasonableness of the proposed action and their relationship to the historic resource preservation or renovation;
3. The value and significance of the historic resource;
4. The physical condition of the historic resource;
5. Whether the historic resource constitutes a hazard to the safety of the public or its occupants;
6. Whether the historic resource is a deterrent to an improvement program of substantial benefit to the City which overrides the public interest in its preservation;
7. Whether retention of the historic resource would cause financial hardship to the owner not outweighed by the public interest in the resource's preservation; and
8. Whether retention of the historic resource would be in the best interests of a majority of the citizens of the City, as determined by the Historic Landmarks Committee, and, if not, whether the historic resource may be preserved by an alternative means such as through photography, item removal, written description, measured drawings, sound retention or other means of limited or special preservation.

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 Document. The Decision Document includes 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.

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The applicable review criteria in Section 17.65.050(B) only require that the Historic Landmarks Committee base its decision on the applicable review criteria. It is important to note that the proposal is not required to satisfy every one of the review criteria, but that the Historic Landmarks Committee must base its decision on the multiple review criteria. This requires the Historic Landmarks Committee to determine whether each criteria is met, and then weigh those findings against any criteria that are found not to be met.

### **Summary of Applicant Findings**

The applicant has provided findings and is arguing that the historic resource meets multiple review criteria to support the demolition of the historic resource. The applicant's main arguments are related to the preservation being a deterrent to an improvement program of substantial benefit to the city, the existing condition of the historic resource, the amount of investment required to bring the structure back to an acceptable level to provide an economic and reasonable use (and the associated financial hardship of that investment), and that retention would not be in the best interests of a majority of the citizens of the city.

An overarching and primary factor in the applicant's findings for the demolition of the existing historic resource is that Linfield University is in dire need of new and expanded spaces to support its science program and curriculum. The proposal includes a future project, should the demolition be approved, that would involve the construction of an addition to Graf Hall (the existing building to the west of Mac Hall) that would connect to a new building in the existing location of Mac Hall. The new construction would function as a connected and centrally located science "complex" between the existing Murdock Hall, Graf Hall, and the new building/addition. The applicant has provided extensive findings for the need for this science complex to be located in the location of the existing science buildings (Murdock and Graf Halls), which necessitates using the site area that is currently occupied by Mac Hall. This science complex and new building addition are the improvement program that the applicant proposes would be deterred if the existing historic resource was preserved. The applicant has provided arguments and findings for the fact that this expanded science complex is crucial to the future success and viability of the university, which the applicant is arguing is a substantial benefit to the City that overrides the public interest in the preservation of the historic resource (review criteria 17.65.050(B)(6)).

Related to this argument for the need for the centrally located science complex, the applicant has also provided findings related to the existing condition of the historic resource, and more specifically, that the existing condition of the resource results in no economic use and that preservation of the resource is not reasonable because the resource cannot be renovated to support the science-related spaces and facilities that Linfield University requires in this area of the campus. The applicant has provided a fairly extensive description of the existing condition of the historic resource and their concerns with the improvements that would be necessary to improve the safety and functionality of the building (review criteria 17.65.050(B)(4)). The applicant has provided the original blueprints of the building, which provide specificity in the structural components of the building. The applicant has argued that the existing bearing wall structural system is constructed of unreinforced clay tiles with an exterior brick veneer. The existing floors are not tied structurally to these bearing walls, which the applicant has argued result in the building being very difficult or impossible to seismically retrofit for safe occupation and a change of use. In addition, the applicant has provided findings related to how the existing structural components and past building construction methods result in an inability to renovate the building into the needed science laboratory and classroom spaces.

To summarize those findings (which are described in more detail in the application narrative and draft decision document), the existing building is smaller in square footage than what is needed for the science facilities, has floor plate dimensions and floor heights that don't support a typical minimum for science-related educational facilities, lacks space for extensive HVAC systems that are necessary for laboratory

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spaces, has wood framing that doesn't support vibration isolation necessary for science-related educational facilities, and has an existing central corridor through the building that is structural and load bearing that prevents the size of science-related educational facilities that are needed. The applicant is arguing that the inability for the existing structure to be renovated to support the needed uses (science-related facilities and a centrally located science complex) results in the retention of the historic resource being not reasonable. The applicant is also arguing that the condition results in the historic resource providing no economic use to the university, and as described above, that the alternative creation of a new science complex is critical to the financial stability and future success of Linfield University (review criteria 17.65.050(B)(2)). The applicant has also related the financial impacts of the preservation of the historic resource and the resulting inability to construct the science complex as creating a situation that would cause financial hardship to Linfield University that is not outweighed by the public interest in the resource's preservation (review criteria 17.65.050(B)(7)).

Finally, the applicant has provided findings that the retention of the historic resource is not in the best interests of a majority of the citizens of the City (review criteria 17.65.050(B)(8)). The applicant again cites the fact that the proposed science complex is directly tied to the future success of the university, and that the existence and success of the university indirectly spills over into the community through the support of the local economy and other related community benefits. The applicant has also provided evidence of other dormitory buildings on the Linfield University campus that were designed to be close replicas of Mac Hall, and while those were constructed more recently, that those buildings will retain some element of the historic character of Mac Hall.

### **Analysis of Review Criteria**

The findings and arguments for the review criteria described above could be found to be compelling, and the McMinnville Municipal Code does not require that the applicant's request meet all of the applicable review criteria in order for a Certificate of Approval for Demolition application to be approved. The applicant did provide findings for all of the applicable review criteria, but staff believes that some of the findings and arguments for the review criteria described below are not as compelling.

The applicant had also provided findings for the value and significance of the historic resource (review criteria 17.65.050(B)(3)) and that the historic resource constitutes a hazard to the safety of its occupants (review criteria 17.65.050(B)(5)). However, staff does not believe that much detail was provided on the historical significance of the existing building. The existing building was determined to be a "significant" (B-level) historic resource, which results in the building being considered a "historic landmark" as defined in the McMinnville Municipal Code. The building is also located in a prominent location on the Linfield University campus, on the south side and fronting onto the academic quad. In regards to the historic resource being a hazard to the safety of its occupants, staff does not believe that this criteria is as applicable in the demolition request. While there are some documented code issues (see description above and applicant narrative for more detail), there could still be a level of investment that would result in the building being functional and not a hazard to its occupants. The function of the building may just not be for the types of needed uses and in the appropriate location for the overall needs of the university (which is more related to the applicant's other arguments of economic use, reasonableness, and financial hardship).

Staff believes that the applicant's arguments described in the section above (titled "Summary of Applicant Findings") could be found to be reasonable and satisfying the applicable review criteria to support the demolition of the historic resource. In order for that to be the case, the Historic Landmarks Committee would have to find that the applicant's findings related to the preservation of the historic resource being a deterrent to an improvement program of substantial benefit to the City to be a primary factor in approving the demolition. This proposed improvement program (a new building in the specific location of the existing Mac Hall to allow for a central science "complex") is critical in the applicant's findings for the demolition, not only as the improvement program that would be a substantial benefit to the City, but

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also because it is related to the applicant's findings for the economic use and reasonableness of the preservation of the structure, the financial hardship that the university would have in the preservation and inability to construct the proposed science complex, and also in the fact that the retention of the historic resource would not be in the best interests of a majority of the citizens of the City. The applicant's findings for the existing condition of the historic resource are also related to the proposed improvement program, in that the existing condition of the building does not allow for renovation into the types of facilities that are needed in this location (science-related laboratories and classrooms). If the Historic Landmarks Committee finds that the arguments for these five review criteria are satisfied, they would need to also find that these outweigh the value and significance of the historic resource.

On recent demolition requests, the Historic Landmarks Committee has included a condition of approval to require that, prior to the demolition, an owner make the structure available for moving to another site. Also, on recent demolition requests the Committee has required that the owner make available the amount of funds that they would have spent on demolition of the structure to the party that would move the structure to cover costs associated with the move. The intent behind this requirement is to provide a financial incentive to someone interested in renovating the structure, as they could receive the structure at no cost and also have all or most of the costs of moving the structure covered by the current owner, which would test whether the renovation of the structure is economically reasonable. However, evidence or analysis of whether this structure could be moved has not been provided. The building is constructed of unreinforced masonry, but there has not been a determination that it could not be moved successfully. Staff would suggest that the Historic Landmarks Committee consider this potential, and determine whether the condition of approval related to making the building available for relocation be included, perhaps after requesting additional information from the applicant's architect. Alternatively, the Historic Landmarks Committee could require that the history of the building be documented through other means for archival purposes, which would satisfy review criteria 17.65.050(B)(8). These other means have traditionally included detailed photographic evidence, but the Historic Landmarks Committee could require additional preservation through an educational installation or plaque in the location of the demolished building, or potentially in the location of the other existing dorms that were designed to be similar to Mac Hall. The applicant did include a supplemental submittal as part of their application, which includes a proposal for a memorial plaque and time capsule that would be installed near the location of the proposed new science building, should the demolition of Mac Hall be approved. This memorial plaque and time capsule are proposed as a means of providing alternative means of documenting the history of the building, and the details of the proposal are identified in the supplemental submittal at the end of the application materials.

Finally, if the Historic Landmarks Committee finds that the improvement program described by the applicant would satisfy this review criteria (criteria 17.65.050(B)(6)), and that it may be more influential when weighed against other criteria that are not being satisfied, staff would remind the Committee that in the past, there has been a consideration of deferring the issuance of a demolition permit until such time as building permits are actually submitted for the improvement program. The intent behind this has been to ensure that the improvement program actually moves forward prior to demolition of the historic resource. In this case, Linfield University has already submitted a building permit application for the proposed science complex described in their application materials. This application was submitted to the Building Department after the Certificate of Approval for Demolition application was submitted to the Planning Department, and is currently under review by the City.

### **Commission Options:**

- 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.

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- 3) Close the public meeting and **DENY** the application, providing findings of fact for the denial in the motion to deny.

**Recommendation:**

Again, in reviewing a request for a demolition of a historic landmark, the Historic Landmarks Committee must base its decision on the criteria described in Section 17.65.050(B) of the McMinnville City Code, and as reviewed in the staff report above. **It is important to note again that the proposal is not required to satisfy every one of the review criteria, but that the Historic Landmarks Committee must base its decision on the multiple review criteria. This requires the Historic Landmarks Committee to determine whether each criteria is met, and then weigh those findings against any criteria that are found not to be met.**

Based on the information provided, staff believes that the applicant has provided findings that could be found to support the demolition request. Staff agrees with the applicant that the preservation of the historic resource would be a deterrent to an improvement program of substantial benefit to the City. Staff agrees with the applicant on this primarily because of the arguments and description of the need for the science complex and more modern science-related laboratories and facilities, and that those facilities are critical to the financial success and longevity of the university. Staff agrees that the existence of Linfield University has substantial benefit to the City and the community, and if there is concern from the university of the long-term success of the university without this centrally located science complex, staff believes this could be found to outweigh the preservation of the historic resource. In addition, staff believes that the applicant provided reasonable findings for the existing condition of the historic resource, the amount of investment required to bring the structure back to an acceptable level to provide an economic use and the reasonableness of that potential improvement (and the associated financial hardship of that investment), and the retention of the historic resource not being in the best interests of a majority of the citizens of the city. These criteria, together with a potential requirement to provide more detailed documentation of the historic resource prior to demolition, could be found by the Historic Landmarks Committee to outweigh the other review criteria that are not being satisfied. Staff does believe that the structure has historical value and historical significance, and that the structure could be improved to not be a hazard to its occupants. Therefore, staff does not believe that these criteria are being satisfied, and that they should be considered and weighed by the Historic Landmarks Committee against the criteria that could be found to be satisfied.

**If the Historic Landmarks Committee agrees with the applicant's arguments and findings in Sections 17.65.050(B)(2), 17.65.050(B)(4), 17.65.050(B)(6), 17.65.050(B)(7), and 17.65.050(B)(8), staff recommends that the demolition request be approved with conditions.** If the Historic Landmarks Committee does decide to approve the request for the demolition of the historic resource, staff is suggesting that photo documentation be provided of the historic resource prior to demolition.

Staff is suggesting that the following condition of approval be included to provide for additional opportunity to preserve the historic resource:

- 1) That prior to the issuance of the demolition permit for the subject structure, a minimum of 20 (twenty) digital photographs documenting exterior views of the subject structure and a minimum of 20 (twenty) digital photographs documenting interior views of the subject structure shall be submitted to the Planning Department.

**Staff has provided a draft decision document with findings to support a Historic Landmarks Committee decision to approve the demolition with the above condition.** Staff would also suggest that some other alternative documentation of the historic resource could be required, such as an educational installation or plaque in the location of the demolished building or potentially in the location of the other existing dorms that were designed to be similar to Mac Hall. However, staff would defer to

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the Historic Landmarks Committee for other suggestions for alternative preservation. Also, the applicant did provide a proposal for a memorial and time capsule installation, which is included in their application submittal as described above. If other means of alternative documentation are discussed and required, staff can update the decision document and conditions of approval to reflect those additional means of alternative documentation.

Alternatively, the Historic Landmarks Committee could make findings to support a decision to deny the demolition request. Staff has provided some description of each of the applicable review criteria, and the Committee could use some of those arguments to make findings that the demolition of the resource is not warranted. Again, the Historic Landmarks Committee must consider each applicable review criteria and weigh them against each other. The Committee's decision must be based on the applicable review criteria, but there is no requirement that any particular number of review criteria be satisfied or not satisfied.

In order for the Historic Landmarks Committee to make a decision to deny the demolition request, staff believes that the Committee could make findings that the existing historic resource still retains much of the architectural form and historic details that originally resulted in the structure being listed on the Historic Resources Inventory, showing that the historic resource does still retain historic value and significance (Section 17.65.050(B)(3)). The historic resource is also located in a prominent location on the Linfield University campus, on the south end of the academic quad where some of the other prominent historic campus buildings are also located. The Committee could also find that with reinvestment the physical condition of the structure could be improved (Section 17.65.050(B)(4)), that with reinvestment the structure would not pose a safety hazard (Section 17.65.050(B)(5)), and that there exists a public interest in the retention of the structure that is in the best interests of the City (Sections 17.65.050(B)(7) and 17.65.050(B)(8)). The Historic Landmarks Committee would need to find that these criteria outweigh the applicant's arguments that there is no economic use of the resource given the level of investment required, the potential financial hardship that would be incurred by the owner in the retention of the resource, and that the public interest in the retention of the resource overrides the improvement program described by the applicant.

The Historic Landmarks Committee should review the information and arguments provided by the applicant during the public meeting, offer an opportunity for the applicant and the public to provide testimony, and then deliberate and determine whether the review criteria being satisfied by the applicant outweigh those that are not.

#### **MOTION FOR THE APPROVAL OF HL 1-21:**

**BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE HISTORIC LANDMARKS COMMITTEE APPROVES HL 1-21, BASED ON THE FINDINGS OF FACT PROVIDED IN THE DECISION DOCUMENT. [NOTE – INCLUDE CONDITIONS OF APPROVAL IN THE MOTION IF THERE ARE ANY DISCUSSED BY THE HLC ON THE PUBLIC RECORD DURING THE MEETING]**

If the Committee does not find that applicable criteria have been addressed by the applicant, staff recommends that the Committee continue the application to a future Historic Landmarks Committee meeting to allow the applicant to provide additional information or findings. Similarly, if the Committee makes findings for the denial of the application, staff would recommend that the Committee continue the application to allow staff to draft an updated Decision Document, based on findings provided by the Committee on the record during the meeting. A recommended motion for the continuation of the application is provided below:

#### **MOTION FOR THE CONTINUATION OF HL 1-21:**

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**BASED ON THE MATERIALS SUBMITTED BY THE APPLICANT, THE HISTORIC LANDMARKS COMMITTEE FINDS THAT ADDITIONAL INFORMATION (AS DISCUSSED ON THE RECORD) IS NECESSARY, AND CONTINUES HL 1-21 TO A COMMITTEE MEETING ON APRIL 22, 2021 AT 3:00 PM.**

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