



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311

www.mcminnvilleoregon.gov

DECISION, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR APPROVAL OF THE DEMOLITION OF A HISTORIC RESOURCE AT 180 NE 7th STREET

- DOCKET:** HL 9-18
- REQUEST:** The applicant has submitted a Certificate of Approval application to request the demolition of a historic resource that is listed on the Historic Resources Inventory.
- LOCATION:** The subject site is located 180 NE 7th Street, and is more specifically described as Tax Lot 100, Section 20AD, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, and is zoned C-3 (General Commercial).
- APPLICANT:** Harold Washington (applicant and owner)
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** October 2, 2018
- DECISION-MAKING BODY:** McMinnville Historic Landmarks Committee
- DATE & TIME:** October 22, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128.
- PROCEDURE:** The structure proposed to be demolished is designated as a "Contributory" historic resource (Resource C334), and is therefore subject to the Certificate of Approval demolition review process required by Section 17.65.050 of the McMinnville City Code.
- CRITERIA:** The applicable criteria are in Section 17.65.050(B) of the McMinnville City Code.
- APPEAL:** The decision may be appealed to the Planning Commission within 15 days of the date the decision is mailed as specified in Section 17.65.080(A) of the McMinnville City Code.
- 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;

Attachments:

Attachment 1 – Certificate of Approval Application

Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the Historic Landmarks Committee **DENIES** the demolition of the historic resource at 180NE 7th Street (Resource C334).

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DECISION: DENIAL
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Historic Landmarks Committee: _____
Joan Drabkin, Chair

Date: _____

Planning Staff: _____
Chuck Darnell, Senior Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

APPLICATION SUMMARY:

The applicant, Harold Washington, submitted a Certificate of Approval application to request the demolition of a historic resource that is listed on the Historic Resources Inventory. The subject property is located at 180 NE 7th Street, and is more specifically described as Tax Lot 100, Section 20AD, T. 4 S., R. 4 W., W.M.

The historic designation for this particular historic resource relates to the structure itself. The structure, which was constructed as a single family home but was converted internally into office uses, is located north of the downtown core of McMinnville on the southwest corner of the intersection of NE Baker Street and NE 7th Street. The structure is designated as a “Contributory” historic resource (Resource C334), which is the third tier (out of four tiers) of historic resources on the Historic Resources Inventory. The statement of historical significance and description of the property, as described in the Historic Resources Inventory sheet, is as follows:

This one and a half story bungalow is being remodeled into business offices. One enters the north on red brick steps to a full-width porch which is under the extending roof. Two boxed pillars support the porch overhang on either corner and there is a low railing on either side of the entrance.

The front dormer has three windows and shed roof. The back dormer extends and is flush with the first story wall.

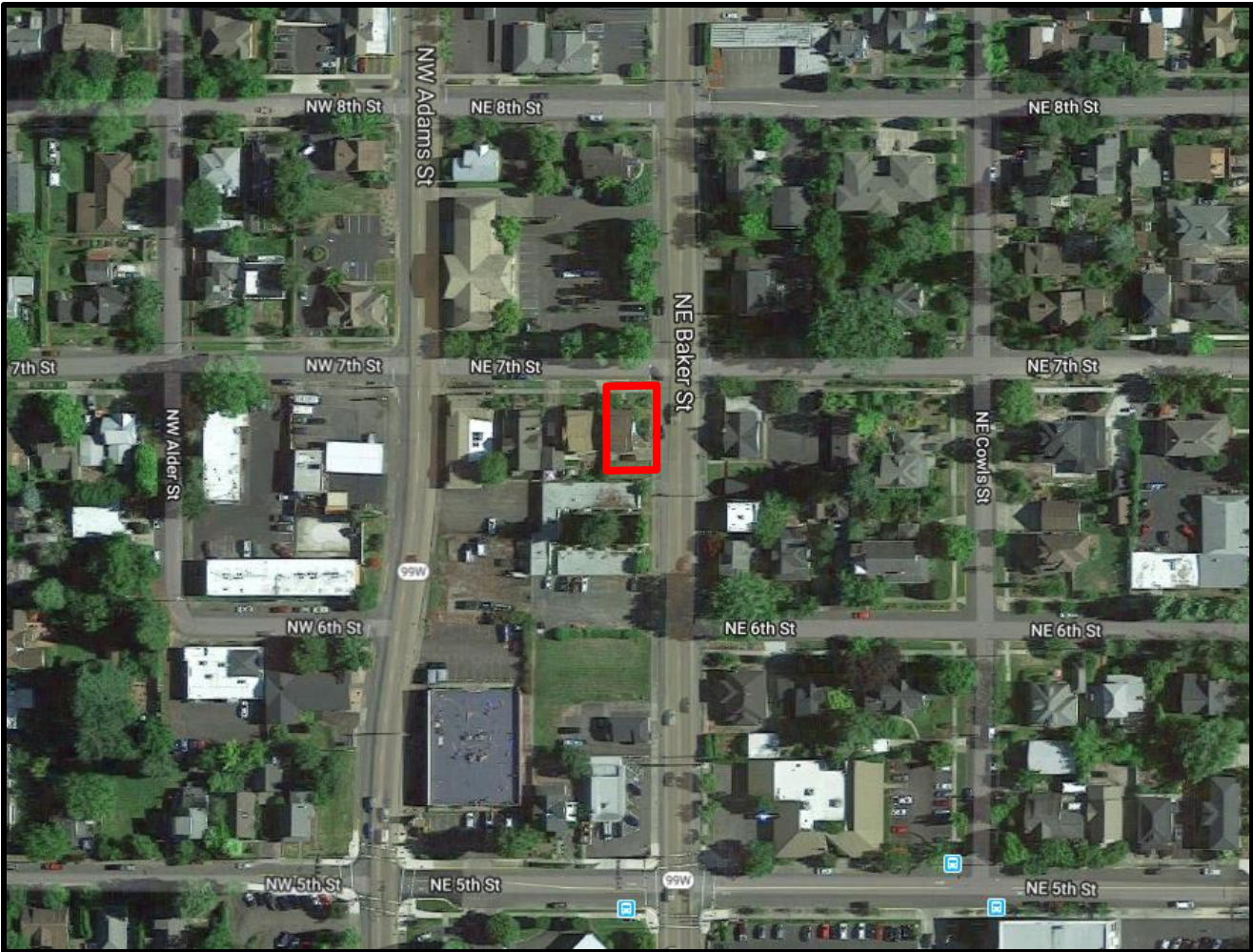
Beveled siding has been used with corner boards. There are roof brackets and exposed rafters.

On the east side, there is a rectangular bay with a shed roof. Fenestration is not regular. Cornice moulding is found on the windows.

The Historic Resources Inventory sheet for the resource does not include the year of original construction. However, upon further analysis of Sanborn maps for the area, the structure appears to have been constructed sometime between 1912 and 1928.

Chapter 17.65 (Historic Preservation) of the McMinnville City Code requires that the Historic Landmarks Committee review and approve a Certificate of Approval for a request to demolish any historic resource.

The current location of the historic resource is identified below (outline of property is approximate):

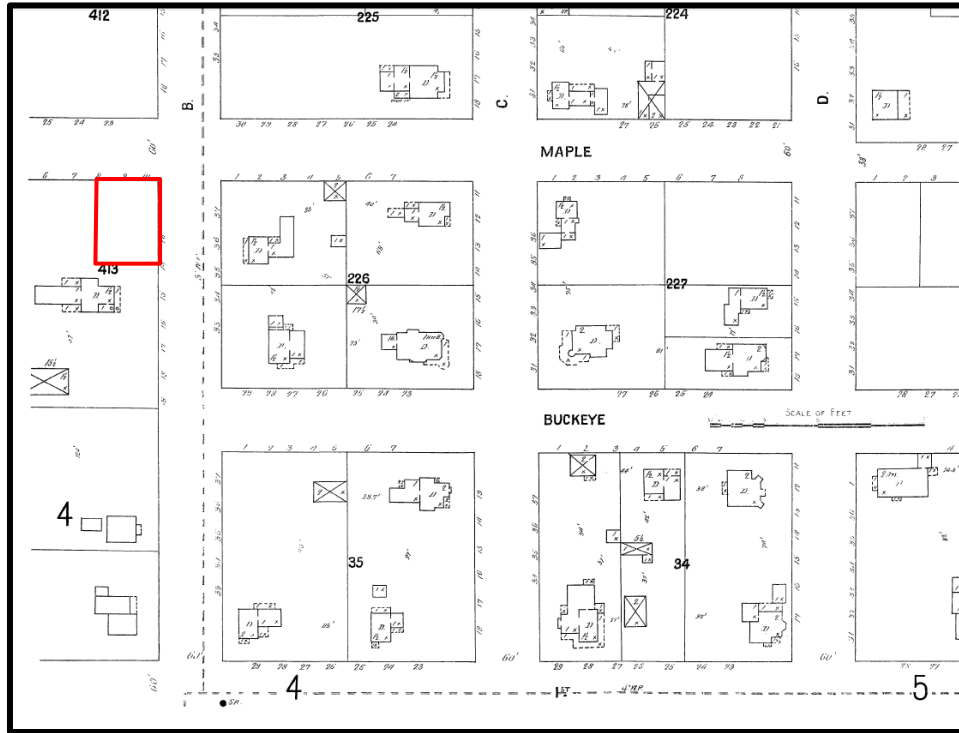


The structure as it exists today can be seen below:

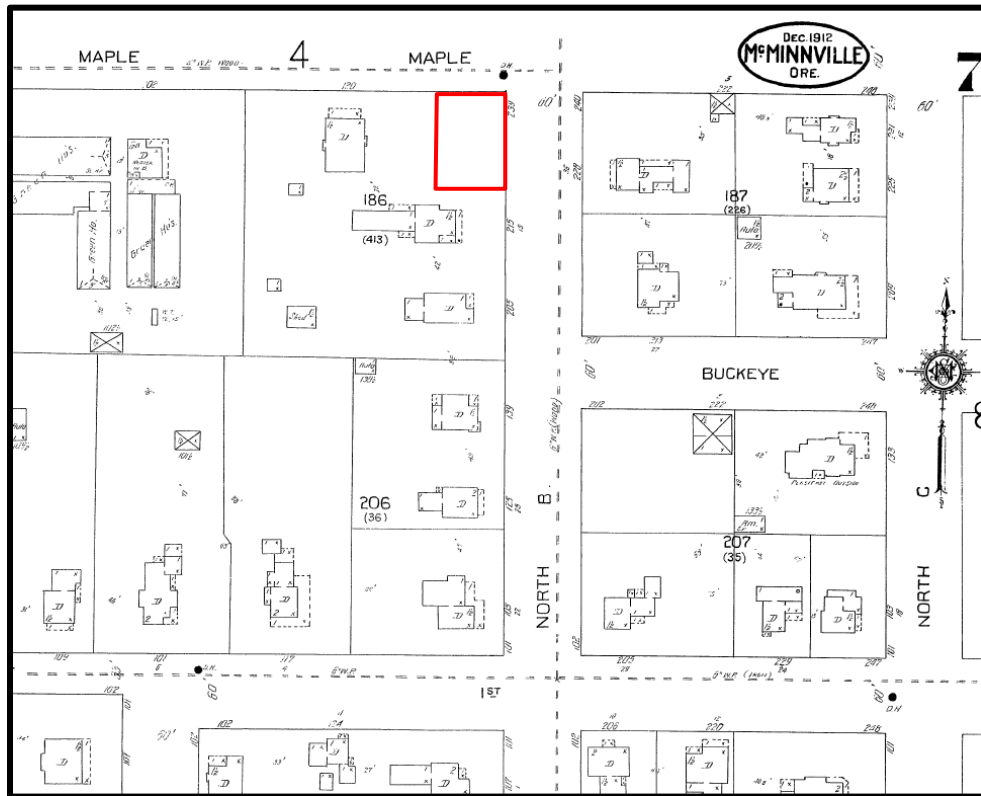


The Sanborn maps showing the property are also identified below (outlines of property are approximate):

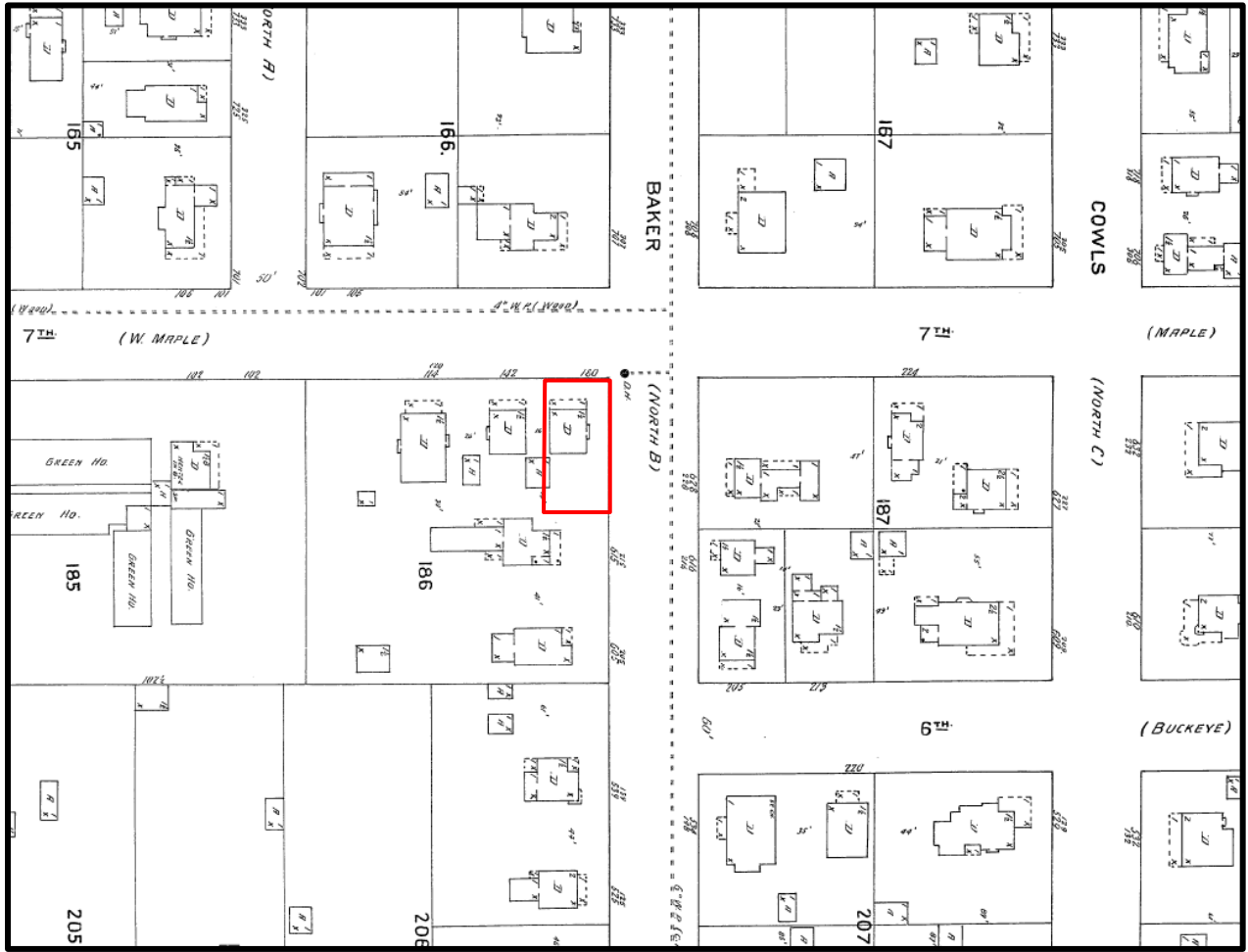
1902 Sanborn Map (Sheet 2):



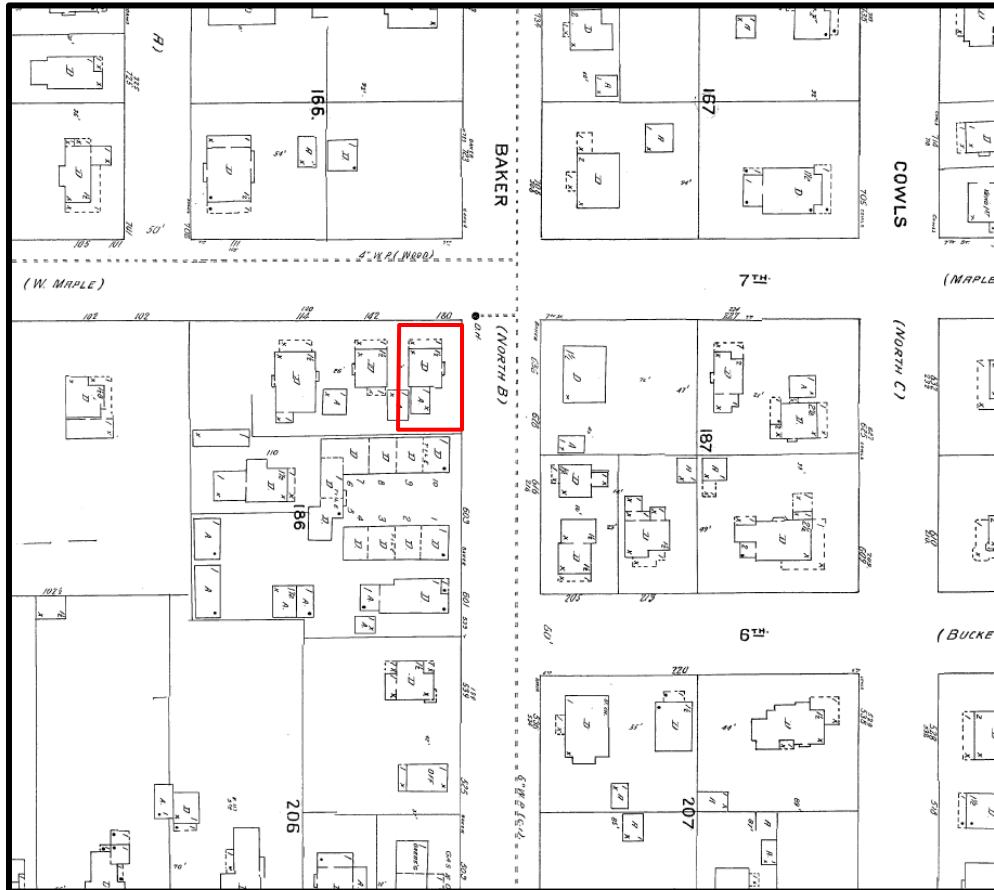
1912 Sanborn Map (Sheet 7):



1928 Sanborn Map (Sheet 10):



1945 Sanborn Map (Sheet 10):



CONDITIONS:

None.

ATTACHMENTS

1. Certificate of Approval Application (on file with the Planning Department)

COMMENTS

Agency 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; and Northwest Natural Gas. The following comments had been received:

- McMinnville Engineering Department:

We have reviewed proposed HL 9-18, and do not have any comments.

Public Comments

Public notice was mailed to owners of properties within 300 feet of the subject site, as required by Section 17.65.070(C) of the McMinnville City Code. The Planning Department has not received any public testimony prior to the public meeting.

FINDINGS OF FACT

1. Harold Washington submitted a Certificate of Approval application to request the demolition of a historic resource that is listed on the Historic Resources Inventory. The subject property is located at 180 NE 7th Street, and is more specifically described as Tax Lot 100, Section 20AD, T. 4 S., R. 4 W., W.M.
2. The historic resource is designated on the Historic Resources Inventory as a “Contributory” resource, and has the resource number of C334.
3. The site is currently zoned C-3 (General Commercial), and is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.
4. Notice of the demolition request was provided to property owners within 300 feet of the subject site. The Planning Department received no public testimony prior to the public meeting.
5. A public meeting was held by the Historic Landmarks Committee on October 22, 2018 to review the proposal.
6. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

CONCLUSIONARY FINDINGS

McMinnville’s Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Finding: Goal III 2 is not satisfied by the proposal. The focus of the comprehensive plan goal is to restore and preserve structures that have special historical or architectural significance. A demolition clearly does not meet that intent. The Historic Landmarks Committee, after reviewing the evidence and hearing the public testimony, decided that other criteria for the consideration of the demolition were not met and therefore the demolition was denied.

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

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.

Attachments:

Attachment 1 – Certificate of Approval Application

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Historic Landmarks Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and meeting process.

McMinnville’s City Code:

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

17.65.040 Certificate of Approval Process. A property owner shall obtain a Certificate of Approval from the Historic Landmarks Committee, subject to the procedures listed in Section 17.65.050 and Section 17.65.060 of this chapter, prior to any of the following activities:

- A. The alteration, demolition, or moving of any historic landmark, or any resource that is listed on the National Register for Historic Places;
 - 1. Accessory structures and non-contributing resources within a National Register for Historic Places nomination are excluded from the Certificate of Approval process.
- B. New construction on historical sites on which no structure exists;
- C. The demolition or moving of any historic resource.

Finding: Section 17.65.040 is satisfied. The applicant submitted an application for a Certificate of Approval to request the demolition of the structure, which is listed on the Historic Resources Inventory as a “Contributory” historic resource per Section 17.65.040(C).

17.65.050 Demolition, Moving, or New Construction. The property owner shall submit an application for a Certificate of Approval for the demolition or moving of a historic resource, or any resource that is listed on the National Register for Historic Places, or for new construction on historical sites on which no structure exists. 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 meet within thirty (30) days of the date the application was deemed complete by the Planning Department to review the request. A failure to review within thirty (30) days shall be considered as an approval of the application.

- A. The Historic Landmarks Committee may approve, approve with conditions, or deny the application.

Finding: Section 17.65.050(A) is satisfied. The Historic Landmarks Committee, after reviewing the request during a public meeting and offering an opportunity for public testimony, decided to deny the demolition request and Certificate of Approval.

- B. The Historic Landmarks Committee shall base its decision on the following criteria:
 - 1. The City’s historic policies set forth in the comprehensive plan and the purpose of this ordinance;

Finding: Section 17.65.050(B)(1) is not satisfied. The City’s historic policies in the comprehensive plan focus on the establishment of the Historic Landmarks Committee, however, the goal related to historic preservation is as follows:

Goal III 2: To preserve and protect sites, structures, areas, and objects of historical, cultural, architectural, or archaeological significance to the City of McMinnville.

The purpose of the Historic Preservation ordinance includes the following:

Attachments:

Attachment 1 – Certificate of Approval Application

- (a) Stabilize and improve property values through restoration efforts;
- (b) Promote the education of local citizens on the benefits associated with an active historic preservation program;
- (c) Foster civic pride in the beauty and noble accomplishments of the past;
- (d) Protect and enhance the City's attractions for tourists and visitors; and
- (e) Strengthen the economy of the City.

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 demolition clearly does not meet that intent. The Historic Landmarks Committee, after reviewing the evidence and hearing the public testimony, decided that other criteria for the consideration of the demolition were not met and therefore the demolition was denied.

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;

Finding: The historic resource was originally constructed as a single family home, but in the 1980s was remodeled and converted to commercial office uses. The building was leased out to individual businesses periodically since the time it was converted to office uses. The applicant has provided the most recent property tax information, which show a real market total value of \$204,250 in the 2017 tax year. The real market value of the building on the subject property is shown at \$101,663 in the 2017 tax year. The applicant has stated that the “only economic use of this Historic Resource as it exists today is the fact that it creates a minimal amount of tax income” and that the applicant would be “improving the property values of this property through the demolition of this building and the adjacent ten-plex structure in order to develop the new multi-tenant building and parking lot”.

The applicant has also stated in their narrative that “There is no current economic use of the property as it exists today due to the current deterioration of the building as it stands” and that the resource “cannot be reasonably preserved or renovated”. These statements are based on the condition of the structure and the estimated cost to renovate the structure. The applicant has provided cost estimates for the renovation of the structure, as well as for the demolition of the existing structure and replacement with a similar structure. It should be noted that the cost estimate for the replacement of the structure, and the narrative that speaks to the replacement, assumes that the demolition of the existing structure would be approved. However, the applicant has stated in their application and narrative that they have no intention of replacing the structure, should the demolition request be approved. Their intention, as shown in the “proposed use” site plan, is to construct a surface parking lot with 5 parking spaces that would connect to the surface parking lot on the property to the south (which is proposed to be redeveloped into office use).

Therefore, the cost estimate to renovate the existing structure was analyzed and considered in terms of the economic use of the historic resource and the reasonableness of the proposed action. The renovation cost estimate provides line item estimates for a variety of work, which totals up to \$517,200. The cost estimate includes another approximate cost of work of between \$510,000 and \$575,000, which may include administrative costs (which were estimated at \$50,000). Some of the larger line items are related to the deteriorated conditions of the existing structure. Those larger line items include new plumbing (\$62,000), new electrical (\$48,500), installation of new Hardie siding (\$41,000), removal of existing flooring and repair and replacement of flooring as necessary (\$39,500), removal and disposal of existing drywall, lathe and plaster (\$27,000), installation of perforated pipe to improve drainage around the structure (\$26,000), foundation repairs due to dry rot (\$25,000), new drywall (\$24,000), and repair and installation of new subwalls (\$21,000).

The Historic Landmarks Committee found that the economic costs to renovate the structure were significant. However, while the cost estimates provided are significant, they do represent the fact that reinvestment in the existing structure could bring it back into usable commercial space. If the structure

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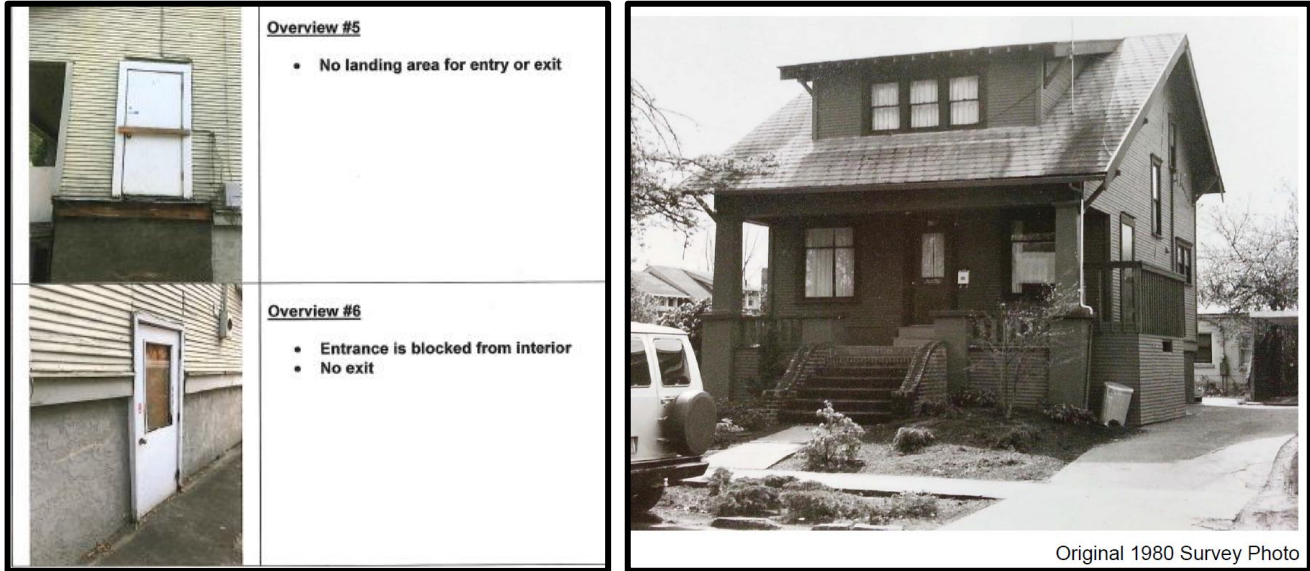
was preserved and renovated, the historic resource could again provide leasable space for commercial uses or be used for other uses allowed in the C-3 zoning district (such as short term rentals or multifamily housing). The Historic Landmarks Committee found that other review criteria, as described in more detail below, were more influential and outweighed the potential economic impacts of renovating the historic resource.

3. The value and significance of the historic resource;

Finding: Section 17.65.050(B)(3) is not satisfied. The applicant stated in their application that the historic resource is “considered Contributory and is not within the downtown core boundary”. Other statements throughout the applicant’s findings and narrative related to this review criteria are that the “building is not a unique structure”, “has been modified into a multi-use building and no longer represents its original historical attraction”, “has never been listed as a public building”, and “is NOT listed on the National Registry of Yamhill County”.

While the structure is not listed on the National Register of Historic Places, the structure is listed on the McMinnville Historic Resources Inventory as a contributory resource. Properties that are listed on the Historic Resources Inventory are not identified in any type of document recorded against the property records, but the property owner at the time of listing in 1987 would have been notified of the listing. As the property changed ownership, it becomes a responsibility of the new owner to verify the status of the property with the City of McMinnville Planning Department as part of their due diligence in the purchase of the property.

The structure was already being remodeled into business offices at the time of its listing on the Historic Resources Inventory, and included some of the exterior additions and entrances referred to in the applicant’s narrative and shown in the photos, as seen below:



The significant historic and architectural features that were described in the statement of historical significance on the Historic Resources Inventory sheet still exist on the historic resource today. Those include the “red brick steps” leading to the “full-width porch which is under the extending roof”, “boxed pillars” on the porch, a “front dormer” with “three windows and shed roof”, a “rectangular bay with a shed roof” on the east side of the structure, a “back dormer” that “extends and is flush with the first story wall”, “beveled siding... with corner boards”, and roof brackets.

The applicant has noted that some of these features have deteriorated or been changed. Wooden handrails have been added to the red brick steps leading to the porch. The applicant has stated that

Attachments:

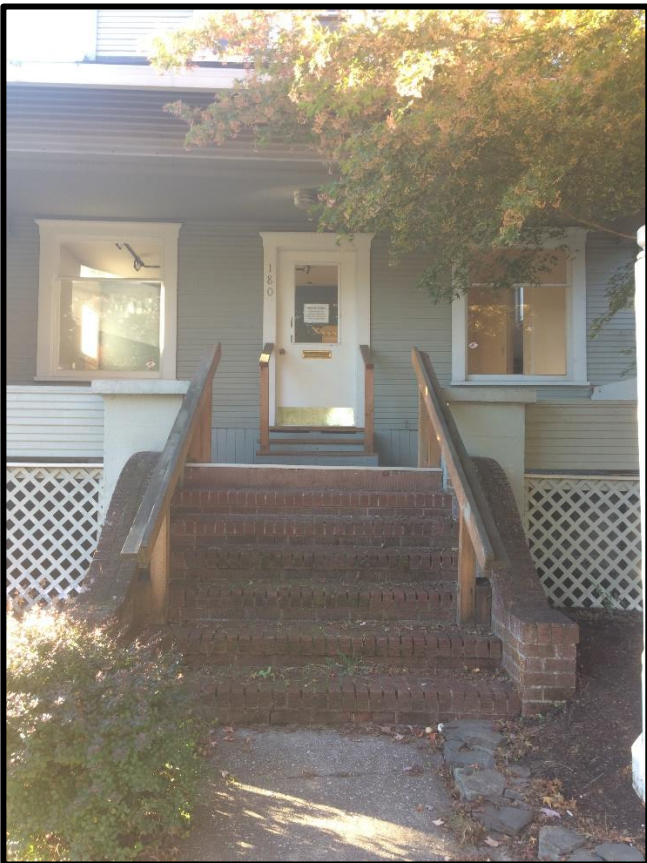
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the original pillars on the porch were round, but were boxed in at a later date. The beveled siding is still in place, but is in poor condition. The applicant also noted that the roof brackets as they were described in the Historic Resources Inventory sheet are not actually roof brackets, but are gussets to support the roof. However, these features still exist today and contribute to the character and significance of the historic resource. The boxed pillars existed at the time of the listing of the structure on the Historic Resources Inventory. The roof brackets, or gussets, are still in place and provide the decorative roof bracket feature that is evident on many Craftsman bungalows in McMinnville, even if they are not true, functional roof brackets. The overall form of the structure is still almost entirely the same, including the front dormer with a shed roof, a rectangular bay with a shed roof on the east side of the structure, and the back dormer that extends and is flush with the first story wall.

Historic resource as it existed in 1980 and currently (2018):



Close up views of the existing condition of overall architectural form and historic details including “red brick steps”, “full-width porch which is under the extending roof”, “boxed pillars” on the porch, a “front dormer” with “three windows and shed roof”, a “rectangular bay with a shed roof” on the east side of the structure, and a “back dormer” that “extends and is flush with the first story wall”:





Due to the overall architectural form and more detailed historic features still being in place, the Historic Landmarks Committee found that the demolition proposal does not satisfy this review criteria, as the historic resource still retains much of the significance and historical value that existed at the time the resource was listed on the Historic Resources Inventory.

4. The physical condition of the historic resource;

Finding: The applicant provided photos serving as evidence of the existing physical condition of the historic resource. The structure has deteriorated due to failure to maintain the exterior and interior of the structure, and there are also some additions and renovations that may have been completed improperly. On the exterior of the structure, photos were provided showing damaged siding, rot damage in some of the wood features in the stairs, porch walls, and doors. Some of the additions to the main structure, such as stairs serving added entries, are in poor condition with wood rot and are separating from the main building. Photo #24 and photo #77 state that the front porch is not connected to the main structure and that the red brick steps are falling away from the porch.

There are also photos that the applicant provided as evidence of the poor physical condition of the interior of the building. There appears to be mold in many areas in the basement and potential water damage in some of the walls and ceilings, which could be the result of improper drainage on the site and around the foundation of the building. Much of the interior of the building has been altered and

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remodeled in a manner that is not consistent with the historical period of construction and there does not appear to be any original materials on the interior of the building.

The Historic Landmarks Committee found that the current physical condition of the historic resource is poor, but the overall architectural form and more detailed historic features that existed at the time the resource was listed on the Historic Resources Inventory are still in place. While there are issues with the interior of the building, there are no standards in place in the City's Historic Preservation requirements (Chapter 17.65) that require any particular form of construction or design on the interior of a historic resource. The historic resource is also a contributory resource, so there is no requirement that the renovation of the structure meet any Historic Preservation design standards or requirements in Section 17.65.060 of the McMinnville City Code. The Historic Landmarks Committee found that it is likely that the interior of the building would require a complete remodel with the removal and replacement of much of the building materials and finishes, but most of the work could be completed and still preserve the overall exterior architectural form of the structure that still exists today.

Many of the issues on the interior that the applicant describes and shows with photos as being more extensive, such as mold and water damage, could be addressed by, first improving the exterior of the building as described in the renovation cost estimate provided (replacing siding and doors properly and directing water away from the foundation – photo #13 stated that drainage was not connected), and then remodeling the interior of the building. Other exterior improvements that were included in the renovation cost estimate, such as shoring of foundation walls, waterproofing, and installation of perforated pipe would prevent further damage and significantly improve the physical condition of the historic resource. There is also a potential for the additions to the property, such as the stairs from added entries and exits that are separating from the building, being removed and the entries or exits being closed as other renovations occurred.

Therefore, the retention of the overall architectural form and historic features was found to outweigh the fact that the physical condition of some of those features has deteriorated.

5. Whether the historic resource constitutes a hazard to the safety of the public or its occupants;

Finding: Section 17.65.050(B)(5) is not satisfied. The applicant argued that the historic resource's "physical condition including additions and modifications are a safety hazard as these elements are separating from the original structure" and also that the resource "has become a structural hazard to fire, life and safety". The applicant references the photos of the existing physical condition of the property to support their argument that the physical condition is creating a safety hazard. The applicant provided evidence from their insurance company, PayneWest Insurance, showing that they will not provide building coverage due to the non-acceptability of the structure due to underwriting guidelines.

The building is currently sitting vacant, so does not constitute a hazard to its occupants. However, the applicant did not provide much findings for how the historic resource constitutes a hazard to the safety of the public. The applicant did state that they have "had to call the police to remove transients numerous times". Other than that issue, which could be addressed with more secure entrances and exits, it is unclear from the materials provided whether the historic resource constitutes an immediate hazard to the safety of the public. If the property owner invested the amount necessary to restore or reconstruct the existing structure, even at a minimum to better secure the structure and stabilize the additions separating from the structure, the potential public safety hazard would no longer exist. Therefore, the Historic Landmarks Committee finds that the current potential hazards could be mitigated and do not warrant a demolition of the historic resource.

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;

Attachments:

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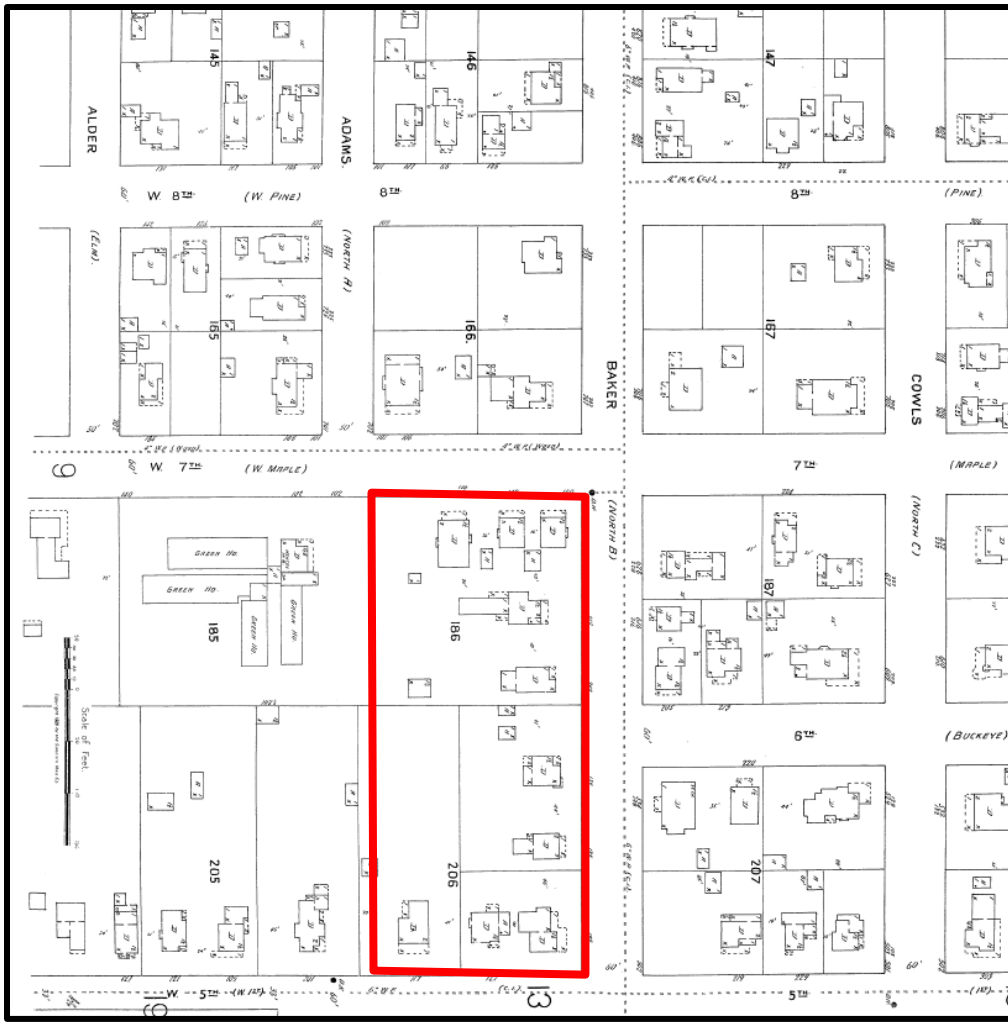
Finding: The historic resource in question is not a deterrent to an improvement program, so this criteria is not applicable.

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

Finding: Section 17.65.050(B)(7) is not satisfied. The applicant has expressed concern that the retention of the historic resource would cause financial hardship. As described in more detail above, the applicant is arguing that the level of investment required for the historic resource to be rehabilitated is not economically feasible and would cause financial hardship.

While the cost estimates provided are significant, they do represent the fact that reinvestment in the existing structure could bring it back into usable commercial space. If the structure was preserved and renovated, the historic resource could again provide leasable space for commercial uses or be used for other uses allowed in the C-3 zoning district (such as short term rentals or multifamily housing). This would preserve the historic resource, but would also provide public benefit in the retention of a historic resource for continued use, providing economic benefits.

As described in more detail above, the Historic Landmarks Committee found that the historic resource does still retain much of the overall architectural form and historic detailing that existed at the time the structure was listed on the Historic Resources Inventory. Also, the historic resource in question is located in an area that was originally constructed with other residential homes of a particular architectural form and character. The two properties immediately to the west of the subject historic resource, at 142 NE 7th Street and 114 NE 7th Street, are also listed as contributory historic resources on the Historic Resources Inventory (resource numbers C331 and C328, respectively). These historic resources were constructed in the same time period, with the property immediately adjacent to the west, at 142 NE 7th Street, first being shown on the Sanborn maps in 1928, the same year that the historic resource in question was shown. The structure immediately adjacent to the west was also constructed in almost the exact same architectural form as the historic resource proposed to be demolished, with a full-width front porch under an extended roof, pillars supporting each end of the front porch, a front dormer with shed roof and three windows, and a back dormer that is flush with the first story wall. This row of three bungalows with Craftsman architectural form and features, all of which are listed on the Historic Resources Inventory, creates a continuity of historic resources in an area that is void of many other buildings with historic character. From the 1928 Sanborn map, the block that the historic resource in question is located on appears to have previously contained more structures of a similar size as the remaining historic resources on the south side of NE 7th Street. The 1928 Sanborn map can be seen below (outline of the block in question is approximate):



Photos of the historic resources that contribute to the historic character of the block are provided below:



The Historic Landmarks Committee has found that the resource being preserved would be in the public interest due to the historic resource's retention of its historic significance and value in terms of its architectural form and historic character (as described in findings for the review criteria in Section 17.65.060(B)(4)), the contribution to the historic character of the block on which the resource is located with the existing historic resources constructed and appearing visually to be historic single family homes, the preservation of a historical development pattern in this area, and the preservation of the structure for continued economic use if it were renovated, and that these public interests outweigh the

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financial impacts of the property owner in renovating the structure.

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.

Finding: Section 17.65.050(B)(8) is satisfied in that the Historic Landmarks Committee has found that retention of the historic resource would be in the best interests of a majority of the citizens of the City of McMinnville. The structure is designated on the Historic Resources Inventory, which does show that the structure provides benefit to the overall historic character and history of the City of McMinnville. As stated in more detail in findings for other review criteria above, the Historic Landmarks Committee found that the existing historic resource still retains much of the historic significance and value in terms of its architectural form and historic character (Section 17.65.050(B)(4)), that the current potential safety hazards could be mitigated through investment and renovation (Section 17.65.050(B)(5)), and that the benefits to the public interests from retention of the historic resource outweigh the financial impacts of the property owner in renovating the structure (Section 17.65.050(B)(7)).

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.

Finding: Section 17.65.070(B) and Section 17.65.070(C) are satisfied. Notice of the Historic Landmarks Committee's consideration of the Certificate of Approval application was mailed to property owners located within 300 feet of the historic resource. A copy of the written notice provided to property owners is on file with the Planning Department.

CD:sjs