



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

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DECISION, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR DENIAL OF THE ALTERATION OF A HISTORIC LANDMARK AT 219 SE LINCOLN STREET

- DOCKET:** HL 10-18
- REQUEST:** The applicant has submitted a Certificate of Approval application to request the alteration of a historic landmark that is listed on the McMinnville Historic Resources Inventory. Specifically, the applicant is proposing to replace the missing railing on the residential building's wraparound porch. The historic building is subject to the Certificate of Approval alteration review process required by Section 17.65.040(A) of the McMinnville City Code.
- LOCATION:** The subject site is located at 219 SE Lincoln Street, and is more specifically described as Tax Lot 5000, Section 21CB, 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:** Terry Hall, on behalf of property owner Jeff Sauter
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** October 16, 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 altered is designated as a "Significant" historic resource (Resource B430), and is therefore subject to the Certificate of Approval review process required by Section 17.65.060 of the McMinnville City Code.
- CRITERIA:** The applicable criteria are in Section 17.65.060(B) of the McMinnville City Code.
- APPEAL:** The decision may be appealed to the Planning Commission, if an appeal is filed 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 not referred to public agencies for comment. Notification of the proposal was mailed to surrounding property owners, but no comments or testimony were provided to the Planning Department prior to the Historic Landmarks Committee's decision.

Attachments:

Attachment 1 – Certificate of Approval Application

DECISION

Based on the findings and conclusions, the Historic Landmarks Committee **DENIES** the alteration of the historic landmark at 219 SE Lincoln Street.

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DECISION: DENIAL
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Planning Staff: *Chuck Darnell*
Chuck Darnell, Senior Planner

Date: October 30, 2018

Planning Department: *Heather Richards*
Heather Richards, Planning Director

Date: October 30, 2018

APPLICATION SUMMARY:

Terry Hall, on behalf of property owner Jeff Sauter, submitted a Certificate of Approval application to request exterior alterations to a residential building that is listed on the McMinnville Historic Resources Inventory as a Significant resource (B430). The subject property is located at 219 SE Lincoln Street, and is more specifically described as Tax Lot 5000, Section 21CB, T. 4 S., R. 4 W., W.M.

The historic designation for this particular historic resource is associated with the structure and the original owner of the building. The statement of historical significance and description of the property, as described in the Historic Resources Inventory sheet, is as follows:

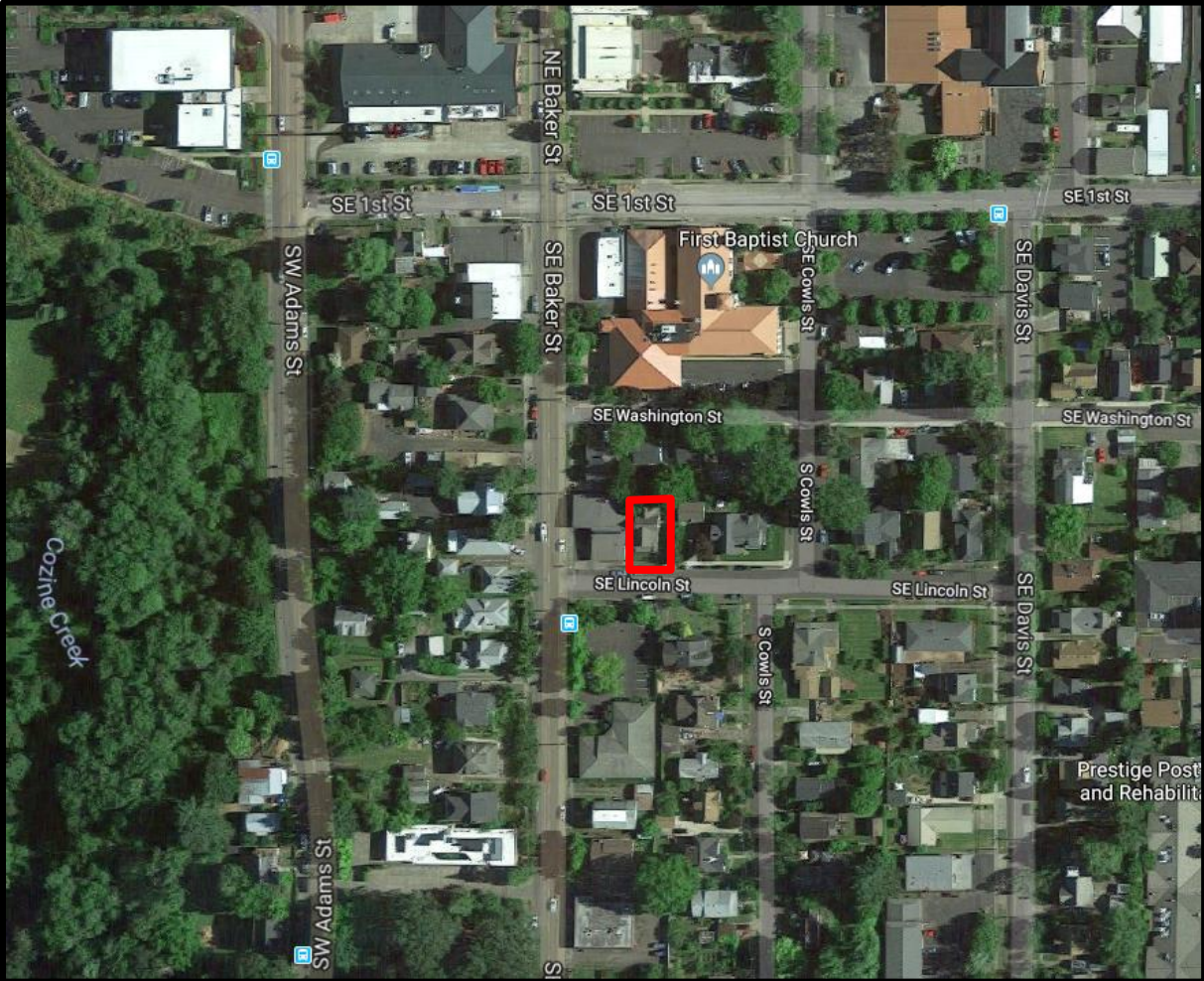
This two-story gabled rural vernacular structure is built on a Latin cross plan with an encircling porch and other detailing showing influence from Queen Anne eclecticism. The siding is “drop” siding except for the upper gables above the windows which are shingled in courses of diamond and imbricated patterns. The central chimney has a corbelled cap. The shed porch roof forms a pediment with fan detail over the porch steps. The detailed porch frieze includes small scroll brackets.

The eaves are boxed with vergeboards, ends rounded as if knobs. The porch railing of simple square section spindle is missing except for the east side sections. Windows are predominately double hung 1/1 with a large fixed sash window on the first story street façade. This window as well as the paneled door windows have single stained (colored) glass side lights. Door and window frames have a single cornice cap except where belt boards form the upper frame member.

Julia Gault and her husband built this house.

Section 17.65.040(A) of the McMinnville City Code requires that the Historic Landmarks Committee review and approve a Certificate of Approval for a request to alter any resource that is considered a historic landmark and/or listed on the National Register of Historic Places as a contributing resource. Since the subject property is classified as a historic landmark, the Certificate of Approval review is required.

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



The photo from the time of the survey of the building that led to it being listed on the Historic Resources Inventory, as shown in the Historic Resources Inventory sheet, is provided below:



More recent photos of the building, with a close up view of the porch, as it exists today can be seen below:



ATTACHMENTS

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

COMMENTS**Agency Comments**

This matter was not referred to other public agencies for comment.

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 did not receive any public testimony prior to the public meeting.

FINDINGS OF FACT

1. Terry Hall, on behalf of property owner Jeff Sauter, submitted a Certificate of Approval application to request exterior alterations to a residential building that is listed on the McMinnville Historic Resources Inventory as a Significant resource (B430). The subject property is located at 219 SE Lincoln Street, and is more specifically described as Tax Lot 5000, Section 21CB, T. 4 S., R. 4 W., W.M.
2. The historic landmark is designated on the Historic Resources Inventory as a “Significant” resource, and has the resource number of B430.
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 alteration 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: 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. Overall, the intent of the proposal is to protect the overall historic form and character of the historic landmark by repairing the porch and railing that is in poor condition or completely missing. However, the Comprehensive Plan goal and the purpose of the Historic Preservation chapter are not satisfied by the proposal because

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the materials proposed to be used for the replacement railing were found to not be compatible with the historic resource, as discussed in more detail below in the findings for the applicable Certificate of Approval review criteria.

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.

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 alteration of the historic landmark, per Section 17.65.040(A), because the resource is classified as a historic landmark as a Significant resource on the McMinnville Historic Resources Inventory.

17.65.060 Exterior Alteration or Remodeling. The property owner shall submit an application for a Certificate of Approval for any exterior alteration to a historic landmark, or any resource that is listed on the National Register for Historic Places. 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 Planning Director shall determine whether the proposed activities constitute an alteration as defined in Section 17.65.020 (A) of this chapter. 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. Within five (5) working days after a decision has been rendered, the Planning Department shall provide written notice of the decision to all parties who participated.

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

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Finding: Section 17.65.060(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 alteration request and deny the 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 17.65.060(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:

- (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. Overall, the intent of the proposal is to protect the overall historic form and character of the historic landmark by repairing the porch and railing that is in poor condition or completely missing. However, the Comprehensive Plan goal and the purpose of the Historic Preservation chapter are not satisfied by the proposal because the materials proposed to be used for the replacement railing were found to not be compatible with the historic resource, as discussed in more detail below in the findings for the applicable Certificate of Approval review criteria.

2. The following standards and guidelines:
 - a. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

Finding: Section 17.65.060(B)(2)(a) is **SATISFIED**. The property has historically been used residentially, and is still occupied as a single family home. The porch as it exists today is missing railing around all but the east side of the porch. However, the applicant has stated that there is evidence in the support columns on the remainder of the wraparound porch that at one time a railing was connected to the columns around the entire porch. Since that time, sections of the railing have been removed. There is no intention to change the use of the historic landmark in any way, and the proposed addition of railing around the entire wraparound porch will restore a residential feature that appears to have been removed at some point in the past.

- b. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Finding: Section 17.65.060(B)(2)(b) is **SATISFIED**. This criteria describes the need to avoid the replacement of intact or repairable historic materials or alteration of features, spaces and spatial relationships. In the case of the wraparound porch, much of the historic materials have already been

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removed. The railings around all but a short section of the east side of the home have been removed, and were already missing at the time the historic landmark was surveyed in 1983 and listed on the McMinnville Historic Resources Inventory in 1987. Therefore, these specific historic materials no longer exist. The applicant has stated that the portion of the railing that was still existing has rotted, and is proposing to replace those sections of railing with the same used on the remainder of the wraparound porch, which will keep a consistent form around the porch.

The replacement of the railing around the wraparound porch will not result in the loss of any feature, space, or spatial relationship that characterizes the property as a historic landmark. The overall architectural features that were noted in the Historic Resources Inventory sheet still exist today. Those features include the “two-story gabled rural vernacular” form, “shed porch roof” forming a “pediment with fan detail over the porch steps” and “detailed porch frieze” with “small scroll brackets”. The Historic Resources Inventory also notes that the porch railing was a “simple square section spindle” design, and again that it was “missing except for the east side sections”. The addition of railing around the wraparound porch would not remove or detract from any of these historic features. However, the proposed materials to be used for the replacement railing were found to not be compatible with the historic resource, as discussed in more detail below in the findings for the applicable Certificate of Approval review criteria.

- c. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

Finding: Section 17.65.060(B)(2)(c) is **NOT SATISFIED**. This criteria is not satisfied due to the fact that the proposed material (composite polymer) to replace the railing is not compatible with the original wood materials. As described in more detail above, the building has overall retained much of the architectural form, features, and detailing that existed at the time the historic landmark was surveyed in 1983 and listed on the McMinnville Historic Resources Inventory in 1987. However, the replacement railing materials are proposed to be a composite polymer material, which was not found to be visually compatible with the historic design of the front porch and the remainder of the existing historic materials on the front porch, which are wood.

- d. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- e. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- f. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.

Finding: Sections 17.65.060(B)(2)(d) through 17.65.060(B)(2)(f) are **NOT SATISFIED**, specifically (f) since the proposed materials for the replacement railing is a composite polymer material and the old railing is wood. There are no changes to the property that have acquired their own historic significance. As described in more detail above, the building has overall retained much of the architectural form, features, and detailing that existed at the time the historic landmark was surveyed in 1983 and listed on the McMinnville Historic Resources Inventory in 1987. Also described in more detail above, most of the railing on the wraparound porch is missing, so there is no preservation of historic materials that can occur. However, the replacement railing materials are proposed to be a composite polymer material, which was not found to be visually compatible with the historic design of the front porch and the remainder of the existing historic materials on the front porch. The composition of the new material was not found to match the old materials and other existing materials, which were and are still wood.

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- g. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Finding: Section 17.65.060(B)(2)(g) is **SATISFIED**. This criteria is not applicable, as there are no chemical or physical treatments proposed.

- h. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Finding: Section 17.65.060(B)(2)(h) is **SATISFIED**. The applicant has stated that they are not aware of any known archeological resources.

- i. The Guidelines for Historic Preservation as published by the United States Secretary of the Interior.

Finding: Section 17.65.060(B)(2)(i) is **NOT SATISFIED**. This criteria was not satisfied as the proposed material for the new railing is of a completely different material than the original railing.

The proposed alterations can most closely be considered a “Rehabilitation” of the existing historic resource, which is a type of treatment of historic properties described in the Secretary of the Interior’s Standards for the Treatment of Historic Properties. This document describes the rehabilitation of a historic building as follows:

In Rehabilitation, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation. However, greater latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings to replace extensively deteriorated, damaged, or missing features using either the same material or compatible substitute materials. Of the four treatments, only Rehabilitation allows alterations and the construction of a new addition, if necessary for a continuing or new use for the historic building.

Some of the applicable rehabilitation guidelines for treating entrances on historic buildings are provided below:

Recommended Guideline: Replacing in kind an entire entrance or porch that is too deteriorated to repair (if the overall form and detailing are still evident) using the physical evidence as a model to reproduce the feature or when the replacement can be based on historic documentation. If using the same kind of material is not feasible, then a compatible substitute material may be considered.

As described in more detail above, most of the railing on the wraparound porch is missing, so there is no preservation of those historic materials that can occur. The replacement railing materials are proposed to be a composite polymer material, which was not found to be visually compatible with the historic design of the front porch and the remainder of the existing historic materials on the front porch. The composition of the new material was not found to match the old materials and other existing materials, which were and are still wood. The proposed composite polymer material was therefore not found to be a compatible substitute material.

3. The economic use of the historic resource and the reasonableness of the proposed alteration and their relationship to the public interest in the historic resource’s preservation or renovation;

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Finding: Section 17.65.060(B)(3) is **NOT SATISFIED**. This criteria is not satisfied because the proposed alteration was not found to be reasonable, as the proposed replacement railing materials would impact the overall historic integrity of the structure and therefore did not satisfy the other applicable Certificate of Approval review criteria.

4. The value and significance of the historic resource;

Finding: Section 17.65.060(B)(4) is **SATISFIED**. The overall architectural features that were noted in the Historic Resources Inventory sheet still exist today. Those features include the “two-story gabled rural vernacular” form, “shed porch roof” forming a “pediment with fan detail over the porch steps” and “detailed porch frieze” with “small scroll brackets”. The Historic Resources Inventory also notes that the porch railing was a “simple square section spindle” design, and again that it was “missing except for the east side sections”. The addition of railing around the wraparound porch will not remove or detract from any of these historic features. However, the materials proposed to be used for the replacement railing were found to not be compatible with the historic resource, as discussed in more detail above in the findings for other applicable Certificate of Approval review criteria.

5. The physical condition of the historic resource;

Finding: Section 17.65.060(B)(5) is **NOT SATISFIED**. This criteria is not satisfied as the applicant has requested replacing the lost and existing porch railing with a railing made out of an incompatible material. The historic landmark is in overall good physical condition. In the case of the wraparound porch, much of the historic materials have already been removed. The railings around all but a short section of the east side of the home have been removed, and were already missing at the time the historic landmark was surveyed in 1983 and listed on the McMinnville Historic Resources Inventory in 1987. Therefore, these specific historic materials no longer exist. The applicant has stated that the portion of the railing that was still existing has rotted, and is proposing to replace those sections of railing with the same used on the remainder of the wraparound porch, which would have kept a consistent form around the porch. However, the materials proposed to be used for the replacement railing were found to not be compatible with the historic resource, as discussed in more detail above in the findings for other applicable Certificate of Approval review criteria.

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 is **SATISFIED**. Notice was provided 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

Attachments:

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