



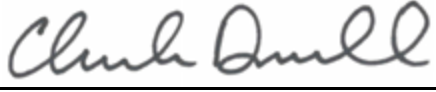
DECISION, CONDITIONS, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR APPROVAL OF THE DEMOLITION OF A PORTION OF A HISTORIC RESOURCE AT 300 NE 3RD STREET

- DOCKET:** HL 11-18
- REQUEST:** The applicant has submitted a Certificate of Approval application to request the demolition of a portion of a historic resource that is located within the Downtown Historic District that is listed on the National Register of Historic Places and is also listed on the McMinnville Historic Resources Inventory.
- LOCATION:** The subject site is located 300 NE 3rd Street, and is more specifically described as Tax Lot 8700, Section 21BC, 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:** Andy Wilder
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** November 27, 2018
- DECISION-MAKING BODY:** McMinnville Historic Landmarks Committee
- DATE & TIME:** December 28, 2018. Meeting was held at the Civic Hall, 200 NE 2nd Street, McMinnville, OR 97128.
- PROCEDURE:** The structure proposed to be demolished is designated as a “Distinctive” historic resource (Resource A450) and is also located within the Downtown Historic District that is listed on the National Register of Historic Places, 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; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the Historic Landmarks Committee **APPROVES** the demolition of the historic resource at 300 NE 3rd Street (Resource A450), **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: 
Chuck Darnell, Senior Planner

Date: January 2, 2019

Planning Department: 
Heather Richards, Planning Director

Date: January 2, 2019

APPLICATION SUMMARY:

The applicant, Andy Wilder, submitted a Certificate of Approval for Demolition application to request the approval of the demolition of the south portion of an existing building, which is an addition to the main building that is constructed of different materials and of a different design than the main building. The subject property is located at 300 NE 3rd Street, and is more specifically described as Tax Lot 8700, Section 21BC, T. 4 S., R. 4 W., W.M.

The building is listed on the National Register of Historic Places as a Primary Significant Contributing property in the Downtown Historic District, and is commonly known as the Hodson Building or Sears Building. The building is also listed on the McMinnville Historic Resources Inventory as a Distinctive resource (Resource A450), which is the highest classification on the local inventory.

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

A rectangular, Italianate, two-storied stuccoed brick structure, the Sears building faces north on the corner of Third and Cows. A shorter section on the rear of the building appears to be an addition. The building has a basement. There are two sets of three inset double-hung one-over-one windows with no ornament at the second floor level on the façade. The east façade has irregular fenestration; the second story windows are arched, double-hung sash, and those on the ground floor are single-paned. All have simple, splayed sills. Windows on the rear addition are four-lighted, inset squares. The projecting cornice conceals the roofline and is supported by large scrolled brackets and smaller modillions. There is a paneled frieze below the cornice. The original façade at the first floor level has been replaced by large store windows and setback entry. The south elevation is sheathed in corrugated sheet metal; unpainted brick shows on the exposed portion of the east side.

The building was built in 1901-1902 by O. Orville Hodson to house his hardware and tin business. Born in Indiana in 1857, Hodson came to Oregon in 1878 with his father, A.H. Hodson and bought a hardware business. He became sole owner in 1888 and was eventually to do much of the metal work on cornices in McMinnville's business district. He was an active mason and built the Queen Ann home on Fifth and Davis Streets. In 1928, the building was occupied by a grocer and confectioner. Today, Sears Roebuck catalog store occupies the building. 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.

The description of the building in the Downtown Historic District's National Register of Historic Places nomination is as follows:

This rectangular, Italianate, two-story brick structure is stuccoed and scored with horizontal lines. The projecting metal cornice on the façade and west side is supported by large scrolled brackets and smaller modillions. A paneled frieze is below the cornice. The second floor façade consists of two bays of three inset double-hung one over one wooden sash windows. The second floor on the west façade has irregular fenestration of arched double-hung wood one over one wood sash windows. The original façade on the ground floor has been replaced with large plate glass aluminum frame store windows and a recessed entrance. A plywood door on the entrance on the east end of the façade is flush with the building wall. Bulkheads are cement and plywood. An aluminum marquee is located above the storefront windows and below the stucco covered transom windows. Two piers at either end of the façade are covered with stucco. The storefront wraps around one bay to the west side of the building. The west side ground floor has a band of fixed single pane wood windows at the transom level. There is an entrance

Attachments:

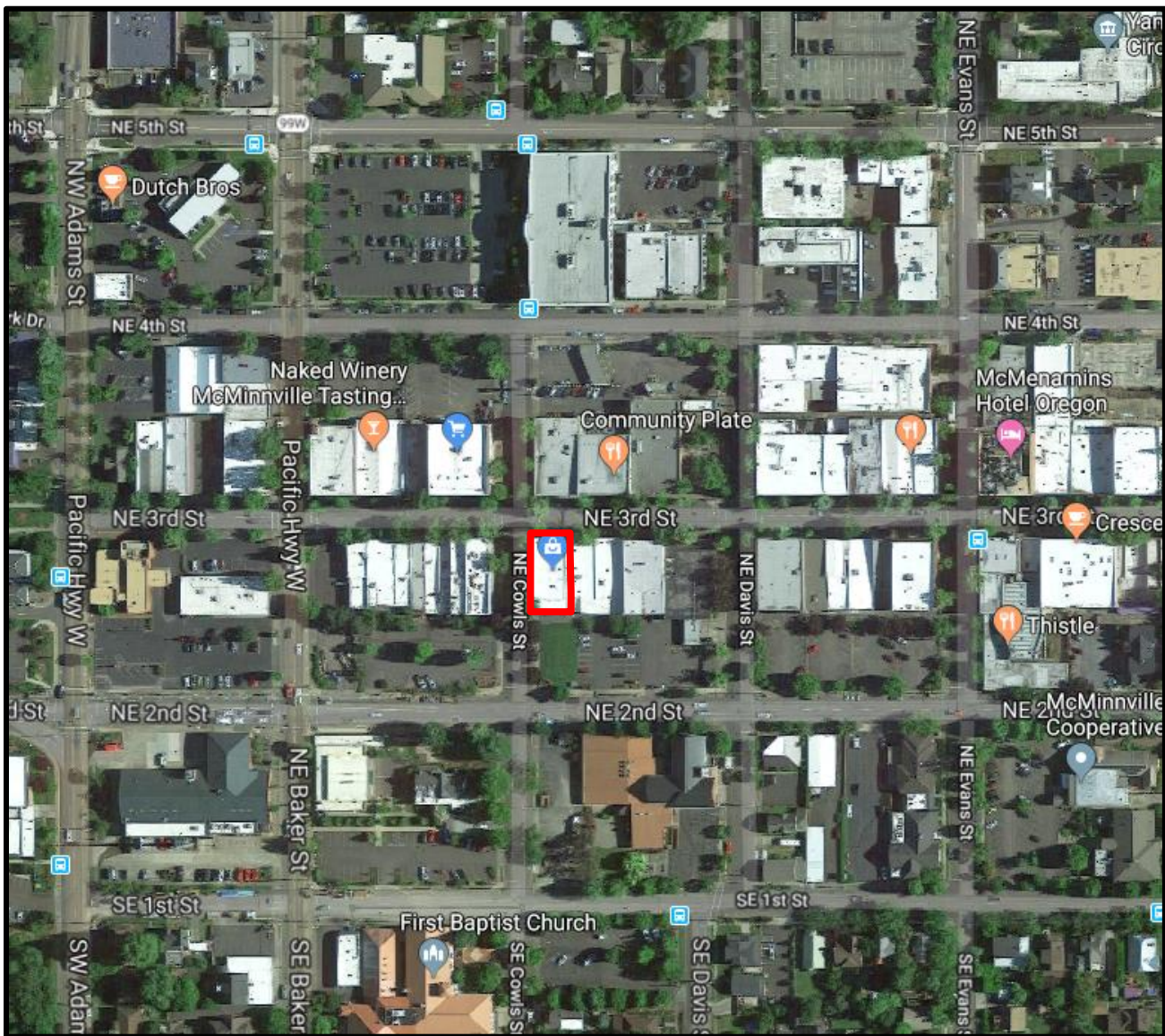
Attachment 1 – Certificate of Approval Application

at the south end which is topped with a glass transom and metal awning. An addition to the building was made at the south end of the west side. It is stuccoed and has two windows on the second floor and two on the ground floor above a garage door.

The Hodson Building was constructed between 1901 and 1902 for O. Orville Hodson, who had a tin and hardware business. Hodson came to Oregon in 1878 from Indiana where he was born. Orville's father, H. H. Hodson, came with his son to McMinnville and bought a hardware business. H. H. Hodson became sole owner of the business in 1888, and is said to have constructed many of the metalwork cornices in McMinnville's old downtown commercial area. Some of these decorative cornices have since been removed. Sanborn Fire Insurance Company maps show that the Hodson Building was occupied by a grocer and confectioner in 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 location of the historic landmark and building is identified below (outline of property is approximate):



The building as it exists today can be seen below:





CONDITIONS:

1. That the applicant shall provide interior and exterior documentation of the existing building prior to issuance of a demolition permit. This photo documentation should consist of no less than twenty (20) color photographs of the interior and no less than twenty (20) color photographs of the exterior. The photographs shall highlight each interior space on both floors of the building and each exterior elevation. The applicant can either choose to provide the photos or allow a city representative on and within the property to take the photos prior to issuance of a demolition permit. The photos shall be provided in digital format to the City of McMinnville.

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

No comments.

- McMinnville Fire Department:

We have no issues with this request.

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 hearing.

FINDINGS OF FACT

1. Andy Wilder submitted a Certificate of Approval application to request the demolition of a portion of a historic resource that is listed on the National Register of Historic Places as a Primary Significant Contributing property in the Downtown Historic District, and is commonly known as the Hodson Building or Sears Building. The subject property is located at 300 NE 3rd Street, and is more specifically described as Tax Lot 8700, Section 21BC, T. 4 S., R. 4 W., W.M.
2. The historic resource is designated on the Historic Resources Inventory as a Distinctive resource (Resource A450).
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 hearing.
5. A public hearing was held by the Historic Landmarks Committee on December 28, 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:

Attachments:

Attachment 1 – Certificate of Approval Application

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 satisfied by the proposal.**

The focus of the comprehensive plan goal is to restore and preserve structures that have special historical or architectural significance. The proposal to demolish the south portion of the building will preserve the primary and historically significant building, and only demolish the portion of the building that is described as an addition to the main building. Both the National Register of Historic Places nomination form and the Historic Resources Inventory focus on the architectural design and integrity of the main building, and one refers to the south portion of the building that is proposed to be demolished as an addition. Specifically, the Historic Resources Inventory only briefly mentions the southern portion of the building, only stating that “the south elevation is sheathed in corrugated sheet metal”. The National Register of Historic Places nomination form states that “An addition to the building was made at the south end of the west side”.

The applicant has provided additional information on the existing addition, including the use of the structure when it was constructed and details on the construction and building materials. The applicant has stated the following:

“There is no foundation and the bottom and top plates are 4"x 6" beams. The walls of the first floor are constructed with wall studs at 4' O.C. and the second-floor walls are constructed with wall studs being at 6' O.C. These two walls have no exterior plywood sheathing or insulation. The interior doesn't contain any partitions. The exterior of the building addition is covered with a galvanized corrugated tin sheathing in random sizes from 3'x 6' to 4'x 8'. At one time the addition contained two windows and a door on the south wall. The assumption was that the corrugated southern and the eastern walls would allow the excess smoke, from the meat smoking process, to exit the building.

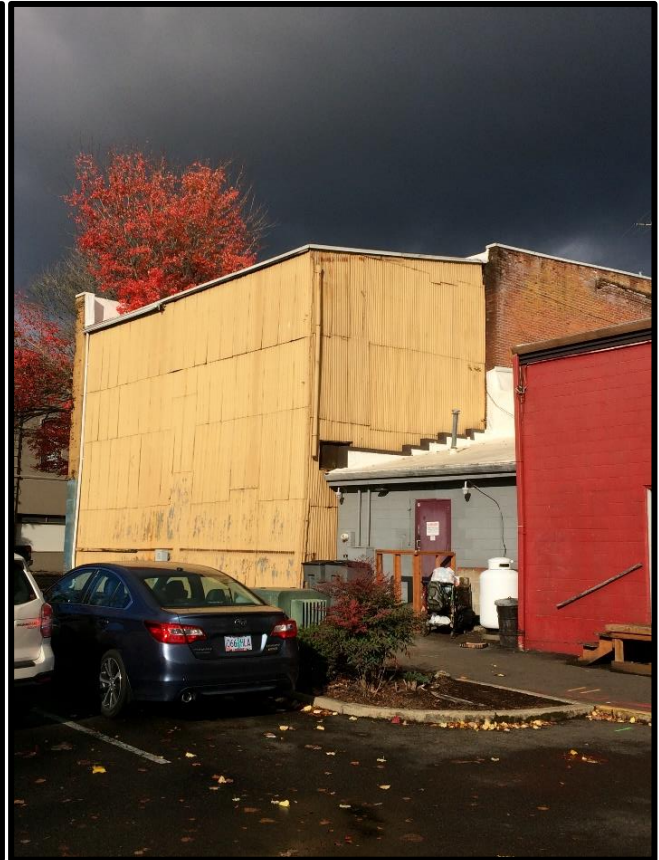
The west wall is a two-story brick façade that contains an 8'x 8' aluminum rollup door and three 3'x 3' metal framed windows. One of the windows is on the first floor and two are on the second floor. The brick is a 6-panel Terra Cotta block standard brick. The wall contains a 3"x 3" corner column that runs to the ceiling of the second story.

The addition's façade has begun to separate from the southwest corner of the original building due to settling of the southwest column on the addition.”

Based on the descriptions of the building materials, it is clear that the structure is completely separate from the main building and is an addition. It is unclear when the existing addition was constructed. Structures appear on the property in the location of the existing addition on the Sanborn maps as far back as 1884, but the applicant has provided testimony that the existing structure was constructed in the late 1920's or early 1930's, which would be later than the construction of the main building and later than the primary period of significance in the Downtown Historic District (which is 1880 to 1912). A photo of the interior of the addition was provided that shows the stud framing, no insulation, and only corrugated tin sheathing on the exterior. The photo also shows the southern wall of the main building, which is brick and matches the design of the rest of the primary building as seen in other historical photos. That photo can be seen below:



The exterior of the building addition, showing the corrugated tin siding and the west façade that is constructed of brick but contains other features like windows and a roll-up door that are not in keeping with the character with the remainder of the main building, can be seen below:





Given that the proposed demolition is only of the addition described above, and the primary and historically significant building will be preserved, the proposal is consistent with the Comprehensive Plan goal.

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

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.

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 hearing. 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 a portion of the structure, which is designated as a “Distinctive” historic resource (Resource A450) and is also located within the Downtown Historic District that is listed on the National Register of Historic Places.

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 hearing and offering an opportunity for public testimony, decided to approve, with conditions, 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 satisfied.**

The City’s historic policies in the Comprehensive Plan are satisfied by the request, as described in the findings for the applicable Comprehensive Plan goals above.

- 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: **Section 17.65.050(B)(2) is satisfied.**

As described in more detail above, the applicant is proposing to only demolish the portion of the building that is an addition. The main building, which is the primary and historically significant portion of the property as described in the historic nomination and designation documents, will be retained and preserved. The addition was originally constructed for and used as a meat smoking area, but most recently has been used only for storage. The existing addition is not constructed to any standard that would allow for current economic use. The addition is wood framed, with no insulation between the framing and the corrugated tin exterior. The corrugated tin exterior material was applied in such a way as to have some openings to the outside, which the applicant believes was meant to allow for excess smoke from the meat smoking process to exit the building. Given the existing construction and building materials, a large scale renovation would be required to bring the structure up to a standard that would

Attachments:

Attachment 1 – Certificate of Approval Application

provide some level of current economic use, and that type of renovation would likely completely change the appearance and construction form of the addition. Therefore, the proposed demolition is reasonable and this criteria is being satisfied.

3. The value and significance of the historic resource;

Finding: **Section 17.65.050(B)(3) is satisfied.**

The main building is one that has high historic value and historic significance, as described in the National Register of Historic Places nomination form and the Historic Resource Inventory. The building is a Primary Significant Contributing property in the Downtown Historic District that is listed on the National Register of Historic Places, and is a Distinctive resource on the McMinnville Historic Resources Inventory. The main building will be preserved and no portion of the main building is proposed to be demolished. The only portion of the building that is proposed to be demolished is the portion that is described as an addition on the National Register of Historic Places nomination form. The addition is constructed of completely different materials and is a different design than the main building. The addition's building condition and building materials are not consistent with other buildings from the primary period of development in the Downtown Historic District, and detract from the historic value and significance of the main building. Because only this addition is proposed to be demolished, this criteria is being satisfied.

4. The physical condition of the historic resource;

Finding: **Section 17.65.050(B)(4) is satisfied.**

As described in more detail above, the construction and building materials of the addition are not of high quality or of any construction technique that is of significance to the primary period of development in the Downtown Historic District. In addition, the applicant has stated that the west façade of the addition has begun to separate from the southwest corner of the main building due to settling of the southwest column on the addition. A photo was provided of a crack that has appeared on this portion of the west façade wall:



The interior physical condition of the addition has not been shown to be necessarily poor, but is not highly improved (as described in more detail for other applicable review criteria above). Also, the one wall that is not finished with corrugated tin panels is exhibiting signs of structural issues with the crack in the exterior wall, the separation of the addition from the main building, and the settling of the southwest column of the addition. Therefore, the physical condition of the addition warrants the proposed demolition.

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 has argued that the historic resource constitutes a hazard to the public due to the structural issues and the separation of the addition from the main building. While there does appear to be structural issues and the construction of the addition was not of high quality, there could be other ways to reinforce the existing structure without complete demolition. Therefore, the Historic Landmarks Committee finds that the current potential hazards could be mitigated and do not warrant a demolition of the historic resource, and that other criteria are satisfied and outweigh the criteria related to the potential hazards.

Attachments:

Attachment 1 – Certificate of Approval Application

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;

Finding: **Section 17.65.050(B)(6) is not satisfied.**

The addition portion of the historic resource is not a deterrent to any public improvement program of substantial benefit to the City. The applicant does intend to redevelop the portion of the property where the existing building to be demolished is located. However, the applicant did not provide any information or arguments for how the proposed redevelopment would be an improvement that would provide substantial benefit to the City. Therefore, the Historic Landmarks Committee finds that the potential improvements on the site do not warrant the demolition, and that other criteria are satisfied and outweigh the criteria related to the deterrent of an improvement program.

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 satisfied.**

The applicant has stated that they believe that the retention of the addition portion of the historic resource would cause a financial hardship. As discussed in more detail above, the addition is clearly different and separate from the main building, which is the primary and historically significant portion of the property as described in the historic nomination and designation documents. The addition is constructed of completely different materials and is a different design than the main building. The addition's building condition and building materials are not consistent with other buildings from the primary period of development in the Downtown Historic District, and detract from the historic value and significance of the main building. For these reasons, preservation of the addition portion of the historic resource does not outweigh the financial hardship that could be caused for the owner. Also, given the existing construction and building materials, a large scale renovation would be required to bring the structure up to a standard that would provide some level of current economic use. The level of investment that would be required for that type of renovation would likely completely change the appearance and construction form of the addition, which would then result in a loss of the existing structure as it exists today.

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, and a condition of approval is included to ensure that this criteria is satisfied.**

As discussed in more detail above, the addition is clearly different and separate from the main building, which is the primary and historically significant portion of the property as described in the historic nomination and designation documents. The addition is constructed of completely different materials and is a different design than the main building. The addition's building condition and building materials are not consistent with other buildings from the primary period of development in the Downtown Historic District, and detract from the historic value and significance of the main building. For these reasons, retention of the addition portion of the historic resource would not be in the best interests of a majority of the citizens of the City.

A condition of approval was included to require that a minimum of 20 digital photos be provided of both the interior and the exterior of the addition to document the existing structure prior to its demolition.

Attachments:

Attachment 1 – Certificate of Approval Application

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