



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

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DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR THE APPROVAL OF A NEW BUILDING AT 618 NE THIRD STREET WITHIN THE DOWNTOWN DESIGN AREA

- DOCKET:** DDR 2-19 (Downtown Design Review)
- REQUEST:** Approval of the exterior design of a proposed new mixed use building to be constructed on a property located within the Downtown Design area
- LOCATION:** 618 NE 3rd Street. The property identified as Tax Lot 10402, Section 21BC, T. 4 S., R. 4 W., W.M.
- ZONING:** C-3 (General Commercial)
- APPLICANT:** Ernie Munch, on behalf of owner Historic 3rd and Ford, LLC
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** June 27, 2019
- HEARINGS BODY & ACTION:** McMinnville Historic Landmarks Committee
- HEARING DATE & LOCATION:** July 25, 2019, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- PROCEDURE:** An application for a Downtown Design Review is processed in accordance with the procedures in Section 17.59.030(A) of the McMinnville Municipal Code.
- CRITERIA:** The applicable criteria for a Downtown Design Review are specified in Section 17.59.040 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.
- APPEAL:** As specified in Section 17.59.030(E) of the McMinnville Municipal Code, the Historic Landmarks Committee's decision may be appealed to the Planning Commission within fifteen (15) days of the date written notice of decision is mailed. The City's final decision is subject to a 120 day processing timeline, including resolution of any local appeal.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department,

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Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. Their comments are provided in this document.

RECOMMENDATION

Based on the findings and conclusionary findings, the Historic Landmarks Committee finds the applicable criteria are satisfied with conditions and **APPROVES** the exterior design of the proposed new building at 618 NE 3rd Street (DDR 2-19).

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RECOMMENDATION: APPROVAL WITH CONDITIONS
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Planning Staff: _____
Chuck Darnell, Senior Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

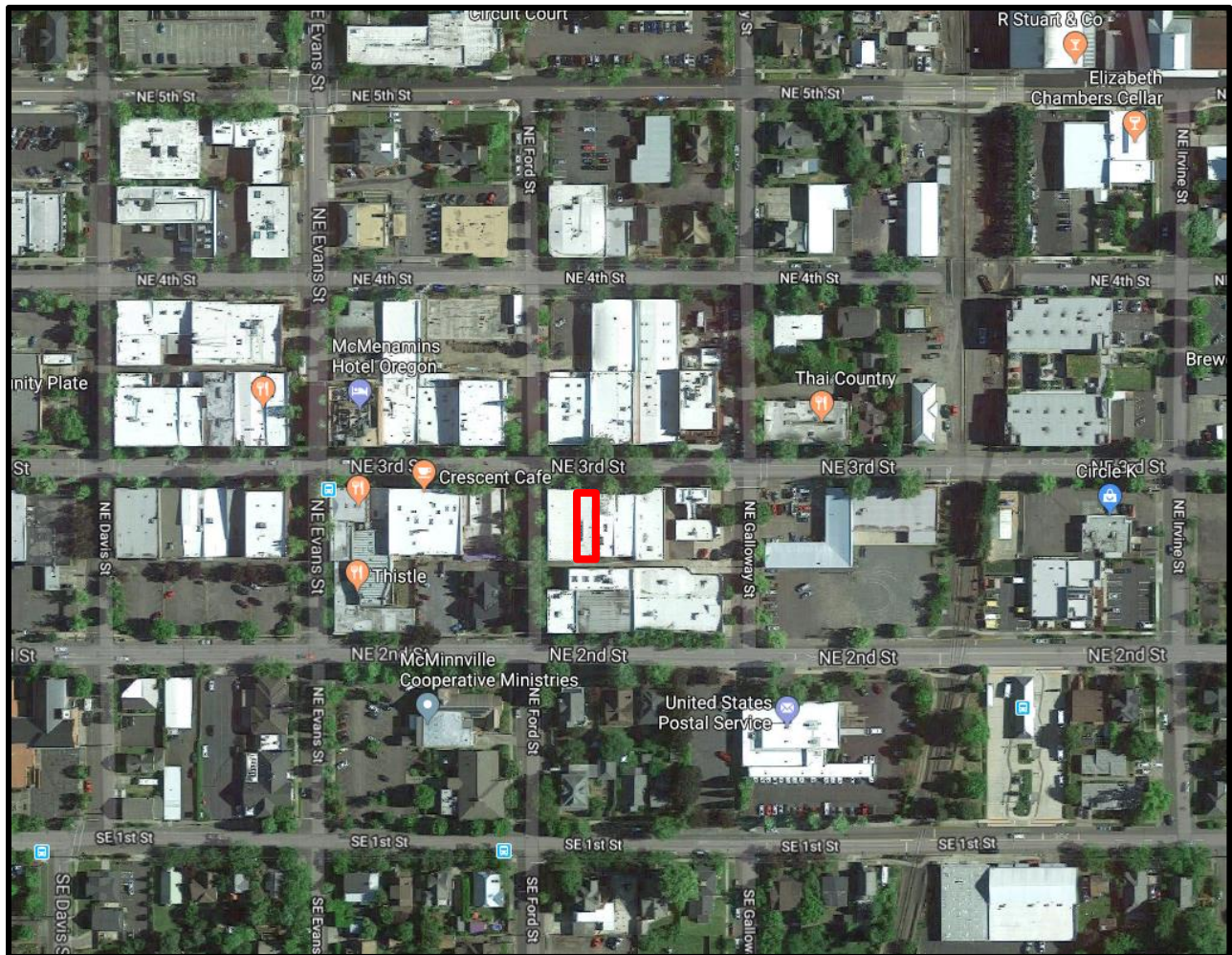
I. APPLICATION SUMMARY:

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

Subject Property & Request

The subject property is located at 618 NE 3rd Street. The property identified as Tax Lot 10402, Section 21BC, T. 4 S., R. 4 W., W.M. **See Vicinity Map (Figure 1) below.**

Figure 1. Vicinity Map



The existing building on the subject property was listed on the Historic Resources Inventory as a Contributory resource (resource number C 866.1). Based on a concurrent Historic Resources Inventory Amendment application submitted together with the Downtown Design Review application, the building was removed from the Historic Resources Inventory and the site that the new building would be located upon is now designated as a Significant historic resource on the Historic Resources Inventory. The property is also classified as a Primary Significant Contributing property in the McMinnville Downtown Historic District that is listed on the National Register of Historic Places. However, that classification

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was based on the previous building that was located on the property, which was requested to be demolished as a concurrent application with this Downtown Design Review application.

The applicant provided an overview of their proposal and project in the application narrative, which is as follows:

“The proposed project will remove the existing building on the site and replace it with a building which replicates, to the extent possible, the storefront and molded cornice of the building as it appears in a photo taken circa 1920, with the addition of a second floor between the storefront and the cornice.

Lightweight construction and the addition of a second floor are necessary to take advantage of the lateral support system put in place with the restoration of the Taylor-Dale building at 608 NE Third Street. Building code allows a 10% increase to the design load for the lateral system. With the addition of a second floor at 618, its second floor and roof planes will match those of the Taylor-Dale building allowing the transfer lateral loading to the 608 restraints.

The addition will also take advantage of the infrastructure, circulation, accessibility, fire suppression system, egress, security, and other service improvements provided for the Taylor- Dale building. While the new construction will technically be an addition to the Taylor-Dale Building to the west, it will appear to be a separate building. The facade of the new construction will match, as closely as possible, the ground floor and cornice of the structure built in 1911, documented in a 1919-1920 photo and remained on site until at least 1928. The new construction will have a second story inserted between the ground floor facade and the cornice allowing it to match the height of the existing Taylor-Dale building to the west. The new construction will be differentiated from the Taylor-Dale building by the coloring and pattern of the face brick, fenestration on the first and second stories, and parapet decoration. It will be in the Victorian-Italianate style of the original building on this site.

The building will use thin brick which will mimic the original sheet metal siding which was embossed to mimic brick. The building will be carefully detailed to have the appearance of standard sized brick. The cornice moldings and finials will likely be zinc coated copper sheet metal. The storefront mullions and front door will be painted wood. The front door will be offset within the recessed entry in order to achieve accessible clearances. The exposed portions of the east facade and the rear facade will be either stucco or painted cementitious board. Window openings will be double glazed. The alley walls will have metal plate reinforcement of the corners and walls as per drawings 2 & 3/SD-4, and painted metal doors.”

An elevation and rendering of the proposed new building are provided below:





Background

The property was originally surveyed in 1980, which is the date that the “Statement of Historical Significance and Property Description” were drafted and included on the Historic Resources Inventory sheet (resource number C866.1) 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 McMinnville Downtown Historic District, which includes the subject property, was listed on the National Register of Historic Places on September 14, 1987.

The Historic Resources Inventory and National Register of Historic Places nomination form both list the existing building as being constructed in 1908. The National Register of Historic Places nomination form lists that alterations to the building occurred in 1926 and 1981, with the 1981 alteration being identified as “moderate”. The applicant has conducted further research into the history of the subject site, and has identified some issues with the descriptions and classifications of the property and the years of construction. The applicant has prepared a report that they believe provides a more accurate representation of the history of the subject site. That report, which is titled “The History of Buildings at 608 and 618 Third Street, McMinnville, OR” is included as an attachment to this decision document. The proposed new building was designed to be consistent with the original building that existed on the subject site up to at least 1928. A more detailed description of the history of the subject site and building, as described by the applicant in the report, will be provided in the Conclusionary Findings in Section VII below.

Summary of Criteria & Issues

The Downtown Design Review request was submitted for review concurrently with three other land use applications, as allowed by Section 17.72.070 of the MMC. The requested new construction is being reviewed concurrently with a Historic Resources Inventory Amendment, Certificate of Approval for Demolition, and Certificate of Approval for New Construction to ultimately amend the Historic Resources Inventory classification of the subject site, allow for the demolition of the existing building on the subject property, and allow for the construction of a new building in its place that meets the applicable Downtown Design Standards and Guidelines. The Downtown Design Review request is being reviewed following the review and decision on the Historic Resources Inventory Amendment, Certificate of Approval for Demolition, and Certificate of Approval for New Construction requests.

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The application (DDR 2-19) is subject to review criteria in Section 17.59.040 of the Zoning Ordinance. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The applicant has provided findings to support the request for a Certificate of Approval for Demolition. These will be discussed in detail in Section VII (Conclusionary Findings) below.

II. CONDITIONS:

1. That the applicant shall include window details in the construction plans submitted for building permit review that depict how all of the windows on the building will be recessed.
2. That the applicant shall provide samples or examples of the exterior building colors to the Planning Department for review and approval by the Planning Director prior to application on the building.
3. That based on the building frontage of 24 linear feet, the flag sign to be mounted on the building shall not exceed 36 square feet in area. The flag sign shall be mounted in the location shown on the plans and renderings provided with the Downtown Design Review application.

III. ATTACHMENTS:

1. DDR 2-19 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

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

- McMinnville Engineering Department

No comments.

- McMinnville Building Department

After review of the items you highlighted, I believe all to be accurate but there is also a degree of judgement involved when determining feasibility. The building code “trigger” for a seismic upgrade is when the occupant load increases to 300 in this case which may not occur. That means a code required seismic upgrade may not be necessary but practically speaking it is wise.

McMinnville will someday be impacted by a significant quake and the building has really no chance of surviving, even in a ruined condition. It will likely be flat and if it does not immediately collapse, it will negatively affect the neighboring buildings due to the lack of separation.

Structurally, almost anything is possible but the cost probably makes it infeasible. The structural engineer makes a similar point.

- McMinnville Fire Department

We have no issues with this proposal. It is already noted that they plan on a fire protection system throughout.

- McMinnville Water and Light

MW&L has no comments at this time.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, July 16, 2019. As of the date of the Historic Landmarks Committee public hearing on July 25, 2019, no public testimony had been received by the Planning Department.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Ernie Munch, on behalf of owner Historic 3rd and Ford, LLC, submitted the Downtown Design Review application (HL 3-19) on May 15, 2019.
2. The application was deemed incomplete on June 5, 2019. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on June 12, 2019.
3. The application was deemed complete on June 27, 2019. Based on that date, the 120 day land use decision time limit expires on December 24, 2019.
4. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas.

Comments received from agencies are addressed in the Decision Document.

5. Notice of the application and the July 25, 2019 Historic Landmarks Committee public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.65.070(C) of the Zoning Ordinance on Friday, July 5, 2019.
6. Notice of the application and the July 25, 2019 Historic Landmarks Committee public hearing was published in the News Register on Tuesday, July 16, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance. The Downtown Design Review application does not require notification of the public hearing, but because the application was submitted concurrently with three other land use applications, all four applications are reviewed under the hearing procedure that affords the most opportunity for public hearing and notice, per Section 17.72.070 of the Zoning Ordinance.
7. No public testimony was submitted to the Planning Department prior to the Historic Landmarks Committee public hearing.
8. On July 25, 2019, the Historic Landmarks Committee held a duly noticed public hearing to consider the request.

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VI. FINDINGS OF FACT – GENERAL FINDINGS

1. **Location:** 618 NE 3rd Street. The property identified as Tax Lot 10402, Section 21BC, T. 4 S., R. 4 W., W.M.
2. **Size:** Approximately 2,350 square feet.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Downtown Design Standards Area (per Section 17.59.020(A) of the Zoning Ordinance); Reduced Off-Street Parking Requirements Area (per Section 17.60.100); Reduced Landscaping Requirements Area (per Section 17.57.080).
6. **Current Use:** Retail Commercial
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** Historic Resources Inventory – Resource Number B1147. Primary Significant Contributing property in the McMinnville Downtown Historic District.
 - b. **Other:** None
8. **Other Features:** There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
 - a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site.
 - c. **Sewer:** Sanitary sewer service is available to the subject site.
 - d. **Stormwater:** Storm sewer service is available to the subject site.
 - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site is adjacent to NE Third Street, which is identified as a major collector in the McMinnville Transportation System Plan. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for major collector streets as 74 feet. The right-of-way width adjacent to the subject site is only 60 feet, but the site is fully developed and within an area with historic buildings constructed up to the property line. Therefore, no right-of-way dedication is required during the course of development of the properties adjacent to NE Third Street. The site is also bounded on the south by a public right-of-way in the form of a 10 foot wide alleyway.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Downtown Design Review request are specified in Section 17.59.040 of the Zoning Ordinance.

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

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Comprehensive Plan Volume II:

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

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

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

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

APPLICANT’S RESPONSE: 618 NE Third Street can be considered a significant site, but not a contributing structure.

The original building on this site was constructed circa 1911 by Sarah A. and James L. Fletcher and first housed the Standard Electric Co. That business which was first listed in 1909, was owned by business partners James L. Fletcher and Harry O. Wheeler. The business was then located on "Third Street between D and E streets". In 1910, Fletcher was listed as the sole proprietor of Standard, and at that same address. (Wheeler went into the clothing business.) The electrical supply store is shown on the 1912 Sanborn map and listed at that address in the 1915 directory. Shortly after moving Standard to 616 Third Street (now 618 NE Third Street), Fletcher sold the business to Oliver E. Vanoose, who was listed as a McMinnville Water & Light Commissioner, in 1909.

From 1913 to 1923, the Standard Electric Company was owned by Milton H. McGuire. The business was also listed as McGuire Electric during that period. When McGuire began his employment with McMinnville Power & Light in 1920, he moved the business to 413 East Third Street and hired electrician Howard Miller manage the store. By 1923, Miller owned the company and name had changed to Miller Electric. In 1927, the building at 618 East Third Street was occupied by the McMinnville Plumbing Co.

In 1932, the property at 608 and 618 NE Third Street was sold by the widowed Sarah A. Fletcher. Two couples, W. C. Hagerty and Lila Haggerty, and H.L. Toney and Pearl Toney purchased the property. Later, the building at 618 NE Third Street was incorporated into the adjacent Taylor Hardware business, which had been operating at 608 NE Third Street since 1918. The Hagerty and Toney heirs sold the property to the Taylor-Dale Hardware Co. in 1964. After Taylor Hardware closed its doors in 1993, 618 NE Third Street housed a coffee-roasting business, a shop for an adjacent furniture store and a bead shop.

In retrospect, the most notable figure to be associated with the site was Milton H. McGuire who, after he sold the Standard Electric Company, went on to become the superintendent of the electric division of McMinnville Water & Light, and then the manager of the electric and power division. McGuire led that division through major expansions and to national recognition, until 1957. His stewardship is defined as "The McGuire Years" by that organization. The founding of McMinnville Water & Light and its expansion and continuance as a locally-owned utility was a key to the growth and success of present day McMinnville.

During McGuire's occupation of this site, the building appeared as it did in the, circa 1920 photo, as seen in Figure 16 of the attached history report.

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After that photo was taken, between 1928 and 1948, whether at once or in stages, the building had its east and west walls and roof removed. A new roof was built that extended to the walls of its neighbors on either side. A new concrete floor slab was poured, and the NE Third Street facade was replaced. Two additions were made to the south as well. Those additions were altered later to reestablish a stairway allowing egress from the second floor brick building at 618 Northeast Third Street. All that remains of the building once occupied by Milton McGuire is some of the brick-embossed metal siding from the original street facade which was recycled beside the rear stairway and on a large sliding door off the alley.

The current building has no architectural merit or clearly identifiable style. The national inventory's designation of the 618 building style as "Craftsman" is both ironical and erroneous. The stepped eave and stucco finish are clumsy attempts to imitate its neighbor to the east which is vaguely Dutch in architectural style. The original thin lined, tripartite storefront facade with recessed entry was removed and replaced by a heavy, two bay, unbalanced, misaligned mixture of doors, windows and a blank panel. The existing north street facade and south alley additions give the appearance of a hodge-podge of piecemeal, ill-considered, ill-proportioned, poorly crafted, and under-funded work.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the research and evidence provided in the history report attached to the application materials support the proposed new construction and its relationship to the historic significance of the subject site.

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

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

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

APPLICANT'S RESPONSE: None.

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

McMinnville Zoning Ordinance

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

Chapter 17.03. General Provisions

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

APPLICANT’S RESPONSE: None.

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

17.59.020 Applicability.

- A. The provisions of this Chapter shall apply to all lands located within the area bounded to the west by Adams Street, to the north by 4th Street, to the east by Kirby Street, and to the south by 1st Street. Lands immediately adjacent to the west of Adams Street, from 1st Street to 4th Street, are also subject to the provisions of this Chapter.
- B. The provisions of this ordinance shall apply to the following activities conducted within the above described area:
 - 1. All new building construction;
 - 2. Any exterior building or site alteration; and,
 - 3. All new signage.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The subject site is located in the Downtown Design area. The proposal includes new building construction, so the provisions of the Downtown Design Standards and Guidelines chapter are applicable. Findings for the proposed new construction’s consistency with the applicable requirements of the Downtown Design Standards and Guidelines chapter are provided below.

17.59.030 Review Process.

- A. An application for any activity subject to the provisions of this ordinance shall be submitted to the Planning Department and shall be subject to the procedures listed in (B) through (E) below.
- B. Applications shall be submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040. The application shall include the following information:
 - 1. The applicant shall submit two (2) copies of the following information:
 - a. A site plan (for new construction or for structural modifications).
 - b. Building and construction drawings.
 - c. Building elevations of all visible sides.
 - 2. The site plan shall include the following information:
 - a. Existing conditions on the site including topography, streetscape, curbcuts, and building condition.
 - b. Details of proposed construction or modification to the existing structure.
 - c. Exterior building elevations for the proposed structure, and also for the adjacent structures.
 - 3. A narrative describing the architectural features that will be constructed and how they fit into the context of the Downtown Historic District.
 - 4. Photographs of the subject site and adjacent property.

5. Other information deemed necessary by the Planning Director, or his/her designee, to allow review of the applicant's proposal. The Planning Director, or his/her designee, may also waive the submittal of certain information based upon the character and complexity (or simplicity) of the proposal.
- C. Review Process
1. Applications shall be submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040. The Planning Director shall review the application and determine whether the proposed activity is in compliance with the requirements of this ordinance.
 2. The Planning Director may review applications for minor alterations subject to the review criteria stated in Section 17.59.040. The Historic Landmarks Committee shall review applications for major alterations and new construction, subject to the review criteria stated in Section 17.59.040. It shall be the Planning Director's decision as to whether an alteration is minor or major.
 3. Notification shall be provided for the review of applications for major alterations and new construction, subject to the provisions of Section 17.72.110.
 - a. The Historic Landmarks Committee shall meet within 30 (thirty) days of the date the application was deemed complete by the Planning Department. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action on the plans. A failure by the Planning Director or Historic Landmarks Committee, as applicable, to review within 30 (thirty) days shall be considered an approval of the application.
 - b. If the Planning Director or Historic Landmarks Committee, as applicable, finds the proposed activity to be in compliance with the provisions of this ordinance, they shall approve the application.
 - c. If the Planning Director or Historic Landmarks Committee, as applicable, finds the proposed activity in noncompliance with the provisions of this ordinance, they may deny the application, or approve it with conditions as may be necessary to bring the activity into compliance with this ordinance.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The applicant submitted an application as required, and the application was reviewed by the Historic Landmarks Committee as it consists of new construction. Notification was provided to property owners within 300 feet of the subject site, which exceeds the distance required by Section 17.72.110. However, the application was submitted concurrently with three other land use applications, so all four applications are reviewed under the hearing procedure that affords the most opportunity for public hearing and notice, per Section 17.72.070 of the Zoning Ordinance. The other three land use applications required a 300 foot notification distance, which was used for the Downtown Design Review application as well.

17.59.040 Review Criteria

- A. In addition to the guidelines and standards contained in this ordinance, the review body shall base their decision to approve, approve with conditions, or deny the application, on the following criteria:
1. The City's historic preservation policies set forth in the Comprehensive Plan;
 2. If a structure is designated as a historic landmark on the City's Historic Resources Inventory or is listed on the National Register for Historic Places, the City's historic preservation regulations in Chapter 17.65, and in particular, the standards and guidelines contained in Section 17.65.060(2); and

APPLICANT'S RESPONSE: The applicant's response to the historic policies in the Comprehensive Plan are provided in the Applicant's Response to the applicable Comprehensive Plan goals and policies above.

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The project will honor the site and the significant person that occupied the site by rebuilding the storefront and cornice of the building that stood there when the site was occupied by Milton H. McGuire. It will help memorialize his contribution to an institution important to the success of McMinnville.

The added second floor will be in the style of the building when occupied by Mr. McGuire.

The project will be a model for new construction in the historic district in its compliance with the adopted design guidelines for the downtown historic district. It will fit into the architecture of the district.

The project will engage pedestrians with the use inside the building.

The project will be an historical education resource within the district and engage visitors with the town. It will add meaning to the built environment and a specific site.

The project will help memorialize a significant person and organization in McMinnville's past.

The project will support the economic success of the restored Taylor-Dale building and add to the economy of the district.

The project will both attract and accommodate additional visitors to the City.

FINDING: SATISFIED. The City concurs with the applicant's findings. The City adds that the standards and guidelines contained in Section 17.65.060(2) are also applicable because the subject site is classified as a Significant resource on the Historic Resources Inventory, based on the review and approval of the concurrent land use application submitted by the applicant for a Historic Resources Inventory Amendment.

The standards and guidelines in Section 17.65.060(2), and findings for those standards, are provided below:

- 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: The subject site, which is classified as a historic resource, contained a building but a concurrent request was made to demolish the existing building on the property. Therefore, the subject site would be vacant following the completion of the approved demolition of the building that did exist on the site, so there would be no distinctive materials or features to retain. The proposed new construction is designed to incorporate architectural features that mimic the original building that existed on the site, which results in reconstruction that carries forward some of the past history and significance of the subject site.

- 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: As stated above, the proposed new construction is designed to incorporate architectural features that mimic the original building that existed on the site, which results in reconstruction that carries forward some of the past historical character of the subject site.

- 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.
- 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.
- 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: The subject site, which is classified as a historic resource, contained a building but a concurrent request was made to demolish the existing building on the property. Therefore, the subject site would be vacant following the completion of the approved demolition of the building that did exist on the site, so there would be no historically significant materials or features to retain or protect during the proposed new construction.

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

Finding: There are no known archeological resources on the subject site.

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

Finding: The most applicable treatment within the Secretary of the Interior's Guidelines for Historic Preservation is the Reconstruction treatment, which is defined as follows:

“The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.”

The Standards for Reconstruction, as documented in the Secretary of the Interior's Guidelines for Historic Preservation, are as follows:

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.
2. Reconstruction of a landscape, building, structure or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.
3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on

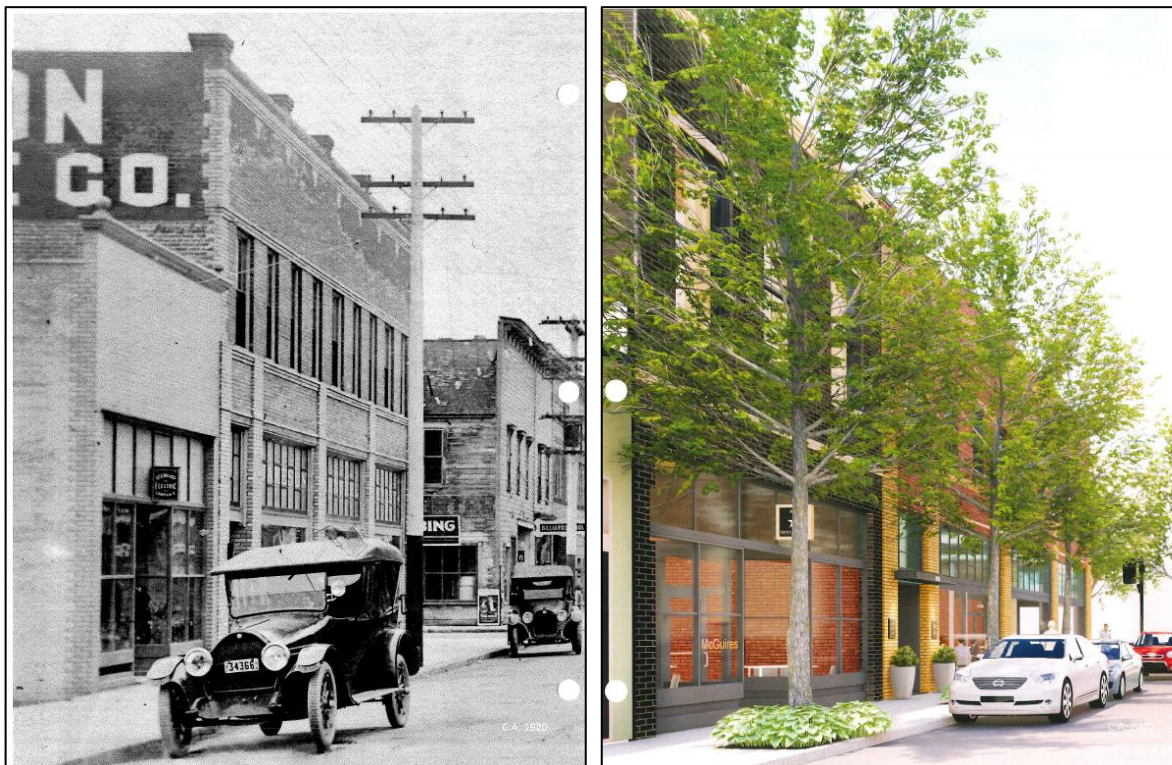
conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

5. A reconstruction will be clearly identified as a contemporary re-creation.
6. Designs that were never executed historically will not be constructed.

The proposed new construction is consistent with the Standards for Reconstruction. The applicant has designed the new building to incorporate architectural features that mimic the original building that existed on the site, which results in reconstruction that carries forward some of the past history and significance of the subject site. The applicant has conducted further research into the history of the subject site, and has prepared a report that they believe provides a more accurate representation of the history of the existing building and subject site. That report, which is titled “The History of Buildings at 608 and 618 Third Street, McMinnville, OR” is included as an attachment to this decision document. That report contains evidence of the original building that existed on the site, and that evidence was used by the applicant, to the extent possible based on the available information, to inform the design of the new building. The applicant has based the new building’s design, particularly the storefront windows, recessed entrance, decorative cornice, and finials on a circa 1920 photograph of the original building.

While these features are intended to be recreated and mimic the original building that existed on the site, the building contains other features that ensure that it is clearly identified as a contemporary re-creation. The new building is proposed to include a second story, which did not exist on the original building. The second story will have a repetitive window pattern and similar massing to adjacent buildings, along with other architectural features included to meet applicable Downtown Design Standards that will be discussed in more detail below.

The circa 1920 photograph of the original building and a rendering of the proposed building design are provided below:



Attachments :

Attachment 1 – Application and Attachments

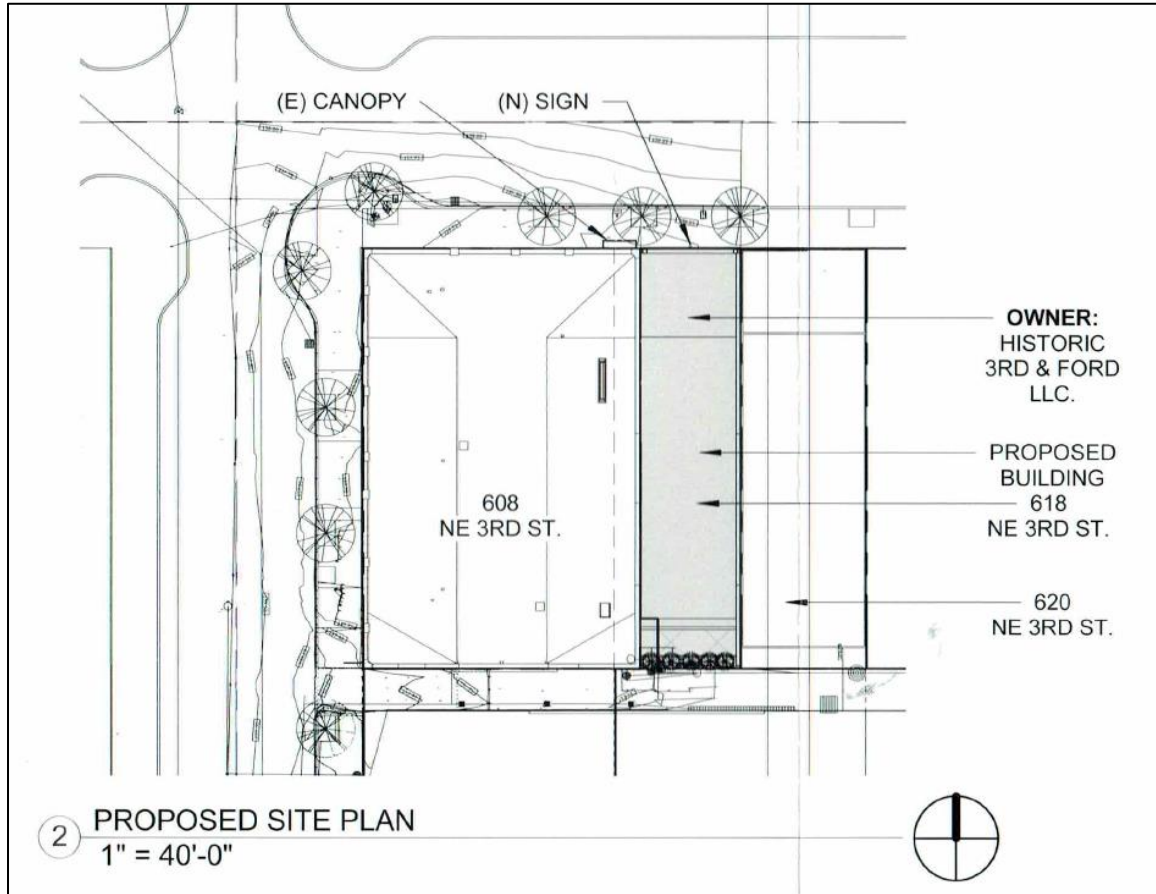
17.59.050 Building and Site Design.

A. Building Setback.

1. Except as allowed by this ordinance, buildings shall maintain a zero setback from the sidewalk or property line.

APPLICANT’S RESPONSE: With the exception of recessed doorways, the structure will be built to the sidewalk and rear property lines.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The proposed site plan for the building and development show construction of the new building with zero setbacks from the property lines:



17.59.050 Building and Site Design.

A. Building Setback.

2. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or rear access for public pedestrian walkways.

APPLICANT’S RESPONSE: NA. No exceptions are requested.

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

17.59.050 Building and Site Design

B. Building Design.

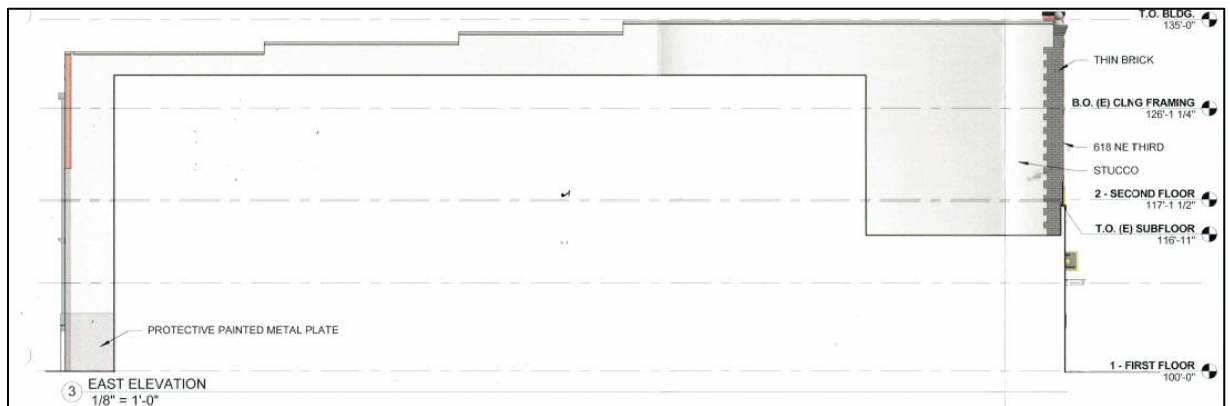
1. Buildings should have massing and configuration similar to adjacent or nearby historic buildings on the same block. Buildings situated at street corners or intersections should be, or appear to be, two-story in height.

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APPLICANT’S RESPONSE: The proposed mid-block structure will be two stories and the same height as the building to the west, 608 NE Third Street.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The new building will be the same height as the Taylor Dale building immediately to the west at 608 NE 3rd Street. The building will include a parapet wall that steps down from the north to the south to conceal the sloped roof, but still have the appearance of a flat roofline that is consistent with the adjacent building to the east. This parapet wall will be visible along the east façade. The renderings and elevation drawings depict a building massing and configuration that is consistent to the adjacent buildings on the same block.



17.59.050 Building and Site Design

B. Building Design. [...]

2. Where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the underlying historic property lines. This can be done by varying roof heights, or applying vertical divisions, materials and detailing to the front façade.

APPLICANT’S RESPONSE: While the new construction will technically be an addition to the Taylor-Dale Building to the west, it will appear to be a separate building. The facade of the new construction will match the ground floor and cornice of the structure that was built in 1911, documented in a 1919-1920 photo and remained on site until at least 1928. The new

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construction will have a second story inserted between the ground floor facade and the cornice allowing it to match the height of the existing Taylor-Dale building to the west. The new construction will be differentiated from the Taylor-Dale building by the coloring and pattern of face brick, fenestration on the first and second stories, and parapet decoration. It will be in the Victorian-Italianate architecture of the original building on this site.

FINDING: SATISFIED. The new building will only be approximately 24 feet in width. Therefore, the front façade will not exceed the historical sixty foot building width. The proposed front façade does include symmetrical and repetitive window patterns across the entire façade, which provides for an appropriate building scale and visual patterns that are similar to other adjacent historic buildings.

17.59.050 Building and Site Design

- B. Building Design. [...]
- 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include:
 - a. A belt course separating the upper stories from the first floor;

APPLICANT'S RESPONSE: The new construction will have a belt course separating the upper story from the first floor. The belt course shown in Figure 1/SD-4 is thin brick two courses high. It could be broadened to three courses, or realized in sheet metal matching the cornice above but in a different profile. The belt course will not align with the belt course of 608.

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

17.59.050 Building and Site Design

- B. Building Design. [...]
- 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
- b. A bulkhead at the street level;

APPLICANT'S RESPONSE: The new construction will have a bulkhead at the street level. The bulkhead will be painted wood on a concrete curb. The form of the bulkhead will match that appearing on the cover of the cover of The History Report. It appears to be a solid panel in the recessed entry, but perhaps vented at the sidewalk for the two flanking bays. Perhaps the vents worked in concert with a high vent in the roof to provide natural ventilation for the Standard Electric Company.

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

17.59.050 Building and Site Design

- B. Building Design. [...]
- 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
- c. A minimum of seventy (70) percent glazing below the transom line of at least eight feet above the sidewalk, and forty (40) percent glazing below the horizontal trim band between the first and second stories. For the purposes of this section, glazing shall include both glass and openings for doorways, staircases and gates;

APPLICANT'S RESPONSE: The new construction will have seventy one (71) percent glazing below the transom line nine feet above the sidewalk, and sixty four (64) percent glazing below the horizontal trim band between the first and second stories.

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

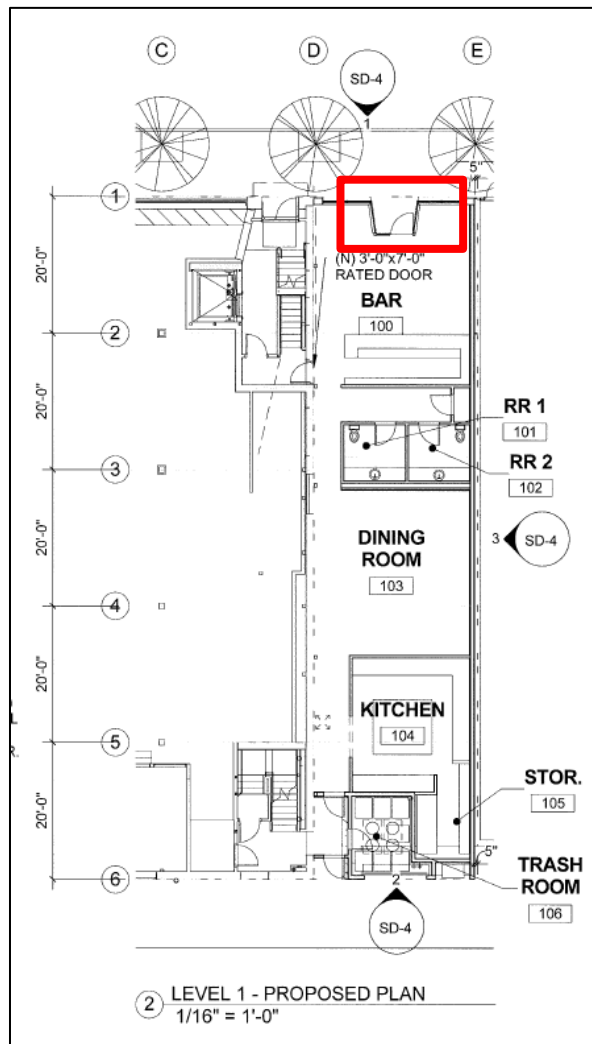
17.59.050 Building and Site Design

- B. Building Design. [...]
 - 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
 - d. A recessed entry and transom with transparent door; and

APPLICANT’S RESPONSE: The new construction will have a recessed entry and transom with transparent door matching the original to the extent possible.

For want of a better model, the door will match the Third Street doors on the adjacent Taylor-Dale building. The recessed entry will be sloped between 1/8” and 1/4” per foot toward the street. The door will be offset from center with a side light and transom. The off-set will allow for necessary accessible clearances.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The floor plan and rendering provided with the application materials depicts the recessed entry proposed within the storefront window system.





17.59.050 Building and Site Design

- B. Building Design. [...]
 - 3. Storefronts (that portion of the building that faces a public street) should include the basic features of a historic storefront, to include: [...]
 - e. Decorative cornice or cap at the roofline.

APPLICANT’S RESPONSE: The new construction will have a decorative cornice or cap made of sheet metal like that of the cornice of the original building on the site.

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

17.59.050 Building and Site Design

- B. Building Design. [...]
 - 4. Orientation of rooflines of new construction shall be similar to those of adjacent buildings. Gable roof shapes, or other residential roof forms, are discouraged unless visually screened from the right-of-way by a false front or parapet.

APPLICANT’S RESPONSE: The new construction will have a false front and low parapet matching that of the original building on the site. The plane of the roof structure will match that of the building at 608, sloping from the Third Street facade to the rear alley for drainage.

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

17.59.050 Building and Site Design

- B. Building Design. [...]

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Attachment 1 – Application and Attachments

5. The primary entrance to a building shall open on to the public right-of-way and should be recessed.

APPLICANT’S RESPONSE: The primary entrance to a building will open onto the NE Third Street sidewalk and be recessed.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The floor plan and rendering provided with the application materials depicts the recessed entry proposed within the storefront window system, as shown in the finding for Section 17.59.050(B)(3)(d) above.

17.59.050 Building and Site Design

- B. Building Design. [...]
 6. Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.

APPLICANT’S RESPONSE: The windows will be recessed and not flush or project from the surface of the outer wall. They will, to the extent possible match those. In addition, upper floor window orientation primarily will be vertical. All glass will be insulated as to meet the state energy code. The window muntins will deviate from the original to accept the insulated glass and meet structural requirements for lateral and vertical loads. The transom glass will be ribbed glass, to the extent allowed by the state energy code.

FINDING: SATISFIED WITH CONDITION #1. The City concurs with the applicant’s findings, but adds that no detail for the windows was provided and the applicant’s finding is incomplete in that it does not reference what windows the new windows will match. Therefore, a condition of approval is included to require that the construction plans submitted for the new building include window details depicting that all of the windows on the building will be recessed.

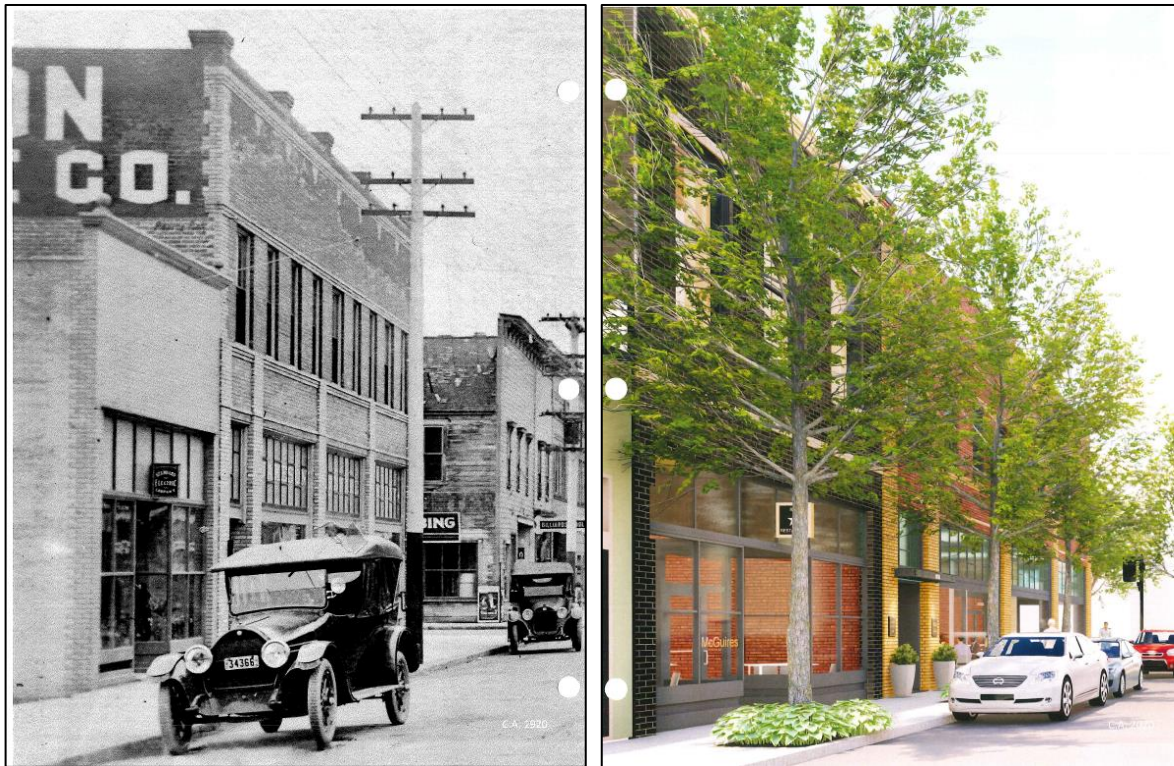
17.59.050 Building and Site Design

- B. Building Design. [...]
 7. The scale and proportion of altered or added building elements, such as new windows or doors, shall be visually compatible with the original architectural character of the building.

APPLICANT’S RESPONSE: The cornice and storefront will visually match the original building on the site. The second floor windows will be visually compatible with the scale, proportion and style of the building elements of the original building on the site.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The original building on the site that is referenced by the applicant is the building that was documented in the History Report (attached to application materials) as existing on the site until at least 1928. The proposed storefront window system and main building entrance were designed based on a circa 1920 photograph of the original building. The new building will be two stories in height, which is not similar to the original building on the site but is proposed to meet other required design standards as described in the findings for Section 17.59.050(B)(1) and 17.59.050(B)(4) above.

The circa 1920 photograph of the original building and a rendering of the proposed building design are provided below:



17.59.050 Building and Site Design

B. Building Design. [...]

8. Buildings shall provide a foundation or base, typically from ground floor to the lower windowsills.

APPLICANT’S RESPONSE: In keeping with the design of the original building on this site and the style of that building, the design of new facade will have a concrete base under the facade's bulkhead panels.

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

17.59.050 Building and Site Design

C. Building Materials.

1. Exterior building materials shall consist of building materials found on registered historic buildings in the downtown area including block, brick, painted wood, smooth stucco, or natural stone.

APPLICANT’S RESPONSE: The exterior materials will include: Thin brick, painted wood, and smooth stucco, transparent and ribbed glass, and a decorative sheet metal cornice. Sheet metal flashing will also be seen under the upper windows

FINDING: SATISFIED. The City concurs with the applicant’s findings. The specific locations and application of the stated building materials are shown in more detail in the elevation drawings:

Attachments :

Attachment 1 – Application and Attachments



17.59.050 Building and Site Design

C. Building Materials. [...]

2. The following materials are prohibited for use on visible surfaces (not applicable to residential structure):
 - a. Wood, vinyl, or aluminum siding;
 - b. Wood, asphalt, or fiberglass shingles;
 - c. Structural ribbed metal panels;
 - d. Corrugated metal panels;
 - e. Plywood sheathing, to include wood paneling such as T-111;
 - f. Plastic sheathing; and
 - g. Reflective or moderate to high grade tinted glass.

APPLICANT’S RESPONSE: The exterior materials will not include the following prohibited materials: Wood, vinyl, or aluminum siding; Wood, asphalt, or fiberglass shingles; Structural ribbed metal panels; Corrugated metal panels; Plywood sheathing, to include wood paneling such as T-111; Plastic sheathing; and Reflective or moderate to high grade tinted glass.

The storefront mullions and second floor windows will be custom milled, painted wood. A thin brick will be used as a substitute for the brick embossed metal siding used to clad the facade of the original building on this site. The decorative cornice molding and finials may be painted sheet metal.

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

17.59.050 Building and Site Design

C. Building Materials. [...]

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3. Exterior building colors shall be of low reflective, subtle, neutral or earth tone color. The use of high intensity colors such as black, neon, metallic or florescent colors for the façade of the building are prohibited except as may be approved for building trim.

APPLICANT’S RESPONSE: Exterior building colors of low reflective, subtle, neutral or earth tone color shall be submitted for approval before they are applied to the building.

FINDING: SATISFIED WITH CONDITION #2. A condition of approval is included to require that samples or examples of the exterior building colors be provided to the Planning Department for review and approval by the Planning Director prior to application on the building.

17.59.080 Signs.

- A. The use of flush-mounted signs, flag-mounted signs, window signs, and icon signs are encouraged. Sign materials shall be compatible with materials used in the building.
- B. Where two or more businesses occupy the same building, identifying signs should be grouped together to form a single panel.
- C. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms; on cornice fascia boards; or, below cornices. Wall signs shall not exceed the height of the building cornice.
- D. For every lineal foot of building frontage, 1.5 square feet of signage may be allowed, to a maximum of 200 square feet.
- E. The use of the following are prohibited in the downtown area:
 1. Internally-lit signs;
 2. Flashing signs
 3. Pedestal signs and pole-mounted signs;
 4. Portable trailer signs;
 5. Cabinet-type plastic signs;
 6. Billboards of all types and sizes;
 7. Historically incompatible canopies, awnings, and signs;
 8. Signs that move by mechanical, electrical, kinetic or other means; and,
 9. Inflatable signs, including balloons and blimps. (Ord. 4797 §1, 2003).

APPLICANT’S RESPONSE: Signage will rely on a flag sign similar to that shown in the historical photo, and window signage.

FINDING: SATISFIED WITH CONDITION #3. The City concurs with the applicant’s findings. A condition of approval is included to confirm that, based on the building frontage of 24 linear feet, the flag sign to be mounted on the building shall not exceed 36 square feet in area. The condition also states that the flag sign will be mounted in the location shown on the plans and renderings provided with the application materials.

CD