



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

503-434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR THE APPROVAL OF NEW CONSTRUCTION ON A HISTORIC SITE LOCATED AT 618 NE THIRD STREET**

- DOCKET:** HL 3-19 (Certificate of Approval for New Construction)
- REQUEST:** Approval of new construction of a two-story building on a historic site located in the McMinnville Downtown Historic District and listed on the McMinnville Historic Resources Inventory. Based on a concurrent request to amend the Historic Resources Inventory, the property that the new building would be constructed upon is designated as a Significant historic resource on the Historic Resources Inventory.
- LOCATION:** 618 NE 3<sup>rd</sup> 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 3<sup>rd</sup> 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 2<sup>nd</sup> Street, McMinnville, Oregon.
- PROCEDURE:** An application for a Certificate of Approval for New Construction is processed in accordance with the procedures in Section 17.65.050 of the McMinnville Municipal Code.
- CRITERIA:** The applicable criteria for a Certificate of Approval for New Construction are specified in Section 17.65.050(B) 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 17.65.080 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

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Attachment 1 – Application and Attachments

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, 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 and **APPROVES** the Certificate of Approval for New Construction (HL 3-19).

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**RECOMMENDATION: APPROVAL**  
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Planning Staff:   
Chuck Darnell, Senior Planner

Date: July 30, 2019

Planning Department:   
Heather Richards, Planning Director

Date: July 30, 2019

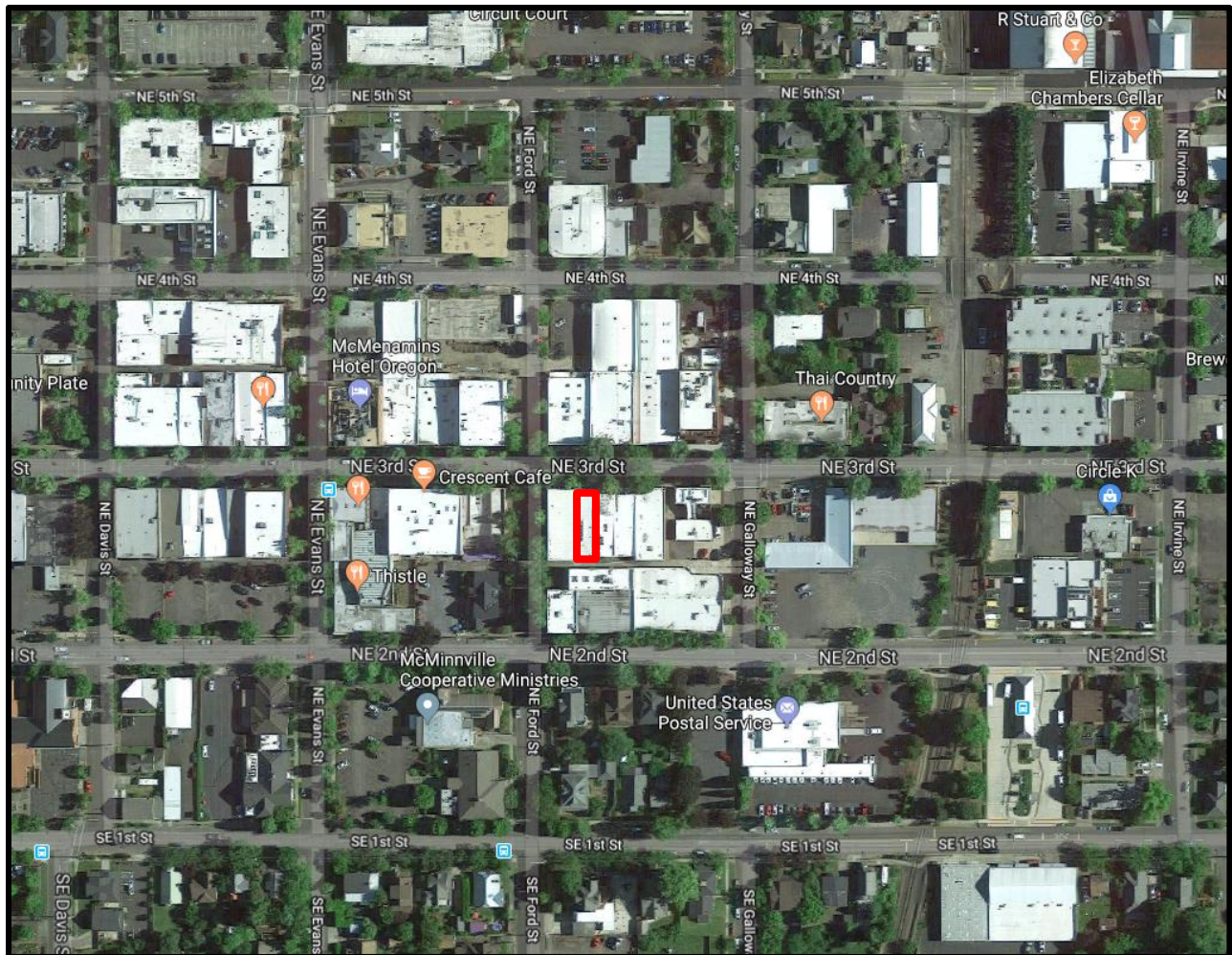
**I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of the subject site(s) 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 3<sup>rd</sup> 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 Certificate of Approval for New Construction 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 was based on the previous building that was located on the property, which

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Attachment 1 – Application and Attachments

was requested to be demolished as a concurrent application with this Certificate of Approval for New Construction application.

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

“It is proposed to remove the existing structure at 618 NE Third Street and replace it with a two story structure which recalls the original structure on that site.

The new structure will take advantage of the improvements currently being made to the adjacent Taylor-Dale building which include a full seismic upgrade, a fire protection system, new electrical and mechanical systems, building services, and improvements for accessibility and egress.

The second floor will have two additional Vacation Rental by Owner (VRBO) units. The ground floor will be a commercial use, currently planned as a small restaurant.

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 there 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 new storefront facade will reflect the original tripartite configuration, with a central recessed entry, two lightly-constructed shop window bays with a lower base course and upper transom windows. In its new/original form, the facade will comply with the current Downtown Design Guidelines, where the existing structure falls short.”

The proposed new construction is identified in the submitted renderings and elevations below:



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Attachment 1 – Application and Attachments





The Certificate of Approval for New Construction 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 Downtown Design Review 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 Certificate of Approval for New Construction request is being reviewed following the review and decision on the Historic Resources Inventory Amendment and Certificate of Approval for Demolition requests.

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Attachment 1 – Application and Attachments

## **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 existing building and 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 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. 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 application (HL 3-19) is subject to Certificate of Approval for New Construction review criteria in Section 17.65.050(B) 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 specific review criteria for Certificate of Approval for Demolition requests, in Section 17.65.050(B) of the McMinnville Zoning Ordinance, require the Historic Landmarks Committee to base each decision on the following criteria:

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

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

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Attachment 1 – Application and Attachments

**II. CONDITIONS:**

None.

**III. ATTACHMENTS:**

1. HL 3-19 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.

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Attachment 1 – Application and Attachments



## **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Ernie Munch, on behalf of owner Historic 3<sup>rd</sup> and Ford, LLC, submitted the Certificate of Approval application (HL 3-19) on June 12, 2019.
2. 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.
3. 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.

4. 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.
5. 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 Certificate of Approval for New Construction 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.
6. No public testimony was submitted to the Planning Department prior to the Historic Landmarks Committee public hearing.
7. On July 25, 2019, the Historic Landmarks Committee held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** 618 NE 3<sup>rd</sup> 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:**

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Attachment 1 – Application and Attachments

- 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:** The site is generally flat, and is fully developed. 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 Certificate of Approval for New Construction are specified in Section 17.65.050(B) 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.

### **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.

A building on this site was constructed circa 1911 by Sara A and James L. Fletcher, who owned the property and the adjacent corner lot #4. That building was 20 feet wide, wood framed, metal clad, and housed the Standard Electric Co., a business which was listed in the 1909 McMinnville directory as owned by James L. Fletcher and a Harry O. Wheeler. At that time, the business was located on Third Street between D and E streets. In 1910, Fletcher was listed as the sole proprietor of Standard at the same address. 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 and Light Commissioner, in the 1909 directory.

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 was sold by the widowed, Sarah Fletcher to W. C. Hagerty and Lila Haggerty, and H.L. Toney and Pearl Toney. Later, the building was incorporated into the adjacent Taylor Hardware business, at 608 SW Third Street. The heirs of Hagerty and Toney 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 attached circa 1920 streetscape photo, a 1927 overview photo, and a 1928 Sanborn map. Afterward, in the period between 1928 and 1948, (the date of the next Sanborn map), the building became an adjunct to the Taylor Hardware business at 618 NE Third Street. Its east and west walls and roof were removed, and a new roof was built, extending the full 24 feet between its east and west neighbors. A new concrete floor slab was poured to match the height of a regraded graded Third Street. The Third Street façade was replaced, and two additions were made to the south. The last of those additions was modified afterward to reestablish a stairway allowing egress from the second floor of the two story brick building to the west, at 618 NE Third Street.

All that remains of the building that was once occupied by Milton McGuire is a portion of the brick embossed metal siding from the original Third Street façade which was recycled on the side of the rear stairway and a large sliding door facing the back 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 is a clumsy attempt to imitate its neighbor to the east which is vaguely Dutch in architectural style. The original thin lined, tripartite storefront façade, with recessed entry was removed and replaced by a heavy, two bay, unbalanced, misaligned mixture of doors, windows and a blank panel.

The original building on the site was much more the model for buildings in the Downtown Historic District when compared through the lens of the adopted design criteria. The current façade does not meet the following design criteria of section 17.59.050,B,(3):

b. A bulkhead at the street level: Sub-RESPONSE: There is no bulkhead for half of the building façade because of a three-part, large vehicle door. On the other half the area under the windows is distinguished from the wall finish by neither material, finish, color, nor design.

d. A recessed entry and transom with transparent door; Sub-Response: The entry is not recessed. The original entry was recessed.

e. Decorative cornice or cap at the roofline. Sub-Response: There is no decorative element on the cornice to match the adjacent building at 620 NE Third Street which 618 clumsily tries to copy. The original façade had a molded cornice and finials.

17.59.050, B, (5). The primary entrance to a building shall open on to the public right-of-way and should be recessed. Sub-RESPONSE: The primary entrance to the building is not recessed. The entrances to the original building and the proposed building was and will be recessed.

17.59.050, B, (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. Sub-RESPONSE: The scale and proportion of altered or added building elements, such as new windows or doors, ARE NOT visually compatible with the original architectural character of the as documented in the 1918-1920 photo. The existing storefront lacks the proportion, delicateness and elegance of the original storefront.

17.59.050, B, (8). Buildings shall provide a foundation or base, typically from ground floor to the lower windowsills. Sub-RESPONSE: The existing storefront has no base below the lower windows. The stucco wall finish runs down to the sidewalk. The proposed rendition of original storefront will add the foundation under the sill of the bulkhead.

The proposal to remove the existing façade and create a near replica of the original façade will correct the design errors and craftsmanship of the current façade, and thus make a greater contribution to the Downtown Historic District as a whole.

The current north street façade 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. The details of the proposed new construction will be described in more detail in findings for applicable Certificate of Approval for New Construction review criteria below.

**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 a Certificate of Approval 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**

**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.

**17.65.050 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.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The applicant, who is representing the property owner, filed an application and request for approval of proposed new construction that would be located on a site that is designated as a Significant resource on the Historic Resources Inventory. The subject property is also listed as a Primary Significant Contributing property within the Downtown Historic District that is listed on the National Register of Historic Places. The application was

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Attachment 1 – Application and Attachments

reviewed by the Historic Landmarks Committee within 30 days of the application being deemed complete.

**17.65.050 Demolition, Moving, or New Construction.** [...]

B. The Historic Landmarks Committee shall base its decision on the following criteria:

**17.65.050(B)(1).** *The City's historic policies set forth in the comprehensive plan and the purpose of this ordinance;*

**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.

The Purposes of the Ordinance 17.65 Historic Preservation:

Ordinance Purpose A: Stabilize and improve property values through restoration efforts;

FINDING: The owners contemplate a substantial investment in the property at 618 NE 3rd Avenue, one which will add vitality to the historic district, and support the investment already made historic building at 608 NE Third Street.

Ordinance Purpose B: Promote the education of local citizens on the benefits associated with an active historic preservation program;

FINDING: The history of McMinnville is a story of good people with foresight and business acumen acting together to build a community. Those people built alliances and institutions and left behind artifacts, many of which are focused on Downtown McMinnville's NE Third Street, its commercial axis. The properties at 608 and 618 NE Third Street tell the stories of Sarah A. and James L. Fletcher, of A.L. Jameson, Milton McGuire, and the Taylor-Dale families. The current owners are in the process of restoring the Taylor-Dale Building, a valued piece of architecture, at 608 NE Third Street and propose to honor another piece of history at 618 NE Third Street in a way which will economically support improvements at both addresses and the community's interest in the Downtown Historic District. This is being done with the care and foresight needed to sustain the artifacts and the stories for another 100 years.

Ordinance Purpose C: Foster civic pride in the beauty and noble accomplishments of the past;

FINDING: The project will use the image of an older building that once occupied the same site as a model to create a more pedestrian friendly, more elegant at the street level, and more economically viable contribution to the city. It will reflect the architecture when it was occupied by the Standard Electric Co. and Milt McGuire. McGuire was the management force which pushed McMinnville Water & Light into the modern age of electricity.

Ordinance Purpose D: Protect and enhance the City's attractions for tourists and visitors; and

FINDING: The new façade, a reflection of the original façade, will be more attractive and accessible to visitors. The ground floor use will be a key part of the experience of staying at the VRBO and in McMinnville. The second floor will provide two additional high-quality rooms for visitors.

Ordinance Purpose E: Strengthen the economy of the City.

FINDING: The proposed use and structure will accommodate more tourists and visitors in a manner appropriate to McMinnville's historic district. A ground floor commercial use is proposed.

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*Attachments:*

Attachment 1 – Application and Attachments

Linking this space with the VRBO now under construction will allow for the presentation of a high-quality experience for the visitor. This will boost McMinnville's tourism numbers and its image.

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

**17.65.050(B)(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;*

**APPLICANT'S RESPONSE:** The reconstruction of the existing one story building and its north facade as a separate building would cost more than the proposed construction of the proposed two story addition to the Taylor-Dale landmark at 608. Preliminary cost estimates for both options are attached. The cost of replicating the support systems for the one story free-standing structure tips the balance in favor of the two story addition. The return on investment would also be dramatic, for both the owner and the public. Two luxury vacation units would not exist in the single story building and the replicated supporting would lessen the amount of revenue generation space available. The 2-story option would be 86% of the cost of the 1 -story recreation of the existing facade and would be 5.4 to 6.2 times more productive than the 1 -story option.

The removal of the existing structure will allow for the construction of a replacement which is more compatible with the restored landmark at 608 NE Third Street and the historic district, friendlier and more accessible at the pedestrian level, and more reflective of the original building on this site. The proposed action will gain the economic value of additional rooms without the associated costs of providing additional stairs, another elevator and another lobby and service rooms. This will make greater use of the investment in the infrastructure now being made at Taylor-Dale building, more efficient use of the limited space available at the subject property, and greater economic gain for the community.

Additional Responses from Applicant (provided in Certificate of Approval for New Construction application question responses):

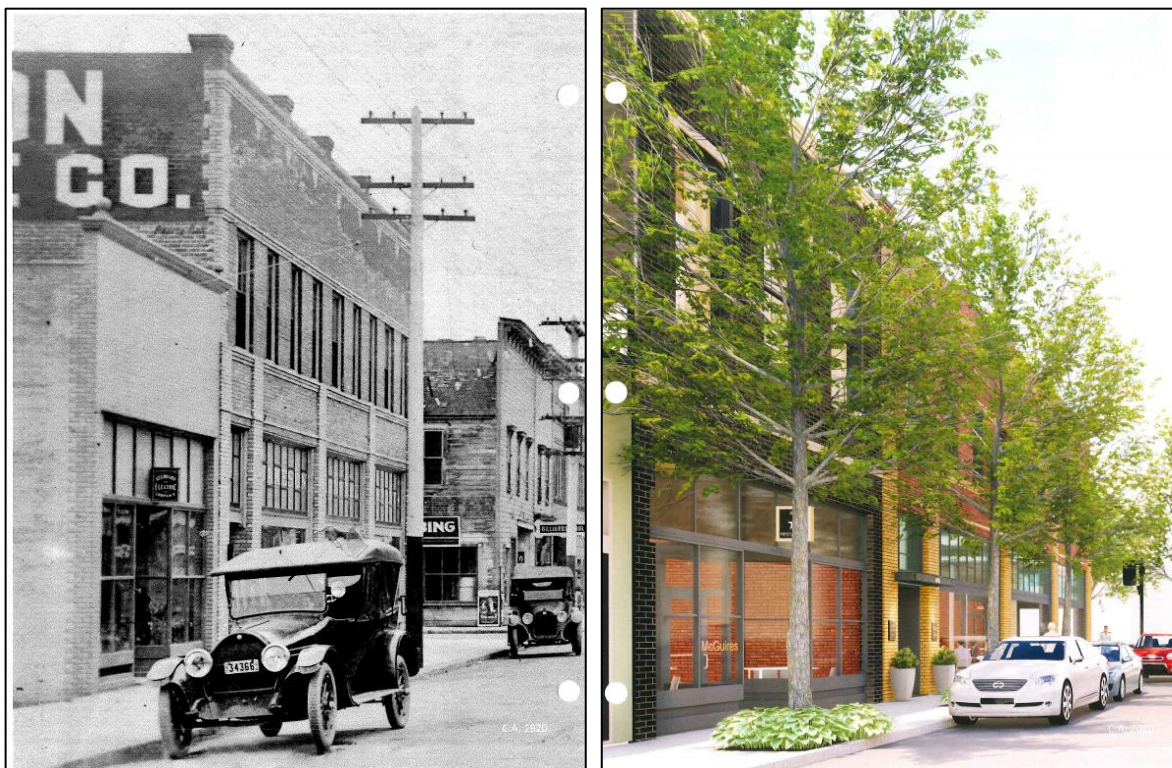
1. The existing building is mischaracterized as an historic resource. The site carries more significance than the building.
2. The proposed use and structure will accommodate more tourists and visitors in a manner appropriate to McMinnville's historic district. Two second floor VRBO units and a ground floor commercial use are proposed. Linking this space with the VRBO now under construction will allow for the presentation of a high quality experience for the visitor. This will boost McMinnville's tourism numbers and its image.

The removal of the existing structure will allow for the construction of a replacement which is more compatible with the restored landmark at 608 NE Third Street and the historic district. It will be more pedestrian friendly, more accessible, and more in tune with the original building when occupied by a person of significance to McMinnville's history. The proposed action will gain additional VRBO rooms without additional stairs, another elevator and another lobby and service rooms. This will make greater use of the investment in the infrastructure now being made at Taylor-Dale building, and more efficient use of the limited space available at the subject property.

Retention of the existing structure would hamper the accommodation of a more economical use and detract from the investment made in the adjacent Taylor-Dale Building, a Distinctive Resource.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the historic resource in this scenario is the subject site, which is classified as a Significant resource on the Historic Resources Inventory, following the review and approval of the concurrent Historic Resources Inventory Amendment request. The proposed new construction is allowed only by means of the review and approval of the additional concurrent request to demolish the existing building located upon the subject site. Again, the site itself is the historic resource based on the original building on the site and the past significant people and businesses associated with the site.

The proposed new construction will include 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 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. The circa 1920 photograph of the original building and a rendering of the proposed building design are provided below:



**17.65.050(B)(3).** *The value and significance of the historic resource;*

**APPLICANT’S RESPONSE:** The building as it originally existed was the home of Standard Electric Co. and its owner Milton McGuire. When McGuire joined McMinnville Water & Light in 1920, he led the power and electricity divisions and became the management force which pushed that organization and McMinnville into the modern age of electricity. Only some recycled, brick-embossed metal siding from that building survives today.

The proposed project intends to save the remaining embossed metal siding for preservation and educational purposes, but it will not be used as an exterior finish.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings. The applicant has provided evidence and documentation of the history of the site and the original building that

*Attachments:*

Attachment 1 – Application and Attachments



existed on the property, as well as the prominent people and business owners that were associated with the site. Those past prominent people and businesses, as described in the applicant’s findings and the history report, along with the photographic evidence of the original building that was constructed during the period of development that represents the Primary Significant Contributing buildings in the McMinnville Downtown Historic District warranted the approval of the classification of the site as a Significant historic resource on the McMinnville Historic Resources Inventory.

Photographic evidence of the original building on the subject site is provided below:

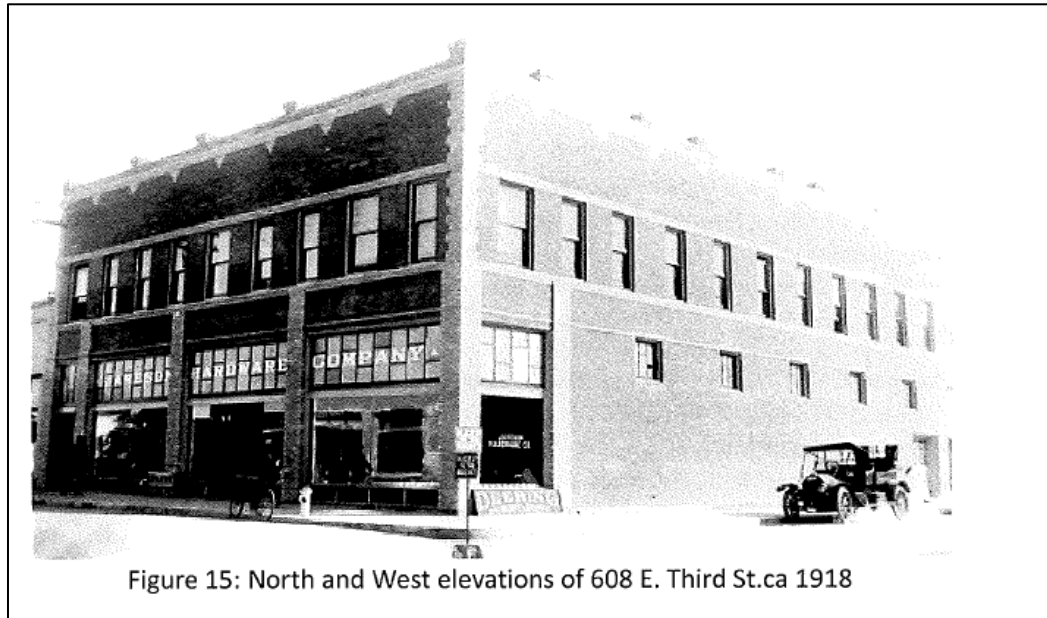


Figure 15: North and West elevations of 608 E. Third St.ca 1918



Figure 16: North facades of 618 and 608 3rd Street  
"No 3 Main Street" Undated, Thought to be ca 1918-1920

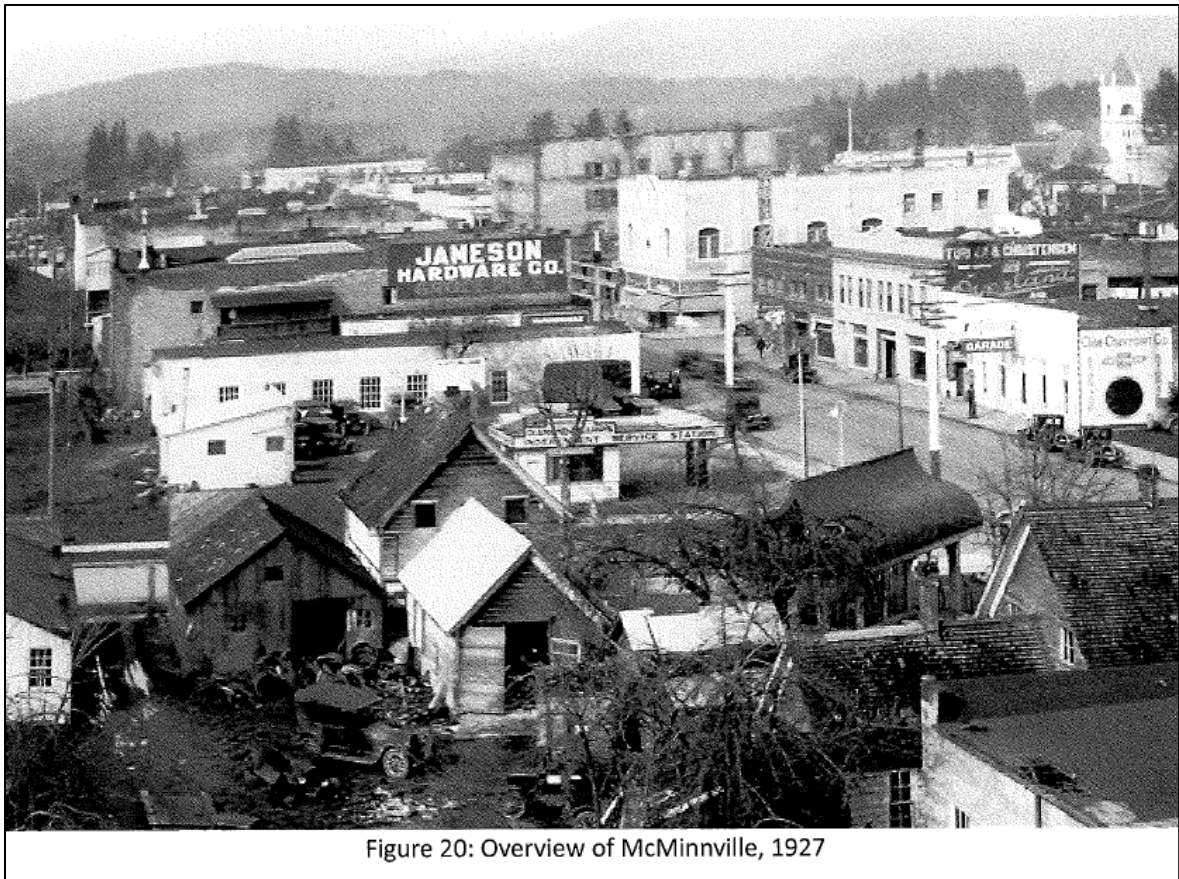


Figure 20: Overview of McMinnville, 1927

**17.65.050(B)(4).** *The physical condition of the historic resource;*

**APPLICANT'S RESPONSE:** Currently the building is in poor condition. It has no east or west walls or lateral system in either direction. The plumbing and electrical systems are out of date and partially nonfunctional. The flat slab concrete floor is no longer flat. It is either sinking along the east and west sides or rising in the center. Photos are attached.

The building requires new roofing, but the condition of the roof structure is unknown.

The building's lack of a lateral structural system constitutes a danger to the occupants of the existing building and those adjoining it. If a major remodel is undertaken the roof will need to be trimmed away from the neighboring buildings and re-supported between two new east and west walls. It is difficult to see how these walls could be built without removing the existing roof structure entirely.

The street façade is showing signs of rot as the result of poor detailing. Rot of window and door framing and sheathing was detected in areas shown in the attached photos. The extent of damage to the main structural framing is unknown and cannot be determined without further destructive investigation.

The west support of the 3rd Street facade has shifted toward the street, indicating an out-of-plane structural failure. The reason for this movement, the competency of its restraint, could be discovered through destructive investigation. Its rate of movement has not been determined. If the building is retrofitted undergoes a seismic retrofit, this building element would need to be rebuilt with a moment frame, and separated from the neighboring facades by 3"- 4" minimum gap.

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*Attachments :*

Attachment 1 – Application and Attachments

Additional Responses from Applicant (provided in Certificate of Approval for New Construction application question responses):

The street facade of the existing building is showing signs of rot as the result of poor detailing. Rot of window and door framing and sheathing was detected in areas shown in the attached photos. The extent of damage to the main structural framing is unknown and cannot be determined without further destructive investigation.

The west support of the 3rd Street facade has shifted toward the street, indicating an out-of-plane structural failure. The reason for this movement, the competency of its restraint, could be discovered through destructive investigation. Its rate of movement has not been determined. If the building is undergoes a seismic retrofit, this building element would need to be rebuilt with a moment frame, and separated from the neighboring facades by 3"- 4" minimum gap.

The structure lacks east and west walls. The structure has no lateral structural system and is not isolated from its east and west neighbors, and hence it will be the victim of differing oscillations of the other buildings during a seismic event. A letter from the structural engineer is attached.

The main entrance does not meet the accessible code. It appears that the interior floor level was raised to allow for a regrading of 3rd Street, sometime in the past. This resulted in a threshold which exceeds the 1/2" maximum rise allowed by the ADA code. The lack of a recessed entrance inhibits a resolution of this issue.

The lack of a recessed entry could inhibit its conversion to an A occupancy as an out-swinging egress door is required by section 1008.1.2 of the Oregon Structural Specialty Code, and doors are not allowed to swing over the right of way by section 3202.2 of the same code.

To upgrade the existing structure, the roof, and north and south walls would need to be removed. New east and west walls would need to be built with a fire rating and lateral supports isolated from the neighboring structures, (The level structural diaphragms of Taylor-Dale Building could not be extended to meet the new sloping roof of a one story building.) A new street facade and exterior alley wall would need to be built. (A recreation of the existing Third Street facade would not meet the Downtown Design Standards and Guidelines.)

**FINDING: NOT APPLICABLE.** In the case of the property at 618 NE 3<sup>rd</sup> Street, concurrent land use application submittals resulted in the building not being classified as a historic resource on the Historic Resources Inventory, but only the site being classified as a Significant historic resource. Another concurrent request was made to demolish the existing building on the property. Therefore, the physical condition of the historic resource as it pertains to the proposed new construction is not applicable, because the historic resources is the site itself and would be vacant following the completion of the approved demolition of the building that did exist on the site.

**17.65.050(B)(5).** *Whether the historic resource constitutes a hazard to the safety of the public or its occupants;*

**APPLICANT'S RESPONSE:** The building is currently in poor condition. The plumbing and electrical systems are out of date and partially nonfunctional.

The street facade is showing signs of rot as the result of poor detailing. Rot of window and door framing and sheathing was detected in areas shown in the attached photos. The extent of damage to the main structural framing is unknown and cannot be determined without further destructive investigation.

The west support of the 3rd Street facade has shifted toward the street, indicating an out-of-plane structural failure. The reason for this movement, the competency of its restraint, could be discovered through destructive investigation. Its rate of movement has not been determined. If the building is retrofitted undergoes a seismic retrofit, this building element would need to be rebuilt with a moment frame, and separated from the neighboring facades by 3"- 4" minimum gap.

The structure lacks east and west walls. The structure has no lateral structural system and is not isolated from its east and west neighbors, and hence it will be the victim of differing oscillations of the other buildings during a seismic event. In this condition, the existing structure constitutes a risk to its occupants and those in the flanking buildings, and which are historically designated buildings themselves. A letter from the Structural Engineer is attached.

The main entrance does not meet accessible code. By observation, it appears that the interior floor level was raised to allow for a regrading of 3rd Street, sometime in the past. This resulted in a threshold which exceeds the 1/2" maximum rise allowed by the ADA code. The lack of a recessed entrance inhibits a resolution of this issue.

The lack of a recessed entry could inhibit its conversion to an A occupancy as an out-swinging egress door is required by section 1008.1.2 of the Oregon Structural Specialty Code, and doors are not allowed to swing over the right of way by section 3202.2 of the same code.

To upgrade the existing structure, the roof, and north and south walls would need to be removed. New east and west walls would need to be built with a fire rating and lateral supports isolated from the neighboring structures, (The level structural diaphragms of Taylor-Dale Building could not be extended to meet the new sloping roof of a one story building.) A new street facade and exterior alley wall would need to be built. (A recreation of the existing Third Street facade would not meet the Downtown Design Standards and Guidelines.)

**FINDING: NOT APPLICABLE.** In the case of the property at 618 NE 3<sup>rd</sup> Street, concurrent land use application submittals resulted in the building not being classified as a historic resource on the Historic Resources Inventory, but only the site being classified as a Significant historic resource. Another concurrent request was made to demolish the existing building on the property. Therefore, the historic resource's potential to be a hazard to the public, as it pertains to the proposed new construction, is not applicable. The historic resources is the site itself and would be vacant following the completion of the approved demolition of the building that did exist on the site.

**17.65.050(B)(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;*

**APPLICANT'S RESPONSE:** It is too early to determine if the current building will have an effect on the results of the pending Third Street Study.

It appears that the existing floor level was raised up to meet the street grade, which was raised after the original building was first constructed. However, the floor level is still low compared to the existing curb and street levels and this may inhibit a future regrading of Third Street.

Additional Responses from Applicant (provided in Certificate of Approval for Demolition application question responses):

Retaining the existing structure would be a detriment to the success of Taylor-Dale restoration project and an impediment to the revitalization of that block face of the Downtown Historic District.

**FINDING: NOT APPLICABLE.** In the case of the property at 618 NE 3<sup>rd</sup> Street, concurrent land use application submittals resulted in the building not being classified as a historic resource on the Historic Resources Inventory, but only the site being classified as a Significant historic resource. Another concurrent request was made to demolish the existing building on the property. Therefore, the historic resource's potential to be a deterrent to an improvement program, as it pertains to the proposed new construction, is not applicable. The historic resources is the site itself and would be vacant following the completion of the approved demolition of the building that did exist on the site.

**17.65.050(B)(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*

**APPLICANT'S RESPONSE:** The historic relevance lies with the site not the existing building.

The building's lack of a lateral structural system constitutes a danger to the occupants of the existing building and those adjoining it.

A full seismic upgrade could follow two approaches:

- 1) Treating 618 as a separate building and,
- 2) Tying 618 to 608 and using the lateral system installed in 608 to work for 618.

Using the first approach, remodeling the building as a structure separate from neighboring buildings at 608 and 620, the subject building would require its own lateral system. The roof would need to be held back from the neighboring buildings and re-supported between two new east and west fire rated walls. Those walls would need to spaced away from the neighboring walls to allow for seismic drift of all three buildings. It is difficult to see how these walls could be built without removing the existing roof structure entirely. This approach would be a costly and yield precious little for the owner and the community.

The second approach, tying a new light-weight structure on the 618 site to the lateral system now being established for 608, is more promising.

- First, the code allows a 10% increase over the design load of the extant lateral system. This can be done with a light weight design/construction of the building at 618.
- Second, only one fire-rated wall needs to be drift protected, that to the east and adjacent to 620. This saves a great deal of cost.
- Third, the approach requires the addition of a second story in order to align the sloping roof planes with each other. This gains two additional units for tourist accommodation and leads to other economies. With the existing egress stairs and elevator shared, and utilities and service spaces not replicated, there is less cost, and more usable space can be gained on the 618 property.
- Fourth, the community gains a piece of architecture that is more in line with its design standards and economic expectations and more representative of the site's historical designation and the story of McMinnville and its builders.
- Fifth, it is estimated that the reconstruction of the existing 1-story building and its north facade as a separate building would cost 16% more than the proposed construction of the proposed 2-story addition to the Taylor-Dale landmark at 608. Preliminary cost estimates for both options are attached. The cost in dollars and space of replicating the support

systems for the one story free-standing structure tips the balance in favor of the two-story addition.

- The return on investment would also differ dramatically for both the owner and the public. The 2-story option is estimated to bring in 5.4 to 6.2 times more revenue than the 1 -story option. Two luxury vacation units would not exist in the single story option lessening the economic ripple effect in the community. That broader effect has not been calculated.
- Given the cost and return projections, it is unclear if the 1 -story addition would be economically viable.

In short it appears that the cost of rehabilitating the existing structure outweighs the long- term potential economic and historical value of the existing structure. Thus the building may inhibit the overall improvement of the Downtown Historic district and detract from the owner's investment in the preservation of the Taylor-Dale building. It is difficult to see what would be gained by the community or the owner by restoring the existing facade. Additionally, restoration of the existing facade would not meet the Downtown Design Standards and Guidelines.

**FINDING: NOT APPLICABLE.** In the case of the property at 618 NE 3<sup>rd</sup> Street, concurrent land use application submittals resulted in the building not being classified as a historic resource on the Historic Resources Inventory, but only the site being classified as a Significant historic resource. Another concurrent request was made to demolish the existing building on the property. Therefore, there is no physical historic resource to retain during the completion of the proposed new construction. The historic resource is the site itself and would be vacant following the completion of the approved demolition of the building that did exist on the site. However, the applicant is proposing to 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. This is described in more detail in the findings for Section 17.65.050(B)(2) and Section 17.65.050(B)(3) above.

**17.65.050(B)(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.*

**APPLICANT'S RESPONSE:** It appears that the cost of rehabilitation of the existing structure would outweigh its potential long-term economic value. Thus the building may, for a period of time, inhibit the overall improvement of the Downtown Historic District and detract from the owner's investment in the Taylor-Dale building.

It would be reasonable to document the building through photos and digital measurement and move forward with another solution which would better support the City's Historic District and the owners' investment in the neighboring landmark.

The remaining original brick embossed metal siding will be saved for both preservation and educational purposes but not be reused as an exterior finish.

Additional Responses from Applicant (provided in Certificate of Approval for Demolition application question responses):

The structure at 618 NE Third Street is unsafe and misclassified as an historic resource. It does not comply with the stated goals and policies of the Comprehensive Plan and Design Standards and Guidelines for McMinnville's Downtown. It stands in the way of a more economical, more meaningful, more compliant structure on a historically significant site.

**FINDING: NOT APPLICABLE.** In the case of the property at 618 NE 3<sup>rd</sup> Street, concurrent land use application submittals resulted in the building not being classified as a historic resource on the Historic Resources Inventory, but only the site being classified as a Significant historic resource. Another concurrent request was made to demolish the existing building on the property. Therefore, there is no physical historic resource to retain during the completion of the proposed new construction. The historic resource is the site itself and would be vacant following the completion of the approved demolition of the building that did exist on the site.

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