



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125

FAX: (541) 298-5490

Community Development Dept.

Please bring your packets from the 11/16 mail out!

AGENDA
CITY OF THE DALLES
HISTORIC LANDMARKS COMMISSION
CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

Wednesday, November 30, 2005 @ 4 P.M.
Rescheduled from November 16, 2005~No Quorum

- I. Call to order
- II. Roll call
- III. Approval of Agenda
- IV. Approval of Minutes – June 22, 2005
- V. Public comment: The public is invited to comment on any topic that does not appear on the agenda.
- VI. Public Hearing
 - A. Historic Landmarks Commission Application #91-05 of Brian Goodwin for Colonel Wright School to construct a greenhouse on school property for student and community use. Property address is 610 W. 14th.
- VII. Resolutions
 - A. #87-05 Approving HLC Application 91-05
- VIII. Action Item

Recommendation to City Council to adopt, by Resolution, House Bill 2776 that expands types of property for which an owner may reapply for second 15-year period of historic property special assessment. Establishes conditions for residential property to qualify for second term of classification and special assessment. Provides that new owner of historic property must expressly assent to preservation plan to qualify for special assessment.
- IX. Pioneer Cemetery Discussion
- X. Next meeting date: Wednesday, December 28, 2005
- XI. Adjournment



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Wednesday, November 16, 2005
4 P.M.

- I. Call to order**
- II. Roll call**
- III. Approval of Agenda**
- IV. Approval of Minutes – June 22, 2005**
- V. Public comment: The public is invited to comment on any topic that does not appear on the agenda.**
- VI. Public Hearing**
 - A. Historic Landmarks Commission Application #91-05 of Brian Goodwin for Colonel Wright School to construct a greenhouse on school property for student and community use. Property address is 610 W. 14th.**
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HISTORIC LANDMARK COMMISSION MINUTES

Wednesday, June 22, 2005

City Hall Council Chambers
313 Court Streets
The Dalles, OR 97058
Conducted in a handicap accessible room.

CALL TO ORDER

Chair Eric Gleason called the meeting to order at 4:01 P.M.

ROLL CALL

The following Commissioners were present: Eric Gleason, Bob McNary, & Dixie Parker

The following Commissioners were absent: Daniel Dundon and Anita Clason

Staff present: Dawn Hert, Associate Planner
Denise Ball, Administrative Secretary

APPROVAL OF AGENDA

McNary moved that the agenda be approved as submitted. Parker seconded the motion. The motion was passed unanimously, Dundon and Clason absent.

APPROVAL OF MINUTES

Gleason asked if there were any corrections needed for the minutes of May 25, 2005. There were none. Parker moved to approve the minutes as submitted and McNary seconded the motion. The motion carried unanimously, Dundon and Clason absent.

PUBLIC COMMENT

None

ACTION ITEMS – PUBLIC HEARING

Historic Landmarks Commission Application #90-05 of Keith and Joyce Ebbert to change the pitch of the roof on an old carport to look more like the other buildings on the property. The address is 320 W. 7th.

The rules for a public hearing were read. Gleason polled the Commission for ex-parte contact, bias, or conflict of interest. There was none. Gleason called for the Staff Report, which Hert presented. This is known as the Wieglett House. Hert said the Ebbert's would also be repairing the crumbling rock wall on the south side.

Gleason said the existing roof would be called a shed roof and the proposed change would be a gable roof. Gleason said he looked at the site and it appears it used to be an enclosed building and not merely a carport. McNary said he thinks there will have to be some excavation, nothing major.

Proponent: Keith Ebbert, the applicant, spoke in favor the application. Ebbert said he feels the carport is on its last legs. The rock wall is extremely deteriorated and he will be placing a footing for the carport. He will not be mortoring on the outside of the building.

Gleason asked why Ebbert is changing the roofline. Ebbert said he would like more headroom. Also, the other buildings on the property are gabled and he and his wife think it would look nicer to have the buildings blend together. The roof has to be repaired and Ebbert wants roof that will last.

There were no opponents or rebuttal.

Gleason closed the public testimony portion of the hearing.

Deliberation: Gleason said he would encourage the construction of a shed roof but would not require it.

Parker moved to approve HLC 90-05 based upon the findings and the conditions of approval in the Staff Report. McNary seconded the motion and it carried unanimously, Dundon and Clason absent.

RESOLUTIONS

McNary moved to adopt HLC Resolution 86-05 with conditions. Parker seconded the motion and it carried unanimously, Dundon and Clason absent.

STAFF AND COMMISSIONER COMMENTS

Parker asked what HLC 89-05 was assigned to. Hert said she would check on it. (Lewis and Clark Memorial).

September 27th through October 2nd is the National Preservation Conference. McNary and Hert attended a seminar. Hert said she would be attending at least a couple of days. Hert will be writing City Council about the importance of the conference. There is one field trip and Hert will be contacting the Discovery Center to see if the City can piggyback onto that field trip. Durow could possibly give a downtown tour. Hert said she would get more of Bryan Colbourne's historic maps.

McNary, representing the Cemetery Board, said one of the pine trees has fallen on its own. The Commission and Staff discussed the cut up trees and how to remove the firewood. It was agreed it would need to be monitored.

Gleason asked about the house on 4th Street and noted the siding has been removed. This should have come to HLC and might qualify for the assessment. Hert said she had spoken with several prospective buyers.

Gleason said the Gates house is getting the windows worked on. Hert said the new occupants are aware the building is historic.

The Commission asked what is to become of the Booth House. Staff and Commissioners discussed the ownership and where the house could be moved.

The Commission asked where the annual report for the City Park Trees is. Hert said Bruce Irwin, the new Parks and Rec. Director, may not be aware of the report requirement and she will contact him and let him know.

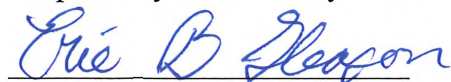
NEXT MEETING DATE

The next regular meeting is scheduled for June 22, 2005.

ADJOURNMENT

The meeting was adjourned at 5:08p.m.

Respectfully submitted by Denise Ball, Administrative Secretary.



Eric Gleason, Chair

Historic Landmark Commission

STAFF REPORT
HISTORIC LANDMARKS REVIEW #91-05
Colonel Wright Elementary School

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Associate Planner
Community Development Department

HEARING DATE: November 16, 2005

ISSUE: Placement of a "greenhouse shed" adjacent to the historic school.

SYNOPSIS:

APPLICANT	Brian Goodwin for Colonel Wright School
PROPERTY OWNER	School District # 21
LOCATION	610 West 14 th Street
ZONING	RH/CFO
EXISTING USE	Elementary School
SURROUNDING USE	Residential
HISTORIC STATUS	State Inventory No. 192

NOTIFICATION: Published advertisement in local newspaper; notification to property owners within 100 feet, SHPO.

RECOMMENDATION: Approval, with conditions, based on the following findings of fact.

BACKGROUND: The historic name of this site is Colonel Wright Elementary School. The school was built in 1924, with a Modern Classical Revival architectural style. The school site is a part of the Old Fort Dalles area, in the vicinity of the Surgeon's Quarters historic landmark and park. Colonel Wright School is an exemplary building of its type, representative of school architecture in the early twentieth century.

ANALYSIS: The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to designated historic landmarks. City of The Dalles General Ordinance 94-1194 will serve as a tool to help the Commission make these decisions. The purpose of the Historic Landmarks Commission, the Historic Ordinance and the review criteria are to:

- *Protect historic and cultural resources from destruction, inappropriate alteration, and incompatible adjacent development;*
- *Stabilize and improve property values in historic districts and citywide;*

- *Enhance the city's attractiveness to visitors and residents, and stimulate business, industry and tourism;*
- *Educate The Dalles' citizens and visitors concerning the city's heritage;*
- *Preserve the historic housing stock of The Dalles;*
- *Comply with The Dalles comprehensive Plan regarding historic resources under Statewide Planning Goal 5.*

CITY OF THE DALLES GENERAL ORDINANCE 94-1194—AN ORDINANCE RELATING TO HISTORIC RESOURCES WITHIN THE CITY OF THE DALLES

Section 7, Subsection A. Review Criteria:

“Secretary’s Standards. Commission decisions shall be based on the Secretary of the Interior’s Guidelines for the Treatment of Historic Properties.” The following are pertinent standards from the “Guide”.

1. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

FINDING A-1: The use for this site will remain the same and be used as the elementary school. The applicant is proposing to place a greenhouse for students and the community to grow plants for student consumption, donation and business projects. This area was originally part of the Old Fort Dalles. Trading of goods may have happened in this area as well as small gardens for growing food for the soldiers. The accessory use as a garden will still allow for the current use to remain. This project is very small scale and fits well with the area and the adjacent historic structure. Criterion met.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations to features and spaces that characterize a property shall be avoided.

FINDING-A2: There will be nothing removed with this application request. The greenhouse will be placed so that removal of the structure at a later date will not alter the historic structure or existing landscape. Criterion met.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

FINDING-A3: This property is recognized as a physical record of its time. The only changes proposed will be the placement of a greenhouse. The structure that is proposed to be used is approximately 18 feet by 35 feet and is planned to be constructed on-site approximately 6 feet away from the current historic school building. The materials for the greenhouse will be new, nothing conjectural will be added to the structure to make it blend with the historic structure. Criterion met.

4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

FINDING-A4: No such changes are proposed with this application. Criterion met.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

FINDING-A5: This proposal does not seek to alter any of the above. No historic materials will be changed; no existing structure alterations are involved in this review. Criterion does not apply.

6. Deteriorating historical features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.

FINDING-A6: The applicant is not repairing or replacing any missing historical features. Therefore, this criterion does not apply.

7. Chemical or physical treatments, such as sandblasting that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

FINDING-A7: The applicant proposes no chemical or physical treatments and no structures will be affected by this application. Therefore, this criterion does not apply.

8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

FINDING A8: No archaeological resources are expected to be affected by this proposal. The applicant is responsible to notify the appropriate authorities if any archaeological resources are found with the placement of the greenhouse. This will be addressed as a condition of approval.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

FINDING-A9: The applicant is proposing an addition of the greenhouse. The size and scale is subordinate to the primary historic structure and use. The proposed size of the greenhouse is compatible with the school and the site and is proposed to be located in a non-obvious location. The minimal amount of ground disturbance is planned. Criterion met.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

FINDING-A10: The greenhouse will be placed in a manner that will make it easily removable. If removed in the future, the essential form and integrity of the site will be unimpaired. Criterion met.

CONCLUSIONS: Placement of the greenhouse adjacent to the Colonel Wright Elementary School is consistent with both General Ordinance # 94-1194 and The Dalles Comprehensive Plan. In all respects this application meets the standards of the Secretary of the Interior and the City of The Dalles General Ordinance No.94-1194, as well as The Dalles Comprehensive Plan, with the following conditions:

Proposed Conditions of Approval:

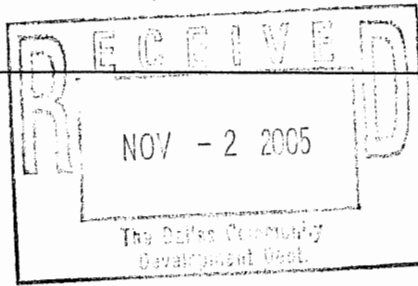
1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
2. The applicant is responsible to notify the appropriate authorities if any archaeological resources are found with the placement of the greenhouse shed.



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HLC# 91-05

HISTORICAL LANDMARKS APPLICATION

Application is required for modifications and/or alterations to the exterior of certified historic structures and all structures within certified historic districts. Additionally, new construction within established historic districts are also required to appear before the City of The Dalles Historical Landmarks Commission.

Name:	<u>Brian Goodwin</u>
Address	<u>300 West 21st, The Dalles</u>
Site Address	<u>610 West 14th, The Dalles</u>
Telephone	<u>296-3082</u>

Please describe your project goals.

Construct a greenhouse for Colonel Wright students and community use. Students will grow plants for student consumption, donation, and business projects.

How will your project affect the appearance of the building and or site?

The greenhouse is on the back side of the building, away from the street. It will stand in front of one-third of the bottom floor.

What efforts are being made to maintain the historic character of this structure?

The greenhouse will be built so that it may be taken down, removed, and reassembled if need be at a future time. This is not a permanent structure, but rather one that will likely come down when the school is no longer used as a school.

What is the current use of this property?

Project will happen only with approval. Cannot work if not approved due to space restrictions.

Will the use change as a result of approval of this application? Yes/No

List any known archeological resources on site.

The review criteria for each application are the Secretary of the Interior's Standards. These standards have been adopted by City Ordinance 94-1194 as local review criteria.

I certify that the above information is correct and submit this application with nine (9) copies of a site plan drawn to scale, nine (9) copies of detailed, elevation drawings with proposed changes, and nine (9) current color photographs (4X6 inch minimum) of the building/structure front.


Applicant

11-2-05
Date

Owner (if not the applicant)

I have reviewed the above application and certify that it is complete and accepted for processing.

Secretary, Historical Landmarks Commission

For Office Use Only

Historical Classification

(Primary, Secondary, Historical, Etc.)

Historic Building/Site ☐

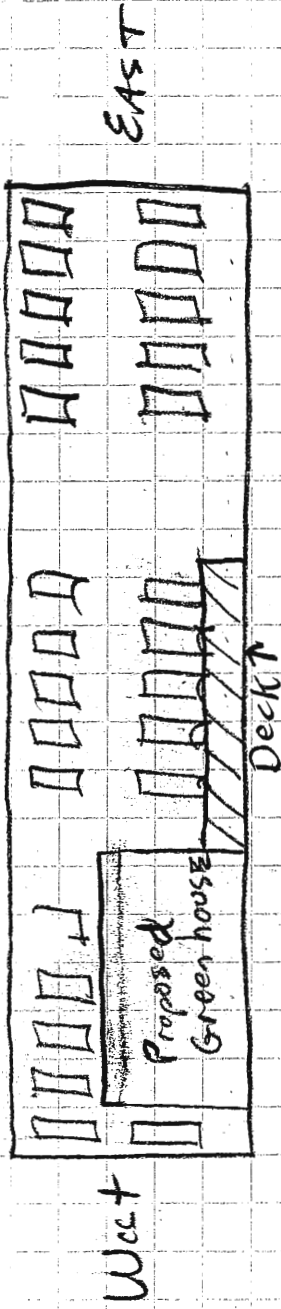
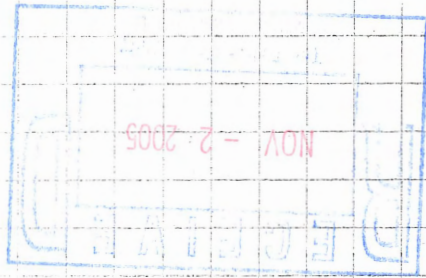
Historic District Trevitt ☐ Commercial ☐

Historic Name

(If any)

Year(s) Built

Existing
Colonel
Wright
Building

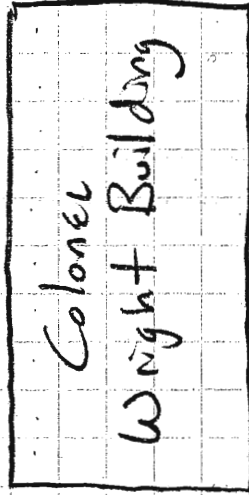


1 square = 5'

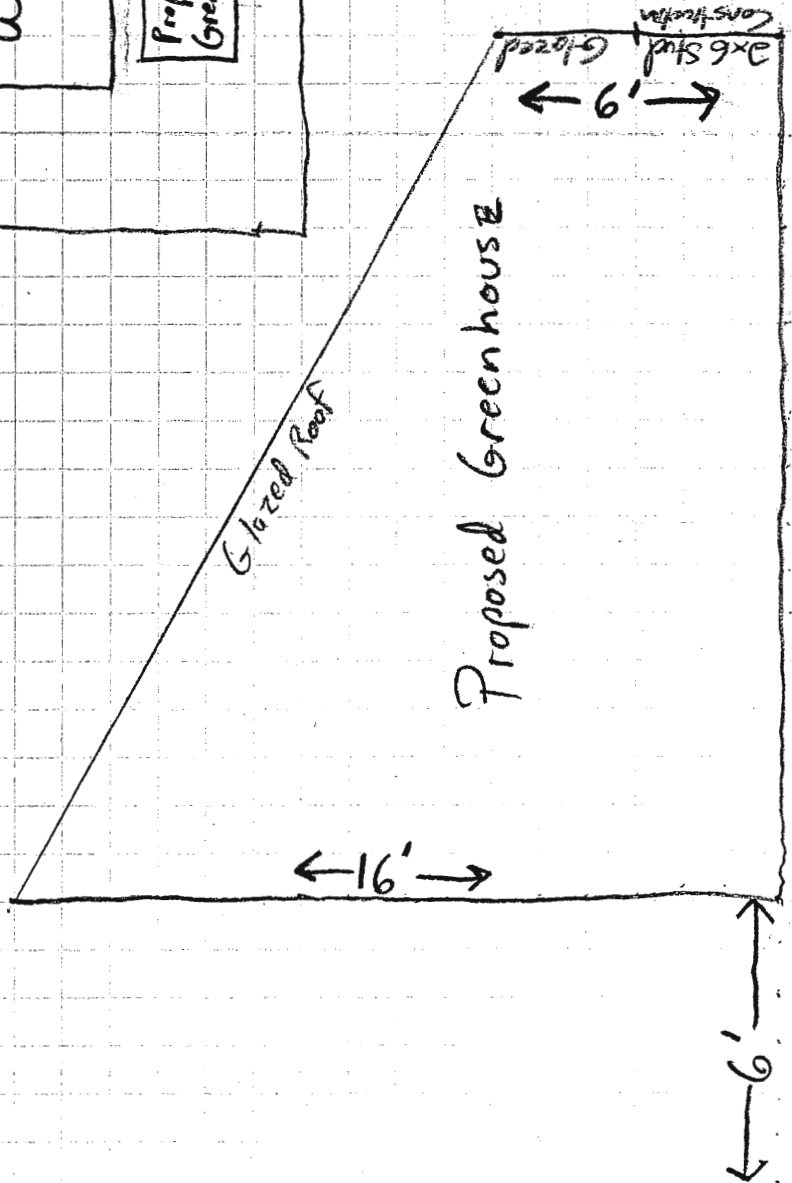
View From South

Top View

1 square = 10'



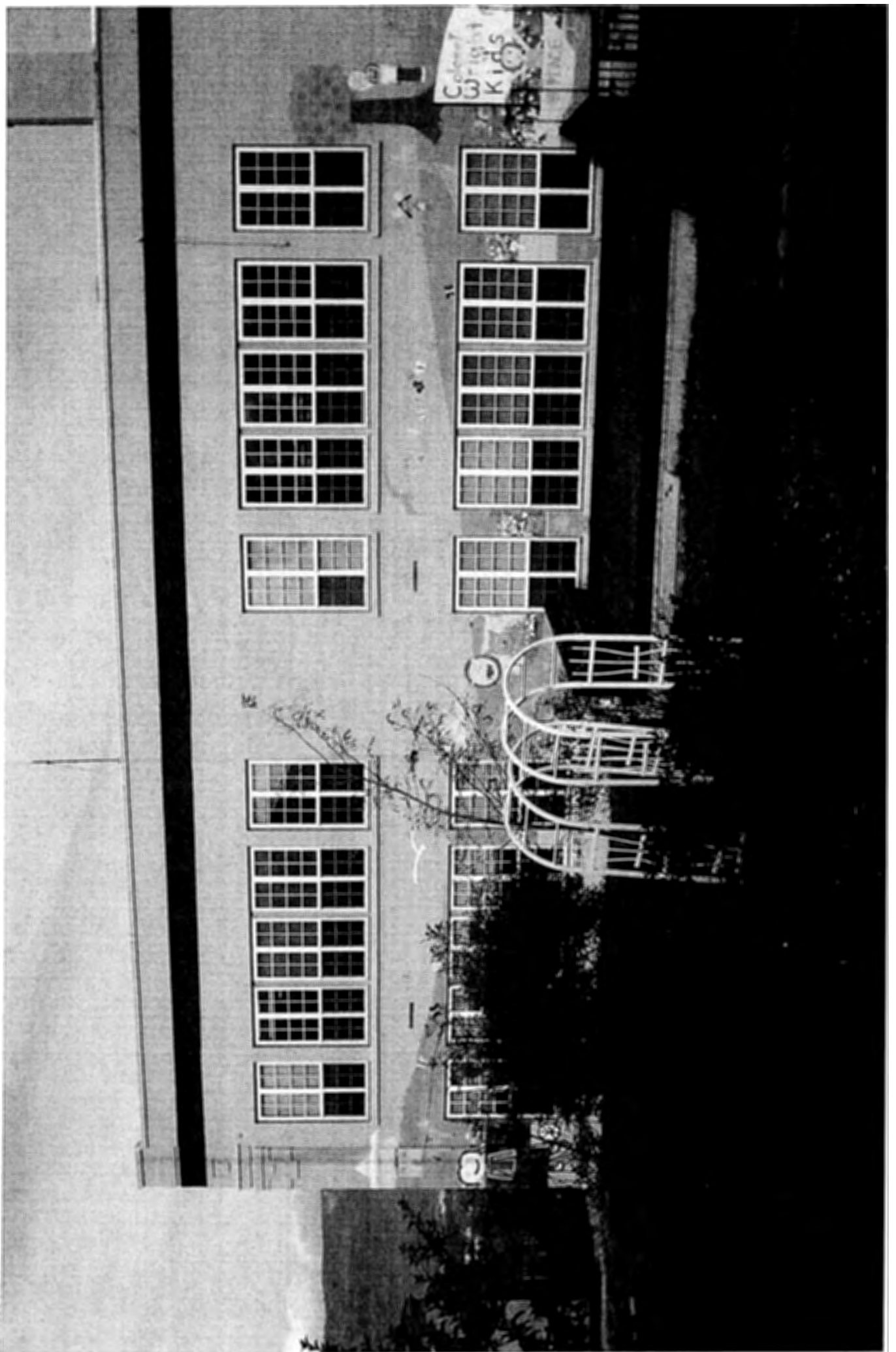
Proposed
Greenhouse



South

1 square = 1'

Nov. 1, 1962



HISTORIC LANDMARKS RESOLUTION NO. 87-05

Approving The Dalles Historic Landmarks Commission Application #91-05 of Brian Goodwin for Colonel Wright School to construct a greenhouse on school property for student and community use. Property address is 610 W. 14th.

I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on November 16, 2005 conducted a public hearing to consider the above request.
- B. A Staff report was presented, stating findings of fact and conclusions of law.
- C. Staff Report number 91-05 and the minutes of November 16, 2005, upon approval, provide the basis for this resolution and are herein attached by reference.

II. RESOLUTION: Now, Therefore, be it FOUND, DETERMINED, and ORDERED by the Historic Landmarks Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "T" of this resolution.
- B. Historic Landmarks Review No. HLC 91-05 of Brian Goodwin for Colonel Wright School is hereby approved with the following conditions:
 - 1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
 - 2. The applicant is responsible to notify the appropriate authorities if any archaeological resources are found with the placement of the greenhouse shed.

III. APPEALS, COMPLIANCE AND PENALTIES:

- A. Any party of record may appeal a decision of the Historic Landmarks Commission to the City Council for review. Appeals must be made in accordance to Section 9(a) of the Historic Landmarks Ordinance No. 1194, and must be filed with City Clerk within ten (10) days of the date of mailing of this Order.
- B. Failure to exercise this approval within the time line set either by Order or by Ordinance will invalidate this permit.

7/1/05

APPROVED AND ADOPTED THIS 16th DAY OF NOVEMBER 2005.

Eric Gleason, Chairman
Historic Landmarks Commission

I, Dan Durow, Director of the Community Development Department of the City of the Dalles,
hereby certify that the foregoing Order was adopted at the meeting of the City Historic
Landmarks Commission, held on November 16, 2005

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:


Dan Durow, Director Community Development Dept.



City of The Dalles
Historic Landmarks Commission

House Bill 2776

73rd Oregon Legislative Assembly – 2005 Regular Session

Prepared by: Dawn Marie Hert, Associate Planner 

Procedure Type: Recommendation to City Council

Recommendation Date: November 16, 2005

Affected Properties: All nationally registered properties with approved special assessment programs from the State Historic Preservation Office.

SYNOPSIS: House Bill 2776 requires that properties located within a city have the local governing body (City Council) adopt a resolution or ordinance authorizing a second term of historic property classification and special assessment for residential property. Staff is asking that the Historic Landmarks Commission make a recommendation to City Council to approve this new House Bill.

Staff has discussed the required procedures with the Oregon State Historic Preservation Office. It appears that the City of The Dalles is the first Certified Local Government that is completing this new House Bill task. At this time the SHPO is in the process of preparing an informational sheet to other Certified Local Governments on the required actions to accept this new House Bill. We will in a sense be the trail blazers for the new house bill.

One question that will more than likely be asked is: Why does the City Council have to adopt a resolution allowing this House Bill to be accepted at a local level? In short, the special assessment program offers tax relief to historic properties that have an approved restoration plan. The local jurisdiction has to accept the additional 15 year extension because of the potential tax burden that may be deferred with the approved special assessment. Copies of the adopted resolution are required to be sent to both the Oregon State Historic Preservation Office as well as the Wasco County Assessors Office.

A copy of House Bill 2776 has been attached for your information. Please feel free to contact me if you have any further questions prior to the meeting

RECOMMENDED ACTION: Direct staff to prepare a staff report and resolution to City Council for the recommendation of approving by resolution, House Bill 2776 from the 73rd Oregon Legislative Assembly – 2005 Regular Session.

A-Engrossed House Bill 2776

Ordered by the House May 9
Including House Amendments dated May 9

Sponsored by Representative BUTLER; Representatives ANDERSON, BERGER, BOONE, BOQUIST, BROWN, DALTO, ESQUIVEL, GARRARD, GILMAN, HANNA, HUNT, JENSON, KITTS, KRIEGER, LIM, MORGAN, OLSON, G SMITH, WHISNANT, Senators BEYER, FERRIOLI, GEORGE, JOHNSON, KRUSE, MONNES ANDERSON, NELSON, SCHRADER, VERGER, WALKER, WESTLUND (at the request of Rebecca Purvine Sterup, James Sterup)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Eliminates sunset date on historic property special assessment program.] Expands types of property for which owner may reapply for second 15-year period of **historic property** special assessment. **Establishes conditions for residential property to qualify for second term of classification and special assessment. Provides that new owner of historic property must expressly assent to preservation plan to qualify for special assessment.**

A BILL FOR AN ACT

Relating to historic property; creating new provisions; and amending ORS 358.515 and 358.540.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 358.540 is amended to read:

358.540. (1) Property classified as historic property under ORS 358.480 to 358.545 is entitled to any other exemption or special assessment provided by law.

(2) Property that has received special assessment under ORS 358.480 to 358.545 for 15 years, at the completion of the 15-year term, is disqualified from historic property special assessment *[and is not again eligible for special assessment under ORS 358.480 to 358.545]*.

(3)(a) Notwithstanding subsection (2) of this section, following completion of the initial 15-year period of historic property classification and disqualification under subsection (2) of this section, the owner of *[commercial]* property classified as historic property may reapply under ORS 358.487 for one additional 15-year period of special assessment under ORS 358.480 to 358.545. Following completion of the second 15-year term of special assessment, the historic *[commercial]* property shall be disqualified from historic property special assessment and is not again eligible for special assessment under ORS 358.480 to 358.545.

(b) **For commercial property**, a reapplication filed under this subsection, in addition to containing all of the information required of an application filed under ORS 358.487, shall be accompanied by a renovation plan detailing measures to be taken for purposes of Americans with Disabilities Act compliance, seismic improvement measures or energy conservation measures, the costs associated with the measures and a schedule of the dates on which work on the measures will be begun and completed.

(c) **For commercial property**, a reapplication filed under this subsection that in other respects is in compliance with the application requirements of ORS 358.487 may be approved only upon a

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

finding by the State Historic Preservation Officer that the renovation plan submitted with the reapplication will, if implemented, result in a significant investment in the historic property that promotes compliance with Americans with Disabilities Act requirements or that results in seismic improvements or energy conservation improvements to the property. If approved, the renovation plan shall be considered an amendment to and part of the preservation plan filed with the reapplication and in effect for the property.

(d) For residential property, a reapplication filed under this subsection that in other respects is in compliance with the application requirements of ORS 358.487 may be approved only if a second term of historic property classification and special assessment for residential property is authorized under section 2 of this 2005 Act.

[(d)] **(e)** The State Historic Preservation Officer may adopt rules under this subsection, including rules that provide:

(A) The minimum amount of investment that must be made in order for the investment to be considered a significant investment.

(B) The minimum amount of seismic improvement to the property that must be contemplated in the renovation plan in order for the plan to be approved.

(C) The minimum level of energy conservation improvements that must be contemplated in the renovation plan in order for the plan to be approved.

(D) The maximum amount of time between the date of filing of the reapplication and the date of completion of the measures described in the renovation plan in order for the renovation plan to be approved.

SECTION 2. (1) Residential property may not qualify for a second term of classification and special assessment as historic property under this section unless:

(a) If the property is located within a city, the governing body of the city has adopted a resolution or ordinance authorizing a second term of historic property classification and special assessment for residential property; or

(b) If the property is located within unincorporated territory of a county, the governing body of the county has adopted a resolution or ordinance authorizing a second term of historic property classification and special assessment for residential property.

(2) The city or county authorizing a second term of historic property classification and special assessment for residential property shall send a copy of the authorizing resolution or ordinance to the State Historic Preservation Officer.

SECTION 3. ORS 358.515 is amended to read:

358.515. (1) When property has once been classified and assessed as historic property pursuant to application filed under ORS 358.480 to 358.545, it shall remain so classified and be granted the special assessment provided by ORS 358.505 until the property becomes disqualified for such classification and assessment by:

(a) Written notice by the taxpayer to the assessor to remove the special assessment.

(b) Sale or transfer to an ownership making it exempt from property taxation.

(c) Removal of the special assessment by the assessor upon discovery that the property no longer qualifies as historic property because it is not in compliance with the preservation plan applicable to the property or for other reason.

(d) Any other sale or transfer of the property.

(2)(a) The sale or transfer to a new owner or transfer by reason of death of a former owner to a new owner does not operate to disqualify the property from the special assessment provided by

1 ORS 358.505 so long as the property continues to qualify as historic property **and the new owner**
2 **expressly assents to the preservation plan in effect for the property and continues to imple-**
3 **ment the preservation plan.**

4 (b) The new owner shall notify the State Historic Preservation Officer of the sale or transfer
5 of ownership within 60 days after the date that the documents described in ORS 93.040 are recorded.

6 (3) When, for any reason, the property or any portion thereof ceases to qualify as historic
7 property, the owner at the time of change shall notify the assessor and the State Historic Preser-
8 vation Officer of the change prior to the next January 1 assessment date.

9
