



## HISTORIC LANDMARK COMMISSION MINUTES

Wednesday, March 23, 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 4:02 P.M.

### ROLL CALL

The following Commissioners were present: Eric Gleason, Anita Clason, Dixie Parker, Daniel Dundon and Bob McNary

The following Commissioners were absent: None

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

### APPROVAL OF AGENDA

McNary moved that the agenda be approved as submitted. Dundon seconded the motion. The motion was passed unanimously.

### APPROVAL OF MINUTES

Gleason asked if there were any corrections needed for the minutes of February 23, 2005. There were none. Parker moved to approve the minutes as submitted and Clason seconded the motion. The motion carried unanimously.

### PUBLIC COMMENT

None

### ACTION ITEMS – PUBLIC HEARINGS

- A. **Historic Landmarks Commission Application #86-05 of Mike & Pat Fowler** to construct a historic looking home and garage with an office on the main floor. The home will compliment other homes in the Trevitt's Historic District. The site is located at 212 W. 4<sup>th</sup> Street and is zoned CBC – Central Business Commercial.

Gleason read the rules for conducting a public hearing. None of the Commissioners had bias, ex-parte contact, or conflict of interest to declare. Gleason declared the public hearing open and asked for the Staff Report.

Hert presented the Staff Report. Hert informed the Commission that Mr. Gleason had visited with Director Durow and herself regarding the condition of approval requiring excavation to stop if archaeological materials are uncovered and that those materials would need to be professionally evaluated before excavation could resume. Mr. Gleason said the root cellar location had been disturbed and there was quite a lot of glass and other artifacts that had been unearthed. The applicants did not stop excavation, however, even after being reminded of the previous condition of approval. Hert informed the Commission that condition of approval number two will be changed to read "An after the fact professional evaluation of the subject lot is required prior to any additional work or permits being issued" if the Commission approves. Hert explained both the site and any materials discovered need to be evaluated. An applicant can be fined \$250 per violation of the Commission's condition of approval.

There were no questions of Staff. Gleason opened the hearing to proponent testimony.

Pat Fowler, The Dalles, and one of the applicants, explained the new home design and colors they have selected to place on the historic lot. This is a smaller home than the one originally approved two years ago.

Mike Fowler, The Dalles, said he would like to address the excavation. Fowler said a local historian, John Lundell, has visited the site during the excavation and wrote a letter to the Commission regarding the root cellar removal. Fowler went on to say that the delays are getting really expensive. Fowler said they are putting in a new rock wall to be more historic rather than a cement wall that would be less expensive, and trying to do things right. This new condition of approval is going way beyond what is reasonable. Fowler said that means every piece of ground in The Dalles should be evaluated.

Gleason replied that this condition applies to National Register Historic Districts and the Fowler's chose to purchase the lot and build a home knowing it was a historic district property. Gleason went on to say that the applicants chose not to follow the conditions of approval issued two years ago, when the first home design had been approved. Gleason said, as an archaeologist, he had voiced his concerns there could be artifacts along the back hillside and the applicant had said he would not be excavating into the hillside.

Fowler said he meant up above and Gleason said he had meant down below and perhaps there had been some misunderstanding. However, the root cellars were his concern and the condition of approval required the applicant to stop work and have materials evaluated should anything be found in the excavation of their lot. Gleason said the Commission is not delaying the project. The original approval was two years ago, March 26, 2003. There was plenty of time to have the archaeological evaluation take place.

Pat Fowler said they were issued a cut and fill permit and assumed they were approved to excavate their lot.

Gleason explained that the cut and fill permit does not relieve them of the responsibility for complying with the Historic Landmarks Commission conditions of approval. Also, at the

February HLC meeting the Commission had made it clear that they believed there were significant historic artifacts on the site being disturbed and that excavation needed to stop until evaluation could take place. Gleason continued by saying he went to the site again today and it is even more disturbed. He now believes most of the archaeological materials are pretty much gone. Gleason said he respects John Lundell and his qualifications as a long time resident and historian, but the condition of approval clearly called for an archaeological evaluation. Gleason recommended the applicants contact the State Historic Preservation Office and get a list from them of the certified contractors to perform the evaluation. Gleason said this new home design does fit in better the previous one and he does not want to discourage them from building because it is a good location for infill. However, it needs to be done right and with respect for the historic resources that are on the site.

Pat Fowler apologized and said it was a misunderstanding on her part. She felt it pertained to the root cellar that was no longer on the site and did not understand it entailed more than that.

McNary asked the applicants about their proposed garage and parking area.

Pat Fowler explained the maneuvering and parking requirements for compliance with the Land Use and Development Ordinance for her approval of her business that will be operating out of the house.

Gleason asked for opponent testimony and there was none so Gleason closed the public testimony of the hearing.

**Deliberation:** Gleason said it is a shame so much of the lot has to be paved. Clason said she likes this newer footprint much better and it is sad there was this miscommunication. Gleason pointed out that the historic resources here in The Dalles are fragile and endangered and the Commission needs to protect them.

Gleason said he did not know what the cost for the evaluation would be. He felt a contractor should be able to complete the evaluation within a month. If significant resources were found, the report would go straight to SHPO.

Parker moved to approve HLC application 86-05 with all five conditions of approval, condition number two as amended by Staff to read "An after the fact professional evaluation of the subject lot is required prior to any additional work or permits being issued." McNary seconded the motion and it carried unanimously.

**B. Historic Landmarks Commission Application #87-05 of St. Peter's Landmark** to add ADA accessibility to this historic landmark. There will also be a stair replacement in the rear of the building and HVAC installation. The site is located at 3<sup>rd</sup> and Lincoln Street and is zoned CBC – Central Business Commercial.

The rules for a public hearing were not read again as no one new entered the Council Chambers. Gleason polled the Commission for ex-parte contact, bias, or conflict of interest. Gleason said he had spoken with Doug Leash but it did not bias his opinion. None was declared

and there was no challenge from the audience. Gleason asked for the Staff Report.

Hert presented the Staff Report and asked the Commission for questions. There were none.

Gleason called for proponent testimony.

Doug Leash, 1623 E. 9<sup>th</sup>, President of St. Peter's Landmark spoke in favor of the application. Mr. Leash went to great lengths in his explanation of the need for the elevator and how this location seems to be the only one that meets all the needs of the facility. Leash does not like changing the outside appearance of the building but he sees no other location that would work. Mr. Leash is considering applying for an Urban Renewal grant to help with the expense of an architect to take a look at the landmark and professionally assess the best location for the elevator.

Gleason told Leash this is very well thought out and it appears this location is the only solution to the Landmark's criteria. However, Gleason said he is reluctant to approve this application without getting additional opinions.

Hert suggested approving the other two portions of the application for the rear staircase and the HVAC installation and amending the conditions of approval as appropriate. The request for the elevator can be withdrawn until a professional architect can evaluate the project. Leash said there is no big rush on this project; they have owned the building 33 years and they want to do this right. The possibility of the elevator shaft being prepared out of glass was briefly discussed.

The Historic Landmarks Commission also added an additional Short Term goal to "Assist in the accessibility issue of St. Peter's Landmark.

There was no opponent testimony and Gleason closed the public testimony portion of the hearing.

**Deliberation:** The Commission agreed that St. Peter's Landmark is to be commended on their preservation work so far. Gleason said he would feel more comfortable with a professional evaluation before approving the elevator request.

McNary moved to approve HLC application 87-05, minus the elevator installation, with the following staff changes conditions of approval:

1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed for the HVAC system and rear stairwell.
2. The applicant will need to submit plans for a building permit to the local State Building Codes Department.

3. If any archeological resources or materials are discovered during excavation, the applicant will need to stop excavation and have the site professionally evaluated prior to continued excavation at the site.
4. The applicant should proceed with an Urban Renewal architectural grant application for ADA accessibility.
5. The ADA architectural evaluation/recommendation should be presented to the HLC as a new application

Clason seconded the motion and it carried unanimously.

- C. Historic Landmarks Commission Application #88-05 of City of The Dalles/Pioneer Cemetery** to add 10X12 foot gardeners shed to the existing site. In addition, all sprinkler heads will be removed and the water service reinstated with a water spigot for seasonal use. The Pioneer Cemetery is located to the East of 420 E. Scenic Drive and is further described as 1N 13E 10 BB tax lot 600.

The rules for a public hearing were not read again as no one new entered the Council Chambers. Gleason polled the Commission for ex-parte contact, bias, or conflict of interest. All Commissioners indicated they had visited the Cemetery but it did not bias their opinion on this application. Gleason called for the Staff Report, which Hert presented.

Hert said this application follows the goals and supports the Cemetery Preservation plan as prepared by Sally Donovan.

Gleason opened the hearing for proponent testimony and there was none. There was no opponent testimony. Gleason closed the public testimony section of the hearing.

**Deliberations:** The Commission and Staff discussed the actual placement and size for the storage shed. It was agreed that a 4'x6' shed would be adequate. Hert suggested that the Commission approve restoring the water service and removing the old sprinkler heads. The storage shed should be tabled and come back to the Commission at a later meeting.

Parker moved to approve HLC application 88-05, in part, for the restoration of water service and the removal of the old sprinkler heads and the following conditions of approval as amended by staff.

1. Work will be completed in substantial conformance to the proposals as submitted and reviewed for reactivation of water service and removal of old sprinkler heads.
2. The applicant is responsible to notify the appropriate authorities if any archaeological resources are found with the removal of the sprinkler heads or re-activation of the water.

Dundon seconded the motion and it carried unanimously.

**RESOLUTIONS**

McNary moved to adopt HLC Resolutions 82-05, 83-05, and 84-05 with conditions as amended. Parker seconded the motion and it carried unanimously.

**STAFF AND COMMISSIONER COMMENTS**

Staff and Commission talked about the fencing for the Cemetery as well as moving the monument to the outside. These items will be added to the Staff Report for the storage shed.

Clason moved to add to the Commissions short-term goals the support of St. Peter's Landmark in obtaining ADA accessibility. Parker seconded the motion and it carried unanimously.

Hert said she would write a letter with Chair Gleason's signature to the Urban Renewal Agency stating the support of the HLC for St. Peter's Landmark ADA accessibility.

Hert will soon be starting on the historic plaque requests. The Sixth Street Bridge plaque is in the installation process by Dick Johnson.

McNary asked Staff to have the deed to the Cemetery restricted so that the property can only be a cemetery and the bodies cannot be moved, in perpetuity. Hert said she would look into it, both with Mira Meier and the City Attorney.

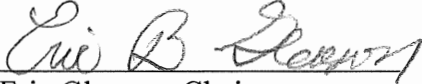
**NEXT MEETING DATE**

The next regular meeting is scheduled for April 27, 2005.

**ADJOURNMENT**

The meeting was adjourned at 5:40p.m.

Respectfully submitted by Denise Ball, Administrative Secretary.



Eric Gleason, Chair  
Historic Landmark Commission