



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
Community Development Dept.

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

Tuesday, March 24, 2009 @ 4 P.M.

I. Call to order

II. Roll Call

III. Approval of Agenda

IV. Approval of Minutes: February 25, 2009

V. Public Hearings

A. Historic Landmarks Commission Application #114-09 of City of The Dalles: This application is for a Historic Landmarks Commission hearing to install a new ADA entrance on the west side of the building facing the existing employee parking lot. The current ADA entrance on E. 3rd Street will be replaced with Fire doors to match original elevation of City Hall. Property is located at 313 Court St. and is further described as 1N 13E 3BC tax lot 500. Property is zoned "CBC"- Downtown Commercial Historic District – Central Business Commercial.

B. Historic Landmarks Commission Application #115-09 of Sharon Walters This application is for a Historic Landmarks Commission hearing to remove the existing deteriorating wood fence and replace it with a new 3 ft high Cedar fence. Property is located at 415 W. 3rd St. and is further described as 1N 13E 4AA tax lot 2700. Property is zoned "CBC"- Central Business Commercial, Trevitt's Historic District.

VI. Resolutions

- a. 109-09 Adopting HLC 114-09 with conditions of approval
- b. 110-09 Adopting HLC 115-09 with conditions of approval

VII. 2009 Goal Setting

VIII. Next meeting date: Wednesday, April 22, 2009

IX. Adjournment

HISTORIC LANDMARK COMMISSION MINUTES

February 25, 2009

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

CALL TO ORDER

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

ROLL CALL

The following Commissioners were present:

Eric Gleason
Bob McNary
Dixie Parker
John Hashizume
Pat Smith

The following Commissioners were absent: None

Staff present:

Director Dan Durow
City Councilor Carolyn Woods
Planning Tech. Denise Ball

APPROVAL OF AGENDA

Commissioner Parker moved to approve the agenda. Commissioner Smith seconded the motion. The motion carried unanimously.

APPROVAL OF MINUTES

Commissioner McNary moved to approve the minutes of January 28, 2009. Commissioner Hashizume seconded the motion. The motion carried unanimously.

PUBLIC HEARING - Historic Landmarks Commission Application #113-09 of Wasco County:

This application is for a Historic Landmarks Commission hearing to install an ADA ramp at the rear door, remove chimney per safety recommendation, replace old windows with same style and color vinyl windows. The old windows that had not been previously replaced will be tagged and kept on site. The stained glass will be reinstalled as before. Property is located at 202 E. 5th St. and is further described as 1N 13E 3BC tax lot 7700. Property is zoned "CBC"- 3 – Central Business Commercial District.

Chair Gleason read the rules for conducting a public hearing. There were no ex-parte contacts, bias, or conflicts of interest by the Commissioners. There were no challenges from the audience. Chair

Gleason opened the public hearing and asked for the Staff Report. Director Dan Durow presented the Staff Report. Director Durow told the Commission that Staff supported the request for the ADA Ramp and removal of the chimney but not the installation of the vinyl windows. He asked the Commissioners if they had any questions.

Commissioner Hashizume asked if all the vinyl windows would have to be replaced and Director Durow said according to the Secretary of Interior's standards they would. Hashizume said the taxpayers would have to pay for them. Durow agreed but added that the Secretary of Interior's Standards don't look at cost for historic preservation criteria.

Commissioner McNary asked for additional information about the ADA ramp and Director Durow said he was not able to answer. He instructed McNary to ask the applicant during proponent testimony.

Chair Gleason said he understood both the County and the contractor were asked to stop work on the vinyl windows before they had all been installed. Director Durow said there were conversations between Associate Planner Hert, the County, and the Contractor that were a bit strained. He suggested Gleason could ask the County about the details of those conversations during proponent testimony.

PROPONENT: Judge Dan Ericksen and Tyler Stone, 511 Washington Street introduced themselves to the Commission. Judge Ericksen told the Commission that he was not aware this was a historically registered building even though the contractor, Kase Construction, had been told that information when applying for a permit. This property is being used for the Juvenile Department. The building suffered extensive water damage due to a broken water pipe, over \$200,000. The building had also suffered fire damage due to arson about two years ago. Five of the original windows were replaced with vinyl windows at that time and nothing had ever been said about the building being historic or the replacement with vinyl windows. The vinyl windows are energy efficient and affordable and have a similar appearance to the original windows. Wasco County is on an extremely tight budget and cannot afford original wood windows.

Tyler Stone said their contractor has given them a bid of \$75,000 to replace the vinyl windows with wood windows. Mr. Stone added that the County is considering removing the building from the registry.

Fred Davis, County Building Maintenance Supervisor, said he was also unaware the building was on the historic registry and there is nothing recorded on the deed. He added that the Secretary of Interior's Standards say vinyl windows are "not recommended" it does not say that they are not allowed. He feels the County made an effort to maintain the style of the building.

Commissioner Parker asked Fred Davis if Associate Planner Dawn Hert had told him to stop installing the vinyl windows and he said he had not had that conversation with her.

Mr. Stone said he was contacted by someone and informed it was a historic building but he does not recall at any time being told to stop replacing the vinyl windows. He was told to submit an application for Historic Landmarks Commission which Judge Ericksen did.

Chair Gleason asked Mr. Stone if the original windows had been saved. Fred Davis said some of the windows were salvaged but many, about three quarters of the windows, went in the dumpster before they were notified they needed to obtain Historic Landmarks Commission approval.

Chair Gleason asked if their contractor had given them a bid to repair the original windows. Mr. Stone said they did not get an estimate for repair. The water damage was extensive and the frames and casing were extremely warped.

The Commission and applicants discussed the building permit issued both by the City and Mid-Columbia Building Codes. Commissioner Parker pointed out that the permit was issued on October 2008 and says "no window replacement allowed, HLC hearing required". Mr. Stone apologized to the Commission and said if the permit came into his office it probably just went in to a file and was not reviewed.

Commissioner McNary said he believes the Commission has no option but to uphold the Secretary of Interior Standards. He asked Director Durow if that is correct.

Durow said the expectation is that Historic Landmarks will uphold those Standards. He added that in this case, which is not a "cheap fix", and in these economic times the decision is more complicated. Director Durow said he would have liked to have seen a competitive bid process and believes that price would come down significantly. That being said, cost is not a criterion for the decision.

The Commission asked if the Contractor could be liable for some of the costs due to the fact he proceeded with the window replacement when the permit clearly stated that window replacement was not allowed and a Historic Landmarks Commission hearing was required.

Mr. Davis said he had not seen the building permit but wasn't concerned because five windows were replaced in 2006 and no one contacted him at that time to inform him the building was historic.

Mr. Stone informed the Commission about the extensive water damage due to a broken pipe. The records stored in the house required considerable time and expense to preserve after being completely saturated. The interior character of the building was also preserved during the remodel.

Director Durow stated he would like to offer something for the Commission to consider. The County has shown over time that they are good stewards of historic property. The Courthouse is a prime example of their dedication to historic preservation. Perhaps the error could be corrected over a period of time, such as one window a year. The possibility is that the remaining original windows could be repaired and reinstalled first.

Chair Gleason asked if the remaining original windows had been tagged before they were put in the basement. Mr. Stone said they were not tagged and are not intact.

Councilor Wood asked if the original windows were white and Mr. Davis said the trim was darker, charcoal in color. Councilor Wood then asked why one of the replacement windows was shortened

and was told that the receptionist sits in front of that window and was concerned that someone could look up her dress.

Director Durow pointed out that the vinyl sash on the windows can be painted as an interim solution, he painted his own vinyl windows and the paint does stay on. The historic color palette requires the sash of the window to be the darkest of three colors. The trim is always the lightest color and the body of the house is the medium color.

Councilor Wood asked Director Durow if that block of buildings could be part of the proposed Urban Renewal boundary line amendment and Durow said it could. If that would happen, the County would be eligible to apply for a grant for some or all of the window restoration.

Judge Ericksen said there has been enough change to this house, over time, to have it taken off the State Registry. He added that they would maintain the historic integrity as the County budget allowed.

Chair Gleason said that changes, over time, do not in and of themselves make a building non-historic.

OPPONENT: ^{OBARR Bayley} ~~Omar Bailey~~ said her Grandmother lived in the house for 75 years. She said there were structural changes made to the house prior to 1940, more than 50 years ago.

Commissioner McNary asked if the decision could be delayed for six months to see if the County does apply to remove the building from the historic registry. Director Durow said the 120 rule would apply for a decision. He said he would like to hear a response to his suggestion about a longer term fix.

Commissioner Parker said she is in favor of Director Durows' proposal.

Ruth Long, 809 E. 10th, asked who paid for the repairs and Judge Ericksen said the insurance paid for almost all of it. Ms. Long said the contractor didn't follow the rules and should be liable for putting in windows that were clearly not approved.

REBUTTAL: Judge Ericksen responded to Director Durow's proposal. He appreciates the opportunity to replace the windows over time but his preference is to remove the house from the State Historic Registry. Ericksen added that the County is not making a precedent with this building, this is a very specific situation and taxpayer dollars would not be spent wisely by replacing the vinyl windows.

Chair Gleason closed the public testimony portion of the hearing.

DELIBERATION: Commissioner Parker asked how many total windows there are in the house. Mr. Davis said there were originally 28, but one was done away with, leaving a total of 27. Chair Gleason suggested that only the windows on E. 5th Street and Court St. be replaced.

Commissioner Hashizume pointed out that the money has been spent on the vinyl windows and he does not want to see the tax payers paying for additional windows. Hashizume said Kase Construction purchased and installed windows that were not approved by City Planning, Historic Landmark

Commission or Mid Columbia Building Codes and he should be held liable by the County to replace the window. Commissioner Parker said the Commission does not have the authority to order them to hold the contractor responsible. Commissioner Hashizume said he understands that but he does not want the tax payers to have to pay for something the contractor did wrong. He hates throwing good money after bad.

Commissioner Parker said she does too, but there are consequences when you don't follow the rules. Parker said the contractor knew in October of 2008 that he could not install vinyl windows and the County was told to stop replacing the windows before all the windows had been removed. They chose to proceed with unauthorized actions and the Commission must do its job and uphold the standards.

Chair Gleason said maybe the Commission could look at having the Court Street facade and E. 5th Street facade windows replaced over a period of time.

Commissioner McNary asked where is the teeth in the law? McNary asked if the Commission denied the vinyl windows, the applicant wouldn't have to go remove them by nightfall would they?

Director Durow said the enforcement mechanism is a fine but the ultimate result is to bring the applicant into compliance.

Judge Ericksen again stressed the dire financial difficulties facing the County.

Commissioner Parker moved that HLC 113-09 be approved with conditions of approval, revising condition number 4 to read "The vinyl windows on Court Street and E. 5th Street frontage are to be replaced with wood windows, using the remaining original windows where possible. The applicant has up to ten years to complete this requirement." Commissioner McNary seconded the motion and it carried unanimously.


RESOLUTIONS – Commissioner Parker moved to adopt Resolution 108-09 approving HLC Application 113-09 with conditions of approval as amended. Commissioner Hashizume seconded the motion. The motion carried unanimously.

GOAL SETTING – Commissioner Smith moved to table 2009 Goal Setting until the March meeting. Commissioner Parker seconded the motion and it carried unanimously.

COMMISSIONER/STAFF COMMENTS: Commissioner Parker requested that all Commissioners receive a copy of the Building Permit issued to Kase Construction for their records.

ADJOURNMENT: The meeting was adjourned at 6:05pm

Respectfully submitted by Denise Ball, Planning Tech.


~~Eric Gleason, Chair~~ Robert McNary, ACTING CHAIR
Historic Landmark Commission

Historic Landmark Commission Meeting
February 25, 2009

STAFF REPORT
HISTORIC LANDMARKS REVIEW #114-09
City of The Dalles – City Hall

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Associate Planner
Community Development Department

HEARING DATE: March 24, 2009

ISSUE: The City of The Dalles is making application for exterior modifications to the historic City Hall. The application includes the installation of a new ADA entrance on the west face of the building facing the employee parking lot. The existing ADA entrance on East Third Street will be replaced with Fire Doors, and be returned to the original look of the south elevation of City Hall.

SYNOPSIS:

APPLICANT	City of The Dalles
PROPERTY OWNER	City of The Dalles
LOCATION	313 Court Street
ZONING	CBC – 1 – Central Business Commercial
EXISTING USE	City Government
SURROUNDING USE	Commercial
HISTORIC STATUS	Secondary Historic – The Dalles National Commercial Historic District #41

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 and common name of this structure is The Dalles City Hall. The structure was built in 1908 and has had minor alterations over the years.

In 1993-94 City Hall remodeled the building to meet Handicap Accessible standards. The remodel included the installation of an ADA entrance on the south elevation of the building. The new entrance required one of the existing fire bay door sets to be removed.

The Finance Department is planned to be remodeled. The remodel will also relocate the ADA access to the west elevation of the building and return the original look to the south elevation.

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 is planned to remain the same, as City government offices. 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: Care will need to be taken with the materials to ensure that other building materials are not destroyed during the upgrades and restoration. Criterion will be addressed as a condition of approval.

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 applicant will be required to follow the historic guidelines to ensure that the repairs and restoration will not harm the existing historic materials on the building. The applicant has no plans to create a false sense of historical development, historic photos and drawings have been used in the designing of the new fire bay doors. Criterion met.

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

FINDING-A4: The applicant is proposing to remove the ADA access modifications that were added in 1993-94, these changes have not acquired historic significance. 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, the building owner is working towards restoration of the building and plans to restore the entire building as close to original as possible. All distinctive features and finishes will remain. Criterion met.

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 plans to repair rather than replace. The new doors and new entrance will match the old design and complement the existing exterior finishes of City Hall. Criterion met.

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 is not proposing any chemical treatments. 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: The only ground disturbance that will occur with the City hall remodel is the installation of a ramp to the new ADA access on the west elevation. Staff will address the criterion 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 exterior alterations to the historic structure will be required to follow the historic design guidelines for the Commercial Historic District. Criterion will be addressed as a condition of approval.

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 new addition of a ramp on the west elevation and new ADA entrance will be installed in a manner to protect the historic building. The ramp is planned to be set away from the building to minimize disturbance of the exterior. The new double door entrance will be cut into the west elevation in the location where the Fire Department used to have an access. The essential form and integrity of the structure will be protected. Criterion met

B. Comprehensive Plan (June 1994):

Goal #5 Open Spaces, Scenic and Historic Areas, and Natural Resources lists a City goal applicable to this project as follows:

3. *To recognize, protect and enhance the historical importance of the community, and to promote increased public awareness and participation in historic preservation.*

FINDING B-1: The modifications and repairs to this historic National Register District property will allow for years of continued use as a local City government office building. Having a prominent corner building being restored accurately helps promote public awareness in historic preservation. Criterion met.

General Ordinance No. 96-1207 ~ Design Guidelines for The Dalles Commercial Historic District

MATERIALS

The sense of cohesiveness and continuity of The Dalles' commercial area derives in part from the consistent use of building materials in building facades. New construction and rehabilitation should use appropriate materials that provide scale making a more pedestrian friendly environment.

GUIDELINES:

- a. *For building renovations, original materials should be restored wherever possible.*
- b. *When materials need to be replaced for restoration they should be compatible in quality, color, texture, finish and dimension to the original materials (see page 2, Secretary of the Interior's Standards for Rehabilitation).*
- c. *New construction should use materials compatible with the historic buildings in quality, color, texture, finish and dimension. Predominant materials of the commercial historic district are:*
 - brick*
 - stone*
 - cast iron*
 - glazed terra cotta*
 - cement plaster (stucco)*
- d. *The use of wood for windows is recommended.*
- e. *The use of reflective and smoked glass is prohibited.*
- f. *Whenever possible, the natural color of the materials should be retained.*
- g. *An ordinance prohibiting the painting of brick, unless it is damaged or has already been sandblasted, should be adopted.*
- h. *Sandblasting of brick is prohibited as it severely damages the brick.*
- i. *When painting a building the following color scheme is recommended:*
 - darkest-window sash*
 - medium-building*
 - lightest-trim, detail*

FINDING B-2: The requests being made by the applicant for rehabilitation will need to meet the guidelines. The utmost care shall be taken in the restoration of this historic structure. Criterion will be addressed as a condition of approval.

LANDSCAPING

Yards in the Trevitt's Addition vary as a result of the topography and in general the houses are setback from the sidewalk in contrast with the commercial district. They have three

zones; sidewalk, front yard and house. New construction and rehabilitation should maintain the alignment of houses in the district and the historic character of the yards.

GUIDELINES:

- a. New construction should be set back from the street property line a minimum of 15 feet.*
- b. Street facing portions of the property should be preserved so that the public's visual access is not obstructed.*
- c. Shrubs, trees, and foundation plantings should not dominate the appearance of the house; rather, they should be complimentary and highlight important features of the building.*
- d. Preserve and maintain all mature landscaping, remove only if diseased or presenting a life safety hazard.*
- e. New construction should keep landscaping low near the building using flowers and low shrubs with larger plants and trees further away from the building.*
- f. In choosing landscaping elements the following should be considered:
style of house
climate appropriate plantings*
- g. Use of fences is recommended provided they are in keeping with the style of the house and the scale of the neighborhood.*
- h. The use of historic photographs for reference is recommended.*

FINDING B-3: Landscaping is detailed in the Trevitt's Design not in the Commercial Historic District, however it relates to this specific historic property. As submitted, the applicant plans to keep, as close as possible, the existing landscaping for the historic property. Trees and grass are planned to remain on the site. Criterion met.

CONCLUSIONS: Restoring City Hall's south elevation to its near original state, and providing a new ADA access with ramp on the west elevation is consistent with General Ordinance # 94-1194, General Ordinance # 96-1207 and The Dalles Comprehensive Plan. In all respects this application meets the standards of the Secretary of the Interior, 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 during the project.
3. The applicant will need to contact the local Building Codes Department to obtain permits for the proposed modifications to the existing building.
4. The materials used for all the proposed restoration will need to meet the recommended list stated in the Design Guidelines for the Commercial Historic District.
5. 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.

HLC# 114-09

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:	City of The Dalles, City Hall
Address	313 Court Street
Site Address	Same
Telephone	541-296-5481 x1118 - City Manager

nolan young

Please describe your project goals.

Remodel Interior of City Hall to include new ADA entrance facing the existing parking lot. Replace old ADA entrance on 3rd Street with five doors to match original elevations of City Hall

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

The original look on the 3rd Street side of City Hall will be restored. The ADA access on 3rd Street will be removed + relocated to the West side of City Hall with a new concrete ramp

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

Historic character is very important + with the relocation of the ADA door to the West side of City Hall, the original look to the 3rd Street side of the building will return

What is the current use of this property?

Municipal Government

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

No

List any known archeological resources on site.

None known. Installation of ADA ramp will follow all local, state & federal requirements of excavation.

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.

Nelson K. Gray
Applicant

3/3/09
Date

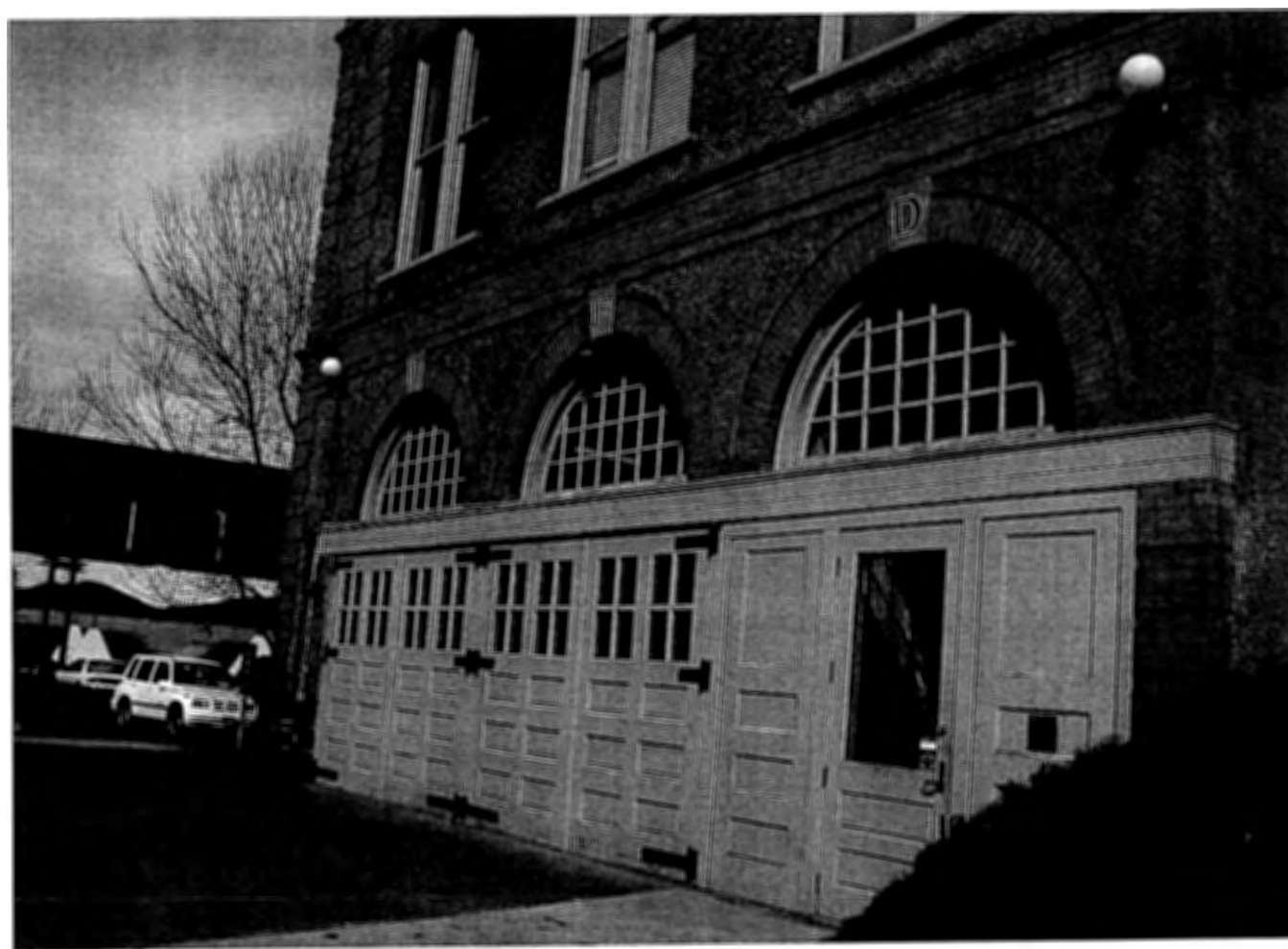
Owner (if not the applicant)

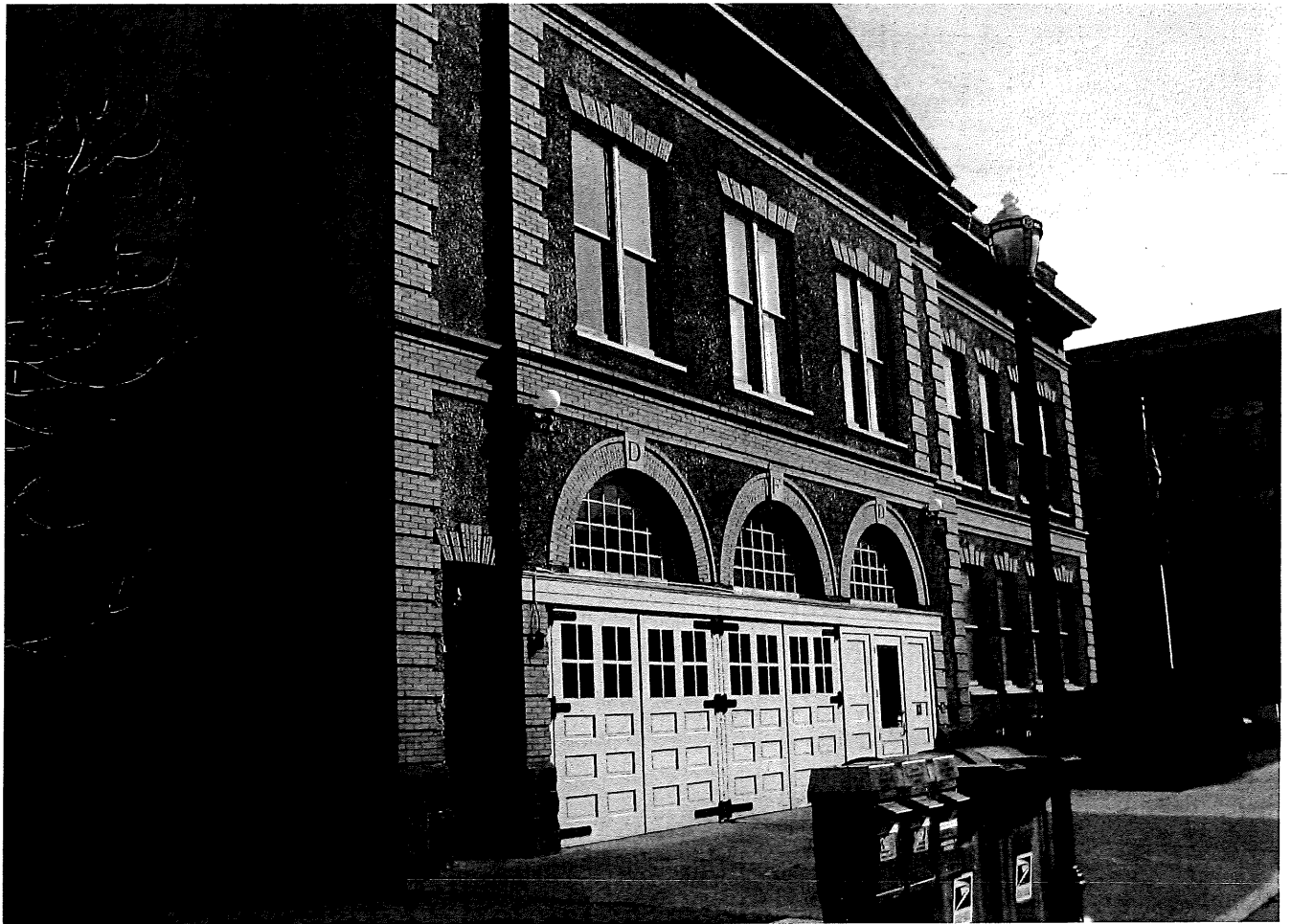
I have reviewed the above application and certify that it is complete and accepted for processing.

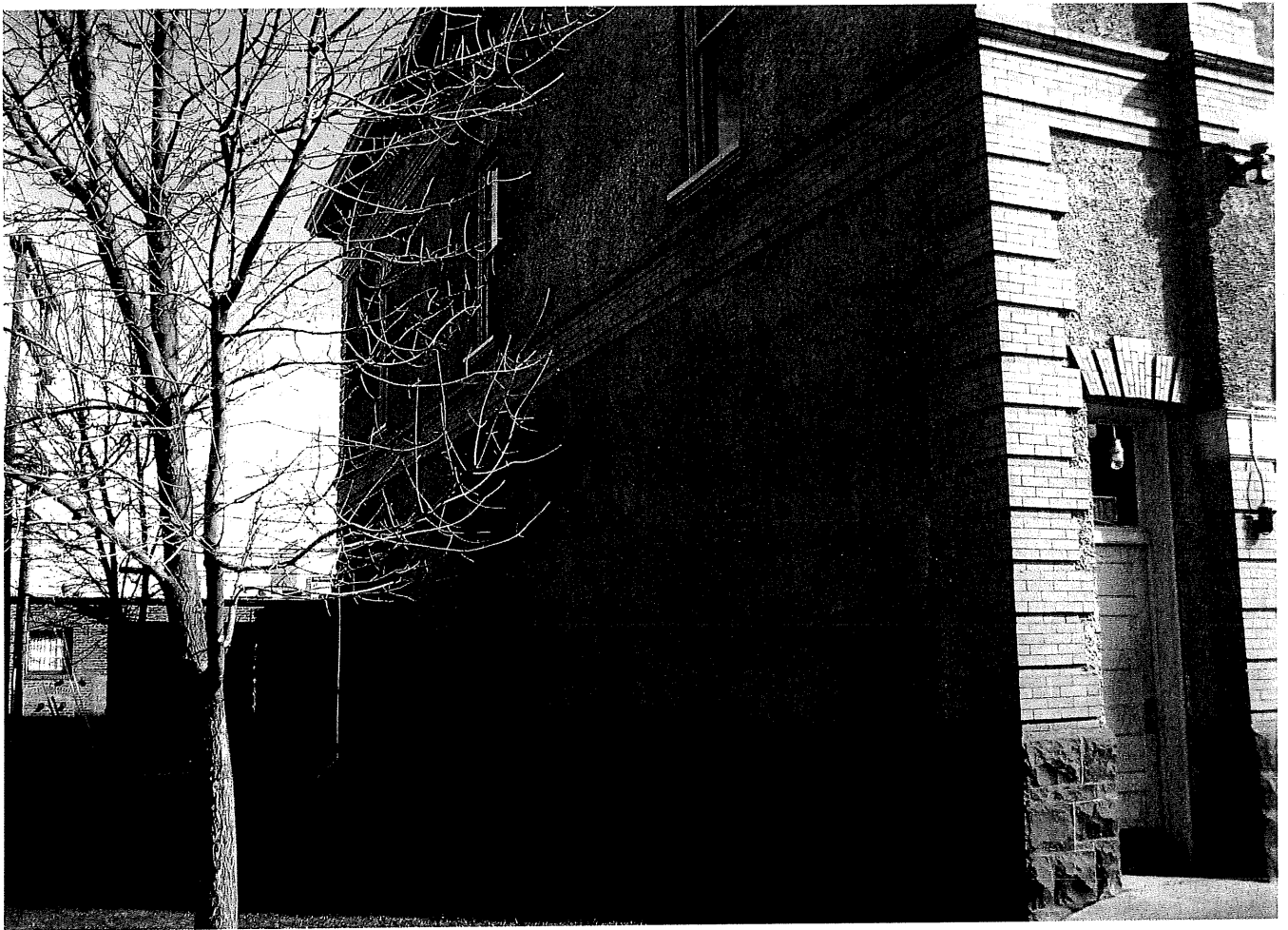
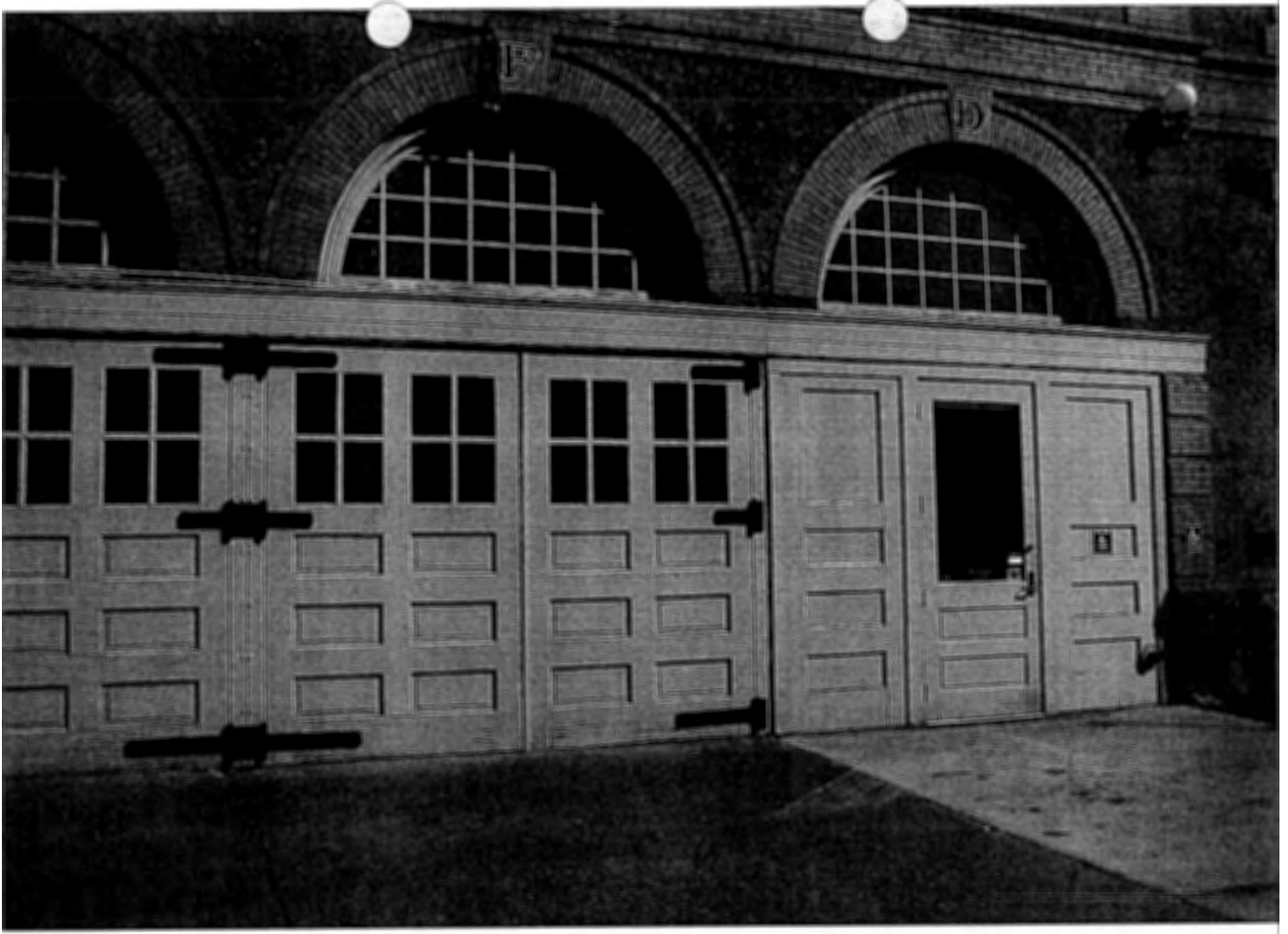
[Signature]
Secretary, Historical Landmarks Commission

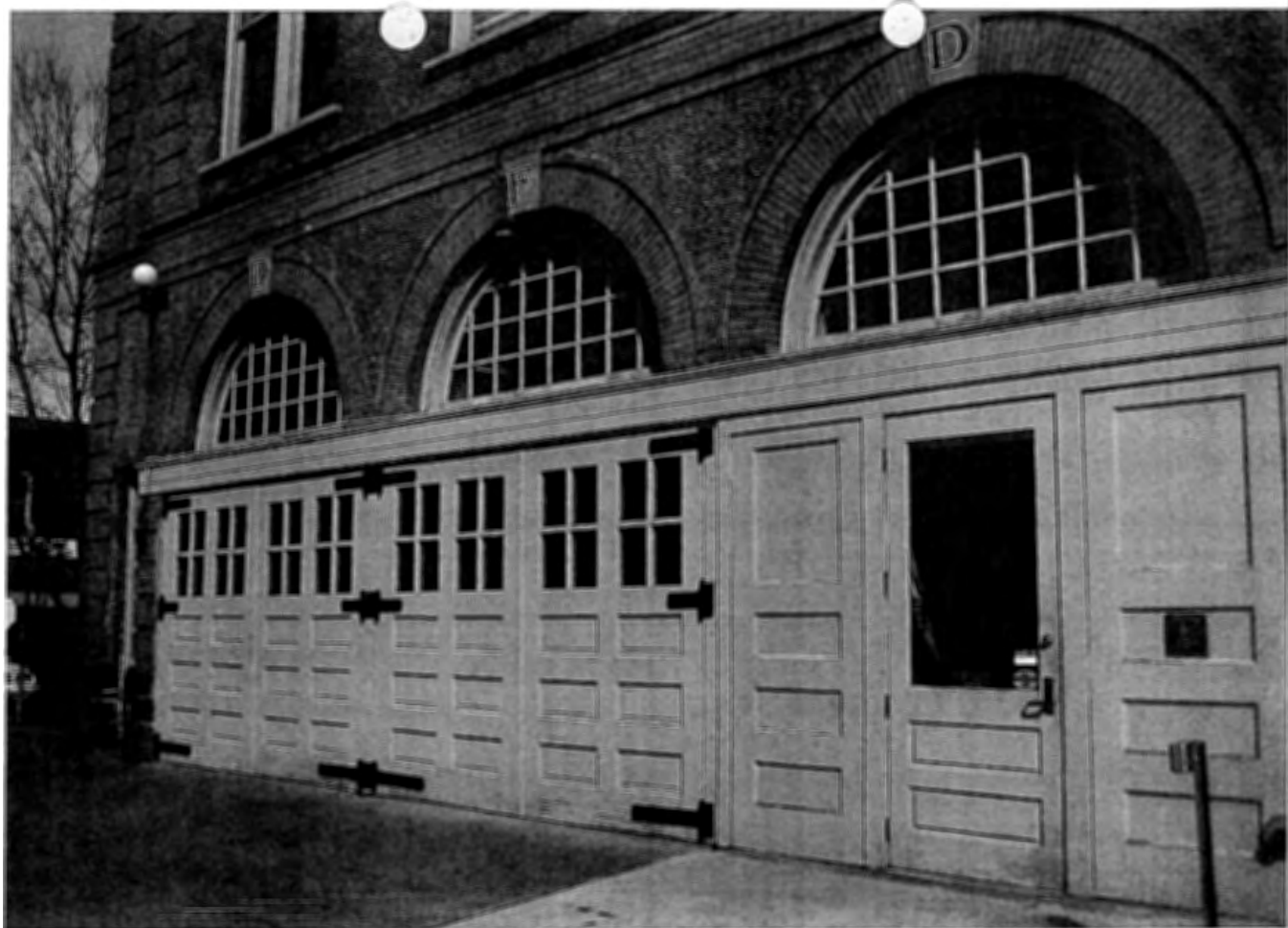
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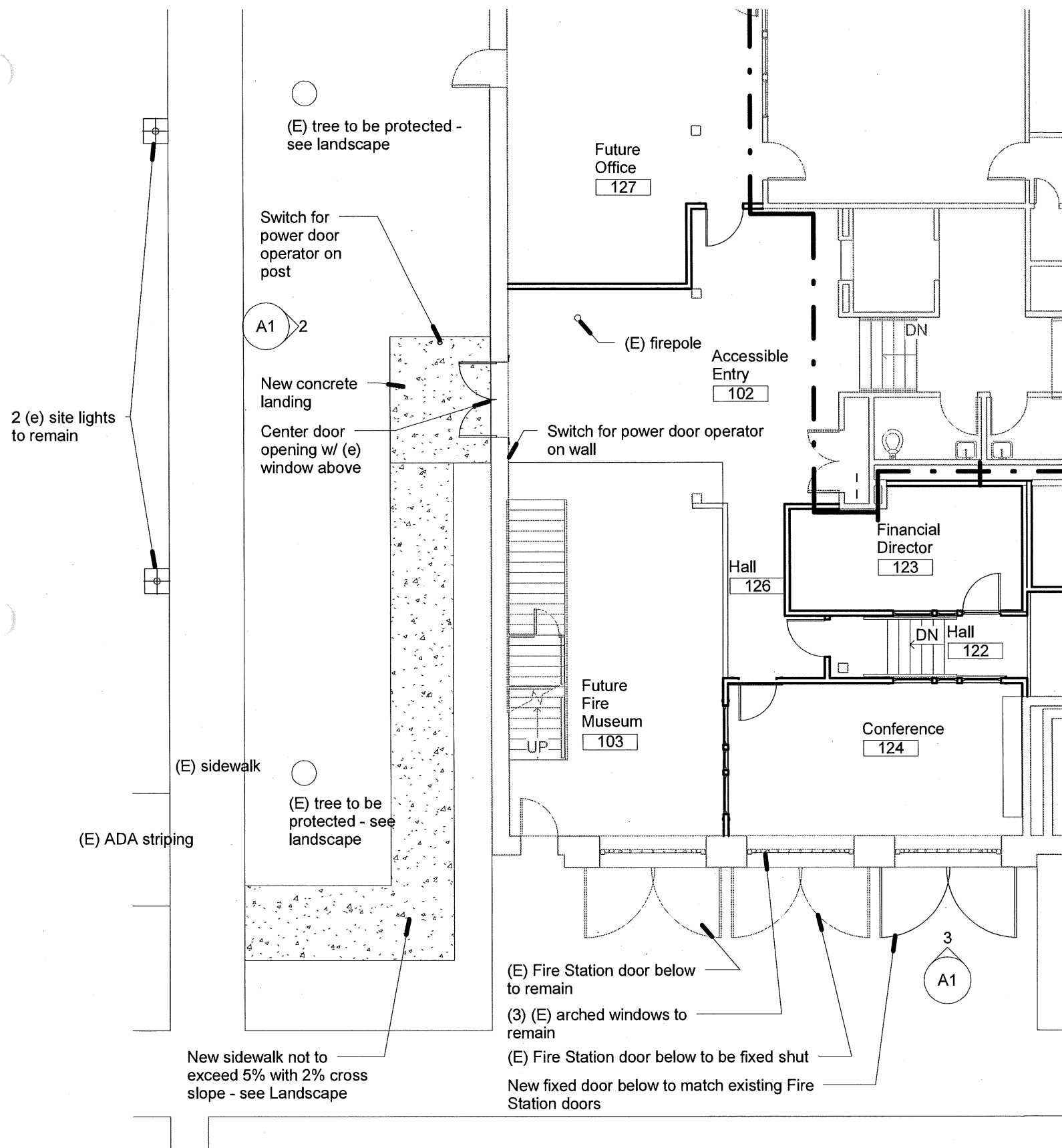
Historical Classification	Secondary	
	(Primary, Secondary, Historical, Etc.)	
Historic Building/Site	X	Historic District Trevitt Commercial X
Historic Name	The Dallas City Hall	
	(if any)	
Year(s) Built	1908	



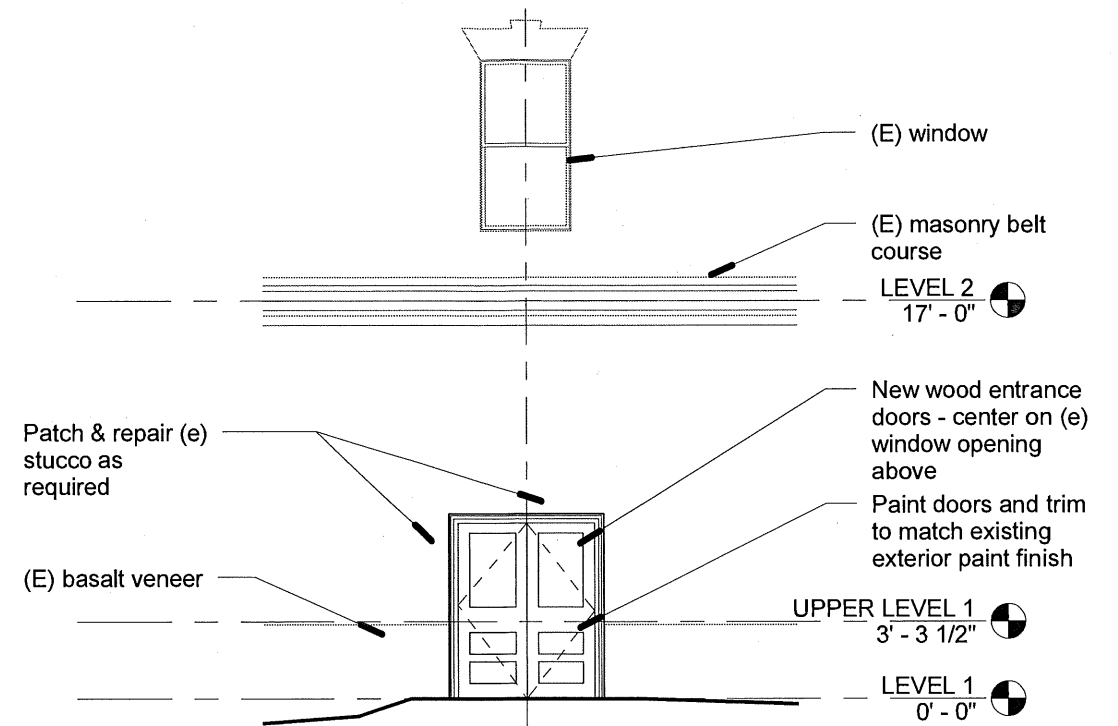




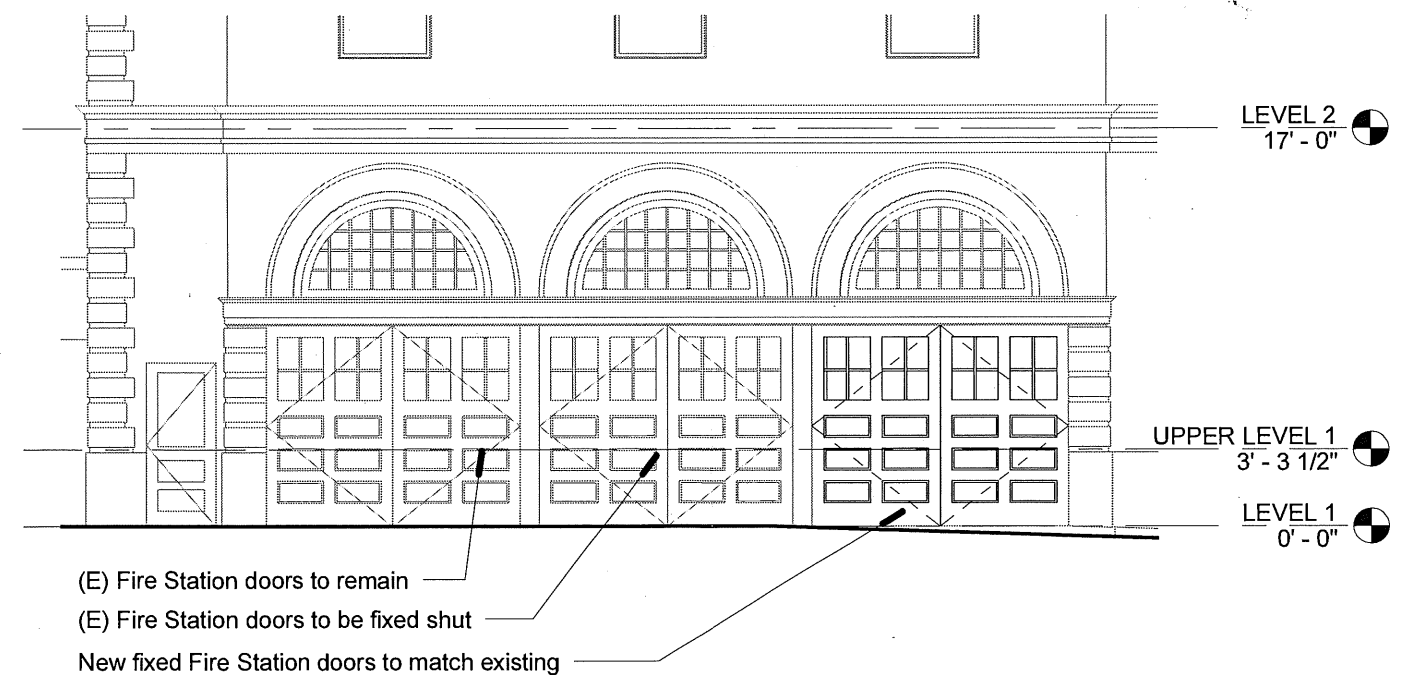




1 Partial Floor Plan
A1 1" = 10'-0"



2 West Elevation - New Entrance
A1 1/8" = 1'-0"



3 South Elevation - New Fire Doors
A1 1/8" = 1'-0"

STAFF REPORT
HISTORIC LANDMARKS REVIEW #115-09
Sharon Walters – The Schmidt House

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Associate Planner

HEARING DATE: March 24, 2009

ISSUE: Construction of a new wood fence to replace the existing old deteriorating fence adjacent to a residence that is located in the Trevitt's Historic District.

SYNOPSIS:

APPLICANT	James Sullivan Construction, LLC
PROPERTY OWNER	Sharon Walters
LOCATION	415 W. 3 rd Street, The Dalles, OR 97058
ZONING	"CBC" – Central Business Commercial
EXISTING USE	Vacant
SURROUNDING USE	Commercial and Residential
HISTORIC STATUS	N/A

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

COMMENTS:

A letter was received on March 16, 2009 from Virginia D. Kennedy who resides at 409 West 3rd Street. She stated in the letter that she would not be able to make it to the public hearing on March 24th due to health reasons. She stated that she was in favor of the application, and suggested that the Historic Landmarks Commission approve the fence application request.

Mrs. Kennedy stated that the fence has been an eye sore for some time. She said that she is very pleased that the fence will be replaced. She also stated that it was a real shame that the houses on each end of the block could not be fixed up, and that a new fence was being haggled over.

Response: No response necessary.

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

BACKGROUND: The property owner is applying to construct a new wood fence to replace a deteriorating fence. The fence is proposed to be constructed on a lot with a residence that is located in the Trevitt's Historic District. Over the years the fence has succumbed to the weather and lack of maintenance. This application is requesting a cedar

fence that is low maintenance and long lasting. The height of the fence will be similar to the previous fence.

ANALYSIS: The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to historic buildings. City of The Dalles General Ordinance 94-1194 as well as General Ordinance 96-1207 establishing design guidelines for Historic Resources 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.*

A. 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: This site will continue to be used for residential purposes. 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: The house which characterizes the property will remain. Unfortunately, the fence is non-repairable and needs to be replaced. 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: The replacement fence will not create a false sense of history. The style is plain, and material is wood. Criterion met.

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

FINDING-A4: The fence is the only change that is proposed. Therefore, this criterion does not apply.

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

FINDING-A5: The previous fence was more ornate than the proposed fencing. No historic photos were found to know when that fence was originally built or if it was original to the house. Historically the fencing types varied from wood, to wire, wrought iron depending on the style of the home. Criterion met.

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: As stated earlier in the staff report, the existing fence has been removed and was deteriorated beyond repair. Staff has had a difficult time in looking at the two fence designs and making a finding that the proposed fencing type is compatible with the house. Discussions brought us to believe that the proposed fencing, even though very plain in nature, provides the needed security for the residence and does not distract the eye or take away from one looking at the historic house. The new proposed fence should be allowed even though it is less ornate. One could argue that the current fence is not original and replicating it would be creating a false sense of history. Staff is comfortable with the simple style and plain nature of the proposed fence. The ornate features of the historic house will not compete with the proposed fence. Criterion met.

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: There are no plans for chemical or physical treatments with 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: Due to the excavation that is proposed at the site, the applicant is responsible to notify the appropriate authorities if any archaeological resources are found. 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 proposed new fence will be compatible with the residence and will follow the Trevitt's Design Guidelines in detail (see below). Criterion will be addressed as a condition of approval.

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 new fence could be removed in the future if someone wanted to construct a new fence of a different style. Criterion met.

B. CITY OF THE DALLES GENERAL ORDINANCE 96-1207—AN ORDINANCE AMENDING SECTION 10(A) OF GENERAL ORDINANCE 94-1194, ESTABLISHING DESIGN GUIDELINES FOR HISTORIC RESOURCES.

Page 22 ~ LANDSCAPING

"Yards in the Trevitt's Addition vary as a result of the topography and in general the houses are setback from the sidewalk in contrast with the commercial district. They have three zones; sidewalk, front yard and house. New construction and rehabilitation should maintain the alignment of houses in the district and the historic character of the yards.

GUIDELINES:

- g. Use of fences is recommended provided they are in keeping with the style of the house and the scale of the neighborhood.*
- h. The use of historic photographs for reference is recommended."*

FINDING-B-1: The proposed fence is being constructed of cedar wood and will be simple in style. In typical historic fencing, if fencing did occur in the front, it was decorative and served as a frame for the picture of the house on the site. Staff believes that the new fencing will compliment the house and not distract or draw attention like the current dilapidated fencing.

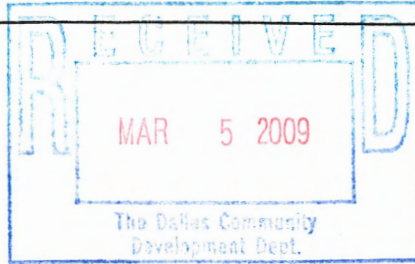
CONCLUSIONS: The proposed cedar fence will be a beautiful addition to the Historic Trevitt's Addition. In all respects this application meets the standards of the Secretary of the Interior and the City of The Dalles General Ordinance No.94-1194, as well as General Ordinance No. 96-1207, with the following conditions:

Recommended Conditions of Approval:

1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
2. Discovered archeological resources or materials will need to be professionally evaluated prior to excavation at the site.

**CITY of THE DALLES**313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481

HLC# **115-09****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:	Sharon WALTERS
Address	415 W 3rd St, TD, OR, 97058
Site Address	SAME AS ABOVE
Telephone	

Please describe your project goals.

The goal is to remove the existing fence that is rotting and old and replace with a new 3' cedar fence.

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

The new fence will give the property a nicer appearance as the old one is rotting and not in usable conditions.

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

The new fence will follow the existing line and will be replaced with a new cedar fence. (currently wood) as well

What is the current use of this property?

Single family home

Will the use change as a result of approval of this application?

Yes ☒ No ☐

List any known archeological resources on site.

none known

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.

Jas. Const. LLC 175395 *3/5/09*
Applicant Date

Sharon B. Walter
Owner (if not the applicant)

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

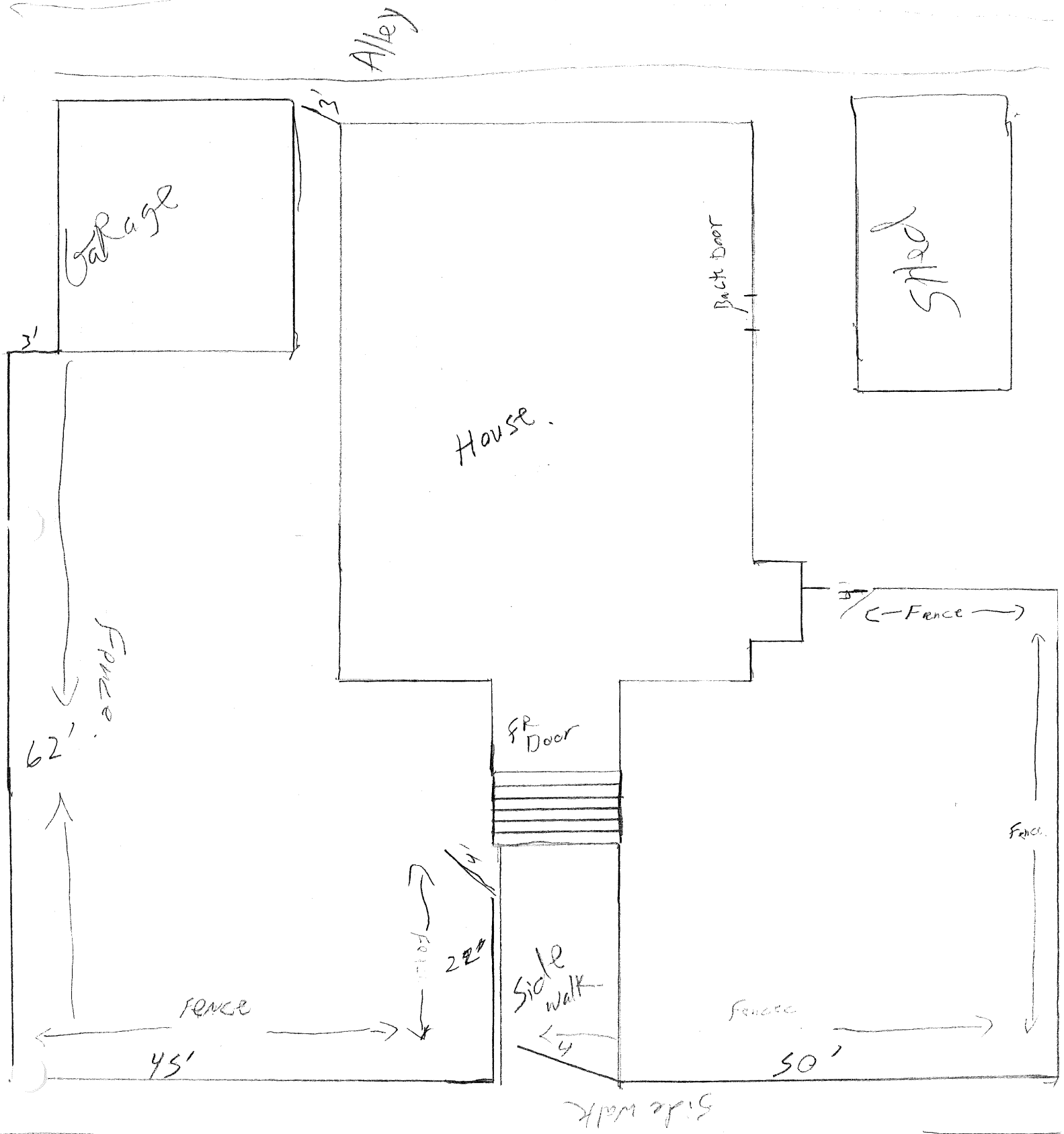
Secretary, Historical Landmarks Commission

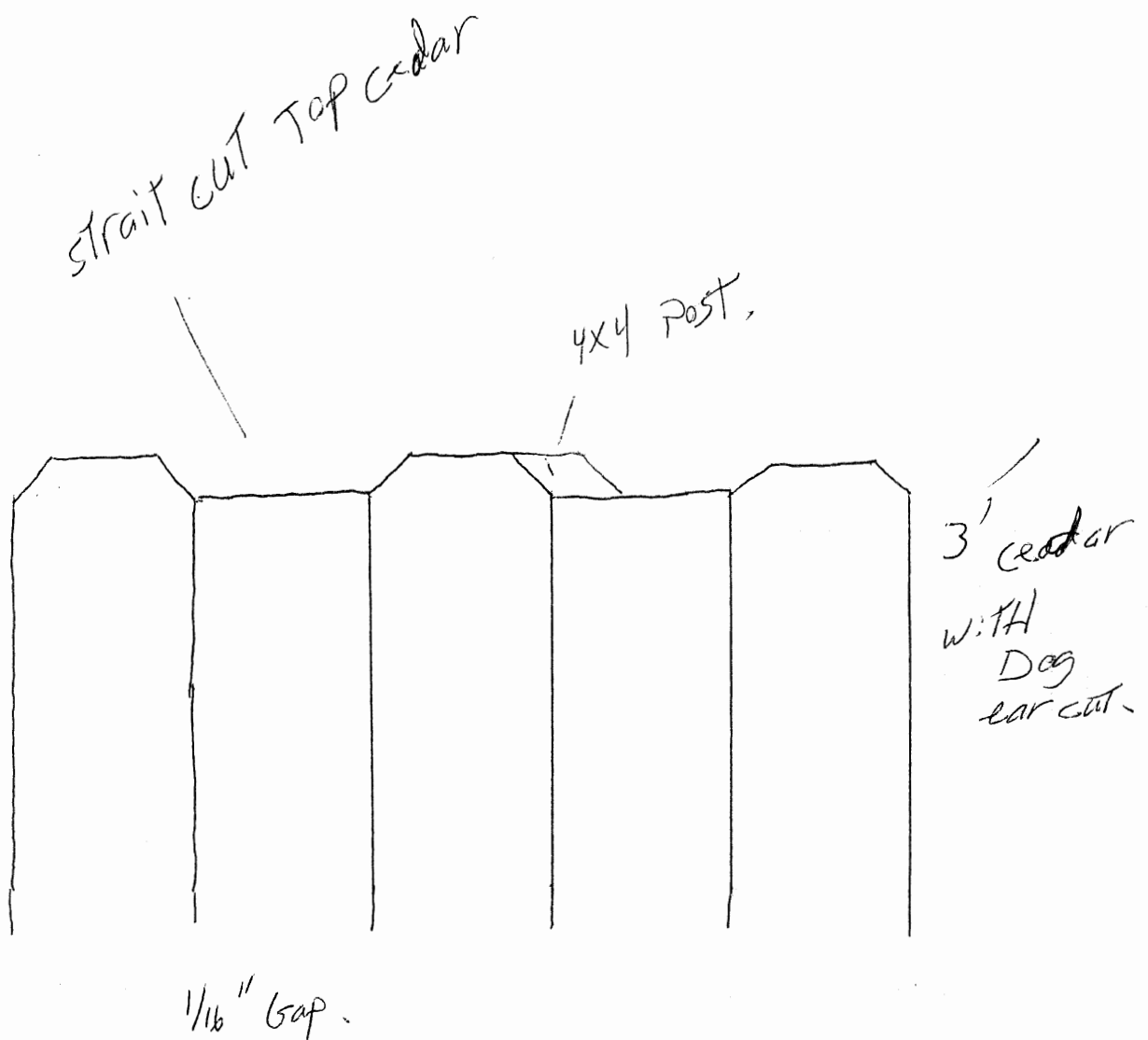
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For Office Use Only

Historical Classification *Primary*
(Primary, Secondary, Historical, Etc.)
Historic Building/Site ☒ Historic District: *Trevitt* ☒ Commercial ☐
Historic Name *Schmidt House*
(If any)
Year(s) Built *1878*

415 W. W 3 Rd Street Road 5





Fence will Be 3' Tall and will Be going in where old Fence was. no post will Be above the Fence.

Frame will Be made of 4x4 post + 2x4s.





Historic Landmarks Commission

2008 Goals

Short Term Goals

1. Encourage restoration and preservation of the Pioneer Cemetery.
2. Provide educational assistance to help individual restorers by setting up a special assessment workshop.
3. Establish a Historic Resource Center/Site ie: Historic links on City Webpage.
4. Research grant opportunities to expand City's resources.
5. Assist in saving and completing the Lewis and Clark Memorial and making it a local landmark.
6. Update Historic Inventories.
7. Actively support Historic The Dalles Days.
8. Create Historic Designs for Downtown to aid in historic background research.
9. Establish an Archaeology Testing Plan for First Street.
10. Support and encourage the preservation and continued use of The Dalles High School building.
11. Encourage restoration of the Waldron Drug/Gitchell Building.

Long Term Goals

1. Continued support for restoration and preservation of the Wasco County Courthouse #2.
2. Designate other qualified areas as national historic districts; specifically the East Gateway, The Dalles Bluff and 4th Street.
3. Encourage preservation and restoration of City Hall.
4. Maintain CLG status.
5. Support Civic Building restoration.
6. Continue to supply information on Historic Open Houses and encourage Open House visits during Historic The Dalles Days.
7. Continue to assist with historic plaque costs & availability.
8. Support and encourage the preparation of a Master Site Plan by the Fort Dalles Museum.
9. Encourage restoration and preservation of The Lewis and Clark Rock Fort.