



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

CERTIFICATE OF MAILING

I hereby certify that I served the attached notice of _____

Public Hearing Decision

regarding:

HLC 167-19 Heidi McBride
The Foley LLC

On *July 25, 2019*, by mailing a correct copy thereof, certified by me as such, contained in a sealed envelope, with postage paid and deposited on the post office at The Dalles Oregon on said day. Between the said Post Office and the address to which said copy was mailed, there is a regular communication by US Mail.

DATED: *July 25, 2019*

Paula Webb

Secretary
Community Development Department

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NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 167-19 Heidi McBride

DECISION DATE: July 24, 2019

APPLICANT: Heidi McBride

REQUEST: Requesting approval to build new upper terrace railing in the likeness of the original wood rails and replace lattice with historically appropriate materials and style.

LOCATION: The property is located at 106 E. Fourth Street, The Dalles, Oregon and is further described as 1N 13E 1 BC tax lot 2600. Property located in The Dalles Commercial Historic District and is zoned "CBC" – Central Business Commercial.

**PROPERTY
OWNER:** The Foley LLC

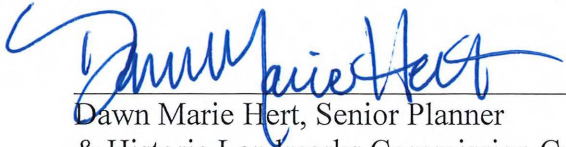
AUTHORITY: The Dalles Municipal Code, Chapter 11.12 Historic Resources

DECISION: Based on the findings of fact and conclusions in the staff report of HLC 167-19, and after a hearing in front of the Historic Landmarks Commission on July 24, 2019, the request by **Heidi McBride** is hereby **approved** with the following conditions:

1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
2. If any archeological resources or materials be discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
3. The materials used for the railing and lattice will need to be wood and be consistent with the submitted photos and drawings.

4. Any cleaning of the historic structure will require the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.

Signed this 24th day of July, 2019, by



Dawn Marie Hert, Senior Planner
& Historic Landmarks Commission Coordinator
Community Development Department

APPEAL PROCESS: The Commission's approval, approval with conditions, or denial is the final decision, and may be appealed to the City Council if a completed Notice of Appeal is received by the City Clerk no later than 5:00 p.m. on the 10th day following the date of the mailing of the Notice of Decision. The following may file an appeal of decisions:

1. Any party of record to the particular action.
2. A person entitled to notice and to whom no notice was mailed. (A person to whom notice is mailed is deemed notified even if notice is not received.)
3. The Historic Landmarks Commission, the Planning Commission, or the City Council by majority vote.

A complete record of application is available for review upon request during regular business hours, or copies can be ordered at a reasonable price, at the City of The Dalles Community Development Department. A Notice of Appeal form is available at The Dalles Community Development Department. The fee to file a Notice of Appeal is \$500.00. **The appeal process is regulated by The Dalles Municipal Code Chapter 11.12.090.**



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HISTORIC LANDMARKS RESOLUTION NO. 157-19

Adopting The Dalles Historic Landmarks Commission Application #167-19 of Heidi

McBride. This application is for a Historic Landmarks Commission hearing to gain approval to build a new upper terrace railing in the likeness of the original wood rails and replace lattice with historically appropriate materials and style. The property is located at 106 E. Fourth Street, The Dalles, Oregon and is further described as 1N 13E 1 BC tax lot 2600. Property is located in The Dalles Commercial Historic District and is zoned “CBC” – Central Business Commercial.

I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on July 24, 2019, 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 #167-19 and the minutes of the July 24, 2019, hearing, 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 “I” of this resolution.
- B. Historic Landmarks Review 167-19, Heidi McBride, is ***approved*** with the following conditions:
 - 1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
 - 2. If any archeological resources or materials be discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
 - 3. The materials used for the railing and lattice will need to be wood and be consistent with the submitted photos and drawings.
 - 4. Any cleaning of the historic structure will require the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.

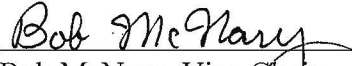
III. APPEALS, COMPLIANCE AND PENALTIES:

- 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 Article 11.12.090

of The Dalles Municipal Code, Chapter 11.12 Historic Resources, and must be filed with the 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 The Dalles Municipal Code will invalidate this permit.

ADOPTED THIS 24TH DAY, JULY, 2019.



Bob McNary, Vice Chair
Historic Landmarks Commission

I, Dawn Marie Hert, Senior Planner & Historic Landmarks Secretary for 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 July 24, 2019.

AYES: Bisset, McNary, Leash
NAYS: —
ABSENT: Gleason
ABSTAIN: —

ATTEST: 

Dawn Marie Hert, Senior Planner & Historic Landmarks Commission Secretary
City of The Dalles Community Development Department



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STAFF REPORT HISTORIC LANDMARKS REVIEW # 167-19

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Senior Planner 

HEARING DATE: Wednesday, June 26, 2019

ISSUE: The applicant is proposing to build a new upper terrace railing in the likeness of the original wood rails and replace the lattice with historically appropriate material and style.

SYNOPSIS:

APPLICANT	Heidi McBride
PROPERTY OWNER	The Foley, LLC
LOCATION	106 E. Fourth Street, The Dalles, OR 97058
ZONING	"CBC-3" – Central Business Commercial, Commercial Historic District
EXISTING USE	Mixed-use Commercial; Previous use: Law Offices Historic use: Residential
SURROUNDING USE	Commercial and Residential
HISTORIC STATUS	Classified as a Primary Significant/Contributing resource in Trevitt's National Historic District

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 Wilson/Foley House is one of the most prominent residential buildings in The Dalles. The architecture is Colonial Revival. The house was originally used as a residence for the Wilson family and then sold to Pat and Mercedes Foley and used as their residence until 1952.

The building was occupied by law offices for many years and was recently approved with a change of use for mixed use retail and shared office space.

The new property owner has completely remodeled the interior using original architectural drawings. The inventory sheets call out the second story balcony having wrought-iron railing that was installed circa 1948. However, somewhere between 1948 and 2017, the wrought-iron railing was replaced with black

coated non-historic aluminum railing. The current owner has removed this railing and is proposing to replace with railing in the likeness of the original wood rails. The proposal also includes the replacement of the non-historic lattice with a more historically appropriate material and style.

ANALYSIS: The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to historic buildings. The Dalles Municipal Code, Title 11 Planning, Chapter 11.12 – Historic Resources provides process as well as established design guidelines to assist the Commission in making these decisions. The purpose of the Historic Landmarks Commission, the Historic Code 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. THE DALLEs MUNICIPAL CODE – TITLE 11.12 – HISTORIC RESOURCES – CODE RELATING TO HISTORIC RESOURCES WITHIN THE CITY OF THE DALLEs.

Section 11.12.070, Subsection A. Review Criteria:

3. "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 existing building was constructed as a residence from its construction in 1906. The applicant has previously received approval to use the site as mixed use commercial, which is permitted outright in the CBC zone. 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 A-2: The request does not include removing any historic materials from the building. 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 A-3: There are no plans for additions that would create a false sense of historical development. The applicant has used a number of historical photos with hopes of bringing some of the historic features that were removed from previous owners. Criterion met.

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

FINDING A-4: No known changes are planned to be removed. Criterion does not apply.

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

FINDING A-5: There are no plans for any historic features to be removed. 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 A-6: The applicants do not plan to alter any historic features to the site or building. 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 A-7: Applicant did not include plans to surface clean the building. However, if desired, any exterior cleaning will be required to be gentle without sandblasting or chemicals involved. Criterion will be addressed as a condition of approval.

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 A-8: There are no plans for any excavation. However, criterion 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 A-9: The applicant is proposing replacement of the second story railing and lattice around the perimeter of the structure. Historic photos were used as reference for the new railing and lattice. The railing and lattice will be constructed to look similar to the historic photos and will be compatible in size and scale with the old historic building. 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 A-10: No new additions are planned on the historic structure. Therefore this criterion does not apply.

B. THE DALLES MUNICIPAL CODE – TITLE 11.12.095 – HISTORIC RESOURCES – CODE RELATING TO DESIGN GUIDELINES FOR HISTORIC RESOURCES.

PORCHES

"Porches are a prevalent aspect in Trevitt's Addition and they vary from small stoops to grand verandas. The porch is an integral part of the home in that it serves as both a functional and decorative element. It provides the transition from outdoor to indoor, public to private. New

construction and rehabilitation should retain the neighborhood's historic character through the porches' proportion, scale, materials, and style.

GUIDELINES:

- a. Preservation of defining features such as columns, entablature, railings and other details is important to maintaining the overall character of the house.*
- b. When original elements are too damaged to restore or rehabilitate, the materials and craftsmanship used to repair the porch should replicate the original construction (see page 2, Secretary of the Interior's Standards for Rehabilitation).*
- c. When adding or remodeling a porch on a historic home the use of photographs for reference is recommended.*
- d. Retain all representative distinctive damaged material as a future record.*
- e. Preventive maintenance can help avoid costly repairs. Annual inspection should include checking:*
 - proper roof drainage*
 - integrity of roofing material*
 - blistering paint (water leakage)*
 - damp areas*
 - substructure for water and insect damage*
- f. New construction should use a simple design with hip or shed roof with simple posts and handrails.*
- g. The following materials are prohibited:*
 - corrugated fiberglass*
 - metal siding*
 - wrought iron porch supports*
 - prefabricated trellis*
 - plywood*
 - exposed concrete block*

FINDING-B: The applicant's submittals show that the proposed new second story railing and lattice will be similar to and use wood material as shown on the historic architectural renderings. Criterion met.

CONCLUSIONS: The proposed improvements to the historic building will be within the historic design guidelines. The modifications to the second story railing and lattice will complement the building and enhance the commercial street façade. These changes to the site will encourage the continued use of this historic landmark. In all respects this application meets the standards of the Secretary of the Interior and The Dalles Municipal Code, Title 11-12 Historic Resources 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. If any archeological resources or materials be discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
3. The materials used for the railing and lattice will need to be wood and be consistent with the submitted photos and drawings.
4. Any cleaning of the historic structure will require the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.