



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 Decision

regarding:

HLC 180-20 Anthony Zilka

On July 24, 2020, 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 24, 2020

Paula Webb

Secretary
Community Development Department

Name HLC NOD

Name	E-mail
Arthur Smith	arthurs@co.wasco.or.us
Bradley Cross	bradleyc@co.wasco.or.us
'Brumley, Tonya'	tlb@nwnatural.com
Carolyn Wood	pcforman40@gmail.com
Cynthia Drake	cynthia.m.drake@odot.state.or.us
Cynthia Keever	ckeever@ci.the-dalles.or.us
Dale McCabe	dmccabe@ci.the-dalles.or.us
Dave Anderson	danderson@ci.the-dalles.or.us
Diana McDougale	dmcdougale@campbellphillipslaw.com
Ernie Garcia	ernie.garcia@charter.com
Gene Parker	gparker@ci.the-dalles.or.us
HLC Commissioners*	
Jamie Carrico	JCarrico@ci.the-dalles.or.us
Jay Wood	jwood@mcf.org
Julie Krueger	jkrueger@ci.the-dalles.or.us
MEDIA	
Nicole Bailey	nicoleba@ncphd.org
Pat Ashmore	pashmore@ci.the-dalles.or.us
Pat Cimmiyotti	Patrick.M.Cimmiyotti@odot.state.or.us
Planning Distribution List	
Richard Mays	rmays@ci.the-dalles.or.us
TD Disposal Service	anne.loop@wasteconnections.com
Wasco County Assessor	assessor@co.wasco.or.us
Wasco County Planning	wcplanning@co.wasco.or.us

Kuri Gill / Ian Johnson
SHPO
725 Summer St NE, Ste C
Salem, OR 97301

ANTHONY ZILKA
12650 SW 1ST ST
BEAVERTON, OR 97005



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 180-20 Anthony L. Zilka

DECISION DATE: July 22, 2020

APPLICANT: Anthony L. Zilka

REQUEST: The applicant requested approval to restore and enhance the exterior of the historic Block, Miller & Co. building with windows, doors and exterior paint.

LOCATION: The property is located at 205 Washington Street, The Dalles, Oregon and is further described as 1N 13E 3 BD tax lot 600. The Bloch, Miller & Co. building, commonly known as the Z. F. Moody Store, is a historic, non-contributing resource on the National Register of Historic Places in The Dalles Commercial Historic District. Property is zoned CBC – Central Business Commercial.

PROPERTY

OWNER: Columbia Gateway Urban Renewal Agency

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 180-20, and after a hearing in front of the Historic Landmarks Commission on July 22, 2020, the request by **Anthony L. Zilka** is hereby **approved** with the following conditions:

1. Work shall be completed in substantial conformance to the pictures and proposals as submitted, reviewed and modified.
2. The use of wood for windows is recommended.
3. Double hung windows are recommended.
4. Window bulkheads will be required with the installation of all new windows.
5. The use of reflective and smoked glass is prohibited.
6. Whenever possible, the natural color of the materials should be retained.

7. The modification to the façade shall not alter the essential form and integrity of the historic property. Utmost care will be taken with new façade construction and awning installation.
8. The applicants shall submit plans for a building permit to Wasco County Building Codes.
9. Cleaning of the historic structure requires the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.
10. Painting will be required to follow the historic guidelines and be approved by Community Development Department staff prior to start of work. The west facing façade shall remain unpainted. The following color scheme is recommended: darkest-window sash; medium-building; lightest-trim, detail.
11. 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.
12. Replacement materials necessary for restoration should be compatible in quality, color, texture, finish and dimension to the original materials.
13. The applicant is required to notify the Community Development Department of any alteration of the approved plans.
14. Applicant shall submit the appropriate applications to the Community Development prior to any new use of the building.
15. Due to the area being a documented archeologically sensitive site, the applicant will be required to obtain a permit from the State Historic Preservation Office and the site will be required to be professionally evaluated prior to any excavation.

Signed this 24th day of June, 2020, 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.**



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

HISTORIC LANDMARKS RESOLUTION NO. 169-20

Adopting The Dalles Historic Landmarks Commission Application #180-20 of Anthony L. Zilka. This application is for a Historic Landmarks Commission hearing to gain approval to enhance the façade with windows, doors and exterior paint. The property is located at 205 Washington Street, The Dalles, Oregon and is further described as 1N 13E 3 BD tax lot 600. The Bloch, Miller & Co. building, commonly known as the Z. F. Moody Store, is a historic, non-contributing resource on the National Register of Historic Places in The Dalles Commercial Historic District. Property is zoned CBC – Central Business Commercial.

I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on July 22, 2020, 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 180-20 and the minutes of the July 22, 2020 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 180-20, Anthony L. Zilka, is ***approved*** with the following conditions:
 - 1. Work shall be completed in substantial conformance to the pictures and proposals as submitted, reviewed and modified.
 - 2. The use of wood for windows is recommended.
 - 3. Double hung windows are recommended.
 - 4. Window bulkheads will be required with the installation of all new windows.
 - 5. The use of reflective and smoked glass is prohibited.
 - 6. Whenever possible, the natural color of the materials should be retained.
 - 7. The modification to the façade shall not alter the essential form and integrity of the historic property. Utmost care will be taken with new façade construction and awning installation.

8. The applicants shall submit plans for a building permit to Wasco County Building Codes.
9. Cleaning of the historic structure requires the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.
10. Painting will be required to follow the historic guidelines and be approved by Community Development Department staff prior to start of work. The west facing façade shall remain unpainted. The following color scheme is recommended: darkest-window sash; medium-building; lightest-trim, detail.
11. 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.
12. Replacement materials necessary for restoration should be compatible in quality, color, texture, finish and dimension to the original materials.
13. The applicant is required to notify the Community Development Department of any alteration of the approved plans.
14. Applicant shall submit the appropriate applications to the Community Development prior to any new use of the building.
15. Due to the area being a documented archeologically sensitive site, the applicant will be required to obtain a permit from the State Historic Preservation Office and the site will be required to be professionally evaluated prior to any excavation.

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 22ND DAY, JULY, 2020.



Robert McNary, 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 June 24, 2020.

AYES: Eagy, Ercole, Gleason, Leash, McNary

NAYS: --

ABSENT: --

ABSTAIN: --



ATTEST: _____

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



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

STAFF REPORT HISTORIC LANDMARKS REVIEW # 180-20

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Senior Planner

HEARING DATE: Wednesday, July 22, 2020

ISSUE: Anthony L. Zilka is applying to restore and enhance the exterior of the historic Bloch, Miller & Co. Building with windows, doors and paint.

SYNOPSIS:

APPLICANTS	Anthony L. Zilka
PROPERTY OWNER	Columbia Gateway Urban Renewal Agency
ADDRESS	205 Washington Street, The Dalles, OR 97058
ZONING	"CBC-1" – Central Business Commercial, Commercial Historic District
EXISTING USE	Vacant – Previously mixed uses as a Beauty Salon, Offices and Retail
SURROUNDING USE	Commercial
HISTORIC STATUS	Classified as Historic, Non-Contributing in The Dalles Commercial Historic District, built in 1865.

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 building is Bloch, Miller & Co. and is commonly known as the Z. F. Moody Store or The Dalles Commercial Club. The building was constructed in 1865 by Bloch Miller & Co. The company opened a general merchandising store. The store was sold in 1871 to the Grant family who also owned a general merchandising business known as Cummings and Grant. In 1878, Z. F. Moody opened a merchandising store and remained in the building until 1892 when The Dalles

Lumbering Company occupied the store. By 1900, the building was occupied by The Dalles Commercial Club.

In 1908, J. L. Kelly purchased the property. In 1926, the building housed the Model Laundry business on the first floor and the Washington Hotel on the second floor. Over the years various commercial office, personal services and retail businesses have been at this location. Currently there are no tenants.

As stated above, the building is historic, non-contributing in The Dalles Commercial Historic District. Major alterations have occurred which included removal of all the original windows and doors. The building is currently void of the any of the original decorative detail.

The developer is looking into restore and enhance the building by adding windows, doors and paint:

- East elevation has four (4) existing windows and three (3) existing doors that will be restored and ten (10) new windows to be installed.
- West elevation has two (2) existing windows that will be restored and twenty-two (22) new windows and three (3) new doors to be installed.
- North elevation has two (2) existing windows and one (1) existing door that will be restored and one (1) new window and one (1) new door to be installed.
- South elevation has two (2) existing windows and one (1) existing door that will be restored.

All restoration and modifications will be required to meet the established historic design guidelines. Also, any new use of the subject building will also be required to gain land use approval prior to occupying.

ANALYSIS: The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to historic buildings. City of 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-A1: This site has been used as retail, a hotel, laundry service and beauty salon. It has remained vacant over the past few years. The uses for the building has been discussed and will follow similar type uses such as a hotel and commercial. The property is located in the Central Business Commercial district. There is no change of use requested at this time; any proposed uses would need to be permitted uses for the subject zone. Applicant will need to submit the appropriate applications to the Community Development prior to any new use of the building. Criterion will be addressed as a condition of approval.

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 applicant plans to utilize the existing historic building exteriors and historic photos during the restoration project. Materials will be replaced only when they are not original and are beyond repair. 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 assistance of historical photos will be used with the project. Any new doors or windows will be required to be differentiated from the original features and will not create a false sense of historical development. Criterion will be addressed as a condition of approval.

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

FINDING-A4: One could say that the removal of the old doors and windows was completed over 50 years ago and the new façade has acquired historical significance. However, the developer has plans to restore and bring back not only the original use but the original characteristics of this historic building. Criterion met.

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

FINDING-A5: There are no plans for removal of any original historic features. 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 use existing materials that are repairable. In a case where materials need replacement due to deterioration, similar materials will be required for use in the restoration. Criterion will be addressed as a condition of approval.

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 plans to surface clean the building prior to painting. However, no details were provided with the application submittal. 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-A8: No excavation is planned with this request. However, a condition of approval will be added in the event that excavation is necessary. The area to the west of the building has been identified by the State Historic Preservation Office as a culturally sensitive area. Utmost care will need to be taken in the event any ground disturbance is warranted. 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-A9: The plans include restoring the original historic building exteriors using historic photos as reference. Any new additions will be differentiated from the original and be compatible in massing and scale to the building. 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 façade was altered substantially over the years and a number of windows removed. The remaining historic exteriors include the brick building and a few windows and doors. The new window and door modifications to the façade will not alter the essential form and integrity of the historic property. Utmost care will be taken with installation of the new doors and windows and restoration of the remaining doors and windows. Criterion will be addressed as a condition of approval.

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

SUBSECTION (M) - COMMERCIAL FRONT

The continuous commercial fronts of downtown The Dalles make a consistent, pedestrian friendly backdrop for a wide variety of businesses. The storefront is predominantly made up of glazing with only structure and decoration revealed. The upper stories consist mostly of wall with discreet window openings. New construction and rehabilitation should maintain the continuity of the multi-story buildings and the clear distinction between storefront and upper floor office or residences through facade treatment and articulation.

GUIDELINES:

- a. *Primary entrances should be recessed, glazed and oriented to the street rather than to a rear or interior alley.*
- b. *Tiled floors are highly effective in marking the recessed entrance.*
- c. *The use of large, clear plate glass for display windows incorporated with transom windows is recommended.*
- d. *The use of vertical, double-hung windows; either singly or in groups is recommended on the upper levels.*
- e. *Window bulkheads of the historic type are recommended.*
- f. *Identify and retain fragments such as earlier window systems and no longer used door locations which evoke a sense of the building's history.*
- g. *The use of historic photographs for reference is recommended.*
- h. *Development and adoption of a Facade Improvement Plan is recommended.*

FINDING B-1: (a): -The primary entrance will remain on the front of the building. The primary entrance is slightly recessed. Criterion met.

(b): No information was provided with regards to the recessed area flooring. At this time concrete exists. The Commission may request the installation of a tile recessed entry if desired.

(c) The plans include clear plate glass for the windows/doors. Criterion met.

(d): The window materials and type were not included in the submittal. A condition of approval will be added recommending double hung windows in the second story. Criterion will be addressed as a condition of approval.

(e): The submitted rendering does not include window bulkheads which are recommended and historically accurate. The Commission may request the installation of window bulkheads, if desired.

(f): Unfortunately, a majority of the original windows have been removed. The submitted rendering includes historically accurate storefront characteristics. Criterion met.

(g): The applicants were able to locate a number of historic photos of the façade and have used those photos as design reference. Criterion met.

(h): At this time there is no façade improvement plan in place for the historic district. Criterion does not apply.

SUBSECTION (K) - 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: (a): The applicant is proposing removal of all non-historic alterations from the buildings and restoration of any original features that exist for the property. Criterion met.

(b): Materials lists were not provided with the submittal. As recommended, the materials should be wood, glass and steel and be compatible with the historic materials that exist on the buildings. Criterion will be addressed as a condition of approval.

(c): As stated above the materials will be required to be compatible. Criterion will be addressed as a condition of approval.

(d): The door/windows will be required to have an exterior wood finish and meet the Oregon State Building Codes requirements. Criterion will be addressed as a condition of approval.

(e): The application does not include reflective or smoke glass as it is prohibited. Criterion met.

(f): The submitted plans did not indicate the materials or that the original colors will be retained. Criterion will be addressed as a condition of approval.

(g): The existing exterior brick has all been painted previously. Criterion does not apply.

(h): Cleaning of the building is planned prior to painting. No sandblasting is permitted on any remaining historic features. This will be addressed as a condition of approval.

(i): At this time, the paint palette for the windows was not included. Staff suggests that the Commission allow staff to determine if the colors meet the design guidelines. Criterion will be addressed as a condition of approval.

CONCLUSIONS: The proposed improvements to the exterior of this historic building will provide greater compliance with historic design guidelines. The restoration will complement and enhance the commercial street façade and the proposed modifications will allow for the continued use of the resource located in The Dalles Commercial

Historic District. In all respects this application meets the standards of the Secretary of the Interior and the City of The Dalles Municipal Code, Title 11-Planning, Chapter 11.12 – Historic Resources, with the following conditions:

Recommended Conditions of Approval:

1. Work shall be completed in substantial conformance to the pictures and proposals as submitted, reviewed and modified.
2. The use of wood for windows is recommended.
3. Double hung windows are recommended.
4. Window bulkheads will be required with the installation of all new windows.
5. The use of reflective and smoked glass is prohibited.
6. Whenever possible, the natural color of the materials should be retained.
7. The modification to the façade shall not alter the essential form and integrity of the historic property. Utmost care will be taken with new façade construction and awning installation.
8. The applicants shall submit plans for a building permit to Wasco County Building Codes.
9. Cleaning of the historic structure requires the applicants to use the gentlest means possible. No harsh chemical or sandblasting will be allowed.
10. Painting will be required to follow the historic guidelines and be approved by Community Development Department staff prior to start of work. The following color scheme is recommended: darkest-window sash; medium-building; lightest-trim, detail.
11. 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.
12. Replacement materials necessary for restoration should be compatible in quality, color, texture, finish and dimension to the original materials.
13. The applicant is required to notify the Community Development Department of any alteration of the approved plans.
14. Applicant shall submit the appropriate applications to the Community Development prior to any new use of the building.
15. In the event that excavation is necessary, any archeological resources or materials discovered during excavation require the applicant to stop excavation and have the site professionally evaluated prior to any continued excavation.