



## 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 196-21 – The Dalles Main Street / Walldogs

On February 25, 2022, by mailing a correct copy thereof, certified by me as such, contained in a sealed envelope, with postage paid and deposited in 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: February 25, 2022

Secretary  
Community Development Department

| Name                              | HLC NOD                               |
|-----------------------------------|---------------------------------------|
| Name                              | E-mail                                |
| Art Smith                         | arthurs@co.wasco.or.us                |
| Bradley Cross                     | bradleyc@co.wasco.or.us               |
| Carolyn Wood                      | pcforman40@gmail.com                  |
| Cynthia Keever                    | ckeever@ci.the-dalles.or.us           |
| Dale McCabe                       | dmccabe@ci.the-dalles.or.us           |
| Dave Anderson                     | danderson@ci.the-dalles.or.us         |
| Ernie Garcia                      | ernie.garcia@charter.com              |
| <b>HLC Commissioners and Reps</b> |                                       |
| Jamie Carrico                     | JCarrico@ci.the-dalles.or.us          |
| Jay Wood                          | jwood@mcf.org                         |
| Jonathan Kara                     | jkara@campbellphillipslaw.com         |
| Julie Krueger                     | jkrueger@ci.the-dalles.or.us          |
| <b>MEDIA</b>                      |                                       |
| Nicole Bailey                     | nicoleba@ncphd.org                    |
| Pat Cimmiyotti                    | Patrick.M.Cimmiyotti@odot.state.or.us |
| <b>Planning Distribution List</b> |                                       |
| Richard Mays                      | rmays@ci.the-dalles.or.us             |
| Sean Bailey                       | seanb@co.wasco.or.us                  |
| TD Disposal Service               | anne.loop@wasteconnections.com        |
| Tom Peterson                      | tomvpeterson@gmail.com                |
| Tom Worthy                        | tworthy@ci.the-dalles.or.us           |
| Tonya Brumley                     | tlb@nwnatural.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

JOHN LEHMAN  
 PO BOX 331  
 THE DALLES OR 97058

THE DALLES MAIN STREET  
 710 E 2ND ST, #3  
 THE DALLES OR 97058



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COMMUNITY DEVELOPMENT DEPARTMENT

### NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 196-21 The Dalles Main Street / Walldogs

**DECISION DATE:** February 23, 2022

**APPLICANT:** The Dalles Main Street / Walldogs

**REQUEST:** Approval for Walldogs to paint a mural on the northwest-facing parking lot wall.

**LOCATION:** The property is located at 311 Union Street, The Dalles, Oregon, further described as 1N 13E 3 BB tax lot 3200. The property is a primary contributing resource located in the National Commercial Historic District.

**PROPERTY OWNER:** Wasco Courthouse #2, 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 196-21, and after a hearing in front of the Historic Landmarks Commission on February 23, 2022 the request by **The Dalles Main Street / Walldogs** is hereby **approved** with the following conditions:

1. Work will be completed in substantial conformance to the proposal as submitted and reviewed.
2. The applicant will be required to obtain a sign permit approved by the Community Development Department prior to installation/painting of the mural.
3. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structure, if appropriate, shall be undertaken using the gentlest means possible.
4. The alteration/addition of the mural to the historic structure will be required to follow the historic design guidelines for the Commercial Historic District. The mural will be required to be compatible in massing and size of the building; care shall be taken with the painting.

*Signed this 23<sup>rd</sup> day of February, 2022 by*



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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 **March 7, 2022**, the 10<sup>th</sup> 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. 185-22***

**Adopting The Dalles Historic Landmarks Commission Application #196-21 of The Dalles Main Street/Walldogs.** This application is for a Historic Landmarks Commission hearing to gain approval to paint a mural on the northwest-facing parking lot wall. The property is located at 311 Union Street, The Dalles, Oregon and is further described as 1N 13E 3 BB tax lot 3200. Property is a primary contributing resource located in the National Commercial Historic District. Property is zoned CBC – Central Business Commercial with a CBC-1 and CBC-2 Overlay.

#### **I. RECITALS:**

- A. The Historic Landmarks Commission of the City of The Dalles has, on February 23, 2022 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 196-21 and the minutes of the February 23, 2022 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 196-21, The Dalles Main Street/Walldogs, is ***approved*** with the following conditions:
  - 1. Work will be completed in substantial conformance to the proposal as submitted and reviewed.
  - 2. The applicant will be required to obtain a sign permit approved by the Community Development Department prior to installation/painting of the mural.
  - 3. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structure, if appropriate, shall be undertaken using the gentlest means possible.
  - 4. The alteration/addition of the mural to the historic structure will be required to follow the historic design guidelines for the Commercial Historic District. The mural will be required to be compatible in massing and size of the building; care shall be taken with the painting.

III. APPEALS, COMPLIANCE AND PENALTIES:

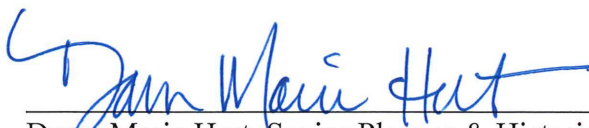
- A. Any party of record may appeal a decision of the Historic Landmarks Commission to the City Council for review. Appeals must be made in accordance to Article 11.12.090 of The Dalles Municipal Code, Chapter 11.12 Historic Resources, and must be filed with the City Clerk within ten (10) days of the 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 23<sup>RD</sup> DAY, FEBRUARY, 2022.

  
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 February 23, 2022.

AYES: Eagy, Ercole, Gleason, McNary  
NAYS: None  
ABSENT: None  
ABSTAIN: None

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



**STAFF REPORT  
HISTORIC LANDMARKS REVIEW  
#196-21**

**TO:** The Dalles Historic Landmarks Commission

**FROM:** Dawn Marie Hert, Senior Planner

**HEARING DATE:** Wednesday, February 23, 2022

**ISSUE:** The Dalles Main Street along with the Walldogs are requesting approval to paint a mural on the northwest-facing parking lot wall.

**SYNOPSIS:**

|                 |                                                                                         |
|-----------------|-----------------------------------------------------------------------------------------|
| APPLICANTS      | The Dalles Main Street/Walldogs                                                         |
| PROPERTY OWNER  | Wasco Courthouse #2, LLC                                                                |
| LOCATION        | 311 Union Street, The Dalles, OR 97058                                                  |
| ZONING          | “CBC-1” – Central Business Commercial, Commercial Historic District                     |
| EXISTING USE    | Mixed Use, Restaurant and Masonic Lodge                                                 |
| SURROUNDING USE | Commercial                                                                              |
| HISTORIC STATUS | Classified as Primary, Contributing resource in The Dalles Commercial Historic District |

**NOTIFICATION:** Published advertisement in local newspaper; notification to property owners within 100 feet, State Historic Preservation Office (SHPO).

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

**BACKGROUND:** The historic name of this structure is Wasco County Courthouse #2. The Italian Villa style building, built in 1883, is classified as a Primary, Contributing resource in The Dalles Commercial Historic District.

Alterations were considered major in 1994 when the building was registered as part of the National Commercial Historic District. Non-historic alterations, for conversion to a funeral home in 1958, were removed in 2008. The owner has continued to use original building photos

in his process of restoring the landmark to its original state. In 2021, the Historic Landmarks Commission approved application HLC#190-21 that will bring the building's Third Street façade closer in appearance to original.

The applicants are requesting approval to place a 27' wide by 15' tall mural, painted by Walldogs, on the northwest-facing parking lot wall. This portion of the building is constructed with concrete cinder block and has been previously painted. At this time, the design has not been determined for the location, but will include local historic events and people and will be similar in style to the two other Walldogs "teaser murals" completed in our community. This mural will be part of the upcoming Walldogs event set for August 2022.

**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 regarding historic resources under Statewide Planning Goal 5.*

#### **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:** There are no plans for modifications to the existing use of this building. Criterion does not apply.

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 proposed mural will not remove any historic elements. Care shall be taken with the mural painting. 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. This mural will not create a false sense of historic development. Criterion does not apply.

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

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

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

**FINDING A5:** This proposal does not seek to alter any of the above. 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:** This proposal does not seek to remove or replace any deteriorating features. All historic features and finishes will remain. 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 or physical treatments. Any planned cleanings prior to painting of the mural will be required to meet the standards set forth by the Secretary of Interior. 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 or ground disturbance is indicated in this application. Therefore, this criterion does not apply.

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:** Exterior alterations to the historic structure will be required to follow the historic design guidelines for the Commercial Historic District. The mural will be required to be compatible in massing and size of the project. 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 essential form and integrity of the structure will be protected with the mural project. There are no plans to remove historic materials, only paint the mural on the existing painted north-west parking lot facing wall of the building. Criterion met.

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

***SIGNS***

*Signs should not be the dominant feature of a building or site, yet they are a key component in identifying businesses and contributing to the livelihood of the street with their individuality. New construction and rehabilitation should maintain a system in which signs identifying businesses are visible to both pedestrian and automobile traffic without detracting from the architecture or overpowering the streetscape.*

***GUIDELINES:***

- a) Wall signs, window signs, canopy and projecting signs attached to buildings should be compatible in scale, without obscuring the architectural features.*
- b) Window signs should be at eye level to entice the pedestrian.*
- c) The window background should be treated as if it is a black surface in order for a painted sign to be readable.*
- d) The use of gold leaf window signs at an appropriate scale is recommended.*
- e) Hanging signs using front lighting are recommended.*
- f) Historic product signs painted on building sides should be preserved when possible, as they contribute to the character of the commercial area.*
- g) The use of historic photographs for reference is recommended.*
- h) Murals are not recommended on primary, secondary, and historic buildings as they lessen the integrity of the architecture and damage the building surface.*
- i) Free standing sign faces are not recommended.*
- j) Plastic sign faces are not recommended.*
- k) Can signs are not recommended.*

**FINDING B1:** The building is classified as a primary contributing resource in The Dalles Commercial National Historic District. This portion of the building is constructed with concrete cinderblocks that have been previously painted and no longer have exposed brick the guidelines listed above are intended to protect. Staff has found the request to paint the mural on an existing painted face of the building will not lessen the integrity or damage the surface of the building. The applicant will need to obtain an approved sign permit prior to installation/painting of the mural. Criterion will be addressed as a condition of approval.

**CONCLUSIONS:** 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:

**Proposed Conditions of Approval:**

1. Work will be completed in substantial conformance to the proposal as submitted and reviewed.
2. The applicant will be required to obtain a sign permit approved by the Community Development Department prior to installation/painting of the mural.
3. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structure, if appropriate, shall be undertaken using the gentlest means possible.

4. The alteration/addition of the mural to the historic structure will be required to follow the historic design guidelines for the Commercial Historic District. The mural will be required to be compatible in massing and size of the building; care shall be taken with the painting.