



## 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 199-22 – Robert and Megan Wells-Clark

On April 1, 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: April 1, 2022

Secretary  
Community Development Department

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Robert & Megan Wells-Clark  
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 The Dalles OR 97058



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COMMUNITY DEVELOPMENT DEPARTMENT

### NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 199-22 Robert and Megan Wells-Clark

**DECISION DATE:** March 30, 2022

**APPLICANT:** Robert and Megan Wells-Clark

**REQUEST:** Approval to replace an existing, deteriorating deck with a 16' x 15'9" deck.

**LOCATION:** The property is located at 503 W. Third Place, The Dalles, Oregon, and further described as 1N 13E 4 AA tax lot 2200. The property is a primary, contributing resource in the Trevitt's Addition National Historic District. Property is zoned RH – High Density Residential District.

**PROPERTY OWNER:** City of The Dalles

**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 199-22, and after a hearing in front of the Historic Landmarks Commission on March 30, 2022 the request by **Robert and Megan Wells-Clark** is hereby **approved** with the following conditions:

1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
2. In the event there are discovered archeological resources or materials during the project, the discovery shall be professionally evaluated prior to continued excavation at the site.
3. Prior to the start of construction, the applicant will be required to obtain an approved building permit from the Community Development Department and Wasco County Building Codes.
4. 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.

*Signed this 30<sup>th</sup> day of March, 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 **April 11, 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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COMMUNITY DEVELOPMENT DEPARTMENT

### ***HISTORIC LANDMARKS RESOLUTION NO. 188-22***

**Adopting The Dalles Historic Landmarks Commission Application #199-22 of Robert and Meagan Wells-Clark.** This application is for a Historic Landmarks Commission hearing to gain approval to replace an existing, deteriorating deck with a 16' x 15'9" deck. The property is located at 503 W. Third Place, The Dalles, Oregon, and further described as 1N 13E 4 AA tax lot 2200. The property is classified as a primary, contributing resource in the Trevitt's Addition National Historic District. Property is zoned RH – High Density Residential District.

#### I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on March 30, 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 188-22 and the minutes of the March 30, 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 188-22, The Dalles Main Street/Walldogs, is ***approved*** with the following conditions:
  - 1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
  - 2. The applicant will be required to obtain an approved sign permit from the Community Development Department prior to the mural installation/painting.
  - 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 structure will be required to follow the historic design guidelines. 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 30<sup>TH</sup> DAY, MARCH, 2022.



Robert McNary, Chair  
Historic Landmarks Commission

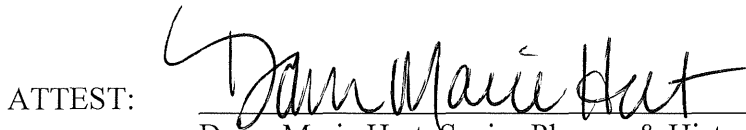
I, Dawn Marie Hert, Senior Planner & Historic Landmarks Secretary for the Community Development Department of the City of the Dalles, hereby certify that the foregoing Order was adopted at the meeting of the City Historic Landmarks Commission, held on March 30, 2022.

AYES: Eagy, Ercole, Gleason, McNary

NAYS: None

ABSENT: Stephenson

ABSTAIN: None

ATTEST: 

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



**STAFF REPORT  
HISTORIC LANDMARKS REVIEW  
#199-22**

**TO:** The Dalles Historic Landmarks Commission

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

**HEARING DATE:** Wednesday, March 30, 2022

**ISSUE:** Replacing rear deck with new larger deck.

**SYNOPSIS:**

APPLICANTS	Robert & Megan Wells-Clark
PROPERTY OWNER	Robert & Megan Wells-Clark
LOCATION	503 W. Third Place, The Dalles, OR 97058
ZONING	“CBC-1” – Central Business Commercial, Trevitt’s Addition National Historic District
EXISTING USE	Residential
SURROUNDING USE	Residential and some Commercial
HISTORIC STATUS	Classified as Primary, Contributing in Trevitt’s Addition National 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 house is the Maier House. The house was built circa 1895 and is classified as a Primary, Contributing resource in The Dalles Trevitt’s Addition National Historic District. The one and one half story Queen Anne/Eastlake style home has minimal alterations to the exterior.

**Past Historic Landmarks Approvals:**

- May 17, 2001, the Commission approved application HLC #59-01 for removal of the rear landing and stairs to be replaced with a new 6 foot by 16 foot deck.

- June 25, 2014, the Commission approved application HLC #144-14 for construction of a detached garage.

The applicants are requesting approval to construct a new 15 foot 9 inch by 16 foot deck to replace the existing 6 foot by 16 foot deck on the rear elevation of the home. The new wooden deck will be built to match the style of the home, include the same railing features of the existing deck, and painted to match the house.

**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. The current use is the same as the historic use of the property. 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 deck will replace an existing deck constructed in 2001. The existing deck is rotten and in need of replacement. The existing, non-historic, deck will be removed, but all historic elements will remain. Care shall be taken with the installation of the new deck to the historic house. 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:** This property is recognized as a physical record of its time. The replacement of the existing deck will not create a false sense of historic development. The proposed railing is similar to the historic railing on the front porch of the house. Criterion met.

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. The deck approved in 2001 has not acquired historical 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. All distinctive features and finishes will remain. This replacement deck will not obscure features that characterize the property. 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 historical deteriorating features with this application. The deck to be removed was constructed in 2001. 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 construction 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:** Minor ground disturbance is indicated in this application submittal as needed for the footings on the deck. In the event historic artifacts are located, the applicant will be required to stop excavation and have the site professionally evaluated prior to commencing with any excavation. This 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:** Proposed exterior alterations to the historic structure follow the historic design guidelines for the Trevitt's Addition. The proposed deck is compatible in massing, size, scale and architectural features as detailed in the application. The railing materials will be similar in style to the front porch. 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 A10:** The essential form and integrity of the structure will be protected with the construction of the new deck. There are no plans to remove historic materials, only expand the deck on the rear face of the building. Care shall be taken with construction to ensure that the house and environment will be unimpaired in the event the deck is removed in the future. Criterion met.

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

### **MATERIALS**

#### **2. 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.*

**FINDING B1:** The house is located on a corner lot making three elevations visible from the street. The house is preserved and the addition to the rear elevation will not obscure the public's visual access to the house. The deck addition is over 15 feet from any property line. Criterion met.

#### **3. 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:**

- 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 B2:** The proposed deck will be constructed of wood and will be a simple design as the front porch. The deck is not proposed to be covered. Criterion met.

#### **7. COLOR**

*Trevitt's Addition has a varied range of building colors which contributes to the liveliness of the neighborhood. New paint should maintain an overall image of variety, without providing a strict*

*palette, allowing for flexibility and freedom, which created the current appearance of the neighborhood.*

**GUIDELINES:**

- a. Research and replication of original paint colors is recommended.*
- b. As a rule it is recommended that three colors be used:  
darkest-window sash  
medium-building  
lightest-trim, detail*
- c. In choosing a color scheme for a house, consult the local hardware stores, which have historic paint palettes for suggested styles.*
- d. In general earth tones are recommended.*
- e. Lighter colors used for smaller homes help to give them more presence.*
- f. Houses should use varying color palettes in an effort to retain the sense of variety in the neighborhood.*

**FINDING B3:** The applicant has stated the new deck colors will match the colors used on the previous deck, the house and front porch. The color scheme meets the design guideline colors. Criterion met.

**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 proposals as submitted and reviewed.
2. In the event there are discovered archeological resources or materials during the project, the discovery shall be professionally evaluated prior to continued excavation at the site.
3. Prior to the start of construction, the applicant will be required to obtain an approved building permit from the Community Development Department and Wasco County Building Codes.
4. 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.