



## 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 201-22 – The Dalles Main Street / Walldogs

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

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Community Development Department

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### NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 201-22 The Dalles Main Street / Walldogs

**DECISION DATE:** March 30, 2022

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

**REQUEST:** Approval for Walldogs to paint a mural on the south-facing alley wall of the property.

**LOCATION:** The property is located at 122 E. Second Street, The Dalles, Oregon, and further described as 1N 13E 3 BD tax lot 4100. The property is a non-compatible, non-contributing resource located in the National Commercial Historic District. Property is zoned CBC – Central Business Commercial with a CBC-1 Overlay.

**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 201-22, and after a hearing in front of the Historic Landmarks Commission on March 30, 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 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.
5. A protective coating shall be applied to the brick prior to the mural being painted.

*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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### ***HISTORIC LANDMARKS RESOLUTION NO. 190-22***

**Adopting The Dalles Historic Landmarks Commission Application #201-22 of The Dalles Main Street/Walldogs.** This application is for a Historic Landmarks Commission hearing to gain approval to paint a mural on the north-facing alley wall of the property. The property is located at 122 E. Second Street, The Dalles, Oregon, and further described as 1N 13E 3 BD tax lot 4100. The structure is a non-compatible, non-contributing resource located in the National Commercial Historic District. Property is zoned CBC – Central Business Commercial with a CBC-1 Overlay.

#### 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 201-22 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 201-22, 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.

5. A protective coating shall be applied to the brick prior to the mural being painted.

### 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  
#201-22**

**TO:** The Dalles Historic Landmarks Commission

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

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

**ISSUE:** The Dalles Main Street along with the Walldogs are requesting approval to paint a mural on the north-facing wall of 122 E. Second Street.

**SYNOPSIS:**

APPLICANTS	The Dalles Main Street/Walldogs
PROPERTY OWNER	Matthews Building, LLC
LOCATION	122 E. Second Street, The Dalles, OR 97058
ZONING	“CBC-1” – Central Business Commercial, The Dalles Commercial Historic District
EXISTING USE	Mixed Use Commercial, Service and Professional Offices
SURROUNDING USE	Commercial
HISTORIC STATUS	Classified as Non-Compatible, Non-Contributing 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 not known, it is more commonly known as the Windemere Real Estate Building. The structure was built circa 1920 and is classified as a Non-Compatible, Non-Contributing structure located in The Dalles Commercial Historic District. The building has major alterations that have occurred over the years.

The building is one story, constructed of brick and the roof is flat. Originally the building housed a variety of businesses. In 1926, the tenants included a drugstore, a confectionary, a florist, offices and an electrical supply shop.

The applicants are requesting approval to place a 24' wide by 15' tall mural, painted by the Walldogs, on the south-facing wall. The current brick façade of the building is not painted. At this time the design has not been determined for the location, but will be similar to the two other Walldogs "teaser murals" completed in our community and will include local historic events and people. This mural will be part of the upcoming Wall Dogs 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. 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 mural will not remove any elements of the building. 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. This chosen location is a blank wall with no architectural 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:** This proposal does not seek to remove or replace any deteriorating features with this application request. All features and finishes will remain. 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 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. 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 painting the mural on the south-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 non-compatible, non-contributing 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 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.