



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

Historic Landmarks Committee
Community Development Center, 231 NE 5th Street
November 30, 2016 *2:00 PM*****
PLEASE NOTE THE CHANGE IN TIME

Committee Members	Agenda Items
Patti Webb Chair	1. Call to Order
Joan Drabkin Vice-Chair	2. Citizen Comments
John Mead	3. Approval of Minutes A. October 26, 2016 Regular Meeting (Exhibit 1)
Rebecca Quandt	4. Action Items A. Façade Improvement Grant – 325 NE 3 rd Street (Exhibits 2 - 4)
Vacant	5. Discussion Items A. First Baptist Church Upgrades – 125 SE Cowls Street (Exhibits 5 - 7) B. Potential Ordinance Updates (Exhibits 8 & 9)
	6. Old/New Business
	7. Committee Member Comments
	8. Staff Comments
	9. Adjournment A. Adjourn Early for Historic Walking Tour of Downtown Area

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.

EXHIBIT 1

City of McMinnville
Historic Landmarks Committee
Regular Meeting

October 26, 2016, 2:00 p.m.
Community Development Center
McMinnville, Oregon

MINUTES

Members Present: Chair Patti Webb, Committee Members Joan Drabkin and John Mead

Members Absent: Committee Member Rebecca Quandt

Staff Present: Chuck Darnell (Associate Planner) and Heather Richards (Planning Director)

Others Present: Don Johnson (DJ Architecture), and DJ Thommen (Pacific Stucco)

1. Call to Order

Associate Planner Darnell called the meeting to order at 2:10 PM. Staff introduced two representatives of the building owners at 608 NE 3rd Street, and suggested that the Committee move the agenda item that they are in attendance for up in the meeting. The Committee agreed to move the agenda item up to the beginning of the meeting.

2. Discussion Items:

A. Proposed Alterations – 608 NE 3rd Street

Associate Planner Darnell introduced the topic, which was to receive an update on proposed alterations to the historic building at 608 NE 3rd Street. Staff described that this was not a formal review of an application, as the proposed alterations are not of a type that would allow for the Historic Preservation or Downtown Design Guidelines review processes to take place.

Associate Planner Darnell described the situation and that the owners of the building at 608 NE 3rd Street, who recently acquired the property, are proposing to complete some alterations to the building to improve some deteriorated conditions. The proposed alterations include the replacement of existing wood windows with aluminum clad windows, reinforcement of some brick on the alley wall, and application of stucco over the painted brick alley wall. None of the proposed alterations require building permits, which results in the project not being formally reviewed by the Historic Landmarks Committee.

Planning Department

PHONE (503) 434-7311 FAX (503) 474-4955

Staff described how the proposed improvements conform to the Downtown Design Standards and Guidelines, and the guidelines for exterior alterations to historic buildings.

Staff introduced Don Johnson, the architect working with the property owners, and asked him to explain the proposed improvements. Don Johnson described the process that the architect and property owners went through to determine the type of repairs that would be required on the property. DJ Thommen, with Pacific Stucco, explained the reasoning for the property owner proposing to apply stucco to the alley wall of the building.

The committee members discussed and provided recommendations to the project team and asked that they share the recommendations with the property owners. The committee members stated that they understood the reasoning for using the stucco on the alley wall, given that the existing brick has deteriorated and your proposed treatment would preserve the brick in place. Even though the exterior material is changing from brick, they appreciated that the owners were proposing another material that is permitted in our downtown design guidelines. They were also supportive of the color being proposed, as it will match, to the best of the contractor's abilities, the existing color of the brick on the corners and alley side of the building.

The committee members did urge that the owners consider replacing the windows with wood windows to match the existing conditions. If the owners do decide to move forward with replacement windows of an alternate materials, the committee members recommended that the wood-framed aluminum clad windows be used instead of fiberglass windows. The aluminum clad windows are more consistent with other types of windows that have been used on other buildings in the downtown area.

Don Johnson stated that he would bring the Historic Landmarks Committee's recommendations to the property owners for consideration.

3. Approval of Minutes:

A. October 6, 2016 Minutes

The committee members reviewed the minutes from the October 6, 2016 regular meeting of the Historic Landmarks Committee. Committee member Mead made a motion to approve the minutes, seconded by Committee member Drabkin. With no further discussion, the Historic Landmarks Committee members voted to approve the minutes unanimously.

4. Action Items

A. Adopt 2017 Work Plan

Associate Planner Darnell introduced the topic and described that, based on discussion at previous Historic Landmarks Committee meetings, staff compiled a draft 2017 Work Plan for

the Historic Landmarks Committee. Some of the major activities proposed for 2017 include: Development of a Historic Preservation Plan; Refresh of Reconnaissance Level Survey (RLS) completed in 2010; Intensive Level Survey (ILS) for select properties from the most recent RLS; Reestablish the Historic Preservation Award program; and various community outreach and public education activities.

Staff explained the work plan graphic that was created, which included detailed actions, timeframes, and estimated costs for each activity in the work plan, and where all of that specific information was located in the draft work plan.

Committee Member Drabkin asked what areas had been included in past surveys and what areas could be included in future Intensive Level Surveys. Associate Planner Darnell explained that a residential area north of 5th Street and south of 16th Street was included in a past Reconnaissance Level Survey, and that the Historic Landmarks Committee would need to work with staff to identify sub-areas within that past survey that contain historic homes and could be part of an Intensive Level Survey.

Chair Webb asked what the process was for nominating a historic district. Planning Director Richards explained the process that would be required. She explained the benefits from creating a residential historic district, and stated that there would be a substantial community outreach before any residential district was established. Chair Webb stated that it may also assist in developing neighborhood associations in some parts of the city.

Planning Director Richards also stated that the committee could complete historic preservation trainings provided by the State of Oregon. Committee Member Mead stated that it may be beneficial to expand that training and invite property owners and other interested people from the downtown area to attend the training. Staff stated that they would investigate that further.

Associate Planner Darnell further explained the outreach events that are included in the work plan, and stated that they are organized to take place in May, which is Historic Preservation Month. The committee was supportive of that timeframe to allow time to plan for the events to take place in May.

The committee discussed some more specific activities that they may also want to pursue as part of the work plan activities, which included further research on the Reconnaissance Level Survey that was completed in the residential areas of the city, hosting historic tours, and increasing the size of the Historic Landmarks Committee.

Committee Member Drabkin made a motion to approve the 2017 Work Plan. Chair Webb seconded. With no further discussion, the Historic Landmarks Committee members voted to approve the 2017 Work Plan.

5. Citizen Comments

There were no citizen comments.

6. Committee Member Comments

Chair Webb announced that she will be resigning from her position on the Historic Landmarks Committee, due to her availability throughout the year. The committee then discussed the process for reappointing committee members. Staff described the appointment process that City Council had followed in the past and announced that 5 applications had been received, which would now be used to fill 2 vacancies on the committee.

7. Staff Comments

Associate Planner Darnell asked the Committee Members whether the November and December meeting should be rescheduled. The committee decided to reschedule the November meeting to November 30, 2016.

8. Adjournment

The meeting was adjourned at 3:31 PM.



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STAFF REPORT

DATE: November 30, 2016
TO: Historic Landmarks Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4A: Façade Improvement Grant Application – 325 NE 3rd Street

Report in Brief:

The purpose of this action item is to review a McMinnville Urban Renewal Agency Façade Improvement Grant application for the storefront/entrance of the McMinnville Grand Ballroom suite (325 NE 3rd Street). Since this building is a local historic landmark building and is part of the Downtown Historic District, the Planning Director has requested that the Historic Landmarks Committee review the application per Section 10 of Ordnance No. 4401 (Historic Preservation Ordinance), as well as the Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance) and make a recommendation to the McMinnville Urban Renewal Agency Advisory Committee (MURAC) on whether or not the proposed project meets the intent and criteria of the code.

Background:

The business owners of the McMinnville Grand Ballroom have submitted a Façade Improvement Grant application to aesthetically alter the entrance to the suite occupied by the Grand Ballroom within the historic Campbell Building, which is located at 313 – 325 NE 3rd Street, in order to align the entryway with their business brand. The Grand Ballroom operates in the upper floor of the building, in the suite with the address of 325 NE 3rd Street.

The Campbell Building at 313 - 325 NE 3rd Street, also known as the Lynn's Young World building, is included on the McMinnville Historic Resources Inventory, and is listed on the inventory as "Significant". This is the second highest designation possible on the Historic Resources Inventory and is applied to resources of recognized importance to the City due to historical association or architectural integrity, uniqueness, or quality. The building is also located on 3rd Street and within the Downtown Historic District, which is on the National Register of Historic Places.

For those reasons, the Planning Director has decided to forward the Façade Improvement Grant to the Historic Landmarks Committee for review relative to the proposed alteration of a historic landmark. The application will go before the McMinnville Urban Renewal Advisory Committee (MURAC) for final approval for funding, but the Planning Director has requested that the Historic Landmarks Committee review and approve of the proposed façade improvements prior to MURAC reviewing the application.

Attachments:

Façade Improvement Grant Application & Supporting Documents
Historic Resources Inventory Data Sheet for 313 - 325 NE 3rd Street (B456)

Discussion:

In reviewing this application, the Historic Landmarks Committee should ensure that the proposed façade improvements conform to the guidelines for the exterior alteration of a historic landmark in Section 10 of Ordinance No. 4401 (Historic Preservation Ordinance), as well as the Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance).

Compliance with Guidelines for Exterior Alteration of a Historic Landmark: Specific guidelines in Section 10 of Ordinance No. 4401 (Historic Preservation Ordinance) that apply to this application include:

Section 10(a)(1): Retention of original construction. So far as possible, all original exterior materials and details shall be preserved or replaced to match the original.

The façade improvements as proposed do not alter any of the original exterior materials or details. The portions of the building that still retain the most original architectural detail are located on the upper floor of the building, including fine cut brickwork and dentils and fluting at the frieze level of the building. The columns and architecture details around the doorway are being preserved. Those features will not be structurally impacted by the proposed façade improvements.

Section 10(a)(4): Visual integrity of structure. The lines of columns, piers, spandrels, and other primary structural elements shall be maintained so far as is practicable.

As stated above, the proposed façade improvements do not structurally alter any of the original exterior materials or details. The columns and architecture details around the doorway are being preserved.

Section 10(a)(6): Materials, color, and texture. The materials, colors, and textures used in the alteration or addition shall be visually compatible with the traditional architectural character of the historic building.

The proposed façade improvements include the installation of wood slats above the doorway, below the horizontal line separating the upper floor exterior brick from the lower floor alternative storefront exterior materials. The wood slats would be installed in an area that was likely the location of a transom window in the past, as is evident in another suite in the building. The proposed wood slat material is not necessarily compatible with the traditional architectural character of the building.

Also, the proposed façade improvements include the painting of some of the brick above the horizontal line separating the upper floor exterior brick from the lower floor alternative storefront exterior materials. The applicant is proposing to paint a portion of the brick grey and to paint the brick making up the stringcourse above their doorway purple. The remainder of the brick on the exterior of the building is painted tan. Therefore, the grey and purple colors would not be consistent with the remainder of the building, or with the traditional architectural character of the building. The brick that is projected as a stringcourse that the applicant is proposing to paint purple is already painted a different color than the rest of the brick on the exterior of the building.

Staff would suggest that the brick not be painted as part of this façade improvement project. The City may not be able to require repainting of the stringcourse back to a tan color to match the remainder of the building, but the City should not allow for additional portions of the brick to be painted to colors that are not consistent with the architectural character of the building.

The east side column adjacent to the door can be painted to match the west side column.

Attachments:

Façade Improvement Grant Application & Supporting Documents
Historic Resources Inventory Data Sheet for 313 - 325 NE 3rd Street (B456)

Compliance with Downtown Design Standards and Guidelines: Specific guidelines of the Downtown Design Standards and Guidelines that apply to this application include:

Section 17.59.050(C)(1): Building Materials. Exterior building materials shall consist of building materials found on registered historic buildings in the downtown area including block, brick, painted wood, smooth stucco, or natural stone.

The wood slat material that is being proposed is not compatible with the traditional architectural character of the building. Wood siding, wood shingles, and wood paneling are all materials that are prohibited for use on visible surfaces in the Downtown Historic District. The area above the doorway is already covered with wood paneling, which would not be allowed to be constructed today, but is allowed to continue as an existing condition. This area of the façade was likely the location of a transom window in the past, as is evident in another suite in the same building.

Staff would suggest that the wood slats not be used on the façade of the building. Staff would encourage the applicant to explore other options, such as removing the wood paneling and exposing any original building materials that may be located beneath it, or repainting the wood paneling to better match the new signage that is being proposed with the façade improvements. Any new painting should be non-reflective, subtle, neutral, or earth tone in color.

Section 17.59.050(C)(3): Exterior building colors shall be of low reflective, subtle, neutral or earth tone color. The use of high intensity colors such as black, neon, metallic or fluorescent colors for the façade of the building are prohibited except as may be approved for building trim.

The proposed improvements include repainting of the architectural columns around the doorway and repainting of some exterior brick on the upper floor. The colors being proposed are blue, grey, and purple. The blue color, to be used on the architectural columns, is subtle and will match the existing colors used on the adjacent storefront (Twist Salon). The grey color is proposed to be applied to the brick on the upper floor, which is not consistent with the tan color applied to the remainder of the exterior brick on the upper floor. The purple color is proposed to be applied to the door and the brick stringcourse on the upper level of the building. The purple color as proposed is somewhat bright and high in intensity.

Staff would suggest that they grey and purple colors not be applied to the exterior brick, as that color of brick is not compatible with the existing color of the building or the architectural character of the building. The purple color could be used on the door, but staff would suggest that the color be more subtle and possibly match the purple color used on some of the architectural features on the upper floor.

Section 17.59.080(A): The use of flush-mounted signs, flag-mounted signs, window signs, and icon signs are encouraged. Sign materials shall be compatible with materials used in the building.

The signage being proposed with the façade improvements is a flush-mounted sign, which is allowed and encouraged in the downtown design standards and guidelines. The sign will not be illuminated, and will be compatible with the other exterior materials on the remainder of the building.

Section 17.59.080(C): Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms; on cornice fascia boards; or, below cornices.

Attachments:

Façade Improvement Grant Application & Supporting Documents
Historic Resources Inventory Data Sheet for 313 - 325 NE 3rd Street (B456)

The signage is being proposed to be located in a traditional location above the doorway but below the horizontal line separating the upper floor exterior brick from the lower floor alternative storefront exterior materials. This location is consistent with other exterior signage on the building.

Fiscal Impact:

None.

Recommendation/Suggested Motion:

Staff believes that the proposed façade improvements comply with some of the historic preservation and downtown design standards and guidelines, but some key aspects of the proposed improvements do not comply with the standards and guidelines.

Therefore, based on the findings and observations described above, staff is recommending denial of the façade improvement grant.

However, staff believes that the proposed façade improvements could be slightly adjusted to better comply with the historic preservation and downtown design standards and guidelines. Staff would recommend that the Historic Landmarks Committee approve the façade improvement grant, if the applicant agreed to meet the following conditions:

- 1) That the applicant not repaint the existing exterior brick on the upper level of the building. The applicant shall retain the existing tan paint color on the exterior brick on the upper floor of the building, below the projected brick stringcourse.
- 2) That the applicant adjust the purple color to be used on the door to be more subtle and to better match the purple color that has been applied to other architectural details on the upper floor of the building.
- 3) That the applicant not install wood slats above the doorway.
- 4) That the applicant either expose the original materials beneath the wood paneling, repaint the wood paneling in a subtle or neutral color to be compatible with any new signage, or retain the wood paneling in its current condition.

Suggested Motion: “**I move to deny the façade improvement grant application for the Grand Ballroom, subject to the conditions recommended by staff, per the findings and observations described in the staff report.”**

OR

“I move to approve the façade improvement grant application for the Grand Ballroom, subject to the conditions recommended by staff, per the findings and observations described in the staff report.”

CD:sjs

Attachments:

*Façade Improvement Grant Application & Supporting Documents
Historic Resources Inventory Data Sheet for 313 - 325 NE 3rd Street (B456)*



**McMinnville Urban Renewal Agency
c/o Planning Department**

231 NE Fifth Street • McMinnville, OR 97128
(503) 434-7311 Office • (503) 474-4955 Fax
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Office Use Only:

File No. _____

Date Received _____

Received by _____

Façade Improvement Grant Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name The McMinnville Grand Ballroom Phone 503 474-0264

Contact Name Kathy Campbell (If different than above) Phone _____

Address 325 NE 3rd St

City, State, Zip McMinnville

Contact Email Kathy@harvestfresh.com

Property Owner Information

Property Owner Name Dudley Slater (If different than above) Phone 503-539-9102

Contact Name Naomi Mahn Phone 971-241-1226

Address 309 NE 3rd St. Suite #1

City, State, Zip McMinnville OR 97128

Contact Email naomi.mahn@mahnproperties.com
dudley.slater@integra.net

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Business Name The McMinnville Grand Ballroom

Property Address 325 NE 3rd St., McMinnville,

Assessor Map No. R4

Project Information

Estimated Project Start Date: Oct 1 Estimated Project Completion Date: Oct 30

Grant Amount Requested (*no more than \$2,500*): \$ 100
Applicant Matching Funds: \$ 350
Total Project Costs: \$ 350

Note: The total grant amount requested should equal or exceed the matching funds total.

Project Budget

Attach documentation for costs such as contractor's bids or detailed estimate for materials and labor costs. *(Attach additional sheets as needed)*

Description of Project/Use of Funds

Describe below all proposed improvements included in your project to include a summary of the building's current condition, areas to be improved and how, as well as any proposed materials or colors. Please enclose pictures, drawings, as necessary to help describe the work. (Attach additional sheets as needed)

Painting of outside facade & door
Wood application (to match indoor)
on outside facade.

Colors chosen are currently used on
West Salon & will be extended to
Grand Ballroom front door entrance
area with addition of Green.

0525 - Marseilles

0526 - Metropolis Mood

0527 - London Road

0528 - Grey Bead.

AF-445 - Aventure

In addition to this completed application, the applicant must provide the following:

- Digital photographs of the existing building façade.
- Photos, plans, and/or sketches of the proposed improvements
- Quotes, fee proposal, and any other information that supports the proposed budget.

I agree to comply with the guidelines and standards of the McMinnville Urban Renewal Agency's Façade Improvement Grant Program and I understand that this is a voluntary program, under which the City has the right to approve or deny any project or proposal or portions thereof.

Kathleen Campbell
Applicant Signature

Kathleen Campbell
Print Name

10/19/2016
Date

Naomi C. Mahn
Owner (if different) Signature

Naomi C. Mahn
Print Name

10/19/2016
Date





**THE McMINTNVILLE
GRAND BALLROOM
ENTRY WAY PAINTING**

**MAC
SIGN PAINTING**

WOOD SLAT APPLICATION	\$250
PAINTING FRONT OF ENTRANCE	\$450

**ALL CHECKS PAYABLE
TO MAC SIGN PAINTING**

GRAND TOTAL: \$700

**Historic Resources Survey
City of McMinnville
Yamhill County, Oregon**

EXHIBIT 4

Site Information

Site Address	Owner at Time of Survey			
313 - 325 NE 3rd Street	P.D. Mead & Kelton Peery			
Map/Tax Lot	Current Zoning	Special Tax Assessment	Downtown Historic District	
R4421BC06500	C-3	No	Yes	
Subdivision Name	Block	Lot	Lot Size	Quadrant
Original Town	12	2		NE
Site Number	Aerial Number	Resource Classification	Resource Number	Historic Significance
8.16a	J-11	B	456	Primary Resource #170

Historic Information

Date of Construction	Early Additions/ Remodels	Builder/Architect				
ca. 1890		Unknown				
Historic Name	Original Use	Common Name	Present Use			
Campbell Building	Commercial	Lynn's - Young World	Commercial			
Condition of Structure	Comments (at time of Survey)					
Good						
Building Type	Outbuildings	Building Style	Stories			
Commercial	None		2			
Porch	Basement	Roof Style	Roof Type	Moved	Demolished	Year/Date
<input type="checkbox"/>	<input type="checkbox"/>	Flat		<input type="checkbox"/>	<input type="checkbox"/>	
Permit Number(s)		Additions/ Alterations				
01B0233; 01B0879; 01B1005; 02B0152; 03B0642		Add't of stairwell; Int'r structural work; Int'r rem'l (Ballroom); Int'r rem'l; Various minor permits				

Resource Information

Recorded By	Date	Sources
Janice Rutherford	6-10-1980	Photo, OHS Sanborn-Perris Insurance Maps, McMinnville, 1892 &1902

**Historic Resource Survey
City of McMinnville
Yamhill County, Oregon**

Statement of historical significance and description of property:

B456

This two-story painted brick building, considerably altered, exhibits the only remaining cast-iron façade parts in the city. The eleven-bayed façade with irregularly spaced one-over-one double hung sash second-story windows, once had elaborate cornice ornament which boasted a false gable. The building is now capped by what appears to be metal sheeting. The fine cut brickwork is still evident at the frieze level: dentils and fluting remain. Between the windows are strips of moulding ornamented with small half spheres. Though the first floor storefronts now have large plate glass windows with varying materials beneath five fine fluted cast iron pilasters remain embossed with the words "Albany Iron Works, Albany Or 1892". The small portion of the rear of the building which is visible is of unpainted brick and has arched one-over-one double hung windows with header voussoirs.

Historic Resource No. B456



Photo August 2001



Original 1983 Survey Photo



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STAFF REPORT

DATE: November 30, 2016
TO: Historic Landmarks Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 5A: First Baptist Church Repairs – 125 SE Cowls Street

Report in Brief:

The purpose of this discussion item is to receive an update on building repairs that were found to be required at the First Baptist Church, located at 125 SE Cowls Street. The board members of the church are seeking any advice or information that the Historic Landmarks Committee may have to assist them in completing the required building repairs.

Background:

The First Baptist Church building is included on the McMinnville Historic Resources Inventory and is listed on the inventory as "Distinctive". This is the highest designation possible on the Historic Resources Inventory and is applied to resources with outstanding architectural or historic characteristics.

The First Baptist Church of McMinnville, located at 125 SE Cowls Street, recently completed a building inspection in anticipation of their sesquicentennial anniversary in May 2017. The inspection revealed various items that are in need of immediate attention. Some of those items are related to important architectural features of the building, including the bell tower, the exterior building materials, and the ornamental precast features on the bell tower and around the building entrances. The church has not applied for any building permits and is not requesting any formal review at this point in time. They are still doing research and investigating options for how to complete the required repairs.

Discussion:

Charlie Walker, a board member with the First Baptist Church of McMinnville, will be in attendance to provide an overview of the building repairs that the church has found to be required. The board is looking for information on any resources that might be available to them, and any advice that the Historic Landmarks Committee may have to assist the church in completing the required building repairs. Staff will be looking into whether there are any grant funds available through the Certified Local Government (CLG) or other sources for the type of work that is required at the First Baptist Church building. Staff will provide an update on this research at the meeting.

Attachments:

Memo from Charlie Walker and Susan Chambers, Board Members at First Baptist Church of McMinnville
Historic Resources Inventory Data Sheet for 125 SE Cowls Street (A442)

Fiscal Impact:

None.

Recommendation/Suggested Motion:

No motion required. Staff suggests that the Historic Landmarks Committee provide advice and recommendations, if any, to the church on the proposed building upgrades at 125 SE Cowls Street.

CD:sjs

Attachments:

*Memo from Charlie Walker and Susan Chambers, Board Members at First Baptist Church of McMinnville
Historic Resources Inventory Data Sheet for 125 SE Cowls Street (A442)*

EXHIBIT 6

To: Charles Darnell, Associate Planner
City of McMinnville

From: Charlie Walker and Susan Chambers
First Baptist Church of McMinnville

Re: Bell Tower and Façade Preservation

In anticipating of FBC's sesquicentennial anniversary in May 2017, the church retained Inspectek West Inc. in May 2016 to evaluate building condition and identify necessary repairs. Their report identified eight items that need immediate attention, one of which is the Bell Tower roof, a second being the Ornamental precast on the Bell Tower, First Street and Cowls Street entrances. J-T Project Managers (John Hall and Terry Wymore) have also been retained as a third-party review to solicit estimates and options by subcontractors. The Bell Tower repairs fall into two of the categories requiring immediate attention – the roof and the exterior cladding. From the report of J-T Project Managers:

"Existing Bell Tower Roof System: The Bell Tower roofing system has a combination of plastic single ply and roof coating over concrete deck. Currently this roof has the second highest level of critical need. Weather infiltration entering between the failed coating and existing single ply and at the tower deck edge coping flashing. This is causing known leaks and needs to be repaired this year. Existing guard rails are damaged (unsafe) and need replaced."

"Exterior Stucco Cladding and Ornamental Precast Cement Repairs: The Building exterior wall claddings are hard coat stucco on the 1926 section and possibly the 1965 addition...The Ornamental precast on Bell Tower, First Street entrance and Cowls Street entrance shows signs of efflorescence, chips and gaps in mortar joints, and deterioration. The black sooty material on the pre-cast is typically caused from atmospheric pollutants, dirt accumulation and organic growth. Signs of white effloresce is an indicator of weather behind the masonry and salt leaching from the mortar used in constructing the precast. Over time these pollutants have etched the concrete surface causing deterioration."

J-T Project Managers provided the following estimates for these projects:

Bell Tower Preservation:

Duro-Last Bell Tower Roof and Deck waterproofing	\$10,000
Bell Tower Railing replacement	4,942
Estimates from Washington Roofing	
Bell Tower Pre-Cast Preservation	14,460
Estimate from Kingsmen Contracting, Inc.	
	Bell Tower Preservation Estimate
	<u>\$29,402</u>

Façade Preservation:

First Street Pre-Cast Preservation	\$ 6,820
McMinnville Water and Light High Voltage Wire Protection on First Street	10,500
Cowls Street Pre-Cast Preservation	3,970
Estimate from Kingsmen Contracting, Inc.	
	Façade Preservation Estimate
	<u>\$21,290</u>

**Historic Resources Survey
City of McMinnville
Yamhill County, Oregon**

EXHIBIT 7

Site Information

Site Address	Owner at Time of Survey			
125 SE Cowls St.	First Baptist Church			
Map/Tax Lot	Current Zoning	Special Tax Assessment	Downtown Historic District	
R4421CB03700	O-R	No	No	
Subdivision Name		Block	Lot	Lot Size
College 2nd Addition		2	1	SE
Site Number	Aerial Number	Resource Classification	Resource Number	Historic Significance
9.27	J-11	A	442	Primary Resource #160

Historic Information

Date of Construction	Early Additions/ Remodels	Builder/Architect				
1926	Addition: 1961-64	F. Manson White; Broom, Selig & Oringdulph-1964				
Historic Name	Original Use	Common Name	Present Use			
First Baptist Church	Church	First Baptist Church	Church			
Condition of Structure	Comments (at time of Survey)					
Good	In need of paint.					
Building Type	Outbuildings	Building Style	Stories			
Commercial	None	Spanish Colonial Revival				
Porch	Basement	Roof Style	Roof Type	Moved	Demolished	Year/Date
<input type="checkbox"/>	<input type="checkbox"/>	Gable		<input type="checkbox"/>	<input type="checkbox"/>	
Permit Number(s)	Additions/ Alterations					
98B0931, 00B0017	Interior Remodel Addition, Interior Remodel					

Resource Information

Recorded By	Date	Sources
Arlys Berry, Jean Dale	5-23-1980	Jonas A. Jonasson "One Hundred Years of Service" McMinnville 1967, Blueprints, First Baptist Church 1926

**Historic Resource Survey
City of McMinnville
Yamhill County, Oregon**

Statement of historical significance and description of property:

A442

The Baptist Church was built in the Spanish Colonial Revival Style in 1926. The unique features are carvings highlighting the arches, columns, portals and door surrounds. There is a bell tower with iron balconets and the window treatment is round arched windows – some three-tiered 8-over-8-over-8 sash and double-hung 6-over-6 sash and others fixed. Many windows have iron grills. The red asbestos gabled roof, instead of red tile, detracts from the overall style. Wrought iron gates lead to red cement floored portal with wooden steps. The portal is arched with much terra cotta baroque trim. Two double doors lead to the sanctuary. The new education wing was built in 1964 with glass front on glass double doors. It has a hipped roof and side cyclone fenced yard. The landscaping is fair.

The church sits on the site Baptists have occupied since the City's beginnings. Two structures have preceded it. The first, built in 1883 for \$2,100 was a simple wood frame building painted yellow and brown. The second was a steepled Queen Anne wood church built for \$5,800 in 1898.

Historic Resource No. A442



Photo April 2001



Original 1983 Survey Photo



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

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STAFF REPORT

DATE: November 30, 2016
TO: Historic Landmarks Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 5B: Potential Ordinance Updates

Report in Brief:

The purpose of this discussion item is to review the Historic Preservation Ordinance (Ordinance No. 4401) and the Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance) to determine whether any updates are necessary.

Background:

In 1982, the City of McMinnville created the Historic Landmarks Committee and protected sites identified as primary historic resources from a survey of historic resources that was completed in 1980. In 1983 and 1984, the City conducted a second survey, which included documentation of all historic structures within the Urban Growth Boundary. In 1987, the City adopted the Historic Preservation Ordinance (Ordinance No. 4401), which refined the Historic Landmarks Committee's role, created the Historic Resources Inventory, and allowed for the protection of the resources identified in the Historic Resources Inventory.

The Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance) were adopted in 2003 and include additional requirements that apply to properties located within the Downtown Historic District. The Historic Landmarks Committee serves as the decision making body on any project that requires review against the downtown design standards and guidelines.

Discussion:

The Historic Landmarks Committee reviewed the Historic Preservation Ordinance (Ordinance No. 4401) at their regular meeting on October 6, 2016. Since that time, staff has further reviewed the ordinance and will bring forward some potential updates to the ordinance for the Historic Landmarks Committee to discuss further at their regular meeting on November 30, 2016. Some of the potential updates include:

Review Processes: The exterior alteration and remodeling review process for historical landmarks, as defined in Section 9 of Ordinance No. 4401, only allows for the Historic Landmarks Committee to review and approve or deny a project when the proposed alterations require a building permit. The Downtown Design Standards and Guidelines review process is triggered when proposed alterations are not in compliance with the standards in Chapter 17.59 (Downtown Design Standards and

Attachments:

Historic Preservation Ordinance (Ordinance No. 4401)

Guidelines). Also, Section 17.59.030 (Downtown Design Standards and Guidelines – Review Process) only allows for the review of activities that require a building permit.

This has resulted in many alterations of exterior buildings without any review or approval by the City, and this could lead to the installation of prohibited materials or cause a historic building to lose its historic or architectural character. A situation where formal review was not required just recently came before the Historic Landmarks Committee, but the committee was only able to provide recommendations. That situation was related to exterior repairs being proposed at the Taylor Dale Hardware building at 608 NE 3d Street. One potential option to address this could be to require that any proposed exterior alteration be approved by the Historic Landmarks Committee.

Review Criteria: The review criteria for exterior alterations, remodeling, and new construction are fairly robust in the Historic Preservation Ordinance (Ordinance No. 4401) and the Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance). However, the review processes for historic properties or buildings could better match the Secretary of the Interior's Standards for the Treatment of Historic Properties. Those standards provide best practices in preserving historic characteristics of historic buildings, and many other communities with review processes that apply to historic buildings reference the Secretary of Interior Standards.

Those standards may not apply to all situations, especially new construction, but the standards could be used in reviewing alterations or remodeling of existing historic buildings. They could be applied to all buildings identified on the McMinnville Historic Resources Inventory, or could just be applied to properties listed on the National Register of Historic Places. McMinnville has six properties individually listed on the National Register, and many others that are contributing to the Downtown Historic District that are included on the National Register.

Committee Size: Currently, the Historic Landmarks Committee is made up of 5 members. Other committees in the City of McMinnville are larger, and as an example, the Planning Commission is made up of 9 commissioners. At a previous Historic Landmarks Committee, the committee had expressed interest in possibly increasing the size of the committee to have more people able to assist in completing works and to bring in more members with expertise in historic preservation.

Ensure Consistency with Oregon Administrative Rules: The Department of Land Conservation and Development (DLCD) is currently leading a rulemaking process to update Oregon Administrative Rules (OARs) related to Statewide Planning Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources). The rulemaking that is underway will address the evaluation of historic buildings, processes for conducting historic inventories, and guidance on how historic resource protection should be incorporated into local comprehensive plans. Staff is following the rulemaking process, and any changes to our local plans or processes that may be required from the result of the updated rules will be brought before the Historic Landmarks Committee for consideration.

Other Updates: The Historic Landmarks Committee can discuss any other aspects of the Historic Preservation Ordinance that may require updates.

Fiscal Impact:

None

Recommendation/Suggested Motion:

No motion required. The Historic Landmarks Committee may provide guidance to staff if it is determined that sections of the Historic Preservation Ordinance (Ordinance No. 4401) or the Downtown Design Standards and Guidelines (Chapter 17.59 of the McMinnville Zoning Ordinance) should be updated.

Attachments:

Historic Preservation Ordinance (Ordinance No. 4401)

ORDINANCE NO. 4401

An Ordinance making provision for the protection of McMinnville's historic resources, and repealing Ordinance No. 4228.

RECITALS:

In November of 1982, the City of McMinnville adopted Ordinance No. 4228 which created the Historic Landmarks Committee and protected sites identified as primary historic resources on the 1980 Historic Resources Inventory. In 1983/84 the City conducted the second phase of its historic resources survey which included documentation of all historic structures within the Urban Growth Boundary. The Historic Landmarks Committee evaluated the resources and identified significant sites and structures in accordance with Comprehensive Plan Policy No. 17.01 which was adopted by Ordinance No. 4218 in 1982. Policy No. 17.01 directs the City to adopt a preservation ordinance which is consistent with the requirements of Statewide Planning Goal No. 5 and which protects the structures and sites identified as significant resources; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. Purpose. Districts, buildings, objects, structures, and sites in the City having special historical, architectural, or cultural significance should be preserved as a part of the City's heritage. To this end, regulatory controls and administrative procedures are necessary for the following reasons:

- (a) Stabilize and improve property values through restoration efforts;
- (b) Promote the education of local citizens on the benefits associated with an active historic preservation program;
- (c) Foster civic pride in the beauty and noble accomplishments of the past;
- (d) Protect and enhance the City's attractions for tourists and visitors; and
- (e) Strengthen the economy of the City.

Historic districts may have a separate set of regulatory controls and administrative procedures which take priority over this ordinance.

Section 2. Definitions. For the purpose of this ordinance, certain terms and words are defined as follows: words in the present tense include the future, the singular tense include the plural and vice-versa; the word "shall" is mandatory; the word "may" is discretionary; and the masculine gender includes the feminine gender. The following terms shall mean:

- (a) Alteration: The addition to, removal of, removal from, or physical modification and/or repair of any exterior part or portion of an historical landmark.
- (b) Demolition: To raze, destroy, dismantle, deface or in any other manner cause partial or total ruin to an historic resource.

- (c) Exterior: Any portion of the outside of an historic resource.
- (d) Historic District: A geographical definable area of local, state, or national historical significance, the boundaries of which have specifically been adopted by the City Council.
- (e) Historic Landmark: Any historic resource which is classified as "Distinctive" or "Significant" on the McMinnville Historic Resources Inventory.
- (f) Historic Resources: Any site, structure, building, district, or object that is included on the Historic Resources Inventory.
- (g) Historic Resources inventory: The product of the 1983/84 Historic Resources Survey. The initial inventory includes the resources which were evaluated and ranked by the McMinnville Historic Landmarks Committee. The inventory incorporates the surveys and inventories conducted in 1976, 1980, and 1983/84 and resources which may be included by action of the Historic Landmarks Committee under the provision of Section 6 of this ordinance. The resources included in the inventory are classified as follows:
 - (1) Distinctive: Resources outstanding for architectural or historic reasons and potentially worthy of nomination to the National Register of Historic Places;
 - (2) Significant: Resources of recognized importance to the City due to historical association or architectural integrity, uniqueness, or quality;
 - (3) Contributory: Resources not in themselves of major significance, but which enhance the overall historic character of the neighborhood or City. Removal or alteration would have a deleterious effect on the quality of historic continuity experienced in the community; or
 - (4) Environmental: This category includes all resources surveyed that were not classified as distinctive, significant, or contributory. The resources comprise an historic context within the community.
- (h) Notice of Delay: A notice submitted to the Building Department by the Planning Director which indicates that an application does not conform with the requirements of the Historic Landmarks Ordinance and sets forth delay periods on the issuance of a building permit, a demolition permit, or a moving permit for an historic landmark.
- (i) Permit Clearance: indication that an application conforms with the requirements of the Historic Landmarks Ordinance and which must be submitted to the Building Department by the Planning Director prior to any building permit, demolition permit, or moving permit being issued for an historic landmark.

Section 3. McMinnville Historic Landmarks Committee. The McMinnville Historic Landmarks Committee which was created by Ordinance No. 4228 shall remain in existence in the following form:

(a) Membership. The Historic Landmarks Committee shall consist of five members selected at large. Each member shall be entitled to one vote. All members shall serve without compensation and shall be appointed by the City Council which shall make every effort to appoint persons with expertise in the field of historic preservation. All members may serve two consecutive four-year terms commencing on the first Tuesday in January, except that the initial term of the first members shall be for the duration of their appointments as Historic Landmarks Committee members as was provided by Ordinance No. 4228. Any vacancy occurring in a position for any reason other than the expiration of the term shall be filled by appointment by the Council for the remainder of the term. Members who have served two full terms may be reappointed to the Historic Landmarks Committee after a four-year hiatus from the committee.

(b) Role of the Committee. The Historic Landmarks Committee shall:

(1) Review the building permit applications for alterations to historic landmarks or construction upon historic sites where the guidelines for alteration provided in Section 10 of this ordinance would be violated as determined by the Planning Director;

(2) Review of the demolition permit applications which would result in the destruction of historic landmarks;

(3) Evaluate and designate historic districts, buildings, structures, sites, and objects as provided by the procedures in Section 6 of this ordinance;

(4) Conduct surveys, inventories, and studies of potential historic resources as budgeted;

(5) Make recommendations to the Planning Commission and City Council regarding historic preservation issues, including, but not limited to, ordinance amendments and historic district designations;

(6) Promote public awareness and appreciation of the City's historic resources as budgeted; and

(7) Conduct other historic preservation functions as determined by the Planning Director.

Section 4. Officers. The Historic Landmarks Committee at its first meeting of each calendar year shall elect a chairperson and vice-chairperson who shall hold office during the remainder of said year. Members of the committee shall also elect a secretary who shall be responsible for keeping an accurate record of all proceedings of said committee.

Section 5. Meeting--Quorum--Rules. A simple majority of the Historic Landmarks Committee members then serving shall constitute a quorum. The Historic Landmarks Committee, with the majority of its members concurring, may make and alter rules and regulations for its government and procedure consistent with the City charter and ordinances and with the State. The Historic Landmarks Committee may set a regularly scheduled meeting time. If no regular meeting time is established, the Historic Landmarks Committee shall be called to meetings by the Planning Director at such times as it is required to meet.

Section 6. Historic Resources Inventory. The McMinnville Historic Resources Inventory, compiled in 1983/84, is hereby adopted and shall be maintained and updated as required. The inventory shall be used to identify historic districts, buildings, structures, sites, and objects for the purposes of this ordinance.

(a) The Historic Landmarks Committee shall be authorized to make all additions, deletions, and changes to the inventory. Any addition, deletion or change, including a reevaluation of the significance of any resource, shall conform to the requirements of this section.

(b) Any person may file an application with the Planning Director to amend the inventory by adding or deleting a resource or changing the level of significance of a resource. The Historic Landmarks Committee shall act on such an application within twenty-one (21) days of the date of the application. The Committee may delay action on an application for up to thirty (30) days from the date of their meeting so that additional information needed for a decision can be obtained. The owner of the site which is under consideration and the applicant (if different) shall be notified of the time and place of the Historic Landmarks Committee review, although their presence shall not be necessary for action to be taken on the application.

(c) The Historic Landmarks Committee shall base each decision regarding additions, deletions, or changes to the inventory on the following criteria:

(1) History. The resource is associated with significant past events, persons, organizations, trends, or values which were important at the city, county, state, or national level. The age of the resource relative to other local development contributes to its historic significance;

(2) Style/Design. The resource is representative of a particular style or a type of construction. The uniqueness of the resource or its quality of composition, detailing, or craftsmanship contribute to its design significance. The resource was designated or constructed by a craftsman, contractor, designer, or architect of local, state, or national importance;

(3) Integrity. The resource retains original design elements, materials, and character with relatively minor alterations, if any; and

(4) Environment. The resource contributes to the character or continuity of the street or neighborhood.

Section 7. Permit Application Process. An application for a building permit, moving permit, or a demolition permit for an historic building, structure, site, or object shall be submitted to the Building Official and shall be subject to procedures listed in (a), (b), and (c) below and in Sections 8 and 9.

(a) “Environmental” Resources. The permit application process shall proceed as usual and no additional procedures shall apply to any resource classified as “environmental” on the Historic Resource Inventory.

(b) "Contributory" Resources. Upon receipt of an application or an inquiry regarding a building permit, moving permit, or demolition permit for any historic resource classified as "contributory" on the Historic Resources Inventory, the Building Official shall provide the property owner with information about the City's historic preservation program. The permit application process shall then proceed as usual.

(c) "Historic Landmarks." The following procedures apply:

(1) Upon receipt of an inquiry regarding an application for the moving, alteration, or demolition of an historic landmark, the Building Official shall inform the Planning Director who shall direct the potential applicant to make application with the Historic Landmarks Committee.

(2) Application for a building permit, moving permit, or demolition permit for an historic landmark must include an application for permit clearance. Any application to the Historic Landmarks Committee for alteration or demolition of an historic landmark shall be processed as an application for permit clearance. The application for permit clearance shall be in such form and detail as the Historic Landmarks Committee and Planning Director prescribe, and this may require the following: written description of proposal, legal description of property, site plan, minimum of five (5) exterior photographs, materials list, and architectural drawings of any proposed alterations.

Section 8. Demolition, Moving, or New Construction. The Building Official shall submit all requests for demolition or moving of an historic landmark and new construction on historical sites (landmarks) on which no structure exists to the Planning Director who shall, within twenty-one (21) days, schedule a meeting of the Historic Landmarks Committee to review the request. A failure to review within twenty-one (21) days shall be considered as an approval of the application.

(a) The Historic Landmarks committee may approve, approve with conditions, or delay the issuance of a demolition permit, moving permit, or building permit. The Historic Landmarks Committee may delay a permit for up to one hundred twenty (120) days from the date the request is received by the Building Department during which time they will provide the owner of the structure with possible alternatives for demolition, including information concerning local, state, and federal preservation programs. If the permit request affects a "distinctive" resource, the delay period may be extended an additional sixty (60) days.

(b) The Historic Landmarks Committee shall base its decision on the following criteria:

(1) The City's historic policies set forth in the comprehensive plan and the purpose of this ordinance;

(2) The economic use of the historic landmark and the reasonableness of the proposed action and their relationship to the historic landmark's preservation or renovation;

- (3) The value and significance of the historic landmark;
 - (4) The physical condition of the historic landmark;
 - (5) Whether the historic landmark constitutes a hazard to the safety of the public or its occupants;
 - (6) Whether the historic landmark is a deterrent to an improvement program of substantial benefit to the City which overrides the public interest in its preservation;
 - (7) Whether retention of the historic landmark would cause financial hardship to the owner not outweighed by the public interest in the landmark's preservation; and
 - (8) Whether retention of the historic landmark would be in the best interests of a majority of the citizens of the City, as determined by the Historic Landmarks Committee, and, if not, whether the historic landmark may be preserved by an alternative means such as through photography, item removal, written description, measured drawings, sound retention or other means of limited or special preservation.
- (c) If the structure for which a demolition permit request has been filed has been damaged In excess or seventy percent (70%) of its assessed value due to fire, flood, wind, or other natural disaster, permit clearance may be given by the Planning Director without processing the request through the Historic Landmarks Committee.
 - (d) Any permit may be conditioned by the Planning Director or the Historic Landmarks Committee to secure interior and/or exterior documentation of the landmark prior to the proposed action. Required documentation shall consist of no less than twenty (20) black and white photographs with negatives or twenty (20) color slide photographs. Any permit may also be conditioned to preserve site landscaping such as individual plants or trees or to preserve selected architectural features such as doors, windows, brackets, mouldings or other details.

Section 9. Exterior Alteration or Remodeling. The Building Official shall submit to the Planning Director all building permit requests for exterior alteration to an historical landmark. The Planning Director shall, within five (5) working days, review the permit application for compliance with the requirements as set out in Section 10 of this ordinance.

- (a) If the Planning Director finds the proposed alterations to be in compliance with Section 10, he shall submit to the Building Department a permit clearance form which will indicate that the requirements of this chapter have been satisfied by the request.
- (b) If the Planning Director finds the proposed alteration to be in noncompliance with the requirements of Section 10, he shall immediately issue a "notice of delay" to the Building Official and call for a meeting of the Historic Landmarks Committee to review the application.

(1) The Historic Landmarks Committee shall meet within twenty-one (21) days of the date the completed permit application was submitted to the Building Department. The applicant shall be notified of the time and place of the review and is encouraged to be present, although his/her presence shall not be necessary for action on the plans. A failure to review within twenty-one (21) days shall be considered an approval of the application.

(2) If the Historic Landmarks Committee finds the proposed alterations to be in compliance with Section 10, they shall direct the Planning Director to submit to the Building Department a permit clearance form.

(3) If the Historic Landmarks Committee finds the proposed alterations to be in noncompliance with Section 10, they must:

(aa) Approve the application subject to compliance with conditions which will bring the application into conformance with Section 10. Permit clearance will be subject to said conditions; or

(bb) Direct the Planning Director to issue a notice of delay which places up to a sixty-day (60) delay from the date of the committee action on issuance of a building permit for the proposed alteration and provide the applicant with information concerning local, state, and federal preservation programs. If the proposed alteration affects a "distinctive" resource, the delay period may be extended an additional sixty (60) days.

(c) Any permit may be conditioned by the Planning Director or the Historic Landmarks Committee to secure interior and/or exterior documentation of the landmark prior to the proposed action. Required documentation shall consist of no less than twenty (20) black and white photographs with negatives or twenty (20) color slide photographs. Any permit may also be conditioned to preserve site landscaping such as individual plants or trees or to preserve selected architectural features such as doors, windows, brackets, mouldings, or other details.

Section 10. Guidelines for the Exterior Alteration of an Historic Landmark. Generally, an application for exterior alteration of an historic landmark shall be approved if the change or the treatment proposed is determined to be harmonious and compatible with the appearance and character of the historical building and shall generally be disapproved if found detrimental to or otherwise adversely affecting the architectural significance, the integrity of historical appearance, and the educational and historical value of the building.

(a) The following guidelines apply to exterior alterations to historical buildings:

(1) Retention of original construction. So far as possible, all original exterior materials and details shall be preserved or replaced to match the original.

(2) Height. Additional stories may be added to historic buildings provided that:

(aa) The added height complies with requirements of the building and zoning codes;

(bb) The added height does not exceed that which was traditional for the style of the building;

(cc) The added height does not alter the traditional scale and proportions of the building style; and

(dd) The added height is visually compatible with adjacent historic buildings;

(3) Bulk. Horizontal additions may be added to historic buildings provided that:

(aa) The bulk of the addition does not exceed that which was traditional for the building style;

(bb) The addition maintains the traditional scale and proportion of the building; and

(cc) The addition is visually compatible with adjacent historic buildings.

(4) Visual Integrity of Structure. The lines of columns, piers, spandrels, and other primary structural elements shall be maintained so far as is practicable.

(5) Scale and Proportion. The scale and proportion of altered or added building elements, the relationship of voids to solid (windows to wall) shall be visually compatible with the traditional architectural character of the historic building.

(6) Materials, Color, and Texture. The materials, colors, and textures used in the alteration or addition shall be visually compatible with the traditional architectural character of the historic building.

(7) Lighting and Other Appurtenances. Exterior lighting and other appurtenances, such as walls, fences, awnings, and landscaping shall be visually compatible with the traditional architectural character of the historic building.

(a) The Historic Landmarks Committee shall base their decision on the following criteria:

(1) Compliance with the guidelines in Section 10(a);

(2) The City's historic preservation policies set forth in the Comprehensive Plan and the purpose statement of this ordinance;

(3) The economic use of the historic landmark and the reasonableness of the proposed alteration and their relationship to the public interest in the historic landmark's preservation or renovation;

- (4) The value and significance of the historic landmark;
- (5) The physical condition of the historical landmark; and
- (6) The general compatibility and aesthetics of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with the existing landmark.

Section II. Public Notice. Public notice requirements shall be as follows:

- (a) After the adoption of the initial inventory, all new additions, deletions, or changes to the inventory shall comply with subsection (c).
- (b) Any Historic Landmark Committee review of an application for a building permit, moving permit, or demolition permit shall comply with subsection (c).
- (c) Prior to the meeting, the owners of historic landmarks located within 300 feet of the historic resource under consideration shall be notified of the time and place of the Historic Landmarks Committee meeting and the purpose of the meeting. If reasonable effort has been made to notify an owner, failure of the owner to receive notice shall not impair the validity of the proceedings.

Section 12. Building Official Powers. Nothing in this chapter may be interpreted to mean that the Historic Landmarks Committee may issue building permits, as that is an ability reserved to the Building Official.

Section 13.

* Reserved *

Section 14. Violation--Procedure--Penalty.

- (a) A uniform complaint, or citation to appear, may be issued to the owner or occupier of property being used or altered in violation of the Historic Landmarks Ordinance, requiring said owner or occupier to appear in court regarding a violation of the Historic Landmarks Ordinance.
- (b) A trial shall be heard before the judge without a jury. No appeal from the decision may be taken. The standard of proof required shall be by a preponderance of the evidence.
- (c) A person convicted of violating a provision of the Historic Landmarks Ordinance shall, upon conviction, be punished by a fine of not more than five hundred (500) dollars except for demolition of a structure which shall be as provided for in Section 11(d) below.
- (d) A person convicted of demolishing an historic landmark without first securing a demolition permit shall, upon conviction, be punished by a fine of not more than fifteen hundred (\$1,500) dollars.

(e) In the event of the owner/occupier fails to pay a fine imposed upon conviction of a violation, the court may issue a Show Cause Order to the individual so charged and require his/her presence in court to set forth the reasons for said failure to pay. If good and sufficient reasons do not exist, the court may request the Council to adopt an ordinance making the amount a lien against the property.

Section 15. Appeals. Any appeal of a decision by the Historic Landmarks Committee, including an appeal of conditions placed on a permit by the committee, may be made to the City Planning Commission within ten (10) days of the Historic Landmarks Committee's decision. If the appeal is filed, the Planning Commission shall receive a report and a recommendation from the Historic Landmarks Committee and shall hold a public hearing on the appeal at their next regularly scheduled meeting. Public notice of an appeal shall be made according to Section 11(c) of this ordinance. Any permit shall be invalid and no work shall be undertaken during the appeal process.

Section 16. Repeal. Ordinance No. 4228, enacted on November 23, 1982, is hereby repealed in its entirety.

Section 17. Initiative and Referendum. This ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled "Initiative and Referendum," for a period of thirty (30) days.

First Reading - Read and passed by the Council this 10th day of March, 1987, by the following votes:

Ayes: Hansen, Wertz, Hanson, Wilson, and Blanchard

Nays: Johnstone

Second Reading - Read and passed by the Council this 14th day of April, 1987, by the following votes:

Ayes: B. Hansen, Wertz, Blanchard, Wilson, C. Hanson

Nayes: Johnstone

Approved this 14th day of April, 1987.

MAYOR

Attest:

RECODER