



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Planning & Building 541-917-7550

Notice of Decision

Historic Review of Exterior Alterations

HI-16-24

September 11, 2024

Application Information

Type of Application:	Historic Review of Exterior Alterations to remove and replace the upper front porch guardrail.
Review Body:	Landmarks Commission (Type III review)
Property Owner/Applicant:	Sable Drive, LLC, 100 Ferry St NW, Albany, OR 97321
Address/Location:	218 3rd Avenue SE, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-06CD Tax Lot 3200
Zoning & Historic District:	Central Business (CB) & Local Historic Inventory

On September 4, 2024, the Albany Landmarks Commission **APPROVED WITH CONDITIONS** the application described above. The Landmarks Commission based its decision upon consideration of findings within the staff report, public testimony, and review criteria listed in the Albany Development Code (ADC). The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Alyssa Schrems, project planner, at alyssa.schrems@albanyoregon.gov or 541-791-0176. Staff report is available for review at albanyoregon.gov/cd/projectreview paper copies can be made available by request.

This approval expires in three years, unless a valid approved building permit exists for new construction or improvements and work has commenced, or unless an extension has been granted pursuant to ADC 1.083. The issuance of this approval by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

Signature on file

Landmarks Commission Chair

Must be Appealed by Date: September 23, 2024

Approval Expiration Date (if not appealed): September 11, 2027

Conditions of Approval

Condition 1 Exterior Alterations. Construction shall occur in accordance with the plans approved with this application. Proposed changes may require a new review. The proposed porch railing should substantially resemble the included reference image.

albanyoregon.gov/cd





Condition 2 Historic Review– A final historic inspection is required to verify that the work has been done according to this application. Please call the historic planner (541-791-0176) a day or two in advance to schedule.

Appeal Procedure

Appeal procedures are found in the Albany Development Code 1.410. The City's decision may be appealed to the City Council if a person with standing files a completed notice to appeal application and the associated filing fee no later than 10 days from the date the City mails the Notice of Decision. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City.

Landmarks Commission Findings of Fact and Conclusions

Historic Review of Exterior Alterations Generally (ADC 7.120)

Albany Development Code (ADC) review criteria for Historic Review of Exterior Alterations Generally (ADC 7.120) are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Exterior Alteration Criteria (ADC 7.100-7.165)

Section 7.150 of the ADC, Article 7, establishes the following review criteria in **bold** for Historic Review of Exterior Alterations applications. For applications other than the use of substitute materials, the review body must find that one of the following criteria has been met in order to approve an alteration request.

1. **The proposed alteration will cause the structure to more closely approximate the historical character, appearance, or material composition of the original structure than the existing structure; OR**
2. **The proposed alteration is compatible with the historic characteristics of the area and with the existing structure in massing, size, scale, materials, and architectural features.**
 - 1.1 Location and Historic Character of the Area. The subject property is located at 218 3rd Avenue SE in the Central Business (CB) zoning district. The surrounding properties are in the Hackleman Monteith (HM), Lyon Ellsworth (LE), Central Business (CB), or Historic Downtown (HD) district and are developed with a mix of residential (single dwelling units, multiple dwelling units), commercial (businesses and offices) and institutional (government and quasi-government offices).
 - 1.2 Historic Rating. The subject building is rated as a local historic structure in the City of Albany's Comprehensive Plan.

- 1.3 History and Architectural Style. This structure is believed to be one of only four two-story wood structure apartment buildings downtown that were built as an apartment. The historic resource form lists the architectural style of the building as Craftsman and has a circa 1910 construction date. In the 1950s, the structure became the Labor Temple with offices of several labor unions. In the early 2000s, the structure was converted back into apartments.
- 1.4 Prior Alterations. The building was raised in 2006 to allow for basement units, egress windows and a modified front porch wall and handrail were added in 2011, and in 2020 eight existing windows were replaced with egress windows and a small addition of 136 square feet was added on the rear façade.
- 1.5 Proposed Exterior Alterations. The applicant proposes to remove and replace the existing upper front porch guardrail (currently plastic frame with Plexiglass inserts) with a painted metal pipe horizontal railing, metal pipe vertical supports, and horizontal cable guardrail system, matching what was proposed on the first floor.

The applicant is proposing a second story porch rail to match the previously installed railings on the first floor. This would be compatible with other features on the structure and complementary to surrounding properties. Based on these facts, criterion ADC 7.150(2) is met.

Secretary of Interior's Standards for Rehabilitation – (ADC 7.160)

The following standards are to be applied to rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property shall be avoided.
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.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic 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, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic material shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
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.
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.

The analysis includes findings related to the Exterior Alterations review criteria in ADC 7.150, followed by the evaluation of the applicable Secretary of Interior Standards in ADC 7.160.

Findings of Fact

- 1.6 Location and Historic Character of the Area. The subject property is located at 218 3rd Avenue SE in the Central Business (CB) zoning district. The surrounding properties are in the Hackleman Monteith (HM), Lyon Ellsworth (LE), Central Business (CB), or Historic Downtown (HD) district and are developed with a mix of residential (single dwelling units, multiple dwelling units), commercial (businesses and offices) and institutional (government and quasi-government offices).
- 1.7 Historic Rating. The subject building is rated as a local historic structure in the City of Albany's Comprehensive Plan.
- 1.8 History and Architectural Style. This structure is believed to be one of only four two-story wood structure apartment buildings downtown that were built as an apartment. The historic resource form lists the architectural style of the building as Craftsman and has a circa 1910 construction date. In the 1950s, the structure became the Labor Temple with offices of several labor unions. In the early 2000s, the structure was converted back into apartments.
- 1.9 Prior Alterations. Refer to prior history section above.
- 1.10 Proposed Exterior Alterations. The applicant proposes to remove and replace the existing upper front porch guardrail (currently plastic frame with Plexiglass inserts) with a painted metal pipe horizontal railing, metal pipe vertical supports, and horizontal cable guardrail system, matching what was proposed on the first floor.
- The applicant is proposing a second story porch rail to match the previously installed railings on the first floor. This would be compatible with other features on the structure and complementary to surrounding properties. Based on these facts, criterion ADC 7.150(2) is met.
- 1.11 Building Use (ADC 7.160(1)). The building's original use was as an apartment building. The building was converted into labor union offices in the 1950s but was returned to use as multiple dwelling units in the 2000s. The applicant does not propose to change the current use of the building.
- Only minimal exterior alterations are needed in association with the proposed use, which is consistent with ADC 7.160(1).
- 1.12 Historic Character (ADC 7.160(2)). The building was constructed in 1910 in the Craftsman style. Distinctive features of the building include coupled, recessed doors, first and second story front porches, and two-story slanted bays on the south, east, and west elevations.
- The applicant proposes to change the second story railing to match the railing that was previously installed on the first-floor porch. The porch previously had a plastic and plexiglass railing, but currently has a temporary pressure treated wood railing for safety. Based on these facts, criterion ADC 7.160(2) is met.
- 1.13 Historic Record & Changes (ADC 7.160(3) and (4)). The building is designed in the Craftsman style. The applicant is proposing new second story railings that are made of metal and cable. This proposed railing design, and materials are intended to differentiate from the original historic material still on the building. The plexiglass design is not old enough to have acquired its own significance and was likely installed in the 1990s. Based on these facts, criterion ADC 7.160(3) and (4) are met.
- 1.14 Distinctive characteristics (ADC 7.160(5)). The applicant states that there will be no changes to any features, finishes, construction techniques, or examples of craftsmanship with the change in railing. The only distinctive feature affected by the proposed change is the second-floor porch itself, but as the railing is removable the distinctive feature would not be irreversibly destroyed. Based on these facts, criterion ADC 7.160(5) is met.
- 1.15 Deteriorated Features (ADC 7.160(6)). The applicant states that there are no existing deteriorated historic features. The second-floor porch was reinforced and stabilized in 2023 (approved by HI-19-23). Since there are no deteriorated historic features, criterion ADC 7.160(6) is satisfied.

- 1.16 Use of Chemical or Physical Treatments (ADC 7.160(7)). The applicant does not propose any chemical or physical treatments in relation to the new addition or decoupling the existing addition. Based on these facts, criterion ADC 7.160(7) is met.
- 1.17 Significant Archaeological Resources (ADC 7.160(8)). The applicant states there are no known archeological resources located at or near this site. If significant archeological resources are found on the site, the contractor will notify the architect who will notify a SHPO archeologist. The artifact will not be moved and work in the area will cease until SHPO is done with their review. Based on these facts, this criterion appears to be met.
- 1.18 Historic Materials and Differentiation (ADC 7.160(9)). The applicant states that the existing second floor railing (plastic and plexiglass) is not historic or original to the structure. No historic features will be destroyed with this addition. The applicant further states that the proposed guardrail is differentiated from the traditional porch railing as it consists of modern construction methods and will have a higher overall height.
- The applicant further states that it will be compatible with the massing, size, scale, and architectural features to “protect the historic integrity of the property and its environment”. The commission finds that this criterion is met.
- 1.19 New Additions (ADC 7.160(10)). The applicant does not propose any new additions with this application. Based on these facts, the criterion in ADC 7.160(10) is met.

Conclusions

- 1.1 The proposed exterior alterations will be compatible with the historic characteristics of the area and with the existing structure in massing, size, scale, materials, and architectural features.
- 1.2 The proposed alteration is consistent with the Secretary of the Interior’s Standards in ADC 7.160.

Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the Land use Decision. They are Albany Municipal Code (AMC) or ADC regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

Building Department

Permits

1. The proposed project may require permits that will need to be applied for at www.albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.

Plan Review for Permits

2. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.

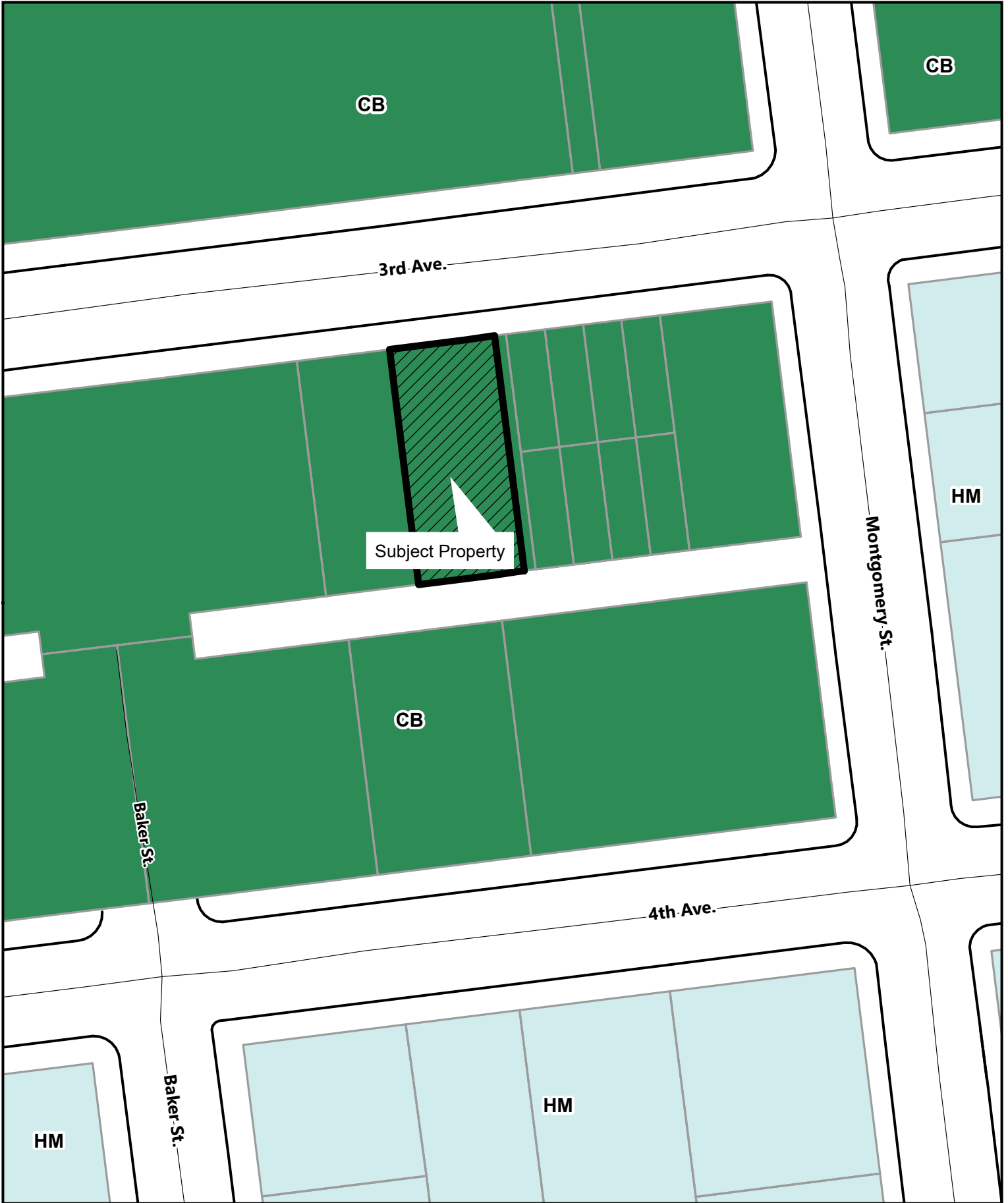
Public Works – Engineering

The City of Albany’s infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in

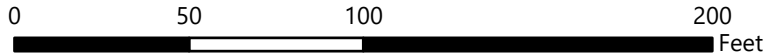
part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.

Attachments

- A. Location Map
- B. Building Plans



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218 3rd Ave SE



Figure 4: North Elevation, July 2024



Figure 5: East Elevation

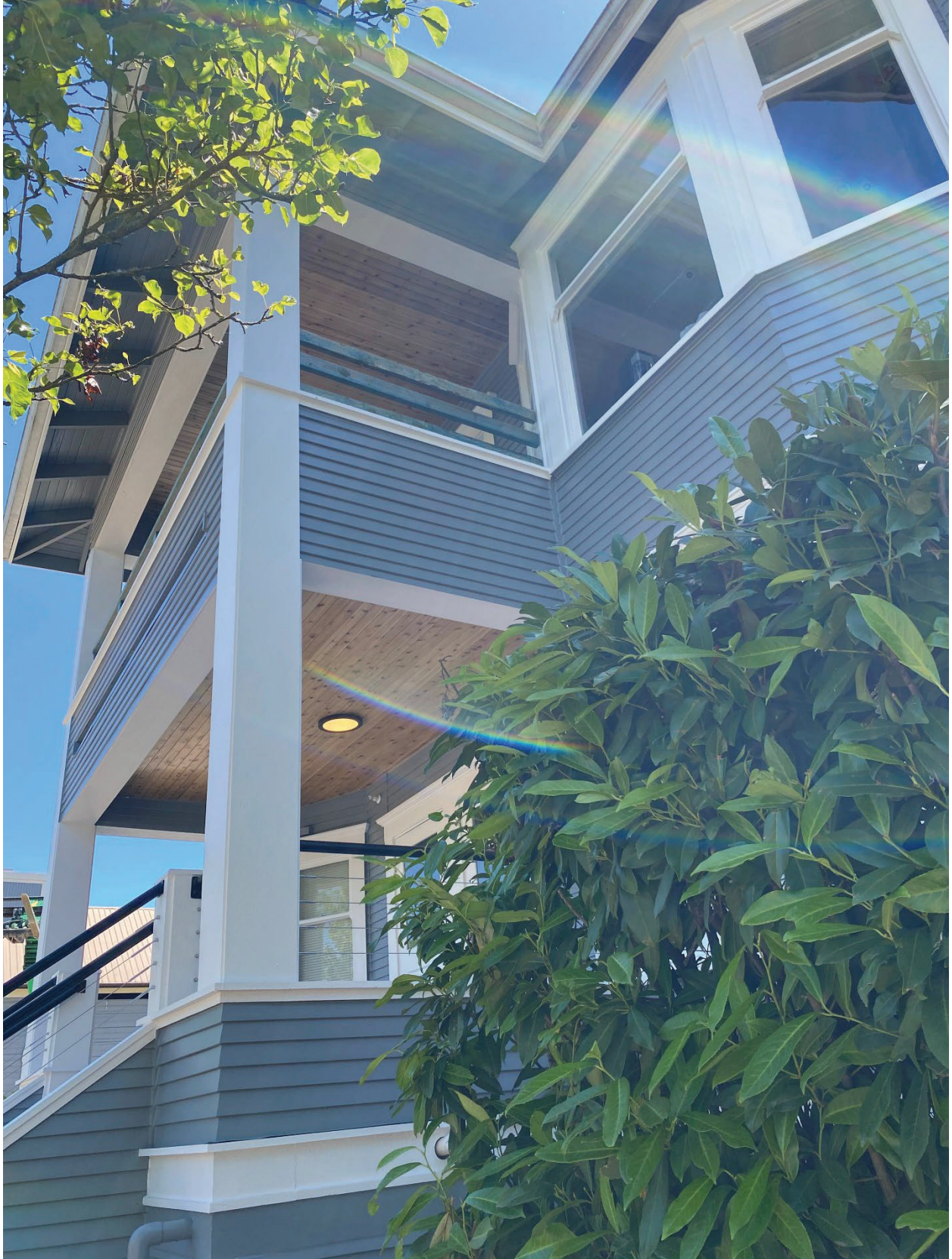


Figure 6: West Elevation