



COMMUNITY DEVELOPMENT

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

November 27, 2023

Sable Drive LLC
c/o Nicholas Ribera
100 Ferry Street NW
Albany, OR 97321

Dear Nicholas Ribera,

Re: City of Albany Historic Review Application (File No. HI-19-23)
Property Address: 218 3rd Avenue SE
Linn County Assessor's Map No. 11S-03W-06CD-03200

The Community Development Director **APPROVED** the application for Historic Review of Exterior Alterations (HI-19-23) to repair the front façade of the multi-unit building at 218 3rd Avenue SE. The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code (ADC). The following findings are in support of the decision to approve this application. For more information or questions, please contact Alyssa Schrems, project planner.

REVIEW CRITERIA (ADC 7.120)

The Director will approve residential alteration requests if one of the following criteria is met:

- a. There is no change in historic character, appearance, or material composition from the existing structure.*
- b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.*
- c. The proposed alteration is not visible from the street.*

FINDINGS OF FACT

1. The structure is located at 218 3rd Avenue SE and is individually listed on the Local Historic Inventory. The subject property measures about 4,693 square feet and is located on the south side of 3rd Ave SE. The property is within the Central Business (CB) zoning district (Attachment A). Per the Albany Historic Resource Survey, the building is rated as historic contributing, and described as a good example of a Craftsman apartment house, one of only four two-story wooden apartment buildings in the downtown that were built as apartment houses.
2. The applicant proposes to repair and strengthen the front porch and second story balcony structure, while visually maintaining historic character and appearance of the front porch and second story balcony. The applicant intends to repair and strengthen the load-bearing portions of the structure, while maintaining the architectural elements.
3. Application materials include written findings and photos showing the structural deterioration. (Attachment B).

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CONCLUSION

1. Only one of the review criteria in ADC 7.120(1) must be met for the proposed alterations to be approved.
2. The proposed alteration will produce no change in historic character, appearance, or material composition from the existing structure.
3. This application satisfies the review criteria for a director-level decision based on compliance with ADC 7.120(1) and is approved with the following conditions.

CONDITIONS

- Condition 1** The proposed work will not deviate from the approved plan and all architectural elements (siding etc.) shall match the original in material and form.
- Condition 2** All work shall be completed in accordance with the applicable building code requirements.
- Condition 3** A final historic inspection is required to verify that the work has been done according to this application. Please call the historic planner at 541-791-0176 to schedule.

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

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

Sincerely,

Alyssa Schrems

Alyssa Schrems, Planner II

541-791-0176

Alyssa.schrems@cityofalbany.gov

AS:km

Attachments

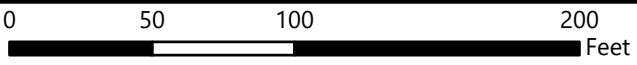
A – Location Map

B – Submitted Application

c: Johnathan Balkema, Building Official Manager (via email)
File: HI-19-23



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218 3rd Ave SE











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PLANNING APPLICATION APPLICANT/OWNER & AUTHORIZING SIGNATURES

To be included with ALL City of Albany planning submittals

Send completed application and checklist(s) to cd.customerservice@cityofalbany.net.

- | | | |
|---|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Adjustment (AD) <input type="checkbox"/> Alternative Setback <input type="checkbox"/> Annexation (AN) <input type="checkbox"/> Comprehensive Plan Amendment (CP) <ul style="list-style-type: none"> <input type="checkbox"/> Map Amendment <input type="checkbox"/> Map Amendment; concurrent w/zoning <input type="checkbox"/> Text Amendment <input type="checkbox"/> Conditional Use, circle one: Type II or III <ul style="list-style-type: none"> <input type="checkbox"/> Existing Building: expand or modify <input type="checkbox"/> New Construction <input type="checkbox"/> Home Business (Type III only) <input type="checkbox"/> Development Code Text Amendment (DC) <input type="checkbox"/> Floodplain Development Permit (FP) <input checked="" type="checkbox"/> Historic Review (HI) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Exterior Alteration – residential, not visible from street (Type I) <input type="checkbox"/> Exterior Alteration – all commercial and residential visible from street (Type III) <input type="checkbox"/> New Construction (Type III or I-L) <input type="checkbox"/> Demolition or Moving (Type III) <input type="checkbox"/> Substitute Materials (Type III) <input type="checkbox"/> Interpretation of Code (CI) | <ul style="list-style-type: none"> <input type="checkbox"/> Quasi-Judicial (Type II) <input type="checkbox"/> Legislative (Type IV) <input type="checkbox"/> Land Division (check all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> Partition (PA) <ul style="list-style-type: none"> <input type="checkbox"/> Tentative Plat (Type I-I) <input type="checkbox"/> Tentative Plat PD or CD (Type III) <input type="checkbox"/> Final Plat (Type I) <input type="checkbox"/> Subdivision (SD) <ul style="list-style-type: none"> <input type="checkbox"/> Tentative Plat (Type I-L) <input type="checkbox"/> Tentative Plat PD or CD (Type III) <input type="checkbox"/> Final Plat (Type I) <input type="checkbox"/> Tentative Re-plat Type I-L (RL) <input type="checkbox"/> Modification to Approved Site Plan or Conditional Use <input type="checkbox"/> Natural Resource Boundary Refinement (NR) <input type="checkbox"/> Natural Resource Impact Review (NR) <input type="checkbox"/> Non-Conforming Use (MN) <input type="checkbox"/> Planned Development (PD) <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary (Type III) <input type="checkbox"/> Final (Type I) <input type="checkbox"/> Property Line Adjustment (LA) <input type="checkbox"/> Site Plan Review (SP) <ul style="list-style-type: none"> <input type="checkbox"/> Accessory Building <input type="checkbox"/> Change of Use, Temporary or Minor Developments | <ul style="list-style-type: none"> <input type="checkbox"/> Manufactured Home Park <input type="checkbox"/> Modify Existing Development <input type="checkbox"/> Parking Area Expansion (only) <input type="checkbox"/> New Construction <input type="checkbox"/> Tree Felling <input type="checkbox"/> Temporary Placement (TP) <input type="checkbox"/> Urban Growth Boundary (UGB) <input type="checkbox"/> Vacation (VC) <ul style="list-style-type: none"> <input type="checkbox"/> Public Street or Alley <input type="checkbox"/> Public Easements <input type="checkbox"/> Variance (VR) <ul style="list-style-type: none"> <input type="checkbox"/> Major Variance (Type II) <input type="checkbox"/> Minor Variance (Type I-L) <input type="checkbox"/> Willamette Greenway Use (WG) <input type="checkbox"/> Zoning Map Amendment (ZC) <ul style="list-style-type: none"> <input type="checkbox"/> Quasi-Judicial (Type IV) <input type="checkbox"/> Legislative (Type IV) <input type="checkbox"/> Other Required (check all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> Design Standards <input type="checkbox"/> Hillside Development <input type="checkbox"/> Mitigation <input type="checkbox"/> Parking/Parking Lot <input type="checkbox"/> Traffic Report <input type="checkbox"/> Other _____ |
|---|---|--|

Location/Description of Subject Property(s)

Site Address(es): _____

Assessor's Map No(s): _____ Tax Lot No(s): _____

Comprehensive Plan designation: _____ Zoning designation: _____

Size of Subject Property(s): _____ Related Land Use Cases: _____

Project Description: _____

Historic Overlay

Natural Resource Overlay District

Floodplain or Floodway Overlay

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Applicant Information (must be signed)

Name: Scott Lepman Signature: _____
 Mailing Address: 100 NW Ferry Street Date: November 7, 2023
 City: Albany State: OR Zip: 97321
 Phone #: 541.928.9390 Fax #: 541.928.4456 Email: scottlepman@gmail.com

File #(s): _____ Date Fee & Application Received: _____
 Pre-App File #(s): _____ Pre-App Meeting Date: _____
 Amount Paid: _____ Received By: _____

Property Owner Information (must be signed)

Same as Applicant

Name: _____ Signature: _____
 Mailing Address: _____ Date: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ Fax #: _____
 Email: _____

Authorized Agent or Representative (must be signed, if applicable)

Choose One: Engineer Architect Other _____
 Name: Nicholas Ribera Signature: Nicholas Ribera
 Mailing Address: 100 NW Ferry Street Date: Nov. 7, 2023
 City: Albany State: OR Zip: 97321
 Phone #: 503-559-0130 Fax #: 541-928-4456
 Email: Procurement@SLcompany.com
 Relationship to property owner(s): employee

Electronic Plans Representative (if different from applicant)

IF MORE THAN ONE, PROVIDE THE FOLLOWING INFORMATION FOR EACH; THEY WILL BE SENT ALL CITY NOTICES

Choose One: Engineer Architect Other _____
 Name: _____ Signature: _____
 Mailing Address: _____ Date: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ Fax #: _____
 Email: _____

Other Representative (must be signed, if applicable)

Choose One: Engineer Architect Other _____
 Name: _____ Signature: _____
 Mailing Address: _____ Date: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ Fax #: _____
 Email: _____

applicable review criteria in Article 7 and related requirements. If the applicant's submittal is unclear or insufficient to demonstrate the review criteria are satisfied, the application will be delayed or denied.

Format for Findings of Fact

Statements addressing individual criteria must be in a "finding of fact" format. A finding of fact consists of two parts:

1. Factual information such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: on-site inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

Example:

Criterion: 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.

Facts: The Cultural Resource Inventory indicates that the house was constructed c.1885 and the style is a Western Farmhouse. The decorative features noted are rectangular bays on the north and east sides with panels, turned porch columns and a fixed window with a diamond shaped pattern on the east side. Sanborn Fire map research indicates that the porch originally extended the full length of the west wing of the house.

This application proposes to restore the front porch to the full length of the west wing of the house. Additional porch columns are proposed to match the existing turned porch columns; a hipped roof is proposed consistent with existing entry and bays and Sanborn maps. The current porch, which now only covers the front door, is more of a covered entry than a porch. The balusters are a connected "sawn" design (rather than turned) that was typical in the late 19th century. (SEE ATTACHED DRAWING.)

Conclusion: Extending the porch to its original size will cause the structure to more closely approximate its historic character and appearance.

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 [ADC Section 7.160].

HISTORIC REVIEW OF EXTERIOR ALTERATIONS – PROCESS AND PROCEDURE

Purpose (ADC 7.100). The purpose of reviewing alterations to historic landmarks is to encourage the preservation of characteristics that led to their designation as historic landmarks. Review is required for exterior alterations or additions to buildings or structures classified as historic contributing and historic non-contributing within the historic districts, and to landmarks outside the districts.

Exemption from Review (ADC 7.110). Historic review is not required for buildings or structures originally constructed after 1945 or for changes to paint color to any home or structure.

Procedure (ADC 7.120). A request for an exterior alteration is reviewed and processed by either the Community Development Director or the Landmarks Commission. The Landmarks Commission replaces the Hearings Board or Planning Commission as the review body. Any exterior or interior alteration to buildings participating in Oregon's Special Assessment of Historic Property Program will also require review and approval by the State Historic Preservation Office.

1. The Director will approve residential alteration requests if one of the following criteria is met:
 - a. There is no change in historic character, appearance, or material composition from the existing structure.
 - b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.
 - c. The proposed alteration is not visible from the street.
2. For all other requests, the Landmarks Commission will review and process the alteration proposal. The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission public hearing on the proposal. The Landmarks Commission will accept written and verbal testimony on the proposal. For buildings on the Special Assessment of Historic Property Program, the Landmarks Commission decision will be forwarded to the State Historic Preservation Office.

EXAMPLE OF FINDINGS OF FACT

Criteria for Findings of Fact

Land use applications must include information that explains the intent, nature, and proposed use of the development, and other pertinent information that may have bearing on the action to be taken by the review authority. To be approved, a Historic Review application must address and demonstrate compliance with the

Note: Some properties may have covenants or restrictions, which are private contracts between neighboring landowners. These frequently relate to density, minimum setbacks, or size and heights of structures. While these covenants and restrictions do not constitute a criterion for a City land use decision, they may raise a significant issue with regard to the City's land use criteria. It is the responsibility of the applicant to investigate private covenants or restrictions.

REVIEW CRITERIA RESPONSES.

On a separate sheet of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the historic exterior alteration complies with each of the following review criteria. Each criterion must have at least one finding of fact and conclusion statement. On a separate sheet of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the historic exterior alteration complies with each of the following review criteria. Each criterion must have at least one finding of fact and conclusion statement. (See Example Findings of Fact starting on last page.)

1. The Community Development Director will approve **residential** alteration applications if one of the following criteria is met:
 - a. There is no change in historic character, appearance, or material composition from the existing structure.
 - b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.
 - c. The proposed alteration is not visible from the street.
2. For all other exterior alteration requests, except for the use of substitute materials*, and including all **non-residential** requests, the review body must find that one of the following criteria has been met to approve an alteration request:
 - a. 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
 - b. 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.

**There is a different application for the use of substitute materials. The review criteria for the use of substitute siding, windows, and trim shall be as found in ADC Sections 7.170-7.225.*

The review body will use the Secretary of the Interior's Standards of Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria [ADC Section 7.160].

The Secretary of the Interior's Standards for Rehabilitation. 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.



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Historic Review of Exterior Alterations

Checklist and Review Criteria

INFORMATION AND INSTRUCTIONS:

- See fee schedule for filing fee (*subject to change every July 1*): staff will contact you for payment after submittal.
- All plans and drawings must be to scale, and review criteria responses should be provided as specified in this checklist.
- Email all materials to cd.customerservice@cityofalbany.net. Please call 541-917-7550 if you need assistance.
- Depending on the complexity of the project, paper copies of the application may be required.
- Before submitting your application, please check the following list to verify you are not missing essential information. An incomplete application will delay the review process.

HISTORIC REVIEW OF EXTERIOR ALTERATIONS SUBMITTAL CHECKLIST:

PLANNING APPLICATION FORM WITH AUTHORIZING SIGNATURES.

PROPERTY AND PROJECT INFORMATION.

Submit the following information (separately or on this page):

1. Historic District:

Monteith Hackleman Downtown Local Historic Commercial/Airport

2. Historic rating:

Historic Contributing Historic Non-Contributing Non-Historic (post 1945)

3. Year Built: 1950 Architectural Style(s): 1910 craftsman

4. Years of exterior alterations, if any: _____

5. Please describe the proposed alteration(s) and the purpose of the alterations: The purpose

for the alteration is not to change the look but to fix and
repair the structural integrity of the front. Will still look Historically
Correct.

PHOTOGRAPHS. Provide photographs that show the current condition of the area you intend to alter.

CONSTRUCTION PLANS/ELEVATION DRAWINGS. Provide construction plans, architectural drawings or schematics showing detailed building elevations and exterior plans, and dimensions of all altered or new elements, including foundation, windows, and the setbacks to the property lines, materials proposed, profile/design, etc. If construction plans or drawings are not applicable to your project, then submit an accurate alteration description, including photographs, or other information that describes the project.

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