



COMMUNITY DEVELOPMENT

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

Staff Report Adjustment

AD-01-24

October 7, 2024

Summary

This staff report evaluates an adjustment to ADC 8.390(3)(b) to allow for unscreened rooftop mechanical equipment for the one-story rear addition of the Federal Building/Old City Hall Commercial Building located at 240 2nd Avenue SW.

Application Information

Review Body:	Planning Commission (Type III review)
Staff Report Prepared By:	Alyssa Schrems, project planner
Proposal:	Adjustment to ADC 8.390(3)(b) to allow for unscreened rooftop mechanical equipment on a historic structure.
Property Owner/Applicant:	Glorietta Bay LLC, C/O Scott Lepman 100 Ferry Street NW, Albany, OR 97321
Representative:	Udell Engineering and Land Surveying, C/O Laura LaRoque 63 E Ash Street, Lebanon, OR 97355
Architect:	Varitone Architecture LLC, C/O Christina Larson 231 2nd Avenue SW, Albany, OR 97321
Address/Location:	240 2nd Avenue SW
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-06CC-10200
Zoning:	Historic Downtown (HD)
Overlay District:	Downtown Historic Commercial District
Total Land Area:	14,023 square feet
Existing Land Use:	Vacant Commercial Structure.
Neighborhood:	Central Albany
Surrounding Zoning:	North: HD East: HD South: HD West: HD
Surrounding Uses:	North: Commercial, Store East: Commercial, Restaurants South: Commercial, Offices and Store West: Commercial, Restaurants

Prior History:

HI-03-07 – Application for Historic Review of Exterior Alterations to close off exterior restroom entrance with compatible materials.

HI-16-07 – Application for Historic Review of Exterior Alterations to keep the taller of the two installed steel communications towers on top of the old Post Office building, extend the height to 70 feet and allow additional “whip” antennas up to 10 feet tall on top.

HI-08-22 - Application for Historic Review of Exterior Alterations and Use of Substitute Materials for a commercial structure. The applicant proposes to remove and replace the existing membrane roof covering, complete maintenance on the roof, remove and replace portions of the façade, remove the existing fire escape, restore existing wood windows, replace any windows beyond repair, replace the windows and door frames in the vestibule, modify the rear ramp to meet modern building code, and complete seismic upgrades.

Notice Information

A Notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on September 23, 2024. The Notice of Public Hearing was posted on the subject property on October 1, 2024. As of October 4, 2024, no comments have been received.

Analysis of Development Code Criteria

The Albany Development Code (ADC) includes the following review criteria for an Adjustment (ADC 2.080), which must be met for these applications to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Adjustment Review Criteria

Criterion 1

Granting the Adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings of Fact

- 1.1 **Purpose.** The purpose section of ADC 8.390, Compatibility Standards, states “*Attention to detail can significantly increase the compatibility of commercial and institutional development with adjacent uses. Commercial and institutional development shall be designed to comply with the following compatibility standards and any other improvements needed to reduce negative impacts on adjacent uses:*
 - 3) *Service areas, equipment, utilities, and similar exterior improvements shall be screened as provided in (a) through (c) below and must meet the standards in (d).*
 - b. Roof-mounted equipment or utilities shall be screened by a parapet wall or sight-obscuring structure or located so that it is not visible from abutting public rights-of-way.*
- 1.2 **Proposal.** The applicant proposes to locate the mechanical equipment for the Federal Building (Old City Hall) on the one-story addition that was constructed in the 1960s. This addition is visible from Broadalbin Street SW and a public alley on the south side of the property.
- 1.3 The applicant states that the subject property is a historic resource listed in the Downtown National Register Historic District. Screening mechanical equipment on historic buildings often draws more attention and makes it more noticeable, especially on low buildings such as the addition. Waiving the requirement will better achieve historic preservation standards including not creating false building features such as a parapet wall or simple metal screen.

- 1.4 The Landmarks Commission reviewed an application (HI-18-24) that included the unscreened mechanical equipment on October 2, 2024, and approved the unscreened mechanical equipment. Additional features like a parapet wall or metal screening would generally be discouraged. Locating the mechanical equipment on the roof of the Federal Building would also be discouraged as its roof is also flat and lacks features that would camouflage the mechanical equipment. The Commission found that locating the mechanical equipment on the non-historic addition was preferable to locating it on the top of the original Federal Building.

Conclusions

- 1.1 The purpose of ADC 8.270 is to increase compatibility with adjacent uses. All adjacent properties are in the Downtown Historic District and are in a mix of commercial uses. The applicant's proposal is the most historically compatible option within the district. Based on these facts, this criterion appears to be met.

Criterion 2

The proposal will be consistent with the desired character of the base zone; and

Findings of Fact

- 2.1 The subject property is in the Historic Downtown (HD) zoning district. The HD zone is *“intended for a dense mixture of uses with an emphasis on entertainment, theatres, restaurants, nightlife, and specialty shops. High-density residential infill on upper floors is encouraged, as is the continued presence of the government center and supporting uses.”*
- 2.2 The applicant states that the standard in question was first implemented in 2000. Prior to this date, most mechanical equipment was unscreened. Due to the building stock in the HD zoning district, a high percentage of mechanical equipment remains unscreened throughout the zone district.
- 2.3 The applicant is in the process of a full building renovation. As part of this renovation, the applicant is upgrading the heating and cooling throughout the building in order to create a pleasant climate indoors. The applicant currently intends for the building to be re-used as a boutique hotel but is not locked into this plan by any land use approvals. The proposed reuse of the building is consistent with the base purpose of the zoning district.

Conclusions

- 2.1 The applicant is adding mechanical equipment to allow for reuse of the building consistent with the purpose of the base zoning.
- 2.2 Surrounding properties also do not have screened rooftop mechanical equipment.
- 2.3 This criterion is met without conditions.

Criterion 3

Any negative impacts resulting from the Adjustment are mitigated to the extent practical; and

Findings of Fact

- 3.1 The applicant states that the mechanical equipment will be placed on a one-story (non-historic) addition that is oriented towards an alleyway and Broadalbin Street. The equipment will be offset from the edge of the building to the furthest extent possible to minimize visibility.

Conclusions

- 3.1 The applicant intends to set the mechanical equipment back from the edge of the building to the furthest extent possible to minimize the visibility of the unsightly mechanical equipment. Based on this, negative impacts appear to be mitigated to the greatest extent possible.

Criterion 4

The proposal will not significantly detract from the livability or appearance of the surrounding area; and

Findings of Fact

- 4.1 The subject property is located in the Downtown National Historic Register District. Screening mechanical equipment on historic buildings often draws more attention and makes them more noticeable. Waiving this requirement will result in better achieving the historic preservation standards including not creating false building features such as a parapet wall or simple metal screen.
- 4.2 The applicant states that not screening the mechanical equipment will have a negligible impact on the surrounding area's livability. It will also not significantly detract from the appearance of the surrounding area. Unscreened mechanical equipment will be placed to the rear of a two-story building and will have limited visibility from an alley and Broadalbin Street. It is common in this area for mechanical equipment to be placed towards an alley and/or off a secondary (less prominent) building façade.
- 4.3 It was also noted earlier in this staff report that many surrounding buildings also have unscreened rooftop mechanical equipment.

Conclusions

- 4.1 Based on the facts above, the adjustment will not significantly detract from the livability or appearance of the surrounding area.
- 4.2 This criterion is met without conditions.

Criterion 5

If more than one Adjustment is being requested, the cumulative effect of the Adjustment results in a project which still meets criteria (1) through (4), above.

Findings of Fact and Conclusion

- 4.4 Only one adjustment is requested therefore, this criterion is not applicable.

Overall Conclusion

As proposed and conditioned, the application for Adjustment satisfies all applicable review criteria as outlined in this report.

Options for the Planning Commission

The planning commission has three options with respect to the proposed adjustment:

- Option 1: Approve the request as proposed; or
- Option 2: Approve the request with amendments or conditions; or
- Option 3: Deny the request.

Staff Recommendation

Based on the analysis provided in this report, staff recommends the planning commission pursue Option 1 and approve the Adjustment. If the planning commission follows this recommendation, the following motion is suggested:

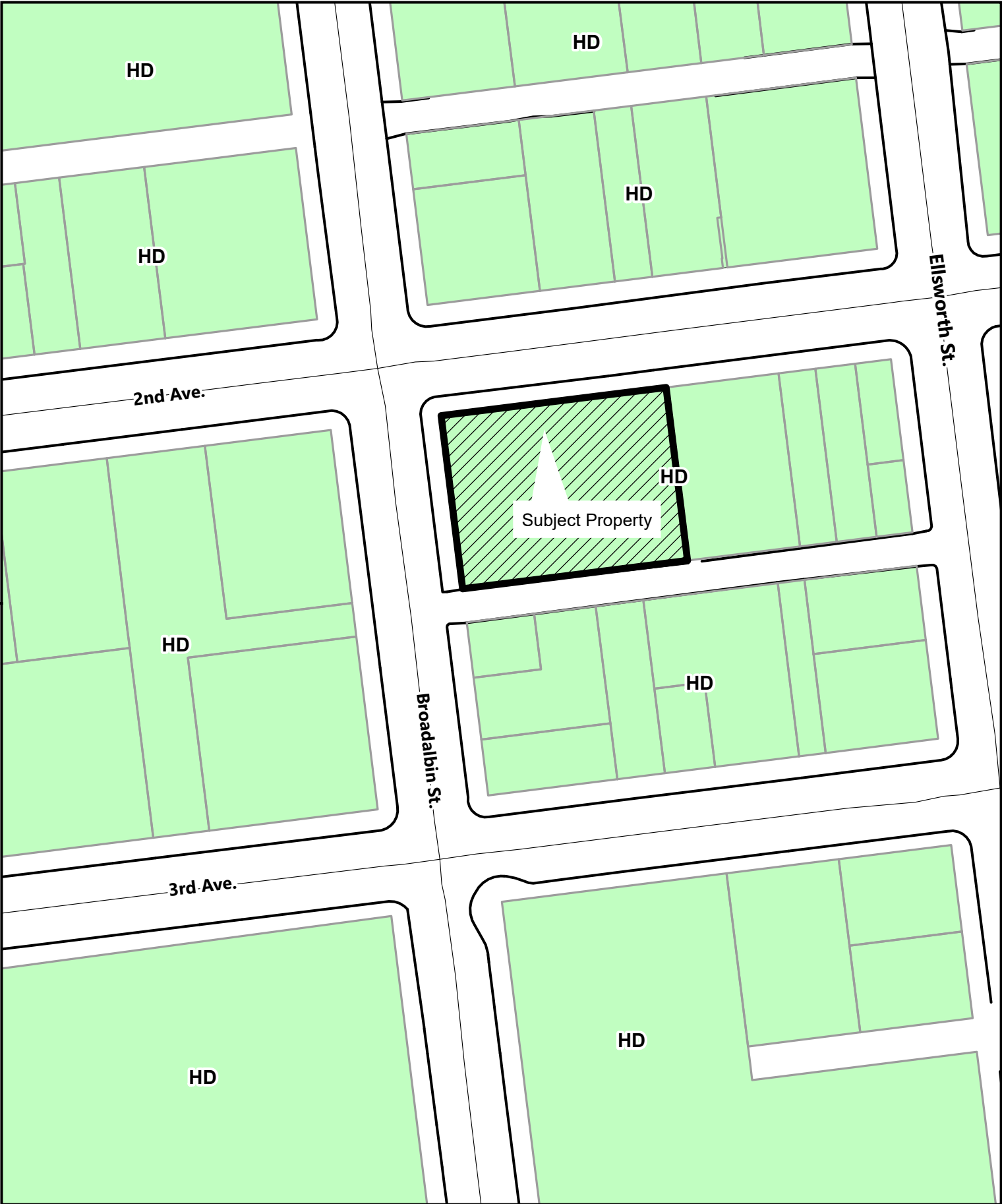
I move to approve the proposed Adjustment to ADC 8.390(3)(b), Compatibility Standards. This motion is based on the findings and conclusions in the October 7, 2024, staff report, and the findings in support of the application made by the planning commission during deliberations on this matter.

Attachments

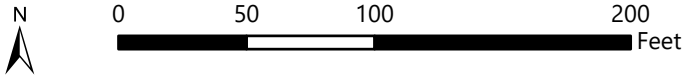
- A. Location Map
- B. Applicant's Submittal
 - 1. Findings of Fact
 - 2. Building Elevation

Acronyms

ADC	Albany Development Code
HD	Historic Downtown Zoning District



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240 2ND AVE SW

ADJUSTMENT

Submitted to: City of Albany
Planning Division
P.O. Box 490
Albany, Oregon 97321-0144
(541) 917-7550
cd.customerservice@cityofalbany.net

Property Owner/Applicant: Glorietta Bay LLC
100 Ferry Street NW
Albany, OR 97321
Scott Lepman
(541) 928-9390
scottlepman@gmail.com

Applicant's Representative: Udell Engineering and Land Surveying, LLC
63 E. Ash Street
Lebanon, OR 97355
Laura LaRoque
(541) 990-8661
laura@udelleng.com

Applicant's Representative: Varitone Architecture, LLC
231 2nd Ave. SW
Albany, OR 97321
Christina Larson
(541) 497-2954
christina@varitonearchitecture.com

Site Location: 240 2nd Avenue SW, Albany, OR 97322

Linn County Assessor's Map No.: 11S-03W-06CC Tax Lot 10200

Site Size: ±14,023 square feet

Existing Land Use: Commercial Structure

Zone Designation: Historic Downtown (HD) Zoning District

Comprehensive Plan Designation: Village Center

Surrounding Zoning: North: HD
South: HD
East: HD
West: HD

Surrounding Uses: North: Commercial
South: Commercial

East: Commercial

West: Commercial

Executive Summary

Application for an Adjustment to Albany Development Code 8.390(3)(b) to allow for unscreened roof top mechanical equipment for the one-story rear addition of the Federal Building/Old City Hall commercial building located at 240 2nd Avenue SW.

According to Albany Development Code (ADC) 1.100, Table 1.100-1 and 2.070, a Type III Quasi-Judicial Review before the Planning Commission or Hearings Board is required modifications to design standards in Article 8.

The applicant is completing an interior and exterior renovation of the structure for commercial bouquet hotel in accordance with Oregon's Special Assessment of Historic Property Program and Federal Historic Preservation Tax Incentives program.

The Adjustment criteria contained in Albany Development Code (ADC) 2.080 are addressed in this report. These criteria must be satisfied to grant approval for this application.

Adjustment (ADC 2.060 - 2.080)

Section 2.080 of the Albany Development Code (ADC), Article 2, establishes the following review criteria in **bold** for Adjustment applications.

Criterion 1

Granting the Adjustment will equally or better meet the purpose of the regulation to be modified; and

Finding of Fact

1. The subject property is a historic resource listed in the Downtown National Register Historic District. Screening mechanical equipment on historic buildings often draws more attention and makes them more noticeable, especially on low buildings like this. Waiving this requirement will better achieve historic preservation standards including not creating false building features such as a parapet wall or simple metal screen.

Criterion 2

The proposal will be consistent with the desired character of the base zone; and

2. The subject property is in the The Historic Downtown (HD) Zone District and according to the purpose statement of the zone (ADC 5.030(2)) is intended for a dense mixture of uses with an emphasis on entertainment, theaters, restaurants, nightlife, and specialty shops. High-density residential infill on upper floors is encouraged, as is the continued presence of the government center and supporting uses.
3. ADC 8.390(3)(b) states the follows: roof-mounted equipment or utilities shall be screened by a parapet wall or sight-obscuring structure or located so that it is not visible from abutting public rights-of-way. The effective date of this regulation is 2000. Before this date, most mechanical equipment was unscreened. Due to the age of the building stock in the HD zoning district, a high percentage of mechanical equipment remains unscreened throughout the zone district.

Criterion 3

Any negative impacts resulting from the Adjustment are mitigated to the extent practical; and

4. The only known negative impact is limited visibility from abutting public rights-of-way. The proposed roof top equipment will be placed on a one-story addition orientated towards an alleyway and Broadalbin Street. Equipment will be offset from the edge of building to the further extent possible to minimize visibility.
5. The proposed location was selected to minimize overall visibility from adjacent public rights-of-ways. The construction of the main building prohibits placement on the main building rooftop. Placement of the equipment at ground level would disperse it throughout the site and increase visibility from all adjacent public rights-of-way as well as cause it to distract from the main historic building.

Criterion 4

The proposal will not significantly detract from the livability or appearance of the surrounding area; and

6. As stated under Criterion 1, above, the subject property is a historic resource listed in the Downtown National Register Historic District. Screening mechanical equipment on historic buildings often draws more attention and makes them more noticeable, especially on low buildings like this. Waiving this requirement will result in better achievement of historic preservation standards including not creating false building features such as a parapet wall or simple metal screen.
7. Mechanical equipment screening will have a negligible impact on the surrounding area's livability. It will also not significantly detract from the appearance of the surrounding area. Unscreened mechanical equipment will be placed to the rear of a two-story building and will have limited visibility from an alley and Broadalbin Street. It is common in this area for mechanical equipment to be placed towards an alley and/or off a secondary (less predominant) building facade.

Criterion 5

If more than one Adjustment is being requested, the cumulative effect of the Adjustments results in a project which still meets criteria (1) through (4), above.

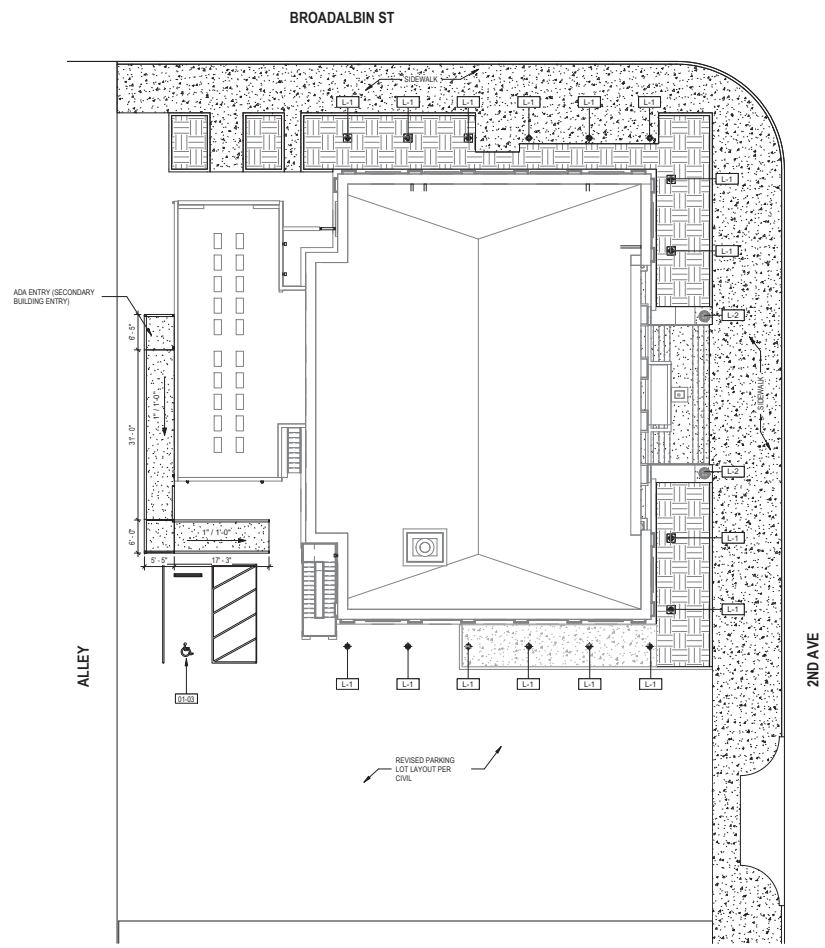
8. Only one adjustment is being requested; therefore, this criterion is not applicable.

Overall Conclusion

Based on the above analysis, the proposed application meets all the applicable decision criteria as outlined above.

Exhibits




- A. Architectural Plan Set



GENERAL SITE PLAN NOTES:

1. UPDATED PARKING LOT LAYOUT WILL BE FINALIZED BY CIVIL ENGINEER AT LATER DATE.
2. SECONDARY ENTRY IS BEING ADDED TO THE BUILDING IN ORDER TO PROVIDE ADA ENTRY WITH EXISTING ADA RAMP. MODIFICATIONS WILL BE MADE TO RAMP IN ORDER TO ACCOMMODATE UPDATED CODE REQUIREMENTS.
3. FOR LIGHT FIXTURE SELECTIONS (SIGNATED AS L-1, L-2, ETC.) SEE LIGHTING CUTSHEET PACKAGE.

LEGEND:

-  LANDSCAPE
-  PAVING
-  CONCRETE SIDEWALK AND CURBS

KEYNOTE LEGEND

#	Keynote Description
01-03	NEW ADA PARKING SPACE. FINAL LAYOUT BY CIVIL



VARITONE ARCHITECTURE
 231 2nd Avenue SW
 Albany, Oregon 97321
 Ph: 541.497.2954

ARCHITECT
 VARITONE ARCHITECTURE, LLC
 CHRISTINA LARSSON
 PH: (541) 497-2954
 231 2ND AVENUE SW
 ALBANY, OR 97321

LANDSCAPE PLANNER
 LORRA SANDERSON
 PH: (541) 451-5125
 81 E 58th ST
 LEBANON, OR 97355

ALBANY FEDERAL BUILDING
 HISTORIC REVIEW

NOT FOR CONSTRUCTION

240 SW 2ND AVE
 ALBANY, OR 97321

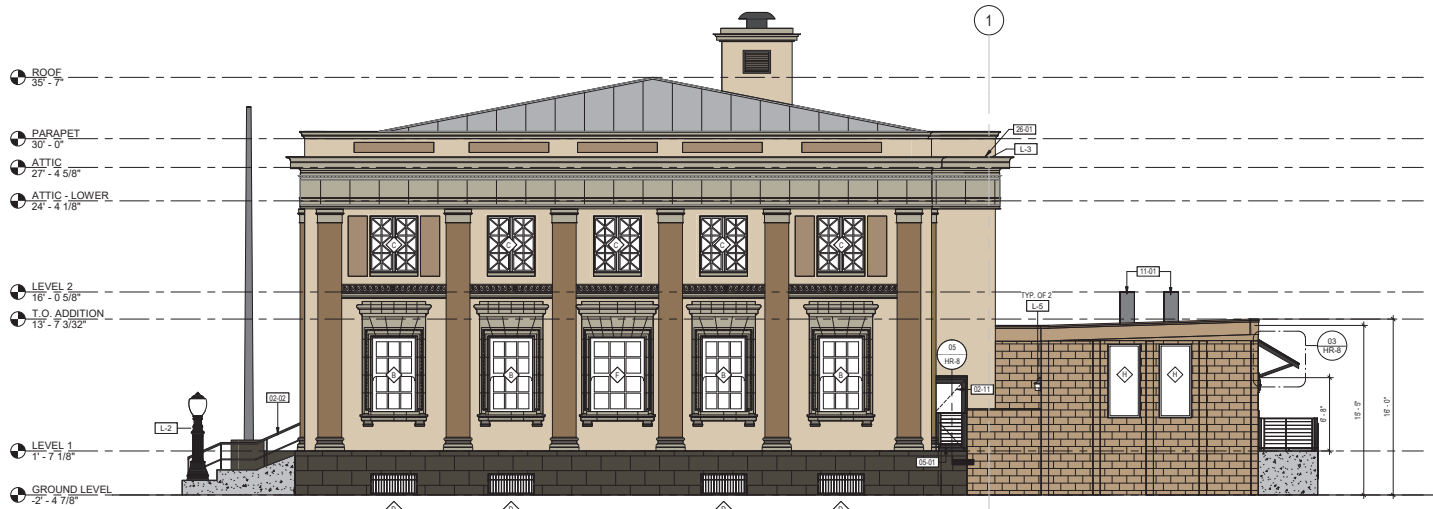
Issue:	HISTORIC REVIEW
Date:	09-04-2024
Revision:	Date:

SITE PLAN

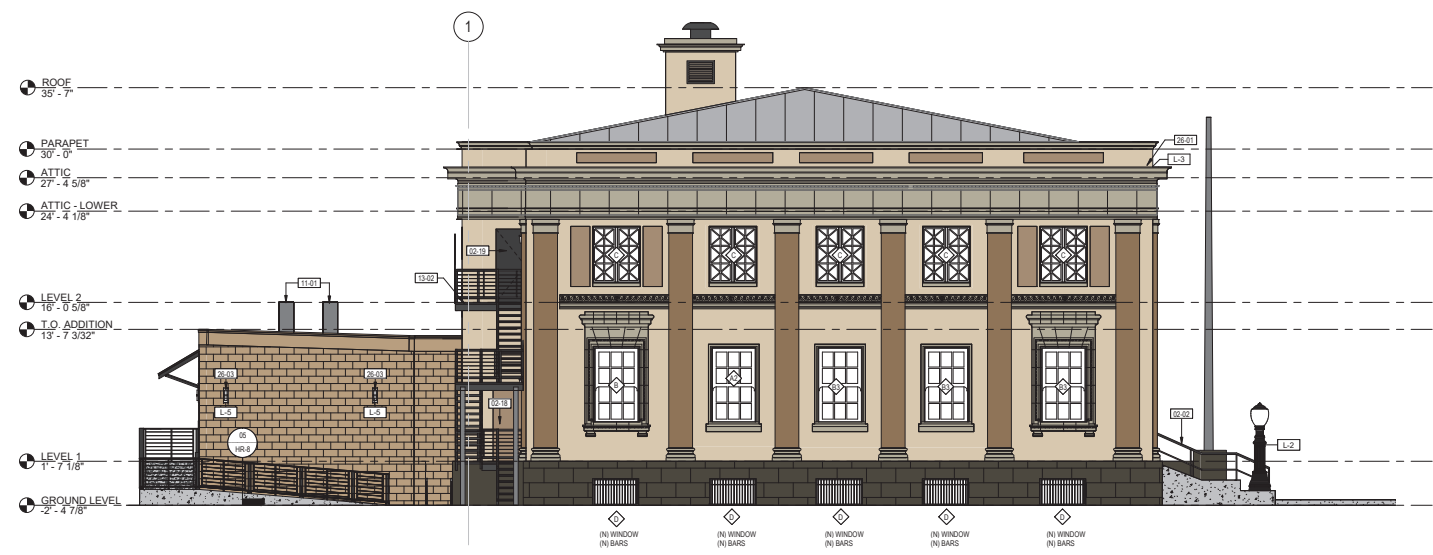
HR-1

01 SITE PLAN
 3/32" = 1'-0"





01 WEST ELEVATION
3/16" = 1'-0"



02 EAST ELEVATION
3/16" = 1'-0"

FINISH LEGEND

- (E) LIMESTONE TO BE CLEANED BUT OTHERWISE LEFT UNTOUCHED.
- EXISTING STUCCO TO BE PAINTED: SW 7645 THUNDER GRAY
- EXISTING STUCCO TO BE PAINTED: SW 6102 PORTABELLO
- EXISTING STUCCO TO BE PAINTED: SW 6108 LATTE
- EXISTING STUCCO TO BE PAINTED: SW 6141 SOFTER TAN

#	Keynote Description
02-02	(E) HANDRAILS TO REMAIN
02-11	REMOVE (E) WOOD DOOR AND REPLACE WITH NEW FULL LITE WOOD DOOR
02-18	REMOVE (E) DOOR INFILL WITH STUCCO PANEL WITH 1" RECESS FROM FACE OF FACADE
02-19	(E) DOOR TO REMAIN, PAINTED
02-61	NEW STEEL RAILING
11-01	MECHANICAL UNIT
13-02	(E) STEEL FIRE ESCAPE TO BE REPAINTED
28-01	LED ACCENT LIGHTING TO RUN ALONG TOP INSIDE EDGE OF CORNICE
28-03	NEW EXTERIOR LIGHT FIXTURE TO ILLUMINATE ADA RAMP, INSTALLED WITH NEW RECESSED ELECTRICAL BOX



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ALBANY FEDERAL BUILDING
HISTORIC REVIEW
NOT FOR CONSTRUCTION

Issue: HISTORIC REVIEW
Date: 09-04-2024

Revision:	Date:

EXTERIOR ELEVATIONS

HR-5