



COMMUNITY DEVELOPMENT

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

Notice of Decision

Historic Review of Use of Substitute Materials and Exterior Alterations

HI-18-24

October 7, 2024

Application Information

Type of Application:	Historic Review of Exterior Alterations for exterior lighting, removal of rear stairway, changes to doors, the addition of mechanical units and ADA improvements and Historic Review of Use of Substitute Materials for replacement of exterior windows.
Review Body:	Landmarks Commission (Type III review)
Property Owner/Applicant	Glorietta Bay, LLC / Scott Lepman
Applicant's Representative:	Laura LaRoque, Udell Engineering & Surveying
Address/Location:	240 2nd Avenue SW
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-06CC-10200
Zoning:	Historic Downtown (HD)
Overlays:	Downtown Commercial National Register Historic District

Decision

On October 2, 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. The 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 1.320. 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

Appeal Deadline: October 17, 2024
Approval Expiration Date (if not appealed): October 7, 2027

albanyoregon.gov/cd



Conditions of Approval

- Condition 1 Exterior Alterations** – The proposed exterior alterations shall be performed and completed as specified in the staff report. Deviations from these descriptions may require additional review.
- 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.
- Condition 3 Use of Substitute Materials** – Only the windows discussed in the application may be replaced. If additional windows are found to need replacement a new review shall be required.
- Condition 4 Use of Substitute Materials** - The windows to be replaced shall be replaced with Andersen A-Series Fibrex windows. If a different type of substitute window is proposed it will require a new review.

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

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.**

Findings of Fact

- 1.1 Location and Historic Character of the Area. The subject property is located at 240 2nd Avenue SW in the Historic Downtown (HD) zoning district within the Downtown National Register Historic District. The surrounding properties are in the HD zoning district and are developed with a mix of uses including commercial, restaurants, offices, and parking lots.
- 1.2 Historic Rating. The subject building is rated as a Historic Contributing resource in the Downtown National Register Historic District. The building was constructed in 1914.
- 1.3 History and Architectural Style. The nomination form lists the architectural style of the building as Federal style. The structure was first constructed as the post office and was eventually turned into City Hall for the city. The building is sometimes referred to as “old City Hall” or “Federal Building”.
- 1.4 Proposed Exterior Alterations. The applicant proposes to install new exterior lighting as detailed in the submittals, install replacement windows using Anderson A-Series Fibrex windows (except for storefront windows which will be aluminum), remove exterior doors on the rear and sides of the main building and infill, remove a wood door on the rear of the building and replace with a full-lite metal door, remove metal stairways and railing on the south side of the addition, add mechanical units on the roof of the rear addition, and remove and replace ADA ramps, with the installation of a new steel frame, metal roofed doorway canopy. Proposed use of substitute materials (windows) is discussed further in ADC 7.170-7.225.

ADC 7.150 further provides the review body will use the Secretary of the Interior's Standards for Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria. Conclusions for ADC 7.150 and 7.160 will be discussed below.

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.

Findings of Fact

- 2.1 Building Use (ADC 7.160(1)). The building was originally constructed as a United States Post Office but was sold in 1965 to the City of Albany and was converted into City Hall. In 1995 the City sold the building, and it was converted into commercial use. The current property owner proposes to use the property as a boutique hotel or “commercial retail sales and service-oriented” use. Based on these facts, this criterion is met.
- 2.2 Historic Character (ADC 7.160(2)). The structure was constructed in the Federal style. In the 1960s several alterations to the structure occurred, including the rear addition and the exterior aluminum vestibule. These changes have not acquired a historic significance in their own right. Based on these facts, criterion ADC 7.160(2) is met.
- 2.3 Historic Record & Changes (ADC 7.160(3) and (4)). The structure was originally constructed in 1914 in the Federal style. The applicant does not propose any conjectural features or architectural elements from other buildings. Changes to the structure included the rear addition, aluminum vestibule, and ADA ramps have not acquired historic significance in their own right. Based on these facts, criterion ADC 7.160(3 and 4) are met.

- 2.4 Distinctive characteristics (ADC 7.160(5)). The structure was originally constructed in 1914 in the Federal style. Distinctive features include windows that have a stone architrave with bead and reel molding, and plain frieze, a cornice with leaf and dart enrichment in the ogee molding, dentil course, columns and pilasters with acanthus details and abacus, entablature with leaf and dart architrave molding, four arched openings on the north side, and a corner stone on the NW corner at 2nd and Broadalbin. The ground floor windows are double hung, six over six, with a wood sash. The second-floor windows are double hung, six over six with a “Union Jack” design, with a wood sash. The applicant states that distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the property shall be preserved. Based on these facts, this criterion is met.
- 2.5 Deteriorated Features (ADC 7.160(6)). The applicant proposes to restore the building façade to approximate the original design and finish details as shown in historic photos. The applicant states that the proposal will restore some of the missing architectural elements and craftsmanship of the building based on pictorial evidence. Based on these facts, criterion ADC 7.160(6) is met.
- 2.6 Use of Chemical or Physical Treatments (ADC 7.160(7)). The applicant states they will not use chemical or physical treatments. Based on this, the criterion is met.
- 2.7 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.
- 2.8 Historic Materials (ADC 7.160(9)). The applicant states the exterior alterations will not destroy historic materials that characterize the property. The proposed alterations will approximate the size, scale, and architectural features based on pictorial evidence. The applicant testified that there is one full sized window that will be removed due to being bisected by two floors. The window will be replaced so that it only spans the first floor, with the second-floor portion being blocked off. The Commission finds that the applicant complies with this criterion as the window is not the only example of this type of window and there is no practical way to create a fire wall to separate the first floor from the second where the window spans it. Based on these facts, the criterion is met.
- 2.9 New Additions (ADC 7.160(10)). The applicant states that there are no new additions proposed with this request, therefore this criterion is not applicable.

Conclusions

- 2.1 The proposed exterior alterations will restore deteriorated and/or missing character-defining features on the front façade.
- 2.2 The proposed alterations will cause the structure to approximate the original historic character and appearance of the building, potentially satisfying ADC 7.150(1) and consistent with the Secretary of Interior’s Standards in ADC 7.160.

Historic Review of the Use of Substitute Materials (ADC 7.170-7.225)

ADC eligibility for the use of substitute materials (ADC 7.200(1)) and review criteria for Historic Review of the Use of Substitute Materials (ADC 7.200) 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.

Eligibility for the Use of Substitute Materials (ADC 7.200)

The City of Albany interprets the Secretary of Interior’s Standards for Rehabilitation on compatibility to allow substitute siding and windows only under the following conditions:

The building or structure is rated historic non-contributing; OR

In the case of historic contributing buildings or structures, the existing siding, windows or trim is so deteriorated or damaged that it cannot be repaired and finding materials that would match the original siding, windows or trim is cost prohibitive.

Any application for the use of substitute siding, windows, and/or trim will be decided on a case-by-case basis. The prior existence of substitute siding and/or trim on the historic buildings on the Local Historic Inventory will not be considered a factor in determining any application for further use of said materials.

The applicant proposes to replace wood windows with Andersen A-Series Fibrex exterior and wood interior windows. According to the applicant, Fibrex is a PVC-wood composite material.

Findings of Fact

- 1.1 Eligibility. The subject building is rated as a Historic Contributing resource in the Downtown National Register Historic District. The applicant states that the basement window openings consist of nine infilled window openings along with five rotten wood frames/sashes and two metal bar inserts. On the rear southern elevation there is one rotten wood frame and sashes. The applicant also discusses the conditions of the aluminum vestibule windows but asserts that they are exempt from review as they are a like for like replacement. The applicant states that the majority of the basement windows are infill windows that have steel frames. The applicant states that the cost of replacement material and long-term maintenance of the material would be cost prohibitive for the project as there is a lot of water infiltration at the ground floor/basement level. The Commission finds that the windows are too deteriorated to be repaired and that it is cost prohibitive to do continued maintenance on ground floor windows with water infiltration. The Commission also notes that as the building is in a special tax exemption program and has a preservation plan filed with the State that it would be cost prohibitive to restart the review process with State and Federal stakeholders. Based on these facts, the Commission finds this criterion is met.
- 1.2 Existing Conditions. The applicant states that many of the basement windows are comprised of steel frames that were likely installed in the 1960s. Any existing wood frames and sashes are heavily deteriorated due to moisture infiltration.
- 1.3 Substitute Materials. The applicant proposes to replace the windows with Andersen A-Series Fibrex exterior and wood interior windows, except for the vestibule windows which will be replaced with aluminum framed and glazed windows.

Conclusions

- 1.1 The building is rated as a Historic Contributing resource in the Downtown National Historic District and is therefore not eligible for review under the first threshold in ADC 7.200.
- 1.2 The applicant states that wood elements that are damaged due to rot will be replaced with Andersen A-Series Fibrex exterior and wood interior windows.
- 1.3 The Commission finds that the windows are too deteriorated to be repaired and that it is cost prohibitive to do continued maintenance on ground floor windows with water infiltration. The Commission also notes that as the building is in a special tax exemption program and has a preservation plan filed with the State that it would be cost prohibitive to restart the review process with State and Federal stakeholders.

Design and Application Criteria for the Use of Substitute Materials (ADC 7.210)

Criterion 1

The proposed substitute materials must approximate in placement, profile, size, proportion, and general appearance of the existing siding, windows or trim.

Findings of Fact

- 1.1 The applicant states that detailed architectural drawings are enclosed with the application and depict placement, profile, size, proportion, and general appearance of existing and proposed materials. The Commission may determine the suitability of the proposed design, placement, profile, size and general appearance.

Conclusions

- 1.1 New windows are proposed to match the general appearance of the existing windows.
- 1.2 As proposed, the Commission finds that this criterion is met.

Criterion 2

Substitute siding, windows and trim must be installed in a manner that maximizes the ability of a future property owner to remove the substitute materials and restore the structure to its original condition using traditional materials.

Findings of Fact and Conclusions

2.1 The applicant states that all installed materials can be removed and replaced later if needed without considerable damage to the structure.

2.1 This criterion has been satisfied.

Criterion 3

The proposed material must be finished in a color appropriate to the age and style of the house, and the character of both the streetscape and the overall district. The proposed siding or trim must not be grained to resemble wood.

Findings of Fact

3.1 The applicant states that none of the window components will be grained to resemble wood.

Conclusions

3.1 The proposed material may not be wood grained.

3.2 This criterion has been satisfied with conditions of approval.

Criterion 4

The proposed siding, windows or trim must not damage, destroy, or otherwise affect decorative or character-defining features of the building. Unusual examples of historic siding, windows and/or trim may not be covered or replaced with substitute materials.

Findings of Fact and Conclusions

4.1 The applicant states that the substitute windows and frames will not be installed over, or cover unusual examples of historic windows, trim, or decorative and character-defining features of the building.

4.2 Based on these facts, the Commission finds that this criterion is met.

Criterion 5

The covering of existing historic wood window or door trim with substitute trim will not be allowed if the historic trim can be reasonably repaired. Repairs may be made with fiberglass or epoxy materials to bring the surface to the original profile, which can then be finished, like the original material.

Findings of Fact and Conclusions

5.1 There does not appear to be any historic wood trim on the structure.

5.2 Based on these facts, this criterion is satisfied.

Criterion 6

Substitute siding or trim may not be applied over historic brick, stone, stucco, or other masonry surfaces;

Findings of Fact

6.1 The applicant does not propose to install any siding or trim.

Conclusions

6.1 There is no siding or trim to be installed over the historic limestone or stucco.

Additional Comments

Oscar Hult, a surrounding property owner, submitted written comments in favor of the alterations, stating that it appears all substitute materials could be removed in the future.

Ken Marshall, a surrounding property owner, submitted written comments in favor of the alterations of the structure.

Attachments

- A. Location Map

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.

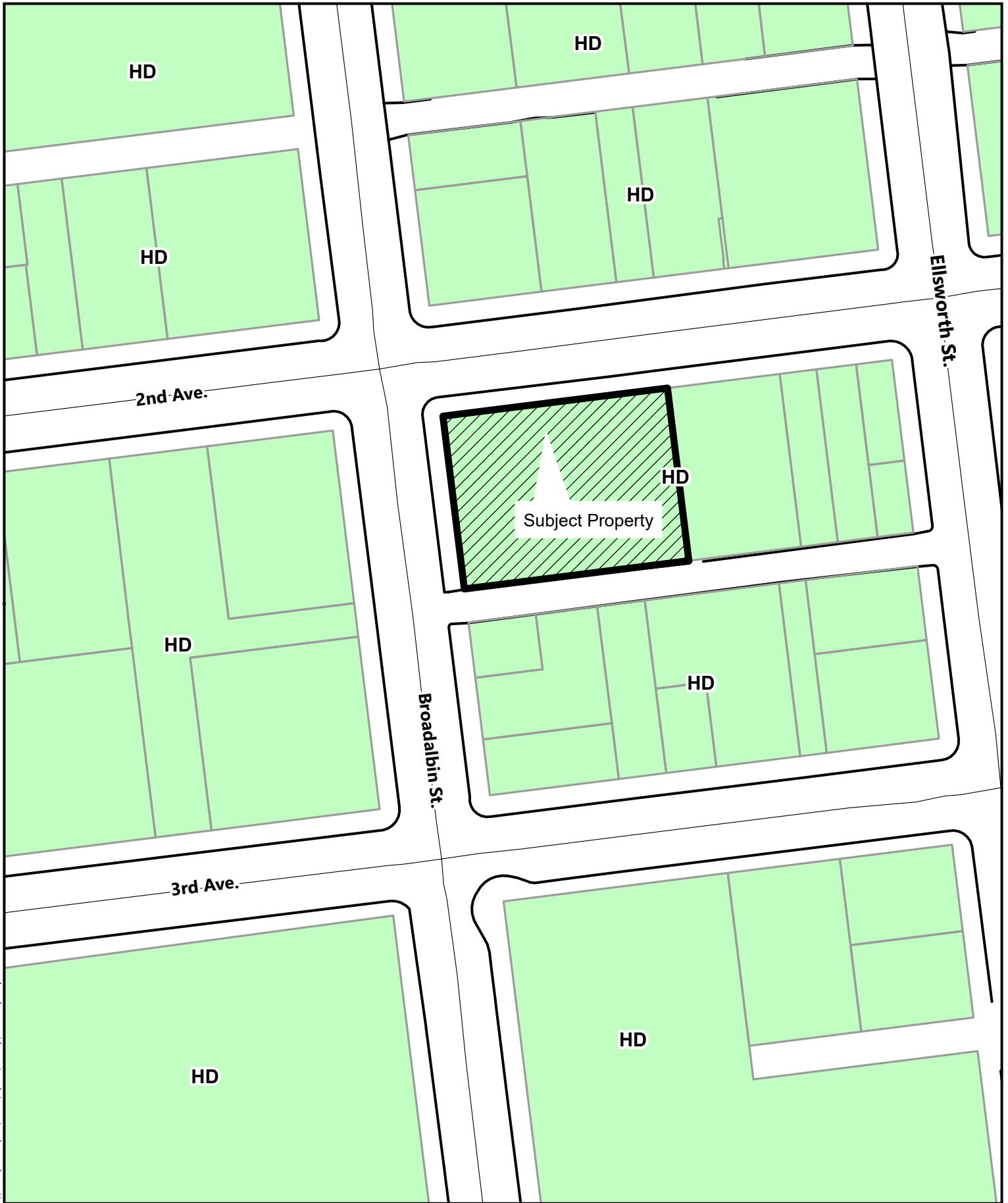
Building

Permits

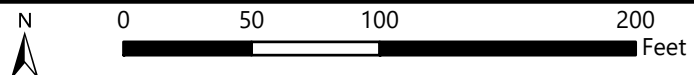
1. The proposed project may require permits that will need to be applied for at www.albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.

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.



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240 2ND AVE SW

Date: 9/10/2024 Map Source: City of Albany

Location Map