

NOTICE OF APPEAL AP21-03

by

LAMONT HORNBECK

of the

**HISTORIC LANDMARKS COMMISSION'S
DENIAL DECISION OF
EXTERIOR ALTERATION REQUEST (EX21-02)**

by

ADRIENNE FABRIQUE,
COMMUNITY PROPERTY MANAGEMENT,
ON BEHALF OF LAMONT HORNBECK



Prepared by
City of Astoria
Community Development Department
1095 Duane St. • Astoria, OR 97103

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NOTICE OF APPEAL AP21-03

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NOTE: Page numbers are indicated as "**AP-xx**" so as not to be confused with previous document page numbers.

From: Josh Stellmon [mailto:JStellmon@hk-law.com]
Sent: Monday, May 24, 2021 12:19 PM
To: Rosemary Johnson <rosemaryjcurt@gmail.com>
Cc: Megan Leatherman <mleatherman@astoria.or.us>; Tiffany Taylor <ttaylor@astoria.or.us>
Subject: RE: Lamont Hornbeck; 1229 Franklin Ave

*****EXTERNAL SENDER*****

Good morning,

Attached are the cross-section drawings. Mr. Hosie also asked that I pass along the following information:

- The ogee would be wood, and painted white (I understand all elements can be painted, and will be uniform)
- Ogee attached to wood frame via screw
- We will match the original size and shape of the ogees.

Please let me know if any additional information is needed. We appreciate your willingness to work with us.

-Josh

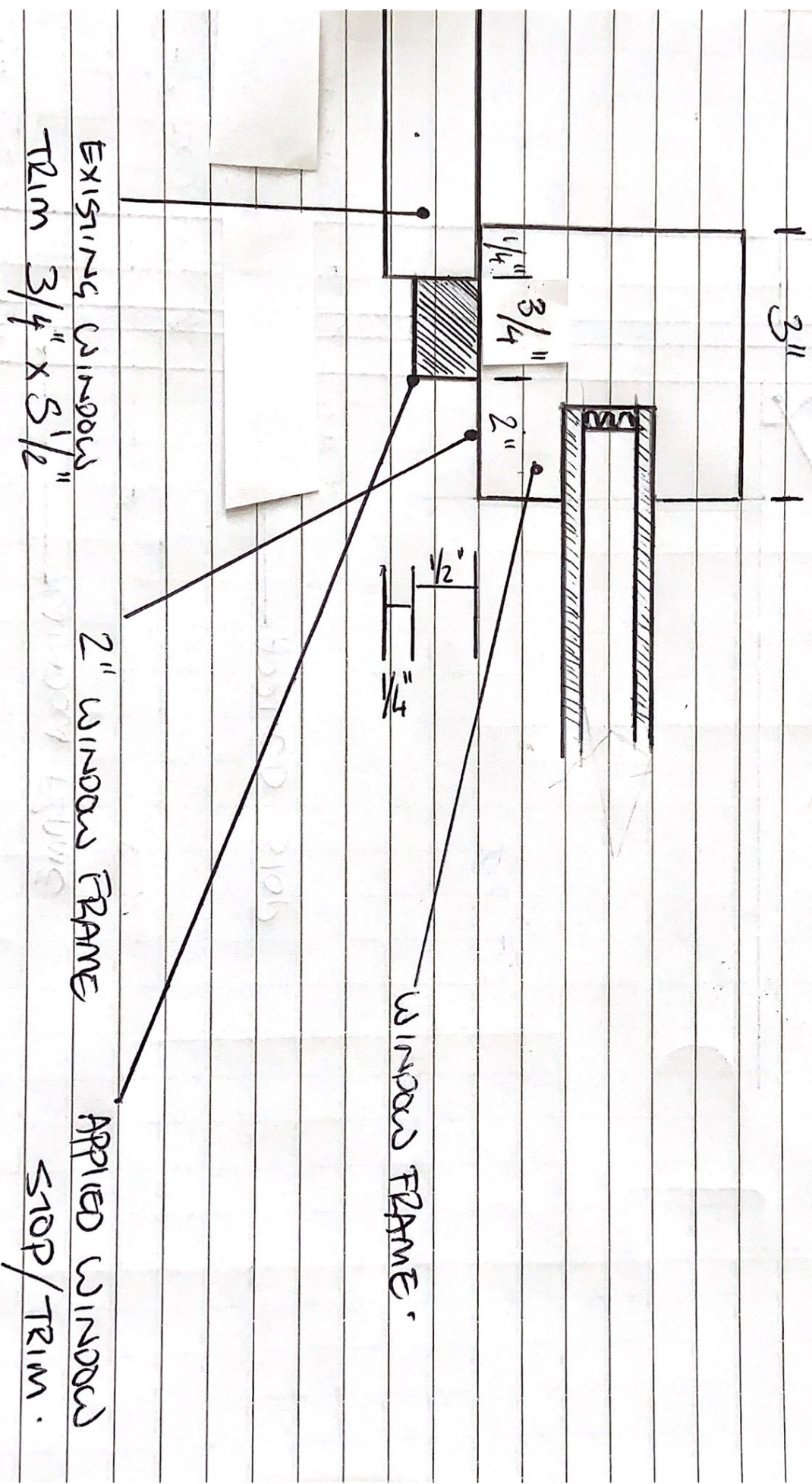
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CROSS SECTION OF APPLIED TRIM TO WINDOW DETAIL.



From: Josh Stellmon [mailto:JStellmon@hk-law.com]
Sent: Tuesday, May 18, 2021 4:47 PM
To: Rosemary Johnson <rosemaryjcurt@gmail.com>; Megan Leatherman <mleatherman@astoria.or.us>
Cc: Tiffany Taylor <ttaylor@astoria.or.us>
Subject: RE: Lamont Hornbeck; 1229 Franklin Ave

*****EXTERNAL SENDER*****

All,

Per our discussion last week, attached are revised drawings from Mr. Hosie. Please let me know if you would like to discuss further.

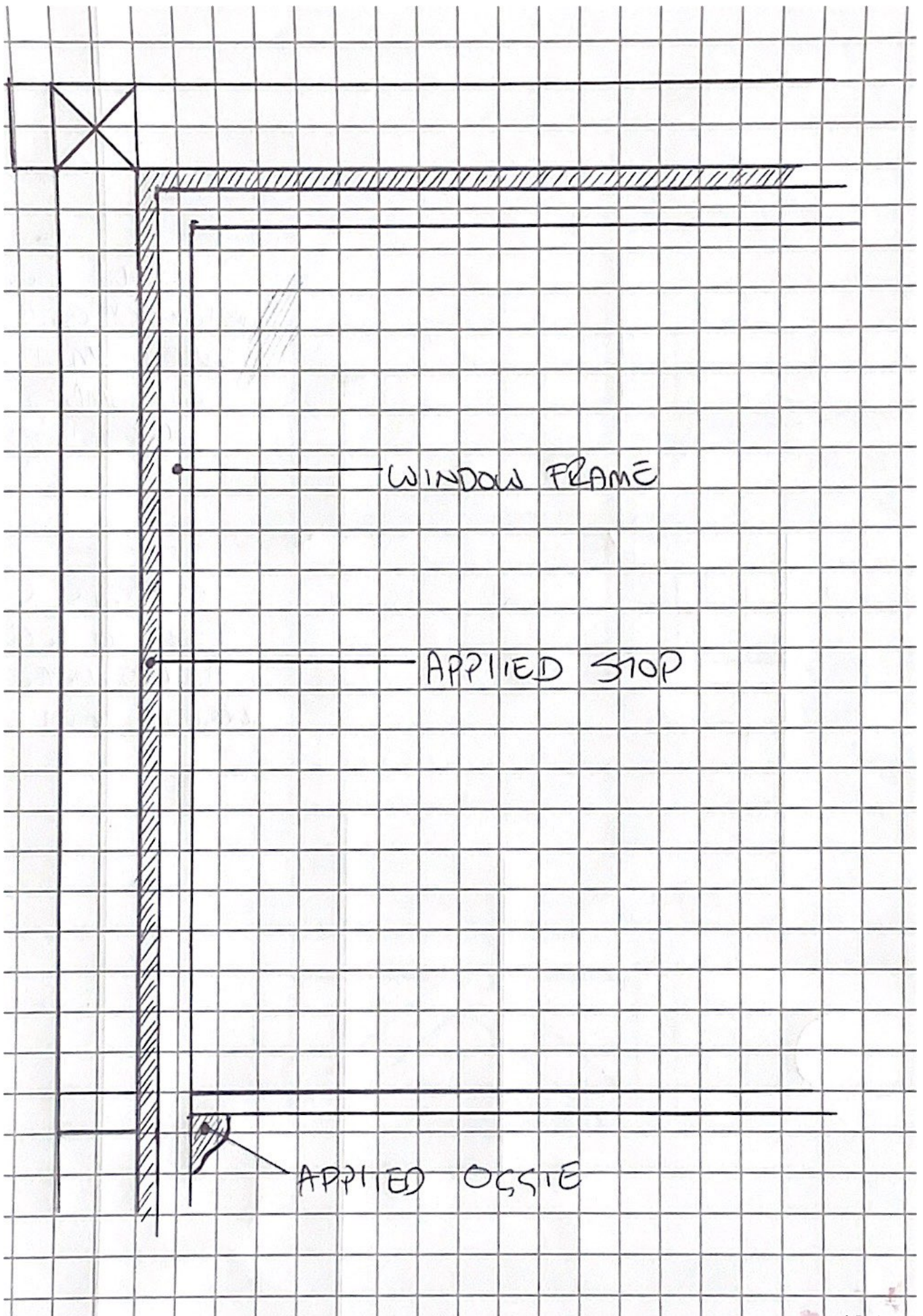
-Josh

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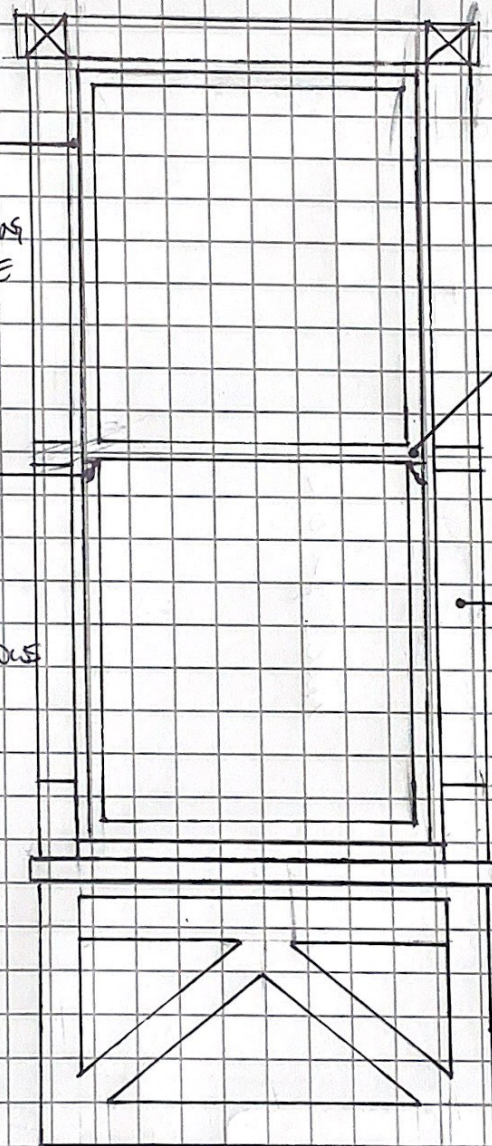
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ADDITIONAL WOOD
STOP APPLIED TO EXISTING
WINDOW TRIM TO REVEAL
VISIBLE FRAME SIZE
ON THE WINDOWS

APPLIED OGKIE AT
THE BASE OF THE
TOP SASH ON ALL
SINGLE HUNG WINDOWS



NEW WINDOW FRAME.
VISUAL EXPOSURE = 2"
OF NEW FRAME.

EXISTING WINDOW
TRIM. VISUAL EXPOSURE
OF EXISTING TRIM = 5"
THIS TRIM DETAIL WILL
BE PAINTED WHITE TO
SOFTEN VISUAL IMPACT
OF NEW COMPOSIT
WINDOW FRAME.

WINDOW DETAIL FOR
1229 FRANKLIN AVE.

Tiffany Taylor

AP21-03
Public Comment

From: Kris Haefker <haefker@gmail.com>
Sent: Monday, May 17, 2021 9:02 AM
To: Tiffany Taylor
Subject: Appeal (AP21-03)

*****EXTERNAL SENDER*****

Kris Haefker
687 12th
Astoria, Or. 97103
CCB: 134214

Subject: Appeal (AP21-03)

Dear Mayor Bruce Jones and Council,

I do **NOT** support Exterior Alteration for Historic Property Application, Historic Landmarks Commission Decision; 1229 Ave; City Appeal No 21-03.

Anderson Fibrex windows are **NOT** an appropriate replacement window for this historic structure. Reasons for denial are clearly outlined in the staff report. Traditional wooden sash constructed from western red cedar, redwood, or Douglas Fir would be considered appropriate for this location and proper replacement sash are obtainable. The fabrication cost for a set of traditional wooden DH sash would probably be around \$700-\$850 a set depending on size and lights.

Modifying the Anderson Fibrex with mock details also does **NOT** make the windows a correct fit. This is especially important for the North and west sides of the house. It is the proportions of the Anderson Fibrex windows that makes them wrong. Also, all historical sensitivity is lost when trading out the large 12 light fixed window with a large picture window with lower slider.

Since sash color is mentioned in the staff report, it should be noted that buildings from the late 1800's commonly had dark colored sash. These dark sash colors were intended to strongly contrast the trim. Today, many replacement sash are white vinyl. Vinyl does not accept paint well and the darker colors absorb heat. The heat distorts the vinyl and cancels any warranty for the product. On this building, it is important to either have replacement sash with a traditional dark color or sash that can accept one.

When trading out the historic DH wooden sash on this building and replacing them with new inserts, you've lost the uniquely light weight constructed sash which help define the building's architectural style. New frames have tracks for the modern sash operate on. This reduces the window opening and therefore reduces the glass area and add a clunky quality to the window detailing.

Both wooden replacement and original sash can be modified to accept weather stripping. This cuts down on draft. Traditional storm windows can also be added. The cost for storm windows are about \$300-400 depending on size.

The building at 1229 Ave is a unique property and deserves design sensitivity. Alterations on the house, like window replacement, should not be made to blend in with the lower commercial addition from 1947. Instead,

the lower addition should have modifications made to highlight the historic structure. Most of this can be done with color selection.

Again, I kindly ask city council to deny this request and help preserve Astoria's precious architectural history.

Sincerely
Kris Haefker



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COMMUNITY DEVELOPMENT

RECEIVED
MAY 07 2021
Community Development
CITY OF ASTORIA

WAIVER OR EXTENSION OF 120 DAY RULE AT APPLICANT'S REQUEST

State law requires the City to issue a final decision on land use reviews within 120 days of receiving a complete application. State law also allows an applicant to request in writing an extension of the 120-day review period for up to an additional 245 days.

When extensions are requested, it is important to ensure that there is adequate time to accommodate the required public review, drafting the decision, and any required hearings (including appeals) within the extended review period.

To request an extension of the 120-day review period, submit this form to the Community Development Department.

Applicant: Lamont Hornbeck

Application Case Number: EX 21-02

Date of Complete Application: 1/27/2021

Pursuant to ORS 227.178*, the Applicant requests to (check one):

- ☒ Extend the 120-day period for an additional 45 days to date of (City Convenience)
- ☐ Extends the 120 day period to the maximum extension of 245 days to date of _____

Note: The total number of extension requests may not exceed 245 days.

By signing this form, the applicant acknowledges that the 120-day review period for this land use review application will be extended for the number of days specified.

[Signature] Josh Stellmon, Attorney for Applicant

Applicant signature

5-7-21
Date

Name: Lamont Hornbeck

Address: 729 Sunrise Ave, Ste 700, Roseville, CA 95661

Phone: 503-325-5678 email: sulcata8899@yahoo.com

*** 227.178 final action on certain applications required within 120 days; procedure; exceptions; refund of fees.**
(1) Except as provided in subsections(3) and (4) of this section, the governing body of a city or its designee shall take final action on an application for a permit, limited land use decision or zone change, including resolution of all appeals under ORS 227.180, within 120 days after the application is deemed complete.

(4) The 120-day period set in subsection (1) of this section may be extended for a reasonable period of time at the request of the applicant.

(9) A city may not compel an applicant to waive the 120-day period set in subsection (1) of this section or to waive the provisions of subsection (7) of this section or ORS 227.179 as a condition for taking any action on an application for a permit, limited land use decision or zone change except when such applications are filed concurrently and considered jointly with a plan amendment.

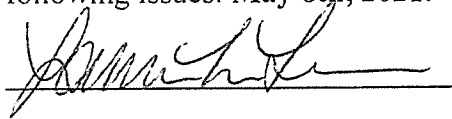
State Of Oregon

Copy Of Advertisement

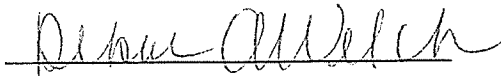
County Of Clatsop } ss.

Affidavit of
PUBLICATION

I, **Lauren McLean**, being duly sworn, depose and say that I am the principal clerk of the manager of **THE ASTORIAN**, a newspaper of general circulation, as defined by section ORS 193.010 and 193.020 Oregon Compiled Laws, Annotated, printed and published tri-weekly at Astoria in the aforesaid county and state; the Legal Notice: **AB8225 Notice of Public Hearing** printed copy of which is hereto attached, was published in the entire issue of said newspaper **One** successive and consecutive time(s) in the following issues: **May 8th, 2021.**



Signed and attested before me on
the **14th** day of **May, 2021**
by:



AB8225
CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

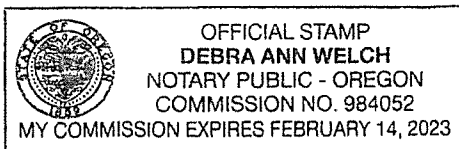
Due to the COVID-19 Pandemic, public hearings will be conducted in the City Council Chambers with a limited seating arrangement. Masks are required. To adhere to the social distancing recommendation, you may also participate in the public hearing remotely. Go to https://www.astoria.or.us/LIVE_STREAM.aspx for connection options and instructions. You may also use a telephone to listen in and provide public testimony. At the start of the meeting, call (253) 215-8782 and when prompted enter meeting ID# 503 325 5821.

The Astoria City Council will hold a public hearing on Monday, May 17, 2021 at 7:00 p.m., in the City Council Chambers at City Hall, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request:

1. Appeal (AP21-03) by Lamont Hornbeck of the Historic Landmarks Commission denial of Exterior Alteration Request (EX21-02) by Adrienne Fabrique for Lamont Hornbeck to replace all existing wood windows with composite material, reconfigure one east side window from 2/2 to 1/1 window; reconfigure one west side window to fixed and sliding window, and reconfigure rear first floor windows from 4/4 to 1/1 windows at 1229 Franklin Avenue (Map T8N R9W Section 8CD, Tax Lots 2701 & 2702; Lots 1 and west 16' Lot 2, Block 68, McClure) in the C-4 (Central Commercial) Zone. The site is designated historic in the Shively-McClure National Register District. The appellant identified the following items as grounds for the appeal: Development Code Standards in Section 6.050(F).2, 4, 5, 6 and 9 (Historic Design Review Criteria). Development Code Sections 2.425 to 2.445 (C-4), Articles 6 (Historic Properties) and 9 (Administrative Procedures), and Comprehensive Plan Sections CP.005 to CP.028 (General Provisions), CP.050 to CP.055 (Central Residential), CP.240 to CP.255 (Historic Preservation), are applicable to this request.

For information, contact the Community Development Department by writing to: 1095 Duane St., Astoria OR 97103, by email: comdevadmin@astoria.or.us or by phone: (503) 338-5183. The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department 48 hours prior to the meeting at (503) 338-5183. The City Council reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA
Tiffany Taylor, Administrative Assistant
Published: May 8, 2021.



Notary Public for the State of
Oregon, Residing at Astoria,
Oregon, Clatsop County.



CITY OF ASTORIA

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1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • www.astoria.or.us • comdevadmin@astoria.or.us

Mail	4-27-21
Email	4-29-21
Web	4-29-21

On site	5-3-21
Pub	5-8-21

NOTICE OF PUBLIC HEARING

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A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available by request by contacting the Community Development Department at 1095 Duane Street, Astoria or by email at comdevadmin@astoria.or.us or by calling (503) 338-5183. The location of the hearing is ADA accessible. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at (503) 338-5183, 48 hours prior to the meeting.

All interested persons are invited to express their opinion for or against Appeal Request AP21-01 by email comdevadmin@astoria.or.us, by letter addressed to the Astoria City Council, 1095 Duane St., Astoria OR 97103, at the hearing, or remotely. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation which you believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the Astoria City Council and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The public hearing, as conducted by the City Council, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, and deliberation and decision by the City Council. The City Council reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

The City Council's ruling may be appealed to the Land Use Board of Appeals by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Intent to Appeal within 21 days after the City Council's decision. Appellants should contact the Oregon Land Use Board of Appeals (LUBA) concerning specific procedures for filing an appeal with LUBA. If an appeal is not filed with LUBA within the 21-day period, the decision of the City Council shall be final.

THE CITY OF ASTORIA

MAILED: April 27, 2021

Tiffany Taylor
Administrative Assistant



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Public meetings will be conducted in the Council Chambers with a limited seating arrangement. In addition, to adhere to the social distancing Order from Governor Brown (Stay Home Executive Order 20-12), meetings will be audio and video live-streamed.

ONLINE MEETING

At start of our Public Meetings you will be able to join our online ZOOM meeting using your **mobile or desktop device** and watch the live video presentation and provide public testimony.

Step #1: Use this link: <https://www.astoria.or.us/zoom/>

Step #2: Install the Zoom software on your mobile device, or join in a web browser

Step #3: If prompted, enter the Meeting ID number: 503 325 5821

Note: Your device will automatically be muted when you enter the online meeting. At the time of public testimony, when prompted you may choose to select the option within the ZOOM software to "raise your hand" and notify staff of your desire to testify. Your device will then be un-muted by the Host and you will be called upon, based on the name you entered within the screen when you logged in.

TELECONFERENCE

At start of our Public Meetings you will be able to **dial-in using your telephone** to listen and provide public testimony.

Step #1: Call this number: [253-215-8782](tel:253-215-8782)

Step #2: When prompted, enter the Meeting ID number: 503 325 5821

*Note: Your phone will automatically be muted when you enter the conference call. At the time of public testimony, when prompted, you may dial *9 to "raise your hand" and notify staff of your desire to testify. Your phone will then be un-muted by the Host and you will be called upon based on your phone number used to dial-in.*

AUDIO-ONLY

At start of our Public Meetings you will be able to access the Audio only to listen to the meeting.

Step #1: Use this link to access the online audio: <http://audio.coao.us>

**Portland Office and Mailing Address:**

2177 SW Broadway
Portland, Oregon 97201

T 503.225.0777

F 503.225.1257

www.hk-law.com

Astoria Office Location:

800 Exchange Street, #330
Astoria, Oregon 97103

Michael E. Haglund
Michael K. Kelley
Michael G. Neff
Julie A. Weis
Christopher Lundberg
Matt Malmshamer
Joshua Stellmon (Astoria)
Eric J. Brickenstein
Christopher T. Griffith

LeRoy W. Wilder
Retired



May 5, 2021 **Community Development**
CITY OF ASTORIA

VIA EMAIL rosemaryjcurt@gmail.com,
ttaylor@astoria.or.us, bfryer@astoria.or.us &
mleatherman@astoria.or.us

Mayor Bruce Jones and Council
City of Astoria
1095 Duane St.
Astoria, OR 97103

Re: Appeal of Exterior Alteration for Historic Property Application, Historic
Landmarks Commission Decision; 1229 Franklin Avenue;
City Appeal No 21-03

Dear Mayor Bruce Jones and Council,

I represent Lamont Hornbeck regarding the above-referenced appeal of the Historic Landmarks Commission's March 16, 2021 decision denying Mr. Hornbeck's Exterior Alteration Request at 1229 Franklin Avenue, Astoria, OR 97103 (the "Property"). Mr. Hornbeck and primary contractor David Hosie plan on attending the hearing on this matter, currently set for May 17, to provide testimony and answer any questions Council may have. In the meantime, I am providing the following arguments and facts as to why the HLC's decision was wrong regarding several of the windows at issue, and his Application (as amended) should be approved.

As you can see from the materials, while the HLC and City Staff approached Mr. Hornbeck's application as a request to remove and replace existing windows, the fact is the majority of the windows at the Property have already been replaced. Mr. Hornbeck recognizes this issue, and in no way means to diminish it. Mr. Hornbeck does not live in Astoria, but owns several properties here, mostly single-family homes, which he leases as long-term rentals. Mr. Hornbeck has owned the Property for over 30 years, and throughout that time has relied on local property management companies to manage his properties, including 1229 Franklin Avenue. The Property achieved historical designation after he purchased it, and while the City file indicates notification was sent to him, Mr. Hornbeck is adamant that no such notification was received. Further, the file for Mr. Hornbeck's property received by his current property manager from Mr. Hornbeck's former long-time property manager does not contain any document or indication of historical designation. Had Mr. Hornbeck known, he certainly would have gone

through the proper channels. As it stands, it is important to Mr. Hornbeck that Council knows this is not a knowing “act now and ask forgiveness later” situation.

Via this letter, Mr. Hornbeck is limiting his appeal to only a portion of the windows at issue: thirteen single-hung windows, and a 2/2 window on the east elevation. As to the rear windows, those windows did not face the same issues requiring replacement as opposed to repair; they exist and will be replaced. As to the 12 lite fixed window on the west elevation, which was replaced with a picture window, Mr. Hornbeck intends to replace the existing picture window with a composite window with the aesthetic design and dimensions of the previously existing window shown in the Staff Report.

Mr. Hosie is prepared to testify in detail regarding the most pressing concern of HLC and the Staff Report related to Article 6.050(6)¹ and (9): whether “all” the windows were beyond repair and required replacement. In summary, Mr. Hosie’s evaluation of each and every one of the single-hung windows revealed multiple factors rendering those windows beyond repair. Most notably, Mr. Hosie determined the glazing compound used on those windows to hold the glass within the frame contained asbestos. Deterioration of the compound, paint, and structure of the windows, combined with brittle glass and the fact they were all painted shut, resulted in a condition where the windows could not be safely removed intact, and certainly could not have been repaired. Upon removal those windows were disposed of in Long Beach, as the Astoria Transfer Station does not accept material containing asbestos.

Compounding the issue was the fact all the windows currently on appeal were painted shut. While repairing the windows was not a viable solution given the conditions described above, because of those conditions Mr. Hosie took great care removing them. Due to the strength of the seal created by the paint and the deterioration of the window unit as a whole, it was not possible to remove the windows without significant, unrepairable damage to the units.

Worth noting, the conditions found on the single-hung windows and the 2/2 window on the east elevation were not present in the segmented windows on the rear elevation. According to Mr. Hosie, those windows were protected from the elements due to an overhang and the windows’ rear location on the southern side of the home. Further, unlike the other windows, they were not painted shut. As such, Mr. Hosie was able to delicately remove and salvage those windows; they were not destroyed, and they will be replaced.

Other than the condition of the replaced windows, the HLC’s and Staff’s concerns focused on design/aesthetic changes; specifically, the replacement windows contain a 3” stile while the original windows were 2”.² Not all historically designated structures are created (or exist) equally. Mr. Hornbeck agrees with Staff that the Property “is in a prominent location and highly visible from the rights-of-way.” However, the prominent structure is not the historical

¹ “Deteriorated architectural features shall be repaired rather than replaced, *wherever possible*.” Emphasis added.

² In contrast, the Staff Report found that the proposed 3.25” depth “retain[s] the original characteristic” of the historic 2” depth.



home, but the “commercial one-story addition on the northwest corner,” which was added in 1947. That structure has aluminum-framed windows and lacks any of the historical characteristics of the home. While the home “possesses sufficient integrity to convey its architectural history” despite the structure, it is that structure and other additions, including a concrete slab covering the mortuary, that catches the eye on this prominent intersection, not the windows and the size of their stiles:



In this context, Mr. Hornbeck contends that a 1” difference in stile width does not “destroy the significant historic character of the building,” especially to the extent his application should be denied on that basis.

Should Council disagree, Mr. Hornbeck is willing to make additional alterations to accommodate the proportionality issue. Specifically, Mr. Hosie could craft an additional strip to attach (indistinguishably) to the existing frame, creating the same proportional aesthetic as the original windows. That action would occur in conjunction with additional measures already proposed to create the same visual as the original windows: Mr. Hosie will sub-contract a boutique woodworker to recreate the historic design pieces that were removed from the home, including ogees. Further, the window stiles can and will be painted to match the existing frame coloring. When complete, to the naked eye the windows will be indistinguishable from the originals.³

Article 6 of the City of Astoria Development Code, Historic Properties, provides standards “intended to be used as a guide” in deliberations. Article 6.050(F). Those standards “involve the balancing of competing and conflicting interests,” and “shall be considered discretionary.” *Id.* Mr. Hornbeck recognizes the importance of historical designation and the preservation of historical structures to the City of Astoria and makes this appeal with respect towards those requirements. Considering the additional steps Mr. Hornbeck is willing to take regarding the windows now at issue, we contend Mr. Hornbeck’s application meets the criteria of Article 6.050, and respectfully ask that it be approved.

Very truly yours,



Joshua J. Stellmon

JJS/akt

³ Staff did not take issue with the use of Anderson Fibrex composite material as a replacement window, and the HLC has historically recognized Fibrex as an acceptable wood replacement.





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COMMUNITY DEVELOPMENT

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APR 01 2021
Community Development
CITY OF ASTORIA

No. AP 21-03

☒ Fee Paid Date 4/1/2021 By ck#12448
Fee: \$500.00

NOTICE OF APPEAL

Property Address: 1229 Franklin Avenue, Astoria, OR 97103

Lot 1 & 2 Block 68 Subdivision McClure
Map T8N R9W 8CD Tax Lot 2701, 2702 Zone C-4

Appellant Name: Lamont Hornbeck

Appellant Mailing Address: 8304 Parus Way, Granite Bay, CA 95746-7339

Phone: (916) 712-9866 Business Phone: _____ Email: sulcata8899@yahoo.com

Issue Being Appealed: Replacement of existing wood windows with composite material

Signature of Appellant: *Lamont W. Hornbeck* Date: 04/01/2021

Name of Appellant's Attorney (if any): Josh Stellmon

Address of Appellant's Attorney (if any): 2177 Broadway, Portland, OR 97201

This Appeal is filed with the City of Astoria, in accordance with Development Code Section 9.040,
on a decision and/or ruling dated March 17, 2021 by the Historic Landmarks Commission

Commission (Department/Commission/Committee/City Official)

Specific Criteria Appealed: 6.050 F # 2, 4, 5, 6, 9.

The specific grounds relied upon for review: See Attached

(If additional space is needed, attach additional sheets.)

For office use only:			
Application Received :	<input checked="" type="checkbox"/>	Standing to Appeal	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Appeal Criteria:			
Application Complete:		Permit Info Into D-Base:	<u>4/1/21</u>
Labels Prepared:		Tentative <u>CC</u> Meeting Date:	<u>May 17, 2021</u>
120 Days:			<u>J @ 7pm</u>

Attachment- Notice of Appeal

Lamont Hornbeck- 1229 Franklin Avenue, Astoria, OR 97103

Grounds relied upon for review:

- The Findings of Fact and Decision fails to adequately consider contractor David Hosie's testimony and explanation regarding the need for full replacement of the original windows.
- The Findings of Fact and Decision places too much emphasis and significance on the relatively minor deviations from historical design characteristics, especially in light of the prominent commercial addition to the property, added in 1947.
- The Findings of Fact and Decision failed to adequately consider additional modifications and conditions proposed by owner and David Hosie that would address Staff's major concerns.



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

March 17, 2021

TO: Interested Parties
FROM: Planning Division
RE: Notice of Decision: Historic Landmarks Commission (HLC)
Exterior Alteration Request EX21-02

This letter is to inform you of the decision of the Historic Landmarks Commission concerning a request for Exterior Alteration (EX21-02) at 1229 Franklin Aveune, Astoria, OR 97103.

The decision of the HLC is to deny the request, with conditions, as outlined in the prepared Staff Report. A copy of the decision is enclosed for your information.

Any person with standing may appeal the Historic Landmarks Commission decision and request a public hearing before the City Council by filing a completed Notice of Appeal with the Community Development Department within 15 days of the mailing of decision. The appeal deadline is 5:00 p.m., April 1, 2021. The notice should include all requested information and should state the reasons for the appeal. A fee is required to cover the cost of the appeal. If no appeal is filed within the 15-day period, the decision of the Historic Landmarks Commission becomes final.

If you have any questions, please call the Planning Division at (503) 338-5183.

Sincerely,

THE CITY OF ASTORIA
Community Development Department
Planning Division

/tt
Encl: Orders EX21-02
Revised Staff Report/Findings of Fact

BEFORE THE HISTORIC LANDMARKS COMMISSION
OF THE CITY OF ASTORIA

IN THE MATTER OF EXTERIOR ALTERATION REQUEST)

FOR THE FOLLOWING PROPERTY:)

MAP T8N R9W SECTION 8CD, TAX LOTS 2701 & 2702,)
LOT 1 AND WEST 16' LOT 2, BLOCK 68, MCCLURE,)
1229 FRANKLIN AVENUE, ASTORIA, OR 97103)

ZONE: C-4 (CENTRAL COMMERCIAL))

APPLICANT: ADRIENNE FABRIQUE,)
175 14TH SUITE #120, ASTORIA OR 97103, on behalf of)
LAMONT HORNBECK, 8304 PARUS WAY,)
GRANITE BAY CA 95746-7339)

ORDER NO. EX21-02

The above named applicant applied to the City for Exterior Alteration Request (EX21-02) to replace all existing wood windows with composite material, reconfigure one east side window from 2/2 to 1/1 window, reconfigure one west side window to fixed and sliding window, and reconfigure rear first floor windows from 4/4 to 1/1 windows at 1229 Franklin Avenue, Astoria, within the city limits of Astoria. The site is designated historic in the Shively-McClure National Register District.

A public hearing on the above entitled matter was held before the Historic Landmarks Commission on March 16, 2021 and the Historic Landmarks Commission closed the public hearing and rendered a decision at the March 16, 2021 meeting.

The Historic Landmarks Commission orders that this application for Exterior Alteration Request (EX21-02) is denied and adopts the revised findings of fact and conclusions of law attached hereto.

The effective date of this denial is 15 days following the mailing date of this order, subject to any attached conditions. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*

This decision may be appealed to the City Council by the applicant, party to the hearing, or a party who responded in writing by filing an appeal with the City within 15 days of this date (Section 9.040).

DATE SIGNED: MARCH 16, 2021

DATE MAILED: MARCH 17, 2021

HISTORIC LANDMARKS COMMISSION



President – Mac Burns



Commissioner Jackson Ross



Vice President – Michelle Dieffenbach



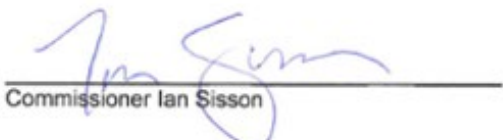
Commissioner Lynette Thiel-Smith



Commissioner Jack Osterberg



Commissioner Nichelle Seely



Commissioner Ian Sisson



CITY OF ASTORIA

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1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • www.astoria.or.us • planning@astoria.or.us

REVISED - STAFF REPORT AND FINDINGS OF FACT

REVISED FINDINGS OF FACT: *March 16, 2021*

COMMISSION HEARING DATE: March 16, 2021

TO: HISTORIC LANDMARKS COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: EXTERIOR ALTERATION REQUEST (EX21-02) BY ADRIENNE FABRIQUE, ON BEHALF OF LAMONT HORNBECK, AT 1229 FRANKLIN AVENUE

I. BACKGROUND SUMMARY

- A. Applicant: Adrienne Fabrique adriennef@communitypm.us
175 14th St #120
Astoria OR 97103
- B. Owner: Lamont W Hornbeck
729 Sunrise Avenue # 700
Roseville CA 95661

Lamont W Hornbeck (Assessor Records)
8304 Parus Way
Granite Bay CA 95746-7339
- C. Location: 1229 Franklin Avenue (Map T8N R9W Section 8CD, Tax Lots 2701 & 2702; Lots 1 and west 16' Lot 2, Block 68, McClure)
- D. Classification: Primary; Shively-McClure National Register Historic District
- E. Proposal: To replace all existing wood windows with Andersen Fibrex composite windows.
- F. 120 Days: June 17, 2021. (Application deemed complete on February 17, 2021)

II. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 200 feet pursuant to Section 9.020 on February 19, 2021. Email and web publishing also occurred on February 19, 2021. A notice of public hearing was published in the *Astorian* on March 6, 2021. On-site notice pursuant to Section 9.020.D was posted February 24, 2021. Any comments received will be made available at the Historic Landmarks Commission meeting.

III. **BACKGROUND**

A. Site.

The structure is designated as historic in the Shively-McClure National Register Historic District. The Judge John Bowlby Residence was built by 1892 as a single-family dwelling. It is a Vernacular Stick style. Alterations noted in the Inventory at the time of historic designation indicated basement window changes and a rear addition. A commercial one-story addition on the northwest corner was added in 1947.



Two chimneys were removed in 2013; one was approved under Certificate of Appropriateness (CA13-21) and the second one remains an open code enforcement issue.

The structure is located on the corner of 12th Street and Franklin Avenue on the edge of the downtown area within the C-4 (Central Commercial) Zone. It is in a prominent location and highly visible from the rights-of-way.

B. Neighborhood.

The neighborhood is developed with a mixture of single-family dwellings to the east; multi-family dwellings to the north and west; a mortuary to the west; a church, day care center, and mortuary to the north; single-family dwellings, multi-family dwellings, and a church to the south. Most of the structures in this neighborhood are designated as historic in the Shively-McClure National Register Historic District.



C. Proposal.

The applicant replaced most of the existing wood windows with Andersen Fibrex composite windows without historic Certificate of Appropriateness review and approval. While some of the work has been completed, the HLC should review the request based on the historic windows as “existing” and make a decision based on a request to “remove” historic windows, not to “retain” the replacement windows. The applicant proposes to install new composite windows with the following dimension and details:

1. Window stiles are 3” which is larger than the original 2” stiles.
2. Window depth would be 3.25” which is deeper than the original 2.5” depth.
3. Windows are single-hung same as the original except for the 12 lite fixed window on the west side elevation which was replaced with a picture window with sliding window in the lower portion of the original opening.
4. Multi-lite 4/4 windows on the rear are proposed to be replaced with 1/1 window.
5. Multi-lite 2/2 window on east side facing front is proposed to be replaced with 1/1 window.
6. Ogees will be applied to replicate the original ogee design on the windows.
7. Window rails were 2” and would be replaced with 2” rail.

In addition, upon site inspection, staff found that the rear single-lite wood panel door has been replaced with a solid panel door possibly of a composite material. This change has been added to the HLC review.



D. Characteristics of the Stick Style Architecture.

The Stick Style is characterized by its construction with vertical, angular, asymmetrical composition, and because it was expressed predominately in wood. Applied wood trim creates a paneled effect that is filled in with various wood features such as vertical, horizontal, or diagonal boarding. It is named after this use of linear "stickwork" (overlay board strips) on the outside walls to mimic an exposed half-timbered frame.

"Windows were typically double-hung units with large panes of glass in a simple pattern of one over one or two over two. The window trim was kept simple so it would integrate with the overall applied ornamentation on the exterior walls. Windows were often grouped within a grid of applied trim. Beneath the windows, the space created by the grid was often filled with decorative wood bead board or shingles." (Stick Style 1860-1890)

www.wentworthstudio.com/historic-styles/stick.

"Ultimately, Stick-style houses are about carpentry - the latest advances in wood technology from a country that had lots to offer. Unlike chunky, ground-hugging Gothic and Greek Revival houses that emulated the massing of masonry even when built of wood, Stick-style houses are generally light and irregular in feel - a freedom of form made possible by the new system of balloon-frame construction with 2 x 4 lumber and nails."

www.oldhouseonline.com/house-tours/a-study-of-stick-style.



The inclusion of "ogees", also known as "lambs' tongue" or "curved horn" was an architectural design feature of vertical sash windows. The original intent of these features were to accommodate the heavy single panes of glass of the upper sashes. This detail would hide a mortise and tenon joint which slots into each other.

Use of wood and the delicate proportionality of its features is a prime Stick Style characteristic. An excellent northwest example of this style can be found in Albany, Oregon and clearly displays the delicate proportions of the windows to the other structural features of the building allowing the visual emphasis to be the "stick" construction.



IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 6.050(B) requires that *"Unless otherwise exempted, no person, corporation, or other entity shall change, add to, or modify a structure or site in such a way as to affect its exterior appearance, if such structure is listed or*

identified as a Historic Landmark as described in Section 6.040 without first obtaining a Certificate of Appropriateness.”

Finding: The City finds that the structure is listed as a Primary Historic Structure in the Shively-McClure National Register Historic District and is therefore considered an Historic Landmark and requires a Certificate of Appropriateness.

- B. Section 6.050(D), Type II Certificate of Appropriateness - Administrative Review, states that *“Projects that are limited in scope or minor alterations that meet the criteria below are classified as Type II Certificate of Appropriateness permits. Historic Design review performed by the Historic Preservation Officer or designee shall be administrative and shall not require public hearing before the Historic Landmarks Commission. These reviews shall be considered as a limited land use decision and shall require a public notice and opportunity for appeal in accordance with Article 9 of the Astoria Development Code.*

The Historic Preservation Officer shall review and approve the following Type II permit requests if it meets the following:

1. *Criteria.*
 - a. *Located on the rear or interior side yard, not adjacent to a public right-of-way, except as noted below; and/or*
 - b. *Reconstruction and/or replacement of porch and/or stairs on any elevation; and/or*
 - c. *May result in an increase in building footprint of no more than 10%, and will not result in an increase in building envelope except for mechanical venting.”*

Section 6.050(E), Type III Certificate of Appropriateness – Historic Landmarks Commission Review, states that *“Projects that do not meet the criteria for a Type I or Type II review are classified as Type III Certificate of Appropriateness permits. Historic Design review performed by the Historic Landmarks Commission based upon the standards in the Development Code shall be considered discretionary and shall require a public hearing, notice, and opportunity for appeal in accordance with Article 9 of the Astoria Development Code.”*

Finding: The City finds that this is a Type III Certification of Appropriateness level of review because the proposal is for the change in windows on all elevations, most of which are highly visible street side elevations and because the proposed alterations are significant and therefore require review by the Historic Landmarks Commission.

- C. Section 6.050(F), Historic Design Review Criteria, states that *“The following standards, in compliance with the Secretary of the Interior’s Standards for Historic Preservation, shall be used to review Type II and Type III exterior alteration requests. The standards summarized below involve the balancing of competing and conflicting interests. The standards are intended to be used as a guide in the*

Historic Landmark Commission's deliberations and/or the Historic Preservation Officer's decision."

- "1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose."*

Finding: The structure was originally built as a single-family residence and the use will continue as a single-family residence.

- "2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible."*

Finding: The single-family dwelling was constructed before 1892 and is a Vernacular Stick Style. It retained its original wood windows with ogee detailing. Windows are a character defining feature of historic structures. This building is located on a highly-visible right-of-way corner in a streetscape that has the majority of structures designated as historic within a National Register District. A National Register District designation is based on the appearance and integrity of the entire District. A District is treated as one property by the National Register and therefore alterations to individual buildings within the District impact the integrity of the District as a whole. State Historic Preservation Office (SHPO) Heritage Bulletin #6, Planning a National Register Historic District, states *"A historic district is an area or neighborhood that has a concentration of buildings and associated landscape and streetscape features (50 years or older) that retain a high degree of historic character and integrity, and represent an important aspect of an area's history."*

www.oregon.gov/oprd/OH/Documents/HB06_Plan_Nat_Reg_District.pdf

The City finds that the windows are a distinguishing characteristic feature of the building and should not be destroyed. The City also finds that the historic streetscape environment is important to this neighborhood and the integrity of the Shively-McClure National Register Historic District, and therefore removal or alteration of historic material shall be avoided.

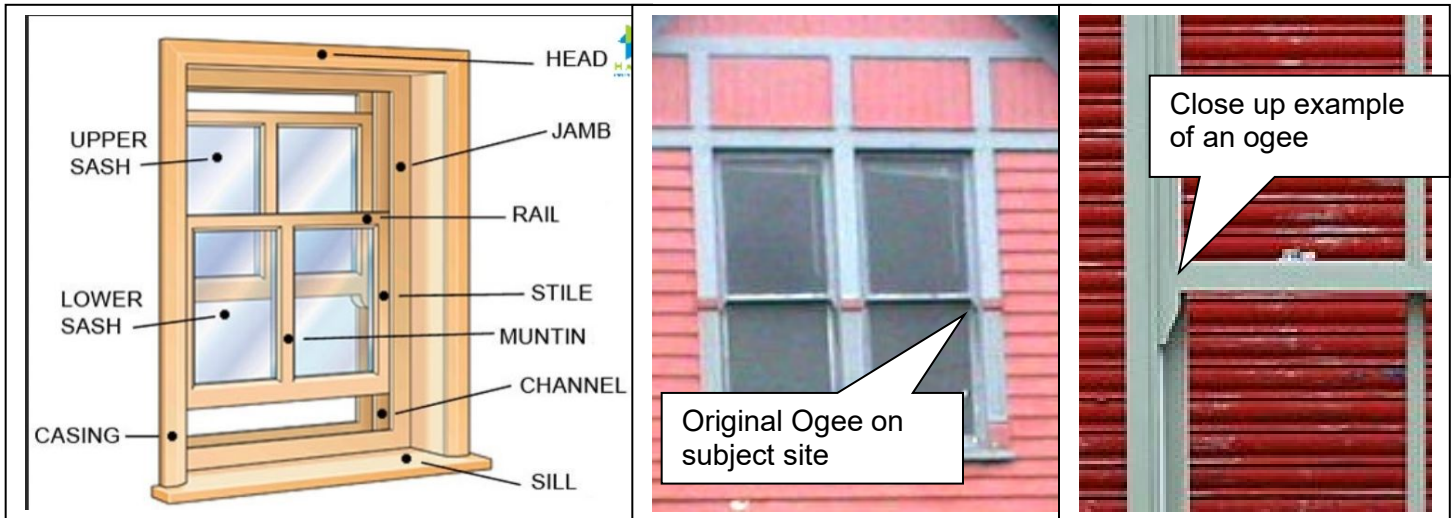




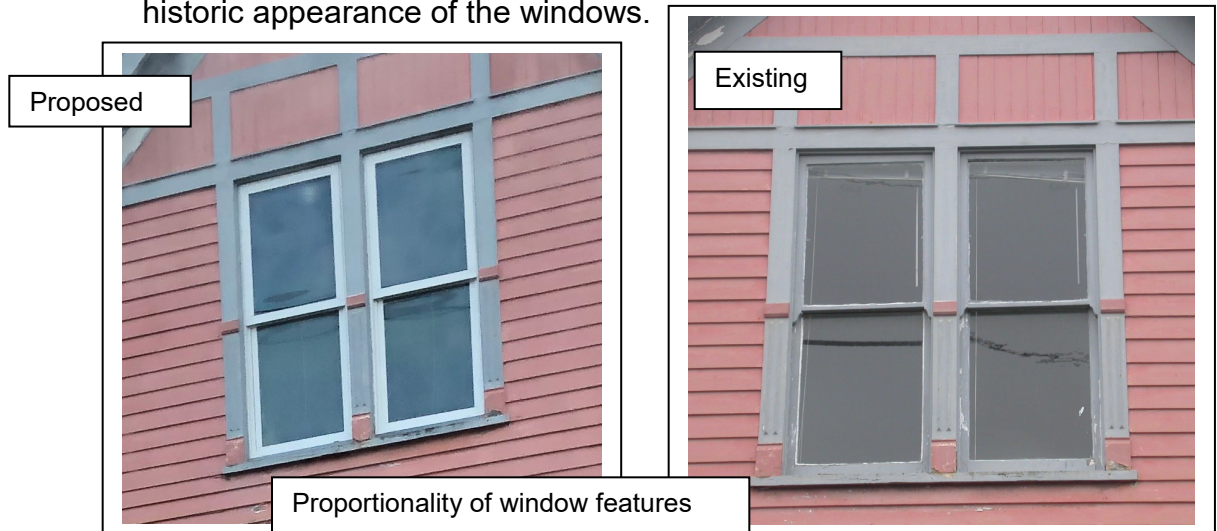
The applicant proposes to remove original wood windows on all elevations and replace them with Andersen Fibrex composite windows. The applicant has submitted a report from David Hosie, Youngs Bay Remodeling Company, that indicates that some of the window frames were deteriorated and unable to support the glass, paint and glazing were failing, glass was brittle and offered no insulation value, and some window frames were rotten. He concluded that the windows should be replaced. He did not provide an analysis of each window and did not indicate that “all” windows were beyond repair. The applicant replaced most of the windows without historic Certificate of Appropriateness review and approval by the City. A Stop Work Order issued by the Building Official and a letter sent on January 22, 2021 from the Planner halted the replacement of the remaining historic windows pending HLC review.

The following are the proposed changes:

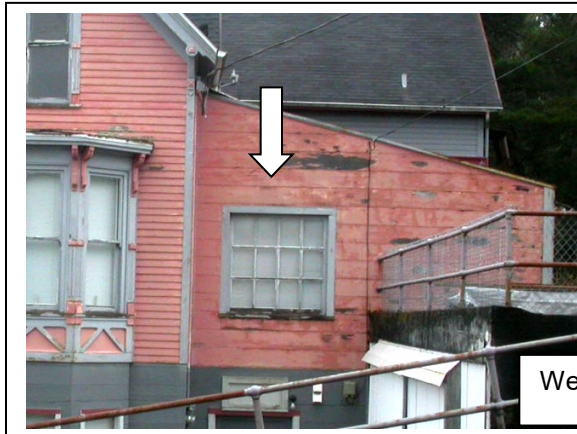
1. Window stiles are 3” which is larger than the original 2” stiles.
2. Window depth would be 3.25” which is deeper than the original 2.5” depth.
3. Windows are single-hung same as the original except for the 12 lite fixed window on the west side elevation which was replaced with a picture window with sliding window in the lower portion of the original opening.
4. Multi-lite 4/4 windows on the rear are proposed to be replaced with 1/1 window.
5. Multi-lite 2/2 window on east side facing front is proposed to be replaced with 1/1 window.
6. Ogees will be applied to replicate the original ogee design on the windows.
7. Window rails were 2” and would be replaced with 2” rail.



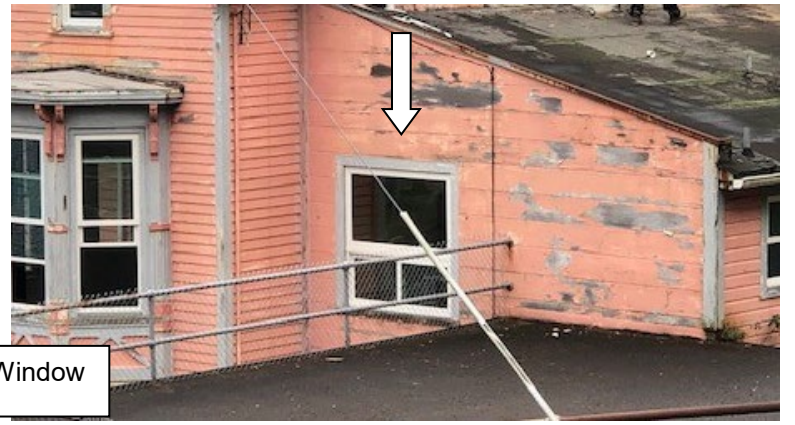
The City finds that original window design and material are proposed to be changed. Stiles would be larger than the original and change the proportion of the window stiles to the other features such as window casings and Stick Style wood design features which are the focal point of a Stick Style structure. The City finds that the proportional difference changes the historic appearance of the windows.



Multi-lite 4/4 and 2/2 windows are proposed to be 1/1, and a 12 lite fixed window is proposed to be replaced with a single-lite picture window with lower sliding window on the west elevation. Ogees are proposed to be replicated and installed on the new windows. The City finds that the historic material and distinctive architectural features of the historic windows will be impacted with these proposed changes as noted above.



West Window



Rear Windows

Rear Door



East Windows



In addition, during the site inspections, staff found that the rear single-lite wood panel door has been removed and replaced with a solid two-panel door. The applicant did not provide any information about the door replacement nor the condition of the door and the need for replacement over repair. The City finds that the historic design and material of the rear

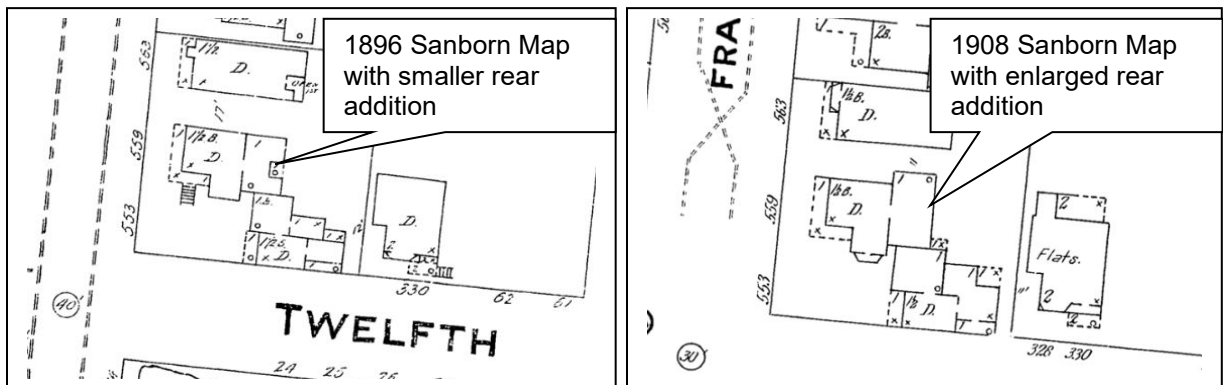
door has been removed and that the proposed design does not match the historic character of the original door.

- “3. *All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*”

Finding: No alterations are proposed to create an earlier appearance.

- “4. *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*”

Finding: The one-story, shed, rear addition existed at the time of the historic inventory in 1995. It appears from the Sanborn maps that there was a rear portion on the original house and that it was expanded by 1908.



The windows in this addition on the south rear elevation are 4/4, the windows on the east side elevation were 2/2, and the window on the west side elevation was a 12 lite fixed window. The City finds that the addition was constructed at least by 1908 and has acquired historic significance over time as a history of the evolution of the dwelling and its uses. The 4/4 and 2/2 window design and the 12 lite fixed window design are significant. The City finds that the proposed alterations do affect changes that may have acquired historic significance. The west window shall be replaced with a fixed 12 lite and/or fixed with awning or casement window in a 12 lite design to allow an opening on an approved window sash. (Condition 1). The rear windows shall be 4/4 windows and the east windows shall be 2/2. Grids may be with either true divided lites or exterior applied muntins on an approved window sash. (Condition 2)

The door on this rear addition was a single-lite wood panel door and was removed and replaced with a solid two-panel door possibly of a composite material. The City finds that the door was part of the structure that has acquired significance and should be replaced with a door that matches the

historic design of the original door. The door may be of a steel or smooth composite material with no false graining or texture. (Condition 3).

As conditioned, this criteria is met.

- “5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.*”

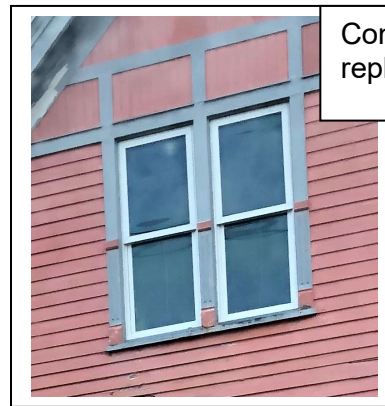
Finding: The National Register nomination inventory form for this structure states that “. . . *Although several components have been added to this structure over the years (including a large commercial addition), it possesses sufficient integrity to convey its architectural history and contributes to the overall architectural history of Astoria. . .*” Windows are a distinctive feature on most historic buildings. The dimensions, trim, and installation depth of the windows are critical factors to compatibility with the historic windows. The wood windows with ogees were original. The applicant replaced most of the windows without historic Certificate of Appropriateness review and approval by the City. A Stop Work Order issued by the Building Official and a letter sent on January 22, 2021 from the Planner halted the replacement of the remaining historic windows pending HLC review.

The composite windows are proposed to have a 3” stile while the original windows were 2”. The City finds that the size of the stiles is a distinctive stylistic feature for this structure and that the increase to 3” is not in proportion to the existing historic casings and Stick Style wood design features which are the focal point of a Stick Style structure. Therefore, this creates a different appearance as the stiles are closer in dimension to the historic window casing and Stick Style wood design features.

Original historic window design



Composite window replacement design



The rear addition windows were 4/4 and the east side windows were 2/2. The applicant proposes to replace all windows as 1/1 with the exception of the large west side window. This window is proposed to have a picture window on top and sliding window on the bottom. The original window was a fixed 12 lite window. The City finds that a sliding window is not an

operation found on a Stick Style structure, and the change from 4/4 and 2/2 to 1/1 window lite design, and the change from 12 lite fixed window to picture window with sliding window below do not treat the stylistic features of the windows with sensitivity. The west window shall be replaced with a 12 lite fixed and/or fixed with awning or casement window with a 12 lite design to allow an opening window on an approved window sash (Condition 1). The east windows shall be 2/2. The rear windows shall be 4/4. Grids may be either true divided lites or exterior applied muntins on an approved window sash (Condition 2). As conditioned, this would retain the original characteristic of these design features.



2/2 windows on east side



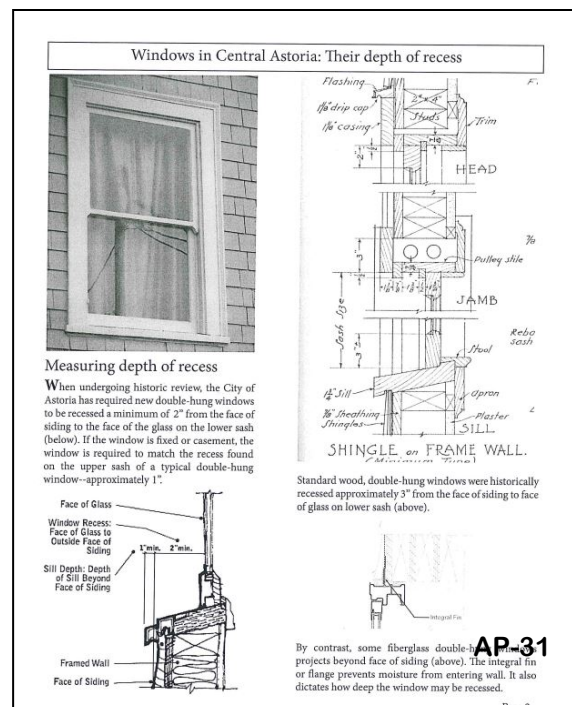
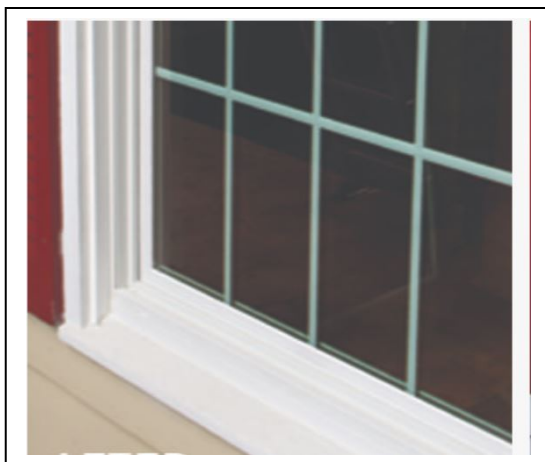
window on west with sliding bottom



Rear & west side original windows and door

The applicant proposes to replicate and install the ogees. Ogees vary in design on different styles of structures and windows. The design and dimensions of the replacement ogees shall replicate the original ogees on this structure (Condition 4). The design shall be submitted to the Planner for review and approval prior to fabrication and installation. As conditioned, this would retain the original characteristic of this design feature.

Maintaining a minimum historic depth of 2" is the standard for Astoria. The City finds that the windows will be installed to a depth (3.25") similar to the original windows which had a 2.5" depth. This would retain the original characteristic of this design feature. Window casings and moldings are not proposed to be changed.



The City finds that the distinctive stylistic features of window stile dimension and proportionality does not treat the structure with sensitivity based on the discussions above. The City finds that the rear door replacement is not the same style as the original feature and does not treat the structure with sensitivity. However, as conditioned, the window design (operation & number of lites), depth, and ogees, which characterize this structure will be treated with sensitivity based on the discussion above on the proposed windows.

- “6. *Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.*”

Finding: The single-family dwelling was constructed before 1892 and retained its original wood windows with ogee detailing and some multi-lite window designs. The applicant proposes to remove original wood windows on all elevations and replace them with Andersen Fibrex composite windows. The applicant replaced most of the windows without historic Certificate of Appropriateness review and approval by the City. A Stop Work Order issued by the Building Official and a letter sent on January 22, 2021 from the Planner halted the replacement of the remaining historic windows pending HLC review.

The applicant has submitted a report from David Hosie, Youngs Bay Remodeling Company, that indicates that “many” of the window frames were deteriorated and unable to support the glass, paint and glazing were failing, glass was brittle and offered no insulation value, and some window frames were rotten. He concluded that the windows should be replaced. He did not provide an analysis of each window and did not indicated that “all” windows were beyond repair. The applicant did not provide any information on what options were considered when the Fibrex composite material was selected such as repair of the windows, replacement with wood windows or other composite windows, or the use of storm windows, interior shutters and/or curtains for energy efficiency. While some of the

wood windows may have needed to be replaced, the change in material and the need to replace “all” windows was not justified by the applicant.

As noted above, the City finds that the historic streetscape is important to this neighborhood and therefore removal or alteration of historic material on this corner, highly visible structure should be avoided.

The proposed Fibrex composite material does closely resemble some original wood window design and dimensions and is an appropriate material when upgrading from non-historic materials such as vinyl windows. On this structure, the original window stiles were only 2” wide and the Fibrex composite window stiles would be 3” wide which is closer to the size of the existing window casing and Stick Style wood design features. The City finds that the change in stile size creates a window that is out of proportion with the other window features such as the casings and Stick Style wood design features which are the focal point of this style structure.

The applicant proposes to replace the ogees. There are many designs and sizes of ogees on windows. The replacement ogees shall be the same design and size as the original ogees and shall be reviewed and approved by the Planner prior to fabrication and installation (Condition 4). The City finds that as conditioned, the ogee design feature would be replaced and would be “. . . *based on accurate duplications of features. . .*”

Concerning color, Fibrex composite material may be paintable in some circumstances. The applicant is proposing all white windows. Future changes to the color of the house and windows may result in the retention of the all-white windows. The applicant did not prove that “all” windows would need to be replaced. Therefore, if the Fibrex material is used, the color of the windows would need to be the same throughout the house and this may require that all windows remain white.

As noted above, the City finds that some of the windows may have been deteriorated to an extent that would require replacement over repair but that there is no documentation that “all” windows needed to be replaced, nor that other materials and options were considered. Replacement of unrepairable windows could be accomplished with a material, design, and dimension that would match the existing historic windows. However, the City finds that the proposed new material does not match the historic material in composition, design, color, and other visual qualities.

- “7. *Surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.*”

Finding: No surface cleaning is proposed.

- “8. *Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.*”

Finding: Archaeological resources, if any, will not be affected.

- “9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and addition do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.*”

Finding: The windows would be Fibrex composite. The proposed material from Andersen Windows is described as “Fibrex” a manufacturer specific brand name. These are contemporary materials but allow for the dimensional characteristics of most wood windows. This structure had wood windows with 2” stiles which was proportional to the other historic features of the windows such as the window casings and Stick Style wood design features. The City finds that the use of the contemporary, non-historic Fibrex composite material is compatible in some situations depending on the original design of the windows, but that the dimension of the composite material is not compatible with the historic design of these particular windows because it is a different dimension and as noted above, impacts the visual character of this Stick Style structure and the National Register historic streetscape.

COMPOSITE - THE SMART ALTERNATIVE TO VINYL

We developed a material that is 2x as strong as vinyl, performs better when exposed to extreme temperatures and delivers exteriors that **won't fade, flake, blister or peel**. We call it Fibrex® material. It's made up of reclaimed wood fiber and thermoplastic polymer that is fused together and is unique to Andersen.

Explore Andersen® products that feature composite below.

What Is Fibrex® Material?

- A blend of 40 percent wood fiber by weight, mostly reclaimed from Andersen manufacturing processes, with 60 percent thermoplastic polymer by weight, some of which is also reclaimed.
- Blocks thermal transfer nearly 700 times better than aluminum to help reduce heating and cooling bills.
- Reduces VOC emissions because no wood preservative treatments or painting is required.
- Twice as strong as vinyl, so weathertight seals stay weathertight.
- Retains its stability and rigidity in all climates.
- A unique fabrication process blends the color with the Fibrex® material during production for long-lasting beauty.
- Resists rot, decay and fungal growth, and won't flake, blister, peel, pit or corrode*

The proposed replacement windows would replicate the 1/1 design of most of the windows but would change the design of the east side 2/2 and rear, south side 4/4 windows to 1/1. It would change the west 12 lite fixed window to a fixed picture window with sliding window below. The west window shall be replaced with a fixed 12 lite and/or fixed with awning or casement window with a 12 lite design to allow an opening window on an approved window sash (Condition 1). The rear windows shall be 4/4 and the east windows shall be 2/2. Grids may be either true divided lites or

exterior applied muntins on an approved window sash (Condition 2). As conditioned, this would not destroy the original characteristic of this design feature.

The City finds that the proposed windows of contemporary material would not be compatible in size, scale, color, material, and character of the property and neighborhood because it would change the proportional dimensions of the historic wood windows. The window operation, ogee design, and multi-lite design, as conditioned, would be compatible.

The door on the rear addition was a single-lite wood panel door and was removed and replaced with a solid two-panel door that appears to be of a composite material. The applicant did not include this in the application material. The City finds that the wood door could be replaced with a composite material but that the design should match the historic design of the original door. The door may be of a steel or smooth composite material with no false graining (Condition 3).

Therefore, in balance based on the discussion above, the City finds that the proposed alterations will destroy the significant historic character of the building.

- “10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.”*

Finding: The City finds that the windows and door could be removed in the future, and the essential form and integrity of the structure would be preserved.

V. CONCLUSION AND RECOMMENDATION

Based on the Findings of Fact above, the request does not meet the applicable criteria and ~~staff recommends denial of~~ the Historic Landmarks Commission denies the request with the following conditions:

1. All remaining historic windows and doors shall be retained, unless the Planner inspects and confirms that individual windows need to be replaced. Any windows and/or door that have been removed, shall be replaced with windows and door of the same size, dimension, either wood or a paintable composite clad material, and design as the original by August 1, 2021. The applicant shall submit plans for the proposed replacements to the Planner for review and approval prior to installation.
2. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Historic Landmarks Commission.

The applicant should be aware of the following requirements:

The applicant shall obtain all necessary City and building permits prior to the start of construction.

~~Should the HLC determine that the request does meet the applicable criteria, staff recommends that any approval contain the following conditions:~~

- ~~1. The west window shall be replaced with a fixed 12 lite and/or fixed with awning or casement window in a 12 lite design to allow an opening on an approved window sash.~~
- ~~2. The rear windows shall be 4/4 windows and the east windows shall be 2/2. Grids may be with either true divided lites or exterior applied muntins on an approved window sash.~~
- ~~3. The rear door shall be replaced with a door that matches the historic design of the original door. The door may be of a steel or smooth composite material with no false graining or texture.~~
- ~~4. The design and dimensions of the replacement ogees shall replicate the original ogees on this structure. The design shall be submitted to the Planner for review and approval prior to fabrication and installation.~~
- ~~5. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Historic Landmarks Commission.~~

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers
March 16, 2021

CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:31 pm.

ROLL CALL – ITEM 2:

Commissioners Present: President Mac Burns, Vice President Michelle Dieffenbach, Lynette Thiel-Smith, Ian Sisson, Nichelle Seely, and Jackson Ross.

Commissioners Excused: Jack Osterberg.

Staff Present: Community Development Director Megan Leatherman and Planning Consultant Rosemary Johnson. The meeting is recorded and will be transcribed by ABC Transcription Services, LLC.

APPROVAL OF MINUTES – ITEM 3(a):

President Burns asked if there were any changes to the minutes of February 9, 2021.

Commissioner Thiel-Smith noted the following correction:

- Page 2, Paragraph 2, Sentence 1 – “Vice President Dieffenbach declared that ~~he~~ **she** knew Mr. Stemper...”

Commissioner Ross moved to approve the minutes of the February 9, 2021 meeting as corrected; seconded by Vice President Dieffenbach. Motion passed unanimously.

PUBLIC HEARINGS:

President Burns explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

ITEM 4(a):

EX20-07 **continued from the February 9, 2021 meeting** Exterior Alteration Request (EX20-07) by Alexander Pappas, on behalf of Terri Delafiganiere, to replace 2 decks and 2 stairways on the north elevation with one deck and one stairway on the north elevation at 1312 and 1316 Kensington Avenue. *The applicant has requested a continuance to the May 18, 2021 HLC meeting.*

President Burns noted this item had already been continued to May.

ITEM 4(b):

EX21-02 Exterior Alteration Request (EX21-02) by Adrienne Fabrique for Lamont Hornbeck to replace all existing wood windows with composite material; reconfigure one east side window from 2/2 to 1/1 window; reconfigure one west side window to fixed and sliding window; and reconfigure rear first floor windows from 4/4 to 1/1 windows at 1229 Franklin Avenue in the C-4 (Central Commercial) Zone. The site is designated historic in the Shively-McClure National Register District.

President Burns asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Burns asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare. None declared. President Burns requested a presentation of the Staff report.

Planner Johnson presented the Staff report and recommended denial with conditions.

Commissioner Sisson confirmed with Staff that this area was not affected by the downtown fires and that all of the windows mentioned in the Staff report were visible from a right-of-way.

Commissioner Thiel-Smith confirmed with Staff that three or four windows in the rear had not been replaced.

President Burns opened public testimony for the hearing and asked for the Applicant's presentation.

Dave Hosie, 92663 Wireless Road, Astoria, said before he started working on the project as the contractor, he was unaware of the requirements for submittal to the HLC. He apologized for the way the project was started. The windows could be painted back to the original grey and the issue with the detail at the bottom of the sashes could be addressed by recapturing the original look of the home. The windows were replaced with a composite material because the original windows were beginning to fail. The glass was brittle. The frames were no longer supporting the glass properly and the glazing putty was corroding. The windows were a danger to anyone living in the home and many of them would no longer open or close. Mold issues around the windows also needed to be addressed. The original windows were not salvageable and needed to be replaced.

President Burns asked how long the Applicant had owned the building.

Adrienne Fabrique, 1558 Jerome, Astoria, said she had been associated with the building as the property manager since June 2020. She did not realize the vastness of the historic society in Astoria and apologized.

President Burns clarified that the HLC was a City government entity, which was different from the historic society that ran museums as a non-profit. He asked if Ms. Fabrique had ever spoken to the owner of the property.

Ms. Fabrique stated the owner, Lamont Hornbeck, did not live in Astoria but did own several properties in the area. Easom Property Management had managed his properties for about the last 20 years and they had received most of the communications about all of Mr. Hornbeck's properties, including the Code violations at this property. The violations were never properly communicated to Mr. Hornbeck, as Easom Property Management pushed the issue under the rug. The files she received about this property did not include anything about the property being historic.

Commissioner Ross confirmed with Ms. Fabrique that the original windows no longer existed.

Commissioner Sisson asked if Mr. Hosie had any experience restoring historic windows.

Mr. Hosie responded that he had a little bit of restoration experience, but not extensive. He typically did replacements but did have experience with window construction.

Commissioner Thiel-Smith asked if Fibrex came in two-inch stiles.

Mr. Hosie said the windows on the house did not, but he could add an additional wood detail to the existing frame to diminish the size of the original window frame. However, that would not change the overall visual impact too much. Painting the windows back to grey would help with the visual impact more.

Commissioner Seely asked if Easom was still the property manager.

Ms. Fabrique explained that Easom Property Management was absorbed by Community Property Management about two years ago. The owner was Kent Easom and the business is now owned by [Craig Gilbert and Gary Haven](#). [23:19] Community Property Management received all of Easom's files when they took over and not many things were documented well.

President Burns called for any presentations by persons in favor of, impartial to or against the application.

Rachel Jensen, Executive Director, Lower Columbia Preservation Society (LCPS), P.O. Box 1334, Astoria, said she agreed with the Staff report's recommendation to deny the request. The proposed windows did not meet the criterion and the replacement windows would negatively affect the historic character of the property and the

district as a whole. Wood windows can and should be repaired. Since the windows were destroyed, they should be replicated in wood.

President Burns called for the Applicant's rebuttal.

Ms. Fabrique stated that over 20 windows had been replaced on the home. It would be impossible for her company to replicate the wooden windows and the owner could not afford to do so.

President Burns called for closing remarks of Staff.

Planner Johnson commented that glazing does deteriorate over time, but due to a maintenance issue and could be easily repaired. Windows fail to open and close generally because of poor maintenance or being painted shut and is not necessarily an indication that the windows need to be replaced. Wood windows of the appropriate dimensions could be purchased. There are also paintable composite materials that would meet the dimension criteria. The window selected was of a different dimension.

Director Leatherman added that a variety of window sizes was available at a local window shop, which she and Planner Johnson recently visited.

Vice President Dieffenbach asked if a permit was required to replace windows like these and was a permit acquired for this house.

Planner Johnson stated a historic review was required. Windows are considered a maintenance issue. As long as the outside dimensions of the windows are not being changed, a building permit is not required.

Commissioner Sisson asked how the historic windows would be retained if they no longer existed.

Planner Johnson explained that word "retained" was used in the Staff report because the Commission must review this application as if the work had not yet been done. However, the Commission could change the word to "replaced" but the Commission would have to decide what material the replacement windows should be made of.

Commissioner Sisson asked how a property owner, manager, or tenant know if the building is designated as historic or would trigger a historic review. Planner Johnson stated anyone could call the City and ask if any property is historic. At the time a property is designated, the owner is sent a letter. Staff was in the process of adding historic designations to the GIS map, which is publicly available online. Additionally, LCPS and the library have historic designation data. Historic designations are not part of the County record, so it does not show up on sales transactions.

Commissioner Ross asked if the owner of this property was aware that windows required an HLC review. Planner Johnson responded that the City was working with the property manager on the chimney issues. The property manager had directed Staff to work directly with the owner. Additionally, the owner did own the property at the time it was designated as historic, so he would have received multiple letters informing him of the designation.

President Burns noted that the co-owner of Easom Property Management, Kent Easom, was a former HLC president for many years.

President Burns closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Sisson said he agreed with Staff that the application should be denied because it does not meet the criteria. He asked how the conditions of approval would result in windows that matched the original design.

Commissioner Seely stated she did not want to set a precedent that breaking the rules was okay. She agreed the application should be denied. She suggested that Staff provide the owner with a list of the window brands that would work for this application.

Commissioner Thiel-Smith said she agreed with Staff. The changes had impacted the historic nature of the home, especially on the west side, where there is a picture window that can be seen from the intersection. She hoped the property manager could find a solution that was in keeping with the historic nature of the home.

Vice President Dieffenbach agreed with the Staff report and recommendations. The application did not meet the criteria that the HLC was required by law to consider.

President Burns said he agreed the request should be denied.

Commissioner Ross moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and deny Exterior Alteration EX21-02 by Adrienne Fabrique; seconded by Commissioner Sisson.

Planner Johnson noted that Staff could confirm if any of the remaining historic windows on the house needed to be replaced. The Commission needed to determine whether a composite material or wood should be used on replacement windows.

Commissioner Ross understood that the Commissioners had the authority to inspect the remaining windows in situ. Planner Johnson confirmed that the City had the right to go on to the property to inspect.

Vice President Dieffenbach said she would not have any issues with wood windows clad in another material. However, she was concerned about Commissioners inspecting the windows because none of the Commissioners had the knowledge to determine whether they should be replaced. A historic restoration specialist should give a professional opinion.

President Burns confirmed that the City could inspect, not the Commissioners.

Commissioner Ross stated he believed the Commissioners could inspect, but he would not mind allowing someone more appropriate to look at the windows.

Commissioner Sisson asked if the HLC could review and approve the replacement windows.

President Burns said that was what the HLC was doing now by stating exactly what the replacement windows needed to be.

Commissioner Sisson stated the Commissioners would need to confirm whether the existing windows could be restored. Planner Johnson explained that Staff regularly inspects the interior condition of windows to determine if they can be restored, repaired, or if they need to be replaced. Many people never come before the HLC because Staff has already determined that their windows must be repaired. She asked if wood or a clad material would be acceptable.

Commissioner Sisson suggested the HLC allow wood or a paintable composite. Commissioner Ross agreed. Planner Johnson understood that the HLC did not want the remaining windows to be replaced even if they were beyond repair.

Commissioner Sisson clarified that if Staff determined the windows were beyond repair, they should be replaced.

Commissioner Ross moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and deny Exterior Alteration EX21-02 by Adrienne Fabrique with the following change:

- Condition of Approval 1 – “All historic windows and doors shall be retained **unless they are determined by Staff that they are in need of replacement.** [48:03] Any windows and/or door that have been removed, shall be replaced with windows and door of the same size, dimension, material, and design as the original by August 1, 2021. The applicant shall submit plans for the proposed replacements to the Planner for review and approval prior to installation.”

Motion seconded by Commissioner Sisson. Motion passed unanimously.

President Burns read the rules of appeal into the record.

ITEM 4(c):

NC21-01 New Construction Request (NC21-01) by Portway Station LLC to construct one building at 432 West Marine Drive and one building at 65 Portway in the C-3 (General Commercial) and the UTO (Uniontown Overlay) Zones. The structures will be adjacent to structures designated as historic in the Uniontown-Alameda National Register Historic District. Additional review by the Design Review Commission (DRC) will occur at a future date.

President Burns asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Burns asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Burns declared that he drives by the property.

Vice President Dieffenbach declared that she knew the Applicant, but she had not discussed this project with him.

Commissioner Seely declared that she drives by the site every day, but that would not impact her ability to make an unbiased decision.

President Burns requested a presentation of the Staff report.

Planner Johnson presented the Staff report and recommended approval with conditions.

Commissioner Seely confirmed with Staff that Pods 1 and 2 could have matching balustrades on the porches. Surrounding properties did have plexiglass balustrades, but the HLC would need to determine if the plexiglass was appropriate on Pod 1. She also confirmed with Staff that the cupula would be made of wood or fiber cement board and batten.

Commissioner Sisson asked if the Applicant intended to keep the development as multiple separate lots and if so, what reviews and permits are required of the remaining lots and can the City ensure visual consistency among all of the lots. Planner Johnson stated the Applicant intended to maintain separate lots with Pods 1, 2, and 3 each on their own lots and Pods 4, 5, and 6 together on one lot. The only lots subject to a historic review are lots adjacent to historic properties, Pods 1 and 2. Pods 3, 4, and 5 are allowed outright as multifamily dwellings. The commercial use of Pod 1 is also allowed outright. A building permit, but no design review, is required for Pods 4, 5, or 6. The Applicants have proposed to make all Pods look like Pod 2 for consistency. An administrative zoning review will also be done for landscaping, lighting, parking, setbacks and other things.

Commissioner Sisson noted that Condition of Approval 2 required central open staircases to be kept free of household items, which seemed vague to him. He asked if that also applied to balconies. Planner Johnson said porches did not tend to be as much of a problem as stairways. Staff was concerned about the view from the street because stairways tend to become storage areas. Porches tend to have grills and patio furniture that are used, while staircases tend to fill with unused clutter. The condition was based on past problems in the area with other similar projects.

Commissioner Thiel-Smith asked if the pop-up served any functional purpose. Planner Johnson explained that the pop-up would be living space and would provide access to the roof, which could be used as a deck.

Vice President Dieffenbach asked what material the pop-up roof would be made of. Planner Johnson responded all roofs would composite shingles or low standing seam metal and confirmed that those materials were allowed for both Pods.

President Burns opened public testimony for the hearing and asked for the Applicant's presentation.

Chester Trabucco, 19823 83rd PI W, Seattle, said he had been working with Staff on this project for a couple of months and he was excited about the positive impact it would have on a dilapidated site. All of the lots are contaminated and going through cleanup. He believed he would be able to get a letter of no further action from

the Department of Environmental Quality (DEQ) soon. The development will have a total of 72 units, three stories high, and will be the largest of its type in the United States. A lot could be done with shipping containers, but he tried to keep this design simple and architecturally appealing. He wanted this project to be something that Astorians were proud of. He had worked very hard to comply with the City's requirements and agreed with all of the conditions of approval. All of the lots have been vacant for some time and all of the property owners are excited about the impact of this project to the area because it would provide housing. He liked the idea of using shipping containers because they offer a Lego-like system and people are much more interested in shipping container apartments than stick built apartments. The fabricator of these shipping container apartments does great work. He took the criteria seriously but noted that several aspects of the design details made the development more challenging to build because the containers are steel. Each container will allow for an 8'2" ceiling height due to the substantial amount of insulation that will be required. Additionally, a 6" gap will be required between each container to cantilever over steel I beams that support the decks. Three floors will be 29'6" high, which might require a variance. Only 12 units can be built on the lot because it slopes down to a rock retaining wall on the north and west sides of the property. Going vertical will cost about \$400,000 for site work, the foundation, slabs, lighting, and DEQ cleanup. The price of the land would be an additional expense. Taking 25 percent of the units away would have a major impact on the feasibility of the development. It is very challenging to building anything on this site because development requires underground tanks to be removed, the ground to be stabilized, and sidewalks to be installed. To make the project work, three stories plus the pop-up is necessary. The rooftops will not be communal. A staircase will extend from one bedroom in the lower unit to the top. The cupula was added because he believed it was more architecturally appealing than a flat roof. One day before the agenda packet was sent out, he heard that the third story was in jeopardy and that the recommendation would be to have two stories with a cupula. Based on conversations with Staff, he understood he would at least be able to have three stories without the cupula. The cupula is more expensive to build, so if the Commissioners did not believe it was architecturally appealing, they were within their right to say he could not have the cupula. However, he believed that three stories with a cupula would be best. He would not be changing any of the lot lines, but all of the lots would be part of a single project. He did intend for all of the Pods to look similar. He would be required to add siding to the Pods because the corrugated metal that the container is made of is prohibited in the zone. However, he asked that he be allowed to build the Pods without siding so that the City can see how the development looks with landscaping. Then, after the last Pod is built, he would come back to the HLC to see if the Pods really needed to have siding. He believed the corner of Portway and Marine Drive was the most appropriate place to use shipping containers as a celebration of the industrial aesthetic.

Lawrence Qamar, 3432 SE Carlton St, Portland, provided details of his experience as a planner and designer and stated he had worked on the Mill Pond development. He was also the town planner and primary designer for [Seaport, \[1:46:58\]](#) WA, where he tried to create a new town based on historical design precedents. So, he was very steeped in the aspects of true historic districts like Uniontown. This affordable housing project is greatly needed in Astoria, where there is a serious lack of housing for workers. Uniontown is an exciting scene between the industrial district on the river and the hillside district on Marine Drive. While Corten steel is not allowed in the historic district, he believed it was comparable in its durability and vitality to brick, stone or wood. Additionally, steel is part of the environment, so the project embraces that by using containers. He gave a PowerPoint presentation on the site plan. The buildings would be lined around common public spaces oriented perpendicular to the view of the river, the bridge, and up the hill. He believed the court yards would be active spaces. Each deck would be accessed by at least one family group and the silhouette of the cupula would enliven the public spaces below. The buildings would be 90' long with a stairwell in the middle, and 32' deep. Half of each Pod identified as a building and looked to be considerably smaller than the Portway Tavern footprint on the aerial view in the Staff report. The windows, doors, balconies, vertical corrugation, and railings would emphasize verticality and horizontality that show architects and developers when fitting into any district how to create a compatible and harmonious elements and patterns. Vertically aligned windows and doors were important. He looked at old photos of historic buildings that were two stories in Uniontown and downtown. From the 1890s to the 1920s, photographs of the entire city showed tall vertical windows because that was what materials and construction methods dictated in that era. He wanted the shipping containers to look like old buildings. The corrugated metal is part of the texture found in horizontal brick or vertical board and batten, which is compatible. The design guidelines emphasize fundamental patterns. They do upper level step backs all the time. The cupula will only be seen from a distance as a silhouette against the sky and would enhance the beauty of the building. The buildings would have a base, middle, and top with main street storefront windows on the lower level and taller narrow windows above in the residential units. This is a cost-effective design. The windows would also be inset to get a shadow line. They were working with all of the little important details that the Commission was focusing on in the earlier application. True divided panes would be used as well. The buildings would not be a

blank wall on the back or sides. There would be special corner treatments, balconies, and bays. They were not designing one building that covered the whole block. The development would be a collection of smaller buildings with different scaling elements and variations, but they would also have common elements. There would be mid-block passageways and not a continuous run of a building all the way around. That relates to adjacent neighborhood patterns. A horizontal band would run between the lower commercial level and the second residential level. The shipping container buildings would not be made of cheap materials and would be strong, durable, and hardy. The streetscape design would include pedestrian elements, signage, façade lighting, and properly screened utilities. Good streetscapes include buildings of different heights and widths. All of the buildings would fit together, be harmonious and would create a complete story because of their scale and the elements on the facades. He recommended that instead of setting specific height limits, the City should allow a set number of stories because as long as a building's façade is consistent with the historic district, a variety of heights would be appropriate. He did not have an illustration of a two-story version with the cupula on top. The illustration in the Staff report was an edited version of his image that he believed was quite disproportionate. The three-story building would be 1.5' taller than the maximum height allowed. He wanted to build the three-story version even if the Commission did not like the cupula. Pod 2 would be different from the rest of the Pods and every building would have some variations in details, colors, and window patterns. However, all of the Pods would follow the same design methodology.

Commissioner Sisson stated that Mr. Kamar had not demonstrated how this project was compatible with its context and the design guidelines had not been addressed at all. The application did not show how the buildings would look in the streetscape. He asked if the Applicants had drawn elevations of the streetscape, did any 3-D modeling, or created perspective renderings. He also wanted to know if the Applicants had considered the design guidelines.

Mr. Qamar said normally he would present images of the district and the building in relationship to what was across the street. He could not produce those due to time constraints, but he did study the design guidelines and looked at photographs of what was within the three-block zone. With Mr. Trabucco's approval, he could put together an additional package after the hearing to show how the project fit to scale.

Mr. Trabucco added that one of the challenges was the four-lane highway that separated part of the streetscape. Additionally, there was not much to compare the project to except the Portway Tavern. There were no other substantial historic buildings to the west. However, they could produce those drawings and a 3-D perspective.

Commissioner Seely stated she agreed with Commissioner Sisson. The perception of the buildings would be freestanding, but the presentation reflected an urban street wall and a long façade of buildings right next to each other. That is why it would be so helpful to see 3-D renderings, particularly if the Applicants disagreed with what Staff had presented.

Mr. Trabucco said he only disagreed with the height requirement. He was happy with the rest of the review.

Commissioner Ross confirmed with Mr. Trabucco that the ground floor of containers would not be on a raised foundation.

Mr. Trabucco added that the containers would be installed per Code. There would be four 650 square foot commercial units accessed from the sidewalk.

Commissioner Seely understood the cupula would be board and batten with asphalt shingles or low standing seam roofing.

Mr. Trabucco stated he had proposed a modified shipping container 8' by 4' and possibly clad with siding. The top would be designed in accordance with whatever the HLC decided was appropriate. He was flexible, but it would be a mistake to use board and batten or clad it in something different. He could stick build the cupula, but that was not what the HLC was evaluating.

Commissioner Sisson asked if Mr. Trabucco had an opinion on Staff's recommendation to widen the east and west faces of the cupula.

Mr. Trabucco said he liked that idea. His plans were submitted prior to the deadline, but he agreed the development would look better with a wider cupula.

Mr. Qamar added that the vertical misalignment was necessary to comply with the setback requirement.

Commissioner Ross said Staff's proposal that Pod 1 be two stories would only apply to Pod 1.

President Burns called for any presentations by persons in favor of the application.

[John Harper, \[2:20:55\]](#) 335 W. Marine Dr. Astoria, said he was the property owner. Several realtors had come to him with ideas for the property and all of their proposed buildings were of this size and stature. He wanted development of the property to be good for the community, but a lot of the projects proposed to him were not positive. He did not want the project to be based on profit, although any development would need to break even. Affordable housing is critical to this area because most people cannot afford to own a home. The pandemic stopped people from coming into the area, but when the pandemic is over, Astoria will have a big influx. Currently, there is a bidding war on all of the houses, so trying to build something affordable seemed like the right thing to do on this property. Mr. Trabucco has never done anything in the community that was not top notch, and he was not doing this development for the money. Mr. Trabucco was doing this for the gain to the community. That aligned with his goals for the property. He understood the HLC's job, but he hoped Mr. Qamar could develop something that would convince people down the road. He had seen a lot of people without housing, so the more housing, the better. On apartment complexes, Tyvek causes mold. But these containers would not have that problem. He has had to cease projects because stick-built structures are not affordable. Last year, a lumber package cost \$52,000 and now that same package costs \$80,000. This is an opportunity to build something much more affordable than the stick-built structures. The Corten steel is as vertically integrated with any type of history of the area and is nothing but good looking. If the HLC wants him to put up woodwork on the walls, Mr. Trabucco is open to that. Planner Johnson is the best planner from here to Portland and she had done a stellar job. He could propose other options, but this was the best option.

President Burns called for any testimony impartial to the application. There were none. He called for any testimony against the application. Seeing none, he called for closing remarks of Staff.

Planner Johnson stated that use of Corten steel on Pod 2 was not an issue for Staff. However, Pod 1 is located within a design review area that prohibits corrugated metal buildings. At the time that design Code was being written, the discussion was specific to the use of cargo containers and not just intended for typical industrial buildings. The Code also states that anything above 28' or two stories, whichever is lower, must be stepped back 10'. Therefore, the third story and the cupula would need to be stepped back. That is why the Applicant will need to request a variance. Reducing Pod 1 to two floors would reduce the number of units by four out of a 72-unit project. She had stated from the beginning that the mass and scale of Pod 1 would be an issue for discussion. The base, middle, and top design met the criteria and would be discussed by the DRC. Staff agreed that the Applicants did a great job with the windows. The historic criteria is only looking at the adjacent historic buildings that are visible within three blocks. The Applicant had suggested the HLC approve the Corten steel and then allow him to add siding, if necessary, after the development was built. However, corrugated metal is not allowed. Additionally, retrofitting siding would require all of the trim, decking, and fixtures to be removed or changed in order to remain at the proper depth.

Commissioner Sisson asked if the prohibition of corrugated steel was a guideline or a standard.

Planner Johnson clarified that corrugated was prohibited, which was a standard.

President Burns closed the public testimony portion of the hearing. He called for a recess at 8:05 pm and reconvened the meeting at 8:11 pm.

The Commission deliberated on Pod 2.

Vice President Dieffenbach stated she was in favor of Pod 2. She believed it was compatible and looked great.

President Burns stated he was surprised by the requirement to keep the stairways clear of debris. He did not believe that could be enforced and suggested the requirement be removed. Vice President Dieffenbach agreed.

Commissioner Seely suggested the fire marshal address the life safety issue of debris in the stairways. She agreed the requirement should be removed and supported Pod 2.

Commissioners Thiel-Smith and Ross said they supported Pod 2.

Commissioner Sisson asked if the other Commissioners supported Pod 2 as conditioned or as presented. If Commissioners supported the Pod as presented, the balustrade materials needed to be changes and a roof needed to be added to the trash enclosure.

Planner Johnson asked if the HLC had a preference for the metal composite, plexiglass, or wood balustrade.

Commissioner Ross responded that he preferred 2" wood balustrade.

Vice President Dieffenbach preferred either the wood or metal but was not sure about using a composite material.

Commissioner Sisson suggested that the fourth condition of approval be stricken. President Burns and Commissioner Ross agreed.

Planner Johnson confirmed that if the condition was used, the Applicant would use wood, as proposed in the application.

The Commissioners discussed Pod 1.

Commissioner Ross stated he did not have preference for two or three stories. Without a view of what the Pod would look like in the neighborhood, he could not judge how different it would look as two or three stories. He was in favor of Pod 1 either way.

Commissioner Thiel-Smith said she preferred two stories or three stories without the pop-up.

Commissioner Sisson said he was surprised to hear the Applicant only recently found out Staff's recommendation was to remove one of the living levels and keep the pop-up. If the Applicant was going to reduce the height at all, he would eliminate the pop-up and keep three levels of living space.

Commissioner Seely understood that three levels of living space did not meet the setback requirement. The presentation did not justify changing or overriding the standards in the Code. She supported a two-story building either with or without the pop-up if it met the requirements in the Code. A three-story building without the pop-up would not meet the standards.

Commissioner Sisson responded that a variance would be required either way.

Vice President Dieffenbach believed two stories would be acceptable. It was hard for her to make a decision on three stories because three stories was not allowed. The mass and appearance of a three-story building would be too tall and would feel more out of character with the area than a two-story building. She liked the idea of using board and batten, wood, or cement board siding, especially if corrugated metal is outright prohibited by the Code and is not even an option.

Commissioner Sisson noted that the siding material was not part of the criteria the HLC must consider.

Vice President Dieffenbach stated she preferred metal or wood siding, but the wood would be more appropriate and would represent the historic character of the community.

President Burns said the buildings were only 30 feet from Marine Drive, so three stories with a pop-up would look massive and be out of scale. He believed that based on the criteria, the HLC had not choice but to approve two stories and the option for a pop-up. He also believed it was clear that wood was the preferred siding material.

Commissioner Sisson said he would be fine with metal siding because metal was the true material of the building. It would not make a difference whether metal or wood was used because the siding would be vertical either way.

Commissioner Ross stated he now preferred metal after hearing Commissioner Sisson's comments.

Commissioner Seely said she liked the idea of using shipping containers and had no problem with corrugated metal siding. However, the corrugated metal siding is prohibited. She had not been convinced that the HLC should deviate from the Code requirements.

Commissioner Sisson noted the standard was not part of the HLC's review. The DRC will have to consider the Code's prohibition of corrugated metal siding. The HLC could say the corrugated metal is appropriate. The DRC might consider the HLC's position.

President Burns suggested the HLC say it was okay with either siding material. Vice President Dieffenbach agreed.

Commissioner Thiel-Smith understood that corrugated metal siding was not allowed on Marine Drive. She did not believe it was an option for the HLC to approve the project with corrugated metal siding.

President Burns explained that criteria was not reviewed by the HLC. The DRC will consider the criteria. He did not want the HLC to tell the Applicant to do one thing and then the DRC tell them to do something different.

Commissioner Seely asked why the siding material was presented to the HLC as a design standard that they needed to make a decision on. Planner Johnson responded that there were historic criteria in the Uniontown Overlay that the HLC had to consider. Those criteria were related to the mass, scale, size, character, and architectural form. The HLC could decide the siding was an architectural form. The historic criteria was related to compatibility, which leaves the siding up to the HLC's discretion.

Commissioner Sisson believed the Bridgewater Bistro had vertical board and batten siding painted red and the warehouse building next to it had vertical metal corrugated siding painted red. The buildings were visually compatible.

Commissioner Thiel-Smith agreed with Commissioner Sisson. However, if she lived across the street from the development, she would not consider the shipping containers to be compatible or have synergy with the Portway building in any way.

Commissioner Sisson stated the backdrop of that view is the Port and all of its industrial character, so he believed it was compatible.

Commissioner Seely said she was fine with vertical metal siding because it could be compatible. She was more concerned with mass.

President Burns confirmed through a straw poll that the consensus among the Commission was a preference for a two-story building, either with or without a pop-up, and either metal or wood siding.

Planner Johnson noted the approval would need to be tentative because Staff needed time to update the findings in the Staff report. She confirmed that Conditions of Approval 2 and 4 would be removed. Condition 6 would be revised to state that Pod 1 shall be sided with either the original metal material of the container, or wood or fiber cement board and batten. If board and batten is used, the Staff report would state that Condition 7 would apply. Condition 8 would be revised to state two stories with or without the pop-up.

Commissioner Sisson moved that pending adoption of the revised Findings and Conclusions contained in the Staff report on April 20, 2021 at 5:30 pm in City Hall Council Chambers, the Historic Landmarks Commission (HLC) tentatively approve New Construction NC21-01 by Portway Station LLC with the following changes:

- Conditions 2 and 4 are stricken
- Condition 6 is to read that either the metal, wood, or fiber cement board and batten siding are allowed
- Condition 7 would say that if Pod 1 is board and batten, Condition 7 would apply

- Condition 8 would say with or without the pop-up feature
Seconded by Commissioner Seely. Motion passed unanimously.

REPORTS OF OFFICERS – ITEM 5:

No reports.

STAFF UPDATES – ITEM 6:

- a) Accepting Dr. Harvey Award Nominations until March 31, 2021
- b) Status of permit NC20-08 Bethany Lutheran Church
- c) Save the Date: Tuesday, April 20, 2021 – Next HLC meeting at 5:30 pm

Director Leatherman stated NC20-08 had been appealed.

PUBLIC COMMENTS – ITEM 7:

No comments

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:43 p.m.

APPROVED:

Community Development Director

line at our web
atsopcc.edu/
resources/
ns must be
April 12, 2021.

Office of Human
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eomediagroup/
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Charter is an equal opportunity employer.
Diversity and inclusion are embedded
in and vital to our culture and
how we do business.
[http://www.dol.gov/ofccp/regs/
compliance/posters/pdf/ecopost.pdf](http://www.dol.gov/ofccp/regs/compliance/posters/pdf/ecopost.pdf)

Pacific County Department of Public Works SOUTH COUNTY SHOP SUPERVISOR

The Pacific County Department of Public Works has an opening for a full time South County Shop Supervisor at the Long Beach Shop. A management level position responsible for daily operations common to an equipment repair facility, and oversight of one or more mechanic positions and others.

QUALIFICATIONS: To perform in this position, a person must have the essential skill, ability, and knowledge that are represented by these qualifications. Pacific County will provide reasonable accommodations to enable disabled individuals to perform in the position.

EDUCATION and/or EXPERIENCE: Four Years of increasingly responsible experience in the maintenance, repair, and evaluation of equipment ranging from small engines to heavy-duty construction equipment, demonstrated proficiency in servicing both hydraulic and air brake systems including anti-skid, and a minimum two years supervisory experience. Certificates from accredited programs in: hydraulic and air brake system including anti-skid; gasoline engine diagnostics, repair, and maintenance; diesel engine diagnostics, repair, and maintenance; knowledge and experience with closed and open circuit hydraulic systems; related college course work; along with two years of continuous on the job experience.

CERTIFICATES & LICENSES: High School Diploma or GED. Valid Washington State Commercial Driver's License Class "A" without brake restriction, with tanker endorsement, or ability to obtain within 60 days.

SALARY RANGE:
\$22.41-\$28.51 / hr.

APPLICATION: Applications and a complete position description are available Monday through Friday, between the hours of 8:00 AM and 4:00 PM, from Pacific County Department of Public Works, 211 N Commercial Street, Raymond, WA 98577 or by phone at (360) 875-9368 or (360) 642-9368. Applications are also available on the web at www.co.pacific.wa.us/ employment.

Applications should be mailed or delivered to Pacific County Department of Public Works at 211 Commercial Street, Raymond, WA 98577.

CLOSING DATE: Open until filled.

Pacific County is an equal opportunity employer. Pacific County is a "Drug Free" employer and may require a background check and screening for the applicant selected for employment.

ADVERTISERS who want quick results use classified ads regularly.

egon, on Friday, March 26, 2021, at 3:00 pm, to receive from any interested persons suggestions, advice, objections or remonstrance's to the proposed budget for the Forest Protection District. A copy of the tentative budget for the Forest Protection District may be inspected during normal working hours. To ensure the broadest range of services to individuals with disabilities, persons with disabilities requiring special arrangements should contact Renae Shippey, at 503-359-7424 or renae.shippey@oregon.gov at least two working days in advance of the scheduled hearing.

OREGON DEPARTMENT OF FORESTRY
PETER DAUGHERTY, STATE FORESTER
Published: March 6, 13, 2021.

AB8105 OFFICIAL NOTICE

OREGON SALMON COMMISSION

PUBLIC BUDGET HEARING

TO: ALL OREGON
COMMERCIAL SALMON
FISHERMEN

Notice is hereby given that a virtual Public Hearing will be held pursuant to ORS 576.416, on Thursday, March 25, 2021 at 10:00 am upon a proposed budget for operation of the Oregon Salmon Commission during July 1, 2021 through June 30, 2022. A public meeting will begin at 9:00 am.

At this meeting, any commercial fisherman of ocean troll caught salmon landed in Oregon has a right to be heard with respect to the proposed budget, a copy of which is available for inspection, under reasonable circumstances, in the Oregon Salmon Commission office.

For further information, please contact: Oregon Salmon Commission, P.O. Box 983, Lincoln City, OR 97367-0983, Phone/fax: 541-994-2647, nancy@oregonsalmon.org

A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the OAC office at 541-994-2647.

Published: March 6, 2021.

101 Legal Notices

101 Legal Notices

AB8106

CITY OF ASTORIA NOTICE OF PUBLIC HEARING

Due to the COVID-19 Pandemic, public hearings will be conducted in the City Council Chambers with a limited seating arrangement. Masks are required. To adhere to the social distancing recommendation, you may also participate in the public hearing remotely. Go to https://www.astoria.or.us/LIVE_STREAM.aspx for connection options and instructions. You may also use a telephone to listen in and provide public testimony. At the start of the meeting, call (253) 215-8782 and when prompted enter meeting ID# 503 325 5821.

The City of Astoria Historic Landmarks Commission will hold a public hearing on Tuesday, March 16, 2021 at 5:30pm in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following requests:

- Exterior Alteration Request (EX21-02)** by Adrienne Fabrique for Lamont Hornbeck to replace all existing wood windows with composite material, reconfigure one east side window from 2/2 to 1/1 window, reconfigure one west side window to fixed and sliding window, and reconfigure rear first floor windows from 4/4 to 1/1 windows at 1229 Franklin Avenue (Map T8N R9W Section 8CD, Tax Lots 2701 & 2702; Lots 1 and west 16' Lot 2, Block 68, McClure) in the C-4 (Central Commercial) Zone. The site is designated historic in the Shively-McClure National Register District. Development Code Sections 2.425 to 2.445 (C-4), Articles 6 and 9, and Comprehensive Plan Sections CP.005 to CP.028 (General Provisions), CP.050 to CP.055 (Central Residential), CP.240 to CP.255 (Historic Preservation), are applicable to this request.
- New Construction Request (NC21-01)** by Portway Station LLC/ Chester Trabucco to construct one building at 432 West Marine Drive (Map T8N R9W Section 7CC, Tax Lot 3500; Lots 34, 35, 36, Block B, Taylor) and one building at 65 Portway (Map T8N R9W Section 7CC, Tax Lot 1600; Lot 1, Block B, Taylor) in the C-3 Zone (General Commercial) and the Uniontown Overlay Zone (UTO). The structure will be adjacent to structures designated as historic in the Uniontown-Alameda National Register Historic District. Development Code Standards in Sections 2.385 to 2.415 (C-3 Zone), 14.145 to 14.163 (UTO), Articles 6 (Historic Properties), 9 (Administrative Procedures), Comprehensive Plan Sections CP.005 to CP.028 (General Policies), CP.030 to CP.035 (West End Area), CP.077 to CP.078 (Uniontown Overlay Area), CP.240 to CP.255 (Historic Preservation), CP.215 to CP.230 (Housing) are applicable to the request. Additional review by the Design Review Commission will occur at a future date.

For information, contact the Community Development Department by writing to: 1095 Duane St., Astoria OR 97103, by email: comdevadmin@astoria.or.us or by phone: (503) 338-5183. The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department 48 hours prior to the meeting at (503) 338-5183. The Historic Landmarks Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA
Tiffany Taylor, Administrative Assistant
PUBLISHED: March 6, 2021



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See all of our "New Today!" listings posted on Facebook. Follow us at: facebook.com/CoastMarketplace





CITY OF ASTORIA

Founded 1811 • Incorporated 1856

1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • www.astoria.or.us • comdevadmin@astoria.or.us

Mail	2-19-21
Email	2-19-21
Web	2-19-21
On Site	2-24-21
Pub	3-6-21

NOTICE OF PUBLIC HEARING

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A PROPOSED LAND USE APPLICATION NEAR YOUR PROPERTY IN ASTORIA

Due to the COVID-19 Pandemic, public hearings will be conducted in the City Council Chambers with a limited seating arrangement. Masks are required. To adhere to the social distancing recommendation, you may also participate in the public hearing remotely. Go to https://www.astoria.or.us/LIVE_STREAM.aspx for connection options and instructions (included on page 2 of this notice as well). You may also use a telephone to listen in and provide public testimony. At the start of the meeting, call (253) 215-8782 and when prompted enter meeting ID# 503 325 5821.

The City of Astoria's Historic Landmarks Commission will hold a public hearing on **Tuesday, March 16, 2021 at 5:30 p.m.** in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. **Exterior Alteration Request (EX21-02)** by Adrienne Fabrique for Lamont Hornbeck to replace all existing wood windows with composite material, reconfigure one east side window from 2/2 to 1/1 window, reconfigure one west side window to fixed and sliding window, and reconfigure rear first floor windows from 4/4 to 1/1 windows at 1229 Franklin Avenue (Map T8N R9W Section 8CD, Tax Lots 2701 & 2702; Lots 1 and west 16' Lot 2, Block 68, McClure) in the C-4 (Central Commercial) Zone. The site is designated historic in the Shively-McClure National Register District. Development Code Sections 2.425 to 2.445 (C-4), Articles 6 and 9, and Comprehensive Plan Sections CP.005 to CP.028 (General Provisions), CP.050 to CP.055 (Central Residential), CP.240 to CP.255 (Historic Preservation), are applicable to this request.
2. **New Construction Request (NC21-01)** by Portway Station LLC / Chester Trabucco to construct one building at 432 West Marine Drive (Map T8N R9W Section 7CC, Tax Lot 3500; Lots 34, 35, 36, Block B, Taylor) and one building at 65 Portway (Map T8N R9W Section 7CC, Tax Lot 1600; Lot 1, Block B, Taylor) in the C-3 Zone (General Commercial) and the Uniontown Overlay Zone (UTO). The structure will be adjacent to structures designated as historic in the Uniontown-Alameda National Register Historic District. Development Code Standards in Sections 2.385 to 2.415 (C-3 Zone), 14.145 to 14.163 (UTO), Articles 6 (Historic Properties), 9 (Administrative Procedures), Comprehensive Plan Sections CP.005 to CP.028 (General Policies), CP.030 to CP.035 (West End Area), CP.077 to CP.078 (Uniontown Overlay Area), CP.240 to CP.255 (Historic Preservation), CP.215 to CP.230 (Housing) are applicable to the request. Additional review by the Design Review Commission will occur at a future date.

A copy of the application, all documents and evidence relied upon by the applicant, the staff report (published seven days prior to the hearing), and applicable criteria, are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available by contacting the Community Development Department by mail at 1095 Duane Street, Astoria, OR 97103, by email at comdevadmin@astoria.or.us or by phone at (503) 338-5183.

The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department 48 hours prior to the meeting at (503) 338-5183.

All interested persons are invited to express their opinion for or against the request(s) at the hearing, or by letter addressed to the Historic Landmarks Commission, 1095 Duane St., Astoria OR 97103. Email transmissions may be sent to comdevadmin@astoria.or.us. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation which you believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the Historic Landmarks Commission and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The Historic Landmarks Commission's ruling may be appealed to the City Council by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Appeal within 15 days after the Historic Landmarks Commission's decision is mailed. Appellants should contact the Community Development Department concerning specific procedures for filing an appeal with the City. If an appeal is not filed with the City within the 15-day period, the decision of the Historic Landmarks Commission shall be final.

The public hearing, as conducted by the Historic Landmarks Commission, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, and deliberation and decision by the Historic Landmarks Commission. The Historic Landmarks Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA

MAIL: February 19, 2021



Tiffany Taylor
Administrative Assistant

Connection options and instructions to participate remotely in the public hearing.

Due to the COVID-19 Pandemic, public meetings will be conducted in the City Council Chambers with a limited seating arrangement. Masks are required. To adhere to the social distancing recommendation, you may also fully participate in the meeting remotely using the connection options listed below:

ONLINE MEETING

At start of our Public Meetings you will be able to join our online ZOOM meeting using your **mobile or desktop device** and watch the live video presentation and provide public testimony.

Step #1: Use this link: <https://www.astoria.or.us/zoom/>

Step #2: Install the Zoom software on your mobile device, or join in a web browser

Step #3: If prompted, enter the Meeting ID number: 503 325 5821

Note: Your device will automatically be muted when you enter the online meeting. At the time of public testimony, when prompted you may choose to select the option within the ZOOM software to "raise your hand" and notify staff of your desire to testify. Your device will then be un-muted by the Host and you will be called upon, based on the name you entered within the screen when you logged in.

TELECONFERENCE

At start of our Public Meetings you will be able to **dial-in using your telephone** to listen and provide public testimony.

Step #1: Call this number: [253-215-8782](tel:253-215-8782)

Step #2: When prompted, enter the Meeting ID number: 503 325 5821

*Note: Your phone will automatically be muted when you enter the conference call. At the time of public testimony, when prompted, you may dial *9 to "raise your hand" and notify staff of your desire to testify. Your phone will then be un-muted by the Host and you will be called upon based on your phone number used to dial-in.*

AUDIO-ONLY

At start of our Public Meetings you will be able to access the Audio only to listen to the meeting.

Step #1: Use this link to access the online audio: <http://audio.coao.us>



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

RECEIVED
JAN 27 2021

Community Development
CITY OF ASTORIA

EX 21-02

☒ Fee Paid Date 1/27/21 By ckh 12298
FEE: \$750.00

EXTERIOR ALTERATION FOR HISTORIC PROPERTY
>25,000 Project Value

Property Address: 1229 Franklin Avenue Astoria OR 97103
Lot 1 Block 68 Subdivision McClure's
Map 80903CD02701 Tax Lot 2701 Zone C4

For office use only:

Dr. Harvey Award 1990

Classification: Primary

Inventory Area: Shively-McClure

Applicant Name: Adrienne Fabrique

Mailing Address: 175 14th St Ste 120 Astoria, OR 97103

Phone: 503-325-5678 Business Phone: 503-839-2206 Email: adriennefe@community
pm.us

Property Owner's Name: Lamont Hornbeck

Mailing Address: 729 Sunrise Ave Ste 700 Roseville, CA 95661

Business Name (if applicable): Community Property Management

Signature of Applicant: Adrienne Fabrique

Signature of Property Owner: Lamont W. Hornbeck

Existing Construction and Proposed Alterations: NEW weatherproofed windows made of wood composite material by Anderson windows - current were wood & were rotting & letting water in. Eventual painting of whole exterior in similar color currently paint is severely chipped off. Replacement of rotting porch with like/same design & materials.

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>1-28-21</u>
Labels Prepared:		Tentative HLC Meeting Date:	<u>3-16-21</u>
120 Days:			

City Hall • 1095 Duane Street • Astoria OR 97103 • Phone 503-338-5183 • Fax 503-338-6538
planning@astoria.or.us • www.astoria.or.us

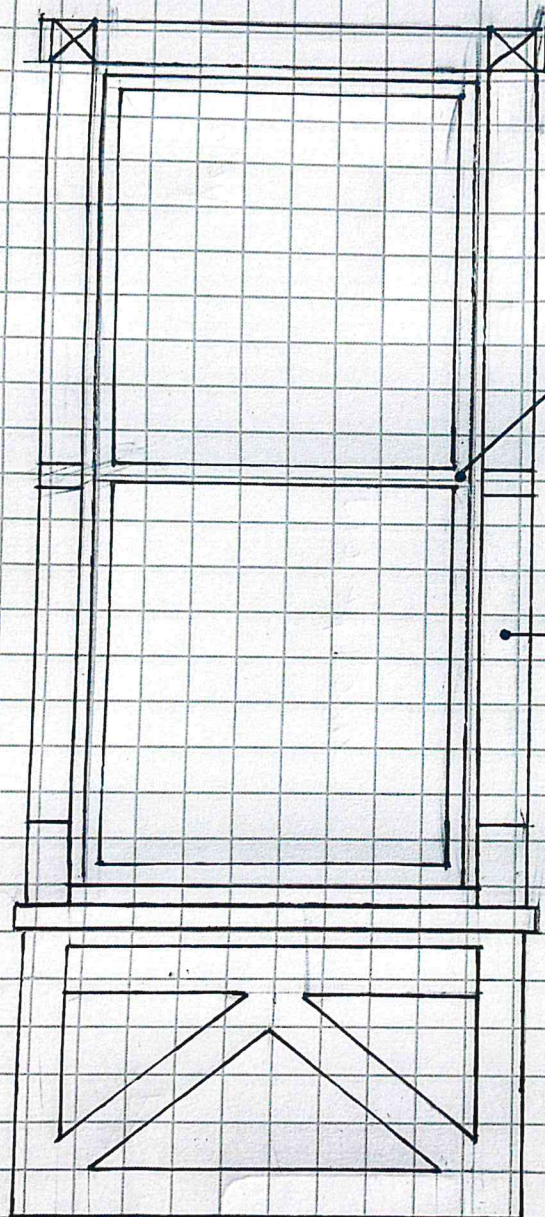
FILING INFORMATION: Historic Landmarks Commission meets at 5:15 pm on the third Tuesday of each month. Complete applications must be received by the 13th of the month to be on the next month's agenda. A pre-application meeting with the Planner is required prior to the acceptance of the application as complete. **Only complete applications will be scheduled on the agenda.** Your attendance at the Historic Landmarks Commission meeting is recommended.

Briefly address each of the Exterior Alteration Criteria and state why this request should be approved. (Use additional sheets if necessary.):

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
We are trying to create nicer dwelling units in the structure & intend to rent the two apartments out but as it exists currently the house is uninhabitable due to a number of issues.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
We are going to make the best attempt to design the home to keep its ornate original qualities. Due to the environment of Astoria & age of the home there is currently significant rot & we intend to fix those areas to appear how they once looked.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
We are not doing any "modernizations" appearance-wise but keeping the original feel of the home is very important to have with upgrades that allow it to withstand the climate environment.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
No significant appearance changes will be made & we just want to remove the rotting & dysfunctional parts & replace with similar appearance if not exact.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
Our design lead contractor & owner & manager whole heartedly agree.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
We agree with this - in some cases there is significant rot but those designs & structures will match as closely as we can & know about what existed prior to the rot.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
This was never the intended plan at all & we agree to be very gentle with the existing products on the home.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
We agree.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and addition do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
We agree to this & will do everything we can to preserve the integrity of the properties significant craftsmanship.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
There will be no structural additions & we intend to maintain the character of the home exactly as it is, without the damage & rot that exists

PLANS: A site plan indicating location of structure on the property and the location of the proposed alterations is required. Diagrams showing the proposed alterations indicating style and type of materials proposed to be used. Scaled free-hand drawings are acceptable. The City may be able to provide some historic technical assistance on your proposal.



NEW WINDOW FRAME.
VISUAL EXPOSURE = 2"
OF NEW FRAME.

EXISTING WINDOW
TRIM. VISUAL EXPOSURE
OF EXISTING TRIM = 5"
THIS TRIM DETAIL WILL
BE PAINTED WHITE TO
SOFTEN VISUAL IMPACT
OF NEW COMPOSIT
WINDOW FRAME.

WINDOW DETAIL FOR
1229 FRANKLIN AVE.



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

RECEIVED
FEB 16 2021
Community Development
CITY OF ASTORIA

February 8, 2021

Applicant:
Adrienne Fabrique
175 14th St #120 adriennef@communitypm.us
Astoria, OR 97103

rec'd
additional
app materials

Property Owner:	Property Owner per Assessor Records:
Lamont W Hornbeck <ul style="list-style-type: none">8304 Parus Way Granite Bay, CA 95746-7339729 Sunrise Avenue # 700 Roseville, CA 95661	Lamont W Hornbeck <ul style="list-style-type: none">8304 Parus Way Granite Bay, CA 95746-7339

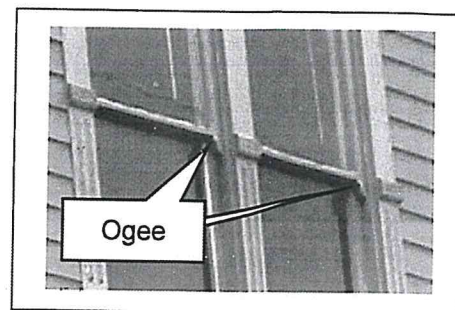
RE: Completeness Review of Exterior Alteration Request (EX21-02) at 1229 Franklin Avenue
(Map T8N R9W Section 8CD, Tax Lots 2701 & 2702; Lots 1 and west 16' Lot 2, Block 68, McClure)

The City received the Exterior Alteration Request (EX21-02) January 27, 2021. The first step of the City process is to review the application material that was submitted to determine if everything that is required per the Development Code has been submitted. This is called a completeness review. Once an application is considered complete, City staff will conduct a deeper analysis, prepare a recommendation, and take it to the appropriate decision-making body for a public hearing.

After review of the application materials received, this application has been deemed **Not Complete**. The following items need to be submitted to deem the application complete.

1. Detailed information from manufacturer on window material/spec sheets (vinyl, vinyl clad wood, fiberglass, etc.).
2. Dimensions of historic window elements and dimensions of new window elements (rail, stile, muntins, etc. - see attached diagram).
3. Depth of window installation (see attached diagram).
4. Condition of each window replaced and how it was determined to be "unrepairable" versus in need of replacement. Identify who did the window condition investigation and provide a copy of their report.

5. Describe how the ogees would be applied to the new windows to retain the same historic design.
6. Identify the style, operation, and design of each window removed. Identify the style, operation, and design of each window replacement.
7. Describe how the multi-lite window design of the west and rear windows would be accomplished to retain the same historic design.
8. The text of the application indicates that the porch is proposed to be replaced with "like/same" design and materials. Please indicate any changes from "same" materials and design proposed for the porch to be included with this application. If it is not part of this application, it will need to be reviewed with a separate application at a later date.



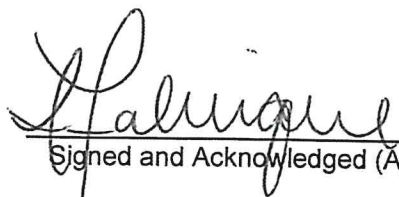
If the above noted material is submitted and the application is deemed complete by February 15, 2021, the Exterior Alteration Request (EX21-02) could be considered by the Historic Landmarks Commission on March 16, 2021. This is the earliest meeting the request can be heard; but depending on the date of completeness, it would be a considered at a later meeting date. Members of the public will be given an opportunity to submit written testimony in favor, neutral, or against the application prior to the meeting, and written or verbal testimony during the public hearing. A staff report with Findings of Fact will include all the information submitted and will be mailed and/or emailed to you one week prior to the hearing date.

State regulations require that we advise you of State mandated time lines. Oregon Revised Statutes §227.178 requires final action on certain applications within 120 days of deeming the application complete. The 120th day for your application will be determined once the application is deemed complete. With that requirement, you need to acknowledge, in writing, your intent to provide the material required to complete the application, as identified above. To do this, please sign below and return this acknowledgement within 30 days of the date of this letter to the Community Development Department, 1095 Duane Street, Astoria OR 97103.

If you indicate your intent to complete the application, you will have 180 days from the date of this letter to submit the required material, in accordance with ORS 227.178. If you fail to submit the material within 180 days, your application will be deemed complete and the application will then be processed based upon the information submitted.

ACKNOWLEDGMENT

I (☒ intend / ☐ do not intend) to provide the additional material identified in this correspondence from the Community Development Department.


Signed and Acknowledged (Applicant signature)

2/14/21
Date

Return to: Community Development Department, 1095 Duane Street, Astoria OR 97103

In addition, the property is currently in a code violation concerning the removal of the historic chimney in 2013. At that time, the front chimney was approved to be removed and replaced with a contemporary chimney. There were numerous contacts at that time with the contractor and property manager concerning the replacement of the rear chimney that was removed without permits. Be advised that this continues to be a violation and needs to be addressed.

If you have any questions or need additional information, please contact me at rosemaryjcurt@gmail.com.

THE CITY OF ASTORIA



Rosemary Johnson
Planning Consultant

To whom it may concern regarding the completeness of the application for window replacement for 1229 Franklin Avenue:

1. See attached documents directly from Anderson Windows. They are made of Fibrex, a wood composite material.
2. Rails: Original – 2" New – 2"; Stiles: Original – 2" New – 3" ; Muntins: Original – None existing, not applicable New – None ;
3. Depth of Windows: Original – 2 ½ " New – 3 ¼ "
4. See attached report from Dave Hosie.
5. The ogees will be retained in the new design of the window – the contractor, David Hosie, is sub-contracting a boutique woodworker to recreate the same historic design pieces that were included in the windows that were removed from 1229 Franklin Avenue. They will be designed for all windows that included the ogees originally to maintain the historic façade of the building.
6. Style/Operation/Design: Original – The original windows were all single hung ; New – all windows are single hung but one – in the kitchen there was formerly a large picture window with no functionality of opening for ventilation – there is now an XO under fixed window in the kitchen/dining area.
7. The only windows that had a multi-lite window design are in the back of the house – these are not visible for anyone but the resident of the home. There were no other multi-lite windows removed from the home.
8. All materials and design will be exact as it is today, as we will be replacing boards with the same boards & painting the original color of the porch currently. There will be absolutely no re-design of the front porch, except to make sure it is stable & safe for use.

For any questions regarding this application or construction & installation of the windows, please contact Adrienne Fabrique at 503-839-2206, or David Hosie, GC of Youngs Bay Remodeling Company, who installed all windows at 1229 Franklin Avenue at 503-553-9117.

**Y o u n g s B a y
R e m o d e l i n g C o .**

Dave Hosie
92663 Wireless Rd Astoria, Oregon
503-553-9117
d.hosie49@gmail.com

④ To: Community Property Management

Dear Adrienne,

We have evaluated the windows at 1229 Franklin Ave and our findings are as follows.

All (21 exterior windows & 2 interior windows) of the existing window frames had cracked and peeling paint causing the glazing putty to fail and fall away from the glass panes.

We found frame deterioration in many windows often resulting in the frames no longer able to open or properly support the glass.

All of the glass panes in the windows were brittle and offered very little insulation value to the home.

We found dry rot around the window in the kitchen that could have been caused by the failing window frame and trim.

Our recommendation is that all the windows be replaced with windows that meet current insulation and operational standards.

Warm regards,

Dave Hosie
Owner



COMPOSITE - THE SMART ALTERNATIVE TO VINYL

We developed a material that is 2x as strong as vinyl, performs better when exposed to extreme temperatures and delivers exteriors that won't fade, flake, blister or peel. We call it Fibrex® material. It's made up of reclaimed wood fiber and thermoplastic polymer that is fused together and

AF-60



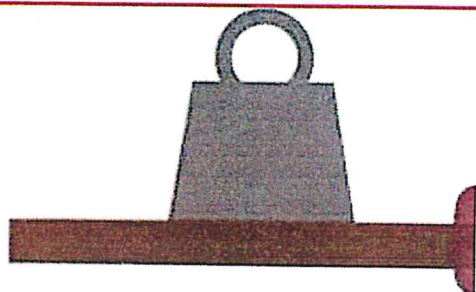
A-SERIES 100 SERIES RENEWAL BY ANDERSEN

What Is Fibrex® Material?

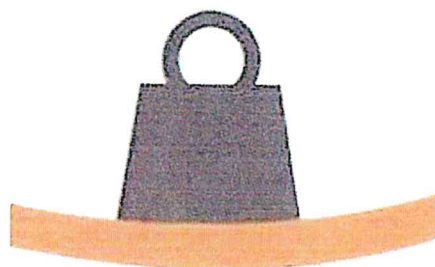
- A blend of 40 percent wood fiber by weight, mostly reclaimed from Andersen manufacturing processes, with 60 percent thermoplastic polymer by weight, some of which is also reclaimed.
- Blocks thermal transfer nearly 700 times better than aluminum to help reduce heating and cooling bills.
- Reduces VOC emissions because no wood preservative treatments or painting is required.
- Twice as strong as vinyl, so weathertight seals stay weathertight.
- Retains its stability and rigidity in all climates.
- A unique fabrication process blends the color with the Fibrex® material during production for long-lasting beauty.
- Resists rot, decay and fungal growth, and won't flake, blister, peel, pit or corrode*

*See individual product warranties for more information.



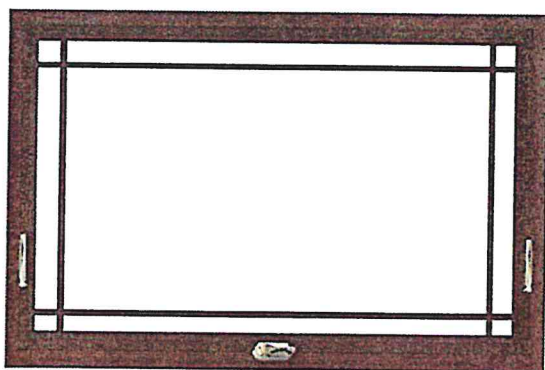


FIBREX
MATERIAL IS
2X
STRONGER
THAN VINYL



VINYL

A-Series



A-Series

AWNING WINDOW

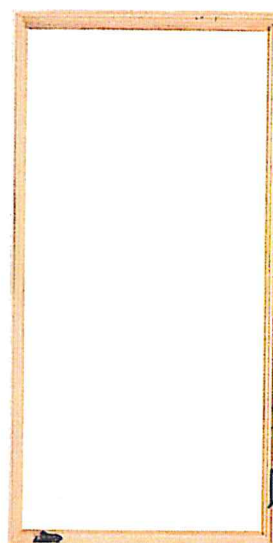
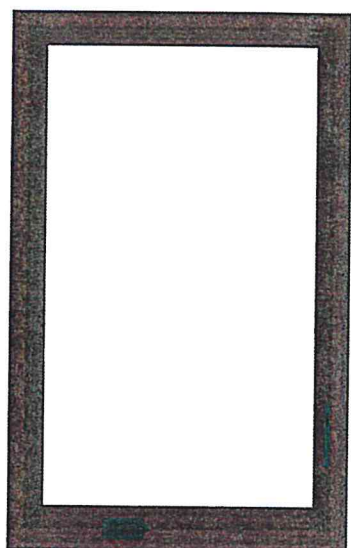
★★★★★ 5.0 • \$\$\$\$

- Weather-resistant design makes this our best-performing awning

Feedback



- Triple-pane glass options provide exceptional energy efficiency

[DESIGN THIS WINDOW](#)[VIEW DETAILS](#)

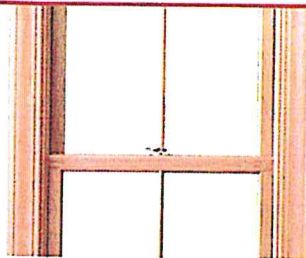
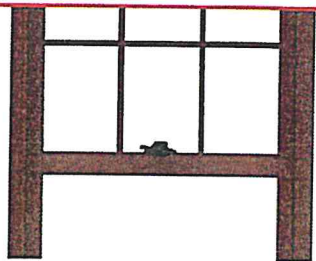
A-Series

CASEMENT WINDOW

★★★★★ 4.8 • \$\$\$\$

- Weather-resistant design makes this our best-performing casement
- Wide array of style options including factory-finished wood interiors for architectural authenticity
- Triple-pane glass options provide exceptional energy efficiency

[DESIGN THIS WINDOW](#)[VIEW DETAILS](#)



A-Series

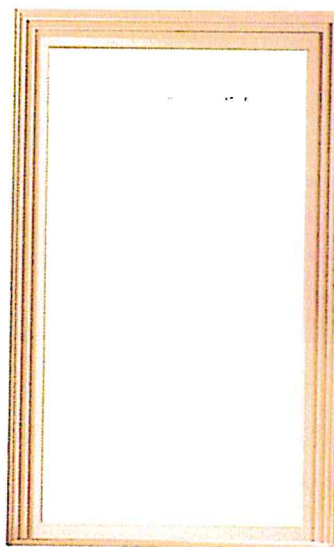
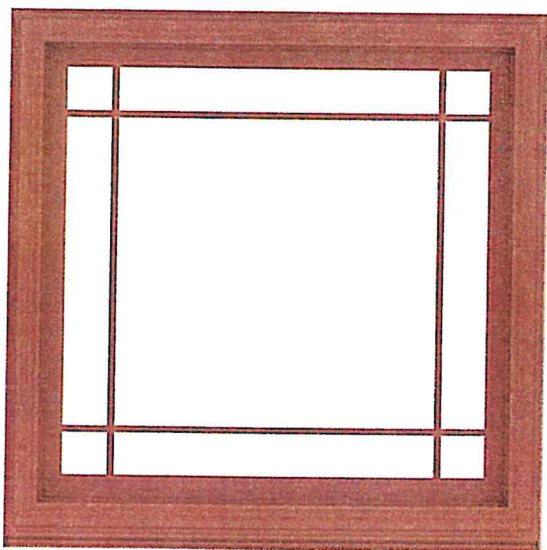
DOUBLE-HUNG WINDOW

★★★★ 3.6 • \$\$\$\$

- Our best-performing double-hung
- Wood protected by fiberglass and Fibrex® composite material
- Stained and painted wood interiors offer architectural authenticity

DESIGN THIS WINDOW

VIEW DETAILS





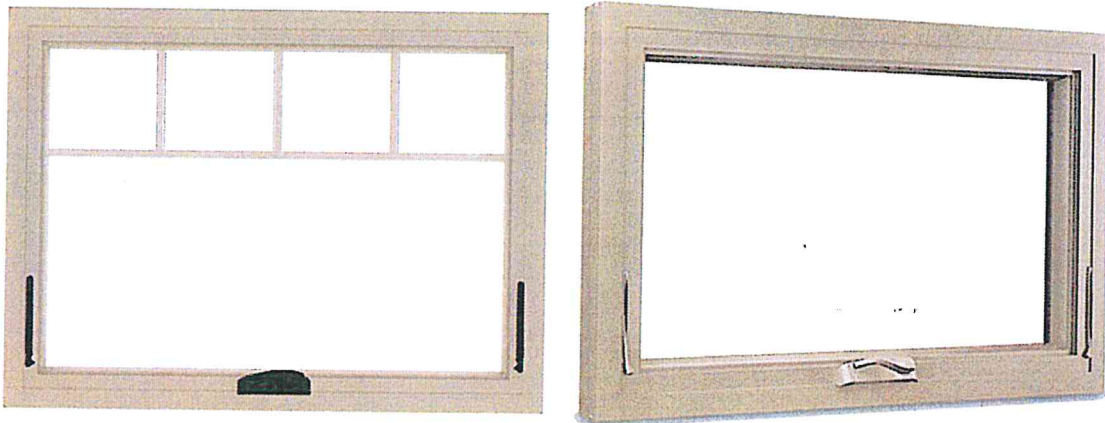
★★★★★ 5.0 • \$\$\$\$

- Our best performing picture window
- Wood protected by fiberglass
- Beautiful wood options for architectural authenticity

DESIGN THIS WINDOW

VIEW DETAILS

100 Series



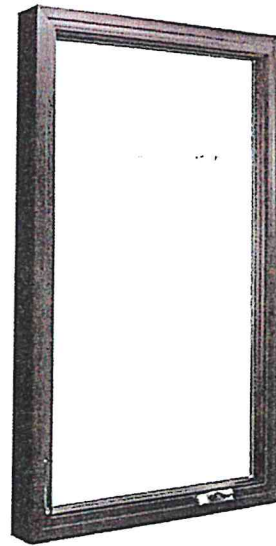
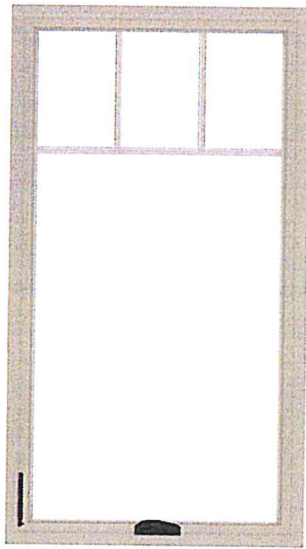
100 Series

AWNING WINDOW

★★★★★ 5.0 • \$\$\$\$

- Made with Fibrex® composite material
- Won't fade, flake, blister or peel
- Available as single unit or twin combinations
- Available as replacement insert window

Feedback

[DESIGN THIS WINDOW](#)[VIEW DETAILS](#)

100 Series

CASEMENT WINDOW

★★★★★ 3.9 • \$\$\$\$\$

- Made of Andersen-exclusive composite material (Fibrex®), which is twice as strong as vinyl
- Virtually maintenance-free
- Available as single units or in twin and triple combinations
- Available as replacement insert window

[DESIGN THIS WINDOW](#)[VIEW DETAILS](#)



★★★★★ 4.3 • \$\$\$\$

- Made with composite material known as Fibrex®
- One stationary sash and one that opens
- A three-sash option, where two sash glide past a center sash, is also available
- Available as replacement insert window

DESIGN THIS WINDOW

VIEW DETAILS

100 Series

PICTURE WINDOW

★★★★★ 3.9 • \$\$\$\$

- Made with our sustainable composite Fibrex® material
- Narrower frames mean more glass - and more view
- Available as single, twin or triple combinations and as transom windows
- Available as replacement insert window

DESIGN THIS WINDOW

VIEW DETAILS



★★★★★ 4.1 • \$\$\$\$\$

- Made with Andersen-exclusive Fibrex® composite material
- Warranted not to flake, rust, blister, peel, crack, pit or corrode
- Movable lower sash allows ventilation
- Available as replacement insert window

DESIGN THIS WINDOW

VIEW DETAILS

100 Series

GLIDING PATIO DOOR

★★★★☆ 3.5 • \$\$\$\$\$

- Durable Fibrex® composite material construction
- Rigorously tested to deliver years of smooth, reliable operation
- One stationary panel and one that glides smoothly on adjustable rollers

DESIGN THIS DOOR

VIEW DETAILS

Why Materials Matter

Materials are one way that we've led the industry in innovation. Explore the ways we use different materials and find out why.

Feedback

EXPLORE MATERIALS



The Andersen Difference

Whether you're renovating your home or building from the ground up, we've got what you're looking for. When you choose Andersen, we not only provide you with high-performing, dependable products, we support them with exceptional service. New windows and doors can be a major investment, but if you choose wisely, you're rewarded with better light, comfort, added security and energy efficiency.

When it comes to making such an important decision, make sure you go with a brand you can trust. We put our products through the toughest tests so when you put them in your home, they'll perform.

DISCOVER THE ANDERSEN DIFFERENCE

Where to Buy

Enter address, city and state, or zip code



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CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

January 22, 2021

VIA USPS to Property Owner and Adrienne
at Community Property Management and
Email to Adrienne at Community Property
Management

Lamont W Hornbeck
8304 Parus Way
Granite Bay, CA 95746-7339

Adrienne
Community Property Management
175 14th Street #120
Astoria, OR 97103

RE: CODE ENFORCEMENT FOR 1229 Franklin (80908CD02701)

It has come to our attention that exterior alterations are in process on the historic building at 1229 Franklin. More specifically, all the windows have been replaced with windows that are not historic and no permit was issued to permit the removal and replacement of said windows. This structure, built around 1892, is listed as Primary in the Shively-McClure National Register District, which requires review prior to new construction or exterior alteration.

Astoria's Development Code, Section 6.050 B states, in part: *Unless otherwise exempted, no person, corporation, or other entity shall change, add to, or modify a building, structure, appurtenance, object, sign, or site in such a way as to affect its exterior appearance, if such structure is listed or identified as a Historic Landmark as described in Section 6.040 without first obtaining a Certificate of Appropriateness.*

We have not received building permits or plans for your current construction work. Removal of existing wood windows and replacement with a different material requires public notice and review by the Historic Landmarks Commission.

I have attached the Exterior Alteration Permit application to this document. Please comply with the Astoria Development Code and submit the application along with the fee by February 3, 2021.

Thank you for your cooperation in this matter.

Regards,

A handwritten signature in cursive script, appearing to read "Barbara Fryer".

Barbara Fryer, AICP
City Planner
bfryer@astoria.or.us

ENC: Exterior Alteration Permit Application

FILE: Code Enforcement Case #CE21-02

CITY HALL • 1095 DUANE STREET • ASTORIA, OREGON 97103 • WWW.ASTORIA.OR.US • (503) 338-5183


STOP WORK ORDER 1229 FRANKLIN

**ACCORDING TO ASTORIA CITY CODE
SECTIONS 901.1 THROUGH 914
PERTAINING TO THE OREGON
STRUCTURAL SPECIALTY CODE.**

Violations are subject to penalty under law.

**_This building is historic. Window replacement needs Planning
and/or HLC approval. SAVE THE OLD WINDOWS until a
decision has been made by HLC.**

NO WORK shall proceed until authorized by the Building Official.



**ALTON BUTLER
BUILDING OFFICIAL
CITY OF ASTORIA**

DATE 1/20/2021