

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

October 16, 2018

CALL TO ORDER – ITEM 1:

Vice President Dieffenbach called the meeting to order at 5:15 pm.

ROLL CALL – ITEM 2:

Commissioners Present: Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Paul Caruana, Mac Burns, Kevin McHone, and Katie Rathmell.

Commissioners Excused: President Gunderson.

Staff Present: Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES – ITEM 3:

Vice President Dieffenbach asked if there were any changes to the minutes of September 18, 2018.

Commissioner Caruana noted there may be an error or he may have misspoken. He was quoted on Page 2 as saying, "...buildings do not usually rot from the floor to the ceiling." However, that did not make sense because buildings usually begin to rot around the base. His comment was deleted.

Commissioner Burns moved to approve the minutes of September 18, 2018; seconded by Commissioner Caruana. Motion passed 4 to 0 with Vice President Dieffenbach and Commissioner McHone abstaining.

PUBLIC HEARINGS:

Vice President Dieffenbach 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):

DM18-01 Demolition Request (DM18-01) by Tim Janchar to demolish an existing garage at 1440 Irving Avenue in the R-3 Zone (High Density Residential). The structure is designated as historic in the Shively-McClure National Register Historic District and is associated with the single-family dwelling at 828 14th Street. Continued from 9/18/18 HLC meeting.

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

Planner Ferber presented the Staff report and recommended approval with conditions, noting no correspondence has been received, or any additional information from parties requesting the continuance.

Commissioner Osterberg asked for clarification regarding the Applicant's requirement to show proof that a local historic preservation group had been given the opportunity to salvage materials, which was on Page 7 of the Staff report. Planner Ferber explained that Staff already reached out to the organizations to make them aware of this demolition request. However, the language in the Code is outdated. Staff recommended as a condition of approval that the Applicant meet the requirements of the outreach if the request is approved.

Commissioner Osterberg noted that three conditions of approval referred to the salvage and recording the resource. However, none of them require that a local preservation group be given the opportunity to salvage and record. Condition 7 only states the Applicant shall salvage wood and other features, but the criteria speaks to

historic preservation groups being given the opportunity to salvage and record. He recommended that Condition 7 be amended to reflect the requirements in the criteria. Planner Ferber clarified that the Development Code allowed for conditions of demolition approval which were not required. The HLC may require that the property owner document with a local preservation group or give those groups the opportunity to salvage and record within 90 days. Because this request is tied to a new construction request, the property owner has proposed to salvage those materials themselves. However, she would be happy to change the conditions of approval.

Commissioner Burns confirmed that no correspondence had been received since the last hearing on this request.

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

Mandy Ferguson, 828 14th Street, Astoria, said the Staff report still states there is a foundation underneath the structure; however, there has never been a foundation. Additionally, the white picket fence mentioned in the Staff report was not on the property when she purchased it. However, the Staff report seemed to indicate the fence would be rebuilt as part of the new construction request. She did not know about the fence until she started this permitting process. She would be happy to build a fence in the same style, but there is no fence on the property now.

Tim Janchar, 828 14th Street, Astoria, said there was a question about what he had done since moving in to restore the structure. He moved to the property in 2014. He purchased the home from the church and the garage was thrown in because it had no value. It was in the same condition then that it is now. In 2015, he was emailing Planner Ferber, historic architect Jay Raskin, and Joel Bergeman. He had been inviting people to the site over the last three to four years trying to restore the structure. Last month, someone asked why he had not put gutters on the building. However, the building already has gutters.

Commissioner Rathmell asked if Mr. Janchar had contacted any of the Historic Preservation Programs or instructors at the college. She knew the building was valued in the neighborhood and was well known. She said John Goodenberger had stories about the building and those groups would be interested in doing restoration work.

Mr. Janchar confirmed that several years ago he had emailed Chris who runs a class at the college. He had not been able to get anywhere with that contact. As he said last month, he would be interested in looking at salvaging the windows.

Commissioner Rathmell asked if Mr. Janchar would be interested in saving the building if he had students from the Historic Preservation Program work on it.

Mr. Janchar explained he was concerned with trying to save the building because the architects who looked at the building said it would need to be lifted, which would cost \$50,000 to \$70,000 and they could not guarantee that it would work. The building could just fall over. Additionally, he had been told that when trying to save the building, close to 90 percent of the material would need to be replaced. He could not take that financial risk.

Commissioner Rathmell noted the Applicant had received a bid from a company in Portland. She asked if Mr. Janchar had received any bids from local companies.

Mr. Janchar stated Joel Bergeman quoted him a cost for the foundation and said he could not guarantee that would work. He saw no point in pursuing that further.

Commissioner Caruana asked how high the new structure would be, noting that it looked taller than the original structure.

Mr. Janchar said he intended to put a working loft in the building. The original building has a loft as well, but he wanted the new structure to have more headroom.

Planner Ferber noted the existing structure was 19' 9" to the peak of the roof and the new structure would be 21' 9½" to the peak. She asked if this was in reference to the demolition request, or new construction permit.

Commissioners Caruana and McHone confirmed their concerns about the new structure were tied to the demolition request.

Commissioners Caruana and Rathmell agreed the details in the south elevation drawings on Page 5 of the Staff report for the new construction request made the new structure look much more than a few feet higher than the original structure.

Commissioner Caruana stated he was concerned that there was a real desire for more room in the loft and that trumps the desire to preserve the building. He was concerned that the Applicant was really giving up on an existing structure that could be saved because the new structure made more sense economically.

Mr. Janchar asked if Commissioner Caruana would feel okay if the new structure were the exact same height as the existing structure.

Commissioner Caruana said he was not sure, but that would be something to consider. He knew there were a lot of people tied to the building. The building has always stood out since it is so close to the street and it leaves a mark in peoples' minds. If the building were renovated, the Applicant might end up redoing most of the framing, leaving just remnants of the shell. If at least 50 percent of the exterior shell was incorporated into the new structure, it really would be the same building. However, if the new structure was taller, it would not be the same building even if materials from the original were incorporated. He wanted to find a balance between preserving what can be preserved and being mindful of the fact that some things have gone too far before someone made an effort to preserve them.

Mr. Janchar confirmed that Commissioner Caruana had visited the building. He would love to lift the building and save it as is, but he could not spend that much money on something that is already not guaranteed to work. The roof is rotting and the sign facing the street says, "Dangerous Building – Do Not Enter." He wanted to find a way to make something that would be aesthetically and functionally contributing.

Commissioner Caruana noted there was a chimney and asked if the building had a fireplace or wood stove.

Mr. Janchar said there is no chimney and asked the Commissioners to look at the photographs.

Commissioner Caruana clarified that the chimney was in the same photograph as the picket fence, which was an old photograph.

Mr. Janchar added that many historic features of the building were taken out and no one really noticed. He confirmed no remnants of the chimney were left.

Commissioner Caruana said when he went by the building, he could see a lot of rot. However, he had not been inside the building. He asked if most of the windows and siding could be reused if the Applicant were granted the demolition and new construction permits.

Mr. Janchar explained that most of the rot occurred where laurels were growing next to the building. Part of the wall that faces the laurels is gone. He had been talking to Trails End Recovery about preservation and was told only about 10 percent of the wood could be saved.

Commissioner Caruana said the building could be disassembled, a new building that looked exactly like the original on the exterior could be built, and then all of the salvaged siding could be reapplied to the new building on the sides of the building that face the public. That would essentially be the same as restoring the original building. In 2007, the roof of the Commodore Hotel blew off during restoration work on the lights. All of the plaster came off the walls. He removed every single piece of trim, labeled them, had the interior restored, and put the trim back where it came from. People know the building has been completely restored, but it still has all of its original integrity. It is hard to imagine this building being a replica. He believed there was enough material to recreate the building and reuse the siding.

Mr. Janchar asked who he could contact to see if that was feasible. If he did lift the building and cut away the rotten material, the new structure would be 80 to 90 percent new, but would cost a lot more than just building a new structure. The reason for the proposed new size was to comply with the City's setbacks.

Commissioner Caruana clarified he was not proposing that the building be lifted and rebuilt. He recommended the siding be pulled off and all salvageable pieces be put on the new building.

Mr. Janchar believed he would be willing to do that. He asked if he would be allowed to do that and still be at the sidewalk. Would the restructured building be grandfathered in?

Planner Ferber confirmed she would need to check with the building official. Putting the building right at the sidewalk would probably require a variance approved by the Planning Commission.

Mr. Janchar said he would be willing to demolish the building, save what could be saved, and building the new structure in the same spot.

Commissioner Caruana believed the new structure should be allowed to go in the exact same spot as the original structure. It did not seem that a variance would be hard to get.

Planner Ferber clarified the code that states that in order to comply with the City's non-conforming structure standards, a variance would need to be approved by the Planning Commission. Any non-conforming structure that is destroyed by any means to an extent amounting to 80 percent of its fair market value, as indicated by the County assessor, should be reconstructed in conformity with provisions.

Commissioner Caruana believed one could argue that only the guts of the building are being replaced.

Vice President Dieffenbach believed the building would have to be left intact.

Mr. Janchar said only the middle of the building could be salvaged. The bottom and the roof are rotten.

Planner Ferber reviewed the criteria for demolition, which were the economic feasibility of rehabilitating the building, a demonstrated public need for a new use, and the compatibility of a new development.

Commissioner Burns asked if the Applicant received any bids other than the one included in the Staff report.

Mr. Janchar said not for the new structure. He only received a bid from Joel Bergeman for the foundation.

Vice President Dieffenbach called for any presentations by persons in favor of the request. There were none. She called for testimony by persons impartial to the request.

Kris Haefker 687 12th Street, Astoria, said a couple of weeks ago he received a call to go look at the garage, which is a building that he loves. With many historic structures, it is difficult to decide where to start and where to stop. Sometimes a building might look really bad, but it is not. Other times, a building looks okay, but it is pretty bad. The floor is cobbled together. The west wall is in very bad shape. The studs are rotten quite a ways up and he was not sure about the soundness of the siding. He discussed lifting the building and putting a foundation underneath it, but that was a bit of a mind bender. He did not know what the result would be. The front doors did not look salvageable and it is obvious that the roof needs to be replaced. Most of the siding is in good shape and he would say about 70 percent of it could be reused in new construction. Some of the windows are salvageable as well. His opinion as a general contractor was that the building be disassembled and use the historic fabric in new construction. What was underneath the floor was a big question mark because none of the floor boards were pulled. He just restored a derelict building which had floor board that looked okay, but he pulled them to find them completely infested with powder posts. It would be nice to see a solid slab, a perimeter, a straight and safe structure, while giving the appearance of a historic structure.

Commissioner Rathmell asked what the plan was for the new building.

Mr. Haefker stated he was not on the property to discuss the new building, just to assess the existing building.

Commissioner Burns asked Mr. Haefker what he would have done if he had purchased the property four or five years ago and were not a contractor.

Mr. Haefker said he had considered that and had contemplated what he could do with such a challenging building. After seeing the building, he would disassemble it if possible. If it was his building, he would like to have a solid surface. One of the charms is that the building is up against the sidewalk, which is a historic feature. This is a tough call as the issues are not clear cut.

Vice President Dieffenbach called for any testimony against the application.

Rachel Jensen, Executive Director, Lower Columbia Preservation Society (LCPS), P.O. Box 1334, Astoria, said LCPS takes all requests for demolition of landmarks extremely seriously because demolition is forever. The Staff report does not indicate that notice of the original hearing was posted at the site as required by Article 9 of the Development Code. Article 9.020(d) states, "For Type 3 applications, at least 14 days before the first hearing, the Community Development Director or designee shall post notice of the hearing on the project site in clear view of the public right-of-way." Since public notice was not properly posted at the site, it might be necessary to postpone the hearing once again. When discussing this with LCPS members, she had heard that people were not aware, including people who lived nearby and next door. LCPS believed there were significant omissions from the findings in the Staff report, which must be addressed by the HLC. First, the Staff report does not include the proper historic survey form. The Commission and the public was supplied with a historic survey form for 8th to 18th Streets, not the survey form for the garage. The garage at 1440 Irving is listed individually in the 2002 inventory and is discussed individually within the nomination for the National Register Historic District. So, the omission of the survey form for the appropriate property downplays the historic importance of the structure and robs the Commission and the public of information that should be considered. Second, although the notice of the public hearing indicates several sections of the Comprehensive Plan were applicable to the request, there is no mention of the Comprehensive Plan in the Staff report. The Plan section specifically applicable to this hearing would be CP255.5, which states that every possible effort will be made to relocate historical structures as an alternative to demolition and to excavate archeological sites prior to alteration. Third, LCPS objected to the findings on Page 4 of the Staff report pertaining to Criterion 2 of Section 6.080C, that there is a demonstrated public need for the new use. In order to meet the criteria of a demonstrated public need for a new use, in part, City Staff cited the need for additional housing stock in Astoria and asserts the new structure could have a possible future use as a dwelling. The Applicant does not intend to use the structure as a dwelling. Therefore, a future possible use is not relevant to demonstrating a public need for this use. The Commission's determination should be based on the proposed use by the current owner and current zoning. On the bottom of Page 4, the Staff report states, "by constructing a new structure that closely matches the existing historic structure, the historic streetscape would be preserved." Nowhere in the City's historic preservation ordinance, Comprehensive Plan, or in the Secretary of Interior's Standards for the Treatment of Historic Properties is it asserted that the City can or should preserve local history by destroying authentic historic structures and replacing them with close matches of those buildings. LCPS opposes the demolition of historic landmarks, including demolition by neglect. It is the responsibility of people purchasing historic properties to do their due diligence to inspect what they are buying, research what restrictions may be place on the property, and to maintain their property once it is purchased. It is the responsibility of the Community Development Department to prevent demolition by neglect as spelled out in Astoria's City Codes. Much of the evidence put forth to prove this building is no longer salvageable is also evidence of willful neglect of the property either by the current owners or previous owners. This is yet another example of gentrification at work in the community, and this is how we lose Astoria's authentic historic fabric, one building demolished at a time.

Commissioner Burns asked why Ms. Jensen did not make her points to Staff over the last month.

Ms. Jensen explained that some of LCPS's concerns were not identified until recently. They had a lot to dig through because this is a complicated issue. They also had to talk to their attorney.

Commissioner Burns asked which concerns were only recently identified and which ones were known last month.

Ms. Jensen said within the last couple of days, LCPS just discovered the issue with the public notice. She had gone through the Staff report a couple of times before realizing the survey form was not for the correct property. The form in the Staff report was for the house, but there is also a survey form for the garage. She believed that was important.

Commissioner Burns asked what the LCPS would do if they owned the building. He also wanted Ms. Jensen's opinion on the idea of dismantling the building and reassembling it.

Ms. Jensen said if LCPS owned the property five years ago, they would have diverted the water away from the foundation to prevent the building from getting to this point. There are gutters on the building, but the photographs presented by the Applicant show that the gutters are not connected, and the downspouts fall off. They would have trimmed back the laurels and control any water leaking from above. Paint is always a great way to keep water from intruding into wood. They would get multiple bids on different ways of approaching saving the building. Their goal would be to save the exterior envelope as much as possible. It is wonderful to have a new use, but there has to be a creative and economical way to do something with it. The use might not be something the Applicants want. If this request was an exterior alteration, the HLC would have to decide if the new use would have minimal impacts. So, ideally, this would be made into a usable garage or another use that would not require so much destruction of what is already there.

Commissioner Osterberg asked if LCPS would be interested in salvaging or recording the resource if the HLC approved the demolition request.

Ms. Jensen said the best way to go would be to require that salvaged materials be installed on the new building. Recording the resource should be required as a condition of approval. LCPS would do what they could.

Jan Gregor, 1546 Franklin, Astoria, said he had been to the property twice. When it was on the market five years ago, he was looking for a garage and had called the real estate agent. When he learned the house was included, he was no longer interested. When someone buys in a historic district, they become a steward for what is there. He believed that if the Applicant just decided to split the property, someone else would take the garage. The Applicant could also move out and someone else would happily take the property. This property would be a good candidate for the school. He agreed disassembling the garage would be the way to go. Everyone who buys old houses has problems and this is a structure that should be saved if possible. When he visited the site, he thought 90 percent of the wood being bad was way off, especially the siding. If possible, the garage should be disassembled and rebuilt.

Vice President Dieffenbach called for the Applicant's rebuttal.

Ms. Ferguson said their intent was to salvage any materials they could and reuse them in the building. She did not understand the difference between deconstructing and how that is different from salvaging materials. She thought that was what they had been proposing to do, and asked what the difference was.

Commissioner Rathmell explained that pouring a foundation, shoring up the frame, and putting the building back together was not the same thing as taking everything down and rebuilding with a few pieces. She was not saying anything about lifting the garage. The suggestion was to remove the siding boards, saving framing that is worth saving, pouring a foundation, and putting the siding back on. Restoring rather than replacing is the idea. Restoration would be keeping the same footprint and materials except maybe the worst parts that are too rotted to use.

Ms. Ferguson said that made sense. She was concerned about getting a foundation underneath without the entire building being destroyed. She had been told the building needed to be lifted to pour a foundation.

Commissioner Caruana clarified that his proposal was to strip the building starting from the outside of all the siding, casings, and doors. Just disassemble the building with the main focus on the exterior fabric, and then make a proposal to rebuild the building exactly as it is with the same proportions, same location, same height, and same size barge boards to replicate what is there. That way, the people in the neighborhood see the same building with the same materials. If he owned the garage, he would strip the roof off, expose the old rafters, and incorporate the rafters into the walls. People love to see the reuse of as much of the building as possible. He did not think the Applicants would be very successful pulling the building down if it is not recreated just as it is. He proposed that the Applicants rebuild exactly what is there using all the materials. It would not be a difficult process. The building must be demolished anyway, so just demolish it very carefully and salvage the old materials. He recommended the Applicants get a variance to put the new building right where the existing building is now. The garage has always looked peculiar right on the edge of the sidewalk.

Ms. Ferguson asked if their proposal was still considered a demolition.

Commissioner Caruana said the building would not be demolished with a wrecking ball, it would just be disassembled and put back together with new materials and a foundation. It would be a new building, but people would consider it to be the old building if it had the same siding and layout on the sidewalk. He was just trying to offer a creative solution that was more likely to be successful. There would be more pushback when people learn about the project. The Applicants could run beams along the sides, tie the rafters to the wall, jack it up, and do work underneath. That would not be difficult, but the Applicants might need to replace everything he was talking about anyway. When a building is taken apart and rebuilt, plywood can be put on the exterior, it would be stronger structurally and it would last longer. The only extra labor costs would be the time to take the building apart.

Ms. Ferguson stated that was her intent. They never wanted to come in with a wrecking ball, smash the building down, and haul everything out. When she said they would try to salvage what they could, their idea was to work with someone who salvages materials from old buildings and evaluates what can be used.

Commissioner Caruana suggested the college get involved in the project.

Mr. Janchar asked the Commission to recommend a good contractor.

Commissioner Rathmell recommended John Goodenberger and Lucien Swordloft, who run the Historic Preservation Program at the college. She would give their contact information to the Applicants. She also noted four or five contractors in the room who did restoration work. She believed it was feasible for the Applicants to work with one of them to make the building sturdy and usable. The footprint and style of the new building is not the same and it is not the building people are in love with. The Applicants happened to buy a property that is iconic in Astoria. The bus stop is right in front of the property and people love the building. She recommended the Applicants take Commissioner Caruana's suggestions and keep the same footprint. If the Applicants showed interest, she and other Commissioners could help them get in touch with people who would be willing to work on the project.

Commissioner Burns asked if the Applicants were interested in taking the Commission's suggestions.

Mr. Janchar stated that was what he wanted to do four years ago, but he was not able to get anywhere. Maybe he did not go to the right people or go about it the right way. His initial intent was to make a sound building where the original building is located with as much of the original wood as possible. He was willing to do that but would need more help.

Commissioner Burns said the Applicants have an entire organization that, if they are passionate enough to come to the hearing to complain, they should be compassionate enough to help lead the Applicants to a solution.

Commissioner Caruana noted that the height of the existing structure is a couple of feet lower than the new one. He asked if the Applicants were willing reconstruct the original building to match what is there now.

Mr. Janchar stated he was fine with that.

Commissioner Caruana believed there was more than enough siding material and finishes to tell people it is an authentic historic structure. He encouraged the Applicants to apply for a variance because no one wants to see the building moved back five feet or ten feet.

Mr. Janchar said he wanted to save what he could and keep the same footprint.

Ms. Ferguson added that she assumed pulling things off systematically was how it had to be done since they planned to salvage things.

Commissioner Osterberg stated a professional could give the Applicants the information about what needed to be done during the disassembly. The Applicants do not have to come up with a process on their own. There are resources for finding out how to do it properly. The Applicants could get a lot of people in the community to agree that the project was done appropriately. Then, those people would have a better understanding of the Applicants

ability to achieve the goal or, where they fall short of the goal and must provide a new material because the original is so badly damaged.

Commissioner Caruana said it would be more appropriate for the Applicants to apply for a permit to remodel what is there. Disassembly is just a part of the remodel process. He did not believe the Applicants should continue with the demolition request because the process would be dragged out for a couple more sessions. The remodel could start with pulling off the siding and the roof, then there would be nothing left to save. The Applicants would no longer have a building, just a pile of reusable material that goes back on.

Mr. Janchar said he understood that just saving the middle part of the building was still important to people.

Vice President Dieffenbach closed the public testimony portion of the hearing and called for closing remarks of Staff.

Planner Ferber requested a recess because she had received text messages from City Manager Estes and City Attorney Henningsgaard about this hearing.

Vice President Dieffenbach called for a recess at 6:28 pm. The meeting reconvened at 6:37 pm.

Planner Ferber stated her failure to post the public hearing notice on site was an oversight. She could post the notice if this request is continued. The City cannot approve or deny a request based on the Comprehensive Plan, especially since this request did not involve relocating the structure. The proposal was to rebuild the structure in conformance. The survey form was made available and she apologized that it had not been included in the agenda packet. It is not required to include survey forms, but she usually does, and would provide it for reference in the future. The Commission could continue with the demolition request. However, the Applicants are willing to withdraw the application and the associated new construction request, and they would proceed with an exterior alteration request for this project. She recommended the Commission reopen the public hearing and allow the Applicants to state how they would like to proceed.

Commissioner Burns asked if this hearing could be continued for two or three months to give the Applicants time to explore the option that the Commission had been discussing. He did not want this proposal to be withdrawn only to have to start the whole process over again because the Applicants were told by three contractors that the Commission's suggestion was not possible. Planner Ferber explained that it would be a problem to have both a demolition request and an exterior alteration request at the same time. However, the Commission could give the Applicants the option to do some more homework. Continuing the hearing would require the Applicants sign a waiver to the 120-day rule.

Commissioner Osterberg understood an indefinite continuance could be approved and the Commission would not have to specify a date. Planner Ferber stated if no date and time were specified, she would have to renote the hearing. However, she would have to re-notice the hearing anyway if there were a new application.

Commissioner Osterberg believed State land use requirements included a 180-day rule that required the Applicants to come back for a decision within six months.

Vice President Dieffenbach said she was concerned because she did not believe taking the building down and reusing materials was an exterior alteration. She believed that was a demolition.

Planner Ferber said the Code was not clear. There is no percentage cap on a historic demolition that states how much of a building can be demolished. It is up to the HLC to decide how to process this project. She erred on the side of calling it a demolition because the Code is not clear.

Commissioner Caruana said if this request was denied, it would go on record that there was a denial for a demolition. It would be better to approve this under whatever name it should be called, maybe an alteration, because this is not a demolition. Rotten studs inside of a structure would be demolished, but otherwise it would be the same structure. This is a very comprehensive remodel. He asked if the Commission wanted it on record that someone applied for a demolition permit and was denied.

Vice President Dieffenbach believed the demolition would be fine if the conditions were written the right way. Pulling down the structure is demolishing the building.

Commissioner Caruana disagreed.

Vice President Dieffenbach said none of the building would be kept intact. The Building Department would not look at the project as a refurbish.

Commissioner Rathmell added that the demolition request was attached to the new construction request. The HLC was not going to approve the new construction request, so the demolition request is null and void. The Commission cannot approve one but not the other.

Vice President Dieffenbach said the demolition request was not adequate.

Commissioner Rathmell believed that was irrelevant because the Applicants have to come back to the HLC with what they propose to do. If the HLC does not approve the demolition request, the Commission cannot just write out what the Applicants need to do.

Vice President Dieffenbach reopened the public hearing and asked the Applicants how they would like to proceed.

Ms. Ferguson said she and Mr. Janchar were happy to resubmit their project as a remodel. However, she feared hearing that the project might not be considered a remodel because of how much material would have to be taken off. She wanted to look into the project further and bring plans showing the exact same building and how much of the siding could be reused. The project might still have to proceed as a demolition. But, maybe she could give the HLC a better plan for exactly how the demolition would be done to salvage materials.

Mr. Janchar added that the best thing might be to withdraw the applications. He wanted to save as much of the building as possible and keep the same footprint. He was willing to allow the college to help with the windows and do what they want. However, he wanted the Commission to tell him specifically what to ask for.

Ms. Ferguson understood the HLC was saying this project might not fall under an exterior alteration.

Vice President Dieffenbach stated the Applicants could withdraw their applications and Staff could decide whether the project needed a demolition permit or an exterior alteration permit. That decision is not up to the HLC. The Applicants could return with a whole new application with a different design, not for a new building.

Planner Ferber explained that if the proposal had completely changed, it would be processed from scratch with a new notice, new agenda packet, new findings, and new proposed materials.

Commissioner Caruana understood the new proposal would also include the variance.

Vice President Dieffenbach did not believe it was critical for the Applicants to receive the variance prior to the Commission reviewing their request.

Commissioner Caruana stated the variance would be part of remodeling. If the renovation becomes so extensive that it is classified as a remodel even though the exterior would be used, the Applicants would want the variance in place.

Vice President Dieffenbach believed the Applicants would only need the variance in place before they start on the project. It would be up to the Applicants to decide when to start the variance request process.

Planner Ferber explained the need for a variance would depend on the proposal.

Mr. Janchar stated he would like to withdraw the demolition and new construction requests. Any help moving forward would be appreciated.

Commissioner Osterberg asked if the public hearing for the new construction request would need to be opened.

Mr. Janchar confirmed he would withdraw both requests.

Planner Ferber believed the hearing for the new construction request still needed to be opened to hear from the Applicant and the public, if there were any public comments.

Vice President Dieffenbach asked if the Applicants understood what they needed to do.

Ms. Ferguson said she had a ton of questions that were beyond the scope of this hearing.

Mr. Janchar understood he needed to get some contractors to find out what could be saved and then make a proposal based on Planner Ferber's suggestion about which permit to apply for.

Commissioner Osterberg suggested the Applicants submit their conclusions to Staff and ask the City to provide direction or a response they can rely on in order to move forward. It is important that the Applicants get specific and clear direction about their plans.

Vice President Dieffenbach closed the public hearing.

ITEM 4(b):

NC18-04 New Construction Request (NC18-04) by Tim Janchar to construct an accessory structure at 1440 Irving Avenue associated with an existing single-family dwelling at 828 14th Street in the R-3 Zone (High Density Residential). The site is adjacent to structures designated as historic in the Shively McClure National Register Historic District. Continued from 9/18/18 HLC meeting.

Vice President Dieffenbach requested a presentation of the Staff report.

Planner Ferber understood the Applicants would be withdrawing the application.

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

Tim Janchar, 828 14th Street, Astoria, stated he was withdrawing the application.

Vice President Dieffenbach called for any presentations by persons in favor of, impartial to, or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public hearing.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

There were none.

STAFF UPDATES – ITEM 6:

Planner Ferber noted the next HLC meeting was scheduled for Tuesday, November 20, 2018 and the agenda included five permit requests so far.

PUBLIC COMMENTS – ITEM 7:


There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:55 pm.

APPROVED:

at the HLC 11/20/2018 meeting / no changes



Community Development Director