

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

December 17, 2013

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 5:15 p.m.

ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Thomas Stanley, and Paul Caruana. Commissioner Mac Burns arrived at 5:23 p.m.

Commissioners Excused: Commissioner Kevin McHone

Staff Present: City Attorney Blair Henningsgaard and Planner Rosemary Johnson. Community Development Director / Assistant City Manager Brett Estes arrived at 5:23 p.m.

APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson called for approval of the minutes.

Commissioner Stanley moved to approve the minutes of October 15, 2013 as noted; seconded by Commissioner Caruana. Motion approved. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, and Stanley. Nays: None.

PUBLIC HEARINGS:

President Gunderson 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):

EX13-07 Exterior Alteration EX13-07 by Ana North to remove a non-original dormer on a rear portion of the south elevation and to remove a historic chimney on an existing single family dwelling at 813 14th Street in the R-3, High Density Residential Zone.

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

President Gunderson declared that she has consulted with the Applicant several times regarding the property management of her home. She was aware that the Applicant was doing interior work and has never discussed any exterior or other work with the Applicant. She believed she could vote impartially on this application.

President Gunderson requested a presentation of the Staff report.

Planner Johnson presented the Staff report and recommended approval with conditions. She noted the original chimney on the house was mentioned in the nomination for the National Historic Register. Therefore, the chimney is considered an important historic feature and must be reconstructed as close as possible to the original design. No correspondence has been received.

Community Development Director / Assistant City Manager Estes and Commissioner Burns arrived at 5:23 p.m.

President Gunderson called for questions of Staff.

Commissioner Osterberg noted the Staff report does not include photos of the house in its current state without the chimney.

President Gunderson asked if pieces of the chimney were kept. Planner Johnson said she did not know and deferred the question to the Applicant.

President Gunderson opened public testimony for the hearing and called for the Applicant's presentation.

Ana North, 813 14th Street, Astoria, said she was surprised when she received a letter from Planner Johnson stating the house was designated as historic. She was unaware that the roof was leaking when she moved into the house and discovered the leak when she began to do interior work. She decided to get a new roof and did what she thought was right at the time. The roofing contractor told her the house was not historic and she had found a letter that stated the house was not historic. Her neighbor was afraid the chimney would fall through the roof because it was falling apart. She had not looked closely at the chimney and did not know how bad it was, but just wanted to fix the roof. The roof has been fixed and some interior work has been completed. She has applied for permits for the interior work. She was in the process of selling the house because she cannot afford to live there. She believes installing a false chimney will damage the roof by causing leaks. She did not like the idea of reconstructing the chimney. While the chimney is a feature of the house, it is not a major feature because the house is big. If the HLC had a picture of the house as it looks today, they would see that the house is still white and beautiful. While she was working on the house and after the chimney had been removed, a previous resident of the house was so thrilled that she was fixing it up that they never noticed the chimney was gone. She believed the house retained its original beauty. She did not intentionally complete this work without permits or a review and asked for a waiver. She recommended that a form be given to all realtors, similar to the lead-based paint form, to be given to buyers of historic homes. She had paperwork that stated her house was not historic and was unaware that there was a problem. She requested the waiver to avoid the extra expense of reconstructing the chimney, which will probably rot the roof again. She did not want to do anything further to the house.

Commissioner Burns asked what happened to the decorative elements that were on the bottom of the chimney. Ms. North believed part of it was carried away. Part of the elements went inside the house. The chimney was in such rough shape that it did not take long to take it off. She was not paying attention to the roofers as she was inside painting.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Hearing none, she called for closing remarks from Staff. There were none.

Commissioner Stanley confirmed that the contractors did not apply for the permits that were required for most of the work. Had they applied for the permits, they would have learned that the house was designated historic. Planner Johnson added that the permits would not have been issued without the historic review. Commissioner Burns noted the Applicant may never have known about the historic designation, but had the contractors done what they were supposed to, the Applicant would not be in this situation. Planner Johnson said the contractor told the Applicant that permits were not required. As soon as Ms. North received the letter from Staff, she responded in person. Planner Johnson believed one of the contractors was licensed. President Gunderson confirmed the contractor was local. Astoria is 200 years old and a majority of the homes are historic. It is a shame that the Applicant was misled.

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

Commissioner Osterberg said the chimney was important because it was specifically noted as part of the National Register designation as a decorative feature on the house and this should not be overlooked. However, he was troubled that the conditions of approval requiring the chimney to be rebuilt as a decorative non-functional feature. The chimney was originally built to be functional. He was concerned that the HLC would require such an expensive project. It is a difficult problem for the Commission to sort through. He disagreed with the Finding that the chimney is of such critical significance to the house. While the chimney is significant, he was unsure how critical it was to the historic designation of the house. He agreed with the Applicant that the house retains virtually all of its character without the chimney. He was unsure of the context in which the chimney was noted in the National Register, but did not want to disregard it either. Planner Johnson elaborated on the chimney as it was

mentioned in the National Register, noting that chimneys are not usually mentioned as a significant feature because they are not of a unique design. The National Register simply defines this chimney as a decorative historic feature on the house and does not state the historic designation is contingent upon the chimney.

Commissioner Caruana stated chimneys were necessary at the time and were embellished with some detail. Had there been an option to build a house without a chimney, the chimneys would not have been decorated. However, the chimney is structural and safety issues can develop when rebuilding. Some of the chimneys shown in the Staff report make a statement. He was trying to consider this matter as if the chimney were still on the house. Storms can blow bricks loose from the crumbling chimneys and cause roof damage or other safety issues. He was unsure of how to handle this issue.

Commissioner Osterberg referred to Criterion 6 on Page 6 of the Staff report, which requires deteriorated architectural features to be repaired, rather than replaced, whenever possible. He did not believe the HLC had enough information to determine if it was possible to repair this chimney. He did not want to speculate, but recalled that the Applicant stated the chimney was in very poor condition. The contractor recommended removal, rather than repair, of the chimney due to its condition.

President Gunderson countered that the contractor knew better. She asked if there was any knowledge of the contractor and roofer having misinformed other Astoria residents.

Planner Johnson stated this contractor has told other residents that permits were not necessary and had to apply for the permits after the work had been completed. The roofer and contractor are one in the same. She noted that some residents hire chimney repair companies and referred to photos of replacement chimneys on Page 7 of the Staff report. The chimneys in the photo are brand new and match the original chimneys.

Commissioner Osterberg agreed that chimneys could be repaired rather than replaced, but questioned whether the condition requiring construction of a new non-functional chimney was proportional to the degree of loss of character done to the home.

Commissioner Stanley appreciated Commissioner Osterberg's comments. He noted that if the HLC takes the position that a project feature can be removed because it is non-functional or expensive to repair, people will just remove what they want and the HLC would have no review. This issue has nothing to do with cost or functionality. He was concerned that the Applicant was misinformed by a licensed contractor, who is expected to act responsibly. The Applicant did what she thought was right.

Commissioner Caruana questioned whether the HLC would require the same condition of other structural features of a house, like a deteriorated foundation with decorative plaques. The chimney has a function, not like a balustrade or an eave. Does it look good to have something new look old or would it be okay to have something new look new, even if it is on an old building? The Commissioners and Staff recalled a similar situation where the owner had replaced a foundation with inappropriate materials. The HLC required the owner to conceal the foundation with a skirting to renew the historic character of the house. Commissioner Stanley noted that had this review occurred prior to removal of the chimney, the HLC would have required the chimney to be repaired and maintained.

Commissioner Burns said he was concerned about setting a precedent. Not that there was ill intent by the Applicant, but if the HLC accepts and approves the change, it could set a precedent that it is okay to forego permits and have the work approved after the fact. President Gunderson added there are professionals in the local community who specialize in historic renovation.

Commissioner Burns questioned whether the HLC would require that the chimney be rebuilt if it were still on the house. The Commission has required the removal of inappropriate features, but should the Commission require the rebuilding of functional features that will no longer be used? Director Estes informed the Commission would not be setting a precedent by saying the chimney does not have to be rebuilt because each case has to be weighed individually and on its merit. The Commission is considering the criteria of this one individual case to decide if the chimney should be rebuilt.

Commissioner Burns said that if someone wanted to remove a chimney simply because she did not like it, he would be opposed. However, he would be unsure about requiring a chimney to be completely rebuilt just to save

the plaques. He was questioning whether the Commission should make someone rebuild a chimney that was in such disrepair.

President Gunderson said her issue is the contractor told the Applicant she did not need permits. Therefore, she did not trust that contractor's opinion that the chimney needed to be removed.

Commissioner Stanley did not agree that functionality is necessary to retain the design of the house. He was concerned about burdening the Applicant.

Commissioner Caruana did not believe the Commission would be setting a precedent. He said he is in favor of leaving the chimney off the house because rebuilding it without the original plaques would not be appropriate.

Commissioner Osterberg stated there is no precedent to be set, but the HLC tries to be consistent while reviewing the individual merits of each application on a case-by-case basis. He agreed the Commission did not need to worry about setting a precedent.

Vice President Dieffenbach said she was perplexed. It is fair to say that this chimney was in poor enough shape that it would have been cost prohibitive to repair. It was a small chimney on a large house and removal of the chimney was not significant to the character of the house. She did not support a new chimney. It makes sense in this situation to accept that the chimney has been torn down, as the Commission is not setting a precedent. The chimney was not significant enough to the house to require that it be rebuilt. Removal of the chimney did not significantly affect the house and it would not be fair to incur a large cost on the owner. She added that it is frustrating to be taken advantage of, but she did not feel the expense was something the Commission could require as a public entity.

President Gunderson said that in her opinion, the chimney was a design feature of the house. Had this application been reviewed prior to the removal of the chimney, she would have wanted the Applicant to do research with the local preservation society and the college to find out if the chimney could be saved. She believed the chimney was a beautiful part of the house and struggled with the decision because she appreciated what the Applicant has gone through. She was unsure if the Applicant had any recourse with the contractor. Planner Johnson explained that the building official can charge a contractor double fees when permits are not received in advance. However, the property owner usually ends up paying the fees. Director Estes added that Code enforcement would have been implemented if the Applicant had not come forward.

President Gunderson understood that the Applicant has taken this issue to heart. She wanted to see the house with the chimney but understood the concerns of the other Commissioners.

The Commissioners and Staff discussed the current look of the house, noting that the only difference is the chimney is no longer on the roof. The house looks great.

Commissioner Stanley said that he would have insisted on some investigation if this application had been reviewed prior to the chimney being removed. He would have preferred the chimney be repaired, but appreciates it when people spend money and time on their historic homes.

Commissioner Burns loved the elements in the chimney, but it has already been removed. The chimney was not functional and the house still looks great. He did not want to burden the homeowner.

Vice President Dieffenbach asked if there was a way to note that the decision was made after the chimney had been removed. Planner Johnson replied the Staff report states in several places that the chimney had already been removed.

Vice President Dieffenbach moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report with changes and approve Exterior Alteration EX13-07 by Ana North. The following changes were made to Findings/Items in the Staff report:

Page 5, Item 2, paragraph 2, should read: ". . . without permits due to the deterioration of the chimney material. Loss of the chimney would not destroy the original historic character of the structure."

Page 6, Item 5, paragraph 3, last sentence should read: “. . . feature of this house but removal would not destroy the stylistic character of the house as it is not a significant portion of the house.”

Page 6, Item 5, paragraph 4, should read: “Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site would be treated with sensitivity with the removal of the chimney. Loss of the chimney would not destroy the overall original historic character of the structure.”

Page 6, Item 6, Paragraph 2, last sentence, should read: “. . . than removed. However, the chimney was deteriorated and not feasible to repair.

Page 7, Item 9, paragraph 2 should read: “. . . modern heating in the building. Removal of the chimney does not impact the historic character of the building. The chimney is visible from several view points and the historic streetscape and removal does not change the overall character of the site dramatically.”

Page 8, Section V, should read: “In balance, the request does meet the applicable review criteria and, the Historic Landmarks Commission approves the request based on the Findings of Fact above with the following conditions:”

Page 7, Section V, Condition 1 is deleted.

Motion seconded by Commissioner Stanley. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Osterberg, Burns, Stanley, and Caruana; Nays: None.

President Gunderson read the rules of appeal into the record.

ITEM 4(b):

HD13-04 Historic Designation HD13-04 by Larry Miller, Center Manager for the Astoria Senior Center, to designate the Astoria Senior Center existing commercial building as historic at 1111 Exchange Street, in the C-4, Central Commercial Zone. The proposed designation is based on the proposed alterations as submitted with this application.

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

Vice President Dieffenbach declared that she worked on this project before the current architect and designer were hired. There was a chance her company might bid on the project, but she believed she could make an unbiased decision.

President Gunderson requested a presentation of the Staff report.

Planner Johnson presented the Staff report and reminded the Commissioners that this is the first historic designation request the Commission has reviewed under the newly adopted criteria. The Staff report addresses ratings and states how the ratings comply with the criteria. One rating, of 25.5, was received after the Staff report had been written, bringing the average rating to 31.8, which is Adequate. She recommended approval with the conditions listed in the Staff report. No correspondence has been received.

She confirmed that the floor plan shown in the Staff report was the proposed plan, not the existing floor plan. She confirmed that the driveway would not be driven on after the work was completed.

President Gunderson opened public testimony for the hearing and asked for the applicant's presentation.

Larry Miller, Executive Director, Astoria Senior Center, 92467 Leaf Court Drive, Astoria, encouraged the Commission to approve the request. Many of the seniors lived in Astoria when this building was an automobile dealership and library. As the Senior Center began working with the City on this project, there were concerns

about what would happen to the building. The Senior Center wanted to maintain the building as it used to be many years ago.

Jason Wesolowski, Scott Edwards Architecture, 2525 E. Burnside Street, Portland, stated that he was hired by the City to assist the Senior Center with the design work of this project. Learning about the history of the building has been interesting and he has enjoyed digging for photos and doing research, but finding only one photograph of the building when it was the library was frustrating, but the photo revealed some of the building's original features. The building has simple, clean, horizontal lines, which are easy to duplicate. The existing windows are hidden and have been closed up along the east and south sides. He was able to open up the walls to see the patterns of the windows, but also discovered that the windows had deteriorated so much that they cannot be restored. The renderings in the Staff report show new windows that will mimic the original design and pattern of the windows. He found it interesting to compare existing building codes to the building and how it used to function. The current building codes require two exits out of the building, which was challenging to address. The existing ramp directs water into the basement, so the ramp will be converted into a staircase with a terrace.

President Gunderson called for questions of the Applicant.

Commissioner Osterberg noted that the design attempts to restore or replicate historic architectural features of the exterior, primarily the glazing and windows. However, the west elevation, which is a prominent location on the corner next to the main entry, will still have the vertical wood siding. He asked why the architect did not propose restoration of this side of the building. Mr. Wesolowski explained that the program on the interior of the building includes a kitchen, which would not accommodate windows. A series of three windows currently exists along the west elevation and the kitchen will be installed behind these windows. Window films may be installed on the interior so that the windows can remain.

Commissioner Osterberg said the floor plan seems to indicate a lobby area in a large portion of the west elevation where the wood siding exists. Another portion of this area appears to be a private office. Mr. Wesolowski stated the private office will have two small windows. The floor plan indicates that the reception area and a work area will be along the exterior wall where the wood infill exists. The architects opted to focus on the openings that could be restored.

Commissioner Osterberg asked if historically correct or architecturally consistent alternatives for the vertical siding were considered. He suggested a faux storefront window design. This application proposes both historic restoration and historic designation, but the west elevation seems to be a notable exception to the restoration efforts of the public streetscape. He asked if another type of improvement was possible. Mr. Wesolowski stated he could consider an alternative. He had considered replacing the wood siding with stucco that mimics the concrete finish adjacent to the siding. However, this would not recreate an original look. Commissioner Osterberg agreed that this would be an aesthetic judgment call. Mr. Wesolowski said another alternative he considered was applying a different paint color to the wood siding to set it off. Currently, the siding appears to be board-formed concrete when the building is viewed from a distance. Other materials or colors could be considered. A faux storefront glazing system could be installed.

Commissioner Osterberg believed recreating a faux storefront was the most desirable option. The tenant of the building could determine how much of the glazing to use.

President Gunderson suggested this conversation be continued during Commission discussion. Commissioner Osterberg agreed.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Hearing none, she called for closing remarks of Staff. Hearing none, she closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Caruana agreed with Commissioner Osterberg and said he would prefer to see the siding filled in and skimmed over to look like concrete. The area would not need windows and could just be part of the structure. It currently stands out as something that used to be an architectural detail that has been filled in with an inexpensive product like T111. The texture will be different when painted the same color, so the siding looks like a failed attempt to make it blend. An accent color would be better, but it would not cost much to fill the area in and make it look like part of the building. The entire building looks great, except for the wood area.

President Gunderson believed that painting the wood another color would draw attention to it. Planner Johnson noted that a storefront window was originally installed in the area that now has the wood siding. A photo of the building with the window has been included on the last page of the Staff report.

President Gunderson and Vice President Dieffenbach believed changing the wood siding would be a better representation of the building.

Commissioner Osterberg agreed with Commissioner Caruana that a stucco or concrete finish would be suitable. Commissioner Caruana confirmed that one of the skylights would be removed and if the budget did not allow, two more skylights would be removed. President Gunderson added that the skylights would be documented for possible reinstallation in the future.

The Commissioners discussed the exact language to be used in the condition that the wood siding be replaced with an original style storefront glass or a material consistent with the existing structural material.

Commissioner Caruana moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report, including the addition of Condition 5, and approve Historic Designation HD13-04 by Larry Miller. The following condition was added to the Staff report: "5. The wood paneling on the west elevation shall be replaced with either a storefront window or be surfaced with a stucco/concrete material to match the existing façade."; seconded by Commissioner Osterberg. Motion passed unanimously.

Planner Johnson noted that she placed new Condition 5 at the top of Page 6 under the Findings of Visible Integrity.

President Gunderson read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

President Gunderson asked the Historic Landmarks Commission to be more proactive when receiving requests for historic designation. Planner Johnson puts a lot of work into the Staff reports and the Commissioners should report back to her in a more timely manner. Commissioners and Staff discussed issues with communicating via email.

President Gunderson thanked Planner Johnson for creating complete packages, making it easy to understand each application and make a decision.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:34 p.m.

ATTEST:


Secretary

APPROVED:


Community Development Director/
Assistant City Manager