

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

June 18, 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, Commissioners Thomas Stanley, Paul Caruana, Mac Burns, and Kevin McHone.

Commissioners Excused: Vice President Michelle Dieffenbach and Jack Osterberg.

Staff Present: Community Development Director Brett Estes, Historic Building Consultant John Goodenberger, City Support Engineer Cindy Moore, and Planner Rosemary Johnson.

APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson asked if there were any changes to the minutes. There was none.

Commissioner Stanley moved to approve the minutes of May 21, 2013 as presented; seconded by Commissioner Caruana. Ayes: President Gunderson, Commissioners Caruana, Stanley, Burns, and McHone. Nays: None.

The HLC continued to Item 7(a): Irving Bridge Replacement Presentation.

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. The Commission proceeded to Item 4 (b): NC13-02 at this time.

ITEM 4(a):

HD13-01 Historic Designation HD13-01 by the Community Development Department, City of Astoria to designate multiple properties within the Adair-Uppertown Area as local historic properties. The area is generally located between 23rd and 41st Streets and the Columbia River to Irving Avenue. Property owners that have requested in writing to "opt out" of historic designation would not be designated as historic.

This agenda item was addressed following Item 4 (b): NC13-02.

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. None declared. President Gunderson requested a presentation of the Staff report.

Planner Johnson stated that prior to her report John Goodenberger will give a presentation on the history of the Adair-Uppertown Area. She recalled that at the last meeting with the public, issues were reviewed about why the inventory was being conducted, some of the details of the inventory and what it means to be historic. Tonight's presentation will include new information.

John Goodenberger, Historic Building Consultant, presented the Adair-Uppertown Neighborhood Reconnaissance Level Survey Final Report. He noted the project objectives include a survey of all buildings within the Adair-Uppertown Area, updates to architectural descriptions, and formal designations of local landmarks. A previous intensive level survey did not review all of the buildings. The survey was completed using the Guidelines for Conducting Historic Resource Surveys in Oregon and was conducted in compliance with

standards set by the Secretary of Interior. Assistance was provided by the Oregon State Historic Preservation Office (SHPO). The survey began in November 2012 with the official inventory date of March 1, 2013 and data was entered into the Oregon Historic Sites Database.

Planner Johnson presented the Staff report, noting that information regarding the Land Use Board of Appeals Case concerning "owner consent" and "opting out" was in the Staff report. Anyone who had requested to opt out of historic designation prior to the designation at this meeting would not be designated as historic. Staff recommends approval of the designation. The HLC's decision is final as the designation will not go on to City Council. Updates will still be made to the individual inventory sheets, some of the history and the map; however, no changes will be made in the historic designation of properties. She noted a lot of correspondence has been received.

President Gunderson opened public testimony for the hearing. She asked if there were any presentations by persons in favor of, in partial to or against the application. Seeing none, she closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Stanley asked if property owners who opted out of the designation could apply for the designation in the future. Planner Johnson explained that opting out will not exclude their property from the inventory or the classification. Should the property owners decide to obtain the historic designation in the future, they would need to apply, but no research will be necessary, as the City already has the information. The inventory sheet and the property owner's application would be presented to the HLC at a public hearing like any other individual designation. If the property is still eligible, the Commission would designate the property individually at that time. Commissioner Stanley complimented Mr. Goodenberger and Staff for the phenomenal work that has been done.

Director Estes said the project was possible because of a grant provided by SHPO. Planner Johnson added that Rachel Jensen assisted Mr. Goodenberger with the inventory as a volunteer. President Gunderson explained that the State suggests 12 minutes of work be spent on each property. Mr. Goodenberger and Ms. Jensen spent about 15 hours on each property. She thanked them for their work.

Commissioner Burns moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve Historic Designation HD13-01 by the Community Development Department, City of Astoria with the following changes:

Page 3, Table at bottom of page, Line 2 "Eligible/Contributing 21243% (-47 HDR = 165)"

Page 4, Paragraph 1, Sentence 3, "There were 62 requests (47 Eligible/Contributing, & 15 Non Eligible/Non-Contributing) to withdraw from historic designation received by June 18, 2013."

Page 7, Paragraph 1, Sentence 2 "There were 62 requests 47 Eligible/Contributing, & 15 Not Eligible/Non-Contributing) to withdraw from historic status received by June 18, 2013."

Motion seconded by Commissioner McHone. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

The HLC proceeded to Item 5, Report of Officers at this time.

ITEM 4(b):

NC13-02 New Construction NC13-02 by Astoria Point (Rosebriar) to locate an open sided, 83 square foot gazebo as an outdoor smoking area in the rear yard of an existing residential structure at 636 14th Street in the R-3 Zone (High Density Residential). Staff recommends approval of the request with conditions.

This agenda item was addressed immediately following Item 7(a): Irving Bridge Replacement Presentation. 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. None declared. President Gunderson requested a presentation of the Staff report.

Planner Johnson presented the Staff report and recommended approval with conditions. No correspondence has been received.

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

Sam Darcy, CEO, Astoria Point, 263 W. Exchange Avenue, Astoria, stated that he could obtain a vinyl gazebo in the same color as the main building. The color of the main building will never change. He would like vinyl for ease of maintenance and increased structural integrity. Vinyl will not rot or allow for the buildup of mold. The gazebo is prepackaged and fits together nicely. No fabrication is necessary and the gazebo comes as a do-it-yourself kit. The backyard of the property is surrounded by a 6-foot or 7-foot fence. The back yard is currently gravel and shaded by the current structure that is not compliant. The Applicant wants to provide the same comfortable outdoor setting. He asked the HLC to consider allowing the use of a vinyl gazebo instead of wood and composite flooring instead of wood flooring.

Planner Johnson stated the Applicant originally submitted an application stating vinyl would be used. She and the Applicant discussed using wood and the pictures in the Staff report are of wood. The Applicant gave the Commissioners a picture of the vinyl gazebo, which is a slightly different design. Mr. Darcy added that the vinyl could be adapted to match the wood design. The roofing comes in various sizes and designs, with or without a cupola. Building a gazebo without a cupola would lower visibility of the structure, so the neighbors could not see it.

Planner Johnson explained the final design submitted to the HLC is different from the design the Applicant originally submitted, which was vinyl. She distributed the vinyl design to the Commission. The design details are slightly different, the material is vinyl, and the roof has no cupola. Staff was not promoting the cupola; it was simply included in the submitted design. If the vinyl design had been reviewed, no changes would have been made to the Staff report on the design; the only changes would be changing the materials listed and eliminating the brackets and cupola.

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

Planner Johnson stated Staff could change the Staff report if the HLC determines that vinyl and composite materials are acceptable. She confirmed that the actual design includes a cupola detail.

Commissioner Caruana recalled that vinyl windows were going to be allowed in historic properties as an alternative. Planner Johnson replied the HLC can designate a property with vinyl windows as historic if the rest of the structure is intact. Commissioner Caruana believed that would set a precedent and asked if the HLC could approve adding vinyl windows to a house that is historic. Planner Johnson clarified that it does not mean that vinyl windows are acceptable, but that there is enough fabric and design of a building left to preserve with the hope that the vinyl windows will be returned to wood. Adding vinyl windows to a historic property is not recommended.

Director Estes noted this application is for an outbuilding. The HLC must determine if the composite materials are appropriate as an outbuilding to the historically designated property. Commissioner Caruana said he does not mind vinyl, but wanted to know if there was a general move towards accepting alternative materials to wood on historic properties. Planner Johnson noted more composite railings and decking are being approved on historic properties. The gazebo is not a historic structure; it is new construction adjacent to a historic building, which provides more flexibility.

Commissioner Stanley asked if the vinyl is the same material used to make decks. Planner Johnson said she is not familiar with the company's materials. As a vinyl composite, the material will have to be structurally sound, not the flimsy vinyl used in windows. The material comes in white, which is compatible with the structure. She is unsure if the material can be painted. Commissioner Stanley confirmed that the material sets on a composite wood base.

President Gunderson stated she has seen this material at City Lumber and thought it was wood until she saw the material being taken apart. She would approve using the composite material. Commissioner Stanley inquired that the composite is sustainable and will last. Commissioner Caruana believed so, more than wood.

Planner Johnson noted the changes to the Staff report, stating that all references to wood would be changed to the vinyl composite material and that the brackets and cupola would be eliminated, otherwise the design will be as proposed in the design presented by the Applicant tonight. The condition that the structure be painted to match the building would no longer be applicable. Director Estes suggested adding the condition that the color of the structure must match the building.

Commissioner Stanley moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve New Construction NC13-02 by Astoria Point (Rosebriar) with conditions, with the following changes to the staff report:

Page 4, D. Proposed Structure, Paragraph 1 "The proposal is to construct a 10' x 10' (83 square feet) octagon shaped vinyl composite material gazebo in the rear yard of the Rosebriar care center. It would be open on all four sides with a floor. The octagon roof would be composition shingles with a double roof."

Page 5, B. "Finding: The proposed structure would be an octagon vinyl composite material structure with open sides and railings. ..."

Page 5, Photograph of gazebo was changed to reflect the vinyl gazebo example.

Page 5, last paragraph, Sentence 2 "The structure and railing would be of vinyl composite material and should be the same color as the house. The roof would be composition shingles with a double roof."

Page 8, "1. The structure color shall match the main structure."

Motion seconded by Commissioner Caruana. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

The HLC returned to Item 4(a): HD13-01 at this time.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5: No reports.

OLD BUSINESS – ITEM 6: None.

The Commission continued to Item 8 Adjournment and then convened the work session.

NEW BUSINESS – ITEM 7(a):

Irving Avenue Bridge Replacement Presentation

This agenda item was addressed following Item 3(a) Approval of Minutes.

Planner Johnson reminded that the HLC reviewed the Franklin Avenue Bridge because it was adjacent to historic properties. The Irving Avenue Bridge (between 18th and 19th Street) is not adjacent to historic property which would trigger an HLC review. However, the bridge is being replaced using Federal funds, which requires a Section 106 Review, a different historic review, because there are historic properties in the general neighborhood. That review will not involve the HLC. The presentation is for informational purposes only.

City Support Engineer Cindy Moore presented the Irving Avenue Bridge Replacement project via PowerPoint with these key comments:

- The project plans are 30% complete. Phase 2 of the geotechnical study is currently ongoing as David Evans and Associates (DEA) is currently working on the 60% design phase.
- The bridge design has been reviewed and approved by City Council and the project is estimated to cost \$5,135,000.
- The bridge will be single span, which was the simplest design plan presented to City Council. This design is expected to move best with land movement. Five different landslides converge in this area and affect the bridge.
- The bridge will have sidewalks on both sides and a Texas railing, which is similar to the Franklin Bridge. During construction, there will be a full closure detour for up to 12 months.

- Final design documents are expected in December 2013 with construction beginning the day after school is out for the summer in June 2014. The bridge should be complete in the summer of 2015.
- She displayed pictures of the existing conditions of the project and computer rendered drawings of the proposed design, providing details about each picture and also reviewing the detour route.

The HLC returned to Public Hearings at this time and first addressed Item 4 (b): NC13-02.

ADJOURNMENT OF REGULAR MEETING TO WORK SESSION:

There being no further business, the meeting was adjourned at 6:05 p.m.

The Commission and Staff briefly discussed why a number of property owners may have opted out of the Adair-Uppertown Area Historical Designation and the lack of public testimony on the application. Planner Johnson clarified that no design review for alterations is required on properties not designated historic. However, any new construction adjacent to a historic structure requires design review.

WORK SESSION — ITEM 8(a):

Amendment A13-03, the Historic Properties Ordinance

Planner Johnson noted a Historic Preservation Plan was adopted by the City in January 2008 that identified some goals and action items for the HLC and Staff to complete. She provided a status report for those items completed over the years, noting that drafting Development Code revisions, a top priority, had not yet been addressed. The intent of the Code revisions was to make the language more clear, adopt new State designations terms, and make the process easier for property owners. She reviewed the proposed amendments, noting that design guidelines, as recommended in the Historic Preservation Plan would be addressed separate from the code revisions. Staff proposes using grant money left over from the SHPO CLG Grant to have Mr. Goodenberger create a design guidelines document, which will not be included in the Code. It will not be a regulatory document. The document will reflect trends approved by the HLC and include graphic examples to assist property owners preparing applications. The applicant will be able to visually understand what the HLC is trying to achieve and the guidelines will provide a standard for the HLC to follow.

- The guidelines will also help reduce the number of conditions of approval because applicants will be able to better prepare their applications. Architects and developers want to see what designs are acceptable, but nothing is available that can be given to them to provide direction. Planner Johnson must work with them to relate the designs and feel that the HLC is seeking.
- The design guidelines can be published on the City's website so they are easily accessible to the public.
- The guidelines will be much easier to change and update than the Code because no amendment process will be necessary. It takes six months to change a Code.
- Mr. Goodenberger will work on the design guidelines in June 2013. A draft of the design guidelines will be reviewed by the HLC in a work session and the final document presented for HLC approval.
- A public hearing for the Code amendments are on the agenda for the July HLC meeting. The amendments will be presented to City Council for adoption in August 2013.

Director Estes explained the Code amendments and design guidelines are two separate projects. Staff will move forward with the Code amendment process, if the HLC does not have any concerns. The design guidelines project will continue into the winter.

Comments and questions regarding the proposed amendments and guidelines were addressed by Staff as follows:

- Language pertaining to the Code amendments is clear and specific enough so future Staff members could understand what is allowed should Planner Johnson no longer work at the City. If problems arise with any of the amendments, another Code amendment can be approved in the future.
- Article 6.090 would be corrected to delete the extra "and" at the end of the sentence.
- The existing Code does not require all demolition to be reviewed by the HLC. If a structure is damaged more than 70% of its assessed value, it is considered to be completely destroyed. If a building is determined to be an immediate threat to life and safety, demolition must be allowed. Any other demolition must be reviewed by the HLC. Staff is comfortable with the existing Code with regards to demolition.
- After the Code amendments are adopted, some of the property owners who opted out of the Adair-Uppertown historic designation process may opt back in because the process and cost issues may have led some property owners to opt out. Sending a letter regarding the opportunity to opt back in was suggested.

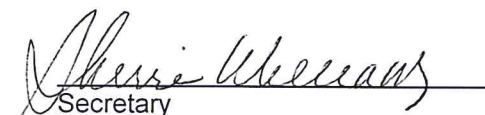
- Staff strategically planned to move forward with the Code amendments along with the Adair-Uppertown historic designation. The City has kept permit costs lower than the price of publishing the mandatory public notices. State law requires a 20-day notification period and the HLC only meets once a month limiting how quickly an application can be processed. The Code amendment should reduce processing time as much as possible.
- Mr. Goodenberger recalled a situation in Portland where a neighborhood was nominated to become a historic district after no objections were stated at a public hearing. After being nominated, opponents gathered signatures from the majority of the residents in the neighborhood to object to the historic designation. The City had worked towards the Adair-Uppertown historic designation for several years.
- Several studies show there are economic benefits to historic preservation. Most studies show that buyers will look for historic properties or want to live in historic neighborhoods knowing that some protection exists regarding the design of the neighborhood.
 - There is no guarantee that a local landmark will have an actual financial benefit. Grant opportunities, special assessments, or tax incentives are only available to Nationally designated districts and properties, not local landmarks.
 - The benefits are pride in owning a historic property, review of new construction adjacent to a historic property, and buyers will seek out and pay more for historic properties.
 - Some homeowners prefer strict Code and guidelines or strong review committees, while others prefer more flexibility in their neighborhoods. An inventoried area or a historic district provides protections to those who prefer strong restrictions and architectural review committees.
 - Property owners who opted out may not understand the benefits that the City has provided to the neighborhood over the last 20 years. Property owners tend to want changes to Code when the changes benefit them. Most of the letters sent in opposition to the historic designation contained identical wording.
 - The historic designation process has been a success. The City expects to see an increase in the number of historic properties.
 - Planner Johnson thought that the number of property owners who opted out was large; however, a SHPO representative assured the City that the number is low compared to other cities, adding that Astoria is unique.
 - Astoria will have over 800 historical designated properties after the additional new 68 properties in the Adair-Uppertown Area are added.

ITEMS NOT ON THE AGENDA

Commissioner McHone asked if a new brewery would be constructed on the wharf at 6th Street. Director Estes replied that while there is talk of a new brewery, no application has been filed. Planner Johnson clarified no HLC review is anticipated at this point, but the owner may request that the building be designated as historic.

There being no further business, the work session adjourned at 6:40 p.m.

ATTEST:


Secretary

APPROVED:


Community Development Director /
Assistant City Manager