

## **HISTORIC LANDMARKS COMMISSION MEETING**

City Council Chambers

August 16, 2016

### 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, Paul Caruana, Mac Burns, Kevin McHone, and Thomas Stanley.

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

### APPROVAL OF MINUTES – ITEM 3(a):

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

Commissioner Caruana moved to approve the minutes of June 21, 2016 as presented; seconded by Commissioner Burns. Motion passed 6 to 0 to 1. Ayes: Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. Nays: None. Abstentions: President Gunderson.

### 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):

EX16-07 Exterior Alteration EX16-07 by Samuel E. Johnson to replace an existing garage door with carriage doors, replace flat roof with gabled roof, and replace siding on an existing garage at 3774 Grand in the R-2, Medium 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.

Commissioner Burns declared Dr. Johnson was a colleague, but he had not discussed the project with him. This would not affect his decision.

President Gunderson said she drove by the property.

Vice President Dieffenbach declared she had spoken to the Applicant three or four years ago about projects on his house. She believed she could be objective.

President Gunderson requested a presentation of the Staff report.

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

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

Samuel E. Johnson, 3774 Grand, Astoria, thanked the Commission for taking care of the city. He has lived in three historic houses, one in Portland that he restored, one on Davenport that he restored, and this one that he

intends to restore. He thanked Planner Ferber for helping him through the process, which was much easier than in Portland.

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

Commissioner Osterberg agreed that the project met all of the criteria and the architecture would be of appropriate size and scale.

Commissioner Stanley moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX16-07 by Samuel E. Johnson; seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

ITEM 4(b):

EX16-08            Exterior Alteration EX16-08 by Michelle Dieffenbach, Rickenbach Construction to add a 600 square foot addition on the west side of an existing historic single family dwelling at 500 Duane in the R-2, Medium 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.

Vice President Dieffenbach stepped down from the dais.

President Gunderson stated she drove by the property.

President Gunderson requested a presentation of the Staff report.

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

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

Greg Allen, 92771 Timberman Rd., Astoria, said he was excited to work on this project.

Commissioner Osterberg asked if the proposed entry door would match or be similar to the existing door or other doors on the house.

Patti Breidenbach, 500 Duane, Astoria, said the proposed door would be of a different style because the existing doors are not original to the house. She researched the time period and wanted to do something close to the Craftsman style of 1906. The proposed door will let more light into the hallway. She confirmed the new door would not match the existing door, but would match or be similar to the types of doors that were appropriate for the original architectural character of the house.

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

Commissioner Caruana said he liked that the addition would be separated from the house and the skylights would not be seen.

President Gunderson said the house is surrounded by trees, so the skylights are a good idea.

Ms. Breidenbach noted there was already a skylight on the main structure.



Commissioner Osterberg moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX16-08 by Michelle Dieffenbach; seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

Vice President Dieffenbach returned to the dais.

ITEM 4(c):

NC16-04      New Construction NC16-04 by Jorge and Heather Vazquez of Pelayos to install a tent canopy for covered seating adjacent to food vending truck in the parking lot of an existing gas station at 1701 Marine Drive in the FA, Family Activities 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 also serves on the Design Review Committee (DRC). The Committee approved this project last week, but she did not believe that would impact her decision.

President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report and recommended approval with conditions. No correspondence has been received. She confirmed that approval of this request would allow the Applicant to take the tent down for the winter and put the tent back up in the spring in the proposed location.

President Gunderson opened public testimony for the hearing, confirmed the Applicant was not present, and 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 testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Stanley confirmed the permit was necessary because the tent would be up for more than 30 days.

President Gunderson said the Applicant has done everything necessary. It was unfortunate that he had to go through the DRC and HLC to get permits in addition to purchasing the tent. His cost to complete the legal process far exceeds the cost of the tent.

Commissioner Osterberg agreed and said maybe this could prompt Staff to amend the Code. He found it difficult to understand why the Building Code considered this tent a structure because it has no occupancy. He agreed with the Staff report. This is a semi-permanent structure surrounded by historic structures and new construction is not required to match anything. Additionally, the criterion encourages new construction to refrain from matching. He understood the HLC was supposed to consider the scale, style, height, and architecture of surrounding structures. However, he could not imagine requiring a tent or canopy to somehow replicate or match a historic structure.

Vice President Dieffenbach agreed it was too bad this project had to be reviewed by the Commission. However, she could think of numerous tent styles she would not find compatible in certain areas. Even though this temporary tent is defined as a permanent structure, the HLC should be careful what it does with the Code.

Commissioner Caruana said the HLC did not believe the smoking structure at the Rosebriar was appropriate. This tent will not withstand a storm because it is not constructed for the environment. When the tent stops working, a tin version will likely be built. However, material changes would have to be approved. He believed the tent should be taken down for at least one day out of every month just to avoid this process. He did not want to approve this tent because the HLC did not approve the smoking structure at the Rosebriar. These structures seem functional and temporary, but they are still in place 20 years later.

Commissioner Osterberg said he did not expect this tent to be a long-term structure, nor did he expect it to be up during the winter.

Commissioner Osterberg moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve New Construction NC16-04 by Jorge and Heather Vazquez; seconded by Commissioner Burns. Motion failed 3 to 4. Ayes: President Gunderson, Commissioners Osterberg, and Burns. Nays: Vice President Dieffenbach, Commissioners Caruana, Stanley, and McHone.

Planner Ferber confirmed the Applicant could not have the tent up for more than 30 days. She has discussed the options with the Applicant, who indicated he wanted a permanent location for his customers to sit and did not want to bother with taking the tent down over and over. She and Director Cronin are considering Code amendments related to umbrellas, tents, and sidewalk furniture. Tables with umbrellas would not be reviewed by the HLC because they are not considered structures.

Commissioner Osterberg suggested Staff consider a 30-day permit with extension options that could be approved administratively.

President Gunderson read the rules of appeal into the record.

#### STATUS UPDATES – ITEM 5(a):

Status report photographs are included for the following: NC15-08 for 726 27<sup>th</sup> Street by Dan Peters. The project is complete or near completion and conditions have been met. This status report is for Commission information.

#### REPORTS OF OFFICERS/COMMISSIONERS – ITEM 6:

Planner Ferber reviewed the update on a recent Oregon Supreme Court ruling on historic structures, which was included in the agenda packet. She also noted the recently sold Flavel property would be nominated for a Restore Oregon grant for façade improvements. There would be no HLC meeting in September.

#### PUBLIC COMMENTS – ITEM 7:

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 5:50 pm.

#### **APPROVED:**

  
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Planner