

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

April 19, 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, Community Development Director Kevin Cronin, and City Support Engineer Cindy Moore. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson noted the following correction to the minutes of the March 15, 2016 meeting:

- Page 4, line 28 - "President Gunderson did not believe an **a protruding** upper deck was appropriate on a Queen Anne house."

Commissioner Stanley moved to approve the minutes of March 15, 2016, as corrected; seconded by Commissioner Osterberg. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. 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):

EX15-14 Exterior Alteration EX15-14 by Daniel Peters to rebuild the exterior stairs and add a two-story deck on the NW corner elevation and change a 1:1 window to multi-lite door on the north elevation (2nd floor) of an existing single-family dwelling at 726 27th Street in the R-2, Medium Density Residential zone. This item was continued from the March 15, 2016 meeting.

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 Ferber presented the Staff report and recommended approval with conditions.

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

Daniel Peters, 726 27th Street, Astoria, said he had redesigned the project three times according to what the HLC and John Goodenberger suggested. He hoped this would be the last time, as he did not know what else he could do to get the project approved.

Commissioner Osterberg asked if the Applicant had reviewed the conditions of approval on Page 4 of the memorandum dated April 13th in the Staff report. Mr. Peters confirmed he had no complaints or problems with any of the conditions of approval. He would abide by the conditions, which he had previously discussed with Vice President Dieffenbach and Planner Ferber. The condition regarding the lattice work was recommended by Mr. Goodenberger and he liked that it would block the existing foundation 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 noted that all of the HLC's changes had been included in the Staff report.

Vice President Dieffenbach said when she and Planner Ferber met with the Applicant it was clear that Mr. Peters understood what the HLC had asked for at the previous public hearing.

Vice President Dieffenbach moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX15-14 by Daniel Peters, with conditions; seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

ITEM 4(b):

EX16-02 Exterior Alteration EX16-02 by Michelle Dieffenbach, Rickenbach Construction for Trish Bright to install an iron gate at the main entrance of an existing historic commercial building to restrict access when the building is unoccupied at 1215 Duane in the C-4, Central Commercial 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 as she was the Applicant.

Commissioner Burns declared that he knew Trish Bright, but he had not discussed this application with her. He had not spoken with her in over a year, so he could be impartial.

Commissioner Caruana declared that he also knew Trish Bright and had done a couple of projects for her, but that would not affect his decision on this application.

President Gunderson declared that she knew Trish Bright as well, but had not seen her in years.

President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report, noting that the Staff report erroneously stated the proposed museum would be on the 1st floor only. The museum would actually be located on the 1st and 2nd floors. She recommended approval of the request with conditions.

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

Jared Rickenbach, 37734 Eagle Lane, Astoria, said the only change Ms. Bright has requested is that the M and W be removed from the gate. The letters represented Museum of Whimsy, the name of the museum. Ms. Bright is concerned that if the use of the building were to change over time, the steel lettering would need to be changed. Instead of letters, the gate would just have straight pickets all the way through, which simplifies the design a little bit. He confirmed that the gate would open inward and the posts would sit behind the existing masonry. In the open position, the gate would be almost invisible from the front view. The posts would be epoxied or wedge-anchored into the concrete. The concrete in the entrance was replaced when the Banker's Suite and downstairs ballroom was renovated. The entrance had a step that was replaced with a ramp to allow handicap access.

Commissioner Osterberg noted the Staff report states the gate would be iron. Mr. Rickenbach confirmed it would be made of milled steel, but it would look like iron, and each of the balusters would come to a point. Other than the M and the W, the photographs in the Staff report represent the actual gate very well.

Commissioner Caruana asked if Ms. Bright would consider any letters in the design of the gate. Mr. Rickenbach said it was possible she would agree to add other letters. He confirmed for Staff that All Metals would be making the gate, the same company that made the gates at the Maritime Museum's Barbey Center.

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.

President Gunderson said there were other buildings downtown with gates and she believed this one would match well. Commissioner Burns added that the gate would look nice when closed and when open it would be hard to notice. Commissioner Caruana said he liked more decoration to prevent the gate from looking like a jail. Commissioner Osterberg believed minimal decoration was sufficient and met the criteria. Once the gate is installed, the HLC can consider the decoration when reviewing future metalwork, decorative gates, and fences.

The Commissioners confirmed they would approve the gate without lettering.

Commissioner Osterberg moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX16-02 by Michelle Dieffenbach, Rickenbach Construction for Trish Bright, with conditions; seconded by Commissioner Burns. Motion passed 6 – 0. Ayes: President Gunderson, Commissioners Burns, Caruana, McHone, Osterberg, and Stanley. Nays: None.

President Gunderson read the rules of appeal into the record.

Vice President Dieffenbach returned to the dais.

ITEM 4(c):

EX16-03 Exterior Alteration EX16-03 by Clyde Manchester to install a door on the garage and replace siding on an existing building at 328 Alameda 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. None declared. President Gunderson requested a presentation of the Staff report.

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

Commissioner Stanley asked if the man door was being installed to create another dwelling unit in the building. Planner Ferber understood the door would lead to a laundry area and provide access to the garage.

President Gunderson asked if the area around the garage door would be filled in to make it look like a normal wall with a door. Planner Ferber said instead of a garage door, the wall would have a man door with siding filled in around it.

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

Bernice Lopez, 328 Alameda, Astoria, said when she bought the building in September of 2015, she did not realize the building was in a historic district. When she came to City Hall for an application, she learned that there were a lot of regulations she needed to follow. The original application requested changes to the exterior and Staff walked her through the requirements. She removed requests to add a deck and French door on the back of the house. Now, she is just requesting the garage door be turned into a man door. The space is not suitable for a garage because it too small for a small car or motorcycle. A good use of the space is a laundry area. She and her builder decided a man door would be best because there was no overhang. She confirmed that all of the exterior doors would be the same. The two metal doors that served as the front doors were rotted and inoperable. They have already been replaced with doors as suggested by Staff. She travels from Portland to work on the remodel, but was looking forward to moving in to the top unit as soon as the renovation is complete.

Commissioner Osterberg asked what the garage was currently used for. Ms. Lopez said the space has a washer and dryer and it was her intention to make the area into a laundry room that served all three units. When she

purchased the house, the garage held several rotten items. The house had been sitting vacant for over a year and was up for auction for several months before she purchased it. The garage door crumbles when pushed in and the inside of the garage is so small that she decided a man door would probably be suitable.

Commissioner Caruana asked if the doors would have six or nine panes of glass. Ms. Lopez said both of the new front doors have six panes of glass, two rows of three. Both of the lower doors would look the same. She explained that one of the metal doors led to a mechanical room. All of the exterior doors, including one on the back of the building that could be seen from the marina would be the same. She confirmed the window on the left side at ground level would remain. She had originally requested the window be replaced with an access door for the lower unit. However, after reviewing the codes, she decided that would not be suitable for the building's style.

Commissioner Caruana asked if Staff said anything about the front porch handrail. Ms. Lopez said the original handrail was rotten, but the new handrail looks the same as the old one and it was painted white to match the trim on the house. All of the mechanical and plumbing was permitted and the inspectors did not believe the new handrail would be an issue as long as it was exactly the same as the original.

Vice President Dieffenbach confirmed that the garage door space would be in filled with new siding and a man door that were similar to the rest of the building. Ms. Lopez added that the building currently has three different types of siding, none of which are original. A few years from now, she hopes she can afford to reside the building with real wood. However, she is currently spending her money on the interior to make the building habitable. The house had some new windows and the four windows she has replaced are wood and fiberglass. The existing openings remained the same and Staff told her the windows needed to be Milgard Essence. The rest of the vinyl windows will remain until she can start making money on tenants. Then, window by window, she will get them all replaced back to the original wood style.

Commissioner Stanley asked if Door A as shown in the attachments was an existing door. Ms. Lopez said no, she had originally requested this door, but Staff did a great job of educating her on what she could do. She confirmed the existing window, shown in the Staff report, would remain and access to the lower unit was from the back of the building.

President Gunderson called for any presentations by persons in favor of the application. There were none. She called for presentations by persons impartial to the application.

Rachel Jensen, 1445 Lexington Ave., Astoria, said she was generally in favor of the application until she drove by the property earlier that day. It looked to her as if the project had already been completed and the HLC should consider this because this is not the way to progress through the process. She was shocked, uncomfortable, and unwilling to stand in favor of the application now. She also believed people need to do their due diligence when they buy property in Astoria because it is likely that a property in Astoria is historic or is located in a historic district; feigning ignorance is not appropriate.

Commissioner Stanley asked if the proposed project had been completed. Planner Ferber said she took photographs of the property in April 9th, but was not aware that the work had been completed since then.

President Gunderson invited Ms. Lopez back to the podium. Commissioner Burns asked when the work had been completed.

Ms. Lopez said the doors and the siding were completed more than six weeks ago because a lot of rain was getting into the area and she had just put a lot of money into fixing the dry rot. She was not careless and was aware that timing was of the essence. She was trying to avoid further damage to the property. She would take any decision by the HLC and make it work. It was not her intention to undermine anyone and she just wanted to protect her investment. The house had a lot of dry rot, which cost a lot to repair. She understood the process and took full responsibility. She had some homework and due diligence to do, but did not intend to undermine the process. She submitted her application in December and had been working with the City since then.

President Gunderson said Ms. Lopez caused issues by completing the work before it was approved and she could have protected the property from rain in several other ways. Ms. Lopez completely bypassed the process.

Commissioner Stanley said the Uniontown National Register Historic District has been a historic district for as long as he has lived in Astoria. Signs, located at the entrances of the area, indicate the neighborhood is a historic district. The Applicant ignored the entire process, did what she wanted, and now wants approval because someone has made an objection. He was unsure how to proceed.

Commissioner Osterberg confirmed that the man door to the garage had been installed. Ms. Lopez stated that she would follow the Commission's direction, regardless of how the HLC votes. She realized her hands were tied and reiterated that she was trying to protect her investment to the interior of the garage area.

Commissioner Stanley said Ms. Lopez did a nice job on the house, but he was upset that she completely ignored the process. She knowingly purchased a house that had several things wrong with it. He understood she wanted to protect her investment. However, she had a responsibility to be a good citizen in the community. Part of being a good citizen is understanding Astoria's laws and following them. Ms. Lopez said she understood. She was told by Staff that this case would be presented in February, but the hearing kept getting delayed.

Commissioner Stanley said the project was presented to the HLC as if it had not been completed and the Applicant was seeking permission to complete the project. Ms. Lopez responded that she never said the work was not done. She had presented a big list of items that was narrowed down after working with the City. This presentation was delayed for two months and she was present now to answer questions.

President Gunderson said Ms. Lopez misled the HLC. Commissioners specifically asked Ms. Lopez about the bottom door and she said it would be just like the other doors. Ms. Lopez did not indicate in any way that the project was complete.

Commissioner Burns asked how long ago the work had been completed. Ms. Lopez confirmed that the door was installed in mid-March. Commissioner Burns noted the application indicates a tentative HLC meeting date of March 15th and asked if the work was done prior to March 15th. Ms. Lopez said no, the garage door was the last thing she did, after all of the interior dry rot was repaired and the flooring was installed. The door has no overhang, so water was penetrating the building. She had been working with the City since December, when the application was submitted. She realized there would be a hearing, and then Staff needed more documents. She went back and forth with the City, but believed she had provided everything. Finally, she backed out of the rest of the work and ended up just requesting the door.

President Gunderson asked what would stop the Applicant from doing all of the other work she wanted to do to the house. Ms. Lopez said she understood that she could not do the rest of the work. She might do the work later, but the lot next door is part of the same property and Planner Ferber had explained to her that combining the lots would allow her to install a deck on the back of the house. She would follow that process, but did not currently have the financial means to combine the two lots in order to meet all of the regulations. That is part of a future plan and she would follow all of the rules. She backed out of all of the other work because it would be too time consuming and expensive to follow the process.

President Gunderson called for presentations by persons against the application.

Dan Skollfield, 334 Alameda, Astoria, said his house was a few feet west of the Applicant's house. He fell in love with Astoria when he came through town about 12 years ago and immediately found a house. He had been a good neighbor, but was very concerned about the house across the street from his, which was recently sold after being vacant for about seven years. He purchased his home for the view and the historical ambiance of the area. He believed there had been some disingenuous conversation between the HLC and Ms. Lopez. He was not aware of the relationship between Ms. Lopez, the other owners of the home, and Mr. Manchester, who owns a company called HEAT, but he believed they had purchased other properties. He called the City six months ago to ask about the process, but it did not matter. He was told the City does not have anyone to do enforcement, so enforcement is done on a limited basis and Staff would have to catch someone in the process. Even though he did not own the property, he took care of it when the house was vacant for seven years. The back door would be open and homeless people would be in the house. Before the house was vacated, he knew the residents. The garage was a sauna at one time. The door is done and the window sizes have been changed. He had questions about the setbacks because a new driveway has been poured to within a couple of inches of his property line to the west. There seemed to be a total disregard for the process. He asked if the same thing would happen with the house across the street from his. He wanted to know what the remedies were.

President Gunderson explained that comments needed to be directed at the application to install a man door and siding. Mr. Skollfield said that work had already been done. He had called the City many times and spoke with Sherri Williams. He believed this process would need to be continued because the issue could not be let go and it was not fair.

Barbara Johnny, 334 Alameda, Astoria, objected to the application because it changes the whole flavor of her neighborhood. Now, the house looks like an apartment building and the door does not look like it belongs at all. The garage was full size when Ms. Lopez purchased the house, but she changed it. Changing the window that looks out to the river from two windows to one large single window changes the look of the house. The house does not look like it was built in the early 1900s anymore. The Applicant changed the sizes of other windows. She did not know if a permit was necessary to install a driveway, but there was no driveway on the property before. She would not have purchased a house next door to an apartment building. The house was a duplex, so there were two doors at the top of the stairs. However, the house did not look like it does now. The garage always looked the way garages are supposed to look. She wished someone had brought a photograph of how the house looked now. She wanted the neighborhood to continue to look like a historic neighborhood and did not want the house to have so many upgrades that it looked brand new. It would be nice if the house kept the flavor of the old neighborhood.

President Gunderson closed the public testimony and called for closing remarks of Staff.

Director Cronin said the numbers of units in the home are allowed outright in the R-3 zone. Permitted uses and setbacks are not reviewed by the HLC, but Staff could look at any of those issues. The HLC can only review criteria related to the windows, doors, siding, and other things that are under the purview of the HLC. He suggested continuing the hearing until May to give Staff time to research the project and update the Staff report. Code enforcement could be done and Staff could look into other violations, but all of the building permits were obtained appropriately.

Commissioner Osterberg wanted to know if the interior of the garage would still be considered a garage after the man door was installed. He also wanted to know if replacing the garage door with a man door would change the use of the space. He asked about the parking requirements for a duplex that had been modified to a triplex and wanted to know if the garage would be necessary to provide one parking space. He did not know the design of the parking area, but it looked as if the area would need tandem parking, which may or may not have to be approved. He understood none of this was under the purview of the HLC, but explained that one thing lead to another and he would like Staff to comment on these items if the hearing is continued. Director Cronin said Staff could look into those issues separate from the HLC. Garages can be converted, so that is not an issue. However, the parking could be an issue if the house is converted from a duplex to a triplex.

Planner Ferber said she had spoken to the Applicant about the use of the garage. When Ms. Lopez said the garage was too small for a car, Planner Ferber suggested she consider changing the use.

Commissioner Burns understood that when projects have already been completed, the HLC has the option to approve the project after the fact or deny the request and have the Applicant redo the project to the HLC's satisfaction. He asked what would happen to a project if the HLC refused to vote on the request. Director Cronin replied the HLC must make a decision.

Commissioner Stanley moved that the Historic Landmarks Commission (HLC) continue the hearing of Exterior Alteration EX16-03 by Clyde Manchester to the May 17, 2016 meeting; seconded by Commissioner Burns. Motion passed unanimously.

PRESENTATIONS – ITEM 5(a):

Item 5(a): Waterfront Bridge Replacements

City Support Engineer Cindy Moore gave a presentation on the Waterfront Bridge Replacement Project, also referred to as the Street Ends Bridges Project. She updated the HLC on the details of the project, the project timeline, the open house, the impact to the businesses in the project area, driver and pedestrian detours, and the materials that would be used as replacements. She confirmed the construction would disrupt trolley service, but fortunately, the City is required to do the in-water work in the winter. Staff's goal is to have the trolley running again by spring when they typically start operating more consistently. It will be very important to frequent the

businesses in the project area because the project will have a big impact on those establishments. The City will provide signs that state the businesses are open during construction.

Commissioner Osterberg said he attended the open house and submitted many comments. The existing conditions are so poor, especially for pedestrians. The drawing indicates new sidewalks and pedestrian connections in the area. However, some of the connections he wants might not be funded by Oregon Department of Transportation (ODOT). He asked if City or ODOT design standards would be used. Engineer Moore said City street design standards would be used. Staff has looked at each street end and found that each one was unique. The City wants each street end to remain consistent with the rest of the street, so each one will be tailored for consistency with the neighborhood. Some street ends will be affected more than others will. She added that the timeframe for construction was contingent upon getting permits. A lot of environmental permits are required when doing work at the waterfront.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 6:

Item 6(a): CLG Grant Award

Director Cronin reported that Astoria received the CLG Grant Award and Staff planned to start a storefront program for the Astor West Urban Renewal Area.

Item 6(b): Columbia Pacific Preservation Update

Director Cronin said he had nothing new to report, as the committee had not met in a while. However, they continue to focus on the Flavel property, a maker space, and Uniontown.

Item 6(c): Training Opportunities

Planner Ferber reported that training opportunities were on hold because the State Historic Preservation Office (SHPO) had many applicants to their tax incentive training in June and July.

Director Cronin is attending the Oregon Heritage Conference in Salem for the “Developer for a Day” workshop.

Item 6(d): Dr. Harvey Award – Call for Nominations

Director Cronin reported no formal nominations had been submitted, but John Goodenberger had suggested two properties, both of which have been fully restored.

President Gunderson asked if the Irving Street Bridge would qualify for the Commercial category. Director Cronin said the bridge would qualify, but Astoria would be giving itself an award.

Director Cronin noted that Mayor LaMear would declare May as Historic Preservation Month at City Council’s meeting on May 2nd. He preferred a member of the HLC be present to accept the proclamation.

Planner Ferber added that the National Parks Service featured an article about Astoria’s historic preservation work.

PUBLIC COMMENTS – ITEM 7:

There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:30 pm.

APPROVED:



Community Development Director