



APPROVED: November 7, 2007

**CITY OF ALBANY  
LANDMARKS ADVISORY COMMISSION**  
City Hall Municipal Court Chambers, 333 Broadalbin Street  
Wednesday, October 3, 2007  
6:30 p.m.

**MINUTES**

Landmarks Commissioners present: Linda Herd, Tom Hinckley, Oscar Hult, Derryl James (non-participant), Roz Keeney, and Heidi Overman

Landmarks Commissioners absent: Dave Pinyerd

Staff present: Planner II Anne Catlin, City Attorney Matt Jarvis, and Administrative Assistant I Tracy Swett

Others present: Approximately ten audience members, including the applicants

**CALL TO ORDER**

Chair Oscar Hult called the meeting to order at 6:30 p.m.

Planner II Anne Catlin introduced and welcomed the newest Commissioner Derryl James. She explained that James had not yet had an orientation with staff so would be observing from the audience rather than participating.

**APPROVAL OF AUGUST & SEPTEMBER MINUTES**

Commissioner Linda Herd moved to approve the August minutes as written. Commissioner Tom Hinckley seconded the motion, which passed 5:0.

Commissioner Heidi Overman moved to approve the September minutes as written. Herd seconded the motion, which passed 5:0.

**QUASI-JUDICIAL PUBLIC HEARING, Case File Number HI-16-07 (140 2nd Avenue SW)**

Hult called to order a public hearing on Planning file HI-16-07, a request to install a 70- to 80-foot-tall lattice-style communications tower on top of a history building, at 6:33 p.m.

Declarations:

Commissioners Roz Keeney, Herd, Hinckley, Hult and Overman all reported driving by the site.

Staff Report:

Catlin provided background information and read portions of the staff report she prepared for the hearing. She said discussion regarding the City's façade easement is scheduled for the October 8, 2007, Council Work Session. She read into the record the federal regulations for communication towers, which allow for restrictions due to previously established aesthetic regulations.

Catlin said the building sits in the National Register Historic Downtown District, one of four districts which were created to protect the aesthetic values of each area's architecture and history. Criteria exist for reviewing exterior alterations and for new construction within the districts. The application for the communication tower was reviewed against criteria for both exterior alterations and new construction.

She said the proposal is for a 70-foot-tall lattice-style tower with whip antennae on top of a building approximately 40 feet tall. Staff feels the tall, narrow tower is incompatible in scale to the wide mass and architectural character of the American Renaissance building. In addition, whip antennae would add height to the tower and the wider design would make them easily visible.

The tower, at its proposed height, will be visible from the street at all angles. Staff finds that with the current design and proposed height, the application does not meet the review criteria for either exterior alterations or new construction. Staff recommends denial of the application.

Applicant Testimony:

Property owner Bob Lund submitted a document into the record outlining the purpose, history, and effect of the tower on the community and public opinion (Exhibit A, in agenda file). He said the City has agreed to a 15-foot-tall tower and tonight's decision would determine whether the tower could be constructed up to the requested 70 or 80 feet tall. The tower installed on the building is 60 feet tall.

He said the building housed the post office until 1960 when it became City Hall. Modifications included a bomb shelter, jail, and entry aluminum doors. Lund said he just began to research if there was a communication tower on the building while it served as City Hall. Hult said if Lund could provide photographs documenting tower(s) on the building, it might establish a historic precedent.

Lund said no complaints have been received since the tower was installed on the building.

Public Testimony:

Michelle Brosnan, 1068 Canal Avenue SE, said she was a Parks & Recreation Commissioner and local business owner who assisted Lund with aspects of this project. She testified that she and Lund worked with former Planner II Pam Silbernagel on the project when they were exploring an exterior alteration project with Central Albany Revitalization Area (CARA) grant funding. Silbernagel told them the City's concern with the façade easement was the walls, not the roof. Silbernagel suggested HVAC equipment and the like be installed on the roof.

Brosnan said she was present during a telephone conversation Lund made to a person in the Planning Division who said that no permits would be required for construction of a ham radio tower. To the contrary, City personnel delivered a cease and desist order after the tower was constructed. She was concerned the City was going back on its word. She believes the tower is important to homeland security and there are many other towers greater than 15 feet in the downtown, citing the Flinn Block and the Linn County Courthouse.

James Badeau, 811 18<sup>th</sup> Avenue SE, was in favor of the application citing he would like to see "old town" redevelop into "new town." Hult requested testimony relate to the review criteria. Badeau said if new construction was allowed in the historic districts, this should also be allowed.

Chair Hult closed the public hearing at approximately 7:04 p.m.

Commission Discussion/Action:

Overman said HVAC equipment on the roof is different and could not be seen from the street. She did not believe the tower would be compatible. Hult agreed and said he thought a lower tower set back from the edge of the roof might be more compatible. Catlin said there was room to move the tower from the edge so a shorter facility would not be as visible from the street. Keeney said Commissioner Dave Pinyerd specializes in this and could suggest some good methods for screening. Hinckley thought as technology improved, a smaller antenna could achieve the same result.

Keeney moved to deny the application based on its failure to meet the review criteria with the current proposal. Herd seconded the motion, which passed 5:0

QUASI-JUDICIAL PUBLIC HEARING, Case File Number HI-24-07 (230 Lyon Street SW)

Hult called to order a public hearing on Planning file HI-24-07, a request to add a roll-up security door on the north side of the building, at 7:10 p.m.

Declarations:

Herd reported she had walked by the building. Hinckley and Hult noted they had driven by in the past

Staff Report:

Catlin reviewed the staff report and explained that the request was brought to the LAC because the original doors would no longer be visible when the roll-up door was in a down position. She explained the subject door was located in the alley adjacent to multiple dumpsters that serve the building's businesses. The property owner would like to install the door for added security given the recent dumpster fires.

The door would be affixed to the brick exterior. The original doors will be retained. The building is on the State Historic Preservation Office's (SHPO's) special assessment program and the office has approved the proposal with the condition that the door be painted to match the brick exterior. Staff recommends approval of the request, with the corresponding condition of approval to paint the door.

Applicant Testimony:

Property owner Claude Breshears testified that he wanted to install the door for safety reasons. The other doors to the building are one-hour fire-rated. If someone was to start a fire, the building would be vulnerable at this location.

Public Testimony: None.

Hult closed the public hearing at 7:18 p.m.

Commission Discussion/Action:

Hinckley moved to approve with conditions, as stated in the staff report, the request to install the roll-up door. Keeney seconded the motion, which passed 5:0.

CONTINUED QUASI-JUDICIAL PUBLIC HEARING, Case File Number HI-22-07 (703 4th Avenue SE)

Hult called to order a continued public hearing on Planning file HI-22-07, a request to rebuild the front stairs and install a new railing, at 7:20 p.m.

Declarations:

Herd, Hinckley, and Hult reported driving and/or walking by the site.

Staff Report:

Catlin reviewed the staff report. She said the front stairs are corner stairs which are a character-defining feature of the house. The application proposed a wrought-iron handrail to match the rail on the porch which was previously altered prior to the applicant taking ownership of the property. She said the applicant also proposed using T-111 siding under the porch.

She explained that T-111 siding would not duplicate the appearance of the original wood siding. She introduced pictures emailed by Commissioners Herd and Pinyerd (Exhibit B, in agenda file) which depicted different designs of corner stairs and handrails on similar style homes.

Hult asked the applicant if he desired to bring the house back to its 1890s appearance or more in the Craftsman style. Property owner Eduardo Meza-Meraz said he would like to go back to the Victorian 1890s style with turned round posts. He liked the handrail in one of the historical photographs.

Keeney asked if there would be an issue with height. Catlin explained that the current Building Official's interpretation was that as long as safety of a structure was not decreased by retaining a historic design, flexibility in the standards could be acceptable. In this case, because there is no handrail on the stairs, the Building Department would like the new railing to meet the building code. Discussion followed.

Catlin asked about timing and suggested this project would be a good candidate for the next round of residential rehabilitation grants and explained how the program would work.

Applicant Testimony:

Homeowner Eduardo Meza-Meraz said he would liked the turn posts in one of the pictures and he would use wood, rather than iron.

Public Testimony: None.

Hult closed the public hearing at 7:25 p.m.

Commission Discussion/Action:

Keeney moved to approve the new stairs and railing with the following conditions: the railing shall be finished in wood and staff must approve the final design and materials. Overman seconded, and the motion passed 5:0.

The Commission then discussed the request to install T-111 siding on the front porch. Catlin said the T-111 does not match the reveal and spacing of wood siding. Keeney thought it would be inappropriate to use T-111 siding.

Keeney moved to approve with conditions horizontal shiplap or wood siding on the porch. The design and final materials shall meet with staff approval She said the siding used would not have to match the dimensions of the existing siding on the home. Hinckley seconded the motion, which passed 5:0.

#### OLD BUSINESS

Catlin said Chuck Swoboda, the owner of property at 104 1st Avenue SE, was not present and she would prefer any discussion on the topic occur while he was in attendance. The Commission however, did reach consensus that the windows installed do not match the drawings submitted and approved for historic review. Catlin expressed concerns that Swoboda plans to rehabilitate the entry to match the new windows. Discussion followed.

#### OTHER BUSINESS

Catlin suggested an open house on the Monteith District expansion be held on November 7. She informed the Commission that she planned to propose to Council a change in the project process resulting in submission of the nomination form to the State on November 1, 2007, for the February 2008 meeting. Discussion followed. Keeney asked about property survey details. Catlin said she had not yet seen the details, but would forward information when received from the consultant. Hult asked the meeting format. Catlin said the Commission and Council could meet at 6:30 p.m., with public open house beginning at 7:00 p.m. Keeney asked how many properties were included in the proposed expansion area. Catlin said between 60 to 70 properties. The Commission agreed that the nomination form should be submitted in November for a February consideration at the State level.

Catlin said the Bathrooms Workshop was tentatively scheduled for October 20, but she might need to reschedule it to November 17. She had four properties confirmed. The workshop would follow the same format at the recent Kitchens Workshop. Overman said her house could be included if the date were moved to November 17. The Commission encouraged staff to reschedule to November 17.

Catlin said she was working on a evening lecture at Stutzman's on historic gardens. Discussion followed.

Hult asked that staff present a status of the compliance cases heard to date at the December meeting.

#### NEXT MEETING DATE

The next meeting of the Landmarks Advisory Board is scheduled for Wednesday, November 7, 2007, at 6:30 p.m.

#### ADJOURNMENT

Hearing no further business, Chair Hult adjourned the meeting at approximately 8:25 p.m.

Submitted by

*Signature on file*

Tracy Swett

Administrative Assistant I

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Reviewed by

*Signature on file*

Anne Catlin, AICP

Planner II