

## Other Handouts

June 24, 2020, Council Meeting.

Written comments received by city staff  
for HI-04-20,  
as of 5:00 p.m., Monday, June 22, 2020.

Ray Kopczynski  
1303 Tamarack Ct SW  
Albany, OR

Mayor & Members of City Council:

Having been where you're seated, I'm sure some of you have wondered "Why do we keep having to go through this process – where staff is required to justify polar-opposite positions on the same topic." At least I did. Nevertheless, here we are again...

It is no secret that during the run-up to where we are now (and while I was still on City Council), I was very adamantly and quite forthrightly, on camera being strongly opposed to the process by which we got to this point. I have not changed my mind whatsoever in that regard. However, here we are.

I watched the recent online Landmarks meeting to see what kind of proposal might be given considering the restraints on that piece of property.

It is my belief the Landmarks decision was & is based on very subjective criteria for the specific points they raised in their denial.

Notwithstanding what I call some "irrational exuberance and hyperbole" on both sides, I do have to come down very strongly IN FAVOR of the design put together by Bill Ryals and his team to make the best use of the location.

I say that from what I perceive are the adjacent buildings that are zero in historic nature and have nothing that remotely suggests they should even be in the historic district other than possibly being grandfathered in to eliminate gerrymandering of the district borders.

The design features the opportunity for small businesses (professional, food-based, or retail) on the 1st floor and even has a small "park" at the rear.

It could have been designed as a "big box" complex, but Bill has taken the high road IMO.

I wholeheartedly hope council approves the appeal and the design as submitted - without the serious "nit-picking" I perceive. Because in 10-15 years, those miniscule changes will never be wished for nor even remembered...

Thank you,

Ray Kopczynski

May 11, 2020

Ms. Laura LaRoque  
Mr. David Martineau  
City of Albany  
Albany, Oregon

**RE: PROPOSED BUILDING PROJECT, 3<sup>RD</sup> AND CALAPOOIA**

City of Albany:

I am writing in regard to the commission meeting concerning the proposed construction project on 3<sup>rd</sup> and Calapooia. I have followed the moving sand of ordinances and rules regarding the remodeling and construction in downtown Albany for a number of years. The appeal of the historic homes in the Albany area is amazing and well respected. I don't understand, however, the thought process of the commission surrounding this construction.

There are many examples of newer/reconstructed commercial buildings in downtown Albany that are very attractive buildings that fit nicely into our mixed-use area. I look at buildings like the senior living facility right across the street, the commercial building on Calapooia behind the post office, the historic carousel, and the old Greater Pacific Bank building as examples. These are all in the immediate area of the proposed new buildings and have added greatly to the downtown core area. These projects bring people and businesses to the area and allows Albany to showcase its historic district.

It is my understanding that the contractor has previously built in the downtown area and his construction was very well received by CARA and the downtown association. I can't believe that he would be willing to build anything less than another positive asset for the city. This construction will also add to the tax base by several hundred thousand dollars without significant city money, unlike the old Wells Fargo and St Francis Hotel projects.

This process has already taken far too long. I admire a company that will put in that much time and resources. Everybody (almost) realizes this addition will be a vast improvement to the city. The project should not be roadblocked by a few well-meaning but misguided individuals. My hope is that you will allow this building to be constructed quickly and add to the vibrance that you are trying to build in downtown Albany.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Bobb". The signature is fluid and cursive, with a long horizontal stroke at the end.

Certified Public Accountant

**From:** [Terry LaRue](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** DT Monolith Proposed Building Project ... Please, NO!  
**Date:** Monday, June 15, 2020 3:52:04 PM

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[External Email Notice: Avoid unknown attachments or links, especially from unexpected mail.]

I live in the Montheith Historical District on 6th and Maple Street SW. I moved to Albany from the San Francisco Bay Area late last year to get away from the overbuilding, density and the transitory nature of rental properties. I moved to a lovely historical district that Albany was proud to protect by existing building codes that ensured the integrity of the neighbourhood's lovely homes and open space.

When I first heard about this project, I selfishly thought it was a great idea. It was planned to be a few "brownstone-type" buildings that complied with the building codes of the historic neighbourhood. The plan called for a commercial component on the ground floor. I was wishing for a local grocery store or a nice coffee shop within an easy walk.

The plans for this project, however, are not that. They do not even pretend to comply with the building codes for this area. It's just a huge block of building dwarfing the adjacent neighbours for blocks around.

What I don't understand is how this project is even being considered for comment when it clearly doesn't meet existing standards and building codes for the Monteith Historical District. It's a step in the wrong direction towards overbuilding and destroying our lovely residential neighbourhood. This would be setting a terrible precedent of destruction of compliant historical homes in the area and reusing the empty lots for over building and commercialisation not to mention a total disregard for thoughtful development of the Monteith Historical District.

I support reusing the property for compliant housing that enhances the area.

Thank you,

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## 4<sup>th</sup> & Calapooia Proposed Building Comments –

From: Linda Melikian, 623 Maple St SW

### Public Meeting 19 May 2020 and City Council Meeting 24 June 2020

I believe that a mixed-use design is good for this area, but the scale of the buildings alone sets a dangerous precedent. To compare with poor past decisions of urban renewal that are truly regretted is not responsible and should not be a guideline. The proposed plan seems to make a mockery of the historic district intent. Below are just some issues I see with this proposal.

**Set-backs**- historic guidelines clearly call for new development to have similar setbacks to adjacent buildings. Set back for Bldg 2 approx. 18' closer to the property line than the adjacent property to the north. South elevation appears to be right on prop line. Both frontage setbacks well short of 5' minimum. There is no required “unifying pattern”. This is edge to edge development, and not in keeping with the neighborhood.

**Visually similar** – This proposal is the “poster child” of the “not this” examples given in the historic requirements. Monolithic was used throughout the proposal document and they are monoliths. Proposal pages 13-16 addresses size: “may be larger...should not be monolithic”, are 2x wider 7x bigger, “height should not overwhelm”. The mass overwhelms the surrounding buildings. Pages 28-36 address massing, rhythm, spacing, height, “this/NOT this” examples, roof shapes, windows. There is no relief in their facades on the street sides. Nothing is presented to the street-side as a residential similarity. A catalog appears to have been opened picking one of everything for windows and materials. Cultured stone, aluminum awnings and thin brick veneer are more appropriate suburban mall materials. What period/style is this trying to replicate? I repeat, **per the Historic Guidelines, this proposed development is the “poster child”, the exact example, for NOT THIS.** The proposal fails each of the examples.

**Building code** – numerous examples of not meeting code, just a few described here. Was there a Code review by an inspector prior to this going out to the public? For example, to be ADA compliant for living spaces there must be an elevator if at least one Type A apartment is not on the main level. Not on the plans. (The kitchenette apparently could “potentially become an ADA accessible apartment”. Doubtful.) There does not appear to be an “accessible route” on the property, per ADA. Appears to be an unsightly chain link fence (with wood slats that will deteriorate) around the property. Spaces are small – are there prospects to rent? Or, will they stand empty? There seems to be many code misses here.

**Parking** – Most cities require at least 1 to 1 spaces per residential unit. Three, plus one handicap, doesn't come close. Is there to be a parking variance? What is the commercial loading area for the businesses? This density will overwhelm the available street parking and be a burden to existing residents.

**Waste Removal** – Container area looks inadequate for 8 residences and 4 commercial establishments. How will the removal trucks access?

**Heat Pumps on Roof** – There appears to be six heat pumps on the roofs of the two buildings, versus the ground. This presents two issues, NOISE for the neighbors; and, access to service. How will a man-lift access to service?

My biggest question is, **how did this development proposal get this far?** It does not seem to meet **basic** building codes, it certainly does not meet Historic Guidelines. It would seem this project is NON-permittable, as designed.

If this project gets erected as proposed, what is to stop more monoliths being built throughout the historic district? If the precedent is there, why bother having Historic Guidelines for a Historic District? This proposal makes a mockery of the historic district and will damage not only the historic image but surrounding property values.

Let's go back to the drawing board and design product that is in keeping with the area – definitely NO more than two stories.



June 19, 2020

Albany City Council – re. HI-04-20 4<sup>th</sup> and Calapooia Development Proposal:

Restore Oregon is a non-profit that works statewide to save historic places. We represent thousands of community activists, homeowners, preservation professionals, like-minded investors, and users of historic places who want to preserve, protect, and pass forward Oregon's heritage. We have long admired the richness of Albany's historic districts, Main Street, and are currently engaged in efforts to repurpose the old Cumberland Church.

One of Albany's most valuable assets that make it such an authentic, livable community is its historic districts. The sense of PLACE you find in the Monteith district is unique and irreplaceable. More than a collection of individual homes, the district collectively tells a story, and it falls to City leaders to ensure good stewardship of that heritage.

Not that historic districts should be frozen in amber! Far from it. They must evolve and serve the needs of today. The trick is to retain their integrity by ensuring that new infill development is compatible and enhances, rather than distracts from or overwhelms, the historic context.

Having worked in communities across Oregon, vetting and publishing a Special Report on Principles for Compatible Infill Development in Historic Districts, **we urge you not to approve the oversized buildings as proposed for 4<sup>th</sup> and Calapooia**. They do not reflect best practices, lack the appropriate scale, massing, materials, and set-backs that a historic district of this caliber deserves, and do not fulfill Albany's own design criteria.

For the City Council, who is charged with protecting Albany's historic assets, to set aside approved design guidelines would set a terrible precedent for all future development in this and other historic districts. There are examples across Oregon of infill in historic districts that is historically compatible and financially profitable for the developer.

Thank you for giving our concerns your thoughtful consideration.

Respectfully,

Peggy Moretti  
Executive Director

June 18, 2020

RE: HI-04-20 Historic Review of New Construction

City Councilors:

Please vote **no** on HI-04-20, the proposed new construction for 4th & Calapooia. There are many reasons why the proposal does not fit into the Monteith Historic District; however, the principal reason is scale. Each building is over 40 feet tall and 6,732 sq ft with the combined square footage over 13,400 sq ft! These measurements make the proposed structures a bad fit with the residential neighborhood.

Here are some more reasons we think this design is incompatible with our neighborhood and should be sent back for major revisions:

- Scale, proportions and symmetry of buildings are completely incompatible with the neighborhood.
- The two buildings are identical; one facing each street. Not a good sign of inspired design for the given setting.
- Three full-height floors with no setbacks or step backs is unprecedented in the Monteith Historic District.
- Mixed-use construction is not in character with the neighborhood.
- The proposed exterior materials (i.e., composite brick, composite shingle, composite siding, composite windows) is not reflected in the buildings of the neighborhood.
- There are only four parking spaces TOTAL for the 12 units (8 residential and 4 commercial). This would interrupt the parking for local residents and crowd streets near the court house, making our beautiful part of Albany less desirable to be in and would be harmful to our small business as parking would be difficult to find.
- Existing sidewalk and planting strip removed, buildings built out to new sidewalk, and metal awnings over the sidewalk in a residential neighborhood.

Just because there are drawings does not mean this proposal is set in stone. The Monteith Historic District deserves respectful new construction. There is room for design improvements that can be sensitive to the neighborhood while providing ample returns for the developer. Glancing through the *Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods* provides dozens of examples of better design choices for a revised design. Please ask for a more compatible proposal.

Respectfully,

Chelsee O'Brien  
334 Calapooia St SW apt. 1  
Albany, OR 97321

June 18, 2020

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Respectfully,

Evin O'Brien

334 Calapooia st SW apt. 1

Albany, OR 97321

## Appeal of I H-4-20

Hi my name is Jeff Heesacker I live at 320 Washington St., Albany, OR 97321. I live within the Monteith national historic register District. I moved into my residence in May 2018, to live in a peaceful downtown district that was being revised and still is being revised to this date.

The reason why were here today is a historic appeal of HI-4-20. This is a historic review of two 3 story of a proposal at 525 and 533 fourth Street and 331 Calapooia Street. This would result in a combined lot on fourth Street, and one single building on Calapooia Street. So the result, will be instead of three buildings that were there before the proposal, now there will be only two buildings as a net loss of one building. There will be also a proposed, parking structure in the alleyway behind the concept building 525, 533 fourth Avenue. Here is what the backside of the three buildings looked like.

As as A reference point to my testimony today:



The combination of both buildings that are being proposed is in the downtown DMU downtown mixed use area in Albany. Both buildings would be in the historic District and in the national historic district area of Albany. I'm asking all the judges (you, our City council members) to judge it in the historic district and not any building outside that historic district(DMU). I'm asking the judges to judge it not just based on other commercial property but all properties within its district. Notwithstanding there was different proposals at the time this project came to the historic review of said properties. That means to judge the property like any other mixed use property. My judgment is also on mixed use property. This means that the property should have both users and both descriptions in the property. If property was residential only it should be compared to residential only if the said property was commercially then it should be judged by commercial property only but since this is a mixed use property we need to judge it by other mixed use properties(DMU zone), not to compare this concept to commercial or residential only.

This said, the property had a public hearing with the historic review in mind. The property also went under a staff report which was given and read into The public record. The public had the right to read and review the public record which was done very carefully with the historic review in mind. There is much animosity on both sides of the aisle and people want to think there is black and white but there is more than just black and white. We have to think about Albany and its future in mind. I stand by that historic review from the public hearing on Wednesday, May 6 and Tuesday, May 19, 2020.

The city staff report, as you have a copy of it, for the May 6, 2020 hearing went into great work details. It took into consideration a lot of variables in its report. The staff, made its recommendations to the historic commission and the developer in A complete and accurate report. It made several recommendations and changes to the proposal. For whatever reason the developer did not go back and exercise those changes and place meeting on hold or re-develop the proposal so that the public could see those changes that the city staff has recommended. Therefore I recommend you the judges send it back to the developer and let us see what the new proposal, that what it would look like under the cities recommendations to re-develop the plan that is in front of you today!

For the proposal, I live at 320 Washington St. which is next door to the project. I have contacted all my surrounding neighbors, around me on the same block. What I mean by neighbors, is the people who live and call this block home. I'm not referring to the commercial inhabitants of this block. Since this is a mixed use area that's why I talked to my neighbors who live here 24/7 365. As I see this it is a mixed use area, he the developer talked to the commercial people and as far as I have gathered(from the previous public hearing), with my neighbors, the developer did not talk to the inhabitants of our neighborhood. This is why I refer back to our mixed use area! He has talked to all commercial inhabitants but not to the primary inhabitants of the area! My question to you the judges of this development is why did he not talk to the inhabitants of this neighborhood who live here 24/7 365? to get their input on developing this critical piece of land in Albany Oregon.

On May 19, 2020, the Albany Landmarks Commission DENIED the application, described above. The Commission based its decision on the project's lack of conformance with the review criteria listed in the Albany Development Code, specifically ADC 7.270(1)(a) and (b), in addition to other applicable standards and review criteria listed in the Albany Development Code and consideration of public testimony. This is on the record for public record and can be reviewed. The response and you can see the testimony for the public's response to his concept and design work. Which I agree, and urge you the judges to see it for yourself why they did deny the above proposal.

Please refer back to Albany's development code 7.2701(a)&(b). I know as judges you will all be able to look at the code and interpret the code differently but I urge you to deny it as an out right denial at this point. We're only here to look at the original proposal. not anything new, that he has brought up today, can change the facts, he cannot offer any new testimony. We are only here to hear the original proposal. His proposal was off, and in very bad taste in this historic district, in combination with the downtown DMU zone. He is replacing three historic houses with two commercial DMU buildings. He is not doing like (4)like structure for structure. However I understand why he's doing this, it's for the money It's not to make Albany's historic district **(historic)**but that's the point, the point is to keep it historic concepts and designs, that keeps historic in context with downtown mixed use area. This is a historic area, and is on the edge of the historic downtown, please keep this in mind the edges and French's are always in question when these.

There are several things that come into mind, when that subject property did not match with his drawings and his proposal at the time of the hearing. I, the member of the public could not ask, the person making the proposal any questions in regards to rebut any of his statements I have to rely on you the judges to ask those questions! I hope that you can ask those questions, because the member of the public can't ask those questions to the applicant.

1. He, in his Verbal testimony put the five story building at third and Calapooia in the historic district proposal this was totally in accurate. The building is in the DMU but it's not in the historic overlay. The general public is not in tune what is the historic district and the downtown district if they're not familiar with the area.
2. Would you please clarify this with the general public and the laypeople thank you! they are two different districts that played here! I'm urging you to only consider the historic relevance of the structure, and those things that make the building historic, and remove things that are ill relevant.
3. He failed to describe the historic characteristics of the building being proposed. Architect failed to point out the characteristics of this building that make it historic and conform to the historic district. This is why the proposal failed in front of the landmarks commission. Please read the complete record and you'll be the judge of what transpired at that meeting.
4. Since I live in the historic District, this proposal smooth finish composite lap siding is totally incorrect for the district that needs to be a wood lap siding not made of composite materials. He has proposed powder coated metal awnings and cultured stone which doesn't even compare to any of the downtown historic buildings to make a commercial look like it's historic counterpart. He has composite window frame, which in my structure is not allowed I cannot do the same in my historic building.
5. The applicant did not consider the people who live in the district! His only concern was the commercial side of the building! According to his testimony and the people who supported him we're mostly on the commercial side of the project! And notwithstanding were the other side on the residential side. The residential side considered the commercial but not the other way around.

### **So going forward from this point.**

#### New construction criteria objections

1. The development must contain the underlying development patterns such as sidewalk tree location, setbacks, building coverage, and orientation to the street. Sum of these requirements are met but not elaborated on in his drawings to make a clear and convincing decision here today.
1. Currently there is no trees planted in front of the proposed structure here is a current photo of the front of phase 1 building one standing at the corner of building two phase 2.



2. His setbacks in building one is not compatible with the district, but not nearly enough with the surrounding area and what it was when the other two structures were on this lot. Building two sets next to the sidewalk itself so there is no setbacks on building two on the Calapooia side where this picture was taken. This means there is no clear vision area when you are driving down fourth Street

and you need to look at the right side, as not to get hit from somebody going down Calapooia Street going towards fifth Street.

3. Now the building coverage. The coverage is not compatible with the surrounding area. This is where the mass of the structure outweighs ground coverage of the lot. This building is three stories, 40'10" tall, so when collectively all three floors are considered mass. This mass collectively is more than the most in the historic district.
  
4. The proposed parking structure, was shown in two different concepts during the meeting and misleading the public. The proposed fence structure between my house and the fence is incompatible, there will be no room for fire access to that side of the building, as this is the bedroom side of the building. There is not enough egress on that side of the accessory building, as proposed.
  
1. Clearly the orientation to the street is correct in this case. His orientation is correct and compatible with the district
  
2. Is the structure is of be similar size and scale of the surrounding buildings and as much as possible reflects the craftsmanship of those buildings.
1. In the drawings submitted to you for today's hearing the height of the building is 40'10" tall. the height of the structure this however does meet the height requirement in the code. The ordinance clearly states that the size and scale must be compatible with the other structures inside The Monteith historical district. This means that the tallest point should not be more than any other buildings in the zone(the tallest point in the zone)(Monteith historical district). Please refer and commit to reading this pamphlet developed by the city of Albany,"Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods" Remember, you are the judge, this pamphlet is full of rules and regulations set forth on the day it was published in past by the city Council for future rules and guidelines. By judging all guidelines in this pamphlet passed by the previous people on the city Council, that the city Council has put out for your summary judgment on this today. There are clear photos, clear drawings, clear guidelines, clear city state county and federal regulations and most of all notwithstanding was passed with the city approval when this pamphlet was put out, and is still in force today, under the city rules and regulations. Please remember you are the judge, we don't yell fire in a theater because of rules and regulations set forth by wiser men and women! Below shows the old fashion way of demonstrating what a property would look like under these conditions



**320 WASHING IN THE ALLEY NEXT TO DEVELOPMENT**



2. Clearly this building will be the taller than any near by structures and be very disproportionate than any other structure nearby in this block. All surrounding buildings were smaller than the proposed structure, this was clearly described in the staff report. The staff report went into great detail explaining this discrepancy. Please refer to your staff report on this. Clearly the height of the development will cast a shadow on to my property as well as the other property in the Block on Calapooia Street and the alleyway. Clearly 90% of the property in the surrounding area is residential buildings and 10% of the buildings are commercial buildings. I have only found one mixed use building in the Monteith historical district. This is the Fort miller building which has been re-purposed this was re-purposed not brand new, however I understand the difference between new construction and re-purposed construction. That's what we're talking about today. That's why there's a small latitude of similar size and scale. Here is a picture of the Fortmiller building repurposed:



Backside of the Fort Miller building:



As you can see the similar size and scale is clearly in this re-purposed building. You(the judges) can see the building next to it is of the same size and scale(public library). If I'm not mistaking the four, enclosed parking places for that structure, were added at the time of the public hearing for this building to be re-purposed.(please clarify that for me(staff). The proposed building in this case, is of the same size and scale, to fit the neighborhood in are historic district.

If in this case the original 3 homes, were re-purposed, those structures would meet phase 1 is proposed development. Refer back to the original pictures of what was there before demolition occurred of the original homes.

There would be no question that it would be compatible, but now, Since there are no structures and there is a completely bare a lot (see photo),and is going, with new construction this application. The new building's is not compatible with the neighborhood. In this part of the block, there is Five residential buildings meaning there are people living in them 24/7 365, there is only one commercial structure(IE, businesses). The other half of the block is taken up by one commercial structure and it's parking, with out buildings. The complete block is represented here in these photos:



The building's must reflect the craftsmanship of those buildings in the neighborhood as much as possible according to Albany's development code 7.270(1), referring back to the cities pamphlet on guidelines for new construction! Here are some pictures from the neighborhood take a look at the submitted drawings and you be the judge to see if the craftsmanship of those buildings reflect the neighborhood. Also I am aware of that if we are in a mixed use area and that needs to be taken into consideration.









**4 TH STREET REPURPOSED**



### **THIRD STREET REPURPOSED**

The building's must reflect the craftsmanship of those buildings in the neighborhood as much as possible according to Albany's development code 7.270(1), referring back to the cities pamphlet on guidelines for new construction! Here are some pictures from the neighborhood take a look at the submitted drawings and you be the judge to see if the craftsmanship of those buildings reflect the neighborhood. Also I am aware of that if we are in a mixed use area and that needs to be taken into consideration.

Please take a look at this next photo,



### **5TH STREET WITH MIXED USE OF BUILDING**

This is what a mixed use building looks like in the neighborhood, besides the repurposed Fort Miller building. please look at the size and shape of this building, as this is of the same shape and size of most of the other buildings in the Monteith national registry historic district.

(3). Building materials are reflective of the complementary to existing buildings within the district.

Please refer to his drawings when you look at the building materials submitted, in this report. He is calling for powdered coated awnings with cultured stone, smooth finish “composite” lap siding, composite window frame with wood trim, Hardy shingle composite siding, The placement of HVAC heat pumps, on the roof, monody mem brain powder coated metal railings.

Most of the buildings in the neighborhood do not have these characteristics and reflective capabilities that are being presented here today. Like the positioning of the HVAC pumps on top of the roofs most of the neighborhood is on the ground next to the buildings. Powder coating awnings are on commercial buildings alone they are not on a mixed use building as from the picture above you can see there is no powder coated awnings on the mixed use building's. There is no monody membrain that is visible on any house in the neighborhood or any of the mixed use buildings currently in the neighborhood. The lap siding that he proposed of composite material is not also compatible with the neighborhood, The neighborhood is mainly made up of wood siding and or vinyl siding left over from a different era, that did not enforce historic preservation as mentioned in Albany's development code 7.270(1). Please go through this very carefully and debate all building materials that need to be complementary to existing buildings within the district. As this problem exist with, The applicant. The applicant has been known not to truthful and forthcoming with his projects as described below:

The applicant has not represented his prior projects to be true and complementary to the neighborhood for which he serves, please keep this in mind as you're judging on this project.

Please judge him on his prior projects as this is what we are here today to see and to listen to the applicant, See his past performances, his resume, his accomplishments. Keep in mind if the applicant is not true and forthcoming, with his past performances, as you can clearly see below. please, I beg of you to judge the applicant on his past performances.

I'm offering a fourth coming to you from one of his previous projects:

One of the applicants projects, is located at 904 2nd Ave, In Albany Oregon as this picture represents below:



**904 4TH AVE ALBANY OREGON**



**207 MADDISON ST.**

As, you can see from the front of the building, The complete lower section is made up of brick on its façade. The upper part of the building 1/3 of it is made up of the same brick. My question to you as the judges is to look at this building and then take a look at these other pictures of the neighborhood in the same block. Here is those pictures so you can see what the neighborhood looks like:



**INFILL PROJECT BY APPLICANT**

Does his building as much as possible reflect the craftsmanship of the two buildings side-by-side? according to the review criteria set forth in Albany's development code 7.270(1) ? As you can see the one, is made up of 85% of brick, that faces the street. The other one is 100% wood and has historic looking, The duplex is not. This is not reflective of the neighborhood.

The following are two more photos of the neighborhood and be your own judge and see if these two houses are of the reflection of the same craftsmanship as the duplex on the corner of 904 2nd Ave. his project.



**TYPE TO ENTER A CAPTION.**

For you, as a judge remind your self you need to look within, new construction review criteria. If being built it must reflect the surrounding buildings as much as possible and reflects that craftsmanship in those buildings surrounding this project. Please also keep in mind that the application is incomplete(as city staff has noted) at this particular point, as there are outbuildings being presented here today, with in his consept drawsing that also need to be historically reviewed.

We (The public here being represented by us in the community) have not been able to see those concept drawings of those outbuildings. If they're complementary also to the neighborhood. Here's a picture of a outbuilding in the neighborhood where this project is going to be built.



**TYPE TO ENTER A CAPTION.**

Please remember to refer, to see what has been submitted for your approval. Please look at the size and shape and material. it is not even listed for the outbuildings for these yet!. I believe The application is not complete because all submitted criteria, for your review, is not in front of you at this time.

At this time I would like to ask city staff, Series of questions! related to my property and his property at the same time and go through a checklist with you as a judges listing to city staff and this contested property!

1: As related my house sets next-door to this property and new construction and I know the difference between new construction and previous construction practices and fulfillment of each. Some of the Lay public may not know the concepts of both but I will try to keep it short and to the point.

I have 100% wood windows in my building is displayed here by the following picture picture:



**DOUBLE HUNG WOOD WINDOWS FROM 1930 VINTAGE HOUSE. 100% WOOD WINDOWS.**

At this time I would have to use 100% genuine wood not composite wood to build the new frames and re-install the windows is this a true fact and a true statement?

Applicant is requesting the following: composite material:  
The window in this case is made up of the following:

The integrity of the composite material is better than it is for the individual ingredients that go into it. Fibrex material, for instance, made of wood fibers and thermoplastic polymers, offers better energy efficiency than wood, better thermal performance, and the ability to produce custom sizes more readily. And while vinyl frames are known to have a higher expansion/contraction rate that can bow or break the glass seal, Fibrex material can offer the low-maintenance features of vinyl with very little expansion/contraction. It is these ingredients together that offer homeowners a unique blend of low-maintenance features yet they remain beautiful, long-lasting\* and energy efficient.

I cannot use a composite material on my building, when the building next-door can use composite materials for their Windows?

Would have to get permission first? then and only if I got permission to use the composite window material?

This is also the same true for the powder coated iron that they have represented here in their drawings and design? Here is a pix of the powder coated iron they have proposed:



**POWDER COATED IRON**

The HVAC split heat pumps are on the roof also which not compliant in the historic zone, on a roof? Hidden from the public's view? Is this a fact or not allowed in the historic zone city staff please acknowledge, thank you Please explain where it needs to be. This could be both historic review and a building issue. I'm looking at the historic standards for new construction.

At this time there is an overwhelming number of conditions of approval in the city staff report, to make a clear decision at this time. At this time I ask city staff to explain the conditions set forth in your report again(or review them for us the public to reflect on your(staff) comments. The historic review(again) will also made it clear that the size and mass had its problems, getting approval, during this approval process from your

historic commission. The, historic commission is to look out for all concepts and designs of new structures and previous historic structures in the City Of Albany. Why wouldn't you, our judges, listen, to the ones that have, been and appointed the city council of previous councils .They to bring about the concepts of historic District into the previous construction and new concepts of construction in these historic areas of Albany Oregon.

There is also overwhelming problems and concerned that the public has on this design of this proposal. This needs to be sent back to the applicant at this time to re-design the proposal. And have the applicant sit down and talk with the public that is nearest and lives the closest to the proposal to render a design that would fit in the neighborhood. None of the drawings, No verbal agreements, can acted upon today to reflect this project going forward. If you approved the application today it will look like his past projects indifference to our neighborhoods in Albany Oregon. This concept does not fit the concept and or designs of the historic neighborhoods, of Albany oregon as demonstrated by his previous work.

The application is incomplete, past performances dictate what is going forward on this project. You, are the judges and must decide today not to go forward with this project, there's an overwhelming amount of evidence not to proceed with this project today. There are too many unknowns, variables, New construction criteria is not met. There is too much mass and scale of the building. The subject property abuts, the historic contributing single-family residential dwellings to the north and E. Calapooia St. to the west and fourth Ave. to the south. They have structurally been here for several decades, this would place the new building out of character for the neighborhood. The architecture details proposed should be found within, the architectural styles found within the historic district. The architectural details of the proposed new building should make it obvious it does not belong in the neighborhood. There are better ways to incorporate a mixed use in this neighborhood. Like making them retro looking like the three previous buildings that were there. Plenty of parking, plenty of places to have a small intimate shops, Plenty enough room for owners to live in their buildings.

Thank you, Remember you're the judges today! making Albany a simple our place to live, work, and live with all kinds mixed use neighbors, not just residential not just commercial but a DMU area



**From:** [KRIS MCLAUGHLIN](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Siegner Property Proposal  
**Date:** Saturday, June 20, 2020 11:51:41 AM

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Please convey my thoughts to the Albany City Council.

I urge the Council to reject the current plan for the 4th and Calapooia property owned by the Siegners. I have looked at the schematic, and it looks terrible. Please consider the following points:

- The buildings are far too large and tall and will dwarf the surrounding homes.
- The design is not compatible with the structures in the area.
- The lack of set back makes the buildings even more intrusive.
- Inadequate parking will stress a neighborhood that already has parking issues.

Something needs to be built on these lots, but it shouldn't be this pair of behemoths. The Siegners should reconsider their design and should submit a new plan that shows more careful attention to the aesthetic and needs of the neighborhood.

Also, I question the choice of a de novo hearing for this matter. If I understand it correctly, this designation allows the Council to ignore the work already done on this issue by the Landmarks Advisory group. Why in the world would a Council choose to ignore the work of a legitimate advisory council? Landmarks spent hours hearing testimony on this topic, and that wasn't because it was a simple, easy decision. Landmarks specializes in issues of this type, and unless the Councilors are planning to become experts in every area that comes before them, they should value and respect the work that comes from advisory groups. An ill-advised decision, (in this case, approval of this construction project) would be an ugly monument the neighborhood would have to live with for years.

Respectfully,

Kris McLaughlin  
3192 Pacific Place SW #B  
Albany, Oregon 97321

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information. Any unauthorized review, use, disclosure or distribution is prohibited. If you have received this communication in error, please notify the sender immediately and destroy all copies of the original message.

Dear City Councilors,

As you hear the appeal for HI-04-20 I wanted to summarize what I felt were the most relevant pieces of our 7 hour Landmarks hearing.

We heard, as I'm sure you will as well, many interesting and compelling arguments that simply weren't within our ability to consider, nor will they be within yours. We heard objections about parking; we heard opinions about past hearings relevant to the property; we heard about the excellent character of the Siegners, the boon to business this would provide, about the threat of future developers, and about the importance of increased housing opportunities. All of these arguments are interesting and compelling, many are categorically true, some are matters of opinion. None were relevant to the criteria by which we were to evaluate.

This was a struggle because while the decision had to be aligned with the criteria offered, there were factors that felt deeply important. I believe the Siegners did their best to offer a proposal that would be accepted. They chose a well known architect with experience restoring historic buildings --from the commission itself no less! They genuinely seemed to want to offer a beneficial resource to the neighborhood. They worked within the guidelines they thought were relevant.

Throughout the hearing, their architect, Bill Ryals, asserted many times that the Historic District overlay was not binding in its restrictions, but advisory, and expressed that he'd only seen the Historic District used to provide further flexibility in design. It is true that the code can provide flexibility for further historic accuracy as documented in ADC 8:

ADC 8.120 Relationship to Historic Overlay Districts. ... For development subject to historic review under Article 7 [Historic Overlay District], the review body may grant flexibility in meeting any of the design standards where necessary **to achieve historic compatibility**. (Bolding mine)

However, the HD overlay does not just provide flexibility; it is also restrictive and provides binding guidance. In this particular location, the Downtown Mixed Use (DMU) zoning and the Historic District overlap. The code, while discouragingly muddy in many places, is perfectly clear in this area. Both the DMU and HD are relevant and where they disagree, the more restrictive applies. The following sections of code (all bolding mine) are very clear about this.

ADC 1.040 Interpretation (4) **Where the conditions imposed by a provision of this Code are less restrictive than comparable conditions imposed by other provisions of this Code or other sections of the Albany Municipal Code, the more restrictive shall govern.**

ADC 7.000 Overview. The regulations of the Historic Overlay District supplement the regulations of the underlying zoning district. The historic overlay district provides a

means for the City to formally recognize and protect its historic and architectural resources. Recognition of historical landmarks helps preserve a part of the heritage of the City. **When the regulations and permitted use of a zoning district conflict with those of the historic overlay district, the more restrictive standards apply.**

It seems that the Siegners' entire package was predicated on Ryals' incorrect belief that the DMU guidelines were the only binding guidelines and the HD overlay simply required design nods, but not compliance. It disappoints me that they worked hard to hold to code, but were not fully informed about which code was relevant. Despite that disappointment, the application clearly did not meet the needed criteria developed in partnership with the community

I say "developed in partnership with the community," because this principle is one that I hold in my consciousness whenever we, on Landmarks, have a hearing before us. I continually remind myself that just because the applicant tried hard, or didn't know, or whatever personal appeal comes through the face to face hearing doesn't change our evaluation criteria and that those criteria represent the agreed upon and codified desires of the Albany community. It's easy for code to seem faceless, but it is the work of many people deeply committed to the district and the neighborhood and it is the guide by which we all navigate. So even as I am frustrated with the complications to the Siegner's plight and want them to find an easy end, I remember that it is not the Siegners vs the Code. It's that the Siegner's application falls short of the agreed upon standards of the community in which they want to build.

Ultimately, as we considered the criteria listed here:

#### New Construction Criteria (ADC 7.270(1))

Criterion 1- The development maintains any unifying development patterns such as sidewalk and street tree locations, building coverage, and orientation to the street.

Criterion 2- The structure is of similar size and scale of surrounding buildings, and as much as possible reflects the craftsmanship of those buildings.

Criterion 3- Building materials are reflective of and complementary to existing buildings within the district.

Three commissioners and I found that the size and scale was so out of proportion with the surrounding neighborhood (height was a determining factor for me) that the application simply could not be approved. The striking similarity the drawings bear to the "Not This" example under the "Scale & Proportion" section of the "Guidelines for New Construction in Historic Districts & Neighborhoods" pamphlet explaining the code, weighed heavily in my decision.

Let me be clear that I am not without feeling at the money, time, and effort the Siegners put into this application. If I were them, I would be beyond frustrated to go back to the drawing board and at the events that got them to that point. It is simply that their proposal falls short of meeting the review criteria.

Finally, I wanted to share that the hearing, while certainly eternal, was not all discouraging. There were many promising things too. While it was tense at times, I did not feel like it was contentious on the part of any party. I left feeling that common ground was vast and a new proposal could meet both the needs of the Siegners and the guidelines of the district. Very few, if any, of those who provided comment objected to the mixed use. Many were excited about the possibility. *Everyone* involved in the hearing was interested in the health of the neighborhood and valued the historic district.

I see the Signer's desire to create an amazing property that fits within the district. I just hope that the outcome results in a development that prioritizes both the needs of the Siegners and the surrounding district.

Sincerely,

A handwritten signature in purple ink that reads "Kerry McQuillin". The signature is written in a cursive style with a large, stylized "K" and "M".

Kerry McQuillin  
Landmarks Commission Chair

June 22, 2020

Dear Albany City Councilors,

Please vote **no** on HI-04-20, the proposed new construction for 4th & Calapooia. As someone with ties to the Albany community, I have been following the saga of the property from purchase, to demolition, to the new proposal. The Landmarks Commission has made it clear the design of these buildings needs to be changed in order to fit in with the existing houses in the area. Your website states the following: the purpose of this commission is to “safeguard the city’s historic and cultural heritage; foster civic pride in the beauty and noble accomplishments of the past; protect and enhance the city’s attractions; strengthen the economy of the city and property values; and promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the city.” The proposed buildings will be a massive distraction from the beautiful homes in the area. There are many reasons why the proposal does not fit into the Monteith Historic District; however, the principal reason is scale. Each building is over 40 feet tall and 6,732 sq ft with the combined square footage over 13,400 sq ft! Nearby homes will be dwarfed and shadowed by these tall buildings. Additionally, the buildings and concrete cover 87% of the property. That does not fit in with nearby buildings either as they have plentiful green space for wildlife to flourish within the city. Both of these measurements make the proposed structures a bad fit with the residential neighborhood. Please imagine walking the streets with beautiful historic homes, set back from the street with trees in the front yard for shade on the sidewalk and property. Now imagine yourself walking down the same street only to be met by a towering building built right up to the sidewalk along with extra cars on the street for business and residential purposes. Not nearly as enjoyable or keeping with the historic heritage of the area.

Here are some more reasons why this design is incompatible with our neighborhood and should be sent back for major revisions:

- Scale, proportions and symmetry of buildings are completely incompatible with the neighborhood. The two buildings are identical; one facing each street. Not a good sign of inspired design for the given setting. Three full-height floors with no setbacks or step backs is unprecedented in the Monteith Historic District.
- Mixed-use construction is not in character with the neighborhood.
- The proposed exterior materials (i.e., composite brick, composite shingle, composite siding, composite windows) are not reflected in the buildings of the neighborhood.
- The proportions and symmetry of buildings are completely incompatible with the neighborhood.
- There are only four parking spaces TOTAL for the 12 units (8 residential and 4 commercial).
- Existing sidewalk and planting strip removed, new buildings built out to new sidewalk. Metal awnings over the sidewalk in a residential neighborhood.

- Such large buildings along with less green space will surely bring down property values for homes in the immediate area.

Just because there are drawings does not mean this proposal is set in stone. The Monteith Historic District deserves respectful new construction. There is room for design improvements that can be sensitive to the neighborhood while providing ample returns for the developer. Glancing through the *Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods* provides dozens of examples of better design choices for a revised design. Please ask for a more compatible proposal.

Respectfully,

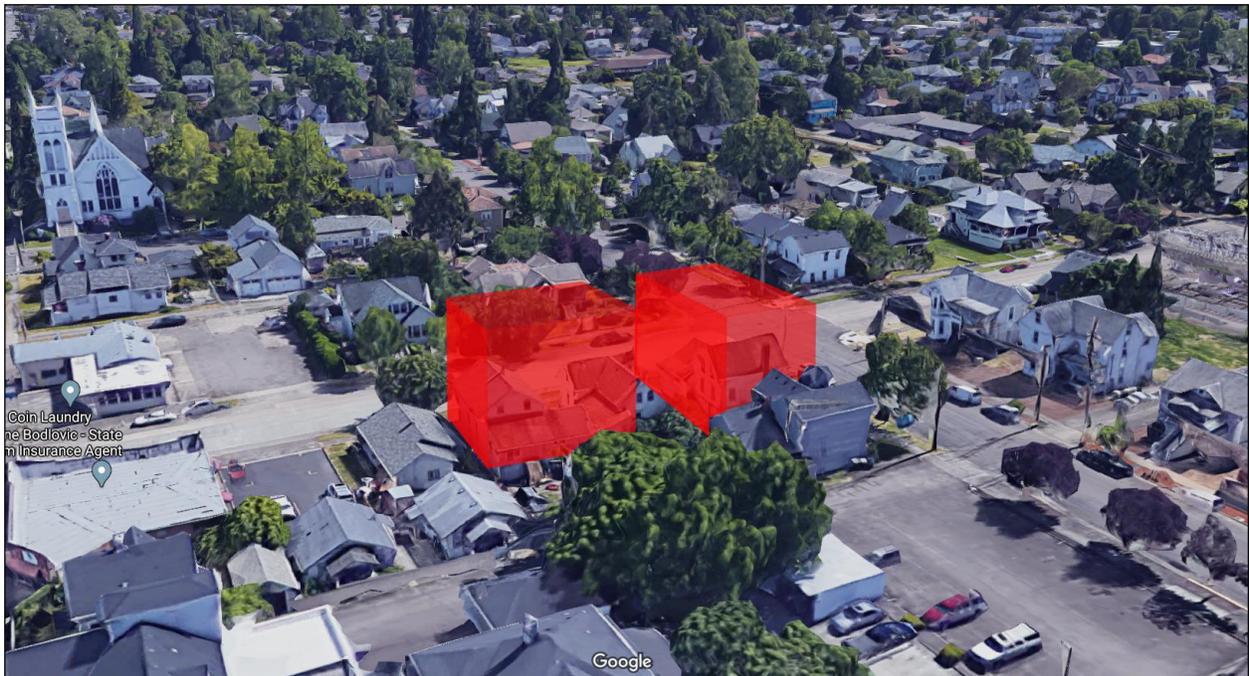
Ashley Baldwin  
11030 Barclay Point  
San Antonio TX 78254

June 21, 2020

RE: HI-04-20 Historic Review of New Construction

Albany City Councilors:

Please reject the appeal of HI-04-20, the monstrosity proposed for the residential Monteith Historic District. The proposal is putting one couple's desire to maximize profits above all other property owners within the historic district who have played by the City's rules for decades.



I am all for new construction to fill these now-empty lots, but it must be compatible with the historic district (see the *Design Guidelines* in your packet). This proposal needs to be redrawn from scratch and a compatible design resubmitted.

Respectfully,

David Pinyerd  
1116 11th Ave SW  
Albany OR 97321  
[pinyerd@gmail.com](mailto:pinyerd@gmail.com)

**Written Testimony Received in Advance of the  
Landmarks Commission Hearing Held on May 6<sup>th</sup>**

**From:** [Smith, Marilyn](#)  
**To:** [Sullivan, Jennifer](#); [Martineau, David](#); [LaRoque, Laura](#)  
**Subject:** FW: public comment, HI-04-20  
**Date:** Monday, May 4, 2020 8:47:40 AM

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**From:** City of Albany <no-reply@wufoo.com>  
**Sent:** Sunday, May 3, 2020 10:17 PM  
**To:** Smith, Marilyn <Marilyn.Smith@cityofalbany.net>; Harrington, Matt <Matt.Harrington@cityofalbany.net>  
**Subject:** From the website: Contact the City of Albany [#3893]

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Your name *	Kate Foster
Your phone number *	(503) 989-4138
Your email address *	<a href="mailto:albanykate@yahoo.com">albanykate@yahoo.com</a>

Your comments \*

Comments against HI-04-20: Historic Review of New Construction of two three-story mixed-use buildings within the Monteith National Register Historic District; 525 & 533 4th Avenue SW; 331 Calapooia Street SW.

[https://www.cityofalbany.net/images/stories/cd/planning/planreview/HI-04-20/SR\\_HI-04-20.pdf](https://www.cityofalbany.net/images/stories/cd/planning/planreview/HI-04-20/SR_HI-04-20.pdf)

5.030 (2) DMU - DOWNTOWN MIXED USE DISTRICT. The DMU district is intended for a mix of retail, services, institutions, offices, and housing that supports businesses in and around the Historic Downtown District. Mixed uses are encouraged both horizontally and vertically. High-density residential infill and office employment are both encouraged. [Ord. 5894, 10/14/17]

5.040 Establishment of Special-Purpose Districts. Special-purpose districts are overlay districts that may be combined with a major zoning district. The regulations of a special-purpose district are supplementary to the regulations of the underlying major zoning district. The regulations of a special-purpose district and the major zoning district shall both apply to any site that has both designations. Where the regulations and permitted uses of a major zoning district conflict with those of a special purpose district, the more restrictive standards shall apply. The special purpose districts and the additional regulations that apply in such districts are summarized below: Historic Overlay Article 7

This property is zoned DMU with HD overlay. That means the above paragraph applies. So if there are any conflicts, the more restrictive standard between the two districts would apply. Multi family with 3 or more units requires a Special or Conditional Use per Table 5-1. Retail and Offices are Special permitted uses in the DMU zone. Unfortunately, the staff report indicates all of the uses are permitted and can be approved with minor changes to the site plan at the building permit stage for the DMU zone. So the way to get at this is to focus on the HD portion of the zone

and look for conflicts.

For the HD zone:

HISTORIC REVIEW OF NEW CONSTRUCTION 7.230 Purpose. The purpose of reviewing the exterior design of new construction within an historic district is to ensure that new structures over 100 square feet are compatible with the character of that district.

7.270 New Construction Review Criteria. The Community Development Director or the Landmarks Advisory Commission must find that the request meets the following applicable criteria in order to approve the new construction request: (1) Within the Monteith and Hackleman Districts: (a) The development maintains any unifying development patterns such as sidewalk and street tree location, setbacks, building coverage, and orientation to the street. (b) The structure is of similar size and scale of surrounding buildings, and as much as possible reflects the craftsmanship of those buildings. (c) Building materials are reflective of and complementary to existing buildings within the district.

The proposal does not include structures of similar size and scale to the surrounding buildings.

The staff report states "2.3 In comparison with the abutting historic contributing single-family residential dwellings to the north and east, the proposed structures are approximately twice as wide and seven times as big."

and "Conclusions 2.1 The proposed structures are approximately twice as wide and seven times as big as abutting singlefamily development. However, the mass and scale of the proposed structures is visibility reduced by building articulation and vertical or horizontal changes in finish materials, color, and texture."

I disagree with staff that a building that is SEVEN times as big as the surrounding structures meets the criterion for structures of "similar size and scale to the surrounding buildings". I disagree with staff that minor building articulation combined with vertical or horizontal changes in finish materials, color, and texture are going to make a building that is SEVEN times larger as the surrounding buildings look small enough to be considered similar in size and scale to them. Be realistic. The criterion is not met by the proposal.

Deny this application or request a modified plan submittal that contains buildings that are ACTUALLY similar in size and scale to the surrounding buildings.

Kate Foster  
Homeowner of 2815 Marion St SE Albany, OR 97322

Please include your address, if applicable.

485 Young Street  
Woodburn, OR 97071  
United States

Disclaimer \*

- I am providing my email address to the City with the understanding that it will only be used for City business and NOT shared with third parties.

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**From:** [Keith Sandberg](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** File: HI-04-20 Hearing for Application, Historic Review of New Construction Mark and Tina Siegner  
**Date:** Tuesday, May 5, 2020 1:33:27 PM

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Good afternoon Laura,

This email regards the application submitted by Mark and Tina Siegner to develop properties located at 525 and 533 4<sup>th</sup> Av SW; 331 Calapooia St SW Albany, OR 97321.

My wife Barbara and I have owned the property located at 340 SW Washington Albany, Or 97321 since 1998 and we thank you for the notice of hearing you sent us dated 4/16/2020.

Although we intend to join the hearing virtually that will take place 5/6/2020 at 6:00 PM, we wish to go on record prior to that meeting in support of the proposed development by the Siegners.

We have owned our building since 1998 and have noted the previous blighted conditions of the properties in question prior to the Siegner's ownership. When we heard of the Siegner's plans, we were delighted that action would finally take place to replace a very negative situation with beautiful, welcome, and useful structures that will enhance a neighborhood that has needed this kind of change for many years. We enthusiastically support the Siegner's proposal and encourage the Landmark's Commission to grant approval as soon as possible.

Sincerely,

Keith and Barbara Sandberg  
503-930-8742

3666 Fir Tree Dr. SE  
Salem, OR 97317

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Laura, City of Albany Staff, and Landmarks Commissioners,

Because I can not give handouts in person, attached are photos and graphs to send to the Landmarks Commissioners ahead of time for my testimony against HI-04-20.

The pictures show the view from 41 feet (the height of the proposed edifices' roof line) looking in different directions from the corner of 4th and Calapooia, plus one photo taken from 41 feet near the east property line. Note how looking to the east you can even see over the top of the Fisher Funeral home, the Formiller Funeral Home, and the Downtown Library. Looking to the south and west, except for the Whitespears church tower, you are looking over the top of the entire historic district.

Also attached are graphs that show the main roof heights of the proposed structures compared to the abutting properties (as measured using my drone), and also the total square building footage of the proposed lot compared to the abutting lots.

Regards,  
Cannon Setlemier  
230 7th Ave SW  
Albany, Oregon







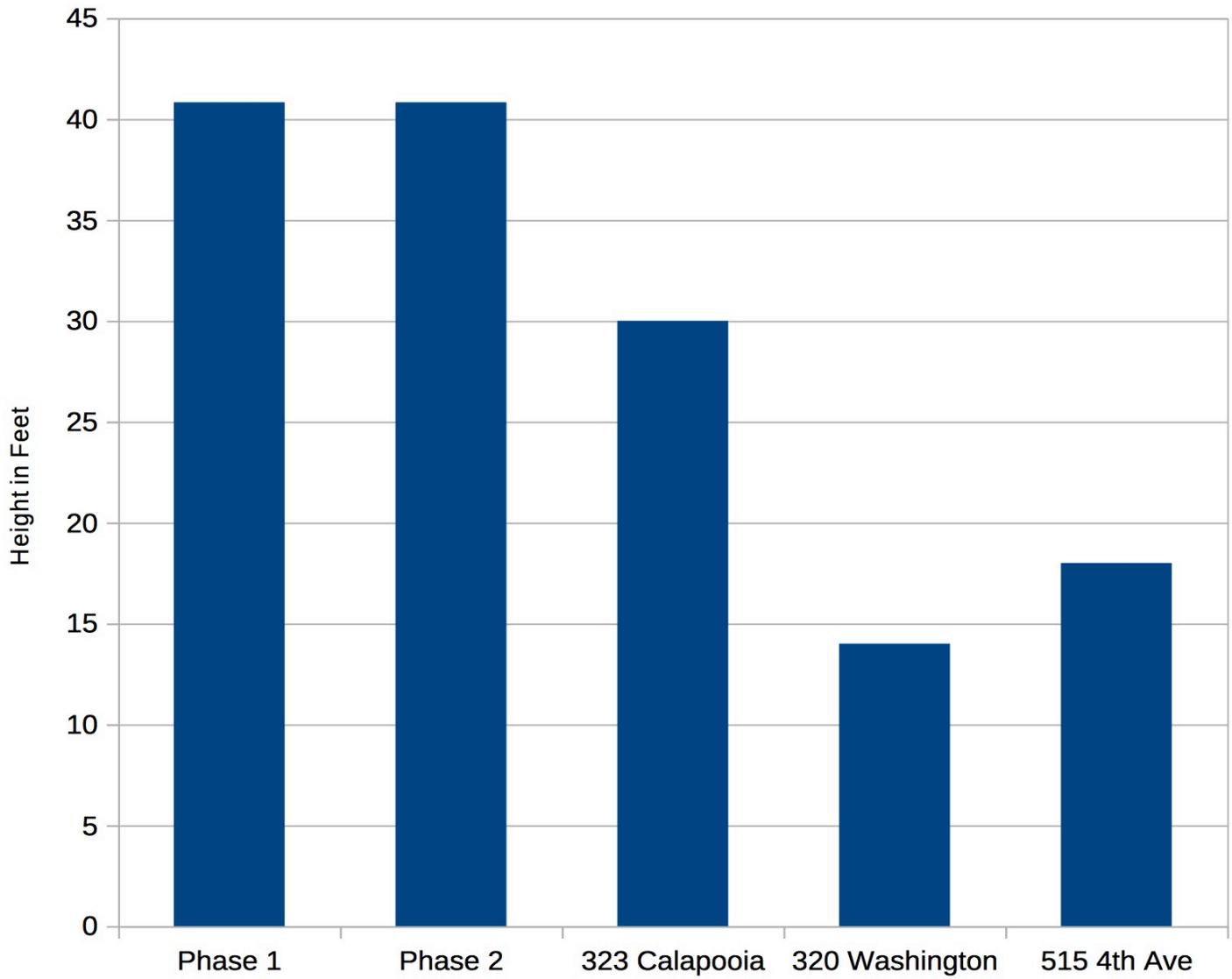




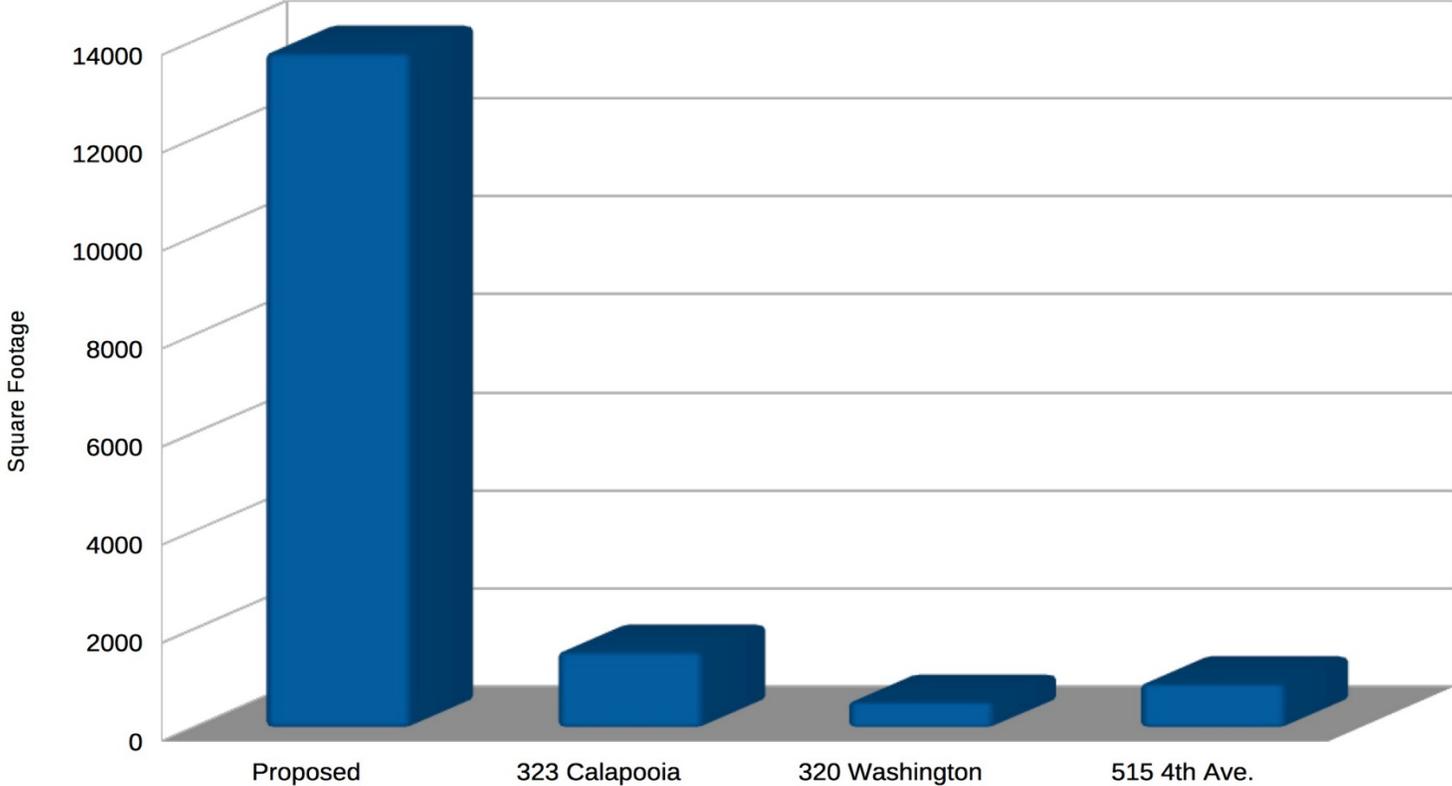


Height of Main Roof Peak with Abutting Properties

## Height of Main Roof Peak with Abutting Properties



Square Footage Comparision



# Public Hearing Review of Historic Review of New Construction of two three-story mixed-use buildings within the Monteith National Register Historic District

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## Opposition to construction

1. Does not meet the Development standards in ADC code and the, Historic Overlay District
  1. Your proposed building plan is being proposed on distinctively 3 separate lots that you have not combined in to 1 lot for development
  2. The proposed buildings have a grater mass than others on the block. according to ADC, The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods
  3. Building One & Accessory Structures are 2,833 square feet and lot size 6,365 which cover square feet 45% of lot
  4. My building 320 Washington and 318 Washington st would not make 50% your of mass on your lots. My SQ footage of my house and 318 Washington is less than the city staff report. My building is less than 700 sq foot
  5. Your building does not promote energy conservation, needed privacy, and safe and efficient parking areas for new development .
    1. Proposed building has windows facing existing historic houses with windows that look down at 3 smaller historic structures
    2. Your parking plan only has room for 4 vehicles 2 per units and will not comply with the up coming downtown parking plan To prevent parked vehicles from intruding in the right-of-way, garage entrances shall be set back five feet or at least 20 feet. A setback of more than 5 feet and less than 20 feet is not permitted. Parking Restrictions in Setback Areas. Parking and loading spaces may not be located in a required front or side setback, except:
      3. 5.220(1) Driveways meeting dimensional standards may be used to fulfill parking requirements for single- family and two-family residences. Each space must be a paved area at least ten feet wide and 20 feet long

4. 5.370 Screening of Refuse Containers. The following standards apply to all development, except for one and two-family dwellings. Any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least 6 feet tall. Refuse disposal areas may not be located in required setback areas or buffer yards and must be contained within the screened area. No refuse container shall be placed within 15 feet of a dwelling window.
5. The proposed plan would block most sunlight in my back yard and prevent the natural drying process and keep it moist and ruin my structure! will provide photos if necessary.

I here by agree with most of the city's staff report.

City's Conclusions:

1.1,

1.2,

1.3

1.4 except there needs to be a clear vision area when looking to the right down Calapooia Street which would clearly need to be changed.

1.5 In my opinion this is not true, 3 buildings in 500 feet are considerably smaller than the proposed development, theses 318, 320 Washington and 515 4th.

The Conditions of Approval:

Condition 1: Please let the public review this application before proceeding with the completed application

Condition 2: Plus a city review of the clear vision area in front and side of the building and other obstructions of view of a driver on this corner lot.

Criterion 2:

## Findings of Fact and Conclusions:

2.1 2.2 Are as stated

2.3 318, 320 Washington are 25' wide and 24' deep for a sq footage of 600sq feet for the building see attachment for sueveyor's report!

2.4- 2.19 as stated seems to be in order and concluded what was said a matter of fact and agreed

## Looking at the conclusions Staff Report:

2.1 The proposed structures are approximately twice as wide and seven times as big as abutting single- family development. which is important when you live in a small house compared to these 2 buildings.

2.2 Offsets also are used to break up the wall plane but are not deep enough to reduce the perceived mass and scale of the building. A condition of approval will require deeper offsets to approximate that of adjacent development and to ensure the proper impact of breaking up the perceived massing and scale of the structures

2.3 Building Two is one story taller than the abutting structure to the north and Building One is two stories taller than the abutting structure to the east. A condition of approval will ensure that the overall height of Building One and Two is reduced including a reduction to the first-floor wall height to reduce the disparity in height and horizontal floor alignment between the proposed and existing abutting development.

This important to the 2 structure to the north and size and scale, privacy and light structure use of back yards, preserving the building and livability of the neighborhood.

(my comment)

2.3 Building Two is one story taller than the abutting structure to the north and Building One is two stories taller than the abutting structure to the east. A condition of approval will ensure that the overall height of Building One and Two is reduced including a reduction to the first-floor wall height to reduce the disparity in height and horizontal floor alignment between the proposed and existing abutting development.

Does not meet the same with the 3 structures to the north, on the same block but others yes, with stipulations.

(my comment)

2.5 This criterion can be met with the following conditions.

Conditions: city staff plus comments:

Condition 3 Condition 4

Criterion 3

Building materials are reflective of and complementary to existing buildings within the district.

Findings of Fact and Conclusions

3.1 Much of the character of a building resides with the variety and composition of architectural details and building materials. The materials used for walls, windows, sloping roofs, details, and other visible elements of historic buildings should be respected in the design of a new building. In districts where the existing buildings use diverse exterior materials, a range of exterior materials may be used by a compatible new building.

3.2 The size, texture, surface finish, and other defining characteristics of exterior materials are as important as the type of material itself. Building materials should complement the size, texture, surface finish, and other defining characteristics of exterior materials traditionally found in the district.

3.3 Detailed window information such as functionality (fixed/operable), grid type (between the glass, exterior, or simulated divided lites), and obscuring (textured/frosted/etc.) is not provided in the application submittal. Operable windows appear to be primarily horizontal slide except for the (bathroom) windows on the side elevations and windows next to the rear doorway that are single or double-hung. Single horizontal slide windows are not consistent with traditional single-hung or double-hung vertical window styles found in the vicinity and surrounding district.

3.4 Street Facing Windows - Upper Levels. On the primary elevations, the proposed second and third floor windows are symmetrically arranged and uniform in style and dimensions. Each window is six-foot-wide by four-and one-half foot-tall with six-over-three grid pattern and composite frames.

3.5 Street Facing Windows - Ground Level: On the primary street facing elevations, the first-floor windows and doors are symmetrically arranged and uniform in style and dimensions. The first floor includes two arched topped fixed storefront windows flanking the primary entrance. However, most transom windows over storefront windows are rectangular and multi-paned like what is proposed over the main entrances. The primary entrance includes two side-by-side entry doors each flanked with side lites and square overhead transom. All first-floor storefront windows appear to be fixed with aluminum frames.

3.6 Side Elevation Windows: On the side elevations, a variety of window types (i.e. multi-paned, sliders, one-over-one) are incorporated, which provides inconsistency in architectural style and detail. This is

Prior to issuance of a building permit, the applicant shall submit a revised elevation plan(s) and/or floor plans to the Community Development Department for review and approval that show a minimum five-foot-deep offsets in the same locations as proposed (i.e. primary street facing facades) of Buildings One and Two.

Thanks,

Jeff Heesacker

320 Washington SW

Albany Oregon 97321

**From:** [Oregon Rediviva](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** HI-04-20  
**Date:** Wednesday, May 6, 2020 10:25:59 AM

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Greetings:

I have reviewed the proposal for new construction at 4th and Calapooia, which requests approval for two, 3-story mixed-use buildings on a property formerly hosting three historic structures. The site is in the Monteith National Historic Register District. I am a resident and homeowner in the same district, six blocks away, and I frequently walk and drive past the site.

The proposal, although designed by an architect who is a member of the Landmarks Advisory Commission, appears to have been made with very little consideration for the very guidelines the Commission is charged with implementing. That is a very troubling observation.

The Commission's own guidelines for new construction in historic districts call for designs that maintain existing district development patterns, be of similar size and scale compared with surrounding buildings, and be built of materials that are reflective of, and complementary to, existing district buildings.

This proposal calls for two new structures that throw a wrench into existing development patterns. They are wildly out of scale, throwing adjacent residential properties into shadow. These large and bulky boxes come out to the sidewalk; while this is a theoretically possible design, in this instance it is an assault on the residential nature of the district and the small scale of the adjacent and nearby residences .

I do not wish to see this property remain idle. The applicants need to substantially revise their plans; their architect needs to read the district guidelines and follow them. If this awkward, insensitive, careless proposal is carried to completion, it will be a slap in the face to all of us who value our historic districts and who whose interests are harmed by this dereliction of duty.

The two buildings in the proposal would be just fine virtually anywhere else in Albany. They would not be anything special, nothing awful, nothing splendid, but certainly adequate. In the Monteith district, these designs are terrible. There is no good reason they should be, and there is every reason that the Commission should insist on some very substantial reworking of them.

Richard H. Engeman

Richard H. Engeman  
Oregon Rediviva LLC  
[info@oregonrediviva.com](mailto:info@oregonrediviva.com)  
503-235-9032 cell

955 Fifth Avenue SW  
Albany OR 97321  
[www.oregonrediviva.com](http://www.oregonrediviva.com)

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Comments on HI-04-20

ADC 7.270(1)

(2)

The buildings surrounding the subject property are predominantly one to two stories with a underground basement. There are very few buildings that are a complete three stories above ground apart from the apartment complex located upon the northwest corner of 3<sup>rd</sup> and Calapooia.

(3)

The properties directly surrounding the subject property have wood siding/shingles with a few stucco buildings (340 Washington & 52 3<sup>rd</sup> Ave.). In the surrounding area there are very few buildings that utilize “hardiplank” or vinyl for siding. In keeping appearances with the surrounding buildings the proposed mixed use building should utilize wood planks/shingles for the siding as this is the predominate siding of the surrounding buildings. The applicant also proposes the use of metal awnings. The majority buildings in the Monteith and Hackleman Districts do not contain metal awnings as the applicant mentions. There are some canvas awnings, but very few if any metal awnings. The applicant states: *“This will be accomplished by using some timeless exterior detailing as well as meshing in some more modern styling.”* The purpose of a historic district is not to create modern styling , but to preserve the characteristics of historical significant architecture.

Addressing ADC 9 “Off-Street Parking”

The submitted site plan shows a parking area with four (4) parking spaces. At least one is required to be ADA compliant. This leaves three (3) parking spaces for the two buildings which propose four (4) separate commercial spaces, and four (4) two bedroom apartments. Pursuant to ADC 9 Table 9-1 “Parking Requirements” multi-family 2-bedroom units require 1.5 spaces per unit, plus 1 visitor space every 4 units. The proposal would need seven (7) spaces for the apartments alone. Since the commercial space below has not yet been determined if it is assumed that it is just professional offices then there would be a requirement of one (1) parking space per 400 sq ft.. This would require an additional three (3) spaces per commercial office coming to a total of 12 spaces for the offices. The project as a total would require a minimum of 19 parking spaces. The four that are proposed by the applicant would not meet this criteria.

**From:** [Bernadette Niederer](#)  
**To:** [CD AA](#)  
**Subject:** Comments for 5/6/2020 Landmarks Commission  
**Date:** Wednesday, May 6, 2020 1:59:36 PM

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I would like to comment virtually at tonight's Landmarks Commission Meeting regarding HI-04-20.

I am opposed to the proposal in its current state.

My name is Bernadette Niederer, I live at 1116 11th Avenue SW, Albany.

In case of technical difficulties, here is my comment:

May 6, 2020

RE: HI-04-20 Historic Review of New Construction

Good evening staff and Commissioners,

My name is Bernadette Niederer, I live at 1116 11th Avenue SW.

I have a MS in Historic Preservation, and I have worked as a historic preservation consultant and architectural historian since 2001.

I am opposed to the new construction at 4th and Calapooia because I do not feel it meets the criteria of the Historic District Overlay, particularly as regards scale, massing, materials, and detailing.

However, what I'd like to focus on today is the inadequate application submitted by the property owner and his architect/representative. The submission consists of site plans, building plans, elevation drawings for one of two buildings (they are presumably identical?), and photographs of cherry-picked neighborhood buildings with hand-scrawled addresses.

There are no models or renderings illustrating how the buildings fit into the context of the neighborhood. There are no samples of building materials. There is no written analysis of how these buildings relate to their context.

Without a thorough and thoughtful submission by the applicants, informed comment by the community is hampered, as is the Landmarks Commission's decision-making process.

Infill construction in a historic district is a rare occurrence. This is a large and significant project. Its design and implementation calls for rigorous analysis of existing conditions and the responses thereto. I imagine that some of these thought processes will be addressed verbally by the applicants. However, I shouldn't have to merely imagine, they should be presented in written, graphic, and tangible form for all to study.

Respectfully,

Bernadette Niederer

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**From:** [Dave Pinyerd](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Pinyerd letter against HI-04-20  
**Date:** Wednesday, May 6, 2020 2:03:31 PM

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RE: HI-04-20 Historic Review of New Construction

Landmarks Commissioners:

The Albany Landmarks Commission was established by City Council in 1979. During those 41 years, many Albanians have served on the Commission, myself included from 2005 to 2012.

All of these past commissioners have upheld the preamble in the Albany Municipal Code, Chapter 2.76, that created Landmarks, that it is “a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people.”

A long-winded way of saying Landmarks is charged with protecting what we've got and not allowing it to be diminished. The proposal for new construction (HI-04-20) does nothing but **diminish** the Monteith Historic District.

Landmark's purpose is to “safeguard the city's historic and cultural heritage; foster civic pride in the beauty and noble accomplishments of the past; protect and enhance the city's attractions; strengthen the economy of the city and property values; and promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the city.” The current commissioners need to keep this purpose in the fore.

Please vote **no** on HI-04-20, the proposed new construction for 4th & Calapooia. Do not be fooled into thinking staff's suggested alterations make this project acceptable. They are minor concessions that will change the project little. I am all for new construction to fill these now-empty holes, but it has to be compatible with the historic district (see the *Design Guidelines* in your packet). This proposal needs to be redrawn from scratch and a compatible design resubmitted.

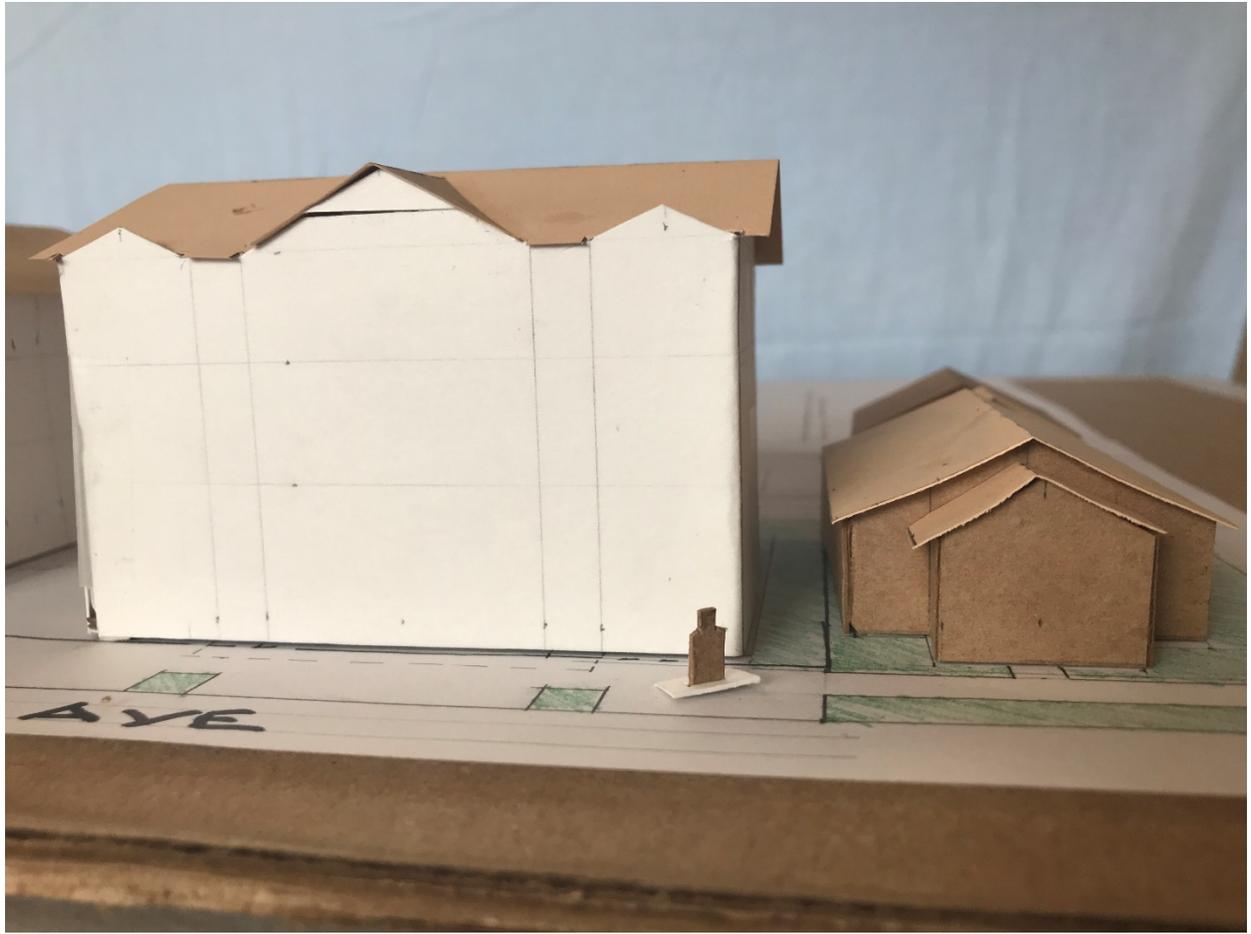
Respectfully,

David Pinyerd  
1116 11th Ave SW  
Albany OR 97321  
[pinyerd@gmail.com](mailto:pinyerd@gmail.com)

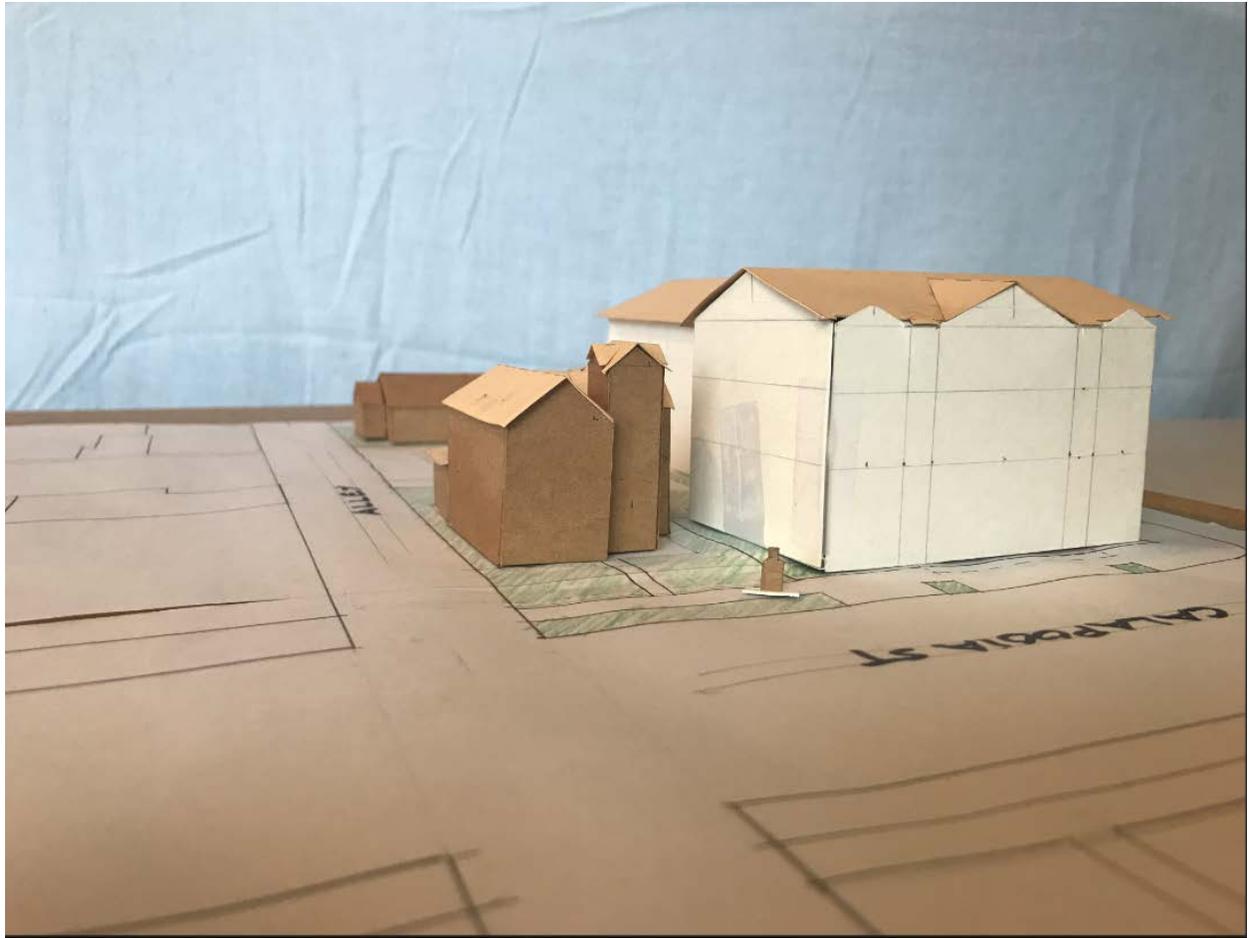
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From: [Sullivan, Jennifer](#)  
 To: [Cameron Settlemier, Cameron](#)  
 Cc: [William Leland](#)  
 Subject: RE: Testifying against HI-04-20  
 Date: Wednesday, May 6, 2020 10:00:00 PM

Thank you

From: Cameron Settlemier <csettlemier@highdeftrains.com>  
 Sent: Wednesday, May 6, 2020 9:00 PM  
 To: LaRoque, Laura <Laura.LaRoque@cityofalbany.net>; CD AA <CDAA@cityofalbany.net>  
 Subject: Re: Testifying against HI-04-20

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This is the written copy of my testimony tonight for the record.

My name is Cameron Settlemier, I live at 230 7<sup>th</sup> Ave SW in the Beautiful Monticelli National Historic district.

I am strongly against the proposal in case file HI-04-20, it violates all the conditions of approval set forth in ADC 7.270.

Criterion 1 says new development must maintain any underlying development patterns such as sidewalk and street tree locations, setbacks, building coverage, and orientation to the street.

- There are a lot of references about the proposal meeting zoning requirements. It is important to understand that zoning and the historic overlay district are two separate things. The historic overlay applies to and trumps over any zoning district. Just because it meets zoning does not mean it meets the requirements in ADC 7.2 or fits into a historic district.
- No only do the setback's not match, the applicant proposes to have a negative setback, with both the front entry porch and steel awning violating the public sidewalk. How many other locations in the Monticelli Historic District have LED lit awnings protruding over the sidewalk?
- The unifying development pattern of the Monticelli Historic District shows it was built as a single-family residential neighborhood. It's right in the national register nomination form with says ""The district is composed primarily of one and two story wood frame residences built between 1849 and 1915 predominantly of the period 1880-1900.""
- Only 1% of the properties in the Monticelli District are commercial, 5 out of 343 historic properties. Only two commercial properties exist west of Washington Street, a single story false front on 9<sup>th</sup>, and the Power Plant on the canal. They didn't build commercial properties away from the major streets, not on a side street like 4<sup>th</sup>, not towering over residential structures. The example properties cherry picked by the applicant as examples are not typical representatives of the Monticelli District, and one of them, the modern apartment complex at 635 3<sup>rd</sup> Ave is not even in the district. This is actually an example of what should not be built, and why maintaining the edges of a Historic District against encroachment from surrounding neighborhoods and developments is so important. All properties across from 4<sup>th</sup> and Calapooia street were constructed as single family residences. All abutting properties were built as single family residences. All the demolished houses were constructed as single family residences.
- Finally the proposed design does not match the style or pattern of any of the surrounding houses. They are just two big boxes designed for maximum square footage and profit. I implore you to look at the Guidelines for New Construction in Albany's Residential Historic Districts and Neighborhoods, that is starts on page 27 of the agenda packet. These building break every single guideline. There needs to be a separate "No Way" column for these edifices of greed.

Criterion 2 says the structure is of similar size and scale of the surrounding buildings and as much as possible reflects the craftsmanship of those buildings.

The proposed structures are not close to the size and scale of surrounding buildings. They are so out of scale that shaving a few feet here or there will not help. There is no hiding their enormous domination. It is like trying to camouflage a battleship.

(Show Height graph.)

First lets talk about the height. 40' 10" towers over the neighborhood. Using a drone, I measured the heights of surrounding buildings; and 1 story structures ranged from 14 to 18 feet, and 2 story structures ranged from 26 to 30 feet to the main roof peak. Per the applicants own words, the original historic structures on this property were 28 feet high.

(Show drone photos)

To get a real sense of the heights, I put my drone 41 feet into the air, the same height as the proposed roof line of phase 1 and phase 2. You can see that it looks over all other surrounding buildings. It even overlooks the Fisher Funeral home on Washington, the Fortmiller Funeral Home, and the Downtown Library. It dominates. When my drone was 41 feet in the air I pointed up to it to neighbors showing the height of new building, they were shocked and dismayed. Saving a few feet off the top will not fix this issue, the height is one story too high.

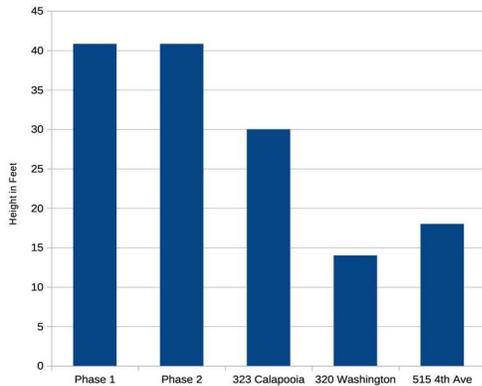
(Show graph of building square footage)

As shocking as the obscene height of the proposed building are, the sheer mass is even worse. Staff report says "In comparison with the abutting historic contributing single-family residential dwellings to the north and east, the proposed structures are approximately twice as wide and seven times as big." Indeed, the total combines square footage of the 4 proposed buildings is 13,774 square feet. Thirteen-thousand-seven-hundred-seventy-four square feet! This is outrageously incompatible.

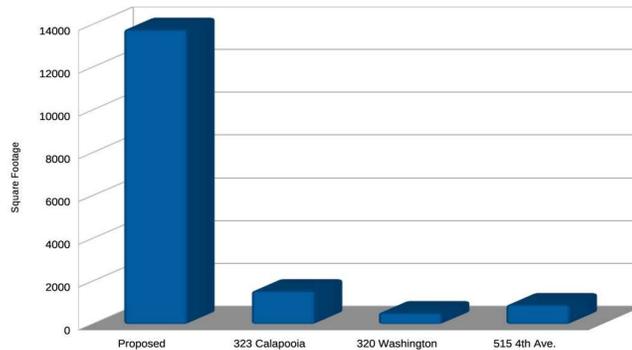
Criterion 3 says the building materials are reflective of and complementary to existing buildings within the district.

The proposed building looks much like any other modern structure. Indeed look at the similarities to it and the example apartment complex at 635 3<sup>rd</sup> Ave. Aluminum doors and entry ways, Metal awnings, Composite windows and siding. Nothing fits. This proposal is makes a mockery of the Guidelines for New Construction in Albany's Residential and Historic Districts and Neighborhoods, it utterly-fails all three design criteria in ADC 7.270, and should be flat out denied.

Height of Main Roof Peak with Abutting Properties



Square Footage Comparison















On May 4, 2020, at 4:00 PM, Camron Settlemier <[csettlemier@highdefrairs.com](mailto:csettlemier@highdefrairs.com)> wrote:

Hello Laura,

I plan on orally testifying against HI-04-20 on Wednesday at the Landmarks Public Hearing. Also how do I get supporting documents (pictures and graphs) to the Landmarks Commissioners?

Thanks,  
Camron Settlemier  
230 7th Ave SW  
Albany, OR 97321

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**Written Testimony Received in Advance of the  
Landmarks Commission Hearing Held on May 19th**

**From:** [Cheryl french](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** COMMENTS FOR LANDMARKS COMMISSION  
**Date:** Thursday, May 7, 2020 1:30:59 PM

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Hi: Cheryl French and I (John Byrne) would like the following remarks to be given to the Landmarks Commission before the discussion of the property at 4th SW and Calapooia SW. I am also mailing four printed copies to you for distribution to the Commission. Thank you for your attention to this matter. John Byrne

**TO: The Albany City Landmarks Commission**

**RE: Proposed Development at 4<sup>th</sup> SW and SW Calapooia**

**FROM: Cheryl French and John Byrne, owners of 705 6<sup>th</sup> Avenue SW**

**DATE: May 7, 2020**

We have reviewed the information regarding the proposed development at the corner of 4<sup>th</sup> SW and SW Calapooia. We believe that the proposal is wholly out of line and potentially destructive to the historic Monteith neighborhood. We ask that the Commission reject the current proposal in its entirety. Our reasoning is as follows:

1. The proposed structures do not fit in with the existing structures in that part of SW Albany. The divergence is particularly offensive because the people in the immediate area have spent an enormous amount of time and money upgrading those properties. The property directly across Calapooia Avenue, by example, is a wholly restored, attractive building with inventive plantings and a very attractive exterior. The building that is catty-corner from the proposal was an abandoned wreck not so long ago and is now a beautiful, occupied home. The huge boxes that are proposed are enormously different in size and lot coverage. In addition, they feature no attractive features but rather appear to be off-the-shelf copies of generic apartment buildings such as you can find on 34<sup>th</sup> Street SE or Hickory Way NW. They don't belong in an historic Victorian neighborhood.
2. The proposed structures undercut all that CARA has tried to do over the past years. We believe CARA has invested in that corner for restoration and upgrading purposes. The giant boxes contradict CARA's entire purpose and the pursuit of downtown improvements.
3. The giant boxes would have a wholly negative impact on the low-density residential nature of this area. The plans would flood the streets with parking and discourage any

walking along 4 SW.

4. The proposed structures appear to have a wholly negative impact on the contingent properties. We cannot speak for those owners but we would not want those huge (and sun-blocking and right up to the property line) boxes placed next to us.
5. The proposed structures do not conform with the established guidelines for construction in this area. The impact is broader than the immediate location for failure to impose the guidelines here would open the City to liability if it imposes them elsewhere. (There is irony here – the people catty-corner across from these proposed giant boxes once tried to install shutters and were denied on historic grounds – certainly these monstrosities are far worse.)
6. The proposed parking is wholly insufficient and would place a huge burden on the neighborhood. Four spaces? The eight living units are likely to have two vehicles each. The business units would have two each plus clients/customers. They would take up street parking for blocks around. That, alone, would blight the neighborhood.

Surely there are architects around who can craft something that fits in with an historic neighborhood far better than two giant, apparently off-the-shelf boxes. We do not need this kind of unhistoric appearance, size and density. In fact, it will hurt the whole historic neighborhood.

We respectfully ask that you reject the proposal in its entirety.

Thank you, Cheryl French and John Byrne

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May 11, 2020

Ms. Jennifer Sullivan  
Landmark Commission  
City of Albany  
Albany, Oregon

**RE: PROPOSED BUILDING PROJECT, 3<sup>RD</sup> AND CALAPOOIA**

Landmark Commission:

I am writing in regard to the commission meeting concerning the proposed construction project on 3<sup>rd</sup> and Calapooia. I have followed the moving sand of ordinances and rules regarding the remodeling and construction in downtown Albany for a number of years. The appeal of the historic homes in the Albany area is amazing and well respected. I don't understand, however, the thought process of the commission surrounding this construction.

There are many examples of newer/reconstructed commercial buildings in downtown Albany that are very attractive buildings that fit nicely into our mixed-use area. I look at buildings like the senior living facility right across the street, the commercial building on Calapooia behind the post office, the historic carrousel, and the old Greater Pacific Bank building as examples. These are all in the immediate area of the proposed new buildings and have added greatly to the downtown core area. These projects bring people and businesses to the area and allows Albany to showcase its historic district.

It is my understanding that the contractor has previously built in the downtown area and his construction was very well received by CARA and the downtown association. I can't believe that he would be willing to build anything less than another positive asset for the city. This construction will also add to the tax base by several hundred thousand dollars without significant city money, unlike the old Wells Fargo and St Francis Hotel projects.

This process has already taken far too long. I admire a company that will put in that much time and resources. Everybody (almost) realizes this addition will be a vast improvement to the city. The project should not be roadblocked by a few well-meaning but misguided individuals. My hope is that you will allow this building to be constructed quickly and add to the vibrance that you are trying to build in downtown Albany.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul A. Boehm". The signature is fluid and cursive, with a long horizontal stroke at the end.

Certified Public Accountant

-----Original Message-----

From: Jim Richards <jim648@comcast.net>

Sent: Tuesday, May 12, 2020 9:20 AM

To: Sullivan, Jennifer <Jennifer.Sullivan@cityofalbany.net>

Subject: Landmark Commission

[External Email Notice: Avoid unknown attachments or links, especially from unexpected mail.]

I am writing this In support of Mark and Tina Siegner in their effort to start their building project.

They have jumped through every hoop and meant every permit and code requirement And still are not permitted to start.

Their plans were even drawn by a architect on the board and they were questioned.

The city needs to let this project get started and quit allowing the Siegners to be treated in this manner.

Albany should really examine how they do business and treat people.

Thank You

Jim Richards

Sent from my iPad

---

**From:** christian noteboom <[xtiannoteboom@gmail.com](mailto:xtiannoteboom@gmail.com)>  
**Sent:** Tuesday, May 12, 2020 5:15 PM  
**To:** City Clerk <[CityClerk@cityofalbany.net](mailto:CityClerk@cityofalbany.net)>  
**Subject:** 4th and Calapooia

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I am a resident of the Monteith Historical district and would like to share my input on the proposed plan for the 4th and Calapooia project. Historically this property was individual residential homes. The proposed replacement is for mixed use high density commercial/residential. My major concern is for the height of the structure, with 3 stories. All other structures on the same block and the surrounding area are 1 to 2 story residential homes or businesses. These two buildings would dwarf all other nearby structures, which in my opinion substantially changes the feel of the neighborhood. I don't want to see residential homes replaced by large high density buildings. Albany still has plenty of room to grow. It's not like other cities where there is no more space to expand. This neighborhood is the gem of Albany. I would hope the council would take great consideration of the people that are already here and paying taxes and what we would like our town to look like in the future. Thank you for your time.

Christian Noteboom

**From:** [Sullivan, Jennifer](#)  
**To:** [Christopher Berry](#)  
**Cc:** [LaRoque, Laura](#)  
**Subject:** RE: Siegner's building project  
**Date:** Wednesday, May 13, 2020 2:59:07 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Thank you Christopher,

I have added your email to the public comments.

Have a good day.

Jenn



### Jennifer Sullivan

Administrative Assistant I  
541-917-7651 phone

#### Public Works – Planning & Community Development

City of Albany, Oregon  
333 Broadalbin St, Albany, Oregon 97321



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**From:** Christopher Berry <cjberriod@yahoo.com>  
**Sent:** Wednesday, May 13, 2020 2:19 PM  
**To:** Sullivan, Jennifer <Jennifer.Sullivan@cityofalbany.net>  
**Subject:** Siegner's building project

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Dear Albany Landmarks Commission,

I just wanted to voice my support for the beautifully designed mixed use buildings that the Siegner's are planning to build. As a life long resident and business owner here in Albany, I was excited to see such a great project occurring. I love our historic downtown and I think this project will fit in well. I have known the Siegner's for years and I know they have a great love for our city. We can be sure that they will build a beautiful well thought out building that will someday be a historic building in it's own right. The Siener's are great Albany people building an appealing and useful structure that is designed by a well respected local architect. That is the type of project that we should all be encouraging!

Thank you for allowing me to voice my support for this project.

Sincerely,

Christopher Berry, OD

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**From:** [Sullivan, Jennifer](#)  
**To:** [Dirk Olsen](#)  
**Cc:** [LaRoque, Laura](#)  
**Subject:** RE: 4th and Calapooia- 525,533,331  
**Date:** Friday, May 15, 2020 8:18:33 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Thank you, Dirk,

Your email will be added to the public comments.

Have a good day.

Jenn



**Jennifer Sullivan**

Administrative Assistant I  
541-917-7651 phone

**Public Works – Planning & Community Development**

City of Albany, Oregon  
333 Broadalbin St, Albany, Oregon 97321



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**From:** Dirk Olsen <[olsenhoney@gmail.com](mailto:olsenhoney@gmail.com)>  
**Sent:** Thursday, May 14, 2020 4:34 PM  
**To:** Sullivan, Jennifer <[Jennifer.Sullivan@cityofalbany.net](mailto:Jennifer.Sullivan@cityofalbany.net)>  
**Subject:** 4th and Calapooia- 525,533,331

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My name is Dirk Olsen. I am a life long resident of Albany- my grandfather settled here in 1920. I am in full support of the proposed replacement structures as proposed. They will not only be attractive and provide sorely needed housing to Albany but they will also add to the tax base- how can Albany loose by approving the proposed development? Please vote in the affirmative and get this project rolling. With the economic downturn we are now experiencing it would be ludicrous to see this developer throw his hands up and move on- then what have we achieved? three empty lots sitting for years becoming an unsightly blight on the downtown area- Dirk Olsen

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May 14, 2020,

We are writing in support of Mark and Tina Siegner and their building project on 4<sup>th</sup> and Calapooia. It is exciting to see their efforts to improve the viability, livability and productivity of our local community. They are long-time residents and contributing members of this community and they understand the importance of a community working together to make a positive difference. They have a proven history of building quality and affordable housing as well as productive commercial buildings in this local area. This particular project is both commercial and residential which will provide more affordable housing for this neighborhood and additional needed business space. This is exactly why the zone "mixed-use" exists to meet the needs of our city. If you look back when they had originally purchased this property (when no one else stepped in after multiple years), it was a run down, drug infested, squatters' home with illegal activity that was repeatedly reported by the neighbors and the police. It was an eyesore and reflected badly on the neighborhood and the surrounding community. The original intent (as well as other projects that they have already completed in Albany) was to improve the existing structures to provide additional housing. It became apparent that the structural integrity, costs of renovation and time to accomplish that task, outweighed a rational plan to demolish. It is apparent that some are still upset of that decision, and rather than move forward, are once again focusing on the past, and not what is best for the future of this city. It is now, that starting anew with this property and placing structures that fit the zoning and needs of the community is the best choice.

As to the specifics of this new building plan which exists in an area with an overlay of two zones; historic downtown and downtown mixed-use, they have taken this into account and worked with professional assistance to meet and exceed the requirements to begin rebuilding. They have added additional parking (while not required), remain below the height allowance, and have offset the building (while not required). These two zones are not exclusive, and should be able to exist together in a reasonable manner, and the current design allows for this.

It appears that they now are facing "subjective" arguments from un-elected committee members, still wishing to return to the past. Most of the arguments, are not what is rational, especially when one does not wish to themselves be financially responsible for this process. They have been attacked with an angry onslaught of hateful and incorrect personal and professional comments; both made in the public meetings and in the comments of online articles about the process. One may understand how someone from the public could make these comments, however, when the comments are from a person on a committee and public office, this is unacceptable. Anyone who really knows Mark and Tina, realize what wonderful, contributing members of our city they are. It's sad, that in today's society a business owner is attacked for operating a business that provides for their family and provides taxes and revenue generating income that the city needs to operate. How does a situation get so out of control?

We have seen many improvements in downtown Albany to improve the area for families, business and safety. We strongly feel that this is a welcomed addition. Unfortunately, there are still some that wish to fight against rational, good progress, in improving our city while imposing their personal thoughts while not expending any finances, and not realizing that it clearly meets the criteria as per the zoning. We look forward to the completion of this project, so ourselves and others can be proud of our city, and spend time going downtown.

Ronald and Wendy Wobig

**From:** [William Ryals, Architect](#)  
**To:** [LaRoque, Laura](#)  
**Cc:** [Mark Siegner](#)  
**Subject:** Cover Sheet, drawings and Photos  
**Date:** Friday, May 15, 2020 9:54:12 AM  
**Attachments:** [Calapooia Cover.pdf](#)  
[Local Photos.pdf](#)  
[Existing Lot Site Plan.pdf](#)  
[Calapooia Site Plan.pdf](#)  
[North and East Elevs.pdf](#)  
[South and West Elevs.pdf](#)

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Hi Laura,

Here are the Drawings and photos we had submitted with our findings. I'm not sure where they got lost. Can these get to the commission somehow?

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William G. Ryals - Architect  
935 Jones Ave NW  
Albany, Oregon 97321  
cell 541-974-0908

Valley Homes, Inc.  
New Construction in Historic District

# CALAPOOIA COURT

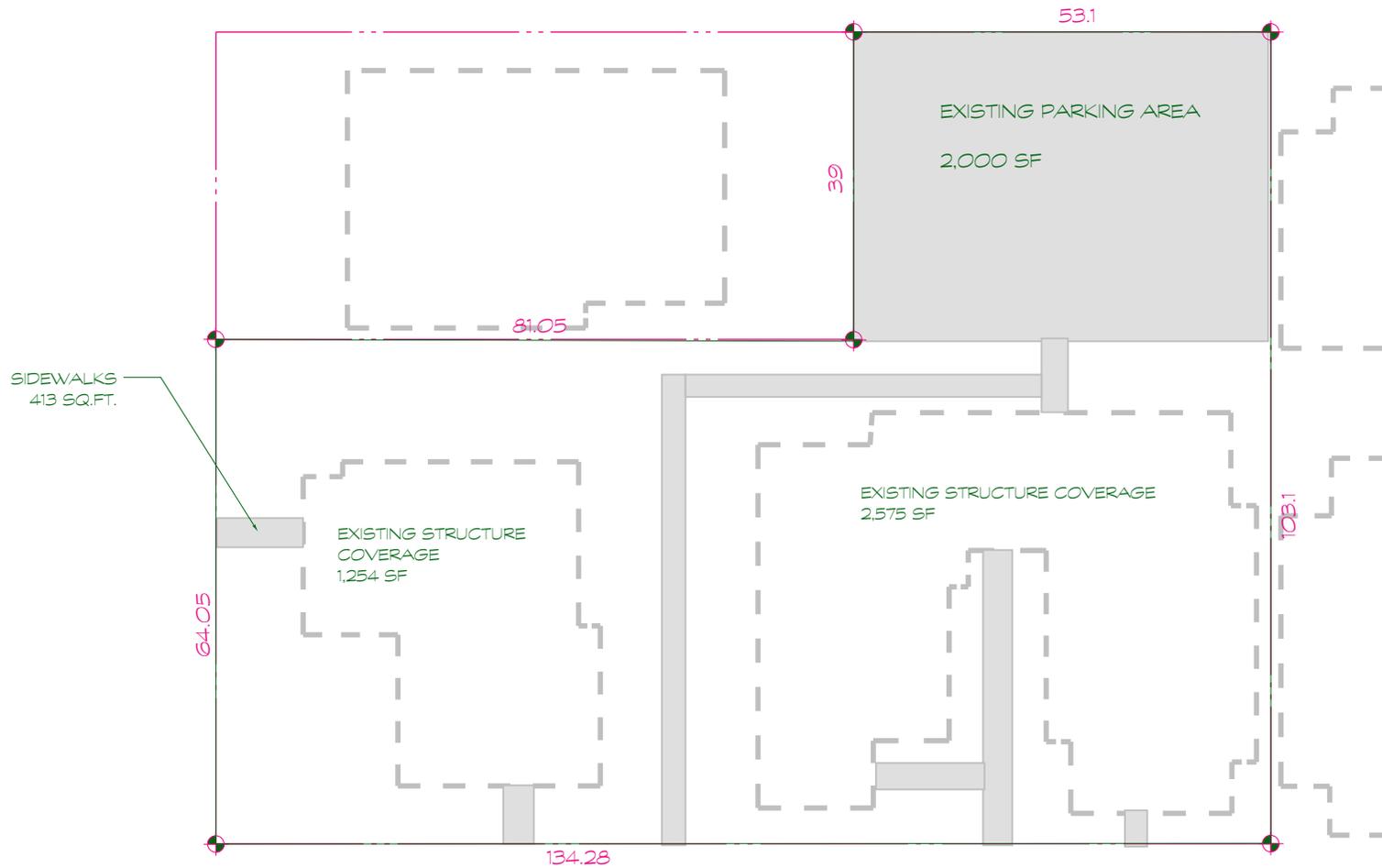
331 NW Calapooia Street - Albany, Oregon 97321



## Historic Review Findings and Report Board of Landmarks ALBANY OREGON







EXISTING LOT COVERAGE

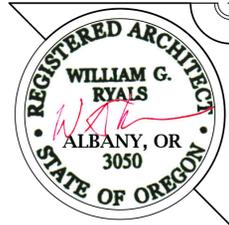
EXISTING PARKING LOT:	2,000 SF
STRUCTURE ONE	2,575 SF
STRUCTURE TWO	1,254 SF
MISC SIDEWALKS	413 SF
<u>EXISTING COVERAGE:</u>	<u>6,242 SF</u>

LOT RATIO  $6,242/10,632 = .59$

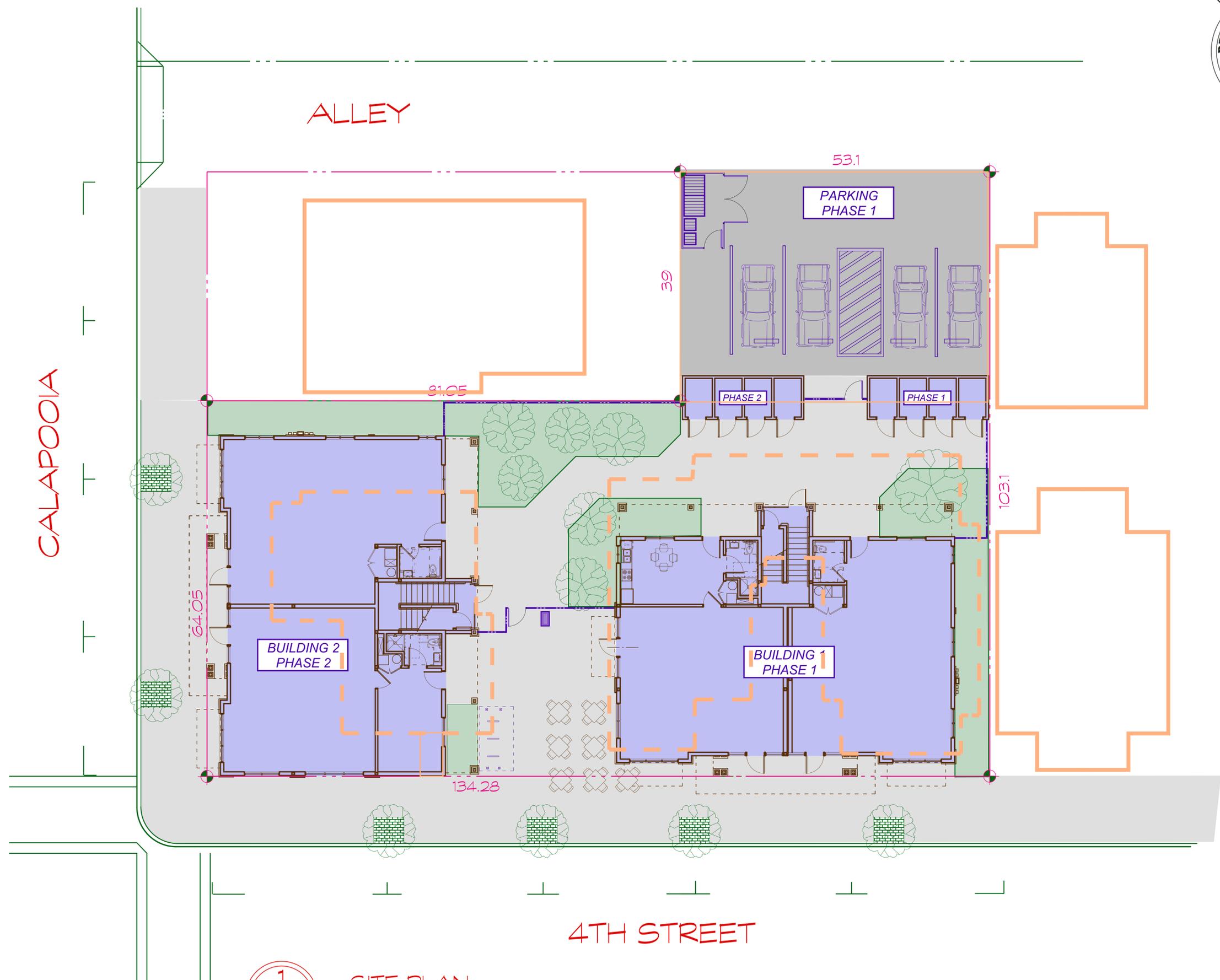


EXISTING SITE PLAN LOT COVERAGE

SCALE 1/8" = 1'-0"



WILLIAM G. RYALS  
ARCHITECT  
935 Jones Ave. NW  
Albany, Oregon 97321  
Phone: 541-974-0908  
ryals.architect@comcast.net



CALAPOOIA

ALLEY

4TH STREET

1  
AO.1

SITE PLAN  
SCALE 1/8" = 1'-0"

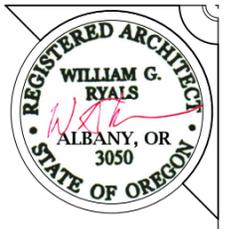


CALAPOOIA COURT

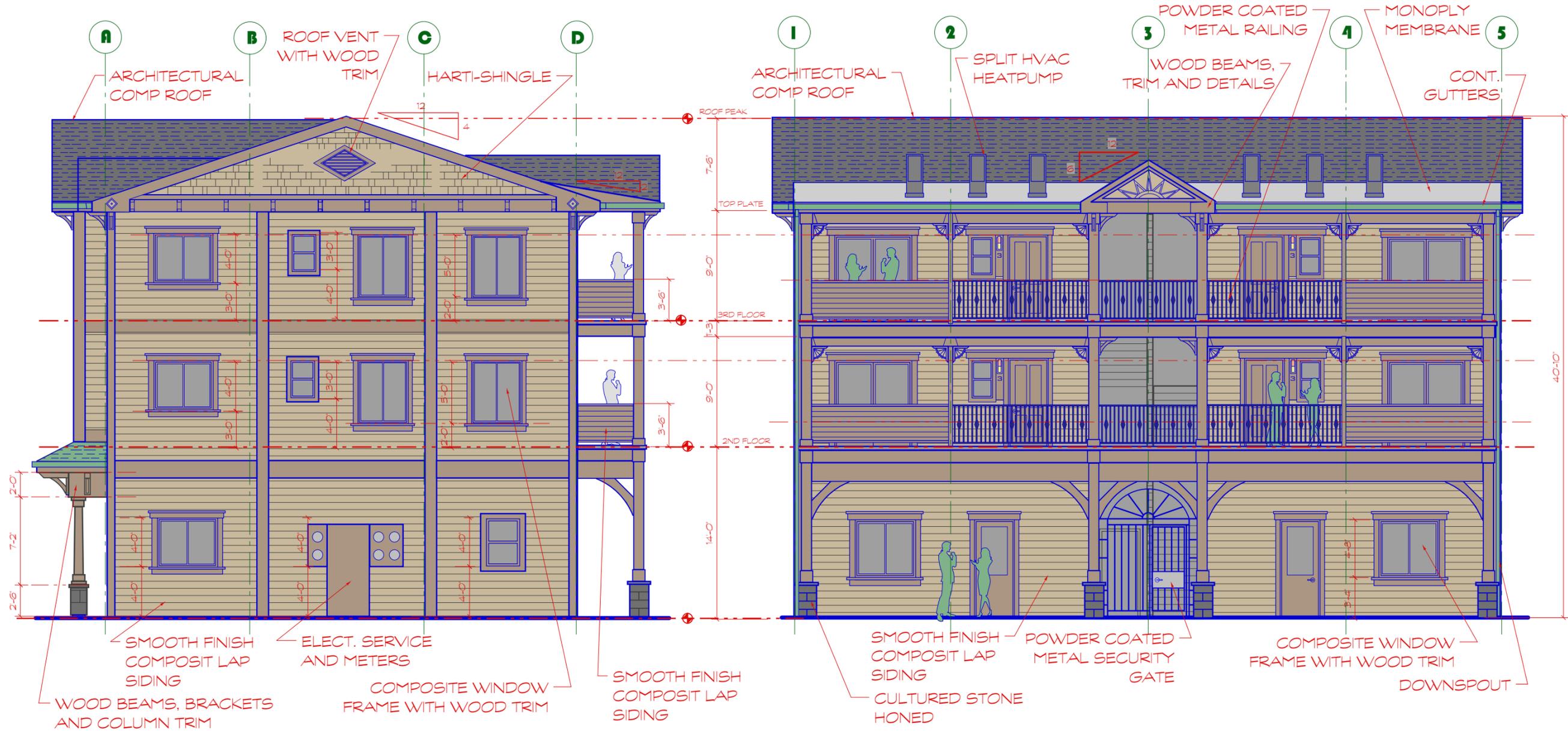
Downtown LIVE/WORK/PLAY  
331 NW CALAPOOIA STREET  
ALBANY, OREGON 97321

SITE PLAN  
REVIEW





WILLIAM G. RYALS  
 ARCHITECT  
 935 Jones Ave. NW  
 Albany, Oregon 97321  
 Phone: 541-974-0808  
 ryals.architect@comcast.net



**2 EAST BUILDING ELEVATION**  
 A3.1 1/4" = 1'-0"  
 0 5 10 15

**1 NORTH BUILDING ELEVATION**  
 A3.1 1/4" = 1'-0"  
 0 5 10 15

**CALAPOOIA COURT**  
 Downtown LIVE/WORK/PLAY  
 331 NW CALAPOOIA STREET  
 ALBANY, OREGON 97321

**BUILDING ELEVATIONS**





**From:** [Sullivan, Jennifer](#)  
**To:** [dcstavros@comcast.net](mailto:dcstavros@comcast.net)  
**Cc:** [LaRoque, Laura](#)  
**Subject:** RE: Proposed Building Project  
**Date:** Friday, May 15, 2020 11:06:28 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Thank you, Dean,

Your email will be added to the public comments.

Have a good day,  
Jenn



**Jennifer Sullivan**

Administrative Assistant I  
541-917-7651 phone

**Public Works – Planning & Community Development**

City of Albany, Oregon  
333 Broadalbin St, Albany, Oregon 97321



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**From:** [dcstavros@comcast.net](mailto:dcstavros@comcast.net) <[dcstavros@comcast.net](mailto:dcstavros@comcast.net)>  
**Sent:** Friday, May 15, 2020 11:05 AM  
**To:** Sullivan, Jennifer <[Jennifer.Sullivan@cityofalbany.net](mailto:Jennifer.Sullivan@cityofalbany.net)>  
**Subject:** Proposed Building Project

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Greetings City of Albany Landmarks Commission,

As a resident of Albany for nearly 50 years, and a local business owner for 43 years, I have deep roots invested in the success and well-being of our community.

The proposed building project located at Fourth and Calapooia, in the downtown commercial zone of the Monteith Historic District would provide housing and commercial space to grow the vitality of Albany's unique downtown

community. This project is proposed by one of Albany's finest residents and fellow businessman, Mark Siegner.

Mark has been a personal friend for over 30 years, a colleague in the business world, and a fellow board member on a local community group. He is an accomplished and well respected local builder. His decades of experience in the Albany area spans residential and commercial projects from remodeling to building from the ground up. His work is marked with exceptional quality, pride of workmanship, and an aesthetic beauty which always compliments the area and location of the project. Everything Mark does is of the highest standard.

Mark's outstanding craftsmanship speaks for itself. His work is displayed in new construction and remodels throughout our prized Albany Historic District, and he will, no doubt, continue to enhance our community with this next project.

Kind regards,

*Dean C Stavros*

Dean Stavros

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May 15, 2020

Albany City Landmarks Commission  
City Hall  
333 Broadalbin St. SW  
Albany, OR 97321

**Re: Proposed development at SW 4<sup>th</sup> and Calapooia**

I am writing to urge you strongly NOT to allow the proposed development of this parcel of land. The proposed development does not fit in with the neighborhood at all and would completely change the feeling of the surrounding area. It is entirely out of scale with surrounding buildings; it covers too much of the plot's acreage with surfaces impervious to rain, thereby increasing runoff and pollutants, and the lack of parking would create a daily nightmare for surrounding residents as well as again, increased pollutants running off into nearby waterways.

Obviously, replacing the historic single family homes torn down with new single-family homes in keeping with the unique style of the surrounding homes would be ideal. This can and has been done already in Albany, at the corner of SE 6<sup>th</sup> and Railroad where a newly built home fits nicely in its surrounding area.

If replacing one-for-one isn't financially viable, I suggest the property be developed in a fashion similar to the duplexes along SW 3<sup>rd</sup> at Calapooia. That would allow multi-family use of the property but maintain the feel of family homes instead of high-density apartments that would overshadow the entire area.

Please, please ask the developers to go back to the drawing board and come up with an alternative in keeping (and in scale) with the surrounding architecture. The development they propose could go elsewhere on the outskirts of Albany but, if allowed to proceed as suggested, would change the unique and wonderful feel of that historic neighborhood in downtown Albany.

The thing that sets Albany apart from neighboring cities and towns is its wonderful old-timey downtown district. It is such a joy to walk around, seeing all the different and beautiful types of architecture downtown. To allow this proposed project to be built would significantly erode the community feel of the area forever.

Thank you for helping keep Albany the wonderful and unique place that it is.

Sincerely,

Mary H. Curran  
624 Baker Street SE  
Albany, OR 97321

**From:** [Amy Schulte](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** 4th and Calapoolia proposal  
**Date:** Saturday, May 16, 2020 4:51:03 PM

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Dear Laura LaRoque,

I am writing to you today to share my thoughts on the proposed build at 4th and Calapoolia. I own a property on 5th and Washington, so this build will affect me on a daily basis.

I am glad that something will be happening with the empty space. I am concerned about the impact of a business and the parking situation, but I understand the benefit of jobs in the community.

I have no objection to the proposal of a building 3 stories in height, 13,774 square feet and for business purposes.

My concerns are about the overall look of the property. I would like to see the outside of the build blend in with the historic feel of the neighborhood. I don't see any reason for the building to use historic materials, but i would appreciate a building that has a bit of character that blends into the neighborhood. Please don't build a cinder block square. Please go to the effort to enchanted the neighborhood with the aesthetics of your build.

Cordially,

Any Vosika

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## 4<sup>th</sup> & Calapooia Proposed Building Comments – Linda Melikian, 623 Maple St SW

### Public Meeting 19 May 2020

I believe that a mixed-use design is good for this area, but the scale of the buildings alone sets a dangerous precedent. To compare with poor past decisions of urban renewal that are truly regretted is not responsible and should not be a guideline. The proposed plan seems to make a mockery of the historic district intent. Below are just some issues I see with this proposal.

**Set-backs-** historic guidelines clearly call for new development to have similar setbacks to adjacent buildings. Set back for Bldg 2 approx. 18' closer to the property line than the adjacent property to the north. South elevation appears to be right on prop line. Both frontage setbacks well short of 5' minimum. There is no required "unifying pattern". This is edge to edge development, and not in keeping with the neighborhood.

**Visually similar** – This proposal is the "poster child" of the "not this" examples given in the historic requirements. Monolithic was used throughout the proposal document and they are monoliths. Proposal pages 13-16 addresses size: "may be larger...should not be monolithic", are 2x wider 7x bigger, "height should not overwhelm". The mass overwhelms the surrounding buildings. Pages 28-36 address massing, rhythm, spacing, height, "this/NOT this" examples, roof shapes, windows. There is no relief in their facades on the street sides. Nothing is presented to the street-side as a residential similarity. A catalog appears to have been opened picking one of everything for windows and materials. Cultured stone, aluminum awnings and thin brick veneer are more appropriate suburban mall materials. What period/style is this trying to replicate? I repeat, per the Historic Guidelines, this proposed development is the "poster child", the exact example, for NOT THIS.

**Building code** – numerous examples of not meeting code, just a few described here. Was there a Code review by an inspector prior to this going out to the public? For example, to be ADA compliant for living spaces there must be an elevator if at least one Type A apartment is not on the main level. Not on the plans. There does not appear to be an "accessible route" on the property, per ADA. Appears to be an unsightly chain link fence (with wood slats that will deteriorate) around the property. Spaces are small – are there prospects to rent? Or, will they stand empty? There seems to be many code misses here.

**Parking** – Most cities require at least 1 to 1 spaces per residential unit. Three, plus one handicap, doesn't come close. Is there to be a parking variance? What is the commercial loading area for the businesses? This density will overwhelm the available street parking and be a burden to existing residents.

**Waste Removal** – Container area looks inadequate for 8 residences and 4 commercial establishments. How will the removal trucks access?

**Heat Pumps on Roof** – There appears to be six heat pumps on the roofs of the two buildings, versus the ground. This presents two issues, NOISE for the neighbors; and, access to service. How will a man-lift access to service?

My biggest question is, **how did this development proposal get this far?** It does not seem to meet **basic** building codes, it certainly does not meet Historic Guidelines. It would seem this project is NON-permittable, as designed.

If this project gets erected as proposed, what is to stop more monoliths being built throughout the historic district? If the precedent is there, why bother having Historic Guidelines for a Historic District?

Let's go back to the drawing board and design product that is in keeping with the area – definitely NO more than two stories.

**From:** [Sullivan, Jennifer](#)  
**To:** [Patrick Richards](#)  
**Cc:** [LaRoque, Laura](#)  
**Subject:** RE: Letter of Support- 4th Avenue Project  
**Date:** Monday, May 18, 2020 8:45:19 AM

---

Thank you, Pat,

Your comments have been saved to the public testimony.

Have a good day,  
Jenn

Jennifer Sullivan  
Administrative Assistant I  
541-917-7651 phone  
Public Works – Planning & Community Development  
City of Albany, Oregon  
333 Broadalbin St, Albany, Oregon 97321

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-----Original Message-----

From: Patrick Richards <[pjrichards57@me.com](mailto:pjrichards57@me.com)>  
Sent: Sunday, May 17, 2020 10:11 AM  
To: Sullivan, Jennifer <[Jennifer.Sullivan@cityofalbany.net](mailto:Jennifer.Sullivan@cityofalbany.net)>  
Subject: Letter of Support- 4th Avenue Project

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To members of the Albany Landmarks Commission:

I am writing in support of the project being proposed by Mark and Tina Siegner at the 4th Avenue location.

I am a proud life-long resident of Albany. Over the years my family and I have witnessed the deterioration of certain areas of our community as our community has been effected by changing economic and demographic conditions. We have seen where both private groups and public entities have endeavored to make investments in these areas to try to attract people for both residential and commercial opportunities.

It is my opinion that the project being proposed by the Siegner's on 4th Avenue is a prime example of an opportunity to support private investment that, in a large degree, will provide a much greater return to the Albany community than it ever will to the Siegner family.

I have had the opportunity to see first hand how Mark and Tina do business. They run an efficient operation and their project's worksites during construction are clean and safe. The quality and craftsmanship that goes into the projects they and their local sub-contractors have completed is head and shoulders above what you'll find in many other projects of this nature.

All that I have read in the local press says that the Siegner's have adhered to all set guidelines and have met the

necessary requirements set by the City and by the Landmarks Commission. So I am at a loss as to the reason for the resistance and delay especially in light of the fact that Mark and Tina have extensive experience in the preservation and restoration of a collection of Albany's historic homes and downtown buildings. They know how to preserve the character and history of a neighborhood while still providing the features and functionality that are required in today's world.

I appreciate the work that our local government does in trying to maintain Albany's historic district. It is a key component of the community that we all can be proud of, both now and long into the future. I urge the Landmarks Commission to continue that good work and give its approval to this project.

Sincerely,

-Pat

Patrick Richards  
P.O. Box 159  
Albany, OR 97321

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9 May 2020

RE: HI-04-20 Historic Review of New Construction

Albany Landmarks Commission:

As a resident of the Monteith Historic District, I am asking you to please **vote no** on HI-04-20, the proposed new construction of two buildings on 4th & Calapooia. The proposed buildings are not a good fit within the Monteith Historic District. The design of the proposed buildings does not meet any of the three design standards for the Monteith Historic District as outlined in the Albany Development Code (ADC 7.270). The primary reason the buildings do not fit is their scale. At 40+ feet tall, the proposed three-story buildings will tower over the neighboring 1.5 and 2.5 story houses. Each new building, at 6,700+ square feet, will also be disproportionate to those around it. These measurements make the proposed structures a bad fit with our residential neighborhood.

Additionally, there are only four parking spaces available for the 8 residential and 4 commercial (12 in all) units. As 1 of these spaces may be dedicated for handicapped use only, only 3 spaces will remain available for general use. This lack of appropriate parking is not to code and will overwhelm the neighborhood. The majority of neighboring houses do not have driveways and rely on street parking near their houses. The proposed buildings will cause an unusually high increase in population density and an unnecessary competition for parking around neighboring houses.

Here are additional reasons my spouse and I think this design is incompatible with our neighborhood:

- Its mixed-use construction is not consistent with the neighborhood.
- The proposed exterior materials (i.e., composite brick, composite shingle, composite siding, composite windows) are inconsistent with other buildings in the neighborhood.
- The proportions and symmetry of the proposed buildings are entirely incompatible with the neighborhood.
- The existing sidewalk area and planting strip will be removed, and the new buildings will be built out to a new sidewalk.
- There will be metal awnings over a sidewalk in our residential neighborhood.

Unless these reasons are addressed fully through major revisions, consideration of this design should not move forward.

Allowing these buildings to be built according to the current design will set a dangerous precedent for the future of the Monteith Historic District and present further problems including those described above. The Monteith Historic District deserves respectful new construction. There is room for the design to change in a way that is considerate to the neighborhood while still ensuring that the developer has reasonable return on their investment. Glancing through the *Guidelines for New Construction in Albany's*

*Residential Historic Districts & Neighborhoods* provides numerous examples of better design choices upon which a redesign could be based. Please ask for a proposal that is more compatible with our neighborhood.

Respectfully,

A handwritten signature in cursive script that reads "Candice Clark".

Candice Clark  
720 6<sup>th</sup> Ave. SW  
Albany, OR 97321

**From:** [Ray Kopczynski](#)  
**To:** [LaRoque, Laura](#)  
**Cc:** [CD AA](#)  
**Subject:** Landmarks Public Hearing on Monday  
**Date:** Sunday, May 17, 2020 3:46:42 PM

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Ray Kopczynski  
1303 Tamarack Ct SW  
Albany, OR

FOR the proposal

Members of the Commission:

It's no secret that during the run-up to where we are now (and while I was still on City Council), I was very adamantly and quite forthrightly, on camera being strongly opposed to the process by which we got to this point. I have not changed my mind whatsoever in that regard. However, here we are.

I watched the recent meeting online to see what kind of proposal might be given considering the restraints on that piece of property.

Notwithstanding what I call some “irrational exuberance and hyperbole” on both sides, I do have to come down very strongly IN FAVOR of the design put together by Bill Ryals and his team to make the best use of the location. I say that from what I perceive are the adjacent buildings that are zero in historic nature and have nothing that remotely suggests they should even be in the historic district other than possibly being grandfathered in to eliminate gerrymandering of the district borders.

The design features the opportunity for small businesses (professional, food-based, or retail) on the 1st floor and even has a small “park” at the rear.

It could have been designed as a "big box" complex, but Bill has taken the high road IMO.

I wholeheartedly hope the Commission approves the design as submitted - without the serious “nit-picking” I perceive. Because in 10-15 years, those miniscule changes will never be wished for nor even remembered...

Thank you,

Ray Kopczynski

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**From:** [Jim Jansen](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Landmarks Review HI-04-20, 331 Calapooia St SW  
**Date:** Monday, May 18, 2020 8:40:49 AM

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I wish to add my support for the design and buildings in Calapooia Court. I believe the project meets and exceeds the requirements necessary for a commercial property. We are in need of housing and retail space in the downtown area. The open, Public spaces are well designed and the project will be an asset to the city. Please bring this project forward.

I was not in favor to the demolition of the houses on the property but since they are gone its time to move on and approve this project.

Thank you  
Jim Jansen  
804 Broadalbin St SW  
Albany OR 97321

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Good evening to the Landmarks Advisory Commission and all attending. We would like to thank all for the amazing support we have received. The virtual testimony was so appreciated and now the written support is a breath of fresh air.

In response and summary of the testimony in opposition, we feel that this project has met all criteria and is overly sensitive to the concerns of those in opposition. Opposing testimony made claims of the project being too big. This project has an element of commercial space which pushes the development into a bit larger building. This zone is intended to be a transition from strictly commercial to a more residential area. The zone encourages a mix of retail, offices, services, etcetera that will add to the livability of our city and the district. The development also provides sorely needed housing. Housing in close proximity to the downtown also enables residents to walk to shops and services and reduces the need for cars and trips across town to the malls and box stores. This project checks all the boxes of what this zone is designed for.

We have also heard complaints in regards to the height of the project. The fact is this project is well under the height restrictions in a zone that “encourages mixed use both horizontally and vertically.” If the zone encourages this type of development then approval should reasonably follow. The structures that were previously on this site were 2 ½ stories. This project is three stories. People feel that the privacy in their backyards will be ruined. The prior structures provided visibility into neighboring backyards as well. Throughout the zone and district all backyards are visible to neighboring homes if you have a two story home. This is inevitable in the entire district as the density dictates this. The proposed development is no different.

Opposition has also made parking a point of contention. The DMU zone has no parking requirements. In an attempt to be sensitive to the neighborhood, the proposed development has included off street parking in an effort to mitigate this concern. We have addressed and been sensitive to parking.

The City has also given eight conditions of approval. We feel these conditions are subjective based on preference and not zoning guidelines. Condition 1 wants a separate review for the designed storage for the residences. The storage is part of this submittal and will have the same detailing as the overall project. To ask for a separate Historic Review of New Construction application for said proposed accessory structures is redundant. The storage for the residences is part of the site plan.

Condition 2 deals with setbacks. This project complies with the setback requirements of the DMU zone. The buildings are well beyond the minimum setbacks in all instances. There should not be a Condition 2.

Condition 3 wants larger offsets than what the project already has. I have never seen any requirement for offsets. Bill Ryals has designed an extremely well thought out plan that is attractive and compatible with the DMU zone and sensitive to the historic overlay. He is an

architect with 40 years of experience. He is an expert. Although he has recused himself from this proceeding we must remind you that he is a member of the Landmarks Advisory Commission. To make a condition for larger offsets is subjective. The planners that are asking for the conditions are not licensed architects, nor do they have the technical expertise that Bill Ryals has acquired through his licensure and many years of experience.

Condition 4 deals with height. The DMU zone encourages development **horizontally** and **vertically**. The DMU zone allows a height of 85 feet, while the historic overlay allows a height of 45 feet. The proposed project's peak, the highest point, stands at 40 feet. This is well within the more conservative height restriction. There should be no Condition 4.

Conditions 5 through 8 deal with design details. We have been in construction for over 30 years and want this project to be an attractive addition to the area. Whether siding is smooth or textured is based on personal preference. Who gets to decide what looks good? We like the look of smooth siding as well, but shingles whether wood or hardiplank have texture. Is this wrong? We like paned windows in some instances but are non paned windows wrong? Is trim that is made of composite materials impervious to rot and the elements wrong? Some "solid wood", that is spruce, doesn't last as long as douglas fir or cedar, which don't last as long as concrete or polyurethane. The detailing does matter, but advances in this day and age should allow for flexibility in what product is used. Is brick better than stone, or better than pre cast concrete? All three provide great appearance and function and all three are great options. In order to create something beautiful, some leeway must be given to the architect and builder. While we can agree to some conditions such as smooth siding, paned windows, and five inch window trim, we feel the red tape of having each item approved is very subjective and unnecessary. It was brought to light in the last meeting that there are other projects that have been afforded this leeway. We would expect the same courtesy. Although our findings of fact and architectural renderings were omitted by staff initially, hopefully you have had the opportunity to review them. As such we feel conditions 5 through 8 should not be a part of this approval.

We have worked hard to be sensitive to all concerns of compatibility. There are many instances of large structures within eyesight or one block of this development. Many buildings that are of grander scale and detailing next to buildings that are more modest. All are valuable and contributing and can exist harmoniously in this area. This development is likewise not the same as everything else. It is not designed to be. However, it will provide a unique mix of commercial space with additional housing to complement the downtown area. Parking space has been added in an area where no parking space is required. Building detailing includes window trim, wide belly bands, wood brackets, shingle detailing and masonry accents to name just a few. These details will add unique touches to make the proposed project attractive and complementary to the neighborhood. We know that these buildings will be a great addition to Albany and the downtown area. Please approve this project with no conditions. Thank you for your time and consideration.

Mark & Tina Siegner

Valley Homes, Inc.  
New Construction in Historic District

# CALAPOOIA COURT

331 NW Calapooia Street - Albany, Oregon 97321



## Historic Review Findings and Report Board of Landmarks ALBANY OREGON



William Gordon Ryals Architect

January 27th 2020

**Criterion: 1a.**

The development maintains any unifying development patterns such as sidewalk and street tree location, setbacks, building coverage, and orientation to the street.

**Facts:**

The proposed new development will not alter the existing sidewalk location. Street tree location will conform with City of Albany development code as no street trees exist at this time. The setbacks of this proposed development are consistent with the DMU zoning. The structures will have a 5 foot setback from interior property lines and be 0 – 5 feet from street facing property lines. The DMU zoning has a maximum front setback of 5/15 feet and a minimum 5 foot interior setback which this development meets. Building coverage of the proposed development will be 4520 square feet. The lot being developed is 10,665 square feet. The DMU zone has no applicable restrictions for minimum lot size or maximum building size. Building coverage for the proposed development will be 42% of the building lot. This is consistent and within the framework of the DMU zone. Orientation to the street of the proposed development will be street facing. One structure will be sited on the corner of Fourth and Calapooia and its' facade will incorporate windows, awnings, and architectural details on both Fourth Avenue and Calapooia Street. The second building is facing Fourth Avenue solely, with all of the same features. Both structures are consistent with the goals of the DMU zone.

**Conclusion:**

This development meets the criteria of unifying development patterns, sidewalk and street tree location, setbacks, building coverage, and orientation. The development fits within the DMU zone and the Monteith District.

**Criterion: 2a.**

The structure is of similar size and scale of surrounding buildings, and as much as possible reflects the craftsmanship of those buildings.

**Facts:**

The proposed development consists of two three story structures. The lower floor is commercial space with first floor to second floor being fourteen feet. The top two floors consist of residential space being nine feet from floor to floor. The structures will be approximately 32 feet to the eaves. The footprint of each structure is 45' 10" x 57' 10", or 2651.39 square feet. Both the footprint and height of the proposed development is consistent and conforming to development code within the zone and district. The surrounding area has a mix of commercial, business, and residential use. Attached please find 7 photos of neighboring properties. The development is adjacent or within two blocks of these properties. These properties are representative of the district and zone. As you can see from the photos, they vary in size and scale. There is a five story structure located at Third and Calapooia. The proposed development shares the alley with a business and home that are similarly three stories. There are homes and rentals across the street that are either two or three stories as well. There are also some single story houses and businesses within the block. The mix of development that has occurred prior adds to the character and offers uniqueness to the zone and district. Not every structure looks like its neighbor and this charm is part of the beauty of the district.

The proposed development also will incorporate elements and exterior architectural details that are consistent and conforming to the zone and district. These features will enhance the development as well as the district. Wide belly bands, trim of windows, gable banding, bay windows, and awnings are some of the additional details that not only make this development more attractive, but also the neighborhood as well. Porches are also part of this development, which is a very prominent feature of the district.

**Conclusion:**

The proposed development maintains similar size and scale of the many different structures of the district. This proposed development is three stories which is a very common size of the existing nearby homes and businesses, therefore being consistent with prior development in the zone and district. The detailing of the proposed development is meant to exceed what is required within the ADC and district standards. This will ensure that proposed development adds to the neighborhood and enhances the district as a whole. The craftsmanship of this development will promote and improve the area, zone, and district.

**Criterion C: 3a.**

Building materials are reflective of and complimentary to existing buildings within the district.

**Facts:**

Attached please find 7 photos of neighboring properties. The development is adjacent or within two blocks of these properties. These properties are representative of the district and zone. As you can see from the photos, the neighboring properties have different window types, siding types, and architectural details. All adding in some way to enhance the diversity of the district and zone. Some windows are vinyl, some are wood, some have grids and some do not, some siding is wood, some is hardiplank, some is vinyl, shingles as well as stucco are also both represented. The proposed development will be a wood framed structure with a mixture of siding types. Lap siding is a common siding type within the district and this development will incorporate lap siding as well. Hardiplank is the preferred type of lap siding for its durability. Shingle accents are also a nice detail on many structures within the district. Shingles will also be a part of the exterior detailing on this development. Masonry (i.e. brick, stone) have been used for centuries on homes and businesses not only in Albany, but worldwide. Masonry accents will be added for curb appeal and will help the project enhance the neighborhood. Windows will be of composite materials with trim to match other homes in the district. As mentioned earlier, exterior trim detailing will be used to ensure this project compliments the district. Metal awnings are also seen on many businesses nearby. These provide a unique look as well as function. Covered porches that invite people in, have always been a nice feature on homes and businesses and will be a part of this project. The overall goal of this project in its entirety is to be a great addition to Albany and its' downtown area. This will be accomplished by using some timeless exterior detailing as well as meshing in some more modern styling. These details certainly add to the cost, but will add to the district and neighborhood and provide a sense of pride once completed.

**Conclusion:**

This project is not trying to be a historic structure, but it will have ample exterior detailing that is prevalent in the district. The building materials used in this development are similar to other

homes and businesses nearby and are reflective and complementary to existing buildings within the district. There are many different products from vinyl to wood to brick to composite materials. Our world is evolving and products change and improve. Windows have also made improvements to function and insulation values. Products range from vinyl to wood to metal to composite. The district has all of these window types represented. This project will try to incorporate the best value while maintaining the look that is important to the integrity of the district. Trim detailing throughout this project will be used around windows, belly and gable banding, wide corner trim, gable accents, and porch features to make this project an asset to the district. The use of the available building materials will be such that they compliment the district. These details and craftsmanship will add to the cost but will give the neighborhood something they can be proud of which has been a long time coming.



May 15, 2020

Albany Landmarks Commission – re. HI-04-20 4<sup>th</sup> and Calapooia Development Proposal:

Restore Oregon is a non-profit that works statewide to save historic places. We represent thousands of community activists, homeowners, preservation professionals, like-minded investors, and users of historic places who want to preserve, protect, and pass forward Oregon's heritage. We have long admired the richness of Albany's historic districts, Main Street, and are currently engaged in efforts to repurpose the old Cumberland Church.

One of the most valuable assets that makes Albany a uniquely livable community is its historic districts. The a sense of PLACE you find in the Monteith district is unique and irreplaceable. More than a collection of individual homes, the district collectively tells a story, and it falls to City leaders to ensure good stewardship of that heritage.

Not that historic districts should be frozen in amber! Far from it. They must evolve and serve the needs of today. The trick is to retain their integrity by ensuring that new infill development is compatible and enhances, rather than distracts from or overwhelms, the historic context.

Having worked in communities across Oregon, vetting and publishing a Special Report on Principles for Compatible Infill Development in Historic Districts, **we urge you not to approve the oversized buildings as proposed for 4<sup>th</sup> and Calapooia**. They do not reflect best practices, lack the appropriate scale, massing, materials, and set-backs that a historic district of this caliber deserves, and do not fulfill Albany's own design criteria.

For the commission that's charged with protecting Albany's historic assets to set aside the approved design guidelines will set a terrible precedent for all future development in this and other historic districts. There are examples across Oregon of infill in historic districts that is both compatible and turns a profit for the developer.

Thank you for giving our concerns careful consideration and entering this into the record.

Respectfully,



Peggy Moretti  
Executive Director

# Scott Lepman Company

Scott Lepman, SRA, RM  
Real Estate Appraisal and Consultation  
100 Ferry Street NW  
Albany, Oregon 97321  
(541) 928-9390 Phone  
(541) 928-4456 Fax

Received by Laura LaRoque on  
Monday, May 18 at 2:05 PM

Historic Landmarks Advisory Committee  
C/O Laura LaRoque  
333 Broadalbin Street SW  
Albany, OR 97321

May 18, 2020

RE: Siegner Property Development Case No. HI-04-20  
525 & 533 4<sup>th</sup> Avenue SW  
331 Calapooia Street SW

To the Historic Landmarks Advisory Committee,

We are in support of this proposed project.

We are confident that the success of these projects will bring viability to the area and the downtown by providing additional housing and retail/office space.

Respectfully,



Scott Lepman



Candace Ribera



FRIENDS OF HISTORIC ALBANY  
1116 11<sup>TH</sup> AVE SW  
ALBANY OREGON 97321  
FRIENDSOFHISTORICALBANY@GMAIL.COM

WORKING TO PRESERVE ALBANY'S HISTORIC RESOURCES

May 16, 2020

Re: HI-04-20 Historic Review of New Construction

*We're proud of our history, and we value our distinctive architectural and cultural resources. Albany's National Register of Historic Districts possesses a significant concentration of buildings in a small geographic area like no other in the state of Oregon. These buildings represent a variety of architectural styles, craftsmanship, and development patterns that helped shape our city and make it what it is today.*

...from the City of Albany website

Albany Landmarks Commission:

The Friends of Historic Albany (FOHA) share the city's pride in our historic districts and, with a mission to support Albany's historic resources through advocacy and education, have a purpose in common with the Landmarks Commission.

The proposed redevelopment of the property at 4<sup>th</sup> & Calapooia, within the Monteith Historic District, is not compatible with the surrounding neighborhood as required by the Albany Development Code (ADC). Approval of the construction, as currently proposed, sets a dangerous precedent and undermines the purpose of the city's historic districts.

This is why we are against the project, as currently proposed, and ask that the commissioners deny the applicant's request.

Although the property is currently zoned Downtown Mixed Use, it lies within a Historic Overlay District (the Monteith National Register Historic District). The location within the Historic Overlay District is a critical point in this case because Article 7 of the ADC clearly states that "**When the regulations and permitted uses of a zoning district conflict with those of the historic district, the more restrictive standards apply.**"

The city's *Guidelines for New Construction in Albany's Residential Historic Districts and Neighborhoods* are included in the staff report. The guidelines purpose is to help property owners and contractors choose an appropriate approach when building in a historic district so that projects satisfy the standards and review criteria in the ADC. It addresses the question of "what makes a new building 'compatible' in a historic neighborhood?" in terms of scale and proportion, massing, height and rhythm. A review of these guidelines makes it clear that the proposed project is not compatible with the neighborhood.

FOHA is not opposed to the redevelopment of this now vacant property but it must be done in a manner appropriate for the historic district.

Thank you,

Rebecca Ziegler, President  
Friends of Historic Albany

May 17, 2020

RE: HI-04-20 Historic Review of New Construction

As residents of the Monteith Historic District for over 30 years we are very concerned about the proposed new construction planned for the vacant lot on the corner of 4th and Calapooia St.

We urge you to vote NO for the following reasons.

The Design Guidelines for the Historic District are quite clear and the proposed structure is clearly too massive and the height way too tall, making the size and proportion of the building out of line with the existing neighborhood.

There is not enough parking available to accommodate the proposed dwellings or commercial space.

The building materials are not compatible with the surrounding homes.

The design is not historical in flavor with the era of homes in the neighborhood.  
(late 1800's - 1920)

The proposed building is a Retail/commercial use building in a neighborhood that was formerly residential.

The set back of the building is not compatible with the other buildings in the block.

Please reject the current proposal until the developers can come up with a more respectful plan. Albany has long been known for it's beautiful historic buildings and thanks to the Landmarks Commission we have preserved many historic neighborhoods. Those of us who have lived in these neighborhoods have pride in our restoration efforts and in keeping with the design guidelines for our own homes, those guidelines should apply to developers as well.

Sincerely,

John and Deborah Conrad  
630 6th Avenue SW  
Albany, OR 97321



From William Ryals - Architect

To the Landmarks Commission concerning Calipooia Court, a mixed use development.

Thank you for this opportunity to submit information to the commission. There has been a lot of testimony for and against this project and I thank everyone for taking the time to express their support and concerns.

I would like to start with a basic overview of the secretary of the interiors' standards for construction in historic districts. These standards are adopted and interpreted in different ways by districts and cities across the country. While districts might have different interpretations of these guidelines, there are fundamentals that everyone should understand.

There are four ways that construction can occur in an historic district.

1. Preservation and reconstruction of existing structures.
2. Renovation or alterations of existing structures.
3. Additions to an existing structure.
4. New Buildings in the district.

The standards differ for each of these activities in important ways. In short:

1. Preservation and reconstruction requires that historic buildings be repaired and preserved using materials, techniques and details as close to original as is feasible.
2. Renovation and alterations are also encouraged to match the original materials and detailing while taking into account current codes for structural, egress, the ADA, and energy use.
3. Additions to historic structures are different. The guidelines recommend that additions be compatible and complementary to the historic building they are adding to, while also being distinct and identifiable as modern structures. This is so future historians are not confused into thinking these later additions were part of the original building.

4. New Buildings are similar to additions in that they are encouraged to be compatible and complementary to the historic district, but also enjoined to be distinct and identifiable as modern structures. Our historic districts are not Disneylands. We are not trying to build fake historic buildings. In fact we are encouraged to use materials and techniques that exemplify the time in which we are building. Keep in mind 50 years from now, these structures will be historic in their own right, and should be representative of their unique time and era. History is being created everyday.

Guidelines for stand-alone new buildings are general in nature, specifically to give architects, builders and communities the flexibility to fit their unique situations, not to invite subjective standards or encourage design by committee. Conditions that attempt to dictate details or enforce subjective standards are a misuse of the code and often result in frustration for architects, builders and the community at large.

Construction in the modern world is complicated and demanding. Permits and approvals can be frustrating and take years. In my experience the City of Albany and its commissions have been helpful and flexible while taking into account community concerns and standards. Politics and personal battles have no place in our codes, zoning or land use decisions. All applicants should be treated fairly and uniformly.

Conditions that require applicants to re-submit and go through a public process multiple times causes months of delays. This has gratefully become a thing of the past with this commission. Requiring an applicant to come before you multiple times does not ensure compliance. It does however frighten applicants and possibly encourage them to seek avoidance of the process all together.

This project brings 8 new two bedroom apartments and up to 4 commercial spaces to the district. The Zone is called Mixed Use. Before that it was called Village Center. The vision was to create a small village-like atmosphere to provide needed services and housing for the area. To serve as a buffer from the historic residential district and the larger scale historic downtown. Our project has a european village scale while staying grounded in a northwest style. The building type is inspired by late 1800's

historic downtown Albany where smaller wood buildings had shops below and living quarters above. Most of these early structures were taken down in the early 1900's and replaced by the more practical and fire resistant brick facades you see today.

This project is a perfect fit for the neighborhood and historic district. It is designed in a scale and style that compliments the district and lives well under the height and density limits allowed by the zoning.

This project will create a quality environment to live, work, and provide local services. It will make Monteith safer, more vibrant and diverse. More people living downtown means more visits to restaurants and retail shop and an increase in our tax base. A great thing in a time of budget shortfalls.

The site and structures were meticulously designed. Setbacks, back yard areas, parking, public courtyard, play areas, sidewalks, awnings and overhangs were designed to fit the buildings and uses within. Arbitrary changes have ripple effects that are often unconsidered and unintended.

As for the look and detail of these buildings, my years of experience have taught me the best way to build in historic districts is to work with master craftsmen like Mark. His years of historic experience and expertise is essential to the detail, finish and success of these structures. This is, by the way, how the structures we love were built in the first place. Not by a committee of concerned citizens, no mater how well intended.

Great buildings not only look great, but provide utility that stands the test of time. It has taken me a lifetime of practice to achieve this balance.

This project will provide a quality place to live, work and raise families; to have lunch and morning coffee; to walk the dog and interact with neighbors. It fits the district and will be a great addition to Monteith.

Respectfully submitted,

William Gordon Ryals - Architect

Carrie Richter  
1151 SE 72<sup>nd</sup> Ave.  
Portland, OR 97215  
crichter@batemanseidel.com

City of Albany Historic Landmarks Commission  
c/o Ms. Laura LaRoque, Planner II  
333 Broadalbin St SW  
Albany, OR 97321  
[laura.laroque@cityofalbany.net](mailto:laura.laroque@cityofalbany.net)

Re: City File No. HI-04-20

Chair McQuillin and Commission Members:

I am a land use attorney and trained historic preservationist who served for many years on the Portland Historic Landmarks Commission, including two years as its chair. I have reviewed this proposal along with the applicable approval standards and offer the following comments:

- Buildings that are twice as wide and seven times larger in area are not “of a similar size and scale of the surrounding buildings” and thereby fail to satisfy Albany Development Code (ADC) 7.270(2). Recognizing this defect, staff recommended conditions of approval requiring a five-foot deep building offset and reduced height are not only inadequate, they are non-responsive to the concern. The conditions will not result in narrower buildings, nor will they make any measurable difference in the overall building area. The surrounding buildings are between 900 to 1,500 square feet. The proposed buildings are 6,500+ square feet. This massive differential will not be remedied with a modest setback in the front building façade. Staff notes additional design amenities will resolve this concern, but no meaningful design components are identified, nor required.
- A three-story building is not compatible with one and two-story historic residences next door, even with the additional 4-foot height reduction proposed by city staff. Three story buildings have three floor plates complete with windows that read as demonstrably taller buildings as two-story buildings, even if they have comparable heights. These buildings will tower over, dwarf and detract from the neighboring contributing historic structures.
- The mixed-use nature of this building is not relevant to whether the siting, massing and design are compatible with the district. Similarly, a mixed-use development is not entitled to any greater height or massing than what exists in surrounding homes, even if those homes are in single family residential use. The Landmarks Commission’s purview is solely design. This application cannot be approved until the size, shape, massing, and craftsmanship matches the nearby buildings.
- City staff recommended conditions of approval requiring fundamental changes in building height, façade design and materials suggesting that it is premature to conclude that once

included, they will result in buildings that satisfy the standards. There is nothing in the staff report analysis to explain why this is the case. If it is possible for the condition-modified designs to satisfy the standards, the Landmarks Commission should continue this hearing to allow sufficient time for the applicant to return with modified plans including these revisions, giving all parties the opportunity to review and weigh in on whether they sufficiency. Since presumably the applicant has no objection to these conditions and will modify their designs accordingly, they should have no objection to extending the 120-day decision timeline to accommodate this request.

In sum, these designs do not satisfy the design criteria, particularly building massing and height. These buildings will detract from and undermine the quality and character of the Monteith Historic District, a resource that the Commission is charged with protecting.

Please place a copy of this email in the record and provide me with notice of your decision.

Thank you for your serious consideration of these comments,

Carrie Richter

May 18, 2020

RE: HI-04-20 4th & Calapooia proposal

Dear Landmarks Commissioners,

As former Landmarks commissioners we are troubled by both the application presented in HI-04-20 and the tone of the presentation by the applicant. Not only does the applicant attack the foundation of the Monteith National Historic District, but the applicant also attacks your lawful right to make decisions based on development code within the district.

At the May 6 hearing for HI-04-20, the architect for the proposed project made a statement about the demolition of the three historic contributing houses (Ryals 1:03:45), "The reason it was just difficult to make that neighborhood revitalized is that the buildings there were just incompatible with the neighborhood and with the district itself. Not all things because they are old...I mean we don't require people to keep their old cars, things become obsolete and unusable, the highway doesn't have Model A's rolling down it, and houses like this does not really serve modern lifestyle, and it ends up, not by accident, this become uh a derelict building, it became obsolete, and although obsolete buildings might be nice in museums, they don't create viable neighborhoods." Bill Ryals (1:11:04) goes on to say, "We could propose a completely modern structure here and it would be compatible with the neighborhood."

This is a very disturbed vision of a National Register Historic District, regardless of it being uttered by a sitting Landmark's commissioner, where historic contributing houses are considered obsolete and incompatible, so that developers can tear down and insert massive structures to "serve the modern lifestyle." The applicant's statements negate the very purpose of a historic district.

The applicant goes on to present a false analogy (Ryals 1:04:30): "This is an interesting picture, this shows an envelope around our development that would indicate what a Portland developer and architect could put on this site and there would be no way to stop them. This is the allowed, and you can suggest materials, you can suggest offsets and what-not but we've gone far beyond that, we could have gone to 4 stories we could have many, we could have high density housing here."

Commissioners are not making a decision choosing between the applicant's design and some imaginary design from a Portland firm. Any firm, be it from Albany or Portland, has to follow the same review criteria set forth in Article 7 of the Albany Development Code. We dare say that Portland's Historic Landmarks Commission would hold an applicant to a much higher standard within a historic district than what is being suggested here.

The applicant also testified on May 6 (Ryals 0:58:13): "Code is the code, the code means it's the law. The overlay, it can advise the code and can seek to lead from the code, but it is not ever intended to supersede or...it's called an advisory commission for a reason." Then the applicant stated (Ryals 1:04:12), "Simply trying to use the landmarks committee to overturn long-standing zoning seems to be a run around that's inappropriate."

The Landmarks Commission is given the authority in Albany Municipal Code 2.76.050 to be a quasi-judicial decision-maker for land use decisions affecting designated historic buildings and districts within the City of Albany. Albany Development Code 7.000 states, "The regulations of the Historic Overlay District supplement the regulations of the underlying zoning district. The historic overlay district provides a means for the City to formally recognize and protect its historic and architectural resources. Recognition of historical landmarks helps preserve a part of the heritage of the City. **When the regulations and permitted uses of a zoning district conflict with those of the historic overlay district, the more restrictive standards apply.**" This law was adopted 20 years ago. The Monteith National Historic District was created 40 years ago, long before any changes to underlying zoning. Regardless, the more restrictive standards of the historic overlay still apply.

The Monteith Historic District has multiple underlying zoning districts. But the historic overlay protections apply to the entire Monteith Historic District, for the protection of the residential district. This overlay was adopted by the City Council in 1985. Your decision is not based on any underlying zoning, it is based solely on Albany Development Code 7.270.

ADC 7.270 Section 1(A) states, *The development must maintain any unifying development patterns such as sidewalk and street tree location, setbacks, building coverage, and orientation to the street.* The applicant stated (Ryals 1:19:38), "I'm sorry but I'm not going to give up a courtyard, and breaking the buildings into two, to accomplish some idea of a setback that's only gives sorta imagined value, three feet versus two feet versus four feet, it's not in my world." It may not be in his "world", but it is in the "world" of the Monteith Historic District, as mandated by law. The *Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods* help clarify this on page 3 by stating, "Buildings should maintain the historic front and side yard setbacks on the block." What were the historic setbacks of the houses that used to reside on the block? Does this proposal match the setbacks of the neighboring historic houses on Calapooia and 4th Ave? Does the depth of the front yards match the neighboring houses?

ADC 7.270 Section 1(B) mandates that, *The structures be of similar size and scale of surrounding buildings.* Again the *Design Guidelines* provide guidance. Are the two proposed buildings, each of which are 6,732 sq ft, the same size as surrounding homes that are between 528 and 1,546 square feet? Do buildings that are 58 feet wide match existing homes that are between 25 to 28 feet wide? And do buildings that are 10 to 23 feet taller than surrounding buildings match the neighborhood for size and scale? All buildings along 4th and Calapooia are between 1 to 2 stories, none are 3 stories in height. Also do the proposed buildings match the craftsmanship of the surrounding homes? Does the roof pitch blend, as shown in the design guidelines? Do the height-to-width ratio of the windows appear similar to the neighborhood? There is an easy-to-follow, comprehensive list in the *Design Guidelines*.

ADC 7.270 Section 1(C) states that, *Building materials are reflective of and complementary to the existing buildings within the district.* Again, the *Design Guidelines* give clarification. Are the buildings maintaining a particular style and maintaining stylistic consistency? Are you using composite wood siding, aluminum or vinyl which are not recommended?

The Landmarks Commission's mission is to protect the historic districts from inappropriate development. It does not negate new development, it merely needs to be compatible. The Historic Overlay supersedes any underlying zoning requirements.

So ask yourself, do the setback and development patterns match? Does the size and massing match the surrounding structures? Are the proposed materials compatible with historic houses of the neighborhood? You need to answer "yes" to all three to be acceptable because that is the law.

Respectfully,

David Abarr  
625 4th Ave SE  
Albany, Oregon

Roz Keeney  
1205 NW Fernwood Circle  
Corvallis, Oregon

Oscar B. Hult  
328 Water Ave SE  
Albany, Oregon

Camron Settlemier  
230 7th Ave SW  
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David Pinyerd  
1116 11th Ave SW  
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Kate Foster  
485 Young Street  
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Larry Preston  
1152 12th Ave SW  
Albany, Oregon

Linda Herd  
723 Ferry St SW  
Albany, Oregon

Heidi Overman  
1120 12th Ave SW  
Albany, Oregon

**From:** [Monica Weber](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Fwd: Calapooya Court  
**Date:** Monday, May 18, 2020 8:37:52 PM

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[External Email Notice: Avoid unknown attachments or links, especially from unexpected mail.]

----- Forwarded message -----

**From:** **Monica Weber** <[monicaweber5@gmail.com](mailto:monicaweber5@gmail.com)>  
**Date:** Mon, May 18, 2020 at 8:33 PM  
**Subject:** Calapooya Court  
**To:** [laura.iaroque@cityofalbany.net](mailto:laura.iaroque@cityofalbany.net) <[laura.iaroque@cityofalbany.net](mailto:laura.iaroque@cityofalbany.net)>

Dear Laura,

I would like to voice my enthusiast support of the proposed Calapooya Court development. We need more affordable housing. We need more mixed used buildings. We need more density so as not to have vast suburban areas gobbling up farmland. I do not believe the building should be shortened. As a building designer myself for 27 years I ask those deciding the course of this project to trust the architect. I greatly admire Bill Ryals' skills and creativity as an architect.

I know this design is not the usual thing. But this concept works all over the world and is a growing trend in the U.S. The reason is that there is demand. These spaces will fill up quickly.

I myself live in a neighborhood with both single family homes and medium density housing, with commercial properties at the end of the block. We chose this area specifically for the convenience of living near stores and restaurants and natural areas such as Talking Waters. Our home is in an older neighborhood (Waverly School blocks) that needed some TLC. We improved the neighborhood with our renovation. In turn the neighborhood has gifted us with wonderful amenities. I feel more residents deserve a chance to chose to live in a multi use neighborhood such as ours. The Calapooya Court project will help fulfill that vision.

Thank you for your consideration.

Sincerely,  
Monica Weber  
Design/Drafting (retired)  
(503) 768-7049

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**From:** [Kristin Preston](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** HI-04-20 comments  
**Date:** Monday, May 18, 2020 11:34:56 PM

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I am commenting as a former member of the Albany Landmarks Commission, on which I served for many years. The landmarks commission has explicit duties, requirements and goals as does the Planning Commission, Planning Department and City staff when reviewing any applicant's proposals. The commissioners don't make decisions based on feelings or emotions but volunteer their time to use their knowledge and perspective as they apply the requirements. From what I witnessed over the many years of my service, that is what most people try to do and should be respected for that. And when faced with a situation where their own personal interests lie, the commissioners are to recuse themselves. Recently, City lawyer, Sean Kidd, further advised the commissioners to not present projects for an applicant because they would still be viewed as representing the landmarks commission. A member of the commission should not have presented this project and then go on to discredit and undermine the landmarks commission in order to achieve what he and a client wants.

When the applicant first came before the landmarks commission, they said that they purchased the property with the idea of restoring the houses and then after closer inspection they decided it was too expensive and tore them down. The difference between that original idea and this proposed development is disingenuous. It's obvious that this proposal does not meet current planning guidelines and following the conditions identified by City staff in order to be compatible with the historic neighborhood is reasonable. Just because the applicant has some support on City Council and by a landmark's commissioner, doesn't mean they shouldn't have to follow the rules just like everybody else. What's fair for one is fair for all.

Larry Preston  
1152 12th Ave SW  
Albany, OR 97321

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Good evening. Thank you for allowing me to testify. My name is Patrick Spence and I live at 707 Broadalbin Street Southwest. For the past seventeen years of my life, I have lived in the Monteith Historic District and I genuinely care about the health, integrity, and prosperity of this wonderful chunk of Oregon. For that reason, I am speaking strongly in favor of the proposed development at Fourth and Calapooia. I'd like to start out by addressing the three major concerns I've seen brought up about the project—parking, it's height, and it's broader impact on neighborhood character—and explain why I don't think any of them merit stopping this project.

Of the three, parking is the easiest to address, so that is where I am going to start. Many historic homes across the Monteith District not to mention the bulk of Downtown businesses lack off-street parking and yet we do just fine. Our neighborhood is designed to be walkable, and anecdotally, the overwhelming majority of on-street parking spaces immediately adjacent to the project are empty. A half-dozen new cars in the area won't change a thing. Moreover, the historic review process in the neighborhood is intended not to make a final judgement on the project but to determine if the proposal is congruous with the neighborhood, making parking irrelevant today. With this established, let's move on to more relevant topics.

Second, I would like to address the height of the project. Certainly, the project is taller than the buildings immediately next to it, but that does not mean it is out of context when compared against the broader neighborhood. Just a half-block away is a five-story development of senior apartments. Including this building in our neighborhood has only augmented the architectural mix of the area and made us stronger. A block further are enormous white cylinders at the water plant, the size of two or three homes. They hardly have ruined the Monteith District's lifestyle. Looking just a couple blocks further, we have the four-story hospital, four story courthouse, three story Central Elementary school, and of course, the tallest building in

Albany, Whitespires Church. All these buildings about much shorter single-family homes, yet none of these cherished civic institutions has made the adjoining homes unpleasant to live in. To the contrary, they have only made the surrounding area more desirable.

This transitions nicely into my third point: that this project does not detract from the character of the surrounding neighborhood. The Monteith historic district is hardly architecturally monolithic. We have buildings ranging from the Victorian era to 1920's Spanish Style, to post-war modernism and 1970's apartment courts. Our built environment easily spans 100 years of architectural history, and there is no precedent for establishing a style cutoff point after which buildings cannot be constructed. With this in mind, then, the historic review process' logical relevance is to ensure that historically significant architecture is not destroyed, rather than requiring new buildings conform to some monolithic style guideline. A modern structure, therefore, does not violate some false sense of architectural homogeneity in the area but rather adds a wonderful new diversity to our patchwork of buildings.

I would like to add that we must reject or request modifications to a project only if it truly detracts from valuable architectural heritage. We must come up with a compelling reason why a project shouldn't be built, not the other way around. The burden of proof, so to speak, is on us, and our default ought to be to allow construction to go ahead unless there is a overwhelming rationale for why a project simply isn't appropriate. It isn't right for us, the neighbors, to hold a developer for ransom to force a project to meet the specifications of our architectural fantasies. Look, the bottom line is that this is a good project which adds much needed architectural diversity and new housing to a vacant lot which formerly held a few dilapidated homes, and doing that will not take away one ounce of the historic value of the homes adjoining it.

This is not, of course, to say that I don't like the project but think it should go ahead anyway. I think it's a fantastic proposal. I am absolutely serious in saying that I have walked along that block for years and thought it would be much improved with a three- or four-story apartment building. This project is impeccably designed. The materials suit it well, the dimensions of the windows, doors, and roof are in line with the styles we cherish today, and new storefronts downtown are always to be welcomed. This project will add much needed density and diversity to the neighborhood and beautify Fourth Avenue significantly. That's exactly the type of neighborhood I want to live in.

Finally, I'd like to finish with a warning. Over the past three decades or so, historic neighborhoods like ours up and down the West Coast have become extraordinarily desirable, for good reason, with demand for housing in urban cores exploding and home values responding to this mismatch in supply and demand accordingly. With this occurring, we cannot freeze the community that we cherish around here in place indefinitely. We've seen the consequences of what happens when we try—in North Portland, South Seattle, San Francisco, Bend, Santa Cruz, and Ashland. In all of these communities, families have been priced out, younger generations have been forced to leave the places they grew up, and the broad prosperity that should be accessible to all in these areas is now only available to the few who were lucky enough to purchase their homes at the right time. If we attempt to freeze this historic district in amber in the name of some sort of unnuanced preservation, this is exactly what will happen, and we will lose the very community that makes this neighborhood so wonderful. If change, then, is inevitable, let us try and preserve our community along with our architecture. In doing so, we must give up on trying to prevent new development and instead use historic preservation as a tool to preserve only the most remarkable architectural treasures in our neighborhood and allow new housing, in

all its modernity, to replace that which has less historic merit, a distinction which I'm confident applies to a vacant lot on Fourth Avenue and the air around it. Ultimately, we must not allow our fear of the new—fear of new designs, fear of new buildings, and fear of the new neighbors that will inhabit them—to prevent us from moving ahead as a neighborhood and adjusting to our new reality. Let's instead be brave and allow this project, which can only make our community stronger, to proceed as quickly as possible.

I, for one, am going to side with this more forward-thinking alternative and as such, I strongly encourage that this project be greenlighted exactly as proposed. Thank you for your time.

**From:** [Jayne Crupi](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Landmarks Commission Public Hearing Input - Meeting on 5/19/2020  
**Date:** Tuesday, May 19, 2020 8:16:28 AM

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Dear Members of the Landmarks Commission,

I have reviewed the plans for the buildings to be placed on the property at 4th and Calapooia. In my opinion, these buildings DO NOT meet any of the requirements outlined in the Guidelines for New Construction in Albany's Residential Historic Districts and Neighborhoods. The buildings remove sidewalk easements, don't provide enough parking for residents of the buildings, and have no historic appearance to them. These plans SHOULD NOT be approved, and should be returned to the owners and designer for reworking to meet the historic Albany guidelines.

Thank you.

Jayne Crupi  
1015 5th Avenue, Apt 17  
Albany, OR 97321

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**From:** [Terry LaRue](#)  
**To:** [LaRoque, Laura](#); [CD AA](#)  
**Subject:** DT Monolith Proposed Building Project ... Please, NO!  
**Date:** Tuesday, May 19, 2020 12:07:48 PM

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I live in the Montheith Historical District on 6th and Maple Street SW. I moved to Albany from the San Francisco Bay Area late last year to get away from the overbuilding, density and the transitory nature of rental properties. I moved to a lovely historical district that Albany was proud to protect by existing building codes that ensured the integrity of the neighbourhood's lovely homes and open space.

When I first heard about this project, I selfishly thought it was a great idea. It was planned to be a few "brownstone-type" buildings that complied with the building codes of the historic neighbourhood. The plan called for a commercial component on the ground floor. I was wishing for a local grocery store or a nice coffee shop within an easy walk.

The plans for this project, however, are not that. They do not even pretend to comply with the building codes for this area. It's just a huge block of building dwarfing the adjacent neighbours for blocks around.

What I don't understand is how this project is even being considered for comment when it clearly doesn't meet existing standards and building codes for the Monteith Historical District. It's a step in the wrong direction towards overbuilding and destroying our lovely residential neighbourhood. This would be setting a terrible precedent of destruction of compliant historical homes in the area and reusing the empty lots for over building and commercialisation not to mention a total disregard for thoughtful development of the Monteith Historical District.

I support reusing the property for compliant housing that enhances the area.

Thank you,

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**From:** [GaryandLindaHouse](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** 4th and Calapooia  
**Date:** Tuesday, May 19, 2020 12:59:51 PM

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Hi Laura,

My wife and I have lived in the Monteith neighborhood for over 30 years and love this area. Many changes over the years have benefited our unique downtown area; however, we consider the new residential and commercial building being proposed on the corner of 4th and Calapooia to be out of character with the neighborhood, too high, too dense of usage, too little parking, not enough open space around the buildings.

Please have the building plans redesigned to better contribute to downtown development and our unique historic neighborhood.

Thank you,

Gary and Linda House  
541-971-2116

Sent from Gary and Linda's pad

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RECEIVED

MAY 19 2020

To Whom It May Concern; this BY letter is written in support of the proposed project undertaken by the Siegners to improve the downtown area. My understanding is the lots involved are indeed in a zone designated as commercial / residential; the proposed project is exactly that. the development of some apartments, office space and possibly some retail would bring much needed housing, commerce, taxes, fees etc. to the city while blending in with the existing downtown revitalization efforts both current and proposed. the Siegners have undertaken numerous projects with great integrity in albany over the years including new homes, remodels and historic preservation etc. and contributed much to the city in labor, taxes, fees etc.; they are not "headless outside opportunist" as those on the fringe would like one to believe. as a resident of the Monticott District rest assured most people are pleased with the Siegners' removal of the blight that existed on those lots previously for years. I believe this project will blend in very effectively with the mix of downtown business and adjacent neighborhoods. No one is proposing that anyone should undertake a project in the middle of a given neighborhood, these lots are commercial / residential for a reason, it's meant for transition and blending of business and community. As I've stated my wife and I reside in the Monticott District in a historic home that is all original inside and out; many years ago my wife served on the <sup>Local</sup> Historic Preservation Committee. While proponents of historical

Landmarks  
preservation; many residents wish the  
Historic Preservation Committee would get back  
to using their expertise, funding, advice etc.  
for dwellings and areas in transition, need of  
repair, needed funding etc. before said properties  
are beyond rehabilitation. Quite easy to be  
"Johnny Come Lately" to dilapidated buildings  
and blight after the fact. Urge the  
City Council and all parties to support  
this project in full.

Respectfully yours, Mike Bishopink

Re: The properties at 525 and 533 4<sup>th</sup> Avenue SW

City of Albany and Landmarks Commission,

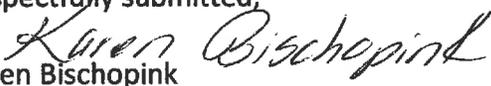
I have lived in the Monteith Historic District for 39 years. I have a great appreciation for historical structures. During this time, I have restored and lived in a Rural Vernacular on 5<sup>th</sup> Street, a Salt Box on 5<sup>th</sup> Street, a Prairie/Usonian style on Calapooia Street, and a Bungalow on 11<sup>th</sup> street. I have served on the Historic Home Tour Committee, the Landmarks Commission, and the Bridge Tours of Historic Albany.

The proposed development at 4<sup>th</sup> and Calapooia are long overdue. I am very happy to see the plans for these lots. Kudos to the Siegners for being willing to take on this project when no one else would step up. The former structures were in disrepair when I moved to 5<sup>th</sup> and Walnut 39 years ago. Since that time they stood and deteriorated more every year. Not only an eyesore, but they brought crime and drugs to our area of living and the businesses around them.

I would highly recommend the Landmarks Commission approve the buildings and project the Siegners have proposed. I feel they are very compatible with the neighborhood. They also serve a great use for urban development the city is promoting. Certainly 100 percent better than what stood there for 40 plus years.

This project is a very welcome addition to my neighborhood and a vast improvement for the area. I would like to thank the Siegners and Bill Ryals for their patience, hard work and dedication to the Historic Monteith District and the City of Albany.

Respectfully submitted,

  
Karen Bishopink

May 10, 2020



**From:** [walshins@earthlink.net](mailto:walshins@earthlink.net)  
**To:** [LaRoque, Laura](#)  
**Subject:** Proposed development at 4th and Calapooia  
**Date:** Tuesday, May 19, 2020 3:04:51 PM

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I am writing opose the development of the parcel of land We are in the historic district and have to abide by the guidelines too preserve historic value of the building and homes in this area. Allowing building sites to depart from this is not keeping with the areas beauty and overall vales of the area Allowing this increases traffic, water runoff to the river. Development should maintain the buildings of the area. There is many other areas that would suite this type of structure.

Thank you keeping the area's historic and a wonderful place, George and Marilyn Stursa

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# Oregon

Kate Brown, Governor

**Parks and Recreation Department**

725 Summer St. NE, Suite C

Salem, OR 97301-1271

(503) 986-0980

Fax (503) 986-0794

[www.oregonstateparks.org](http://www.oregonstateparks.org)



May 19, 2020

Laura LaRoque  
333 Broadalbin Street SE  
Albany, OR 97321

RE: HI-04-20 4th and Calapooia Development Proposal

Dear Commissioners:

Thank you for the opportunity for the State Historic Preservation Office (SHPO) to submit comments regarding the proposed new construction within the Monteith National Register Historic District.

The Monteith neighborhood's designation in the National Register of Historic Places in 1980 underscores the important role the district plays in telling Albany's community development story. National Register Historic District's notably possess significant concentrations of historic resources that are united historically and aesthetically by plan or physical development. The Monteith Historic District is no exception.

We ask the Commission to reach a decision that considers any new construction within the historic district to be compatible in height, design, materials, and scale of the district's other historic resources. Moreover, any new construction should be built in a manner that protects the integrity of the district and follows the Secretary of Interior's Standards for the Treatment of Historic Properties and Albany's own guidelines for new construction in Historic Districts.

We have confidence in your ability as a Landmarks Commission to make the decision fairly based on the applicable criteria and the evidence brought before you. For our part, the SHPO urges you to recognize the great importance of the historic character of the Monteith Historic District as a symbol of Albany's early heritage.

Sincerely,

*Robert T. Olguin*

Robert Olguin  
National Register Program Coordinator  
(503) 986-0668  
[robert.olguin@oregon.gov](mailto:robert.olguin@oregon.gov)

**From:** [Joan Baratta](#)  
**To:** [LaRoque, Laura](#)  
**Subject:** Proposed Calapooia SW Street buildings should not be allowed  
**Date:** Tuesday, May 19, 2020 4:34:00 PM

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I hope I am getting my comments in on time for the meeting tonight. I live on Calapooia Street and 7th and hope that the proposed building is not allowed in this residential neighborhood. There are plenty of buildings on the main streets of downtown Albany that need to be rented and would be wonderful for this type of commercial endeavor. Please keep our neighborhood residential!

Thank you!

Joan Baratta  
722 Calapooia St SW  
Albany, OR 97321  
541-525-1521

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**From:** [maryfmclean](#)  
**To:** [LaRoque, Laura](#); [CD AA](#)  
**Subject:** May 19th, 2020 Public Hearing, Calapooia Court  
**Date:** Tuesday, May 19, 2020 4:55:53 PM

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To Whom it May Concern,

I own and reside in the house at 515 4th Ave SW, Albany, OR 97321. The proposed Calapooia Court Structures would be built immediately adjacent to my home. In fact, the proposed ground floor east facing window, is designed to be less than 8 feet from my current bedroom window and would directly face my bedroom window.

One of my main concerns regarding the proposed structures is the street accessible community space he has designed between the two proposed structures. As per his design plan, there appears to be a barbecuing and picnicing area behind a, presumably, locked fence. I assume those would be intended as communal areas for the apartment residents. However, he has also created a space between the two buildings that cannot be closed off from the street. My concern is the obvious invitation to the local homeless population to use that area as a place to sleep for the night. The First Christian Church on Washington and third, as well as other local churches, provide meals for the homeless population. We often see homeless citizens walking to and from the two local parks along the Willamette River. With that open, covered, easily accessible space provided to them with these proposed structures, it would be an open invitation for the homeless to save themselves the walk to and from the river.

According to the proposal, there would be a total of 8, 2-bedroom apartments. However, there are planned to only be 4 designated parking spaces behind the structures. Plus, there is intended to be four businesses, on the ground floor of these structures. What impact will all this increased traffic have in our Historic neighborhood? Where will the apartment residents park? Where will the business employees park? Where will the customers of the proposed businesses park? There is really only space for about 6 cars to park in front of the structures along fourth street. Possibly another 3 along Calapooia Street. What is the plan to diminish the negative impact of the increased traffic in the Historic Montieth District? There are already residents currently living in this neighborhood. Where are we supposed to park, with so much new traffic coming into the area?

Looking at the design plans, the proposed eastern building appears to be almost immediately built upon the property line between our two properties. As per [Ord. 5446, 5/10/00] "No wall of one dwelling unit is closer than 10 feet to a window of another dwelling unit". I want to stress the importance of this Ordinance and how imperative it is that this minimum spacing be met. I also want to stress my desire that a privacy fence be put in place between our properties, since the proposed structures will be bringing in customers off the street, attracting the homeless, and having rotating renters through the apartments.

Thank you for your consideration.  
Mary Frances McClean  
(541) 801-0014

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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May 19, 2020

RE: HI-04-20 Historic Review of New Construction

Good evening staff and Commissioners,

My name is Bernadette Niederer, I live at 1116 11th Avenue SW.

I have a MS in Historic Preservation, and I have worked as a historic preservation consultant and architectural historian since 2001.

At the 5/6/2020 meeting I commented that the application submitted by the property owner and his architect/representative was inadequate. I also noted that the illustration used during the presentation to Landmarks did not correspond to the drawings that were submitted as part of the agenda packet.

The agenda posted for the 5/19/2020 meeting appears to have been supplemented with additional material hours before the meeting. The new material includes the same renderings shown during the presentation that do not correspond to the original submission's elevations or roof plan. The detailing is also different. This is particularly noticeable on the balconies, which are either shingled or lap sided, continuous or discontinuous, with or without metal railings. What exactly is the design of the proposal? Which design is the Landmarks Commission making a decision on?

The renderings are accompanied by text that implies the proposed buildings are of similar size and scale as the surrounding buildings, which completely neglects mass, especially when that mass is doubled. There are buildings in the historic district that are three stories in height, there are buildings in the historic district that have a substantial footprint, and there are buildings in the historic district that are paired. There are no buildings in the historic district that combine all those factors in one fell swoop. River View Terrace, which is repeatedly cited, is not located in the historic district and is not subject to the same criteria.

The proposal does not address building typology. Historically, mixed use buildings tend to have flat roofs and limited surface cladding materials. These structures take the residential gabled house form and blow it up, out of scale and out of proportion. Simply by omitting the gabled roof surfaces, and adding a well-articulated cornice, these buildings would be more compatible with historic design. Removing some of the exuberant cladding materials, particularly the scattered masonry veneers, would make it a more coherent design. Varying the two buildings slightly would make for a less monolithic, domineering design. There are many options to make this proposal more compatible.

Respectfully,

Bernadette Niederer

