

Other Handouts

June 24, 2020, Council Meeting.

Written comments received by city staff
for HI-04-20,
as of 5:00 p.m., Tuesday, June 23, 2020.

Audio Links to the HI-04-20 Landmarks Commission Public Hearings

Click on the below dates to hear audio from the applicable Landmarks Commission meetings

[May 6, 2020](#)

[May 19, 2020](#)

June 20, 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, making the size and proportion of the building out of line with the existing neighborhoods.

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

The building materials are modern and 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. 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. We have to wonder how those in favor of this proposal would like to have this behemoth erected eight feet from their property line, or try to find parking in front of their own residences. There are ways this proposal could be redesigned to be much more aesthetically pleasing and compatible within a historic district, why not try a new approach? It should also be noted that the developers and architect as well as the majority of letters in support of this proposal are from individuals living outside the Monteith Historic District.

Thank you for your consideration,

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

Handwritten signatures of Deborah Conrad and John Conrad. The signature for Deborah Conrad is written in a cursive style, and the signature for John Conrad is written in a more stylized, looped cursive style.

From: [Kate F](#)
To: [LaRoque, Laura](#)
Subject: comments against HI-04-20
Date: Monday, June 22, 2020 7:17:18 PM

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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

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.

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 criteon 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
Albany Homeowner
2815 Marion St SE

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Camron Settlemier
230 7th Ave SW
Albany, Oregon 97321

June 22, 2020

City of Albany City Council
c/o Ms. Laura LaRoque, Planner III
333 Broadalbin St. SW
Albany, OR 97321
laura.laroque@cityofalbany.net

Dear Mayor Konopa and City Council,

As a resident homeowner in the Montieth National Historic District, I am against the proposal in case file HI-04-20. Following the explanations given in “Guidelines for New Construction in Albany’s Residential Historic Districts & Neighborhoods” starting on page 27 of the agenda packet, it is clear that the proposal does not meet any of the requirements in Albany Development Code 7.270.

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, scale or form of surrounding buildings. They are so out of scale that shaving a few feet here or there will not help. It is completely unbalanced with the abutting properties.

The roof peak height of 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.

To get a real sense of the height, I put my drone 41 feet into the air, the same height as the proposed roof peak of Building 1 and Building 2. At this height, the drone is above all other surrounding buildings. It overlooks the Fisher Funeral home on Washington, the Fortmiller Funeral Home, and the Downtown Library. It even looks over most of the urban canopy. 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.

The irony is, that if these complexes are built as proposed, I couldn't even take these shots, because the drone would crash into the awning or eaves protruding into the public right of way over the sidewalk. This does not meet Criteria 1 which says the setbacks should meet the underlying development patterns.

Any conditions of approval would be so drastic that a new review based on revised plans is needed, and I urge you to deny HI-04-20.

Thank you,

Camron Settlemier



Looking at abutting properties to the east.



Looking East.



Looking South



Looking Southwest



Looking West



Looking North

Richard H. Engeman
955 Fifth Avenue SW
Albany, OR 97321
503-235-9032
info@oregonrediviva.com
www.oregonrediviva.com

June 23, 2020

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 that formerly hosted three historic residential structures.

The proposal, although designed by an architect who is himself 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.

Even more troubling is that the applicants, rather than reviewing the problems raised with their proposal, consulting with their architect, and re-submitting a revised plan, chose to appeal the decision to City Council. This is the second time that the applicants have proceeded directly to the council to overturn a Landmarks Commission ruling.

Is the City Council prepared to assume the burden of reviewing any and all future decisions of the Landmarks Commission should an applicant be unsatisfied with the decision and, in addition, be unwilling to work with city staff and the Landmarks Commission to prepare an application that meets the requirements of the law?

City Council should reject this appeal and remand the matter to the applicants, their architect, city staff, and the Landmarks Commission. The applicants should have their architect study the requirements for a design for this property and prepare a suitable set of plans: it can be done.

The Commission's guidelines—the law—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 in the district, and be built of materials that are reflective of, and complementary to, existing district buildings. The proposal now before City Council does not follow these guidelines, and it is clearly, irrefutably, fundamentally unfit for approval.

I urge City Council to deny approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard H. Engeman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Richard H. Engeman



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

WORKING TO PRESERVE ALBANY'S HISTORIC RESOURCES

June 23, 2020

HI-04-20 Testimony

Dear City Council,

Friends of Historic Albany (FOHA) is a 501c3 non-profit group dedicated to the preservation and education of Albany's rich historic resources. We encourage carefully designed and historically compatible infill and do not want to see the lots at 4th and Calapooia left vacant. However, because of its complete incompatibility, we are strongly against the proposed new construction at 4th and Calapooia Street in HI-04-20.

It's impossible to plop two huge, three-story, mixed-use, commercial structures on a quarter-acre parcel in the middle of a one and two-story, historic residential neighborhood and have it be compatible. While the use of the building itself is beyond the scope of historic review, the architectural qualities of the buildings proposed do not blend with a residential neighborhood. The massive size, the boxy vertical walls, lack of a porch, large aluminum doorways and windows all are incompatible with the construction in the neighborhood. The design is fundamentally incompatible and no amount of review conditions will change this fact.

Albany's Comprehensive Plan, Chapter 2, Goal 5 states, that "... Albany's historic resources are an important asset to the citizens of Albany and Oregon" and also "By emphasizing its historic landscape, Albany can enhance its image and offer an attractive tourist setting."

Goal 5 Policy 3c states: "Ensure that the design of new construction within historic districts does not detract from the architectural qualities of the district."

And Goal 5 Implementations includes:

"8. Develop review criteria which would discourage those zone changes resulting in increased pressure to replace historic structures with more intense land uses."

"10. For significant primary structures, create a "landmark district" overlay zone designation which would provide for the protection of significant historic sites and buildings from incompatible development of surrounding properties."

Bulldozing three contributing historic houses in the Monteith National Historic District and replacing them with two massive, three-story commercial structures goes directly against Goal 5 Policy 3c of Albany's comprehensive plan.

The proposed project is within the newly established Downtown Mixed-Use zone, but most importantly, on top of that zone resides a Historic District Overlay Zone. As you know, overlay zones are applied over one or more previously established zoning districts. This is done to establish additional or stricter standards and criteria for properties in that area. So, while this new construction meets most of the standards within the Downtown Mixed-Use Zone, it completely fails to meet the criteria of the Historic District Overlay Zone, as well as the vision set forth in Goal 5 of Albany's Comprehensive Plan.

ADC (Albany Development Code) 5.040 says: "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.**"

ADC 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.**" The underlying zoning is irrelevant when making historic review decisions, if they are in conflict with ADC chapter 7.

This comes into sharper focus with the comprehensive plan discouraging the replacement of historic structures with more intense land uses, which is exactly what is proposed in HI-04-20.

ADC 7.230 says: "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."

ADC 7.260 states: "Application Contents. Any application for new construction design approval must include the following information:

- (1) A site plan showing the location of the structure on the site, setbacks, building dimensions, the location of driveways and landscape areas, and the general location of structures on adjacent lots.
- 2) Elevations sufficient in detail to show the general scale, bulk building materials, and architectural elements of the structure."

Staff report says, "Two accessory structures are proposed in addition to the two primary buildings (as shown on the site plan). However, supplemental application materials such as elevation(s) drawings and/or written narrative depicting the height and exterior design of the accessory structures was not provided with this application submittal."

The staff report also notes "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.” Along with, “Information regarding the profile of the face of the siding as well as the finish of the masonry accents was not included in the application submittal.”

The application is incomplete. It provides no elevation for two accessory structures over 100 square feet in size, and does not include the necessary information about window and siding material on building 1 and building 2. This lack of information does not allow proper land use decision feedback from the neighbors or the public, does not allow a proper public land use hearing, and Albany Development Code 7.260(2) is not met.

ADC 7.270 contains three review criteria for New Construction in a Historic Overlay District. The application must meet all aspects of all three criteria in order to be approved.

ADC criteria 7.270 (1a) says: “The development maintains any unifying development patterns such as sidewalk and street tree location, setbacks, building coverage, and orientation to the street.”

The unifying development pattern of the Monteith Historic District shows it was built as a single-family residential neighborhood. It's right in the National Register Nomination form which 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 historic properties in the Monteith District are commercial, 5 out of 343 historic properties. Only two commercial properties exist west of Washington Street, a single-story false front on 9th, and the Power Plant located on the canal. Historically, builders didn't build commercial properties away from the major streets, not on a side street such as 4th, not towering over and between residential structures. The broad typology of the Monteith National Historic District is single family detached residences, with a few commercial and institutional structures on main arterials on Washington Street and points closer to downtown. The single family residences have matched setbacks, with landscaped yards on all sides. We also know the original underlying historic development pattern of this property was the construction of three single-family, 1-1/2 and 2-story homes. The example properties cherry picked by the applicant as examples are not typical representatives of the Monteith District.

- a. While the property at 306 Washington Street is 2-1/2 stories, it has a 5-foot sidewalk setback and was built in a step-back design, see Figure 1. The height to the first floor step-back is estimated at 14 feet. The height to the roof edge on the main facade is estimated at 26 feet. This reduces the scale of the building, provides increased uniformity with surrounding neighbors, and emphasizes ground level pedestrian elements of the building. The proposed new construction at 4th and Calapooia is three full stories with a vertical wall height of 33' 3”, does not have a step-back design, and will create a dramatically different look and feel for the neighborhood. Furthermore, 306 Washington faces Washington Street, which was originally the Pacific Coast Highway, and the main artery through town; it had a different underlying development pattern than the residential side streets. Unlike the proposed 4th and Calapooia project, 306 Washington is not directly abutting or replacing residential properties.



Figure 1. 306 Washington Street step-back design.

- b. 635 3rd Ave SW, or the River View Place Apartments, is listed as another precedent setting example. While it is located only one-block from the proposed new construction, it is **outside** the Historic District Overlay Zone and was not required to meet the same design criteria as the 4th and Calapooia project. It is a good example of what should **not** be built in a National Historic District. It's an example of why Historic Overlay Districts exist, to prevent this kind of incompatible development inside a National Historic District. It also shows the importance of maintaining the edges of a Historic District against encroachment from surrounding neighborhoods and developments. The council should not consider the property for comparison.

The proposed design does not match the style or pattern of any of the surrounding houses. They are just two, identical, big boxes designed to maximize square footage. We implore you to look at the *Guidelines for New Construction in Albany's Residential Historic Districts and Neighborhoods*, that starts on page 27 of the agenda packet. These guidelines give clarification, guidance and examples to the relevant development code. These proposed buildings break every single guideline. The design guidelines for infill assume residential architecture inside a residential neighborhood for compatibility. It states, "Albany's historic residential neighborhoods developed over many decades, and contain houses of many different styles, shapes and sizes. Because of this, there is no single blueprint for a new house that will be compatible with any given historic neighborhood. However, the architectural character and details found on Albany's historic buildings provide the 'architectural

vocabulary’ that can be used in designing new buildings that are compatible with Albany’s historic neighborhoods. The careful, sensitive and thoughtful design of any new construction in the districts is of the utmost importance because it must harmonize with the character of the neighborhoods and be made compatible with existing historic structures.” Inserting two massive commercial blocks into a residential neighborhood is a completely incompatible approach. Inserting two massive commercial blocks into a residential neighborhood is a completely incompatible approach.

Staff report says, “No modifications to the existing sidewalks are proposed. As shown in the site plan, the following on-site pedestrian improvements are proposed: 1) a paved walkway extension from the interior edge of the existing sidewalk to the front of each building”. A paved walkway is a sidewalk. The proposal shows widening the sidewalk along the edge of each building. The historic development patterns shows that public sidewalks in the Monteith National Historic District are not widened to reach a the building’s front facade. The abutting property at 515 4th Avenue has a front yard. The abutting property at 323 Calapooia has a front yard. The former historic houses located on the site had front yards. These are landscape areas, not a paved sidewalk. Further, the drawings show extending the sidewalk to the curb, paving over the verge between the existing historic sidewalk and the street. A landscaped verge is a unifying development pattern within the Monteith Historic District, and historically it’s only intermittently broken by small cross sidewalks and driveways.

Aside from the demolished historic houses and the narrow sidewalks, the subject property had no impermeable surfaces. The former houses were surrounded by landscaping.



Figure 2. Current View of Subject Vacant Lot.

The four proposed buildings combined with proposed impermeable surfaces (plaza, sidewalk extension, paved parking) results in over 87% lot coverage. This is inconsistent with the development pattern of the Monteith National Historic District where residences are surrounded by yards, landscaping and other permeable surfaces.

The design guidelines state, “Buildings should maintain the historical front and side yard setbacks on the block.” Staff report says based on aerial measurements, that the setback at 515 4th is 1 foot to porch and 7 feet to facade. However, the actual measurement, done with a tape measure, show a street setback of exactly 5 feet to the porch columns and exactly 11 feet to the facade. Figure 3 visually shows the street setback.



Figure 3. 11' Setback of 515 4th Ave SW.

The incompatible building at 330-340 4th Avenue has zero setback, but it's a non-compatible/out-of-period building. Incompatible buildings are not part of the historic unifying development patterns and should not be considered. 323 Calapooia has a setback of approximately 15 feet. And Figure 4 and 5 shows the historic development pattern of the previous historic buildings on the site matched the setback patterns of the abutting properties.



Figure 4. Historic Setback of 331 Calapooia



Figure 5. Historic Setback of 533 and 525 4th Avenue.

The staff report says the proposed building 1 has 2-foot to 3.5-foot setback on 4th (main facade). Building 2, has a 0-foot facade setback on 4th, and 2-foot to 3.5-foot setback on Calapooia. The submitted drawings show entryway support columns are on the zero lot line on both 4th and Calapooia.

But staff is only looking at the first floor drawing. On the second and third floor, the facade over the entryway is on the lot line for building 1 on 4th Avenue and for building 2 on Calapooia St. Even worse, the elevation drawings for the proposal show the entryway roof intruding 3 feet into the public right of way! And the roof eaves will extend 2'6" into the public right of way for building 1 onto 4th and for building 2 onto Calapooia. Furthermore, the side eave of building 2 will extend 2 feet into the public right of way on 4th. (The plans also show awnings intruding onto public space, although no dimensions are given). It is outrageous that a building that must maintain the historic unifying development setback patterns is instead violating the public right of way. The main facades setbacks need to be 11 feet on 4th Ave, and 15 feet on Calapooia, and eaves and roofs should never violate public space in the Monteith National Historic District.

ADC criteria 7.270 (1)(b) says: "The structure is of similar size and scale of surrounding buildings, and as much as possible reflects the craftsmanship of those buildings."

The *Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods* states, "New buildings should relate in scale and proportion to adjacent historic buildings" (agenda packet page 30). The staff report says, "Generally, new buildings should not overwhelm neighboring structures in height and should remain within a similar range found within the vicinity of neighboring properties."

In order to get a sense of the total size of these buildings, we constructed a 1/16 scale model, using a combination of the submitted drawings, the City's InfoHub map, Google Maps and field measurements. It shows the mass of the proposed buildings to the mass of the abutting neighbor properties directly to the north and east. At 40'10" tall, 57'10" wide, and 6,732 square feet, the proposed structures are immensely larger than surrounding buildings. They are so out of scale that shaving a few feet here or there will not help, there is no

hiding their domination of their corner of the block. This is the textbook definition of “overwhelming.” See Figures 6-10. Look at the scale models and then look at the “THIS/NOT THIS” drawings at the bottom of page 4 & 5 of the design guidelines (pages 30 & 31 of agenda packet). How can the City of Albany justify that the new construction proposed falls into the “THIS” category?

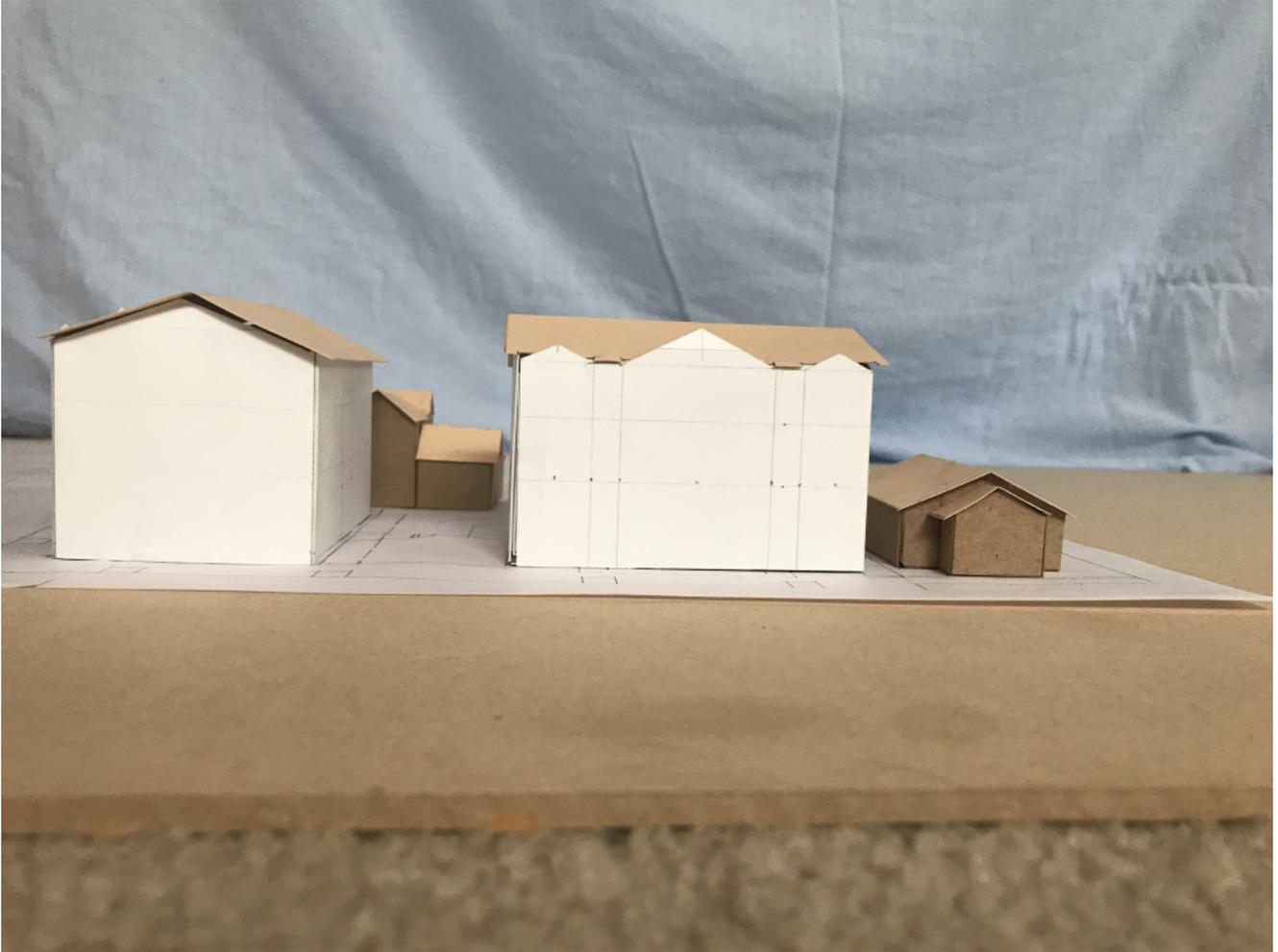


Figure 6. Fourth Avenue Looking North.



Figure 7. Fourth Avenue Looking Northwest.



Figure 8. Alley Looking Southwest.



Figure 9. Calapooia Street Looking Southeast.

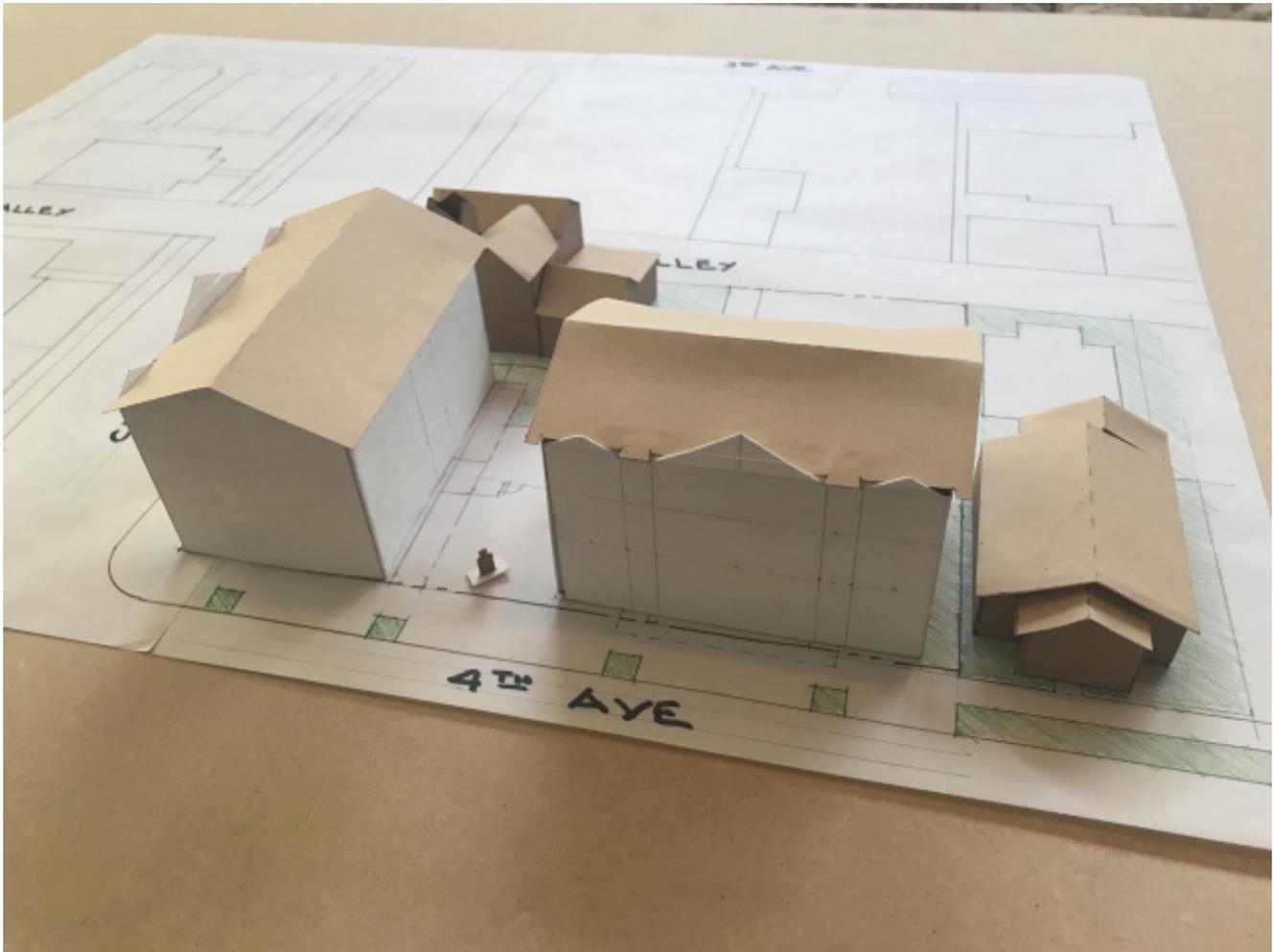


Figure 10. Overhead View Looking North.

The staff report also says, “The district is comprised primarily of residential buildings amalgamated with a few institutional structures (i.e. Carnegie Library, Central School, and Whitespires Church). Residential structures in the district are typically one- to two-and-a-half stories tall.” The Design Guidelines agree, stating “Albany’s buildings range from one to two and a half stories tall.” The staff report goes on to note the historic contributing home that abuts to the north is two stories tall, and the historic homes that abut to the east and northeast are both single story. Staff further notes that the homes directly across the street are 1 to 2 stories tall. Finally, staff says “Building One is estimated to be two stories or 23 feet taller than the abutting structure to the east at 515 Fourth Avenue. Whereas Building Two is estimated to be one-story or ten feet taller than the abutting structure to the north at 323 Calapooia Street.”

The Design Guidelines (page 30 of the agenda packet) say “Step larger buildings down to smaller buildings”. Which means the buildings proposed should be between 1 and 2 stories tall in order to match the abutting properties. At least 10 feet of height needs to be removed for the proposal to meet the criteria of ADC 7.270 (1) (b).

From Table 2 of the staff report, it is shown that proposed building 1 and 2 are over twice as wide as any of the neighboring buildings.

Each main building exhibits from 4 to 13 times the square footage of any of the abutting properties. The four proposed buildings have a combined size of 13,774 square feet! This results in 9 to 26 times the square footage when compared to abutting properties. This massively incompatible discrepancy is visualized in Figure 11.

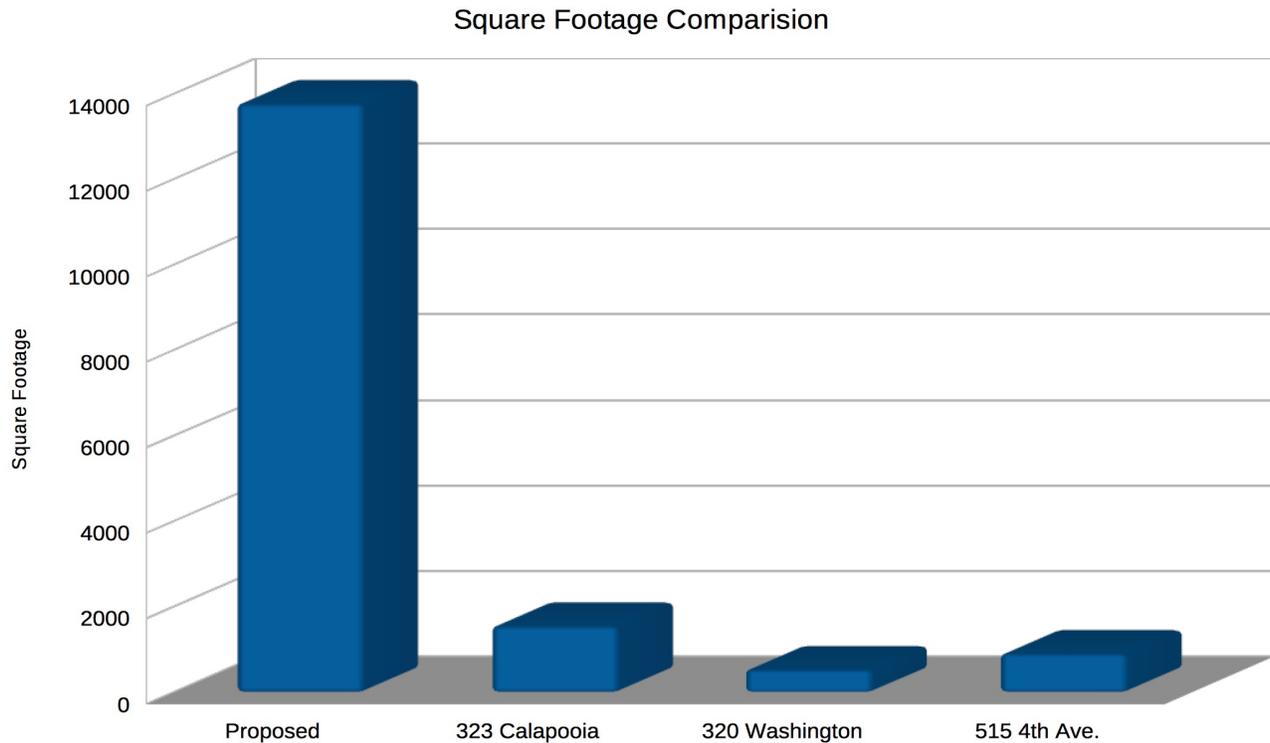


Figure 11. Square Footage Comparison of Proposal to Neighboring Properties.

The proposed structures are 10 to 20 feet taller than abutting properties. The proposed structures are twice as wide. And combined they are 9 to 26 times more massive. No amount of articulation or finishes, no magic can of paint, can hide the fundamental and massive incompatibility of these structures. How would finishes or paint even matter at night? Too large is too large. They are not of similar size and scale of surrounding buildings and clearly violate ADC criteria 7.270 (1)(b).

The second part of ADC criteria 7.270(1)(b) says, “new construction should reflect the craftsmanship of surrounding buildings.” The design guidelines note such features as rectangular sashes with two to one height ratios, wood moldings on the top piece of window trims, and no horizontal sash, casement, or awning-type windows on the fronts on buildings. But as noted in the staff report, the proposal shows no consistent architectural style, no symmetry or size consistency and placement of windows. In addition, incompatible metal awnings are shown projecting into the public right of way. The windows are not of the correct width to height ratio, and they appear to have horizontal openings. The modern commercial entryways are a direct contrast to the residential porches and entries on historic properties seen next door and across the street. These entryways are completely contemporary in style. The faux cultured stone was not used during the period of significance of the Montieth National Historic District, and is also a contrast to the wood constructed houses surrounding the property. And the vertical walls are relatively flat, giving a box-like appearance when compared to the craftsmanship of neighboring houses. There are no step-back wall plane or dormer offsets in the vertical direction. The two proposed main buildings proposed are contemporary-styled mixed used commercial

structures that would look fine in a new city center style development, but do not match the craftsmanship or style of the homes in this historic neighborhood.

ADC criteria 7.270 (1)(c) says “Building materials are reflective of and complementary to existing buildings within the district.”

Again the *Guidelines for New Construction* give clarification. The guidelines say, “The predominant materials in Albany’s historic neighborhoods are wood - for siding, windows, trim and decorative details” and “Fabricated wood siding such as T-1-11, along with exposed concrete block, aluminum, and vinyl are not recommended.” The proposal gives very few details about the proposed construction materials, but all the materials shown are incompatible with a historic district: fabricated composite siding, HardiShingle, composite windows, cultured stone, aluminum door frames and front windows, and aluminum awnings. None of these are wood materials as the Guidelines state. Even the fencing visible in the public alleyway is proposed to be of metal with PVC slats. While the application is incomplete in the details of the finishes, everything that is shown is inconsistent with a historic neighborhood, and they do not meet the requirements of ADC 7.270(1)(c).

The notion of putting an intense commercial use in a residential national historic district goes against the very notions of Albany’s Comprehensive Plan Goal 5. It does not meet any of the zoning requirements of the historic overlay zone. The design is not compatible with the setbacks nor other unifying development patterns. The size, both in width, height, and mass is completely out of scale with the neighborhood. The craftsmanship is not a match to surrounding buildings, nor is it internally consistent. And the materials are either not listed or not compatible. The application needs to meet all three criteria, and it meets none of them.

Any conditions of approval would require such a drastic redesign that a new application submittal is required. The new design should be submitted to the Landmarks Commission. We urge you to follow city code and reject this application so that the applicant can work on a design that is a compatible infill project with the surrounding houses in the Monteith National Historic District.

Respectfully,

Richard Engeman, Secretary
Friends of Historic Albany

From: [Den Mol](#)
To: [LaRoque, Laura](#)
Cc: [Molly Miller](#); [Dennis Miller](#)
Subject: Comment on Review of new construction, 4th & Calapooia
Date: Tuesday, June 23, 2020 10:06:48 AM

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

Re: Comment on Review of new construction of two 3-story mixed-use buildings within the Monteith District

From: Molly Miller, 1312 SW 8th Ave 97321

The proposed construction on 4th and Calapooia has many positives, but does not follow through with implementing those positives to accommodate city and historic requirements.

I did read the Staff Report. The report gives an overview of changes to meet certain city building requirements—the changes have much to do with scaling back the current design. The footprint and scale take up almost all usable space on the lots. The buildings tower over current neighboring houses on either side.

The Staff Report does list specific changes to bring the project more in line with city building guides. However, the report also states that the project is required to meet historic specifics. As currently designed, the blueprint follows more of the “Don’t do this” than the “Do this” on the historic graphic depictions in the May reports. Also, I don’t see anything in regards to how parking for both residents of the units and customers of the businesses will affect the neighborhood at night and during the day.

The spirit and comments of the surrounding community are just as important as any physical building guidelines. I would like to see the applicants address people’s comments and concerns as well as the physical requirements that they mention in their letter of May 29.

Sincerely,
Molly Miller
1312 SW 8th Ave 97321

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all copies of the original message.

June 23, 2020

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

City Councilors,

As ten former Albany Landmarks commissioners, we applaud the decision reached on May 19 by the current Landmarks Commission to reject the vastly over-scaled project proposed at 4th & Calapooia within the Monteith Historic District. We encourage City councilors to support the rational decision reached by the Landmarks Commission by rejecting the appeal by Mark and Tina Siegner.

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 *Guidelines for New Construction in Albany's Residential Historic Districts & Neighborhoods* helps clarify this statement 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?

So ask yourself as councilors, do the setback and development patterns seen in the neighborhood blend with the proposal? 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 what it says in the Albany Development Code.

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. That is why, on May 19, the Landmarks Commission rejected the proposal for 4th & Calapooia. This is why you as a City councilor should affirm the Landmarks Commission decision and reject the appeal.

Respectfully,

Roz Keeney, Historic Resources Consultant and past Preservation Planner, City of Albany
1205 NW Fernwood Circle
Corvallis, Oregon

Oscar B. Hult, Historic Building Owner, Downtown Historic District
328 Water Ave SE
Albany, Oregon

Larry Preston, General Contractor specializing in Historic Houses
1152 12th Ave SW
Albany, Oregon

Linda Herd, Architectural Designer, former City Planner for the Borough of Manhattan in NYC
723 Ferry St SW
Albany, Oregon

Camron Settlemier, Historic Property Manager and Historic Homeowner
230 7th Ave SW
Albany, Oregon

David Pinyerd, Historic Preservation Consultant and past president of Restore Oregon
1116 11th Ave SW
Albany, Oregon

Robyn van Rossmann, Realtor and Historic Homeowner
526 5th Ave SE
Albany, Oregon

David Abarr, Historic Homeowner and former CARA board member
625 4th Ave SE
Albany, Oregon

Kate Foster, former Linn County Planner and former CARA board member
485 Young Street
Woodburn, Oregon

Heidi Overman, Architect with an emphasis in Historic Preservation
1120 12th Ave SW
Albany, Oregon

From: [maryfmclean](#)
To: [LaRoque, Laura](#)
Subject: RE: HI-04-20 Historic Review of New Construction
Date: Tuesday, June 23, 2020 4:32:57 PM

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6/23/2020

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

To the City Councilors:

Please vote no on HI-04-20, the proposed new construction for 4th & Calapooia.

I am the Owner/Occupant of what is currently the only house on the north side of 4th Ave SW, between Calapooia and Washington Streets. My home is a 900 sq ft structure which stands less than 14 feet in height. This Craftsman Bungalow was built in 1925 and is set back from the existing sidewalk. The proposed structures will dwarf my home and cast a long shadow over my property for the entirety of each afternoon. I would like to request a Helio-Study be done to determine just how much shade and shadow will be thrown on my property and darken the interior of my home. I am deeply concerned about how this will negatively impact both the quality of my life in my home as well as the actual monetary value of my property. The historic homes that were left to ruin were each only 2 stories in height with sunlit basements. The sheer mass of the proposed structures is grossly disproportionate to the homes that were destroyed and will have a very real negative impact on, not only my home, but the entire Monteith Historic District. I would like to see the height of the proposed buildings reduced by a minimum of 6 ft and the pitch of the roof be altered to allow sunlight into my property for extended hours of each day.

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).

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,

Mary McClean
515 4th Ave SW
Albany, OR 97321
(541) 801-0014

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

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Bernadette Niederer
1116 11th Avenue SW
Albany, OR 97321
niederer@hp-nw.com

June 23, 2020

City of Albany City Council
c/o Ms. Laura LaRoque, Planner III
333 Broadalbin St SW
Albany, OR 97321
laura.laroque@cityofalbany.net

Re: Comments on Appeal of City File No. HI-04-20

Honorable Mayor Konopa and City Councilors:

I am opposed to the approval of HI-04-20. The project is out of scale with the buildings of the Monteith Historic District. The application provided by the developers is inadequate and fails to provide analysis of how the buildings fit into the neighborhood. It is also confusing in that the plans and elevations provided (dated October 18, 2019) do not match the design depicted in three-dimensional renderings (dated January 27, 2020). Which design applies? The following analysis discusses issues regarding craftsmanship and materials as depicted in the drawings dated October 18, 2019, as these appear to be the primary building plans.

The Albany Development Code addresses the need for new construction in historic districts to meet certain criteria regarding craftsmanship and building materials:

7.270 (b) The structure...as much as possible reflects the craftsmanship of those [surrounding] buildings.

7.270 (c) Building materials are reflective of and complementary to the existing buildings within the district.

With new construction, reflecting the craftsmanship and building materials of surrounding historic buildings is not easy, but it is possible with attention to both the big picture and to detail.

The big picture is expressed in typology: the physical development characteristics of a place as determined by local preferences taken in context with urban patterns as evidenced through history. For example, a single-family detached house set back from the street and surrounded by lawns and ornamental plantings is typologically associated with North American suburban places. That is also broadly the typology of the Monteith Historic District and the type of structures that were demolished to make way for this development. Ideally, like would be replaced with like: three discrete, individualistic

buildings set-back from the street with landscaping. This framework has the potential to be flexible and can accommodate both mixed-use and multi-family construction.

There are no typological analogs in the historic districts for the proposed Calapooia Court development. The two proposed identical structures, with their condominium form, belong in a contemporary subdivision, not a historic district. Historic, multi-story, mixed-use structures that correspond to the Monteith Historic District's period of significance almost invariably have flat roofs or gabled roofs disguised by false fronts.

Detail is expressed in the overall stylistic expression and through the application of exterior materials. The proposed buildings are stylistically confused, with a very loose Craftsman idiom evident on the front facade and Queen Anne embellishment on the rear. These are the two long elevations. The shorter, end elevations are modestly detailed where they face either the street or the interior of the development, but are fairly impoverished where they face neighboring buildings (north elevation on Phase 2, east elevation on Phase 1).

Virtually none of the building materials applied correspond to materials used historically. The exceptions are wooden trim elements and brackets. The use of Hardi-products (fiber-cement siding), shingles and lap siding in this case, is common in new construction, but discouraged in historic districts. The vaunted durability and performance of Hardi-products is put to the question by the localized failures of that material's performance on the nearby River View Terrace project. To mitigate the artificiality of the siding, placement is critical. With many historic buildings in Monteith, the shingling is limited to the gables. However, this project employs shingles on the façade, between bays, on the second and third story, presumably to aid in that elevation's articulation. However, the visual effect is of a recessed, shingled pilaster whose illogic is reinforced by the installation of lap siding on the corresponding area of the first floor. The absence of shingles on the rear elevation further disconnects this Queen Anne-influenced side from the Craftsman overtones of the other three elevations.

Brick veneer is applied in a pilaster-type manner at the openings at the building corners on the front façade and one side elevation. Obviously, veneer is non-structural; however, to avoid the appearance of artificiality, logical installation is necessary. The veneer's absence from the façade's centered main entrance as well as from the side elevation facing neighboring buildings serves to emphasize its non-essential nature. Consistent application at major first floor openings would de-emphasize the artificiality of the veneer.

Cultured stone veneers never look historical and should be avoided in this setting. No samples, images, or product numbers of the "honed cultured stone" employed at Calapooia Court were provided by the developer to determine if its use is acceptable in this setting. In the Calapooia Court proposal, stone veneer is installed at the base of the brick veneer pilasters, below posts that support the main entry canopy, and below posts supporting the rear balconies. As with brick veneer, the installation should attempt to replicate what structural stone would look like. With the brick pilasters, the stone veneer

is installed adequately, however, the stone "plinths" below the balcony and entry canopy lack adequate mass to convey any authenticity. Cultured stone is also installed above segmentally arched openings on the façade and at a centered side-entry. Rather than being installed as a segmental arch, the stone blocks are laid in a running bond and cut-out to create the segmental arch opening. By not laying the material as an arch, with voussoirs and a keystone, the artificiality of the material is emphasized. The absence of any kind of stone veneer on the elevation facing neighboring buildings contributes to the disjointed feeling between the four elevations.

Other questionable ornamentation includes the four different types of brackets installed on the two buildings. While brackets are common in the historic district, the proliferation in variety is not. There are brackets of two different sizes supporting the canopy over the main entrance. The smaller of the two brackets also reappear supporting the eaves. As a result, the eaves are emphasized and appear correspondingly under-scaled relative to the mass of the building. Small brackets or corbels are attached to the trim boards at the base of the gable tympani. The building elevations do not suggest that the tympani project, so these corbels support thin air. They are installed in a manner that would suggest dentils, which adds to the confusion of the design. On the other hand, proper dentils would introduce a classical element into the design, which would also create confusion. At the rear, balconies are ornamented with spindled brackets that suggest Queen Anne styling. As these brackets appear on none of the other elevations, their appearance here is jarring.

Other Queen Anne elements on the rear include a fanlight over a centered entrance and a sunburst in a small pediment over the stairwell. The Queen Anne disconnect from the remaining three Craftsman-ish elevations is further emphasized by faux wrought iron, powder-coated metal railings. The lightness of these railings is made awkward by the heaviness of composite lap-clad railings at the outer edges and on the sides of the balconies.

The building openings are problematic as well. The aluminum storefronts on the first floor are wholly contemporary in style and are not sympathetic to the historic district. The second and third floor openings are similarly contemporary in style, placement, configuration, and materials. Discussion of these windows is hampered by the inadequate application materials which do not provide window details beyond the fact that they are of composite material (usually discouraged in historic districts) and trimmed with wood.

The façade windows are gridded, unlike the windows of the other three elevations, leading to a disconnect in style and design between the four sides of the building. Since there do not appear be any other windows with the same dimensions as the façade windows, the disconnect is emphasized. The plans do not specify if the grids are of the sandwich type, or if they have an exterior muntin. The latter is far more successful in conveying the appearance of true divided panes and should be required in all applications in historic districts. The opening mechanism for the façade windows is not specified. Are they fixed or sliding? A sliding sash in this setting would be inappropriate. A fixed sash would be only slightly less incongruous. Historically, this

type of building would be likely to have Chicago-style openings, with a fixed center window flanked by double-hung sashes. The window openings on the other three elevations are primarily sliders without grids. There are very few sliding sashes in the Monteith District's contributing buildings and the prevalence of them here is jarring. The asymmetrical placement of windows as well as their assortment of dimensions on the secondary elevations is also incongruous.

In order to insert a contemporary building into a historic setting it is necessary to pay attention to both the big picture, the overall typology of the surroundings, as well as to the details, the manner in which exterior finishes are applied. The Calapooia Court project fails to address the Monteith Historic District's primary typology, the detached single-family structure. It also does not correspond to other historically compatible typologies such as historic multi-family or mixed-use structures that are less common in Albany, but which could have yielded a building that is generally sympathetic to its surroundings. For example, the nearby apartment building at 328 Ferry St SW from c.1940. In detailing, Calapooia Court falls similarly short, incorporating an excessive number of exterior flourishes without applying them in a consistent and thoughtful manner or with a consciousness of historic construction technologies. The resulting building has a superficial veneer that pays lip service to all of Albany's history and is stylistically incoherent across its four elevations.

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

June 23, 2020

City of Albany City Council
c/o Ms. Laura LaRoque, Planner III
333 Broadalbin St SW
Albany, OR 97321
laura.laroque@cityofalbany.net

Re: Comments on Appeal of City File No. HI-04-20

Honorable Mayor Konopa and City Councilors:

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 submitted comments to the Landmarks Commission in response to this proposal and will restate them again here, as I understand the City Council has not been provided the record of this proceeding in advance of this hearing. Before moving to those points, I would like to point out a procedural issue that requires resolution by the Council in advance of taking testimony from the public.

Although the City Council has decided to conduct this proceeding through a *de novo* review, it is not clear what role the Landmarks Commission record will play. As a result, the City Council needs to specifically identify which documents are: (1) contained in the City's land use record for this case; and (2) which documents were reviewed by each City Councilor in advance of the hearing. It is not enough to say that: "I reviewed the record." As it is not clear what the record contains.

The definition section of the Albany Development Code (ADC 1.560) provides that: "'De novo hearing' shall mean a hearing by the review body as if the request had not been previously heard and as if no decision had been rendered, except that all testimony, evidence, and other material from the record of the previous consideration may be included in the record of the review." This definition suggests that all testimony and evidence presented before the Landmarks Commission will be included in the record and will be reviewed by the City Council as part of this appeal. Yet, it appears that the staff's position is that only materials submitted after the appeal was filed will be considered. If this is correct, the applicant must also be required to resubmit their application to be considered by the City Council. Similarly, the Notice of Hearing is defective as it includes site plans for a proposal that was not submitted as part of the appeal.

If the City Council intends to provide no review of the Landmarks Commission proceedings, the appeal hearing effectively becomes the initial hearing and as a result, any party is entitled to a continuance or to leave the record open under ORS 197.763. As a result, please continue this proceeding, leaving the record open to allow all parties to respond, either because this is the initial hearing or because new evidence is submitted during the hearing. Finally, this haphazard approach may violate ADC 7.120 requiring that the Landmarks Commission serve as the review body for these types of decisions. The

Landmarks Commission's review is entirely thwarted if the City Council does not take the time to review and respond to that decision.

ADC 1.360 requires that all Type III decisions, including those by the Landmarks Commission, be accompanied by findings based on the established criteria. Given the lack of written findings supplied in this case, I respectfully request that the video / audio recording of the Commission's deliberation be reviewed by the City Council in all in advance of the public hearing to consider this appeal.

Moving on to the substantive concerns that I have about this proposal, they include:

- Buildings that are twice as wide and seven times larger in building square footage 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 and the Landmarks Commission was correct in its denial for this reason.
- A three-story building is not compatible with the adjacent one and two-story historic residences, even with the additional 4-foot height reduction proposed by city staff. The Landmarks Commission rightfully rejected the staff report on that basis. 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 and the Historic District overall.
- 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, as well as the City Council's review of the same is solely building design. In other words, the massing and scale of new construction must be compatible and complementary, regardless of what or how many uses are contained within. The types of uses, the need for such uses, or other public policies that might be furthered by approving this request are not germane to the applicable approval criteria. This application cannot be approved until the size, shape, massing, and craftsmanship matches the quality and character of nearby buildings.
- City staff recommended conditions of approval requiring fundamental changes in building height, façade design and materials. However, it is premature to conclude that once included, the application 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 City Council should continue this hearing to allow sufficient time for the appellants 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

appellants have 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, scale and height as required by ADC 7.270(c). These buildings will detract from and irreparably damage the quality and character of the Monteith Historic District, a resource that must be “recognized and protected.” ADC Article 7.

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

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. 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 the very subject of parking irrelevant today.

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.

The Albany Development Code demands that new buildings in the Monteith Historic District must fit the general style and massing of other buildings in the area. While this is a fundamentally subjective requirement, there are larger buildings, there are taller buildings, and there are denser buildings within a quarter mile of the proposed development. Our neighborhood is a wonderful mishmash of development types, and stopping it on grounds that it is too big or too imposing obviously misinterprets the intent of the development code, unless we are to determine dozens of buildings in the area are inappropriate for our neighborhood. Rejecting this project on grounds of historic preservation just isn't a reasonable decision, and it will cost us a wonderful new addition to the Monteith District.

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 should not 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 an overwhelming rationale for why a project simply is not appropriate. It is wrong for us, the neighbors, to hold a developer for ransom to force a project to meet the specifications of our architectural fantasies. 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 do not like the project but think it should go ahead anyway. It is a fantastic proposal. For years, I have walked down this block of Fourth and thought it would be much improved with a three to five 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 us instead embrace the future 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: [Michael Thomson](#)
To: [LaRoque, Laura](#)
Subject: HI-04-20 June 24th Council meeting
Date: Tuesday, June 23, 2020 2:34:41 PM

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City Councilors:

Please vote NO on HI-04-20, the proposed new construction for 4th & Calapooia. The scale of the proposed project is completely at odds with the surrounding residential neighborhood.

This property exists within the Monteith Historical District and is subject to the Historical Code overlay. Mixed-use construction, proposed exterior materials and buildings built out to a new sidewalk with metal swings overhead are not compatible with this historic neighborhood.

Albany is not Portland. New construction within the Monteith Historical District should follow the *Guidelines for New Construction in Albany's Residential Historic Districts and Neighborhoods* as prepared by the City of Albany.

The Historic Districts have served our community well. Please ask for a more compatible proposal.

Respectfully,

Michael Thomson
1291 Elm St SW
Albany OR 97321

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From: [Norman Tolonen](#)
To: [LaRoque, Laura](#)
Subject: 4th and Calapooia proposed development
Date: Tuesday, June 23, 2020 10:47:16 AM

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Laura,

We strongly oppose the development, as proposed. The Montieth District in Albany is unique in that it is a significant historic district not found in most cities the size of Albany. We live out of town on Riverside Drive, but enjoy looking at the historic houses and going on the historic tours, etc. The proposal is not consistent with the character of that neighborhood and should not be allowed. It is likely proposed now due to the groundswell of "affordable housing" that is wreaking havoc on neighborhoods everywhere. If approved, the proposed development would set a precedent for similar projects and ultimately destroy the character of that historic district and be a detriment to the city of Albany.

Thank you.

Norm and Rita Tolonen
31213 Lone Oak Lane SW
Albany, OR

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From: [Laurie Walcutt](#)
To: [LaRoque, Laura](#)
Subject: 4th and Calapooia
Date: Tuesday, June 23, 2020 2:27:14 PM

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Dear Laura,

I'm writing to protest vehemently against the proposed build at 4th and Calapooia. The square footage to be built should not exceed the square footage of the buildings removed. The buyers were fully aware that Albany is proud of its historical buildings and that they shouldn't have expected to replace the homes with 13,000 square feet of any type of construction. We chose to move to Albany because of the beautiful homes and businesses here. If we wanted to move into a city that didn't care what was built, didn't honor its past, we would have moved to Corvallis. We have personal experience with seeing cute 1200 square foot bungalows replaced with 3000 square foot behemoths that don't fit into the neighborhood, are devoid of any room for a garden and block the sun of the neighboring homes. Please don't let Albany slip into being a town for developers versus the inhabitants.

Thank you!
Laurie Walcutt

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From: [Michael Yuan](#)
To: [LaRoque, Laura](#)
Subject: Proposal at 4th and Calapooia
Date: Tuesday, June 23, 2020 3:34:57 PM

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Dear Ms. LaRoque and members of the Albany City Council,

I am writing to add my voice in opposition to the proposal as it exists for the new buildings at 4th and Calapooia. My wife and I recently moved into the Montieth District for reasons that include the strong preservation of the historic character of the neighborhood. We have undergone additions to our own house following appropriate guidelines. It makes no logical or emotional sense why one would allow new construction that is so jarringly incompatible with the surroundings, especially in an area where historic preservation is integral to its entire existence. If this project is approved as it stands now, why have guidelines at all? Why have a National Register of Historic Places? Do you want people to come to the district and leave thinking, 'well, that was all so beautiful, *except...*'? And where does it stop- why not put in multiple cubical condominiums, a chain restaurant, or a strip mall around 8th and Vine? Should I draw up plans for a Vegas-style casino in my front yard? Or would you allow something incredible, like a deconstructivist house that looks like it's about to melt by famed architect Frank Gehry? No, because it would not be in keeping with the area.

Imagine if the organizers of a Civil War re-enactment tried to increase attendance by having participants use assault rifles or tanks. Imagine if a museum tried to boost visitors by adding versions of historic documents like the Bill of Rights with modern slang. Imagine a grandparent tried to revive your interest in an old story by inventing details about how their father caught smartphone video of surviving the sinking of Titanic. Sure, all three might work the first time, but at what cost? And worse, what if they persisted?

Please do not rubber stamp the plans as they currently stand for structures that have received such serious and widespread disapproval from many guardians of the spirit and purpose of the District. I am not against the developers reaping financial rewards from their endeavors, but doing so without respect and with disregard to reasonable requests for alterations is disgraceful to say the least.

Sincerely,

Michael Yuan

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Re: HI-04-20

This is Martin Kirkwood. I have an interest in the adjacent property immediately to the West of the massive non-conforming proposed structures. Please take a look at the single-family residence immediately to the West of the proposed mega-development. The address is 515 4th Avenue SW for reference. It should be found on elevations generally submitted by the Project Sponsor, but the Project Sponsor failed to include them with the application to the Community Development Department. A copy of the elevations was not circulated by the Project Sponsor to adjacent neighbors nor any other communication ever.

The modification requests to the Project are as follows. It is understood there is a two part application:

1. Meeting with the Project Sponsor to discuss construction, the proposed building, mitigatable impacts of the Project, etc. No reasonable or 'proper' notification was received about this Project or any previous proposal, if any;
2. Reduce the massing and bulk of 525 4th Avenue SW to meet with the articulation of a general semblance of neighborhood design;
3. A materials board was not reviewed – However, the general agreement among many neighbors is the historical look and feel, and sense of place appears generic. The overall design can be found in architecture from the late 1980's to the early 2000's in many cities across the country – what says Albany, Oregon;
4. Take the Albany Landmark Commission recommendations. The attempted circumvention of process and procedure of a body of governance for precisely a Project, such as this one, is unfortunate – especially that the Project Sponsor has not held community meetings, met with neighbors, circulated materials related to the Project – all likely to push the Project through with minimal community input and support.

From viewing buildings in the surrounding neighborhood, the envelope of Project Sponsor's proposed structures is grossly inconsistent in height (actual and mean heights), bulk, and mass related to other nearby buildings (both homes and businesses) in the Historic District. The height increase over the previously occurring and now demolished houses is profoundly significant in the architectural articulation of the neighborhood (DMU with the Historic District Overlay). The Project Sponsor has chosen to attempt to obfuscate the Landmarks Commission and now the Albany City Council by noting a height and bulk comparison of a building several blocks, and not within the Monteith Historic District. This is significant as the zoning is different; this false argument is surprising, especially coming from a Project Sponsor and team likely very familiar with Albany, Oregon. The importance of proper planning and zoning should not be lost on the City Council tonight as it was **not** lost on the Landmarks Commission when reviewing much of the same documentation.

This particular proposal for these two structures is out of character for reasonable neighborhood design guidelines with regards to height, bulk, massing, architecture, and materials. The usage is also not consistent per the Albany Community Development Staff Report to the North, South, East, and West.

If the proposed Project was outside of the Monteith Historic District, then United States Department of Interior standards for historic districts would not apply nor might there be such opposition.

I have personally worked with new construction and development of mixed-use buildings within historic and potentially historic districts after much due diligence before real estate acquisition.

It may true the Project Sponsor is not required by ordinance or law to communicate with the community, neighbors, those directly and negatively impacted by the Project, but it's also not right or a common standard of care and professionalism. I do not know the Project Sponsor. However, it is unusual in 2020 to not reach out to neighbors. To clarify the point, the Project Sponsor has not once, not one time, reached out by mail, messenger, letter, email, phone, text, or any other forms of media, nor has the Project Sponsor knocked on the door to inform the adjacent residents and ownership of its intention to demolish buildings, to prepare for demolition and its mess (indoors and outdoors), to be properly notified of the proposed building that will eliminate sunlight each day throughout the year, to be told of a new proposal of a zero lot line structure with windows facing into the bedrooms of the immediate neighbor, or to present design consistent with the neighborhood.

Overall, the building's mean height is too high; the set back should be required; the design unfortunately has been done over and over since the late 1980's through the early 2000's (trite); while the materials board was not view nor the type of construction, it would be challenging to think the Project Sponsor would not attempt to complete any project much above code minimum. Better materials and a more appropriate historic design would be appropriate in meeting the Department of Interiors standards as well as community standards of Albany, Oregon.

There are many concerns about this Project in both historical placement and placemaking, materials, articulation in the neighborhood, as well as mass, bulk, height, and significant impacts upon the adjacent property owners and residents.

If you have any questions, then please do not hesitate to ask (online). Thank you – Good evening.

Martin Kirkwood