



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Notice of Public Hearing

Historic Review of Exterior Alterations

HI-12-22

September 14, 2022

HEARING INFORMATION

Review Body:	Landmarks Commission (Type III)
Hearing Date:	Wednesday, October 5, 2022
Hearing Time:	6:00 p.m.
Hearing Location:	Council Chambers, Albany City Hall, 333 Broadalbin Street SW
	<u>Virtual Option:</u> At 6:00 p.m., join the meeting using the link below: https://council.cityofalbany.net/groups/lac/zoom
	You can use your microphone or dial in using phone.
	<u>Phone Audio Option:</u> +1 (253) 215-8782 (long distance charges may apply)
	<u>Meeting Id:</u> 891-3470-9381; <u>Passcode:</u> 530561

Application Information

Type of Application:	Historic Review of Exterior Alterations for the replacement of siding, trim, and fascia on the steeple base of a commercial building.
Review Body:	Landmarks Commission (Type III review)
Property Owner/Applicant:	CHANCE Recovery
Address/Location:	238 3 rd Ave SE, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-06CD; Tax Lot 03300
Zoning:	Central Business (CB) Zoning District
Overlays:	Historic Property (Individually Listed)

The Planning Division has received the application referenced above and has scheduled a public hearing before the Landmarks Commission. We are mailing notice of the application to property owners within 100 feet of the proposed development.

A copy of the application, all documents, and evidence submitted by or on behalf of the applicant, and applicable criteria, are available for inspection at the Albany Community Development Department, Planning Division. Copies can be provided by mail upon request at a reasonable cost or electronically at no charge. The staff report for the hearing is available by 5:00 p.m. on Wednesday, September 28, 2022, on the City's website at:

www.cityofalbany.net/cdprojects

Should you wish to discuss this case please contact Alyssa Schrems, project planner, at alyssa.schrems@cityofalbany.net, 541-791-0176.

cd.cityofalbany.net



Submit any written comments to the Planning Division; PO Box 490, Albany, OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the notice of decision.

YOUR COMMENTS

Your comments will be considered when the Landmarks Commission makes a decision on this application. All testimony and evidence must be directed toward the approval standards for the applications listed in this notice. Failure to raise an issue by letter or verbally before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the Landmarks Commission an adequate opportunity to respond to each issue raised precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

Persons wanting to provide testimony during public hearings at meetings may:

1. Email written comments to alyssa.schrems@cityofalbany.net **before noon the day of the meeting**, including your name and subject of the public hearing, or mail comments to Albany Planning Division; PO Box 490, Albany, OR 97321. **Written comments to be addressed in the staff report must be received by City staff on or before September 26, 2022.**
2. To testify virtually during the public hearing, register by emailing cdaa@cityofalbany.net **before noon on the day of the meeting**, with your name, address, phone number, and if you are speaking for, against, or neutral on the project/subject. The chair will call upon those who have registered to speak.
3. Appear in person at the meeting and register to speak using the signup sheet on the table.

The public hearing will begin with a declaration of any bias, *ex parte* contacts (contacts that occurred outside of the public hearing), or any conflict of interest by the decision-makers. This will be followed by the staff report from the planning staff. Then the applicant will testify. This will be followed by calling upon those who registered to speak in support of the application. After those in favor of the application are finished, testimony from those who registered to speak in opposition will begin. This will be followed by testimony from people who neither favor nor oppose the application. Following, a calling upon anyone else who wishes to testify either in support, in opposition, or neutral will be made. The applicant will then be able to respond to the public comments. The decision-makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing. Once all comments are recorded as part of the meeting, and the applicant responds, the Landmarks Commission will close the public hearing and deliberate on the application.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of Oregon Revised Statute (ORS) 227.178.

If the hearing is continued or the record is left open, the chair will announce the date, time, and place for the resumption of the hearing and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision-makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify City staff at least 48 hours in advance of the meeting at 541-917-7550, or email cdaa@cityofalbany.net.

APPEALS

Within five days of the Landmarks Commission's final decision on this application, the Community Development Director will provide written notice of decision to the applicant and any other parties entitled to notice.

A decision of the Landmarks Commission may be appealed to the City Council if a person with standing files a notice of appeal and pays the associated filing fee with the City within ten days of the date the City mails the notice of decision.

Approval Standards for This Request

Historic Review of Exterior Alteration (ADC 7.150)

For applications other than for the use of substitute materials, the review body must find that one of the following criteria has been met in order to approve an alteration request:

1. The proposed alteration will cause the structure to more closely approximate the historical character, appearance, or material composition of the original structure than the existing structure, or
2. The proposed alteration is compatible with the historic characteristics of the area and with the existing structure in massing, size, scale, materials, and architectural features.

Secretary of Interior's Standards for Rehabilitation – (ADC 7.160)

The Secretary of the Interior's Standards for Rehabilitation. The following standards are to be applied to rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic material shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

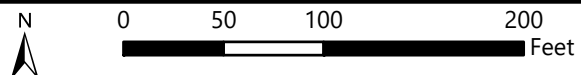
Additional review standards for this application are found in ADC Articles 1, 2, 5, and 7.

Attachments: Location Map



G:\Community Development\Planning\Land Use Cases\2020s\2022\Historic (H)\12-22 (238 3rd Ave SE)\Public Notice\238 3rd Ave SE.mxd

Subject Property



238 3rd Ave SE

Date: 9/12/2022 Map Source: City of Albany

Location Map